

### **Amendment of Annexure 2 to the Rules**

3. Annexure 2 to the Rules is hereby amended by the substitution for Part II of the following Part:

#### **PART II**

##### ***Fees and travelling expenses of sheriffs***

1. (a) For the service of a summons, including the registration of the summons on receipt thereof for service[, the journey to and from the place of service of the summons—]

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R45,00;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R51,00;]

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed]: [R70,00] R75,00.

(b) For the attempted service of a summons, including the registration of the summons on receipt thereof for service[, the journey to and from the place of attempted service of the summons—]

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R37,50;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed]: [R45,00;]R48,00.

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R63,00]

2. (a) For the execution of a warrant, including the registration of the warrant on receipt thereof for execution[, the journey to and from the place of execution of the warrant—]

[(i) within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R63,00;]

[(ii) within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed: R70,00;]

[(iii) within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed]: [R87,50] R94,00.

(b) For the attempted execution of the warrant, including the registration of the warrant on receipt thereof for execution[, **the journey to and from the place of attempted execution of the warrant—**]

[(i) **within a distance of 6 kilometres from the court-house of the district for which the sheriff is appointed: R52,00;**]

[(ii) **within a distance of 12 kilometres but further than 6 kilometres from the court-house of the district for which the sheriff is appointed]: [R63,00;] R68,00.**

[(iii) **within a distance of 20 kilometres but further than 12 kilometres from the court-house of the district for which the sheriff is appointed: R79,50.]**

(c) Where the warrant is one for ejectment, a further fee of **[R25,50] R27,00** shall be paid after the execution thereof for each person over and above the person named or referred to in the warrant of ejectment in fact ejected from separate premises: Provided that where service on any person other than the judgment debtor is necessary in order to complete the execution, the fee[s] mentioned in item 1(a) may be charged for each such service.

3. (a) The sheriff shall, in addition to the fees mentioned in items 1(a), 1(b), 2(a) and 2(b) but subject to paragraph (b) and (c), be allowed a travelling allowance of **[R6,00] 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.

(b) The travelling allowance mentioned in items 3 and 4 shall be calculated on the distance reckoned from the office of the sheriff if—

- (i) the sheriff's office is situated within the area of jurisdiction allocated to the sheriff by the Minister; and
- (ii) the distance from the sheriff's office is less than the distance reckoned from the court-house closest to the address for service.

(c) If the requirement in item 3(b) is not met, then the travelling allowance mentioned in items 3(a) and 4(a) shall be calculated on the distance reckoned from the court-house closest to the address for service.

4. (a) In respect of the discharge of any official duty other than those mentioned in items 1 and 2, but subject to item 3(b) and (c), a travelling allowance of **[R6,00] R7,50** per kilometre, or part thereof, shall be payable to the sheriff for going and returning.

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

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

- (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
- (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. For the ejectment of a defendant from the premises mentioned in the warrant of ejectment: **[R22,50]** R24,00 for the first 30 minutes and thereafter **[R67,50]** R72,00 per hour or part thereof.

6. In addition to the fees prescribed, the sheriff shall be entitled to charge the amount paid by him or her for telephone calls.

7. For the writing of a necessary letter, facsimile or electronic mail, excluding formal letters accompanying process or returns to an interested party in the matter: **[R11,00]** R12,00.

8. For the copying of the necessary documents relevant to a process handled by the sheriff: **[R5,00]** R6,00 per A4 size copy.

9. If it is necessary for the sheriff to return to the mandator a process received by him or her for service or execution because—

- (a) the address of service which appears on the process does not fall within his or her jurisdiction;
- (b) the mandator requests, before an attempted service or execution of the process, that it be returned to him or her: an amount of **[R11,00]** R12,00.

10. (a) Sending and receiving of each necessary facsimile or electronic mail: **[R6,50]** R7,00.

(b) In addition to the fees prescribed, the sheriff shall be entitled to the amount actually disbursed for postage, transmission of facsimiles and sending of electronic communications.

**Commencement**

4. These Rules come into operation on **20 September 2024.**