

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

M	No:
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IMPORTANT NOTICE
Please Note Privacy Statement Overleaf

MORTGAGE

The owner of the interest described subject to the mortgages, encumbrances and other instruments affecting the land including any created by dealings lodged prior to the lodging of this mortgage, mortgages to the mortgagee the estate and interest in the land specified below, and covenants with the mortgagee in the terms as set out on the back of this document and charges the estate or interest in the land with the repayment/payment to the mortgagee of all sums of money and the performance of all obligations secured by this mortgage.

(NOTES 1 - 2)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 3)

INTEREST BEING MORTGAGED	
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(NOTE 4)

DESCRIPTION OF DEBT OR LIABILITY SECURED	
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(NOTE 5)

OWNER/ MORTGAGOR	
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(NOTE 6)

LENDER/MORTGAGEE	Name: Address for the service of notices:
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(NOTE 7)

TENANCY	Joint Tenants/Tenants in Common (Shareholding)
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(NOTE 8)

.....
SIGNED by the Owner (Mortgagor)

on (Date)

In the presence of:
.....
Qualified Witness:
.....
.....

.....
SIGNED by the Lender (Mortgagee)

on (Date)

In the presence of:
.....
Qualified Witness:
.....
.....

(NOTES 9 & 10)

Registered on At

COVENANTS

The owner/mortgagor covenants with the lender/mortgagee as follows:

- To pay the principal sum by
- To pay the lender/mortgagee so long as the principal sum or any part thereof shall remain unpaid interest on the said sum or on so much thereof as for the time being remains unpaid at the rate and in the manner and at the times specified.
- To comply with the provisions contained in Memorandum of Common Provisions recorded in the Northern Territory Register as LTO Number
- To comply with the additional covenants annexed to this mortgage.

SCHEDULE OF NOTES

1. This form may be lodged in duplicate. The original must be typed or completed in ink or biro. The duplicate may be a copy of the original but the signatures of all parties and their witnesses must be original and signed in ink or biro on both original and duplicate. The mortgage is not subject to Assessment by the Commissioner of Taxes. If the words "Owner" and "Lender" are considered inappropriate other words may be used. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
2. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
3. Volume and Folio must be shown together with complete parcel description. If the certificate as to title has been issued it must be produced.
4. Include a description sufficient to identify the interest to be mortgaged. (eg lease, fee simple or whole of the land). If the land is a Crown Lease the consent of the Minister for Department of Planning & Infrastructure is required. If the property is a Pastoral Lease consent for a Mortgage is not required.
5. Include a description of the debt or liability secured by the mortgage. (ie. \$ money or)
6. Insert full name. Address is not required.
7. Insert full name and an address for the service of notices. The address can be a postal address.
8. If two or more lenders/mortgagees, state whether as joint tenants or tenants in common. If tenants in common, specify shares. If no tenancy is stated, the Registrar-General must register the co-owners as tenants in common pursuant to Section 57(2) of the *Land Title Act*.
9. 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).

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

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.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Directions.

10. The mortgage may be executed by the mortgagee, a solicitor or other agent of the mortgagee.

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.