

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 459

26 APRIL 2018

ADMINISTRATION OF ESTATES ACT, 1965 (ACT No. 66 OF 1965)**ADMINISTRATION OF ESTATES: AMENDMENT REGULATIONS**

The Minister of Justice and Correctional Services has under section 103 of the Administration of Estates Act, 1965 (Act No. 66 of 1965), made the regulations in the Schedule.

TM MASUTHA, MP
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES
DATUM: 27 March 2018

SCHEDULE**Definition**

1. In these regulations “the Regulations” means the Regulations published under Government Notice No. R. 473 of 24 March 1972, as amended by Government Notice Nos. R. 817 of 13 May 1977, R. 1209 of 13 June 1980, R. 2542 of 20 November 1981, R. 2482 of 1 November 1985, R. 655 of 11 April 1986, R. 2738 of 11 December 1987, R. 610 of 31 March 1989, R. 1208 of 9 June 1989, R. 1921 of 17 August 1990, R. 1602 of 1 July 1991, R. 1627 of 12 July 1991, R. 1539 of 13 August 1993, R. 64 of 14 January 1994, R. 1341 of 12 August 1996, R. 365 of 7 March 1997, R. 1002 of 12 October 2001 and R.954 of 18 November 2011.

Amendment of regulation 9 of the Regulations

2. Regulation 9 of the Regulations is hereby amended by the substitution for subregulations (1) and (2) of the following subregulations:

"(1) Every appraiser is entitled to remuneration according to the following tariff in respect of every separate or continuous appraisal made by him or her for the purposes of the Act:

- (a) Valuations of R10 000 or less: R385.
- (b) Valuations exceeding R10 000 up to and including R20 000: R440.
- (c) Valuations exceeding R20 000 up to and including R300 000: R440 for the first R20 000 and R6, 10 per R1 000 or part thereof thereafter.
- (d) Valuations exceeding R300 000 up to and including R800 000: R2145 for the first R300 00 and R4, 10 per R1 000 or part thereof thereafter.
- (e) Valuations exceeding R800 000: R4200 for the first R800 000 and R3, 00 per R1 000 or part thereof thereafter.

(2) The tariff fee must be increased by 20 percent subject to a maximum of R100 for every separate or continuous appraisal when an appraiser values any property and the Master or the Commissioner for the South African Revenue Service desires particulars of the property including the completion of any prescribed form."

Amendment of regulation 10 of the Regulations

3. Regulation 10 of the Regulations is hereby amended by the substitution in paragraph (a) of subregulation (1) for the expression "R3, 50" of the expression "the tariffs as provided for in the Transport Handbook on Tariffs for the use of a vehicle with an engine capacity of between 1551 -1750cc issued by the Department of Transport, as amended from time to time

Substitution of regulation 11 of the Regulations

4. The following regulation is hereby substituted for regulation 11 of the Regulations:

"11. In addition to the remuneration and transport allowance set out in regulations 9 and 10, the following allowances may be claimed:

- (a) For time spent in travelling to and from the place of appraisal: R70 per completed hour, but not exceeding R687, 00 per day.
- (b) For necessary detention while the appraiser is not engaged in the appraisal: R70 per completed hour, but not exceeding R687, 00 per day."

Transitional provision

5. All claims for appraisements commenced but not completed before the date of entry into force of these regulations shall be finalised as if these regulations have not entered into force.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 459

26 APRIL 2018

**BOEDELWET, 1965 (WET NO. 66 VAN 1965)
BOEDELBEREDDERING: WYSIGINGSREGULASIES**

Die Minister van Justisie en Korrektiewe Dienste het, kragtens artikel 103 van die Boedelwet, 1965 (Wet No. 66 van 1965), die regulasies in die Bylae gemaak.

**TM MASUTHA, MP
MINISTER VAN JUSTISIE EN KORREKTIEWE DIENSTE
DATUM:27 Maart 2018**

BYLAE**Omskrywing**

1. In hierdie regulasies beteken “die Regulasies” die Regulasies gepubliseer in Goewermentskennisgewing No. 473 van 24 Maart 1972, soos gewysig deur Goewermentkennisgewings Nos. R. 817 van 13 Mei 1977, R. 1209 van 13 Junie 1980, R. 2542 van 20 November 1981, R. 2482 van 1 November 1985, R. 655 van 11 April 1986, R. 2738 van 11 Desember 1987, R. 610 van 31 Maart 1989, R. 1208 van 9 Junie 1989, R.1921 van 17 Augustus 1990, R. 1602 van 1 Julie 1991, R. 1627 van 12 Julie 1991, R. 1539 van 13 Augustus 1993, R. 64 van 14 Januarie 1994, R. 1341 van 12 Augustus 1996, R. 365 van 7 Maart 1997, R. 1002 van 12 Oktober 2001 en R. 954 van 18 November 2011.

Wysiging van regulasie 9 van die Regulasies

2. Regulasie 9 van die Regulasies word hierby gewysig deur subregulasies (1) en (2) deur die volgende subregulasies te vervang:

"(1) Elke taksateur is ten aansien van elke afsonderlike en deurlopende waardering wat hy of sy vir doeleindes van die Wet doen, geregtig op vergoeding ooreenkomstig die volgende tarief:

- (a) Waardasies van R10 000 of minder: R385.
 - (b) Waardasies van meer as R10 000 tot en met R20 000: R440.
 - (c) Waardasies van meer as R20 000 tot en met R300 000: R440 vir die eerste R20 000 en R6, 10 per R1 000 of gedeelte daarvan daarbo.
 - (d) Waardasies van meer as R300 000 tot en met R800 000: R2 145 vir die eerste R300 00 en R4, 10 per R1 000 of gedeelte daarvan daarbo.
 - (e) Waardasies van meer as R800 000: R4 200 vir die eerste R800 000 en R3, 00 per R1 000 of gedeelte daarvan daarbo.
- (2) Die tariefgeld word met 20 persent verhoog, onderworpe aan 'n maksimum van R100 vir elke afsonderlike of deurlopende waardering wanneer 'n taksateur eiendom waardeer en die Meester of die Kommissaris van die Suid-Afrikaanse Inkomste Diens besonderhede van daardie eiendom met inbegrip van die invul van enige voorgeskrewe vorm, verlang."

Wysiging van regulasie 10 van die Regulasies

3. Regulasie 10 van die Regulasies word hierby gewysig deur in paragraaf (a) van subregulasie (1) die uitdrukking "R3,50" te vervang deur die uitdrukking "die tariewe soos voor voorsiening gemaak in die 'Transport Handbook on Tariffs' vir die gebruik van 'n voertuig met 'n enjin met 'n silinderinhoud van tussen 1551 - 1750cc deur die Departement van Vervoer uitgereik, soos van tyd tot tyd gewysig".

Vervanging van regulasie 11 van die Regulasies

4. Regulasie 11 van die Regulasies word hierby deur die volgende regulasie vervang:

"11. Benewens die vergoeding en vervoertoelae in regulasies 9 en 10 uiteengesit, kan die volgende toelae geëis word:

- (a) Vir tyd bestee aan die reis na en van die plek van waardering: R70 per volle uur, maar hoogstens R687,00 per dag.
- (b) Vir noodsaaklike oponthoud terwyl die taksateur nie met die waardering besig is nie: R70 per volle uur, maar hoogstens R687,00 per dag."

Oorgangsbepaling

5. Alle eise vir waarderings wat voor die datum waarop hierdie regulasies van krag word, begin is maar nie voltooi is nie, word afgehandel asof hierdie regulasies nie van krag is nie.