

Tariff Forms (High Court)

GUIDE TO SHERIFF'S FEES CHARGED IN THE HIGH COURT (RULE 68 OF ACT 59 OF 1959) – GAZETTE NO: 38399 – DATED 23RD JANUARY 2015 AMENDMENT OF PART 11 OF TABLE C OF ANNEXURE 2 OF THE RULES

2ND EDITION

EFFECTIVE FROM 24TH FEBRUARY 2015

IMPORTANT NOTICE:

1. SHERIFFS ARE APPOINTED FOR A SPECIFIC JURISDICTION AND ONE IS NOT ALLOWED TO SERVE OR EXECUTE DOCUMENTS OUTSIDE HIS/HER JURISDICTION. SUCH SERVICE IS NULL AND VOID.
2. SHOULD A SHERIFF CONTINUE TO SERVE OUTSIDE HIS/HER JURISDICTION, HE/SHE COULD BE FOUND GUILTY OF MISCONDUCT IN TERMS OF THE SHERIFF'S ACT 90 OF 1986.
3. ANY PERSON WHO IS OF THE OPINION THAT THE SHERIFF HAS OVERCHARGED, CAN REQUEST THAT HIS BILL BE TAXED. THIS MUST BE DONE WITHIN A PERIOD OF 90 DAYS.
4. **IMPORTANT: HIGH COURT TARIFF DOES NOT STIPULATE A FEE FOR URGENT SERVICE. THE SHERIFF DECIDES ON A REASONABLE AMOUNT CURRENTLY THE FEE THAT IS BEING CHARGED IN MOST PROVINCES IS BETWEEN R350.00 TO R400.00 OVER AND ABOVE THE SERVICE FEE. IT MUST BE NOTED THAT YOU MUST BE ABLE TO SUBSTANTIATE A VALID REASON FOR CHARGING SUCH A FEE.**
5. TRAVELLING FEE FOR ALL HIGH COURT SERVICE/EXECUTION IS CALCULATED FROM THE OFFICE OF THE SHERIFF TO THE POINT OF SERVICE AND BACK TO HIS/HER OFFICE AT R5.00 PER KM.
6. **IMPORTANT: NOTE THIS FEE STRUCTURE IS MERELY A GUIDE AND THE ONUS IS ON YOU (THE SHERIFF) TO FAMILIARISE YOURSELF WITH THE TARIFFS AND CHARGE ACCORDINGLY.**
7. E-MAIL FEES ARE NOT GAZETTED. THE FEE IS MERELY A SUGGESTED FEE TAKING INTO ACCOUNT THE PAPER COST, TELEPHONE, AIRTIME, TIME SPENT IN READING E-MAILS AND REDIRECTING TO THE CORRECT PERSON, PRINTING COSTS ETC.
8. KINDLY NOTE THAT THE SUGGESTED FEE IS DETERMINED BY IDENTIFYING WHAT IS THE GENERAL PRACTICE AMONGST SHERIFFS WHEN CHARGING FOR THESE MATTERS. THEREFORE IT IS A SUGGESTED MINIMUM. IT IS LEFT TO THE INDIVIDUAL SHERIFF TO DETERMINE THE ACTUAL AMOUNT THAT HE WILL CHARGE. THIS FEE SHOULD BE USED MERELY AS A GUIDE, SO THAT YOU DO NOT UNDER CHARGE OR OVER CHARGE
9. **REMOVAL:** FEES ARE DETERMINED BY THE AMOUNT OF TIME SPENT, DISTANCE TRAVELLED, NUMBER OF LABOURERS REQUIRED, DEPUTY ASSISTANCE IF REQUIRED, TYPE OF ASSETS (AS SOME ASSETS REQUIRE MORE SPECIALIZED EQUIPMENT AND ATTENTION), AMOUNT OF DIESEL/PETROL REQUIRED, SIZE OF TRUCK, PACKAGING MATERIAL REQUIRED, SITUATION OF BUILDING (EG. HEIGHT, ACCESS, DISTANCE FROM ROAD TO BUILDING AND AVAILABILITY OF SPACE TO MOVE EQUIPMENT AROUND).

