

No. 43, 1962.]

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ACT

To amend The Deeds Registries Act, 1937.

(Afrikaans text signed by the State President.)
(Assented to 30th April, 1962.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section *two* of the Deeds Registries Act, 1937 (hereinafter referred to as the principal Act), is hereby amended—

Amendment of section 2 of Act 47 of 1937, as amended by section 1 of Act 43 of 1957.

(a) by the substitution for sub-section (1) of the following sub-section:

“(1) Subject to the laws governing the public service there shall be appointed—

(a) a chief registrar of deeds, who shall as such be the chairman and executive officer of the deeds registries regulations board mentioned in section *nine*, who shall, subject to the directions of the Minister, exercise such supervision over all the deeds registries as may be necessary in order to bring about uniformity in their practice and procedure, and who shall also hold office as one of the registrars of deeds mentioned in paragraph (b);

(b) in respect of each deeds registry, a registrar of deeds or a registrar of Rand townships, as the case may be, who shall be in charge of the deeds registry in respect of which he has been appointed;

(c) for each deeds registry, one or more assistant registrars of deeds or assistant registrars of Rand townships, as the case may be, who shall respectively have the power, subject to the regulations, to do any act or thing which may lawfully be done under this Act or any other law by a registrar of deeds, or by the Rand townships registrar, as the case may be.”; and

(b) by the deletion of sub-section (2).

2. Section *three* of the principal Act is hereby amended—

Amendment of section 3 of Act 47 of 1937, as amended by section 14 of Act 50 of 1956 and section 2 of Act 43 of 1957.

(a) by the substitution for paragraph (h) of the following paragraph:

“(h) register waivers of preference in respect of registered mortgage bonds and notarial bonds with regard to the whole or any part of the property hypothecated thereby in favour of other such bonds whether registered or about to be registered;”;

(b) by the insertion in paragraph (m) after the word “minerals” of the words “and notarial variations of such cessions, leases or sub-leases”; and by the addition at the end of the said paragraph of the words “and notarial variations of such reservations;”;

(c) by the insertion in paragraph (s) after the word “registered” where it occurs for the first time of the words “mortgage or notarial”; and

(d) by the addition at the end of paragraph (u) of the words “or which have been issued for the purpose of being acted upon in a deeds registry by a Master or registrar of the Supreme Court of South Africa or a registrar of mining titles or a mining commissioner in his capacity as a registration officer;”.

3. Section *six* of the principal Act is hereby amended by the addition thereto of the following sub-section, the existing section becoming sub-section (1):

Amendment of section 6 of Act 47 of 1937.

“(2) Upon the cancellation of any deed conferring or conveying title to land or any real right in land other than a mortgage bond as provided for in sub-section (1), the deed under which the land or such real right in land was

- held immediately prior to the registration of the deed which is cancelled, shall be revived to the extent of such cancellation, and the registrar shall cancel the relevant endorsement thereon evidencing the registration of the cancelled deed.”.
4. Section *eight* of the principal Act is hereby repealed. Repeal of section 8 of Act 47 of 1937.
5. Section *ten* of the principal Act is hereby amended—
- (a) by the addition at the end of paragraph (d) of sub-section (1) of the words “and the time within which any deed shall be executed;”; and
- (b) by the insertion in paragraph (g) of the said sub-section after the words “loose-leaf registers” of the words “or a card index system”.
- Amendment of section 10 of Act 47 of 1937, as amended by section 5 of Act 43 of 1957.
6. Section *twelve* of the principal Act is hereby amended by the substitution for the words “this Act” of the words “the regulations prescribing the description and form of the registers to be opened and kept by a registrar.”.
- Amendment of section 12 of Act 47 of 1937.
7. Section *fourteen* of the principal Act is hereby amended—
- (a) by the insertion in proviso (iii) to paragraph (b) of sub-section (1) after the word “heirs” wherever it occurs therein of the words “and legatees”; and
- (b) by the substitution for proviso (vi) to the said paragraph of the following proviso:
- “(vi) if a fiduciary interest in land or in a real right terminates before transfer of the land or cession of the real right has been registered in favour of the fiduciary, it shall be competent to transfer the land or cede the real right direct to the fidei-commissary;”; and
- (c) by the addition to the said paragraph of the following proviso:
- “(vii) if the right of any person to claim transfer of such land or cession of such real right from any other person has been vested in any third person in terms of any judgment or order of any court (including a magistrate’s court), or in terms of a sale in execution held pursuant to any such judgment or order, transfer of such land or cession of such real right may be passed direct to such third person by the person against whom such right was exercisable.”.
- Amendment of section 14 of Act 47 of 1937, as amended by section 7 of Act 43 of 1957.
8. Section *seventeen* of the principal Act is hereby amended by the substitution for sub-section (3) of the following sub-section:
- “(3) Immovable property, bonds or other real rights shall not be transferred or ceded to, or registered in the name of, a woman married in community of property, save where such property, bonds or real rights are by law or by a condition of a bequest or donation excluded from the community or where such property is a holding as defined in section *one* of the Land Settlement Act, 1956 (Act No. 21 of 1956).”.
- Amendment of section 17 of Act 47 of 1937, as amended by section 1 of Act 15 of 1953, section 1 of Act 37 of 1953 and section 8 of Act 43 of 1957.
9. The following section is hereby inserted in the principal Act after section *twenty-four*:
- Insertion of section 24bis in Act 47 of 1937.
- “Transfer from firm or partnership. 24bis. (1) If land or a real right registered in the name of a firm or partnership is acquired by any member or partner of such firm or partnership in his individual capacity, transfer or cession thereof shall be given by all the members or partners constituting such firm or partnership: Provided that in any other case land or real rights owned by a firm or partnership may be dealt with by such firm or partnership as provided in the regulations.
- (2) If on dissolution of a firm or partnership any land or real right owned by such firm or partnership is awarded to all the members or partners, the registrar shall on written application signed by all the members or partners constituting such firm or partnership, accompanied by proof of dissolution and such other documents as may be required or prescribed, endorse on the title deed of the land

