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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

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

No. R. 37

18 January 2002

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 for Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

Definitions

1. In these rules "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, R. 1887 of 8 August 1990, R. 1928 of 10 August 1990, R. 1967 of 17 August 1990, R. 1261 of 30 May 1991, R. 2407 of 27 September 1991, R. 2409 of 30 September 1991, R. 405 of 7 February 1992, R. 1510 of 29 May 1992, R. 1882 of 3 July 1992, R. 871 of 21 May 1993, R. 959 of 28 May 1993, R. 1134 of 25 June 1993, R. 1355 of 30 July 1993, R. 1844 of 1 October 1993, R. 2530 of 31 December 1993, R. 150 of 28 January 1994, R. 180 of 28 January 1994, R. 498 of 11 March 1994, R. 625 of 28 March 1994, R. 710 of 12 April 1994, R. 1062 of 28 June 1996, R. 1130 of 5 July 1996, R. 419 of 14 March 1997 and R. 492 of 27 March 1997, R. 570 of 18 April 1997, R. 790 of 6 June 1997, R. 797 of 13 June 1997, R. 784 of 5 June 1998, R. 910 of 3 July 1998, R. 1025 of 7 August 1998, R. 1126 of 4 September 1998, R. 569 of 30 April 1999, R. 501 of 19 May 2000 and R. 1087 of 26 October 2001.

GENERAL EXPLANATORY NOTE

[] Expressions in bold square brackets indicate omissions in existing rules.

_____ Expressions underlined with a solid line indicate insertions in existing rules.

Amendment of rule 6 of the Rules

2. Rule 6 of the Rules is hereby amended by the substitution for subrule (3)(a)(ii) of the following subrule:

"(ii) if the claim bears interest, only the rate at which the interest is calculated: and".

Commencement

3. These rules shall come into operation on **18 February 2002**.

No. R. 37

18 Januarie 2002

LANDDROSHOE: WYSIGING VAN DIE REËLS VAN DIE HOF

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

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Reëls" die reëls afgekondig by Goewermmentskennisgewing No. R. 1108 van 21 Junie 1968, soos gewysig deur Goewermmentskennisgewings 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, R. 1887 van 8 Augustus 1990, R. 1928 van 10 Augustus 1990, R. 1967 van 17 Augustus 1990, R. 1261 van 30 Mei 1991, R. 2407 van 27 September 1991, R. 2409 van 30 September 1991, R. 405 van 7 Februarie 1992, R. 1510 van 29 Mei 1992, R. 1882 van 3 Julie 1992, R. 871 van 21 Mei 1993, R. 959 van 28 Mei 1993, R. 1134 van 25 Junie 1993, R. 1355 van 30 Julie 1993, R. 1844 van 1 Oktober 1993, R. 2530 van 31 Desember 1993, R. 150 van 28 Januarie 1994, R. 180 van 28 Januarie 1994, R. 498 van 11 Maart 1994, R. 625 van 28 Maart 1994, R. 710 van 12 April 1994, R. 1062 van 28 Junie 1996, R. 1130 van 5 Julie 1996, R. 419 van 14 Maart 1997, R. 492 van 27 Maart 1997, R. 570 van 18 April 1997, R. 790 van 6 Junie 1997, R. 797 van 13 Junie 1997, R. 784 van 5 Junie 1998, R. 910 van 3 Julie 1998, R. 1025 van 7 Augustus 1998, R. 1126 van 4 September 1998, R. 569 van 30 April 1999, R. 501 van 19 Mei 2000 en R. 1087 van 26 Oktober 2001.

ALGEMENE VERDUIDELIKENDE NOTA

- [] Uitdrukings in vet druk tussen vierkantige hake dui skrappings uit bestaande reëls aan.
_____ Uitdrukings met 'n volstreep daaronder, dui invoegings in bestaande reëls aan.

Wysiging van reël 6 van die Reëls

2. Reël 6 van die Reëls word hierby gewysig deur subreël (3)(a)(ii) deur die volgende subreël te vervang:

"(ii) indien die vordering rente dra, slegs die koers waarteen rente bereken word: en".

Inwerkingtreding

3. Hierdie reëls tree op **18 Februarie 2002** in werking.

No. R. 38

18 January 2002

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 for Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE**Definitions**

1. In these rules "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, R. 1887 of 8 August 1990, R. 1928 of 10 August 1990, R. 1967 of 17 August 1990, R. 1261 of 30 May 1991, R. 2407 of 27 September 1991, R. 2409 of 30 September 1991, R. 405 of 7 February 1992, R. 1510 of 29 May 1992, R. 1882 of 3 July 1992, R. 871 of 21 May 1993, R. 959 of 28 May 1993, R. 1134 of 25 June 1993, R. 1355 of 30 July 1993, R. 1844 of 1 October 1993, R. 2530 of 31 December 1993, R. 150 of 28 January 1994, R. 180 of 28 January 1994, R. 498 of 11 March 1994, R. 625 of 28 March 1994, R. 710 of 12 April 1994, R. 1062 of 28 June 1996, R. 1130 of 5 July 1996, R. 419 of 14 March 1997 and R. 492 of 27 March 1997, R. 570 of 18 April 1997, R. 790 of 6 June 1997, R. 797 of 13 June 1997, R. 784 of 5 June 1998, R. 910 of 3 July 1998, R. 1025 of 7 August 1998, R. 1126 of 4 September 1998, R. 569 of 30 April 1999, R. 501 of 19 May 2000 and R. 1087 of 26 October 2001.

GENERAL EXPLANATORY NOTE

[] Expressions in bold square brackets indicate omissions in existing rules.

