

**Frequently used Conveyancing Terminology**

<i>Transfer Attorney</i>	<i>The attorney attending to the registration of the immovable property into the name of the purchaser. It is customary that such attorney is appointed by the Seller and finalizes the financial aspect of the transaction.</i>
<i>Bond Attorney</i>	<i>The attorney instructed by a bank to register the bond granted by the purchaser's bank.</i>
<i>Cancellation Attorney</i>	<i>The attorney responsible for the cancellation of the bond over the property that is being transferred.</i>
<i>Conveyancer</i>	<i>An admitted attorney who has written and passed an additional exam and specialises in all aspects of property law.</i>
<i>Cancellation Figure</i>	<i>The amount required by the current bondholder over the property to cancel the existing bond.</i>
<i>Occupational Rent</i>	<i>The amount payable by either party (Seller or Purchaser) who occupies the property whilst the property is not registered in his/her names pending the registration process or afterwards.</i>
<i>Transfer Duty</i>	<i>Tax payable to the Receiver of revenue, calculated on the purchase price.</i>
<i>Discharge Figures</i>	<i>The amount needed by the Local Authority in order to issue a certificate confirming that all the rates and taxes in respect of the property are paid.</i>
<i>Clearance Certificates</i>	<i>Rates clearance certificates is the certificate the Local Authority issues after the discharging figures have been paid in full and which certificate must be lodged in Deeds Office as a supporting document.</i>
<i>Lodgment</i>	<i>After all the necessary documents, certificates and consents have been received, the Transferring Attorney arranges with other attorneys involved in the registration process to simultaneously hand in their documents at the Deeds Office on a specific day.</i>
<i>Preparation</i>	<i>After examining the documents it is handed back to the attorneys in the Deeds Office to obtain the final authorization for registration and do a final examination on the finances. The transaction will now be put forward for registration.</i>
<i>Registration</i>	<i>On date of registration the Transferring Attorney collects all the documents from the attorneys involved in the registration process and hands it in at the Registrar of Deeds to be registered. After registration the guarantees are paid out within 48 hours and the transferring attorney, after receiving the money attend to the finances and pay all the relevant parties their share.</i>

# Registration

## Important information that must be in the Deed of Sale

- The name and Identity number of all the Sellers and Purchasers
- The marital status of all the parties  
(If a person is married in community of property their spouse must also sign)
- Domicilium addresses
- The purchase price
- State how payment will be made and whether a deposit will be paid or not
- When will occupation of property be taken
- Occupational rent
- Agent commission
- Cooling of period, if applicable

## What can delay the Registration Process?

- Bond not approved within the time granted in the deed of sale and an extension is given by the seller.
- Discharging figures not being issued within reasonable time by the Local Authority.
- Transfer Duty receipt takes extremely long to be issued electronically, e.g. four weeks.
- Incorrect discharging figures that have to be rectified.
- Should one of the parties' personal taxes is not up to date the Receiver of Revenue can withhold the transfer duty receipts until any arrears have been settled.
- The original title deed is lost and a certified copy needs to be applied for.
- Should one of the parties become insolvent.
- Unforeseen death.
- Should there be a shortfall on the purchase price which has not been covered by the purchaser.
- Should the cancellation figure be higher than the purchase price and the difference payable by the seller is still outstanding.
- Outstanding occupational rent.
- Costs not paid in full by either party.

## Calculation of Transfer Duty

### **Natural Persons**

When calculating transfer duty where the purchaser is a natural person the following scales must be used:

R 0 – R 600 000.00	Exempted
R 600 001.00 – R 1 000 000.00	3% of the value above R 600 001.00
R 1 000 001.00 – R 1 500 000.00	R 12 000 plus 5% of the value over R 1 000 000.00
R 1 500 001.00 and above	R 37 000 plus 8% of the value over R 1 500 000.00

### **Example:**

**A) On a Purchase Price of R 750 000.00 the transfer duty will be calculated as follow:**

- 1<sup>st</sup> – R 600 000.00 Exempted
- 3% on the remaining R 150 000.00 being R 4 500.00
- Therefore the Transfer Duty Payable will be R 4 500.00

