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GOVERNMENT NOTICE.**DEPARTMENT OF MINES.**

No. R.599.]

[18th April, 1969.

MINING TITLES REGISTRATION ACT, 1967**REGULATIONS**

The Mining Titles Regulations Board has under the powers vested in it by section 10 of the Mining Titles Registration Act, 1967 (Act No. 16 of 1967), made the following regulations in substitution for the regulations promulgated under Government Notice No. 2072 of 23 December, 1938, as amended by Government Notice No. 3 of 7 January 1944. The regulations hereby promulgated shall come into force on the 2nd day of June, 1969.

CHAPTER I**DEFINITIONS**

1. In these regulations, unless the context otherwise indicates, "the Act" means the Mining Titles Registration Act, 1967 (Act No. 16 of 1967), or any amendment thereof, and any expression to which a meaning has been assigned in that Act bears, when used in these regulations or in any form prescribed by these regulations, the meaning so assigned thereto, and

"deed" includes all documents registered or capable of being registered in the Mining Titles Office; "duly witnessed" means attested as provided for in section 61 of the Act.

CHAPTER II**POWERS OF ATTORNEY**

1. Every power of attorney prepared in the Republic and South-West Africa to perform any act in the Mining Titles Office shall be prepared by a practising attorney, notary or conveyancer, bear an endorsement "Prepared

GOEWERMENSKENNISGEWING.**DEPARTEMENT VAN MYNWESE.**

No. R.599.]

[18 April 1969.

**WET OP DIE REGISTRASIE VAN MYNTITELS,
1967****REGULASIES**

Die Mynbrieweregulasieraad het, kragtens die bevoegdheid aan hom verleen by artikel 10 van die Wet op die Registrasie van Myntitels, 1967 (Wet No. 16 van 1967), die volgende regulasies uitgevaardig ter vervanging van die regulasies afgekondig by Goewermenskennisgewing No. 2072 van 23 Desember 1938, soos gewysig by Goewermenskennisgewing No. 3 van 7 Januarie 1944. Die regulasies wat hierby afgekondig word, tree in werking op die 2de dag van Junie 1969.

HOOFSTUK I**WOORDOMSKRYWINGS**

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken „die Wet” die Wet op die Registrasie van Myntitels, 1967 (Wet No. 16 van 1967), of enige wysiging daarvan, en het enige uitdrukking waaraan in daardie Wet 'n betekenis gegee is en wat in hierdie regulasies of in enige vorm by hierdie regulasies voorgeskryf, gebruik word, die betekenis aldus daaraan gegee, en beteken „akte” ook alle dokumente wat in die Mynbriewekantoor geregistreer is of regstreer kan word; „behoorlik voor getuies geteken” geattesteer soos in artikel 61 van die Wet bepaal.

HOOFSTUK II**PROKURASIES**

1. Elke prokurasie wat in die Republiek en Suidwes-Afrika opgestel word om 'n handeling in die Mynbriewekantoor te verrig, moet deur 'n praktiserende prokureur, notaris of transportbesorger opgestel word, moet 'n en-

by me" signed by the preparer giving his capacity and be lodged singly.

2. (a) Powers shall be neatly and plainly typed, printed or written in black ink of good quality on paper of durable quality.
- (b) Powers drawn on flimsy or otherwise unsuitable paper and carbon copies of powers shall not be accepted.
- (c) A margin of at least one and a half inches shall be left clear for binding purposes.

3. Where applicable powers shall state the mode of disposal (*causa*) as well as the date thereof which shall agree with that stated in the transfer duty receipt, and the price, if a sale.

4. (a) Every power shall contain the full names of the parties therein concerned and in the case of a natural person, the identity number assigned to him under the Population Registration Act, 1950 (Act No. 30 of 1950). An alias shall not be permitted.
- (b) Where any of the parties concerned is a woman her status shall be disclosed. If she is married out of community of property the number of the antenuptial contract shall be given and it shall be disclosed whether or not the marital power is excluded. If the marital power of the principal's husband is not excluded she shall be assisted by him. If the agent's husband's marital power is not excluded he must consent to her appointment.

5. Alterations and interlineations shall be initialled by the principal, witnesses and the preparer. If the original witnesses are no longer available new witnesses shall attach their full signatures to such alterations and interlineations.

6. If a power of attorney is signed across a stamp or with other than black ink of good quality, or typing or writing encroaches on the binding margin, or if it is badly typed or slovenly drawn, the registrar may refuse to accept it for the intended purpose.

7. Powers in a foreign language may, at the discretion of the registrar, be accepted if a translation by a person admitted to practise as a sworn translator within the Republic is lodged therewith: Provided that if there be no sworn translator of such foreign language readily available the registrar may, in his discretion, accept a translation made under oath by such other person as he may approve.

8. (a) No change of status of a woman need be reflected in her title deed to any right: Provided that any such change shall be proved and disclosed in any power of attorney whereby she seeks to deal with such right.
- (b) Where a husband seeks to deal with any right held by a woman to whom he is married in community of property, regulation 10, chapter III, of these regulations shall apply.

9. If after signing a power the status of the principal changes such power shall not be acted upon if it was given by

- (a) a guardian of a minor or a minor assisted by his guardian and such minor has since attained majority unless it is confirmed by him, or
- (b) a woman who has since married in community of property, or

dossement „Opgestel deur my" bevat wat deur die opsteller geteken is en sy hoedanigheid meld, en moet in enkelvoud ingedien word.

2. (a) Prokurasies moet netties en duidelik met swart ink van goeie gehalte op duursame papier getik, gedruk of geskryf word.
- (b) Prokurasies op dun of andersins ongeskikte papier opgestel, en deurslagkopieë van prokurasies, word nie aanvaar nie.
- (c) 'n Kantruimte van minstens een en 'n half duim moet vir binddoleindes skoon gelaat word.
3. Waar dit van toepassing is moet prokurasies die wyse van vervreemding (*causa*) vermeld asook die datum daarvan wat ooreen moet kom met dié wat in die heregektekwitansie vermeld word, asook die prys, indien dit 'n verkoop is.

4. (a) Elke prokurasie moet die volle name bevat van die partye wat daarby betrokke is, en in die geval van 'n natuurlike persoon, die persoonsnommer wat aan hom kragtens die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), toegegelyk is. 'n Alias word nie toegelaat nie.
- (b) Waar enigeen van die betrokke partye 'n vrou is, moet haar status vermeld word. As sy buite gemeenskap van goed getroud is, moet die nommer van die huweliksvoorwaardekontrak verstrek en moet daar vermeld word of die maritale mag uitgesluit is, al dan nie. Indien die maritale mag van die lasgewer se eggenoot nie uitgesluit is nie moet sy deur hom bygestaan word. Indien die maritale mag van die agent se eggenoot nie uitgesluit is nie moet hy sy toestemming tot haar aanstelling gee.

5. Veranderings en tussenskrifte moet deur die lasgewer, getuies en die opsteller geparafeer word. As die oorspronklike getuies nie meer beskikbaar is nie moet nuwe getuies hul volle handtekenings teenoor sodanige veranderings en tussenskrifte aanbring.

6. As 'n prokurasie dwarsoor 'n seël of met ander ink as swart ink van goeie kwaliteit onderteken is, of die tikwerk of skrif in die kantruimte inkom, of as dit swak getik of slordig opgestel is, kan die registrateur weier om dit vir die bestemde doel te aanvaar.

7. Prokurasies in 'n vreemde taal kan deur die registrateur na goeddunke aanvaar word indien 'n vertaling deur iemand wat toegelaat is om as 'n beëdigde vertaler binne die Republiek te praktiseer, saam daarmee ingedien word: Met dien verstande dat, as daar geen beëdigde vertaler van sodanige vreemde taal geredelik beskikbaar is nie, die registrateur na goeddunke 'n vertaling kan aanvaar wat onder eed gedoen is deur enige ander persoon wat hy mag goedkeur.

8. (a) Geen verandering van status van 'n vrouw in haar titelbewys van 'n reg aangedui te word nie: Met dien verstande dat enige sodanige verandering bewys en aangedui moet word in enige prokurasie waarmee sy beoog om met sodanige reg te handel.
- (b) Waar 'n man wil handel met 'n reg gehou deur 'n vrouw met wie hy in gemeenskap van goed getroud is, is regulasie 10, hoofstuk III, van hierdie regulasies van toepassing.

9. As die status van die lasgewer ná die ondertekening van 'n prokurasie verander kan daar nie kragtens sodanige prokurasie gehandel word nie indien dit gegee is deur

- (a) 'n voog van 'n minderjarige of 'n minderjarige bygestaan deur sy voog en sodanige minderjarige sedertdien meerderjarig geword het, tensy dit deur hom bekratig word, of
- (b) 'n vrouw wat sedertdien in gemeenskap van goed getroud is, of

(c) a woman who has since married out of community of property and the marital power is retained unless the power is confirmed by her husband.

10. An association shall be described in the power in relation to the manner in which the right is to be vested in terms of its constitution.

11. A power of attorney granted by an association shall be supported by a certified copy of the resolution of the executive or other committee or other governing body or of the association in general meeting, as the constitution may require, appointing and empowering the signatories to sign the power. Such resolution shall, if it is not a general resolution, give details of the transaction and it shall be referred to in the power.

12. The name of a company mentioned in any power shall agree with that appearing in the certificate of incorporation or any certificate of change of name issued subsequently and shall be in the same language as that in the certificate. Translations and abbreviations will not be permitted. In addition, the registration number, if any, of the company shall be quoted and if a foreign company the country in which it was originally registered shall be given.

13. In the case of a statutory body the law by which it was created shall be quoted, where possible.

14. In the case of a partnership the power shall give the full names and identity numbers of the partners as well as the name under which the partnership carries on business.

15. (a) Where a person has died after he has acquired the right to take transfer of any right the power shall disclose that disposal was to the deceased during his lifetime and that transfer is to be passed to his estate or to the joint estate of the transferee and his surviving spouse if the marriage was one in community of property. The estate number shall be quoted.

(b) If such person has died after the power was drawn the power need not be redrawn but the facts shall be proved and transfer passed to the estate as set out in sub-regulation (a) above.

16. The rights being dealt with shall in the case of special powers of attorney, be described in accordance with the principal's title and any endorsement thereon. The number and date of such title shall also be quoted.

17. More than one right or class of right may be described in a power provided they are all owned by the principal or more than one principal in undivided shares and each right is described in a separate paragraph.

18. The Registrar may in his discretion permit an executor in any estate transaction to give one power of attorney authorising transfer to the various heirs of different rights. Such a power shall, however, be drawn in accordance with regulation 16.

19. The place and date of execution of a power shall be given therein and the former sufficiently described to enable the registrar to determine whether or not it is situate within the Republic or South-West Africa.

20. All signatures shall be in good quality black ink. Copying ink shall not be used.

21. Powers executed outside the Republic and South-West Africa shall be authenticated in accordance with the rules of authentication.

(c) 'n vrou wat sedertdien buite gemeenskap van goed getroud is en die maritale mag behou word, tensy die prokurasie deur haar eggenoot bekragtig word.

10. 'n Assosiasie moet in die prokurasie beskryf word met betrekking tot die wyse waarop die reg ingevolge sy konstitusie gehou gaan word.

11. 'n Prokurasie deur 'n assosiasie uitgereik moet gesteun word deur 'n gewaarmerkte kopie van die besluit van die uitvoerende of ander komitee of ander bestuursliggaam of van die assosiasie by algemene vergadering, soos die konstitusie mag bepaal, wat die ondertekenaars aanstel en magtig om die prokurasie te teken. Sodanige besluit moet, indien dit nie 'n algemene besluit is nie, besonderhede van die transaksie uiteensit en die prokurasie moet daarna verwys.

12. Die naam van 'n maatskappy in enige prokurasie genoem moet ooreenstem met die naam wat in die sertifikaat van oprigting verskyn of in enige sertifikaat van verandering van naam wat daarna uitgerek is en moet in dieselfde taal as dié in die sertifikaat wees. Vertalings en afkortings word nie toegelaat nie. Boonop moet die registrasienommer, as daar een is, van die maatskappy aangehaal word en in die geval van 'n buitenlandse maatskappy moet die land waarin dit geregistreer is, genoem word.

13. In die geval van 'n statutêre liggaam moet, waar dit moontlik is, die wet waarby dit ingestel was, aangehaal word.

14. In die geval van 'n vennootskap moet die prokurasie die volle name en persoonsnommers van die vennote verstrek asook die naam waaronder die vennootskap sake doen

15. (a) Waar 'n persoon oorlede is nadat hy die reg verkry het om oordrag van enige reg te neem moet die prokurasie meld dat vervreemding aan die oorledene gedurende sy leeftyd geskied het en dat oordrag aan sy boedel of, indien die huwelik een in gemeenskap van goed was, aan die gesamentlike boedel van die transportnemer en sy nagelate eggenoot moet wees. Die boedelnommer moet genoem word.

(b) As sodanige persoon oorlede is nadat die prokurasie opgestel is hoef die prokurasie nie heropgestel te word nie maar die feite moet bewys en oordrag gegee word aan die boedel soos in subregulasie (a) hierbo uiteengesit.

16. Die beskrywing van regte waarmee gehandel word moet, in die geval van 'n spesiale prokurasie, in ooreenstemming wees met die lasgewer se titel en enige endossement daarop. Die nommer en datum van sodanige titel moet ook genoem word.

17. Meer as een reg of soort reg kan in 'n prokurasie beskryf word mits hulle almal deur die lasgewer of deur meer as een lasgewer in onverdeelde aandele gehou en elke reg in 'n aparte paragraaf beskryf word.

18. Die registrateur kan na goeddunke 'n eksekuteur in enige boedeltransaksie toelaat om in één prokurasie oordrag van verskillende regte aan die verskillende erfgename te magtig. Sodanige prokurasie moet egter in ooreenstemming met regulasie 16 opgestel word.

19. Die plek en datum van verlyding van 'n prokurasie moet daarin aangedui word en eersgenoemde moet voldoende beskryf word om die registrateur in staat te stel om te bepaal of dit binne of buite die Republiek of Suidwes-Afrika geleë is.

20. Alle handtekenings moet met goeie kwaliteit swart ink geskryf wees. Kopieerink mag nie gebruik word nie.

21. Prokurasies wat buite die Republiek en Suidwes-Afrika verly is moet gewaarmerk word in ooreenstemming met die reëls van waarmerkning.

22. For stamping purposes powers signed outside the Republic shall bear a certificate as to the date of receipt thereof in the Republic.

23. Any restraints other than existing restraints and such as are compulsory by law which are to be incorporated in any deed of transfer, shall be described in the power and it shall be clearly stated whether such restraints are imposed praedially or personally and, if personal, by whom they are enforceable.

24. If any person signs a power of attorney in a representative capacity his appointment shall be proved, in the case of an administrator, executor, trustee or curator by submission of the letters of administration or certificate of appointment and in the case of an administrator also a copy of the will certified by the Master of the Supreme Court unless a copy of the will has already been filed in the Mining Titles Office in which case a reference as to where it is filed shall be given.

25. A general power of attorney shall not be accepted as authority to deal with any right unless it contains specific authority empowering the agent to do so and unless it is registered in the Mining Titles Office.

26. No agent under a general power of attorney giving him power to mortgage shall bind his principal as surety if not specifically authorized to do so thereunder.

27. (1) A copy of an original power of attorney filed of record in the office of a registrar or Master of any division of the Supreme Court, the Rand Townships Registrar, a registrar of deeds, or a mining commissioner in his capacity as a registration officer, may be accepted by the registrar for purposes of the original if any such copy is certified under the hand and seal, if any, of such officer.

(2) Whenever, however, it is sought to act upon any such certified copy it shall be necessary to lodge together with the documents of the transaction concerned a certificate from the issuing authority, bearing a date not more than 21 days prior to production, stating that no revocation of such power of attorney has been notified to him.

(3) Upon lodgment of a certificate by virtue of the preceding paragraph the registrar shall also have authority to effect all necessary acts in connection with the registration of any consent, cession or other matter given, made or completed at any time prior to the date of lodgment of such certificate.

(4) (a) The registrar may under his hand and seal issue a copy of any original power filed in his office for use in any public office. Such a copy shall be endorsed as having been issued for use in such public office and at the same time the original shall be endorsed indicating that a copy has been so issued.

(b) A substitution by the agent appointed in any such power of attorney shall be registered in the Mining Titles Office and if a copy of the original power has been issued for use in any public office a copy of the power of substitution shall be furnished for certification and transmission to such office.

22. Vir seëlregdoeleindes moet daar op prokurasies wat buite die Republiek geteken is, die datum van ontvangst daarvan in die Republiek gesertifiseer word.

23. Enige beperkings behalwe bestaande beperkings en alle beperkings wat regtens verpligtend is, wat in enige transportakte ingelyf moet word, moet in die prokurasie beskryf word en dit moet duidelik gestel word of sodanige beperkings as saaklike of persoonlike beperkings opgêlê is en, indien persoonlik, deur wie hulle afdwingbaar is.

24. As enigiemand 'n prokurasie in 'n verteenvoerdingige hoedanigheid onderteken moet sy aanstelling bewys word, in die geval van 'n administrateur, eksekuteur, trustee of kurator deur die voorlegging van die brieve van administrasie of sertifikaat van aanstelling en in die geval van 'n administrateur ook 'n kopie van die testament, gewaarmerk deur die Meester van die Hooggereghof, tensy 'n kopie van die testament alreeds in die Mynbriekantoor ingedien is, en in dié geval moet gemeld word waar dit weggetel is.

25. 'n Algemene prokurasie mag nie aanvaar word as magtiging om met enige reg te handel nie, tensy dit die agent spesifiek magtiging daartoe verleen en dit in die Mynbriekantoor geregistreer is.

26. Geen agent mag kragtens 'n algemene prokurasie wat aan hom magtiging verleen om te verbind, sy lasgewer as borg bind indien hy nie spesifiek daardeur gemagtig is om dit te doen nie.

27. (1) 'n Kopie van 'n oorspronklike prokurasie wat in die kantoor van 'n registrator of Meester van enige afdeling van die Hooggereghof, die Registrator van Randdorp, 'n registrator van aktes of 'n mynkommissaris in sy hoedanigheid van registrasieamptenaar ingedien is, kan deur die registrator aanvaar word vir die doeleindes van die oorspronklike mits enige sodanige kopie onder die handtekening en seël, as daar een is, van sodanige beampete gewaarmerk is.

(2) Wanneer daar egter te eniger tyd beoog word om kragtens enige sodanige gewaarmerkte kopie te handel, moet 'n sertifikaat van die uitreikingsbeampete, wat 'n datum van hoogstens 21 dae vóór die indiening daarvan toon en waarin verklaar word dat hy van geen herroeping van sodanige prokurasie in kennis gestel is nie, saam met die dokumente van die betrokke transaksie ingedien word.

(3) By die indiening van 'n sertifikaat kragtens die voorafgaande paragraaf het die registrator ook die bevoegdheid om alle nodige handelings te verrig in verband met die registrasie van enige toestemming, sessie of ander saak wat te eniger tyd vóór die datum van indiening van sodanige sertifikaat verleen, gemaak of afgehandel is.

(4) (a) Die registrator kan onder sy handtekening en seël 'n kopie van enige oorspronklike prokurasie wat in sy kantoor ingedien is, uitrek vir gebruik in enige openbare kantoor. Sodanige kopie moet geëndosseer word om aan te toon dat dit uitgereik is vir gebruik in sodanige openbare kantoor en terselfdertyd moet die oorspronklike geëndosseer word om aan te toon dat 'n kopie aldus uitgereik is.

(b) 'n Substitusie deur die agent wat aangestel is ingevolge enige sodanige prokurasie moet in die Mynbriekantoor geregistreer word en indien 'n kopie van die oorspronklike prokurasie uitgereik is vir gebruik in enige openbare kantoor moet 'n afskrif van die magtiging tot substitusie verskaf word vir waarmering en deursending na sodanige kantoor.

- (5) A substitution by the agent appointed in a power registered in any office referred to in sub-regulation (1) shall not be accepted unless it is first registered in the office where the original power is filed.
- (6) If any original power of attorney registered in the Mining Titles Office is revoked the registrar shall immediately upon receipt of such revocation notify any public office to which a certified copy has been issued of such revocation.
- (7) A notice of the revocation of any power of attorney filed in the Mining Titles Office shall only be recognized if it is signed by the principal or by a person expressly authorized by him in writing to revoke such power.
- (8) If a power of attorney is written, typed or printed on a form of mortgage bond or deed of transfer or authorizes the passing of a bond or transfer on a form annexed thereto such form shall not be accepted for execution and registration as a bond or transfer.
28. It shall be competent for the registrar to require satisfactory proof by affidavit, solemn declaration or otherwise that the party or parties to any power of attorney is or are still alive.

CHAPTER III

WOMEN

Status

1. All deeds, including notarial deeds, to which a woman is a party shall disclose the identity number, the full names and status of that woman, i.e. whether unmarried, married, widowed or divorced.

2. If she is married the full names and identity number of the husband shall be disclosed and if the marriage is governed by the laws of the Republic or South-West Africa it shall be stated whether the marriage is in or out of community of property.

3. Where the marriage is out of community of property the antenuptial contract number shall be given and it shall be stated whether or not the marital power has been excluded.

4. Where a married woman is a party to a transaction marriage shall be proved. If she is married out of community of property a notarially certified copy of the antenuptial contract or a copy certified by the registrar of deeds of the place of registration or a notary public shall be lodged. If a copy of the contract has already been filed in the Mining Titles Office reference shall be made to the deed with which it is filed.

