

INDEX

All references are to section numbers of the Ontario *Personal Property Security Act* and associated regulations, unless preceded by the following acronyms:

CBCA — *Canada Business Corporations Act*

ECA — *Electronic Commerce Act, 2000*

ERA — *Electronic Registration Act*

CPA 2002 — *Consumer Protection Act, 2002*

FCPA — *Forfeited Corporate Property Act, 2015*

GRRSLA — *General Regulation made under the Repair and Storage Liens Act*

IIBEA-F — *International Interests in Mobile Equipment (Aircraft Equipment) Act (Federal)*

IIBEA — *International Interests in Mobile Equipment (Aircraft Equipment) Act (Ontario)*

Min. Order PPSA — Minister's Order under the PPSA

Min. Order RSLA — Minister's Order under the RSLA

OBCA — *Business Corporation Act*

RSLA — *Repair and Storage Liens Act*

SA — *Securities Act*

STA — *Securities Transfer Act, 2006*

A

Accessions

- priorities in, *see Security Interest, priorities*
- removal by secured party, 35(4)–(8), 67(2)

Acquisition

- acquisition of financial assets, STA, 17
- operation of Act re other laws, STA, 17(4)
- other financial assets, STA, 17(2)

- rights on acquisition of security entitlement, STA, 17(3)
- security, STA, 17(1)

Agreement

- agreement, 11.1(3)
- application to Crown, STA, 8(1)
- non-compliance, 1, 2

Amendments to Information

- amendment to a motor vehicle schedule and, Min. Order RSLA, 8(2)
- generally, Min. Order RSLA, 8(1)

Index

- Amendments to Information (*cont'd*)
 - information requirements, Min. Order RSLA, 8(1)(a)–(e), 9(a)–(e)
 - Assignment by Lien Claimant**
 - generally, Min. Order RSLA, 5
 - information requirement, Min. Order RSLA, 5(a)–(c)
 - Assignment of Security Interest**
 - assignment of negotiable instrument, CPA 2002, 82–83, 93
 - continuation of debtor's rights, 40(1)
 - debtor agreeing not to assert defences against assignee, 14
 - financing change statement, registration, 47
 - modifications of contract effective against assignee, 40(3)
 - notice, 40(2)
 - Assurance Fund**
 - claims against
 - entitlement, 44(4)
 - procedure, 44(5), (8)–(14)
 - timing, 44(6)
 - trustees, 44(7)
 - contributions into, Reg. 913
 - general, 44(1)–(3)
 - payment
 - general, 44(15)
 - maximum amount, 44(20)–(21)
 - subrogation of rights upon, 44(16)
 - Attachment**
 - attachment in futures account, 11(5)
 - attachment in securities account, 11(4)
 - attachment of security interest to security entitlement, 11.1(1)
 - attachment of security interest to security or other financial asset, 11.1(2)
 - attachment required to enforce security interest, 11(1)
 - when security attaches to collateral, 11(2), (3)
 - Authorized Person**
 - defined, RSLA, 9(1.2)
- ## B
- Bills of Exchange Act (Canada)***
 - bill of exchange, promissory note, STA, 13
 - inability to waive rights under, 14(1)
 - Business Corporations Act (Ontario)***
 - amendments
 - FCPA, 44
 - STA, 106–122
 - security as negotiable instrument, OBCA, 53
 - where restriction, lien, etc., ineffective, OBCA, 56
- ## C
- Canada Business Corporations Act***
 - effect of endorsement without delivery, CBCA, 66
 - Change Statement**, *see also Claim for Lien, Repair and Storage Liens*
 - amending claim for lien, RSLA, 10(7)
 - assignment, RSLA, 10(5)
 - discharge of claim for lien, RSLA, 12(1)(d), 12(2)
 - effective date, RSLA, 11

Index

- Claim for Lien**, *see also Repair and Storage Liens*
- assignment, Min. Order RSLA, 3(2)
 - change statement, Min. Order RSLA, 13
 - • information requirements, Min. Order RSLA, 13(a)–(d)
 - date of birth, requirements, Min. Order RSLA, 12
 - form, Min. Order RSLA, 2
 - • electronic, approval, Min. Order RSLA, 14(1)
 - • • time period, Min. Order RSLA, 14(2)
 - • • withdrawal of approval, Min. Order RSLA, 14(3)
 - format
 - • general, RSLA, 16
 - generally, Min. Order RSLA, 3(1)
 - information requirements, Min. Order RSLA, 3(1)(a)–(h), 3(3)
 - language requirements, Min. Order RSLA, 11
 - manner of recording, Min. Order RSLA, 16(1)
 - • punctuation, abbreviations and expansions, Min. Order RSLA, 16(1), (2)(a)–(2)(d)
 - motor vehicles, Min. Order RSLA, 3(4)
 - • additional motor vehicles, Min. Order RSLA, 3(6)
 - • information requirements, generally, Min. Order RSLA, 3(5)
 - • other, Min. Order RSLA, 3(7)
 - particulars of content of form, Min. Order RSLA, 10(1)
 - • name of debtor, Min. Order RSLA, 10(1)
 - • • requirements, Min. Order RSLA, 10(2)–(7)
 - registration, RSLA, 9–10
 - verification statement, Min. Order RSLA, 15(1), (2)
- Clauses**
- “waiver and subrogation”, 2, 38
- Clearing Agency**
- clearing agency rules prevail, STA, 7(1)
 - • limitation, STA, 7(2)
 - defined, SA, 1(1)
- Clearing House**
- clearing house option, STA, 15(1)
 - • definition, STA, 15(2)
- Collateral**, *see also Security Interest*
- classification
 - • amendment, 56(2.1)
 - • registration requirements, 46(2.1)
 - • limiting, 56(2.3)
 - • removal, 56(2.2)
 - possessed by secured party
 - • duty of care re, 17(1)
 - • liabilities for breach of duty re, 67(2)
 - • rights and duties re, 17(2)–(3)
 - • use, 17(4)–(5)
 - proceeds
 - • extension of security interest therein, 25
- Conflict of Laws**
- adverse claim governed by law of jurisdiction of security certificate, STA, 46
 - change of jurisdiction, 7(2), (2.1)
 - determination of jurisdiction, 7.1(3), (4)

