GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
DEPARTEMENT VAN LANDELIKE ONTWIKKELING EN GRONDHERVORMING

No. R. 548 **30 June 2015**

SECTIONAL TITLES ACT, 1986: AMENDMENT OF REGULATIONS

I, Gugile Ernest Nkwinti, Minister of Rural Development and Land Reform, acting in terms of section 55 of the Sectional Titles Act, 1986 (Act No. 95 of 1986), after consultation with the sectional titles regulation board, hereby amend the Regulations promulgated by Government Notice No. R. 664 of 8 April 1988, as set out in the Schedule hereto. The Regulations will come into operation one month from the date of publication hereof in the *Gazette*.

NKWINTI G E (MP)
MINISTER OF RURAL DEVELOPMENT AND LAND REFORM

SCHEDULE

Definitions

1. In this Schedule "the Regulations" mean the Regulations promulgated by Government Notice No. R. 664 of 8 April 1988 (as corrected by Government Notice No. R. 991 of 27 May 1988), as amended.

Amendment of regulation 13

2. Regulation 13 of the Regulations is hereby amended-

(a) by the substitution in subregulation (4) for paragraph (*a*) of the following paragraph:

"(*a*) the documents referred to in section 11(3) of the Act, with the exception of the certificates of registered sectional title, the owner's copy of the title deed of the land, the bond, the title deed of any real right registered over the land and the certificates of real rights contemplated by sections 11(3) (*fB*) and 11(3)(*fC*);"; and

(b) by the substitution for subregulation (4A) of the following subregualtion:

"(4A) The documents, notices and correspondence referred to in subregulation (4) (*a*) and (*c*), as well as any certificates, plans, schedules, rules and other documents relating to the scheme as a whole and which must be filed in a sectional title file, must be endorsed with a deeds registry date endorsement upon the lodgement thereof.".

Amendment of regulation 16C

3. Regulation 16C of the Regulations is hereby amended by the substitution for paragraph (*d*)(ii)(*aa*) of the following paragraph:

"(*aa*) that the necessary authority has been obtained for the signing of such document in a representative capacity on behalf of a natural person, company, close corporation, church, association, society, trust, other body of persons or an institution, whether created by statute or otherwise;".

Amendment of regulation 28

4. Regulation 28 of the Regulations is hereby amended-

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) The exclusive use areas referred to in section 5(3)(*f*) of the Act shall, where there is more than one area, be numbered and described in separate paragraphs in the certificate of real rights of exclusive use areas issued under any provision of the Act."; and

(b) by the substitution for subregulation (2) of the following subregulation:

"(2) Simultaneously with the transfer of a right to an exclusive use area referred to in sections 25 (1), 27 (3) and 60 (3) of the Act, the Registrar shall make an endorsement under his or her signature:

(a) the certificate of real right issued in terms of section 25 (2) (*f*), if such transfer is as a result of a reservation to extend a scheme in terms of section 25 (1) of the Act; or

(b) the schedule of conditions referred to in section 11 (3) (b), if such transfer is effected in terms of section 27 (3) of the Act; or

(c) annexure A if the exclusive use area has been granted under the Sectional Titles Act, 1971,

and the Registrar shall notify the Surveyor-General in respect of the endorsing of the said schedule of conditions, or annexure A, as the case may be.".

Amendment of Annexure 1

5. Annexure 1 to the Regulations is hereby amended –

(*a*) by the substitution for the footnote to form C of the following footnote:

" * Omit whichever is inapplicable.

† State name of township/suburb/local authority/description of farm.";

(*b*) by the substitution for form F of the following form:

"Form F

Prepared by me

....

CONVEYANCER

....

(State full name and surname in block letters.)

CERTIFICATE OF REAL RIGHT UNDER SECTION 12 (1) (e) OF THE SECTIONAL TITLES ACT, 1986

Whereas .... (hereinafter called the developer) has applied for the registration of a sectional plan in terms of section 11 (1) of the Sectional Titles Act, 1986,

*AND WHEREAS the developer has reserved for *himself/herself the right to extend the scheme as contemplated in section 25 (1) of the Act;

*AND WHEREAS no reservation was made by the developer in terms of section 25 (1) of the Act and the body corporate has not yet been established;

NOW, therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at .... do hereby certify that the developer or *his/her successor in title is the registered holder of the right to erect and complete from time to time within a period of .... for *his/her personal account † .... on the specified portion of the common property as indicated on the plan referred to in section 25 (2) (*a*) of the Act, filed in this office, and to:-

* divide such building or buildings into a section or sections and common property, and to confer the right to exclusive use over a portion of such common property upon the owner or owners of one or more sections in the scheme known as .... in respect of the land and building or buildings situated at ‡ .... and shown on Sectional Plan No SS. .... ;

* delineate exclusive use areas on or in specific parts of the land and buildings in terms of section 5(3)(*f*) and to confer the right of exclusive use over such areas upon the owner or owners of one or more sections in the scheme known as ...., in respect of the land and building or buildings situate at † .... and shown on Sectional Plan No. SS ....

Signed at ...., on ....

....
Registrar of Deeds

(Seal of Office)

* Delete whichever is not applicable.
† State which rights, i.e. section 25 (1) (*a*), (*b*) or (*c*) are reserved and where such rights are subdivided, state each right in a separate paragraph.
‡ State name of township/suburb/local authority/description of farm.";

(*c*) by the substitution for form G of the following form:

"Form G

Prepared by me

....
CONVEYANCER

....
(State full name and surname in block letters.)

CERTIFICATE OF REAL RIGHT: EXCLUSIVE USE AREAS

[In terms of sections 12 (1) (*f*), 25 and 27 of the Sectional Titles Act, 1986]

*WHEREAS .... (hereinafter called the developer) has applied for the registration of a sectional plan in terms of section 11 (1) of the Sectional Titles Act, 1986,

*WHEREAS .... (hereinafter called the developer) has applied for the registration of a sectional plan of extension in terms of section 25 of the Sectional Titles Act, 1986,

*WHEREAS the right to extend the scheme vests with the body corporate in terms of section 25 (6) of the Sectional Titles Act, 1986,

*AND WHEREAS the *developer / body corporate has in terms of section 5 (3) (*f*) of the said Act delineated certain exclusive use areas on the draft sectional plan;

*AND WHEREAS no reservation was made by the developer in terms of section 27 (1) (*a*) of the said Act and the body corporate has not yet been established;

NOW, therefore, I, the Registrar of Deeds at ...., do hereby certify that the *developer / body corporate is the registered holder of the right to the following exclusive use areas, namely †......................................, forming part of the common property and delineated as such on Sectional Plan No. SS .... in the scheme known as .... situated at ‡..

Signed at .... , on ....

....

Registrar of Deeds

(Seal of Office)

* Delete whichever is not applicable.

† Disclose each type of exclusive use area separately.

‡ Disclose name of town/suburb/local authority/description of farm.";

(*d*) by the substitution for form I of the following form:

"Form I

Prepared by me

....

Attorney/Notary/Conveyancer

(Use whichever is applicable)

....

(State full name and surname in block letters.)

Registrar of Deeds

APPLICATION UNDER SECTION * 15B (5) / 27 (7) (*a*) OF THE SECTIONAL TITLES ACT, 1986

I, ... *owner/joint owner of .... (furnish particulars of *unit/real right of extension/real right of exclusive use area) held by me, by virtue of ** .... hereby apply for a:-

* certificate of registered sectional title/certificate of right to an exclusive use area/certificate of right referred to in section 25 (1) in respect of my .... (state extent of the share) share in the aforesaid *unit/right to an exclusive use area/right referred to in section 25 (1);

* certificate of right to an exclusive use area for purposes of obtaining a separate title deed referred to in section 27(7)(*a*) in respect of ....(furnish particulars of right/s to exclusive use area/s).

....

Applicant

....

Date and place

* Omit whichever is not applicable.

** State type of sectional title deed and the number thereof.";

(*e*) by the substitution for the footnote to form J of the following footnote:

" * Omit whichever is not applicable.

** State name of township/suburb/local authority/description of farm.

† State type of sectional title deed(s) and the number(s) thereof.";

(*f*) by the substitution for form O of the following form:

"Form O

Prepared by me

....

CONVEYANCER

....

(State full name and surname in block letters.)

APPLICATION UNDER SECTION *22 (1), 23 (1), 24 (6), 25 (9) OR 26 (5) OF THE SECTIONAL TITLES ACT, 1986

I, the undersigned ...., do hereby apply to the registrar of deeds at .... for:

1. The registration of the attached sectional plan of subdivision of a *section/consolidation of sections/extension of sections/extension of scheme by the addition of sections and/or exclusive use areas/extension of scheme by the addition of land to the common property in terms of the provisions of section *22 (1)/ 23 (1)/ 24 (6)/ 25 (9)/ 26 (5) of the Sectional Titles Act, 1986, in respect of ‡Section No. ...., formerly Section No./Section Nos. .... as shown and more fully described on sectional plan No. SS .... in the scheme known as .... in respect of the land and building or buildings situate at †... and held under § ....

2. The issue of certificates of registered sectional title in terms of the provisions of section *22 (5)/ 23 (5)/ 25 (11) of the aforesaid Act in respect of

the sections as shown on the said sectional plan of *extension/subdivision/consolidation.

3. The issue of a certificate of real right in respect of a right to exclusive use as contemplated by section 25 (11) (if applicable).

Signed at .... on ....

....

Signature of Owner

* Delete whichever is not applicable.

† Insert name of town/suburb/local authority/description of farm.

‡ To be adapted for extension of sections and/or exclusive use areas and/or common property.

§ State type of sectional title deed(s) and the number(s) thereof.";

(*g*) by the substitution for the footnote to form P of the following footnote:

"* State name of township/suburb/local authority/description of farm.

† State type of sectional title deed(s) and the number(s) thereof.";

(*h*) by the substitution for the footnote to form Q of the following footnote:

"* Insert name of township/suburb/local authority/description of farm.

† State type of sectional title deed(s) and the number(s) thereof.";

(*i*) by the substitution for form R of the following form:

"Form R

Prepared by me

....

CONVEYANCER

....

(State full name and surname in block letters.)

CERTIFICATE OF REAL RIGHT UNDER SECTION 25 (6) OF THE SECTIONAL TITLES ACT, 1986

Whereas the right to extend the scheme vests with the body corporate of .... under the provisions of section 25 (6) of the Act:

Now, therefore, I, the Registrar of Deeds at .... in pursuance of the provisions of the said Act, do hereby certify that the said body corporate is the registered holder of the right to erect and complete from time to time: * .... on the specified portion of the common property as indicated on the plan referred to in section 25 (2) (a) of the Act filed in this office, and to –

** divide such building or buildings into a section or sections and common property and to confer the right of exclusive use over portions of such common property upon the owner or owners of one or more sections in the scheme known as ...., in respect of the land and building or buildings situate at † .... and shown on Sectional Plan No. SS .... ;

** delineate exclusive use areas on or in specific parts of the land and buildings in terms of section 5(3)(f) and to confer the right of exclusive use over such areas upon the owner or owners of one or more sections in the scheme known as ...., in respect of the land and building or buildings situate at † .... and shown on Sectional Plan No. SS ....

Signed at .... on ....

....
Registrar of Deeds

Seal of Office

* State which rights i.e. section 25 (1) (*a*), (*b*) or (*c*) are reserved.

** Delete whichever is not applicable.

† State name of township/suburb/local authority/description of farm."; and

(*j*) by the substitution for form AI of the following form:

"Form AI

Prepared by me

....

CONVEYANCER

....

(State full name and surname in block letters.)

CERTIFICATE UNDER SECTION * 15B (5) / 27 (7) OF THE SECTIONAL TITLES ACT, 1986

WHEREAS .... has applied for the issuing of:-

* a certificate of registered sectional title / certificate of right to an exclusive use area / certificate of right referred to in section 25 (1) of the Sectional Titles Act, 1986, in respect of his/her .... (state extent of the share) undivided share in respect of the undermentioned *unit / right to an exclusive use area / right referred to in section 25 (1);

* a separate title deed as contemplated in section 27 (7) in respect of the undermentioned exclusive use areas, being exclusive use areas registered in his/her name held by virtue of *Certificate of Real Rights: Exclusive Use Areas / Notarial Deed of Cession of Exclusive Use Areas (state No. of title deed) .... dated ....;

NOW THEREFORE, in terms of the provisions of the said Act, I, Registrar of Deeds, at .... hereby certify that the said .... heirs, executors, administrators, or successors in title, or assigns is/are the registered holder/s of certain ‡... (describe the unit / right/s to the exclusive use area/s / right referred to in section 25(1)) and that by virtue of these presents (he, she or it) is now and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have signed this Deed, and have caused the seal of office to be affixed thereto.

Signed at ...., on ....

....

Registrar of Deeds

(Seal of Office)

* Delete whichever is not applicable.
‡ Disclose each unit / type of exclusive use area / section 25(1) right separately.".

Amendment of Annexure 8

6. Annexure 8 to the Regulations is hereby amended –

(a) by the substitution for rule 7 of the following rule:

"Nominations

7. Nominations by owners for the election of trustees at any annual general meeting shall be given in writing, accompanied by the written consent of the person nominated, so as to be received at the domicilium of the body corporate not later than 48 hours before the meeting: Provided that trustees are also capable of being elected by way of nominations with the consent of the nominee given at the meeting itself should insufficient written nominations be received to comply with rule 4 (1): Provided further that no nomination or appointment as trustee, of a person in breach of rule 64, may be made or accepted: Provided further that an owner in breach of rule 64 may not nominate any person as a trustee.";

(b) by the substitution in rule 15 for subrule (5) of the following subrule:

"(5) An owner shall be entitled to attend, on invitation, any meeting of the trustee, but shall not in his or her capacity as such be entitled to vote thereat";

(c) by the insertion in rule 31 after the deleted subrule (4A) of the following subrule:

"(4Aa) After the expiry of a financial year and until they become liable for contributions in respect of the ensuing financial year, owners are liable for contributions in the same amounts and payable in the same instalments as were due and payable by them during the expired financial year: Provided that the trustees may, if they consider it necessary and by written notice to the owners, increase the contributions due by the owners by a maximum of 10 per cent excluding capital expenditure to take account of the anticipated increased liabilities of the body corporate. Such increase shall be ratified or changed after the Annual General Meeting by the trustees once the body corporate has approved or amended the schedule of income and expenditure."; and

(d) by the substitution for rule 70 of the following rule:

"70. If an owner—

(*a*) fails to repair or maintain his or her section in a state of good repair as required by section 44 (1) (*c*) of the Act; or

(*b*) fails to maintain adequately any improvement on any area of the common property allocated for his or her exclusive use,

and if any such failure persists for a period of thirty days after the giving of written notice by the trustees or the managing agent to repair or to maintain, as the case may be, the body corporate shall be entitled to remedy the owner's failure and to recover, subject to section 37(1)(*b*), the reasonable cost of doing so from such owner.".

Short title

7. These regulations shall be known as the Sectional Titles Amendment Regulations, 2015.

No. R. 548 **30 Junie 2015**

WET OP DEELTITELS, 1986: WYSIGING VAN REGULASIES

Ek, Gugile Ernest Nkwinti, Minister van Landelike Ontwikkeling en Grondhervorming, kragtens artikel 55 van die Wet op Deeltitels, 1986 (Wet No. 95 van 1986), na raadpleging met die deeltitelregulasieraad, wysig hiermee die Regulasies afgekondig by Goewermentskennisgewing No. R. 664 van 8 April 1988, soos in die Bylae hiervan uiteengesit. Die Regulasies tree in werking een maand vanaf die datum van publikasie hiervan in die *Staatskoerant*.

NKWINTI G E (MP)
MINISTER VAN LANDELIKE ONTWIKKELING EN GRONDHERVORMING

BYLAE

Woordomskrywings

1. In hierdie Bylae beteken "die Regulasies" die Regulasies afgekondig by Goewermentskennisgewing No. R. 664 van 8 April 1988 (soos verbeter deur Goewermentskennisgewing No. R. 991 van 27 Mei 1988), soos gewysig.

Wysiging van regulasie 13

2. Regulasie 13 van die Regulasies word hierby gewysig-

(a) deur paragraaf (*a*) van subregulasie (4) deur die volgende paragraaf te vervang:

"(*a*) die dokumente in artikel 11(3) van die Wet bedoel, uitgesonderd die sertifikate van geregistreerde deeltitel, die eienaar se afskrif van die titelbewys van die grond, die verband, die titelbewys van enige saaklike reg geregistreer oor die grond, en die sertifikate van saaklike regte soos bedoel in artikels 11(3)(*fB*) en 11(3)(*fC*);"; en

(b) deur subregulasie (4A) deur die volgende subregulasie te vervang:

"(4A) Die dokumente, kennisgewings en korrespondensie in subregulasie (4) (a) en (c) bedoel, asook enige sertifikate, planne, bylaes, reëls en ander dokumente wat betrekking het op die skema as geheel en wat in 'n deeltitelleêr geliasseer moet word, moet met 'n datumstempel van 'n aktekantoor geëndosseer word tydens indiening daarvan.".

Wysiging van regulasie 16C

3. Regulasie 16C van die Regulasies word hierby gewysig deur paragraaf (*d*)(ii)(*aa*) deur die volgende paragraaf te vervang:

"(*aa*) dat die nodige magtiging verkry is vir die ondertekening van sodanige dokument in 'n verteenwoordigende hoedanigheid ten behoewe van 'n natuurlike persoon, maatskappy, beslote korporasie, kerk, vereniging, genootskap, trust, ander liggaam van persone of 'n instelling, hetsy geskep kragtens wet of andersins;".

