



Sale of Goods Act 1979

1979 CHAPTER 54

[^{F1}PART 5A

ADDITIONAL RIGHTS OF BUYER IN CONSUMER CASES

[^{F1F2}48E Powers of the court

- (1) In any proceedings in which a remedy is sought by virtue of this Part the court, in addition to any other power it has, may act under this section.
- (2) On the application of the buyer the court may make an order requiring specific performance or, in Scotland, specific implement by the seller of any obligation imposed on him by virtue of section 48B above.
- (3) Subsection (4) applies if—
 - (a) the buyer requires the seller to give effect to a remedy under section 48B or 48C above or has claims to rescind under section 48C, but
 - (b) the court decides that another remedy under section 48B or 48C is appropriate.
- (4) The court may proceed—
 - (a) as if the buyer had required the seller to give effect to the other remedy, or if the other remedy is rescission under section 48C
 - (b) as if the buyer had claimed to rescind the contract under that section.
- (5) If the buyer has claimed to rescind the contract the court may order that any reimbursement to the buyer is reduced to take account of the use he has had of the goods since they were delivered to him.
- (6) The court may make an order under this section unconditionally or on such terms and conditions as to damages, payment of the price and otherwise as it thinks just.]

Status: Point in time view as at 31/03/2003.

Changes to legislation: There are currently no known outstanding effects for the Sale of Goods Act 1979, Section 48E. (See end of Document for details)

Textual Amendments

- F1** [Pt. 5A](#) (ss. 48A-48F) inserted (31.3.2003) by [S.I. 2002/3045](#), **reg. 5**
- F2** [Pt. 5A](#) (ss. 48A-48F) inserted (31.3.2003) by [S.I. 2002/3045](#), **reg. 5**

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