MINUTES OF MEETING WITH THE JOHANNESBURG REGISTRAR OF DEEDS & OTHERS ON 26 FEBRUARY 2019 AT 11H30

PRESENT:

- Makaziwe Ntuli (Registrar of Deeds)
- Jabu Maphomolo (Deputy Registrar of Deeds)
- Marie (Roving Conveyancer's Representative)
- Mark McIntosh (JAA)
- Martine Kampel (JAA)
- Dylene Pillay (JAA)

APOLOGIES:

- Louis Kruger (JAA)
- Nicci Sauli-Koren (JAA)
- Anton Theron (JAA)
- Paulina Zwartland (Deputy Registrar of Deeds)

AGENDA:

1. Deeds office performance – January 2019.
2. Delays at the VA section and "system" rejections.
3. JHB Deeds implementation of RCR 17/2018 – resolution dates in registration documents.
4. Regulation 68(1) status
5. Availability of deed office examiners during consultation times

MINUTES:

1. PERFORMANCE - JANUARY 2019 STATISTICS

- % of deeds made available within 7 days from lodgement for execution – 98% achieved and exceeded by 3%.
- % of registered deeds delivered within 10 days from date of registration – 47% achieved and 48% below target– this was due to the deeds office being short staffed during January until early February 2019.

2. DELAYS IN RECEIVING VA COPIES AND "SYSTEM" REJECTIONS

2.1. Marie advised that VA applications are taking weeks to be processed and when there is a long delay in obtaining copies, these matters are "rejected" on the system and then re-scanned in as lodged once the VA copy is received.

2.2. The Registrar confirmed that obtaining a VA copy is a separate process from the lodgement of a matter itself. The two processes were integrated to avoid delays with registrations and to allow for the matters to run more smoothly and efficiently. Without the VA copy the transaction cannot progress to the next level.

2.3. It was previously communicated during the change over from the lengthy process which was followed before that deeds will be lodged normally with a **"VA"** sign on the cover and should the copy not been processed due to a missing volume, micro roll or system challenges the matter will be rejected after 5 days and be scanned back once the copy is made. Jabu to re-send the notice to all conveyancers regarding the VA system rejections initiative.

3. RCR 17/2018 – RESOLUTION DATES IN REGISTRATION DOCUMENTS

3.1. Mark McIntosh advised that a conveyancer assumes the responsibility for authority cited on registration documents and that the dates of resolutions have never been needed in the past.

3.2. Jabu explained that the recent note was as a result of RCR 17/2018 which suggests that the status quo as per the manual (page 115) prevails which indicates that the date must be reflected.

3.3. The Registrar confirmed that the JHB deeds office status quo remains i.e. no reference to dates is required and that an internal notice will be sent to all examiners to avoid any further rejections.

3.4. The deeds office will issue a notice to this regard.

4. REGULATION 68(1) CHANGES

4.1. The Registrar confirmed that most fraudulent matters that are registered in involve obtaining a VA copy. The amendment was effected to protect the public so that the process to obtaining a certified copy of the deed is not simple and involves some form of advertising to the public.

4.2. Notaries are not always readily available so this may be impractical if implemented. Government Gazettes are also not read widely and therefore advertising on a local newspaper may be the solution.

4.3. The amendment has been suspended until further notice.

4.4. The Registrar advised that they are currently looking at different mechanisms of properly identifying conveyancers to avoid the increasing levels of fraud (such as obtaining fidelity fund certificates, using conveyancer's unique numbers / practice numbers, etc).

4.5. Jabu confirmed that they are still in the process of implementing the biometric system which will ensure that only conveyancers are allowed into the execution room and that he will re-issue the notice relating to clerks not being allowed in the execution room and that failure to abide by the notice will result in conveyancer's accounts being de-activated.

4.6. Mark suggested that the notice should also state that the execution room is under camera surveillance to assist in deterring the fraudsters.

5. AVAILABILITY OF EXAMINERS

5.1 The Registrar confirmed that the deeds office was short-staffed from January 2019 to mid-February 2019 and therefore examiners were not always available.

5.2 Marie advised that examiners on duty are not normally at their desk which makes it difficult to consult.

5.3 The Registrar confirmed that she will re-emphasise to her staff that they need to be available to all conveyancers from 7h45am to 11am. This to be covered on the notice to be issued.

NEXT MEETING TO BE HELD ON 3 APRIL 2019 AT 11H30 AT THE JOHANNESBURG DEEDS OFFICE

The meeting closed at 12h45