rural development
& land reform
Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE CHIEF REGISTRAR OF DEEDS
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CHIEF REGISTRAR'S CIRCULAR NO. 2 OF 2016

AMENDED SCHEDULE OF FEES OF OFFICE – PRESCRIBED BY REGULATION 84 OF THE DEEDS REGISTRIES ACT, 1937 (ACT NO. 47 OF 1937) AND WITHDRAWAL OF CHIEF REGISTRAR'S CIRCULAR NO. 7 OF 2010

1. DATE OF COMMENCEMENT OF AMENDED SCHEDULE OF FEES OF OFFICE:

The amended Schedule of Fees of Office, as published under Notice No. R. 269, in *Government Gazette* No. 38628, dated 31 March 2015, come into operation on 1 May 2015.

2. PRACTICE TO FOLLOW WITH REGARD TO ITEM 1 (*a*):

2.1. The wording of paragraph (*a*) of Item 1 has been amended to read as follows:

"1. For the registration of –
(a) A transfer of which the purchase price plus any additional consideration (if any) for such acquisition/the fair value of property, whichever is the greater".

2.2. The effect of the amendment as referred to in paragraph 2.1 *supra* is that the relevant office fee, as stipulated in Item 1 (*a*), must be charged for all transfers, including transfers where a purchase price is not applicable, for example estate transfers, donation transfers, transfers by means of endorsement, etc.

2.3. The consideration clause of a deed of transfer, or the application for a transfer by means of an endorsement, must make reference to the value of the property where a purchase price is not applicable. **Such reference will serve as proof of the value of the property.**

2.4. Where a transfer duty receipt contains reference to both the purchase price and the value of the property, the purchase price must be reflected in the consideration clause of the deed of transfer or the application for a transfer by means of an endorsement. The value of the property must also be reflected **in instances where it is higher than the purchase price.**

2.5. The practice referred to in paragraphs 2.3 and 2.4 must be followed with regard to relevant deeds lodged after the issuing of this circular.

2.6. Item 1 (*d*) finds application in instances where property has vested in terms of the requirements of any law (expropriation transfer, section 3 (1) (*v*) endorsements), which are not exempt by law.

2.7. Chief Registrar's Circular No. 7 of 2010 is hereby withdrawn and substituted with this Circular.

CHIEF REGISTRAR OF DEEDS
DATE: 13/1/2015.

REFERENCE: **A. 14/P**
RINGBINDER **44**

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