

Changes to legislation: There are currently no known outstanding effects for the Consumer Rights Act 2015, SCHEDULE 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 60

AMENDMENTS CONSEQUENTIAL ON PART 1

Supply of Goods (Implied Terms) Act 1973 (c. 13)

1 The Supply of Goods (Implied Terms) Act 1973 is amended as follows.

Commencement Information

I1 Sch. 1 para. 1 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

2 For “hire-purchase agreement” (or “hire purchase agreement”) in each place, except in section 15(1), substitute “ relevant hire-purchase agreement ”.

Commencement Information

I2 Sch. 1 para. 2 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

3 (1) Section 10 (implied undertakings as to quality or fitness) is amended as follows.
(2) Omit subsections (2D) to (2F).
(3) Omit subsection (8).

Commencement Information

I3 Sch. 1 para. 3 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

4 (1) Section 11A (modification of remedies for breach of statutory condition in non-consumer cases) is amended as follows.
(2) In subsection (1) omit “then, if the person to whom the goods are bailed does not deal as consumer.”.
(3) In subsection (3), for paragraph (b) substitute—
“(b) that the agreement was a relevant hire-purchase agreement.”
(4) Omit subsection (4).

Commencement Information

I4 Sch. 1 para. 4 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

5 In section 12A (remedies for breach of hire-purchase agreement as respects Scotland) omit subsections (2) and (3).

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Commencement Information

I5 Sch. 1 para. 5 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

6 Omit section 14 (special provisions as to conditional sale agreements).

Commencement Information

I6 Sch. 1 para. 6 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

7 (1) Section 15 (supplementary) is amended as follows.

(2) In subsection (1)—

(a) in the definition of “hire-purchase agreement” at the end insert—

“and a hire-purchase agreement is relevant if it is not a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies;”, and

(b) omit the definition of “producer”.

(3) Omit subsection (3).

Commencement Information

I7 Sch. 1 para. 7 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

Sale of Goods Act 1979 (c. 54)

8 The Sale of Goods Act 1979 is amended as follows.

Commencement Information

I8 Sch. 1 para. 8 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

9 In section 1 (contracts to which Act applies), after subsection (4) insert—

“(5) Certain sections or subsections of this Act do not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.

(6) Where that is the case it is indicated in the section concerned.”

Commencement Information

I9 Sch. 1 para. 9 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

10 In section 11 (when condition to be treated as warranty), after subsection (4) insert—

“(4A) Subsection (4) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 19 to 22 of that Act).”

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I10 Sch. 1 para. 10 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

11 In section 12 (implied terms about title etc), after subsection (6) insert—

“(7) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 17 of that Act).”

Commencement Information

I11 Sch. 1 para. 11 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

12 In section 13 (sale by description), after subsection (4) insert—

“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 11 of that Act).”

Commencement Information

I12 Sch. 1 para. 12 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

13 (1) Section 14 (implied terms about quality or fitness) is amended as follows.

(2) Omit subsections (2D) to (2F).

(3) After subsection (8) insert—

“(9) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 9, 10 and 18 of that Act).”

Commencement Information

I13 Sch. 1 para. 13 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

14 In section 15 (sale by sample), after subsection (4) insert—

“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 13 and 18 of that Act).”

Commencement Information

I14 Sch. 1 para. 14 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

15 In section 15A (modification of remedies for breach of condition in non-consumer cases), in subsection (1) omit “then, if the buyer does not deal as consumer.”

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I15 Sch. 1 para. 15 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

16 (1) Section 15B (remedies for breach of contract as respects Scotland) is amended as follows.

(2) After subsection (1) insert—

“(1A) Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 19 to 22 of that Act).”

(3) Omit subsection (2).

Commencement Information

I16 Sch. 1 para. 16 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

17 (1) In section 20 (passing of risk), for subsection (4) substitute—

“(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”

(2) The marginal note “Passing of risk” substituted by the Sale and Supply of Goods to Consumers Regulations 2002 (SI 2002/3045) is not affected by the revocation of those Regulations by this Schedule.

Commencement Information

I17 Sch. 1 para. 17 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

18 In section 29 (rules about delivery), after subsection (3) insert—

“(3A) Subsection (3) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 28 of that Act).”

Commencement Information

I18 Sch. 1 para. 18 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

19 (1) Section 30 (delivery of wrong quantity) is amended as follows.

(2) In subsection (2A) omit “who does not deal as consumer”.

(3) After subsection (5) insert—

“(6) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 25 of that Act).”

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I19 Sch. 1 para. 19 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

20 In section 31 (instalment deliveries) after subsection (2) insert—

“(3) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 26 of that Act).”

Commencement Information

I20 Sch. 1 para. 20 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

21 In section 32 (delivery to carrier), for subsection (4) substitute—

“(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”

Commencement Information

I21 Sch. 1 para. 21 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

22 (1) Section 33 (risk where goods are delivered at distant place) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”

Commencement Information

I22 Sch. 1 para. 22 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

23 (1) Section 34 (buyer's right of examining the goods) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) Nothing in this section affects the operation of section 22 (time limit for short-term right to reject) of the Consumer Rights Act 2015.”

Commencement Information

I23 Sch. 1 para. 23 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

24 (1) Section 35 (acceptance) is amended as follows.

(2) Omit subsection (3).

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(3) After subsection (8) insert—

“(9) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 21 of that Act).”

Commencement Information

I24 Sch. 1 para. 24 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

25 In section 35A (right of partial rejection), after subsection (4) insert—

“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 21 of that Act).”

Commencement Information

I25 Sch. 1 para. 25 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

26 (1) Section 36 (buyer not bound to return rejected goods) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 20 of that Act).”

