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AMIF Submission on Review of the Personal Property Security Act (Cth) 2009

Dear Mr Whittaker

Thank you for the opportunity to provide a submission in relation to the Review of the Personal Property Security Act (Cth) 2009. The Australian Motor Industry Federation (AMIF) has also welcomed the opportunity to discuss this Review with you recently in Canberra and with Officers of the Attorney-General's Department in the months preceding.

AMIF is the pre-eminent body representing the interests of over 100,000 retail motor trades businesses, which employ over 310,000 people and have an aggregated annual turnover in excess of \$208 billion. These figures, combined with the industry's scope and size, makes the retail motor trades the largest stand-alone small business sector in Australia. The Federation's membership consists of automobile chambers of commerce and the majority of state and territory motor trades associations.

AMIF's Position:

General

- AMIF can find little evidence suggesting that the PPSR is operating in any way other than that in which it was intended.
- AMIF can see, therefore, no compelling reason for there to be Amendments made to the PPSA.
- AMIF suggests that the majority of 'issues' connected with the PPSR held by some who engage with it are more likely to be manifestations of less-than-full knowledge of the regime, or of misplaced / misguided expectations of the regime's role and purpose.
- AMIF suggests that the Australian Financial Security Authority (AFSA) be afforded sufficient resources as to enable it to maintain a high level of business and consumer awareness, communication, and education around the operation and characteristics of the PPSR to address continuing issues surrounding its operation.

.Cont 2 /



REPRESENTING: * Motor Traders Association of NSW (MTA-NSW) * Victorian Automobile Chamber Of Commerce (VACC) * Motor Trades Association of NT (MTA-NT) * Tasmanian Automobile Chamber of Commerce (TACC) * Motor Trades Association of SA (MTA-SA) * Motor Trades Association of ACT (MTA-ACT) * Motor Trade Association of WA (MTA-WA) * Motor Trades Association of Australia (MTAA) * Automobile retailers * Australian Motor Body Repairers Association (AMBRA) * Automotive Repairers Association of Australia (ARAA) * Auto Parts Recyclers Association of Australia (APRAA) * Australian Motorcycle Industry Association (AMIA) * Australian Service Station and Convenience Store Association (ASSCSA) * Australian Tyre Dealers and Retreaders Association (ATDRA) * Farm and Industrial Machinery Dealers Association of Australia (FIMDAA) * Engine Reconditioners Association of Australia (ERA of A) * National Rental Vehicle Association (NRVA) * Australian National Radiator Repairers Association (ANRRA) * Australian National Towing Association (ANTA) * Automotive Transmission Association of Australia (ATAA) * National Brake Specialists Association (NBSA) * National Heavy Vehicle Repairers Association (NHVRA) * National Steering and Suspension Association (NSSA) * National Vehicle Airconditioning Association (NVAA)

Specifically

Overall, retail motor traders consulted assert that the operation of the PPSR:

- has not impacted negatively on the protection of their interests;
- has had little change in the level of their business administration tasks;
- has had no negative impact on their businesses access to credit;
- provided accurate information when conducting searches;
- provides a satisfactory level of data disclosure in its reporting;
- is easy to use for searches;
- is easy to use for registrations; and
- provides confidence with respect to the encumbrance 'status' of a vehicle.

However:

- there remains a desire by some businesses for the time taken for encumbrances to be removed by financiers to be shortened further;
- that any opportunities for further simplification of process, potentially resulting from this review, be pursued;
- that continuing effort be made to minimise costs whether they be monetary or in terms of resources required in administration.

Discussion:

As you would no doubt be aware AMIF, and its predecessor organisation, the Motor Trades Association of Australia (MTAA), has a long history and association with the Personal Property Security regime (PPSR) as it currently exists. That history and association can be witnessed from the time when the PPSR was in its earliest stages of development, including the operation of the Attorney General's Consultative Group on PPS (upon which Group, MTAA had representation). AMIF has, therefore, something of a broad and detailed understanding of the operation of the PPSR, particularly as it relates to the over 50 per cent of registrations made on the Register that are 'automotive related'.

In the first instance, AMIF would wish to bring to the Review's and, hence, the Government's attention its disappointment with the overly eager progress made towards Amendment to the Act via the proposed repeal of Section 13 (1) (e) and of changes to the Regulations with respect to the definition of the term 'motor vehicle'. AMIF suggests that there has not been a compelling case made for either of those circumstances, other than a spurious suggestion offered in the context of 'red tape reduction' and, even then, in singular response to a cleavage of PPSR users that A) form a small minority of transactions upon the Register; and B) who, by being accommodated by those Amendments, potentially place a larger cleavage of PPSR users at some security risk. AMIF continues to maintain that the basis employed for the pursuit of those Amendments was flawed.

AMIF might also reasonable ask why those Amendments have been made, particularly given the proximity to this known Review process. AMIF might ponder ever more so, especially in light of its consultation and engagement with Member Bodies and their members as part of this review process, that there is no agreement among them for the Amendments, nor reasons to support them.

The consultation and engagement by AMIF with its Member Bodies and their members has been extensive, far reaching and has been supported through the administration of a survey questionnaire **(attached to this submission at Attachment 1)**.

That survey instrument allowed for data to be collected in both a qualitative and quantitative manner, with analysis of the qualitative data undertaken employing methods such as discourse analysis and grounded theory; the adoption of such an approach seeking to render confidence around the assertions that can be made from the commentary captured by the instrument's circulation.

One critical concern to AMIF in connection with the PPSR's operation was to discover if that operation had impacted deleteriously upon (member) business administration tasks. The majority of respondents to AMIF's enquiries indicated there to be no change to their business administration tasks. A slightly lesser number, however, indicated that the operation of the PPSR had increased their administrative tasks.

Qualitative analysis of the reasons indicated for that increase identifies issues that might be considered in terms of 'trust in information accessible' as a basis for an increase in administrative tasks. This can be seen in responses such as:

" . . . More time and expense now to check vehicles and there is still no guarantee that the vehicle is clear as we have had vehicles show up ok and then they have latter had issues with ownership or been stolen [sic] . . . "

Or

" . . . I now need to check every unit to see if someone has a security over it. This is especially so with used machinery. In the past a credit company would check this against their records but now they leave it to us to check."

Other increases in tasks, however, can be evidenced to be resulting from a misunderstanding of elements of the PPSR's operation. For instance, a number of respondents claim increases in workload through, *" . . . not being able to input the credit card details to do multiple PPSR searches . . . "* or because, *" . . . each check has to be entered [sic] and paid for individually . . . "* One respondent even suggested the need for, *" . . . An account based process . . . be put in place for Car Dealerships so that we don't have to waste time inputting credit card details every time we do a PPSR search. A monthly account would be more beneficial for payment."*

Unfortunately, in the absence of any identifiers among the data received, this Office is unable to identify those respondents and make them aware of the account arrangements that might be accessed by arrangement / application with / to AFSA.

Also of some concern to AMIF is confusion (despite AMIF's efforts) among some retail motor traders as to the role and function of the PPSR. It is obvious that, for some, the PPSR is viewed as carrying on a function far beyond its design intent. This can be evidenced in commentary such as:

"I only use the system for car history reports and quite often there is a bit of down time in producing the certificate"

Or

" . . . vehicles showing ok then proven to be stolen or ownership issues . . . "

Or

" . . . have also had a vehicle that come up as no finance, not stolen or written off but when I checked further into the vehicle was unable to be registered in any state. I believe that if that is the case and this website is supposed to offer piece of mind for dealers and everyone else why did this vehicle not raise a red flag of some description?" [sic]

While AMIF might share the view that a true 'one stop shop' for all vehicle details would be highly desirable, it also understands the enormity of the task that such an undertaking would represent. What is clear to AMIF in this context, however, is that the 'boundaries' of the PPSR and its role and function could benefit from further increased levels of promotion, and / or education.

There still remains among respondents some discontent in terms of the time taken for encumbrances to be removed by financiers. Interestingly, however, of those respondents for whom extinguishment of encumbrance is an issue, a majority regard the notifications of them being carried out as 'prompt'. There nevertheless remain a significant number who regard the lifting of encumbrances as something that is carried out in a tardy fashion, which can be reflected in comments such as:

"... some companies will still take 5 to 10 days to remove encumbrances once the funds are received to payout the vehicle ..."

Or

"... 5 to 10 days processing time to remove encumbrances by finance companies is unsatisfactory ..."

Or

"... We have to chase finance companies to remove registration interest. One recent one was out by a year. Registration was removed however we had to do the running around to achieve this [sic]. . ."

AMIF understands that the removal of an encumbrance from the PPSR will essentially be immediate upon the entering of the data onto the Register by the financier. AMIF might suggest that it is beyond the reach of the PPSA to address what is essentially a behavioural / procedural issue beyond the control of parties other than those with an obligation to record encumbrance removal. Nevertheless, AMIF considers that some effort needs to be directed in this context, particularly when there is obvious acceptance in some quarters that:

"... In general encumbrances are not lifted any quicker than prior to PPSR. All finance payouts are done by E.F.T and it still has not made a difference to the time frame for finance companies to remove the encumbrance. [sic]"

Summary

It would seem, therefore, that aside from some matters that might be considered as arising from issues of 'information asymmetry' or 'misplaced expectation', the PPSR is operating almost exactly as intended. While AMIF might concede that operation to be one imbued with a level of complexity, it would also argue that complexity to be a necessity given what the PPSR – as a reform – sought to achieve.

