

(3 March 2025 – to date)

SECTIONAL TITLES ACT 95 OF 1986

(Government Notice 1943 in Government Gazette 10440 dated 17 September 1986. Commencement date: 1 June 1988 [Proc. No. 62, Gazette No. 11240 dated 8 April 1988])

REGULATIONS

Government Notice R664 in Government Gazette 11245 dated 8 April 1988. Commencement date (same as the date on which the Act commenced): 1 June 1988 [Proc. No. 62, Gazette No. 11240 dated 8 April 1988]

As amended by:

Government Notice R991 in Government Gazette 11318 (Correction notice). Commencement date: 27 May 1988.

Government Notice R1791 in Government Gazette 12670. Commencement date: 3 August 1990.

Government Notice R2345 in Government Gazette 12767. Commencement date: 5 October 1990.

Government Notice R2542 in Government Gazette 12816 (Correction notice). Commencement date: 2 November 1990.

Government Notice R2653 in Government Gazette 13612. Commencement date: 1 January 1992.

Government Notice R2868 in Government Gazette 13658 (Correction notice). Commencement date: 6 December 1991.

Government Notice R1562 in Government Gazette 14024. Commencement date: 12 June 1992.

Government Notice R60 in Government Gazette 14526. Commencement date: 1 April 1993.

Government Notice R1659 in Government Gazette 15990. Commencement date: 30 September 1994.

Government Notice R1422 in Government Gazette 18387. Commencement date: 31 October 1997.

Government Notice 1357 in Government Gazette 20619. Commencement date: 19 November 1999.

Government Notice 830 in Government Gazette 21483. Commencement date: 25 August 2000.

Government Notice R438 in Government Gazette 27561. Commencement date: 13 May 2005.

Prepared by:

Government Notice R1109 in Government Gazette 28217. Commencement date: 18 November 2005.

Government Notice R1264 in Government Gazette 31626. Commencement date: 28 November 2008.

Government Notice R291 in Government Gazette 33111. Commencement date: 16 April 2010.

*Government Notice R820 in Government Gazette 34639. Commencement date: 28 October 2011.
(Note: Published as Government Notice R805 and corrected to Government Notice R820 by Government
Gazette 34652 dated 7 October 2011)*

Government Notice R196 in Government Gazette 36241. Commencement date: 14 April 2013.

*Government Notice R548 in Government Gazette 38923 dated 30 June 2015. Commencement date:
30 July 2015.*

*Government Notice R427 in Government Gazette 40842 dated 12 May 2017. Commencement date:
12 June 2017.*

*Government Notice R774 in Government Gazette 41798 dated 27 July 2018. Commencement date:
27 August 2018.*

*Government Notice R883 in Government Gazette 43614 dated 14 August 2020. Commencement date:
14 October 2020.*

*Government Notice R497 in Government Gazette 44700 dated 11 June 2021. Commencement date:
11 July 2021.*

*Government Notice 5941 in Government Gazette 52208 dated 3 March 2025. Commencement date:
3 March 2025.*

I, Jacob Albertus van Wyk, Deputy Minister of Land Affairs, acting in terms of section 55 of the Sectional Titles Act, 1986 (Act 95 of 1986), after consultation with the Sectional Titles Regulation Board hereby make the regulations contained in the Schedule hereby. The regulations come into effect on the date on which the Act comes into operation.

INDEX

1. Definitions
2.
3.
4. Certificate in Respect of Leased Buildings

Prepared by:

5. Draft sectional plans
6. Submission of draft sectional plan to Surveyor-General
7. Field measurements
8. Accuracy and correctness of a draft sectional plan or sectional plan
9.
10. Application for opening of sectional title register
11. Certificates of registered sectional title
12. Registration of sectional plans
13. Sectional title registers
- 13A. Replacement schedule for lost or destroyed schedule of servitudes and conditions referred to in section 11(3)(b)
14. Certificates of real rights
15. Alteration, amendment, substitution or cancellation of registered sectional plan
- 15A. Amendment or withdrawal of unregistered sectional plan
16. Registration of transfer of ownership and registration of other rights in respect of parts of buildings
- 16A
- 16B
- 16C
17. Alienation and letting of common property
18. Draft Sectional Plan of Subdivision
19. Registration of subdivision of a section
20. Draft Sectional Plan of Consolidation
21. Registration of consolidation of sections
22. Draft Sectional Plan for Extension of a Section
23. Registration of extensions of sections
24. Draft Sectional Plan for Extension of a Scheme
25. Registration of extension of a scheme
- 25A. Replacement of documentation referred to in section 25(2)
26. Draft Sectional Plan for Extension of the Common Property
27. Registration of plan of extension of the common property
28. Exclusive use areas
- 29.
30.
31. Destruction of or damage to building and transfer of interest
32. Notification of destruction of building
33.
34. Sectional mortgage bonds
35. Fees of office
36.
37.
38. Endorsement or entries on registered deeds or other documents or in registers
39.

- 40. Conveyancers' files
 - 41.
 - 42. Certified copies
 - 43. Examination in connection with the preparation of draft sectional plans
 - 44.
- ANNEXURE 1 – FORMS
- ANNEXURE 2 -
- ANNEXURE 3 -
- ANNEXURE 4 -
- ANNEXURE 5 -
- ANNEXURE 6 - DOCUMENTS TO BE KEPT IN CONVEYANCER'S FILES IN TERMS OF REGULATION 40
- ANNEXURE 7 -
- ANNEXURE 8 -
- ANNEXURE 9 -

SCHEDULE

SECTIONAL TITLES REGULATIONS

1. Definitions

In these regulations a word or expression to which a meaning has been assigned in the Act, bears that meaning, and, unless the context otherwise indicates-

"the Act" means the Sectional Titles Act, 1986 (Act 95 of 1986);

"main file"

(Definition of "main file" deleted by Regulation 2 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

"professional engineer" means a professional engineer as defined in the Professional Engineers' Act, 1968 (Act 81 of 1968);

"section [sic] title file" means the file referred to in regulation 13;

(Definition of "section title file" inserted by Regulation 2 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

"Sectional Titles Schemes Management Act, 2011" means the Sectional Titles Schemes Management Act, 2011 (Act 8 of 2011);

(Definition of "Sectional Titles Schemes Management Act, 2011" inserted by regulation 2 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

"subfile"

(Definition of "subfile" deleted by Regulation 2 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

"taxing master"

(Definition of "taxing master" deleted by Regulation 2 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

"under his direction"

(Definition of "under his direction" deleted by Regulation 2 of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

2.

(Regulation 2(3) substituted by Regulation 2 of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

(Regulation 2 repealed by Regulation 3 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

3.

(Regulation 3 repealed by Regulation 4 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

4. Certificate in Respect of Leased Buildings

The certificate contemplated in section 4(3)(a)(ii) of the Act shall contain the following particulars:

- (a) The name of the scheme;

(Regulation 4(a) substituted by Regulation 3(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (b) the description and extent of the land upon which the building or buildings comprising the proposed scheme are situated, as reflected in the title deed of such land;

(Regulation 4(b) substituted by Regulation 3(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (c) the full name and address of the developer;

- (d) the number of the title deed in respect of the land concerned;

- (e) the number and description of every separate category of units in the buildings comprised in the scheme;

- (f) the number of garages and the number of parking places which are provided in the scheme;
- (g) any facilities available as common property under the scheme;
- (h) a copy of a report by an architect or a professional engineer in respect of the common property relating to the general physical condition of the building or buildings comprised in the scheme, with specific reference to any defects in the buildings and the services and facilities relating thereto;
- (i) a specified estimate by the developer or his agent of the annual expenditure in respect of-
 - (i) the repair, upkeep, control, management and administration of the common property;
 - (ii) the payment of rates and taxes and other local authority charges in respect of the building or buildings and land concerned;
 - (iii) the charges for the supply of electricity, gas, water, fuel and sanitary and other services to the building or buildings and land concerned;
 - (iv) insurance premiums; and
 - (v) all other costs in respect of the common property which are normally recovered from the owners of units as contemplated in section 3(1)(a) of the Sectional Title Schemes Management Act, 2011.

(Regulation 4(i)(v) substituted by regulation 3 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

5. Draft sectional plans

- (1) A draft sectional plan intended to be approved by a Surveyor-General and registered in a deeds registry shall comply with the following requirements:
 - (a) It shall be prepared in black print of good quality on a good, durable drawing material of any of the following sizes: 297 x 210 mm; 297 x 420 mm or 297 x 841 mm.

(Regulation 5(1)(a) substituted by Regulation 2(a) of Government Notice 830 in Government Gazette dated 25 August 2000)

- (b) Only one side of the sheet shall be used.

- (c)

(Regulation 5(1)(c) deleted by Regulation 2(b) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (d) Margins 40 mm wide along the 297 mm side of the sheets and 10 mm wide along the other sides, shall be provided and such margins shall, subject to the provisions of paragraph (h), be left free of any writing or drawing.

(Regulation 5(1)(d) substituted by Regulation 2(c) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (e) All linear measurements recorded on such plan shall be in metres to two decimal places.

- (f) If angles or angles of direction are required to be shown on such a plan they shall be expressed to the nearest 10 seconds.

(Regulation 5(1)(f) amended by Regulation 2(d) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (g) Any drawing on such plan shall be plotted to a standard scale: Provided that-

(Words in Regulation 5(1)(g) preceding Regulation 5(1)(g)(i) amended by Regulation 2(e) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (i) the size of the figure shall be sufficiently large to show all the required details; and
- (ii) if necessary, block plans, floor plans and cross-sections of a building may be shown on more than one sheet.

(Regulation 5(1)(g) corrected by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Regulation 5(1)(g) substituted by Regulation 3(a) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (h) Any addition, alteration or interlineation on a draft sectional plan shall be initialled by the responsible land surveyor or architect and for this purpose, the margin on the right hand side of the sheet opposite such addition, alteration or interlineation shall be used.

(Regulation 5(1)(h) amended by Regulation 2(f) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (i) A Surveyor-General may refuse to approve a draft sectional plan should he or she be of the opinion that such plan is dilapidated or has been prepared in a careless manner or that the appearance thereof is spoilt by additions, alterations or interlineations.

(Regulation 5(1)(i) amended by Regulation 2(g) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (j)

(Regulation 5(1)(j) deleted by Regulation 2(h) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (k) All buildings, sections and exclusive use areas, shall be uniquely numbered.

(Regulation 5(1)(k) amended by Regulation 3(b) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(Regulation 5(1)(k) substituted by Regulation 2(i) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (l) If boundaries of a section or of a part thereof cannot be defined by reference to its floor, walls and ceiling, such boundaries shall be defined in a manner acceptable to the Surveyor-General.

- (m) The common boundary between an exclusive use area created in terms of section 25(9), 27(1), 27(2) or 60(3) of the Act and a section or common property is, in the case of physical features, the median line of the dividing floor, wall, ceiling, fence or other similar feature, unless boundaries have been described in a different manner on the sectional plan; otherwise a boundary which is not a physical feature, shall be described in a manner acceptable to the Surveyor-General or in terms of beacons determined in accordance with the provisions of the Land Survey Act, 1997 (Act No. 8 of 1997), which beacons shall be described, and sufficient data given on such plan to define the area and to determine the location thereof in relation to the building, section or boundaries of the land.

(Regulation 5(1)(m) substituted by Regulation 3(a) of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

(Regulation 5(1)(m) corrected by the Regulations under Government Notice R2542 in Government Gazette 12816 dated 2 November 1990)

(Regulation 5(1)(m) amended by Regulation 2(j) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

(Regulation 5(1)(m) substituted by Regulation 2 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

- (n) Each sheet shall contain the following:

- (i) The title of the sheet;
- (ii) the sheet number and an indication of the number of sheets of which the draft sectional plan consist;
- (iii) the name and address of the architect or land surveyor concerned or, if he or she is practising with a firm of architects or land surveyors, his or her name and the name and address of the firm, the signature of the architect or land surveyor, and his or her professional designation;
- (iv) the date on which the architect or land surveyor signed the sheet;

- (v) a space which shall be provided for the approval certificate of the Surveyor-General,

provided that any departure from these requirements shall require the prior approval of the Surveyor-General.

(Regulation 5(1)(n) amended by Regulation 3(c) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(Regulation 5(1)(n) substituted by Regulation 2(k) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (2) A draft sectional plan shall consist of the following sheets which, subject to the provisions of the Act and subregulation (3), shall contain the particulars prescribed by this subregulation: Provided that if such a plan is intended for the purposes of a subdivision, consolidation or extension of a section or sections, or for the extension of a scheme or common property, or in the circumstances referred to in section 27(2) of the Act, or for the amendment of a scheme due to the destruction of or damage to a building or buildings, or for the amendment of a sectional plan in terms of section 14(1) of the Act, it need only comprise such sheets as are affected by such amendments, and the heading of such plan shall be styled as an amending sectional plan:

(Words preceding paragraph (a) of Regulation 5(2) substituted by Regulation 4(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Part before the first proviso in Regulation 5(2) substituted by Regulation 3(d) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (a) A first sheet which shall be substantially in the form of Form AC in Annexure 1 and which shall contain, in addition to the particulars mentioned in subregulation (1)(n), the following:

- (i) The name of the scheme;

(Regulation 5(2)(a)(i) substituted by Regulation 4(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (ii) the description of the land as reflected on the relevant approved general plan or approved diagram;

- (iii) the number of the relevant approved general plan or of the approved diagram of the land;

- (iv) the number of the section or part of a section that is found in every building: Provided that if a building consists only of common property, it shall be described as such;

(Regulation 5(2)(a)(iv) substituted by Regulation 3(e) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (v) the nature of any encroachment on the land to which the scheme relates;

- (vi) a certificate signed by the architect or land surveyor that the draft sectional plan has been prepared from actual measurements taken by him or her or under his or her direction: Provided that where the responsibility for the preparation of the draft sectional plan is carried by more than one person, each of such architects or land surveyors shall affix a certificate to this sheet, and such certificate shall disclose to what extent he or she accepts responsibility for the preparation of the draft sectional plan;

(Regulation 5(2)(a)(vi) amended by Regulation 2(l) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (vii) a caveat, if a developer should reserve the right under section 25 of the Act to erect a further building or buildings to horizontally or vertically extend an existing building;

(Regulation 5(2)(a)(vii) amended by Regulation 2(l) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

- (viii) the name of the local authority;

(Regulation 5(2)(a)(viii) substituted by Regulation 3(f) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (ix)

(Regulation 5(2)(a)(ix) inserted by Regulation 3(g) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(Regulation 5(2)(a)(ix) deleted by Regulation 5 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (x) the sheet number on which every exclusive use area is found;

(Regulation 5(2)(a)(x) inserted by Regulation 3(g) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (xi) space for-

- (aa) the signature of the registrar and his or her reference number; and

- (bb) the signature of the Surveyor-General and his or her reference numbers.

(Regulation 5(2)(a)(xi) inserted by Regulation 3(g) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(Regulation 5(2)(a)(xi) amended by Regulation 2(l) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000) – Note: This amendment inserted the expression “or her” after the expression “he”. This has been interpreted as applying to the expression “his”, which appears in the relevant subparagraph.