_____ Expressions underlined with a solid line indicate insertions in existing rules.

Amendment of Part I of Table A of Annexure 2 to the Rules

2. Part I of Table A of Annexure 2 to the Rules is hereby amended -

(a) by the amendment of paragraph (a) of item 8 as follows:

"(a) the drawing of documents (not pleadings) shall be allowed at **[R9,00]** R11,00 for each folio;"

(b) by the amendment of paragraph (c) of item 8 as follows:

"(c) **[R6,00]** R7,00 shall be allowed for each necessary service.";

(c) by the amendment of paragraph (a) of item 11 as follows:

"(a) Unless otherwise provided, a charge for perusal shall be allowed at **[R3,50]** R4,00 per folio in respect of any document or pleading necessarily perused.";

(d) by the amendment of paragraph (b) of item 11 as follows:

"(b) Where a charge is allowed for copying, it shall be allowed at **[R1,25]** R1,50 per page, regardless of the number of words, unless otherwise provided.";

(e) by the amendment of item 12 as follows:

"12. Where there are more defendants than one **[R6,00]** R7,00 shall be added in respect of each additional defendant for each of items 2 and 3 of Part II and items 2 and 7 of Part III."; and

(f) by the amendment of the first sentence of item 13 as follows:

"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 **[R250,00]** R300,00 on each instalment.";

Amendment of Part II of Table A of Annexure 2 to the Rules

3. Part II of Table A of Annexure 2 to the Rules is hereby amended as follows:

"PART II**UNDEFENDED ACTIONS**

		R	
Item 1 -	Registered letter of demand in terms of section 56 of the Act.....	[14,00]	<u>17,00</u>
Item 2 -	Summons, inclusive of a letter of demand other than the letter of demand referred to in item 1:		
	(a) Where the claim is less than or equal to the jurisdictional limit of the small claims courts.....	[47,00]	<u>56,00</u>
	(b) Where the claim exceeds the jurisdictional limit of the small claims courts but is not more than R5 000,00.....	[156,00]	<u>187,00</u>
	(c) Where the claim exceeds R5 000,00.....	[231,00]	<u>277,00</u>
Item 3 -	Judgment:		
	(a) Where the claim does not exceed the amount in 2(a).....	[47,00]	<u>56,00</u>
	(b) Where the claim exceeds the amount in 2(b) but is not more than R5 000,00.....	[119,00]	<u>143,00</u>
	(c) Where the claim exceeds R5 000,00.....	[194,00]	<u>233,00</u>
Item 4 -	Notice in terms of rule 12(2).....	[22,50]	<u>27,00</u>
Item 5 -	Notice in terms of rule 54(1).....	[22,50]	<u>27,00</u>
Item 6 -	Affidavit or certificate.....		
Item 7 -	Attending court at the request of the magistrate when claim is referred to court for judgment.....as allowed under item 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.....	[14,00]	<u>17,00</u>
Item 9 -	Admission of liability and undertaking to pay debt in instalments or otherwise (section 57 of the Act).....	[37,50]	<u>45,00</u>
Item 10 -	Consent to judgment or to judgment and an order for the payment of judgment debt in instalments (section 58 of the Act).....	[37,50]	<u>45,00</u>

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."

Amendment of Part III of Table A of Annexure 2 to the Rules

4. Part III of Table A of Annexure 2 to the Rules is hereby amended as follows:

"PART III**DEFENDED ACTIONS (AND INTERPLEADER PROCEEDINGS)**

Item	Scale A R	Scale B R	Scale C 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.....	[187,50] 225.00	[250,00] 300.00	[300,00] 360.00
2. Summons.....	[94,00] 113.00	[131,00] 157.00	[157,00] 188.00
3. Appearance.....	[16,00] 19.00	[16,00] 19.00	[19,00] 23.00
4. Notice under rule 12(1)(b) and (2).....	[16,00] 19.00	[16,00] 19.00	[19,00] 23.00
5. Plea.....	[94,00] 113.00	[131,00] 157.00	[157,00] 188.00
6. Claim in reconvention.....	[94,00] 113.00	[131,00] 157.00	[157,00] 188.00
7. Reply, if necessary.....	[94,00] 113.00	[131,00] 157.00	[157,00] 188.00
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 statements by witnesses.....			
9. Production of documents for inspection, or inspecting documents, per quarter of an hour or part thereof of the time spent.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
10. Each copy for service, per page.....	[1,25] 1.50	[1,25] 1.50	[1,25] 1.50
11. The recording of statements by witnesses, per quarter of an hour or part thereof.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
12. Notice of trial or reinstatement.....	[16,00] 19.00	[16,00] 19.00	[19,00] 23.00
13. Preparing for trial (if counsel not employed).....	[312,50] 375.00	[425,00] 510.00	[510,00] 612.00
14. Attendance at settlement negotiations, for each quarter of an hour or part thereof actually spent in such negotiations.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00

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 counsel not employed.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
	(b) if counsel employed.....	Nil	[22,50] 27.00	[27,00] 32.00
16.	Attending pre-trial conference, for each quarter of an hour or part thereof actually spent in such conference.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
17.	Attending court to hear reserved judgment, per quarter of an hour or part thereof.....	[11,00] 13.00	[11,00] 13.00	[13,00] 16.00
18.	Correspondence:			
	(a) For each necessary letter or telegram, per folio.....	[9,00] 11.00	[9,00] 11.00	[11,00] 13.00
	(b) For each letter or telegram received, provided that a fee for perusal shall not be allowed in addition to the fee herein provided for.....	[6,00] 7.00	[9,00] 11.00	[11,00] 13.00
19.	Attendances: For each necessary attendance not otherwise provided for, per attendance.....	[6,00] 7.00	[9,00] 11.00	[11,00] 13.00
20.	Necessary formal telephone calls, per call.....	[6,00] 7.00	[9,00] 11.00	[11,00] 13.00
21.	Telephone consultations: For every 5 minutes or part thereof, subject to a maximum of [R94,00] R113.00 per consultation.....	[16,00] 19.00	[16,00] 19.00	[19,00] 23.00
22.	Each necessary consultation, per quarter of an hour or part thereof.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
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.....	[194,00] 233.00	[275,00] 330.00	[330,00] 396.00
24.	Time spent waiting at court (owing to no court being available) per quarter of an hour or part thereof.....	[37,50] 45.00	[37,50] 45.00	[45,00] 54.00
25.	Travelling time [subject to the provisions of rule 33(9)] per quarter of an hour or part thereof.....	[37,50] 45.00	[37,50] 45.00	[45,00] 54.00
26.	Subsistence and travelling expenses as laid down in rule 33(9).....	The actual reasonable subsistence and traveling expenses as laid down in rule 33(9).".		

