

The Personal Property Security Regulations

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Chapter P-6.2 Reg 1 (effective April 1, 1995) as amended by Saskatchewan Regulations 6/1995, an [Errata Notice](#) (published in *The Saskatchewan Gazette*, March 31, 1995); 87/1996, 2001, c.L-5.1 Reg 3, 5/2002, 9/2004, 7/2006, 36/2012, 70/2013, 134/2017 and 56/2020; and by the *Statutes of Saskatchewan*, 1997, c.16.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-6.2 REG 1
The Personal Property Security Act, 1993

PRELIMINARY

Title

1 These regulations may be cited as *The Personal Property Security Regulations*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Personal Property Security Act, 1993*;
- (b) **“aircraft”** means any machine capable of deriving support in the atmosphere from the reactions of the air but does not include a machine designed to derive support in the atmosphere from reactions against the earth’s surface of air expelled from the machine;
- (c) **“artificial body”** means a partnership, a corporation, an association, an organization, an estate of a bankrupt, a trade union, a trust, a syndicate or a joint venture, but does not include an individual or the estate of a deceased individual;
- (d) **“boat”** means a vessel designed for transporting persons or things on water and that is propelled primarily by any power other than muscle power;
- (e) **“client number”** means an identification code assigned by the registrar to a client of the registry;
- (f) **“collateral”** means, respecting registrations, if the registration is:
 - (i) respecting a security interest, the personal property that is subject to the security interest;
 - (ii) authorized pursuant to *The Sale of Goods Act* or *The Factors Act*, the goods or documents of title that are the subject of the registration;
 - (iii) authorized pursuant to *The Commercial Liens Act*, the goods that are subject to the registration;
 - (iv) respecting a Crown interest, the property subject to the Crown interest;
 - (vi) authorized pursuant to Part V.1 of *The Summary Offences Procedure Act, 1990*, the vehicle owner as defined in section 32.5 of that Act against whose vehicle a lien is registered pursuant to that Part.

- (g) **“Crown interest”** means an interest, right, claim, lien or charge created by statute or common law and held by the Crown in right of Saskatchewan, Canada or a province, or an agent of the Crown, and intended to be registered for the sole purpose of determining Crown priority in bankruptcy as set out in section 87 of the *Bankruptcy and Insolvency Act* (Canada);
- (h) **“debtor”** means, respecting registrations, if the registration is:
- (i) respecting a security interest, a debtor as defined in the Act;
 - (ii) authorized pursuant to *The Sale of Goods Act* or *The Factors Act*, a person who, having sold goods, continues or is in possession of the goods or of the documents of title to the goods that are the subject of the registration;
 - (iii) authorized pursuant to *The Commercial Liens Act*:
 - (A) the owner, as defined in subsection 9(1) of that Act, against whose interest in goods a lien is claimed pursuant to that Act; and
 - (B) a person requesting any of the services defined in section 2 of that Act in relation to the goods, if that person is not the owner of the goods;
 - (iv) respecting a Crown interest, the person whose interest in property is subject to the Crown interest;
 - (v) respecting a judgment or enforcement instruction, the judgment debtor;
 - (v.1) respecting a judgment or writ of execution pursuant to the *Federal Courts Act* (Canada), the judgment debtor or execution debtor as the case may be;
 - (v.2) respecting an order of exclusive possession pursuant to *The Family Property Act*, the spouse that is not given the order of exclusive possession;
- (i) **“electronic financing change statement”** means the electronic version of a financing change statement made available by the registry;
- (j) **“electronic financing statement”** means the electronic version of a financing statement made available by the registry;
- (j.1) **“enforcement instruction”** means an enforcement instruction as defined in *The Enforcement of Money Judgments Act*;
- (k) **“financing change statement”** means the forms provided by the registrar, including schedules to those forms and, if the context permits, includes an electronic financing change statement;
- (l) **“financing statement”** means the forms provided by the registrar, including schedules to those forms and, if the context permits, includes an electronic financing statement;

(m) **“item number”** means the number shown on a verification statement or printed search result under the heading “Secured Party”, “Debtor Party” or “Serial Property”;

(m.1) **“judgment”** means judgment as defined in *The Enforcement of Money Judgments Act*;

(n) **“mobile home”** means any structure, whether ordinarily equipped with wheels or not, that is not self-propelled but that is designed, constructed or manufactured to be:

- (i) moved from one place to another by being towed or carried; and
- (ii) used as:
 - (A) a dwelling house or premises;
 - (B) a business office or premises; or
 - (C) accommodation for a purpose other than one described in paragraph (A) or (B);

(o) **“motor vehicle”** means a mobile device that is propelled primarily by any power other than muscle power:

- (i) in, on or by which a person or thing may be transported or drawn, and that is designed for use on a road or natural terrain; or
- (ii) that is used in the construction or maintenance of roads;

and includes a pedal bicycle with a motor attached, a combine and a tractor, but does not include a device that runs on rails or machinery designed only for use in farming other than a combine or tractor;

(p) **“party ID”** means an identification code the registrar assigns to a secured party, a registrant or a debtor pursuant to subsection 28(1);

(q) **“registrant”** means the person registering or submitting for registration a financing statement or financing change statement and who, in the case of a printed form, is required to sign the financing statement and financing change statement pursuant to section 7;

(r) **“registration”** includes, if the context permits, an amended or renewed registration;

(r.1) **“registration type”** means:

- (i) a security interest;
- (ii) an interest pursuant to *The Sale of Goods Act* or *The Factors Act*;
- (iii) a Crown interest;
- (iv) a judgment issued by the Court of Queen’s Bench;

