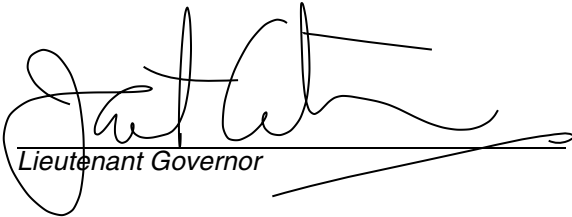


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 707

, Approved and Ordered December 13, 2021




Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 25, 2022,

- (a) the Personal Property Security Regulation, B.C. Reg. 227/2002, is amended as set out in the attached Appendix 1, and
- (b) the Miscellaneous Registrations Regulation, B.C. Reg. 81/2004, is amended as set out in the attached Appendix 2.



Minister of Finance



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Personal Property Security Act*, R.S.B.C. 1996, c. 359, s. 76
Miscellaneous Registrations Act, 1992, R.S.B.C. 1996, c. 312, s. 9

Other: OIC 697/2002; OIC 212/2004

R20525043

APPENDIX 1

1 *Section 1 (1) of the Personal Property Security Regulation, B.C. Reg. 227/2002, is amended*

(a) by repealing the definitions of “base debtor”, “block number” and “characters”,

(b) by repealing the definition of “registering party” and substituting the following:

“registering party” means,

(a) if the person submitting a financing statement or financing change statement for registration is the person who is accessing the registry, the person who is accessing the registry, or

(b) if the person submitting a financing statement or financing change statement for registration is not the person who is accessing the registry, the person who is identified in the registration as the registering party by the person who is accessing the registry; , **and**

(c) by repealing the definition of “registering party code”.

2 *Section 1 (2) is amended by repealing the definition of “verification statement” and substituting the following:*

“verification statement” means a statement sent by the registrar under section 49.

3 *Section 4 is amended by striking out “and” at the end of paragraph (f) and by adding the following paragraphs:*

(f.1) if the registering party is the person who is accessing the registry, the full name and full mailing address of the registering party, as set out in the agreement with that person respecting access to the registry, and any other information that the registering party must use to access the registry,

(f.2) if the registering party is not the person who is accessing the registry, the full name, full mailing address and email address of the registering party, and .

4 *Section 5 (b) and (c) is repealed and the following substituted:*

(b) the birthdate of a debtor;

(c) the email address of the registering party;

(d) the email address of the secured party.

5 *Section 6 is amended by adding “and” to the end of paragraph (a) and by repealing paragraphs (b) and (c).*

6 *Section 7 is amended*

(a) by repealing subsection (1) (a) to (c) and substituting the following:

(a) the debtor’s full surname;

(b) the debtor’s full first given name;

(c) the debtor’s full second given name. , **and**

(b) by repealing subsection (2) (a) and substituting the following:

(a) the debtor's full name; .

7 *Section 8 is amended*

(a) in subsection (6) by striking out "Ltee" and substituting "Ltée", by striking out "Limitee" and substituting "Limitée", by striking out "Incorporee" and substituting "Incorporée" and by striking out "NPL" and "Non-Personal Liability", and

(b) by repealing subsection (7).

8 *Section 10 is amended*

(a) in subsections (2) and (3) (b) by adding "alphanumeric" before "characters",

(b) in subsection (3) (a) by adding "the type of collateral or" before "the 2-character code", and

(c) in subsection (4) by striking out "the last 2 digits of".

9 *The heading of Part 3 is repealed and the following substituted:*

PART 3 – AMENDMENTS TO REGISTRATIONS .

10 *The headings of Divisions 1 to 3 of Part 3 are repealed.*

11 *Section 13 is amended*

(a) by striking out "to change or amend a registration under Division 2 or 3" and substituting "to amend a registration", and

(b) by repealing paragraphs (b) and (c) and substituting the following:

(b) the name of a debtor as entered on the registration or a confirmation that the registration is the correct registration to be amended;

(c) if the registering party is the person who is accessing the registry, the full name and full mailing address of the registering party, as set out in the agreement with that person respecting access to the registry, and any other information that the registering party must use to access the registry;

(d) if the registering party is not the person who is accessing the registry, the full name, full mailing address and email address of the registering party.

12 *Section 14 is repealed and the following substituted:*

Additional information

14 In addition to the entries required under section 13, a person seeking an amendment to a registration may enter one or more of the following:

(a) a reference number for the person's own purposes;

(b) the email address of the registering party;

(c) the email address of the secured party.

