



Our ref: Mr R Glover
Date: 25.11.2019

**THE HONOURABLE DEPUTY MINISTER OF JUSTICE
316 THABO SEHUME ST & FRANCIS BAARD STREET
PRETORIA**

ATTENTION: MR J JEFFERY
Per email: deputyminister@justice.gov.za
jjeffery@justice.gov.za

**RULES BOARD FOR COURTS OF LAW
2nd FLOOR
CENTRE WALK EAST TOWER
266 PRETORIUS STREET
PRETORIA**

ATTENTION: MR JAY BALKISHUN
Acting Secretary – Rules Board for Courts of Law
Per e-mail: jbalkishun@justice.gov.za

ATTENTION: MS CHARMAINE KEMP
Principal State Law Advisor
Per e-mail: chkemp@justice.gov.za

Dear Sirs/Madam,

**RE: SUBMISSION OF PROPOSED CHANGES TO STATUTORY LEGISLATION AND
RULES OF COURT RELATING TO SALES IN EXECUTION OF IMMOVABLE PROPERTY**

1. The Banking/Sheriff Forum (“the Forum”) which was set up by FNB, Absa, Nedbank, Standard Bank, the South African Board for Sheriffs, SANAPS and SASS in 2011 in order to address problems experienced by the members of the Forum with sales in execution in respect of immovable property.
2. Jacques Tarica and I were mandated by the Forum to draft a memorandum setting out proposed changes to the following:

ATTORNEYS | NOTARIES | CONVEYANCERS

Directors A R Glover and J L Kannieappan | **Registration No.** 82/002514/21
18 Jan Smuts Avenue, Parktown, 2193 | Postnet Parktown, Suite 203, X30500, Houghton, 2041
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- 2.1 Rule 46, Rule 46A and Form 21 of the Uniform Rules of Court (“URC”);
 - 2.2 Rule 43, 43A and Form 33A of the Magistrates’ Courts Rules (“MCR”); and
 - 2.3 Section 66(2)(c) of the Magistrates’ Courts Act (“MCA”).
- 3 The proposed changes to the URC, MCR and MCA are set out in a detailed memorandum sent under cover of this letter and highlights certain *lacunae* and contradictions. The proposed changes have been drafted with the intention of aligning the relevant statutory provisions and the related Rules.
 - 4 Please be advised that a delegation from the Forum will gladly attend a meeting should you have any queries arising from the proposed changes.
 - 5 Please acknowledge receipt of this letter.

Yours faithfully,

Roger Glover

GLOVER KANNIEAPPAN INC

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