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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

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

No.R. 759

11 October 2013

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL 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 of Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

Definition

1. In these rules "the Rules" means the rules regulating the conduct of the proceedings of the several 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 Notice 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

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Amendment of rule 70 of the Rules

2. Rule 70 of the Rules is hereby amended by the substitution for the Tariff of Fees of Attorneys of the following Tariff of Fees of Attorneys:

"TARIFF OF FEES OF ATTORNEYS

A - CONSULTATIONS, APPEARANCES, CONFERENCES AND INSPECTIONS

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 | R235,00 |
| (b) by a candidate attorney | R72,00 |

2. Consultation to note, prosecute or defend an appeal, per quarter of an hour or part thereof—

- | | |
|-----------------------------|---------|
| (a) by an attorney | R235,00 |
| (b) by a candidate attorney | R72,00 |

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

R235,00

4. Attendance by a candidate attorney, where necessary, to assist at a contested proceeding, per quarter of an hour or part thereof

R72,00

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	R235,00
(b) by a candidate attorney	R72,00

6. Any other conference which the taxing officer may consider necessary, per quarter of an hour or part thereof—

(a) by an attorney	R235,00
(b) by a candidate attorney	R72,00

7. Any inspection *in situ*, or otherwise, per quarter of an hour or part thereof—

(a) by an attorney	R235,00
(b) by a candidate attorney	R72,00

8. Attending to give or take disclosure, per quarter of an hour or part thereof—

(a) by an attorney	R235,00
(b) by a candidate attorney	R72,00

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	R235,00
(b) by a candidate attorney	R72,00

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.
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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 R235.00 per quarter of an hour or part thereof in the case of an attorney and R72.00 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

R94,00

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

R235,00

3. Letters, telegrams and facsimiles: Inclusive tariff for drawing up, checking, typing, printing, delivery, copies, postage, posting thereof, per page

R94,00

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

R47,00

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 | R235,00 |
| (b) by a candidate attorney | R72,00 |

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 therefor, 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 | R2,50 |
| 2. Attending to arrange translation and thereafter to procure same, per quarter of an hour or part thereof— | |
| (a) by an attorney | R235,00 |
| (b) by a candidate attorney | R72,00 |
| 3. Necessary telephone calls: The actual cost thereof, plus per quarter of an hour or part thereof— | |
| (a) by an attorney | R235,00 |
| (b) by a candidate attorney | R72,00 |
| 4. Sending facsimile letters: The actual cost of sending the facsimile letter, in addition to the fee allowed for the drawing thereof under item B3 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:

- For drawing the bill of costs, making the necessary copies and attending settlement, 10,60 per cent of the attorney's fees, either as charged in the bill, if not taxed, or as allowed on taxation.
- 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, 10,60 per cent on the first R10 000,00 or portion thereof, 5,10

per cent on the next R10 000,00 or portion thereof and 2,12 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 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 in the bill of costs, including expenses, 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 R187.50 for each item.

F - EXECUTION

1. Drafting, issue and execution of a warrant of execution and attendances in connection therewith, excluding sheriffs fees (if not taxed)	R469,00
2. Reissue	R118,00".

Commencement

3. These rules come into operation on **15 November 2013**.

No.R. 759

11 Oktober 2013

WET OP DIE REËLSRAAD VIR GEREESHOWE, 1985 (WET NO. 107 VAN 1985)**WYSIGING VAN DIE REËLS WAARBY DIE VERRIGTINGE VAN DIE
VERSKILLENDEN PROVINSHALE EN PLAASLIKE AFDELINGS VAN DIE HOË HOF
VAN SUID-AFRIKA GEREËL WORD**

Die Reëlsraad vir Gereeshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Gereeshowe, 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 gereëel 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, R. 1088 van 26 Oktober 2001, R. 1755 van 5 Desember 2003, R. 229 van 20 Februarie 2004, R. 1343 van 12 Desember 2008, R. 1345 van 12 Desember 2008, R. 516 van 8 Mei 2009, R. 518 van 8 Mei 2009, R. 86 van 12 Februarie 2010, R. 87 van 12 Februarie 2010, R. 88 van 12 Februarie 2010, R. 89 van 12 Februarie 2010, R. 90 van 12 Februarie 2010, R. 500 van 11 Junie 2010, R. 591 van 09 Julie 2010, R. 980 van 19 November 2010, R. 981 van 19 November 2010, R. 464 van 22 Junie 2012, R. 992 van 7 Desember 2012, R. 114 van 15 Februarie 2013, R. 262 van 12 April 2013, R. 471 van 12 Julie 2013 en R. 472 van 12 Julie 2013.

Wysiging van reël 70 van die Reëls

2. Reël 70 van die Reëls word hierby gewysig deur die vervanging van die Tarief van Gelde van Prokureurs deur die volgende Tarief van Gelde van Prokureurs:

"TARIEF VAN GELDE VAN PROKUREURS

A - KONSULTASIES, BYWONINGS, SAMESPREKINGS EN ONDERSOEKE

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	R235,00
(b) deur 'n kandidaatprokureur	R72,00

2. Konsultasie om appèl aan te teken, voort te sit of te verdedig, per kwartier of gedeelte daarvan–

(a) deur 'n prokureur	R235,00
(b) deur 'n kandidaatprokureur	R72,00

3. Bywoning deur 'n prokureur in hof by verrigtinge ingevolge reël 37 van hierdie Reëls, per kwartier of gedeelte daarvan	R235,00
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- | | |
|--|---|
| 4. Bywoning deur 'n kandidaatprokureur om, waar noodsaaklik, by bestrede verrigtinge te help, per kwartier of gedeelte daarvan | R72,00 |
| 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 aangeleenthede wat die takseermeester noodsaaklik ag, per kwartier of gedeelte daarvan– | |
| (a) deur 'n prokureur | R235,00 |
| (b) deur 'n kandidaatprokureur | R72,00 |
| 6. Enige ander samespreking wat die takseermeester noodsaaklik mag ag, per kwartier of gedeelte daarvan– | |
| (a) deur 'n prokureur | R235,00 |
| (b) deur 'n kandidaatprokureur | R72,00 |
| 7. Enige inspeksie <i>in situ</i> of elders, per kwartier of gedeelte daarvan– | |
| (a) deur 'n prokureur | R235,00 |
| (b) deur 'n kandidaatprokureur | R72,00 |
| 8. Opwagting by blootlegging of insae, per kwartier of gedeelte daarvan– | |
| (a) deur 'n prokureur | R235,00 |
| (b) deur 'n kandidaatprokureur | R72,00 |
| 9. Allesinsluitende gelde vir noodsaaklike konsultasies en samesprekings met 'n kliënt, getuie, ander party of advokaat waarvoor nie andersins voorsiening gemaak is nie, per kwartier of gedeelte daarvan– | |
| (a) deur 'n prokureur | R235,00 |
| (b) deur 'n kandidaatprokureur | R72,00 |
| 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 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 goeie dunnke soveel addisionele vergoeding toestaan as wat hy of sy billik en redelik ag, maar hoogstens R235,00 per kwartier of gedeelte daarvan in die geval van 'n prokureur en R72,00 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 'n 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

R94,00

2. Die opstel van ander noodsaaklike dokumente, insluitende–

(a) instruksies vir die 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;

(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

R235,00

3. Briewe, telegramme en faksimileë: 'n allesinsluitende tarief vir opstel, nasien tik, uitdruk, aflewering, afskrifte, posgeld, pos daarvan, per bladsy

R94,00

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;
- (c) 'n plan of bewysstuk of ander belangrike dokument wat noodsaaklik vir die voer van die geding was, R47,00
per bladsy
2. Sortering, rangskikking en paginerig 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 R235,00
- (b) deur 'n kandidaatprokureur R72,00
- OPMERKING:* 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 R2,50
2. Opwagting om vertaling te reël en daarna te verkry, per kwartier of gedeelte daarvan–
- (a) deur 'n prokureur R235,00
- (b) deur 'n kandidaatprokureur R72,00
3. Noodsaaklike telefoonoproepe: Die werklike koste daarvan plus per kwartier of gedeelte daarvan–
- (a) deur 'n prokureur R235,00
- (b) deur 'n kandidaatprokureur R72,00
4. Versending van faksimileebriewe: Die werklike koste om die faksimileebrief te versend, benewens die gelde toegelaat vir die opstel daarvan ingevolge item B3 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 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, 10,60 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, 10,60 persent op die eerste R10 000 of gedeelte daarvan, 5,10 persent op die tweede R10 000 of gedeelte daarvan en 2,12 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-partykosterekening gevorder word–
 - (aa) vir werk wat nie gedoen is nie;
 - (bb) vir werk waarvoor gelde in 'n prokureur-en-kliëntkosterekening 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 R187,50 per item.

F - TENUITVOERLEGGING

1. Opstel, uitreiking en uitvoering van 'n lasbrief vir eksekusie en alle opwagtinge in verband daarmee, uitgesonderd baljugelde (indien nie getakseer nie)

R469,00

2. Heruitreiking

R118,00".

Inwerkingtreding

3. Hierdie reëls tree in werking op 15 November 2013.

No.R. 760

11 October 2013

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

**AMENDMENT OF RULES REGULATING THE CONDUCT OF THE PROCEEDINGS
OF THE MAGISTRATES' COURTS OF SOUTH AFRICA**

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

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words or expressions in bold typed in square brackets indicate omissions from existing rules.

____ Words or expressions underlined with a solid line indicate insertions in existing rules.

Definition

1. In these rules “the Rules” means the Rules Regulating the Conduct of the Proceedings of the Magistrates’ Courts of South Africa published under Government Notice No. R. 740 of 23 August 2010, as amended by Government Notice Nos. R. 1222 of 24 December 2010, R. 611 of 29 July 2011, R.1085 of 30 December 2011, R. 685 of 31 August 2012, R. 115 of 15 February 2013, and R. 263 of 12 April 2013.

Amendment of rule 33 of the Rules

2. Rule 33 of the Rules is hereby amended by the substitution for subrule (5) of the following subrule:

“(5) (a) In district court civil matters, the scale of fees to be taken by attorneys as between party and party shall—

- (i) be that set out in Table A of Annexure 2 in addition to the necessary expenses;
- (ii) in relation to proceedings under **[section]** sections 65, 65A to 65M, inclusive, and 72 of the Act and all matters ancillary thereto be that set out in Parts I and II, respectively, of Table B of the said Annexure; and
- (iii) in relation to proceedings under **[section]** sections 74 and 74A to 74W, inclusive, of the Act and all matters ancillary thereto be that set out in Part III of Table B of the said Annexure.

(b) The scale of fees referred to in paragraph (a)(iii) of this subrule shall also be the scale of fees to be taken between attorney and client in relation to proceedings under **[section]** sections 74 and 74A to 74W, inclusive, of the Act.

