



rural development & land reform

Department:
Rural Development and Land Reform
REPUBLIC OF SOUTH AFRICA

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REGISTRAR'S CIRCULAR NO 1 OF 2016

PROPERTY SITUATION IN SECTIONAL TITLE TRANSFERS

1. PURPOSE

The purpose of this Circular is to clarify how the property situation in a sectional title transfer (prescribe form H) should read.

2. BACKGROUND

The description of the property situation is prescribe in Form H to Annexure 1 of the regulations to the Sectional Titles Act, Act 95 of 1986, however if the underlying property over which the scheme is opened is a farm property, RCR 64/2008 requires additional information other than that set out in form H.

3. DESCRIPTION OF PROPERTY SITUATION

3.1. WHERE THE UNDERLYING PROPERTY IS NOT A FARM PROPERTY

*1 A unit consisting of-

(a) Section No 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 situated at ‡..... of which section the floor area according to the said sectional plan is square metres in extent; and

(b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

The abovementioned situation must be completed by either disclosing the;

‡ local authority (Municipality) and name of township or suburb

3.2. WHERE THE UNDERLYING PROPERTY IS A FARM PROPERTY

*1 A unit consisting of-

(a) Section No 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 situated at ‡..... of which section the floor area according to the said sectional plan is square metres in extent; and

(b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

The abovementioned situation must be completed by either disclosing the;

‡ local authority (Municipality) and full description of the farm property inclusive of the registration division and province

Registrars Conference Resolution 64/2008 must be consulted in this regard.

3.3. IS SECTION 4(1)(b) OF THE DEEDS REGISTRIES ACT, ACT 47 OF 1937 REQUIRED TO UPDATE THE TITLE DEED

It will not be required for the amendment of already registered deeds to follow new property situation and therefore it will not be required to call for section 4(1)(b) of the Deeds Registries Act, Act 47 of 1937 applications.


REGISTRAR OF DEEDS
PIETERMARITZBURG
DATE: 03 February 2016