

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



**VM**

Form 028

**VARIATION OF MORTGAGE**

Lodging Party

Box Number

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

The mortgagor and the mortgagee elect to vary the mortgage.

**1. LAND**

Vol:Fol	District/Division	Section	Block	Unit

**2. MORTGAGE NUMBER**

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**3. MORTGAGOR /S**

Full Name (Surname Last)	Address

**4. MORTGAGEE**

Full Name (Surname Last)

**5. VARIATION** (Tick whichever is applicable)

The rate of interest is increased / reduced to		The principal sum is increased / reduced	
The term or currency is shortened / renewed / extended to		The provisions of the mortgage are varied / omitted / added as set out in the attached annexure.	

**6. DATE**

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**7. EXECUTION**

Signed by the mortgagor/s          Signature of the mortgagor/s	Full name of witness    Signed in my presence    Signature of witness
Signed by the mortgagee          Signature of mortgagee	Full name of witness    Signed in my presence    Signature of witness

## 8. OFFICE USE ONLY

Lodged by		Certificates Lodged	
Data Entered by		Attachments Lodged	
Examined by		Certificate of Title (optional)	
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 form is to be used for varying the terms of a mortgage.
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. If there is insufficient space in any panel use an annexure sheet.
5. Volume and Folio references must be given.
6. Provide details of the mortgage number.
7. Provide full names and address of the mortgagor/s.
8. Provide full names of the mortgagee.
9. Provide details of the variations to the mortgage.
10. Execution by

**Special Note:** A solicitor may not execute this document on behalf of a mortgagor or a mortgagee unless appointed under a registered power of attorney to do so.

- **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.

The following forms of execution are suggested –

#### With A Common Seal

The Common Seal of ABC Pty Ltd/Ltd ACN.....

was affixed in the presence of-

.....(signature)

.....(director/secretary)\*

(\*repeat if necessary ie if two directors signing. If signing as sole director and sole secretary, state 'director/secretary')

#### Without A Common Seal

Signed by.....Pty Ltd/Ltd ACN.....

.....(signature)

.....(director/secretary)\*

(\*repeat if necessary ( ie if two directors signing. If signing as sole director and sole secretary, state 'director/secretary')

**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.