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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

PRYS (AVB ingesluit) 40c PRICE (GST included)
BUITELANDS 50c ABROAD
POSVRY · POST FREE

VOL. 227

KAAPSTAD, 23 MEI 1984

CAPE TOWN, 23 MAY 1984

No. 9241

KANTOOR VAN DIE EERSTE MINISTER

No. 1074. 23 Mei 1984

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 62 van 1984: Wysigingswetsontwerp op Registrasie van Aktes, 1984.

OFFICE OF THE PRIME MINISTER

No. 1074. 23 May 1984

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 62 of 1984: Deeds Registries Amendment Act, 1984.

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ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

__________ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Registrasie van Aktes Wet, 1937, ten einde aan die Minister van Gemeenskapsontwikkeling die bevoegdheid te verleen om registrasiekantore en subregistrasiekantore van aktes te stig, en die name, ligging, onderskeie gebiede en funksies van sodanige kantore te bepaal of te omskryf; nuwe voorsiening te maak met betrekking tot die amp van hoofregistrateur van aktes; die oordrag van saaklike regte by wyse van endossement verder te reël en, met betrekking tot sekere oordragte aan plaaslike bestuursliggame, uit te brei; voorsiening te maak vir die registrasie van sekere regte van huurpag; die oordrag van onteiende grond en die registrasie van onteiende serwitute verder te reël; en die Tweede Bylae by genoemde Wet te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 14 Mei 1984.)

DAAR WORD BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 47 van 1937, soos gewysig deur artikel 1 van Wet 61 van 1969, artikel 1 van Wet 3 van 1972 en artikel 1 van Wet 27 van 1982.

1. Artikel 1 van die Registrasie van Aktes Wet, 1937 (hieronder die Hoofwet genoem), word hierby gewysig—

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

"(1) *(a)* **[Daar bestaan registrasiekantore te Kaapstad, Kingwilliamstown, Kimberley, Vryburg, Pietermaritzburg, Pretoria, Johannesburg, Bloemfontein en Windhoek, elkeen vir sy onderskeie gebied soos in die Tweede Bylae omskryf]** Die Minister kan van tyd tot tyd, behoudens die wetsbepalings op die Staatsdiens, by kennisgewing in die *Staatskoerant*—

(i) registrasiekantore stig of afskaf;

(ii) subregistrasiekantore binne die gebied van registrasiekantore stig of afskaf;

(iii) die name en ligging van sodanige kantore bepaal, die onderskeie gebiede daarvan omskryf, of so 'n bepaling of omskrywing wysig; en

(iv) behoudens die bepalings van hierdie Wet of enige ander wet, die registrasie- en ander handelinge wat in enige sodanige kantoor verrig moet of kan word, bepaal, of so 'n bepaling wysig.

(b) **[Die registrasiekantoor te Johannesburg, ingestel kragtens artikel 53 van die 'Townships Amendment Act, 1908' (Wet No. 34 van 1908), van Transvaal, is 'n registrasiekantoor maar alleen in verband met die registrasie van dokumente wat betrekking het op onroerende goed in 'n dorp in die gebied van be-**

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GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

________ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Deeds Registries Act, 1937, so as to empower the Minister of Community Development to establish deeds registries and sub-deeds registries, and to determine or define the names, situation, respective areas and functions of such offices; to make new provision in relation to the office of chief registrar of deeds; to further regulate and, in relation to certain transfers to local authorities, to extend the transfer of real rights by means of endorsement; to provide for the registration of certain rights of leasehold; to further regulate the transfer of expropriated land and the registration of expropriated servitudes; and to repeal the Second Schedule to the said Act; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 14 May 1984.)

BE IT ENACTED by the State President and the House of Assembly of the Republic South Africa, as follows:—

Amendment of section 1 of Act 47 of 1937, as amended by section 1 of Act 61 of 1969, section 1 of Act 3 of 1972 and section 1 of Act 27 of 1982.

1. Section 1 of the Deeds Registries Act, 1937 (hereinafter referred to as the principal Act), is hereby amended—

(*a*) by the substitution for subsection (1) of the following subsection:

"(1) (*a*) **[There shall be deeds registries at Cape Town, Kingwilliamstown, Kimberley, Vryburg, Pietermaritzburg, Pretoria, Johannesburg, Bloemfontein and Windhoek, each to serve its respective area as defined in the Second Schedule]** The Minister may from time to time, subject to the laws governing the public service, by notice in the *Gazette*—

(i) establish or disestablish deeds registries;

(ii) establish or disestablish sub-deeds registries within the area of deeds registries;

(iii) determine the names and situation of such offices, define the respective areas thereof, or amend any such determination or definition; and

(iv) subject to the provisions of this Act or any other law, determine the registration acts or other acts which are required or permitted to be performed in any such registry, or amend any such determination.