Amendment of Part IV of Table A of Annexure 2 to the Rules

5. Part IV (except for items 21 to 26) of Table A of Annexure 2 to the Rules is hereby amended as follows:

**"PART IV
OTHER MATTERS**

Exceptions, applications to strike out, applications for summary judgment, interlocutory applications, arrest, interdict, *ex parte* applications under rule 27(9), applications to review judgment, order or taxation and applications for liquidation of close corporations and applications in terms of section 65J of the Act.

Item	Scale A R	Scale B R	Scale C R
1. (a) Instructions to make application or to oppose or to show cause (the court may on request allow a higher amount).....	[47,00] <u>56.00</u>	[94,00] <u>113.00</u>	[113,00] <u>135.00</u>
(b) Instructions to make application for liquidation of close corporation, perusal of all documentation and consideration of merits, and all necessary consultations.....	[231,00] <u>277.00</u>	[231,00] <u>277.00</u>	[277,00] <u>332.00</u>
2. Drawing up all documents, affidavits, applications and notices, orders, etc.			
3. Attending court on hearing:			
(a) If unopposed or opposed (if counsel not employed), for each quarter of an hour or part thereof actually spent in court.....	[56,00] <u>67.00</u>	[56,00] <u>67.00</u>	[67,00] <u>80.00</u>
(b) If opposed (if counsel employed), for each quarter of an hour actually spent in court or part thereof.....	Nil	[22,50] <u>27.00</u>	[27,00] <u>32.00</u>
4. Fee for preparing for trial, when opposed, if allowed by the court on request.....	[194,00] <u>233.00</u>	[231,00] <u>277.00</u>	[277,00] <u>332.00</u>
5. Consultations and settlement negotiations - when opposed, per quarter of an hour or part thereof.....	[56,00] <u>67.00</u>	[56,00] <u>67.00</u>	[67,00] <u>80.00</u>

Note: The court may on request made at the hearing allow, as an alternative to the fees prescribed in item 4, a fee for preparing argument under items 13 and 23 of the scale for defended actions.

Item	Scale
TAXATION OF COSTS	
6. Drawing up bill of costs: 5% of the fees allowed.	
7. Attending taxation: 5% of the total of the bill allowed.	
8. Attending on review of taxation, for each quarter of an hour or part thereof in court while review is actually being heard.....	[56,00] 67.00
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.....	[37,50] 45.00
(b) For each reissue thereof.....	[16,00] 19.00
12. Inclusive fee for work done in connection with releasing of immovable property attached.....	[47,00] 56.00
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).....	[119,00] 143.00
14. (a) Drawing up notice of sale in terms of rule 41(8) or rule 43(6), or conditions of sale in terms of rule 43(7).....	—
(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.....	[81,00] 97.00
15. Security for restitution, where necessary.....	[31,00] 37.00

WHERE COUNSEL IS EMPLOYED

16. Instructions for exception or application, where allowed.....	[56,00] 67.00
17. Instructions on trial.....	[69,00] 83.00
18. Drawing brief on exception or application, where allowed.....	—
19. Drawing brief on trial.....	—
20. Attending each necessary consultation with counsel, per quarter of an hour or part thereof.....	[22,50] 27.00

MISCELLANEOUS

27. Obtaining certified copy of judgment.....	[28,00] 34.00
28. Obtaining payment in terms of rule 18(4).....	[19,00] 23.00
29. Request for security in terms of rule 62(1).....	—
30. Furnishing security in terms of rule 62(1).....	—

Amendment of Part I of Table B of Annexure 2 to the Rules

6. Part I of Table B of Annexure 2 to the Rules is hereby amended -

(a) by the amendment of the first sentence of paragraph (b) of item 3 as follows:

"(b) A fee of 10% on each instalment collected in redemption of the capital and costs of the actions, subject to a maximum amount of **[R250,00]** R300,00 on every instalment.";

(b) by the amendment of paragraph (d) of item 3 as follows:

"(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 **[R156,00]** R187,00. The total amount to be allowed for each tracing shall not exceed **[R119,00]** R143,00."; and

(c) by the amendment of the Tariff as follows:

"TARIFF**R**

(a) Where the claim does not exceed the amount of R1 000,00.....	[78,00] <u>94,00</u>
(b) Where the claim exceeds the amount of R1 000,00 but is not more than R2 000,00.....	[119,00] <u>143,00</u>
(c) Where the claim exceeds the amount of R2 000,00.....	[141,00] <u>169,00</u>
(d) Warrant of Arrest (Form 40A).....	[31,00] <u>37,00</u>
(e) (i) Emoluments Attachment Order (Form 38).....	[62,50] <u>75,00</u>
(ii) Reissue (Certificates included).....	[50,00] <u>60,00</u>
(f) [(g)] Application for costs on notice (including appearance in court).....	[31,00] <u>37,00</u>
(g) [(h)] Obtaining a certified copy of a judgment.....	[31,00] <u>37,00</u>
(h) [(i)] Affidavit or certificate by the judgment creditor or his or her attorney.....	[22,50] <u>27,00</u>
(i) [(j)] For each registered letter forwarded to the debtor in terms of section 65A(2), 65E(6) or 65J(2) of the Act by the creditor or his or her attorney.....	[14,00] <u>17,00</u>
(j) [(k)] Affidavit or affirmation by debtor [Rule 45(7)].....	[37,50] <u>45,00</u>
(k) [(l)] Request for an order under section 65 of the Act.....	[22,50] <u>27,00</u>
(l) [(m)] 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).....	[31,00] <u>37,00</u>
(m) [(n)] Subpoena:	
(i) Drawing up of subpoena, per folio.....	[9,00] <u>11,00</u>
(ii) Every necessary attendance, per attendance.....	[6,00] <u>7,00</u>
(n) [(o)] (i) Correspondence: For every necessary letter or telegram 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.....	[9,00] <u>11,00</u>

- (ii) Attendances: For each necessary attendance not otherwise provided for, per attendance..... **[9,00]** 11,00
- (iii) Necessary formal telephone calls, per call..... **[9,00]** 11,00".

