



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## BILLS OF SALE ACT 1886

### 2020 REVISED EDITION

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# Bills of Sale Act 1886

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An Act relating to bills of sale.

[1 November 1886]

### **Short title**

1. This Act is the Bills of Sale Act 1886.

**Application of this Act**

2.—(1) This Act shall apply to every bill of sale, whether the same is absolute or subject or not subject to any trust whereby the holder or grantee has power, either with or without notice and either immediately or at any future time, to seize or take possession of any personal chattels comprised in or made subject to such bill of sale, but shall not, except as in this Act expressly mentioned, apply to any mortgages or debentures issued by any incorporated company and secured upon the stock or goods, chattels, and effects of such company.

(2) This Act shall not apply to a bill of sale executed at any time on or after 1 May 2009 to the extent that any interest therein is capable of being registered under the International Interests in Aircraft Equipment Act 2009.

(3) In subsection (2), “registered” has the same meaning as in section 2(1) of the International Interests in Aircraft Equipment Act 2009.

**Interpretation**

3.—(1) In this Act, unless there is something repugnant in the subject or context —

“bill of sale” includes bills of sale, assignments, transfers, declarations of trust without transfer, inventories of goods with receipt thereto attached, or receipts for purchase moneys of goods, and other assurances of personal chattels, and also powers of attorney, authorities, or licences to take possession of personal chattels as security for any debt, and also any agreement, whether intended or not to be followed by the execution of any other instrument, by which a right in equity to any personal chattels, or to any charge or security thereon, shall be conferred, but does not include the following documents:

- (a) assignments for the benefit of the creditors of the person making or giving the same;
- (b) antenuptial marriage settlements;

- (c) transfers or assignments of any ship or vessel or any share thereof;
- (d) transfers of goods in the ordinary course of business of any trade or calling;
- (e) bills of sale of goods in foreign parts or at sea;
- (f) bills of lading, warehouse-keeper's certificates, warrants or orders for the delivery of goods, or any other documents used in the ordinary course of business as proof of the possession or control of goods, or authorising or purporting to authorise, either by endorsement or by delivery, the possessor of such documents to transfer or receive goods thereby represented;

“bill of sale” also includes as regards any personal chattels which may be seized or taken thereunder every attornment, instrument or agreement whereby a power of distress is given or agreed to be given by any person to any other person by way of security for any debt or advance, and whereby any rent is reserved or made payable as a mode of providing for the payment of interest on such debt or advance or otherwise for the purpose of such security only, but does not include or extend to any mortgage of any estate or interest in any land, tenement or hereditament which the mortgagee being in possession demises to the mortgagor as his tenant at a fair and reasonable rent;

“bill of sale” also includes agreements for the hire of personal chattels entered into for the purpose of securing the repayment to the lessor of such chattels of money advanced by him to the hirer; and the hirer shall in every such case be deemed to be the grantor of the bill of sale and the lessor shall be deemed to be the grantee thereof;

“factory or workshop” means any premises on which any manual labour is exercised by way of trade, or for purposes of gain in or incidental to the following purposes or any of them:

- (a) the making of any article or part of an article;