

CHIEF REGISTRAR'S CIRCULAR NO. 1 OF 2014

LODGEMENT OF RATES CLEARANCE CERTIFICATES THAT DO NOT COMPLY WITH THE PROVISIONS OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT NO. 32 OF 2000

1. Rates clearance certificates that have been electronically generated, do not comply with the provisions of section 118 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000). These certificates are printed from the *vendor's website* and provided with a certificate (by the conveyancer) to the effect that it is the *'true copy of the rates clearance certificate that has been drawn from the vendor's (name) website'*.
2. Section 118 of Act 32 of 2000 is prescriptive and does not afford the Registrar of Deeds any discretion in respect of the *'production to that registrar of deeds of a prescribed certificate'*. The format of the prescribed certificate is contained in the Regulations to Act 32 of 2000 and provides for a signature by a Municipal Manager. The Act does not provide for *copies* of such certificates to be lodged.
3. Pending an amendment to Act 32 of 2000, or until otherwise advised by the Minister of the Department: Provincial and Local Government, all Registrars of Deeds must strictly adhere to the provisions of section 118, in so far it relates to the lodgement of a prescribed rates clearance certificate. This certificate must be lodged in *original* form.
4. Those offices who have accepted rates clearance certificates issued in the manner referred to in paragraph 1 will accept these certificates for registration purposes only until **28 February 2014**. All rates clearance certificates accompanying transactions and lodged for registration on or after **3 March 2014**, must strictly comply with the prescribed form and be lodged in the original format.
5. Chief Registrar's Circulars No. CRC 29 and 30 of 2013 are hereby withdrawn and substituted with this Circular.


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DATE: 7 JANUARY 2014

REFERENCE: A. 6/2/P
RINGBINDER 68

CHIEF REGISTRAR OF DEEDS
REGISTRARS OF DEEDS
THE CHIEF: JUSTICE TRAINING
DIRECTOR: LAW SOCIETY OF SOUTH AFRICA : PRETORIA
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