- (v) a judgment of the Federal Court of Canada;
- (vi) a writ of execution issued out of the Federal Court of Canada;
- (vii) a judgment issued by the Court of Queen's Bench to enforce a maintenance order;
- (viii) a lien pursuant to *The Commercial Liens Act*;
- (ix) a registration pursuant to Part V.1 of *The Summary Offences Procedure Act, 1990*;
- (x) a registration pursuant to section 5 of *The Seizure of Criminal Property Act, 2009*;
- (xi) a sheriff's notice of seizure of a security interest pursuant to *The Enforcement of Money Judgments Act*;
- (xii) an enforcement instruction pursuant to *The Enforcement of Money Judgments Act*;
- (xiii) an order of exclusive possession with respect to household goods pursuant to subsection 9(3) of *The Family Property Act*;
- (s) **"RIN"** means a registration identification number that may be assigned to a registration by the registry at the request of a registrant;
- (t) **"secured party"** means, respecting registrations, if the registration is:
 - (i) respecting a security interest, a secured party as defined in the Act;
 - (ii) authorized pursuant to *The Sale of Goods Act* or *The Factors Act*, a person who, having bought goods, leaves the goods or the documents of title to the goods that are the subject of the registration in the possession of the seller;
 - (iii) authorized pursuant to *The Commercial Liens Act*, the lien claimant pursuant to that Act;
 - (iv) respecting a Crown interest, the Crown in right of Saskatchewan, Canada or a province, and includes an agent of the Crown;
 - (v) respecting a judgment or enforcement instruction, the judgment creditor;
 - (v.1) respecting a judgment or writ of execution pursuant to the *Federal Courts Act* (Canada), the judgment creditor or execution creditor as the case may be;
 - (v.2) authorized pursuant to *The Seizure of Criminal Property Act, 2009*, the director pursuant to that Act;
 - (vi) authorized pursuant to Part V.1 of *The Summary Offences Procedure Act, 1990*, the authority as defined in section 2 of that Act in whose favour a lien is registered pursuant to that Part;
 - (vii) authorized pursuant to *The Family Property Act*, the spouse that is given the order of exclusive possession;

- (u) **“serial numbered goods”** means a motor vehicle, a trailer, a mobile home, an aircraft, a boat or an outboard motor for a boat;
- (v) **“tractor”** means a self-propelled vehicle designed for drawing other vehicles or machines;
- (w) **“trailer”** means a vehicle that is at any time drawn on a public highway by a motor vehicle and is designed for the conveyance of goods, but does not include:
 - (i) the motor vehicle by which it is drawn; or
 - (ii) a mobile home;
- (x) **Repealed.** 25 May 2012 SR 36/2012 s3.
- (2) For the purposes of search results, verification statements, financing statements and financing change statements:
 - (a) **“debtor party”** means debtor;
 - (b) **“general property”** means collateral;
 - (c) **“registrant party”** means registrant;
 - (d) **“serial property”** means serial numbered goods.
- (3) **Repealed.** 1997, c.16, s.14.

30 Dec 94 cP-6.2 Reg 1 s2; 15 Nov 96 SR 87/96 s3; 1997 c16 s14; 8 Feb 2002 SR 5/2002 s3; 17 Feb 2006 SR 7/2006 s3; 25 May 2012 SR 36/2012 s3; 22 Dec 2017 SR 134/2017 s3; 22 May 2020 SR 56/2020 s3.

- 2.1 Repealed.** 1997, c.16, s.14.

REGISTRATION

Effecting a registration

- 3(1)** A registration and an amendment to or a renewal or discharge of a registration is to be effected:
 - (a) by submitting a financing statement or financing change statement, as the case may be, to the registry; or
 - (b) by submitting an electronic financing statement or electronic financing change statement, as the case may be, to the registry, if permitted pursuant to these regulations.
- (2) If a registration is to be effected by the use of an electronic financing statement or an electronic financing change statement, the form and method of transmission is to comply with the requirements of the registry.

- (3) The requirements pursuant to these regulations that are applicable to the completion of forms to be submitted to the registrar for registration apply, with any necessary modification, to an electronic financing statement or electronic financing change statement.
- (4) A registrant is responsible for ensuring that all information on a financing statement or financing change statement is fully and accurately completed and is in accordance with the Act and these regulations.
- (5) The registrar may refuse to permit a registration if, in his or her opinion, the document submitted is ambiguous, illegible or incomplete, or not suitable for the purposes of registration.
- (6) Crown interests may be registered in the registry.
- (7) Registration of a Crown interest pursuant to subsection (6) does not otherwise affect the priority of an interest in personal property or preclude registration of an interest held by the Crown pursuant to any provision of the Act or an enactment.
- (8) A registration is effective from the time assigned to it when it is entered into the database of the registry.
- (9) Notwithstanding the earlier submission to the registry of a financing statement or financing change statement, the registration of the financing statement or financing change statement is not effective before the time assigned to it pursuant to subsection (8).

30 Dec 94 cP-6.2 Reg 1 s3; 17 Feb 2006 SR
7/2006 s4; 22 May 2020 SR 56/2020 s4.

Effecting electronic registrations

- 3.1(1)** A person may apply to the registrar for permission to electronically register in the registry:
 - (a) a financing statement; or
 - (b) a financing change statement.
- (2) In approving an application submitted pursuant to subsection (1), the registrar may:
 - (a) determine the type or types of applications the person may electronically register in the registry;
 - (b) set out the terms and conditions of any agreement that the person must enter into with the registrar before the person shall be permitted to effect electronic registrations in the registry;
 - (c) set out the method by which the person may effect electronic registrations in the registry; and
 - (d) specify any other requirements that the registrar considers necessary for the person to be permitted to effect electronic registrations in the registry.

(3) An agreement required pursuant to clause (2)(b) may contain provisions respecting:

- (a) the terms and conditions pursuant to which the registrar will permit the person to effect electronic registrations in the registry;
- (b) the level of security that the person requires to effect electronic registrations in the registry; and
- (c) any other matter with respect to effecting electronic registrations that the registrar considers necessary.

17 Feb 2006 SR 7/2006 s5; 6 Sep 2013 SR
70/2013 s32; 22 May 2020 SR 56/2020 s5.

Duration of registration

4(1) A registration, or a renewal of a registration, respecting a security interest, a Crown interest, an interest pursuant to *The Sale of Goods Act*, *The Factors Act* or *The Family Property Act* or a lien pursuant to *The Commercial Liens Act* or Part V.1 of *The Summary Offences Procedure Act, 1990* is effective for the period selected by the registrant, and, notwithstanding *The Interpretation Act, 1995*, a registration expires on the actual date of expiry and not on the next business day.

(1.1) **Repealed.** 1997, c.16, s.14.

