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GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN JUSTISIE

No. R. 1928 10 Augustus 1990

LANDDROSHOWE.—WYSIGING VAN DIE REËLS VAN DIE HOF

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

BYLAE

Woordomskriving

1. In hierdie Bylae beteken “die Reëls” die reëls afgekondig by Goewermenskennisgewing No. R. 1108 van 21 Junie 1968, soos gewysig by Goewermenskennisgewings Nos. R. 3002 van 25 Julie 1969, R. 490 van 26 Maart 1970, R. 947 van 2 Junie 1972, R. 1115 van 28 Junie 1974, R. 1285 van 19 Julie 1974, R. 689 van 23 April 1976, R. 261 van 25 Februarie 1977, R. 2221 van 28 Oktober 1977, R. 327 van 24 Februarie 1978, R. 2222 van 10 November 1978, R. 1449 van 29 Junie 1979, R. 1314 van 27 Junie 1980, R. 1800 van 28 Augustus 1981, R. 1139 van 11 Junie 1982, R. 1689 van 29 Julie 1983, R. 1946 van 9 September 1983, R. 1338 van 29 Junie 1984, R. 1994 van 7 September 1984, R. 2083 van 21 September 1984, R. 391 van 7 Maart 1986, R. 2165 van 2 Oktober 1987, R. 1451 van 22 Julie 1988, R. 1765 van 26 Augustus 1988, R. 211 van 10 Februarie 1989, R. 607 van 31 Maart 1989, R. 2629 van 1 Desember 1989, R. 186 van 2 Februarie 1990 en R. 1887 van 8 Augustus 1990.

Wysiging van reël 30 van die Reëls

2. Reël 30 van die Reëls word hierby gewysig—

(a) deur in paragraaf (a) van subreël (7) die uitdrukking “R3,04” deur die uitdrukking “R3,30” te vervang; en

(b) deur in paragraaf (a) van subreël (9) die uitdrukking “29c” en in paragraaf (b) van daardie subreël die uitdrukking “37c” in elke geval deur die uitdrukking “45c” te vervang.

Wysiging van reël 51 van die Reëls

3. Reël 51 van die Reëls word hierby gewysig deur in subreël (1) die uitdrukking “R10” deur die uitdrukking “R50” te vervang.

GOVERNMENT NOTICES

DEPARTMENT OF JUSTICE

No. R. 1928 10 August 1990

MAGISTRATES' COURTS.—AMENDMENT OF THE RULES OF 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), with the approval of the Minister of Justice, made the rules in the Schedule.

SCHEDULE

Definition

1. In this Schedule “the Rules” means the rules published under Government Notice No. R. 1108 of 21 June 1968, as amended by Government Notices Nos. R. 3002 of 25 July 1969, R. 490 of 26 March 1970, R. 947 of 2 June 1972, R. 1115 of 28 June 1974, R. 1285 of 19 July 1974, R. 689 of 23 April 1976, R. 261 of 25 February 1977, R. 2221 of 28 October 1977, R. 327 of 24 February 1978, R. 2222 of 10 November 1978, R. 1449 of 29 June 1979, R. 1314 of 27 June 1980, R. 1800 of 28 August 1981, R. 1139 of 11 June 1982, R. 1689 of 29 July 1983, R. 1946 of 9 September 1983, R. 1338 of 29 June 1984, R. 1994 of 7 September 1984, R. 2083 of 21 September 1984, R. 391 of 7 March 1986, R. 2165 of 2 October 1987, R. 1451 of 22 July 1988, R. 1765 of 26 August 1988, R. 211 of 10 February 1989, R. 607 of 31 March 1989, R. 2629 of 1 December 1989, R. 186 of 2 February 1990 and R. 1887 of 8 August 1990.

Amendment of rule 30 of the Rules

2. Rule 30 of the Rules is hereby amended—

(a) by the substitution in paragraph (a) of subrule (7) for the expression “R3,04” of the expression “R3,30”; and

(b) by the substitution in paragraph (a) of subrule (9) for the expression “29c” and in paragraph (b) of that subrule for the expression “37c” of the expression “45c” in each case.

Amendment of rule 51 of the Rules

3. Rule 51 of the rules is hereby amended by the substitution in subrule (1) for the expression “R10” of the expression “R50”.

Wysiging van reël 66 van die Reëls

4. Reël 66 van die Reëls word hierby gewysig—

(a) deur in paragraaf (a) van subreël (4) die uitdrukking “R3,04” deur die uitdrukking “R3,30” te vervang; en

(b) deur in paragraaf (a) van subreël (7) die uitdrukking “29c” en in paragraaf (b) van daardie subreël die uitdrukking “37c” in elke geval deur die uitdrukking “45c” te vervang.