(*b*) **[The registration office at Johannesburg, established under section 53 of the Townships Amendment Act, 1908 (Act No. 34 of 1908), of the Transvaal, shall be a deeds registry, but only in connection with the registration of documents relating to immovable property in any township in the**

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doelde registrasiekantoor en die dokumente bedoel in paragrawe *(j)*, *(j)bis* en *(k)* van subartikel (1) van artikel 3, en die registrasie van ander dokumente wat betrekking het op voornoemde dokumente en wat deur hierdie Wet gemagtig word] 'n Gebied kragtens paragraaf *(a)* (iii) omskryf, kan—

(i) uit verskillende nie-aangrensende streke bestaan; of

(ii) gedeeltelik bestaan uit 'n gedeelte van 'n bestaande omskrewe gebied wat daarvan uitgesny word.

(c) Die onderskeie—

(i) registrasiekantore vermeld in paragraaf *(a)* voor die vervanging daarvan deur artikel 1 *(a)* van die Wysigingswet op Registrasie van Aktes, 1984, word by die inwerkingtreding van daardie Wet geag deur die Minister by kennisgewing kragtens paragraaf *(a)* soos aldus vervang, gestig te gewees het; en

(ii) gebiede van daardie kantore soos omskryf in die Tweede Bylae voor die herroeping daarvan deur artikel 8 van genoemde Wet, word aldus geag kragtens genoemde paragraaf *(a)* deur die Minister omskryf te gewees het,

en elke sodanige registrasiekantoor binne sodanige gebied is by bedoelde inwerkingtreding 'n voortsetting van die kantoor wat onmiddellik voor daardie inwerkingtreding in sy gebied bestaan het.

(d) Die Registrasiekantoor te Johannesburg is 'n registrasiekantoor maar alleen in verband met die registrasie van dokumente wat betrekking het op onroerende goed in 'n dorp in die gebied van bedoelde registrasiekantoor en die dokumente bedoel in paragrawe *(j)*, *(j)bis* en *(k)* van subartikel (1) van artikel 3, en die registrasie van ander dokumente wat betrekking het op voornoemde dokumente en wat deur hierdie Wet gemagtig word.

(e) Die Minister kan te eniger tyd 'n kennisgewing kragtens paragraaf *(a)* gepubliseer, op soortgelyke wyse intrek."; en

(b) deur subartikels (2) en (3) te skrap.

Wysiging van artikel 2 van Wet 47 van 1937, soos gewysig deur artikel 1 van Wet 43 van 1957, artikel 1 van Wet 43 van 1962, artikel 1 van Wet 87 van 1965, artikel 2 van Wet 61 van 1969, artikel 2 van Wet 3 van 1972, artikel 7 van Wet 62 van 1973 en artikel 2 van Wet 27 van 1982.

2. Artikel 2 van die Hoofwet word hierby gewysig—

(a) deur paragraaf *(a)* van subartikel (1) deur die volgende paragraaf te vervang:

"*(a)* 'n hoofregistrateur van aktes, wat as sodanig die voorsitter en uitvoerende beampte is van die registrasieregulasieraad vermeld in artikel *nege* en wat, met inagneming van die Minister se voorskrifte, **[sodanige]** die toesig uitoefen oor alle registrasiekantore **[as]** wat nodig **[mag wees]** is om eenvormigheid in hul praktyk en prosedure teweeg te bring **[, en wat ook die amp beklee van een van die registrateur van aktes vermeld in paragraaf *(b)*]**;";

(b) deur in subartikel (2) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

"Niemand word na die inwerkingtreding van artikel 2 van die Wysigingswet op Registrasie van Aktes, **[1982]** 1984, as hoofregistrateur, registrateur, adjunkregistrateur of assistent-registrateur van aktes aangestel nie, tensy hy in die Staatsdienseksamen in die Regte of 'n eksamen wat die Kommissie vir Administrasie daaraan gelykwaardig ag, geslaag het, en in die administratiewe afdeling van die Staatsdiens in een of meer registrasiekantore van aktes of in die registrasiekantoor ingestel deur die Registrasie van Aktes Proklamasie,

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area served by that registration office and the documents referred to in paragraphs *(j)*, *(j)bis* and *(k)* of subsection (1) of section 3, and the registration of other documents relating to the aforementioned documents and which is authorized by this Act.] Any area defined under paragraph *(a)* (iii), may—

(i) consist of different non-adjoining regions; or

(ii) partly consist of a portion of an existing defined area excised therefrom.

