

DEEDS REGISTRY ACT
(Cap. 33:02)

DEEDS REGISTRY (AMENDMENT) REGULATIONS, 2020
(*Published on 30th November, 2020*)

ARRANGEMENT OF REGULATIONS

REGULATION

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IN EXERCISE of the powers conferred on the Minister of Land Management, Water and Sanitation Services by section 11 of the Deeds Registry Act, the following Regulations are hereby made —

- Citation 1. These Regulations may be cited as the Deeds Registry (Amendment) Regulations, 2020.
- General amendment of Cap. 33:02 (Sub. Leg.) 2. The Deeds Registry Regulations (in these Regulations referred to as “the Regulations”) are amended by substituting for the words “Director of Surveys and Lands” wherever they appear in the Regulations, the words “Director of Surveys and Mapping.”.
- Amendment of regulation 2 of the Regulations 3. Regulation 2 of the Regulations is amended by —
(a) substituting for subregulation (1) the following new subregulation —
 “(1) The identity of a person shall be established by means of the person’s —
 (a) name;
 (b) date of birth or, in lieu of the date of birth, by a method approved by the Registrar;
 (c) identity document, in the case of a citizen; or
 (d) passport number in case of non a citizen ,
which shall be entered in the register in which transactions relating to the person are recorded.”; and
(b) substituting for subregulation (2) the following new subregulation —
 “(2) The date of birth of a person shall be established by means of the person’s identity document, passport, birth or baptism certificate or an affidavit produced to and filed by the Registrar.”.
- Amendment of regulation 3 of the Regulations 4. The Regulations are amended by substituting for regulation 3 the following new regulation —
“Deeds etc., 3. Deeds, powers and other documents lodged for execution, to be written registration or record shall be —
on paper; or (a) written , printed or typed on paper, or
in electronic (b) in the form of any electronic medium,
method approved by the Registrar . ”.
- Amendment of regulation 7 of the Regulations 5. Regulation 7 of the Regulations is amended by —
(a) substituting for subregulation (1) the following new subregulation —
 “(1) Deeds, powers and other documents shall contain, in relation to the person named therein, the person’s —
 (a) full name;
 (b) identity document in the case of a citizen ;
 (c) passport number in the case of a non-citizen;and
 (d) date of birth,
except in respect of such person who is acting or who is appointed to act in a representative capacity.”; and
(b) deleting subregulation (2) .
- Amendment of regulation 10 of the Regulations 6. Regulation 10 of the Regulations is amended by deleting subregulation (3).

7. Regulation 11 of the Regulations is amended by substituting for —
- (a) the side note appearing therein, the following new side note —
“Land in deed to be described”; and
- (b) subregulation (1), the following new subregulation —
“(1) In describing land in a deed, the description shall be in accordance with the approved diagram or general plan approved by the Director.”.
8. Regulation 17 of the Regulations is amended by substituting for subregulation (2) the following new subregulation —
“(2) When property is registered in the name of a person carrying out business as a firm or a partnership it may, where the firm or the partnership consists of the same partners, be transferred, hypothecated, or otherwise be dealt with, as the case may be, on a power of attorney bearing the signature of the partner who has been duly authorised by a resolution of the firm or partnership.”.
9. The Regulations are amended by deleting regulation 21.
10. The Regulations are amended by deleting regulation 23.
11. The Regulations are amended by substituting for regulation 26 the following new regulation —
- “Deeds to be prepared by conveyancer* 26. (1) Every deed of transfer, certificate conferring title to immovable property or mortgage bond shall be prepared by a conveyancer and shall bear an endorsement signed by such conveyancer that it was prepared by him or her, and he or she shall also initial personally all alterations or interlineations in such transfer certificate or bond and every page thereof not requiring his signature if such transfer certificate or bond is written on separate sheets; and no such transfer certificate or bond shall be accepted for execution or registration which does not bear such endorsement and is not so initialled:
- Provided that —
- (i) in cases where the alteration or interlineation does not, in the opinion of the Registrar, require initialling by the preparing conveyancer, such alteration or interlineation shall be initialled by the executing conveyancer; and
- (ii) this *proviso* does not apply to a certificate of title.
- (2) The provisions of this regulation shall not apply to the registration and transfer of a deed of customary land grant or any instrument attested under the Married Persons Property Act.”.
12. The Regulations are amended by substituting for regulation 28 the following new regulation —
- “Lodgement for examination* 28. (1) All deeds, bonds, documents and powers of attorney proper for execution or registration, as the case may be, in the deeds registry, shall be lodged with the officer responsible for receiving at any time during working hours, who shall note thereon the date of lodgement for examination by the owner or by an attorney, notary or conveyancer practicing at the seat of the Registry.

