



Law of Property Act 1922

1922 CHAPTER 16

PART III

AMENDMENTS OF THE CONVEYANCING ACTS.

82 Transfers of mortgages.

- (1) A deed executed by a mortgagee purporting to transfer his mortgage or the benefit thereof shall, unless a contrary intention is therein expressed, and subject to any provisions therein contained, operate to transfer to the transferee the right to demand, sue for, recover and give receipts for the mortgage money, or the unpaid part thereof, and the interest then due, if any, and thenceforth to become due thereon, and the benefit of all securities for the same, and the benefit of and the right to sue on all covenants with the mortgagee, and the right to exercise all powers of the mortgagee, and all the estate and interest in the mortgaged property then vested in the mortgagee, subject to redemption or cesser, but as to such estate and interest subject to the right of redemption then subsisting.
- (2) In this section the expressions " mortgagee " and " mortgage money " have the same meanings as in the Conveyancing Act, 1881, but " mortgagee " includes a chargee by way of legal mortgage, and the expression " transferee " includes his executors, administrators, and assigns.
- (3) A transfer of mortgage may be made in the form contained in Part I. of the Eleventh Schedule to this Act, with such variations and additions, if any, as the circumstances may require.
- (4) This section applies, whether the mortgage transferred was made before or after the commencement of this Act and whether by way of statutory mortgage or not, but applies only to transfers made after the commencement of this Act.
- (5) This section does not extend to a transfer of a bill of sale of chattels by way of security.