AMIF is also critically aware of the detailed and expert consideration that went into the development of the Regime. The PPSR resultantly stands as a work of profound complexity. But, there can be no denying that, as a work of that character, it's negative impact has been negligible and the 'smoothness' of its operation has been clearly evident. This, AMIF would argue, is wrought largely as a result of that detailed and expert consideration and of the Regime's resulting complexity (though the term 'sophistication' could be easily substituted).

AMIF is loath, therefore, to support any moves to amend and / or otherwise change the PPSA. It isn't broken and, therefore, there is nothing in need of fixing at this stage. Efforts tinged with political expediency, or quests to vanquish red tape, stand to only disrupt the fine balance the PPSA currently enjoys and, from which, the economy benefits at large.

If there are any further questions or you would like further clarification on the points raised within this submission, please contact Mr Richard Dudley, CEO of AMIF at richardd@amif.com.au or Mr Colin Duckworth, Director Policy at colind@amif.com.au .

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Dudley', with a stylized flourish at the end.

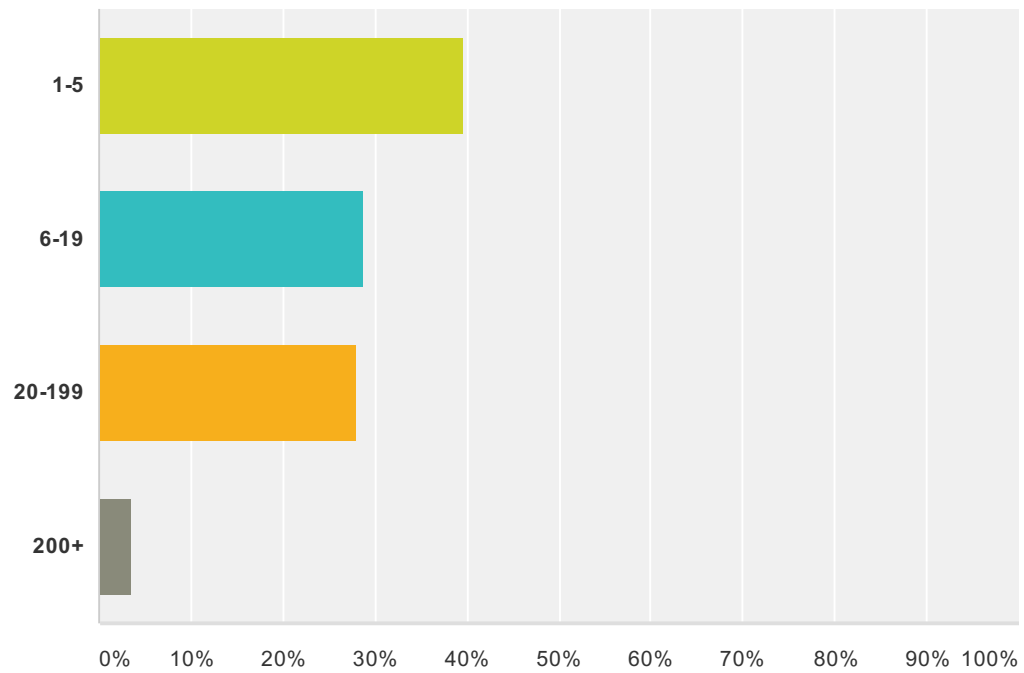
Richard Dudley
CEO
Australian Motor Industry Federation

6 June 2014

Attachment 1 - Survey of Members results and comments

Q1 How many staff does your business employ?

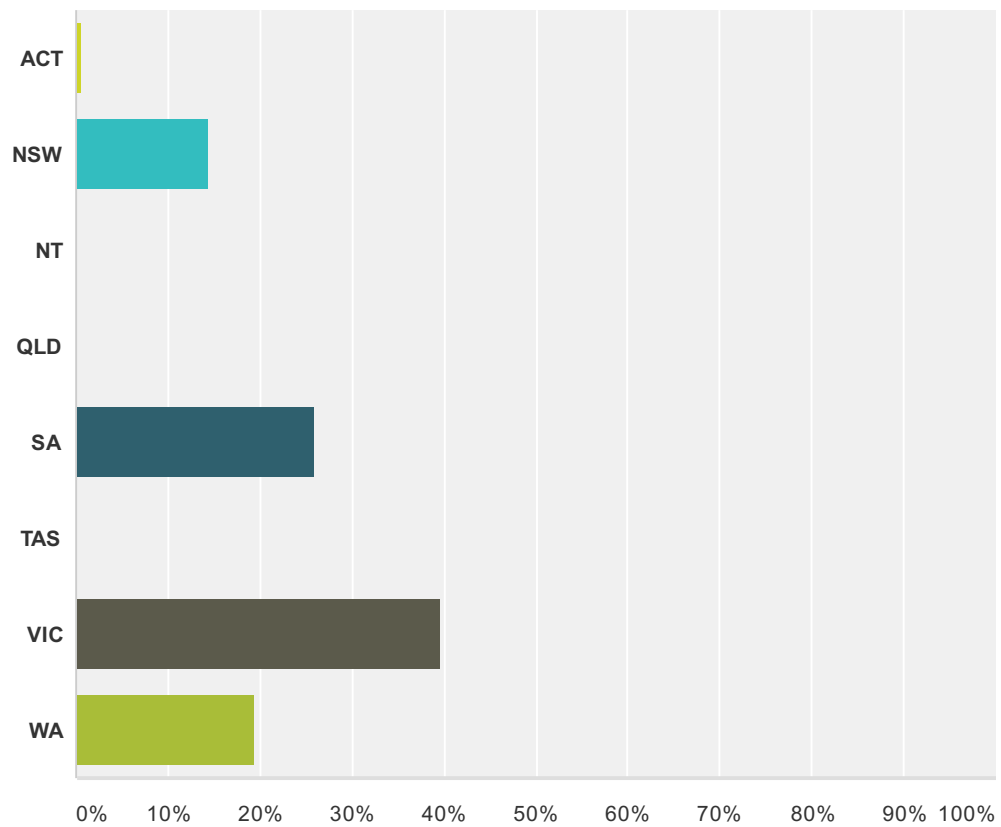
Answered: 139 Skipped: 23



Answer Choices	Responses	
1-5	39.57%	55
6-19	28.78%	40
20-199	28.06%	39
200+	3.60%	5
Total		139

Q2 Which state is your business located?

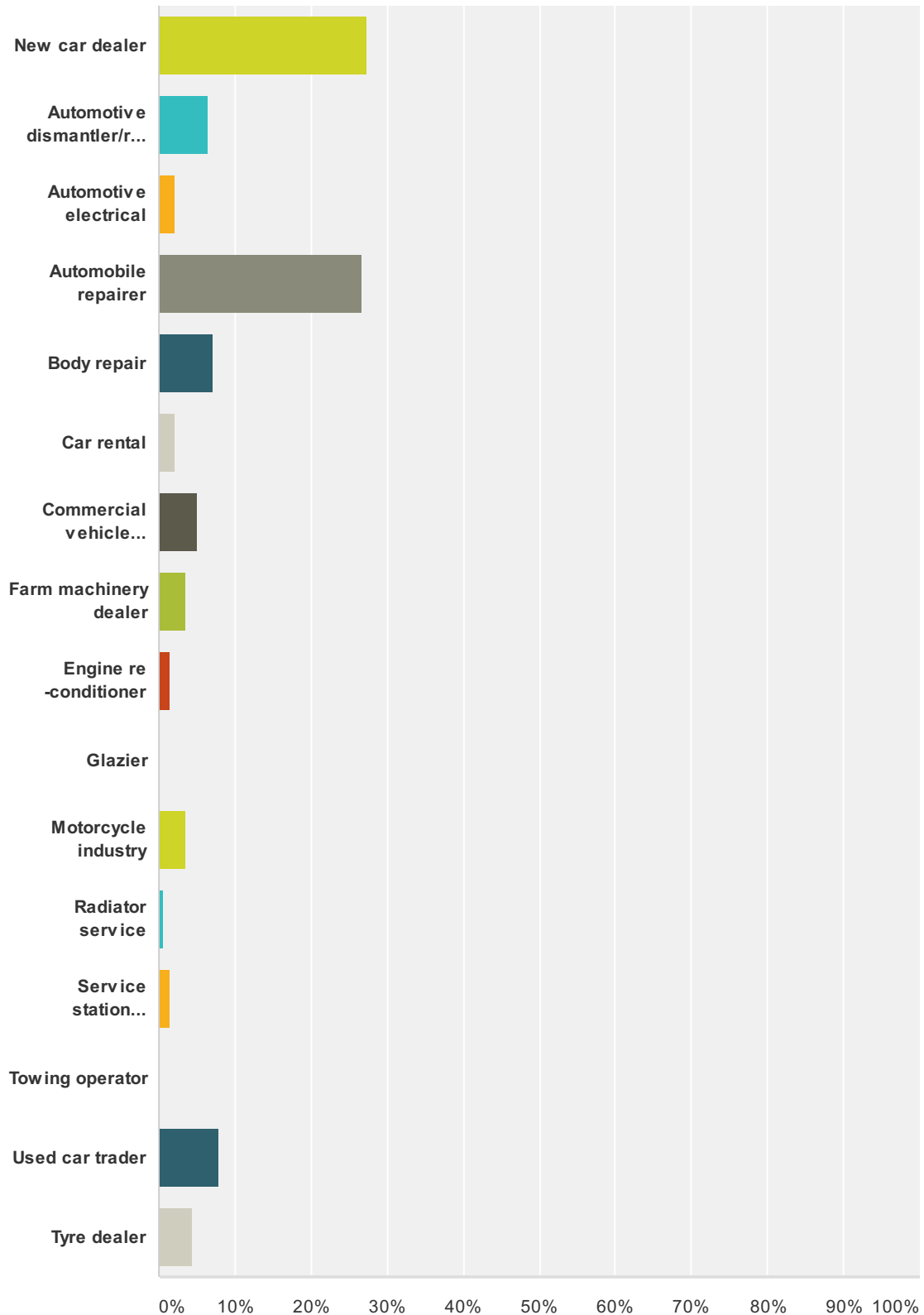
Answered: 139 Skipped: 23



Answer Choices	Responses	
ACT	0.72%	1
NSW	14.39%	20
NT	0.00%	0
QLD	0.00%	0
SA	25.90%	36
TAS	0.00%	0
VIC	39.57%	55
WA	19.42%	27
Total		139

Q3 Which automotive sector does your business belong?

Answered: 139 Skipped: 23



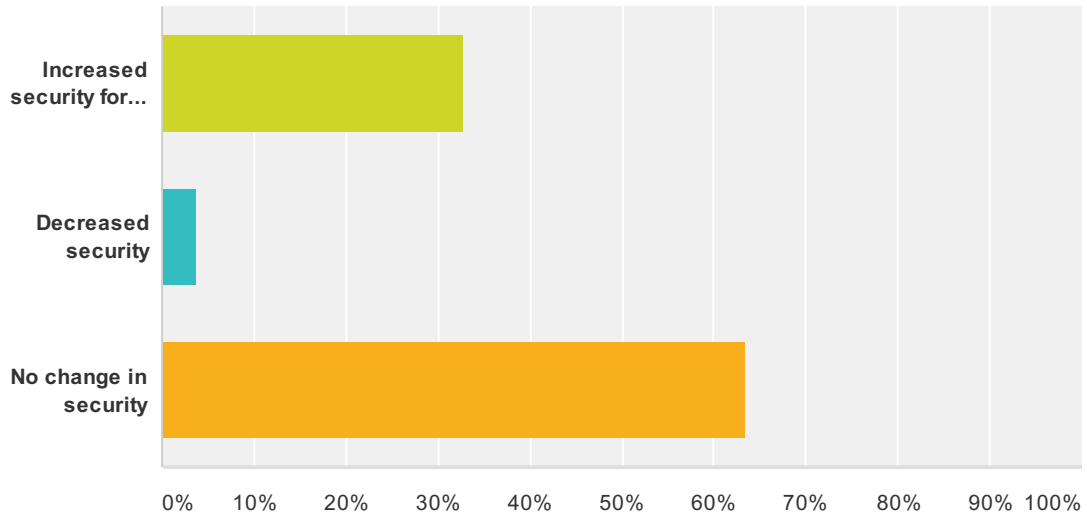
Answer Choices	Responses
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New car dealer	27.34%	38
Automotive dismantler/recycler	6.47%	9
Automotive electrical	2.16%	3
Automobile repairer	26.62%	37
Body repair	7.19%	10
Car rental	2.16%	3
Commercial vehicle industry	5.04%	7
Farm machinery dealer	3.60%	5
Engine re -conditioner	1.44%	2
Glazier	0.00%	0
Motorcycle industry	3.60%	5
Radiator service	0.72%	1
Service station industry	1.44%	2
Towing operator	0.00%	0
Used car trader	7.91%	11
Tyre dealer	4.32%	6
Total Respondents: 139		

Q4 The National Personal Property Security Register (PPSR) commenced in January 2012. In regard to protecting your financial interests, the current PPSR has (tick box);

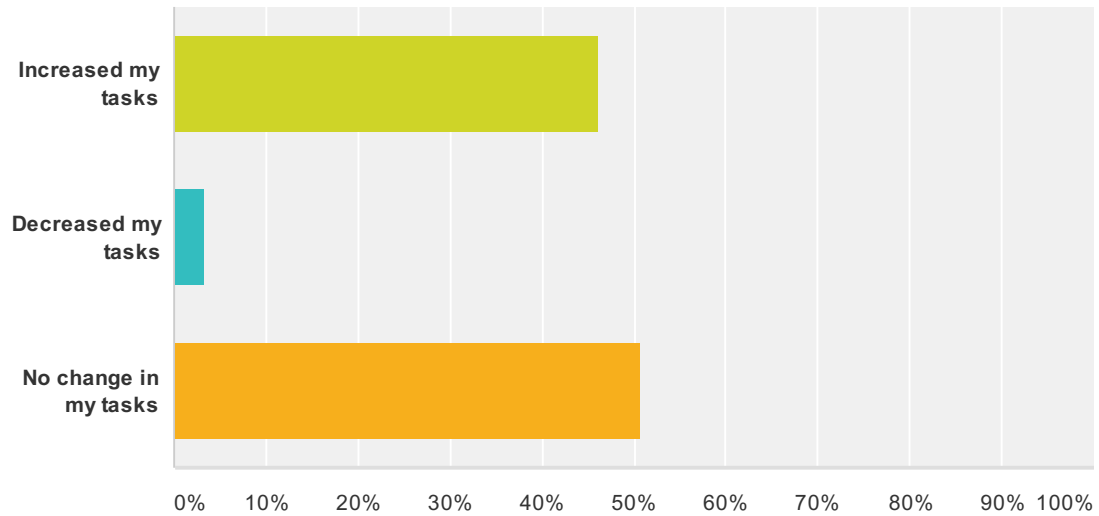
Answered: 156 Skipped: 6



Answer Choices	Responses	
Increased security for my financial interests	32.69%	51
Decreased security	3.85%	6
No change in security	63.46%	99
Total		156

Q5 In regard to your business administration tasks, the PPSR has

Answered: 152 Skipped: 10



Answer Choices	Responses	
Increased my tasks	46.05%	70
Decreased my tasks	3.29%	5
No change in my tasks	50.66%	77
Total		152

Q6 As the PPSR has increased your business administration tasks, please specify below;

Answered: 48 Skipped: 114

#	Responses	Date
1	it adds additional checks which is a good thing but always at a cost to time and at a \$ cost	5/31/2014 1:42 PM
2	The business now registers security over all bikes that are on loan, or display, which was a procedure we never had to undertake before.	5/30/2014 11:10 AM
3	more admin work	5/29/2014 5:33 PM
4	I am no longer able to search via Registration number alone... meaning if the VIN we have is incorrect by just one digit when searching, we have to go through vicroads rego search to get full details before being able to search a PPSR as it won't recognise it. And we don't always have a VIN until we sight the car (check with VicRoads) so it's just a second search that's a pain to complete every time	5/28/2014 6:21 PM
5	takes longer to do and has more paperwork attached so more costs in printing	5/28/2014 5:52 PM
6	Setting them up on the register, checking ABN's and ACN's are correct, writing letters to customers advising them we have set them up on the PPSR, answering customer queries about the PPSR.	5/28/2014 12:49 PM
7	The system is not user friendly and unless you are using regularly it is quite difficult to get around. The language used to describe some functions is not exactly clear. All of this adds to the time a task takes and you still may not be clear that you have all the information covered to satisfy the requirements of the act.	5/27/2014 9:35 AM
8	Paperwork, court appearances.	5/26/2014 11:21 AM
9	Registering interest over trade accounts and releasing as requested. Checking terms & conditions of credit applications to ensure interests that may be registered over our business assets are not excessive. Monitoring interests registered against our companies.	5/23/2014 9:49 AM
10	extra time taken to complete required admin specific tasks	5/23/2014 8:48 AM
11	"" ,,,,,,,,,,,,,	5/22/2014 9:23 PM
12	This register is unworkable in the tyre industry at this point in time as to implement this register we would have to employ a dedicated person to do this job, as our profitability has decreased and our administration costs have increased over the past few years it is not viable to use this system.	5/22/2014 3:29 PM
13	have to log in many times to see if clear.	5/22/2014 3:19 PM
14	More time and expense now to check vehicles and there is still no guarantee that the vehicle is clear as we have had vehicles show up ok and then they have later had issues with ownership or been stolen	5/22/2014 12:16 PM
15	I now need to check every unit to see if someone has a security over it. This is especially so with used machinery. In the past a credit company would check this against their records but now they leave it to us to check. There is a need to go into the system & it costs each time we check. If I wish to put a security on my machinery, I cannot do so unless I am actually hiring or leasing it which means that potentially if a machine is left on a property because I have lent it or am demonstrating it & the customer goes broke, someone could quickly put a security on it & I could lose my machine which belongs to me regardless of the fact that the customer did not purchase it from me	5/22/2014 11:57 AM
16	A lot of time taken up trying to find information on farm machinery when it first started we got information back e.g a cultivator serial no put in and they replied that it was an Austin truck, the last few we tried had no records of the numbers, so have not worried any more about it	5/22/2014 11:41 AM
17	Need to lodge security on register for each customer, whereas prior we had "Retention of Title" included in Credit Applications and terms of trade	5/22/2014 11:36 AM
18	Time and staffing to check, and if required register interest.	5/22/2014 11:21 AM

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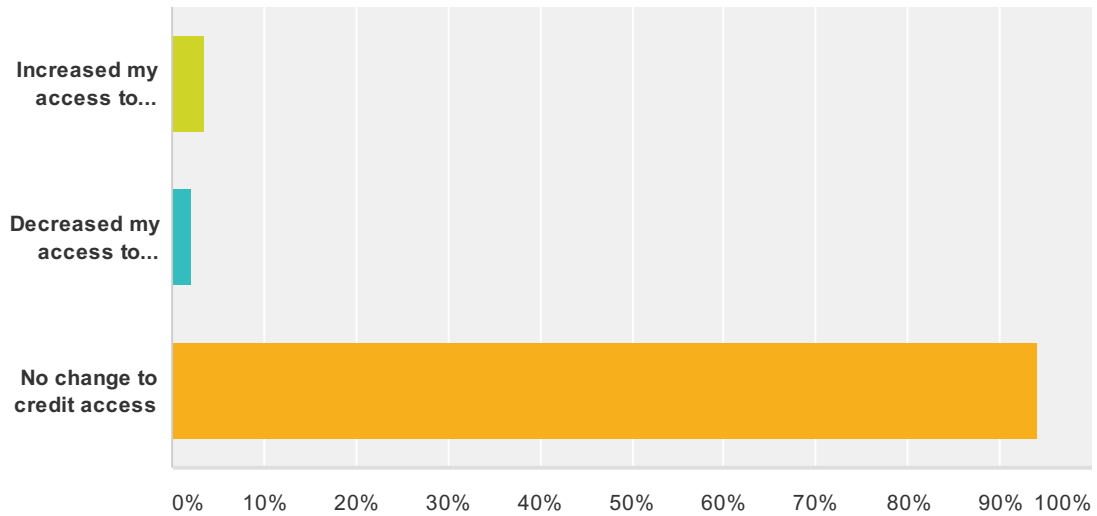
19	faster to lodge and interest but slower to check on possible interested parties must pay before any results can be passed	5/22/2014 9:56 AM
20	INCREASED PAPERWORK & RED TAPE MAKE IT IN SOME CASES, NOT A VIABLE OPTION TO PURSUE SOME CLAIMS. THIS HAS A ADVERSE EFFECT ON THE ATTITUDE OF BUSINESS OPERATORS & REFLECTS ANAMOSITY TOWARD OTHER ENTITIES THEY HAVE TO DEAL WITH. SIMPLIFYING THE SITUATION, CUTTING OUT AMBIGUOUS WORDING & MAKING IT PLAIN ENGLISH THAT YOU DON'T NEED A LAW DEGREE TO UNDERSTAND OR AN ADVISER TO COMPREHEND WOULD BE A SMART & ETHICAL FIRST STEP.	5/20/2014 8:42 PM
21	Keeping a register of PPS and ensuring the PPS ID number and token ID are recorded. Extra Cost being \$8 per security. Managing the securities.	5/20/2014 2:41 PM
22	Listing Securities against accounts held	5/20/2014 2:24 PM
23	Compliance/Record keeping	5/20/2014 2:19 PM
24	registrations, discharges, paperwork more paperwork more cost	5/20/2014 1:51 PM
25	Additional administrative requirements & information should be relevant to the vehicle and the data required eg ALL prime information should be on page one (1) eg Vehicle details, encumbrances etc.	5/20/2014 10:33 AM
26	We now have to register PPSR on all our clients whom we rent vehicles or equipment to (regardless of the term) and further we have to ensure they take PPSR over site owners if they are contracting to another entity (this is a gross anomaly in the legislation that has seen the administration/receivership industry seize AND SELL goods that neither belong to, nor are leased by, the insolvent company.	5/20/2014 9:17 AM
27	With the old Revs system if the vehicle was encumbered it didn't cost me anything to check as I wouldn't purchase a certificate until it was cleared. Now when I check on the PPSR system I have to pay each time I check if a vehicle is clear or not and then allocate the payment against the vehicle in my system as sometimes when I purchase the vehicle from auction it can take several attempts before the finance company clears the encumbrance. The auctions will not follow up on an encumbrance unless we supply the ppsr certificate to prove it is encumbered but they will not issue a clear ppsr certificate once it is clear we have to pay again to obtain a clear certificate.	5/20/2014 9:15 AM
28	more paper work for office staff	5/16/2014 9:05 AM
29	Not easily able to check vehicle status for free.	5/16/2014 6:33 AM
30	TAKES MORE TIME TO LOOK UP REGISTRATIONS, BECAUSE OF NO STICKERS	5/15/2014 8:59 PM
31	having to collate & record details that are already recorded elsewhere	5/15/2014 1:51 PM
32	We now have to check 2 websites for the details of the vehicle the vre website to make sure the Vin we are going to use comes up to the appropriate vehicle and then the ppsr which when you read through all of the data offers you no legal protection. entering of credit card details has to be done for every transaction even if your checking more than one vehicle at a time. When people come to trade a vehicle it just adds to the time it takes to complete a sale not simplify.	5/15/2014 11:41 AM
33	- time taken to complete registration - time taken to keep records - time taken to remove registrations	5/15/2014 11:08 AM
34	more secured for my business...	5/15/2014 10:32 AM
35	prior to PPSR, VicRoads offered a vehicle check database free of charge. Now each time we access the PPSR we have to enter credit card details and make payment. This has increased our administration tasks.	5/15/2014 10:21 AM
36	Constant monitoring of all traded vehicles requires repetitive entry of data	5/15/2014 10:14 AM
37	MORE TIME TAKEN FROM THE JOB FOR RECORDING AND DOCUMENTATION.	5/15/2014 10:11 AM
38	it has increased our work load by not being able to input the credit card details to do multiple PPSR searches (which happens often), to do them singularly is time consuming	5/15/2014 9:42 AM
39	further paperwork, further admin tasks increase in costs difficulty increased	5/15/2014 9:04 AM
40	mainly because each check has to be entered and paid for individually	5/15/2014 8:28 AM
41	time consuming, costly and not always successful in finding results for the agricultural industry with units having smaller VIN numbers.	5/15/2014 8:03 AM

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42	Extra time required to check vehicle status when conducting a rodworthy certificate inspection.	5/15/2014 8:03 AM
43	larger costing to operate system	5/15/2014 7:57 AM
44	Resetting Password for users extremely time consuming and clunky	5/15/2014 6:47 AM
45	SHOULD BE DIRECT LINKED TO VRE CHECKS AS THIS HAS TO BE DONE ANYWAY , PPSR CLEARANCE FROM SOME FINANCE SUPPLIERS TAKES UPTO A WEEK TO CLEAR WHY ? RE-CHECKS COST SHOULD BE FREE ONCE PAID FOR INTIALLY OR A STANDARD OFFICIAL LEETR FROM FINANCIERS TO VERIFY PAID OUT	5/14/2014 4:46 PM
46	Previously we were able to obtain all relevant info through the VSR, in one action. We now need to do both vic roads check as well as the PPSR.	5/14/2014 9:52 AM
47	Triple the amount of work in trading motor vehicles	5/14/2014 8:49 AM
48	ddd	5/13/2014 2:25 PM

Q7 In regard to your business' access to credit, the PPSR has

Answered: 137 Skipped: 25



Answer Choices	Responses	
Increased my access to credit	3.65%	5
Decreased my access to credit	2.19%	3
No change to credit access	94.16%	129
Total		137

