CHAPTER 27

OLD PRIVILEGES AND HYPOTHECS (REGISTRATION AND RENEWAL) ORDINANCE

To make provision for the purpose of determining the effects of such privileges and hypothecs as may not have been registered in the public registry, and effects of such registrations as may not have been renewed within a certain time.

(17th May, 1895)*

Enacted by Sections 1 and 3 of ORDINANCE XIII of 1895.

Short title.

1. This Ordinance may be cited as the Old Privileges and Hypothecs (Registration and Renewal) Ordinance.

Time for the registration of certain privileges and hypothecs.

2. (1) Privileges and hypothecs, created before the promulgation of Ordinance No. XI of 1856†, and which under the laws in force previously to that Ordinance, were effectual in regard to third parties, even though they were not registered, shall, in order that they may be preserved with all their effects, be registered in the Public Registry within the time of three years‡ from the promulgation of this Ordinance.

(2) The registration shall be made in accordance with the provisions of Ordinance No. XII of 1856§ and of Ordinance No. VII of 1868**.

(3) Where the person demanding the registration of any such privilege or hypothec shall produce to the Director of the Public Registry a declaration on oath to the effect that he has no knowledge of the title creating the privilege or hypothec, but that he is aware that the debt was acknowledged, in a manner to be stated in such declaration, within the thirty years next preceding the demand for registration, an entry of such declaration on the note shall be equivalent to the indication of the date and nature of the act creating the privilege or hypothec.

Time for the renewal of certain registrations.

3. Registrations of privileges or hypothecs which are subject to renewal, and from the date of which thirty years have already elapsed, shall be renewed within three years from the promulgation of this Ordinance.

**See* Proclamation No. VI of 1895.

†This Ordinance was repealed by Ordinance No.VII of 1868 now Book Second of Chapter 16. It was promulgated on 22nd September, 1857 (*See* Sec.4 thereof, and Proc. No. V of 22nd June, 1897).

‡*See* Ordinance No XIV of 1897 and Ordinance No. V of 1899 whereby the time for registration was extended.

§Repealed by Act No. XII of 1927 (Chapter 56).

**Now Book Second of Chapter 16.