(c) In regional court civil matters, including **[divorce or matrimonial]** matters in respect of causes of action in terms of section 29(1B)(a) of the Act, the scale of fees to be taken by attorneys as between party and party shall be that set out in scale D of [table] Table A of Annexure 2 in addition to the necessary expenses **[scale C of Table A of Annexure 2 being applicable: Provided that the**

applicable scale of fees to be taken by attorneys as between party and party in civil claims whose monetary value falls within the jurisdiction of district courts shall be the one contained in paragraph (a) of this subrule, notwithstanding such claims having been instituted in the regional court].”.

Amendment of Annexure 2 to the Rules

3. Annexure 2 to the Rules is hereby amended by the substitution for Tables A and B of the following Tables, respectively:

**“TABLE A
COSTS
PART I
GENERAL PROVISIONS**

1. When the amount in dispute is less than or equal to the amount of **[R12 000]** R7 000, costs shall be taxed on Scale A; when the amount in dispute exceeds the amount of **[R12 000]** R7 000, but is less than or equal to R50 000, costs shall be taxed on Scale B; when the amount in dispute exceeds R50 000 **[or when the matter is in respect of a divorce or matrimonial dispute]**, but is less than or equal to the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts, costs shall be taxed on Scale C; when the amount in dispute exceeds the maximum jurisdictional amount so determined by the Minister in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)(a) of the Act, costs shall be taxed on Scale D.

2.(a) For the purpose of computing costs, the expression 'amount in dispute' means, where costs are awarded to the plaintiff, the amount or value of the judgment and 'amount or value of the judgment' means, where more than one claim is involved in the action, the total of the amounts involved in the judgment. Where costs are awarded to

the defendant, the expression 'amount in dispute' means, the amount or value of the claim, and 'amount or value of the claim' means, where more than one claim is involved in the action, the total of the amounts of all the claims. The amount or value of the judgment or claim shall be inclusive of interest but exclusive of costs. If a matter is settled at any time the costs shall be taxed on the scale laid down in the agreement of settlement.

(b) Where the amount in dispute is not apparent on the face of the proceedings, costs shall, unless the court orders otherwise, be computed at the higher rate.

3. Costs taxable in terms of rule 33(19) shall be deemed to have been awarded under a judgment for the amount offered or a judgment in the terms of the settlement, as the case may be.

4. Claims for ejectment shall be computed at two months' rent of the premises.

5. The rate at which costs are computed shall not be increased by reason of any claim for confirmation of any interdict or interlocutory order.

6. Fees to counsel shall be allowed on taxation only in cases falling within **[Scale B or Scale C]** Scale B, C or D or where the court has made an order in terms of rule 33(8) and shall not be so allowed unless payment thereof is vouched by the signature of counsel.

7. Where the amount allowed for an item is specified, the amount shall be inclusive of all necessary copies, attendances and services (other than services by the sheriff for the magistrate's court) in connection therewith.

8. Where the amount allowed for an item is left blank—

(a) the drawing of documents (not pleadings) shall be allowed at **[R19,00]** R21,00 for each folio;

- (b) **[copies for filing and service shall also be allowed]** copies for filing, service and an attorney's copy to retain shall also be allowed;
- (c) **[R12,00]** R13,00 shall be allowed for each necessary service.

9.(a) Where any document appears to the court to be unnecessary prolix, the court may disallow the whole or any part of the fee therefor.

(b) Where printed forms of documents to be copied are available, the fees for copying shall be limited to the necessary particulars inserted in such printed forms.

10.(a) A folio shall consist of 100 written or printed words or figures or part thereof.

(b) Four figures shall be reckoned as one word.

11.(a) Unless otherwise provided, a charge for perusal shall be allowed at **[R7,00]** R8,00 per folio in respect of any document or pleading necessarily perused.

(b) Where a charge is allowed for copying, it shall be allowed at **[R3,00]** R3,50 per page, regardless of the number of words, unless otherwise provided.

12. Where there are more defendants than one **[R12,00]** R13,00 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.

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 **[R300,00]** R330,00 on each instalment. No additional fee shall be charged for any attendance in connection with the receipt or payment of any instalment.

14. The clerk or registrar of the court shall on taxation disallow any charge unnecessarily incurred.

15. Where the fee under any item is calculated on a time basis, the total time spent on any one day shall be calculated and the fee for that day calculated on such total.

16. Any amount necessarily and actually disbursed in tracing the debtor.

PART II

UNDEFENDED ACTIONS

Item 1 - Registered letter of demand in terms of section 56 of the Act:

(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts **[R29,00]**
R32,00

(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division R42,00

Item 2 - Summons, inclusive of a letter of demand other than the letter of demand referred to in item 1:

(a) Claim or claims where the aggregate amount of the claim or claims does not exceed [R12 000] R7 000 **[R98,00]**
R108,00

(b) Claim or claims where the aggregate amount of the claim or claims exceeds [R12 000] R7 000 but does not exceed R50 000 **[R327,00]**
R361,00

(c) Claim or claims where the aggregate of the claim or claims exceeds R50 000 [, and in respect of divorces or matrimonial matters] but does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts **[R485,00]**
R535,00

(d) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to R696,00

time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)(a) of the Act

Item 3 - Judgment:

- (a) Claim or claims where the aggregate of the claim or claims does not exceed the amount in 2(a) **[R98,00]**
R108,00
- (b) Claim or claims where the aggregate of the claim or claims exceeds the amount in 2(b) but is not more than R50 000 **[R250,00]**
R276,00
- (c) Claim or claims where the aggregate of the claim or claims exceeds R50 000 **[R408,00]** [, and in respect of divorces or matrimonial matters] but does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts R450,00
- (d) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)(a) of the Act R585,50

Item 4 - Notice in terms of rule 12(2):

- (a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts **[R47,00]**
R52,00
- (b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division or when the matter is in respect of a cause of action in terms of section 29(1B)(a) of the Act R67,50

Item 5 - Notice in terms of rule 54(1):

(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts [R47,00]
R52,00

(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division R67,50

Item 6 - Affidavit or certificate

Item 7 - Attending court at the request of the magistrate when claim is referred to court for judgment or to obtain provisional sentence when claim is undefended 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 attorney, including copies:

(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts [R30,00]
R33,00

(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division R43,50

Item 9 - Admission of liability and undertaking to pay debt in instalments or otherwise (section 57 of the Act):

(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts **[R79,00]**
R87,00

(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division **R113,50**

Item 10 - Consent to judgment or to judgment and an order for the payment of judgment debt in installments (section 58 of the Act):

(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts **[R79,00]**
R87,00

(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division **R113,50**

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

PART III

DEFENDED ACTIONS (AND INTERPLEADER PROCEEDINGS)

Item	Scale A	Scale B	Scale C	Scale D
	R	R	R	R
1. Instructions to sue or defend or to counterclaim or defend a counterclaim, perusal of all	[R394,00] R435,00	[R525,00] R579,00	[R630,00] R695,00	R904,00

documentation and consideration of
merits and all necessary consultations
to issue summons

2.	Summons	[R198,00]	[R275,00]	[R329,00]	
		<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>
3.	Appearance	[R33,00]	[R33,00]	[R40,00]	
		<u>R36,50</u>	<u>R36,50</u>	<u>R44,00</u>	<u>R57,00</u>
4.	Notice under rule 12(1)(b) and (2)	[R33,00]	[R33,00]	[R40,00]	
		<u>R36,50</u>	<u>R36,50</u>	<u>R44,00</u>	<u>R57,00</u>
5.	Plea	[R198,00]	[R275,00]	[R329,00]	
		<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>
6.	Claim in reconvention	[R198,00]	[R275,00]	[R329,00]	
		<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>
7.	Reply, if necessary	[R198,00]	[R275,00]	[R329,00]	
		<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</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 of statements by witnesses	-	-	-	-
9.	Production of documents for inspection, or inspecting documents, per quarter of an hour or part thereof of the time spent	[R117,00]	[R117,00]	[R140,00]	
		<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>
10.	Each copy of service, per page	[R3,00]	[R3,00]	[R3,00]	
		<u>R3,50</u>	<u>R3,50</u>	<u>R3,50</u>	<u>R3,50</u>

11. The recording of statements by witnesses, per quarter of an hour or part thereof	R117,00 <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</u>
12. Notice of trial or reinstatement	[R33,00] <u>R36,50</u>	[R33,00] <u>R36,50</u>	[R40,00] <u>R44,00</u>	<u>R57,00</u>
13. Preparing for trial (if counsel not employed)	[R656,00] <u>R724,00</u>	[R893,00] <u>R985,50</u>	[R1071,00] <u>R1 182,00</u>	<u>R1 536,50</u>
14. Attendance at settlement negotiations, for each quarter of an hour or part thereof actually spent in such negotiations	[R117,00] <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</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	[R117,00] <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</u>
(b) if counsel employed	Nil	[R47,00] <u>R52,00</u>	[R56,00] <u>R62,00</u>	<u>R81,00</u>
16. Attending pre-trial conference, for each quarter of an hour or part thereof actually spent in such conference	[R117,00] <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</u>
17. Attending court to hear reserved judgment, per quarter of an hour or part thereof	[R23,00] <u>R25,00</u>	[R23,00] <u>R25,00</u>	[R28,00] <u>R31,00</u>	<u>R40,50</u>
18. Correspondence—	☐	☐	☐	

(a) for each necessary letter or telegram, per folio	[R19,00] <u>R21,00</u>	[R19,00] <u>R21,00</u>	[R23,00] <u>R25,00</u>	<u>R33,00</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	[R12,00] <u>R13,00</u>	[R19,00] <u>R21,00</u>	[R23,00] <u>R25,00</u>	<u>R33,00</u>
19. Attendances: For each necessary attendance not otherwise provided for, per attendance	[R12,00] <u>R13,00</u>	[R19,00] <u>R21,00</u>	[R23,00] <u>R25,00</u>	<u>R33,00</u>
20. Necessary formal telephone calls, per call	[R12,00] <u>R13,00</u>	[R19,00] <u>R21,00</u>	[R23,00] <u>R25,00</u>	<u>R33,00</u>
21. Telephone consultations: For every 5 minutes or part thereof, subject to a maximum <u>fee per consultation</u> of [R113,00] <u>R125,00 for Scales A to C</u> and <u>R 162,00 for Scale D</u> , per consultation].	[R33,00] <u>R36,50</u>	[R33,00] <u>R36,50</u>	[R40,00] <u>R44,00</u>	<u>R57,00</u>
22. Each necessary consultation, per quarter of an hour or part thereof	[R117,00] <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</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	[R408,00] <u>R450,00</u>	[R578,00] <u>R638,00</u>	[R693,00] <u>R765,00</u>	<u>R994,50</u>
24. Time spent waiting at court (owing to no court being available) per quarter of an hour or part thereof	[R79,00] <u>R87,00</u>	[R79,00] <u>R87,00</u>	[R95,00] <u>R105,00</u>	<u>R136,50</u>
25. Travelling time [subject to the provisions of rule 33(9)] per quarter of	[R79,00] <u>R87,00</u>	[R79,00] <u>R87,00</u>	[R95,00] <u>R105,00</u>	<u>R136,50</u>

an hour or part thereof

26. Subsistence and travelling The actual reasonable subsistence expenses as laid down in rule 33(9) and travelling expenses as laid down in rule **[as]** 33(9)

