

CHIEF REGISTRAR'S CIRCULAR NO. 5 OF 2009

STAMP DUTIES ACT, 1968 (ACT NO. 77 OF 1968), AS REPEALED BY THE REVENUE LAWS AMENDMENT ACT, 2008 (ACT NO. 60 OF 2008)

1. REPEAL OF ACT NO. 77 OF 1968

- 1.1. The Stamp Duties Act, 1968 (Act No. 77 of 1968), herein after referred to as the Act, has been repealed by section 103 of the Revenue Laws Amendment Act, 2008 (Act No. 60 of 2008), with effect from 1 April 2009.
- 1.2. It is important to note that section 103(3) of Act No. 60 of 2008 provides for the provisions of the Act to continue in respect of any instrument described in Schedule 1 of the Act, that has been executed before 1 April 2009.

'Instrument', in Item 14 of Schedule 1 to the Act relates to 'Lease or agreement of lease (including any instrument intended or operating as a lease or sub-lease or as an agreement to let or sub-let) whereby immovable property is let for a period as contemplated in section 22 (2) which is longer than five years, whether with or without other assets or rights, provided transfer duty is not chargeable in respect of such lease or agreement:'.

The provisions of the Act are therefore still applicable to lease agreements that have been entered into prior to 1 April 2009.

2. REPEAL AND AMENDMENT OF CHIEF REGISTRAR'S CIRCULARS

As a result of the repeal of the Act, the following Chief Registrar's Circulars are repealed to the extent as indicated below:

Circular No:	Extent of repeal:
12/1950	Whole
3/1969	Whole
7/1969	Paragraphs (h) and (i)
2/1974	Paragraphs 2.3.5 to 2.3.5.4
8/1989	Paragraphs 5.4 and 5.5
4/2000	Whole
9/2001	Whole



CHIEF REGISTRAR OF DEEDS
DATE: 14 APRIL 2009

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

MANAGER: BUTTERWORTHS PUBLICATIONS : DURBAN

CHAIRPERSON: PROPERTY LAW COMMITTEE : PRETORIA