

BILLS OF SALE.

4° and 5° GEO. VI., No. LII.

No. 52 of 1940.

AN ACT to amend the Bills of Sale Act, 1899, by protecting from seizure under bills of sale by way of security, and excluding from the operation thereof certain household effects and implements of trade ; and for other relative purposes.

[Assented to 30th December, 1940.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Bills of Sale Act Amendment Act*, 1940, and shall be read as one with the Bills of Sale Act, 1899, as reprinted with amendments in the Appendix to the Sessional Volume of the Statutes for the year 1925 and amended by Act No. 8 of 1927, hereinafter called the principal Act.

Short title.

2. A new section is inserted after section twenty-nine of the principal Act as follows:—

Insertion of new section 29A.

29A. (1) In any bill of sale by way of security hereafter executed the following chattels of the grantor to the extent in this subsection mentioned, that is to say—

Certain chattels to be excluded from a bill of sale by way of security.

beds and bedding to the value of ten pounds;
household furniture to the value of ten pounds; implements of trade to the value of fifteen pounds; and all family portraits and photographs,

shall, notwithstanding anything contained in the bill of sale, be deemed to be expressly excluded therefrom and from the operation thereof, and shall not be seized, taken possession of, or sold by or on behalf of the grantee.

(2) Any person who in exercise or purported exercise of any powers or remedies contained in a bill of sale, seizes any chattels which are protected under the preceding subsection shall be guilty of an offence, and shall be liable on summary conviction to a penalty of twenty-five pounds, and the court on any such conviction may order that such chattels be returned forthwith and/or that damages be paid to the grantor by the grantee in respect of the wrongful taking or sale of the chattels, and any such order may direct imprisonment in case of non-compliance and shall be deemed to be an order under the Justices Act, 1902-1936, and shall be enforceable accordingly.

Provided that nothing in this section contained shall apply to any bill of sale granted by any person or company engaged in any business or trade and who or which has in his or its possession goods or chattels of the class or description hereinbefore mentioned and which goods or chattels are held, used, or traded in for the purpose of such business or trade.