

No. 55

5th Session, 14th Legislature, Alberta
11 Elizabeth II

BILL 55

A Bill to amend The Mechanics Lien Act, 1960

HON. MR. MANNING

Explanatory Note

2. Section 27 is amended to clarify the form of statement for a lien.

3. Subsection (1) of section 34 is amended to clarify the time when a lien expires.

4. Section 36 is amended to provide for the cancellation of a certificate of *lis pendens* filed under this Act.

BILL

No. 55 of 1963

An Act to amend The Mechanics Lien Act, 1960

(Assented to _____, 1963)

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, 1960*, being chapter 64 of the Statutes of Alberta, 1960, is hereby amended.

2. Section 27, subsection (2) is amended by striking out clause (b) and by substituting the following:

(b) the date when the work was completed or the last materials were furnished, or if the lien is filed before the completion of the contract or sub-contract, as the case may be, a statement that the work is not yet completed or the materials have not yet all been furnished,

3. Section 34 is amended by striking out subsection (1) and by substituting the following:

34. (1) A lien in respect of which a statement of lien is registered ceases to exist thirty days from the date a notice in Form 4 of the Schedule is

- (a) served on the lienholder in the manner processes are usually served, or
- (b) deposited in the mail by registered mail addressed to the lienholder at the address for service of record in the land titles office.

4. Section 36 is amended by adding the following subsection:

(5) Upon receiving

- (a) a certificate under the seal of the clerk of a court stating that proceedings for which a certificate of *lis pendens* was granted are discontinued, or
- (b) a withdrawal of a certificate of *lis pendens* signed by the person on whose behalf the certificate was registered,

the Registrar shall cancel registration of the certificate of *lis pendens*.

5. Form 1 is amended to clarify the form of statement for a lien. See clause 2 of this Bill.

6. Commencement of Act.

5. Form 1 in the Schedule is amended by striking out the words "on or before.....day of.....19....." and by substituting the following:

"and

(a) the work was completed or the last materials were furnished on the.....day of..... 19.....,

or

(b) the work is not yet completed or the materials are not all yet furnished.

(strike out inapplicable clause)".

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

No. 55

FIFTH SESSION

FOURTEENTH LEGISLATURE

11 ELIZABETH II

1963

BILL

An Act to amend The Mechanics
Lien Act, 1960

Received and read the

First time

Second time

Third Time

HON. MR. MANNING