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SERVICE OF SUMMONS, NOTICES AND LETTERS, ORDER OF COURT

SERVICE		NON SERVICE	
REGISTRATION	8.00	REGISTRATION	8.00
RETURN	28.50	RETURN	28.50
SERVICE FEE	55.00	NON SERVICE FEE/ ATTEMPT	41.00
ADDITIONAL [SEPARATE] DOCUMENT	8.00 [excluding criminal cases]		
URGENCY FEE	350.00 to 400.00 [SUGGESTED]		
TRAVELLING	R5.00 per km	TRAVELLING	R5.00 per km
POSTAGE	11.50 [SUGGESTED MINIMUM] [CRIMINAL MATTERS FREE]	POSTAGE	11.50 [SUGGESTED MINIMUM] [CRIMINAL MATTERS FREE]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]	TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 {per call – suggested min)	CELL PHONE CALLS [if any made]	12.50 [per call – suggested min)
FAX RECEIVED [if any]	11.50 per fax	FAX RECEIVED [if any]	11.50 per fax
LETTERS WRITTEN	14.50 per letter	LETTERS WRITTEN	14.50 per letter
FAX SENT [if any]	12.50 [include telephone call]	FAX SENT [if any]	12.50 [include telephone call]
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]	E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]	E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]

EXECUTION OF WARRANT OF EXECUTION [MOVABLE], COURT ORDERS, WARRANT OF DELIVERIES.

EXECUTION		ATTEMPTED EXECUTION / NON SERVICE	
REGISTRATION	8.00	REGISTRATION	8.00
RETURN	28.50	RETURN	28.50
EXECUTION	68.50	ATTEMPT/NON SERVICE	55.00
URGENCY FEE	350.00 to 400.00 [SUGGESTED]		
TRAVELLING	R5.00 per km	TRAVELLING	R5.00 per km
ATTACHMENT	136.00		
INVENTORY	103.00		
NOTICE OF ATTACHMENT	14.00		
COPIES	3.50		
POSTAGE	11.50 [SUGGESTED MINIMUM]	POSTAGE	11.50 [SUGGESTED MINIMUM]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]	TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 [per call – suggested]	CELL PHONE CALLS [if any made]	12.50 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax	FAX RECEIVED [if any]	11.50 per fax
FAX SENT [if any]	11.50 [include telephone call]	FAX SENT [if any]	11.50 [include telephone call]
LETTERS WRITTEN	14.50 per letter	LETTERS WRITTEN	14.50 per letter
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]	E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]	E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
REMOVAL [if required] Consult with removals contractors in the area – estimate fee	950.00 [SUGGESTED MINIMUM – depending on quantity of assets removed]	ATTEMPTED REMOVAL Usually about ½ of removal fee – must take into account cost of labourers	650.00 [SUGGESTED MINIMUM – taking into account wasted costs of labourers, deputy time, diesel or petrol for truck etc.]
TOWING	Amount on invoice from company [without VAT] – actual costs		
LOCKSMITH	Amount on invoice from company [without VAT] – actual costs		
RULE 45 INDEMNITY	18.00	RULE 45 INDEMNITY	18.00

WITHDRAWAL OF MOVABLE ATTACHMENT HIGH COURT

EXECUTION	
0 - 6 / 6 - 12 / 12 - 12	
REGISTRATION	8.00
RETURN	28.50
POSTAGE	11.50 [SUGGESTED MINIMUM]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax
FAX SENT [if any]	12.50 [include telephone call]
LETTERS WRITTEN [if any]	14.50 per letter
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
WITHDRAWAL OF ATTACHMENT 3% OF VALUE OF PROPERTY ATTACHED OR AMOUNT OF WRIT WHICH EVER IS LOWER	407.00 [MAXIMUM]
SERVICE	55.00

PAYMENT OF WARRANT ON PRESENTATION

EXECUTION	
0 - 6 / 6 - 12 / 12 - 20	
REGISTRATION	8.00
RETURN	28.50
TRAVELLING	5.00 per km
POSTAGE	11.50 [SUGGESTED MINIMUM]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax
FAX SENT [if any]	12.50 [include telephone call]
LETTERS WRITTEN [if any]	14.50 per letter
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
COLLECTION COMMISSION	9% of the Judgment amount – max R543.00 – min R55.00
BANK CHARGES	57.00 min [SUGGESTED – CHECK WITH YOUR BANK]
EXECUTION	68.50

IF WRIT IS PAID ON PRESENTATION AFTER INVENTORY IS COMPLETED THEN THE WITHDRAWAL FEE MUST BE ADDED.

