

SCHEDULE
NORTHERN TERRITORY OF AUSTRALIA
Law of Property Act 2000

Section 89A

NOTICE OF INTENTION TO EXERCISE POWER OF SALE IN
RELATION TO DISCLAIMED PROPERTY

TO: *(insert addressee details for purposes of section 84A(4) of the Law of Property Act 2000*

NOTICE BY MORTGAGEE: *(insert name of Mortgagee)*

TAKE NOTICE that:

- (a) the Land described as *(insert description of land)* has been disclaimed under section 133 of the Bankruptcy Act 1966 (Cth) (**Bankruptcy Act**), by the Trustee [**or Trustees*], of the Estate of [*name of bankrupt*], a Bankrupt;

(or for disclaimers under the *Corporations Act*)

the Land described as *(insert description of land)* has been disclaimed under section 568(2) of the Corporations Act 2001 (Cth) (**Corporations Act**) by [*insert details of appointed Liquidator and company in liquidation*],

- (b) the disclaimer having taken effect from [*insert effective date of disclaimer*] the [*day*] of [*month*], [*year*];

AND that:

- (c) the Trustee of the Estate of [*name of bankrupt*] has given notice of the disclaimer under section 133(3) of the *Bankruptcy Act*;
- (d) an application to a court for an order under section 133(9) of the *Bankruptcy Act* has not been made or has been finally dealt with by the court or withdrawn;
- (e) a court has not made an order in relation to the Land under section 133(9) of the *Bankruptcy Act*, other than an order vesting the Land in the Mortgagee.

(or for disclaimers under the *Corporations Act*)

- (c) the Liquidator has complied with section 568A of the *Corporations Act* and the disclaimer took effect under that Act;
- (d) an application to a court under sections 568E or 568F of the *Corporations Act* in relation to the Land has not been made, or has been finally dealt with by the court or withdrawn;
- (e) a court has not made an order in relation to the Land under section 568F(1) of the *Corporations Act*, other than an order vesting the Land in the Mortgagee;

AND further take notice that, no less than 30 days after service upon you of this notice, the mortgagee may proceed to sell the land and exercise all or any of the other powers conferred by the mortgage and by the *Law of Property Act 2000*.

Dated:

Signed: *(to be signed by the Mortgagee or Mortgagee's agent)*