**<<Date>>**

**<<Name of Mortgagor>>**

**<<Address>>**

Dear Sir/Madam,

**RE:** **INDEPENDENT ADVICE IN RESPECT OF A CREDIT FACILITY**

We refer to your request for a credit facility and hereby advise that **<<Name Bank/Mortgagee>>**has agreed to extend the said facility on the terms as communicated in the loan agreement which further provides that your properties comprised in **<<Property Description>>** is to be mortgaged to the Bank as security for repayment of the facility.

Forwarded is the proposed mortgage deed which you will be required to execute.

You are advised to seek independent advice from an independent person on the obligations due under the Mortgage/Transactions including but not limited to tax liability and consent(s). You are required to provide to the Bank a written statement signed by yourself and witnessed by the same Independent person confirming that you have obtained such advice on the mortgage, understood the terms and conditions therein and assented to the said terms.

**If the land you are mortgaging is classified as a matrimonial land**, your legal spouse, if any, will be required to consent in writing to you mortgaging the said land as security for repayment of the Credit and shall further be required to provide to the Bank a written and signed statement confirming the same.

Should you or and your spouse decide not to seek such independent advice despite the Bank’s advice, your spouse and or yourself are free to waive the right to such advice in writing and forward the same to the Bank for ease of reference.

Please note that an independent person may be any officer of the Government of or above salary scale U 5, a Justice of the Peace, an advocate, a Notary Public, a bank manager, a medical practitioner or a minister of a religion authorized to cerebrate marriages.

**<<Name of Bank Representative>>**

**<<Designation of Bank Representative>>**

**ACKNOWLEDGEMENT**

I, **<<Name of the Mortgagor/Borrower>>** do hereby acknowledge receipt of the communication above.

Date **<<Date>>**

In the presence of

Name **<<Name>>**

Designation **<<Title>>**

Signature **<<Signature>>**

**THE MORTGAGE ACT, NO 8 OF 2009**

**<<Property Description>>**

**CERTIFICATION**

**I, <<Name of Registered Proprietor>>** the registered proprietor of the above-described land do hereby certify that I have received advice from **<<Bank/Mortgagee>>**to seek Independent Advice from an independent person about the modalities of the Mortgage/Transactions which I intend to create in favor of **<<Bank/ Mortgagee>>**as security for repayment of a credit facility to be obtained by**<<Name of the Mortgagor>>**from **<<Bank/ Mortgagee>>**for the purpose of **<< Purpose of Transaction>>, and** that:

***(Tick & sign against the applicable box****)*

The modalities of the Mortgage/Transactions have been explained to me by an Independent Person in a language I understand Or;

I have read and duly understood the modalities of the Mortgage/Transactions and hereby waive my right to take independent advice from an independent person.

And that I understand all the modalities of the facility.

DATED this **<<Date>>**

**SIGNED** by the said **MORTGAGOR**

**<<Name of the Mortgagor>>** **<<Signature>>**

**NAME SIGNATURE**

**In the presence of INDEPENDENT PERSON:**

Name: **<<Name>>** Address: **<<Address>>**

Occupation **:<< Occupation>>** Signature**:<<Signature>>**

**WITNESSED BY:**

Name: **<<Name>>** Address**:<<Address>>**

Occupation: **<<Occupation>>** Signature**<<Signature>>**

**THE MORTGAGE ACT, NO 8 OF 2009**

**<<Property Description>>**

**CERTIFICATION**

**I, <<Name of Registered Proprietor>>** the registered proprietor of the above-described land do hereby certify that I have received advice from **<<Bank/Mortgagee>>**to seek Independent Advice from an independent person about the modalities of the Mortgage/Transactions which I intend to create in favor of **<<Bank/ Mortgagee>>**as security for repayment of a credit facility to be obtained by**<<Name of the Mortgagor>>**from **<<Bank/ Mortgagee>>**for the purpose of **<< Purpose of Transaction>>, and** that:

***(Tick & sign against the applicable box****)*

The modalities of the Mortgage/Transactions have been explained to me by an Independent Person in a language I understand Or;

I have read and duly understood the modalities of the Mortgage/Transactions and hereby waive my right to take independent advice from an independent person.

And that I understand all the modalities of the facility.

DATED this **<<Date>>**

**SIGNED** by the said **MORTGAGOR**

**<<Name of the Mortgagor>>** **<<Signature>>**

**NAME SIGNATURE**

**In the presence of INDEPENDENT PERSON:**

Name: **<<Name>>** Address: **<<Address>>**

Occupation **:<< Occupation>>** Signature**:<<Signature>>**

**WITNESSED BY:**

Name: **<<Name>>** Address**:<<Address>>**

Occupation: **<<Occupation>>** Signature**<<Signature>>**