



SOUTH AFRICAN SHERIFFS SOCIETY (SASS)

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

AMENDMENT OF PART 11 OF TABLE C OF ANNEXURE 2 OF THE MAGISTRATE’S COURT 32 OF 1944

MAGISTRATE COURT FEES:

RULE 34(2)(a) Every account of fees or charges furnished by a sheriff shall contain the following note: *“You may require this account to be taxed and vouched before payment”*

RULE 34(2)(b) 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”.

ITEM	DESCRIPTION	NEW FEE
1A	Registration of documents for service/execution	R14.00
3	Compiling Return i.t.o. Rule 8 (in duplicate)	R24.00

1B(a) SERVICE OF SUMMONS, SUBPOENAS, NOTICES, ORDERS FROM COURT HOUSE – (REFER TO NOTES BELOW ON TRAVELLING)

ITEM	DESCRIPTION	NEW FEE
1B(a)	Service of summons, subpoena, notice , order or other documents mentioned in item 2	R90.00 + Travelling
Note :	No longer divided into 0-6, 6-12 and 12-20	

1B(b) ATTEMPTED SERVICE - OF DOCUMENTS MENTIONED IN 1B(a)

ITEM	DESCRIPTION	NEW FEE
1B(b)	Attempted service of the documents mentioned in paragraph 1B(a)	R56.00 + Travelling
Note :	No longer divided into 0-6, 6-12 and 12-20	

ITEM	DESCRIPTION	NEW FEE
1B(c)(i)	Where a document must be served together with a process of the court & is mentioned in such process or is an annexure thereto, no additional fees shall be	

	charged for service of the document, otherwise R14.00 may be charged for every separate document served.	R14.00
1B(c)(ii)	No fees shall be charged for a separate document when process in criminal matters is served.	
1B(c)(iii)	Service of a Notice in Terms of Rule 54(1) simultaneously with the Summons shall not be regarded as a separate service.	
1B(c)(iv)	Urgency Service Where a mandator instructs the Sheriff, in writing, to serve or execute a document referred to above on an urgent basis or after hours , the Sheriff shall charge an additional fee of R300.00 for such service irrespective of whether the service or execution was successful, which additional fee shall be paid by the mandator, save where the court orders otherwise;	R300.00
1B(c)(v)	For the purpose of sub-paragraph (iv) – (aa) “ urgent ” means on the same day or within twenty-four hours of the written instruction; (bb) “ after hours ” means any time – (aaa) before 07h00 or after 19h00 on Mondays to Fridays; or (bbb) on a Saturday, Sunday or public holiday	

21.	If it is necessary for the sheriff to return a document received by him or her for service or execution to the mandatory because –	
21(a)	the address for service which appears on the process does not fall within his or her jurisdiction ; or	
21(b)	the mandatory requested, before an attempted service or execution of the process, that it be returned	R14.00

2(a) EXECUTION OF WARRANTS (OTHER THAN AGAINST IMMOVABLE PROPERTY), INTERDICTS, GARNISHEE ORDERS OR EMOLUMENTS ATTACHMENT ORDER

ITEM	DESCRIPTION	NEW FEE
2(a)	Execution of warrant (other than immovable property) interdict, garnishee order or emoluments attachment order	R113.00 + Travel
Note :	No longer divided into 0-6, 6-12 and 12-20	

2(b) ATTEMPTED EXECUTION OF WARRANTS, INTERDICTS, GARNISHEE ORDERS OR EMOLUMENTS ATTACHMENT ORDER

ITEM	DESCRIPTION	NEW FEE
2(b)	Attempted execution of warrants, interdicts, garnishee orders or emoluments attachment order	R81.00 + Travel
Note :	No longer divided into 0-6, 6-12 and 12-20	



4. TRAVELING

- REFER TO NOTES BELOW ON HOW TO CALCULATE TRAVELLING AND THE REQUIREMENTS

ITEM	DESCRIPTION	NEW FEE
4(a), 4(b) & 4(c)	Travelling per kilometre – explanatory notes below	R7.50

4(a) The Sheriff shall, in addition to the fees mentioned in items 1B(a), 1B(b), 2(a), and 2(b) but subject to item 4(b) and (c), be allowed a travelling allowance of **R7.50** per kilometre, or part thereof, for the shortest possible forward and return journey from the office of the Sheriff to the place of service or execution and back.

4(b) The travelling allowance mentioned in items 4(a), 5(a) and 5(c)(i) shall be calculated on the distance reckoned from the office of the sheriff if –

4(b)(i) the sheriff's office is situated within the area of jurisdiction allocated to the sheriff by the Minister; and

4(b)(ii) the distance from the sheriff's office is less than the distance reckoned from the court-house closest to the address for service.