(2) For the purposes of subsection (1), a registrant is to select:

- (a) the number of years, months and days in whole numbers not exceeding 25 years in total;
- (b) a specific expiry date not exceeding 25 years; or
- (c) infinity.

(3) A registration respecting a judgment is effective:

- (a) in the case of a judgment issued by the Court of Queen's Bench other than a judgment mentioned in clause (d), for 10 years from the date of the judgment, and may be renewed for additional periods of 10 years;
- (b) in the case of a judgment of the Federal Court of Canada, for 10 years from the date of the judgment, and may be renewed for additional periods of 10 years;
- (c) in the case of a writ of execution issued out of the Federal Court of Canada, for six years from the date of the writ of execution, and may be renewed for additional periods of six years;
- (d) in the case of a judgment issued by the Court of Queen's Bench to enforce a maintenance order, for infinity.

(3.1) Subject to subsection (3.2), a registration respecting an enforcement instruction is effective for two years from the date of registration, and may be renewed for additional periods of two years.

(3.2) If a supplementary enforcement instruction is registered before the registration of an enforcement instruction expires pursuant to subsection (3.1), the registration of the enforcement instruction is renewed and expires two years after the date of registration of the supplementary enforcement instruction.

(4) **Repealed.** 17 Feb 2005 SR 7/2006 s6.

(5) **Repealed.** 25 May 2012 SR 36/2012 s4.

(6) If a registration mentioned in clause (3)(a), (b) or (c) is renewed, the registrant shall specify the first day of the latest renewal period as the date of the judgment or the date of the court order that renews the judgment or writ as the case may be.

(6.1) If a registration mentioned in subsection (3.1) is renewed, the registrant shall specify the first day of the latest renewal period as the date of the registration.

(7) **Repealed.** 8 Feb 2002 SR 5/2002 s4.

(8) **Repealed.** 8 Feb 2002 SR 5/2002 s4.

(9) If a registration respecting a security interest, a Crown interest, an interest pursuant to *The Sale of Goods Act*, *The Factors Act* or *The Family Property Act* or a lien pursuant to *The Commercial Liens Act* or Part V.1 of *The Summary Offences Procedure Act, 1990* is renewed, the renewal life begins on the date of the expiry of the current registration life.

30 Dec 94 cP-6.2 Reg 1 s4; 15 Nov 96 SR 87/96 s5; 8 Feb 2002 SR 5/2002 s4; 17 Feb 2005 SR 7/2006 s6; 25 May 2012 SR 36/2012 s4; 22 Dec 2017 SR 134/2017 s4; 22 May 2020 SR 56/2020 s6.

4.1 Repealed. 1997, c.16, s.14.

4.2 Repealed. 1997, c.16, s.14.

FORMS

Registrar's forms to be used

5(1) Registration data submitted to the registry must be in either the printed format or the electronic format provided by the registrar.

(2) The registrar may refuse to accept a registration or any other form if it is not completed to the satisfaction of the registrar.

(3) A financing statement provided by the registrar must include the following:

(a) subject to section 28, the name and address of:

(i) the registrant;

(ii) the secured party; and

(iii) the debtor;

- (b) the registration type;
 - (c) the registration life of the interest;
 - (d) the Court of Queen's Bench number of a judgment or court order, if any;
 - (e) subject to sections 12.1 and 16, a description of any serial numbered goods, if no general property information is provided;
 - (f) subject to sections 12.1 and 16, general property information, if no serial numbered goods have been identified;
 - (g) any other information required by the registrar.
- (4) A financing change statement provided by the registrar must include the following:
- (a) subject to section 28, the name and address of the registrant;
 - (b) the registration number of the registration that is being amended, renewed or discharged;
 - (c) any of the following information that is applicable:
 - (i) the date the registration is extended to, is reduced to or expires;
 - (ii) the name and address of any secured party or debtor being added, amended or deleted;
 - (iii) the item number of any information to be amended or deleted;
 - (iv) a description of any serial numbered goods being added, amended or deleted;
 - (v) a description of any general property being added or deleted;
 - (vi) the Court of Queen's Bench number of a judgment or court order, if any;
 - (vii) the date of the court order;
 - (viii) the RIN;
 - (d) any other information required by the registrar.

25 May 2012 SR 36/2012 s5.

Financing statement

- 6(1)** A financing statement is to be used to effect an original registration for any registration type.
- (2) A registration respecting a security interest that has been discharged or that has lapsed may be re-registered pursuant to subsection 35(7) of the Act by a financing statement that includes the linked registration number of the original registration.
- (3) **Repealed.** 8 Feb 2002 SR 5/2002 s5.

- (4) Subject to section 20.2, a financing change statement is to be used to effect an amendment, renewal or discharge of a registration referred to in subsection (1) or (2) or to renew a registration pursuant to prior registration law as provided in subsection 42(2).
- (5) In subsection (4):
- (a) **“amendment”** includes:
 - (i) a change to the name of the registrant, secured party or debtor;
 - (ii) the addition, deletion or substitution of collateral;
 - (iii) the correction of an error on the part of the registry in recording information from printed financing statements or financing change statements delivered to the registry;
 - (iv) a transfer of all or part of a debtor’s interest in collateral described in a registration relating to an interest mentioned in clauses (1)(a) to (c);
 - (v) a transfer of all or part of a security interest with respect to which a registration exists;
 - (vi) an amendment pursuant to subsection 50(5) of the Act;
 - (vii) an amendment or discharge in accordance with a court order pursuant to subsection 50(9) of the Act;
 - (vii.1) an assignment of a lien pursuant to *The Commercial Liens Act* with respect to which a registration exists;
 - (viii) any other change in a registration, other than the type of registration, relating to information that may be included on a financing statement or a financing change statement as provided in these regulations;
 - (b) **“discharge”** includes a discharge of a registration pursuant to subsection 50(5) of the Act.
- (6) **Repealed.** 25 May 2012 SR 36/2012 s6.

30 Dec 94 cP-6.2 Reg 1 s6; 8 Feb 2002 SR 5/2002 s5; 17 Feb 2005 SR 7/2006 s8; 25 May 2012 SR 36/2012 s6.

Signature on financing statement

7 A financing statement or financing change statement is to be signed by and include the printed name of :

- (a) the secured party or other person authorized to sign on behalf of the secured party in the case of any registration type;
- (b) a person entitled to register a financing change statement pursuant to section 50(5) of the Act;

(c) a person who obtains a court order pursuant to subsection 50(9) of the Act; or

(d) the sheriff or a person authorized by the sheriff pursuant to *The Enforcement of Money Judgments Act* in the case of a seizure of a security interest pursuant to *The Enforcement of Money Judgments Act*.