Amendment of the Tariff in Part II of Table B of Annexure 2 to the Rules

7. The Tariff in Part II of Table B of Annexure 2 to the Rules is hereby amended by the amendment of the Tariff as follows:

"TARIFF

- (a) Where the claim does not exceed R200,00..... **[47,00]** 56,00
- (b) Where the claim exceeds R200,00..... **[100,00]** 120,00
- (c) Obtaining certified copy of a judgment..... **[28,00]** 34,00
- (d) Application for an order of execution against the garnishee..... **[28,00]** 34,00
- (e) Garnishee Order (Form 39)..... **[37,50]** 45,00".

Amendment of the Tariff in Part III of Table B of Annexure 2 to the Rules

8. The Tariff in Part III of Table B of Annexure 2 to the Rules is hereby amended as follows:

"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 with | [56,00] <u>67,00</u> | [78,00] <u>94,00</u> | [125,00] <u>150,00</u> |
| 2. Instructions on application under section 74Q(1) or to oppose such application or the granting of administration order..... | [44,00] <u>53,00</u> | [44,00] <u>53,00</u> | [44,00] <u>53,00</u> |
| 3. Drawing up application for administration order or review thereof and affidavit, including all annexures thereto and all attendances, excluding attendance in court..... | [78,00] <u>94,00</u> | [78,00] <u>94,00</u> | [78,00] <u>94,00</u> |

4. Making copies of application, affidavit and annexures for creditors, per page..... [1,25] 1.50 [1,25] 1.50 [1,25] 1.50
5. Perusal of application and other documents served, if any, per folio..... [3,00] 4.00 [3,00] 4.00 [3,00] 4.00
- Note: The fees under this item are only claimed by the attorney or an opposing party.*
6. Attending court:
- (a) On postponement or setting aside, if not occasioned by the attorney or his or her client..... [21,00] 25.00 [21,00] 25.00 [21,00] 25.00
- (b) On any other hearing..... [44,00] 53.00 [84,00] 101.00 [84,00] 101.00
7. For furnishing to a creditor by the administrator of the information referred to in section 74M(a) of the Act, per application..... [6,00] 7.00 [6,00] 7.00 [6,00] 7.00
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..... [1,00] 1.20 [1,00] 1.20 [1,00] 1.20
9. Correspondence and attendances..... [9,00] 11.00 [9,00] 11.00 [9,00] 11.00

Commencement

9. These rules shall come into operation on **18 February 2002.**

No. R. 38

18 Januarie 2002

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 vir Justisie en Staatkundige Ontwikkeling, die reëls in die Bylae gemaak.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Reëls" die reëls afgekondig by Goewermmentskennisgewing No. R. 1108 van 21 Junie 1968, soos gewysig deur Goewermmentskennisgewings 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, R. 1887 van 8 Augustus 1990, R. 1928 van 10 Augustus 1990, R. 1967 van 17 Augustus 1990, R. 1261 van 30 Mei 1991, R. 2407 van 27 September 1991, R. 2409 van 30 September 1991, R. 405 van 7 Februarie 1992, R. 1510 van 29 Mei 1992, R. 1882 van 3 Julie 1992, R. 871 van 21 Mei 1993, R. 959 van 28 Mei 1993, R. 1134 van 25 Junie 1993, R. 1355 van 30 Julie 1993, R. 1844 van 1 Oktober 1993, R. 2530 van 31 Desember 1993, R. 150 van 28 Januarie 1994, R. 180 van 28 Januarie 1994, R. 498 van 11 Maart 1994, R. 625 van 28 Maart 1994, R. 710 van 12 April 1994, R. 1062 van 28 Junie 1996, R. 1130 van 5 Julie 1996, R. 419 van 14 Maart 1997, R. 492 van 27 Maart 1997, R. 570 van 18 April 1997, R. 790 van 6 Junie 1997, R. 797 van 13 Junie 1997, R. 784 van 5 Junie 1998, R. 910 van 3 Julie 1998, R. 1025 van 7 Augustus 1998, R. 1126 van 4 September 1998, R. 569 van 30 April 1999, R. 501 van 19 Mei 2000 en R. 1087 van 26 Oktober 2001.

ALGEMENE VERDUIDELIKENDE NOTA

- [] Uitdrukings in vet druk tussen vierkantige hake dui skrappings uit bestaande reëls aan.
_____ Uitdrukings met 'n volstreep daaronder, dui invoegings in bestaande reëls aan.

Wysiging van Deel I van Tabel A van Bylae 2 by die Reëls

2. Deel I van Tabel A van Bylae 2 by die Reëls word hierby gewysig:

(a) deur paragraaf (a) van item 8 soos volg te wysig:

"(a) word vir die opstel van dokumente (nie pleitstukke nie) **[R9,00]** R11,00 vir elke folio toegelaat;"

(b) deur paragraaf (c) van item 8 soos volg te wysig:

"(c) word **[R6,00]** R7,00 vir elke nodige betekening toegelaat;"

(c) deur paragraaf (a) van item 11 soos volg te wysig:

"(a) Tensy anders bepaal, word 'n bedrag vir deurlesing teen **[R3,50]** R4,00 per folio toegelaat ten opsigte van 'n dokument of pleitstuk noodsaaklikerwys deurgelees;"

(d) deur paragraaf (b) van item 11 soos volg te wysig:

"(b) Waar gelde vir die maak van afskrifte toegelaat word, word dit toegelaat teen **[R1,25]** R1,50 per bladsy, ongeag die aantal woorde, tensy anders bepaal;"

(e) deur item 12 soos volg te wysig:

"12. Waar daar meer as een verweerder is, word **[R6,00]** R7,00 bygevoeg ten opsigte van elke addisionele verweerder vir elk van items 2 en 3 van Deel II en items 2 en 7 van Deel III;" en

(f) deur die eerste sin van item 13 soos volg te wysig:

"13. Waar die vonnisskuld in paaieimente betaalbaar is ingevolge die vonnis of 'n ooreenkoms, word gelde van 10% op elke paaieiment ingevorder ter delging van kapitaal, koste en rente toegelaat, onderworpe aan 'n maksimum van **[R250,00]** R300,00 per paaieiment."