Index

- Conflict of Laws (*cont'd*)
- • futures intermediary, 7.1(4)
 - • goods, 5(1)
 - • goods used in more than one jurisdiction, 7(1)
 - • intangibles, 7(1)
 - • investment property, 7.1
 - • non-possessory security interest, 7(1)
 - • perfection of security interest, 7.1(5)–(7)
 - • possessory security interest, 5(1)
 - interpretation
 - • laws of jurisdiction, 8.1
 - issuer may specify law of another jurisdiction, STA, 44(3)
 - law governing enforceability of security, STA, 44(4)
 - law governing other matters re securities, STA, 44(2)
 - laws governing validity of security, STA, 44(1)
 - law of debtor's jurisdiction, 7(1)
 - location of debtor, 7(3)
 - matters governed by law of debtor's jurisdiction, 7.1(5)
 - • change of jurisdiction, 7.1(6), (6.1), 7
 - matters governed by law of securities intermediary's jurisdiction, STA, 45(1)
 - perfection of security interest, change of jurisdiction, and, 7.1(6), (6.1), (7)
 - procedural and substantive issues, 8(1)
 - securities intermediary's jurisdiction, defined, STA, 45(2), (3)
 - transitional provisions, 7.2, 7.3
 - validity of security interest in investment property, 7.1(1), (2)
- Consumer Goods**
- defined, 1
 - financing statement re
 - • timing of registration, 45(2)
 - motor vehicle as
 - • buyer taking free of security interest, 25(5)
 - registration period, 19, 45, 54(2)
 - reinstatement of security agreement after default, 66(2)
 - validity of security agreement, CPA 2002, 18, 19, 93–95
- Consumer Protection Act, 2002**
- anti-avoidance, CPA 2002, 3
 - assignment of security, CPA 2002, 82–83
 - credit agreements, CPA 2002, 24, 25, 66, 67, 70, 78–81
 - disclosure of information, CPA 2002, 5, 77–81
 - executory contracts, CPA 2002, 1, 19(2), 21(4)
 - future performance agreements, CPA 2002, 1, 21–25
 - interpretation, CPA 2002, 1
 - leases, CPA 2002, 86–90
 - no repossession after two-thirds paid except by leave of court, CPA 2002, 25(1)
 - powers of judge, CPA 2002, 23
 - quality of services, CPA 2002, 9
 - rights of assignee, CPA 2002, 83
 - unfair practices, CPA 2002, 14–18
- Contract**
- insurance, 2, 38
 - doctrine of privity, 2, 38

Index

Contract (*cont'd*)

- parties, 2, 38
- retail instalment contract, 1, 2

Contract for services, 2, 38

Control, 1(2)

- control of financial assets, STA, 23
- • agreement re control of security entitlement, STA, 28(1), (2), (3)
- • agreement re control of uncertificated security, STA, 27(1), (2), (3)
- • purchaser's control of certificated security, STA, 23(1), (2)
- • purchaser's control of security entitlement, STA, 25(1), (2)
- • purchaser's control of uncertificated security, STA, 24(1), (2)
- • securities intermediary's control of security entitlements, STA, 26
- control over security, 1(2)
- determination of, 1(2)

Corporate Securities

- application of *Securities Transfer Act, 2006*, OBCA, 53
- certificated or uncertificated securities, OBCA, 54(1)
- • certificated security, definition, OBCA, 54(7)
- • fee, OBCA, 54(5)
- • joint holders, OBCA, 54(6)
- • notice to holder of uncertificated security, OBCA, 54(3)
- • parity of rights, OBCA, 54(4)
- • uncertificated securities, OBCA, 54(2)

Corporation Securities Registration Act

- continuation of registrations under, 78

Crown

- Crown privileges, immunities, STA, 8(2)
- liability for conduct of registrar, 42(5), *see also Registrars*

D

Damages

- conduct of employee and, 2, 38

Debtor

- agreement not to enforce defences against assignee, 14
- location
- • deemed, 7(4)

Defences

- generally, STA, 59

Definitions, 1(1), (2); OBCA, 1(1); STA, 1(1)

- accessions, 1(1)
- account, 1(1)
- Act, Min. Order PPSA, 1; Min. Order RSLA, 1
- address, Min. Order PPSA, 1; Min. Order RSLA, 1
- administrative penalty, CPA 2002, 1
- adverse claim, STA, 1(1)
- appropriate person, STA, 1(1)
- article, RSLA, 1(1)
- artificial body, Min. Order PPSA, 1; Min. Order RSLA, 1
- bearer form, STA, 1(1)
- beneficial interest, OBCA, 1(1)
- beneficial ownership, OBCA, 1(1)
- branch registrar, RSLA, 1(1)

Index

- Definitions (*cont'd*)
- broker, 1(2); STA, 1(1)
 - certificated security, 1(1); STA, 1(1)
 - chattel paper, 1(1), 1(3)
 - clearing agency, OBCA, 53; SA, s. 1(1); STA, 1(1)
 - clearing house, 1(1)
 - clearing house option, 1(1)
 - collateral, 1(1)
 - communicate, STA, 1(1)
 - communication, STA, 1(1)
 - consumer goods, 1(1)
 - consumer transactions, CPA 2002, 1
 - control, STA, 1(1)
 - corporation, STA, 1(1)
 - date of maturity, Min. Order PPSA, 1
 - debtor, 1; Min. Order RSLA, 1
 - default, 1(1)
 - delivery, STA, 1(1)
 - document of title, 1(1)
 - effective, STA, 1
 - endorsement, STA, 1(1)
 - entitlement holder, 1(1); STA, 1(1)
 - entitlement order, 1(1); STA, 1(1)
 - equipment, 1(1)
 - executory contract, CPA, s. 1
 - file, ERA, 1
 - financial asset, 1(1); STA, 1(1)
 - financing change statement, 1(1)
 - financing statement, 1(1)
 - fungibles, 1(2)
 - future advance, 1(1)
 - futures account, 1(1)
 - futures contract, 1(1)
 - futures customer, 1(1)
 - futures exchange, 1(1)
 - futures intermediary, 1(1)
 - genuine, STA, 1(1)
 - good faith purchaser, 28(8); OBCA, 53
 - goods, 1(1); CPA 2002, 1
 - government, STA, 1(1)
 - in collusion, STA, 1(1)
 - instruction, STA, 1(1)
 - instrument, 1(1)
 - intangible, 1(1)
 - internet, CPA 2002, 1
 - inventory, 1(1)
 - investment property, 1(1)
 - issuer, OBCA, 53; STA, 1(1)
 - lease for a term of more than one year, 1(1)
 - knowledge, STA, 1(1)
 - lien claimant, RSLA, 1(1)
 - loan broker, CPA 2002, 1
 - loan brokering, CPA 2002, 1
 - maturity date, Min. Order PPSA, 1
 - money, 1(1)
 - motor vehicle, RSLA, 1(1)
 - obligation secured, 1(1)
 - open credit, CPA 2002, 1
 - option, 1(1)
 - option on futures, 1(1)
 - overissue, STA, 1(1)
 - person, STA, 1(1); Min. Order PPSA, 1; Min. Order RSLA, 1
 - personal property, 1(1)
 - prescribed, 1; RSLA, 1
 - principal amount, Min. Order PPSA, 1
 - prior law, 75
 - proceeds, 1(1)
 - protected purchaser, STA, 1(1)

Index

Definitions (*cont'd*)

