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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 4594

3 April 2024

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991)**REGULATIONS RELATING TO THE CONVERSION OF LAND TENURE RIGHTS**

The Minister of Agriculture, Land Reform and Rural Development has, in terms of section 2 read together with section 24C of the Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991) as amended, made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In these regulations, any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context indicates otherwise-

“applicant” means a person applying for the conversion of a land tenure right in terms of these regulations;

“registrar” means the registrar as defined in section 102 of the Deeds Registries Act, 1937 (Act No. 47 of 1937); and

“the Act” means the Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991, as amended.

Application for conversion of land tenure right

2. (1) An application for the conversion of a land tenure right as contemplated in section 2(1) of the Act must-
 - (a) be made on an application form as set out in Form 1 of the Annexure;

- (b) indicate the name, surname, identity number and residential address of the applicant;
- (c) indicate the nature of the land tenure right;
- (d) indicate the location of the property by stand number, known name for the area; name of local municipality and the province.
- (e) provide a description of the property;
- (f) indicate the capacity in which the land tenure right is being held by the applicant;
- (g) indicate whether the application is made on behalf of more than one person and if so, names and surnames, identity numbers and residential addresses of such other persons and their relatedness to one another;
- (h) contain the name and surname, identity number and residential address, where these are known, of any person who may have an interest in the conversion of the land tenure right and the relatedness of the applicant to such person.

- (2) The Minister may require such additional information and documents as she or he may consider necessary.

Notice of application

3. (1) The notice by the Minister of an application for the conversion of a land tenure right contemplated in section 2(1A)(a) of the Act must be as set out in Form 2 of the Annexure.
- (2) The notice must indicate-
- (a) the name, surname, identity number and residential address of the applicant;
 - (b) the nature of the land tenure right;
 - (c) the location of the property by stand number, known name for the area; name of local municipality and the province.

- (d) the description of the property;
- (e) the capacity in which the land tenure right is being held by the applicant; and
- (f) whether the application is made on behalf of more than one person and if so, personal particulars of such other persons.

(3) The notice must-

- (a) inform any interested person that such person has the right to object to an application for the conversion of a land tenure right referred to in the notice;
- (b) provide the physical and email addresses at which the objection must be lodged and the person for whose attention the objection must be lodged; and
- (c) the period within which the objections must be lodged which must not be less than one calendar month.

Objection to conversion of land tenure right

4. (1) An objection to an application for the conversion of a land tenure right contemplated in section 2(1C) of the Act must be as set out in Form 3 of the Annexure.

(2) The objection must indicate-

- (a) the name, surname, identity number and residential address of the person lodging the objection;
- (b) indicate the nature of the land tenure right;
- (c) the location of the property by stand number, known name for the area; name of local municipality and the province;
- (d) the description of the property;
- (e) the capacity in which the land tenure right is being held by the applicant, if known;

(f) whether the objection is made on behalf of more than one person and if so, the names, surnames, identity numbers and residential addresses of such other persons.

(3) The objection may be lodged by submitting hard copies or electronic documents.

(4) The objection must state the grounds on which it is based.

Informing the registrar of the decision

5. The Minister shall, after making a decision relating to the conversion of a land tenure right, the objection related thereto, if any, and the vesting of ownership as contemplated in section 2(1D) of the Act, inform the registrar of such decision as set out in Form 4 of the Annexure.

Short Title and Commencement

6. These regulations are called the Regulations Relating to the Conversion of Land Tenure Rights and come into operation on 1 April 2024.


MRS A.T. DIDIZA, MP

MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

DATE: 27/03/2024

Form 1
(Regulation 2(1))

DEPARTMENT OF AGRICULTURE LAND REFORM AND RURAL
DEVELOPMENT

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991)
SECTION 2

Application to convert a land tenure right

[Note : (1) delete if not applicable; (2) use additional pages if a space is
insufficient]

To: The Minister for Agriculture, Land Reform and Rural Development

1. **APPLICANT** (*name, surname, ID number and residential address*)

.....
.....
.....
.....

2. **NATURE OF LAND TENURE RIGHT** (*deed of grant; leasehold; quitrent*)

.....
.....
.....

