

## CHAPTER 4: SECURED TRANSACTIONS

### 4.1 INTRODUCTION

- There are 3 types of secured transaction recognized by NLC. They are Charge, Statutory Lien and Jual Janji (which is developed by courts).
- Charge is a transaction enter between a registered proprietor of land (**Section 43** be it an individual or corporation) and financier where the registered proprietor provides his interest in the land as security for the loan, where the interest in land could be freehold title or lessee.
- Difference between charge and mortgage:

Charge	Mortgage
1. Created by NLC <ul style="list-style-type: none"><li>• Owner of the land who charged his land is the charger, and the financier is the chargee.</li></ul>	1. Created by contract - land is used as security to pledge against borrowings. <ul style="list-style-type: none"><li>• Borrower is mortgagor, lender is mortgagee.</li></ul>
2. Chargee does not own land. Ownership still remains with the registered proprietor. Chargee only has the right to enforce the sale of the land with a court order or to take possession thereof, in the event of a default in the repayment of the loan.	2. Ownership is vested in the mortgagee. Mortgagor only has the right in equity to redeem the land from mortgagee upon repayment of loan. (Case: <b>Malayan Union Finance v Tan Lay Soon</b> )
Charge is created using statutory form - Form 16A	3. No prescribed form only deeds of conveyance

### 4.2 EFFECT OF A CHARGE

- **Section 241(1) NLC** states the type of land that can be charged:
  - The whole but not part of the alienated land (as seen in the case of **J Raju v Kwong Yik Bank**)
  - The whole but not part of an undivided share in land
  - Lease of alienated land
- **S.5 NLC** defines charge, which means registered charge.
- **S.243 NLC** stated that charge can only be enforceable if registered. So, a chargee without a registered charge would have to be enforced by way of contractual remedies, as provided in **Mahadevan Mahalingam v Manilai & Sons**.
- The case of **Yee Sin Cheong v UMBC** stated that a charge can only be created to secure a debt. There can be no charge of land where there is no loan, as it would defeat the purpose of the charge.
- Upon default of payment by the chargor, the remedy of chargee is not against the person but against the property, which is remedy of possession and sale (**Co-operative Central Bank v Y&W Development**)
- Registered charge constitutes an indefeasible interest in land as security that can be enforced by way of sale. This can be seen in the cases of **Ho Giak Chay v Nik Aishah** and **T Bariam Singh v Pegawai Pentadbir Tanah Pesaka Malaysia**
- A charge shall be subjected to the provisions of **S.241(3) & (4) NLC**

# Secured Transactions Payment Systems Prob Ans 2nd

**Hossein Bidgoli**



## **Secured Transactions Payment Systems Prob Ans 2nd:**

**Securing Transactions and Payment Systems for M-Commerce** Madan, Sushila, Arora, Jyoti Batra, 2016-04-19

Mobile commerce or M commerce is booming as many utilize their mobile devices to complete transactions ranging from personal shopping to managing and organizing business operations The emergence of new technologies such as money sharing and transactional applications have revolutionized the way we do business Wholeheartedly adopted by both the business world and consumers mobile commerce has taken its seat at the head of the mobile app economy Securing Transactions and Payment Systems for M Commerce seeks to present analyze and illustrate the challenges and rewards of developing and producing mobile commerce applications It will also review the integral role M commerce plays in global business As consumers perceptions are taken into account the authors approach this burgeoning topic from all perspectives This reference publication is a valuable resource for programmers technology and content developers students and instructors in the field of ICT business professionals and mobile app developers **Official Summary of Security**

**Transactions and Holdings Reported to the Securities and Exchange Commission Under the Securities Exchange Act of 1934 and the Public Utility Holding Company Act of 1935**, 1972 **Fintech Applications in Islamic Finance:**

**AI, Machine Learning, and Blockchain Techniques** Irfan, Mohammad, Kadry, Seifedine, Sharif, Muhammad, Khan, Habib Ullah, 2023-12-07 In the realm of Islamic finance a pivotal challenge looms the escalating complexity of investment decisions macroeconomic analyses and credit evaluations In response we present a groundbreaking solution that resonates with the rapidly evolving fintech era Fintech Applications in Islamic Finance AI Machine Learning and Blockchain Techniques offers a compelling repository of knowledge meticulously curated by renowned editors Mohammad Irfan Seifedine Kadry Muhammad Sharif and Habib Ullah Khan Fintech Applications in Islamic Finance AI Machine Learning and Blockchain Techniques is a call to action an exploration of innovation and a guide for both academia and industry In an era where AI ML and blockchain reshape finance this book stands as a beacon of knowledge ushering Islamic finance into a realm of unprecedented efficiency and insight As we invite readers to embark on this transformative journey we illuminate the path to a future where technology and tradition converge harmoniously *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

