

PERSONAL PROPERTY SECURITY ACT

CONSOLIDATION OF PERSONAL PROPERTY SECURITY REGULATIONS

R-007-2001

In force May 7, 2001, except s.99

s.99 in force May 7, 2004

Note: CIF s.1-4, 118 and Sch. C: see s.119 of R-007-2001 and SI-001-2001.

(Current to: September 13, 2013)

AS AMENDED BY:

S.Nu. 2012,c.16,s.66

s.66 in force April 15, 2013: SI-002-2013

This consolidation is not an official statement of the law. It is an office consolidation prepared for convenience only. The authoritative text of regulations can be ascertained from the *Revised Regulations of the Northwest Territories, 1990* and the monthly publication of Part II of the *Northwest Territories Gazette* (for regulations made before April 1, 1999) and Part II of the *Nunavut Gazette* (for regulations made on or after April 1, 1999).

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

c.	means "chapter".
CIF	means "comes into force".
NIF	means "not in force".
s.	means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
Sch.	means "schedule".

Citation of Acts

R.S.N.W.T. 1988,c.D-22	means Chapter D-22 of the <i>Revised Statutes of the Northwest Territories, 1988</i> .
R.S.N.W.T. 1988,c.10(Supp.)	means Chapter 10 of the Supplement to the <i>Revised Statutes of the Northwest Territories, 1988</i> . (Note: The Supplement is in three volumes.)
S.N.W.T. 1996,c.26	means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
S.Nu. 2002,c.14	means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

Citation of Regulations and other Statutory Instruments

R.R.N.W.T. 1990,c.A-1	means Chapter A-1 of the <i>Revised Regulations of the Northwest Territories, 1990</i> .
R-005-98	means the regulation registered as R-005-98 in 1998. (Note: This is a Northwest Territories regulation if it is made before April 1, 1999, and a Nunavut regulation if it is made on or after April 1, 1999 and before January 1, 2000.)
R-012-2003	means the regulation registered as R-012-2003 in 2003. (Note: This is a Nunavut regulation made on or after January 1, 2000.)
SI-005-98	means the instrument registered as SI-005-98 in 1998. (Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.)
SI-012-2003	means the instrument registered as SI-012-2003 in 2003. (Note: This is a Nunavut statutory instrument made on or after January 1, 2000.)

PERSONAL PROPERTY SECURITY REGULATIONS

PART 1

INTERPRETATION

1. In these regulations,

"Act" means the *Personal Property Security Act*; (*Loi*)

"aircraft" means a machine capable of deriving support in the atmosphere from the reactions of the air, other than a machine designed to derive support in the atmosphere from reactions against the earth's surface of air expelled from the machine; (*aéronef*)

"boat" means a vessel that is designed for transporting persons or things on water and that is propelled primarily by any power other than muscular power; (*bateau*)

"collateral" means, with respect to a registration, if the registration is

- (a) in respect of a security interest, the personal property that is subject to the security interest,
- (b) authorized under the *Factors Act* or the *Sale of Goods Act*, the goods or documents of title that are the subject of the registration,
- (c) authorized under the *Garage Keepers Lien Act*, the motor vehicle that is the subject of the registration,
- (d) in respect of a writ of execution under the *Seizures Act* or the *Federal Court Act* (Canada), the property of the execution debtor bound by the writ,
- (e) authorized under the *Children's Law Act* or the *Family Law Act*, the personal property affected by an order made under the applicable Act, and
- (f) in respect of a support order filed with the Sheriff under section 28 of the *Family Support Orders Enforcement Act*, the property of a person required under a support order to pay money for support, and the property of a corporation which is jointly and severally liable with that person under section 40 or 41 of the *Family Support Orders Enforcement Act*;
(*bien grevé*)

"debtor" means, if the registration is

- (a) in respect of a security interest, a debtor as defined in section 1 of the Act,
- (b) authorized under the *Factors Act* or the *Sale of Goods Act*, a person who, having sold goods, continues or is in possession of the goods or of the documents of title to the goods that are the subject of the registration,

- (c) authorized under the *Garage Keepers Lien Act*, the owner against whose interest in a motor vehicle a lien is claimed under the *Garage Keepers Lien Act*,
- (d) in respect of a support order filed with the Sheriff under section 28 of the *Family Support Orders Enforcement Act*, a person required under a support order to pay money for support, and a corporation which is jointly and severally liable with that person under section 40 or 41 of the *Family Support Orders Enforcement Act*,
- (e) authorized under the *Children's Law Act* or the *Family Law Act*, a person whose personal property is affected by an order made under the applicable Act, and
- (f) in respect of a bill of sale that does not evidence a mortgage of chattels registered under prior registration law under the *Bills of Sale Act*, a grantor under the bill of sale;
(*débiteur*)

"enterprise" includes a partnership, body corporate, association, organization, estate of a deceased individual, estate of a bankrupt, trade union, trust, syndicate or joint venture, but does not include an individual; (*entreprise*)

"execution creditor" means a person who is entitled to enforce by execution the payment of money payable pursuant to any judgment or order that is enforceable by judgment in accordance with the *Seizures Act* or the *Federal Court Act* (Canada); (*créancier saisissant*)

"execution debtor" means a person liable for the payment of money under a writ of execution in accordance with the *Seizures Act* or the *Federal Court Act* (Canada); (*débiteur saisi*)

"mobile home" means a structure, whether ordinarily equipped with wheels or not, that is not self-propelled and is designed

- (a) to be moved from one place to another by being towed or carried, and
- (b) to be used as
 - (i) a dwelling house or premises,
 - (ii) a business office or premises, or
 - (iii) accommodation for a purpose other than one described in subparagraphs (i) or (ii);
(*maison mobile*)

"motor vehicle" means

- (a) except in respect of a garage keeper's lien, a mobile device that is propelled primarily by any power other than muscular power
 - (i) in, on or by which a person or thing may be transported or drawn, and that is designed for use on a road or natural terrain, or

- (ii) that is used in the construction or maintenance of roads, and includes a pedal bicycle with a motor attached, combine, and tractor, but does not include a device that runs on rails or machinery designed only for use in farming, other than a combine or tractor, and
- (b) in respect of a garage keeper's lien, a motor vehicle as defined in the *Motor Vehicles Act*; (*véhicule automobile*)

"printed" includes typed, stamped or machine printed; (*imprimé*)

"prior registration law" means prior registration law as defined in subsection 73(1) of the Act; (*loi d'enregistrement antérieure*)

"registrant" means a person authorized under subsection 2(2) as a registrant and, in the case of a support order to be registered under Part 8, means the Manager appointed under subsection 42(2) of the *Family Support Orders Enforcement Act*; (*enregistreur*)

"registration family" means the registration originally entered in the Registry and all subsequent registrations that renew, amend, re-register or discharge that registration; (*famille d'enregistrements*)

"screen" means an electronically reproduced image that is used for the purpose of verifying data entry in the Registry; (*écran*)

"secured party" means, with respect to a registration, if the registration is

- (a) in respect of a security interest, a secured party as defined in section 1 of the Act,
- (b) authorized under the *Factors Act* or the *Sale of Goods Act*, a person who, having bought goods, leaves the goods or the documents of title to the goods that are the subject of the registration in the possession of the seller,
- (c) authorized under the *Garage Keepers Lien Act*, a garage keeper as defined in section 1 of that Act,
- (d) in respect of a support order filed with the Sheriff under section 28 of the *Family Support Orders Enforcement Act*, a person entitled under a support order to receive money for support on his or her own behalf, or on behalf of another person,
- (e) authorized under the *Children's Law Act* or the *Family Law Act*, a person entitled to the benefit of an order, made under the applicable Act, that affects personal property, and
- (f) in respect of a bill of sale that does not evidence a mortgage of chattels registered under prior registration law under the *Bills of Sale Act*, a grantee under the bill of sale; (*créancier garanti*)

"serial number goods" and "serial numbered goods" mean, for the purposes of the Act and these regulations,

- (a) except in respect of a garage keeper's lien, a motor vehicle, trailer, mobile home, aircraft, boat or an outboard motor for a boat, and
- (b) in respect of a garage keeper's lien, a motor vehicle;
(*objets portant un numéro de série*)

"tractor" means a self-propelled vehicle that is designed primarily for drawing other vehicles or machines; (*tracteur*)

"trailer" means a device in, on or by which a person or thing may be transported or drawn that is not self-propelled and that is designed to be drawn on a road by a motor vehicle but does not include a mobile home. (*remorque*). S.Nu. 2012,c.16,s.66(2).

PART 2

GENERAL

Access to the Registry

2. (1) A person who wishes to have access to the Registry to effect a registration or make a search must apply to the Registrar to be authorized as a registrant.

(2) The Registrar shall authorize a person as a registrant to enter data in the Registry in relation to a registration where the person

- (a) has entered into an agreement with the Registrar that provides for remote electronic access to the Registry in such manner and on such terms and conditions as the Registrar considers advisable;
- (b) makes arrangements satisfactory to the Registrar for the payment of any fees under these regulations; and
- (c) has designated an individual as the person's administrative user for all purposes relating to the person's access to the Registry.

(3) The Registrar shall assign a client number, a user ID and a password to a registrant.

(4) Subject to subsections (5) and (6), a person may not have access to the Registry unless the person has been authorized as a registrant under subsection (2).

(5) A person who is not authorized as a registrant under subsection (2) may conduct searches of the Registry at the office of the Registry.

(6) A person who is not authorized as a registrant under subsection (2) may be permitted by the Registrar to effect a registration in the Registry at the office of the

Registry if, in the opinion of the Registrar, a registrant is not readily available to the public.

