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VAN SUIDWES-AFRIKA

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Government Notice

office of the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

DEPARTMENT OF JUSTICE

No. AG. 48 1983

AMENDMENT OF REGULATIONS MADE UNDER THE DEEDS REGISTRIES ACT, 1937 (ACT 47 OF 1937)

The deeds registries regulations board has, under section 10 of the Deeds Registries Act, 1937 (Act 47 of 1937), made the regulations set out in the Schedule and approved by the Administrator-General.

SCHEDULE

Repeal of regulation 4 of the regulations published by Government Notice 225 of 1964

1. Regulation 4 of the regulations published by Government Notice 225 of 30 December 1964 (hereinafter referred to as the regulations) is hereby repealed.

Goewermentskennisgewing

kantoor van die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

DEPARTEMENT VAN JUSTISIE

No. AG. 48 1983

WYSIGING VAN REGULASIES UITGEVAARDIG KRAGTENS DIE REGISTRASIE VAN AKTES WET, 1937 (WET 47 VAN 1937)

Die registrasieregulasieraad het kragtens artikel 10 van die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937), die regulasies wat in die Bylae vervat en deur die Administrateur-generaal goedgekeur is, uitgevaardig.

BYLAE

Herroeping van regulasie 4 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

1. Regulasie 4 van die regulasies afgekondig by Goewermentskennisgewing 225 van 30 Desember 1964 (hieronder die regulasies genoem) word hierby herroep.

Amendment of regulation 7 of the regulations published by Government Notice 225 of 1964

2. Regulation 7 of the regulations is hereby amended by the substitution for the words "magisterial district", wherever they occur, of the words "registration division".

Repeal of regulations 11, 12, 13, 15, 16 and 17 of the regulations published by Government Notice 225 of 1964

3. Regulations 11, 12, 13, 15, 16 and 17 of the regulations are hereby repealed.

Substitution of regulation 18 of the regulations published by Government Notice 225 of 1964, as amended by Government Notice 207 of 1967

4. The following regulation is hereby substituted for regulation 18 of the regulations:

" 18. (1) A person, except any person acting in a representative capacity, shall be identified in any deed, power of attorney, application or other document submitted for registration, attestation or execution and registration, endorsement or preservation —

(a) in the case of a natural person, by means of his names and identity number reflected in his identity document, as referred to in paragraph (a) or (b) of the definition of "identity document" in section 1 of the Identification of Persons Act, 1979 (Act 2 of 1979), or, if such document has not been issued to the person concerned or contains incorrect information, by means of his date of birth or, if his date of birth is not known, such other proof as the Registrar may require in relation to his identity under section 4(1)(a) of the Act; or

(b) in the case of any other person, by means of its name and, if any, its registered number.

(2) Subregulation (1) shall not apply to any consent or application submitted in relation to any registered deed in which the person concerned has not been identified by means of his identity number, his date of birth or its registered number as the case may be.

Wysiging van regulasie 7 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

2. Regulasie 7 van die regulasies word hierby gewysig deur die woord "landdrosdistrik", oral waar dit voorkom, en die woord "landdrosdistrikte" deur, onderskeidelik, die woord "registrasie-afdeling" en die woord "registrasie-afdelings" te vervang.

Herroeping van regulasies 11, 12, 13, 15, 16 en 17 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

3. Regulasies 11, 12, 13, 15, 16 en 17 van die regulasies word hierby herroep.

Vervanging van regulasie 18 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964, soos gewysig by Goewermentskennisgewing 207 van 1967

4. Regulasie 18 van die regulasies word hierby deur die volgende regulasie vervang:

" 18. (1) 'n Persoon, behalwe iemand wat in 'n verteenwoordigende hoedanigheid optree, moet in enige akte, prokurasie, aansoek of ander stuk wat vir registrasie, attestasie of ondertekening en registrasie, aantekening of bewaring voorgelê word, geidentifiseer word -

(a) in die geval van 'n natuurlike persoon, deur middel van sy name en identiteitsnommer wat verskyn in sy identiteitsdokument, soos in paragraaf (a) of (b) van die omskrywing van "identiteitsdokument" in artikel 1 van die Wet op die identifikasie van Persone, 1979 (Wet 2 van 1979), bedoel of, indien so 'n dokument nie aan die betrokke persoon uitgereik is nie of onjuiste inligting bevat, deur middel van sy geboortedatum of, indien sy geboortedatum onbekend is, sodanige ander bewys as wat die Registrateur kragtens artikel 4(1)(a) van die Wet met betrekking tot sy identiteit kan vereis; of

(b) in die geval van 'n ander persoon, deur middel van sy naam en, indien daar een is, sy geregistreerde nommer.

(2) Subregulasie (1) is nie van toepassing nie op enige toestemming of aansoek wat voorgelê word met betrekking tot 'n geregistreerde akte waarin die betrokke persoon nie deur middel van sy identiteitsnommer, geboortedatum of geregistreerde nommer, na gelang van die geval, geïdentifiseer is nie.

(3) The fact that no identity document has been issued to a person referred to in subregulation (1)(a) or that an identity document issued contains incorrect information, shall be proved by means of an affidavit by the person concerned or of a certificate signed by a conveyancer by virtue of information obtained from the person concerned.

(4) The name of a person referred to in subregulation (1) and his identity number, his date of birth or its registered number, as the case may be, obtained under this regulation shall be recorded in the relevant registers of the Deeds Registry.".

Substitution of regulation 20 of the regulations published by Government Notice 225 of 1964

5. The following regulation is hereby substituted for regulation 20 of the regulations:

" 20. (1) Deeds and other documents submitted for registration, attestation or execution and registration, endorsement or preservation, shall be on paper approved by the Registrar and shall be in clear writing, print or type of good quality: Provided that the Registrar may in his discretion allow that such a deed or other document may consist of one or more pages which has or have been reproduced by means of print or any other manner of reproduction whether or not missing particulars have been made therein by means of clear writing, print or type.

(2) The upper half of the first page of a deed shall not be used for writing, printing, typing or any other purposes, but shall be reserved for the purposes of Deeds Registry endorsements and, in the case of deeds or other documents referred to in subregulation (1), a margin of at least four centimetres shall be allowed on all pages of a deed for binding purposes.

(3) No carbon copy of any deed or other document shall be accepted in a Deeds Registry for the purposes of preservation.

(4) (a) Ink of a durability and reproduceable quality as the Registrar may allow, shall be used for the purposes of an alteration, an interlineation, a signature or an initial on a deed or other document referred to in subregulation (1).

(3) Die feit dat geen identiteitsdokument aan 'n persoon in subregulasie (1)(a) bedoel, uitgereik is nie of dat 'n identiteitsdokument wat uitgereik is onjuiste inligting bevat, moet deur middel van 'n beëdigde verklaring deur die betrokke persoon of van 'n sertifikaat deur 'n transportbesorger onderteken op grond van inligting van die betrokke peroon verkry, bewys word.

(4) Die naam van 'n persoon in subregulasie (1) bedoel en sy identiteitsnommer, geboortedatum of geregistreerde nommer, na gelang van die geval, wat kragtens hierdie regulasie verkry is, moet in die betrokke registers van die Registrasiekantoor aangeteken word.".

Vervanging van regulasie 20 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

5. Regulasie 20 van regulasies word hierby deur die volgende regulasie vervang:

" 20. (1) Aktes en ander stukke wat vir registrasie, attestasie of ondertekening en registrasie, aantekening of bewaring voorgelê word, moet op papier wees wat deur die Registrateur goedgekeur is en moet in duidelike skrif, druk of tikskrif van goeie gehalte wees: Met dien verstande dat die Registrateur na goeddunke kan toelaat dat so 'n akte of ander stuk uit een of meer bladsye bestaan wat by wyse van drukwerk of 'n ander wyse van kopieëring gekopieer is ongeag of ontbrekende gegewens daarin by wyse van duidelike skrif, druk of tikskrif aangebring is, al dan nie.

(2) Die boonste helfte van die eerste bladsy van 'n akte mag nie vir skryf-, druk-, tik- of enige ander doeleindes gebruik word nie, maar moet gereserveer word vir die doeleindes van endossemente van die Registrasiekantoor en, in die geval van aktes of ander stukke in subregulasie (1) bedoel, moet 'n kantruimte van ten minste vier sentimeter op alle bladsye vir inbindingsdoeleindes gelaat word.

