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PROCLAMATION

by the

President of the Republic of South Africa

No. R. 48, 2014

COMMENCEMENT OF SECTIONS 2, 3, 4(a) AND (c), 5 (TO THE EXTENT THAT IT INSERTS SECTION 6A IN THE SHERIFFS ACT, 1986 (ACT NO. 90 OF 1986)) AND 16 OF THE SHERIFFS AMENDMENT ACT, 2012 (ACT NO. 14 OF 2012)

Under section 17 of the Sheriffs Amendment Act, 2012 (Act No. 14 of 2012), I hereby fix 18 July 2014 as the date on which—

- (a) section 2;
- (b) section 3;
- (c) section 4(a) and (c);
- (d) section 5 (to the extent that it inserts section 6A in the Sheriffs Act, 1986 (Act No. 90 of 1986)); and
- (e) section 16,

of the said Sheriffs Amendment Act, 2012, come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this 9th day of July Two Thousand and Fourteen.

J G Zuma
President

By Order of the President-in-Cabinet:

T M Masutha
Minister of the Cabinet

PROKLAMASIE
van die
President van die Republiek van Suid-Afrika

No. R. 48, 2014

INWERKINGTREDING VAN ARTIKELS 2, 3, 4(a) EN (c), 5 (TOT DIE MATE WAARIN DIT ARTIKEL 6A IN DIE WET OP BALJU'S, 1986 (WET NO. 90 OF 1986), INVOEG) EN 16 VAN DIE WYSIGINGSWET OP BALJU'S, 2012 (WET NO. 14 VAN 2012)

Kragtens artikel 17 van die Wysigingswet op Balju's, 2012 (Wet No. 14 van 2012), bepaal ek hierby 18 Julie 2014 as die datum waarop—

- (a) artikel 2;
 - (b) artikel 3;
 - (c) artikel 4(a) en (c);
 - (d) artikel 5 (tot die mate waarin dit artikel 6A in die Wet op Balju's, 1986 (Wet No. 90 van 1986), invoeg); en
 - (e) artikel 16,
- van genoemde Wysigingswet op Balju's, 2012, in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 9^{de} dag van Julie Tweeduiseend-en-veertien.

**J G Zuma
President**

Op las van die President-in-Kabinet:

**T M Masutha
Minister van die Kabinet**

GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 568

18 July 2014

SHERIFFS ACT, 1986 (ACT NO. 90 OF 1986): AMENDMENT OF REGULATIONS RELATING TO SHERIFFS, 1990

The Minister of Justice and Correctional Services has under section 62 of the Sheriffs Act, 1986 (Act No. 90 of 1986), and after consultation with the South African Board for Sheriffs, made the regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the Regulations relating to Sheriffs, 1990, published by Government Notice No. R. 411 of 12 March 1990, as amended by Government Notices Nos. R. 2207 of 14 September 1990, R. 3440 of 31 December 1992, R. 1836 of 1 October 1993, R. 1566 of 16 September 1994, R. 1218 of 11 August 1995, R. 1193 of 25 September 1998, R. 1668 of 18 December 1998, R. 256 of 1 March 1999, R. 957 of 5 October 2001, R. 1293 of 5 December 2008 and R. 742 of 14 September 2011.

Amendment of Contents of Regulations

2. The Contents of the Regulations are hereby amended—
- (a) by the insertion of the following expression after the expression "2 Vacancy in office of sheriff":
"2bis Minimum requirements for appointment";
 - (b) by the addition of the following expressions after the expression "2E Appointment of more than one sheriff for particular area":
"2F Appointment of acting sheriffs
2G Designation of official and manner in which fees are payable in terms of section 6A
2H Recognition of professional society or association representing sheriffs"; and
 - (c) by the addition of the following expressions in the Annexure after the expression "8 Summons":
"9 Designation of official to serve process or document
10 Invoice regarding service of process or document by designated official: Sheriffs' fees
11 Fees chargeable regarding service of process or document by designated official".

Amendment of regulation 1 of Regulations

3. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of "magistrate" of the following definition:

"**magistrate**" means a magistrate appointed under section 9 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), read with section 10 of the Magistrates Act, 1993 (Act No. 90 of 1993);".

