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CONTENTS

No.		Page No.	Gazette No.
GOVERNMENT NOTICE			
Justice and Constitutional Development, Department of			
<i>Government Notice</i>			
R. 1755	Rules Board for Courts of Law Act (107/1985): Rules regulating the conduct of the proceedings of the various Provincial and Local Divisions of the High Court of South Africa	3	25795

INHOUD

No.		Bladsy No.	Koerant No.
GOEWERMENTSKENNISGEWING			
Justisie en Staatkundige Ontwikkeling, Departement van			
<i>Goewermentskennisgewing</i>			
R. 1755	Wet op die Reëlsraad vir Geregshoue (107/1985): Reëls waarby die verrigtinge van die verskillende Provinsiale en Plaaslike Afdelings van die Hoë Hof van Suid-Afrika gereël word.....	11	25795

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

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

No. R. 1755

5 December 2003

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

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

SCHEDULE

Definitions

1. In these rules "the Rules" means the Rules Regulating the Conduct of the Proceedings of the Various Provincial and Local Divisions of the High Court of South Africa published under Government Notice No. R.48 of 12 January 1965, as amended by Government 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, R.185 of 2 February 1990, R.1929 of 10 August 1990, R.1262 of 30 May 1991, R.2410 of 30 September 1991, R.2845 of 29 November 1991, R.406 of 7 February 1992, R.1883 of 3 July 1992, R.109 of 22 January 1993, R.960 of 28 May 1993, R.974 of 1 June 1993, R.1356 of 30 July 1993, R.1843 of 1

October 1993, R.2365 of 10 December 1993, R.2529 of 31 December 1993, R.181 of 28 January 1994, R.411 of 11 March 1994, R.873 of 31 May 1996, R.1063 of 28 June 1996, R.1557 of 20 September 1996, R.1746 of 25 October 1996, R.2047 of 13 December 1996, R.417 of 14 March 1997, R.491 of 27 March 1997, R.700 of 16 May 1997, R.798 of 13 June 1997, R.1352 of 10 October 1997, R.785 of 5 June 1998, R.881 of 26 June 1998, R. 1024 of 7 August 1998, 1723 of 30 December 1998, R.315 of 12 March 1999, R.568 of 30 April 1999, R.1084 of 10 September 1999, R.1299 of 29 October 1999, R.502 of 19 May 2000, R.849 of 25 August 2000, R.373 of 30 April 2001 and R.1088 of 26 October 2001.

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

— Expressions underlined indicate insertions into existing rules

Amendment of rule 70 of the Rules

2. Rule 70 of the Rules is hereby amended by the amendment of the Tariff of fees of attorneys as follows:

**"A – CONSULTATIONS, APPEARANCES, CONFERENCES
AND INSPECTIONS**

	R	c	R	c
1. Consultation with a client and witnesses to institute or to defend an action, for advice on evidence or advice on commission, for obtaining an opinion or an advocate's guidance in preparing pleadings, including exceptions, and to draft a petition or affidavit, per quarter of an hour or part thereof –				
(a) by an attorney.....	[R 100,00]		<u>R 125, 00</u>	
(b) by a candidate attorney.....	[R 30, 00]		<u>R 38, 00</u>	
2. Consultation to note, prosecute or defend an appeal, per quarter of an hour or part thereof –				
(a) by an attorney.....	[R 100, 00]		<u>R 125, 00</u>	
(b) by a candidate attorney.....	[R 30,00]		<u>R 38, 00</u>	
3. Attendance by an attorney in court at proceedings in terms of rule 37 of these Rules, per quarter of an hour or part thereof...	[100, 00]		<u>125, 00</u>	

