

THE SECURITY INTERESTS IN PERSONAL PROPERTY ACT

RULES
(*under section 61*)

The Security Interests in Personal Property (Registry) Rules, 2013

L N 276/2013

THE SECURITY INTERESTS IN PERSONAL PROPERTY ACT

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THE SECURITY INTERESTS IN PERSONAL PROPERTY (REGISTRY) RULES, 2013

(Made by the Minister on the 31st day of December, 2013)

L.N. 276/2013

PART I. *Preliminary*

Citation 1. These Rules may be cited as the Security Interests in Personal Property (Registry) Rules, 2013.

Interpretation 2. In these Rules, unless the context otherwise requires—

“Chicago Convention” means the Convention on International Civil Aviation concluded in Chicago, United States of America, on December 7, 1944, as in force in relation to Jamaica;

“password” includes a confidential key issued by or under the authority of the Registry;

“registrant” means the person who submits registration information to the registrar;

“registration information”—

(a) means data transmitted to the Registry in order to effect, continue, amend or terminate a registration under these Rules; but

(b) does not include any document that relates to the registration information;

“registration number” means the number assigned in accordance with section 48(1)(b);

“registration services” includes the filing in the Electronic Register of Security Interests of all registration notices, amendment notices, and termination notices, registered under Part VII of the Act;

“searchable index” means the index as provided in rule 10(1);

“serial numbered property” means a vehicle, equipment, machinery, an aircraft and a boat that has a serial number or an identification number marked on or attached to it by the manufacturer;

“serial number”—

- (a) in the case of a motor vehicle, has the meaning assigned to it by section 19(2) of the Act;
- (b) in the case of equipment and machinery, means the serial number marked on or attached to the equipment or machinery for its identification by the manufacturer;
- (c) in the case of a boat, means the serial number marked on or attached to the boat for its identification by the manufacturer;
- (d) in the case of an aircraft registered under the Act of a state that is a party to the Chicago Convention, the registration marks assigned to the airframe by the relevant authority; and
- (e) in the case of any other aircraft, means the serial number marked on or attached to the airframe by the manufacturer;

“Taxpayer Registration Number” means the taxpayer registration number assigned to a person under the relevant revenue law.

PART II. *Registry Services*

Access to register

3.—(1) The Registry shall provide its services to any person, provided that the person complies with the requirements of the Act and these Rules.

(2) Subject to paragraph (3), registration services and searches shall be available twenty-four hours a day, including weekends and Public General Holidays as defined in section 2 of the Holidays (Public General) Act.

(3) The registrar may suspend the operation of the register for up to four hours after giving notice of the suspension on a website maintained by the registrar on the Internet.

Payment of fees and user accounts

4.—(1) The Registration services in relation to which fees are prescribed under these Rules shall be provided only to a person who has tendered payment for the service or who has a user account with sufficient credit to pay the prescribed fees.

(2) A user account for a person shall be created when a contract providing for an account has been entered into between the person and the registrar.

(3) Access to registration services shall be in accordance with these Rules and the terms of the contract.

(4) A user account owner shall deposit money in any designated account of the Registry, which money shall be credited to that person's user account.

(5) Payments on user accounts may be made by cash, electronic wire transfers, credit or debit cards or a manager's cheque.

(6) Upon termination of a user account contract, the registrar shall return to the user account owner the amount of any credit in that person's user account.

(7) The electronic searches shall be available free of cost and shall not be subject to the payment of a fee.

(8) The processing of a paper-based search request shall be subject to a fee.

(9) The Registry shall generate a statement each month for each user account.

(10) The statement generated under paragraph (9)—

(a) shall be available in the client account record (client brief case) on the registry website; and

(b) shall be accessible only to the client for which it is generated.

(11) The Registry shall debit the user account for each fee-based transaction.

(12) If there are insufficient funds within the user account, the Registry shall not process the transaction.

