

**TITLE 5: UNIFORM COMMERCIAL CODE**  
**DIVISION 9: SECURED TRANSACTIONS, ETC.**

**§ 9206. Agreement Not to Assert Defenses Against Assignee; Modification of Sales Warranties Where Security Agreement Exists.**

(1) Subject to any statute or decision which establishes a different rule for buyers or lessees of consumer goods, an agreement by a buyer or lessee that he will not assert against an assignee any claim or defense which he may have against the seller or lessor is enforceable by an assignee who takes his assignment for value, in good faith and without notice of a claim or defense, except as to defenses of a type which may be asserted against a holder in due course of a negotiable instrument under the division on commercial paper (division 3 of this title [5 CMC § 3101 et seq.]). A buyer who as part of one transaction signs both a negotiable instrument and a security agreement makes such an agreement.

(2) When a seller retains a purchase money security interest in goods the division on sales (division 2 of this title [5 CMC § 2101 et seq.]) governs the sale and any disclaimer, limitation or modification of the seller's warranties.

**Source:** PL 3-56, § 1 (§ 9206).