Insertion of regulation 2bis in Regulations

4. The following regulation is hereby inserted after regulation 2:

"Minimum requirements for appointment

2bis. No person shall be appointed as a sheriff unless he or she—

- (a) is a South African citizen or has been lawfully admitted to the Republic for permanent residence therein and is ordinarily resident in the Republic;
- (b) is a fit and proper person to hold the office of sheriff;
- (c) demonstrates the financial and any other ability required to establish and operate an office of a sheriff; and
- (d) is competent to conduct the business of sheriff and has at least—
 - (i) an appropriate post Grade 12 qualification;
 - (ii) an understanding of civil law; and
 - (iii) knowledge and an understanding of the relevant aspects of the—
 - (aa) Constitution of the Republic of South Africa, 1996;
 - (bb) Insolvency Act, 1936 (Act No. 24 of 1936);
 - (cc) Magistrates' Courts Act, 1944 (Act No. 32 of 1944);
 - (dd) State Liability Act, 1957 (Act No. 20 of 1957);
 - (ee) Prescription Act, 1969 (Act No. 68 of 1969);
 - (ff) Criminal Procedure Act, 1977 (Act No. 51 of 1977);
 - (gg) Sheriffs Act, 1986 (Act No. 90 of 1986);
 - (hh) Security by Means of Movable Property Act, 1993 (Act No. 57 of 1993);
 - (ii) Labour Relations Act, 1995 (Act No. 66 of 1995);
 - (jj) Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);
 - (kk) Maintenance Act, 1998 (Act No. 99 of 1998);
 - (ll) Rental Housing Act, 1999 (Act No. 50 of 1999);
 - (mm) National Credit Act, 2005 (Act No. 34 of 2005);
 - (nn) Consumer Protection Act, 2008 (Act No. 68 of 2008);
 - (oo) Superior Courts Act, 2013 (Act No. 10 of 2013);
 - (pp) Rules Regulating the Conduct of the Proceedings of the Supreme Court of Appeal of South Africa (Government Notice No. R. 1523 of 27 November 1998) as amended;
 - (qq) Rules Regulating the Conduct of the Proceedings of the several Provincial and Local Divisions of the High Court of South Africa (Government Notice No. R. 48 of 12 January 1965) as amended; and

(rr) Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa (Government Notice No. R. 740 of 23 August 2010) as amended.”.

Amendment of regulation 2A of Regulations

5. Regulation 2A of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

- “(2) The advertisement contemplated in subregulation (1) shall state the following:
- (a) The area or areas of jurisdiction of the lower or superior court in respect of which the vacancy occurs or will occur;
 - (b) the—
 - (i) minimum requirements for appointment as sheriff, as contemplated in regulation 2bis; and
 - (ii) application requirements prescribed by regulation 2B(2);
 - (c) that preference will be given to fit and proper applicants whose appointments will promote—
 - (i) equitable demographic representation and inclusiveness in respect of race, gender, disability or any other constitutionally recognised ground; and
 - (ii) the values enshrined in the Constitution of the Republic of South Africa, 1996;
 - (d) that a person appointed as sheriff may not perform the functions assigned to a sheriff, unless he or she complies with the provisions of section 30 of the Act;
 - (e) that a person appointed as sheriff may not, without the approval of the Minister in terms of section 53 of the Act, perform or engage himself or herself to perform remunerative work outside the office as sheriff;
 - (f) that applications shall be lodged with the Director-General;
 - (g) the name, address and contact number of the person for enquiries regarding the vacancy; and
 - (h) the closing date for applications, which date shall be at least 21 working days after the advertisement was posted in terms of subregulation (1).”.

Amendment of regulation 2D of Regulations

6. Regulation 2D of the Regulations is hereby amended by—

- (a) the substitution for subregulation (2) of the following subregulation:

“(2) For the purposes of compiling a shortlist of applicants for an interview for a vacancy in the office of sheriff, an Advisory Committee shall consider, among others, whether the applicant is a fit and proper person who—

- (a) has properly completed the form contemplated in regulation 2B(1)(a);
- (b) complies with the requirements set out in regulations 2A and 2B(2); and
- (c) if appointed, will promote the objectives contemplated in regulation 2A(2)(c);”;

