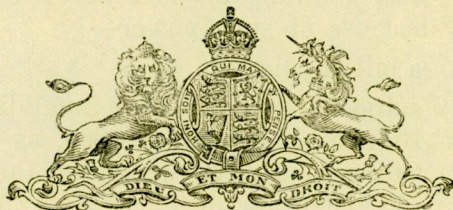


New South Wales.



ANNO TERTIO

GEORGI VI REGIS.

Act No. 18, 1939.

An Act to amend the Conveyancing Act, 1919-1938, in certain respects; to validate certain matters; and for purposes connected therewith. [Assented to, 24th October, 1939.]

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Conveyancing (Amendment) Act, 1939."

Short title and citation.

(2) The Conveyancing Act, 1919-1938, as amended by this Act, may be cited as the Conveyancing Act, 1919-1939.

Conveyancing (Amendment).

Amendment
of Act No. 6,
1919.

New sec.
109A.

Savings as
to certain
mortgages.

2. The Conveyancing Act, 1919-1938, is amended by inserting next after section one hundred and nine the following new section:—

109A. (1) A mortgage of land which confers on the mortgagee a power to sever and sell fixtures apart from the balance of the mortgaged property, shall not be, and shall be deemed never to have been, merely because of such power—

- (a) a bill of sale; or
- (b) subject to avoidance or invalidity under the Bills of Sale Act of 1898, as amended by subsequent Acts, or under the Companies (Registration of Securities) Act, 1918, or under Part IX of the Companies Act, 1936, by reason of such mortgage not having been filed or registered under the provisions of any such Act.

(2) This section applies to mortgages and incumbrances under the Real Property Act, 1900.

(3) This section applies to mortgages and incumbrances made either before or after the commencement of the Conveyancing (Amendment) Act, 1939.

By Authority:

THOMAS HENRY TENNANT, Acting Government Printer, Sydney, 1939.

[37.]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 18 October, 1939.

New South Wales.



ANNO TERTIO

GEORGI VI REGIS.

Act No. 18, 1939.

An Act to amend the Conveyancing Act, 1919-1938, in certain respects to validate certain matters; and for purposes connected therewith. [Assented to, 24th October, 1939.]

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Conveyancing (Amendment) Act, 1939."

Short title and citation.

(2) The Conveyancing Act, 1919-1938, as amended by this Act, may be cited as the Conveyancing Act, 1919-1939.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

W. W. HEDGES,
Chairman of Committees of the Legislative Assembly.

Conveyancing (Amendment).

Amendment
of Act No. 6,
1919.
New sec.
109A.

Savings as
to certain
mortgages.

2. The Conveyancing Act, 1919-1938, is amended by inserting next after section one hundred and nine the following new section:—

109A. (1) A mortgage of land which confers on the mortgagee a power to sever and sell fixtures apart from the balance of the mortgaged property, shall not be, and shall be deemed never to have been, merely because of such power—

- (a) a bill of sale; or
- (b) subject to avoidance or invalidity under the Bills of Sale Act of 1898, as amended by subsequent Acts, or under the Companies (Registration of Securities) Act, 1918, or under Part IX of the Companies Act, 1936, by reason of such mortgage not having been filed or registered under the provisions of any such Act.

(2) This section applies to mortgages and incumbrances under the Real Property Act, 1900.

(3) This section applies to mortgages and incumbrances made either before or after the commencement of the Conveyancing (Amendment) Act, 1939.

*In the name and on behalf of His Majesty I assent to
this Act.*

WAKEHURST,
Governor.

*Government House,
Sydney, 24th October, 1939.*