PART IV OTHER MATTERS

Exceptions, applications to strike out, applications for summary judgment, appearance to obtain provisional sentence when claim is defended, interlocutory applications, arrest, interdict, applications under rule 27(9), applications to review judgment, order or taxation, 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	Scale D R
1.(a) Instructions to make application or to oppose or to show cause (the court may on request allow a higher amount)	[R98,00] <u>R108,00</u>	[R198,00] <u>R218,50</u>	[R236,00] <u>R260,50</u>	<u>R338,50</u>
(b) Instructions to make application for liquidation of close corporation, perusal of all documentation and consideration of merits, and all necessary consultations	[R485,00] <u>R535,00</u>	[R485,00] <u>R535,00</u>	[R581,00] <u>R641,00</u>	<u>R833,50</u>
2. Drawing up of 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	[R117,00] <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</u>
(b) If opposed (if counsel employed), for each quarter of an hour actually spent in court or part thereof	Nil	[R47,00] <u>R52,00</u>	[R56,00] <u>R62,00</u>	<u>R81,00</u>
4.(a) Fee for [preparing for trial] preparation for argument, when opposed [if allowed by the court on request]	[R408,00] <u>R450,00</u>	[R485,00] <u>R535,00</u>	[R581,00] <u>R641,00</u>	<u>R833,50</u>
(b) Fee for preparation for trial where proceedings are referred to trial or oral evidence	<u>R450,00</u>	<u>R535,00</u>	<u>R641,00</u>	<u>R833,50</u>
5. Consultations and settlement negotiations – when opposed, per quarter of an hour or part thereof	[R117,00] <u>129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</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			R	
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		[R117,00] <u>R129,00</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			[R79,00] <u>R87,00</u>	
(b) For each reissue thereof			[R33,00] <u>R36,50</u>	
12. Inclusive fee for work done in connection with releasing of immovable property attached			[R98,00] <u>R108,00</u>	
13. Inclusive fee for work done in connection with sale in execution of			[R250,00]	

immovable property only (excluding work in respect of which fees are already provided for elsewhere and the drawing up of the conditions of sale)	<u>R276,00</u>
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	[R170,00] <u>R187,50</u>
15. Security for restitution, where necessary	[R65,00] <u>R72,00</u>
WHERE COUNSEL IS EMPLOYED	
16. Instructions for exception or application, where allowed:	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	[R117,00] <u>R129,00</u>
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	<u>R168,00</u>
17. Instructions on trial:	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	[R145,00] <u>R166,50</u>
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	<u>R208,00</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:	
(a) Claim or claims where the aggregate of the claim or claims does not exceed the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts	[R47,00] <u>R54,00</u>
(b) Claim or claims where the aggregate of the claim or claims exceeds the maximum jurisdictional amount determined by the Minister from time to time in respect of magistrates' courts for districts and the process is issued out of a magistrate's court for a regional division	<u>R67,50</u>

FEES TO COUNSEL	
21. With brief to argue exception or application	[R578,00] <u>R638,00</u>
<i>Note: A fee to counsel on application shall be allowed only where the court certifies that the briefing of counsel was warranted</i>	
22. With trial brief for the first day, not exceeding	[R1640,00] <u>R1 810,00</u>
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 High Court sits, a travelling allowance (in addition to the fee on brief) may be allowed by special order of the court at	[R3,00] <u>R3,50</u> per km

24. Each necessary consultation, per quarter of an hour	[R117,00] <u>R129,00</u>
25. For every day exceeding one on which evidence is taken or arguments heard, a refresher not exceeding	[R985,00] <u>R1 087,00</u>
26. Drawing up pleadings	[R263,00] <u>R290,00</u>
<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	[R60,00] <u>R66,00</u>
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28.	Obtaining payment in terms of rule 18(4)	[R40,00] <u>R44,00</u>
29.	Request for security in terms of rule 62(1)	-
30.	Furnishing security in terms of rule 62(1)	-

TABLE B**COSTS****PART I**

**GENERAL PROVISIONS IN RESPECT OF PROCEEDINGS IN TERMS OF
[SECTION] SECTIONS 65 AND 65A TO 65M OF THE ACT**

1. Subject to the provisions of paragraph 3, no fees other than those in the Tariff to this Part shall be allowed.
2. Subject to the provisions of section 65K of the Act, the fees laid down in items (a), (b) or (c) of the Tariff to this Part, as the case may be, shall be payable for the drawing up of the notice referred to in section 65A(1), including appearance at the inquiry into the judgment debtor's financial position referred to in section 65D, or any appearance at subsequent suspension, amendment or rescission proceedings, and shall, with the exception of the fee allowed under item (m) of the tariff, be chargeable only once for the drawing up, issue and all reissues of the notice and all postponements of the inquiry, irrespective of the number of days on which the proceedings are heard in court: Provided that where the debtor leaves the area of jurisdiction of the court after issue of the notice referred to in section 65A(1) and the notice is reissued in any other district, the aforesaid fee may also be charged in such other district if the court so orders.

3. The following shall be allowed in addition to the fees laid down in the Tariff to this Part:
- (a) All necessary disbursements incurred in connection with the proceedings.
 - (b) A fee of 10% on each instalment collected in redemption of the capital and costs of the action, subject to a maximum amount of **[R300,00]** R330,00 on every instalment. Where the amount is payable in instalments the collection fees shall be recoverable only on payment of every instalment. Such fees shall be in substitution for and not in addition to the collection fees prescribed in paragraph 13 of Part 1 of Table A.
 - (c) All necessary disbursements incurred in connection with any prior abortive proceedings under section 72, if the court has so ordered.
 - (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 **[R327,00]** R361,00. The total amount to be allowed for each tracing shall not exceed **[R250,00]** R276,00.
- 4 For the purpose of the Tariff to this Part the amount of the claim shall, subject to the provisions of paragraph 3(d), be the total of the capital amount and costs outstanding at the date of the first institution of proceedings under section 65A(1) of the Act.
5. Items 1 to 5 of Part IV of Table A of Annexure 2 are applicable in terms of section 65J of the Act.

TARIFF		
(a)	Where the claim does not exceed the amount of R1 000.00	[R165,00] <u>R182,00</u>
(b)	Where the claim exceeds the amount of R1 000.00 but is not more than R2 000.00	[R250,00] <u>R276,00</u>

(c)	Where the claim exceeds the amount of R2 000.00	[R296,00] <u>R327,00</u>
(d)	Warrant of arrest (Form 40A)	[R65,00] <u>R72,00</u>
(e)	(i) Emoluments attachment order (Form 38)	[R131,00] <u>R144,50</u>
	(ii) Reissue (Certificates included)	[R105,00] <u>R116,00</u>
(f)	Application for costs on notice (including appearance in court)	[R65,00] <u>R72,00</u>
(g)	Obtaining a certified copy of a judgment	[R65,00] <u>R72,00</u>
(h)	Affidavit or certificate by the judgment creditor or his or her attorney	[R47,00] <u>R52,00</u>
(i)	For each registered letter forwarded to the debtor in terms of sections 65A(2), 65E(6) or 65J(2) of the Act by the creditor or his or her attorney	[R30,00] <u>R33,00</u>
(j)	Affidavit or affirmation by debtor [Rule 45(7)]	[R79,00] <u>R87,00</u>
(k)	Request for an order under section 65 of the Act	[R47,00] <u>R52,00</u>
(l)	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)	[R65,00] <u>R72,00</u>
(m)	Subpoena:	
	(i) Drawing up of subpoena, per folio	[R19,00]

		<u>R21,00</u>
	(ii) Every necessary attendance, per attendance	[R12,00] <u>R13,00</u>
(n)	(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 □	[R19,00] <u>R21,00</u>
	(ii) Attendances: For each necessary attendance not otherwise provided for, per attendance	[R19,00] <u>R21,00</u>
	(iii) Necessary formal telephone calls, per call	[R19,00] <u>R21,00</u>

PART II

GENERAL PROVISIONS IN RESPECT OF PROCEEDINGS IN TERMS OF SECTION 72 OF THE ACT

1. Subject to the provisions of paragraphs 2 and 3 no fees other than those laid down in the Tariff to this Part shall be allowed.
2. Paragraph 3(a), (b) and (d) of the general provisions under Part 1 of this Table shall apply *mutatis mutandis* to this Part.
3. All necessary disbursements incurred in connection with any prior abortive proceedings under section 65 shall be allowed if the court has so ordered.
4. For the purpose of the Tariff to this Part the amount of the claim shall, subject to the provisions of paragraph 3(d) of the general provisions under Part 1 of this Table, be the total of the capital amount outstanding at the date of the first institution of proceedings in terms of section 72 of the Act.

TARIFF

- | | | |
|-----|---|-----------------|
| (a) | Where the claim does not exceed R200.00 | [R98,00] |
|-----|---|-----------------|

	<u>R108,00</u>
(b) Where the claim exceeds R200.00	[R210,00]
	<u>R232,00</u>
(c) Obtaining certified copy of a judgment	[R60,00]
	<u>R66,00</u>
(d) Application for an order of execution against the garnishee	[R60,00]
	<u>R66,00</u>
(e) Garnishee order (Form 39)	[R79,00]
	<u>R87,00</u>

PART III

GENERAL PROVISIONS IN RESPECT OF PROCEEDINGS IN TERMS OF SECTION
74 OF THE ACT

1. The following fees shall be allowed in addition to those laid down in the Tariff to this Part:
 - (a) All necessary disbursements incurred in connection with the proceedings.
 - (b) In addition to the fees stated below, the administrator shall be entitled to a fee of 10% on each instalment collected for the redemption of capital and costs.
2. For the purposes of items 4 and 5 of the Tariff to this Part, a folio shall consist of 100 written or printed words or figures and four figures shall be reckoned as one word.