- (b) the substitution for subregulation (4) of the following subregulation:
 - "(4) If—
 - (a) from the applications received; or
 - (b) from the interviewed candidates,
 - an Advisory Committee is of the opinion that there are no fit and proper applicants to be shortlisted, as contemplated in subregulation (2), or to be appointed as a sheriff, as contemplated in subregulation (7)(a), as the case may be, that Advisory Committee shall inform the Director-General accordingly, in writing and request the Director-General to—
 - (i) re-advertise the vacancy in the office of sheriff concerned, as contemplated in regulation 2A; or
 - (ii) give further directions to the Advisory Committee in question with regard to the filling of the vacancy in the office of sheriff in question.";
- (c) the substitution for subregulation (5) of the following subregulation:
 - "(5) An Advisory Committee shall, subject to subregulation (4), compile—
 - (a) a list of the applicants interviewed by the Advisory Committee and who of the applicants the Advisory Committee deems to be the most fit and proper persons to be appointed as a sheriff; and
 - (b) a report for the Minister, containing the Advisory Committee's substantiated comments in respect of each applicant contemplated in paragraph (a) and in which it is indicated which of the applicants are, in the opinion of that Advisory Committee, the most fit and proper applicants to be appointed as sheriff.";
- (d) the substitution for paragraph (a) of subregulation (6) of the following paragraph:
 - "(a) list and report contemplated in subregulation (5); and;" and
- (e) the substitution for paragraph (a) of subregulation (7) of the following paragraph:
 - "(a) The Minister may, after receipt of the list and report contemplated in subregulation (5), and if he or she is satisfied that all the requirements have been met, appoint an applicant mentioned in that list as sheriff to the vacant post.".

Addition of regulations 2F, 2G and 2H in Regulations

7. The following regulations are hereby added to the Regulations after regulation 2E:

"Appointment of acting sheriffs

2F. (1) The Minister may, subject to the provisions of section 5(1B), in writing, appoint an acting sheriff contemplated in section 5 of the Act.

(2) The written appointment contemplated in subregulation (1) shall state the following:

- (a) The period for which the acting sheriff is appointed; and
- (b) the conditions, if any, of such acting appointment.

(3) An acting sheriff is entitled to the same fees and remuneration as those of the sheriff in whose place he or she is acting.

Designation of official and manner in which fees are payable in terms of section 6A

2G. (1) The Minister may designate any official in the employ of the Department contemplated in section 6A(1) of the Act in writing on a form which corresponds substantially with Form 9 of the Annexure.

(2) The official designated in terms of subregulation (1) shall, when serving any process of court or other document, identify himself or herself and show his or her official designation to the person on whom the process of court or other document is served.

(3) The fees payable to a sheriff or acting sheriff when serving any process of court or other document, shall be payable to the Department in the case of a designation contemplated in subregulation (1) and shall be payable by the person requiring the services of a sheriff or acting sheriff, within thirty days of the date of an invoice having been submitted to him or her.

(4) The invoice contemplated in subregulation (3) shall correspond substantially with Form 10 of the Annexure and shall be completed and signed by the official designated in terms of subregulation (1).

(5) The official designated in terms of subregulation (1) shall submit the original invoice to the person requiring the services of a sheriff or acting sheriff and a copy of the invoice to the magistrate's court in whose area of jurisdiction the service was rendered.

(6) The fees payable for the service of any process of court or other document contemplated in this regulation are set out in Form 11 of the Annexure and are payable—

- (a) at a magistrate's court; or
- (b) directly into the following bank account of the Department:
 - (i) Department of Justice and Constitutional Development Vote Account Deposits;
 - (ii) ABSA Corporate;
 - (iii) Account number 4053764491; and
 - (iv) Branch code 632005.

(7) The reference to be used regarding the payment of the fees contemplated in subregulation (6)(a) and (b) shall be—

- (a) "sheriff's fees"; and
- (b) the case number.

Recognition of professional society or association representing sheriffs

2H. (1) The Minister may, after recommendation of the Board, recognise any society or association which, in the opinion of the Minister represents the sheriffs' profession, as a professional society or association representing sheriffs.

(2) Any society or association recognised by the Minister contemplated in subregulation (1), shall be published on the websites of the Department and the Board.”.

Addition of Forms 9, 10 and 11 to the Annexure to Regulations

8. The following forms are hereby added to the Annexure to the Regulations after Form 8:

"FORM 9
DESIGNATION OF OFFICIAL TO SERVE PROCESS OR DOCUMENT
REGULATIONS RELATING TO SHERIFFS, 1990
[Regulation 2G(1)]

By virtue of the authority vested in the Executive Authority in terms of the Sheriffs Act, 1986 (Act No. 90 of 1986), I, TM Masutha, MP Minister of Justice and Correctional Services, hereby designate the following official for purposes of section 6A of the Sheriffs Act, 1986 to serve any process of the court or any other document as if the said official had been appointed as a sheriff or acting sheriff of that court:

Full names:			
Surname:			
Identity number:			
Persal number:			
Court for which official is designated:			
Period of designation:	From:	To:	
Conditions of designation, if any:			

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

TM MASUTHA, MP (Adv)
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

FORM 10
INVOICE REGARDING SERVICE OF PROCESS OR DOCUMENT BY
DESIGNATED OFFICIAL: SHERIFFS' FEES
REGULATIONS RELATING TO SHERIFFS, 1990
[Regulation 2G(4)]

Note:

1. The prescribed fee is payable in terms of regulation 2G(6).
2. The amount indicated on this invoice is payable within 30 days of the date of this invoice.
3. This invoice must be submitted when payment is made.

