

District of Nova Scotia
Division No. 02
Court No. 27517 and 27518
Estate No. 116284 and 116285

Date: February 2, 2005
Docket: B-27517 and B-27518
Registry: Halifax

IN THE SUPREME COURT OF NOVA SCOTIA
IN BANKRUPTCY
Citation: Arseneau, (Bankruptcy), Re, 2005NSSC26

In the Matter of the Bankruptcies of Pamela Lynn Arseneau
and Peter Michael Arseneau

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Registrar: Richard W. Cregan, Q.C.

Heard: January 19, 2005

Written Decision: February 2, 2005

Subject: Whether the security on a motor vehicle brought into the Province was effective against the trustee in bankruptcy.

Summary: The bankrupts moved to Nova Scotia from Alberta about February 14, 2004. They brought with them a motor vehicle for which they had given security to the Applicant. The security had been perfected under the laws of Alberta, but was not perfected in Nova Scotia until July 19, 2004. It was held that the vehicle had been “brought into the Province” when they arrived in February. As perfection did not take place within the 60 days required by paragraph 6(3)(a) of the *Personal Property Security Act*, it was not effective against the trustee in bankruptcy at the time of the bankrupts’ assignments on May 26, 2004.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT’S DECISION
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET***