



rural development & land reform

Department:
Rural Development & Land Reform
REPUBLIC OF SOUTH AFRICA

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REGISTRAR'S CIRCULAR 10 OF 2014 ENDORISING OF DEEDS AND AMENDMENTS IN DEEDS

1. BACKGROUND:

The quality of placing of endorsements on deeds during examination has been a major concern for some time now and which has been addressed on numerous occasions but examiners are still failing to comply. Concern has also been raised regarding the non-compliance by conveyancers with **CRC 2/2009** regarding the amendments in deeds.

2. ENDORSEMENTS:

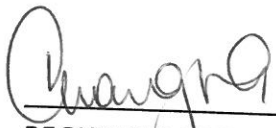
- 2.1. Examiners should as far as possible utilize the computer endorsements allocated to the when endorsing their deeds.
- 2.2. When sufficient space on an existing page in a deed, already containing registered endorsements exist, then the space on the page should be utilized by using the existing rubber endorsements.
- 2.3. When utilizing the existing rubber endorsements examiners should pay attention to the following:
 - 2.3.1. Ensure that the inkpad is properly inked as to ensure that the endorsements will be of good quality for scanning purposes.
 - 2.3.2. Ensure that the correct endorsement is utilized before endorsing it on the deed.
 - 2.3.3. Ensure that the orientation of the endorsements is correct (right side up).

- 2.3.4. Neatly complete the endorsements in print.
- 2.3.5. Ensure that the writing is neatly and legible.
- 2.3.6. Examiners should clean their rubber endorsements on a regular basis as to ensure that the information in the endorsement is always readable.
- 2.3.7. Scratching out information in endorsements will no longer be allowed.
- 2.3.8. Scratching out of incorrect endorsements will also no longer be allowed.
- 2.3.9. If the incorrect endorsement has been placed on a new page, the entire page should be removed and re-endorsed.
- 2.3.10. If the incorrect endorsement has been placed on the first page of a new deed, the conveyance should be called to provide a new page and the page should then be endorsed with the correct/neat endorsement.
- 2.3.11. Incorrect endorsements on pages in a registered deed should be avoided at all time, but should the incorrect endorsement be endorsed on such a page, it should be neatly ruled through.
- 2.4. Senior examiners must ensure that the deeds have been properly and correctly endorsed by the junior examiners before submitting their deeds. The senior examiner will from hereon be held accountable in this regard any deed found not to be properly and neatly endorsed. In future such deeds will be referred back to the senior examiner to be re-endorse by him/her.

3. AMENDMENTS IN DEEDS:

- 3.1. There are still conveyancers who do not adhere to **CRC 2/2009** when amendments and interlineations with consequential initialling in deeds are made. These pages should be retyped at all times.
- 3.2. Para 2.6. of CRC 2/2009 specifically prohibits the amendment and interlineations of important parts of a deed. The important parts of a deed as referred to in CRC 2/2009 are typically the names and particulars of the transferor in the preamble of the deed; the causa which have direct bearing on the transaction of the deed; the names and particulars of the transferee; the property description; the property and holding title particulars (extending clause); and important numerical data in conditions.

- 3.3. Where any amendments to the important information in a deed as referred to in para 3.2. above has to be done, the affected page has to be retyped and therefor examiners notes in this regard should not be raised as 'prep' notes but should be rejected.
- 3.4. Any examiner passing a deed or an examiner's note raised in this regard and where the pages containing amendments in a deed relating to the important information referred to in para 3.2. above has not been retyped, will be held accountable for ignoring the instructions in this circular.



REGISTRAR OF DEEDS: PRETORIA

Date: 29/4/2014