

Candidates should report for the examination at least one hour prior to the commencement thereof and sign the register for each paper to be written.

No candidate will be permitted to enter the examination venue after commencement of the examination.

The abovementioned fees are also payable in the event of a candidate re-writing an examination. Kindly note that in terms of a decision of the Council, no fees will be refunded or transferred should a candidate cancel or not write the examination.

Once you have registered for the examination, you will not be allowed to cancel and / or carry the payment over (defer) to the next examination and the registration fee shall be forfeited. Successful registration may not be transferred from one candidate to another.

The completed application form and payment must reach the Law Society on or before the applicable closing date. Late applications will not be accepted. Please answer all questions on the registration form in block letters.

If you make use of the services of an agency to deliver the application, you do so entirely at your own risk. It is your obligation to ensure that your application reaches the Law Society by the closing date.

If payment is tendered by cheque, it must be payable to the Law Society of the Northern Provinces. We reserve the right to cancel the registration and / or withhold your results if the bank dishonours the cheque.

The date on which the results will be available will be announced before each paper.

Applications for a remark will only be accepted if it is received within the prescribed period (seven (7) days after the results have been published) and if it is accompanied by the full payment. The administrative remark fee is non refundable.

Whilst the Law Society makes every reasonable attempt to ensure that candidates are advised regarding the date(s) and venue(s) of their orals, it is the responsibility of the candidates to ascertain same immediately after obtaining the results, failing which the Law Society cannot be held responsible.

MAUD FERREIRA

HEAD: PROFESSIONAL AFFAIRS

Kindly address all enquiries to Eulané du Plessis, Goodness Maluleke or Cherisè Nel

**THE LAW SOCIETY
OF THE
NORTHERN PROVINCES**



**DIE PROKUREURSORDE
VAN DIE
NOORDELIKE PROVINSIES**

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Incorporated as the Law Society of Transvaal
Ingelyf as die Prokureursorde van Transvaal
Serving Gauteng, Mpumalanga, Limpopo & North West Provinces
Bedien Gauteng, Mpumalanga, Limpopo & Noordwes Provinsies

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**REGISTRATION FORM
NOTARIAL PRACTICE EXAMINATION – 22 JUNE 2011
CLOSING DATE FOR REGISTRATION – 31 MAY 2011**

NOTE:

**THE ORIGINAL REGISTRATION FORM AND PAYMENT SHOULD REACH THE LAW SOCIETY ON
OR BEFORE THE CLOSING DATE FOR REGISTRATION
NO LATE REGISTRATION, LATE PAYMENT OR FAXED REGISTRATION FORMS WILL BE ACCEPTED!**

FOR OFFICE USE:

Amount received: Receipt number:
Examination number:

Examination Venue: **The Monument Conference Centre
Voortrekker Monument
Monument Koppie
Pretoria**

Surname:

Full names:

Maiden name (if applicable):

Identity number:

Telephone (Work): (Home):

(Mobile): (Fax No):

Postal address:

..... Code:

Gender (Male): (Female):

Race (African): (White): (Coloured): (Indian):

Law degrees obtained: University:

Current contract of articles number:

Date of commencement of current articles of clerkship:

Current principal:

Date admitted as an attorney:

Have you completed the full-time practical law school training programme for an uninterrupted period of at least four months [refer to Sections 2(1A)(a), 2A(a)(i) and 14(3)(iii) of the Attorneys Act]?

Yes/No:

If yes, PLT centre: Year completed:

NOTE:

- ATTACH A CERTIFIED COPY OF YOUR ATTENDANCE REPORT!
- THE 25 DAY PRACTICAL TRAINING COURSE (LEAD) IN TERMS OF SECTION 15(1)(b)(ivA) DOES NOT QUALIFY FOR THIS PURPOSE!

Have you attended/completed a course in preparation for the examination? Yes/No:

If yes, furnish details of the course:

If you are disabled, furnish particulars:

Specify special arrangements / requirements by a disabled candidate / candidate in exceptional circumstances, to be considered by the convenor of the examination (**attach medical certificate and/or motivation**):

Registration Fee: **R171.00**

PAYMENT:

- ONLY CASH AND CHEQUE PAYMENTS WILL BE ACCEPTED. IF PAYMENT IS MADE IN CASH, THE EXACT AMOUNT SHOULD BE AVAILABLE.
- NO CREDIT CARD PAYMENTS OR ELECTRONIC BANK TRANSFERS ARE ACCEPTED.
- NO REQUESTS OR UNDERTAKINGS BY CANDIDATES FOR LATE PAYMENT WILL BE CONSIDERED.