(Regulation 5(2)(a) substituted by Regulation 3(b) of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

(b) a sheet or sheets on which a block plan is prepared which shall, in addition to complying with the provisions of section 5(3)(a) of the Act and subregulation (1)(n), contain or indicate the following:

(i) a description of contiguous land, and the names of contiguous streets, if any;

(ii)

(aa) the position at ground level of the external surfaces of the walls of all buildings shown by a solid line, together with the horizontal distances between each rectilinear cadastral boundary and the buildings nearest to such boundary: Provided that where such external surfaces of any walls are interrupted at ground level by features such as archways, doorways or similar openings, such external surfaces shall likewise be shown by a solid line;

(bb) the greatest extent to which the external surfaces, excluding roof overhangs, unless any such overhang encroaches over the cadastral boundary, protrude beyond the external surfaces of the building at ground level shown by distinctive broken lines, together with the horizontal distance between each rectilinear cadastral boundary and the nearest protrusion to such boundary: Provided that if a basement area determined by the internal surfaces of the walls projects beyond the external surface of the building at ground level, such projection shall likewise be shown separately by a distinctive broken line: Provided further that a brief description shall be given of all parts of the building indicated by a distinctive broken line;

(Regulation 5(2)(b)(ii) substituted by Regulation 3(h) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(iii) any encroachment on the land to which the scheme relates;

(iv) any servitude burdening the land reflected on the relevant approved diagram or general plan;

(v) a sign indicating the true north direction;

(vi) an exclusive use area as referred to in subregulation (1)(m) which shall be delineated by means of distinctive broken lines and shall express the area to the nearest square metre: Provided that if details cannot clearly be shown on the sheet such details may be shown in an inset or on an additional sheet as contemplated in paragraph (f);

(Regulation 5(2)(b)(vi) amended by Regulation 2(l) of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

(c) a sheet or sheets on which the diagrammatic floor plan in respect of each storey in the building or buildings referred to in section 5(3)(c) and (d) of the Act are shown and which shall contain, in addition to the particulars mentioned in subregulation (1)(n), the following:

- (i) The boundaries of the sections shown in a solid line;
- (ii) the common property areas by means of distinctive broken lines;
- (iii) an indication of the position of the diagrammatic cross-sections when required in terms of subregulation (3);

(Regulation 5(2)(c)(iii) substituted by Regulation 3(i) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (iv) the number of each section or part of such section;

- (v)

(Regulation 5(2)(c)(v) deleted by Regulation 3(c) of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

- (vi) a sign indicating the true north direction;

- (vii) such other information as may be necessary to define each section;

- (viii) an exclusive use area as referred to in subregulation (1)(m), which shall be delineated by means of distinctive broken lines and shall express the area to the nearest square metre: Provided that if details cannot clearly be shown on the sheet, such details may be shown in an inset or on an additional sheet as contemplated in paragraph (f);

- (d)

(Regulation 5(2)(d) deleted by Regulation 3(j) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (e) a sheet or sheets containing in numerical sequence -

- (i) the floor areas of the sections as referred to in section 5(3)(e) of the Act; and

- (ii) the participation quotas in respect of the sections in the Annexure as referred to in section 5(3)(g) of the Act: Provided that the participation quotas of the separate sections shall be made up in such a way that the total participation quota is equal to 100,0000;

(Regulation 5(2)(e) substituted by Regulation 3(d) of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

- (f) a sheet or sheets containing the insets referred to in paragraphs (b)(vi) and (c)(viii).

(3) A draft sectional plan shall, when uncertainty or ambiguity about the boundaries of a section, as defined in the Act, may exist, contain an additional sheet or sheets that contain diagrammatic cross-sections of the building or buildings of every floor in the building or buildings, detailed sufficiently to indicate the boundaries of every section, and that contain, in addition to the particulars mentioned in subregulation (1)(n), the following:

- (a) The number of the building and the name or number of every floor;
- (b) such other information as may be necessary to define every section.

(Regulation 5(3) inserted by Regulation 3(k) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

6. Submission of Draft Sectional Plan to Surveyor-General

The submission of a draft sectional plan to the Surveyor-General in terms of section 7 of the Act for approval, must be accompanied by-

- (a) a certificate from the land surveyor concerned that the scheme is not in conflict with any building line restriction appearing in the relevant title deed;
- (b) a certificate by an architect or a land surveyor stating that the boundaries of the sections and common property are physically defined as contemplated in section 5(4) and (5) of the Act;

(Regulation 6(b) substituted by Regulation 3 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

(Regulation 6(b) substituted by regulation 2 of GNR 497 dated 11 June 2021)

- (c) the field book or field plan which must contain the original record of all measurements made in the field, the name of the person who made the measurements and the date on which the measurements were taken;
- (d) a list of co-ordinates of at least two corners or identified permanent features of each building: Provided that the distances between such corners or features shall be adequate to provide an accurate determination of the position of each building: Provided further that the co-ordinates may be listed on the copy of the plan mentioned in subregulation (e);
- (e) a plan on which the corners or identified permanent features are indicated and described;
- (f) the median dimension plan which must indicate the boundaries and the final dimensions of each section as derived from the field measurements and the consistency adjustments.

- (g)

(Regulation 6(g) added by regulation 4 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

(Regulation 6(g) deleted by regulation 2 of Government Notice R774 in Government Gazette 41798 dated 27 July 2018)

(Regulation 6 amended by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Regulation 6 amended by Regulation 4 of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

(Regulation 6 amended by Regulation 6 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(Regulation 6 substituted by Regulation 3 of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

7. Field measurements

- (1) Measurements by a land surveyor or architect for the preparation of a draft sectional plan shall be made in the field to two decimal places of a metre and recorded, at the time of the measurement in the field, in the field book or on the field plan.
- (2) Sufficient measurements shall be made to enable all median dimensions to be calculated and checked, so as to be consistent with the dimensions of the building as a whole, and the sections and other details on the draft sectional plan to be correctly depicted.
- (3) The provisions of the Land Survey Act, 1997 (Act No. 8 of 1997), and the regulations made thereunder, shall apply to the manner in which and the accuracy to which the survey of buildings and exclusive use areas of which the boundaries are not represented by physical features of permanent nature, shall be performed and to the manner and the form in which the records of such surveys shall be prepared and lodged with the Surveyor-General.

(Regulation 7(3) substituted by Regulation 5 of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

(Regulation 7(3) amended by Regulation 4 of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

8. Accuracy and correctness of a draft sectional plan or sectional plan

(Heading substituted by Regulation 4(a) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (1) The Surveyor-General may at any time check in the field the accuracy or correctness of a draft sectional plan, sectional plan or any measurement recorded by a land surveyor or architect.

(Regulation 8(1) substituted by Regulation 4(b) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (2) If the Surveyor-General finds a draft sectional plan, sectional plan, or measurement to be incorrect, he may take such action as he may deem fit in terms of the Act

(Regulation 8(2) substituted by Regulation 4(c) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

9.

(Regulation 9 repealed by Regulation 7 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

10. Application for opening of sectional title register

- (1) An application for the opening of a sectional title register in terms of section 11(1) of the Act, shall be in the form of Form B in Annexure 1.

- (2) The application referred to in subregulation (1) shall be accompanied by –

- (a) the title deed to any registered real right, if the land is subject to such a right, excluding rights to minerals, which title deed shall be suitably endorsed to indicate that the land described therein is subject to a development scheme and is registered in the sectional title register: Provided that where a certificate has been submitted by a conveyancer to the effect that the title deed to such real right is not available, the registrar shall endorse the registry duplicate of such title deed, and, if the original title deed is at any time lodged with the registrar for any purpose, he shall make a similar endorsement thereon; and

- (b)

(Regulation 10(2)(b) substituted by Regulation 5 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 10(2)(b) deleted by Regulation 5(a) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(Regulation 10(2) substituted by Regulation 6 of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

- (3) The schedule contemplated in section 11(3)(b) of the Act shall, in addition to the particulars prescribed in the section, contain the following:

- (i) The name of the scheme.
- (ii) The full name and address of the developer.
- (iii) The number of the title deed of the land concerned.

- (iv) In the event of land defined on an approved diagram, the number of the title deed with which the diagram is filed.

(Regulation 10(3) inserted by Regulation 5(b) of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

- (4) An application and consent for the substitution of the land under a mortgage bond in terms of section 11(3)(d) of the Act, shall be in the form of Form AL or Form AM in Annexure 1 where applicable.

(Regulation 10(4) added by Regulation 4 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

11. Certificates of registered sectional title

- (1) A certificate of registered sectional title referred to in section 11(3)(f) of the Act, shall be in the form of Form C in Annexure 1, shall be signed and dated by the registrar and shall be sealed with his seal of office.

- (2)

(Regulation 11(2) deleted by Regulation 6(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (3)

(Regulation 11(3) deleted by Regulation 6(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (4)

(Regulation 11(4) deleted by Regulation 6(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (5) Certificates of registered sectional title, lodged in terms of the provisions of regulation 45(1) of the Deeds Registries Act, shall be on paper of durable and good quality of the size known as A4 standard paper and shall be written, typed or printed in size not less than 2mm, with black ink of a good quality only.

(Regulation 11(5) substituted by regulation 2 of GN 5941 dated 3 March 2025)

- (6) A certificate of registered sectional title which does not comply with the requirements of subregulation (5), shall be rejected by the registrar.

- (7)

- (a) Subject to the provisions of paragraph (b) a certificate of registered sectional title shall be lodged in duplicate with the registrar.

- (b) Where a procedure is followed in a deeds registry of reproducing deeds and documents and of keeping such reproduction in stead *[sic]* of such deed or document, it shall, notwithstanding anything to the contrary in these Regulations, not be necessary to lodge a duplicate original of such deed or document for filing in the deeds registry, and upon registration such deed or document shall be deemed to be the copy filed in the deeds registry until such time as the reproduction of the deed or document is filed in lieu thereof: Provided that the provisions of this paragraph shall not be applied in a deeds registry until the Chief Registrar of Deeds has instructed the registrar of the office concerned in writing.

(Regulation 11(7) substituted by Regulation 6(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (8) The provisions of this regulation shall apply *mutatis mutandis* with reference to any certificate of registered sectional title or sectional title deed issued under any other provision of the Act.

12. Registration of sectional plans

- (1) The distinctive number allotted to a sectional plan in terms of section 12(1)(a) of the Act, shall be a consecutive number, starting each year with the figure "1" and shall be followed by an oblique line and the year in which the sectional plan is registered.

- (2)

(Regulation 12(2) deleted by Regulation 7 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (3) A registrar may refuse to register a sectional plan should he be of the opinion that such plan is dilapidated.

13. Sectional title registers

- (1) The sectional title register as contemplated *[sic]* in section 12(1)(b) of the Act, shall be opened by means of a sectional title file as set out in Form D in Annexure 1.

(Regulation 13(1) substituted by Regulation 8(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (2) The file number allotted to the sectional title file, shall be the same as the number allotted to the sectional plan.

(Regulation 13(2) substituted by Regulation 8(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (3)

(Regulation 13(3) deleted by Regulation 8(c) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(4) In the sectional title file shall be filed-

(Words preceding paragraph (a) of Regulation 13(4) substituted by Regulation 8(d) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (a) the documents referred to in section 11(3) of the Act, with the exception of the certificates of registered sectional title, the owner's copy of the title deed of the land, the bond, the title deed of any real right registered over the land and the certificates of real rights contemplated by sections 11(3)(fB) and 11(3)(fC);

(Regulation 13(4)(a) substituted by Regulation 8(e) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 13(4)(a) substituted by regulation 2(a) of Government Notice R548 in Government Gazette 38923 dated 30 June 2015)

- (b) the copy of any notice to the Surveyor-General and the local authority of the registration or cancellation of the registration of a sectional plan or of the reversion of land to the land register;

- (c) correspondence relating to the scheme concerned as a whole;

(Regulation 13(4)(c) substituted by Regulation 8(f) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (d)

(Regulation 13(4)(d) deleted by Regulation 8(g) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(4A) The documents, notices and correspondence referred to in subregulations (4)(a) and (c), as well as any certificates, plans, schedules and other documents relating to the scheme as a whole and which must be filed in a sectional title file, must be endorsed with a deeds registry date endorsement upon the lodgement thereof.

(Regulation 13(4A) inserted by Regulation 2 of Government Notice R291 in Government Gazette 33111 dated 16 April 2010)

(Regulation 13(4A) substituted by regulation 2(b) of Government Notice R548 in Government Gazette 38923 dated 30 June 2015)

(Regulation 13(4A) substituted by regulation 5 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

(5)

(Regulation 13(5) deleted by Regulation 8(h) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(6) Where a procedure is followed in a deeds registry of reproducing documents and of keeping such reproduction instead of such document and of maintaining a register as referred to in section 12(1)(c),

the sectional title file referred to in subregulation (4) may be substituted by such reproductions and register: Provided that the sectional title file shall be maintained for certain documents should the Chief Registrar of Deeds so determine.

(Regulation 13(6) substituted by Regulation 8(i) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

13A. Replacement schedule for lost or destroyed schedule of servitudes and conditions referred to in section 11(3)(b)

- (1) A registrar of deeds must, if a schedule referred to in section 11(3)(b) of the Act has been lost or destroyed, on written application by the body corporate or if a body corporate has not been established, on written application by the developer, accompanied by a replacement schedule, arrange for such replacement schedule to be filed in the relevant sectional title file.
- (2) The registrar of deeds must, before filing of the replacement schedule in the relevant sectional title file, at the expense of his or her deeds registry, publish in the prescribed form in two consecutive ordinary issues of the *Gazette* and in two consecutive issues of a newspaper circulating in the area of jurisdiction of the deeds registry in which the scheme is registered, a notice of the intention for a replacement schedule to be filed in the relevant sectional title file.
- (3) A draft of the replacement schedule accompanying the application, shall be open for inspection in the deeds registry free of charge by any interested person, for a period of six weeks after the date of the first publication of the notice in the *Gazette*, during which period any person interested may object to the filing of such replacement schedule in the relevant sectional title file.
- (4) Any person who has lodged with the registrar an objection to the filing of the replacement schedule in the relevant sectional title file may, in default of any arrangement between him or her and the applicant, apply to the court within one month after the last day upon which an objection may be lodged, for an order prohibiting the registrar from filing the replacement schedule in the relevant sectional title file, and the court may make such order on the application as it may deem fit.
- (5) A replacement schedule shall be as nearly as possible a reflection of the lost or destroyed schedule and shall take the place of the lost or destroyed schedule and shall embody or refer to every condition, servitude, lease or other encumbrance which according to the records of the registry was embodied or referred to in the lost or destroyed schedule or in any endorsement thereon.
- (6) A replacement schedule must be endorsed with a deeds registry date endorsement upon the filing thereof in the relevant sectional title file.
- (7) In the event of a schedule referred to in section 11(3)(b) of the Act, in lieu of which a copy has been issued under the provisions of this regulation, being subsequently found and produced to the registrar, he or she shall endorse thereon that it has become void.

(Regulation 13A inserted by Regulation 5 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

14. Certificates of real rights

- (1) The certificate of real right referred to in section 12(1)(e) of the Act, shall be in the form of Form F in Annexure 1.
- (2) The certificate of real right referred to in section 25(6) of the Act, shall be in the form of Form R in Annexure 1, and shall be accompanied by the written consent of all the members of the body corporate and of the mortgagees of all units in the scheme, as contemplated in section 5(1)(b) of the Sectional Titles Schemes Management Act, 2011.

(Regulation 14(2) substituted by regulation 6 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

- (3) The certificate of real right referred to in section 12(1)(f) of the Act, shall be in the form of Form G in Annexure 1.