**B) On a Purchase Price of R 1 250 000.00 the transfer duty will be calculated as follow;**

- 1<sup>st</sup> – R 600 000.00 Exempted
- 3% on the difference between R 600 001.00 – R 1 000 000.00 being R 12 000.00
- 5% on the Amount Exceeding R 1 000 001.00 (R 250 000.00) being R 12 500.00
- Therefore the Transfer Duty Payable on R 1 250 000.00 will be R24 500.00

**Legal Entity**

Legal Entities (Trusts, Closed Corporations & Companies) pay transfer duty at the same rates as natural persons since 23 February 2011.

		TRANSFER COSTS - A		BOND COSTS - B					
Purchase Price of Bond Amount	Transfer Fee	VAT on Fee	Deeds Office Levy	Transfer Duty	Total Transfer Costs	Bond Registration Fee	VAT on Fee	Deeds Office Levy	Total Bond Costs
—		Natural Person and Legal Entities	Natural Person and Legal Entities						
160,000.00	4,200.00	588.00	350.00	0.00	5,138.00	2,900.00	406.00	350.00	3,656.00
180,000.00	4,400.00	616.00	350.00	0.00	5,366.00	3,000.00	420.00	350.00	3,770.00
200,000.00	4,400.00	616.00	350.00	0.00	5,366.00	3,000.00	420.00	350.00	3,770.00
220,000.00	4,800.00	672.00	350.00	0.00	5,822.00	3,300.00	462.00	350.00	4,112.00
240,000.00	4,800.00	672.00	350.00	0.00	5,822.00	3,300.00	462.00	350.00	4,112.00
260,000.00	5,500.00	770.00	350.00	0.00	6,620.00	3,700.00	518.00	350.00	4,568.00
280,000.00	5,500.00	770.00	350.00	0.00	6,620.00	3,700.00	518.00	350.00	4,568.00
300,000.00	5,500.00	770.00	450.00	0.00	6,720.00	3,700.00	518.00	450.00	4,668.00
320,000.00	5,900.00	826.00	450.00	0.00	7,176.00	4,100.00	574.00	450.00	5,124.00
340,000.00	5,900.00	826.00	450.00	0.00	7,176.00	4,100.00	574.00	450.00	5,124.00
360,000.00	6,400.00	896.00	450.00	0.00	7,746.00	4,600.00	644.00	450.00	5,694.00
380,000.00	6,400.00	896.00	450.00	0.00	7,746.00	4,600.00	644.00	450.00	5,694.00
400,000.00	6,400.00	896.00	450.00	0.00	7,746.00	4,600.00	644.00	450.00	5,694.00
420,000.00	6,900.00	966.00	450.00	0.00	8,316.00	5,000.00	700.00	450.00	6,150.00
440,000.00	6,900.00	966.00	450.00	0.00	8,316.00	5,000.00	700.00	450.00	6,150.00
460,000.00	7,500.00	1,050.00	450.00	0.00	9,000.00	5,400.00	756.00	450.00	6,606.00
480,000.00	7,500.00	1,050.00	450.00	0.00	9,000.00	5,400.00	756.00	450.00	6,606.00
500,000.00	7,500.00	1,050.00	550.00	0.00	9,100.00	5,400.00	756.00	550.00	6,706.00
520,000.00	8,500.00	1,190.00	550.00	0.00	10,240.00	6,200.00	868.00	550.00	7,618.00
540,000.00	8,500.00	1,190.00	550.00	0.00	10,240.00	6,200.00	868.00	550.00	7,618.00
560,000.00	8,500.00	1,190.00	550.00	0.00	10,240.00	6,200.00	868.00	550.00	7,618.00
