

**LIENS ON CROPS AND WOOL AND STOCK MORTGAGES
(AMENDMENT) ACT 1992 No. 6**

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

**LIENS ON CROPS AND WOOL AND STOCK MORTGAGES
(AMENDMENT) ACT 1992 No. 6**

NEW SOUTH WALES



Act No. 6, 1992

An Act to amend the Liens on Crops and Wool and Stock Mortgages Act 1898 to provide for the registration of liens on crops and wool, and of stock mortgages, in the General Register of Deeds kept under the Conveyancing Act 1919; and for other purposes. [Assented to 17 March 1992]

Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 No. 6

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992.

Commencement

2. This Act commences on a day to be appointed by proclamation.

Amendment of Liens on Crops and Wool and Stock Mortgages Act 1898 No. 7

3. The Liens on Crops and Wool and Stock Mortgages Act 1898 is amended as set out in Schedule 1.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 1 (**Short title**):

After the matter relating to Part 3, insert:

PART 4—General

(2) Section 3 (**Definitions**):

After the definition of “agricultural produce”, insert:

“General Register of Deeds” means the General Register of Deeds maintained under Part 23 of the Conveyancing Act 1919;

(3) Section 4 (**Lien on yearly crops**):

Omit “office of the Registrar-General in Sydney”, insert instead “General Register of Deeds”.

(4) Section 8 (**List in registry open to inspection**):

Omit the section.

(5) Section 9 (**Duration of lien**):

Omit “, at the request of both parties, shall at any time enter satisfaction thereon”, insert instead “may, on the expiration of that period or at the request of both parties, register satisfaction of the lien in the General Register of Deeds and destroy the lien”.

SCHEDULE 1—AMENDMENTS— *continued*

- (6) Section 11 (**Right of lienee to wool as security or in payment**):
Omit “by leaving in the office of the Registrar-General in Sydney a true copy thereof, duly verified on oath before the said Registrar-General or before another public officer duly authorised to administer an oath in that behalf”, insert instead “in the General Register of Deeds”.
- (7) Section 13 (**Right of mortgagee although mortgagor in possession**):
- (a) Omit “shall hereafter be”, insert instead “include the prescribed particulars, are”.
- (b) Omit “where the names of the parties, thereto and the particulars thereof shall be duly registered within thirty days after the date thereof in the office of the Registrar-General in the form mentioned in the Fourth Schedule hereto shall be”, insert instead “are registered in the General Register of Deeds within 30 days after the date of the agreement, are”.
- (8) Section 16 (**Particulars of registration by Registrar**):
Omit the section.
- (9) Section 17 (**Cancellation of lien on wool**):
- (a) Omit “records of his office”, insert instead “General Register of Deeds”.
- (b) Omit “enter satisfaction OR the same”, insert instead “register satisfaction of the lien in the General Register of Deeds”.
- (10) Section 18 (**Registration of satisfaction of mortgage**):
- (a) Omit “a copy of such receipt, duly verified by affidavit, to be registered in the office of the Registrar-General, on production to him of the original receipt and of the mortgage deed to which the same relates”, insert instead “the receipt to be registered in the General Register of Deeds”.
- (b) Omit “such verified”, insert instead “the”.

SCHEDULE 1—AMENDMENTS—*continued*

(11) Part 4:

After section 20, insert:

PART 4—GENERAL

Regulations

21. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed, or that is necessary or convenient to be prescribed, for carrying out or giving effect to this Act.

(2) The regulations may include provisions of a savings or transitional nature consequent on the enactment of the Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992.

(3) A provision referred to in subsection (2) may, if the regulations so provide, take effect from the date of amendment or repeal of the related provision amended or repealed by the Liens on Crops and Wool and Stock Mortgages (Amendment) Act 1992 or from a later date.

(4) To the extent that a provision referred to in subsection (2) takes effect from a date that is earlier than the date of its publication in the Gazette the provision does not operate:

- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of the person existing before the date of publication; or
- (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted to be done before the date of publication.

(12) Fourth Schedule:

Omit the Schedule.

*[Minister's second reading speech made in—
Legislative Assembly on 26 February 1992
Legislative Council on 4 March 1992]*