(13) If a payment made by a user is not used or refunded within seven years after it is made, it shall be deemed to be abandoned and shall be paid into the Consolidated Fund.

5.—(1) The registrar shall not be obliged to verify the accuracy of any registration information.

Registrar not
under duty to
verify
information

(2) In accepting or rejecting registration, the registrar shall not assess the legal sufficiency of the registration information or determine whether it is factually correct or incorrect.

(3) The registrar shall not determine whether or not a registration or termination has been authorized.

(4) The registrar shall not be responsible for any change, omission or alteration of registration information.

(5) The grounds for rejection of registration shall be sent by the registrar to the registrant immediately.

PART III. *Registration*Registration
procedure

6.—(1) A registrant seeking to register a security interest or to terminate a registration shall submit the registration information to the registrar.

(2) A security interest is registered when the registration information required by the Act, these Rules and any other regulations made under the Act has been entered in the register.

(3) Every registration shall be separately identifiable by date and time of registration.

(4) A registrant—

(a) shall ensure that the registration information is entered in the appropriate fields in the register; and

(b) subject to paragraph (5), may file, any document that relates to the registration as an attachment.

(5) Provision of information by filing an attachment referred to in paragraph (4)(b) does not constitute compliance with the requirement of the Act with respect to registration information.

(6) A person whose name is recorded in the register as a user account owner is deemed to have full authority to transmit registration information to effect a registration or to amend or terminate a registration that was effected by that person or another person who is also a user account owner of the same account, including a registration in which persons in addition to the user account owner are identified as secured creditors.

(7) A person who has been assigned a user identification number and a password by the registrar and who has complied with these Rules may have electronic access to the registry to effect, amend, continue or terminate a registration.

(8) A registration or termination of a registration effected using the assigned user identification number and password shall be conclusively deemed to have been effected by the person to whom the user identification number and password have been assigned by the registrar.

(9) Registration relating to all kinds of collateral shall be indexed under the name of the debtor and the debtor's taxpayer registration.

(10) Registration relating to serial numbered property shall be indexed according to the serial number.

(11) All amendments, continuation and termination shall be indexed in a manner that associates them with the registration number.

7.—(1) Subject to paragraph (2), for the purposes of calculating the registration period, a year runs from the beginning of the day of registration or from the anniversary of the day of registration. Registration period

(2) If the day of registration or an anniversary day falls on the twenty-ninth day of February, the anniversary date in a year that is not a leap year shall be the first day of March.

PART IV. Verification of Registration, Restoration and Continuation

8.—(1) When a registration is effected, amended, continued or terminated, the Registry shall provide a notice verifying the registration or its termination to the registrant. Verification notice

(2) The verification notice shall contain the following information from the register—

- (a) the name of the secured creditor;
- (b) the name of the debtor;
- (c) the description of the collateral;
- (d) the date and time when the Registration was effected or terminated, as the case may be; and
- (e) the Registration number allocated to the Registration.

PART V. Search Certificate

9.—(1) The registrar shall maintain a searchable index of the register. Search certificates

(2) The registrar shall issue a search certificate manually or electronically when a request for the certificate has been made and the person requesting the certificate has tendered the prescribed fee or has a user account that has a credit sufficient to pay the prescribed fee.

(3) A search certificate may be requested on the basis of one or more of the following criteria—

- (a) the name of the debtor;
- (b) the Taxpayer Registration Number of the debtor;
- (c) the registration number of the registration notice;
- (d) the serial number of serial numbered property to which the request relates.

(4) The search certificate shall either indicate that no registration were retrieved against the search criterion provided by the person requesting the search or set out the information in the Searchable index at the date and time when the search was performed and the following information with respect to the registration—

- (a) the name of the secured creditor;
- (b) the name of the debtor;
- (c) the description of the collateral as set out in the register;
- (d) the date and time of registration;
- (e) the date and time of any continuation;
- (f) all amendments to the registration and the date and time each amendment was effected; and
- (g) the registration number allocated to the registration.

