



INLAND REGIONAL OFFICE / IHOVISI LESIGCEME / BINNELANDSE  
STREEKKANTOOR

DIRECTORATE : LAND, PLANNING AND SURVEY  
UMNYANGO WABAQONDISI : UKUHLA KANYE NEMISEBENZI  
DIREKTORAAT : GROND, BEPLANNING EN OPMEETING

(0331) 355 6212

X9123, Pietermaritzburg

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Enquiries : Miss M Bosch  
Reference: (L)11/4/2

13 January 1998

CHIEF DIRECTOR : LOCAL GOVERNMENT AND HOUSING  
COASTAL REGIONAL OFFICE

ACTING DIRECTOR : LAND, PLANNING AND SURVEY  
Attention : Mr M Maduna

COASTAL REGION : LAND REFLECTED ON POWER OF ATTORNEY : ORIGINALS AND  
COPIES OF DEEDS OF TRANSFER

1. The aforementioned matter and the conversation with your Mr J Subramoney on 19 January 1998 refer.
2. Attached hereto, please find a schedule reflecting the properties on the new Power of Attorney which fall under the jurisdiction of the Coastal Regional Office. Furthermore, also attached are the relevant Deeds of Transfer (copies and originals) obtained from the Department of Land Affairs, Pretoria, for your further attention and safe keeping.
3. Should you have any further queries in this regard, kindly contact the writer hereof.
4. Your attention hereto is appreciated.

*[Signature]*  
SUPERINTENDENT-GENERAL  
HEAD OF DEPARTMENT  
LOCAL GOVERNMENT AND HOUSING

See page 15  
" " 3

*Box 22*  
① See page 13 for the title  
15288/1973  
② See page 11 for the title  
1252 Compare Schedule A title

Schedule 4 page 1  
" " 2

(COASTAL REGION)						
DISTRICT	PROPERTY	EXTENT	TITLE	ORIGINAL	COPY	COMMENTS
Camperdown	Rem of Subdivision 5 of the farm Riet Vallei No. 851.	63,3756 ha	T11985/68	-	-	Original Deed not located.
	Rem of Subdivision 6 of the farm Riet Vallei No. 851. <i>See Plan 252</i>	89,7409 ha	T5737/69	-	Yes ✓	Original Deed with Depl. Land Affairs as a CRT is to be framed i.r.o. POA land.
	Subdivision 7 of the farm Riet Vallei No. 851.	80,7955ha	T8565/75	Yes	✓	
	Subdivision 13 of the farm Riet Vallei No. 851.	4,2916ha	T2649/777	-	-	Original not located
	Rem of Subdivision 28 of the farm Riet Vallei No. 851.	74,6677 ha	T6341/66	Yes	✓	
	Subdivision 32 of the farm Riet Vallei No. 851.	195,5678 ha	T5737/69	-	-	Original not located
	Subdivision 36 of the farm Riet Vallei No. 851.	256,6804 ha	T2677/37	-	-	Original not located
	Subdivision 38 of the farm Riet Vallei No. 851.	1,6187 ha	T11703/65	Yes	✓	Check description
	Subdivision 85 (of 38) of the farm Riet Vallei No. 851.	0,4047 ha	T18248/80	Yes	✓	
	Subdivision 115 (of 5) of the farm Riet Vallei No. 851.	0,8094 ha	T7864/66	Yes	✓	
	Subdivision 116 (of 5) of the farm Riet Vallei No. 851.	1,2141 ha	T15131/64	Yes	✓	
	Subdivision 134 (a sub of 28) of the farm Riet Vallei No. 851.	0,3417 ha	T21126/86	Yes	✓	
	Subdivision 135 (of 33) of the farm Riet Vallei No. 851	0,1655 ha	T168/52	Yes	✓	
	Subdivision 136 (of 34) of the farm Riet Vallei No. 851.	0,0918 ha	T7998/51	Yes	✓	
	Subdivision 149 (of 28) of the farm Riet Vallei No. 851.	10,7113 ha	T10268/67	Yes	✓	
	Subdivision 163 (of 28) of the farm Riet Vallei No. 851.	40,4686 ha	T4596/65	Yes	✓	
	Subdivision 170 of the farm Riet Vallei No. 851.	121,5031 ha	T14303/60	-	Copy ✓	Original not located
	Subdivision 171 (of 170) of the farm Riet Vallei No. 851.	55,8467 ha	T13395/65	Yes	✓	
	Subdivision 1731 of the farm Riet Vallei No. 851.	0,2087 ha	T11985/68	-	-	Original not located
Durban	Lots No's 296 - 301, Isipingo Township	Unknown	Unknown	-	-	Original not located

Inanda ✓	All the former South African Development Trust Subdivisions of the farm Groeneberg No. 844.					Sec Schedule 1
	All the former South African Development Trust Subdivisions of the farm Piezang River No. 805, including the former South African Development Trust Subdivisions of the farm Piezang River No. 805 situated in the town of Ntuzuma which town has been excised from the Ingonyama Trust.					Sec Schedule 2
	All the former South African Development Trust Subdivisions of the farm Riet River No. 842.					Sec Schedule 3
	Subdivision 306 of subdivision 1 and subdivision B of the farm Roode Krans No. 826.	16,9957 ha ✓	T20643/89 ✓ T13521/13 T13521/13	-	-	Original Deed not located
Lower Tugela	Subdivision 2 and Remainder of the farm Bulwer No. 2 No. 5994.	74,8407 ha 526,0571 ha	T10593/55 ✓ T6215/56 ✓	Yes	Yes	Original Deed with Dept. Land Affairs as a CRT is to be framed i.r.o. POA land.
	Subdivision 5 of the farm Charlotte Dale No. 2710	6,7785 ha	Unknown	-	-	Original Deed not located.
	Subdivision 6 of the farm Charlotte Dale No. 2733		T2309/14 ✓	Yes		
	The farm Charlotte Dale No. 6014.	2512,0415 ha	T6014/1862 ✓		Yes	Original Deed not located.
	Subdivision 1 of the farm Essigna No. 3 of No. 6307.	40,4686 ha	T3097/67	-	-	Original Deed not located.
	Subdivision 10 of the farm Waterfall No. 1205.	372,2274 ha	T722/40 ✓	Yes		
Mapumulo	Subdivision 1 of Umpumulo Mission No. 4679.	30,2453 ha	T1339/91 ✓	Yes		
Ndwedwe	Subdivision 7 of Inanda Location No. 4675.	2,5892 ha	T4562/82 ✓	Yes		
	Lot 1 - 18 Ndwedwe	Unknown	Unknown	-	-	Original Deed not located.
	Ndwedwe Magistracy	Unknown	Unknown	-	-	Original Deed not located.
Pineclown	Remainder of Subdivision 10 of the farm Berrell No. 14738, excluding a portion (± 6 ha) still to be surveyed which portion is to be transferred to the Ngqolosi community.	35,6227 ha	T6493/89 ✓	Yes		

	Subdivision 12 of the farm Berrell No. 14738, excluding a portion (± 1 ha) still to be surveyed which portion is to be transferred to the Ngcalosi community	1,2173 ha	T3810/89	Yes		
	Subdivision 13 of the farm Berrell No. 14738, excluding a portion (± 1 ha) still to be surveyed which portion is to be transferred to the Ngcalosi community.	1,2141 ha	T2162/89	Yes		
	Subdivision 1	4,1994 ha	T3394/89	Yes		
	Subdivision 3	4,4346 ha	T6618/89	Yes		
	Subdivision 4	4,5373 ha	T2243/89	Yes		
	Subdivision 16	0,4687 ha	T28116/88	Yes		
	Subdivision 17	0,4952 ha	T4215/89	Yes		
	Subdivision 18	1,0990 ha	T20631/88	Yes		
	Subdivision 29	0,4125 ha	T25966/89	Yes		
	Subdivision 30	0,4161 ha	T4066/89	Yes		
	Subdivision 31	0,4079 ha	T24468/88	Yes		
	Subdivision 32	0,4082 ha	T4067/89	Yes		
	Subdivision 33	0,4058 ha	T376/89	Yes		
	Subdivision 34	0,4173 ha	T28028/88	Yes		
	Subdivision 35	0,4179 ha	T1234/89	Yes		
	Subdivision 36	0,4146 ha	T25930/88	Yes		
	Subdivision 37	0,8157 ha	T32480/88	Yes		
	Subdivision 69	0,4054 ha	T32119/88	Yes		
	Subdivision 70	0,4063 ha	T23626/88	Yes		
	Subdivision 71	0,4064 ha	T29852/88	Yes		
	Subdivision 72 and	0,4063 ha	T30943/88	Yes		
	Subdivision 73 of the Farm Berrell No 14738	0,4064 ha	T617/89	Yes		

Original-Deed-not Hocalled. 3/6/73

Subdivision DC/LL, Subdivision Donald Subdivision XX, Subdivision 1 Subdivision 2 Subdivision 3 and Remainder of the farm Clermont No. 858.	0,2787 ha 1,8337 ha 121,4690 ha 38,2126 ha 38,3619 ha 39,0274 ha 41,1134 ha	T5365/91 T842/186 T14076/74 T12845/69 T10354/68 T11478/68 T15286/73	✓ ✓ ✓ ✓ ✓ ✓ ✓	Yes Yes Yes Yes Yes Yes Yes	Original Deed not located. Original Deed not located. Original Deed not located. Original Deed not located. Original Deed not located. Original Deed not located. Original Deed not located.
All the former South African Development Trust Subdivisions of the farm Krans Kloof No. 867.					See Schedule 4
All the former South African Development Trust Subdivisions of the farm Krans Kloof Estate No. 13277.					See Schedule 5
Remainder of the farm Langelonlein No. 5981.	374,1179 ha	T5904/54	✓	Yes	Original Deed not located.
Subdivision 913 (of 912) of the farm Waterfall No. 978.	31,4061 ha	T10577/94	✓	Yes	Original Deed not located.
Subdivision 911 (of 186) of the farm Waterfall No. 978.	1,8699 ha	T10573/94	✓	Yes	
Remainder of the farm Waterfall No. 978.	359,8858 ha	T5904/54		Yes	Original Deed not located. *

Port	The areas occupied and utilized for settlement purposes on the farm Franklands No. 8280 which are :	Box 3				
Shepstone	Rem of Sub 1 ✓	20,7180 ha	T6143/72 ✓	Yes ①		
	Sub 3 ✓	-	T14939/68 ✓	Yes ②		
	Sub 4 ✓	20,7551 ha	T14997/72 ✓	Yes ③		
	Sub 5 ✓	20,2875 ha	T13576/82 ✓	Yes ④		
	Sub 6 (of 1), Sub 8 (of 1) and Sub 7 (of 1)	-	T10067/72 ✓	Yes ⑤		
	Sub 9 (of 1) ✓	20,6800 ha	T20708/79 ✓	Yes ⑥		
	Sub 10 (of 1) ✓	22,1061 ha	T12550/75 ✓	Yes ⑦		
	Sub 11, Sub 12, Sub 13, Sub 15, Sub 19 and Sub 20 all of 1	-	T2150/73 ✓	Yes ⑧		
	Sub 14 (of 1) ✓	21,0653 ha	T3102/80 ✓	Yes ⑨		
	Sub 16 (of 1) and Rem of Sub 2	-	T6442/79 ✓	Yes ⑩		
	Sub 17 (of 1) ✓	22,2571 ha	T12792/72 ✓	Yes ⑪		
	Sub 18 (of 1) ✓	26,6825 ha	T12793/72 ✓	Yes ⑫		
	Sub 21 (of 1)	20,2906 ha	T18666/72 ✓	Yes ⑬		
	Sub 25 (of 2) ✓	1,2922 ha	T11320/82 ✓	Yes ⑭		
	Rem of Franklands No. 8280 ✓	20,6370 ha	T30122/83 ✓	Yes ⑮		
Umlazi	Subdivision 1 and Remainder of FA 4 No. 5941. ✓	0,8903 ha 21,0740 ha	T2947/87 ✓ T2947/87 ✓	Yes ⑮ Yes ⑮		
	Remainder of subdivision Glebe of Amanzimtoti Mission Reserve No. 4689. ✓	230,0199 ha	T6474/57 ✓		Yes	Original Deed not located.
	The farm Bucknell No. 11562. ✓	54,6504 ha	T7750/47 ✓	Yes ⑰		
	Subdivision 16 of the Umlazi Mission A, No. 4680. ✓	4,4562 ha	T9285/83 ✓	Yes		
	Amahlangwa Mission Reserve No. 8317. ✓	2818,7391 ha	T8317/1862 ✓	Yes		
Umlazi	The farm Anchor No. 9225. ✓	239,1567 ha	T3892/31 ✓	⑮	Yes	Original Deed with Depl. Land Affairs as a CRT is to be framed l.r.o. POA land.

	The farm Barney No. 16084. ✓	98,4399 ha	T22134/90 ✓ K961/90 RM ✓	Yes Yes	See assets list No 3	Certificate of rights to mine
	The farm Barry No. 12008. ✓	254,0466 ha	T3990/40 ✓	Yes	See assets list No 4	
	Subdivision 2 ✓	8,3035 ha ✓	T593/75 ✓	Yes	See assets list Nos 5-8	
	Subdivision 3 ✓	8,3061 ha ✓	T593/75 ✓	Yes		
	Subdivision 4 ✓	6,0703 ha ✓	T593/75 ✓	Yes		
	Subdivision 5 ✓	4,4789 ha ✓	T10194/75 ✓	Yes		
	Subdivision 6 ✓	6,0703 ha ✓	T593/75 ✓	Yes		
	Remainder of the farm Campania No. 3484. ✓	8,3617 ha ✓	T3655/73 ✓	Yes		Original Deed not located.
	Subdivision 5 and	25,5901 ha	T5605/87 ✓	See assets list No 6		
	Remainder of the farm Cymru No. 9655. ✓	222,5294 ha	T3201/41 ✓	Yes		
	Remainder of the farm Dingle No. 10819. ✓	128,5138 ha	T21215/90 ✓	Yes	See assets list No 7	
	The farm Friedenau No. 8635. ✓	430,8995 ha	T4772/40 ✓	Yes	See assets list No 8	
	Remainder of Ifafa Mission Reserve No. 8319. ✓	2575,3280 ha	T8319/13 ✓	Yes	See assets list No 9	Original Deed not located.
	The farm Imfumbi No. 13107. ✓	737,9804 ha	T4127/42 ✓	Yes	See assets list No 10	
	The farm Jockstown (Slate Land 052). ✓	436,9318 ha	Unknown	-		Original Deed not located.
	Lot A9 (Slate Land 023). ✓	58,2570 ha	Unknown	-		Original Deed not located.
	Lot Mysieland No. 16087. ✓	743,9141 ha	T21719/90 ✓ K947/90 RM ✓	Yes	See assets list No 13	
	Lot T6 No. 9222. ✓	196,6217 ha	T3892/31 ✓ See 1914	?	Yes	Original Deed with Depl. Land Affairs as a CRT is to be framed i.o. POA land.
	Lot 71 No. 3538, excluding Subdivisions 2, 28, 29, 68, 69 and 88. ✓		T311/14 ✓ T411/14 ✓ T411/14 ✓ T411/14 ✓	Yes	See assets list No 14	See Schedule 6 & see Box D&D
	Lot 6 Hlogosi No. 7543. ✓	187,7085 ha	T4030/40 ✓	Yes	See assets list No 15	
	The farm Maisie No. 16090. ✓	241,9718 ha	T21599/90 ✓ K940A/90 ✓	Yes	See assets list No 16	

	The farm Mangayiyana No. 14235.	279,2591 ha	TG2/58	Sec assets List No. (12)	Yes	Original Deed with Depl. Land Affairs as a CRT is to be framed i.r.o. POA land.
	The farm Mapungwane No. 8699 ✓	73,7944 ha	T2260/41 ✓	Yes	Sec assets list No. (14)	
	The farm Minerva No. 8994. ✓	834,7862 ha	T5050/40 ✓	Yes	Sec assets list No. (20)	
	Subdivisions A and ✓ Subdivision 64 of the farm North Barrow No. 10533. ✓	46,5770 ha 0,5195 ha	T6656/45 ✓ T6655/45 ✓	Yes Yes	Sec assets list No. (21)	
	The farm Oriel No. 9098	433,1960 ha	Unknown	-	-	Original Deed not located.
	The farm Sikaka No. 14234. ✓	371,8530	T62/58 ✓	-	Yes	Original Deed with Depl. Land Affairs as a CRT is to be framed i.r.o. POA land.
	Subdivision 4 of the farm The Goat No. 7761. ✓	81,5947 ha	T2694/40 ✓	Yes	Sec assets list No. (23)	
	The farm The Hillock No. 7856.	141,6274 ha	T3255/40 ✓	Yes	Sec assets list No. (24)	Original Deed not located.
	The farm Tophet No. 9000. ✓	758,0982 ha	T2146/61 ✓	Yes	Sec assets list No. (25)	
	The farm Unzumbi View No. 16067.	Unknown	Unknown	-	-	Original Deed not located.
	The farm Upetepele No. 16092.	712,5331 ha	T21569/90 ✓	Yes	Sec assets list No. (27)	



SCHEDULE  
DISTRICT OF UMZINTI

DEED	PROPERTY DESCRIPTION - LOT 71 OF 3538	?	ORIG./ORIGINAL
1/67	SUBS 1, 48, 49, 50, 51, 94, 95, 105 AND REM	(1)	ORIGINAL
3/67	SUB 1 OF A	(2)	ORIGINAL
3/67	SUBS 3, 84, 85, 125 AND 126	(3)	ORIGINAL
3/67	SUB C	(4)	ORIGINAL
3/67	SUB 4	(5)	ORIGINAL
3/67	SUBS 5 AND 6	(6)	ORIGINAL
3/67	SUBS 7 AND 8	(7)	ORIGINAL
120/67	SUB 9	(8)	ORIGINAL
1/67	SUB 11	(9)	ORIGINAL
12-4-03/67	SUB 13	(10)	ORIGINAL
3/67	SUB 18	(11)	ORIGINAL
0836/67	SUBS 23, 26, 27 AND SUB B	(12)	ORIGINAL
3/67	REM OF SUB A, SUBS 30, 31, 32, 33, 34, 36, 37, 38, 43, 44, 58, 62, 97, 110, 111, 113 AND 116	(13)	ORIGINAL
56/67	SUBS 24, 25, 127 AND 128	(14)	ORIGINAL
3-66/67	SUBS 35, 39, 40, 55, 76, 100, 101, 102, 112, 115 AND 83	(15)	ORIGINAL
144/91	REM OF SUB 45	(16)	ORIGINAL
3997/67	SUBS 41, 42, 78 AND 79	(17)	ORIGINAL
5/67	SUBS 52, 53, 95 AND 117	(18)	ORIGINAL
10672/67	SUBS 56 AND 77 ✓	(19)	ORIGINAL
8/68	SUBS 57, 92 AND 93 ✓	(20)	ORIGINAL
7/67	SUBS 59 AND 90 ✓	(21)	ORIGINAL
951/67	SUB 60 ✓	(22)	ORIGINAL
12310/67	SUBS 74 AND 118 ✓	(23)	ORIGINAL
3240/67	SUB 75 ✓	(24)	ORIGINAL
1838/67	SUB 87 ✓	(25)	ORIGINAL
83/67	SUB 61 ✓	(26)	ORIGINAL
14292/69	SUBS 63, 64, 106 AND 114 ✓	(27)	ORIGINAL
021/67	SUBS 65 AND 66 ✓	(28)	ORIGINAL
609/67	SUBS 70, 72 AND 73 ✓	(29)	ORIGINAL
516/67	SUBS 71 AND 10 ✓	(30)	ORIGINAL
16378/66	SUB 80 ✓	(31)	ORIGINAL
14302/67	SUB 81 ✓	(32)	ORIGINAL
3734/67	SUB 82 ✓	(33)	ORIGINAL

5/67	SUB 89 ✓	(34)	
12/66	SUB 91 ✓	(35)	
1/68	SUB 98 ✓	(36)	
7/63	SUB 99 ✓	(37)	
5/67	SUBS 103 AND 104 ✓	(38)	
2/67	LOT 107 ✓	(39)	
1/68	SUB 120 ✓	(40)	
5/67	SUBS 123 AND 124 ✓	(41)	
1/68	SUBS 129 AND 130 ✓	(42)	
17/68	SUB 131 ✓	(43)	
5/68	REM OF SUB 132 ✓	(44)	
7/71	SUB A OF 132 ✓	(45)	



*Schuyler 1. Remond, P. Harris*

*110405/81  
14051/86*



SCHEDULE  
DISTRICT OF INANC

E DEED	PROPERTY DESCRIPTION - GROENEBERG NO 844	ORIGINAL/COPY
719/85 <i>1 B5</i>	SUB 13 (OF 3)	ORIGINAL
15/88 <i>1 B5</i>	SUB 89 (OF 4)	ORIGINAL
25/88 <i>1 B5</i>	SUB 10 (OF 5) SUB 11 (OF 7)	ORIGINAL
3159/89 <i>1 B5</i>	REM OF SUB 221 (OF 6) ✓	ORIGINAL
36/86 <i>1</i>	SUB 226 OF 9	ORIGINAL
3779/89 <i>1 B5</i>	SUB 40 (OF 10) ✓	ORIGINAL
32/87 <i>1 6</i>	SUB 42 OF 10	ORIGINAL
29/87 <i>1 6</i>	SUB 44 OF 10 ✓	ORIGINAL
2/88 <i>1 6</i>	SUB 47 (OF 10) ✓	ORIGINAL
25671/86 <i>1 6</i>	SUB 48 OF 10 ✓	ORIGINAL
379/91 <i>1 6</i>	SUB 55 (OF 10)	ORIGINAL
350/91 <i>1 6</i>	SUB 56 (OF 10)	ORIGINAL
304/86 <i>1 6</i>	SUB 60 OF 10	ORIGINAL
25822/91 <i>1 6</i>	SUB 65 (OF 10)	ORIGINAL
63/86 <i>1</i>	SUB 92 OF 10 ✓	ORIGINAL
493/88 <i>1 B5</i>	SUB 93 (OF 10)	ORIGINAL
1/89 <i>1 B5</i>	SUB 94 (OF 10)	ORIGINAL
1/85 <i>1 B5</i>	SUB 95 (OF 10)	ORIGINAL
247/85 <i>1 B5</i>	SUB 97 (OF 10)	ORIGINAL
707/88 <i>1 B5</i>	SUB 98 (OF 10)	ORIGINAL
10342/87 <i>1 6</i>	SUB 122 OF 10	ORIGINAL
2495/87 <i>1 6</i>	SUB 125 OF 10	ORIGINAL
17525/87 <i>1</i>	SUB 128 OF 10	ORIGINAL
4075/86 <i>1 6</i>	SUB 129 OF 10	ORIGINAL
21153/91 <i>1 6</i>	SUB 132 (OF 10)	ORIGINAL
9316/87 <i>1 604</i>	SUB 133 OF 10 (1/2 SHARE)	ORIGINAL
19317/87 <i>1 B5</i>	SUB 133 OF 10 (1/2 SHARE)	ORIGINAL
17528/87 <i>1 6</i>	SUB 135 OF 10	ORIGINAL
8884/86 <i>1 6</i>	SUB 137 (OF 10)	ORIGINAL
1073/87 <i>1 6</i>	SUB 139 OF 10	ORIGINAL
23946/85 <i>1 B5</i>	SUB 140 (OF 10) ✓	ORIGINAL
32207/88 <i>1 B5</i>	SUB 141 (OF 10)	ORIGINAL

			(33)	ORIGINAL
1/87	1 L	SUB 147 OF 10	(34)	ORIGINAL
1/87	1 L	SUB 148 OF 10	(35)	ORIGINAL
1/87	1 L	SUB 149 OF 10	(36)	ORIGINAL
1/87	1 L	SUB 150 OF 10	(37)	ORIGINAL
1/87	1 L	SUB 152 OF 10	(38)	ORIGINAL
1/87	1 L	SUB 155 OF 10	(39)	ORIGINAL
1/87	1 L	SUB 159 OF 10 ✓	(40)	ORIGINAL
1/86	1 L	REM OF 163 OF 10	(41)	ORIGINAL
1/86	1 L	SUB 164 OF 10	(42)	ORIGINAL
1/86	1 L	SUB 165 OF 10	(43)	ORIGINAL
1/88	1 B5	SUB 35 (OF 11)	(44)	ORIGINAL
1/87	1 L	SUB 39 OF 11	(45)	ORIGINAL
1/87	1 L	SUB 80 OF 11	(46)	ORIGINAL
1/90	1 B5	SUB 101 (OF 11)	(47)	ORIGINAL
1/86	1 L	SUB 102 OF 11	(48)	ORIGINAL
1/87	1 L	SUB 103 OF 11	(49)	ORIGINAL
1/86	1 L	SUB 104 OF 11	(50)	ORIGINAL
1/87	1 L	SUB 105 OF 11	(51)	ORIGINAL
1/86	1 L	SUB 106 OF 11	(52)	ORIGINAL
1/87	1 L	SUB 108 OF 11 ✓ SUB 153 OF 10	(53)	ORIGINAL
1/88	1 B5	SUB 109 (OF 11)	(54)	ORIGINAL
1/85	1 B5	SUB 111 (OF 11)	(55)	ORIGINAL
1/85	1 L	SUB 112 OF 11	(56)	ORIGINAL
1/85	1 B5	REM OF SUB 113 (OF 11)	(57)	ORIGINAL
1/87	1 L	SUB 115 OF 11	(58)	ORIGINAL
1/86	1 L	LOT 116 OF 11	(59)	ORIGINAL
1/86	1 L	SUB 117 OF 11	(60)	ORIGINAL
1/86	1 L	SUB 118 OF 11	(61)	ORIGINAL
1/87	1 L	SUB 119 OF 11	(62)	ORIGINAL
1/88	1 B5	SUB 120 (OF 11) ✓ SUB 121 (OF 11) ✓ SUB 156 (OF 10) ✓ SUB 157 (OF 10) ✓	(63)	ORIGINAL
1/86	1 L	SUB 166 OF 11	(64)	ORIGINAL
1/87	1 L	SUB 183 OF 11	(65)	ORIGINAL
1/85	1 B5	SUB 345 (OF 18)	(66)	ORIGINAL

LOT 63 OF SUB A OF LOT 19

34/85	SUB 205 (OF 35)	✓	(67)	ORIGINAL
38/87	REM OF 328 OF 36	✓	(68)	ORIGINAL
34/87	SUB 329 OF 36	✓	(69)	ORIGINAL
35/85	SUB 330 (OF 36)	✓	(70)	ORIGINAL
37/87	SUB 331 OF 36	✓	(71)	ORIGINAL
36/85	SUB 332 (OF 36)	✓	(72)	ORIGINAL
47/85	REM OF SUB 333 (OF 36)	✓	(73)	ORIGINAL
50/84	SUB 336 OF 36	✓	(74)	ORIGINAL
1/87	SUB 338 OF 36	✓	(75)	ORIGINAL
007/87	SUB 339 OF 36	✓	(76)	ORIGINAL
4/87	SUB 348 OF 36	✓	(77)	ORIGINAL
265/87	SUB 350 OF 36	✓	(78)	ORIGINAL
4/87	SUB 351 OF 36	✓	(79)	ORIGINAL
28/87	SUB 360 OF 36	✓	(80)	ORIGINAL
6/87	SUB 337 OF 36	✓	(81)	ORIGINAL
1087/88	SUB 340 (OF 36)	✓	(82)	ORIGINAL
23/86	SUB 341 (OF 36)	✓	(83)	ORIGINAL
4063/85	SUB 343 (OF 36)	✓	(84)	ORIGINAL
9/86	SUB 344 OF 36	✓	(85)	ORIGINAL
7755/84	SUB 346 (OF 36)	✓	(86)	ORIGINAL
00/84	SUB 349 OF 36	✓	(87)	ORIGINAL
13685/86	SUB 352 (OF 36)	✓	(88)	ORIGINAL
2/85	SUB 354 (OF 36)	✓	(89)	ORIGINAL
15/87	SUB 355 OF 36 T1E1151?7	✓	(90)	ORIGINAL
74/86	SUB 356 OF 36 T2974/86	✓	(91)	ORIGINAL
9999/90	SUB 358 (OF 36)	✓	(92)	ORIGINAL
41/86	SUB 359 OF 36	✓	(93)	ORIGINAL
553/85	SUB 361 (OF 36)	✓	(94)	ORIGINAL
99/85	SUB 362 (OF 36)	✓	(95)	ORIGINAL
15/85	SUB 363 (OF 36)	✓	(96)	ORIGINAL
2513/90	SUB 454 OF 46 SUB 455 OF 46	✓	(97)	ORIGINAL
685/91	SUB 443 (OF 61)	✓	(98)	ORIGINAL
8387/81	SUB 420 OF 96	✓	(99)	ORIGINAL
3441/85	SUB 371 (OF 113)	✓	(100)	ORIGINAL
683/88	SUB 197 (OF 142)	✓	(101)	ORIGINAL



31 B5	SUB 220 (OF 142)	102	ORIGINAL
31 B5	SUB 416 (OF 143)	103	ORIGINAL
31 B5	SUB 419 OF 145	104	ORIGINAL
31 B5	SUB 421 OF 146	105	ORIGINAL
31 B5	SUB 417 OF 154	106	ORIGINAL
31 B5	SUB 377 OF 163	107	ORIGINAL
31 B5	SUB 195 (OF 171)	108	ORIGINAL
31 B5	SUB 198 (OF 171)	109	ORIGINAL
31 B5	SUB 199 (OF 171)	110	ORIGINAL
31 B5	SUB 208 OF 171	111	ORIGINAL
31 B5	SUB 213 OF 171	112	ORIGINAL
31 B5	SUB 212 OF 171	113	ORIGINAL
31 B5	SUB 418 (OF 215)	114	ORIGINAL
31 B5	SUB 246 (OF 221)	115	ORIGINAL
31 B5	SUB 370 (OF 221)	116	ORIGINAL
31 B5	REM OF SUB 232 (OF 231)	117	ORIGINAL
31 B5	SUB 239 (OF 231)	118	ORIGINAL
31 B5	SUB 240 OF 231	119	ORIGINAL
31 B5	SUB 241 (OF 231)	120	ORIGINAL
31 B5	SUB 243 (OF 231)	121	ORIGINAL
31 B5	SUB 244 (OF 231)	122	ORIGINAL
31 B5	SUB 245 (OF 231)	123	ORIGINAL
31 B5	REM OF SUB 248 (OF 231)	124	ORIGINAL
31 B5	SUB 249 OF 231	125	ORIGINAL
31 B5	SUB 250 (OF 231)	126	ORIGINAL
31 B5	SUB 251 OF 231	127	ORIGINAL
31 B5	REM OF SUB 253 (OF 231)	128	ORIGINAL
31 B5	SUB 254 (OF 231)	129	ORIGINAL
31 B5	SUB 255 (OF 231)	130	ORIGINAL
31 B5	SUB 256 (OF 231)	131	ORIGINAL
31 B5	SUB 257 (OF 231)	132	ORIGINAL
31 B5	SUB 258 (OF 231)	133	ORIGINAL
31 B5	SUB 259 (OF 231)	134	ORIGINAL
31 B5	SUB 260 (OF 231)	135	ORIGINAL
31 B5	SUB 263 OF 231	136	ORIGINAL

3/89	A	SUB 265 (OF 231)	(138)	ORIGINAL
5/90	A 6	SUB 266 (OF 231)	(139)	ORIGINAL
8/89	A B5	SUB 267 (OF 231)	(140)	ORIGINAL
9/89	A B5	SUB 268 (OF 231)	(141)	ORIGINAL
8/89	A B5	SUB 269 (OF 231)	(142)	ORIGINAL
22/89	A B5	SUB 270 (OF 231)	(143)	ORIGINAL
4/89	A 6	SUB 272 (OF 231)	(144)	ORIGINAL
27/90	A B5	SUB 275 (OF 231)	(145)	ORIGINAL
2/90	A 6	SUB 276 (OF 231)	(146)	ORIGINAL
152/89	A B5	SUB 277 (OF 231)	(147)	ORIGINAL
7/90	A 6	SUB 278 (OF 231)	(148)	ORIGINAL
1/90	A 6	SUB 281 OF 231	(149)	ORIGINAL
53/89	A B5	SUB 280 (OF 231)	(150)	ORIGINAL
348/90	A B	SUB 282 (OF 231)	(151)	ORIGINAL
36/89	A B5	SUB 283 (OF 231)	(152)	ORIGINAL
3119/89	A 6	SUB 285 (OF 231)	(153)	ORIGINAL
47/89	A B5	SUB 286 (OF 231)	(154)	ORIGINAL
5133/89	A 6	SUB 287 (OF 231)	(155)	ORIGINAL
98/89	A 6	SUB 288 (OF 231)	(156)	ORIGINAL
6141/89	A B5	SUB 289 (OF 231)	(157)	ORIGINAL
35/90	A B5	SUB 290 (OF 231)	(158)	ORIGINAL
9/89	A B5	SUB 291 (OF 231)	(159)	ORIGINAL
33/89	A 6	SUB 292 (OF 231)	(160)	ORIGINAL
39/90	A B5	SUB 293 (OF 231)	(161)	ORIGINAL
211/89	A 6	SUB 294 (OF 231)	(162)	ORIGINAL
482/89	A B5	SUB 295 (OF 231)	(163)	ORIGINAL
114/89	A B5	SUB 297 (OF 231)	(164)	ORIGINAL
155/89	A B5	SUB 298 (OF 231)	(165)	ORIGINAL
157/89	A B5	SUB 299 (OF 231)	(166)	ORIGINAL
410/90	A 6	SUB 300 OF 231	(167)	ORIGINAL
29188/89	A 6	SUB 301 (OF 231)	(168)	ORIGINAL
569/89	A B5	SUB 302 (OF 231)	(169)	ORIGINAL
26154/89	A B5	SUB 303 (OF 231)	(170)	ORIGINAL
5140/89	A B5	SUB 304 (OF 231)	(171)	ORIGINAL
26135/89	A B5	SUB 305 (OF 231)	(172)	ORIGINAL
223/89	A B5	SUB 307 (OF 231)	(173)	ORIGINAL



10	1 6	SUB 308 OF 231	(174)	ORIGINAL
1	1 6	SUB 309 (OF 231)	(175)	ORIGINAL
39	1 B5	SUB 310 (OF 231)	(176)	ORIGINAL
	1 B5	SUB 311 (OF 231)	(177)	ORIGINAL
39	1 B5	SUB 313 (OF 231)	(178)	ORIGINAL
	1 6	SUB 315 OF 231	(179)	ORIGINAL
89	1 B5	SUB 316 (OF 231)	(180)	ORIGINAL
	1 B5	SUB 318 (OF 231)	(181)	ORIGINAL
89	1 6	SUB 319 (OF 231)	(182)	ORIGINAL
	1 6	SUB 320 (OF 231)	(183)	ORIGINAL
31	1 6	SUB 321 (OF 231)	(184)	ORIGINAL
	1 6	SUB 323 OF 231	(185)	ORIGINAL
89	1 B5	SUB 322 (OF 231)	(186)	ORIGINAL
	1 6	SUB 391 OF 232	(187)	ORIGINAL
89	1 B5	SUB 392 (OF 232)	(188)	ORIGINAL
39	1 B5	SUB 393 (OF 232)	(189)	ORIGINAL
3/89	1 B5	SUB 394 (OF 232) <i>sk 251-1-128</i>	(190)	ORIGINAL
39	1 B5	SUB 403 (OF 240)	(191)	ORIGINAL
9/90	1 6	SUB 406 OF 244	(192)	ORIGINAL
89	1 B5	SUB 410 (OF 245)	(193)	ORIGINAL
89	1 B5	SUB 412 (OF 245)	(194)	ORIGINAL
91	1 B5	SUB 404 (OF 248)	(195)	ORIGINAL
	1 B5	SUB 405 (OF 248)	(196)	ORIGINAL
89	1 B5	SUB 390 (OF 252)	(197)	ORIGINAL
1/90	1 B5	SUB 395 (OF 253)	(198)	ORIGINAL
1/90	1 6	SUB 389 OF 252	(199)	ORIGINAL
2/89	1 B5	SUB 400 (OF 259)	(200)	ORIGINAL
5/91	1 B5	SUB 401 (OF 259)	(201)	ORIGINAL
9/90	1 6	SUB 388 OF 309	(202)	ORIGINAL
43/86	7 B5	SUB 375 OF 328	(203)	ORIGINAL
4/87	Box 4	SUB 342 OF 333	(204)	ORIGINAL
42/89	1 B5	SUB 422	(205)	ORIGINAL
3/86	1 6	SUB 423 OF 422	(206)	ORIGINAL



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SCHEDULE 2  
DISTRICT OF INANDA

DEED Box 4	PROPERTY DESCRIPTION - PIEZANG RIVER NO 805	ORIG/COPY
6	SUB 2 OF LOT U ✓	ORIGINAL
12	SUB 74 OF 6	ORIGINAL
31	SUB 281 OF 2 ✗	ORIGINAL
68	SUB 2 ✓	ORIGINAL
7	SUB 352 OF 32 SUB 33 OF 8 ✓	COPY
7	SUB 99 ✓ X X X /	ORIGINAL
86	SUB 21 OF 16 ✓	ORIGINAL
91	SUB 408 OF 398 ✓	ORIGINAL
91	SUB 409 OF 398 ✓	ORIGINAL
91	SUB 410 OF 398 ✓	ORIGINAL
83	SUB 399 OF 398 ✓ SUB 400 OF 398 ✓	ORIGINAL
88	SUB 277 OF 1 ✓	ORIGINAL
33/88	SUB 94 OF 1 ✓	ORIGINAL
88	SUB 149 OF 1 ✓	ORIGINAL
5/89	SUB 369 OF 99 ✓	ORIGINAL
5/89	SUB 402 OF 398 ✓	ORIGINAL
4/89	SUB 401 OF 398 ✓	ORIGINAL
6/89	SUB 97 ✓	ORIGINAL
1/89	SUB 98 ✓	ORIGINAL
9/89	SUB 306 OF 1 ✓	ORIGINAL
4/94	SUB 281 OF 2 ✗	COPY
09/7/75	SUB 6 OF V ✗	COPY
08/75	SUB 3 OF LOT T ✗	COPY
917/82	SUB 396 OF 33	COPY
88/86	SUB 264 OF 35	COPY
1866/86	SUB 184 OF 29 ✓	COPY
44/86	SUB 29 OF 8 ✓	COPY
7254/86	SUB 30 OF 8 ✓	COPY
67/86	REM OF SUB 32 OF 8 ✓	COPY
4557/86	SUB 159 OF 29	COPY
660/86	SUB 350 OF 348	COPY
5/87	SUB 67 OF 2 ✓	COPY

1/84	✓	SUB 351 OF 348	(33)	COPY
1/87	✓	SUB 81 OF 2 ✓	(34)	COPY
5/87	✓	SUB 328 ✓	(35)	COPY
9/87	✓	SUB 31 OF 8 - 1/3RD ✓	36 ?	COPY
10/87	✓	REM OF SUB 37 OF 29 ✓	(37)	COPY
1/87	✓	SUB 367 OF 37 ✓	(38)	COPY
6/87	✓	SUB 349 OF 348 ✓	(39)	COPY
8/87	✓	REM OF SUB 348 ✓	(40)	COPY
4/87	✓	REM OF SUB 258 OF 2 ✓	(41)	COPY
1/87	✓	SUB 265 OF 89 ✓	(42)	COPY
2/88	✓	SUB 361 OF 297 ✓	(43)	COPY
1/88	✓	SUB 75 OF 29 ✓ SUB 93 OF 29 ✓	(44)	COPY
1/88 (9/10/88)	✓	SUB 362 OF 297 ✓	(45)	COPY
1/89	✓	REM OF SUB 256 OF 90 ✓	(46)	COPY
7/89	✓	REM OF SUB 47 OF 2 ✓	(47)	COPY
5/89	✓	REM OF SUB 80 OF 2	(48)	COPY
1/89	✓	SUB 45 OF 2 ✓	(49)	COPY
5/89	✓	SUB 182 OF 89 ✓	(50)	COPY
1/89	✓	SUB 122 OF 101 ✓	(51)	COPY
5/89	✓	SUB 275 OF 46 ✓	(52)	COPY
1/89	✓	SUB 82 OF 2 ✓	(53)	COPY
9/89	✓	SUB 95 OF 80	(54)	COPY
12/89	✓	SUB 31 OF 8 - 1/3RD	(55)	COPY
1/90	✓	SUB 365 OF 297	(56)	COPY
1/90	✓	SUB 353 OF 297	(57)	COPY
1/90	✓	SUB 34 OF 8 ✓	(58)	COPY
1/90	✓	SUB 260 OF 258 ✓	(59)	COPY
2/90	✓	SUB 359 OF 297	(60)	COPY
1/91	✓	SUB 31 OF 8	(61)	COPY
1/91	✓	SUB 366 OF 297	(62)	COPY
1/91	✓	SUB 318 OF 297 ✓	(63)	COPY
1/91	✓	SUB 357 OF 297	(64)	COPY

