

## NATAL CONVEYANCERS ACT 24 OF 1926

[ASSENTED TO 22 MAY 1926]

[DATE OF COMMENCEMENT: 1 FEBRUARY 1927]

*(Signed by the Governor-General in English)*

**as amended by**

Attorneys, Notaries and Conveyancers Admission Act 23 of 1934

**ACT**

**To amend the law relating to conveyancers in the Province of Natal.**

### **1 Repeal of Act 23 of 1904 (Natal)**

Act 23 of 1904 (Natal) is hereby repealed.

### **2 and 3 .....**

[Ss. 2 and 3 repealed by s. 1 of Act 23 of 1934.]

### **4 Powers of the court over conveyancers**

(1) The said Provincial Division may promulgate rules as to-

- (a) the conditions under which persons entitled to practise as conveyancers shall so practise;
- (b) their conduct and their charges in connection with such practice;
- (c) what shall be deemed to be misconduct in connection with such practice; and
- (d) the holding of enquiries in relation to the foregoing matters,

and it may suspend or cancel the admission and enrolment, licence, or right to practise of any such person upon grounds appearing to it to be sufficient:

Provided, however, that such rules shall before promulgation be approved of by the majority of a committee consisting of three attorneys and three conveyancers not being attorneys, and in the event of such committee being unable to agree to any or all of the proposed rules and amendments, the same shall be submitted for final decision of the Judge-President of the said Provincial Division.

(2) The committee referred to in the preceding proviso shall be appointed as follows: the three attorneys by the Incorporated Law Society of Natal, and the three conveyancers by the Natal Conveyancers Association. Such committee shall not be deemed properly constituted for the purposes of this Act unless all six members are present.

(3) Every application to suspend or cancel such admission, enrolment, licence or right to practise shall be by way of motion by the Attorney-General of Natal, supported by affidavits of the facts on which the application is based: Provided that the said Provincial Division may order that any question of fact shall be tried by pleadings or otherwise.

### **5 Offences and penalties**

If any person does any act included within the practice of a conveyancer without being both duly qualified and licensed to practise as a conveyancer, or during an order of suspension or cancellation made against him, he shall be guilty of an offence, and shall upon conviction be liable to a fine not exceeding ten pounds, or in default of payment to imprisonment for a period not exceeding three months.

### **6 Definition of conveyancer**

In this Act and in Schedule II of Act 43 of 1898 (Natal) '**conveyancer**' means any

person who prepares or executes on behalf of another person any document proper for registration in the office of the registrar of deeds of Natal, or who for reward draws wills, contracts or any other documents of any kind whatever relating to property, movable or immovable, or to legal rights and obligations.

## **7 .....**

[S. 7 repealed by s. 1 of Act 23 of 1934.]

## **8 Saving**

Nothing in this Act contained shall apply to the Crown or prevent the performance of acts included within the practice of a conveyancer, as defined in this Act, by officers of the Land and Agricultural Bank of South Africa established in terms of the Land Bank Act, 1912, in so far as they may by any law be empowered to perform such acts.

## **9 Short title and commencement of Act**

This Act shall come into operation on the first day of February, 1927, and may be cited for all purposes as the Natal Conveyancers Act, 1926.