PART VI. Identification of Secured Creditor and Debtor

Secured creditor

10.—(1) Where the secured creditor is a natural person, the registration information shall include—

- (a) the name of the secured creditor; and
- (b) the business or residential address of the secured creditor.

(2) Where the secured creditor is a company, the registration information shall include—

- (a) the registered name of the secured creditor;
- (b) the company number, if any; and
- (c) the business address of the secured creditor.

(3) In all other cases, the registration information shall contain—

- (a) the name of the secured creditor; and
- (b) the residential or business address of the secured creditor.

(4) Where there is more than one secured creditor, the registration information shall identify each secured creditor in accordance with the rules for the identification of a secured creditor.

(5) Registration information may identify a representative of the secured creditor according to the rules for the identification of a secured creditor.

11.—(1) Where there is more than one debtor, the registration information shall include the name and other information relating to each debtor.

Debtor (natural person)

(2) Where the debtor is a natural person, the registration information shall include—

- (a) the Taxpayer Registration Number; and
- (b) the business or residential address of the debtor.

(3) Where the debtor is a natural person whose name includes more than one middle name, the registrant shall enter the first of the middle names.

(4) Where the debtor is a natural person whose name consists of only one word, the registration information shall include the name as the last name of the debtor.

12.—(1) Where the debtor is a company, the registration information shall include the following—

Debtor (company)

(a) in the case of a debtor incorporated or registered in Jamaica under the Companies Act—

- (i) the name of the company; and
- (ii) number and business address of the debtor;

(b) where the debtor is not incorporated or registered in Jamaica—

- (i) the name of the debtor as set out in its constitution, charter other incorporating document; and
- (ii) the business address of the debtor; and

(c) the business or residential address of the debtor and the name and business or residential address of each natural person authorized under the constitution of the company its constitution, charter or other incorporating document to execute the contract or contracts in the transaction giving rise to the registration.

(2) Where the debtor is the estate of a deceased natural person, the registration information shall include—

- (a) the name of the deceased, followed by the word "estate"; and
- (b) the name and business or residential address of the personal representative of the estate.

(3) Where the debtor is a trade union, the registration information shall include—

- (a) the name of the trade union;

(b) the names and business or residential address of each person representing the trade union in the transaction giving rise to the registration;

(c) the business address of the trade union.

(4) Where the debtor is a trustee acting for a trust, the registration information shall include—

(a) the name of the trust followed by the word "trust" unless the name of the trust already contains the word "trust"; and

(b) the name and business or residential address of the trustee.

(5) Where the debtor is the personal representative acting for an estate of a bankrupt, the registration information shall include—

(a) the name of the personal representative in the same manner as if it or he were a debtor, followed by the words "personal representative of (name of bankrupt)"; and

(b) the business or residential address of the personal representative.

(6) Where the debtor is a debtor because of participation in a syndicate or joint venture, the registrant shall enter the name, if any, of the syndicate or joint venture as stated in the document creating it, and the name of each participant in the same manner as a separate debtor.

(7) Where the debtor is a debtor because of membership or participation in a cooperative, enterprise, association, or organization other than one referred to paragraph (1), (2), (3), (4), (5) or (6), the registration information shall include—

(a) the name of the cooperative, enterprise, association, or organization stated in a constitution, charter or other document creating it; and

(b) the name of each person representing the cooperative, enterprise, association, or organization in the transaction giving rise to the registration in the same manner as if the person were a debtor.

(8) For purposes of paragraph (7), a person representing an enterprise in a transaction giving rise to a registration is a person who has legal power to bind the enterprise or its officers or members and who has exercised that power in the formation of the contract or contracts involved in the transaction.

(9) Where the debtor does not fall within any of the preceding paragraphs, the debtor shall be identified in a manner that the debtor can be readily identified and the registration information shall include the name and business or residential address of the debtor.

PART VII. *Description of Collateral and Additional
Registration Information*

13.—(1) The registration information shall include a generic description of collateral or state the kind of property, including attributable movable property or a description that identifies specific items of property.

