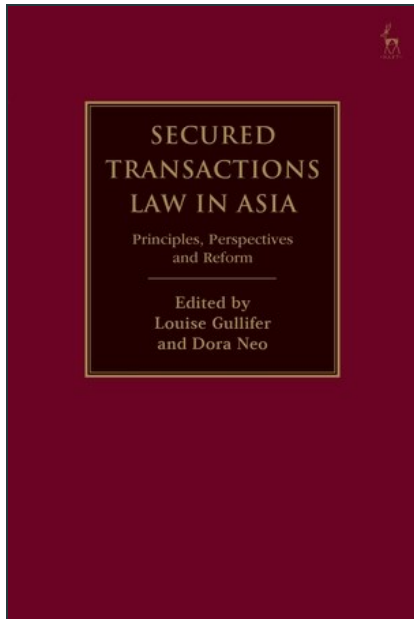


# Secured Transactions Law in Asia

## Principles, Perspectives and Reform

**Edited by Louise Gullifer & Dora Neo**

Written under the auspices of the Secured Transactions Law Reform Project, this book offers a unique insight and overview of the secured transactions law in many of the most important countries in Asia, as well as reflections on the need for, benefits of, and challenges for law reform in this area of the law.



**35% off with this flyer!**

**Hardback | 552 pp | March 2021 | 9781509926497 | £120.00 £78.00**

This collection of essays offers a unique insight and overview of the secured transactions law in many of the most important countries in Asia, as well as reflections on the need for, benefits of and challenges for reform in this area of the law.

The book provides a mixture of general reflections on the history, successes and challenges of secured transaction law reform, and critical discussion of the law in a number of Asian countries. In some of the countries, the law has already been reformed, or reform is under way, and here the reforms are considered critically, with recommendations for future work. In other countries, the law is not yet reformed, and the existing law is analysed so as to determine what reform is desirable, and whether it is likely to take place.

First, this book will enable those engaging with the law in Asia to understand better the contours of the law in both civil and common law jurisdictions. Second, it provides analytical insights into why secured transactions law reform happens or does not happen, the different methods by which reform takes place, the benefits of reform and the difficulties that need to be overcome for successful reform. Third, it discusses the need for reform where none has yet taken place and critically assesses the reforms which have already been enacted or are being considered. In addition to providing a forum for discussion in relation to the countries in question, this book is also a timely contribution to the wider debate on secured transactions law reform which is taking place around the world.

Louise Gullifer is Rouse Ball Professor of English Law at the University of Cambridge.

Dora Neo is Associate Professor and the founding Director of the Centre for Banking & Finance Law at the Faculty of Law, National University of Singapore.

## **Table of Contents**

### 1. Introduction

**Louise Gullifer, University of Cambridge, UK and Dora Neo, National University of Singapore**

### PART I

#### GENERAL

### 2. *Lost in Transplantation? Modern Principles of Secured Transactions Law as Legal Transplants*

**Charles W Mooney, Jr, University of Pennsylvania, USA**

### 3. *Personal Property Securities Law Reform in Developed Jurisdictions*

**Anthony Duggan, University of Toronto, Canada**

### 4. *Secured Transactions Law Reform in Asia and Access to Finance: What can the UNCITRAL Model Law on Secured Transactions Offer?*

**N Orkun Akseli, University of Durham, UK**

### 5. *Secured Transactions Reform in East Asia: Progress and Challenges*

**Elaine MacEachern, World Bank Group, Financial Institutions Group Advisory Services (Washington DC), USA**

### PART II

#### CIVIL LAW JURISDICTIONS

### 6. *Secured Transactions Law Reform in Civil Law Jurisdictions: Challenging Tradition, Facing Reality, and Embracing Modernity*

**Teresa Rodríguez de las Heras Ballell, Universidad Carlos III de Madrid, Spain**

### 7. *The Law of Secured Transactions in China: Comparison and Future Reform*

**Lebing Wang, University of International Business and Economics, Beijing, PRC.**

### 8. *Secured Transactions Law Reform in Indonesia: Fiducia, at a Crossroads*

**Ibrahim Assegaf, STIH Indonesia Jentera, Jakarta, Indonesia and Aria Suyudi, STIH Indonesia Jentera, Jakarta, Indonesia**

### 9. *Navigating the Patchwork of Secured Transactions Rules in Japan: Towards a Framework Conducive to Asset Based Lending*

**Megumi Hara, Gakushuin University, Japan**

### 10. *Banking the Unbanked: An Examination of the Personal Property Security Act of the Philippines*

**Anthony Amunategui Abad, Ateneo de Manila University, Philippines, David Kintanar Rosario III, Abad Alcantara & Associates, Philippines and Griselda (Gay) Santos, Financial Executives Institute of the Philippines**

