

No. 58

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

BILL 58

A Bill to amend The Seizures Act

HON. MR. MANNING

Explanatory Note

2. Section 30, subsection (1) clause (b) reads:

"30. (1) Where no notice of objection is received by the sheriff within fourteen days after the seizure of goods,

.....

(b) if he is entitled to do so, the creditor may sell the goods seized or cause the same to be sold by some person other than the sheriff, either by public auction or private sale, upon giving to the debtor five days' notice in writing of his intention to exercise his right to do so, or".

The amendment is intended to clarify the position of the sheriff.

3. An error is corrected, Section 48, subsection (3) presently reads:

"(3) In an examination under this section Order XXVIII of the Consolidated Rules of the Supreme Court applies mutatis mutandis as if the examination of the debtor under this section were an examination of a judgment creditor under the said Rules."

4. Commencement of Act.

BILL

No. 58 of 1963

An Act to amend The Seizures Act

(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 Seizures Act*, being chapter 307 of the Revised Statutes, is hereby amended.

2. Section 30 is amended by adding the following new subsection:

(1a) When goods under seizure are delivered into the possession of a creditor for the purposes of sale pursuant to clause (b) of subsection (1), the sheriff is relieved of all further responsibility in respect of such goods.

3. Section 48, subsection (3) is amended by striking out the word "creditor" and by substituting the word "debtor".

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

No. 58

FIFTH SESSION
FOURTEENTH LEGISLATURE
11 ELIZABETH II
1963

BILL

An Act to amend The Seizures Act

Received and read the

First time

Second time

Third Time

HON. MR. MANNING
