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

OFFICE OF THE REGISTRAR OF DEEDS, PRETORIA, PRIVATE BAG X 183, CORNER PRETORIUS AND BOSMAN STREETS, PRETORIA, 0001.TEL: (012) 338 7000, FAX: (012) 338 7103

Date: 02 December 2015

The Law Society of North Gauteng

PREP CLERKS IN THE EMPLOYMENT OF CONVEYANCERS

It has recently come to my attention that Conveyancers sign documents or Prep clauses on deeds without any perusal or knowledge of the said deeds. Conveyancers allow Prep Clerks to execute deeds and sign the Registration attendance register on their behalf which is highly irregular.

This matter was brought to the attention of the Deeds Office due to audit queries regarding certain fraudulent transactions. The said deeds were prepared / executed by people acting in the role of a Conveyancer while not being qualified or admitted as a Conveyancer. On some of the said deeds Conveyancers signed the preparation clauses while the deeds were not in actual fact prepared by them or where they have no knowledge of the said transactions. Deeds are not always executed in the presence of the Registrar of Deeds, but are without authorization removed from our premises by Prep Clerks to be executed by the Conveyancer in his own office.

The registration of deeds in terms of and Sections 20 and 50 of Act 47 of 1937 as well as the preparing of deeds in terms of Regulation 16A of Act 95 of 1986 and Section 15 read with Regulation 43 and 44 of Act 47 of 1937 is a professional duty and must be guarded by the profession at all times.

We understand that the Law Society does not have any authority over Prep Clerks, but we request the Law Society to caution your members if they partake in the said activities. Irregularities will be investigated and Conveyancers will be held liable.

Registrar of Deeds,
Pretoria Deeds Office
02/12/2015