13 Section 15 is repealed.

14 Section 16 is amended

(a) by striking out “If the change being sought under section 15 is” and substituting “If an amendment to a registration is sought to reflect”, and

(b) by repealing paragraph (a) and substituting the following:

(a) for the secured party transferring the interest, an indication of which secured party appearing in the registration is to be deleted from the registration; .

15 Section 17 is amended

(a) in subsection (1) by striking out “If the change being sought under section 15 is” and substituting “If an amendment to a registration is sought to reflect”,

(b) by repealing subsection (1) (a) and substituting the following:

(a) an indication of which debtor appearing in the registration is to be deleted from the registration; , **and**

(c) by repealing subsection (2) and substituting the following:

(2) In addition to the entries required under subsection (1), the person seeking the amendment to the registration may enter, in relation to a debtor who is an individual, the debtor’s birthdate.

16 Section 18 is repealed and the following substituted:

Debtor release

18 If an amendment to a registration is sought to reflect the release of one or more debtors, the entry required for each debtor to be released is an indication of which debtor appearing in the registration is to be deleted from the registration.

17 Section 19 is amended

(a) by striking out “If the change being sought under section 15 is” and substituting “If an amendment to a registration is sought to reflect”,

(b) by repealing paragraph (a) and substituting the following:

(a) if the item is serial numbered goods, an indication of which item appearing in the registration is to be deleted from the registration; , **and**

(c) in paragraph (b) by striking out “on the current registration” and substituting “in the registration”.

18 Section 20 is amended by striking out “If the change being sought under section 15 is” and substituting “If an amendment to a registration is sought to reflect”.

19 Section 21 is amended

(a) by striking out “If the change being sought under section 15 is” **and substituting** “If an amendment to a registration is sought to reflect”,

(b) by repealing paragraph (a) and substituting the following:

(a) for every item of serial numbered goods that is to be discharged, an indication of which item appearing in the registration is to be deleted from the registration; , **and**

(c) in paragraph (b) by striking out “on the current registration” **and substituting** “in the registration”.

20 Section 22 is repealed.

21 Section 23 is amended by striking out “If the amendment being sought under section 22 is” **and substituting** “If an amendment to a registration is sought”.

22 Section 24 is amended by striking out “If the amendment being sought under section 22 is” **and substituting** “If an amendment to a registration is sought”.

23 Section 25 is amended

(a) by renumbering the section as section 25 (1),

(b) by striking out “If the amendment being sought under section 22 is” **and substituting** “If an amendment to a registration is sought”, **and**

(c) by adding the following subsection:

(2) In addition to the entries required under subsection (1), the person seeking the amendment to the registration may enter, in relation to a debtor who is an individual, the debtor’s birthdate.

24 Section 26 is amended

(a) by striking out “If the amendment being sought under section 22 is” **and substituting** “If an amendment to a registration is sought”,

(b) by repealing paragraph (a), and

(c) by repealing paragraph (b) and substituting the following:

(b) an indication of which debtor’s name or address appearing in the registration is to be deleted from the registration; .

25 Section 27 is amended

(a) by striking out “If the amendment being sought under section 22 is” **and substituting** “If an amendment to a registration is sought”,

(b) by repealing paragraph (a),

(c) by repealing paragraph (b) and substituting the following:

(b) an indication of which secured party's name or address appearing in the registration is to be deleted from the registration; ,

(d) by repealing paragraph (c), and

(e) in paragraph (d) by adding "the secured party code or" before "the secured party's full name".

26 *Sections 28 and 29 are repealed and the following substituted:*

Amendment of a trust indenture indicator

28 If an amendment to a registration is sought to reflect whether or not the registration is in relation to a trust indenture, the entry required is an indication of whether or not the registration is in relation to a trust indenture.

Adding a debtor's name and address

29 (1) If an amendment to a registration is sought to add a debtor's name and address, the entries required are the new debtor's name, in accordance with Division 2 of Part 2, and the new debtor's full mailing address.

(2) In addition to the entries required under subsection (1), the person seeking the amendment to the registration may enter, in relation to a debtor who is an individual, the debtor's birthdate.

27 *Section 30 is amended*

(a) by striking out everything before paragraph (a) and substituting the following:

30 If an amendment to a registration is sought to reflect a change other than one referred to in another section of this Part, the following entries are required:

(b) in paragraph (b) by striking out "the block number of the deletion" and substituting "an indication of which secured party, debtor or collateral item appearing in the registration is to be deleted from the registration", and

(c) by repealing paragraphs (c) and (d) and substituting the following:

(c) if information, other than a secured party, a debtor or collateral that is serial numbered goods, is being deleted, the exact information appearing in the registration that is to be deleted from the registration;

(d) if information is being added, the exact information that is to be added to the registration.