I HEREBY CERTIFY THAT I COMPLY WITH THE REQUIREMENTS OF SECTION 14(3) AND:

- that I am presently serving under a contract of articles of clerkship and that I have so served for a continuous period for not less than six (6) months; **or**
- that I have complied with the provisions of the Attorneys Act, 1979 in regard to service under articles of clerkship and thus have duly completed my articles (without cancellation); **or**
- that I have attended the full-time practical law school for an uninterrupted period of at least four (4) months and have completed same to the satisfaction of the Law Society, and I attach hereto a copy of my attendance report; **or**
- that I am exempted from service under a contract of articles in terms of Regulation 8A and the provisions of the Attorneys Act, 1979 and that I attach hereto a copy of the letter of exemption from the Law Society;
- that I am an admitted attorney.

NOTE:

IF YOU DO NOT COMPLY WITH ONE OF THE ABOVEMENTIONED REQUIREMENTS (i – iv) ON THE DATE OF REGISTRATION, YOU DO NOT QUALIFY IN TERMS OF THE ATTORNEYS ACT TO WRITE THE EXAMINATIONS.

I acknowledge that should I write the examination without complying with Section 14(3) of the Act, the examination results will be invalid and that no results will be released.

Signature: Date:

**DECLARATION BY PERSONS REGISTERING FOR THE
EXAMINATIONS IN TERMS OF SECTION 14 OF THE ATTORNEYS
ACT NO 53/1979**

1. I have read and understand the syllabus and conditions relating to the examinations in terms of the Attorneys Act 1979.
2. I acknowledge that, in the event of a breach of the security of any such examination either through the leakage of the examination paper or any other matter, the Law Society of South Africa reserves the right to declare the examination null and void and re-schedule a further examination.
3. I note the provisions of the Disclosure of Information Act and I undertake to report to the chief examiner in the province in which I register for the examination, any breach of the security and confidentiality of examination papers that may come to my knowledge or that I may suspect.

All information furnished on a bona-fide basis and in accordance with this Act, shall be subject to protection in terms of the Act.

4. I
- 4.1 shall not procure or attempt to procure or have sight of the examination paper prior to the examination;
- 4.2 shall not involve myself in any action prior or during the examination that compromise the integrity thereof;
- 4.3 realise that I will be subject to strict disciplinary measures should I act contrary to my undertaking set out in 4.1 and 4.2.

Signature

Date

Surname: _____

Initials: _____



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NOTARIAL PRACTICE SYLLABUS ***(2011 Issue)***

(Last revision December 2008)

1. The examiners expect candidates to be able to draft the various documents with reasonable competence, to satisfy themselves that the candidates have the necessary knowledge of the legal principles underlying the various documents and that they understand the underlying principles.
2. Candidates write a four hour paper. Candidates who attain 50% or more in the written paper, may be excused from an oral but this decision is in the discretion of the examiners. Candidates who attain between 40% and 49% will be called for an oral. Candidates who attain less than 40% will not be called for an oral and will fail the examination.
3. Candidates are allowed 15 minutes to peruse the paper before starting to answer the questions. No candidate may start writing in the answerbook during this period. The examination starts at 09:00 to 13:15.
4. The syllabus covers all aspects of the law with which notaries are required to deal in the course of their practice, particularly where notarial form is required for registration purposes and where work is reserved to notaries. Without affecting the generality of the foregoing, the following aspects require particular attention:
 - 4.1 The practice, functions, ethics, duties and obligations of notaries public and their admission, removal and suspension, as well as the notary public's duties in relation to notarial deeds.
 - 4.2 The preparation and registration of all types of notarial deeds, including among others, deeds of servitude, both personal and praedial, notarial bonds, antenuptial and postnuptial contracts, notarial deeds of cession of usufruct, notarial deeds of waiver of preference of usufruct, notarial leases, trust deeds and deeds of donation. This is not an exhaustive list but is merely provided to serve as a guide to candidates.
 - 4.3 The law relating to bills of exchange with particular reference to dishonour, which encompasses the noting and presentation of bills of exchange, including the procedure required to note a bill and the subsequent preparation of the noting slip, deed of presentation and deed of protest.
 - 4.4 The rules relating to the authentication of documents.

