



Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

PART III

MORTGAGES, RENTCHARGES, AND POWERS OF ATTORNEY

Mortgages

97 Priorities as between puisne mortgages.

Every mortgage affecting a legal estate in land made after the commencement of this Act, whether legal or equitable (not being a mortgage protected by the deposit of documents relating to the legal estate affected) shall rank according to its date of registration as a land charge pursuant to the Land Charges Act, 1925.

This section does not apply [^{F1}to mortgages or charges to which the Land Charges Act 1972 does not apply by virtue of section 14(3) of that Act (which excludes certain land charges created by instruments necessitating registration under the [^{F2}Land Registration Act 2002]), or] to mortgages or charges of registered land or of land within the jurisdiction of a local deeds registry.

Textual Amendments

- F1** Words substituted by [Land Charges Act 1972 \(c. 61, SIF 98:2\)](#), s. 18, [Sch. 3 para. 1](#)
- F2** Words in s. 97 substituted (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), ss. 133, 136(2), [Sch. 11 para. 2\(10\)](#) (with s. 129); S.I. 2003/1725, [art. 2](#)

Modifications etc. (not altering text)

- C1** S. 97 extended by [Middlesex Deeds Act 1940 \(c. 34\)](#), s. 2(3); amended by [Land Charges Act 1972 \(c. 61\)](#), [Sch. 3 para. 1](#)

Status:

Point in time view as at 13/10/2003.

Changes to legislation:

Law of Property Act 1925, Section 97 is up to date with all changes known to be in force on or before 07 May 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.