or real right that such land or real right vests in the individuals therein named, and thereupon such persons shall be entitled to deal therewith as if they had taken formal transfer or cession in their names of their shares in such land or real right.”.

10. Section *twenty-five* of the principal Act is hereby amended— Amendment of section 25 of Act 47 of 1937.

(a) by the substitution for sub-section (1) of the following sub-section:

“(1) If land or a real right or a bond is donated or bequeathed to the children born or to be born of any person or of any marriage, or is otherwise acquired on behalf of such children, transfer of the land or cession of the real right or bond on behalf of such children may be passed in the case of children born or to be born of a person, to that person in trust for such children, and in the case of children born or to be born of a marriage, to the person who would be the guardian of those children during their minority, in trust for such children.”;

(b) by the insertion in sub-section (2) after the word “land” of the words “or a real right or a bond”; and by the insertion in the said sub-section after the word “transfer” wherever it occurs of the words “or cession”; and

(c) by the substitution in sub-section (3) for the words “transfer deed” wherever they occur of the words “title deed or bond”; by the insertion in the said sub-section after the word “transfer” where it occurs for the third time of the words “or cession”; and by the addition at the end of the said sub-section of the words “notwithstanding the provisions of sub-section (3) of section *seventeen*.”.

11. Section *twenty-six* of the principal Act is hereby amended by the insertion after sub-section (1) of the following sub-section: Amendment of section 26 of Act 47 of 1937, as amended by section 11 of Act 43 of 1957.

“(1)*bis* Any agreement of partition referred to in sub-section (1) may exclude from partition any rights to minerals in the land to be partitioned: Provided that if the share or shares owned by any of the parties to a partition appear from the title deeds of the said land to be subject to a reservation or cession or exclusion of any rights to minerals, then the agreement of partition shall exclude from partition all rights to minerals in the land to be partitioned and the partition transfers shall not be attested unless the rights to minerals are so excluded.”.

12. Section *twenty-eight* of the principal Act is hereby amended— Amendment of section 28 of Act 47 of 1937.

(a) by the insertion in sub-section (1) after the word “right” where it occurs for the first time of the words “(excluding any rights to minerals)”; and by the insertion in the said sub-section after the word “thereof” of the words “to the partition and allocation of the lease, servitude or such other real right,”; and

(b) by the insertion in sub-section (3) after the word “thereof” of the words “to the partition and allocation of the lease, servitude or such other real right,”.

13. Section *thirty-one* of the principal Act is hereby amended— Amendment of section 31 of Act 47 of 1937, as amended by section 13 of Act 43 of 1957.

(a) by the insertion in sub-section (5) after the word “deed” of the words “by the expropriating authority”;

(b) by the addition at the end of paragraph (a) of sub-section (6) of the following proviso:

“Provided that the aforementioned expropriation plans shall be dispensed with where the whole of a piece of land has been expropriated.”; and

(c) by the deletion in sub-section (7) of the words “a portion of”.

