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

Office of the Registrar of Deeds: Western Cape: Private Bag X9073 Cape Town: Tel (021) 464 7600. Fax (021) 464 7727

Date: 18 February 2021

Registrars Circular 1 of 2021

1) VA Pending

1.1 Whenever a "VA Pending'" is recorded against any property, conveyancers must request the Registrar of Deeds in writing, supported by a motivation, to purge the "VA pending". Given that conveyancers charge a search fee for almost any registration, there is no excuse for this not being picked up prior to lodgement. In fact, many rejections are avoidable for the same reason if searches are done and taken into consideration when preparing deeds.

1.2 Such requests may not be approved if the motivation does not support the purging.

1.3 The conveyancing firm must submit proof of payment of an administrative fee (cost of an information copy) when submitting the request .

2) Misplaced Section 11 (3)(b) Certificates

2.1 When certificates in terms of section 11 (3)(b) of the Sectional Titles Act are missing/ misplaced, the Body Corporate or the Developer,(if the Body Corporate isn't established yet) , must apply for a replacement copy to be filed in the sectional title file as required by Regulation 13A (1) of the Sectional Title Act, 95 of 1986.

2.2 Conveyancers are advised to request a Regulation 66 copy of a section 11 (3) (b) certificate at our Information Section first as such a certificate may have been microfilmed or scanned.

2.3 Where our Information Section is able to provide such a copy, the conveyancer may thereafter request the Registrar of Deeds in writing, together with the Regulation 66 copy of the section 11 (3) (b) certificate attached, to have the aforesaid certificate filed as a replacement copy in the applicable sectional title file.

2.4 The conveyancer must further submit a certificate that no registration, for example relating to a dealing with common property or exclusive use areas which requires the endorsement of the section 11 (3) (b) certificate, has taken place subsequent the microfilming or scanning of the aforesaid certificate.

2.5 If our Information Section is not able to issue a Regulation 66 copy in respect of a missing/misplaced section 11(3)(b) certificate, the conveyancer must comply with Reg 13A (1) of the Sectional Titles Act.

2.6 Deeds in the examination process may only be rejected upon confirmation that our office does not have a microfilmed or scanned copy on record.

3) Documents/Certificates digitally issued

3.1 Documents or certificates required for registration purposes in the Deeds Office and digitally *applied* for at any local municipality or South African government institution and digitally *issued* by such municipality or government institution will be accepted for registration purposes . However, the document must be accompanied by a conveyancer's certificate stating as follow:

"This is a copy of a ..... (mention document or certificate) that was digitally *applied* for at .....(Cite the name of the local municipality or government institution) and digitally *issued* by the aforesaid municipality or government institution.

..... (signature)
Name of conveyancer

Registrar of Deeds
Western Cape Deeds Office
18 February 2021