



**TO: ALL CONVEYANCERS**

**FROM: CAPE TOWN ATTORNEYS ASSOCIATION (CTAA)**

**DATE: 12 MAY 2020**

**RE: CONVEYANCING OPERATIONS**

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Dear Conveyancers

1. On 8 May 2020 the Acting Director-general: Agriculture, Land Reform and Rural Development issued Circular 6 of 2020 which regulates the implementation of the Covid-19 Risk-adjusted approach. This circular has created great concern amongst the conveyancing fraternity.
2. The 18 member staff complement allocated in terms of Circular 6 of 2020 is a contentious issue in as far as it falls well below the 1/3 maximum threshold and is insufficient to adequately discharge the already diminished service delivery requirements.
3. On 12 May 2020 the Cape Town Deeds Office issued a circular, on instruction of the Minister and Chief Registrar, advising that:
  - 3.1 the Deeds Office will be open to conveyancers from tomorrow, 13 May;
  - 3.2 all Deeds Office services will be available, and lodgements will be accepted;
  - 3.3 only conveyancers will be allowed in the Deeds Office building;
  - 3.4 no clerks and members of the public will be allowed;
  - 3.5 the opening of the office is subject to all applicable health measures being in place.

4. A circular issued one even date is attached to this communication.
5. As a result of the phased commencement of operations and the current restrictions in place to prevent the spread of Covid-19, the CTAA requests firms to adhere to the following protocols to assist the Deeds Office and to ensure that turn-around times are at a level that benefits the broader conveyancing fraternity:

## **5.1 Lodgements**

5.1.1 Lodgement times remain at 8:30 until 10:00 daily;

5.1.2 Based on the reduced staff compliment, the Deeds Office is only able to examine 450 deeds per day and therefore in order to streamline the process and to avoid unnecessary delays firms are requested to co-operate as follows:

4.1.2.1 Lodgements of low-impact matters such as extensions of sections, cessions and other transactions with no immediate commercial impact, should be delayed. Firms requiring lodgement of such matters, should send such a request for lodgement to the Deeds Office motivating the request;

4.1.2.2 Batches exceeding 25, may be lodged subject to notice to the Deeds Office the day before intended lodgement. This is to ensure that the batch is absorbed and allocated into the system;

4.1.2.3 the above requests may be emailed to Mr Dreyer or Mr Davids:

[Joseph.dreyer@drdlr.gov.za](mailto:Joseph.dreyer@drdlr.gov.za)

[Insaaf.davids@drdlr.gov.za](mailto:Insaaf.davids@drdlr.gov.za)

4.1.2.4 The execution date of Ante-Nuptial Contracts must be clearly indicated on the lodgement cover in order to alert examiners to the time limitation in which registration must occur.

5.1.3 In order to limit the amount of people in the lodgement room, firms should make use of the entire amount of time allotted to lodgement operations;

5.1.4 Firms are requested to arrange the linking of batches outside the parameters of the Deeds Office. Where possible the transfer attorney should collate the batch and sanitize the batch before submission to the Deeds Office;

5.1.5 Conveyancers are requested to follow the indicated traffic flow directions and social distance markers.

## **5.2 Matters lodged before lockdown**

5.2.1 Arrangements was made that will be conveyancers be allowed to replace expired Rates Clearance Certificates and other such supporting documents when the transaction becomes available for registration. Applications for extended certificates must therefore be made immediately;

5.2.2 We were informed that measures will be taken to ensure that matters are not rejected automatically.

### **5.3 Execution**

5.3.1 In order to limit the number of executing conveyancers in the Execution Room, firms are requested to collaborate with each other. As far as possible firms should arrange to execute for one another;

5.3.2 Copies of Deeds of Substitution may be lodged provided that the grantee, accepts the substitution by signing the copy before inserting it into the lodgement cover. The transfer attorney must arrange the Deeds of Substitution and execute the batch.

6. We are in constant dialogue with the various stakeholders and shall continue to monitor the process, give input where required and provide feedback to members.

