

Mrs M Dumbela
Index and distribute
(26)
10/5/2002.

Chief Registrar's Circular No. 6 of 2002

Consents in terms of Act 70 of 1970

PLU

1. The introduction of municipalities covering the entire Country has made it impossible to identify land that is agricultural land as defined in section 1 of Act 70 of 1970.
2. The definition of agricultural land in section 1 of Act 70 of 1970 has been amended by Proclamation R 100 of 1995. The effect of such amendment is that all land which was agricultural land prior the establishment of transitional councils remains classified as such.
3. The Department of Agriculture has raised concerns that certain subdivisions of agricultural land have been registered only on the basis of consents granted by local authorities and without the requisite consent of the Minister of Agriculture in terms of Act 70 of 1970. The Department of Agriculture is of the view that this practice can have serious economic implications, especially when prime agricultural land is involved.
4. In view of the concerns of the Department of Agriculture and the State Law Advisors' opinions 553/2000 and 408/2001 dated 21 December 2000 and 25 October 2001 respectively, all farm property must, in future, until proof to the contrary has been furnished, be regarded as agricultural land as defined in Act 70 of 1970.
5. The following documents must be lodged with all deeds in which subdivision of farm land is being given effect to:

- 5.1 A consent by the Minister of agriculture in terms of Act 70 of 1970 or
- 5.2 A letter by the Department of Agriculture to the effect that the land in question is not agricultural land as defined in Act 70 of 1970 and a consent by the local authority in whose area of jurisdiction the land is situated, as required by the relevant Provincial legislation, if any.
6. With regard to transactions having the effect of increasing the number of registered owners of farm land in undivided shares, the consent of the Minister of Agriculture must be lodged or a letter referred to in paragraph 5.2 must be lodged. No consent by the local authority is necessary in this instance.



CHIEF REGISTRAR OF DEEDS

DATE: 7 May 2002

REFERENCE: A 6/2/B and A.6/3/6/2

RINGBINDER 68

CHIEF REGISTRAR OF DEEDS

REGISTRARS OF DEEDS

THE CHIEF: JUSTICE TRAINING

DIRECTOR: LAW SOCIETY OF SOUTH AFRICA : PRETORIA

MANAGER: BUTTERWORTHS PUBLICATIONS : DURBAN

CHAIRPERSON: PROPERTY LAW COMMITTEE : PRETORIA

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REPUBLIEK VAN SUID-AFRIKA

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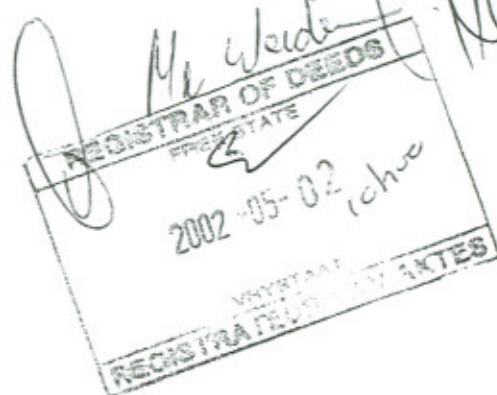
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GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 515

22 April 2002

**DESIGNATION OF COMMISSIONERS OF OATHS UNDER SECTION 6 OF THE
JUSTICES OF THE PEACE AND COMMISSIONERS OF OATHS ACT, 1963**

I, Penuell Mpapa Maduna, Minister for Justice and Constitutional Development, under section 6 of the Justices of the Peace and Commissioners of Oaths Act, (Act No. 16 of 1963), hereby amend Government Notice No. R. 903 of 10 July 1998, as set out in the Schedule.

SCHEDULE

Definitions

1. In this Government Notice "the Notice" means Government Notice No. R. 903 of 10 July 1998, as amended by Government Notices Nos. R. 1687 of 24 December 1998, R.950 of 6 August 1999, R.1317 of 12 November 1999, R.1510 of 24 December 1999, R.1511 of 24 December 1999 and R.847 of 14 September 2001.

Insertion of item 61A in Schedule to Notice

2. The following item is hereby inserted after item 61 of the Schedule to the Notice.

"61A South African Institution of Chartered Accounts:
Chartered Accountants of South Africa."


P. M. MADUNA

Minister for Justice and Constitutional Development