(c) The respective—

(i) deeds registries mentioned in paragraph *(a)* prior to the substitution thereof by section 1 *(a)* of the Deeds Registries Amendment Act, 1984, shall at the commencement of that Act be deemed to have been established by the Minister by notice under paragraph *(a)* as so substituted; and

(ii) areas of those registries as defined in the Second Schedule prior to the repeal thereof by section 8 of the said Act, shall so be deemed to have been defined by the Minister under the said paragraph *(a)*,

and every such deeds registry within such area shall at such commencement be a continuation of the registry which existed in its area immediately prior to that commencement.

(d) The registration office at Johannesburg shall be a deeds registry, but only in connection with the registration of documents relating to immovable property in any township in the area served by that registration office and the documents referred to in paragraphs *(j)*, *(j)bis* and *(k)* of subsection (1) of section 3, and the registration of other documents relating to the aforementioned documents and which is authorized by this Act.

(e) The Minister may at any time in a similar manner withdraw any notice published under paragraph *(a)*."; and

(b) by the deletion of subsections (2) and (3).

Amendment of section 2 of Act 47 of 1937, as amended by section 1 of Act 43 of 1957, section 1 of Act 43 of 1962, section 1 of Act 87 of 1965, section 2 of Act 61 of 1969, section 2 of Act 3 of 1972, section 7 of Act 62 of 1973 and section 2 of Act 27 of 1982.

2. Section 2 of the principal Act is hereby amended—

(a) by the substitution for paragraph *(a)* of subsection (1) of the following paragraph:

"*(a)* a chief registrar of deeds, who shall as such be the chairman and executive officer of the deeds registries regulations board mentioned in section *nine* and who shall, subject to the directions of the Minister, exercise such supervision over all the deeds registries as may be necessary in order to bring about uniformity in their practice and procedure **[, and who shall also hold office as one of the registrars of deeds mentioned in paragraph *(b)*]**;";

(b) by the substitution in subsection (2) for the words preceding the proviso of the following words:

"No person shall be appointed as chief registrar, registrar, deputy registrar or assistant registrar of deeds after the commencement of section 2 of the Deeds Registries Amendment Act, **[1982]** 1984, unless he has passed the Public Service Law Examination or an examination deemed by the Commission for Administration to be equivalent thereto and has served in the administrative division of the public service in one or more deeds registries or in the deeds registry established by the Deeds Registry Proclamation, 1939 (Proc-

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1939 (Proklamasie No. 37 van 1939), van die Administrateur van Suidwes-Afrika, vir 'n tydperk van minstens sewe jaar gedien het:"; en

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

"(3) **[Elkeen]** Iemand wat by die inwerkingtreding van artikel 2 van die Wysigingswet op Registrasie van Aktes, **[1982]** 1984—

(a) die amp beklee van hoofregistrateur van aktes, en wat op 'n datum voor bedoelde inwerkingtreding opgehou het om ook die amp van registrateur van aktes te beklee, word geag vanaf daardie datum; en

(b) die amp beklee van registrateur of assistent-registrateur of adjunk-registrateur van aktes, **[of van registrateur of assistent-registrateur of adjunk-registrateur van Randdorpe,]** word geag vanaf die datum van bedoelde inwerkingtreding,

kragtens hierdie artikel as hoofregistrateur van aktes, of as registrateur of assistent-registrateur of adjunk-registrateur van aktes, na gelang van die geval, aangestel te **[wees]** gewees het.".

Wysiging van artikel 10 van Wet 47 van 1937, soos gewysig deur artikel 5 van Wet 43 van 1962, artikel 4 van Wet 87 van 1965, artikel 4 van Wet 3 van 1972, artikel 2 van Wet 92 van 1978 en artikel 5 van Wet 27 van 1982.

3. Artikel 10 van die Hoofwet word hierby gewysig deur in subartikel (1) die volgende paragraaf na paragraaf *(p)* in te voeg:

"*(q)* behoudens die bepalings van die Wet op die Ontwikkeling van Swart Gemeenskappe, 1984, en van die regulasies daarkragtens uitgevaardig, die vorm van aansoeke, aktes en registers wat in verband met die registrasie van 'n reg van huurpag, en enige ander saaklike reg ten opsigte van grond onder sodanige reg van huurpag gehou, gebruik moet word;".

