



rural development  
& land reform

Department:  
Rural Development and Land Reform  
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE CHIEF REGISTRAR OF DEEDS  
Private Bag X918, Pretoria, 0001; Tel: 012 338 7000

## CHIEF REGISTRAR'S CIRCULAR NO. 1 OF 2019

### DEEDS REGISTRIES ACT, 1937 (ACT NO. 47 OF 1937) AMENDMENT OF REGULATIONS

#### 1. COMMENCEMENT OF AMENDED REGULATIONS

The amended regulations, published under Government Notice No. R. 62 in Government Gazette No. 42186 dated 25 January 2019, shall be effective from 25 February 2019.

#### 2. NATURE AND/OR IMPACT OF THE AMENDMENTS

##### 2.1. Amendment of regulation 68:

2.1.1 The amendment to regulation 68(1), now provides for the attestation of an affidavit by notaries public only. This however, on reconsideration, is impractical and may cause undue hardship to the public.

2.1.2 Due to an increase in fraudulent transactions a need has arisen for stricter procedures in respect of the *issuing of copies* as provided for in regulation 68 of the Act. The insertion of regulation 68 (1E)(a) to (c), to provide for publication in a *Government Gazette*, aims to address this problem. However, *Government Gazettes* are not widely read and the Board has therefore decided to amend regulation 68(1E)(a) to provide for publication in a newspaper circulating in the area in which the property is situated, and not in a *Government Gazette*.

2.1.3 The amendment of regulation 68(11), by making reference to regulation 68(1E), was an oversight. It was intended that notification of the intention to apply for a certified copy of the bond be published and not notification of the intention to cancellation of the bond itself.

- ***In view of the above, the Deeds Registries Regulations Board at a meeting on 19 February 2019, resolved to suspend the implementation of the amendments to regulation 68, as referred to above, until further notice.***

## 2.2. Amendment of Form E:

Form E currently provides for the *purchase price* of a property to be reflected in a deed of transfer. However, transfer of property may be as a result of donation, estate transfer, etc. which does not involve a purchase price. The amendment of Form E caters for reference to be made to transactions other than sale agreements.

## 2.3. Addition of Forms JJJ and KKK:

The addition of Forms JJJ and KKK are consequential to the amendment of regulation 68 and are accordingly also suspended until further notice.

## 3. IMPLEMENTATION OF AMENDED REGULATIONS

The amendment of Form E must be applied only to deeds lodged on or after the date of commencement thereof (25 February 2019).

  
 CHIEF REGISTRAR OF DEEDS

DATE: 20/2/2019

REFERENCE: A. 14/P AND 10/2/3

RINGBINDER 54

CHIEF REGISTRAR OF DEEDS

REGISTRARS OF DEEDS

DEEDS TRAINING

LAW SOCIETY OF SOUTH AFRICA : PRETORIA

PROPERTY LAW COMMITTEE : PRETORIA