

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

NO. R. 497

11 June 2021

SECTIONAL TITLES ACT, 1986: AMENDMENT OF REGULATIONS

I, Angela Thokozile Didiza, Minister of Agriculture, Land Reform and Rural Development, acting in terms of section 55 of the Sectional Titles Act, 1986 (Act No. 95 of 1986), after consultation with the sectional titles regulation board, hereby amend the Regulations promulgated by Government Notice No. R. 664 of 8 April 1988, as set out in the Schedule hereto. The Regulations will come into operation one month from the date of publication hereof in the Gazette.

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

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SCHEDULE

Definitions

1. In this Schedule "the Regulations" mean the Regulations promulgated by Government Notice No. R. 664 of 8 April 1988 (as corrected by Government Notice No. R. 991 of 27 May 1988), as amended.

Amendment of regulation 6

2. Regulation 6 of the Regulations is hereby amended by the substitution for paragraph (b) of the following paragraph:

"(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;".

Amendment of regulation 19

3. Regulation 19 of the Regulations is hereby amended by the substitution for subregulation (1)(a) of the following subregulation:

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

Amendment of regulation 21

4. Regulation 21 of the Regulations is hereby amended by the substitution for subregulation (1)(a) of the following subregulation:

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

Amendment of regulation 23

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5. Regulation 23 of the Regulations is hereby amended by the substitution for subregulation (1)(a) of the following subregulation:

“(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.”.

Amendment of regulation 25

6. Regulation 25 of the Regulations is hereby amended by the substitution for subregulation (1)(a) of the following subregulation:

“(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.”.

Amendment of regulation 27

7. Regulation 27 of the Regulations is hereby amended by the substitution for subregulation (1)(a) of the following subregulation:

“(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.”.

Amendment of Annexure 1

8. Annexure 1 to the Regulations is hereby amended –

(a) by the deletion of form O; and

(b) by the addition of the following forms:

“FORM AP

Prepared by me

.....

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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.

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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

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- * 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 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

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* 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

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 §

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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 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

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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.”.

Short title

9. These regulations shall be known as the Sectional Titles Amendment Regulation 2021.

DEPARTEMENT VAN LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING
WET OP DEELTITELS, 1986: WYSIGING VAN REGULASIES 11 Junie 2021
NO. R. 497

Ek, Angela Thokozile Didiza, Minister van Landbou, Grondhervorming en Landelike Ontwikkeling, kragtens artikel 55 van die Wet op Deeltitels, 1986 (Wet No. 95 van 1986), na raadpleging met die deeltitelregulasieraad, wysig hiermee die Regulasies aangekondig by Goewermentskennisgewing No. R. 664 van 8 April 1988, soos in die Bylae hiervan uiteengesit. Die Regulasies tree in werking een maand vanaf die datum van publikasie hiervan in die *Staatskoerant*.



MEV ANGELA THOKOZILE DIDIZA

MINISTER: LANDBOU, GRONDHERVORMING EN LANDELIKE ONTWIKKELING

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BYLAE

Woordomskrywings

1. In hierdie Bylae beteken "die Regulasies" die Regulasies afgekondig by Goewermentskennisgewing No. R. 664 van 8 April 1988 (soos verbeter deur Goewermentskennisgewing No. R. 991 van 27 Mei 1988), soos gewysig.

Wysiging van regulasie 6

2. Regulasie 6 van die Regulasies word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

"(b) 'n sertifikaat deur 'n argitek of 'n landmeter wat meld dat die grense van die dele en gemeenskaplike eiendom fisies bepaal is soos bedoel in artikel 5 (4) en (5) van die Wet;".

Wysiging van regulasie 19

3. Regulasie 19 van die Regulasies word hierby gewysig deur subregulasie (1)(a) deur die volgende subregulasie te vervang:

"(1) (a) 'n Aansoek om registrasie van 'n deelplan van onderverdeling moet in die vorm van Vorm AP in Aanhangsel 1 wees.".

Wysiging van regulasie 21

4. Regulasie 21 van die Regulasies word hierby gewysig deur subregulasie (1)(a) deur die volgende subregulasie te vervang:

"(1) (a) 'n Aansoek om registrasie van 'n deelplan van konsolidasie moet in die vorm van Vorm AQ in Aanhangsel 1 wees.".