5. If the marriage is governed by the laws of any country other than those of the Republic or South-West Africa the husband's domicile at the time of marriage shall be proved and it shall be stated that the marriage is governed by the laws of that country.

6. Where the marital power of the husband is not excluded in the antenuptial contract or the marriage is governed by the laws of another country a married woman shall be assisted by her husband in executing any deed or document required for filing in the Mining Titles Office unless it is proved that such assistance is not necessary.

7. A copy of an antenuptial contract, including a photographic copy, shall be a true copy of the original contract filed of record in a deeds registry and certified by the registrar of deeds concerned or a notary.

- (5) 'n Substitusie deur die agent wat aangestel is kragtens 'n prokurasie geregistreer in enige kantoor in subregulasie (1) bedoel, word nie aanvaar nie tensy dit nie eers geregistreer is in die kantoor waar die oorspronklike prokurasie geregistreer is nie.
- (6) Indien enige prokurasie wat in die Mynbriewe-kantoor geregistreer is, herroep word, moet die registrateur onmiddellik by ontvangs van sodanige herroeping enige openbare kantoor aan wie 'n gewaarmerkte kopie uitgereik is, van sodanige herroeping in kennis stel.
- (7) 'n Kennisgiving van die herroeping van enige prokurasie wat in die Mynbriewe-kantoor weggele is, word slegs erken as dit geteken is deur die lasgewer of deur iemand wat uitdruklik deur hom skriftelik gemagtig is om sodanige prokurasie te herroep.
- (8) Indien 'n prokurasie geskryf, getik of gedruk is op 'n verband- of oordragvorm of die passering van 'n verband of transport magtig op 'n vorm wat daaraan geheg is, word sodanige vorm nie aanvaar vir verlyding en registrasie as 'n verband of transport nie.

28. Die registrateur is bevoeg om bevredigende bewys te eis by wyse van 'n beëdigde of plegtige verklaring of andersins dat die party of partiee by enige prokurasie nog leef.

HOOFSTUK III

VROUSPERSONE

Status

1. Alle aktes, insluitende notariële aktes, waarby 'n vrou 'n party is, moet die persoonsnommer, die volle naam en status van dié vrou vermeld, bv. of sy ongetroud, getroud, weduwee of geskei is.

2. Indien sy getroud is moet die volle naam en persoonsnommer van die eggenoot vermeld word en as die huwelik deur die wette van die Republiek of Suidwes-Afrika beheer word moet daar vermeld word of die huwelik in of buite gemeenskap van goed aangegaan is.

3. Waar die huwelik buite gemeenskap van goed is moet die nommer van die huweliksvoorwaardekontrak genoem word en moet daar vermeld word of die maritale mag uitgesluit is al dan nie.

4. Waar 'n getroude vrou 'n party by 'n transaksie moet die huwelik bewys word. Indien sy buite gemeenskap van goed getroud is moet 'n notarieel gewaarmerkte kopie van die huweliksvorwaardekontrak of 'n kopie gesertifiseer deur die registrateur van aktes van die plek van registrasie daarvan of 'n notaris ingedien word. Indien 'n kopie van die kontrak alreeds in die Mynbriewe-kantoor weggele is moet die akte waarmee dit weggele is, vermeld word.

5. As die huwelik beheer word deur die wette van enige ander land as dié van die Republiek of Suidwes-Afrika moet die eggenoot se domisilie ten tye van die huwelik bewys word en moet daar vermeld word dat die huwelik deur die wette van daardie land beheer word.

6. Waar die maritale mag van die eggenoot nie in die huweliksvorwaardekontrak uitgesluit is nie of die huwelik deur die wette van 'n ander land beheer word moet 'n getroude vrou deur haar eggenoot bygestaan word by die verlyding van enige akte of dokument wat bedoel is om in die Mynbriewe-kantoor weggele te word tensy daar bewys word dat sodanige bystand nie nodig is nie.

7. 'n Kopie van 'n huweliksvorwaardekontrak, insluitende 'n fotografiese kopie, moet 'n ware kopie van die oorspronklike kontrak wees wat in 'n akteskantoor weggele en deur die betrokke registrateur van aktes of 'n notaris gewaarmerk is.

8. If a woman desires to deal with rights registered in her name the provisions of regulation 8, chapter II, shall apply. In addition it shall be necessary to prove that any previous husband or his estate has no interest in the rights concerned.

9. Where the change of status is from a married woman to a divorcee copies of the divorce order and agreement, if any, certified by the Registrar of the Supreme Court shall be lodged.

10. Where a right is registered in the name of a woman married in community of property and her husband desires to deal with such right she shall affix her signature and the date thereof to the power of attorney in the presence of a witness as evidence that the marriage still subsists. If she omits to do so, other proof, satisfactory to the registrar, that the marriage still subsists shall be produced.

11. Where a marriage was contracted in Natal prior to 22 June 1956, such marriage, if in community, must be proved by lodging a certified copy of the marriage certificate. If the certificate does not disclose whether marriage was one without antenuptial contract both parties shall sign an affidavit attesting to:—

- (a) date and place of marriage,
- (b) domicile of husband at the time of the marriage,
- (c) whether an antenuptial contract was entered into, and
- (d) if a marriage certificate cannot be lodged, the reasons therefor.

12. Where a right has devolved upon a woman married in community of property any redistribution agreement affecting such right shall bear her signature and the date thereof as proof that the marriage still subsists.

13. On registration of a right in the name of a divorced woman it shall not be necessary to lodge the order of divorce unless a right or a transaction has previously been registered in her name as a married woman or in any other name or status not reflecting her status as divorcee.

14. A woman, other than a spinster, shall disclose her maiden name and other former surnames, if any, except where she has assumed her maiden name or a former surname and is averse to disclosing any other former surname.

15. Any application for the endorsement of any deed to reflect the change of status of a woman shall be accompanied by the following documents:

- (a) proof of marriage, divorce or widowhood by lodging marriage certificate, order of divorce, or death certificate or other evidence of death of deceased husband, as the case may be,
- (b) all deeds, grants, titles or bonds registered in the name of the applicant,
- (c) the consent of any bondholder to such deeds, grants or titles being so endorsed, and of any person interested in such endorsement being effected.

16. Where a right is transferred to a fiduciary, whether the *fideicommissum* be created by last will or by contract, in *pura* or in remainder, and a woman married in community of property is such fiduciary, the right shall be transferred to her and not to her husband.

17. Where transfer is sought of a right purchased by a woman married in community of property with the proceeds of some other right or property which was registered in her name and which was excluded from the community of property by reason of a bequest or donation proof of the facts shall be submitted by reference to

8. Indien 'n vrou met regte wat op haar naam geregister is, wil handel, is die bepalings van regulasie 8, hoofstuk II, van toepassing. Hierbenewens is dit nodig om te bewys dat enige vorige eggenoot of sy boedel nie belang by die betrokke regte het nie.

9. Waar die verandering in status van getrouwe vrou na geskeie vrou is, moet kopieë van die egskeidingsbevel en -ooreenkoms, as daar een is, gewaarmerk deur die Registrateur van die Hooggereghof, ingedien word.

10. Waar 'n reg geregistreer is op naam van 'n vrou wat in gemeenskap van goed getroud is en haar eggenoot met sodanige reg wil handel, moet sy die prokurasie in die teenwoordigheid van 'n getuije onderteken en dateer as bewys dat die huwelik nog bestaan. As sy versuim om dit te doen moet ander bewyse tot tevredenheid van die registrateur gelewer word dat die huwelik nog bestaan.

11. Indien 'n huwelik voor 22 Junie 1956 in Natal aangegaan is, moet die huwelik, indien in gemeenskap van goed, bewys word deur die indiening van 'n gewaarmerkte kopie van die huwelikssertifikaat. As dit nie in die sertifikaat vermeld word of die huwelik een was sonder 'n huwelisksvoorwaardekontrak nie, moet albei partye 'n beëdigde verklaring onderteken wat die volgende attesteer:

- (a) datum en plek van huwelik,
- (b) domisilie van eggenoot ten tye van die huwelik,
- (c) of 'n huwelisksvoorwaardekontrak aangegaan was, en
- (d) indien 'n huweliksbertifikaat nie ingedien kan word nie, die redes daarvoor.

12. Waar 'n reg oorgegaan het op 'n vrou wat in gemeenskap van goed getroud is, moet enige herverdelingsooreenkoms wat sodanige reg raak, deur haar onderteken en gedateer word as bewys dat die huwelik nog bestaan.

13. By die registrasie van 'n reg op naam van 'n geskeie vrou is dit nie nodig om die egskeidingsbevel in te dien nie tensy 'n reg of 'n transaksie tevore geregistreer is op haar naam as getrouwe vrou of op 'n ander naam of op haar naam in 'n status wat nie haar status van geskeie vrou weerspieël nie.

14. 'n Vrou, uitgesonderd 'n ongetrouwe, moet haar nooiensvan en ander vorige vanne, as daar vorges was, vermeld, behalwe waar sy haar nooiensvan of 'n vorige van aangeneem het en onwillig is om enige ander vorige van te vermeld.

15. 'n Aansoek om endossering van 'n akte ten einde die verandering van status van 'n vrou aan te dui, moet vergesel gaan van die volgende dokumente:

- (a) bewys van huwelik, egskeiding of wedustaat deur die indiening van huweliksbertifikaat, egskeidingsbevel, of doodsertifikaat of ander bewys van afsterwe van die oorlede eggenoot, na gelang van die geval,
- (b) alle aktes, toekennings, titels of verbande geregistreer op naam van die applikant,
- (c) die toestemming van enige verbandhouer tot endossering van sodanige aktes, toekennings of titels en van enige persoon wat belang by sodanige endossering het.

16. Waar 'n reg aan 'n fiduciarius getransporteer word, hetsy die *fideicommissum* geskep is by testament of by kontrak, in *pura* of in restant, en 'n vrou getroud in gemeenskap van goed sodanige fiduciarius is, moet die reg aan haar getransporteer word en nie aan haar eggenoot nie.

17. Waar transport beoog word van 'n reg wat deur 'n vrou getroud in gemeenskap van goed, gekoop is met die opbrengs van enige ander reg of eiendom wat op haar naam geregistreer was en uitgesluit was van die gemeenskap van goed uit hoofde van 'n bemaking of skenking, moet bewys van die feite ingedien word deur die titel

the title to the other right or property held and sold by her and by way of an affidavit from both spouses or such other evidence as may be acceptable to the registrar.

18. If application is made in terms of the Matrimonial Affairs Act, 1953 (Act No. 37 of 1953), as amended, by a married woman for the endorsement of the title to any right registered in her husband's name, such application shall be accompanied by the relevant title to such right. If the husband refuses to produce such title, the wife's application shall allege this under oath and the registrar may proceed with the endorsement of the registry duplicate provided it is proved to his satisfaction that the husband has been served with notice that such endorsement has been applied for by his wife.

CHAPTER IV

MINORS

1. Where it is sought to transfer or cede any right to or register a mortgage bond in favour of persons who have not yet attained majority, such transfer, cession or registration shall, subject to the provisions of section 21 of the Act, be made in the name of the minors and not in the name of their guardians, tutors or curators as the case may be.

2. Any right registered in the name of a minor shall not be dealt with by the guardian, tutor or curator of such minor without an order of the Supreme Court, or consent of the Master as the case may be.

3. Where a minor is not below the age of seven years, the minor himself may sign all documents such as powers of attorney, provided his guardian also signs as assisting him, or alternatively the guardian may sign on his behalf without such minor being a party but subject always to the provisions of the Estates Act, 1965 (Act No. 66 of 1965).

4. A minor shall not be bound jointly and severally with any co-mortgagors unless the Master or the Court has specifically consented to the minor being so bound, which consent shall be lodged with the bond.

5. No servitude shall be registered over any right registered in the name of a minor unless the Master or the Court has consented to such registration, which consent shall be lodged with the servitude.

CHAPTER V

DEEDS OF TRANSFER

1. (1) Deeds of Transfer, and supporting documents executed within the Republic, lodged for execution, registration or record shall be neatly and plainly written, printed or typed in black ink of good quality on paper approved by the registrar, leaving a clear margin of at least one inch and a half for binding purposes.
- (2) Copying ink shall not be used and no carbon copy of any deed or other document shall be accepted for the purpose of being filed in the Mining Titles Office: Provided that copies of documents produced by any process which gives an imprinted reproduction to the satisfaction of the registrar may be accepted.

van die ander reg of eiendom te vermeld wat deur haar gehou en verkoop was asook by wyse van 'n beëdigde verklaring van albei gades of enige ander bewys wat vir die registrateur aanvaarbaar mag wees.

18. As 'n getroude vrou ingevolge die Wet op Huwelijsaangeleenthede, 1953 (Wet No. 37 van 1953), soos gewysig, aansoek doen om die endossering van die titel van enige reg wat op haar egenoot se naam geregistreer is, moet sodanige aansoek vergesel gaan van die betrokke titel van sodanige reg. As die egenoot weier om sodanige titel voor te lê moet die vrou dit in haar aansoek onder eed beweer en kan die registrateur voortgaan met die endossering van die registrasieduplikaat mits dit tot sy bevrediging bewys word dat die egenoot in kennis gestel is dat aansoek om sodanige endossement deur sy vrou gedoen is.

HOOFSTUK IV

MINDERJARIGES

1. Waar daar verlang word om enige reg oor te dra of te sedeer aan, of om 'n verbandakte te registreer ten gunste van onmondige persone, moet sodanige oordrag, sessie of registrasie, behoudens die bepalings van artikel 21 van die Wet, op naam van die minderjariges gedoen word en nie op naam van hul natuurlike voogde, voogde of kurators nie, na gelang van die geval.

2. 'n Reg geregistreer op naam van 'n minderjarige mag nie mee gehandel word deur die natuurlike voog, voog of kurator van sodanige minderjarige nie sonder 'n bevel van die Hooggereghof, of toestemming van die Meester na gelang van die geval.

3. Waar 'n minderjarige nie onder die ouderdom van sewe jaar is nie, kan die minderjarige self alle dokumente soos prokurasies onderteken, mits hy bygestaan word deur sy voog wat dit ook ter ondersteuning moet onderteken, of anders kan die voog namens hom teken sonder dat sodanige minderjarige 'n party is maar altyd behoudens die bepalings van die Boedelwet, 1965 (Wet No. 66 van 1965).

4. 'n Minderjarige mag nie gesamentlik of afsonderlik gebind word met enige medeverbandgewers nie, tensy die Meester of die Hof uitdruklik toestem dat die minderjarige aldus gebind word, en dié toestemming moet saam met die verband ingedien word.

5. Geen serwituit word geregistreer oor enige reg wat op naam van 'n minderjarige geregistreer is nie tensy die Meester of die Hof tot sodanige registrasie toegestem het en dié toestemming moet saam met die serwituit ingedien word.

HOOFSTUK V

TRANSPORTAKTES

1. (1) Transportaktes, en bygaande dokumente binne die Republiek verly, wat vir verlyding, registrasie of aantekening ingedien word moet netjies en duidelik met swart ink van goeie gehalte op papier, deur die registrateur goedgekeur, geskryf, gedruk of getik word, en 'n kantruimte van minstens een en 'n half duim moet vir binddoleindes skoon gelaat word.
- (2) Kopieerink mag nie gebruik word nie en geen deurslagkopie van enige akte of ander dokument word vir liassing in die Mynbriewekaar aanvaar nie: Met dien verstande dat kopieë van dokumente voortgebring deur enige proses wat 'n gedrukte weergawe tot bevrediging van die registrateur gee, aangeneem kan word.

- (3) Alterations and interlineations will render a deed or other document liable to rejection but if made they shall be initialled either by the preparer or the person or persons executing such deed or other document and also by the persons attesting the same. Where, however, the alterations and/or interlineations are attested by persons other than the original attestors, such persons shall attach their signatures.
- (4) All alterations and interlineations shall, in the case of a deed attested by a notary, be initialled also by such notary.
- (5) The upper half of the first page of a deed shall be left clear and shall be used only for registration purposes.
- (6) The registrar may in his discretion accept for record a copy of any document filed of record in any Government office produced by any process which gives an imprinted reproduction to the satisfaction of the registrar, provided that such copy was reproduced on good quality paper and has been certified to be a true copy by or on behalf of the head of such office, a notary public or, in the case of a diagram, the Surveyor-General.

2. Any spaces in a deed which have not been used shall be ruled through and where a deed is comprised of more than one page the pages shall be numbered and the necessary catchword shall appear at the foot of each preceding page.

3. If, in the opinion of the registrar, the writing, typing, printing or reproduction in any deed or any supporting document lodged for attestation, execution or registration or for any other purpose, is not sufficiently clear, owing to faintness or other blemish, or the paper is of a quality which is not likely to ensure durability, he may decline to attest, execute, register, or accept it, as the case may be.

4. (a) Deeds and supporting documents shall contain the full names and identity numbers of the persons named therein except, however, that in the case of persons who are acting in a representative capacity, their identity numbers need not be given.
- (b) In the case of a company and any other body identified by a registration number, the registered number shall be disclosed, while in the case of a statutory body the number of the Act constituting it shall be quoted, where possible.

5. The addition of an alias to the description of any person by or to whom a deed, lodged for execution or attestation in the Mining Titles Office, is to be passed shall not be permitted nor shall it be recognized for the purpose of such registration.

6. Every deed and document lodged for registration or record in the Mining Titles Office shall disclose the place and date of execution thereof.

7. Every deed conferring title to any right shall quote—

- (a) the number of the licence and the number and date of the grant, permit, deed and/or other instrument by which the transferor holds or which is registered against the right to be transferred;
- (b) the name and number of the farm upon which the right is situate, the mining district, and in the case of a right to which a distinguishing number has been assigned, the number so assigned;

- (3) Veranderings en tussenskrifte stel 'n akte of ander dokument daarvan bloot dat dit verwerp kan word, maar indien aangebring, moet hulle geparafeer word deur of die opsteller of persoon of persone wat sodanige akte of ander dokument verly asook deur die persone wat dit attesteer. Waar die veranderings en/of tussenskrifte egter geattesteer word deur ander persone as die oorspronklike attestende getuies moet sodanige persone hulle handtekening daarteenoor aanbring.
- (4) Alle veranderings en tussenskrifte moet, in die geval van 'n akte wat deur 'n notaris geattesteer word, ook deur sodanige notaris geparafeer word.
- (5) Die boonste helfte van die eerste blad van 'n akte moet skoon gelaat en slegs vir registrasie-doeleindes gebruik word.
- (6) Die registrator kan na goeddunke 'n kopie van enige dokument wat in 'n Staatskantoor ingedien is en voortgebring is by wyse van 'n proses wat 'n gedrukte kopie tot tevredenheid van die registrator gee, mits sodanige kopie van goeie gehalte papier is en as 'n ware kopie gewaarmerk is deur of namens die hoof van sodanige kantoor, 'n notaris of, in die geval van 'n kaart, deur die Landmeter-generaal.

2. Alle spasies in 'n akte wat nie gebruik is nie moet deurgehaal word en waar 'n akte uit meer as een bladsy bestaan moet die bladsy genommer word en die nodige aansluitingswoord onderaan elke voorafgaande bladsy verskyn.

3. As die skrif, tiksksrif, druk of weergawe in enige akte of bygaande dokument wat vir attestasie, verlyding of registrasie of vir enige ander doel ingedien word, volgens die mening van die registrator nie duidelik genoeg is nie weens dofheid of ander gebrek, of die papier van 'n gehalte is wat duursaamheid moontlik nie sal verseker nie, kan hy weier om dit te attesteer, te verly, te registreer of te aanvaar, na gelang van die geval.

4. (a) Aktes en bygaande dokumente moet die volle name en persoonsnummers bevat van die persone wat daarin genoem word, buiten dat waar persone in die hoedanigheid van verteenwoordiger optree, hulle persoonsnummers nie hoof gegee te word nie.
- (b) In die geval van 'n maatskappy en enige ander liggaam wat deur 'n registrasienommer geïdentifiseer word, moet die registrasienommer vermeld word, terwyl in die geval van 'n statutêre liggaam die nommer van die Wet waarkragtens dit gestig was, waar moontlik, aangehaal moet word.

5. Die toevoeging van 'n alias by die beskrywing van 'n persoon deur wie of aan wie 'n akte wat vir verlyding of attestasie by die Mynbriewekantoor ingedien is, gepasseer moet word, word nie toegelaat en word ook nie vir die doel van sodanige registrasie erken nie.

6. Elke akte en dokument wat in die Mynbriewekantoor vir registrasie of aantekening ingedien word, moet die plek en datum van verlyding daarvan vermeld.

7. Elke akte wat titel tot enige reg verleen moet die volgende aandui:

- (a) die nommer van die lisensie, die nommer en datum van die toekenning, permit, akte en/of ander dokument waarkragtens die transportewer die reg hou wat getransporteer moet word, of wat geregistreer is teen die reg wat oorgedra gaan word;
- (b) die naam en nommer van die plaas waarop die reg geleë is, die myndistrik, en in die geval van 'n reg waaraan 'n onderskeidingsnommer toegeken is, die nommer aldus toegeken;

- (c) in the case of a water right the right to which it is attached;
- (d) in all cases the R.M.T. number allotted to the diagram or plan defining the right.

