



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 7085

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GOVERNMENT NOTICE

No. 408 Amendment of the Deeds Registries Regulations: Deeds Registries Act, 1937 1

Government Notice

MINISTRY OF LAND REFORM

No. 408

2019

AMENDMENT OF THE DEEDS REGISTRIES REGULATIONS: DEEDS REGISTRIES ACT, 1937

The Deeds Registries Regulations Board, has under section 10(1) of the Deeds Registries Act, 1937 (Act No. 47 of 1937), made the regulations set out in the Schedule. The regulations have been approved by the Minister of Land Reform under section 9(9) of the said Act (which power has been assigned to the said Minister under section 3(3)(a) of the Assignment of Powers Act, 1990 (Act No. 4 of 1990)). The regulations come into operation on 31 January 2020.

D. BEUKES
CHAIRMAN OF BOARD

Windhoek, 14 November 2019

SCHEDULE

Definitions

1. In these regulations “the Regulations” means the Deeds Registries Regulations promulgated under Government Notice No. 180 of 1 July 1996, as amended by Government Notice No. 36 of 17 February 2004 and by Government Notice No. 77 of 13 April 2007.

Substitution of Annexure I and II to the Regulations

2. The regulations are amended by the substitution for Annexure I and II of the following Annexures:

1. ANNEXURE I

FEES OF OFFICE

(Regulation 64)

Service	Fees
1. For the issue of a certificate compiled by the registrar on request from information contained in the registers or records preserved in the deeds registry, per certificate ...	N\$ 9
2. For the preparation and submission of a report to the court under section 97 of the Act, per report	N\$ 287
3. For a certified copy of -	
(a) a deed, bond or document registered or preserved in the deeds registry and issued in terms of regulation 51 or 52, per deed, bond or document	N\$ 34
(b) a deed registered or preserved in the deeds registry and issued in terms of regulation 53, per deed	N\$ 259
(c) a document registered or preserved in the deeds registry and issued in terms of regulation 54, per page	N\$ 5
4. (a) For the search of an index to any register, for an enquiry relating to a person, property or deed	N\$ 7
(b) For transmission by facsimile of copies or for a photocopy or computer printout of the relevant information requested in respect of a person, property or deed, per page	N\$ 7
(c) For the inspection of any one deed or document or page of a register relating to any particular property preserved in the deeds registry, per deed, document or page of a register	N\$ 7
(d) For any other enquiry, continuous search or inspection pertaining to information preserved in the deeds registry, per hour or part thereof	N\$ 23
5. (a) For the registration of a deed of transfer	N\$ 345
(b) For the registration of a bond securing immovable property	N\$ 345
(c) For the registration of -	
(i) a certificate of registered title or consolidated title;	
(ii) a deed of cession referred to in section 32 of the Act;	
(iii) a lease, sublease or cession of a lease;	
(iv) a general power of attorney;	
(v) general plans of erven or subdivisions of land and opening of registers, as referred to in section 46(3) of the Act	
per any such registration	N\$ 345
(d) For the registration of -	
(i) a notarial deed, including antenuptial contracts;	
(ii) a notarial bond;	
(iii) a cession of a bond	N\$ 345
(e) For work related to a transfer by endorsement, except such a transfer in terms of the second proviso to section 16 of the Act	N\$ 345
6. For the registration of the following transactions, namely -	
(i) the cancellation of a registered mortgage bond or notarial bond;	
(ii) cancellation of a cession of a registered mortgage bond or notarial bond;	

Service	Fees	
(iii) release of any part of property hypothecated by a registered mortgage bond or notarial bond or, in the case where the debt is further secured by such a collateral bond, of all the property, or of any joint debtor or of any surety in respect of such a bond;		
(iv) part payment of a capital amount due in respect of any registered mortgage bond or notarial bond other than a registered mortgage bond or notarial bond intended to secure future debts;		
(v) reduction of cover in respect of a registered mortgage bond or notarial bond intended to secure future debts;		
(vi) an agreement varying the terms of a registered mortgage bond or notarial bond;		
(vii) waiver of preference in respect of a registered mortgage bond or notarial bond with regard to the whole or any part of the property hypothecated thereby in favour of any other such mortgage bond whether registered or about to be registered; and		
(viii) waiver of preference in respect of a registered real right in favour of a registered mortgage bond or notarial bond if such waiver is contained in the mortgage bond	N\$	57
7. For the cancellation of the registration of a lease or servitude under section 90 of the Act, for every cancellation	N\$	57
8. For every endorsement, note or registration of a transaction not provided for in this list (excluding the revocation of a power of attorney)	N\$	57
9. For furnishing to a local authority council or a regional council a return containing particulars of properties transferred, per property contained in such return	N\$	7
10. For taxation of fees or charges of conveyancers, notaries public or of other legal practitioners: 5% of fees or charges allowed, excluding transfer duties, stamp duties and fees of office charged in relation to any act, matter or thing done in the deeds registry.		

ANNEXURE II
TARIFF OF CONVEYANCING AND NOTARIAL FEES
(Regulation 65)

PART I
GENERAL PROVISIONS

- The fees specified in this Tariff shall include fees in respect of the following functions performed by a conveyancer, notary public or other legal practitioner: The taking and giving of instructions; the exchange of correspondence; the perusal of completed deeds of sale, trust instruments and memoranda and articles of association; the preparation or obtaining of the necessary powers of attorney, declarations, affidavits, resolutions, company certificates, exchange control certificates or other preliminary and ancillary documents and the procurement of the required signatures on any such document; the payment of the transfer duty and rates levied by the relevant authorities; the obtaining of the necessary clearance and other certificates from the relevant authorities; the obtaining (except where otherwise provided in this Tariff) of copies of, or endorsements on, documents from the office of the Master or from any other relevant public office; the making of the necessary financial arrangements, inclusive of attending to guarantees and the payment thereof; the preparation of the necessary documents for execution or registration at the deeds registry and, where necessary, the arrangement with other conveyancers for simultaneous lodgement and registration; the furnishing of references required by the deeds registry for examination purposes; and all attendances at the deeds registry, but shall not include -

- (a) any attendance in connection with the preparation and execution of deeds of sale, deeds of donation, deeds of exchange, preliminary partition agreements, deeds of suretyship, acknowledgements of debts, or documents of a similar nature;
 - (b) any separate act of registration of any other document which may be necessary or in connection with such act of registration;
 - (c) any attendance in connection with the resolution of a dispute between the transferrer and the transferee arising from a deed of sale or any of the other documents referred to in paragraph (a) or from whatever cause;
 - (d) any attendance arising from negotiations between the parties resulting in a further agreement or an addendum or other amendment to an existing agreement;
 - (e) any consultation for the purpose of preparing an antenuptial contract;
 - (f) any attendance in connection with the opening of a township register in terms of section 46 of the Act; or
 - (g) any attendance in connection with the preparation and obtaining of documents relating to collateral security required by a mortgagee.
2. Where the work necessary to perform any act under the Act or these regulations is partly performed by one legal practitioner, conveyancer, or notary public (hereinafter called the instructed legal practitioner) on the instructions received from another legal practitioner, conveyancer, or notary public (hereinafter called the instructing legal practitioner), both the instructed legal practitioner and instructing legal practitioner shall be entitled to a fee, apportioned as set out in the relevant part in this Tariff.
3. Where this Tariff provides for a specific or proportionate fee for lodgement, such fee shall mean the fee payable by the instructing legal practitioner to the instructed legal practitioner for all attendances and correspondence in connection with the lodgement and, where necessary, the registration of any document, and for the furnishing of the necessary references in connection with such lodgement and registration, and shall be payable out of the total fee.
4. For the purposes of this Tariff -
- (a) “folio” means 100 printed or written words or figures or part thereof, and four figures shall be considered to be one word;
 - (b) “final work” means the preparation of a document for execution or registration at the deeds registry and, where relevant, the obtaining of the registration of such document; the arrangement for simultaneous lodgement with another conveyancer or conveyancers, where necessary; the furnishing to the deeds registry of all the references required for examination purposes; and all attendances at the deeds registry and all correspondence that are related to the registration of a document, but shall not include any separate act of registration of any other document which may be necessary before or in connection with the first mentioned act of registration or for which special provision is made in this Tariff;
 - (c) “preliminary work” means the taking and giving of instructions; the preparation or obtaining of the necessary powers of attorney; declarations, affidavits, resolutions or other preliminary and ancillary documents such as extracts from a company’s memorandum or articles of association, and the procurement of the required signatures on any such document; the payment of the transfer duty and rates levied by relevant

