

Personal Property Securities (Fees) Determination 2018

*Personal Property Securities Act 2009*

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

Dated 28 June 2018

CHRISTIAN PORTER

Attorney-General

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Part 1 Preliminary

1 Name of Determination

 This Determination is the *Personal Property Securities (Fees) Determination 2018*.

2 Commencement and repeal of earlier determination

 This Determination commences on 1 August 2018. The *Personal Property Securities (Fees) Determination 2015* is repealed by the commencement of this Determination.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.

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 – 13 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 | 115.00 | 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 | 6.00 | N/A |
| 3 | To apply under subsection 150 (1) of the Act to register a financing statement with an end time of: (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 | 25.00 | 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 | 115.00 | 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: (a) extend the end date; or (b) include an additional grantor. | 6.00 | 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: (a) more than the end of the day 7 years after the registration time; and | 25.00 | N/A |
|  |  (b) before the end of the day 25 years after the registration time |  |  |
| 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 | 0.00 | N/A |
| 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 | N/A | N/A |
| 9 | To apply under subsection 170 (1) of the Act to search the register using a grantor’s details | 2.00 | 7.00 |
| 10 | To apply under subsection 170 (1) of the Act to search the register using the serial number by which collateral has been described | 2.00 | 7.00 |
| 11 | To apply under subsection 170 (1) of the Act to search the register using the unique identifier allocated to a registered financing statement | 2.00 | 7.00 |
| 12 | To apply under subsection 170 (1) of the Act to search the register using the unique identifiers allocated to two registered financing statements | 2.00 | 7.00 |
| 13 | To apply under subsection 170 (1) of the Act to search the register using an earlier nominated time as the search criteria  | 2.00 | 7.00 |
| 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 | 0.00 | N/A |
| 15 | To apply under paragraph 175 (b) of the Act for a copy of a verification statement  | 0.00 | N/A |

5 Maintenance fees

 For subsection 190(1) of the Act, the fee to apply under subsection 168 (1) of the Act for the maintenance of a registration is $4.00.

6 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.

7 Remitting fees

 Despite sections 4, 5 and 6, the Registrar may remit, in whole or in part, the fees payable by the Commonwealth, or a State or Territory government.

Part 3 Arrangements

8 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.

9 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 6 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.