30 Dec 94 cP-6.2 Reg 1 s7; 8 Feb 2002 SR 5/2002 s6; 15 Feb 2006 SR 7/2006 s9; 25 May 2012 SR 36/2012 s7.

Acceptance of signature by registrar

8 The registrar may permit the registration of a financing statement or financing change statement without proof that:

(a) the signature on a financing statement or financing change statement is that of a person mentioned in section 7;

(b) the registrant ID, the secured party ID or the debtor party ID given on the form is the party ID assigned to the registering party submitting the form for registration or assigned to the secured party or debtor party identified on the form; or

(c) the registrant has authority to effect the registration.

30 Dec 94 cP-6.2 Reg 1 s8.

Instructions

9 Registrants shall complete the forms required pursuant to these regulations in accordance with these regulations.

30 Dec 94 cP-6.2 Reg 1 s9; 17 Feb 2006 SR 7/2006 s10.

REGISTRANT, SECURED PARTY AND DEBTOR NAME

Name re individual

10(1) If a registrant, secured party or debtor is an individual, the name of that individual is to be specified by the individual's last name followed by the individual's first name, then the individual's second and third names, if any.

(1.1) In the case of a deceased individual, the designation 'Estate' must be selected.

(2) If the name of an individual mentioned in subsection (1) or (1.1) or a person mentioned in subsection 11(4) or (5) does not consist of both a first name and a last name, the individual's name shall be shown as his or her last name.

(3) If an individual's name includes a generational designation, the appropriate designation must be selected.

- (4) If the debtor is an individual and carries on business under a name or style other than the individual's own name:
- (a) the individual's own name is to be given; and
 - (b) the business name or style may be set out in the area of the financing statement or financing change statement for business debtors.

30 Dec 94 cP-6.2 Reg 1 s10; 17 Feb 2006 SR
7/2006 s11; 22 May 2020 SR 56/2020 s7.

Name re artificial body

11(1) If the debtor is an artificial body, in the form of a body corporate, the registered name of the body corporate is to be specified.

(2) Notwithstanding subsection (1), the name of a debtor is to be specified as each of the forms of the debtor name used in business transactions in Saskatchewan set out as separate debtor names if:

- (a) the debtor is a body corporate and the name of the debtor is in an English form, a French form or a combined English-French form or more than one of these forms; and
- (b) the debtor uses more than one form of its name in business transactions in Saskatchewan at the time of registration.

(3) **Repealed.** 17 Feb 2006 SR 7/2006 s12.

(4) If the debtor is a trustee acting for an artificial body in the form of a trust and:

- (a) the document creating the trust designates a name for the trust, the name of the trust followed by the word "trust" is to be specified; or
- (b) the document creating the trust does not designate a name for the trust, the name, subject to subsection 10(2), is to be specified by the trustee's first name, followed by the trustee's second and third names, if any, followed by the trustee's last name, followed by the word "trustee".

(5) If the debtor is a trustee acting for an artificial body in the form of an estate of a bankrupt individual, the name, subject to subsection 10(2), is to be specified by the bankrupt's first name, followed by the bankrupt's second and third names, if any, followed by the bankrupt's last name, followed by the word "bankrupt".

(6) If the debtor is an artificial body in the form of a bankrupt artificial body, the name of the artificial body is to be followed by the word "bankrupt".

(7) If the debtor is an artificial body in the form of a trade union, the name is to be specified by the name of the trade union, and the names of each individual representing the trade union in the transaction giving rise to the registration are to be specified in the manner provided for an individual in subsections 10(1) to (3) or a body corporate in subsections (1) and (2), as the case may be.

(8) If the debtor is a debtor because of membership in or association with an artificial body that is not a corporation or trade union, the name of the debtor is to be specified as follows:

(a) in the case of an artificial body that is a partnership that is registered pursuant to *The Business Names Registration Act*, the registered name of the partnership;

(b) in the case of an artificial body that is a partnership and is not registered pursuant to *The Business Names Registration Act*, the name of the partnership and at least one of the partners whose name is to be specified in the manner provided for an individual in subsections 10(1) to (3) or a body corporate in subsections (1) and (2), as the case may be;

(c) in the case of an artificial body that is an unincorporated association or organization, the name as set out in the constitution, charter or other document creating the association or organization and the name of each person representing the artificial body in the transaction giving rise to the registration in the manner provided for an individual in subsections 10(1) to (3);

(d) in the case of an artificial body that is a syndicate or joint venture, the name of the syndicate or joint venture set out in the document creating it and the name of each party to or participant in it;

(e) in the case of an artificial body other than one mentioned in clauses (a) to (d), the name of the artificial body and the name of each person representing the artificial body in the transaction giving rise to the registration in the manner provided for an individual in subsections 10(1) to (3) or a body corporate in subsections (1) and (2) as the case may be.

(9) For the purposes of this section, a person representing an artificial body in a transaction is a person who has the power to bind the artificial body or its officers and members and who has exercised that power in the formation of the contract involved in the transaction giving rise to the registration.

(10) If a registrant or secured party is an artificial body, the name to be used in a financing statement or financing change statement is to be set out pursuant to this section.

30 Dec 94 cP-6.2 Reg 1 s11; 17 Feb 2006 SR
7/2006 s12; 22 May 2020 SR 56/2020 s8.

COLLATERAL DESCRIPTION

Description of goods

12(1) If a registration respecting a security interest in goods that are serial numbered goods is to be effected, the goods may be described in accordance with section 13 or 14.

(2) If a registration respecting a security interest in collateral that are not serial numbered goods is to be effected, the goods shall be described in accordance with section 14.

30 Dec 94 cP-6.2 Reg 1 s12; 22 May 2020 SR
56/2020 s9.

Judgments affecting serial numbered goods

12.1 If a registration respecting a judgment affecting serial numbered goods is to be effected, the goods are to be described in accordance with section 13.

