



ANNO TRICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1987

No. 25 of 1987

An Act to amend the Bills of Sale Act, 1886.

[Assented to 16 April 1987]

The Parliament of South Australia enacts as follows:

1. (1) This Act may be cited as the "Bills of Sale Act Amendment Act, 1987". Short title.

(2) The Bills of Sale Act, 1886, is in this Act referred to as "the principal Act".

2. Section 38b of the principal Act is amended—

(a) by striking out subsection (1) and substituting the following subsections:

(1) Where all money secured by a bill of sale has been paid by the grantor and the grantee—

(a) is dead;

(b) cannot be found;

(c) is incapable of executing a discharge of the bill of sale;

or

(d) has, in the opinion of the Minister, refused to execute a discharge of the bill of sale without sufficient reason,

the Minister may execute a discharge of the bill of sale.;

(1a) The Minister must not execute a discharge of a bill of sale pursuant to subsection (1) (d) unless—

(a) the Registrar-General has sent by certified mail to the grantee at his or her last known address a notice stating that the Minister proposes to discharge the bill of sale pursuant to subsection (1) (d) at the expiration of the prescribed period unless the grantee establishes to the satisfaction

Amendment of s. 38b—
Minister may discharge bill of sale in certain circumstances.

of the Minister that he or she is justified in refusing to execute a discharge of the bill of sale;

and

(b) the prescribed period has elapsed since the notice was sent.

(1b) The prescribed period is—

(a) in a case where the notice is addressed to the grantee within Australia—one month;

(b) in any other case—two months;

(b) by striking out from subsections (2) and (3) “Treasurer” and substituting, in each case, “Minister”;

and

(c) by striking out “or” between paragraphs (b) and (c) of subsection (2) and inserting after paragraph (c) the following word and paragraph:

or

(d) has, in the opinion of the Minister, refused to accept payment under the bill of sale without sufficient reason.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor