17TH ANNUAL
PERFECT YOUR
PPSA SKILLS

This practical one-day program has been designed to give you an in-depth understanding of what you need to know to properly protect your client’s security interests. You will:

• Gain a thorough understanding of the PPSA
• Understand the interplay between the PPSA and the Ontario Securities Transfer Act
• Learn the technical requirements governing financing statement preparation, including differences in other common law provinces
• Use fact scenarios to identify the key information required for PPSA registrations
• Understand the various exceptions set out in the PPSA
• Learn about recent developments in real property issues and the PPSA
• Get tips on drafting solidly formulated and appropriately-qualified opinions

BONUS LEARNING OPPORTUNITY
Don’t miss your chance to further develop your skills at the optional workshop, “Applying Key Provisions in Everyday Client Scenarios.”

Your clients are relying on you to protect their security interests. Are you prepared?

“I FOUND THIS TO BE A USEFUL, WELL-ARGUED AND WELL THOUGHT-OUT PROGRAM.”
2015 Attendee

REGISTER NOW AT OSGOODEPD.CA/PPSA

Chairs
Richard M. Borins
Osler, Hoskin & Harcourt LLP
Ben Leith
McCarthy Tétrault LLP

Location
Osgoode Professional Development
1 Dundas St. W., 26th Floor
Toronto, ON

Date and Time
November 16, 2016
9:00 a.m. - 4:45 p.m. EST
Online Replay: December 16, 2016

Optional Workshop
November 17, 2016
9:00 a.m. - 12:00 p.m.
In Person Only

Course Webcast Available

A WORLD LEADER IN LAW SCHOOL LIFELONG LEARNING
The Personal Property Security Act is a highly technical piece of legislation which demands that those working with it have a detailed understanding of its rules and requirements. Failure to understand and comply with the Act can have serious consequences for your clients.

Now in its seventeenth year, OsgoodePD’s Perfect Your PPSA Skills program has been designed to give you an in-depth understanding of what you need to know to properly protect your client’s security interests. Experienced practitioners will take you through the PPSA, using practical examples and “hands-on” exercises to help you navigate this complex legislation.

This course will cover:
- Overview of the PPSA and the “what”, “when” and “how” of attachment
- The principle elements of financing statements, acknowledgements and searches
- Differences in PPSA legislation in the common law provinces
- How to examine a PPSA response certificate
- Exceptions to the “first come, first served” priority rules
- Fundamental registration issues and relevant case law
- Key elements of the Securities Transfer Act and taking security in investment property
- Real property issues and the PPSA
- The basic elements of an opinion: enforceability, creation of a valid security interest perfection and more

Plus! Led by experienced practitioners, you can gain hands-on experience by working through real-life PPSA issues that will impact your practice immediately. Your clients will benefit from this 3 hour investment in training. Attend the “Applying Key Provisions in Everyday Client Scenarios” workshop.

WHO SHOULD ATTEND
- Lawyers who practice in corporate/commercial law, financial services law, bankruptcy and insolvency law or real estate law
- In-house counsel
- Law clerks and paralegals who prepare PPSA filings, conduct PPSA searches and examine PPSA response certificates

REGISTER NOW by visiting osgoodepd.ca/ppsa
8:30 REGISTRATION & CONTINENTAL BREAKFAST

9:00
Chair’s Opening Remarks
RICHARD M. BORINS, Osler, Hoskin & Harcourt LLP
BEN LEITH, McCarthy Tetrault LLP

9:05
Overview of the Personal Property Security Act
NATALIE RENNER, Davies Ward Phillips & Vineberg LLP

• What is covered by the PPSA?
• Identifying the specific factual and legal issues
• Recognizing the clients’ specific circumstances
• Communicating with the client - what is required?
• What is meant by “security interest” and how is it created?
• The “what”, “when” and “how” of attachment
• “Perfection” of a security interest and why it is important

10:00
Preparation of Financing Statements
SUZANA A. LOBO, Norton Rose Fulbright Canada LLP

Learn the key steps and content when preparing financing statements, as you participate in the actual drafting of a sample document.

