



MAGISTRATE COURT

Fee Tariffs

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Operational date: 1 November 2017

| 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 copies, attendances and services | | | | | | Excl. Sheriff's costs |
| Part I - 08 | If amount is left blank: | | | | | | |
| | a) Drawing up documents | Per folio | 27.00 | 27.00 | 27.00 | 27.00 | Excl. Pleadings |
| | c) Necessary services | | 17.00 | 17.00 | 17.00 | 17.00 | |
| Part I - 11 | Unless otherwise specified: | | | | | | |
| | a) Perusal of document or pleading | Per folio | 10.00 | 10.00 | 10.00 | 10.00 | |
| | b) Copies | Per page | 4.00 | 4.00 | 4.00 | 4.00 | |
| Part I - 13 | Collection commission on each instalment | | 10 % | 10 % | 10 % | 10 % | Maximum per instalment: 411.00 |
| TABLE A PART II: UNDEFENDED ACTIONS | | | | | | | |
| Part II - 01 | Registered letter of demand (Sec 56) | | 40.00 | 40.00 | 40.00 | 54.00 | |
| Part II - 02 | Summons, including letter of demand (other than Sec 56) | | 135.50 | 449.50 | 665.00 | 866.50 | Add 17.00 for each additional defendant |
| Part II - 03 | Judgment | | 135.50 | 343.50 | 560.00 | 728.00 | Add 17.00 for each additional defendant |
| Part II - 04 | Notice in terms of Rule 12(2) | | 64.50 | 64.50 | 64.50 | 84.00 | |
| Part II - 05 | Notice in terms of Rule 54(1) | | 64.50 | 64.50 | 64.50 | 84.00 | |
| 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 | | 160.50 | 160.50 | 202.50 | 261.00 | |
| | b) Council employed | | Nil | 64.50 | 79.00 | 101.00 | |
| Part II - 08 | Registered Letter of Demand in terms of Sec 57(1) or (3) or Sec 58(2), including copies | | 41.50 | 41.50 | 41.50 | 55.50 | |
| Part II - 09 | Sec 57: Admission of liability and undertaking to pay debt in instalments or otherwise | | 108.50 | 108.50 | 108.50 | 141.00 | |
| Part II - 10 | Sec 58: Consent to judgment or to judgment and an order to pay debt in instalments | | 108.50 | 108.50 | 108.50 | 141.00 | |
| 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 | | 542.00 | 719.50 | 865.50 | 1125.00 | |
| Part III - 02 | Summons | | 272.50 | 378.00 | 452.50 | 587.00 | Add 17.00 for each additional defendant |
| Part III - 2A | Particulars of Claim or Declaration | | 272.50 | 378.00 | 452.50 | 587.00 | Add 17.00 for each additional defendant |
| Part III - 03 | Appearance | | 45.50 | 45.50 | 56.00 | 72.00 | |
| Part III - 04 | Notice under Rules 12(2) and 21B(2) | | 45.50 | 45.50 | 56.00 | 72.00 | |
| Part III - 05 | Plea | | 272.50 | 378.00 | 452.50 | 587.00 | |
| Part III - 06 | Claim in reconvention | | 272.50 | 378.00 | 452.50 | 587.00 | |
| Part III - 07 | Reply | | 272.50 | 378.00 | 452.50 | 587.00 | Add 17.00 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* | 160.50 | 160.50 | 202.50 | 261.00 | |