14. Section *thirty-two* of the principal Act is hereby amended— Amendment of section 32 of Act 47 of 1937, as amended by section 14 of Act 43 of 1957.

(a) by the insertion in sub-section (1) after the word “servitude” wherever it occurs and after the word “land” where it occurs for the second and third times, of the words “or right to minerals”; and

- (b) by the insertion in sub-section (2) after the word "land" of the words "or right to minerals"; and by the insertion in the said sub-section after the word "servitude" of the words "or the right to minerals".

15. The following section is hereby substituted for section *thirty-three* of the principal Act: Substitution of section 33 of Act 47 of 1937.

'Registra-
tion of title
by other
than the
ordinary
procedure.

33. (1) Any person who has acquired in any manner, other than by expropriation, the right to the ownership of immovable property registered in the name of any other person and who is unable to procure registration thereof in his name in the usual manner and according to the sequence of the successive transactions or successions in pursuance of which the right to the ownership of such property has devolved upon him, may apply to the court by petition for an order authorizing the registration in his name of such property.

(2) If rates, duly levied by any competent local authority in respect of unoccupied immovable property, have not been paid for a period of five years, the local authority with the consent of the Administrator and after publication and service of the notices prescribed in the relevant Ordinances, may apply to the court by petition for an order authorizing the attachment and sale of such property and registration of transfer to the purchaser in the prescribed form and giving directions as to the disposal of the purchase price.

(3) Every petition to the court under the provisions of this section shall be lodged with the registrar of the said court and the allegations contained in such petition shall be supported by sworn declarations and all available documentary evidence which the applicant may be able to adduce.

(4) Every such petition shall be laid before one of the judges in chambers, who shall make such order thereon as to him shall seem fit, and any such judge may order that any matter arising upon any such petition shall be argued before and determined by the full court.

(5) The court considering any petition for registration of title, may, if such court shall deem it expedient to do so, grant a rule *nisi* setting forth the description of the immovable property mentioned in such petition, and calling upon all persons claiming to have any right or title to such property to appear and establish their claims to the same upon a day to be named in the rule, and may give directions as to the mode of service or publication of such rule.

(6) Upon the return day of any such rule granted as aforesaid, and no cause being shown to the contrary, the court may order the registrar of deeds to register the property mentioned in such order as the property of the person therein named, subject to such terms and conditions as may be therein mentioned.

(7) In case any person should appear to show cause against any rule *nisi* granted as aforesaid, the court may, if it shall see fit to do so, and without the issue of any summons, require any issue of fact to be tried upon pleadings or make such order as will determine the matter in controversy.

(8) Subject to the terms of any order made under this section any deed of transfer passed in pursuance of such order shall be passed subject to every condition, servitude, bond or other encumbrance to which, according to the records of the deeds registry, the property to which the application relates, is subject, and the registrar shall, in connection with such condition, servitude, bond or other encumbrance, make the usual and proper entries and endorsements upon or in respect of such deed of transfer in his registry, before such deed is delivered to the applicant.

(9) The registration of immovable property in the name of any person in pursuance of an order made under this section shall have the effect of vesting such person with a title to such property which shall be liable to be annulled, limited or altered on every ground on which the title of such person to such property would have been liable to be annulled, limited or altered if such property had been transferred to such person in the ordinary course.

(10) If in pursuance of any order made under this section the registrar of deeds registers any property in the name of any person, such person shall be liable to pay such taxes, duties and fees of office in respect of such registration as he would have been liable to pay if such property had been transferred to him in the usual manner directly from the last registered owner thereof, but shall not be liable to pay any tax, duty, quitrent or interest thereon which such owner or any intermediate holder of the right to such property may have become liable to pay, unless he shall by agreement have bound himself to pay such tax, duty, quitrent or interest, or unless the delay in obtaining the registration in his name was due to the neglect or default of himself or his agent: Provided that any person who has become liable to pay any tax, duty, quitrent or interest in respect of any property shall continue to be so liable notwithstanding that such property has, in pursuance of an order made under this section, been registered in the name of another person.

(11) Upon production to the registrar of deeds of any order made under this section and of a certificate by the proper officer as to the payment of the transfer duty, if any, which the person named in the order is liable to pay, and on compliance with any other requirements which have under this Act to be complied with, the registrar shall register such property in accordance with the said order, by executing a deed of transfer thereof in the prescribed form in favour of the person named in the order."

(12) The provisions of this section shall be in addition to and not in substitution for the provisions of any other law.

