



rural development
& land reform

Department:
Rural Development & Land Reform
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE REGISTRAR OF DEEDS
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Registrars Circular 9 of 2013

1. Purpose

To provide clarity regarding the lodgement of rates clearance certificates in respect of a)

- b) Opening of schemes
- b) Phase development.
- c) Subdivisions
- d) First Transfers from townships

2. Lodgement of Rates Clearance Certificates

a) Opening of schemes

On the opening of a sectional title scheme a rates clearance certificate is required for the land. In the case of simulations transfers of units and cessions of EUA a rates clearance certificate for the units and EUA is required as well. If a local authority is not in a position to issue a rates clearance certificate for a unit and /or EUA the examiner must accept a letter from the relevant local authority stating that the particular property or right to be transferred or ceded is not yet ratable.

b) Registration of a Phase Development.

Section 15 B (3) (b) provides that once a body corporate has been established no rates clearance certificate is required for the land (parent property). In the case of simultaneous transfer of units or cessions of EUA, rates clearance certificates are required for a unit and /or EUA, the examiner must accept a letter from the relevant local authority stating that the particular property /right to be transferred or ceded is not yet ratable.

c) Subdivisions

With regard to transfers from a general plan of subdivision in terms of Section 3(1)(t) Act 47/1937 or first transfers of any newly created portion of an erf or farm depicted on a sub divisional diagram the following rules will apply:-

1.1 Rates Clearance certificate for the specific portion or erf must be lodged

Or

1.2 The examiner must accept a rates clearance certificate for the parent property, no letter is required.

d) Township

With regard to first transfers from a township title the following rules will apply:-

1.1 A rates clearance certificate for the specific erf or erven must be lodged,

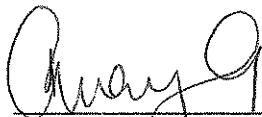
Or

1.2 A rates clearance certificate for the remainder of the township,

Or

1.3 A rates clearance certificate for the farm on which the township was laid out accompanied by a letter from the local authority stating that the particular property to be transferred is covered by the clearance certificate that was issued.

3. Registrars Circular no 1/2011, 4/2013 and 8/2013 are hereby withdrawn



REGISTRAR OF DEEDS
PRETORIA

DATE: 14/10/2013