4(c) If the requirement in item 4(b) is not met, then the travelling allowance mentioned in items 4(a), 5(a) and 5(c)(i) shall be calculated on the distance reckoned from the court-house closest to the address for service.

5(a) In respect of the discharge of any official duty other than those mentioned in items 1 and 2, but subject to item 4(b) and (c), a travelling allowance of **R7.50** per kilometre for every kilometre, or part thereof, shall be payable to the sheriff for going and returning.

5(b) A travelling allowance shall include all the expenses incurred in travelling, including train fares.

5(c) A travelling allowance shall be calculated in respect of each separate service, except that –

5(c)(i) where more services than one can be done on the same journey, the distance from the sheriff's office to the first place of service may be taken into account only once, and shall be apportioned equally to the respective services, and the distance from the first place of service to the remaining places of service shall similarly be apportioned equally to the remaining services; and

5(c)(ii) where service of the same process has to be effected by a sheriff on more than one person at the same service address, only one charge for travelling shall be allowed.

5(d) When it is necessary for the sheriff to convey any person under arrest, an allowance of **R7.50** per kilometre in respect of that portion of his or her journey on which he or she was necessarily accompanied by such person shall be allowed.

A SUMMARISED EXPLANATION OF TRAVELLING CHARGES

1. Travelling cost is **R7.50** per km.
2. Sheriff is entitled to charge the gazetted fee for service/execution plus travelling per km to and from service address.

3. The Sheriff is required to calculate their travelling charges from his office or the court whichever is closer to the service address.
4. The Sheriff must proportion his travelling costs amongst the number of documents that is being served on the same trip.
5. Travelling will include all added expenses. (train fares, parking, tolls, etc.)
6. If there is only one document on the trip, then you charge the full cost per km.
7. If service is affected on more than one person at the same address – only one travelling allowance should be charged.



ITEM	DESCRIPTION	NEW FEE
2(c)(i)	Ejectment of defendant from the premises referred to in the warrant of ejectment	R273.00 / 1st hour (or part thereof) and thereafter R126.00 / every half hour or part thereof (except extraordinary expenses necessarily incurred)
2(c)(ii)	A further fee after execution for every person and above the person referred to in the process of ejectment	R32.00
22	For the conveyance of any person arrested by the sheriff or committed to his/her custody from place of custody to the court on a day subsequent to the day of arrest and attending at court, per hour or part thereof Plus Travelling	R48.00 / journey R90.00 / hour or part thereof for attending court R7.50 per km

6. MOVABLE PROPERTY

ITEM	DESCRIPTION	NEW FEE
6(a)	Making inventory including making all necessary copies including time spent on stock-taking	R48.00 / half hour or part thereof
6(b)	For assistance to make inventory	R48.00 / half hour or part thereof
6(c)	For the attendance referred to in Rule 41(11) <i>[Sheriff to file with Registrar any process & return of what he/she has done, AND a copy to mandator.]</i>	R52.50

7	Perusing/drawing up and completing Bail Bond, Deed of Suretyship or Indemnity Bond	R14.00
8(a)(i)	For each officer left in possession on premises / day Plus Traveling	R166.00 per day



REMOVAL/STORAGE

8(b) If ‘**LIVESTOCK**’ is attached, only the necessary expenses of herding and preserving the stock shall be allowed.

8(c) If the goods are removed and stored, only the cost of removal and storage shall be allowed.

9(a) ‘**POSSESSION**’ shall mean actual physical possession by a person employed and paid by the sheriff, whose sole work for the time being is to remain on the premises where the goods have been attached, and who, in fact, remains in possession for the period for which possession is charged.

9(b) ‘**COST OF REMOVAL**’ shall mean the amount actually and necessarily disbursed for removal or attempted removal if the goods were removed by a third party or an attempt was made to remove them, if they were removed by the sheriff him – or herself, such amount as would fairly be allowable in the ordinary course of business if the goods were removed by a third party, or an attempt was made to so remove them.

9(c) ‘**COST OF STORAGE**’ shall mean the amount actually and necessarily paid for storage if the goods were stored with a third person or, if the sheriff provided the storage, such amount as would fairly be allowable in the ordinary course of business if the goods were stored with a third person.