- purchase, 1(1); STA, 1(1)
- purchase-money security interest, 1(1)
- purchaser, 1, 28(7), (8); OBCA, 53
- registered form, OBCA, 1(1); STA, 1(1)
- registering agent, Min. Order PPSA, 1; Min. Order RSLA, 1
- registrar, 1(1); RSLA, 1(1); Min. Order RSLA, 1
- regulations, 1(1)
- repair, RSLA, 1(1)
- repairer, RSLA, 1(1)
- representation, CPA 2002, 1
- representative, STA, 1(1)
- secured party, 1(1); STA, 1(1)
- securities account, 1(1); STA, 1(1)
- securities intermediary, 1(1); STA, 1(1)
- security, 1(1), 28(6), (7), (8); OBCA, 1(1), 53; STA, 1(1)
- security agreement, 1(1)
- security certificate, 1(1), 28(8); OBCA, 1(1), 53; STA, 1(1)
- security entitlement, 1(1); STA, 1(1)
- security interest, 1(1); STA, 1(1)
- services, CPA 2002, 1
- specific page of registration, Min. Order PPSA, 1; Min. Order RSLA, 1
- standardized future, 1(1)
- storer, RSLA, 1(1)
- trust indenture, 1(1)
- unauthorized, STA, 1(1)
- uncertificated security, 1(1), 28(8); OBCA, 1(1), 53; STA, 1(1)
- value, 1(1); STA, 1(1)

- vehicle identification number, Min. Order RSLA, 1

Delay

- generally, STA, 20

Depository Bill

- generally, STA, 14

Depository Note

- generally, STA, 14

E

Electronic Registration, *see also* *Registration*

- information filing
 - authorization, 4, 5(2)
 - direct electronic transmission
 - format, ERA, 4(1)–(2)
 - timing, ERA, 4(3), 5(3)
- place
 - financing statement, 46(1)–(2)

Electronic Registration Act, *see also* *Electronic Registration*

- application
 - designated legislation, ERA, 6(1)
 - paramouncy, ERA, 3
- Lieutenant Governor in Council
 - powers under, ERA, 6
- purpose, ERA, 2

Electronic Transmission

- defined, RSLA, 9(1.1)

Endorsements and Instructions

- completion of instruction, STA, 77
- conversion from blank to special, STA, 71(4)
- endorsement in blank, STA, 71(2)
- endorsement missing, STA, 74
- endorsement of part of a security certificate, STA, 72

Index

Endorsements and Instructions (*cont'd*)

- form of endorsement, STA, 71(1)
- notice of adverse claim on endorsement, STA, 75
- obligations of endorser, STA, 76
- obligations of person originating an instruction, STA, 78
- special endorsement, STA, 71(3)
- when endorsement constitutes transfer of security, STA, 73

Endorsements, Instructions and Entitlement Orders

- date when effectiveness is determined, STA, s, 32(1)
- endorsement etc. remains effective, STA, 31
- effectiveness of endorsement etc., STA, 29
- effectiveness of endorsement etc. made by representative, STA, 30
- generally, STA, 24
- not made ineffective by change of circumstances, STA, 32(2)

Enforceability of Contracts and Rules of Evidence

- enforceability of contracts, STA, 52
- generally, STA, 52
- rules of evidence re certificated security, STA, 53(1)
 - • admission of signatures, STA, 53(2), (3)
 - • definitions, STA, 53(6)
 - • • defendant, STA, 53(6)
 - • • plaintiff, STA, 53(6)
 - • establishing that defence or defect cannot be asserted, STA, 53(5)
 - • recovery on certificate, STA, 53(4)

Enforcement of Security

- defect going to validity, STA, 57(3)
- generally, STA, 57
- limitation re unauthorized signature-securities issued by government, STA, 57(2)
- unauthorized signature, STA, 57(1)

Existing Proceedings

- generally, STA, 9

F

Financial Asset

- generally, STA, 1(2), *see also Acquisition*

Financing Change Statement, *see also Registration*

- amending financing statement
 - • general, 49
- amendments to information, Min. Order PPSA, 14(1)
 - • chapter 94, R.S.O. 1980, and, Min. Order PPSA, 14(1)(c)
 - • *Corporation Securities Registration Act*, Min. Order PPSA, 14(1)(c)
- • financing change statement, and, Min. Order PPSA, 15
- • information requirements, Min. Order PPSA, 14(1)(e), 14(1)(f)
- • motor vehicle, attached, Min. Order PPSA, 14(1)(d)
- • motor vehicle, generally, Min. Order PPSA, 14(2)
- • Part IV PPSA, and, Min. Order PPSA, 14(1)(b)
- • reasons for, Min. Order PPSA 14(1)(g)
- • Regulation 912, R.R.O. 1990, and, Min. Order PPSA, 14(1)(a)

Index

- Financing Change Statement (*cont'd*)
- • s. 78 PPSA and, Min. Order PPSA, 14(1)(c)
 - • s. 82 PPSA and, Min. Order PPSA, 14(1)(a)
 - approved forms, Min. Order PPSA, 21(1)
 - • electronic, Min. Order PPSA, 21(1)
 - • • limited time period, Min. Order PPSA, 21(2)
 - • • withdrawal of approval, Min. Order PPSA, 21(3)
 - assignment by secured party of interest in collateral, Min. Order PPSA, 7(1)
 - • motor vehicle, Min. Order PPSA, 7(2)
 - • • additional motor vehicles, Min. Order PPSA, 7(5)
 - • • consumer good, Min. Order PPSA, 7(2)(a)
 - • • description of, Min. Order PPSA, 7(4), (7)
 - • • inventory, Min. Order PPSA, 7(2)(b)
 - • • non-consumer good, Min. Order PPSA, 7(3)
 - • • non-inventory, Min. Order PPSA 7(3)
 - • • other, Min. Order PPSA, 7(6)
 - • debtor name change, Min. Order PPSA, 9
 - • divided registrations, Min. Order PPSA, 20
 - • financial change statement other than a statement designated as an amendment, Min. Order PPSA, 19
 - • • information requirements, Min. Order PPSA, 19(a)–(g)
 - • forms, Min. Order PPSA, 25(1)
 - • • certificate of discharge, Min. Order PPSA, 25(7)
 - • • • signing requirements, Min. Order PPSA, 25(8)
 - • • extension notice, Min. Order PPSA, 25(5)
 - • • notice registered under the Act, Min. Order PPSA, 25(6)
 - • • security interest, Min. Order PPSA, 25(2)–(4)
 - • generally, Min. Order PPSA, 2
 - • manner of recording, Min. Order PPSA, 23(1)
 - • • punctuation, abbreviations and expansions, Min. Order PPSA, 23(1), 23(2)(a)–(d)
 - Minister's Order, previous, Min. Order PPSA, 26
 - other change (seizure), Min. Order PPSA, 13
 - • information requirements, Min. Order PPSA, 13
 - other change (subordination), Min. Order PPSA, 12
 - • information requirements, Min. Order PPSA, 12
 - particulars of content of form, Min. Order PPSA, 16(1)
 - • dates, Min. Order PPSA, 18
 - • language requirements, Min. Order PPSA, 17
 - • name of debtor, requirements, Min. Order PPSA, 16(1)–(7)
 - procedure, Min. Order PPSA, 22(1)
 - • verification statement, Min. Order PPSA, 22(1)
 - registrar, and, Min. Order PPSA, 2
 - registration of a discharge, Min. Order PPSA, 10