15. Alteration, amendment, substitution or cancellation of registered sectional plan

- (1)

(Regulation 15(1) deleted by Regulation 8 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (2) The provisions of regulation 5 shall apply *mutatis mutandis* to a draft sectional plan which is to be substituted for a registered sectional plan.
- (3) The registrar shall forward a copy of a sectional plan which is substituted for a registered sectional plan to the local authority concerned.
- (4) Whenever the registrar amends the relative sectional title deed as required by section 14(5) of the Act, he or she must endorse thereon that the amendment has been effected in accordance with an alteration, amendment or substitution of the registered sectional plan, and in the case of a substituted sectional plan, register such plan and substitute the registered sectional plan therewith.

(Regulation 15(4) substituted by Regulation 2 of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(Regulation 15(4) substituted by Regulation 2 of GNR 883 dated 14 August 2020, with effect from 14 October 2020)

- (5) Whenever the registration of a sectional plan is cancelled on the application of the developer in terms of section 14(6) of the Act, the registrar shall make the necessary endorsement on-

- (a) each of the relevant sectional title deeds;
- (b) the titles to any real rights, with the exclusion of mineral rights; and
- (c) on the schedule referred to in section 11(3)(b).

(Regulation 15(5) substituted by Regulation 9 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(6)

- (a) Whenever the registration of the sectional plan is cancelled, the registrar shall make the alterations, amendments, endorsements and entries in the relevant land register and records which are necessary to effect the reversion of the land to the land register.
- (b) Any entry referred to in paragraph (a) shall contain a reference to the number of the relevant sectional plan.

(7) Whenever the registration of a sectional plan is cancelled, the registrar shall, if a certificate of registered title referred to in section 14(7) of the Act is not issued by him, revive the developer's title deed of the land referred to in section 11(3)(c) of the Act by making an appropriate endorsement on the title deed under his signature and date.

(8) The provisions of subregulations (5) to (7) shall apply with the necessary changes whenever the registration of a sectional plan is cancelled by an order of the Court in terms of section 14(8) of the Act.
(Regulation 15(8) added by Regulation 6 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

15A. Amendment or withdrawal of unregistered sectional plan

- (1) A sectional plan may be amended, prior to the registration thereof, only by the Surveyor-General who shall initial such amendment and notify the architect or land surveyor thereof in appropriate circumstances.
- (2) A draft sectional plan may be amended and initialled only by the land surveyor or architect who prepared such a plan: Provided that the Surveyor-General may in special circumstances initial such amendments and notify the land surveyor or architect thereof in appropriate circumstances.
- (3) A sectional plan may be withdrawn prior to the registration thereof by the Surveyor-General at the written request of the architect or land surveyor concerned or the owner of the land.

(Regulation 15A inserted by regulation 3 of Government Notice R774 in Government Gazette 41798 dated 27 July 2018)

16. Registration of transfer of ownership and registration of other rights in respect of parts of buildings

(1)

(a) Simultaneously with the establishment of a body corporate, the registrar shall issue a certificate in the form of Form W in Annexure 1: Provided that the registrar may, on application being made by a body corporate in respect of which such certificate has not been issued prior to 1 June 1981, issue such certificate, in the form of Form W, after the date of establishment of such body corporate.

(b)

(i) A draft certificate in the form prescribed in paragraph (a) shall be prepared by a conveyancer and lodged in triplicate with the registrar.

(ii) The original certificate shall be delivered to the Chief Ombud, one copy filed in the sectional title file, and the remaining copy shall be delivered to the conveyancer.

(c) Once a certificate has been issued in terms of paragraph (a), no further such certificate shall be issued in respect of the building concerned, but if required the registrar may issue a certified copy of the deeds registry copy of the certificate or a certificate of replacement as contemplated in paragraph (d).

(d)

(i) Where the Chief Ombud has notified the registrar in writing that the original certificate referred to in subregulation (1)(b)(ii) has been lost or destroyed, a certificate of replacement in the form of Form AO in Annexure 1 shall be prepared by a conveyancer and lodged in triplicate with the registrar.

(ii) The original certificate of replacement shall replace the original certificate that has been lost or destroyed. The original certificate of replacement and the copies thereof must be endorsed with a deeds registry date endorsement. The original certificate of replacement and one of the copies thereof must be delivered to the conveyancer and the other copy must be filed in the sectional title file.

(Regulation 16(1) amended by Regulation 10(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 16(1) amended by Regulation 7 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

(Regulation 16(1) substituted by regulation 7(a) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

(2) The deed of transfer referred to in section 15B(1) of the Act, shall be in the form of Form H in Annexure 1.

(Regulation 16(2) substituted by Regulation 10(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(3)

(Regulation 16(3) substituted by Regulation 10(c) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 16(3) deleted by regulation 7(b) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

(4) An application referred to in section 15B(5) of the Act, shall be in the form of Form I in Annexure 1.

(Regulation 16(4) substituted by Regulation 10(d) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(5) A certificate of registered sectional title referred to in section 15B(5) and (5A) of the Act, shall be in the form of Form J in Annexure 1.

(Regulation 16(5) substituted by Regulation 10(e) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 16(5) substituted by Regulation 7(c) of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

16A.

(1) Every deed of transfer, certificate of title, certificate of registration or sectional mortgage bond shall be prepared by a conveyancer or other person empowered thereto by any act who shall make and sign a certificate in the undermentioned form in the upper right hand corner on the first page of the document concerned:

Prepared by me

.....

CONVEYANCER/ AUTHORISATION OF OTHER PERSON

(Use whichever is applicable)

.....

(State full name and surname in block letters)

.....

(Conveyancer to disclose Legal Practice Council Membership Number)".

(Regulation 16A(1) substituted by Regulation 3 of GNR 883 dated 14 August 2020, with effect from 14 October 2020)

(2) A conveyancer or other person empowered thereto by any act, who prepares a deed of transfer, certificate of title, certificate of registration or sectional mortgage bond referred to in subregulation (1), shall initial all alterations or interlineations in such deed of transfer, certificate of title, certificate of registration or sectional mortgage bond and also every page thereof not requiring a signature and no

such deed of transfer, certificate of title, certificate of registration or sectional mortgage bond shall be accepted for execution or registration if it does not bear such certificate and is not so initialed: Provided that in the case of such deed of transfer, certificate of title, certificate of registration or sectional mortgage bond where an alteration or interlineation is not so initialed, and in the opinion of the registrar, such initialing[*sic*] by the conveyancer who prepared such deed of transfer, certificate of title, certificate of registration or sectional mortgage bond is not required, such alteration or interlineation may be initialed by the conveyancer executing such deed of transfer.

(Regulation 16A(2) substituted by regulation 3 of GN 5941 dated 3 March 2025)
(Regulation 16A inserted by Regulation 11 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

16B.

- (1) Subject to the provisions of subregulations (3) and (4) a power of attorney, application or consent required for the performance of an act of registration in a deeds registry, and tendered for registration or filing of record in a deeds registry, shall be prepared by a practising attorney, not necessarily practising in the province in which such deeds registry is situate, notary, conveyancer or other person empowered thereto by any act, who shall make and sign a certificate in the undermentioned form in the upper right hand corner on the first page of the document concerned:

Prepared by me

.....

ATTORNEY/NOTARY/CONVEYANCER/AUTHORISATION OF OTHER PERSON

(Use whichever is applicable)

.....

(State full name and surname in block letters)

.....

(Attorney/Conveyancer/Notary to disclose Legal Practice Council Membership Number)

(Regulation 16B(1) substituted by Regulation 3(a) of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(Regulation 16B(1) substituted by Regulation 4(a) of GNR 883 dated 14 August 2020, with effect from 14 October 2020)

- (2) Subject to the provisions of subregulation (3), any alteration or interlineation in a document referred to subregulation (1) shall be initialed by the person who prepared such document.
- (3) A registrar may waive compliance with the provisions of subregulations (1) and (2) in respect of a power of attorney, application or consent executed outside the Republic or in respect of a power of attorney, application or consent not provided for by the Act or the Regulations.

- (4) The provisions of subregulation (1) shall not prevent an attorney, notary or conveyancer in the employ of the State from preparing in the course of his employment, any document mentioned in such subregulation.
- (5) When a certificate referred to in subregulation (1) is signed by an attorney or notary, the fact that the signatory is a practising attorney or notary shall be confirmed by a practising conveyancer, who shall countersign the certificate by making and signing the following certificate thereon:

Countersigned by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership Number)

(Regulation 16B(5) substituted by Regulation 3(b) of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(Regulation 16B(5) substituted by Regulation 4(b) of GNR 883 dated 14 August 2020, with effect from 14 October 2020)

(Regulation 16B inserted by Regulation 12 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

16C.

The person who signs a preparation certificate contemplated in regulations 16A(1) or 16B(1) accepts responsibility for the correctness of the undermentioned facts stated in the deeds or documents concerned or which are relevant in connection with the registration or filing thereof, namely -

- (a) that all copies of the deeds or documents intended for execution or registration are identical at the date of lodgment[sic];
- (b) that, in the case of a deed of transfer, certificate of title or certificate of registration, all the applicable conditions of title have been correctly brought forward in that deed of transfer, certificate of title or certificate of registration;
- (c) that, in the case of a document referred to in regulation 16B(1) signed by a person in his or her capacity as executor, trustee, tutor, curator, liquidator, judicial manager or a person in a representative capacity, from perusal of documents evidencing such appointment exhibited to him or her, such person has in fact been appointed in that capacity and acts in accordance with the

powers granted to him or her and that any security required has been furnished to the Master of the High Court;

(d) that, to the best of his or her knowledge and belief and after due enquiry, including but not limited to the examination of supporting documents, has been made-

(i) the names, identity number or date of birth and marital status of any natural person being a party to a deed or document, are correctly disclosed in such deed or document and in the case of any other person, its name and registered number, if any, are correctly disclosed in that deed or document;

(ii) in the case of a document referred to in regulation 16B(1)-

(aa) that the necessary authority has been obtained for the signing of such document in a representative capacity on behalf of a natural person, company, close corporation, church, association, society, trust, other body of persons or an institution, whether created by statute or otherwise;

(Regulation 16C(d)(ii)(aa) substituted by Regulation 4 of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(Regulation 16C(d)(ii)(aa) substituted by regulation 3 of Government Notice R548 in Government Gazette 38923 dated 30 June 2015)

(bb) that the transaction as disclosed therein, is authorized by and in accordance with the constitution, regulations, founding statement or trust instrument of a trust, as the case may be, of any church, association, close corporation, society, trust, other body of persons or any other institution, created by statute or otherwise, other than a company, except a share block company as defined in the Share Blocks Control Act, 1980 (Act 59 of 1980), being a party to such document;

(cc) the person, entity, body of persons, whether created by statute or otherwise, is entitled to and contractually capable of concluding the transaction disclosed in the deed or document lodged for registration; and

(e) that, in the case where a person signs the preparation certificate on a deed of transfer, certificate of title, certificate of registration, other deed conveying ownership in land or a sectional mortgage bond, he or she accepts responsibility that the particulars in the deed mentioned in paragraph (d)(i), have been brought forward correctly from the special power of attorney or application relating thereto.

(Regulation 16C inserted by Regulation 13 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 16C corrected by Government Notice R2868 in Government Gazette 13658 dated 6 December 1991)

(Regulation 16C amended by Regulation 9 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(Regulation 16C substituted by Regulation 2 of Government Notice R1264 in Government Gazette 31626 dated 28 November 2008)

17. Alienation and letting of common property

(Heading substituted by Regulation 2 of Government Notice R438 in Government Gazette 27561 dated 13 May 2005)

(1)

(Regulation 17(1) deleted by Regulation 14(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(2) Simultaneously with the registration of a transfer referred to in section 17(3)(a) or 19(3) of the Act, the registrar shall make an endorsement under his signature on the schedule of conditions referred to in section 11(3)(b) of the Act.

(Regulation 17(2) substituted by Regulation 14(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(3) Any sectional title deed registered pursuant to section 17(3) or 19(3) of the Act shall simultaneously be re-registered as a deed of transfer under the Deeds Registries Act in the form of Form H in Annexure 1 where common property has been alienated, and in the form of Form AU in Annexure 1 where common property has been expropriated.

(Regulation 17(3) substituted by Regulation 14(c) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 17(3) substituted by regulation 4 of GN 5941 dated 3 March 2025)

(4) The registrar shall register a cession of a servitude or other real right in terms of section 19 of the Act by virtue of a deed of cession in the form of Form M in Annexure 1.

18. Draft Section Plan of Subdivision

(Heading of Regulation 18 substituted by Regulation 10(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(1)

(Regulation 18(1) deleted by Regulation 10(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(2) The provisions of regulation 5 shall apply *mutatis mutandis* to a draft sectional plan of subdivision.

(Regulation 18(2) substituted by Regulation 10(c) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

19. Registration of subdivision of a section

(1)

- (a) An application for registration of a sectional plan of subdivision shall be in the form of Form AP in Annexure 1.

(Regulation 19(1)(a) substituted by regulation 3 of GNR 497 dated 11 June 2021)

- (b) When registering such a sectional plan under section 22(3) of the Act, the registrar shall allot a distinctive number thereto.

(Regulation 19(1) substituted by Regulation 15 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (2) A certificate of registered sectional title referred to in section 22(5) of the Act, shall be in the form of Form P in Annexure 1.

- (3) Whenever the registrar has issued a certificate of registered sectional title under section 22(5) of the Act in lieu of the sectional title deed referred to in section 22(2)(b) of the Act, he or she shall cancel the last-mentioned sectional title deed.

(Regulation 19(3) substituted by regulation 5 of GN 5941 dated 3 March 2025)

- (4) The registrar shall furnish the local authority concerned with a copy of the registered sectional plan of subdivision.

20. Draft Sectional Plan of Consolidation

(Heading of Regulation 20 substituted by Regulation 11(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(1)

(Regulation 20(1) deleted by Regulation 11(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (2) The provisions of regulation 5 shall apply *mutatis mutandis* to a draft sectional plan of consolidation.

(Regulation 20(2) substituted by Regulation 11(c) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

21. Registration of consolidation of sections

(1)

- (a) An application for registration of a sectional plan of consolidation shall be in the form of Form AQ in Annexure 1.

(Regulation 21(1)(a) substituted by regulation 4 of GNR 497 dated 11 June 2021)

- (b) When registering such a sectional plan under section 23(3) of the Act, the registrar shall allot a distinctive number thereto.

(Regulation 21(1) substituted by Regulation 16 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (2) The certificate of registered sectional title referred to in section 23(5) of the Act, shall be in the form of Form Q in Annexure 1.

- (3) Whenever the registrar has issued a certificate of registered sectional title under section 23(5) of the Act in lieu of the sectional title deeds referred to in section 23(2)(b) of the Act, he or she shall cancel the last-mentioned sectional title deeds.

(Regulation 21(3) substituted by regulation 6 of GN 5941 dated 3 March 2025)

- (4) The registrar shall furnish the local authority concerned with a copy of the registered sectional plan of consolidation.

22. Draft Sectional Plan for Extension of a Section

(Heading of Regulation 22 substituted by Regulation 12(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (1)

(Regulation 22(1) substituted by Regulation 17 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 22(1) deleted by Regulation 12(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (2) The provisions of regulation 5 shall apply *mutatis mutandis* to a draft sectional plan of extension of a section.

(Regulation 22(2) substituted by Regulation 12(c) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

23. Registration of extensions of sections

- (1)

- (a) An application for registration of a sectional plan of extension of a section shall be in the form of Form AR in Annexure 1.