SCHEDULE  
DISTRICT OF INAND

FILE DEED	Box 4	PROPERTY DESCRIPTION - RIET RIVER NO 842	ORIG/COPY
8/89	1	SUB 11 OF LOT 11 SUB 12 OF LOT 11 SUB 31 OF LOT 11 LOT A OF SUB 12	ORIGINAL
17/37/85	1	LOT 24 OF SUB 11	
88	1	LOT 72 OF SUB 11	
238/90	1	LOT 6 OF SUB 12	ORIGINAL
7/88	1	LOT 9 OF SUB 12	ORIGINAL
2082/89	1	REM OF SUB 34 (OF 12)	
3/88	1	SUB A OF LOT 34 OF 12	ORIGINAL
55/86	1	LOT A OF LOT 5 OF SUB 12	ORIGINAL
26/86	1	SUB 81 OF SUB 12	ORIGINAL
5155/87	1	LOT 23 OF SUB 11	ORIGINAL
05/87	1	SUB 13 OF SUB 11	ORIGINAL
574/86	1	LOT A1 OF SUB 11	ORIGINAL
12/86	1	REM OF LOT 5 OF SUB 12	ORIGINAL
0173/90	1	LOT 10 OF SUB 11	ORIGINAL
329/88	1	SUB 38 OF 12	ORIGINAL

*Amending 12 to the Plan of Subdiv.  
Page 7*  
AM4071 (KUBA) for Project

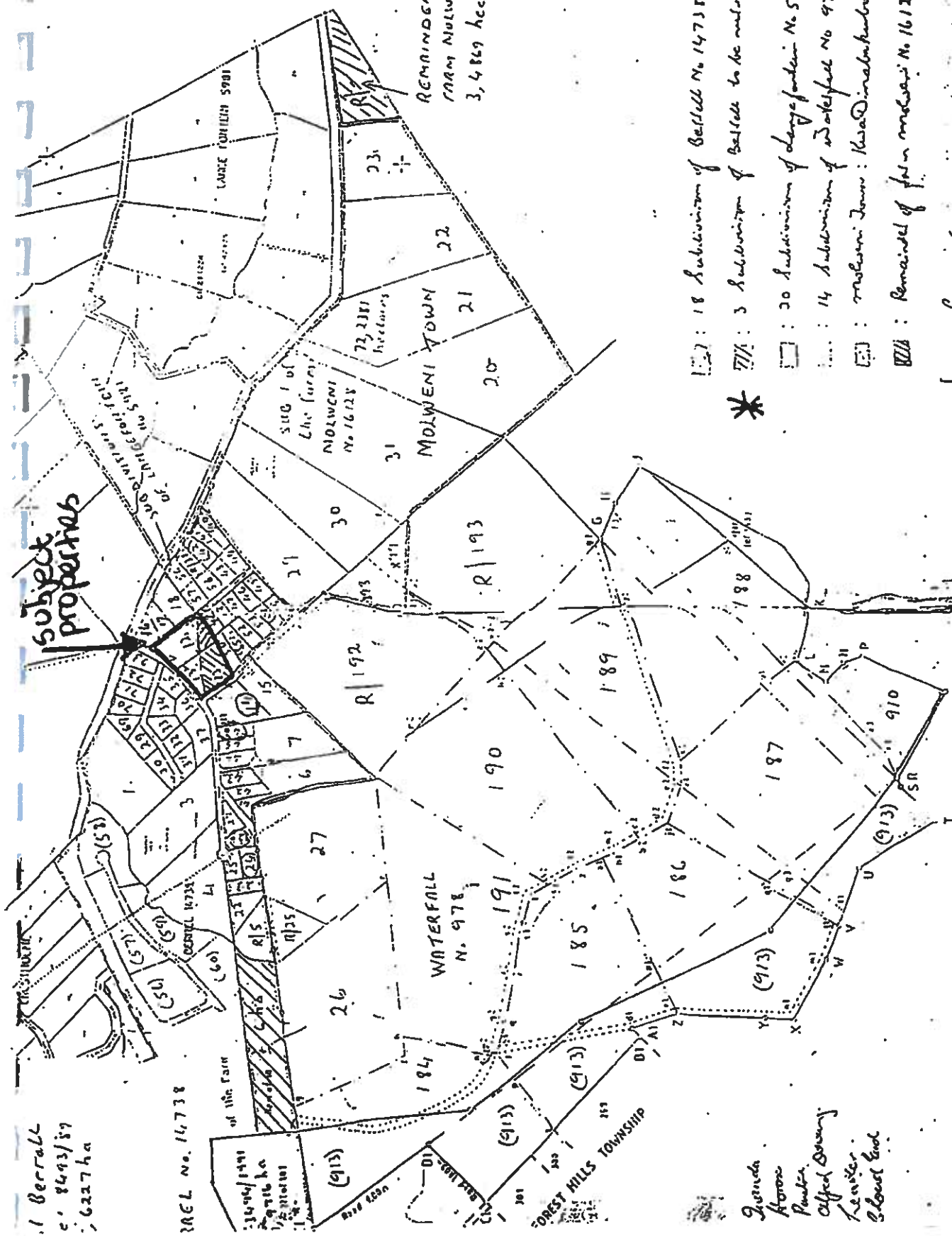
UPDATED DESCRIPTIONS OF THE FARM RIET RIVIER NO. 842

~~AM4071~~

NO.	TITLE DEED NO.	PROPERTY DESCRIPTION
1.	T23628/1989	Lot 31 of Lot 12 of the Farm Riet Rivier No. 842 Now - Portion 101 (of 21) of the Farm Riet Rivier No. 842
2.	T30173/1990	Lot 10 of Sub 11 of the Farm Riet Rivier No. 842 Now - Portion 103 (of 20) of the Farm Riet Rivier No. 842
3.	T19737/1985	Sub 24 of Sub 11 of the Farm Riet Rivier No. 842 Now - Portion 105 (of 20) of the Farm Riet Rivier No. 842
4.	T23628/1989	Lot A of Sub 12 of the Farm Riet Rivier No. 842 Now - Portion 106 (of 21) of the Farm Riet Rivier No. 842
5.	T 2387/1988	Lot 9 of Sub 12 of the Farm Riet Rivier No. 842 Now - Portion 107 (of 21) of the Farm Riet Rivier No. 842
6.	T30173/1990	Sub 10 of Sub 12 of the Farm Riet Rivier No. 842 Now - Portion 108 (of 21) of the Farm Riet Rivier No. 842
7.	T15155/1987	Lot 23 of Sub 11 of the Farm Riet Rivier No. 842 Now - Portion 136 (of 20) of the Farm Riet Rivier No. 842
8.	T 4574/1986	Lot A1 of Sub 11 of the Farm Riet Rivier No. 842 Now - Portion 143 (of 20) of the Farm Riet Rivier No. 842

1. Berrall  
c. 8493/89  
6227 ha

1. Berrall  
c. 8493/89  
6227 ha



- 18: Subdivision of Berrall No 14738
- 3: Subdivision of Berrall to be merged
- 20: Subdivision of large portion No 5981
- 14: Subdivision of Berrall No 978
- 1: Molweni Town: KwaDinabutho
- 16: Remainder of farm molweni No 16128

\*

Isabela  
Kwame  
Parker  
Alfred Denny  
Kwame  
B. David

REMAINDER  
MOLWENI  
3,4869 hectares

Subject  
properties

WATERFALL  
N. 978

FOREST HILLS TOWNSHIP

LAURET FORTIN 5981

5100 1 of  
The farm  
MOLWENI  
No 16128

73,2381  
hectares

MOLWENI TOWN

R 193

R 192

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SCHEDULE 1  
DISTRICT OF PINETOWN

