



## SOUTH AFRICAN SHERIFFS SOCIETY (SASS)

### **SHERIFF’S FEES : REGULATIONS GAZETTE NO: 11724 (No.51056) DATED 16 AUGUST 2024 – EFFECTIVE FROM: 20 SEPT. 2024**

#### **RULE 68 OF THE HIGH COURT ACT 59 OF 1959 (AS AMENDED)**

**RULE 68(3)(a)** Where any dispute arises as to the validity or amount of any fees or charges, or where necessary work is done and necessary expenditure incurred for which no provision is made, the matter shall be determined by the **taxing officer** of the court whose process is in question.

**RULE 68(3)(b)** A request to tax an account of a sheriff shall be done **within 90 days** after the date on which the account of which the fees are disputed has been rendered.

4. Rule 68 of the Rules is hereby amended by the amendment of the Tariff as follows:

#### **HIGH COURT FEES:**

<b>RULE 68</b>	<b>ITEM</b>	<b>NEW FEE</b>
1	<b>Registration</b>	<b>R16.00</b>
7(a)	<b>Return</b> (Including drawing up and typing of original for court, limited to one person upon each original process), and	
7(b)	<b>Copy</b> thereof for party desiring service or execution	<b>R61.00</b>
2(a)	<b>Service</b> of Summonses, Petitions Together with Notice of Motion or Set Down, other notices, Orders or any other documents	<b>R99.00</b>
2(a)(i)	A fee for each <b>separate document</b> (except for criminal – 2(ii))	<b>R16.00</b>
2(b)	<b>Attempted service</b> of Summonses, Petitions together with Notice of Motion or Set Down, other notices, Orders or any other documents. Attempted service of more than 1 document on the same person is same as attempted service of 1 document.	<b>74.00</b>
5	For the <b>execution</b> of any writ: Movable Property	
5(a)(i)	Of <b>personal arrest</b> , including conveying person to court, to an attorney’s office or to a prison, per person	<b>R124.00</b>
5(a)(ii)	<b>Conveying person</b> to court from place of custody on a day subsequent to the day of arrest and attending at court, per hour or part thereof	<b>R148.00</b>
5(a)(iii)	Attachment of property <i>fundandam jurisdictionem</i> or <i>ad confirmandam jurisdictionem</i>	<b>R124.00</b>
5(a)(iv)	Attachment of Item 5(a)(iii) is withdrawn or suspended	<b>R35.00</b>

5(b)	<b>Ejectment R342.00</b> for the 1st hour or part thereof, AND THEREAFTER <b>R158.00</b> per every half hour or part thereof (in addition to reasonable expenses necessarily incurred)	<b>R342.00</b> / 1st hour <b>R158.00</b> every half hr after
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**3. TRAVELLING :**

3(a) For the distance actually and necessarily travelled by the sheriff or his or her officer, reckoned, subject to item 3(c) and (d), from the office of the sheriff, both on the forward and the return journey, per kilometre or part thereof

<b>R7.50</b>
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3(b) When two or more summonses or other process, whether at the instance of the same party or of different parties, are capable of being served on one and the same journey, the travelling allowance for performing the round of service shall be fairly and equitably apportioned among the several cases, regard being had to the distance at which the parties against whom such process is directed respectively reside from the office of the sheriff, but the fee for service shall be payable for each service made or attempted to be made.

3(c) The travelling allowance mentioned in item 3(a) and (b) shall be calculated on the distance reckoned from the office of the sheriff if –

3(c)(i) The sheriff’s office is situated within the area of jurisdiction allocated to the sheriff by the Minister; and

3(c)(ii) The distance from the sheriff’s office is less than the distance reckoned from the court-house closest to the address for service.

3(d) If the requirement in item 3(c) is not met, then the travelling allowance mentioned in item 3(a) and (b) shall be calculated on the distance reckoned from the court-house closest to the address for service.

**Travelling**



<b>R7.50 PER KM (ON RETURN TRIP)</b> Apportioned amongst all docs on your trip.
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**RULE 68(5)(c) IMMOVABLE PROPERTY – Rule 46 (A) & Rule 46 of the Uniform Rules**

<b>RULE 68</b>	<b>ITEM</b>	<b>NEW FEE</b>
5(c)(i)	For immovable property <b>execution</b> , service of notice of attachment upon Registrar of Deeds, owner, and occupier (if the occupier is not the owner)	<b>R293.00</b>
5(c)(ii)	<b>Notice of Attachment</b> to Single Lessee/Occupier  Service on each occupier thereafter (should there be several lessees, occupiers or owners, for each after the first)	<b>R27.00</b>  <b>R10.00</b>
5(c)(iii)	For making <b>Valuation Report / Improvements</b> (per half hour or part thereof)	<b>R74.00</b>