Wysiging van Tabel A van Bylae 2 by die Reëls

5. Tabel A van Bylae 2 by die Reëls word hierby gewysig—

(a) deur in subparagraaf (a) en (c) van paragraaf 8 van Deel I die uitdrukking “R2,25” deur die uitdrukking “R4,00” te vervang;

(b) deur in subparagraaf (a) van paragraaf 11 van Deel I die uitdrukking “R1,25” en “R2,50” deur onderskeidelik die uitdrukking “R2,25” en “R4,50” te vervang;

(c) deur in subparagraaf (b) van paragraaf 11 van Deel I die uitdrukking “75c” deur die uitdrukking “R1,25” te vervang;

(d) deur in subparagraaf (c) van paragraaf 11 van Deel I die uitdrukking “45c” deur die uitdrukking “75c” te vervang;

(e) deur in paragraaf 12 van Deel I die uitdrukking “R2,25” deur die uitdrukking “R4,00” te vervang;

(f) deur in paragraaf 16 van Deel I die uitdrukking “R33,75” deur die uitdrukking “R60,75” te vervang;

(g) deur paragraaf 17 van Deel I te skrap; en

(h) deur Dele III en IV deur onderskeidelik die volgende dele te vervang:

Amendment of rule 66 of the Rules

4. Rule 66 of the Rules is hereby amended—

(a) by the substitution in paragraph (a) of subrule (4) for the expression “R3,04” of the expression “R3,30”; and

(b) by the substitution in paragraph (a) of subrule (7) for the expression “29c” and in paragraph (b) of that subrule for the expression “37c” of the expression “45c” in each case.

Amendment of Table A of Annexure 2 to the Rules

5. Table A of Annexure 2 to the Rules is hereby amended—

(a) by the substitution in subparagraphs (a) and (c) of paragraph 8 of Part I for the expression “R2,25” of the expression “R4,00”;

(b) by the substitution in subparagraph (a) of paragraph 11 of Part I for the expressions “R1,25” and “R2,50” of the expressions “R2,25” and “R4,50” respectively;

(c) by the substitution in subparagraph (b) of paragraph 11 of Part I for the expression “75c” of the expression “R1,25”;

(d) by the substitution in subparagraph (c) of paragraph 11 of Part I for the expression “45c” of the expression “75c”;

(e) by the substitution in paragraph 12 of Part I for the expression “R2,25” of the expression “R4,00”;

(f) by the substitution in paragraph 16 of Part I for the expression “R33,75” of the expression “R60,75”;

(g) by the deletion of paragraph 17 of Part I; and

(h) by the substitution for Parts III and IV of the following parts, respectively:

**“DEEL III
BESTREDE AKSIES**

Item	Skaal A	Skaal B	Skaal C
	R	R	R
1. Instruksies om te dagvaar of te bestry of om 'n teeneis in te stel of te bestry	81,00	121,50	162,00
2. Instruksies op getuienisnemende kommissie	6,75	6,75	6,75
3. Dagvaarding	40,50	60,75	81,00
4. Verskyning	4,00	4,00	4,00
5. Kennisgewing kragtens reël 12 (1) (b) en (2)	4,00	4,00	4,00
6. Verweerskrif	40,50	60,75	81,00
7. Instruksies na ontvangs van verweerskrif	33,75	50,75	67,50
8. Eis in rekonvensie	40,50	60,75	81,00
9. Repliek, indien nodig	40,50	60,75	81,00
10. Versoek om nadere besonderhede	—	—	—
11. Nadere besonderhede	—	—	—
12. Toestemming tot verdaging of verlenging van tyd	6,75	6,75	6,75
13. Verskyning, aansoek om koste by staking	9,75	9,75	9,75
14. Lys van dokumente en beëdigde verklaring	—	—	—
15. Voorlegging van dokumente ter insae, per halfuur van die tyd daaraan bestee	18,00	18,00	18,00
16. Insae van dokumente, per halfuur van die tyd daaraan bestee	18,00	18,00	18,00
<i>Opmerking.</i> — Die minimum gelde ten opsigte van hierdie item is R18,00.			
17. Getuiedagvaarding (nie meer as een vir elke vier gedagvaarde getuie nie)	3,50	3,50	3,50
18. Elke afskrif vir betekening	1,25	1,25	1,25
19. (a) Enige kennisgewing waarvoor andersins nie voorsiening gemaak is nie	—	—	—
(b) Enige opsomming of verskaffing van 'n afskrif van 'n verslag ingevolge reël 24	—	—	—

