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TO	ALL PRACTITIONERS	
FROM	R NAUDE	
DATE	19 MARCH 2021	YOUR REF:
SUBJECT	RULE 31(5) DEFAULT JUDGMENT APPLICATIONS	

In order to streamline the process and to create certainty the following amendments will be implement, with immediate effect, when lodging a default judgment application in terms of Rule 31(5).

- Present the application at General Office and request for the file to be drawn.
- Enter the details of the file into the default judgment register on the counter in General Office (yellow file).
- The default judgment register (yellow file) will have the Registrars names pre-entered into it. The details of the file are to be entered against the name of the next available Registrar. No selecting will be accepted. This will be monitored and reported to the Legal Practice Council if found to be taking place.
- Once captured in the register, take the file to the office of the allocated Registrar. Place the file in the box at the door of the allocated Registrar and sign it in the register of the Registrar which will be in the box.
- Note on your office file the date, and registrar to whom it has been allocated.

The intention behind this processes is to ensure that Practitioners know which Registrar is dealing with the matter and also to allow the files to get to the Registrars as soon as possible to allow them to deal with the matters at their earliest convenience. The files will be screened and the note will be placed in the pigeon hole of the representing Attorneys indicating the preliminary outstanding documents, if any. Kindly attend to these as soon as possible. Registrars will keep files with them for a week before returning same to the archives. If a response is provided in that week, file said response in the box at the allocated Registrar's office.

Once screened, if satisfied and/or a preliminary outstanding documents provided the Registrar will consider the merits of the case.

Answers to queries issued in terms of Rule 31(5) by the Registrars can be registered into the book outside the Registrar's office to whom the file was previously allocated. Draw the file from General Office, place the response in the file and return to the box at the Registrars door. This will reduce delays in the process.

Regards

R NAUDE



Legal representative:

Case number:

Date:

CHECKLIST FOR DEFAULT JUDGMENTS

- Application for Default Judgment x 2
- Original Summons (not served longer than 6 months prior to Request for Default Judgment.)
- Original Agreement, Mortgage Bond, Invoice alternatively Affidavit
- Affidavit if primary residence
- Original Return of Service

WHEN NATIONAL CREDIT ACT IS APPLICABLE ALSO FILE THE FOLLOWING:

- Section 129 notice
- Registered post slip
- Track and trace report
- Original certificate of balance (not older than 6 months), alternatively affidavit.
- Certificate of compliance with Sec 129 of NCA / or
- Proof of payment of annual NCR fees for the current year.
- Proof of NCR registration for year in which the transaction was concluded.
- Draft order x 2