8. When it is sought to deal with any right under the Act, the relevant licence, grant, permit, deed or other instrument by which such right is held, or if such instrument be lost, a certified copy thereof issued to serve as the original shall, save as is otherwise provided in these regulations or the Act be lodged with the transaction which it is sought to register.

9. Where a right is to be transferred or ceded in execution of the judgment of any court by the officer appointed by law or by such court, it shall not be necessary to produce the relevant title or certified copy thereof if such officer certifies in writing that he has been unable to obtain possession of such title or copy: Provided that if the title held in respect of any such right consists only of a licence or permit such as is referred to in section 23 of the Act, the provisions of that section shall apply, and for that purpose such officer shall be regarded as the holder of such right.

10. Where a right is transferred in pursuance of the provisions of any will, codicil or other testamentary instrument, a copy, certified by the Master, of such will, codicil or instrument, as the case may be, shall be lodged with the deed together with the original letters of appointment. The registrar may also in his discretion require the production of a copy, certified by the Master, of the liquidation and distribution account in the estate. If however, a copy is already filed in the Mining Titles Office, it will be sufficient if a note is made in either case on the deed lodgment cover indicating the number of the deed with which such copy is filed.

11. Where the extent of any right is quoted in any deed or bond such extent shall be expressed in words and figures.

12. (1) Where an undivided share in any right is being dealt with the expression "share" shall be used and such share shall be expressed in one fraction in its lowest terms. In complicated cases the method used in arriving at the result shall be furnished and where the denominator of the fraction exceeds two figures the fraction shall be expressed as a decimal to four figures.
- (2) If a right to be transferred or mortgaged is held by several deeds or by two or more holders the conveyancer shall furnish a statement containing particulars regarding the different fractional shares held under each deed and by each such holder.
- (3) Where a share in any right is transferred from two or more deeds under which such share is held, one or more of such deeds shall, where possible, first be exhausted.

13. In any deed conferring a title to any right, the rights of the State shall be expressly reserved.

14. No condition shall be included in any deed which purports to impose upon the registrar any duty or obligation not sanctioned by law and where such a condition appears in any deed it shall be null and void.

15. (1) Deeds may be lodged at the Mining Titles Office or at the office of the Mining Commissioner of the mining district within which the right dealt with in such deeds is situate and shall be lodged in duplicate.

- (c) in die geval van 'n waterreg, die reg waaraan dit geheg is;
- (d) in alle gevalle die R.M.T.-nommer toegeken aan die kaart of sketskaart wat die reg omskrywe.

8. Wanneer daar beoog word om met enige reg kragtens die Wet te handel moet, behalwe waar dit anders in hierdie regulasies of die Wet bepaal word, die toepaslike lisensie, vergunning, permit, akte of ander dokument waarkragtens sodanige reg gehou word, of indien sodanige dokument verlore geraak het, 'n gewaarmerkte kopie daarvan wat uitgereik is om as die oorspronklike te dien, ingedien word saam met die transaksie waarvan registrasie verlang word.

9. Waar 'n reg ingevolge die uitspraak van enige hof deur die amptenaar wat kragtens wet of deur sodanige hof aangestel is, getransporteer of gesedeer moet word, is dit nie nodig dat die betrokke titel of 'n gewaarmerkte kopie daarvan ingedien word nie as sodanige amptenaar skriftelik sertifiseer dat hy nie in staat was om sodanige titel of kopie in die hande te kry nie: Met dien verstande dat as die titel wat ten opsigte van enige sodanige reg gehou word, slegs 'n lisensie of permit is soos die in artikel 23 van die Wet bedoel, is die bepalings van daardie artikel van toepassing en sodanige amptenaar vir daardie doel as diehouer van sodanige reg beskou.

10. Waar 'n reg ingevolge die bepalings van enige testament, kodisil of ander testamentêre dokument getransporteer word, moet 'n kopie van sodanige testament, kodisil of dokument, na gelang van die geval, deur die Meester gewaarmerk, tesame met die oorspronklike brieve van aanstelling, saam met die akte ingedien word. Die registrator kan ook na goeddunke eis dat 'n kopie van die likwidasië- en distribusierekening in die boedel, deur die Meester gewaarmerk, ingedien word. Indien 'n kopie egter alreeds in die Mynbriewekantoor weggelê is, sal dit voldoende wees as 'n nota in elke geval op die akte-indieningsomslag gemaak word wat die nommer van die akte aandui waarmee sodanige kopie weggelê is.

11. Waar die grootte van enige reg in enige akte of verband vermeld word moet sodanige grootte in woorde en in syfers uitgedruk word.

12. (1) Waar daar met 'n onverdeelde aandeel in enige reg gehandel word, moet die uitdrukking „aandeel“ gebruik word en sodanige aandeel in sy kleinste breuk uitgedruk word. In ingewikkelder gevallen moet verduidelik word hoe die resultaat verkry is, en waar die noemer van die breuk twee syfers oorskry moet die breuk tot vier desimale syfers uitgedruk word.
- (2) As 'n reg wat getransporteer of verbind moet word, kragtens verskillende aktes of deur twee of meer persone gehou word, moet die transportbesorger 'n staat indien met besonderhede aangaande die verskillende aandele, in breuke uitgedruk, wat kragtens elke akte en deur elke sodanige persoon gehou word.
- (3) Waar 'n aandeel in enige reg getransporteer word vanaf twee of meer aktes uit hoofde waarvan sodanige aandeel gehou word, moet, waar moontlik, een of meer sodanige aktes eers afgewerk word.

13. In enige akte wat titel tot enige reg verleen moet die regte van die Staat uitdruklik voorbehou word.

14. Geen voorwaarde mag in enige akte ingesluit word wat voorgee om die registrator onder enige verpligting te plaas wat nie kragtens wet veroorloof is nie en waar sodanige voorwaarde in enige akte verskyn, is dit van nul en gener waarde.

15. (1) Aktes kan ingedien word by die Mynbriewekantoor of by die kantoor van die Mynkommissaris van die myndistrik waarin die reg geleë is waarmee in sodanige aktes gehandel word, en moet in tweevoud ingedien word.

- (2) All deeds, other instruments and supporting documents proper for execution or registration, as the case may be, shall if lodged at the Mining Titles Office, be lodged between the hours 9 a.m. and 10.30 a.m. on working days with the receiving clerk who shall note thereon the date of such lodgment: Provided that it shall be competent for the registrar, on sufficient cause shown to him, to permit deeds to be lodged at any other time during office hours.
- (3) Deeds and all supporting documents shall be placed, by the person lodging them, in covers approved by the registrar on which shall be briefly noted, by the person responsible for the lodgment, the nature of the transaction, particulars of the rights dealt with and the documents lodged.
- (4) Where deeds are lodged at the office of a mining commissioner he shall initial the correctness of the particulars over his office date stamp, showing the hour of lodgment, and post such cover by registered post forthwith to the registrar.

16. On the expiration of seven working days after the date of lodgment of any deeds or receipt of such deeds in the Mining Titles Office, if lodged at the office of a mining commissioner, and between such hours as the registrar may determine, all deeds proper for execution and to the passing of which no objection has been raised shall be executed before the registrar: Provided that the registrar may in his discretion permit deeds to be executed before the expiration of the period of seven days or he may reject deeds not executed within such period.

17. All deeds and matters lodged for registration shall, if circumstances permit, be registered or rejected within the period stated in the immediately preceding regulation.

18. Deeds lodged for execution or registration shall be fully examined in the first instance but the registrar shall, upon discovery of a defect in any such deed or supporting document of such a nature as to justify rejection, have power to direct that further examination of such deed be postponed until the defect has been remedied or that such deed be rejected in the ordinary course.

19. Any deed lodged for execution, registration or recording shall be accompanied by all such supporting documents as may be necessary in connection with the examination of such deed together with any receipts or certificates required by law to be produced in connection therewith.

20. (a) When a deed, lodged for execution, registration or any other purpose, is intended to be dealt with simultaneously in conjunction with any other matters or deeds lodged by another conveyancer a note to that effect shall be made by the conveyancers concerned on all lodgement covers. If any one or all conveyancers omit to comply with this requirement any transaction so intended to be coupled with others but in respect of which such note does not appear on the cover may, if in order, be dealt with independently of any such other deed or deeds.
- (b) Where such a note has been made and any one or all the matters intended to be dealt with simultaneously are not being proceeded with, the note relating to such matter shall be deleted

- (2) Alle aktes, ander dokumente en bygaande dokumente geskik vir verlyding of registrasie, na gelang van die geval, moet, as dit by die Mynbriekantoor ingedien word, tussen 9-uur en 10.30 vm. op werksdae ingedien word by die ontvangklerk wat die datum van sodanige indiening daarop moet aanbring: Met dien verstande dat die registrateur bevoeg is om toe te laat dat, as genoegsame gronde daarvoor aangevoer word, aktes op enige ander tyd gedurende kantoorure ingedien mag word.
- (3) Aktes en alle bygaande dokumente moet deur die persoon wat hulle indien, in omslae, deur die registrateur goedgekeur, geplaas word waarop die persoon wat vir die indiening aanspreeklik is, die aard van die transaksie, besonderhede van die regte waarmee gehandel word en die dokumente wat ingedien word, kortliks moet aanbring.
- (4) Waar aktes by die kantoor van 'n Mynkommissaris ingedien word moet hy die juistheid van die besonderhede oor sy kantoordatumstempel parafeer, die uur van indiening aanwys, en sodanige omslag onverwyld per aangegetekende pos aan die registrateur pos.

16. By verstryking van sewe werksdae ná die datum van indiening van aktes of ontvangs van sodanige aktes in die Mynbriekantoor, indien dit by die kantoor van 'n Mynkommissaris ingedien is, en gedurende ure wat die registrateur mag bepaal, moet alle aktes wat vir verlyding geskik is en teen die passering waarvan geen beswaar geopper is nie, voor die registrateur verly word: Met dien verstande dat die registrateur na goeddunke kan toelaat dat aktes verly word vóór die verstryking van die tydperk van sewe dae of hy kan aktes verwerp wat nie binne sodanige tydperk verly is nie.

17. Alle aktes en sake wat vir registrasie ingedien word moet, indien die omstandighede dit toelaat, binne die tydperk in die onmiddellik voorafgaande regulasie vermeld, geregistreer of verwerp word.

18. Aktes vir verlyding of registrasie ingedien, moet in die eerste plek deeglik ondersoek word, maar die registrateur is bevoeg om te gelas dat wanneer 'n gebrek van 'n aard wat verwerping regverdig, in sodanige akte of bygaande dokument ontdek word, verdere ondersoek van sodanige akte uitgestel word totdat die gebrek reggestel is, of dat sodanige akte in die gewone loop van sake verwerp word.

19. Enige akte vir verlyding, registrasie of aantekening ingedien, moet vergesel gaan van alle bygaande dokumente wat nodig mag wees in verband met die ondersoek daarvan tesame met kwitansies of sertifikate wat by wet vereis word dat dit in verband daarmee getoon word.

20. (a) Wanneer daar beoog word dat met 'n akte wat vir verlyding, registrasie of enige ander doel ingedien is, gelyktydig gehandel word met ander sake of aktes wat deur 'n ander transportbesorger ingedien is, moet 'n nota met dié strekking deur die betrokke transportbesorgers op alle indieningsomslae aangebring word. Indien enigeen of al die transportbesorgers versuim om aan hierdie vereiste te voldoen kan met enige transaksie wat aldus bedoel is om aan ander gekoppel te word maar ten opsigte waarvan sodanige nota nie op die omslag verskyn nie, indien dit in orde is, afsonderlik van enige sodanige ander akte of aktes gehandel word.
- (b) Waar so 'n nota wel aangebring is en enigeen of al die sake wat bedoel is om gelyktydig mee gehandel te word, nie mee voortgegaan word nie, moet die nota in verband met sodanige saak

on the cover and the deletion intialled by the responsible conveyancer if his transaction is to proceed.

21. The provisions of regulation 10 of this chapter shall *mutatis mutandis* apply in connection with the execution of any deed where proof of the appointment of any trustee, tutor, curator, assignee, liquidator or administrator is required.

22. Where special conditions are imposed by proper authority, in addition to the usual conditions, if any, on any grant of or any form of permission to acquire a right or any renewal or extension of such grant or permission, such special conditions shall, so long as they remain in force, be embodied in every deed of transfer, cession or other instrument evidencing ownership of such right.

23. Conditions shall be incorporated in deeds in the official language in which they were imposed: Provided that where they appear in a previous deed in the other official language such language may be perpetuated in subsequent deeds.

24. Where it is sought to transfer a right in terms of the Agricultural Credit Act, 1966 (Act No. 28 of 1966), such transfer may be registered without production of the instrument of ownership or a certified copy in lieu thereof if the Managing Director of the Land and Agricultural Bank of South Africa has certified in writing that he has been unable to obtain possession of such instrument.

25. Any of the provisions of this chapter and of chapter II may be relaxed by the registrar at his discretion.

CHAPTER VI

BONDS

1. Every mortgage bond shall contain:—

- (a) a full and clear description of the right to be bonded;
- (b) the date and number of the licence, deed of grant or other deed or document including any certificate of bezitrecht or special registration under which the right may be held by the mortgagor;
- (c) the name and number of the farm upon which such right is situate, the mining district and the R.M.T. number of the diagram or sketch plan by which the right to be bonded is defined.

2. If two or more bonds are lodged on the same day over the same right and do not disclose the order in which they rank, the registrar shall call upon the parties lodging such bonds to complete them in that respect.

3. Where it is sought to mortgage a right which is subject to special conditions limiting the rights of the holder, the registrar may require that such conditions be set out in the bond or a suitable reference made thereto.

4. The noting of any part payment or reduction of cover on any bond need not be noted on the deed of the right affected.

5. Every cession of a bond shall set out the *causa* of such cession.

6. No cession of part of any sum due under a bond shall be registered without the consent of the mortgagor unless such consent is contained in the bond.

7. Where prior to the coming into operation of these regulations a cession of a bond has been endorsed upon such bond the registrar may accept, for filing, a duplicate

op die omslag, geskrap en die skrapping deur die betrokke transportbesorger geparafeer word indien met sy transaksie voortgegaan moet word.

21. Die bepalings van regulasie 10 van hierdie hoofstuk is *mutatis mutandis* van toepassing in verband met die verlyding van enige akte waar bewys van die aanstelling van enige trustee, voog, kurator, regverkrygende, likwidateur of administrateur benodig word.

22. Waar spesiale voorwaardes benewens die gewone voorwaardes, as daar is, deur 'n gesikte ouoriteit opgelê word op enige toekenning van 'n reg, of enige vorm van toestemming om 'n reg te verkry of enige hernuwing of verlenging van sodanige toekenning of toestemming, moet sodanige spesiale voorwaardes, solank hulle van krag bly, ingelyf word in elke transportakte, sessie of ander dokument wat eiendomsreg tot sodanige reg bewys.

23. Voorwaardes moet in aktes ingelyf word in die ampelike taal waarin dit oorspronklik opgelê was: Met dien verstaande dat waar dit in 'n vorige akte in die ander ampelike taal verskyn, sodanige taal in daaropvolgende aktes herhaal kan word.

24. Waar daar beoog word dat 'n reg ingevolge die Wet op Landboukrediet, 1966 (Wet No. 28 van 1966), oorgedra word kan sodanige transport geregistreer word sonder voorlegging van die eiendomsregbewys of 'n gewaarmerkte kopie in die plek daarvan as die Besturende Direkteur van die Land- en Landboubank van Suid-Afrika skriftelik gesertifiseer het dat hy nie in staat was om die hande op sodanige eiendomsregbewys te lê nie.

25. Die registrateur kan na goeddunke daarvan afsien dat aan die bepalings van hierdie hoofstuk en hoofstuk II ten volle voldoen moet word.

HOOFSTUK VI

VERBANDE

1. Elke verband moet onderstaande bevat—

- (a) 'n volledige en duidelike beskrywing van die reg wat beswaar gaan word;
- (b) die datum en nommer van die lisensie, toekenningsakte of ander akte of dokument insluitende enige sertifikaat van besitreg of spesiale registrasie uit hoofde waarvan die reg deur die verbandnemer gehou word;
- (c) die naam en nommer van die plaas waarop sodanige reg geleë is, die myndistrik en die R.M.T. nommer van die kaart of sketskaart wat die reg, wat met verband beswaar gaan word, omskryf.

2. As twee of meer verbande op dieselfde dag oor dieselfde reg ingedien word en die rangorde nie vermeld word nie, moet die registrateur die partye wat sodanige verbande indien, versoek om dit in daardie oopsig te voltooi.

3. Waar daar beoog word om 'n reg te verbind wat onderworpe is aan spesiale voorwaardes wat die regte van die houer beperk, kan die registrateur eis dat sodanige voorwaardes in die verband uiteengesit word of dat daarin behoorlik daarna verwys word.

4. Die notering van enige gedeeltelike afbetaling of vermindering in dekking op enige verband hoef nie op die titel van die reg wat geraak word, aangeteken te word nie.

5. Elke sessie van 'n verband moet die *causa* in sodanige sessie aandui.

6. Geen sessie van 'n gedeelte van enige bedrag wat kragtens 'n verband verskuldig is, word sonder die toestemming van die verbandgewer geregistreer nie tensy sodanige toestemming in die verband vervat is.

7. Waar 'n sessie van 'n verband vóór die inwerkingtreding van hierdie regulasies op sodanige verband geëindig het, kan die registrateur vir doeleindes van liasse-

original of the cession or an acknowledgement of such cession in terms approved by him, signed by the cedent and duly witnessed or a notarially certified copy of such cession.

8. Where application is made for the registration of a cession of a bond which has previously been ceded but such previous cession or cessions had not been registered, the applicant shall furnish the registrar with all previous cessions, notarially certified copies of such cessions or an acknowledgement of such cessions in terms approved by him and duly witnessed, which previous cessions shall be registered.

9. No cession of the balance due under any bond shall be registered until the amount paid in reduction thereof shall have been noted nor may a substitution under any bond other than a bond passed to secure future advances, part of the capital amount of which has been repaid, be registered under the provisions of sections 28, 29 and 38 of the Act, until the part payment or reduction of cover, as the case may be, shall have been noted.

10. Bonds hypothecating rights may be registered in the Mining Titles Office only if provision is made for the hypothecation of such rights in the laws by which they have been created and where such laws stipulate that certain conditions have to be fulfilled prior to hypothecation proof of compliance with such conditions shall be furnished before such bonds are registered.

11. (i) If a collateral bond or a surety bond is lodged for registration in the Mining Titles Office and the principal bond is registered (or to be registered) in any deeds registry a copy of such principal bond, certified by the registrar concerned or conveyancer lodging the collateral or surety bond shall be lodged for filing with such collateral or surety bond.
- (ii) If the collateral bond or surety bond is drawn substantially in accordance with the form provided in Schedule C to these regulations, sub-regulation (i) need not be complied with.
- (iii) In the event of a collateral bond or surety bond being required to be executed simultaneously with the principal bond the registrar of deeds concerned shall advise the registrar of the execution of the principal bond.

CHAPTER VII

COPIES OF DEEDS

1. Copies of deeds required for information only shall be issued by the registrar on the written application of any person and the words "Issued for information only" shall be stamped on the face and every page of such copies.

2. Copies of deeds required for judicial purposes only shall be issued on the written application of any officer of the Court, and the words "Issued for judicial purposes only" shall be stamped on every page of such copies. Where copies are issued for official purposes to any State Department, every page of such copies shall be stamped "Issued for official purposes only".

3. (1) Where a deed has been lost or destroyed the registered holder of the right concerned or his lawful representative may make written application to the registrar for a copy of such deed. Such an application shall be accompanied by an affidavit or solemn declaration setting forth—

ring 'n duplikaatoorspronklike aanvaar van die sessie, of 'n erkenning van sodanige sessie, bewoord soos deur hom goedgekeur, deur die sedent onderteken en behoorlik deur getuies geattesteer, of 'n notarieel gewaarmerkte kopie van sodanige sessie.

8. Waar aansoek gedoen word om registrasie van 'n sessie van 'n verband wat vantevore gesedeer is, maar sodanige vorige sessie of sessies nie geregister is nie, moet die applikant die registrateur voorsien van alle vorige sessies, notarieel gewaarmerkte kopieë van sodanige sessies of 'n erkenning van sodanige sessies, bewoord soos deur hom goedgekeur en behoorlik voor getuies onderteken. Sulke vorige sessies moet geregistreer word.

9. Geen sessie van die saldo verskuldig uit hoofde van 'n verband word geregistreer alvorens die bedrag betaal in mindering daarvan, genoteer is nie. Ewemin mag 'n substitusie onder enige verband, behalwe 'n verband ter versekering van toekomstige voorskotte waarvan 'n deel van die hoofsom terugbetaal is, geregistreer word ingevolge die bepalings van artikel 28, 29 en 38 van die Wet, alvorens die gedeeltelike afbetaling of vermindering in dekking, na gelang van die geval, genoteer is.

10. Verbanne wat regte verhipoteke kan in die Mynbriewekantoor geregistreer word slegs indien voorsiening gemaak word vir die verhipotekering van sodanige regte in die wette waarby hulle geskep is en waar sodanige wette stipuleer dat aan sekere voorwaardes vóór sulke verhipotekerings voldoen moet word, moet bewys gelewer word dat aan sodanige voorwaardes voldoen is voordat sodanige verbanne geregistreer word.

