

THE DEEDS REGISTRY (AMENDMENT) ACT, 1970

No. 29



of 1970.

AN ACT TO AMEND THE DEEDS REGISTRY PROCLAMATION, 1960, BY PROVIDING THAT THE ATTORNEY-GENERAL MAY UNDERTAKE CONVEYANCING FUNCTIONS IN TRANSACTIONS TO WHICH THE STATE IS A PARTY AND BY PROVIDING FOR THE REGISTRATION FREE OF CHARGE OF THE CONVEYANCE IN FAVOUR OF THE STATE OF THE OWNERSHIP OF LAND HELD UNDER A TITLE DEED

Date of Assent: 14.8.1970.

Date of Commencement: 26.8.1970

ENACTED by the Parliament of Botswana.

Short Title

1. This Act may be cited as the Deeds Registry (Amendment) Act, 1970.

Insertion of Section 9A into Proclamation No. 36 of 1960

2. The Deeds Registry Proclamation, 1960 (hereinafter referred to as the principal law), is amended by the insertion immediately after section 9 of the following section —

“Power to Undertake Conveyancing Functions

9A. Notwithstanding anything in this or any other law, whenever the State is a party to any transaction involving real rights in land the preparation and execution of any documents, notarial or other, and the conveyance of any rights necessary to give effect to such transaction may be undertaken by the Attorney-General or any person appointed by him in writing.

Amendment of Section 16 of Proclamation No. 36 of 1960

3. Section 16 of the principal law is amended by the addition of the following proviso—

“Provided that where the State has become entitled to acquire the ownership of the whole or portion of any land held under a title deed and such whole or portion, as the case may be, is depicted on a diagram or diagrams, the Registrar shall --

- (i) make, free of charge to the State, such alterations and entries in his registers and such endorsements on the title deed as may be necessary to register the conveyance to the State of such whole or portion; and
- (ii) simultaneously execute, free of charge to the State, a certificate of registered State title in respect of such whole or portion with the diagram or diagrams annexed thereto.”

Passed by the National Assembly this day, the 2nd July, 1970.

G.T. MATENGE,
Clerk of the National Assembly