(7) A person who is not authorized as a registrant under subsection (2) may conduct searches in respect of documents filed or registered under prior registration law only at the office of the Registrar of the Northwest Territories Personal Property Registry.

Office Hours

3. (1) Subject to subsection (2), the office of the Registry must be kept open to the public from 9:30 a.m. to 4 p.m. every day except Saturday and a holiday

(2) When Boxing Day falls on a Sunday or Monday, the office of the Registry remains closed on the following Tuesday.

(3) A registrant may access the Registry at any time when the office of the Registry is open to the public, and at other times that may be specified in or under the agreement referred to in paragraph 2(2)(a).

Identification Codes

4. (1) The Registrar may assign a secured party number to a person who wishes to effect a registration in the Registry if that person has been authorized as a registrant under subsection 2(2).

(2) A registrant may enter the secured party number assigned by the Registrar under subsection (1) instead of the name and address of the secured party or execution creditor, as the case may be.

(3) If a secured party number is entered under subsection (2), the name and address to which the secured party number relates must appear as the name and address of the secured party or execution creditor, as the case may be, on all verification statements issued and notices sent under section 8, and search results obtained under section 10 in relation to the registration.

(4) Instead of entering the name and address of the secured party or execution creditor, a registrant may indicate that the registrant is the same person as the secured party or execution creditor, as the case may be.

(5) If a registrant indicates that the registrant is the same person as the secured party or execution creditor, as the case may be, under subsection (4), the name and address to which the client number assigned to the registrant under subsection 2(3) relates must appear as the name and address of the secured party or execution creditor, as the case may be, on all verification statements issued and notices sent under section 8, and search results obtained under section 10 in relation to the registration.

Responsibility of Registrants

- 5.** A registrant who effects a registration in the Registry must ensure that the information required by these regulations is entered in the appropriate fields on the screen.
- 6.** The Registrar may permit a registration to be effected in the Registry without proof that
- (a) the client number given by the registrant is the client number assigned by the Registrar to the registrant under subsection 2(3); or
 - (b) the registrant has authority to effect the registration.

Calculation of Registration Life

7. (1) For the purposes of calculating the period of effectiveness of a registration, where the period is from the day of registration or from the anniversary of the day of registration, a year runs from the beginning of that day or anniversary, as the case may be.

(2) For the purposes of subsection (1), if the anniversary of the day of registration falls on February 29, the anniversary date is deemed to be March 1.

Verification Statements

8. (1) A registrant who effects a registration at an office of the Registry will be given a printed verification statement of the registration on completion of the registration.

(2) If a registrant effects a registration pursuant to an agreement entered into under paragraph 2(2)(a), it is the responsibility of the secured party or execution creditor, as the case may be, or the person named as such in the registration, to have a verification statement of the registration printed for the purposes of compliance with subsection 43(12) of the Act.

(3) If a registration discharges, re-registers or amends a registration or globally changes multiple registrations, the Registrar shall send a printed or electronic notice verifying the discharge, re-registration, amendment or global change to the secured party or execution creditor, as the case may be.

Amendments by Registrar

9. (1) The Registrar may amend a financing statement or financing change statement that contains an error caused by an act of the Registrar or Registry employees by registering.

(2) Any changes to a registration family made by the Registrar under subsection (1) are effective only from the time the changes are made.

Searches and Search Results

10. (1) Subject to subsection (2), for the purposes of the Act and these regulations, "search result" means information obtained from the Registry that

- (a) is actively maintained in the Registry corresponding to the search criteria specified by the person requesting the search; and
- (b) is actively maintained in the Registry and that may be similar to the search criteria specified by the person requesting the search.

(2) A registrant may enter the secured party number assigned by the Registrar under subsection (1) instead of the name and address of the secured party or execution creditor, as the case may be.

(3) A person who makes a search of the Registry according to the name of a debtor must,

- (a) where the debtor is an individual, enter the name of the debtor in the manner provided under section 19; and
- (b) where the debtor is an enterprise, enter the name of the debtor in the manner provided under section 20.

(4) A person who makes a search of the Registry according to the name of an execution debtor must,

- (a) where the execution debtor is an individual, enter the name of the execution debtor in the manner provided under section 19 and section 19 applies with such modifications as the circumstances require; and
- (b) where the execution debtor is an enterprise, enter the name of the execution debtor in the manner provided under section 20 and section 20 applies with such modifications as the circumstances require.

(5) A person who makes a search of the Registry according to a registration number must enter the number of any registration that forms part of the registration family to which the search relates.

(6) For the purposes of making a search of the Registry according to the serial number of serial numbered goods to which the search relates, the serial number is the serial number as determined under subsections 24(2) and (3).

(7) A person who makes a search of the Registry may elect whether or not to have a search result printed.

- (8) A printed search result must
- (a) identify the number of registrations in the Registry, if any, that contain information that exactly matches the search criteria provided by the searcher and indicate which registrations were selected to be included in, or excluded from, the registrations to be printed in detail;
 - (b) identify the number of registrations in the Registry, if any, that contain information that closely matches the search criteria provided by the searcher and indicate which registrations were selected to be included in, or excluded from, the registrations to be printed in detail;
 - (c) provide the registration history and the details of all registrations that form part of the registration family of which the registration selected for printing is a member;
 - (d) if applicable, indicate that the search criteria provided by the searcher did not exactly match any information contained in a registration in the Registry at the date and time of the search; and
 - (e) if applicable, indicate that the search criteria provided by the searcher did not closely match any information contained in a registration in the Registry at the date and time of the search.

(9) Subsections (3) to (8) do not apply to a search in respect of documents filed or registered under prior registration law.

(9.1) During the three-year period from the day this section comes into force, a search mentioned in subsection (9) must be done at the office of the Registrar of the Northwest Territories Personal Property Registry, and for the purposes of such searches, that office is deemed to be part of the Registry.

(10) A printed search result in respect of documents filed or registered under prior registration law must be in the form of a certificate setting out the documents filed or registered in the Registry in which the name specified as the search criteria is shown as a debtor and specifying for each such document the registration date and number, the name of the secured party and the type of document.

(11) A certificate mentioned in subsection (10) issued by the Registrar of the Northwest Territories Personal Property Registry shall be deemed to be a certificate issued by the Registrar.

Registry Liability Limits

11. (1) The maximum total amount recoverable in a single action under section 52 of the Act is \$200,000.

(2) The maximum total amount recoverable for all claims in a single action under section 53 of the Act is \$2,000,000.

Deemed Damages

12. The prescribed amount referred to in subsection 65(6) of the Act is \$300.

Application of Act to Interests or Notices Registered under the Authority of Other Acts

13. (1) Subject to subsection (2), the following provisions of the Act do not apply to a registration under the *Children's Law Act*, the *Family Law Act*, the *Garage Keepers Lien Act* or the *Family Support Orders Enforcement Act* or to the registration of a writ of execution under the *Seizures Act* or the *Federal Court Act (Canada)*:

- (a) subsections 43(4) and (5);
- (b) section 49;
- (c) section 50;
- (d) section 53.

(2) Section 50 of the Act applies, with such modifications as the circumstances require, to a registration of a writ of execution issued under the *Seizures Act* or the *Federal Court Act (Canada)*. S.Nu. 2012,c.16,s.66(3).

PART 3

REGISTRATION OF A FINANCING STATEMENT UNDER THE ACT

Application

14. This Part applies to the registration in the Registry of a financing statement in relation to a security interest under the Act including a security interest that was filed or registered under prior registration law.

Preliminary Registration Procedure

15. A registrant who wishes to register a financing statement in relation to a security interest under the Act must indicate

- (a) that the registrant wishes to have access to the Registry;
- (b) that the registrant wishes to enter a registration; and
- (c) that the registrant wishes to register a PPSA financing statement.

Duration of Registration

16. The registrant must specify the period of time during which the registration is to be effective by entering a whole number from 1 to 25 to indicate the applicable number of years or by selecting infinity.

Your File Number

17. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Debtor Information

18. (1) Where the debtor is an individual, the registrant must enter, under the heading "Debtor (Individual)", the name, in the manner provided under section 19, and address of the debtor.

(2) Where the debtor is an enterprise, the registrant must enter, under the heading "Debtor (Enterprise)", the name, in the manner provided under section 20, and address of the debtor.

(3) Where the debtor is an individual, the registrant may enter the birth date of the debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where the debtor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(5) Where a registration applies to more than one debtor, the registrant must identify each debtor as a separate debtor in the registration.

Debtor (Individual) Name Information

19. (1) Where the debtor is an individual, the registrant must enter the last name followed by the first name followed by the middle name, if any, of the debtor.

(2) Where the debtor is an individual whose name includes more than one middle name, the registrant must enter the first of the middle names.

(3) Where the debtor is an individual whose name consists of only one word, the registrant must enter that word in the field for entering the last name of the debtor.

(4) Where the name of an individual as determined under subsection (6) includes a designation such as "Junior" or "Jr", the registrant must specify that designation following the first given name with a space between the first given name and the designation.

(5) Where the debtor is an individual who carries on business under a name and style other than the individual's own name, the registrant

- (a) must enter, in accordance with this section, the individual's own name as a debtor (individual); and
- (b) may enter, in accordance with section 20, the individual's business name and style as a debtor (enterprise).