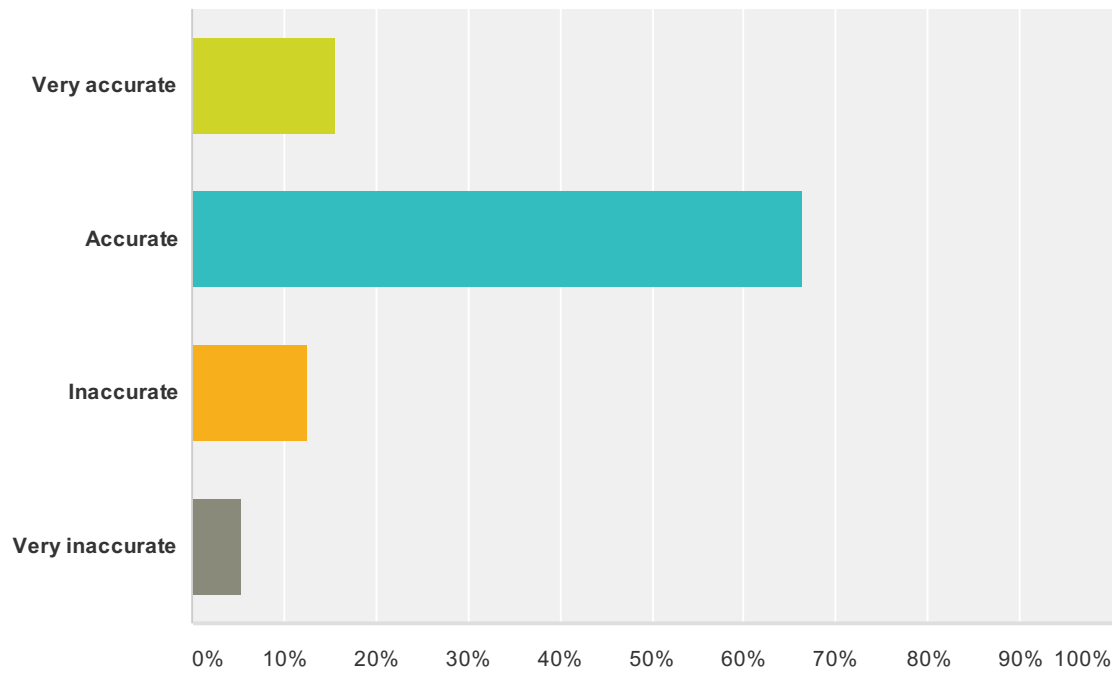
**Q8 As the PPSR has decreased your
business access to credit, please specify
below**

Answered: 2 Skipped: 160

#	Responses	Date
1	The administrative burden created by PPSR to protect our company assets from downstream predators has made application and approval for finance a much more ownerous task	5/20/2014 9:19 AM
2	to hard to find out who owns plant /equipment	5/15/2014 7:58 AM

Q9 How accurate is the PPSR information received when conducting searches?

Answered: 128 Skipped: 34



Answer Choices	Responses	
Very accurate	15.63%	20
Accurate	66.41%	85
Inaccurate	12.50%	16
Very inaccurate	5.47%	7
Total		128

Q10 As you rated PPSR information as inaccurate for the previous question, please list examples which were unsatisfied:

Answered: 14 Skipped: 148

#	Responses	Date
1	vehicles showing ok then proven to be stolen or ownership issues	5/22/2014 12:18 PM
2	I have given an example of this in previous answer	5/22/2014 11:44 AM
3	a	5/22/2014 11:37 AM
4	I have no idea of PPSR	5/21/2014 11:10 AM
5	This looks like a GOOD job for all pen pushers and bean counters	5/20/2014 9:24 PM
6	THE MAJORITY OF IT IS TOO COMPLEX TO UNDERSTAND.	5/20/2014 8:43 PM
7	.	5/20/2014 1:40 PM
8	Many	5/16/2014 1:02 PM
9	vehicles that I have checked up have come up that they are clear from finance when I know they are encumbered with a financial interest. I have also had a vehicle that come up as no finance, not stolen or written off but when I checked further into the vehicle was unable to be registered in any state. I believe that if that is the case and this website is supposed to offer piece of mind for dealers and everyone else why did this vehicle not raise a red flag of some description?	5/15/2014 11:49 AM
10	have paid the charge for a tractor VIN search only to be informed the VIN number is not listed although when double checked with the manufacturers listing.	5/15/2014 8:16 AM
11	if not security registered and form says not known neither is owner available	5/15/2014 8:00 AM
12	No	5/14/2014 10:59 PM
13	Security liens incorrectly logged	5/14/2014 8:51 AM
14	don't know	5/13/2014 2:25 PM

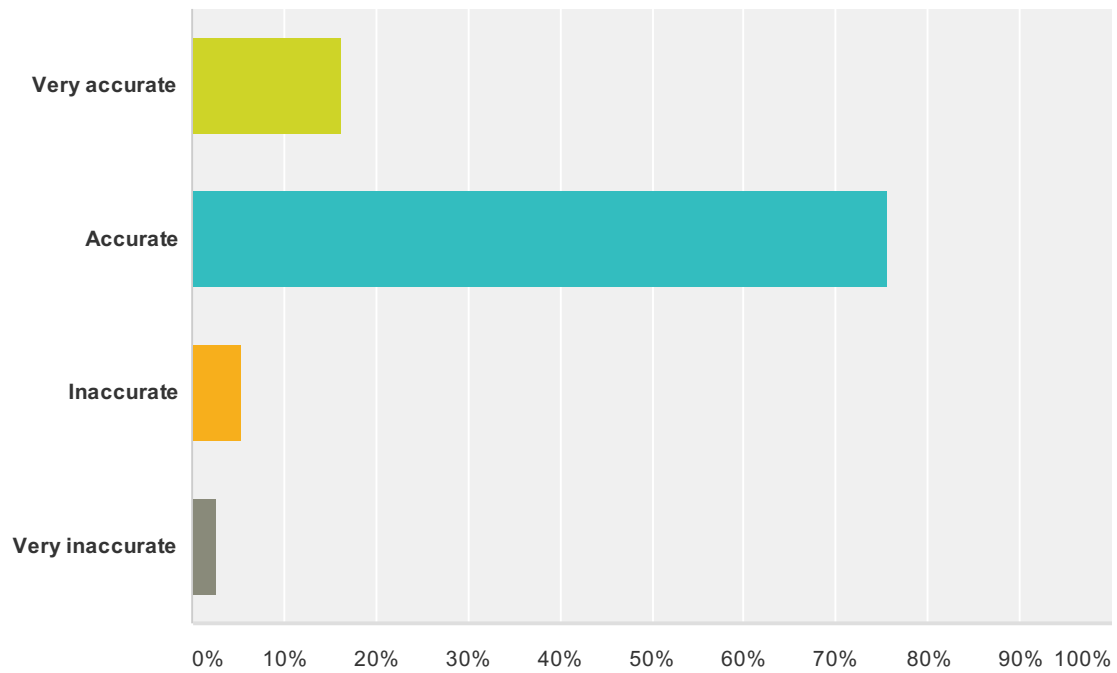
Q11 As you rated PPSR information as inaccurate for the previous question, please list examples which were ambiguous:

Answered: 14 Skipped: 148

#	Responses	Date
1	ok	5/22/2014 12:18 PM
2	the main problem with farm machinery is that a lot of the machines have a small plate on them with model and serial nos ,not hard to take of plus some do fall of without help	5/22/2014 11:44 AM
3	a	5/22/2014 11:37 AM
4	I have never heard of PPSR	5/21/2014 11:10 AM
5	This looks like a GOOD job for all pen pushers and been counters	5/20/2014 9:24 PM
6	FROM PAGE 1 TO THE END.	5/20/2014 8:43 PM
7	.	5/20/2014 1:40 PM
8	Vehicle details are often missing from records	5/16/2014 1:02 PM
9	I have no faith in this system as when you read through it all it you pay for a check that gives no legal protection.	5/15/2014 11:49 AM
10	as above	5/15/2014 8:16 AM
11	no non owner is regular problem	5/15/2014 8:00 AM
12	No	5/14/2014 10:59 PM
13	As above	5/14/2014 8:51 AM
14	don't know	5/13/2014 2:25 PM

Q12 How accurate is the PPSR information received when conducting registrations?

Answered: 111 Skipped: 51



Answer Choices	Responses	
Very accurate	16.22%	18
Accurate	75.68%	84
Inaccurate	5.41%	6
Very inaccurate	2.70%	3
Total		111

Q13 As you rated PPSR information as inaccurate for the previous question, please list examples which were unsatisfied

Answered: 10 Skipped: 152

#	Responses	Date
1	we don't have to register what we sell	5/22/2014 11:45 AM
2	a	5/22/2014 11:37 AM
3	This looks like a GOOD job for all pen pushers and been counters	5/20/2014 9:24 PM
4	REFER TO LAST ANSWER	5/20/2014 8:44 PM
5	.	5/20/2014 1:41 PM
6	Wrong vin and engine numbers	5/16/2014 6:34 AM
7	there are situations where you can not locate a vehicle as the identifiers have been in put incorrectly ie ... l instead of 1 o instead of 0 , (and when checking the VIC roads register they differ from the PPSR register), and in some cases the identifiers are case sensitive	5/15/2014 9:45 AM
8	owner of plant	5/15/2014 8:01 AM
9	No	5/14/2014 10:59 PM
10	dk	5/13/2014 2:26 PM