Amendment of regulation 11 of the Regulations

Amendment of regulation 17 of the Regulations

Deletion of regulation 21 of the Regulations

Deletion of regulation 23 of the Regulations

Amendment of regulation 26 of the Regulations

Amendment of regulation 28 of the Regulations

(2) A power of attorney shall be lodged singly, and all other deeds described in subregulation (1) shall be lodged in duplicate, except where the Registrar otherwise directs.

(3) In the event of two or more mortgage bonds being passed on the same day by one and the same mortgagor over the same property, the Registrar shall, if each bond does not disclose the order in which it is to rank, note on each the exact time at which he affixed his signature thereto.

(4) Any registration under the Act shall be deemed to have been effected upon appending the Registrar's signature and affixing the seal of office.

(5) Although a deed is to be fully examined in the first instance, if a defect of such a nature as to justify rejection is discovered in connection with any deed or any document lodged for execution or registration, the Registrar shall have power to direct that the further examination of the deed shall be postponed until the defect has been cured and to reject such deed where necessary .”.

Amendment of regulation 43 of the Regulations **13.** Regulation 43 of the Regulations is amended by inserting immediately after subregulation (8) the following new subregulation —

“(9) The provisions of this regulation shall not apply where the lodgment of a document is effected by a land board in terms of the Tribal Land Act.”.

Amendment of regulation 48 of the Regulations **14.** The Regulations are amended by substituting for regulation 48 the following new regulation —

“Lodgement at deeds registry 48. The lodgement of any document with the deeds registry shall be conducted —

- (a) in person;
- (b) through an agent; or
- (c) by any electronic method which the Registrar may approve.”.

Insertion of regulation 55 in the Regulations **15.** The Regulations are amended by inserting immediately after regulation 54 the following new regulation —

“Deed of transfer of customary land grant 55. An application for transfer of customary land rights in terms of section 17A of the Act shall be prepared in Form 1 as set out in the Schedule.”.

Insertion of regulation 56 in the Regulations **16.** The Regulations are amended by inserting immediately after regulation 55 the following new regulation —

“Certificate of registered land title 56. (1) An application for a certificate of registered land title in terms of section 19A of the Act shall contain a full description of the land to which it relates and shall be prepared in Form 2 as set out in the Schedule.”.

(2) A certificate of registered land title issued under subregulation (1) shall be in Form 3 as set out in the Schedule.”.

Insertion of regulation 57 in the Regulations **17.** The Regulations are amended by inserting immediately after regulation 56 the following new regulation —

“Certificate of registered state title 57. A certificate of registered state title issued in terms of section 19 (3) of the Act, shall be in Form 4 as set out in the Schedule.”.

Insertion of regulation 58 in the Regulations **18.** The Regulations are amended by inserting immediately after regulation 57 the following new regulation —

<p>“Deed of Transfer</p>	<p>58. A deed of transfer prepared in terms of section 20 of the Act, shall be in Form 5 as set out in the Schedule.”.</p>	
<p>19. The Regulations are amended by inserting immediately after regulation 58 the following new regulation —</p>		<p>Insertion of regulation 59 in the Regulations</p>
<p>“Deed of partition transfer</p>	<p>59. A deed of partition transfer prepared in terms of section 26 (1) of the Act, shall be in Form 6 as set out in the Schedule.”.</p>	
<p>20. The Regulations are amended by inserting immediately after regulation 59 the following new regulation —</p>		<p>Insertion of regulation 60 in the Regulations</p>
<p>“Certificate of registered title of undivided share</p>	<p>60. A certificate of registered title of undivided share issued in terms of section 32 of the Act shall be in Form 7 as set out in the Schedule.”.</p>	
<p>21. The Regulations are amended by inserting immediately after regulation 60 in the following new regulation —</p>		<p>Insertion of regulation 61 in the Regulations</p>
<p>“Certificate of registered title</p>	<p>61. A certificate of registered title issued in terms of section 35 of the Act shall be in Form 8 as set out in the Schedule.”.</p>	
<p>22. The Regulations are amended by inserting immediately after regulation 61 the following new regulation —</p>		<p>Insertion of regulation 62 in the Regulations</p>
<p>“Certificate replacement</p>	<p>62. A certificate of registered title issued <i>in lieu</i> of a lost or destroyed deed in terms of section 36 (5) of the Act shall be in Form 9 set as out in the Schedule.”.</p>	
<p>23. The Regulations are amended by inserting immediately after regulation 62 the following new regulation —</p>		<p>Insertion of regulation 63 in the Regulations</p>
<p>“Correction of error in registration</p>	<p>63 (1) A certificate of registered title issued in terms of section 37 (1) of the Act shall be in Form 10 as set out in the Schedule. (2) A certificate of registered title issued in terms of section 37 (2) of the Act shall be in Form 10 A as set out in the Schedule.”.</p>	
<p>24. The Regulations are amended by inserting immediately after regulation 63 the following new regulation —</p>		<p>Insertion of regulation 64 in the Regulations</p>
<p>“Certificate of consolidated title</p>	<p>64. A certificate of consolidated title issued in terms of section 38 (1) of the Act shall be in Form 11 as set out in the Schedule.”.</p>	
<p>25. The Regulations are amended by inserting immediately after regulation 64 the following new regulation —</p>		<p>Insertion of regulation 65 in the Regulations</p>
<p>“Certificate of Amended title</p>	<p>65. A certificate of amended title issued in terms of section 39 (1) of the Act shall be in Form 12 as set out in the Schedule.”.</p>	
<p>26. The Regulations are amended by inserting immediately after regulation 65 the following new regulation —</p>		<p>Insertion of regulation 66 in the Regulations</p>
<p>“Certificate of uniform title</p>	<p>66. A certificate of uniform title issued in terms of section 40 of the Act shall be in Form 13 as set out in the Schedule.”.</p>	
<p>27. The Regulations are amended by inserting immediately after regulation 66 the following new regulation —</p>		<p>Insertion of regulation 67 in the Regulations</p>
<p>“Certificate of registered title of portion of a piece of land</p>	<p>67. (1) A certificate of registered title issued in terms of sections 41 (1) and 41 (5) of the Act in respect of a portion of a piece of land shall be in Form 14 as set out in the Schedule. (2) A certificate of registered title issued in terms of section 41 (3) of the Act in respect of a portion of a piece of land shall be in Form 14A as set out in the Schedule.”.</p>	