(6) Where the debtor is an individual, the name of the debtor is determined, for the purposes of this section, by the following rules:

- (a) if the debtor was born in Canada and the debtor's birth is registered in Canada with a government agency responsible for the registration of births, the name of the debtor is the name stated on the debtor's birth certificate or equivalent document issued by the government agency;
- (b) if the debtor was born in Canada but the debtor's birth is not registered in Canada with a government agency responsible for the registration of births, the name of the debtor is
 - (i) the name stated in a current passport issued to the debtor by the Government of Canada,
 - (ii) if the debtor does not have a current Canadian passport, the name stated on a current social insurance card issued to the debtor by the Government of Canada, or
 - (iii) if the debtor does not have a current Canadian passport or social insurance card, the name stated in a current passport issued to the debtor by the government of a jurisdiction other than Canada where the debtor habitually resides;
- (c) if the debtor was not born in Canada but is a Canadian citizen, the name of the debtor is the name stated on the debtor's certificate of citizenship issued by the Government of Canada;
- (d) if the debtor was not born in Canada and is not a Canadian citizen, the name of the debtor is
 - (i) the name stated on a current visa issued to the debtor by the Government of Canada,
 - (ii) if the debtor does not have a current Canadian visa, the name stated on a current passport issued to the debtor by the government of the jurisdiction where the debtor habitually resides, or

- (iii) if the debtor does not have a current Canadian visa or a current passport, the name stated on the birth certificate or equivalent document issued to the debtor by the government agency responsible for the registration of births at the place where the debtor was born;
- (e) notwithstanding paragraphs (a) to (d) and subject to paragraph (f), if the debtor changes his or her name after marriage or in accordance with change of name legislation, the name of the debtor is the name adopted by the debtor after marriage, if that name is recognized under the law of the jurisdiction where the debtor habitually resides, or the name stated on an order of a court granting a change of name to the debtor or equivalent document, as the case may be;
- (f) if the law of the jurisdiction where the debtor habitually resides allows a person to use both the name adopted after marriage and the name that person had before marriage, and the debtor uses both names, paragraphs (a) to (d) continue to apply and both the name of the debtor determined in accordance with those paragraphs and the name adopted after marriage must be registered as separate debtor (individual) names;
- (g) in a case not falling within paragraphs (a) to (f), the name of the debtor is the name stated on any two of the following documents issued to the debtor by the Government of Canada or of a province or territory of Canada:
 - (i) a current motor vehicle driver's licence;
 - (ii) a current certificate of registration or registration permit for a motor vehicle;
 - (iii) a current medical insurance or health care card.

(7) For the purposes of subsection (6), the name of the debtor is determined as of the date of the event or transaction to which the registration relates.

(8) In addition to entering the name of a debtor who is an individual determined in accordance with this section, the registrant may enter any other name of the debtor of which the registrant has knowledge as a separate debtor (individual) name.

Debtor (Enterprise) Name Information

20. (1) Where the debtor is an enterprise that is a body corporate, the registrant must enter the name of the body corporate.

(2) The registrant must enter, under separate "Debtor (Enterprise)" headings in the registration, all forms of the name of a debtor that is a body corporate if the name of the debtor is in more than one of the following forms:

- (a) an English form;
- (b) a French form;
- (c) a combined English-French form.

(3) In entering the name of a debtor that is a body corporate, the registrant may enter, with or without a period, either the abbreviation "Ltd", "Ltee", "Ltée", "Inc", "Incorp", "Corp", "Co" or "Cie", as the case may be, or "Limited", "Limitee", "Limitée", "Incorporated", "Incorporee", "Incorporée", "Corporation", "Company" or "Compagnie", as the case may be.

(4) Where the debtor is an enterprise that is the estate of a deceased individual, the registrant must enter the first name followed by the first of the middle names, if any, followed by the last name of the deceased, unless the name of the deceased consists of only one word in which case only that word must be entered, followed by the word "estate".

(5) Where the debtor is an enterprise that is a trade union, the registrant must enter

- (a) the name of the trade union; and
- (b) in accordance with subsection (17), the name of each person representing the trade union in the transaction giving rise to the registration.

(6) Where the debtor is a trustee acting for an enterprise that is in the form of a trust, and the document creating the trust designates the name of the trust, the registrant must enter that name, followed by the word "trust" unless the name of the trust already contains the word "trust".

(7) Where the debtor is a trustee acting for an enterprise that is in the form of a trust, and the document creating the trust does not designate the name of the trust, the registrant must enter the first name followed by the first of the middle names, if any, followed by the last name of at least one of the trustees, unless the name of the trustee consists of only one word in which case only that word must be entered, followed by the word "trustee".

(8) Where the debtor is a trustee acting for an enterprise that is in the form of the estate of a bankrupt individual, the registrant must enter the first name followed by the first of the middle names, if any, followed by the last name of the bankrupt, unless the name of the bankrupt consists of only one word in which case only that word.

(9) Where the debtor is a trustee acting for an enterprise that is in the form of the estate of a bankrupt enterprise, the registrant must enter the name of the bankrupt enterprise followed by the word "bankrupt".

(10) Where the debtor is a debtor because of membership in an enterprise that is a partnership, the registrant must enter

- (a) in the case of a partnership for which a declaration is filed under the *Partnership Act*, the firm name of the partnership as stated in the declaration under that Act; and
- (b) in the case of a limited partnership, the firm name of the limited partnership as stated in the certificate registered under the *Partnership Act*.

(11) Where the debtor is a debtor because of membership in an enterprise that is a partnership, other than a partnership referred to in subsection (10), the registrant must enter

- (a) the firm name of the partnership; and
- (b) in accordance with subsection (17), the name of at least one of the partners, which, in the case of a limited partnership, must include the name of a general partner.

(12) In a case described in subsection (11), if the partnership does not have a name, the registrant must enter, in accordance with subsection (17), the names of all the partners.

(13) Where the debtor is a debtor because of participation in an enterprise that is a syndicate or joint venture, the registrant must enter

- (a) the name, if any, of the syndicate or joint venture as stated in the document creating it; and
- (b) in accordance with subsection (17), the name of each participant in it.

(14) Where the debtor is a debtor because of membership or participation in an association, organization or enterprise other than one already referred to in this section, the registrant must enter

- (a) the name of the association, organization or enterprise; and
- (b) in accordance with subsection (17), the name of each person representing the association, organization or enterprise in the transaction giving rise to the registration.

(15) For the purposes of paragraph (14)(a), if the name of the association, organization or enterprise is stated in a constitution, charter or other document creating it, the registrant must enter the name in the form stated in that document.

(16) For the purposes of this section, a person representing an enterprise in a transaction giving rise to a registration is a person who has power to bind the enterprise or its officers or members and who has exercised that power in the formation of the contract or contracts involved in the transaction.

(17) Where, under paragraphs (5)(b), (11)(b), subsection (12), paragraph (13)(b) or (14)(b),

- (a) the name of an individual is to be entered, the name must be entered in the manner provided under sections 18 and 19; or
- (b) the name of a body corporate is to be entered, the name must be entered in the manner provided under section 18 and subsections (1) to (3), (18) and (19) of this section.

(18) Where the name of a debtor as otherwise determined by this section includes

- (a) an accented character that, but for the accent, would be a letter in the English alphabet, or
- (b) a character that consists of a letter in the English alphabet with the addition of a slash or another marking,

and that character is not accepted in the Registry, the name of the debtor must be entered by using the character in the English alphabet without the accent or other addition.

Secured Party Information

21. (1) The registrant must indicate whether the secured party is an individual or an enterprise.

(2) Where the secured party is an individual, the registrant must enter the name, in the manner provided under section 19, and address of the secured party and section 19 applies with such modifications as the circumstances require.

(3) Where the secured party is an enterprise, the registrant must enter the name, in the manner provided under section 20, and address of the secured party and section 20 applies with such modifications as the circumstances require.

(4) The registrant may enter the secured party's phone number and fax number.

(5) Where the secured party is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(6) Where a registration applies to more than one secured party, the registrant must identify each secured party as a separate secured party in the registration.

Collateral (and Proceeds) Description

22. (1) Subject to subsection (2), where the collateral to which a registration relates is

- (a) consumer goods that are serial numbered goods, the registrant must enter a description of the collateral in accordance with section 24;
- (b) consumer goods that are not serial numbered goods, the registrant must enter a description of the collateral in accordance with section 23;

- (c) equipment that is serial numbered goods, the registrant must enter a description of the collateral in accordance with section 23 or 24;
- (d) equipment that is not serial numbered goods, the registrant must enter a description of the collateral in accordance with section 23;
- or
- (e) items of inventory, whether or not serial numbered goods, the registrant must enter a description of the collateral in accordance with section 23.

(2) Where the collateral to which a registration relates is proceeds to be described for the purposes of subsection 28(2) or (3) of the Act, and the collateral is

- (a) consumer goods that are serial numbered goods, the registrant must enter a description of the collateral in accordance with section 24;
- (b) equipment that is serial numbered goods, the registrant must
 - (i) enter a description of the collateral in accordance with section 24, or
 - (ii) enter a description of the collateral in accordance with section 23 and indicate that the description relates to proceeds; or
- (c) collateral not referred to in paragraph (a) or (b), the registrant must enter a description of the collateral in accordance with section 23 and indicate that the description relates to proceeds.

General Description of Collateral

23. (1) Where collateral is to be described in accordance with this section, the registrant must enter

- (a) a description of the collateral by item or kind or by reference to one or more of the following: "goods", "document of title", "chattel paper", "security", "instrument", "money" or "intangible";
- (b) a statement that a security interest is taken in all of the debtor's present and after-acquired personal property; or
- (c) a statement that a security interest is taken in all of the debtor's present and after-acquired personal property except specified items or kinds of personal property or except one or more of the following: "goods", "document of title", "chattel paper", "security", "instrument", "money" or "intangible".

