



# Supply of Goods and Services Act 1982

## 1982 CHAPTER 29

### <sup>F1</sup>[PART IA **S**

#### SUPPLY OF GOODS AS RESPECTS SCOTLAND

*<sup>F1</sup> Contracts for the transfer of property in goods*

#### [11E <sup>F1</sup> Implied terms where transfer is by sample. **S**

- (1) This section applies where, under a [<sup>F2</sup>relevant contract for the transfer of goods], the transferor transfers or agrees to transfer the property in the goods by reference to a sample.
- (2) In such a case there is an implied term—
  - (a) that the bulk will correspond with the sample in quality;
  - (b) that the transferee will have a reasonable opportunity of comparing the bulk with the sample; and
  - (c) that the goods will be free from any defect, making their quality unsatisfactory, which would not be apparent on reasonable examination of the sample.
- (3) For the purposes of this section a transferor transfers or agrees to transfer the property in goods by reference to a sample where there is an express or implied term to that effect in the contract concerned.]

#### Textual Amendments

- F1** Pt. IA (ss. 11A-11L) with Pt. heading and cross headings inserted (3.1.1995) by [1994 c. 35, ss. 6, 8\(2\), Sch. 1 para.1](#) (with [s. 8\(3\)](#))
- F2** Words in Act substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\), s. 100\(5\), Sch. 1 para. 38\(a\)](#); [S.I. 2015/1630, art. 3\(g\)](#) (with [art. 6\(1\)](#))

**Status:**

Point in time view as at 01/10/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Supply of Goods and Services Act 1982, Section 11E.