- Insertion of regulation 68 in the Regulations **28.** The Regulations are amended by inserting immediately after regulation 67 the following new regulation —
 "Consent by surviving spouse 68. A written consent signed by the surviving spouse and the legal holder of the bond in terms of section 43 (2) (c) of the Act shall be in Form 15 as set out in the Schedule."
- Insertion of regulation 69 in the Regulations **29.** The Regulations are amended by inserting immediately after regulation 68 the following new regulation —
 "Certificate of township title 69. A certificate of township or settlement title issued in terms of section 46 (4) of the Act shall be in Form 16 as set out in the Schedule."
- Insertion of regulation 70 in the Regulations **30.** The Regulations are amended by inserting immediately after regulation 69 the following new regulation —
 "Consent to substitution of debtor 70. A written consent of the holder of the bond and transferee in terms of section 55 (1) of the Act shall be in Form 17 as set out in the Schedule."
- Insertion of regulation 71 in the Regulations **31.** The Regulations are amended by inserting immediately after regulation 70 the following new regulation —
 "Certificate of Registered real rights 71. A certificate of registration of a real right issued in terms of section 61 (1) of the Act shall be in Form 18 as set out in the Schedule."
- Insertion of regulation 72 in the Regulations **32.** The Regulations are amended by inserting immediately after regulation 71 the following new regulation —
 "Certificate of rights to minerals 72. A certificate of rights to minerals issued in terms of section 68 (2) of the Act shall be in Form 19 as set out in the Schedule."
- Insertion of regulation 73 in the Regulations **33.** The Regulations are amended by inserting immediately after regulation 72 the following new regulation —
 "Certificate of rights to minerals 73. A certificate of rights to minerals in respect of excluded rights issued in terms of section 70 (2) of the Act shall be in Form 20 as set out in the Schedule."
- Insertion of the Schedule in the Regulations **34.** The Regulations are amended by inserting immediately after regulation 73 the following Schedule—

“SCHEDULE

FORM 1
(reg. 55)

DEED OF TRANSFER OF CUSTOMARY LAND GRANT

This is to certify that in accordance with the provisions of the Tribal Land Act and Regulations made thereunder,..... at its sitting on held at..... has approved a transfer of rights to:

.....
(Description of Transferee)

FROM

.....
(Description of Transferor)

of a piece of land being:

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:
WHICH PROPERTY:

WHICH PROPERTY IS SUBJECT TO THE FOLLOWING CONDITIONS AND RESERVATIONS:

- 1.
- 2.
- 3. Etc.

NOW THEREFORE, the said transferor did, by these presents and by virtue of the rights granted to him or her under the Tribal Land Act hereby transfers and assign all his/her/its rights and obligations under the aforesaid Deed of Customary Land Grant to the transferee and the said transferee hereby accepts the afore-mentioned transfer and assignment subject to all the terms and conditions of the said Deed of Customary Land Grant and hereby releases the transferor from all his/her/its all obligations there under; and finally acknowledging that the purchase price/value of the property purchased/donated is..... (Here quote the purchase price and/or value).

