

ANTIGUA AND BARBUDA

No. of 2004

BILL FOR

AN ACT to amend the Bill of Sale Act, Cap. 51.

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ENACTED by the Parliament of Antigua and Barbuda as follows —

1. This Act may be cited as the Bill of Sale (Amendment) Act, 2004. Short title.

2. The Bill of Sale Act, in this Act referred to as “the principal Act”, is amended by inserting after subsection 8(3) the following — Amendment of section 8.

“(4) The Registrar shall within one month of its registration forward to the General Manager of the Transport Board a certified copy of every Bill of Sale and every Memorandum of Satisfaction registered under this Act in respect of a motor vehicle for the purpose of entering on the Transport Board’s records the particulars of the Bill of Sale relating to such motor vehicle.”

3. Section 13 of the principal Act is repealed and substituted by the following — Section 13 repealed and substituted.

ANTIGUA 2 *The Bill of Sale (Amendment) Act, 2004* No. of 2004
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“(1) The Registrar shall order a Memorandum of Satisfaction to be filed and shall note the particulars thereof upon every registered copy of a Bill of Sale;

“(2) Every Memorandum of Satisfaction shall be registered under this Act in the manner prescribed by the Registrar and a certified copy thereof shall be forwarded to the General Manager of the Transport Board.

Amendment of section 14.

4. Section 14 of the principal Act is amended by deleting the words “twenty four cents” and substituting the words “ten dollars”.

Amendment of section 16.

5. Section 16 of the principal Act is repealed and the following substituted —

“16. There shall be paid to the Registrar in stamps the following fees —

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|-----|---|---------|
| (a) | On filing a bill of sale | \$20.00 |
| (b) | On filing an affidavit of execution of a bill of sale | \$10.00 |
| (c) | On filing a memorandum of Satisfaction | \$10.00 |
| (d) | on filing an affidavit of execution of a memorandum of Satisfaction | \$10.00 |
| (e) | On filing an affidavit to effect renewal of registration | \$10.00 |

Passed the House of Representatives

Passed the Senate

this day of

2004

this day of

2004

Speaker

President

Clerk to the House of Representatives

Clerk to the Senate

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Bill of Sale Act to make provision to address certain matters relating to motor vehicles, for the registration of every memorandum of satisfaction and to revise the filing and inspection fees paid to the Registrar.

Clause 2 amends section 8 by the addition of subclause (4), which authorises the Registrar to forward a certified copy of a bill of sale and memorandum of satisfaction in respect of a motor vehicle to the General Manager of the Transport Board for the purpose of entering and noting the transfer of ownership and other relevant particulars of such vehicle.

Section 13 of the Act gives the Registrar a discretionary power to order a memorandum of satisfaction to be written upon any registered copy of a Bill of Sale. Clause 3 proposes to repeal this provision and replace it with a mandatory requirement to file and register a memorandum of satisfaction with the particulars noted upon the registered copy.

In clause 4, the fee payable for the search and inspection of every copy of a bill of sale is twenty-four cents. This fee has not been varied since 1882 when the Act was first enacted. It is proposed to increase the fee of twenty-four cents to ten dollars. The increase will be consistent with fees payable to the Registrar for search and inspection of other records.

Justin L. Simon Q.C.,
Attorney General and
Minister of Justice and
Legal Affairs

ANTIGUA AND BARBUDA

THE BILL OF SALE (AMENDMENT) ACT 2004

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 8.
3. Section 13 repealed and substituted.
4. Amendment of section 14.
5. Amendment of section 16.