

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**

*19.06.2020*

**Case No: 6960/2020**

On Friday, 19 June 2020

Before the Honourable Acting Judge Magona

*In the matter between:*

**CAPE TOWN ATTORNEYS ASSOCIATION** First Applicant

**TYGERBERG ATTORNEYS ASSOCIATION** Second Applicant

**THE INSTITUTE OF ESTATE AGENTS OF SOUTH AFRICA** Third Applicant

and

**THE MINISTER OF AGRICULTURE, LAND REFORM  
AND RURAL DEVELOPMENT** First Respondent

**THE CHIEF REGISTRAR OF DEEDS** Second Respondent

**THE ACTING REGISTRAR OF DEEDS CAPE TOWN** Third Respondent

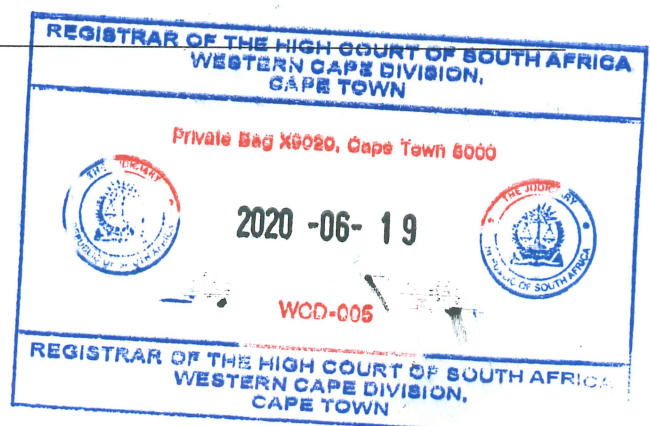
**THE MINISTER OF PUBLIC WORKS** Fourth Respondent

**THE MINISTER OF COOPERATIVE GOVERNANCE  
AND TRADITIONAL AFFAIRS** Fifth Respondent

**DRAFT ORDER**

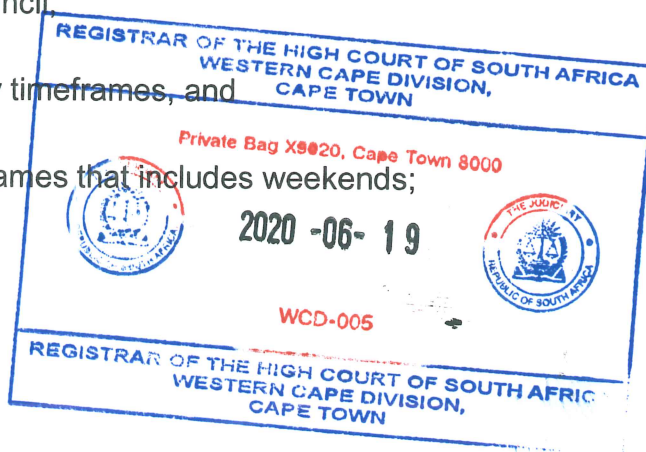
*Rec*

**MARAIS MULLER HENDRICKS INC.**  
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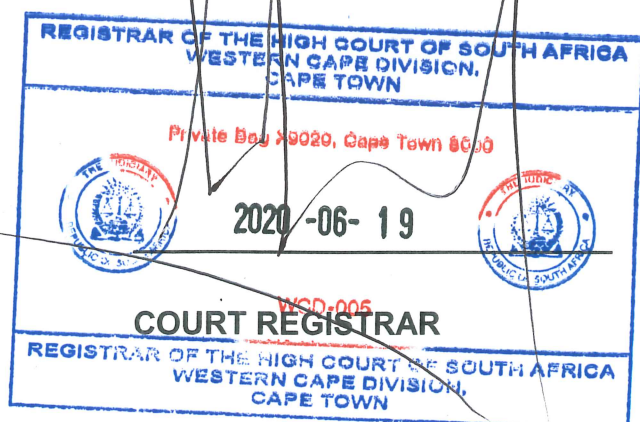
Having heard Counsel for the Applicants and having read the papers of record, the following order is made:

1. That the rules relating to time limits and forms are dispensed with and that this Application is heard as a matter of urgency;
2. That the Cape Town Deeds Office, having re-opened on Monday 15<sup>th</sup> June 2020 shall continue with its full operations, subject to social distancing and related health protocols;
3. That the First, Second and Third Respondents shall develop, publish and implement a rapid and effective intervention plan aimed at addressing the transaction backlog in the Deeds Office within 5 days of this order;
4. That the First, Second and Third Respondents shall develop, publish and implement an integrated and co-ordinated Deeds Office Covid-19 Action Plan within 10 days of this order that focuses, *inter-alia*, on:
  - i) preventing or reducing risks of exposure,
  - ii) introducing a hierarchy of interventions tailored for the Cape Town Deeds Office,
  - iii) establishing emergency preparedness protocols,
  - iv) effective communication and consultation with stakeholders in the Western Cape which is not limited to the Law Society South Africa and Legal Practice Council,
  - v) post-exposure recovery timeframes, and
  - vi) decontamination timeframes that includes weekends;



5. That the First, Second and Third Respondents shall lodge affidavits with this Court setting out what they have done to give effect to this order and confirming the publishing and implementation of the intervention and action plans within 21 days of the granting of this order;
6. That the Cape Town Deeds Office is directed to comply with Regulation 45 of the Deeds Registries Act and immediately deploy sufficient and qualified staff to attend to the backlog, the examination of deeds and related services;
7. That the First, Second and Third Respondents shall lodge a comprehensive report with this Court setting out the progress and statistics pertaining to the backlog on conveyancing transactions and turn-around timeframes for normal conveyancing transactions as at and by Wednesday, 30 September 2020.
8. Cost to stand over for later determination.

BY ORDER OF THE COURT



MARAIS MULLER HENDRICKS  
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Free