

EXTRAORDINARY



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GOVERNMENT GAZETTE

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GOVERNMENT NOTICES

DEPARTMENT OF BANTU ADMINISTRATION
AND DEVELOPMENT

No. R. 2062

8 November 1968

REGULATIONS: DETERMINATION OF RIGHT OF
OCCUPATION OR OWNERSHIP OF SURVEYED
LAND

Under and by virtue of the powers vested in him by section 8 (10) of the Bantu Administration Act, 1927 (Act No. 38 of 1927), the State President has approved the regulations contained in the Schedule hereto for the investigation and determination of rights of occupation or ownership of persons claiming to own land in respect of which a deed of grant or other title deed has at any time been issued.

SCHEDULE

1. In these regulations, unless inconsistent with the context—

“Act” means the Bantu Administration Act, 1927 (Act No. 38 of 1927);

“Annexure” means an annexure to these regulations;

“award” means a determination made by a Commissioner that the person named in such Commissioner's certificate is entitled to be registered as the lawful owner of any land specified in such certificate;

“awardee” means the person to whom an award is made;

“Bantu Affairs Commissioner” means the Bantu Affairs Commissioner having jurisdiction over any land in respect of which a Commissioner has been appointed;

“Bantu area” means any land referred to in section 25 (1) of the Act, read with section 21 (1) of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936);

“Board of Appeal” means a board of appeal referred to in regulation 8;

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GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN BANTOE-ADMINISTRASIE
EN -ONTWIKKELING

No. R. 2062

8 November 1968

REGULASIES.—BEPALING VAN BESIT- OF EIEN-
DOMSREG OP OPGEMETE GROND

Kragtens die bevoegdheid hom verleen by artikel 8 (10) van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), het die Staatspresident sy goedkeuring gegee aan die regulasies in die Bylae hiervan vervat in verband met die ondersoek na die bepaling van besit- of eiendomsreg van persone wat beweer die eienaars te wees van grond ten opsigte waarvan 'n grondbrief of titelbewys te eniger tyd uitgereik is.

BYLAE

1. In hierdie regulasies, tensy onbestaanbaar met die sinsverband, beteken—

„Aanhangsel” 'n aanhangsel van hierdie regulasies;

„Appèlraad” 'n appèlraad in regulasie 8 genoem;

„Bantoegebied” grond genoem in artikel 25 (1) van die Wet, gelees met artikel 21 (1) van die Bantoe-trust en -grond Wet, 1936 (Wet No. 18 van 1936);

„Bantoesakekommissaris” die Bantoesakekommissaris met jurisdiksie oor grond ten opsigte waarvan 'n Kommissaris aangestel is;

„eiser” 'n persoon wat 'n eis tot okkupasie of eiendomsregte op grond ten opsigte waarvan 'n grondbrief of titelbewys te eniger tyd uitgereik is en wat geleë is in 'n gebied ten opsigte waarvan 'n Kommissaris aangestel is, by sodanige Kommissaris indien;

„grond” ook 'n onderverdeelde gedeelte van grond of 'n onverdeelde aandeel daarin;

„Kommissaris” die Kommissaris kragtens artikel 8 (1) van die Wet ten opsigte van 'n bepaalde grondgebied deur die Staatspresident aangestel;

„Kommissariissertifikaat” die oorspronklike van die sertifikaat kragtens regulasie 5 deur die Kommissaris ingevul;

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"claimant" means any person who lodges with the Commissioner a claim to rights of occupation or ownership in land in respect of which a deed of grant or title has at any time been issued and which is situate within any area in respect of which such Commissioner has been appointed;

"Commissioner" means the Commissioner appointed by the State President in terms of section 8 (1) of the Act in respect of a particular area of land;

"Commissioner's certificate" means the original of the certificate completed by the Commissioner in terms of regulation 5;

"land" includes a subdivided portion of land or an undivided share therein;

"occupation" and "occupy" include "possession" and "possess", respectively;

"registrar" in respect of land registered in the deeds registry in the office of the Chief Bantu Affairs Commissioner means the registrar in charge of such registry, and in respect of land registered in a deeds registry established in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937), means the Registrar of Deeds concerned;

"Secretary" means the Secretary for Bantu administration and Development;

"Trust" means the South African Bantu Trust constituted under section 4 of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936).

2. (1) The Surveyor-General shall at the request of the Commissioner furnish him free of charge with a copy of the compilation plan and of every diagram approved by him relating to land within the area in respect of which such Commissioner is appointed.

(2) The Commissioner shall—

(a) prepare a list of all properties reflected on the compilation plan, indicating in respect of each such property held under separate title such details as may be ascertainable from the registers in the deeds registry concerned, relating to the name and race of the registered owner, the date and number of the title deed concerned, and particulars of any bond registered against the property;

(b) place the diagrams in the respective records of investigation referred to in regulation 11 (3).

3. (1) The Commissioner shall publish a notice in the *Gazette* substantially in the form prescribed in Annexure 1, calling on all persons referred to in such notice to lodge their claims with him in the manner and at the time and place and on a date specified being not less than one month after the date of publication of such notice.

(2) A translation of the notice referred to in subregulation (1) in the Bantu language in general use in the district to which such notice relates shall be published in a Bantu newspaper circulating in such district: Provided that if any land referred to in such notice is registered in the name of a person other than a Bantu a copy of such notice shall in addition be published in an English and an Afrikaans newspaper circulating in such district.

(3) The Bantu Affairs Commissioner shall at the request of the Commissioner direct the headman of the location in which the land described in the notice referred to in subregulation (1) is situate, or, if such headman is not available, or, in the case of land not in a location, such person as the Bantu Affairs Commissioner may appoint in writing, to convey the contents of such notice to Bantu residing on such land.

„okkupasie” en „okkupeer” ook „besit”;

„registrateur” ten opsigte van grond geregistreer in die aktekantoor in die kantoor van die Hoofbantoesaakkommissaris, die registrator in beheer van sodanige aktekantoor en ten opsigte van grond geregistreer in ’n aktekantoor ingestel ingevolge die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937), die betrokke Registrator van Aktes;

„Sekretaris” die Sekretaris van Bantoe-administrasie en -ontwikkeling;

„toegewesene” die persoon aan wie ’n toewysing gedoen word;

„toewysing” ’n bepaling deur ’n Kommissaris gedoen dat die persoon in sodanige Kommissariissertifikaat genoem, daarop geregtig is om geregistreer te word as die wettige eienaar van enige grond in sodanige sertifikaat gespesifiseer;

„Trust” die Suid-Afrikaanse Bantoe-trust ingevolge artikel 4 van die Bantoe-trust en -grond Wet, 1936 (Wet No. 18 van 1936), ingestel;

„Wet” die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927).

2. (1) Die Landmeter-generaal moet op versoek van die Kommissaris gratis aan hom ’n afskrif verskaf van die kompilasieplan en van elke kaart deur hom goedgekeur wat betrekking het op grond binne die gebied ten opsigte waarvan sodanige Kommissaris aangestel is.

