

Changes to legislation: Law of Property Act 1925, FOURTH SCHEDULE is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

FOURTH SCHEDULE

Section 117.

FORMS RELATING TO STATUTORY CHARGES OR MORTGAGES OF FREEHOLD OR LEASEHOLD LAND

Modifications etc. (not altering text)

C1 Sch. 4 amended (1.7.1995) by 1994 c. 36, s. 9(1)(2) (with s. 20); S.I. 1995/1317, art.2

FORM No. 1.

STATUTORY CHARGE BY WAY OF LEGAL MORTGAGE.
This Legal Charge made by way of Statutory Mortgage the day of 19 , between A. of [&c.] of the one part and M. of [&c.] of the other part Witnesseth that in consideration of the sum of £ now paid to A. by M. of which sum A. hereby acknowledges the receipt A. as Mortgagor and As Beneficial Owner hereby charges by way of legal mortgage All That [&c.] with the payment to M. on the day of 19 , of the principal sum of £ as the mortgage money with interest thereon at the rate of per centum per annum.

In witness &c.

Note.—Variations in this and the subsequent forms in this Schedule to be made, if required, for leasehold land or for giving effect to special arrangements. M. will be in the same position as if the Charge had been effected by a demise of freeholds or a subdemise of leaseholds.

FORM No. 2.

Section 118.

STATUTORY TRANSFER, MORTGAGOR NOT JOINING.

This Transfer of Mortgage made by way of statutory transfer the day of 19 , between M. of [&c.] of the one part and T. of [&c.] of the other part supplemental to a legal charge made by way of statutory mortgage dated [&c.] and made [&c.] Witnesseth that in consideration of the sum of £ now paid to M. by T. (being the aggregate amount mortgage money and £ interest due in respect of the said legal charge of which sum M. hereby acknowledges the receipt) M. as Mortgagee hereby conveys and transfers to T. the benefit of the said legal charge.

In witness, &c.

Note.—This and the next two forms also apply to a transfer of a statutory mortgage made before the commencement of this Act, which will then be referred to as a mortgage instead of a legal charge.

FORM No. 3.

STATUTORY TRANSFER, A COVENANTOR JOINING.

This Transfer of Mortgage made by way of statutory transfer the day of 19 , between A. of [&c.] of the first part B. of [&c.] of the second part and C. of [&c.] of the third part Supplemental to a Legal Charge made by way of statutory mortgage dated [&c.] and made [&c.] Witnesseth that in consideration of the sum of £ now paid by A. to C. (being the mortgage money due in respect of the said Legal Charge no interest being now due or payable thereon of which sum A. hereby acknowledges the receipt) A. as Mortgagee with the concurrence of B. who joins herein as covenantor hereby conveys and transfers to C. the benefit of the said Legal Charge.

In witness, &c.

Sections 117 and 118.

FORM No. 4.

STATUTORY TRANSFER AND MORTGAGE COMBINED.

This Transfer and Legal Charge is made by way of statutory transfer and mortgage the day of 19 , between A. of [&c.] of the first part B. of [&c.] of the second part and C. of [&c.] of the third part Supplemental to a Legal Charge made by way of statutory mortgage dated [&c.] and made [&c.] Whereas a principal sum of £ only remains due in respect of the said Legal Charge as the mortgage money and no interest is now due thereon And Whereas B. is seized in fee simple of the land comprised in the said Legal Charge subject to that Charge.

Now this Deed Witnesseth as follows:—

1. In consideration of the sum of £ now paid to A. by C. (the receipt and payment of which sum A. & B. hereby respectively acknowledge) A. as mortgagor hereby conveys and transfers to C. the benefit of the said Legal Charge.

2. For the consideration aforesaid B. as beneficial owner hereby charges by way of legal mortgage All the premises comprised in the said Legal Charge with the payment to C. on the day of 19 of the sum of £ as the mortgage money with interest thereon at the rate of per centum per annum In Witness &c. (or in the case of a further advance after "acknowledge" at "insert" and of the further sum of £ now paid by C. to B. of which sum B. hereby acknowledges the receipt "also at" before "as beneficial owner" insert "as mortgagor and" as well as where B. is not the original mortgagor. And after "at" insert "the sums of £ and £ making together").

Note.—Variations to be made, as required, in case of the deed being by indorsement, or in respect of any other thing.

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FORM NO. 5.

RECEIPT ON DISCHARGE OF STATUTORY LEGAL CHARGE OR MORTGAGE. Section 120.

I A.B. of [&c.] hereby acknowledge that I have this day of 19 received the sum of £ representing the [aggregate] [balance remaining owing in respect of the] mortgage money secured by the [annexed] within [above] written statutory legal charge [or statutory mortgage] [and by the further statutory charge dated &c. or otherwise as required] together with all interest and costs the payment having been made by C.D. of [&c.] and E.F. of [&c.]

As witness &c.

Note.—If the persons paying are not entitled to the equity of redemption state that they are paying the money out of a fund applicable to the discharge of the statutory legal charge or mortgage.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 146\(5\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(2)(dc)(dd) inserted by [2016 c. 22 Sch. 7 para. 1\(2\)](#)