16. Section *forty* of the principal Act is hereby amended by the insertion in paragraph (e) of sub-section (1) after the word "same" of the word "administrative"; and by the deletion in the said paragraph of the words "division or county".

Amendment of section 40 of Act 47 of 1937, as amended by section 18 of Act 43 of 1957.

17. Section *forty-two* of the principal Act is hereby amended by the insertion in paragraph (b) of sub-section (1) after the word "same" of the word "administrative"; and by the deletion in the said paragraph of the words "division or county".

Amendment of section 42 of Act 47 of 1937.

18. Section *forty-four* of the principal Act is hereby amended by the substitution in sub-section (1) for the words "title deed" where they occur for the second and third times, of the words "aforesaid deeds".

Amendment of section 44 of Act 47 of 1937.

19. Section *forty-five* of the principal Act is hereby amended—

Amendment of section 45 of Act 47 of 1937, as amended by section 20 of Act 43 of 1957.

(a) by the substitution in sub-section (1) for the words "such survivor and by the executor in the estate of the deceased spouse" of the words "the executor in the estate of the deceased spouse and by such survivor save where such survivor has signed as executor";

(b) by the insertion after paragraph (a) of sub-section (2) of the following paragraph:

"(a)*bis* the said property or the share of the deceased spouse therein is released from the bond; or";

(c) by the insertion in paragraph (b) of the said sub-section after the word "bond" of the words "and the survivor

assumes full liability for all the indebtedness of the joint estate thereunder;" and

(d) by the addition thereto of the following sub-section:

"(5) Any reference in this section to a bond shall include a charge in favour of the Land and Agricultural Bank of South Africa or any Department of State."

20. Section *forty-five bis* of the principal Act is hereby amended by the addition thereto of the following sub-section:

"(3) The reference in sub-section (2) to a bond shall include a charge in favour of the Land and Agricultural Bank of South Africa or any Department of State."

Amendment of section 45*bis* of Act 47 of 1937, as inserted by section 21 of Act 43 of 1957.

21. Section *forty-seven* of the principal Act is hereby amended by the insertion in paragraph (b) of the proviso after the word "transferred" of the words "or mortgaged or otherwise dealt with".

Amendment of section 47 of Act 47 of 1937.

22. Section *fifty-two* of the principal Act is hereby amended by the addition at the end thereof of the words "or the amount as reduced."

Amendment of section 52 of Act 47 of 1937, as substituted by section 23 of Act 43 of 1957.

23. Section *fifty-five* of the principal Act is hereby amended by the insertion after sub-section (1) of the following sub-section:

"(1)*bis* If a bond is passed by two or more mortgagors, no waiver of preference by the mortgagee in favour of a further mortgage bond over the property of one of the mortgagors may be registered without the written consent of the other mortgagor or mortgagors."

Amendment of section 55 of Act 47 of 1937, as amended by section 25 of Act 43 of 1957.

24. Section *fifty-seven* of the principal Act is hereby amended—

Amendment of section 57 of Act 47 of 1937, as amended by section 27 of Act 43 of 1957.

(a) by the insertion in sub-section (1) after the word "bond" where it occurs for the first time, of the words "other than a mortgage bond to secure the obligations of a surety";

(b) by the addition at the end of the proviso to the said sub-section of the words "for the amount of the debt disclosed therein or for a lesser amount."; and

(c) by the deletion in paragraph (a) of sub-section (2) of the words "in the prescribed form".

25. Section *sixty-two* of the principal Act is hereby amended—

Amendment of section 62 of Act 47 of 1937, as substituted by section 2 of Act 15 of 1953 and amended by section 29 of Act 43 of 1957.

(a) by the deletion in sub-section (6) of the words "The provisions of sub-section (2) of section *sixty-one* shall apply in respect of the registration in the first registry."; and

(b) by the addition to the said sub-section of the following proviso:

"Provided that in the event of simultaneous registration in more than one deeds registry being necessary, the registrars in respect of the other registries may each accept one duplicate or grosse or a copy thereof certified by a notary, for registration and for filing as the registry duplicate and on production of the original bond registered in the first registry, shall endorse thereon the facts of registration in such other registries, and similarly record on the registry duplicate facts of registration in other registries."

26. Section *sixty-three* of the principal Act is hereby amended—

Amendment of section 63 of Act 47 of 1937.

(a) by the insertion in sub-section (1) after the word "right" of the words "and no condition which does not restrict the exercise of any right of ownership"; and

(b) by the deletion of sub-section (2).