TARIFF

Item	One to ten creditors	Eleven to twenty creditors	Twenty-one or more creditors
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	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 therewith	[R117,00] <u>R129,00</u>	[R165,00] <u>R182,00</u>	[R263,00] <u>R290,00</u>
2. Instructions on application under section 74Q(1) or to oppose such application or the granting of administration order	[R93,00] <u>R102,50</u>	[R93,00] <u>R102,50</u>	[R93,00] <u>R102,50</u>
3. Drawing up application for administration order or review thereof and affidavit, including all annexures thereto and all attendances, excluding attendance in court	[R165,00] <u>R182,00</u>	[R165,00] <u>R182,00</u>	[R165,00] <u>R182,00</u>
4. Making copies of application, affidavit and annexures for creditors, per page	[R3,00] <u>R3,50</u>	[R3,00] <u>R3,50</u>	[R3,00] <u>R3,50</u>
5. Perusal of application and other documents served, if any, per folio	[R7,00] <u>R7,50</u>	[R7,00] <u>R7,50</u>	[R7,00] <u>R7,50</u>
<i>Note:</i> 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 <u>or</u> <u>her</u> client	[R44,00] <u>R48,50</u>	[R44,00] <u>R48,50</u>	[R44,00] <u>R48,50</u>
(b) On any other hearing	[R93,00] <u>R102,50</u>	[R177,00] <u>195,50</u>	[R177,00] <u>R195,50</u>

7.	For furnishing to a creditor by the administrator of the information referred to in section 74 m(a) of the Act, per application	[R12,00] <u>R13,00</u>	[R12,00] <u>R13,00</u>	[R12,00] <u>R13,00</u>
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 74 m(b) or of a list or account referred to in section 74 g(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	[R2,00] <u>R2,50</u>	[R2,00] <u>R2,50</u>	[R2,00] <u>R2,50</u>
9.	Correspondence and attendances	[R19,00] <u>R21,00</u>	[R19,00] <u>R21,00</u>	[R19,00] <u>R21,00"</u>

Commencement

4. These rules come into operation on **15 November 2013**.

No.R. 760

11 October 2013

**UMTHETHO WEBHODI YEMIGAQO YEENKUNDLA ZOMTHETHO, 1985
(UMTHETHO NOMBOLO 107 KA-1985)**

**ISILUNGISO SEMIGAQO ELAWULA UKUPHATHA IINKQUBO ZEENKUNDLA
ZOOMANTYI BASEMZANTSI AFRIKA**

IBhodi yemiGaqo yeeNkundla zomthetho, ngaphantsi kwecandelo 6 lomThetho weBhodi yemiGaqo yeeNkundla zomThetho, 1985 (UmThetho Nombolo 107 ka-1985), ngemvume yomPhathiswa wezoBulungisa noPhuhliso lomGaqo-siseko, wenze imigaqo kuLudwe lwenkqubo.

ULUDWE LWENKQUBO

INQAKU ELICHAZAYO JIKELELE:

- [] Amagama okanye iintetho ezibhalwe ngqindilili kwizibiyeli ezisisikwere zibonisa into eshiyekileyo kwimigaqo ekhoyo.
- ___ Amagama okanye iintetho ezikrwelelwe ngomgca oqinileyo zibonisa ukufakwa kwemigaqo ekhoyo.

Inkcazelo

1. Kule migaqo “imigaqo” ithetha imiGaqo eLawula ukuPhatha iiNkqubo zeeNkundla zooMantyi baseMzantsi Afrika epapashwe ngaphantsi kweSaziso sikaRhulumente Nombolo R. 740 yama-23 kweyeThupha 2010, njengoko ilungisiwe kwiSaziso sikaRhulumente kwiNombolo R. 1222 yama-24 kweyomNga 2010, R. 611 yama-29 kweyeKhala 2011, R. 1085 wama-30 kweyomNga 2011, R. 685 wama-31 kweyeThupha 2012, R. 115 we-15 kweyoMdumba 2013, no-R. 263 we-12 kuTshazimpuzi 2013.

Isilungiso somgaqo 33 wemiGaqo

2. UmGaqo 33 wemiGaqo ngenxa yoko silungiswa ngokusetyenziswa kwento endaweni ukulungiselela umgaqwana (5) womgaqwana olandelayo:

“(5) (a) Kwinkundla yesithili imicimbi ephathelele ebuRhulumenteni, kwimigangatho yemirhumo ethathwa ngamagqwetha ephakathi kweqela neqela iza ku—

- (i) bhengezwa kuLuhlu A leSihlomelo 2 ekwengezeni kwindleko eziyimfuneko;
 - (ii) nxulumana neenkqubo ngaphantsi **[icandelo]** kwamacandelo 65, 65A ukuya ku-65M, kuquka no-72 womThetho nayo yonke imicimbi encedisa apho ebhengezwe kwizaHlulo I no-II ngokulandelelanayo, zoLuhlu B lweSihlomelo esixeliweyo; na
 - (iii) nxulumano neenkqubo ngaphantsi **[icandelo]** kwamacandelo 74 no-74A ukuya ku-74W, kuquka, awomThetho nayo yonke imicimbi encedisa apho ebhengezwe kwizaHlulo III zoLuhlu B lweSihlomelo esixeliweyo.
- (b) Imigangatho yemirhumo ekubhekiselelwe kuyo kumhlathi (a) (iii) walo mgaqwana iza kuba ngumgangatho wemirhumo eza kuthathwa phakathi

kwegqwetha nomxhasi ngokunxulumene neenkqubo ngaphantsi **[icandelo]** kwamacandelo 74 no-74A ukuya ku-74W, kuquka umThetho.

(c) Kwinkundla yommandla wemicimbi ephathelele ebuRhulumenteni, equka imicimbi **[uqhawulo mtshato okanye umtshato]** malunga nezizathu zesenzo ngokwecandelo 29(1B)(a) lomThetho, imigangatho yemirhumo ethathwa ngamagqwetha ephakathi kweqela neqela iza kubhengezwa kumlinganiselo D wo-[Luhlu] uLuhlu A leSihlomelo 2 ekwengezeni kwindleko eziyimfuneko **[umlinganiselo C woLuhlu A leSihlomelo 2 unokusetyenziswa: Ukuba umlinganiselo onokusetyenziswa wemigangatho yemirhumo othathwa ngamagqwetha njengaphakathi kweqela neqela kumabango aphaathelele ebuRhulumenteni axabiso lawo lemali liwela ngaphakathi kulawulo lwezobulungisa lweenkundla zesithili iza kuba yiyo equlethwe kumhlathi (a) walo mgaqwana, nangona amabango anjalo emiselwe kwinkundla yommandla].**"

Isilungiso seSihlomelo 2 kwimiGaqo

3. Isihlomelo 2 kwimiGaqo ngenxa yoko ilungiswa ngokusetyenziswa kwento endaweni ukulungiselela iZintlu A no-B zeZintlu ezilandelayo, ngokulandelelanayo:

"ULUHLU A

IINDLEKO

ISAHLULO I

AMALUNGISELELO JIKELELE

1. Xa isambuku esikwimpikiswano singaphantsi okanye silingana nesambuku esiyi- **[R12 000]** R7 000, iindleko ziza kurhafiswa kumLinganiselo A; xa isambuku esikwimpikiswano sidlula isambuku esiyi- **[R12 000]** R7 000, kodwa singaphantsi okanye silingana ne-R50 000, iindleko ziza kurhafiswa kumLinganiselo B; xa isambuku esikwimpikiswano sidlula i-R50 000 **[okanye xa umcimbi umalunga nokuqhawulwa komtshato okanye ungempikiswano yomtshato]**, kodwa singaphantsi okanye silingana nesona sambuku sikhulu solawulo lobulungiswa obumiselwe ngumPhathiswa

ngamanye amaxesha malunga neenkundla zoomantyi bezithili, iindleko ziyakurhafiswa kumLinganiselo C; xa isambuku esikwimpikiswano sidlula nesona sambuku sikhulu solawulo lobulungiswa obumiselwe ngumPhathiswa malunga neenkundla zoomantyi bezithili kwaye inkqubo ikhutshelwa ngaphandle kwenkundla kamantyi ilungiselela icandelo lommandla okanye xa umcimbi umalunga nesizathu sesenzo ngokwecandelo 29(1B)(a) lomThetho, iindleko ziyakurhafiswa kumLinganiselo D.

2.(a) Ngenjongo yokubala iindleko, intetho 'isambuku kwimpikiswano' ithetha, apho iindleko zinikelwe kummangali, isambuku okanye ixabiso lesigwebo 'nesambuku okanye ixabiso lesigwebo' elithetha, apho ngaphezu kwebango elinye liqukwa kwisenzo, inani xa lilonke lezambuku liqukwe kwisigwebo. Apho iindleko zinikelwa kummangalelwa, intetho 'isambuku sempikiswano' sithetha, isambuku okanye ixabiso lebango, 'nesambuku okanye ixabiso lesigwebo' lithetha apho ibango elingaphezu kwesinye liqukwa kwisenzo, inani xa lilonke lezambuku liqukwe kumabango. Isambuku okanye ixabiso lesigwebo okanye ibango liza kuquka umdla kodwa likhethe iindleko. Ukuba imicimbi igqitywe nangaliphi ixesha iindleko ziza kurhafiswa kumlinganiselo obhaliweyo kwisigqibo solungiso

(b) Apho isambuku esikwimpikiswano singacacanga kubukho beenkqubo, iindleko ziza kubalwa kwiqondo eliphezulu ngaphandle okokuba inkundla iyalela ngenye indlela.

3. Iindleko ezinokurhafiswa ngokomgaqo 33(19) zinokucingelwa ngokunikwa ngaphantsi kwesigwebo ukulungiselela isambuku esinikiweyo okanye isigwebo ngokolungiso, njengoko kunokuba njalo.

4. Amabango akhutshiweyo aza kubalwa kwirenti yeenyanga ezimbini zengabula zigcawu.

5. Isantya ekubalwa ngaso amaxabiso asinakwandiswa ngesizathu salo naliphina ibango lokuqinisekisa nalo naluphina uconoziso okanye umyalelo womntu othatha inxaxheba kwingxoxo.

6. Imirhumo egqwetheni iza kuvunyelwa kurhafiso kuphela kumatyala awela nganeno **[Umlinganiselo B okanye Umlinganiselo C]** Umlinganiselo B, C okanye D okanye apho inkundla yenze umyalelo ngokomgaqo 33(8) kwaye awunakho ukuvunyelwa ngaphandle okokuba intlawulo yoko imelwe sisandla segqwetha.
7. Apho isambuku sivunyelwe ukulungiselela umba oxeliweyo, isambuku siza kuquka zonke iikopi eziyimfuneko, ukukhonza neenkonzo (ngaphandle kweenkonzo ngumgwebi wesithili elungiselela inkundla kamantyi) malunga noko.
8. Apho isambuku sivumeleke ukuba sishiyeke size ukulungiselela umba—
- (a) ukubhalwa kwamaxwebhu (ingasizizo izibongozo) kuza kuvunyelwa nge-**[R19,00]** R21,00 ngencwadi nganye;
 - (b) **[iikopi zokufayilisha kunye nenkonzo nazo ziza kuvunyelwa]** iikopi zokufayilisha, inkonzo nekopi yegqwetha ukugcina nazo ziza kuvunyelwa;
 - (c) I-**[R12,00]** R13,00 iza kuvunyelwa ukulungiselela inkonzo nganye eyimfuneko.
- 9.(a) Apho naliphina uxwebhu oluvela enkundleni lilembeleza ngokungafunekiyo, inkundla ingangayivumeli yonke okanye nayiphina inxenye yomrhumo ngenxa yoko.
- (b) Apho zikhona iifomu zamaxwebhu zishicilelwe ukuba zikotshwe, imirhumo yokukopa iza kunyinwa kwiinkcukacha eziyimfuneko ezifakwe kwifomu ezishicilelwe ngolo hlobo.
10. (a) Incwadi iza kuba namagama abhaliweyo nashicilelweyo ayi-100 okanye inxenye yoko.
- (b) Amanani amane aza kubalwa njengegama elinye.
- 11.(a) Ngaphandle kokuba ngenye indlela uwanikiwe, isimangalo sokufunda ngenyameko siza kuvunyelwa kwi-**[R7,00]** R8,00 iphepha ngalinye malunga noxwebhu okanye ukuzithethelela ngokuyimfuneko kufundo ngenyameko.

