

DISPOSAL OF UNCOLLECTED GOODS ORDINANCE 1977

1137

No. 21 of 1977

An Ordinance to amend the *Disposal of Uncollected Goods Ordinance*

[Assented to 31 May 1977]

BE it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Disposal of Uncollected Goods Ordinance 1977*. Short title
2. The *Disposal of Uncollected Goods Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. This Ordinance shall come into operation on the date of commencement of the Principal Ordinance.* Commencement
4. Section 8(1)(c) of the Principal Ordinance is amended— Conditions as to sale of goods
 - (a) by inserting after “publishes” the words “, in the prescribed form in the *Gazette*.”; and
 - (b) by omitting “in the *Gazette*”.
5. Section 13(1) of the Principal Ordinance is amended— Notice to be given before application
 - (a) by omitting from paragraph (a)(i) “known to him, at the time he gives the notice, as having or claiming” and substituting “who he has reason to believe has or claims to have”; and
 - (b) by omitting from paragraphs (b)(ii) and (c)(ii) “having or claiming” and substituting “who he has reason to believe has or claims to have”.
6. Section 16 of the Principal Ordinance is amended by omitting sub-section 2 and substituting the following new sub-section: Payment before sale

“(2) If a person attempts to comply with sub-section (1) and a dispute arises as to the right of that person to the goods, the bailee, person in possession or person claiming the goods may make an application to the court to determine that dispute.”.

* That date was 17 June 1977.

Disposal of Uncollected Goods

Record of sale
or disposal

7. Section 18(1) of the Principal Ordinance is amended—

- (a) by inserting after “a record” the words “in the prescribed form”; and
- (b) by inserting at the end of paragraph (c) “and the date and place of destruction”.

Provisions as
to notices

8. Section 23 of the Principal Ordinance is amended—

- (a) by inserting in sub-section (2)(a) after “applies” the words “and there is no bailment involved”;
 - (b) by omitting from sub-section (5)(b) “to whom the notice is given” and substituting “entitled to possession”; and
 - (c) by omitting from sub-section (5)(b)(ii) “fails to take” and substituting “takes”.
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