

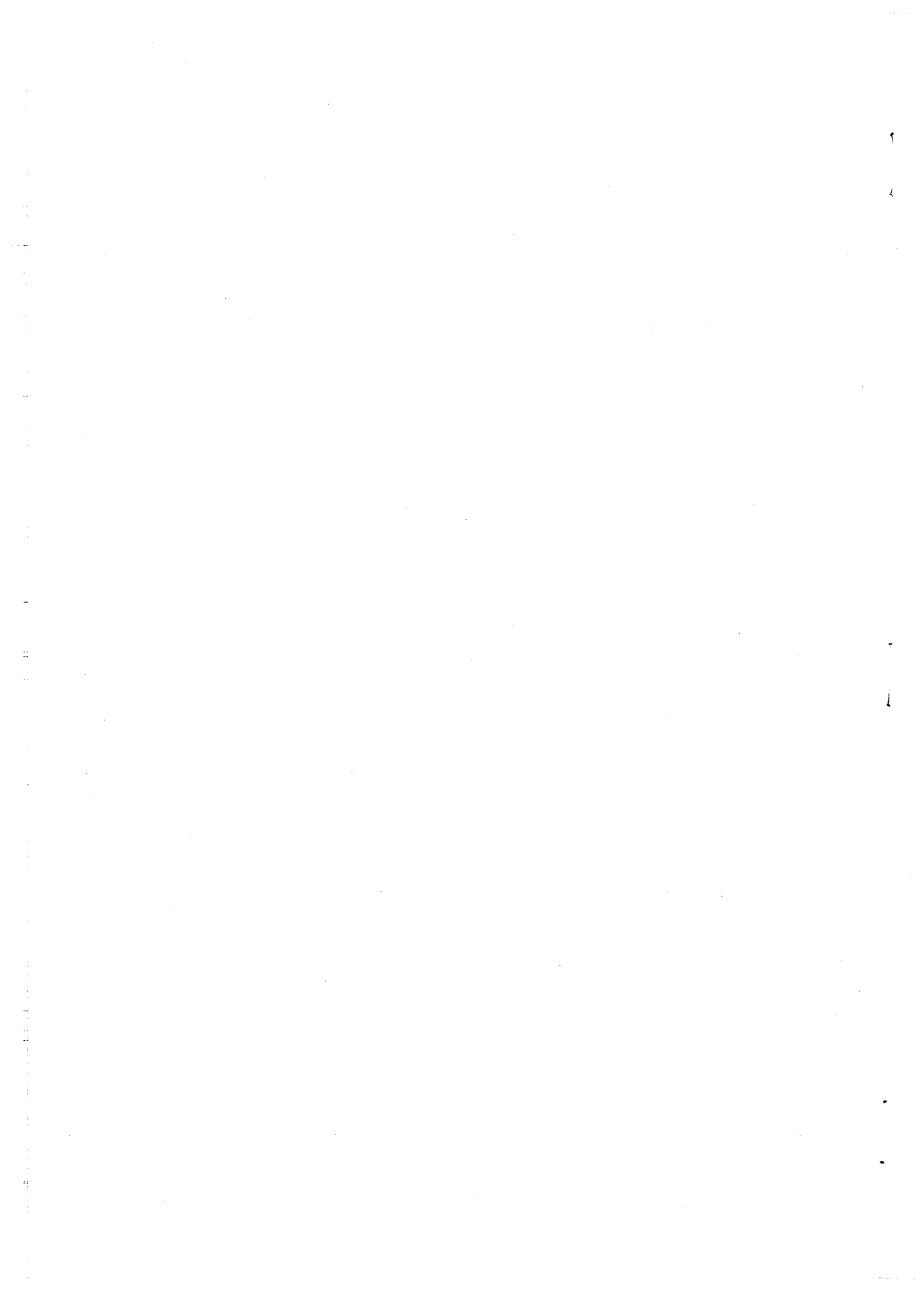
NORTHERN TERRITORY OF AUSTRALIA
INSTRUMENTS AMENDMENT ACT 1989

No. 73 of 1989

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Principal Act
4. New section:
"3A. APPLICATION"
5. Repeal of section 6
6. Bills of sale to be void until registered
7. New section:
"9A. EXPIRY OF EFFECT OF REGISTRATION OF BILLS
OF SALE"
8. Registrar to keep particulars of each bill of
sale
9. Bill of sale has no effect as to certain
household furniture
10. Bill of sale transferable by writing
11. Discharge of bill of sale
12. Lien on crops transferable by writing
13. Saving of rights of the Crown
14. Liens on wool and stock mortgages transferable
by writing





NORTHERN TERRITORY OF AUSTRALIA

No. 73 of 1989

AN ACT

to amend the *Instruments Act*

[Assented to 12 December 1989]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Instruments Amendment Act 1989*.