(b) Apho isimangalo sivunyelwe ukuba sikotshwe, kuya kuvunyelwa nge-[R3,00] R3,50 ngephepha ngalinye, ngokungalikhathaleli inani lamagama, ngaphandle kokuba ngenye indlela uwanikiwe.

12. Apho kukho abammangalelwa abaninzi kunomnye i-[R12,00] R13,00 fanele yongezwe malunga nokongezelelwa kommangalelwa ngamnye ukulungiselela imiba nganye ku-2 no-3 weSahlulo II imiba 2 no-7 weSahlulo III.

13. Apho ityala lesigwebo lihlawuleka ngezavenge kwimiba yesigwebo okanye isigqibo, umrhumo we-10% kwisavenge ngasinye esiqokelwe kusindiso lwenkunzi, iindleko nomdla ziza kuvunyelwa, ngokuxhomekeka kwesona sikhulu **esiyi-[R300,00]** R330,00 kwisavenge ngasinye. Akukho mrhumo wongezelweyo oyakuhlalululwa ngobukho naninina malunga nokufunyanwa okanye ukuhlalulwa kwaso nasiphina isavenge.

14. Umabhalana okanye umntu ogcina iincwadi zerejista yenkundla kurhafiso angavumeli nayiphi intlawulo eyenzeka ngokungafunekiyo.

15. Apho umrhumo ngaphantsi kwawo nawuphina umba ubalwe ngamaxesha asisiseko, ixesha elichithiweyo xa lilonke kulo naluphina usuku olunye luza kubalwa kwaye umrhumo wangolwasuku ubalwe ngokupheleleyo.

16. Nasiphina isambuku esibhatalwa ngokuyimfuneko nangokwenyaniso ekulanda ekhondweni lomntu onetyala.

ISAHLULO II

IZENZO EZINGAPHENDULELWANGA

Umba 1 – Incwadi ebhalisiweyo yebango ngokwecandelo 56 lomThetho:

(a) Ibango okanye amabango apho ingqokelela yebango okanye [R29,00] amabango engadluli isambuku selona gunya likhulu elimiselwe R32,00 ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi

kulungiselelwa isithili

(b) Ibango okanye amabango apho ingqokelela yebango okanye R42,00
amabango engadluli isambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla

Umba 2 – lisamani, kuquka nencwadi yebango ekubhekiselelwe kuyo kumba 1:

(a) Ibango okanye amabango apho ingqokelela yebango okanye [R98,00]
amabango engadluli kwi-[12 000] R7 000 R108,00

(b) Ibango okanye amabango apho ingqokelela yebango okanye [R327,00]
amabango adlula kwi-[12 000] R7 000 kodwa engadluli kwi-R50 000 R361,00

(c) Ibango okanye amabango apho ingqokelela yebango okanye [R485,00]
amabango adlula kwi-R50 000 [, kwaye malunga nokuqhawula R535,00
imitshato okanye imicimbi yokutshata] kodwa engadluli kwisambuku
selona gunya likhulu elimiselwe ngumPhathiswa ngamanye amaxesha
malunga neenkundla zoomantyi kulungiselelwa isithili.

(d) Ibango okanye amabango apho ingqokelela yebango okanye R696,00
amabango adlula kwisambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla okanye xa umcimbi umalunga
nesizathu sesenzo ngokwecandelo 29(1B)(a) lomThetho.

Umba 3 – Isigwebo

(a) Ibango okanye amabango apho ingqokelela yebango okanye [R98,00]
amabango engadluli isambuku esiku-2(a) R108,00

(b) Ibango okanye amabango apho ingqokelela yebango okanye [R250,00]
amabango engadluli isambuku esiku-2(b) kodwa singaphezulu kwi- R276,00

R50 000

(c) Ibango okanye amabango apho ingqokelela yebango okanye **[R408,00]**
 amabango adlula kwi-R50 000 **[, kwaye malunga nokuqhawula R450,00**
imitshato okanye imicimbi yokutshata] kodwa engadluli kwisambuku
selona gunya likhulu elimiselwe ngumPhathiswa ngamanye amaxesha
malunga neenkundla zoomantyi kulungiselelwa isithili.

(d) Ibango okanye amabango apho ingqokelela yebango okanye **R585,50**
 amabango adlula kwisambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla okanye xa umcimbi umalunga
nesizathu sesenzo ngokwecandelo 29(1B)(a) lomThetho.

Umba 4 – Isaziso ngokomgaqo 12(2):

(a) Ibango okanye amabango apho ingqokelela yebango okanye **[R47,00]**
 amabango engadluli kwisambuku selona gunya likhulu elimiselwe **R52,00**
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili

(b) Ibango okanye amabango apho ingqokelela yebango okanye **R67,50**
 amabango adlula kwisambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla okanye xa umcimbi umalunga
nesizathu sesenzo ngokwecandelo 29(1B)(a) lomThetho.

Umba 5 – Isaziso ngokomgaqo 54(1):

(a) Ibango okanye amabango apho ingqokelela yebango okanye **[R47,00]**
 amabango engadluli kwisambuku selona gunya likhulu elimiselwe **R52,00**
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili

(b) Ibango okanye amabango apho ingqokelela yebango okanye R67,50
amabango adlula isambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla

Umba 6 – Ingxelo efungelweyo okanye isiqinisekiso -

Umba 7 – Ukuya enkundleni ngesicelo sikamantyi xa ibango Njengoko
 libhekiselelwe enkundleni ukulungiselela isigwebo okanye ukufumana livunyelwe
 isigwebo esingunobambisa xa ibango lingaphendulelwanga ngaphantsi
 komba 15
 kumlinganiselo
 wezenzo
 ezikhuselweyo

Umba 8 – kwincwadi nganye ebhalisiweyo edluliselwe kumntu onetyala
 ngokwecandelo 57(1) okanye (3) okanye icandelo 58(2), lomThetho
 ngumntu onetyala okanye igqwetha lakhe, kubandakanywa iikopi:

(a) Ibango okanye amabango apho ingqokelela yebango okanye [R30,00]
amabango engadluli kwisambuku selona gunya likhulu elimiselwe R33,00
ngumPhathiswa amaxesha ngamaxesha malunga neenkundla
zoomantyi ezenzelwe izithili

(b) Ibango okanye amabango apho ingqokelela yebango okanye R43,50
amabango adlula isambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla

Umba 9 –Ulwamkelo lwemfanelo nomsebenzi wokuhlawula ityala
 ngezavenge okanye ngenye indlela (icandelo 57 lomThetho):

(a) Ibango okanye amabango apho ingqokelela yebango okanye [R79,00]
amabango engadluli kwisambuku selona gunya likhulu elimiselwe

ngumPhathiswa amaxesha ngamaxesha malunga neenkundla R87,00
zoomantyi ezenzelwe izithili

(b) Ibango okanye amabango apho ingqokelela yebango okanye R113,50
amabango adlula isambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla

Umba 10 – Imvume kwisigwebo okanye kwintelekelelo nakumyalelo wokuhlalwula isigwebo setyala ngezavenge (icandelo 58 lomThetho):

(a) Ibango okanye amabango apho ingqokelela yebango okanye [R79,00]
amabango engadluli kwisambuku selona gunya likhulu elimiselwe R87,00
ngumPhathiswa amaxesha ngamaxesha malunga neenkundla
zoomantyi ezenzelwe izithili

(b) Ibango okanye amabango apho ingqokelela yebango okanye R113,50
amabango adlula isambuku selona gunya likhulu elimiselwe
ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi
kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi
ilungiselela icandelo lommandla

Qaphela: Isambuku semirhumo evumelekileyo ngaphantsi kwemiba 4, 5, 6, 7, 8, 9 no-10 iza kuqukwa ngaphandle kokurhafiswa kwisambuku seendleko apho isigwebo sibhalwa khona.

ISAYILULO III

KHUSELA IZENZO (NEENKQUBO ZONCEDO OLUNOBULUNGISA)

Umba	Umlinganiselo	Umlinganiselo	Umlinganiselo	<u>Umlinganisel</u>
	A	B	C	<u>D</u>
	R	R	R	<u>R</u>

1.	Imiyalelo	[R394,00]	[R525,00]	[R630,00]	
	yokumangalela okanye	<u>R435,00</u>	<u>R579,00</u>	<u>R695,00</u>	<u>R904,00</u>
	ukukhusela okanye				
	ibango elichasene				
	nelinye okanye				
	ukhusele ibango				
	elichasene nelinye				
	okanye ufunde				
	ngenyameko onke				
	amaxwebhu ucinga				
	ngemivuzo nangowo				
	onke amadliwano-				
	ndlebe ayimfuneko				
	ukhuphe iisamani				
2.	Iisamani	[R198,00]	[R275,00]	[R329,00]	
		<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>
3.	Imbonakalo	[R33,00]	[R33,00]	[R40,00]	
		<u>R36,50</u>	<u>R36,50</u>	<u>R44,00</u>	<u>R57,00</u>
4.	Isaziso	[R33,00]	[R33,00]	[R40,00]	
	ngaphantsi	<u>R36,50</u>	<u>R36,50</u>	<u>R44,00</u>	<u>R57,00</u>
	komgaqo				
	12(1)(b) no-(2)				
5.	Isicelo	[R198,00]	[R275,00]	[R329,00]	
		<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>
6.	Banga kuphindo	[R198,00]	[R275,00]	[R329,00]	
	lwesivumelwano	<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>
7.	Phendula,	[R198,00]	[R275,00]	[R329,00]	
	ukuba kukho imfuneko	<u>R218,50</u>	<u>R303,50</u>	<u>R363,00</u>	<u>R472,00</u>