(Regulation 23(1)(a) substituted by regulation 5 of GNR 497 dated 11 June 2021)

- (b) When registering such a sectional plan under section 24(7) of the Act the registrar shall allot a distinctive number thereto.

(Regulation 23(1) substituted by Regulation 18 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (2) The registrar shall furnish the local authority concerned with a copy of the registered sectional plan of extension.

24. Draft Sectional Plan for Extension of a Scheme

(Heading of Regulation 24 substituted by Regulation 13(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (1)
- (Regulation 24(1) deleted by Regulation 13(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)*
- (2) The provisions of regulation 5 shall apply *mutatis mutandis* to a draft sectional plan of extension of a scheme.
- (Regulation 24(2) substituted by Regulation 13(c) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)*

25. Registration of extension of a scheme

- (1)
- (a) An application for registration of a sectional plan of extension of a scheme shall be in the form of Form AS in Annexure 1.
- (Regulation 25(1)(a) substituted by regulation 6 of GNR 497 dated 11 June 2021)*
- (b) When registering such a sectional plan under section 25(11) of the Act, the registrar shall allot a distinctive number thereto.
- (Regulation 25(1) substituted by Regulation 19 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)*
- (2) The certificate of registered sectional title referred to in section 25(10)(d) of the Act, shall be in the form of Form C in Annexure 1.
- (2A) The certificate of real right referred to in section 25(10)(d) of the Act, shall be in the form of Form G in Annexure 1.
- (Regulation 25(2A) inserted by Regulation 8 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)*
- (3) The registrar shall furnish the local authority concerned with a copy of the registered sectional plan of extension.

25A. Replacement of documentation referred to in section 25(2)

- (1) A registrar of deeds must, if any of the documentation referred to in section 25(2)(a), (b), (c), (d) or (g) of the Act have been lost or destroyed, on written application by the body corporate or if a body corporate has not been established, on written application by the developer, accompanied by replacement documentation, arrange for such replacement documentation to be filed in the relevant sectional title file.
- (2) The registrar of deeds must, before filing of the replacement documentation in the relevant sectional title file, at the expense of his or her deeds registry, publish in the prescribed form a notice in two consecutive ordinary issues of the *Gazette* and in two consecutive issues of a newspaper circulating in the area of jurisdiction of the deeds registry in which the scheme is registered, of the intention for replacement documentation to be filed in the relevant sectional title file.
- (3) A draft of the replacement documentation accompanying the application, shall be open for inspection in the deeds registry free of charge by any interested person, for a period of six weeks after the date of the first publication of the notice in the *Gazette*, during which period any person interested may object to the filing of replacement documentation in the relevant sectional title file.
- (4) Any person who has lodged with the registrar an objection to the filing of the replacement documentation in the relevant sectional title file may, in default of any arrangement between him and the applicant, apply to the court within one month after the last day upon which an objection may be lodged, for an order prohibiting the registrar from filing the replacement documentation in the relevant sectional title file, and the court may make such order on the application as it may deem fit.
- (5) The replacement documentation shall be as nearly as possible a reflection of the lost or destroyed documentation and shall take the place of the lost or destroyed documentation.
- (6) The replacement documentation must be endorsed with a deeds registry date endorsement upon the filing thereof in the relevant sectional title file.
- (7) In the event of any of the documentation referred to in section 25(2)(a), (b), (c), (d) or (g) of the Act, in lieu of which a copy has been issued under the provisions of this regulation, being subsequently found and produced to the registrar, he or she shall endorse thereon that it has become void.

(Regulation 25A inserted by Regulation 9 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

26. Draft Sectional Plan for Extension of the Common Property

(Heading of Regulation 26 substituted by Regulation 14(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (1)

(Regulation 26(1) deleted by Regulation 14(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (2) The provisions of regulation 5 shall apply *mutatis mutandis* to a draft sectional plan of extension of the common property.

(Regulation 26(2) substituted by Regulation 14(c) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

27. Registration of plan of extension of the common property

(1)

- (a) An application for registration of a sectional plan of extension of the common property shall be in the form of Form AT in Annexure 1.

(Regulation 27(1)(a) substituted by regulation 7 of GNR 497 dated 11 June 2021)

- (b) When registering such a sectional plan under section 26(5) of the Act, the registrar shall allot a distinctive number thereto.

(Regulation 27(1) substituted by Regulation 20 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

- (2) The registrar shall furnish the local authority concerned with a copy of the registered sectional plan of extension.

- (3) The application contemplated in subregulation (1)(a) must be accompanied by a substituted schedule as contemplated in section 11(3)(b) of the Act, where the land to be incorporated into the communal scheme concerned is subject to conditions which are different from the conditions registered at the opening of the sectional title register.

(Regulation 27(3) added by Regulation 3 of Government Notice R438 in Government Gazette 27561 dated 13 May 2005)

(Regulation 27(3) substituted by Regulation 5(a) of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(4)

- (a) The substituted schedule referred to in subregulation (3) must contain all the conditions and endorsements appearing in the section 11(3)(b)- schedule already filed in the sectional title register (existing schedule), as well as the conditions and endorsements appearing in the title deed of the land that is to be incorporated into the communal scheme.

- (b) The existing and substituted schedules must both be kept in the sectional title register and the existing schedule must be endorsed to the effect that it has been replaced by the substituted schedule.

(Regulation 27(4) added by Regulation 5(b) of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

28. Exclusive use areas

- (1) The exclusive use areas referred to in section 5(3)(f) of the Act shall, where there is more than one area, be numbered and described in separate paragraphs in the certificate of real rights of exclusive use areas issued under any provision of the Act.

(Regulation 28(1) substituted by Regulation 10(a) of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

(Regulation 28(1) substituted by regulation 4(a) of Government Notice R548 in Government Gazette 38923 dated 30 June 2015)

- (2) Simultaneously with the transfer of a right to an exclusive use area referred to in sections 25(1), 27(3) and 60(3) of the Act, the Registrar shall make an endorsement under his or her signature:

- (a) the certificate of real right issued in terms of section 25(2)(f), if such transfer is as a result of a reservation to extend a scheme in terms of section 25(1) of the Act; or
- (b) the schedule of conditions referred to in section 11(3)(b), if such transfer is effected in terms of section 27(3) of the Act; or
- (c) annexure A if the exclusive use area has been granted under the Sectional Titles Act, 1971,

and the Registrar shall notify the Surveyor-General in respect of the endorsing of the said schedule of conditions, or annexure A, as the case may be.

(Regulation 28(2) substituted by Regulation 21 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 28(2) substituted by Regulation 10(b) of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

(Regulation 28(2) substituted by Regulation 6 of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(Regulation 28(2) substituted by regulation 4(b) of Government Notice R548 in Government Gazette 38923 dated 30 June 2015)

- (3) The provisions of subregulation (1) shall apply *mutatis mutandis* to a transfer, cancellation or mortgage of any exclusive use area.

(4)

- (a) Whenever any real right to an exclusive use area vests in the body corporate as contemplated in section 27(1)(c) or section 27(4)(b) of the Act, the registrar shall upon lodgment of an application by the body corporate, nearly as practicable in the form AG in Annexure 1, issue a certificate of real right in favour of the body corporate in the form AH of Annexure 1.

- (b) If the real right to such exclusive use area is hypothecated, the registrar shall endorse the fact of the issuing of such certificate on the registry duplicate of the bond and, if the original bond is at any time lodged with the registrar's office for any purpose except cancellation, the registrar shall make a similar endorsement thereon: Provided that the issuing of such certificate shall not prejudice any claim to compensation which any person may have as a result of the vesting of such right.
- (c) The body corporate shall produce the title deed of the real right to such exclusive use area to the registrar, together with the certificate of real right, and the registrar shall thereupon endorse the fact of the issuing of such certificate on such title deed.
- (d) If the body corporate does not produce the title deed of the real right to such exclusive use area, it must submit to the registrar an affidavit stating the reasons why it has been unable to produce the title deed and the registrar shall if he or she is satisfied with the reasons, endorse the fact of the issuing of the certificate on the registry duplicate of such title deed, and if the original title deed is at any time lodged with his or her office for any purpose, the registrar shall make a similar endorsement thereon.
- (e) The registrar shall not issue the said certificate unless a certificate has been furnished by the body corporate to the effect that the provisions of section 27 of the Act in connection with the vesting of such right have been complied with.

(Regulation 28(4) added by Regulation 4 of Government Notice R438 in Government Gazette 27561 dated 13 May 2005)

- (5)
 - (a) A separate title deed as contemplated in section 27(7) of the Act may be obtained by the registered holder from the registrar upon written application accompanied by the title deed of the right to the exclusive use area concerned and such title deed must be issued, nearly as practicable, in the form AI in Annexure 1.
 - (b) If the right to the exclusive use area concerned is subject to a registered mortgage bond, that bond shall be produced to the registrar by the holder thereof, upon the request by and at the expense of the applicant.
 - (c) Before issuing such title deed the registrar shall cause to be made upon the title deed to the exclusive use area concerned and upon the mortgage bond an endorsement to the effect that a separate title deed as contemplated in section 27(7) of the Act, has been substituted for the one title deed in respect of the right to the exclusive use area concerned and the registrar shall further make the necessary entries in the registers of the issue of the separate title deed and shall, if the right to the exclusive use area is mortgaged, endorse that fact upon the title deed so issued.

- (d) Any separate title deed, when issued, shall in respect of the right to the exclusive use area described therein, take the place of the title deed or deeds by which such right was previously held and the issue of such title deed shall not in any manner affect any right or obligation in connection with such right to the exclusive use area concerned.

(Regulation 28(5) added by Regulation 4 of Government Notice R438 in Government Gazette 27561 dated 13 May 2005)

29.

A registrar shall not issue a certificate of real right contemplated in section 25(6A) or section 27(1A) of the Act, unless a conveyancer certifies-

- (a) that no unit in the scheme has been sold, donated or exchanged; or
- (b) if an unit was so alienated, the developer had disclosed in writing to the acquirer *[sic]* thereof that application is to be made for the issuing of a certificate of real right in terms of section 25(6A) or section 27(1A) of the Act.

(Regulation 29 deleted by Regulation 22 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 29 inserted by Regulation 15 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(Regulation 29 substituted by Regulation 5 of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

30.

(Regulation 30 amended by Regulation 6 of Government Notice R60 in Government Gazette 14526 dated 15 January 1993 with effect from 1 April 1993)

(Regulation 30 amended by Regulation 3 of Government Notice R1264 in Government Gazette 31626 dated 28 November 2008)

(Regulation 30 amended by Regulation 11 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

(Regulation 30 repealed by regulation 8 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

31. Destruction of or damage to building and transfer of interest

- (1) Whenever a building or buildings are damaged or deemed to be destroyed as contemplated in section 17 of the Sectional Titles Schemes Management Act, 2011, and a scheme has been authorised as provided for in section 17(3)(a) of the said Act, the body corporate shall notify the registrar. The notification referred to in section 17(9) of the Sectional Titles Schemes Management Act, 2011, shall be in the form of Form X of Annexure 1.

(Regulation 31(1) substituted by regulation 9(a) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

- (2) The notification to the registrar pursuant to subregulation (1) shall be accompanied by-
- (a) a sectional plan which shall exclude reference to any section or part of a section which has been destroyed; and
 - (b) the affected title of the owner of the unit or holder of any real rights together with the consent of the holder of any mortgage bond or holder of any real rights for disposal thereof.

(Regulation 31(2) substituted by Regulation 7 of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

- (3) The registrar shall give effect to the requirements as contemplated by section 17(3)(a)(ii) of the Sectional Titles Schemes Management Act, 2011, by making an appropriate endorsement on the relevant deeds.

(Regulation 31(3) substituted by regulation 9(b) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

- (4) The registrar shall advise the Surveyor-General and the local authority of any registration pursuant to section 17 of the Sectional Titles Schemes Management Act, 2011, which advice shall be accompanied by a copy of the sectional plan referred to in subregulation (2), in the case of the local authority, and by the original, in the case of the Surveyor-General.

(Regulation 31(4) substituted by regulation 9(c) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

- (5) On receipt of the notification pursuant to subregulation (4), the Surveyor-General shall make the required amendments and endorsements on the sectional plan and the deeds registry copy thereof.

(Regulation 31(5) substituted by Regulation 23 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

32. Notification of destruction of building

The notification referred to in section 49(1) of the Act, shall be in the form of Form Y in Annexure 1.

33.

(Regulation 33 repealed by Regulation 7 of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

34. Sectional mortgage bonds

- (1) A sectional mortgage bond hypothecating a unit held under a sectional title deed or an exclusive use area or the right to extend a scheme held under a certificate of real right, shall be substantially in the form of Form Z in Annexure 1, and shall be prepared by a conveyancer and be signed by the mortgagor, or his or her duly authorised agent, in the presence of a conveyancer, and the said form shall be

suitable[sic] adapted when hypothecating land held under a sectional title deed or a registered notarial lease or sublease or other registered real right.

(2) A collateral sectional mortgage bond must be substantially in the form of Form AJ in Annexure 1.

(3) A surety bond must be substantially in the form of Form AK in Annexure 1.

(Regulation 34 substituted by Regulation 12 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

35. Fees of office

(1) The fees of office to be charged in respect of any act, matter, or thing required, or permitted, to be done in or in relation to a deeds registry shall be those as specified in the schedule of fees of office, published in terms of regulation 84 of the Regulations in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), (Government Notice No. R. 474 of 29 March 1963).

(Regulation 35(1) substituted by Regulation 2 of Government Notice R1659 in Government Gazette 15990 dated 30 September 1994)

(2) The fees of office to be charged in respect of any act, matter or thing required or permitted to be done in or in relation to an office of the Surveyor-General, shall be those fees as is determined in accordance with section 9 of the Land Survey Act, 1997 (Act No. 8 of 1997).

(Regulation 35(2) substituted by Regulation 16(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(3) The fees of office referred to in subregulations (1) and (2) shall be paid in cash, by postal order, cheque or in such other manner determined by the Chief Registrar of Deeds or Chief Surveyor-General.

(Regulation 35(3) substituted by Regulation 16(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

36.

(Regulation 36 repealed by Regulation 3 of Government Notice R1659 in Government Gazette 15990 dated 30 September 1994)

37.

(Regulation 37 repealed by Regulation 4 of Government Notice R1659 in Government Gazette 15990 dated 30 September 1994)

38. Endorsement or entries on registered deeds or other documents or in registers

Endorsements or entries required by these Regulations to be made on registered deeds or other documents or in registers may be made thereon or therein by means of rubber stamp or handwriting or by electronic means, and shall be signed and dated by the registrar who shall below his or her signature

state the office held by him or her, and who shall initial any alteration or interlineation to an endorsement or entry.

(Regulation 38 substituted by regulation 7 of GN 5941 dated 3 March 2025)

39.

(Regulation 39 repealed by regulation 10 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

40. Conveyancers' files

(1) Every conveyancer shall keep in his or her file the respective documents set out in Annexure 6 to these Regulations in respect of the following transactions:

- (a) Transfers of ownership in terms of section 15B(1)(a) of the Act;
- (b) transfers of ownership in terms of sections 17(3), 19(3) and 34(4) of the Act; and
- (c) sectional mortgage bonds referred to in section 15B(1)(c) of the Act in respect of which he or she has signed the bond as preparer.

(2) The conveyancer who has prepared the documents contemplated in subregulation (1), shall retain his or her file, with such documents as is prescribed relating to the transaction in question, for a period of at least six years after the date of registration of such document.

