

Brief Background/Introduction

- RA No. 11057 or Personal Property Security Act ("PPSA") was enacted on August 17, 2018, to strengthen the secured transactions legal framework in the Philippines, and provide for the creation, perfection, determination of priority, establishment of a centralized notice registry, and enforcement of security interests in personal property (tangible and intangible), except aircraft and ships.
- Although this law took effect on September 7, 2018, 15 days after the publication in two newspapers of general circulation, its full implementation is conditioned upon the Registry being established and operational. However, the registry has not yet been established as of this writing but the implementing rules and regulations of the PPSA ("PPSA Rules") were published last November 18, 2019 and have become effective on December 3, 2019. Nevertheless, the PPSA Rules directed the Land Registration Authority to establish the registry within six months from the publication of the PPSA Rules.

RA No. 11057 Personal Property Security Act

State Policy

It is the policy of the State to promote economic activity by increasing access to least cost credit, particularly for micro, small, and medium enterprises (MSMEs), by establishing a unified and modern legal framework for securing obligations with personal property. [Sec. 2, PPSA]

Laws Repealed, Amended or Modified by PPSA

LAW	CHANGES
Sections 1 – 16 of Act No. 1508, otherwise known as "The Chattel Mortgage Law"	All are repealed.
Articles 2085- 2092 of the Civil Code of the Philippines	Repealed, insofar as movable property is concerned. Hence, Art. 2085- 2092 shall only apply to real mortgage.
Articles 2093- 2123 (Chapter on Pledge) and 2140- 2141 of the Civil Code of the Philippines	All are repealed.
Section 13 of RA 5980 Financing Company Act of 1998	PPSA includes registry of financial leases; intention of the law is to consolidate registrations of all security agreement
Sections 114 - 116 of PD 1529 Property Registration Decree (Registration of Chattel Mortgage)	All are repealed.
Section 5(e) of RA 4136 Land Transportation and Traffic Code	PPSA to consolidate registrations of all security agreements
Section 10 of PD 1529 (Fraction of RD)	Amended to include fractions under PPSA
Article 2127 of the Civil Code of The Philippines	Repealed.
Article 2241, 2243, and 2246-2247 of the Civil Code of the Philippines – (provisions on special preferred credits on movable property)	All are amended.

Saskatchewan And Manitoba Personal Property Security Acts Handbook

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Personal Property Security Act Cases, 2002 **The Law of Security and Title-Based Financing** Hugh Beale, Michael Bridge, Louise Gullifer, Eva Lomnicka, 2012-03-22 Personal property security is an important subject in commercial practice as it is the key to much of the law of banking and sale This second edition has been fully updated and expanded to cover all important issues and changes within this highly complex area of law It explains traditional methods of securing debts such as mortgages charges and pledges on property other than land describing how these are created how they must be registered or otherwise perfected if they are to be valid the rights and duties of the parties and how the security is enforced if the debt is not paid The new edition includes an expanded section on priorities in which it explains how priority disputes between competing interests over the same property are resolved In addition the book covers the law governing other transactions that perform a similar economic function such as finance leases retention of title clauses and sales of a company's book debts These are not currently treated by the law as security and are therefore subject to different rules on perfection priority and enforcement There is much expansion of the discussion relating to enforcement including the issue of right of use following Lehman more analysis on administration and all forms of non possessory security and quasi security and a new chapter on enforcement of security addressing the right of appropriation under FC FCAR and the Cukurova case The conflict of laws section includes developments under the Rome I Regulation affecting assignment issues the UNIDROIT Convention 2009 in relation to tiered holdings and the Cape Town Convention's extensions made to coverage of asset backed security over equipment It also addresses the changes brought about by the abolition of Slavenburg registration This edition contains relevant points from the Banking Act 2009 concerning its impact on security such as the power to protect certain interests on a transfer of property and also considers amendments regarding liquidators expenses under the Insolvency Rules The authors additionally deal with the role of step in rights and why they are part of the statutory definition of project finance in the Enterprise Act Previously published as *The Law of Personal Property Security* this new edition brings together all of the law on this complex area providing guidance in the context of commercial practice especially with increased coverage of conflict of laws priority insolvency and enforcement **The Law of Security and Title-Based Financing** Michael