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Wysiging van regulasie 23

5. Regulasie 23 van die Regulasies word hierby gewysig deur subregulasie (1)(a) deur die volgende subregulasie te vervang:

“(1) (a) 'n Aansoek om registrasie van 'n deelplan van uitbreiding van 'n deel moet in die vorm van Vorm AR in Aanhangsel 1 wees.”.

Wysiging van regulasie 25

6. Regulasie 25 van die Regulasies word hierby gewysig deur subregulasie (1)(a) deur die volgende subregulasie te vervang:

“(1) (a) 'n Aansoek om registrasie van 'n deelplan van uitbreiding van 'n skema moet in die vorm van Vorm AS in Aanhangsel 1 wees.”.

Wysiging van regulasie 27

7. Regulasie 27 van die Regulasies word hierby gewysig deur subregulasie (1)(a) deur die volgende subregulasie te vervang:

“(1) (a) 'n Aansoek om registrasie van 'n deelplan van uitbreiding van die gemeenskaplike eiendom moet in die vorm van Vorm AT in Aanhangsel 1 wees.”.

Wysiging van Aanhangsel 1

8. Aanhangsel 1 tot die Regulasies word hierby gewysig –

- (a) deur die skrapping van vorm O; en
- (b) deur die byvoeging van die volgende vorms:

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"VORM AP

Opgestel deur my

.....
TRANSPORTBESORGER
.....

(Vermeld volle naam en van in
blokletters)

.....
(Vermeld Lidmaatskap Nommer van
Regspraktykraad)

**AANSOEK OM ONDERVERDELING VAN 'N DEEL KRAGTENS ARTIKEL 22(1)
VAN DIE WET OP DEELTITELS, 1986**

Ek, die ondergetekende, doen hierby aansoek by die
Registrateur van Aktes te om-

1. Die registrasie van die aangehegte deelplan LG No. D * van onderverdeling van 'n deel ingevolge die bepalings van artikel 22 (1) van die Wet op Deeltitels, 1986, ten opsigte van dele genommer (lys die nuwe dele), voorheen deel no. aangetoon en vollediger beskryf op deelplan SS ** in die skema bekend as (vermeld naam van skema) ten opsigte van die grond en gebou of geboue, geleë te † en gehou kragtens §.....
2. Die uitreiking van sertifikate van geregistreerde deeltitel ingevolge die bepalings van artikel 22 (5) van gemelde Wet ten opsigte van die dele aangedui op die gemelde deelplan van onderverdeling.

Geteken te op

.....
Handtekening van Eienaar

-5-

- * Vermeld LG verwysing van deelplan van onderverdeling
- ** Vermeld plan nommer toegeken met eerste fase/opening van deeltitel register.
- † Vermeld naam van dorp/stad of voorstad of dorpsgebied en plaaslike bestuur/beskrywing van plaas.
- § Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.

Vorm AQ

Opgestel deur my

.....
TRANSPORTBESORGER

.....
(Vermeld volle naam en van in
blokletters)

.....
(Vermeld Lidmaatskap Nommer van
Regspraktykraad)

**AANSOEK OM KONSOLIDASIE VAN DELE KRAGTENS ARTIKEL 23(1) VAN
DIE WET OP DEELTITELS, 1986**

Ek, die ondergetekende doen hierby aansoek by die
Registrateur van Aktes te om-

1. Die registrasie van die aangehegte deelplan LG No. D * van konsolidasie van dele ingevolge die bepalings van artikel 23 (1) van die Wet op Deeltitels, 1986, ten opsigte van deel no., voorheen dele nrs (lys die dele wat gekonsolideer staan te word) aangetoon en vollediger beskryf op deelplan SS ** in die skema bekend as (vermeld naam van skema) ten opsigte van die grond en gebou of geboue, geleë te † en gehou kragtens §.....

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2. Die uitreiking van sertifikate van geregistreerde deeltitel ingevolge die bepalings van artikel 23 (5) van gemelde Wet ten opsigte van die deel aangedui op die gemelde deelplan van konsolidasie.