* Time unit is for minutes or part thereof

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|----------------------|--------------------------------------------------------------------------------------------------|-------------|---------|---------|---------|---------|------------------------------------------------|
| TABLE A | PART III: DEFENDED ACTIONS AND INTERPLEADER PROCEEDINGS (CONTINUED) | | | | | | |
| Part III - 10 | Copy of service | Per page | 4.00 | 4.00 | 4.00 | 4.00 | |
| Part III - 11 | Recording of statements by witnesses | Per 15 min* | 160.50 | 160.50 | 202.50 | 261.00 | |
| Part III - 12 | Notice of trial or reinstatement | | 45.50 | 45.50 | 56.00 | 72.00 | |
| Part III - 13 | Preparing for trial (if counsel is not employed) | | 900.00 | 1225.00 | 1469.00 | 1910.00 | |
| Part III - 14 | Attendance at settlement negotiations | Per 15 min* | 160.50 | 160.50 | 202.50 | 261.00 | |
| 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* | 160.50 | 160.50 | 202.50 | 261.00 | |
| | b) If counsel is employed | | Nil | 64.50 | 79.00 | 101.00 | |
| Part III - 16 | Attending pre-trial conference | Per 15 min* | 160.50 | 160.50 | 202.50 | 261.00 | |
| Part III - 17 | Attending court to hear reserved judgment | Per 15 min* | 33.00 | 33.00 | 39.50 | 51.50 | |
| Part III - 18 | Correspondence: | | | | | | |
| | a) Letter or telegram | Per folio | 25.50 | 25.50 | 33.00 | 41.50 | |
| | b) Letter or telegram received (perusal incl.) | | 17.50 | 25.50 | 33.00 | 41.50 | |
| Part III - 19 | Attendance, not otherwise provided for | | 17.50 | 25.50 | 33.00 | 41.50 | |
| Part III - 20 | Formal telephone call | | 17.50 | 25.50 | 33.00 | 41.50 | |
| Part III - 21 | Telephone consultation | Per 5 min* | 45.50 | 45.50 | 56.00 | 72.00 | Max Scale A – C: 156.50 Max Scale D: 201.50 |
| Part III - 22 | Consultation, not otherwise provided for | Per 15 min* | 160.50 | 160.50 | 202.50 | 261.00 | |
| Part III - 23 | Refresher fee, in postponed or partly heard trial | | 560.00 | 793.00 | 951.50 | 1235.00 | Addition to Table A Part III – 13 |
| Part III - 24 | Waiting time at court | Per 15 min* | 108.00 | 108.00 | 131.50 | 171.00 | |
| Part III - 25 | Traveling time | Per 15 min* | 108.00 | 108.00 | 131.50 | 171.00 | Subject to Rule 33(9) |
| 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 | | 136.00 | 272.50 | 323.50 | 421.00 | |
| | b) Application for liquidation of CC, perusal of all documents and consideration of merits, and all consultations | | 665.00 | 665.00 | 796.50 | 1035.00 | |
| Part IV - 02 | Drawing up of all documents | | | | | | Table A Part I - 8 & 11 |
| Part IV - 03 | Attending court hearing: | Per 15 min* | | | | | |
| | a) If counsel not employed | | 160.50 | 160.50 | 202.50 | 261.00 | |
| | b) If counsel is employed (opposed) | | Nil | 64.50 | 79.50 | 101.00 | |
| Part IV - 04 | Preparation for: | | | | | | |
| | a) Argument, when opposed | | 560.00 | 661.00 | 796.50 | 1035.00 | |
| | b) Trial where proceedings are referred to trial or oral evidence | | 560.00 | 661.00 | 796.50 | 1035.00 | |
| Part IV - 05 | Consultations and settlement negotiations (opposed) | Per 15 min* | 160.50 | 160.50 | 202.50 | 261.00 | |
| Part IV - 06 | Taxation: Drawing up bill of cost | | 5.00% | 5.00% | 5.00% | 5.00% | Calculated on fees only |
| Part IV - 07 | Taxation: Attending taxation | | 5.00% | 5.00% | 5.00% | 5.00% | Calculated on total bill |
| Part IV - 08 | Taxation: Attending on review of taxation | Per 15 min* | 160.50 | 160.50 | 160.50 | 160.50 | |
| 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, ejection and delivery up of possession | | 108.50 | 108.50 | 108.50 | 108.50 | |
| | b) Each reissue | | 45.50 | 45.50 | 45.50 | 45.50 | |
| Part IV - 12 | Execution: all work done relating to releasing immovable property attached | | 135.50 | 135.50 | 135.50 | 135.50 | |