11. (i) As 'n meegaande verband of 'n borgverband vir registrasie by die Mynbriewekantoor ingedien word en die hoofverband in enige akteskantoor geregistreer is (of geregistreer gaan word) moet 'n kopie van sodanige hoofverband, gewaarmerkt deur die betrokke registrateur of transportbesorger wat die meegaande verband of borgverband indien, vir liassering met sodanige meegaande verband of borgverband ingedien word.

(ii) As die meegaande verband of borgverband so na moontlik opgestel is ooreenkomsdig die vorm vervat in Bylae C van hierdie regulasies, hoef subregulasie (i) nie nagekom te word nie.

(iii) Ingeval 'n meegaande verband of borgverband gelyktydig met die hoofverband verly moet word moet die betrokke registrateur van aktes die registrateur in kennis stel van die verlyding van die hoofverband.

HOOFSTUK VII

KOPIEË VAN AKTES

1. Kopieë van aktes wat slegs vir inligting benodig word moet deur die registrateur op die skriftelike aansoek van enige persoon uitgereik en die woorde „Slegs vir inligting uitgereik“ op die voorkant en elke bladsy van sodanige afskrifte gestempel word.

2. Kopieë van aktes wat slegs vir geregtelike doeleinades benodig word moet op die skriftelike aansoek van enige amptenaar van die Hof uitgereik en die woorde „Slegs vir geregtelike doeleinades uitgereik“ op elke bladsy van sodanige kopieë gestempel word. Waar kopieë vir amptelike doeleinades aan 'n Staatsdepartement uitgereik word, moet op elke bladsy van sodanige kopieë „Slegs vir amptelike doeleinades uitgereik“ gestempel word.

3. (1) Waar 'n akte verlore geraak het of vernietig is kan die geregistreerde houer van die betrokke reg of sy wettige verteenwoordiger skriftelik aansoek om 'n kopie daarvan by die registrateur doen. So 'n aansoek moet vergesel gaan van 'n beëdigde of plegtige verklaring waarin uiteengesit word—

- (a) the number and date of the lost deed,
- (b) that it is not pledged, detained or held as security for any debt or otherwise,
- (c) that it has been lost or destroyed, as the case may be, and that notwithstanding diligent search it cannot be found,
- (d) the circumstances, if possible, under which it was lost or destroyed and any other evidence, as the registrar may call for, to establish beyond doubt that such deed has been lost or destroyed.
- (2) The provision of this regulation shall apply *mutatis mutandis* to companies, insolvent estates and estates under curatorship or administration.
- (3) The applicant shall also publish once in the *Gazette* and once a week for two consecutive weeks in such newspaper as the registrar may approve a notice in the following form:
- Lost (here describe the deed) . . . Notice is hereby given that I intend applying for a certified copy of the above-mentioned deed No. dated and passed by (here insert the name of the person, if any, by whom the deed was passed save in the case of a lost transfer and if none, omit the words "passed by". In the case of bonds say "for" and give the amount of the bond in figures after the name of the mortgagor) in favour of (here insert the name of the person in whose favour the deed was passed) in respect of (here describe the right). All persons having objections to the issue of such copy are hereby required to lodge the same in writing with the Registrar of Mining Titles at Johannesburg within three weeks from the date of the last publication hereof.
-
(Full name of applicant, agent or attorney.)
- (4) A copy of each issue of the newspaper, or an extract certified to the satisfaction of the registrar, and a reference to the number, date and page of the *Gazette*, in which the notice was published shall accompany the application when it is submitted to the registrar: Provided that in the case of the revival of a deed in terms of section 7 (2) of the Act, the registrar may, if it is established to his satisfaction that such deed has been lost or destroyed, issue a certified copy thereof to take the place of the original without the necessity of advertising as provided in paragraph (3) of this regulation.
- (5) After the expiry of the period specified in such notice the registrar shall, if he is satisfied that no reason to the contrary exists, issue the certified copy as required: Provided that no such copy shall be issued until the registrar has searched his registers and is satisfied that all endorsements regarding transactions, if any, registered therein, appear on the copy to be issued.

- (a) die nommer en datum van die verlore akte,
(b) dat dit nie verpand is nie, as sekuriteit vir enige skuld of andersins teruggehou of gehou word nie,
(c) dat dit verlore geraak het of vernietig is, na gelang van die geval, en dat nieteenstaande deeglik daarna gesoek is, dit nie gevind kan word nie,
(d) die omstandighede, indien moontlik, waaronder dit verlore geraak het of vernietig is en enige ander bewyse wat die registrateur mag verlang, om bo twyfel vas te stel dat sodanige akte verlore geraak het of vernietig is.
- (2) Die bepalings van hierdie regulasie is *mutatis mutandis* van toepassing op maatskappye, insolvente boedels en boedels onder kuratorskap of administrasie.
- (3) Die applikant moet ook een keer in die *Staatskoerant* en een keer per week vir twee agtereenvolgende weke in 'n koerant wat die registrateur mag goedkeur, 'n kennisgewing in onderstaande vorm publiseer:
- Verlore (Beskryf hier die akte) Kennisgewing word hiermee gegee dat ek voorname is om aansoek te doen om 'n gewaarmerkte kopie van bogenoemde akte No. gedateer en gepasseer deur (voeg hier die naam in van die persoon as daar een was, deur wie die akte gepasseer was, behalwe in die geval van 'n verlore transport en indien daar nie so 'n persoon was nie, laat dan die woorde „gepasseer deur" weg. In die geval van verbande sê „namens" en verstrek die bedrag van die verband in syfers ná die naam van die verbandnemer) ten gunste van (voeg hier in die naam van die persoon ten gunste van wie die akte gepasseer is) ten opsigte van (beskryf hier die reg). Alle persone wat beswaar wil maak teen die uitreiking van sodanige afskrif, word hiermee versoek om sodanige beswaar skriftelik by die Registrateur van Mynbriewe te Johannesburg binne drie weke vanaf datum van die laaste publikasie hiervan in te dien.
-
(Volle naam van applikant, agent of prokureur.)
- (4) 'n Eksemplaar van elke uitgawe van die koerant, of 'n uittreksel gewaarmerk tot bevrediging van die registrateur, en vermelding van die nommer, datum en bladsy van die Staatskoerant waarin die kennisgewing gepubliseer was moet die aansoek vergesel wanneer dit aan die registrateur voorgelê word: Met dien verstande dat in die geval van die herlewning van 'n akte ingevolge artikel 7 (2) van die Wet, die Registrateur, as dit tot sy bevrediging vasgestel word dat sodanige akte verlore geraak het of vernietig is, 'n gewaarmerkte kopie daarvan kan uitreik om die oorspronklike te vervang sonder die noodsaaklikheid om te adverteer soos bepaal in paragraaf (3) van hierdie regulasie.
- (5) Ná verstryking van die tydperk in sodanige kennisgewing bepaal, moet die registrateur, as hy oortuig is dat daar niks daarteen ingebring kan word nie, die gewaarmerkte kopie soos benodig, uitreik: Met dien verstande dat geen sodanige kopie uitgereik word nie voordat die registrateur sy registers nageslaan het en oortuig is dat alle endossemente ten opsigte van transaksies, as daar was, wat daarin aangeteken is, verskyn op die kopie wat uitgereik word.

(6) If a certified copy of any deed issued in lieu of a lost or destroyed deed is itself lost or destroyed, the registrar may subject to fulfilment *mutatis mutandis* of the conditions prescribed in this regulation in regard to the loss or destruction of originals issue a further copy to serve in the place of the original.

(7) If any deed or certified copy of a deed issued to replace the original has become unserviceable in the opinion of the registrar he may require a certified copy or further certified copy of the original, as the case may be, to be applied for by the registered holder thereof or his lawful representative. The deed which has become so unserviceable shall be lodged together with the application. The provisions of the proviso to regulation 3 (5) shall apply in respect of such application.

4. The provisions of regulation 3 of this Chapter shall apply *mutatis mutandis* to any deed made in favour of the State President, the Republic of South Africa or made prior to 31 May 1910 in favour of the Governor or Government then administering the former Colonies of States now constituting the Republic or any official of such Government except that it shall not be necessary to publish the notice as prescribed and that the application and solemn declaration may be made by the Minister of the Department charged with the custody of such deeds or any officer of such Department authorised by him.

5. If the registered holder of a mortgage bond which has been lost or destroyed or his lawful representative desires to procure cancellation of the entry relating thereto in the register, the registrar shall upon written application by the legal holder or his lawful representative, duly witnessed, and on compliance with regulation 3 of this Chapter, after expiry of the period mentioned in the notice and if he is satisfied that no good reason to the contrary exists, cancel such entry. Any cancellation so effected shall be deemed to be a cancellation of such bond without formal consent to cancellation.

6. Where the registrar is satisfied that any deed has been lost, destroyed, or rendered unserviceable in his office or while it was held by any State Department, it shall be competent for him to issue a copy thereof gratis and without publication of the prescribed notice.

CHAPTER VIII

MISCELLANEOUS

1. (1) If the registrar is satisfied that any record filed in his office is in such a condition that it should be restored or preserved in the Archives he may transfer such record to the Director of the Archives for such purpose and upon such conditions relating to the restoration and supply of copies as the registrar and the Director may mutually arrange.

(2) Any copy so furnished by the Director shall be certified by him or any person designated by him and shall be deemed to be the original record for any purpose of the Act and these regulations.

(3) Any such records shall be preserved by the Director in the Archives depot at the seat of the Provincial Administration of the Province of the Transvaal.

(6) As 'n gewaarmerkte kopie van enige akte wat in die plek van 'n verlore of vernietigde akte uitgereik is, ook verlore raak of vernietig word, kan die registrateur behoudens die nakoming *mutatis mutandis* van die voorwaardes wat in hierdie regulasie voorgeskrywe word met betrekking tot die verlies of vernietiging van oorspronklukes, 'n verdere kopie uitreik om in die plek van die oorspronklike te dien.

(7) Indien enige akte of gewaarmerkte kopie van 'n akte wat uitgereik is om die oorspronklike te vervang, na die mening van die registrateur onbruikbaar geword het kan hy gelas dat aansoek gedoen word om 'n gewaarmerkte kopie van die oorspronklike, na gelang van die geval, deur die geregistreerde houer daarvan of sy wettige verteenwoordiger. Die akte wat aldus onbruikbaar geword het moet saam met die aansoek ingedien word. Die bepalings van die voorbehoudsbepaling van regulasie 3 (5) is van toepassing met betrekking tot sodanige aansoek.

4. Die bepalings van regulasie 3 van hierdie hoofstuk is *mutatis mutandis* van toepassing op enige akte wat opgestel is ten gunste van die Staatspresident, die Republiek van Suid-Afrika of wat vóór 31 Mei 1910 opgestel is ten gunste van die Goewerneur of Regering wat destyds die gewese Kolonies of State wat nou die Republiek uitmaak, geadministreer het of enige beampete van sodanige Regering, buiten dat dit nie nodig sal wees om die kennisgewing, soos voorgeskryf, te publiseer nie en dat die aansoek en plegtige verklaring gedoen kan word deur die Minister van die Departement wat met die bewaring van sodanige aktes belas is of enige beampete van sodanige Departement deur hom gemagtig.

5. As die geregistreerde houer van 'n verband wat verlore geraak het of vernietig is, of sy wettige verteenwoordiger verlang dat die inskrywing ten opsigte daarvan in die register geroeje moet word, moet die registrateur, op die skriftelike aansoek deur die wetlike houer of sy wettige verteenwoordiger, behoorlik voor getuies onderteken, en by nakoming van regulasie 3 van hierdie Hoofstuk, ná verstryking van die tydperk in die kennisgewing genoem en as hy oortuig is dat daar niks teen is nie, sodanige inskrywing roejer. 'n Rojering aldus bewerkstellig, word geag 'n rojering van sodanige verband sonder formele toestemming tot rojering te wees.

6. Waar die registrateur oortuig is dat enige akte in sy kantoor of terwyl dit in besit van 'n Staatsdepartement was, verlore geraak het, vernietig is, of onbruikbaar geword het, is hy bevoeg om 'n kopie daarvan gratis en sonder publikasie van die voorgeskrewe kennisgewing uit te reik.

HOOFSTUK VIII

DIVERSE BEPALINGS

1. (1) As die registrateur oortuig is dat enige dokument wat in sy kantoor weggeteel is in so 'n toestand is dat dit in die Argief herstel of bewaar moet word, kan hy sodanige dokument oorplaas na die Direkteur van die Argief vir die doel en op die voorwaardes in verband met die herstelling en voorsiening van afskrifte wat die registrateur en die Direkteur onderling mag reël.

(2) Enige kopie aldus deur die Direkteur voorsien moet deur hom of enige persoon wat deur hom aangewys is, gewaarmerk word en word dit geag, vir enige doel van die Wet en hierdie regulasies, die oorspronklike dokument te wees.

(3) Alle sodanige dokumente moet deur die Direkteur in die Argiefdepot by die setel van die provinsiale administrasie van die Provincie Transvaal bewaar word.

2. The written consent referred to in section 35 (2) (a) of the Act shall be lodged in duplicate. The original copy of the consent shall be filed in the Mining Titles Office and the duplicate copy annexed to the bond.

3. Where applications or consents are required to be lodged in terms of the Act such applications and consents need not be prepared by a conveyancer unless so required by the Act or the form prescribed in Schedule C to these Regulations, but shall be signed by the parties concerned and duly witnessed in accordance with law.

4. Where in the circumstances contained in the proviso to section 39 (4) of the Act it is necessary to pass transfer to the rehabilitated insolvent such transfer may be passed on a power of attorney signed by the Master.

5. (1) Where cancellation of registration of a personal servitude is sought under the provisions of section 43 (2) of the Act the registrar may accept a unilateral notarial deed of cancellation by the holder of the servitude provided such deed does not impose any obligation on the holder of the right affected.

(2) The registrar may accept for registration a unilateral notarial deed of:

- (a) cancellation of a *fideicommissum* by the fideicommissary heirs, and
- (b) cession of a personal servitude as is mentioned in section 42 of the Act,

provided such deed does not impose any obligations on the holder of the right affected in the case of (a) or upon a cessionary in the case of (b).

6. If a prospecting contract or a tributing agreement has been granted by the holder of a mining title over portion only of such mining title or a nomination agreement has been entered into by the owner or lessee of land in respect of a portion of such land, a diagram or plan shall, if required by the registrar, be annexed to such contract, tributing or nomination agreement as the case may be.

7. The provisions of regulation 1 Chapter V, of these regulations shall apply *mutatis mutandis* to all deeds and documents lodged for registration or record in the Mining Titles Office.

8. Any permission, grant, lease, permit or other document evidencing title to any right which has been cancelled or abandoned or which has lapsed or otherwise determined as well as any mortgage bond relating to such right which has been cancelled and the sketch plan or diagram defining such right, may be destroyed or otherwise disposed of by the registrar whenever in his opinion and after consultation with the Director of the Archives the retention of such document is no longer necessary: Provided that no diagram shall be destroyed which the Surveyor-General has not previously cancelled.

9. Business with the Mining Titles Office shall be conducted in person or through an agent and not by correspondence.

CHAPTER IX

INFORMATION

1. Members of the public shall be permitted access to strong rooms for purposes of research, only on permission from the registrar who may regulate the times during which such research may be conducted and in his discretion refuse such permission without giving any reason therefor.

2. Die skriftelike toestemming in artikel 35 (2) (a) van die Wet bedoel moet in tweevoud ingedien word. Die oorspronklike kopie van die toestemming moet in die Mynbriekantoor weggeleg en die duplikaatafskrif aan die verband geheg word.

3. Waar aansoeke en toestemmings ingevolge die Wet ingedien moet word hoef sodanige aansoeke en toestemmings nie deur 'n transportbesorger opgestel te word nie tensy dit by die Wet of die vorm voorgeskryf in Bylae C van hierdie regulasies vereis word, maar hulle moet volgens regsvorskrifte behoorlik deur die betrokke partye voor getuies onderteken word.

4. Waar dit in die omstandighede vermeld in die voorbehoudsbepaling van artikel 39 (4) van die Wet, nodig is om aan die gerehabiliteerde insolvente persoon transport te gee, kan sodanige transport gegee word kragtens 'n prokurasie deur die Meester onderteken.

5. (1) Waar rojering van registrasie van 'n persoonlike serwituit ingevolge die bepalings van artikel 43 (2) van die Wet verlang word kan die registrateur 'n eensydige notariële akte van rojering deur die houer van die serwituit aanvaar, mits sodanige akte geen verpligting lê op die houer van die reg wat geraak word nie.

(2) Die registrateur kan vir registrasie 'n eensydige notariële akte van:

- (a) rojering van 'n *fideicommissum* deur die fideikommissiere erfgename, en
 - (b) sessie van 'n persoonlike serwituit soos vermeld in artikel 42 van die Wet,
- aanvaar, mits sodanige akte nie in die geval van (a) op die houer van die reg wat geraak word of op die sessionaris in die geval van (b), enige verpligting lê nie.

6. As 'n prospektekontrak of 'n skatpligtige ooreenkoms deur die houer van 'n myntitel slegs oor 'n gedeelte van sodanige myntitel toegeken is of 'n benoemingsooreenkoms aangegaan is deur die eienaar of huurder van grond ten opsigte van 'n gedeelte van sodanige grond, moet 'n kaart of sketskaart, indien dit deur die registrateur verlang word, aan sodanige kontrak, skatpligtige- of benoemingsooreenkoms, na gelang die geval, geheg word.

7. Die bepalings van regulasie 1, Hoofstuk IV, van hierdie regulasies is *mutatis mutandis* van toepassing op alle aktes en dokumente wat vir registrasie of aantekening by die Mynbriekantoor ingedien word.

8. Enige toestemming, vergunning, huur, permit of ander dokumente wat titel tot 'n reg verleen en wat gerooier of opgesê is of verval het of andersins beëindig is, asook enige verband met betrekking tot sodanige reg wat gerooier is en die sketskaart of kaart wat sodanige reg omskryf, kan deur die registrateur ná raadpleging met die Direkteur van die Argief te eniger tyd vernietig of andersins oor beskik word as hy van mening is dat die behoud daarvan geen doel meer dien nie: Met dien verstande dat geen kaart vernietig mag word wat nie eers deur die Landmeter-generaal gerooier is nie.

9. Sake met die Mynbriekantoor moet persoonlik of deur 'n agent verrig word en nie deur korrespondensie nie.

HOOFSTUK IX

INLIGTING

1. Lede van die publiek moet toegang tot die kluisse verleen word vir die doel van navorsing slegs met toestemming van die registrateur wat die tye wanneer sulke navorsing gedoen mag word kan reël en na goeddunke sodanige toestemming kan weier sonder om enige rede daarvoor aan te voer.

2. Any officer of the Courts or their duly authorized clerks, who have received the necessary permission, may on their own inspect such records, registers, diagrams, plans or other documents as the registrar may approve but members of the public shall not be permitted such inspection except under supervision of a responsible officer.

CHAPTER X

OFFICE FEES AND CHARGES

1. The fees and charges mentioned in sections 8 and 10 (1) (a) of the Act shall be those specified in Schedule "A" to these regulations subject, however, to the following exemptions:

- (a) Any person engaged in research work of an historical character or of general public interest may be permitted, subject to such conditions as the registrar may stipulate, to search the records and registers free of the payment of any fees: Provided that when an applicant is a student of a university incorporated by an Act of the Republic he shall produce a certificate from the principal of such university and in the case of any other person a certificate from the Minister of Mines describing in each certificate the purpose for which the search is to be made.
- (b) No fee shall be payable if the same would within the meaning of Act 59 of 1962 or any amendment thereof be legally payable and borne by the State or any Department thereof.
- (c) No fee shall be payable in respect of any transfer or cession of any right to the Republic or any Department thereof if such transfer or cession be in pursuance of a donation to or expropriation by the State of such right.
- (d) No fees shall be levied by the registrar in respect of the performance of any act prescribed by section 5 (1) (q), (r), (t), (u) and (v) and section 40 of the Act.

2. Upon written application being made by any divisional or municipal council or other local authority to search the registers or records kept in the Mining Titles Office, the registrar, upon being satisfied that the information is required to enable such council or local authority to carry out its statutory powers or duties, may allow such search to be made upon payment of one-fifth of the prescribed rate unless provision has been made in any law allowing such searches to be made on behalf of such council or local authority without charge or at a higher or lower rate: Provided that where any information is supplied to any council or local authority on application the charge shall be fifteen cents per entry.

3. When particulars of all transfers or bonds are taken regularly from any register for publication in a newspaper or periodical and the registrar is satisfied that such publication serves a public purpose, a fee of five cents shall be paid in respect of each transfer or bond if taken direct from the transfer or bond and the current register: Provided all such information is extracted at the same time. If taken from the current register only, a fee of five cents per entry shall be paid.

CHAPTER XI

TARIFF OF FEES AND CHARGES

1. The fees and charges mentioned in section 10 (1) (b) of the Act shall, subject to the succeeding regulations of this chapter, be those specified in Schedule B to these regulations.

2. Enige beampte van die Howe of hul behoorlik gemagtigde klerke wat die nodige toestemming verkry het, kan op hul eie die stukke, registers, kaarte, sketskaarte of ander dokumente, wat die registrator mag goedkeur, ondersoek, maar lede van die publiek mag nie toegelaat word om sodanige ondersoek in te stel nie behalwe onder die toesig van 'n verantwoordelike beampte.