5(c)(iv) (aa) (bb)	When – <b>Sale</b> in Execution is <b>Stayed/ attachment is Withdrawn</b> <b>Upliftment</b> of judicial attachment on immovable property occurs	<b>R293.00</b> <b>R293.00</b>
5(c)(v)	<b>Ascertaining Conveyancer's Certificate</b> – ascertaining what bonds or other encumbrances are registered against the property	<b>R148.00</b>
5(c)(vi)	<b>Notifying execution creditor</b> of bonds or other encumbrances, together with names and addresses of persons in whose favour such bonds or encumbrances are registered	<b>R27.00</b>
5(c)(vii)	<b>Considering proof</b> that Preferent Creditor <b>complied with Rule 46(5)(a)</b> [Sale Notice served on interested parties]	<b>R16.00</b>
5(c)(viii)	<b>Notice</b> referred to in <b>Rule 46(6)</b> [Sheriff requesting documents of title]	<b>R27.00</b>
5(c)(ix)	<b>Considering Notice</b> of Sale prepared by the execution creditor in consultation with Sheriff; and	
5(c)(x)	<b>Verifying</b> that the Notice of Sale has been <b>published</b> in the newspapers indicated and in the Gazette inclusive fee for (ix) and (x)	<b>R148.00</b>
5(c)(xi)	<b>Forwarding a copy of Notice</b> of Sale to every Judgment Creditor who had caused the immovable property to be attached and to every Mortgagee thereof, whose address is known, for each copy	<b>R27.00</b>
5(c)(xii)	<b>Affixing Notice of Sale</b> to the notice board of the Magistrate's Court/High Court (Rule 46(7)(e)) <b>and</b> at or as near as may be to the place where the sale is actually to take place (an inclusive fee of R62.00 & travel fee referred to in item 3)	<b>R62.00</b>
5(c)(xiii) (aa)	For – <b>Considering Conditions</b> of Sale prepared by execution creditor	<b>R148.00</b>
(bb)	<b>Considering further</b> or amended Conditions of Sale submitted by an interested party	<b>R148.00</b>
(cc)	<b>Settling of Conditions of Sale</b>	<b>R148.00</b>
(dd)	All necessary <b>attendances prescribed by any law</b> related to auctions, in particular the Consumer Protection Act, 2008 (Act No. 68 of 2008)	<b>R445.00</b>
(ee)	<b>Conducting</b> of an <b>Auction</b> , save that this fee may not be charged if commission is claimed in terms of item (xiv)	<b>R293.00</b>
5(c)(xiv)	Sheriff's <b>Commission on the sale</b> of immovable property (inclusive in all instances of the Sheriff's bank charges and other expenses incurred in paying the proceeds into his or her trust account) to be paid by Purchaser being <b>6% on the first R100 000, 3.5% on R100 001.00 to R400 000.00</b> and <b>1.5% on the balance</b> of the proceeds of the sale	<b>Max</b> <b>R40 000.00</b> <b>Min</b> <b>R3000.00</b>

5(c)(xv)	For –	
(aa)	Written <b>Notice to the Purchaser</b> who has failed to comply with the conditions of sale	<b>R74.00</b>
(bb)	<b>Report</b> referred to in <b>Rule 46(11)</b> <i>[for cancellation]</i>	<b>R74.00</b>
(cc)	<b>Informing Judgment Debtor</b> of the Cancellation referred to in <b>Rule 46(11)(a)(iii)</b>	<b>R27.00</b>
(dd)	<b>Giving notice</b> referred to in <b>Rule 46(11)(c)</b> <i>[To Vacate]</i>	<b>R27.00</b>
5(c)(xvi)	<b>Giving Transfer</b> to Purchaser	<b>R35.00</b>
5(c)(xvii)	For –	
(aa)	<b>Receipt of Certificate</b> referred to in <b>Rule 46(14)(a)</b> <i>[Cert.of all money paid by debtor]</i>	<b>R27.00</b>
(bb)	<b>Preparing Plan of Distribution</b> of the proceeds (including necessary copies) and for forwarding a copy to the Registrar	<b>R148.00</b>
5(c)(xviii)	<b>Giving Notice</b> to all parties who have lodged writs and to the Execution Debtor that the <b>Plan</b> of Distribution <b>will lie</b> for inspection, for every Notice	<b>R27.00</b>
5(c)(xix)	<b>Report</b> referred to in <b>Rule 46A(9)(d)</b> <i>[Reserve not met]</i>	<b>R74.00</b>



**RULE 68(5)(d) MOVABLE PROPERTY**

RULE 68	ITEM	NEW FEE
5(d)(i)	<b>Writ is paid on presentation</b> (9% on the amount so paid)	<u>Min</u> <b>R100.00</b> <u>Max</u> <b>R974.00</b>
5(d)(ii)	Abortive <b>attempt</b> at attachment, including one hour's search and enquiry	<b>R100.00</b>
5(d)(iii)	<b>Writ Stayed/Withdrawn before</b> attachment	<b>R32.00</b>
5(d)(iv)	Making <b>Attachment</b> (including one hour's search and enquiry)	<b>R223.00</b>
5(d)(v)	<b>Notice of Attachment</b>	<b>R26.00</b>
	Notice of Attachment to <b>each person</b> thereafter	<b>R16.00</b>
5(d)(vi)	<b>Attachment Withdrawn/Stayed</b> before a sale ( <b>3%</b> on the value of the property attached or amount on Writ, whichever is lesser)	Max <b>R672.00</b>
5(d)(vii)	<b>Writ is paid</b> after attachment but <b>before the sale</b> ( <b>9%</b> on the amount paid with a minimum)	<u>Min</u> <b>R100.00</b> <u>Max</u> <b>R974.00</b>
	And maximum of	

