

DÁIL ÉIREANN.

AN BILLE FOST-CHEANNAIGH, 1946—TUARASCÁIL. HIRE-PURCHASE BILL, 1946—REPORT.

Leasuithe.

Amendments.



1. In page 8, section 13 (4), lines 22 to 24, to delete paragraph (c), and substitute the following paragraph:—

“(c) make an order for the transfer to the hirer of the owner’s title to a part of the goods and for the specific delivery of the remainder of the goods to the owner, subject, if the Court thinks fit, to the condition that the hirer or any guarantor pays to the owner within a specified time such further amount in respect of the hire-purchase price as the Court, having regard to the amount already paid in respect thereof, the price of that part, the use which the hirer has had of the remainder of the goods and their depreciation in value, thinks just.”

—Aire Tionnseáil agus Tráchtála.

2. In page 8, to delete section 13 (6), lines 29 to 33, and substitute the following subsection:—

“(6) Where the Court makes an order under paragraph (c) of subsection (4) of this section subject to a condition, the following provisions shall have effect in relation to that part of the order which relates to the transfer of the owner’s title to any goods to the hirer—

(a) that part shall not, in any event, come into operation before the condition is complied with,

(b) if the condition is not complied with, the Court shall revoke that part and make such further order in relation to the goods as it thinks just,

(c) if the condition is complied with, that part shall come into operation upon such compliance.”

—Aire Tionnseáil agus Tráchtála.

3. In page 8, line 34, to insert before section 13 (7), a new subsection as follows:—

“Where in any proceedings under this section the title which the hirer has acquired from the owner to a part of the goods is not capable of being equitably and exactly determined by a physical segregation of items of the goods the Court shall then order that the total value, or any fraction thereof, as having regard to the nature and use of the goods, it thinks fit, which is due to hirer be paid by owner to hirer in cash.”

—Martin O’Sullivan.

4. In page 10, section 20, line 62, to add a new subsection as follows:—

“(2) Paragraph (a) of section 53 of the Courts of Justice Act, 1936 (No. 48 of 1936), shall not apply to an action to which subsection (1) of this section relates.”

—Aire Tionnseáil agus Tráchtála.

[No. 8a of 1946.]

[4th June, 1946.]