Bridge, Louise Gullifer, Eva Lomnicka, 2024-10-23 Personal property security is an important subject in commercial practice as it is the key to much of the law of banking and sale This book examines traditional methods of securing debts such as mortgages charges and pledges as well as so called quasi security on property other than land describing how these are created how they must be registered or otherwise perfected if they are to be valid the rights and duties of the parties and how the security is enforced if the debt is not paid This fourth edition has been updated to incorporate recent political and legal developments including Brexit The Edinburgh Reforms which have followed the United Kingdom's exit from the European Union promise a thorough overhaul of the consumer credit regime The Retained EU Law Revocation and Reform

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Teaching the World Merrill Distad, University of Alberta. Office of the Vice-President (Research and External Affairs), 1996-04 This book catalogues an exhibition of textbooks by authors from the University of Alberta Each finished textbook contains its own story of challenges and victories And each has its own power as a record of knowledge a teaching tool and an object of permanence and beauty

Corporate Finance Law Louise Gullifer, Jennifer Payne, 2011-03-10 Corporate Finance is an area of law which is obviously of significant practical importance but the academic analysis of this area of law has also been increasingly recognised This book provides a discussion of the most interesting theoretical and policy issues in Corporate Finance law This book covers both the equity and debt sides of Corporate Finance law and seeks where possible to compare the two considering the desirability of each in various circumstances and pointing to areas of convergence and overlap The topics covered in this book include an overview of the financing options available to companies the relationship between debt and equity legal capital contractual protection for creditors proprietary protection for creditors single and multiple lenders transferred debt public offers of shares the ongoing regulation of the capital market the regulation of debt takeovers schemes of arrangement and private equity Each chapter analyses the issues so as to enable the reader to understand the difficulties risks and tensions inherent in this area of law and the attempts made by the legislature and the courts as well as the parties involved to deal with them This book discusses areas where the law is uncertain including some difficult conceptual problems and considers the present law critically including options for possible reform This book will be of interest to practitioners academics and students engaged in the practice and study of corporate finance law

Law Books Published ,1994 Saskatchewan and Manitoba Personal Property Security Acts Handbook Ronald C. C. Cuming, Roderick J. Wood, Manitoba, 1994-01-01

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

Manitoba Law Journal: Underneath the Golden Boy 2012 Volume 35(2) Bryan P. Schwartz, et al., Underneath the Golden Boy series of the Manitoba Law Journal reports on developments in legislation and on parliamentary and democratic reform in Manitoba Canada and beyond This issue has articles from a variety of contributing authors including Brendan Jowett Brett Kodak Bryan P Schwartz Daniel Hildebrand Darcy L MacPherson Edward D Ned Brown Jonah Mozeson Josh Disenhouse Karine Levasseur Kyle B Lamothe Mary Ellen Wayne Matthew Armstrong Patricia E Doyle and Ralph A Chatoor

Making Commercial Law Ross Cranston, 1997 This is a collection of essays written in honour of Roy Goode the Norton Rose Professor of English Law at Oxford and highly esteemed commercial law scholar The essayists are themselves a distinguished international group of the world s most distinguished commercial lawyers The topics covered include international contracts and sales credit and security and commercial arbitration This is a truly international collection which will be of great interest to scholars of commercial law world wide and to practitioners working in the areas of finance and international banking

Canada Land Ownership and Agricultural Laws Handbook Volume 1 Strategic Information and Selected Laws IBP, Inc, 2013-04-04 Canada Land Ownership and Agriculture Laws Handbook

Loyola of Los Angeles Law Review, 1996

Reform of Personal Property Security Law John Hynes Farrar, Mark A. O'Regan, 1988

Law Books in Print: Subject index J-Z, 1997

Saskatchewan Law Review, 1999

New Developments in International Commercial and Consumer Law International Academy of Commercial and Consumer Law. Conference, 1998-03-19 This volume contains original and practical papers on many areas including banking law the UNIDROIT principles of international commercial law competition law electronic fund transfers products liability and international commercial arbitration

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