



GOVERNMENT GAZETTE

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Government Notice

MINISTRY OF LANDS, RESETTLEMENT AND REHABILITATION

No. 195 1996

**REGULATIONS UNDER THE SECTIONAL TITLES ACT, 1971:
AMENDMENT FEES AND CHARGES OF CONVEYANCERS,
NOTARIES AND OTHER LEGAL PRACTITIONERS**

The Minister has under section 40 of the Sectional Titles Act, 1971 (Act 66 of 1971), after consultation with the deeds registries regulation board established under section 9 of the Deeds Registries Act, 1937 (Act 47 of 1937), made the regulations set out in the Schedule.

SCHEDULE

1. In these regulations "the Regulations" means the regulations promulgated by Government Notice R.475 of 1973, as substituted by Government Notice R.2579 of 1978 and amended by Government Notice AG. 82 of 1982.

2. The following Annexure is substituted for Annexure 4 of the Regulations:

"ANNEXURE 4

TARIFF OF FEES AND CHARGES OF CONVEYANCERS AND NOTARIES PUBLIC AND OTHER LEGAL PRACTITIONERS

GENERAL

1. (1) The fees specified in this Tariff shall include the fees for all correspondence and shall also include the fees for the following: The taking and giving of instructions, including the perusal of deeds of sale; the preparation and attendance on signature of power of attorney, declarations, affidavits, conveyancers' certificates, resolutions and other necessary preliminary and ancillary documents; the payment of transfer duty and of any moneys due to the corporate body; the obtaining or making of all clearance or other certificates; the obtaining of endorsements or copies of documents from the Office of the Master or other public office; the perusal of memoranda and articles of association, constitutions, identity documents and trust deeds; the making of all necessary financial arrangements, including the provision and checking of guarantees and attending on payment in terms thereof; the drawing and preparation of any document, including all copies thereof, required for execution or registration at a deeds registry and the obtaining of registration thereof, arranging simultaneous lodgement and registration with another conveyancer or other conveyancers, where necessary; the giving of all references required by the deeds registry; and all attendances at the deeds registry, but shall not include:

- (a) any attendance in connection with the drawing and execution of deeds of sale, deeds of donation, partition agreements, amendments to the rules for bodies corporate, special developers' conditions, deeds of suretyship, acknowledgements of debt, rules for the body corporate, or documents of a similar nature;
- (b) any separate act or registration of any other documents which may be necessary before or in connection with such act of registration;
- (c) any attendance in connection with the resolution of a dispute between the transferor and the transferee arising from a deed of sale or any of the other documents referred to in paragraph (a) or from whatsoever cause;
- (d) any attendance arising from negotiations between the parties resulting in a further agreement or addendum or amendment to an existing agreement.

(2) Where the work necessary to perform any act under the Act or these regulations is partly performed by one legal practitioner, conveyancer, or notary (hereinafter called the instructed legal practitioner, conveyancer, or notary, as the case may be) on the instructions received from another legal practitioner, conveyancer, or notary (hereinafter called the instructing legal practitioner, conveyancer, or notary, as the case may be), both the instructed and instructing legal practitioner, conveyancer or notary shall be entitled to a fee, apportioned as set out in the relevant Part in item 2 and payable out of the total fee.

(3) Where this Tariff provides for a specific or proportionate fee for lodgement, such fee shall mean the fee payable by the instructing legal practitioner, conveyancer, or notary to the instructed legal practitioner, conveyancer, or notary, as the case may be, for all attendances in connection with the lodgement (and where necessary, registration) of any document, including arranging simultaneous lodgements, giving necessary references and all other attendances and correspondence in connection with such lodgement and registration, and shall be payable out of the total fee.

(4) For the purpose of this Tariff -

(a) "a folio" means a 100 printed or written words or figures or part thereof, and four figures shall be considered to be one word;

(b) "value of the property" means -

(i) where transfer duty is payable, the purchase price of the property or the amount on which transfer duty is payable, whichever amount is the higher;

(ii) where no transfer duty is payable in terms of section 9(2) of the Transfer Duty Act, 1993 (Act 14 of 1993), the purchase price of the property or the declared value as determined under that Act, whichever amount is the higher;

(iii) where no transfer duty is payable in terms of any provision of section 9 of the Transfer Duty Act, 1993, other than section 9(2), but an official valuation (be it from a regional, village, town or municipal council or from the Master of the High Court) is available, such valuation or the consideration paid, whichever amount is the higher: Provided that where no official valuation is available, it shall be deemed to be the fair value of the property as defined in the Transfer Duty Act, 1993;

(iv) where no consideration is payable in respect of the acquisition of the property and no regional, village, town or municipal council or other official valuation is available, the value shall be deemed to be no less than N\$15 000,00.

