



Personal Property Securities (Approved Form) Instrument 2011

Personal Property Securities Act 2009

I, DAVID BERGMAN, Registrar of Personal Property Securities, make this Instrument under subsection 302 (3) of the *Personal Property Securities Act 2009*.

Dated 17 November 2011

DAVID BERGMAN
Registrar of Personal Property Securities

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1 Name of Instrument

This Instrument is the *Personal Property Securities (Approved Form) Instrument 2011*.

2 Commencement

This Instrument commences on the day it is made.

3 Definition

In this Instrument:

Act means the *Personal Property Securities Act 2009*.

4 Approval of attached forms

For subsection 302 (3) of the Act, each form attached to this Instrument is an approved form for the purposes of the provision or provisions of the Act to which the form is expressed to apply.

Note For subsection 302 (4) of the Act, some approved forms may require a person using the form to comply with either or both of:

- (a) registered data conditions within the meaning of section 176B of the Act; and
- (b) third party data conditions within the meaning of section 176C of the Act.

5 Other approved forms — application to register financing statement or financing change statement

- (1) For subsection 302 (3) of the Act, an interactive form provided at the internet address:

<https://transact.ppsr.gov.au/>

for the purpose of making an application to register a financing statement, or a financing change statement, is an approved form of an application to which paragraph 150 (3) (a) of the Act applies.

- (2) For subsection 302 (3) of the Act, an electronic communication in a format required by the Registrar for communication through the relevant computer to computer interface administered by the Registrar is an approved form of an application to register a financing statement, or a financing change statement, to which paragraph 150 (3) (a) of the Act applies.

Example

An application made through a business to government channel designed in accordance with specifications issued by the Registrar.

Note 1 The specifications of the format will be available at <http://www.ppsr.gov.au> from the registration commencement time.

Note 2 For subsection 302 (4) of the Act, some approved forms may require a person using the form to comply with either or both of:

- (a) registered data conditions within the meaning of section 176B of the Act; and
- (b) third party data conditions within the meaning of section 176C of the Act.

6 Other approved forms — verification statement

For subsection 302 (3) of the Act, the form of a statement generated by the Register for the purpose of verifying the registration of a financing statement, or a financing change statement with respect to a security interest is an approved form of a verification statement to which section 155 of the Act applies.

7 Other approved forms — notice of verification statement

Copy of verification statement

- (1) For subsection 302 (3) of the Act, a copy of a verification statement, dealt with in accordance with subsections (2) and (3), is an approved form of notice of a verification statement to which subsection 157 (1) of the Act applies.
- (2) If the notice of a verification statement:
- (a) relates to an individual; and

- (b) is to be given to a grantor other than that individual;
the copy of the verification statement mentioned in subsection (1) must have all references to that individual's birth details fully obliterated in a way that does not allow the references to be seen if the obliteration can be removed.
- (3) If the notice of a verification statement relates to a motor vehicle, it is not necessary to display in the copy of the verification statement mentioned in subsection (1) references to information contained in the National Exchange of Vehicle and Driver Information System (also known as 'NEVDIS').

Replication of content of verification statement

- (4) For subsection 302 (3) of the Act, the form of a document that:
 - (a) is created by a secured party; and
 - (b) replicates the information contained in the verification statement, other than information that has not been replicated in accordance with subsections (5) and (6); and
 - (c) states that it is a 'Notice of Verification Statement' provided for the purposes of section 157 of the Act;is an approved form of notice of a verification statement to which subsection 157 (1) of the Act applies.
- (5) If the notice of a verification statement:
 - (a) relates to an individual; and
 - (b) is to be given to a grantor other than that individual;references in the verification statement to that individual's birth details must not be replicated in the document mentioned in subsection (4).
- (6) If the notice of a verification statement relates to a motor vehicle, it is not necessary to replicate references in the verification statement to information contained in the National Exchange of Vehicle and Driver Information System (also known as 'NEVDIS') in the document mentioned in subsection (4).

8 Other approved forms — access to register to search for data

- (1) For subsection 302 (3) of the Act, an interactive form provided at the internet address:

<http://transact.ppsr.gov.au/>

for the purpose of making an application for access to the register to search for data is an approved form of an application to which paragraph 170 (3) (b) of the Act applies.

- (2) For subsection 302 (3) of the Act, an electronic communication in a format required by the Registrar for communication through the relevant computer to computer interface administered by the Registrar is an approved form of an application for access to the register to search for data to which paragraph 170 (3) (b) of the Act applies.

Example

An application made through a business to government channel designed in accordance with specifications issued by the Registrar.

Note 1 The specifications of the format will be available at <http://www.ppsr.gov.au> from the registration commencement time.

Note 2 For subsection 302 (4) of the Act, some approved forms may require a person using the form to comply with either or both of:

- (a) registered data conditions within the meaning of section 176B of the Act; and
- (b) third party data conditions within the meaning of section 176C of the Act.

9 Other approved forms — search results

For subsection 302 (3) of the Act, a search certificate generated by the Register as a search result for the purposes of section 174 of the Act is an approved form of a search result to which that section applies.

10 Other approved forms — data given to Registrar from transitional register

For subsection 302 (3) of the Act, the approved form of giving data to the Registrar for the purposes of paragraph 330 (a) of the Act is by an electronic communication of the data to the Registrar in the format specified by the Registrar for the purposes of that section.

Note The format is set out in the *Data Migration and Pre-load Technical User Guide* and the specific technical user guide for the relevant transitional register.

11 Other approved forms — preparatory registration relating to transitional security interests

For subsection 302 (3) of the Act, the approved form of applying to the Registrar under subsection 336 (1) of the Act is by an electronic communication to the Registrar in the format required by the Registrar for the purposes of that subsection.

Note The format is set out in the *Data Migration and Pre-load Technical User Guide*.