



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 9628

Regulasiekoerant

Vol. 557

Pretoria, 18 November 2011

No. 34762

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GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 954

18 November 2011

REGULATIONS UNDER SECTION 103 OF THE ADMINISTRATION OF ESTATES ACT, 1965 (ACT No. 66 OF 1965)

The Minister of Justice and Constitutional Development has under section 103 of the Administration of Estates Act, 1965 (Act No. 66 of 1965), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 473 of 24 March 1972, as amended by Government Notice Nos. R. 817 of 13 May 1977, R. 1209 of 13 June 1980, R. 2542 of 20 November 1981, R. 2482 of 1 November 1985, R. 655 of 11 April 1986, R. 2738 of 11 December 1987, R. 610 of 31 March 1989, R. 1208 of 9 June 1989, R. 1921 of 17 August 1990, R. 1602 of 1 July 1991, R. 1627 of 12 July 1991, R. 1539 of 13 August 1993, R. 64 of 14 January 1994, R. 1341 of 12 August 1996, R. 365 of 7 March 1997 and R. 1002 of 12 October 2001.

Amendment of regulation 9 of the Regulations

2. Regulation 9 of the Regulations is hereby amended by the substitution for subregulations (1) and (2) of the following subregulations:

"(1) Every appraiser is entitled to remuneration according to the following tariff in respect of every separate or continuous appraisal made by him or her for the purposes of the Act:

- (a) Valuations of R10 000 or less: R246, 20.
- (b) Valuations exceeding R10 000 up to and including R20 000: R281, 40.
- (c) Valuations exceeding R20 000 up to and including R300 000: R 281, 40

- for the first R20 000 and R3, 90 per R1 000 or part thereof thereafter.
- (d) Valuations exceeding R300 000 up to and including R800 000: R1 371, 80 for the first R300 000 and R2, 60 per R1 000 or part thereof thereafter.
- (e) Valuations exceeding R800 000: R2 690, 80 for the first R800 000 and R1, 80 per R1 000 or part thereof thereafter.
- (2) The tariff fee shall be increased by 20 percent subject to a maximum of R65, 10 for every separate or continuous appraisalment when an appraiser values any property and the Master or the Commissioner for the South African Revenue Service desires particulars of the property including the completion of any prescribed form.”.

Amendment of regulation 10 of the Regulations

3. Regulation 10 of the Regulations is hereby amended by the substitution in paragraph (a) of subregulation (1) for the expression “R2, 00” of the expression “R3, 50”.

Substitution of regulation 11 of the Regulations

4. The following regulation is hereby substituted for regulation 11 of the Regulations:

“11. In addition to the remuneration and transport allowance set out in regulations 9 and 10, the following allowances may be claimed:

- (a) For time spent in travelling to and from the place of appraisalment: R44 per completed hour, but not exceeding R439, 70 per day.
- (b) For necessary detention while the appraiser is not engaged in the appraisalment: R44 per completed hour, but not exceeding R439, 70 per day. ”.

Transitional provision

5. These regulations apply only to appraisalments made on or after the date of commencement of these regulations.

Commencement

6. These regulations come into operation on the date of publication thereof in the *Gazette*.

No. R. 954

18 November 2011

REGULASIES KRAGTENS ARTIKEL 103 VAN DIE BOEDELWET, 1965 (WET No. 66 VAN 1965)

Die Minister van Justisie en Staatkundige Ontwikkeling het kragtens artikel 103 van die Boedelwet, 1965 (Wet No. 66 van 1965), die regulasies in die Bylae uitgevaardig.

BYLAE**Definisie**

1. In hierdie regulasies beteken “ die Regulasies” die regulasies afgekondig by Goewermentskennisgewing No. R. 473 van 24 Maart 1972, soos gewysig by Goewermentskennisgewings Nos. R. 817 van 13 Mei 1977, R. 1209 van 13 Junie 1980, R. 2542 van 20 November 1981, R. 2482 van 1 November 1985, R. 655 van 11 April 1986, R. 2738 van 11 Desember 1987, R. 610 van 31 Maart 1989, R. 1208 van 9 Junie 1989, R. 1921 van 17 Augustus 1990, R. 1602 van 1 Julie 1991, R. 1627 van 12 Julie 1991, R. 1539 van 13 Augustus 1993, R. 64 van 14 Januarie 1994, R. 1341 van 12 Augustus 1996, R. 365 van 7 Maart 1997 en R. 1002 van 12 Oktober 2001.

Wysiging van regulasie 9 van die Regulasies

2. Regulasie 9 van die Regulasies word hierby gewysig deur subregulasies (1) en (2) deur die volgende subregulasies te vervang:

“(1) Elke taksateur is ten aansien van elke afsonderlike en deurlopende waardering wat hy of sy vir doeleindes van die Wet doen, geregtig op vergoeding ooreenkomstig die volgende tarief:

- (a) Waardasies van R10 000 of minder: R246, 20.
- (b) Waardasies van meer as R10 000 tot en met R20 000: R281, 40
- (c) Waardasies van meer as R20 000 tot en met R300 000: R 281, 40 vir die eerste R20 000 en R3, 90 vir elke R1 000 of gedeelte daarvan daarbo.

- (d) Waardasies van meer as R300 000 tot en met R800 000: R1 371, 80 vir die eerste R300 000 en R2, 60 vir elke R1 000 of gedeelte daarvan daarbo.
- (e) Waardasies van meer as R800 000: R2 690, 80 vir die eerste R800 000 en R1, 80 vir elke R1 000 of gedeelte daarvan daarbo.
- (2) Die tariefgeld word met 20 persent verhoog, onderworpe aan 'n maksimum van R65,10 vir elke afsonderlike of deurlopende waardering wanneer 'n taksateur eiendom waardeur en die Meester of die Kommissaris van die Suid Afrikaanse Inkomste Diens besonderhede van daardie eiendom met inbegrip van die invul van enige voorgeskrewe vorm, verlang.”.

Wysiging van regulasie 10 van die Regulasies

3. Regulasie 10 van die Regulasies word hierby gewysig deur in paragraaf (a) van subregulasie (1) die uitdrukking “R2, 00” deur die uitdrukking “R3, 50”, te vervang.

Vervanging van regulasie 11 van die Regulasies

4. Regulasie 11 van die Regulasies word hierby deur die volgende regulasie vervang:

“11. Benewens die vergoeding en vervoertoelae in regulasies 9 en 10 uiteengesit, kan die volgende toelae geëis word:

- (a) Vir tyd bestee aan die reis na en van die plek van waardering: R44 per volle uur, maar hoogstens R439, 70 per dag.
- (b) Vir noodsaaklike oponthoud terwyl die taksateur nie met die waardering besig is nie: R44 per volle uur, maar hoogstens R439, 70 per dag. ”.

Oorgangsbepaling

5. Hierdie regulasies is slegs van toepassing op waarderings gedoen op of na die datum van inwerkingtreding van hierdie regulasies.

Inwerkingtreding

6. Hierdie regulasies tree in werking op die datum van publikasie daarvan in die *Staatskoerant*.
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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
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