

# Standard Terms and Conditions of Encumbrance

*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.*

Form M4 is to be used for Standard Terms and Conditions of Encumbrances.

**Note:** For Standard Terms and Conditions of a:

- a. Lease or Underlease, use Form L3.
- b. Mortgage use Form M3.

Pages containing the terms and conditions must be signed by the authorising agent or encumbrancee at the foot of each page. The additional pages may be produced on approved insert sheets (A4 size); it is unnecessary to use a B1 annexure form for this purpose.

No attestation is necessary.

All panels must be completed or struck through.

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.

**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.

## ANNEXURE

It may be desired to use an annexure sheet (Form B1) if there is insufficient space in a panel for the text.

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.

FORM M4 (Version 2)