(2) A description is inadequate for the purposes of paragraph (1)(a) if it describes the collateral as consumer goods or equipment without further describing the item or kind of collateral, but if the personal property to be excluded from a description of collateral under paragraph (1)(c) is the consumer goods of the debtor, the excluded property may be described simply as consumer goods.

(3) A description of collateral under subsection (1) that describes the collateral as inventory is adequate only while the collateral is held by the debtor as inventory.

Description of Serial Numbered Goods

- 24.** (1) Where collateral is serial numbered goods to be described by serial number, the registrant
- (a) must indicate the type of serial numbered goods to which the registration relates;
 - (b) must enter the last 25 characters of the serial number or all the characters if the serial number contains less than 25 characters;
 - (c) may verify the serial number entered by entering it a second time; and
 - (d) may describe the collateral by make, manufacturer, model, model year or any other particulars.
- (2) For the purposes of this section, the serial number for
- (a) a motor vehicle other than a combine or tractor is the vehicle identification number marked on, or attached to, the body frame by the manufacturer;
 - (b) a combine, tractor, mobile home or trailer is the serial number marked on, or attached to, the chassis by the manufacturer;
 - (c) a boat that can be registered, recorded or licensed under the *Canada Shipping Act* (Canada) is the registration, recording or licence number assigned to the boat under that Act;
 - (d) a boat not referred to in paragraph (c) is the serial number marked on, or attached to, the boat by the manufacturer;
 - (e) an outboard motor for a boat is the serial number marked on, or attached to, the outboard motor by the manufacturer;
 - (f) an aircraft that must be registered under the *Aeronautics Act* (Canada) or regulations made under that Act in order to be operated in Canada is the registration marks assigned to the aircraft by the Department of Transport (Canada), omitting any hyphen;
 - (g) an aircraft that must be registered under the law of a state, other than Canada, that is a party to the Convention on International Civil Aviation, signed at Chicago on December 7, 1944 is the registration marks assigned to the aircraft by the relevant licensing authority, omitting any hyphen; and
 - (h) an aircraft not referred to in paragraph (f) or (g) is the serial number marked on, or attached to, the aircraft by the manufacturer.
- (3) Where collateral referred to in paragraph (2)(a), (b), (d), (e) or (h) does not have a serial number or vehicle identification number marked on, or attached to, it by the manufacturer, the serial number is any number of at least six characters that is marked on, or attached to, the collateral.

Continuation of Prior Security Interest

25. (1) In this section and in section 26, "security interest" includes a bill of sale that does not evidence a mortgage of chattels under prior registration law and that was covered by a registration under the *Bills of Sale Act* immediately before May 7, 2001.

(2) Where a registrant wishes to continue the registered and perfected or perfected status of a prior security interest referred to in section 73 of the Act, the registrant must register a financing statement relating to the prior security interest in accordance with this Part before the registered and perfected or perfected status of the prior security interest ceases to be effective under section 73 of the Act.

(3) Where a financing statement is registered under section 73 of the Act to continue the registered and perfected status of a prior security interest covered by an unexpired registration under prior registration law, the registrant must

- (a) indicate under which prior registration law the security interest to which the registration relates is registered;
- (b) enter the initial registration number under prior registration law or, if the registration has been renewed, the registration number of the most recent renewal of the registration; and
- (c) enter the date of either the initial registration under prior registration law or the most recent renewal of the registration, as the case may be, with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where a financing statement is registered under section 73 of the Act to continue the perfected status of a prior security interest that is not covered by an unexpired registration under prior registration law but has the status of a perfected security interest under subsection 73(7) of the Act on May 7, 2001, the registrant must enter, under the heading "Additional Information", a statement indicating when the prior security interest was created.

Additional Information

26. Under the heading "Additional Information", the registrant

- (a) must indicate that the security interest is contained in a trust indenture, if that is the case;
- (b) must specify the names of the secured party and the debtor as they appear in the filing or registration under prior registration law, in the case of a continuation of a security interest under section 25; and
- (c) may enter any other information relating to the registration that the registrant wishes.

PART 4

REGISTRATION OF THE INTEREST OF AN OWNER
UNDER THE *FACTORS ACT* OR *SALE OF GOODS ACT*

Application

27. This Part applies to the registration of the interest of an owner as authorized by the *Factors Act* or *Sale of Goods Act*.

Preliminary Registration Procedure

28. A registrant who wishes to register the interest of an owner must indicate

- (a) that the registrant wishes to have access to the Registry;
- (b) that the registrant wishes to enter a registration; and
- (c) that the registrant wishes to register the interest of an owner.

Duration of Registration

29. The registrant must specify the period of time during which the registration is to be effective by entering a whole number from 1 to 25 to indicate the applicable number of years or by selecting infinity.

Your File Number

30. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Debtor Information

31. (1) Where the debtor is an individual, the registrant must enter, under the heading "Debtor (Individual)", the name, in the manner provided under section 19, and address of the debtor and section 19 applies with such modifications as the circumstances require.

(2) Where the debtor is an enterprise, the registrant must enter, under the heading "Debtor (Enterprise)", the name, in the manner provided under section 20, and address of the debtor and section 20 applies with such modifications as the circumstances require.

(3) Where the debtor is an individual, the registrant may enter the birth date of the debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where the debtor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(5) Where a registration applies to more than one debtor, the registrant must identify each debtor as a separate debtor in the registration.

Secured Party Information

32. (1) The registrant must indicate whether the secured party is an individual or an enterprise.

(2) Where the secured party is an individual, the registrant must enter the name, in the manner provided under section 19, and address of the secured party and section 19 applies with such modifications as the circumstances require.

(3) Where the secured party is an enterprise, the registrant must enter the name, in the manner provided under section 20, and address of the secured party and section 20 applies with such modifications as the circumstances require.

(4) The registrant may enter the secured party's phone number and fax number.

(5) Where the secured party is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(6) Where a registration applies to more than one secured party, the registrant must identify each secured party as a separate secured party in the registration

Collateral Description

33. The registrant must enter, in accordance with paragraph 23(1)(a), a description of the personal property of the secured party in the possession of the debtor that is not serial numbered goods and, in such a case, paragraph 23(1)(a) applies with such modifications as the circumstances require.

Description of Serial Numbered Goods

34. The registrant must enter, in accordance with section 24, a description of the personal property of the secured party in the possession of the debtor that is serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

Additional Information

35. Under the heading "Additional Information", the registrant may enter any other information relating to the registration that the registrant wishes.

PART 5

REGISTRATION OF A CLAIM OF LIEN UNDER THE *GARAGE KEEPERS LIEN ACT*

Application

36. This Part applies to the registration of a claim of lien as authorized by the *Garage Keepers Lien Act*.

Preliminary Registration Procedure

37. A registrant who wishes to register a claim of lien under the *Garage Keepers Lien Act* must indicate

- (a) that the registrant wishes to have access to the Registry;
- (b) that the registrant wishes to enter a registration; and
- (c) that the registrant wishes to register a claim of lien under the *Garage Keepers Lien Act*.

Particulars of Claim of Lien

38. (1) Subject to subsection (2), the registrant must indicate the date on which, in respect of the motor vehicle that is subject to the claim of lien,

- (a) storage of the motor vehicle terminated;
- (b) repairs to the motor vehicle were completed; or
- (c) accessories for the motor vehicle were furnished.

(2) Where the storage of the motor vehicle has not been terminated, the repairs to the motor vehicle have not been completed or not all of the accessories for the motor vehicle have been furnished, as the case may be, the registrant must indicate the current date in the field on the screen provided for the date referred to in subsection (1).

(3) If the current date is more than 21 days after the date referred to in subsection (1), the claim of lien may not be registered.

Duration of Registration

39. (1) A claim of lien registered under this Part shall appear in the Registry as being registered for one year from the date of registration or until it is discharged, whichever date is earlier.

(2) The registration of a claim of lien registered under this Part may not be renewed.

Your File Number

40. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Debtor Information

41. (1) Where the debtor is an individual, the registrant must enter, under the heading "Debtor (Individual)", the name, in the manner provided under section 19, and address of the debtor and section 19 applies with such modifications as the circumstances require.

(2) Where the debtor is an enterprise, the registrant must enter, under the heading "Debtor (Enterprise)", the name, in the manner provided under section 20, and address of the debtor and section 20 applies with such modifications as the circumstances require.

(3) Where the debtor is an individual, the registrant may enter the birth date of the debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where the debtor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(5) Where a registration applies to more than one debtor, the registrant must identify each debtor as a separate debtor in the registration.

Secured Party Information

42. (1) The registrant must indicate whether the secured party is an individual or an enterprise.

(2) Where the secured party is an individual, the registrant must enter the name, in the manner provided under section 19, and address of the secured party and section 19 applies with such modifications as the circumstances require.

(3) Where the secured party is an enterprise, the registrant must enter the name, in the manner provided under section 20, and address of the secured party and section 20 applies with such modifications as the circumstances require.

(4) The registrant may enter the secured party's phone number and fax number.

(5) Where the secured party is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(6) Where a registration applies to more than one secured party, the registrant must identify each secured party as a separate secured party in the registration.

Description of Motor Vehicle

43. The registrant must enter, in accordance with section 24, a description of the motor vehicle that is the subject of the claim of lien and section 24 applies with such modifications as the circumstances require.

Additional Information

44. Under the heading "Additional Information", the registrant may enter any other information relating to the registration that the registrant wishes.

