agriculture, land reform
& rural development

Department:
Agriculture, Land Reform and Rural Development
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

REGISTRARS CIRCULAR 01 OF 2022
RECTIFICATION OF ERRORS

1.PURPOSE

To regulate the procedures for the rectification of errors in various section and during the examination of lodged deeds.

2.BACKGROUND.

Rectification on delivered deeds, rectification of errors encountered after registration and during examination as well as rectification on the data records are four distinct processes and must be dealt with to enhance service delivery and to prevent fraudulent and unauthorised activities on original title deeds and data records.

3. PROCEDURES FOR DEALING WITH THESE DIFFERENT ERRORS.

3.1 Data errors

Errors encountered on data records (print outs) will be dealt with at the information section. Rectifications of this type must not be presented to Data section directly. Firms must submit 3 Memos/letterhead, setting out the contents of the data error as well as the request of what needs to be rectified.

- One for acknowledgement of receipt which will be filled by the information section.
- A second one to be sent to Data section to attend to the error.

- A third one to return to the firm after rectification in compliance of the error
  The last mentioned memo will be returned to the firm together with the proof of amendment or the rejection of the request with reason for not amending the error, in the pigeon hole of the relevant firm.
  The turnaround time will be +- 3-4 days depending on the type of error as well as staff resources available.
  Any problems or complaints should be directed to the manager of the section.

3.2 Errors on winded/ghost convey/and other search engines from data vendors

These websites and Data vendors are not the responsibility of the Registrar of deeds and may not be considered as proof of facts or records in the Registrars possession. The Registrar of Deeds cannot be responsible as to the correctness and completeness of such information. The Deeds office is not in the position or authorised to correct errors on these search engines.

3.3. Rectification on delivered deeds (after delivery errors)

All and only original deeds on which rectifications are required may be handed to the nominated official or their manager in their absence in the deeds office for correction of errors. Each request must be embodied on a letterhead of the firm, along with the firm number and details. The letter must be lodged in triplicate if a signed copy for acknowledgement of receipt is required. Corrections on deeds can only be done once verification on deeds view and DRS systems have been done. Upon collection of the rectified error a control sheet must be signed as proof by the relevant firm. The turnaround times for this type of rectification is +- 3-4 days depending on the type of error. Problems encountered should be taken up with the manager of the section.

> **NB: Please take note that matters on rejected deeds by examiners and deeds lodged in the system are not catered for in this paragraph, see 3.4 below. The Assistant Registrar/manager when dealing with these types of rectifications must take cognisance of the SOP (standard operating procedure) 3/2017. Any error or omission on registered deeds which require an act of registration in terms of the Deeds Registries Act and Sectional Titles Act are excluded from being able to be ratified.**

3.4. Errors on lodged or rejected deeds.

Errors on deeds encountered during examination is the duty of the relevant junior, senior examiner and his /her Assistant Registrar to investigate, verify and apply corrections of the error on all deeds received during the examination process. Non- compliance in this regard must be reported to the senior examiner or the Assistant Registrar or both. In the case of non-compliance on all 3 levels of examination, to be reported to the Deputy Registrar.

3.5. Errors Encountered after registration, but before delivery (before delivery errors)

The relevant firm will receive a notification of the error, either telephonically or by notice placed in the firm's pigeonhole. the ideal situation would be for the Assistant Registrar or manager in charge of this section to telephonically contact the firm/conveyancer to enhance compliance/correction of the error.

> **NB: A date will be indicated on the notice by when the rectification must be attended to (the turnaround time) which is very important because this affects the target of 10 days turnaround on the operational plan from date of registration.**
> **No second or third notices/or numerous unanswered telephone calls will be**

entertained as this will negatively affects the office reporting targets, deeds will be rejected procedurally incorrect and the firm account will be suspended as a last resort if the Firm/conveyancer refuses to comply.

NB: The Assistant Registrar/manager when dealing with these types of rectifications must take cognisance of the SOP (standard operating procedure) 3/2017. Any error or omission on registered deeds which require an act of registration in terms of the Deeds Registries Act and Sectional Titles Act are excluded from being able to be rectified.

3.6 Errors encountered on registered deeds relating to numbering section mistakes

All and only original, registered /delivered deeds on which rectifications are required, must as from April 2022 be handed to the supervisor/or dedicated appointed official of numbering section with a letterhead/memo in triplicate requesting the rectification and indicating the nature of the error. The letter must be lodged in triplicate if a signed copy for acknowledgement of receipt is required. Corrections on deeds can only be done once verification on deeds view and DRS systems have been done. Upon collection of the rectified error a control sheet must be signed as proof by the relevant firm. The turnaround times for this type of rectification is +- 3-4 days depending on the type of error. Missing numbers not inserted in codes and extending clauses, office seal not affixed, incorrect numbers, registration dates and sequence of numbers etc. Only numbering related errors may be rectified by numbering section and no other matters/errors will be entertained.

NB: The supervisor/dedicated official must first ascertain if the deeds are registered before any errors are rectified, especially the affixing of the office seal and only original deeds can be rectified. The supervisor /dedicated official must first ascertain from the deeds tracking and DRS systems if the deeds are indeed registered before rectification of any sort. Rectified deeds must be scanned to update the office record before returning it to the conveyancer /firm.

A turnaround time of 1-4 days can be expected depending on the nature of the error and availability of the DRS, DOTS systems.

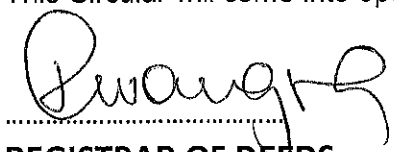
3.7 Errors /Omissions on Permanent filed Deeds (TR/VB/DT)

The conveyancer of a firm will return the original deeds to the supervisor/dedicated official of the TR section to enable the section to complete the necessary endorsement or to rectify any errors on the permanently filed deed/title or bond.
A letterhead/ memo in triplicate should be submitted to the TR section, referring to the date, title and nature of the error/omission.

- TR section will keep one memo as part of their POE.
- The second memo will be endorsed/signed with a date and stamp submission to the office and return to the conveyancing firm.
- The third memo will be delivered with the deeds after rectification/omission had been attended to. The rectified TR, VB, DT must be scanned before delivery. A turnaround

time of 3-4 days can be expected depending on the nature and amount of errors, as well as the availability of the system whereby the firm may collect the rectified errors/omissions from the TR section and signing receipt thereof. RC 21/2016, RC 4/206 and Notice to Examiners dated 29/08/2005 are all hereby withdrawn.

This Circular will come into operation as from 04/04/2022



REGISTRAR OF DEEDS
PRETORIA
DATE:30.03.2022