

BUITENGEWONE

# OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA

# OFFICIAL GAZETTE

EXTRAORDINARY  
OF SOUTH WEST AFRICA

UITGAWE OP GESAG

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## PROKLAMASIE

van die

ADMINISTRATEUR-GENERAAL VIR DIE  
GEBIED SUIDWES-AFRIKA

No. AG. 21 1986

**INWERKINGTREDING VAN DIE  
WYSIGINGSWET OP REGISTRASIE  
VAN AKTES, 1985 (WET 26 VAN 1985)**

Kragtens die bevoegdheid my verleen by artikel 15(1) van die Wysigingswet op Registrasie van Aktes, 1985, bepaal ek hierby dat genoemde Wet op 1 Mei 1986 in werking tree.

L. PIENAAR

Administrateur-generaal Windhoek, 7 Maart 1986

## PROCLAMATION

by the

ADMINISTRATOR-GENERAL FOR THE  
TERRITORY OF SOUTH WEST AFRICA

No. Ag. 21 1986

**COMMENCEMENT OF THE DEEDS  
REGISTRIES AMENDMENT ACT, 1985  
(ACT 26 OF 1985)**

Under the powers vested in me by section 15(1) of the Deeds Registries Amendment Act, 1985, I hereby determine that the said Act shall come into operation on 1 May 1986.

L. PIENAAR

Administrator-General Windhoek, 7 March 1986

## Goewermentskennisgewing

## Government Notice

DEPARTEMENT VAN JUSTISIE

DEPARTMENT OF JUSTICE

No. 48

1986

No. 48

1986

WYSIGING VAN DIE REGULASIES  
UITGEVAARDIG KRAGTENS DIE  
REGISTRASIE VAN AKTES WET, 1937  
(WET 47 VAN 1937)

AMENDMENT OF THE REGULATIONS  
MADE UNDER THE DEEDS REGISTRIES  
ACT, 1937 (ACT 47 OF 1937)

Die registrasieregulasieraad het kragtens artikel 10 van die Registrasie van Aktes Wet, 1937 (Wet 47 van 1937), die regulasies afgekondig by Goewermentskennisgewing 225 van 1964, soos gewysig by Goewermentskennisgewings 207 van 1967, R.437 van 1973, R.2578 van 1978, R.127 van 1979, R.1141 van 1980, AG. 110 van 1982 en AG. 48 van 1983, verder gewysig soos in die Bylae uiteengesit.

The deeds registries regulations board has under Section 10 of the Deeds Registries Act, 1937 (Act 47 of 1937), further amended the regulations promulgated by Government Notice 225 of 1964, as amended by Government Notices 207 of 1967, R.437 of 1973, R.2578 of 1978, R.127 of 1979, R.1141 of 1980, AG. 110 of 1982 and AG. 48 of 1983, as set out in the Schedule.

Genoemde wysigings is deur die Kabinet goedgekeur kragtens artikel 9(9) van genoemde Registrasie van Aktes Wet, 1937.

The said amendments have been approved by the Cabinet under section 9(9) of the said Deeds Registries Act, 1937.

## BYLAE

## SCHEDULE

1. Regulasie 5 word hierby gewysig -

1. Regulation 5 is hereby amended -

(a) deur die opskrif "Assistent-Registrateur" deur die opskrif "Adjunk-Registrateur" te vervang; en

(a) by the substitution for the heading "Assistant Registrar" of the heading "Deputy Registrar"; and

(b) deur die woord "Assistent-Registrateur", oral waar dit voorkom, deur die woord "Adjunk-Registrateur" te vervang.

(b) by the substitution for the words "Assistant Registrar", wherever they occur, of the words "Deputy Registrar".

2. Regulasie 18 word hierby gewysig deur in paragraaf (a) van subregulasie 1 die uitdrukking "of (b)" te skrap en na die woord "sy", waar dit die derde maal voorkom, die woorde "name en" in te voeg.

2. Regulation 18 is hereby amended by the deletion in paragraph (a) of subregulation (1) of the expression "or (b)" and by the insertion after the word "his", where it occurs for the third time, of the words "names and".

3. Regulasie 22 word hierby deur die volgende regulasie vervang:

3. The following regulation is hereby substituted for regulation 22:

" 22. Daar moet 'n streep getrek word deur enige ongebruikte ruimtes in 'n akte en, waar 'n akte meer as een bladsy beslaan, moet elke bladsy agtereenvolgens genommer word."

" 22. Any spaces in a deed which have not been used shall be ruled through and, where a deed comprises more than one page, each page shall be numbered consecutively."

4. Regulاسie 26 word hierby deur die volgende regulاسie vervang:

“ 26. Elke titelakte van grond waarvoor geen vorm voorgeskryf is nie en elke sodanige akte waarvoor ’n vorm voorgeskryf is waarin voorsiening gemaak word vir die insluiting van ’n uitstrekingsklousule in ooreenstemming met hierdie regulاسies, moet direk na die eiendomsbeskrywing ’n uitstrekingsklousule bevat wat wesenlik in die vorm van die toepaslike voorgeskrewe Vorm DD of EE moet wees.”

5. Regulاسie 35 word hierby gewysig deur in paragraaf (g) van subregulasie (1) die woorde “Die nommer en die datum” deur die woorde “Die volgnummer en jaar” te vervang.

6. Regulاسie 37 word hierby gewysig deur die syfer “(4)” deur die syfer “(1)” te vervang.

7. Regulاسie 43 word hierby deur die volgende regulاسie vervang:

“ 43. (1) Elke grondbrief, transportakte, sertifikaat waarby ’n reg op onroerende goed verleen word, akte van sessie soos bedoel in artikel 32 van die Wet of verbandakte moet opgestel word deur ’n transportbesorger, wat ’n sertifikaat in onderstaande vorm in die boonste regterkantse hoek op die eerste bladsy van die betrokke dokument moet aanbring en onderteken:

Opgestel deur my

.....

TRANSPORTBESORGER

.....

(Vermeld van en voorletters in blokletters.)

(2) ’n Transportbesorger wat ’n in subregulasie (1) bedoelde grondbrief, transportakte, sertifikaat, akte van sessie of verbandakte opstel, moet alle veranderinge of tussenskrifte in sodanige grondbrief, transportakte, sertifikaat, akte van sessie of verbandakte, en ook elke bladsy daarvan

4. The following regulation is hereby substituted for regulation 26:

“ 26. Every deed of title to land for which no form is prescribed and every such deed for which a form is prescribed wherein provision is made for the inclusion of an extending clause in conformity with these regulations, shall immediately after the description of the property contain an extending clause substantially in the form of the applicable prescribed Form DD or EE.”

5. Regulation 35 is hereby amended by the substitution in paragraph (g) of subregulation (1) for the words “The number and the date” of the words “The serial number and year”.

6. Regulation 37 is hereby amended by the substitution for the figure “(4)” of the figure “(1)”.

7. The following regulation is hereby substituted for regulation 43:

“ 43. (1) Every deed of grant, deed of transfer, certificate conferring title to immovable property, deed of cession referred to in section 32 of the Act of mortgage bond shall be prepared by a conveyancer, who shall make and sign a certificate in the undermentioned form in the upper right hand corner of the first page of the document concerned:

Prepared by me

.....

CONVEYANCER

.....

(State surname and initials in block letters.)

(2) A conveyancer who prepares a deed of grant, deed of transfer, certificate, deed of cession or mortgage bond referred to in subregulation (1) shall initial personally all alterations or interlineations in such deed of grant, deed of transfer, certificate, deed of cession or mortgage

wat nie sy handtekening vereis nie as sodanige grondbrief, transportakte, sertifikaat, akte van sessie of verbandakte op afsonderlike velle papier geskryf is, persoonlik parafeer, en geen sodanige grondbrief, transportakte, sertifikaat, akte van sessie of verbandakte wat nie sodanige sertifikaat dra nie en wat nie aldus geparafeer is nie word vir verlyding of registrasie aanvaar nie:

Met dien verstande egter dat in die geval van 'n transportakte of verbandakte waar 'n verandering of tussenskrif volgens die mening van die Registrateur nie parafering deur die transportbesorger wat sodanige transportakte of verbandakte opgestel het vereis nie, sodanige verandering of tussenskrif deur die transportbesorger wat sodanige transportakte of verbandakte verly, geparafeer moet word?'

8. Regulasie 44 word hierby deur die volgende regulasie vervang:

“ 44. (1) Behoudens die bepalings van subregulasie (3) moet enige prokurasie, aansoek of toestemming wat benodig word vir die verrigting van 'n registrasiehandeling in die Registrasiekantoor en enige verdelingsooreenkoms in artikel 26 van die Wet bedoel wat na die inwerkingtreding van hierdie regulasie verly is en vir registrasie of liassing op rekord in die Registrasiekantoor aangebied word, opgestel word deur 'n praktiserende prokureur (wat nie noodwendig in die Gebied hoef te praktiseer nie) of 'n transportbesorger, wat 'n sertifikaat in onderstaande vorm in die boonste regterkantse hoek op die eerste bladsy van die betrokke dokument moet aanbring en onderteken:

Opgestel deur my

.....

**PROKUREUR/  
TRANSPORTBESOR-  
GER**

(Gebruik wat ook al van toepassing is)

(Vermeld van en voorletters in blokletters.)

bond and also every page thereof not requiring his signature if such deed of grant, deed of transfer, certificate, deed of cession or mortgage bond is written on separate sheets, and no such deed of grant, deed of transfer, certificate, deed of cession or mortgage bond shall be accepted for execution or registration if it does not bear such certificate and is not so initialled:

Provided, however, that in the case of a deed of transfer or mortgage bond where an alteration or interlineation does not, in the opinion of the Registrar, require initialling by the conveyancer who prepared such deed of transfer or mortgage bond, such alteration or interlineation shall be initialled by the conveyancer executing such deed of transfer or mortgage bond?'

8. The following regulation is hereby substituted for regulation 44 of the regulations:

“ 44. (1) Subject to the provisions of subregulation (3), any power of attorney, application or consent required for the performance of an act of registration in the Deeds Registry and any agreement of partition referred to in section 26 of the Act executed after the coming into operation of this regulation and tendered for registration or filing of record in the Deeds Registry, shall be prepared by a practising attorney (not necessarily practising in the Territory) or a conveyancer, who shall make and sign a certificate in the undermentioned form in the upper right hand corner of the first page of the document concerned:

Prepared by me

.....

**ATTORNEY/CONVEYANCER**

(Use whichever is applicable.)

(State surname and initials in block letters.)

(2) Behoudens die bepalings van subregulasie (3) moet enige wesentliche verandering of tussenskrif in 'n subregulasie (1) bedoelde prokurasie, aansoek, toestemming of verdelingsooreenkoms deur die prokureur of transportbesorger wat sodanige dokument opgestel het, gearfafer word.

(3) Ondanks die bepalings van subregulasie (1) en (2) kan die Registrateur na goeëdunke nienakoming daarvan goedkeur ten opsigte van 'n prokurasie, aansoek, toestemming of verdelingsooreenkoms wat buite die Republiek verly is of ten opsigte van 'n prokurasie, aansoek, toestemming of verdelingsooreenkoms waarvoor daar nie in die Wet of die Regulasies voorsiening gemaak is nie.

(4) Die bepalings van subregulasie (1) en (2) belet nie 'n prokureur of transportbesorger in diens by 'n departement, soos in artikel 3 van die Regeringsdienswet, 1980 (Wet 2 van 1980), bedoel, om in die loop van sy diens enige dokument wat daarin genoem word op te stel wat nodig is vir die verrigting van 'n funksie wat uitgevoer moet word in die departement waarin hy diens doen nie.

(5) Wanneer 'n sertifikaat bedoel in subregulasie (1) deur 'n prokureur onderteken word, moet die feit dat die ondertekenaar 'n praktiserende prokureur is, bevestig word deur 'n praktiserende transportbesorger, wat die sertifikaat moet mede-onderteken deur die volgende sertifikaat daarop aan te bring en te onderteken;

Mede-onderteken deur  
my

**TRANSPORTBESORGER**

(Vermeld van en voorletters in blokletters)."

9. Die volgende regulasie word hierby in die regulasies na regulasie 44 ingevoeg:

" 44A. Die persoon wat die opstelling-sertifikaat voorgeskryf by regulasie 43 en 44(1) van die Regulasies onderteken, aan-

(2) Subject to the provisions of subregulation (3), any material alteration or interlineation in any power of attorney, application, consent or agreement of partition referred to in subregulation (1) shall be initialled by the attorney or conveyancer who prepared such document.

(3) Notwithstanding the provisions of subregulations (1) and (2), the Registrar may in his discretion waive compliance with these regulations in respect of a power of attorney, application, consent or agreement of partition executed outside the Republic or in respect of a power of attorney, application, consent or agreement of partition not provided for by the Act or the Regulations.

(4) The provisions of subregulations (1) and (2) shall not prevent any attorney or conveyancer in the employ of a department, as referred to in section 3 of the Government Services Act, 1980 (Act 2 of 1980), from preparing, in the course of his employment, any document therein mentioned which is required for the performance of any function to be performed in the department in which he is employed.

(5) When a certificate referred to in subregulation (1) is signed by an attorney, the fact that the signatory is a practising attorney shall be confirmed by a practising conveyancer, who shall countersign the certificate by making and signing the following certificate thereon:

Countersigned by me

**CONVEYANCER**

(State surname and initials in block letters)."

9. The following regulation is hereby inserted in the regulations after regulation 44:

" 44A. The person signing the preparation certificates prescribed by regulations 43 and 44(1) of the Regulations accepts, in

vaar ingevolge artikels 15A(1) en (2) van die Wet, verantwoordelikheid vir die korrektheid van ondergenoemde feite wat in die betrokke aktes of dokumente vermeld word of wat relevant is met betrekking tot die registrasie of liassing daarvan, naamlik:

- (a) dat alle afskrifte van die aktes of dokumente wat bestem is vir verlyding of registrasie op die datum van indiening identies is;
- (b) dat, in die geval van 'n grondbrief, transportakte of titelsertifikaat van grond, al die toepaslike titelvoorwaardes wat vervat is in die eienaar se afskrif van die titelbewys of wat daarteen geëndosseer is, asook enige toepaslike voorwaardes opgelê kragtens die Ordonnansie op Dorpe en Grondverdeling, 1963 (Ordonnansie 11 van 1963), korrek oorgedra of geskep is in daardie grondbrief, transportakte of titelsertifikaat van grond;
- (c) dat, in die geval van 'n dokument bedoel in regulasie 44(1) wat onderteken is deur 'n persoon in sy hoedanigheid van eksekuteur, administrateur, trustee, voog, kurator, likwidateur of geregtelike bestuurder uit ondersoek van die dokument wat aan hom getoon is ter staving van sodanige aanstelling, sodanige persoon inderdaad in daardie hoedanigheid aangestel is;
- (d) dat, na sy beste wete en oortuiging en nadat behoorlik navraag gedoen is -
  - (i) die name, identiteitsnommer of geboortedatum van 'n natuurlike persoon wat 'n party by 'n grondbrief, akte of dokument is, en in die geval van 'n vrou, haar huwelikstaat, en in die geval van enige ander persoon, die naam en registrasienommer (indien daar so 'n nommer is), of die naam van 'n trust korrek weergee is in daardie akte of dokument;

terms of section 15A(1) and (2) of the Act, responsibility for the correctness of the undermentioned facts stated in the deeds or documents concerned or which are relevant in connection with the registration or filing thereof, namely:

- (a) that all copies of the deeds or documents intended for execution or registration are identical at the date of lodgement;
- (b) that, in the case of a deed of grant, deed of transfer or certificate of title of land, all the applicable conditions of title contained in or endorsed upon the owner's copy of the title deed, together with any conditions imposed in terms of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), have been correctly brought forward or created in that deed of grant, deed of transfer or certificate of title to land;
- (c) that, in case of a document referred to in regulation 44(1) being signed by a person in his capacity as an executor, administrator, trustee, tutor, curator, liquidator or judicial manager from perusal of the document evidencing such appointment exhibited to him, such person has in fact been appointed in that capacity;
- (d) that, to the best of his knowledge and belief and after due enquiry has been made -
  - (i) the names, identity number or date of birth of any natural person being a party to a deed of grant, deed or document, and in the case of a woman, her marital status, and in the case of any other person, its name and registered number (if any), or the name of a trust are correctly reflected in that deed or document;

