

MAGISTRATE COURT

Fee Tariffs

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	DESCRIPTION	UNIT	SCALE A	SCALE B	SCALE C	SCALE D	SPECIAL NOTE
TABLE A	PART I - GENERAL PROVISIONS:						
Part I - 07	Where amount is allowed for an item, this amount will be inclusive of all attendances and services. Filing of documents at court	Per document	33.00	33.00	33.00	33.00	Excl. Sheriff's costs
Part I - 08	If amount is left blank: a) Drawing up documents c) Necessary services d) Necessary filing at court	Per folio Per document	33.00 33.00 33.00	33.00 33.00 33.00	33.00 33.00 33.00	33.00 33.00 33.00	Excl. Pleadings
Part I - 11	Unless otherwise specified: a) Perusal of document or pleading b) Necessary copies	Per folio Per A4 size	12.50 5.00	12.50 5.00	12.50 5.00	12.50 5.00	Incl. photocopies
Part I - 13	Collection commission on each instalment		10 %	10 %	10 %	10 %	Maximum per instalment: R 499.00
TABLE A	PART II - UNDEFENDED ACTIONS:						
Part II - 01	Registered letter of demand (Sec 56)		49.00	49.00	49.00	67.00	
Part II - 02	Summons, incl. letter of demand (other than Sec 56)		165.00	547.00	808.00	1055.00	Add R 21.00 for each additional defendant
Part II - 03	Judgment		165.00	418.00	682.00	886.00	Add R 21.00 for each additional defendant
Part II - 04	Notice in terms of Rule 12(2)		78.00	78.00	78.00	101.00	
Part II - 05	Notice in terms of Rule 54(1)		78.00	78.00	78.00	101.00	
Part II - 06	Affidavit or certificate						Table A Part I - 8 & 11
Part II - 07	Attending court for judgment or to obtain provisional sentence: a) Council not employed b) Council employed		196.00 Nil	196.00 78.00	246.00 96.00	318.00 123.00	
Part II - 08	Registered Letter of Demand in terms of Sec 57(1) or (3) or Sec 58(2), including copies		51.00	51.00	51.00	68.00	
Part II - 09	Sec 57: Admission of liability and undertaking to pay debt in instalments or otherwise		132.00	132.00	132.00	170.00	
Part II - 10	Sec 58: Consent to judgment or to judgment and an order to pay debt in instalments		132.00	132.00	132.00	170.00	
TABLE A	PART III - DEFENDED ACTIONS AND INTERPLEADER PROCEEDINGS:						
Part III - 01	Taking instructions to sue, defend, counterclaim, or defend a counterclaim, perusal of documents, consideration of merits and all consultations to issue summons		659.00	875.00	1095.00	1369.00	
Part III - 02	Summons		331.50	460.00	551.00	713.00	Add R 21.00 for each additional defendant
Part III - 2A	Particulars of Claim or Declaration		331.50	460.00	551.00	713.00	Add R 21.00 for each additional defendant
Part III - 03	Appearance		55.00	55.00	69.00	89.00	
Part III - 04	Notice under Rules 12(2) and 21B(2)		55.00	55.00	69.00	89.00	

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Scale D: R 200 000.01+ or matter in terms of Sec 29(1B)(a)

