

Thirteenth Edition

ATIYAH AND ADAMS' SALE OF GOODS



Christian Twigg-Flesner
Rick Canavan
Hector MacQueen

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Atiyah and Adams' Sale of Goods

Thirteenth Edition

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DEDICATION

*All the editors dedicate this edition to the memory of Professor John Adams and
Professor Robert Bradgate*

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Preface to the Thirteenth Edition

Since the last edition of this book was published, there have been a number of significant developments. The most immediate one is that the editor of several previous editions, Professor John N Adams, sadly passed away suddenly on 14 April 2012, and so this edition has been prepared by two new editors (Christian Twigg-Flesner and Rick Canavan), with the continuing involvement for this edition of Hector MacQueen. We were both delighted and daunted in equal measure by this task: this book is a well-established and highly regarded text on the sale of goods, and so we were honoured to be asked to assume responsibility for updating the text to prepare this edition. This has proven quite challenging: updating a text written by somebody else is a very different task from updating one's own work, but we have tried to do so with care so as to ensure new and updated material slots into the existing text as neatly as possible. For that reason, we have generally limited any updating to adding important cases only, and deleting material which had become out of date. As a result, much of the text of this edition should be familiar to those who have read previous editions. However, there are two noticeable differences from previous editions: the first is that we have started to consolidate some of the smaller chapters, and this has resulted in a reduction of the overall number of chapters. Also, some of the sequencing has changed, which, we hope, has made the overall arrangement of the chapters more logical. The second change is more obvious: a new part on 'Consumer Sales' has been created. Since the last edition was published, there have been major changes to the consumer law landscape in the United Kingdom, following the implementation of the Consumer Rights Directive into domestic law, and the enactment of the Consumer Rights Act 2015. The latter, in particular, is very significant because it has resulted in the removal of all the consumer-specific provisions from the Sale of Goods Act 1979, and only a few provisions in the 1979 Act remain relevant to consumer sales contracts (for now). The new Act is considered in some detail in Chapter 22, together with other major new developments. There are likely to be further developments in the not too distant future: although the proposal for a Common European Sales Law (made in October 2011) was eventually abandoned in late 2014, there are proposals for new contract law measures in the context of the European Union's 'Digital Agenda' programme.

It might be useful to set out how we distributed the task of updating the chapters between us. Rick Canavan was responsible for Chapters 1–4, 6–10, 13, 14 and 16, and Christian Twigg-Flesner dealt with Chapters 5, 11, 12, 15, 17–21, 23 and 24, as well as writing the new Chapter 22 on consumer sales contracts. As with recent editions, Hector MacQueen added relevant developments in Scots law to all of the chapters.

As noted, the change of editorship was brought about by the sudden passing of John Adams. Both the new editors have a strong connection with Sheffield Law School, where John Adams worked for many years (we both completed undergraduate and

postgraduate degrees there, and Christian Twigg-Flesner spent two years there as a Lecturer, with Rick Canavan enjoying his tutorials in Commercial Law). There was further sad news for both editors as we were preparing this edition, when Professor Robert Bradgate, who taught Commercial Law at Sheffield for many years (and inspired both of us to focus on Commercial Law in our careers), died on 12 April 2014. It seems fitting to dedicate this edition to the memory of both John Adams and Rob Bradgate.

*Rick Canavan
Christian Twigg-Flesner*

In what will be my final effort as Scots law editor of this book, it is with both sadness and pleasure that I join in the dedication of the work to the memories of John Adams and Rob Bradgate. Both were good friends to me over many years and their loss so close together is really irreparable. I am very grateful, however, to Christian Twigg-Flesner and Rick Canavan for their enthusiasm in picking up John's banner, and for following his example of support for providing the book with a Scottish dimension. I look forward to seeing it develop further in future under their tutelage as still the leading student text on sale of goods.

Hector MacQueen

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Part I

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