

CHIEF REGISTRAR'S CIRCULAR NO. 7 OF 2010

AMENDED SCHEDULE OF FEES OF OFFICE - PRESCRIBED BY REGULATION 84 OF THE DEEDS REGISTRIES ACT, 1937 (ACT NO. 47 OF 1937)

1. Date of commencement of amended Schedule of Fees of Office:

The amended Schedule of Fees of Office, as published under Notice No. R.659, in *Government Gazette* No. 33413, dated 2 August 2010, will come into operation on **2 September 2010** (also see '*Regstellingskennisgewing* No. 707, published in *Government Gazette* No. 33452, dated 11 August 2010).

The amended Schedule of Fees of Office will therefore apply to registrations (Item 1), as well as all other transaction (Items 2 – 12), on or after 2 September 2010.

2. Practice to follow with regard to Item 1(a):

2.1. The wording of paragraph (a) of Item 1 (*previously Item 8(a)*) has been amended to read as follows:

"1. For the registration of –

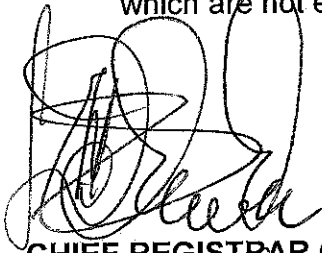
(a) A transfer of land of which the purchase price / value of property, whichever is the greater"

2.2. The effect of the amendment as referred to in paragraph 2.1 *supra* is that the relevant office fee, as stipulated in Item 1(a), must be charged for **all transfers of land**, including transfers where a purchase price is not applicable, for example estate transfers, donation transfers, transfers by means of endorsement, etc.

2.3. The consideration clause of a deed of transfer, or the application for a transfer by means of an endorsement, must make reference to the value of the property where a purchase price is not applicable. **Such reference will serve as proof of the value of the property.**

2.4. Where a transfer duty receipt contains reference to both the purchase price and the value of the property, then both purchase price and value must be reflected in the consideration clause of the deed of transfer or the application for a transfer by means of an endorsement, and office fees must be calculated on the greater of the two amounts.

- 2.5. The practice referred to in paragraphs 2.3 and 2.4 must be followed with regard to relevant deeds lodged on or after 2 September 2010. Deeds lodged prior to 2 September 2010 may follow the said practice, failing which a conveyancer's certificate stipulating the correct position regarding the purchase price/value of the property, must be lodged.
- 2.6. Item 1(d) finds application in instances where property has **vested** in terms of the requirements of any law (expropriation transfers, section 3(1)(v) endorsements), which are not exempt by law.



CHIEF REGISTRAR OF DEEDS

DATE: *23 August 2010*

REFERENCE: A.6/2/P AND A.4/2/2/1
RINGBINDER: 43

CHIEF REGISTRAR OF DEEDS
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