FEES

2. The fees and charges payable to conveyancers, notaries public and other legal practitioners shall be as follows:

Part 1: Application for the opening of a sectional title register

- (a) For preparing and drawing application for the opening of a sectional title register, perusing sectional plan, drawing certificates of registered sectional title, correspondence and attendance on all matters referred to in section 5 of the Act, but excluding the drawing of the consents of bondholders or holders of other real rights, or searches in deeds registry or other public office or of the rules of the body corporate:
- | | | |
|------|-----------------------|------------|
| (i) | A basic fee of | N\$ 800,00 |
| (ii) | For each section..... | N\$ 100,00 |
- (b) Apportionment of the fees set out in this Part:
- | | | |
|------|---|------------|
| (i) | For lodgement..... | N\$ 190,00 |
| | plus | |
| | for each section..... | N\$ 20,00: |
| | Provided that if the instructed conveyancer also draws the certificate of registered sectional title, for each section..... | N\$ 65,00 |
| (ii) | If the instructed conveyancer, in addition to the work contemplated in paragraph (b)(i) of this Part, also issues a certificate referred to in section 5(3)(d)(i) of the Act, he or she shall in addition to the fee prescribed in that paragraph, be entitled to a further sum out of the total fee assessed according to the length and complexity of the search in question and in consultation with the instructing legal practitioner. | |

Part II: Transfer of ownership

- (a) For registration of transfer of ownership of a unit or land held under sectional title deed, the fee shall be as set out in Column B of Schedule 1 to this Tariff in respect of the purchase price or value of the transaction as shown in Column A of that Schedule.
- (b) For more than one section included in the same transaction, for each additional section an additional fee of..... N\$ 30,00

(Note: Where transfer of ownership is registered as result of expropriation under any law or if a person becomes entitled to deal with a unit or land as if he or she had taken formal transfer into his or her name by virtue of an endorsement by the Registrar, the fee shall be 50% of the relevant amount set out in Column B of Schedule 1.)

- (c) Apportionment of the fees set out in this Part:
- (i) For lodgement, of the total fee..... 20%
- (ii) If the instructed conveyancer, in addition to the work contemplated in paragraph (c)(i) of this Part, also prepares the certificate referred to in section 11(4) of the Act, he or she shall, in addition to the fee prescribed in that paragraph, be entitled to a further 40% of the total fee.

Part III: Partition transfers

- (a) For the drawing and registration of each deed of partition transfer, including all preliminary and other work in connection therewith, but excluding attendances in connection with the framing of any provisional agreement..... N\$ 750,00
- (b) For more than one section or subdivision transferred in any one certificate of registered sectional title, for each additional section or subdivision an additional fee of..... N\$ 30,00
- (c) Apportionment of the fees set out in this Part:
- (i) For lodgement, of the total fee..... 20%
- (ii) If the instructed conveyancer, in addition to the work contemplated in paragraph (c)(i) of this Part, also prepares the certificate referred to in section 11(4) of the Act, he or she shall, in addition to the fee prescribed in that paragraph, be entitled to a further 40% of the total fee.

Part IV: Transfer by endorsement in terms of the Administration of Estates Act, 1965

- (a) For drawing all necessary documents, obtaining necessary ancillary documents, consents and certifi-

cates from the Master or Registrar of the High Court, and all necessary attendances and correspondence in connection therewith, including obtaining registration
 N\$ 250,00

(b) Apportionment of the fees set out in this Part:

For Lodgement..... N\$ 50,00

Part V: Subdivision and re-subdivision of sections

(a) For drawing and submitting an application for subdivision and preparing certificates of registered sectional title, together with supporting documents, perusing plan of subdivision or of resubdivision, obtaining registration, correspondence and attendance on all matters referred to in section 16 and, in the case of a re-subdivision, section 17 of the Act, but excluding the drawing of the consents of bondholders or holders of other real rights..... N\$ 600,00

