PENMANS LAWYERS

LOAN AGREEMENTS

If you are lending money, you need a loan agreement. This includes when you are:

a) Lending money to a related entity (such as lending money to your own company); or

b) Lending money to a friend or family member (including children); or

c) Lending money to a business acquaintance or colleague.

Without an enforceable loan agreement, loans can be difficult to recover. If something goes wrong, and you want to take legal action to recover the debt owed to you, a loan agreement makes that process much easier.

Our commercial and property team at Penmans have decades of experience in preparing and enforcing all sorts of loan agreements. Our transactions team is led by an accredited specialist in property law and we have the depth in our team to look after all sorts of finance arrangements, from the most simple to the highly complex.

Our fee for drafting a *simple* loan agreement is **$1,320** (inclusive of GST) together with any disbursements.

A *simple* loan agreement is usually sufficient in situations where:

- There is fixed loan amount, paid to the borrower in a single advance;
- There is a clear term, and date for repayment;
- Interest is calculated monthly and either paid or added to the loan balance;
- The repayments are a fixed amount, or the whole amount is repayable on the repayment date;
- The loan is secured by a mortgage, caveat, registration on the PPSR and/or personal guarantee and no consent of other parties is required.

If your proposed loan is not *simple* we will tell you when taking your instructions and let you know, before we commence work, what the additional costs will be.

If the loan is to be secured (by a mortgage, caveat or registration on the Personal Property Securities Register (**PPSR**)) then we charge an additional **$495** (inclusive of GST) for the additional work involved.

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Disbursements*

If the Lender is an individual - Verification of identity (per person)	$45.00
Is the Lender is an entity - ASIC Extract & Director Verification of Identity of Director (per search)	$70.00
Title Search (per search)	$34.78
PEXA Fee (if registering a Mortgage) With Financial Settlement	$54.89 $73.04
PEXA Fee (if registering a Caveat) With Financial Settlement	$20.57 $39.49
Registration Fee (for Mortgage or Caveat)	$182.73
Copy of Registered Mortgage or Caveat	$37.16

*Disbursement amounts are current as of July 2026 and include GST, if applicable.

The out-of-pocket expenses for registration on the PPSR are $6 (7 years), $25 (7 to 25 years) or $115 (no set end date).

Next Steps

Please fill in our contact form and include in the comments that you require a loan agreement and a member of our transactions team will be in contact with you. Alternatively, please call our friendly receptionist to arrange a free 15-minute phone conference to discuss your specific situation.

The information you obtain at this site is not, nor is it intended to be, legal advice. You should consult a Solicitor for individual advice regarding your own situation. Liability limited by a scheme approved under Professional Standards Legislation.

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Fixed fees current as of July 2026.