27. Section *sixty-five* of the principal Act is hereby amended by the substitution for sub-section (1) of the following sub-section:

Amendment of section 65 of Act 47 of 1937, as amended by section 30 of Act 43 of 1957.

"(1) Save as provided in any other law, a personal servitude may be created by means of a deed executed by the owner of the land encumbered thereby and the person in whose favour it is created, and attested by a

notary public: Provided that in the case of a servitude in favour of the public or of all or some of the owners or occupiers of erven or lots in a township or settlement, the registrar may, if in his opinion it is impracticable to require such deed to be executed by the persons in whose favour the servitude is created, register such deed notwithstanding the fact that it has not been executed by such persons: Provided further that where it is desired to register a road or thoroughfare in favour of the public at the same time as the registration of a subdivision which it serves, it shall in like manner and without the registration of a notarial deed be permissible to register it in the deed relating to the subdivision and also to endorse the deed of the remainder accordingly: Provided further that conditions which restrict the exercise of any right of ownership in immovable property may be included in any deed of transfer of such immovable property tendered for registration if such conditions are capable of being enforced by some person who is mentioned in, or, if not mentioned therein, is ascertainable from the said deed of transfer or from other evidence and such person, if determinable, has signified acceptance of such right.”.

28. Section *seventy* of the principal Act is hereby amended— Amendment of section 70 of Act 47 of 1937, as amended by section 32 of Act 43 of 1957.

(a) by the deletion in sub-section (4) of the words “under any provision of this Act” and of the proviso to the said sub-section; and

(b) by the addition thereto of the following sub-sections:

“(5) Notwithstanding anything to the contrary contained in this Act or any other law, any person may at any time obtain a certificate of rights to minerals in respect of all rights to minerals held by him under the same title as that by which he is the registered owner of the land.

(6) The certificate of rights to minerals referred to in sub-section (5) shall be issued in the prescribed form, by the registrar, upon the written application of the owner accompanied by the title deed under which the rights to minerals are held, together with any mortgage bond or other deed to which the aforesaid rights are subject, and the consent of the holder thereof, and the registrar shall make such endorsements on the relevant deeds as may be necessary to give effect to the issue of such certificate.”.

29. Section *seventy-one* of the principal Act is hereby amended by the insertion after sub-section (2) of the following sub-section: Amendment of section 71 of Act 47 of 1937.

“(2)*bis* (a) Notwithstanding the provisions of paragraph (a) of sub-section (2), upon the written application to the registrar of any person who is the holder of the rights to minerals reserved before the commencement of this Act in respect of any land on which a township or settlement has before or after the commencement of this Act been established, the registrar may issue to such holder a certificate of rights to minerals in the prescribed form in respect of such rights without the production of the title deed of each erf, lot or other piece of land in any such township or settlement which is subject to such reservation of rights to minerals.

(b) Upon the issue of such certificate the registrar shall cause an appropriate note to be made in the relevant township or settlement registers and thereupon each erf, lot or other piece of land which is subject to the original reservation of rights to minerals shall be deemed to be subject to such certificate.”.

30. Section *seventy-two* of the principal Act is hereby amended by the insertion in sub-section (2) after the word “land” where it occurs for the first time, of the words “or land granted or transferred subject to a reservation of rights to minerals in favour of the State”. Amendment of section 72 of Act 47 of 1937, as amended by section 33 of Act 43 of 1957.

31. Section *seventy-three* of the principal Act is hereby amended— Amendment of section 73 of Act 47 of 1937.

- (a) by the deletion in sub-section (2) of the words "in accordance with the provisions of sub-section (1)"; and by the addition at the end of the said sub-section of the words "and the said deeds of partition shall be made subject to such certificate or certificates and to any other deed under which a share in the rights to minerals is held."; and
- (b) by the addition thereto of the following sub-section:
 "(3) The provisions of sub-section (5) of section *seventy-one* shall apply *mutatis mutandis* in respect of certificates of rights to minerals issued in terms of sub-section (2)."

32. The following section is hereby inserted in the principal Act after section *seventy-three*: Insertion of section 73bis in Act 47 of 1937.

"Partition of rights to minerals.

73bis. (1) If two or more persons who own all the rights (including ancillary rights) to minerals in and upon any piece or pieces of land, have agreed to partition such rights, the registrar shall, on production to him of notarial deeds of partition cession in respect of the aforesaid rights, and on compliance with the further provisions of this section, register the deeds of partition cession conveying to the respective owners the rights to minerals or shares therein awarded to them on partition.

