



ASSEMBLÉE NATIONALE

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 141

**An Act to amend the Civil Code and
the Act respecting bills of lading,
receipts and transfers of property
in stock in the matter of registration**

Introduction

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**Introduced by
Mr Herbert Marx
Minister of Justice**

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EXPLANATORY NOTES

This bill amends the Civil Code in order to limit the information to be entered in the entry-book kept in each registry office.

The bill also amends the Act respecting bills of lading, receipts and transfers of property in stock so that henceforth it will not be possible to register rights or to obtain a certified statement of notices registered under that Act elsewhere than in registry offices which use a computerized system.

ACTS AMENDED BY THIS BILL

- Civil Code of Lower Canada;
- Act respecting bills of lading, receipts and transfers of property in stock (R.S.Q., chapter C-53).

Bill 141

An Act to amend the Civil Code and the Act respecting bills of lading, receipts and transfers of property in stock in the matter of registration

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CIVIL CODE

1. Article 2161 of the Civil code, amended by section 1 of chapter 39 of the statutes of 1902, by section 1 of chapter 48 of the statutes of 1912, by section 1 of chapter 76 of the statutes of 1918, by section 1 of chapter 91 of the statutes of 1922, by section 8 of chapter 46 of the statutes of 1943, by section 33 of chapter 45 of the statutes of 1948, by section 20 of chapter 11 of the statutes of 1980, by section 3 of chapter 14 of the statutes of 1981, by section 71 of chapter 32 of the statutes of 1982 and by section 61 of chapter 21 of the statutes of 1984, is again amended by replacing paragraph 3 by the following paragraph:

“3. An entry-book in which are entered the number, date and time of registration of each document brought for registration or for deposit for cancellation and the designation of each immoveable affected by the document;”.

ACT RESPECTING BILLS OF LADING, RECEIPTS AND TRANSFERS OF PROPERTY IN STOCK

2. Section 48 of the Act respecting bills of lading, receipts and transfers of property in stock (R.S.Q., chapter C-53) is amended by adding, at the end of the first paragraph, the following: “in which a computerized system is used”.

3. Section 49 of the said Act is amended by replacing the first two lines by the following:

“**49.** Where a notice is presented to the registrar, he shall immediately”.

4. Sections 50 and 51 of the said Act are repealed.

5. Section 53 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Mention of the cancellation must be entered in the register and section 49 applies, adapted as required.”

6. Section 55 of the said Act is amended

(1) by replacing the words “from any registry office” in the second line of the first paragraph by the words “from a registry office contemplated in section 48”;

(2) by striking out the second paragraph.

7. Section 56 of the said Act is repealed.

8. The Act will come into force on 1 March 1987.