

Guidelines: Notice of Discharge or Partial Discharge of a Registered Postponement

Updated October 14, 2008

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Contact Information



Hand Delivery



Mail & Courier



Fax



E-mail

Rights and Royalties Manager
Government of Yukon

Department of
Energy, Mines and Resources
Oil and Gas Resources
Suite 300, 211 Main Street
Whitehorse, Yukon,
Y1A 2B2

Fax: (867) 393-6262

Phone: (867) 667-3427

oilandgasdisposition@gov.yk.ca

AUTHORITY & MODES OF DELIVERY

OGA S.55

The *Notice of Discharge or Partial Discharge of a Postponement* (Discharge of Postponement) is a statutory notice. Pursuant to the *Oil and Gas Act* (OGA), and the *Oil and Gas Disposition Regulations* (OGDR), a Discharge of Postponement 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 DISCHARGE OF POSTPONEMENT?

OGA S.57, 60

A Discharge of Postponement may be submitted to OGR by a secured party for registration or through a certified copy of a Supreme Court order or judgment stating that the secured party has agreed to the discharge or partial discharge of the postponement of the security notice. A *Notice of Discharge or Partial Discharge of a Registered Postponement* 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 no fee to register a *Notice of Discharge or Partial Discharge of a Registered Postponement*.

LIST OF FORMS

In order to be processed, the **Notice of Discharge or Partial Discharge of a Registered Postponement** should include a **certified copy of the order or judgment of the Supreme Court** and an **Oil and Gas Transmittal Letter**. Interactive versions of the forms are available online at <http://www.gov.yk.ca/forms/o.html>.

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 DISCHARGE OF POSTPONEMENT



**NOTICE OF DISCHARGE OR PARTIAL DISCHARGE
OF A REGISTERED POSTPONEMENT**

Branch File # _____

Registration #: _____
Date and _____ / _____ / _____
Time Received: Y M D

Signature of Division Head

DO NOT WRITE ABOVE THIS LINE. FOR DEPARTMENT USE ONLY.

A. Disposition type and number. (Submit one notice for each disposition affected by the discharge.)

B. Registration number of the original security notice which is the subject of this postponement. (Submit one notice per registration number.)

This is a full discharge This is a partial discharge

C. Full name of secured party.

D. Signature of secured party or agent.

Signature

Signature

Name (print or type) _____

Available online F. Discrepancy. In the event of inconsistency between this form or the Guidelines and a provision of the *Oil and Gas Act*, the latter provision prevails.

This Statutory Notice is issued pursuant to the *Oil and Gas Act* and the *Oil and Gas Disposition Regulations*.

YG(5520EQ)F 1.08/2008

Print Form

Clear Form

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.

 Energy, Mines and Resources	NOTICE OF DISCHARGE OR PARTIAL DISCHARGE OF A REGISTERED POSTPONEMENT	
Branch File # _____		
Registration #: _____		
Date and Time Received: _____ / _____ / _____ Y M D	Signature of Division Head	
	Date: _____ / _____ / _____ Y M D	

A Disposition type and number

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

A. Disposition type and number. (Submit one notice for each disposition affected by the discharge.)

B Registration number of original security notice

The security notice to which this Discharge of Postponement applies will have been issued a registration number by Oil and Gas Resources. Enter that number, submitting one form for every security notice affected by the discharge. Indicate if this is a full or partial discharge.

B. Registration number of the original security notice which is the subject of this postponement. (Submit one notice per registration number.)

This is a full discharge This is a partial discharge

C Full name of secured party

Insert the full legal name of the secured party.

C. Full name of secured party.

D Signature

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

D. Signature of secured party or agent.

Signature

Name (print or type)

Capacity

E Dated

Indicate the date the Discharge of Postponement is being submitted.

E. Dated

this _____ day of _____

F. Disclaimer. If there is any conflict or inconsistency between this form or the Guidelines and a provision of the *Oil and Gas Act* or any regulations under it, the latter provision prevails.

This Statutory Notice is issued pursuant to the *Oil and Gas Act*
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.

Yukon Energy, Mines and Resources		OIL AND GAS 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: ____ / ____ / ____ Y M D	
This submission refers to disposition #:		Date sent:	Total # of pages sent:
Name of sender (full business name):			
Indicate capacity of sender (holder, secured party, designated representative, or agent):			
Mailing address of sender (number, street, city, province, territory, or state, country, zip or postal code): _____ _____ _____			
Name of Contact Person:		Capacity of Contact Person:	
Contact phone number:		Contact fax number:	
Contact e-mail address:			
Attachments: (List the name of the form or the type of notice, along with required attachments, if any, and the reason for the attachment (e.g., enclosures): _____			
Comments: _____			
<small>YG(5446Q)FI 01/2008</small>			
Print Form		Clear Form	

Available online at www.gov.yk.ca/forms/o.html

Above the Line

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

 Energy, Mines and Resources	OIL AND GAS 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: _____/_____/_____ Y M D	Branch File #: _____

Disposition, Date Sent, Total pages

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.

This submission refers to disposition #:	Date sent:	Total # of pages sent:
--	------------	------------------------

Name of sender

The name of the sender is the full legal name of the company.

Name of sender (full business name): _____

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): _____ _____ _____
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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.