



**31 January 2018**

**REPOSSESSION OF VEHICLES AND EXECUTION OF  
WARRANT OF DELIVERIES**

- The banking forum was established with the purpose to create a platform for discussion of matters of mutual interest between banks and sheriffs. The forum identified the need to develop a uniform approach for removal costs charged by sheriffs and consequently developed the guidelines below, based on market averages and other considerations. The fee guideline is not cast in stone, but is the result of negotiations, in good faith, and should be considered to be a good starting point.
- Original Warrant for service: It is important to know that it is no longer a requirement to have the original Warrant before execution can be done.

SASS members are reminded of the provisions of Section 44(1)(a) and (b) of the Superior Courts Act, 2013 which was amended to allow service of process transmitted by facsimile or by means of any other electronic medium.

- The SASS representatives at the forum meeting agreed to the fee guide below, subject to the following conditions:
  - (a) These fees are applicable to the execution of Warrant of Deliveries and court orders to repossess vehicles on instruction of the following financial institutions:
    - Absa, FNB (Wesbank), Standard Bank, Nedbank and BMW Finance.
  - (b) It is emphasized that the proposed fees below are a guide only. SASS members are allowed to deviate from the fee guide, keeping in mind that a motivation must be supplied for the deviation and that his/her account can be subjected to taxation in terms of Rule 68 of the High Court Tariffs.

Examples of deviations: Removal of an interlink where specialized mechanical disconnection would be required before loading onto tow truck, removal of vehicles or special equipment with specific instructions or specialized dismantling, where there is an existing agreement with the instructor, or any other special circumstances.

- (c) Insurance: Removal of vehicles poses risk for sheriffs and members are reminded that vehicles are not automatically covered under normal insurance policies. Contact your broker to establish correct processes to take out cover. Banks indicated they will in future give clear instructions to ensure proper insurance cover for vehicles

**FEE GUIDELINE**

ITEM	DESCRIPTION	FEES (EXCL VAT)	COMMENT
1	Normal execution (within 5 business days) - removal of vehicle	R3 500.00 (Incl. one hour waiting time / excl towing)	
2	Urgent & special execution (within 24 hours) - removal of vehicle	R4 500.00 (Incl. urgency fee, call out fee and one hour waiting time / excl towing)	
3	After hours execution (before 07h00 and after 19h00) - removal of vehicle	R4 500.00 (Incl. urgency fee, call out fee and one hour waiting time / excl towing)	
4	Removal of trucks and interlinks	R5000.00 (Incl. urgency fee, call out fee and one hour waiting time / excl towing)	
5	Removal of motorbike / small trailer	R3 500.00 (Incl. urgency fee, and call out fee)	
6	Each attempt - make 3 attempts i.e.: during the day between 07h00 and 19h00, one after hours after 19h00 & one early morning before 07h00 Driver for attempted removal when required	R650.00 during hours R850.00 after hours (maximum of 3 attempts)  R150.00 per attempt	
7	Waiting time after first hour	R150.00 per hour	
8	Travelling – Sheriff to specify in their returns the distance travelled	R5.00 per km – add an extra R1.50 if distance exceeds 50km	
9	Attachment	As per tariff	
10	Storage – Sheriff must notify the execution creditor in writing within 24 hours. Execution creditor is only liable from date of receipt of written notification	R150.00 per day	
11	Insurance	As per service provider	
12	Disbursement for locksmith – Sheriff must attach copy of invoice to the return	As per invoice from service provider	
13	Disbursement for tow trucks – Sheriff must attach copy of invoice to the return	As per invoice from service provider	Waiting for submissions from forum members in respect of heavy duty and light duty towing so that guidelines can be agreed to
These fees exclude the normal prescribed costs e.g. registration, return, execution, telephone calls and any other admin costs			