(3) Geen deurslag van enige akte of ander stuk word vir doeleindes van bewaring in 'n Registrasiekantoor aanvaar nie.

(4) (a) Ink van 'n duursaamheid en reproduseerbare gehalte as wat die Registrateur kan toelaat, moet vir doeleindes van 'n verandering, tussenskrif, handtekening of paraaf op 'n akte of ander stuk in subregulasie (1) bedoel, gebruik word.

(b) All alterations to, or interlineations in, such a deed or other document shall be initialled by the person who signed the deed or document and by the person who attested his signature (except the Registrar).

(c) If any witness other than the original attests the initial of the person who signed a document at any alteration or interlineation such witness shall sign his name at such initial.

(5) All alterations and interlineations shall, in the case of an attested deed by a notary, be initialled also by such notary.

(6) Notwitstanding anything to the contrary in this regulation contained, the Registrar may in his discretion accept for preservation any copy of a document filed in any Government office, if such a copy has been certified to be a true copy by or on behalf of the head of such office or by a conveyancer or by a notary or, in the case of a diagram, by the Surveyor-General.".

Amendment of regulation 21 of the regulations published by Government Notice 225 of 1964

6. Regulation 21 of the regulations is hereby amended by the deletion of subregulations (1), (3), (4) and (5).

Amendment of regulation 24 of the regulations published by Government Notice 225 of 1964

7. Regulation 24 of the regulations is hereby amended by the deletion of subregulation (1).

Substitution of regulation 26 of the regulations published by Government Notice 225 of 1964

8. The following regulation is hereby substituted for regulation 26 of the regulations:

" 26. Every title deed in respect of land -

(a) for which a grant has been issued;

(b) which is to to be prepared in accordance with forms E, F, G, H, I, J, L, M, N, or R; or

(b) Alle veranderinge op, of tussenskrifte in, so 'n akte of ander stuk moet deur die persoon wat die akte of stuk onderteken en deur die persoon wat sy handtekening attesteer (behalwe die Registrateur), geparafeer word.

(c) Indien 'n ander getuie as die oorspronklike die paraaf van die persoon wat 'n stuk onderteken het by 'n verandering of tussenskrif attesteer, moet sodanige getuie sy naam by sodanige paraaf teken.

(5) Alle veranderinge en tussenskrifte moet, in die geval van 'n akte wat deur 'n notaris geattesteer is, ook deur sodanige notaris geparafeer word.

(6) Ondanks andersluidende bepalings van hierdie regulasie, kan die Registrateur na goeddunke enige kopie van 'n stuk wat in 'n Staatskantoor geliasseer is, vir bewaring aanvaar indien so 'n kopie deur of namens die hoof van sodanige kantoor of deur 'n transportbesorger of notaris of, in die geval van 'n kaart, deur die Landmeter-generaal as 'n ware kopie gesertifiseer is.".

Wysiging van regulasie 21 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

6. Regulasie 21 van die regulasies word hierby gewysig deur subregulasies (1), (3), (4) en (5) te skrap.

Wysiging van regulasie 24 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

7. Regulasie 24 van die regulasies word hierby gewysig deur subregulasie (1) te skrap.

Vervanging van regulasie 26 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

8. Regulasie 26 van die regulasies word hierby deur die volgende regulasie vervang:

" 26. Elke titelbewys ten opsigte van grond -

(a) waarvoor 'n grondbrief uitgereik is;

(b) wat ooreenkomstig vorms E, F, G, H, I, J, L, M, N of R opgestel moet word; of

(c) which, in relation to the recording of the reversion of land in consequence of the cancellation of the registration of a sectional plan, as referred to in section 9(6) of the Sectional Titles Act, 1971 (Act 66 of 1971), or the endorsement of the reversion of the whole or any portion of land shown on a sectional plan, as referred to in section 13(6) or 37(10) of the said Sectional Titles Act, 1971, is to be prepared in accordance with form SS,

shall mention in accordance with a form corresponding with Form DD or EE immediately after the description of the property, the number and year of the title deed to which the diagram of the land is annexed or to which it relates, as well as the number and year of the title deed whereunder the land is held.".

Amendment of regulation 28 of the regulations published by Government Notice 225 of 1964

9. Regulation 28 of the regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

" (1) Where in any deed land is described, the following particulars shall be furnished therein:

(a) The name of the registration division in which such land is situated, and, in the case of land situated in a township, the name of such township, with an indication whether such land is situated in the jurisdiction of a municipality, village management board or the Peri-Urban Development Board; and

(b) the registered number, if any, of such land.".

Substitution of regulation 39 of the regulations published by Government Notice 225 of 1964

10. The following regulation is hereby substituted for regulation 39 of the regulations:

" 39 (1) The consent for the registration of the following transactions, namely -

(a) cancellation of a registered mortgage bond or notarial bond;

(c) wat, met betrekking tot die teboekstelling van die terugvalling van grond as gevolg van doe rojering van die registrasie van 'n deelplan, soos in artikel 9(6) van die Wet op Deeltitles, 1971 (Wet 66 van 1971), bedoel, of die aantekening van die terugplasing van die geheel of 'n gedeelte van grond wat in 'n deelplan aangetoon word, soos in artikel 13(6) of 37(10) van genoemde Wet op Deeltitels, 1971, bedoel, ooreenkomstig vorm SS opgestel moet word,

moet onmiddellik ná die beskrywing van die eiendom, die nommer en jaar van die titelbewys waaraan die kaart van die grond geheg is of waarop dit betrekking het, asook die nommer en jaar van die titelbewys waarkragtens die grond gehou word, vermeld ooreenkomstig 'n vorm wat met Vorm DD of EE ooreenstem.".

Wysiging van regulasie 28 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

9. Regulasie 28 van die regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

" (1) Waar grond in 'n akte beskryf word, moet die volgende besonderhede daarin verstrek word:

(a) Die naam van die registrasie-afdeling waarin sodanige grond geleë is en, in die geval van grond wat in 'n dorp geleë is, ook die naam van dic dorp, met 'n aanduiding of daardie grond in die regsgebied van 'n munisipaliteit, dorpsbestuur of die Raad vir Buitestedelike Ontwikkeling geleë is; en

(b) die geregistreerde nommer, indien enige, van die grond.".

Vervanging van regulasie 39 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

10. Regulasie 39 van die regulasies word hierby deur die volgende regulasie vervang:

" 39. (1) Die toestemming vir die registrasie van die volgende regshandelinge, naamlik -

(a) rojering van 'n geregistreerde verband of notariële verband;

(b) 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 any such collateral bond, of all the property, or of any joint debtor or of any surety in respect of any such bond;

(c) 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;

(d) reduction of cover in respect of a registered mortgage bond or notarial bond intended to secure future debts;

(e) 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 bond, whether registered or about to be registered;

(f) cession of a registered mortgage bond or notarial bond;

(g) cancellation of a cession of a registered mortgage bond or notarial bond made as security;

(h) substitution of any other person for a debtor in respect of a registered mortgage bond,

shall be granted in every case in accordance with the applicable prescribed form W or CC, as the case may be, on separate forms by the holder of the bond or the holder of the bond and the mortgagee or the person to be substituted for the mortgagee, as the case may be, and shall be duly signed and attested.

(2) Any agreement referred to in section 3(1)(s) of the Act, shall be entered into in accordance with Form FF and shall be duly signed and attested.

(3) The application and consent required under the proviso to paragraph (a) of subsection (5) of section 40 of the Act of an owner and a holder of a bond, shall be made and granted in accordance with Form GG and shall be duly signed and attested.