PART 6

REGISTRATION OF A WRIT OF EXECUTION UNDER THE *SEIZURES ACT*

Application

45. This Part applies to the registration of a writ of execution as authorized by the *Seizures Act*.

Preliminary Registration Procedure

46. A registrant who wishes to register a writ of execution must indicate

- (a) that the registrant wishes to have access to the Registry;
- (b) that the registrant wishes to enter a registration; and
- (c) that the registrant wishes to register a Territorial writ of execution.

Particulars of Writ of Execution

47. The registrant must

- (a) indicate the court that rendered the judgment in respect of which the writ of execution has been issued;
- (b) enter the number of the writ of execution assigned to it by the Sheriff;

- (c) enter the date of the judgment to which the registration relates with the number of the year entered first followed by the number of the month followed by the number of the day; and
- (d) enter the amount of the judgment, including costs and accrued interest.

Duration of Registration

48. A writ of execution registered under this Part shall appear in the Registry as being registered for a period of 10 years from the date of judgment provided by the registrant under paragraph 47(c).

Your File Number

49. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Execution Debtor Information

50. (1) Where the execution debtor is an individual, the registrant must enter, under the heading "Execution Debtor (Individual)", the name, in the manner provided under section 19, and address of the execution debtor and section 19 applies with such modifications as the circumstances require.

(2) Where the execution debtor is an enterprise, the registrant must enter, under the heading "Execution Debtor (Enterprise)", the name, in the manner provided under section 20, and address of the execution debtor and section 20 applies with such modifications as the circumstances require.

(3) Where the execution debtor is an individual, the registrant may enter the birth date of the execution debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where the execution debtor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(5) Where a registration applies to more than one execution debtor, the registrant must identify each execution debtor as a separate execution debtor in the registration.

Execution Creditor Information

51. (1) The registrant must indicate whether the execution creditor is an individual or an enterprise.

(2) Where the execution creditor is an individual, the registrant must enter the name, in the manner provided under section 19, and address of the execution creditor and section 19 applies with such modifications as the circumstances require.

(3) Where the execution creditor is an enterprise, the registrant must enter the name, in the manner provided under section 20, and address of the execution creditor and section 20 applies with such modifications as the circumstances require.

(4) The registrant may enter the execution creditor's phone number and fax number.

(5) Where the execution creditor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(6) Where a registration applies to more than one execution creditor, the registrant must identify each execution creditor as a separate execution creditor in the registration.

Default Description

52. The Registrar may provide, under the heading "General Collateral", a default description indicating that the personal property of the execution debtor to which the registration of a writ of execution relates is all the present and after-acquired personal property of the execution debtor.

Description of Serial Numbered Goods

53. (1) The registrant must enter, in accordance with section 24, a description of the personal property of the execution debtor that is consumer goods that are serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

(2) The registrant may enter, in accordance with section 24, a description of the personal property of the execution debtor that is equipment that is serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

Additional Information

54. Under the heading "Additional Information", the registrant

- (a) must enter the name of a party to the writ of execution to which the registration relates as named in the writ of execution, if different than the name of that party as entered in the Registry; and
- (b) may enter any other information relating to the registration that the registrant wishes.

PART 7

REGISTRATION OF A WRIT OF EXECUTION
UNDER THE *FEDERAL COURT ACT* (CANADA)

Application

55. This Part applies to the registration of a writ of execution issued under the *Federal Court Act* (Canada).

Preliminary Registration Procedure

- 56.** A registrant who wishes to register a writ of execution must indicate
- (a) that the registrant wishes to have access to the Registry;
 - (b) that the registrant wishes to enter a registration; and
 - (c) that the registrant wishes to register a Federal writ of execution.

Particulars of Writ of Execution

- 57.** The registrant must
- (a) indicate the court that rendered the judgment in respect of which the writ of execution has been issued;
 - (b) enter the number of the writ of execution assigned to it by the Sheriff;
 - (c) enter the date of issuance of the writ of execution to which the registration relates with the number of the year entered first followed by the number of the month followed by the number of the day; and
 - (d) enter the amount of the judgment, including costs and accrued interest.

Duration of Registration

58. A writ of execution registered under this Part shall appear in the Registry as being registered for a period of six years from the date of issuance provided by the registrant under paragraph 57(c).

Your File Number

59. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Execution Debtor Information

60. (1) Where the execution debtor is an individual, the registrant must enter, under the heading "Execution Debtor (Individual)", the name, in the manner provided under section 19, and address of the execution debtor and section 19 applies with such modifications as the circumstances require.

(2) Where the execution debtor is an enterprise, the registrant must enter, under the heading "Execution Debtor (Enterprise)", the name, in the manner provided under section 20, and address of the execution debtor and section 20 applies with such modifications as the circumstances require.

(3) Where the execution debtor is an individual, the registrant may enter the birth date of the execution debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where the execution debtor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(5) Where a registration applies to more than one execution debtor, the registrant must identify each execution debtor as a separate execution debtor in the registration.

Execution Creditor Information

61. (1) The registrant must indicate whether the execution creditor is an individual or an enterprise.

(2) Where the execution creditor is an individual, the registrant must enter the name, in the manner provided under section 19, and address of the execution creditor and section 19 applies with such modifications as the circumstances require.

(3) Where the execution creditor is an enterprise, the registrant must enter the name, in the manner provided under section 20, and address of the execution creditor and section 20 applies with such modifications as the circumstances require.

(4) The registrant may enter the execution creditor's phone number and fax number.

(5) Where the execution creditor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(6) Where a registration applies to more than one execution creditor, the registrant must identify each execution creditor as a separate execution creditor in the registration.

Default Description

62. The Registrar may provide, under the heading "General Collateral", a default description indicating that the personal property of the execution debtor to which the registration of a writ of execution relates is all the present and after-acquired personal property of the execution debtor.

Description of Serial Numbered Goods

63. (1) The registrant must enter, in accordance with section 24, a description of the personal property of the execution debtor that is consumer goods that are serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

(2) The registrant may enter, in accordance with section 24, a description of the personal property of the execution debtor that is equipment that is serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

Additional Information

64. Under the heading "Additional Information", the registrant

- (a) must enter the name of a party to the writ of execution to which the registration relates as named in the writ of execution, if different than the name of that party as entered in the Registry; and
- (b) may enter any other information relating to the registration that the registrant wishes.

PART 8

REGISTRATION OF A SUPPORT ORDER UNDER THE *FAMILY SUPPORT ORDERS ENFORCEMENT ACT*

Application

65. This Part applies to the registration of a support order filed with the Sheriff under section 28 of the *Family Support Orders Enforcement Act*. S.Nu. 2012,c.16,s.66(4).

Registration by Manager Only

66. (1) A registration of a support order by a person other than the Manager appointed under subsection 42(2) of the *Family Support Orders Enforcement Act* is of no force or effect.

(2) The Registrar may remove a registration referred to in subsection (1) on the request of any person or on the Registrar's own initiative. S.Nu. 2012,c.16,s.66(5).

Preliminary Registration Procedure

- 67.** A registrant who wishes to register a support order must indicate
- (a) that the registrant wishes to have access to the Registry;
 - (b) that the registrant wishes to enter a registration; and
 - (c) that the registrant wishes to register a support order.
- S.Nu. 2012,c.16,s.66(9)(a).

Particulars of Support Order

- 68.** The registrant must
- (a) indicate the court that made the support order;
 - (b) enter the number of the support order assigned to it by the Sheriff; and
 - (c) enter the date of the support order to which the registration relates with the number of the year entered first followed by the number of the month followed by the number of the day.
- S.Nu. 2012,c.16,s.66(9)(b).

Duration of Registration

- 69.** A support order registered under this Part shall appear in the Registry as being registered for infinity until it is discharged. S.Nu. 2012,c.16,s.66(9)(c).

Your File Number

- 70.** For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Debtor Information

- 71.** (1) The registrant must enter, under the heading "Debtor (Individual)", the name, in the manner provided under section 19, and address of the debtor and section 19 applies with such modifications as the circumstances require.

(2) The registrant may enter the birth date of the debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(3) Where a registration applies to more than one debtor, the registrant must identify each debtor as a separate debtor in the registration.

(4) Where an additional debtor referred to in subsection (3) is a corporation which is jointly and severally liable under section 40 or 41 of the *Family Support Orders Enforcement Act* with the debtor identified under subsection (1), the registrant must enter, under the heading "Debtor (Enterprise)", the name, in the manner provided under section 20, and the address of the debtor, and section 20 applies with such modifications as the circumstances require. S.Nu. 2012,c.16,s.66(6).

Secured Party Information

72. (1) The registrant must enter the name of the secured party, in the manner provided under section 19, and the address of the secured party and section 19 applies with such modifications as the circumstances require.

(2) Notwithstanding any other provision in these regulations, the registrant must enter, as the address of the secured party, the registrant's address.

(3) The registrant may enter the registrant's phone number and fax number.

(4) Where a registration applies to more than one secured party, the registrant must identify each secured party as a separate secured party in the registration.

Default Description

73. The registrant may provide, under the heading "General Collateral", a default description indicating that the personal property of a debtor to which the registration of a support order relates is all the present and after-acquired personal property of the debtor. S.Nu. 2012,c.16,s.66(7).

Description of Serial Numbered Goods

74. The registrant may enter, in accordance with section 24, a description of the personal property of the debtor that is serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

Additional Information

75. Under the heading "Additional Information", the registrant

- (a) must enter the name of a party to the support order to which the registration relates as named in the order, if different than the name of that party as entered in the Registry; and
- (b) may enter any other information relating to the registration that the registrant wishes.