Item	Skaal A	Skaal B	Skaal C
	R	R	R
20. Beëdigde verklaring (uitgesonderd die van blootlegging).....	—	—	—
21. Vraagpunte	—	—	—
22. Afneem van verklarings van getuies (elk)	—	—	—
<i>Opmerking.</i> — Die minimum gelde vir elke verklaring is R8,00.			
23. Kennisgewing van verhoor of herstel	3,50	3,50	3,50
24. Voorbereiding vir verhoor (as 'n advokaat nie verskyn nie).....	135,00	202,50	270,00
24A. Verskyning by skikkingsonderhandelinge, vir elke uur of gedeelte daarvan wat werklik aan sodanige onderhandeling bestee is	27,00	40,50	54,00
25. Verskyning in die hof wanneer aksie vir verhoor ter rolle geplaas is maar verdaag word	18,00	18,00	18,00
26. Verskyning in die hof tydens verhoor of by ondersoek op kommissie, vir elke uur of gedeelte daarvan in die hof teenwoordig terwyl die saak werklik verhoor word —			
(a) waar 'n advokaat nie verskyn nie	54,00	81,00	108,00
(b) waar 'n advokaat verskyn	27,00	40,50	54,00
27. Verskyning by voorverhooronderhoud, vir elke uur of gedeelte daarvan wat werklik aan sodanige onderhoud bestee is	27,00	40,50	54,00
28. Verskyning in hof om voorbehoue vonnis te hoor	27,00	27,00	27,00
<i>Opmerking.</i> — Waar 'n ongekwalfiseerde persoon verskyn, word geen gelde toegelaat nie.			
29. Briefwisseling en bywonings: Vir elke brief of telegram wat noodsaaklikerwys geskryf of ontvang word, insluitende 'n afskrif om te hou, en vir elke noodsaaklike bywoning waarvoor andersins nie voorsiening gemaak is nie: Met dien verstande dat gelde vir deurlesing nie bykomend by die hierin genoemde gelde toegelaat word nie	4,00	4,00	4,00
30. Ooreenkoms om nie te appelleer nie	8,00	8,00	8,00
31. Ondersoek ter plaatse voor die verhoor, indien die hof aldus gelas	27,00	40,50	54,00
32. Elke noodsaaklike konsultasie	27,00	40,50	54,00
33. Die hof kan op aansoek, gedoen tydens die verhoor, benewens die gelde by item 24 hierbo voorgeskryf, aanvullingsgeld in uitgestelde of deelsverhoorde verhore toelaat	90,00	135,00	180,00

"PART III

DEFENDED ACTIONS

Item	Scale A	Scale B	Scale C
	R	R	R
1. Instructions to sue or defend or to counterclaim or defend counterclaim	81,00	121,50	162,00
2. Instructions on commission <i>de bene esse</i>	6,75	6,75	6,75
3. Summons	40,50	60,75	81,00
4. Appearance	4,00	4,00	4,00
5. Notice under rule 12 (1) (b) and (2)	4,00	4,00	4,00
6. Plea	40,50	60,75	81,00
7. Instructions after receipt of plea	33,75	50,75	67,50
8. Claim in reconvention	40,50	60,75	81,00
9. Reply, if necessary	40,50	60,75	81,00
10. Request for further particulars	—	—	—
11. Further particulars	—	—	—
12. Consent to adjournment or extension of time	6,75	6,75	6,75
13. Attendance, applying for costs on discontinuance	9,75	9,75	9,75
14. Schedule of documents and affidavit	—	—	—
15. Production of documents for inspection, per half hour of the time spent	18,00	18,00	18,00
16. Inspecting documents, per half hour of the time spent	18,00	18,00	18,00
<i>Note.</i> — The minimum fee in respect of this item shall be R18,00.			
17. Subpoena (not more than one for each four witnesses summoned)	3,50	3,50	3,50
18. Each copy for service	1,25	1,25	1,25
19. (a) Any notice not otherwise provided for	—	—	—
(b) Any summary or copy of a report furnished in terms of rule 24	—	—	—
20. Affidavit (other than of discovery)	—	—	—
21. Interrogatories	—	—	—
22. Taking proof of witness (each)	—	—	—
<i>Note.</i> — The minimum fee for any one state ment shall be R8,00.			
23. Notice of trial or reinstatement	3,50	3,50	3,50
24. Preparing for trial (if counsel not employed)	135,00	202,50	270,00
24A. Attendance at settlement negotiations, for each hour or part of an hour actually spent in such negotiations	27,00	40,50	54,00
25. Attending court when action on roll for trial but adjourned	18,00	18,00	18,00