PAYMENT OF WARRANT ON PRESENTATION [LABOUR COURT]

EXECUTION	
0 – 6 / 6 –12 / 12 – 20	
REGISTRATION	8.00
RETURN	28.50
TRAVELLING	5.00 per km
POSTAGE	11.50 [SUGGESTED MINIMUM]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax
FAX SENT [if any]	12.50 [include telephone call]
LETTERS WRITTEN [if any]	14.50 per letter
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
COLLECTION COMMISSION	9% of the Judgment – max R543.00 – min R55.00
BANK CHARGES	57.00 min
EXECUTION	68.50

IF WRIT IS PAID AFTER INVENTORY IS MADE THEN WITHDRAWAL FEE MUST ALSO BE CALCULATED.

STAYING OF SALE BEFORE REMOVAL HIGH COURT

EXECUTION	
0 – 6 / 6 –12 / 12 – 20	
REGISTRATION	8.00
RETURN	28.50
TRAVELLING	5.00 per km
POSTAGE	11.50 [SUGGESTED MINIMUM]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax
FAX SENT [if any]	12.50 [include telephone call]
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
SERVING OF SALE NOTICE ON DEFENDANT	68.50
STAY SALE 3% OF VALUE OF PROPERTY ATTACHED OR AMOUNT OF WRIT WHICH EVER IS LOWER	407.00 [MAXIMUM]
AFFIX SALE NOTICE @ COURT & OFFICE	28.50 + TRAVELLING
LETTERS WRITTEN	14.50 [per letter]
RULE 45 INDEMNITY	18.00
COPIES MADE	3.50 [per page]

STAYING OF SALE AFTER REMOVAL HIGH COURT

EXECUTION	
0 – 6 / 6 –12 / 12 – 20	
REGISTRATION	8.00
RETURN	28.50
TRAVELLING	5.00 per km
POSTAGE	11.50 [SUGGESTED MINIMUM]
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.50 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax
FAX SENT [if any]	12.50 [include telephone call]
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
SERVING OF SALE NOTICE ON DEFENDANT	68.50
STAY SALE 3% OF VALUE OF PROPERTY ATTACHED OR AMOUNT OF WRIT WHICH EVER IS LOWER	407.00 [MAXIMUM]
AFFIX SALE NOTICE @ COURT & OFFICE	28.50 + TRAVELLING
LETTERS WRITTEN	14.50 per letter
RULE 45 INDEMNITY	18.00
COPIES MADE	3.50 [per page]
REMOVAL/ATTEMPTED REMOVAL Sheriff to determine by checking with a local removals company charging for same job	600.00 [SUGGESTED MINIMUM]
LOCKSMITH	Amount on invoice from firm [without the VAT]
STORAGE	Depending on quantity goods in storage, also size amount of space taken. One could check with local storage company on estimated costs

SALE HELD

EXECUTION	
0 – 6 / 6 –12 / 12 – 20	
REGISTRATION	8.00
RETURN	28.50
AFFIXED NOTICES	28.50 + TRAVELLING
SERVICE	68.50
POSTAGE	11.50 [SUGGESTED MINIMUM]
LETTERS WRITTEN	14.50 per letter
RULE 45 INDEMNITY	18.00
COPIES	3.50 per page
TELEPHONE CALLS [if any made]	8.00 [per call – max 2 min + prescribed trunk charges]
CELL PHONE CALLS [if any made]	12.00 [per call – suggested]
FAX RECEIVED [if any]	11.50 per fax – suggested
FAX SENT [if any]	12.50 [include telephone call - suggested]
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]

SALE HELD

E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
STORAGE	Depending on quantity goods in storage, also size amount of space taken. One could check with local storage company on estimated costs
REMOVAL Sheriff to determine by checking with a local removals company charging for same job	650.00 [SUGGESTED MINIMUM]
COLLECTION COMMISSION	9% of 1 st R15000.00, thereafter 6% of balance, max R7548.50
BANK CHARGES	57.00 min

EXECUTION OF WARRANT OF EXECUTION [IMMOVABLE PROPERTY]

FEES TO BE CHARGED FOR SERVICE ON THE REGISTRAR OF DEEDS

EXECUTION	
REGISTRATION	8.00
RETURN	28.50
ATTACHMENT OF FIXED PROPERTY	164.00
NOTICE OF ATTACHMENT	14.50
COPIES [amount made]	3.50
LETTERS WRITTEN [number of letters written]	14.50
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
POSTAGE	11.50 [SUGGESTED MINIMUM]

FEES TO BE CHARGED FOR SERVICE ON THE DEFENDANT / OCCUPIER / BONDHOLDER

EXECUTION	
0 - 6 / 6 -12 / 12 - 20	
REGISTRATION	8.00
RETURN	28.50
EXECUTION	68.50
TRAVELLING	5.00 per km
NOTICE OF ATTACHMENT	14.50
POSTAGE	11.50 [SUGGESTED MINIMUM]