25 May 2012 SR 36/2012 s8.

Serial numbered goods

13(1) The description of collateral that is a serial numbered good is to include the following:

- (a) the appropriate code from Table 1 of Appendix D for the type of the good;
 - (b) the last 25 characters of the serial number as described in subsection (2);
 - (c) the make, name of manufacturer or description of the good;
 - (c.1) the year of the good, if desired;
 - (d) the model of the good, if desired;
 - (e) the colour of the good, if desired.
- (2) For the purposes of clause (1)(b), the serial number for:
- (a) a trailer, mobile home or motor vehicle other than an automobile or truck is the serial number located on the chassis;
 - (b) an automobile or truck is the vehicle identification number located on the body frame;
 - (c) a boat that is of a type:
 - (i) that can be registered, recorded or licensed pursuant to the *Canada Shipping Act* (Canada) is the registration, recording or licensing number that is assigned to the boat; or
 - (ii) not referred to in subclause (i) is the serial number marked on or attached to the boat by the manufacturer;
 - (d) an aircraft that must be registered pursuant to the *Aeronautics Act* (Canada) is the registration marks assigned to the airframe by the Department of Transport;
 - (e) an aircraft, other than an aircraft referred to in clause (d), that must be registered pursuant to the laws of a state that is a party to the Convention on International Civil Aviation 1944 (Chicago) is the registration marks assigned to the airframe by the relevant licensing authority as described in the Convention;
 - (f) an aircraft, other than an aircraft referred to in clauses (d) and (e), is the serial number of the airframe; and
 - (g) goods that do not have a serial number affixed as described in clauses (a) to (f) is the serial number assigned to the goods by SGI prior to the registration and, if no serial number has been assigned, the serial number is a six character number that is permanently marked on or attached to the goods in a prominent place on the goods.

- (3) Except as otherwise provided, for the purposes of subsection (2), a serial number:
- (a) is a serial or identification number permanently marked on or attached to the collateral by the manufacturer; and
 - (b) includes only alpha-numeric characters and does not include punctuation, hyphens or other markings.

30 Dec 94 cP-6.2 Reg 1 s13; 17 Feb 2006 SR
7/2006 s13; 22 May 2020 SR 56/2020 s10.

Description of certain collateral

14(1) Collateral that is not a serial numbered good, and collateral that is a serial numbered good but not described in accordance with section 13, is to be described in accordance with subsections (2) and (3).

(2) The collateral referred to in subsection (1) is to be described in one or more of the following ways:

- (a) by item or kind or as “goods”, “chattel paper”, “investment property”, “document of title”, “instrument”, “money” or “intangible”;
 - (b) by a statement indicating that the security interest has been taken in all of the debtor’s present and after-acquired personal property;
 - (c) by a statement indicating that the security interest has been taken in all of the debtor’s present and after-acquired personal property, except specified items or kinds of personal property, or except property described as “goods”, “chattel paper”, “investment property”, “document of title”, “instrument”, “money” or “intangible”;
 - (d) as “inventory”, but that description is valid for the purposes of this section only while the collateral is held by the debtor as inventory.
- (3) A description is inadequate for the purposes of subsection (2) if it describes the collateral as “consumer goods” or “equipment” without further reference to the kind of goods.

30 Dec 94 cP-6.2 Reg 1 s14; 22 May 2020 SR
56/2020 s11.

Description of proceeds

15 If collateral is proceeds that are described pursuant to clause 28(2)(a) or subsection 28(3) of the Act:

- (a) if the proceeds are serial numbered goods, the goods may be described:
 - (i) pursuant to section 13; or
 - (ii) pursuant to section 14, but the description is to be preceded by the word “proceeds”; or
- (b) if the proceeds are collateral other than serial numbered goods, the collateral is to be described pursuant to clause 14(2)(a) and subsection 14(3), but the description is to be preceded by the word “proceeds”.

22 May 2020 SR 56/2020 s12.

Personal property and lands affected

16 The words “all of the personal property and lands of the debtor within Saskatchewan” are to be inserted in the “General Collateral” area of a financing statement if the registrant wishes to register:

- (a) a judgment; or
- (b) a judgment of or a writ of execution issued out of the Federal Court of Canada.

25 May 2012 SR 36/2012 s9.

17 Repealed. 8 Feb 2002 SR 5/2002 s7.

Registrations pursuant to certain Acts

18 If a registration authorized pursuant to *The Sale of Goods Act*, *The Factors Act*, *The Family Property Act*, *The Commercial Liens Act* or Part V.1 of *The Summary Offences Procedure Act, 1990* is to be effected:

- (a) goods that are serial numbered goods are to be described pursuant to section 13;
- (b) goods other than serial numbered goods are to be described by item or kind; and
- (c) household goods as defined in *The Family Property Act* are to be described as “household goods”.

22 May 2020 SR 56/2020 s13.

Crown interest registrations

19 If a registration in relation to a Crown interest is to be effected, the collateral affected by the interest shall be described as provided in section 14 followed by the name of the statute or brief description of the law pursuant to which the interest arose.

30 Dec 94 cP-6.2 Reg 1 s19; 22 May 2020 SR 56/2020 s14.

VERIFICATION

Registrar may send verification statement

20(1) If a registration is effected or amended by a registrant, the registrar may send to the registrant and to the debtors named in the registration, by any method determined by the registrar, a verification statement to confirm the registration or amendment.

(2) If a registration is totally discharged by a registrant, the registrar may send to the registrant and to all secured parties named in the registration being discharged, by any method determined by the registrar, a verification statement to confirm the total discharge.

(3) For the purposes of subsection 43(12) of the Act, a verification statement issued by the registry includes a transmission of data comprising the verification statement for the purpose of having it displayed electronically to the registrant or secured party.

17 Feb 2006 SR 7/2006 s16; 22 May 2020 SR 56/2020 s15.

Registrar may send notice

20.1(1) If a registration is effected by the registrar, the registrar may send to the registrant and to the debtors named in the registration, by any method determined by the registrar, a notice of the registration.

(2) If a registration is amended by the registrar, the registrar may send to the registrant and to the debtors and secured parties named in the registration, by any method determined by the registrar, a notice of the amendment.

