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BANKING AND FINANCE LAUNCH PLAN

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This is a list of resources planned for development for the launch of the Banking and Finance service of Practical Law Australia in 2018

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Lending: general

- Practice notes
 - Security trusts in finance transactions
 - Introduction to APLMA and its resources
 - Corporate loan facilities: overview
 - Documenting a facility agreement
 - Methods of raising debt finance
 - Trust obligors in finance transactions
- Standard documents
 - Facility agreement (bilateral)
 - Facility agreement (short form)
 - Amendment agreement
 - Amendment and restatement agreement
 - Amendment letter
 - Amendment request: borrower to lender
 - Board minutes: borrower approving facility agreement and finance documents
 - Conditions precedent satisfaction letter: lender to borrower
 - Conditions precedent satisfaction letter: lender's lawyers to lender
 - Condition precedent waiver letter
 - Consent letter: lender to borrower
 - Consent request: borrower to lender (existing facility)
 - Consent request: borrower to lender (new borrowing and security with new lender)
 - Drawdown request
 - Demand for loan repayment
 - Effective date letter: lender to borrower
 - Reservation of rights letter: facility agreement
 - Waiver and consent letter

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- Waiver request: borrower to lender
- Standard clauses
 - Borrower's conditions precedent schedule
 - Borrower's covenants
 - Borrower's events of default
 - Borrower's representations and warranties
 - Trust provisions
- Checklists
 - Amending a facility agreement: issues to consider
 - Can we create new security during the term of the existing loan?
 - Can we declare or pay a dividend during the term of the existing loan?
 - Can we dispose of an asset during the term of the existing loan?
 - Can we incur additional borrowings during the term of the existing loan?
 - Cab we make an acquisition during the term of the existing loan?
 - Consent requests: issues to consider:
 - Instructing foreign lawyers on facility agreements
 - Review of trust obligor's trust documents
 - Waiver requests: issues to consider

Taking security

- Practice notes
 - PPSA: Overview
 - PPSA: Priorities and take free rules
 - PPSA: In substance and deemed security interests
 - Registering security interests on the PPSR
 - Discharging registrations on the PPSR
 - Searching the PPSR
 - Taking security over a bank account
 - Taking security over all the property of a company
 - Taking security over receivables and accounts
 - Taking security over shares and marketable securities
 - Taking security: common law and PPSA

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- PEXA and the National Mortgage Form
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 - General security deed
 - Deed of release
 - Waiver letter
- Checklist
 - Instructing foreign lawyers on security

Guarantees and indemnities

- Practice notes
 - Guarantees and indemnities
 - Co-guarantors
 - Rights of guarantors
 - Guarantees: termination and discharge
- Standard documents
 - Guarantee and indemnity (corporate guarantor, all moneys)
 - Guarantee and indemnity (corporate guarantor, specific liability)
 - Guarantee and indemnity (individual guarantor, specific liability)
 - Board minutes: Guarantor approving guarantee and indemnity
 - Consent deed to amendment of guaranteed obligations
 - Deed of release of guarantor

Letters of credit and bank guarantees

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 - Letters of credit and bank guarantees: overview

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- Documentary letters of credit
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- Practice notes
 - Searches and due diligence to be carried out before issuing a legal opinion
 - Legal opinions in finance transactions: overview
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- Practice notes
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 - Set-off
 - Payment Systems and Netting Act
- Standard clause
 - Set-off

Subordination, priority and intercreditor

- Practice notes
 - Intercreditor and priority issues
 - Subordination