

These Guidance Notes are of a general nature and are not intended to, and cannot, replace the advice of a Legal Practitioner or Registered Conveyancer.

All panels must be completed or struck through. If insufficient space, use approved annexure sheets. If more than one page is used, each must be numbered consecutively, e.g. 1-10, 2-10; 1/10, 2/10 or 1 of 10, 2 of 10.

This form is to be used for an Extension of Mortgage and may, if effectively amended, also be used for an Extension of Encumbrance (prefix 'EXE').

For an Extension of Lease use Form E2.

All handwriting must be clear and legible in permanent, dense, rapid drying black or blue ink.

The Registrar-General *may refuse* to accept for registration any instrument, annexure sheet or additional or inserted sheet that does not comply with the provisions of LTO panel form standards.

MORTGAGE BEING EXTENDED

The mortgage must be identified by its registered number. If the mortgage is unregistered, identify it by referring to the parties and date of the document, e.g. "mortgage dated from A to B lodged contemporaneously herewith".

LAND DESCRIPTION

Indicate whether the mortgage being extended is registered over the whole or portion of the land comprised in CERTIFICATE OF TITLE (CT) or CROWN LEASE (CL). If portion only then identify the relevant portion by reference to an appropriate plan.

WHOLE - e.g. "Whole of the land in CT Volume _____ Folio _____"
or "Whole of the land in CL Volume _____ Folio _____".

PORTION - e.g. "Portion of the land in CT Volume _____ Folio _____ being area A in FP 42361".

MORTGAGOR

Full name and current address to be stated. If the mortgagor's name has altered, you must lodge an Application to Note Change/Correction of Name prior to the Extension of Mortgage.

MORTGAGEE

Full name and current address to be stated. If the mortgagee's name has altered, you must lodge an Application to Note Change/Correction of Name prior to the Extension of Mortgage.

CONSIDERATION

If expressing an amount, use words and figures. If relevant, insert "valuable consideration" etc. Strike through if not applicable.

TERM

Insert the date to which the mortgage is to be extended.

CONSENTS

If none required, state "Not Applicable" or strike through panel.

VARIATIONS

If no variations, then state "Not Applicable" or strike through panel.

CERTIFICATION

Any inapplicable certification statement(s) must be deleted.

Certification statements must be made by the Certifier, being one of the following:

- a. A legal practitioner
- b. A registered conveyancer
- c. If the applicant is not represented by a legal practitioner or registered conveyancer – the applicant (i.e. self-represented party)
- d. If a party to an instrument is not represented by a legal practitioner or registered conveyancer – that party (i.e. self-represented party)
- e. If a provision of the *Real Property Act 1886* requires or permits some other person to provide certification under section 273 – that person (e.g. an employee of a body corporate that is a mortgagee)

All certifications apply where the Certifier is a registered conveyancer or legal practitioner.

The first two listed certifications do not apply where the Certifier is a self-represented party. Self-represented parties are only required to make certifications relating to retaining evidence to support the registry instrument or document and ensuring the registry instrument or document is correct and compliant with relevant legislation and any prescribed requirement.

The first two listed certifications do not apply where the Certifier is the mortgagee (or an employee of a body corporate that is a mortgagee).

Note: - An attorney or a body corporate cannot make certification statements.

The Registrar-General's [Verification of Identity](#) and [Verification of Authority](#) requirements must always be complied with.

Penalties of up to \$10,000 or 2 years imprisonment apply, where a prescribed person provides a false certification under section 273(1) of the *Real Property Act 1886*.

ANNEXURE

It will be necessary to use an annexure sheet (Form B1) if there is insufficient space in a panel for the text or to complete remaining certifications.

An annexure sheet to an instrument must:

- a. be in the format of Form B1 and identified therein as an annexure to the parent instrument;
- b. be referred to in the appropriate panel in the body of the instrument;
- c. be affixed securely and permanently to the top left-hand corner of the instrument. The annexure and instrument must not be bound;
- d. comply with the requirements in Form B1 Guidance Notes.



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