

# DEEDS REGISTRY (CONVEYANCERS AND NOTARIES PUBLIC) (FEES AND CHARGES) REGULATIONS

*(Under section 11(1)(b))*

*(1st October 2004)*

## ARRANGEMENT OF REGULATIONS

### REGULATION

1. Citation
2. Conveyancers' and notaries public miscellaneous fees and disbursements
3. Deeds of Transfer
4. Mortgage bonds
5. Notarial bonds
6. Deed of Hypothecation
7. Charging of higher or lower fees prohibited

### SCHEDULE

S.I. 80, 2004.

#### 1. Citation

These Regulations may be cited as the Deeds Registry (Conveyancers and Notaries Public) (Fees and Charges) Regulations.

#### 2. Conveyancers' and notaries public miscellaneous fees and disbursements

A conveyancer or a notary public shall, in respect of any conveyancing work done by him or her, charge the fees and disbursements set out in the Schedule hereto in relation to the matters specified therein.

### 3. Deeds of Transfer

A Conveyancer shall, in respect to the lodging of a Deed of Transfer, charge the fees set out in Column B of Part II of the Schedule hereto.

### 4. Mortgage bonds

A Conveyancer shall, in respect of any conveyancing work done by him or her with respect to the lodging of mortgage bonds, charge the fees set out in Column C of Part II of the Schedule hereto.

### 5. Notarial bonds

(1) A notary public shall, in respect of notarial bonds, including surety notarial bonds, charge the fees set out in Column D of Part II of the Schedule hereto.

(2) A conveyancer shall, in respect of a collateral notarial bond passed as additional security for a mortgage bond or another notarial bond, irrespective of where the collateral is registered, charge fifty percent of the fees set out in Column D of Part II of the Schedule hereto.

### 6. Deed of Hypothecation

A conveyancer or a notary public lodging a Deed of Hypothecation shall charge the fees set out in column E of Part II of the Schedule hereto.

### 7. Charging of higher or lower fees prohibited

(1) No conveyancer or notary public shall, in respect of any conveyancing or notarial work done by him or her, charge fees which are higher or lower than those prescribed in the Schedule hereto.

(2) A conveyancer or notary public who contravenes subregulation (1) shall be guilty of professional misconduct as described in rule 3(e) of the Cap. 69:01 (Sub.Leg.) Legal Practitioners (Misconduct) Rules.

## SCHEDULE

*(Regs. 2 to 7 inclusive)*

### PART I

#### MISCELLANEOUS FEES AND DISBURSEMENTS

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| 1. Cancellation of bonds and other:<br>documents registered in the Deeds<br>Registry   | P550.00.   |
| 2. Obtaining Rates Clearance Certificate and:<br>Compliance Certificate  | P175.00 each.  |
| 3. Conveyancers disbursements :  | P550.00 per file which shall<br>include simultaneous<br>transactions attended to by the<br>same conveyancer. |
| 4. For attendance on behalf of transferor,<br>transferee, mortgagor or mortgagee, or<br>any other person, supervising the<br>registration of the transfer or bond or<br>supervising the bond, when the<br>documents are being prepared and lodged<br>by another conveyancer, inclusive of all<br>instructions, correspondence, and<br>miscellaneous attendances relevant to<br>such supervision- |  |
| (a) where the value of the property:   | P150.00.   |

- or amount of the bond does not exceed P60 000.00
- (b) where the value of the property:  
or amount of the bond exceeds P60 000.00 P275.00.
5. For attending at Deeds Registry to obtain:  
a certificate required for any act of  
registration P175.00.
6. (a) For drafting application for:  
endorsement in terms of section 46  
of the Act, for the layout of a  
township or settlement and  
attendances on lodging title deed  
for endorsement P750.00.
- (b) For drafting application and:  
related work for an incision in  
terms of section 49(1) of the Act or  
for the excision of an agricultural  
holding P500.00.
7. (a) Attendances and searching at:  
Deeds Registry for information  
required, other than information  
required for preparation or  
registration of a deed, including  
instructions, correspondence and all  
relevant attendances P150.00 per quarter hour or part  
thereof.
- (b) Attendance and searching at:  
Deeds Registry or the Department  
of Surveys and Mapping for  
research and searching for the  
necessary information in connection  
with rights to minerals and rights to  
water, including correspondence  
and all relevant attendances P600.00 per hour or part thereof  
*pro rata*.
8. For drafting notice of application for:  
issue of a certified copy of a deed to  
serve *in lieu* of the original including  
instructions, application to Registrar of  
Deeds, filing all necessary documents,  
correspondence and all relevant  
attendances P850.00 less disbursements and  
fees for advertisements.
9. For attendance in order to obtain a:  
certified copy of any deed or document  
from Deeds Registry for any purpose,  
other than to serve *in lieu* of the original  
inclusive of instructions, filing of  
necessary documents, correspondence  
and all relevant attendances P125.00 plus an additional fee of  
P50.00 for every deed after  
the first which can be applied  
for in the same application.
10. For attending at the Department of:  
Surveys and Mapping, for the metrication  
or amendment of any diagram or  
obtaining a copy of any diagram from the  
Department of Surveys and Mapping,  
including instructions, application,  
correspondence and all relevant  
attendances P125.00 plus an additional fee of  
P50.00 for every diagram after  
the first which can be applied  
for in the same application.
11. For attending at local or other  
authority-
- (a) to obtain a certificate of:  
approval regarding compliance with P500.00.

- conditions of subdivision
- (b) for any endorsement of a power of attorney or diagram (other than a rates clearance certificate) P300.00.
12. (a) For drafting any affidavit or application in regard to any separate act of registration or endorsement not specifically mentioned in this Schedule (for example the creation of special conditions against the remainder of the property, or for the lapsing of any condition of title or personal servitude excluding *usufruct*, *usus* or *habitatio*) inclusive of taking or giving instructions, correspondence and all other attendances in connection with such affidavit or application P300.00 plus P50.00 for drafting each extra folio of an affidavit or application where such document exceeds one folio in length.
- (b) For attending at the Office of the Master of the High Court in order to obtain all necessary endorsements in connection with any matter referred to in this item, per estate P125.00 per hour or part thereof.
- (c) For drafting a General Power of Attorney and all relevant attendances including registration P250.00.
- (d) For drafting and signing a certificate in terms of section 41(1) of the Cap. 31:01 Administration of Estates Act, including investigations and attendances at the Office of Master of the High Court. P125.00 per hour or part thereof per estate for any number of certificates.
- (e) For drafting any application and registration of lapse of *usufruct* (not notarial) P300.00.
13. (a) For drafting cession of servitude or of rights to minerals inclusive of instructions, correspondence, registration and all other relevant attendances P500.00.
- (b) If more than one property is included in the same cession an additional fee of P50.00 for each additional property.
14. For attending on filing at Deeds Registry of any document relating to any person, partnership, association or company, where such filing is independent of any particular act of registration being attended to by that conveyancer, inclusive of instructions, correspondence and all relevant attendances P125.00.
15. For attending on upliftment of attachment interdict in the Deeds Office P500.00.
16. (a) For drafting power of attorney or agreement in terms of section 26(1) of the Act P500.00 per hour or part thereof plus an additional fee of P125.00 per partition for any other partition that may be applied for together with the original

		portion.
	(b) For attending at the Department: of Surveys and Mapping to obtain diagrams in terms of section 26(3) of the Act, including applications, correspondence and all relevant attendances	P175.00.
	(c) For attending at the Deeds: Registry to register a Deed of Partition transfer in terms of section 26(5) of the Act	P125.00.
17.	(a) For drafting an application: to the Commission in terms of section 31(1) of the Act, including correspondence and all relevant consultations	P500.00.
	(b) For attending before the: Commission when so required to attend	P125.00 per quarter hour or part thereof.
	(c) For attending at the Deeds: Registry to register a transfer passed pursuant to section 31 of the Act	P500.00.
18.	For attendance to applying for a: certificate of registered title in terms of section 35(1) of the Act, including applications, correspondence and all relevant attendances	P500.00.
19.	(a) For drafting an application: in terms of section 36(1) of the Act including original instructions, application to the Registrar, filing all necessary documents, correspondence and all relevant attendances	P275.00 per transaction.
	(b) For drafting the necessary: advertisements required in terms of section 36(2) of the Act	P125.00.
	(c) For attending at the Department: of Surveys and Mapping to obtain diagrams where such diagrams are necessary, including applications, correspondence and all relevant attendances	P150.00 per diagram
20.	For drafting an application in terms: of section 37(2) of the Act, including original instructions, application to the Registrar, filing of necessary documents, correspondence and all relevant attendances	P275.00 per transaction.
21.	(a) For drafting an application: in terms of section 38 of the Act for a certificate of consolidated or amended title, including the original instructions, applications to the Registrar, filing of necessary documents, correspondence and all relevant correspondence	P500.00 per transaction.
	(b) For attending at the Department:	P150.00 per diagram.