7. In these challenging times, it remains paramount that we work together to safeguard the interests of our clients and stakeholders, and we thank every member for their input and selfless sacrifice.

## **Cape Town Attorneys Association**

Deeds Office Portfolio

[info@ctaa.capetown](mailto:info@ctaa.capetown)



## rural development & land reform

Department:  
Rural Development and Land Reform  
REPUBLIC OF SOUTH AFRICA

Office of the Registrar of Deeds: Western Cape:

Private Bag X9073 Cape Town:

Tel (021) 464 7600. Fax (021) 464 7727

### **REGISTRAR`S NOTICE 6 of 2020**

#### **Departmental Circular 6 of 2020 and Media Statement**

##### **Re Opening of Deeds office : 13 May 2020**

##### **Measures Restricting Access to the deeds Office**

The Western Cape Deeds Office, in keeping with the directive from the Ministry to open offices subject to all safety measures being in place and implemented and to restrict movement of people and exposure to the virus will be putting the measures hereinafter stated, in place until further notice.

#### **1. ACCESS BY CONVEYANCERS**

Admission onto the premises will be restricted and the right to restrict admission enforced. Only Conveyancers will be allowed to enter the premises in accordance with the revised times as set out hereafter.

Entrance to conveyancers will be limited to not more than 30 conveyancers in the premises at any one time and not more than 20 in the execution room at any one time. Entrance will be controlled at the foyer .

Please note that a register will have to be signed upon entrance with full contact details and proof of registration as a conveyancer or attorney must be provided to ensure control .

**Security will also be instructed to refuse entry to anyone not authorised to do so by the Registrar, between the hours of 18:30 pm and 06:00 am. Requests for such authorisation must be submitted to the Registrar.**

Given the extraordinary situation, it is incumbent and expected of all of us to be responsible, unselfish citizens and conduct ourselves accordingly .

We implore conveyancers to abide by the safety protocols of entering the premises to practice good personal hygiene and apply protective measures to protect themselves and others:

- Sanitise before and after entering the building and the execution room.
- Wear your face mask at all times when in the building
- ;When sneezing or coughing, cover your nose or mouth with a tissue or your elbow – not with your hand;
- Refrain from hugging, kissing and shaking hands;
- If experiencing the symptoms of fever, high temperatures, continuous coughing, sore throat or difficulty breathing, do not enter the premises but seek assistance via the medical helpline 0600123456 or by contacting your doctor;
- Social distancing;

Hand sanitizers have been made available at the entry points of the building.

## 2. **ACCESS TO THE STRONG ROOMS ON THE 11<sup>th</sup> , 13<sup>th</sup> and 14<sup>th</sup> FLOORS BY THE PUBLIC**

Access to the strong rooms is only by prior arrangement and subject to availability of staff. We request all account holders to apply for copies of documents filed in these rooms by email or utilize the DeedsWeb website..

For pivot searches, an appointment must be made. Please include in the subject line: PIVOT SEARCHES". The information section will contact the applicant to make arrangements.

Please send the request to [cptdeedsinf@drdlr.gov.za](mailto:cptdeedsinf@drdlr.gov.za).

### **The room made available on the 13<sup>th</sup> floor will be closed until further notice.**

The firms are requested to liaise with each other and arrange for lodgements , hands -ins and executions by one individual only .

Conveyancers may only access areas where deeds are lodged, handed in for execution , registered and uplifted.

Access to other areas is prohibited and anyone ignoring these restrictions will be removed from the premises and further restrictions imposed on such individual.

### 3. **INFORMATION SECTION**

Access to the Information Section is restricted to staff only.

We encourage all clients to search for information, obtain information and deeds via the DeedsWeb website [www.deeds.gov.za](http://www.deeds.gov.za).

All clients and account holders are requested to apply for copies of title deeds, by scanning and emailing the requests to our information section at [cptdeedsinf@drdlr.gov.za](mailto:cptdeedsinf@drdlr.gov.za). These include the Reg 66, Reg 67, Reg 68 and Reg 70 copy requests.