A	SERVICE OF PROCESS OR OTHER DOCUMENT (Please indicate with "x")
----------	--

Service of summons, notices, letters order or other documents of Superior Court

Service of summons, notices, letters order or other documents of Magistrate's Court

B	DETAILS OF CASE
----------	------------------------

Court for which official is designated:	
Case number:	
Full names of person on whose behalf process or documents were served and who is responsible for the payment of this invoice:	

C	SERVICE RENDERED (Please indicate with "x")
----------	--

Superior Court

- | | | |
|---|--|--|
| 1 | For service of summonses, petitions together with notice of motion or set down, other notices, orders or any other documents. | |
| 2 | For attempted service of summonses, petitions together with notice of motion or notice of set down, other notices, orders and any other documents. | |

Magistrate's Court

- | | |
|--|--|
| For service or attempted service of any process or document: | |
|--|--|

AMOUNT PAYABLE: _____

Name of designated official: _____

Signature of designated official: _____

Date: _____

FOR OFFICIAL USE:

Receipt No/ Bank Deposit Ref: _____

Amount: _____

Signature: _____

Date: _____

FORM 11
FEES CHARGEABLE REGARDING SERVICE OF PROCESS OR DOCUMENT BY
DESIGNATED OFFICIAL
REGULATIONS RELATING TO SHERIFFS, 1990
[Regulation 2G(6)]

Note:

- (1) The fees and charges as set out below shall be chargeable and allowed.
- (2) Where any dispute arises as to the validity or amount of any fees or charges, or where necessary work is done and necessary expenditure incurred for which no provision is made, the matter shall be determined by the taxing officer of the court whose process is in question.
- (3) A request to tax an account of an official shall be done within 90 days after the date on which the account of which the fees are disputed has been rendered.

SUPERIOR COURT

Item		R	C
1	For service of summonses, petitions together with notice of motion or set down, other notices, orders or any other documents, each: 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 R7.00 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.	49	00
2	For attempted service of summonses, petitions together with notice of motion or notice of set down, 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.	36	50

MAGISTRATE'S COURT

Item		R	C
	For each service or attempted service of any process or document: Provided that service of a notice referred to in rule 54(1) simultaneously with the summons shall not be regarded as a separate service.	7	00

No. R. 568

18 Julie 2014

WET OP BALJU'S, 1986: WYSIGING VAN REGULASIES BETREFFENDE BALJU'S, 1990

Die Minister van Justisie en Korrektiewe Dienste het kragtens artikel 62 van die Wet op Balju's, 1986 (Wet No. 90 van 1986), en na oorlegpleging met die Suid-Afrikaanse Raad vir Balju's, die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die Regulasies betreffende Balju's, 1990, afgekondig by Goewermentskennisgewing No. R. 411 van 12 Maart 1990, soos gewysig deur Goewermentskennisgewings No's. R. 2207 van 14 September 1990, R. 3440 van 31 Desember 1992, R. 1836 van 1 Oktober 1993, R. 1566 van 16 September 1994, R. 1218 van 11 Augustus 1995, R. 1193 van 25 September 1998, R. 1668 van 18 Desember 1998, R. 256 van 1 Maart 1999, R. 957 van 5 Oktober 2001, R. 1293 van 5 Desember 2008 en R. 742 van 14 September 2011.

Wysiging van Inhoud van Regulasies

2. (1) Die Inhoud van die Regulasies word hierby gewysig deur—
(a) na die uitdrukking "2 Vakature in amp van balju" die volgende uitdrukking in te voeg:
"2bis Minimum vereistes vir aanstelling";
(b) die byvoeging van die volgende uitdrukings na die uitdrukking "2E Aanstelling van meer as een balju vir spesifieke gebied":
"2F Aanstelling van waarnemende balju's
2G Aanwysing van beampte en wyse waarop fooie ingevolge artikel 6A betaalbaar is
2H Erkenning van professionele genootskap of vereniging wat balju's verteenwoordig"; en
(c) die byvoeging van die volgende uitdrukings in die Aanhangsel na die uitdrukking "8 Dagvaarding":
"9 Aanwysing van beampte om prosesstuk of dokument te beteken
10 Faktuur ten opsigte van die betekening van prosesstuk of dokument deur aangewese beampte: Balju fooie
11 Fooie vorderbaar ten opsigte van betekening van prosesstuk of dokument deur aangewese beampte".

