

1 Section 2 of New Brunswick Regulation 95-57 under the Personal Property Security Act is amended

(a) by repealing the definition “claimant” and substituting the following:

“claimant” means a person who has obtained a preservation order under Part 3 of the *Enforcement of Money Judgments Act*; (*réclamant*)

(b) by repealing the definition “debtor” and substituting the following:

“debtor” means

(a) if the registration is in respect of a security interest or a notice of the appointment of a receiver, a debtor as defined in subsection 1(1) of the Act, and,

(b) if the registration is in respect of a notice of claim as authorized by subsection 18(1) of the *Enforcement of Money Judgments Act*, a person against whom a preservation order has been issued under Part 3 of that Act; (*débiteur*)

(c) by repealing the definition “judgment creditor” and substituting the following:

“judgment creditor” means a judgment creditor as defined in section 1 of the *Enforcement of Money Judgments Act*; (*créancier sur jugement*)

(d) by repealing the definition “judgment debtor” and substituting the following:

“judgment debtor” means a judgment debtor as defined in section 1 of the *Enforcement of Money Judgments Act*; (*débiteur sur jugement*)

2 Section 14 of the Regulation is repealed and the following is substituted:

14(1) Subject to subsection (2), the following provisions of the Act apply, with the necessary modifications, to a notice of judgment registered under Part V, a notice of claim registered under Part VI, a notice of a certificate registered under Part VII, a notice of an order in respect of household goods registered under Part VIII, and to their registration:

- (a) subsection 35(7);
- (b) section 42;
- (c) section 43, except subsections (5) and (6);
- (d) section 44;
- (e) section 45, except subsection (6);
- (f) sections 46 to 48;
- (g) section 50, except subsections (2), (8) and (9);
- (h) section 51, except subsection (3);
- (i) section 52; and

(j) section 54.

14(2) Section 50 of the Act does not apply to a notice of judgment registered under Part V.

3 *The heading “REGISTRATION OF A NOTICE OF JUDGMENT UNDER THE CREDITORS RELIEF ACT” following section 36 of the Regulation is amended by striking out “CREDITORS RELIEF ACT” and substituting “ENFORCEMENT OF MONEY JUDGMENTS ACT”.*

4 *Section 37 of the Regulation is amended by striking out “section 2.2 of the Creditors Relief Act” and substituting “subsection 21(1) of the Enforcement of Money Judgments Act”.*

5 *Section 40 of the Regulation is repealed and the following is substituted:*

40 The registrant shall specify the period of time during which the registration of the notice of judgment is to be effective by entering a whole number from one to 15 indicating the number of years, but no registration of a notice of judgment is effective more than 15 years after the date of the judgment.

6 *The heading “REGISTRATION OF A NOTICE OF CLAIM UNDER THE CREDITORS RELIEF ACT” following section 46 of the Regulation is amended by striking out “CREDITORS RELIEF ACT” and substituting “ENFORCEMENT OF MONEY JUDGMENTS ACT”.*

7 *Section 47 of the Regulation is amended by striking out “section 2.4 of the Creditors Relief Act” and substituting “subsection 18(1) of the Enforcement of Money Judgments Act”.*

8 *Subsection 49(1) of the Regulation is repealed and the following is substituted:*

49(1) The registrant shall

- (a) indicate the court that issued the preservation order to which the notice of claim relates,
- (b) indicate the judicial district of the court that issued the preservation order,
- (c) enter the court file number,
- (d) enter the amount of the claim, if known, and
- (e) enter, under the heading “Additional Information”,
 - (i) the date of the preservation order,
 - (ii) the name of the claimant, and
 - (iii) the name of the debtor.

9 *Section 77 of the Regulation is amended*

- (a) *in paragraph (1)(d) of the English version by striking out “twenty-five” and substituting “25”;*
- (b) *by repealing subsection (2) and substituting the following:*

77(2) If a registrant wishes to renew the registration of a notice of judgment registered under Part V, the registrant shall specify the period of time for which the registration is to be extended by entering a whole number indicating the number of years, but no registration of a notice of judgment is effective more than 15 years after the date of the judgment.

10 *This Regulation comes into force on December 1, 2019.*