



# Sale of Goods Act 1979

## 1979 CHAPTER 54

### PART V

#### RIGHTS OF UNPAID SELLER AGAINST THE GOODS

##### *Stoppage in transit*

#### **46 How stoppage in transit is effected.**

- (1) The unpaid seller may exercise his right of stoppage in transit either by taking actual possession of the goods or by giving notice of his claim to the carrier or other bailee or custodian in whose possession the goods are.
- (2) The notice may be given either to the person in actual possession of the goods or to his principal.
- (3) If given to the principal, the notice is ineffective unless given at such time and under such circumstances that the principal, by the exercise of reasonable diligence, may communicate it to his servant or agent in time to prevent a delivery to the buyer.
- (4) When notice of stoppage in transit is given by the seller to the carrier or other bailee or custodian in possession of the goods, he must re-deliver the goods to, or according to the directions of, the seller; and the expenses of the re-delivery must be borne by the seller.

**Changes to legislation:**

There are currently no known outstanding effects for the Sale of Goods Act 1979, Section 46.