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|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|--------------------------------------------------|
| TABLE A PART IV: OTHER MATTERS (CONTINUED) | | | | | | | |
| Part IV - 13 | Execution: all work done relating to sale in execution of immovable property only | | 344.00 | 344.00 | 344.00 | 344.00 | Excl. conditions of sale and fees provided for |
| Part IV - 14 | Execution: Drawing up a) Notice of sale: Rule 41(8), Rule 43(6) or conditions of sale in terms of Rule 43(7) b) All work done and papers and documents supplied to the sheriff regarding the sale of movable property | | 235.00 | 235.00 | 235.00 | 235.00 | Table A Part I - 8 & 11 |
| Part IV - 15 | Execution: Security for restitution | | 88.50 | 88.50 | 88.50 | 88.50 | |
| Part IV - 16 | Counsel is employed: Instructions for exception or application | | 160.50 | 160.50 | 160.50 | 209.50 | |
| Part IV - 17 | Counsel is employed: Instructions on trial | | 206.50 | 206.50 | 206.50 | 259.00 | |
| 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* | 67.00 | 67.00 | 67.00 | 84.00 | |
| Part IV - 21 | Fees to Counsel: With brief to argue exception or application | | 793.00 | 793.00 | 793.00 | 793.00 | 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> | | 2248.50 | 2248.50 | 2248.50 | 2248.50 | |
| 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 ii) Not less than 3 days and not more than 7 days prior to hearing iii) Not less than 8 days and not more than 21 days prior to hearing | | 2248.50 1499.00 1124.25 | 2248.50 1499.00 1124.25 | 2248.50 1499.00 1124.25 | 2248.50 1499.00 1124.25 | |
| 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 c) Fees to Counsel: Traveling time | Per km | 5.50 | 5.50 | 5.50 | 5.50 | Only by special order of the court Rule 33(9) |
| Part IV - 24 | Fees to Counsel: Consultation | Per 15 min* | 160.50 | 160.50 | 160.50 | 160.50 | |
| Part IV - 25 | Fees to Counsel: Every day exceeding one on which evidence is taken or arguments heard, or refresher <i>not exceeding</i> | | 1351.50 | 1351.50 | 1351.50 | 1351.50 | |
| 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 ii) Not less than 3 days and not more than 7 days prior to hearing iii) Not less than 8 days and not more than 21 days prior to hearing | | 1351.50 901.00 675.75 | 1351.50 901.00 675.75 | 1351.50 901.00 675.75 | 1351.50 901.00 675.75 | |
| Part IV - 26 | Fees to Counsel: Drawing up pleadings | | 361.50 | 361.50 | 361.50 | 361.50 | |
| Part IV - 27 | Miscellaneous: Obtaining certified copy of judgment | | 82.00 | 82.00 | 82.00 | 82.00 | |
| Part IV - 28 | Miscellaneous: Obtaining payment in terms of Rule 18(4) | | 56.00 | 56.00 | 56.00 | 56.00 | |
| 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 |

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SCALE A : R 0.00 – R 7000.00
SCALE B : R 7000.01 – R 50 000.00
SCALE C : R 50 000.01 – R 100 000.00
SCALE D : R 100 000.00 +

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| DESCRIPTION | UNIT | FEE | SPECIAL NOTE |
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| 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, if capital is more than R 449.00 | | 10.00 % Maximum per instalment: 410.00 Maximum per trace: 343.50 |
| 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 + | | 226.00 343.50 405.00 |
| Part I - d | Warrant of arrest (Form 40A) | | 88.50 |
| Part I - e | i) Emoluments attachment order (Form 38) ii) Reissue (Certificates included) | | 180.00 144.00 |
| Part I - f | Application for costs on notice (Incl. appearance) | | 88.50 |
| Part I - g | Obtaining a certified copy of judgment | | 88.50 |
| Part I - h | Affidavit or certificate by judgment debtor or by his or her attorney | | 64.00 |
| 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 | | 41.00 |
| Part I - j | Rule 45(7) affidavit or affirmation by debtor | | 108.00 |
| Part I - k | Request for an order under Sec 65 | | 64.00 |
| 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 | | 88.50 |
| Part I - m | Subpoena: i) Drawing up ii) Attendance | Per folio | 25.50 17.00 |
| 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 | 25.50 25.50 25.50 |
| 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, if capital is more than R 449.00 | | 10.00 % Maximum per instalment: 410.00 Maximum per trace: 343.50 |
| Part II - ab | Application for Garnishee order: a) Claim: R 0.00 – R 200.00 b) Claim: R 200.01 + | | 136.00 289.00 |
| Part II - c | Obtaining certified copy of a judgment | | 82.00 |
| Part II - d | Application for an order of execution against the garnishee | | 82.00 |
| Part II - e | Garnishee order (Form 39) | | 108.00 |
| 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 % |
| 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 + | | 160.50 225.50 360.50 |
| Part III - 02 | Sec 74Q(1) Instruction for application, to oppose or granting administration order | | 127.00 |
| Part III - 03 | Drawing up application for administration order or review thereof and affidavit, incl. annexures and attendances | | 225.00 |
| Part III - 04 | Copies for creditors: application, affidavit and annexures | Per page | 4.00 |
| Part III - 05 | Perusal of application and other documents served | Per folio | 9.50 |
| 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 + | | 61.00 127.00 242.00 |
| Part III - 07 | Furnish information: referred to in Sec 74 m(a), to a creditor | | 17.00 |
| Part III - 08 | Furnish copy: referred to in Sec 74, 74A(1), 74G(1), 74J or 65I(2) | Per page | 4.00 |
| Part III - 09 | Correspondences and attendances | | 26.00 |

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