

# **Guidelines: Security Notice**

Updated October 14, 2008

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#### Contact Information



Department of **Energy, Mines and Resources** Oil and Gas Resources Suite 300, 211 Main Street Whitehorse, Yukon, Y1 A 2R2

**Rights and Royalties Manager** Government of Yukon



Fax: (867) 393-6262

Phone: (867) 667-3427



oilandgasdisposition@gov.yk.ca

#### **AUTHORITY & MODES OF DELIVERY**

**OGA S.55** 

The Security Notice is a statutory notice. Pursuant to the Oil and Gas Act (OGA), and the Oil and Gas Disposition Regulations (OGDR), a security notice in respect of a security interest may be submitted to the Division Head for registration. Statutory notices may be delivered to Oil and Gas Resources (OGR) by hand, courier, or mail. Statutory notices are registered in the order they are received at the OGR office.

#### WHAT IS A SECURITY NOTICE?

OGA S.56, 57, 60

A Security Notice is the document used to register a security interest in relation to a specific disposition. The registration of a security notice does not restrict or affect the power of the Commissioner, Minister, or Division Head, or any provision of the Oil and Gas Act or any of its regulations. A Security Notice is one in a series of statutory notices in respect of a security interest, that can be registered with Oil and Gas Resources. The following statutory notices can be found online: • Security Notice, • Change of Address for Service of Secured Party, • Notice of Assignment or Partial Assignment of a Registered Security Interest, • Notice of Discharge or Partial Discharge of a Security Interest, • Notice of Postponement of a Registered Security Notice, and the • Notice of Discharge or Partial Discharge of a Registered Postponement. Authorized parties may also register a certified copy of an order or judgment of the Supreme Court in relation to a security notice.

#### WHAT IS A SECURITY INTEREST?

## OGA S.1(1) Interpretation

Security interest means an interest in or charge on collateral which secures the payment of an indebtedness arising from an existing or future loan or advance, a bond or debenture of a corporation, or the performance of obligations by a guarantor under a guarantee in respect of all or any part of an advance, bond or debenture.

#### WHAT IS A SECURED PARTY?

#### OGA S.1(1) Interpretation

A secured party means a person who has a security interest; generally, a person who has made a loan to a holder of an oil and gas disposition, and holds the disposition or a part thereof as collateral.

#### WHO CAN REGISTER A SECURITY NOTICE?

A secured party or an agent of a secured party may submit for registration a security notice in respect of an oil and gas disposition. Secured parties are not required to register security notices with OGR.

#### WHAT IS A SECURITY INSTRUMENT?

#### OGA S.1(1) Interpretation

A security instrument is the contract or legal instrument that creates the security interest. The details of the security instrument are not released to Oil and Gas Resources.

#### **FEES**

OGA S.57 OGDR S.56. Schedule 1

There is a \$50.00 fee to register a security notice.

#### **LIST OF FORMS**

In order to be processed, the **Security Notice** should include an **Oil and Gas Transmittal Letter** from the secured party or agent. Interactive versions of both forms are available online at <a href="http://www.gov.yk.ca/forms/o.html">http://www.gov.yk.ca/forms/o.html</a>.

Online forms contain interactive fields. Information is entered by pointing and clicking to locate the insertion point, and typing the information. Use the tab key or the mouse to move to the next entry field. Note: If you wish to save or e-mail the form, you require a copy of Adobe Acrobat Standard, or Adobe Acrobat Professional installed on your computer. If you are using Adobe Reader, you will be able to print the completed form however you will not be able to save it.

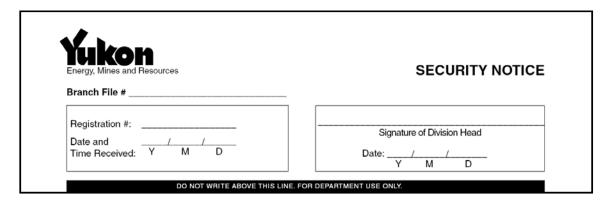
# INSTRUCTIONS FOR COMPLETING THE SECURITY NOTICE

		SECURITY NOTIC
Branch File #		
Registration #:  Date and / / Time Received: Y M	D	Signature of Division Head  Date://Y M D
DO NOT W	VRITE ABOVE THIS LINE. FOR DEPARTI	MENT USE ONLY.
A. Disposition. The secured party her		ty interest affecting the following disposition
B. Full name of secured party.		
	Describe the general nature of the sedered the Bank Act, a debenture, a moder the Bank Act, and debenture, a modern the Bank Act, and debenture and debenture.	curity interest arising under the security instrument ortgage, etc.)
Dated/ _/	Expiry date (optional)/	M D
D. Address for service of secured par	ty.	"orms o.h."
	Full name of Agent of	vk.caltor.
	www.gov	
	line at W.	D <del>e</del> l
Available of	rovince/Territory or State	M D  Nyk.calformslo.html  Country Postal Code  E-mail Address
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Fax Number	E-mail Address
none Number		
	nclosed.	
E. Registration fee of \$50.00 is en		
E. Registration fee of \$50.00 is en		
E. Registration fee of \$50.00 is en	t. Signature	Capacity
E Registration fee of \$50.00 is en	t. Signature	Capacity

#### **Above the Line**

This area will be completed by the staff at Oil and Gas Resources.