.....
Transferor

.....
Transferee

GIVEN UNDER MY HAND AT GABORONE THIS..... DAY OF 20.....

.....
REGISTRAR OF DEEDS

FORM 2
(reg. 56(1))

APPLICATION FOR A CERTIFICATE OF REGISTERED LAND TITLE

TO: The Registrar of Deeds

I, the undersigned, (in my capacity as the
Chairperson/Secretary of.....LAND BOARD and by virtue of the resolution
dated..... at.....);

Do hereby confirm that in terms of Section 4 of Tribal Land Act.....LAND BOARD
is the owner of unalienated Tribal Land within.....Tribal Territory. The said Land
Board has caused a portion of the Tribal Territory to be separately surveyed and represented
in a diagram.

Therefore, in terms of Section 19A Deeds Registry Act, Cap 33:02, I am applying to the Registrar
of Deeds to issue..... LAND BOARD with a Certificate of Registered Land Title for
the following property represented on a Diagram:

CERTAIN:

SITUATE:

MEASURING:

AS WILL MORE FULLY APPEAR FROM:

.....
Chairperson/Secretary

.....
Date

FORM 3
(reg. 56(2))

CERTIFICATE OF REGISTERED LAND TITLE

Prepared by me
Conveyancer

Whereas(in his/her capacity as the Land Board Chairman/Secretary duly authorised by a Land Board resolution dated.....) has applied under the provisions of section 19A of the Deeds Registry Act, Cap. 33:02, for theLAND BOARD to be issued with a Certificate of Registered Land Title, being a piece of unalienated Tribal Land which has been surveyed and is shown on a diagram annexed hereto;

Now, therefore, in pursuance of the provisions of the said Act, I the Registrar of Deeds for BOTSWANA, do hereby certify that the said.....LAND BOARD, its successors in title or assign is the registered owner of;

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:
SUBJECT TO:

In witness whereof I, the Registrar of Deeds, have subscribed to these presents and have caused the seal of office to be affixed thereto.

Thus done and executed at the office of the Registrar of Deeds at, on thisday of

.....
REGISTRAR OF DEEDS

FORM 4
(reg. 57)

Prepared by me
CONVEYANCER

CERTIFICATE OF REGISTERED STATE TITLE

Whereas The Government of Republic of Botswana has applied under the provisions of section 19 (3) of the Deeds Registry Act, Cap 33:02, to be issued with a Certificate of Registered State title in respect of the under mentioned land, being a piece of unalienated State land which has been separately surveyed and is shown on the diagram annexed hereto.

Now, therefore, in pursuance of the provisions of the said Act, I the Registrar of Deeds at..... do hereby certify that the said GOVERNMENT OF THE REPUBLIC OF BOTSWANA, its successors in title or assigns is the registered owner of

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:
WHICH PROPERTY:

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the office of the Registrar of Deeds at.....on this day of in the year of Our Lord,

.....
Registrar of Deeds

FORM 5
(reg. 58)

DEED OF TRANSFER

Prepared by me
CONVEYANCER

Be it hereby made known:

That appeared before meat....., the said
appearer, being duly authorised thereto by a Power of Attorney granted to him/her dated the
..... day of and signed at.....and the said appearer
declared that.....(*here insert an appropriate recital of the nature of the transaction
or the circumstances necessitating transfer*) and that he/she in his/her capacity aforesaid, did,
by these presents, cede and transfer to and on behalf of, heirs, executors,
administrators or assigns,*in full and free property/all rights, title and interest in a leasehold/
initial ownership in:

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:

WHICH PROPERTY IS HELD UNDER:
Subject to: (*insert mineral rights reservation*)

And further subject to the following conditions:

- 1.
- 2.

Wherefore the appearer, renouncing all the rights and title.....(*Insert name of
transferor*) heretofore had to the premises, did, in consequence also acknowledge him/her/it, to
be entirely dispossessed of, and disentitled to, the same; and that, by virtue of these presents,
the said.....(*insert name of transferee*) heirs, executors, administrators
or assigns, now is and henceforth shall be entitled thereto, conformably to local customs; the
State, however, reserving its rights, and finally acknowledging that the purchase price/value of
the property purchased/donated is.....(*here quote the purchase price/
and/or value*).

In witness whereof I, the said Registrar, together with the appearer, have subscribed to these
presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the..... at on this
.....day of.....in the year.....