	R c	R c
4. Attendance by a candidate attorney, where necessary, to assist at a contested proceeding, per quarter of an hour or part thereof.....	[R 30, 00]	<u>R 38, 00</u>
5. Any conference with an advocate, with or without witnesses, on pleadings, including exceptions and particulars to pleadings, applications, petitions, affidavits and testimony, and on any other matter which the taxing officer may consider necessary, per quarter of an hour or part thereof –		
(a) by an attorney.....	[R 100, 00]	<u>R 125, 00</u>
(b) by a candidate attorney.....	[R 30, 00]	<u>R 38, 00</u>
6. Any other conference which the taxing officer may consider necessary, per quarter of an hour or part thereof –		
(a) by an attorney.....	[R 100, 00]	<u>R 125, 00</u>
(b) by a candidate attorney.....	[R 30, 00]	<u>R 38, 00</u>
7. Any inspection <i>in situ</i> , or otherwise, per quarter of an hour or part thereof –		
(a) by an attorney.....	[R 100, 00]	<u>R 125, 00</u>
(b) by a candidate attorney.....	[R 30, 00]	<u>R 38, 00</u>
8. Attending to give or take disclosure, per quarter of an hour or part thereof –		
(a) by an attorney.....	[R 100, 00]	<u>R125, 00</u>
(b) by a candidate attorney.....	[R 30, 00]	<u>R 38, 00</u>
9. Inclusive fee for necessary consultations and discussions with a client, witness, other party or advocate not otherwise provided for, per quarter of an hour or part thereof –		
(a) by an attorney.....	[R 100, 00]	<u>R 125, 00</u>
(b) by a candidate attorney.....	[R 30, 00]	<u>R 38, 00</u>
10. Appearance by an attorney in court or the performance by an attorney of any of the other functions of an advocate, in terms of the Right of Appearance in Courts Act, 1995 (Act No. 62 of 1995).....		

The tariff under Rule 69
shall apply

R c

R c

11. The rates of remuneration in items 1 to 9 do not include time spent travelling or waiting and the taxing officer may, in respect of time necessarily so spent, allow such additional remuneration as he or she in his or her discretion considers fair and reasonable, but not exceeding [R 100, 00] R 125, 00 per quarter of an hour or part thereof in the case of an attorney and [R 30, 00] R 38, 00 per quarter of an hour or part thereof in the case of a candidate attorney plus a reasonable amount for necessary conveyance.

B – DRAFTING AND DRAWING

1. The drawing up of a formal statement in a matrimonial matter, verifying affidavits, affidavits of service or other formal affidavits, index to brief, short brief, statements of witnesses, powers of attorney to sue or defend, as well as other formal documents and summonses, including all documents such as the prescribed forms in the First Schedule to these Rules, but not the particulars of claim in an annexure to the summons: an inclusive tariff – drawing up, checking, typing, printing, copies, delivery and filing thereof, per page of the original only..... [R 40, 00] R 50, 00
2. The drawing up of other necessary documents, including –
 - (a) instructions for an opinion, for an advocate's guidance in preparing pleadings, including further particulars and requests for same, including exceptions;
 - (b) instructions to advocate in respect of all classes of pleadings;
 - (c) a petition, exception or affidavit, any notice (except a formal notice), particulars of claim or an annexure to the summons, opinion by an attorney or any other important document not otherwise provided for,
 an inclusive tariff – drawing up, checking, typing, printing, copies, delivery and filing thereof, per page of the original only..... [R 100, 00] R 125, 00

- | | R c | R c |
|--|------------|-----------------|
| 3. Letters, telegrams and facsimiles: Inclusive tariff for drawing up, checking, typing, printing, delivery, copies, postage, posting thereof, per page..... | [R 40, 00] | <u>R 50, 00</u> |

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

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

C – ATTENDANCE AND PERUSAL

- | | | |
|---|-------------|------------------|
| 1. Attending the receipt, entry, perusing, considering and filing of – | | |
| (a) any summons, petition, affidavit, pleading, advocate's advice and drafts, report, important letter, notice or document; | | |
| (b) any formal letter, record stock sheets in voluntary surrenders, judgments or any other material document not elsewhere specified; | | |
| (c) any plan or exhibit or other material document which was necessary for the conduct of the action, | | |
| per page..... | [R 20, 00] | <u>R 25, 00</u> |
| 2. Sorting, arranging and paginating papers for pleadings, advice on evidence or brief on trial or appeal, per quarter of an hour or part thereof – | | |
| (a) by an attorney..... | [R 100, 00] | <u>R 125, 00</u> |
| (b) by a candidate attorney..... | [R 30, 00] | <u>R 38, 00</u> |

