



CHAPTER 12.

An Act to render illegal certain agreements and transactions affecting bidding at auctions. A.D. 1927.

[29th July 1927.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) If any dealer agrees to give, or gives, or offers any gift or consideration to any other person as an inducement or reward for abstaining, or for having abstained, from bidding at a sale by auction either generally or for any particular lot, or if any person agrees to accept, or accepts, or attempts to obtain from any dealer any such gift or consideration as aforesaid, he shall be guilty of an offence under this Act, and shall be liable on summary conviction to a fine not exceeding one hundred pounds, or to a term of imprisonment for any period not exceeding six months, or to both such fine and such imprisonment:

Certain bidding agreements to be illegal.

Provided that, where it is proved that a dealer has previously to an auction entered into an agreement in writing with one or more persons to purchase goods at the auction *bonâ fide* on a joint account and has before the goods were purchased at the auction deposited a copy of the agreement with the auctioneer, such an agreement shall not be treated as an agreement made in contravention of this section.

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(2) For the purposes of this section the expression "dealer" means a person who in the normal course of his business attends sales by auction for the purpose of purchasing goods with a view to reselling them.

(3) In England and Wales a prosecution for an offence under this section shall not be instituted without the consent of the Attorney-General or the Solicitor-General.

Right of
vendors to
treat certain
sales as
fraudulent.

2. Any sale at an auction, with respect to which any such agreement or transaction as aforesaid has been made or effected, and which has been the subject of a prosecution and conviction, may, as against a purchaser who has been a party to such agreement or transaction, be treated by the vendor as a sale induced by fraud:

Provided that a notice or intimation by the vendor to the auctioneer that he intends to exercise such power in relation to any sale at the auction shall not affect the obligation of the auctioneer to deliver the goods to the purchaser.

Copy of Act
to be exhi-
bited at sale.
8 & 9 Vict.
c. 15.

3. The particulars which under section seven of the Auctioneers Act, 1845, are required to be affixed or suspended in some conspicuous part of the room or place where the auction is held shall include a copy of this Act, and that section shall have effect accordingly.

Short title,
commence-
ment and
extent.

4.—(1) This Act may be cited as the Auctions (Bidding Agreements) Act, 1927, and shall come into operation on the first day of January, nineteen hundred and twenty-eight.

(2) This Act shall not extend to Northern Ireland.

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