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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 1595

10 December 2021

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

In terms of section 9 (9) of the Deeds Registries Act, 1937 (Act No. 47 of 1937), I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, hereby approves the regulations contained in the Schedule as made by the Deeds Registries Regulations Board under section 10 of the said Act. The regulations will come into operation one month from the date of publication hereof in the *Gazette*.

**MRS ANGELA THOKOZILE DIDIZA****MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

SCHEDULE

Definitions

1. In this Schedule “the Regulations” mean the Regulations promulgated by Government Notice No. R. 474 of 29 March 1963, as amended.

Amendment of regulation 68

2. Regulation 68 of the Regulations is hereby amended-

(a) by the substitution for subregulation (1E) of the following subregulation:

“(1E) (a) Before the issuing of a certified copy of any deed conferring title to land or any interest therein or any real right, or any registered lease or sub-lease or registered cession thereof or any mortgage or notarial bond under this regulation, the applicant shall publish, substantially in the prescribed form, a notification of intention to apply for such certified copy in an issue of a newspaper circulating in the area in which the land is situated and in the case of a notarial bond in an issue of one or more newspapers circulating in the area of every deeds registry in which such notarial bond is registered.

(b) Copies of deeds referred to in paragraph (a) shall be open for inspection in the deeds registry free of charge by any interested person, for a period of two weeks from the date of publication of the notice, during which period any person who has an interest in such deed or any person who alleges and can prove to be in possession of the original thereof, may object to the issue of a copy.

(c) All persons having objection to the issue of such copy must lodge such objection in writing with the relevant Registrar of Deeds within two weeks from the date of the publication of the notice.

(d) Persons who have an interest in a deed as contemplated in paragraph (b) and subregulation (11B)(b) are:

- (i) the registered holder of the deed as contemplated in subregulation (1) or a person contemplated in subregulation (3); and
- (ii) a person contemplated in the proviso to subregulation (2).”; and

(b) by the substitution for subregulation (11B)(b) of the following subregulation:

“(11B)(b) The notice of intention referred to in paragraph (a) must call upon any person who has an interest in such mortgage or notarial bond or any person who alleges and can prove to be in possession of the original thereof to furnish the Registrar at the deeds registry in which the bond is registered, with an objection, if any, to the cancellation of the registration of the bond within a period of two weeks from the date of the publication of the notice in the newspaper.”.

Short title

3. These regulations shall be known as the Deeds Registries Amendment Regulations, 2021.

DEPARTEMENT VAN LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING

NO. R. 1595

10 Desember 2021

**REGISTRASIE VAN AKTES WET, 1937 (WET NO. 47 VAN 1937): WYSIGING
VAN REGULASIES**

Kragtens artikel 9(9) van die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937), keur ek, Angela Thokozile Didiza, Minister van Landbou, Grondhervorming en Landelike Ontwikkeling, hiermee die regulasies soos in die Bylae vervat, uitgevaardig deur die Registrasieregulasieraad kragtens artikel 10 van bedoelde Wet, goed. Die regulasies tree in werking een maand vanaf die datum van publikasie hiervan in die *Staatskoerant*.

**MEV ANGELA THOKOZILE DIDIZA****MINISTER: LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING**

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken “die Regulasies” die regulasies uitgevaardig by Goewermentskennisgewing No. R. 474 van 29 Maart 1963, soos gewysig.

Wysiging van Regulasie 68

2. Regulasie 68 van die Regulasies word hierby gewysig-

(a) deur subregulasie (1E) deur die volgende subregulasie te vervang:

“(1E) (a) Alvorens ‘n gesertifiseerde afskrif van enige akte waarby reg op grond of enige belang daarin of enige saaklike reg verleen word, of enige geregistreerde huurkontrak of onderhuurkontrak of geregistreerde sessie daarvan of enige verbandakte of notariële verband kragtens hierdie regulasie uitgereik word, moet die applikant, substansieel in die voorgeskrewe vorm, ‘n kennisgewing van voorneme om aansoek vir sodanige afskrif te doen publiseer in ‘n uitgawe van ‘n nuusblad wat in omloop is in die gebied waarin die grond geleë is, en in die geval van ‘n notariële verband in ‘n uitgawe van een of meer nuusblaaië wat in omloop is in die gebied van elke registrasiekantoor waarin sodanige notariële verband geregistreer is.

(b) Afskrifte van aktes na verwys in paragraaf (a) moet kosteloos in die registrasiekantoor ter insae van belanghebbendes beskikbaar gehou word, vir ‘n tydperk van twee weke vanaf datum van publikasie van die kennisgewing, gedurende welke tydperk enige persoon wat ‘n belang het in sodanige akte of enige persoon wat beweer en bewys kan lewer om in besit te wees van die oorspronklike daarvan, teen die uitreiking van ‘n afskrif daarvan beswaar mag aanteken.

(c) Alle persone wat beswaar het teen die uitreiking van sodanige afskrif, moet skriftelike beswaar indien by die toepaslike Registrateur van Aktes binne twee weke vanaf datum van publikasie van die kennisgewing.

(d) Persone wat 'n belang het in 'n akte, soos bedoel in paragraaf (b) en subregulasie (11B)(b), is:

- (i) die geregistreerde houer van die akte soos bedoel in subregulasie (1), of 'n persoon soos bedoel in subregulasie (3); en
- (ii) 'n persoon soos bedoel in die voorhoudsbepaling in subregulasie (2)."; en

(b) deur subregulasie (11B)(b) deur die volgende subregulasie te vervang:

"(11B) (b) Die kennisgewing van voorneme na verwys in paragraaf (a) moet op alle persone wat 'n belang het in sodanige verband of notariële verband of enige persoon wat beweer en bewys kan lewer om in besit te wees van die oorspronklike daarvan, 'n beroep doen om binne 'n tydperk van twee weke vanaf die dag waarop die kennisgewing in die nuusblad verskyn het, 'n beswaar, indien enige, in te dien by die Registrateur in die registrasiekantoor waarin die verband geregistreer is, téén die kansellasië van die registrasie van die verband."

Kort titel

3. Hierdie regulasies heet die Aktesregistrasie Wysigingsregulasies, 2021.

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