Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette **No. 11724** *Regulasiekoerant*

Vol. 710 **16 August / Augustus 2024** **No. 51056**

PART 1 OF 2

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ISSN 1682-5845

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NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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government printing
Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works* (*GPW*).

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*'. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as **@gpw.gov.za**

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at **www.gpwonline.co.za**
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: **Annamarie.DuToit@gpw.gov.za**

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: **Bonakele.Mbhele@gpw.gov.za**

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: **Daniel.Legoabe@gpw.gov.za**

Closing times for **ORDINARY WEEKLY** *REGULATION GAZETTE* 2024

*The closing time is **15:00** sharp on the following days:*

- **28 December 2023,** Thursday for the issue of Friday **05 January 2024**
- **05 January,** Friday for the issue of Friday **12 January 2024**
- **12 January,** Friday for the issue of Friday **19 January 2024**
- **19 January,** Friday for the issue of Friday **26 January 2024**
- **26 January,** Friday for the issue of Friday **02 February 2024**
- **02 February,** Friday for the issue of Friday **09 February 2024**
- **09 February,** Friday for the issue of Friday **16 February 2024**
- **16 February,** Friday for the issue of Friday **23 February 2024**
- **23 February,** Friday for the issue of Friday **01 March 2024**
- **01 March,** Friday for the issue of Friday **08 March 2024**
- **08 March,** Friday for the issue of Friday **15 March 2024**
- **14 March,** Thursday for the issue of Friday **22 March 2024**
- **20 March,** Wednesday for the issue of Thursday **28 March 2024**
- **27 March,** Wednesday for the issue of Friday **05 April 2024**
- **05 April,** Friday for the issue of Friday **12 April 2024**
- **12 April,** Friday for the issue of Friday **19 April 2024**
- **19 April,** Friday for the issue of Friday **26 April 2024**
- **25 April,** Thursday for the issue of Friday **03 May 2024**
- **03 May,** Friday for the issue of Friday **10 May 2024**
- **10 May,** Friday for the issue of Friday **17 May 2024**
- **17 May,** Friday for the issue of Friday **24 May 2024**
- **24 May,** Friday for the issue of Friday **31 May 2024**
- **31 May ,** Friday for the issue of Friday **07 June 2024**
- **07 June,** Friday for the issue of Friday **14 June 2024**
- **13 June,** Thursday for the issue of Friday **21 June 2024**
- **21 June,** Friday for the issue of Friday **28 June 2024**
- **28 June,** Friday for the issue of Friday **05 July 2024**
- **05 July,** Friday for the issue of Friday **12 July 2024**
- **12 July,** Friday for the issue of Friday **19 July 2024**
- **19 July,** Friday for the issue of Friday **26 July 2024**
- **26 July,** Friday for the issue of Friday **02 August 2024**
- **01 August,** Thursday for the issue of Thursday **08 August 2024**
- **08 August,** Thursday for the issue of Friday **16 August 2024**
- **16 August,** Friday for the issue of Friday **23 August 2024**
- **23 August,** Friday for the issue of Friday **30 August 2024**
- **30 August,** Friday for the issue of Friday **06 September 2024**
- **06 September,** Friday for the issue of Friday **13 September 2024**
- **13 September,** Friday for the issue of Friday **20 September 2024**
- **19 September,** Thursday for the issue of Friday **27 September 2024**
- **27 September,** Friday for the issue of Friday **04 October 2024**
- **04 October,** Friday for the issue of Friday **11 October 2024**
- **11 October,** Friday for the issue of Friday **18 October 2024**
- **18 October,** Friday for the issue of Friday **25 October 2024**
- **25 October,** Friday for the issue of Friday **01 November 2024**
- **01 November,** Friday for the issue of Friday **08 November 2024**
- **08 November,** Friday for the issue of Friday **15 November 2024**
- **15 November,** Friday for the issue of Friday **22 November 2024**
- **22 November,** Friday for the issue of Friday **29 November 2024**
- **29 November,** Friday for the issue of Friday **06 December 2024**
- **06 December,** Friday for the issue of Friday **13 December 2024**
- **12 December,** Thursday for the issue of Friday **20 December 2024**
- **18 December,** Wednesday for the issue of Friday **27 December 2024**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	**Page Space**	**New Price (R)**
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at R**3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works** (**GPW**) has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe* Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

Closing Times for Acceptance of Notices

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

   All re-submissions will be subject to the standard cut-off times.
   All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Extraordinary Gazettes	As required	Any day of the week	*Before 10h00 on publication date*	*Before 10h00 on publication date*
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days **after** submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.

5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat* / *Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.

6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.

7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.

8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.

   8.1. Each of the following documents must be attached to the email as a separate attachment:

      8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.

         8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form

         8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.

      8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. *(Please see Quotation section below for further details)*

      8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order**. Non-Government Printing Works** account customer needs to submit the proof of payment for the notice

      8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. *(Please see the Copy Section below, for the specifications)*.

      8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.

10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE.**

11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.

12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.

    13.1. ***Take note:*** **GPW**'s annual tariff increase takes place on ***1 April*** therefore any quotations issued, accepted and submitted for publication up to ***31 March*** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.

14. Each quotation has a unique number.

15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.

    15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.

    15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.

16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS**:

    16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.

    16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.

        16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).

17. **APPLICABLE ONLY TO CASH CUSTOMERS:**

    17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.

18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).

19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.

    19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:

24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.

24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.

24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.

24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

APPROVAL OF NOTICES

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—

27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.
GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.
Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.

30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Payment of cost

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.

32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.

33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.

34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.

35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.

36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.

37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

Proof of publication

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.

39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

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149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
Pretoria	0001	**Branch Code:** 632-005

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 5121 **16 August 2024**

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE EXPORT OF KIWIFRUITS

I, Billy Malose Makhafola, appointed as Executive Officer in terms of section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby give notice under section 4(3) (c) of the said Act, that –

(a) the standards and requirements regarding control of the export of kiwifruits as stipulated in Government Notice No. R. 1983 of 23 August 1991 and promulgated in Government Notice No. 843 0f 17 August 2018 are hereby amended; and

(b) the standards and requirements mentioned in paragraph (a) –

(i) shall be available for inspection at the office of the Executive Officer: Agricultural Product Standards, Harvest house, 30 Hamilton Street, Arcadia, Pretoria, and

(ii) may be obtained from the Executive Officer: Agricultural Product Standards, Department of Agriculture Land Reform and Rural Development, Private Bag x343, Pretoria, 0001, Tel. (012) 319 6051 or Fax (012) 319 6055 or email: **Madibaw@Dalrrd.gov.za** or from http://www.Dalrrd.gov.za

(iii) shall come into operation seven days after publication of this notice.

BM MAKHAFOLA
Executive Officer: Agricultural Product Standards

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. R. 5122 **16 August 2024**

LABOUR RELATIONS ACT, 1995

CANCELLATION OF REGISTRATION OF A TRADE UNION

I, Mongwadi Mary Ngwetjana, Deputy Registrar of Labour Relations, in terms of section 106(2A), cancel the registration of **National Associated Municipal Trade Union (NAMTU) LR2/6/2/1913)** with effect from 6 August 2024

The reasons for my decision are as follows:

- The organisation failed to comply with the provisions of section 98, 99 and 100 of the Act, and
- The organisation ceased to function in terms of its constitution

The organisation ceased to function as a genuine trade union as envisaged in the Act.

The name of the Organisation has been removed from the Register of Trade Unions.

DEPUTY REGISTRAR OF LABOUR RELATIONS

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. R. 5123 **16 August 2024**

LABOUR RELATIONS ACT, 1995

CHANGE OF NAME OF AN EMPLOYERS' ORGANISATION

I, Mongwadi Mary Ngwetjana, Deputy Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995 that **Werkgewersorganisasie vir die Graanbedryf (LR 2/6/3/224)** resolved to change its name.

With effect from 31 July 2024 the employers' organisation is registered as **Employers' Organisation for the Agri Industry of South Africa.**

DEPUTY REGISTRAR OF LABOUR RELATIONS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 5124 **16 August 2024**

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE PROVINCIAL AND LOCAL DIVISIONS OF THE HIGH COURT OF SOUTH AFRICA

The Rules Board for Courts of Law has under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), with the approval of the Minister of Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

GENERAL: EXPLANATORY NOTE:

[ ]	Words or expressions in bold type in square brackets represent omissions from the existing rules.
_____	Words or expressions underlined with a solid line represent insertions into the existing rules.

Definition

1. In this Schedule "the Rules" means the Rules Regulating the Conduct of the Proceedings of the Provincial and Local Divisions of the High Court of South Africa published under Government Notice No. R. 48 of 12 January 1965, as amended by Government Notice Nos. R. 235 of 18 February 1966, R. 2004 of 15 December 1967, R. 3553 of 17 October 1969, R. 2021 of 5 November 1971, R. 1985 of 3 November 1972, R. 480 of 30 March 1973, R. 639 of 4 April 1975, R. 1816 of 8 October 1976, R. 1975 of 29 October 1976, R. 2477 of 17 December 1976, R. 2365 of 18 November 1977, R. 1546 of 28 July 1978, R. 1577 of 20 July 1979, R. 1535 of 25 July 1980, R. 2527 of 5 December 1980, R. 500 of 12 March 1982, R. 773 of 23 April 1982, R. 775 of 23 April 1982, R. 1873 of 3 September 1982, R. 2171 of 6 October 1982, R. 645 of 25 March 1983, R. 841 of 22 April 1983, R. 1077 of 20 May 1983, R. 1996 of 7 September 1984, R. 2094 of 13 September 1985, R. 810 of 2 May 1986, R. 2164 of 2 October 1987, R. 2642 of 27 November 1987, R. 1421 of 15 July 1988, R. 210 of 10 February 1989, R. 608 of 31 March 1989, R. 2628 of 1 December 1989, R. 185 of 2 February 1990, R. 1929 of 10 August 1990, R. 1262 of 30 May 1991, R. 2410 of 30 September 1991, R. 2845 of 29 November 1991, R. 406 of 7 February 1992, R. 1883 of 3 July 1992, R. 109 of 22 January 1993, R. 960 of 28 May 1993, R. 974 of 1 June 1993, R. 1356 of 30 July 1993, R. 1843 of 1

October 1993, R. 2365 of 10 December 1993, R. 2529 of 31 December 1993, R. 181 of 28 January 1994, R. 411 of 11 March 1994, R. 873 of 31 May 1996, R. 1063 of 28 June 1996, R. 1557 of 20 September 1996, R. 1746 of 25 October 1996, R. 2047 of 13 December 1996, R. 417 of 14 March 1997, R. 491 of 27 March 1997, R. 700 of 16 May 1997, R. 798 of 13 June 1997, R. 1352 of 10 October 1997, R. 785 of 5 June 1998, R. 881 of 26 June 1998, R. 1024 of 7 August 1998, R. 1723 of 30 December 1998, R. 315 of 12 March 1999, R. 568 of 30 April 1999, R. 1084 of 10 September 1999, R. 1299 of 29 October 1999, R. 502 of 19 May 2000, R. 849 of 25 August 2000, R. 373 of 30 April 2001, R. 1088 of 26 October 2001, R. 1755 of 5 December 2003, R. 229 of 20 February 2004, R. 1343 of 12 December 2008, R. 1345 of 12 December 2008, R. 516 of 8 May 2009, R. 518 of 8 May 2009, R. 86 of 12 February 2010, R. 87 of 12 February 2010, R. 88 of 12 February 2010, R. 89 of 12 February 2010, R. 90 of 12 February 2010, R. 500 of 11 June 2010, R. 591 of 09 July 2010, R. 980 of 19 November 2010, R. 981 of 19 November 2010, R. 464 of 22 June 2012, R. 992 of 7 December 2012, R. 114 of 15 February 2013, R. 262 of 12 April 2013, R. 471 of 12 July 2013, R. 472 of 12 July 2013, R. 759 of 11 October 2013, R. 212 of 28 March 2014, R. 213 of 28 March 2014, R. 214 of 28 March 2014, R. 30 of 23 January 2015, R. 31 of 23 January 2015, R. 317 of 17 April 2015, R. 781 of 31 August 2015, R. 3 of 19 February 2016, R. 678 of 3 June 2016, R. 1055 of 29 September 2017, R. 1272 of 17 November 2017, R. 1318 of 30 November 2018, R. 61 of 25 January 2019, R. 842 of 31 May 2019, R. 1343 of 18 October 2019, R. 107 of 7 February 2020, R. 1157 of 30 October 2020, R. 1603 of 17 December 2021, R. 2133 of 3 June 2022, R. 2413 of 26 August 2022, R. 3397 of 12 May 2023 and R. 4477 of 8 March 2024.

Amendment of rule 6 of the Rules

2. Rule 6 of the Rules is hereby amended—

(a) by the substitution for subrule (1) of the following subrule:

"(1) Every application **[must]** shall be brought on notice of motion supported by an affidavit as to the facts upon which the applicant relies for relief."

(b) by the substitution for subrule (2) of the following subrule:

"(2) When relief is claimed against any person, or where it is necessary or proper to give any person notice of such application, the notice of motion **[must]** shall be addressed to both the registrar and such person, otherwise it **[must]** shall be addressed to the registrar only."

(c) by the substitution in subrule (4) for paragraphs *(a)* and *(b)*, of the following paragraphs, respectively:

"*(a)* Every application brought *ex parte* shall—
[upon notice to the registrar supported by an affidavit as aforesaid must be filed with the registrar and set down, before noon on the court day but one preceding the day upon which it is to be heard. If brought upon notice to the registrar, such notice must set forth the form of order sought, specify the affidavit filed in support thereof, request the registrar to place the matter on the roll for hearing, and be as near as may be in accordance with Form 2 of the First Schedule.]

(i) be upon notice to the registrar supported by an affidavit referred to in subrule (1);
(ii) be filed with the registrar and set down, before noon on the court day but one preceding the day upon which it is to be heard; and
(iii) set forth the form of order sought, specify the affidavit filed in support thereof, request the registrar to place the matter on the roll for hearing, and be as near as may be in accordance with Form 2 of the First Schedule:
Provided that where an *ex parte* application is brought as an urgent application—
(i) the applicant shall indicate the basis on which the application is deemed to be urgent, including the provisions of any law upon which the applicant relies;
(ii) the application may be brought before a judge in chambers; and
(iii) the provisions of subrule (12) may be applied in so far as is necessary."; and

"(b)(i) Any person having an interest which may be affected by a decision on an application being brought *ex parte*, may deliver notice of an application for leave to oppose, supported by an affidavit setting forth the nature of such interest and the ground upon which such person desires to be heard, whereupon the registrar **[must]** shall set such application down for hearing at the same time as the initial application."
(ii)The court hearing the matter may grant or dismiss either or both such applications as the case may require, or may adjourn the same upon such terms as to the filing of further affidavits by either applicant or otherwise as it deems fit."

(d) by the deletion of paragraph (*c)* in subrule (4).

(e) by the substitution for subrule (9) of the following subrule:

"(9) A copy of every application to court in connection with the estate of any person deceased, or alleged to be a prodigal, or under any legal disability, mental or otherwise, **[must]** shall, before such application is filed with the registrar, be submitted to the Master for consideration and report, and if any person is to be suggested to the court for appointment as curator to property, such suggestion **[must]** shall likewise be submitted to the Master for report: Provided that the provisions of this subrule do not apply to any application under rule 57 except where that rule otherwise provides."

(f) by the substitution in subrule (12) for paragraph *(b)* of the following paragraph:

"(b) In every affidavit filed in support of any application under paragraph *(a)* of this subrule, the applicant **[must]** shall set forth explicitly the circumstances which it is averred render the matter urgent and the reasons why the applicant claims that applicant could not be afforded substantial redress at a hearing in due course."; and

(g) by the substitution for subrule (13) of the following subrule:

"(13) In any application against any Minister, Deputy Minister, Member of an Executive Council, officer or servant of the State, in such capacity, the State or the administration of any province, the respective periods referred to in paragraph *(b)* of subrule (5), or for the return of a rule *nisi*, **[must]** shall be not less than 15 days after the service of the notice of motion, or the rule *nisi*, as the case may be, unless the court has specially authorized a shorter period."

Insertion of rule 57A in the Rules

3. The following rule is hereby inserted after rule 57 of the Rules:

"**57A Appointment and discharge of curators in terms of the Prevention of Organised Crime Act, 1998**

(1) An application referred to in sections 28, 30(2) and 47 read with section 42 of the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998), for—

(a) the appointment of a *curator bonis;*

(b) the variation or rescission of an order appointing a *curator bonis;*

(c) the variation of the terms of appointment of a *curator bonis*; or

(d) the discharge of a *curator bonis*;

shall be made in accordance with the provisions of rule 6 of these rules and the forms in the First Schedule to these rules: Provided that an application in terms of paragraph *(a)* may be combined with an application for a restraint, preservation or realisation of property order.

(2) An application for any interlocutory order, where such order may be necessary, may be made upon notice in accordance with the provisions of rule 6(11).

(3) Every application made in terms of subrules (1) and (2) shall, *inter alia*—

(a) indicate the provision of the Prevention of Organised Crime Act, 1998 in terms of which the application is made;

(b) set forth such particulars as are necessary to enable the court to consider the reasons for the appointment and the functions of a *curator bonis* or, where required, a *curator ad litem*;

(c) set forth the particulars of the person or entity in respect of whom and the property in respect of which a curator is sought to be appointed;

(d) set forth the particulars of the curator and the powers and duties to be ascribed to the curator sought to be appointed;

(e) set forth such particulars as are necessary in support of an application for the discharge of a curator or for the variation or rescission of an order appointing a curator to enable the court to consider the application; and

(f) be accompanied by a draft order prayed.

(4) The powers of a *curator bonis* applied for in terms of subrule (3) shall be confirmed or may be varied and confirmed by the court as it deems appropriate.

(5) A court hearing an application in terms of this rule may—

(a) (i) grant an order in terms of subrules (1) or (2);

(ii) give further directions for service upon any person or entity or for the joinder in the proceedings of any person or entity;

(iii) dismiss or postpone the application; or

(iv) make such order as it deems fit, including any appropriate order for costs.

(b) upon application by any party, permit the filing of further affidavits or the leading of oral evidence.".

Amendment of rule 68 of the Rules

4. Rule 68 of the Rules is hereby amended by the substitution for the Tariff of the following Tariff:

"**TARIFF**

Item	**R c**
1. For registration of any document for service or execution, upon receipt thereof.	**[14,50]** 16,00
2. *(a)* For service of summonses, notices of motion, other notices, orders or any other documents, each	**[92,50]** 99,00
Provided that–	
(i) Whenever any document to be served with any such process is mentioned in the process or forms an annexure thereto, no additional fee shall be charged for the service of such document, but otherwise a fee of **[R14,50]** R16,00 may be charged in respect of each separate document served;	
(ii) No fee for the service of a separate document shall be charged in respect of the service of process in criminal cases.	
(b) Attempted service of summonses, notices of motion, other notices, orders and any other documents: Provided that an attempted service of more than one document on the same person shall be treated as an attempted service of one document only.	**[69,00]** 74,00
3. Travelling allowance:	
(a) For the distance actually and necessarily travelled by the sheriff or his or her officer, reckoned, subject to item 3(c) and (d), from the office of the sheriff, both on the forward and the return journey, per kilometre or part thereof.	R7,50
(b) When two or more summonses or other process, whether at the instance of the same party or of different parties, are capable of being served on one and the same journey, the travelling allowance for performing the round of service shall be fairly and equitably apportioned among the several cases, regard being had to the distance at which the parties against whom such process is directed respectively reside from the office of the sheriff, but the fee for service shall be payable for each service made or attempted to be made.	
(c) The travelling allowance mentioned in item 3(a) and (b) shall be calculated on the distance reckoned from the office of the sheriff if- (i) the sheriff's office is situated within the area of jurisdiction allocated to the sheriff by the Minister; and (ii) the distance from the sheriff's office is less than the distance reckoned from the court-house closest to the address for service.	
(d) If the requirement in item 3(c) is not met, then the travelling allowance mentioned in item 3(a) and (b) shall be calculated on the distance reckoned from the court-house closest to the address for service.	
4. *(a)* Postage in civil matters, as per postal tariff.	
(b) Postage in criminal matters, free.	

NOTE: The sheriff may take any postal matter to the registrar of the High Court, or if there is no registrar in his or her town or city, to the magistrate, who shall frank the envelope with his or her official franking stamp.	
5. For the execution of any writ-	
(a)(i) of personal arrest, including the conveyance of the person concerned to court, to an attorney's office or to a prison, per person	**[115,50]** 124,00
(ii) for conveying the person concerned to court from a place of custody on a day subsequent to the day of arrest and attending at court, per hour or part thereof	**[137,50]** 148,00
(iii) for attachment of property *ad fundandam jurisdictionem* or *ad confirmandam jurisdictionem*	**[115,50]** 124,00
(iv) where an attachment in terms of item 5(a)(iii) is withdrawn or suspended;	**[32,50]** 35,00
(b)) of ejectment: **[R137,50]** R342,00 **[per]** for the first hour or part thereof, **[subject to a minimum of which shall include the first hour]** and thereafter R158,00 per every half hour or part thereof (in addition to reasonable expenses necessarily incurred);	**[205,00]**
(c) against immovable property—	
(i) for execution, including service of notice of attachment upon the owner of the immovable property and upon the registrar of deeds or other officer charged with the registration of such property, and if the property is in occupation of some person other than the owner, also upon such occupier	**[273,50]** 293,00
(ii) for notice of attachment to a single lessee or occupier (identical notices where there are several lessees, occupiers or owners, for each after the first)	**[25,50]** 27,00 **[9,50]** 10,00
(iii) for making valuation report for purposes of sale per half hour or part thereof	**[69,00]** 74,00
(iv) when— *(aa)* a sheriff has been authorised to sell property and the property is not sold by reason of the fact that the attachment is withdrawn or stayed, all the necessary notice for the withdrawal or stay of the attachment *(bb)* upliftment of judicial attachment on immovable property occurs	 **[273,50]** 293,00 **[273,50]** 293,00
(v) for ascertaining and recording what bonds or other encumbrances are registered against the property, together with the names and addresses of the persons in whose favour such bonds and encumbrances are so registered, including any correspondence in connection therewith (in addition to reasonable expenses necessarily incurred)	**[137,50]** 148,00
(vi) for notifying the execution creditor of such bonds or other encumbrances and of the names and addresses of the persons in whose favour such bonds or other encumbrances are registered	**[25,50]** 27,00
(vii) for consideration of proof that a preferent creditor has complied with the requirements of rule 46(5)*(a)*	**[14,50]** 16,00
(viii) for the notice referred to in rule 46(6)	**[25,50]**

	27,00
(ix) for consideration of notice of sale prepared by the execution creditor in consultation with the sheriff; and	
(x) for verifying that notice of sale has been published in the newspapers indicated and in the *Gazette* inclusive fee for (ix) and (x)	**[137,50]** 148,00
(xi) for forwarding a copy of the notice of sale to every judgment creditor who had caused the immovable property to be attached and to every mortgagee thereof whose address is known, for each copy	**[25,50]** 27,00
(xii) for affixing a copy of the notice of sale to the notice board of the magistrate's court referred to in rule 46(7)*(e)* and at or as near as may be to the place where the sale is actually to take place, an inclusive fee of **[R58,00]**R62,00 and travelling costs referred to in item 3	
(xiii) for— *(aa)* considering the conditions of sale prepared by the execution creditor *(bb)* considering further or amended conditions of sale submitted by an interested party (*cc*) settling of conditions of sale *(dd)* all necessary attendances prescribed by any law related to auctions, in particular the Consumer Protection Act, 2008 (Act No. 68 of 2008) *(ee)* the conducting of an auction, save that this fee may not be charged if commission is claimed in terms of item (xiv)	**[137,50]** 148,00 **[137,50]** 148,00 **[137,50]** 148,00 **[414,50]** 445,00 **[273,50]** 293,00
(xiv) on the sale of immovable property by the sheriff as auctioneer, 6 per cent on the first R100 000,00, 3,5 per cent on R100 001,00 to R400 000,00 and 1,5 per cent on the balance of the proceeds of the sale, subject to a maximum commission of R40 000,00 in total and a minimum of R3 000,00 (inclusive in all instances of the sheriff's bank charges and other expenses incurred in paying the proceeds into his or her trust account), which commission shall be paid by the purchaser;	
(xv) for — *(aa)* written notice to the purchaser who has failed to comply with the conditions of sale *(bb)* any report referred to in rule 46(11) *(cc)* informing judgment debtor of the cancellation referred to in rule 46(11)(a)(iii) *(dd)* giving notice referred to in rule 46(11)(c)	 **[69,00]** 74,00 **[69,00]** 74,00 **[25,50]** 27,00 **[25,50]** 27,00
(xvi) for giving transfer to the purchaser	**[32,50]** 35,00
(xvii) for—	**[25,50]**

(aa) receipt of certificate referred to in rule 46(14)(a)	27,00
(bb) preparing a plan of distribution of the proceeds (including the necessary copies) and for forwarding a copy to the registrar	**[137,50]** 148,00
(xviii) for giving notice to all parties who have lodged writs and to the execution debtor that the plan of distribution will lie for inspection, for every notice	**[25,50]** 27,00
(xix) for the report referred to in rule 46A(9)(d)	**[69,00]** 74,00
(d) against movable property—	
(i) when a writ is paid on presentation, 9 per cent on the amount so paid, with a minimum fee of **[R93,00]**R100,00 and a maximum of	**[908,00]** 974,00
(ii) for any abortive attempt at attachment, including one hour's search and enquiry	**[93,00]** 100,00
(iii) when a writ is withdrawn or stayed before any property is attached	**[30,00]** 32,00
(iv) for making an attachment, including one hour's search and enquiry	**[208,00]** 223,00
(v) notice of attachment, if necessary, to a single person (identical notices, when there is more than one person to be given notice, for each after the first)	**[24,50]** 26,00 **[14,50]** 16,00
(vi) when an attachment is withdrawn by a judgment creditor or stayed before sale, 3 per cent on the value of the property attached or the amount of the writ, whichever is the lesser, but subject to a maximum of	**[626,50]** 672,00
(vii) when a writ is paid by the debtor to the sheriff after attachment but before sale, 9 per cent on the amount so paid, with a minimum fee of **[R93,00]**R100,00 and a maximum of	**[908,00]** 974,00
(viii) when moneys are taken in execution, 9 per cent of the amount so taken, but subject to a maximum of	**[908,00]** 974,00
(ix) for drawing up advertisements of sale of goods attached	**[93,00]** 100,00
(x) for selling in execution, including distribution of the proceeds, on the first R15 000,00 or part thereof, 9 per cent, and thereafter, 6 per cent, with a maximum of	**[12706,50]** 13 634,00
(xi)	
(xii) commission shall not be chargeable against a judgment debtor on the value of movable property attached and subsequently claimed by a person other than the judgment debtor and released in consequence of such claim, unless such property has been attached at the express direction of the judgment creditor, in writing, in which event the judgment creditor shall be liable to the sheriff for the commission;	
(xiii) for insuring movable property attached when it is considered necessary and when the sheriff is directed thereto in writing by the judgment creditor, in addition to the amount of premium paid, an inclusive fee of	**[49,00]** 53,00
(e) for keeping possession of property (money excluded)—	

(i) for each officer necessarily left in possession, a reasonable inclusive fee per officer per day not exceeding	**[172,50]** 185,00
NOTE: 'Possession' means the continuous and necessary presence on the premises for the period in respect of which possession is reckoned, of a person employed and paid by the sheriff for the sole purpose of retaining possession	
(ii) for removal and storage, the reasonable and necessary expenses for such removal and storage, and if an animal is to be stabled or fed, the reasonable charges for such stabling and feeding;	
(iii) for tending livestock, the necessary expenses for tending such stock;	
(iv) when no officer is left in possession and no security bond is taken, but movable property attached remains under the supervision of the sheriff, per day	**[7,00]** 8,00
6. *(a)* For making an inventory, including all necessary copies and time spent in stocktaking, per hour or part thereof	**[172,50]** 185,00
(b) For assistance, where necessary, in taking inventory, a reasonable and inclusive fee per day, not exceeding	**[172,50]** 185,00
7. *(a)* For making return of service or execution, including drawing up and typing of original for court, limited to one person upon each original process; and	
(b) copy thereof for party desiring service or execution.	**[57,00]** 61,00
8. Drawing and completing of bail bond, deed of suretyship or indemnity bond.	**[34,00]** 36,00
9. For the making of all necessary copies of documents per A4 size page.	**[7,50]** 8,00
10.	
11. Attending any criminal session of a superior court or any circuit court, **[R137,50]**R148,00 per hour or part thereof, with a maximum per day of	**[626,50]** 672,00
12. For the writing of each necessary letter, facsimile or electronic mail excluding formal letters accompanying process or returns	**[25,50]** 27,00
13. Each necessary attendance by telephone:	**[22,00]** 24,00
14. Sending and receiving of each necessary facsimile or electronic mail per page (in addition to telephone charges):	**[9,50]** 10,00
15. Bank charges: Actual costs incurred regarding bank charges	
16. For interpleaders referred to in rule 58.	**[873,00]** 937,00
17. (a) Where the mandator instructs the sheriff, in writing, to serve or execute a document referred to in item 2 or 5 on an urgent basis or after hours, the sheriff shall charge an additional fee, irrespective of whether the service or execution was successful, and such additional fee shall be paid by the mandator, save where the court orders otherwise. (b) For the purpose of paragraph (a)— (i) "urgent" means on the same day or within twenty four hours of the written instruction; and	**[308,00]** 330,00

(ii) "after hours" means any time— (aa) before 7h00 or after 19h00 on Mondays to Fridays; or (bb) on a Saturday, Sunday or public holiday."	

Amendment of rule 70 of the Rules

5. Rule 70 of the rules is hereby amended by the substitution for the Tariff of Fees of Attorneys of the following Tariff of Fees of Attorneys:

"TARIFF OF FEES OF ATTORNEYS

A – CONSULTATIONS, APPEARANCES, CONFERENCES AND INSPECTIONS

1. Consultation with a client and witnesses to institute or to defend an action, for advice on evidence or advice on commission, for obtaining an opinion or an advocate's guidance in preparing pleadings, including exceptions, and to draft an affidavit, per quarter of an hour or part thereof—
(a) by an attorney……..…**[R388,00]**R417,00
(b) by a candidate attorney……..…**[R120,50]**R130,00

2. Consultation to note, prosecute or defend an appeal, per quarter of an hour or part thereof—
(a) by an attorney ……..……..…**[R388,00]**R417,00
(b) by a candidate attorney ……...**[R120,50]**R130,00

3. Attendance by an attorney in court at proceedings in terms of rule 37 of these Rules, per quarter of an hour or part thereof ……...**[R388,00]**R417,00

4. (a) Attendance by an attorney, where necessary, to assist at a contested proceeding, per quarter of an hour or part thereof.....**[R388,00]**R417,00
(b) Attendance by a candidate attorney, where necessary, to assist at a contested proceeding, per quarter of an hour or part thereof .....**[R120,50]**R130,00

5. Any conference with an advocate, with or without witnesses, on pleadings, including exceptions and particulars to pleadings, applications, affidavits and testimony, and on any other matter which the taxing officer may consider necessary, per quarter of an hour or part thereof—
(a) by an attorney…….....**[R388,00]**R417,00
(b) by a candidate attorney……...**[R120,50]**R130,00

6. Any other conference which the taxing officer may consider necessary, per quarter of an hour or part thereof—
(a) by an attorney ……..……...**[R388,00]**R417,00
(b) by a candidate attorney …….……..**[R120,50]**R130,00

7. Any inspection *in loco, in situ,* or otherwise, per quarter of an hour or part thereof—
(a) by an attorney…….....**[R388,00]**R417,00
(b) by a candidate attorney ……..……...**[R120,50]**R130,00

8. Attending to give or take disclosure, per quarter of an hour or part thereof—
(a) by an attorney ……..…….....**[R388,00]**R417,00
(b) by a candidate attorney …….....**[R120,50]**R130,00

9. Inclusive fee for necessary consultations and discussions with a client, witness, other party or advocate not otherwise provided for, per quarter of an hour or part thereof—
(a) by an attorney…….....**[R388,00]**R417,00
(b) by a candidate attorney …….…….....**[R120,50]**R130,00

10. Appearance by an attorney in court or the performance by an attorney of any of the other functions of an advocate, in terms of the Legal Practice Act, 2014 (Act No. 28 of 2014). The tariff under rule 69 shall apply.

11. The rates of remuneration in items 1 to 9 do not include time spent travelling or waiting and the taxing officer may, in respect of time necessarily so spent, allow such additional remuneration as he or she in his or her discretion considers fair and reasonable, but not exceeding **[R388,00]**R417,00 per quarter of an hour or part thereof in the case of an attorney and **[R120,50]** R130,00 per quarter of an hour or part thereof in the case of a candidate attorney plus a reasonable amount for necessary conveyance.

B - DRAFTING AND DRAWING

1. The drawing up of a formal statement in a matrimonial matter, verifying affidavits, affidavits of service or other formal affidavits, index to brief, short brief, statements of witnesses, powers of attorney to sue or defend, as well as other formal documents and summonses, including all documents such as the prescribed forms in the First Schedule to these Rules, but not the particulars of claim in an annexure to the summons: an inclusive tariff - drawing up, checking, typing, printing, delivery and filing thereof, per page of the original only ……..……..**[R156,50]**R168,00

2. The drawing up of other necessary documents, including—
(a) instructions for an opinion, for an advocate's guidance in preparing pleadings, including further particulars and requests for same, including exceptions;
(b) instructions to advocate in respect of all classes of pleadings;
(c) an exception or affidavit, any notice (except a formal notice), particulars of claim or an annexure to the summons, opinion by an attorney or any other important document not otherwise provided for,
an inclusive tariff - drawing up, checking, typing, printing, delivery and filing thereof, per page of the original only ……..…**[R388,00]**R417,00

3. Letters, facsimiles and electronic mail: Inclusive tariff for drawing up, checking, typing, printing, scanning, delivery, postage, posting and transmission thereof, per page…….…**[R156,50]**R168,00

NOTE 1: Particulars of dispatched letters including letters electronically transmitted need not be specified in a bill of costs. The number of letters written must be specified, as well as the total amount charged. The opposing party, as well as the taxing officer, is entitled to inspect the papers should the correctness of the item be disputed.

NOTE 2: Whenever an attorney performs any of the work listed in this section, the fees set out herein in respect of such work shall apply and not any fees which would be applicable in terms of the tariff under rule 69 if an advocate had performed the work in question.

C - ATTENDANCE AND PERUSAL

1. Attending the receipt, entry, perusing, considering and filing of—
(a) any summons, affidavit, pleading, advocate's advice and drafts, report, important letter, notice or document;
(b) any formal letter, record stock sheets in voluntary surrenders, judgments or any other material document not elsewhere specified;
(c) any plan or exhibit or other material document which was necessary for the conduct of the action, per page……..……..….**[R78,00]**R84,00

2. Sorting, arranging and paginating papers for pleadings, advice on evidence or brief on trial or appeal, per quarter of an hour or part thereof—
(a) by an attorney…….....**[R388,00]**R417,00
(b) by a candidate attorney.…….....**[R120,50]**R130,00

NOTE: Particulars of received papers need not be specified in bills of costs. The number of papers and pages received, as well as the total amount charged therefor, must be specified. The opposing party as well as the taxing officer is entitled to inspect the papers received if the correctness of the item is disputed.

D – MISCELLANEOUS

1. For necessary copies, including photocopies, of any document or papers not already provided for in this tariff, per A4 size page……....**[R6,00]**R7,00

2. Attending to arrange translation and thereafter to procure same, per quarter of an hour or part thereof—
(a) by an attorney……..….**[R388,00]**R417,00
(b) by a candidate attorney…….……..……...**[R120,50]**R130,00

3. Necessary telephone calls: The actual cost thereof, plus for every five minutes or part thereof—
(a) by an attorney…….....**[R130,00]**R140,00
(b) by a candidate attorney ……..……..….**[R40,00]**R43,00

4. …

5. Testimony: Fair and reasonable charges and expenses which in the opinion of the taxing officer were duly incurred in the procurement of the evidence and the attendance of witnesses whose witness fees have been allowed on taxation: Provided that the preparation fees of a witness shall not be allowed without an order of the court or the consent of all interested parties.

6 The fees in sections A, B, C and D shall be increased by 15% in accordance with any costs order made in terms of rule 67A(4)*(a)* and as allowed at taxation.

E - BILL OF COSTS

In connection with a bill of costs for services rendered by an attorney, the attorney shall be entitled to charge:

1. For drawing the bill of costs, making the necessary copies and attending settlement, 11 per cent of the attorney's fees, either as charged in the bill, if not taxed, or as allowed on taxation.