(b) If subdivision or re-subdivision into more than two sections is required, for each additional section..... N\$ 100,00

(c) Apportionment of the fees set out in this Part:

For lodgement..... N\$ 125,00

plus

for each section..... N\$ 20,00

Part VI: Application for sectional title deed in respect of undivided share in unit

(a) For preparing certificate of registered sectional title in respect of undivided share, including application, correspondence and attendances on all matters referred to in section 11(9) of the Act..... N\$ 375,00

(b) Apportionment of the fees set out in this Part:

(i) For lodgement..... N\$ 75,00

(ii) If the instructed conveyancer, in addition to the work contemplated in paragraph (b)(i) of this Part, also draws the certificate of registered sectional title, he or she shall be entitled to 60% of the total fee.

Part VII: Application for certificate of registered sectional title for portion of common property

- | | | |
|---|---|------------|
| (a) | For preparing a certificate of registered sectional title, including application in respect of a portion of land comprised in common property, correspondence and attendances on all matters referred to in section 13(3) of the Act..... | N\$ 375,00 |
| (b) Apportionment of the fees set out in this Part: | | |
| (i) | For lodgement..... | N\$ 75,00 |
| (ii) | If the instructed conveyancer, in addition to the work contemplated in paragraph (b)(i) of this Part, also draws the certificate of registered sectional title, he or she shall be entitled to 60% of the total fee. | |

Part VIII: Reversion from sectional title register to land register

- | | | |
|---|--|------------|
| (a) | For attending to all matters referred to in section 13(4), (5) and (6) of the Act: | |
| (i) | A basic fee of..... | N\$ 500,00 |
| (ii) | For each section..... | N\$ 30,00 |
| (b) Apportionment of the fees set out in this Part: | | |
| (i) | For lodgement..... | N\$ 100,00 |
| | plus | |
| | for each section..... | N\$ 10,00 |
| (ii) | If the instructed conveyancer, in addition to the work contemplated in paragraph (b)(i) of this Part, also draws the documents referred to in section 13(4), (5) and (6) of the Act..... | N\$ 375,00 |
| | plus | |
| | for each section..... | N\$ 23,00 |

Part IX: Sectional mortgage bonds

- | | | |
|-----|--|--|
| (a) | For registration of any sectional mortgage bond or surety bond other than a bond referred to in paragraph (b) of this Part, including the drawing of all | |
|-----|--|--|

necessary documents and the obtaining of necessary ancillary documents, the fee shall be as set out in Column B of Schedule 2 to this Tariff in respect of an amount of the bond as shown in column A of that Schedule.

- (b) For any collateral bond passed as additional security for another bond between the same parties..... N\$ 350,00
- (c) For more than one unit included in a bond referred to in paragraph (a) or (b) of this Part, for each additional unit an additional fee of..... N\$ 50,00
- (d) For purposes of determining a fee charged under paragraph (a) of this Part, the amount of the bond on which stamp duty is being levied shall be used, and in the event of a bond exempted from stamp duty, the amount on which stamp duty would have been levied had the bond in question not been exempted shall be used.
- (e) Apportionment of fees set out in this Part:
- (i) For lodgement, of the total fee..... 20%
- (ii) If the instructed conveyancer, in addition to the work contemplated in paragraph (e)(i) of this Part, also signs the bond as preparer and files the same in the sectional titles protocol in terms of regulation 27(1)(a)(iii), he or she shall, in addition to the fee prescribed in that paragraph, be entitled to a further 40% of the total fee.

Part X: Cession, cancellation or modification of bonds

- (a) (i) For drawing consent to cancellation of bond, consent to cancellation of cession of bond, release of property or person from a bond, consent to reduction of cover, consent to part payment of capital, framing waiver of preference in regard to the ranking of a bond, waiver of preference in respect of real rights in land, consent of a mortgagee, usufructuary, lessee, or holder of any other limited interest required by the Act or these regulations and not otherwise provided for in this Tariff (not notarial) and attending registration thereof, including instructions, correspondence and all relevant attendances, except attendances on the Office of the Master of