(3) If a registration is totally discharged by the registrar, the registrar may send to the registrant and to all the secured parties named in the registration, by any method determined by the registrar, a notice of the total discharge.

17 Feb 2006 SR 7/2006 s16; 22 May 2020 SR 56/2020 s16.

Notice verifying amendment to multiple registrations

20.2 If a registration simultaneously amends multiple registrations in accordance with section 23.3, the registrar may send to the registrant, by any method determined by the registrar, a notice verifying the amendment.

17 Feb 2006 SR 7/2006 s16.

Notice confirming registration through system-to-system interface

20.3 If a registration is effected, amended or totally discharged by a registration through a system-to-system interface between the registrant and the registry, the registrar may send to the registrant, by any method determined by the registrar, a notice to confirm the registration, amendment or total discharge.

17 Feb 2006 SR 7/2006 s16; 22 May 2020 SR 56/2020 s17.

21 Repealed. 17 Feb 2006 SR 7/2006 s17.

Total discharge

22(1) Repealed. 17 Feb 2006 SR 7/2006 s18.

(2) A total discharge discharges the original financing statement and all financing change statements registered in relation to that financing statement.

30 Dec 94 cP-6.2 Reg 1 s22; 17 Feb 2006 SR 7/2006 s18.

SEARCH RESULTS

Search requests

22.1 A person who wishes to search the registry may submit a search request to the registry:

- (a) orally or in printed format; or
- (b) electronically in a form and manner that meets the electronic search requirements of the registry.

17 Feb 2006 SR 7/2006 s19.

Search result

23(1) In this section and in section 23.1, “**search result**” means the information supplied to a person pursuant to section 48 of the Act.

(2) For the purposes of subsection 48(2) of the Act, a search result issued by the registry includes:

- (a) an oral or printed search result provided to a person who submits a search request pursuant to clause 22.1(a);
 - (b) a transmission of data comprising the search result for the purpose of having it displayed electronically to the person requesting the search; and
 - (c) if requested, a printed search result.
- (3) A search result provided by the registry:
- (a) is to include information actively maintained in the registry corresponding to the search criterion or criteria specified by the person requesting the search; and
 - (b) may include information actively maintained in the registry corresponding to a search criterion or criteria similar to those specified by the person requesting the search.

17 Feb 2006 SR 7/2006 s20.

Application to withhold information

23.1(1) An individual may apply to the registrar to have information about his or her address withheld from a search result issued by the registry if:

- (a) the applicant has obtained a peace bond, restraining order or non-molestation order against another individual; or
 - (b) there is in effect an order of judicial interim release or of probation containing a condition that the individual named in the order shall not communicate or have contact with the applicant.
- (2) On receipt of an application pursuant to subsection (1) in a form acceptable to the registrar, and if the name and address of the applicant as set out in the application exactly match the name and address of that person on record in the registry, the address information of the applicant shall be withheld from every search result respecting registrations in which the applicant is named as a registrant, debtor or secured party.

(3) The address information of the applicant shall continue to be withheld in accordance with subsection (2) until the applicant provides the registrar with written authorization that the withholding of the applicant's address information is no longer required.

17 Feb 2006 SR 7/2006 s20.

Certified copies

23.2 For the purposes of subsections 48(2) and (3) of the Act, the registrar may certify a copy of a printed document in the registry or a printout of a document recorded and stored in the registry:

- (a) by:
 - (i) affixing the registrar's seal to the copy or printout;
 - (ii) signing the copy or printout; and
 - (iii) affixing to the copy or printout the date on which the copy or printout was prepared; or
- (b) by printing the document on the security paper of the registry.

17 Feb 2006 SR 7/2006 s20.

MISCELLANEOUS REGISTRY MATTERS

Amendment affecting multiple registrations

23.3(1) A secured party or a person authorized by the secured party may apply to the registrar to effect a registration, in relation to all existing registrations affecting the secured party, to change:

- (a) the address of the secured party;
- (b) the name of the secured party; or
- (c) the RIN of the secured party.

(2) An application pursuant to subsection (1) must include evidence satisfactory to the registrar that the applicant is the secured party or has the authority to effect the requested change on behalf of the secured party.

17 Feb 2006 SR 7/2006 s21.

Registrar's discretion

23.4 Notwithstanding the requirements of the Act or these regulations, if it is consistent with the purposes and intent of the Act, the registrar may permit any registration.

17 Feb 2006 SR 7/2006 s21.

Correction of registry errors

24(1) If an error has been made by the registry in recording information provided in a printed financing statement or a printed financing change statement, the registrant shall:

- (a) complete a financing change statement correcting the error; and
 - (b) indicate on the financing change statement that the change is due to registry error.
- (2) A correction pursuant to subsection (1) is not to be made in conjunction with any other amendment, discharge or renewal.

30 Dec 94 cP-6.2 Reg 1 s24; 22 May 2020 SR
56/2020 s18.

Correction by registrar

25(1) The registrar may register a financing statement or financing change statement to correct any error of the registry in effecting a registration and may sign or submit electronically the financing statement or financing change statement as the registrant.

(2) Changes to a registration made by the registrar pursuant to subsection (1) are effective only from the time when the changes are made and have no retroactive effect.

30 Dec 94 cP-6.2 Reg 1 s25.

Limit on amount recoverable

25.1(1) The limit on the total amount recoverable in a single action pursuant to section 52 of the Act is \$300,000.

(2) The limit on the total amount recoverable for all claims in a single action pursuant to section 53 of the Act is \$2,400,000.

10 Feb 95 SR 6/95 s3.

Submission of forms

26(1) Any printed form required or authorized pursuant to these regulations may be submitted for registration by delivery or by mail at the office of the registry in Regina.

(2) Subject to subsection (4), an electronic financing statement and an electronic financing change statement may be submitted to the registry respecting any registration type.

(3) **Repealed.** 17 Feb 2006 SR 7/2006 s22.

(4) An electronic financing change statement may not be submitted if it relates to:

- (a) an amendment correcting an error of the registry;

- (b) a discharge or amendment pursuant to subsections 50(5) and (9) of the Act; or
- (c) an amendment pursuant to an order of the Court of Queen's Bench or of any other court, unless the amendment is pursuant to an order extending the life of a judgment or a writ of execution.