Item	Scale A	Scale B	Scale C
	R	R	R
26. Attending court on trial or at examination on commission, for each hour or part of an hour spent in court while case is actually being heard —			
(a) where counsel not employed.....	54,00	81,00	108,00
(b) where counsel employed.....	27,00	40,50	54,00
27. Attending pre-trial conference, for each hour or part of an hour actually occupied in such conference.....	27,00	40,50	54,00
28. Attending court to hear reserved judgment	27,00	27,00	27,00
<i>Note. — Where an unqualified person appears no fee shall be allowed.</i>			
29. Correspondence and attendances: For each necessary letter or telegram written or received, including copy to keep, and each necessary attendance not otherwise provided for: Provided that a charge for perusing shall not be allowed in addition to the fee herein provided for.	4,00	4,00	4,00
30. Agreement not to appeal	8,00	8,00	8,00
31. Inspection <i>in loco</i> before trial, if the court so orders	27,00	40,50	54,00
32. Each necessary consultation	27,00	40,50	54,00
33. The court may on application made at the hearing allow, in addition to the fee prescribed in item 24 above, a refresher fee in postponed or partly heard trials.....	90,00	135,00	180,00

DEEL IV

ANDER AANGELEENTHEDE

[Eksepsies, aansoeke om deuring, aansoeke om summere vonnis, tussenaansoeke, arres, interdik en *ex parte*-aansoeke kragtens reël 27 (9) of aansoeke om hersiening van vonnis of bevel]

Item	Skaal A	Skaal B	Skaal C
	R	R	R
1. Instruksies om aansoek te doen of te bestry of om gronde aan te voer ...	10,75	16,25	21,50
2. Opstel van alle dokumente, beëdigde verklarings, aansoeke en kennisgewings, bevels, ens.	—	—	—
3. Verskyning in die hof by verhoor:			
(a) Indien onbestrede	13,50	20,25	27,00
(b) Indien bestrede (waar advokaat verskyn), vir elke uur werklik in die hof teenwoordig.....	20,25	30,50	40,50
(c) Indien bestrede (waar advokaat nie verskyn nie), vir elke uur of gedeelte daarvan werklik in die hof teenwoordig	40,50	60,75	81,00
<i>Opmerking. — Die hof kan op aansoek, gedoen tydens die verhoor, benewens die gelde in subparagraaf (c) voorgeskryf, gelde vir die voorbereiding van beredenering ingevolge item 24 van die skaal vir bestrede aksies toelaat.</i>			

TUSSENPLEITVERRIGTINGE

	R	R	R
4. Instruksies:			
(a) Waar tussenpleitverrigtinge deur balju begin is	27,00	40,50	54,00
(b) Andersins	45,00	67,50	90,00
5. Dagvaarding (as dit nie deur die balju uitgeneem word nie).....	27,00	40,50	54,00
6. Beëdigde verklaring	—	—	—
7. Verskyning in die hof op keurtag van dagvaarding (indien die saak nie verhoor word nie)	13,50	13,50	13,50
8. Verskyning in die hof by verhoor van tussenpleitgeskil, vir elke uur werklik in die hof teenwoordig	40,50	60,75	81,00
<i>Opmerking. — Die hof kan op aansoek, gedoen tydens die verhoor, benewens die gelde by item 8 voorskryf, gelde vir die voorbereiding van beredenering ingevolge item 24 van die skaal vir bestrede aksies toelaat.</i>			

TAKSASIE VAN KOSTE

	R		
9. Kosterekening: 5 persent van die gelde wat toegelaat word.			
10. Verskyning by taksasie: 5 persent van die totaal van die rekening wat toegelaat word.			
11. Kennisgewing van aansoek om hersiening van taksasie en betekening ..	—		
12. Beëdigde verklaring, waar nodig	—		
13. Verskyning by hersiening van taksasie, vir elke uur of gedeelte daarvan in die hof terwyl hersiening werklik verhoor word	21,50		