Index

- Financing Change Statement (*cont'd*)
 - registration of partial discharge, Min. Order PPSA, 11(1)
 - information requirements, Min. Order PPSA, 11(2)
 - motor vehicle, Min. Order PPSA, 11(2)
 - additional vehicles, Min. Order PPSA, 11(5)
 - consumer good, Min. Order PPSA, 11(2)(a)
 - description of, Min. Order PPSA, 11(4)
 - equipment or inventory, Min. Order PPSA, 11(2)(b)
 - non-consumer good, Min. Order PPSA, 11(3)
 - non-equipment/inventory, Min. Order PPSA, 11(3)
 - other, Min. Order PPSA, 11(6)
 - transfer of collateral, Min. Order PPSA, 8(1)
 - information requirements, Min. Order PPSA, 8(1)
 - motor vehicle, Min. Order PPSA, 8(2)
 - additional motor vehicles, Min. Order PPSA, 8(5)
 - consumer good, Min. Order PPSA, 8(2)(a)
 - description, Min. Order PPSA, 8(4), (7)
 - equipment or inventory, Min. Order PPSA, 8(2)(b)
 - non-consumer good, Min. Order PPSA, 8(3)
 - non-equipment/inventory, Min. Order PPSA, 8(3)
 - other, Min. Order PPSA, 8(6)
 - assignments by secured party
 - general, 47(1)
 - debtor change of name
 - general, 48(3)
 - discharge or partial discharge
 - general, s. 55
 - effective length, 53
 - registration
 - amending registered financing statement, 49
 - assignment of security interest, 47
 - collateral transferred by debtor, 48(1)–(2), (4)–(5)
 - debtor's change of name, 48(3)
 - discharge, 55
 - renewal
 - general, 52(1)
 - subordination of interest
 - general, 50
 - transfer of collateral by debtor
 - general, 48(1)–(2)
- Financing Statement**, *see also Registration*
 - address, Min. Order PPSA, 3.2
 - classification of collateral
 - effect, 46(3)
 - limit, 46(2.1)
 - collateral, Min. Order PPSA, 3.1.f
 - consumer goods, Min. Order PPSA, 3.11
 - motor vehicle, Min. Order PPSA, 3.1.g, 3.1.h
 - description, Min. Order PPSA, 3.9, 3.12
 - collateral brought into Ontario, Min. Order PPSA, 4
 - contents, Min. Order PPSA, 3(1), *see also Financing Statement, format*

Index

- Financing Statement (*cont'd*)
- errors
 - • deemed likely to be misled, 46.2
 - • deemed not likely to be misled, 46.1(1), (2)
 - • effect, 46(4), 46.3
 - generally, Min. Order PPSA, 2
 - goods acquired for more than one purpose, Min. Order PPSA, 3(13)
 - multiple parties, Min. Order PPSA, 3(2)
 - place, Min. Order PPSA, 3(5)
 - registrar, and, Min. Order PPSA, 2
 - registration, Min. Order PPSA, 5(1)
 - • as means of perfection, 45(1)
 - • delivery of copy to debtor, 46(6)–(7)
 - • extension, Min. Order PPSA, 5(1), (2)
 - • registration period, Min. Order PPSA 3.4
 - • financing change statement, and, Min. Order PPSA, 5(1)
 - • place of, 46(1)–(2)
 - • reperfexion, *see Financing Statement, reperfexion*
 - registration period
 - • perpetual period, Min. Order PPSA, 3(6)
 - • registration under s. 52(2), Min. Order PPSA, 6(1)
 - • if ceases to be effective, Min. Order PPSA, 6(1)
 - • secured party assignment of interest, Min. Order PPSA, 6(2)
 - • secured party name change, Min. Order PPSA, 6(2)
 - reperfexion
 - • general, 52(2)
 - security interest, assigned, Min. Order PPSA, 3(3)
- Fixtures**
- priorities in, *see Security Interest, priorities*
 - removal from real estate, 34(3)–(7), 67(2)
- Forfeited Corporate Property Act, 2015**
- amendments to other acts
 - forfeited corporate property, FCPA, 44–63
 - • encumbrance, cancellation of, FCPA, 18(2), (9), 20.5
 - • management of, FCPA, 11(5), (9)
 - • remedies, FCPA, 34.1
 - conflict with *Personal Property Security Act*, 73(2)(b)
- Futures Account**
- attachment, 11(5)
- Futures Contract**
- definition, STA, 16(2)
 - generally, STA, 16(1)
- G**
- Good Faith**
- definition, STA, 4(2)
 - generally, STA, 4(1)
 - obligation, STA, 4(1)
- I**
- Inability to Operate Registration System**
- consumer goods, duty of secured party to discharge, O. Reg. 356/03, s. 3
 - priorities, general rule, O. Reg. 356/03, s. 1

Index

- Inability to Operate Registration System (*cont'd*)
- purchase-money security interests, O. Reg. 356/03, s. 2
- International Interests in Mobile Equipment (Aircraft Equipment) Act (Federal)**
- Amendments, IIBEA-F, 10–18
 - Assignments of associated rights and international interests
 - Assignee's priority, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 36, 1:Chapter XIV:Art. 49
 - Assignor's insolvency, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 37
 - Default remedies, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 34, Sched. 3, 3:Chapter IX:Art. 47
 - Duty to assignee, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 33, Sched. 3, 3:Chapter IX:Art. 46
 - Effects of assignment, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 31, Sched. 3, 3:Chapter IX:Art. 44
 - Formal requirements, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 32, Sched. 3, 3:Chapter IX:Art. 45
 - Priority of competing assignments, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 35, Sched. 3, 3:Chapter IX:Art. 48
 - Subrogation, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 38, Sched. 3, 3:Chapter IX:Art. 51
 - Default remedies
 - Additional remedies, IIBEA-F, Sched. 1, 1:Chapter III:Art. 12
 - Derogation, IIBEA-F, Sched. 1, 1:Chapter III:Art. 15, Sched. 3, 3:Chapter III:Art. 22
 - Meaning of default, IIBEA-F, Sched. 1, 1:Chapter III:Art. 11
 - Modification, IIBEA-F, Sched. 2, 2:Chapter II:Art. IX
 - Procedural requirements, IIBEA-F, Sched. 1, 1:Chapter III:Art. 14
 - Relief pending final determination, IIBEA-F, Sched. 1, 1:Chapter III:Art. 13
 - Remedies of chargee, IIBEA-F, Sched. 1, 1:Chapter III:Art. 8, Sched. 3, 3:Chapter III:Art. 12
 - Remedies of conditional seller/lessor, IIBEA-F, Sched. 1, 1:Chapter III:Art. 10, Sched. 3, 3:Chapter III:Art. 14
 - Vesting of object in satisfaction, IIBEA-F, Sched. 1, 1:Chapter III:Art. 9
 - International interest, IIBEA-F, Sched. 1, 1:Chapter I:Art. 2, Sched. 3, 3:Chapter II:Art. 10
 - Formal requirements, IIBEA-F, Sched. 1, 1:Chapter II:Art. 7
 - International interest against third parties
 - Effects of insolvency, IIBEA-F, Sched. 1, 1:Chapter VIII:Art. 30, Sched. 3, 3:Chapter VIII:Art. 43
 - Priority of competing interests, IIBEA-F, Sched. 1, 1:Chapter VIII:Art. 29, Sched. 3, 3:Chapter VIII:Art. 42
 - International registration system
 - Access, IIBEA-F, Sched. 1, 1:Chapter V:Art. 26, Sched. 3, 3:Chapter VI:Art. 40
 - Consent to registration, IIBEA-F, Sched. 1, 1:Chapter V:Art. 20, Sched. 3, 3:Chapter V:Art. 33
 - Declarations, IIBEA-F, Sched. 1, 1:Chapter V:Art. 23, Sched. 3, 3:Chapter V:Art. 36