Wysiging van regulasie 28

4. Regulasie 28 van die Regulasies word hierby gewysig-

(*a*) deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die uitsluitlike gebruiksgebiede in artikel 5(3)(*f*) van die Wet bedoel, moet wanneer daar meer as een gebied is, in aparte paragrawe in die sertifikaat van saaklike regte van uitsluitlike gebruiks gebiede wat uitgereik is kragtens enige bepaling van die Wet, genommer en beskryf word."; en

(*b*) deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Gelyktydig met die oordrag van 'n reg tot 'n uitsluitlike gebruiksgebied soos bedoel in artikels 25(1), 27(3) en 60(3) van die Wet, endosseer die registrateur onder sy of haar handtekening:

(a) die sertifikaat van saaklike regte uitgereik kragtens artikel 25(2)(*f*), indien die oordrag die gevolg is van 'n voorbehoud tot 'n uitbreiding van 'n skema in terme van artikel 25(1) van die Wet; of

(b) die bylae van voorwaardes bedoel in artikel 11(3)(*b*), indien die oordrag plaasgevind het in terme van artikel 27(3) van die Wet; of

(c) die aanhangsel A, indien die uitsluitlike gebruiksgebied toegeken is kragtens die Wet op Deeltitels, 1971,

en stel die registrateur die landmeter-generaal in kennis ten opsigte van die endossering van die gemelde bylae van voorwaardes, of aanhangsel

A, na gelang van die geval.".

Wysiging van Aanhangsel 1

5. Aanhangsel 1 tot die Regulasies word hierby gewysig –

(*a*) deur die voetnota in vorm C deur die volgende voetnota te vervang:

" * Skrap wat nie van toepassing is nie.

‡ Vermeld naam van dorp/voorstad/plaaslike bestuur/beskrywing van plaas.";

(*b*) deur vorm F deur die volgende vorm te vervang:

"Vorm F

Opgestel deur my

....

TRANSPORTBESORGER

....

(Vermeld volle naam en van in blokletters.)

SERTIFIKAAT VAN SAAKLIKE REGTE KRAGTENS ARTIKEL 12 (1) (*e*) VAN DIE WET OP DEELTITELS, 1986

NADEMAAL .... (hierna die ontwikkelaar genoem) aansoek gedoen het om die registrasie van 'n deelplan ingevolge artikel 11 (1) van die Wet op Deeltitels, 1986,

* EN NADEMAAL die ontwikkelaar *homself/haarself die reg voorbehou het om die skema uit te brei soos in artikel 25 (1) van die Wet bedoel;

* EN NADEMAAL geen voorbehoud deur die ontwikkelaar ingevolge artikel 25 (1) van die Wet gemaak is nie en die regspersoon nog nie gestig is nie;

SO is dit dat ingevolge die bepalings van genoemde Wet, ek, die Registrateur

van Aktes te ...., hierby sertifiseer dat die ontwikkelaar of *sy/haar opvolger in titel die geregistreerde houer is van die reg om van tyd tot tyd binne 'n tydperk van .... vir *sy/haar persoonlike rekening †.. op te rig en te voltooi op die aangewese gedeelte van die gemeenskaplike eiendom soos aangetoon op die plan soos bedoel in artikel 25 (2) (*a*) van die Wet, in hierdie kantoor geliasseer, en:-

* om sodanige gebou of geboue in 'n deel of dele en gemeenskaplike eiendom te verdeel, en om die reg tot uitsluitlike gebruik oor 'n gedeelte van daardie gemeenskaplike eiendom te verleen aan die eienaar of eienaars van een of meer dele in die skema bekend as .... ten opsigte van die grond en gebou of geboue geleë te ‡ .... en getoon op .... Deelplan No. SS. .... ;

* om uitsluitlike gebruiksgebiede op of in bepaalde gedeeltes van die grond en geboue ingevolge artikel 5(3)(*f*) te skets en om die reg tot uitsluitlike gebruik oor daardie gebiede te verleen aan die eienaar of eienaars van een of meer dele in die skema bekend as .... ten opsigte van die grond en gebou of geboue geleë te ‡ .... en getoon op .... Deelplan No. SS. ....

Geteken te .... , op ....

....

Registrateur van Aktes

(Ampseël)

* Skrap wat nie van toepassing is nie.

† Vermeld watter regte, d.i. artikel 25 (1) (*a*), (*b*), (*c*) voorbehou word en vermeld elke reg in 'n aparte paragraaf indien sodanige reg onderverdeel is.

‡ Vermeld naam van dorp/voorstad/plaaslike owerheid/beskrywing van plaas.";

(*c*) deur vorm G deur die volgende vorm te vervang:

"Vorm G

Opgestel deur my

....

TRANSPORTBESORGER

....

(Vermeld volle naam en van in blokletters.)

