

ACT GOVERNMENT
Land Titles Act 1925
Registrar-General's Office



VP

Form 041

VARIATION OF PRIORITIES OF
MORTGAGE

Lodging Party

Box Number

PRIVACY COLLECTION STATEMENT (PRIVACY ACT 1988 (C'WLTH)) OVERLEAF

The respective priorities of two or more mortgages may be varied under section 92A of the *Land Titles Act 1925*. The effect of registration is to vary the order in the manner expressed as if the mortgages had been originally registered in the proposed order.

1. LAND

Vol:Fol	District/Division	Section	Block	Unit

2. THE PRIORITY OF THE FOLLOWING MORTGAGES IS HEREBY VARIED AS IF THEY HAD BEEN REGISTERED IN THE FOLLOWING ORDER:

MORTGAGE 1

Mortgage Number	Full Name of Mortgagee
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MORTGAGE 2

Mortgage Number	Full Name of Mortgagee
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MORTGAGE 3

Mortgage Number	Full Name of Mortgagee
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3. DATE

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4. EXECUTION

MORTGAGOR/S

Signed by the mortgagor/s
Signature of mortgagor/s

Full name of witness
Signed in my presence
Signature of witness

MORTGAGEE 1

In the presence of the mortgagee/s
Signature of mortgagee/s

Full name of witness
Signed in my presence
Signature of witness

MORTGAGEE 2

Signed by the mortgagee/s

Signature of mortgagee/s

Full name of witness

Signed in my presence

Signature of witness

MORTGAGEE 3

Signed by the mortgagee/s

Signature of mortgagee/s

Full name of witness

Signed in my presence

Signature of witness

5. OFFICE USE ONLY

Lodged by		Certificates Lodged	
Data Entered by		Attachments Lodged	
Examined by		Certificate of Title	
Registered by		Registration Date	

PRIVACY STATEMENT

S.43 of the *Land Titles Act 1925 (LTA)* authorises the Registrar-General to collect the information required by this form for the establishment and maintenance of the Land Titles Register. S.65-67 LTA requires that the Register be made available to any person for search, upon payment of a fee. The information is regularly provided to various ACT Government agencies, including the ACT Department of Urban Services, ACT Planning and Land Authority (ACTPLA), ACT Treasury, Canberra Connect and ActewAGL for conveyancing, municipal account, administrative, statistical and valuation purposes. ACTPLA and agencies within the ACT Department of Urban Services may also use the information supplied to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

SCHEDULE OF NOTES

1. This application should be used to vary the priority of registered mortgages on title.
2. Documents must be typed, or completed in black ink or biro.
3. Alterations to information entered on the form should be made by crossing out (not erasing or obliterating by painting over) and should be initialled by the parties.
4. Provide details of mortgage numbers.
5. Provide the full name of the mortgagor.
6. Provide the full name of mortgagee/s.
7. If there is insufficient space in any panel use an annexure sheet.
8. Volume and Folio references must be given. Insert unit number if the land is land under the *Land Titles (Unit Titles) Act 1970*.
9. Execution by
 - **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
 - **Attorney** – if this document is executed by an Attorney pursuant to a registered power of attorney, it must set out the full name of the attorney and the form of execution must indicate the source of his/her authority eg. "AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation".
 - **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal.

NB The normal witnessing provisions in the *Land Titles Act 1925* do not apply to execution by a corporation as above, but do apply to execution by the attorney of a corporation.