(3) Every conveyancer shall take such reasonable precautions for the safe custody of his or her file as may be necessary.

(Regulation 40(1) corrected by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Regulation 40(1) substituted by Regulation 24 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Regulation 40 substituted by Regulation 17 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

41.

(Regulation 41 repealed by Regulation 18 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

42. Certified copies

A certified copy of an approved sectional plan shall only be issued by a Surveyor-General and shall not be issued prior to the registration thereof, unless the written consent of the architect and the land surveyor concerned, or any person legally entitled to act on his behalf, is produced to the Surveyor-

General: Provided that such consent shall not be required if the Surveyor-General has been supplied with evidence that such architect or land surveyor has unreasonably withheld his consent or has failed to respond in a reasonable time to a notice requesting authorisation for the issue of a certified copy.

43. Examination in connection with the preparation of draft sectional plans

(1) The syllabus for the examination that has to be set for a land surveyor or architect, who has been required by the Chief Surveyor-General to sit for an examination in connection with the preparation of a draft sectional plan in terms of section 5(2) of the Act, shall consist of-

- (a) comprehensive knowledge of all matters covered by the Act and the Regulations;
- (b) knowledge of all matters relating to the registration or cancellation of real rights in land in respect of grants, transfers, leases, subdivisions, consolidations, servitudes, bonds, mineral and surface rights, national building regulations as made under the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), town planning schemes and the provisions of the Sectional Titles Schemes Management Act, 2011; and

(Regulation 43(1)(b) amended by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Regulation 43(1)(b) substituted by regulation 11(a) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

- (c) comprehensive knowledge of all matters relating to the duties, responsibilities and professional conduct of land surveyors and architects as covered by their respective professional Acts.

(Regulation 43(1) amended by Regulation 19 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(2) There is hereby established a committee to be known as the Sectional Titles Examination Committee which shall consist of the following members appointed by the Director-general *[sic]*, namely:

- (a) The Chief Surveyor-General who shall be Chairman of the Committee;

(Regulation 43(2)(a) amended by Regulation 19 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (b) one person nominated by the South African Geomatics Council; and

(Regulation 43(2)(b) substituted by regulation 11(b) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

- (c) one person nominated by the South African Council for Architects.

(3) All the meetings of the Sectional Titles Examination Committee shall be held at such time and place as the Chairman of the Committee may determine.

- (4) Two members of the Sectional Titles Examination Committee shall form a quorum for any meeting thereof.
- (5) The Sectional Titles Examination Committee may determine the procedure at its meetings.
- (6) A resolution of the Sectional Titles Examination Committee contained in writing and signed by at least two of the members of the committee shall be valid although no meeting was held to pass the resolution.
- (7) The functions of the Sectional Titles Examination Committee in respect of the examinations shall be to-
 - (a) appoint an examiner and a moderator;
 - (b) make arrangements with the South African Geomatics Council and the South African Council for Architects regarding date, time, place, fees and other matters incidental to conducting such examination; and
- (8) The examiner and the moderator appointed in terms of subregulation (7)(a) shall make the examination results available to the Chief Surveyor-General, and the names of the land surveyors and architects who were successful in the examination shall be placed on a register, to be maintained by the Chief Surveyor-General, comprising the names of those persons entitled to undertake sectional title work: Provided that in the event of the examiner and the moderator disagreeing with regard to the examination questions or the marking of the papers, the final decision will rest with the Chief Surveyor-General.

(Regulation 43(7)(b) substituted by regulation 11(c) of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

(c) determine pass mark and duration of paper.

(Regulation 43(8) amended by Regulation 19 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

44.

(Regulation 44 inserted Government Notice 1357 in Government Gazette 20619. Commencement date: 19 November 1999.

(Regulation 44 deleted by Regulation 4 of Government Notice R1264 in Government Gazette 31626 dated 28 November 2008)

ANNEXURE 1
FORMS

Form A

(Form A deleted by Regulation 20 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

Form B

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

APPLICATION UNDER SECTION 11(1) OF THE SECTIONAL TITLES ACT, 1986.

I, the undersigned (name of developer) hereby
apply to the Registrar of Deeds for -

*1. the opening of a sectional title register in terms of the provisions of section 12(1)(b) of the Sectional
Titles Act, 1986, and the registration of the attached sectional plan in terms of the provisions of section
12(1)(a) of that Act, in respect of the scheme known as

.....
SG No.

and held under title deed No. T /19

*2. the issue of certificates of registered sectional title in terms of the provisions of section 12(1)(d) of the
aforesaid Act in respect of the sections shown on the said sectional plan.

*3. the issue of a certificate of real right in terms of the provisions of section 12(1)(e) of the aforesaid Act in
respect of any proviso in terms of section 25(1);

*4. the issue of a certificate of real right in terms of the provisions of section 12(1)(e) of the aforesaid Act in
respect of any reservation in terms of section 25(6A);

*5. the issue of a certificate of real right in terms of the provisions of section 12(1)(f) of the aforesaid Act in
respect of a right of exclusive use referred to in section 27(1);

*6. the issue of a certificate of real right in terms of the provisions of section 12(1)(f) of the aforesaid Act in
respect of a right of exclusive use referred to in section 27(1A).

Prepared by:

Signed at on

.....
Signature of Developer.

*Delete whichever is not applicable.

(Form B substituted by Government Notice R2653 dated 8 November 1991 and by Government Notice R1422 dated 31 October 1997 and amended by Government Notice R196 dated 14 March 2013 and Government Notice R883 dated 14 August 2020)

Form C

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REGISTERED SECTIONAL TITLE ISSUED UNDER *SECTION 12(1)(d) / 25(1)(c) OF THE SECTIONAL TITLES ACT, 1986

I, Registrar of Deeds at hereby certify that is the registred[sic] owner of a unit consisting of –

- (a) Section No..... as shown and more fully described on Sectional Plan No. SS in the scheme known as in respect of the land and building or buildings situated at †..... of which section the floor area, according to the said sectional plan is square metres in extent; and
- (b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

The unit is subject to or shall benefit by –

- (i) the servitudes, other real rights and conditions, if any, as contained in the Schedule of conditions referred to in section 11(3)(b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986; and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

Signed at on

(Seal of Office)

.....

Registrar of Deeds

• Omit whichever is inapplicable.

† State name of town/ city or suburb or township and local authority/ description of the farm.

Prepared by:

(Form C substituted by Government Notice R2653 dated 8 November 1991 and amended by Government Notice R196 dated 14 March 2013, by Government Notice R548 dated 30 June 2015, by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

Form D

SECTIONAL TITLE FILE

Sectional Title File No. SS /20

Name of scheme

Place where building is situated (i.e. state name of town / city or suburb or township and local authority / description of the farm

.....
.....

(Form D substituted by Government Notice R2653 dated 8 November 1991, by Government Notice R427 dated 12 May 2017 and by Government Notice R774 dated 27 July 2018)

Form E

(Form E deleted by Regulation 25(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

Form F

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REAL RIGHT UNDER SECTION 12(1)(e) OF THE SECTIONAL TITLES ACT, 1986

Whereas(hereinafter called the developer) has applied for the registration of a sectional plan in terms of section 11(1) of the Sectional Titles Act, 1986,

*AND WHEREAS the developer has reserved for *himself/herself the right to extend the scheme as contemplated in section 25(1) of the Act;

AND WHEREAS no reservation was made by the developer in terms of section 25(1) of the Act and the body corporate has not yet been established;

NOW therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at do hereby certify that the developer or *his /her successor in title is the registered holder of the right to erect and complete from time to time within a period of for *his/her personal account † on the specified portion of the common property as indicated on the plan referred to in section 25(2)(a) of the Act, filed in this office, and to:-

* divide such building or buildings into a section or sections and common property, and to confer the right to exclusive use over a portion of such common property upon the owner or owners of one or more sections in the scheme known as in respect of the land and building or buildings situated at # and shown on Sectional Plan No SS.;

* delineate exclusive use areas on or in specific parts of the land and buildings in terms of section 5(3)(f) and to confer the right of exclusive use over such areas upon the owner or owners of one or more sections in the scheme known as in respect of the land and building or buildings situate at † and shown on Sectional Plan No. SS

Signed at, on

Registrar of Deeds

(Seal of Office)

* Delete whichever is not applicable.

† State which rights, i.e. section 25(1)(a), (b) or (c) are reserved and where such rights are subdivided, state each right in a separate paragraph.

‡ State name of town / city or suburb or township and local authority / description of the farm.

(Form F substituted by Government Notice R2653 dated 8 November 1991 and by Government Notice R1422 dated 31 October 1997, amended by Government Notice R820 dated 28 September 2011 and by Government Notice R196 dated 14 March 2013, substituted by Government Notice R548 dated 30 June 2015, amended by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

FORM G

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REAL RIGHT: EXCLUSIVE USE AREAS

[In terms of sections 12(1)(f), 25 and 27 of the Sectional Titles Act 1986]

WHEREAS (hereinafter called the developer) has applied for the registration of a sectional plan in terms of section 11(1) of the Sectional Titles Act, 1986,

*WHEREAS (hereinafter called the developer) has applied for the registration of a sectional plan of extension in terms of section 25 of the Sectional Titles Act, 1986,

WHEREAS the right to extend the scheme vests with the body corporate in terms of section 25(6) of the Sectional Titles Act, 1986,

AND WHEREAS the *developer / body corporate has in terms of section 5(3)(f) of the said Act delineated certain exclusive use areas on the draft sectional plan;

AND WHEREAS no reservation was made by the developer in terms of section 27(1)(a) of the said Act and the body corporate has not yet been established;

NOW, therefore, I, the Registrar of Deeds at do hereby certify that the *developer / body corporate is the registered holder of the right to the following exclusive use areas, namely † forming part of the common property and delineated as such on Sectional Plan No. SS in the scheme known as situated at ‡

Signed at , on

.....

Registrar of Deeds

(Seal of Office)

* Delete whichever is not applicable.

† Disclose each type of exclusive use area separately.

‡ State name of town / city or suburb or township and local authority / description of the farm.

(Form G substituted by Government Notice R1422 dated 31 October 1997, by Government Notice R438 dated 13 May 2005, by Government Notice R1109 dated 18 November 2005, amended by Government Notice R196 dated 14 March 2013, substituted by Government Notice R548 dated 30 June 2015, amended by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

Form H

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

DEED OF TRANSFER

Be it hereby made known:

That ° appeared before me at, being duly authorized thereto by a power of attorney granted to him or her by dated the day of and signed at and the said appearer declared that -

(here insert an appropriate recital of the nature and date of the transaction or the circumstances necessitating transfer) and that he or she in his or her capacity as aforesaid, do, by these presents, cede and transfer, in full and free property, to and on behalf of

*1. A unit consisting of -

- (a) Section No as shown and more fully described on Sectional Plan No. SS in the scheme known as in respect of the land and building or buildings situated at † of which section the floor area according to the said sectional plan is square metres in extent; and
- (b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

Held by virtue of ‡

*2. Here insert the description of the land to be conveyed, the extent thereof, and comply with the provisions of the regulations promulgated under the Deeds Registries Act, 1937 (Act No. 47 of 1937), with reference to the extending clause and the conditions governing the unit.

*3. All the right, title and interest (here insert the share to be alienated if not the full interest) in the land and building or buildings in the scheme known as situated at † which interest consisting of § Section No. in extent as shown and more fully described on Sectional Plan No. SS ... in extent as shown and more fully described on Section Plan No. SS and *undivided share /undivided shares in the common property apportioned in accordance with the participation quota as endorsed on the said sectional plan.

Held by virtue of ‡

The said *unit/interest is subject to or shall benefit by -

- (i) the servitudes, other real rights and conditions, if any, * as contained in the schedule of conditions referred to in section 11(3)(b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986 (Act No. 95 of 1986) / endorsed on the sectional plan and the servitudes referred to in section 19 of the Sectional Titles Act , 1971 (Act No. 66 of 1971); and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.
- (iii) (Insert the special conditions endorsed against the title deed contained therein.)

Wherefore all the rights, title and interest which the transferor heretofore had to the unit aforesaid is renounced, and in consequence it is also acknowledged that the transferor is entirely dispossessed of, and disentitled to, the same, and that, by virtue of these presents the aforesaid transferee now is entitled thereto, the State however, reserving its rights, and finally acknowledging (here quote the * purchase price /declared value of the property where a purchase price is not applicable /purchase price and the declared value where the declared value of the property is higher than the purchase price).

Signed, executed and sealed at on

qq Signature of appearer

In my presence
Registrar of Deeds

* Omit whichever is not applicable.

† State name of town / city or suburb or township and local authority / description of the farm.

‡ State type of sectional title deed(s) and the number(s) thereof.

§ State each unit in separate paragraph.

° The Legal Practice Council Membership Number must be disclosed together with the full name and surname of the conveyancer-appearer in the pre-amble of the Deed of Transfer.

(Form H substituted by Government Notice R2653 dated 8 November 1991, by Government Notice R1422 dated 31 October 1997, by Government Notice R438 dated 13 May 2005, by Government Notice R196 dated 14 March 2013, amended by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018, substituted by Government Notice R883 dated 14 August 2020)

FORM I

Prepared by me

.....
ATTORNEY /NOTARY /CONVEYANCER

(Use whichever is applicable)

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

Registrar of Deeds

APPLICATION UNDER SECTION *15B(5) / 27(7)(a) OF THE SECTIONAL TITLES ACT, 1986

I, *owner/joint owner of(furnish
particulars of *unit/real right of extension /real right of exclusive use area) held by me, by virtue of **
..... hereby apply for a:-

* certificate of registered sectional title /certificate of right to an exclusive use area/certificate of right referred
to in section 25(1) in respect of my (state extent of the share) share
in the aforesaid *unit/right to an exclusive use area /right referred to in section 25(1);

* certificate of right to an exclusive use area for purposes of obtaining a separate title deed referred to in
section 27(7)(a) in respect of(furnish particulars of right/s to
exclusive use area/s).

.....
Applicant

.....
Date and place

* Omit whichever is not applicable.

** State type of sectional title deed and the number thereof.

*(Form I substituted by Government Notice R2653 dated 8 November 1991, by Government Notice
R820 dated 28 September 2011, by Government Notice R196 dated 14 March 201, by Government
Notice R548 dated 30 June 2015 and amended by Government Notice R883 dated 14 August 2020)*

FORM J

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REGISTERED SECTIONAL TITLE ISSUED UNDER SECTION *15B(5) / 15B(5A) OF THE SECTIONAL TITLES ACT, 1986

I, Registrar of Deeds at, hereby certify that is the registered owner of an undivided share in a unit consisting of –

(a) Section No. as shown and more fully described on Sectional Plan No. SS in the scheme known as in respect of the land and building or buildings situate at ** of which section the floor area, according to the said sectional plan, is square metres in extent; and

(b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said section plan.

Held by the virtue of †

The unit is subject to or shall benefit by -

(i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in section 11(3)(b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986;

(ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan; and

(iii) the following special conditions endorsed against the title deed or contained therein (if any):

.....
.....
.....

Signed at on

Prepared by:

Registrar of Deeds

Seal of Office

* Omit whichever is not applicable.

** State name of town / city or suburb or township and local authority / description of the farm.

† State type of sectional title deed(s) and the number(s) thereof.

