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THE PRESIDENCY

No. 712

19 July 2006

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:—

No. 5 of 2006: Deeds Registries Amendment Act, 2006.



AIDS HELPLINE: 0800-123-22 Prevention is the cure

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

*(English text signed by the President.)
(Assented to 14 July 2006.)*

ACT

To amend the Deeds Registries Act, 1937, so as to provide for the continued registration of registrable transactions concerning rights acquired in terms of or under the Black Administration Act, 1927, or proclamations, regulations or by-laws under the latter Act despite its repeal; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 3 of Act 47 of 1937, as substituted by section 2 of Act 87 of 1965 and amended by section 1 of Act 41 of 1977, section 1 of Act 92 of 1978, section 1 of Act 44 of 1980, section 3 of Act 27 of 1982, section 28 of Act 88 of 1984, section 2 of Act 14 of 1993, section 9 of Act 122 of 1993, section 68 of Act 67 of 1995, section 1 of Act 11 of 1996, section 110 of Act 28 of 2002, section 53 of Act 24 of 2003 and section 46 of Act 11 of 2004 5

1. Section 3 of the Deeds Registries Act, 1937 (hereinafter referred to as the principal Act), is hereby amended by the insertion in subsection (1) after paragraph (p) of the following paragraph: 10

“(p)*bis* despite the repeal of the regulations, proclamations and by-laws made under sections 25(1), 30(2) and 30A(1) of the Black Administration Act, 1927 (Act No. 38 of 1927), by the Repeal of the Black Administration Act and Amendment of Certain Laws Act, 2005 (Act No. 28 of 2005)— 15

(i) continue to register any registrable transaction concerning a right originally acquired in terms of or under the Black Administration Act, 1927, in accordance with the legislation which created that right; and

(ii) exercise all the other powers and perform all the other duties vested in or imposed upon a Chief Commissioner or registration officer by or under the Black Administration Act, 1927.” 20



Insertion of section 16D in Act 47 of 1937

2 The following section is hereby inserted in the principal Act after section 16C:

"Registration of transfer of rights acquired in terms of or under Black Administration Act, 1927

16D. Despite the repeal of the Black Administration Act, 1927 (Act No. 38 of 1927), by the Repeal of the Black Administration Act and Amendment of Certain Laws Act, 2005 (Act No. 28 of 2005), and despite the other provisions of this Act and any other law, a right originally acquired in terms of or under the Black Administration Act, 1927, shall be transferred in accordance with the legislation which created that right."

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Short title

3. This Act is called the Deeds Registries Amendment Act, 2006.

