

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";

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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>145,00</u>
	(c) Where the claim exceeds R5 000,00.....	[194,00] <u>231,00</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.

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Part 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] <u>225,00</u>	[250,00] <u>300,00</u>	[300,00] <u>360,00</u>
2. Summons.....	[94,00] <u>113,00</u>	[137,00] <u>157,00</u>	[157,00] <u>188,00</u>
3. Appearance.....	[16,00] <u>19,00</u>	[16,00] <u>19,00</u>	[19,00] <u>23,00</u>
4. Notice under rule 12(1)(b) and (2).....	[16,00] <u>19,00</u>	[16,00] <u>19,00</u>	[19,00] <u>23,00</u>
5. Plea.....	[94,00] <u>113,00</u>	[131,00] <u>157,00</u>	[157,00] <u>188,00</u>
6. Claim in recoupment.....	[94,00] <u>113,00</u>	[131,00] <u>157,00</u>	[157,00] <u>188,00</u>
7. Reply, if necessary.....	[94,00] <u>113,00</u>	[131,00] <u>157,00</u>	[157,00] <u>188,00</u>
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] <u>67,00</u>	[56,00] <u>67,00</u>	[67,00] <u>80,00</u>
10. Each copy for service, per page.....	[1,25] <u>1,50</u>	[1,25] <u>1,50</u>	[1,25] <u>1,50</u>
11. The recording of statements by witnesses, 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>
12. Notice of trial or reinstatement.....	[16,00] <u>19,00</u>	[16,00] <u>19,00</u>	[19,00] <u>23,00</u>
13. Preparing for trial (if counsel not employed).....	[312,50] <u>375,00</u>	[425,00] <u>510,00</u>	[510,00] <u>612,00</u>
14. Attendance at settlement negotiations, for each quarter of an hour or part thereof actually spent in such negotiations.....	[56,00] <u>67,00</u>	[56,00] <u>67,00</u>	[67,00] <u>80,00</u>

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] <u>67,00</u>	[56,00] <u>67,00</u>	[67,00] <u>80,00</u>
(b) if counsel employed.....	Nil	[22,50] <u>27,00</u>	[27,00] <u>32,00</u>
16. Attending pre-trial conference, for each quarter of an hour or part thereof actually spent in such conference.....	[56,00] <u>67,00</u>	[56,00] <u>67,00</u>	[67,00] <u>80,00</u>
17. Attending court to hear reserved judgment, per quarter of an hour or part thereof.....	[11,00] <u>13,00</u>	[11,00] <u>13,00</u>	[13,00] <u>16,00</u>
18. Correspondence: (a) For each necessary letter or telegram per folio.....	[9,00] <u>11,00</u>	[9,00] <u>11,00</u>	[11,00] <u>13,00</u>
(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] <u>7,00</u>	[9,00] <u>11,00</u>	[11,00] <u>13,00</u>
19. Attendances: For each necessary attendance not otherwise provided for, per attendance.....	[6,00] <u>7,00</u>	[9,00] <u>11,00</u>	[11,00] <u>13,00</u>
20. Necessary formal telephone calls, per call.....	[6,00] <u>7,00</u>	[9,00] <u>11,00</u>	[11,00] <u>13,00</u>
21. Telephone consultations: For every 5 minutes or part thereof, subject to a maximum of [R94,00] <u>R113,00</u> per consultation.....	[16,00] <u>19,00</u>	[16,00] <u>19,00</u>	[19,00] <u>23,00</u>
22. Each necessary consultation, 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>
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] <u>233,00</u>	[275,00] <u>330,00</u>	[330,00] <u>396,00</u>
24. Time spent waiting at court (owing to no court being available) per quarter of an hour or part thereof.....	[37,50] <u>45,00</u>	[37,50] <u>45,00</u>	[45,00] <u>54,00</u>
25. Travelling time (subject to the provisions of rule 33(9)) per quarter of an hour or part thereof.....	[37,50] <u>45,00</u>	[37,50] <u>45,00</u>	[45,00] <u>54,00</u>
26. Subsistence and travelling expenses as laid down in rule 33(9).....	The actual reasonable subsistence and travelling expenses as laid down in rule 33(9).*		

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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 85J of the Act.