2. In addition to the fees charged under item 1, if recourse is had to taxation for arranging and attending taxation and obtaining consent to taxation, 11 per cent on the first R10 000,00 or portion thereof, 6 percent on the next R10 000,00 or portion thereof and 3 per cent on the balance of the total amount of the bill.

3. (a) Whenever an attorney employs the services of another person to draft his or her bill of costs, a certificate shall accompany that bill of costs in which that attorney certifies that—

(i) the bill of costs thus drafted was properly perused by him or her and found to be correct; and
(ii) every description in such bill with reference to work, time and figures is consistent with what was necessarily done by him or her.

(b) The taxing officer may—

(i) if he or she is satisfied that one or more of the requirements referred to in item 3(a) has not been complied with, refuse to tax such bill;
(ii) if he or she is satisfied that fees are being charged in a party-and-party bill of costs —

(aa) for work not done;
(bb) for work for which fees are to be charged in an attorney-and-client bill of costs; or
(cc) which are excessively high,

deny the attorney the remuneration referred to in items 1 and 2 of this section, if more than 20 per cent of the number of items in the bill of costs, including expenses, or of the total amount of the bill of costs, including expenses, is taxed off.

NOTE: The minimum fees under items 1 and 2 shall be **[R309,50]**R332,00 for each item.

F - EXECUTION

1. Drafting, issue and execution of a warrant of execution and attendances in connection therewith, excluding sheriffs fees if not taxed)…… **[R772,00]**R828,00
2. Reissue…….....….....……..…….....**[R194,00]**R208,00".

Commencement

6. These Rules come into operation on **20 September 2024**.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 5124 **16 Augustus 2024**

WET OP DIE REËLSRAAD VIR GEREGSHOWE, 1985 (WET NO. 107 VAN 1985)

WYSIGING VAN DIE REËLS WAARBY DIE VOER VAN DIE VERRIGTINGE VAN DIE VERSKEIE PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGGEREGSHOF VAN SUID-AFRIKA GEREËL WORD

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), en met die goedkeuring van die Minister van Justisie en Staatkundige Ontwikkeling, die reëls in die Bylae gemaak.

BYLAE

ALGEMENE VERDUIDELIKENDE NOTA:

[ ]	Woorde of uitdrukkings in vetdruk in vierkantige hakies dui op weglatings uit die bestaande reëls.
_____	Woorde of uitdrukkings met ’n volstreep daaronder dui op invoegings in die bestaande reëls.

Woordomskrywing

1. **I**n hierdie Bylae beteken die “reëls”, die Reëls waarby die verrigtinge van die verskillende Provinsiale en Plaaslike Afdelings van die Hoë Hof van Suid-Afrika gereël word soos gepubliseer in Goewermentskennisgewing No. R. 48 van 12 Januarie 1965 en soos gewysig deur Goewermentskennisgewings No’s. R. 235 van 18 Februarie 1966, R. 2004 van 15 Desember 1967, R. 3553 van 17 Oktober 1969, R. 2021 van 5 November 1971, R. 1985 van 3 November 1972, R. 480 van 30 Maart 1973, R. 639 van 4 April 1975, R. 1816 van 8 Oktober 1976, R. 1975 van 29 Oktober 1976, R. 2477 van 17 Desember 1976, R. 2365 van 18 November 1977, R. 1546 van 28 Julie 1978, R. 1577 van 20 Julie 1979, R. 1535 van 25 Julie 1980, R. 2527 van 5 Desember 1980, R. 500 van 12 Maart 1982, R. 773 van 23 April 1982, R. 775 van 23 April 1982, R. 1873 van 3 September 1982, R. 2171 van 6 Oktober 1982, R. 645 van 25 Maart 1983, R. 841 van 22 April 1983, R. 1077 van 20 Mei 1983, R. 1996 van 7 September 1984, R. 2094 van 13 September 1985, R. 810 van 2 Mei 1986, R. 2164 van 2 Oktober 1987, R. 2642 van 27 November 1987, R. 1421 van 15 Julie 1988, R. 210 van 10 Februarie 1989, R. 608 van 31 Maart 1989, R. 2628 van 1 Desember 1989, R. 185 van 2 Februarie 1990, R. 1929 van 10 Augustus 1990, R. 1262 van 30 Mei 1991, R. 2410 van 30 September 1991, R. 2845 van 29 November 1991, R. 406 van 7 Februarie 1992, R. 1883 van 3 Julie 1992, R. 109 van 22 Januarie 1993, R. 960 van 28 Mei 1993, R. 974 van 1 Junie 1993,

R. 1356 van 30 Julie 1993, R. 1843 van 1 Oktober 1993, R. 2365 van 10 Desember 1993, R. 2529 van 31 Desember 1993, R. 181 van 28 Januarie 1994, R. 411 van 11 Maart 1994, R. 873 van 31 Mei 1996, R. 1063 van 28 Junie 1996, R. 1557 van 20 September 1996, R. 1746 van 25 Oktober 1996, R. 2047 van 13 Desember 1996, R. 417 van 14 Maart 1997, R. 491 van 27 Maart 1997, R. 700 van 16 Mei 1997, R. 798 van 13 Junie 1997, R. 1352 van 10 Oktober 1997, R. 785 van 5 Junie 1998, R. 881 van 26 Junie 1998, R. 1024 van 7 Augustus 1998, R 1723 van 30 Desember 1998, R. 315 van 12 Maart 1999, R. 568 van 30 April 1999, R. 1084 van 10 September 1999, R. 1299 van 29 Oktober 1999, R. 502 van 19 Mei 2000, R. 849 van 25 Augustus 2000, R. 373 van 30 April 2001, R. 1088 van 26 Oktober 2001, R. 1755 van 5 Desember 2003, R. 229 van 20 Februarie 2004, R. 1343 van 12 Desember 2008, R. 1345 van 12 Desember 2008, R. 516 van 8 Mei 2009, R. 518 van 8 Mei 2009, R 86 van 12 Februarie 2010, R 87 van 12 Februarie 2010, R 88 van 12 Februarie 2010, R 89 van 12 Februarie 2010, R. 90 van 12 Februarie 2010, R. 500 van 11 Junie 2010, R. 591 van 09 Julie 2010, R. 980 van 19 November 2010, R. 981 van 19 November 2010, R. 464 van 22 Junie 2012, R. 992 van 7 Desember 2012, R 114 van 15 Februarie 2013, R. 262 van 12 April 2013, R. 471 van 12 Julie 2013, R. 472 van 12 Julie 2013, R. 759 van 11 Oktober 2013, R. 212 van 28 Maart 2014, R. 213 van 28 Maart 2014, R. 214 van 28 Maart 2014, R. 30 van 23 Januarie 2015, R. 31 van 23 Januarie 2015, R. 317 van 17 April 2015, R. 781 van 31 Augustus 2015, R. 3 van 19 Februarie 2016, R. 678 van 3 Junie 2016, R. 1055 van 29 September 2017, R. 1272 van 17 November 2017, R. 1318 van 30 November 2018, R. 61 van 25 Januarie 2019, R. 842 van 31 Mei 2019, R. 1343 van 18 Oktober 2019, R.107 van 7 Februarie 2020, R.1157 van 30 Oktober 2020, R1603 van 17 Desember 2021, R2133 van 3 Junie 2022, R. 2413 van 26 Augustus 2022, R. 3397 van 12 Mei 2023 en R. 4477 van 8 Maart 2024.

Wysiging van reël 6 van die Reëls

2. Reël 6 van die Reëls word hierby gewysig—

(a) deur subreël (1) deur die volgende subreël te vervang:

"(1) Elke aansoek **[moet]** geskied by kennisgewing van mosie, gesteun deur 'n beëdigde verklaring wat die feite bevat waarop die aansoek berus."

(b) deur subreël (2) deur die volgende subreël te vervang:

"(2) Wanneer regshulp teen iemand geëis word of waar dit nodig of wenslik is om iemand kennis van 'n aansoek te gee, **[moet]** word die kennisgewing van mosie aan sowel die griffier as die betrokke persoon gerig **[word]**; anders net aan die griffier."

(c) deur in subreël (4) paragrawe (a) en (b) onderskeidelik deur die volgende paragrawe te vervang:

"(a) Elke aansoek wat ex parte gedoen word, moet—
[by kennisgewing aan die griffier gesteun deur 'n beëdigde verklaring soos voormeld, moet voor middag van die tweede hofdag voor die dag waarop dit aangehoor moet word, by die griffier ingedien en ter rolle geplaas word. As dit by kennisgewing aan die griffier geskied, moet die kennisgewing die vorm van die bevel wat aangevra word, bevat en die beëdigde verklaring waarop gesteun

word noem, en die griffier moet daarin gevra word om die saak vir beregting ter rolle te plaas, moet wesentlik bewoord wees soos vorm 2 in die Eerste Bylae.]

(i) by kennisgewing aan die griffier gesteun word deur ’n beëdigde verklaring in subreël (1) bedoel;

(ii) by die griffier ingedien word en ter rolle geplaas word, voor twaalfuur op die hofdag, maar een dag voor die dag waarop dit aangehoor gaan word; en

(iii) die vorm van bevel wat verlang word uiteensit, die beëdigde verklaring spesifiseer wat ter stawing daarvan ingedien is, versoek dat die griffier die saak ter rolle plaas vir beregting, en so na aan moontlik bewoord wees soos Vorm 2 van die Eerste Bylae:

Met dien verstande dat waar ’n *ex parte*-aansoek as ’n dringende aansoek gebring word—

(i) die aansoek die grondslag moet aandui waarop die aansoek as dringend beskou word, met inbegrip van die bepalings van enige wet waarop die applikant staatmaak;

(ii) die aansoek kan voor ’n regter in kamers gebring word; en

(iii) die bepalings van subreël (12) kan sover nodig toegepas word.

(b)(i) Iemand wat 'n belang het wat geraak kan word deur die beslissing van 'n *ex parte*-aansoek, kan 'n kennisgewing aflewer van 'n aansoek om toestemming om teen te staan, gesteun deur 'n beëdigde verklaring waarin die persoon die aard van sy of haar belang en die gronde waarop die persoon verlang om aangehoor te word, uiteensit, waarop die griffier die aansoek ter rolle moet plaas vir beregting saam met die aanvanklike aansoek.

(ii) Die hof wat die saak aanhoor, kan een van of beide sodanige aansoeke toestaan of weier, soos nodig in die geval, of kan saak verdaag op sodanige voorwaardes ten opsigte van die indiening van verdere beëdigde verklarings deur een van die applikante of andersins soos die hof gepas ag.”;

(d) deur paragraaf *(c)* in subreël (4) te skrap.

(e) deur subreël (9) deur die volgende subreël te vervang:

“(9) 'n Afskrif van elke aansoek in verband met die boedel van 'n gestorwende of van iemand wat beweer word 'n verkwister te wees, of wat handelsonbevoegd is op geestelike of ander gronde, moet, voor so 'n aansoek by die griffier ingedien word, aan die Meester vir oorweging en verslag voorgelê word; en as iemand by die hof aanbeveel staan te word vir aanstelling as kurator van eiendom, **[moet]** word so 'n aanbeveling ook aan die Meester vir verslag voorgelê **[word]**: Met dien verstande dat die bepalings van hierdie subreël nie op enige aansoek ingevolge reël 57 van toepassing is nie, tensy die teendeel uit daardie reël blyk.”

(f) deur in subreël (12) paragraaf (b) deur die volgende paragraaf te vervang:

“(b) In elke beëdigde verklaring wat ter ondersteuning van 'n aansoek ingevolge paragraaf *(a)* van hierdie subreël ingedien word, moet die applikant uitdruklik die omstandighede vermeld wat na bewering die aangeleentheid dringend maak en die redes waarom die **[aansoeker]** applikant beweer dat die **[aansoeker]** applikant nie mettertyd wesenlike verhaal **[by]** deur gewone beregting sal kry nie.”; en

(g) deur subreël (13) deur die volgende subreël te vervang:

"(13)By 'n aansoek ampshalwe teen 'n Minister, Adjunk-minister, Lid van 'n Uitvoerende Raad, amptenaar of werknemer van die Staat, teen die Staat of teen die administrasie van 'n provinsie, is die onderskeie tydperke bepaal in paragraaf *(b)* van subreël (5), of vir die keerdatum van 'n bevel *nisi*, minstens 15 dae na die betekening van die kennisgewing van mosie of die bevel *nisi*, na gelang van die geval, tensy die hof spesiaal 'n korter tydperk gemagtig het."

Invoeging van reël 57A in die Reëls

3. Die volgende reël word hierby na reël 57 van die Reëls ingevoeg:

"**57A Aanstelling en ontslag van kurators ingevolge die Wet op die Voorkoming van Georganiseerde Misdaad, 1998**

(1) 'n Aansoek bedoel in artikels 28, 30(2) en 47, gelees met artikel 42 van die Wet op die Voorkoming van Georganiseerde Misdaad, 1998 (Wet No. 121 van 1998), om—

(a) die aanstelling van 'n *curator bonis*;

(b) die verandering of herroeping van 'n bevel wat 'n *curator bonis* aanstel;

(c) die verandering van die aanstellingsvoorwaardes van 'n *curator bonis*; of

(d) die afdanking van 'n *curator bonis;*

moet gedoen word ooreenkomstig die bepalings van reël 6 van hierdie reëls en die vorms in die Eerste Bylae by daardie reëls: met dien verstande dat 'n aansoek ingevolge paragraaf *(a)* met 'n aansoek om 'n inkortingsbevel, bewaringsbevel of bevel vir die tegeldemaking van eiendom, gekombineer word.

(2) 'n Aansoek om enige tussentydse bevel, waar sodanige bevel nodig mag wees, kan gedoen word by kennisgewing ooreenkomstig die bepalings van reël 6(11).

(3) Elke aansoek wat ingevolge subreëls (1) en (2) gedoen word, moet, onder andere—

(a) die bepaling aandui van die Wet op die Voorkoming van Georganiseerde Misdaad, 1998, ingevolge waarvan die aansoek gedoen word;

(b) sodanige besonderhede uiteensit wat nodig is om die hof in staat te stel om die redes vir die aanstelling en die werksaamhede van 'n *curator bonis*, of waar nodig, 'n *curator ad litem*, te oorweeg;

(c) die besonderhede uiteensit van die persoon of entiteit ten opsigte van wie en die eiendom ten opsigte waarvan 'n kurator aangestel staan te word;

(d) die besonderhede uiteensit van die kurator en die bevoegdhede en pligte wat toegeskryf gaan word aan die kurator wat aangestel staan te word;

(e) sodanige besonderhede uiteensit wat nodig is ter ondersteuning van 'n aansoek om die ontslag van 'n kurator of vir die verandering of herroeping van 'n bevel wat 'n kurator aanstel om die hof in staat te stel om die aansoek te oorweeg; en

(f) vergesel gaan van 'n aangevraagde konsepbevel.

(4) Die bevoegdhede van 'n *curator bonis* waarom ingevolge subreël (3) aansoek gedoen word, moet bevestig word of kan verander en bevestig word deur die hof soos die hof gepas ag.

(5) 'n Hof wat 'n aansoek ingevolge hierdie reël aanhoor, kan—

(a) (i) 'n bevel ingevolge subreëls (1) of (2) toestaan;

(ii) verder opdragte gee vir betekening aan enige persoon of entiteit of vir die voeging in die verrigtinge van enige persoon of entiteit;

(iii) die aansoek van die hand wys of uitstel; of

(iv) sodanige bevel gee wat die hof gepas ag, met inbegirp van enige gepaste kostebevel.

(b) by aansoek deur enige party, die indiening van verdere beëdigde verklarings of die voer van mondelinge getuienis, toelaat.".

Wysiging van reël 68 van die reëls

4. Reël 68 van die Reëls word hierby gewysig deur die Tarief deur die volgende Tarief te vervang:

"**TARIEF**

Item	**R s**
1. Vir registrasie van 'n dokument vir betekening of tenuitvoerlegging, by ontvangs daarvan.	**[14,50]** 16,00
2. (a) Betekening van dagvaardings, kennisgewing van mosie, ander kennisgewings, bevele of enige ander dokumente, elk	**[92,50]** 99,00
Met dien verstande dat—	
(ii) Wanneer 'n dokument saam met 'n prosesstuk beteken moet word en in die prosesstuk genoem word of 'n aanhangsel daarvan is, geen addisionele gelde gevorder mag word vir betekening van die dokument nie. Origens mag **[R14,50]** R16,00 gevorder word vir elke afsonderlike dokument wat beteken word;	
(ii) Geen gelde vir 'n aparte dokument gevorder word vir die betekening van prosesstukke in strafsake nie.	
(b) Gepoogde betekening van dagvaardings, kennisgewings van mosie, ander kennisgewings, bevele en enige ander dokumente: Met dien verstande dat 'n gepoogde betekening van meer as een dokument aan dieselfde persoon as 'n gepoogde betekening van slegs een dokument beskou word.	**[69,00]** 74,00
3. Reistoelae:	
(a) Vir die afstand werklik en noodsaaklikerwys deur die balju of sy of haar verteenwoordiger afgelê, behoudens paragraaf 3(c) en (d) bereken, van die kantoor van die balju af vir die heen- en terugreis, per kilometer of deel van 'n kilometer of gedeelte daarvan.	R7,50

(b) Wanneer twee of meer dagvaardings of ander prosesstukke, in opdrag van dieselfde partye, met een en dieselfde reis beteken kan word, moet die reistoelae redelik en billik verdeel word tussen die verskillende sake met inagneming van die afstand wat die onderskeie partye aan wie die prosesstukke gerig is van die kantoor van die balju af woon, maar die gelde is betaalbaar vir elke betekening of gepoogde betekening.	
(c) Die reistoelae soos in paragraaf 3(a) en (b) beoog, moet bereken word volgens die afstand van die kantoor van die balju af indien— (i) die balju se kantoor geleë is binne die regsgebied wat deur die Minister aan die balju toegewys is; en (ii) die afstand van die balju se kantoor af minder is as die afstand bereken vanaf die hofgebou naaste aan die adres van betekening.	
(d) Indien daar nie aan die vereiste in paragraaf 3(c) voldoen word nie, moet die reistoelaag soos beoog in paragraaf 3(a) en (b) bereken word volgens die afstand vanaf die hofgebou naaste aan die adres van betekening.	
4. (a) Posgeld in siviele sake, volgens die postarief.	
(b) Posgeld in strafsake, gratis.	
LET WEL: Die balju kan enige posstuk na die griffier van die Hoë Hof neem of, as daar geen griffier in sy of haar dorp of stad is nie, na die landdros, wat die koevert met sy of haar amptelike frankeerstempel moet merk.	
5. Ter tenuitvoerlegging van enige lasbrief—	
(a) (i) vir die arres van 'n persoon, insluitende sy of haar vervoer na die hof, na 'n prokureur se kantoor of na die gevangenis, per persoon	**[115,50]** 124,00
(ii) vir vervoer van die betrokke persoon na die hof van die plek van aanhouding op 'n dag na die dag van arres, en bywoning van die hof per uur of gedeelte daarvan	**[137,50]** 148,00
(iii) vir beslaglegging op goed *ad fundandam jurisdictionem* of *ad confirmandam jurísdictionem*	**[115,50]** 124,00
(iv) waar 'n beslaglegging ingevolge artikel 5(a)(iii) teruggetrek of opgeskort word;	**[32,50]** 35,00
(b) vir uitsetting, **[R137,50]** R342,00 **[per]** vir die eerste uur of gedeelte daarvan, **[met 'n minimum van wat die eerste uur insluit]** en daarna R158,00 per elke halfuur of gedeelte daarvan (benewens redelike uitgawes noodsaaklikerwys aangegaan);	**[205,00]**
(c) teen onroerende goed-	

(i) vir tenuitvoerlegging, insluitende betekening van kennisgewing van beslaglegging aan die eienaar van die onroerende goed en die registrateur van aktes of ander beampte belas met registrasie van sodanige goed, en as die onroerende goed deur iemand anders as die eienaar geokkupeer word, ook aan die okkupant	**[273,50]** 293,00
(ii) vir kennisgewing van beslaglegging aan 'n enkele huurder of okkupant (identiese kennisgewings waar daar meer as een huurder, okkupant of eienaar is, vir elkeen na die eerste)	**[25,50]** 27,00 **[9,50]** 10,00
(iii) vir waardasie of verslag vir die doel van 'n verkoping, per uur of gedeelte daarvan	**[69,00]** 74,00
(iv) waar— *(aa)* 'n balju gemagtig is om eiendom te verkoop en die eiendom nie verkoop nie, omdat die beslaglegging teruggetrek, opgeskort, gestaak of gestuit word, en al die nodige kennisgewing van terugtrekking of opskorting van die beslaglegging *(bb)* geregtelike beslaglegging op onroerende goed opgehef word	**[273,50]** 293,00 **[273,50]** 293,00
(v) vir die vasstelling en aantekening van watter verband of ander beswarings teen die eiendom geregistreer is, asook die name en adresse van die persone in wie se guns dit geregistreer is, insluitende enige briefwisseling in verband daarmee (benewens redelike uitgawes noodsaaklikerwys aangegaan)	**[137,50]** 148,00
(vi) om die vonnisskuldeiser in kennis te stel van sodanige verbande of beswarings en van die name en adresse van die persone in wie se guns dit geregistreer is	**[25,50]** 27,00
(vii) vir oorweging van bewys dat 'n preferente skuldeiser aan die vereistes van reël 46(5)(a) voldoen	**[14,50]** 16,00
(viii) vir die kennisgewing in reël 46(6) bedoel	**[25,50]** 27,00
(ix) vir oorweging van kennisgewing van verkoping wat deur die vonnisskuldeiser in oorleg met die balju opgestel word; en	
(x) vir die nagaan van aangeduide koerante en die Staatskoerant om seker te maak dat kennisgewing van verkoping geplaas is, insluitend geld vir (ix) en (x)	**[137,50]** 148,00

(xi) vir die stuur van 'n eksemplaar van die kennisgewing van verkoping aan elke vonnisskuldeiser wat op die onroerende goed beslag laat lê het en aan elke verbandhouer wie se adres bekend is, vir elke eksemplaar,	**[25,50]** 27,00
(xii) vir die aanbring van 'n eksemplaar van die kennisgewing van verkoping op die kennisgewingbord van die landdroshof bedoel in reël 46(7)(e) en op of so na moontliK aan die plek waar díe verkoping sal piaasvind, 'n allesinsluitende bedrag van **[R58,00]**R62,00 en reiskoste in item 3 bedoel	
(xiii) vir— *(aa)* oorweging van die verkoopvoorwaardes deur die uitwinnende skuldeiser voorberei; *(bb)* oorweging van verdere of gewysigde verkoopvoorwaardes deur 'n belanghebbende party voorberei; *(cc)* skikking van verkoopsvoorwaardes; *(dd)* alle nodige bywoning by wet voorgeskryf in verband met vendusies, in die besonder die 'Consumer Protection Act', 2008 (Wet 68 van 2008); *(ee)* die voer van 'n vendusie, met die uitsondering dat hierdie geld nie gehef mag word nie indien kommissie ingevolge item (xiv) geëis word nie.	**[137,50]** 148,00 **[137,50]** 148,00 **[137,50]** 148,00 **[414,50]** 445,00 **[273,50]** 293,00
(xiv) by die verkoop van onroerende goed deur die balju as afslaer, 6 persent op die eerste R100 000.00, en 3.5 persent op R100 001.00 tot R400 000.00 en 1.5 persent op die balans van die opbrengs van die verkoping, onderhewig aan 'n maksimum kommissie van R40 000.00 in totaal en 'n minimum van R3 000.00 (insluitende in alle gevalle die balju se bankkoste en ander uitgawes aangegaan om die opbrengs in sy of haar trustrekening in te betaal), welke kommissie deur die koper betaalbaar is;	
(xv) vir — *(aa)* skriftelike kennisgewing aan die koper wat versuim het om aan die verkoopsvoorwaardes te voldoen; *(bb)* 'n verslag in reël 46(11) bedoel; *(cc)* kennisgewing aan vonnisskuldenaar van die intrekking in reël 46(11)(a)(iii) *(dd)* kennisgewing ingevolge reël 46(11)(c)	**[69,00]** 74,00 **[69,00]** 74,00 **[25,50]** 27,00 **[25,50]** 27,00
(xvi) die gee van oordrag aan die koper	**[32,50]** 35,00

(xvii) vir— *(aa)* ontvangs van sertifikaat in reël 46(14)(a) bedoel *(bb)* vir die opstel van 'n distribusieplan van die opbrengs (insluitende die nodige afskrifte) en afsending van 'n afskrif aan die griffier	**[25,50]** 27,00 **[137,50]** 148,00
(xviii) vir kennisgewing aan alle partye wat lasbriewe ingedien het en aan die vonnisskuldenaar dat die distribusieplan ter insae sal lê, vir elke kennisgewing	**[25,50]** 27,00
(xix) vir die verslag in reël 46A(9)(d) bedoel	**[69,00]** 74,00
(d) teen roerende goed-	
(i) wanneer 'n lasbrief by aanbieding betaal word, 9 persent van die bedrag aldus betaal, met 'n minimum van**[R93,00]**R100,00 en 'n maksimum van	**[908,00]** 974,00
(ii) vir 'n onsuksesvolle poging om beslag te lê, insluitende opsporing vir een uur en navraag	**[93,00]** 100,00
(iii) waar 'n lasbrief teruggetrek, opgeskort, gestaak of gestuit word voordat daar op enige goed beslag gelê is	**[30,00]** 32,00
(iv) vir die doen van 'n beslaglegging, met inbegrip van een uur se soek en ondersoek	**[208,00]** 223,00
(v) kennisgewing van beslaglegging, indien nodig, aan een persoon (identiese kennisgewings waar daar meer as een persoon is wat kennis moet kry, vir elkeen na die eerste)	**[24,50]** 26,00 **[14,50]** 16,00
(vi) waar beslaglegging deur die vonnisskuldeiser teruggetrek word of opgeskort, gestaak of gestuit word voor die verkoping, 3 persent van die waarde van die inbeslaggenome goed of die bedrag van die lasbrief, watter ook al die minste is, maar met 'n maksimum van	**[626,50]** 672,00
(vii) waar die lasbrief aan die balju betaal word deur die skuldenaar na beslaglegging, maar voor verkoping, 9 persent van die bedrag betaal, met 'n minimum fooi van **[R93,00]**R100,00 en 'n maksimum van	**[908,00]** 974,00
(viii) waar beslag op geld gelê word, 9 persent van die betrokke bedrag, maar met 'n maksimum van	**[908,00]** 974,00
(ix) vir die opstel van 'n advertensie van verkoping van inbeslaggenome goed	**[93,00]** 100,00
(x) vir die verkoping vir uitwinning, insluitende verdeling van die opbrengs, vir die eerste R15 000.00 of deel daarvan, 9 persent, en daarna 6 persent, met 'n maksimum van	**[12706,50]** 13 634,00
(xi)	

(xii) kommissie is nie op 'n vonnisskuldenaar verhaalbaar op die waarde van inbeslaggenome roerende goed wat daarna deur 'n derde opgeëis en gevolglik vrygegee is nie, tensy die goed in beslag geneem is op die uitdruklike skriftelike versoek van die vonnisskuldeiser, in welke geval die vonnisskuldeiser teenoor die balju aanspreeklik is vir die kommissie;	
(xiii) vir die versekering van inbeslaggenome roerende goed wanneer dit nodig geag word en in skriftelike opdrag van die vonnisskuldeiser aan die balju is, benewens die premie wat betaal word, 'n allesinsluitende bedrag van	**[49,00]** 53,00
(e) vir bewaring van goed (geld uitgesluit)-	
(i) vir elke beampte wat noodsaaklikerwys in besit gelaat is, 'n redelike allesinsluitende bedrag per beampte per dag van hoogstens	**[172,50]** 185,00
LET WEL: 'Bewaring' beteken die voortdurende en noodsaaklike teenwoordigheid op die perseel vir die tydperk waarvoor bewaring bereken word, van iemand in diens van en betaal deur die balju, vir die uitsluitlike doel om besit te behou	
(ii) vir verwydering en opberging, die redelike en noodsaaklike uitgawes daaraan verbonde en, as 'n dier op stal geplaas of gevoer moet word, die redelike uitgawes daaraan verbonde;	
(iii) vir die oppas van lewende hawe, die nodige uitgawes daaraan verbonde;	
(iv) waar geen beampte in besit gelaat word en geen akte van sekerheidstelling verkry is nie, maar die inbeslaggenome roerende goed onder toesig van die balju bly, per dag	**[7,00]** 8,00
6. (a) Vir die opstel van 'n inventaris, insluitende die maak van alle nodige afskrifte en tyd bestee aan voorraadopname, per uur of gedeelte daarvan	**[172,50]** 185,00
(b) Vir bystand, waar nodig, by die opstel van 'n inventaris, 'n redelike allesinsluitende bedrag per dag van hoogstens	**[172,50]** 185,00
7. (a) Vir opstel van relaas van betekening of tenuitvoerlegging, insluitende opstel en tik van die oorspronklike vir die hof, beperk tot een persoon op elke oorspronklike prosesstuk; en	
(b) afskrif daarvan vir die party wat betekening of tenuitvoerlegging verlang.	**[57,00]** 61,00
8. Opstel en voltooiing van 'n akte van borgstelling, sekerheidstelling of vrywaring	**[34,00]** 36,00
9. Vir die maak van alle noodsaaklike afskrifte van dokumente per A4-grootte bladsy.	**[7,50]** 8,00
10.	
11. Bywoning van strafsittings van 'n hoër hof of 'n rondgaande hof, **[R137,50]**R148,00 per uur of gedeelte daarvan met 'n maksimum per dag van	**[626,50]** 672,00
12. Vir die skryf van elke noodsaaklike brief, faks of e-pos behalwe formele briewe wat prosesstukke of relase vergesel	**[25,50]** 27,00

13. Maak of beantwoording van elke noodsaaklike telefoonoproep	**[22,00]** 24,00
14. Afstuur en ontvangs van elke noodsaaklike faksimilee of e-pos per bladsy (benewens telefoongelde):	**[9,50]** 10,00
15. Bankkoste: Werklike koste aangegaan in verband met bankkoste.	
16. Vir die opstel en uitreik van 'n tussenpleitdagvaarding in reël 58 bedoel	**[873,00]** 937,00
17. (a) Waar die lasgewer die balju skriftelik opdrag gee om 'n dokument in item 2 of 5 bedoel dringend of na-ure te beteken of ten uitvoer te lê, hef die balju 'n bykomende tarief, ongeag of die betekening of tenuitvoerlegging suksesvol was, en sodanige bykomende gelde word deur die lasgewer betaal, behalwe waar die hof anders gelas. (b) By die toepassing van paragraaf (a) beteken— (i) "dringend" op dieselfde dag of binne vier-en-twintig-uur van die skriftelike opdrag; en (ii) "na-ure" enige tyd— (aa) voor 7h00 of ná 19h00 van Maandae tot Vrydae; of (bb) op 'n Saterdag, Sondag of openbare vakansiedag.	**[308,00]** 330,00

Wysiging van reël 70 van die reëls

5. Reël 70 van die reëls word hierby gewysig deur die Tarief van Gelde vir Prokureurs deur die ovlgende Tarief van Gelde vn Prokureurs te vervang:

"TARIEF VAN GELDE VAN PROKUREURS

A – KONSULTASIES, BYWONINGS, SAMESPREKINGS EN ONDERSOEKE

1. Konsultasie met 'n kliënt en getuies om 'n geding in te stel of te verdedig, vir advies oor getuienis of advies op kommissie, vir die verkryging van opinie of die leiding van 'n advokaat by die voorbereiding van pleitstukke, insluitende eksepsies, en om 'n beëdigde verklaring op te stel, per kwartier of gedeelte daarvan—
   (a) deur ’n prokureur……**[R388,00]**R417,00
   (b) deur ’n kandidaatprokureur……**[R120,50]**R130,00

2. Konsultasie om appèl aan te teken, voort te sit of te verdedig, per kwartier of gedeelte daarvan—
   (a) deur ’n prokureur ……**[R388,00]**R417,00
   (b) bdeur ’n kandidaatprokureur ……**[R120,50]**R130,00

3. Bywoning deur 'n prokureur in die hof by verrigtinge ingevolge reël 37 van hierdie Reëls, per kwartier of gedeelte daarvan …….....**[R388,00]**R417,00

4. (a) Bywoning deur ’n prokureur, waar noodsaaklik, om by bestrede verrigtinge te help, per kwartier of gedeelte daarvan..... .**[R388,00]**R417,00
(b) Bywoning deur 'n kandidaatprokureur om, waar noodsaaklik, by bestrede verrigtinge te help, per kwartier of gedeelte daarvan .....**[R120,50]**R130,00

5. Enige samespreking met 'n advokaat, met of sonder getuies, ten opsigte van pleitstukke, met inbegrip van eksepsies en besonderhede by pleitstukke, aansoeke, beëdigde verklarings en getuienis, en ten opsigte van enige ander aangeleenthede wat die takseermeester noodsaaklik ag, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur……...**[R388,00]**R417,00
(b) deur ’n kandidaatprokureur…….....**[R120,50]**R130,00

6. Enige ander samespreking wat die takseermeester noodsaaklik mag ag, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur ……...**[R388,00]**R417,00
(b) deur ’n kandidaatprokureur ……..……**[R111,00]**R120,50

7. Enige inspeksie ter plaatse, in die oorspronklike ligging of elders, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur……...**[R388,00]**R417,00
(b) deur ’n kandidaatprokureur ……..……..….....….**[R120,50]**R130,00

8. Opwagting by blootlegging of insae, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur ……..…….……..**[R388,00]**R417,00
(b)deur ’n kandidaatprokureur …….**[R120,50]**R130,00

9. Allesinsluitende gelde vir noodsaaklike konsultasies en samesprekings met 'n kliënt, getuie, ander party of advokaat waarvoor nie andersins voorsiening gemaak is nie, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur……....**[R388,00]**R417,00
(b) deur ’n kandidaatprokureur ……...**[R120,50]**R130,00

10. Verskyning deur 'n prokureur in die hof of die verrigting deur 'n prokureur van enige van die ander werksaamhede van 'n advokaat kragtens die bepalings van die 'Legal Practice Act, 2014' (Wet 28 van 2014) ..... Die tarief ingevolge reël 69 is van toepassing

11. Die skale van vergoeding in items 1 tot 9 sluit nie reis- en wagtyd in nie en die takseermeester kan ten opsigte van tyd noodsaaklikerwys daaraan bestee, na goeddunke soveel addisionele vergoeding toestaan as wat hy of sy billik en redelik ag, maar hoogstens **[R388,00]**R417,00 per kwartier of gedeelte daarvan in die geval van 'n prokureur en **[R120,50]** R130,00 per kwartier of gedeelte daarvan in die geval van 'n kandidaatprokureur, plus 'n redelike bedrag vir noodsaakllke vervoerkoste.

B - OPSTEL VAN DOKUMENTE

1. Die opstel van 'n formele verklaring in 'n huweliksgeding,
bevestigende beëdigde verklarings, beëdigde verklarings, beëdigde verklarings ten opsigte van betekening of ander formele beëdigde verklarings, inhoudsopgawe vir advokaatsopdrag, kort opdrag, getuieverklarings, prokurasie om te dagvaar of te verdedig, asook ander formele dokumente en dagvaardings, insluitende alle dokumente soos die voorgeskrewe vorms in die Eerste Bylae van hierdie Reëls, maar nie die besonderhede van 'n vordering in 'n aanhangsel by die dagvaarding nie: 'n allesinsluitende tarief vir opstel, nasien, tik, uitdruk, afskrifte, aflewering en indiening daarvan, per bladsy van slegs die oorspronklike……...**[R156,50]**R168,00

2. Die opstel van ander noodsaaklike dokumente, insluitende—
(a) instruksies vir die opinie, vir die leiding van 'n advokaat by die voorbereiding van pleitstukke, insluitende verdere besonderhede en versoeke daarom, insluitende eksepsies;
(b) instruksies aan 'n advokaat ten opsigte van alle klasse pleitstukke;
(c) 'n eksepsie of beëdigde verklaring, enige kennisgewing (uitgesonderd 'n formele kennisgewing), besonderhede van vordering of 'n aanhangsel by die dagvaarding, 'n opinie deur 'n prokureur of enige ander belangrike dokument waarvoor andersins nie voorsiening gemaak is nie,
'n allesinsluitende tarief vir die opstel, nasien, tik, uitdruk, afskrifte, aflewering en indiening daarvan, per bladsy van slegs die oorspronklike ……**[R388,00]**R417,00

3. Briewe, telegramme en faksimilees; 'n allesinsluitende tarief vir die opstel, nasien, tik, uitdruk, aflewering, afskrifte, posgeld en pos daarvan, per bladsy……**[R156,50]**R168,00

OPMERKING 1: Besonderhede van briewe wat afgestuur is, hoef nie in 'n kosterekening gespesifiseer te word nie. Die aantal briewe wat geskryf is, moet vermeld word, asook die totale bedrag wat daarvoor gehef word. Die teenparty sowel as die takseermeester is daarop geregtig om die stukke in te sien, indien die korrektheid van die item betwis word**.**

OPMERKING 2: Wanneer 'n prokureur ook al enige van die werk gelys in hierdie afdeling verrig, is die gelde hierin uiteengesit ten opsigte van sodanige werk van toepassing en nie enige gelde wat van toepassing sou wees kragtens die tarief ingevolge Reël 69 indien 'n advokaat die betrokke werk verrig het nie.