Wysiging van artikel 16 van Wet 47 van 1937, soos vervang deur artikel 7 van Wet 87 van 1965 en gewysig deur artikel 7 van Wet 27 van 1982.

4. Artikel 16 van die Hoofwet word hierby gewysig deur die tweede voorbehoudsbepaling deur die volgende voorbehoudsbepaling te vervang:

"Met dien verstande voorts dat waar die Staat al die grond verkry, hetsy deur middel van onteiening of andersins, wat kragtens 'n titelbewys besit word, of waar 'n plaaslike bestuursliggaam uit hoofde van die bepalings van die een of ander wet, al die grond verkry wat kragtens 'n titelbewys deur 'n ander sodanige liggaam besit word, die registrateur die veranderings en inskrywings in sy registers en die endossemente op **[bedoelde]** enige sodanige titelbewys moet aanbring wat nodig is om oordrag aan die Staat of so 'n liggaam, na gelang van die geval, van die eiendom aldus verkry, kosteloos te registreer, en dat die bepalings van **[subartikels (2) en]** subartikel (4) *(a)* van artikel 31 van hierdie Wet *mutatis mutandis* ten opsigte van so 'n oordrag by wyse van endossement **[uit hoofde van onteiening van die grond deur die Staat,]** van toepassing is.".

Invoeging van artikel 16A in Wet 47 van 1937.

5. Die volgende artikel word hierby in die Hoofwet na artikel 16 ingevoeg:

"Registrasie van reg van huurpag.

16A. Wanneer 'n reg van huurpag kragtens 'n bepaling van die Wet op die Ontwikkeling van Swart Gemeenskappe, 1984, aan iemand verleen is, word daardie reg, behoudens die bepalings van genoemde Wet en van die regulasies daarkragtens uitgevaardig, op die voorgeskrewe wyse deur middel van 'n akte van oordrag deur die registrateur onderteken of geattesteer, en onderworpe aan die voorwaardes van die toekenning, aan so iemand oorgedra.".

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lamation No. 37 of 1939), of the Administrator of South-West Africa, for a period of not less than seven years:"; and

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

"(3) **[Every]** Any person holding, at the commencement of section 2 of the Deeds Registries Amendment Act, **[1982]** 1984—

(a) the office of chief registrar of deeds, and who on a date prior to such commencement ceased also to hold the office of registrar of deeds, shall as from that date be deemed; and

(b) the office of registrar or assistant registrar or deputy registrar of deeds, **[or of Rand townships registrar or assistant Rand townships registrar or deputy Rand townships registrar,]** shall be deemed as from the date of such commencement,

to have been appointed under this section as chief registrar of deeds, or as registrar or assistant registrar or deputy registrar of deeds, as the case may be.".

Amendment of section 10 of Act 47 of 1937, as amended by section 5 of Act 43 of 1962, section 4 of Act 87 of 1965, section 4 of Act 3 of 1972, section 2 of Act 92 of 1978 and section 5 of Act 27 of 1982.

3. Section 10 of the principal Act is hereby amended by the insertion in subsection (1) after paragraph *(p)* of the following paragraph:

"*(q)* subject to the provisions of the Black Communities Development Act, 1984, and of the regulations made thereunder, the form of applications, deeds and registers which shall be used in connection with the registration of a right of leasehold, and any other real right in respect of land held under such right of leasehold;".

Amendment of section 16 of Act 47 of 1937, as substituted by section 7 of Act 87 of 1965 and amended by section 7 of Act 27 of 1982.

4. Section 16 of the principal Act is hereby amended by the substitution for the second proviso of the following proviso:

"Provided further that where the State acquires all the land held under any title deed, whether by way of expropriation or otherwise, or where a local authority by virtue of the provisions of any law acquires all the land held under a title deed by any other such authority, the registrar shall make such alterations and entries in his registers and such endorsements on any such title deed as may be necessary to register transfer to the State or such authority, as the case may be, of the property so acquired free of charge, and that the provisions of **[subsections (2) and]** subsection (4) *(a)* of section 31 of this Act shall apply *mutatis mutandis* in respect of such a transfer by endorsement **[pursuant to the expropriation of the land by the State]**.".

Insertion of section 16A in Act 47 of 1937.

