



Hire Purchase Act 1964

1964 CHAPTER 53

[^{F1}PART III

TITLE TO MOTOR VEHICLES ON HIRE-PURCHASE OR CONDITIONAL SALE

[^{F1}28 Presumptions relating to dealings with motor vehicles.

- (1) Where in any proceedings (whether criminal or civil) relating to a motor vehicle it is proved—
 - (a) that the vehicle was bailed or (in Scotland) hired under a hire-purchase agreement, or was agreed to be sold under a conditional sale agreement and
 - (b) that a person (whether a party to the proceedings or not) became a private purchaser of the vehicle in good faith without notice of the hire-purchase or conditional sale agreement (the “relevant agreement”),this section shall have effect for the purposes of the operation of section 27 of this Act in relation to those proceedings.
- (2) It shall be presumed for those purposes, unless the contrary is proved, that the disposition of the vehicle to the person referred to in subsection (1)(b) above (the “relevant purchaser”) was made by the debtor.
- (3) If it is proved that that disposition was not made by the debtor, then it shall be presumed for those purposes, unless the contrary is proved—
 - (a) that the debtor disposed of the vehicle to a private purchaser purchasing in good faith without notice of the relevant agreement, and
 - (b) that the relevant purchaser is or was a person claiming under the person to whom the debtor so disposed of the vehicle.
- (4) If it is proved that the disposition of the vehicle to the relevant purchaser was not made by the debtor, and that the person to whom the debtor disposed of the vehicle (the “original purchaser”) was a trade of finance purchaser, then it shall be presumed for those purposes, unless the contrary is proved,

Changes to legislation: There are currently no known outstanding effects for the Hire Purchase Act 1964, Section 28. (See end of Document for details)

- (a) that the person who, after the disposition of the vehicle to the original purchaser, first became a private purchaser of the vehicle was a purchaser in good faith without notice of the relevant agreement, and
 - (b) that the relevant purchaser is or was a person claiming under the original purchaser.
- (5) Without prejudice to any other method of proof, where in any proceedings a party thereto admits a fact, that fact shall, for the purposes of this section, be taken as against him to be proved in relation to those proceedings.]

Textual Amendments

F1 Part III substituted by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 192, **Sch. 4 Pt. I para. 22**

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