



25 May 2017

Via e-mail RajDaya@justice.gov.za

Deputy Chief State Law Adviser
The Secretary
Rules Board for Courts of Law
P O Box 13106
THE TRAMSHED
0126

Dear Mr Daya

REQUEST FOR COMMENTS: PHYSICAL ADDRESS REQUIREMENT FOR REGIONAL COURT

We refer to the above matter.

The LSSA's specialist Magistrates' Court Committee met recently to attend to various matters affecting the legal profession's interaction with Magistrates' Courts.

The Committee considered, among other, a proposal to amend the Rules to exempt parties from providing a physical address within 15 kilometres of the regional courthouse in situations where parties are represented by attorneys who have a facsimile address and electronic mail address and who are located within the district of the District Court or regional district of the Regional Court.

The Committee has also obtained input from legal practitioners on the feasibility of this proposal. In light of the comments received, the Committee resolved to make a recommendation to the Rules Board to allow for a proposal to be extended to both Regional and District Courts.

Such an exemption may read as follows:

"Where the [all] parties to the proceedings are represented by attorneys, the postal address, and where available, facsimile address and electronic mail address may be used as the

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preferred address for service on the other party of all documents in such action, and service thereof at the address so given shall be valid and effectual, except where by an order or practice of the Court personal service is required. The parties shall not be required to have a physical address within 15 kilometres of the District or Regional courthouse.”

We thank you for considering this proposal.

Yours faithfully



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