

Bill No. 17 of 1934.

A BILL TO AMEND THE CONDITIONAL SALES ACT.

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NOTE.

Section 2 of this Bill makes the provisions of the Act as to renewal statements in the case of conditional sale agreements similar to the provisions of *The Bills of Sale Act* dealing with like matters.

Section 3 makes provision for the re-registration of a conditional sale agreement, when the goods have been removed from the original into another registration district, similar to the provisions of *The Bills of Sale Act* dealing with like matters.

Section 4 makes provision for the remedying of omissions by the order of a judge.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 17 of 1934.

An Act to amend The Conditional Sales Act.

(Assented to 1934.)

**H**IS 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, 1934.*"

**2.** *The Conditional Sales Act*, being chapter 150 of the Revised Statutes of Alberta, 1922, is hereby amended as to section 4 thereof—

(a) by striking out the words "two years," where the same occur in subsection (1) thereof and by substituting therefor the words "three years";

(b) by striking out subsection (2) thereof and by substituting therefor the following:

"(2) A further statement in accordance with the provisions of the last preceding subsection duly verified as required thereby shall be filed in the office of the Registration Clerk of the district where the goods are then situate within three years after the date of the filing of the statement required by the last preceding subsection, and thereafter within each succeeding period of three years from the date of the registration of the last preceding annual statement, otherwise a seller or bailor shall not be permitted to set up any right of property or possession as against any such purchaser or mortgagee as aforesaid or as against any such judgments, executions or attachments as aforesaid."

**3.** The said Act is further amended as to section 5 thereof by striking out subsection (1) thereof and by substituting therefor the following:

"**5.**—(1) If the goods are, after the delivery thereof permanently removed by the buyer or bailee thereof into a Registration District other than the one in which they were situate at the time of the execution of the conditional sale agreement, a copy of the conditional sale agreement and of the affidavit accompanying the same, certified to be a true copy by the Clerk of the Registration District in which the

same was originally filed, shall, within thirty days after the seller or bailor has received notice of the place to which the goods have been removed, be filed in the Registration District into which the goods are removed, otherwise the seller or bailor shall not be permitted to set up any right of property or possession to the goods removed as against any such purchaser or mortgagee as aforesaid, or as against any such judgments, executions or attachments as aforesaid."

**4.** The said Act is further amended as to section 7 thereof by striking out the same and by substituting therefor the following:

**"7.** A judge of the district within which the original or copy of any writing, agreement, statement or affidavit is required to be registered or filed pursuant to any of the provisions of this Act, upon being satisfied that the omission to register or file the same within the prescribed time or that any omission or misstatement in any such writing, agreement, statement or affidavit was accidental or due to inadvertence or impossibility in fact, may in his discretion order that the omission or misstatement be rectified in the register or may extend the time for registration, subject always to the rights of third persons accrued by reason of the omission, and subject further to such terms and conditions, if any, as to security, notice by advertisement or otherwise, or as to any other matter as he thinks fit to direct."

**5.** This Act shall come into force on the day upon which it is assented to.

No. 17.

FOURTH SESSION  
SEVENTH LEGISLATURE  
24 GEORGE V  
1934

**BILL**

An Act to amend The Conditional  
Sales Act.

Received and read the

First time .....

Second time.....

Third time.....

HON. MR. LYMBURN

EDMONTON:  
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