Index

- International Interests in Mobile Equipment (Aircraft Equipment) Act (Federal) (*cont'd*)
- • Discharge, IIBEA-F, Sched. 1, 1:Chapter V:Art. 25, Sched. 3, 3:Chapter V:Art. 38
 - • Duration of registration, IIBEA-F, Sched. 1, 1:Chapter V:Art. 21, Sched. 3, 3:Chapter V:Art. 34
 - • Registration requirements, IIBEA-F, Sched. 1, 1:Chapter V:Art. 18, Sched. 3, 3:Chapter V:Art. 31
 - • Registry, IIBEA-F, Sched. 1, 1:Chapter IV:Art. 16, Sched. 3, 3:Chapter IV:Art. 26
 - • Searches, IIBEA-F, Sched. 1, 1:Chapter V:Art. 22, Sched. 3, 3:Chapter V:Art. 35
 - • Supervisory authority, IIBEA-F, Sched. 1, 1:Chapter IV:Art. 17, Sched. 3, 3:Chapter IV:Art. 27
 - • Validity and time of registration, IIBEA-F, Sched. 1, 1:Chapter V:Art. 19, Sched. 3, 3:Chapter V:Art. 32
- International Interests in Mobile Equipment Act (Aircraft Equipment) (Ontario)**
- Assignments of associated rights and international interests
 - • Assignee's priority, IIBEA, Sched. 1, 1:Chapter IX:Art. 36
 - • Assignor's insolvency, IIBEA-F, Sched. 1, 1:Chapter IX:Art. 37
 - • Default remedies, IIBEA, Sched. 1, 1:Chapter IX:Art. 34
 - • Duty to assignee, IIBEA, Sched. 1, 1:Chapter IX:Art. 33
 - • Effects of assignment, IIBEA, Sched. 1, 1:Chapter IX:Art. 31
 - • Formal requirements, IIBEA, Sched. 1, 1:Chapter IX:Art. 32
 - • Priority of competing assignments, IIBEA, Sched. 1, 1:Chapter IX:Art. 35
 - • Subrogation, IIBEA, Sched. 1, 1:Chapter IX:Art. 38
 - Default remedies
 - • Additional remedies, IIBEA, Sched. 1, 1:Chapter III:Art. 13
 - • Default, meaning, IIBEA, Sched. 1, 1:Chapter III:Art. 11
 - • Derogation, IIBEA, Sched. 1, 1:Chapter III:Art. 15
 - • Procedural requirements, IIBEA, Sched. 1, 1:Chapter III:Art. 13
 - • Relief, IIBEA, Sched. 1, 1:Chapter III:Art. 13
 - • Remedies of charge, IIBEA, Sched. 1, 1:Chapter III:Art. 8
 - • Remedies of conditional seller or lessor, IIBEA, Sched. 1, 1:Chapter III:Art. 10
 - • Vesting, IIBEA, Sched. 1, 1:Chapter III:Art. 9
 - International interest
 - • Formal requirements, IIBEA, Sched. 1, 1:Chapter II:Art. 7
 - International registration system
 - • Access, IIBEA, Sched. 1, 1:Chapter V:Art. 26
 - • Consent to registration, IIBEA, Sched. 1, 1:Chapter V:Art. 20
 - • Declarations, IIBEA, Sched. 1, 1:Chapter V:Art. 23
 - • Discharge, IIBEA, Sched. 1, 1:Chapter V:Art. 25
 - • Duration of registration, IIBEA, Sched. 1, 1:Chapter V:Art. 21
 - • Effects of international interest against third parties
 - • • Effects of insolvency, Sched. 1, 1:Chapter VII:Art. 30

Index

- International Interests in Mobile Equipment Act (Aircraft Equipment) (Ontario) (*cont'd*)
- Priority of competing interests, Sched. 1, 1:Chapter VII:Art. 29
 - Registration requirements, IIBEA, Sched. 1, 1:Chapter V:Art. 18
 - Registry, IIBEA, Sched. 1, 1:Chapter IV:Art. 16
 - Searches, IIBEA, Sched. 1, 1:Chapter V:Art. 22
 - Supervisory authority, IIBEA, Sched. 1, 1:Chapter IV:Art. 17
 - Validity and time of registration, IIBEA, Sched. 1, 1:Chapter V:Art. 19

Interpretation

- limited to this Act, STA, 1(3)

Issuer's Lien

- generally, STA, 66

L

Liability

- limitation of, 2, 38

Limited Liability Company

- interest in partnership, limited liability company, STA, 12(1)
- definition
- limited liability company, STA, 12(1)

M

Marshalling

- availability, 58
- CPP and, 58
- deemed trusts and, 58
- doctrine of, 58
- *Employment Insurance Act, 1996* and, 58

- *Excise Tax Act* and, 58
- GST and, 58
- *Income Tax Act* and, 58
- super-priority garnishment orders and, 58

Motor Vehicles

- buyers taking free of security interest
- failure to set out vehicle identification number, 25(5), 28(5)

Mutual Fund Security

- definitions, STA, 11(2)
- generally, STA, 11(1)

N

No Action Against Purchaser for Value Without Notice of Breach

- generally, 28(8)

No Outstanding Secured Obligation

- generally, 56(7)

Non-payment, 1, 2

Non-waiver of Rights and Duties

- generally, 59(5)

Notice

- adverse claims, STA, 18
- what constitutes, STA, 18
- generally, STA, 3(1)
- giving, STA, 1(2)
- receiving, STA, 1(3)
- transfer, STA, 19(1), (2)
- when effective for a transaction, STA, 1

O

Obligation

- to pay for delivery secured, 11.1(5)

Index

- Obligation (*cont'd*)
- to pay for financial asset secured, 11.1(4)

Overissue

- generally, OBCA, 58(1); STA, 67(1), (2), (3), (4)

P

Perfection

- by control of collateral, 22.1(1), (2)
- by delivery, 22(2), (3)
- by possession or repossession, 22(1)
- generally, 22