C - OPWAGTING EN DEURLESING

1. Ontvangs, inskrywing, deurlesing, oorweging en liassering van—
(a) enige dagvaarding, beëdigde verklaring, pleitstuk, advokaat se advies en konsep, verslag, belangrike brief, kennisgewing of dokument;
(b) enige formele brief, oorkonde, voorraadlyste by vrywillige oorgawe, uitsprake of enige ander belangrike dokument nie elders vermeld nie;

(c) enige plan of bewysstuk of ander belangrike dokument wat noodsaaklik vir die voer van die geding was……..…….**[R78,00]**R84,00

2. Sortering, rangskikking en paginering van stukke vir die opstel van pleitstukke, advies oor getuienis of opdrag vir 'n verhoor of appèl, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur…….....**[R388,00]**R417,00
(b) deur ’n kandidaatprokureur.……..……..……**[R120,50]**R130,00

OPMERKING: Besonderhede van stukke wat ontvang word, hoef nie in kosterekenings gespesifiseer te word nie. Die aantal stukke en bladsye wat ontvang is, asook die totale bedrag wat daarvoor gehef word, moet vermeld word. Die teenparty sowel as die takseermeester is daarop geregtig om die stukke in te sien, indien die korrektheid van die item betwis word.

D – DIVERSE

3. Vir die maak van noodsaaklike afskrifte, insluitende fotostate, van enige dokument of stukke waarvoor daar nie reeds in hierdie tarief voorsiening gemaak is nie, per A4-grootte bladsy……..…….**[R6,00]**R7,00

2. Opwagting om vertaling te reël en daarna te verkry, per kwartier of gedeelte daarvan—
(a) deur ’n prokureur…….……**[R388,00]**R417,00
(b) deur ’n kandidaatprokureur…….……..……..**[R120,50]**R130,00

3. Noodsaaklike telefoonoproepe: Die werklike koste daarvan plus per vyf minute of gedeelte daarvan—
(a) deur ’n prokureur…….....**[R130,00]**R140,00
(b) deur ’n kandidaatprokureur ……..……...…**[R40,00]**R43,00

4. …

5. Getuienis: Billike en redelike vorderings en uitgawes wat volgens die mening van die takseermeester behoorlik aangegaan is vir die verkryging van die getuienis en die bywoning van getuies wie se getuiegelde by taksasie toegestaan is: Met dien verstande dat die voorbereidingsgelde van 'n getuie nie sonder 'n bevel van die hof of die toestemming van alle belanghebbende partye toegestaan word nie.

6 Die gelde in afdelings A, B, C en D word met 15% verhoog ooreenkomstig enige kostebevel wat ingevolge reël 67A(4)(a) gemaak is en soos by taksasie toegelaat.

E – KOSTEREKENING

In verband met 'n kosterekening vir dienste gelewer deur 'n prokureur, is die prokureur daarop geregtig om te vorder:

1. Vir die opstel van die kosterekening, die maak van die nodige afskrifte en opwagting by afrekening, 11 persent van die prokureursgelde, hetsy soos gevra in die

kosterekening indien nie getakseer nie, of soos toegestaan by taksasie.

2. Benewens die gelde kragtens paragraaf 1 gehef, indien tot taksasie oorgegaan word vir reëling en behartiging van taksasie, en verkryging van toestemming tot taksasie, 11 persent op die eerste R10 000.00 of gedeelte daarvan, 6 persent op die volgende R10 000.00 of gedeelte daarvan en 3 persent op die balans van die totale bedrag van die rekening.

3. (a) Wanneer 'n prokureur van die dienste van 'n ander persoon gebruik maak om sy of haar kosterekening op te stel, moet daardie kosterekening van 'n sertifikaat vergesel gaan waarin daardie prokureur sertifiseer dat—

(iii) die kosterekening aldus opgestel, behoorlik deur hom of haar nagegaan en korrek bevind is; en
(iv) elke beskrywing in sodanige rekening met betrekking tot werk, tye en syfers in ooreenstemming is met dit wat noodsaaklikerwys deur hom of haar verrig is.

(b) Die takseermeester kan—

(i) wanneer hy of sy oortuig is dat aan een of meer vereistes bedoel in item 3(a) nie voldoen is nie, weier om so 'n rekening te takseer;
(ii) wanneer hy of sy oortuig is dat gelde in 'n party-en-partykosterekening gevorder word —
(aa) vir werk wat nie gedoen is nie;
(bb) vir werk waarvoor gelde in 'n prokureur-en-kliëntekosterekening gevorder moet word; of
(cc) wat buitensporig hoog is,

die prokureur die vergoeding bedoel in items 1 en 2 van hierdie afdeling ontsê, indien meer as 20 persent van die aantal items in die kosterekening, insluitend uitgawes, of van die totale bedrag van die kosterekening, insluitend uitgawes, afgetakseer word.

OPMERKING: Die minimum gelde onder items 1 en 2 is **[R309,00]**R332,00 per item.

F - TENUITVOERLEGGING

1. Opstel, uitreiking en uitvoering van 'n lasbrief vir eksekusie en alle opwagtinge in verband daarmee, uitgesonderd baljugelde
indien nie getakseer nie)…….... **[R772,00]**R828,00
4. Heruitreiking…….....….....……..…….....**[R194,00]**R208,00

Inwerkingtreding

6. Hierdie reëls tree in werking op **20 September 2024**.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 5125 **16 August 2024**

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

AMENDMENT OF RULES REGULATING MATTERS IN RESPECT OF THE SMALL CLAIMS COURT

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), read with section 25 of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), and with the approval of the Minister for Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

GENERAL EXPLANATORY NOTE:

[ ] Words or expressions in bold type in square brackets indicate omissions from the existing rules.
_____Words or expressions underlined with a solid line indicate insertions into the existing rules.

Definition

1. In this Schedule the "Rules" means the Rules Regulating Matters in Respect of the Small Claims Court published under Government Notice No. R. 2573 of 7 October 2022 and R. 3058 of 17 February 2023.

Amendment of Annexure 2 to the Rules

2. Annexure 2 to the Rules is hereby amended by the substitution for Part I of the following Part:

PART I
Court fees

For a copy of a record made by the clerk of the court-
for every photocopy of an A4 size page or part thereof: **[R1,00]** R2,00.

Amendment of Annexure 2 to the Rules

3. Annexure 2 to the Rules is hereby amended by the substitution for Part II of the following Part:

PART II

Fees and travelling expenses of sheriffs

1. *(a)* For the service of a summons, including the registration of the summons on receipt thereof for service**[, the journey to and from the place of service of the summons—]**

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R45,00;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R51,00;]

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed]: **[R70,00]** R75,00.

(b) For the attempted service of a summons, including the registration of the summons on receipt thereof for service**[, the journey to and from the place of attempted service of the summons—]**

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R37,50;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed]: **[R45,00;]**R48,00.

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R63,00]

2. *(a)* For the execution of a warrant, including the registration of the warrant on receipt thereof for execution**[, the journey to and from the place of execution of the warrant—]**

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R63,00;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R70,00;]

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed]: **[R87**,**50]** R94,00.

(b) For the attempted execution of the warrant, including the registration of the warrant on receipt thereof for execution**[, the journey to and from the place of attempted execution of the warrant—]**

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R52,00;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed]: **[R63,00;]** R68,00.

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R79,50.]

(c) Where the warrant is one for ejectment, a further fee of **[R25,50]** R27,00 shall be paid after the execution thereof for each person over and above the person named or referred to in the warrant of ejectment in fact ejected from separate premises: Provided that where service on any person other than the judgment debtor is necessary in order to complete the execution, the fee**[s]** mentioned in item 1*(a)* may be charged for each such service.

3. *(a)* The sheriff shall, in addition to the fees mentioned in items 1*(a)*, 1(b), 2(a) and 2(b) but subject to paragraph (b) and (c), be allowed a travelling allowance of **[R6,00]** R7,50 per kilometre, or part thereof, for the shortest possible forward and return journey from the office of the sheriff to the place of service or execution and back.

(b) The travelling allowance mentioned in items 3 and 4 shall be calculated on the distance reckoned from the office of the sheriff if—

(i) the sheriff's office is situated within the area of jurisdiction allocated to the sheriff by the Minister; and

(ii) the distance from the sheriff's office is less than the distance reckoned from the court-house closest to the address for service.

(c) If the requirement in item 3*(b)* is not met, then the travelling allowance mentioned in items 3*(a)* and 4*(a)* shall be calculated on the distance reckoned from the court-house closest to the address for service.

4. *(a)* In respect of the discharge of any official duty other than those mentioned in items 1 and 2, but subject to item 3*(b)* and *(c)*, a travelling allowance of **[R6,00]** R7,50 per kilometre, or part thereof, shall be payable to the sheriff for going and returning.

(b) A travelling allowance shall include all the expenses incurred in travelling, including train fares.

(c) A travelling allowance shall be calculated in respect of each separate service, except that—

(i) where more services than one can be done on the same journey, the distance from the sheriff's office to the first place of service may be taken into account only once, and shall be apportioned equally to the respective services, and the distance from the first place of service to the remaining places of service shall similarly be apportioned equally to the remaining services; and

(ii) where service of the same process has to be effected by a sheriff on more than one person at the same service address, only one charge for travelling shall be allowed.

5. For the ejectment of a defendant from the premises mentioned in the warrant of ejectment: **[R22,50]** R24,00 for the first 30 minutes and thereafter **[R67,50]** R72,00 per hour or part thereof.

6. In addition to the fees prescribed, the sheriff shall be entitled to charge the amount paid by him or her for telephone calls.

7. For the writing of a necessary letter, facsimile or electronic mail, excluding formal letters accompanying process or returns to an interested party in the matter: **[R11,00]** R12,00.

8. For the copying of the necessary documents relevant to a process handled by the sheriff: **[R5,00]** R6,00 per A4 size copy.

9. If it is necessary for the sheriff to return to the mandator a process received by him or her for service or execution because—

(a) the address of service which appears on the process does not fall within his or her jurisdiction;

(b) the mandator requests, before an attempted service or execution of the process, that it be returned to him or her: an amount of **[R11,00]** R12,00.

10. *(a)* Sending and receiving of each necessary facsimile or electronic mail: **[R6,50]** R7,00.

(b) In addition to the fees prescribed, the sheriff shall be entitled to the amount actually disbursed for postage, transmission of facsimiles and sending of electronic communications.

Commencement

4. These Rules come into operation on **20 September 2024.**

ISAZISO SIKAHULUMENI

UMNYANGO WEZOBULUNGISWA NOKUTHUTHUKISWA KOMTHETHOSISEKELO

UMTHETHO WEBHODI LEMITHETHO LEZINKANTOLO ZOMTHETHO, WEZI-1985 (UMTHETHO 107 WEZI-1985)

UKUCHIBIYELA IMITHETHO ELAWULA IZINDABA EZIPHATHELENE NENKANTOLO YEZIMANGALO EZINCANE

Ibhodi Lemithetho Lezinkantolo Zomthetho, ngaphansi kwesigaba sesi-6 soMthetho Webhodi Lemithetho Lezinkantolo Zomthetho, we-1985 (uMthetho 107 we-1985), ufundwe nesigaba sama-25 soMthetho Wezinkantolo Zezimangalo Ezincane, we-1984 (uMthetho 61 we-1984), futhi ngemvume kaNgqongqoshe Wezobulungiswa Nokuthuthukiswa KoMthethosisekelo, lenze imithetho kwiSheduli.

ISHEDULI

UMBHALO OCHAZA OKUJWAYELEKILE:

[ ] Amagama akubakaki abayisikwele amele okukhishwe emithethweni esebenzayo.

_____ Amagama adwetshelwe ngomugqa amele okufakiwe emithethweni esebenzayo.

Incazelo

1. Kule Sheduli “Imithetho” isho Imithetho Elawula Izindaba Eziphathelene Nenkantolo Yezimangalo Ezincane eshicilelwe ngaphansi kweSaziso Sikahulumeni se-R. 2573 samhla ziyi-7 kuMfumfu wezi-2022 kanye nese-R. 3058 samhla ziyi-17 kuNhlolanja wezi-2023.

Ukuchibiyela iSithasiselo sesi-2 seMithetho

2. Ngakho-ke isithasiselo sesi-2 seMithetho sichitshiyelwe ngokufaka endaweni yeNgxenye I, le ngxenye elandelayo:

INGXENYE I

Izimali zenkantolo

Ngekhophi yerekhodi elenziwe umabhalane wenkantolo-ikhophi ngayinye yekhasi elingu-A4 noma ingxenye yalo: **[R1,00]** R2,00.

Ukuchibiyela iSithasiselo sesi-2 seMithetho

3. Ngakho-ke isithasiselo sesi-2 seMithetho sichitshiyelwe ngokufaka endaweni yeNgxenye II le Ngxenye elandelayo:

INGXENYE II

Izimali kanye nezindleko zokuhamba zosherifu

1. *(a)* Ukuze kuhanjiswe amasamanisi, okuhlanganisa nokubhaliswa kwamasamanisi lapho ehanjiswe khona**[, uhambo lokuya nokubuya lapho kuhanjiswa khona amasamanisi—]**

[(i) ebangeni eliphakathi kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R45,00;]

[(ii) ebangeni eliphakathi kwamakhilomitha ayi-12 kodwa ngaphezu kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R51,00;]

[(iii) ebangeni eliphakathi kwamakhilomitha angama-20 kodwa ngaphezu kwamakhilomitha ayi-12 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona]: **[R70,00]** R75,00.

(b) Ngomzamo wokuhambisa amasamanisi, okuhlanganisa ukubhaliswa kwamasamanisi lapho ehanjiswe khona**[, uhambo lokuya nokubuya endaweni okuzanywa ukuhanjiswa kuyo amasamanisi—]**

[(i) ebangeni eliphakathi kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R37,50;]

[(ii) ebangeni eliphakathi kwamakhilomitha ayi-12 kodwa ngaphezu kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona]: **[R45,00;]**R48,00.

[(iii) ebangeni eliphakathi kwamakhilomitha angama-20 kodwa ngaphezu kwamakhilomitha ayi-12 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R63,00]

2. *(a)* Ngokwenziwa kwencwadi yemvume, okuhlanganisa ukubhaliswa kwayo ngeskhathi yamukelwa ukuze iqaliswe**[, uhambo lokuya nokubuya endaweni yokwenziwa kwencwadi yemvume—]**

[(i) ebangeni eliphakathi kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R63,00;]

[(ii) ebangeni eliphakathi kwamakhilomitha ayi-12 kodwa ngaphezu kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu aqokelwe khona: R70,00;]

[(iii) ebangeni eliphakathi kwamakhilomitha angama-20 kodwa ngaphezu kwamakhilomitha ayi-12 ukusuka enkantolo yesifunda lapho usherifu aqokelwe khona]: **[R87**,**50]**:R94,00.

(b) Ngomzamo wokwenziwa kwencwadi yemvume, okuhlanganisa nokubhaliswa kwayo ngeskhathi yamukelwa ukuze iqaliswe**[, uhambo lokuya nokubuya endaweni yokuzama ukwenziwa kwencwadi yemvume—]**

[(i) ebangeni eliphakathi kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R52,00;]

[(ii) ebangeni eliphakathi kwamakhilomitha ayi-12 kodwa ngaphezu kwamakhilomitha ayisi-6 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona]: **[R63,00;]** R68,00.

[(iii) ebangeni eliphakathi kwamakhilomitha angama-20 kodwa ngaphezu kwamakhilomitha ayi-12 ukusuka enkantolo yesifunda lapho usherifu eqokelwe khona: R79,50.]

(c) Lapho incwadi yemvume ingeyokuxosha umuntu endaweni yokuhlala, enye imali engu-**[R25,50]** R27,00 iyokhokhwa ngemva kokwenziwa kwayo kumuntu ngamunye ngaphezu kwalowo oshiwo noma okukhulunywe ngaye encwadini yemvume egunyaza ukukhishwa ezakhiweni ezihlukene: Kuncike ekutheni lapho isevisi yenziwa khona kunoma yimuphi omunye umuntu ngaphandle kohlangothi olulahlwe icala, iyadingeka ukuze kuqedelwe ukuqaliswa, **[izimali]** imali eshiwo ephuzwini 1*(a)* ingakhokhiswa ngaleyo sevisi.

3. *(a)* Usherifu, ngaphezu kwezimali ezishiwo ephuzwini 1*(a)*, 1(b), 2(a) kanye no 2(b) kodwa ngokuya ngendima (b) kanye no (c), avunyelwe imali yokuhamba engu-**R6,00]** R7,50 ikhilomitha ngalinye, noma ingxenye yalo, ekuhambeni okufushane kokuya nokubuya usuka ehhovisi likasherifu ukuya endaweni yesevisi noma yokuqaliswa nokubuya.

(b) Isibonelelo sokuhamba esibalulwe kuhlamvu 3 no-4 sizobalwa ngebanga elibalwe nehhovisi likasherifu uma—

(i) ihhovisi likasherifu lisendaweni engaphansi kwegunya elinikezwe usherifu nguNgqongqoshe; futhi

(ii) ibanga lokusuka ehhovisi likasherifu lingaphansi kwebanga elibalwe ukusuka endlini yenkantolo eseduze nekheli lokwenziwa kwesevisi.

(c) Uma imfuno ephuzwini 3*(b)* ingafinyelelwanga, ngakho isibonelelo sokuhamba esishiwo emaphuzwini 3*(a)* kanye no-4*(a)* sizobalwa ngebanga elibalwe ukusuka endlini yenkantolo eseduze nekheli lokwenziwa kwesevisi.

4. *(a)* Maqondana nokukhishwa kwanoma yimuphi umsebenzi osemthethweni ngaphandle kwalowo oshiwo emaphuzwini 1 no-2, kodwa kuncike ephuzwini 3*(b)* kanye no *(c)*, isibonelelo sokuhamba senani elingu-**[R6,00]** R7,50 ikhilomitha ngalinye, noma ingxenye yalo, iyokhokhwa kusherifu ngokuya nokubuya.

(b) Isibonelelo sokuhamba sizobandakanya zonke izindleko ezibe khona ohambweni, okuhlanganisa nemali yokugibela isitimela.

(c) Isibonelelo sokuhamba sizobalwa maqondana nesevisi ngayinye ehlukene, ngaphandle —

(i) lapho amasevisi angaphezu kweyodwa engenziwa ohambweni olufanayo, ibanga ukusuka ehhovisi likasherifu ukuya endaweni yokuqala yokwenza isevisi lingacatshangelwa kanye kuphela, futhi lizokwabelwa ngokulinganayo kuma sevisi afanele, kanye nebanga ukusuka endaweni yokuqala yokwenza isevisi kuya ezindaweni ezisele zokwenza isevisi nayo izokwabelwa ngokulinganayo kumasevisi asele; futhi

(ii) lapho isevisi yenqubo efanayo kufanele yenziwe ngusherifu kubantu abangaphezu koyedwa ekhelini elifanayo lendawo ekuyokwenziwa kuyo isevisi, yinye kuphela imali yokuhamba eyovunyelwa.

5. Ekukhishweni kommangalelwa ezakhiweni ezishiwo encwadini yemvume yokukhishwa: u-**[R22,50]** R24,00 imizuzu yokuqala engama-30 bese emva kwalokho u-**[R67,50]** R72,00 ngehora noma ingxenye yalokho.

6. Ukwengeza ezinkokhelweni ezinqunyiwe, usherifu uzoba nelungelo lokukhokhisa inani elikhokhwe nguye maqondana nezingcingo.

7. Ukubhalwa kwencwadi edingekayo, ifeksi noma i-imeyili, ngaphandle kwezincwadi ezisemthethweni ezihambisana nenqubo noma izimbuyiselo kumuntu onentshisekelo kulolu daba: **[R11,00]** R12,00.

8. Ukuze kwenziwe amakhophi emibhalo edingekayo ehambisana nenqubo esingathwa ngusherifu: **[R5,00]** R6,00 ikhophi ngayinye kasayizi we-A4

.

9. Uma kudingekile ukuthi usherifu abuyisele kumgunyazi inqubo akayithola ukuze kwenziwe isevisi noma aqalise ngoba—

(a) ikheli lalapho kwenziwa khona isevisi elivela kwinqubo alingeni ngaphansi kwamandla akhe;

(b) umgunyazi ucela, ngaphambi kokuzanywa kwesevisi noma ukwenziwa kwenqubo, ukuthi ibuyiselwe kuye: imali eyi- **[R11,00]** R12,00.

10. *(a)* Ukuthumela nokwamukela ifeksi ngayinye edingekayo noma i-imeyili: **[R6,50]** R7,00.

(b) Ukwengeza ezinkokhelweni ezinqunyiwe, usherifu uzoba nelungelo lemali ekhishelwe ukuposa, ukuthunyelwa kwamafeksi kanye nokuthunyelwa kwezokuxhumana nge-inthanethi.

Ukuqala ukusebenza

4. Le Mithetho iqala ukusebenza **ngomhla ka 20 kuMandulo 2024**.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 5126 **16 August 2024**

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), with the approval of the Minister for Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

GENERAL EXPLANATORY NOTE:

[ ] Words or expressions in bold type in square brackets indicate omissions from existing rules.

_____ Words or expressions underlined with a solid line indicate insertions into existing rules.

Definition

1. In this Schedule the "Rules" means the Rules of the Supreme Court of Appeal published under Government Notice No. R. 1523 of 27 November 1998, as amended by Government Notice Nos. R. 979 of 19 November 2010, R. 191 of 11 March 2011, R. 113 of 15 February 2013, R. 1055 of 29 September 2017, R. 1318 of 30 November 2018, R. 842 of 31 May 2019, R. 858 of 7 August 2020, R. 1158 of 30 October 2020, R. 1603 of 17 December 2021, R. 2135 of 3 June 2022, R. 3059 of 17 February 2023 and R. 3398 of 12 May 2023.

Substitution of rule 18 of the rules

2. The following rule is hereby substituted for rule 18 of the rules:

"Attorneys' fees

18. The following fees shall be allowed to attorneys conducting appeals or other matters before the Court:

A – TAKING INSTRUCTIONS

R.c

1. (a) To note an appeal or cross-appeal when leave to appeal is not required per quarter of an hour—
   (i) by an attorney ……..**[388**,**50]**417,00
   (ii) by a candidate attorney ……..……**[121**,**00]**130,00
   (b) To prosecute or defend an appeal, including continuation of a cross-appeal per quarter of an hour—
   (i) by an attorney ……..**[388**,**50]**417,00
   (ii) by a candidate attorney ……..**[121,00]**130,00
   (c) To make or oppose an application per quarter of an hour—
   (i) by an attorney …..……..**[388,50]**417,00
   (ii) by a candidate attorney ……..……**[121,00]**130,00
2. To draft any application or affidavit per page ……..……..**[155,50]**167,00

B – PREPARATION OF RECORDS

R.c

1. Making, for the purpose of preparing copies of the record on appeal (except where a charge is made under paragraph 5 hereof), a copy of such particulars of the record as were not in the possession of the appellant or his or her attorney at the time when the order appealed from was made, per page……**[6,00]**7,00
2. Arranging record for printing or typing, excluding unnecessary documents therefrom, and preparing an index and list of documents not included in the record on appeal, per quarter of an hour or part thereof—
   (i) by an attorney ……..**[388,50]**417,00
   (ii) by a candidate attorney ……..……..**[121,00]**130,00
3. Correcting typed copy, per quarter of an hour or part thereof—
   (i) by an attorney ……..……..**[388,50]**417,00
   (ii) by a candidate attorney ……..**[121,00]**130,00
4. Attending at the office of the registrar or officer of the court appealed from to peruse or authenticate the record, per quarter of an hour or part thereof —
   (i) by an attorney …..……..**[388,50]**417,00
   (ii) by a candidate attorney……..……..……..**[121,00]**130,00
5. Making typed copies of record on appeal and heads of arguments, per page…….……**[6,00]**7,00

C – PERUSAL

R.c

1. (a) Perusing judgment of court *a quo* when taking instructions for the continuation of an appeal or cross-appeal, where leave to appeal is not required, per page……..……..……..……..**[78,50]**84,00
   (b) Perusing record of appeal, for each page…….……..**[9,50]** 10,00

(c) Perusing judgment of court *a quo* by which leave to appeal was denied, when taking instructions to apply for leave to appeal to the Court, per page…….....**[9,50]**10,00

2. Perusing any plan, diagram, photograph or other annexure to the record to which the remuneration hereinbefore set out cannot be applied per page.....**[78,50]**84,00

3. (a) Attendance on and perusal of any application or affidavit or any other document not elsewhere provided for, per page…...……..**[78,50]**84,00

(b) Attendance on and perusal of any annexure to an application and answering affidavit, per page……...…….**[9,50]**10,00

(c) Attendance on and perusal of an application or affidavit composed or corrected by counsel, per page……...**[20,00]**22,00

4. Attendance on and perusal of heads of argument, excluding annexures for example unreported judgments of court or copies of publications attached as confirmation of heads of arguments, per page ……..……..……**[78,50]**84,00

D – ATTENDANCE

R.c

1. Any formal attendance on an acknowledgement, receipt, etc.….....**[78,50]**84,00

2. (a) Attendance on any letter or document……..……..**[78,50]**84,00

(b) Necessary telephone calls made, the actual costs thereof, plus for every five minutes or part thereof —

(i) by an attorney……..…….....**[130,00]**140,00

(ii) by a candidate attorney……..…….....**[40,00]**43,00

(c) Attendance on telephone calls, the actual costs thereof, plus for every five minutes or part thereof —

(i) by an attorney…….…….....**[130,00]**140,00

(ii) by a candidate attorney……..……....**[40,00]**43,00

3. (a) Attendance at office of registrar to deliver a letter or document, or to uplift an order, etc, per quarter of an hour or part thereof—

(i) by an attorney…….……...**[388,50]**417,00

(ii) by a candidate attorney ……..……..…….....**[121,00]**130,00

(b) Attendance on business other than formal business, per quarter of an hour or part thereof—

(i) by an attorney……....…….……..**[388,50]**417,00

(ii) by a candidate attorney……**[121,00]**130,00

4. (a) Attendance at any consultation with counsel or client, per quarter of an hour or part thereof—

(i) by an attorney……..……**[388,50]**417,00

(ii) by a candidate attorney…..……..……**[121,00]**130,00

(b) A comprehensive fee for attendance, obtaining and payment of counsel for noting of judgment per quarter of an hour—

(i) by an attorney……..……**[388,50]**417,00

(ii) by a candidate attorney……..…….....**[121,00]**130,00

5. Attendance at court to note judgment per quarter of an hour —

(a) by an attorney……**[388,50]**417,00

(b) by a candidate attorney……..……..……..……**[121,00]**130,00

6. Attendance at court on hearing of appeal or application, per quarter of an hour or part thereof —
   (a) by an attorney……..……..……..**[388,50]**417,00
   (b) by a candidate attorney…….……..…….**[121,00]**130,00

E - DRAWING UP OF DOCUMENTS

R.c

1. Any application or affidavit, per page……..……..….**[155,50]**167,00
2. Instructions to counsel—
   (a) on appeal per page…….……...**[155,50]**167,00
   (b) on application per page…….....**[155,50]**167,00
   (c) in justifiable cases, for the drawing up or correcting of application or affidavit for an application for leave to appeal or disputing thereof per page ...**[155,50]**167,00
3. Drawing up of notice of appeal or other necessary notices, per page…….**[155,50]**167,00
4. Letters per page, including copy to keep ……...**[155,50]**167,00
5. Drawing up power of attorney, per page…….....**[155,50]**167,00
6. Drawing up short brief to counsel per page…….....**[155,50]**167,00
7. Drawing up bond of security, per page…….....**[155,50]**167,00

F – COPYING

R.c

Other documents not specially provided for, per page……..…….**[6,00]**7,00

G - BILLS OF COSTS

In connection with a bill of costs for work done or services rendered by an attorney, such attorney shall be entitled to charge the following:

1. For drawing up the bill of costs, making the necessary copies and attending settlement, 11 per cent of the attorney's fees, either as charged in the bill, if not taxed or as allowed on taxation.
2. In addition to the fees charged under paragraph 1, if recourse is had to taxation for arranging and attending taxation, and obtaining consent to taxation, 11 per cent on the first R10 000,00 or portion thereof, 6 per cent on the next R10 000,00 or portion thereof and 3 per cent on the balance of the total amount of the bill.".

Commencement

3. These Rules come into operation **20 September 2024.**

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 5126 **16 Augustus 2024**

WET OP DIE REËLSRAAD VIR GEREGSHOWE, 1985 (WET NO. 107 VAN 1985)

WYSIGING VAN DIE REËLS WAARBY DIE VOER VAN DIE VERRIGTINGE VAN DIE HOOGSTE HOF VAN APPÈL VAN SUID-AFRIKA GEREËL WORD

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), en met die goedkeuring van die Minister van Justisie en Staatikundige Ontwikkeling, die reëls in die Bylae gemaak.

BYLAE

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde of uitdrukkings in vetdruk in vierkantige hakies dui op weglatings uit bestaande reëls.

_____ Woorde of uitdrukkings met ’n volstreep daaronder dui op invoegings in bestaande reëls.

Woordomskrywing

1. In hierdie Bylae beteken die “Reëls” die Reëls waarby die verrigtinge van die Hoogste Hof van Appèl van Suid-Afrika gereël word, afgekondig in Goewermentskennisgewing No. R. 1523 van 27 November 1998, soos gewysig deur Goewermentskennisgewing No's R. 979 van 19 November 2010, R. 191 van 11 Maart 2011, R. 113 van 15 Februarie 2013, R. 1055 van 29 September 2017, R. 1318 van 30 November 2018, R. 842 van 31 Mei 2019, R. 858 van 7 Augustus 2020, R. 1158 van 30 Oktober 2020, R. 1603 van 17 Desember 2021, R. 2133 van 3 Junie 2022, R. 3059 van 17 Februarie 2023 en R. 3398 van 12 Mei 2023.

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Vervanging van reël 18 van die reëls

2. Reël 18 van die reëls word hierby deur die volgende reël vervang:

"**Prokureursgelde**

18. Die volgende gelde word toegelaat vir prokureurs wat appèlle of ander aangeleenthede voor die Hof voer:

A – NEEM VAN INSTRUKSIES

R.s

1. (a) Om 'n appèl of teenappèl aan te teken wanneer verlof om te appelleer nie 'n vereiste is nie per kwartier van 'n uur—
   (iii) deur 'n prokureur…….....**[388**,**50]**417,00
   (iv) deur 'n kandidaatprokureur…….……**[121**,**00]**130,00
   (b) Om 'n appèl voort te sit of te verdedig, insluitende voortsetting van 'n teenappèl per kwartier van 'n uur—
   (i) deur 'n prokureur …….....**[388**,**50]**417,00
   (ii) deur 'n kandidaatprokureur …….....**[121,00]**130,00
   (c) Om 'n aansoek te doen of dit te bestry per kwartier van 'n uur—
   (i) deur 'n prokureur …..……...**[388,50]**417,00
   (iii) deur 'n kandidaatprokureur ……..……**[121,00]**130,00
2. Om enige aansoek of beëdigde verklaring op te stel per bladsy .. **[155,50]**167,00

B – VOORBEREIDING VAN STUKKE

R.s

1. Die maak van 'n afskrif van besonderhede van die stukke wat nie in besit van die appellant of sy of haar prokureur was toe die bevel waarteen geappelleer word, uitgevaardig is nie, met die doel om afskrifte van die oorkonde van appèl (behalwe waar 'n bedrag kragtens paragraaf 5 hiervan gevorder word) voor te berei, per bladsy……..……**[6,00]**7,00
6. Rangskikking van stukke vir druk of tik, met uitsluiting van onnodige dokumente, en voorbereiding van 'n inhoudsopgawe en lys van dokumente nie ingesluit in die oorkonde van appèl nie, per kwartier van 'n uur of gedeelte daarvan—
   (iii) deur 'n prokureur …….....**[388,50]**417,00
   (iv) deur 'n kandidaatprokureur ……..……..……..**[121,00]**130,00
7. Nasien van getikte afskrif, per kwartier van 'n uur of gedeelte daarvan—
   (i) deur 'n prokureur ……...……..**[388,50]**417,00
   (ii) deur 'n kandidaatprokureur …….....**[121,00]**130,00
8. Opwagting by die kantoor van die griffier of beampte van die hof waarvandaan geappelleer word, om die oorkonde na te gaan of te laat waarmerk, per kwartier van 'n uur of gedeelte daarvan—
   (iii) deur 'n prokureur ….……....**[388,50]**417,00
   (iv) deur 'n kandidaatprokureur ……..……..……**[121,00]**130,00
9. Maak van getikte afskrifte van die oorkonde van appèl en betoogpunte, per bladsy…….....……**[6,00]**7,00

C – NAGAAN

R.s

1. (a) Nagaan van die hofuitspraak *a quo* wanneer instruksies geneem word vir die voortsetting van 'n appèl of teenappèl, waar verlof om te appelleer nie 'n vereiste is nie, per bladsy……..……..…….…..**[78,50]**84,00
   (b) Nagaan van die oorkonde van appèl vir elke bladsy……...**[9,50]** 10,00
   (c) Nagaan van die hofuitspraak a quo waarby verlof om te appelleer geweier word, wanneer instruksies geneem word om aansoek te doen om verlof om na die Hof te appelleer, per bladsy…….....**[9,50]**10,00
2. Nagaan van enige plan, skets, foto of ander aanhangsel van die stukke waarop die vergoeding hierbo uiteengesit, nie toegepas kan word nie, per bladsy.. **[78,50]**84,00
3. (a) Aandag gee aan en nagaan van enige aansoek of beëdigde verklaring of enige ander dokument waarvoor nie elders voorsiening gemaak word nie, per bladsy…....……..…..**[78,50]**84,00
   (b) Aandag gee aan en nagaan van enige aanhangsel van 'n aansoek en antwoordende verklaring, per bladsy…….....…...**[9,50]**10,00
   (c) Aandag gee aan en nagaan van 'n aansoek of beëdigde verklaring wat deur 'n advokaat opgestel of nagesien is, per bladsy……..**[20,00]**22,00
4. Aandag gee aan en nagaan van betoogpunte met uitsluiting van aanhangsels soos byvoorbeeld ongerapporteerde hofuitsprake of afskrifte van publikasies wat ter stawing van betoogpunte aangeheg is, per bladsy ……..……**[78,50]**84,00

D – BEHARTIGING

R.s

2. Enige formele behartiging van 'n erkenning, ontvangs, ens..... **[78,50]**84,00
2. (a) Behartiging van enige brief of dokument……..……..**[78,50]**84,00
   (b) Nodige telefoonoproepe gemaak, die werklike koste daarvan, plus vir elke vyf minute of gedeelte daarvan—
      (i) deur 'n prokureur……...….....**[130,00]**140,00
      (ii) deur 'n kandidaatprokureur…….....**[40,00]**43,00
   (c) Behartiging van telefoonoproepe vir elke vyf minute of gedeelte daarvan—
      (i) deur 'n prokureur…….....,,.....,....**[130,00]**140,00
      (ii) deur 'n kandidaatprokureur……..…….…....**[37,00]**40,00
3. (a) Opwagting by kantoor van griffier om 'n brief of dokument af te lewer of om 'n bevel af te haal, ens., per kwartier van 'n uur of gedeelte daarvan—
      (i) deur 'n prokureur……..**[388,50]**417,00
      (ii) deur 'n kandidaatprokureur ……..…….....**[121,00]**130,00
   (c) Behartiging van besigheid wat nie formeel is nie, per kwartier van 'n uur of gedeelte daarvan—
      (i) deur 'n prokureur…….....……**[388,50]**417,00
      (ii) deur 'n kandidaatprokureur……..…**[121,00]**130,00
5. (a) Opwagting by enige samesprekings met 'n advokaat of kliënt per kwartier van 'n uur of gedeelte daarvan—
      (i) deur 'n prokureur……..……**[388,50]**417,00
      (ii) deur 'n kandidaatprokureur…..……**[121,00]**130,00
   (b) 'n Allesinsluitende bedrag vir opwagtings, verkryging en betaling van 'n advokaat om 'n uitspraak te noteer—

(i) deur ’n prokureur…….…….**[388,50]**417,00
(ii) deur ’n kandidaatprokureur…….…….....**[121,00]**130,00

5. Opwagting by hof om vonnis te noteer per kwartier van 'n uur —
(a) deur ’n prokureur……**[388,50]**417,00
(b) deur ’n kandidaatprokureur…….…….……**[121,00]**130,00

6. Opwagting by hof by verhoor van appèl of aansoek, per kwartier van 'n uur of gedeelte daarvan—
(a) deur ’n prokureur…….……..……..**[388,50]**417,00
(b) deur ’n kandidaatprokureur……..……...…….**[121,00]**130,00

E - OPSTEL VAN DOKUMENTE

R.s

4. Enige aansoek of beëdigde verklaring, per bladsy……..……..…..…**[155,50]**167,00
5. Instruksies aan advokaat—
(d) by appèl per bladsy…….……..**[155,50]**167,00
(e) by aansoek per bladsy…… ……..**[155,50]**167,00
(f) in geregverdigde gevalle, vir die opstel of nasien van 'n aansoek of beëdigde verklaring vir 'n aansoek om verlof om te appelleer of bestryding daarvan per bladsy……**[155,50]**167,00
6. Opstel van kennisgewing van appèl of ander nodige kennisgewings, per bladsy……**[155,50]**167,00
4. Briewe, per bladsy, insluitende afskrif om te hou ……...**[155,50]**167,00
5. Opstel van volmag, per bladsy…….....**[155,50]**167,00
6. Opstel van kort opdrag aan advokaat, per bladsy…….....**[155,50]**167,00
7. Opstel van borgakte, per bladsy…….....**[155,50]**167,00

F – MAAK VAN AFSKRIFTE

R.s

Ander dokumente waarvoor nie spesiaal voorsiening gemaak is nie, per bladsy..**[6,00]**7,00

G - KOSTEREKENINGE

In verband met 'n kosterekening vir werk gedoen of dienste gelewer deur 'n prokureur, is sodanige prokureur daarop geregtig om die volgende te vorder:

\1. Vir die opstel van die kosterekening, die maak van die nodige afskrifte en opwagting by afrekening, 11 persent van die prokureursgelde, hetsy soos in die rekening gehef indien nie getakseer nie of soos by taksasie toegelaat.

