

Addendum to the Australian Capital Territory (ACT) requirements to the National Mortgage Form Specification (version 1.5 clean) – Dated 1 July 2023

ACT requires the following adjustments to the National Mortgage Form Specification (nmfs_v1_5_clean).

The National Mortgage Form Specification to be updated with the following:

<p>Page 7 Acceptance and lodgement scenarios</p>	<p>Replace the ACT column:</p> <table border="1" data-bbox="486 517 794 739"> <thead> <tr> <th></th> <th>ACT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Y</td> </tr> <tr> <td>2</td> <td>N</td> </tr> <tr> <td>1a</td> <td>N</td> </tr> <tr> <td>3</td> <td>N</td> </tr> <tr> <td>4</td> <td>N</td> </tr> </tbody> </table> <p>with the following:</p> <table border="1" data-bbox="486 819 794 1041"> <thead> <tr> <th></th> <th>ACT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Y</td> </tr> <tr> <td>2</td> <td>Y</td> </tr> <tr> <td>1a</td> <td>Y</td> </tr> <tr> <td>3</td> <td>Y</td> </tr> <tr> <td>4</td> <td>Y</td> </tr> </tbody> </table>		ACT	1	Y	2	N	1a	N	3	N	4	N		ACT	1	Y	2	Y	1a	Y	3	Y	4	Y
	ACT																								
1	Y																								
2	N																								
1a	N																								
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4	N																								
	ACT																								
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1a	Y																								
3	Y																								
4	Y																								
<p>Page 13 Lodger Details</p> <p>Field Descriptions</p> <p>Name</p>	<p>The name of the lodging person or organization. If the Lodger Code has been supplied, this field should not be entered. The following jurisdictional restrictions apply to this field:</p> <p>ACT: Maximum of 100 characters</p>																								
<p>Page 16 Lodger Details</p> <p>Field Descriptions</p> <p>Reference</p>	<p>An optional field for the lodger to add a case number, matter number or loan reference number. This is not used by the Land Registry and is simply an aide to assist the lodger in finding/filling the document. The field has a bottom margin of 0.25cm. The following jurisdictional restrictions apply to this field:</p> <p>ACT: Maximum of 10 characters</p>																								
<p>Page 22 Estate and/or interest being mortgaged</p> <p>Jurisdictional Restrictions</p>	<p>ACT: LEASEHOLD</p>																								
<p>Page 26 Land</p> <p>Land Title Reference</p>	<p>ACT: Land Title Reference must be in the form Volume/Folio</p> <p>Volume is maximum 4 numeric characters Folio is maximum 4 numeric characters</p>																								

Jurisdictional Restrictions	
Page 35 Mortgagor Data lines Given Name(s) Jurisdictional Restrictions	ACT: Given Name/s and Family Name can be maximum of 300 characters
Page 36 Mortgagor Data lines Family Name Jurisdictional Restrictions	ACT: Given Name/s and Family Name can be maximum of 300 characters
Page 36 Mortgagor Data lines Name Jurisdictional Restrictions	Mandatory for all jurisdictions if the mortgagor is an organisation Must contain the full legal entity name of the mortgagor Can span multiple lines. ACT: Name can be maximum of 300 characters
Page 36 Mortgagor Name on Title Reason for Difference	Only applicable in VIC, SA, NSW, and ACT – omitted in other jurisdictions. For SA, NSW, and ACT (optional) this is applicable for electronic and paper lodgments. These 2 lines appear under the Given Name(s) and Family Name, or the Name (for an organisation), if the mortgagor’s name does not match the name on title. These lines are indented 1cm more than the Given Name(s) and Family Name, or the Name lines. i.e. the heading is at an indent of 2.00cm and the data at 6.55cm. The “Reason for Difference” in VIC can be one of the following list: <ul style="list-style-type: none"> • Adoption of new name • Amalgamation - Hospitals - Registered proprietor(s) may still exist Registrar holds satisfactory evidence • Amalgamation - Hospitals - Registered proprietor(s) may still exist • Approved abbreviation

- Change of incorporated name
- Deed Poll
- Error in Register
- Legislative change - Company - Registered proprietor(s) may still exist - Registrar holds satisfactory evidence
- Legislative change - Company - Registered proprietor(s) may still exist
- Legislative change - Non-Company - Registered proprietor(s) may still exist - Registrar holds satisfactory evidence
- Legislative change - Non-Company - Registered proprietor(s) may still exist
- Marriage
- Merger or takeover - Registered proprietor(s) may still exist - Registrar holds satisfactory evidence
- Merger or takeover - Registered proprietor(s) may still exist
- Resumption of maiden name
- Sale or transfer of enterprise - Registered Proprietor(s) may still exist - Registrar holds satisfactory evidence
- Sale or transfer of enterprise - Registered Proprietor(s) may still exist

For example (individual):

Given Name(s)	Mary Elizabeth
Family Name	Smith
Name on Title	Mary Elizabeth Brown
Reason for Difference	Marriage

For example (organisation):

Name	XYZ Pty Ltd
Name on Title	ZZZ Pty Ltd
Reason for Difference	Change of incorporated name

The "Reason for Difference" in NSW can be one of the following list:

- Adoption of new name
- Approved abbreviation
- Change of Name
- Incorporated Name Change
- Legislative Change
- Marriage
- Organisation Re-structure
- Resumption of Maiden Name

For example (individual):

Given Name(s)	Mary Elizabeth
Family Name	Smith
Name on Title	Mary Elizabeth Brown
Reason for Difference	Marriage