SERTIFIKAAT VAN SAAKLIKE REGTE: UITSLUITLIKE GEBRUIKSGEBIEDE
[Kragtens artikel 12 (1) (*f*), 25 en 27 van die Wet op Deeltitels, 1986]

* NADEMAAL .... (hierna die ontwikkelaar genoem) aansoek gedoen het om die registrasie van 'n deelplan ingevolge artikel 11 (1) van die Wet op Deeltitels, 1986,

* NADEMAAL .... (hierna die ontwikkelaar genoem) aansoek gedoen het om die registrasie van 'n deelplan van uitbreiding ingevolge artikel 25 van die Wet op Deeltitels, 1986,

* EN NADEMAAL die reg van uitbreiding vestig in die regspersoon ingevolge artikel 25(6) van die Wet op Deeltitels, 1986,

* EN NADEMAAL die *ontwikkelaar / regspersoon ingevolge artikel 5 (3) (*f*) van genoemde Wet sekere uitsluitlike gebruiksgebiede op die deelplan geskets het;

* EN NADEMAAL geen voorbehoud deur die ontwikkelaar ingevolge artikel 27 (1) (*a*) van genoemde Wet gemaak is nie en die regspersoon nog nie tot stand gekom het nie;

SO is dit dat ek, die Registrateur van Aktes te ...., hierby sertifiseer dat die *ontwikkelaar / regspersoon die geregistreerde houer is van die reg op die volgende uitsluitlike gebruiksgebiede, naamlik †.................................., wat deel vorm van die gemeenskaplike eiendom en as sodanig geskets is op Deelplan No. SS .... in die skema bekend as .... geleë te ‡..

Geteken te .... op ....

....

Registrateur van Aktes

(Ampseël)

* Skrap wat nie van toepassing is nie.

† Vermeld elke tipe uitsluitlike gebruiksgebied afsonderlik.

‡ Vermeld naam van dorp/voorstad/plaaslike bestuur/beskrywing van plaas.";

(*d*) deur vorm I deur die volgende vorm te vervang:

"Vorm I

Opgestel deur my

....

PROKUREUR/NOTARIS/
TRANSPORTBESORGER
(Gebruik wat ook al van
toepassing is.)

....

(Vermeld volle naam en
van in blokletters.)

Registrateur van Aktes

AANSOEK KRAGTENS ARTIKEL *15B (5) / 27(7)(*a*) VAN DIE WET OP DEELTITELS, 1986

Ek, ... *eienaar/mede-eienaar van .... (vermeld besonderhede van *eenheid/reg op 'n uitsluitlike gebruiksgebied/reg bedoel in artikel 25 (1)) wat deur my kragtens ** .... gehou word, doen hierby aansoek om:-

* 'n *sertifikaat van geregistreerde deeltitel/sertifikaat van reg op 'n uitsluitlike gebruiksgebied/sertifikaat van reg bedoel in artikel 25 (1) ten opsigte van my .... (vermeld grootte van aandeel) aandeel in

gemelde *eenheid/reg op 'n uitsluitlike gebruiksgebied/reg bedoel in artikel 25 (1);

* 'n sertifikaat van reg op uitsluitlike gebruiksgebied vir doeleindes van die uitreiking van 'n afsonderlike titelakte soos bedoel in artikel 27(7)(*a*) ten opsigte van ....(vermeld besonderhede van regte tot uitsluitlike gebruiks gebiede)

....

Applikant

....

Datum en plek

* Laat weg wat nie van toepassing is nie.

** Vermeld tipe titelbewys en die nommer daarvan.";

(*e*) deur die voetnota in vorm J deur die volgende voetnota te vervang:

"* Laat weg wat nie van toepassing is nie.

** Vermeld naam van dorp/voorstad/plaaslike owerheid/ beskrywing van plaas.

† Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.";

(*f*) deur vorm O deur die volgende vorm te vervang:

"Vorm O

Opgestel deur my

....

TRANSPORTBESORGER

....

(Vermeld volle naam en van in blokletters.)

AANSOEK KRAGTENS ARTIKEL *22 (1), 23 (1), 24 (6), 25 (9) OF 26 (5) VAN DIE WET OP DEELTITELS, 1986

Ek, die ondergetekende ...., doen hierby aansoek by die Registrateur van Aktes te .... om—

1. Die registrasie van die aangehegte deelplan van onderverdeling van 'n *deel/konsolidasie van dele/uitbreiding van dele/uitbreiding van skema deur die byvoeging van dele en/of uitsluitlike gebruiksgebiede/uitbreiding van 'n skema deur die byvoeging van grond by gemeenskaplike eiendom ingevolge die bepalings van artikel *22 (1)/23 (1)/24 (6)/25 (9)/26 (5) van die Wet op Deeltitels, 1986, ten opsigte van ‡Deel No. ...., voorheen deel No./dele Nos. .... aangetoon en vollediger beskryf op Deelplan No. SS ...., in die skema bekend as .... ten opsigte van die grond en gebou of geboue, geleë te †.................................... en gehou kragtens §.......................................