(2) Die Kommissaris moet—

(a) ’n lys opstel van alle eiendomme wat op die kompilasieplan getoon word, en ten opsigte van elke sodanige eiendom kragtens afsonderlike titel besit sodanige besonderhede aandui, na vas te stel is uit die registers in die betrokke aktekantoor, met betrekking tot die naam en ras van die geregistreerde eienaar, die datum en nommer van die betrokke titelbewys en besonderhede van ’n verband op die eiendom geregistreer;

(b) die kaarte in die onderskeie notules van sy ondersoek in regulasie 11 (3) genoem, plaas.

3. (1) Die Kommissaris moet ’n kennisgewing in die *Staatskoerant* publiseer wesentlik in die vorm voorgeskryf in Aanhangsel 1, waarin alle persone in sodanige kennisgewing genoem, opdrag gegee word om hul eise by hom in te dien op die bepaalde wyse op ’n tyd en plek en op ’n datum gespesifiseer wat minstens een maand na die datum van die publikasie van sodanige kennisgewing is.

(2) ’n Vertaling van die kennisgewing in subregulasie (1) genoem, in die Bantoetaal in algemene gebruik in die distrik waarop sodanige kennisgewing betrekking het, moet in ’n Bantoe-nuusblad wat in sodanige distrik gelees word, gepubliseer word: Met dien verstande dat indien grond wat in sodanige kennisgewing genoem word op naam van ’n ander persoon as ’n Bantoe geregistreer is, ’n afskrif van sodanige kennisgewing ook in ’n Engelse en in ’n Afrikaanse nuusblad wat in sodanige distrik gelees word, gepubliseer moet word.

(3) Die Bantoesaakkommissaris gelas op versoek van die Kommissaris die hoofman van die lokasie waarin die grond geleë is wat beskryf is in die kennisgewing in subregulasie (1) genoem, of, indien sodanige hoofman nie beskikbaar is nie of in die geval van grond wat nie in ’n lokasie is nie, sodanige persoon as wat die Bantoesaakkommissaris skriftelik aanstel, om die inhoud van sodanige kennisgewing mee te deel aan Bantoe wat op sodanige grond woon.

(4) The headman or other appointed person referred to in subregulation (3) shall after compliance with any directive given in terms of the said subregulation furnish the Bantu Affairs Commissioner with a list of the names of occupiers notified by him, and, if possible, a description of the property occupied by each.

4. (1) On the day and at the place specified in any notice published in terms of regulation 3 the Commissioner shall—

(a) enter on the record referred to in regulation 11 (3) details of each claim made to him in respect of any land referred to in the said notice and of any relevant documents produced in support of such claim or in proof of a claimant's identity or race;

(b) proceed to inquire into the ownership of all lands in respect of which he was appointed;

(c) call upon every claimant, other than a European or Asiatic, in possession of land not registered in his name to produce proof or evidence in support of his claim, and hear such relevant evidence as he may deem necessary to determine the rights of ownership in such land;

(d) afford any person appearing to contest any claim referred to in paragraph (c) an opportunity of giving or producing evidence in regard thereto.

(2) The proceedings referred to in subregulation (1) may in the discretion of the Commissioner be postponed from time to time, to a time, date and place specified by him, until the relative finding shall have been made or until the relative determination shall have been announced as in regulation 5 (2) provided.

(3) The Commissioner may at any time cause a subpoena to be served by a member of the South African Police or by some other person appointed by the Bantu Affairs Commissioner calling on any person whose evidence may in the opinion of the Commissioner be relevant to any investigation being conducted or determination being made by him, to appear at a stated time and place to produce any title deed or other document specified in such subpoena and to give evidence in regard to the ownership of any land referred to in such subpoena; and any person so appearing and claiming the said land shall be deemed to be a claimant.

(4) The provisions of subregulation (3) shall in the discretion of the Commissioner *mutatis mutandis* apply to any claimant who fails to attend the hearing of his claim on any date to which such hearing may have been postponed, and to any witness which a claimant desires to call to give evidence on his behalf.

5. (1) The Commissioner shall, at the conclusion of his investigation into the ownership of any particular land held under separate title situate in the area for which he was appointed, complete and place on the record of investigation a Commissioner's certificate in duplicate substantially in the form prescribed in Annexure 2 in respect of each finding or award, and after completing his investigation into the ownership of all such land, submit to the Minister in such form as the Secretary may from time to time direct, details of his finding or determination, together with a list, in the case of land in a Bantu area held under quitrent tenure, of every lot found to be occupied by a widow lawfully entitled to do so during her lifetime.

(2) Whenever the Commissioner determines that any claimant other than a European or an Asiatic, is entitled to be registered as the owner of any land not registered in such claimant's name he shall announce the award in the presence of such of the interested parties as may be

(4) Na voldoening aan 'n opdrag ingevolge subregulasie (3) verskaf die hoofman of ander aangestelde persoon in genoemde subregulasie vermeld aan die Bantoesake-kommissaris 'n lys van die name van okkuperders deur hom in kennis gestel en, indien moontlik, 'n beskrywing van die eiendom deur elk geokkupeer.

4. (1) Op die dag en plek gespesifiseer in 'n kennisgewing ingevolge regulasie 3 gepubliseer, moet die Kommissaris—

(a) in die notule in regulasie 11 (3) genoem, besonderhede aanteken van elke eis wat ten opsigte van enige grond in genoemde kennisgewing vermeld, aan hom gestel word en van enige relevante stukke wat voorgelê is ter staving van sodanige eis of as bewys van 'n eiser se identiteit of ras;

(b) daartoe oorgaan om ondersoek in te stel na die eiendomsreg op alle grond ten opsigte waarvan hy aangestel is;

(c) elke ander eiser dan 'n Blanke of Asiaat, wat in besit is van grond wat nie op sy naam geregistreer is nie gelas om bewys of getuienis ter staving van sy eis te lewer en moet hy sodanige relevante getuienis aanhoor as wat hy nodig ag, ten einde die eiendomsregte op sodanige grond te bepaal;

(d) 'n persoon wat verskyn ten einde 'n eis in para-graaf (c) genoem, te betwis, die geleentheid bied om getuienis in verband daarmee te lewer of voor te lê.

(2) Die verrigtinge in subregulasie (1) genoem, kan van tyd tot tyd na goeëdunke van die Kommissaris uitgestel word tot 'n tyd, datum en plek deur hom gespesifiseer, totdat die betrokke bevinding gedoen is of totdat die betrokke bepaling bekendgemaak is soos in regulasie 5 (2) bepaal.

(3) Die Kommissaris kan te eniger tyd deur 'n lid van die Suid-Afrikaanse Polisie of deur 'n ander persoon deur die Bantoesakekommissaris aangestel, 'n dagvaarding laat beteken wat 'n persoon wie se getuienis na die mening van die Kommissaris relevant is by 'n ondersoek wat hy instel of 'n bepaling wat hy doen, gelas om op 'n bepaalde tyd en plek te verskyn en 'n titelbewys of ander stuk in sodanige dagvaarding vermeld, voor te lê en om getuienis te lewer in verband met die eiendomsreg op grond in sodanige dagvaarding genoem; en 'n persoon wat aldus verskyn en op genoemde grond aanspraak maak, word geag 'n eiser te wees.

(4) Die bepalings van subregulasie (3) is na goeëdunke van die Kommissaris *mutatis mutandis* van toepassing op 'n eiser wat in gebreke bly om die verhoor van sy eis by te woon op enige datum waartoe sodanige verhoor uitgestel mag gewees het en op 'n getuie wat 'n eiser wil roep om namens hom getuienis te lewer.

5. (1) Die Kommissaris moet na afloop van sy ondersoek na die eiendomsreg op enige bepaalde grond geleë in die gebied ten opsigte waarvan hy aangestel is en kragtens afsonderlike titel besit, ten opsigte van elke bevinding of toewysing 'n Kommissarissertifikaat wesentlik in die vorm in Aanhangsel 2 voorgeskryf, in tweevoud invul en dit in die notule van die ondersoek plaas, en na voltooiing van sy ondersoek na die eiendomsreg op alle sodanige grond moet hy besonderhede van sy bevinding of bepaling, tesame met 'n lys, in die geval van grond in 'n Bantoegebied kragtens erfpag besit, van elke perseel wat gevind word geokkupeer te wees deur 'n weduwee wat wettiglik gedurende haar leeftyd daarop geregtig is, aan die Minister voorlê in sodanige vorm as wat die Sekretaris van tyd tot tyd gelas.

(2) Wanneer die Kommissaris bepaal dat enige ander eiser dan 'n Blanke of Asiaat daarop geregtig is om geregistreer te word as die eienaar van grond wat nie op sodanige eiser se naam geregistreer is nie, maak hy die toewysing in die teenwoordigheid van sodanige van die belanghebbende partye as wat by die verhoor aanwesig

in attendance at the hearing: Provided that in the absence of the Commissioner such announcement may be made by the Bantu Affairs Commissioner.

(3) The Commissioner shall, in respect of every award made by him, transmit to the Bantu Affairs Commissioner the relative record of investigation together with the Commissioner's certificate and the documents attached thereto.

6. (1) If within the period prescribed under regulation 8 no appeal shall have been lodged against an award the Bantu Affairs Commissioner shall, after collecting the fee of two rand prescribed in section 8 (7) of the Act, transmit such fee and the Commissioner's certificate and the documents attached thereto, to the registrar or, in the case of land situate in a Bantu area and in respect of which the State President has in terms of section 7 (1) of the Act decided to revoke the grant and to issue a substituted deed of grant in favour of the wardee, to the Secretary who shall, after attaching such substituted deed of grant, transmit the fee and documents to the registrar.

(2) The registrar shall retain the Commissioner's certificate transmitted to him in terms of subregulation (1) and shall—

(a) in the case of land in respect of which a substituted deed of grant has been issued, cancel the deed of grant in his registers and the owner's copy thereof, when it is produced to him, and register such substituted deed of grant noting thereon any mortgage bond registered against the land in question and the further conditions, if any, specified in the Commissioner's certificate;

(b) in the case where only one property or a share therein held under one title deed has been awarded by the Commissioner to a claimant or claimants in shares, free of charge and notwithstanding anything in any other law—

(i) prepare and issue a certified copy of the registered title deed if the owner's copy thereof is, in his opinion, in an unserviceable condition or if, in terms of the Commissioner's certificate, it is not available, whereupon the original deed and any previously issued copy still in existence shall become void and, if subsequently found and produced, be endorsed accordingly by the registrar;

(ii) note the award and the further conditions, if any, specified in the Commissioner's certificate, on the relative registered deed and on the owner's copy thereof;

(c) in any other case, free of charge and notwithstanding anything in any other law—

(i) prepare and issue, in duplicate, duly certified copies of the registry duplicate of the title deed, and cancel on these copies by means of an appropriate endorsement the reference to the property or properties mentioned therein which are not affected by the award, whereupon such copies shall become void in so far as they relate to any property the reference whereto has been so cancelled;

(ii) delete from the registry duplicate of the title deed and the relevant owner's copy thereof, if available, or subsequently found and produced, every reference to the land awarded, whereupon such duplicate and owner's copies shall become void in so far as the property which has been awarded is concerned;

(iii) note the award and the further conditions, if any, specified in the Commissioner's certificate, on the relative copies referred to in subparagraph (i) and

is, bekend: Met dien verstande dat sodanige bekendmaking by afwesigheid van die Kommissaris deur die Bantoesake-kommissaris gedoen kan word.

(3) Die Kommissaris moet ten opsigte van elke toewysing deur hom gedoen die betrokke notule van die ondersoek tesame met die Kommissarissertifikaat en die stukke daaraan geheg, aan die Bantoesakekommissaris stuur.

6. (1) Indien daar binne die tydperk by regulasie 8 voorgeskryf geen appèl teen 'n toewysing aangeteken is nie, stuur die Bantoesakekommissaris nadat hy die bedrag van twee rand in artikel 8 (7) van die Wet voorgeskryf, ingevorder het, sodanige bedrag en die Kommissarissertifikaat en die stukke daaraan geheg, aan die registrateur, of, in die geval van grond wat geleë is in 'n Bantoegebied en ten opsigte waarvan die Staatspresident kragtens artikel 7 (1) van die Wet besluit het om die toekenning te herroep en dit te vervang deur 'n grondbrief ten gunste van die toegewesene, aan die Sekretaris wat nadat hy sodanige vervangende grondbrief daaraan geheg het, die bedrag en stukke aan die registrateur stuur.

(2) Die registrateur hou die Kommissarissertifikaat ingevolge subregulasie (1) aan hom gestuur en hy moet—

(a) in die geval van grond ten opsigte waarvan 'n vervangende grondbrief uitgereik is, die grondbrief in sy registers en die eienaar se afskrif daarvan, wanneer dit aan hom voorgelê word, kanselleer en sodanige vervangende grondbrief registreer en 'n verband op die betrokke grond geregistreer en die verdere voorwaardes, as daar is, in die Kommissarissertifikaat gespesifiseer, op sodanige vervangende grondbrief aanteken;

(b) in die geval waar slegs een eiendom of 'n aandeel daarin gehou kragtens een titelbewys deur die Kommissaris aan 'n eiser of eisers in gedeeltes toegewys is, gratis en ondanks enige bepaling in enige ander wet—

(i) 'n gesertifiseerde afskrif van die geregistreerde titelbewys opstel en uitreik indien die eienaar se afskrif daarvan na sy mening in 'n ondienlike toestand verkeer, of indien dit luidens die Kommissarissertifikaat nie beskikbaar is nie, waarna die oorspronklike titelbewys en enige afskrif wat voorheen uitgereik is en nog bestaan nietig is, en indien later gevind en getoon, dienoreenkomstig deur die registrateur geëndoseer moet word;