5(d)(viii)	<b>Monies taken</b> in execution (9% of the amount taken - subject to a maximum of	<b>R974.00</b>
5(d)(ix)	<b>Drawing Advertisements</b> for sale of goods attached	<b>R100.00</b>
5(d)(x)	<b>For Selling in execution</b> , including Distribution of the Proceeds, <b>on first R15 000.00 or part thereof, 9%</b> and thereafter, <b>then 6%</b> with a maximum of	<b>R13,634.00</b>
5(d)(xii)	Commission shall not be chargeable against a judgment debtor on the value of movable property attached and subsequently claimed by a person other than the judgment debtor and released in consequence of such claim, unless such property has been attached at the express direction of the judgment creditor, in writing, in which event the judgment creditor shall be liable to the sheriff for the commission	
16	<b>Drawing Interpleader Summons</b> referred to in <b>Rule 58</b>	<b>R937.00</b>
5(d)(xiii)	<b>Insuring</b> Movables attached when it is considered necessary & when sheriff is directed thereto in writing by creditor, <b>in addition to the amount of premium paid</b> , an inclusive fee of	<b>R53.00</b>
5(e)	<b>Keeping possession</b> of property (money excluded) -	
5(e)(i)	For each <b>officer</b> necessarily <b>left</b> in possession, a reasonable Inclusive fee per officer per day not exceeding	<b>R185.00</b>

**NOTE:**

'**Possession**' means the continuous and necessary presence on the premises for the period in respect of which possession is reckoned, of a person employed and paid by the sheriff for the sole purpose of retaining possession.

5(e)(ii)	For <b>removal and storage</b> , the reasonable & necessary expenses for such removal & storage, & if an animal is to be stabled or fed, the reasonable charges for such stabling & feeding.	
5(e)(iii)	For <b>tending livestock</b> , the necessary expenses for tending such stock.	
5(e)(iv)	<b>Keeping possession</b> of property (when movable property attached & remains under the supervision of sheriff – but no officer left in possession and no security bond is taken),	<b>R8.00/ day</b>
6(a)	<b>Making Inventory</b> , including all necessary copies and time spent in stocktaking (per hour or part thereof)	<b>R185.00</b>
6(b)	<b>Assistance</b> in making <b>inventory</b> (per day)	<b>R185.00</b>
8	<b>Drawing</b> and completing Bail Bond, Deed of Suretyship or <b>Indemnity Bond</b>	<b>R36.00</b>

## GENERAL FEES

4	<b>Postage</b> , as per the Postal Tariff	
9	<b>Copies</b> of documents A4 size page	<b>R8.00</b>
11	<b>Attending</b> any <b>Criminal Session</b> of a Superior Court or any Circuit Court ( <b>R148.00 per hour</b> or part thereof) with a maximum of	<b>R672.00</b>
12	Each <b>written Letter, Facsimile</b> or Electronic Mail, excluding formal letters accompanying process or returns	<b>R27.00</b>
13	<b>Attendance of Telephone Call</b>	<b>R24.00</b>
14	<b>Sending and receiving Faxes or Electronic Mail per page</b> (in addition to telephone charges)	<b>R10.00</b>
15	<b>Bank Charges</b> (Sheriffs to check with their relevant banks on actual cost charged)	
17(a)	Where the mandator instructs the Sheriff, in writing, to serve or execute a document referred to in item 2 or 5 on an <b>urgent basis</b> or <b>after hours</b> , the Sheriff shall charge an additional fee, irrespective of whether the service or execution was successful, and such additional fee shall be paid by the mandator, save where the court orders otherwise.  (b) For the purpose of paragraph (a) – (i) “urgent” means on the same day or within twenty-four hours of the written instruction; and (ii) “after hours” means any time – (aa) before 07h00 or after 19h00 on Mondays to Fridays; or (bb) on a Saturday, Sunday or Public Holiday	<b>R330.00</b>

### DISCLAIMER NOTIFICATION

This Tariff Guide was prepared by the South African Sheriffs Society with the aim of simplifying the fees, so that Sheriffs can understand and implement it easily and effectively.

Kindly note that there is no gazetted fee for: Bank Charges, Removal, Storage and Postage. Each Sheriff should be able to explain the reasons for charging a fee that is not stipulated and further note that you are charging these fees in accordance to the actual work done or as per the cost from the service provided. The organisation will not take responsibility to explain on your behalf.

Therefore, we suggest that you apply your mind to the fee charged carefully before implementing same at your office.

Kindly note further that we recommend that all sheriff's contact their respective computer software service provider for assistance in the updating of the fee structure on your computer system.

**EFFECTIVE DATE 20 SEPTEMBER 2024 AS PER GAZETTE NUMBER 11724**