Wysiging van regulasie 1 van Regulasies

3. Regulasie 1 van die Regulasies word hierby gewysig deur die vervanging van die

woordomskrywing "landdros" deur die volgende woordomskrywing:

"**Landdros**" 'n landdros kragtens artikel 9 van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944) saamgelees met met artikel 10 van die Wet op Landdroste, 1993 (Wet No. 90 van 1993), aangestel;".

Invoeging van regulasie 2bis in Regulasies

4. Die volgende regulasie word hierby na regulasie 2 ingevoeg:

"Minimum vereistes vir aanstelling

2bis. Geen persoon word as balju aangestel, tensy hy of sy—

- (a) 'n Suid-Afrikaanse burger is of wettig tot die Republiek vir permanente verblyf toegelaat is en gewoonlik in die Republiek woonagtig is;
- (b) 'n gesikte en gepaste persoon is om die amp van balju te beklee;
- (c) die finansiële en enige ander vermoë nodig om 'n kantoor van 'n balju op te rig en te bedryf, aantoon; en
- (d) bevoeg is om die besigheid van 'n balju te bedryf en het ten minste—
 - (i) 'n toepaslike kwalifikasie na Graad 12 verwerf;
 - (ii) 'n begrip van die siviele reg; en
 - (iii) kennis en 'n begrip van die toepaslike aspekte van die—
 - (aa) Grondwet van die Republiek van Suid-Afrika, 1996;
 - (bb) Insolvencieswet, 1936 (Wet No. 24 van 1936);
 - (cc) Wet op Landdroshowe, 1944 (Wet No. 32 van 1944);
 - (dd) Wet op Staatsaanspreeklikheid, 1957 (Wet No. 20 van 1957);
 - (ee) Verjaringswet, 1969 (Wet No. 68 van 1969);
 - (ff) Strafproseswet, 1977 (Wet No. 51 van 1977);
 - (gg) Wet op Balju's 1986 (Wet No. 90 van 1986);
 - (hh) Wet op Sekerheidstelling deur middel van Roerende Goed, 1993 (Wet No. 57 van 1993);
 - (ii) Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995);
 - (jj) Wet op Basiese Diensvoorwaardes, 1997 (Wet No. 75 van 1997);
 - (kk) Wet op Onderhoud, 1998 (Wet No. 99 van 1998);
 - (ll) Wet op Huurbehuising, 1999 (Wet No. 50 van 1999);
 - (mm) "National Credit Act, 2005 (Act No. 34 of 2005)";
 - (nn) "Consumer Protection Act, 2008 (Act No. 68 of 2008)";
 - (oo) Wet op Hoërhowe, 2013 (Wet No. 10 van 2013)
 - (pp) Reëls waarby die Verrigtinge van die Hoogste Hof van Appèl van Suid-Afrika gereël word (Goewermentskennisgewing No. R. 1523 van 27 November 1998) soos gewysig;
 - (qq) Reëls waarby die Verrigtinge van die Verskillende Provinciale en Plaaslike Afdelings van die Hoë Hof van Suid-Afrika gereël word (Goewermentskennisgewing No. R. 48 van 12 Januarie 1965) soos gewysig; en
 - (rr) "Rules Regulating the Conduct of the Proceedings of the

Magistrates' Courts of South Africa" (Goewermentskennisgewing No. R. 740 van 23 Augustus 2010) soos gewysig.”.

Wysiging van regulasie 2A van Regulasies

5. Regulasie 2A van die Regulasies word hierby gewysig deur die vervanging van die subregulasie (2) deur die volgende subregulasie:

- "(2) Die advertensie in subregulasie (1) beoog moet die volgende vermeld:
- (a) Die regsgebied of regsgebiede van die laer- of hoë hof ten opsigte waarvan die vakature ontstaan of gaan ontstaan;
 - (b) die—
 - (i) minimum aanstellingsvereistes as balju, soos in regulasie 2bis beoog; en
 - (ii) aansoekvereistes in regulasie 2B(2) voorgeskryf;
 - (c) dat voorkeur gegee sal word aan gesikte en gepaste aansoekers wie se aanstelling—
 - (i) billike demografiese verteenwoordiging en inklusiwiteit ten opsigte van ras, geslag, gestremdheid of ander grondwetlik erkende grond; en
 - (ii) die waardes in die Grondwet van die Republiek van Suid-Afrika, 1996 verskans,
 sal bevorder;
 - (d) dat 'n persoon wat as balju aangestel is nie die werksaamhede wat aan 'n balju opgedra is mag verrig nie, tensy hy of sy aan die bepalings van artikel 30 van die Wet voldoen;
 - (e) dat 'n persoon wat as balju aangestel is nie sonder die goedkeuring van die Minister ingevolge artikel 53 van die Wet, betaalde werk buite die amp van balju mag verrig of hom of haar daartoe verbind nie;
 - (f) dat aansoeke by die Direkteur-generaal ingedien moet word;
 - (g) die naam, adres en kontaknommer van die persoon vir navrae rakende die vakature; en
 - (h) die sluitingsdatum vir aansoeke, welke datum ten minste 21 werksdae nadat die advertensie ingevolge subregulasie (1) geplaas is, moet wees.".

Wysiging van regulasie 2D van Regulasies

6. Regulasie 2D van die Regulasies word hierby gewysig deur—
(a) die vervanging van subregulasie (2) deur die volgende subregulasie:

"(2) Vir doeleindes van die samestelling van 'n kortlys van aansoekers vir 'n onderhoud vir 'n vakature in die amp van balju, moet 'n Advieskomitee, onder andere, oorweeg of die aansoeker 'n gesikte en gepaste persoon is wat—

- (a) die vorm in regulasie 2B(1)(a) beoog, behoorlik voltooi het;
- (b) aan die vereistes soos uiteengesit in regulasies 2A en 2B(2) voldoen; en
- (c) indien aangestel, die doelwitte in regulasie 2A(2)(c) beoog, sal bevorder.";

(b) die vervanging van subregulasie (4) deur die volgende subregulasie:
"(4) Indien—

- (a) tussen die aansoek wat ontvang is; of
 - (b) tussen die kandidate waarmee onderhoude gevoer is,
- 'n Advieskomitee van oordeel is dat daar geen geskikte en gepaste aansoekers is om soos beoog in subregulasie (2) gekortlys te word, of as buiju soos beoog in subregulasie (7)(a), na gelang van die geval, aangestel te word nie, moet daardie Advieskomitee die Direkteur-generaal dienooreenkomsdig skriftelik inlig en die Direkteur-Generaal versoek om—
- (i) die vakante pos in die betrokke amp van balju, soos in regulasie 2A beoog, te heradverteer; of
 - (ii) verdere opdragte aan die betrokke Advieskomitee te gee in verband met die vulling van die vakature in die betrokke amp van balju.”;
- (c) die vervanging van subregulasie (5) deur die volgende subregulasie:
- "(5) 'n Advieskomitee moet, behoudens subregulasie (4)—
- (a) 'n lys van die aansoekers waarmee die Advieskomitee onderhoude gevoer het en wie van die aansoekers die Advieskomitee ag die mees geskikte en gepaste persone om as balju aangestel te word, opstel; en
 - (b) 'n verslag vir die Minister opstel wat die Advieskomitee se gemotiveerde kommentaar ten opsigte van elke aansoeker in paragraaf (a) beoog, bevat en waarin aangedui word watter van die aansoekers, na die oordeel van daardie Advieskomitee, die mees geskikte en gepaste aansoekers is om as balju aangestel te word.”;
- (d) die vervanging van paragraaf (a) van subregulasie (6) deur die volgende paragraaf:
- "(a) lys en verslag in subregulasie (5) beoog; en"; en
- (e) die vervanging van paragraaf (a) van subregulasie (7) deur die volgende paragraaf:
- "(a) Die Minister kan, na ontvangs van die lys en verslag in subregulasie (5) beoog, en indien hy of sy tevrede is dat aan al die vereistes voldoen is, 'n aansoeker in daardie lys genoem as balju in die vakante pos aanstel.”.

Byvoeging van regulasies 2F, 2G en 2H in Regulasies

7. Die volgende regulasies word hierby by die Regulasies na regulasie 2E bygevoeg:

"Aanstelling van waarnemende balju's

- 2F.** (1) Die Minister kan, behoudens die bepalings van artikel 5(1B), skriftelik 'n waarnemende balju beoog in artikel 5 van die Wet, aanstel.
- (2) Die skriftelike aanstelling beoog in subregulasie (1) moet die volgende verklaar:
- (a) Die tydperk waarvoor die waarnemende balju aangestel is; en
 - (b) die voorwaardes, indien enige, van sodanige aanstelling.
- (3) 'n Waarnemende balju is geregtig op dieselfde fooie en vergoeding as daardie van die balju in wie se plek hy of sy waarneem.