.....
Appearer q.q

In my presence

.....
Registrar of Deeds

*N.B.—In case of donation transfers if a signed acceptance is lodged with the deed such
acceptance should be quoted in the recital and no further reference would be necessary. If it
is desired to insert an acceptance clause in the deed such must appear immediately before the
“In witness whereof” clause .*

FORM 6
(reg. 59)

DEED OF PARTITION TRANSFER

Prepared by me
CONVEYANCER

Be it hereby made known:

That appeared before me athe,
the said Appearer, being duly authorized thereto by a Power of Attorney granted to him by
(insert names of parties to partition)..... dated the day
of.....and signed at..... and the said Appearer declared that
whereas his said principals heretofore held and possessed in joint ownership the:

- 1. CERTAIN..... undivided share in Lot
SITUATE:
MEASURING:
WHICH PROPERTY:
- 2. CERTAIN: Undivided share in Lot
SITUATE:
MEASURING:
WHICH PROPERTY:
- 3. etc

Now, therefore, the said Appearer, in his/her/its capacity aforesaid and in pursuance of the above
in part recited agreement, declared that he did by these presents, cede and transfer in full and free
property unto and on behalf of the said.....heirs, executors, administrators, or
assigns (here describe the land giving the name, number, registration division and administrative
district; the area, and conform to the regulations relative to extending clause and Insertion of
conditions: — all the titles under which the land is held must be quoted with the dates thereof).

Wherefore the Appearer, renouncing all the right and title his/her/its principals heretofore
jointly had to the premises, on behalf as aforesaid, did, in consequence, also acknowledge his/
her/its said principals with the exception of the above transferee to be entirely dispossessed
of and disentitled to the land hereby transferred; and that, by virtue of these presents, the sa
id.....heirs, executors, administrators, or assigns, now is and henceforth shall
be entitled thereto conformably to local custom, the State, however, reserving its rights; and
finally, acknowledging his/her/its remaining principals to have received as a consideration
transfer on this day of their respective (portion, portions or share in, as the case may be) in the
landed property partitioned as aforementioned.

In witness whereof I, the said Registrar, together with the Appearer, have subscribed to these
presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at.....on this
..... day of..... in the year of Our Lord.....

.....
Appearer q.q

In my presence:
.....
Registrar of Deeds

FORM 7
(reg. 60)

CERTIFICATE OF REGISTERED TITLE OF UNDIVIDED SHARE

Prepared by Me
Conveyancer

WHEREAS:.....has applied to the Registrar of Deeds atfor the issue to him/her/it of a Certificate of Registered Title of Undivided Share under Section 32 of the Deeds Registry Act Cap. 33:02.

And whereas the saidAnd Co-registered owners of the under mentioned property:

CERTAIN:
SITUATE:
MEASURING:
WHICH PROPERTY IS HELD UNDER:

Subject to : All such conditions as the aforesaid deed will more fully point out.

And whereas the said.....is desirous of obtaining a Certificate of Registered Title of Undivided Share in respect of his/her/its.....Undivided Shares (number of shares) over the said property namely:

CERTAIN:
SITUATE:
MEASURING:

AS WILL MORE FULLY APPEAR:

Now Therefore, I the Registrar of Deeds for the Republic of Botswana at do hereby certify that..... is the registered ownerUndivided shares in the above-mentioned property.

And that by virtue of these presents.....His/her/its Heirs, Executors or Assigns, now is and henceforth shall be entitled to such property, confirmable to local custom, the state however reserving its rights and finally acknowledging that the property was surveyed.

In witness whereof I, the said Registrar have subscribed to these presents and have caused the Seal of office to be affixed hereto.

THUS DONE AND EXECUTED at the office of the Registrar of Deeds for Botswana at Gaborone on this day ofthe month ofin the year of Our Lord

.....
Registrar of Deeds

FORM 8
(reg. 61)

Prepared by me
CONVEYANCER

CERTIFICATE OF REGISTERED TITLE

[Issued under the provisions of section 34 & 35 of the Deeds Registry Act, Cap. 33:02]

Whereas has applied to the Registrar of Deeds at to issue him/her/it with a Certificate of Registered Title under the provisions of section of the Deeds Registry Act, Cap 33:02, and whereas he/she/it is the registered owner of the undermentioned land held by him/her/it under deed of (quote title) No..... dated..... which holds several properties.

Now, therefore, pursuant to the provisions of the said Act, I, the Registrar of Deeds at do hereby certify that the said.....heirs, executors, administrators, or assigns, is the registered owner of:

- CERTAIN:
- SITUATE:
- MEASURING:
- AS WILL MORE FULLY APPEAR:
- SUBJECT TO:

And that by virtue of these presents (he, she or it) is now and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar of Deeds, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at..... on this day of in the year of Our Lord,

.....
Registrar of Deeds

FORM 9
(reg. 62)

Prepared by me
CONVEYANCER

CERTIFICATE OF REGISTERED TITLE IN LIEU OF A LOST
OR DESTROYED DEED

WHEREAS has applied to the Registrar of Deeds at.....to issue him/her/it with a Certificate of Registered Title *in lieu of*..... (*describe the deed*) No..... datedwhich has been lost or destroyed, and whereas it appears that he/she/it is the registered owner of the land, hereinafter described;

Now, therefore, in pursuance of the provisions of the said Act, I, the..... at do hereby certify that the said..... heirs, executors, administrators, or assigns, is the registered owner of:

- CERTAIN:
- SITUATE:
- MEASURING:
- AS WILL MORE FULLY APPEAR:

SUBJECT TO THE FOLLOWING CONDITIONS:(.....)