(ii) die toewysing en die verdere voorwaardes, as daar is, in die Kommissarissertifikaat gespesifiseer, op die betrokke geregistreerde titelbewys en die eienaar se afskrif daarvan, aanteken;

(c) in enige ander geval gratis, en ondanks enige bepaling in enige ander wet—

(i) in tweevoud behoorlik gesertifiseerde afskrifte van die aktekantoorduplikaat van die titelbewys opstel en uitreik en op hierdie afskrifte by wyse van 'n toepaslike endossement die verwysing na die eiendom of eiendomme daarin vermeld wat nie deur die toewysing geraak word nie, kanselleer, waarna sodanige afskrifte nietig is met betrekking tot enige eiendom ten opsigte waarvan die verwysing daarna gekanselleer is;

(ii) van die aktekantoorduplikaat van die titelbewys en die eienaar se betrokke afskrif daarvan, indien beskikbaar, of later gevind en getoon, elke verwysing na die toegewese grond skrap, waarna sodanige duplikaat en eienaar se afskrifte nietig is vir sover dit die toegewese eiendom betref;

(iii) die toewysing en die verdere voorwaardes, as daar is, in die Kommissarissertifikaat gespesifiseer, op die betrokke afskrifte in subparagraaf (i) genoem,

register such copies in his register whereupon such copies shall be deemed to be the registry duplicate and owner's copy, respectively, of the title deed of the property to which such copies relate.

(3) In any case in which a mortgage bond is registered in respect of any land referred to in subregulation (2) the registrar shall after compliance with the provisions of the said subregulation (2) make suitable endorsements free of charge on the registered bond, and against the legal holder's copy of such bond as soon as it becomes available, to indicate the registered owner or owners of such land and the further conditions, if any, specified in the Commissioner's certificate.

(4) The registrar shall after compliance with the provisions of this regulation forward the owner's copy of the title deed to the Bantu Affairs Commissioner for transmission, in due course, to the registered owner or owners.

7. (1) The noting of an award on any title deed in terms of regulation 6 (2) or the endorsement thereon of a directive in terms of regulation 9 (3) (b) shall, subject to every condition, servitude, bond or other encumbrance specified in such title deed, convey to the person or the Trust or the State, as the case may be, sole or joint ownership in all or in such part of the land described in such title deed as is referred to in such note or endorsement, and such title deed shall thereupon be deemed to be the title deed by which such person or the Trust or the State, as the case may be, owns the land referred to in such note or endorsement.

(2) The endorsement of a mortgage bond in the manner provided in regulation 6 (3) shall, notwithstanding any condition contained in such bond, in the event of ownership in all the land referred to in such bond passing in terms of subregulation (1) to one person, have the effect of substituting such person as the debtor under such bond; or in the event of ownership in only a part of such land passing to such person have the effect of imposing on him the liabilities of a joint debtor under such bond: Provided that every married or unmarried woman or any other person who in terms of such endorsement becomes a sole or joint debtor under any bond, shall be deemed to have renounced the benefits of the *Senatusconsultum Velleianum*, the *authentica si qua mulier* and the *de duobus vel pluribus reis debendi*, as the case may be, in so far as they would but for renunciation have applied.

8. (1) Any person deeming himself to be aggrieved by the decision of the Commissioner in regard to any claim may within one month of such decision coming to his notice, but in any case not later than three months after the date of such decision, lodge with the Bantu Affairs Commissioner a notice of appeal in writing setting out, *inter alia*, particulars of the decision appealed against and the grounds of appeal.

(2) The Bantu Affairs Commissioner shall on receipt of a notice of appeal referred to in subregulation (1) advise the respondent, if any, of such appeal by letter addressed to him at his last known place of residence and transmit a copy of such letter together with the notice of appeal, the relative record of proceedings before the Commissioner and the Commissioner's certificate to the Chief Bantu Affairs Commissioner.

(3) Upon being notified of the constitution of a Board of Appeal in terms of section 8 (9) of the Act, the Chief Bantu Affairs Commissioner shall fix a place, time and

aanteken, en sodanige afskrifte in sy register registreer, waarna sodanige afskrifte geag word onderskeidelik die aktekantoorduplikaat en eienaar se afskrif te wees van die titelbewys van die eiendom waarop sodanige afskrifte betrekking het.

(3) In 'n geval waar daar ten opsigte van grond in subregulasie (2) genoem, 'n verband geregistreer is, maak die registrateur na voldoening aan die bepalings van genoemde subregulasie (2) gratis op die geregistreerde verband asook op die wettige houër se afskrif van sodanige verband sodra dit beskikbaar word, geskikte aantekeninge ten einde die geregistreerde eienaar of eienaars van sodanige grond aan te dui asook die verdere voorwaardes, as daar is, in die Kommissarisertifikaat gespesifiseer.

(4) Nadat die registrateur voldoen het aan die bepalings van hierdie regulasie, stuur hy die eienaar se afskrif van die titelbewys aan die Bantoesakekommissaris vir deursending te geleëner tyd aan die geregistreerde eienaar of eienaars.

7. (1) Die aantekening van 'n toewysing op 'n titelbewys ingevolge regulasie 6 (2) of die endossement van 'n voorskif daarop ingevolge regulasie 9 (3) (b) moet, behoudens elke voorwaarde, serwituut, verband of ander beswaring in sodanige titelbewys gespesifiseer, aan die persoon of die Trust of die Staat, na gelang van die geval, alleen- of gesamentlike eiendomsreg oordra op al die grond of deel daarvan wat in sodanige titelbewys beskryf word en waarna in sodanige aantekening of endossement verwys word, en sodanige titelbewys word daarna geag die titelbewys te wees waarkragtens sodanige persoon of die Trust of die Staat, na gelang van die geval, die grond besit waarna in sodanige aantekening of endossement verwys word.

(2) Die endossement van 'n verband ingevolge regulasie 6 (3) het, ondanks enige voorwaarde in sodanige verband vervat, ingeval die eiendomsreg op al die grond in sodanige verband genoem ingevolge subregulasie (1) op een persoon oorgaan, die uitwerking dat sodanige persoon die skuldenaar ingevolge sodanige verband word; of in die geval waar eiendomsreg alleen op 'n deel van sodanige grond op sodanige persoon oorgaan, die uitwerking dat die verpligtinge van 'n medeskuldenaar ingevolge sodanige verband hom opgelê word: Met dien verstande dat iedere getroude of ongetroude vrou of enige ander persoon wat ingevolge sodanige endossement 'n alleen- of medeskuldenaar ingevolge enige verband word, geag word afstand te gedoen het van die voordele van die *Senatusconsultum Velleianum*, die *authentica si qua mulier* en die *de duobus vel pluribus reis debendi*, na gelang van die geval, vir sover hulle sonder afstanddoening van toepassing sou gewees het.

