

BILLS OF SALE (AMENDMENT) ACT 1986 No. 38

NEW SOUTH WALES



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BILLS OF SALE (AMENDMENT) ACT 1986 No. 38

NEW SOUTH WALES



Act No. 38, 1986

An Act to amend the Bills of Sale Act 1898 to avoid the necessity in certain cases for registration under that Act of interests in goods registered under the Registration of Interests in Goods Act 1986. [Assented to 6 May 1986.]

Bills of Sale (Amendment) 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Bills of Sale (Amendment) Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (2) of the Registration of Interests in Goods Act 1986.

Amendment of Act No. 10, 1898

3. The Bills of Sale Act 1898 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE BILLS OF SALE ACT 1898

- (1) (a) Section 3, definition of "Special goods"—

After the definition of "Prescribed fee", insert:

"Special goods" means goods of a class specified in an order in force under section 9 of the Registration of Interests in Goods Act 1986.

- (b) Section 3, definition of "Trader's bill of sale"—

After "which" where firstly occurring, insert "are not special goods exclusively and".

Bills of Sale (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE BILLS OF SALE ACT 1898—*continued*

(2) Section 3A—

After section 3, insert:

Special goods—registration option

3A. (1) This section applies to a bill of sale where—

- (a) the personal chattels comprised in or subject to the bill of sale are special goods exclusively;
- (b) the interest in the special goods of the grantee or holder of the bill of sale is a registered interest under the Registration of Interests in Goods Act 1986; and
- (c) at the time of registration of the interest under that Act, the bill of sale could have been filed or recorded under this Act.

(2) In relation to a bill of sale to which this section applies, this Act has effect as if—

- (a) the registration under the Registration of Interests in Goods Act 1986 were a filing or recording of the bill of sale under this Act at the time of the registration; and
 - (b) this Act did not include any provisions relating to the renewal of registration of a bill of sale.
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