And that by virtue of these presents the said.....heirs, executors, administrators, or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the..... at.....on this day of in the year of Our Lord,

.....
Registrar of Deeds

FORM 10
(reg. 63(1))

Prepared by me
CONVEYANCER

CERTIFICATE OF REGISTERED TITLE

WHEREAShas applied to the Registrar of Deeds at.....
to issue him/her/it with a Certificate of Registered Title in terms of section 37(1) of the said
Deeds Registry Act, Cap. 33:02;

And whereas the said.....is the registered owner of the hereinafter mentioned property
under Deed of Transfer No..... registered on.....

And whereas the said property was again transferred to the said.....under Deed of
Transfer No..... Registered this day in order to correct an error in registration;

And whereas the said now holds the said property under two deeds of
transfer and it is necessary to rectify the aforesaid registrations.

Now therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at.....
.....do hereby certify that the said , his/her/its heirs, executors,
administrators or assigns is the registered owner of:

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:
WHICH PROPERTY:

N.B.—Both titles under which applicant holds the property must be quoted).

And that by virtue of these presents the said.....his/her/its heirs, executors,
administrators or assigns, now is and henceforth shall be entitled thereto, conformably to local
custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused
the seal of office to be affixed thereto

Thus done and executed at the office of the at.....on this
..... day of in the year of Our Lord,

.....
Registrar of Deeds

FORM 10A
(reg.63(2))

Prepared by me
CONVEYANCER

CERTIFICATE OF REGISTERED TITLE

WHEREAShas applied to the Registrar of Deeds at.....to issue him/her/it with a Certificate of Registered Title *in lieu* of..... (*describe the deed*) No.....dated..... free of the (conditions) or (servitudes) therein which (have lapsed by merger duly noted or have been cancelled, as the case may be) and whereas it appears that he/she/it is the registered owner of the land hereinafter described;

Now, therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at do hereby certify that the said..... heirs, executors, administrators, or assigns, is the registered owner of;

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:

And that by virtue of these presents the said.....heirs, executors administrators, or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at on this day of..... in the year of Our Lord,

.....
Registrar of Deeds

CERTIFICATE OF CONSOLIDATED TITLE

Whereas:has applied to the Registrar of Deeds at.....to issue him/her/it a Certificate of Consolidated Title under Section 38 (1) of the Deeds Registry Act Cap. 33:02.

And whereas the said.....is the registered owner of the under mentioned properties:

1. CERTAIN:
SITUATE:
MEASURING:
WHICH PROPERTY IS HELD UNDER:

2. CERTAIN:
SITUATE:
MEASURING:
WHICH PROPERTY IS HELD UNDER:

Subject to: All such conditions as the aforesaid deed will more fully point out.

And whereas the said.....has caused the said properties to be consolidated into the property herein after described under a diagram approved by the Director of Surveys and Mapping and is desirous of obtaining a Certificate of Consolidated Title in respect of the said namely:

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:

Now Therefore, I the Registrar of Deeds at..... do hereby certify that is the registered owner of the above-mentioned property.

And that by virtue of these presentsHis/her/its Heirs, Executors or Assigns, now is and henceforth shall be entitled to such property, confirmable to local custom, the state however reserving its rights and finally acknowledging that the property was surveyed.

In witness whereof I, the said Registrar have subscribed to these presents and have caused the Seal of office to be affixed hereto.

THUS DONE AND EXECUTED at the office of the Registrar of Deeds for Botswana at Gaborone on this.....day of the month ofin the year of Our Lord

.....
Registrar of Deeds

FORM 12
(reg. 65)

Prepared by Me
Convcyancer

CERTIFICATE OF AMENDED TITLE

WHEREAS:has applied to the Registrar of Deeds at.....for the issue to him/her/it of a Certificate of Amended Title under Section 39 (1) of the Deeds Registry Act Cap. 33:02.

And whereas the said.....is the registered owner of the under mentioned property:

CERTAIN:
SITUATE:
MEASURING:
WHICH PROPERTY IS HELD UNDER:

Subject to: All such conditions as the aforesaid deed will more fully point out.