Perfection of Security Interest

- account or chattel paper, 27(3)–(6), 28(3)–28(3.1)
- assignees, 21(2)
- attachment, on, 19.2
- continuity of perfection, 21(1)
- control of collateral, by, 22.1
- deemed, 8
- defined, 19
- delivery, by, 22(2)
- futures account, 19.1(2)
- instruments purchased, 28(4)
- law of location of debtor governing, 7(1), (2), (2.1.)
- motor vehicle purchased not in ordinary course of business, 28(5)
- on attachment, 19.2(1), (2), (3)
- possession or repossession, by, 22(1), 28(6), (7); OBCA, 53, 56, 78
- purchase-money security interests, 20(3)
- registration, by, 23
- returned or repossessed goods, 27(1)
- securities, 28(6), (7)
- securities account, 19.1(1)

- transactions in ordinary course of business, 28
- unperfected interests, 20(1)

Personal Property Security Act

- amendments
 - • FCPA, 57
 - • STA, 123–141
- application of Act
 - • Crown, 3
 - • general, 2, 73, 76(1)
 - • non-application, 4.1
 - • transitional rules, 75–83
- conflict with other Acts
 - • general, 73(1)
 - • *Consumer Protection Act, 2002*, 73(2)(a)
 - • *Escheats Act, 2015*, 73(2)(c)
 - • *Forfeited Corporate Property Act, 2015*, 73(2)(b)
- designated Act under *Electronic Registration Act*, O. Reg. 759/93
- fees, O. Reg. 345/97
- General Regulation, O. Reg. 56/07
 - • charges under s. 18(7), O. Reg. 56/07, 2
 - • definitions
 - • • motor vehicle, O. Reg. 56/07, 1
- Lieutenant Governor in Council
- powers under, 74
- non-application of Act
 - • bills within meaning of *Bills of Exchange Act (Canada)*, 29(a)
 - • general, 4(1), 76(2)
 - • *Consumer Protection Act, 2002*, 14(2)
 - • *Escheats Act, 2015*, 73(2)(c)
 - • *Forfeited Corporate Property Act, 2015*, 73(2)(b)

Index

Personal Property Security

Act (cont'd)

- • *Sale of Goods Act*, 4(2)
- • transfer of money, 29(b)
- notice
 - • collateral, 63
 - • deemed, 69
 - • service, 68
- powers of Minister, 73.1
- • delegation, by Minister, 73.2 [not in force at time of publication]
- *Securities Transfer Act, 2006*, 28(8), (9), 28.1, 84
- Superior Court of Justice
 - • powers under, 67(1)
- time
 - • abridgment, 70
 - • extension, 70
- transition re *Securities Transfer Act, 2006*, 84(1)

Principles of Law and Equity

- generally, STA, 6

Priority Rules

- priority rules for security interest in investment property, 30.1(1)
 - • certificated security perfected by delivery, 30.1(3)
 - • futures intermediary, 30.1(5)
 - • interest granted by broker, intermediary, 30.1(7)
 - • priority determined under, 30, 30.1(8)
 - • rank by priority in time, 30.1(4)
 - • secured party with control, 30.1(2)
 - • securities intermediary, 30.1(5)

R

Registrars

- designation, 42(1)–(3)
- immunity from liability, 42(5), *see also Crown*
- powers of the registrar, 42.1 [not in force at time of publication]
- seal of office, 42(4)

Registration, *see also Electronic Registration, Financing Change Statement, Financing Statement*

- assurances re endorsement or instruction, STA, 87(1), (2)
- classification of collateral, 46(2.1)
- *Corporation Securities Registration Act*
 - • transfer of registrations under, 78
- debtor's change of name
- amendment of records, 48(7)
- definitions
 - • appropriate evidence of appointment or incumbency, STA, 86
 - • fiduciary, STA, 86
 - • guarantee, STA, 86
- demand that issuer not register transfer, STA, 88(1)
 - • effectiveness of demand, STA, 88(2)
- direct electronic transmission
 - • authority to register, 46(2.2)
 - • format, 46(2.1), (2.3)
- discharge
 - • consumer goods, 57; O. Reg. 356/03, s. 3
 - • court order re, 56(5), 78(9)
 - • demand, 56
 - • • change collateral classification, 56(2.1)–(2.3)

Index

- Registration (*cont'd*)
- • general, 55
 - duty of issuer re demand to not register transfer, STA, 89(1)
 - • time limit for withholding registration of transfer, STA, 89(3)
 - • substance of notice, STA, 89(2)
 - duty of issuer to register transfer, STA, 86(1)
 - effect
 - • limits, 46(5)
 - liability for not registering transfer, STA, 86(2)
 - liability of issuer re demand to not register transfer, STA, 90(1), (2)
 - obligation of authenticating trustee, transfer agent, etc., STA, 94
 - obligation to notify issuer of lost, destroyed or wrongfully taken security certificate, STA, 93
 - offices, 41(2)–(3)
 - establishment, 41(1)
 - period
 - • consumer goods, O. Reg. 356/03, s. 3
 - • general, 51(1)–(4)
 - • under previous legislation, 82(2)
 - perfection by
 - • financing statement, *see Registration, Financing Statement*
 - place
 - • address fixed by regulations, 46(1)–(2)
 - • branch office, 46(1)–(2)
 - • land registry office, 54(1)
 - records
 - • removal and destruction, 71
 - registrars, *see Registrars*
 - registration of discharge, Min. Order RSLA, 6
 - • requirements, Min. Order RSLA, 6
 - registration of partial discharge, Min. Order RSLA, 7(1)
 - • information requirements, Min. Order RSLA, 7(2)–(5)
 - registration period
 - • extension, 23
 - • renewal, Min. Order RSLA, 4(1)
 - • • information requirement, Min. Order RSLA, 4(1)(a), (b)
 - • • time period of extension, Min. Order RSLA, 4(2)
 - registration, time of, Min. Order RSLA, 17
 - renewal, 52(1)
 - reperfecting, 52(2)
 - replacement of security certificate lost, etc., STA, 92(1)
 - • where protected purchaser presents certificate after replacement issued, STA, 92(2)
 - vexatious registration
 - • appeal, 66.5
 - • application, 66.2
 - • compliance, 66.6
 - • definition, 66.1
 - • discharge, 66.4
 - • rejection, 66.3
 - wrongful registration of transfer, STA, 91(1)
 - • liability, STA, 91(2)
 - • limitation, STA, 91(4)
 - • overissue, STA, 91(3)
- Remedies on Default**
- consumer goods