authorities; the obtaining of the necessary clearance and other certificates from the relevant authorities; the obtaining (except where otherwise provided in this Tariff) of copies of, or endorsements on, documents from the office of the Master or from any other public office; the making of all financial arrangements, inclusive of attending to guarantees and the payment thereof and to all relevant correspondence, but shall not include any attendances in connection with the preparation and execution of general powers of attorney, deeds of sale, deeds of exchange, preliminary partition agreements, preliminary agreements with regard to any lease, servitude, or donation and documents of a similar nature and documents for which a special fee is provided for in this Tariff;

(d) “value of property” -

- (i) where transfer duty is payable, means the purchase price of the property or the amount on which transfer duty is payable, whichever amount is the higher;
- (ii) where no transfer duty is payable in terms of section 9(2) of the Transfer Duty Act, 1993 (Act No. 14 of 1993), means the purchase price of the property or the declared value as determined under that Act, whichever amount is the higher;
- (iii) where no transfer duty is payable in terms of any provision of section 9 of the Transfer Duty Act, 1993, other than subsection (2) thereof, but an official valuation from a regional, village, town or municipal council or from the Master is available, means such valuation or the consideration paid for such property, whichever amount is the higher: Provided that where no official valuation is available, it shall be deemed to be the fair value of the property as defined in section 1 of the Transfer Duty Act, 1993; or
- (iv) where no consideration is payable and no regional, village, town or municipal council or other official valuation is available, shall be deemed to be no less than N\$200 000.

**PART II
CONVEYANCING AND NOTARIAL FEES**

Service	Fees
Conveyance of ownership of immovable property (other than partition, rectification or exchange transfers)	
(a) For work in connection with the obtaining of conveyance of ownership of immovable property in any manner not specifically mentioned elsewhere in this Tariff, the fee shall be as set out in Schedule I to this Annexure: Provided that in the case of conveyance in terms of the second proviso to section 16 or in terms of section 31, 45 or 45bis (bonds excluded) of the Act, and in the case of property transactions where the value of the property is N\$100 000 or less, and in respect of which a certificate is issued by the appropriate governmental or other institution to the effect that the property in question is of a low cost housing nature, the fee shall be 60% of the amount set out in Schedule I to this Annexure.	
(b) For more than one property included in the same instrument of conveyance and in respect of which the same title conditions apply, for each additional property an additional fee of 15% of the amount set out in Schedule I to this Annexure: Provided that in cases where the title conditions differ a further additional fee of N\$300 per folio of the conditions shall be payable.	
(c) Apportionment of the fees set out in paragraphs (a) and (b):	