- the High Court..... N\$ 250,00:
 Provided that in cases where there are no financial arrangements to be made by the conveyancer, the fee shall be..... N\$ 200,00
- (ii) For attending to all matters referred to in paragraph (a)(i) of this Part in respect of any second or subsequent bond when any relevant document has been drawn by the same conveyancer who drew the corresponding document or documents in connection with the first bond between the same parties over the same property, and such documents are or can be lodged simultaneously as a set, per bond..... N\$ 60,00
- (iii) For every additional unit included in a release contemplated in paragraph (a)(i) or (a)(ii) of this Part after the first two units, an additional fee of..... N\$ 25,00
- (b) For drawing cession of bond or application for endorsement, including instructions and drawing consent of mortgagor where necessary, attendances on mortgagor and mortgagee, correspondence and all relevant attendances including registration, but excluding attendances on the Office of the Master of the High Court..... N\$ 200,00
 Provided that in cases where there are no financial arrangements to be made by the conveyancer, the fee shall be..... N\$ 150,00
- (c) For drawing consents to substitution under section 57 of the Deeds Registries Act, 1937 (Act 47 of 1937), including instructions, all attendances on mortgagee and new debtor, correspondence and miscellaneous attendances, including registration, but excluding attendances on the Office of the Master of the High Court, the fee shall be 50% of the fees for bonds as set out in Schedule 2 of this Tariff.
- (d) If any of the documents referred to in this Part are required to be signed by more than one mortgagee, mortgagor, usufructuary, lessee, or holder for any other limited interest, for each such additional person after the first, an additional fee of..... N\$ 20,00
- (e) Where it is necessary to attend on the Office of the Master of the High Court in connection with any matter referred to in paragraph (a)(i) or (b) of this Part, the following additional fees shall be allowed:

- | | | |
|------|---|-------------------------------|
| (i) | For obtaining any Master's Certificate, per estate for any number of certificates which are or can be applied for simultaneously..... | N\$ 60,00 |
| (ii) | for obtaining copies of all necessary documents which are or can be included in one application, per estate..... | N\$ 50,00 |
| (f) | For drawing consents to substitutions in terms of section 24bis (3), 45(2)(b) or 45bis(2) of the Deeds Registries Act, 1937, including instruction, all attendances on mortgagee and new debtor, correspondence and miscellaneous attendances, including registration but excluding attendances on the office of the Master of the High Court.....
Provided that in cases where there are no financial arrangements to be made by the conveyancer, the fee shall be..... | N\$ 200,00:

N\$ 150,00 |
| (g) | Apportionment of the fees set out in this Part: | |
| (i) | For lodgement..... | N\$ 70,00 |
| (ii) | For each further bond..... | N\$ 20,00 |

Part XI: Notarial deeds

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|------|--|------------|
| (a) | For framing any notarial lease, sublease, servitude or other notarial deed, a fee assessed according to the length and complexity thereof, with a minimum fee of N\$250,00 and a maximum fee of N\$500,00. | |
| (b) | For drawing any notarial waiver of preference by mortgagee, usufructuary, or other holder of a limited interest, or other notarial consent required under the Act or these regulations..... | N\$ 350,00 |
| (c) | Apportionment of fees set out in this Part: | |
| (i) | For lodgement, of the total fee..... | 20% |
| (ii) | If the instructed conveyancer, in addition to the work contemplated in paragraph (c)(i) of this Part, also executes the deed as notary, he or she shall be entitled to 65% of the total fee. | |

Part XII: Miscellaneous

- | | | |
|-----|---|--|
| (a) | For attendance on behalf of transferor or transferee, mortgagor or mortgagee, supervising the registration of the transfer or bond or supervising the bond when | |
|-----|---|--|

the documents are prepared and lodged by another conveyancer, including all instructions, correspondence and miscellaneous attendances relevant to the supervision -