Commencement Information

I26 Sch. 1 para. 26 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

27 Omit Part 5A (additional rights of buyer in consumer cases).

Commencement Information

I27 Sch. 1 para. 27 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

28 In section 51 (damages for non-delivery), after subsection (3) insert—

“(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I28 Sch. 1 para. 28 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

29 In section 52 (specific performance), after subsection (4) insert—

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“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I29 Sch. 1 para. 29 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

30 In section 53 (remedy for breach of warranty), after subsection (4) insert—

“(4A) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I30 Sch. 1 para. 30 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

31 In section 53A (measure of damages as respects Scotland), after subsection (2) insert—

“(2A) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I31 Sch. 1 para. 31 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

32 (1) Section 54 (interest) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

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I32 Sch. 1 para. 32 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

33 In section 55 (exclusion of implied terms), after subsection (1) insert—

“(1A) Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 31 of that Act).”

Commencement Information

I33 Sch. 1 para. 33 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

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34 (1) Section 58 (payment into court in Scotland) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 27 of that Act).”

Commencement Information

I34 Sch. 1 para. 34 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

35 (1) Section 61 (interpretation) is amended as follows.

(2) In subsection (1) omit the following definitions—

- (a) “consumer contract”;
- (b) “producer”;
- (c) “repair”.

(3) Omit subsection (5A).

Commencement Information

I35 Sch. 1 para. 35 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

36 In section 62(2) (savings for rules of law etc), for “this Act” substitute “ legislation including this Act and the Consumer Rights Act 2015 ”.

Commencement Information

I36 Sch. 1 para. 36 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

Supply of Goods and Services Act 1982 (c. 29)

37 The Supply of Goods and Services Act 1982 is amended as follows.

Commencement Information

I37 Sch. 1 para. 37 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

38 In each place—

- (a) for “contract for the transfer of goods” substitute “ relevant contract for the transfer of goods ”;
- (b) for “contract for the hire of goods” substitute “ relevant contract for the hire of goods ”;
- (c) for “contract for the supply of a service” substitute “ relevant contract for the supply of a service ”.

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I38 Sch. 1 para. 38 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 39 In section 1 (the contracts concerned: transfer of property in goods, as respects England and Wales and Northern Ireland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”

Commencement Information

I39 Sch. 1 para. 39 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 40 In section 4 (implied terms about quality or fitness in contracts for transfer of goods) omit subsections (2B) to (2D).

Commencement Information

I40 Sch. 1 para. 40 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 41 In section 5A (modification of remedies for breach of statutory condition in non-consumer cases), in subsection (1) omit “then, if the transferee does not deal as consumer,”.

Commencement Information

I41 Sch. 1 para. 41 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 42 In section 6 (the contracts concerned: hire of goods, as respects England and Wales and Northern Ireland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”

Commencement Information

I42 Sch. 1 para. 42 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 43 In section 9 (implied terms about quality or fitness in contracts for hire of goods) omit subsections (2B) to (2D).

Commencement Information

I43 Sch. 1 para. 43 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 44 In section 10A (modification of remedies for breach of statutory condition in non-consumer cases) in subsection (1) omit “then, if the bailee does not deal as consumer,”.

Commencement Information

I44 Sch. 1 para. 44 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

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- 45 In section 11A (the contracts concerned: transfer of property in goods, as respects Scotland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”

Commencement Information

I45 Sch. 1 para. 45 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 46 In section 11D (implied terms about quality or fitness in contracts for transfer of property in goods) omit subsections (3A) to (3C) and (10).

Commencement Information

I46 Sch. 1 para. 46 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 47 In section 11F (remedies for breach of contract) omit subsections (2) and (3).

Commencement Information

I47 Sch. 1 para. 47 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 48 In section 11G (the contracts concerned: hire of goods, as respects Scotland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”

Commencement Information

I48 Sch. 1 para. 48 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 49 In section 11J (implied terms about quality or fitness in contracts for hire of goods) omit subsections (3A) to (3C) and (10).

Commencement Information

I49 Sch. 1 para. 49 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 50 Omit Part 1B (additional rights of transferee in consumer cases).

Commencement Information

I50 Sch. 1 para. 50 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 51 In section 12 (the contracts concerned: supply of services, as respects England and Wales and Northern Ireland), in subsection (1) at the end insert “, other than a contract to which Chapter 4 of Part 1 of the Consumer Rights Act 2015 applies.”

Commencement Information

I51 Sch. 1 para. 51 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

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- 52 (1) Section 18 (interpretation: general) is amended as follows.
(2) In subsection (1) omit the definitions of “producer” and “repair”.
(3) Omit subsection (4).

Commencement Information

I52 Sch. 1 para. 52 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

Sale and Supply of Goods to Consumers Regulations 2002 (SI 2002/3045)

- 53 The Sale and Supply of Goods to Consumers Regulations 2002 are revoked.

Commencement Information

I53 Sch. 1 para. 53 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1)(3))

Regulatory Enforcement and Sanctions Act 2008 (c. 13)

- 54 In Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008 (enactments specified for the purposes of Part 1), at the appropriate place insert— “ Consumer Rights Act 2015, Part 1 ”.

Commencement Information

I54 Sch. 1 para. 54 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

Consequential repeal and revocation

- 55 In consequence of the amendments made by this Schedule—
(a) omit paragraph 5(9) of Schedule 2 to the Sale and Supply of Goods Act 1994, and
(b) omit paragraph 97 of Schedule 2 to the Consumer Protection from Unfair Trading Regulations 2008 (SI 2008/1277).

Commencement Information

I55 Sch. 1 para. 55 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

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