(Form J substituted by Government Notice R2653 dated 8 November 1991), by Government Notice R820 dated 28 September 2011, amended by Government Notice R196 dated 14 March 2013, by Government Notice R548 dated 30 June 2015, by Government Notice R427 dated 12 May 2017, by Government Notice R774 of 27 July 2018 , by Government Notice R883 dated 14 August 2020)

FORM K

(Form K deleted by Government Notice R2653 of 1991)

FORM L

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

DEED OF TRANSFER

[Under section 19(3) of the Sectional Titles Acts, 1986]

Be it hereby made known:

WHEREAS the undermentioned land has been expropriated by.....
..... (here state name of Transferee and quote authority) which land is at present registered under Sectional
Title Deeds Nos. in the Deeds Registry at
.....

AND WHEREAS a certificate referred to in section 31(4)(a) of the Deeds Registries Act, 1937, has been
furnished to me by the transferee to the effect that the provisions of an law in connection with the change of
ownership in the land in consequence of expropriation, have been complied with.

NOW, therefore by virtue of the authority vested in m by section 19 of the Sectional Titles Act, 1986, I, the
Registrar of Deeds at
..... do hereby transfer in full and free property to and in favour of
..... (here insert name
of Transferee)
..... (here insert the description of the property being transferred a refer to the diagram annexed or the
diagram deed and conditions of title.)

NOW therefore the registered owners are entirely dispossessed of and disentitled to the said land and by virtue
of this deed the said transferee (here insert name
of Transferee) now is entitled thereto, the State however reserving its rights.

Signed at on

Seal of Office

.....

Registrar of Deeds

*(Form L substituted by Government Notice R2653 dated 8 November 1991, amended by Government
Notice R196 dated 14 March 2013, and by Government Notice R883 dated 14 August 2020)*

Prepared by:

FORM M

Prepared by me

.....

CONVEYANCER

.....

(State surname and initials in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

**DEED OF CESSION OF (here insert servitude or rights)
UNDER SECTION 19(3) OF SECTIONAL TITLES ACT, 1986**

WHEREAS the undermentioned (state whether servitude or other right) has/have been expropriated by (quote authority) over/in and upon portion/the land comprised in the common property in the scheme known as No situate at (disclose name of local authority) which is/are at present registered in the name of (disclose name of holder of servitude or other right) under (state nature of title and number);

AND WHEREAS a certificate has been furnished to me under section 32(4) of the Deeds Registries Act, 1937, by the cessionary to the effect that the provisions of any law in connection with the expropriation of such (state servitude or other right) have been complied with;

NOW therefore by virtue of the authority vested in me by section 19 of the Act, I, the Registrar of Deeds at do hereby cede to (state name of cessionary) –

*1 (In the event of a servitude the description or nature thereof with reference to any diagram, if annexed.) over (Description and extent of land.)

2. (In the case of other rights the description thereof.) in and upon (description of and extent of land, with reference to diagram or section plan and ancillary rights, if any).

Prepared by:

In witness whereof I, the said Registrar, have signed this deed at, on

Seal of Office

.....
Registrar of Deeds

(Form M substituted by Government Notice R2653 dated 8 November 1991, amended by Government Notice R196 dated 14 March 2013 and by Government Notice R883 dated 14 August 2020)

FORM N

(Form N substituted by Government Notice R2653 dated 8 November 1991, deleted by Government Notice R1422 dated 31 October 1997.)

FORM O (.....deleted)

*[Form O substituted by Government Notice R2653 dated 8 November 1991, by Government Notice R438 dated 13 May 2005, by Government Notice R820 dated 28 September 2011, amended by Government Notice R196 dated 14 March 2013, substituted by Government Notice R548 dated 30 June 2015, by Government Notice R427 dated 12 May 2017, amended by Government Notice R774 dated 27 July 2018, by Government Notice R883 dated 14 August 2020.)
(Form O deleted by regulation 8(a) of GNR 497 dated 11 June 2021)*

FORM P

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REGISTERED SECTIONAL TITLE UNDER SECTION 22(5) OF THE SECTIONAL TITLES ACT, 1986

Whereas has made application for the subdivision of Section No as shown and more fully described on Sectional Plan No. SS in the scheme known as in respect of the land and building or buildings situate at * and held under †.....in accordance with a plan of subdivision;

And whereas the sectional plan of subdivision has been registered by me as Sectional Plan No. SS
.....

Now, therefore. I, Registrar of Deeds at hereby certify that aforesaid is the registered owner of a unit consisting of -

- (a) Section No as shown and more fully described on the aforesaid sectional plan, in the scheme known as in respect of the land and building or buildings situate at * of which section the floor area, according to the said sectional plan is square metres in extent; and
- (b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

The unit is subject to or shall benefit by -

- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in section 11(3)(b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986, and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

Prepared by:

(iii) (Insert the special conditions imposed, endorsed against the title deed or contained therein.)

Signed at on

Seal of Office

.....
Registrar of Deeds

* State name of town / city or suburb or township and local authority / description of the farm.

† State type of sectional title deed(s) and the number(s) thereof.

(Form P substituted by Government Notice R2653 dated 8 November 1991, amended by Government Notice R196 dated 14 March 2013, by Government Notice R548 dated 30 June 2015, by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

FORM Q

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REGISTERED SECTIONAL TITLE UNDER SECTION 23(5) OF THE SECTIONAL TITLES ACT, 1986

Whereas has made application for the consolidation of his Section Nos as shown and more fully described on Sectional Plan No. SS in the scheme known as in respect of the land and building or buildings situate at * and held under † in accordance with a sectional plan of consolidation;

And whereas the plan of consolidation has been registered by me as Sectional Plan No. SS
.....

Now, therefore, I, Registrar of Deeds at hereby certify that aforesaid is the registered owner of a unit consisting of –

- (a) Section No. as shown and more fully described on the aforesaid section plan, in the scheme known as in respect of the land and building or buildings situate at * of which section the floor area, according to the said sectional plan, is square metres in extent; and
- (b) undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

The unit is subject to or shall benefit by -

- (i) the servitudes, other real rights and conditions, if any, as contained in the schedule of conditions referred to in section 11(3)(b) and the servitudes referred to in section 28 of the Sectional Titles Act, 1986; and
- (ii) any alteration to the building or buildings or to a section or to the common property shown on the said sectional plan.

Prepared by:

(iii) Insert the special conditions endorsed against the title deed or contained therein.)

Signed at on

Seal of Office

.....
Registrar of Deeds

* State name of town / city or suburb or township and local authority / description of the farm.

† State type of sectional title deed(s) and the number(s) thereof.

(Form Q substituted by Government Notice R2653 dated 8 November 1991, amended by Government Notice R196 dated 14 March 2013, by Government Notice R548 dated 30 June 2015, by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

FORM R

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REAL RIGHT UNDER SECTION 25(6) OF THE SECTIONAL TITLES ACT, 1986

Whereas the right to extend the scheme vests with the body corporate of
..... under the provisions of section 25(6) of the Act:

Now, therefore, I, the Registrar of Deeds at, in pursuance of the provisions
of the said Act, do hereby certify that the said body corporate is the registered holder of the right to erect and
complete from time to time: *
..... on the specified portion of the common property as indicated on the plan referred to in section 25(2)(a)
of the Act filed in this office, and to –

** divide such building or buildings into a section or sections and common property and to confer the right of
exclusive use over portions of such common property upon the owner or owners of one or more sections in
the scheme known as, in respect of the land and building or
buildings situate at † and shown on Sectional Plan No. SS
..... ;

** delineate exclusive use areas on or in specific parts of the land and buildings in terms of section 5(3)(f) and
to confer the right of exclusive use over such areas upon the owner or owners of one or more sections in the
scheme known as, in respect of the land and building or buildings situate at
† and shown on Sectional Plan No. SS

Signed at on

.....
Registrar of Deeds

Seal of Office

* State period of extension and which rights i.e. section 25(1)(a), (b), (c), are reserved.

** Delete whichever is not applicable.

† State name of town/ city or suburb and local authority/description of farm.

*(Form R substituted by Government Notice R2653 dated 8 November 1991, amended by Government
Notice R196 dated 14 March 2013, substituted by Government Notice R548 dated 30 June 2015 and*

Prepared by:

amended by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

FORM S

(Form S substituted by Government Notice R60 dated 15 January 1993 and deleted by Government Notice R1422 dated 31 October 1997.)

FORM T

(Form T substituted by Government Notice R60 dated 15 January 1993 and deleted by Government Notice R1422 dated 31 October 1997)

FORM U

(Form U deleted by Government Notice R2653 dated 8 November 1991)

FORM V

(Form V substituted by Government Notice R60 dated 15 January 1993, amended by Government Notice R830 dated 25 August 2000, substituted by Government Notice R1264 dated 28 November 2008 and deleted by Government Notice R427 dated 12 May 2017)

FORM W

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF ESTABLISHMENT OF BODY CORPORATE IN TERMS OF THE PROVISIONS OF SECTION 2(1) OF THE SECTIONAL TITLES SCHEMES MANAGEMENT ACT 8 OF 2011

I, Registrar of Deeds at hereby certify that a body corporate designated as the Body Corporate of the scheme, No. is deemed to be established with effect from

Signed at on

Seal of office

.....
REGISTRAR OF DEEDS

(Heading substituted by Government Notice R427 dated 12 May 2017)

(Form W amended by Government Notice R60 dated 15 January 1993, substituted by Government Notice 830 of 25 August 2000, amended by Government Notice R196 dated 14 March 2013 and by Government Notice R883 dated 14 August 2020)

FORM X

The Registrar of Deeds

NOTIFICATION IN TERMS OF SECTION 17(9) OF THE SECTIONAL TITLES SCHEMES MANAGEMENT ACT 8 OF 2011

We, and , trustees of the Body Corporate of the scheme known as No. , hereby give notice that in terms of section 17 of Act 8 of 2011 the building or buildings have been damaged or are deemed to have been destroyed as contemplated in section 17(1) of the said Act, on account of (state why building or buildings are damaged or deemed to be destroyed), and that the owners have by a unanimous resolution / order of court*, been authorised to rebuild and reinstate in whole/or in part* the building or buildings* and to transfer the interest of owners whose sections have been wholly or partly destroyed to the other owners.

The following documents are attached:

- (a) A copy of the unanimous resolution, certified by us; or
- (b) a copy of the order of court certified by the registrar of the court.

Postal address:

.....
Trustee

.....
Trustee

.....
Date

*Delete that which is not applicable.

Delete (a) or (b).

(Form X substituted by Government Notice R60 dated 15 January 1993 and by Government Notice R427 dated 12 May 2017)

FORM Y

The Registrar of Deeds

NOTIFICATION UNDER SECTION 49(1) OF THE SECTIONAL TITLES ACT, 1986

We, and, trustees of the Body Corporate of the scheme known as No., hereby give notice that in terms of section 17 of the Sectional Titles Schemes Management Act 8 of 2011, the building or buildings are deemed to be destroyed on account of

.....
.....
(state why the building or buildings are deemed to be destroyed), and that the owners have by unanimous resolution resolved not to rebuild the building or buildings.

The following documents are attached:

- (a) A copy of the unanimous resolution of the owners that the building or buildings are deemed to be destroyed, as certified by us, *together with the written agreement of the holders of registered sectional mortgage bonds and the agreement of persons with registered real rights, as provided for in section 17(1)(b) of the Sectional Titles Schemes Management Act, 2011; or
- *(b) a copy of the order of the court that the building or buildings are deemed to be destroyed, certified by the registrar of the court; and
- (c) a copy of a unanimous resolution of the owners not to rebuild, as provided for in section 17(3)(a) of the Sectional Titles Schemes Management Act, 2011, as certified by us.

Postal address

.....
Trustee

.....
Trustee

.....
Date

*Delete that which is not applicable.

(Form Y substituted by Government Notice R60 dated 15 January 1993 and by Government Notice R427 dated 12 May 2017)

FORM Z

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

SECTIONAL MORTGAGE BOND HYPOTHECATING *A UNIT / AN EXCLUSIVE USE AREA / THE RIGHT TO EXTEND A SCHEME / OTHER REGISTERED REAL RIGHTS

I, the undersigned, (hereinafter referred to as the mortgagor), do hereby acknowledge myself to be lawfully indebted and bound to (hereinafter referred to as the mortgagee) in the amount of (in words and figures) and (in words and figures) being the additional amount referred to in the conditions annexed, arising from and being and as security for the above,

I hereby bind as a † mortgage, subject to the conditions set out in the annexure to this bond*:

(1) *A unit consisting of -

(a) Section No as shown and more fully described on Sectional Plan No. SS , in the scheme known as in respect of the land and building or buildings situate at ‡ of which the floor area, according to the said sectional plan, is square metres in extent; and

(b) an undivided share in the common property in the scheme apportioned to the said section in accordance with the participation quota as endorsed on the said sectional plan.

Held under ** and subject to such conditions as set out in the aforesaid **

(2) * An exclusive use area described as No. , measuring being as such part of the common property, comprising the land and the scheme known as in respect of the land and building or buildings situate at ‡..... as shown and more fully described on Sectional Plan No. SS held under ** and subject to such conditions as set out in the aforesaid **

Prepared by:

(3) *The right to erect and complete from time to time within a period of
 for *my/our/its personal account § on the specified
 portion of the common property as indicated on the plan [as referred to in section 25(2)(a) of the Act]
 and to divide such building or buildings into a section or sections and common property and to confer
 the right of exclusive use over portions of such common property upon the owner or owners of one or
 more sections in respect of the land described as and in the scheme
 known as in respect of the land and building or buildings situate at
 ‡ and shown on Section Plan No. SS
 and held under ** and subject to such conditions as set out in the
 aforesaid **

Signed at on

.....
 Mortgagor or his duly authorised agent

Before me

.....
 Conveyancer

Registered at

On

.....

Registrar of Deeds

Seal of Office

The Annexure to the bond shall be signed by the mortgagor and the conveyancer at the end thereof and when
 it consists of more than one page, each additional page shall be initialled by the said parties. The form must
 be adapted if other real rights are mortgaged. (Follow the description of the real right as it appears in the title
 of the right.)

* Omit which is not applicable.

† Insert ranking of bond.

‡ State name of town/city or suburb or township and local authority/description of farm.

§ State which right i.e. section 25(1)(a), (b) or (c).

** State type of sectional title deed(s), notarial deed(s) and the number(s) thereof.

(Form Z substituted by Government Notice R2653 dated 8 November 1991 and by Government Notice R291 dated 16 April 2010, amended by Government Notice R196 dated 14 March 2013, by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

FORM AB

(Form AB substituted by Government Notice R2345 dated 5 October 1990, by Government Notice R2653 dated 8 November 1991, and deleted by Government Notice 830 dated 25 August 2000)

FORM AC

SPECIMEN OF FIRST SHEET

Sectional Plan No. SS

S.G. No. D

SHEET 1

OFSHEETS

Registered at

APPROVED

Registrar of Deeds

for Surveyor-General

Date.....

Date

NAME OF SCHEME

DESCRIPTION OF LAND ACCORDING TO *DIAGRAM/GENERAL PLAN:

*DIAGRAM/GENERAL PLAN No.:

NAME OF LOCAL AUTHORITY:

LOCAL AUTHORITY REFERENCE NUMBER:

DESCRIPTION OF BUILDING(S):

ENCROACHMENTS ON THE LAND:

*YES/NO

* CAVEAT IN RESPECT OF EXTENSION OF SCHEME:

* EXCLUSIVE USE AREA(S):

Certificate

I,

hereby certify that I have prepared sheets to

inclusive, of this sectional plan from survey in accordance with the provisions of the Sectional Titles Act, 1986, and the regulations promulgated thereunder.