S.Nu. 2012,c.16,s.66(9)(d).

PART 9

REGISTRATION OF A FINANCING STATEMENT
UNDER THE *CHILDREN'S LAW ACT* OR THE *FAMILY LAW ACT*

Application

76. This Part applies to the registration of a financing statement as authorized by subsection 74(2) of the *Children's Law Act* or subsection 61(2) of the *Family Law Act*.

Preliminary Registration Procedure

77. A registrant who wishes to register a financing statement in respect of an order made under the *Children's Law Act* or the *Family Law Act* must indicate

- (a) that the registrant wishes to have access to the Registry;
- (b) that the registrant wishes to enter a registration; and
- (c) that the registrant wishes to register a financing statement in respect of an order made under the *Children's Law Act* or the *Family Law Act*.

Particulars of Order

78. The registrant must

- (a) indicate the court that made the order; and
- (b) enter the court file number.

Duration of Registration

79. The registrant must specify the period of time during which the registration is to be effective by entering a whole number from 1 to 25 to indicate the applicable number of years or by selecting infinity.

Your File Number

80. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Debtor Information

81. (1) The registrant must enter, under the heading "Debtor (Individual)", the name, in the manner provided under section 19, and address of the debtor and section 19 applies with such modifications as the circumstances require.

(2) The registrant may enter the birth date of the debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(3) Where a registration applies to more than one debtor, the registrant must identify each debtor as a separate debtor in the registration.

Secured Party Information

82. (1) The registrant must enter the name, in the manner provided under section 19, and address of the secured party and section 19 applies with such modifications as the circumstances require.

(2) The registrant may enter the secured party's phone number and fax number.

(3) Where a registration applies to more than one secured party, the registrant must identify each secured party as a separate secured party in the registration.

General Description of Personal Property Subject to Order

83. (1) Where the order affects specific personal property, under the heading "General Collateral", the registrant must enter, in accordance with section 23, a description of the personal property, other than serial numbered goods, to which the order relates.

(2) Where the order affects personal property in general, the Registrar may provide, under the heading "General Collateral", a default description indicating that the personal property of the debtor to which the registration of a financing statement relates is all the present and after-acquired personal property of the debtor.

Description of Serial Numbered Goods

84. (1) Where the order affects specific personal property, under the heading "Serial Numbered Collateral", the registrant must enter, in accordance with section 24, a description of the personal property to which the order relates that is serial numbered goods.

(2) Where the order affects personal property in general, the registrant may enter, in accordance with section 24, a description of the personal property of the debtor that is serial numbered goods and, in such a case, section 24 applies with such modifications as the circumstances require.

Additional Information

- 85.** Under the heading "Additional Information", the registrant
- (a) must enter the date of the order to which the registration relates;
 - (b) must enter the name of a party to the order to which the registration relates as named in the order, if different than the name of that party as entered in the Registry;
 - (c) must enter the particulars of the contents of the order; and
 - (d) may enter any other information relating to the registration that the registrant wishes.

PART 10

REGISTRATION OF A TOTAL DISCHARGE OF A REGISTRATION MADE UNDER PRIOR REGISTRATION LAW

Application

- 86.** This Part applies to the registration of a total discharge of an unexpired registration made under prior registration law.

Preliminary Registration Procedure

- 87.** A registrant who wishes to register a total discharge of an unexpired registration made under prior registration law must indicate
- (a) that the registrant wishes to have access to the Registry;
 - (b) that the registrant wishes to enter a registration; and
 - (c) that the registrant wishes to register a discharge of an unexpired registration made under prior registration law.

Particulars of Registration under Prior Registration Law

- 88.** The registrant must
- (a) indicate under which prior registration law the registration to be discharged is made;
 - (b) enter either the initial registration number under prior registration law or, if the registration has been renewed, the registration number of the most recent renewal of the registration; and
 - (c) enter the date of either the initial registration under prior registration law or the most recent renewal of the registration, as the case may be, with the number of the year entered first followed by the number of the month followed by the number of the day.

Duration of Registration

89. A total discharge registered under this Part shall appear in the Registry as being registered until the expiry of May 6, 2004.

Your File Number

90. For the registrant's own purposes, the registrant may enter, under the heading "Your File Number", any file number the registrant wishes that consists of numbers or letters or both to a maximum of 12 characters.

Debtor Information

91. (1) Where the debtor is an individual, the registrant must enter, under the heading "Debtor (Individual)", the name, in the manner provided under section 19, and address of the debtor and section 19 applies with such modifications as the circumstances require.

(2) Where the debtor is an enterprise, the registrant must enter, under the heading "Debtor (Enterprise)", the name, in the manner provided under section 20, and address of the debtor and section 20 applies with such modifications as the circumstances require.

(3) Where the debtor is an individual, the registrant may enter the birth date of the debtor with the number of the year entered first followed by the number of the month followed by the number of the day.

(4) Where the debtor is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(5) Where a registration applies to more than one debtor, the registrant must identify each debtor as a separate debtor in the registration.

Secured Party Information

92. (1) The registrant must indicate whether the secured party is an individual or an enterprise.

(2) Where the secured party is an individual, the registrant must enter the name, in the manner provided under section 19, and address of the secured party and section 19 applies with such modifications as the circumstances require.

(3) Where the secured party is an enterprise, the registrant must enter the name, in the manner provided under section 20, and address of the secured party and section 20 applies with such modifications as the circumstances require.

(4) The registrant may enter the secured party's phone number and fax number.

(5) Where the secured party is an enterprise, the registrant may enter the name and position of a contact person within the enterprise to whom inquiries relating to the registration may be addressed.

(6) Where a registration applies to more than one secured party, the registrant must identify each secured party as a separate secured party in the registration.

Additional Information

- 93.** Under the heading "Additional Information", the registrant
- (a) must specify the names of the secured party and the debtor as they appear in the filing or registration under prior registration law; and
 - (b) may enter any other information relating to the registration that the registrant wishes.

PART 11

RENEWALS, DISCHARGES, RE-REGISTRATIONS AND AMENDMENTS

Definitions

94. In this Part,

"debtor" includes an execution debtor; (*débiteur*)

"re-registration" means re-registration under subsection 35(7) of the Act; (*réenregistrement*)

"secured party" includes an execution creditor. (*créancier garanti*)

Application

- 95.** This Part applies
- (a) to the renewal, discharge, re-registration and amendment of a financing statement registered under Part 3;
 - (b) with such modifications as the circumstances require, to the renewal, discharge, re-registration and amendment, as may be applicable, of a registration under Part 4, a claim of lien registered under Part 5, a writ of execution registered under Part 6 or 7, a support order registered under Part 8, a financing statement registered under Part 9 and a total discharge registered under Part 10; and
 - (c) to an amendment that globally changes multiple registrations. S.Nu. 2012,c.16,s.66(9)(e).

Registrations under Prior Registration Law

96. Except as permitted under Part 10, an unexpired registration made under prior registration law may only be renewed, discharged or amended under this Part after a registration has been made in accordance with Part 3 to continue the registration in the Registry.

Renewals

97. (1) A registrant who wishes to renew a registration must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to renew a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be renewed; and
- (e) subject to subsections (2) and (3), specify the period of time for which the registration is to be extended by entering a whole number from 1 to 25 to indicate the number of years or by selecting infinity.

(2) Where a registrant wishes to renew the registration of a writ of execution issued under the *Seizures Act* and registered under Part 6, the writ of execution shall appear in the Registry as being registered for a further period of 10 years from the date on which the registration would otherwise lapse.

(3) Where a registrant wishes to renew the registration of a writ of execution issued under the *Federal Court Act (Canada)* and registered under Part 7, the writ of execution shall appear in the Registry as being registered for a further period of six years from the date on which the registration would otherwise lapse.

Discharges

98. A registrant who wishes to discharge a registration must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to discharge a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be discharged; and
- (e) confirm the decision to discharge the registration after viewing data representative of the registration.

Removal of Discharged Registrations

99. (1) On the expiration of 30 days after the discharge of a registration in the Registry, all data relating to that registration may be removed from the records of the Registry.

(2) This section comes into force on May 7, 2004.

Re-registrations

100. A registrant who wishes to re-register a registration under subsection 35(7) of the Act must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to re-register a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be re-registered; and
- (e) confirm the decision to re-register the registration after viewing data representative of the registration.

Amendment – Change of Debtor Information

101. (1) A registrant who wishes to amend a registration to change debtor information or to add or delete a debtor must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to amend a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be amended;
- (e) locate the screen displaying the debtor information that is to be amended;
- (f) indicate whether the debtor information is to be changed or a debtor is to be added or deleted;
- (g) if a debtor is to be added, enter the additional information in the manner provided under sections 18, 19 and 20 for entering debtor information; and
- (h) if debtor information is to be changed, enter the revised information, in place of the information displayed on the screen, in the manner provided under sections 18, 19 and 20 for entering debtor information.

(2) Where a registrant amends a registration under this section to disclose a transfer to a new debtor of only part of the collateral to which the registration relates, the registrant must, in addition to entering the information referred to in paragraph (1)(g), enter, under the heading "Additional Information", a statement describing the part of the collateral that is being transferred and identifying the debtor to whom it is being transferred.

Amendment – Change of Secured Party Information

102. (1) A registrant who wishes to amend a registration to change secured party information or add or delete a secured party must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to amend a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be amended;
- (e) locate the screen displaying the secured party information that is to be amended;
- (f) indicate whether the secured party information is to be changed or a secured party is to be added or deleted;
- (g) if a secured party is to be added, enter the additional information in the manner provided under section 21 for entering secured party information; and
- (h) subject to subsection (2), if secured party information is to be changed, enter the revised information, in place of the information displayed on the screen, in the manner provided under section 21 for entering secured party information.

