



## rural development & land reform

Department  
Rural Development and Land Reform  
REPUBLIC OF SOUTH AFRICA

OFFICE OF THE REGISTRAR OF DEEDS, PRETORIA, PRIVATE BAG X 183, CORNER PRETORIUS AND BOSMAN  
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### RC 2/2018

#### DEALING WITH REGISTERED DEEDS AND DOCUMENTS REFLECTING INCORRECT SPELLING OF TOWNSHIP NAMES

##### 1. PURPOSE:

To provide guidance on how to deal with registered deeds and documents which reflect the incorrect spelling of the name of the township in the property description thereof, or where the township name has been translated in another language other than that as on the approved General plan.

##### 2. BACKGROUND:

It often happens that title deeds and documents are being registered and in which the spelling of the name of the township does not correspond with that of the approved General plan, or in some cases where the name has been translated as to follow the language of the deed or document. Since the spelling, including the language of such township name as it appears on the approved General plan is the only correct description which the Registrar of deeds recognises for registration purposes, any property description in any deed or document reflecting a different spelling or language is regarded as incorrect.

As a norm, in such circumstances examiners will raise a note to conveyancers to lodge an application in terms of Section 4(1)(b) of the Deeds Registries Act 47/1937 as to amend the registered deed or document in question. Since Section 4(1)(b) of the Deeds Registries Act 47/1937 afford the Registrar of deeds a discretion to waive the need to lodge an application as to amend such an error, it has been decided that it will from date of this circular not be necessary for conveyancers to lodge an application as to amend any error in the spelling, including language of any township name of any registered deed or document as contemplated in the said Section 4(1)(b) of the Act.

##### 3. PROCEDURE TO BE FOLLOWED:

- 3.1. Where it is clear from the property description in any registered deed or document as contemplated in Section 4(1)(b) of the Deeds Registries Act 47/1937, that the name of the township has been spelled incorrectly (eg. *Vanderbijlpark 5* instead of *Vanderbijlpark **Number 5***), or has been translated in another language (eg. *Pretoria **Noord*** instead of *Pretoria **North***), and which does not result in that it will be constituted as a change in property, it will not be necessary for such an error to be amended with an application in terms of the said Section 4(1)(b) of the Act. The examiner must endorse the registered deed or document with the factual endorsement below, and

reflect the correct name of the township, as it appears on the approved General plan therein.

Die korrekte naam van die binnegemeelde dorp is – The correct name of the withinmentioned township is-	
..... <b>Pretoria North</b> .....	
Sien Algemene Plan. See General Plan.	
Aktekantoor Deeds Office PRETORIA	..... REGISTRATEUR VAN AKTES REGISTRAR OF DEEDS
Datum Date .....	

- 3.2. The procedure in paragraph 3.1. above only applies to registered deeds and documents, and the conveyancer must therefore prepare all new deeds and documents with the correct spelling/language of the township as it appears on the approved General plan. The examiner may not endorse any unregistered deed or document as discussed in paragraph 3.1. above, and should raise the relevant note to call on the conveyancer to amend the deeds and documents.
- 3.3. Where the incorrect township is disclosed in any property description (eg. **Rietfontein** instead of **Waverley**) such township name may not be updated with the procedure as discussed in paragraph 3.1, as for it is an error of a difference in the property itself, and since the amendment of such a township name may result in a transfer of rights as contemplated in Section 4(1)(b)(iv) of the Deeds Registries Act 47/1937, an application in terms of Section 4(1)(b) of the Deeds Registries Act 47/1937, with the relevant proof should be lodged.


#### 4. GEOGRAPHICAL NAME CHANGES:

Where the name of a town has been changed by the South African Geographical Names Council and has been *Gazetted* as such by the Minister for the National Department of Arts and Culture (eg. **Pietersburg** which was changed to **Polokwane**), such a name change does not affect the deeds registration. The use of the name of the township as on the approved General plan will therefor prevail.

If the name of a Township has been lawfully corrected, updated, or changed by the Surveyor General on any approved General plan, and the Surveyor General has informed the Registrar of deeds as such by way of a Surveyor General Caveat, the said caveat will be noted against the affected properties. In such a case, the Registrar of deeds will on own accord update the affected registered titles with a suitable endorsement, and no application need to be lodged.

**5. EFFECTIVE DATE:**

This circular will be effective immediately.

  
REGISTRAR OF DEEDS  
PRETORIA  
DATE: 06/03/2018.