

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

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|----------|----------|------------|
| D | M | No: |
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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

DISCHARGE OF MORTGAGE

The lender specified discharges the mortgage as a charge on the land described to the extent set out below.

(NOTES 1 - 3)

| | | |
|-----------------|---------|--|
| MORTGAGE | Number: | State whether TOTAL or PART of the mortgage is being discharged: |
|-----------------|---------|--|

(NOTE 4)

| Register | Volume | Folio | Location | Lot Description | Plan | Unit |
|----------|--------|-------|----------|-----------------|------|------|
| | | | | | | |

(NOTE 5)

| | |
|---------------|------------|
| LENDER | Name only: |
|---------------|------------|

(NOTE 6)

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

In the presence of:

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

(NOTE 7)

SCHEDULE OF NOTES

1. The instrument discharges the mortgage from being a charge over the land. Where the mortgage secures the payment of an annuity use form 43 Application to Discharge Annuity.
2. A discharge of mortgage must be lodged as an original only and must be typed or completed in ink or biro. All signatures must be in ink. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. Insert the mortgage number and state whether total or part. Part may only be used when the mortgage is over several lots and only one of the lots described in the mortgage is being discharged.
5. Volume and Folio references must be given together with complete parcel description. If the certificate as to title has been issued it must be produced. If the discharge affects part only of the land in a title the description should also be given. Any necessary diagram should be endorsed on the mortgage or on an annexure sheet (Form 95).
6. Insert full name. Address is not required.
7. 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 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.