HOOFSTUK X

KANTOORGELDELDE EN KOSTE

1. Die gelde en koste genoem in artikels 8 en 10 (1) (a) van die Wet is soos in Bylae A van hierdie regulasies vasgestel behoudens, egter, die volgende uitsonderings:

- (a) Enigiemand wat besig is met navorsingswerk van 'n geskiedkundige aard, of van algemene openbare belang, kan, behoudens die voorwaardes wat die registrator mag bepaal, toegelaat word om die registers en dokumente sonder enige betaling na te slaan: Met dien verstande dat wanneer 'n applikant 'n student is van 'n universiteit wat ingelyf is by 'n wet van die Republiek, hy 'n sertifikaat van die hoof van dié universiteit moet toon en in die geval van enige ander persoon 'n sertifikaat van die Minister van Mynwese waarin die doel van die navorsing vermeld word.
- (b) Geen gelde is betaalbaar nie as dit binne die bedoeling van Wet 59 van 1962 of enige wysiging daarvan wetlik deur die Staat of enige Departement daarvan betaalbaar is en gedra moet word.
- (c) Geen gelde is betaalbaar ten opsigte van enige transport of sessie van enige reg aan die Republiek of enige Departement daarvan nie as sodanige transport of sessie geskied as gevolg van 'n skenking aan of onteiening deur die Staat van sodanige reg.
- (d) Geen gelde mag deur die registrator gehef word ten opsigte van die uitvoering van enige handeling voorgeskryf by artikel 5 (1) (q), (r), (t), (u) en (v) en artikel 40 van die Wet nie.

2. Wanneer daar deur 'n afdelings- of munisipale raad of ander plaaslike bestuur aansoek gedoen word om die registers of dokumente wat in die Mynbriewekantoor gehou word, te ondersoek, kan die registrator, as hy oortuig is dat die inligting nodig is ten einde sodanige raad of plaaslike bestuur in staat te stel om syregsbevoegdhede of pligte uit te voer, toelaat dat sodanige ondersoek ingestel word teen betaling van een vyfde van die voorgeskrewe tarief tensy daar in 'n wet voorsiening gemaak word dat sodanige navorsing ten behoeve van sodanige raad of plaaslike owerheid kosteloos of teen 'n hoër of laer tarief gedoen word: Met dien verstande dat waar enige inligting aan enige raad of plaaslike owerheid op aansoek verskaf word, die koste vyftien sent per inskrywing is.

3. Wanneer besonderhede van alle transports of verbande gereeld uit enige register vir publikasie in 'n nuusblad of tydskrif geneem word en die registrator daarvan oortuig is dat sodanige publikasie 'n openbare doel dien, moet 'n bedrag van vyf sent betaalbaar word ten opsigte van elke transport of verband indien dit regstreeks uit sodanige transport of verband in die lopende register geneem is: Met dien verstande dat alle sodanige inligting selfdertyd geneem word. As dit slegs uit die lopende register geneem word moet 'n bedrag van vyf sent per inskrywing betaal word.

HOOFSTUK XI

TARIEF VAN GELDE EN KOSTE

1. Die gelde en koste wat in artikel 10 (1) (b) van die Wet vermeld word, is, behoudens die volgende regulasies van hierdie hoofstuk, soos uiteengesit in Bylae B van hierdie regulasies.

2. The section and item of tariff under which payment of any fee or charge is claimed shall be indicated in any bill of costs presented for taxation. Disbursements can be included in the bill, but taxation will be only on the amount of fees and charges envisaged by regulation 1 of this chapter and the fee of office shall be calculated on that amount.

CHAPTER XII

NOMINATION AGREEMENTS, PROSPECTING CONTRACTS, ETC.

1. When the grantee under any registered nomination agreement, tributing agreement or prospecting contract who claims to have exercised any option or right of renewal granted thereunder has lodged at the Mining Titles Office an affidavit in accordance with regulation 2 of this chapter before or within 30 days after the date of expiry of such agreement or contract the registrar shall endorse the registry duplicate and make a note in the appropriate register to the effect that the holder claims to have exercised such right of option or renewal as the case may be. The endorsement so made shall, as from the date thereof, be effective notice of the claim to all interested parties.

2. The affidavit referred to in regulation 1 shall be made by the holder of any such agreement or contract or by his duly authorised agent and shall state that the holder has fulfilled all the conditions of such agreement or contract entitling him to exercise such right of renewal or option conferred on the holder thereby.

3. If at any time a nomination agreement, tributing agreement or prospecting contract is lodged for registration after the initial period for which such agreement or contract was granted, has already expired but a further period for which there is a right of renewal has not yet expired, the registrar, upon application by the holder of the rights under such agreement or contract or by his duly authorised agent and with the consent, in writing of the principal, duly witnessed, or if such consent is for good and sufficient reason not obtainable, upon lodgment of an affidavit in accordance with regulation 2 of this chapter, shall, subject to the provisions of section 48 of the Act register such agreement or contract. Such registration shall thereupon be effective in respect of the period for which it is claimed that such agreement or contract has been renewed.

4. If the right to prospect and mine for precious metals, base minerals, natural oil, prescribed material or precious stones is governed by different laws any nomination agreement, tributing agreement or prospecting contract granted in respect thereof shall be limited in its scope to the rights which may be exercised and acquired under the applicable law.

5. Any nomination agreement, tributing agreement or prospecting contract which purports to grant to the holder thereof any rights of any nature whatsoever not reasonably necessary or incidental to prospecting and/or mining and/or operations ancillary thereto may render itself liable to rejection.

6. No cession, modification, abandonment or cancellation of any tributing agreement or personal servitude shall be registered by the registrar without the consent in writing of the mortgagee, if any.

2. Die artikel en tariefitem waarkragtens betaling van enige geldte of koste gevorder word, moet aangetoon word op enige kosterekening wat vir taksering voorgelê word. Voorskotte kan by die rekening ingesluit word, maar taksering moet slegs op die bedrag van geldte en koste soos in regulasie 1 van hierdie hoofstuk beoog word, geskied in die kantoorgelde moet op daardie bedrag bereken word.

HOOFTUK XII

BENOEMINGSOOREENKOMSTE, PROSPEKTEERKONTRAKTE, ENS.

1. As die bevoordeelde kragtens enige geregistreerde benoemingsooreenkoms, skatpligtige ooreenkoms of prospekteerkontrak wat beweer dat enige opsie of reg van hernuwing wat daarin toegeken was, deur hom uitgeoefen is, 'n beëdigde verklaring ooreenkomstig regulasie 2 van hierdie hoofstuk voor of binne 30 dae na die datum van verstryking van sodanige ooreenkoms of kontrak by die Mynbriewkantoor ingedien het, moet die registrateur die registrasieduplikaat endosseer en in die betrokke register 'n aantekening maak wat aandui dat die houer beweer dat hy sodanige reg van opsie of hernuwing, na gelang van die geval, uitgeoefen het. Die aantekening aldus gemaak, is, vanaf die datum daarvan, afdoende kennisgewing van die bewering aan alle belanghebbende partye.

2. Die beëdigde verklaring in regulasie 1 bedoel, moet of deur die houer van enige sodanige ooreenkoms of kontrak of deur sy behoorlik gemagtigde agent gedoen word en moet vermeld dat die houer al die voorwaardes nagekom het van sodanige ooreenkoms of kontrak wat aan hom die reg verleen om sodanige reg van hernuwing of opsie wat daardeur aan die houer verleen is, uit te oefen.

3. As 'n benoemingsooreenkoms, skatpligtige ooreenkoms of prospekteerkontrak te eniger tyd vir registrasie ingedien word nadat die oorspronklike tydperk waarvoor sodanige ooreenkoms of kontrak aangegaan was alreeds verstryk het maar 'n verdere tydperk waarvoor daar 'n reg van hernuwing is, nog nie verstryk het nie, moet die registrateur behoudens die bepalings van artikel 48 van die Wet, sodanige ooreenkoms of kontrak regstreer op aansoek deur die houer van die regte kragtens sodanige ooreenkoms of kontrak of deur sy behoorlik gemagtigde agent en met die skriftelike toestemming van die lasgewer, behoorlik voor getuies onderteken, of, indien sodanige toestemming om geldige en afdoende redes nie verkry kan word nie, by indiening van 'n beëdigde verklaring ingevolge regulasie 2 van hierdie hoofstuk. Sodanige registrasie is dan van krag vir die tydperk waarvoor dit beweer word dat sodanige ooreenkoms of kontrak hernieu is.

4. As die reg om vir edel metale, onedele minerale, aardolie, voorgeskrewe materiaal of edelgesteentes te prospekteer en te myn, deur verskillende wette beheer word, moet enige benoemingsooreenkoms, skatpligtige ooreenkoms of prospekteerkontrak wat ten opsigte daarvan aangegaan is, in sy bestek beperk word tot die regte wat ingevolge die toepaslike wet uitgeoefen en verkry mag word.

5. Enige benoemingsooreenkoms, skatpligtige ooreenkoms of prospekteerkontrak wat voorgee om aan die houer daarvan enige regte van enige aard hoegenaamd te verleen wat nie redelikerwys nodig is of in verband staan met prospektering en/of mynbou en/of aanverwante werkzaamhede nie, is aan verwering blootgestel.

6. Geen sessie, wysiging, opsegging of rojering van enige skatpligtige ooreenkoms of persoonlike serwituit word deur die registrateur sonder die skriftelike toestemming van die verbandhouer, as daar een is, geregistreer nie.

7. No prospecting licence as is referred to in section 5 (1) (c) of the Act shall be registered unless it is lodged in triplicate and is accompanied by the title deed of the land concerned and the consent of the legal holder of any mortgage bond over the holding.

8. An extension of a duly registered prospecting contract may be registered, provided a notarial deed of extension is lodged for registration before such contract has lapsed or been cancelled.

CHAPTER XIII

FORMS

Deeds and other documents shall conform as nearly as circumstances permit, to the prescribed form contained in Schedule C to these regulations.

SCHEDULE A.

FEES OF OFFICE.

(SECTION 10 (1) (a).)

For the registration of each—

Item.

1. Deed of transfer
2. Certificate of registered title
3. Bond
4. Lease of the right to mine, renewal, variation, amendment or cession
5. Mynpacht brief, modification or renewal
6. Lease of the right to prospect, variation, renewal, amendment or cession
7. Prospecting contract, renewal, variation, extension, amendment or cession
8. Nomination agreements, renewal, variation, extension, amendment or cession
9. Tributing agreements, renewal, variation, extension, amendment or cession
10. Leases, other than the right to mine, or sub-leases thereof, renewal, variation, extension, amendment or cession
11. Servitude, amendment, modification or cession
12. Any notarial deed other than those specially provided for
13. Grant of stand title or amendment of conditions (for each stand)
14. Grant of owner's reservation (land or water)
15. Certificate of bezitrecht
16. Grant of water right
17. Surface right permit
18. Prospecting licence
19. Certificate of Reservation of trading site
20. General power of attorney including the eventual cancellation thereof
21. Cancellation, cession or cancellation of cession of a bond, or the release of a person and/or his property from a bond or of a part payment on a bond or a reduction of cover of a bond
22. Suretyship contained in any bond—the same fees as for the bond
23. For the substitution of a bond—
(a) where a new title is issued
(b) where the existing title is endorsed
24. An agreement varying the terms of a bond or a waiver of preference of one bond in favour of another bond
25. Amendment, under section 6 (1) (b) of the Act or under any law, which is not specially exempted from the payment of fees for each deed
26. Change of name under section 59 of the Act or under any law, which is not specially exempted from the payment of fees, for each deed
27. Report to Court in terms of section 63 of the Act
28. Taxation of bill of costs—for each R1 or fraction thereof of the amount of the bill submitted for taxation

7. Geen prospekteerlisensie in artikel 5 (1) (c) van die Wet bedoel, word geregistreer as dit nie in drievoud ingediend word en vergesel gaan van die titelakte van die betrokke grond en die toestemming van die wettige houer van enige verbandakte oor die eiendom nie.

8. 'n Verlenging van 'n behoorlik geregistreerde prospekteerkontrak kan geregistreer word, mits 'n notariële akte van verlenging ingediend word vir registrasie voordat sodanige kontrak verval het of gekanselleer is.

HOOFSTUK XIII

VORMS

Aktes en ander dokumente moet so na as wat omstandighede dit toelaat, ooreenkommel met die voorgeskrewe vorm in Bylae C van hierdie regulasies.

BYLAE A.

KANTOORGELDELDE.

(ARTIKEL 10 (1) (a).)

Vir die registrasie van elke—

Item.

<i>R.</i>	<i>c.</i>		<i>R.</i>	<i>c.</i>
1	1	1. Transportakte	1	1
1	1	2. Sertifikaat van geregistreerde titel	1	1
1	1	3. Verband	1	1
1	1	4. Verhuring van die reg om te myn, hernuwing, verandering, wysiging of sessie	1	1
1	1	5. Mynpagbrief, verandering of hernuwing	1	1
1	1	6. Verhuring van die reg om te prospekteer, verandering, hernuwing, wysiging of sessie	1	1
1	1	7. Prospekteerkontrak, hernuwing, verandering, verlenging, wysiging of sessie	1	1
1	1	8. Benoemingsooreenkoms, hernuwing, verandering, verlenging, wysiging of sessie	1	1
1	1	9. Skatpligtige ooreenkoms, hernuwing, verandering, verlenging, wysiging of sessie	1	1
1	1	10. Verhurings, behalwe die reg om te myn, of onderverhurings daarvan, hernuwing, verandering, verlenging, wysiging of sessie	1	1
1	1	11. Serwituut, wysiging, verandering of sessie	1	1
1	1	12. Enige notariële akte behalwe dié waarvoor spesiale voorseenis gemaak word	1	1
1	1	13. Toekenning van standplaastitel of wysiging van voorwaarde (vir elke standplaas)	1	1
1	1	14. Toekenning van eienaarsvoorbewind (grond of water)	1	1
1	1	15. Sertifikaat van besitreg	1	1
1	1	16. Toekenning van waterreg	1	1
1	1	17. Oppervlakteregpermit	1	1
1	1	18. Prospekteerlisensie	1	1
1	1	19. Sertifikaat van voorbewind van handelsterrein	1	1
1	1	20. Algemene prokurasie insluitende die uiteindelike rojering daarvan	1	1
1	1	21. Rojering, sessie of rojering van 'n sessie van 'n verband, of die ontheffing van 'n persoon en/of sy eiendom van 'n verband of van 'n gedeeltelike afbetaling van 'n verband of 'n vermindering van skuld van 'n verband	1	1
1	1	22. Borgstelling opgeneem in enige verband-gelde gelyk aan dié vir die verband	1	1
1	1	23. Vir die substitusie van 'n verband (a) waar 'n nuwe titel uitgereik is (b) waar die bestaande titel geëndosseer word	1	1
1	1	24. 'n Ooreenkoms wat die voorwaarde van 'n verband verander of 'n afstand van voorrang van een verband ten gunste van 'n ander verband	1	1
1	1	25. Wysiging, kragtens artikel 6 (1) (b) van die Wet of kragtens enige wet, wat nie spesiaal vrygestel is van die betaling van geldie vir elke akte nie	1	1
1	1	26. Verandering van naam kragtens artikel 59 van die Wet of kragtens enige wet, wat nie spesiaal vrygestel is van die betaling van geldie vir elke akte nie	1	1
1	1	27. Verslag aan Hof ingevalvolg artikel 63 van die Wet	1	1
3	1	28. Taksasie van kosterekening—vir elke R1 of gedeelte daarvan op die bedrag van die rekening vir taksasie ingediend	3	3

Item.

29. For a certificate by the registrar of any fact (inclusive of the fee prescribed in respect of the search or information connected with such certificate)
30. For a search of an index for each name whether of a right or the holders thereof
31. For information as to bonds passed by any one person or in favour of any one person—
 (a) Three bonds or less
 (b) For every additional three bonds or less
32. For information as to the number of rights in the name of the holders thereof, for each right
33. For inspection of any deed of transfer, bond, lease, contract or other document, of which the applicant shall furnish the registered number, per document
34. For any continuous search for information—
 (a) For the first hour of such search
 (b) For each additional hour
 Should the searches mentioned in items 32, 33 and 34 be made by the applicant or his duly authorised agent one-half of the fees shall be charged: Provided that in the discretion of the registrar such half fees may also be charged where access to strong rooms by members of the public is prohibited and the application is made in person or by a duly authorised agent
35. For any search or information not specially provided for, the minimum fee shall be
36. For any endorsement, note or act of registration otherwise not provided for
37. Tracings or copies prepared from plans or tracings of plans—per $\frac{1}{4}$ -hour of time expended thereon
38. For each print made from an existing tracing
39. For every inspection of any diagram, general plan or plan
40. For a certified copy of any deed, power or other document or of the entries on a folio of a register prepared in the Mining Titles Office: Provided that certificates of authentication or attestation of a power shall be treated as part thereof—per folio or part thereof
 For any such copy if prepared by the applicant, one-half of the above fees

SCHEDULE B.

TARIFF OF FEES AND CHARGES—SECTION 10 (1) (b).

For the purposes of this tariff—

- (a) a "folio" shall be standard size;
 (b) the word "letter" in section X shall include a telegram: Provided that a fee shall not be allowed for a telegram if a fee is allowed for a confirmatory letter. A telegram shall not attract a fee except under section X as above specified.

SECTION I—PRELIMINARY WORK.

Item.

- (a) In connection with transfers—
 1. (i) Drawing and attending at execution of deed of sale or other document of disposal (including all necessary copies) per folio or part thereof
 (ii) Attendance, interviews, drafting conditions, taking instructions in connection with any deed of sale, for each half-hour or part thereof
2. Drawing power of attorney to pass transfer including declarations for transfer duty purposes and paying transfer duty when the mining title or right is of value—
 R400 and under
 Over R400 and up to R1,000
 Over R1,000 and up to R2,000
 Over R2,000 and up to R50,000 an additional fee for every R1,000 or part thereof
 Over R50,000 and up to R200,000 an additional fee for every R10,000 or part thereof
 Thereafter an additional fee for every R20,000 or part thereof
 Where more than one right is being transferred an additional fee for every additional separate paragraph describing such rights
3. Framing new conditions or servitudes or materially altering or adjusting existing con-

*R. c.**Item.*

29. Vir 'n sertifikaat deur die registrateur van enige feit (insluitende die betaling voorgeskryf ten aansien van die nasoeking of inligting in verband met sodanige sertifikaat)
30. Vir die nasoeking van 'n bladwyser vir elke naam hetsy van 'n reg of die houers daarvan
31. Vir inligting betreffende verbande gepasseer deur enige enkele persoon of ten gunste van enige enkele persoon—
 (a) Drie verbande of minder
 (b) Vir elke addisionele drie verbande of minder
32. Vir inligting aangaande die aantal regte in die naam van die houers daarvan, vir elke reg
33. Vir insae van enige transportakte, verband, huurkontrak, kontrak of ander dokument, waarvan die applikant die geregistreerde nommer moet voorle, per dokument
34. Vir enige onafgebroke soek na inligting—
 (a) Vir die eerste uur van sodanige nasoeking
 (b) Vir elke bykomende uur
 As die aansoeking genoem in items 32, 33 en 34 deur die aanvraer of sy behoorlik gemagtigde agent gedoen word moet die helfte van die gelde gehef word: Met dien verstande dat as die registrateur dit goed dink die helfte van die gelde ook gehef kan word waar toegang tot kluise deur lede van die publiek belet is en aansoek persoonlik of deur 'n behoorlik gemagtigde agent gedoen word.
35. Vir enige nasoeking of inligting waarvoor nie spesiaal voorsiening gemaak is nie, is die minimum bedrag
36. Vir enige endossement, aantekening of handeling van registrasie waarvoor nie anders voorsiening gemaak is nie
37. Natrekke of kopieë van sketse af opgestel, of natrekke van sketse—vir elke $\frac{1}{4}$ -uur daaraan bestee
38. Vir elke afdruk gemaak van 'n bestaande natrek
39. Vir elke insae van enige kaart, algemene plan of sketskaart
40. Vir 'n gewaarmerkte afskrif van enige akte, prokurasie of ander dokument of van die inskrywings op 'n folio van 'n register opgestel in die Mynbriewekantoor: Met dien verstande dat sertifikate van waarmerk of attestasie van 'n prokurasie beskou moet word as 'n deel daarvan—per folio of gedeelte daarvan
 Vir enige sodanige afskrif indien gemaak deur die aanvraer, die helfte van bogemelde geldie.

R. c.

BYLAE B.

TARIEF VAN BETALING EN KOSTE—ARTIKEL 10 (1) (b).

Vir die doeleindes van hierdie tarief—

- (a) moet 'n "folio" van standaardgrootte wees;
 (b) moet die woord "brief" in afdeling X 'n telegram insluit: Met dien verstande dat betaling nie toegelaat word vir 'n telegram as betaling toegelaat word vir 'n bevestigende brief nie. Betaling kan nie gevorder word vir 'n telegram nie behalwe kragtens afdeling X soos hierbo gespesifieer.

AFDELING I—VOORBEREIDINGSWERK.

