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Filing Instructions

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UPDATE 101

MAY 2024

MODERN CONTRACT OF GUARANTEE

Before filing this update please ensure that Update 100 has been filed – check behind the tabcard Filing Instructions/Summaries at the back of the volume.

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Filing Instructions

1. Check the currency of your Service

Ensure Update 100 has been filed.

2. File your updating pages

To file this update, you will need to refer to the following table.

In your binder, navigate to the Tabcard noted in the Find Tabcard column. Remove the pages listed in the Discard old pages column, then replace the discarded pages with the newly issued pages as listed in the Insert new pages column. Ensure that you follow one Filing Instruction row at a time.

Find Tabcard	Discard old pages	Insert new pages
FORMATION AND VALIDITY		
Definition and distinctions	1-101 – 1-2118	1-101 – 1-2118
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	1-6101 – 1-6114	1-6101 – 1-6114
Formation of the contract	2-5057 – 2-5098	2-5057 – 2-5100
Formal requirements	3-5 – 3-12	3-5 – 3-12
	3-4053 – 3-5070	3-4053 – 3-5070
	3-5083 – 3-5114	3-5083 – 3-5114
	3-5143 – 3-5152	3-5143 – 3-5152
Factors affecting validity	4-11 – 4-12	4-11 – 4-12
	4-33 – 4-58	4-33 – 4-58
	4-4055 – 4-4058	4-4055 – 4-4058
	4-4073 – 4-4150.2	4-4073 – 4-4150.2
	4-6071 – 4-6072	4-6071 – 4-6072

Find Tabcard	Discard old pages	Insert new pages
	4-8063 – 4-8082	4-8063 – 4-8082
LIABILITY AND DISCHARGE		
Scope of the guarantor's liability	5-101 – 5-2132	5-101 – 5-2132
Determination of the principal transaction	6-3057 – 6-4072	6-3057 – 6-4072
Creditor's conduct towards the principal	7-3 – 7-42	7-3 – 7-42
Creditor's conduct in relation to the guarantor	8-3079 – 8-3086	8-3079 – 8-3086
Determination of the guarantee	9-3057 – 9-3070	9-3057 – 9-3072
RIGHTS OF THE PARTIES		
Rights of the creditor	10-53 – 10-54	10-53 – 10-54
	10-3101 – 10-3108	10-3101 – 10-3108
	10-3149 – 10-3220	10-3149 – 10-3220.2
Rights of the guarantor before payment	11-1067 – 11-1096	11-1067 – 11-1098
Rights of the guarantor after payment	12-1 – 12-54	12-1 – 12-54
	12-1051 – 12-1098	12-1051 – 12-1100
	12-1129 – 12-1134	12-1129 – 12-1134
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Consumer credit legislation	14-1053 – 14-1062	14-1053 – 14-1062
	14-4059 – 14-4064	14-4059 – 14-4064

Find Tabcard	Discard old pages	Insert new pages
	14-4085 – 14-4096	14-4085 – 14-4096
Suretyship in private international law	16-4051 – 16-4058	16-4051 – 16-4058

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