8. (1) 'n Persoon wat hom deur die beslissing van die Kommissaris ten opsigte van 'n eis veronreg ag, kan binne een maand nadat sodanige beslissing onder sy aandag gekom het, maar in elk geval nie later nie as drie maande na die datum van sodanige beslissing, skriftelik by die Bantoesakekommissaris kennisgewing van appèl indien waarin hy onder andere besonderhede van die beslissing waarteen hy appelleer en die appèlgronde uiteensit.

(2) Die Bantoesakekommissaris moet na ontvangs van 'n kennisgewing van appèl in subregulasie (1) genoem, die respondent, as daar is, per brief aan hom by sy laaste bekende woonplek geadresseer, van sodanige appèl ver-wittig en moet 'n afskrif van sodanige brief tesame met die kennisgewing van appèl, die betrokke notule van die verrigtinge voor die Kommissaris en die Kommissaris-sertifikaat aan die Hoofbantoesakekommissaris stuur.

(3) Wanneer die Hoofbantoesakekommissaris in kennis gestel is van die samestelling van 'n Appèlraad ingevolge artikel 8 (9) van die Wet, bepaal hy 'n plek, tyd en

date for the hearing of the appeal and notify the Bantu Affairs Commissioner, the appellant and respondent, if any, thereof by letter and transmit a copy of such letter together with the documents referred to in subregulation (2) to the Board of Appeal.

(4) The Board of Appeal may hear such evidence and argument as it deems necessary and may refer the proceedings back to the Commissioner for his reasons for any decision or for such further evidence or information as the Board of Appeal may direct and may at the conclusion of its hearing of the appeal confirm, vary, reverse or set aside any decision of the commissioner or itself make or substitute such decision as justice may require.

(5) The decision of the Board of Appeal shall, under the hand of the Chairman of the Board of Appeal, be endorsed on the original and copy of the relative Commissioner's certificate: Provided that if the Board of Appeal awards land to a claimant in respect of any claim which the Commissioner failed to allow or recognise it shall, under the hand of its Chairman, issue a certificate of award containing such of the particulars referred to in the form prescribed in Annexure 2 as may be applicable.

(6) The record of proceedings and the relevant Commissioner's certificate or certificate of award referred to in subregulation (5) shall be transmitted to the Bantu Affairs Commissioner who shall transmit such certificate in the manner provided in regulation 6 (1) to the registrar for disposal *mutatis mutandis* as if the decision of the Board were an award by the Commissioner not subject to appeal: Provided that if the Board of Appeal disallows every award or claim made in respect of the ownership of the land the Bantu Affairs Commissioner shall transmit such record to the Commissioner for disposal in terms of regulation 5 (1).

9. (1) Whenever in terms of a Commissioner's certificate the owner of any particular land could not be discovered, the Minister may issue a directive—

(a) that a fresh investigation be made in terms of section 8 of the Act; or

(b) that no steps be taken in regard to such land for such period as he may specify; or

(c) that, in the case of land then registered in the name of a Bantu, such Bantu's rights to such land be cancelled, where upon—

(i) if the land is situate in or on the boundary of a Bantu area, such rights shall vest in the Trust or the State, as the Minister may specify in such directive; or

(ii) if the land is not so situate, such rights shall vest in the State.

(2) Whenever the Minister has given a directive in terms of subregulation (1) (c) the Secretary shall issue a certificate in duplicate under his hand setting out details of such directive, which certificate shall for all purposes be sufficient proof of the matters stated therein, and shall place the copy thereof on the record of the relative investigation and transmit the original certificate together with the Commissioner's certificate and the title deed to the land, if available, to the registrar.

(3) On receipt of the documents transmitted to him in terms of subregulation (2) the registrar shall, free of charge and notwithstanding anything to the contrary in any other law—

(a) prepare and issue a certified copy of the registered title deed if the owner's copy thereof is, in his opinion, in an unserviceable condition or if, in terms of

datum vir die verhoor van die appèl en stel hy die Bantoesakekommissaris, die appellant en respondent, as daar is, per brief daarvan in kennis en stuur hy aan die Appèlraad 'n afskrif van sodanige brief tesame met die stukke in subregulasie (2) genoem.

(4) Die Appèlraad kan sodanige getuieis en pleidooi as wat hy nodig ag, aanhoor en kan die notule van verrigtinge na die Kommissaris terugverwys om te verneem wat sy gronde vir 'n beslissing is of om sodanige verdere getuieis of inligting as wat die Appèlraad gelas, in te win, en die Appèlraad kan na afloop van sy verhoor van die appèl 'n beslissing van die Kommissaris bekragtig, wysig, omverwerp of tersyde stel of self na gelang van die eise van geregtigheid 'n beslissing gee of substitueer.

(5) Die beslissing van die Appèlraad word onder die handtekening van die Voorsitter van die Appèlraad op die oorspronklike en die afskrif van die betrokke Kommissarissertifikaat aangeteken: Met dien verstande dat indien die Appèlraad ten opsigte van 'n eis wat die Kommissaris nie gehandhaaf of erken het nie, grond aan 'n eiser toewys, die appellant onder die handtekening van sy Voorsitter 'n toewysingsertifikaat uitreik waarin vervat is sodanige van die besonderhede genoem in die vorm in Aanhangsel 2 voorgeskryf as wat van toepassing is.

(6) Die notule van verrigtinge en die betrokke Kommissarissertifikaat of toewysingsertifikaat in subregulasie (5) genoem, word aan die Bantoesakekommissaris gestuur, en hy stuur op die wyse in regulasie 6 (1) bepaal sodanige sertifikaat vir afhandeling aan die registrateur, *mutatis mutandis* asof die beslissing van die Appèlraad 'n toewysing is wat deur die Kommissaris gedoen is en wat nie vir appèl vatbaar is nie: Met dien verstande dat indien die Appèlraad ten opsigte van die eiendomsreg op die grond elke toewysing gedoen of eis ingestel, weier, die Bantoesakekommissaris sodanige notule aan die Kommissaris moet stuur vir afhandeling ingevolge regulasie 5 (1).

9. (1) Wanneer die eienaar van enige bepaalde grond luidens 'n Kommissarissertifikaat nie gevind kon word nie, kan die Minister opdrag gee dat—

(a) ondersoek ingevolge artikel 8 van die Wet opnuut ingestel moet word; of

(b) daar gedurende sodanige tydperk as wat hy spesifiseer ten opsigte van sodanige grond geen stappe gedoen word nie; of

(c) in die geval van grond wat as dan op naam van 'n Bantoe geregistreer is, sodanige Bantoe se regte op sodanige grond gekanselleer moet word, en daarna—

(i) gaan sodanige regte indien die grond in 'n Bantoegebied of aan die grens daarvan geleë is, op die Trust of die Staat oor, na gelang die Minister in sodanige opdrag spesifiseer; of

(ii) gaan sodanige regte op die Staat oor, indien die grond nie aldus geleë is nie.