*Item.**R. c.*

- (a) In verband met transports—
 1. (i) Opstelling en opwangting by verlyding van 'n koopakte of ander dokument van vervaardiging (insluitende alle nodige afskrifte) per folio of gedeelte daarvan
 (ii) Opwangting, onderhoude, opstelling van voorwaardes, neem van opdragte in verband met enige koopakte, vir elke halfuur of gedeelte daarvan
2. Opstelling van 'n prokurasie om transport te gee insluitende verklarings vir hereregoedoeindes en die betaling van hereregtie wanneer die myntitel of reg 'n waarde het van R400 en minder
 Meer as R400 en tot R1,000
 Meer as R1,000 en tot R2,000
 Meer as R2,000 en tot R50,000 'n addisionele bedrag vir elke R1,000 of gedeelte daarvan
 Meer as R50,000 en tot R200,000 'n addisionele betaling vir elke R10,000 of gedeelte daarvan
 Daarna 'n addisionele bedrag vir elke R20,000 of gedeelte daarvan
 Waar meer as een reg getransporteer word 'n addisionele bedrag vir elke addisionele afsonderlike paragraaf wat sodanige regte omskryf
3. Opstelling van nuwe voorwaardes of servituite of die weselike verandering of regstelling van

Item.	R. c.	Item.	R. c.
ditions or servitudes and inserting in power to transfer or to take out certificate of registered title, per folio or part thereof	2	bestaande voorwaarde of serwitute en inlywing in 'n prokurasie vir transportdoelendes of vir die uitneem van 'n sertifikaat van geregistreerde titel, per folio of gedeelte daarvan	2
(b) In connection with bonds—		(b) Ten opsigte van verbande—	
1. Attendance on instructions and drawing power including attendances at execution—	8	1. Opwagting op opdragte en opstelling van prokurasie insluitende opwagting by verlyding—	8
(i) In the case of auxiliary or surety bonds		(i) In die geval van hulp- of borgverbande	
(ii) In the case of other bonds—		(ii) In die geval ander verbande—	
When the amount is—		As die bedrag—	
R400 or under	5	R400 of minder is	5
Over R400 and up to R1,000	7	Meer as R400 en tot R1,000	7
Over R1,000 and up to R2,000	10	Meer as R1,000 en tot R2,000	10
Over R2,000 and up to R50,000 an additional fee for every R1,000 or part thereof	1	Meer as R2,000 en tot R50,000 'n addisionele bedrag vir elke R1,000 of gedeelte daarvan	1
Over R50,000 and up to R200,000 an additional fee for every R10,000 or part thereof	3	Meer as R50,000 en tot R200,000 'n addisionele bedrag vir elke R10,000 of gedeelte daarvan	3
Thereafter an additional fee for every R20,000 or part thereof	3	Daarna 'n addisionele bedrag vir elke R20,000 of gedeelte daarvan	3
Where more than one right is to be mortgaged an additional fee for every additional separate paragraph describing such rights	50	Waar meer as een reg verbind moet word 'n addisionele bedrag vir elke addisionele afsonderlike paragraaf wat sodanige reg omskryf	50
2. Framing power to insert suretyship or waiver in bond	2	2. Opstelling van prokurasie om borgstelling of afstand in 'n verband in te lyf	2
3. Framing tacit declaration	2	3. Opstelling van 'n stilswyende verklaring	2
(c) Other powers:		(c) Ander prokurasies:	
1. Framing a full general power	4	1. Opstelling van 'n volledige algemene prokurasie	4
2. Framing a special power, per folio or part thereof, but not to exceed	2	2. Opstelling van 'n spesiale prokurasie, per folio of gedeelte daarvan maar hoogstens	2
	5		5

SECTION II—TRANSFERS AND CERTIFICATES OF REGISTERED TITLE.

Item.

1. Drawing each transfer including one copy for the Mining Titles Office and attendance on lodgment and execution when the right is of value—
R400 and under
2. Over R400 and up to R1,000
3. Over R1,000 and up to R2,000
4. Over R2,000 and up to R20,000 an additional fee for every R1,000 or part of
5. Over R20,000 and up to R50,000 an additional fee for every R2,000 or part of
6. Over R50,000 and up to R200,000 an additional fee for every R10,000 or part of
7. Thereafter an additional fee for every R20,000 or part of
8. Drawing each of the following deeds including one copy for the Mining Titles Office and attendance on lodgment and execution and framing application where necessary:
Certificates of registered title under sections 23, 24 and 25 of the Act
9. If more than one right is included in the same deed of transfer or certificate of registered title an additional fee for each separate paragraph describing such right
10. Repeating existing conditions of any deeds referred to in items 1 and 2 in a subsequent deed, an additional fee, per folio, or part thereof of additional matter
11. If a transfer or certificate is to be lodged in triplicate an additional fee of
12. Attendance on behalf of transferor or transferee superintending conveyance from or to him when deed is prepared and lodged by another conveyancer:—
 - (a) When the value of the right does not exceed R1,000
 - (b) When the value of the right exceeds R1,000 but does not exceed R6,000
 - (c) When the value of the right exceeds R6,000
13. Framing consent in terms of section 41 (4) of the Act
14. Framing new conditions or servitudes or materially altering or adjusting existing conditions or servitudes and inserting in any deed referred to in items 1 and 2 an additional fee per folio or part thereof of additional matter

SECTION III—MORTGAGE BONDS.

Note: The amount of preference for cost shall not be taken into account in calculating fees.

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1. Opstelling van elke transport insluitende een afskrif vir die Mynbriewekantoor en opwagting by indiening en verlyding as die waarde van die reg— R400 en minder is
2. Meer as R400 en tot R1,000
3. Meer as R1,000 en tot R2,000
4. Meer as R2,000 en tot R20,000 'n addisionele bedrag vir elke R1,000 of gedeelte daarvan
5. Meer as R20,000 en tot R50,000 'n addisionele bedrag vir elke R2,000 of gedeelte daarvan
6. Meer as R50,000 en tot R200,000 'n addisionele bedrag vir elke R10,000 of gedeelte daarvan
7. Daarna 'n addisionele bedrag vir elke R20,000 of gedeelte daarvan
8. Opstelling van elk van die onderstaande aktes insluitende een afskrif vir die Mynbriewekantoor en opwagting by indiening en verlyding en die opstel van 'n aansoek waar nodig: Sertifikaat van geregistreerde titel kragtens Artikels 23, 24 en 25 van die Wet
9. As meer as een reg in dieselfde transportakte of sertifikaat van geregistreerde titel ingesluit is, 'n addisionele bedrag vir elke afsonderlike paragraaf wat sodanige reg omskryf
10. Herhaling van bestaande voorwaarde in enige aktes genoem in items 1 en 2 in 'n daaropvolgende akte, 'n addisionele bedrag, per folio, of gedeelte daarvan van die addisionele saak
11. As 'n transport of sertifikaat in drievoud ingedien moet word, 'n addisionele bedrag van
12. Opwagting namens transportgewer of transportnemer om toesig te hou oor oordrag van of aan hom wanneer akte verly en ingedien word deur 'n ander transportuitmaker:— <ul style="list-style-type: none"> (a) Wanneer die waarde van die reg nie R1,000 te bowe gaan nie (b) Wanneer die waarde van die reg R1,000 te bowe gaan maar nie meer as R6,000 is nie (c) Wanneer die waarde van die reg R6,000 te bowe gaan
13. Opstelling van toestemming kragtens Artikel 41 (4) van die Wet
14. Opstelling van nuwe voorwaarde of serwitute of die weselijke verandering of regstelling van bestaande voorwaarde of serwitute en inlywing in enige akte genoem in items 1 en 2, 'n addisionele bedrag per folio of gedeelte daarvan van die addisionele saak

AFDELING III—VERBANDAKTES.

L.W.: Die bedrag van voorkeur vir koste moet nie in aanmerking geneem word by die berekening van geld nie.

Item.

1. Drawing each bond including one copy for the Mining Titles Office and attendances on lodgment and execution when the amount of the bond is—

R400 and under 8
Over R400 and up to R1,000 12
Over R1,000 and up to R2,000 16
Over R2,000 and up to R20,000 an additional fee for every R1,000 or part of 2
Over R20,000 and up to R50,000 an additional fee for every R2,000 or part of 2
Over R50,000 and up to R200,000 an additional fee for every R10,000 or part of 7
Thereafter an additional fee for every R20,000 or part of 5
Where more than one right is mortgaged an additional fee for every additional separate paragraph describing such rights 50

2. Any act of suretyship where any right is mortgaged or waiver when included in a bond, an additional fee for such suretyship or waiver of 4

3. Attendance on behalf of mortgagor or mortgagee superintending the bond when same is prepared and lodged by another conveyancer:

- (a) When the amount of the bond does not exceed R1,000 4
(b) When the amount of the bond exceeds R1,000 but does not exceed R6,000 8
(c) When the amount of the bond exceeds R6,000 12

4. If a bond is to be lodged in triplicate an additional fee of 2

SECTION IV—COLLATERAL BONDS OR SURETY BONDS.

Note: The amount of preference for costs shall not be taken into account in calculating the fees.

1. Drawing mortgage bond to be passed as additional security for another bond or a surety bond, including one copy for the Mining Titles Office and attendance on lodgment and execution 14
2. If such bond is to be lodged in triplicate an additional fee of 2

SECTION V—NOTARIAL DEEDS.

1. Framing any notarial waiver of preference by mortgagee, usufructuary or other holder of a limited interest or other notarial consent required under the Act or regulations including minute, signed original for record and another signed original, grosse or notarially certified copy 12
2. Framing any notarial lease, nomination agreement, tributary agreement, prospecting contract, donation or other notarial deed (notarial lease of the right to mine or any cession thereof) including minute, signed original (when necessary), grosse or notarially certified copy for record and another signed original, grosse or notarially certified copy according to the length and complexity thereof with a minimum of 14
3. Framing notarial cession of any notarial deed mentioned in Item 2 above including minute and two signed originals, grosses or notarially certified copies with a minimum of 7
4. Preparing and issuing each further signed original, grosse or notarially certified copy of any of Items 1, 2 or 3 above in original type per folio
Each additional carbon copy duly attested
Note: Original type allowed for first and every fourth copy. 1
2

5. Attendance registering any deed mentioned in items 1, 2, 3 or 4 above
If deed received from another centre is rejected for amendment or other valid reason necessitating search, investigation, attendance or correspondence or if such services are necessarily rendered prior to lodgment additional fees as prescribed under "Miscellaneous" and "Work not specified" with a minimum of 4
2

R. c.

Item.

1. Opstelling van elke verband insluitende een afskrif vir die Mynbriewekantoor en opwagtings by indiening en verlyding wanneer die bedrag van die verband—
R400 en minder is 8
Meer as R400 en tot R1,000 12
Meer as R1,000 en tot R2,000 16
Meer as R2,000 en tot R20,000 'n addisionele bedrag vir elke R1,000 of gedeelte 2
Meer as R20,000 en tot R50,000 'n addisionele bedrag vir elke R2,000 of gedeelte 2
Meer as R50,000 en tot R200,000 'n addisionele bedrag vir elke R10,000 of gedeelte 7
Daarna 'n addisionele bedrag vir elke R20,000 of gedeelte 5
Waar meer as een reg verpand word 'n addisionele bedrag vir elke addisionele afsonderlike paragraaf wat sodanige reg omskryf 50
2. Enige handeling van borgstelling waar 'n reg verpand is of afstand wanneer vervat in 'n verband, vir sodanige borgstelling of afstand, 'n addisionele bedrag van 4
3. Opwagting namens verbandgrewer of verbandnemer om toesig te hou as verband deur 'n ander transportbesorger verly en ingedien word:
(a) Wanneer bedrag van verband nie R1,000 te bowe gaan nie 4
(b) Wanneer die bedrag van die verband R1,000 te bowe gaan, maar nie R6,000 nie 8
(c) Wanneer die bedrag van die verband R6,000 te bowe gaan 12
4. As 'n verband in drievoud ingedien moet word, 'n addisionele bedrag van 2

AFDELING IV—MEEGAANDE- OF BORGVERBANDE.

L.W.: Die bedrag van voorkeur vir koste moet nie in aanmerking geneem word by die berekening van geldie nie.

1. Opstelling van 'n verbandakte as addisionele sekuriteit vir 'n ander verband of 'n borgverband, insluitende een afskrif vir die Mynbriewekantoor en opwagting by indiening en verlyding 14
2. As sodanige verband in drievoud ingedien moet word, 'n addisionele bedrag van 2

AFDELING V—NOTARIËLE AKTES.

1. Opstelling van enige notariële afstand van voorrang deur verbandhouer, vruggebruiker of ander houer van 'n beperkte belang of ander notariële toestemming kragtens die Wet of regulasies vereis insluitende minute, ondertekende oorspronklike vir bewaring en nog 'n getekende oorspronklike, grosse of notarieel gewaarmerkte kopie 12
2. Opstelling van enige notariële huurkontrak, beenoemingsooreenkoms, skatpligtige ooreenkoms, prospektekontrak, skenkings- of ander notariële akte (notariële huurkontrak van die reg om te myn of enige sessie daarvan) insluitende minute, ondertekende oorspronklike (wanneer nodig), grosse of notarieel gewaarmerkte kopie vir bewaring en 'n ander ondertekende oorspronklike, grosse of notarieel gewaarmerkte kopie na gelang van die lengte en ingewikkeldheid daarvan met 'n minimum van 14
3. Opstelling van 'n notariële sessie van enige notariële akte genoem in item 2 hierbo insluitende minute en twee ondertekende oorspronklikes, grosses of notarieel gewaarmerkte kopieë met 'n minimum van 7
4. Opstelling en uitreiking van elke verdere ondertekende oorspronklike, grosse of notarieel gewaarmerkte kopie van enige van items 1, 2 of 3 hierbo in oorspronklike tikskrif per folio
Elke addisionele deurslag behoorlik geattesteer
L.W.: Oorspronklike tikskrif word toegelaat vir eerste en elke vierde afskrif. 1
2
5. Opwagting vir registrasie van enige akte genoem in items 1, 2, 3 of 4 hierbo
As 'n akte, ontyang van 'n ander sentrum, verworp word vir wysiging of ander geldige rede wat na soekning, navorsing, opwagting of korrespondensie vereis of as sodanige dienste noodsaklikerwys gelewer is voor indiening, addisionele geldie soos voorgeskryf onder „Diverse” en „Werk nie gespesifieer nie” met 'n minimum van 4

SECTION VI—CESSION, REDUCTION, RELEASE, CANCELLATION, ETC. OF BONDS.

Item.

1. Drawing cession, consent to cancellation of cession or consent to cancellation of bond, reduction of cover, noting of part payment or releases of persons or rights and attending on signature thereof
2. Attendance registering each of the above-mentioned If documents received from another centre are rejected for amendment or other valid reason necessitating search, investigation, attendance or correspondence or if such services are necessarily rendered prior to lodgment additional fees as prescribed under "Miscellaneous" and "Work not specified" with a minimum of

R. c.

2
4
2

SECTION VII—UNDERHAND WAIVERS, CONSENTS OF MORTGAGEES, USUFRUCTUARIES, LESSEES, ETC.

1. Framing waiver of preference in regard to the ranking of a bond
2. Framing consent of mortgagee, usufructuary, lessee or holder of other limited interest, required by the Act or regulations not otherwise provided for in this tariff (not notarial)
3. Framing consents under Section 38 of the Act including attendances on mortgagee and new debtor
4. Framing agreement or consent to variation of terms of bond including attendances on mortgagor and mortgagee
5. Attendance registering each of the documents mentioned in items 1, 2, 3 or 4 above if registered If documents received from another centre are rejected for amendment or other valid reason necessitating searches, investigations, attendances or correspondence or if such services are necessarily rendered prior to lodgment additional fees as prescribed under "Miscellaneous" and "Work not specified" with a minimum of

2
4
10
5
4
2

AFDELING VI—SESSIE, VERMINDERING, ONTHEFFING, ROJERING, ENS., VAN VERBANDE.

Item.

1. Opstelling van sessie, toestemming tot rojering van sessie of toestemming tot rojering van verband, vermindering van dekking, notering van gedeeltelike betaling of ontheffings van persone of regte en opwagting by ondertekening daarvan
2. Opwagting vir registrasie van elk van voornoemde As dokumente, ontvang van 'n ander sentrum verwerp word vir wysiging of ander geldige rede wat nasoeking, navorsing, opwagting of korrespondensie vereis of as sodanige dienste noodsaklike wys gelewer is voor indiening, addisionele gelde soos voorgeskryf onder „Diverse” en „Werk nie gespesifieer nie” met 'n minimum van

R. c.
2
4
2
2

AFDELING VII—ONDERHANDSE AFSTAND, TOESTEMMINGS VAN VERBANDHOUERS, VRUGGEBRUIKERS, HUURDERS, ENS.

1. Opstelling van afstand van voorrang met betrekking tot die rangorde van 'n verband
2. Opstelling van toestemming van verbandhouer, vruggebruiker, huurder of houer van ander beperkte belang vereis by die Wet of regulasies en waar hierdie tarief nie anders bepaal nie (nie-notarieel)
3. Opstelling van toestemmings kragtens artikel 38 van die Wet insluitende opwagtings by verbandhouer en nuwe skuldenaar
4. Opstelling van ooreenkoms of toestemming tot verandering van voorwaardes van verband insluitende opwagtings by verbandgewer en verbandhouer
5. Opwagting by registrasie van elk van die dokumente genoem in items 1, 2, 3 of 4 hierbo indien geregtreeer As dokumente, ontvang van 'n ander sentrum, verwerp word vir wysiging of ander geldige rede wat nasoeking, navorsing, opwagting of korrespondensie vereis of as sodanige dienste noodsaklike wys gelewer is voor indiening, addisionele gelde soos voorgeskryf onder „Diverse” en „Werk nie gespesifieer nie” met 'n minimum van

2
4
10
5
4
2

SECTION VIII—MISCELLANEOUS.

1. Drafting form of resolution, per folio or part thereof
2. Issuing or arranging issue of each guarantee and attending to payment thereof
3. (i) Attending on receipt of each guarantee and payment thereof
(ii) Certifying for payment a guarantee issued from another centre
4. In cases where transactions are dependent upon other deeds by other practitioners a fee for forwarding documents to registration centre and instructing fully
5. Attendance on other conveyancers arranging preparation or lodging of interdependent deeds—
From—
To —
6. Attendance at office of Master or other proper office and obtaining copies of documents required to complete deed or conveyance or registration (exclusive of searches)
7. Attendance at office of Master or other proper office and obtaining certificate under Death Duties Act
8. Attendance at office of Master or applying for and obtaining certificate or consent required from him under the Administration of Estates Act, 1965, for registration purposes in the Mining Titles Office (including inspection of will, etc.)
9. Attendance at public or local authority offices (e.g. for clearance certificates, etc. or in connection with bonds) for any number of attendances at each office
10. Attendance and searching in Mining Titles, Master's or other offices in connection with servitudes or other particulars or information necessarily required for the preparation, lodgment or registration of deeds per half-hour or part
11. Attendance and searching for tacit hypothecations in connection with a bond to be passed in respect of each debtor

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AFDELING VIII—DIVERSE.