For example (organisation):

Name	XYZ Pty Ltd
Name on Title	ZZZ Pty Ltd
Reason for Difference	Incorporated Name Change

The "Reason for Difference" in SA can be one of the following list:

	<ul style="list-style-type: none"> • Adoption of NewName • Change of Name • Incorporated Name Change • Marriage • Resumption ofMaiden Name • Error in Register <p>For example (individual):</p> <table style="margin-left: 40px;"> <tr> <td>Given Name(s)</td> <td>Mary Elizabeth</td> </tr> <tr> <td>Family Name</td> <td>Smith</td> </tr> <tr> <td>Name on Title</td> <td>Mary Elizabeth Brown</td> </tr> <tr> <td>Reason for Difference</td> <td>Marriage</td> </tr> </table> <p>For example (organisation):</p> <table style="margin-left: 40px;"> <tr> <td>Name</td> <td>XYZ Pty Ltd</td> </tr> <tr> <td>Name on Title</td> <td>ZZZ Pty Ltd</td> </tr> <tr> <td>Reason for Difference</td> <td>Incorporated Name Change</td> </tr> </table> <p>The “Reason for Difference” in ACT can be one of the following list:</p> <ul style="list-style-type: none"> • Change of Name • Incorporated Name Change • Approved Abbreviation • Marriage • Resumption ofMaiden Name • Legislative Change <p>For example (individual):</p> <table style="margin-left: 40px;"> <tr> <td>Given Name(s)</td> <td>Mary Elizabeth</td> </tr> <tr> <td>Family Name</td> <td>Smith</td> </tr> <tr> <td>Name on Title</td> <td>Mary Elizabeth Brown</td> </tr> <tr> <td>Reason for Difference</td> <td>Marriage</td> </tr> </table> <p>For example (organisation):</p> <table style="margin-left: 40px;"> <tr> <td>Name</td> <td>XYZ Pty Ltd</td> </tr> <tr> <td>Name on Title</td> <td>ZZZ Pty Ltd</td> </tr> <tr> <td>Reason for Difference</td> <td>Incorporated Name Change</td> </tr> </table>	Given Name(s)	Mary Elizabeth	Family Name	Smith	Name on Title	Mary Elizabeth Brown	Reason for Difference	Marriage	Name	XYZ Pty Ltd	Name on Title	ZZZ Pty Ltd	Reason for Difference	Incorporated Name Change	Given Name(s)	Mary Elizabeth	Family Name	Smith	Name on Title	Mary Elizabeth Brown	Reason for Difference	Marriage	Name	XYZ Pty Ltd	Name on Title	ZZZ Pty Ltd	Reason for Difference	Incorporated Name Change
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Name on Title	ZZZ Pty Ltd																												
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<p>Page 38 Mortgagor Data Lines Address Jurisdictional Restrictions</p>	<p>ACT: Not Allowed</p>																												
<p>Page 45 Mortgagee Data lines Given Name(s) Jurisdictional Restrictions</p>	<p>ACT: Given Name/s and Family Name can be maximum of 300 characters</p>																												

	ACT	Mortgagor & Mortgagee	Mortgagee	Mortgagor	Mortgagee (using Digital Signature)	Mortgagor
Page 61 Execution Requirements	Add the following notes: <ul style="list-style-type: none"> In the ACT for a mortgage lodged in the “Full Paper” channel, the mortgagor signature is optional. In the ACT for a mortgage lodged in the “Paper Lodge” channel, certification may only be provided by an employee of the mortgagee corporation who has personal knowledge of the matter the employee is certifying. 					
Page 62 Mortgagor Execution Applies to:	All jurisdictions – MANDATORY for Full Paper lodgment Change to; ACT – Mortgagor Execution OPTIONAL					
Page 84 Mortgagee Certifications Applies to	Change to: Mandatory in ACT					
Page 85 Mortgagee Certifications Rules	For ACT, in the “Full Paper” channel, where the mortgagor executes the mortgage, the following certifications are required when the mortgagee is signing/certifying on their own behalf: 1, 4, 5 For ACT, in the “Full Paper” channel, where the mortgagor executes the mortgage, the following certifications are required when the mortgagee is represented by a lawyer or conveyancer who is certifying: 1, 2, 3, 4, 5					
Page 86 Mortgagee Certifications	Update as following: For those jurisdictions (NSW, SA, VIC, WA, and ACT) that allow mortgages to be lodged through the “Paper Lodge” channel (where only the mortgagee signs the mortgage lodged with the Land Registry, certifying that they hold a mortgage granted by the mortgagor), the required certifications are listed below depending on whether the mortgagee is represented by a					

	<p>lawyer or conveyancer (only a lawyer can represent in the ACT) or if they are representing themselves.</p> <p>Where the mortgagee is signing on their own behalf, the following certifications are required: 4, 5, 6</p> <p>Where the mortgagee has a representative (lawyer or conveyancer) signing on their behalf, the following certifications are required: 2, 3, 4, 5, 6</p>
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Page 112, ACT Information Sheet

Delete Signing and Witnessing Requirements information.

Office Use Only – Australian Capital Territory

The Office Use Only table is to be attached to the National Mortgage Form on a separate sheet for lodgements in the “Full Paper” or “Paper Lodge” channels. The table is to be left blank for completion by the ACT Land Titles Office.

OFFICE USE ONLY			
Lodged by		Registered by	
Data entered by		Attachments / Annexures	