

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

F	M	No:
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IMPORTANT NOTICE
Please Note Privacy Statement Overleaf

**NOTICE OF FORECLOSURE
BY MORTGAGEE OF
REGISTERED LEASE**

The mortgagee of the Lease of the land described below which is the subject of the disclaimer under a law about bankruptcy accompanying this application hereby applies to the Registrar-General to register a notice of foreclosure. (NOTES 1 - 4)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 5)

LEASE NUMBER (NOTE 6)

MORTGAGEE (NOTE 7)

OWNER (NOTE 8)

DETAILS OF APPOINTMENT OF TRUSTEE (NOTE 9)

NOTICE OF CONSENT OF SUBSEQUENT MORTGAGEES (NOTE 10)

.....
Signed by the Mortgagee
on (Date)

In the presence of:

.....
Qualified Witness
.....
.....

(NOTE 11)

CONSENT OF INTEREST HOLDERS

Instrument type:

Instrument type:

Instrument No:

Instrument No:

Name of Parties:

Name of Parties:

.....

.....

I the registered proprietor of the interest shown above consent to the registration of this instrument.

I the registered proprietor of the interest shown above consent to the registration of this instrument.

Signed:

Signed:

(Date):

(Date):

In the presence of:

In the presence of:

.....

.....

Name of Witness:

Name of Witness:

Address or Telephone No.:

Address or Telephone No.:

SCHEDULE OF NOTES

1. If a lease the subject of a disclaimer under the law of bankruptcy is mortgaged, a mortgagee may apply to the Registrar-General to register a notice of foreclosure. A notice of foreclosure must be accompanied by the disclaimer. On the notice of foreclosure being registered the estate or interest of the bankrupt in the lease vests in the mortgagee free from all other charges, and the Registrar-General must register the mortgagee as registered proprietor of the lease.
2. A notice of foreclosure must not be registered unless the Registrar-General is satisfied that the mortgagee has given 14 days written notice of his or her intended application to every subsequent mortgagee of the lease, or has obtained the written consent of every subsequent mortgagee of the lease.
3. This form may be lodged as an original only and must be typed or completed in biro. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
4. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
5. Volume and Folio references must be given together with complete parcel description. If the certificate as to title (if issued) is readily available it must be produced.
6. Insert Registered Lease number.
7. Insert full name of mortgagee making application.
8. Insert full name of owner.
9. Insert details of appointment of trustee and produce a certified copy of such assignment or appointment.
10. Here insert either 14 days notice has been given or that written consents are included in the application.
11. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Practitioners Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.
A witness to an instrument executed by an individual must first:
 - take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
 - have the individual execute the document in the presence of the witness;
 - not be a party to the instrument; and
 - if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above).
12. After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.
13. For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.
14. For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the Land Title Act to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The Department of Planning and Infrastructure also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.