### 11. *Korea: The Coexistence of Old and New Secured Transactions Law Regimes*

**Youngjoon Kwon, Seoul National University, Korea**

### 12. *Law Reform of the Secured Transactions Regime in Taiwan: Modernisation, Controversies, and Prospects*

**Andrew Jen-Guang Lin, National Taiwan University, Taiwan**

### 13. *Implementation of International Standards on Secured Transactions into the Thai Legal System: Possibilities and Proposals*

**Parawee Kasitnon, Thammasat University, Bangkok, Thailand**

### 14. *Secured Transactions Reform in Vietnam: Prominent Achievements, Experiences, and Lessons Learnt*

**Huyen Pham, International Finance Corporation (IFC), World Bank Group, Vietnam**



PART III  
COMMON LAW JURISDICTIONS

15. *Secured Transactions Law Reform in Common Law Jurisdictions (Brunei Darussalam as an Example)*  
**Louise Gullifer, University of Cambridge, UK**
16. *Bangladesh Secured Transactions Framework: Moving Towards a Reform*  
**Marek Dubovec, Kozolchyk National Law Center, USA and Junayed Chowdhury, Vertex Chambers, Bangladesh and Vertex International Consulting, Australia**
17. *Secured Transactions Law in India: Suggestions for Reforms*  
**M R Umarji, Indian Delegate to UNCITRAL Working Group VI on Secured Transactions Law**
18. *Pakistan's Reform of Secured Transactions Law: Challenges and the Road Ahead*  
**Marek Dubovec, Kozolchyk National Law Center, USA and Zahra Abid, Haidermota & Co, Pakistan**
19. *Secured Transactions Law in Singapore: Living with Untidiness*  
**Dora Neo, National University of Singapore**
20. *Conclusion*  
**Louise Gullifer, University of Cambridge, UK**





## How to Order

**Web:** To order online please visit our website [www.hartpublishing.co.uk](http://www.hartpublishing.co.uk) and use the discount code STLA35 at the checkout.

**Post:** Fill in the order form below and return to Macmillan Distribution Ltd (MDL), Cromwell Place, Hampshire International Business Park, Lime Tree Way, Basingstoke, Hampshire, RG24 8YJ, UK

**Telephone:** UK Orders: Call +44 (0)1256 302692; EU and ROW Orders: Call +44 (0)1256 302890 quoting the discount code STLA35

To order this book, please fill out the following form and return to the address above.

ISBN	Title	Discount Code*	Price	Quantity	Total
9781509926497	Secured Transactions Law in Asia	STLA35	£78.00		
<b>Please remember to add Postage and Packaging:</b>			<b>P&amp;P</b>		
<b>UK:</b> add £3.50 per order + £1 per item for total of under £25 (including discount). Postage is free for orders of £25 and over. <b>Europe:</b> add £5.50 per order + £1 per item. <b>Rest of World:</b> add £9.50 per order + £1 per item.			<b>Grand Total</b>		

\* This offer is available to individuals only. The discount is not available through bookshops.

### Payment Details

- I enclose a cheque made payable to Macmillan Distribution (MDL)
- Please debit VISA / MASTERCARD / MAESTRO / AMERICAN EXPRESS / JCB (delete as necessary)

Card Number: \_\_\_\_\_

Issue No. (Maestro Only): \_\_\_\_\_

Start Date (Maestro Only): \_\_\_\_\_

Expiry Date: \_\_\_\_\_

Security Code: \_\_\_\_\_

All credit card payments are processed by our distributor, Macmillan Distribution (MDL)

### Contact and Delivery Details

Name	
Address	
City/County/Postcode	
Country	
Telephone	
Email	

**Subscribe to our e-newsletter service | sign up to receive catalogues, leaflets, and inspection copy offers by post!**

- Yes, sign me up to receive information via email from Bloomsbury Publishing Plc in my subject area(s) of interest. My email address is given in the form above.
- Yes, sign me up to receive information by post from Bloomsbury Publishing Plc in my subject area(s) of interest. My postal address is given in the form above.

You can unsubscribe from e-newsletters or change your area(s) of interest at any time by changing your preferences in your account on [Bloomsbury.com](http://Bloomsbury.com) or clicking the unsubscribe link in any newsletter. You can ask to be removed or alter your postal mailing preferences at any time by emailing [contact@bloomsbury.com](mailto:contact@bloomsbury.com) or writing to the Legal Department, Bloomsbury Publishing Plc, 50 Bedford Square, London WC1B 3DP.

For information on how we process your data, read our Privacy Policy at [www.bloomsburyprofessional.com/uk/privacy-policy](http://www.bloomsburyprofessional.com/uk/privacy-policy).