

BILL

No. 48 of 1930.

An Act to amend The Conditional Sales Act.

(Assented to _____, 1930.)

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

1. This Act may be cited as "*The Conditional Sales Act Amendment Act, 1930.*"

2. *The Conditional Sales Act*, being chapter 150 of the Revised Statutes of Alberta, 1922, is amended by adding as sections 7a and 7b, immediately after section 7, the following:

"7a. In the event of the permanent removal into Alberta of goods of the value of fifteen dollars or over, subject to an agreement, made or executed without Alberta, that the right of property or right of possession in whole or in part shall remain in the seller or bailor, notwithstanding that the actual possession of the goods passes to the buyer or bailee, then unless—

"(a) the agreement contains such a description of the goods, the subject of the sale or bailment, that the same may be readily and easily known and distinguished;

"(b) a copy thereof and of the affidavits and instruments relating thereto, proved to be a true copy of the affidavit of some person who has compared the same with the originals, is filed in the office of the registration clerk of the district to which such goods and chattels are removed, within three weeks from such removal—

the seller or bailor shall not be permitted to set up any right of property or right of possession in or of the said goods as against the creditors of the buyer or bailee, a trustee in bankruptcy, a liquidator in winding-up proceedings, subsequent purchasers or mortgagees in good faith for valuable consideration, whose conveyances or mortgages have been duly registered or are valid without registration, or as against judgments, executions or attachments against the buyer or bailee.

"7b. When a contract has been made without Alberta with reference to goods not then within Alberta, by which under the law governing the contract the vendor has, upon default in payment of the price or the insolvency of the purchaser, a right of revendication or a preference for the

price of the goods sold or a right to a dissolution of the sale and to resume possession of the goods notwithstanding the possession of the purchaser, and the goods are brought into Alberta, the vendor shall not be permitted to set up such right of revendication, such preference for the price or, except in the case of an agreement which complies with the terms of section 7*a*, and is registered as thereby required, such right to a dissolution of the sale and to resume possession of the goods, as against the creditors of the buyer or bailee, a trustee in bankruptcy, a liquidator in winding-up proceedings, subsequent purchasers or mortgagees in good faith for valuable consideration, whose conveyances or mortgages have been duly registered or are valid without registration, or as against judgments, executions or attachments against the buyer or bailee."

3. Section 11 of the said Act is hereby struck out.

No. 48

FOURTH SESSION
SIXTH LEGISLATURE
20 GEORGE V
1930

BILL

An Act to amend The Conditional
Sales Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. LYMBURN

EDMONTON:
W. D. McLEAN, KING'S PRINTER
A.D. 1930