

Introduction to Sales of Goods

1. SGA or ACL? – meaning of consumer (ACL – s 3), whether excluded SGA
2. For SGA to apply need 3 elements – contract (s 8 validity of contract, s 7 capacity to buy and sell), sale (requires monetary consideration/price – ss 13-14), goods – s 5 (definition of goods) , 6 (sale and agreement to sell), 2 (examples of goods)
3. Sale of goods v manifestation of skill and labour
4. Sale of goods v sale of land

Passing of Property in Goods (sub-topic of 3)

1. Goods perished or never existed – ss 11, 12
2. Risk prima facie passes with property – s 25
3. Goods must be ascertained – s 21
4. Property passes when intended to pass – s 22
5. Rules for ascertaining intention – s 23
6. Bulk goods – s 25
7. Types of goods (s 5(1)) – specific, future, ascertained, unascertained (generic goods, goods ex-bulk, future goods)
8. Specific goods – s 23 r 1
9. Specific but not deliverable – s 23 r 2
10. Specific goods to be weighed, measured or tested to ascertain price – s 23 r 3
11. Sale or return of goods – s 23 r 4
12. Contracts, COD, FOB, CIF
13. Unascertained or future goods – s 23 r 5
14. Unconditional appropriation with assent