- | | | |
|------|---|------------|
| (i) | where the value of the property or the amount of the bond does not exceed N\$60 000,00..... | N\$ 60,00 |
| (ii) | where the value of the property or the amount of the bond exceeds N\$60 000,00..... | N\$ 110,00 |
| (b) | (i) For attendance and searching at deeds registry and inspecting of conveyancer's protocol for information required in respect of any deed or matter registered under the Act, other than information required for preparation of a document otherwise provided for in this Tariff, including instructions, correspondence and relevant attendances, per quarter hour or part thereof..... | N\$ 30,00 |
| | (ii) Reporting per folio..... | N\$ 20,00 |
| (c) | For drawing any certificate by a conveyancer with regard to servitudes, other real rights or conditions where not otherwise provided for in this Tariff..... | N\$ 80,00 |
| (d) | For drawing certificate of establishment of any body corporate under section 28(1) of the Act, lodging the same, including all correspondence and attendances in connection therewith..... | N\$ 50,00 |
| (e) | For drawing a consent required in terms of section 18 of the Act, including all correspondence and attendances in connection therewith, including lodging..... | N\$ 160,00 |
| (f) | For any matter not herein provided the fee charged in respect thereof, and the apportionment of such fee, shall be in accordance with the tariff of fees prescribed by regulation 65 of the regulations made under the Deeds Registries Act, 1937 (Act 47 of 1937) | |
| (g) | Apportionment of fees set out in this Part: | |
| | (i) paragraphs (a), (b) and (c): No apportionment (Remark: Note 2 below may apply in circumstances contemplated in that note) | |

(ii)	paragraph (d):	
	for lodgement.....	N\$ 16,00
	for drawing certificate and lodgement.....	N\$ 36,00
(iii)	paragraph (e):	
	for lodgement.....	N\$ 35,00

(Note:

1. Fees and percentages specified shall be nett and shall not be subject to any allowance, the customary one-third allowance having been taken into account in the apportionments.
2. Where the instructing legal practitioner, conveyancer, or notary merely takes instructions from his or her client and thereafter sends his or her whole "file" to the instructed legal practitioner, conveyancer, or notary, who then does all the work, the former shall, as a general rule, be entitled to 15% and the latter to 85% of the total fee.)

APPORTIONMENT OF FEES FOR PRELIMINARY WORK

3. Where a legal practitioner, conveyancer, or notary attending to the preliminary work in connection with any conveyancing matter requests another legal practitioner, conveyancer, or notary to do part of that preliminary work, the former shall from his or her share of the fees pay the latter the following:

(a)	For obtaining all necessary endorsements from the Master for any number of certificates which are or can be applied for simultaneously, per estate.....	N\$ 30,00
(b)	For obtaining copies of documents required for lodgement in a deeds registry which are or can be included in one application (exclusive of searches), per application.....	N\$ 15,00
(c)	For obtaining a clearance or other similar certificate from a public or local authority or a body corporate, per certificate.....	N\$ 20,00
(d)	For attending on payment of transfer duty, stamp duty and obtaining endorsements of certificates referred to in section 11 of the Act.....	N\$ 35,00
(e)	For obtaining Receiver of Revenue's endorsement and attending on payment of stamp duty.....	N\$ 20,00

(f) For any other attendance, per half hour or part thereof.....	N\$ 20,00
(g) For drawing any document, per folio or part thereof	N\$ 15,00
(h) For perusing and certifying guarantee for payment	N\$ 20,00

(Note: the above fees shall be net and shall not be subject to any allowance, the customary one-third allowance having been taken into account)

WASTED COSTS

4. The following shall be a guideline for the apportionment of fees where a mandate is terminated at any stage before execution or registration, as the case may be:

	Total fee
(a) For attendances on taking instructions and planning transaction, 20% of prescribed fee.....	20%
(b) For drawing preliminary documents, an additional 20% of prescribed fee.....	40%
(c) For attendances on signatures of preliminary documents, an additional 10% of prescribed fee.....	50%
(d) For attendances on completion of all necessary financial arrangements before lodgement, an additional 20% of prescribed fee.....	70%
(e) For drawing and preparing deed for execution or document for registration, an additional 10% of prescribed fee.....	80%
(f) For lodgement, an additional 10% of prescribed fee	90%

APPLICATION OF THIS TARIFF

5. This Tariff shall apply only in relation to any act -

- (a) in respect of which the fees referred to in this Tariff shall be payable; and
- (b) which is performed by a legal practitioner, conveyancer, or notary in connection with any transaction in respect of which he or she received an instruction on or after the date of commencement of these regulations.

