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An equitable charge could be created by an informal transaction for value and over any kind of property. 8 The workhorse of the secured credit industry in England has traditionally been the charge, particularly the floating charge, 9 but there are many different types of security right recognised under English law. The law on both sides of the Atlantic is similar in generally granting secured creditors priority over unsecured creditors.

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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.

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The book, written under the auspices of the Secured Transactions Law Reform Project, informs the debate about reform and advances novel arguments written by world renowned experts that will build upon the existing literature, and as such will be of interest to academics, legal practitioners and the judiciary involved in secured transactions law around the world.

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