580,000.00	8,500.00	1,190.00	550.00	0.00	10,240.00	6,200.00	868.00	550.00	7,618.00
600,000.00	8,500.00	1,190.00	550.00	0.00	10,240.00	6,200.00	868.00	550.00	7,618.00
620,000.00	9,500.00	1,330.00	550.00	600.00	11,980.00	7,000.00	980.00	550.00	8,530.00
640,000.00	9,500.00	1,330.00	550.00	1,200.00	12,580.00	7,000.00	980.00	550.00	8,530.00
660,000.00	9,500.00	1,330.00	550.00	1,800.00	13,180.00	7,000.00	980.00	550.00	8,530.00
680,000.00	9,500.00	1,330.00	550.00	2,400.00	13,780.00	7,000.00	980.00	550.00	8,530.00
700,000.00	9,500.00	1,330.00	550.00	3,000.00	14,380.00	7,000.00	980.00	550.00	8,530.00
720,000.00	10,500.00	1,470.00	550.00	3,600.00	16,120.00	7,800.00	1,092.00	550.00	9,442.00
740,000.00	10,500.00	1,470.00	550.00	4,200.00	16,720.00	7,800.00	1,092.00	550.00	9,442.00
760,000.00	10,500.00	1,470.00	550.00	4,800.00	17,320.00	7,800.00	1,092.00	550.00	9,442.00
780,000.00	10,500.00	1,470.00	550.00	5,400.00	17,920.00	7,800.00	1,092.00	550.00	9,442.00
800,000.00	10,500.00	1,470.00	550.00	6,000.00	18,520.00	7,800.00	1,092.00	550.00	9,442.00
820,000.00	11,500.00	1,610.00	550.00	6,600.00	20,260.00	8,600.00	1,204.00	550.00	10,354.00
840,000.00	11,500.00	1,610.00	550.00	7,200.00	20,860.00	8,600.00	1,204.00	550.00	10,354.00
860,000.00	11,500.00	1,610.00	550.00	7,800.00	21,460.00	8,600.00	1,204.00	550.00	10,354.00
880,000.00	11,500.00	1,610.00	550.00	8,400.00	22,060.00	8,600.00	1,204.00	550.00	10,354.00
900,000.00	11,500.00	1,610.00	550.00	9,000.00	22,660.00	8,600.00	1,204.00	550.00	10,354.00
920,000.00	12,500.00	1,750.00	550.00	9,600.00	24,400.00	9,400.00	1,316.00	550.00	11,266.00
940,000.00	12,500.00	1,750.00	550.00	10,200.00	25,000.00	9,400.00	1,316.00	550.00	11,266.00
960,000.00	12,500.00	1,750.00	550.00	10,800.00	25,600.00	9,400.00	1,316.00	550.00	11,266.00
980,000.00	12,500.00	1,750.00	550.00	11,400.00	26,200.00	9,400.00	1,316.00	550.00	11,266.00
1,000,000.00	12,500.00	1,750.00	650.00	12,000.00	26,900.00	9,400.00	1,316.00	700.00	11,416.00
1,050,000.00	13,000.00	1,820.00	650.00	14,500.00	29,970.00	9,800.00	1,372.00	700.00	11,872.00
1,100,000.00	13,000.00	1,820.00	650.00	17,000.00	32,470.00	9,800.00	1,372.00	700.00	11,872.00
1,150,000.00	13,500.00	1,890.00	650.00	19,500.00	35,540.00	10,200.00	1,428.00	700.00	12,328.00
1,200,000.00	13,500.00	1,890.00	650.00	22,000.00	38,040.00	10,200.00	1,428.00	700.00	12,328.00
1,250,000.00	14,000.00	1,960.00	650.00	24,500.00	41,110.00	10,600.00	1,484.00	700.00	12,784.00