28 *Section 31 is amended by striking out "a change to or an amendment of a registration" and substituting "an amendment to a registration".*

29 *Section 32 (2) is repealed and the following substituted:*

(2) An amendment to a registration made by the registrar under subsection (1) is effective only from the time when the amendment is made.

30 Section 33 (1) is amended

(a) by repealing paragraph (b) and substituting the following:

- (b) the name of a debtor as entered on the registration or a confirmation that the registration is the correct registration to be renewed; , **and**

(b) by repealing paragraph (d) and substituting the following:

- (d) if the registering party is the person who is accessing the registry, the full name and full mailing address of the registering party, as set out in the agreement with that person respecting access to the registry, and any other information that the registering party must use to access the registry;
- (e) if the registering party is not the person who is accessing the registry, the full name, full mailing address and email address of the registering party.

31 Section 34 is repealed and the following substituted:

Additional information

34 In addition to the entries required under section 33, a person seeking a renewal of a registration may enter one or more of the following:

- (a) a reference number for the person's own purposes;
- (b) the email address of the registering party;
- (c) the email address of the secured party.

32 Section 35 (b) and (c) is repealed and the following substituted:

- (b) the name of a debtor as entered on the registration or a confirmation that the registration is the correct registration to be discharged;
- (c) if the registering party is the person who is accessing the registry, the full name and full mailing address of the registering party, as set out in the agreement with that person respecting access to the registry, and any other information that the registering party must use to access the registry;
- (d) if the registering party is not the person who is accessing the registry, the full name, full mailing address and email address of the registering party.

33 Section 36 is repealed and the following substituted:

Additional information

36 In addition to the entries required under section 35, a person seeking a discharge of a registration may enter one or more of the following:

- (a) a reference number for the person's own purposes;
- (b) the email address of the registering party;
- (c) the email address of the secured party.

34 Section 40 is amended by adding "alphanumeric" before "characters" wherever it appears.

35 Sections 41 to 44 are repealed.

- 36 Section 46 is amended**
- (a) in subsection (1) by striking out “on application in Form 3 by a registering party or secured party” and substituting “on application by a secured party”, and**
 - (b) in subsections (1) and (2) by striking out “or registering party”.**
- 37 Section 47 is amended**
- (a) in subsection (1) by striking out “registering party or”, by striking out “in Form 3” and by striking out “the person’s registering party code or”,**
 - (b) in subsection (3) by striking out “registering party or” and by striking out “a registering party code or”, and**
 - (c) in subsection (4) by striking out “that person’s” and substituting “the secured party’s”.**
- 38 Section 48 (a) is repealed and the following substituted:**
- (a) the secured party code entered is the code assigned to the identified secured party, or .**
- 39 Section 49 is amended**
- (a) by adding the following subsection:**
 - (0.1) If a registration is effected under Part 2 or renewed under Part 4, the registrar may send a verification statement that confirms the information in the registry to the person who is named as the registering party in the registration. ,**
 - (b) in subsection (1) by striking out “changed” and substituting “amended” and by adding “to the person who is named as the registering party in the registration and” after “information in the registry”, and**
 - (c) in subsection (2) by striking out “to all of the persons” and substituting “to the person who is named as the registering party in the registration and to the persons”.**
- 40 Section 57 (2), (4) and (7) is amended by striking out “A notice” and substituting “Proof given”.**
- 41 Section 58 is amended by striking out “\$200” and substituting “\$300”.**
- 42 Schedule 1 is repealed.**
- 43 Schedule 2 is amended by striking out “Mobile Home” and substituting “Manufactured Home”.**
- 44 Schedules 3 and 4 are repealed.**
- 45 Schedule 5 is amended by repealing Form 3 and substituting the following:**