Collateral
description

(2) A description of property in generic terms shall be interpreted as including all property of that kind that the debtor has rights to as of the date of the Registration and property of that kind acquired by the debtor while the registration is effective.

(3) Where registration information relates to serial numbered property that is not held for sale or lease in the ordinary course of the debtor's business, the registration information shall include—

- (a) a description of the property in the manner set out in the preceding paragraphs;
- (b) in the case of serial numbered property, other than aircraft registered as required by the Civil Aviation Act, up to, but not exceeding the last twenty alpha-numeric characters of the serial number;
- (c) in the case of an aircraft registered as required by the Civil Aviation Act, the serial number;
- (d) the name of the manufacturer as displayed on the property; and
- (e) in the case of a motor vehicle, the model year of the property.

(4) Where the registration information relates to fixtures or crops, the registration shall include—

- (a) a description of the property in the manner set out in the preceding paragraphs; and
- (b) a description of the real estate to which the collateral is or will be affixed, or a description of the land where the crops will be planted or are growing.

PART VIII. *General*

14. A security interest created under prior law may be registered in the same manner as a security interest created under the Act.

Interests under
prior law

15.—(1) Registration shall be terminated by the secured creditor no later than twenty-one days after all obligations to which the registration relates have been performed unless the debtor consents to an extension of time.

Compulsory
termination or
amendment of
registration

(2) The person identified as debtor in the register, or any other person who has rights to the property to which the registration relates, may request, in writing, that the person identified as the secured creditor in the register, terminate or amend, as is appropriate, the registration when—

- (a) all of the obligations under the agreement have been performed;
- (b) the description of the property contained in the register refers to property that is not collateral under an agreement between the person identified as debtor and the person identified as secured creditor in the register; or
- (c) no agreement exists between the person identified as debtor and the person identified as secured creditor in the register.

(3) The person identified as secured creditor in the Registration shall comply with the demand no later than twenty-one days after the demand is sent.

(4) No fee or expense shall be payable by any person for compliance with the demand.

Fees
First
Schedule

17. There shall be payable in relation to the services specified in Column 1 of the First Schedule, the fees prescribed in relation thereto in Column 2 of the First Schedule.

Forms
Second
Schedule

18. The forms specified in the Second Schedule are for the purposes of these Rules.

FIRST SCHEDULE

(Rule 16)

Schedule of Fees

Service —	Fee —
Certified Search	\$1,000
Provision of Certified Reports	\$2,000
Notice of Security Interest	\$1,000
Amendment of Notice of Security Interest	\$500
Notice of Security Interest—Continuation	\$500
Termination of Notice of Security Interest	\$500
Notice of Pre-Existing Security Interest (during transitional period)	NIL
Notice of Pre-Existing Security Interest	\$500
Amendment of Notice of Pre-Existing Security Interest	\$500
Continuation of Notice of Pre-Existing Security Interest	\$500
Termination of Notice of Pre-Existing Security Interest	\$500
Extract of Entire Database	\$20,000
Extract of Partial Database	\$8,500
Notice of Interest of Execution Creditor	\$500

SECOND SCHEDULE

(Rule 18)

THE SECURITY INTERESTS IN PERSONAL PROPERTY ACT, 2013

THE SECURITY INTEREST IN PERSONAL PROPERTY (REGISTRY) RULES, 2013

FORM 1

Form of Register

- [Home](#)
- [About Us](#)
- [Contact Us](#)
- [Public Search](#)
- [Help](#)
- [How to...](#)
- [Configuration](#)
- [Security](#)
- [Queries](#)
- [Law and Regulations](#)
- [Logout](#)

