

**RFT 08/9769**

**Personal Property Securities Register**

**Attachment F Schedule 7**

**Existing Registers**

Version 0.02  
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## Overview

This attachment provides a list of existing registers that it is envisaged that PPSR will replace. The list is provided from a business perspective and encompasses Registers at a Jurisdiction level. It is a point in time copy (4/1/08) of the document *Draft Consequential Legislation List*. This is a document under development and hence may change. That is some registers may remain in scope (for PPSR) and others may be taken out of scope. Data from these registers will be migrated to the PPSR.

In addition to the list contained in the table, there are the following national registers that require data to be migrated to PPSR. The ASIC registers include the Register of Company Charges. The PPSR will replace this register and hence that data will be migrated to the PPSR. The Register of Ships also includes charges data that will be migrated to the PPSR. There may also be charges data to be migrated from the IP Australia Registers.

Jurisdiction	Legislation	Registers of Security Interests	Prescribed Items	Notes
<b>NSW</b>				
	<i>Bills Of Sale Act 1898</i>	General Register of Deeds	Bills of sale	Repealed by <i>Security Interests in Goods Act 2005</i>
	<i>Building and Construction Industry Security of Payments Act 1999</i>			s 11(4)- Previous security interest takes priority over the holder of a lien in relation to unfixed plant or materials
	<i>Conversions Of Securities Adjustment Act 1931</i>	NONE		concerns the conversion of securities
	<i>Co-operatives Act 1992</i>	Register of Co-operative Charges (Schedule 3)		Schedule 3 - Registration of Charges
	<i>Credit Act 1984</i>	NONE		
	<i>Factors (Mercantile Agents) Act 1923</i>			s 4 - Creates lien in relation to goods shipped
	<i>Legal Aid Commission Act 1979</i>			s 48 - Lien over documents
	<i>Liens On Crops And Wool And Stock Mortgages Act 1898</i>	General Register of Deeds		Repealed by <i>Security Interests in Goods Act 2005</i>

	<i>Mining Act 1992</i>	Director General of the Department of Mineral Resources Maintains the Register		s - 161 - registration of Certain Interests
	<i>National Rail Corporation(Agreement) Act 1991</i>			Identified by Legislation team - specifically schedule 1
	<i>NSW Road Transport (Safety &amp; Traffic Management)Act 1999</i>			Hoon laws
	<i>Offshore Minerals Act 1999</i>	State Offshore Mining Register	offshore licence interest registration	s5 - Interpretation, s333 - licences, s339 - Other dealings in licences.
	<i>Partnership Act 1892</i>			s 41 - Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Pawnbrokers And Second-Hand Dealers Act 1996</i>	NONE		s15 - Individual pawnbrokers to keep non-conclusive records of ownership of pawned goods
	<i>Pharmacy Practice Act 2006</i>	Register of Pharmacies		Schedule 2 -1 Registering Pecuniary interest in Pharmacy business, Sch 2-2 - register of pharmacies
	<i>Petroleum (Onshore) Act</i>	Director General of the Department of Mineral Resources Maintains the Register		s - 97 - Registration of Certain Interests (Register of legal and equitable interests in petroleum titles)
	<i>Registration Of Interest In Goods Act 1986</i>	Register of Encumbered Vehicles (REVS)	Motor vehicles and boats	Excludes things in action and money
	<i>Security of Interests in Goods Act 2005</i>	General Register of Deeds		
	<i>Sale Of Goods Act 1923</i>	NONE		
	<i>Warehousemans Liens Act 1935</i>	NONE		Deals with liens over goods in warehouses
	<i>Water Management Act 2000</i>	Water Access Licence Register	.	s71 D - Creation of Security interest by recording on access register

