

AUSTRALIAN CAPITAL TERRITORY.

No. 10 of 1949.

AN ORDINANCE

To amend the Instruments Ordinance 1933-1938.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1947*, as follows:—

1.—(1.) This Ordinance may be cited as the *Instruments Ordinance 1949*.*

Short title and citation.

(2.) The *Instruments Ordinance 1933-1938* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Instruments Ordinance 1933-1949*.

2. Section nine of the Principal Ordinance is amended by inserting in paragraph (b) of sub-section (1.), after the word “declaration”, the words “or an affidavit”.

Bills of sale to be void unless registered within thirty days.

3. Section fifteen of the Principal Ordinance is amended by omitting the words “on sheep, cattle, and horses” and inserting in their stead the words “of stock”.

Not to affect liens on crops, wool, &c.

4. Section seventeen of the Principal Ordinance is amended by inserting after the word “declaration” the words “or affidavit”.

Lien on yearly crops.

5. After section twenty-four of the Principal Ordinance the following section is inserted in Part V.—

“24A. In this Part—

‘stock’ means horses, cattle, sheep or swine.”

Definition.

6. Section twenty-five of the Principal Ordinance is amended by inserting after the word “declaration” the words “or affidavit”.

Right of lienee to wool as security or in payment.

7. Section twenty-seven of the Principal Ordinance is amended—

Right of mortgagee although possession in mortgagor.

(a) by omitting the words “sheep, cattle, and horses,” and inserting in their stead the word “stock”; and

(b) by omitting the word “live-stock” and inserting in its stead the word “stock”.

* Notified in the *Commonwealth Gazette* on 29th September, 1949.

Liens on wool and stock mortgages transferable by writing. **8.** Section twenty-nine of the Principal Ordinance is amended by omitting from sub-section (1.) the words "sheep, cattle, or horses" and inserting in their stead the word "stock".

Particulars of registration by Registrar. **9.** Section thirty of the Principal Ordinance is amended by omitting the words "sheep, cattle, and horses" and inserting in their stead the word "stock".

Registration of satisfaction of mortgage. **10.** Section thirty-two of the Principal Ordinance is amended by omitting the words "sheep, cattle, or horses" and inserting in their stead the word "stock".

Saving of rights of Commonwealth. **11.** Section thirty-three of the Principal Ordinance is amended by omitting the words "sheep, horses, or cattle" and inserting in their stead the word "stock".

Frauds by lienor, mortgagor, or other person. **12.** Section thirty-four of the Principal Ordinance is amended by omitting from sub-sections (2.) and (3.) the words "sheep, cattle, or horses," (wherever occurring) and inserting in their stead the word "stock".

Third Schedule. **13.** The Third Schedule to the Principal Ordinance is amended by inserting after the word "(Signed.)" in Parts I. and II. the words "[*usual signature of grantee or person claiming through him.*]"

Sixth Schedule. **14.** The Sixth Schedule to the Principal Ordinance is amended by omitting from the heading of the fifth column thereof the words "sheep, cattle, or horses" and inserting in their stead the word "stock".

Dated this fifteenth day of September, 1949.

W. J. McKELL
Governor-General.

By His Excellency's Command,

H. V. EVATT
for and on behalf of the Minister of State
for the Interior.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.