2. COMMENCEMENT

The provisions of this Act shall come into operation on such date or dates as is or are fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Instruments Act* is in this Act referred to as the Principal Act.

4. NEW SECTION

The Principal Act is amended by inserting after section 3 the following:

"3A. APPLICATION

"This Act does not apply to or in relation to personal chattels which are prescribed goods (within the meaning of section 3(1) of the *Registration of Interests in Motor Vehicles and Other Goods Act*) and to which section 13 of that Act is declared to apply by notice under subsection (1) of that section."

Instruments Amendment

5. REPEAL OF SECTION 6

Section 6 of the Principal Act is repealed.

6. BILLS OF SALE TO BE VOID UNTIL REGISTERED

Section 9 of the Principal Act is amended -

(a) by omitting from subsection (1) paragraphs (b), (c) and (d); and

(b) by inserting after subsection (1) the following:

"(1A) A signature to a bill of sale may be witnessed by a person who has attained the age of 18 years, and who has legibly written, typed or stamped his name and address or telephone number below his signature."

7. NEW SECTION

(1) The Principal Act is amended by inserting after section 9 the following:

"9A. EXPIRY OF EFFECT OF REGISTRATION OF BILLS OF SALE

"(1) Unless the discharge of a bill of sale is sooner registered under section 14, the effect of registration of the bill of sale shall, subject to subsection (2), cease with the expiry of a period of 5 years commencing with the day the bill was left in the Registry pursuant to section 9(1).

"(2) The effect of registration of a bill of sale may be extended for a further period of 5 years by the grantee of the bill of sale -

(a) applying in a form approved by the Registrar-General, before the expiry of the period referred to in subsection (1), to have the effect of registration of the bill of sale extended by 5 years; and

(b) paying a fee equal to that payable on first registering a bill of sale.

"(3) At the end of 12 months next after the effect of registration of a bill of sale ceases under this section or the discharge of the bill of sale is registered under section 14, the Registrar-General may remove that bill of sale from the records of the office, and destroy or cancel the bill and all attachments to it."

(2) Where a bill of sale is registered before the date of commencement of this Act and the registration has effect as at that date, then, for the purposes of the operation of section 9A of the Principal Act (as inserted by subsection (1) of this section) the bill of sale shall be deemed to have been first registered on the date of commencement.

Instruments Amendment

8. REGISTRAR TO KEEP PARTICULARS OF EACH BILL OF SALE

Section 11 of the Principal Act is amended by omitting subsection (2) and substituting the following:

"(2) The Registrar-General shall keep a separate alphabetical register of all persons who have made or given a bill of sale the registration of which has not ceased to have effect."

9. BILL OF SALE HAS NO EFFECT AS TO CERTAIN HOUSEHOLD FURNITURE

Section 12 of the Principal Act is amended by omitting all words between "endorsement" and "and is registered" and substituting "is witnessed by a person who has attained the age of 18 years, who shall legibly write, type or stamp his name and address or telephone number below his signature,".

10. BILL OF SALE TRANSFERABLE BY WRITING

Section 13(2) of the Principal Act is amended by omitting all words after "transfer" (first occurring).

11. DISCHARGE OF BILL OF SALE

Section 14 of the Principal Act is amended -

(a) by omitting from subsection (3) all words after "witnessed" and substituting "by a person who has attained the age of 18 years, who shall legibly write, type or stamp his name and address or telephone number below his signature"; and

(b) by omitting from subsection (4) all words after "part discharge" (first occurring).

12. LIEN ON CROPS TRANSFERABLE BY WRITING

Section 21(2) of the Principal Act is amended by omitting all words after "transfer" (first occurring).

13. SAVING OF RIGHTS OF THE CROWN

Section 25 of the Principal Act is amended by omitting "or the rights of the Primary Producers Board under section 10 of the *Encouragement of Primary Productions Ordinance*".

14. LIENS ON WOOL AND STOCK MORTGAGES TRANSFERABLE BY WRITING

Section 30(2) of the Principal Act is amended by omitting all words after "transfer" (first occurring).