Geteken te op

.....
Handtekening van Eienaar

* Vermeld LG verwysing van deelplan van konsolidasie

** Vermeld plan nommer toegeken met eerste fase/opening van deeltitel register.

† Vermeld naam van dorp/stad of voorstad of dorpsgebied en plaaslike bestuur/beskrywing van plaas.

§ Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.

VORM AR

Opgestel deur my

.....
TRANSPORTBESORGER

.....
(Vermeld volle naam en van in
blokletters)

.....
(Vermeld Lidmaatskap Nommer van
Regspraktykraad)

AANSOEK OM DIE UITBREIDING VAN DELE KAGTENS ARTIKEL 24(6) VAN DIE WET OP DEELTITELS, 1986

Ek, die ondergetekende, doen hierby aansoek by die Registrateur van Aktes te om registrasie van die aangehegte deelplan LG No. D * van uitbreiding van 'n deel ingevolge die bepalings van artikel 24 (6) van die Wet op Deeltitels, 1986, ten opsigte van deel no.

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....., aangetoon en vollediger beskryf op deelplan SS **
..... in die skema bekend as (vermeld naam van
skema) ten opsigte van die grond en gebou of geboue, geleë te †
en gehou kragtens §.....

Geteken te op

.....
Handtekening van Eienaar

* Vermeld LG verwysing van deelplan van uitbreiding

** Vermeld plan nommer toegeken met eerste fase/opening van deeltitel register.

† Vermeld naam van dorp/stad of voorstad of dorpsgebied en plaaslike bestuur/beskrywing van plaas.

§ Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.

VORM AS

Opgestel deur my

.....
TRANSPORTBESORGER

.....
(Vermeld volle naam en van in
blokletters)

.....
(Vermeld Lidmaatskap Nommer van
Regspraktykraad)

AANSOEK OM UITBREIDING VAN 'N SKEMA KAGTENS ARTIKEL 25(9) VAN DIE WET OP DEELTITELS, 1986

Ek, die ondergetekende, doen hierby aansoek by die
Registrateur van Aktes te om-

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1. Die registrasie van die aangehegte deelplan LG No. D * van uitbreiding van 'n skema deur die byvoeging van dele en/of uitsluitlike gebruiksgebiede ingevolge die bepalings van artikel 25 (9) van die Wet op Deeltitels, 1986, ten opsigte van dele en/of uitsluitlike gebruiksgebiede genommer (lys die nuwe dele en/of uitsluitlike gebruiksgebiede wat by die skema bygevoeg word), aangetoon en vollediger beskryf op deelplan SS ** in die skema bekend as (vermeld naam van skema) ten opsigte van die grond en gebou of geboue, geleë te † en gehou kragtens §.....
2. Die uitreiking van sertifikate van geregistreerde deeltitel ingevolge die bepaling van artikel 25 (11) van gemelde Wet ten opsigte van die dele aangedui op die gemelde deelplan van uitbreiding.
3. Die uitreiking van 'n sertifikaat/sertifikate van saaklike reg ten opsigte van 'n reg/regte van uitsluitlike gebruik soos beoog in artikel 25 (11) (indien van toepassing).

Geteken te op

.....
Handtekening van Eienaar

* Vermeld LG verwysing van deelplan van uitbreiding

** Vermeld plan nommer toegeken met eerste fase/opening van deeltitel register.

† Vermeld naam van dorp/stad of voorstad of dorpsgebied en plaaslike bestuur/beskrywing van plaas.

§ Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.

VORM AT

Opgestel deur my

.....
TRANSPORTBESORGER
.....

-9-

(Vermeld volle naam en van in
blokletters)

.....
(Vermeld Lidmaatskap Nommer van
Regspraktykraad)

**AANSOEK OM UITBREIDING VAN 'N SKEMA DEUR DIE BYVOEGING VAN
GROND BY DIE GEMEENSKAPLIKE EIENDOM KRAGTENS ARTIKEL 26(5)
VAN DIE WET OP DEELTITELS, 1986**

Ek, die ondergetekende, doen hierby aansoek by die Registrateur van Aktes te om registrasie van die aangehegte deelplan LG No. D * van uitbreiding van 'n skema deur die byvoeging van grond by die gemeenskaplike eiendom ingevolge die bepalings van artikel 26 (5) van die Wet op Deeltitels, 1986, ten opsigte van die grond beskryf as (voeg in kadastrale beskrywing van die grond), aangetoon en vollediger beskryf op deelplan SS ** in die skema bekend as (vermeld naam van skema) ten opsigte van die grond en gebou of geboue, geleë te † en gehou kragtens §.....