Service	Fees
Mortgage and collateral bonds	
<p>(a) For mortgage bonds, including surety mortgage bonds, the fee shall be as set out in Schedule II to this Annexure: Provided that for all bonds where the amount is N\$500 000 or less and a certificate is issued by the appropriate governmental or other institution to the effect that the property in question is of a low cost Housing nature, the fee shall be 60% of the amount set out in Schedule II to this Annexure.</p> <p>Note: For purposes of determining the fee to be charged under this paragraph, the amount of the bond on which stamp duty is being levied shall be used, and in the event of a bond exempted from stamp duty, the amount on which stamp duty would have been levied had the bond in question not been exempted shall be used.</p> <p>(b) For collateral bonds, being mortgage bonds passed as additional security for another Bond, the fee shall be 75% of the fee as set out in Schedule II to this Annexure.</p> <p>(c) For any waiver in terms of regulation 30(6) when included in a bond, an additional fee of</p> <p>(d) For more than one property included in any bond referred to in paragraph (a) or (b), for each additional property an additional fee of</p> <p>(e) Apportionment of the fees set out in paragraphs (a) to (d): The following percentage of the applicable fee shall be payable -</p> <p>(i) 66,67% on completion of the preliminary work</p> <p>(ii) 33.33% on completion of the final work</p>	<p>N\$1 000</p> <p>N\$ 230</p>
Notarial bonds	
<p>(a) For notarial bonds, inclusive of surety notarial bonds, securing -</p> <p>(i) an amount up to and including N\$500 000, a basic fee of</p> <p>(ii) an amount over N\$500 000, a basic fee of</p> <p>plus the relevant amount as set out in Schedule II to this Annexure.</p> <p>Note: For purposes of determining the fee to be charged under paragraph (a), the amount of the bond on which stamp duty is being levied shall be used, and, in the event of a bond exempted from stamp duty, the amount on which stamp duty would have been levied had the bond in question not been exempted shall be used.</p> <p>(b) The fee for collateral notarial bonds passed as additional security for a mortgage bond or another notarial bond between the same parties, shall be 50% of the fee set out in Schedule II to this Annexure</p> <p>-</p> <p>(c) Apportionment of the fees set out in paragraphs (a) and (b): The following percentage or amount of the applicable fee shall be payable -</p> <p>(i) 50% on completion of the preliminary work</p> <p>(ii) 50% on completion of the final work</p> <p>(iii) where the instructing notary public prepares and attests the deed, on lodgement</p>	<p>N\$1 600</p> <p>N\$1 800</p> <p>N\$1 800</p> <p>N\$ 360</p>
Antenuptial contracts	
<p>(a) For preparing an antenuptial contract and the necessary copies in respect thereof and attending to relevant correspondence and to the execution, notarial attestation and registration of the contract</p> <p>Note: This fee does not include any consultations for the purpose of the drafting of the antenuptial contract.</p>	<p>N\$1 800</p>

Service	Fees
(b) Apportionment of the fees set out in paragraph (a): The following percentage or amount of the applicable fee shall be payable -	
(i) 50% on completion of the preliminary work	
(ii) 50% on completion of the final work	
(iii) where instructing notary public prepares and executes the contract, on lodgement	N\$ 360
Other notarial deeds	
(a) For preparing any notarial waiver of preference by mortgagee, usufructuary, or other holder of a limited interest, or other notarial consent required under the Act to these regulations and obtaining registration thereof	N\$2 300
(b) For preparing any notarial lease, servitude, donation, or other notarial deed (other than those elsewhere provided for in this Tariff) and obtaining registration thereof, a fee assessed according to the length and complexity thereof	N\$2 300
(c) Apportionment of the fees set out in paragraphs (a) and (b): The following percentage or amount of the applicable fee shall be payable -	
(i) 50% on completion of the preliminary work	
(ii) 50% on completion of the final work	
(iii) where the instructing notary prepares and executes the deed, on lodgement	N\$ 360
Cancellation, cession or variation of bonds, release of persons or property from bonds and waiver of preference in regard to ranking of bonds	
(a) (i) For preparing a consent to the cancellation of a bond, a consent to the cancellation of a cession of a bond, a release of a property or a person from a bond, a consent to reduction of cover, a consent to a part payment of capital, a waiver of preference in regard to the ranking of a bond, a waiver of preference in respect of real rights in land, or a consent of a mortgagee, usufructuary, lessee, or holder of other limited interest required by the Act or these regulations and not otherwise provided for in this Tariff (not notarial), inclusive of attending to relevant instructions and correspondence, and of attendances at the office of the Master, and of any attendance at the deeds registry to obtain registration of the relevant document	N\$1 800
Provided that in any such cases where there are no financial arrangements to be made by the conveyancer, the fee shall be	N\$1 200
(ii) For attending to all matters referred to in subparagraph (i) in respect of any second or subsequent bond or bonds when the document or documents has or have been prepared by the same conveyancer who prepared the corresponding documents in connection with the first bond between the same parties over the same property, and the documents are or can be lodged simultaneously as a set, per bond	N\$ 360
(iii) For more than two properties included in any release referred to in subparagraph (i) or (ii), for each additional property over and above the first two properties, an additional fee of	N\$ 470
(b) For preparing a cession of a bond or an application for the endorsement of a bond in terms of sections 45 or 45bis of the Act, inclusive of attending to relevant instructions and correspondence, and to the preparation, where necessary, of a consent by the mortgagor and the procurement of the signatures of the mortgagor and mortgagee on the cession or on the endorsement application, and of any attendance at the deeds registry to obtain registration of the cession or to obtain an endorsement and all other relevant attendances, except attendances at the office of the Master	N\$1 800
Provided that in cases where there are no financial arrangements to be made by the conveyancer the fee shall be	N\$ 900