2. Benewens die gelde kragtens paragraaf 1 gehef, indien tot taksasie oorgegaan word vir reëling en behartiging van taksasie, en verkryging van toestemming tot taksasie, 11 persent op die eerste R10 000.00 of gedeelte daarvan, 6 persent op die volgende R10 000.00 of gedeelte daarvan en 3 persent op die balans van die totale bedrag van die rekening.”.

Inwerkingtreding

3. Hierdie reëls tree in werking op **20 September 2024.**

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 5127 **16 August 2024**

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

AMENDMENT OF RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE MAGISTRATES' COURTS OF SOUTH AFRICA

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), and with the approval of the Minister of Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

GENERAL EXPLANATORY NOTE:

[ ] Words or expressions in bold type in square brackets indicate omissions from the existing rules.

____ Words or expressions underlined with a solid line indicate insertions into the existing rules.

Definition

1. In this Schedule "the Rules" means the Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa published under Government Notice No. R. 740 of 23 August 2010, as amended by Government Notice Nos. R. 1222 of 24 December 2010, R. 611 of 29 July 2011, R. 1085 of 30 December 2011, R. 685 of 31 August 2012, R. 115 of 15 February 2013, R. 263 of 12 April 2013, R. 760 of 11 October 2013, R. 183 of 18 March 2014, R. 215 of 28 March 2014, R. 507 of 27 June 2014, 571 of 18 July 2014, R. 5 of 9 January 2015, R. 32 of 23 January 2015, R. 33 of 23 January 2015, R. 318 of 17 April 2015, R. 545 of 30 June 2015, R. 2 of 19 February 2016, R. 1055 of 29 September 2017, R. 1272 of 17 November 2017, R. 632 of 22 June 2018, R. 1318 of 30 November 2018, R. 842 of 31 May 2019, R. 1343 of 18 October 2019, R. 107 of 7 February 2020, R. 858 of 7 August 2020, R. 1156 of 30 October 2020, R. 1602 of 17 December 2021, R. 2134 of 3 June 2022, R. 2298 of 22 July 2022, R. 2414 of 26 August 2022, R. 2434 of 2 September 2022, R. 3371 of 5 May 2023, R. 3399 of 12 May 2023 and R. 4476 of 8 March 2024.

Insertion of rule 26A in the Rules

2. The following rule is hereby inserted after rule 26 of the Rules:

"**26A Evidence by audio-visual link**

(1) *(a)* Subject to the provisions of section 51C, any party may bring an

interlocutory application in terms of rule 55(4) for evidence to be given by means of audio-visual link.

(b) A court making an order in terms of paragraph *(a)* may give such directions which it considers appropriate for the taking and recording of such evidence.

(c) An application in terms of this rule must be accompanied by a draft order setting out the terms of the order sought, including particulars of—

(i) the witness who is required to adduce evidence through audio-visual link; and
(ii) the address of the premises from where such evidence will be given.".

Amendment of rule 54 of Rules

3. Rule 54 of the Rules is hereby amended by the insertion after paragraph *(g)* in sub-rule (3) of the following paragraph:

"*(h)* The provisions of paragraphs *(a)* to *(g)* apply equally, with necessary changes, to a defendant sued by an entity.".

Amendment of Annexure 1 to the Rules

4 Annexure 1 to the Rules is hereby amended—

(a) by the substitution for Form 24 of Form 24 contained in the Annexure hereto;

(b) by the substitution for Form 24A of Form 24A contained in the Annexure hereto; and

(c) by the substitution for Form 33A of Form 33A contained in the Annexure hereto.

Amendment of Annexure 2 to the Rules

5. Annexure 2 to the Rules is hereby amended—

(a) by the substitution for Tables A and B of the following Tables, respectively:

"TABLE A
COSTS

PART I
GENERAL PROVISIONS

1. When the amount in dispute is less than or equal to R50 000, costs shall be taxed on Scale B; when the amount in dispute exceeds R50 000, but is less than or equal to the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts, costs shall be taxed on Scale C; when the amount in dispute exceeds the maximum jurisdictional amount so determined by the Minister in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)*(a)* of the Act, costs shall be taxed on Scale D.

2. *(a)* For the purpose of computing costs, the expression 'amount in dispute' means, where costs are awarded to the plaintiff, the amount or value of the judgment and 'amount or value of the judgment' means, where more than one claim is involved in the action, the total of the amounts involved in the judgment. Where costs are awarded to the defendant, the expression 'amount in dispute' means, the amount or value of the claim, and 'amount or value of the claim' means, where more than one claim is involved in the action, the total of the amounts of all the claims. The amount or value of the judgment or claim shall be inclusive of interest but exclusive of costs. If a matter is settled at any time the costs shall be taxed on the scale laid down in the agreement of settlement.
(b) Where the amount in dispute is not apparent on the face of the proceedings and—
(i) the matter is instituted in the Magistrates' Court for a District, costs shall be computed on Scale C; or
(ii) the matter is instituted in the Regional Court for a Regional Division, costs shall be computed on Scale D,
unless the court orders otherwise.

3. Costs taxable in terms of rule 33(19) shall be deemed to have been awarded under a judgment for the amount offered or a judgment in the terms of the settlement, as the case may be.

4. Claims for ejectment shall be computed at two months' rent of the premises.

5. The rate at which costs are computed shall not be increased by reason of any claim for confirmation of any interdict or interlocutory order.

6.

7. Where the amount allowed for an item is specified, the amount shall be inclusive of all necessary attendances and services (other than services by the sheriff for the magistrate's court) in connection therewith save that for the necessary filing of documents at court a charge shall be allowed at **[R36,50]** R39,00 per document.

8. Where the amount allowed for an item is left blank—
(a) the drawing of documents (not pleadings) shall be allowed at **[R36,50]** R39,00 for each folio;
(b) copies for filing, service and an attorney's copy to retain shall also be allowed;
(c) **[R36,50]** R39,00 shall be allowed for each necessary service; and
(d) **[R36,50]** R39,00 shall be allowed per document for the necessary filing of

documents at court.

9. *(a)* Where any document appears to the court to be unnecessary prolix, the court may disallow the whole or any part of the fee therefor.
(b) Where printed forms of documents to be copied are available, the fees for copying shall be limited to the necessary particulars inserted in such printed forms.

10. *(a)* A folio shall consist of 100 written or printed words or figures or part thereof.
(b) Four figures shall be reckoned as one word.

11. *(a)* Unless otherwise provided, a charge for perusal shall be allowed at **[R14,00]** R15,00 per folio in respect of any document or pleading necessarily perused.
(b) For necessary copies, including photocopies, of any document or papers not already provided for in this tariff, per A4 size page **[R6,00]** R7,00.

12. Where there are more defendants than one, **[R22,50]** R24,00 shall be added in respect of each additional defendant for each of items 2, 2A, 2B and 3 of Part II and items 2 and 7 of Part III.

13. Where the judgment debt is payable in instalments in terms of the judgment or an agreement, a fee of 10% on each instalment collected in redemption of the capital, costs and interest shall be allowed, subject to a maximum of **[R542,50]** R583,00 on each instalment. No additional fee shall be charged for any attendance in connection with the receipt or payment of any instalment.

14. The clerk or registrar of the court shall on taxation disallow any charge unnecessarily incurred.

15. Where the fee under any item is calculated on a time basis, the total time spent on any one day shall be calculated and the fee for that day calculated on such total.

16. Any amount necessarily and actually disbursed in tracing the debtor shall be allowed in addition to the fees laid down in this tariff.

17. Item 10A and 14A of Part III in the tariff to Table A are also applicable to Part IV of the tariff to Table A.

18. Fees to advocates referred to in section 34(2)*(a)*(i) of the Legal Practice Act, 2014 (Act No. 28 of 2014) shall be allowed on taxation only for items 21 to 26 of Part IV.

19. The fees in Part IV shall be increased by 15% in accordance with any costs order made in terms of rule 33(1)*(b)* and as allowed at taxation.

PART II
UNDEFENDED ACTIONS

	R
Item 1 - Registered letter of demand in terms of section 56 of the Act	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	**[R52,50]** R56,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	**[R72,50]** R78,00
Item 2 - Summons, (simple or combined), inclusive of a letter of demand other than the letter of demand referred to in item 1, where the aggregate amount of the claim or claims does not exceed R10 000,00	**[R846,00]** R908,00
(a)	
(b)	
(c)	
(d)	
Item 2A - Simple summons, inclusive of a letter of demand other than the letter of demand referred to in item 1:	
(a) Claim or claims where the aggregate amount of the claim or claims exceeds R10 000,00 but does not exceed R50 000,00	**[R1227,50]** R1317,00
(b) Claim or claims where the aggregate of the claim or claims exceeds R50 000 but does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	**[R1475,00]** R1583,00
(c) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)(a) of the Act	**[R1914,00]** R2054,00
Item 2B - Combined summons, inclusive of a letter of demand other than the letter of demand referred to in item 1:	
(a) Claim or claims where the aggregate amount of the claim or claims exceeds R10 000,00 but does not exceed R50 000,00	**[R1650,50]** R1770,00
(b) Claim or claims where the aggregate of the claim or claims exceeds R50 000 but does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	**[R1981,50]** R2125,00
(c) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of	**[R2570,00]** R2758,00

	R
section 29(1B)(a) of the Act	
Item 3 – Judgment:	
(a) Where the aggregate of the claim or claims does not exceed the amount in 2	**[R170,00]** R182,00
(b) Claim or claims where the aggregate of the claim or claims exceeds R10 000,00 but is not more than R50 000,00	**[R454,00]** R487,00
(c) Claim or claims where the aggregate of the claim or claims exceeds R50 000 but does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of the Magistrates' courts for districts.	**[R741,00]** R795,00
(d) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)*(a)* of the Act.	**[R962,00]** R1032,00
Item 4 – Notice in terms of rule 12(2)	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts.	**[R85,00]** R91,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)(a) of the Act.	**[R110,00]** R118,00
Item 5 - Notice in terms of rule 54(1)	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts.	**[R85,00]** R91,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division.	**[R110,00]** R118,00
Item 6 - Affidavit or certificate	-
Item 7 - Attending court at the request of the magistrate when claim is referred to court for judgment or to obtain provisional sentence when claim is undefended	as allowed under item

	R
	15 on the scale for defended actions.
Item 8 - For each registered letter forwarded to the debtor in terms of section 57(1) or (3) or section 58(2), of the Act by the creditor or his or her attorney, including copies	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts.	**[R55,50]** R60,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division.	**[R74,00]** R79,00
Item 9 - Admission of liability and undertaking to pay debt in instalments or otherwise (section 57 of the Act)	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts.	**[R143,50]** R153,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division.	**[R184,50]** R198,00
Item 10 - Consent to judgment or to judgment and an order for the payment of judgment debt in instalments (section 58 of the Act)	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts.	**[R143,50]** R153,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division.	**[R184,50]** R198,00

Note: The amount of fees allowable under items 4, 5, 6, 7, 8, 9 and 10 shall be included without taxation in the amount of the costs for which judgment is entered.

PART III
DEFENDED ACTIONS (AND INTERPLEADER PROCEEDINGS)

Item	**Scale A R**	**Scale B R**	**Scale C R**	**Scale D R**
1 Instructions to sue or defend or to counterclaim or defend a counterclaim, perusal of all documentation and consideration of merits and all necessary consultations to issue summons		**[R950,50]** R1019,00	**[R1190,00]** R1277,00	**[R1488,00]** R1597,00
2 Summons		**[R499,50]** R536,00	**[R598,50]** R642,00	**[R774,50]** R831,00
2A Particulars of Claim or Declaration		**[R499,50]** R536,00	**[R598,50]** R642,00	**[R774,50]** R831,00
3 Appearance		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R103,00
4 Notice under rules 12(2) and 21B(2)		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R103,00
5 Plea		**[R499,50]** R536,00	**[R616,00]** R642,00	**[R774,50]** R831,00
6 Claim in reconvention		**[R499,50]** R536,00	**[R616,00]** R642,00	**[R774,50]** R831,00
7 Reply, if necessary		**[R499,00]** R536,00	**[R616,00]** R642,00	**[R774,50]** R831,00
8 Drawing up of all documents not specifically mentioned, including request for further particulars, schedule of documents, all affidavits, subpoenas, any notice not otherwise provided for and drawing up of statements by witnesses		-	-	-
9 Production of documents for inspection, or inspecting documents, per quarter of an hour or part thereof of the time spent		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
10. …				
10A Pagination and indexing of pleadings per quarter of an hour or part thereof:		**[R143,50]** R153,00	**[R175,00]** R188,00	**[R226,00]** R242,00
11 The recording of statements by witnesses, per quarter of an hour or part thereof		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
12 Notice of trial or reinstatement		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R104,00
13 Preparing for trial (if counsel not employed)		**[R1619,00]** R1737,00	**[R1943,50]** R2085,00	**[R2524,00]** R2708,00
14 Attendance at settlement negotiations, for		**[R213,00]**	**[R267,00]**	**[R345,50]**

Item	Scale A R	Scale B R	Scale C R	Scale D R
each quarter of an hour or part thereof actually spent in such negotiations		R229,00	R286, 00	R371,00
14A Drawing up heads of argument per quarter of an hour or part thereof:		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
15 Attending court during trial, or at an on-the-spot inspection, or at postponement or examination on commission, for each quarter of an hour or part thereof spent in court while the case is actually being heard-				
(a) if an advocate is not employed		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
(b) if an advocate is employed		**[R84,50]** R91,00	**[R102,00]** R109,00	**[R134,00]** R144,00
16 Attending pre-trial conference, for each quarter of an hour or part thereof actually spent in such conference		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
17 Attending court to hear reserved judgment, per quarter of an hour or part thereof		**[R43,00]** R46,00	**[R52,50]** R56,00	**[R68,50]** R74,00
18 Correspondence-				
(a) for each necessary letter per folio		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
(b) for each letter received, provided that a fee for perusal shall not be allowed in addition to the fee herein provided for		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
19 Attendances: For each necessary attendance not otherwise provided for, per attendance		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
20 Necessary formal telephone calls, per call		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
21 Telephone consultations: For every 5 minutes or part thereof, subject to a maximum fee per consultation of **[R206,50]** R222,00 for Scales B to C and **[R267,00]** R286,00 for Scale D		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R104,00
22 Each necessary consultation, per quarter of an hour or part thereof		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
23 The court may, on request made at the hearing, allow in addition to the fee prescribed in item 13 above a refresher fee in postponed or partly heard trials		**[R1049,00]** R1126,00	**[R1257,50]** R1349,00	**[R1633,00]** R1752,00
24 Time spent waiting at court (owing to no court being available) per quarter of an hour or		**[R143,50]** R154,00	**[R175,00]** R188,00	**[R226,00]** R242,00

Item	Scale A R	Scale B R	Scale C R	Scale D R
part thereof				
25 Travelling time [subject to the provisions of rule 33(9)] per quarter of an hour or part thereof		**[R143,00]** R154,00	**[R175,00]** R188,00	**[R226,00]** R242,00
26 Subsistence and travelling expenses as laid down in rule 33(9)	The actual reasonable subsistence and travelling expenses as laid down in rule 33(9)			

PART IV
OTHER MATTERS

Exceptions, applications to strike out, applications for summary judgment, appearance to obtain provisional sentence when claim is defended, interlocutory applications, arrest, interdict, applications under rule 27(9), applications to review judgment, order or taxation, applications for liquidation of close corporations and applications in terms of section 65J of the Act, applications under rule 58 and any other applications.

ITEM	Scale A R	Scale B R	Scale C R	Scale D R
1. *(a)* Instructions to make application or to oppose or to show cause (the court may on request allow a higher amount)		**[R360,00]** R386, 00	**[R428,00]** R459,00	**[R556,50]** R597,00
(b) Instructions to make application for liquidation of close corporation, perusal of all documentation and consideration of merits, and all necessary consultations		**[R878,00]** R942,00	**[R1053,00]** R1130,00	**[R1369,00]** R1469,00
2. Drawing up of all documents, affidavits, applications and notices, orders, etc		**-**	**-**	**-**
3. Attending court on hearing:				
(a) If unopposed or opposed (if an advocate is not employed), for each quarter of an hour or part thereof actually spent in court		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
(b) If opposed (if an advocate is employed), for each quarter of an hour actually spent in court or part thereof		**[R85,00]** R91,00	**[R104,50]** R112,00	**[R134,00]** R144,00
4. *(a*) Fee for preparation for argument when opposed (b) Fee for preparation for trial where proceedings are referred to trial or oral evidence		**[R874,00]** R938,00 **[R874,00]** R938,00	**[R1053**,0**0]** R1130,00 **[R1053,00]** R1130,00	**[R1369,00]** R1469,00 **[R1369,00]** R1469,00

ITEM	Scale A R	Scale B R	Scale C R	Scale D R
4A. Drawing up heads of argument for opposed applications, per quarter of an hour or part thereof:		R196,00	R246,00	R318,00
5. Consultations and settlement negotiations – when opposed, per quarter of an hour or part thereof		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00

ITEM	Scale
TAXATION OF COSTS In connection with a bill of costs for services rendered by an attorney, the attorney shall be entitled to charge:	**R**
6. For drawing the bill of costs, making the necessary copies and attending settlement, 11 percent of the attorney's fees, either as charged in the bill, if not taxed, or as allowed on taxation.	
7. In addition to the fees charged under item 6, if recourse is had to taxation for arranging and attending taxation, and obtaining consent to taxation, 11 percent on the first R10 000,00 or portion thereof, 6 percent on the next R10 000,00 or portion thereof and 3 percent on the balance of the total amount of the bill.	
8. Attending on review of taxation, for each quarter of an hour or part thereof in court while review is actually being heard	**[R213,00]** R229,00
9. Notice of application for review of taxation and service	-
10. Affidavit, where necessary	-

EXECUTION	
11. (a) Issue of warrant of execution, ejectment, and delivery up of possession	**[R143,50]** R154,00
(b) For each reissue thereof	**[R59,50]** R64,00
12. Inclusive fee for work done in connection with releasing of immovable property attached	**[R179,00]** R192,00
13. Inclusive fee for work done in connection with sale in execution of immovable property only (excluding work in respect of which fees are already provided for elsewhere and the drawing up of the conditions of sale)	**[R454,50]** R488,00
14. (a) Drawing up of notice of sale in terms of rule 41(8) or rule 43(7)*(b)*(i), or conditions of sale in terms of rule 43(8)(*a)*(i)	-
(b) For all other work done and papers and documents supplied to the sheriff of the magistrate's court in connection with a sale in execution of movable property, an inclusive fee of	**[R310,00]** R333,00
15. Security for restitution, where necessary	**[R119,00]** R128,00

WHERE AN ADVOCATE IS EMPLOYED	
16. Instructions for exception or application, where allowed	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	**[R213,00]** R229,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	**[R277,50]** R298,00
17. Instructions on trial	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	**[R273,00]** R293,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	**[R343,00]** R368,00
18. Drawing brief on exception or application, where allowed	-
19. Drawing brief on trial	-
20. Attending each necessary consultation with an advocate, per quarter of an hour or part thereof	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	**[R89,00]** R95,00
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	**[R112,00]** R120,00

FEES TO ADVOCATES	
21*(a)* **[With brief to argue exception or application]** Appearances in court for unopposed applications, per quarter of an hour or part thereof, subject to a minimum of one hour:	**[R1048,00]**
Scale B	R196,00
Scale C	R246,00
Scale D	R318,00
(b) Appearances in court for opposed applications, an inclusive fee which includes preparation, consultation and appearance on that same day:	
Scale B	R6272,00
Scale C	R7872,00
Scale D	R10 176,00

(c) Drawing up heads of argument for an opposed application, per quarter of an hour or part thereof: Scale B Scale C Scale D	 R196,00 R246,00 R318,00
(d) For preparation prior to the day of argument, where opposed: Scale B Scale C Scale D	 R874,00 R1053,00 R1369,00
22(a) **[With trial brief for the first day, not exceeding]** Appearances in court for trial matters including part heard and postponed trial matters, an inclusive day fee which includes preparation, consultation and appearance on that same day: Scale B Scale C Scale D	**[R2973,50]** R6272,00 R7872,00 R10 176,00
(b) Drawing up heads of argument for defended actions, per quarter of an hour or part thereof: Scale B Scale C Scale D	 R196,00 R246,00 R318,00
(c) For preparation prior to the day of trial: Scale B Scale C Scale D	 R1619,00 R1943,00 R2524,00
23. In any court held more than 30 km from the nearest town where a provincial or local division (other than a Circuit Court) of the High Court sits, a travelling allowance (in addition to the fee on brief) may be allowed by special order of the court at	**[R7,50]** R8,00 per km
24. Each necessary consultation, per quarter of an hour	**[R213,00]** R229,00
[25. For every day exceeding one on which evidence is taken or arguments heard, a refresher not exceeding]	**[R1786,50]**
26. Drawing up pleadings	**[R479,00]** R514,00
Notes:	
(a) **[In regard to items 22 and 25 a fee in lieu of the fee for the first day's hearing shall be allowed as follows when the case is settled or withdrawn or**	

postponed at the instance of any party on or before the date of hearing] In the event that a trial is postponed, settled or withdrawn at the instance of any party on the day of hearing or before the first day's hearing, and a charge for the cancellation of the reservation of any day is levied, a reservation fee may be allowed as follows:	
(i) **[not more than two days prior to the date of hearing: The fee otherwise allowable on taxation for the first day's hearing]** If postponed, settled or withdrawn on the day of set down or two days before that, a full day fee; or	
(ii) **[not less than three days and not more than seven days prior to the date of hearing: Two thirds of the fee under (i); and]** If postponed, settled or withdrawn three to seven days before the day of set down, two thirds of a day fee: Provided that no reservation fee will be allowed if a matter is postponed, settled or withdrawn more than seven days before the day of set down.	
[(iii) not less than eight days and not more than 21 days prior to the date of hearing: Half of the fee under (i).]	
(b) Subject to the provisions of Rule 33(8), **[The]** the court may **[on request]** allow a higher fee for an advocate with regard to items 21, 22, 24 **[25]** and 26.	
(c) A fee for travelling time by an advocate shall be allowed at the same rate as for attorneys under rule 33(9).	

MISCELLANEOUS	
27. Obtaining certified copy of judgment	**[R107,50]** R115,00
28. Obtaining payment in terms of rule 18(4)	**[R75,00]** R80,00
29. Request for security in terms of rule 62(1)	-
30. Furnishing security in terms of rule 62(1)	-

TABLE B
COSTS

PART I
GENERAL PROVISIONS IN RESPECT OF PROCEEDINGS IN TERMS OF SECTIONS 65 AND 65A TO 65M OF THE ACT

1. Subject to the provisions of paragraph 3, no fees other than those in the Tariff to this Part shall be allowed.

2. Subject to the provisions of section 65K of the Act, the fees laid down in items *(a)*, *(b)* or *(c)* of the Tariff to this Part, as the case may be, shall be payable for the drawing up of

the notice referred to in section 65A(1), including appearance at the inquiry into the judgment debtor's financial position referred to in section 65D, or any appearance at subsequent suspension, amendment or rescission proceedings, and shall, with the exception of the fee allowed under item *(m)* of the tariff, be chargeable only once for the drawing up, issue and all reissues of the notice and all postponements of the inquiry, irrespective of the number of days on which the proceedings are heard in court: Provided that where the debtor leaves the area of jurisdiction of the court after issue of the notice referred to in section 65A(1) and the notice is reissued in any other district, the aforesaid fee may also be charged in such other district if the court so orders.

3. The following shall be allowed in addition to the fees laid down in the Tariff to this Part:

(a) All necessary disbursements incurred in connection with the proceedings.

(b) A fee of 10% on each instalment collected in redemption of the capital and costs of the action, subject to a maximum amount of **[R543,00]** R583,00 on every instalment. Where the amount is payable in instalments the collection fees shall be recoverable only on payment of every instalment. Such fees shall be in substitution for and not in addition to the collection fees prescribed in paragraph 13 of Part 1 of Table A.

(c) All necessary disbursements incurred in connection with any prior abortive proceedings under section 72, if the court has so ordered.

(d) Any amount necessarily and actually disbursed in tracing the judgment debtor, where the capital amount of the debt at the time the tracing agent was employed was not less than **[R593,50]** R637,00. The total amount to be allowed for each tracing shall not exceed **[R453,50]** R487,00.

4. For the purpose of the Tariff to this Part the amount of the claim shall, subject to the provisions of paragraph 3*(d)*, be the total of the capital amount and costs outstanding at the date of the first institution of proceedings under section 65A(1) of the Act.

5. Items 1 to 5 of Part IV of Table A of Annexure 2 are applicable in terms of section 65J of the Act.

TARIFF		
		R
(a)	Where the claim does not exceed the amount of R1 000,00	**[R299,50]** R321,00
(b)	Where the claim exceeds the amount of R1 000,00 but is not more than R2 000,00	**[R453,50]** R487,00
(c)	Where the claim exceeds the amount of R2 000,00	**[R535,00]** R574,00
(d)	Warrant of arrest (Form 40A)	**[R118,50]** R127,00
(e)	(i) Emoluments attachment order (Form 38)	**[R237,00]** R254,00
	(ii) Reissue (Certificates included)	**[R190,50]**

		R204,00
(f)	Application for costs on notice (including appearance in court)	**[R118,50]** R127,00
(g)	Obtaining a certified copy of a judgment	**[R118,50]** R127,00
(h)	Affidavit or certificate by the judgment creditor or his or her attorney	**[R84,00]** R90,00
(i)	For each registered letter forwarded to the debtor in terms of sections 65A(2), 65E(6) or 65J(2) of the Act by the creditor or his or her attorney	**[R54,00]** R58,00
(j)	Affidavit or affirmation by debtor Rule 45(7)	**[R142,00]** R152,00
(k)	Request for an order under section 65 of the Act	**[R84,00]** R90,00
(l)	Attending postponed proceedings in terms of section 65E(3) of the Act or attending proceedings at court pursuant to the arrest of a judgment debtor, director or officer or pursuant to a notice referred to in 65A(8)(b)	**[R118,50]** R127,00
(m)	Subpoena:	
	(i) Drawing up of subpoena, per folio	**[R34,00]** R36,00
	(ii) Every necessary attendance, per attendance	**[R23,50]** R26,00
(n)	(i) Correspondence: For every necessary letter written or received, including copy to retain, provided that a fee for perusal shall not be allowed in addition to the fee herein provided for, per folio	**[R34,00]** R36,00
	(ii) Attendances: For each necessary attendance not otherwise provided for, per attendance	**[R34,00]** R36,00
	(iii) Necessary formal telephone calls, per call	**[R34,00]** R36,00

PART II

GENERAL PROVISIONS IN RESPECT OF PROCEEDINGS IN TERMS OF SECTION 72 OF THE ACT

1. Subject to the provisions of paragraphs 2 and 3 no fees other than those laid down in the Tariff to this Part shall be allowed.

2. Paragraph 3*(a)*, *(b)* and *(d)* of the general provisions under Part 1 of this Table shall apply *mutatis mutandis* to this Part.

3. All necessary disbursements incurred in connection with any prior abortive proceedings under section 65 shall be allowed if the court has so ordered.

4. For the purpose of the Tariff to this Part the amount of the claim shall, subject to the provisions of paragraph 3*(d)* of the general provisions under Part 1 of this Table, be the total

of the capital amount outstanding at the date of the first institution of proceedings in terms of section 72 of the Act.

TARIFF	
	R
(a) Where the claim does not exceed R200.00	**[R179,00]** R192,00
(b) Where the claim exceeds R200.00	**[R382,00]** R410,00
(c) Obtaining certified copy of a judgment	**[R107,50]** R115,00
(d) Application for an order of execution against the garnishee	**[R107,50]** R115,00
(e) Garnishee order (Form 39)	**[R142,00]** R152,00

PART III
GENERAL PROVISIONS IN RESPECT OF PROCEEDINGS IN TERMS OF SECTION 74 OF THE ACT

1. The following fees shall be allowed in addition to those laid down in the Tariff to this Part:

(a) All necessary disbursements incurred in connection with the proceedings.

(b) In addition to the fees stated below, the administrator shall be entitled to a fee of 10% on each instalment collected for the redemption of capital and costs, which amount is included in the 12,5 % in terms of section 74L(2) of the Act.

2. For the purposes of items 4 and 5 of the Tariff to this Part, a folio shall consist of 100 written or printed words or figures and four figures shall be reckoned as one word.

TARIFF			
Item	One to ten creditors	Eleven to twenty creditors	Twenty-one or more creditors
	R	**R**	**R**
1. Instructions to apply for administration order, including the necessary perusal of summonses, demands, etc, and ascertaining the amount of assets and liabilities, including all attendances and correspondence necessary in connection therewith	**[R213,00]** R229,00	**[R298,00]** R321,00	**[R477,00]** R512,00
2. Instructions on application under section 74Q(1) or to oppose such application or the granting of administration order	**[R170,00]** R182,00	**[R170,00]** R182,00	**[R170,00]** R182,00

3. Drawing up application for administration order or review thereof and affidavit, including all annexures thereto and all attendances, excluding attendance in court	**[R297,00]** R319,00	**[R297,00]** R319,00	**[R297,00]** R319,00
4. Making copies of application, affidavit and annexures for creditors, per page	**[R6,00]** R7,00	**[R6,00]** R7,00	**[R6,00]** R7,00
5. Perusal of application and other documents served, if any, per folio. Note: The fees under this item are only claimed by the attorney or an opposing party.	**[R13,50]** R15,00	**[R13,50]** R15,00	**[R13,50]** R15,00
6. Attending court:			
(a) On postponement or setting aside, if not occasioned by the attorney or his or her client;	**[R80,50]** R86,00	**[R80,50]** R86,00	**[R80,50]** R86,00
(b) On any other hearing	**[R170,00]** R182,00	**[R320,00]** R343,00	**[R320,00]** R343,00
7. For furnishing to a creditor by the administrator of the information referred to in section 74 m(a) of the Act, per application	**[R23,50]** R25,00	**[R23,50]** R25,00	**[R23,50]** R25,00
8. For furnishing of a copy of the debtor's statement of affairs referred to in sections 74 and 74A(1) of the Act by the administrator in terms of section 74M(b) or of a list or account referred to in section 74G(1) or 74J of the Act or of the debtor's statement of affairs referred to in section 65I(2) of the Act, per page	**[R6,00]** R7,00	**[R6,00]** R7,00	**[R6,00]** R7,00
9. Correspondence and attendances	**[R35,00]** R38,00	**[R35,00]** R38,00	**[R35,00]** R38,00”

(b) by the substitution for Part II of Table C of the following Part:

“**PART II**
SHERIFFS WHO ARE NOT OFFICERS OF THE PUBLIC SERVICE

1A. For registration of any document for service or execution upon receipt thereof: **[R13,00]** R14,00.

1B. *(a)* For the service of a summons, subpoena, notice, order or other document not being a document mentioned in item 2**[, the journey to and from the place of service of any of the above-mentioned documents—]**
[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R52,00]
[(ii) within a distance of 12 kilometres, but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R62,00;]
[(iii) within a distance of 20 kilometres, but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R84,00]:R90,00.
(b) For the attempted service of the documents mentioned in paragraph *(a)***[, the journey to and from the place of attempted service of any of the above-mentioned**

documents—]

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R45,00;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R52,00;]:R56,00.

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R75,50;]

(c) (i) Where a document must be served together with a process of the court and is mentioned in such process or is an annexure thereto, no additional fees shall be charged for service of the document, otherwise **[R13,00]** R14,00 may be charged for every separate document served;

(ii) No fees shall be charged for a separate document when process in criminal matters is served;

(iii) The service of a notice referred to in rule 54(1) simultaneously with the summons shall not be regarded as a separate service;

(iv) Where a mandator instructs the sheriff, in writing, to serve or execute a document referred to in item 1B(a) or (2)(a) on an urgent basis or after hours, the sheriff shall charge an additional fee of **[R279,50]** R300,00 for such service irrespective of whether the service or execution was successful, which additional fee shall be paid by the mandator, save where the court orders otherwise;

(v) For the purpose of sub-paragraph (iv)—

(aa) "urgent" means on the same day or within twenty four hours of the written instruction; and

(bb) "after hours" means any time—

(aaa) before 7h00 or after 19h00 on Mondays to Fridays; or

(bbb) on a Saturday, Sunday or public holiday.

2. *(a)* For the execution of a warrant (other than against immovable property), interdict, garnishee order or emoluments attachment order**[, the journey to and from the place of execution of the above-mentioned documents—]**

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R75,50;]

[(ii) within a distance of 12 kilometres, but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R84,00;]

[(iii) within a distance of 20 kilometres, but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R105,00]:R113,00.

(b) For the attempted execution of the documents mentioned in paragraph *(a)***[, the journey to and from the place of attempted execution of the above-mentioned documents—]**

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R62,00;]

[(ii) within a distance of 12 kilometres, but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R75,50;]:R81,00.

[(iii) within a distance of 20 kilometres, but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R94,00;]

(c) (i) For the ejectment of a defendant from the premises referred to in the warrant of ejectment: **[R45,00 per half hour]** R273,00 for the first hour or part thereof **[,]** and

thereafter R126,00 per every half hour or part thereof (except extraordinary expenses necessarily incurred);

(ii) A further fee of **[R29,50]** R32,00 shall be paid after execution for every person over and above the person named or referred to in the process of ejectment, in fact ejected from separate premises: Provided that where service on any person other than the judgment debtor, respondent or garnishee is necessary in order to complete the execution, the fee laid down in item 1B*(a)* may be charged in respect of each such service.