(b) bevryding van enige deel van goed wat met 'n geregistreerde verband of notariële verband beswaar is of, in die geval waar die skuld verder verseker is deur so 'n bykomende verband, van al die goed, of van 'n medeskuldenaar of 'n borg ten opsigte van so 'n verband;

(c) gedeeltelike afbetaling van 'n hoofsom verskuldig ten opsigte van 'n ander geregistreerde verband of notariële verband as een bedoel om toekomstige skulde te verseker;

(d) vermindering in dekking ten opsigte van 'n geregistreerde verband of notariële verband wat bedoel is om toekomstige skulde te verseker;

(e) afstand van voorrang ten opsigte van 'n geregistreerde verband of notariële verband met betrekking tot die geheel of 'n deel van die daarmee beswaarde goed, ten gunste van 'n ander sodanige verband, hetsy dit reeds geregistreer is of op die punt staan om geregistreer te word;

(f) sessie van 'n geregistreerde verband of notariële verband;

(g) rojering van 'n sessie van 'n geregistreerde verband of notariële verband wat as sekuriteit gedoen is;

(h) vervanging van 'n skuldenaar ten aansien van 'n geregistreerde verband deur 'n ander persoon,

moet in elke geval ooreenkomstig die toepaslike voorgeskrewe vorm W of CC, na gelang van die geval, op afsonderlike vorms verleen word deur die verbandhouer of die verbandhouer en die verbandgewer of die persoon wat as verbandgewer vervang staan te word na gelang van die geval, en moet behoorlik geteken en geattesteer word.

(2) 'n Ooreenkoms in artikel 3(1)(s) van die Wet bedoel, moet ooreenkomstig Vorm FF aangegaan word en moet behoorlik geteken en geattesteer word.

(3) Die aansoek en toestemming wat kragtens die voorbehoudsbepaling by paragraaf (a) van subartikel (5) van artikel 40 van die Wet van 'n eienaar en 'n verbandhouer vereis word, moet ooreenkomstig Vorm GG gedoen en verleen word en moet behoorlik geteken en geattesteer word.

(4) The consent referred to in subregulation (1) and the application and consent referred to in subregulation (3) and the agreement referred to in subregulation (2) shall, in addition to the particulars required in the Form concerned, contain also the full names and, in the case of a woman, her marital status, of the holder of the bond and of any party who thereby grants his consent.

(5) The application and consent referred to in subregulations (1) and (3) and the agreement referred to in subregulation (2), shall be preserved by the Registrar.

(6) The consent referred to in paragraphs (e) to (h) of subregulation (1), the agreement referred to in subregulation (2) and the application and consent referred to in subregulation (3), shall be prepared in duplicate and the duplicate copy thereof shall be annexed to the copy of the bond of the holder of the bond: Provided that if no duplicate copy is available, a copy certified by a notary or conveyancer shall be annexed to the copy of the bond of the holder of the bond.

(7) Any application, consent or agreement referred to in this regulation may not relate to more than one bond.".

Repeal of regulation 40 of the regulations published by Government Notice 225 of 1964

11. Regulation 40 of the regulations is hereby repealed.

Amendment of regulation 41 of the regulations published by Government Notice 225 of 1964

12. Regulation 41 of the regulations is hereby amended -

(a) by the substitution for subregulation (2) of the following subregulation:

" (2) (a) Every mortgage bond shall contain a full and clear description of the property to be hypothecated, including the extent thereof, and when two or more properties are to be hypothecated, each property shall be described in a separate paragraph.

(4) Die toestemming in subregulasie (1) en die aansoek en toestemming in subregulasie (3) bedoel en die ooreenkoms in subregulasie (2) bedoel, moet benewens die besonderhede wat in die betrokke Vorm vereis word ook die volle name en, in die geval van 'n vrou, haar huwelikstatus, van die verbandhouer en van enige party wat daarby sy toestemming verleen, bevat.

(5) Die aansoek en toestemming in subregulasies (1) en (3) bedoel en die ooreenkoms in subregulasie (2) bedoel, word deur die Registrateur bewaar.

(6) Die toestemming in paragrawe (e) tot (h) van subregulasie (1) bedoel, die ooreenkoms in subregulasie (2) bedoel en die aansoek en toestemming in subregulasie (3) bedoel, moet in tweevoud opgestel word en die duplikaatkopie daarvan moet aan die verbandhouer se kopie van die verband geheg word: Met dien verstande dat indien 'n duplikaatkopie nie beskikbaar is nie, 'n kopie wat deur 'n notaris of transportbesorger gesertifiseer is aan die verbandhouer se kopie van die verband geheg moet word.

(7) Enige aansoek, toestemming of ooreenkoms in hierdie regulasie bedoel, mag nie op meer as een verband betrekking hê nie.".

Herroeping van regulasie 40 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

11. Regulasie 40 van die regulasies word hierby herroep.

Wysiging van regulasie 41 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

12. Regulasie 41 van die regulasies word hierby gewysig -

(a) deur subregulasie (2) deur die volgende subregulasie te vervang:

" (2) (a) Elke verbandakte moet 'n volledige en duidelike beskrywing bevat van die eiendom wat verhipotekeer gaan word, met inbegrip van die grootte daarvan, en wanneer twee of meer eiendomme verhipotekeer gaan word, moet elke eiendom in 'n afsonderlike paragraaf beskryf word.

(b) The number (comprising the serial and year number), if any, of the deed by which the property is held, shall also be quoted in each paragraph: Provided that where more than one property is held by one and the same deed, such number of the deed may be quoted after the description of the last of such properties."; and

(b) by the deletion of subregulation (5).

Substitution of regulation 43 of the regulations published by Government Notice 225 of 1964

13. The following regulation is hereby substituted for regulation 43 of the regulations:

" 43. Every deed of transfer, certificate conferring title to immovable property, deed of cession referred to in section 32 of the Act or mortgage bond shall be prepared by a conveyancer and shall bear an endorsement signed by such conveyancer that it was prepared by him, and he shall also initial personally all alterations or interlineations in such deed of transfer, certificate, cession or mortgage bond and every page thereof not requiring his signature if such deed of transfer, certificate, cession or mortgage bond is written on separate sheets and no such deed of transfer, certificate, cession or mortgage bond shall be accepted for registration, attestation or execution and registration or preservation which does not bear such endorsement and is not so initialled: Provided, however, that, in the case of a deed of transfer or mortgage bond, where the alteration or interlineation does not, in the opinion of the Registrar, require initialling by the preparing conveyancer, such alteration or interlineation shall be initialled by the executing conveyancer.".

Substitution of regulation 44 of the regulations published by Government Notice 225 of 1964

14. The following regulation is hereby substituted for regulation 44 of the regulations:

" 44. Any power of attorney, application or consent required for the registration of any transaction and any agreement of partition referred to in section 26 of the Act and submitted for registration or preservation in the Deeds Registry, shall be prepared by a practising attorney, notary or conveyancer, including any attorney, notary or conveyancer employed by a

(b) Die nommer (bestaande uit die volgen jaarnommer), indien enige, van die akte waarkragtens die eiendom gehou word, moet ook in elke paragraaf aangehaal word: Met dien verstande dat waar meer as een eiendom kragtens een en dieselfde akte gehou word, die nommer van die akte aangehaal kan word na die beskrywing van die laaste van sodanige eiendomme."; en

(b) deur subregulasie (5) te skrap.

Vervanging van regulasie 43 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

13. Regulasie 43 van die regulasies word hierby deur die volgende regulasie vervang:

" 43. Elke transportakte, sertifikaat waarby reg op onroerende goedere verleen word, akte van sessie in artikel 32 van die Wet bedoel of verbandakte moet opgestel word deur 'n transportbesorger en moet voorsien wees van 'n endossement, deur sodanige transportbesorger geteken, dat hy dit opgestel het en hy moet ook alle veranderinge of tussenskrifte in sodanige transportakte, sertifikaat, sessie of verbandakte en elke bladsy daarvan wat sy handtekening nie vereis nie as sodanige transportakte, sertifikaat, sessie of verbandakte op afsonderlike velle papier geskryf is, persoonlik parafeer en geen sodanige transportakte, sertifikaat, sessie of verbandakte wat nie van sodanige endossement voorsien en nie aldus geparafeer is nie, word vir registrasie, attestasie of ondertekening en registrasie of bewaring aangeneem nie: Met dien verstande egter dat, in die geval van 'n transportakte of verbandakte, waar die verandering of tussenskrif na die mening van die Registrateur nie parafering deur die opstellende transportbesorger vereis nie, sodanige verandering of tussen skrif deur die uitvoerende transportbesorger geparafeer moet word.".