2. Die uitreiking van sertifikate van geregistreerde deeltitel ingevolge die bepalings van artikel *22 (5)/23 (5)/25 (11) van gemelde Wet ten opsigte van die dele aangedui op die gemelde Deelplan van *onderverdeling/konsolidasie/uitbreiding.

3. Die uitreiking van 'n sertifikaat van saaklike reg ten opsigte van 'n reg tot uitsluitlike gebruiksgebied soos beoog in artikel 25 (11) (indien van toepassing).

Geteken te .... op ....

....

Handtekening van Eienaar

* Skrap weg wat nie van toepassing is nie.

† Vermeld naam van dorp/voorstad/plaaslike owerheid/beskrywing van plaas.

‡ Moet aangepas word vir uitbreiding van dele en/of uitsluitlike gebruiksgebiede en/of gemeenskaplike eiendom.

§ Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.";

(*g*) deur die voetnota in vorm P deur die volgende voetnota te vervang:

"* Vermeld naam van dorp/voorstad/plaaslike bestuur/beskrywing van plaas.

† Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.";

(*h*) deur die voetnota in vorm Q deur die volgende voetnota te vervang:

"* Vermeld naam van dorp / voorstad / plaaslike bestuur / beskrywing van plaas.

† Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.";

(*i*) deur vorm R deur die volgende vorm te vervang:

"Vorm R

Opgestel deur my

....

TRANSPORTBESORGER

....

(Vermeld volle naam en van in blokletters.)

SERTIFIKAAT VAN SAAKLIKE REGTE KRAGTENS ARTIKEL 25 (6) VAN DIE WET OP DEELTITELS, 1986

Aangesien die reg om die skema uit te brei by die regspersoon van .... berus kragtens die bepalings van artikel 25 (6) van die Wet;

Derhalwe sertifiseer ek, Registrateur van Aktes te ...., hierby dat ooreenkomstig die bepalings van gemelde Wet die gemelde regspersoon die geregistreerde houer is van die reg om van tyd tot tyd * .... op te rig en te voltooi op die aangewese gedeelte van die gemeenskaplike eiendom soos aangetoon op die plan (soos bedoel in artikel 25 (2) (a) van die Wet) in hierdie kantoor geliasseer, en om –

** sodanige gebou of geboue te verdeel in 'n deel of dele en gemeenskaplike eiendom, en om die reg van uitsluitlike gebruik op gedeeltes van sodanige

gemeenskaplike eiendom toe te ken aan die eienaar of eienaars van een of meer van die dele in die skema bekend as ...., ten opsigte van die grond en gebou of geboue geleë te † ....en getoon op Deelplan No. SS .... ;

** uitsluitlike gebruiksgebiede op of in bepaalde gedeeltes van die grond en geboue ingevolge artikel 5 (3) (*f*) te skets en om die reg tot uitsluitlike gebruik oor daardie gebiede te verleen aan die eienaar of eienaars van een of meer dele in die skema bekend as .... ten opsigte van die grond en gebou of geboue geleë te ‡ .... en getoon op .... Deelplan No. SS. ....

Geteken te .... op ....

....

Registrateur van Aktes

Ampseël

* Vermeld watter regte, d.i. artikel 25 (1) (*a*), (*b*) of (*c*) voorbehou is

** Skrap wat nie van toepassing is nie.

† Vermeld naam van dorp/voorstad/plaaslike bestuur/ beskrywing van plaas."; en

(*j*) deur vorm AI deur die volgende vorm te vervang:

"Vorm AI

Opgestel deur my

....

TRANSPORTBESORGER

....

(Vermeld volle naam en van in blokletters.)

SERTIFIKAAT INGEVOLGE ARTIKEL *15 B (5) / 27 (7) VAN DIE WET OP DEELTITELS, 1986

NADEMAAL .... aansoek gedoen het om die uitreiking van:-

* 'n sertifikaat van geregistreerde deeltitel/sertifikaat van reg tot uitsluitlike gebruiksgebied / sertifikaat van reg bedoel in artikel 25(1) van die Wet op Deeltitels, 1986, ten opsigte van sy/haar .... (vermeld grootte van aandeel) onverdeelde aandeel ten opsigte van die ondergemelde eenheid/reg tot uitsluitlike gebruiksgebied/reg soos bedoel in artikel 25(1);