(d) for the execution of any writ against immovable property—

(i) for execution, including service of notice of attachment upon the owner of the immovable property and upon the registrar of deeds or other office charged with the registration of such property, and if the property is in occupation of some other person other than the owner, also upon such occupier: **[R247,50]** R266,00;

(ii) for notice of attachment to a single lessee or occupier: **[R22,50]** R24,00;

(iii) identical notices where there are several lessees, occupiers or owners, for each after the first: **[R8,50]** R9,00;

(iv) for making valuation report for purposes of sale, per half hour or part thereof: **[R60,00]** R64,00;

(v) when a sheriff has been authorised to sell property and the property is not sold by reason of the fact that the attachment is withdrawn or stayed, all the necessary notice for the withdrawal or stay of the attachment: **[R247,50]** R266,00; Upliftment of judicial attachment on immovable property: **[R247,50]** R266,00;

(vi) for ascertaining and recording what bonds or other encumbrances are registered against the property, together with the names and addresses of the persons in whose favour such bonds and encumbrances are so registered including any correspondence in connection therewith (in addition to reasonable expenses necessarily incurred): **[R124,50]** R134,00;

(vii) for notifying the execution creditor of such bonds or other encumbrances and of the names and addresses of the persons in whose favour such bonds or other encumbrances are registered: **[R21,00]** R23,00;

(viii) for consideration of proof that a preferent creditor has complied with the requirements of rule 43(5)(a): **[R13,50]** R14,00;

(ix) for notice referred to in rule 43(6): **[R22,50]** R24,00;

(x) for considering of notice of sale prepared by the execution creditor in consultation with the sheriff; and

for verifying that notice of sale has been published in the newspapers indicated and in the *Gazette*, inclusive fee for such consideration and verification: **[R124,50]** R134,00;

(xi) for forwarding a copy of the notice of sale to every judgment creditor who had caused the immovable property to be attached and to every mortgagee thereof whose address is known, for each copy: **[R22,50]** R24,00;

(xii) for affixing a copy of the notice of sale to the notice board of the magistrates' court referred to in rule 43(7)(e) and at or as near as may be to the place where the sale is actually to take place, an inclusive fee of **[R53,50]** R57,00 and travelling costs referred to in item 4(a);

(xiii) for considering the conditions of sale prepared by execution creditor; for considering further or amended conditions of sale submitted by interested party; settling of conditions of sale: **[R124,50]** R134,00 for each attendance;

(xiv) for all necessary attendances prescribed by any law related to auctions, in particular the Consumer Protection Act, 2008 (Act No. 68 of 2008): **[R374,00]** R401,00;

(xv) for the conducting of an auction, save that this fee may not be charged if commission is claimed in terms of items 2(d)(xvi) and (xvii): **[R247,50]** R266,00;
(xvi) On the sale of immovable property by the sheriff as auctioneer, 6 per cent on the first R100 000,00, 3,5 per cent on R100 001,00 to R400 000,00 and 1,5 per cent on the balance of the proceeds of the sale, subject to a maximum commission of R40 000,00, in total, and a minimum of R3 000,00 (inclusive in all instances of the sheriff's bank charges and other expenses incurred in paying the proceeds into his or her trust account), which commission shall be paid by the purchaser;
(xvii) If an auctioneer is employed as provided in rule 43(10), 3 per cent on the first R100 000,00, 2 per cent on R100 001,00 to R400 000,00 and 1 per cent on the balance thereof, subject to a maximum commission of R22 850,00 in total, and a minimum of R3 000,00 (inclusive in all instances of the sheriff's bank charges and other expenses incurred in paying the proceeds into his or her trust account), which commission shall be paid by the purchaser;
(xviii) for written notice to the purchaser who has failed to comply with the conditions of sale: **[R62,00]** R67,00;
(xix) for any report referred to in rule 43(11): **[R62,00]** R67,00;
(xx) for informing judgment debtor of the cancellation referred to in rule 43(11)*(a)*(iii): **[R22,50]** R24,00;
(xxi) for giving notice referred to in rule 43(11)*(c)*: **[R22,50]** R24,00;
(xxii) for giving transfer to the purchaser: **[R29,50]** R32,00;
(xxiii) for receipt of certificate referred to in rule 43(14)*(a)*: **[R22,50]** R24,00;
(xxiv) for preparing a plan of distribution of the proceeds (including necessary copies) and for forwarding a copy to the registrar: **[R124,50]** R134,00;
(xxv) for giving notice to all parties who have lodged writs and to the execution debtor that the plan of distribution will lie for inspection, for every notice: **[R22,50]** R24,00;
(xxvi) for the report referred to in rule 43A(9)*(d)*: **[R62,00]** R67,00;

3. Compilation of any return in terms of rule 8, in duplicate: **[R22,00]** R24,00.
4. *(a)* The Sheriff shall, in addition to the fees mentioned in items 1B*(a)*, 1B*(b)*, 2*(a)* and 2*(b)*, but subject to item 4*(b)* and *(c)*, be allowed a travelling allowance of R7,50 per kilometre, or part thereof, for the shortest possible forward and return journey from the office of the Sheriff to the place of service or execution and back.
(b) The travelling allowance mentioned in items 4*(a)*, 5*(a)* and 5*(c)*(i) shall be calculated on the distance reckoned from the office of the sheriff if—
(i) the sheriff's office is situated within the area of jurisdiction allocated to the sheriff by the Minister; and
(ii) the distance from the sheriff's office is less than the distance reckoned from the court-house closest to the address for service.
(c) If the requirement in item 4*(b)* is not met, then the travelling allowance mentioned in items 4*(a)*, 5*(a)* and 5*(c)*(i) shall be calculated on the distance reckoned from the court-house closest to the address for service.

5. *(a)* In respect of the discharge of any official duty other than those mentioned in items 1 and 2, but subject to item 4*(b)* and *(c)*, a travelling allowance of R7,50 per kilometre for every kilometre, or part thereof, shall be payable to the sheriff for going and returning.
(b) A travelling allowance shall include all the expenses incurred in travelling, including

train fares.

(c) A travelling allowance shall be calculated in respect of each separate service, except that—

(i) where more services than one can be done on the same journey, the distance from the sheriff's office to the first place of service may be taken into account only once, and shall be apportioned equally to the respective services, and the distance from the first place of service to the remaining places of service shall similarly be apportioned equally to the remaining services; and

(ii) where service of the same process has to be effected by a sheriff on more than one person at the same service address, only one charge for travelling shall be allowed.

(d) When it is necessary for the sheriff to convey any person under arrest, an allowance of R7,50 per kilometre in respect of that portion of his or her journey on which he or she was necessarily accompanied by such person shall be allowed.

6. *(a)* Making an inventory, including the making of all necessary copies and time spent on stock-taking: **[R45,00]** R48,00 per half hour or part thereof.

(b) For assistance, if necessary, with the making of an inventory, **[R45,00]** R48,00 per half hour or part thereof.

(c) For the attendances referred to in rule 41(11): R52,50.

7. The perusing, drawing up and completing of a bail bond, deed of suretyship or indemnity bond: **[R13,50]** R14,00.

8. Charge or custody of property (money excluded):

(a) (i) For each officer necessarily left in possession, a reasonable inclusive amount not exceeding **[R155,00]** R166,00 per day.

(ii) Travelling allowances, to include board in every case.

(b) If livestock is attached, only the necessary expenses of herding and preserving the stock shall be allowed.

(c) If the goods are removed and stored, only the cost of removal and storage shall be allowed.

9. *(a)* **'possession'** shall mean actual physical possession by a person employed and paid by the sheriff, whose sole work for the time being is to remain on the premises where the goods have been attached, and who, in fact, remains in possession for the period for which possession is charged.

(b) **'cost of removal'** shall mean the amount actually and necessarily disbursed for removal or attempted removal if the goods were removed by a third party or an attempt was made to remove them, if they were removed by the sheriff him or herself, such amount as would fairly be allowable in the ordinary course of business if the goods were removed by a third party, or an attempt was made to so remove them.

(c) **'cost of storage'** shall mean the amount actually and necessarily paid for storage if the goods were stored with a third person or, if the sheriff provided the storage, such amount as would fairly be allowable in the ordinary course of business if the goods were stored with a third person.

10. *(a)*(i) Where a garnishee order is paid in full or in part, to the sheriff, 9 per cent on the amount paid with a minimum fee of **[R83,50]** R90,00 and a maximum of **[R820,50]** R880,00;
(ii) For the execution of any warrant against movable property—
(aa) when a warrant is paid in full or in part on presentation to the sheriff, 9 per cent on the amount so paid with a minimum fee of **[R83,50]** R90,00 and a maximum of **[R820,50]** R880,00;
(bb) when a warrant is paid in full or in part to the sheriff after attachment but before sale, 9 per cent on the amount so paid with a minimum fee of **[R83,50]** R90,00 and a maximum of **[R820,50]** R880,00; or
(cc) when moneys are taken in execution, 9 per cent of the amount so taken, but subject to a maximum of **[R820,50]** R880,00;

(b) Notice of attachment to defendant and to each person to be notified: **[R13,50]** R14,00;

11. *(a)* Where property is released from attachment in terms of rule 41(18)(*a*), or the warrant of execution is withdrawn or stayed, or the judgment debtor's estate is sequestrated after the attachment, but before the sale, 2,3 per cent of the value of the goods attached, subject to a maximum of **[R247,50]** R266,00: Provided that if a sale subsequently takes place in consequence of the said attachment, the amount so paid shall be deducted from the commission payable under item 12.
(b) Commission referred to in item 11*(a)* shall not be chargeable against a judgment debtor on the value of movable property attached and subsequently released pursuant to a claim by a third party, unless notwithstanding a claim by a third party, the removal of such property is done at the express direction of the judgment creditor, in writing, in which event the judgment creditor shall be liable to the sheriff for commission at a rate of 2,3% of the value of the goods and costs.

12. Where the warrant of execution against movables is completed by sale, 9 per cent for the first R15 000,00 or part thereof, and thereafter 6 per cent, with a maximum of **[R10 923,50]** R11 721,00;

13. For the insurance of attached property, if deemed necessary, and on written instructions of the judgment creditor to the sheriff, in addition to the premium to be paid, an all-inclusive amount of **[R45,00]** R48,00.

14. …

15. When immovable property has been attached in execution and the attachment lapses, as referred to in section 66(4) of the Act: **[R75,50]** R81,00;

16. …

17. In addition to the fees allowed by items 10 to 13, both inclusive, there shall be allowed—
(a) the sum actually and reasonably paid by the sheriff or the auctioneer for printing, advertising and giving publicity to any sale or intended sale in execution.

18. Where the sheriff is in possession under more than one warrant of execution, he or she may charge fees for only one possession, and such possession shall, as far as possible, be apportioned equally to the several warrants issued during the same period: Provided that each execution creditor shall be jointly and severally liable for such possession to an amount not exceeding what would have been due under his or her execution if it had stood alone.

19. Fees payable on the value of goods attached or on the proceeds of the sale of goods in execution shall not be chargeable on such value or proceeds so far as they are in excess of the amount of the warrant.

20. The fees and expenses of the sheriff in execution of a garnishee order shall be added to the amount to be recovered under the order, and shall be chargeable against the judgment debtor.

21. If it is necessary for the sheriff to return a document received by him or her for service or execution to the mandator because—
(a) the address of service which appears on the process does not fall within his or her jurisdiction; or
(b) the mandator requested, before an attempted service or execution of the process, that it be returned to him or her,
an amount of **[R13,50]** R14,00 shall be payable.

22. For the conveyance of any person arrested by the sheriff or committed to his or her custody from the place of custody to the court on a day subsequent to the day of arrest: **[R45,00]** R48,00 per journey and **[R84,00]** R90,00 per hour, or part thereof, for attending at court.

23. For the examination of an indicated newspaper in which the notice of sale has been published, as referred to in rule 41(19)(*c*): **[R13,50]** R14,00.

24. …

25. For affixing a copy of the notice of sale on the notice board or door of the court-house or other public building and at or as near as may be to the place where the said sale is actually to take place referred to in rule 41(19)(*b)*: **[R30,50]** R33,00 and travelling costs, referred to in item 5*(a)*.

26. For interpleaders referred to in Magistrates' Courts Rule 44……**[R228,00]** R245,00.

27. In addition to the fees prescribed in this Table, the sheriff shall be entitled to the amount actually disbursed for postage and telephone calls.

28. For the writing of each necessary letter, facsimile or electronic mail, excluding formal letters accompanying process or returns: **[R22,50]** R24,00;

29. Each necessary attendance by telephone: **[R21,50]** R23,00;

30. Sending and receiving of each necessary facsimile or electronic mail per page (in addition to telephone charges): **[R8,50]** R9,00.

31. …

32. For the making of all necessary copies of documents: **[R6,50]** R7,00, per A4 size page

33. *(a)* A request to tax an account of a sheriff shall be made in writing within 20 days after the date on which the account of which the fees are disputed, has been rendered.
(b) For the drawing up of the bill for taxation and attendance of the taxation by the sheriff: **[R84,00]** R90,00;

34. Bank charges: Actual costs incurred relating to bank charges.

35. *(a)* Drafting of notice to the judgment debtor in terms of section 65A(8)*(b)* of the Act: **[R22,50]** R24,00;
(b) Service of the notice referred to in paragraph *(a)*: Tariff as prescribed in item 1B*(a)*.
(c) Attempted service of the notice referred to in paragraph *(a)*: Tariff as prescribed in item 1B*(b)*.
(d) The tariff, as prescribed in item 4, shall apply to paragraphs *(b)* and *(c)*.

36. *(a)* For the arrest or attempted arrest of a judgment debtor in terms of section 65A(6) of the Act:
(i) The tariff as prescribed in item 2*(a)* or item 2*(b)*, as the case may be.
(ii) The tariff, as prescribed in item 4, shall apply to this item.
(b) For the handing over of the judgment debtor to the South African Police Service, prisoners' friend or clerk of the court or other lawful place of detention:
(i) The tariff, as prescribed in item 2*(a)*.
(ii) Travelling costs from place of arrest to place of handing over to the relevant authority, referred to in paragraph *(b)*, per kilometre or part thereof: R7,50.
(iii) Waiting time in regard to handing over the judgment debtor to the relevant authority, referred to in paragraph *(b)*: **[R45,00]** R48,00, per half hour or part thereof, with a maximum of **[R164,50]** R177,00."

Commencement

6. These rules and forms come into operation on **20 September 2024**.

ANNEXURE

"**No. 24 – Subpoena**

***For use in the District Court**

In the Magistrates' Court for the District of .....
held at ..... Case No. ..... of 20….....

In the matter between
……..... Plaintiff
and
……..... Defendant

To: the Sheriff/Deputy Sheriff:

INFORM:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(State names, occupation and place of business or residence of each witness)

(1) that each of them is hereby required to appear in person before this court at court number..... on the ..... day of ....., 20....., at..... (time) **[in the above-mentioned action]** and thereafter to remain in attendance until excused by the court, in order to give evidence or to produce **[books, papers or]** any document or thing **[documents]** on behalf of the **[.....]** above-named Plaintiff/Defendant and, where **[(Where documents]** any document or thing is **[are]** required to be produced, **[add:) and]** inform such person to bring **[with each one of them]** and then produce to the court **[the deeds, documents, books, writings, tape, electronic, digital or other form of recordings (hereinafter referred to as "documents")]** the document or thing**[s]** specified in the list hereunder**[.]**;

[Payment] (2) that payment of the witness fees for **[the witnesses]** each of them as provided for and allowed under section 51*bis* of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), as amended, is hereby tendered by the Plaintiff/Defendant; and**[.]**

(3) further inform each of the said persons of the following:

(a) If any person, being duly subpoenaed to give evidence or to produce any **[books, papers or]** document**[s]** or thing in his or her possession or

under his or her control, which the party requiring the witness(es)' attendance desires to show in evidence, fails, without lawful excuse, to attend or to give evidence or to produce that **[those books, papers or]** document**[s]** or thing according to the subpoena or, unless duly excused, fails to remain in attendance throughout the trial, the court may, upon being satisfied on oath or by the return of the messenger that such person has been duly subpoenaed and that such person's reasonable expenses, calculated in accordance with the tariff prescribed under section 51*bis*, have been paid or offered to such person, impose upon the said person a fine not exceeding R300,00, and in default of payment, imprisonment for a period not exceeding three months.

(b) **[If privilege is claimed in respect of any document or thing, the party that caused the sublpoena to be issued shall be informed within five days of receipt of the subpoena of the nature of the privilege claimed; and]**(i) At the hearing of the matter the said person may claim privilege when called to testify in respect of evidence to be given or the document or thing to be produced, but such document or thing listed herein must be brought to court and be in such person's possession pending the determination of any claim of privilege.

(ii) Such person may waive privilege, but if the person intends claiming privilege in respect of the production of any document or thing, the said person must inform the party that caused the subpoena to be issued, as soon as is practicable prior to the hearing date, of the nature of privilege being claimed.

(c) Such person is entitled to the return of the document or thing after the inspection**, [or]** photocopying or photographing thereof by the parties.

Dated at ..... this ..... day of ....., 20 .....,

.....
Clerk of the Court
.....
Plaintiff/Defendant/Attorney"

LIST OF DOCUMENTS OR THINGS TO BE PRODUCED

Date	Description	Original or Copy
.....	.....	.....
.....	.....	.....
.....	.....	.....

(See back.)
[Print on back, paragraphs *(a)* and *(b)* of section 51(2) of the Act]

No. 24 – Subpoena

***For use in the Regional Court**

In the Regional Court for the Regional Division of .....
held at ..... Case No. ..... of 20….....

In the matter between
……..... Plaintiff
and
……..... Defendant

To: the Sheriff/Deputy Sheriff:

INFORM:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(State names, occupation and place of business or residence of each witness)
(1) that each of them is hereby required to appear in person before this court at court number..... on the ..... day of ....., 20....., at..... (time) **[in the above-mentioned action]** and thereafter to remain in attendance until excused by the court, in order to give evidence or to produce **[books, papers or]** any document or thing **[documents]** on behalf of the **[.....]** above-named Plaintiff/Defendant and, where **[(Where documents]** any document or thing is **[are]** required to be produced, **[add:) and]** inform such person to bring **[with each one of them]** and then produce to the court **[the deeds, documents, books, writings, tape, electronic, digital or other form of recordings (hereinafter referred to as "documents")]** the document or thing**[s]** specified in the list hereunder**[.]**;

[Payment] (2) that payment of the witness fees for **[the witnesses]** each of them as provided for and allowed under section 51*bis* of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), as amended, is hereby tendered by the Plaintiff/Defendant; and**[.]**

(3) further inform each of the said persons of the following:

(a) If any person, being duly subpoenaed to give evidence or to produce any **[books, papers or]** document**[s]** or thing in his or her possession or under his or her control, which the party requiring the witness(es)' attendance desires to show in evidence, fails, without lawful excuse, to attend or to give evidence or to produce

that **[those books, papers or]** document**[s]** or thing according to the subpoena or, unless duly excused, fails to remain in attendance throughout the trial, the court may, upon being satisfied on oath or by the return of the messenger that such person has been duly subpoenaed and that such person's reasonable expenses, calculated in accordance with the tariff prescribed under section 51*bis*, have been paid or offered to such person, impose upon the said person a fine not exceeding R300,00, and in default of payment, imprisonment for a period not exceeding three months.

(b) **[If privilege is claimed in respect of any document or thing, the party that caused the sublpoena to be issued shall be informed within five days of receipt of the subpoena of the nature of the privilege claimed; and]**(i) At the hearing of the matter the said person may claim privilege when called to testify in respect of evidence to be given or the document or thing to be produced, but such document or thing listed herein must be brought to court and be in such person's possession pending the determination of any claim of privilege.

(ii) Such person may waive privilege, but if the person intends claiming privilege in respect of the production of any document or thing, the said person must inform the party that caused the subpoena to be issued, as soon as is practicable prior to the hearing date, of the nature of privilege being claimed.

(c) Such person is entitled to the return of the document or thing after the inspection**, [or]** photocopying or photographing thereof by the parties.

Dated at ..... this ..... day of ....., 20 .....,

.....
Registrar of the Court

.....
Plaintiff/Defendant/Attorney"

LIST OF DOCUMENTS OR THINGS TO BE PRODUCED

Date Description Original or Copy

.....
.....
.....
…….....

(See back.)
[Print on back, paragraphs *(a)* and *(b)* of section 51(2) of the Act]"

"**No. 24A – Subpoena *duces tecum***

***For use in the District Court**

In the Magistrates' Court for the District of .....
held at ..... Case No. ..... of 20….....

In the matter between
……..... Plaintiff
and
……..... Defendant

To: the Sheriff/Deputy Sheriff:

INFORM:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(State names, **[sex,]** occupation and place of business or residence of each witness)

(1) that each of such persons shall, within 10 days of receipt of this subpoena, lodge with the clerk of the said **[Court]** court the documents listed below (**[here]** describe accurately each document to be produced) and/or inform the clerk of the whereabouts of **[(here describe a]** the thing listed below and to be produced:**[)]**

(1) .....

(2) .....

(3) .....

(4) .....

unless such person claims privilege in respect of any document **[of]** or thing; and

(2) **[AND]** INFORM each of the said persons **[further that]** of the following:

(a) If any person, being duly subpoenaed to give evidence or to produce any **[books, papers or]** document**[s]** or thing in his or her possession or under his or her control, which the party requiring the witness(es)' attendance

desires to show in evidence, fails, without lawful excuse, to attend or to give evidence or to produce that **[those books, papers or]** document**[s]** or thing according to the subpoena or, unless duly excused, fails to remain in attendance throughout the trial, the court may, upon being satisfied on oath or by the return of the messenger that such person has been duly subpoenaed and that such person's reasonable expenses, calculated in accordance with the tariff prescribed under section 51*bis*, have been paid or offered to such person, impose upon the said person a fine not exceeding R300,00, and in default of payment, imprisonment for a period not exceeding three months.

(b) Such person may waive privilege but, **[If]** if privilege is claimed in respect of any document or thing, the party that caused the subpoena to be issued shall be informed, within five days of receipt of the subpoena, of the nature of the privilege claimed**[; and]** .

(c) Such person is entitled to the return of the document or thing after the inspection, **[or]** photocopying or photographing thereof by the parties.

Dated at ..... this ..... day of ....., 20 .....,

.....
Clerk of the Court

.....
Plaintiff/Defendant/Attorney

No. 24A – Subpoena *duces tecum*

***For use in the Regional Court**

In the Regional Court for the Regional Division of .....
held at ..... Case No. ..... of 20….....

In the matter between
……..... Plaintiff
and
……..... Defendant

To: the Sheriff/Deputy Sheriff:

INFORM:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(State names, **[sex,]** occupation and place of business or residence of each witness)

(1) that each of such persons shall, within 10 days of receipt of this subpoena, lodge with the registrar of the said **[Court]** court the documents listed below (**[here]** describe accurately each document to be produced) and/or inform the registrar of the whereabouts of **[(here describe a]** the thing listed below and to be produced:**[)]**

(1) .....

(2) .....

(3) .....

(4) .....

unless such person claims privilege in respect of any document **[of]** or thing; and

(2) **[AND]** INFORM each of the said persons **[further that]** of the following:

(a) If any person, being duly subpoenaed to give evidence or to produce any **[books, papers or]** document**[s]** or thing in his or her possession or under his or her control, which the party requiring the witness(es)' attendance desires to show

in evidence, fails, without lawful excuse, to attend or to give evidence or to produce that **[those books, papers or]** document**[s]** or thing according to the subpoena or, unless duly excused, fails to remain in attendance throughout the trial, the court may, upon being satisfied on oath or by the return of the messenger that such person has been duly subpoenaed and that such person's reasonable expenses, calculated in accordance with the tariff prescribed under section 51*bis*, have been paid or offered to such person, impose upon the said person a fine not exceeding R300,00, and in default of payment, imprisonment for a period not exceeding three months.

(b) Such person may waive privilege but, **[If]** if privilege is claimed in respect of any document or thing, the party that caused the subpoena to be issued shall be informed, within five days of receipt of the subpoena, of the nature of the privilege claimed**[; and]** .

(c) Such person is entitled to the return of the document or thing after the inspection, **[or]** photocopying or photographing thereof by the parties.

Dated at ..... this ..... day of ....., 20 .....,

.....
Registrar of the Court

.....
Plaintiff/Defendant/Attorney”

"**No. 33A – Conditions of sale in execution of immovable property**

***For use in the District Court**

In re:

..... Execution Creditor

and

..... Judgment Debtor

The immovable property (hereinafter referred to as the 'property') which will be put up for auction on the ..... day of ..... 20....., consists of: .....

The sale shall be conducted on the following conditions:

1. The sale shall be conducted in accordance with the provisions of rule 43 of the Magistrates' Courts Rules and all other applicable law.

2. The property shall be sold by the sheriff of ..... or ..... XYZ Auctioneers of ..... at ..... to the highest bidder without reserve/subject to a reserve price of .....

3. The sale shall be for rands, and no bid for less than one thousand rands shall be accepted.

4. If any dispute arises about any bid, the property may again be put up for auction.

5. *(a)* If the sheriff/auctioneer makes any mistake in selling, such mistake shall not be binding on any of the parties, but may be rectified.

(b) If the sheriff/auctioneer suspects that a bidder is unable to pay either the deposit referred to in condition 7 or the balance of the purchase price, the sheriff/auctioneer may refuse to accept the bid of such bidder, or accept it provisionally until the bidder satisfies the sheriff/auctioneer that such bidder is able to pay the deposit and the balance of the purchase price.

(c) On the refusal of a bid under circumstances referred to in paragraph *(b)*, the property may immediately be put up for auction again.

6. *(a)* The purchaser shall, as soon as possible after the sale and immediately on being requested by the sheriff/auctioneer, sign these conditions.

(b) If the purchaser purchases in a representative capacity, the purchaser shall

disclose the name of the principal or person on whose behalf the property is being purchased.

7. *(a)* The purchaser shall pay to the sheriff a deposit of 10 per cent of the purchase price in cash or by electronic funds transfer on the day of the sale.

(b) The balance shall be paid against transfer and shall be secured by a guarantee issued by a financial institution approved by the execution creditor or his or her attorney, and shall be furnished to the sheriff within ..... days after the date of sale.

8. *(a)* If the purchaser fails to carry out any obligation due by the purchaser under the conditions of sale, the sale may be cancelled by a magistrate summarily on the report of the sheriff after due notice to the purchaser, and the property may again be put up for sale.

(b) In the event of the circumstances in paragraph *(a)* occurring, the purchaser shall be responsible for any loss sustained by reason of such default, which loss may, on the application of any aggrieved creditor referred to in subparagraphs (i) and (ii) of Rule 43(14)*(c)*, be recovered from the purchaser under judgment of a magistrate pronounced on a written report by the sheriff, after such purchaser has been given notice in writing that such report will be laid before the magistrate for such purpose.

(c) If the purchaser is already in possession of the property, the sheriff may, on notice to affected parties, apply to a magistrate for an order evicting the purchaser or any person claiming to occupy the property through the purchaser or otherwise occupying the property.

9. *(a)* The purchaser shall immediately on demand pay the sheriff's commission / auctioneer's fees and expenses calculated as follows:
.....;
(b) The purchaser shall be liable for and pay, within 10 days of being requested to do so by the appointed conveyancer, the following:

(i) All amounts due to the municipality servicing the property, in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties that may be due to a municipality; and where applicable.

(ii) All levies due to a body corporate in terms of the Sectional Titles Act, 1986 (Act 95 of 1986) or amounts due to a home owners or other association which renders services to the property.

(iii) The costs of transfer, including conveyance fees, transfer duty and any other amount necessary for the passing of transfer to the purchaser.

10. *(a)* The property may be taken possession of after signature of the conditions of sale, payment of the deposit and upon the balance of the purchase price being secured in terms of condition 7*(b)*.

(b) Should the purchaser receive possession of the property, the purchaser shall be liable for occupational rental at the rate of R..... per month from .....to date of transfer.

(c) Upon the purchaser taking possession, the property shall be at the risk and profit of the purchaser.

(d) The execution creditor and the sheriff/auctioneer give no warranty that the purchaser shall be able to obtain personal and/or vacant occupation of the property or that the property is not occupied.

11. *(a)* The purchaser shall be entitled to obtain transfer forthwith upon payment of the whole purchase price and compliance with condition 9, alternatively, transfer shall be passed only after the purchaser has complied with the provisions of conditions 7 and 9 hereof.

(b) If the transfer is delayed by the purchaser, the purchaser shall be liable for interest at the rate of ..... per cent per annum on the purchase price.

12. *(a)* The sheriff may demand that any improvements to the property sold shall be immediately insured by the purchaser for their full value, proof of insurance given to the sheriff and such insurance policy kept in force until transfer is registered.

(b) Should the purchaser fail to comply with the obligations in paragraph *(a)*, the sheriff may effect the necessary insurance, the cost of which insurance shall be for the purchaser's account.

13. *(a)* The property is sold as represented by the title deeds and diagram or sectional plan, subject to all servitudes and conditions of establishment, whichever applies to the property.

(b) The sheriff/auctioneer shall not be liable for any deficiency that may be found to exist in the property.

14. The execution creditor shall appoint the conveyancer to effect transfer of the property to the purchaser: Provided that the sheriff shall be entitled to appoint a new conveyancer should the conveyancer appointed by the execution creditor not proceed timeously or satisfactorily with the transfer.

Signed at..... this ..... day of ....., 20.....

I certify hereby that today the ..... in my presence the herein

beforementioned property was sold for .....
to……...
.....
.....

.....
Sheriff/Auctioneer

I, the undersigned ....., residing at ..... in the district of ..... do hereby bind myself as the purchaser of the herein beforementioned property to pay the purchase price and to perform all and singular the conditions mentioned above.

.....
Purchaser

No. 33A – Conditions of sale in execution of immovable property

***For use in the Regional Court**

In re:

..... Execution Creditor

and

..... Judgment Debtor

The immovable property (hereinafter referred to as the 'property') which will be put up for auction on the ..... day of ..... 20....., consists of: .....

The sale shall be conducted on the following conditions:

1. The sale shall be conducted in accordance with the provisions of rule 43 of the Magistrates' Courts Rules and all other applicable law.

2. The property shall be sold by the sheriff of ..... or ..... XYZ Auctioneers of ..... at ..... to the highest bidder without reserve/subject to a reserve price of .....

3. The sale shall be for rands, and no bid for less than one thousand rands shall be accepted.

4. If any dispute arises about any bid, the property may again be put up for auction.

5. *(a)* If the sheriff/auctioneer makes any mistake in selling, such mistake shall not be binding on any of the parties, but may be rectified.

(b) If the sheriff/auctioneer suspects that a bidder is unable to pay either the deposit referred to in condition 7 or the balance of the purchase price, the sheriff/auctioneer may refuse to accept the bid of such bidder, or accept it provisionally until the bidder satisfies the sheriff/auctioneer that such bidder is able to pay the deposit and the balance of the purchase price.

(c) On the refusal of a bid under circumstances referred to in paragraph *(b)*, the property may immediately be put up for auction again.

6. *(a)* The purchaser shall, as soon as possible after the sale and immediately on being requested by the sheriff/auctioneer, sign these conditions.

(b) If the purchaser purchases in a representative capacity, the purchaser shall

disclose the name of the principal or person on whose behalf the property is being purchased.

7. *(a)* The purchaser shall pay to the sheriff a deposit of 10 per cent of the purchase price in cash or by electronic funds transfer on the day of the sale.

(b) The balance shall be paid against transfer and shall be secured by a guarantee issued by a financial institution approved by the execution creditor or his or her attorney, and shall be furnished to the sheriff within ..... days after the date of sale.

8. *(a)* If the purchaser fails to carry out any obligation due by the purchaser under the conditions of sale, the sale may be cancelled by a magistrate summarily on the report of the sheriff after due notice to the purchaser, and the property may again be put up for sale.

(b) In the event of the circumstances in paragraph *(a)* occurring, the purchaser shall be responsible for any loss sustained by reason of such default, which loss may, on the application of any aggrieved creditor referred to in subparagraphs (i) and (ii) of Rule 43(14)*(c)*, be recovered from the purchaser under judgment of a magistrate pronounced on a written report by the sheriff, after such purchaser has been given notice in writing that such report will be laid before the magistrate for such purpose.
(c) If the purchaser is already in possession of the property, the sheriff may, on notice to affected parties, apply to a magistrate for an order evicting the purchaser or any person claiming to occupy the property through the purchaser or otherwise occupying the property.

9. *(a)* The purchaser shall immediately on demand pay the sheriff's commission / auctioneer's fees and expenses calculated as follows:
.....;

(b) The purchaser shall be liable for and pay, within 10 days of being requested to do so by the appointed conveyancer, the following:

(i) All amounts due to the municipality servicing the property, in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties that may be due to a municipality; and where applicable.

(ii) All levies due to a body corporate in terms of the Sectional Titles Act, 1986 (Act 95 of 1986) or amounts due to a home owners or other association which renders services to the property.

(iii) The costs of transfer, including conveyance fees, transfer duty and any other amount necessary for the passing of transfer to the purchaser.

10. *(a)* The property may be taken possession of after signature of the conditions of sale, payment of the deposit and upon the balance of the purchase price being secured in terms of condition 7*(b)*.

(b) Should the purchaser receive possession of the property, the purchaser shall be liable for occupational rental at the rate of R..... per month from .....to date of transfer.

(c) Upon the purchaser taking possession, the property shall be at the risk and profit of the purchaser.

(d) The execution creditor and the sheriff/auctioneer give no warranty that the purchaser shall be able to obtain personal and/or vacant occupation of the property or that the property is not occupied.

11. *(a)* The purchaser shall be entitled to obtain transfer forthwith upon payment of the whole purchase price and compliance with condition 9, alternatively, transfer shall be passed only after the purchaser has complied with the provisions of conditions 7 and 9 hereof.

(b) If the transfer is delayed by the purchaser, the purchaser shall be liable for interest at the rate of ..... per cent per annum on the purchase price.

12. *(a)* The sheriff may demand that any improvements to the property sold shall be immediately insured by the purchaser for their full value, proof of insurance given to the sheriff and such insurance policy kept in force until transfer is registered.

(b) Should the purchaser fail to comply with the obligations in paragraph *(a)*, the sheriff may effect the necessary insurance, the cost of which insurance shall be for the purchaser's account.

13. *(a)* The property is sold as represented by the title deeds and diagram or sectional plan, subject to all servitudes and conditions of establishment, whichever applies to the property.

(b) The sheriff/auctioneer shall not be liable for any deficiency that may be found to exist in the property.

14. The execution creditor shall appoint the conveyancer to effect transfer of the property to the purchaser: Provided that the sheriff shall be entitled to appoint a new conveyancer should the conveyancer appointed by the execution creditor not proceed timeously or satisfactorily with the transfer.

Signed at..... this ..... day of ....., 20.....

I certify hereby that today the ..... in my presence the herein beforementioned property was sold for ..... to……...
.....
.....
.....
Sheriff/Auctioneer

I, the undersigned ....., residing at ..... in the district of ..... do hereby bind myself as the purchaser of the herein beforementioned property to pay the purchase price and to perform all and singular the conditions mentioned above.

.....
Purchaser”

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 5127 **16 Augustus 2024**

WET OP DIE REËLSRAAD VIR GEREGSHOWE, 1985 (WET NO. 107 VAN 1985)

WYSIGING VAN DIE REËLS WAARBY DIE VOER VAN DIE VERRIGTINGE VAN DIE LANDDROSHOWE VAN SUID-AFRIKA GEREËL WORD

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), en met die goedkeuring van die Minister van Justisie en Staatkundige Ontwikkeling, die reëls in die Bylae gemaak.

BYLAE

ALGEMENE VERDUIDELIKENDE NOTA:

[ ] Woorde of uitdrukkings in vetdruk in vierkantige hakies dui op weglatings uit die bestaande reëls.

____ Woorde of uitdrukkings met ’n volstreep daaronder dui op invoegings in die bestaande reëls.

Woordomskrywing

1. In hierdie Bylae beteken “die Reëls” die Reëls waarby die voer van die verrigtinge van die Landdroshowe van Suid-Afrika gereël word, afgekondig in Goewermentskennisgewing No. R. 740 van 23 Augustus 2010, soos gewysig deur Goewermentskennisgewing No’s. R. 1222 van 24 Desember 2010, R. 611 van 29 Julie 2011, R. 1085 van 30 Desember 2011, R. 685 van 31 Augustus 2012, R. 115 van 15 Februarie 2013, R. 263 van 12 April 2013, R. 760 van 11 Oktober 2013, R. 183 van 18 Maart 2014, R. 215 van 28 Maart 2014 en R. 507 van 27 Junie 2014, R. 5 van 9 Januarie 2015, R. 32 van 23 Januarie 2015, R. 33 van 23 Januarie 2015, R. 318 van 17 April 2015, R. 545 van 30 Junie 2015, R. 2 van 19 Februarie 2016, R. 1055 van 29 September 2017, R. 1272 van 17 November 2017, R. 632 van 22 Junie 2018, R. 1318 van 30 November 2018, R. 842 van 31 Mei 2019, R. 1343 van 18 Oktober 2019, R. 107 van 7 Februarie 2020, R. 858 van 7 Augustus 2020, R. 1156 van 30 Oktober 2020, R. 1604 van 17 Desember 2021, R 2134 van 3 Junie 2022, R. 2298 van 22 Julie 2022, R.2414 van 26 Augustus 2022, R. 2434 van 2 September 2022, R. 3371 van 5 Mei 2023, R. 3399 van 12 Mei 2023 en R. 4476 van 8 Maart 2024.