30 Dec 94 cP-6.2 Reg 1 s26; 17 Feb 2006 SR
7/2006 s22; 25 May 2012 SR 36/2012 s10.

27 Repealed. 17 Feb 2006 SR 7/2006 s23.

Party ID number

28(1) The registrar may assign a party ID number to a secured party, registrant or debtor, and the number may be set out in the financing statement or financing change statement instead of the name and address of the secured party, registrant or debtor.

(2) If a party ID number is specified in a financing statement or financing change statement in addition to a name and address, and there is a conflict between the name or address to which the party ID number refers and the name or address specified in the financing statement or financing change statement, the name or address specified in the financing statement or financing change statement is of no effect.

30 Dec 94 cP-6.2 Reg 1 s28.

29 Repealed. 17 Feb 2006 SR 7/2006 s24.

Demand pursuant to section 50 of the Act

30(1) If the debtor or any person with an interest in the property demands that a secured party discharge or amend an interest pursuant to subsection 50(3) of the Act, the party shall deliver to that secured party a Demand to Secured Party in the form provided by the registrar.

(2) The Demand to Secured Party form must include the following:

- (a) the registration number assigned by the registry;
- (b) the date of registration;
- (c) a statement that sets out:
 - (i) the acceptable options for serving the Demand in accordance with section 68 of the Act; and
 - (ii) in case of service by registered mail, that the Demand is properly served if it is addressed to the address of the secured party as that address appears on the financing statement;
- (d) the person's interest in the property to which the collateral description in the financing statement applies;

- (e) a statement that the secured party must comply with the demand pursuant to subsection 50(3) of the Act or provide the registrar with a court order confirming that the registration need not be amended or discharged;
 - (f) any other information required by the registrar.
- (3) If, for the purposes of subsection 50(5) of the Act, a person is required to provide the registrar with proof that a Demand to Secured Party has been served on a secured party, that proof must be provided in the form provided by the registrar.
- (4) The proof of service form mentioned in subsection (3) must:
- (a) be in the form of a declaration;
 - (b) comply with the provisions for declarations in *The Evidence Act*; and
 - (c) include the following:
 - (i) the registration number assigned by the registry;
 - (ii) the date of registration;
 - (iii) the declarant's interest in the property to which the collateral description in the financing statement applies;
 - (iv) particulars of service, including the date and method of service;
 - (v) a statement that the prescribed period for registering a financing change statement or providing a court order to the registrar has expired;
 - (vi) a statement that the declarant may submit a financing change statement for registration pursuant to section 50 of the Act;
 - (vii) a copy of the Demand to Secured Party that was served;
 - (viii) any other information required by the registrar.

25 May 2012 SR 36/2012 s11.

Authorized fees re information

31 The fee that may be required by a person to whom a demand has been made pursuant to section 18 of the Act is:

- (a) \$15; and
- (b) \$0.50 for each page of a security agreement or amendment to a security agreement if a copy of the security agreement has been demanded.

30 Dec 94 cP-6.2 Reg 1 s31; 22 May 2020 SR
56/2020 s19.

Authorized fees re receiver

32 The fee that may be required by a receiver pursuant to subsection 64(7) of the Act is:

- (a) \$15; and
- (b) \$0.50 for each page of a financing statement or final account if a copy of a financing statement or final account has been demanded.

30 Dec 94 cP-6.2 Reg 1 s32; 22 May 2020 SR 56/2020 s20.

Deemed damages

33 The amount of damages payable pursuant to subsections 65(6) and (7) of the Act is \$200.

30 Dec 94 cP-6.2 Reg 1 s33.

Application of registry rules of the Act

34(1) The following provisions of the Act are also applicable to registrations of Crown interests:

- (a) subsections 43(1) to (3) and (6) to (11);
- (b) subsections 44(2) and (3);
- (c) sections 46 to 48, except for clause 48(1)(b);
- (d) section 52;
- (e) section 54.

(2) **Repealed.** 8 Feb 2002 SR 5/2002 s8.

(3) Subsections 50(1), (5) to (7) and (10) and clauses 50(3)(a) and (4)(a) of the Act are also applicable to registrations of Crown interests except that the “security agreement” in clause 50(3)(a) of the Act is to be understood as referring to a Crown interest.

30 Dec 94 cP-6.2 Reg 1 s34; 8 Feb 2002 SR 5/2002 s8; 17 Feb 2006 SR 7/2006 s25; 25 May 2012 SR 36/2012 s12.

Fees

35(1) Repealed. 26 Mar 2004 SR 9/2004 s3.

(2) **Repealed.** 6 Jly 2001 cL-5.1 Reg 3 s12.

HOURS OF OPERATION

36 Repealed. 6 Sep 2013 SR 70/2013 s33.

37 Repealed. 17 Feb 2006 SR 7/2006 s27.

SECURITY INTERESTS IN FIXTURES AND GROWING CROPS

Registration process re fixtures and crops

38(1) A registration pursuant to section 49 of the Act of a security interest in goods that are or may become fixtures, or in crops that are or may become growing crops, is to be effected by registering an interest in the Land Titles Registry against the title to the land to which the goods are affixed or are to be affixed or on which the crops are growing or are to be growing, as the case may be.

(2) An application to register an interest in the Land Titles Registry pursuant to subsection (1) must be in the form provided by the registrar and must include the following:

- (a) the name and address of the secured party;
- (b) the name and address of the debtor;
- (c) a description of the collateral that may become fixtures or is a growing crop;
- (d) the legal description of the land on which the collateral is or will be located, affixed or growing;
- (e) the amount owing with respect to the security interest in the collateral;
- (f) the registration life of the interest;
- (g) the address for service within Saskatchewan for the secured party;
- (h) any other information required by the registrar.

(3) If a secured party who has registered a security interest in accordance with subsection (1) intends to amend or renew registration of that interest, or if the secured party assigns, discharges or subordinates the security interest or releases Part of the collateral from the security interest, the secured party shall apply to the Registrar of Titles to amend the registration of that interest accordingly.

