

Typists' Syllabus

Basic Diploma in Conveyancing Practice

Module 1

Conventional Deed of Transfer (Theory)

- Theory regarding the registration of a deed of transfer, including terminology peculiar to deeds practice, duties of a conveyancing typist, ethics in a conveyancing practice, types of accounts in an attorney's firm, purpose of an agreement of sale, deed of transfer and power of attorney, analysis of the clauses of a deed of transfer and a power of attorney and important procedures to follow in a conveyancing practice from the opening of the file to the closing thereof.
- Important procedures, practices and ethics in a conveyancing practice.
- Evaluation for **Silver Certificate - Module 1.**

Module 2

Conventional Deed of Transfer (Practical Case Study)

- Practical case study for the transfer of a full title property by means of a deed of transfer, including the following: analysis of an agreement of sale, deeds search, drafting of a deed of transfer (all clauses), power of attorney, supporting documents, execution cover for lodgement, maintenance of correspondence, requesting of cancellation figures & guarantees, drafting of pro-forma and final account, transfer duty & VAT (basic principles).
- All aspects from receipt of instruction to closure of the file.
- Evaluation for **Silver Certificate - Module 2.**

Module 3

Mortgage bonds (Registration & Cancellation Procedure)

- Theory and practical examples for the registration and cancellation of mortgage bonds, including: loan application and bond registration procedure, from the receipt of instructions, checking of bond instructions, obtaining of information and documents, maintenance of correspondence, drafting of the bond documents, dispatch of documents to bank, preparation, registration and delivery. Useful hints are also supplied.
- Theory and practice of certain bond clauses, such as handling of title conditions, non prejudice clause, and dealings with mortgage bonds, for example waivers of preference.
- Procedure at different types of bonds, including building bonds, private bonds, covering bonds and sectional title bonds, as well as procedure for the cancellation of bonds.
- Evaluation for **Silver Certificate - Module 3.**

Diploma in Conveyancing Practice

Module 4

Sectional Deed of Transfer

- Theory of the general fundamentals applicable to sectional titles, differences between a conventional deed of transfer and a sectional deed of transfer, with the focus on the registration of a sectional deed of transfer and the cession of an exclusive use area.
- Practical case study for the transfer of a sectional deed of transfer, inter alia: analysis of an agreement of sale, deeds search, drafting of a sectional deed of transfer, power of attorney, supporting documents, a notarial deed of cession of exclusive use area, requesting of cancellation figures and guarantees, maintenance of correspondence, lodgement of documents at the deeds registry, drafting of pro-forma and final account.
- All aspects from the receipt of the instruction to the closure of the file.
- Evaluation for **Silver Certificate - Module 4.**

Module 5

Estate Transfers

- Theory and practical exercises for the transfer of a property from a solvent estate due to a sale or inheritance, including: description of parties, section 42(1) and 42(2) certificates, drafting of various types of causae, divesting of a joint estate, supporting documents to be lodged, section 18(3) estates, estates pertaining to intestate inheritance of black persons, as well as estate endorsements in terms of section 45(1) of the Deeds Registries Act and section 40(1)(b) of the Administration of Estates Act.
- Theory and practical exercises relating transfers in terms of insolvent deceased state and execution procedures.
- Evaluation for **Silver Certificate - Module 5.**

Module 6 - Capita Selecta

(Commissioner of oaths, endorsements, lost deeds, transfer duty, VAT, capital gains tax & key clauses of an agreement of sale)

- Functions of a Commissioner of Oaths and practical guidelines for the appointment of a conveyancing secretary as Commissioner of Oaths.
- Theory and practical examples of various types of endorsements (sections 3(1)(v), 4(1)(b), 16, 17(4), 24bis(2), 25(3), 44, 45(1), 45bis(1)(a), 45bis(1)(b), 45bis(1A), 58(2), 68(1), 93(1)) and lost deeds.
- Tax principles applicable to VAT, transfer duty and capital gains tax. Calculation of transfer duty and penalty transfer duty. Exemption from transfer duty. Documents for lodgement at SARS.
- Analysis of the key clauses of an agreement of sale.
- Evaluation for **Silver Certificate - Module 6.**



Advanced Diploma in Conveyancing Practice

Module 7

Servitudes, Subdivision and Consolidation of Property

- Theoretical background and general principles pertaining to certificates of registered title.
- Theory on subdivision and consolidation. Practical examples and the drafting of applications and certificates of subdivision and consolidation of property.
- Creation and description of servitudes (such as personal and praedial servitudes) in deeds of transfer and notarial deeds. Handling of and the qualification of conditions at subdivision and consolidation.
- A practical case study to illustrate the practical application of principles pertaining to servitudes, subdivision and consolidation.
- Importance of diagrams at subdivision and consolidation. Disposal of mortgage bonds at subdivision and consolidation.
- Evaluation for **Silver Certificate - Module 7** or receive **Bronze Certificate** for attendance.

Module 8

Opening of a Sectional Title Register

- Theory and practical examples for the opening of a sectional title register and registration of a sectional plan, including: application of the developer, section 11(3)(b) schedule of conditions, consent of a mortgagee, certificate from a conveyancer regarding the rules, certificates of real right of extension of the scheme as well as real right of exclusive use areas, certificates of registered sectional title in respect of each section, and registration of the sectional plan of extension of the scheme.
- Principles concerning joint ownership of a section, dealings with common property, subdivision and consolidation of a section, extension of sections, exclusive use areas, the body corporate and functions of the body corporate, and finally rules of the scheme.
- Two practical case studies for the opening of a sectional title register.
- Evaluation for **Silver Certificate - Module 8** or receive **Bronze Certificate** for attendance.

Module 9

Opening of a Township Register (Township Development)

- Theory and practical examples for the opening of a township register and the registration of a general plan, inter alia: a town established on the whole of a piece of land, or on only a portion of a piece of land, or on two or more pieces of land.
 - Beplanning en verloop van proses wat die opening van die dorpsregister voorafgaan.
- Planning and the course of the process prior to the opening of the township register.
- First transfer of stands directly from the general plan after township development.
- Permanent filing of the title deed, mortgage bond and related issues.
- Evaluation for **Silver Certificate - Module 9** or receive **Bronze Certificate** for attendance.

