



Posted on: June 1, 2023

BILL 27 - MONEY JUDGMENT ENFORCEMENT ACT

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Bill 27 underwent its first reading on May 1st 2023. This Bill proposes the *Money Judgment Enforcement Act* (the "**Act**"), which is aimed to streamline collection efforts by successful litigants following civil and tribunal actions.

Under the current law, money judgments can be registered and executed against land owned by a judgment debtor, but it is more cumbersome to enforce and collect against the debtor's personal property.

Key Features of the Proposed Act:

1. **A money judgment registry.** The Act will create a new registry where creditors must register their judgment in order to enforce. The registry will also be accessible and searchable to the public.
2. **Civil enforcement officers.** The Act will create and authorize civil enforcement officers (bailiffs) to enter onto lands and seize personal property. This should facilitate debt collection in reducing the number of court appearances by the judgment creditor.
3. **Charges on personal property.** The Act will allow judgment creditors to pursue all forms of the debtor's personal property, including licences, intellectual property, and trade secrets.
4. **A new limitation period.** The Act will impose a general limitation period of not more than 2 years for creditors to register their money judgments in the new registry, with an ultimate limitation period of 15 years after the date the money judgment was granted. This is a marked change from the existing law that allow judgments to be generally valid for 10 years.

The Bill 27 is only in its preliminary stage, but there has been significant discussions surrounding the topic of a refreshed judgment enforcement system in recent years.

Creditors should carefully consider their existing remedies and keep apprised of the legislative developments.

Should you have any questions about this article, please contact Tommy Chan, Ryan Shaw, or Daniel Nugent.