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TABLE A	PART III - DEFENDED ACTIONS AND INTERPLEADER PROCEEDINGS (CONTINUED):						
Part III - 05	Plea		331.50	460.00	551.00	713.00	
Part III - 06	Claim in reconvention		331.50	460.00	551.00	713.00	
Part III - 07	Reply		331.50	460.00	551.00	713.00	Add R 21.00 for each additional defendant
Part III - 08	Drawing up of all documents not specifically mentioned						Table A Part I - 8 & 11
Part III - 09	Production of documents for inspection or inspecting documents	Per 15 min*	196.00	196.00	246.00	318.00	
Part III - 10A	Pagination and indexing of pleadings	Per 15 min*	132.00	132.00	161.00	208.00	Also for Table A Part IV
Part III - 11	Recording of statements by witnesses	Per 15 min*	196.00	196.00	246.00	318.00	
Part III - 12	Notice of trial or reinstatement		55.00	55.00	69.00	89.00	
Part III - 13	Preparing for trial (if counsel is not employed)		1095.00	1490.00	1788.00	2323.00	
Part III - 14	Attendance at settlement negotiations	Per 15 min*	196.00	196.00	246.00	318.00	
Part III - 14A	Drawing up heads of argument	Per 15 min*	196.00	196.00	246.00	318.00	Also for Table A Part IV
Part III - 15	Attending court during trial, on-the-spot inspection, postponement, or examination on commission:						
	a) If counsel is not employed	Per 15 min*	196.00	196.00	246.00	318.00	
	b) If counsel is employed	Per 15 min*	Nil	78.00	96.00	123.00	
Part III - 16	Attending pre-trial conference	Per 15 min*	196.00	196.00	246.00	318.00	
Part III - 17	Attending court to hear reserved judgment	Per 15 min*	40.00	40.00	49.00	63.00	
Part III - 18	Correspondence:						
	a) Letter or telegram	Per folio	31.00	31.00	40.00	50.00	
	b) Letter or telegram received (perusal incl.)		21.50	31.00	40.00	50.00	
Part III - 19	Attendance, not otherwise provided for		21.50	31.00	40.00	50.00	
Part III - 20	Formal telephone call		21.50	31.00	40.00	50.00	
Part III - 21	Telephone consultation	Per 5 min*	55.00	55.00	69.00	89.00	Max Scale A - C: R 190.00 Max Scale D: R 246.00
Part III - 22	Consultation, not otherwise provided for	Per 15 min*	196.00	196.00	246.00	318.00	
Part III - 23	Refresher fee, in postposed or partly heard trial		682.00	965.00	1157.00	1503.00	Addition to Table A Part III – 13
Part III - 24	Waiting time at court	Per 15 min*	132.00	132.00	161.00	208.00	
Part III - 25	Traveling time	Per 15 min*	132.00	132.00	161.00	208.00	
Part III - 26	Subsistence and traveling expenses						Rule 33 (9)
TABLE A	PART IV - OTHER MATTERS:						
Part IV - 01	Instructions to make:						
	a) Application, to oppose or to show cause		165.00	331.00	394.00	512.00	
	b) Application for liquidation of CC, perusal of all documents and consideration of merits, and all necessary consultations		808.00	808.00	969.00	1260.0	
Part IV - 02	Drawing up of all documents						Table A Part I - 8 & 11
Part IV - 03	Attending court hearing:						
	a) If counsel not employed	Per 15 min*	196.00	196.00	246.00	318.00	
	b) If counsel is employed (opposed)	Per 15 min*	Nil	78.00	96.00	123.00	
Part IV - 04	Preparation for:						
	a) Argument, when opposed		682.00	804.00	969.00	1260.00	
	b) Trial where proceedings are referred to trial or oral evidence		682.00	804.00	969.00	1260.00	
Part IV - 05	Consultations and settlement negotiations (opposed)	Per 15 min*	196.00	196.00	246.00	318.00	
Part IV - 06	Taxation: Drawing up bill of costs		11.00%	11.00%	11.00%	11.00%	Calculated on fees only

