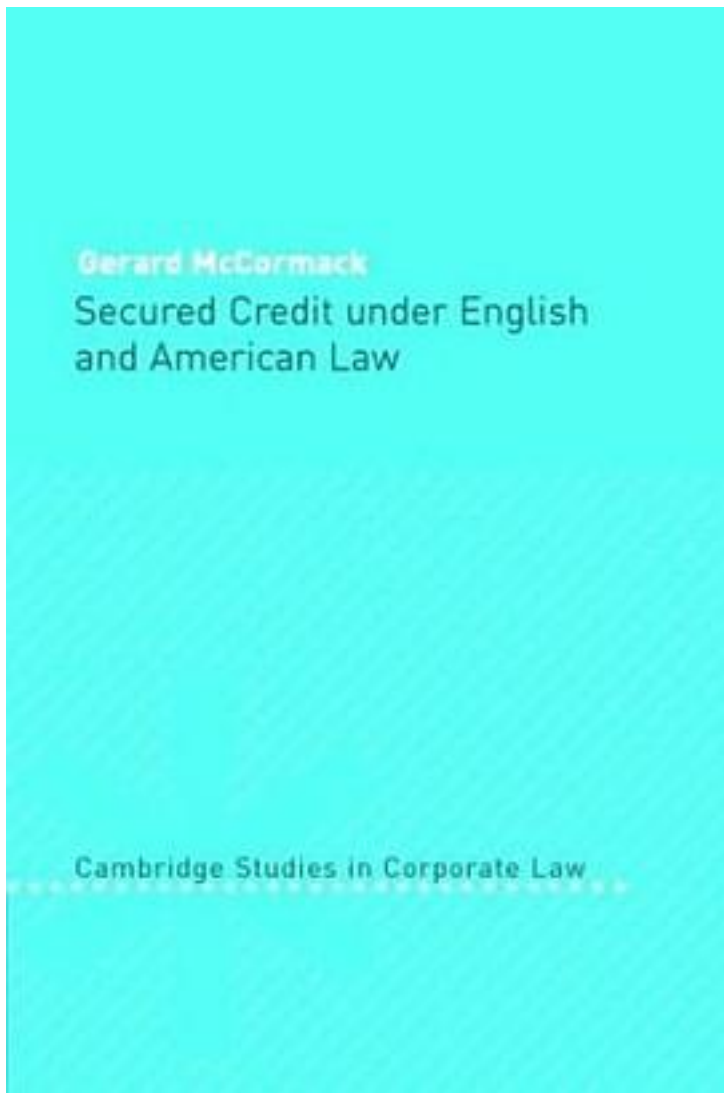


Secured Credit under English and American Law



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Secured Credit drives economic activity. Under English Law it is possible to create security over almost any asset, but the law is widely considered to be unsatisfactory for several reasons, including a cumbersome registration system, a preoccupation with formalistic distinctions and the lack of clear and rationally-determined priority rules. Gerard McCormack examines the current state of English law highlighting its weaknesses. He uses Article 9 of the American Uniform Commercial Code as a reference point: this Article has successfully serviced the world's largest economy for over 40 years and is increasingly used as the basis for legislation by Commonwealth jurisdictions including Canada and New Zealand. The Law Commission has suggested the enactment of similar legislation in England. In addition, McCormack considers if there really is a case for the priority of secured credit, as well as if there are other international models to draw upon. Contains the text of Article 9.

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