- (ii) in die geval van 'n dokument bedoel in regulasie 44(1) of 'n grondbrief -
- (aa) die transaksie soos dit daaruit blyk, gemagtig en in ooreenstemming is met die konstitusie, regulasies of stigtingsverklaring, na gelang van die geval, van enige kerk, vereniging, genootskap, of ander liggaam van persone, of enige ander instelling as 'n maatskappy ingelyf kragtens die Maatskappywet, 1973 (Wet 61 van 1973), of die akte van 'n trust wat 'n party by sodanige dokument of grondbrief is;
- (bb) 'n maatskappy ingelyf kragtens die Maatskappywet, 1973 (Wet 61 van 1973), wat 'n party tot sodanige dokument of grondbrief is, in die Gebied ingelyf is;
- (cc) 'n trustee wat 'n party tot sodanige dokument of grondbrief is, handel in ooreenstemming met die magte aan hom verleen in die betrokke trustakte, en dat enige vereiste sekerheidstelling by die Meester van die Hoogeregshof gemaak is;
- (iii) in die geval van 'n dokument bedoel in regulasie 44(1) die nodige magtiging verkry is vir die ondertekening van sodanige dokument in 'n verteenwoordigende hoedanigheid ten behoeve van 'n maatskappy, kerk, vereniging, genootskap of ander liggaam van persone of 'n instelling;
- (e) dat, in die geval waar die transportbesorger die Postellingsertifikaat op 'n transportakte, titelsertifikaat van onroerende goed of verbandakte onderteken, hy verantwoordelikheid aanvaar dat die besonderhede in die akte, in paragraaf (d)(i) genoem, korrek oor-
- (ii) in the case of a document referred to in regulation 44(1) or a deed of grant -
- (aa) the transaction as disclosed therein is authorised by and in accordance with the constitution, regulations or founding statement, as the case may be, of any church, association, society, or other body of persons, or any institution other than a company incorporated under the Companies Act, 1973 (Act 61 of 1973), or the deed of a trust being a party to such document or deed of grant;
- (bb) a company incorporated under the Companies Act, 1973 (Act 61 of 1973), being a party to such document or deed of grant, has been incorporated in the Territory;
- (cc) a trustee being a party to such document or deed of grant is acting therein in accordance with the powers set out in the deed of trust concerned and that any security required had been furnished to the Master of the Supreme Court;
- (iii) in the case of a document referred to in regulation 44(1) the necessary authority has been obtained for the signing of such document in a representative capacity on behalf of a company, church, association, society or other body of persons or an institution;
- (e) that, in the case where a conveyancer is signing the preparation certificate on a deed of transfer, certificate of title conferring title to immovable property or a mortgage bond, he shall accept responsibility that the particulars in the deed, mentioned in paragraph (d)(i), have

gedra is vanaf die spesiale volmag of aansoek in verband daarmee.”

been brought forward correctly from the special power of attorney or application relating thereto.”

10. Regulasie 45 word hierby gewysig deur die volgende voorbehoudsbepaling by subregulasie (1) te voeg: “Met dien verstande dat ’n notaris wat nie ook ’n transportbesorger is nie of ’n persoon wat in diens van so ’n notaris is, slegs notarieële aktes kan indien.”

10. Regulation 45 is hereby amended by the addition of the following proviso to subregulation (1): “Provided that a notary who is not also a conveyancer or a person employed by such a notary, may only lodge notarial deeds.”

11. Regulasie 49 word hierby gewysig -

11. Regulation 49 is hereby amended -

(a) deur paragraaf (a) van subregulasie (1) te skrap; en

(a) by the deletion of paragraph (a) of subregulation (1); and

(b) deur in paragraaf (b) subregulasie (1) die woorde “’n sertifikaat dat alle belastings, regte en gelde betaalbaar aan die Regering, betaal is” te skrap.

(b) by the deletion in paragraph (b) of subregulation (1) of the words “a certificate, that all taxes, duties and fees payable to the Government have been paid”.

12. Regulasie 58 word hierby herroep.

12. Regulation 58 is hereby repealed.

13. Regulasie 60 word hierby gewysig deur in subregulasie (3) die woorde “die nommer en datum”, oral waar dit voorkom, deur die woorde “die volgnummer en jaar” te vervang.

13. Regulation 60 is hereby amended by the substitution in subregulation (3) for the words “number and date”, wherever they occur, of the words “the serial number and year”.

14. Regulasie 63 word hierby gewysig deur subregulasie (4) te skrap.

14. Regulation 63 is hereby amended by the deletion of subregulation (4).

15. Regulasie 78 word hierby herroep.

15. Regulation 78 is hereby repealed.

16. (1) Die Tarief van Gelde en Koste voorgeskryf by regulasie 85 word hierby gewysig -

16. The Tariff of Fees and Charges prescribed by regulation 85 is hereby amended -

(a) deur die bedrae “R3”, “R4”, “R7”, “R8”, “R14”, “R16”, “R20”, “R27”, “R34”, “R40”, “R47”, “R54”, “R67”, “R80” en “R107”, oral waar dit voorkom, deur, onderskeidelik, die bedrae “R4”, “R5”, “R9”, “R10”, “R18”, “R20”, “R25”, “R34”, “R42”, “R50”, “R60”, “R68”, “R84”, “R100”, en “R134” te vervang;

(a) by the substitution for the amounts “R3”, “R4”, “R7”, “R8”, “R14”, “R16”, “R20”, “R27”, “R34”, “R40”, “R47”, “R54”, “R67”, “R80” and “R107”, wherever they occur, of the amounts “R4”, “R5”, “R9”, “R10”, “R18”, “R20”, “R25”, “R34”, “R42”, “R50”, “R60”, “R68”, “R84”, “R100” and “R134”, respectively;

(b) deur in item 1 van Afdeling I, na die uitdrukking “16 en” die woord “ingevolge” en, na die uitdrukking “45bis”, die woorde “(verbande uitgesonder)” in te voeg;

(b) by the insertion in item 1 of Section I, after the expression “16 and” of the words “in terms of” and, after the expression “45bis”, of the words “(bonds excluded)”;

(c) deur in Afdeling II die bedrag “R87” deur die bedrag “R108” te vervang;

(c) by the substitution in Section II for the amount “R87” of the amount “R108”;