5. The following section is hereby inserted in the principal Act after section 16:

"Registration of right of leasehold.

16A. Whenever a right of leasehold has under any provision of the Black Communities Development Act, 1984, been granted to any person, that right shall, subject to the provisions of the said Act, and of the regulations made thereunder, be transferred in the prescribed manner by means of a deed of transfer executed or attested by the registrar, and subject to the conditions of the grant, to such person.".

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Wysiging van artikel 31 van Wet 47 van 1937, soos vervang deur artikel 11 van Wet 87 van 1965 en gewysig deur artikel 3 van Wet 61 van 1969, artikel 95 van Wet 63 van 1975 en artikel 10 van Wet 27 van 1982.

6. Artikel 31 van die Hoofwet word hierby gewysig deur in paragraaf *(a)* van subartikel (6) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

"Die onteienende gesag moet onmiddellik nadat enige grond onteien is, 'n gesertifiseerde afskrif van die kennisgewing van onteiening **[en]**, twee afskrifte van die betrokke onteieningsplan van die betrokke grond, en 'n sertifikaat wat die grond beskryf en die naam, nommer en administratiewe distrik daarvan, sowel as die volle name en van van die geregistreerde eienaar en die nommer (bestaande uit die volg- en jaarnommer) van die titelbewys aangee, by die registrateur indien, en die registrateur moet 'n aantekening van die onteiening in sy registers en op die kantoorafskrif van die titelbewys laat aanbring, en indien die oorspronklike titelbewys te eniger tyd vir enige doel by sy kantoor ingedien word, moet hy 'n soortgelyke endossement daarop laat aanbring en 'n afskrif van die onteieningsplan daaraan laat heg:".

Wysiging van artikel 32 van Wet 47 van 1937, soos vervang deur artikel 12 van Wet 87 van 1965 en gewysig deur artikel 4 van Wet 61 van 1969, artikel 9 van Wet 62 van 1973, artikel 10 van Wet 10 van 1974 en artikel 95 van Wet 63 van 1975.

7. Artikel 32 van die Hoofwet word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

" (5) Onmiddellik nadat 'n serwituutreg oor enige grond of reg op minerale daarop onteien is, verstrek die onteienende gesag aan die registrateur 'n gewaarmerkte afskrif van die onteieningskennisgewing, **[en]** twee kopieë van die toepaslike onteieningsplan van die betrokke serwituut, of waar die reg op minerale op slegs 'n gedeelte van die grond onteien is, twee kopieë van die toepaslike onteieningsplan van sodanige gedeelte, en 'n sertifikaat wat die grond beskrvf en die naam, nommer en administratiewe distrik daarvan, sowel as die volle name en van van die geregistreerde eienaar en die nommer (bestaande uit die volg- en jaarnommer) van die titelbewys aangee, en die registrateur moet 'n aantekening van die onteiening in sy registers laat aanbring en laat endosseer op die kantoorafskrif van die titelbewys van die grond wat aan die serwituut onderhewig is of die titel waarkragtens die betrokke reg op minerale gehou word, na gelang van die geval, en indien die oorspronklike van die titelbewys of van sodanige titel te eniger tyd by sy registrasiekantoor vir enige doel ingedien word, moet hy 'n soortgelyke aantekening daarop laat endosseer en 'n afskrif van die onteieningsplan daaraan laat heg.".

Herroeping van Tweede Bylae by Wet 47 van 1937.

8. Die Tweede Bylae van die Hoofwet word hierby herroep.

Wysiging van artikel 102 van Wet 47 van 1937, soos gewysig deur artikel 12 van Wet 3 van 1972 en artikel 22 van Wet 27 van 1982.

9. Artikel 102 van die Hoofwet word hierby gewysig—

(a) deur in subartikel (1) die volgende omskrywing na die omskrywing van "Republiek" in te voeg:

" 'reg van huurpag' 'n reg van huurpag soos omskryf in artikel 1 van die Wet op die Ontwikkeling van Swart Gemeenskappe, 1984, uitgesonderd 'n reg ten opsigte van 'n deel-huurpageenheid in daardie omskrywing bedoel;"; en

(b) deur in genoemde subartikel die omskrywing van "eienaar" deur die volgende omskrywing te vervang:

" 'eienaar' beteken, met betrekking tot onroerende goed—

(a) behoudens paragraaf *(b)*, die persoon wat as eienaar of besitter daarvan geregistreer is, en omvat die kurator van 'n insolvente boedel, 'n beredderaar of kurator ingevolge die Wet op Landboukrediet, 1966 (Wet No. 28 van 1966), gekies of aangestel, die likwidateur van 'n maatskappy wat eienaar is, en die wetlik erkende verteenwoordiger van 'n eienaar wat oorlede is, of wat minderjarig of kranksinnig of andersins onbevoeg is, mits daardie kurator, beredderaar, likwidateur of wetlike ver-

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Amendment of section 31 of Act 47 of 1937, as substituted by section 11 of Act 87 of 1965 and amended by section 3 of Act 61 of 1969, section 95 of Act 63 of 1975 and section 10 of Act 27 of 1982.

6. Section 31 of the principal Act is hereby amended by the substitution in paragraph *(a)* of subsection (6) for the words preceding the proviso of the following words:

"Immediately after any land has been expropriated the expropriating authority shall lodge with the registrar a certified copy of the notice of expropriation, **[and]** two copies of the relevant expropriation plan of the land in question, and a certificate describing the land and stating the name, number and administrative district thereof, as well as the full names and surname of the registered owner and the number (consisting of the serial and year number) of the title deed, and the registrar shall cause a note of the expropriation to be made in his registers and endorsed on the office copy of the title deed, and if at any time the original of the title deed is lodged in his registry for any purpose, he shall cause a similar note to be endorsed thereon and a copy of the expropriation plan to be annexed thereto;".

Amendment of section 32 of Act 47 of 1937, as substituted by section 12 of Act 87 of 1965 and amended by section 4 of Act 61 of 1969, section 9 of Act 62 of 1973, section 10 of Act 10 of 1974 and section 95 of Act 63 of 1975.

7. Section 32 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

"(5) Immediately after any right of servitude over any land or right to minerals therein has been expropriated, the expropriating authority shall lodge with the registrar a certified copy of the notice of expropriation, **[and]** two copies of the relevant expropriation plan of the servitude in question, or where the right to minerals in only a portion of the land has been expropriated, two copies of the relevant expropriation plan of such portion, and a certificate describing the land and stating the name, number and administrative district thereof, as well as the full names and surname of the registered owner and the number (consisting of the serial and year number) of the title deed, and the registrar shall cause a note of the expropriation to be made in his registers and endorsed on the office copy of the title deed of the land which is subject to the servitude or the title under which the right to minerals in question is held, as the case may be, and if at any time the original of the title deed or of such title is lodged in his registry for any purpose, he shall cause a similar note to be endorsed thereon and a copy of the expropriation plan to be annexed thereto.".

Repeal of Second Schedule to Act 47 of 1937.

8. The Second Schedule to the principal Act is hereby repealed.

Amendment of section 102 of Act 47 of 1937, as amended by section 12 of Act 3 of 1972 and section 22 of Act 27 of 1982.

9. Section 102 of the principal Act is hereby amended—

(a) by the insertion in subsection (1) after the definition of "Republic" of the following defintion:

" 'right of leasehold' means a right of leasehold as defined in section 1 of the Black Communities Development Act, 1984, excluding a right in respect of a sectional leasehold unit referred to in that definition;"; and

(b) by the substitution in the said subsection for the definition of "owner" of the following definition:

" 'owner', in relation to immovable property, means—

(a) subject to pragraph *(b)*, the person registered as the owner or holder thereof and includes the trustee in an insolvent estate, a liquidator or trustee elected or appointed under the Agricultural Credit Act, 1966 (Act No. 28 of 1966), the liquidator of a company which is an owner and the representative recognized by law of any owner who has died or who is a minor or of unsound mind or is otherwise under disability, **[Provided that]** provided such trustee, liquidator or legal representative is

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teenwoordiger binne sy wetlike bevoegdheid handel; en

(b) ten opsigte waarvan 'n reg van huurpag aan iemand toegeken en op sy naam geregistreer is, so 'n persoon;".

Kort titel en inwerkingtreding.

10. (1) Hierdie Wet heet die Wysigingswet op Registrasie van Aktes, 1984, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan ingevolge subartikel (1) ten opsigte van verskillende bepalings van hierdie Wet bepaal word.

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acting within the authority conferred on him by law; and

(b) where a right of leasehold in respect of such property has been granted to any person and registered in his name, such person;".

Short title and commencement.

10. (1) This Act shall be called the Deeds Registries Amendment Act, 1984, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may in terms of subsection (1) be fixed in respect of different provisions of this Act.