VIC	<i>Building and construction Industry Security of Payments Act 2002</i>		Creates a Lien in respect of unpaid progress payments	s 12A - Lien in respect of progress payment
	<i>Chattel Securities Act 1987</i>	Vehicle Securities Register	Motor vehicles, Agricultural machines, agricultural implements, trailers, prescribed goods	
	<i>Credit Act 1984</i>	NONE		
	<i>Consumer Credit (Victoria) Act 1995 – Consumer Credit Code</i>	NONE		
	<i>Co-operatives Act 1996</i>	Register of Co-operative Charges (Schedule 3)		Schedule 3 - Registration of Charges
	<i>Confiscation Act 1997</i>			s41 - Deals with property to which the <i>Chattel Securities Act 1987</i> applies
	<i>Disposal of Uncollected Goods Act 1961</i>			s7 - Bailee is entitled to sell goods after the expiration of 10 months
	<i>Domestic (Feral and Nuisance) Animals Act 1994</i>		Part 5 - Creates lien over animal and gives power of sale plus provision for passing of title	s 65 - Lien over domestic animals
	<i>Fair Trading Act 1999</i>			s 82 - Creates a lien in favour of the purchaser for amounts entitled to recover from the supplier
	<i>Fisheries Act 1995</i>	Department of Primary Industry maintains register.		s59A - Registration of Financial interest in Fishing Licence

	<i>Forestry Rights Act 1996</i>	NONE	Forest Property Rights/Carbon rights	s 11 - Registration of carbon sequestration rights
	<i>Goods Act 1958</i>			
	<i>Hire-Purchase Act 1959</i>	NONE		s31 - Security Collateral to hire purchase agreement
	<i>Impounding of Livestock Act 1994</i>			s 24B -Creates a lien over a horse for unpaid agistment moneys
	<i>Instruments Act 1958</i>	Register of Liens on Crops (s 66), Register of Liens on Wool and Mortgages of Stock (s 79)	Crops (wheat, maize, barley etc.) Wool, Stock	Registrar must destroy the record 12 months after the end of the year to which the crop relates, Separate register kept for each year, which is destroyed 12 months after end of relevant year
	<i>Infringements Act</i>			s116(3) - Refers to Register kept under part 3 of the <i>Chattel Securities Act 1987</i>
	<i>Marketable securities Act 1970</i>			S9 - Registration of Company of Prescribed instrument
	<i>Motor Car Traders Act 1986</i>			
	<i>Partnership Act 1958</i>			s 45 - Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Property Law Act 1958</i>			Requires registration of all charges burdening land, but does not cover personal property
	<i>Road Safety Act 1986</i>			
	<i>Second-Hand Dealers And Pawnbrokers Act 1989</i>	NONE		Individual pawnbrokers required by legislation to keep records
	<i>Warehousemen's Liens Act 1958</i>	NONE		Deals with liens over goods in warehouses
<b>QLD</b>	<i>Bills Of Sale And Other Instruments Act 1955</i>	Register of Security Interests	Bills of sale	

	<i>Cooperatives Act 1997</i>	Register of Cooperative Charges (Schedule 3)		
	<i>Credit (Rural Finance) Act 1996</i>	NONE		
	<i>Credit Act 1987</i>	NONE		
	<i>Disposal Of Uncollected Goods Act 1967</i>			s6 - Bailee to comply with certain provisions to sell goods
	<i>Financial Intermediaries Act 1996</i>	NONE		
	<i>Hire-Purchase Act 1959</i>	NONE		
	<i>Liens On Crops Of Sugar Cane Act 1931</i>	Register of Liens	Liens on sugar cane	
	<i>Manufactured Homes (residential parks) Act 2003</i>			s54 - Priority of the proceeds of sale relating to manufactured home or home owners personal effects
	<i>Motor Vehicles and Boats Securities Act 1986</i>	Register of Security Interests	Motor vehicles, boats and boat engines	
	<i>Partnership Act 1891</i>			s 44 Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Property Agents And Motor Dealers Act 2000</i>	NONE		
	<i>Sale Of Goods Act 1896</i>	NONE		
	<i>Second-Hand Dealers And Pawnbrokers Act 2003</i>	NONE		Individual pawnbrokers required by legislation to keep records
	<i>Storage Liens Act 1973</i>	NONE		
	<i>Transport Operations (Road Use Management) Act 1995</i>			Hoon Laws
<b>SA</b>				
	<i>Bills Of Sale Act 1886</i>	The Register	Bills of sale	Covers personal chattels
	<i>Co-operatives Act 1997</i>	Register of Co-operative Charges (Schedule 3)		Schedule 3 - Registration of Charges