**The Making of China's Artificial Intelligence and Cyber Security Policy** Suisheng Zhao, 2025-08-08 The rise of digital technology particularly artificial intelligence AI has transformed societies and international politics China has responded to the transformation and strived to become one of the global leaders What is China's approach toward the objective Who are the major players and stakeholders in the making of digital policy How has the Chinese state worked with various stakeholders To what extent has digital technology influenced China's authoritarian governance How has Chinese society responded to digital authoritarianism Can China prevail in shaping global digital rulemaking This edited volume seeks answers to these important questions Divided into three parts Part I examines how the central state has become a leading player and coordinated with various stakeholders such as academic institutions corporations and local governments in making digital technology policy Part II analyses how the Chinese party state used digital technology to strengthen authoritarian governance and how society has responded to digital authoritarianism Part III explores China's attempt to shape global digital rulemaking in competition with the US and other Western countries This book is aimed at scholars researchers policymakers and students with an interest in digital technology international relations Chinese politics and authoritarian governance It will also appeal to those studying AI digital governance and global power dynamics The chapters in this book were originally published in the Journal of Contemporary China and come with a new introduction

Critical Infrastructure Protection in Homeland Security Ted G. Lewis, 2019-11-25 Covers critical infrastructure protection providing a rigorous treatment of risk resilience complex adaptive systems and sector dependence Wide in scope this classroom tested book is the only one to emphasize a scientific approach to protecting the key infrastructures components of a nation It analyzes the complex network of entities that make up a nation's infrastructure and identifies vulnerabilities and risks in various sectors by combining network science complexity theory risk analysis and modeling and simulation This approach reduces the complex problem of protecting water supplies energy pipelines telecommunication stations power grid and Internet and Web networks to a much simpler problem of protecting a few critical nodes The new third edition of Critical Infrastructure Protection in Homeland Security Defending a Networked Nation incorporates a broader selection of ideas and sectors than the previous book Divided into three sections the first part looks at the historical origins of homeland security and critical infrastructure and emphasizes current policy The second examines theory and foundations highlighting risk and resilience in

the context of complexity theory network science and the prevailing theories of catastrophe The last part covers the individual sectors including communications internet cyber threats information technology social networks SCADA water and water treatment energy and more Covers theories of catastrophes details of how sectors work and how to deal with the problem of critical infrastructure protection s enormity and complexity Places great emphasis on computer security and whole community response Includes PowerPoint slides for use by lecturers as well as an instructor s guide with answers to exercises Offers five robust appendices that augment the non mathematical chapters with more rigorous explanations and mathematics Critical Infrastructure Protection in Homeland Security Third Edition is an important book for upper division undergraduates and first year graduate students in political science history public administration and computer technology It will also be of great interest to professional security experts and policymakers [The Internet Encyclopedia](#) Hossein

Bidgoli,2004 The Internet Encyclopedia in a 3 volume reference work on the internet as a business tool IT platform and communications and commerce medium **Mobile Commerce: Concepts, Methodologies, Tools, and Applications**

Management Association, Information Resources,2017-06-19 In the era of digital technology business transactions and partnerships across borders have become easier than ever As part of this shift in the corporate sphere managers executives and strategists across industries must acclimate themselves with the challenges and opportunities for conducting business Mobile Commerce Concepts Methodologies Tools and Applications provides a comprehensive source of advanced academic examinations on the latest innovations and technologies for businesses Including innovative studies on marketing mobile commerce security and wireless handheld devices this multi volume book is an ideal source for researchers scholars business executives professionals and graduate level students **Commercial and Economic Law in the United States of**

