

How to Perfect a Security Interest

Filing



Perfection by filing takes place when the secured party files a financing statement with the secretary of state **where the debtor is located**.

The financing statement should include:

1. The **debtor's name**;
2. A **description of the collateral**; and
3. The **secured party's name**.

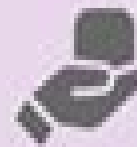
Automatic



There is **automatic perfection** for purchase money security interests in consumer goods.

(Note: temporary automatic perfection is available in some instances as well.)

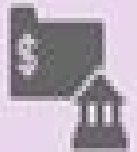
Possession



Perfection can take place by possession for **tangible negotiable documents, goods, instruments, money, or tangible chattel**.

The secured party is only perfected so long as the item is possessed (unless the 20-day rule applies, discussed below).

Control



Security interests in **investment property, deposit accounts, and electronic chattel paper** may be perfected by control.

Deposit accounts must be perfected by control.



Secured Transactions

Chima Williams Iheme



Secured Transactions:

Secured Transactions (Speedy Study Guides) Speedy Publishing, 2014-07-03 Secured Transactions are contracts where a bank or other creditor holds rights to an item for security for funds owed These often come in the form of mortgages auto loans boat loans or business loans where the holding of stock rights is seen as a common market ploy A guide to explain these types of transactions would benefit the consumer by explaining the whole process the laws involved and the benefits to both the customer and the creditor People are more likely to maintain payments when they understand the full ramifications of default

Secured Transactions Law Reform in Africa Marek Dubovec, Louise Gullifer, 2019-10-31 Over the last few decades many countries have reformed their secured transactions law One of the main reasons has been the clear link between reform and the availability of credit and the drive to improve access to finance particularly for micro small and medium sized enterprises This book focuses particularly on developing economies in Africa which have legal frameworks influenced by English French Belgian Roman Dutch and other laws Reform in this area of law across African countries has taken a number of forms which are explored and discussed in this book Secured Transactions Law Reform in Africa is a mixture of a critical description of the pre reform law and practice and the reform process itself It also includes a comparative analysis of the legal provisions and an examination of the early results of the reforms The book sets out a road map for the future of secured transactions reform primarily in Africa but also in other countries that have undertaken or are contemplating similar reforms This book is the second in a series of books about Secured Transactions Law in countries around the world and its reform both on a national and an international scale The first book Secured Transactions Law Reform Principles Policies and Practice was published in 2016

Secured Transactions Law in Asia Louise Gullifer, Dora Neo, 2021-03-25 This collection of essays offers a unique insight and overview of the secured transactions law in many of the most important countries in Asia as well as reflections on the need for benefits of and challenges for reform in this area of the law The book provides a mixture of general reflections on the history successes and challenges of secured transaction law reform and critical discussion of the law in a number of Asian countries In some of the countries the law has already been reformed or reform is under way and here the reforms are considered critically with recommendations for future work In other countries the law is not yet reformed and the existing law is analysed so as to determine what reform is desirable and whether it is likely to take place First this book will enable those engaging with the law in Asia to understand better the contours of the law in both civil and common law jurisdictions Second it provides analytical insights into why secured transactions law reform happens or does not happen the different methods by which reform takes place the benefits of reform and the difficulties that need to be overcome for successful reform Third it discusses the need for reform where none has yet taken place and critically assesses the reforms which have already been enacted or are being considered In addition to providing a forum for discussion in relation to the countries in question this book is also a timely contribution to the wider

debate on secured transactions law reform which is taking place around the world International and Comparative Secured Transactions Law Spyridon V Bazinas, Orkun Akseli, 2017-10-19 The law of secured transactions has seen dramatic changes in the last decade International organisations particularly the United Nations Commission on International Trade Law UNCITRAL have been working towards the creation of international legal standards aimed at the modernisation and harmonisation of secured financing laws eg the United Nations Convention on the Assignment of Receivables in International Trade the UNCITRAL Legislative Guide on Secured Transactions and its Intellectual Property Supplement the UNCITRAL Guide on the Implementation of a Security Rights Registry and the UNCITRAL Model Law on Secured Transactions The overall theme of this book is international or cross border secured transactions law It assembles contributions from some of the most authoritative academic voices on secured financing law This publication will be of interest to those involved in secured transactions around the world including policy makers practitioners judges arbitrators and academics

