



DEPARTMENT: LAND AFFAIRS
REPUBLIC OF SOUTH AFRICA

Deeds Registry Cape Town, Private Bag X9073, Tel (021) 464 7600 Fax (021) 464 7727

Registrars Circular 1 of 2005

In order to arrive at some form of Uniformity regarding the rejection of deeds and to address the standards within the Deeds Registry Cape Town, the following are given as guidelines.

1. Regulations 43, 43(2) and 44 of the Deeds Office Act, whether signed before or after lodgement, whoever signs accepts responsibility. Examiners must raise a note requesting the Conveyancer to comply with the aforesaid regulations on prep. Deeds may therefor not be rejected for unsigned Regulations 43 or 44 certificates, unless deeds are rejected for other reasons. If the Conveyancer has however not complied with both regulations 43, 43(2) and 44 examiners may reject such deeds. It is responsibility of the Conveyancer to ensure that the provisions of the aforesaid regulations are complied with before lodgement.
2. Where liquidation or sequestration orders have not yet been filed in the office, the Conveyancer must be requested to submit a certified copy of the order to the personnel section for processing and deeds should not be rejected. A copy of the order must also be filed with the deed and the examiners must request the Conveyancer to obtain a new print out, on prep, reflecting the liquidation or sequestration order.
3. Amendments to important details in Powers of Attorney – for instance the transferor's or Mortgagor's name, identity number or status, bond amount or additional amount in the draft bond and ranking clauses should be initialed in full and deeds may be rejected. Other details may be verified by way of Conveyancer's Certificate or the preparer may initial the amendment. Naturally if the Erf number is incorrect in the Power of Attorney the deed must be rejected.
4. Other areas of contention for rejections are amendments to divesting clauses, division property falls in, extents, title numbers, diagram deeds, diagram numbers, general plan numbers, creative deeds, pivot deeds. In all these cases deeds need not be rejected if the incorrect information is neatly deleted and the correct information typed in. If an interlineation can obviously not be made to satisfy Micro-filming requirements the relevant page must be re-typed and referred to the relevant junior examiner and **must** also be checked by Chief Deeds Controllers.

