

1970 Bill 75

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 75

An Act to amend The Partnership Act

THE ATTORNEY GENERAL

First Reading

Second Reading

Third Reading

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An Act to amend The Partnership Act

(Assented to _____, 1970)

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

1. *The Partnership Act* is hereby amended.
2. Section 2 is amended by adding the following clause after clause (a):
 - (a1) "Central Registry" means the Central Registry established under *The Chattel Security Registries Act*;
3. Section 49 is amended by striking out clause (a).
4. Section 68 is struck out and the following is substituted:

68. Persons associated in partnership for trading, manufacturing, contracting or mining purposes in the Province shall cause to be filed in the Central Registry a declaration in writing, signed by the several members of the partnership.
5. Section 69, subsection (2) is amended by striking out the words "with the registration clerk" and by substituting the words "in the Central Registry".
6. Section 70 is amended by striking out clause (a).
7. Section 72, subsection (1) is amended by adding after the words "to be filed" the words "in the Central Registry".
8. Section 73 is struck out and the following is substituted:

Explanatory Notes

1. This Bill amends chapter 230 of the Revised Statutes of Alberta, 1955.

2. Definition moved to Part 2, to apply to the whole of the Act.

3. See Note 2.

4. Section 68 presently reads:

68. Persons associated in partnership for trading, manufacturing, contracting or mining purposes in the Province shall cause to be filed in the office of the registration clerk of the registration district for the registration of chattel mortgages and other transfers of personal property in the Province and in which they carry on or intend to carry on business, a declaration in writing, signed by the several members of the partnership.

5. Self-explanatory.

6. Section 70 clause (a) presently reads:

70. The declaration shall
(a) be in Form B in the Schedule,

7. Self-explanatory.

8. Section 73 presently reads:

73. The registration clerk shall keep two alphabetical index books of declarations of partnership filed in the registration office pursuant to the provisions of this Act.

73. All declarations filed pursuant to Part 3 before the commencement of this section shall be deemed to be filed in the Central Registry.

9. Sections 74 and 75 are struck out.

10. Section 80 is struck out and the following is substituted:

80. Where a partnership is dissolved any of the persons who composed the partnership may sign and file in the Central Registry a declaration stating

(a) the name of the partnership dissolved,

(b) its address, and

(c) that the partnership is dissolved and the date on which it was dissolved,

and signed in the presence of a witness.

11. The Schedule is struck out.

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

All previously filed declarations deemed to have been filed in the Central Registry.

9. Sections 74 and 75 presently read:

74. In the first index book, to be known as the "firm index book", the registration clerk shall, in the manner shown in Form C in the Schedule,

- (a) enter in alphabetical order the names of the firms in respect of which declarations have been filed in the registration office, and
- (b) place opposite each such entry the names of the person or persons composing the firm, and the date of the receipt by him of the declaration.

75. In the second index book, to be known as the "individual index book", the registration clerk shall in the manner shown in Form D in the Schedule,

- (a) enter in alphabetical order the names of the members of each firm, and
- (b) place opposite each such entry the name of the firm of which the person is a member, and the date of the receipt of the declaration.

10. Section 80 presently reads:

80. Where a partnership is dissolved any of the persons who composed the partnership may sign and file a declaration in Form E in the Schedule, certifying the dissolution of the partnership.

11. The Schedule contains forms now obsolete.