

## Legal rules of acceptance

i) Acceptance must be given only by the person to whom the offer is made: An offer can be accepted only by the person or persons to whom it is made and with whom it imports an intention to contract. It cannot be accepted by another person without the consent of the offer. The rule of law is if you propose to make a contract with them B can't substitute himself for A without your consent. An offer made to a particular person can be validly accepted by him alone.

ii) **Acceptance must be absolute and unqualified:** In order to be effective, it must be absolute and unqualified acceptance of all the terms of the offer. Even the slightest deviation from the terms of the offer makes the acceptance. In effect a derivate acceptance is regarded as a counter offer in law. E.g. L offered to M his scooter for Rs. 4000 M accepted the offer and tendered Rs. 3900 cash down, promising to pay the balance of Rs. 100 by the evening. There is no contract, so the acceptance was not absolute and unqualified.

iii) **It should be in a reasonable mode:** Unless the proposal prescribes the manner in which it is to be accepted. If the offeror prescribes no mode of acceptance the acceptances must be communicated according to some usual and reasonable mode. The usual modes of communication are by spoken or written or by conduct, it is called an implied acceptance. E.g. If the offeror prescribes acceptance by telegram and the offered sends acceptance through a messenger, there is no acceptance of the offer.

iv) **Acceptance must be communicated by the acceptor:** for an acceptance to the made it should to be made by the offer but also be communicated by, or will the authority of offered to the offeror.

v) **Acceptance must be given within a reasonable time and before the offer lapses:** Acceptance must be given within the specified time limit , if any and if no time is stipulated, acceptance must be given within a reasonable time because an offer cannot be kept open indefinitely.

**vi) Acceptance must succeed the offer:** Acceptance must be given after receiving the offer. It should not precede the offer. In a company share were allotted to a person who had not applied for them subsequently he applied for shares living unaware of the previous allotment. It was held that the allotment of shares previous to the application was invalid.

vii) Rejected offer can be accepted only, if renewal: offer once rejected can't be accepted again unless a fresh offer is made.

www.websukat.com