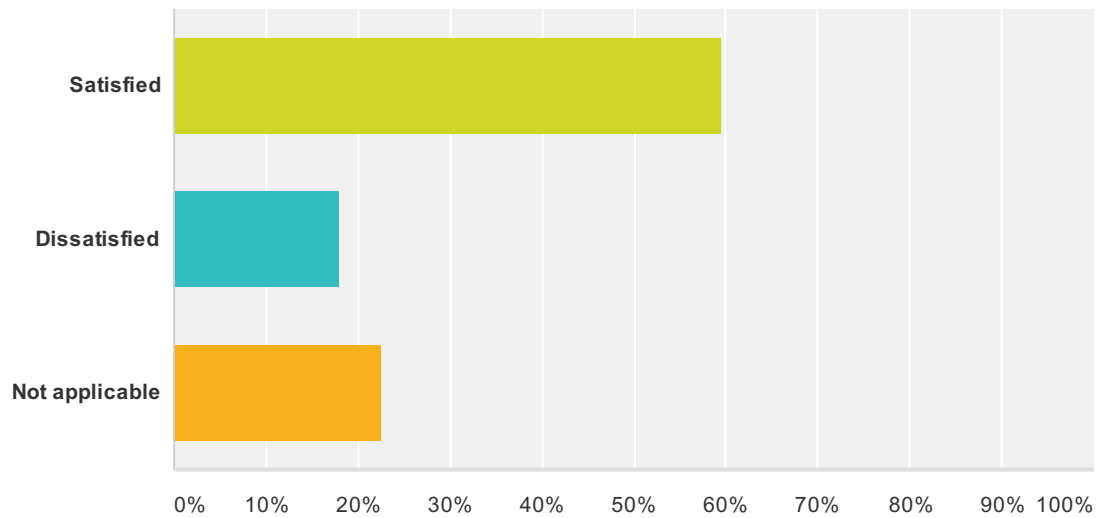
Q14 As you rated PPSR information as inaccurate for the previous question, please list examples which were ambiguous

Answered: 10 Skipped: 152

#	Responses	Date
1	we have shown several examples all ready	5/22/2014 11:45 AM
2	a	5/22/2014 11:37 AM
3	This looks like a GOOD job for all pen pushers and been counters	5/20/2014 9:24 PM
4	REFER TO LAS ANSWER	5/20/2014 8:44 PM
5	.	5/20/2014 1:41 PM
6	na	5/16/2014 6:34 AM
7	as per above	5/15/2014 9:45 AM
8	no owner known but say no monies outstanding	5/15/2014 8:01 AM
9	No	5/14/2014 10:59 PM
10	dk	5/13/2014 2:26 PM

Q15 How satisfied are you with the level of data disclosure in a PPSR report?

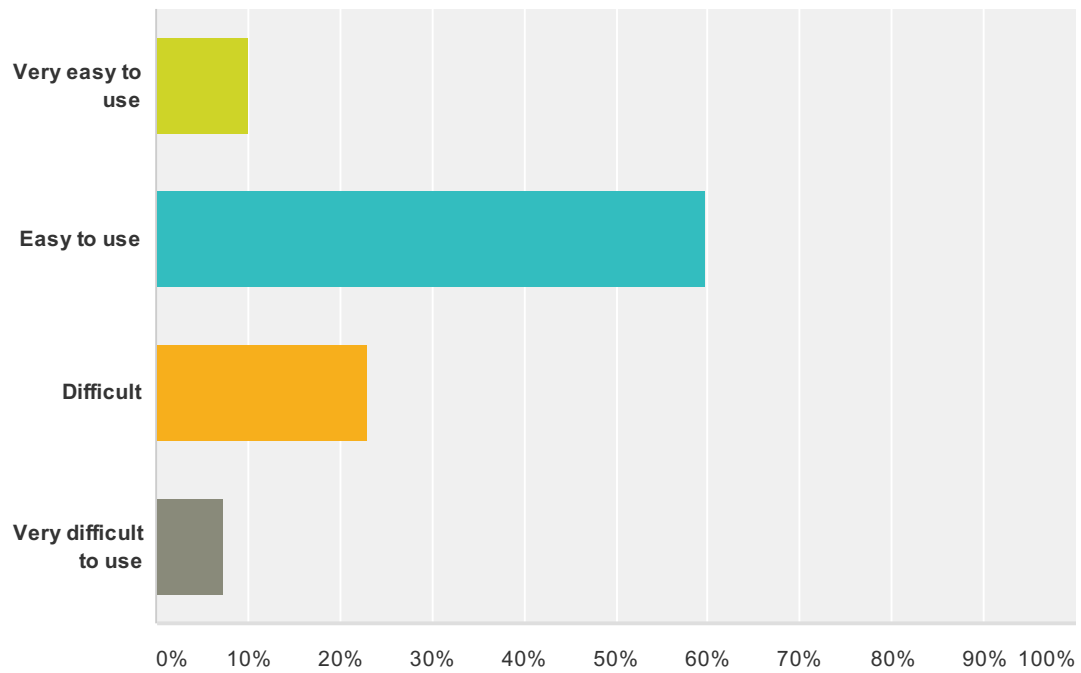
Answered: 111 Skipped: 51



Answer Choices	Responses	
Satisfied	59.46%	66
Dissatisfied	18.02%	20
Not applicable	22.52%	25
Total		111

Q16 Please rate the ease of using the PPSR for searches

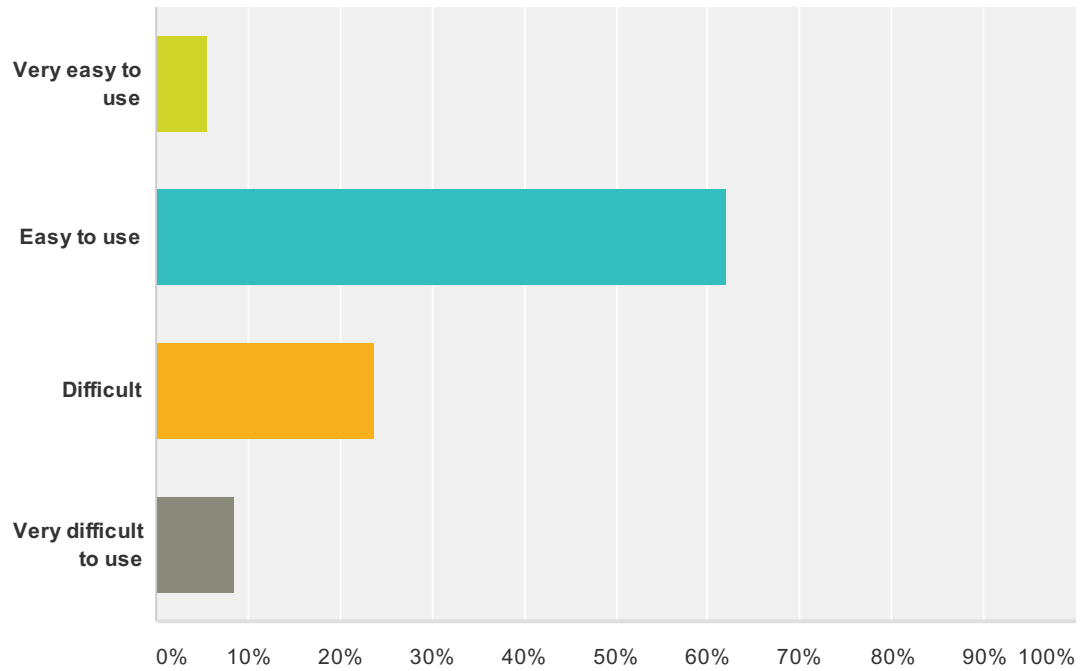
Answered: 109 Skipped: 53



Answer Choices	Responses	
Very easy to use	10.09%	11
Easy to use	59.63%	65
Difficult	22.94%	25
Very difficult to use	7.34%	8
Total		109

Q17 Please rate the ease of using the PPSR for registrations

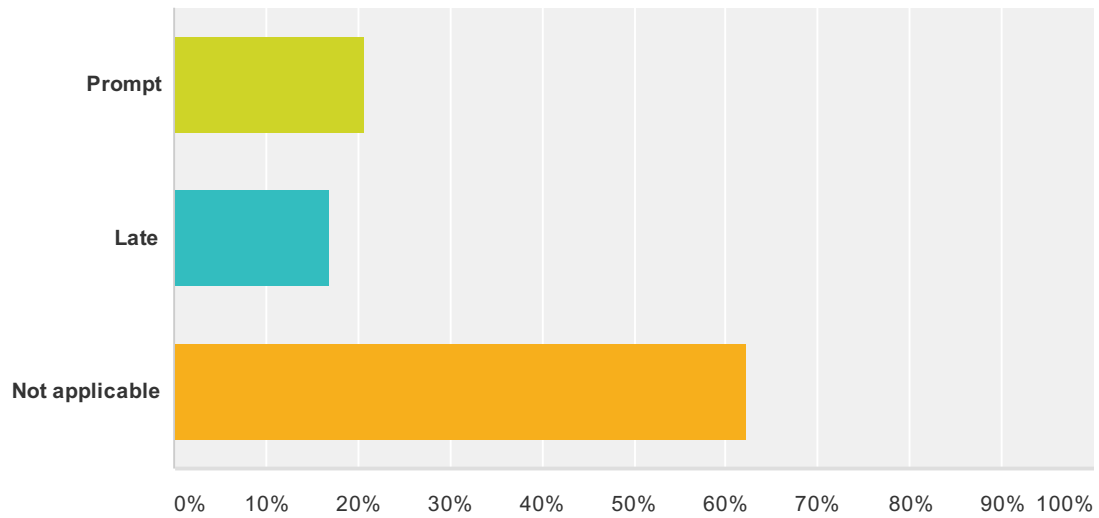
Answered: 105 Skipped: 57



Answer Choices	Responses
Very easy to use	5.71% 6
Easy to use	61.90% 65
Difficult	23.81% 25
Very difficult to use	8.57% 9
Total	105