Please note that the usual forms must be completed fully and correctly when making the application for the above copies and our circular in respect of Regulation 68 (1) must be complied with.

The applicant will be contacted once the information /document is made available, to uplift same as to where and when or it will be scanned to the applicant.

Alternatively , and especially for walk -in clients a box will be placed at the entrance of the building with application forms. The information request form containing name, contact details, and the information required. The client will be contacted by our cashiers to make payment into the deeds registration bank account and once confirmed, the printout or copy will be made, and the client will be contacted to uplift same.

### 4. **EXECUTION ROOM**

#### **Execution Times 10am – 11 am**

Firms are requested to collaborate with one another to reduce the number of executing conveyancers. Remember the fewer the people the lower the risk to all of us.

This will be monitored and reassessed daily and, time or day slots may be given to firms to execute i.e. rotation of days and firms for execution.

Conveyancers must check and sign their deeds promptly and leave the room as quickly as possible to allow others to gain access as only a maximum of 20 will be allowed .

The deeds office officials will only sign the deeds once the conveyancers have left. Please ensure that your correct details are on the cover for any communication. Please verify registration by the tracking system reflecting the deeds as “Into Numbering “

**Hand sanitizer has been made available at the entry points of the execution room, everyone is required to please sanitize their hands before entering the execution room.**

## 5. **LODGEMENT**

Given the limited number of personnel available, firms are advised to lodge deeds that are correctly linked and prepared..

Lodgements times is from 8:30 am to 10:00 am .

### **NOTE THE FOLLOWING:**

- No linking of batches will be allowed at the Deeds Office or in the entrance and foyer of the building.
- No loitering will be allowed in the lodgement room, passages or in examiners offices or other working areas.
- Once the deeds are lodged, the conveyancer must leave the lodgement room immediately.
- Conveyancers are requested to arrange lodgement during the times provided and not leave this to the last minute.
- No late lodgements will be allowed.

**Hand sanitizer has been made available at the entry point of the lodgement room, everyone is required to please sanitize their hands before entering the lodgement room.**

## 6. **DEEDS MADE AVAILABLE FOR REGISTRATION**

All firms are requested to make use of the deeds tracking system, DeedsWeb website to track their deeds as to their availability.

Access to the open boxes for deeds made available will be opened between 8:30 am to 10:00 am.

Deeds must be returned to the firm`s boxes if not handed in and must not be removed from the premises.

Once the deeds are handed in for registration on the 12<sup>th</sup> floor, the conveyancer or their employee must leave the premises immediately.

## 7. **REMOVAL OF NOTES AND HAND-INS**

No examiner may be approached directly to attend to examiners notes, queries or any consultations.



The conveyancer must respond in writing to the notes raised and thereafter the deeds must be placed in the area designated at the Front Counter section by 9:30am.

The notes will be attended to by examiners, and thereafter the deeds will be placed in the respective prep boxes by 10:45 am.

HAND -INS will be open between 9:30am to 11:15 am .

Please ensure that replies to notes are clear coherent and concise.

#### **8. REGISTRAR'S PANEL CONSULTATIONS AND FINAL BLACKBOOKING**

Consultations with conveyancers is by appointment only . Conveyancers are requested to place requests /queries in the tray provided for in the secretary's office. The conveyancer will be responded to in writing or advised to consult with an appointment.

Final black booking to follow deeds office procedures.

#### **9. ACQUISITION OF BARCODES**

Please refer to Registrar Notice 1 of 2020.

#### **10. SERVICE OF DOCUMENTS/ INTERDICTS**

These may be delivered between 8:30 am and 11:30 am as per normal practice.

For urgent service outside these hours and for service by the Sheriff, security will be advised to contact us for acceptance of the documents for service.

#### **11. ACCOUNT QUERIES**

Must be submitted by email to Insaaf.davids@drdlr.gov.za or Sandi.Gondwana@drdlr.gov.za

**K Pillay**

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**Registrar of Deeds**

**Western Cape Deeds Office**

**Date: 12<sup>th</sup> May 2020**