readers forum - book reviews

book review, from previous page

- pure tax GST and stamp duty issues dealt with state by state (there is no stamp duty payable on securities in the NT, but the GST issues are relevant);
- trade financing (export transactions), including forms and sources of finance, risk and risk management, methods of payment;
- · guarantees;
- insolvency a great comparison of the various procedures (liquidation receivership administration);
- responsibility for financial advice banker/customer relationship.

Transactions become more complex the more lenders that are involved, and the section on multi-lender financing takes some of the magic out of this by dealing with the concepts of syndicated loans, the legal issues involved in the establishment of them, the role of the various parties involved in the transaction, and the relationship between the syndicate members.

The specific issues involved in the financing of aircraft and ships are the subject of their own chapters, which deal with modes of finance, registration of securities and enforcement of securities.

The chapter on aircraft goes further and discusses the dual effects of the Ansett collapse and the September 11 2001 attack on the financing of aircraft and the enforcement of securities taken over them.

Perhaps not something a lawyer in the Northern Territory looks at every day but equally relevant to securities over other movables.

The book also deals comprehensively with the relationship of creditors to each other (subordination/priorities and key commercial provisions) and raises issues arising at general law and the Corporations Act.

Probably not general enough to be a great undergraduate text, but certainly a must for any commercial practitioner.

Karen Christopher Cridlands
Lawyers

readers forum - conferences

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