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GOVERNMENT NOTICES

DEPARTMENT OF JUSTICE

No. R. 1355 30 July 1993

MAGISTRATES' COURTS: AMENDMENT OF THE RULES OF COURT

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, made the rules in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Rules" means the rules published under Government Notice No. R. 1108 of 21 June 1968, as amended by Government Notices Nos. R. 3002 of 25 July 1969, R. 490 of 26 March 1970, R. 947 of 2 June 1972, R. 1115 of 28 June 1974, R. 1285 of 19 July 1974, R. 689 of 23 April 1976, R. 261 of 25 February 1977, R. 2221 of 28 October 1977, R. 327 of 24 February 1978, R. 2222 of 10 November 1978, R. 1449 of 29 June 1979, R. 1314 of 27 June 1980, R. 1800 of 28 August 1981, R. 1139 of 11 June 1982, R. 1689 of 29 July 1983, R. 1946 of 9 September 1983, 1338 of 29 June 1984, R. 1994 of 7 September 1984, R. 2083 of 21 September 1984, R. 391 of 7 March 1986, R. 2165 of 2 October 1987, R. 1451 of 22 July 1988, R. 1765 of 26 August 1988, R. 211 of 10 February 1989, R. 607 of 31 March 1989, R. 2629 of 1 December 1989, R. 186 of 2 February 1990, R. 1887 of 8 August 1990, R. 1928 of 10 August 1990, R. 1967 of 17 August 1990, R. 1261 of 30 May 1991, R. 2407 of 27 September 1991, R. 2409 of 30 September 1991, R. 405 of 7 February 1992, R. 1510 of 29 May 1992, R. 1882 of 3 July 1992, R. 871 of 21 May 1993, R. 959 of 28 May 1993 and R. 1134 of 25 June 1993.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN JUSTISIE

No. R. 1355 30 Julie 1993

LANDDROSHOWE: WYSIGING VAN DIE REËLS VAN DIE HOF

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), met die goedkeuring van die Minister van Justisie, die reëls in die Bylae gemaak.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Reëls" die reëls afgekondig by Goewermentskennisgewing No. R. 1108 van 21 Junie 1968, soos gewysig by Goewermentskennisgewings Nos. R. 3002 van 25 Julie 1969, R. 490 van 26 Maart 1970, R. 947 van 2 Junie 1972, R. 1115 van 28 Junie 1974, R. 1285 van 19 Julie 1974, R. 689 van 23 April 1976, R. 261 van 25 Februarie 1977, R. 2221 van 28 Oktober 1977, R. 327 van 24 Februarie 1978, R. 2222 van 10 November 1978, R. 1449 van 29 Junie 1979, R. 1314 van 27 Junie 1980, R. 1800 van 28 Augustus 1981, R. 1139 van 11 Junie 1982, R. 1689 van 29 Julie 1983, R. 1946 van 9 September 1983, 1338 van 29 Junie 1984, R. 1994 van 7 September 1984, R. 2083 van 21 September 1984, R. 391 van 7 Maart 1986, R. 2165 van 2 Oktober 1987, R. 1451 van 22 Julie 1988, R. 1765 van 26 Augustus 1988, R. 211 van 10 Februarie 1989, R. 607 van 31 Maart 1989, R. 2629 van 1 Desember 1989, R. 186 van 2 Februarie 1990, R. 1887 van 8 Augustus 1990, R. 1928 van 10 Augustus 1990, R. 1967 van 17 Augustus 1990, R. 1261 van 30 Mei 1991, R. 2407 van 27 September 1991, R. 2409 van 30 September 1991, R. 405 van 7 Februarie 1992, R. 1510 van 29 Mei 1992, R. 1882 van 3 Julie 1992, R. 871 van 21 Mei 1993, R. 959 van 28 Mei 1993 en R. 1134 van 25 Junie 1993.

Amendment of Part II of Table C of Annexure 2 to the Rules

2. Part II of Table C of Annexure 2 to the Rules is hereby amended—

- (a) by the substitution in item 1 (a) (i) for the expression "R11,00" of the expression "R12,50";
- (b) by the substitution in item 1 (a) (ii) for the expression "R13,50" of the expression "R15,50";
- (c) by the substitution in item 1 (a) (iii) for the expression "R17,00" of the expression "R19,50";
- (d) by the substitution in item 1 (b) (i) for the expression "R9,00" of the expression "R10,50";
- (e) by the substitution in item 1 (b) (ii) for the expression "R11,00" of the expression "R12,50";
- (f) by the substitution in item 1 (b) (iii) for the expression "R13,50" of the expression "R15,50";
- (g) by the substitution in item 2 (a) (i) for the expression "R14,50" of the expression "R16,50";
- (h) by the substitution in item 2 (a) (ii) for the expression "R18,00" of the expression "R21,00";
- (i) by the substitution in item 2 (a) (iii) for the expression "R22,00" of the expression "R25,00";
- (j) by the substitution in item 2 (b) (i) for the expression "R12,00" of the expression "R14,00";
- (k) by the substitution in item 2 (b) (ii) for the expression "R14,50" of the expression "R16,50";
- (l) by the substitution in item 2 (b) (iii) for the expression "R17,50" of the expression "R20,00"; and
- (m) by the substitution in items 3 and 4 for the expression "R1,00" of the expression "R1,20".

Commencement

3. These rules shall come into operation on 1 September 1993: Provided that the provisions of rule 6 shall apply only to acts performed after the commencement of these rules.

