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. 3 OF 2017

CONDITIONS RELATING TO MINERAL RIGHTS IN TITLE DEEDS TO IMMOVABLE PROPERTY

1. Certain provisions as contained in CRC 2 of 2011 are out-dated. CRC 2 of 2011 is therefore withdrawn and substituted with this Circular.

2. The time frames allocated for the conversion of rights referred to in Schedule II of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), expired on 30 April 2009.

3. All mineral rights conditions contained in the title deeds to immovable property must be omitted from such title deeds.

4. Where a title deed to immovable property contains conditions with regard to ***mining methods***, such conditions must remain in the title deed of that immovable property.

5. A Notarial Deed containing conditions relating to ***mining methods*** and entered into by the land owner and the holder of a mining right or a prospecting right granted in terms of Act 28 of 2002, is registrable in the deeds registry (*see Sasol Mining (Proprietary) limited v The Chief Registrar of Deeds and Others (North Gauteng High Court Case No. 72102/2012* in this regards).

CHIEF REGISTRAR OF DEEDS
DATE: 6/4/2017

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

CHIEF REGISTRAR OF DEEDS
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