1,300,000.00	14,000.00	1,960.00	650.00	27,000.00	43,610.00	10,600.00	1,484.00	700.00	12,784.00
1,350,000.00	14,500.00	2,030.00	650.00	29,500.00	46,680.00	11,000.00	1,540.00	700.00	13,240.00
1,400,000.00	14,500.00	2,030.00	650.00	32,000.00	49,180.00	11,000.00	1,540.00	700.00	13,240.00
1,450,000.00	15,000.00	2,100.00	650.00	34,500.00	52,250.00	11,400.00	1,596.00	700.00	13,696.00
1,500,000.00	15,000.00	2,100.00	650.00	37,000.00	54,750.00	11,400.00	1,596.00	700.00	13,696.00
1,550,000.00	15,500.00	2,170.00	650.00	41,000.00	59,320.00	11,800.00	1,652.00	700.00	14,152.00
1,600,000.00	15,500.00	2,170.00	650.00	45,000.00	63,320.00	11,800.00	1,652.00	700.00	14,152.00
1,650,000.00	16,000.00	2,240.00	650.00	49,000.00	67,890.00	12,200.00	1,708.00	700.00	14,608.00
1,700,000.00	16,000.00	2,240.00	650.00	53,000.00	71,890.00	12,200.00	1,708.00	700.00	14,608.00
1,750,000.00	16,500.00	2,310.00	650.00	57,000.00	76,460.00	12,600.00	1,764.00	700.00	15,064.00
1,800,000.00	16,500.00	2,310.00	650.00	61,000.00	80,460.00	12,600.00	1,764.00	700.00	15,064.00
1,850,000.00	17,000.00	2,380.00	650.00	65,000.00	85,030.00	13,000.00	1,820.00	700.00	15,520.00
1,900,000.00	17,000.00	2,380.00	650.00	69,000.00	89,030.00	13,000.00	1,820.00	700.00	15,520.00
1,950,000.00	17,500.00	2,450.00	650.00	73,000.00	93,600.00	13,400.00	1,876.00	700.00	15,976.00
2,000,000.00	17,500.00	2,450.00	850.00	77,000.00	97,800.00	13,400.00	1,876.00	1,050.00	16,326.00
2,100,000.00	18,000.00	2,520.00	850.00	85,000.00	106,370.00	13,800.00	1,932.00	1,050.00	16,782.00
2,200,000.00	18,500.00	2,590.00	850.00	93,000.00	114,940.00	14,200.00	1,988.00	1,050.00	17,238.00
2,300,000.00	19,000.00	2,660.00	850.00	101,000.00	123,510.00	14,600.00	2,044.00	1,050.00	17,694.00
2,400,000.00	19,500.00	2,730.00	850.00	109,000.00	132,080.00	15,000.00	2,100.00	1,050.00	18,150.00
2,500,000.00	20,000.00	2,800.00	850.00	117,000.00	140,650.00	15,400.00	2,156.00	1,050.00	18,606.00
2,600,000.00	20,500.00	2,870.00	850.00	125,000.00	149,220.00	15,800.00	2,212.00	1,050.00	19,062.00
2,700,000.00	21,000.00	2,940.00	850.00	133,000.00	157,790.00	16,200.00	2,268.00	1,050.00	19,518.00
2,800,000.00	21,500.00	3,010.00	850.00	141,000.00	166,360.00	16,600.00	2,324.00	1,050.00	19,974.00
2,900,000.00	22,000.00	3,080.00	850.00	149,000.00	174,930.00	17,000.00	2,380.00	1,050.00	20,430.00
3,000,000.00	22,500.00	3,150.00	1,050.00	157,000.00	183,700.00	17,400.00	2,436.00	1,050.00	20,886.00
3,100,000.00	23,000.00	3,220.00	1,050.00	165,000.00	192,270.00	17,800.00	2,492.00	1,050.00	21,342.00
3,200,000.00	23,500.00	3,290.00	1,050.00	173,000.00	200,840.00	18,200.00	2,548.00	1,050.00	21,798.00
3,300,000.00	24,000.00	3,360.00	1,050.00	181,000.00	209,410.00	18,600.00	2,604.00	1,050.00	22,254.00
3,400,000.00	24,500.00	3,430.00	1,050.00	189,000.00	217,980.00	19,000.00	2,660.00	1,050.00	22,710.00
3,500,000.00	25,000.00	3,500.00	1,050.00	197,000.00	226,550.00	19,400.00	2,716.00	1,050.00	23,166.00
3,600,000.00	25,500.00	3,570.00	1,050.00	205,000.00	235,120.00	19,800.00	2,772.00	1,050.00	23,622.00
3,700,000.00	26,000.00	3,640.00	1,050.00	213,000.00	243,690.00	20,200.00	2,828.00	1,050.00	24,078.00
3,800,000.00	26,500.00	3,710.00	1,050.00	221,000.00	252,260.00	20,600.00	2,884.00	1,050.00	24,534.00
3,900,000.00	27,000.00	3,780.00	1,050.00	229,000.00	260,830.00	21,000.00	2,940.00	1,050.00	24,990.00
4,000,000.00	27,500.00	3,850.00	1,050.00	237,000.00	269,400.00	21,400.00	2,996.00	1,050.00	25,446.00
4,200,000.00	28,500.00	3,990.00	1,050.00	253,000.00	286,540.00	22,200.00	3,108.00	1,050.00	26,358.00
4,400,000.00	29,500.00	4,130.00	1,050.00	269,000.00	303,680.00	23,000.00	3,220.00	1,050.00	27,270.00
4,600,000.00	30,500.00	4,270.00	1,050.00	285,000.00	320,820.00	23,800.00	3,332.00	1,050.00	28,182.00
4,800,000.00	31,500.00	4,410.00	1,050.00	301,000.00	337,960.00	24,600.00	3,444.00	1,050.00	29,094.00
5,000,000.00	32,500.00	4,550.00	1,250.00	317,000.00	355,300.00	25,400.00	3,556.00	2,050.00	31,006.00
5,200,000.00	33,000.00	4,620.00	1,250.00	333,000.00	371,870.00	25,800.00	3,612.00	2,050.00	31,462.00
5,400,000.00	33,500.00	4,690.00	1,250.00	349,000.00	388,440.00	26,200.00	3,668.00	2,050.00	31,918.00
5,600,000.00	34,000.00	4,760.00	1,250.00	365,000.00	405,010.00	26,600.00	3,724.00	2,050.00	32,374.00
5,800,000.00	34,500.00	4,830.00	1,250.00	381,000.00	421,580.00	27,000.00	3,780.00	2,050.00	32,830.00
6,000,000.00	35,000.00	4,900.00	1,250.00	397,000.00	438,150.00	27,400.00	3,836.00	2,050.00	33,286.00