Invoeging van reël 26A in die Reëls

2. Die volgende reël word hierby na reël 26 van die Reëls ingevoeg:

"**26A Getuienis per oudio-visuele skakel**

(1) *(a)* Behoudens die bepalings van artikel 51(c), kan enige party 'n tussenaansoek ingevolge reël 55(4) bring dat getuienis by wyse van oudio-visuele skakel gegee word.

(b) 'n Hof wat 'n bevel ingevolge paragraaf *(a)* gee, kan sodanige lasgewings gee wat die hof gepas ag vir die neem en opneem van sodangie getuienis.

(c) 'n Aansoek ingevolge hierdie reël moet vergesel gaan van 'n konsepbevel wat die voorwaardes uiteensit van die bevel waarom aansoek gedoen word, met inbegrip van besonderhede van—

(i) die getuie wat deur oudio-visuele skakel moet getuienis gee; en
(ii) die adres van die perseel van waar sodanige getuienis gegee sal word.".

Wysiging van reël 54 van die Reëls

3. Reël 54 van die Reëls word hierby gewysig deur paragraaf *(g)* in subreël (3) deur die volgende paragraaf te vervang:

"*(h)* Die bepalings van paragrawe *(a)* tot *(g)* is in dieselfde mate, met die nodige veranderinge, van toepassing op 'n verweerder wat deur 'n entiteit gedagvaar word.".

Wysigings van Aanhangsel 1 by die Reëls

4. Aanhangsel 1 by die Reëls word hierby gewysig—

(a) deur Vorm 24 te vervang deur Vorm 24 in die Aanhangsel hierby vervat;

(b) deur Vorm 24A te vervang deur Vorm 24A in die Aanhangsel hierby vervat; en

(c) deur Vorm 33A te vervang deur Vorm 33A in die Aanhangsel hierby vervat.

Wysiging van Aanhangsel 2 tot die Reëls

5. Aanhangsel 2 tot die Reëls word hierby gewysig—

(a) deur Tabelle A en B, onderskeidelik, deur die volgende Tabelle te vervang:

TABEL A
KOSTE
DEEL I
ALGEMENE BEPALINGS

1. Wanneer die bedrag in geskil minder as of gelyk aan R50 000 is, word koste op Tarief A getakseer, wanneer die bedrag in geskil meer as R50 000 is, maar minder as of gelyk is aan die maksimum jurisdiksiebedrag van tyd tot tyd deur die Minister ten opsigte van landdroshowe vir distrikte vasgestel, word koste op Tarief C getakseer; wanneer die bedrag in geskil die maksimum jurisdiksiebedrag aldus deur die Minister bepaal ten opsigte van landdroshowe vir distrikte oorskry en die prosesstuk word uit 'n landdroshof vir 'n streeksafdeling uitgereik of wanneer die aangeleentheid handel oor 'n skuldoorsaak ingevolge artikel 29(1B)*(a)* van die Wet, word die koste op Tarief D getakseer.

2. *(a)* Vir die doeleindes van berekening van koste, beteken die uitdrukking 'bedrag in geskil', waar koste aan die eiser toegeken word, die bedrag of waarde van die vonnis en 'bedrag of waarde van die vonnis' beteken, waar meer as een eis in die aksie betrokke is, die totaal van die bedrae in die vonnis betrokke. Waar koste aan die verweerder toegestaan word, beteken die uitdrukking 'bedrag in geskil', waar meer as een eis in die aksie betrokke is, die totaal van die bedrae van al die eise. Die bedrag of waarde van die vonnis of eis sluit rente in maar sluit koste uit. Indien 'n aangeleentheid te eniger tyd geskik word, word koste getakseer op die tarief in die skikking voorgeskryf.

(b) Waar die bedrag in geskil nie uit verrigtinge ooglopend is nie en–

(i) die aangeleentheid word in die landdroshof vir 'n distrik ingestel, word die koste op Tarief C bereken; of

(ii) die aangeleentheid word in die streekhof vir 'n streeksafdeling ingestel, word die koste op Tarief D bereken,

tensy die hof anders gelas.

3. Koste takseerbaar ingevolge reël 33(19) word geag kragtens 'n vonnis vir die bedrag aangebied of 'n vonnis ingevolge die skikking, na gelang van die geval, toegestaan te wees.

4. Eise vir uitsetting word bereken teen twee maande huur van die perseel.

5. Die koers waarteen koste bereken word, word nie verhoog weens enige eis vir bevestiging van enige interdik of tussentydse bevel nie.

6. Gelde vir advokate word by taksasie toegeken slegs in gevalle wat onder tarief B, C of D val of waar die hof 'n bevel ingevolge reël 33(8) gegee het.

7. Waar die bedrag wat vir 'n item toegelaat word gespesifiseer is, sluit die bedrag alle nodige bywonings en betekenings (behalwe betekenings deur die balju vir die Landdroshof) in verband daarmee in, behalwe dat 'n heffing van **[R36,50]** R39,00 per dokument toegelaat sal word vir die indiening van dokumente by die hof.

8. Waar die bedrag vir 'n item toegelaat oningevul gelaat word—

(a) word die opstel van dokumente (nie pleitstukke nie) toegelaat teen **[R36,50]** R39,00 vir elke folio;

(b) afskrifte vir liassering, betekening en 'n prokureur se afskrif om te hou word ook toegelaat;

(c) **[R36,50]** R39,00 word toegelaat vir elke nodige betekening;

(d) **[R36,50]** R39,00 per dokument word toegelaat vir die nodige indiening van dokumente by die hof.

9. *(a)* Waar enige dokument vir die hof blyk onnodig omslagtig te wees, kan die hof die geheel of enige deel van die gelde daarvoor weier.

(b) Waar gedrukte vorms van dokumente waarvan afskrifte gemaak moet word, beskikbaar is, word die gelde vir afskrifte beperk tot die nodige besonderhede in daardie gedrukte vorms ingevoeg.

10. *(a)* 'n Folio bestaan uit 100 skriftelike of gedrukte woorde of syfers of deel daarvan.
(b) Vier syfers word as een woord gereken.
11. *(a)* Tensy anders bepaal, word 'n heffing vir sorgvuldige deurlesing toegelaat teen **[R14,00]** R15,00 per folio ten opsigte van enige dokument of pleitstuk wat noodsaaklikerwys sorgvuldig deurgelees is.
(b) Vir die nodige afskrifte, met inbegrip van fotostate, van enige dokument of stukke waarvoor nie reeds in hierdie tarief voorsiening gemaak word nie, per A4-grootte folio **[R6,00]** R7,00.
12. Waar daar meer as een verweerder is, word **[R22,50]** R24,00 bygevoeg ten opsigte van elke bykomende verweerder vir elk van items 2 en 3 van Deel I en items 2 en 7 van Deel III.
13. Waar die vonnisskuld ingevolge die vonnis of 'n ooreenkoms in paaiemente betaalbaar is, word 10% op elke paaiement ingevorder ter delging van die kapitaal, koste en rente, toegeken, behoudens 'n maksimum van **[R542,50]** R583,00 op elke paaiement. Geen bykomende geld word gehef vir enige bywoning in verband met die ontvangs of betaling van enige paaiement nie.
14. Die klerk of griffier van die hof keur by taksasie enige heffing wat onnodig aangegaan is, af.
15. Waar die gelde kragtens enige item op grond van tyd bereken word, word die totale tyd op enige een dag spandeer bereken en die gelde vir daardie dag word op daardie totaal bereken.
16. Enige bedrag noodsaaklikerwys en werklik in die opspoor van die skuldenaar uitgegee, word benewens die gelde in hierdie tarief uiteengesit, toegeken.
17. Item 10A en 14A van Deel III in die tarief tot Tabel A is ook van toepassing op Deel IV van die tarief by Tabel A.
18. Gelde aan advokate bedoel in artikel 34(2)*(a)*(i) van die Wet op Regspraktyk, 2014 (Wet No. 28 van 2014), word by taksasie slegs toegelaat vir items 21 tot 26 van Deel IV.
19. Die gelde in Deel IV word met 15% verhoog ooreenkomstig enige kosbevel ingevolge reël 33(1)*(b)* en soos by taksasie toegelaat.

DEEL II
ONVERDEDIGDE AKSIES

	R
Item 1 - Geregistreerde aanskrywe ingevolge artikel 56 van die Wet	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie.	**[R52,50]** R56,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk is uit 'n landdroshof vir 'n streeksafdeling uitgereik	**[R72,50]** R78,00
Item 2 Dagvaarding, (eenvoudig of gekomibneer) met inbegrip van 'n aanskrywing buiten die aanskrywing in item 1 bedoel, waar die totale bedrag van die eis of eise nie R10 000,00 oorskry nie:	**[R846,00]** R908,00
(a)	

	R
(b)	
(c)	
(d)	
Item 2A - Eenvoudige dagvaarding, met inbegrip van ’n aanskrywing anders as die aanskrywing in item 1 bedoel:	
(a) Eis of eise waar die totale bedrag van die eise nie R10 000,00 oorskry maar nie R50 000,00 nie	**[R1227,50]** R1317,00
(b) Eis of eise waar die totaal van die eis of eise R50 000 oorskry, maar nie die maksimum jurisdiksiebedrag oorskry wat die Minister van tyd tot tyd vasstel ten opsigte van landdroshowe vir distrikte nie	**[R1475,00]** R1583,00
(c) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag oorskry wat die Minister van tyd tot vasstel ten opsigte van landdroshowe vir distrikte en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik of wanneer die aangeleentheid oor ’n skuldoorsaak ingevolge artikel 29(1B)(a) van die Wet handel	**[R1914,00]** R2054,00
Item 2B - Gekombineerde dagvaarding, insluitend ’n aanskrywing anders as die aanskrywing in item 1 bedoel:	
(a) Eis of eise waar die totale bedrag van die eis of eise R10 000,00 oorskry, maar nie R50 000,00 oorskry nie	**[R1650,50]** R1770,00
(b) Eis of eise waar die totaal van die eis of eise R50 000,00 oorskry, maar nie die maksimum jurisdiksiebedrag wat van tyd tot tyd deur die Minister vasgestel word ten opsigte van landdroshowe vir distrikte, oorskry nie	**[R1981,50]** R2125,00
(c) Eis of eise waar die totaal van die eise of eise die maksimum jurisdiksiebedrag van tyd tot tyd deur die Minister vasgestel ten opsigte van landdroshowe vir distrikte en die prosesstuk uit ’n landdroshof vir ’n streekshof uitgereik word wanneer die saak handel oor ’n skuldoorsaak ingevolge artikel 29(1B)*(a)* van die Wet	**[R2570,00]** R2758,00
Item 3 Vonnis:	
(a) Eis of eise waar die totaal van die eis of eise nie die bedrag in 2 oorskry nie	**[R170,00]** R182,00
(b) Eis of eise waar die totaal van die eis of eise oorskry, maar nie R10 000,00 oorskry, maar nie meer as R50 000,00 is nie	**[R454,00]** R487,00
(c) Eis of eise waar die totaal van die eis of eise R50 000 oorskry, maar nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R454,00]** R487,00
(d) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik of waar die	**[R962,00]** R1032,00

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aangeleentheid handel oor ’n skuldoorsaak ingevolge artikel 29(1B)*(a)* van die Wet	
Item 4 Kennisgewing ingevolge reël 12(2)	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R85,00]** R91,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik of wanneer die aangeleentheid handel oor ’n skuldoorsaak ingevolge artikel 29(1B)*(a)* van die Wet	**[R110,00]** R118,00
Item 5 Kennisgewing ingevolge reël 54(1)	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R85,00]** R91,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik	**[R110,00]** R118,00
Item 6 – Beëdigde verklaring of sertifikaat	
Item 7 – Bywoning van hof op versoek van die landdros wanneer eis na die hof verwys word vir vonnis of om voorlopige vonnis te kry wanneer die eis onverdedig is	soos toegelaat kragtens item 15 op die tarief vir verdedigde aksies.
Item 8 – Vir elke geregistreerde brief wat ingevolge artikel 57(1) of (3) of artikel 58(2) van die Wet deur die krediteur of sy of haar prokureur, met inbegrip van afskrifte, aan die skuldenaar gestuur word	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie.	**[R55,50]** R60,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot ten opsigte van landdroshowe vir distrikte deur die minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik	**[R74,00]** R79,00
Item 9 – Skulderkenning en onderneming om skuld in paaiemente of andersins te betaal (artikel 57 van die Wet)	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R143,50]** R153,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot ten opsigte van landdroshowe vir distrikte deur die minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik	**[R184,50]** R198,00

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Item 10 – Instemming tot vonnis of tot vonnis en ’n bevel vir die betaling van vonnisskuld in paaiemente (artikel 58 van die Wet)	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R143,50]** R153,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik.	**[R184,50]** R198,00

Let wel: Die bedrag van gelde toelaatbaar kragtens items 4, 5, 6, 7, 8, 9 en 10 word sonder taksasie ingesluit in die bedrag van die koste waarvoor die vonnis ingedien word.

DEEL III
VERDEDIGDE AKSIES (EN TUSSENPLEITVERRIGTINGE)

Item	**Tarief A** **R**	**Tarief B** **R**	**Tarief C** **R**	**Tarief D** **R**
1 Instruksies om te dagvaar of verdedig of van teeneis of van verdediging van teeneis, bestudering van alle dokumentasie en meriete en alle nodige konsultasies om dagvaarding uit te reik		**[R950,50]** R1019,00	**[R1190,00]** R1277,00	**[R1488,00]** R1597,00
2 Dagvaarding 2A Besonderhede van eis of deklarasie		**[R499,50]** R536,00 **[R499,50]** R536,00	**[R598,50]** R642,00 **[R598,50]** R642,00	**[R774,50]** R831,00 **[R774,50]** R831,00
3 Bywoning		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R103,00
4 Kennisgewing kragtens reëls 12(2) en 21B(2)		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R103,00
5 Pleit		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R103,00
6 Eis in rekonvensie		**[R499,50]** R536,00	**[R616,00]** R642,00	**[R774,50]** R831,00
7 Antwoord, indien nodig		**[R499,50]** R536,00	**[R616,00]** R642,00	**[R774,50]** R831,00
8 Opstel van alle dokumente wat nie spesifiek genoem word nie, met inbegrip van versoek vir verdere besonderhede, bylae van dokumente, alle beëdigde verklarings, dagvaardings, enige kennisgewing waarvoor nie andersins voorsiening gemaak is nie en opstel van verklarings deur getuies		-	-	-

Item	**Tarief A R**	**Tarief B R**	**Tarief C R**	**Tarief D R**
9 Produksie van dokumente vir inspeksie, of inspeksie van dokumente, per kwartier of per gedeelte daarvan van die tyd wat spandeer is		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
10 ...				
10A Paginering en indeksering van pleitstukke per kwartier of gedeelte daarvan:		**[R143,50]** R153,00	**[R175,00]** R188,00	**[R226,00]** R242,00
11 Die afneem van verklarings deur getuies, per kwartier of gedeelte daarvan		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
12 Kennisgewing van verhoor of herinstelling		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R104,00
13 Voorbereiding vir verhoor (indien 'n advokaat nie gebruik word nie)		**[R1619,00]** R1737,00	**[R1943,50]** R2085,00	**[R2524,00]** R2708,00
14 Bywoning by skikkingsonderhandelinge, vir elke kwartier of gedeelte daarvan werklik in sodanige onderhandelinge deurgebring		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
14A Opstel van betooghoofde per kwartier of gedeelte daarvan:		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
15 Bywoning van hof tydens verhoor, of by 'n uitstel of ondersoek by kommissie, vir elke kwartier of deel daarvan in die hof deurgebring terwyl die saak werklik aangehoor word-				
(a) indien 'n advokaat nie aangestel is nie		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
(b) indien 'n advokaat aangestel is		**[R84,50]** R91,00	**[R102,00]** R109,00	**[R134,00]** R144,00
16 Bywoning van voorverhoorkonferensie, vir elke kwartier of deel daarvan wat werklik in daardie konferensie deurgebring is		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
17 Bywoning van hof om gereserveerde vonnis of gedeelte daarvan aan te hoor		**[R43,00]** R46,00	**[R52,50]** R56,00	**[R68,50]** R74,00
18 Korrespondensie -				
(a) per nodige brief, per folio		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
(b) vir elke brief ontvang, met dien verstande dat gelde vir bestudering nie toegelaat word saam met die gelde hierin voor voorsiening gemaak nie		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00

Item	Tarief A R	Tarief B R	Tarief C R	Tarief D R
19 Bywonings: Vir elke nodige bywoning waarvoor nie andersins voorsiening gemaak is nie, per bywoning		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
20 Nodige formele telefoonoproepe, per oproep		**[R34,00]** R36,00	**[R43,00]** R46,00	**[R54,50]** R58,00
21 Telefoonkonsultasies: Vir elke 5 minute of deel daarvan, behoudens 'n maksimum tarief per konsultasie van **[R206,50]** R222,00 vir Tariewe A tot C en **[R267,00]** R286,00 vir Tarief D		**[R59,50]** R64,00	**[R75,00]** R80,00	**[R96,50]** R104,00
22 Elke nodige konsultasie, per kwartier of gedeelte daarvan		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
23 Die hof kan, op versoek by die verhoor gedoen, saam met die gelde in item 13 hierbo voorgeskryf, hernuwingsgelde in uitgestelde of gedeeltelik aangehoorde verhore, toeken		**[R1049,00]** R1126,00	**[R1257,50]** R1349,00	**[R1633,00]** R1752,00
24 Tyd by die hof gewag (omdat hof nie beskikbaar is nie) per kwartier of deel daarvan		**[R143,50]** R154,00	**[R175,00]** R188,00	**[R226,00]** R242,00
25 Reistyd [onderworpe aan die bepalings van reël 33(9)] per kwartier of deel daarvan		**[R143,00]** R154,00	**[R175,00]** R188,00	**[R226,00]** R242,00
26 Bestaans- en reisuitgawes soos in reël 33(9) gestel	Die werklike redelike bestaans- en reisuitgawes soos in reël 33(9) gestel			

DEEL IV
ANDER AANGELEENTHEDE

Eksepsies, aansoeke om deurhaling, aansoeke om summiere vonnis, verskyning om voorlopige vonnis te verkry wanneer eis verdedig word, tussenaansoeke, arres, interdik, aansoeke kragtens reël 27(9), aansoeke om vonnis, bevel of taksasie te hersien, aansoeke om likwidasie van beslote korporasies en aansoeke ingevolge artikel 65J van die Wet, aansoeke kragtens reël 58 en enige ander aansoeke.

ITEM	Tarief A R	Tarief B R	Tarief C R	Tarief D R
1 *(a)* Instruksies om aansoek te doen of om te verdedig of om gronde aan te voer (die hof kan op versoek 'n hoër bedrag toelaat)		**[R360,00]** R386, 00	**[R428,00]** R459,00	**[R556,50]** R597,00
(b) Instruksies om aansoek te doen om likwidasie van beslote korporasie, bestudering van alle dokumentasie en		**[R878,00]** R942,00	**[R1053,00]** R1130,00	**[R1369,00]** R1469,00

ITEM	**Tarief A R**	**Tarief B R**	**Tarief C R**	**Tarief D R**
oorweging van meriete, en alle nodige konsultasies				
2 Opstel van alle dokumente, beëdigde verklarings en kennisgewings, bevele, ens.	-	-	-	-
3 Bywoning van hof by verhoor:				
(a) Indien onverdedig of verdedig (indien advokaat nie aangestel is nie), vir elke kwartier of deel daarvan werklik in die hof deurgebring		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00
(b) Indien verdedig (indien advokaat aangestel is), vir elke kwartier werklik in die hof deurgebring of deel daarvan	Nul	**[R85,00]** R91,00	**[R104,50]** R112,00	**[R134,00]** R144,00
4 *(a)* Gelde vir voorbereiding vir betoog wanneer verdedig		**[R874,00]** R938,00	**[R1053**,00**]** R1130,00	**[R1369,00]** R1469,00
(b) Gelde vir voorbereiding vir verhoor waar verrigtinge na verhoor verwys word of mondelinge getuienis		**[R874,00]** R938,00	**[R1053**,00**]** R1130,00	**[R1369,00]** R1469,00
4A. Opstel van betooghoofde vir bestrede aansoeke, per kwartier of gedeelte daarvan.		R196,00	R246,00	R318,00
5 Konsultasies en skikkingsonderhandelinge – wanneer verdedig, per kwartier of deel daarvan		**[R213,00]** R229,00	**[R267,00]** R286,00	**[R345,50]** R371,00

ITEM	**Tarief**
TAKSASIE VAN KOSTE In verband met ’n kosterekening vir dienste deur ’n prokureur gelewer, het die prokureur die reg om te hef:	R
6. Vir opstel van die kosterekening, maak van die nodige afskrifte en bywoning van skikking, 11 persent van die prokureursgelde, hetsy soos in die rekening gehef, indien nie getakseer nie, of soos by taksasie toegestaan	
7. Benewens die gelde kragtens item 6 gehef, indien van taksasie gebruik gemaak word, vir reëling en bywoning van taksasie, en vir verkryging van toestemming vir taksasie, 11 persent op die eerste R10 000,00 of gedeelte daarvan, 6 persent op die volgende R10 000,00 of gedeelte daarvan en 3 persent op die balans van die totale bedrag van die rekening	
8. Bywoning by hersiening van taksasie, vir elke kwartier of deel daarvan in die hof terwyl hersiening werklik aangehoor word	**[R213,00]** R229,00
9. Kennisgewing van aansoek om hersiening van taksasie en betekening	-
10. Beëdigde verklaring, waar nodig	-

ITEM	Tarief

UITWINNING	
11. (a) Uitreiking van ’n uitwinningslasbrief, uitsettingslasbrief, en lasbrief vir lewering van besit	**[R143,50]** R154,00
(b) Vir elke heruitreiking daarvan	**[R59,50]** R64,00
12. Insluitend gelde vir werk gedoen in verband met vrystelling van inbeslaggenome onroerende eiendom	**[R179,00]** R192,00
13. Insluitend gelde vir werk gedoen in verband met uitwinningsverkoping van slegs onroerende goed (uitsluitend werk ten opsigte waarvan gelde reeds elders voor voorsiening gemaak word en die opstel van die verkoopsvoorwaardes)	**[R454,50]** R488,00
14. *(a)* Opstel van verkopingskennisgewing ingevolge reël 41(8) of reël 43(7)*(b)*(i), of verkoopsvoorwaardes ingevolge reël 43(8)*(a)*(i)	**-**
(b) Vir alle ander werk gedoen en papiere en dokumente aan die balju van die landdroshof voorsien in verband met ’n uitwinningsverkoping van roerende goed, ’n allesinsluitende bedrag van	**[R310,00]** R333,00
15. Sekerheidstelling vir herstel, waar nodig	**[R119,00]** R128,00

WAAR ’N ADVOKAAT AANGESTEL IS	
16. Instruksies vir eksepsie of aansoek, waar toegelaat	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R213,00]** R229,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik	**[R277,50]** R298,00
17. Instruksies vir verhoor	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R273,00]** R293,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk word uit ’n landdroshof vir ’n streeksafdeling uitgereik	**[R343,00]** R368,00
18. Opstel van opdrag by eksepsie of aansoek, waar toegelaat	-
19. Opstel van opdrag vir verhoor	-

WAAR 'N ADVOKAAT AANGESTEL IS	
20. Bywoning van nodige konsultasie met advokaat, per kwartier of deel daarvan	
(a) Eis of eise waar die totaal van die eis of eise nie die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry nie	**[R89,00]** R95,00
(b) Eis of eise waar die totaal van die eis of eise die maksimum jurisdiksiebedrag van tyd tot tyd ten opsigte van landdroshowe vir distrikte deur die Minister vasgestel, oorskry en die prosesstuk word uit 'n landdroshof vir 'n streeksafdeling uitgereik	**[R112,00]** R120,00

GELDE VIR ADVOKATE	
21. **[Met opdrag om eksepsie of aansoek te betoog]** *(a)* Hofverskyning vir onbestrede aansoeke, per kwartier of gedeelte daarvan, behoudens 'n minimum van een uur:	**[R1048,00]**
Skaal B	R196,00
Skaal C	R246,00
Skaal D	R318,00
(b) Hofverskynings vir bestrede aansoeke, 'n inklusiewe geld wat voorbereiding, konsultasie en hofverskyning op daardie selfde dag insluit:	
Skaal B	R6272,00
Skaal C	R7872,00
Skaal D	R10 176,00
(c) Opstel van betooghoofde vir 'n bestrede aansoek, per kwartier of gedeelte daarvan:	
Skaal B	R196,00
Skaal C	R246,00
Skaal D	R318,00
(d) Vir voorbereiding voor die dag van betoof, waar teengestaan:	
Skaal B	R874,00
Skaal C	R1053,00
Skaal D	R1369,00
22. *(a)* **[Met verhooropdrag vir die eerste dag, hoogstens]** Hofverskynings vir verhoorsake, met inbegrip van gedeeltelik aangehoorde en uitgestelde verhoorsake, 'n inklusiewe daggeld wat voorbereiding, konsultasie en hofverskyning op diesefde dag insluit:	**[R2973,50]**
Skaal B	R6272,00
Skaal C	R7872,00
Skaal D	R10 176,00
(b) Opstel van betooghoofde vir verweerde aksies, per kwartier of gedeelte daarvan:	
Skaal B	R196,00
Skaal C	R246,00
Skaal D	R318,00

GELDE VIR ADVOKATE	
(c) Vir voorbereiding voor die dag van die verhoor: Skaal B Skaal C Skaal D	 R1619,00 R1943,50 R2524,00
23. In enige hof meer as 30 km van die naaste dorp waar 'n provinsiale of plaaslike afdeling (behalwe 'n rondgaande hof) van die Hooggeregshof gesetel is, gehou, 'n reistoelae (benewens die opdraggeld) wat by spesiale bevel deur die hof toegelaat kan word, teen	**[R7,50]** R8,00 per km
24. Elke nodige konsultasie, per kwartier	**[R213,00]** R229,00
[25. Vir elke dag meer as een waarop getuienis aangehoor of betooghoofde aangehoor word, 'n verfrisser van hoogstens]	**[R1786,50]**
26. Opstel van pleitstukke	**[R479,00]** R514,00
Notas:	
(a) **[Omtrent items 22 en 25, 'n bedrag in plek van die bedrag vir die eerste dag se verhoor, word soos volg toegelaat wanneer die saak op of voor die verhoordatum deur enige party geskik of teruggetrek word]** Indien 'n verhoor u op aandrang van enige party itgestel, geskik of teruggetrek word op die dag van die verhoor of voor die eerste dag se verhoor, en 'n heffing vir die kansellasie van die bespreking van enige dag gehef word, kan 'n besprekingsgeld soos volg toegelaat word:	
(i) **[hoogstens twee dae voor die verhoordatum: Die gelde andersins toelaatbaar by taksasie vir die eerste dag se verhoor;]** Indien uitgestel, geskik of teruggetrek op die datum van terrolleplasing of twee dae voor dit, 'n volle dag se gelde; of	
(ii) **[minstens drie dae en hoogstens sewe dae voor die verhoordatum: Twee derdes van die gelde kragtens (i); en]** Indien uitgestel, geskik of teruggetrek drie tot sewe sewe dae voor die dag van terrolleplasing of twee dae voor dit, 'n volle dag se gelde: Met dien verstande dat geen besprekingsgelde toegelaat sal word as 'n saak uitgestel of teruggetrek word meer as sewe dae voor die dag van terrolleplasing nie.	
[(iii) minstens agt dae en hoogstens 21 dae voor die verhoordatum: Helfte van die geld kragtens (i).]	
(b) **[Die]** Behoudens die bepalings van Reël 33(8), kan die hof **[kan]** op versoek hoër gelde vir 'n advokaat ten opsigte van items 21, 22, 24, **[25]** en 26 toeken.	
(c) 'n Bedrag vir reistyd deur advokaat word toegelaat teen dieselfde tarief as vir prokureurs kragtens reël 33(9).	

DIVERSE	

27. Verkry gesertifiseerde afskrif van vonnis	**[R107,50]** R115,00
28. Verkry betaling ingevolge reël 18(4)	**[R75,00]** R80,00
29. Versoek vir sekerheidstelling ingevolge reël 62(1)	-
30. Voorsien sekerheidstelling ingevolge reël 62(1)	-

TABEL B
KOSTE
DEEL I
ALGEMENE BEPALINGS TEN OPSIGTE VAN VERRIGTINGE INGEVOLGE ARTIKELS 65 EN 65a TOT 65M VAN DIE WET

1. Behoudens die bepalings van paragraaf 3, word geen gelde behalwe dié in die Tarief by hierdie Deel toegelaat nie.

2. Behoudens die bepalings van artikel 65K van die Wet, is die gelde uiteengesit in items *(a), (b)* of *(c)* van die Tarief by hierdie Deel, na gelang van die geval, betaalbaar vir die opstel van die kennisgewing in artikel 65A(1) bedoel, met inbegrip van verskyning by die ondersoek na die vonnisskuldenaar se finansiële posisie in artikel 65D bedoel, of enige verskyning by daaropvolgende opskortings-, wysigings- of opheffingsverrigtinge, en kan , met uitsondering van die gelde kragtens item *(m)* van die tarief toegelaat, slegs een keer gehef word vir die opstel, uitreiking en alle heruitreikings van die kennisgewing en alle uitstelle van die ondersoek, ongeag die getal dae waarop die verrigtinge in die hof aangehoor word: Met dien verstande dat waar die skuldenaar die regsgebied van die hof verlaat nadat die kennisgewing in artikel 65A(1) bedoel, uitgereik is en die kennisgewing in enige ander distrik heruitgereik word, kan die voormelde gelde ook in die ander distrik gehef word indien die hof dit gelas.

3. Die volgende word toegelaat benewens die gelde in die Tarief tot hierdie Deel uiteengesit:

(a) Alle nodige uitbetalings in verband met die verrigtinge aangegaan.

(b) ’n Bedrag van 10% op elke paaiement ter delging van die kapitaal en koste van die aksie, onderworpe aan ’n maksimum bedrag van **[R543,00]** R583,00 op elke paaiement. Waar die bedrag in paaiemente betaalbaar is, is die insamelingsgelde slegs verhaalbaar by betaling van elke paaiement. Sodanige gelde is ter vervanging van en nie bykomstig tot die insamelingsgelde in paragraaf 13 van Deel 1 van Tabel A voorgeskryf nie.

(c) Alle nodige uitbetalings gedoen in verband met enige vorige vrugtelose verrigtinge kragtens artikel 72, as die hof aldus beveel het.

(d) Enige bedrag noodsaaklikerwys en werklik uitbetaal in die opspoor van die vonnisskuldenaar, waar die kapitaalbedrag van die skuld nie minder was nie as **[R593,50]** R637,00 toe die opsporingsagent in diens geneem is. Die totale bedrag wat werk elke opsporing toegeken word mag nie meer as **[R453,50]** R487,00 wees nie. ,

4. Vir die doeleindes van die Tarief tot hierdie Deel, is die bedrag van die eis, behoudens die bepalings van paragraaf 3*(d)*, die totaal van die kapitaalbedrag en koste uitstaande op die datum van die eerste instelling van verrigtinge kragtens artikel 65A(1) van die Wet.

5. Items 1 tot 5 van Deel IV van Tabel A van Aanhangsel 2 is van toepassing ingevolge artikel 65J van die Wet.

TARIEF		**R**
(a)	Waar die eis nie meer as die bedrag van R1 000,00 is nie	**[R299,50]** R321,00
(b)	Waar die eis meer is as R1 000,00, maar nie nie meer as R2 000,00 is nie	**[R453,50]** R487,00
(c)	Waar die eis meer as R2 000,00 is	**[R535,00]** R574,00
(d)	Lasbrief vir arres (Vorm 40A)	**[R118,50]** R127,00
(e)	(i) Besoldigingsbeslagbevel (Vorm 38)	**[R237,00]** R254,00
	(ii) Heruitreiking (Sertifikate ingesluit)	**[R190,50]** R204,00
(f)	Aansoek om koste by kennisgewing (met inbegrip van verskyning voor hof)	**[R118,50]** R127,00
(g)	Verkryging van gesertifiseerde afskrif van ’n vonnis	**[R118,50]** R127,00
(h)	Beëdigde verklaring of sertifikaat deur die vonnisskuldeiser of sy of haar prokureur	**[R84,00]** R90,00
(i)	Vir elke geregistreerde brief aangestuur aan die skuldenaar ingevolge artikels 65A(2), 65E(6) of 65J(2) van die Wet deur die krediteur of sy of haar prokureur	**[R54,00]** R58,00
(j)	Beëdigde verklaring of bevestiging deur skuldenaar Reël 45(7)	**[R142,00]** R152,00
(k)	Versoek om ’n bevel kragtens artikel 65 van die Wet	**[R84,00]** R90,00
(l)	Bywoning van uitgestelde verrigtinge ingevolge artikel 65E(3) van die Wet of bywoning van verrigtinge by die of in navolging van die inhegtenisneming van ’n vonnisskuldenaar, direkteur of beampte in navolging van ’n kennisgewing in 65A(8)*(b)* bedoel	**[R118,50]** R127,00
(m)	Dagvaarding:	
	(i) Opstel van dagvaarding, per folio	**[R34,00]** R36,00
	(ii) Elke nodige bywoning, per bywoning	**[R23,50]** R26,00
(n)	(i) Korrespondensie: Vir elke nodige brief **[of telegram]** geskryf of ontvang, met inbegrip van afskrif om te hou, met dien verstande dat gelde vir bestudering nie toegestaan sal word saam met die gelde hierin voor voorsiening gemaak nie, per folio	**[R34,00]** R36,00
	(ii) Bywonings: Vir elke nodige bywoning nie andersins voor voorsiening gemaak nie, per bywoning	**[R34,00]** R36,00
	(iii) Nodige formele telefoonoproepe, per oproep	**[R34,00]** R36,00

DEEL II

ALGEMENE BEPALINGS TEN OPSIGTE VAN VERRIGTINGE INGEVOLGE ARTIKEL 72 VAN DIE WET

1. Behoudens die bepalings van paragrawe 2 en 3, word geen gelde behalwe dié in die Tarief by hierdie Deel uiteengesit, toegelaat nie.

2. Paragraaf 3*(a)*, *(b)* en *(d)* van die algemene bepalings kragtens Deel 1 van hierdie Tabel is *mutatis mutandis* van toepassing op hierdie Deel.

3. Alle nodige uitbetalings aangegaan in verband met enige vorige onsuksesvolle verrigtinge kragtens artikel 65, moet toegelaat word indien die hof aldus gelas het.

4. Vir die doeleindes van die Tarief van hierdie Deel, is die bedrag van die eis, onderworpe aan die bepalings van paragraaf 3*(d)* van die algemene bepalings kragtens Deel 1 van hierdie Tabel, die totaal van die kapitaalbedrag uitstaande op die datum van die eerste instelling van verrigtinge ingevolge artikel 72 van die Wet.

TARIEF	
	R
(a) Waar die eis nie meer as R200.00 is nie	**[R179,00]** R192,00
(b) Waar die eis meer as R200.00 is	**[R382,00]** R410,00
(c) Verkryging van ’n gesertifiseerde afskrif van ’n vonnis	**[R107,50]** R115,00
(d) Aansoek om ’n uitwinningsbevel teen die beslagskuldenaar	**[R107,50]** R115,00
(e) Loonbeslagorder (Vorm 39)	**[R142,00]** R152,00

DEEL III

ALGEMENE BEPALINGS TEN OPSIGTE VAN VERRIGTINGE INGEVOLGE ARTIKEL 74 VAN DIE WET

1. Die volgende gelde word toegestaan benewens die gelde uiteengesit in die Tarief by hierdie Deel:

(a) Alle nodige uitbetalings in verband met die verrigtinge aangegaan.

(b) Benewens die gelde hieronder gestel, is die administrateur geregtig op ’n bedrag van 10% op elke paaiement ingesamel vir die kapitaal en koste, welke bedrag ingesluit is in die 12.5% ingevolge artikel 74L(2) van die Wet.

2 By die toepassing van items 4 en 5 van die Tarief tot hierdie Deel, bestaan ’n folio uit 100 geskrewe of gedrukte woorde of syfers en vier syfers word as een word beskou.