**America** Andre Fiebig,2019-05-13 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law covering merchants status and obligations including the laws governing state intervention in economic activities in the United States of America provides quick and easy guidance on such commercial and economic matters as business assets negotiable instruments commercial securities and regulation of the conditions of commercial transactions Lawyers who handle transnational business will appreciate the explanation of local variations in terminology and the distinctive concepts that determine practice and procedure Starting with a general description of the specifically applicable concepts and sources of commercial law the book goes on to discuss such factors as obligations of economic operators and institutions goodwill broker client relations commercial property rights and bankruptcy Discussion of economic law covers the laws governing establishment supervision of economic activities competition law and government taxation incentives These details are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Thorough yet practical this convenient volume is a valuable tool for business executives and their legal counsel with international interests Lawyers representing parties with

interests in the United States of America will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative commercial and economic law      *Intelligent Techniques for Cyber-Physical Systems* Mohammad Sajid, Anil Kumar Sagar, Jagendra Singh, Osamah Ibrahim Khalaf, Mukesh Prasad, 2023-10-20 Intelligent Techniques for Cyber Physical Systems covers challenges opportunities and open research directions for cyber physical systems CPS It focuses on the design and development of machine learning and metaheuristics enabled methods as well as blockchain for various challenges like security resource management computation offloading trust management and others in edge fog and cloud computing Internet of Things IoT Internet of Everything IoE and smart cities It also includes the design and analysis of deep learning based models sensing technologies metaheuristics and blockchain for complex real life systems for CPS Offers perspectives on the research directions in CPS Provides state of the art reviews on intelligent techniques machine learning deep learning and reinforcement learning based models for cloud enabled IoT environment Discusses intelligent techniques for complex real life problems in different CPS scenarios Reviews advancements in blockchain technology and smart cities Explores machine learning based intelligent models for combinatorial optimization problems The book is aimed at researchers and graduate students in computer science engineering and electrical and electronics engineering      **InfoWorld** ,2001-10-22 InfoWorld is targeted to Senior IT professionals Content is segmented into Channels and Topic Centers InfoWorld also celebrates people companies and projects      *FUNDAMENTALS OF MOBILE COMPUTING, Second Edition* PATTNAIK, PRASANT KUMAR, MALL, RAJIB, 2015-11-30 This textbook now in its Second Edition addresses the rapid advancements to the area of mobile computing Almost every chapter has been revised to make the book up to date with the latest developments It covers the main topics associated with mobile computing and wireless networking at a level that enables the students to develop a fundamental understanding of the technical issues involved in this new and fast emerging discipline This book first examines the basics of wireless technologies and computer communications that form the essential infrastructure required for building knowledge in the area of mobile computations involving the study of invocation mechanisms at the client end the underlying wireless communication and the corresponding server side technologies It includes coverage of development of mobile cellular systems protocol design for mobile networks special issues involved in the mobility management of cellular system users realization and applications of mobile ad hoc networks MANETs design and operation of sensor networks special constraints and requirements of mobile operating systems and development of mobile computing applications Finally an example application of the mobile computing infrastructure to M commerce is described in the concluding chapter of the book The book is suitable for a one semester course in mobile computing for the undergraduate students of Computer Science and Engineering Information Technology Electronics and Communication Engineering Master of Computer Applications MCA and the undergraduate and postgraduate science courses in computer science and Information Technology Key Features Provides unified coverage of mobile

computing and communication aspects Discusses the mobile application development mobile operating systems and mobile databases as part of the material devoted to mobile computing Incorporates a survey of mobile operating systems and the latest developments     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     SEC Docket United States. Securities and Exchange Commission,1995     **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     **Official Summary of Security Transactions and Holdings** United States. Securities and Exchange Commission,1970     **The Balance of International Payments of the United States in 1939** Paul DeWitt Dickens, August Maffry, United States. Bureau of Foreign and Domestic Commerce,1940     The Balance of International Payments of the United States in ... ,1938     *Dalhuisen on Transnational and Comparative Commercial, Financial and Trade Law Volume 5* Jan H Dalhuisen,2022-06-16 presents a very different case that of a civilized and

cultivated cosmopolitan legal scholar with a keen sense of international commercial and financial practice with an in depth grounding in both comparative legal history and comparative law combined with the ability to transcend conventional English black letter law description with critical judgment towards institutional wisdom and intellectual fashions

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Law and Practice of Secured Transactions: Working With Article 9

Richard F. Duncan, William H. Lyons, Catherine Lee Wilson, 2011

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