Vervanging van regulasie 44 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

14. Regulasie 44 van die regulasies word hierby deur die volgende regulasie vervang:

" 44. Enige prokurasie, aansoek of toestemming wat nodig is vir die registrasie van 'n regshandeling en enige verdelingsooreenkoms in artikel 26 van die Wet bedoel en wat vir registrasie of bewaring in die Registrasiekantoor voorgelê word, moet deur 'n praktiserende prokureur, notaris of transportbesorger, met inbegrip van 'n prokureur, notaris

department, as referred to in section 3 of the Government Service Act, 1980 (Act 2 of 1980), and shall bear an endorsement signed by the attorney, notary or conveyancer concerned who prepared such power of attorney, application, consent or agreement that it has been prepared by him, and any material alteration or interlineation shall be initialled by the person who prepared such document.".

Amendment of regulation 45 of the regulations published by Government Notice 225 of 1964

15. Regulation 45 of the regulations is hereby amended -

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) All deeds, mortgage bonds, documents and powers of attorney intended for registration, attestation or execution and registration or preservation, as the case may be, shall be lodged for examination by a notary or a conveyancer practising at the seat of the Deeds Registry or by a person employed by a notary or conveyancer or by any person employed by a departement, as referred to in section 3 of the Government Service Act, 1980 (Act 2 of 1980), in covers with the receiving clerk (who shall note thereon the date of lodgment), on working days between the hours that the Registrar shall determine.";

(b) by the substitution for subregulation (2) of the following subregulation:

"(2) (a) Powers of attorney shall be lodged singly, and all deeds, mortgage bonds and other documents referred to in subregulation (1) shall be lodged in duplicate, except that in the case where more than one person is a party to a notarial deed affecting immovable property, and additional duplicate original, grosse or certified copy shall be lodged in respect of each title deed involved and of each additional person being a party to the notarial deed and who is not the owner of the immovable property concerned, unless the Registrar requires in his discretion less duplicate originals, grosse or certified copies.

of transportbesorger in diens by 'n departement, soos in artikel 3 van die Regeringsdienswet, 1980 (Wet 2 van 1980), bedoel, opgestel word en moet 'n endossement bevat wat deur die betrokke prokureur, notaris of transportbesorger wat sodanige prokurasie, aansoek, toestemming of ooreenkoms opgestel het, geteken is dat sodanige dokument deur hom opgestel is, en enige wesenlike verandering of tussenskrif moet deur die persoon wat sodanige dokument opgestel het, geparafeer word.".

Wysiging van regulasie 45 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

15. Regulasie 45 van die regulasies word hierby gewysig -

(a) deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Alle aktes, verbande, stukke en prokurasies wat vir registrasie, attestasie of ondertekening en registrasie of bewaring, na gelang van die geval, bedoel is, moet deur 'n notaris of transportbesorger wat by die setel van die Registrasiekantoor praktiseer of deur 'n persoon wat in diens van so 'n notaris of transportbesorger is of deur 'n persoon in diens by 'n departement, soos in artikel 3 van die Regeringsdienswet, 1980 (Wet 2 van 1980), bedoel, in omslae vir ondersoek ingedien word by die ontvangsklerk (wat die datum van indiening daarop aanteken) op werksdae gedurende die ure wat die Registrateur bepaal.";

(b) deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) (a) Prokurasies moet in enkelvoud ingedien word, en alle aktes, verbandaktes en ander stukke in subregulasie (1) bedoel, moet in tweevoud ingedien word, behalwe dat in die geval waar meer as een persoon 'n party is by 'n notariële akte wat op onroerende goed betrekking het, 'n bykomende duplikaat-oorspronklike, grosse of gewaarmerkte afskrif ten opsigte van elke titelbewys wat betrokke is en van elke bykomende persoon wat 'n party by die notariële akte is en wat nie die eienaar van die betrokke onroerende goed is nie, ingedien moet word, tensy die Registrateur na goeddunke minder duplikaat-oorspronklikes, grosse of gewaarmerkte afskrifte vereis.

(b) A notarial deed referred to in paragraph (a) and one copy thereof shall, subject to the provisions of section 3 of the Act, be signed by the Registrar and any other additional copies, shall be endorsed that it has been issued for information only.";

(c) by the substitution for subregulation (3) of the following subregulation:

" (3) On the expiration of four working days after a deed has been lodged in accordance with subregulation (1), such a deed intended for attestation or execution and registration and in respect of which no objection exists, shall be attested or executed before or by the Registrar: Provided that the Registrar may allow any deed to be attested or executed before the expiration of such number or working days, and may reject deeds not attested or executed within such number or working days.";

(d) by the subtitution for subregulation (5) of the following subregulation:

" (5) Deeds lodged for attestation or execution and registration and in respect of which an objection exists, shall, if circumstances permit, be rejected not later than four working days after lodgment."; and

(e) by the deletion of subregulation (6).

Amendment of regulation 47 of the regulations published by Government Notice 225 of 1964

16. Regulation 47 of the regulations is hereby amended by the insertion after the word "bond", where it occurs for the second time, of the words "other than a bond to secure future debts".

Amendment of regulation 51 of the regulations published by Government Notice 225 of 1964

17. Regulation 51 of the regulations is hereby amended by the insertion in subregulation (1) after the word "provided" of the words "in the Act and".

(b) 'n Notariële akte in paragraaf (a) bedoel en een afskrif daarvan word, behoudens die bepalings van artikel 3 van die Wet, deur die Registrateur onderteken en enige ander bykomende afskrifte moet geëndosseer word dat dit slegs vir inligting uitgereik is.";

(c) deur subregulasie (3) deur die volgende subregulasie te vervang:

" (3) Na verstryking van vier werksdae, na 'n akte ooreenkomstig subregulasie (1) ingedien is, moet so 'n akte wat vir attestasie of ondertekening en registrasie bedoel is en ten opsigte waarvan daar geen beswaar bestaan nie, voor of deur die Registrateur attesteer of onderteken word: Met dien verstande dat die Registrateur kan toelaat dat 'n akte voor die verstryking van bedoelde aantal werksdae attesteer of onderteken word, en aktes wat nie binne sodanige aantal werksdae attesteer of onderteken is nie, kan verwerp.";

(d) deur subregulasie (5) deur die volgende subregulasie te vervang:

" (5) Aktes wat vir attestasie of ondertekening en registrasie ingedien is en ten opsigte waarvan daar beswaar bestaan, moet, indien die omstandighede dit toelaat, nie later nie as vier werksdae na indiening verwerp word."; en

(e) deur subregulasie (6) te skrap.

Wysiging van regulasie 47 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

16. Regulasie 47 van die regulasies word hierby gewysig deur na die woord "verband", waar dit die tweede keer voorkom, die woorde "anders as 'n verband om toekomstige skulde te verseker," in te voeg.

Wysiging van regulasie 51 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

17. Regulasie 51 van die regulasies word hierby gewysig deur in subregulasie (1) na die woord "bepalings" die woorde "van die Wet en" in te voeg.

Substitution of regulation 58 of the regulations published by Government Notice 225 of 1964

18. The following regulation is hereby substituted for regulation 58 of the regulations:

" 58. Where any company, church, association, society or other body of persons or institution is a party to any deed or other document (except a notarial deed) submitted for registration, attestation or execution and registration or preservation -

(a) a certified copy of an extract from the deed of constitution or regulations of such company, church, association, society or other body of persons or institution; or

(b) such other document as the Registrar may allow,

shall be submitted in order to prove that any person who represents such company, church, association, society or other body of persons or institution in relation to such deed or other document, has been authorised to do so and, in the case of a church, an association, a society or other body of persons or institution, excluding a company, the copy referred to in paragraph (a) shall be submitted in order to prove that the church, association, society or other body of persons or institution concerned has been authorised by its deed of constitution or regulations to perform the required transaction in relation to the deed or other document concerned.".