TARIEF			
Item	Een tot tien krediteure	Elf tot twintig krediteure	Een-en-twintig of meer krediteure
	R	**R**	**R**

1. Instruksies om om ’n administrasiebevel aansoek te doen, met inbegrip van die nodige deurlesing van dagvaardings, eise, ens., en vasstelling van die bedrag van bates en laste, met inbegrip van alle bywonings en korrespondensie wat in verband daarmee nodig is.	**[R213,00]** R229,00	**[R298,00]** R321,00	**[R477,00]** R512,00
2. Instruksies by aansoek kragtens artikel 74Q(1) of om daardie aansoek of die toestaan van administrasiebevel, teen te staan.	**[R170,00]** R182,00	**[R170,00]** R182,00	**[R170,00]** R182,00
3. Opstel van aansoek om administrasiebevel of hersiening daarvan en beëdigde verklaring, met inbegrip van alle aanhangsels daarby en alle bywonings, bywoning in die hof uitgesluit.	**[R297,00]** R319,00	**[R297,00]** R319,00	**[R297,00]** R319,00
4. Maak van afskrifte van aansoek, beëdigde verklaring en aanhangsels vir krediteure, per bladsy	**[R6,00]** R7,00	**[R6,00]** R7,00	**[R6,00]** R7,00
5. Noukeurige deurlesing van aansoek en ander dokumente beteken, indien enige, per folio. Let wel: Die gelde onder hierdie item word slegs deur die prokureur of ‘n teenparty geëis.	**[R13,50]** R15,00	**[R13,50]** R15,00	**[R13,50]** R15,00
6. Bywoning van hof:			
(a) By uitstel of tersydestelling, indien nie deur die prokureur of sy of haar kliënt veroorsaak nie;	**[R80,50]** R86,00	**[R80,50]** R86,00	**[R80,50]** R86,00
(b) By enige ander verhoor	**[R170,00]** R182,00	**[R320,00]** R343,00	**[R320,00]** R343,00
7. Vir voorsiening aan ’n krediteur deur die administrateur van die inligting in artikel 74M*(a)* van die Wet bedoel, per aansoek	**[R23,50]** R25,00	**[R23,50]** R25,00	**[R23,50]** R25,00
8. Vir voorsiening van ’n afskrif van die skuldenaar se vermoëstaat bedoel in artikel 74 en 74A(1) van die Wet deur die administrateur ingevolge artikel 74M*(b)* of van ’n lys of rekening bedoel in artikel 74G(1) of 74J van die Wet of die skuldenaar se vermoëstaat bedoel in artikel 65(2) van die Wet, per folio.	**[R6,00]** R7,00	**[R6,00]** R7,00	**[R6,00]** R7,00
9. Korrespondensie en bywonings	**[R35,00]** R38,00	**[R35,00]** R38,00	**[R35,00]** R38,00”

(b) deur Deel II van Tabel C deur die volgende Deel te vervang:

“**DEEL II**

BALJU’S WAT NIE STAATSAMPTENARE IS NIE

1A. Vir registrasie van enige dokument vir betekening of uitwinning by ontvangs daarvan: **[R13,00]** R14,00.

1B. *(a)* By die betekening van ’n dagvaarding, subpoena, kennisgewing, bevel of ander dokument wat nie in item 2 **[genoem word nie, die reis na en van die plek van betekening van enige van die bogenoemde dokumente—]**

[(i) binne ’n afstand van 6 kilometer van die hofgebou van die distrik waarin die balju aangestel is: R52,00;]
[(ii) binne ’n afstand van 12 kilometer, maar verder as 6 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R62,00;]
[(iii) binne ’n afstand van 20 kilometer, maar verder as 12 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R84,00]: R90,00.

(b) Vir die poging om die dokumente in paragraaf *(a)* genoem, te beteken**[, die reis na en van die plek van gepoogde betekening van enige van die bogenoemde dokumente:]**
[(i) binne ’n afstand van 6 kilometer vanaf die hofgebou van die distrik waarvoor die balju aangestel is: R45,00;]
[(ii) binne ’n afstand van 12 kilometer maar verder as 6 kilometer vanaf die hofgebou van die distrik waarvoor die balju aangestel is: R52,00;]: R56,00.
[(iii) binne ’n afstand van 20 kilometer maar verder as 12 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R75,50;]
(c) (i) Waar ’n dokument beteken moet word saam met ’n prosesstuk van die hof en in die prosesstuk of ’n aanhangsel daarby vermeld word, word geen bykomende gelde gehef vir betekening van die dokument nie, andersins kan **[R13,00]** R14,00 gehef word vir elke aparte dokument wat beteken word.
(ii) Geen gelde word vir ’n aparte dokument gehef wanneer prosesstukke in strafregtelike aangeleenthede beteken word nie;
(iii) Die betekening van ’n kennisgewing in reël 54(1) bedoel, gelyktydig met die dagvaarding, word nie as ’n aparte betekening beskou nie.
(iv) Waar ’n lasgewer die balju skriftelik opdrag gee om ’n dokument in item 1B*(a)* of (2)*(a)* dringend te beteken of uit te win, hef die balju bykomende gelde van **[R279,50]** R300,00 vir sodanige betekening, ongeag hetsy die betekening of uitwinning suksesvol was, welke bykomende gelde deur die opdraggewer betaal word, tensy die hof anders gelas.
(v) By die toepassing van subparagraaf (iv) beteken-
(aa) 'dringend' op dieselfde dag of binne 24 uur sedert die skriftelike opdrag; en
(bb) 'na-ure' enige tyd -
(aaa) voor 7h00 of na 19h00 op Maandae tot Vrydae; of
(bbb) op ’n Saterdag, Sondag of openbare vakansiedag.

2. *(a)* By die uitvoering van ’n lasbrief (wat nie teen onroerende goed is nie), interdik, loonbeslagorder of besoldigingsbeslagbevel**[, die reis na en van die plek van tenuitvoerlegging van die bogenoemde dokumente—]**
[(i) binne 6 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is:R75,50;]
[(ii) binne 12 kilometer, maar verder as 6 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R84,00;]
[(iii) binne 20 kilometer, maar verder as 12 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R105,00]: R113,00.

(b) Vir die gepoogde tenuitvoerlegging van die dokumente in paragraaf *(a)* bedoel**[, die reis na en van die plek van gepoogde betekening van die bogenoemde dokumente—]**
[(i) binne 6 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R62,00;]

[(ii) binne 12 kilometer, maar verder as 6 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R75,50;]: R81,00.

[(iii) binne 20 kilometer, maar verder as 12 kilometer van die hofgebou van die distrik waarvoor die balju aangestel is: R94,00;]

(c)(i) Vir die uitsetting van 'n verweerder van die perseel in die uitsettingslasbrief bedoel: **[R45,00]** R273,00 vir die eerste uur of gedeelte daarvan en daarna R126,00 per elke halfuur of gedeelte daarvan (behalwe buitengewone uitgawes wat noodgedwonge aangegaan word);

(ii) Verdere gelde van **[R29,50]** R32,00 word na tenuitvoerlegging betaal vir elke persoon benewens die persoon genoem of na verwys in die uitsettingsprosesstuk, in werklikheid van 'n aparte perseel uitgeset: Met dien verstande dat waar betekening aan enige persoon behalwe die vonnisskuldenaar nodig is ten einde die tenuitvoerlegging te voltooi, kan die gelde in item 1B*(a)* vasgestel, ten opsigte van elke sodanige betekening gehef word.

(d) vir die tenuitvoerlegging van enige lasbrief teen onroerende goed—

(i) vir uitwinning, met inbegrip van betekening van kennisgewing van beslaglegging aan die eienaar van die onroerende goed en aan die akteregistrateur of ander kantoor belas met die registrasie van sodanige eiendom, en indien die eiendom deur iemand anders as die eienaar geokkupeer word, ook aan daardie okkupant: **[R247,50]** R266,00;

(ii) vir kennisgewing van beslaglegging aan 'n enkele huurder of okkupant: **[R22,50]** R24,00;

(iii) identiese kennisgewings waar daar verskeie huurders, okkupante of eienaars is, vir elkeen na die eerste: **[R8,50]** R9,00;

(iv) vir 'n waardasieverslag vir verkoopdoeleindes, per halfuur of deel daarvan: **[R60,00]** R64,00;

(v) wanneer 'n balju gemagtig is om eiendom te verkoop en die eiendom word nie verkoop nie omdat die beslaglegging ingetrek of opgeskort is, al die nodige kennisgewing vir die intrekking of opskorting van die beslaglegging: **[R247,50]** R266,00; Afskaffing van geregtelike beslaglegging van onroerende goed: **[R247,50]** R266,00;

(vi) vir seker maak en aanteken watter lenings of ander beswarings teen die eiendom geregistreer is, saam met die name en adresse van die persone in wie se guns daardie lenings en beswarings aldus geregistreer is, met inbegrip van enige korrespondensie daarby (saam met redelike uitgawes wat noodsaaklikerwys aangegaan is): **[R124,50]** R134,00;

(vii) vir kennis aan die vonnisskuldeiser van daardie lenings of ander beswarings en van die name en adresse van die persone in wie se guns daardie lenings of ander beswarings geregistreer is: **[R21,00]** R23,00;

(viii) vir oorweging van bewys dat 'n voorkeurskuldeiser aan die vereistes van reël 43(5)*(a)* voldoen het: **[R13,50]** R14,00;

(ix) vir kennisgewing bedoel in reël 43(6): **[R22,50]** R24,00;

(x) vir oorweging van verkopingskennisgewing deur die vonnisskuldeiser voorberei in oorleg met die balju; en

vir verifiëring dat die verkopingskennisgewing in die aangewese koerante en in die *Staatskoerant* gepubliseer is, insluitend gelde vir daardie oorweging en verifiëring: **[R124,50]** R134,00;

(xi) vir die aanstuur van 'n afskrif van die verkopingskennisgewing aan elke vonnisskuldeiser wat die onroerende goed in beslag laat neem het en aan elke verbandhouer daarvan wie se adres bekend is, vir elke afskrif: **[R22,50]** R24,00;

(xii) vir die aanheg van 'n afskrif van die verkopingskennisgewing aan die kennisgewingsbord van die landdroshof bedoel in reël 43(7)*(e)* en by of so naby moontlik aan die plek waar die verkoping werklik gaan plaasvind, 'n inklusiewe bedrag van **[R53,50]** R57,00 en reiskoste soos in item *4(a)* bedoel;

(xiii) vir oorweging van die verkoopsvoorwaardes deur die vonnisskuldeiser voorberei; vir verdere oorweging of gewysigde verkoopsvoorwaardes deur belangstellende party ingedien: **[R124,50]** R134,00 vir elke bywoning;

(xiv) vir alle nodige bywonings voorgeskryf by enige wetsbepalings wat met veilings verband hou, in die besonder die 'Consumer Protection Act', 2008 (Wet No. 68 van 2008): **[R374,00]** R401,00;

(xv) vir die hou van 'n veiling, behalwe dat hierdie gelde nie gehef kan word nie indien kommissie ingevolge items 2*(d)*(xvi) en (xvii) geëis word nie: **[R247,50]** R266,00;

(xvi) by die verkoop van onroerende goed deur die balju as afslaer, 6 persent op die eerste R100 000.00, 3.5 persent op R100 001.00 tot R400 000.00 en 1.5 persent op die saldo van die opbrengs van die verkoping, behoudens 'n maksimum van R3 000.00 (insluitend alle gevalle van die balju se bankkoste en ander uitgawes aangegaan in die betaling van die opbrengs in sy of haar trustrekening), welke kommissie deur die koper betaal sal word;

(xvii) indien 'n afslaer gebruik word soos in reël 43(1) voor voorsiening gemaak, 3 persent op die eerste R100 000.00, 2 persent op R100 001.00 tot R400 000.00 en 1 persent op die balans daarvan, behoudens 'n maksimum kommissie van R22 850.00, in totaal, en 'n minimum van R3 000,00 (insluitend alle gevalle van die balju se bankkoste en ander uitgawes aangegaan in die betaal van die opbrengs in sy of haar trustrekening), welke kommissie deur die koper betaal sal word;

(xviii) vir skriftelike kennisgewing aan die koper wat versuim het om aan die verkoopsvoorwaardes te voldoen: **[R62,00]** R67,00;

(xix) vir enige verslag in reël 43(11) bedoel: **[R62,00]** R67,00;

(xx) vir verwittiging van vonnisskuldenaar van die kansellasie in reël 43(11)*(a)*(iii): **[R22,50]** R24,00;

(xxi) vir gee van kennis bedoel in reël 43(11)*(c)*: **[R22,50]** R24,00;

(xxii) vir gee van oordrag aan die koper **[R29,50]** R32,00;

(xxiii) vir ontvangs van sertifikaat bedoel in reël 43(14)*(a)*: **[R22,50]** R24,00;

(xxiv) vir voorbereiding van 'n plan vir die verspreiding van die opbrengs (met inbegrip van nodige afskrifte) en vir die aanstuur van 'n afskrif aan die registrateur: **[R124,50]** R134,00;

(xxv) vir kennisgewing aan alle partye wat lasbriewe ingedien het en aan die vonnisskuldenaar dat die distribusieplan ter insae sal lê, vir elke kennisgewing: **[R22,50]** R24,00;

(xxvi) vir die verslag in reël 43A(9)*(d)* bedoel: **[R62,00]** R67,00.

3. Opstel van enige opgawe ingevolge reël 8, in duplikaat: **[R22,00]** R24,00.

4. *(a)* Die balju word, benewens die gelde in items 1B*(a),* 1B*(b)*, 2*(a)* en 2*(b),* bedoel, maar onderworpe aan item 4*(b)* en *(c)*, 'n reistoelaag gegee van **[R6,00]** R7,50 per kilometer, of deel daarvan, vir die kortste moontlike heen- en terugreis van die kantoor van die balju na die plek van betekening of tenuitvoerlegging en terug.

(b) Die reistoelaag in items 4*(a)*, 5*(a)* en 5*(c)*(i) genoem, word bereken op die afstand gereken van die kantoor van die balju af indien-

(i) die balju se kantoor binne die regsgebied deur die Minister aan die balju toegewys, geleë is; en

(ii) die afstand van die balju se kantoor minder is as die afstand bereken van die hofgebou naaste aan die adres vir betekening.

(c) Indien nie aan die vereiste in item 4*(b)* voldoen word nie, word die reistoelaag genoem in items 4*(a)*, 5*(a)* en 5*(c)*(i) bereken op die afstand gereken van die hofgebou naaste aan die adres vir betekening.

5. *(a)* Ten opsigte van die verrigting van enige ander amptelike plig as dié in items 1 en 2 vermeld, maar onderworpe aan item 4*(b)* en *(c),* is ’n reistoelae van R7,50 per kilometer vir elke kilometer, of deel daarvan, aan die balju betaalbaar vir die heen- en terugreis.

(b) ’n Reistoelaag sluit die uitgawes aangegaan om te reis, in, met inbegrip van treinkaartjies.

(c) ’n Reistoelaag word bereken ten opsigte van elke onderskeie betekening, behalwe dat -

(i) waar meer as een betekening in die loop van dieselfde reis gedoen kan word, kan die afstand van die balju se kantoor na die eerste plek van betekening slegs een keer in berekening geneem word, en word gelyk toegeken aan die onderskeie betekenings, en die afstand vanaf die eerste plek van betekening na die oorblywende plekke van betekening word insgelyks gelyk toegeken aan die oorblywende betekenings; en

(ii) waar betekening van dieselfde prosesstuk deur ’n balju aan meer as een persoon by dieselfde adres van betekening gedoen moet word, word slegs een heffing vir reis toegelaat.

(d) Wanneer die balju enigiemand onder arres moet vervoer, word ’n toelaag van R7,50 per kilometer ten opsigte van daardie deel van sy of haar reis waarop hy of sy noodsaaklikerwys deur daardie persoon vergesel is, toegelaat.

6. *(a)* Maak van ’n inventaris, met inbegrip van die maak van alle nodige afdrukke en tyd op voorraadopname spandeer: **[R45,00]** R48,00.

(b) Vir bystand, indien nodig, met die maak van ’n inventaris, **[R45,00]** R48,00 per halfuur of deel daarvan.

(c) Vir die bywonings in reël 41(11) bedoel: R52,50.

7. Die bestudering, opstel en invul van ’n borgakte, ’n borgstellingsakte of skadeloosstellingsakte: **[R13,50]** R14,50.

8. Beheer of bewaring van eiendom (geld uitgesluit):

(a) (i) Vir elke beampte noodsaaklikerwys in besit gelaat, ’n redelike allesinsluitende bedrag van hoogstens **[R155,00]** R166,00 per dag.

(ii) Reistoelaes, om losies elke keer in te sluit.

(b) Indien op lewende hawe beslag gelê word, word slegs die noodsaaklike uitgawes om die lewende hawe op te pas en te preserveer, toegelaat.

(c) Indien die goedere verwyder en gestoor word, word slegs die koste van verwydering en stoor toegelaat.

9. *(a)* **'besit'** beteken werklike fisieke besit deur ’n persoon in diens van en betaal deur die balju, wie se enigste werk vir die tyd en wyl is om op die perseel te bly waar die goedere op beslag gelê gelê is, en wat, in werklikheid, in besit bly vir die tydperk waarvoor besit gehou word.

(b) **'koste van verwydering'** beteken die bedrag werklik en noodsaaklikerwys uitbetaal vir verwydering of gepoogde verwydering as die goedere deur ’n derde party verwyder is of ’n poging aangewend is om hulle te verwyder, indien dit deur die balju self verwyder is, sodanige

bedrag wat billik toelaatbaar sal wees in die gewone loop van sake indien die goedere deur ’n derde party verwyder is, of ’n poging aangewend is om dit aldus te verwyder.

(c) **'koste van berging'** die bedrag werklik en noodsaaklikerwys betaal vir berging indien die goedere deur ’n derde persoon geberg is of, indien die balju die berging voorsien het, sodanige bedrag wat billik toelaatbaar sal wees in die gewone loop van sake indien die goedere by ’n derde persoon geberg is.

10. *(a)* (i) Waar ’n beslagleggingsorder ten volle, of gedeeltelik, aan die balju betaal word, 9 persent op die bedrag aldus betaal, met minimum gelde van **[R83,50]** R90,00 en ’n maksimum van **[R820,50]** R880,00.

(ii) Vir die tenuitvoerlegging van enige lasbrief teen roerende goed—

(aa) wanneer ’n lasbrief ten volle of gedeeltelik betaal word by voorlegging aan die balju, 9 persent op die aldus betaalde bedrag met minimum gelde van **[R83,50]** R90,00, en ’n maksimum van **[R820,50]** R880,00;

(bb) wanneer ’n lasbrief ten volle of gedeeltelik aan die balju betaal word ná beslaglegging of voor verkoping, 9 persent op die aldus betaalde bedrag met minimum gelde van **[R83,50]** R90,00 en ’n maksimum van **[R820,50]** R880,00; of

(cc) wanneer gelde in uitwinning geneem word, 9 persent van die aldus betaalde bedrag, maar onderworpe aan ’n maksimum van**[R820,50]** R880,00.

(b) Kennisgewing van beslaglegging aan die verweerder en aan elke persoon wat in kennis gestel moet word: **[R13,50]** R14,00;

11. Waar eiendom van beslaglegging vrygestel word ingevolge reël 41(7)*(f)*(i), of die uitwinningslasbrief word ingetrek of opgeskort, of die vonnisskuldenaar se boedel word na die beslaglegging gesekwestreer, maar voor die verkoping, 2.3 persent van die waarde van die goedere waarop beslag gelê is, behoudens ’n maksimum van **[R247,50]** R266,00: Met dien verstande dat indien ’n verkoping daarna plaasvind na aanleiding van die voormelde beslaglegging, word die aldus betaalde bedrag afgetrek van die kommissie kragtens item 12 betaalbaar.

12. Waar die uitwinningslasbrief teen roerende goed by verkoping afgehandel word, 9 persent van die eerste R15 000.00 of deel daarvan, en daarna 6 persent, met ’n maksimum van **[R10 923,50]** R11 721,00.

13. Vir die versekering van eiendom waarop beslag gelê is, en by skriftelike opdrag van die vonnisskuldeiser aan die balju, benewens die premie wat betaal moet woord, ’n allesinsluitende bedrag van **[R45,00]** R48,00.

14. ...

15. Wanneer vir uitwinning op onroerende goed beslag gelê word en die beslaglegging verstryk, soos in artikel 66(4) van die Wet bedoel: **[R75,50]** R81,00.

16. ……

17. Benewens die gelde deur items 10 tot 13 toegelaat, beide ingesluit, word toegeken -

(a) die bedrag werklik en redelik deur die balju of die afslaer betaal vir die druk, adverteer en gee van publisiteit aan enige verkoping of voorgenome verkoping in uitwinning.

18. Waar die balju kragtens meer as een uitwinningslasbrief in besit is, kan hy of sy gelde vra vir slegs een besit, en sodanige besit word, sover moontlik, gelyk toegedeel aan die verskillende lasbriewe in dieselfde tydperk uitgereik: Met dien verstande dat elke

uitwinningsskuldeiser gesamentlik en apart aanspreeklik is vir sodanige besit tot ’n bedrag van nie meer nie as wat kragtens sy of haar uitwinning betaalbaar sou wees indien dit alleen gestaan het.

19. Gelde betaalbaar op die waarde van die goedere waarop beslag gelê is of op die opbrengs van die verkoping van goedere in uitwinning is nie hefbaar op sodanige waarde of opbrengs vir sover dit die bedrag van die lasbrief oorskry.

20. Die gelde en uitgawes van die balju in uitwinning van ’n beslagleggingsorder word bygevoeg by die bedrag wat kragtens die order verhaal staan te word, en is hefbaar teen die vonnisskuldenaar.

21. Indien dit vir die balju nodig is om ’n dokument wat deur hom of haar ontvang is vir betekening of uitwinning na die opdraggewer terug te stuur omdat—

(a) die adres van betekening wat op die prosesstuk verskyn nie in sy of haar regsgebied is nie; of

(b) die opdraggewer versoek het, voor ’n gepoogde betekening of tenuitvoerlegging van die prosesstuk, dat dit aan hom of haar terugbesorg word,

is ’n bedrag van **[R13,50]** R14,00 betaalbaar.

22. Vir die vervoer van enige persoon deur die balju in hegtenis geneem of in sy of haar bewaring geplaas van die plek van bewaring aan die hof op ’n dag wat volg op die dag van inhegtenisname: **[R45,00]** R48,00 per reis en **[R84,00]** R90,00, of deel daarvan, vir bywoning van die hof.

23. Vir die bestudering van aangeduide koerante en die *Staatskoerant* waarin die verkopingskennisgewing gepubliseer is, soos bedoel in reël 41(8)*(c)*: **[R13,50]** R14,00.

24. ...

25. Vir die aanheg van ’n afskrif van die verkopingskennisgewing op die kennisgewingbord of deur van die hofgebou of ander openbare gebou en by of so naby as moontlik aan die plek waar die genoemde verkoping werklik gaan plaasvind bedoel in reël 41(8)*(b)*: **[R30,50]** R33,00 en reiskoste, in item 5*(a)* bedoel.

26. Vir die opstel en uitreiking van ’n tussenpleitdagvaarding in Landdroshofreël 44 bedoel: **[R228,00]** R245,00.

27. Benewens die gelde in hierdie Tabel voorgeskryf, is die balju geregtig op die bedrag werklik uitbetaal vir posgeld en telefoonoproepe.

28. Vir die skryf van elke nodige brief, faks of e-pos, met uitsondering van formele briewe wat prosesstukke of relase vergesel: **[R22,50]** R24,00.

29. Elke nodige bywoning per telefoon: **[R20,00]** R21,50.

30. Stuur en ontvangs van elke nodige faks of e-pos per bladsy (benewens telefoonkoste): **[R8,50]** R9,00.

31. ……

32. Vir die maak van alle nodige afskrifte van dokumente: **[R6,50]** R7,00, per A4-grootte bladsy.

33. *(a)* ’n Versoek om ’n rekening van ’n balju te takseer, moet binne 90 dae na die datum waarop die rekening waarvan die gelde betwis word, gelewer is, gedoen word.

CONTINUES ON PAGE 130 OF BOOK 2

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette **No. 11724** *Regulasiekoerant*

Vol. 710 **16 August / Augustus 2024** **No. 51056**

PART 2 OF 2

ISSN 1682-5845

9 771682 584003 51056

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

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(b) Vir die opstel van die rekening vir taksasie en bywoning van die taksasie deur die balju: **[R84,00]** R90,00.

34. Bankkoste: Werklike koste aangegaan in verband met bankkoste en tjekvorms.

35. *(a)* Opstel van kennisgewing aan die vonnisskuldenaar ingevolge artikel 65A(8)*(b)* van die Wet: **[R22,50]** R24,00.

(b) Betekening van die kennisgewing in paragraaf *(a)* bedoel: Tarief soos in item 1B*(a)* voorgeskryf.

(c) Gepoogde betekening van die kennisgewing in paragraaf *(a)* bedoel: Tarief soos in item 1B*(b)* bedoel.

(d) Die tarief, soos in item 4 voorgeskryf, is op paragrawe *(b)* en *(c)* van toepassing.

36. *(a)* Vir die inhegtenisname of gepoogde inhegtenisname van 'n vonnisskuldenaar ingevolge artikel 65A(6) van die Wet:

(i) Die tarief soos in item 2*(a)* of item 2*(b)*, na gelang van die geval, voorgeskryf.

(ii) Die tarief, soos in item 4 voorgeskryf, is op hierdie item van toepassing.

(b) Vir die oorhandiging van die vonnisskuldenaar aan die Suid-Afrikaanse Polisiediens, gevangenevriend of hofklerk of ander wettige plek van aanhouding:

(i) Die tarief, soos in item 2*(a)* voorgeskryf.

(ii) Reiskoste van plek van arres na plek van oorhandiging aan die tersaaklike owerheid, in paragraaf *(b)* bedoel, per kilometer of deel daarvan: **[R6,00]** R7,50.

(iii) Wagtyd rakende oorhandiging van die vonnisskuldenaar aan die tersaaklike owerheid, in paragraaf *(b)* bedoel: **[R45,00]** R48,00, per halfuur of deel daarvan, met 'n maksimum van **[R164,50]** R177,00.".

Inwerkingtreding

6. Hierdie reëls en vorms tree in werking op **20 September 2024**.

AANHANGSEL

"**No. 24 - Dagvaarding**

***Vir gebruik in die Distrikshof**

In die Landdroshof vir die distrik van .....
gehou te ..... Saak no. ..... van 20….....

In die aangeleentheid tussen
……..... Eiser
en
……..... Verweerder

Aan: die balju of adjunkbalju:

STEL:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(Vermeld name, beroep en besigheids- of woonplek van elke getuie)

(1) in kennis dat **[elkeen van hulle]** hierby van elkeen van hulle vereis word om in persoon voor hierdie hof te verskyn by hofnommer..... op die ..... dag van ....., 20....., om ..... (tyd) **[in die bogenoemde aksie]** en om daarna teenwoordig te bly tot die hof hom of haar verskoon, ten einde getuienis te gee of om **[boeke, papiere of dokumente]** enige dokument of ding oor te lê namens die **[.....]** bogenoemde Eiser/Verweerder en, waar **[(Waar vereis word dat dokumente]** enige dokument of ding oorgelê moet word, **[voeg by:) en]** om die **[aktes, dokumente, boeke, geskrifte, bandopnames, elektroniese, digitale of ander vorm van opnames (hierna "dokumente" genoem)]** die dokument of goed in die lys hieronder gespesifiseer **[saam met elkeen van hulle]** te bring en dan aan die hof oor te lê**[.]**;

[Betaling] (2) dat betaling van die getuiegelde vir **[getuies]** elkeen van hulle soos bepaal en toegelaat kragtens artikel 51*bis* van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), soos gewysig, **[word]** hierby deur die Eiser/Verweerder aangebied word; en**[.]**

(3) verder elkeen van die vermelde persone van die volgende inlig:

(a) Indien enige persoon wat behoorlik gedagvaar is om getuienis te lewer of om enige **[boeke, papiere of dokumente]** dokument of ding in sy of haar

besit of onder sy of haar beheer oor te lê wat die party wat die getuie(s) se teenwoordigheid verlang in getuienis wil wys, sonder wettige verskoning, versuim om teenwoordig te wees of om getuienis te lewer of om daardie **[boeke, papiere of dokumente]** dokument of ding ooreenkomstig die dagvaarding oor te lê of, tensy behoorlik verskoon, versuim om deur die loop van die verhoor teenwoordig te bly, kan die hof, indien oortuig onder eed of deur die relaas van die boodskapper dat sodanige persoon behoorlik gedagvaar is en dat sodanige persoon se redelike uitgawes, ooreenkomstig die tarief voorgeskryf kragtens artikel 51*bis* bereken, aan sodanige persoon betaal of aangebied is, 'n boete van hoogstens R300,00 aan sodanige persoon oplê en by gebreke aan betaling, gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(b) **[Indien op privilegie ten opsigte van enige dokument of ding aanspraak gemaak word, word die party wat die getuiedagvaarding laat uitreik het binne vyf dae van ontvangs van die getuiedagvaarding ingelig van die aard van die privilegie waarop aanspraak gemaak word; en]**(i) By die aanhoor van die saak, kan die vermelde persoon aanspraak maak op privilegie wanneer hy of sy geroep word om getuienis te lewer, ten opsigte van die getuienis wat aangebied staan te word of die dokument of ding wat verstrek staan te word, maar sodanige dokument of ding wat hierin gelys word, moet na die Hof gebring word en moet in daardie persoon se besit wees hangende die vasstelling van enige aanspraak op privilegie.

(ii) Sodanige persoon of persone kan afstand doen van privilegie, maar indien die persoon voornemens is om op privilegie aanspraak te maak ten opsigte van die verstrekking van enige dokument of ding, moet die vermelde persoon die party wat die dagvaarding laat uitreik het, so gou as moontlik voor die verhoordatum, inlig van die aard van privilegie waarop aanspraak gemaak word.

(c) Sodanige persoon is geregtig daarop dat die dokument of ding ná insae, **[of]** die maak van afskrifte of neem van foto's daarvan deur die partye, aan hom of haar terugbesorg word.

Gedateer te …….. op hede die …… dag van …….. 20….....

.....
Klerk van die Hof
.....
Eiser/Verweerder/Prokureur"

LYS VAN DOKUMENTE OF GOED WAT OORGELÊ MOET WORD

Datum	Beskrywing	Oorspronklike of afskrif
.....	.....	.....
.....	.....	.....

…….....

(Sien rugkant.)
[Druk op rugkant, paragrawe *(a)* en *(b)* van artikel 51(2) van die Wet]

No. 24 - Dagvaarding

***Vir gebruik in die Streekhof**

In die Streekhof vir die Streekafdeling van .....
gehou te ..... Saakno. ..... van 20….....

In die aangeleentheid tussen
……..... Eiser
en
……..... Verweerder

Aan: die balju of adjunkbalju:

STEL:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....
(Stel name, beroep en besigheids- of woonplek van elke getuie)
(1) in kennis dat **[elkeen van hulle]** hierby van elkeen van hulle vereis word om in persoon voor hierdie hof te verskyn by hofnommer..... op die ..... dag van ....., 20....., om ..... (tyd) **[in die bogenoemde aksie]** en om daarna in bywoning te bly tot die hof hom of haar verskoon, ten einde getuienis te gee of om **[boeke, papiere of dokumente]** enige dokument of ding oor te lê namens die **[.....]** bogenoemde Eiser/Verweerder en, waar **[(Waar vereis word dat dokumente]** enige dokument of ding oorgelê moet word, **[voeg by:) en]** om die **[aktes, dokumente, boeke, geskrifte, bandopnames, elektroniese, digitale of ander vorm van opnames (hierna "dokumente" genoem)]** dokument of ding in die lys hieronder gespesifiseer **[saam met elkeen van hulle]** te bring en dan aan die hof oor te lê[.];

[Betaling] (2) dat betaling van die getuiegelde vir **[getuies]** elkeen van hulle soos bepaal en toegelaat kragtens artikel 51*bis* van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), soos gewysig, **[word**] hierby deur die Eiser/Verweerder aangebied word; en**[.]**

(3) verder elkeen van die vermelde persone van die volgende inlig:

(a) Indien enige persoon wat behoorlik gedagvaar is om getuienis te lewer of om enige **[boeke, papiere of dokumente]** dokument of ding in sy of haar besit of onder sy of haar beheer oor te lê wat die party wat die getuie(s) se teenwoordigheid verlang, in getuienis wil wys, sonder ’n wettige verskoning versuim om teenwoordig te wees of om getuienis te lewer of om daardie **[boeke, papiere of dokumente]**

dokument of ding ooreenkomstig die dagvaarding oor te lê of, tensy behoorlik verskoon, versuim om deur die loop van die verhoor teenwoordig te bly, kan die hof, indien oortuig onder eed of deur die relaas van die boodskapper dat sodanige persoon behoorlik gedagvaar is en dat sodanige persoon se redelike uitgawes, ooreenkomstig die tarief voorgeskryf kragtens artikel 51*bis* bereken, aan sodanige persoon betaal of aangebied is, 'n boete van hoogstens R300,00 aan sodanige persoon oplê en by gebreke aan betaling, gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(b) **[Indien op privilegie ten opsigte van enige dokument of ding aanspraak gemaak word, word die party wat die getuiedagvaarding laat uitreik het binne vyf dae van ontvangs van die getuiedagvaarding ingelig van die aard van die privilegie waarop aanspraak gemaak word; en]**(i) By die aanhoor van die saak, kan die vermelde persoon aanspraak maak op privilegie wanneer hy of sy geroep word om getuienis te lewer ten opsigte van die getuienis wat aangebied staan te word of die dokument of ding wat verstrek staan te word, maar sodanige dokument of ding wat hierin gelys word, moet na die Hof gebring word en moet in daardie persoon se besit wees hangende die vasstelling van enige aanspraak op privilegie.

(ii) Daardie persoon of persone kan afstand doen van privilegie, maar indien die persoon voornemens is om op privilegie aanspraak te maak ten opsigte van die verstrekking van enige dokument of ding, moet die vermelde persoon die party wat die dagvaarding laat uitreik het, so gou as moontlik voor die verhoordatum, inlig van die aard van privilegie waarop aanspraak gemaak word.

(c) Sodanige persoon is geregtig daarop dat die dokument of ding ná die insae, **[of]** die maak van afskrifte of neem van foto's daarvan deur die partye, aan hom of haar terugbesorg word.

Gedateer te …….. op hede die …… dag van …….. 20…....

.....
Griffier van die Hof
.....
Eiser/Verweerder/Prokureur"

LYS VAN DOKUMENTE OF GOED WAT OORGELÊ MOET WORD

Datum	Beskrywing	Oorspronklike of afskrif
.....		
.....		
.....		

…….....

(Sien rugkant.)
[Druk op rugkant, paragrawe *(a)* en *(b)* van artikel 51(2) van die Wet]”

"**No. 24A – Subpoena *duces tecum***

***Vir gebruik in die Distrikshof**

In die Landdroshof vir die distrik van .....
gehou te ..... Saakno. ..... van 20…….....

In die aangeleentheid tussen
……..... Eiser
en
……..... Verweerder

Aan: die balju of adjunkbalju:

STEL:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(Vermeld naam, **[geslag,]** beroep en besigheids- of woonplek van elke getuie)

(1) dat elkeen van daardie persone binne 10 dae vanaf ontvangs van hierdie dagvaarding, by die klerk van die genoemde hof die dokumente hieronder vermeld (beskryf elke dokument wat beskikbaar gestel moet word akkuraat) moet indien of die klerk verwittig waar die **[(beskryf]** die voorwerp wat hieronder vermeld word en wat verstrek moet word**[)]**:

(1) .....

(2) .....

(3) .....

(4) .....

gevind kan word, tensy daardie persoon aanspraak maak op privilegie ten opsigte van enige dokument of voorwerp; en

(2) **[EN]** STEL elk van die genoemde persone **[verder]** in kennis van die volgende**:**

(a) Indien enige persoon wat behoorlik gedagvaar is om getuienis te lewer of om enige **[boeke, papiere of dokumente]** dokument of ding in sy of haar

besit of onder sy of haar beheer oor te lê wat die party wat die getuie(s) se teenwoordigheid verlang in getuienis wil wys, sonder wettige verskoning, versuim om teenwoordig te wees of om getuienis te lewer of om daardie **[boeke, papiere of dokumente]** dokument of ding ooreenkomstig die dagvaarding oor te lê of, tensy behoorlik verskoon, versuim om deur die loop van die verhoor teenwoordig te bly, kan die hof, indien oortuig onder eed of deur die relaas van die boodskapper dat sodanige persoon behoorlik gedagvaar is en dat sodanige persoon se redelike uitgawes, ooreenkomstig die tarief voorgeskryf kragtens artikel 51*bis* bereken, aan sodanige persoon betaal of aangebied is, 'n boete van hoogstens R300,00 aan sodanige persoon oplê en by gebreke aan betaling, gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(b) **[Indien]** Sodanige persoon kan privilegie van die hand wys, maar, indien op privilegie aanspraak gemaak word ten opsigte van enige dokument of voorwerp, word die party wat die dagvaarding laat uitreik het binne vyf dae vanaf ontvangs van die dagvaarding in kennis gestel van die aard van die privilegie waarop aanspraak gemaak word**[; en]**

(c) Sodanige persoon is geregtig daarop dat die dokument of ding ná die insae**,** **[of]** die maak van afskrifte of neem van foto's daarvan deur die partye, aan hom of haar terugbesorg word.