Wysiging van Deel II van Tabel A van Bylae 2 by die Reëls

3. Deel II van Tabel A van Bylae 2 by die Reëls word hierby soos volg gewysig:

"DEEL II**ONBESTREDE AKSIES****R**

Item 1 -	Geregistreerde aanmaning ingevolge artikel 56 van die Wet.....	[14,00]	<u>17,00</u>
Item 2 -	Dagvaarding, met inbegrip van 'n ander aanmaning as die aanmaning in item 1 bedoel:		
	(a) Waar die eis minder as of gelykstaande is met die jurisdiksieperk van die hof vir klein eise.....	[47,00]	<u>56,00</u>
	(b) Waar die eis meer is as die jurisdiksieperk van die hof vir klein eise maar nie meer is nie as R5 000,00.....	[156,00]	<u>187,00</u>
	(c) Waar die eis meer is as R5000,00.....	[231,00]	<u>277,00</u>
Item 3 -	Vonnis:		
	(a) Waar die eis nie meer is nie as die bedrag in 2(a).....	[47,00]	<u>56,00</u>
	(b) Waar die eis meer is as in 2(b) maar nie meer is nie as R5 000,00.....	[119,00]	<u>143,00</u>
	(c) Waar die eis meer is as R5 000,00.....	[194,00]	<u>233,00</u>
Item 4 -	Kennisgewing ingevolge reël 12(2).....	[22,50]	<u>27,00</u>
Item 5 -	Kennisgewing ingevolge reël 54(l).....	[22,50]	<u>27,00</u>
Item 6 -	Beëdigde verklaring of sertifikaat.....		
Item 7 -	Verskyning in hof op versoek van die landdros wanneer eis na hof verwys is vir vonnis soos toegelaat onder item 15 van die skaal vir bestrede aksies.		
Item 8 -	Vir elke geregistreerde brief wat die eiser of sy of haar prokureur ingevolge artikel 57(1) of (3) of artikel 58(2) van die Wet aan die skuldenaar stuur, insluitende afskrifte.....	[14,00]	<u>17,00</u>
Item 9 -	Erkenning van aanspreeklikheid en onderneming om skuld in paaieimente of andersins te betaal (artikel 57 van die Wet).....	[37,50]	<u>45,00</u>
Item 10 -	Toestemming tot vonnis of tot vonnis en 'n bevel vir die betaling van vonnisskuld in paaieimente (artikel 58 van die Wet).....	[37,50]	<u>45,00</u>

Opmerking: Die bedrag van die gelde wat ingevolge items 4, 5, 6, 7, 8, 9 en 10 toegelaat kan word, word sonder taksasie ingesluit by die bedrag van koste waarvoor vonnis aangeteken word."

Wysiging van Deel III van Tabel A van Bylae 2 by die Reëls

4. Deel III van Tabel A van Bylae 2 by die Reëls word hierby soos volg gewysig:

"DEEL III

BESTREDE AKSIES (EN TUSSENPLEITVERRIGTINGE)

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, nagaan van alle dokumentasie en oorweging van die meriete en alle noodsaaklike konsultasies tot die uitreiking van dagvaarding.....	[187,50] 225,00	[250,00] 300,00	[300,00] 360,00
2. Dagvaarding.....	[94,00] 113,00	[131,00] 157,00	[157,00] 188,00
3. Verskyning.....	[16,00] 19,00	[16,00] 19,00	[19,00] 23,00
4. Kennisgewing kragtens reël 12(1)(b) en (2)	[16,00] 19,00	[16,00] 19,00	[19,00] 23,00
5. Verweerskrif.....	[94,00] 113,00	[131,00] 157,00	[157,00] 188,00
6. Eis in rekonvensie.....	[94,00] 113,00	[131,00] 157,00	[157,00] 188,00
7. Repliek, indien nodig.....	[94,00] 113,00	[131,00] 157,00	[157,00] 188,00
8. Die opstel van alle dokumente wat nie spesifiek gemeld word nie, insluitende versoek om nadere besonderhede, 'n lys van dokumente, alle beëdigde verklarings, subpoenas, enige kennisgewing waarvoor andersins nie voorsiening gemaak word nie en opstel van getuieverklarings.....	—	—	—

9.	Voorlegging van dokumente ter insae, of insae van dokumente, per kwartier of gedeelte daarvan van die tyd daaraan bestee.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
10.	Elke afskrif vir betekening, per bladsy.....	[1,25] 1.50	[1,25] 1.50	[1,25] 1.50
11.	Afneem van verklaring van getuies, per kwartier of gedeelte daarvan.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
12.	Kennisgewing van verhoor of herplasing....	[16,00] 19.00	[16,00] 19.00	[19,00] 23.00
13.	Voorbereiding vir verhoor (as 'n advokaat nie verskyn nie).....	[312,50] 375.00	[425,00] 510.00	[510,00] 612.00
14.	Verskyning by skikkingsonderhandelinge, vir elke kwartier of gedeelte daarvan wat werklik aan sodanige onderhandeling bestee is.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
15.	Verskyning in die hof tydens verhoor, of by ondersoek ter plaatse, of by uitstel of by ondersoek op kommissie, vir elke kwartier of gedeelte daarvan in die hof teenwoordig terwyl die saak werklik verhoor word -			
	(a) as 'n advokaat nie verskyn nie.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
	(b) as 'n advokaat verskyn.....	Nul	[22,50] 27.00	[27,00] 32.00
16.	Verskyning by voorverhooronderhoud, vir elke kwartier of gedeelte daarvan wat werklik aan sodanige onderhoud bestee is..	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
17.	Verskyning in hof om voorbehoue uitspraak aan te hoor, per kwartier of gedeelte daarvan.....	[11,00] 13.00	[11,00] 13.00	[13,00] 16.00
18.	Briefwisseling:			
	(a) Vir elke brief of telegram wat noodsaaklikerwys geskryf word, per folio.....	[9,00] 11.00	[9,00] 11.00	[11,00] 13.00
	(b) Vir elke brief of telegram wat ontvang word, met dien verstande dat gelde vir deurlesing nie bykomend tot die hierin genoemde gelde toegelaat word nie...	[6,00] 7.00	[9,00] 11.00	[11,00] 13.00

