INTRODUCTION TO CONVEYANCING

1. Introduction / Terms

2. Role, function and responsibility of the Conveyancer
   Sec 15 of DRA 47 of 1937 and Reg 44 A of DRA of 1937
   Nexis, Durban, Chapter 1 pp 3 – 4.

3. Deed of Sale

4. Receipt of Instructions/Checklist
   Nexis, Durban, p 14-31.

5. Power of Attorney

6. Deed of Transfer
   6.1 Preparation certificate
   6.2 Heading
   6.3 Preamble
   6.4 Recital/causa
   6.5 Vesting clause
   6.7 Property clause
   6.8 Extending clause
   6.9 Conditional clause
   6.10 Divesting clause
   6.11 Consideration clause
   6.12 Execution clause

   Nexis, Durban, pp 32 – 37.

7. Identification of parties in deeds/documents for registration
   7.1 Natural persons
   7.2 Deceased and insolvent estates
   7.3 Juristic persons
   7.4 Persons acting in a representative capacity
   7.5 Section 21 of the Deeds Registries Act 47 of 1937
8. Supporting documents

8.1 Rates Clearance certificate
8.2 Transfer Duty Receipt
8.3 Declarations by seller/purchaser
8.4 Marital and insolvency status affidavits
8.5 Resolutions (if required)
8.6 Declaration in terms of the Financial Intelligence Centre Act 28 of 2001.
8.7 Consents: Title condition consents and consents in terms of legislation

9. Registration/Finalisation of the file


10. Mortgage bonds

10.1 Analysis of a bond
10.2 Receipt of instructions
10.3 Preparation of bond documents
10.4 Cancellation of mortgage bonds


11. Applications, consents and endorsements

11.1 Copies of lost/destroyed deeds – Regulation 68(1) DRA 47 of 1937


11.2 Rectification of errors in registered deeds – section 4(1)(b) of DRA 47 of 1937

11.3 Waiver of pre-emptive right


11.4 Registration of the lapse of a personal servitude – sec 68 of the DRA 47 of 1937


11.6 Application for the Certificate of Registered Title in terms of sec 43 of the DRA 47 of 1937.


11.7 Application for the issue of a certificate of consolidated title in terms of sec 40 of the DRA 47 of 1937.


12. **Sectional Title Transfers**