

## FORM 51 LAND REGISTRY MORTGAGE

|   |   |   |        |
|---|---|---|--------|
| Date:                                   | □ | □ |        |
| Secured Party:                          |   |   |        |
| Mortgagor:                              |   |   |        |
| Mortgaged Property:                     |   |   |        |
| The property comprised in Folio         |   |   | County |
| ALL THAT the property known as          | □ | □ | □      |
| (Use a continuation sheet if necessary) |   |   |        |

### General Mortgage Conditions:

This Mortgage incorporates the Banking & Payments Federation Ireland General Housing Loan Mortgage Conditions (version 1.2 2018) (the “Conditions”) as if they were set out in this Mortgage in full and the Mortgagor acknowledges that the Mortgagor has been given a copy of the Conditions and has read them and agrees to be bound by them. The term “Secured Liabilities” has the meaning given in the Conditions.

### Mortgage:

As security for the payment and discharge of the Secured Liabilities, the Mortgagor as beneficial owner (and also in the case of registered land as registered owner or as the person entitled to be registered as registered owner) **hereby charges** in favour of the Secured Party the Mortgaged Property with payment of the Secured Liabilities, and **assents** to the registration of this charge for present and future advances as a burden on the Mortgaged Property.

The Mortgagor acknowledges that by signing this Mortgage the Mortgagor also creates the other security that is expressed to be created by clause 7 of the Conditions.

**This is an important legal document. You are strongly recommended to seek independent legal advice before signing it.**

|  |   |
|--|---|
| Signed and delivered as a deed:<br><br>.....<br><br>Signature of witness: .....<br><br>Name of witness: .....<br><br>Address of witness: .....<br><br>Occupation of witness: ..... | Signed and delivered as a deed:<br><br>.....<br><br>Signature of witness: .....<br><br>Name of witness: .....<br><br>Address of witness: .....<br><br>Occupation of witness: .....<br><br>(Use a continuation sheet for additional signatories) |
|--|---|

## CONSENT OF SPOUSE OR CIVIL PARTNER

(under the Family Home Protection Act 1976 / Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010)

I, \_\_\_\_\_ of \_\_\_\_\_ hereby confirm and acknowledge that:

1. Terms defined in the attached Mortgage (the "Mortgage") have the same meaning in this Consent.
2. I am the lawful spouse / civil partner\* of the Mortgagor (or of one of the persons comprising the Mortgagor).
3. I have been advised in regard to the provisions of the Family Home Protection Act 1976 / Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010\* (the "Act") as they affect me in relation to the Mortgaged Property and I confirm that the Mortgaged Property is my 'family home' / 'shared home'\* within the meaning of the Act. I am aware that by virtue of the provisions of the Act, the Mortgaged Property cannot be mortgaged without my prior consent in writing.
4. I am aware that it is intended that the Mortgage will be security not only for the Mortgagor's present obligations to the Secured Party and or its Associates but also for such future obligations of the Mortgagor to the Secured Party and / or its Associates as the Mortgagor may agree (in each case whether alone or with others and whether actual or contingent and whether as principal or surety or otherwise).
5. I understand that my 'family home' / 'shared home'\* is at risk and that the Secured Party may repossess and sell my 'family home' / 'shared home'\* if payments due to the Secured Party or any of its Associates are not kept up.
6. I hereby fully and freely and irrevocably consent for the purposes of the Act to the Mortgage and confirm that this consent is given by me prior to the execution of the Mortgage by the Mortgagor.
7. I irrevocably undertake to sign a confirmation in the Banking & Payments Federation Ireland standard form in order to confirm the Mortgage and to collaterally mortgage to the Secured Party and its Associates any beneficial estate or interest that I may have in the Mortgaged Property. If I do not sign such a confirmation I shall be deemed to confirm to the Secured Party that I do not have, and will not claim, any such estate or interest.

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Date: \_\_\_\_\_ (dd/mm/yyyy)

Signature of Spouse / Civil Partner\*: .....

Signature of Witnessing Solicitor: .....

Name of Witnessing Solicitor: .....

Principal/Partner: .....

Name of firm: .....

Address: .....

\* Please choose appropriate option by deleting inappropriate one.