

## Preparation checklist *Form 2—Mortgage*

This checklist contains general information to assist practitioners complete a basic mortgage. It is not intended to be a complete guide. For further information about the requirements of a Form 2 — Mortgage, refer to Part 2 of the Land Title Practice Manual available at [www.business.qld.gov.au/industry/titles-property-construction/titles-property/practice-manual](http://www.business.qld.gov.au/industry/titles-property-construction/titles-property/practice-manual).

### Items

#### Item 1

- Is the interest being mortgaged shown — for example Fee Simple, State Tenure, Water Allocation, Mortgage No..., Lease No...?

#### Item 2

- Do the details agree with the title?

#### Item 3

- Does the mortgagor's name agree with the title or a preceding unregistered dealing — for example the transferee in a transfer?
- Is the capacity of the mortgagor shown, if required — for example as trustee?

#### Item 4

- Are the mortgagee's name and ACN/ARBN shown?
- Does the mortgagee's name agree with a prior settlement notice?
- Is the tenancy (and shares if required) shown? **Note:** Tenants in common must show shares in fractions.

#### Item 5

- Are the details of the debt or liability secured stated and monetary sums expressed in Australian dollars?

#### Item 6

- Are the non-applicable clauses deleted?
- Is the form signed and dated by all parties?
- If executed under a power of attorney, is the attorney clause included, showing the principal's name, the attorney's name or the attorney's position and the Queensland registered power of attorney number?
- If executed under a common seal, is it legible and capable of being copied?
- If a company has executed without a common seal, are the company name and ACN/ARBN shown?
- Are the designations of the signatories for a company shown?
- Is the witness qualified in accordance with Schedule 1 of the *Land Title Act 1994* and their full name shown?
- If signed by a solicitor, is the full name legibly printed below the signature?

### Form and evidence

- Have the correct form and version been used?
- Are the lodger's details shown?
- Have all pages been numbered consecutively?
- Is a certificate of title required to be deposited?
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