R c

R.....c

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

D - MISCELLANEOUS

- | | | |
|--|-------------|------------------|
| 1. For making necessary copies, including photocopies, of any document or papers not already provided for in this tariff, per A4 size page..... | [R 1, 00] | <u>R 1, 25</u> |
| 2. Attending to arrange translation and thereafter to procure same, per quarter of an hour or part thereof - | | |
| (a) by an attorney..... | [R 100, 00] | <u>R 125, 00</u> |
| (b) by a candidate attorney..... | [R 30, 00] | <u>R 38, 00</u> |
| 3. Necessary telephone calls: The actual cost thereof plus, per quarter of an hour or part thereof - | | |
| (a) by an attorney..... | [R 100, 00] | <u>R 125, 00</u> |
| (b) by a candidate attorney..... | [R 30, 00] | <u>R 38, 00</u> |
| 4. Sending facsimile letters: The actual cost of sending the facsimile letter, in addition to the fee allowed for the drawing thereof under item B.3 above. | | |
| 5. Testimony: Fair and reasonable charges and expenses which in the opinion of the taxing officer were duly incurred in the procurement of the evidence and the attendance of witnesses whose witness fees have been allowed on taxation: Provided that the preparation fees of a witness shall not be allowed without an order of the court or the consent of all interested parties. | | |

E - BILL OF COSTS

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

R c R c

1. For drawing the bill of costs, making the necessary copies and attending settlement, **[5] 6, 25** per cent of the attorney's fees, either as charged in the bill, if not taxed, or as allowed on taxation.
2. In addition to the fees charged under item 1, if recourse is had to taxation for arranging and attending taxation and obtaining consent to taxation, **[5] 6, 25** per cent on the first R 10 000, 00 or portion thereof, **[2, 5] 3** per cent on the next R 10 000, 00 or portion thereof and **[1] 1, 25** per cent on the balance of the total amount of the bill.
3. (a) Whenever an attorney employs the services of another person to draft his or her bill of costs, a certificate shall accompany that bill of costs in which that attorney certifies that –
 - (i) the bill of costs thus drafted was properly perused by him or her and found to be correct; and
 - (ii) every description in such bill with reference to work, time and figures is consistent with what was necessarily done by him or her.(b) The taxing **[master] officer** may –
 - (i) if he or she is satisfied that one or more of the requirements referred to in item 3(a) has not been complied with, refuse to tax such bill;
 - (ii) if he or she is satisfied that fees are being charged in a party-and-party bill of costs –
 - (aa) for work not done;
 - (bb) for work for which fees are to be charged in an attorney-and-client bill of costs; or
 - (cc) which are excessively high,deny the attorney the remuneration referred to in items 1 and 2 of this section, if more than 20 per cent of the number of items on the bill of costs, including expenses,

R c

R c

or of the total amount of the bill of costs, including expenses, is taxed off.

NOTE: The minimum fees under items 1 and 2 shall be R 100, 00 for each item.

F – EXECUTION

- | | | |
|--|-------------|-------------------|
| 1. Drafting, issue and execution of a warrant of execution and attendances in connection therewith, excluding sheriff's fees (if not taxed)..... | [R 200, 00] | <u>R 250, 00</u> |
| 2. Reissue..... | [R 50, 00] | <u>R 63, 00".</u> |

Commencement

3. This rule shall come into operation on **5 January 2004.**

No. R. 1755

5 Desember 2003

REËLS WAARBY DIE VERRIGTINGE VAN DIE VERSKILLENDEN PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOË HOF VAN SUID-AFRIKA GEREËL WORD