• Debtor/secured party names and addresses and registration period
• Financing statements and financing change statements
• Collateral classification and description
• Timing of registrations
• Mandatory and optional amendments
• Obligations regarding client confidentiality
• Differences in other common-law provinces

10:45 REFRESHMENT BREAK

11:00
PPSA Acknowledgements and Searches
LILIANA CARPICO, Norton Rose Fulbright Canada LLP

• How to examine a PPSA response certificate
• Things to consider when reviewing PPSA search results
• Dealing with potentially competing prior registrations

11:35
Case Study: Exploration of Common PPSA Problems
MEAGHAN OBE TOWER, Stikeman Elliott LLP

Utilizing small work groups, these case studies will include number of PPSA and related issues that will then be discussed in an interactive forum. You will learn to:

• Identify the key information required for PPSA registrations from fact scenarios
• Identify other issues that may arise from fact scenarios which are technically outside of the PPSA
• Understand your professional and ethical obligations

12:30 LUNCHEON

1:30
Exceptions to the Rules: When First Come is Not First Served

PETER SULLIVAN, Cassels Brock & Blackwell LLP

Before “first come, first served” priority rules can apply, one must ensure that the interest is not captured by one of the many exceptions set out in the PPSA, including:

• Purchase Money Security Interests (PMSIs)
• Fixtures
• Perfection by control (investment property)
• Intellectual property
• Security interests registered under the Bank Act

2:15
Overview and Introduction to the Securities Transfer Act (Ontario)

D.J. LYNDE, McCarthy Tetrault LLP
IAN MAK, McCarthy Tetrault LLP

This presentation will highlight key concepts of the Ontario Securities Transfer Act and its impact on taking security interest over personal property, including:

• The “direct” and “indirect” holding systems
• Introduction to the terms “investment property” and “control”
• Certificated and uncertificated securities
• Perfection, priority and conflict of laws rules

3:00 REFRESHMENT BREAK

3:15
Real Property Issues and the PPSA

BEN LEITH, McCarthy Tetrault LLP

• Recent developments in the comparative priority of distress
• Real property law perspective on fixture financing
• Practice management and competency issues relating to real property transactions and the PPSA
• Understanding the applicable legislation
• Identifying the risks and keeping the client informed

4:00
How to Draft Solid Opinions

MICHAEL BERTRAND, Goodmans LLP

• The basic opinion elements: enforceability, creation of a valid security interest perfection and other elements
• The purpose of each element of the opinion
• Crafting appropriate qualifications
• Opinion formulations to avoid
• Dealing with lien searches and registrations
• Conflict of laws issues
• Perfection by control
• Ethics and legal opinions
• Current opinion issues
• Recognizing your obligations and duties

4:45 PROGRAM CONCLUDES
Program Changes
We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University’s and Osgoode Hall Law School’s liability is limited to reimbursement of paid fees.

Cancellations and Substitutions
Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund (less $75 administration fee) is available if a cancellation request is received in writing 14 days prior to the program date. No other refund is available.

Dates & Times
November 16, 2016
9:00 a.m. - 4:45 p.m. EST
Optional Workshop:
November 17, 2016
9:00 a.m. - 12:00 p.m.
Please arrive a half hour early for sign-in and material pick-up. Dress is business casual.

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OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSUC.

Eligible CPD/MCLE hours:
Program:
LSUC (ON): 5.5 CPD hours (4 Substantive; 1.5 Professionalism)
Optional Workshop:
LSUC (ON): 3.0 CPD hours (2.5 Substantive; 0.5 Professionalism)
OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca

Expanded on what you’ve learned in the course by applying it to fact patterns developed specifically for this workshop. Using the fact patterns and precedents, you will tackle the most common challenges. Topics include:
• Review, analyze and apply key PPSA provisions, including: conflict of laws, perfection, priority, registration and transfer of collateral
• Learn how to apply these provisions to everyday client scenarios
• Get a better understanding of the importance of keeping your client informed and what your ethical obligations are
You will also discuss provisions that may be changing, including the location of the debtor and collateral description and what the implications are.
There will be plenty of opportunity for questions and discussion in this interactive workshop.

Register now as workshop space is strictly limited.

Option 1: Online
Go to www.osgoodepd.ca/psa

Option 2: Mail
Send your registration form to:
Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor
Toronto, ON M5G 1Z3

Option 3: Fax
Send your registration to 416.597.9736

Option 4: Call
Contact us at 416.597.9724

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17th Annual Perfect Your PPSA Skills
I will attend:
☐ Course only ☐ Course plus Workshop ☐ Workshop only
☐ On site ☐ Via webcast (single viewer - course only)
☐ Online Replay - December 16, 2016 (course only)

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Payment Options
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