8. Ukubhala onke -	-	-	-	-
amaxwebhu				
angachazwanga				
ngokukodwa, kuquka				
nesicelo sezinye				
iinkcukacha				
ezingaphaya, uludwe				
lwenkqubo				
yamaxwebhu, nazo				
zonke iingxelo				
ezifungelweyo,				
iisamani, nasiphina				
isaziso kungenjalo				
esingabonelelwanga				
kwanokubhalwa				
kweengxelo				
ngamangqina				
9. Ukuveliswa	[R117,00]	[R117,00]	[R140,00]	
kwamaxwebhu	<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>
okuhlola, okanye				
amaxwebhu okuhlola,				
ngekota nganye yeyure				
okanye inxenywe yoko				
yexesha elichithiweyo				
10. Ikopi nganye	[R3,00]	[R3,00]	[R3,00]	
yenkonzo, kwiphepha	<u>R3,50</u>	<u>R3,50</u>	<u>R3,50</u>	<u>R3,50</u>
ngalinye				
11. Ukurekhodishwa	R117,00	[R117,00]	[R140,00]	
kweengxelo	<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>

ngamangqina, ngekota
nganye yeyure okanye
inxenye yoko

12. Isaziso	[R33,00]	[R33,00]	[R40,00]	
sokuthethwa kwetyala	<u>R36,50</u>	<u>R36,50</u>	<u>R44,00</u>	<u>R57,00</u>
okanye ukubuyiselwa				
endaweni yaso				

13. Ukulungiselela	[R656,00]	[R893,00]	[R1071,00]	
ukuthethwa kwetyala	<u>R724,00</u>	<u>R985,50</u>	<u>R1 182,00</u>	<u>R1 536,50</u>
(ukubangaba igqwetha				
aliqeshwanga)				

14. Ukuya	[R117,00]	[R117,00]	[R140,00]	
kuthethathethwano	<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>
lolungiso, ngekota				
nganye yeyure okanye				
inxenye yoko echithwe				
ngokwenene kolo				
thethathethwano				
lunjalo				

15. Ukuya
enkundleni ngexesha
lokuthethwa kwetyala,
okanye kuloo ndawo
yohlolo, okanye
kumiselo lwelinye
ixesha okanye uviwo
kugunyaziso, kwikota
nganye yeyure okanye
inxenye yoko echithwe
enkundleni ngexesha

ityala liphulaphulwe
ngokwenene-

(a) ukuba igqwetha	[R117,00]	[R117,00]	[R140,00]	
aliqeshwanga	<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>

(b) ukuba igqwetha Lutho	[R47,00]	[R56,00]		
liqeshiwe	<u>R52,00</u>	<u>R62,00</u>	<u>R81,00</u>	

16. Ukuya kuqalo	[R117,00]	[R117,00]	[R140,00]	
lwangaphambili	<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>

lwenkomfa
yokuthethwa kwetyala,
ngekota nganye yeyure
okanye inxenye yoko
yenkcitho enjalo
yenko mfa

17. Ukuya kuva	[R23,00]	[R23,00]	[R28,00]	
enkundleni	<u>R25,00</u>	<u>R25,00</u>	<u>R31,00</u>	<u>R40,50</u>

ngesigwebo
esigciniweyo, ngekota
nganye yeyure okanye
inxenye yoko

18. Imbalelwano-	□	□	□	
(a) ngencwadi	[R19,00]	[R19,00]	[R23,00]	
nganye eyimfuneko	<u>R21,00</u>	<u>R21,00</u>	<u>R25,00</u>	<u>R33,00</u>

okanye ucingo,
ngenani lencwadi

(b) ngencwadi	[R12,00]	[R19,00]	[R23,00]	
nganye eyimfuneko	<u>R13,00</u>	<u>R21,00</u>	<u>R25,00</u>	<u>R33,00</u>

okanye ucingo
olufunyenweyo,
ngaphandle okokuba

umrhumo wokufunda
 ngenyameko
 awunakuvunyelwa
 wongezwe kumrhumo
 olapha olungiselelwe
 oko

19. Ukukhonza:	[R12,00]	[R19,00]	[R23,00]	
malunga nokuya	<u>R13,00</u>	<u>R21,00</u>	<u>R25,00</u>	<u>R33,00</u>
okuyimfuneko nganye				
okungalungiselelwanga				
nganye indlela,				
ngokuya nganye				

20. Izimemo	[R12,00]	[R19,00]	[R23,00]	
ezisesikweni ngefoni	<u>R13,00</u>	<u>R21,00</u>	<u>R25,00</u>	<u>R33,00</u>
eziyimfuneko,				
ngesimemo ngasinye				

21. Udliwano-	[R33,00]	[R33,00]	[R40,00]	
ndlebe ngefoni: rhoqo	<u>R36,50</u>	<u>R36,50</u>	<u>R44,00</u>	<u>R57,00</u>
njalo ngemizuzu eyi-5				
okanye ngenxenywe				
yoko, ixhomekeke				
kowona mlinganiselo				
<u>womrhumo</u>				
<u>ngodliwano-ndlebe</u>				
<u>ngalunye oluyi-</u>				
[R113,00] <u>R125,00</u>				
<u>ukulungiselela</u>				
<u>umLinganiselo A ukuya</u>				
<u>ku-C ne-R162,00</u>				
<u>ukulungiselela</u>				

umLingansielo**D[ngodliwano-ndlebe
ngalunye].**

22. Udliwano-ndlebe oluyimfuneko ngalunye, ngekota nganye yeyure okanye inxenye yoko	[R117,00] <u>R129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</u>
23. Inkundla ingenza ngesicelo xa kuchotshelwe ityala, ukuba ivumele ngokuthi yongeze umrhumo omiselweyo kumba 13 ngasentla womrhumo wentlawulo eyongezelelweyo ebhatalwa igqwetha xa kusaxoxwa ityala kumiselo lwelinye ixesha okanye ikakhulu kuvavanyo lokuthethwa kwetyala	[R408,00] <u>R450,00</u>	[R578,00] <u>R638,00</u>	[R693,00] <u>R765,00</u>	<u>R994,50</u>
24. Ixesha elichithiweyo ekulindeneni enkundleni (ngenxa yokungabikho kwenkundla) ngekota nganye yeyure okanye inxenye yoko	[R79,00] <u>R87,00</u>	[R79,00] <u>R87,00</u>	[R95,00] <u>R105,00</u>	<u>R136,50</u>

25. Ixesha	[R79,00]	[R79,00]	[R95,00]	
lokuhamba	<u>R87,00</u>	<u>R87,00</u>	<u>R105,00</u>	<u>R136,50</u>
[lixhomekeke				
kumalungiselelo				
omgaqo 33(9)] ngekota				
yeyure nganye oanye				
inxenye yoko				
26. lindleko	Esona sizathu seendleko zokuphila nokuhamba			
zokuphila nokuhamba njengoko zibhalwe phantsi kumgaqo [njengo]				
njengoko zibhalwe 33(9)				
phantsi kumgaqo 33(9)				

ISAYHLULO IV

EMINYE IMICIMBI

Izinxaxhi, izicelo zokubetha kakhulu, izicelo sokulungiselela isigwebo esishwankathelweyo, imbonakalo yokuzuza isigwebo esingunobambiso xa ibango likhuselwe, izicelo zotkuhatha inxaxheba kwingxoxo, ekubanjweni, kuconiso, kwizicelo ngaphantsi komgaqo 27 (9), kwizicelo zokuhlola kwakhona isigwebo, kumyalelo okanye kurhafiso, kwizicelo zentengiso yempahla yeshishini ukuze kuhlawulwe ityala lamaqumrhu avaliwelwe kwanezicelo ngokwemiba yecandelo 65J lomThetho.

Umba	<i>Umlinganiselo</i> <i>A</i> <i>R</i>	<i>Umlinganiselo</i> <i>B</i> <i>R</i>	<i>Umlinganiselo</i> <i>C</i> <i>R</i>	<i>Umlinganiselo</i> <i>D</i> <i>R</i>
1.(a) Imiyalelo yokwenza isicelo	[R98,00] <u>R108,00</u>	[R198,00] <u>R218,50</u>	[R236,00] <u>R260,50</u>	

okanye ukuchasa okanye ukubonisa injongo (yenkundla ukuba ingasamkela isicelo sesambuku esingaphezulu)				<u>R338,50</u>
(b) Imiyalelo ingenza isicelo sentengiso yempahla yeshishini ukuze kuhlawulwe ityala lequmrhu elivaliweyo, ukufunda ngenyameko nawo onke amaxwebhu okungqinela nokucinga ngemivuzo, nawo onke amadliwano- ndlebe ayimfuneko	[R485,00] <u>R535,00</u>	[R485,00] <u>R535,00</u>	[R581,00] <u>R641,00</u>	<u>R833,50</u>
2. Ukubhala onke amaxwebhu, iingxelo ezifungelweyo, izicelo nezaziso, imiyalelo, njl-njl	-	-	-	-
3. Ukuya enkundleni ngexesha lokuchotshelwa kwetyala:				
(a) Ukuba	[R117,00]	[R117,00]	[R140,00]	

ayiphikiswanga okanye iye yaphikiswa (ukuba igqwetha aliqeshwanga), ngekota yeyure nganye okanye inxenye yoko liyachithwa ngokwenene enkundleni	<u>R129,00</u>	<u>R129,00</u>	<u>R154,50</u>	<u>R201,00</u>
(b) Ukuba liphikiswe (ukuba igqwetha liqeshiwe), ngekota yeyure nganye liyachithwa ngokwenene enkundleni okanye kwinxenye yoko	Lutho Nil	[R47,00] <u>R52,00</u>	[R56,00] <u>R62,00</u>	<u>R81,00</u>
4.(a) Umrhumo [olungiselelwe ukuthethwa kwetyala] <u>olungiselelwe</u> <u>impikiswano,</u> xa iphikiswa [ukuba iyavunyelwa yinkundla ngesicelo]	[R408,00] <u>R450,00</u> <u>R450,00</u>	[R485,00] <u>R535,00</u> <u>R535,00</u>	[R581,00] <u>R641,00</u> <u>R641,00</u>	<u>R833,50</u> <u>R833,50</u>

(b) Umrhumo wokulungiselela ukuthethwa kwetyala apho iinkqubo zibhekiselelwe kuthetho lwetyala okanye kubungqina obutshiwo ngomlomo				
5. Amadliwano- ndlebe nolungiso lothethwathethwano — xa ziphikisiwe, ngekota yeyure nganye okanye inyxenyeye yoko	[R117,00] <u>129,00</u>	[R117,00] <u>R129,00</u>	[R140,00] <u>R154,50</u>	<u>R201,00</u>
[Qaphela: Inkundla ngesicelo isenziwe kuxoxo lwetyala ingavumela, njengenyeye indlela kwimirhumo emisiweyo kumba 4, umrhumo wokulungiselela ingxoxo ngaphantsi kwemiba 13 no-23 womlinganiselo wokukhusela izenzo.]				
Umba			Umlinganiselo	