And whereas the said has caused the said property to be re-surveyed and hereinafter be presented and described under a diagram approved by the Director of Surveys and Mapping and is desirous of obtaining a Certificate of Amended Title in respect of the said namely:

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:

Now Therefore, I the Registrar of Deeds for the Republic of Botswana at do hereby certify that..... is the registered owner of the above-mentioned property.

And that by virtue of these presents.....His/her/its Heirs, Executors or Assigns, now is and henceforth shall be entitled to such property, confirmable to local custom, the state however reserving its rights and finally acknowledging that the property was surveyed.

In witness whereof I, the said Registrar have subscribed to these presents and have caused the Seal of office to be affixed hereto.

THUS DONE AND EXECUTED at the office of the Registrar of Deeds for Botswana at Gaborone on this.....day of the month ofin the year of Our Lord,.....

.....
Registrar of Deeds

FORM 13
(reg. 66)

Prepared by me
CONVEYANCER

CERTIFICATE OF UNIFORM TITLE

WHEREAShas applied to the Registrar of Deeds at..... to issue him/her/it with a Certificate of Uniform Title under section 40 of the Deeds Registry Act, Cap. 33:02, and whereas it appears that he/she/it is the registered owner of *(describe the piece or pieces of land, omitting areas)* under deed or deeds of *(describe the title or titles)* Nos. dated which (is or are) held *[here describe whether under different conditions of tenure, or subject to different rights reserved in favour of the State.]*

[If section 40 (1) applies also state that the pieces of land have been consolidated into the land hereinafter described].

And whereas the Minister has by written consent agreed to the issue of a Certificate of Uniform Title in respect of the aforesaid land subject to the undermentioned (here describe whether uniform conditions of tenure or reservation of uniform rights in favour of the State).

Now, therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at.....do hereby certify that the said.....heirs, executors, administrators, or assigns, is the registered owner of *(describe the land, giving name, number, registration division, administrative district and insert the conditions approved by the Minister).*

And that by virtue of these presents the said.....heirs, executors, administrators, or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at on this day of..... in the year of Our Lord,

.....
Registrar of Deeds

FORM 14
(reg. 67 (1))

CERTIFICATE OF REGISTERED TITLE

Prepared by me
Conveyancer

WHEREAS.....is the registered owner of the undermentioned property, namely

CERTAIN:
SITUATE:
MEASURING:
WHICH PROPERTY WAS HELD UNDER:

AND WHEREAS.....has caused a defined portion of the aforementioned property to be surveyed under a diagram and approved by the Director of Surveys and Mapping.

AND WHEREAS.....is desirous of obtaining a Certificate of Registered Title in respect of such portion of the said property;

AND WHEREAS the said.....has applied to the Registrar of Deeds to issue him/her/it with a Certificate of Registered Title in terms of section 41(1) of the Deeds Registry Act (Cap. 33:02) in respect of

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:

DATED AT.....ON THIS..... DAY OF.....IN THE
YEAR OF OUR LORD.....

AS WITNESSES

1.
2.

FORM 14A
(reg.67 (2))

CERTIFICATE OF REGISTERED TITLE

Prepared by me
Conveyancer

WHEREAS.....is the registered owner of the undermentioned property, namely

CERTAIN;
SITUATE;
MEASURING;
WHICH PROPERTY IS HELD UNDER:

AND WHEREAS the said.....has caused a defined portions of the aforesaid property to be represented on diagrams and approved by the Director of Surveys and Mapping;

AND WHEREAS the said.....has applied to the Registrar of Deeds to issue him/her/it with a Certificate of Registered Title in terms of section 41 (3) of the Deeds Registry Act (Cap. 33:02) in respect of

1. CERTAIN;
SITUATE;
MEASURING;
AS WILL MORE FULLY APPEAR:

2. CERTAIN;
SITUATE;
MEASURING;
AS WILL MORE FULLY APPEAR:
(ETC)

NOW THEREFORE, in pursuance of the provisions of the said Act I, the Registrar of Deeds at....., do hereby certify that the said.....his/her/its successors- in- title and assigns, is the registered owner of the following property, namely;

1. CERTAIN;
SITUATE;
MEASURING;
AS WILL MORE FULLY APPEAR:

2. CERTAIN;
SITUATE;
MEASURING;
AS WILL MORE FULLY APPEAR:
(ETC)

SUBJECT TO: The conditions mentioned or referred to in the aforesaid deeds.

THUS DONE AND EXECUTED at the office of the Registrar of Deeds at
on this the day of....., in the year of our Lord

.....
Registrar of Deeds

FORM 15
(reg. 68)

FORM OF CONSENT BY SURVIVING SPOUSE AND THE LEGAL
HOLDER OF THE BOND

Whereas I the surviving spouse of the late.....and the Mortgagor
under Bond No..... dated..... passed by me in favour of.....
.....for the sum of.....do hereby;

- a) Consent to the release of estate of my said late spouse from liability under the same bond.
- b) Assume full liability for all indebtedness under the said bond.
- c) Consent to the substitution of myself as the sole debtor in respect for the said bond.