DEED	PROPERTY DESCRIPTION - FARM KRANSKLOOF NO. 867	ORIG./COPY
3/69 ✓	SUB 79/41 ✓	COPY (1)
5/69 ✓	SUB 103/23 ✓	COPY (2) #?
7/69 ✓	REM SUB A ✓	COPY (3)
18/69 ✓	SUB 19/15 ✓	COPY (4)
19/69 ✓	REM OF 41 ✓	COPY (5)
5/70 ✓	SUB 42/41 ✓	COPY (6)
15/70 ✓	SUB 45/A ✓	COPY (7)
3/74 ✓	SUB 46/A ✓	COPY (8)
19/74 ✓	SUB 49/43 ✓	COPY (9)
69 SUB 54/41 ✓	SUB 50/43 ✓	COPY (10)
1/69 ✓	REM OF 43 ✓	COPY (11) E
16/69 ✓	SUB 51/43 ✓	COPY (12)
5/69 ✓	REM OF SUB 70/41 ✓	COPY (13)
44/69 ✓	SUB 76/41 ✓	COPY (14)
12/69 ✓	REM OF SUB 77/41 ✓	COPY (15)
50/68 ✓	SUB 78/41 ✓	COPY (16)
1/68 ✓	SUB 81/41 ✓	COPY (17) #
9/69 ✓	SUB 87/70 ✓	COPY (18)
10/69 ✓	SUB 103/77 ✓	COPY (19)
2/70 ✓	SUB 104/77 ✓	COPY (20)
173/71 ✓	SUB 105/77 ✓	COPY (21)
81/70 ✓	SUB 107/77 ✓	COPY (22)
1/68 ✓	SUB 108/77 ✓	COPY (23)

- 1.1.23 Subdivision 264 (-/ 35).
- 1.1.24 Subdivision 275 (-/ 46).
- 1.1.25 Subdivision 298 (-/ 258).
- 1.1.26 Subdivision of Remainder of subdivision 348.
- 1.1.27 Subdivision of subdivision 49 (-/ 348).
- 1.1.28 Subdivision 350 (-/ 348).
- 1.1.29 Subdivision of subdivision 351 (-/ 348).
- 1.1.30 Subdivision 367 (-/ 37).
- 1.1.31 Subdivision 396 (-/ 33).

K:00244(1-2)

*[Handwritten signature]*



## SCHEDULE 6

### *Legislative Competences of Provinces*

Agriculture

Casinos, racing, gambling and wagering

Cultural affairs

Education at all levels, excluding university and technikon education

Environment

Health services

Housing

Language policy and the regulation of the use of official languages within a province, subject to section 3.

Local government, subject to the provisions of Chapter 10

Nature conservation, excluding national parks, national botanical gardens and marine resources

Police, subject to the provisions of Chapter 14

Provincial public media

Public transport

Regional planning and development

Road traffic regulation

Sports

Tourism

Trade and industrial promotion

Additional authorities

Urban and rural development

Welfare services



## Item 28(1) certificates - Training module

### History:

While land was previously registered in the name of the authority purchasing the land, confusion was created on the successor-in-title of these (sometimes defunct) authorities. In the 1970's, the practice was accepted to register all state properties in the name of the Republic of South Africa. When the Constitution of the RSA, 1993 (Act No 200 of 1993) (referred to as the Interim Constitution) was approved, the legislators provided for a number of functions and powers which were to be decentralised to the Provinces. A list of the functions and powers is provided in Schedule 6 of the Interim Constitution.

However, in order to function effectively, the Provinces require assets with which to do their functions. Section 239 of the Interim Constitution was written to divide state properties between the National and Provincial Governments. It was meant as an interim measure, as the title of the Section indicates: "Transitional arrangements: Assets & liabilities".

Certificates have to be issued for state land, to enable the Registrar of Deeds to verify that the authority giving him/her their instructions, is the rightful owner of the land. Certificates are required for any action which is to be executed with the title deed. Therefore, certificates are required if a property is to be registered (if still unregistered), consolidated, subdivided, sold or transferred in any way, when a servitude is registered or when a notarial lease (of ten years and longer) is registered against a property.

While the new Constitution was already approved and effected to replace the Interim Constitution, Section 239 of the Interim Constitution created certificates and therefore should be studied in depth.

of interprovincial commerce, the protection of the common market in respect of the mobility of goods, services, capital or labour, or the maintenance of national security; or

- (e) the provincial law materially prejudices the economic, health or security interest of another province or the country as a whole."

Usually, the Department of Public Works will submit the application for a certificate for these categories of land and request that the land should be vest nationally.

Section 239(1)(c) states that: "Where any asset referred to in paragraph (b) is applied or intended to be applied for or in connection with the administration of a particular law or the performance of a particular function in a particular area, such asset shall vest in the government to which the administration of that law is assigned, or is assigned in that particular area, in terms of section 235(6), (8) or (9), or to which the performance of that function is entrusted, or entrusted in the particular area, in terms of section 237."

Section 235(6), (8) and (9) and Section 237 rule the executive authority to administer functions.

As stated in the introduction: If a function is assigned to a particular government, the laws governing the execution of the function are also assigned to this government, as well as the immovable assets, with which to do it.

According to a departmental legal opinion, it must be established whether the land is applied or intended to be applied for or in connection with the administration of the law assigned or the function entrusted. If none of the functions require land to be applied or intended to be applied for or in connection with the administration of the Act, assigned to the Provinces, the land vests in the National Government.

Section 239(1)(a) reads: "Where any asset is applied or intended to be applied for or

in connection with a matter which -

- (i) does not fall within a function area specified in Schedule 6; or
- (ii) does fall within such a functional area but is a matter referred to in paragraphs (a) to (e) of section 126(3) (which shall be deemed to include a police asset), such asset shall vest in the national government."

It means that assets are vested nationally, if it has to do with a function not mentioned in Schedule 6 of the Interim Constitution, or if it has to do with the functions mentioned in Section 126(3). That is, functions for which national standards are needed (eg the amount of housing subsidy); minimum standards across the nation are needed (eg the minimum amount of water that is the right of a household); matters that cannot be regulated effectively by provincial legislation (eg protection of national boundaries); the determination of national economic policies, the protection of the environment, or the maintenance of national security; or where the provincial law causes harm to the economic, health or security interest of another province or the country as a whole.

Section 239(1) reads: "All assets, including funds and administrative records, which immediately before the commencement of this Constitution vested in an authority referred to in section 235(1)(a), (b) or (c), or in a government, administration or force under the control of such an authority, shall be allocated as follows:"

Section 235(1)(a) refers to the State President, Minister or Deputy Minister of the Republic, (b) refers to the Administrator or a member of the Executive Council of a province and (c) refers to the President, Chief Minister or other chief executive or a Minister, Deputy Minister or other political functionary in a government under any other constitution which was in force in an area which forms part of the national territory.

This definition was probably formulated to be as inclusive of all kinds of state land.

Another very important issue that arises from Section 239(1) is that when considering

the status of assets in order to decide on its vesting, that the date before the commencement of the Interim Constitution is to be considered. Therefore, keep 27 April 1994 in mind.

You are referred to Section 239(2)(a) that reads: "A registrar of deeds shall upon the production of a certificate by a competent authority that immovable property described in the certificate is vested in a particular government in terms of this section, make such entries or endorsements in or on any relevant register, title deed or other document to register such immovable property in the name of such government."

No mention is made of the Minister of Land Affairs as the competent authority. It reads only the "competent authority". It is assumed that the Constitution writers tried to accommodate more than one competent authority, but as it merely opens a mare's nest, the Registrar of Deeds decided that the competent authority should be, for the time being, the Minister of Land Affairs. However, you should be aware of the debate.

As stated previously, Section 239 of the Interim Constitution was envisaged as an Interim Measure. When the new Constitution was written, the provision of Section 239 was not included. Finally, the Constitution writers were persuaded that Section 239 is not yet to be scrapped and as a last minute adjustment, Item 28(1) to Schedule 6 to the Constitution was added: "On the production of a certificate by a competent authority that immovable property owned by the state is vested in a particular government in terms of section 239 of the previous Constitution, a registrar of deeds must make such entries or endorsements in or on any relevant register, title deed, or other document to register that immovable property in the name of that government." There are no new guidelines given on how to decide on the vesting of properties or verdict as to who the competent authority should be. It only upholds Section 239 of the Interim Constitution.