Date

Signed *Land Surveyor/Architect

Registration number

Address

Prepared by:

.....

Survey records:	Compilation:	General Plan:
-----------------	--------------	---------------

Explanatory[sic] notes:

(a) * Omit whichever is not applicable.

(b) Separate certificates are required when an architect is also involved.

(Form AC substituted by Government Notice R2345 dated 5 October 1990, by Government Notice R2653 dated 8 November 1991, by Government Notice R60 dated 15 January 1993)

FORM AD

SECTIONAL TITLES ACT, 1986
NO PARK[sic] OF BUILDING(S) LET FOR RESIDENTIAL PURPOSES
AFFIDAVIT

I, the undersigned, _____, do hereby make oath and say that:

1. The developer in the sectional title development scheme known as _____
_____, situated on Erf _____ in _____
_____ Township ('the scheme'), is _____

2. I have been duly authorised by resolution of the developer, dated _____ (a certified copy of which resolution is annexed hereto), to declare that, in regard to section 4(3) of the Sectional Titles Act, 1986, as amended ('the Act'), the provisions of the said section do not apply to the scheme, in that no part of the building(s) comprised in the scheme and which, after a division of the building(s), will constitute a unit or units therein, has been let wholly or partially for residential purposes.

3. I am able to depose to the correctness of the facts contained in paragraph 2 above, because I personally have made investigations to verify such facts.

Deponent

THUS SIGNED AND SWORN to before me at _____ on the _____
_____ day of _____ 19 _____ by the Deponent, who acknowledges that he/she knows and
undstands[sic] the contents of this Affidavit.

Commissioner of Oaths

Full name _____
Designation _____
Address _____

(Form AD substituted by Government Notice R1422 dated 31 October 1997)

FORM AE

SECTIONAL TITLES ACT, 1986
BUILDING(S) OR PART THEREOF LET FOR RESIDENTIAL PURPOSES
AFFIDAVIT

I, the undersigned, _____, do hereby make oath and say that:

1. The developer in the sectional title development scheme known as _____ situated on Erf _____ in _____ Township ('the scheme'), is _____

2. I have been duly authorised by resolution of the developer, dated _____ (a certified copy of which resolution is annexed hereto), to declare that, in regard to section 4(3) of the Sectional Titles Act, 1986, as amended ('the Act') -
 - 2.1 the provisions of section 4(3) of the Act apply to the scheme in that one or more part(s) of the building(s) comprised in the scheme and which will constitute a unit or units therein, is or are let wholly or partially for residential purposes;

 - 2.2 the developer has complied fully with all the provisions of section 4(3) of the Act, in that –
 - 2.2.1 every lessee of every part of the building(s) which is leased for residential purposes as stated in paragraph 2.1 above, was notified in writing of the meeting of lessees which was held on _____ ; a specimen of the notice is attached hereto, marked Annexure 'A', and which has been initialled by me for identification purposes;

 - 2.2.2 the notice referred to in paragraph 2.2.1 above, was –
 - (a) delivered personally on _____ , and a list of lessees with signatures (and dates of such signatures) thereon, acknowledging receipt of the said notice, is attached hereto, marked Annexure "B", and which has been initialled by me for identification purposes; OR

 - (b) despatched by registered post on _____ , and a copy of the acknowledgement of receipt of the registered letters by the post office concerned, is attached hereto, marked Annexure 'B', and which has been initialled by me for identification purposes;

2.2.3 the meeting referred to in paragraph 2.2.1 above, was held within the municipal area of at, which is situated at a distance of km from the scheme;

2.2.4 the meeting referred to in paragraph 2.2.1, was held on a certified copy of the minutes is attached hereto, marked Annexure 'C', and which has been initialled by me for identification purposes;

2.2.5 of the developer attended the meeting to provide the lessees with –

(a) such particulars of the scheme as the lessees may reasonably require from him/her; and

(b) the information regarding the lessees' rights as set out in section 10 of the Act; and

2.2.6 in addition to the notice referred to in paragraph 2.2.1 above, the lessees were provided with certificates containing the prescribed particulars in respect of the relevant building(s), parts thereof or units therein, and of the scheme. A copy of the certificate is attached hereto, marked Annexure 'D', and which has been initialled by me for identification purposes.

3. I am able to depose to the correctness of the facts contained in paragraph 2 above, because I personally have made investigations to verify such facts.

.....
Deponent

THUS SIGNED AND SWORN to before me at on the day of 19 by the Deponent, who acknowledges that he/she knows and understands the contents of this Affidavit.

.....
Commissioner of Oaths

Full name

Designation

Address

.....

.....

(Form AE substituted by Government Notice R1422 dated 31 October 1997)

FORM AF

SECTIONAL TITLES ACT, 1986
BUILDING(S) SUBJECT TO SHARE BLOCKS CONTROL ACT, 1980 (ACT No. 59 OF 1980)
AFFIDAVIT

I, the undersigned, do hereby make oath and say that:

1. The developer in the sectional title development scheme known as ,
situated on Erf in Township ('the scheme'), is

2. I have been duly authorised by resolution of the developer, dated (a certified
copy of which resolution is annexed hereto), to declare that -

2.1 in regard to section 4(3) of the Sectional Titles Act, 1986 (Act No. 95 of 1986), as amended ('the
Act') -

2.1.1 one or more part(s) of the building(s) comprised in the scheme and which will constitute a
unit or units therein is/are let wholly or partially for residential purposes;

2.1.2 I submit that the provisions of section 4(3) of the Act can have no application to the scheme
in that -

2.1.2.1 the developer as defined in the Act is a share block company constituted in terms
of the provisions of the Share Blocks Control Act, 1980 (Act No. 59 of 1980);

2.1.2.2 the developer has in terms of the proviso to section 4(3) of the Act, within a period
of two years prior to the date of application, complied with the provisions of section
11A of the Share Blocks Control Act, 1980 (Act No. 59 of 1980).

3. I am able to depose to the correctness of the facts contained in paragraph 2 above, because I personally
have made investigations to verify such facts.

.....
Deponent

THUS SIGNED AND SWORN to before me at on the
..... day of 19 by the Deponent, who acknowledges that he/she knows
and understands the contents of this Affidavit.

Prepared by:

Commissioner of Oaths

Full name

Designation.....

Address.....

.....

.....

(Form AF substituted by Government Notice R1422 dated 31 October 1997)

FORM AG

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

APPLICATION UNDER *SECTION 27(1)(d) / SECTION 24(4)(c) OF THE SECTIONAL TITLES ACT, 1986

We, and the undersigned trustees of the
Body Corporate of the (name) Scheme, No
.....

Hereby apply for the issuing of a certificate of real rights of exclusive use areas in respect of:

An exclusive use area described as No, measuring
..... being as such part of the common property comprising the land and the scheme known as
..... in respect of the land and building or buildings situate at †
..... as shown and more fully described on Sectional plan No SS held
under *Certificate of Real Right/Notarial Deed of Cession No SK

Which right vests in the said body corporate in terms of section *27(1)(d) / 27(4)(c) of the Sectional Titles Act,
1986.

Address

.....
Trustee

.....
Trustee

.....
Date

* Delete that which is not applicable

† State name of town / city or suburb or township and local authority / description of the farm.

*(Form AG added by Government Notice R438 dated 13 May 2005, amended by Government Notice R196
dated 14 March 2013, by Government Notice R427 dated 12 May 2017, by Government Notice R774
dated 27 July 2018, by Government Notice R883 dated 14 August 2020)*

FORM AH

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REAL RIGHT: EXCLUSIVE USE AREA

[In terms of section *27(1)(d) / 27(4)(c) of the Sectional Titles Act, 1986]

WHEREAS the undermentioned exclusive use area vests in the Body Corporate of
(name) No, in terms of section *27(1)(d) / 27(4)(c) of the
Sectional Titles Act, 1986;

AND WHEREAS the said body corporate has applied for the issuing of a certificate of real right of exclusive
use area;

NOW THEREFORE, in terms of the provisions of the Act, I, the Registrar of Deeds at
hereby certify that the Body Corporate of (name)
..... No. is the registered holder of:

‡ An exclusive use area described as, No, measuring
....., being as such part of the common property comprising the land and the scheme known
as in respect of the land and building or buildings situate at †
..... as shown and more fully described on Sectional Plan No SS held under *
Certificate of Real Right / Notarial Deed of Cession No SK

Signed at on

Seal of Office

.....

Registrar of Deeds

* Delete whichever is not applicable.

† State name of town / city or suburb or township and local authority / description of the farm.

‡ Disclose each type of exclusive use area separately

(Form AH added by Government Notice R438 dated 13 May 2005, amended by Government Notice R196 dated 14 March 2013, by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018, by Government Notice R883 dated 14 August 2020)

FORM AI

Prepared by me

.....
CONVEYANCER

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

CERTIFICATE UNDER SECTION *15B(5) / 27(7) OF THE SECTIONAL TITLES ACT, 1986

WHEREAS has applied for the issuing of -

* a certificate of registered sectional title / certificate of right to an exclusive use area / certificate of right referred to in section 25(1) of the Sectional Titles Act, 1986, in respect of his/her
..... (state extent of the share) undivided share in respect of the undermentioned *unit / right to an exclusive use area / right referred to in section 25(1),

* a separate title deed as contemplated in section 27(7) in respect of the undermentioned exclusive use areas, being exclusive use areas registered in his / her name held by virtue of *Certificate of Real Rights: Exclusive Use Areas / Notarial Deed of Cession of Exclusive Use Areas (state No. of title deed) dated

NOW THEREFORE, in terms of the provisions of the said Act, I, Registrar of Deeds, at
..... hereby certify that the said heirs, executors, administrators, or successors in title, or assigns is /are the registered holder /s of certain ‡
(describe the unit / right/s to the exclusive use area /s / right referred to in section 25(1)) and that by virtue of these presents (he, she or it) is now and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have signed this Deed, and have caused the seal of office to be affixed thereto.

Signed at, on

.....
Registrar of Deeds

(Seal of Office)

* Delete whichever is not applicable.

‡ Disclose each unit / type of exclusive use area / section 25(1) right separately.

(Form AI added by Government Notice R438 dated 13 May 2005, amended by Government Notice R196 dated 14 March 2013, substituted by Government Notice R548 dated 30 June 2015, amended by Government Notice R883 dated 14 August 2020)

FORM AJ

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

COLLATERAL SECTIONAL MORTGAGE BOND

I, the undersigned, (hereinafter referred to as the mortgagor), do hereby acknowledge myself to be lawfully indebted and bound to (hereinafter referred to as the mortgagee) in the sum of arising from and being as security for which indebtedness sectional mortgage bond no (hereinafter called the principal bond) was registered in the Deeds Registry at on the over the property thereby specially hypothecated;

And whereas the said mortgagee requires the indebtedness of the mortgagor under the principal bond to be further secured by the hypothecation of the undermentioned property as collateral security therefore;

Now, therefore, I, renouncing all benefits arising from the legal exceptions with the full force and effect of which I declare myself to be fully acquainted, do by these presents declare and acknowledge myself to be held and firmly bound unto and on behalf of the said his order or assigns in the aforesaid sum of together with the sum of as a preferent charge for costs and other matters as more fully set out in the principal bond, and as collateral security for the due and proper repayment of the aforesaid sums with interest on the said capital sum and for the due and proper fulfilment of all the terms and conditions mentioned or referred to in the principal bond as well as all my obligations thereunder, I declare to bind specially as a mortgage (here describe the *section and its undivided share in the common property in the scheme / exclusive use area / real right);

And I further declare that this collateral sectional mortgage bond and the Annexure hereto, shall be subject to all the terms and conditions set out in the principal bond and the Annexure thereto as fully and effectually as if the same had been inserted herein and to the special condition that upon payment and discharge of all obligations under the principal bond, this bond shall be null and void but shall otherwise be and remain in full force, virtue and effect.

Signed at on

.....

Prepared by:

Mortgagor or duly authorised agent

Before me

.....

Conveyancer

Registered at

On

.....

Registrar of Deeds

Seal of Office

ANNEXURE

I, the undersigned, (hereinafter referred to as the mortgagor), further declared that the Collateral Sectional Mortgage Bond to which this Annexure is attached shall be subject to the following terms and conditions:-

**

.....
.....

.....

Mortgagor or duly authorised agent

.....

Conveyancer

* Delete whichever is not applicable

** Insert applicable terms and conditions

(Form AJ added by Government Notice R291 dated 16 April 2010, amended by Government Notice R196 dated 14 March 2013, and by Government Notice R883 dated 14 August 2020)

FORM AK

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

SURETY BOND

Whereas (hereinafter referred to as the principal debtor), is truly and lawfully indebted in the sum of (.....) together with the sum of (.....) as a preferent charge for costs and other matters to and on behalf of (describe the mortgagee), arising from and being as security for which indebtedness the said principal debtor has registered Mortgage Bond No , dated in the Deeds Registry at over the property/real right thereby especially hypothecated.

And whereas I, the undersigned (here describe the surety) has agreed to bind myself as surety and co-principal debtor for the due payment of the aforesaid sum and interest thereon and for the compliance with all the terms and conditions of the aforesaid principal bond as well as the terms and conditions referred to in the Annexure hereto, mortgaging as security for the fulfilment of the said obligations the hereinafter-mentioned property/real right;

Now therefore, I, the said declare myself to be truly and lawfully indebted and held and firmly bound to and on behalf of in the sum of arising from the considerations aforementioned under renunciation of the legal exceptions with the force and effect whereof I declare myself to be fully acquainted together with the sum of (.....) as a preferent charge for costs and other matters as more fully set out in the said principal bond;

And I bound myself to pay or cause to be paid to the mortgagee or other holder of this bond, his/her heirs, executors, administrators or assigns the said principal sum of with such interest as may from time to time become due and payable thereon in terms of the principal bond, and for the proper performance of the terms thereof I, the said declared to bind specially as a mortgage (describe the *section and its undivided share in the common property/exclusive use area/real right);

And I declare it to be a special condition of this bond that should the principal debtor fulfil all his/her obligations under the said principal bond by payment of all the sums due thereon by way of capital and interest and comply further with all the terms and conditions of the aforesaid bond, this bond shall become null and void.

Signed at on

.....
Surety or duly authorised agent

Before me

.....
Conveyancer

Registered at

On

.....
Registrar of Deeds

Seal of Office

ANNEXURE

I, the undersigned (the surety) declare that the surety bond to which this Annexure is attached is subject to the following terms and conditions:- **

.....
.....
.....

.....
Surety or duly authorised agent

.....
Conveyancer

* Delete whichever is not applicable.

** Insert applicable terms and conditions.

(Form AK added by Government Notice R291 dated 16 April 2010, substituted by Government Notice R820 dated 28 September 2011, amended by Government Notice R196 dated 14 March 2013) and by Government Notice R883 dated 14 August 2020)

FORM AL

Prepared by me

.....
ATTORNEY /NOTARY /CONVEYANCER
(Use whichever is applicable)

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

APPLICATION AND CONSENT IN TERMS OF SECTION 11(3)(d) OF THE SECTIONAL TITLES ACT, 1986

I, the developer having applied for the registration of a sectional plan SG. No (insert here the sectional plan number issued by the surveyor-general) and the opening of a sectional title register in respect of the scheme known as ... (insert here the name of the scheme) on the land (describe the land mortgaged under the bond), mortgaged under Bond (describe the number including the year number) and other land, do hereby apply for all the land shown on the sectional plan to be substituted for the land mortgaged under the said bond.