Aanwysing van beampte en wyse waarop fooie ingevolge artikel 6A betaalbaar is

2G. (1) Die Minister kan 'n beampte in die diens van die Departement beoog in artikel 6A(1) van die Wet, skriftelik op 'n vorm wat wesenlik met Vorm 9 van die Aanhangsel ooreenstem, aanwys.

(2) Die beampte ingevolge subregulasie (1) aangewys, moet wanneer 'n prosesstuk van 'n hof of ander dokument beteken word, homself of haarself identifiseer en sy of haar amptelike aanwysing aan die persoon op wie die prosesstuk van 'n hof of ander dokument beteken word, toon.

(3) Die fooie betaalbaar aan 'n balju of waarnemende balju wanneer 'n prosesstuk van 'n hof of ander dokument beteken word, is aan die Department betaalbaar in die geval van 'n aanwysing in subregulasie (1) beoog en is binne dertig dae van die datum wat die faktuur aan hom of haar gelewer is, deur die persoon wat die dienste van 'n balju of waarnemende balju benodig, betaalbaar.

(4) Die faktuur in subregulasie (3) beoog moet wesenlik met Vorm 10 van die Aanhangsel ooreenstem en moet deur die beampte ingevolge subregulasie (1) aangewys, voltooi en onderteken word.

(5) Die beampte ingevolge subregulasie (1) aangewys moet die oorspronklike faktuur aan die persoon wat die dienste van 'n balju of waarnemende balju benodig het en 'n afskrif van die faktuur aan die landdroshof in wie se regsgebied die diens gelewer is, verskaf.

(6) Die fooie ingevolge hierdie regulasie betaalbaar vir die betekening van 'n prosesstuk van 'n hof of ander dokument word in Vorm 11 van die Aanhangsel uiteengesit en is betaalbaar—

- (a) by 'n landdroshof; of
- (b) direk in die volgende bankrekening van die Departement:
 - (i) Begrotingsdeposito rekening van die Departement van Justisie en Staatkundige Ontwikkeling;
 - (ii) ABSA Corporate;
 - (iii) Rekeningnommer 4053764491; en
 - (iv) Takkode 632005.

(7) Die verwysing wat ten opsigte van die betaling van die fooie in subregulasie (6)(a) en (b) beoog, gebruik moet word is—

- (a) "balju fooie"; en
- (b) die saaknommer.".

Erkenning van professionele genootskap of vereniging wat balju's verteenwoordig

2H. (1) Die Minister kan, na aanbeveling van die Raad, enige genootskap of vereeniging wat na die oordeel van die Minister die balju's professie verteenwoordig, as 'n professionele genootskap of vereeniging wat die balju's verteenwoordig, erken.

(2) Enige genootskap of vereeniging deur die Minister in subregulasie (1) beoog erken, moet op die webblaie van die Departement en die Raad gepubliseer word.”.

Byvoeging van Forms 9, 10 en 11 tot die Aanhangsel tot Regulasies

8. Die volgende vorms word hiermee tot die Aanhangsel tot die Regulasies na Vorm 8 bygevoeg:

"VORM 9
AANWYSING VAN BEAMPTE OM PROSESSTUK OF DOKUMENT TE BETEKEN
REGULASIES BETREFFENDE BALJU'S, 1990
[Regulasie 2G(1)]

Kragtens die bevoegdheid wat in die Uitvoerende Gesag ingevolge die Wet op Balju's, 1986 (Wet No. 90 van 1986), gesetel is, wys ek, TM Masutha, LP Minister van Justisie en Korrektiewe Dienste, die volgende beampte vir doeleindes van artikel 6A van die Wet op Balju's, 1986 aan om 'n prosesstuk van 'n hof of enige ander dokument te beteken asof bedoelde beampte as 'n balju of waarnemende balju van daardie hof aangestel is:

Volle name:			
Van:			
Identiteitsnommer:			
Persal nommer:			
Hof waarvoor beampte aangewys is:			
Tydperk van aanwysing:	Vanaf:		Tot:
Voorwaardes van aanwysing, indien enige:			

Geteken te op hierdie dag van 20

TM MASUTHA, LP (Adv)
MINISTER VAN JUSTISIE EN KORREKTIEWE DIENSTE

VORM 10
FAKTUUR TEN OPSIGTE VAN BETEKENING VAN PROSESSTUK OF DOKUMENT DEUR
AANGEWESE BEAMPTE: BALJU FOOIE
REGULASIES BETREFFENDE BALJU'S, 1990
[Regulasie 2G(4)]

Nota:

1. Die voorgeskrewe fooie is betaalbaar ingevolge regulasie 2G(6).
2. Die bedrag aangedui op hierdie faktuur is betaalbaar binne 30 dae vanaf die datum van hierdie faktuur.
3. Hierdie faktuur moet verskaf word wanneer betaling gemaak word.

