

Note: Section 339 of the *Personal Property Securities Act 2009* affects the meaning of the references in this subsection to a floating charge and a fixed charge.

- (3) If:
- (a) a person (the **supplier**) supplies goods to a consumer; and
 - (b) the supply is a supply of limited title;
- there is a guarantee that all securities, charges or encumbrances known to the supplier, and not known to the consumer, were disclosed to the consumer before the consumer agreed to the supply.
- (4) This section does not apply if the supply is a supply by way of hire or lease.

54 Guarantee as to acceptable quality

- (1) If:
- (a) a person supplies, in trade or commerce, goods to a consumer; and
 - (b) the supply does not occur by way of sale by auction;
- there is a guarantee that the goods are of acceptable quality.
- (2) Goods are of **acceptable quality** if they are as:
- (a) fit for all the purposes for which goods of that kind are commonly supplied; and
 - (b) acceptable in appearance and finish; and
 - (c) free from defects; and
 - (d) safe; and
 - (e) durable;
- as a reasonable consumer fully acquainted with the state and condition of the goods (including any hidden defects of the goods), would regard as acceptable having regard to the matters in subsection (3).
- (3) The matters for the purposes of subsection (2) are:
- (a) the nature of the goods; and
 - (b) the price of the goods (if relevant); and