Item	Skaal A	Skaal B	Skaal C
TENUITVOERLEGGING			
	R	R	R
14. (a) Uitreiking van lasbrief vir eksekusie, uitsetting, inhegtenisneming en gevangesetting ingevolge artikel 109, inbesitstelling. (b) Vir elke heruitreiking daarvan	23,50 10,75		
15. Allesinsluitende gelde vir werk verrig in verband met vrystelling van onroerende goed waarop beslag gelê is	21,50		
16. Allesinsluitende gelde vir werk verrig in verband met die eksekusieverkoping van slegs onroerende goed (uitgesonderd werk ten opsigte waarvan gelde reeds elders voorgeskryf is en die opstel van verkoopvoorwaardes)	78,00		
17. (a) Opstel van kennisgewing van verkoping ingevolge reël 41 (8) of reël 43 (6), of verkoopvoorwaardes ingevolge reël 43 (7), per folio	—		
(b) Vir alle ander werk gedoen en stukke en dokumente verskaf aan die balju in verband met 'n geregtelike verkoping van roerende goed, allesinsluitende gelde	54,00		
18. Sekerheidstelling vir restitusie, waar nodig	21,50		
WANNEER 'N ADVOKAAT VERSKYN			
	R		
19. Instruksies by eksepsie of op aansoek, waar toegelaat	30,50		
20. Instruksies by verhoor	40,50		
21. Opstel van opdrag by eksepsie of aansoek, waar toegelaat	—		
22. Opstel van opdrag by verhoor	—		
23. Bywoning van elke noodsaaklike konsultasie met advokaat	20,25		
ADVOKAATSGELDE			
	R		
24. Met opdrag om eksepsie of aansoek te beredeneer	168,75		
<i>Opmerking.</i> — Gelde aan 'n advokaat by 'n aansoek word net toegelaat wanneer die hof sertifiseer dat die opdrag aan 'n advokaat geregverdig was.			
25. Met opdrag vir verhoor, vir die eerste dag, hoogstens	450,00		
26. In 'n hof gehou meer as 30 kilometer van die naaste dorp waar 'n provinsiale of plaaslike afdeling van die Hooggeregshof (uitgesonderd 'n Rondgaande Hof) sitting hou, kan 'n reistoelae op spesiale bevel van die hof toegelaat word (benewens die gelde vir opdrag):			
(a) Waar die afstand van sodanige naaste dorp 80 kilometer of minder is	67,50		
(b) Waar die hof meer as 80 kilometer van sodanige naaste dorp is: 25c per kilometer vir elke verdere kilometer tussen sodanige naaste dorp en die setel van die hof, soontoe en terug.			
<i>Opmerking.</i> — Waar 'n verhoor van dag tot dag ononderbroke voortgaan of waar gedeeltes van die verhoor aldus voortgaan, word voormelde toelaes slegs een keer vir sodanige verhoor of sodanige gedeelte van die verhoor, na gelang van die geval, toegelaat.			
27. Elke noodsaaklike konsultasie	33,75		
28. Vir elke dag wat meer is as een, waarop getuienis afgeneem word of beredenering gehoor word, aanvullingsgeld van hoogstens	303,75		
29. Wanneer die verhoor verdaag word, by betaling van die dag se koste, as deel van sodanige koste (slegs deur die party wat sodanige verdagging aanvra)	56,25		
30. Opstel van pleitstukke	56,25		
<i>Opmerking.</i> — Met betrekking tot items 25 en 28 word gelde in plaas van dié vir die eerste dag se verhoor soos volg toegelaat wanneer die saak voor of op die verhoordatum geskik of teruggetrek of op aandrang van enige party uitgestel word:			
(i) Hoogstens twee dae voor die verhoordatum: Gelde andersins toelaatbaar by taksasie vir die eerste dag van verhoor;			
(ii) minstens drie dae en hoogstens sewe dae voor die verhoordatum: Twee derdes van die gelde kragtens (i); en			
(iii) minstens agt dae en hoogstens 21 dae voor die verhoordatum: Die helfte van die gelde kragtens (i)			

Item	Skaal A	Skaal B	Skaal C
DIVERSE			
	R		
31. Verkryging van gewaarmerkte afskrif van vonnis	16,25		
32. Verkryging van uitbetaling ingevolge reël 18 (4)	8,00		
33. Versoek om sekerheid ingevolge reël 62 (1)	—		
34. Die stel van sekerheid ingevolge reël 62 (1)	—		

Wysiging van Tabel E van Bylae 2 by die Reëls

6. Bylae 2 by die Reëls word hierby gewysig deur Tabel E deur die volgende tabel te vervang:

“TABEL E**HOFGELDE**

	R
1. Op elke eerste dokument waardeur enige aksie begin word, of 'n aansoek om 'n bevel kragtens artikel 74 van die Wet, of 'n aansoek wat, wanneer dit aan die klerk van die hof oorhandig word, nie betrekking het op 'n siviele geding wat reeds by daardie hof aangeteken is nie	10,00
2. Op 'n versoek om 'n rekord in te sien —	
(a) indien die korrekte nommer verskaf word	1,00
(b) indien 'n verkeerde of geen nommer verskaf word nie, vir elke 100 rekords wat nagegaan word ..	3,00
3. Vir 'n afskrif van 'n rekord deur die klerk van die hof gemaak —	
(a) vir elke 100 getikte woorde of gedeelte daarvan	1,00
(b) vir elke fotokopie van 'n A4-grootte bladsy of gedeelte daarvan	0,50
4. Vir die insien en sertifiseer van 'n afskrif van 'n rekord —	
(a) elke 100 woorde	1,00
(b) minimum bedrag	1,00
5. Vir voltooiing van die staat in artikel 74A (4) bedoel	5,00”.

