



## Personal Property Securities 2012

Unravelling the ramifications of the new regime

14 June 2012, The Grace Hotel Sydney

### Program highlights

- Acquire optimal advice for secured parties
- Grasp the treatment of investment assets and impact on collateral and margining mechanisms
- Establish the scope and effect of the PPS lease concept
- Explore leasing in various forms and understand equipment finance aspects
- Recognise how the PPSR affects Intellectual Property
- Understand enforcement and insolvency under the *PPSA*
- Engage with our expert panel and receive first-hand answers regarding the practical implications for various industries

### Speakers

- **David Bergman**, General Counsel and Registrar of Personal Property Securities, **Insolvency and Trustee Service Australia (ITSA)**
- **Craig Wappett**, Partner, **Johnson Winter & Slattery Lawyers**
- **James Taylor**, Head Counsel, Country Banking Legal, **Rabobank Australia**
- **Steve Edwards**, Director, **CreditWise**
- **Adam Hopkins**, Head of Credit Operations, **GE Capital**
- **Bruce Whittaker**, Partner, **Ashurst**
- **Wendy Jacobs**, Partner, **DibbsBarker**
- **Craig Crosbie**, Partner, **PPB Advisory**

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# Personal Property Securities 2012

## Unravelling the ramifications of the new regime

Thursday, 14 June 2012

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| <p>8:30 Registration</p> <p>8:50 Opening remarks from the Chair<br/><b>Craig Wappett, Partner, Johnson Winter &amp; Slattery Lawyers</b></p> <p>9:00 Keynote address: The Personal Property Securities Register (PPSR) – the current state of play</p> <ul style="list-style-type: none"> <li>• Covering the first 4 months of operations and lessons learned</li> <li>• Emerging issues and what is being done to address them</li> </ul> <p><b>David Bergman, General Counsel and Registrar of Personal Property Securities, Insolvency and Trustee Service Australia (ITSA)</b></p> <p>■ 0.75 CPD/MCLE point in Professional Skills</p> <p>9:45 The PPSR and your systems: Some suggestions for secured parties in regular contact with the PPSR</p> <ul style="list-style-type: none"> <li>• Restrictions on searching the PPSR and your general approach</li> <li>• Who should register at the PPSR: The secured party, a law firm or the grantor?</li> <li>• Notices of verification statements</li> <li>• Releasing property from a security interest and any corresponding PPSR registrations</li> <li>• Collateral descriptions – when an over-broad registration will cause problems</li> <li>• Law firm opinions under the PPSR</li> </ul> <p><b>James Taylor, Head Counsel, Country Banking Legal, Rabobank Australia</b></p> <p>■ 1 CPD/MCLE point in Professional Skills</p> | <p>10:45 Morning tea</p> <p>11:00 Impact of the PPSA on the financial services industry</p> <ul style="list-style-type: none"> <li>• Treatment of investment assets under the PPSA</li> <li>• Impact on collateral and margining mechanisms</li> <li>• Negotiating the maze of the perfection rules</li> </ul> <p><b>Bruce Whittaker, Partner, Ashurst</b></p> <p>■ 1 CPD/MCLE point in Professional Skills</p> <p>12:00 Networking lunch for delegates and speakers</p> <p>1:00 The ins and outs of leases under the PPSA</p> <ul style="list-style-type: none"> <li>• What is a PPS lease?</li> <li>• The difference between a PPS lease and leases that satisfy the functional definition of security interest</li> <li>• The extent to which the PPS lease concept applies to bailment</li> <li>• Application of the PPSA to enforcement</li> <li>• What happens on insolvency?</li> <li>• Industry Aspects             <ul style="list-style-type: none"> <li>– Equipment Finance – retail</li> <li>– Serial numbered goods and other goods – implications</li> <li>– Novated leasing</li> <li>– Lease, rental, hiring</li> <li>– Subleasing – rental and hire businesses</li> </ul> </li> </ul> <p><b>Craig Wappett, Partner, Johnson Winter &amp; Slattery Lawyers</b><br/><b>Steve Edwards, Director, CreditWise</b></p> <p>■ 1.5 CPD/MCLE point in Professional Skills</p> |
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### LexisNexis Practical Guidance

The Corporations law module, to be launched in June 2012, provides practical guidance about the PPSA. LNPG supports the work of junior lawyers by providing guidance notes written by expert authors such as Piper Alderman. Also includes legislation, cases, precedents, forms and excerpts from authoritative LexisNexis commentary.

Register for your 14 day free trial on **1800 772 772** or visit [www.lexisnexis.com.au/practicalguidance/contactus.aspx](http://www.lexisnexis.com.au/practicalguidance/contactus.aspx)

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## 14 June 2012, The Grace Hotel Sydney

### 2:30 The PPSA and Intellectual Property

- The relationship between secured interests and intellectual property
- How to manage intellectual property issues in security agreements
- The impact of the PPSA upon intellectual property licences

**Susan Reece Jones**, *Lawyer*, **Francis Abourizk Lightowlers Michael Handler**, *Associate Professor*, **University of New South Wales**

■ 0.5 CPD/MCLE point in Professional Skills

### 3:10 Enforcement and Insolvency under the PPSA

- Creditor enforcement rights under the PPSA
- Insolvency and Retention of Title under the PPSA
- Transitional operation and insolvency
- *Corporations Act* amendments and insolvency
- Practical issues in the context of insolvency
  - What businesses and their advisors need to know in terms of the meaning of the legislation and the risks faced
  - What happens when you incorrectly register your interest?
  - The care insolvency practitioners need to take in choosing which assets they seek to rely upon to meet their liabilities
  - Considerations for accountants and auditors when financial statements don't reflect the PPSA

**Michael Lhuede**, *Partner*, **Piper Alderman**  
**Craig Crosbie**, *Partner*, **PPB Advisory**

■ 1 CPD/MCLE point in Professional Skills

### 4:10 Afternoon tea

Be the first to register for the conference and receive one of four free copies of **Essential Personal Property Securities in Australia**.

