

Creditor  
to share.

(4) Upon the entry of a claim in the register pursuant to this section, the creditor shall share with the other creditors in any further distribution of moneys paid into court by or on behalf of the debtor.

Secured  
claims.

**188.** (1) A registered creditor holding security 5  
for a claim may, at any time, elect to rely upon his security notwithstanding that the claim is included in a consolidation order.

Proceeds  
in excess.

(2) Where the proceeds from the disposal of the security referred to in subsection (1) are in excess 10  
of the registered creditor's claim, the excess shall be paid into court and applied in payment of other judgments against the debtor.

Exemption.

(3) Subsection (2) does not apply where the security is in the form of chattels exempt from 15  
seizure under any law in force in the province in which the consolidation order was issued.

Reduced  
claim.

(4) Where the proceeds from the disposal of the security referred to in subsection (1) are less than the registered creditor's claim, the creditor shall 20  
remain entitled to the balance of his claim.

Exception.

(5) Subsection (4) does not apply in a case where, under the law in force in the province in which the consolidation order was issued, a creditor

(a) who enforces his security by repossession or 25  
repossession and sale, or

(b) who seizes and sells such security under an execution issued pursuant to a judgment obtained against the debtor in respect of the claim so secured, 30

is limited in his recovery of such claim to the security so repossessed or the proceeds of the sale thereof.

Enforcement  
of order in  
default of  
debtor.

**189.** (1) A registered creditor may apply by notice of motion to the court where

(a) a debtor defaults in complying with an order 35  
for payment or any other order or direction of the court;

(b) any other proceeding for the recovery of money is brought against the debtor;

(c) the debtor has, after the consolidation order was made, incurred further debts totalling in excess of two hundred dollars;

(d) a judgment is recovered against the debtor larger in amount than a judgment to which this Part applies without the judgment cred- 40  
itor's consent, and the judgment creditor refuses to permit his name to be added to the register; or 45