(2) Where secured party information is to be changed and a secured party number was entered under subsection 4(2) to register the secured party information in the original registration, the registrant must

- (a) indicate that a secured party is to be deleted;
- (b) indicate that a secured party is to be added; and
- (c) enter the revised secured party information in the manner provided under section 21 for entering secured party information.

(3) Where a registrant amends a registration under this section to disclose a transfer of only part of the interest of a secured party, the registrant must, in addition to entering the information referred to in paragraph (1)(g), enter, under the heading "Additional Information", a statement specifying the part of the interest that is being transferred and identifying the secured party to whom it is being transferred.

Amendment – Change of Collateral Information

103. (1) A registrant who wishes to amend a registration to add, change or delete collateral information must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to amend a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be amended;
- (e) locate the screen displaying the description of the collateral to be amended; and
- (f) effect the amendment in the manner provided in this section.

(2) Where the collateral to be added, changed or deleted is not to be, or is not, serial numbered goods described by serial number, the registrant must

- (a) in the case of an addition, enter a statement describing the collateral to be added;
- (b) in the case of a change, enter a statement describing the change to be made in the existing description of the collateral; and
- (c) in the case of a deletion, enter a statement describing the collateral to be deleted.

(3) Where the collateral to be added, changed or deleted is to be, or is, serial numbered goods described by serial number, the registrant must

- (a) indicate whether the registrant wishes to add, change or delete collateral;
- (b) in the case of an addition, enter a description by serial number of the collateral to be added; and
- (c) in the case of a change, enter the revised description of the collateral by serial number in place of the collateral description displayed on the screen.

(4) Sections 22 to 24 apply to a registration under this section.

Amendment – Subordination

104. A registrant who wishes to amend a registration to disclose a subordination of a registered interest must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to amend a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be amended;
- (e) locate the screen under the heading "Additional Information";

- (f) enter a statement indicating the registration number and the date of the registration of the interest to which the registered interest is being subordinated;
- (g) if the subordination relates to only part of the collateral, enter a statement describing the collateral to which the subordination relates; and
- (h) if the registered interest is being subordinated to an interest not registered in the Registry, enter a statement indicating the name and address of the party to whom the interest is being subordinated and describing the interest.

Amendment – Trust Indentures

105. A registrant who wishes to amend a registration to disclose that the registration relates to, or no longer relates to, a security interest arising under a trust indenture must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to amend a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be amended;
- (e) locate the screen under the heading "Additional Information"; and
- (f) enter a statement indicating that the registration relates to, or no longer relates to, a security interest arising under a trust indenture.

Renewal, Discharge or Amendment Resulting from a Court Order

106. Where a registration is to be renewed, discharged or amended as a result of a court order relating to the registration, the registrant must, in accordance with this Part,

- (a) renew, discharge or amend the registration as required by the court order; and
- (b) except in the case of a total discharge, amend the registration to disclose, under the heading "Additional Information",
 - (i) the name of the court that issued the order,
 - (ii) the court file number,
 - (iii) the date of the order, and
 - (iv) the effect of the order.

Global Change Affecting Multiple Registrations

107. (1) An individual designated as an administrative user under paragraph 2(2)(c) may, on behalf of a person who has been assigned a secured party number by the Registrar under subsection 4(1), effect a registration

- (a) changing the address of that person,
- (b) with the prior approval of the Registrar, changing the name of that person, or

- (c) disclosing a transfer of that person's entire interest to another person who has been assigned a secured party number by the Registrar under subsection 4(1), in relation to all registrations that were effected using that person's secured party number.

(2) A registrant referred to in subsection (1) who wishes to effect a registration under this section must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to enter the Registry under the heading "PPRS Administration";
- (c) indicate that the registrant wishes to effect the registration of a global change affecting multiple registrations; and
- (d) enter the appropriate secured party numbers.

Other Amendments

108. (1) Where the Sheriff delivers to the Registrar a notice in writing of the seizure of a security interest or encumbrance under section 9 of the *Seizures Act*, the Registrar may amend a financing statement or financing change statement to add a statement, under the heading "Additional Information", that the security interest or encumbrance is seized.

(2) Where the notice of seizure delivered by the Sheriff under subsection (1) is in respect of a registration under prior registration law, the Registrar shall register a financing statement to indicate that the security interest or encumbrance is seized.

109. A registrant who wishes to amend a registration to disclose a change not otherwise dealt with in this Part must

- (a) indicate that the registrant wishes to have access to the Registry;
- (b) indicate that the registrant wishes to change a registration;
- (c) indicate that the registrant wishes to amend a registration;
- (d) enter the registration number of any registration that forms part of the registration family to be amended;
- (e) locate the screen under the heading "Additional Information"; and
- (f) enter a statement describing the desired change.

PART 12

SECURITY INTERESTS IN FIXTURES AND CROPS – REGISTRATION OF NOTICE IN LAND TITLES OFFICE

Application

110. This Part applies to the registration in a land titles office of a notice of a security interest in fixtures, growing crops or rents under section 49 of the Act.

Contents of Notice

111. (1) A notice to be registered under subsection 49(2) of the Act must be in Form 1 of Schedule A.

(2) A notice to be registered under subsections 49(4) or (8) of the Act must be in Form 2 of Schedule A.

(3) A Registrar of a land titles office appointed under the *Land Titles Act* may refuse to register a notice referred to in this section purporting to be executed by an agent of the secured party if the Registrar is not satisfied that the secured party has authorized the purported agent to sign on behalf of the secured party.

(4) The demand referred to in subsection 49(7) of the Act may be in Form 3 of Schedule A.

(5) Proof that a demand was delivered to a secured party, as referred to in subsection 49(9) of the Act, may be in Form 4 of Schedule A.

PART 13

FEES

112. (1) Subject to subsections (2) and (3), the fees set out in Schedule B must be paid for registrations and searches in the Registry.

(2) The fees set out in Schedule B are not payable by the Manager appointed under subsection 42(2) of the *Family Support Orders Enforcement Act*, when the services are used in the course of the enforcement of support orders under that Act.

(3) The fees referred to in items 1 to 5 of Schedule B must be paid in advance of the completion of the registration.

(4) The fees referred to in items 6 to 8 of Schedule B may be charged on completion of the search services.

(5) The Registrar may accept payment of fees referred to in Schedule B by a credit card where the Comptroller General, appointed under subsection 12(1) of the *Financial Administration Act*, has entered into an agreement respecting the acceptance of that type of credit card. S.Nu. 2012,c.16,s.66(8).

113. Where a demand for information has been made under subsection 18(1) of the Act, the person to whom the demand is made is entitled to require the payment of a fee not exceeding the sum of \$25.

114. Where a demand has been made under subsection 64(3) or (4) of the Act, the receiver is entitled to require the payment of a fee not exceeding the sum of \$25.

PART 14

MISCELLANEOUS

Form of Demand to Secured Party

115. (1) The demand referred to in subsection 50(3) of the Act may be in Form 5 of Schedule A.

(2) Proof that a demand was delivered to a secured party, as referred to in subsection 50(5) of the Act, may be in Form 6 of Schedule A.

116. (1) The warrant referred to in subsection 58(5) of the Act must be in Form 7 of Schedule A.

(2) The notice of seizure referred to in paragraphs 58(9)(b) and (c) of the Act must be in Form 8 of Schedule A.

(3) The sticker to be affixed to seized goods, referred to in paragraph 58(9)(d) of the Act, must be in Form 9 of Schedule A.

(4) The written undertaking to hold seized property as a bailee, referred to in subsection 58(13) of the Act, must be in Form 10 of Schedule A.

Administration of a Receiver – Financial Statements and Final Account

117. The financial statements of the administration of a receiver and the final account of the administration of a receiver referred to in paragraphs 64(2)(d) and (f) of the Act, respectively, must include the following information:

- (a) the name and address of the debtor;
- (b) the name and address of the receiver;
- (c) the registration number of the financing statement registered in respect of the security agreement under which the receiver was appointed;
- (d) the date of the appointment of the receiver;
- (e) the date on which the receiver ceased to act for the debtor, in the case of the final account;
- (f) the period of time covered by the statement or account;
- (g) the details of receipts and payments during the period covered by the statement or account and the aggregate amount of receipts and payments during all previous periods.

Seal of Office

118. The seal as described in Schedule C is the seal of office of the Registrar.

Coming into Force

119. (1) Sections 1 to 4 and 118 and Schedule C come into force on the day on which subsection 1(1), section 42, subsection 43(1.1) and section 71 of the Act come into force.

(2) Subject to subsection 99(2) and subsection (1) of this section, these regulations come into force on May 7, 2001.

SCHEDULE A

FORM 1

(Subsection 111(1))

NOTICE OF SECURITY INTEREST –
FIXTURES, GROWING CROPS OR RENTS

To the Registrar of the _____ Registration District:

Take notice that _____ has a security interest in collateral that is or may become a fixture (or a growing crop or rents) in respect of the land described as follows:

(legal description of land)

The particulars of the security interest are as follows:

Debtor's name:

Address (including postal code):

Description of collateral:

The security interest is (or is not) provided for in a trust indenture.