Item	Scale A	Scale B	Scale C
	R	R	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
	R
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] <u>67,00</u>
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] <u>45,00</u>
(b) For each reissue thereof.....	[15,00] <u>18,00</u>
12. Inclusive fee for work done in connection with releasing of immovable property attached.....	[47,00] <u>56,00</u>
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).....	[113,00] <u>143,00</u>
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] <u>97,00</u>
15. Security for restitution, where necessary.....	[31,00] <u>37,00</u>
WHERE COUNSEL IS EMPLOYED	
16. Instructions for exception or application, where allowed.....	[56,00] <u>67,00</u>
17. Instructions on trial.....	[89,00] <u>83,00</u>
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] <u>27,00</u>
MISCELLANEOUS	
27. Obtaining certified copy of judgment.....	[28,00] <u>34,00</u>
28. Obtaining payment in terms of rule 18(4).....	[19,00] <u>23,00</u>
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 ~~[R158,00]~~ 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).....	[54,00]	<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>
021 591 5236 [(i)] Affidavit or certificate by the judgment creditor or his or her attorney.....	[22,50]	<u>27,00</u>
[(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>
[(k)] Affidavit or affirmation by debtor [Rule 45(7)].....	[37,50]	<u>45,00</u>
[(l)] Request for an order under section 65 of the Act.....	[22,50]	<u>27,00</u>
(m) [(n)] 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(B)(b).....	[31,00]	<u>37,00</u>
(n) [(o)] 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>
(p) [(q)] (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>

② Notice 150^{appeal} Sec 65 (g)(i) 27,00
 ① Notice to Appear a-c

(i) Attendances: For each necessary attendance not otherwise provided for, per attendance.....	[9,00]	<u>11,00</u>
(ii) Necessary formal telephone calls, per call.....	[9,00]	<u>11,00</u>

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] <u>52,00</u>
(b) Where the claim exceeds R200,00.....	[100,00] <u>120,00</u>
(c) Obtaining certified copy of a judgment.....	[28,00] <u>34,00</u>
(d) Application for an order of execution against the garnishee.....	[28,00] <u>34,00</u>
(e) Garnishee Order (Form 39).....	[37,50] <u>45,00</u>

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:

Item	TARIFF		
	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.....	[58,00] <u>87,00</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	[44,00] 53,00	[44,00] 53,00
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 65(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

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 Gereghouwe het kragtens artikel 6 van die Wet op die Reëlsraad vir Gereghouwe, 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 aigekondig by Goewermentiskennisgewing No. R. 1106 van 21 Junie 1968, soos gewysig deur Goewermentiskennisgewings Nos. R. 3002 van 25 Julie 1969, R. 490 van 26 Maart 1970, R. 947 van 2 Januarie 1972, R. 1115 van 28 Junie 1974, R. 1285 van 19 Julie 1974, R. 688 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. 1448 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 25 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. 406 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.

Item	Scale R
EXECUTION	
11. (a) Issue of warrant of execution, ejectment, and delivery up of possession (b) For each reissue thereof	45,00 19,00
12. Inclusive fee for work done in connection with releasing of immovable property attached	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)	143,00
14. (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). (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	— 97,00 37,00
15. Security for restitution, where necessary.	—
WHERE COUNSEL IS EMPLOYED	
16. Instructions for exception or application, where allowed	67,00
17. Instructions on trial	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	27,00
FEEES TO COUNSEL	
21. With brief to argue exception or application <i>Note:</i> A fee to counsel on application shall be allowed only where the court certifies that the bringing of counsel was warranted.	330,00
22. With trial brief for the first day, not exceeding	937,00
23. In any court held more than 30 km from the nearest town where a provincial or local division (other than a Circuit Court) of the Supreme Court sits, a travelling allowance (in addition to the fee on brief) may be allowed by special order of the court at	1,50 per km
24. Each necessary consultation, per quarter of an hour	67,00
25. For every day exceeding one on which evidence is taken or arguments heard, a refresher not exceeding	563,00
26. Drawing up pleadings	159,00
<i>Notes:</i>	
(a) In regard to items 22 and 25 a fee in lieu of the fee for the first day's hearing shall be allowed as follows when the case is settled or withdrawn or postponed at the instance of any party on or before the date of hearing: (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).	
(b) The court may on request allow a higher fee for counsel in regard to items 22, 24, 25 and 26.	
(c) A fee for travelling time by counsel shall be allowed at the same rate as for attorneys under rule 33(9).	
MISCELLANEOUS	
27. Obtaining certified copy of judgment	34,00
28. Obtaining payment in terms of rule 18(4)	23,00
29. Request for security in terms of rule 62(1)	—
30. Furnishing security in terms of rule 62(1)	—