- (d) deur die volgende item by genoemde Afdeling II te voeg, terwyl die bestaande item item 1 word:
- “ 2. Indien meer as een eiendom of verband in dieselfde aansoek ingesluit is: ’n bykomende bedrag van R5,00 vir elke bykomende eiendom of verband.”;
- (e) deur in Afdeling III die bedrag “R167” deur die bedrag “R209” te vervang;
- (f) deur in tiem 2 van Afdeling IV die bedrag “R100” deur die bedrag “R125” te vervang;
- (g) deur in item 3 van genoemde Afdeling IV die bedrag “R120” deur die bedrag “R150” te vervang;
- (h) deur in paragraaf (b) van item 1 van Afdeling X na die woord “wat” die woorde “die ooreenstemmende dokumente ten opsigte van” in te voeg;
- (i) deur in item 2 van genoemde Afdeling X na die woord “verband” die uitdrukking “of ’n aansoek vir endossering van ’n verband kragtens artikel 45 en 45*bis* van die Wet,” in te voeg;
- (j) deur in paragraaf (b) van item 6 van genoemde Afdeling X die bedrag “R6” deur die bedrag “R8” te vervang;
- (k) deur in paragraaf (b) van subitem (l) van item 5 van Afdeling XI die bedrag “R60” deur die bedrag “R75” te vervang;
- (l) deur in paragraaf (c) van item 11 van genoemde Afdeling XI die bedrag “R12” en die bedrag “27 sent” deur, onderskeidelik, die bedrag “R15” en die bedrag “35 sent” te vervang; en
- (m) deur Kolomme B, C en D van Bylae 1 deur, onderskeidelik, die volgende Kolomme B, C en D te vervang:
- (d) by the addition to the said section II of the following item, the existing item becoming item 1:
- “2. If more than one property or bond is included in the same application: an additional fee of R5,00 for each additional property or bond.”;
- (e) by the substitution in Section III for the amount “R167” of the amount “R209”;
- (f) by the substitution in item 2 of Section IV for the amount “R100” of the amount “R125”;
- (g) by the substitution in item 3 of the said Section IV for the amount “R120” of the amount “R150”;
- (h) by the insertion in paragraph (b) of item 1 of Section X after the word “drew” of the words “the corresponding documents in connection with”;
- (i) by the insertion in item 2 of the said Section X after the word “bond” of the words “or application for endorsement of a bond under section 45 and 45*bis* of the Act”;
- (j) by the substitution in paragraph (b) of item 6 of the said Section X for the amount “R6” of the amount “R8”;
- (k) by the substitution in paragraph (b) of subitem (l) of item 5 of Section XI for the amount “R60” of the amount “R75”;
- (l) by the substitution in paragraph (c) of item 11 of the said Section XI for the amount “R12” and the amount “27 cents” of the amount “R15” and the amount “35 cents”, respectively; and
- (m) by the substitution for Columns B, C and D of Schedule I of the following Columns B, C and D, respectively:

"Kolom B Gelde vir die oordrag van onroerende eiendom R	Kolom C Gelde vir verbande R	Kolom D Gelde vir notariële verbande R
125	85	120
145	110	145
195	125	160
225	150	185
275	170	200
295	185	220
310	210	245
335	225	260
350	250	285
375	270	300
395	295	325
420	320	350
460	350	385
500	375	410
535	410	445
585	435	470
625	470	500
670	500	535
700	525	560
750	570	600
785	595	625
830	625	660
875	660	695
975	725	760
1 080	775	810
1 080 vir die eerste R200 000, plus R210 per R100 000 of gedeelte daarvan daarbo	775 vir die eerste R200 000, plus R210 per R100 000 of gedeelte daarvan daarbo	810 vir die eerste R200 000, plus R210 per R100 000 of gedeelte daarvan daarbo?.

(2) Subregulasie (1) is slegs van toepassing met betrekking tot 'n handeling -

(a) ten opsigte waarvan die gelde en koste in regulasie 85 van die regulasies bодоel, betaalbaar is; en

"Column B Fees for conveyance of immovable property R	Column C Fees for mortgage bonds R	Column D Fees for notarial bonds R
125	85	120
145	110	145
195	125	160
225	150	185
275	170	200
295	185	220
310	210	245
335	225	260
350	250	285
375	270	300
395	295	325
420	320	350
460	350	385
500	375	410
535	410	445
585	435	470
625	470	500
670	500	535
700	525	560
750	570	600
785	595	625
830	625	660
875	660	695
975	725	760
1 080	775	810
1 080 for the first R200 00, plus R210 per R100 000 or part thereof thereafter	775 for the first R200 000, plus R210 per R100 000 or part thereof thereafter	810 for the first R200 000, plus R210 per R100 000 or part thereof thereafter?.

(2) Subregulation (1) shall apply only in relation to any act -

(a) in respect of which the fees referred to in regulation 85 of the regulations shall be payable; and

(b) wat deur 'n prokureur, notaris of transportbesorger, soos in artikel 1 van die Wet op Prokureurs, 1979 (Wet 53 van 1979), omskryf, verrig is in verband met 'n transaksie ten opsigte waarvan hy op of na die datum van die inwerkingtreding van hierdie regulasies 'n opdrag ontvang het.

17. Die Vorms voorgeskryf by die regulasies word hierby gewysig -

(a) deur in Vorms D en E die opstellingsertifikate wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang;

(b) deur in Vorm F -

(i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en

(ii) die woorde "nommer en datum" en die woord "datums" deur, onderskeidelik, die woorde "volgnommer en jaar" en die woorde "volgnommers en jare" te vervang.

(c) deur in Vorm G -

(i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en

(ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19" . . ." te vervang;

(d) deur in Vorm H die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang;

(e) deur in Vorm I -

(i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en

(ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;

(b) which is performed by an attorney, a notary or a conveyancer, as defined in section 1 of the Attorneys Act, 1979 (Act 53 of 1979), in connection with any transaction in respect of which he received an instruction on or after the date of commencement of these regulations.