IINDLEKO ZOKURHAFISWA	R
6. Ukubhala umthetho oyilwayo weendleko:	Yi-5% yemirhumo evunyelweyo
7. Ukuya kurhafiso:	Yi-5% yawo wonke umthetho oyilwayo evunyelweyo
8. Ukuya kuhlolo kwakhona lorhafiso, ngekota yeyure nganye okanye inxenye yoko enkundleni xeshikweni uhlolo kwakhona lumanyelwe ngokwenene	[R117,00] <u>R129,00</u>
9. Isaziso sesicelo ukulungiselela ukucingwa kwakhona korhafiso nenkonzo	-
10. Ingxelo efungelweyo, apho kuyimfuneko	-
UKWENZA	
11.(a) Ukukhupha igunya lokwenza, ukukhupha, nokuhambisa into yomntu eyeyakhe	[R79,00] <u>R87,00</u>
(b) Ngokuphinga ukhuphe kwakhona inxenye yoko nganye	[R33,00] <u>R36,50</u>
12. Uquko lomrhumo womsebenzi osele wenziwe malunga nokukhulula ipropati enamathelisiweyo engenakushukunyiswa	[R98,00] <u>R108,00</u>
13. Uquko lomrhumo womsebenzi osele wenziwe malunga nentengiso eyenziwe kuphela kwipropati engenakushukunyiswa	[R250,00]

(engafaki umsebenzi malunga nokuba yeyiphina imirhumoesele inikelwe kwenye indawo kwanokubhalwa kweemeko zokuthengisa).	<u>R276,00</u>
14.(a) ukubhala isaziso sentengiso ngokomgaqo 41(8), okanye iimeko-zentengiso ngokomgaqo 43(7)	
(b) Malunga nawo wonke umsebenzi owenziweyo namaphepha kunye namaxwebhu anikezwa ngumgwebi wesithili wenkundla kamantyi malunga nothengiso ekwenziweni kwepropati enokushukunyiswa, umrhumo onokuquka oyi-	[R170,00] <u>R187,50</u>
15. Ukhusele lwembuyekezo, apho kuyimfuneko	[R65,00] <u>R72,00</u>
APHO IGQWETHA LIQESHIWE	
16. Imiyalelo yesinxaxhi okanye isicelo, apho sivumeleke khona:	
(a) Ibango okanye amabango apho ingqokelela yebango okanye amabango engadluli kwisambuku selona gunya likhulu elimiselwe ngumPhathiswa amaxesha ngamaxesha malunga neenkundla zoomantyi ezenzelwe izithili	[R117,00] <u>R129,00</u>
(b) Ibango okanye amabango apho ingqokelela yebango okanye amabango adlula isambuku selona gunya likhulu elimiselwe ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi ilungiselela icandelo lommandla	<u>R168,00</u>
17. Imiyalelo ngokuthethwa kwetyala:	
(a) Ibango okanye amabango apho ingqokelela yebango okanye amabango engadluli kwisambuku selona gunya likhulu elimiselwe ngumPhathiswa amaxesha ngamaxesha malunga neenkundla zoomantyi ezenzelwe izithili	[R145,00] <u>R166,50</u>
(b) Ibango okanye amabango apho ingqokelela yebango okanye amabango adlula isambuku selona gunya likhulu elimiselwe	<u>R208,00</u>

ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi ilungiselela icandelo lommandla	
18. Ukubhala isishwankathelo setyala elihluziweyo kwisinxaxhi okanye isicelo, apho kuvumelekileyo	
19. Ukubhala isishwankathelo setyala elihluziweyo ekuthethweni kwetyala	
20 Ukuya kudliwano-ndlebe ngalunye oluyimfuneko kunye negqwetha, ngekota yeyure nganye okanye inxenye yoko	
(a) Ibango okanye amabango apho ingqokelela yebango okanye amabango engadluli kwisambuku selona gunya likhulu elimiselwe ngumPhathiswa amaxesha ngamaxesha malunga neenkundla zoomantyi ezenzelwe izithili	[R47,00] R54,00
(b) Ibango okanye amabango apho ingqokelela yebango okanye amabango adlula isambuku selona gunya likhulu elimiselwe ngumPhathiswa ngamanye amaxesha malunga neenkundla zoomantyi kulungiselelwa isithili nenkqubo ekhutshwe yinkundla kamantyi ilungiselela icandelo lommandla	R67,50

IMIRHUMO YEGQWETHA	
21. Ngesishwankathelo setyala elihluziweyo ukuxoxa ngesinxaxhi okanye isicelo	[R578,00] R638,00
<i>Qaphela:</i> umrhumo egqwetheni kwisicelo uyakuvunyelwa kuphela apho inkundla iqinisela ukuba isishwankathelo setyala elihluziweyo segqwetha sasigunyazisiwe	

22. Malunga nokuthethwa kwesishwankathelo setyala ngosuku lokuqala, akugqithisi	[R1640,00] <u>R1 810,00</u>
23. Kuyo nayiphi inkundla ebambe ngaphezulu kwekhilomitha eziyi-30 ukusuka kwidolophu ekufutshane apho icandelo lephondo okanye lasekuhlaleni (ngaphandle kweNkundla yeSekethe) sezihlalo zeNkundla ePhakamileyo, imali evunyelweyo yokuhamba (malunga nomrhumo kwisishwankathelo setyala elihluziweyo) singavunyelwa ngomyalelo owodwa wenkundla	[R3,00] <u>R3,50</u> per km
24. Udliwano-ndlebe ngalunye oluyimfuneko, ngekota yeyure	[R117,00] <u>R129,00</u>
25. Malunga nentsuku zonke ezidlula esinye apho ubungqina buthathwe khona okanye iingxoxo ziviwe, intlawulo eyongezelelweyo ebhatalwa igqwetha xa kusaxoxwa amatyala ingadluli	[R985,00] <u>R1 087,00</u>
26. Ubhalo lokuthethelela	[R263,00] <u>R290,00</u>
<i>Amanqaku:</i>	
(a) Malunga nemiba eku-22 no-25 yomrhumo endaweni yomrhumo wosuku lokuqala lokuchophela ityala liza kuvunyelwa ngohlobo olulandelayo xa ityala limisiwe okanye lirhoxisiwe okanye limiselwe elinye ixesha ngesicelo salo naliphina iqela ngomhla okanye ngaphambi komhla wokuchotshelwa kwetyala:	
(i) ingabikho ngaphezulu kwentsuku ezintathu ngaphambi komhla wokuchotshelwa kwetyala: Umrhumo ngenye indlela uvunyelwa kurhafiso ngosuku lokuqala lokuchotshelwa kwetyala;	
(ii) ingabikho ngaphantsi kwentsuku ezintathu kwaye ingabikho ngaphezulu kwentsuku ezisixhanxe ngaphambi komhla wokuchotshelwa kwetyala: Isibini esithathwini somrhumo ngaphantsi ko-(i); na	

(iii) ingabikho ngaphantsi kwentsuku ezisibhozo kwaye ingabikho ngaphezulu kwentsuku ezingamashumi amabini ananye (21) ngaphambi komhla wokuchotshelwa kwetyala: Isiqingatha somrhumo ngaphantsi ko-(i).	
(b) inkundla ngesicelo ivumele umrhumo ophezulu ukulungiselela igqwetha malunga nemiba 22, 24, 25 no-26.	
(c) Umrhumo wexesha lokuhamba legqwetha liza kuvunyelwa ngesantya esifanayo ukulungiselela amagqwetha ngaphantsi komgaqo 33(9).	

IINTLOBO NGEENTLOBO

27. Fumana ikopi eqiniselweyo yesigwebo	[R60,00] <u>R66,00</u>
28. Fumana intlawulo ngokomgaqo 18(4)	[R40,00] <u>R44,00</u>
29. Cela ukhuselo ngokomgaqo 62(1)	-
30. Nika ukhuseleko ngokomgaqo 62(1)	-

ULUHLU LWENKQUBO B

IINDLEKO

ISAHLULO I

AMALUNGISELELO JIKELELE MALUNGA NEENKQUBO NGOKWE **[ICANDELO]**
AMACANDELO 65 NO-65A UKUYA KU-65M WOMTHETHO

1. Ngokuxhomekeke kumalungiselelo womhlathi 3, akukho mirhumo ngaphandle kolo luhlu lwamaxabiso kwesi Sahlulo eyakuvunyelwa.
2. Ngokuxhomekeke kumalungiselelo ecandelo 65K omThetho, imirhumo ebhalwe phantsi kwimiba (a), (b) okanye (c) yoLuhlu lwamaxabiso kwesi Sahlulo, njengoko kunokuba njalo, inokubhatalwa ngokubhala isaziso ekubhekiselelwe kuso kwicandelo 65A(1), kuquka inkangeleko kuphando kwimeko yemali yesigwebo yomntu onetyala ekubhekiselelwe kuyo kwicandelo 65D, okanye imbonakalo yokusikwa yakamva, isilungiso okanye ukubhangisa iinkqubo, ngapahandle komrhumo ovunyelwe ukuba ngaphantsi komba (m) woluhlu lwamaxabiso, kwaye ziza kumangalelwa kuphela kube kanye ngenxa yokuzibhala, ukukhupha nokukhupha kwakhona kwesaziso nako konke ukumiselwa kwelinye ixesha lokubuza, engakhathaleli inani leentsuku apho iinkqubo ziviwa enkundleni: Ngaphandle okokuba apho umntu onetyala eshiya ummandla wolawulo lezobulungisa benkundla emva kokukhutshwa isaziso ekubhekiselelwe kuso kwicandelo 65A(1) nesaziso esiphinde sakhutshwa kwakhona kuso nasiphina esinye isithili, umrhumo oxelwe ngaphambili ungamangalelwa kwezinye izithili ezinjalo ukuba inkundla iyalela njalo.
3. okulandelayo kuza kuvunyelwa ngokongeza kwimirhumo ebhaliweyo kuLuhlu lwamaxabiso kwesi Sahlulo:
 - (a) Zonke iindleko eziyimfuneko ezenziwe malunga neenkqubo.
 - (b) Umrhumo we-10% kwisavenge ngasinye esiqokelelwe kusindiso lwenkunzi neendleko zesenzo, ixhomekeke kowona mlinganiselo womrhumo oyi-~~[300.00]~~ R330.00 kwisavenge ngasinye. Apho isambuku sibhatalwa ngezavenge imirhumo eyingqokelela inokufunyanwa kwakhona kuphela ekuhlawulweni yazo zonke izavenge. Umrhumo onjalo unokuba sendweni yenye ungongezwa kwimirhumo eyingqokelela exeliweyo kumhlathi 13 weSihlomelo 1 soLuhlu A.