Availability of Credit and Secured Transactions in a Time of Crisis N. Orkun Akseli, 2013-12-12 In the light of the financial crisis it has become clear that the globalisation of financial markets has not been matched by the globalisation of legal certainty relating to financial transactions The ability to give security influences not only the cost of credit but also in some cases whether credit will be available at all Increasing the availability and lowering the cost of credit can make an important contribution to international and domestic economic development Assessing the international challenges posed by inefficient secured credit laws this book explores how these can be overcome to facilitate credit through legal reforms Leading authorities in the field address the key issues surrounding the availability of credit the role of banks in economic development and financial crises UNCITRAL's legislative efforts and international organisations and financial institutions and their involvement in the reform of secured transactions law Secured Transactions Law Reform Louise Gullifer, Orkun Akseli, 2016-10-20 Secured transactions law has been subjected to a close scrutiny over the last two decades One of the main reasons for this is the importance of availability of credit and the consequent need to reform collateral laws in order to improve access to finance The ability to give security effectively influences not only the cost of credit but also in some cases whether credit will be available at all This requires rules that are transparent and readily accessible to non lawyers as well as rules that recognise the needs of small and medium sized enterprises This book critically engages with the challenges posed by inefficient secured credit laws It offers a comparative analysis of the reasons and the needs for a secured transactions law reform as well as discussion of the steps taken in many common law civil law and mixed law jurisdictions The book written under the auspices of the Secured Transactions Law Reform Project informs the debate about reform and advances novel arguments written by world renowned experts that will build upon the existing literature and as such will be of interest to academics legal practitioners and the judiciary involved in secured transactions law around the world The text considers reform initiatives that have taken place up to the end of April 2016 It has not been possible to incorporate events since then

into the discussion However notable developments include the banks decree passed by the Italian Government on 29th June 2016 and the adoption of the Model Law on Secured Transactions by UNCITRAL on 1st July 2016 *Law and Practice of Secured Transactions: Working With Article 9* Richard F. Duncan, William H. Lyons, Catherine Lee Wilson, 2011

International Secured Transactions Law Orkun Akseli, 2011-03-17 This book focuses on international harmonisation and the law of secured transactions by distilling and analysing the unifying principles of various significant international conventions and instruments such as the UN Convention on the Assignment of Receivables the Unidroit Convention on International Factoring the EBRD Model Law on Secured Transactions the Unidroit Convention on the International Interests in Mobile Equipment and the UNCITRAL Legislative Guide on Secured Transactions International secured transactions conventions and instruments facilitate credit and promote economic activity through the creation of harmonised rules Therefore given the increasing globalisation of markets international reform efforts for the harmonised modernisation of secured transactions law have gained pace over recent years International Secured Transactions Law draws on experiences in both English and US laws in order to identify and illustrate the existing problems that need to be addressed as well as identify potential solutions International Secured Transactions Law will be of interest to scholars students interested in international commercial law corporate law or comparative secured transactions and practitioners involved in international commercial transactions *Towards Reforming the Legal Framework for Secured Transactions in Nigeria* Chima Williams Iheme, 2016-08-16 This book offers a valuable guide to one of the most challenging areas of commercial law now frequently referred to as secured transactions with a focus on Nigerian Canadian and United States perspectives A debtor's ability to provide collateral influences not only the cost of the money borrowed but also in many cases whether secured lenders are willing to offer credit at all The book proposes that increasing access to and indeed lowering the cost of credit could tremendously boost economic development while at the same time arguing that this would best be achieved if the legal framework for secured transactions in Nigeria and of course any other country with similar experiences were designed to allow the use of personal property and fixtures to secure credit Similarly the creation priority perfection and enforcement of security interests in personal property should be simplified and supported by a framework that ensures that neither the interests of secured lenders nor debtors are hampered so as to guarantee the continuous availability of affordable credit as well as debtors willingness to borrow and do business The book further argues that in addition to the obvious preference for real property over personal property by secured lenders due to the unreformed secured transactions legal framework in Nigeria its compartmentalized nature has also resulted in unpredictability in commerce and the concomitant effects of poor access to credit Through the comparative research conducted in this book utilizing the UCC Article 9 and Ontario PPSA as benchmarks the author provides reformers with a repository of tested secured transactions law solutions which law reformers in the Commonwealth countries in Africa and beyond as well as the business community will find valuable in

dealing with issues that stem from secured transactions
Joseph R. Lanciano, Michael F. Farrell, Paul DeBole,

Regulation, 2007 (Lambers Cpa Exam Review) (Paperback)

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