



7 February 2017

**ATTENTION: MS CHARMAINE KEMP**

Via email: [ChKemp@justice.gov.za](mailto:ChKemp@justice.gov.za)

Mr Raj Daya  
Deputy Chief State Law Advisor  
Secretary to the Board  
The Rules Board for Courts of Law

Dear Mr Daya

**REQUEST FOR COMMENTS: HARMONISATION OF TAXATION PROCESS IN  
MAGISTRATES' COURTS RULE 33 WITH UNIFORM RULE 70 (3B) AND (4)**

We refer to your letter dated 14 December 2016.

We confirm that the Law Society of South Africa (LSSA) is in favour of the proposal to:

- a) Introduce into the Magistrates' Courts Rules similar provisions to Uniform Rule 70(3B) (pre-enrolment process); and
- b) Amend the notice period of the date of set down for taxation in the Magistrates' Courts Rule 33(15) from 5 days to 10 days to harmonise with the provisions of Uniform Rule 70(4).

The LSSA's specialist Costs Committee agreed that the proposal will alleviate some pressure on the clerks of the courts. The proposed procedure will also allow an opportunity to settle bills and crystallise matters in dispute and accordingly expedite the process.

We also recommend that consideration be given to its implications for the Labour Courts and the Constitutional Court.

We thank you for taking the above comments into consideration

Yours faithfully

A handwritten signature in cursive script, appearing to read "Lizette Burger".

**Lizette Burger**  
**Professional Affairs Manager**

Tel: +27 (0)12 366 8800

Fax: +27 (0) 86 674 6533

E-mail: [lizette@lssa.org.za](mailto:lizette@lssa.org.za)

The Law Society of South Africa brings together the Black Lawyers Association, the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces and the National Association of Democratic Lawyers in representing the attorneys' profession in South Africa.