



rural development  
& land reform

Department:  
Rural Development & Land Reform  
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE REGISTRAR OF DEEDS  
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## Registrars Circular 11 of 2013

### 1. Purpose

To provide clarity regarding the lodgement of rates clearance certificates in respect of a)

- b) Phase development.
- c) Subdivisions
- d) First Transfers from townships

### 2. Lodgement of Rates Clearance Certificates

#### a) Opening of a Sectional Title Schemes

1. On opening of a sectional title scheme **WITHOUT** any simultaneous transfers of units and/or cessions of EUA, **NO** Rates Clearance certificate is required.
2. On opening of a sectional title scheme **WITH** simultaneous transfers of units and/or cessions of EUA's rates clearance certificate is required for the units and/or EUA's. If a local authority is not in a position to issue a rates clearance certificate for a unit and/or an EUA, the examiner must accept a letter from the relevant local authority stating that the particular property or right to be transferred or ceded is not yet ratable together with a rates clearance certificate for the land.

#### b) Registration of a Phase Development.

1. On registration of a phase development in a sectional title scheme **WITHOUT** any simultaneous transfers of units and/or cessions of EUA, **NO** rates clearance certificate is required.
2. On registration of a phase development in a sectional title scheme **WITH** simultaneous transfer of units and/or cession's of EUA's a rates clearance certificate is required for the units and/or EUA's. If a local authority is not in a position to issue a rates clearance certificate for a UNIT or EUA, the examiners must accept a letter stating that the particular property or right to be transferred or ceded is not yet ratable.

**No** rates certificate for the land is required once a body corporate has been established –see section 15 B (3)(b) and RCR 58/2009

**c) Subdivisions**

With regard to transfers from a general plan of subdivision in terms of Section 3(1) (t) Act 47/1937 or first transfers of any newly created portion of an erf or farm depicted on a sub divisional diagram the following rules will apply:-

1.1 Rates Clearance certificate for the specific portion or erf must be lodged

Or

1.2 The examiner must accept a rates clearance certificate for the parent property, no letter is required.

**d) Township**

With regard to first transfers from a township title the following rules will apply:-

1.1 A rates clearance certificate for the specific erf or erven must be lodged,

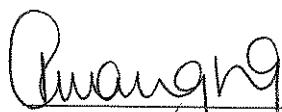
Or

1.2 A rates clearance certificate for the remainder of the township,

Or

1.3 A rates clearance certificate for the farm on which the township was laid out accompanied by a letter from the local authority stating that the particular property to be transferred is covered by the clearance certificate that was issued.

3. Registrars Circular no 1/2011, 4/2012 8/2013 and 9/2013 are hereby withdrawn



REGISTRAR OF DEEDS

PRETORIA

DATE: 21/10/2013