17. The Forms prescribed by the regulations are hereby amended -

(a) by the substitution in Forms D and E for the preparation certificates contained therein of the preparation certificate prescribed by regulation 43;

(b) by the substitution in Form F -

(i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and

(ii) for the words "number and date" and the word "dates" of the words "serial number and year" and the words "serial numbers and years", respectively;

(c) by the substitution in Form G -

(i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and

(ii) for the expression "dated . . ." of the expression "/19 . . .";

(d) by the substitution in Form H for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43;

(e) by the substitution in Form I -

(i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and

(ii) for the expression "dated . . ." of the expression "/19 . . .";

- (f) deur in Vorm J -
- (i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en
  - (ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;
- (g) deur in Vorm K die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;
- (h) deur in Vorm L -
- (i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en
  - (ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;
- (i) deur in Vorm M -
- (i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en
  - (ii) die uitdrukking "geregistreer op . . ." deur die uitdrukking "/19 . . ." te vervang;
- (j) deur in Vorm N -
- (i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en
  - (ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;
- (k) deur in Vorm O -
- (i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en
- (f) by the substitution in Form J -
- (i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and
  - (ii) for the expression "dated . . ." of the expression "/19 . . .";
- (g) by the substitution in Form K for the expression "dated . . ." of the expression "/19 . . .";
- (h) by the substitution in Form L -
- (i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and
  - (ii) for the expression "dated . . ." of the expression "/19 . . .";
- (i) by the substitution in Form M -
- (i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and
  - (ii) for the expression "registered on . . ." of the expression "/19 . . .";
- (j) by the substitution in Form N -
- (i) for the preparation certificate of the preparation certificate prescribed by regulation 43; and
  - (ii) the expression "dated . . ." of the expression "/19 . . .";
- (k) by the substitution in Form O -
- (i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and

(ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;

(l) deur Vorm P te skrap;

(m) deur na Vorm O die volgende Vorm in te voeg:

"Vorm Q"

Opgestel deur my

.....

TRANSPORTBESOR-  
GER

.....

(Vermeld van en voorlet-  
ters in blokletters.)

SERTIFIKAAT VAN EENVORMIGE TITEL

(Uitgereik kragtens die bepalings van artikel twee-en-veertig van die Registrasie van Aktes Wet, 1937 (No. 47 van 1937).)

Nademaal ..... aansoek gedoen het om die uitreiking aan hom van 'n Sertifikaat van Eenvormige Titel kragtens artikel twee-en-veertig van die Registrasie van Aktes Wet, 1937, en nademaal dit blyk dat hy die geregistreerde eienaar is van (beskryf die stuk of stukke grond met weglating van grootte) kragtens akte of aktes van (beskryf die titel of titels met verwysing na die volgnummer en jaar daarvan) wat gehou word (beskryf watter voorwaardes van besit, of watter regte voorbehou is vir die Staat. Indien artikel 42(1) van toepassing is, vermeld ook dat die stukke grond verenig is tot die grond hieronder beskryf);

En nademaal die Kabinet skriftelik toegestem het tot die uitreiking van 'n Sertifikaat van Eenvormige Titel ten aansien van voormelde grond, onderworpe aan die hierondergenoemde (beskryf of eenvormige voorwaardes van besit of eenvormige regte ten gunste van die Staat voorbehou is);

So is dit dat ingevolge die bepalings van genoemde Wet, ek, die Registrateur van Aktes te ..... hierby sertifiseer dat genoemde .....

(ii) for the expression "dated . . ." of the expression "/19 . . .";

(l) by the deletion of form P;

(m) by the insertion after Form O of the following Form:

"FORM Q

Prepared by me

.....

CONVEYANCER

.....

(State surname and initials in block letters.)

CERTIFICATE OF UNIFORM TITLE

(Issued under the provisions of section forty-two of the Deeds Registries Act, 1937 (No. 47 of 1937).)

Whereas ..... has applied for the issue to him of a Certificate of Uniform Title under section forty-two of the Deeds Registries Act, 1937, and whereas it appears that he is the registered owner of (describe the piece or pieces of land, omitting areas) under deed or deeds of (describe the title or titles with reference to the serial number and year thereof) which (is or are) held (describe under what conditions of tenure, or subject to what rights reserved in favour of the State. If section 42(1) applies, also state that the pieces of land have been consolidated into the land hereinafter described);

And whereas the Cabinet has by written consent agreed to the issue of a Certificate of Uniform Title in relation to the aforesaid land subject to the under-mentioned (describe whether uniform conditions of tenure or reservation of uniform rights in favour of the State).

Now, therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at ..... do hereby certify that the said

erfgename, eksekuteurs, administrateurs of regverkrygendes, die geregistreeerde eienaar is van (beskryf die grond met vermelding van naam, nommer en registrasie-afdeling en voeg in die voorwaardes goedgekeur deur die Kabinet);

En dat, kragtens hierdie sertifikaat, genoemde ....., erfgename, eksekuteurs, administrateurs of regverkrygendes, nou en voortaan daartoe geregtig is ooreenkomstig plaaslike gebruik, maar behoudens die regte van die Staat.

Ten bewyse waarvan ek, genoemde Registrateur, hierdie akte onderteken en met die ampseël bekragtig het.

Aldus gedoen en geteken in die kantoor van die Registrateur van Aktes te ..... op .....  
.....

Registrateur van Aktes”;

- (n) deur in Vorm R die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang;
- (o) deur in Vorm T die opstellingsertifikaat voorgeskryf by regulasie 44 in te voeg;
- (p) deur in Vorm T die uitdrukking “gedateer ..?” deur die uitdrukking “/19 ..?” te vervang;
- (q) deur na Vorm U die volgende Vorm in te voeg:

“VORM V

Opgestel deur my

.....

