MINUTES OF MEETING WITH THE JOHANNESBURG REGISTRAR OF DEEDS & OTHERS ON 15TH JULY 2015 AT 11H30

PRESENT:

- Registrar
- Deputy Registrar ("DR")
- Pauline (Jhb Deeds Office)
- Marie (Roving Conveyancers' Representative)
- Nicci Sauli-Koren (JAA)
- Anton Theron (JAA)
- Dylene Soobramoney (JAA)

AGENDA:

1. DELAY FROM LODGEMENT TO REGISTRATION OF MATTERS

1.1. Marie confirmed that even though the notice was received by all Conveyancers regarding a backlog of 8 (eight) days, this is not the factual situation in the Deeds Office as certain matters are taking up to 13 (thirteen) days to move from level 1 to level 2.

1.2. Another problem being experienced is that matters are being rejected only after 3 (three) weeks and after re-lodgement take another 3 (three) weeks to register. This is causing major time delays on matters.

1.3. The DR answered by requesting that we try and avoid generalising that this is the situation on all matters. He confirmed that their offices are trying their best to deal with these delayed matters on a case to case basis. He also confirmed that both he and the Registrar are happy to assist with tracking existing matters that are currently delayed in the Deeds Office. The Deputy Registrar also confirmed that newly lodged matters are going to move a lot faster.

1.4. The Registrar also advised that within the last month or so they were receiving an exorbitant amount of lodgements with the daily lodgement intake ranging from 900 (nine hundred) matters to 1500 (one thousand five hundred) matters. She confirmed that all of her staff members are already currently over extended and that current examiners were dealing with a further, approximately, 100 (one hundred) deeds on one-line examination over and above their normal quota of deeds for examination. The Registrar and deputies have also resorted to examining deeds in order to assist with the situation.

1.5. The Registrar also confirmed that another challenge that she currently faces is trying to balance the reducing of the training time for new examiners whilst still trying to maintain a high standard of training so that matters are not unnecessarily rejected at level 1 (one). She

requested an indulgence until the end of August 2015 when the new examiners will be fully functional, whereafter she believes that the backlog will improve.

1.6. The Registrar confirmed that the delay in appointing new examiners is also due to the fact she has to wait for criminal record feedback on all new placements. She confirmed that this can only be completed and confirmed by the South African Police Services and thus her hands are tied until these criminal records have been received.

1.7. A further measure that has been implemented by the Registrar is that she has recalled all the e-cadastral officials to assist with the examination of deeds. In summary, the Registrar advised that until the new examiners are up and running, she is doing everything possible and using every resource available to her to deal with the current backlog issues. She also confirmed that had these measures not been implemented, that the current backlog would be approximately 30 (thirty) working days.

1.8. The Registrar confirmed that another factor which has greatly contributed to the current situation at the Deeds Office was that there was a 1 (one) year moratorium placed on the employing new staff, which moratorium was only uplifted recently. She confirmed that in the meantime and within the past year there were several members of her staff that retired, members that resigned and she was not in a position to replace these staff members.

1.9. The Registrar confirmed that these challenges are regularly escalated to the Chief Registrar of Deeds and that she keeps the Chief Registrar regularly updated with the state of the Deeds Office.

1.10. Mr Anton Theron of the JAA and Gauteng Law Council (GLC) suggested that the GLC together with the Law Society of the Northern Provinces, jointly address a letter to Government which confirms that the current problems being experienced by the Johannesburg Deeds Registry are as a result of the previous moratorium which has now been uplifted but which has created a severe backlog and this backlog is now affecting the conveyancing practice as a whole.

1.11. The JAA also suggested that the Registrar of Deeds meet with all conveyancers and convey all of the above to conveyancers in order for them to be patient and more understanding of the current situation. Marie confirmed that she will also advise all conveyancers to be present at the meeting. The meeting is to take place on the 16th July 2015 at 10am at the Johannesburg Deeds Office.

1.12. The Registrar confirmed that deliveries post registration has now been resolved and has been reduced to 39 (thirty nine) days following registration. All matters that have been registered during mid-May 2015 are now being delivered to conveyancers.

2. VA DEPARTMENT / COPIES

2.1. Marie confirmed that there has been no improvement in the VA copies section in that matters are still outstanding since as far back as 8 June 2015.

2.2. The Registrar confirmed that she will look into this as she suspects that it could very well be possible that these long outstanding matters are matters involving title deeds which are sitting with Gijima.

2.3. The Registrar confirmed that it should be the conveyancers duty that if a VA copy is long outstanding that the Conveyancer check with the VA section as to whether or not such deed is with Gijima and notify their clients accordingly that there will be a delay in obtaining the VA copy.

2.4. The JAA suggested to the Registrar that the Johannesburg Deeds Office should implement the procedure currently followed by the Pretoria Deeds Office in that when a matter has been lodged for the registration of a VA copy that it be flagged in red in order for these matters to be easily recognisable and expedited.

2.5. Again the Registrar stressed that there are hundreds of registered VA copies that are being registered and not being collected by conveyancers. She confirmed that this is still creating an administrative nightmare as she is having to use, already scarce, staff resources to deal with converting these VA copies into information copies.

2.6. The JAA suggested that a notice be addressed to all conveyancers regarding the new VA system.

2.7. The JAA suggested that she also bring this point to the conveyancer's attention at her meeting on 16 July 2015 with all conveyancers.

2.8. The Registrar confirmed that their IT infrastructure has been updated and should be up and running soon. She also confirmed that contingencies have been put in place for downtime of the systems. These downtimes are set to only happen after hours, that is after 15h30 in the afternoon.

2.9. The Registrar confirmed there should be no further backlogs in the future regarding deliveries as 5 (five) officials that were seconded to the E-Cadastre will be returning soon to the Deeds Office and will be at the VA section.

3. CRC 1/2015

3.1. Marie confirmed that she is still experiencing difficulties with queries and rejections on transfer duty exemptions from certain examiners and pods.

3.2. It appears that only Henk and his team seem to be the persons that have an issue with the transfer duty exemption receipts.

3.3. The Registrar confirmed that she will speak to Henk and his team regarding this problem.

4. REQUEST RECEIVED BY DR FROM STUDENT

4.1. The Deputy Registrar advised that he has received a request from a student who is putting together a thesis on Property Law and Conveyancing and has requested an opportunity to shadow a conveyancer and to get practical experience within a Conveyancing firm in order to ascertain how conveyancers function and their normal day to day duties.

4.2. The student apparently has many questions that he requires answered and these questions can only be answered by a practising Conveyancer.

4.3. Mr Anton Theron of the JAA requested the Deputy Registrar to address a letter to the GLS, the Law Society of the Northern Provinces and LEAD and that this letter be sent to the JAA who will then redirect it to the relevant person.

AUGUST 2015 MEETING

The next meeting will be held on Wednesday, 12th August 2015.