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TABLE A PART IV - OTHER MATTERS (CONTINUED):							
Part IV - 07	Taxation: Attending taxation						
	i) First R 10 000.00 or portion thereof		11%	11%	11%	11%	Calculated on total amount of the bill
	ii) Second R 10 000.00 or portion thereof		6%	6%	6%	6%	
	iii) Balance of the bill		3%	3%	3%	3%	
Part IV - 08	Taxation: Attending on review of taxation	Per 15 min*	196.00	196.00	196.00	196.00	
Part IV - 09	Taxation: Notice of review of taxation or service						Table A Part I - 8 & 11
Part IV - 10	Taxation: Affidavit						Table A Part I - 8 & 11
Part IV - 11	Execution: Drawing up						
	a) Warrant of execution, ejectment, and delivery up of possession		132.00	132.00	132.00	132.00	
	b) Each reissue		55.00	55.00	55.00	55.00	
Part IV - 12	Execution: all work done relating to releasing immovable property attached		165.00	165.00	165.00	165.00	
Part IV - 13	Execution: all work done relating to sale in execution of immovable property only		418.00	418.00	418.00	418.00	Excl. conditions of sale and fees provided for
Part IV - 14	Execution: Drawing up						Table A Part I - 8 & 11
	a) Notice of sale: Rule 41(8), Rule 43(7)(b)(i), or conditions of sale in terms of Rule 43(8)(a)(i)						
	b) All work done and papers and documents supplied to the sheriff regarding the sale of movable property		285.00	285.00	285.00	285.00	
Part IV - 15	Execution: Security for restitution		109.50	109.50	109.50	109.50	
Part IV - 16	Counsel is employed: Instructions for exception or application		196.00	196.00	196.00	255.00	
Part IV - 17	Counsel is employed: Instructions on trial		251.00	251.00	251.00	315.00	
Part IV - 18	Counsel is employed: Drawing brief on exception or application						Table A Part I - 8 & 11
Part IV - 19	Counsel is employed: Drawing brief on trial						Table A Part I - 8 & 11
Part IV - 20	Counsel is employed: Attending consultation with counsel	Per 15 min*	82.00	82.00	82.00	103.00	
Part IV - 21	Fees to Counsel: With brief to argue exception or application		964.00	964.00	964.00	964.00	Only if court certifies that brief was warranted
Part IV - 22	Fees to Counsel: With trial brief for the first day, <i>not exceeding</i>		2736.00	2736.00	2736.00	2736.00	
Note	a) Fee <i>in lieu</i> if case is settled, withdrawn or postponed on or before the date of hearing:						
	i) Not more than 2 days prior to hearing		2736.00	2736.00	2736.00	2736.00	
	ii) Not less than 3 days and not more than 7 days prior to hearing		1824.00	1824.00	1824.00	1824.00	
	iii) Not less than 8 days and not more than 21 days prior to hearing		1368.00	1368.00	1368.00	1368.00	
Part IV - 23	Fees to Counsel: Traveling allowance if court is held more than 30 km from the nearest Provisional or Local division, other than a Circuit Court, of the High Court	Per km	6.50	6.50	6.50	6.50	Only by special order of the court
Note	c) Fees to Counsel: Traveling time						Rule 33(9)
Part IV - 24	Fees to Counsel: Consultation	Per 15 min*	196.00	196.00	196.00	196.00	
Part IV - 25	Fees to Counsel: Every day exceeding one on which evidence is taken or arguments heard, or refresher <i>not exceeding</i>		1644.00	1644.000	1644.00	1644.00	
Note	a) Fee <i>in lieu</i> if case is settled, withdrawn, or postponed on or before the date of hearing:						
	i) Not more than 2 days prior to hearing		1644.00	1644.00	1644.00	1644.00	
	ii) Not less than 3 days and not more than 7 days prior to hearing		1096.00	1096.00	1096.00	1096.00	
	iii) Not less than 8 days and not more than 21 days prior to hearing		822.00	822.00	822.00	822.00	