Amendment of section 65 of the regulations published by Government Notice 225 of 1964

19. Regulation 65 of the regulations is hereby amended by the substitution for subregulation (3) of the following subregulation:

" (3) A special power of attorney to transfer, hypothecate or otherwise deal with land or other immovable property shall contain -

(a) a clear and sufficient description of such land or property;

(b) the registered number, if any, of such land or property;

(c) the number (consisting of the serial and year number) of the deed whereunder such land or property is held; and

Vervanging van regulasie 58 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

18. Regulasie 58 van die regulasies word hierby deur die volgende regulasie vervang:

" 58. Waar 'n maatskappy, kerk, vereniging, genootskap of ander liggaam van persone of instelling 'n party is by 'n akte of ander stuk (behalwe 'n notariële akte) wat vir registrasie, attestasie of ondertekening en registrasie, aantekening of bewaring voorgelê is, moet -

(a) 'n gewaarmerkte afskrif van 'n uittreksel uit die akte van oprigting of regulasies van bedoelde maatskappy, kerk, vereniging, genootskap of ander liggaam van persone of instelling; of

(b) sodanige ander stuk as wat die Registrateur toelaat,

voorgelê word ten einde te bewys dat iemand wat bedoelde maatskappy, kerk, vereniging, genootskap of ander liggaam van persone of instelling met betrekking tot bedoelde akte of ander stuk verteenwoordig, gemagtig is om dit te doen en, in die geval van 'n kerk, vereniging, genootskap of ander liggaam van persone of instelling, uitgesonderd 'n maatskappy, moet die afskrif in paragraaf (a) bedoel, voorgelê word ten einde te bewys dat die betrokke kerk, vereniging, genootskap of ander liggaam van persone of instelling deur sy akte van oprigting of regulasies gemagtig is om die vereiste regshandeling met betrekking tot die betrokke akte of ander stuk te verrig.".

Wysiging van regulasie 65 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

19. Regulasie 65 van die regulasies word hierby gewysig deur subregulasie (3) deur die volgende subregulasie te vervang:

" (3) 'n Spesiale prokurasie om grond of ander onroerende goed oor te dra, te verpand of andersins daarmee te handel, moet bevat -

(a) 'n duidelike en voldoende beskrywing van sodanige grond of goed;

(b) die geregistreerde nommer, indien enige, van sodanige grond of goed;

(c) die nommer (bestaande uit die volg- en jaarnommer) van die akte waarkragtens sodanige grond of goed gehou word; en

(d) in a power of attorney to transfer land, the date of disposal of such land.".

(d) in 'n prokurasie om grond oor te dra, die datum van die vervreemding van sodanige grond.".

Amendment of regulation 67 of the regulations published by Government Notice 225 of 1964

20. Regulation 67 of the regulations is hereby amended by the insertion after the word "agent" of the words "or any person employed by a department, as referred to in section 3 of the Government Service Act, 1980 (Act 2 of 1980)".

Wysiging van regulasie 67 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

20. Regulasie 67 van die regulasies word hierby gewysig deur na die woord "agent" die woorde "of iemand in diens van 'n departement, soos in artikel 3 van die Regeringsdienswet, 1980 (Wet 2 van 1980), bedoel" in te voeg.

Amendment of regulation 68 of the regulations published by Government Notice 225 of 1964

21. Regulation 68 of the regulations is hereby amended -

(a) by the insertion in subregulations (1) and (2) after the word "lease" of the words "or sublease or cession thereof":

(b) by the addition to subregulation (2) of the following proviso:

"Provided that if it appears from the records of the Deeds Registry, in the case of a deed, that the land or any interest or real right therein has been mortgaged in favour of any person or the owner has conferred a real right therein on any person or, in the case of a lease or sublease or cession thereof, that the lessee has mortgaged his interest therein in favour of any person or, in the case of a registered mortgage bond or notarial bond, that it has been ceded to any person, who may by virtue of such mortgage, conferment or cession be in possession of the deed, lease or sublease or cession thereof or registered mortgage bond or notarial bond, the Registrar shall reauire that the mortgagee, the person on whom the real right has been conferred, the person in whose favour the lessee has mortgaged his interest or the person to whom the registered mortgage bond or notarial bond has been ceded, as the case may be, shall state in writing that the deed, lease or sublease or cession thereof or registered mortgage bond or notarial bond is not in his possession and that he consents that such copy be issued.";

Wysiging van regulasie 68 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

21. Regulasie 68 van die regulasies word hierby gewysig -

(a) deur in subregulasies (1) en (2) na die woord "huurkontrak" die woorde "of onderverhuring of sessie daarvan" in te voeg;

(b) deur by subregulasie (2) die volgende voorbehoudsbepaling by te voeg:

"Met dien verstande dat indien dit uit die rekords van die Registrasiekantoor blyk, in die geval van 'n akte, dat die grond of 'n belang of saaklike reg daarin met verband ten gunste van iemand beswaar is of die eienaar 'n saaklike reg daarin aan iemand toegeken het of, in die geval van 'n huurkontrak of onderverhuring of 'n sessie daarvan, dat die huurder sy belang daarin met verband ten gunste van iemand beswaar het of, in die geval van 'n geregistreerde verband of notariële verband, dat dit aan iemand gesedeer is, wat uit hoofde van sodanige beswaring, toekenning of sessie in besit van die akte, huurkontrak of onderverhuring of sessie daarvan of geregistreerde verband of notariële verband kan wees, moet die Registrateur vereis dat die verbandnemer, die persoon aan wie die saaklike reg toegeken is, die persoon ten gusnte van wie die huurder sy belang beswaar het of die persoon aan wie die geregistreerde verband of notariële verband gesedeer is, na gelang van die geval, skriftelik vermeld dat die akte, huurkontrak of onderverhuring of sessie daarvan of geregistreerde verband of notariële verband nie in sy besit is nie en dat hy toestem dat bedoelde afskrif uitgereik word.";

(c) by the deletion in the proviso to subregulation (3) of the word "further";

(d) by the deletion of subregulations (4) and (5);

(e) by the substitution in subregulation (6) for the words "After the expiry of the time mentioned in such notice the" of the word "The";

(f) by the insertion in subregulation (8) after the word "lease", where it occurs for the first time, of the words "or sublease or cession thereof";

(g) by the deletion of subregulation (9);

(h) by the insertion in subregulation (10) after the word "lease" of the words "or sublease or cession thereof"; and

(i) by the substitution for subregulation (11) of the following subregulation:

"(11) If the holder of a registered mortgage bond or notarial bond (which has been lost or destroyed) or his duly authorized agent, desires to procure cancellation of the bond and has made written application, duly witnessed, to the Registrar to cancel such bond, and has complied *mutatis mutandis*, with the provisions of subregulations (1), (2) and (3) of this regulation, the Registrar shall, if he is satisfied that no good reason to the contrary exists, cancel the registration duplicate of such bond and such cancellation shall be deemed to be a cancellation of such bond notwithstanding that such bond has not been submitted for cancellation.".

Substitution of regulation 71 of the regulations published by Government Notice 225 of 1964, as substituted by Government Notice R.2578 of 1978

22. The following regulation is hereby substituted for regulation 71 of the regulations:

"71. No business shall be conducted with the Deeds Registry by means of correspondence in relation to the preparation, lodgment or registration of any deeds or other documents.".

(c) deur in die voorbehoudsbepaling by subregulasie (3) die woord "verdere" te skrap;

(d) deur subregulasies (4) en (5) te skrap;

(e) deur in subregulasie (6) die woorde "Na verstryking van die tyd in sodanige kennisgewing vermeld, moet die Registrateur" deur die woorde "Die Registrateur moet" te vervang;

(f) deur in subregulasie (8) na die woord "huurkontrak", waar dit die eerste keer voorkom, die woorde "of onderverhuring of sessie daarvan" in te voeg;

(g) deur subregulasie (9) te skrap;

(h) deur in subregulasie (10) na die woord "huurkontrak" die woorde "of onderverhuring of sessie daarvan" in te voeg; en

(i) deur subregulasie (11) deur die volgende subregulasie te vervang:

"(11) As die houer van 'n geregistreerde verband of notariële verband (wat verlore geraak het of vernietig is) of sy behoorlik gemagtigde agent begeer om die rojering van die verband te verkry en skriftelik aansoek, behoorlik deur getuies onderteken, gedoen het by die Registrateur om die rojering van sodanige verband en *mutatis mutandis* voldoen het aan die bepalings van subregulasies (1), (2) en (3) van hierdie regulasie, moet die Registrateur, as hy oortuig is dat daar geen goeie rede bestaan waarom hy dit nie sou doen nie, die registrasieduplikaat van sodanige verband rojeer, en sodanige rojering word geag 'n rojering van sodanige verband te wees nieteenstaande dat die oorspronklike van sodanige verband nie vir rojering voorgelê is nie.".

Vervanging van regulasie 71 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964, soos vervang by Goewermentskennisgewing R.2578 van 1978

22. Regulasie 71 van die regulasies word hierby deur die volgende regulasie vervang:

"71. Geen sake word met betrekking tot die opstel, indiening of registrasie van aktes of ander stukke met die Registrasiekantoor by wyse van briefwisseling gedoen nie.".