Service	Fees
(c) For preparing an agreement varying the terms of a bond, inclusive of attending to relevant instructions and correspondence and to the procurement of the signatures of the mortgagor and mortgagee on the agreement, and of any attendance at the deeds registry to obtain registration of the agreement and all other relevant attendances, a fee assessed according to the length and complexity of the transaction, with a minimum fee of N\$1000 and a maximum fee of N\$2000.	
(d) (i) For preparing a consent to substitution required in terms of section 24bis(3), 45(2)(b) or 45bis(2) of the Act, inclusive of attending to relevant instructions and correspondence and to the procurement of the necessary signatures of the mortgagee and the new debtor on the consent to substitution, and of attendances at the office of the Master	N\$1 800
Provided that in cases where there are no financial arrangements to be made by the conveyancer, the fee shall be	N\$1 200
(ii) For preparing a consent to substitution required in terms of section 57 of the Act, inclusive of attending to relevant instructions and correspondence and to the procurement of the necessary signatures of the mortgagee and the new debtor on the consent to substitution, and of any attendance at the deeds registry to obtain registration of the consent to substitution and all other relevant attendances, except attendances at the office of the Master the fee shall be 60% of the fees for bonds as set out in Schedule II to this Annexure.	
(iii) For preparing the application and consent required under section 40(5)(a) of the Act, inclusive of attending to relevant instructions and correspondence and to the procurement of the signatures of the mortgagor and mortgagee on the consent, and of any attendance at the deeds registry to obtain registration of the consent and all other relevant attendances ..	N\$1 800
(e) If any of the documents referred to in these paragraphs are required to be signed by more than one mortgagee, mortgagor, usufructuary, lessee or holder of any other limited interest, for each such additional person after the first, an additional fee of	N\$ 240
(f) Where attendances at the office of the Master is necessary in connection with any matter referred to in paragraph (a)(i), (b) or (d), the following additional fees shall be allowed:	
(i) for obtaining any certificate from the Master, per estate for any number of certificates which are or can be applied for simultaneously	N\$ 470
(ii) for obtaining copies of all the necessary documents which are or can be included in one application, per estate	N\$ 470
(g) Apportionment of the fees set out in paragraphs (a) to (f): The following amount of the applicable fee referred to in -	
(i) paragraphs (a)(i), (b), (c) and (d) shall be payable on lodgement	N\$ 360
(ii) paragraph(a)(ii) shall be payable on lodgement	N\$ 180
(iii) paragraph (f)(i) shall be payable to the instructed conveyancer	N\$ 520
(iv) paragraph (f)(ii) shall be payable to the instructed conveyancer	N\$ 280
Miscellaneous	
(a) For attending on behalf of the transferor or transferee, the mortgagor or mortgagee, or any other person to the supervision of the registration of the transfer or bond, or to the supervision of a bond, when the documents are being prepared and lodged by another conveyancer, inclusive of attending to instructions and correspondence relevant to any such supervision -	
(i) where the value of the property or amount of the bond does not exceed N\$100 000	N\$ 460
(ii) where the value of the property or amount of the bond exceeds N\$100 000	N\$ 920