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

BYLAE**Woordomskrywing**

1. In hierdie reëls beteken "die Reëls" die Reëls waarby die verrigtinge van die verskillende Provinsiale en Plaaslike Afdelings van die Hoë Hof van Suid-Afrika gereël word, afgekondig by Goewermentskennisgewing No. R.48 van 12 Januarie 1965, soos gewysig 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, R.185 van 2 Februarie 1990, R.1929 van 10 Augustus

1990, R.1262 van 30 Mei 1991, R.2410 van 30 September 1991, R.2845 van 29 November 1991, R.406 van 7 Februarie 1992, R.1883 van 3 Julie 1992, R.109 van 22 Januarie 1993, R.960 van 28 Mei 1993, R.974 van 1 Junie 1993, R.1356 van 30 Julie 1993, R.1843 van 1 Oktober 1993, R.2365 van 10 Desember 1993, R.2529 van 31 Desember 1993, R.181 van 28 Januarie 1994, R.411 van 11 Maart 1994, R.873 van 31 Mei 1996, R.1063 van 28 Junie 1996, R.1557 van 20 September 1996, R.1746 van 25 Oktober 1996, R.2047 van 13 Desember 1996, R.417 van 14 Maart 1997, R.491 van 27 Maart 1997, R.700 van 16 Mei 1997, R.798 van 13 Junie 1997, R.1352 van 10 Oktober 1997, R.785 van 5 Junie 1998, R.881 van 26 Junie 1998, R.1024 van 7 Augustus 1998, R.1723 van 30 Desember 1998, R.315 van 12 Maart 1999, R.568 van 30 April 1999, R.1084 van 10 September 1999, R.1299 van 29 Oktober 1999, R.502 van 19 Mei 2000, R.849 van 25 Augustus 2000, R.373 van 30 April 2001 en R.1088 van 26 Oktober 2001.

**[] Uitdrukings in vet druk tussen vierkantige hake dui skappings uit
bestaande reëls aan**

_____ Uitdrukings met 'n volstreep daaronder, dui invoegings in bestaande reëls aan

Wysiging van reël 70 van die Reëls

2. Reël 70 van die Reëls word hierby gewysig deur die Tarief van gelde van prokureurs soos volg te wysig:

**"A – KONSULTASIES, BYWONINGS, SAMESPREKINGS EN
ONDERSOEKE**

	R	c	R	c
1. Konsultasie met kliënt en getuies om 'n geding in te stel of te verdedig, vir advies oor getuienis of advies op kommissie, vir die verkryging van opinie of die leiding van 'n advokaat by die voorbereiding van pleitstukke, insluitende eksepsies, en om 'n petisie of beëdigde verklaring op te stel, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
2. Konsultasie om appél aan te teken, voort te sit of te verdedig, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	

	R	c	R	c
3. Bywoning deur 'n prokureur in hof by verrigtinge ingevolge reël 37 van hierdie Reëls, per kwartier of gedeelte daarvan....	[R 100, 00]		<u>R 125, 00</u>	
4. Bywoning deur 'n kandidaatprokureur om, waar noodsaaklik, by bestrede verrigtinge te help, per kwartier of gedeelte daarvan.....	[R 30, 00]		<u>R 38, 00</u>	
5. Enige samespreking met 'n advokaat, met of sonder getuies, ten opsigte van pleitstukke, met inbegrip van eksepsies en besonderhede by pleitstukke, aansoeke, petisies, beëdigde verklarings en getuienis, en ten opsigte van enige ander aangeleentheid wat die takseermeester noodsaaklik ag, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
6. Enige ander samespreking wat die takseermeester noodsaaklik mag ag, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
7. Enige inspeksie <i>in situ</i> of elders, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30,00]		<u>R 38, 00</u>	
8. Opwagting by blootlegging of insae, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
9. Allesinsluitende gelde vir noodsaaklike konsultasies en samesprekings met 'n klient, getuie, ander party of advokaat waarvoor nie andersins voorsiening gemaak is nie, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	