ITEM	DESCRIPTION	NEW FEE
10(a)(i)	Sheriff’s Commission – where a Garnishee Order is paid in full or part thereof 9% on the amount paid with a	Min R90.00 Max R880.00
10(a)(ii)	For the execution of any warrant against movable property -	
10(a)(ii)(aa)	When a warrant is paid in full in or in part on presentation, 9% on the amount so paid	Min R90.00 Max R880.00
10(a)(ii)(bb)	When a warrant is paid in full or in part to the sheriff after attachment but before sale, 9% on the amount so paid with a	Min R90.00 Max R880.00
10(a)(ii)(cc)	When moneys are taken in execution, 9% of the amount so taken but subject to a maximum	Max R880.00
10(b)	Notice of attachment to defendant and each additional person	R14.00
11(a)	Release of attachment – Rule 41(18)(a) , or the warrant of execution is withdrawn or stayed, or the judgment debtor’s estate has been sequestrated after	

	attachment, but before the sale (2.3% of the value of the goods attached) Provided that if a sale subsequently takes place in consequence of the said attachment, the amount so paid shall be deducted from the commission payable under item 12	2.3% of the value of the goods attached, subject to a maximum of R266.00
11(b)	Commission as per 11(a) shall not be charged against a judgment debtor on the value of movable property attached and subsequently released pursuant to a claim by a third party, unless notwithstanding a claim by a third party, the removal of such property is done at the express direction of the judgment creditor, in writing, in which event the judgment creditor shall be liable to the sheriff for commission at a rate of 2.3% of the value of the goods and costs	
12	Movable property sold in execution – commission 9% for the first R15 000.00 , or part thereof, thereafter 6% , with a maximum of	Max R11,721.00
13	Insurance of attached property, if deemed necessary and on written instructions of the judgment creditor to the sheriff, in addition to the premium to be paid, an all-inclusive amount	R48.00
17	In addition to the fees allowed by items 10 to 13, both inclusive, there shall be allowed – (a) the sum actually and reasonable paid by the sheriff or the auctioneer for printing, advertising and giving publicity to any sale or intended sale in execution	
18	Where the sheriff is in possession under more than one warrant of execution, he or she may charge fees for only one possession, and such possession shall, as far as possible, be apportioned equally to the several warrants issued during the same period: Provided that each execution creditor shall be jointly and severally liable for such possession to an amount not exceeding what would have been due under his or her execution if it had stood alone	
19	Fees payable on the value of goods attached or on the proceeds of the sale of goods in execution shall not be chargeable on such value or proceeds so far as they are in excess of the amount of the warrant	
20	The fees and expenses of the sheriff in execution of a garnishee order shall be added to the amount to be recovered under the order, and shall be chargeable against the judgment debtor	
23	Perusing/examination of indicated newspapers and the Gazette in which the notice of sale has been published – Rule 41(19)(c)	R14.00

25	Affixing a copy of the sale notice on notice board or door of the court-house or other public building and at or as near as may be to the place where the said sale is actually to take place – Rule 41(19)(b)	R33.00 + Travel costs referred to in item 5(a)
26	For Interpleaders referred to in Magistrates' Courts Rule 44	R245.00



IMMOVABLE PROPERTY

– RULE 43 AND RULE 43A OF THE MAGISTRATE'S COURT ACT 32 OF 1944

ITEM	DESCRIPTION	NEW FEE
2(d)(i)	Execution , including service of notice of attachment upon the owner of the property, registrar of deeds or occupier	R266.00
2(d)(ii)	Notice of attachment to a single lessee or occupier	R24.00
2(d)(iii)	Identical notices on several lessees, occupiers or owners for each after the first	R9.00
2(d)(iv)	Valuation report per half hour (for purposes of sale) - Improvements	R64.00
2(d)(v)	Immovable sale stayed/withdrawn/attachment uplifted	R266.00
2(d)(vi)	Ascertaining and recording what bonds or encumbrances are registered against the property, together with the names and addresses of the persons in whose favour such bonds and encumbrances are so registered including any correspondence in connection therewith (in addition to reasonable expenses necessarily incurred)	R134.00
2(d)(vii)	Notifying the execution creditor of such bonds or encumbrances and of the names and addresses of the persons in whose favour such bonds or other encumbrances are registered	R23.00
2(d)(viii)	Considering proof that preferent creditor complied with Rule 43(5)(a) [Sale Notice served on interested parties]	R14.00
2(d)(ix)	Notice referred to in Rule 43(6) [Sheriff requesting documents of title]	R24.00
2(d)(x)	Considering notice of sale prepared by the execution creditor in consultation with the sheriff and verifying that notice of sale has been published in the newspapers indicated and in the Government Gazette (inclusive fee for both)	R134.00
2(d)(xi)	Forwarding copy of notice 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	R24.00

