

1988

c 37 Execution Amendment Act, 1988

Ontario

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CHAPTER 37

An Act to amend the Execution Act

Assented to June 29th, 1988

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 (1) of the *Execution Act*, being chapter 146 of the Revised Statutes of Ontario, 1980, is repealed and the following substituted therefor:

(1) Subject to the *Land Titles Act* and to section 11, a writ of execution binds the goods and lands against which it is issued from the time it has been received for execution and recorded by the sheriff. Writs against
lands and
goods
R.S.O. 1980,
c. 230

(1a) Notwithstanding subsection (1), no writ of execution against goods other than bills of sale and instruments in the nature of chattel mortgages prejudices the title to such goods acquired by a person in good faith and for valuable consideration unless such person at the time of acquiring title had notice that such writ or any other writ by virtue of which the goods of the execution debtor might be seized or attached has been delivered to the sheriff and remains in the sheriff's hands unexecuted. Exception

(2) Subsection 10 (2) of the said Act is repealed and the following substituted therefor:

(2) The sheriff shall keep an index or a book in which shall be entered a record of all writs and renewals received. Index to be
kept

2. Subsection 11 (2) of the said Act is amended by striking out "filed" in the fifth line and inserting in lieu thereof "received for execution and recorded by the sheriff".

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. The short title of this Act is the *Execution Amendment Act, 1988*. Short title

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