

15 September 2014

APPORTIONMENT OF FEES: SECTIONAL TITLES: RECOMMENDED APPORTIONMENT OF FEES BETWEEN PRACTITIONERS IN KWAZULU-NATAL FOR CONVEYANCING AND NOTARIAL PRACTICE

NOTE: THE FEES IN PAYABLE IN TERMS OF THESE APPORTIONMENT GUIDELINES ARE PAYABLE OUT OF THE TOTAL RECOMMENDED FEES, AND NOT IN ADDITION TO THE TOTAL RECOMMENDED FEES.

(These fees are payable to the lodging conveyancer in respect of all matters where the Instructing conveyancer is instructed on or after the 15th September 2014)

B. SECTIONAL TITLES ACT NO. 95 OF 1986

1. General Notes as per Part B, item 1 above.
2. Definitions as per Part B, item 2 above.

SECTION I

1. Application for the opening of a sectional title register

- | | |
|--|---|
| (a) Application for opening of
Sectional Title Register - per unit | R55,00 per unit in the scheme
B 50 %
C 80 % |
| A A basic fee of R550,00, plus a fee of | |
| (b) For each <u>re-lodgement</u> of the documents for the
registration of a scheme | A R110,00 |
| (c) Additional fee may be charged by agreement for
exceptional attendance at the rate, per ¼ hour, of | R180,00 |

2. Application for the Extension of Schemes by Addition of land to common property

As for **Section I.1** (a) to (c) above.

3. Application for the Extension of Schemes in terms of Section 25 of the Act

As for **Section I.1(a)** to (c) above

SECTION II**Transfer of ownership**

1. Registration of Transfer

- A See schedule 1 attached hereto
- B 50%
- C 50%

NOTE: Expropriation or endorsement

transfers (e.g. in terms of Section 45 of Deeds Registries Act) referred to in the Note to Section II of Part B above

- A 50% of the fees set out Section 11, item 1 above, calculated on the value of the whole property
- B 50 %
- C 80 %

SECTION III**Partition transfers**

Registration of Deeds of Partition

- A R395.00
- B 50%
- C 80%

SECTION IV**Endorsement in terms of the Administration of Estates Act, 1965**

Lodgment of Application

- A R240.00
- B 50 %
- C 80 %

SECTION V**Subdivision and Consolidation and Extension of a Section/s**

(a) Subdivision or consolidation or extension of a Section/s - basic fee

- A R550.00
- B 50 %
- C 80 %

(b) Each subdivision or consolidation

- A R55.00
- B 50 %
- C 80 %

SECTION VI**Application for sectional title deed in respect of undivided share in unit**

C.R.S.T. for undivided share	A R230.00
	B 50 %
	C 80 %

SECTION VII**1. Reversion from sectional title register to land register**

(a) Basic Fee	A Basic fee of R190.00 plus R40.00 in respect of each section
(b) Each Section	B 50 %
	C 80 %

2. Disposal on destruction of buildings

As for **Section VII.1** above.

SECTION VIII**Sectional Mortgage Bonds**

1. Sectional Mortgage or Surety Bond	A See Schedule 2 attached hereto
	B 50%
	C 80%
2. Collateral Bond	A 70% of the fee under 1. above
	B 60 %
	C 80 %
3. Additional Unit	NIL

SECTION IX**Cession, cancellation or modification of bonds**

1. (a) Consent to cancellation, cancellation of Cession, release, reduction of cover, part payment, waiver of preference, consent to registration or extension of scheme	A R300.00
	B 60 %
	C 80 %
(b) consents in respect of further bonds	A R60.00
	B 50 %
	C 80 %
(c) Additional unit	NIL

- | | | |
|----|---|---|
| 2. | Cession of bond or Section 45 endorsement of bond | A R330.00
B 50 %
C 80 % |
| 3. | Agreement varying - Deeds Registries bond | A R220.00
B 50 %
C 80 % |
| | Agreement varying - Sectional bond | A R220.00
B 50 %
C 80 % |
| 4. | Substitution in terms of Section 57 of Deeds Registries Act | A 50% of the fee which would be chargeable under Section VIII, item 1 above for a new bond of the same amount
B 50 %
C 80 % |
| 5. | Additional signature | As per conventional apportionment guidelines |
| 6. | Master's Certificates, consents or copy | |
| 7. | Consents to substitution under Section 24bis(3), 45(2)(b) or 45bis(2) | R425,00 |
| | NIL | |

SECTION X

Notarial deeds

- | | | |
|----|---|-------------------------------|
| 1. | Notarial Lease, Servitude, other Notarial Deeds | A R240,00
B 50 %
C 80 % |
| 2. | Notarial Waiver of Preference | A R285,00
B 50 %
C 80 % |

SECTION XI**Certificates of Real Rights**

Certificate of Real Rights – 1,2 and 3	A R365.00
	B 50%
	C 80%

SECTION XII**Cessions (Notarial)**

Cessions (Notarial) - 1, 2 and 4	A R210.00
And cancellations of exclusive use areas	B 50%
	C 80%

3 as for 1,2 and 4 above **if** no consideration allocated to exclusive use area,
otherwise as for transfer of ownership under Part B, Section II above

SECTION XIII**Miscellaneous**

1. Supervising	Practitioner supervising
2. (a) Attendance and Searching per ¼ hr or part thereof	R180,00 R120,00
Reporting per folio	
3. Conveyancer's Certificate per folio	R110,00
4. Certificate of Establishment of Body Corporate	A R45,00
	B 50 %
	C 80 %
5. (a) Amended Rules for Substitution	A R180.00
	B 50 %
	C 80 %
(b) Notification of Domicilium in terms of Section 29(1)(b)	A R110.00
	B 50 %
	C 80 %

16. SCHEDULE OF FEES FOR ADDITIONAL WORK

Where a practitioner instructs another practitioner to do any work in Parts I, II, III and IV above, not covered by the term "lodgement", the former shall from his share of the fees pay the latter the amount set out hereunder:

(1)	Obtaining all necessary endorsements from the Master - per estate	R420.00
(2)	Obtaining copies of documents from the Master required for lodgement in a deeds registry per application (exclusive of searches)	R180.00
(3)	Obtaining a clearance or other similar certificate from a public or local authority per certificate	R400.00
(4)	Attending on payment of transfer duty and uplifting receipt	R400.00
(5)	A) Searching at the Deeds Office per ¼ Hour	R180.00
(5)	B) Reporting per folio	R120.00
(6)	Drawing any document per folio or part thereof	R120.00
(7)	Perusing and certifying a guarantee for payment	R120.00
(8)	Applying for restoration of deed on the specific instructions of the instructing conveyancer and where the deed was rejected through no fault of the lodging conveyancer	R250.00
(9)	Expedition of set not previously lodged	R410.00
(10)	Collaborations outside KwaZulu-Natal	R500,00
(11)	Conveyancers Section 42(1) Certificate	R380,00

ALIENATION OF LAND ACT

Recordal of contract and cancellation of recordal	R180,00
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