_____
Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Sale of
Goods Act 1979, Cross Heading: Unpaid seller's lien. (See end of Document for details)
_____

Sale of Goods Act 1979

1979 CHAPTER 54

PART V

RIGHTS OF UNPAID SELLER AGAINST THE GOODS

Unpaid seller's lien

41   Seller's lien.

(1) Subject to this Act, the unpaid seller of goods who is in possession of them is entitled to
retain possession of them until payment or tender of the price in the following cases:—

  (a)   where the goods have been sold without any stipulation as to credit;

  (b)   where the goods have been sold on credit but the term of credit has expired;

  (c)   where the buyer becomes insolvent.

(2) The seller may exercise his lien or right of retention notwithstanding that he is in
possession of the goods as agent or bailee or custodier for the buyer.

42   Part delivery.

Where an unpaid seller has made part delivery of the goods, he may exercise his lien
or right of retention on the remainder, unless such part delivery has been made under
such circumstances as to show an agreement to waive the lien or right of retention.

43   Termination of lien.

(1) The unpaid seller of goods loses his lien or right of retention in respect of them—

  (a)   when he delivers the goods to a carrier or other bailee or custodier for the
         purpose of transmission to the buyer without reserving the right of disposal
         of the goods;

  (b)   when the buyer or his agent lawfully obtains possession of the goods;

  (c)   by waiver of the lien or right of retention.

2

Sale of Goods Act 1979 (c. 54)
Part V – Rights of Unpaid Seller Against the Goods
Document Generated: 2023-07-12

(2) An unpaid seller of goods who has a lien or right of retention in respect of them does not lose his lien or right of retention by reason only that he has obtained judgment or decree for the price of the goods.

Status:
Point in time view as at 01/02/1991.

Changes to legislation:
There are currently no known outstanding effects for the Sale of Goods Act 1979, Cross Heading: Unpaid seller's lien.