Transportbesorger

.....

(Vermeld van en voorletters in blokletters.)

....., heirs, executors, administrators, or assigns, is the registered owner of (describe the land, giving name, number and registration division and insert the conditions approved by the Cabinet);

And that by virtue of these presents the said ....., heirs, executors, administrators or 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 subscribe to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the office of the Registrar of Deeds at ..... on .....  
.....

Registrar of Deeds”;

- (n) by the substitution in Form R for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43;
- (o) by the insertion in Form T of the preparation certificate prescribed by regulation 44;
- (p) by the substitution in Form T for the expression “dated ..?” of the expression “/19 ..?”;
- (q) by the insertion after Form U of the following Form:

“FORM V

Prepared by me

.....

CONVEYANCER

.....

(State surname and initials in block letters.)

SERTIFIKAAT VAN DORPSTITEL

(Uitgereik kragtens die bepalings van artikel ses-en-veertig van die Registrasie van Aktes Wet, 1937 (No. 47 van 1937).)

Nademaal ..... aansoek gedoen het om die uitreiking aan hom van 'n Sertifikaat van Dorpstitel kragtens artikel ses-en-veertig van die Registrasie van Aktes Wet, 1937, en nademaal hy die geregistreerde eienaar is van (beskryf die grond gehou kragtens sy titelbewys) kragtens Akte van Transport (of Grondbrief of Titelsertifikaat) No ..... /19 ..... en nademaal hy 'n dorp genoem ..... uitgelê het op 'n gedeelte van voornoemde grond hieronder beskryf:

So is dit dat ingevolge die bepalings van genoemde Wet, ek, die Registrateur van Aktes te ..... hierby sertifiseer dat genoemde ....., erfgename, eksekuteurs, administrateurs of regverkygendes, die geregistreerde eienaar is van sekere gedeelte ..... (beskryf dit) nou bekend as die dorp ..... van die plaas (meld naam, nommer en registrasieafdeling), groot ..... soos vollediger sal blyk uit kaart S.G. No. .... hier aangeheg, goedgekeur deur die Landmeter-generaal op ..... (kom hier die regulasies na wat betref die uitstrekkingsklousule en voorwaardes);

En kragtens hierdie sertifikaat genoemde ....., erfgename, eksekuteurs, administrateurs of regverkrygendes, nou en voortaan daartoe geregtig is ooreenkomstig plaaslike gebruik, maar behoudens die regte van die Staat.

Ten bewyse waarvan ek, genoemde Registrateur van Aktes, hierdie Akte onderteken en met die ampseël bekragtig het.

Aldus gedoen en geteken in die kantoor van die Registrateur van Aktes te ..... op .....

Registrateur van Aktes:";

CERTIFICATE OF TOWNSHIP TITLE

(Issued under the provisions of section forty-six of the Deeds Registries Act, 1937 (Act 47 of 1937).)

Whereas ..... has applied for the issue to him of a Certificate of Township Title under section forty-six of the Deeds Registries Act, 1937, and whereas he is the the registered owner of (describe the land held under his title deed) under Deed of Transfer (or Grant or Certificate of Title) No ...../19 ....., and whereas he has laid out a township called ..... upon a portion of the aforesaid land, hereinafter described:

Now, therefore, I, the Registrar of Deeds at ..... do hereby certify that the said ....., heirs, executors, administrators, or assigns, is the registered owner of certain portion (describe it) now known as the township of ..... of the farm (quote name, number and registration division), measuring ..... as will more fully appear from diagram S.G. No. .... hereunto annexed, approved by the Surveyor General on the ..... (here observe the regulations regarding the extending clause and conditions);

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

Thus done and executed at the Office of the Registrar of Deeds at ..... on .....

Registrar of Deeds:";

(r) deur in Vorm W die opstellingsertifikaat voorgeskryf by regulasie 44 in te voeg;

(s) deur in Vorm W die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;

(t) deur in Vorm Z die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang;

(u) deur in Vorm AA, in die Afrikaanse teks, die opstellingsertifikaat voorgeskryf by regulasie 43 in te voeg en in die Engelse teks die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang;

(v) deur in Vorm BB -

(i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en

(ii) die uitdrukking "gedateer . . ." deur die uitdrukking "/19 . . ." te vervang;

(w) deur in Vorm CC -

(i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 44 te vervang; en

(ii) die uitdrukking "gedateer . . . Folio" deur die uitdrukking "/19 . . ." te vervang;

(x) deur Vorm EE deur die volgende Vorm te vervang:

"VORM EE

(Vorm vir 'n uitstrekkingsklousule in 'n titelbewys ten opsigte van 'n gedeelte grond wat reeds kragtens 'n titelbewys gehou word)

.....

(Verstrek die volle beskrywing van die eiendom en sy ligging)

(r) by the insertion in Form W of the preparation certificate prescribed by regulation 44;

(s) by the substitution in Form W for the expression "dated . . ." of the expression "/19 . . ."

(t) by the substitution in Form Z for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43;

(u) by the insertion in Form AA, in the Afrikaans text, of the preparation certificate prescribed by regulation 43 and the substitution in the English text for the preparation certificate contained therein of the preparation certificate prescribed by that regulation;

(v) by the substitution in Form BB -

(i) for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and

(ii) for the expression "dated . . ." of the expression "/19 . . .";

(w) by the substitution in Form CC -

(i) of the preparation certificate contained therein of the preparation certificate prescribed by regulation 44; and

(ii) for the expressions "date . . . Folio" of the expression "/19 . . .";

(x) by the substitution for Form EE of the following Form:

"FORM EE

(Form for an extending clause in a title deed in respect of an entity of land already held under a title deed)

.....

