



agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE CHIEF REGISTRAR OF DEEDS
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CHIEF REGISTRAR'S CIRCULAR NO. 1 OF 2021

DEEDS REGISTRIES ACT, 1937 (ACT NO. 47 OF 1937) AMENDMENT OF REGULATIONS

1. COMMENCEMENT OF AMENDED REGULATIONS

The amended regulations to the Deeds Registries Act, 1937 (Act 47 of 1937) ('the Act'), published under Government Notice No. R.498 in Government Gazette No. 44700 dated 11 June 2021, shall be effective from 11 July 2021.

2. NATURE AND/OR IMPACT OF THE AMENDMENTS

2.1 Amendment of regulation 16:

- 2.1.1 The recent implementation of an electronic register of conveyancers and notaries now requires that the *de jure* position be aligned with the *de facto* position.
- 2.1.2 The amended regulation 16 of the Act now provides for the Chief Registrar of Deeds to keep a register of conveyancers and notaries in electronic format, which register must be accessible to all Registrars of Deeds.
- 2.1.3 The *status quo* remains regarding the keeping of a register by a Registrar of Deeds of persons other than conveyancers and notaries who are authorized by any other law to prepare deeds and documents for registration or filing in a deeds registry.

2.2 Repeal of regulation 42:

Regulation 42 provided for a bondholder's consent to be lodged in duplicate with transactions concluded in terms of section 27 of the Act. Duplicate copies of consents are no longer required and regulation 42 was therefore repealed.

2.3 Regulation 68 (11B) and 68(11C):

- 2.3.1 The amendments to the above regulations are consequential to the amendment to regulation 68(E).
- 2.3.2 The amendment of regulation 68(11B) and 68(11C) is now in line with the amendment of regulation 68(1E) by Government Notice R.1418 of 1 November 2019.

2.3.3 The amended regulation 68(11B) provides for a notice of intention to apply for the cancellation of the registration of a bond in an *issue of a newspaper circulating in the area in which the mortgaged land is situated, and in the case of a notarial bond in an issue of one or more newspapers circulating in the area of every deeds registry in which such notarial bond is registered.*

2.3.3 The amended regulation 68(11C) provides for an objection period of *two weeks from the date of the publication of the notice in the newspaper/s.*

2.4. Amendment of Form V:

Form V has been amended to address certain discrepancies between the Afrikaans and English versions thereof and to cater for gender issues.



CHIEF REGISTRAR OF DEEDS

DATE:

22/6/2021

REFERENCE: A. 14/P AND 10/2/3

RINGBINDER 54

CHIEF REGISTRAR OF DEEDS

REGISTRARS OF DEEDS

DEEDS TRAINING

LAW SOCIETY OF SOUTH AFRICA: PRETORIA

LEGAL PRACTICE COUNCIL OF SOUTH AFRICA