



Personal Property Securities (Fees) Determination 2013¹

Personal Property Securities Act 2009

I, MARK DREYFUS, Attorney-General, make this Determination under section 190 of the *Personal Property Securities Act 2009*.

Dated 17 June 2013

Mark Dreyfus QC
Attorney-General

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Part 1 Preliminary

1 Name of Determination

This Determination is the *Personal Property Securities (Fees) Determination 2013*.

2 Commencement and repeal of earlier determination

This Determination commences on 1 July 2013. The *Personal Property Securities (Fees) Determination 2011* is repealed by the commencement of this Determination.

3 Definitions

In this Determination:

Act means the *Personal Property Securities Act 2009*.

contact centre means the place at which the Commonwealth, on the request of a person, submits applications under the Act in an electronic form on behalf of the person.

Note Several other words and expressions used in this Determination have the meaning given by section 10 of the Act, for example:

- collateral
- financing change statement
- financing statement
- grantor
- registration time
- serial number
- verification statement.

Section 4

Part 2 Fees

4 Registration and search fees

- (1) For subsection 190 (1) of the Act, the fee for a matter listed in an item of the table in this section:
- (a) is as listed in column 3 of the item; or
 - (b) if subsection (2) applies in relation to the matter — is the contact centre fee listed in column 4 of the item.
- (2) For paragraph (1) (b), the contact centre fee will apply in relation to a matter if a person who makes an application under items 9 – 15 of the table requests the contact centre to submit the application in an electronic form on the person's behalf.

Item	Matter	Fee (\$)	Contact centre fee(\$)
1	To apply under subsection 150 (1) of the Act to register a financing statement that has no end time	140.00	N/A
2	To apply under subsection 150 (1) of the Act to register a financing statement with an end time of up to the end of the day 7 years after the registration time	8.00	N/A
3	To apply under subsection 150 (1) of the Act to register a financing statement with an end time of: <ul style="list-style-type: none"> (a) more than the end of the day 7 years after the registration time; and (b) up to the end of the day 25 years after the registration time 	40.00	N/A
4	To apply under subsection 150 (2) of the Act to register a financing change statement that amends a financing statement that has no end time to include an additional grantor	140.00	N/A
5	To apply under subsection 150 (2) of the Act to register a financing change statement that amends a financing statement that has an end time of up to the end of the day 7 years after the registration time to: <ul style="list-style-type: none"> (a) extend the end date; or (b) include an additional grantor. 	8.00	N/A
6	To apply under subsection 150 (2) of the Act to register a financing change statement that amends a financing statement that has an end time of: <ul style="list-style-type: none"> (a) more than the end of the day 7 years after the registration time; and (b) before the end of the day 25 years after the registration time 	40.00	N/A
7	To apply under subsection 150 (2) of the Act to register a financing change statement that amends a financing statement if the amendment does not extend the end date or include an additional grantor	4.00	N/A

Section 6

Item	Matter	Fee (\$)	Contact centre fee(\$)
8	To attach, in an application mentioned in any of items 1 to 7, a document to a financing statement or a financing change statement	4.00	N/A
9	To apply under subsection 170 (1) of the Act to search the register using a grantor's details	4.00	4.00
10	To apply under subsection 170 (1) of the Act to search the register using the serial number by which collateral has been described	4.00	4.00
11	To apply under subsection 170 (1) of the Act to search the register using the unique identifier allocated to a registered financing statement	4.00	4.00
12	To apply under subsection 170 (1) of the Act to search the register using the unique identifiers allocated to two registered financing statements	4.00	12.50
13	To apply under subsection 170 (1) of the Act to search the register using an earlier nominated time as the search criteria	N/A	12.50
14	To request, in an application under subsection 170 (1) of the Act, for written search results in relation to a previously conducted search of the Register by the applicant	4.00	12.50
15	To apply under paragraph 175 (b) of the Act for a copy of a verification statement	4.00	12.50

5 Reports by the Registrar

For subsection 190 (1) of the Act, the fee to apply under subsection 176 (1) of the Act to obtain a report mentioned in item 2 of the table in section 4 of the *Personal Property Securities (Reports) Determination 2011*, is calculated at the rate of \$300 for each hour, or part of an hour, of preparation of the report.

6 Remitting fees

Despite sections 4 and 5, the Registrar may remit, in whole or in part, the fees payable by the Commonwealth, or a State or Territory government.

Section 7

Part 3 Arrangements**7 Arrangement for monthly payment in arrears**

- (1) For subsection 190 (4) of the Act, an arrangement is that fees for transactions conducted with the registry by a person during a month are payable in arrears on the receipt by the person of the statement of summary of transactions, entitled *PPSR statement/invoice*, for the fees.
- (2) The Registrar may, for fees payable under the arrangement, approve an amount that may be incurred under the arrangement.

8 Arrangement for payment for reports

For subsection 190 (4) of the Act, an arrangement is that the fee to obtain the report mentioned in section 5 is payable on the receipt by the applicant of an invoice for the fee.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.