R c

R c

10. Verskyning deur 'n prokureur in die hof of die verrigting deur 'n prokureur van enige van die ander werksaamhede van 'n advokaat kragtens die bepalings van die Wet op die Reg op Verskyning in Howe, 1995 (Wet No. 62 van 1995)..... Die tarief ingevolge reël 69 is van toepassing
11. Die skale van vergoeding in items 1 tot 9 sluit nie reis-en wagtyd in nie en die takseermeester kan ten opsigte van tyd noodsaaklikerwys daaraan bestee, na goeddunke soveel addisionele vergoeding toestaan as wat hy of sy billik en redelik ag, maar hoogstens **[R 100, 00]** R 125, 00 per kwartier of gedeelte daarvan in die geval van 'n prokureur en **[R 30, 00]** R 38, 00 per kwartier of gedeelte daarvan in die geval van 'n kandidaatprokureur, plus 'n redelike bedrag vir noodsaaklike vervoerkoste.

B – OPSTEL VAN DOKUMENTE

1. Die opstel van 'n formele verklaring in 'n huweliksgeding, bevestigende beëdigde verklarings, beëdigde verklarings ten opsigte van betekening of ander formele beëdigde verklarings, inhoudsopgawe vir advokaatsopdrag, kort opdrag, getuieverklarings, prokurasie om te dagvaar of te verdedig asook ander formele dokumente en dagvaardings, insluitende alle dokumente soos die voorgeskrewe vorms in die Eerste Bylae van hierdie Reëls, maar nie die besonderhede van vordering in 'n aanhangsel by die dagvaarding nie: 'n allesinsluitende tarief vir opstel, nasien, tik, uitdruk, afskrifte, aflewering en indiening daarvan, per bladsy van slegs die oorspronklike..... **[R 40, 00]** R 50, 00
2. Die opstel van ander noodsaaklike dokumente, insluitende -
- (a) instruksies vir 'n opinie, vir die leiding van 'n advokaat by die voorbereiding van pleitstukke, insluitende verdere besonderhede en versoeke daarom, insluitende eksepsies;
 - (b) instruksies aan 'n advokaat ten opsigte van alle klasse pleitstukke;

	R	c	R	c
(c) 'n petisie, eksepsie of beëdigde verklaring, enige kennisgewing (uitgesonderd 'n formele kennisgewing), besonderhede van vordering of 'n aanhangsel by die dagvaarding, 'n opinie deur 'n prokureur of enige ander belangrike dokument waarvoor nie andersins voorsiening gemaak is nie[:].				
'n allesinsluitende tarief vir opstel, nasien, tik, uitdruk, afskrifte, aflewering en indiening daarvan, per bladsy van slegs die oorspronklike.....	[R 100, 00]		<u>R 125, 00</u>	
3. Briewe, telegramme en faksimileë: 'n allesinsluitende tarief vir opstel, nasien, tik, uitdruk, aflewering, afskrifte, posgeld, pos daarvan, per bladsy.....	[R 40, 00]		<u>R 50, 00</u>	