Inwerkingtreding

7. Hierdie reëls tree op 10 September 1990 in werking en is van toepassing slegs op handeling verrig ná die inwerkingtreding van hierdie reëls.

PART IV**OTHER MATTERS**

[Exceptions, applications to strike out, applications for summary judgment, interlocutory applications, arrest, interdict and *ex parte* applications under rule 27 (9) or application to review judgment or order]

Item	Scale A *	Scale B	Scale C
	R	R	R
1. Instructions to make application or to oppose or to show cause	10,75	16,25	21,50
2. Drawing up of all documents, affidavits, applications and notices, orders, etc	—	—	—
3. Attending court on hearing:			
(a) If unopposed	13,50	20,25	27,00
(b) If opposed (where counsel employed), per hour actually spent in court	20,25	30,50	40,50
(c) If opposed (counsel not employed), per hour or part thereof actually spent in court	40,50	60,75	81,00
<i>Note.</i> — The court may on application made at the hearing allow, in addition to the fee prescribed under subparagraph (c), a fee for preparing argument under item 24 of the scale for defended actions.			
INTERPLEADER PROCEEDINGS			
	R	R	R
4. Instructions:			
(a) Where interpleader proceedings initiated by sheriff	27,00	40,50	54,00
(b) Otherwise	45,00	67,50	90,00
5. Summons (if not sued out by the sheriff)	27,00	40,50	54,00
6. Affidavit	—	—	—

Item	Scale A	Scale B	Scale C
	R	R	R
7. Attending court on return of summons (if the matter is not being heard)	13,50	13,50	13,50
8. Attending court on trial of interpleader issue, per hour actually spent in court	40,50	60,75	81,00
<i>Note.</i> — The court may on application made at the hearing allow, in addition to the fee prescribed in item 8, a fee for preparing argument under item 24 of the scale for defended actions.			
TAXATION OF COSTS			
	R		
9. Bill of costs: 5 per cent of the fees allowed.			
10. Attending taxation: 5 per cent of the total of the bill allowed			
11. Notice of application for review of taxation and service	—		
12. Affidavit, where necessary	—		
13. Attending on review of taxation, per hour or part of an hour in court while review is actually being heard	21,50		
EXECUTION			
	R		
14. (a) Issue of warrant of execution, ejectment, arrest and committal in terms of section 109, delivery up of possession	23,50		
(b) For each reissue thereof	10,75		
15. Inclusive fee for work involved in releasing of attachment of immovable property	21,50		
16. Inclusive fee for work done in connection with sale in execution of immovable property only (excluding work for which fees are already provided for elsewhere and the drawing up of the conditions of sale)	78,00		
17. (a) Drawing up of notice of sale in terms of rule 41 (8) or rule 43 (6), or conditions of sale in terms of rule 43 (7), per folio	—		
(b) For all other work done and papers and documents supplied to the sheriff in connection with a sale in execution of movable property, an inclusive fee	54,00		
18. Security for restitution, where necessary	21,50		
WHERE COUNSEL IS EMPLOYED			
	R		
19. Instructions on exception or application, where allowed	30,50		
20. Instructions on trial	40,50		
21. Drawing brief on exception or application, where allowed	—		
22. Drawing brief on trial	—		
23. Attending each necessary consultation with counsel	20,25		
FEES TO COUNSEL			
	R		
24. With brief to argue exception or application	168,75		
<i>Note.</i> — A fee to counsel on application shall be allowed only where the court certifies that the briefing of counsel was warranted.			
25. With trial brief for the first day, not exceeding	450,00		
26. 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 Supreme Court sits, there may be allowed by special order of the court a travelling allowance (in addition to the fee on brief):			
(a) Where the distance from such nearest town is 80 km or less	67,50		
(b) Where the court is more than 80 km from such nearest town: 25c per kilometre for each kilometre further between such nearest town and the seat of the court, on both the outward and return journeys.			
<i>Note.</i> — Where a trial continues uninterrupted from day to day, or where portions of the trial so continue, the aforementioned allowances shall be allowed only once for such trial or for such portion of the trial, as the case may be:			
27. Each necessary consultation	33,75		
28. For every day exceeding one on which evidence is taken or arguments heard, a refresher not exceeding	303,75		
29. Where trial is adjourned, upon payment of the costs of the day, as part of such costs (only by the party requesting such adjournment)	56,25		

Item	Scale A	Scale B	Scale C
30. Drawing pleadings	R 56,25	R	R
<i>Note.</i> —In regard to items 25 and 28 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, at the instance of any party, postponed on or before the date of hearing: (i) Not more than two days prior to the date of hearing: The fee otherwise allowable on taxation for the first day's hearing; (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 (iii) not less than eight days and not more than 21 days prior to the date of hearing: Half of the fee under (i).			
MISCELLANEOUS			
31. Obtaining certified copy of judgment	R 16,25		
32. Obtaining payment in terms of rule 18 (4)	8,00		
33. Request for security in terms of rule 62 (1)	—		
34. Furnishing security in terms of rule 62 (1)	—		