Q18 In regard to PPSR extinguishments, finance company notification to my business is usually

Answered: 106 Skipped: 56



Answer Choices	Responses	
Prompt	20.75%	22
Late	16.98%	18
Not applicable	62.26%	66
Total		106

Q19 As you answered 'late' to the previous question, please list examples of encumbrances which were unsatisfied encumbrances

Answered: 14 Skipped: 148

#	Responses	Date
1	n/a	5/31/2014 1:44 PM
2	some companies will still take 5 to 10 days to remove encumbrances once the funds are received to payout the vehicle	5/28/2014 5:54 PM
3	test	5/22/2014 11:06 AM
4	n	5/22/2014 9:58 AM
5	This looks like a GOOD job for all pen pushers and been counters	5/20/2014 9:25 PM
6	Several times banks/finance companies have taken extended time to process payments and remove encumbrances.	5/20/2014 12:16 PM
7	We have to chase finance companies to remove registration interest. One recent one was out by a year. Registration was removed however we had to do the running around to achieve this.	5/20/2014 10:30 AM
8	In general encumbrances are not lifted any quicker than prior to PPSR. All finance payouts are done by E.F.T and it still has not made a difference to the time frame for finance companies to remove the encumbrance.	5/20/2014 10:10 AM
9	It can take a week on more to show up on the PPSR	5/15/2014 10:16 AM
10	Finance company taking several weeks to extinguish ppsr	5/15/2014 9:38 AM
11	5 to 10 days processing time to remove encumbrances by finance companies is unsatisfactory	5/15/2014 6:49 AM
12	No	5/14/2014 11:00 PM
13	MAQUARIE FINANCE IS SLACK AT GETTING PPSR DE REGISTERED OFTEN FORGET TO DO THERE BIT OR THERE PROCESS'S ARE NOT WORKING	5/14/2014 4:49 PM
14	Companies make us do the work to get them removed from vehicle's	5/14/2014 8:53 AM

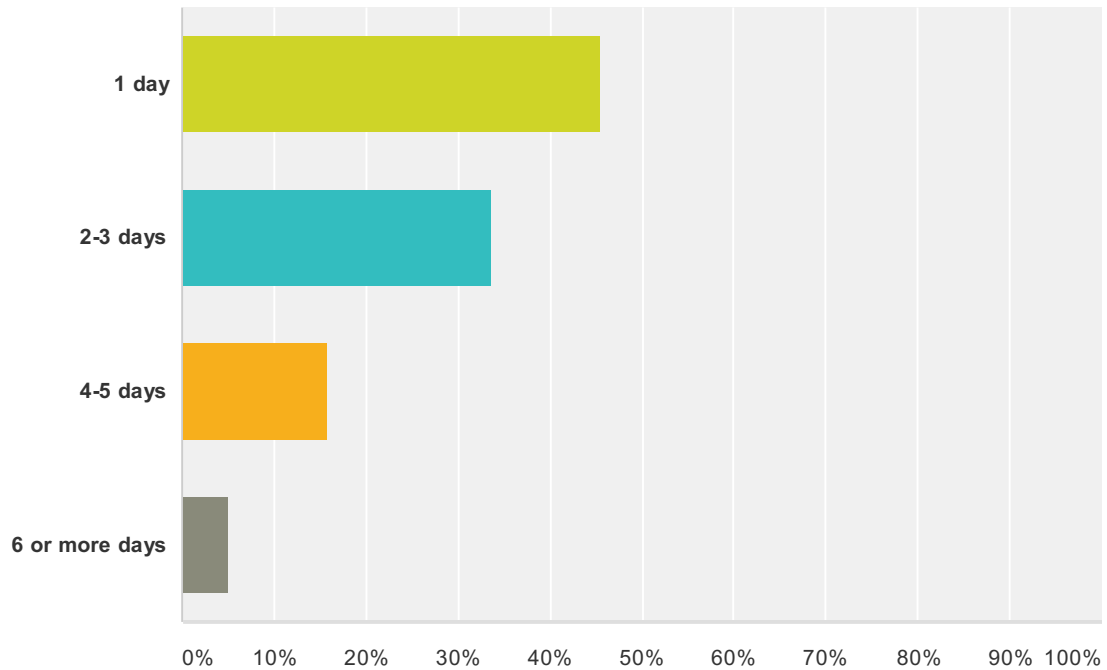
Q20 As you answered 'late' the previous question, please list examples of encumbrances which were not paid in full

Answered: 14 Skipped: 148

#	Responses	Date
1	n/a	5/31/2014 1:44 PM
2	we pay all of ours in full	5/28/2014 5:54 PM
3	test	5/22/2014 11:06 AM
4	n	5/22/2014 9:58 AM
5	This looks like a GOOD job for all pen pushers and been counters	5/20/2014 9:25 PM
6	All encumbrances paid in full.	5/20/2014 12:16 PM
7	.	5/20/2014 10:30 AM
8	n/a	5/20/2014 10:10 AM
9	?	5/15/2014 10:16 AM
10	n/a	5/15/2014 9:38 AM
11	.	5/15/2014 6:49 AM
12	No	5/14/2014 11:00 PM
13	SORRY DATA NOT AY HAND	5/14/2014 4:49 PM
14	Numerous	5/14/2014 8:53 AM

Q21 In your view, how many clear business days is a reasonable time for an extinguished encumbrance to be removed?

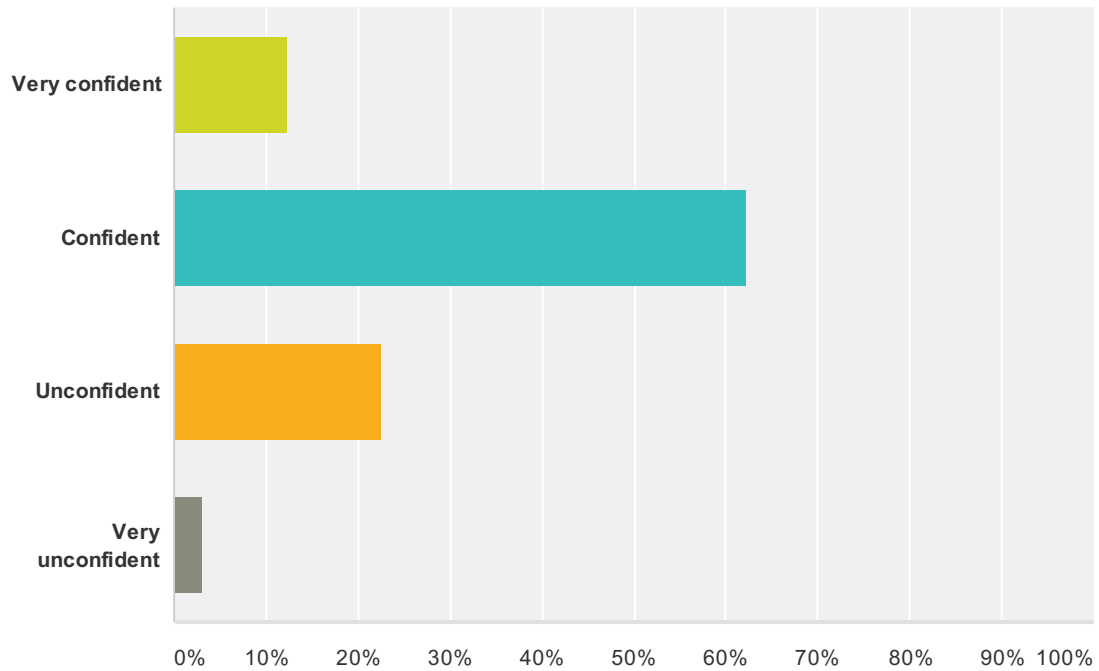
Answered: 101 Skipped: 61



Answer Choices	Responses	
1 day	45.54%	46
2-3 days	33.66%	34
4-5 days	15.84%	16
6 or more days	4.95%	5
Total		101

Q22 Rate your confidence in a PPSR report's capacity to provide certainty for unencumbered vehicle purchases.

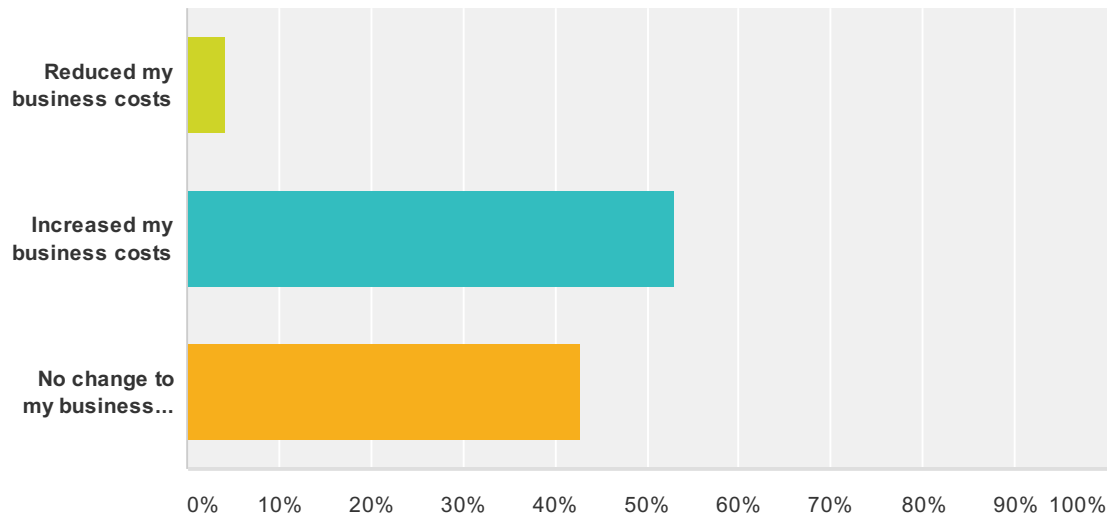
Answered: 98 Skipped: 64



Answer Choices	Responses	
Very confident	12.24%	12
Confident	62.24%	61
Unconfident	22.45%	22
Very unconfident	3.06%	3
Total		98

Q23 Overall, the PPSR has ...