1. Opstelling van besluitvorm, per folio of gedeelte daarvan
2. Uitreiking of die reëling vir die uitreiking van elke garansie en besorging van betaling daarvan
3. (i) Opwagting by ontvangs van elke garansie en betaling daarvan
(ii) Sertifisering vir betaling van garansie in 'n ander sentrum uitgereik
4. In gevalle waar transaksies afhanglik is van ander aktes deur ander praktsyns 'n bedrag vir afsending van dokumente na die registrasiesentrum en volledige opdragte
5. Opwagting by ander transportbesorgers in verband met die reëling vir opstelling of indiening van onderlig afhanglike aktes:
Van—
Tot—
6. Opwagting by kantoor van Meester of ander betrokke kantoor en verkryging van afskrifte van dokumente nodig om die akte of oormaking of registrasie te voltooi (met uitsluiting van nasoeking)
7. Opwagting by die kantoor van Meester of ander betrokke kantoor en verkryging van sertifikaat ingevolge die Sterfrechten Wet
8. Opwagting by kantoor van Meester of aansoek om en verkryging van sertifikaat of toestemming van hom verlang ingevolge die Boedelwet, 1965, vir registrasiedoeleindes in die Mynbriewekantoor (insluitende die insien van testament, ens.)
9. Opwagting by publieke of plaaslike owerheidskantore (bv. vir uitklaringsertifikate, ens. of insake verbande) vir enige aantal opwagtings by elke kantoor
10. Opwagting en nasoeking in Mynbriewe-, Meesters- of ander kantore in verband met serwitute of ander besonderhede of inligting noodsaklike wys nodig vir die opstelling, indiening of registrasie van aktes per halfuur of gedeelte
11. Opwagting vir nasoeking van stilstwyende hipoteke met betrekking tot 'n verband wat gepasseer moet word ten aansien van elke skuldenaar

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Item.	R. c.	Item.	R. c.
12. Attendance at Mining Titles Office, lodging titles and arranging for endorsement under the Administration of Estates Act, 1965, or under section 28 of the Act, for every two titles or part	4	12. Opwagting by Mynbriekantoor, indiening van titels en reëeling vir endossemente kragtens die Boedelwet, 1965, of kragtens artikel 28 van die Wet, vir elke twee titels of gedeelte	4
13. Obtaining and lodging bond (or having same lodged) for endorsement re certificate of registered title taken out	4	13. Verkryging en indiening van verband (of dit te laat indien) vir endossering insake 'n sertifikaat van geregistreerde titel uitgeneem	4
14. Drawing any application required under the Act or by the registrar per folio or part	2	14. Opstel van enige aansoek benodig ingevolge die Wet of deur die registrateur per folio of gedeelte	2
15. Attendance on inspecting, checking, arranging and lodging for endorsement of amendment of title or plan required by Act, regulation or registrar	4	15. Opwagting vir nasoeking, nagaan, reëeling en indiening vir endossement van wysiging van titel of sketskaart benodig by Wet, regulasie of deur die registrateur	4
16. Attending Mining Titles Office for certificate of any act of registration required	4	16. Opwagting by Mynbriekantoor vir sertifikaat van enige handeling van registrasie benodig	4
17. Attending registration of noting of renewal, cancellation or amendment of any deed, not otherwise provided for	4	17. Opwagting vir registrasie van notering van hernuwing, rojerig of wysiging van enige akte waarvoor hierdie tarief nie anders bepaal nie	4
18. Framing any necessary affidavit or declaration or other document not otherwise provided for per folio or part	2	18. Opstelling van enige nodige beëdigde verklaring of deklarasie of ander dokument waarvoor hierdie tarief nie anders bepaal nie, per folio of gedeelte	2
19. Framing affidavit or declaration under regulation 49 of Act 18 of 1936, as amended	50	19. Opstelling van beëdigde verklaring of deklarasie kragtens artikel 49 van Wet 18 van 1936, soos gewysig	50
20. Procuring registration of change of name under section 59 of the Act	8	20. Verkryging van registrasie van verandering van naam kragtens artikel 59 van die Wet	8
21. (i) Attendance registering any power (ii) Preparing and giving notice to registrar of the cancellation of any power	4	21. (i) Opwagting vir registrasie van 'n prokurasie (ii) Opstelling en kennisgewing aan die registrateur van rojerig van 'n prokurasie	4
22. (i) Attendance and search at the Mining Titles Office for information required per half-hour or part (ii) Reporting per folio	2	22. (i) Opwagting en nasoeking in Mynbriekantoor vir benodigde inligting per halfuur of gedeelte (ii) Verslag per folio	2
23. Drawing cession of any policy of insurance in connection with the preparation or registration of a deed and attendance on registration thereof at the proper office	1	23. Opstelling van sessie van assuransiepolis in verband met opstelling van registrasie van 'n akte en opwagting by registrasie daarvan by betrokke kantoor	2
24. Preparing and issuing grosse or notarially certified copy of any notarial deed or other document not provided for above In original type per folio Each carbon copy duly attested (Note to section V 4 applies).	2	24. Opstelling en uitreiking van grosse of notarieel gewaarmerkte kopie van enige notariële akte of ander dokument nie hierbo gespesifieer nie. In oorspronklike tkskrif per folio Elke deurslag behoorlik geattesteer (Nota in afdeling V 4 geld.)	1
25. Framing notice to apply for issue of certified copy of a deed and attendance on publication thereof	5	25. Opstelling van kennisgewing om aansoek te doen om uitreiking van gewaarmerkte kopie van 'n akte en opwagting by publikasie daarvan	5
26. Attendance in obtaining certified copy of any deed from Mining Titles Office and filing of necessary documents	4	26. Opwagting vir die verkryging van gewaarmerkte kopie van enige akte van Mynbriekantoor en indiening van die nodige dokumente	4
27. Furnishing proof to the Master of the registration of any estate transfer	2	27. Lewering van bewys aan Meester van die registrasie van 'n boedeltransport	2

SECTION IX—DIAGRAMS AND PLANS.

- Attendance on instructions re sub-division and to submit documents to surveyor for framing sub-divisional or other diagrams or plans for any purpose required under the Act or regulations and instructing surveyor accordingly, per half hour
 - Attendance submitting diagrams to Surveyor-General for approval
When two or more diagrams so submitted are to be deducted from the same original and are submitted simultaneously the fee for each diagram after the first is
 - Attendance submitting diagrams to Surveyor-General for approval when a diagram is required in connection with a deed to be passed at Mining Titles Office, for first set
Thereafter per set lodged simultaneously
 - Attendance on municipal, local or other public office to obtain approval of sub-divisional diagrams or plans
 - Attendance in obtaining certified copy of any diagram or plan including application

SECTION X—WORK NOT SPECIFIED.

1. All fees or charges specified in the above tariff shall save as is otherwise provided cover the specific respective services set opposite each respective item only. Fees or charges for all other attendances, correspondence or services may be allowed at the discretion of registrar and if so allowed the following scale shall apply
Any attendance per half hour
Any letter per folio or part
Drawing of any document per folio or part
Copies of documents per folio or part
 2. Attendance on taxation, including drawing of bill and notice of taxation on the amount of fees allowed on taxation: *5 per cent.*

AFDELING IX—KAARTE EN SKETSPLANNE.

1. Opwagting volgens opdragte insake onderverdeling en die voorlê van dokumente aan die landmeter vir opstelling van onderverdelings- of ander kaarte of sketskaarte vir enige doel benodig kragtens die Wet of regulasies en opdrag aan landmeter om dit te doen, per halfuur
 2. Opwagting vir voorlê van kaarte aan Landmeter-generaal vir goedkeuring
Wanneer twee of meer kaarte aldus voorgelê, van dieselfde oorspronklike afgetrek moet word en wat terselfdertyd voorgelê word, is die bedrag vir elke kaart na die eerste
 3. Opwagting vir voorlê van kaarte aan Landmeter-generaal vir goedkeuring wanneer 'n kaart nodig is in verband met 'n akte wat gepasseer moet word in Mynbriewekantoor, vir eerste stel
Daarna per stel gelykydig ingedien
 4. Opwagting by municipale, plaaslike of ander publieke kantoor om goedkeuring te verkry van onderverdelingskaarte of sketskaarte
 5. Opwagting vir verkrywing van gewaarmerkte kopie van enige kaart of sketskaart insluitende aansoek

AFDELING X—WERK NIE GESPESIFISEER NIE.

1. Alle gelde of koste gespesifieer in bestaande tarief sluit in, behoudens andersluidende bepalings, alleen die spesifieke onderskeie dienste wat teenoor elke besondere item geplaas is. Gelde of koste vir alle ander opwagtings, korrespondensie of dienste kan na goeddunke van registrator toegelaat word, en indien so toegelaat, is onderstaande skaal van toepassing
Opwagting per halfuur
Brief per folio of gedeelte
Opstelling van dokument per folio of gedeelte
Afskrifte van dokumente per folio of gedeelte
 2. Opwagting by taksasie, insluitende opmaak van rekeningen en kennisgewing van taksasie op die bedrag toegestaan by taksasie:
5 persent.

SECTION XI—APPORTIONMENT OF FEES UNDER SECTION 10 (2) OF THE ACT.

Item.

R. c.

1. Where in this tariff provision is made for one fee for drawing, lodging, executing or registering any deed of transfer, certificate of registered title or other title to rights or mortgage bonds and such deed is drawn by one conveyancer and is lodged and executed or registered by another conveyancer one half of the fee prescribed therefor shall be the separate fee of the former and one half thereof shall be the separate fee of the latter:
Provided that if such deed is rejected—

- (a) on the ground that same requires amendment the latter conveyancer shall be entitled to charge an additional fee for attendances, searches or correspondence thereby occasioned of.

From
To

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- (b) on other grounds necessitating investigations, drawing or copying of documents, attendance or correspondence the latter conveyancer shall be entitled to charge such additional fees as are prescribed under "Miscellaneous" or "Work not specified" or other relevant section of this tariff in respect of any such services rendered by him in complying with the registrar's requirement or at the request of the first-mentioned conveyancer.

The foregoing apportionment of any fees prescribed for the drawing and execution of any deeds or bonds shall also apply if any deed or bond is drawn by one conveyancer and is executed by another conveyancer and such apportionment shall be the separate fees of the respective conveyancers.

SCHEDULE C.

FORMS

FORM 'A'.

Prepared by me,

Conveyancer.

DEED OF TRANSFER NO.....

BE IT HEREBY KNOWN

THAT appeared before me, the Registrar of Mining Titles, he the said appearer, being duly authorised thereto by a power of attorney signed at on the day of 19..... and granted to him by (hereinafter called the transferor) which power of attorney is filed in this office.

AND the said appearer declared that the transferor had sold and that he, the said appearer, in his capacity aforesaid hereby transfers to his heirs, executors, administrators and assigns (hereinafter called the transferee):—

- CERTAIN
(farm No.)
in the mining district of now held under:—
(a) Deed of transfer/certificate of registered title No. dated
(b) Licence or permit No. (if any).
(c) Diagram/plan R.M.T. No.
(d) Certificate of bezitrecht No. (if any).
(e) Certificate of special registration No. (if any).
(Add any other further particulars as may be required by the registrar),

together with all obligations and rights granted by law with respect thereto and subject to such conditions as are mentioned or referred to in the said documents of title.

WHEREFORE the said appearer, in his capacity aforesaid, renouncing all the right and title which the transferor heretofore had to the right hereby transferred acknowledged and declared the transferor to be entirely dispossessed of and disentitled to the same; and that by virtue of these presents the transferee, now and henceforth shall be entitled thereto conformably to local custom the State, however, reserving its rights, and finally acknowledging that the consideration payable in respect of this transfer amounts to R..... and that the date of acquisition was

AFDELING XI—VERDELING VAN GELDE KRGTEENS ARTIKEL 10 (2) VAN DIE WET.

Item.

R. c.

1. Waar in hierdie tariewe een bedrag vasgestel word vir opstelling, indiening, verlyding of die registrasie van 'n transportakte, sertifikaat van geregistreerde of ander titel van regte of verbandektes en sodanige akte deur een transportbesorger opgestel en deur 'n ander transportbesorger ingedien, verly of geregister word, is een helfte van die bedrag daarvoor voorgeskryf aparte betaling vir eersgenoemde en een helfte daarvan aparte betaling vir laasgenoemde: Met dien verstande dat as sodanige akte verwerp word—

- (a) op grond dat dit wysiging vereis, laasgenoemde transportbesorger geregtig is om 'n addisionele bedrag te vorder vir opwagting, nasoeking of korrespondensie daardeur veroorsaak

Van
Tot

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- (b) op ander gronde wat nasoeking, opstel of kopie maak van dokumente, opwagting of korrespondensie veroorsaak, is laasgenoemde transportbesorger geregtig om sodanige addisionele bedrae te vorder soos voorgeskryf onder „Diverse” of „Werk nie gespesifieer nie” of ander ooreenkomslike afdeling van hierdie tarief ten aansien van enige sodanige dienste deur hom gelewer in die nakoming van die registrateur se vereiste of op versoek van eersgenoemde transportbesorger. Bogenoemde verdeling van bedrag voorgeskryf vir die opstelling en verlyding van aktes of verbande is ook van toepassing as 'n akte of verband deur een transportbesorger opgestel en deur 'n ander transportbesorger verly is en sodanige verdeling is aan die onderskeie koste aan die betrokke transportbesorgers betaalbaar.

BYLAE C.

VORMS

VORM 'A'.

Opgestel deur my,

Transportbesorger.

TRANSPORTAKTE NO.....

HIERBY WORD BEKENDGEMAAK

DAT voor my, die Registrateur van Mynbrieve, verskyn het en hy, genoemde komparant, behoorlik daartoe gemagtig was deur 'n prokurasie geteken te op die dag van 19..... en aan hom verleen deur (hierna genoem die transportewer) en die prokurasie in hierdie kantoor weggele is.

EN genoemde komparant het verklaar dat die transportewer verkoop het en dat hy, genoemde komparant, in sy voornoemde hoedanigheid hiermee transporter aan....., sy erfgename, eksekuteurs, administrateurs en regverkrygandes (hierna genoem die transportnemer):—

- SEKERE.....
(plaas..... No.)
in die myndistrik tans gehou kragtens:—
(a) Transportakte/Sertifikaat van geregistreerde Titel No. gedateer.....
(b) Licensie of permit No. (as daar een is).
(c) Kaart/Sketskaart R.M.T. No.
(d) Sertifikaat van besitreg No. (as daar een is).
(e) Sertifikaat van spesiale registrasie No. (as daar een is). (Voeg by enige ander nadere besonderhede soos deur die registrateur verlang mag word)

tesame met alle verpligtings en regte ten opsigte daarvan by wet verleen en onderworpe aan die voorwaardes wat genoem of bedoel word in genoemde titeldokumente.

WESHALWE genoemde komparant, in sy voormalde hoedanigheid, afstand doen van alle reg en aanspraak wat die transportewer voorheen in en tot die reg wat hiermee getransporteer word, gehad het, en erken en verklaar dat die transportewer geheel en al besit daarvan onteem is en nie meer daarop geregtig is nie; en dat kragtens hierdie akte die transportnemer, tans en voortaan daarop geregtig is ooreenkomslike plaaslike gebruik, behoudens, egter, die regte van die Staat, en ten slotte erken hy dat die bedrag wat ten opsigte van hierdie transport betaalbaar is R..... beloop en die datum van verkryging..... was.

IN WITNESS whereof I, the said Registrar, together with the appearer have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS done and executed at the Mining Titles Office at JOHANNESBURG on this day of 19.....

q.q.

In my presence,
Registrar of Mining Titles.

Registered on the above date in the Register of Transfers under No.....

FORM 'B'.

Prepared by me,
Conveyancer.

CERTIFICATE OF REGISTERED TITLE NO.
(Issued under the provisions of section 26 of the Mining Titles Registration Act, 1967 (Act No. 16 of 1967)).

WHEREAS and are the joint holders of the undermentioned right by virtue of which document has been lost or destroyed.

AND WHEREAS has applied for a certificate of registered title under the provisions of section 25 (2) of the Mining Titles Registration Act, 1967 (Act No. 16 of 1967), in respect of the share therein held by him.

NOW THEREFORE in pursuance of the provisions of the said Act, I, the Registrar of Mining Titles, do hereby certify that the said his heirs, executors, administrators and assigns is the registered holder of:

CERTAIN (here describe the share held and the right concerned) situate on the farm in the mining district of and defined by diagram/plan R.M.T. No.

(Where the right is subject to special conditions the Registrar may in his discretion require such special conditions to be set out in this certificate or he may permit a notarially certified copy of the document of title evidencing such special conditions to be annexed to each copy of this certificate and in the latter event a reference to the said copy so annexed should be made in this certificate).

AND that by virtue of these presents the said his heirs, executors, administrators and 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, have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS done and executed at the Mining Titles Office at Johannesburg on this day of 19.....

Registrar of Mining Titles.

Registered on the above date in the Register of Transfers under No.....

FORM 'C'.

Prepared by me,
Conveyancer.

CERTIFICATE OF REGISTERED TITLE NO.

(Issued under the Provisions of section 26 of the Mining Titles Registration Act, 1967 (Act No. 16 of 1967)).

WHEREAS is the holder of the undermentioned right held by him under (here quote particulars of the document of title under which the right is held)

AND WHEREAS he has applied for the issue to him of a certificate of registered title under the provisions of section of the Mining Titles Registration Act, 1967.

NOW THEREFORE pursuant to the provisions of the said Act, I, the Registrar of Mining Titles, do hereby certify that the said his heirs, executors, administrators and assigns is the registered holder of:

CERTAIN (here describe right concerned) situate upon the farm in the mining district of and defined by diagram/plan R.M.T. No.

TEN BEWYSE waarvan ek, genoemde Registrateur, tesame met die komparant hierdie akte onderteken en dit met die ampeel bekratig het.

ALDUS gedoen en geteken op die Mynbriewekantoor te Johannesburg op hede die dag van 19.....

q.q.

In my teenwoordigheid,
Registrateur van Mynbriewe.

Geregistreer op bogenoemde datum in die Register van Transporte onder No.....

VORM 'B'.

Opgestel deur my,
Transportbesorger.

SERTIFIKAAT VAN GERECHTIGDE TITEL NO.

(Uitgereik kragtens die bepalings van artikel 26 van die Wet op die Registrasie van Myntitels, 1967 (Wet No. 16 van 1967)).

NADEMAAL en die gesamentlike houers is van ondergenoemde reg kragtens en dié dokument verlore geraak het of vernietig is.

EN NADEMAAL aansoek gedoen het om 'n sertifikaat van gerechtigde titel kragtens die bepalings van artikel 25 (2) van die Wet op die Registrasie van Myntitels, 1967 (Wet No. 16 van 1967), ten opsigte van die aandeel daarin wat deur hom gehou word.

SO IS DIT DAT ek, die Registrateur van Mynbriewe, ingevolge die bepalings van genoemde Wet, hiermee sertifiseer dat genoemde sy erfgename, eksekuteurs, administrateurs en regverkrygenges die gerechtigde houer is van:

SEKERE (beskryf hier die aandeel wat gehou word en die betrokke reg) geleë op die plaas in die myndistrik en omskryf by kaart/sketskaart R.M.T. No.

WAAR die reg onderworpe is aan spesiale voorwaarde kan die Registrateur na goedunke eis dat sodanige spesiale voorwaarde in hierdie sertifikaat uiteengesit word of hy kan toelaat dat 'n notarieel gewaarmerkte kopie van die titeldokument wat bewys lewer van sodanige spesiale voorwaarde, aan elke kopie van hierdie sertifikaat geheg word en in laasgenoemde geval moet in hierdie sertifikaat verwys word na die onderhavige kopie aldus aangeheg.

EN dat genoemde sy erfgename, eksekuteurs, administrateurs en regverkrygenges kragtens hierdie sertifikaat tans en voortaan, behoudens die regte van die Staat, daarop geregtig is ooreenkomsdig plaaslike gebruik.

TEN BEWYSE waarvan ek, genoemde Registrateur, hierdie sertifikaat onderteken en met die ampeel bekratig het.

ALDUS gedoen en geteken op die Mynbriewekantoor te Johannesburg op hede die dag van 19.....

Registrateur van Mynbriewe.

Geregistreer op bogenoemde datum in die Register van Transporte onder No.....

VORM 'C'.

Opgestel deur my,
Transportbesorger.

SERTIFIKAAT VAN GERECHTIGDE TITEL NO.
(Uitgereik kragtens die bepalings van artikel 26 van die Wet op die Registrasie van Myntitels, 1967 (Wet No. 16 van 1967)).

NADEMAAL die houer is van ondergenoemde reg deur hom gehou kragtens (vermeld hier die besonderhede van die titeldokument waarkragtens die reg gehou word).

EN NADEMAAL hy aansoek gedoen het om die uitreiking aan hom van 'n sertifikaat van gerechtigde titel kragtens die bepalings van artikel van die Wet op die Registrasie van Myntitels, 1967.

SO IS DIT DAT ek, die Registrateur van Mynbriewe, ingevolge die bepalings van genoemde Wet hiermee sertifiseer dat genoemde sy erfgename, eksekuteurs, administrateurs en regverkrygenges die gerechtigde houer is van:

SEKERE (beskryf hier die betrokke reg) geleë op die plaas in die myndistrik en omskryf by kaart/sketskaart R.M.T. No.

(Where the right is subject to special conditions the registrar may in his discretion require such special conditions to be set out in this certificate or he may permit a notarially certified copy of the document of title evidencing such special conditions to be annexed to each copy of this certificate and in the latter event a reference to the said copy so annexed should be made in this certificate).

AND that by virtue of these presents the said..... his heirs, executors, administrators and 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, have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS done and executed at the Mining Titles Office at JOHANNESBURG on this day of 19.....

Registrar of Mining Titles.

Registered on the above date in the Register of Transfers under No.....

FORM 'D'.

Prepared by me,

Conveyancer.

CERTIFICATE OF REGISTERED TITLE NO.

(Issued under the provisions of section 27 of the Mining Titles Registration Act, 1967 (Act No. 16 of 1967)).

WHEREAS has applied for the issue to him of a certificate of registered title under the provisions of section 27 of the Mining Titles Registration Act, 1967.

AND whereas the provisions of subsection (3) of the said section 27 have been complied with.

NOW, THEREFORE, in pursuance of the provisions of the said Act, I, the Registrar of Mining Titles, hereby certify that the said his heirs, executors, administrators and assigns is the registered holder of:

CERTAIN (here describe the right concerned)..... situate upon the farm in the mining district of and defined by diagram/plan R.M.T. No. subject to the following conditions (if any).

AND that by virtue of these presents the said..... his heirs, executors, administrators and 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, have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS done and executed at the Mining Titles Office at JOHANNESBURG on this day of 19.....

Registrar of Mining Titles.

Registered on the above date in the Register of Transfers under No.....

FORM 'E'.

Prepared by me,

Conveyancer.

CONSENT

(BY SURVIVOR AND THE LEGAL HOLDER OF A BOND UNDER SECTION 28 OF THE MINING TITLES REGISTRATION ACT, 1967 (ACT NO 16 OF 1967)).

I, the surviving spouse of the late and the mortgagor under Bond No. dated passed by me in favour of for the sum of R. do hereby:

- Consent to the release of the estate of my said late spouse from liability under the said bond;
- Assume full liability for all indebtedness under the said bond; and
- Consent to the substitution of myself as the sole debtor in respect of the said bond,

and I, the legal holder of the aforementioned bond, do hereby consent to the release,

(Waar die reg onderworpe is aan spesiale voorwaarde kan die registrateur na goeddunke eis dat sodanige spesiale voorwaarde in hierdie sertifikaat uiteengesit word of hy kan toelaat dat 'n notarieel gewaarmakte kopie van die titeldokument wat bewys lewer van sodanige spesiale voorwaarde aan elke kopie van hierdie sertifikaat geheg word en in laasgenoemde geval moet in hierdie sertifikaat verwys word na die onderhawige kopie aldus aangeheg).

EN dat genoemde sy erfgename, eksekuteurs, administrateurs en regverkrygenges kragtens hierdie sertifikaat tans en voortaan, behoudens die regte van die Staat, daarop geregtyig is ooreenkomsplaatlike gebruik.