19.	Bywonings: Vir elke noodsaaklike bywoning waarvoor andersins nie voorsiening gemaak is nie, per bywoning.....	[6,00] 7.00	[9,00] 11.00	[11,00] 13.00
20.	Noodsaaklike formele telefoonoproep, per oproep.....	[6,00] 7.00	[9,00] 11.00	[11,00] 13.00
21.	Telefoniese konsultasies: Vir elke 5 minute of deel daarvan, onderworpe aan 'n maksimum bedrag van [R94,00] 113.00 per konsultasie.....	[16,00] 19.00	[16,00] 19.00	[19,00] 23.00
22.	Elke noodsaaklike konsultasie, per kwartier of gedeelte daarvan.....	[56,00] 67.00	[56,00] 67.00	[67,00] 80.00
23.	Die hof kan op versoek, gedoen tydens die verhoor, benewens die gelde by item 13 hierbo voorgeskryf, aanvullingsgeld in uitgestelde of deelsverhoorde verhore toelaat.....	[194,00] 233.00	[275,00] 330.00	[330,00] 396.00
24.	Wagtyd by hof (deurdat 'n hof nie beskikbaar is nie), per kwartier of gedeelte daarvan.....	[37,50] 45.00	[37,50] 45.00	[45,00] 54.00
25.	Reistyd [behoudens die bepalings van reël 33(9)], per kwartier of gedeelte daarvan.....	[37,50] 45.00	[37,50] 45.00	[45,00] 54.00
26.	Reis- en verblyfkoste soos bepaal in reël 33(9).....	Die werklike redelike reis- en verblyfkoste soos bepaal in reël 33(9)."		

Wysiging van Deel IV van Tabel A van Bylae 2 by die Reëls

5. Deel IV (behalwe items 21 tot 26) van Tabel A van Bylae 2 by die Reëls word hierby soos volg gewysig:

"DEEL IV

ANDER AANGELEENTHEDE

Eksepsies, aansoeke om deurhaling, aansoek om summier vonnis, tussenaansoeke, arres, interdik, *ex parte*-aansoeke kragtens reël 27(9), aansoeke om hersiening van vonnis, bevel of taksasie en aansoeke om likwidasië van beslote korporasies en aansoeke ingevolge artikel 65J van die Wet.

Item	Skaal A R	Skaal B R	Skaal C R
1. (a) Instruksies om aansoek te doen of te bestry of om gronde aan te voer (die hof kan op versoek 'n hoër bedrag toelaat).....	[47,00] <u>56,00</u>	[94,00] <u>113,00</u>	[113,00] <u>135,00</u>
(b) Instruksies om aansoek te doen om likwidasië van 'n beslote korporasie, nagaan van alle dokumentasie en ooreweging van die meriete, en alle noodsaaklike konsultasies.....	[231,00] <u>277,00</u>	[231,00] <u>277,00</u>	[277,00] <u>332,00</u>
2. Opstel van alle dokumente, beëdigde verklarings, aansoeke en kennisgewings, bevele, ensovoorts.....	—	—	—
3. Verskyning in die hof by verhoor:			
(a) Indien onbestrede of bestrede (as 'n advokaat nie verskyn nie), vir elke kwartier of gedeelte daarvan werklik in die hof teenwoordig.....	[56,00] <u>67,00</u>	[56,00] <u>67,00</u>	[67,00] <u>80,00</u>
(b) Indien bestrede (as 'n advokaat verskyn), vir elke kwartier of gedeelte daarvan werklik in die hof teenwoordig	Nul	[22,50] <u>27,00</u>	[27,00] <u>32,00</u>
4. Gelde vir voorbereiding vir verhoor, wanneer bestrede, indien deur die hof op versoek toegelaat.....	[194,00] <u>233,00</u>	[231,00] <u>277,00</u>	[277,00] <u>332,00</u>
5. Konsultasies en skikkingsonderhandelinge - wanneer bestrede, per kwartier of gedeelte daarvan.....	[56,00] <u>67,00</u>	[56,00] <u>67,00</u>	[67,00] <u>80,00</u>

Opmerking: Die hof kan op versoek gedoen tydens die verhoor, as alternatief tot die gelde in item 4 voorgeskryf, gelde vir die voorbereiding van beredenering ingevolge items 13 en 23 van die skaal vir bestrede aksies toelaat.

Item	Skaal
TAKSASIE VAN KOSTE	R
6. Opstel van kosterekening: 5% van die gelde wat toegelaat word.	
7. Verskyning by taksasie: 5% van die totaal van die rekening wat toegelaat word.	
8. Verskyning by hersiening van taksasie, vir elke kwartier of gedeelte daarvan in die hof, terwyl hersiening werklik verhoor word.....	[56,00] 67.00
9. Kennisgewing van aansoek om hersiening van taksasie en betekening.....	—

10. Beëdigde verklaring waar nodig.....	—
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TENUITVOERLEGGING

11. (a) Uitreiking van lasbrief vir eksekusie, uitsetting en inbesitstelling.....	[37,50] 45.00
(b) Vir elke heruitreiking daarvan.....	[16,00] 19.00
12. Allesinsluitende gelde vir werk verrig in verband met vrystelling van onroerende goed waarop beslag gelê is.....	[47,00] 56.00
13. Allesinsluitende gelde vir werk verrig in verband met die eksekusie- verkoping van slegs onroerende goed (uitgesonderd werk ten opsigte waarvan gelde reeds elders voorgeskryf word en die opstel van verkoopsvoorwaardes).....	[119,00] 143.00
14. (a) Opstel van kennisgewing van verkoping ingevolge reël 41(8) of reël 43(6), of voorwaardes van verkoop ingevolge reël 43(7).....	—
(b) Vir alle ander werk gedoen en stukke en dokumente verskaf aan die balju vir die landdroshof in verband met 'n geregtelike verkoping van roerende goed, allesinsluitende gelde van.....	[81,00] 97.00
15. Sekerheidstelling vir restitusie, waar nodig.....	[31,00] 37.00