The date the notice is received is the date of registration. Documents are registered in the order they arrive at OGR. The sender will be notified of the registration number. Keep this number on record. It will be needed if other statutory notices are submitted that refer to the original security notice.



#### **A** Disposition

Insert the full name and number assigned to the disposition. A separate security notice is required for each disposition to which the notice applies.

**A.** Disposition. The secured party hereby gives notice that it has a security interest affecting the following disposition (type and number.) Submit one notice for each disposition affected by the security interest.

#### B Full name of secured party.

Insert the full legal name of the secured party.

B. Full name of secured party.	

#### C Description of Security Instrument

Complete the description of the security instrument. The expiry date is optional. Do not attach the original nor a copy of the security instrument.

		,		Describe the general nature nder the <i>Bank Act</i> , a debent		,		rising under the security instrument
Dated	/ Y	M	<u>'</u>	Expiry date (optional)	Υ	/ M	/ D	-

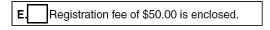
#### D Address for service

The address for service is the address Oil and Gas Resources will use to contact the secured party or the agent of the secured party. If an agent is acting for the secured party, indicate the full legal name, and complete the entry fields with the address of the agent.

D. Address for service of secured par	ty.		
	Full name of Agent of secured part	y if different from B.	
	Street Address, Suite, Box Numb	er	
City	Province/Territory or State	Country	Postal Code
Phone Number	Fax Number	E-mail A	Address

## **E** Registration Fee

A security notice will not be registered if the fee is not submitted. Payment can be made via certified cheque, bank draft or money order payable to the Government of Yukon.



# F Signature

Include the signature and full name of the secured party, or the agent. An original signature is required. Indicate the capacity in which the signatory is acting.

F. Signature of secured party or agent.					
_		Signati	ure		
	Name (print or type)			Capacity	

#### G Dated

Indicate the date the security notice is being submitted.

G. Dated			
this d	lay of		
	any conflict or inconsist s under it, the latter prov	,	form or the Guidelines and a provision of the Oil and Gas
YG(5496EQ)F1 Rev. 05/2008	,		
	<b>Print Form</b>	Clear Form	and the Oil and Gas Disposition Regulations.

# INSTRUCTIONS FOR COMPLETING THE OIL AND GAS TRANSMITTAL LETTER

Including an oil and gas transmittal letter will provide contact information. Any number of forms can be submitted with one transmittal letter.

_	y, Mines and Resources		For departme	nt use only
Го:	Rights and Royalties Manager Oil and Gas Resources Department of Energy, Mines and Resources Suite 300, 211 Main Street Whitehorse, Yukon, Y1A 2B2 Phone #: (867) 667-3427 Fax #: (867) 393-6262 E-mail: oilandgasdisposition@gov.yk.ca	Date an	d Time Received:  / / / M D	Branch File #:
This	s submission refers to disposition #:	Da	te sent:	Total # of pages sent
Nar	me of sender (full business name):			
Ind	licate capacity of sender (holder; secured party; de	signated repr	esentative; or agent):	
Ma	iling address of sender (number; street; city; provin	ce, territory, c	r state; country; zip or post	al code):
_				
_			1	
Naı	me of Contact Person:		Capacity of Con	tact Person:
Coi	ntact phone number:		Contact fax nur	nber:
Со	ntact e-mail address:			ms o.htm
Att	ntact phone number:  ntact e-mail address:  cachments: (List the name of the form or the type of notice)  Available online at	e; along with r	gov.yk.cal	Gosures):
	so online at	W.		
	Available			
	mments:			
Со	minerits.			

#### **Above the Line**

This area will be completed by staff at Oil and Gas Resources.

YUKON	OIL AND GAS
Energy, Mines and Resources	TRANSMITTAL LETTER
To: Rights and Royalties Manager Oil and Gas Resources Department of Energy, Mines and Resources Suite 300, 211 Main Street Whitehorse, Yukon, Y1A 2B2 Phone #: (867) 667-3427 Fax #: (867) 393-6262 E-mail: oilandgasdisposition@gov.yk.ca	For department use only  Date and Time Received:

# **Disposition, Date Sent, Total pages**

This submission refers to disposition #:

Indicate the disposition(s), date sent, and total number of pages included in the submission. If more room is needed to indicate dispositions, use the comment box at the bottom of the form.

Name of sender.		
The name of the sender is the full legal name	of the company.	
Name of sender (full business name):		

Date sent:

Total # of pages sent:

# Capacity of sender.

The sender can be a disposition holder, secured party, designated representative, or an agent.

Indicate capacity of sender (holder; secured party; designated representative; or agent):	

# Mailing address.

Indicate full mailing address of sender.

Mailing address of sender (number; street; city; province, territory, or state; country; zip or postal code):

#### Contact information.

If you wish Oil and Gas Resources to direct inquiries to a specific person, indicate his or her contact information here.

Name of Contact Person:	Capacity of Contact Person:	
Contact phone number:	Contact fax number:	
Contact e-mail address:		

#### List of attachments.

List the names of the items being submitted. Use additional copies of the transmittal letter if more space is required.

Attachments: (List the name of the form or the type of notice; along with required fees; court order; and other enclosures):		

# Comments.

Use the comment box for any special instructions or notes regarding the submission. Use additional copies of the transmittal letter if more space is required.

Comments:			
YG(5446Q)F1 01/2008	Print Form	Clear Form	