

## Brief Background/Introduction

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

## RA No. 11057 Personal Property Security Act

### State Policy

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

### Laws Repealed, Amended or Modified by PPSA

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Sections 1 – 16 of Act No. 1508, otherwise known as "The Chattel Mortgage Law"	All are repealed.
Articles 2085- 2092 of the Civil Code of the Philippines	Repealed, insofar as movable property is concerned.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Articles 2093- 2123 (Chapter on Pledge) and 2140- 2141 of the Civil Code of the Philippines	All are repealed.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Sections 114 - 116 of PD 1529 Property Registration Decree ( Registration of Chattel Mortgage)	All are repealed.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Article 2127 of the Civil Code of The Philippines	Repealed.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

# Personal Property Security Act

**Albert A Gayle**



## **Personal Property Security Act:**

Das kanadische einheitliche Sicherungsrecht Fritz von Kenne, 2021

**Personal Property Security Act Cases**, 2001

*Die Vorschläge zur Reform des englischen Mobiliarkreditsicherungsrechts* Anselm Lenhard, 2010 English summary The present divergence of national security systems in combination with the *lex rei sitae* rule of private international law results in a risk for creditors of losing their security in cross border situations This current state of affairs does not seem to be compatible with the idea of a fully effective internal market in the European Union Using this problem as a basis for his study Anselm Lenhard analyzes the current English law of personal property security and the proposals for its reform along the lines of Article 9 of the Uniform Commercial Code in the USA In comparing the English reform proposals with work done by the European Bank for Reconstruction and Development and UNCITRAL the author outlines fundamental features of future European harmonization efforts in the area of personal property security law German description Die Unterschiede der nationalen Mobiliarkreditsicherungsordnungen im Zusammenspiel mit der *lex rei sitae* Regel des IPR bergen für Kreditgeber das Risiko des Verlusts ihrer Sicherheit in grenzüberschreitenden Fällen Diese mit dem Gedanken eines Europäischen Binnenmarkts kaum zu vereinbarende Problematik nimmt Anselm Lenhard zum Ausgangspunkt seiner Untersuchung zu den Reformbemühungen auf dem Gebiet des Mobiliarkreditsicherungsrechts in England Nach einer umfassenden Darstellung des gegenwertigen Rechtszustands diskutiert er die bislang erfolglosen Reformversuche die sich am US amerikanischen Vorbild Art 9 UCC orientieren Der Autor ordnet die englischen Reformvorschläge in die internationale Diskussion über die sachgerechte Regelung dieses Rechtsgebiets ein insbesondere UNCITRAL Legislative Guide on Secured Transactions und skizziert Wesenszüge eines zukünftigen europäischen Harmonisierungsprojekts

**Manitoba Law Journal: Underneath the Golden Boy 2019 Volume 42(1)** Bryan P. Schwartz, et al., Underneath the Golden Boy series of the Manitoba Law Journal reports on developments in legislation and on parliamentary and democratic reform in Manitoba Canada and beyond This issue has articles from a variety of contributing authors including Darcy L MacPherson Brian Bird Andrew Flavelle Martin Brendan Roziere Dren Maloku Kasia Kieloch Nichole Mirwaldt Allison Fehr and Jennifer Sokal

**Personal Property Security Registration and Enquiry Guide : for Use Under the Personal Property Security Act and the Repair and Storage Liens Act** Ontario. Personal Property Registration Branch, 1989

**Secured Transactions Law Reform** Louise Gullifer, Orkun Akseli, 2016-10-20 Secured transactions law has been subjected to a close scrutiny over the last two decades One of the main reasons for this is the importance of availability of credit and the consequent need to reform collateral laws in order to improve access to finance The ability to give security effectively influences not only the cost of credit but also in some cases whether credit will be available at all This requires rules that are transparent and readily accessible to non lawyers as well as rules that recognise the needs of small and medium sized enterprises This book critically engages with the challenges posed by inefficient secured credit laws It offers a comparative analysis of the reasons and the

needs for a secured transactions law reform as well as discussion of the steps taken in many common law civil law and mixed law jurisdictions The book written under the auspices of the Secured Transactions Law Reform Project informs the debate about reform and advances novel arguments written by world renowned experts that will build upon the existing literature and as such will be of interest to academics legal practitioners and the judiciary involved in secured transactions law around the world The text considers reform initiatives that have taken place up to the end of April 2016 It has not been possible to incorporate events since then into the discussion However notable developments include the banks decree passed by the Italian Government on 29th June 2016 and the adoption of the Model Law on Secured Transactions by UNCITRAL on 1st July 2016

*Manitoba Law Journal Volume 44 Issue 3 Underneath the Golden Boy Volume (2021)* Bryan P. Schwartz, et al., The Manitoba Law Journal MLJ is a peer reviewed journal founded in 1961 The MLJ s current mission is to provide lively independent and high caliber commentary on legal events in Manitoba or events of special interest to our community The MLJ aims to bring diverse and multidisciplinary perspectives to the issues it studies drawing on authors from Manitoba Canada and beyond Its studies are intended to contribute to understanding and reform not only in our community but around the world This issue has articles from a variety of contributing authors including Justice Gerald Jewers Stefanie Goldberg Colin Jackson Andrew Flavelle Martin Tom Mitchell Nick Noonan Bryan P Schwartz and Darcy L MacPherson

**Tentative Proposals for a New Personal Property Security Act** Law Reform Commission of Saskatchewan,1990 *Reform of Personal Property Security Law* John Hynes Farrar,Mark A. O'Regan,1988 *Business Law in Canada* Richard Yates,1998-06-15 Appropriate for one semester courses in Administrative Law at both college and university levels Legal concepts and Canadian business applications are introduced in a concise one semester format The text is structured so that five chapters on contracts form the nucleus of the course and the balance provides stand alone sections that the instructor may choose to cover in any order We ve made the design more reader friendly using a visually appealing four colour format and enlivening the solid text with case snippets and extracts The result is a book that maintains the strong legal content of previous editions while introducing more real life examples of business law in practice

Canadian Bankruptcy Reports,2002 *Revue Canadienne Du Droit de Commerce*,2002 Proceedings of the ... Annual Meeting of the Uniform Law Conference of Canada Uniform Law Conference of Canada. Meeting,1990 Annual Report and Review Law Reform Commission of Saskatchewan,1989 **Dominion Law Reports**,2008 **Lloyd's Maritime and Commercial Law Quarterly** Lloyd's (Firm),1986 *Victoria University of Wellington Law Review*,1989 Report ... of the Ontario Law Reform Commission on ... No. 3- Ontario Law Reform Commission,1965 Personal Property Securities Act Linda Widdup,Laurie Mayne,2002 The Personal Property Securities Act 1999 overhauled personal property securities law and disposed of or significantly altered traditional common law legal concepts and practices This revised edition continues to assist practitioners and others with the transition from the old to the new law and updates the legislation enacted since the

last edition The revised edition includes priority of future advances registration of financing financing change statements  
perfection of security interests collateral and proceeds additional Canadian case law helpful in interpreting the PPSA In 33  
chapters with tables of cases and statutes glossary and index      **Dominion Report Service** ,1989

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