WANNEER 'N ADVOKAAT VERSKYN

16. Instruksies by eksepsie of op aansoek waar toegelaat.....	[56,00] 67.00
17. Instruksies by verhoor.....	[69,00] 83.00
18. Opstel van opdrag by eksepsie of aansoek waar toegelaat.....	—
19. Opstel van opdrag by verhoor.....	—
20. Bywoning van elke noodsaaklike konsultasie met advokaat, per kwartier of gedeelte daarvan.....	[22,50] 27.00

DIVERSE

27. Verkryging van gewaarmerkte afskrif van vonnis.....	[28,00] 34.00
28. Verkryging van betaling ingevolge reël 18(4).....	[19,00] 23.00

29. Versoek om sekerheid ingevolge reël 62(l)..... —
30. Die stel van sekerheid ingevolge reël 62(l)..... —

Wysiging van Deel I van Tabel B van Bylae 2 by die Reëls

6. Deel I van Tabel B van Bylae 2 by die Reëls word hierby gewysig -

(a) deur die eerste sin van paragraaf (b) van item 3 soos volg te wysig:

"(b) Gelde van 10% op elke paalement ingevorder ter delging van die kapitaal en koste van die aksie, onderworpe aan 'n maksimum bedrag van **[R250,00] R300,00** op elke paalement.";

(b) deur paragraaf (d) van item 3 soos volg te wysig:

"(d) 'n Bedrag wat noodsaaklikerwys en werklik uitbetaal is ten einde die vonnisskuldenaar op te spoor waar die kapitaalbedrag van die skuld ten tyde van die indiensneming van die opsporingsagent nie minder as **[R156,00] R187,00** was nie. Die bedrag wat vir elke opsporing toelaatbaar is, oorskry nie **[R119,00] R143,00** nie."; en

(c) deur die Tarief soos volg te wysig:

	"TARIEF	R
(a) Waar die eis nie meer is as R 1 000,00.....	[78,00]	94,00
(b) Waar die eis meer is as R 1 000,00 maar nie meer is as R 2 000,00.....	[119,00]	143,00
(c) Waar die eis meer is as R2 000,00.....	[141,00]	169,00
(d) Lasbrief vir Arres (Vorm 40A).....	[31,00]	37,00
(e) (i) Besoldigingsbeslagbevel (Vorm 38).....	[62,50]	75,00
(ii) Heruitreiking (Sertifikate ingesluit).....	[50,00]	60,00
(f) [(g)] Aansoek om koste op kennisgewing (insluitende verskyning in die hof).....	[31,00]	37,00
(g) [(h)] Verkryging van 'n gewaarmerkte afskrif van 'n vonnis.....	[31,00]	37,00
(h) [(i)] Beëdigde verklaring of sertifikaat deur die vonnisskuldeiser of sy of haar prokureur....	[22,50]	27,00
(i) [(j)] Vir elke geregistreerde brief deur die eiser of sy of haar prokureur ingevolge artikels 65A(2), 65E(6) of 65J(2) van die Wet aan die skuldenaar gestuur.....	[14,00]	17,00
(j) [(k)] Beëdigde verklaring of bevestiging deur skuldenaar [Reël 45(7)].....	[37,50]	45,00
(k) [(l)] Versoek om 'n bevel kragtens artikel 65 van die Wet.....	[22,50]	27,00

(l)(m) Bywoning van uitgestelde verrigtinge ingevolge artikel 65E(3) van die Wet of bywoning van verrigtinge van die hof na aanleiding van die arres van 'n skuldenaar, direkteur of beampte of na aanleiding van 'n kennisgewing in artikel 65A(8)(b) bedoel..... **[31,00] 37,00**

(m) [(n)] Getuiedagvaarding:

(i) Opstel van getuiedagvaarding, per folio..... **[9,00] 11,00**

(ii) Elke noodsaaklike bywoning, per bywoning..... **[6,00] 7,00**

(n) [(o)] (i) Briefwisseling: Vir elke brief of telegram wat noodsaaklikerwys geskryf of ontvang word, insluitende 'n afskrif om te hou, met dien verstande dat gelde vir deurlesing nie bykomend tot die hieringenoemde gelde toegelaat word nie, per folio..... **[9,00] 11,00**

(ii) Bywonings: Vir elke noodsaaklike bywoning waarvoor andersins nie voorsiening gemaak is nie, per bywoning..... **[9,00] 11,00**

(iii) Noodsaaklike formele telefoonoproepe, per oproep..... **[9,00] 11,00"**

Wysiging van die Tarief in Deel II van Tabel B van Bylae 2 by die Reëls

7. Die Tarief in Deel II van Tabel B van Bylae 2 by die Reëls word hierby soos volg gewysig:

"TARIEF

R

(a) Waar die eis nie meer is as R200,00..... **[47,00] 56,00**

(b) Waar die eis meer is as R200,00..... **[100,00] 120,00**

(c) Verkryging van 'n gewaarmerkte afskrif van 'n vonnis..... **[28,00] 34,00**

(d) Aansoek om 'n bevel tot eksekusie teen die beslagskuldenaar..... **[28,00] 34,00**