2(d)(xii)	Affixing copy of notice of sale to the notice board of the magistrate's court referred to in Rule 43(7)(e) and at or as near as may be to the place where the sale is actually to take place	R57.00 + travelling costs referred to in item 4(a)
2(d)(xiii)	Considering of conditions of sale prepared by the execution creditor; for considering further or amended conditions of sale submitted by interested party, settling conditions of sale	R134.00 each
2(d)(xiv)	All necessary attendances prescribed by any law related to auctions, in particular the Consumer Protection Act, 2008 (Act No. 68 of 2008)	R401.00
2(d)(xv)	Conducting of Auction , save that this fee may not be charged if commission is claimed in terms of items 2(d)(xvi) and (xvii)	R266.00
2(d)(xvi)	Sheriff's commission – sale of immovable property, 6% on the first R100 000.00, 3.5% on R100 001.00 to R400 000.00 and 1.5% on the balance of the proceeds of sale (inclusive of bank charges and other expenses incurred in paying the proceeds into his/her trust account), which commission shall be paid by the purchaser	<u>Min</u> R3,000.00 <u>Max</u> R40,000.00
2(d)(xvii)	If an auctioneer is employed as provided in Rule 43(10), 3% on the first R100 000.00, 2% on R100 001.00 to R400 000.00 and 1% on the balance thereof (inclusive of bank charges and other expenses incurred in paying the proceeds into his/her trust account), which commission shall be paid by the purchaser	<u>Min</u> R3,000.00 <u>Max</u> R22,850.00
2(d)(xviii)	Written notice to purchaser who failed to comply with the conditions of sale	R67.00
2(d)(xix)	Report in terms of Rule 43(11) <i>[for cancellation]</i>	R67.00
2(d)(xx)	Informing judgment debtor of the cancellation referred to in Rule 43(11)(a)(iii)	R24.00
2(d)(xxi)	Giving notice referred to in Rule 43(11)(c) <i>[To Vacate]</i>	R24.00
2(d)(xxii)	Giving transfer to purchaser	R32.00
2(d)(xxiii)	Receiving certificate in terms of Rule 43(14)(a) <i>[Cert. of all money paid by debtor]</i>	R24.00
2(d)(xxiv)	Preparing Plan of Distribution of the proceeds (including necessary copies) and for forwarding a copy to the registrar	R134.00
2(d)(xxv)	Notice to all parties who have lodged writs and to the execution debtor that plan of distribution will lie for inspection, for every notice	R24.00
2(d)(xxvi)	Report referred to in Rule 43A(9)(d) <i>[Reserve not met]</i>	R67.00

15	Immovable property attachment lapses Section 66(4) of the Act	R81.00
17	In addition to the fees allowed above, there shall be allowed – the sum actually and reasonably paid by the sheriff or the auctioneer for printing, advertising, and giving publicity to any sale or intended sale in execution.	



GENERAL FEES

ITEM	DESCRIPTION	NEW FEE
27	In addition to the fees prescribed in this Table, the sheriff shall be entitled to the amount actually disbursed for the postage and telephone calls	
28	Each written Letter, Facsimile or Electronic Mail , excluding formal letters accompanying process or returns	R24.00 each
29	Telephone attendance	R23.00 each
30	Sending and receiving facsimile/e-mail per page (in addition to telephone charges)	R9.00
32	Making photocopies , per A4 size page	R7.00
33	(a) A request to tax an account of a sheriff shall be made in writing within 20 days after the date on which the account of which the fees are disputed, has been rendered (b) Drawing up of bill of taxation and attendance of the taxation by the sheriff	R90.00
34	Bank charges: Actual costs incurred relating to bank charges and cheque forms	
35	(a) Drafting of notice to judgment debtor in terms of Section 65A(8)(b) of the Act: (b) Service of notice referred to in paragraph (a): Tariff as prescribed in item 1B(a) (c) Attempted service of notice referred to in paragraph (a): Tariff as prescribed in item 1B(b) (d) The tariff, as prescribed in item 4, shall apply to paragraphs (b) and (c) [<i>Travel Fee</i>]	R24.00
36	(a) For the arrest or attempted arrest of a judgment debtor in terms of section 65A(6) of the Act: (i) The tariff as prescribed in item 2(a) or item 2(b), as the case may be (ii) The tariff, as prescribed in item 4, shall apply to this item [<i>Travel Fee</i>]	

	<p>(b) For the handing over of the judgment debtor to the South African Police Service, prisoners' friend or clerk of the court or other lawful place of detention:</p> <p>(i) The tariff, as prescribed in item 2(a)</p> <p>(ii) Travelling costs from place of arrest of handing over to the relevant authority, referred to in paragraph (b), per kilometre or part thereof</p> <p>(iii) Waiting time in regard to handing over the judgment debtor to the relevant authority, referred to in paragraph (b)</p>	<p>R7.50</p> <p>R48.00 / half hour or part thereof Max R177.00</p>
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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, postage and removals. Every Sheriff should be able to explain the reasons for charging a fee that is not gazetted and further note that you are charging these fees in accordance with the actual work done. 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, **to take effect on 20 September 2024** .

Prepared by Allan Murugan on behalf of South African Sheriffs Society (SASS)

EFFECTIVE DATE 20 SEPTEMBER 2024 AS PER GAZETTE NUMBER 11724