TEN BEWYSE waarvan ek, genoemde Registrateur, hierdie sertifikaat onderteken en met die ampseel gekragtig het.

ALDUS gedoen en geteken op die Mynbriewekantoor te Johannesburg op hede die dag van 19.....

Registrateur van Mynbriewe.

Geregistreer op bogenoemde datum in die Register van Transporte onder No.

VORM 'D'.

Opgestel deur my,

Transportbesorger.

SERTIFIKAAT VAN GEREGISTREERDE TITEL NO.

(Uitgereik kragtens die bepalings van artikel 27 van die Wet op die Registrasie van Myntitels, 1967 (Wet No. 16 van 1967)).

NADEMAAL aansoek gedoen het om die uitreiking aan hom van 'n sertifikaat van geregistreerde titel kragtens die bepalings van artikel 27 van die Wet op die Registrasie van Myntitels, 1967.

EN NADEMAAL daar aan die bepalings van subartikel (3) van genoemde artikel 27 voldoen is.

SO IS DIT DAT ek, die Registrateur van Mynbriewe, ingevolge die bepalings van genoemde Wet hiermee sertificeer dat genoemde sy erfgename, eksekuteurs, administrateurs en regverkrygenges die geregistreerde houer is van:

SEKERE (beskryf hier die betrokke reg) geleë op die plaas in die myndistrik en omskryf by kaart/sketskaart R.M.T. No. onderworpe aan die volgende voorwaarde (indien daar is).

EN dat genoemde sy erfgename, eksekuteurs, administrateurs en regverkrygenges kragtens hierdie sertifikaat tans en voortaan behoudens die regte van die Staat, daarop geregtyig is ooreenkomsplaatlike gebruik.

TEN BEWYSE waarvan ek, genoemde Registrateur, hierdie sertifikaat onderteken en met die ampseel bekragtig het.

ALDUS gedoen en geteken op die Mynbriewekantoor te Johannesburg op hede die dag van 19.....

Registrateur van Mynbriewe.

Geregistreer op bogenoemde datum in die Register van Transporte onder No.

VORM 'E'.

Opgestel deur my,

Transportbesorger.

TOESTEMMING

(DEUR LANGSLEWENDE EN DIE WETTIGE HOUER VAN 'N VERBAND KRAGTENS ARTIKEL 28 VAN DIE WET OP DIE REGISTRASIE VAN MYNTITELS, 1967 (WET NO. 16 VAN 1967)).

Ek, die langslewende eggenoot (eggenote) van wyle en die verbandgawe van Verband No. gedateer deur my gepasseer ten gunste van vir die bedrag van R

- Stem hiermee toe tot die ontheffing van die boedel van my genoemde oorlede eggenoot (eggenote) van verantwoordelikheid ingevolge genoemde verband;
 - Aanvaar volle verantwoordelikheid vir alle verpligtings ingevolge genoemde verband; en
 - Stem toe tot die substitusie van myself as die enigste skuldenaar ten opsigte van genoemde verband,
- en ek, die wettige houer van voormalde verband, stem hiermee toe tot die ontheffing, aanvaarding

assumption of liability and substitution of debtor as aforesaid.

Dated at this
day of 19.....

AS WITNESSES:

1. SIGNATURE OF SURVIVOR

2. DATED AT this
day of 19

AS WITNESSES:

1. SIGNATURE OF LEGAL
HOLDER OF BOND

FORM 'F'.

Prepared by me,
Conveyancer.

CONSENT

(TO SUBSTITUTION OF DEBTOR UNDER SECTION
38 OF THE MINING TITLES REGISTRATION ACT, 1967
(ACT NO. 16 OF 1967)).

WHEREAS I, am the legal
holder of Bond No. dated
..... 19 passed by
for the sum of R whereby
was hypothecated as a mortgage certain
(here describe the right concerned)

AND whereas there still remains due and owing under the
said bond the full amount (where this is not so the balance due
must be stated and a separate consent to noting part-payment
must be lodged).

AND whereas the said is
about to transfer the aforesaid right to
who is willing to take over the liability of
and to be substituted for as
the debtor under the bond.

NOW therefore I, hereby
consent under the provisions of the said Act to
being substituted as debtor under the bond
and that from the date of execution of the transfer the said
..... shall be released from any obligation
under the said bond.

Dated at this
day of 19.....

AS WITNESSES:

1. SIGNATURE OF MORTGAGEE

2.
AND I, having read the above
consent of the legal holder of bond No. do hereby
consent to accept transfer of the said right subject to such
bond and to be substituted for the said as
debtor thereunder and I do hereby assume full liability for the
indebtedness under the said bond in terms of the provisions of
the said Act.

Dated at this day
of 19.....

AS WITNESSES:

1. SIGNATURE OF TRANSFEREE

2.

NOTES:

1. The provisions of subsection (4) of section 38 of the Act
must be observed where necessary.
2. In the case of a covering bond the amount owing need not
be disclosed but if the bond is for a lesser amount a reduc-
tion of cover must be noted.

van verantwoordelikheid en substitusie van skuldnaar soos voor-
noemd.

Gedateer te op hede die
dag van 19.....

AS GETUIES:

1. HANDTEKENING VAN LANGSLEWENDE

2. Gedateer te op hede die
dag van 19.....

AS GETUIES:

1. HANDTEKENING VAN WETTIGE HOUER VAN VER-
BAND.

2.

VORM 'F'.

Opgestel deur my,
Transportbesorger.

TOESTEMMING.

(TOT SUBSTITUSIE VAN SKULDENAAR KRAGTENS
ARTIKEL 38 VAN DIE WET OP DIE REGISTRASIE VAN
MYNTITELS, 1967 (WET NO. 16 VAN 1967)).

NADEMAAL ek, die wettige houer
is van Verband No. gedateer
19..... gepasseer deur vir die bedrag
van R waarby verbind is as 'n
verband sekere (beskryf hier die betrokke reg).

EN nademaal die volle bedrag ten opsigte van genoemde
verband nog verskuldig en uitstaande is (waar dit nie so is nie
moet die balans verskuldig vermeld, en 'n aparte toestemming
om 'n gedeeltelike betaling te noteer, ingedien word).

EN nademaal genoemde op die punt
staan om voormalde reg te transporter aan
wat gewillig is om die verantwoordelikheid van
oor te neem en om as skuldnaar ingevolge die verband vir
gesubstitueer te word.

SO is dit dat ek, hiermee ooreen-
komstig die bepalings van genoemde Wet toestem dat
..... as skuldnaar ingevolge die verband
gesubstitueer te word en dat vanaf die datum van verlyding van
die transport genoemde vrygestel is
van enige verpligtings ingevolge genoemde verband.

Gedateer te op hede die
dag van 19.....

AS GETUIES:

1.

HANDTEKENING VAN VERBANDHOUER.

2.

EN ek, wat bogenoemde toe-
stemming van die wettige houer van verband No. gelees
het, stem hiermee toe om die transport van genoemde reg, onder-
worp aan sodanige verband, aan te neem en om gesubstitueer te
word vir genoemde as skuldnaar
ingevolge die verband en aanvaar hierby volle verantwoordelik-
heid vir die skuld onder voornoemde verband kragtens die
bepalings van genoemde Wet.

Gedateer te op hede die
dag van 19.....

AS GETUIES:

1.

HANDTEKENING VAN TRANSPORTNEMER.

2.

L.W.:

1. Die bepalings van subartikel (4) van artikel 38 van die Wet
moet, waar nodig, nagekom word.
2. In die geval van 'n dekkende verband is dit nie nodig om die
bedrag verskuldig te noem nie maar as die verband vir 'n
mindere bedrag is moet 'n vermindering van dekking genoteer
word.

FORM 'G'.

(ENDORSEMENT OF MORTGAGE BOND UNDER SECTION 38 (2) (c) OF THE MINING TITLES REGISTRATION ACT, 1967

ACT NO. 16 OF 1967).

Under Deed of Transfer No. 19.....

(here insert name of transferee)

is now the registered holder of the right hypothecated hereunder and is hereby substituted as debtor under this bond. Consent filed herewith.

Registrar of Mining Titles.

MINING TITLES OFFICE,
JOHANNESBURG.

..... 19.....

FORM 'H'.

(ENDORSEMENT PURSUANT TO SECTION 39 (5) OF THE MINING TITLES REGISTRATION ACT, 1967
(ACT NO. 16 OF 1967)).

The right herein described has by virtue of the provisions of the law relating to insolvency been restored to (transferee or cessionary, etc. as the case may be) who may deal therewith as provided in the abovementioned section of the Act.

Registrar of Mining Titles.

MINING TITLES OFFICE,
JOHANNESBURG.

..... 19.....

FORM 'I'.

Prepared by me,
Conveyancer.

COLLATERAL MORTGAGE BOND NO.

BE IT HEREBY MADE KNOWN

THAT appeared before me, the Registrar of Mining Titles, he, the said appearer, being duly authorised thereto by a power of attorney granted to him by which power of attorney is dated 19..... and signed at and is now filed in this office.

AND the said appearer declared:

WHEREAS his principal, the said is truly and lawfully indebted to (hereinafter styled the mortgagee) in the sum of R..... arising from and being (here describe the cause of debt of the principal bond) as security for which indebtedness a mortgage bond (hereinafter called the principal bond) was registered in the Deeds Registry/Rand Townships Registration Office at on the 19..... over the property thereby specially hypothecated.

AND WHEREAS the mortgagee requires the indebtedness of the appearer's principal under the principal bond to be further secured by the hypothecation of the undermentioned right as collateral security therefor.

NOW therefore the appearer in his said capacity renouncing all benefits arising from the legal exceptions with the full force and effect of which he declared his said principal to be fully acquainted, did by these presents declare and acknowledge his said principal to be held and firmly bound unto and in favour of the said his order or assigns in the aforesaid sum of R..... together with the sum of R..... as a preferential 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 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

VORM 'G'.

(ENDOSSEMENT VAN VERBANDAKTE KRAGTENS ARTIKEL 38 (2) (c) VAN DIE WET OP DIE REGISTRASIE VAN MYNTITELS, 1967

(WET NO. 16 VAN 1967)).

Kragtens Transportakte No. 19..... gedateer

(Voeg hier in naam van transportnemer)

nou die geregistreerde houer van die reg hierin verhipotekeer en word hierby as skuldenaar ten opsigte van hierdie verband gesubstitueer.

Toestemming hiermee weggele.

Registrateur van Mynbrieve.

MYNBRIEKANTOOR,
JOHANNESBURG.

..... 19.....

VORM 'H'.

(ENDOSSEMENT KRAGTENS ARTIKEL 39 (5) VAN DIE WET OP DIE REGISTRASIE VAN MYNTITELS, 1967
(WET NO. 16 VAN 1967)).

Die reg hierin omskryf is kragtens die wetsbepalings op insolvensie teruggesorg aan (transportnemer of sessionaris, ens. na gelang van die geval) wat daarmee kan handel soos in voornoemde artikel van die Wet bepaal.

Registrateur van Mynbrieve.

MYNBRIEKANTOOR,
JOHANNESBURG.

..... 19.....

VORM 'I'.

Opgestel deur my,

Transportbesorger.

MEEGAANDE VERBANDAKTE NO.

HIERBY WORD BEKENDGEMAAK

DAT voor my, die Registrateur van Mynbrieve te JOHANNESBURG, verskyn het, hy, voornoemde komparant, behoorlik daartoe gemagtig kragtens 'n prokurasie aan hom gegee deur 19..... verleen en geteken te en nou in hierdie kantoor ingediend.

EN voormalde komparant het verklaar:

NADEMAAL sy lasgewer, genoemde waarlik en wettiglik aan (hierna die verbandhouer genoem) die bedrag van R..... skuld wat ontstaan het uit (beskryf die oorsaak van skuld van die hoofverband hier) en 'n verband (hierna die hoofverband genoem), as sekuriteit vir hierdie skuld op 19..... in die Akteskantoor/Registrasiekantoor van Randdorp te geregistreer is oor die eiendom wat daarby spesial verbind is.

EN NADEMAAL die verbandhouer eis dat daar vir die skuld van die komparant se lasgewer ingevolge die hoofverband verdere sekuriteit gegee word deur die verhipotekering van ondergenoemde reg as meegaande sekuriteit daarvoor.

SO is dit dat die komparant in sy voormalde hoedanigheid afstand doen van alle voorregte wat ontstaan uit die wettige eksepsies met die volle krag en werking waarvan hy verklaar het dat sy lasgewer ten volle bekend is, en hierby verklaar en erken dat sy voornoemde lasgewer gehou en wettiglik verbind is aan en ten behoeve van genoemde sy order of regverkrygendas vir voornoemde som van R..... tesame met die som van R..... as 'n preferente las vir koste en ander sake soos vollediger uiteengesit in die hoofverband en as meegaande sekuriteit vir die behoorlike terugbetaling van voormalde bedrae tesame met rente op die kapitale bedrag en vir die behoorlike nakoming van al die bepalings en voorwaardes genoem of bedoel in die hoofverband asook al sy genoemde

his said principal's obligations thereunder the said appearer on behalf of his said principal hereby declared to bind specially as a mortgage, (here describe the right being bonded)

AND the said appearer further declared that this collateral bond shall be subject to all the terms and conditions set out in the principal bond 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 collateral bond shall be null and void but shall otherwise be and remain in full force, virtue and effect.

IN WITNESS whereof I, the said Registrar, together with the appearer have subscribed to these presents and have caused the seal of office to be affixed thereto.

THUS done and executed at the Mining Titles Office at JOHANNESBURG on this day of 19.....

q.q.

In my presence,

Registrar of Mining Titles.

Registered on the above date in the Register of Mortgage Bonds under No.

FORM 'J'.

Prepared by me,

Conveyancer.

SURETY BOND NO.

KNOW ALL MEN WHOM IT MAY CONCERN:

THAT appeared before me, the REGISTRAR OF MINING TITLES at JOHANNESBURG, he being duly authorised thereto by a power of attorney dated at on 19..... and granted to him by (here described the surety) which power of attorney is filed in this office.

AND the appearer declared that:—

WHEREAS (here describe the principal debtor) is truly and lawfully indebted in the sum of R..... (amount to be given in words as well) together with the sum of R..... (amount to be given in words as well) as a preferent charge for costs and other matters to and on behalf of (describe the mortgagee) arising from and being (here describe the cause of debt) as security for which indebtedness the said principal debtor has registered mortgage bond No. dated 19..... in the Deeds Registry/Rand Townships Registration Office at over the right thereby especially hypothecated.

AND WHEREAS the said has agreed to bind himself 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, mortgaging as security for the fulfilment of the said obligations the hereinafter-mentioned right.

NOW THEREFORE, the appearer declared his principal, the said to be truly and lawfully indebted and held and firmly bound to and on behalf of in the sum of R..... (amount to be given in words as well) arising from the considerations aforementioned under renunciation of the legal exceptions with the force and effect whereof he declared his principal to be fully acquainted together with the sum of R..... (amount to be given in words as well) as a preferent charge for costs and other matters as more fully set out in the said principal bond.

AND the appearer hereby bound his principal to pay or cause to be paid to the mortgagee or other holder of this bond, his heirs, executors, administrators or assigns, the said principal sum of R..... (amount to be given in words as well) together 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 the appearer q.q. declared to bind specially as a mortgage, (describe the right)

AND the appearer q.q. declared it to be a special condition to this bond that should the principal debtor fulfil all his 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.

lasgewer se verpligtings ingevolge daarvan verklaar genoemde komparant hiermee namens sy genoemde lasgewer spesial te verbind as 'n (beskryf hier die reg wat verbind word) verband.

EN genoemde komparant het verder verklaar dat hierdie mee-gaande verband onderworpe is aan al die bepalings en voorwaardes in die hoofverband uiteengesit so volledig asof dit hierin opgeneem is en aan die spesiale voorwaarde dat by betaling en nakoming van alle verpligtings kragtens die hoofverband hierdie meegaande verband van nul en gener waarde sal wees maar andersins van volle krag en effek moet bly.

TEN BEWYSE waarvan ek, genoemde Registrateur, tesame met die komparant hierdie akte onderteken en met die ampseel laat bekragtig het.

ALDUS gedoen en geteken op die Mynbriewekantoor te JOHANNESBURG op hede die dag van 19.....

q.q.

In my teenwoordigheid,
Registrateur van Mynbriewe.

Geregistreer op bogenoemde datum in die Register van Verbandaktes onder No.

VORM 'J'.

Opgestel deur my,
Transportbesorger.

BORGVERBAND NO.

HIERBY WORD BEKENDGEMAAK:

DAT behoorlik daartoe gemagtig deur 'n prokurasie gedateer te op 19..... en aan hom verleen deur (beskryf die borg hier) welke prokurasie in hierdie kantoor weggetel is, vir my, die REGISTRATEUR VAN MYNBRIEWE TE JOHANNESBURG, verskyn het.

EN die komparant het verklaar dat:—

NADEMAAL (beskryf die hoofskuldernaar hier) waarlik en wettiglik die bedrag van R..... (bedrag moet ook in woorde uitgedruk word) tesame met die bedrag van R..... (bedrag moet ook in woorde uitgedruk word) verskuldig is as 'n preferente las vir koste en ander sake aan en ten behoeve van (beskryf die verbandhouer hier) wat ontstaan het uit (beskryf hier die oorsaak van skuld) as sekuriteit waarvoor genoemde hoofskuldernaar verbandakte No. gedateer 19..... in die Akteskantoor/Registrasiekantoor van Randdorp te geregistreer het ten opsigte van die reg daarby spesiaal verbind.

EN NADEMAAL genoemde toegestem het om homself as borg en mede-hoofskuldernaar te bind vir die behoorlike betaling van die voormalde bedrag met rente daarop en vir die voldoening aan al die bepalings en voorwaardes van voormalde hoofverband, as sekuriteit vir die nakoming van genoemde verpligtings die hierna vermelde reg verbind.

SO IS DIT DAT die komparant verklaar het sy lasgewer, genoemde waarskynlik en wettiglik verskuldig te wees en wettiglik verbind is aan en ten behoeve van vir die bedrag van R..... (bedrag moet ook in woorde uitgedruk word) wat ontstaan het uit voormalde vergoedings onder afstanddoening van die wetlike eksepsies met die krag en werking waarvan hy verklaar het sy lasgewer ten volle bekend te wees tesame met die bedrag van R..... (bedrag moet ook in woorde uitgedruk word) as 'n preferente las vir koste en ander sake soos vollediger in genoemde hoofverband uiteengesit word.

EN die komparant het hiermee sy lasgewer gebind om aan die verbandhouer of ander houer van hierdie verband, sy erfgename, ekskuteurs, administrateurs of regvrykryndes, genoemde hoofsom van R..... (bedrag moet ook in woorde uitgedruk word) te betaal of te laat betaal tesame met sodanige rente as wat van tyd tot tyd daarop kragtens die hoofverband, verskuldig is en betaalbaar word en vir die behoorlike nakoming van die bepalings daarvan verklaar die komparant q.q. om spesiaal te verbind as 'n verband, (beskryf die reg)

EN die komparant q.q. verklaar dit 'n spesiale voorwaarde van hierdie verband te wees dat indien die hoofskuldernaar al sy verpligtings ingevolge genoemde hoofverband nakom deur betaling van al die bedrae daarop verskuldig by wyse van kapitaal en rente en verder aan al die bepalings en voorwaardes van voormalde verband voldoen is, hierdie verband van nul en gener waarde moet wees.

IN WITNESS WHEREOF I, the said Registrar, together with the appearer, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

THUS DONE and EXECUTED at the MINING TITLES OFFICE at JOHANNESBURG on this day of 19.....

q.q.

In my presence,
Registrar of Mining Titles.

Registered on the above date in the Register of Mortgage Bonds under No.

FORM 'K'.

Prepared by me,
Conveyancer.

(Consent to cancellation, part-payment, reduction of cover, release, cession, cancellation of cession of bonds).

CONSENT.

I the undersigned, the legal holder of a mortgage bond particulars of which are as follows:
Bond No.
dated
passed by
in favour of
for the sum of R.
and ceded to
by cession registered on
do hereby consent to

Dated at this
day of 19.....

AS WITNESSES:

1.

SIGNATURE OF LEGAL HOLDER

2.

TEN BEWYSE WAARVAN ek, genoemde Registrateur, tesame met die komparant, hierdie akte onderteken en met die ampeel laat bekratig het.

ALDUS GEDOEN en GETEKEN op die Mynbriekantoor te JOHANNESBURG op hede die dag van 19.....

q.q.

In my teenwoordigheid,
Registrateur van Mynbriewe.

Geregistreer op bogenoemde datum in die Register van Verbandaktes onder No.

VORM ,K'.

Opgestel deur my,
Transportbesorger.

(Toestemming tot rojering, gedeeltelike betaling, vermindering van skuld, ontheffing, sessie, rojering van sessie van verbande).

TOESTEMMING.

Ek, die ondergetekende, die wettige houer van 'n verbandakte waarvan die besonderhede soos volg is:
Verband No.
gedateer
gepasser deur
ten gunste van
vir die bedrag van R.
en gesedeer aan
by 'n sessie geregistreer op
stem hiermee toe tot

Gedateer te op hede die
dag van 19.....

AS GETUIES:
1.

HANDTEKENING VAN WETTIGE HOUER.

2.

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INHOUD.**Departement van Mynwese.****GOEWERMENSKENNISGEWING.**

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