	<i>Goods Securities Act 1986</i>	The Register (s 4)	"Prescribed Goods"	
	<i>Liens On Fruit Act 1923</i>	The Register (s 8)	Fruit crops	
	<i>Mercantile Law Act 1936</i>			s 9 - Creates a lien in relation to goods shipped
	<i>Natural Resources Management (Water Management and other matters) amendment act 2007</i>	Natural Resources Management Board Maintains the register		sect 48- schedule 3A- pt 2 ch7 -6 The water register, required to register security interest in water licence & beneficiary of security interest
	<i>Partnership Act 1891</i>			s 41 - Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Sale Of Goods Act 1895</i>	NONE		
	<i>Second-Hand Dealers And Pawnbrokers Act 1996</i>	NONE		
	<i>Second-Hand Vehicle Dealers Act 1995</i>	NONE		
	<i>South Australian Meat Corporation Act 1936</i>			s 91A - Lien on meat for charges owing to a corporation
	<i>Stock Mortgages And Wool Liens Act 1924</i>	NONE		
	<i>Unclaimed Goods Act 1987</i>			s6(5) - Deals with notice and sale of uncollected goods
	<i>Worker's Liens Act 1893</i>	The Register (s 10)	Worker's liens over goods on land for work performed	
	<i>Warehouse Liens Act 1990</i>	NONE		
WA	<i>Bills Of Sale Act 1899</i>	Registry Book (s 11)	Bills of sale	May include future progeny and stock
	<i>Bulk Handling Act 1967</i>			s 35 - Company to have priority lien for charges
	<i>Cooperative and Provident Societies Act 1903</i>			s 17 - Creates a lien on the shares of any members

	<i>Chattel Securities Act 1987</i>	The Register (s 14)	Chattels	Includes goods affixed to land after the creation of the security interest
	<i>Disposal of Uncollected Goods Act 1970</i>			
	<i>Factors Act Amendment Act 1878</i>	NONE		
	<i>Finance Brokers Control Act 1975</i>	NONE		
	<i>Fish Resources Management Act 1994</i>	Department of Public Service		s127 - Application for notation of security interest on licence
	<i>Government Railways Act 1904</i>			s30 - Creates a lien over goods received for carriage over a railway
	<i>Hire-Purchase Act 1959</i>	NONE		
	<i>Partnership Act 1895</i>			s54 -Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Pawnbrokers And Second-Hand Dealers Act 1994</i>	NONE		Pawnbrokers to keep own lists
	<i>Public Trustee Act 1941</i>			s63 - Lien created if public trustee pays insurance premium
	<i>Rights in Water and Irrigation act 1914</i>	Water and Rivers Commission maintains register		s26GZM - Notation of Security interest in water irrigation licence
	<i>Sale Of Goods Act 1895</i>	NONE		
	<i>Warehousemans Liens Act 1952</i>			s 4 - declaration of warehousemans lien
	<i>WA Road Traffic Act 1974</i>			
<b>TAS</b>	<i>Bills Of Sale Act 1900</i>	The Register (s 24)	Bills of sale	Bill of sale against motor vehicle is void unless grantee is registered as holder under the Motor Vehicles Securities Act
	<i>Consumer Credit (Tasmania) Act 1996</i>			
	<i>Cooperatives Act 1999</i>	Register of Cooperative Charges (Schedule 4)		
	<i>Disposal of Uncollected Goods Act 1968</i>	None	Liens	Power of Sale and Liens
	<i>Factors Act 1891</i>	NONE		

