

Land Title Act 2000
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

F	O	No:
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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

**NOTICE OF FORECLOSURE
BY MORTGAGEE**

The mortgagee applies to the Registrar-General to offer the mortgaged property for sale by private contract.

(NOTES 1 - 4)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 5)

MORTGAGE NUMBER

(NOTE 6)

MORTGAGEE

(NOTE 7)

OWNER

(NOTE 8)

DETAILS OF MORTGAGOR'S DEFAULT Section 98(1)(a)

(NOTE 9)

NOTICE REQUIRING PAYMENT Section 98 (1)(b)

Date of Notice
Notice attached.

(NOTE 10)

.....
SIGNED by the Mortgagee

on (Date)

In the presence of:

.....
Signature of qualified witness

.....
Full name of qualified witness

.....
Witness contact address/phone number

(NOTE 11)

PROOF OF MORTGAGEE'S POWER OF SALE Section 98(1)(c)	Date of Public Auction Evidence attached.	(NOTE 12)
PROOF THAT COSTS, CHARGES & EXPENSES WERE LESS THAN THE AMOUNT OWING Section 98(1)(d)	Costs Amount owing on mortgage Charges Expenses Evidence attached.	(NOTE 13)
NOTICE OF MORTGAGEE'S INTENTION	Date of Notice Evidence attached of notice served on mortgagee and each person who has a registered interest in the mortgaged property subsequent to the interest of the mortgagee.	(NOTE 14)

SCHEDULE OF NOTES

1. A mortgagee may apply to the Registrar-General to offer the mortgaged property for sale by private contract.
2. A notice of foreclosure must not be registered unless the Registrar-General is satisfied that: a mortgagor has defaulted in paying the principal money or interest and the default has continued for at least 6 months and Section 98 (1) (b) to (e) of the *Law of Property Act 2000* have been complied with.
3. This form may be lodged as an original only and must be typed or completed in biro. Alterations to information entered on the form should be crossed out (not erased or obliterated by painting over) and initialled by the parties.
4. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
5. Volume and Folio references must be given together with complete parcel description. If the certificate as to title (if issued) is readily available it must be produced.
6. Insert Registered Mortgage number.
7. Insert full name of mortgagee making application.
8. Insert full name of owner.
9. Insert details of mortgagor's default pursuant to Section 98(1)(a) of the *Law of Property Act 2000*.
10. Insert date of notice and attach notice pursuant to Section 98(1)(b) of the *Law of Property Act 2000*.
11. 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 Profession Act 2006*, a person holding office under the *Supreme Court Act 1979*, the *Justices of the Peace Act 1991*, the *Local Court Act 2015* or the *Registration Act 1927*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act 1979*, 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 2000*, Section 48.
 For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act 2000* and the Registrar-General's Direction.
12. Insert date of public auction and evidence pursuant to Section 98(1)(c) of the *Law of Property Act 2000*.
13. Insert details of Costs, Charges, Expenses and amount owing on mortgage and evidence pursuant to Section 98(1)(d) of the *Law of Property Act 2000*.
14. Insert date of notice and attach evidence of notice served on mortgagee and each person who has a registered interest in the mortgaged property subsequent to the interest of the mortgagee – Section 98(1)(e) of the *Law of Property Act 2000*.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Land Title Act 2000* 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 NT Government 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.