



## mineral resources

Department  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA

### GUIDELINE ON THE TRANSFER OF SURFACE RIGHT PERMITS AND STAND TITLES

#### 1. Deed of Transfer

1.1 Deeds of Transfer must be lodged in duplicate.

1.2 The appearer must be captured in the Deed.

1.3 The Deed must make provision for the insertion of the designated official's name on the preamble.

1.4 If a right was transferred, the existing/holding title must be lodged; if lost; the holder must apply for a certified copy in terms of Regulation 60(a) of the Mining Titles Registration Regulations, 2004.

1.5 The Deed must disclose the following:

1.5.1 Extending clause

1.5.2 Consideration clause

1.5.3 Causa or reason for the transfer

*\*The mode of transfer must be in accordance with the legislation under which the right was issued.*

#### 2. Supporting Documents

##### 2.1 Power of Attorney

2.1.1 A power of attorney must be signed and witnessed by two competent witnesses.

2.1.2 It must contain full names, identity/registration number, and marital status of the parties and the full property description of the right to be transferred.

*\*All other legal requirements pertaining to the preparation of powers of attorney shall apply.*

2.2 Transfer Duty Receipt or exemption certificate issued by the South African Revenue Services.

2.3 Clearance certificate or exemption issued by the relevant Municipality

2.4 A Conveyancer's certificate confirming that surface rentals have been paid in full accompanied by supporting document from the relevant Regional Office.

2.5 Conveyancer's certificate confirming that the transferor and transferee are solvent and /or not liquidated/sequestered must be lodged on the date of execution.

2.6 An original copy of the right (surface right permit/ stand title accompanied by the RMT plan must be lodged; if lost; the holder must apply for a certified copy in terms of Regulation 60(a) of the Mining Titles Registration Regulations, 2004.

*\*If a right is encumbered, a bond must be cancelled prior to passing of the transfer to the transferee.*

2.7 Prescribed fee of R200.00

  
Director: Mineral and Petroleum Titles Registration Office

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