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Revised Statute from The UK Statute Law Database

Auctions (Bidding Agreements) Act 1927 (c.12)

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Auctions (Bidding Agreements) Act 1927

1927 CHAPTER 12 17_and_18_Geo_5

An Act to render illegal certain agreements and transactions affecting bidding at auctions.

[29th July 1927]

Annotations:

Modifications etc. (not altering text)

[C1](#) Words of enactment omitted under authority of Statute Law Revision Act 1948 (c. 62), s. 3

[C2](#) A dagger appended to a marginal note means that it is no longer accurate

1 Certain bidding agreements to be illegal

(1) If any dealer agrees to give, or gives, or offers any gift or consideration to any other person as an inducement or reward for abstaining, or for having abstained, from bidding at a sale by auction either generally or for any particular lot, or if any person agrees to accept, or accepts, or attempts to obtain from any dealer any such gift or consideration as aforesaid, he shall be guilty of an offence under this Act, and shall be liable on summary conviction to a fine not exceeding [F1£400], or to a term of imprisonment for any period not exceeding six months, or to both such fine and such imprisonment:

Provided that, where it was proved that a dealer has previously to an auction entered into an agreement in writing with one or more persons to purchase goods at the auction bona fide on a joint account and has before the goods were purchased at the auction deposited a copy of the agreement with the auctioneer, such an agreement shall not be treated as an agreement made in contravention of this section.

(2) For the purposes of this section the expression “dealer” means a person who in the normal course of his business attends sales by auction for the purpose of purchasing goods with a view to reselling them.

(3) In England and Wales a prosecution for an offence under this section shall not be instituted without the consent of the Attorney-General [F2](#). . .

Annotations:

Amendments (Textual)

[F1](#) Figures substituted by Criminal Justice Act 1967 (c. 80), Sch. 3 Pt. I

[F2](#) Words in s. 1(3) repealed (30.9.1997) by 1997 c. 60, s. 3(2)(3),Sch.

Modifications etc. (not altering text)

[C1](#) S. 1 amended by Auctions (Bidding Agreements) Act 1969 (c. 56), s. 1

2 Right of vendors to treat certain sales as fraudulent

Any sale at an auction, with respect to which any such agreement or transaction as aforesaid has been made or effected, and which has been the subject of a prosecution and conviction, may, as against a purchaser who has been a party to such agreement or transaction, be treated by the vendor as a sale induced by fraud:

Provided that a notice or intimation by the vendor to the auctioneer that he intends to exercise such

power in relation to any sale at the auction shall not affect the obligation of the auctioneer to deliver the goods to the purchaser.

Annotations:

Modifications etc. (not altering text)

[C1](#) S. 2 excluded by Auctions (Bidding Agreements) Act 1969 (c. 56), s. 3(4)

3 Copy of Act to be exhibited at sale

The particulars which under section seven of the [M1](#) Auctioneers Act, 1845, are required to be affixed or suspended in some conspicuous part of the room or place where the auction is held shall include a copy of this Act, and that section shall have effect accordingly.

Annotations:

Modifications etc. (not altering text)

[C1](#) S. 3 extended by Auctions (Bidding Agreements) Act 1969 (c. 56), s. 4

Marginal Citations

[M1](#) 1845 c. 15.

4 † Short title, commencement and extent

(1) This Act may be cited as the Auctions (Bidding Agreements) Act, 1927, . . . [F1](#)

(2) This Act shall not extend to Northern Ireland.

Annotations:

Amendments (Textual)

[F1](#) Words repealed by Statute Law Revision Act 1950 (14 Geo. 6 c. 6)