- 4.5 Guardianship and the marriage of minors.
 - 4.6 Matrimonial property law.
 - 4.7 The formalities to be complied with for the validity of all documents dealt with by notaries.
 - 4.8 The formalities to be complied with in regard to the execution and registration of registerable leases.
 - 4.9 The drafting of wills and trusts and the formalities to be complied with in regard thereto and succession both testate and intestate.
 - 4.10 All revenue laws as they affect the practice of a notary with particular reference to income tax, capital gains tax, donations tax, estate duty, transfer duty, stamp duty and value-added tax.
 - 4.11 Drafting of ships protests.
5. In order to cover the above syllabus candidates are advised to refer to the following:
- 5.1 Elliott: *The South African notary*, Lowe, Dale, de Kock, Froneman and Lang, 1995, 6th edition, Juta, Cape Town.
 - 5.2 Randell and Bax: *The South African attorney's handbook*. (Out of print)
 - 5.3 F van Blommenstein: *Professional practice for attorneys*. (Out of print)
 - 5.4 E A Lewis: *Legal ethics*. (Out of print)
 - 5.5 F van der Merwe: *Notarial Practice / Notariële Praktyk* 2001.
 - 5.6 Van Zyl: *Notarial practice in South Africa*. (Out of print)
 - 5.7 The Stamp Duty Act 77 of 1968 as amended, in so far as it affects notarial documents and certificates.
 - 5.8 The Bills of Exchange Act 33 of 1964 as amended.
 - 5.9 The regulations appertaining to notaries promulgated under GN 2961/1950-11-24 as amended by GN 362/1952-02-16 and which are to be found in Elliott, Chapter 3 and van der Merwe page 343.
 - 5.10 The Deeds Registries Act 47 of 1937 as amended and the regulations promulgated thereunder.
 - 5.11 The Sectional Titles Act 95 of 1986 as amended.
 - 5.12 The Trust Property Control Act 57 of 1988.
 - 5.13 The Attorneys Act 53 of 1979 as amended and the regulations promulgated thereunder.
 - 5.14 The Long-term Insurance Act 52 of 1998 and the Insolvency Act 24 of 1936 as amended, in so far as they affect the cession of policies between husband and wife, donations and preference under notarial bonds.

- 5.15 The Guardianship Act 192 of 1993 and the Child Care Act 74 of 1983 in so far as they affect the marriage of minors.
- 5.16 The Intestate Succession Act 81 of 1987 as amended and the Wills Act 7 of 1953 as amended, and particularly as amended by the Law of Succession Amendment Act 43 of 1992.
- 5.17 The Matrimonial Affairs Act 37 of 1953.
- 5.18 The Matrimonial Property Act 88 of 1984 as amended.
- 5.19 The Usury Act 73 of 1968 as amended.
- 5.20 The Formalities in respect of Leases of Land Act 18 of 1969.
- 5.21 The General Law Amendment Act 50 of 1956 with reference to sections 2, 3, 4, 5 and 6 thereof.
- 5.22 The Transfer Duty Act 40 of 1949.
- 5.23 The Security by means of Movable Property Act 57 of 1993.
- 5.24 The Value Added Tax Act 89 of 1991.
- 5.25 Subdivision of Agricultural Land Act, 70 of 1970.
- 5.26 The Subdivision of Agricultural Land Repeal Act 64 of 1998.
- 5.27 The Immovable Property (Removal or Modification of Restrictions) Act 94 of 1965.
- 5.28 Notice No 773 of 1995 published in Government Gazette No 16609 of 18 August 1995 which deals with the accession by the Republic to the Convention abolishing the requirements of legalisation for foreign public documents.
- 5.29 Court decisions which relate to notarial deeds and the practice of notaries in general.
- 5.30 The Recognition of Customary Marriages Act 120 of 1998.
- 5.31 The Natural Fathers of Children born out of Wedlock Act 86 of 1997.
- 5.32 The Income Tax Act 58 of 1962, with particular reference to Part V (Section 54-64, both inclusive) dealing with Donations Tax and Section 26A and the Eighth Schedule dealing with Capital Gains Tax.
- 5.33 Financial Intelligence Centre Act 38 of 2001.
- 5.34 Prevention of Organised Crime Act 121 of 1998.
- 5.35 The National Credit Act No 34 of 2005.
- 5.36 Civil Union Act 17 of 2006.