

MORTGAGE

Form 026 - M

Land Titles Act 1925

IMPORTANT INFORMATION

This form is to be used to lodge a mortgage under the *Land Titles Act 1925* (the Act). You can access the Act at www.legislation.act.gov.au. You may also obtain further information and forms at www.act.gov.au/accesscbr.

PRIVACY NOTICE

The collection of personal information in this form is required by law under the *Land Titles Act 1925*, to ensure accurate and legal transfer of title or registration of other interests relating to land and for maintaining publicly searchable registers and indexes. Personal information collected on this form will be handled in accordance with the Territory Privacy Principles in Schedule 1 of the Information Privacy Act 2014. More detailed information about how Access Canberra handles this personal information is available at: <https://www.act.gov.au/acprivacy>

INSTRUCTIONS FOR COMPLETION

- The certificate of title or production of title consenting to the registration of this document is required for lodgement.
- All information should be typed or clearly printed. If completing this form by hand please use a solid black pen only.
- This office will not accept lodgement of this form if it is not completed in full.
- Any alteration to information provided on this form must be struck through with a black pen. Substitute information must be clear and all parties must sign in the margin. Do not use correction fluid or tape.
- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
 - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
 - b) **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 e.g. “AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation”. (This execution requires a witness).
 - c) **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal if the document is signed by:
 - i. Two directors of the company;
 - ii. A director and a secretary of the company; or
 - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director must state sole director. (This execution does not require a witness).

CONTACT AND LODGEMENT INFORMATION

Email:

actlandtitles@act.gov.au

General Enquiries:

(02) 6207 3000

In Person:

Environment, Planning and Land Shopfront

Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson

Opening hours - Monday to Friday 8:30am to 4:30pm (*excluding public holidays*)



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LODGING PARTY DETAILS			
Name	Email Address	Customer Reference Number	Contact Telephone Number

TITLE AND LAND DETAILS				
Volume & Folio	District/Division	Section	Block	Unit

FULL NAME OF MORTGAGOR - PROPRIETOR (Surname Last)(ACN required for all companies)	FULL POSTAL ADDRESS OF MORTGAGOR - PROPRIETOR

FULL NAME AND ADDRESS OF MORTGAGEE - LENDER (Surname Last) (ACN required for all Companies)

TENANCY OF MORTGAGEES (Only complete if more than one Mortgagee)	INTEREST BEING MORTGAGED (ie. whole or please state share)

DETAILS OF MORTGAGE (Tick whichever box applies – at least one box should be ticked)	
The covenants implied at sections 115, 116, 118 and 122 of the <i>Land Titles Act 1925</i> are hereby negated.	<input type="checkbox"/>
The provisions set forth in the registered Memorandum of Provisions (MOP) are deemed to be incorporated herein / as modified by annexure as attached. Please provide registered MOP number below.	<input type="checkbox"/>
The covenants and conditions set out in the annexure attached are deemed to be incorporated	<input type="checkbox"/>
Provide registered MOP number -	<input type="checkbox"/>

PRINCIPAL SUM (Optional)	DETAILS OF REPAYMENT (Optional)

DATE

MORTGAGOR'S - REGISTERED PROPRIETOR'S EXECUTION	
Print full name of Mortgagor	Print full name and address of witness
Signature or common seal of Mortgagor	Signature of witness

MORTGAGEE'S - LENDER'S EXECUTION	
Print full name of Mortgagee	Print full name and address of witness
Signature or common seal of Mortgagee	Signature of witness

OFFICE USE ONLY			
Lodged by		Certificate of title lodged	
Data entered by		Certificates attached to title	
Registered by		Attachments / Annexures	
Registration date		Production number	