(2) In the deeds of partition cession referred to in sub-section (1) there shall be described—

- (a) the rights to minerals to be partitioned;
- (b) the share or shares registered in the name of each joint owner;
- (c) the rights to minerals or share therein awarded to each of the owners;
- (d) the conditions (if any) affecting the rights or share therein so awarded; and
- (e) the consideration (if any) given for the purpose of equalizing the partition.

(3) There shall also be produced to the registrar the title deeds of the rights to minerals to be partitioned and the necessary diagrams.

(4) Subject to the provisions of this section, the provisions of sections *twenty-one*, *twenty-two*, *twenty-three*, *twenty-seven*, *twenty-eight*, *forty-five* and *forty-five bis* shall *mutatis mutandis* apply in respect of deeds of partition cession.

(5) Any deed of partition cession registered under sub-section (1) shall in respect of the rights to minerals therein described take the place of the deed or deeds by which they were previously held, but the partition cession shall not vary or affect the conditions affecting the rights to minerals generally, save in so far as such lastmentioned conditions may be varied, defined or limited by the notarial deeds of partition cession.

(6) The provisions of this section shall apply to the partition of rights to minerals registered in different deeds registries."

33. Section *seventy-six* of the principal Act is hereby amended— Amendment of section 76 of Act 47 of 1937, as amended by section 35 of Act 43 of 1957.

- (a) by the insertion after sub-section (1) of the following sub-section:

"(1)bis If a praedial servitude for a limited period has lapsed, the registrar shall on written application by or on behalf of any owner of the land affected thereby, and on production of the title deeds of the dominant and servient properties, and the title deed, if any, of the servitude (which title deeds the holder of the servitude and the owners of the dominant and servient tenements shall on demand produce), note on the title deeds of the land and the servitude that the servitude has lapsed."; and

(b) by the substitution for sub-section (5) of the following sub-section:

“(5) If in the subdivision of land which is subject to restrictive conditions in favour of an Administrator or of a statutory body, a consent to such subdivision is obtained, such consent shall in the absence of anything to the contrary therein contained, involve the application of all such restrictive conditions to each subdivision so authorized, and on registration of title to the subdivision the title deed shall be drawn accordingly.”.

34. Section *seventy-seven* of the principal Act is hereby amended by the addition to sub-section (1) of the following proviso: Amendment of section 77 of Act 47 of 1937.

“Provided that any such lease shall be registered for the full term thereof, including periods of renewal.”.

35. Section *eighty-two* of the principal Act is hereby amended by the insertion in sub-section (1) after the words “deed of lease” of the words “or sub-lease”. Amendment of section 82 of Act 47 of 1937.

36. Section *ninety-three* of the principal Act is hereby amended by the substitution in paragraph (b) of sub-section (1) for the words “he has, at the expense of the applicant, published a notice”, of the words “the applicant has published a notice in a form approved of by the registrar”. Amendment of section 93 of Act 47 of 1937, as amended by section 38 of Act 43 of 1957.

37. The Second Schedule to the principal Act is hereby amended by the insertion in paragraph (d) after the word “Gordonia” of the words “excluding Portions 22 and 205 of the farm Paarden Eiland and Drif Eiland,”. Amendment of Second Schedule to Act 47 of 1937, as amended by section 40 of Act 43 of 1957.

38. The principal Act is hereby amended by the substitution for the words “Crown” and “Crown land” wherever they occur therein of the words “State” and “State land” respectively. Substitution for “Crown” and “Crown land” of “State” and “State land” in Act 47 of 1937.

39. The Titles Registration and Derelict Lands Act, 1881 (Act No. 28 of 1881), of the Cape of Good Hope, sections *fifty-one* to *fifty-five* inclusive of the Registration of Deeds and Titles Act, 1909 (Act No. 25 of 1909), of the Transvaal, except in so far as those sections affect or relate to the Mining Titles Office or to Mining Commissioners, Law No. 16 of 1859 of Natal, empowering the Supreme Court to order transfer of land in certain cases, and sections *twenty-nine* to *thirty-eight* inclusive of the Deeds Registry Ordinance, 1902 (Ordinance No. 33 of 1902), of the Orange Free State, are hereby repealed: Provided that any proceedings commenced under any law hereby repealed shall be completed in all respects as if this section had not come into operation. Repeal of laws.

40. This Act shall be called the Deeds Registries Amendment Act, 1962. Short title and date of commencement.