Index

- Remedies on Default (*cont'd*)
- • reinstatement of security agreement, 66(2)
 - cumulative, 58
 - disposal of collateral
 - • consumer goods, compulsory disposition, 65(1)
 - • effect, 63(9)–(10)
 - • methods, 63(2)
 - • notice, 63(4)–(7)
 - • proceeds, distribution, 63(1), 64
 - • purchase by secured party, 63(8)
 - • surplus, payment into court, 64(4)
 - foreclosure on collateral
 - • effect of, 65(6.1)
 - • general, 65(2), (6)
 - • notice, 65(2)
 - • objections, 65(3)–(5)
 - • subsequent disposition, 65(7)
 - garnishment, 61
 - general, 59
 - possession, 62
 - • reasonable notice, 60(1)
 - receiver and manager
 - • appointment, 60(1)
 - • replacement or removal, 60(2)
 - redemption of collateral, 66(1)
 - secured party generally, 59(1)
- Repair and Storage Liens, see also Change Statement, Claim for Lien, Forms**
- assignment, RSLA, 29
 - disputes re
 - • certificate on payment into court, RSLA, 24(5), (6), (7), (8)
 - • discharge, RSLA, 24(14)
 - • general, RSLA, 23, 24(1.2)
 - • non-possessory liens, return of goods, RSLA, 24(1.1)
 - • payment into court, RSLA, 24(4)
 - • payment out of court, RSLA, 24(11)
 - • possessory liens, return of goods, RSLA, 24(1)
 - • return of money on security, RSLA, 24(15)
 - • writ of seizure, RSLA, 24(9), (16)
 - exemption from
 - • buyer in the ordinary course of business, RSLA, 8
 - foreclosure on goods
 - • effect, RSLA, 14(4), 18
 - • notice, RSLA, 17(1)
 - • objections, RSLA, 17(2)–(3)
 - general regulation
 - • commencement, GRRSLA, 6
 - • compliance with *Consumer Protection Act, 2002*, GRRSLA, 2
 - • deemed receipt, GRRSLA, 5
 - • determination of fair value, GRRSLA, 1
 - • method of delivery, GRRSLA, 5
 - • notice of lien, motor vehicles, GRRSLA, 4
 - • tow and storage services, maximum lien, GRRSLA, 3
 - gift of goods to charity, RSLA, 19, 20(1)
 - lien claimant
 - • possession of goods, rights and liabilities re, RSLA, 28
 - non-possessory
 - • acknowledgment of indebtedness required, RSLA, 7(5)–(6)
 - • creation, RSLA, 7(1)–(2)

Index

- Repair and Storage Liens (*cont'd*)
- • discharge, RSLA, 12–13
 - • priority, RSLA, 7(3)
 - • registration, *see Repair and Storage Liens, Registration*
 - • sheriff's seizure of articles, RSLA, 14, 31
 - possessory
 - • loss, RSLA, 5
 - • priority of, RSLA, 6
 - • release upon payment into court, RSLA, 24–25, *see also Forms, Repair and Storage Liens*
 - redemption, RSLA, 22
 - registration
 - • deemed likely to be misled, RSLA, 9(5)
 - • deemed not likely to be misled, RSLA, 9(3), (4)
 - • discharge, 12
 - • errors, 9(2), (6)
 - • general, RSLA, 9–10
 - • prerequisite to enforcement of rights, RSLA, 10(1), 14
 - • records, RSLA, 30
 - repairer's
 - • assumptions re third parties, RSLA, 1(2)
 - • deemed possession, RSLA, 3(4)–(5)
 - • general, RSLA, 3(1)
 - • non-possessory, *see Repair and Storage Liens, non-possessory*
 - • possessory, *see Repair and Storage Liens, possessory*
 - • when arising, RSLA, 3(2)
 - sale of goods
 - • method, RSLA, 15(4)
 - • notice, RSLA, 15(1)–(3)
 - • proceeds, distribution, RSLA, 16
 - • purchase by lien claimant, RSLA, 15(5)
 - • right, RSLA, 3(3), 4(7), 14(5)
 - separate for each article, RSLA, 26(1)
 - storer's
 - • assumptions re third parties, RSLA, 1(2)
 - • general, RSLA, 4(1)
 - • not entitled to repairer's, RSLA, 4(2)
 - • non-possessory, *see Repair and Storage Liens, non-possessory*
 - • notice requirement, RSLA, 4(4)–(6)
 - • possessory, *see Repair and Storage Liens, possessory*
 - • when arises, RSLA, 4(3)
 - tacking
 - • prohibition, RSLA, 26(2)
- Repair and Storage Liens Act***, *see also Repair and Storage Liens*
- application of Act
 - Crown, RSLA, 2
 - fees, RSLA O. Reg. 346/97
 - Lieutenant Governor in Council
 - • powers under, RSLA, 32
 - non-compliance with Act
 - buyers in good faith, RSLA, 20(1)
 - liability for, RSLA, 21
 - notice
 - • service of documents, RSLA, 27
 - powers of Minister, RSLA, 31.1, 33
 - powers of registrar, RSLA, 31.2 [not in force at time of publication]

Index

Rights

- rights and duties of issuer re registered owners, STA, 64(1), (2)
- rights and remedies of secured party, 59(1)
- rights of protected purchaser, 28.1(1), (2), (3)
- rights of secured party with control of investment property as collateral, 17.1(1), (2)
- right to cancel contract, STA, 60

S

Search

- Assurance Fund, *see Assurance Fund*
- Registrar's certificate re
 - as proof of contents thereof, 43(2)–(3)
 - contents, 43(1)

Secured Party

- liabilities
 - collateral in possession, 17(3)–(4)
 - discharge, failure to register, 57(2)
 - financing change statement, failure to deliver, 56(4)
 - financing statement, failure to deliver, 46(7)
 - statement of accounts, 18(5), (10)
 - successors, failure to notify debtor, 56(6)
- rights with control of investment property, 17.1
- successor
 - notifying debtor of, 18(6), 56(6)

Securities

- generally, 28(6)

- lack of genuineness of certificated security
- securities issued by governments before Act is in force, STA, 8(3)
- terms of a security, STA, 56
 - certificated security, STA, 56(1), (2)
 - uncertificated security, STA, 56(3)
- transfer of certificated and uncertificated securities
 - delivery and rights of purchaser
 - delivery of security, STA, 68
 - certificated security, STA, 68(1)
 - uncertificated security, STA, 68(2)
 - protected purchaser, STA, 70
 - rights of purchaser, STA, 69(1), (2), (3)
- valid security, STA, 2

Securities Account

- attachment, 11(4)
- defined, 1

Securities Act

- definition, SA, 1(1)
- clearing agency, SA, 1(1)

Security Agreement

- acceleration provisions
 - good faith and reasonableness requirement, 16
- defined, 1
- delivery, 10; CPA 2002, 1
- effectiveness, 9
- inspection, 18(3)
- property secured
 - after-acquired property, 12
 - future advances, 13