User Acceptance Testing Site (NOT LIVE SITE) Version 4.08

Active Notices	
<input type="radio"/> Cancel	
Registration Number ID	Registration Date
10003998088	30/12/2013
10003998632	18/12/2013
10003998413	18/12/2013
10003998301	18/12/2013
10003998292	18/12/2013
10003998187	18/12/2013
10003998075	18/12/2013
10003994962	18/12/2013
10003994840	17/12/2013
10003994626	16/12/2013
10003993722	13/12/2013
10003993195	12/12/2013
10003992042	11/12/2013
10003991143	11/12/2013
10003990899	11/12/2013

Records 1 to 15 of 15

SECOND SCHEDULE, *cont'd.*

FORM 2

Security Interest Registration Notice

Registration Detail			
The following notice of security interest was registered in The National Security Interests in Personal Property Registry of Jamaica at the date and time indicated.			
Registrant Name and Address		Notice Type	
Paradigm Applications, LLC 4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America		Notice of Security Interest - Initial	
Registration Number	Date of Registration	Lapse Date	
1000385837	18/12/2013 03:50 PM	18/12/2023	
Debtors			
Party Type	Party Name	Party ID Number	Party Address
Individual - Jamaican Citizen	f (Birthdate: 01/12/2013)		Jamaica
Secured Creditors			
Party Type	Party Name	Party Address	
Secured Party	Paradigm Applications, LLC bbacon@paradigmapps.com	4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America	
Collateral			
Collateral Description			
f			

07-11-13

SECOND SCHEDULE, *cont'd.*

FORM 3

Continuation Notice

Registration Detail		
The following continuation statement was registered in The National Security Interests in Personal Property Registry of Jamaica at the date and time indicated.		
Registrant Name and Address Paradigm Applications, LLC 4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America	Notice Type Notice of Security Interest - Notice Continuation	Number of Initial Notice 1000386086
		Date of Initial Notice 30/12/2013 08:53 PM
Registration Number 10005025	Date of Registration 30/12/2013 08:55 PM	Lapse Date 20/02/2024
Authorizing Parties		
Party Type	Party Name	Party Address
Secured Party	The Great Creditor weve	weve, weve, weve, weve weve, Jamaica

SECOND SCHEDULE, *cont'd.*

FORM 4

Amendment Notice

Registration Detail			
The following amended notice of security interest was registered in The National Security Interests in Personal Property Registry of Jamaica at the date and time indicated.			
Registrant Name and Address	Notice Type	Number of Initial	
Paradigm Applications, LLC	Notice of Security Interest - Notice	1000379669	
4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America	Amendment	Date of Initial Notice 11/12/2013 08:31 AM	
Registration Number	Date of Registration	Lapse Date	
10005023	30/12/2013 08:43 PM	11/12/2023	
Authorizing Parties			
Party Type	Party Name	Party Address	
Secured Party	Paradigm Applications, LLC bbacon@paradigmapps.com	4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America	
Debtors			
Party Type	Party Name	Party ID Number	Party Address
Jamaican Company	test By Wilford	Company Number: 234234	234, Jamaica
Secured Creditors			
Party Type	Party Name	Party Address	
Secured Party	Paradigm Applications, LLC bbacon@paradigmapps.com	4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America	
Collateral			
Collateral Description			
red honda			
Number Type	Real Property Id Number and Equipment/Motor Vehicle Serial/VIN		
Motor Vehicle Serial/VIN	123456789		

SECOND SCHEDULE, *cont'd*

FORM 5

Termination Notice

Registration Detail		
The following termination statement was registered in The National Security Interests in Personal Property Registry of Jamaica at the date and time indicated.		
Registrant Name and Address	Notice Type	Number of Initial
Paradigm Applications, LLC	Notice of Security Interest - Notice	1000386086
4844 Sunset Terrace, Fair Oaks, CA 110096, United States of America	Termination	
		Date of Initial Notice
		30/12/2013 08:53 PM
Registration Number	Date of Registration	
10005028	30/12/2013 08:58 PM	
Authorizing Parties		
Party Type	Party Name	Party Address
Secured Party	The Great Creditor www	www, www, www, www www, Jamaica