The use of personal property as security for credit is a large and essential aspect to Australia's economy. The law which underpins this is undergoing a major overhaul. **Essential Personal Property Securities in Australia** will assist you in navigating this watershed legal development.

### 4:25 PANEL DISCUSSION

#### Practical implications from the introduction of the PPSA

This expert panel will investigate the various implications triggered by the PPSA, examining the effect on different industries.

The following areas will be covered:

- Ownership and the PPSA
- Sub-hiring and the chain of perfection
- PMSIs and time of registration
- Inventory, the extinguishment rules and s32 of the PPSA
- Case studies from the initial four months of the acts operations
- Issues for financiers and corporate to be aware of in relation to the operation of the PPSA
- Using the register in common question and answer and outstanding issues

**Wendy Jacobs**, *Partner*, **DibbsBarker**  
**Adam Hopkins**, *Head of Credit Operations*, **GE Capital**  
**Ryan Eagle**, *Partner*, **Ferrier Hodgson**  
**Steven Mattiussi**, *Senior Associate*, **DibbsBarker**

■ 1 CPD/MCLE point in Professional Skills

### Get involved

Help us make this discussion panel as interactive and relevant as possible by sending through your comments and questions by 8 June 2012 to [PPS\\_Discussion@lexisnexis.com.au](mailto:PPS_Discussion@lexisnexis.com.au)

### 5:25 Close of conference

### Who should attend?

- All levels of lawyers specialising in financial services and banking
- In-house Counsel
- Compliance Managers and Executives
- Chief Financial Officers
- Senior and Junior Barristers
- General Counsel
- Financial Advisors
- Insolvency Practitioners
- Finance Brokers and other Consumer Credit Providers

# Priority registration form

# 5 easy ways to register

## Personal Property Securities 2012

14 June 2012  
The Grace Hotel Sydney  
77 York Street  
Sydney NSW 2000

Online: [www.lexisnexis.com.au/pd](http://www.lexisnexis.com.au/pd)  
Email: [registration@lexisnexis.com.au](mailto:registration@lexisnexis.com.au)  
Phone: 1800 772 772  
Fax: (02) 9422 2338

Mail: Conference Co-ordinator, LexisNexis  
Locked Bag 2222, Chatswood Delivery  
Centre, Chatswood NSW 2067  
or: DX 29590 Chatswood

Please complete sections A, B, C, D

TAX INVOICE

Conference code: PD2012

ABN: 70 001 002 357

### A Delegate 1 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

### Delegate 2 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

### Delegate 3 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

\*\* to send conference confirmation

### B Future Events

- Government Contract Drafting and Tendering – 27 March 2012
- Australia's Credit Law Regime: Comprehensive Workshop  
27 March 2012 – MEL / 28 March 2012 – BRIS / 29 March 2012 – SYD
- Responsible Manager Training Workshops  
1 May 2012 – SYD / 16 May 2012 MEL / 23 May 2012 – BRIS
- Wills Drafting 2012 VIC – 17 May 2012
- Practice Management NSW 2012 – 24 May 2012
- Contracts Masterclass 2012 – SYD, Jeffrey Goldberger – 11 July 2012
- Wills and Estates QLD – 2012 – 11 & 12 July 2012
- Australian Women Lawyers 4th National Conference,  
10-12 August 2012 (ACT)
- Contracts Masterclass 2012 – PER, Jeffrey Goldberger – 8 August 2012

### C Event pricing (please tick your selection)

WEB

#### GROUP BOOKING

Register 3 or more people from the same organisation at the same time and book at the advanced price per person.

#### EXAMPLE

<input checked="" type="checkbox"/>	Conference	1	\$ 900 + GST = \$ 990	\$ 990
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#### Advanced price (register and pay before 20 April 2012)

Please Select	Options	Qty	Price	Subtotal
	One day conference		\$ 900 + GST = \$ 990	

#### Standard price (register and pay after 20 April 2012)

Please Select	Options	Qty	Price	Subtotal
	One day conference		\$1150 + GST = \$1265	



#### Conference Resources

I am unable to attend but please send me the Personal Property Securities 2012 conference papers

Qty	Price	Subtotal
	\$180+ GST = \$198	

I am an Abacus/AFC (please circle) member, please apply my 10% discount  
Membership no \_\_\_\_\_

\* Advanced price, team discounts and any other discount cannot be taken concurrently

TOTAL

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Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

Enclosed is my cheque for: \$ \_\_\_\_\_ made payable to LexisNexis

Pay by credit card: Please charge \$ \_\_\_\_\_ to

Mastercard  Visa  American Express

Card number: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Expiry: \_\_\_\_/\_\_\_\_

Name of cardholder: \_\_\_\_\_

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#### Earn CPD points:

Lawyers can earn up to 6.75 CPD points in Professional Skills.

Where did you hear about this event?

Please add me to the LexisNexis Monthly Professional Development email list.



#### PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

#### CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis' cancellation policy applies as follows. If cancellation is notified in writing:

1. One calendar month or more prior to the first day of event: LexisNexis will refund your registration fee less \$165.00 administration cost.
2. Between one calendar month plus one day and 14 days prior to the first day of event: LexisNexis will refund 50% of the fee paid by you and provide you with a copy of event papers.
3. 13 days or less prior to the first day of the event: LexisNexis will not refund any part of your fee. However, you may nominate a replacement delegate to attend in your place.

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