Amendment of Table E of Annexure 2 to the Rules

6. Annexure 2 to the Rules is hereby amended by the substitution for Table E of the following table:

"TABLE E**COURT FEES**

	R
1. On every initial document commencing any action, or an application for an order under section 74 of the Act, or an application which, when handed to the clerk of the court, is not related to civil proceedings already on record in that court.....	10,00
2. On any request to inspect any record—	
(a) if the correct number is furnished	1,00
(b) if an incorrect or no number is furnished, for every 100 records searched	3,00
3. For a copy of a record made by the clerk of the court—	
(a) for every 100 typed words or part thereof	1,00
(b) for every photocopy of an A4-size page or part thereof	0,50
4. For examining and certifying a copy of a record—	
(a) each 100 words	1,00
(b) minimum charge	1,00
5. For completion of the statement referred to in section 74A (4)	5,00".

Commencement

7. These rules shall come into operation on 10 September 1990 and shall apply only to acts performed after the commencement of these rules.

No. R. 1929**10 Augustus 1990**

WYSIGING VAN DIE REËLS WAARBY DIE VERRIGTINGE VAN DIE VERSKILLENDEN PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGEREGSHOF 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), met die goedkeuring van die Minister van Justisie, die reëls in die Bylae gemaak.

BYLAE

1. In hierdie Bylae beteken "die Reëls" die reëls waarby die verrigtinge van die verskillende provinsiale en plaaslike afdelings van die Hooggeregshof van Suid-Afrika gereël word, afgekondig by Goewermentsken-nisgewing No. R. 48 van 12 Januarie 1965, soos gewysig

No. R. 1929**10 August 1990**

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE SUPREME 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, made the rules in the Schedule.

SCHEDULE

1. In this Schedule "the Rules" means the rules regulating the conduct of the proceedings of the several provincial and local divisions of the Supreme Court of South Africa published under Government Notice No. R. 48 of 12 January 1965, as amended by Government

by Goewermentskennisgewings Nos. 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 en R. 185 van 2 Februarie 1990.

2. Reël 6 van die Reëls word hierby gewysig deur in subparagraaf (ii) van paragraaf (d) van subreël (5) die woorde "veertien dae" deur die woorde "vyftien dae" te vervang.

3. Reël 67 van die Reëls word hierby deur die volgende reël vervang:

Notices 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 and R. 185 of 2 February 1990.

2. Rule 6 of the Rules is hereby amended by the substitution in subparagraph (ii) of paragraph (d) of subrule (5) for the words "fourteen days" of the words "fifteen days".

3. The following rule is hereby substituted for rule 67 of the Rules:

"REËL 67

TARIEF VAN HOFGELDE

Die hofgelde betaalbaar ten opsigte van die verskillende provinsiale en plaaslike afdelings is soos volg:

	R
(a) (i) Op elke oorspronklike eerste dokument waardeur 'n aksie ingestel of 'n aansoek gedoen word.	50,00
(ii) op elke kosterekening wat getakseer moet word en wat nie verbonde is aan 'n aksie of aansoek wat reeds in die hof geregistreer is nie	30,00
(iii) op elke prokurasie (wat by die griffier ingedien moet word) om teen die uitspraak van 'n laerhof te appelleer, behalwe appèl in strafsake	50,00
(iv) op elke kennisgewing van appèl teen die uitspraak van 'n enkele regter na die volle hof	50,00:
Met dien verstande dat geen gelde gehef word op die dokumente waardeur 'n <i>in forma pauperis</i> -aksie ingestel word nie.	
(b) Vir die sertifikaat van die griffier op gewaarmerkte afskrifte van dokumente (elk)	1,00
(c) Vir elke afskrif van 'n hofbevel deur die griffier gemaak —	
(i) vir elke 100 getikte woorde of gedeelte daarvan	1,00
(ii) vir elke fotokopie van 'n A4-grootte bladsy of gedeelte daarvan	0,50"

"RULE 67

TARIFF OF COURT FEES

The court fees payable in respect of the various provincial and local divisions are as follows:

	R
(a) (i) On every original initial document whereby an action is instituted or application is made	50,00
(ii) on every bill of costs to be taxed which is not related to an action or application already registered in the court	30,00
(iii) on every power of attorney (to be filed with the registrar) to appeal against the judgment of an inferior court, excluding appeals in criminal cases	50,00
(iv) on every notice of appeal against the judgment of a single judge to the full court	50,00:
Provided that no fee shall be levied on the document whereby an <i>in forma pauperis</i> action is instituted.	
(b) For the registrar's certificate on certified copies of documents (each)	1,00
(c) For each copy of an order of court made by the registrar —	
(i) for every 100 typed words or part thereof	1,00
(ii) for every photocopy of an A4-size page or part thereof	0,50".

