

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



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THE PRESIDENCY

No. 1149

2 December 2010

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 12 of 2010: Deeds Registries Amendment, 2010.



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GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with a solid line indicate insertions in existing enactments.

(English text signed by the President.)
(Assented to 30 November 2010.)

ACT

To amend the Deeds Registries Act, 1937, so as to substitute certain obsolete expressions; to delete the reference to a registrar of mining titles or a mining commissioner acting as a registration officer; to provide for the extension of the duties of a registrar; to provide for the appointment of alternate members to the deeds registries regulations board; to provide for the disclosure of the full names and marital status of persons in all deeds and documents to be executed or lodged for registration or record in a deeds registry; to provide for the issuing of a certificate of registered title in respect of a fraction of an undivided share in land; and to amend certain definitions; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa as follows:—

Amendment of section 2 of Act 47 of 1937, as amended by section 1 of Act 43 of 1957, section 1 of Act 43 of 1962, section 1 of Act 48 of 1965, section 2 of Act 61 of 1969, section 2 of Act 3 of 1972, section 7 of Act 62 of 1973, section 2 of Act 27 of 1982, section 2 of Act 62 of 1984, section 1 of Act 14 of 1993, section 10 of Act 11 of 1996, Proclamation R9 of 31 January 1997, section 35 of Act 47 of 1997 and section 1 of Act 93 of 1998 5

1. Section 2 of the Deed Registries Act, 1937 (Act No. 47 of 1937) (hereinafter referred to as the principal Act), is hereby amended— 10

(a) by the substitution for the heading of the following heading:

“Appointment of chief registrar, registrar and assistant registrar of deeds”; and

(b) by the insertion after subsection (1C) of the following subsection:

“(1D) For the purposes of subsection (1)(a), “supervision” includes the issuing of practice and procedure directives.”. 15

Amendment of section 3 of Act 47 of 1937, as amended by section 14 of Act 50 of 1956, section 2 of Act 43 of 1957, section 2 of Act 43 of 1962, section 2 of Act 87 of 1965, section 1 of Act 41 of 1977, section 1 of Act 92 of 1978, section 1 of Act 44 of 1980, section 3 of Act 27 of 1982, section 28 of Act 88 of 1984, section 2 of Act 14 of 1993, section 9 of Act 122 of 1993, section 68 of Act 67 of 1995, section 1 of Act 11 of 1996, section 53 of Act 24 of 2003, section 46 of Act 11 of 2004 and section 1 of Act 5 of 2006 20

2. Section 3 of the principal Act is hereby amended—