(e) Skuldbeslagbevel (Vorm 39)..... **[37,50] 45,00"**

Wysiging van die Tarief in Deel III van Tabel B van Bylae 2 by die Reëls

8. Die Tarief in Deel III van Tabel B van Bylae 2 by die Reëls word hierby soos volg gewysig:

"TARIEF

Item	Een tot tien	Elf tot twintig	Meer as twintig
	skuldeisers	skuldeisers	skuldeisers
	R	R	R
1. Instruksies om aansoek te doen om administrasiebevel, insluitende die nodige deurlees van dagvaardings, aanmanings, ens, en vasstelling van die bedrag van bates en laste, insluitende alle verskynings en briefwisselings nodig in verband daarmee.....	[56,00] 67,00	[78,00] 94,00	[125,00] 150,00
2. Instruksies op aansoek kragtens artikel 74Q(1) of om sodanige aansoek of die toestaan van administrasiebevel te opponeer.....	[44,00] 53,00	[44,00] 53,00	[44,00] 53,00
3. Opstel van aansoek om administrasiebevel, of hersiening daarvan, en beëdigde verklaring, insluitende alle bylaes daarvan en alle verskynings uitgesonderd verskyning in hof.....	[78,00] 94,00	[78,00] 94,00	[78,00] 94,00
4. Maak van afskrifte van aansoek, beëdigde verklarings en bylaes vir skuldeisers, per bladsy.....	[1,25] 1,50	[1,25] 1,50	[1,25] 1,50
5. Deurlees van aansoek en ander betekende dokumente, as daar is, per folio.....	[3,00] 4,00	[3,00] 4,00	[3,00] 4,00
<i>Opmerking:</i> Die gelde onder hierdie item word slegs deur die prokureur of 'n teenparty geëis.			
6. Verskyning in hof:			
(a) By uitstel of tersydestelling, indien nie deur die prokureur of sy of haar kliënt veroorsaak nie.....	[21,00] 25,00	[21,00] 25,00	[21,00] 25,00
(b) By enige ander verhoor.....	[44,00] 53,00	[84,00] 101,00	[84,00] 101,00
7. Vir verstrekking deur die administrateur aan 'n skuldeiser van die inligting bedoel in artikel 74M(a) van die Wet, per aansoek.....	[6,00] 7,00	[6,00] 7,00	[6,00] 7,00

8.	Vir verstrekking deur die administrateur ingevolge artikel 74M(b) van 'n afskrif van die skuldenaar se staat van sake in artikel 74 en 74A(1) van die Wet bedoel, of van 'n lys of rekening in artikel 74G(1) of 74J van die Wet bedoel, of van die skuldenaar se staat van sake in artikel 65(2) van die Wet bedoel, per bladsy,	[1,00] 1.20	[1,00] 1.20	[1,00] 1.20
9.	Briefwisseling en bywonings.....	[9,00] 11.00	[9,00] 11.00	[9,00] 11.00

Inwerkingtreding

9. Hierdie reëls tree op 18 Februarie 2002 in werking.

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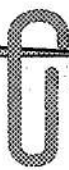
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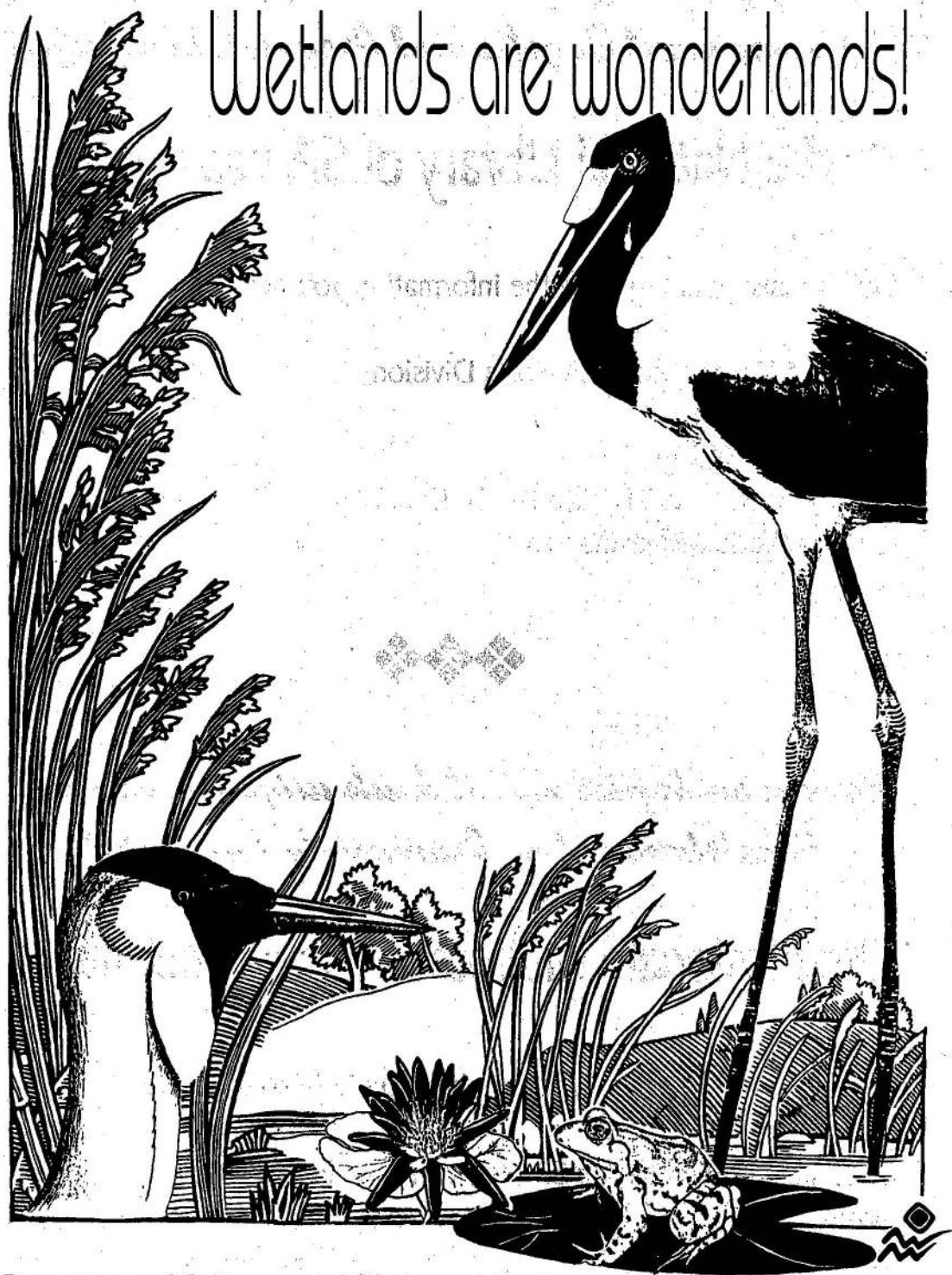
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