AND

Iin my capacity as.....the legal holder of the aforementioned
bond do hereby consent to the release, assumption of liability and substitution of debtor as
are foresaid.

Dated at this day of.....20..

.....
Survivor

.....
Witness

.....
Bond Holder

.....
Witness

Nb: Can be used for substitution and release under section 44 (2) with necessary modifications.

FORM 16
(reg.69)

Prepared by me
CONVEYANCER

CERTIFICATE OF TOWNSHIP/ SETTLEMENT TITLE

Whereas has applied to the Registrar of Deeds at to issue him/her/it with a Certificate of Township Title under section 46 (4) of the Deeds Registry Act, Cap. 33:02, and whereas he/she/it is the registered owner of :

CERTAIN:
SITUATE:
MEASURING:
AS WILL MORE FULLY APPEAR:
WHICH PROPERTY:

And whereas he/she/it has laid out a township called upon the land/a portion of the aforementioned land, hereinafter described.

Now, therefore, in pursuance of the provisions of the said..... Act I, the Registrar of Deeds do hereby certify that the said heirs, executors, administrators, or assigns, is the registered owner of certain portion now known as

CERTAIN:
SITUATE:
MEASURING:
WHICH PROPERTY:

Subject to the following conditions: (.....)

And that by virtue of these presents the said.....heirs, executors, administrators, or assigns, now is and henceforth shall be entitled thereto conformably to local custom, the State, however, reserving its rights.

In witness whereof I, the said Registrar of Deeds, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the Registrar of Deeds at on this..day of in the year of Our Lord,

.....
Registrar of Deeds

FORM 18
(reg.71)

CERTIFICATE OF REGISTERED REAL RIGHTS

Whereas.....has applied for the issue to him/her/it of a Certificate of Real Rights under section 61 (1) of the Deeds Registry Act Cap.33:02], and whereas he/she/it is the holder of (*describe the nature of the real right*) in and upon the undermentioned land under and by virtue of (*describe the deed conferring title to the real right*).

Now, therefore, in pursuance of the provisions of the said Act, I, the Registrar of Deeds at.....do hereby certify that the said.....is the registered holder of (*describe the nature of the right*) in and upon (*describe the property giving name number, registration division and administrative district*) subject and entitled to the following conditions (if any).....

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at on this day of..... in the year of Our Lord, One Thousand Nine hundred and.....

.....
Registrar of Deeds

FORM 19
(rcg.72)

Prepared by me
CONVEYANCER

CERTIFICATE OF RIGHTS TO MINERALS

Whereas.....has applied for the issue to him/her/it of a Certificate of Rights to Minerals under section 68 (2) of the Deeds Registry Act Cap.33:02], and whereas he/she/it is the holder of (describe the nature of the right) in and upon the undermentioned land under and by virtue of (describe the title conferring such right).

Now, therefore, pursuant to the provisions of the said Act, I, the Registrar of Deeds at..... do hereby certify that the said.....heirs, executors, administrators, or assigns, is the holder of (describe the nature of the right) in and upon (describe the land, giving name, number, registration division and administrative district) subject and entitled to the following conditions (here set forth the conditions from the title deed which are applicable).

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at.....on this day of in the year of Our Lord,.....

.....
Registrar of Deeds

FORM 20
(reg. 73)

Prepared by me
CONVEYANCER

CERTIFICATE OF RIGHTS TO MINERALS

(In respect of rights to minerals excluded on partition.)

Whereas..... is the owner of a..... share in certain (*describe the property*) under and by virtue of Deed of (*describe the title*).....dated..... including (*describe such mineral rights as he holds thereunder*).

And whereas the aforementioned land is being partitioned between the joint owners thereof but their rights to (*describe the right*) are to be excluded from such partition.

Now, therefore, pursuant to the provisions of the said Act, I, the Registrar of Deeds at..... do hereby certify that the said....., heirs, executors, administrators, or assigns, is the holder of (*describe the right*) in and upon (*describe the land as existing prior to the partition giving name, number, registration division, administrative district*) subject and entitled to the following conditions (*if any, here set forth the rights, which are applicable, set out in the deed of division*).

In witness whereof I, the said Registrar, have subscribed to these presents, and have caused the seal of office to be affixed thereto.

Thus done and executed at the Office of the at on this..... day of in the year of our Lord,.....

.....
Registrar of Deeds

MADE this 20th day of November, 2020.

KEFENTSE MZWINILA,
*Minister of Land Management, Water
and Sanitation Services.*