* 'n afsonderlike titelbewys soos beoog in artikel 27 (7) ten opsigte van die ondergemelde uitsluitlike gebruiksgebiede, synde uitsluitlike gebruiksgebiede geregistreer op sy/haar naam gehou kragtens *Sertifikaat van Saaklike Regte: Uitsluitlike Gebruiksgebiede/Notariële Akte van Sessie van Uitsluitlike Gebruiksgebiede (vermeld nommer van titelakte) .... gedateer ....,

So is dit dat ingevolge die bepalings van genoemde Wet, ek, die Registrateur van Aktes te .... hierby sertifiseer dat voornoemde .... erfgename, eksekuteurs, administrateurs of regverkrygendes, die geregistreerde houer(s) is van sekere ‡............................ (beskryf die eenheid / reg/te tot die uitsluitlike gebruiksgebied/e / reg soos bedoel in artikel 25(1), en dat kragtens hierdie sertifikaat (hy, sy of die) nou en voortaan daartoe geregtig is ooreenkomstig plaaslike gebruik, maar behoudens die regte van die Staat.

Ten bewyse waarvan ek, voornoemde Registrateur, hierdie Akte onderteken en met die ampseël bekragtig het.

Geteken te .... op ....

....

Registrateur van Aktes

(Ampseël)

* Skrap wat nie van toepassing is nie.

‡ Vermeld elke eenheid/tipe uitsluitlike gebruiksgebied/artikel 25(1) reg afsonderlik.".

Wysiging van Aanhangsel 8

6. Aanhangsel 8 tot die Regulasies word hierby gewysig-

(a) deur reël 7 deur die volgende reël te vervang:

"Nominasies

7. Nominasies deur eienaars vir die verkiesing van trustees by enige algemene jaarvergadering moet skriftelik gegee word, vergesel van die skriftelike aanvaarding van die nominasie deur die genomineerde, en moet minstens 48 uur voor daardie algemene jaarvergadering by die regspersoon se domicilium ontvang word: Met dien verstande dat trustees ook verkies kan word deur middel van nominasies vergesel van die aanvaarding van die genomineerde wat tydens die vergadering verstrek word vir geval onvoldoende skriftelike nominasies ten einde aan reël 4(1) te kan voldoen, ontvang word: Met dien verstande verder dat geen nominasie of aanstelling as trustee, van 'n persoon wat in verbreking is van reël 64, gemaak of aanvaar kan word nie: Met dien verstande verder dat 'n pesoon wat in verbreking van reël 64 is, geen persoon as trustee mag nomineer nie.";

(b) deur die vervanging in reël 15 van subreël (5) deur die volgende subreël:

"(5) 'n Eienaar is geregtig om op uitnodiging enige vergadering van die trustees by te woon maar is nie in sy of haar hoedanigheid as sodanig, geregtig om daarop te stem nie.";

(c) deur in reël 31 die volgende subreël na die geskrapte subreël (4A) in te voeg:

"(4Aa) Na verstryking van 'n finansiële jaar en totdat hulle aanspreeklik raak vir bydraes met betrekking tot die huidige finansiële jaar, sal eienaars aanspreeklik wees vir bydraes in dieselfde bedrag en

betaalbaar in dieselfde paaiemente soos verskuldig en betaalbaar was deur hulle gedurende die vorige finansiële jaar: Met dien verstande dat die trustees, indien hulle dit nodig ag en skriftelike kennisgewing aan die eienaars rig, die bydraes verskuldig deur eienaars met 'n maksimum van tien per sent mag verhoog met die uitsluiting van kapitale uitgawes ten einde die verwagte verhoogde aanspreeklikheid van die regspersoon in ag te neem. Die trustees sal sodanige verhoging bekragtig of verander ná die afloop van die Algemene jaarvergadering en nadat die regspersoon die bylae van inkomste en uitgawes goedgekeur of gewysig het."; en

(*d*) deur reël 70 deur die volgende reël te vervang:

"**70.** Indien die eienaar—

(*a*) versuim om sy of haar deel te herstel of in stand te hou soos bedoel in artikel 44(1)(*c*) van die Wet; of

(*b*) versuim om enige verbeterings op enige deel van die gemeenskaplike eiendom wat vir sy of haar uitsluitlike gebruik en genot toegewys is, behoorlik te versorg,

en indien enige sodanige versuim voortduur vir 'n tydperk van 30 dae na skriftelike kennisgewing deur die trustees of die bestuurder om te herstel of in stand te hou, na gelang van die geval, kan die regspersoon, behoudens die bepalings van artikel 37(1)(b), die eienaar se versuim regstel en die redelike koste daarvan van sodanige eienaar verhaal.".

Kort titel

7. Hierdie Regulasies heet die Deeltitel Wysigingsregulasies, 2015.

IMPORTANT
Information
from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – ____________________)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

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