



Ontario

Ministry of  
Consumer and  
Commercial  
Relations

Ministère de la  
Consommation  
et du  
Commerce

Registration  
Division  
  
Division de  
l'enregistrement

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October 28, 1996

**EM199609**

**MEMO TO:** Regional Managers  
Land Registrars

**FROM:** Kate Murray  
Director of Titles

**SUBJECT:** **FURTHER RECORDING DEBENTURES AGAINST  
PROPERTY**

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A question was recently raised as to how a debenture, which is already registered, could be further registered against property when the debenture contains a provision that it can charge both present and future property.

Under the Registry system, a declaration under section 25 of the *Registry Act* in the prescribed form may be registered to further record a document. If the document being further recorded is already registered in that land registry office, reference to the registration number of the instrument being further recorded is sufficient. If the document being further recorded is registered in another land registry office, then a certified copy of that registered document should be attached to the declaration.

As you know, under the Land Titles system there is no similar provision, but a document that is already registered may be registered against other lands by attaching a certified copy of the debenture to a Form 4 document general. A statement similar to a declaration to further record under the *Registry Act*, that the debenture affects the lands described in Box 6 will be required. A second statement that the registration complies with the provisions re: the future acquisition clause contained within the debenture, will also be required.

c.c. Head Office Managers  
Legal Services  
Ian Veitch