COMMENCEMENT

6. These regulations shall come into operation on 1 August, 1996.

SCHEDULE 1

COLUMN A	COLUMN B
Value of property	Fees for conveyance of immovable property
N\$ 15 000 or less	N\$ 600
Over N\$ 15 000 up to and including N\$ 30 000	N\$ 900
Over N\$ 30 000 up to and including N\$ 45 000	N\$ 1 100
Over N\$ 45 000 up to and including N\$ 60 000	N\$ 1 300
Over N\$ 60 000 up to and including N\$ 70 000	N\$ 1 585
Over N\$70 000 up to and including N\$ 80 000	N\$ 1 655
Over N\$80 000 up to and including N\$ 90 000	N\$ 1 750
Over N\$90 000 up to and including N\$100 000	N\$ 1 845
Over N\$100 000 up to and including N\$125 000	N\$ 1 945
Over N\$125 000 up to and including N\$150 000	N\$ 2 055
Over N\$150 000 up to and including N\$175 000	N\$ 2 160
Over N\$175 000 up to and including N\$200 000	N\$ 2 280
Over N\$200 000 up to and including N\$250 000	N\$ 2 505
Over N\$250 000 up to and including N\$300 000	N\$ 2 730
Over N\$300 000 up to and including N\$350 000	N\$ 2 960
Over N\$350 000 up to and including N\$400 000	N\$ 3 185
Over N\$400 000 up to and including N\$450 000	N\$ 3 410
Over N\$450 000 up to and including N\$500 000	N\$ 3 635
Over N\$500 000	N\$3 635 for the first N\$500 000 plus N\$440 per N\$100 000 or part thereof above that up to and including N\$1 000 000 whereafter the fee shall be N\$220 per N\$100 000 or part thereof up to and including N\$5 000 000, whereafter the fee shall be N\$110 per N\$100 000.

SCHEDULE 2

COLUMN A	COLUMN B
Amount of Bond	Fees for Mortgage Bonds
N\$400 or less	N\$ 165
Over N\$ 400 up to and including N\$ 1 000	N\$ 205
Over N\$ 1 000 up to and including N\$ 2 000	N\$ 235
Over N\$ 2 000 up to and including N\$ 4 000	N\$ 285
Over N\$ 4 000 up to and including N\$ 6 000	N\$ 320
Over N\$ 6 000 up to and including N\$ 8 000	N\$ 370
Over N\$ 8 000 up to and including N\$ 10 000	N\$ 410
Over N\$ 10 000 up to and including N\$ 12 000	N\$ 435
Over N\$ 12 000 up to and including N\$ 14 000	N\$ 490
Over N\$ 14 000 up to and including N\$ 16 000	N\$ 525
Over N\$ 16 000 up to and including N\$ 18 000	N\$ 575
Over N\$ 18 000 up to and including N\$ 20 000	N\$ 625
Over N\$ 20 000 up to and including N\$ 25 000	N\$ 685
Over N\$ 25 000 up to and including N\$ 30 000	N\$ 725
Over N\$ 30 000 up to and including N\$ 35 000	N\$ 800
Over N\$ 35 000 up to and including N\$ 40 000	N\$ 855
Over N\$ 40 000 up to and including N\$ 45 000	N\$ 915
Over N\$ 45 000 up to and including N\$ 50 000	N\$ 970
Over N\$ 50 000 up to and including N\$ 60 000	N\$1 010
Over N\$ 60 000 up to and including N\$ 70 000	N\$1 100
Over N\$ 70 000 up to and including N\$ 80 000	N\$1 150
Over N\$ 80 000 up to and including N\$ 90 000	N\$1 215
Over N\$ 90 000 up to and including N\$ 100 000	N\$1 290
Over N\$ 100 000 up to and including N\$ 125 000	N\$1 345
Over N\$ 125 000 up to and including N\$ 150 000	N\$1 410
Over N\$ 150 000 up to and including N\$ 175 000	N\$1 450
Over N\$ 175 000 up to and including N\$ 200 000	N\$1 500
Over N\$ 200 000 up to and including N\$ 250 000	N\$1 705
Over N\$ 250 000 up to and including N\$ 300 000	N\$1 920
Over N\$ 300 000 up to and including N\$ 350 000	N\$2 125
Over N\$ 350 000 up to and including N\$ 400 000	N\$2 335
Over N\$ 400 000 up to and including N\$ 450 000	N\$2 540
Over N\$ 450 000 up to and including N\$ 500 000	N\$2 755
Over N\$500 000	N\$2 755 for the first N\$500 000 plus N\$400 per N\$100 000 or part thereof above that up to and including N\$1 000 000 whereafter the fee shall be N\$200,00 per N\$100 000 or part thereof up to and including N\$5 000 000 whereafter the fee shall be N\$100,00 per N\$100 000.