[Table B subst
GN R211) of
and amended
by GN R150 of 1994, 1

GENERAL PROV SEI

1. Subject to the pro shall be allowed.
2. Subject to the pro (c) of the Tariff to this F referred to in section 6: financial position referri amendment or rescission (m) of the tariff, be charg all postpouncements of the heard in court: Provided t fee may also be charged i
3. The following sha
 - (a) All necessary disbur
 - (b) A fee of 10% on each subject to a maximum instalments the collec fces shall be in subnit 13 of Part 1 of Table
 - (c) All necessary disbur: section 72, if the cou
 - (d) Any amount necessa capital amount of th R187,00. The total ar
 4. For the purpose c provisions of paragraph 3(the first institution of proc
 5. Items 1 to 5 of Part the Act.

34,00
23,00
—

MISCELLANEOUS

27. Obtaining certified copy of judgment
28. Obtaining payment in terms of rule 18(4)
29. Request for security in terms of rule 62(1)
30. Furnishing security in terms of rule 62(1)

[Tariff

- (a) Where the claim does n
- (b) Where the claim exceed
- (c) Where the claim exceed
- (d) Warrant of Arrest (Fon

(b) The costs payable by the judgment debtor in respect of any proceedings under section 65 or 65A to 65M inclusive, or 72 of the Act shall be inserted by the judgment creditor or his attorney on the face or reverse side of any process issued under either of those sections and assessed by the clerk of the court before issue.

[Para (b) substituted by GN R2222 of 1978.]

(c) The clerk of the court may refuse to issue any process under section 65 or 65A to 65M, inclusive, or 72 of the Act in which the costs are not inserted or inserted but not according to tariff.

[Para (c) substituted by GN R2222 of 1978.]

(15) . . .

[Subrule (15) deleted by GN R2221 of 1977.]

(16) Where costs or expenses are awarded to any party by the court, otherwise than by a judgment in default of the defendant's entry of appearance to defend or on the defendant's consent to judgment before the time for such appearance has expired, the party to whom such costs or expenses have been awarded shall deliver a bill of such costs or expenses and give at least 5 days' notice of taxation for an hour to be fixed (generally or specially) by the clerk of the court and he may include in such bill all such payments as have been necessarily and properly made by him.

[Subrule (16) amended by GN R689 of 1976 and by GN R2407 of 1991.]

(17) The clerk of the court shall thereupon tax and allow the costs and expenses so awarded: Provided that witness fees shall not be allowed in taxation unless properly vouched for.

(18) (a) When more than one-fourth of the bill (excluding expenses) is taxed off, the party presenting the bill shall not be allowed any costs of taxation.

(b) Where a party to whom a bill of costs is presented makes a written offer of payment in respect of such costs, and such offer is refused, the party presenting the bill shall not be allowed any costs of taxation if the bill is taxed in an amount which is smaller than the amount of the offer.

[Subrule (18) substituted by GN R419 of 1997.]

(19) Where a bill of costs as between attorney and client is required to be taxed, taxation shall take place on at least 5 days' notice thereof to the attorney or client, whether or not an action therefor is pending: Provided that, notwithstanding the provisions of subrule (3), a bill of costs as between attorney and client may be taxed at any time after termination of the mandate.

[Subrule (19) amended by GN R689 of 1976 and by GN R2407 of 1991.]

(20) Where liability for costs is determined without judgment of the court by virtue of the provisions of rule 18 (5) or by a settlement recorded in terms of rule 27 (8), such costs shall be taxable by the clerk of the court as if they had been awarded by the court.