Amendment of regulation 73 of the regulations published by Government Notice 225 of 1964

23. Regulation 73 of the regulations is hereby amended -

(a) by the insertion in the first proviso to subregulation (2) after the words "surveyed line", where they occur for the second time, of the words "excluding any servitude relating to the widening of a road"; and

(b) by the addition to the said subregulation (2) of the following provisos:

"Provided further that any other servitude may be registered by the Registrar if the Surveyor-General is satisfied that such servitude can be plotted on the diagram of the land affected: Provided further that the diagram need not be annexed to every copy of a deed creating or defining any servitude if such servitude is plotted on any general plan preserved in the Deeds Registry.".

Repeal of regulation 79 of the regulations published by Government Notice 225 of 1964

24. Regulation 79 of the regulations is hereby repealed.

Substitution of regulation 81 of the regulations published by Government Notice 225 of 1964

25. The following regulation is hereby substituted for regulation 81 of the regulations:

" 81. Any record cancelled in terms of the provisions of subsection (1) of section 3 of the Act may be destroyed by the Registrar -

(a) in the case of any record other than a consent for the cancellation of any deed or other document submitted for registration, attestation or execution and registration or preservation, after expiration of a period of 5 years from the date when it was cancelled;

Wysiging van regulasie 73 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

23. Regulasie 73 van die regulasies word hierby gewysig -

(a) deur in die eerste voorbehoudsbepaling by subregulasie (2) na die woorde "opgemete lyn", waar dit die tweede keer voorkom, die woorde "uitgesonderd 'n serwituut wat op die verbreding van 'n pad betrekking het" in te voeg; en

(b) deur by genoemde subregulasie (2) die volgende voorbehoudsbepalings te voeg:

"Met dien verstande voorts dat enige ander serwituut deur die Registrateur geregistreer kan word indien die Landmeter-generaal oortuig is dat sodanige serwituut op die kaart met betrekking tot die betrokke grond geteken kan word: Met dien verstande voorts dat die kaart nie aan elke afskrif van 'n akte wat 'n serwituut skep of omskryf, geheg hoef te word nie indien sodanige serwituut op 'n algemene plan wat in die Registrasiekantoor bewaar word, geteken is.".

Herroeping van regulasie 79 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

24. Regulasie 79 van die regulasies word hierby herroep.

Vervanging van regulasie 81 van die regulasies afgekondig by Goewermentskennisgewing 225 van 1964

25. Regulasie 81 van die regulasies word hierby deur die volgende regulasie vervang:

" 81. 'n Stuk wat ingevolge die bepalings van subartikel (1) van artikel 3 van die Wet gerojeer is, kan deur die Registrateur vernietig word -

(a) in die geval van 'n ander stuk as 'n toestemming tot die rojering van 'n akte of ander stuk wat vir registrasie, attestasie of ondertekening en registrasie of bewaring voorgelê is, na verloop van 'n tydperk van 5 jaar vanaf die datum waarop dit gerojeer is;

(b) in the case of a consent for the cancellation of such a deed or other document, after expiration of a period of 30 years from the date when such cancellation was registered.".

Substitution of Schedule of Fees of Office to the regulations prescribed by Government Notice 225 of 1964, as substituted by Government Notice R.2578 of 1978

26. The following Schedule of Fees of Office is hereby substituted for the Schedule of Fees of Office to the regulations:

"SCHEDULE OF FEES OF OFFICE

Item	*R c*
1. For the registration of a certificate of title to land; a real right or the cassion, modification or extinction thereof; a deed of cession referred to in section 32 of the Act; a notarial deed, excluding a notarial bond, for every registration	3,00
2. For the registration of general plans of erven or subdivisions of land and the opening of registers in connection therewith, including the endorsement referred to in section 46(3) of the Act - for the first 300 erven or part thereof	10,00
for every additional 100 erven or part thereof thereafter	2,00
3. For the registration -	
(a) 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;	
(iii) release of any part of property hypothecated by a registered	

(b) in die geval van 'n toestemming vir die rojering van bedoelde akte of ander stuk, na verloop van 'n tydperk van 30 jaar vanaf die datum waarop sodanige rojering geregistreer is.".

Vervanging van lys van Kantoorgelde by die regulasies afgekondig by Goewermentskennisgewing 225 van 1964, soos vervang by Goewermentskennisgewing R.2578 van 1978

26. Die Lys van Kantoorgelde by die regulasies word hierby deur die volgende Lys van Kantoorgelde vervang:

"LYS VAN KANTOORGELDE

Item	*R c*
1. Vir die registrasie van 'n titelsertifikaat op grond; 'n saaklike reg of die oordrag, wysiging of opheffing daarvan; 'n akte van sessie in artikel 32 van die Wet bedoel; 'n notariële akte, uitgesonderd 'n notariële verband, vir elke registrasie	3,00
2. Vir die registrasie van algemene planne van erwe of onderdele van grond en die opening van registers daarmee, met inbegrip van die aantekening in artikel 46(3) van die Wet bedoel -	
vir die eerste 300 erwe of deel daarvan	10,00
vir elke addisionele 100 erwe of gedeelte daarvan daarna	2,00
3. Vir die registrasie -	
(a) van die volgende regshandelinge, naamlik -	
(i) rojering van 'n geregistreerde verband of notariële verband;	
(ii) rojering van 'n sessie van 'n geregistreerde verband of notariële verband;	
(iii) bevryding van enige deel van goed wat met 'n geregistreerde verband	

Item	*R c*	*Item*	*R c*
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;		of notariële verband beswaar is of, in die geval waar die skuld verder verseker is deur so 'n bykomende verband, van al die goed, of van 'n medeskuldenaar of 'n borg ten opsigte van so 'n verband;	
(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;		(iv) gedeeltelike afbetaling van 'n hoofsom verskuldig ten opsigte van 'n ander geregistreerde verband of notariële verband as een bedoel om toekomstige skulde te verseker;	
(v) reduction of cover in respect of a registered mortgage bond or notarial bond intended to secure future debts;		(v) vermindering in dekking ten opsigte van 'n geregistreerde verband of notariële verband wat bedoel is om toekomstige skulde te verseker;	
(vi) an agreement varying the terms of a registered mortgage bond or notarial bond;		(vi) 'n ooreenkoms waardeur die voorwaardes van 'n geregistreerde verband of notariële verband gewysig word;	
(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		(vii) afstand van voorrang ten opsigte van 'n geregistreerde verband of 'n notariële verband met betrekking tot die geheel of 'n deel van die daarmee beswaarde goed, ten gunste van 'n ander sodanige verband, hetsy dit reeds geregistreer is of op die punt staan om geregistreer te word; en	
(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;		(viii) afstand van voorrang ten aansien van 'n geregistreerde verband of ten gunste van 'n geregistreerde verband of notariële verband, indien sodanige afstand in die verband vervat is;	

Item	R c	Item	R c
(b) of a power of attorney; or		(b) van 'n prokurasie; of	
(c) of an advance made under the provisions of the laws governing dipping tanks or fences or the cancellation thereof or any part payment, release or substitution thereof, for every transaction	1.50	(c) van 'n voorskot gemaak kragtens die bepalings van die wette op dipbakke en omheinings of die rojering daarvan of enige gedeeltelike betaling, ontheffing of vervanging daarvan, vir elke regshandeling	1.50
4. For the cancellation of the registration of a lease or servitude under section 90 of the Act, for every cancellation	1.50	4. Vir die rojering van die registrasie van 'n huurkontrak of serwituut kragtens artikel 90 van die Wet, vir elke rojering	1.50
5. For the registration of the release of a property hypothecated under a debenture; an endorsement made thereon in relation to the registration of a servitude, the issue of a certificate of title or the granting of any consent in connection with the land bound thereby, for every 10 or part thereof	0.25	5. Vir die registrasie van die ontheffing van 'n eiendom beswaar kragtens 'n skuldbrief; 'n endossement daarop met betrekking tot die registrasie van 'n serwituut, die uitreiking van 'n titelsertifikaat of die verlening van enige toestemming in verband met die grond daardeur verbind, vir elke 10 of gedeelte daarvan	0.25
6. For every endorsement, note or registration of a transaction not provided for in this List (excluding the revocation of a power of attorney)	1.50	6. Vir elke endossement, aantekening of registrasie van 'n regshandeling waarvoor nie in hierdie Lys voorsiening gemaak is nie (uitgesonderd die herroeping van 'n prokurasie)	1.50
7. For the issue of any certificate by a Registrar on request of any information noted in his registers or which appears from any records preserved by him	3.00	7. Vir die uitreiking van 'n sertifikaat deur 'n Registrateur op aanvraag van enige inligting wat in sy registers aangeteken is of wat blyk uit enige stukke wat by hom onder bewaring is	3.00
8. For preparing on request of a report to the Court under section 97 of the Act	10.00	8. Vir die opstel op aanvraag van 'n verslag aan die Hof kragtens artikel 97 van die Wet	10.00
9. For taxation of a bill of fees	5 per cent of the fees allowed, excluding moneys for transfer duty, stamp duty and fees of office	9. Vir taksasie van 'n kosterekening	5 persent van die gelde toegelaat, uitgesonderd gelde met betrekking tot hereregte, seëlregte en ampsgelde