No. R. 1356

30 July 1993

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE SUPREME 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, made the rules in the Schedule.

SCHEDULE

Definitions

1. In this Schedule "the Rules" means the rules regulating the conduct of the proceedings of the several provincial and local divisions of the Supreme Court of South Africa published under Government Notice No.

Wysiging van Deel II van Tabel C van Bylae 2 by die Reëls

2. Deel II van Tabel C van Bylae 2 by die Reëls word hierby gewysig—

- (a) deur in item 1 (a) (i) die uitdrukking "R11,00" deur die uitdrukking "R12,50" te vervang;
- (b) deur in item 1 (a) (ii) die uitdrukking "R13,50" deur die uitdrukking "R15,50" te vervang;
- (c) deur in item 1 (a) (iii) die uitdrukking "R17,00" deur die uitdrukking "R19,50" te vervang;
- (d) deur in item 1 (b) (i) die uitdrukking "R9,00" deur die uitdrukking "R10,50" te vervang;
- (e) deur in item 1 (b) (ii) die uitdrukking "R11,00" deur die uitdrukking "R12,50" te vervang;
- (f) deur in item 1 (b) (iii) die uitdrukking "R13,50" deur die uitdrukking "R15,50" te vervang;
- (g) deur in item 2 (a) (i) die uitdrukking "R14,50" deur die uitdrukking "R16,50" te vervang;
- (h) deur in item 2 (a) (ii) die uitdrukking "R18,00" deur die uitdrukking "R21,00" te vervang;
- (i) deur in item 2 (a) (iii) die uitdrukking "R22,00" deur die uitdrukking "R25,00" te vervang;
- (j) deur in item 2 (b) (i) die uitdrukking "R12,00" deur die uitdrukking "R14,00" te vervang;
- (k) deur in item 2 (b) (ii) die uitdrukking "R14,50" deur die uitdrukking "R16,50" te vervang;
- (l) deur in item 2 (b) (iii) die uitdrukking "R17,50" deur die uitdrukking "R20,00" te vervang; en
- (m) deur in items 3 en 4 die uitdrukking "R1,00" deur die uitdrukking "R1,20" te vervang.

Inwerkingtreding

3. Hierdie reëls tree op 1 September 1993 in werking: Met dien verstande dat die bepalings van reël 2 van toepassing is op handeling verrig ná die inwerkingtreding van hierdie reëls.

No. R. 1356

30 Julie 1993

WYSIGING VAN DIE REËLS WAARBY DIE VERRIGTINGE VAN DIE VERSKILLENDEN PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGGEREGSHOF VAN SUID-AFRIKA GEREËL WORD

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), met die goedkeuring van die Minister van Justisie, die reëls in die Bylae gemaak.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Reëls" die reëls waarby die verrigtinge van die verskillende provinsiale en plaaslike afdelings van die Hooggeregshof van Suid-Afrika gereël word, afgekondig by Goewer-

R. 48 of 12 January 1965, as amended by Government Notices 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 22 January 1993, R. 960 of 28 May 1993 and R. 974 of 1 June 1993.

Amendment of rule 4 of the Rules

2. Rule 4 of the Rules is hereby amended by the insertion after subrule (6) of the following subrule:

“(6A) (a) The document which serves as proof of service shall, together with the served process of court or document, without delay be furnished to the person at whose request service was effected.

(b) The said person shall file each such document on behalf of the person who effected service with the registrar when—

- (i) he sets the matter in question down for any purpose;
- (ii) it comes to his knowledge in any manner that the matter is being defended;
- (iii) the registrar requests filing;
- (iv) his mandate to act on behalf of a party, if he is a legal practitioner, is terminated in any manner.”.

Amendment of rule 68 of the Rules

3. Rule 68 of the Rules is hereby amended by the substitution in item 3 (a) of the Tariff for the expression “R1,00” of the expression “R1,20”.

Commencement

4. These rules shall come into operation on 1 September 1993: Provided that the provisions of rule 3 shall apply only to acts performed after the commencement of these rules.

mentskennisgewing 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 en R. 974 van 1 Junie 1993.

Wysiging van reël 4 van die Reëls

2. Reël 4 van die Reëls word hierby gewysig deur die volgende subreël na subreël (6) in te voeg:

“(6A) (a) Die dokument wat as bewys van betekening dien, tesame met die prosesstuk of dokument wat beteken is, word sonder versuim besorg aan die persoon op wie se versoek betekening plaasgevind het.

(b) Genoemde persoon moet elke sodanige dokument namens die persoon wat betekening gedoen het, by die griffier indien sodra—

- (i) hy die betrokke saak vir enige doel op die rol plaas;
- (ii) dit op enige wyse tot sy kennis kom dat die saak bestry word;
- (iii) die griffier indiening aanvra;
- (iv) sy opdrag om namens 'n party op te tree, indien hy 'n regspraktisyn is, op enige wyse beëindig word.”.

Wysiging van reël 68 van die Reëls

3. Reël 68 van die Reëls word hierby gewysig deur die uitdrukking “R1,00” in item 3 (a) van die Tarief deur die uitdrukking “R1,20” te vervang.

Inwerkingtreding

4. Hierdie reëls tree op 1 September 1993 in werking: Met dien verstande dat die bepalings van reël 3 van toepassing is slegs op handeling verrig ná die inwerkingtreding van hierdie reëls.

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