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TABLE A	PART IV - OTHER MATTERS (CONTINUED):						
Part IV - 26	Fees to Counsel: Drawing up pleadings		441.00	441.00	441.00	441.00	
Part IV - 27	Miscellaneous: Obtaining certified copy of judgment		99.00	99.00	99.00	99.00	
Part IV - 28	Miscellaneous: Obtaining payment in terms of Rule 18(4)		69.00	69.00	69.00	69.00	
Part IV - 29	Miscellaneous: Request for security in terms of Rule 62(1)						Table A Part I - 8 & 11
Part IV - 30	Miscellaneous: Furnishing security in terms of Rule 62(1)						Table A Part I - 8 & 11
	DESCRIPTION			UNIT	FEE	SPECIAL NOTE	
TABLE B	PART I - GENERAL PROVISIONS IN TERMS OF SEC 65:						
Part I - 03	Additional costs allowed: a) Disbursements incurred during course of proceedings b) Collection commission on each instalment c) Disbursements incurred under Sec 72 d) Tracing disbursement (Minimum capital amount of debt: R 546.00)				10.00 %	Maximum per instalment: R 499.00 Maximum per trace: R 417.00	
Part I - 05	Table A Part IV 1 -5 is applicable to this section						
Part I - abc	Notice in terms of Sec 65a(1): a) Claim: R 0.00 - R 1000.00 b) Claim: R 1000.01 - R 2000.00 c) Claim: R 2000.01 +				276.00 417.00 492.00		
Part I - d	Warrant of arrest (Form 40A)				109.00		
Part I - e	i) Emoluments attachment order (Form 38) ii) Reissue (Certificates included)				218.00 175.00		
Part I - f	Application for costs on notice (Incl. appearance)				109.00		
Part I - g	Obtaining a certified copy of judgment				109.00		
Part I - h	Affidavit or certificate by judgment debtor or by his or her attorney				77.00		
Part I - i	Registered letter in terms of Sec 65A(2), Sec 65E(6) or Sec 65J(2) by the creditor or by his or her attorney				50.00		
Part I - j	Rule 45(7) affidavit or affirmation by debtor				131.00		
Part I - k	Request for an order under Sec 65				77.00		
Part I - l	Attending postponed proceedings in terms of Sec 65E(3) or proceedings pursuant to the arrest of a judgment debtor, director or officer or pursuant to a Sec 65A(8)(b) notice				109.00		
Part I - m	Subpoena: i) Drawing up ii) Attendance			Per folio	31.00 21.00		
Part I - n	i) Letter or telegram written or received, including a copy to retain ii) Attendance, not otherwise provided for iii) Formal telephone call			Per folio Per call	31.00 31.00		
TABLE B	PART II - GENERAL PROVISIONS IN TERMS OF SEC 72:						
Part II - 02	Additional costs allowed: a) Disbursements incurred during course of proceedings b) Collection commission on each instalment d) Tracing disbursement (Minimum capital amount of debt: R 546.00)				10.00 %	Maximum per instalment: R 499.00 Maximum per trace: R 417.00	
Part II – ab	Application for Garnishee order: a) Claim: R 0.00 - R 200.00 b) Claim: R 200.01 +				165.00 352.00		
Part II - c	Obtaining certified copy of a judgment				99.00		
Part II - d	Application for an order of execution against the garnishee				99.00		
Part II - e	Garnishee order (Form 39)				131.00		

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	DESCRIPTION	UNIT	FEE	SPECIAL NOTE
TABLE B	PART III - GENERAL PROVISIONS IN TERMS OF SEC 74:			
Part III - ab	Additional costs allowed: a) Disbursements incurred during course of proceedings b) Collection commission on each instalment		10.00 %	Included in 12.5% ito Sec 74L(2)
Part III - 01	Instructions to apply for administration order, incl. perusal of summonses, demands etc. and ascertaining amount of assets and liabilities (incl. attendances and correspondence): a) Creditors: 1 to 10 b) Creditors: 11 to 20 c) Creditors: 21 +		196.00 275.00 439.00	
Part III - 02	Sec 74Q(1) Instruction for application, to oppose or granting administration order		156.00	
Part III - 03	Drawing up application for administration order or review thereof and affidavit, incl. annexures and attendances		274.00	Excl. attendance in court
Part III - 04	Copies for creditors: application, affidavit and annexures	Per page	5.00	
Part III - 05	Perusal of application and other documents served	Per folio	12.00	Only attorney or opposing party
Part III - 06	Attending court: a) Postponement or setting aside, not occasioned by attorney or his or her client b) Any other hearing i) Creditors: 1 to 10 ii) Creditors: 11 +		74.00 156.00 295.00	
Part III - 07	Furnish information: referred to in Sec 74 m(a), to a creditor		21.00	
Part III - 08	Furnish copy: referred to in Sec 74, 74A(1), 74G(1), 74J or 65I(2)	Per page	5.00	
Part III - 09	Correspondences and attendances		32.00	

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