Item	*R c*	*Item*	*R c*
10. For a certified copy of a deed or document registered or preserved in a Deeds Registry	2.00	10. Vir 'n gewaarmerkte kopie van 'n akte of stuk wat in 'n Registrasiekantoor geregistreer of bewaar word	2.00
11. (a) For the search of an index to any register, for each enquiry relating to a person, property or deed	0.50	11. (a) Vir die naslaan van die bladwyser van 'n register, vir elke navraag in verband met 'n persoon, eiendom of akte	0.50
(b) For obtaining a computer print, for each enquiry relating to a person, property or deed	0.50	(b) Vir die verkryging van 'n rekenaardrukstuk, vir elke navraag in verband met 'n persoon, eiendom of akte	0.50
(c) For inspection of any one deed or document or for every folio or for every page of any register relating to any particular property	0.50	(c) Vir insae in enige akte of stuk of vir elke folio of vir elke bladsy van enige register met betrekking tot 'n bepaalde eiendom	0.50
(d) For any continuous search for information, for each hour or part thereof	4.00	(d) Vir enige onafgebroke nasporing van inligting, vir elke uur of gedeelte daarvan	4.00
(e) For any search not provided for in this List, for each hour	0.50:	(e) Vir enige nasporing waarvoor nie in hierdie Lys voorsiening gemaak is nie, vir elke uur .	0.50:
Provided that the Registrar may in his discretion charge half of the fees referred to in paragraph (a), (c), (d) or (e) if the person requiring the information himself or his representative searched for such information.		Met dien verstande dat die Registrateur na goeddunke die helfte van die gelde in paragraaf (a), (c), (d) of (e) bedoel, kan hef indien die persoon wat die betrokke inligting verlang sodanige inligting self nageslaan het.	
12. For furnishing to a local authority of a return containing particulars of properties transferred, for each property	0.50	12. Vir die voorsiening aan 'n plaaslike bestuur van 'n opgawe wat inligting bevat van eiendomme oorgedra, vir elke eiendom	0.50
13. For furnishing of particulars of any mortgage bond from any register or the mortgage bond for publication in a newspaper or periodical for a public purpose, for each mortgage bond	0.05	13. Vir voorsiening van besonderhede van 'n verband uit 'n register of die verbandakte met die oog op publikasie in 'n nuusblad of tydskrif vir 'n openbare doel, vir elke verband	0.05

EXEMPTIONS

1. Any person engaged in research work of a historical nature or of general public interest may be permitted by the Registrar, subject to such conditions as the Registrar may determine, to search the records and registers free of the payment of any fee.

2. The Registrar may, notwithstanding the fees prescribed by item 10, issue to any person free of charge a copy of any deed, lease or sublease or cession thereof or mortgage or notarial bond which has inadvertently been lost, destroyed or damaged by him.

3. No fees of office shall be payable in respect of -

(a) the performance of any act in the Deeds Registry if payment therefor would otherwise have to take place as a charge to the Central Revenue Fund or the revenue fund of a representative authority or the Government of Rehoboth or the State Revenue Fund of the Republic of South Africa or the Railway and Harbour Fund;

(b) the recording or writing off referred to in sections 3(1)(w) and 59 of the Act, respectively.".

Amendment of Forms to regulations published by Government Notice 225 of 1964, as amended by Government Notice 1141 of 1980

27. The regulations are hereby amended -

(a) by the deletion of Forms A, B and C;

(b) by the deletion in Form D of the words "name of administrative district in which it is situate";

(c) by the deletion in Forms E and F of the words "and administrative district";

(d) by the substitution in Form G for the words "expropriating authority to the effect that all notices prescribed by or under the law in connection with the change of ownership of the undermentioned land have been duly served upon the persons entitled to such

VRYSTELLINGS

1. 'n Persoon wat besig is met navorsingswerk van 'n geskiedkundige aard en of van algemene openbare belang kan deur die Registrateur toegelaat word om, behoudens sodanige voorwaardes as wat die Registrateur bepaal, die oorkondes en registers sonder betaling van enige gelde na te slaan.

2. Die Registrateur kan, ondanks die gelde by item 10 voorgeskryf, 'n gesertifiseerde afskrif van 'n akte, huurkontrak, onderverhuring of sessie daarvan of verband of notariële verband, wat per abuis deur hom verloor, vernietig of beskadig is, gratis aan iemand uitreik.

3. Geen kantoorgelde is betaalbaar nie ten opsigte van -

(a) die verrigting van enige handeling in die Registrasiekantoor indien betaling daarvoor andersins ten laste van die Sentrale Inkomstefonds of die inkomstefonds van 'n verteenwoordigende owerheid of die Regering van Rehoboth of die Staatsinkomstefonds van die Republiek van Suid-Afrika of die Spoorweg- en Hawefonds sou moes geskied het;

(b) die aantekening of afskrywing in, onderskeidelik, artikels 3(1)(w) en 59 van die Wet bedoel.".

Wysiging van Vorms by die regulasies afgekondig by Goewermentskennisgewing 225 van 1964, soos gewysig by Goewermentskennisgewing 1141 van 1980

27. Die regulasies word hierby gewysig -

(a) deur Vorms A, B en C te skrap;

(b) deur in Vorm D die woorde "naam van administratiewe distrik waarin dit geleë is" te skrap;

(c) deur in Vorms E en F die woorde "en administratiewe distrik" te skrap;

(d) deur in Vorm G die woorde "onteinende owerheid aan my verstrek is ten effekte dat alle kennisgewings voorgeskryf by of ingevolge die wet in verband met die eiendomsregverandering van die hieronder vermelde grond behoorlik bestel is aan die

notices" of the words "transferee to the effect that the provisions of any law in connection with the change of ownership in the land in consequence of expropriation and vesting, have been complied with", and by the deletion in the said Form G of the words "administrative district";

(e) by the deletion in Forms H and I of the words "administrative district";
(f) by the deletion in Form J of the words "and administrative district";
(g) by the deletion in Form L of the words "administrative district";
(h) by the deletion in Form M of the word "district";
(i) by the deletion in Form N of the words "administrative district", wherever they occur;
(j) by the deletion in Forms O, P and R of the words "administrative district";
(k) by the deletion of Forms S, X and Y;
(l) by the deletion in Form Z of the words "and administrative district"; and
(m) by the insertion after Form CC of the following Forms:

"FORM DD

(Form for an extending clause in a title deed in respect of an entity of land not previously registered)

(insert the full description of the property and its situation) measuring ....

....
(insert the extent of the property) as indicated on the annexed diagram/general plan ....
(insert the number of the attached diagram or general plan) and held under ....

. . . .

(indicate whether a deed of grant, deed of transfer or title certificate) ....

....
(insert serial number and year thereof).

