

Invitation to treat

Partridge v. Crittenden [1968] 1 WLR 1204
An advertisement is an invitation to treat. It is an expression of willingness to receive offers as the starting point of negotiations.

Carlill v. Carbolic Smoke Ball Company Ltd [1893] 1 QB 256
Unilateral offers can be made to the world at large and acceptance need not be communicated

Pharmaceutical Society of Great Britain v. Boots [1953] 1 All ER 482
The display of goods in a self-service shop is an invitation to treat

Fisher v. Bell [1961] 1 QB 394
The display of goods in a shop window is an invitation to treat

British Car Auctions v. Wright [1972] 1 WLR 1519
An auction sale (bid) is an invitation to treat.

Harvey v. Facey [1893] AC 552
A statement of price is not an offer capable of acceptance

Communication of offers

Taylor v. Laird [1856] 25 LJ Ex 329
In order to be valid an offer must be communicated to the offeree. This means that no party can be bound by an offer of which they were unaware.

Inland Revenue Commissioners v. Fry [2001] STC 1715
The offeree must have clear knowledge of the existence of the offer for it to be valid and thus enforceable.

Termination of offers

Byrne v. Van Tienhoven [1880] 5 CPD 344
The communication of revocation must be received

Errington v. Errington & Woods [1952] 1 KB 290
Where there is unilateral offer, it cannot be revoked if the performance has commenced.

Ramsgate Victoria Hotel v. Montefiore [1866] LR 1 Ex 109
Offers can lapse after reasonable time. What is reasonable would depend on the offer and the subject matter of the contract.

Financings Ltd. v. Stimson [1962] 1 WLR 1184
Offers terminate when certain conditions have not been met by a party.

Bradbury v. Morgan [1862] 1 H & C 249
Where the offeror dies before the offer is accepted, the offeror's personal representatives may still be bound by an acceptance provided that the offeree is ignorant of the offeror's death.

Reynolds v. Atherton [1921] 125 LT 690
Where the offeree dies before acceptance, then the offer lapses and the offeree's personal representatives will be unable to accept on behalf of the deceased.