Service	Fees
(b) For obtaining an endorsement of any amendment of title in terms of section 44 of the Act, inclusive of attending to relevant instructions and of any attendance in connection with the obtaining of such endorsement	N\$ 240
(c) For any attendance at the deeds registry for any certification or any act of registration required	N\$ 240
(d) For preparing an application for an endorsement in terms of section 46 of the Act and for attendances in connection with the lodging of the title deed for endorsement	N\$ 2 900
(e) (i) For obtaining an endorsement in terms of section 93 of the Act reflecting a change of name -	
(aa) where no advertisement is required	N\$ 780
plus	
for every deed after the first deed	N\$ 150
(bb) where advertisement is required	N\$2 000
plus	
for every deed after the first deed	N\$ 150
(ii) For obtaining an amendment of a deed in terms of section 4(1)(b) of the Act	N\$ 1 000
plus	
for every deed after the first deed	N\$ 360
(iii) For preparing and lodging the consent of any interested party, including that of any bondholder that has an interest in any endorsement or amendment in terms of this paragraph	N\$1 000
Note: The fees prescribed in this paragraph include fees for attending to instructions, correspondence and to the preparation of the necessary applications and for all relevant attendances and, where advertising is necessary, for preparing and placing the necessary advertisements.	
(f) For any attendance to obtain an endorsement on any deed reflecting the conversion of a company to a close corporation and vice versa	N\$ 450
plus	
for every deed after the first	N\$ 150
(g) (i) For any attendance and search at the deeds registry to obtain the information required, other than information required for the preparation or registration of a deed, and for attending to the relevant instructions, and correspondence, per quarter hour or part thereof	N\$ 260
(ii) Reporting per folio	N\$ 180
(h) For preparing and submitting an application for a certified copy of a deed, registered lease, mortgage bond or notarial bond for a purpose referred to in regulation 53, inclusive of attending to relevant instructions, correspondence and filing of documents, and of attendances in connection with any such application	N\$ 1 000
(i) For any attendance at the deeds registry to obtain a certified copy of any deed or document from the deeds registry for any purpose other than a purpose referred to in regulation 53 and for attending to the relevant instructions, correspondence, and filing of documents	N\$ 360
plus	
for every deed after the first for which may be applied for in the same application	N\$ 240
(j) For any attendance at the office of a local authority, the Townships Board or any other authority to obtain -	
(i) the necessary approval required by law in respect of diagrams of sub-division and to obtain the necessary certificates or other documents	N\$ 1 500
(ii) an endorsement on a power of attorney or diagram	N\$ 700

Service	Fees
(k) (i) For preparing an affidavit or application in connection with any separate act of registration or endorsement not specifically mentioned in this Tariff and attending to the relevant instructions and correspondence, and for any attendance in relation to such affidavit or application, or for the creation of township conditions against the remainder of the property, or for the lapsing of any condition of title or personal servitude (excluding a usufruct, usus or habitatio)	N\$1 000
plus for the preparation of each extra folio of an affidavit or application where such document exceeds one folio in length	N\$ 250
(ii) For any attendance at the office of the Master to obtain the necessary endorsements in connection with any matter referred to in this paragraph, per estate	N\$ 360
(iii) For preparing a general power of attorney and for attendances in connection therewith	N\$ 900
(iv) For preparing a certificate in terms of section 42(1) of the Administration of Estates Act, 1965 (Act No. 66 of 1965), and for any attendance at the office of the Master to obtain his or her signature on such certificate, per estate for any number of certificates	N\$ 380
(v) For preparing an application for the registration of a lapse of usufruct, habitatio, or usus (not notarial)	N\$ 700
(l) (i) For preparing a cession of servitude in the form prescribed in Form HH to these regulations and for attending to the relevant instructions, correspondence and registration	N\$ 1 800
(ii) For more than one property included in the same cession, for each additional property an additional fee of	N\$ 150
(m) For any attendance in connection with taxation, inclusive of correspondence: a fee equal to 5% of the fees allowed on taxation shall be chargeable by the conveyancer submitting the bill of costs, and a fee equal to 5% of the total fees originally reflected in that bill of costs shall be chargeable by the conveyancer opposing taxation, subject to a minimum fee of N\$1000 in respect of each conveyancer.	
(n) Apportionment of the fees set out in paragraphs (a) to (m):	
The following percentage or amount of the fee referred to in -	
(i) paragraphs (a) and (b) shall be payable on -	
(aa) 33,33% on completion of the preliminary work	
(bb) 66,67% on completion of the final work	
(ii) paragraph (c) shall be payable on lodgement	N\$ 150
(iii) paragraphs (d), (e)(i)(aa) and (bb), (e)(ii), (e)(iii), (g), (i), (j)(i) and (ii), (k)(i) and (iii) and (l)(i) and (ii), shall be payable -	
(aa) 50% to the instructing legal practitioner	
(bb) 50% to the instructed legal practitioner	
(iv) paragraph (h) shall be payable on lodgement	N\$ 450
(v) paragraph (k)(ii) shall be payable to the instructed legal practitioner	N\$ 450
(vi) paragraph (k)(iv) shall be payable to the instructed legal practitioner	N\$ 450
Note:	
Fees and percentages specified in this Tariff shall be nett and shall not be subject to any allowance, the customary one-third allowance having been taken into account in the apportionments.	
Where the instructing legal practitioner merely takes instructions from his or her client and thereafter sends his or her whole file to the instructed legal practitioner who then does all the work, the former shall, as a general rule, be entitled to 20% and the latter to 80% of the fee where the fee is divided on a percentage basis.	

