



**rural development  
& land reform**

Department:  
Rural Development & Land Reform  
REPUBLIC OF SOUTH AFRICA

**ANNEXURE B**

Office of the Registrar of Deeds, Bloemfontein,  
Private Bag X 20613, BLOEMFONTEIN, 9300 – Tel 051-4030300– Fax 051-4030370

**INPUT: REGISTRARS' CONFERENCE 2009**

**Reference: A 4/2/2/1**

**DIRECTORATE: LEGAL SUPPORT AND DEEDS TRAINING  
PRETORIA**

**Attention: A S Reynolds**

**1. Regulation 68(1) Act 47/1937 application for a copy – Reference to bondholder(s) in application (Affidavit)**

Does Conference agree that it is not necessary to refer to the particulars of the bond(s) registered over the property in the application (affidavit) applying for a certified copy in terms of Regulation 68(1) Act 47/1937?

Resolution: It is not necessary. According to Regulation 68(1) the affidavit must state that the deed has not been pledged and is not being detained by any one as security for debt or otherwise. Regulation 68 (2) states that the Registrar shall require that the mortgagee shall state in writing that the deed is not in his possession and that he consents to the issue of a copy, if the land is mortgaged.

**2. Section 18(3) Act 66/1965 estate. Application for endorsement of title in terms of Section 39(3) Act 66/1965**

Does Conference agree that it is not possible to apply for Section 39(3) Act 66/1965 endorsement on a title where the estate is administered in terms of Section 18(3) Act 66/1965?

Resolution: Yes. Conference agrees. There is no liquidation and distribution account to prove excessive hardship.

**3. Title deed erroneously endorsed in terms of Section 40 Act 66/1965. Property should have been transferred to an existing trust**

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**National Treasury (South Africa)**



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