



Sale of Goods Act 1979

1979 CHAPTER 54

PART II **U.K.**

FORMATION OF THE CONTRACT

[^{F1} Miscellaneous]

Textual Amendments

F1 Cross-heading preceding s. 15A inserted (3.1.1995) by 1994 c. 35, ss. 4(1), 8(2) (with s. 8(3)).

^{F2}**[15A Modification of remedies for breach of condition in non-consumer cases. **E+W**
+N.I.**

- (1) Where in the case of a contract of sale—
 - (a) the buyer would, apart from this subsection, have the right to reject goods by reason of a breach on the part of the seller of a term implied by section 13, 14 or 15 above, but
 - (b) the breach is so slight that it would be unreasonable for him to reject them,
^{F3}... the breach is not to be treated as a breach of condition but may be treated as a breach of warranty.
- (2) This section applies unless a contrary intention appears in, or is to be implied from, the contract.
- (3) It is for the seller to show that a breach fell within subsection (1)(b) above.
- (4) This section does not apply to Scotland.]

Textual Amendments

F2 S. 15A inserted (3.1.1995) by 1994 c. 35, ss. 4(1), 8(2) (with s. 8(3)).

Changes to legislation: There are currently no known outstanding effects for the Sale of Goods Act 1979, Cross Heading: Miscellaneous. (See end of Document for details)

F3 Words in s. 15A(1) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 1 para. 15](#); S.I. 2015/1630, art. 3(g) (with art. 6(1))

[^{F4}15B Remedies for breach of contract as respects Scotland. S

- (1) Where in a contract of sale the seller is in breach of any term of the contract (express or implied), the buyer shall be entitled—
- (a) to claim damages, and
 - (b) if the breach is material, to reject any goods delivered under the contract and treat it as repudiated.

[Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the ^{F5}(1A) [Consumer Rights Act 2015](#) applies (but see the provision made about such contracts in sections 19 to 22 of that Act).]

^{F6}(2)

- (3) This section applies to Scotland only.]

Textual Amendments

- F4** S. 15B inserted (3.1.1995) by [1994 c. 35, ss. 5\(1\), 8\(2\)](#) (with s. 8(3)).
- F5** [S. 15B\(1A\)](#) inserted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 1 para. 16\(2\)](#); S.I. 2015/1630, art. 3(g) (with art. 6(1))
- F6** [S. 15B\(2\)](#) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 1 para. 16\(3\)](#); S.I. 2015/1630, art. 3(g) (with art. 6(1))

Changes to legislation:

There are currently no known outstanding effects for the Sale of Goods Act 1979, Cross
Heading: Miscellaneous.