**PART III
APPORTIONMENT OF FEES FOR PRELIMINARY WORK**

Where a legal practitioner who attends to the preliminary work in connection with any conveyancing matter requests another legal practitioner to do part of that preliminary work, the former shall from his or her share of the fees pay to the latter (subject to any provision to the contrary in these fees) the amount agreed between them.

**PART IV
APPORTIONMENT OF FEES WHERE MANDATE IS TERMINATED**

The following shall be a guideline for the apportionment of fees where a mandate is terminated at any stage before execution or registration:

Task	Total percentage
(a) For attending to the taking of instructions and the planning of the transaction, 20% of the prescribed fee	20%
(b) For preparing the preliminary documents, an additional 20% of the prescribed fee	40%
(c) For attending to or procuring the signing of the preliminary documents, an additional 10% of prescribed fee	50%
(d) For attending to all the necessary financial arrangements before lodgment, an additional 20% of prescribed fee	70%
(e) For preparing a deed or other document for execution or registration, an additional 10% of the prescribed fee	80%
(f) For lodgment, an additional 10% of the prescribed fee	90%

**PART V
APPLICATION OF TARIFF**

This Tariff shall apply only in relation to any act -

- (a) in respect of which the fees referred to in regulation 65 of these regulations shall be payable; and
- (b) which is performed by a legal practitioner, a notary public or a conveyancer in connection with any transaction in respect of which he or she received an instruction on or after 31 January 2020.

Schedule I

The fees for the registration of immovable property are -

- (a) where the value of the property is less than N\$500 000, the fees are as agreed between the parties, but shall not be more than N\$5 000;
- (b) where the value of the property is N\$500 000 or more, but less than N\$600 000, the fees shall be as agreed between the parties, but shall not be more than N\$6 800;
- (c) where the value of the property is N\$600 000 or more, but less than 1 000 000, N\$11 160 plus N\$1 540 per N\$100 000 or part thereof above N\$600 000;
- (d) where the value of the property is N\$1 000 000 or more, but less than N\$5 000 000, the fees shall be N\$18 860 plus N\$1 540 per N\$200 000 or part thereof above that up to and including N\$5 000 000;
- (e) where the value of the property is 5 000 000 or more, the fee shall be N\$49 660 plus N\$1 925 per N\$500 000 or part thereof above N\$5 000 000.

Schedule II

The fees for the registration of a bond are -

- (a) where the amount of the bond is less than N\$500 000, the fees are as agreed between the parties, but shall not be more than N\$5 000;
 - (b) where the amount of the bond is N\$500 000 or more, but less than N\$600 000, the fees shall be as agreed between the parties but shall not be more than N\$6 800;
 - (c) where the amount of the bond is N\$600 000 or more, but less than 1 000 000, N\$11 160 plus N\$1 540 per N\$100 000 or part thereof above N\$600 000;
 - (d) where the amount of the bond is N\$1 000 000 or more, but less than N\$5 000 000, the fees shall be N\$18 860 plus N\$1 540 per N\$200 000 or part thereof above that up to and including N\$5 000 000;
 - (e) where the amount of the bond is 5 000 000 or more, the fee shall be N\$49 660 plus N\$1 925 per N\$500 000 or part thereof above N\$5 000 000.
-