This notice expires on _____, 20_____
(month) (day)

Dated at _____ on _____, 20_____
(month) (day)

(Signature of secured party or agent)

Postal Address of Secured Party :

AFFIDAVIT OF VERIFICATION

I, _____, of _____ in the _____ make oath and say that:

- 1. I am the secured party named (or I have been authorized by the secured party to act as an agent for the purpose of effecting registration of notices relating to a security interest in a fixture (or growing crop or rents) on or in the land described) in the attached notice.
- 2. I have full knowledge of the facts set out in the attached notice and those facts are true.

Sworn before me)
)
 at _____)
)
 in the _____)
)
 on _____,)
 (month) (day))
)
 20_____)

 (Signature)

Note: This affidavit must be signed before a person authorized to take affidavits under the Evidence Act.

FORM 2

(Subsection 111(2))

CHANGE NOTICE – FIXTURES, GROWING CROPS OR RENTS

To the Registrar of the _____ Registration District:

Take notice that the security interest in respect of which _____ is the secured party and in respect of which a notice was registered in the Land Titles Office as instrument number _____ against the land described as follows:

(legal description of land)

has been

(a) renewed until _____.

OR

(b) amended by _____
(describe change in collateral or change of address)

OR

(c) transferred to _____
(name and address of transferee)

OR

(d) discharged as to the land described as follows:

(legal description of land)

OR

(e) wholly discharged.

OR

(f) subordinated to the interest of _____ under instrument/caveat number _____ being _____
(describe nature of interest)

Dated at _____ on _____, 20____.
(month) (day)

(Signature of secured party or agent or secured debtor)

AFFIDAVIT OF VERIFICATION

I, _____, of _____ in the _____ make oath and say that:

1. I am the secured party named (*or* I have been authorized by the secured party to act as an agent for the purpose of effecting registration of notices relating to a security interest in a fixture (*or* growing crop or rents) on or in the land described) in the attached notice.
2. I have full knowledge of the facts set out in the attached notice and those facts are true.

Sworn before me _____)
 at _____)
 in the _____)
 on _____,)
 (*month*) (*day*))
 20_____.)

 (*Signature*)

Note: This affidavit must be signed before a person authorized to take affidavits under the Evidence Act.

FORM 3

(Subsection 111(4))

DEMAND TO SECURED PARTY FIXTURES,
GROWING CROPS OR RENTS

To: _____ at _____
(name of the secured party) (address as stated in the Notice of Security Interest)

From:

- 1. A Notice of Security Interest was registered in your favour as instrument number _____, on _____, 20____, at the Land Titles Office in _____ against the
(month) (day)
land described as follows:

(set out legal description of land)

- 2. I am named as the debtor in the Notice of Security Interest.

OR

I have an interest in the land as follows: _____, pursuant to instrument (or caveat) number _____.

- 3. Under section 49 of the *Personal Property Security Act*, you are required, not later than 30 days after this demand is made, to submit for registration
 - (a) a Change Notice for the purpose of _____
(describe type of change demanded)

OR

- (b) an Order of the Nunavut Court of Justice confirming that the registration need not be amended or discharged.
- 4. If this demand is not complied with, I intend to submit a Change Notice for registration under subsection 49(9) of the *Personal Property Security Act* for the purpose set out in paragraph 3(a) of this Demand.

Dated at _____ on _____, 20____.
(month) (day)

(Signature of person giving the demand)

Address for reply:

Declared before me)
at _____)
in the _____)
on _____,)
 (month) (day))
20____.)

(Signature)

Note: This declaration must be signed before a person authorized to take affidavits under the Evidence Act.

FORM 5

(Subsection 115(1))

DEMAND TO SECURED PARTY

To: _____ at _____
(name of the secured party) (address of secured party)

From:

1. A Financing Statement was registered in your favour under registration number _____, on _____, 20_____, at the Personal Property Registry.
(month) (day)

2. I am named as a debtor on the Financing Statement.

OR

I have an interest in property that is identified under the description of collateral on the Financing Statement as follows:

(describe interest)

3. Under section 50 of the *Personal Property Security Act*, you are required, not later than 30 days after this demand is given, to submit for registration
(a) a Financing Change Statement for the purpose of

(describe type of change demanded)

OR

(b) an Order of the Nunavut Court of Justice confirming that the registration need not be amended or discharged.

4. If this demand is not complied with, I intend to submit a Financing Change Statement for registration under subsection 50(5) of the *Personal Property Security Act* for the purpose set out in paragraph 3(a) of this Demand.

Dated at _____ on _____, 20_____.
(month) (day)

(Signature of person giving the demand)

Address for reply:

FORM 6

(Subsection 115(2))

DECLARATION – PROOF OF DEMAND TO SECURED PARTY

I, _____, of _____ in the _____ do solemnly declare that:

1. A Financing Statement was registered in the Personal Property Registry under registration number _____ on _____, 20 _____.
(month) (day)

2. I am named as the debtor in the Financing Statement.

OR

I have an interest in property that is identified under the description of collateral on the Financing Statement as follows:

(describe interest)

3. Attached to this Declaration and marked as Exhibit A is a copy of the Demand to Secured Party that was made to _____, who is named as the Secured Party in the Financing Statement.

4. A copy of the Demand to Secured Party was served on the Secured Party on _____, 20 _____.
(month) (day)
by _____
(describe the means of service)

Attached to this Declaration and marked as Exhibit B is the post office receipt respecting service of the Demand *(or specify other proof of service satisfactory to the Registrar)*.

5. The 30-day period allowed in the *Personal Property Security Act* for submitting a Financing Change Statement or Order of the Nunavut Court of Justice for registration has expired.

6. I submit that I have the authority to register a Financing Change Statement under subsection 50(5) of the *Personal Property Security Act* for the purpose set out in paragraph 3(a) of Exhibit A attached to this Declaration.

7. I request confirmation from the Registrar that he or she is satisfied that the Demand to Secured Party attached as Exhibit A has been prepared and properly served on the secured party in accordance with the requirements of section 50 of the Act.

I make this Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Declared before me)
at _____)
in the _____)
on _____,)
 (month) (day))
20____.)

(Signature)

Note: This declaration must be signed before a person authorized to take affidavits under the Evidence Act.

FORM 7

(Subsection 116(1))

WARRANT

TO THE SHERIFF OF NUNAVUT:

You are hereby instructed to seize the following personal property, which is collateral under a security agreement dated _____ that is now in default and was entered into by _____ as the debtor (or debtors) and by _____ as the secured party (or secured parties):

(describe property to be seized)

The property is located at _____.

Seizure is instructed to realize the sum of \$ _____ owing under the security agreement and costs.

I (or We) hereby indemnify you for your fees, charges and expenses and any claims for damages in respect of the seizure of the property and anything done in relation to the seizure.

Dated at _____ on _____, 20____.
(month) (day)

(Signature of secured party or agent)

FORM 8

(Subsection 116(2))

NOTICE OF SEIZURE OF PROPERTY

To:

(name and address of debtor or person in possession of collateral)

Take notice that _____ has caused the following property, which is collateral under a security agreement dated _____, to be seized to realize the sum of \$_____ owing under the security agreement and the sum of \$_____ for costs:

(describe property to be seized)

Dated at _____ on _____, 20____.
(month) (day)

(Signature of Sheriff)

FORM 9

(Subsection 116(3))

STICKER

OFFICE OF THE SHERIFF
GOVERNMENT OF NUNAVUT

This _____ is under seizure by the Sheriff of Nunavut.

Dated at _____ on _____, 20____.
(month) *(day)*

(Signature of Sheriff)

FORM 10

(Subsection 116(4))

BAILEE'S UNDERTAKING

In consideration of the property seized and described in the attached Notice of Seizure being left in my possession, I agree and undertake to hold and keep the property seized as agent and bailee for and on behalf of the Sheriff, and to produce and deliver up the possession of the property to the Sheriff on demand.

I understand that non-delivery or conversion of the property may result in a conviction under the *Criminal Code* for which a term of imprisonment may be imposed.

Dated at _____ on _____, 20____.
(month) *(day)*

(Signature of Bailee)

Address of Bailee:

SCHEDULE B

(Section 112)

FEES

Registrations

- | | | |
|----|--|---|
| 1. | To effect a registration of a financing statement respecting a security agreement under the Act or a registration under the <i>Factors Act</i> or the <i>Sale of Goods Act</i> | \$400 for infinity registration life or \$10 plus \$5 each year for optional registration life from one to 25 years |
| 2. | To effect a registration of a financing change statement renewing a registration relating to a security agreement under the Act or a registration under the <i>Factors Act</i> or the <i>Sale of Goods Act</i> | \$400 for infinity registration life or \$10 plus \$5 each year for optional registration life from one to 25 years |
| 3. | Any other registration, including an amendment of a registration, other than a renewal referred to in item 2 and a total discharge referred to in item 4, authorized under any Act to be made in the Registry | \$15 |
| 4. | To effect a total discharge of a registration | no charge |
| 5. | To effect a global change of multiple registrations | \$400 |

Search Services

- | | | |
|----|--|---|
| 6. | To obtain a search result by the name of the debtor | \$5 for each name searched |
| 7. | To obtain a search result by serial number in respect of serial numbered goods | \$5 for each serial number searched |
| 8. | To obtain a search result by registration number | \$5 for each registration number searched |

SCHEDULE C

(Section 118)

Description of Seal of Office of the Registrar

The seal has two concentric circles, at the centre of which appears the word "SEAL" with the word "SCEAU" directly beneath. Within the inner circle are the words "REGISTRAR" on the left and "REGISTRATEUR" on the right. Within the outer circle are the words "PERSONAL PROPERTY REGISTRY" on the left and "RÉSEAU D'ENREGISTREMENT DES BIENS MOBILIERS" on the right.

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