



# Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

## PART III

MORTGAGES, RENTCHARGES, AND POWERS OF ATTORNEY

### *Mortgages*

#### 96 Regulations respecting inspection, production and delivery of documents, and priorities.

- (1) A mortgagor, as long as his right to redeem subsists, shall be entitled from time to time, at reasonable times, on his request, and at his own cost, and on payment of the mortgagee's costs and expenses in this behalf, to inspect and make copies or abstracts of or extracts from the documents of title relating to the mortgaged property in the custody or power of the mortgagee.

This subsection applies to mortgages made after the thirty-first day of December, eighteen hundred and eighty-one, and takes effect notwithstanding any stipulation to the contrary.

- (2) A mortgagee, whose mortgage is surrendered or otherwise extinguished, shall not be liable on account of delivering documents of title in his possession to the person not having the best right thereto, unless he has notice of the right or claim of a person having a better right, whether by virtue of a right to require a surrender or reconveyance or otherwise.

[<sup>F1</sup>In this sub-section notice does not include notice implied by reason of registration under the <sup>M1</sup>Land Charges Act, 1925, [<sup>F2</sup>or in a local deeds register].]

#### Textual Amendments

**F1** Proviso added by [Law of Property \(Amendment\) Act 1926 \(c. 11\)](#), [Sch.](#)

**F2** Words repealed (*prosp.*) by [Law of Property Act 1969 \(c. 59\)](#), s. 16(2), [Sch. 2 Pt. I](#) which repeal is no longer prospective as regards the Yorkshire deeds registries, their registers and areas

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**Changes to legislation:** Law of Property Act 1925, Section 96 is up to date with all changes known to be in force on or before 27 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](#)

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**Marginal Citations**

**M1** 1925 c. 22.

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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\(2\)](#)