Index

- Security Agreement (*cont'd*)
 - provisions void for breach of *Personal Property Security Act*, 67(3)
- Security Certificate**
 - completion of, STA, 63(1), (2)
 - statement on, STA, 21(1), (2)
- Security Entitlement**
 - acquisition of security entitlement, STA, 95(1), (2)
 - holding financial asset directly, STA, 95(3)
 - issuance of security, STA, 95(4)
 - actions against persons acquiring, 28(9), (10)
 - attachment, 11.1(1)
 - defined, 1
 - duties of securities intermediary, STA, 102
 - actions prohibited by law, STA, 102
 - commercially reasonable standard, STA, 102
 - compliance with other statute, STA, 102(1)
 - limits on securities intermediary's duties, STA, 102(2)
 - duty of securities intermediary re financial asset, STA, 98(1), (2), (3)
 - exception, STA, 98(5)
 - standard of care, STA, 98(4)
 - duty of securities intermediary re entitlement holder's direction, STA, 102(1)
 - standard of care, STA, 102
 - duty of securities intermediary re payment and distributions, STA, 99(1), (2)
 - standard of care, STA, 99(3)
 - duty of securities intermediary to comply with entitlement order, STA, 101(1)
 - liability if financial asset wrongfully transferred, STA, 101(2), (3)
 - standard of care, STA, 101(4)
 - duty of securities intermediary to exercise rights, STA, 100(1)
 - standard of care, STA, 100(2)
 - priority of entitlement holders to financial asset, STA, 105(1)
 - where creditor has priority, STA, 105(2), (3)
 - property interest of entitlement holders in financial asset, STA, 97(1)
 - enforcement of property interest against purchaser, STA, 97(4)
 - enforcement of property interest against securities intermediary, STA, 97(3)
 - proportionate interest, STA, 97(2)
 - protection of purchaser for value, STA, 97(7)
 - recovery by entitlement holder, STA, 97(6)
 - recovery by trustee or liquidator, STA, 97(5)
 - protection of entitlement holders from adverse claim, STA, 96
 - rights of purchaser re adverse claim, STA, 104(1), (2)
 - priority rules, STA, 104(3), (4)
- Security Interest**, *see also Collateral*
 - agreement creating, 1, 2
 - attachment
 - prerequisite to enforcement against third parties, 11(1)
 - reattachment, 27(1)

Index

- Security Interest (*cont'd*)
 - • when, 11(2)–(3)
 - defined, 1
 - priorities
 - • accessions, 35(1)–(2), *see also* *Accessions*
 - • certificated security, 30.1(3)
 - • commingled goods, 37
 - • deemed trusts, 30(7)
 - • crops, 32
 - • fixtures, 34(1)–(2), *see also* *Fixtures*
 - • general rules, 30; O. Reg. 356/03, s. 1
 - • investment property, 30.1
 - • liens for materials and services, 31
 - • payment under a lease of real property, 36(1)
 - • payment under a mortgage, 36(2)
 - • purchase-money security interest, 20(3), 33; O. Reg. 356/03, s. 2
 - • purchasers of chattel paper in the ordinary course of business, 28(3)
 - • • exception, 28(3.1)
 - • purchasers of instruments or negotiable documents of title, 28(4); OBCA, ss. 53, 56
 - • • delivery of certificate, 28(6); OBCA, ss. 53, 74; CBCA, s. 66
 - • • possession, 22, 28(6), (7); OBCA, ss. 53, 56, 78
 - • purchasers of security entitlement, 28(9) (10)
 - • purchasers of securities in good faith, 28(6), (7); OBCA, ss. 53
 - • • delivery of certificate, 28(6); OBCA, ss. 53, 74; CBCA, s. 66
 - • • possession, 22, 28(6), (7); OBCA, ss. 53, 56, 78
 - • securities intermediary, 30.1(5)
 - • subordination agreements, 38
 - • transferees of accounts, 27(5)
 - • transferees of chattel paper, 27(6)
 - • uncertificated securities, 28(6); OBCA, ss. 78
 - release from
 - • motor vehicles, *see* *Motor Vehicles*
 - • transfers in the ordinary course of business, 28(1), (2)
 - • transferee of account or chattel paper obtaining, 27(3)
 - unperfected
 - • consequences, 20(1)–(2)

Securities Intermediaries

 - securities intermediaries- liability and status as purchasers for value, STA, 54
 - • securities intermediary as purchaser for value, STA, 55(1), (2)
 - • securities intermediary's liability to adverse claimant, STA, 54(1), (2), (3)

Seizure

 - cost of, RSLA, 14(3.1)
 - generally, RSLA, 14; STA, 47
 - notice of seizure to secured party, STA, 51
 - seizure governed by laws re civil enforcement of judgments, STA, 47
 - seizure of interest in certificated security, STA, 48(1), (2)
 - seizure of interest in security entitlement, STA, 50

Index

Seizure (*cont'd*)

- seizure of interest in uncertificated security, STA, 49

Seller's Warranties

- application to purchase-money security interest in goods, 15; CPA 2002, 9(2)

Shares

- equity interest, STA, 10

Share Certificate

- contents of, OBCA, 56(1)

Signature Guarantees and Other Requisites for Registration of Transfer

- guarantee may not be condition to registration of transfer, STA, 83
- liability of guarantor, endorser and originator, STA, 84(1), (2)
- purchaser's right to requisites for registration of transfer, STA, 85(1)
 - • exception, STA, 85(2)
 - • transferor's failure to comply, STA, 85(3)
- warranties by guarantor of endorser's signature, STA, 79
- warranties by guarantor of signature of originator of instruction, STA, 80(1)
 - • limitation, STA, 80(2)
- warranties by special guarantor of signature of originator of instruction, STA, 81
- warranty re rightfulness of transfer by guarantor, STA, 82(1), (2), (3)

Statements of Account

- charge for provision, 18(7)
- exemption from provision, 18(8)
- liability for non-compliance, 18(5), (9)–(10)

- requirement to furnish, 18(1)–(2)
- time for compliance, 18(5), (8), (10)

Staleness

- staleness as notice of defect or defence, STA, 61(1)
 - • exception, STA, 61(2)

Supplier

- intention, 1, 2

T

Third party beneficiary, 2, 38

Transfer

- effect of issuer's restriction on transfer, STA, 62

U

Used Vehicle Information Package

- issuance by registrar, 43.1

V

Variation of Securities Transfer Act by Agreement

- generally, STA, 5(1)

Vexatious Registration

- appeal, 66.5
- application, 66.2
- compliance, 66.6
- definition, 66.1
- discharge, 66.4
- rejection, 66.3

W

Warranties

- warranties applicable to direct holdings, STA, 33
 - • additional warranties, STA, 40(4)

Index

Warranties (*cont'd*)

- • broker's warranties, STA, 40(1), (2), (3)
- • warranties by agent delivering certificated security, STA, 36
- • warranties on endorsement of security certificate, STA, 35
- • warranties on instruction re uncertificated security, STA, 36
- • warranties on redelivery of security certificate, STA, 39
- • warranties on transfer of certificated security, STA, 33
- • warranties on transfer of uncertificated security, STA, 34(1), (2)
- • warranty on presentation of security certificate, STA, 37
- warranties applicable to indirect holdings, STA, 41
- • securities intermediary's warranties, STA, 43(1), (2)
- • warranties on entitlement order, STA, 41
- • warranties on security credited to securities account, STA, 42(1), (2)
- warranties by person signing security certificate, STA, 65(1)
- • limitation, STA, 65(2)