



**RULES BOARD FOR COURTS OF LAW
REPUBLIC OF SOUTH AFRICA**

2nd Floor, Centre Walk East Tower, 266 Pretorius Street, PRETORIA • P.O. Box 13106, The Tramshed, 0126 • Tel (012) 326 8014/ 8045, Fax (012) 326 8018

11 January 2023

Our ref: CK/MS/13/3/2/6

Your ref:

Per: e-mail

Dear Sir/Madam,

**REQUEST FOR COMMENT - PROPOSED AMENDMENT OF ITEM 6 OF PART II OF
TABLE C OF ANNEXURE 2 TO THE MAGISTRATES' COURTS RULES**

The Rules Board for Courts of Law (Rules Board) is considering amending item 6 of Part II of Table C of Annexure 2 to the Magistrates' Courts Rules to incorporate a new tariff item.

The justification for the proposed amendment comes from a representation received from a role-player wherein a request was made to the Rules Board to consider a tariff fee provision for sheriffs for compliance with Magistrates' Courts Rule 41(11).

The Rules Board considered the representation and is proposing a new tariff item to provide a fee for the various attendances required by Magistrates' Courts Rule 41(11).

The proposed draft tariff amendment of item 6 of Part II of Table C of Annexure 2 to the Magistrates' Courts Rules is attached.

ANNEXURE RB1

As part of its consultation in the rule making process, the Rules Board invites your comments on the proposed amendment to item 6 of Part II of Table C of Annexure 2 to the Magistrates' Courts Rules. Comments must be submitted on or before Friday, **3 March 2023** and may be delivered to the Secretariat of the Rules Board in any of the following ways:

Board members appointed in terms of Section 3 of the Rules Board for Courts of Law Act 107 of 1985

Justice N Dambuza (Chairperson) | Justice N Mabindla-Boqwana (Vice Chairperson) | Adv L Haupt SC | Ms J Wessels | Mr P Hundermark | Adv M Sishuba | Mr G Bellairs | Mr T Thupaatlase | Ms N S Khanyile | Mr R R Titus | Mr V P Maluleke | Adv S Makoasha | Professor T Broodryk | Ms M O Phahlane

Physical: 2nd Floor, East Tower, Centre Walk, 266 Pretorius Street, Pretoria.

Email: MoSetshedi@justice.gov.za

Postal: P O Box 13106, The Tramshed (0126).

Enquiries may also be directed to Mrs. C. Kemp 012 326-8014 or via email at ChKemp@justice.gov.za.

The Rules Board looks forward to your comments (if any) and thanks you for same.

Yours Sincerely



Secretary: Rules Board for Courts of Law

Chief Director: Funeka Njobe
2nd Floor, Centre Walk East Tower
266 Pretorius Street Pretoria
Tel: (012) 326 8014
Cell: 076 686 3421
Email: FNjobe@justice.gov.za

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**PROPOSED AMENDMENT OF ITEM 6 OF PART II OF TABLE C OF ANNEXURE 2 TO
THE MAGISTRATES' COURTS RULES**

GENERAL EXPLANATORY NOTE:

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

_____ Words or expressions underlined with a solid line indicate insertions into existing rules

Proposed amendment of item 6 of Part II of Table C of Annexure 2 to the Magistrates' Courts Rules:

“(6)(a) Making an inventory, including the making of all necessary copies and time spent on stock-taking: R41,00 per half hour or part thereof.

(b) For assistance, if necessary, with the making of an inventory, R41,00 per half hour or part thereof.

(c) For the attendances referred to in rule 41(11): R52,50.”