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

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

C – OPWAGTING EN DEURLESING

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

	R	c	R	c
(c) 'n plan of bewysstuk of ander belangrike dokument wat noodsaaklik vir die voer van die geding was, per bladsy.....	[R 20, 00]		<u>R 25, 00</u>	
2. Sortering, rangskikking en paginerings van stukke vir die opstel van pleitstukke, advies oor getuienis of opdrag vir 'n verhoor of appèl, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
<i>OPMERKING:</i> Besonderhede van stukke wat ontvang word, hoef nie in kosterekenings gespesifiseer te word nie. Die aantal stukke en bladsye wat ontvang is, asook die totale bedrag wat daarvoor gehef word, moet vermeld word. Die teenparty sowel as die takseermeester is daarop geregtig om die stukke wat ontvang is, in te sien indien die korrektheid van die item betwis word.				
D – DIVERSE				
1. Vir die maak van noodsaaklike afskrifte, insluitende fotostate, van enige dokument of stukke waarvoor daar nie reeds in hierdie tarief voorsiening gemaak is nie, per A4-grootte-bladsy.....	[R 1, 00]		<u>R 1, 25</u>	
2. Opwagting om vertaling te reël en daarna te verkry, per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
3. Noodsaaklike telefoonoproep: Die werklike koste daarvan plus per kwartier of gedeelte daarvan –				
(a) deur 'n prokureur.....	[R 100, 00]		<u>R 125, 00</u>	
(b) deur 'n kandidaatprokureur.....	[R 30, 00]		<u>R 38, 00</u>	
4. Versending van faksimileëbriewe: Die werklike koste om die faksimileëbrief te versend, benewens die gelde toegelaat vir die opstel daarvan ingevolge item B.3 hierbo.				
5. Getuienis: Billike en redelike vorderings en uitgawes wat volgens die mening van die takseermeester behoorlik aangegaan is vir die verkryging van die getuienis en die bywoning van getuies wie se getuiegelde by taksasie				

R c

R c

toegestaan is: Met dien verstande dat die voorbereidingsgelde van 'n getuie nie sonder 'n bevel van die hof of die toestemming van alle belanghebbende partye toegestaan word nie.

E – KOSTEREKENING

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

1. Vir die opstel van die kosterekening, die maak van die nodige afskrifte en opwagting by afrekening, [5] 6,25 persent van die prokureursgelde, hetsy soos gevra in die kosterekening indien nie getakseer nie, of soos toegestaan by taksasie.
2. Benewens die gelde kragtens item 1 gevra, indien tot taksasie oorgegaan word, vir die reëling en bywoning van taksasie en verkryging van toestemming tot taksasie, [5] 6, 25 persent op die eerste R 10 000 of gedeelte daarvan, [2,5] 3 persent op die tweede R 10 000 of gedeelte daarvan en [1] 1, 25 persent op die balans van die totale bedrag van die rekening.
3. (a) Wanneer 'n prokureur van die dienste van 'n ander persoon gebruik maak om sy of haar kosterekening op te stel, moet daardie kosterekening van 'n sertifikaat vergesel gaan waarin daardie prokureur sertifiseer dat –
 - (i) die kosterekening aldus opgestel, behoorlik deur hom of haar nagegaan en korrek bevind is; en
 - (ii) elke beskrywing in sodanige rekening met betrekking tot werk, tye en getalle in ooreenstemming is met dit wat noodsaaklikerwys deur hom of haar verrig is.
- (b) Die takseermeester kan –
 - (i) wanneer hy of sy oortuig is dat aan een of meer van die vereistes bedoel in item 3(a) nie voldoen is nie, weier om so 'n rekening te takseer;
 - (ii) wanneer hy of sy oortuig is dat gelde in 'n party-en-party-kosterekening gevorder word –
 - (aa) vir werk wat nie gedoen is nie;
 - (bb) vir werk waarvoor gelde in 'n prokureur-en-

R c R c

kliënt-kosterekening gevorder moet word; of
 (cc) wat buitensporig hoog is,
 die prokureur die vergoeding bedoel in items 1 en 2 van
 hierdie afdeling ontsê, indien meer as 20 persent van die
 aantal items in die kosterekening, insluitend uitgawes, of
 van die totale bedrag van die kosterekening, insluitend
 uitgawes, afgetakseer word.

OPMERKING: Die minimum gelde onder items 1 en 2 is R 100, 00 per item.