Geteken te op

.....
Handtekening van Eienaar

* Vermeld LG verwysing van deelplan van uitbreiding

** Vermeld plan nommer toegeken met eerste fase/opening van deeltitel register.

† Vermeld naam van dorp/stad of voorstad of dorpsgebied en plaaslike bestuur/beskrywing van plaas.

§ Vermeld tipe deeltitelbewys/e en die nommer/s daarvan.”.

Kort titel

9. Hierdie Regulasies heet die Deeltitel Wysigingsregulasies, 2021.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 498

11 June 2021

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

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


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

SCHEDULE

Definitions

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

Substitution of regulation 16

2. The following regulation is hereby substituted for regulation 16 of the Regulations:

"16. The Chief Registrar of Deeds shall keep an electronic register of conveyancers and notaries which register must be accessible to all Registrars, and each Registrar shall keep a register of persons other than conveyancers and notaries who are authorised by any other law to prepare a deed or other document for registration or filing in a deeds registry.".

Repeal of regulation 42

3. Regulation 42 of the Regulations is hereby repealed.

Amendment of regulation 68

4. Regulation 68 of the Regulations is hereby amended-

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

"(11B)(a) The registered holder of a mortgage or notarial bond, or his or her duly authorised agent, who desires to procure cancellation of such bond which has been lost, destroyed, or became incomplete or unserviceable and of which the registry duplicates have also been lost, destroyed, or became incomplete or unserviceable, must at own expense publish (in the prescribed form) notice of intention to apply for the cancellation of the

registration of such bond, in an issue of a newspaper circulating in the area in which the mortgaged land is situated, and in the case of a notarial bond in an issue of one or more newspapers circulating in the area of every deeds registry in which such notarial bond is registered.

(b) The notice of intention referred to in paragraph (a) must call upon any interested person to furnish the Registrar at the deeds registry in which the bond is registered, with an objection, if any, to the cancellation of the registration of the bond within a period of two weeks from the date of the publication of the notice in the newspaper.”; and

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

“(11C) Where after the expiry of the two-week period referred to in subregulation (11B)(b), the registered holder of the bond, or his or her duly authorised agent, has lodged with the Registrar within a further period of six weeks, a consent to cancellation of the registration of the relevant bond, and has complied with the necessary changes with the provisions of subregulations (1), (2) and (3) of this regulation, the Registrar shall, if satisfied that no good reason to the contrary exists, endorse such consent to indicate the cancellation of the bond, and the endorsed consent shall be deemed to be a cancellation of the bond notwithstanding that the original or registration duplicate of the bond was not submitted for cancellation.”.

Amendment of forms

5. The Regulations are hereby amended by the substitution for form V of the following form:

“Form V

Certificate of township title

[Issued under the provisions of section forty-six (4) of the Deeds Registries Act, 1937 (47 of 1937).]

Prepared by me

.....
CONVEYANCER

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

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

Whereashas applied for the issue to him/her of a Certificate of Township Title under section forty-six (4) of the Deeds Registries Act, 1937, and whereas he/she is the registered owner of (here describe the land held under his title deed) under Deed of Transfer (or Grant) dated and whereas there is laid out a township called upon a portion of the aforementioned land, hereinafter described.

Now, therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at do hereby certify that the said, heirs, executors, administrators, or assigns, is the registered owner of certain portion (describe it) now known as the township of of the farm (quote name, number, registration division, administrative district and quote the diagram deed and last deed in accordance with regulations) now known as (insert township name), measuring as will more fully appear from diagram S. G. hereunto annexed approved by the Surveyor-General on the (here observe the regulations regarding conditions).

And that by virtue of these presents the said, heirs, executors, administrators, or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar of Deeds, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the
at on this day of in the
year of Our Lord, Two thousand

.....
Registrar of Deeds

(Add a registration clause approved by the Registrar).".

Short title

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