- (c) Zonke iindleko eziyimfuneko ezenziwe malunga nazo naziphina iinkqubo zokuphutha kwangaphambili ngaphantsi kwecandelo 72, ukuba inkundla ikuyalele oko.
- (d) Nasiphina isambuku sokubhatala ngokuyimfuneko ekuphandeni isigwebo somntu onetyala, apho isambuku senkunzi setyala ngexesha iarente yokulanda umkhondo yaqeshwa yayingekho ngaphantsi kwe-**[327,00]** R361,00. Isambuku xa sisonke siphelele esiza kuvunyelwa ngomkhondo ngamnye asinakudlula kwi-**[R250,00]** R276,00.
- 4 Ngenjongo yoLuhlu lwamaxabiso kwesi Sahlulo isambuku sebango, ngokuxhomekeka kumalungiselelo akumhlathi 3(d), siza kuba sisambuku senkunzi esipheleleyo kwaneendleko ezibonakalayo ngomhla wokumiswa okokuqala kweenkqubo ngaphantsi kwecandelo 65A(1) lomThetho.
5. Kwimiba 1 ukuya ku-5 yeSahlulo IV yoLuhlu A yeSihlomelo 2 sisebenza ngokwecandelo 65J lomThetho.

ULUHLU LWAMAXABISO		
(a)	Apho ibango lingadluli isambuku esiyi-R1 000.00	[R165,00] <u>R182,00</u>
(b)	Apho ibango lidlula isambuku esiyi R1 000.00 kodwa singekho ngaphezu kwe-R2 000.00	[R250,00] <u>R276,00</u>
(c)	Apho ibango lidlula isambuku esiyi-R2 000.00	[R296,00] <u>R327,00</u>
(d)	Igunya lokubanjwa (iFomu 40A)	[R65,00] <u>R72,00</u>
(e)	(i) Umyalelo wesongezo mivuzo (iFomu 38)	[R131,00] <u>R144,50</u>

	(ii) Khupha kwakhona (iziqinisekiso ziqukiwe)	[R105,00] <u>R116,00</u>
(f)	Isicelo seendleko kwisaziso (siquka imbonakalo enkundleni)	[R65,00] <u>R72,00</u>
(g)	Fumana ikopi eqiniselweyo yesigwebo	[R65,00] <u>R72,00</u>
(h)	Ingxelo efungelweyo okanye isiqinisekiso ngumntu onesiqgwebo kwigqwetha lakhe	[R47,00] <u>R52,00</u>
(i)	Malunga nencwadi nganye ebhalisiweyo edluliselwe kumntu onetyala ngokwamacandelo 65A(2), 65E(6) okanye 65J(2) omThetho ngumntu onetyala kuye okanye igqwetha lakhe.	[R30,00] <u>R33,00</u>
(j)	Ingxelo efungelweyo okanye isiqinisekiso ngumntu onetyala [UmGaqa 45(7)]	[R79,00] <u>R87,00</u>
(k)	Cela umyalelo ngaphantsi kwecandelo 65 lomThetho	[R47,00] <u>R52,00</u>
(l)	Ukuya kwiinkqubo ezibekelwe elinye ixesha ngokwecandelo 65E(3) lomThetho okanye ukuya kwiinkqubo enkundleni ukungqinelana nokubanjwa komntu onesigwebo, umlawuli okanye igosa okanye ukungqinelana kwisaziso ekubhekiselelwe kuso ku-65A(8)(b)	[R65,00] <u>R72,00</u>
(m)	Isamani:	
	(i) Ukubhala isamani, ngencwaadi nganye	[R19,00] <u>R21,00</u>
	(ii) Nayiphina imfuneko yobukho, ngobukho ngabunye	[R12,00] <u>R13,00</u>
(n)	(i) Imbalelwano: Malunga nencwadi nganye eyimfuneko okanye ucingo olubhaliweyo okanye olufunyenweyo, iquka ikopi ekufuneka igciniwe, ngaphandle okokuba umrhumo wokufunda ngenyameko	[R19,00] <u>R21,00</u>

	awunakuvunyelwa ekwengezweni kumrhumo onikelwe apho, ngenchwadi nganye □	
(ii)	Abakhonzi: malunga nokuba khona okuyimfuneko nganyeengenye indlela inganikelwanga, ngobukho ngabunye	[R19,00] <u>R21,00</u>
(iii)	Iminxeba esesikweni eyimfuneko ngefoni, ngobizo ngalunye	[R19,00] <u>R21,00</u>

IS AHLULO II

AMALUNGISELELO MALUNGA NEENKQUBO NGOKWECANDELO 72 LOMTHETHO

1. Ngokuxhomekeke kumalungiselelo emihlathi 2 no-3 , akukho mirhumo ngaphandle kwebhalwe phantsi kuLuhlu lwamaxabiso kwesi Sahlulo eyakuvunyelwa
2. Umhlathi 3(a), (b) no-(d) wamalungiselelo jikelele ngaphantsi kweSahlulo 1 solu Luhlu luyakusebenzisa *ekwenziweni kotshintsho olungephi oluyimfuneko kwityala lomntu ngamnye, ngaphandle kokutshintsha amanqaku aphambili* kwesi Sahlulo.
3. Zonke iindleko ezenzekileyo malunga nazo naziphina iinkqubo eziphuthileyo ngaphambili ngaphantsi kwecandelo 65 ziyakuvumeleka ukuba inkundla iyalele.
4. Ngenjongo yoLuhlu lwamaxabiso kwesi Sahlulo isambuku sebango, ngokuxhomekeka kumalungiselelo akumhlathi 3(d) wamalungiselelo jikelele angaphantsi kweSahlulo 1 solu Luhlu, siza kuba sisambuku senkunzi esipheleleyo kwaneendleko ezibonakalayo ngomhla wokumiswa okokuqala kweenkqubo ngaphantsi kwecandelo 72 lomThetho.

ULUHLU LWAMAXABISO

- | | | |
|-----|-------------------------------------|-----------------------------------|
| (a) | Apho ibango lingadluli kwi- R200.00 | [R98,00]
<u>R108,00</u> |
| (b) | Apho ibango lidlula kwi- R200.00 | [R210,00] |

	<u>R232,00</u>
(c) Efumana ikopi eqiniselweyo yesigwebo	[R60,00]
	<u>R66,00</u>
(d) Isicelo somyalelo wokwenza ngokuchasene nokuthimba	[R60,00]
	<u>R66,00</u>
(e) Umyalelo wokuthimba (Ifomu 39)	[R79,00]
	<u>R87,00</u>

ISAHLULO III

AMAGATYA JIKELELE MALUNGA NEENKQUBO NGOKWECANDELO 74

LOMTHETHO

1. Imirhumo elandelayo iza kuvunyelwa ekwengezeni kuleyo ibhalwe phantsi kuLuhlu lwamaxabiso kwesi Sahlulo:
 - (a) Zonke iindleko eziyimfuneko ezenzeke malunga neenkqubo.
 - (b) Ngokongeza kwimirhumo exelwe ngasezantsi, umphathi uza kuba namalungelo kumrhumo we-10% kwisavenge ngasinye esiqokelelelwe ukufezekiswa kwenkunzi neendleko.
2. Ngenjongo zemiba 4 no-5 yoLuhlu kwesi Sahlulo, incwadi iyakuba namagama abhaliweyo nashicelelweyo ayi-100 okanye amanani amane aya kubalwa njengegama elinye.

ULUHLU LWAMAXABISO

Umba	Inye ukuya Ishumi	Amashumi
	kwishumi elinanye	amabini
	labantu ukuya	ananye
	abanetyala kumashumi	okanye
	kuye amabini	ngaphezulu

		abantu abanetyala kuye	abantu abanetyala kuye
	R	R	R
1. Imiyalelo yokusebenzisa umyalelo wokulawula, kubandakanywa ukufunda ngenyameko okuyimfuneko kweesamani, amabango, njl-njl, kwaye kuqondisiswa isambuku sezinto umntu anazo ezinokuthengiswa ukuhlawulwa kwamatyala akhe kwaneemfanelo, kubandakanywa bonke abakhonzi nembalelwano eyimfuneko malunga nalawo	[R117,00] <u>R129,00</u>	[R165,00] <u>R182,00</u>	[R263,00] <u>R290,00</u>
2. Imiyalelo ekusetyenzisweni ngaphantsi kwecandelo 74Q(1) okanye ukuchasa isicelo esinjalo okanye ekunikeni umyalelowokulawula	[R93,00] <u>R102,50</u>	[R93,00] <u>R102,50</u>	[R93,00] <u>R102,50</u>
3. Ukubhala isicelo ukulungiselela umyalelo wokulawula okanye wokucinga kwakhona ngenxenye yoko nengxelo efungelweyo, kubandakanywa nazo zonke izihlomelo ezilapho nabo bonke abakhonzi, ngaphandle kokungayi enkundleni	[R165,00] <u>R182,00</u>	[R165,00] <u>R182,00</u>	[R165,00] <u>R182,00</u>
4. Ukwenza iikopi zesicelo,	[R3,00]	[R3,00]	[R3,00]

ingxelo efungelweyo nezihlomelo R3,50 R3,50 R3,50
 zabantu abanetyala kuye, iphepha
 ngalinye

5. Ukufunda ngenyameko isicelo **[R7,00]** **[R7,00]** **[R7,00]**
 namanye amaxwebhu anikiweyo, R7,50 R7,50 R7,50
 ukuba akho, ngencwai nganye

Qaphela: Imirhumo engaphantsi
 kwalo mba ibangwa kuphela
 ligqwetha okanye iqela elichasayo.

6. Ukuya enkundleni:

(a) Ekumiselweni kwelinye ixesha **[R44,00]** **[R44,00]** **[R44,00]**
 okanye ukubekelwa bucala, R48,50 R48,50 R48,50
 ukuba ayibangwa ligqwetha
 okanye umxhasi wakhe

(b) Kulo naluphina olunye uxoxo **[R93,00]** **[R177,00]** **[R177,00]**
 lwetyala R102,50 195,50 R195,50

7. Ngokunikela kumntu onetyala **[R12,00]** **[R12,00]** **[R12,00]**
 ngumlawuli wolwazi olubhekiselele R13,00 R13,00 R13,00
 kuye kwicandelo 74m(a) omThetho,
 ngesicelo ngasinye

8. Ukunika ikopi yengxelo **[R2,00]** **[R2,00]** **[R2,00]**
 yemicimbi yomntu onetyala R2,50 R2,50 R2,50
 ekubhekiselelwe kuye kumacandelo
 74 no-74 A(1) omThetho ngumlawuli
 ngokwecandelo 74m(b) okanye
 loluhlu okanye iakhawunti
 ekubhekiselelwe kuyo kwicandelo
 74g(1) okanye 74J omThetho
 okanye engxelo yemicimbi yomntu
 onetyala ekubhekiselelwe kuye
 kwicandelo 65l(2) omThetho,

ngephepha ngalinye

9.	Imbalelwano nokubakhona	[R19,00]	[R19,00]	[R19,00]
		<u>R21,00</u>	<u>R21,00</u>	<u>R21,00"</u>

Ukuqala

4. Le migaqo iza kuqala ukusenbenza nge **15 kweyoMnga 2013.**

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