3. LOCATION OF THE PROPERTY (*Stand no; area; local municipality; Province*)

.....
.....

4. DESCRIPTION OF PROPERTY (*House; land; farm*)

.....
.....

5. CAPACITY IN WHICH LAND TENURE RIGHT IS HELD (*Owner; family representative; other*)

.....
.....

6. IF APPLICATION IS MADE ON BEHALF OF OTHER PERSONS (Persons names, surnames, ID Numbers and residential addresses and their relatedness)

.....
.....
.....

7. INTERESTED PERSONS (*Persons who may have an interest in the application. Their names and surnames, ID numbers and residential addresses*)

.....
.....
.....
.....

8. DOCUMENTS ATTACHED *(List of attached documents)*

.....
.....
.....
.....

9. CONTACT DETAILS *(physical, postal & e-mail addresses, cell/tel numbers)*

.....
.....
.....
.....

10. APPLICANT:

I, the undersigned, apply for the conversion of a land tenure right,
and, undertake to extend my full co-operation to the Minister, the
Department and any person who may be appointed to assist in the
consideration of the application.

Signed at on thisday of20.....

.....
.....
(Signature and full names of applicant) (Designation, where applicable)

Form 2
(Regulation 2(1))

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL
DEVELOPMENT

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991):
SECTION 2

Notice of an application for conversion of a land tenure right by the Minister

I, Minister of Agriculture, Land Reform and Rural Development, has received an application for the conversion of a land tenure right described below.

Interested persons are hereby informed of the application for the conversion of the land tenure right.

Any person interested in the application may object to such application within a period of (30) thirty days from the publication of this notice. An objection to the application must be lodged at the address below.

1. The name, surname, identity number and residential address of the applicant:

.....
.....
.....

2. The nature of the land tenure right:

.....
.....

3. The location of the property by stand number, known name for the area; name of local municipality and the province:

.....
.....
.....

4. The description of the property:

.....
.....

5. The capacity in which the land tenure right is being held or could have been held by the applicant:

.....
.....

6. If the application is made on behalf of more than one person, personal particulars of such other persons:

.....
.....
.....

7. Address at which objection can be lodged:

(Physical address):

(Email address):

Form 3
(Regulation 3(1))

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL
DEVELOPMENT

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991):
SECTION 2

Objection to an application for conversion of a land tenure right

1. Name, surname, ID Number and residential address of the person lodging
an objection:

.....
.....
.....

2. The nature of the land tenure right:

.....
.....

**3. The location of the property by stand number, known name for the area;
name of local municipality and the province:**

.....
.....
.....

4. The description of the property:

.....
.....

**5. The capacity in which the land tenure right is being held or could have been
held by the applicant, if known:**

.....
.....

**6. If the objection is made on behalf of more than one person, the names,
surnames, identity numbers and residential addresses of such other persons:**

.....
.....
.....
.....

7. List of documents submitted in support of the objection:

.....
.....
.....
.....

8. Full grounds/reasons for objection (additional document may be attached):

.....
.....
.....
.....
.....

9. Person lodging an objection:

I, the undersigned, lodge an objection to the conversion of a land tenure right and undertake to extend my full co-operation to the Minister, the Department and any person who may be appointed to assist in the consideration of the objection.

Signed at on thisday of20.....

.....
.....
(Signature of person objecting) (Designation, where applicable)

Form 4
(Regulation 5)

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991):
SECTION 2

Notice of decision by the Minister in terms of regulation 5.

FROM: Minister of Agriculture, Land Reform and Rural Development

TO: Registrar of Deeds (Insert name of Office)

You are hereby informed that I, Minister of Agriculture, Land Reform and Rural Development, has made a decision in terms of section 2(1D) of the Act and approved an application for the conversion of (*disclose the nature of the land tenure right*) to ownership in respect of the following property:

(Insert the registration number of the land, the name of the registration division or administrative district and the province in which such land is situated or, in the case of land situated in a township, the registration division concerned or the administrative district (as the case may be), the name of such township and the province)

The above property vest with effect from (*insert date*) in:

(insert name, surname, identity number and marital status of each person)

Signed at on thisday of20.....

.....

(Signature of Minister or delegate).

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