FORM 3
SECURED PARTY CODE CHANGES
TO PRIOR REGISTRATIONS
(Section 47 (3) Personal Property Security Regulation)

| |
|---|
| <p>CHANGE REQUEST</p> <p>Secured Party Code:</p> <p>Name of Secured Party:</p> <p><input type="checkbox"/> Please change the name/address of the secured party in relation to the secured party code and update any prior registration in which the code was used to reflect this change.</p> <p>Previous name/address:</p> <p>Name.....</p> <p>Address.....</p> <p>City Prov Postal Code Country</p> <p>New name/address:</p> <p>Name.....</p> <p>Address.....</p> <p>City Prov Postal Code Country</p> |
|---|

| |
|--|
| <p>AUTHORIZATION</p> <p><input type="checkbox"/> I am authorized to make this application as the secured party or an authorized representative of the secured party.</p> <p>Name.....</p> <p>Address.....</p> <p>City Prov Postal Code Country</p> <p>Date</p> <p>.....</p> |
|--|

APPENDIX 2

- 1 Section 1 of the Miscellaneous Registrations Regulation, B.C. Reg. 81/2004, is amended*
- (a) in subsection (2) by repealing the definition of “B.C. Reg. 227/2002”,*
 - (b) in subsection (2) in the definition of “discharge” by striking out “Division 3” and substituting “Part 3”,*

(c) *in subsection (2) in the definition of “lien for unpaid wages” by striking out “section 87 (1) or (2)” and substituting “section 87 (1) or (1.1)”*,

(d) *in subsection (2) in the definition of “proceeds of crime notice” by striking out “section 462.37 (1) or 462.38 (2)” and substituting “section 462.37 (1) or (2.01) or 462.38 (2)”*,

(e) *in subsection (2) by adding the following definition:*

“**registering party**” means the person submitting a financing statement or financing change statement for registration; , *and*

(f) *by repealing subsection (3) (c), (e), (h), (l) and (m).*

2 *Section 5 (1) is amended by striking out “4 (e) to (g), 5 (a) and (b)” and substituting “4 (e), (f) and (g) and 5”.*

3 *Section 6 is repealed.*

4 *Section 7 (a) is amended*

(a) *by striking out the following:*

Consumption Tax Rebate and Transition Act

Financial Institutions Minimum Tax Act

Hotel Room Tax Act

Mining Tax Act

Social Service Tax Act , and

(b) *by adding the following:*

Speculation and Vacancy Tax Act

Tobacco Tax Act .

5 *Section 10 is amended by striking out “registering party code or the”.*

6 *Section 11 (2) is repealed and the following substituted:*

(2) To register a lien for unpaid wages, the collateral must be described by entering “all the personal property of the debtor, including money due or accruing due”.

7 *The heading of Part 3 is repealed and the following substituted:*

PART 3 – AMENDMENTS TO AND DISCHARGES OF REGISTRATIONS .

8 *Section 12 is amended*

(a) *in subsection (1) by striking out “the following changes to a registration:” and substituting “an amendment to or a discharge of a registration.”*,

(b) *by repealing subsections (1) (a) to (f), (2) (c) and (11),*

- (c) in subsection (2) (a) by striking out “changed” and substituting “amended”,**
- (d) by repealing subsection (2) (b) and substituting the following:**
- (b) the name of a debtor as entered on the registration or a confirmation that the registration is the correct registration to be amended. ,
- (e) by adding the following subsection:**
- (2.1) In addition to the entries required under this section, a person seeking an amendment to a registration may enter one or more of the following:
- (a) a reference number for the person’s own purposes;
 - (b) the email address of the registering party;
 - (c) the email address of the secured party. ,
- (f) in subsections (3), (5), (6) and (7) by striking out “change is” and substituting “amendment is to reflect”,**
- (g) by repealing subsection (3) (a) and substituting the following:**
- (a) in the appropriate spaces for an individual or business debtor, enter an indication of which debtor appearing in the registration is to be deleted from the registration, and ,
- (h) in subsection (3) (b) by striking out “the description” and substituting “a description” and by striking out “Division 2, Part 2, B.C. Reg. 227/2002” and substituting “Division 2 of Part 2 of the Personal Property Security Regulation”,**
- (i) by adding the following subsection:**
- (3.1) In addition to the entries required under subsection (3), the registering party may enter, in relation to a debtor who is an individual, the debtor’s birthdate. ,
- (j) by repealing subsection (4) and substituting the following:**
- (4) If the amendment is to reflect the release of a debtor, the registering party must, in the appropriate spaces for an individual or business debtor, enter an indication of which debtor appearing in the registration is to be deleted from the registration. ,
- (k) by repealing subsection (5) (a) and substituting the following:**
- (a) if collateral that is being discharged has been described by serial number in a vehicle collateral line in the existing registration, enter an indication of which item appearing in the registration is to be deleted from the registration, and ,
- (l) in subsection (6) by striking out “the description” and substituting “a description”,**
- (m) in subsection (8) by striking out “the change is” and substituting “the amendment is”,**
- (n) by repealing subsection (8) (a) and substituting the following:**