	<i>Motor Vehicle Securities Act 1984</i>	The Register (s 5)	Motor vehicles and trailers	
	<i>Partnership Act 1891</i>			s 46 - Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Police Powers (public Safety) Act 2005</i>			
	<i>Sale Of Goods Act 1896</i>	NONE		
	<i>Second-Hand Dealers And Pawnbrokers Act 1994</i>	NONE		Pawnbrokers to keep own lists
	<i>Stock, Wool And Crop Mortgages Act 1930</i>	The Register (s 5)	Stock, Wool, Crops	Stock includes progeny, crops include hops
	<i>Taxi industry Regulation 1996</i>	Transport Commission Maintains Register		Regulation 14 - May register name of applicant as holder of a security interest in taxi licence
<b>ACT</b>	<i>Consumer Credit Act 1995</i>	NONE		
	<i>Cooperatives Act 2002</i>	Register of Cooperative Charges		
	<i>Credit Act 1985</i>	NONE		
	<i>Instruments Act 1933</i>	Registrar-General to collate	Bills of Sale, Liens on Crops, lien on stock and wool mortgages	
	<i>Mercantile Law Act 1962</i>			s18 - Warehouseperson to have lien on goods
	<i>Partnership Act 1963</i>			s47 Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Pawnbrokers Act 1902</i>	NONE		Except for wills, instruments purporting to transfer an estate in land
	<i>Public Trustee Act 1985</i>			s72 - Lien in respect to insurance premium

	<i>Registration of Deeds Act 1957</i>	General Register of Deeds	Deeds	
	<i>Road Transport and Safety Management Act</i>			s 5A, s5B - Hoon Laws
	<i>Sale Of Goods Act 1954</i>	NONE		
	<i>Sale of Motor Vehicles Act 1977</i>	Register Under Registration of Interests in Goods Act 1986 (NSW)	Security interests in motor vehicles	Part 4A - Registration of interest in motor vehicles
	<i>Second-Hand Dealers Act 1906</i>	NONE		
<b>NT</b>	<i>Accommodation Providers Act</i>			s9 - lien over guests property
	<i>Consumer Affairs And Fair Trading Act</i>	NONE		
	<i>Consumer Credit (Northern Territory) Act</i>	NONE		
	<i>Co-operatives Act</i>	Register of Co-operative Charges (Schedule 3)		
		Register of Cooperative Charges	Floating charge on the whole or part of the property	
			Charge on uncalled share capital	
			Charge on a call	
			Charge on a personal chattel	
			Charge on goodwill, a patent or a licence	
			A charge on a book debt	

			A charge on a marketable security	
			A lien or charge on a crop or wool or a stock mortgage	
			A charge on a negotiable instrument other than a marketable security	
	<i>Darwin Port Corporation Act</i>			
	<i>Instruments Act 1935</i>	Land Titles Registry and General Registration Office	Bills of sale	
			Liens on crops	
			Liens on wool and stock mortgages	
	<i>Partnership Act</i>			s45 - Priority for distribution of assets upon dissolution of a partnership for fraud
	<i>Public Trustee Act</i>			s83 - Lien created in favour of public trustee if insurance premium paid
	<i>Registration Act</i>	NOTE		Legislation creating registration office and position of Registrar
	<i>Road Traffic Act NT</i>			Hoon Laws

	<i>Registration Of Interests In Motor Vehicles And Other Goods Act 1983</i>	Register of Interests in Motor Vehicles and Other Goods	Motor vehicles	s8 - Registration of interest in motor vehicles
			"Prescribed goods specified by the Minister under s 13	
	<i>Sale Of Goods Act 1972</i>	NONE		
	<i>Uncollected Goods Act 2007</i>			s33 - giving notice in relation to uncollected goods
	<i>Warehousemen's Liens Act</i>	NONE		