4. Vorm 2 (a) van die Eerste Bylae by die Reëls word hierby gewysig deur die uitdrukking "(b) binne veertien dae na die betekening van hierdie kennisgewing aan u," waar dit ook al in die vorm voorkom, deur die uitdrukking "(b) binne vyftien dae nadat u aldus kennis gegee het van u voorneme om die aansoek te bestry," te vervang.

5. Hierdie reëls tree op 10 September 1990 in werking.

No. R. 1930

10 Augustus 1990

WYSIGING VAN DIE REËLS WAARBY DIE VERRIGTINGE VAN DIE APPELAFDELING 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), met die goedkeuring van die Minister van Justisie, die reëls in die Bylae gemaak.

BYLAE

1. In hierdie Bylae beteken "die Reëls" die reëls afgekondig by Goewermentskennisgewing No. R. 1207 van 15 Desember 1961, soos gewysig by Goewermentskennisgewings Nos. R. 980 van 22 Junie 1962, R. 120 van 31 Januarie 1969, R. 679 van 30 April 1971, R. 1815 van 8 Oktober 1976, R. 2476 van 17 Desember 1976, R. 1547 van 28 Julie 1978, R. 248 van 8 Februarie 1980, R. 1120 van 30 Mei 1980, 2170 van 6 Oktober 1982, R. 644 van 25 Maart 1983, R. 840 van 22 April 1983, R. 1995 van 7 September 1984, R. 2093 van 13 September 1985, R. 2137 van 20 September 1985, R. 2643 van 12 Desember 1986 en R. 1766 van 2 September 1988.

2. Reël 11 van die Reëls word hierby deur die volgende reël vervang:

"HOFGELDE

11. Die hofgelde is die volgende:

	R
Indiening van enige petisie	5,00
Indiening van beantwoordende beëdigde verklaring (elk)	5,00
Indiening van kennisgewing van appèl of teenappèl (elk)	5,00
Bevel van die hof waarin verlof om te appelleer verleen word	5,00
Vir die sertifikaat van die griffier op gewaarmerkte afskrifte van dokumente (elk)	1,00
Vir 'n afskrif van enige dokument deur die griffier gemaak (per bladsy)	0,50
Taksasiegeld ten opsigte van appèlle	15,00
Taksasiegeld ten opsigte van petisies	15,00".

"FEES OF COURT

11. The following shall be the fees of the court:

	R
Lodging of any petition	5,00
Lodging of an answering affidavit (each)	5,00
Lodging of a notice of appeal or cross-appeal (each)	5,00
Order of the court granting leave to appeal	5,00
For the registrar's certificate on certified copies of documents (each)	1,00
For each copy of any document made by the registrar (per page)	0,50
Taxing fee with regard to appeals	15,00
Taxing fee with regard to petitions	15,00".

3. Hierdie reëls tree op 10 September 1990 in werking.

4. Form 2 (a) of the First Schedule to the Rules is hereby amended by the substitution for the expression "(b) and within fourteen days of the service of this notice upon you," wherever it occurs in the form of the expression "(b) and within fifteen days after you have so given notice of your intention to oppose the application,".

5. These rules shall come into operation on 10 September 1990.

No. R. 1930

10 August 1990

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE APPELLATE DIVISION OF THE SUPREME 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, made the rules in the Schedule

SCHEDULE

1. In this Schedule "the Rules" means the rules published under Government Notice No. R. 1207 of 15 December 1961, as amended by Government Notices Nos. R. 980 of 22 June 1962, R. 120 of 31 January 1969, R. 679 of 30 April 1971, R. 1815 of 8 October 1976, R. 2476 of 17 December 1976, R. 1547 of 28 July 1978, R. 248 of 8 February 1980, R. 1120 of 30 May 1980, 2170 of 6 October 1982, R. 644 of 25 March 1983, R. 840 of 22 April 1983, R. 1995 of 7 September 1984, R. 2093 of 13 September 1985, R. 2137 of 20 September 1985, R. 2643 of 12 December 1986 and R. 1766 of 2 September 1988.

2. The following rule is hereby substituted for rule 11 of the Rules:

3. These rules shall come into operation on 10 September 1990.

Werk mooi daarmee

Ons leef  daarvan

water is kosbaar

Use it

Don't abuse  it

water is for everybody

INHOUD

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