(Give the full description of the property and its situation.)



groot ..... (verstrek die grootte van die eiendom) aanvanklik oorgedra/geregistreer kragtens ..... (dui aan of dit 'n grondbrief, akte van transport of sertifikaat van titel is) ..... (verstrek die volgnummer van die titelbewys, gevolg deur 'n skuins streep en die jaar) met Kaart No. .... (verstrek die nummer van die kaart) wat daarop betrekking het, of Algemene Plan No. .... wat daarop betrekking het (verstrek nummer van algemene plan) en gehou kragtens ..... (dui aan of dit 'n grondbrief, akte van transport of sertifikaat van titel is) ..... (verstrek die volgnummer van die titel, gevolg deur 'n skuins streep en die jaar).

in extent ..... (state size of the property) first transferred/registered by ..... (state whether a deed of grant, deed of transfer or certificate of title) ..... (state the serial number, followed by an oblique line and the year) with Diagram No. .... (state number of diagram) relating thereto or General Plan No. .... (state number of general plan) relating thereto and held by ..... (state whether a deed of grant, deed of transfer or certificate of title) ..... (state the serial number, followed by an oblique line and the year.)

**Opmerkings:**

**Remarks:**

1. Geen melding van die nummer van die kaart/algemene plan hoef gemaak te word indien dit nie in die vorige akte genoem is nie.
  2. Laat die verwysing na die kaart of algemene plan weg, wat ook al nie van toepassing is nie.
  3. Waar die kaart nie by die eerste akte aangeheg is nie maar op 'n ander plek geliasseer is, moet die uitstrekkingsklousule na die eerste titel met die kaart wat daarop betrekking het, verwys.
  4. Waar die eiendom steeds kragtens die eerste titelakte gehou word, moet die nodige aanpassing gemaak word”;
- (y) deur in Vorms FF en GG die opstellingsertifikaat voorgeskryf by regulasie 44 in te voeg;
- (z) deur na Vorm GG die volgende Vorm in te voeg:

1. No mention need be made of the number of the diagram/general plan if not mentioned in the prior deed.
  2. Omit the reference to the diagram or the general plan, whichever is not applicable.
  3. Where the diagram is not annexed to the first deed but filed elsewhere, the extending clause must refer to the first title with the diagram relating thereto.
  4. Where the property is still held under the first title deed, the necessary adaptation must be made”;
- (y) by the insertion in Forms FF and GG of the preparation certificate prescribed by regulation 44;
- (z) by the insertion after Form GG of the following Form:

“VORM HH

Opgestel deur my

.....

Transportbesorger

.....

(Vermeld van en voorletters in blokletters)

“FORM HH

Prepared by me

.....

CONVEYANCER

.....

(State surname and initials in block letters.)

AKTE VAN SESSIE VAN SERWITUUT

(Kragtens Artikel 32 van die Registrasie van Aktes Wet, 1937 (No. 47 van 1937).)

Hierby word bekendgemaak:

Dat nademaal ondergenoemde serwituut ... (meld of dit onteien is deur, of oorgegaan het op, en meld die gesag in ieder geval) ... oor ondergenoemde grond welke ... (grond, serwituut) tans geregistreer is op naam van ... kragtens transportakte ... (of ander titelbewys) No. ... /19 ...

En nademaal 'n sertifikaat kragtens artikel 32(4) van die Registrasie van Aktes Wet, 1937, deur die sessionaris aan my verstrek is ten effekte dat daar voldoen is aan die bepalings van enige wet in verband met die (onteiening of oorgang) van sodanige serwituut.

so is dit dat kragtens die bevoegdheid my verleen by artikel 32 van die Registrasie van Aktes Wet, 1937, ek, die Registrateur van Aktes te ..., hierby sedeer aan ... (beskrywing van sessionaris), ... sy opvolgers in titel of regverkrygendes:-

Beskrywing of aard van serwituut (verwys na enige kaart indien aangeheg) ...

oor

Beskrywing van grond ... Grootte ... (in woorde en syfers)

Ten bewyse waarvan ek, genoemde Registrateur, hierdie akte onderteken het en met my ampseël bekragtigt het te ... op ...

Registrateur van Aktes?;

DEED OF CESSION OF SERVITUDE

(In terms of section 32 of the Deeds Registries Act, 1937 (No. 47 of 1937).)

Be it hereby made known:

That whereas the under-mentioned servitude has been ... (state whether expropriated by or vested in and quote the authority in either event) over the under-mentioned land which ... (land, servitude) is at present registered in the name of ... under deed of transfer (or other title) No. ... /19 ...

And whereas a certificate has been furnished to me in terms of section 32(4) of the Deeds Registries Act, 1937, by the cessionary to the effect that the provisions of any law in connection with the (expropriation or vesting) of such servitude have been complied with;

Now, therefore, by virtue of the authority conferred upon me by section 32 of the Deeds Registries Act, 1937, I the Registrar of Deeds at ... do hereby cede to ... (description of cessionary) his successors in title or assigns:-

Description or nature of servitude (refer to any diagram if annexed) ...

over

Description of land ... Extent ... (in word and figures)

In witness whereof I, the said Registrar, have signed this deed and confirmed it with my seal of office at ... on ...

Registrar of Deeds?;

(aa) deur in Vorm SS -

(i) die opstellingsertifikaat wat daarin vervat is deur die opstellingsertifikaat voorgeskryf by regulasie 43 te vervang; en

(ii) deur in Vorm SS die woorde "administratiewe distrik" te skrap.

18. Hierdie regulasies tree in werking op 1 Mei 1986.

(aa) by the substitution in Form SS for the preparation certificate contained therein of the preparation certificate prescribed by regulation 43; and

(bb) by the deletion in Form SS of the words "administrative district".

18. These regulations shall come into operation on 1 May 1986.