Signed at on

Witnesses:

- 1. **DEVELOPER**
- 2.

and I,, the legal holder of the aforesaid bond do hereby consent to the substitution of all the land shown on the sectional plan for the land mortgaged under the bond.

Signed at on

Witnesses:

- 1. **LEGAL HOLDER**
- 2.

N.B.: Alternatively the mortgagor and mortgagee may furnish their consents in separate documents.
(Form AL inserted by Government Notice R820 dated 28 September 2011, amended by Government Notice R196 dated 14 March 2013) and by Government Notice R883 dated 14 August 2020)

FORM AM

Prepared by me

.....
ATTORNEY /NOTARY /CONVEYANCER
(Use whichever is applicable)

.....
(State full name and surname in block letters.)

.....
(Disclose Legal Practice Council Membership Number)

CONSENT

(To cancellation, release, cession, substitution, etc. of, from, or under Bond)

.....the undersigned, the legal holder of the undermentioned
Bond, namely: No. dated

Folio
passed by
in favour of
for the sum of
*and ceded to
*by Cession registered on date

Do hereby consent to

Signed at on

Witnesses:

- 1.
- 2.

Note: If Bond was not ceded delete*
Omit all irrelevant matter.

(Form AM added by Government Notice R820 dated 28 September 2011, amended by Government Notice R196 dated 14 March 2013 and by Government Notice R883 dated 14 August 2020)

Prepared by:

FORM AN

NOTICE

**LOST OR DESTROYED *SCHEDULE OF SERVITUDES AND CONDITIONS/DOCUMENTATION ISSUED
IN TERMS OF SECTION 25(2) OF THE SECTIONAL TITLES ACT, 1986**

(Form of publication in terms of regulation 13A / 25A of the Regulations to the Act.)

Notice is hereby given that under the provisions of regulation *13A / 25A of the Sectional Titles Act, 1986, I, the registrar of deeds at intend to arrange for the filing in the relevant sectional title file of a *Replacement Schedule of Servitudes and Conditions/Replacement Documentation issued in terms of section 25(2) of the Sectional Titles Act, 1986, in lieu of (here describe the lost or destroyed *Schedule of Servitudes and Conditions/Documentation issued in terms of section 25(2) of the Sectional Titles Act, 1986 and, if applicable, make reference to the previous issue where a copy has already been issued but is lost or destroyed), which has been lost or destroyed.

All persons having any objection to the filing in the relevant sectional title file of such *Replacement Schedule of Servitudes and Conditions/Replacement Documentation issued in terms of section 25(2) of the Sectional Titles Act, 1986, are hereby required to lodge the same in writing with the registrar of deeds at within six weeks after the date of the first publication in the *Gazette*.

Signed at on

.....
Registrar of Deeds

Seal of Office

* Delete whichever is not applicable.

(Form AN added by Government Notice R820 dated 28 September 2011)

FORM AO

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters.)

.....

(Disclose Legal Practice Council Membership Number)

CERTIFICATE OF REPLACEMENT ISSUED IN TERMS OF REGULATION 16(d) OF THE SECTIONAL TITLES ACT, 1986

Registrar's number of Sectional Plan SS

WHEREAS the original certificate relating to the establishment of a body corporate, issued in terms of the provisions of section 36(1) of the Act, has been lost or destroyed;

AND WHEREAS it is a requirement in terms of regulation 16(d) of the Act that a certificate of replacement be filed in the sectional title file;

NOW therefore I, registrar of deeds at, in pursuance of the provisions of the said Act, do hereby certify that the body corporate designated as the Body Corporate of the scheme known as, sectional plan No. SS in respect of the land and building or buildings situated at ** was established on

Signed at on

.....

Registrar of Deeds

Seal of Office

** State name of town / city or suburb or township and local authority / description of the farm.

(Form AO inserted by Government Notice R820 dated 28 September 2011, amended by Government Notice R196 dated 14 March 2013, by Government Notice R427 dated 12 May 2017, by Government Notice R774 dated 27 July 2018 and by Government Notice R883 dated 14 August 2020)

FORM AP

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership Number)

APPLICATION FOR SUBDIVISION OF A SECTION UNDER SECTION 22(1) OF THE SECTIONAL TITLES ACT, 1986

I, the undersigned,, do hereby apply to the Registrar of Deeds at for:

1. The registration of the attached sectional plan SG No. D.* of subdivision of a section in terms of the provisions of section 22(1) of the Sectional Titles Act, 1986, in respect of sections numbered (list the new sections), formerly section no, as shown and more fully described on sectional plan SS** in the scheme known as (disclose name of scheme) in respect of the land and building or buildings situate at † and held under §
2. The issue of certificates of registered sectional title in terms of the provisions of section 22(5) of the aforesaid Act in respect of the sections as shown on the said sectional plan of subdivision.

Signed at on

.....

Signature of Owner

* Insert SG reference of sectional plan of subdivision

** Insert plan number allocated at the first phase/opening of the sectional title register.

† State name of town/city or suburb or township and local authority/description of farm

§ State type of sectional title deed(s) and the number(s) thereof.

(Form AP added by regulation 8(b) of GNR 497 dated 11 June 2021)

FORM AQ

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership Number)

APPLICATION FOR CONSOLIDATION OF SECTIONS UNDER SECTION 23(1) OF THE SECTIONAL TITLES ACT, 1986

I, the undersigned, do hereby apply to the Registrar of Deeds at for:

1. The registration of the attached sectional plan SG No. D.* of consolidation of sections in terms of the provisions of section 23(1) of the Sectional Titles Act, 1986, in respect of section no , formerly sections nos. (list the sections to be consolidated) , as shown and more fully described on sectional plan SS** in the scheme known as (disclose name of scheme) in respect of the land and building or buildings situate at † and held under §
2. The issue of a certificate of registered sectional title in terms of the provisions of section 23(5) of the aforesaid Act in respect of the section as shown on the said sectional plan of consolidation.

Signed at on

.....

Signature of Owner

* Insert SG reference of sectional plan of consolidation

** Insert plan number allocated at the first phase/opening of the sectional title register.

† State name of town/city or suburb or township and local authority/description of farm

§ State type of sectional title deed(s) and the number(s) thereof.

(Form AQ added by regulation 8(b) of GNR 497 dated 11 June 2021)

FORM AR

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership Number)

APPLICATION FOR EXTENSION OF SECTIONS UNDER SECTION 24(6) OF THE SECTIONAL TITLES ACT, 1986

I, the undersigned,, do hereby apply to the Registrar of Deeds at for registration of the attached sectional plan SG No. D.* of extension of a section in terms of the provisions of section 24(6) of the Sectional Titles Act, 1986, in respect of section no., as shown and more fully described on sectional plan SS** in the scheme known as (disclose name of scheme) in respect of the land and building or buildings situate at † and held under§

Signed at on

.....

Signature of Owner

* Insert SG reference of sectional plan of extension

** Insert plan number allocated at the first phase/opening of the sectional title register.

† State name of town/city or suburb or township and local authority/description of farm

§ State type of sectional title deed(s) and the number(s) thereof.

(Form AR added by regulation 8(b) of GNR 497 dated 11 June 2021)

FORM AS

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership Number)

APPLICATION FOR EXTENSION OF A SCHEME UNDER SECTION 25(9) OF THE SECTIONAL TITLES ACT, 1986

I, the undersigned, , do hereby apply to the Registrar of Deeds at for:

1. The registration of the attached sectional plan SG No. D.* of extension of a scheme by the addition of sections and/or exclusive use areas in terms of the provisions of section 25(9) of the Sectional Titles Act, 1986, in respect of sections and/or exclusive use areas numbered (list the new sections and/or exclusive use areas being added to the scheme) , as shown and more fully described on sectional plan SS** in the scheme known as (disclose name of scheme) in respect of the land and building or buildings situate at † and held under§
2. The issue of certificates of registered sectional title in terms of the provisions of section 25(11) of the aforesaid Act in respect of the sections shown on the said sectional plan of extension.
3. The issue of a certificate/s of real right in respect of a right/s to exclusive use as contemplated by section 25 (11) (if applicable).

Signed at on

.....

Signature of Owner

* Insert SG reference of sectional plan of extension

** Insert plan number allocated at the first phase/opening of the sectional title register.

† State name of town/city or suburb or township and local authority/description of farm

§ State type of sectional title deed(s) and the number(s) thereof.

(Form AS added by regulation 8(b) of GNR 497 dated 11 June 2021)

FORM AT

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership Number)

APPLICATION FOR EXTENSION OF A SCHEME BY ADDITION OF LAND TO THE COMMON PROPERTY UNDER SECTION 26 (5) OF THE SECTIONAL TITLES ACT, 1986

I, the undersigned,, do hereby apply to the Registrar of Deeds at for the registration of the attached sectional plan SG No. D.* of extension of a scheme by the addition of land to the common property in terms of the provisions of section 26(5) of the Sectional Titles Act, 1986, in respect of the land described as (insert cadastral description of land) as shown and more fully described on sectional plan SS** in the scheme known as (disclose name of scheme) in respect of the land and building or buildings situate at † and held under §

Signed at on

.....

Signature of Owner

* Insert SG reference of sectional plan of extension

** Insert plan number allocated at the first phase/opening of the sectional title register.

† State name of town/city or suburb or township and local authority/description of farm

§ State type of sectional title deed(s) and the number(s) thereof.

(Form AT added by regulation 8(b) of GNR 497 dated 11 June 2021)

Form AU

DEED OF TRANSFER
[Under Section 19(3) of the Sectional Titles Act, 1986]

Prepared by me

.....

CONVEYANCER

.....

(State full name and surname in block letters)

.....

(Disclose Legal Practice Council Membership number)

Be it hereby made known:

WHEREAS the undermentioned common property has been expropriated (here quote the authority), which land is at present registered in the name of.....under Sectional Plan No..... under Deed of.....No.....dated....., in the Deeds Registry at

AND WHEREAS a certificate has been furnished to me in terms of section 31(4)(a) of the Deeds Registries Act 47 of 1937, by the transferee, to the effect that the provisions of any law in connection with the change of ownership in the land in consequence of expropriation have been complied with.

NOW, therefore, by virtue of the authority vested in me by section 19 of the Sectional Titles Act, I, the Registrar of Deeds at..... do hereby transfer in full and free property to and in favour of.....(here insert the name of the transferee), its successors in title or assigns, in respect of.....(here insert the description of the property being transferred, refer to the diagram annexed or the diagram deed, and the conditions of title).

NOW therefore the registered owners are entirely dispossessed of and disentitled to the said land and by virtue of this deed the said transferee (here insert name of Transferee), its successors in title or assigns, now is entitled thereto, the State however, reserving its rights.

This done and executed at the Office of the aton this.....day of.....in the year.....

.....

Registrar of Deeds

(Add a registration clause approved by the Registrar)

(Form AU added by regulation 8 of GN 5941 dated 3 March 2025)

Prepared by:

ANNEXURE 2

(Annexure 2 repealed by Regulation 5 of Government Notice R1659 in Government Gazette 15990 dated 30 September 1994)

ANNEXURE 3

(Annexure 3(1), (2), (3) and (4) substituted by Regulation 26 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Annexure 3 repealed by Regulation 21 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

ANNEXURE 4

(Annexure 4 corrected by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Annexure 4 substituted by Government Notice R1562 in Government Gazette 14024 dated 12 June 1992)

(Annexure 4 repealed by Regulation 5 of Government Notice R1659 in Government Gazette 15990 dated 30 September 1994)

ANNEXURE 5

(Annexure 5 Section VI substituted by Regulation 27(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Annexure 5 Section VII deleted by Regulation 27(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Annexure 5, substituted by the Regulation 2 of Government Notice R1791 in Government Gazette 12670 dated 3 August 1990)

(Annexure 5 repealed by Regulation 5 of Government Notice R1659 in Government Gazette 15990 dated 30 September 1994)

ANNEXURE 6

DOCUMENTS TO BE KEPT IN CONVEYANCER'S FILES IN TERMS OF REGULATION 40

(Heading of Annexure 6 substituted by Regulation 28(a) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Heading of Annexure 6 substituted by Regulation 7 of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

A Transfer of ownership or alienation in terms of section 15B of the Act

- (1) The original or duplicate original of the conveyancer's certificate under section 15B(3) of the Act.
- (2) Where applicable, the power of attorney conferring authority to act in respect of the transaction.

- (3) The clearance of other certificate issued by the body corporate to the effect that on date of registration of the relevant transfer all monies due to the body corporate, have been paid or that provision has been made to the satisfaction of the body corporate for the payment thereof.

(Annexure 6 paragraph A(3) substituted by Regulation 22(a) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (4) The conveyancer may keep any other documents relating to the status, authority or capacity of the transferor or the transferee deemed necessary by him in the file.

(Annexure 6 paragraph A substituted by Regulation 28(b) of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

B Sectional Mortgage Bond

- (1) Power of attorney conferring authority on the conveyancer to act in respect of the transaction, unless such authority is contained in the bond.

- (2) Any other documents, including powers of attorney, deemed necessary by the conveyancer and relating to the status, authority or capacity of the mortgagor or his or her agent or of the mortgagee or his or her agent or of the conveyancer.

(Annexure 6 paragraph B(2) substituted by Regulation 22(b) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

- (3) Any consent granted in terms of section 15(2) of the Matrimonial Property Act, 1984 (Act No. 88 of 1984).

(Annexure 6 paragraph B(3) inserted by Regulation 22(c) of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

ANNEXURE 7

(Annexure 7 repealed by Regulation 23 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

ANNEXURE 8

MANAGEMENT RULES

(Annexure 8 amended by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Annexure 8 amended by Regulation 9 of Government Notice R2345 in Government Gazette 12767 dated 5 October 1990)

(Annexure 8 amended by the Regulations under Government Notice R2542 in Government Gazette 12816 dated 2 November 1990)

(Annexure 8 amended by Regulation 29 of Government Notice R2653 in Government Gazette 13612 dated 8 November 1991)

(Annexure 8 amended by Regulation 24 of Government Notice R1422 in Government Gazette 18387 dated 31 October 1997)

(Annexure 8 amended by Regulation 8 of Government Notice 830 in Government Gazette 21483 dated 25 August 2000)

(Annexure 8 amended by Regulation 6 of Government Notice R438 in Government Gazette 27561 dated 13 May 2005)

(Annexure 8 amended by Regulation 3 of Government Notice R1109 in Government Gazette 28217 dated 18 November 2005)

(Annexure 8 amended by Regulation 6 of Government Notice R1264 in Government Gazette 31626 dated 28 November 2008)

(Annexure 8 amended by Regulation 4 of Government Notice R291 in Government Gazette 33111 dated 16 April 2010)

(Annexure 8 amended by Regulation 14 of Government Notice R820 in Government Gazette 34639 dated 28 September 2011 with effect from 28 October 2011)

(Annexure 8 amended by Regulation 9 of Government Notice R196 in Government Gazette 36241 dated 14 March 2013 with effect from 14 April 2013)

(Annexure 8 amended by regulation 6 of Government Notice R548 in Government Gazette 38923 dated 30 June 2015)

(Annexure 8 repealed by regulation 13 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)

ANNEXURE 9 CONDUCT RULES

(Annexure 9 amended by the Regulations under Government Notice R991 in Government Gazette 11318 dated 27 May 1988)

(Annexure 9 repealed by regulation 14 of Government Notice R427 in Government Gazette 40842 dated 12 May 2017)