

Bill No. 36 of 1938.

A BILL TO AMEND THE BILLS OF SALE ACT.

NOTE.

This Bill makes provision as to the registration of bills of sale and renewal statements in case a judicial district (which is a registration district under the Act) is divided or its boundaries are altered under *The Judicature Act*.

In any such case any registration previously made shall continue until such time as it becomes necessary to register a renewal statement in respect of it; and the renewal statement is to be filed in the registration district in which the chattels to which the bill of sale relates were situate at the time of the execution of the bill of sale; or in the case of the permanent removal of such chattels into a district other than the one in which they were situate at the time of the execution of the bill of sale, the renewal statement is to be registered in the office of the proper office in which the bill of sale is required to be registered pursuant to section 12 of the Act.

It further provides that where a district is so divided or altered, no bill of sale which is at the time of the division or alteration duly registered shall lose its priority by reason of the non-registration in another district until the expiration of the period of three years from the date of its registration or the last renewal thereof as the case may be.

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. 36 of 1938.

An Act to amend The Bills of Sale Act.

(Assented to _____, 1938.)

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 Bills of Sale Act Amendment Act, 1938.*"

2. *The Bills of Sale Act*, being chapter 12 of the Statutes of Alberta, 1929, is hereby amended by striking out section 17a and by substituting therefor the following:

"**17a.**—(1) In case any judicial district is divided or the boundaries thereof are altered or any new judicial district is established pursuant to section 39 of *The Judicature Act*,—

"(a) every bill of sale evidencing a mortgage of chattels which was duly registered in a district affected by any such division, alteration or establishment, at the time when such division, alteration or establishment became effective, shall until it becomes necessary to register a renewal statement in respect thereof continue to be as valid and effectual as if such division, alteration or establishment had not been made;

"(b) on and after the day upon which such division, alteration or establishment becomes effective, the renewal statement required to be registered in respect of any such bill of sale shall be filed with the Registration Clerk of each district in which the chattels comprised in the bill of sale were situate at the time of the execution thereof, except only in the case of the permanent removal of such goods and chattels into a registration district other than the one in which they were situate at the time of its execution, in which case the renewal statement shall be registered in the office of the proper officer of the registration district in which the bill of sale is required to be registered pursuant to section 12 of this Act;

"(c) in case such bill of sale is registered with the Clerk of a Registration District other than the Clerk of the Registration District with whom the renewal statement relating thereto is required to be filed, there shall be filed with every such statement a certified copy of the bill of sale to which it relates.

“(2) No bill of sale duly registered as at the date of the division, alteration or establishment of any district in any district affected by any such division, alteration or establishment, shall lose its priority by reason of the non-registration thereof in the office of the Registration Clerk in any other district until the expiration of the period fixed by section 11 for the renewal thereof.”

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

SIXTH SESSION
EIGHTH LEGISLATURE

1 GEORGE VI

1938

BILL

An Act to amend The Bills of Sale
Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. ABERHART.

EDMONTON:
A. Shnitka, King's Printer
1938