Gedateer te …….. op hede die …… dag van …….. 20….....

.....
Klerk van die Hof

.....
Eiser/Verweerder/Prokureur

No. 24A – Subpoena *duces tecum*

***Vir gebruik in die Streekhof**

In die Streekhof vir die Streekafdeling van .....
gehou te ..... Saakno. ..... van 20….....

In die aangeleentheid tussen
……..... Eiser
en
……..... Verweerder

Aan: die balju of adjunkbalju:

STEL:

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

(Vermeld naam, **[geslag,]** beroep en besigheids- of woonplek van elke getuie)

(1) in kenns dat elkeen van daardie persone binne 10 dae vanaf ontvangs van hierdie dagvaarding, by die griffier van die genoemde hof die dokumente wat hieronder vermeld word (beskryf elke dokument wat beskikbaar gestel moet word akkuraat) moet indien of die griffier verwittig waar die **[(beskryf]** voorwerp wat hieronder vermeld word en wat verstrek moet word[)]:

(1) .....

(2) .....

(3) .....

(4) .....

gevind kan word, tensy daardie persoon aanspraak maak op privilegie ten opsigte van enige dokument of voorwerp.

(2) **[EN]** STEL elk van die genoemde persone **[verder]** in kennis van die volgende:

(a) Indien enige persoon wat behoorlik gedagvaar is om getuienis te lewer of om enige **[boeke, papiere of dokumente]** dokument of ding in sy of haar besit of onder sy of haar beheer oor te lê wat die party wat die getuie(s) se teenwoordigheid verlang in getuienis wil wys, sonder wettige verskoning, versuim om teenwoordig te wees of om getuienis te lewer of om daardie **[boeke, papiere of dokumente]** dokument of ding ooreenkomstig die dagvaarding oor te lê of, tensy behoorlik verskoon, versuim om deur die loop van die verhoor teenwoordig te bly, kan die hof, indien oortuig onder eed of deur die relaas van die boodskapper dat sodanige persoon behoorlik gedagvaar is en dat sodanige persoon se redelike uitgawes, ooreenkomstig die tarief voorgeskryf kragtens artikel 51*bis* bereken, aan sodanige persoon betaal of aangebied is, 'n boete van hoogstens R300,00 aan sodanige persoon oplê en by gebreke aan betaling, gevangenisstraf vir 'n tydperk van hoogstens drie maande.

(b) **[Indien]** Sodanige persoon kan afstand doen van privilegie maar, indien op privilegie aanspraak gemaak word ten opsigte van enige dokument of voorwerp, word die party wat die dagvaarding laat uitreik het binne vyf dae vanaf ontvangs van die dagvaarding in kennis gestel van die aard van die privilegie waarop aanspraak gemaak word**[; en]**.

(c) Sodanige persoon is geregtig daarop dat die dokument of ding ná die insae**,** **[of]** die maak van afskrifte of neem van foto's daarvan deur die partye, aan hom of haar terugbesorg word.

Gedateer te …….. op hede die …… dag van …….. 20….....

Griffier van die Hof

.....
Eiser/Verweerder/Prokureur"

"**No. 33A - Verkoopsvoorwaardes by uitwinning van onroerende goed**

***Vir gebruik in die Distrikshof**

Insake:

.....Vonnisskuldeiser

en

..... Vonnisskuldenaar

Die onroerende eiendom (hierna die 'eiendom' genoem) wat te koop aangebied sal word op die ……. dag van…….. 20 ……., bestaan uit:
.....

Die verkoping sal volgens die volgende voorwaardes gehou word:

1. Die verkoping word ooreenkomstig die bepalings van reël 43 van die Landdroshofreëls en alle ander toepaslike wetsbepalings gehou.

2. Die eiendom word verkoop deur die balju van ..... of ..... XYZ-afslaers te..... om ..... aan die hoogste bieder sonder ’n reserweprys/onderhewig aan ’n reserweprys van.....

3. Die verkoping geskied in rande en geen bod van minder as eenduisend rand sal aanvaar word nie.

4. Indien 'n geskil oor 'n bod ontstaan, kan die eiendom weer vir verkoping aangebied word.

5.

(a) Indien die balju/afslaer 'n fout by die verkoping maak, is so 'n fout nie op enige van die partye bindend nie, maar kan reggestel word.

(b) Indien die balju/afslaer vermoed dat 'n bieder nie in staat is om of die deposito wat in voorwaarde 7 genoem word of die balans van die koopprys te betaal nie, kan die balju/afslaer weier om die bod van so 'n bieder te aanvaar of kan hy of sy dit voorwaardelik aanvaar totdat die bieder die balju oortuig dat die beider in staat is om die deposito en die balans van die koopprys te betaal.

(c) By die weiering van 'n bod in die omstandighede in paragraaf *(b)* bedoel, kan die eiendom onmiddellik weer vir verkoping aangebied word.

6.

(a) Die koper moet, so gou as moontlik na die verkoping en onmiddellik

wanneer die balju/afslaer dit versoek, hierdie voorwaardes onderteken.

(b) Indien die koper as verteenwoordiger koop, moet die koper die naam van die prinsipaal of persoon namens wie die eiendom gekoop word, bekendmaak.

7.

(a) Die koper moet 'n deposito van 10 per sent van die koopprys kontant of per bankgewaarborgde tjek op die dag van die verkoping aan die balju betaal.

(b) Die balans word teen transport betaal en verseker deur 'n waarborg uitgereik deur 'n finansiële instelling wat deur die vonnisskuldeiser of sy of haar prokureur goedgekeur is, en die waarborg moet binne ..... dae na die datum van die verkoping aan die balju verstrek word.

8.

(a) As die koper versuim om enige verpligting van die koper ingevolge die verkoopsvoorwaardes na te kom, kan die koop summier deur 'n regter op grond van 'n verslag van die balju en na behoorlike kennisgewing aan die koper, gekanselleer word en die eiendom kan weer te koop aangebied word.

(b) Indien die omstandighede in paragraaf *(a)* voorkom, is die koper aanspreeklik vir verliese gely vanweë sodanige versuim en dit kan op aansoek van 'n benadeelde skuldeiser in subparagrawe (i) en (ii) van Reël 43(14)*(c)* bedoel, van die koper verhaal word kragtens vonnis van 'n landdros wat op grond van 'n skriftelike verslag van die balju gegee word nadat die koper skriftelik in kennis gestel is dat so 'n verslag vir daardie doel voor die landdros gelê sal word.

(c) As die koper reeds in besit van die eiendom is, kan die balju met sewe dae kennisgewing by 'n landdros 'n bevel kry wat die koper of iemand wat voorgee die eiendom deur die koper te okkupeer of die eiendom andersins okkupeer, uitsit.

9.

(a) Die koper moet onmiddellik op aandrang die balju/afslaer se kommissie betaal, wat soos volg bereken word:
.....;

(b) Die koper is aanspreeklik om, binne 10 dae nadat die koper deur die aangestelde aktebesorger versoek is om dit te doen, die volgende te betaal:

(i) Alle bedrae verskuldig aan die munisipaliteit wat die eiendom bedien, ingevolge die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000), vir munisipale diensgelde, ekstra betalings op gelde, eiendombelasting en ander munisipale belastings, heffings en regte wat aan 'n munisipaliteit verskuldig kan wees, en waar van toepassing.

(ii) Alle heffings verskuldig aan 'n regspersoon ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986) of bedrae verskuldig aan 'n

huiseienaars- of ander vereniging wat dienste aan die eiendom lewer.

(iii) Die koste van transport, met inbegrip van aktebesorgingsgeld, hereregte en enige ander bedrag nodig vir die oordrag van transport na die koper.

10.

(a) Die eiendom kan na ondertekening van verkoopsvoorwaardes, betaling van die deposito en wanneer die balans van die koopprys ingevolge voorwaarde 7*(b)* gewaarborg is, in besit geneem word.

(b) Indien die koper besit van die eiendom neem, is die koper aanspreeklik vir okkupasiehuur teen die koers van R ..... per maand van ..... tot datum van transport.

(c) Wanneer die koper besit neem, is die eiendom op die risiko en tot voordeel van die koper.

(d) Die vonnisskuldeiser en die balju gee geen waarborg dat die koper persoonlike en/of vakante okkupasie van die eiendom sal kan kry nie of dat die eiendom nie geokkupeer is nie.

11.

(a) Die koper is geregtig om onverwyld transport te kry by betaling van die hele koopprys en by voldoening aan voorwaarde 9, andersing sal transport gegee word eers nadat die koper voorwaardes 7 en 9 hiervan nagekom het.

(b) Indien die transport deur die koper vertraag word, is die koper aanspreeklik vir rente teen die koers van ..... persent per jaar op die koopprys.

12.

(a) Die balju kan eis dat enige verbetering op die verkoopte eiendom onmiddellik deur die koper vir die volle waarde daarvan verassureer word, bewys van assuransie aan die balju gegee word en sodanige assuransiepolis van krag gehou word totdat transport geregistreer is.

(b) Sou die koper versuim om aan die verpligtinge in paragraaf *(a)* te voldoen, kan die balju die nodige assuransie uitneem en die koste van daardie assuransie sal op die koper se koste wees.

13.

(a) Die eiendom word verkoop soos deur die titelaktes en kaart of deelplan voorgestel, behoudens alle serwitute en voorwaardes van vestiging, watter ook al op die eiendom van toepassing is.

(b) Die balju/afslaer is nie aanspreeklik vir enige tekort wat op die eiendom gevind mag word nie.

14. Die vonnisskuldeiser stel 'n aktebesorger aan om die transport van die eiendom na die

koper te behartig: Met dien verstande dat die balju geregtig sal wees om 'n nuwe aktebesorger aan te stel sou die aktebesorger wat deur die vonnisskuldeiser aangestel is, nie betyds of bevredigend met die transport voortgaan nie.

Geteken te ……. op hede die …… dag van …….. 20…….

Ek sertifiseer hierby dat die voormelde eiendom vandag vir ..... aan ..... in my teenwoordigheid verkoop is: .....
……
……...
.....

.....
Balju/Afslaer

Ek, die ondergetekende,....., woonagtig te ..... in die distrik ..... verbind my hierby as koper van die voormelde eiendom om die koopprys te betaal en om al die bogenoemde voorwaardes na te kom.
.....
Koper

No. 33A - Verkoopsvoorwaardes by uitwinning van onroerende goed

***Vir gebruik in die Streekhof**

Insake:

.....Vonnisskuldeiser

en

..... Vonnisskuldenaar

Die onroerende eiendom (hierna die 'eiendom' genoem) wat te koop aangebied sal word op die ……. dag van…….. 20 …….., bestaan uit:
.....

Die verkoping sal volgens die volgende voorwaardes gehou word:

1. Die verkoping word ooreenkomstig die bepalings van reël 43 van die Landdroshofreëls en alle ander toepaslike wetsbepalings gehou.

2. Die eiendom word verkoop deur die balju van..... of ..... XYZ-afslaers te..... om ..... aan die hoogste bieder sonder ’n reserweprys/onderhewig aan ’n reserweprys van.....

3. Die verkoping geskied in rande en geen bod van minder as eenduisend rand sal aanvaar word nie.

4. Indien 'n geskil oor 'n bod ontstaan, kan die eiendom weer vir verkoping aangebied word.

5.
(a) Indien die balju/afslaer 'n fout by die verkoping maak, is so 'n fout nie op enige van die partye bindend nie, maar kan reggestel word.

(b) Indien die balju/afslaer vermoed dat 'n bieder nie in staat is om of die deposito wat in voorwaarde 7 genoem word of die balans van die koopprys te betaal nie, kan die balju/afslaer weier om die bod van so 'n bieder te aanvaar of kan hy of sy dit voorwaardelik aanvaar totdat die bieder die balju/afslaer oortuig dat die beider in staat is om die deposito en die balans van die koopprys te betaal.

(c) By die weiering van 'n bod in die omstandighede in paragraaf *(b)* bedoel, kan die eiendom onmiddellik weer vir verkoping aangebied word.

6.
(a) Die koper moet, so gou as moontlik na die verkoping en onmiddellik wanneer die

balju/afslaer dit versoek, hierdie voorwaardes onderteken.

(b) Indien die koper as verteenwoordiger koop, moet die koper die naam van die prinsipaal of persoon namens wie die eiendom gekoop word, bekendmaak.

7.

(a) Die koper moet 'n deposito van 10 per sent van die koopprys kontant of per elektroniese fondsoordrag op die dag van die verkoping aan die balju betaal.

(b) Die saldo word teen transport betaal en verseker deur 'n waarborg uitgereik deur 'n finansiële instelling deur die vonnisskuldeiser of sy of haar prokureur goedgekeur, en die waarborg moet binne ..... dae na die datum van die verkoping aan die balju verstrek word.

8.

(a) As die koper versuim om enige verpligting van die koper ingevolge die verkoopsvoorwaardes na te kom, kan die koop summier deur 'n regter op grond van 'n verslag van die balju en na behoorlike kennisgewing aan die koper, gekanselleer word en die eiendom kan weer te koop aangebied word.

(b) Indien die omstandighede in paragraaf *(a)* voorkom, is die koper aanspreeklik vir verliese gely vanweë sodanige versuim en dit kan op aansoek van 'n benadeelde skuldeiser in subparagrawe (i) en (ii) van Reël 43(14)*(c)* bedoel, van die koper verhaal word kragtens vonnis van 'n landdros wat op grond van 'n skriftelike verslag van die balju gegee word nadat die koper skriftelik in kennis gestel is dat so 'n verslag vir daardie doel voor die landdros gelê sal word.

(c) As die koper reeds in besit van die eiendom is, kan die balju met sewe dae kennisgewing by 'n landdros 'n bevel kry wat die koper of iemand wat voorgee die eiendom deur die koper te okkupeer of die eiendom andersins okkupeer, uitsit.

9.

(a) Die koper moet onmiddellik op aandrang die balju/afslaer se kommissie betaal, wat soos volg bereken word:
.....;

(b) Die koper is aanspreeklik om, binne 10 dae nadat die koper deur die aangestelde aktebesorger versoek is om dit te doen, die volgende te betaal:

(i) Alle bedrae verskuldig aan die munisipaliteit wat die eiendom bedien, ingevolge die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000), vir munisipale diensgelde, ekstra betalings op gelde, eiendombelasting en ander munisipale belastings, heffings en regte wat aan 'n munisipaliteit verskuldig kan wees, en waar van toepassing.

(ii) Alle heffings verskuldig aan 'n regspersoon ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986) of bedrae verskuldig aan 'n huiseienaars- of ander vereniging wat dienste aan die eiendom lewer.

(iii) Die koste van transport, met inbegrip van aktebesorgingsgeld, hereregte en enige ander bedrag nodig vir die oordrag van transport na die koper.

10.

(a) Die eiendom kan na ondertekening van verkoopsvoorwaardes, betaling van die deposito en wanneer die balans van die koopprys ingevolge voorwaarde 7*(b)* gewaarborg is, in besit geneem word.

(b) Indien die koper besit van die eiendom neem, is die koper aanspreeklik vir okkupasiehuur teen die koers van R ..... per maand van ..... tot datum van transport.

(c) Wanneer die koper besit neem, is die eiendom op die risiko en tot voordeel van die koper.

(d) Die vonnisskuldeiser en die balju gee geen waarborg dat die koper persoonlike en/of vakante okkupasie van die eiendom sal kan kry nie of dat die eiendom nie geokkupeer is nie.

11.

(a) Die koper is geregtig om onverwyld transport te kry by betaling van die hele koopprys en by voldoening aan voorwaarde 9, andersing sal transport gegee word eers nadat die koper voorwaardes 7 en 9 hiervan nagekom het.

(b) Indien die transport deur die koper vertraag word, is die koper aanspreeklik vir rente teen die koers van ..... persent per jaar op die koopprys.

12.

(a) Die balju kan eis dat enige verbetering op die verkoopte eiendom onmiddellik deur die koper vir die volle waarde daarvan verassureer word, bewys van assuransie aan die balju gegee word en sodanige assuransiepolis van krag gehou word totdat transport geregistreer is.

(b) Sou die koper versuim om aan die verpligtinge in paragraaf *(a)* te voldoen, kan die balju die nodige assuransie uitneem en die koste van daardie assuransie sal op die koper se koste wees.

13.

(a) Die eiendom word verkoop soos deur die titelaktes en kaart of deelplan voorgestel, behoudens alle serwitute en voorwaardes van vestiging, watter ook al op die eiendom van toepassing is.

(b) Die balju/afslaer is nie aanspreeklik vir enige tekort wat op die eiendom gevind mag word nie.

14. Die vonnisskuldeiser stel 'n aktebesorger aan om die transport van die eiendom na die koper te behartig: Met dien verstande dat die balju geregtig sal wees om 'n nuwe aktebesorger aan te stel sou die aktebesorger wat deur die vonnisskuldeiser aangestel is, nie betyds of bevredigend met die transport voortgaan nie.

Geteken te ……. op hede die …… dag van …….. 20……

Ek sertifiseer hierby dat die voormelde eiendom vandag vir ..... aan ..... in my teenwoordigheid verkoop is: .....
……
…….....
.....
Balju/Afslaer

Ek, die ondergetekende,....., woonagtig te ..... in die distrik ..... verbind my hierby as koper van die voormelde eiendom om die koopprys te betaal en om al die bogenoemde voorwaardes na te kom.

.....
Koper”

SOUTH AFRICAN REVENUE SERVICE

NO. R. 5128 **16 August 2024**

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1927)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
3926.90.89	1	-- Stemming plugs for mining and civil blast holes	kg	free	free	free	free	free	free

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1927)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die invoeging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
3926.90.89	1	- - Stingelproppe vir mynbou en siviele ontploffingsgate	kg	vry	vry	vry	vry	vry	vry

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1926)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
8708.22.10	7	- - - Front windscreens (windshields)	kg	30%	15%	20%	free	30%	30%
8708.22.90	5	- - - Other	kg	20%	15%	20%	free	20%	20%

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
8708.22		**- - Front windscreens (windshields), rear windows and other windows specified in Subheading Note 1 to this Chapter:**							

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1926)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die invoeging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
8708.22.10	7	- - - Voorruite (windskerms)	kg	30%	15%	20%	vry	30%	30%
8708.22.90	5	- - - Ander	kg	20%	15%	20%	vry	20%	20%

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
8708.22		**- - Voorruite (windskerms), agter venters en ander vensters in Subpos Opmerking 1 by hierdie Hoofstuk omskryf:**							

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 3 (NO. 3/1/757)

In terms of section 75 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the deletion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
316.17	00.00	01.00	09	Goods of any description (excluding mounted or populated circuit boards, picture tubes fitted with components other than the deflection coil and cabinets fitted with components and any apparatus classifiable in tariff heading 85.28), for the manufacturing of reception apparatus for television incorporating a cathode-ray tube (CRT) classifiable in tariff heading 528.72.20 and 8528.73.20, whether or not combined in the same housing with radio-broadcasting receivers or sound or video recording or reproducing apparatus	Full duty
316.17	00.00	02.00	04	Goods of any description (excluding mounted or populated circuit boards and display panels, irrespective of their degree of completion and any apparatus classifiable in heading 85.28), at such times, in such quantities and under such conditions as the International Trade Administration Commission may allow by specific permit, for the manufacture of reception apparatus for television incorporating a display other than a cathode-ray tube (CRT) classifiable in subheadings 8528.72.90 and 8528.73.90, whether or not combined in the same housing with radio-broadcasting receivers or sound or video recording or reproducing apparatus	Full duty
316.17	00.00	03.00	09	Goods of any description (excluding goods of heading 85.28 and mounted or populated circuit boards), used in the manufacture of reception apparatus for television not designed to incorporate a video display or screen, classifiable in tariff subheading 8528.71, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit	Full duty

By the insertion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
316.17	00.00	04.00	03	Goods of any description (excluding mounted or populated circuit boards, picture tubes fitted with components other than the deflection coil and cabinets fitted with components and any apparatus classifiable in tariff heading 85.28 and other electric conductors, for a voltage not exceeding 1 000 V, fitted with connectors classifiable in tariff subheading 8544.42), for the manufacturing of reception apparatus for television incorporating a cathode-ray tube (CRT) classifiable in tariff heading 8528.72.20 and 8528.73.20, whether or not combined in the same housing with radio-broadcasting receivers or sound or video recording or reproducing apparatus	Full duty

By the insertion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
316.17	00.00	05.00	08	Goods of any description (excluding mounted or populated circuit boards and display panels, irrespective of their degree of completion, any other apparatus classifiable in heading 85.28 and other electric conductors, for a voltage not exceeding 1 000 V, fitted with connectors classifiable in tariff subheading 8544.42), at such times, in such quantities and under such conditions as the International Trade Administration Commission may allow by specific permit, for the manufacture of reception apparatus for television incorporating a display other than a cathode-ray tube (CRT) classifiable in subheadings 8528.72.90 and 8528.73.90, whether or not combined in the same housing with radio-broadcasting receivers or sound or video recording or reproducing apparatus	Full duty
316.17	00.00	06.00	02	Goods of any description (excluding goods of heading 85.28, mounted or populated circuit boards and other electric conductors, for a voltage not exceeding 1 000 V, fitted with connectors classifiable in tariff subheading 8544.42), used in the manufacture of reception apparatus for television not designed to incorporate a video display or screen, classifiable in tariff subheading 8528.71, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit	Full duty

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 3 (NO. 3/1/757)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 3 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die skrapping van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
316.17	00.00	01.00	09	Goedere van enige beskrywing (uitgesonderd gemonteerde of opgeboude kringborde, beeldbuise wat, met uitsondering van die defleksieklos, met komponente toegerus is en kabinette met komponente toegerus en enige apparaat indeelbaar in tariefpos 85.28), vir die vervaardiging van ontvangstoestelle vir televisie wat 'n katodestraalbuis (KSB) inkorporeer indeelbaar in tariefpos 8528.72.20 en 8528.73.20, hetsy in dieselfde omhulsel met radio-ontvangstoestelle of klank- of video-opneemapparate of -weergee-apparate gekombineer al dan nie	Volle reg
316.17	00.00	02.00	04	Goedere van enige beskrywing (uitgesonderd gemonteerde of opgeboude kringborde en beeldbuise, ongeag van hulle graad van voltooiing en enige apparaat indeelbaar in pos 85.28), teen sodanige tye, in sodanige hoeveelhede and onder sodanige omstandighede as die Internasionale Handelsadminitrasiekommissie by bepaalde permit mag toelaat, vir die vervaardiging van ontvangsapparate vir televisie wat 'n vertoon anders as 'n katodestraalbuis (KSB) inkorporeer, indeelbaar in subposte 8528.72.90 en 8528.73.90, hetsy in dieselfde omhulsel met radio-ontvangstoestelle of klank- of video-opneemapparate of -weergee-apparate gekombineer al dan nie	Volle reg
316.17	00.00	03.00	09	Goedere van enige beskrywing (uitgesonderd goedere van pos 85.28 en gemonteerde of opgeboude kringborde), wat gebruik word in die vervaardiging van ontvangsapparate vir televisie nie ontwerp om 'n videovertoon of beeldskerm te inkorporeer nie, indeelbaar in tariefsubpos 8528.71, by sodanige tye, in sodanige hoeveelhede en onderworpe aan sodanige voorwaardes soos die Internasionale Handelsadministrasiekommissie deur 'n bepaalde permit mag toelaat	Volle reg

Deur die invoeging van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
316.17	00.00	04.00	03	Goedere van enige beskrywing (uitgesonderd gemonteerde of opgeboude kringborde, beeldbuise wat, met uitsondering van die defleksieklos, met komponente toegerus is en kabinette met komponente toegerus en enige apparaat indeelbaar in tariefpos 85.28 en ander elektriese geleiers, vir 'n spanning van hoogstens 1 000 V, met verbindingstukke toegerus indeelbaar in tariefsubpos 8544.42), vir die vervaardiging van ontvangstoestelle vir televisie wat 'n katodestraalbuis (KSB) inkorporeer indeelbaar in tariefpos 8528.72.20 en 8528.73.20, hetsy in dieselfde omhulsel met radio-ontvangstoestelle of klank- of video-opneemapparate of -weergee-apparate gekombineer al dan nie	Volle reg

Deur die invoeging van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
316.17	00.00	05.00	08	Goedere van enige beskrywing (uitgesonderd gemonteerde of opgeboude kringborde en beeldbuise, ongeag van hulle graad van voltooiing, enige ander apparaat indeelbaar in pos 85.28 en ander elektriese geleiers, vir 'n spanning van hoogstens 1 000 V, met verbindingstukke toegerus indeelbaar in tariefsubpos 8544.42), teen sodanige tye, in sodanige hoeveelhede and onder sodanige omstandighede as die Internasionale Handelsadminitrasiekommissie by bepaalde permit mag toelaat, vir die vervaardiging van ontvangsapparate vir televisie wat 'n vertoon anders as 'n katodestraalbuis (KSB) inkorporeer, indeelbaar in subposte 8528.72.90 en 8528.73.90, hetsy in dieselfde omhulsel met radio-ontvangstoestelle of klank- of video-opneemapparate of -weergee-apparate gekombineer al dan nie	Volle reg
316.17	00.00	06.00	02	Goedere van enige beskrywing (uitgesonderd gemonteerde of opgeboude kringborde en beeldbuise, ongeag van hulle graad van voltooiing en enige apparaat indeelbaar in pos 85.28 en ander elektriese geleiers, vir 'n spanning van hoogstens 1 000 V, met verbindingstukke toegerus indeelbaar in tariefsubpos 8544.42), teen sodanige tye, in sodanige hoeveelhede and onder sodanige omstandighede as die Internasionale Handelsadminitrasiekommissie by bepaalde permit mag toelaat, vir die vervaardiging van ontvangsapparate vir televisie wat 'n vertoon anders as 'n katodestraalbuis (KSB) inkorporeer, indeelbaar in subposte 8528.72.90 en 8528.73.90, hetsy in dieselfde omhulsel met radio-ontvangstoestelle of klank- of video-opneemapparate of -weergee-apparate gekombineer al dan nie	Volle reg

SOUTH AFRICAN REVENUE SERVICE

NO. R. 5131 **16 August 2024**

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1925)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the substitution of the following:

Heading / Subheading	CD	Article Description		Statistical Unit	Rate of Duty					
					General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
7215.10	7	-	Of free-cutting steel, not further worked than cold-formed or cold-finished	kg	10%	free	free	free	10%	free
7215.50	5	-	Other, not further worked than cold-formed or cold-finished	kg	10%	free	free	free	10%	free
7228.50	9	-	Other bars and rods, not further worked than cold-formed or cold-finished	kg	10%	free	free	free	10%	free

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1925)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
7215.10	7	- Van vrysnystaal, nie verder bewerk as koud vervorm of koud afgewerk nie	kg	10%	vry	vry	vry	10%	vry
7215.50	5	- Ander, nie verder bewerk as koud vervorm of koud afgewerk nie	kg	10%	vry	vry	vry	10%	vry
7228.50	9	- Ander stawe en stange, nie verder bewerk as koud gevorm of koud afgewerk nie	kg	10%	vry	vry	vry	10%	vry

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 4 (NO. 4/2/402)

In terms of section 75 of the Customs and Excise Act, 1964, Part 2 of Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the insertion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
460.02	0712.20	01.06	65	Onion powder, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided that the product is not available in the SACU market	Full duty

By the substitution of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
460.02	VEGETABLE PRODUCTS, IMPORTED IN TERMS OF A SPECIFIC PERMIT				

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 4 (NO. 4/2/402)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Deel 2 van Bylae No. 4 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die invoeging van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
460.02	0712.20	01.06	65	Uie poeier, in dié hoeveelhede, by dié tye en onderhewig aan sodanige voorwaardes wat die Internasionale Handelsadministrasiekommissie by bepaalde permit mag toelaat, met dien verstande dat die produk nie in die SADU mark beskikbaar is nie	Volle reg

Deur die vervanging van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
460.02	**PLANTAARDIGE PRODUKTE, INGEVOER INGEVOLGE 'n SPESIFIEKE PERMIT**				

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1924)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
8716.90.40	3	- - Automatic slack adjusters	kg	free	free	free	free	free	free

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1924)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die invoeging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
8716.90.40	3	- - Outomatiese verslappingsverstellers	kg	vry	vry	vry	vry	vry	vry

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1923)

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

ENOCH GODONGWANA
MINISTER OF FINANCE

SCHEDULE

By the insertion of the following Additional Note(s) after Additional Note 6 in Chapter 87 of Section XVII to Part 1 of Schedule No. 1:

7.	For the purposes of tariff subheadings 8704.10.20 and 8704.10.30, articulated dumpers are vehicles consisting of two distinct sections namely, a two-wheeled motor-driven front chassis and a two or four-wheeled rear chassis connected to one another by a pivoting articulation joint for steering.

By the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
8704.10.20	2	- - Articulated dumpers with G.V.M. not exceeding 50t, as defined in Additional Note 7 to Chapter 87	u	10%	5%	10%	free	10%	6%
8704.10.30	8	- - Articulated dumpers with a G.V.M. exceeding 50t, as defined in Additional Note 7 to Chapter 87	u	10%	free	free	free	10%	free

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty					
				General	EU / UK	EFTA	SADC	MERCOSUR	AfCFTA
8704.10.25	3	- - Other, with G.V.M. not exceeding 50 t	u	10%	5%	10%	free	10%	6%

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1923)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

ENOCH GODONGWANA
MINISTER VAN FINANSIES

BYLAE

Deur die invoeging van die volgende Addisionele Opmerking (s) na Addisionele Opmerking 6 in Hoofstuk 87 van Afdeling XVII tot Deel 1 van Bylae No. 1:

7.	Vir die doeleindes van tarief subposte 8704.10.20 en 8704.10.30, is geartikuleerde storters voertuie wat bestaan uit twee bepaalde seksies naamlik, twee wiel motor aangedrewe voorste onderstel en twee of vierwiel agterste onderstel aanmekaar gekoppel deur draaispil artikulasie vir stuur.

Deur die invoeging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
8704.10.20	2	- - Geartikuleerde storters met B.V.M. van hoogstens 50t, soos omskryf in Addisionele Opmerking 7 by Hoofstuk 87	u	10%	5%	10%	vry	10%	6%
8704.10.30	8	- - Geartikuleerde storters met B.V.M. van meer as 50t, soos omskryf in Addisionele Opmerking 7 by Hoofstuk 87	u	10%	vry	vry	vry	10%	vry

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg					
				Algemeen	EU / VK	EFTA	SAOG	MERCOSUR	AfKVHG
8704.10.25	3	- - Ander, met 'n B.V.M. van hoogstens 50 t	u	10%	5%	10%	vry	10%	6%

PROCLAMATION 172 OF 2024

by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT: O.R. TAMBO DISTRICT MUNICIPALITY

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as "the Act"), have been made in respect of the affairs of the O.R. Tambo District Municipality ("the Municipality");

AND WHEREAS the Municipality suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule in respect of the Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged–

(a) serious maladministration in connection with the affairs of the Municipality;
(b) improper or unlawful conduct by employees of the Municipality;
(c) unlawful appropriation or expenditure of public money;
(d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
(e) intentional or negligent loss of public money or damage to public property;
(f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Municipality; or
(g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 January 2018 and the date of publication of this Proclamation or which took place prior to 1 January 2018 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Municipality, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 6th day of May Two thousand and twenty four.

MC Ramaphosa

President
By Order of the President-in-Cabinet:
RO Lamola
Minister of the Cabinet

SCHEDULE

1. Serious maladministration in connection with the affairs of the Municipality, including the causes of such maladministration, arising from the procurement of, or contracting for goods, works or services in relation to—

(a) the construction of the Signal Hill Reservoir and the appointment of Amatola Water Board ("Amatola") in 2019 and an alleged irregular payment made to Amatola in 2020;

(b) the construction of the Mqanduli Bulk Water Scheme and the appointment of Gcinasonke Engineers ("Gcinasonke") and an alleged irregular payment made to Gcinasonke in 2019;

(c) the construction of the Mqanduli Bulk Water Scheme and the appointment of Khwalo's Construction ("Khwalo") and an alleged irregular payment made to Khwalo in 2019;

(d) the supply and installation of a pump at Mhlontlo Cluster 1 and the appointment of Valotone 94 CC and Phoenix Tanks (Pty) Ltd in 2019 and an alleged irregular payment made to the service providers in 2019; and

(e) the electrification of the Mthatha Dam and Highbury, and the construction of the Thornbill Clear Water Pump Station, and the alleged irregularities regarding payment of Amatola for these projects in 2018 and 2019,

by or on behalf of the Municipality and payments made in respect thereof in a manner that was—

(i) not fair, competitive, transparent, equitable or cost-effective; or

(ii) contrary to applicable—

(aa) legislation;

(bb) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or

(cc) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality,

and any related losses or unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality or the State as a result thereof.

2. Any irregular, improper or unlawful conduct by—

(*a*) employees or officials of the Municipality; or

(*b*) any other person or entity,

in relation to the allegations set out in paragraph 1 of this Schedule.

PROKLAMASIE 172 VAN 2024

van die
PRESIDENT van die REPUBLIEK VAN SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE ONDERSOEKEENHEID: O. R. TAMBO DISTRIK MUNISIPALITEIT

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as “die Wet"), gemaak is in verband met die aangeleenthede van die O. R. Tambo Distriks Munisipaliteit (“die Munisipaliteit”);

EN AANGESIEN die Munisipaliteit verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleenthede in die Bylae vermeld ten opsigte van die Munisipaliteit, vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleenthede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

(*a*) ernstige wanadministrasie in verband met die aangeleenthede van die Munisipaliteit;
(*b*) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die Munisipaliteit;
(*c*) onregmatige bewilliging of besteding van publieke geld;
(*d*) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;
(*e*) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
(*f*) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Munisipaliteit; of
(*g*) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 2018 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2018 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Munisipaliteit gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 6de dag van Mei Twee duisend-en-vier-en-twintig.

MC Ramaphosa
President
Op las van die President-in-Kabinet:

RO Lamola
Minister van die Kabinet

BYLAE

1. Ernstige wanadministrasie in verband met die aangeleenthede van die Munisipaliteit, insluitend die oorsake van sodanige wanadministrasie, voortspruitend uit die verkryging van, of kontraktering vir, goedere, werke of dienste in verband met—

(a) die konstruksie van die Sein Heuwel Reservoir en die aanstelling van Amatola Waterraad ("Amatola") in 2019 en 'n beweerde onreëlmatige betaling aan Amatola gemaak;

(b) die konstruksie van die Mqanduli Massa Waterskema en die aanstelling van Gcinasonke Ingeneurs ("Gcinasonke") en 'n beweerde onreëlmatige betaling aan Gcinasonke in 2019 gemaak;

(c) die konstruksie van die Mqanduli Massa Waterskema en die aanstelling van Khwalo's Konstruksie ("Khwalo") en 'n beweerde onreëlmatige betaling aan Khwalo in 2019 gemaak;

(d) die voorsiening en installering van 'n pomp by Mhlontlo Cluster 1 en die aanstelling van Valotone 94 CC en Phoenix Tanks Beperk in 2019 en 'n beweerde onreëlmatige betaling in 2019 aan die diensverskaffers gemaak; en

(e) die elektrisifisering van die Mthatha Dam en "Highbury", en die konstruksie van die Thornbill Suiwer Water Pompstasie, en die beweerde onreëlmatighede aangaande die betaling van Amatola vir gemelde projekte in 2018 en 2019,

deur of namens die Munisipaliteit en betalings in verband daarmee gemaak op 'n wyse wat—

(i) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie;
of

(ii) strydig was met toepaslike—

(*aa*) wetgewing;

(*bb*) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of betrokke Provinsiale Tesourie uitgevaardig is; of

(*cc*) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is,

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Munisipaliteit of die Staat aangegaan is.

2. Enige onreëlmatige, onbehoorlike of onwettige optrede deur–

(*a*) beamptes of werknemers van die Munisipaliteit; of

(*b*) enige ander persoon of entiteit,

ten opsigte van die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065