(2) Wanneer die Minister 'n opdrag kragtens subregulasie (1) (c) gegee het, reik die Sekretaris onder sy handtekening in tweevoud 'n sertifikaat uit waarin hy die besonderhede van sodanige opdrag uiteensit en sodanige sertifikaat is vir alle doeleindes genoegsame bewys van die aangeleenthede daarin vermeld. Die Sekretaris plaas die afskrif van sodanige sertifikaat in die notule van die betrokke ondersoek en stuur die oorspronklike tesame met die Kommissarissertifikaat en die titelbewys van die grond, indien dit beskikbaar is, aan die registrateur.

(3) By ontvangs van die stukke ingevolge subregulasie (2) aan hom gestuur, moet die registrateur gratis en ondanks enige andersluidende bepaling in enige ander wet—

(a) 'n gesertifiseerde afskrif van die geregistreerde titelbewys opstel en uitreik indien die eienaar se afskrif daarvan na sy mening in 'n ondienlike toestand verkeer

the Commissioner's certificate, it is not available, whereupon the original deed and any previously issued copy still in existence shall become void and be endorsed accordingly by the registrar to whom it may thereafter be produced;

(b) make suitable endorsements on the registered deed and on the owner's copy thereof to give effect to the Minister's directive as set out in the Secretary's certificate;

(c) cancel all bonds registered against the land in question: Provided that nothing herein contained shall be construed as relieving the Trust or the State, as the case may be, from liability to pay to the holder of any bond so cancelled the amount due and payable thereunder on the date of cancellation.

(4) The registrar shall retain the certificates transmitted to him in terms of subregulation (2) and shall after compliance with the provisions of subregulation (3) forward the relative title deed to the Secretary for disposal.

10. (1) The registrar shall at the request of the Secretary in respect of any directive issued by the Minister in terms of regulation 9 (1) (a) or (b) or any finding contained in a Commissioner's certificate or any decision of the Board of Appeal which is not, in terms of any other provision of these regulations, required to be transmitted to such registrar, note such directive, finding or decision free of charge on the relative registered title deed and on the owner's copy thereof, if available.

(2) Every request in terms of subregulation (1) shall be in writing and shall be accompanied by the Commissioner's certificate or a certificate under the hand of the Secretary setting out particulars of the Minister's directive or decision of the Board of Appeal, as the case may be, and the owner's copy of the title deed, if it is available: Provided that if the Commissioner has certified that the title deed of a Bantu in whose name land is registered is not available the registrar, at the request of the Secretary, shall free of charge prepare and issue a certified copy of the registered title deed and endorse it in the manner provided in subregulation (1), whereupon the original deed and any previously issued copy still in existence shall become void, and if subsequently found and produced, be endorsed accordingly by the registrar.

11. (1) Except as is in these regulations otherwise provided—

(a) the proceedings at any investigation held by a Commissioner or in an appeal before a Board of Appeal shall be of an administrative nature and not subject to the rules governing judicial procedure;

(b) no appeal shall lie from the decision of the Commissioner or Board of Appeal or in respect of a directive issued by the Minister in terms of regulation 9.

(2) A party to any proceedings in terms of these regulations may be represented under power of attorney by a legal practitioner qualified to appear as such in a Bantu Affairs Commissioner's court: Provided that a claimant who is prevented by illness, absence from the district or other cause which the Commissioner or Board of Appeal deems sufficient, from appearing in person may at any proceedings before such Commissioner or board be represented by any relative or friend whether or not authorised thereto by power of attorney.

of indien dit luidens die Kommissarissertifikaat nie beskikbaar is nie, en daarna is die oorspronklike titelbewys en enige afskrif wat voorheen uitgereik is en nog bestaan, nietig en word dienooreenkomstig deur die registrateur geëndosseer aan wie dit daarna getoon word;

(b) geskikte aantekeninge op die geregistreerde titelbewys en die eienaar se afskrif daarvan aanbring ten einde uitvoering te gee aan die Minister se opdrag soos in die Sekretaris se sertifikaat uiteengesit;

(c) alle verbande wat teen die betrokke grond geregistreer is, kanselleer: Met dien verstande dat niks wat hierin vervat is, vertolk word as sou dit die Trust of die Staat, na gelang van die geval, onthef van die verpligting om aan die houer van die verband wat aldus gekanselleer is die bedrag ingevolge daarvan verskuldig en betaalbaar op die datum van kansellering, te betaal nie.

(4) Die registrateur behou die sertifikate ingevolge subregulasie (2) aan hom gestuur en nadat daar aan die bepalings van subregulasie (3) voldoen is, stuur hy die betrokke titelbewys aan die Sekretaris vir afhandeling.

10. (1) Op versoek van die Sekretaris moet die registrateur ten opsigte van 'n opdrag deur die Minister kragtens regulasie 9 (1) (a) of (b) uitgereik of ten opsigte van 'n bevinding in 'n Kommissarissertifikaat vervat of 'n beslissing van die Appèlraad wat nie ingevolge enige ander bepaling van hierdie regulasies aan sodanige registrateur gestuur moet word nie, sodanige opdrag, bevinding of beslissing gratis aanteken op die betrokke geregistreerde titelbewys en op die eienaar se afskrif daarvan, indien dit beskikbaar is.

(2) Elke versoek kragtens subregulasie (1) moet skriftelik wees en vergesel gaan van die Kommissarissertifikaat of 'n sertifikaat onder die handtekening van die Sekretaris waarin besonderhede van die Minister se opdrag of die beslissing van die Appèlraad, na gelang van die geval, uiteengesit word, en van die eienaar se afskrif van die titelbewys indien dit beskikbaar is: Met dien verstande dat indien die Kommissaris gesertifiseer het dat die titelbewys van 'n Bantoe op wie se naam grond geregistreer is, nie beskikbaar is nie, die registrateur op versoek van die Sekretaris gratis 'n gesertifiseerde afskrif van die geregistreerde titelbewys moet opstel en uitreik en 'n aantekening daarop moet aanbring op die wyse in subregulasie (1) bepaal, en daarna is die oorspronklike titelbewys en enige afskrif wat voorheen uitgereik is en nog bestaan, nietig, en indien daarna gevind en getoon, word dit dienooreenkomstig deur die registrateur geëndosseer.

11. (1) Behoudens andersluidende bepalings in hierdie regulasies—

(a) is die verrigtinge by 'n ondersoek deur 'n Kommissaris gehou of in 'n appèl voor die Appèlraad administratief van aard en nie aan geregtelike prosedures onderworpe nie;

(b) is daar teen die beslissing van die Kommissaris of Appèlraad of ten opsigte van 'n opdrag kragtens regulasie 9 deur die Minister uitgereik, geen reg van appèl nie.

(2) 'n Party in enige verrigtinge ingevolge hierdie regulasies kan kragtens prokurasie deur 'n regspraktisyn wat bevoeg is om as sodanig in 'n Bantoesakekommissaris-hof te verskyn, verteenwoordig word: Met dien verstande dat 'n eiser wat weens siekte of afwesigheid uit die distrik of om 'n ander rede wat die Kommissaris of Appèlraad genoegsaam ag, verhinder word om persoonlik te verskyn, by enige verrigtinge voor sodanige Kommissaris of Appèlraad verteenwoordig kan word deur 'n familiebetrekking of vriend hetsy sodanige familiebetrekking of vriend kragtens prokurasie daartoe gemagtig is al dan nie.