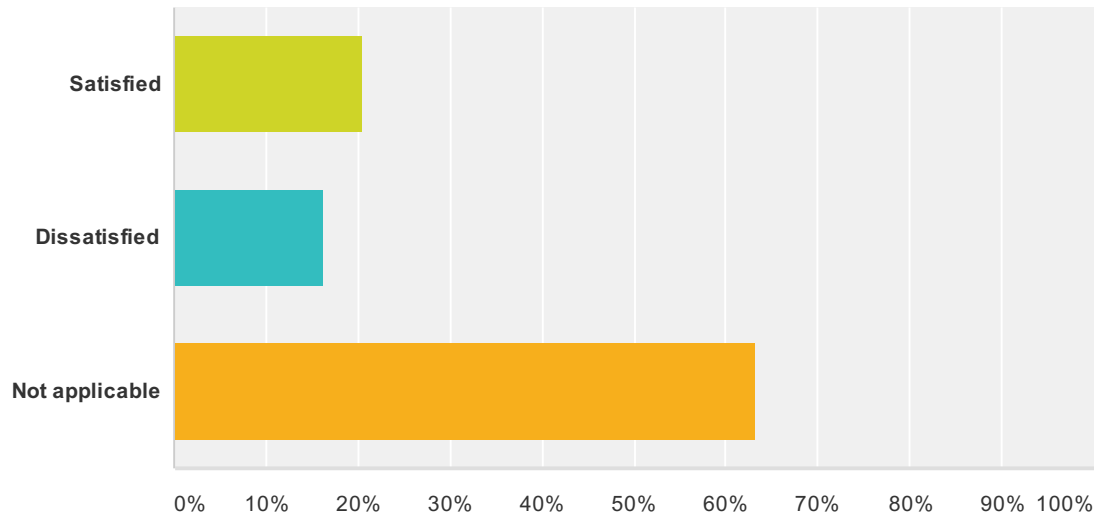
Answered: 98 Skipped: 64



Answer Choices	Responses	
Reduced my business costs	4.08%	4
Increased my business costs	53.06%	52
No change to my business costs	42.86%	42
Total		98

Q24 Thinking about how your position of priority is allocated by PPSR in a list of creditors during an insolvency or liquidation event, are you?

Answered: 98 Skipped: 64



Answer Choices	Responses	
Satisfied	20.41%	20
Dissatisfied	16.33%	16
Not applicable	63.27%	62
Total		98

Q25 Overall, are the other aspects of the PPSR system which could be improved?

Answered: 40 Skipped: 122

#	Responses	Date
1	n/a	5/31/2014 1:46 PM
2	I only use the system for car history reports and quite often there is a bit of down time in producing the certificate	5/29/2014 9:31 AM
3	the inclusion of registered owner details for vehicles	5/29/2014 8:43 AM
4	Expensive just to search a vehicle every time for a dealership who used to be able to search them for free with VicRoads, considering we need to look up these at least 2-3 per day at approx. \$4 per enquiry	5/28/2014 6:24 PM
5	less paperwork to print	5/28/2014 5:54 PM
6	Consistant and on going review to ensure smoothness and ease of operation. Accurate data is essential at all times.	5/28/2014 5:33 PM
7	Ability to chose an easy to remember login name, and not be forced to keep coming up with different passwords.	5/28/2014 12:25 AM
8	The time delay to register interests provides a window of opportunity for individuals to obtain finance on a vehicle that will not show on a PPSR for up to 5 days.	5/23/2014 9:54 AM
9	format could be simplified,	5/23/2014 8:52 AM
10	not being charged each time you look. only charge when print certificate.	5/22/2014 3:25 PM
11	There have been reports of machinery that have been sold, paid out in full so that there was no money owing on it, traded back by the dealer, sold again but the original registration of security was not removed by the original buyer & that original buyer went broke. The machine was considered as still under that person's security & the creditors tried to recover the value of the machine which was now sold to customer number two & asked for that value from the dealer who traded this unit even though there had been no money owing from the origianl deal & the dealer had traded this & resold this unit. There needs to be a better way of covering this type of problem. Not only that, but it seems that if an item is not registered on this system, a person could take possession of a machine or some piece of equipment & simply keep it without paying for it. It seems that under this new regime that possession is more important than proving that you actually bought this with an invoice & reciept that shows that you paid for it. It appears that possession is nine tenths of the law rather than actually paying for an item. If we chooose not to register a security over everything due to the cost & time required we have little claim over our property. Retention of Title used to be an argument for ownership & should continue to be so, especially in small business where we sell many small & medium priced items & the cost & time to register all would be out of the question. While no one defaults or cheats then we have no problem but potentially we face problems with this new system	5/22/2014 12:11 PM
12	if farm machinery has to go on this scheme it needs a lot of updating plus the manufacturers may need to identify machines better	5/22/2014 11:49 AM
13	An account based process should be put in place for Car Dealerships so that we don't have to waste time inputting credit card details every time we do a PPSR search. A monthly account would be more beneficial for payment.	5/22/2014 11:23 AM
14	N/A	5/22/2014 11:23 AM
15	make it easier to use cheaper and faster	5/22/2014 9:59 AM
16	This looks like a GOOD job for all pen pushers and been counters	5/20/2014 9:25 PM
17	UNKNOWN	5/20/2014 8:46 PM

2014 Statutory review of the Personal Property Securities Act

18	There has been insufficient training and guidance. The support staff are too worried about "giving legal advice" to provide any real guidance on things a bit wider than general use of the register. There should be better guidance on the importance of the Act and its application and relevance to the register.	5/20/2014 2:45 PM
19	A monthly account would be useful so we don't have to use our credit card all the time	5/20/2014 2:30 PM
20	restrictions on timing on registrations, the cost of registration and discharge.	5/20/2014 1:53 PM
21	At present we have to pre pay for the service this causes increased work load on the administration and sales staff balancing the statement at months end. we should be able to pay as you go. Encumbrances need to be removed quicker as we cannot on sell the traded product until it is free of encumbrances. This effects our cash flow and at times can cost a sale.	5/20/2014 10:35 AM
22	URGENT requirement to protect third party owned goods on site at allocation subject to a receivership, administration etc from seizure by the receivers	5/20/2014 9:26 AM
23	I am a director of a motor vehicle dealership. I believe if a PPSR enquiry is made and the vehicle is encumbered and future enquiries on the same vehicle are made then only one fee should apply.	5/20/2014 9:18 AM
24	ease of use	5/17/2014 8:46 AM
25	ALL	5/16/2014 6:32 PM
26	PPSR needs to be the one point that dealers and the public can Access NATIONAL details of security of potential purchases this must include financial interests and all necessary details such as VIN registration no and Stolen status	5/16/2014 1:21 PM
27	Fees	5/16/2014 6:36 AM
28	Easier access and passwords, I rarely use PPSR to complete checks but when I do my password is difficult to remember or expired so I try and avoid using.	5/15/2014 11:56 AM
29	Access to the name of the financial institution that has an encumbrance over a vehicle	5/15/2014 10:17 AM
30	YES	5/15/2014 10:14 AM
31	as per prior comments, the ability to do input or credit card details & email address to do multiple PPSR searches	5/15/2014 9:47 AM
32	more detailed reports of damage on wovr vehicle further details of encumbrence	5/15/2014 9:07 AM
33	Payment system for searches could be refined.	5/15/2014 8:05 AM
34	more information overall	5/15/2014 8:03 AM
35	Discontinue forced password changes Payment of PPSR charges are a totally unacceptable and unreasonable business cost for Licensed Auto Recycling who locate vehicles for financiers and police Licensed Auto Recyclers should have free access to this service	5/15/2014 6:58 AM
36	n/a	5/15/2014 12:16 AM
37	Once a certificate has been paid for, there shouldn't be an another charge for the same vehicle enquiry. Or at least for 1 month.	5/14/2014 10:06 AM
38	Get rid of it. As a car dealer it costs too much. We should be exempt, otherwise we have little choice but to on cost to customers.	5/14/2014 8:55 AM
39	I believe ppsr should be free to car dealers	5/13/2014 7:45 PM
40	dk	5/13/2014 2:26 PM