F – TENUITVOERLEGGING

- | | | | |
|----|--|-------------|-------------------|
| 1. | Opstel, uitreiking en uitvoering van 'n lasbrief vir eksekusie en
alle opwagtinge in verband daarmee, uitgesonderd baljugelede
(indien nie getakseer nie)..... | [R 200, 00] | <u>R 250, 00</u> |
| 2. | Heruitreiking..... | [R 50, 00] | <u>R 63, 00".</u> |

Inwerkingtreding

3. Hierdie reël tree op 5 Januarie 2004 in werking.
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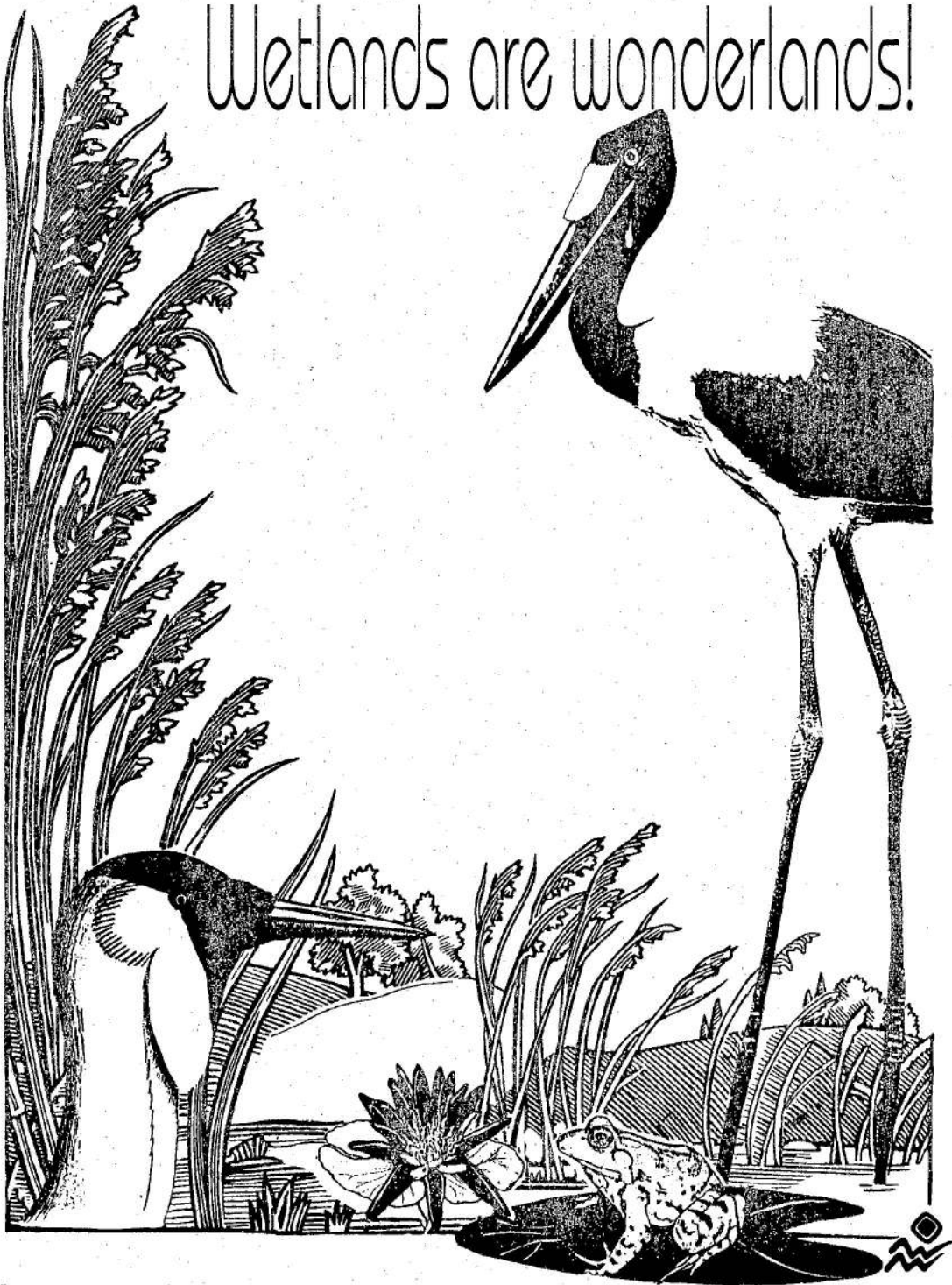
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