### Your duty and responsibility:

Documentation is needed to ascertain the status of state land. As the applicant applies to you, (s)he will have to supply the latest, correct information on the property on his/her own cost. A certificate to the Minister of Land Affairs may not be refused (as the certificate merely confirms the status of the land as on 27 April 1994), but it can also not be issued on too little or faulty information and documentation. It is the applicant's duty to provide the latest and correct information. Bear in mind that a certificate is a legal document and that the official has the legal duty to verify the information because, if the Minister signs a wrong certificate, it creates an (unnecessary) administrative burden on all DLA's personnel, it leaves an impression to the clients that DLA doesn't care and it can create a political embarrassment for the Minister. Remember that neither the Minister nor the DG can take the blame for an incorrect certificate, as they do not have access to all the documentation. As the certificate confirms the status of the land on 27 April 1994, the endorsement by the Registrar of Deed may not be redo. A long explanation to the State Attorney will have to be made to reverse the endorsing. Moreover, the official will have to do it twice, quite unnecessary!

### How to:

The application letter should provide information for which properties the certificate is required, for what purpose the land was used or intended to be used on 27 April 1994, how and for what purpose the land was acquired and why the certificate is required. The purpose for which the land was acquired and in terms of which legislation might be the conclusive evidence if the land is currently vacant and was not actually meant for anything on 27 April 1994. These are fairly common circumstances. The application will also have to be submitted to the KwaZulu-Natal State Land Disposal Committee for a recommendation on its disposal and/or vesting. (The DG is quite strict on this condition and the official will have to explain if it was not submitted. The recommendation (or explanation) is a standard paragraph in the accompanying

memorandum to the Minister.)

As indicated previously, a certificate is required for any action which necessitates that the Registrar of Deeds have to deal with the title deed. Why the certificate is required may range from a property to be registered (if still unregistered), consolidated, subdivided, sold or transferred in any way or when servitudes are registered or when a notarial lease (of ten years and longer) is registered against a property.

Check that all the title deeds are included. It is very difficult to ascertain whether the applicant has approached the Deeds Office for a copy of the title deed, or whether (s)he has used the owner's copy in his/her files. (Applicants are more prone to make a copy of the deed on the file, as the Deeds Office charges them for the copy.) However, the latest information on the title deed is vital and not his/her old file copy. Therefore, an Aklex printout is very useful. Compare the information thoroughly to detect any deviations. These will have to be taken up with the applicant, sometimes leading to endless correspondence. The responsible officer will have to endure that!

A simple title deed consists of a preparation clause, heading and number, preamble, transferor, recital, transferee, property clause, extent, extending clause, divesting clause, consideration clause and execution clause.

The following questions can be asked to help you to compare the information:

- Check on top of the first page whether any endorsements have been added on additional pages. Check whether these pages have also been provided by the applicant. Turn to these page(s). Has the property description or the extent changed, Certificate of Mineral Rights issued, servitude or long term lease registered, or resurveyed? This is the latest information and must be used in your certificate.
- There are even endorsements in terms of Section 239 which were required for a previous action eg *registering a servitude*! Please return the application to the

applicant, explaining that the title deed is already endorsed. The Item 28(1) certificate is not designed to replace the old Section 239 certificate, instead, it is written to uphold the previous certificates issued.

Turn to the page on which the transferee is stated. Is it the same as on the Aktex? Is it state land?

Check the property clause. It should contain four components: Eg:

*1) Portion 4 2) of the farm RIET VALLEI No 1043 3) Registration Division FT 4) Province of KwaZulu-Natal.* A similar example of an urban property:

*1) Lot 63 2) Ashburton 3) Registration Division FT 4) Province of KwaZulu-Natal.*

However, it has been very recently that the KwaZulu-Natal Deeds Office has decided to start to use the Registration Division system (as was previously used in the old Transvaal). You will also know how recently the Province's name was changed, so do not expect to find it all in the property clause in the title deed. However, that is how you should present the property in your certificate. If the property is a portion of some other property (especially in the case of rural properties), the description should read *"Portion 4 (portion of Portion 1) of the farm RIET VALLEI No 1043, Registration Division FT, Province of KwaZulu-Natal"*. Please verify that the names are spelled exactly the same, even if it seems like a spelling mistake, remember (see the above-mentioned example) that the Registrar of Deeds has only records for Riet Vallei, not for Rietvallei, Rietvalley or Riet Valley. These might be other farms in the same division.

The extent is the next important ingredient. More than a third of the extents given in title deeds are still in old measures. Sometimes, it has been calculated and added as an endorsement on the title deed. Mostly, in those cases, it will also be indicated in metric measures on the Aktex printout. The extent given on the certificate should be in metric measures.

Check the number of the title deed. Does it corresponds with the one on Aktex? (There are a few reasons why, if they do not correspond). If the title deed is dated 1994, 1995, 1996, 1997, 1998 or 1999, beware. Remember that a



certificate confirms the status of the land on 27 April 1994. If it was not already state land on 27 April 1994, you cannot submit a certificate to the Minister. If the Registrar of Deeds signed the title deed before 27 April 1994 (eg *sometime in March 1994*), then a certificate should be prepared.

**General notes:**

- Certificates are not required for properties registered in the name of the SA Roads Board, National or Provincial Housing Board, ESKOM, Transnet, SA National Parks, Telkom etc. These are public companies and have their own regulatory laws, governing their assets.
- Certificates are not required for properties acquired and registered after 27 April 1994.
- Certificates are not required to reserve properties for user departments etc. The reason is that the properties will not change "ownership", but the reservation is only a "gentleman's agreement" to let it be used. (The land does not change ownership.)
- Certificates are not required to vest or transfer mineral rights. Mineral rights are always vested in National Government, if the rights belong to the State.
- Certificates are not a way to transfer a property from one Government to another. Eg if a property was not used or intended to be used for a provincial function on 27 April 1994, it should be vested in National Government, whether or not it will now be used for provincial functions. In this case, the State Attorney should be requested to transfer the property in terms of Section 16 of the Deeds Registries Act, 1937 (Act No 47 of 1937) from the National Government to the Provincial Government.
- The Registrar of Deeds cannot exclude properties held under the same title deed from not being vested. Therefore, check that all properties held under the same title deed are included in the certificate. (The applicant must definitely provide information on the remainder of the properties as well!)



**Format:**

- The exact wording of the certificate has been compiled by clever legal people to suit legal requirements. Please, do not change it to suit your taste. A pro forma certificate is available in Afrikaans or English.
- Number your pages, starting from one, but suppressing the number on page 1.
- The pages should also be numbered on the bottom right to indicate that another page is to follow. Eg 2/...
- Minister Hanekom knows that all the pages have been initialled in black ink and the last signed, but if a new Minister is to be appointed, please request him/her in your accompanying memorandum to do it.
- Remember to leave enough space for the Minister to write in the town where the certificate is signed.
- Remember to change the year digit after New Year!
- Keep the format of the certificate throughout the same. *Eg If you start to number the properties listed, keep with it. If not, leave it. Or if you start to write in one font, keep it.*
- If there are really a lot of properties, a schedule can be used, but it does not save time or typing.
- See to it that the property description is kept together on a page. Remember also that the Minister does not sign blank pages.

**Metric measures:**

1 English feet = 0,304 797 265 4m

1 English square feet = 0,09290288 square metres

1 Acre = 0,404686 ha

1 Acre = 4 Roods

1 Acre = 43 560 English square feet

1 Rood = 40 Perches

1 hectare = 10 000 square metres

(also see attached page)

If the converted extent is less than 1 hectare, convert it to square metres

Round the figure in hectare to four decimals. No decimals for square metres.

1 hectare, many hectare; 1 square metre, many square metres

Afterwards:

- Add as the last paragraph of the accompanying memorandum what will be done with the signed original certificate. Eg *The original signed certificate will be forwarded departmentally to the Department of Transport of the Province of KwaZulu-Natal for disposal.*
- When the signed original certificate has been received, time and frustration can be saved by making a few copies of the signed memorandum and certificate and certify them.
- Also send them by registered post, or have them hand-delivered (on the cost of the applicant).
- You would not want to do them again, do you?