- of Surveys and Mapping to obtain diagrams where such diagrams are necessary, including applications, correspondences and all relevant attendances
22. (a) For drafting an application: in terms of section 40(1) of the Act, including taking original instructions, applications to the Registrar, filing of necessary documents, correspondence and all relevant attendances P500.00 per transaction.
- (b) To obtain the written consent of: the President P500.00 per transaction.
23. (a) For drafting an application: to obtain a certificate of Registered Title in terms of section 41(1) of the Act, including taking original instructions, applications to the Registrar, filing of necessary documents, correspondence, and all relevant attendances P500.00 per transaction.
- (b) For attending at the Department: of Surveys and Mapping to obtain diagrams, including all applications, correspondence and all relevant attendances P150.00 per diagram.
24. For drafting applications for: endorsement in terms of sections 42, 43 and 44 of the Act and attendance on lodging of the title deed for endorsement P500.00 per transaction.
25. For drafting an application for the: registration of a general plan of land which has been subdivided in pieces of land in terms of section 46(1) of the Act, including taking original instructions, applications to the Registrar, filing all necessary documents, correspondences and all relevant attendances, including attendances at the Department of Surveys and Mapping P750.00.
26. For attendance on taxation, where required, including all necessary relevant attendances and correspondence, a fee equal to five per cent of the fees allowed on taxation shall be chargeable by the conveyancer submitting the bill of costs, and a fee equal to five per cent of the total fees originally reflected in that bill of costs shall be chargeable by the conveyancer opposing taxation.
27. (a) For procuring registration of change of name-
- (i) where no advertisement is: required P150.00 plus P50.00 for every extra deed after the first deed.
- (ii) where advertisement is: required P250.00 plus P50.00 for every extra deed after the first deed.
- (b) For procuring an amendment of: P150.00 plus a fee of P50.00 for

- any deed in terms of section 6 of the Act every extra deed.
- (c) For preparing and lodging: P175.00.  
consent of any interested party, including any bondholder, to any amendment in terms of this item
- Note: The above fees include the drafting of necessary applications, correspondence and all relevant attendances and, where advertising is necessary, also include the drafting up and placing of the necessary advertisements.*
28. For attendance in order to obtain: P150.00 plus a fee of P50.00 for  
an endorsement on any deed reflecting every extra deed after the  
the conversion of a company to a close first.  
corporation and *vice versa*
29. No fee shall be charged for drafting and lodging a Deed of Hypothecation as mentioned in regulation 6 by any person other than a conveyancer or a notary public.
30. (a) For drafting and lodging of: P600.00.  
any application in terms of section 2 of the Cap. 32:08 Immovable Property (Removal of Restrictions) Act, by a conveyancer
- (b) For attending to any matter: P125.00 per quarter hour or part  
arising from the application thereof.  
referred to in subparagraph (a) of this paragraph
31. No fees shall be charged by a conveyancer or any other person for drafting and lodging a Certificate of Indebtedness in terms of the Cap. 35:01 Agricultural Charges Act
32. For drafting and lodging prenuptial: P550.00 per hour or part thereof.  
and antenuptial contracts including all relevant attendances
33. For lodging all tribal leases : P850.00.
34. For drafting and lodging a Notarial: P550.00 per hour or part thereof.  
Deed of Lease, a Notarial Deed of Sub-lease and a Notarial Deed of Cession including all relevant attendances
35. For drafting and lodging a Notarial Deed of Trust including all relevant attendances P550.00 per hour or part thereof.
36. For drafting and lodging a Notarial Deed of Cancellation of any notarial deed registered in the Deeds Registry P550.00