(3) The Commissioner shall maintain a separate record of his investigation in terms of these regulations in respect of every piece of land held under separate title and such record shall after compliance with the relative provisions of these regulations be filed in the office of the Bantu Affairs Commissioner in accordance with such instructions as may from time to time be issued in respect of the records of civil cases in the court of a Bantu Affairs Commissioner.

12. (1) Government Notice No. 1773 of 1928, as amended by Government Notices Nos. 1416 of 1929, 1029 of 1932, 2521 of 1953, 27 of 1957, 1811 of 1959, 829 of 1960 and 557 of 1962, is hereby repealed.

(2) Every notice issued or given and every award made prior to the date of commencement of these regulations shall be deemed to have been issued or given or made in the form prescribed in, and in accordance with the provisions of these regulations: Provided that the Commissioner may in his discretion whenever he considers it desirable to do so or at the request of the registrar, re-open any investigation concluded prior to the said date for the purpose of complying more specifically with any of the provisions of these regulations, relating to any award of land which has not been registered in the name of the person to whom it was awarded.

ANNEXURE 1

NOTICE OF INVESTIGATION AND DETERMINATION OF RIGHTS OF OWNERSHIP, OCCUPATION AND POSSESSION OF SURVEYED LAND, DISTRICT OF

Whereas in terms of section 8 (1) of the Bantu Administration Act, 1927 (Act No. 38 of 1927), I,, having been duly appointed by the State President a Commissioner in respect of the land referred to in the Schedule hereto;

And whereas in terms of section 8 (6) of the said Act I am required to inquire into the ownership of all the said land;

And whereas in terms of section 8 (1) read with section 8 (7) of the said Act, I am required to investigate and determine the rights of occupation and ownership of persons other than Europeans or Asiatics claiming to own the said land or to determine who is the person entitled to be registered as the owner of such of the said land as is occupied or possessed by a Bantu who is not the registered owner thereof;

Now therefore in terms of regulation 3 of the Regulations published in Government Notice No. R. 2062 of 1968, I hereby give notice that at a.m. on the date and the place specified in the Schedule hereto—

(a) every registered owner named in the Schedule hereto is required to produce to me the title deed in terms of which the land described opposite his name is held by him, together with proof of his identity and race;

(b) every person other than a European or Asiatic who occupies or possesses land described in the Schedule hereto and which is not registered in his name, and who claims rights of ownership in such land is required to lodge his claim with and produce to me the title deed to such land, if it is available, together with proof of his claim; identity and race;

(c) any other person claiming rights in respect of the land described in the Schedule hereto is required to lodge his claim with me.

Dated at this day of 19...

Commissioner.

(3) Die Kommissaris hou ten opsigte van elke stuk grond wat kragtens afsonderlike titel besit word, 'n afsonderlike notule van sy ondersoek ingevolge hierdie regulasies en sodanige notule word na voldoening aan die betrokke bepalings van hierdie regulasies ooreenkomstig die instruksies wat van tyd tot tyd uitgereik word ten opsigte van die notule van siviele sake in 'n Bantoesake-kommissarisshof, in die kantoor van die Bantoesakekommissaris bewaar.

12. (1) Goewermentskennisgewing No. 1773 van 1928, soos gewysig by Goewermentskennisgewings Nos. 1416 van 1929, 1029 van 1932, 2521 van 1953, 27 van 1957, 1811 van 1959, 829 van 1960 en 557 van 1962, word hierby herroep.

(2) Elke kennisgewing uitgereik of kennis gegee en elke toewysing gedoen voor die datum waarop hierdie regulasies in werking tree, word geag uitgereik of gegee of gedoen te gewees het in die vorm wat voorgeskryf is in, en ooreenkomstig die bepalings van hierdie regulasies: Met dien verstande dat die Kommissaris na goeddunke wanneer hy dit ook al wenslik ag, of op versoek van die registrateur, enige ondersoek wat voor die genoemde datum afgehandel is, kan heropen, vir die meer spesifieke nakoming van enige van die bepalings van hierdie regulasies in verband met enige toewysing van grond wat nie op naam van die persoon aan wie dit toegewys is, geregistreer is nie.

AANHANGSEL 1

KENNISGEWING VAN ONDERSOEK NA EN BEPALING VAN EIENDOMS-, OKKUPASIE- EN BESITREG OP OPGEMETE GROND, DISTRIK

Nademaal ek, kragtens artikel 8 (1) van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), behoorlik deur die Staatspresident aangestel is as Kommissaris ten opsigte van die grond in die Bylae hiervan genoem;

En nademaal ek ingevolge artikel 8 (6) van genoemde Wet ondersoek na die eiendomsreg op genoemde grond moet instel;

En nademaal ek ingevolge artikel 8 (1) gelees met artikel 8 (7) van genoemde Wet die besitreg of eiendomsreg van ander persone dan Blankes of Asiate moet ondersoek en bepaal of moet bepaal wie die persoon is wat daarop geregtig is om geregistreer te word as die eienaar van sodanige van genoemde grond as wat geokkupeer of besit word deur 'n Bantoe wat nie die geregistreerde eienaar daarvan is nie;

So is dat ek ingevolge regulasie 3 van die Regulasies in Goewermentskennisgewing No. R. 2062 van 1968 afgekondig hierby kennis gee dat omvm. op die datum en plek in die Bylae hiervan gespesifiseer—

(a) elke geregistreerde eienaar in die Bylae hiervan genoem die titelbewys aan my moet voorlê waarkragtens die grond teenoor sy naam beskryf, deur hom besit word, tesame met bewys van sy identiteit en ras;

(b) elke persoon ander dan 'n Blanke of Asiaat, wat grond wat in die Bylae hiervan beskryf word en wat nie op sy naam geregistreer is nie, okkupeer of besit en wat aanspraak maak op eiendomsregte op sodanige grond, sy eis by my moet indien en die titelbewys van sodanige grond, indien dit beskikbaar is, aan my moet voorlê, tesame met bewys van sy eis, identiteit en ras;

(c) enige ander persoon wat op regte aanspraak maak ten opsigte van die grond in die Bylae hiervan beskryf, by my sy eis moet indien.

Gedateer te op hede die dag van 19

Kommissaris.

