



Quiz

Consumer Law and Sales of Goods

1. Which of the following is correct?
 - a. The vendor knew before the sale was finalised that the car was not genuine
 - b. The vendor did not know before the sale was finalised that the car was not genuine
 - c. The purchaser obtained an independent expert's report prior to the sale that confirmed that the car was genuine
 - d. The vendor refused to allow the purchaser to carry out an inspection prior to the sale being finalised

2. On what did Mr Sell base his belief that the car was genuine?
 - a. The VIN
 - b. A report from a valuer
 - c. A letter from Ford
 - d. All of the above

3. Did the Federal Circuit Court have jurisdiction?
 - a. Yes, but only in relation to the federal law claims, not in relation to the State law claims
 - b. Yes, in relation to all claims
 - c. No, because the claim under the *Australian Consumer Law* was dismissed

- d. No, because the claim under the *Australian Consumer Law* was colourable

4. What was the finding of the primary judge?
 - a. The sale was a sale by inspection, not a sale by description
 - b. The sale was a sale by description, not a sale by inspection
 - c. The purchaser had relied upon representations made by the vendor
 - d. Implied warranties under the *Goods Act* applied

5. What did the Federal Court determine on appeal?
 - a. That the appeal should be upheld because the sale was a sale by description
 - b. That the appeal should be upheld because the appellant's reliance on the vendor's representations was reasonable
 - c. That the appeal should be dismissed because the sale was a sale by inspection
 - d. That the appeal should be dismissed because the purchaser was negligent in not having the car inspected prior to the sale being finalised

Answers:

1. b 2. d 3. b 4. a 5. c