



Registrar of Personal Property Securities Practice Statement Number 4A Tips for sending an Amendment Demand

The first step of the amendment demand process is to send the person who made the registration an *amendment demand*. If your demand doesn't meet the requirements of the PPS Act you will need to start the process again. This document not only guides you on how to meet these requirements but also gives you some tips on extra information you can provide and steps you can take which may help you achieve a quicker resolution.¹ If you have any further questions, please contact our National Service Centre on 1300 007 777

Helpful Tips

Tip #1: Try and contact the Secured Party by phone first

This can assist you to get an outcome much quicker without the need to continue this process

Tip #2: Ensure you have an interest in the property (collateral) described in the registration

This is a requirement to use the amendment demand process. If you are acting on behalf of someone else who has an interest, you should explain this in the demand.

Tip #3: Attach a recent Search Certificate(s) for the relevant PPSR registration(s) to your demand

The certificate contains important information you will need to put into your demand.

Tip #4: You must send the demand to the Secured Party's email and/or postal 'Address for Service'

You can find these on the search certificate. You can also send it to other known addresses.

Tip #5: Calculate the earliest date you can proceed to the next step of the process

The PPSA says that you can't proceed to the next step of the ADAP until at least 5 business days after the day you sent your demand. You may want to use this date as the 'response date'. This date can be calculated using our online calculator: <https://www.ppsr.gov.au/business-days-calculator>.

Tip #6: Use our Sample Amendment Demands to assist you to create your demand

A demand needs to contain certain information, such as a 'Giving of Notice Identifier'. If the Secured Party included a 'GONI' when they made the registration you are required to include it on your demand, you can get it from the search certificate. Over the page you will find some example amendment demands, which may assist you when writing your demand.

Tip #7: If in doubt, get legal advice

If you are unsure what to include in your demand (or what should be left out), you may wish to seek legal advice. You may also wish to seek legal advice if the registration is or might be causing you to suffer a loss that you want to make claims about.

¹ Sending an amendment demand is also the first step of starting court proceedings. If you have any intention of commencing court proceedings or suspect they might be commenced against you, then getting legal advice about your amendment demand is strongly recommended.

Example amendment demand to remove a registration

[Date]

[Secured Party's name and address for service]

DEMAND TO REMOVE YOUR REGISTRATION FROM THE PPSR

This is an amendment demand under section 178 of the *Personal Property Securities Act 2009* (Cth)

Dear [Secured Party]

Please remove the below PPSR registration/s from the Personal Property Securities Register (PPSR). Details of the registration/s are described in the attached search certificate/s.

PPSR registration number	Insert PPSR registration number/s
Giving of Notice Identifier	If applicable
Person/entity making demand	Name
Preferred contact details	Email address and phone number of you or your representative

I make this demand because no collateral described in the registration/s secures any obligation (including a payment) owed by a debtor to the secured party.

If you do not remove the registration by [response date], I may apply to the Registrar of Personal Property Securities or to a court seeking removal of the registration under the PPS Act.

Please note, you should consider whether you want to obtain legal advice in relation to this demand.

If you would like to discuss this matter further, please contact me using the details listed above.

Regards

[Your name]

[Position title and organisation name if applicable]

Disclaimer: This publication is provided to you for information purposes only and does not replace obtaining legal advice to assist you with your personal circumstances.

Example amendment demand to amend a registration

[Date]

[Secured Party's name and address for service]

DEMAND TO AMEND YOUR PPSR REGISTRATION

This is an amendment demand under section 178 of the *Personal Property Securities Act 2009* (Cth)

Dear [Secured Party]

Please amend the below PPSR registration/s contained on Personal Property Securities Register (PPSR). Details of the registration/s are described in the attached search certificate/s.

PPSR registration number	Insert PPSR registration number/s
Giving of Notice Identifier	If applicable
Person/entity making demand	Name
Preferred contact details	Email address and phone number of you or your representative

I make this demand because the particular collateral in which I have an interest does not secure any obligation (including a payment) owed by a debtor to the secured party. The relevant collateral is described as: Describe the collateral you want removed from the registration

If you do not amend the registration by [response date], I may apply to the Registrar of Personal Property Securities or to a court seeking amendment of the registration under the PPS Act.

Please note, you should consider whether you want to obtain legal advice in relation to this demand.

If you would like to discuss this matter further, please contact me using the details listed above.

Regards

[Your name]

[Position title and organisation name if applicable]

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