(4) An application pursuant to subsection (3) must be made in the form provided by the registrar and must include the following:

- (a) a description of the security interest;
- (b) the name and address of the secured party;
- (c) the date of registration;
- (d) the interest number;
- (e) a statement whether the security interest is to be amended, renewed, discharged, partially discharged, or subordinated;
- (f) the name and address for service of the person to whom the interest has been assigned, if applicable;
- (g) one of the following:
 - (i) the amount of time for which the interest is renewed;

- (ii) the interest number and holder information of the interest to which the interest is subordinated;
 - (iii) the particulars of the amendment; or
 - (iv) if the interest is partially or wholly discharged;
 - (h) any other information required by the registrar.
- (5) Any form submitted pursuant to subsection (2) or (4) must be:
- (a) signed by the secured party or by his or her agent and be witnessed; or
 - (b) executed by a corporation under its corporate seal.
- (6) An affidavit of execution and, if an agent is acting on behalf of the secured party, an affidavit verifying the notice of security interest are to be in the form provided by the registrar and annexed to any application to the Registrar of Titles pursuant to this section.
- (7) The affidavit of execution mentioned in subsection (6) must include statements to the effect of the following:
- (a) that the witness knows the person who executed the notice personally or is satisfied that the person is who he or she purports to be;
 - (b) that the person who executed the notice is the person named in the application;
 - (c) that the witness observed the person execute the notice;
 - (d) that the witness knows or is satisfied that the person who executed the notice is 18 years of age or more.
- (8) The affidavit verifying the notice of security interest mentioned in subsection (6) must include the following:
- (a) with respect to the person executing the notice:
 - (i) that he or she is the duly authorized agent of the secured party named in the notice; and
 - (ii) that he or she has a full knowledge of the facts set out in the notice; and
 - (b) that the statement of facts set out in the notice is true.
- (9) This section applies with any necessary modification to registrations pursuant to *The Sale of Goods Act* and *The Factors Act*.

25 May 2012 SR 36/2012 s13; 22 May 2020 SR 56/2020 s21.

Notice deemed to be financing statement

39 The notice mentioned in subsection 38(1) is deemed to be a financing statement for the purposes of section 18 of the Act.

30 Dec 94 cP-6.2 Reg 1 s39.

Form for written demand

40(1) A written demand mentioned in subsection 49(7) of the Act must be in the form provided by the registrar and must include the following:

- (a) the interest number of the notice of security interest provided by the Land Titles Registry;
- (b) the date the security interest was registered;
- (c) the submitting party's interest in the property to which the collateral description in the financing statement applies;
- (d) the requirements to be met by the secured party pursuant to section 49 of the Act;
- (e) any other information required by the registrar.

(2) If, for the purposes of subsection 49(9) of the Act, a person is required to provide the registrar with proof that a demand has been given to a secured party, that proof must be provided in the form provided by the registrar.

(3) The proof of service form mentioned in subsection (2) must:

- (a) be in the form of a declaration;
- (b) comply with the provisions for declarations in *The Evidence Act*; and
- (c) include the following:
 - (i) the interest number assigned by the Land Titles Registry;
 - (ii) the declarant's interest in the land described in the notice of security interest;
 - (iii) particulars of service, including the date and method of service;
 - (iv) a statement that the prescribed period for amending or discharging the interest or providing a court order to the registrar has expired;
 - (v) a statement that the declarant has authority to discharge the interest pursuant to section 49 of the Act;
 - (vi) any other information required by the registrar.

25 May 2012 SR 36/2012 s14.

NON-APPLICATION OF ACT

Non-application of the Act

41(1) In this section, “**telephone switchboard**” means electronic, automatic or manually operated local telephone office equipment that serves extensions in a business complex and provides access to the public switched network.

(2) The Act does not apply to the leasing of:

- (a) telephones;
- (b) telephone switchboards;
- (c) telephone switchboard consoles;
- (d) telephone jacks;
- (e) telephone plugs; or
- (f) telephone wiring.

30 Dec 94 cP-6.2 Reg 1 s41.

TRANSITION

Prior registration law

42(1) In this section, “**prior registration law**” means:

- (a) *The Corporation Securities Registration Act* as it existed on April 30, 1981; or
- (b) *The Personal Property Security Act* as it existed on the day before the day on which section 1 of the Act comes into force.

(2) If a registration effected pursuant to prior registration law is continued by section 74 of the Act and that registration is to be renewed:

- (a) a financing change statement is to be used;
- (b) the debtor’s name is to be specified pursuant to sections 10 and 11; and
- (c) the collateral is to be described pursuant to sections 12 to 15.

30 Dec 94 cP-6.2 Reg 1 s42; 17 Feb 2006 SR 7/2006 s28; 25 May 2012 SR 36/2012 s15; 22 May 2020 SR 56/2020 s22.

Perfected security interests

43 If a registration is effected relating to a security interest deemed perfected by section 74 of the Act:

- (a) a financing statement is to be used;
- (b) the debtor’s name is to be specified as provided in sections 10 and 11;
- (c) the collateral is to be described pursuant to sections 12 to 15; and
- (d) “The perfected status of the security interest to which this registration relates may predate this registration” is to be placed in the “General Collateral” field of the financing statement before the collateral description.

30 Dec 94 cP-6.2 Reg 1 s43; 25 May 2012 SR 36/2012 s16; 22 May 2020 SR 56/2020 s23.

44 Repealed. 17 Feb 2006 SR 7/2006 s29.

REPEAL AND COMING INTO FORCE

R.R.S. c.P-6.1 Reg 1 repealed

45 *The Personal Property Regulations* are repealed.

30 Dec 94 cP-6.2 Reg 1 s45.

Appendix A**Repealed.** 25 May 2012 SR 36/2012 s17.**Appendix B****Repealed.** 17 Feb 2006 SR 7/2006 s31.**Appendix C****Repealed.** 25 May 2012 SR 36/2012 s18.**Appendix D**TABLE 1
[*Clause 13(1)(a)*]**Codes for Serial Numbered Items**

<u>CODE</u>	<u>ITEM</u>
AC	Aircraft - Department of Transport (Canada)
AS	Aircraft serial number
BO	Boat
OM	Outboard motor
MH	Mobile home
MV	Motor vehicle
TR	Trailer

17 Feb 2006 SR 7/2006 s33.

Appendix E**Repealed.** 26 Mar 2004 SR 9/2004 s4.