



Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

PART III

MORTGAGES, RENTCHARGES, AND POWERS OF ATTORNEY

Mortgages

92 Power to authorise land and minerals to be dealt with separately.

[^{F1}(1)] Where a mortgagee's power of sale in regard to land has become exercisable but does not extend to the purposes mentioned in this section, the court may, on his application, authorise him and the persons deriving title under him to dispose—

- (a) of the land, with an exception or reservation of all or any mines and minerals, and with or without rights and powers of or incidental to the working, getting or carrying away of minerals; or
- (b) of all or any mines and minerals, with or without the said rights or powers separately from the land;

and thenceforth the powers so conferred shall have effect as if the same were contained in the mortgage.

[^{F2}(2) The county court has jurisdiction under this section where the amount owing in respect of the mortgage or charge at the commencement of the proceedings does not exceed [^{F3}£30,000].]

Textual Amendments

- F1** S. 92 renumbered as subsection (1) of that section by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1), [Sch. 2 Pt. II para. 3\(2\)](#)
- F2** S. 92(2) added by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1), [Sch. 2 Pt. II para. 3\(1\)\(3\)](#)
- F3** Words in s. 92(2) substituted (1.7.1991) by [S.I. 1991/724, art. 2\(8\)](#), [Sch. Pt. I](#) (with art. 12)

Modifications etc. (not altering text)

- C1** S. 92 extended (1.7.1991) by [S.I. 1991/724, art. 2\(4\)](#) (with art. 12)

Status: Point in time view as at 01/07/1991.

Changes to legislation: Law of Property Act 1925, Section 92 is up to date with all changes known to be in force on or before 12 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. (See end of Document for details)

C2 S. 92(2) modified by County Courts Act 1984 (c. 28, SIF 34), s. 24(2)(c)

Status:

Point in time view as at 01/07/1991.

Changes to legislation:

Law of Property Act 1925, Section 92 is up to date with all changes known to be in force on or before 12 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.