SCHEDULE		
Description of land	Registered owner	Specified date and place

ANNEXURE 2

COMMISSIONER'S CERTIFICATE RE LAND IN THE DISTRICT OF

I, _____, duly appointed by the State President a Commissioner for the purposes of section 8 of the Bantu Administration Act, 1927 (Act No. 38 of 1927), in respect of the land described in General Notice No. _____ 19____ published in the *Gazette* on _____, do hereby certify that I complied with the provisions of regulation 3 (1) and (2) of the Regulations published in Government Notice No. R. 2062 of 1968 and that after due investigation and inquiry into the ownership of certain land being _____ in extent _____ and at present registered in the name of _____, race _____, age _____, under title deed No. _____ dated _____:

*A. I am satisfied as to the registered owner's title to the land and his identity and race/the owner of the land could not be discovered/ I have determined that † _____, race _____, sex _____, age _____, a † _____ whose legal guardian is _____, race _____, sex _____, age _____, is entitled upon payment of a registration fee of R. _____ to be registered as the lawful owner of _____ undivided share/portion of the said land being _____, subject to every condition, servitude, bond or other encumbrance specified in the relative title deed and to the following further conditions:—

"The registered owner shall not alienate his rights in and to the land herein described—

(a) without furnishing security for or proof of payment or other lawful discharge of a capital amount of R. _____ (_____rand), free of interest, due and payable to _____ in respect of the balance of the purchase price of/improvements to the said land; and/or

(b) without the consent in writing of _____ who is in terms of the will dated _____ of the late _____ who died on _____, entitled to apply for the registration of the rights referred to in the said will, unless such registration shall have been effected, or proof of the lawful discharge of the said rights shall have been furnished."

*B. I further certify that after due investigation I am satisfied that the owner's copy of title deed No. _____ dated _____ is not available because it has been lost/destroyed/cannot be obtained.

†C. The following documents are attached:—

(i) Owner's-copy of title deed No. _____ dated _____ with/without diagram;

(ii) Certified copy of the will of _____ dated _____;

(iii) Holder's copy of mortgage bond No. _____ dated _____;

(iv) Mortgagee's statement of amount still due under the said bond.

Date _____

Place _____

Commissioner.

* Delete inapplicable words.

† In the case of a woman give marital state; if married give full names, race and age of husband.

‡ State reason for legal incapacity (if any), e.g. minor, mental patient, etc.

BYLAE		
Beskrywing van grond	Geregistreerde eienaar	Gespesifiseerde datum en plek

AANHANGSEL 2

KOMMISSARISSERTIFIKAAT TEN OPSIGTE VAN GROND IN DIE DISTRIK

Ek, _____, behoorlik deur die Staatspresident aangestel as Kommissaris vir die doeleindes van artikel 8 van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), ten opsigte van die grond wat beskryf word in Algemene Kennisgewing No. _____ 19____ afgekondig in die *Staatskoerant* op _____, sertifiseer hierby dat ek voldoen het aan die bepalings van regulasie 3 (1) en (2) van die Regulasies in Goewerments-kennisgewing No. R. 2062 van 1968 afgekondig en dat na behoorlike ondersoek en navraag na die eiendomsreg op sekere grond, naamlik _____, groot _____ en teenswoordig kragtens titelbewys No. _____ gedateer _____ op naam van _____, ras _____, ouderdom _____, geregistreer:—

* A. Ek oortuig is van die geregistreerde eienaar se reg op die grond en van sy identiteit en ras/die eienaar van die grond nie gevind kon word nie/ek bepaal het dat † _____, ras _____, geslag _____, ouderdom _____, 'n † _____, wie se wettige voog _____, ras _____, geslag _____, ouderdom _____, is, daarop geregig is om na betaling van registrasiegeld ten bedrae van R. _____ geregistreer te word as die wettige eienaar van _____, onverdeelde aandeel/ gedeelte van genoemde grond synde _____, behoudens elke voorwaarde, servituut, verband of ander beswaring in die betrokke titelbewys gespesifiseer en behoudens die volgende verdere voorwaardes:—

"Die geregistreerde eienaar mag nie sy regte in en op die grond hierin beskryf vervreem nie—

(a) sonder sekerheidstelling vir of bewys van betaling of van 'n ander wettige afdoening van 'n kapitaalbedrag van R. _____ (_____rand), rentevry, verskuldig en betaalbaar aan _____ ten opsigte van die res van die koopsom van/verbeterings op genoemde grond; en/of

(b) sonder skriftelike toestemming van _____ wat ingevolge die testament gedateer _____ van wyle _____ wat op (datum) _____ oorlede is, daarop geregig is om aansoek te doen om registrasie van die regte in genoemde testament vermeld, tensy sodanige registrasie geskied het of bewys gelewer is van wettige vervulling van genoemde regte."

* B. Ek sertifiseer verder dat ek na behoorlike ondersoek daarvan oortuig is dat die eienaar se afskrif van titelbewys No. _____ gedateer _____ nie beskikbaar is nie omdat dit verloor is/vernietig is/nie verkry kan word nie.

† C. Die volgende stukke word aangeheg:—

(i) Eienaar se afskrif van titelbewys No. _____, gedateer _____, met/sonder kaart;

(ii) gesertifiseerde afskrif van die testament van _____, gedateer _____;

(iii) houer se afskrif van verband No. _____, gedateer _____;

(iv) verbandhouer se verklaring ten opsigte van bedrag wat ingevolge genoemde verband nog verskuldig is.

Datum _____

Plek _____

Kommissaris

* Skrap ontoepaslike woorde.

† Meld huwelikstaat in die geval van 'n vrou; indien getroud, moet volle name, ras en ouderdom van eggenoot verstrek word.

‡ Meld rede vir regsonbevoegdheid (indien daar is), bv. minderjarige, sielsieke, ens.

No. R. 2063

8 November 1968

REPEAL OF LEGISLATION ADMINISTERED BY THE DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT

It is hereby notified for general information that the Minister of Bantu Administration and Development has—

(a) in terms of section 24 (4) of the Bantu Trust and Land Act, 1936 (Act No. 18 of 1936), withdrawn the delegation to approve the issue of certain licenses, as published in Government Notice No. 366 dated 8 March 1940;

(b) in terms of section 2 (2) of the Bantu Administration Act, 1927 (Act No. 38 of 1927), approved the repeal of Government Notices Nos. 767 dated 12 May 1944, 6 dated 5 January 1945, 481 dated 23 March 1945, 1144 dated 6 July 1945 and 1202 dated 13 June 1947, relating to the appointment of certain Bantu Affairs Commissioners.

No. R. 2063

8 November 1968

HERROEPING VAN WETGEWING WAT DEUR DIE DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING GEADMINISTREER WORD

Hierby word vir algemene inligting bekendgemaak dat die Minister van Bantoe-administrasie en -ontwikkeling—

(a) kragtens artikel 24 (4) van die Bantoe-trust en -grond Wet, 1936 (Wet No. 18 van 1936), die delegasie, vervat in Goewermenskennisgewing No. 366 van 8 Maart 1940, om die uitreik van sekere lisensies goed te keur, ingetrek het;

(b) kragtens artikel 2 (2) van die Bantoe-administrasie Wet, 1927 (Wet No. 38 van 1927), goedgekeur het dat Goewermenswennisgewings Nos. 767 van 12 Mei 1944, 6 van 5 Januarie 1945, 481 van 23 Maart 1945, 1144 van 6 Julie 1945 en 1202 van 13 Junie 1947 met betrekking tot die aanstelling van sekere Bantoesake-kommissarisse, herroep word.

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