



LOST TITLE DEEDS: NEW PROCEDURE IN CAPE TOWN DEEDS OFFICE

In the event that an original title deed is lost, Regulation 68(1) of the Deeds Registries Act (47 of 1937) stipulates that an application must be brought for a certified copy of the title deed which is registered at the Deeds Office.

The existing process for applying for a lost copy of a Title Deed at the Cape Town Deed's office is currently being reviewed. The reason is that 30 to 40 applications are received per day and less than 20% are registered. This has led to a situation where there are vast numbers of lost copies of deeds issued by the Deeds Office that are never registered. As a result, the Registrar has implemented a new process requiring the Regulation 68(1) application to be lodged, registered and delivered prior to lodgement of the transfer documents, which process will be fast tracked to take 15 working days to delivery. The result should be that only necessary applications are brought for lost copies thereby minimizing the proliferation of copies in anticipation of registration.

In conclusion, at least a three week delay can be expected where a title deed is lost.

 <i>Going Beyond</i> The DVH group is a national group of attorney practices with offices situated in the Western Cape, Gauteng, and Kwa Zulu Natal. www.dvh.law.za or scan the QR to contact us.	
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