Remarks:

Delete particulars not applicable.

persone wat op sodanige kennisgewing geregtig is" deur die woorde "transportnemer aan my verstrek is ten effekte dat daar voldoen is aan die bepalings van enige wet in verband met die verandering van eiendomsreg op die grond ten gevolge van onteiening of vestiging" te vervang, en in genoemde Vorm G die woorde "administratiewe distrik" te skrap;

(e) deur in Vorms H en I die woorde "administratiewe distrik" te skrap;
(f) deur in Vorm J die woorde "en administratiewe distrik te skrap;
(g) deur in Vorm L die woorde "administratiewe distrik" te skrap;
(h) deur in Vorm M die woord "distrik" te skrap;
(i) deur in Vorm N die woorde "en administratiewe distrik", oral waar dit voorkom, te skrap;
(j) deur in Vorms O, P en R die woorde "administratiewe distrik" te skrap;
(k) deur Vorms S, X en Y te skrap;
(l) deur in Vorm Z die woorde "en administratiewe distrik" te skrap; en
(m) deur na Vorm CC die volgende Vorms in te voeg:

"VORM DD

(Vorm vir 'n uitstrekkingsklousule in 'n titelbewys ten opsigte van 'n gedeelte grond wat nie voorheen geregistreer is nie)

(voeg in die volledige beskrywing van die eiendom en sy ligging) groot ....

....
(voeg in die grootte van die eiendom) soos aangedui op die aangehegte kaart/algemene plan ....

....
(voeg in die nommer van die aangehegte kaart of algemene plan) en gehou kragtens

....
....

(dui aan of dit 'n grondbrief, akte van transport of titelsertifikaat is) ....

....
(voeg in die volgnommer en jaar daarvan).

Opmerkings

Laat besonderhede weg wat nie van toepassing is nie.

FORM EE

(Form for an extending clause in a title deed in respect of an entity of land already held under a title deed)

....

(insert the full description of the property and its situation) measuring ....

....

(insert the extent of the property) as indicated on the diagram or the general plan

....

....

(insert number of diagram or general plan)

....

first transferred/registered by ....
(indicate whether a deed of grant, deed of transfer or title certificate) ....

....

(insert serial number and year thereof) ..
and held under ....
(indicate whether a deed of grant, transfer or title certificate) ....

....

(insert serial number and year thereof).

Remarks:

1. The number of the diagram need not be inserted if the number is not disclosed in a prior deed or certificate.
2. Omit particulars not applicable.
3. If the diagram is not annexed to the first deed or certificate but is preserved in any other place, the extending clause shall refer to the first title with the diagram relating thereto.
4. If the property is still held under the first deed or certificate, the necessary adjustment shall be made.

VORM EE

(Vorm vir 'n uitstrekkingsklousule in 'n titelbewys ten opsigte van 'n gedeelte grond wat reeds kragtens 'n titelbewys gehou word)

....

(voeg in die volledige beskrywing van die eiendom en sy ligging) groot ....

....

(voeg in die grootte van die eiendom) soos aangedui op die kaart of die algemene plan

....

....

(voeg in die nommer van die kaart of algemene plan) ....
eerste oorgedra/geregistreer by ....
(dui aan of dit 'n grondbrief, akte van transport of titelsertifikaat is) ....
(voeg in die volgnommer en jaar daarvan)

en gehou kragtens ....
(dui aan of dit 'n grondbrief, transportakte of titelsertifikaat is)

....

(voeg in volgnommer en jaar daarvan)

Opmerkings

1. Die nommer van die kaart hoef nie ingevoeg te word nie indien die nommer nie in 'n voorafgaande grondbrief, akte of sertifikaat verstrek is nie.
2. Laat besonderhede weg wat nie van toepassing is nie.
3. Indien die kaart nie by die eerste grondbrief, akte of sertifikaat aangeheg is nie maar op 'n ander plek bewaar word, moet die uitstrekkingsklousule na die eerste titel met die kaart wat daarop betrekking het, verwys.
4. Indien die eindom nog kragtens die eerste grondbrief, akte of sertifikaat gehou word, moet die nodige aanpassing gemaak word.

FORM FF

AGREEMENT TO VARY THE TERMS OF A REGISTERED MORTGAGE BOND OR REGISTERED NOTARIAL BOND IN TERMS OF SECTION 3(1)(s) OF THE DEEDS REGISTRIES ACT, 1937 (ACT 47 OF 1937)

We ...., the mortgagor, and ...., the legal holder of registered mortgage bond or registered notarial bond ....
....
(insert serial number and year thereof) for the sum of ....
....,
do hereby agree that the terms of the said) bond shall be varied as follows:
....
....
....
....
DATED at ....
this ....
day of ....

....
MORTGAGOR

WITNESSES:

1. ....

2. ....

DATED at ....
this..................day of.......................
....
....
LEGAL HOLDER

WITNESSES:

1. ....

2. ....

Remar

Om able.

VORM FF

OOREENKOMS OM VOORWAARDES VAN 'N GEREGISTREERDE VERBAND OF NOTARIËLE GEREGISTREERDE VERBAND INGEVOLGE ARTIKEL 3(1)(s) VAN DIE REGISTRASIE VAN AKTES WET, 1937 (WET 47 VAN 1937), TE WYSIG

Ons ...., die verbandgewer, en ....
die wettige houer van geregistreerde verband of geregistreerde notariële verband
....
(voeg in die volgnommer en jaar daarvan) vir die bedrag van ....
....
kom hierby ooreen dat die voorwaardes in die genoemde verband soos volg gewysig word: ....
....

GEDATEER te ....,
op hede die...
dag van ....

....
VERBANDGEWER

GETUIES:

1. ....

2. ....

GEDATEER te..................................,
op hede die ....
dag van ....

....
WETTIGE HOUER

GETUIES:

1. ....

2. ....

Opmerkings

Laat weg wat nie van toepassing is nie.

FORM GG

APPLICATION AND CONSENT IN TERMS OF SECTION 40(5)(a) OF THE DEEDS REGISTRIES ACT, 1937 (ACT 47 OF 1937)

I ....,
the owner, having applied for the issue of a certificate of consolidated title in respect of
....

(describe the consolidated land), as indicated on diagram ....
.........(insert number), comprising ....
....
(describe the land mortgaged), mortgaged under mortgage bond ....
....

(insert the serial number and year thereof) and other land, do hereby apply for the consolidated land as indicated on the said diagram to be substituted for the aforesaid land mortgaged under the said bond.

DATED at ....
this .... day of......................

....
OWNER

WITNESSES:

1. ....

2. ....

and I ....,
the legal holder of the aforesaid mortgage bond do hereby consent to the substitution of the consolidated land as indicated on the said diagram for the aforesaid land mortgaged under the said mortgage bond.

DATED at ....
this................. day of ....

....
LEGAL HOLDER

WITNESSES:

1. ....

2. ....

VORM GG

AANSOEK EN TOESTEMMING INGEVOLGE ARTIKEL 40(5) (a) VAN DIE REGISTRASIE VAN AKTES WET, 1937 (WET 47 VAN 1937)

Ek ....,
die eienaar, wat aansoek gedoen het om die uitreiking van 'n sertifikaat van gekonsolideerde titel ten opsigte van ....
....
(beskryf die gekonsolideerde grond), soos aangedui op kaart ....
....
(voeg in nommer) bestaande uit ....
....

(beskryf die beswaarde grond), beswaar met verband ....
....
(voeg in die volgnommer en jaar daarvan) en ander grond, doen hierby aansoek dat die gekonsolideerde grond soos op genoemde kaart aangedui, in die plek van die voornoemde grond wat met genoemde verband beswaar is, met dié verband beswaar word.

GEDATEER te ....,
op hede die ....
dag van ....

....
EIENAAR

GETUIES:

1. ....

2. ....

en ek ....,
die wettige houer van voornoemde verband, stem hierby toe dat die gekonsolideerde grond soos op die genoemde kaart aangedui, in die plek van die voornoemde grond wat met die genoemde verband beswaar is, met dié verband beswaar word.

GEDATEER te ....
op hede die ....
dag van ....

....
WETTIGE HOUER

GETUIES:

1. ....

2. ....

Remarks:

The mortgagor and legal holder of the bond may make his application and grant his consent, as the case may be, on separate forms, respectively.".

Commencement of these regulations

28. These regulations, except regulations 4 and 8, shall come into operation on 1 April 1983, and regulations 4 and 8 shall come into operation on 1 May 1983.

Opmerkings:

Die verbandgewer en wettige houer van die verband kan, onderskeidelik, sy aansoek en sy toestemming op 'n afsonderlike vorm doen of verleen, na gelang van die geval.".

Inwerkingtreding van hierdie regulasies

28. Hierdie regulasies, behalwe regulasies 4 en 8, tree in werking op 1 April 1983, en regulasies 4 en 8 tree in werking op 1 Mei 1983.

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