<b>CALCULATED ON PURCHASE PRICE :</b>		<b>R 600 00,00</b>
<b>A. TRANSFER COSTS</b>		
Transfer Registration Fee		8,500.00
VAT on Transfer Registration Fee		1,190.00
Transfer Duty (Payable to the Reciever of Revenue)		*
Deeds Office Fee (Payable to the Deeds Office)		*
Postage & Petties VAT Incl.		R 969.00
FICA VAT Incl.		R 399.00
Electronic Document Generating Fee VAT Incl.		R 114.00
Deeds Office Search VAT Incl.		R 114.00
<b>TOTAL A</b>	<b>R</b>	<b>11,286.00</b>
<b>CALCULATED ON BOND AMOUNT :</b>		

<i>ANCILLARY BOND OR TRANSFER COSTS</i>	
<i>Full Title: Pro Rata Rates &amp; Taxes</i>	<i>± R 2,500.00</i>
<i>Clearance Certificate</i>	<i>± R 40.90</i>
<i>Sectional Title: Levies</i>	<i>± R 800.00</i>
<i>Levy Certificate</i>	<i>± R 500.00</i>
<i>Section 21 Company (Additional to Full- &amp; Sectional Title)</i>	
<i>Levies</i>	<i>± R 400.00</i>
<i>Levy Certificate</i>	<i>± R 450.00</i>
<i>Insurance Certificate</i>	<i>± R 400.00</i>
<i>Valuation Fee:</i>	<i>Differs from bank to bank</i>

**Registration Process : 8 – 10 Weeks**

