

Bill No. 84 of 1953

A BILL TO AMEND THE MECHANICS' LIEN ACT

NOTE

This Bill amends *The Mechanics' Lien Act*, being chapter 236 of the Revised Statutes of Alberta, 1942.

Section 19, subsection (1) is amended by striking out clause (e). A claim for a lien may be registered after it arises until the expiration of a specified number of days after the work or service is performed or a contract abandoned or completed. Clause (e) makes it appear that the claim for registration of a lien must show "the date of ceasing to work", and this creates an apparent conflict with the provisions of section 22 which provides, generally, that a lien may be registered "during" the performance of the contract, service or work giving rise to the lien. Clause (e) serves no useful purpose and is struck out.

Forms 2 and 3 in the Schedule are amended to have certain directory words added or altered so that these Forms will conform to Form 1 respecting the information to be placed in the claim for a lien by the claimants.

Form 7 in the Schedule is amended to obtain clarity. The lien under section 6 is for no more than "so much of the price of the work, service or materials as remains due to him (the claimant) in the improvement," and not necessarily the amount shown on the claim filed.

This Bill comes into force upon assent.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 84 of 1953

An Act to amend The Mechanics' Lien Act

(Assented to _____, 1953)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Mechanics' Lien Act*, being chapter 236 of the Revised Statutes of Alberta, 1942, is hereby amended.

2. Section 19, subsection (1) is amended by striking out clause (e). Section 19 amended

3. Form 2 in the Schedule is amended by adding immediately after the words "The Claimant ceased to work on the.....day of....." the words "(to be used where the claimant has ceased to work)". Schedule amended

4. Form 3 in the Schedule is amended by striking out the words "(or as the case may be)" and by substituting the words "(to be used where the claimants have ceased to work)". Schedule amended

5. Form 7 in the Schedule is amended by striking out the words "amount for which lien filed" and by substituting the words "Amount of lien". Schedule amended

6. This Act comes into force on the day upon which it is assented to. Coming into force

No. 84

FIRST SESSION
TWELFTH LEGISLATURE
2 ELIZABETH II
1953

BILL

An Act to amend The Mechanics'
Lien Act

Received and read the

First time

Second time.....

Third time.....

HON. MR. MAYNARD