## PART II

### SCHEDULE OF CONVEYANCING AND NOTARIAL FEES

Column A	Column B	Column C	Column D	Column E
Value of Property or Transfer amount of Bond		Bonds	Notarial Bonds	Hypothecations
Over P8 000.00 up to and including P10 000.00	P800.00	P550.00	P650.00	P500.00
Over P10 000.00 up to and	P825.00	P575.00	P675.00	P550.00

including P12000.00				
Over P12000.00 up to and including P14 000.00	P850.00	P600.00	P700.00	P575.00
Over P14 000.00 up to and including P16 000.00	P875.00	P625.00	P725.00	P600.00
Over P16 000.00 up to and including P18 000.00	P900.00	P650.00	P750.00	P625.00
Over P18 000.00 up to and including P20 000.00	P950.00	P700.00	P800.00	P650.00
Over 20 000.00 up to and including P25 000.00	P1 200.00	P950.00	P1 050.00	P850.00
Over P25 000.00 up to and including P30 000.00	P1 450.00	P1 200.00	P1 300.00	P1 050.00
Over P30 000.00 up to and including P35 000.00	P1 700.00	P1 450.00	P1 550.00	P1 200.00
Over P35 000.00 up to and including P40 000.00	P1 950.00	P1 700.00	P1 800.00	P1 300.00
Over P40 000.00 up to and including P45 000.00	P2200.00	P1 950.00	P2050.00	P1 450.00

Column A Value of Property or amount of Bond	Column B Transfer	Column C Bonds	Column D Notarial Bonds	Column E Hypothecations
Over P45 000.00 up to and including P50.000.00	P2450.00	P2200.00	P2300.00	P1 600.00
Over P50 000.00 up to and including P60 000.00	P2575.00	P2325.00	P2425.00	P1700.00
Over P60 000.00 up to and including P70 000.00	P2700.00	P2450.00	P2550.00	P1 800.00
Over P70 000.00 up to and including P80 000.00	P2950.00	P2675.00	P2775.00	P1 950.00
Over P80 000.00 up to and including P90 000.00	P3 075.00	P2800.00	P2900.00	P2050.00
Over P90 000.00 up to and including P100 000.00	P3 200.00	P2 925.00	P3 025.00	P2 250.00
Over P100 000.00 up to and including P150 000.00	P3 500.00	P3 225.00	P3 325.00	P2 500.00
Over 150 000.00 up to and including P200 000.00	P3 800.00	P3 525.00	P3 625.00	P2 800.00
Over P200 000.00.....	P3 800.00	P3 525.00	P3 625.00	P3 200.00
	For the first	For the first	For the first	For the First



P200 000,00 plus P500.00 per P100 000.00 or part thereof, up to and including P500 000.00 whereafter the fee shall be P350.00 per P100 000.00 or part thereof up to and including P1 000 000.00 and whereafter the fee shall be P250.00 per P100 000.00 or any part thereof	P200 000.00 plus P550.00 per P100 000.00 or part thereof, up to and including P500 000.00 whereafter the fee shall be P350.00 per P100 000.00 or part thereof, up to and including P1 000 000.00 and whereafter the fee shall be P250.00 per P100 000.00 or any part thereof	P200 000.00 plus P550.00 per P100 000.00 or part thereof, up to and including P500 000.00 whereafter the fee shall be P350.00 per P100 000.00 or part thereof, up to and including P1 000 000.00 and whereafter the fee shall be P250.00 per P100 000.00 or any part thereof	P200 000.00 plus P500.00 per P100 000.00 or part thereof, up to and including P500 000.00 whereafter the fee shall be P350.00 per P100 000.00 or part thereof up to and including P1 000 000.00 whereafter the fee shall be P250.00 per P100 000.00 or part thereof
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