

Fisher v Bell [1961] QB 394

<https://lawcasesummaries.com/knowledge-base/fisher-v-bell-1961-qb-394/>

Facts

- It was illegal to offer a flick knife for sale in England
- A shopkeeper displayed a flick knife in his shop window, with a pricetag behind it
- The shopkeeper was charged with offering an offensive weapon for sale

Issue

- Was the display of the knife an **offer**, or was it an **invitation to treat**?

Held

- Although a lay person may have viewed the knife as being offered for sale, it was not a legal offer under contract law
- It was instead an invitation to treat - i.e. the display of the knife was to tempt possible buyers to make an offer, it was not an offer in itself. It could not automatically be accepted and a contract created.
- Therefore the shop keeper was not in breach of the Act.
- In deciding this case, Lord Parker employed a literal approach to interpretation.

Significance

- This case is illustrative of the difference between an offer and an invitation to treat. It shows, in principle, goods displayed in a shop window are usually not offers.

Law case summary from www.lawcasesummaries.com