

(4 October 1996 – to date)

FORMALITIES IN RESPECT OF LEASES OF LAND ACT 18 OF 1969

Government Notice 437 in Government Gazette 2318, dated 26 March 1969. Commencement date:

1 January 1970.

As amended by:

General Law Amendment Act 49 of 1996 – Government Notice 1601 in Government Gazette 17477, dated 4

October 1996. Commencement date: 4 October 1996.

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

ACT

To provide for the formalities in respect of leases of land; to repeal section 2 of the General Law Amendment Act, 1956; and to provide for incidental matters.

(English text signed by the State President.)

(Assented to 13th March, 1969.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

ARRANGEMENT OF SECTIONS

1. Formalities in respect of leases of land
2.
3. Repeal of section 2 of Act 50 of 1956
4. Short title and commencement

1. Formalities in respect of leases of land

- (1) Subject to the provisions of subsection (2), no lease of land shall be invalid merely by reason of the fact that such lease is not in writing.
- (2) No lease of land which is entered into for a period of not less than ten years or for the natural life of the lessee or any other person mentioned in the lease, or which is renewable from time to time at the will of the lessee indefinitely or for periods which together with the first period of the lease amount in

Prepared by:

all to not less than ten years, shall, if such lease be entered into after the commencement of this Act, be valid against a creditor or successor under onerous title of the lessor for a period longer than ten years after having been entered into, unless—

- (a) it has been registered against the title deeds of the leased land; or
- (b) the aforesaid creditor or successor at the time of the giving of credit or the entry into the transaction by which he obtained the leased land or a portion thereof or obtained a real right in respect thereof, as the case may be, knew of the lease.

2.

(Section 2 repealed by section 1 of Act 49 of 1996)

3. Repeal of section 2 of Act 50 of 1956

Section 2 of the General Law Amendment Act, 1956, is hereby repealed.

4. Short title and commencement

This Act shall be called the Formalities in respect of Leases of Land Act, 1969, and shall come into operation on the first day of January, 1970.