

## BOND REGISTRATION PROCEDURE

- Registering Attorney receives instructions from the Bank to register the bond.
- Obtain a Deeds Office Printout for the property, as well as the client to check for any interdicts, insolvencies or other caveats that may be registered against the client or the property and which may prevent / delay registration.
- Contact the client to confirm receipt of the instructions and confirm any applicable bond conditions e.g. Life Cover, settlement of existing debt, Home Owners Insurance, sale of exciting property, Building Loan Conditions (if a Building Loan). Also advise client of relevant FICA documentation required, to ensure this is in place when bond documentation is signed.
- If a transfer is involved – request a flysheet and guarantee requirements from the Transferring Attorney. If registering a further bond, request the original title deed from the existing bond account holder’s Security Department.
- Prepare the bond documents for signature upon receipt of the above.
- Client to sign mortgage bond, Agreement of Loan, Authorities to Pay proceeds from the bond on date of registration and other applicable bond documentation. Client to also pay bond registration cost and the Bank’s initiation fee, if not included in bond amount to be registered.
- Issue guarantees to Transferring Attorneys.
- Send original signed bond documents to the bank for approval to proceed with lodgment. Please note in this regard the banks will as a rule not consent to lodgment if all applicable bond conditions have not been fulfilled by the client e.g. Life Cover, Home Owners Insurance, FICA requirements, Building Loan requirements etc.
- Once the bank has advised all requirements have been met, the bond registering attorney is ready for lodgment and if a further loan is involved, proceed with lodgment. If a transfer is involved, advised the transferring attorney that bond is ready for lodgment.
- The Transferring Attorney attends to obtaining a clearance certificate from the municipality as well as a transfer duty receipt from the Receiver of Revenue and once they are ready for lodgment, will arrange with the bond attorney and cancellation attorney (if the seller has an existing bond) for lodgment.
- Lodge documentation at the Deeds Office. (Process takes 7 to 10 working days). Attorneys are notified when transaction is on preparation for registration at the Deeds Office.
- Registration of bond & transfer of ownership.
- Bond proceeds are paid out by the banks on the date of registration, provided all systems are on line. *Please note in this regard that if payment is made from one financial institution to another, it can take up to 72 hours for funds to reflect in the relevant banking account.*
- Bond documents are delivered to the bond attorney +/- 3 month after registration. The mortgage bond, together with the title deed, is then delivered to the bank for safe-keeping during the duration of the bond.

## WHAT CAN DELAY THE REGISTRATION OF THE BOND?

- Personal information not provided by the seller / buyer.
- Seller doesn't provide details of the bank holding the existing bond.
- Cancellation and Title deeds not provided to the transferring attorney by the existing bond holder.
- The Local Authority receiving the Rates Clearance Certificate Late.
- The buyers does not pay the deposit (if applicable)
- Delay in the provision of guarantees.
- The buyers does not pay the transfer or bond costs on time.
- The seller delays the signing of the transfer documents.
- The buyer delays in meeting the mortgage bond conditions, as required by the bank.
- The buyer delays the signing of the transfer / bond documents.