- (a) enter the name of the court that issued the order, the court registry out of which the order was issued, the court file number, the date of the order and the effect of the order, and ,
- (o) by striking out “and” at the end of subsection (8) (b) and by repealing subsection (8) (c), and*
- (p) by repealing subsections (9) and (10) and substituting the following:*
- (9) If the amendment is to reflect the transfer of part of the collateral to a new debtor, the registering party
 - (a) must enter
 - (i) the words “partial transfer to new debtor”,
 - (ii) a description of the collateral being transferred, and
 - (iii) a description, in accordance with Division 2 of Part 2 of the Personal Property Security Regulation, of the debtor to whom the collateral is being transferred, and
 - (b) may enter, in relation to a debtor who is an individual, the debtor’s birthdate.
 - (9.1) If the amendment is to reflect a change to a debtor’s name or address, the registering party must
 - (a) enter an indication of which debtor’s name or address appearing in the registration is to be deleted from the registration, and
 - (b) in the appropriate spaces for an individual or business debtor, in accordance with Division 2 of Part 2 of the Personal Property Security Regulation,
 - (i) if the debtor’s name is changed, enter the debtor’s address and new name,
 - (ii) if the debtor’s address is changed, enter the debtor’s name and new address, or
 - (iii) if both the debtor’s name and address are changed, enter the debtor’s new name and new address.
 - (9.2) If the amendment is to add a debtor’s name and address, the registering party
 - (a) must enter the new debtor’s name, in accordance with Division 2 of Part 2 of the Personal Property Security Regulation, and the new debtor’s address, and
 - (b) may enter, in relation to a debtor who is an individual, the debtor’s birthdate.
 - (9.3) If the amendment is not otherwise referred to in this Part, the registering party must enter
 - (a) a description of the type of change,
 - (b) the exact information appearing in the registration that is to be deleted from the registration,

(c) if a debtor or vehicle collateral is being deleted, an indication of which debtor or vehicle collateral item appearing in the registration is to be deleted from the registration, and

(d) the exact information that is to be added to the registration.

(10) The registering party must enter the registering party's full name and full mailing address.

9 *Section 13 is repealed.*

10 *Section 14 is repealed and the following substituted:*

Discharges of registrations

14 (1) Sections 35 (a) and (b) and 36 of the Personal Property Security Regulation are adopted.

(2) In addition to the entries required under section 35 (a) and (b) of the Personal Property Security Regulation, the entry of the full name and full mailing address of the registering party is required.

11 *Section 15 (2) is repealed.*

12 *Section 16 is amended by striking out "section 6" and substituting "section 6 (3)" and by striking out "established by the registrar" and substituting "in the Schedule to this regulation".*

13 *Section 17 is repealed and the following substituted:*

Schedule 2 of the Personal Property Security Regulation

17 Schedule 2 of the Personal Property Security Regulation is adopted.

14 *The following provisions are amended by striking out "B.C. Reg. 227/2002" wherever it appears and substituting "the Personal Property Security Regulation":*

(a) the heading of Part 1;

(b) section 1 (3) and (4);

(c) sections 2, 3, 5, 11, 15 and 18.

15 *The following Schedule is added:*

SCHEDULE
FORM
DEMAND FOR DISCHARGE UNDER THE
MISCELLANEOUS REGISTRATIONS ACT, 1992
(Section 16 Miscellaneous Registrations Regulation
and Section 6 (3) Miscellaneous Registrations Act, 1992)

To: Name of Holder:

Address:

Under section 6 (3) of the *Miscellaneous Registrations Act, 1992*, I hereby demand that the financing statement registered by you, bearing registration number and registered on the day of, 20... ,

[choose one]

be discharged

in the case of a registration that relates to more than one claim, be partially discharged by discharging that part of the registration that relates to a claim that has ceased to exist.

I claim my interest as a person with an interest in the personal property against which the claim is registered.

If you fail to register a financing change statement discharging or partially discharging the registration as required by this demand, I am entitled under section 6 (5) of the *Miscellaneous Registrations Act, 1992* to apply to a court having jurisdiction for an order directing that the registration be discharged or partially discharged.

DATED this day of, 20.... .

.....
Name of person with interest in the personal property

.....
Signature

.....
Address