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

OFFICE OF THE REGISTRAR OF DEEDS: JOHANNESBURG
P O Box 61873, Marshalltown, 2107; Tel: 011 843 8300; Fax: 011 843 8428

NOTICE: TO EXAMINERS AND CONVEYANCERS

RE-VARIOUS MATTERS

1. Purpose

1.1 To inform all clients of the re-activation of the auto-rejection function at Preparation and Execution section.

1.2 Implementation of the withdrawal fee as published under Proclamation 11 of 2020, in *Government Gazette* No. 43055, dated 28 February 2020, came into operation on 01 April 2020.

1.3 Implementation of the amended regulations as published under Government Notices No. R.884 in Government Gazette No. 43614 dated 14 August 2020, shall be effective from 13 October 2020 and procedure in respect of the required Legal Practice Council Membership Numbers ('LPCM Number') of Attorneys, Conveyancers and Notaries Public.

2. Re-activation of the auto-rejection function.

2.1 The auto-rejection function for Deeds held over too long at Prep and at execution was suspended for the past five months due to frequent closure of the office for decontamination will be re-activated with effect from Friday, 16 October 2020.

3. The withdrawal fee prescribed by Regulation 84 of the Deeds Registries Act, 1937 (Act 47 of 1937) will be implemented as follows:

3.1 Deeds still in progress/ workflow (Distribution, Examination, Preparation etc)

- Conveyancer who wish to withdraw a transaction will be required to draw a Deeds Office Tracking report with details of examiners from DOTS Section or Data Official on duty, complete and sign an application form for withdrawal of Deeds at any given point in the work flow (see annexure A).

- Thereafter place the application in the drop-box at DOTS section, alternatively collect the Deeds from the point reflected on the Tracking report and hand the deeds together with a signed application form at DOTS Section for withdrawal.

3.2 Deeds already in the conveyancers possession (At Prep and Execution).

- Conveyancer will be required to complete and sign an application form for withdrawal of Deeds and hand the deeds together with a signed application form at DOTS Section.

3.3 Billing/ charging of the fee.

- A fee of R200 prescribed by Regulation 84 of the Deeds Registries Act will be charged per batch of deeds.

- In a batch of more than one Deed the fee will be billed against the firm causing the batch to be withdrawn.

4. Procedure in respect of the required Legal Practice Council Membership Numbers ('LPCM Number') of Attorneys, Conveyancers and Notaries Public.

4.1 The amended Regulation 43(1) of Act 47 of 1937 and Regulation 16A (1) of Act 95 of 1986 requires the disclosure of the **LPCM Number** of a conveyancer in the preparation certificate to a deed. As per CRC3/2020 an Standard Operating Procedure is to be issued to clarify a uniform procedure to be followed, in the interim the measure are to be followed:

4.1.1 The preferred manner of referring to the **LPCM Number** of a Preparer / Appearer in a Deed / Document is to refer to the number only, i.e. **David Molefi Modisakae (123456).** However, if the number is reflected as **David Molefi Modisakae (LPCM Number 123456)** or **David Molefi Modisakae (M. 123456)** or in any other way in which the number is identifiable, it must be accepted and not be rejected.

4.1.2 LPCM Numbers inserted in pen, must be accepted and not rejected by examiners;

4.1.3 Full initials are not required where LPCM Numbers are inserted/altered, conveyancer initials must be accepted;

4.1.4 Reference may be made to one or more Appearers in a Power of Attorney;

4.1.5 Reference need not to be made to the LPCM Number of all the Appearers in a Power of Attorney;

4.1.6 Reference must be made to the name and LPCM Number of only one Appearer in a Deed/Bond;

4.1.7 Where the Appearer is substituted, the LPCM Number must be disclosed in the letter of substitution and in the Deeds/Bond.

4.2 Date of Commencement

4.1.1 Compliance regarding documents (supporting documents and documents for registration, i.e. Powers of Attorney), and Notarial Deeds (i.e. Antenuptial Contracts) can only be enforced if signed on or after 13 October 2020. (Registrars' authority to request compliance in this regard stems from the provisions of sections 4(1)(a),section 3 and section 20 of the Deeds Registries Act 47 of 1937).

4.1.2 New Deeds/Bonds prepared and lodged on or after 13 October 2020 are subject to the new requirements.

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P ZWARTLAND
ACTING REGISTRAR OF DEEDS: JHB
DATE: 9/10/2020

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ANNEXURE A

APPLICATION FOR WITHDRAWAL OF DEEDS: SCHEDULE OF FEES ITEM 1(e) PROCLAMATION NO. 11 OF 2020 GAZETTE NO. 43055

ACCOUNT/FIRM NAME	FIRM NO	DATE:.....

FULL NAME OF APPLICANT: .....

EMAIL: .....

APPLICANT'S SIGNATURE: ..... CONTACT NO:.....

TRACKING/ BARCODE NUMBER		BATCH SIZE	
OTHER LINKING FIRM NUMBER			
PROPERTY DESCRIPTION			
RELEVANT FIRM(S) INFORMED OF WITHDRAWAL?		YES	NO
IF "NO" PROVIDE REASON(S)	....		

MOTIVATION FOR WITHDRAWAL

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Total amount payable (Fee Code 532)		**R200-00**
APPROVED/NOT APPROVED **DEPUTY REGISTRAR OF DEEDS** **DATE:**	**FOR OFFICE USE ONLY CASHIER** **RECEIPT NO:**_____ **DATE:** ..... **PICKING SLIP NO:**..... **ISSUED BY:**_____	**FOR OFFICE USE ONLY ACCOUNT DEBITED** ..... **NAME** **SIGNATURE** **DATE:**