A	BETEKENING VAN PROSESSTUK OF ANDER DOKUMENT (Dui asb met "x" aan)
----------	--

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Betekening van dagvaardings, kennisgewings, bevele of enige ander dokumente van Hoë Hof |
| <input type="checkbox"/> | Betekening van dagvaardings, kennisgewings, bevele of enige ander dokumente van Landdroshof |

B	BESONDERHEDE VAN SAAK
Hof waarvoor beampete aangewys is:	
Saaknommer:	
Volle name van persoon ten opsigte van wie 'n prosesstuk of dokumente beteken is en wie vir die betaling van hierdie faktuur verantwoordelik is:	

C	DIENSTE VERSKAF (Dui asb met "x" aan)
----------	--

Hoë Hof

- | | | |
|---|---|--|
| 1 | Vir betekening van dagvaardings, petisies tesame met kennisgewing van mosie of van terolleplasing, ander kennisgewings, bevele of enige ander dokumente. | |
| 2 | Vir gepoogde betekening van dagvaardings, petisies tesame met kennisgewing van mosie of van terolleplasing, ander kennisgewings, bevele en enige ander dokumente. | |

Landdroshof

- | | |
|--|--|
| Vir elke betekening of gepoogde betekening van enige prosesstuk of dokument. | |
|--|--|

BEDRAG BETAALBAAR: _____

Naam van aangewese beamppte: _____

Handtekening van aangewese beamppte:

Datum: _____

VIR AMPTELIKE GEBRUIK:

Kwitansie No/ Bank Deposito Verw: _____

Bedrag: _____

Handtekening: _____

Datum: _____

VORM 11
FOOIE VORDERBAAR TEN OPSIGTE VAN BETEKENING VAN PROSESSTUK OF
DOKUMENT DEUR AANGEWESE BEAMPTE
REGULASIES BETREFFENDE BALJU'S, 1990
[Regulasie 2G(6)]

Nota

1. Die gelde soos hieronder uiteengesit is betaalbaar en toegelaat.
2. Waar enige geskil oor die opeisbaarheid of omvang van enige gelde of koste, of oor vergoeding vir noodsaklike werk en noodsaklike uitgawes waarvoor daar geen voorsiening gemaak word nie, word beslis deur die takseermeester van die hof waarvan die prosesstukke uitgegaan het.
3. 'n Versoek om 'n rekening van 'n beampete te takseer moet gerig word binne 90 dae nadat die rekening waarvan die gelde in geskil is, gegee is.

HOËR HOF

Item		R	C
1	Vir betekening van dagvaardings, petisies tesame met kennisgewing van mosie of van terrolleplasing, ander kennisgewings, bevele of enige ander dokumente, elk: Met dien verstande dat— (i) 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 R7,00 gevorder word vir elke afsonderlike dokument wat beteken word; (ii) Geen geld vir 'n aparte dokument gevorder word vir die betekening van prosesstukke in straf sake nie.	49	00
2	Vir gepoogde betekening van dagvaardings, petisies tesame met kennisgewing van mosie of van terrolleplasing, ander kennisgewings, bevele en enige ander dokumente: Met dien verstande dat 'n gepoogde betekening van meer as een dokument aan dieselfde persoon beskou word as 'n gepoogde betekening van slegs een dokument.	36	50

LANDDROSHOF

Item	R	C
Vir elke betekening of gepoogde betekening van enige prosesstuk of dokument: Met dien verstande dat die betekening van 'n kennisgewing in reël 54(1) bedoel gelyktydig met die dagvaarding, nie geag word 'n aparte betekening te wees nie.".	7	00

NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
 - Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
 - Publications Enquiries : 012 748 6052/6053/6058 GeneralEnquiries@gpw.gov.za
 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
 - Debtors : 012 748 6060/6056/6064 PublicationsDebtors@gpw.gov.za
 - Subscription : 012 748 6054/6055/6057 Subscriptions@gpw.gov.za
 - SCM : 012 748 6380/6373/6218
 - Debtors : 012 748 6236/6242
 - Creditors : 012 748 6246/6274

Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.

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