IMPROVEMENTS TO BE DONE

EXECUTION	
0 - 6 / 6 -12 / 12 - 20	
REGISTRATION	8.00
RETURN	28.50
TRAVELLING	5.00 per km
IMPROVEMENTS	73.00
EXECUTION	68.50
POSTAGE	11.50 [SUGGESTED MINIMUM]
COPIES	3.50

SALE NOTICES TO BE SERVED

EXECUTION	
0 – 6 / 6 –12 / 12 – 20	
REGISTRATION	8.00
RETURN	28.50
EXECUTION	68.50
TRAVELLING	5.00 per km
POSTAGE	11.50 [SUGGESTED MINIMUM]

STAYING SALE BEFORE CONDITIONS & SALE NOTICES RECEIVED

REGISTRATION	8.00
RETURN	28.50
TELEPHONE	Amount to be determined for number calls made
SALE STAYED	164.00
LETTERS WRITTEN	14.50 per letter
LETTERS RECEIVED	12.50 per letter
PERUSING CONVEYANCER'S CERTIFICATE	81.50
FAX RECEIVED	11.50 per fax
FAX SENT	12.50 [include telephone call]
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
POSTAGE	11.50 [SUGGESTED MINIMUM]

STAYING SALE AFTER CONDITIONS AND SALE NOTICES RECEIVED

REGISTRATION	8.00
RETURN	28.50
TELEPHONE	8.00 per call [AMOUNT TO BE DETERMINED FOR NUMBER OF CALLS MADE]
SALE STAYED	164.00
LETTERS WRITTEN	14.50
LETTERS RECEIVED	12.50
FAX SENT	12.50 [include telephone call]
FAX RECEIVED	11.50 per fax
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
PERUSING CONVEYANCER'S CERTIFICATE	81.50
PERUSING CONDITIONS	68.50
PERUSING NOTICE OF SALE	81.50
PERUSING ADVERTS	8.00
AFFIXING SALE NOTICES AT COURT AND OFFICE	28.50 + TRAVELLING COST
CONSIDERING PROOF OF SERVICE BY CREDITOR - RULE 46(5)(a)	8.00
POSTAGE	11.50 [SUGGESTED MINIMUM]

WITHDRAWAL OF ATTACHMENT WITH REGISTRAR OF DEEDS

REGISTRATION	8.00
RETURN	25.50
EXECUTION	68.50 should the attorney request original documents to be forwarded to them for lodgment
TELEPHONE	8.00 per call [AMOUNT TO BE DETERMINED FOR NUMBER OF CALLS MADE]
LETTERS WRITTEN	14.50
LETTERS RECEIVED	12.50
FAX SENT	12.50 [include telephone call]
FAX RECEIVED	11.50 per fax
POSTAGE	11.50 [SUGGESTED MINIMUM]
REGISTERED POST	35.00
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
WITHDRAWAL	164.00

SALE HELD

REGISTRATION	8.00
RETURN	28.50
EXECUTION	68.50
TELEPHONE	8.00 per call [AMOUNT TO BE DETERMINED FOR NUMBER OF CALLS MADE]
LETTERS WRITTEN	14.50 per page
FAX SENT	12.50 [include telephone call]
FAX RECEIVED	11.50 per fax
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
PERUSING CONVEYANCER'S CERTIFICATE	81.50
PERUSING CONDITIONS	68.50
PERUSING NOTICE OF SALE	81.50
PERUSING ADVERTS	8.00
AFFIXING SALE NOTICES AT COURT AND OFFICE	28.50 + TRAVELLING COST @ 5.00 PER KM
CPA COMPLIANCE, REGISTRATION OF BUYERS, FICA COMPLIANCE, BIDDER CARDS ETC.	350.00 [SUGGESTED]
POSTAGE	11.50 [SUGGESTED MINIMUM]
COLLECTION COMMISSION	IF PROPERTY PURCHASED BY PLAINTIFF

GIVING TRANSFER

REGISTRATION	8.00
RETURN	28.50
GIVING TRANSFER	20.00
PREPARING PLAN OF DISTRIBUTION	81.50
TELEPHONE CALL RECEIVED	10.50
TELEPHONE CALL MADE	8.00 per call [AMOUNT TO BE DETERMINED FOR NUMBER OF CALLS MADE]
CELLPHONE CALL	12.50
LETTERS WRITTEN	14.50 per page
FAX SENT	12.50 [include telephone call]
FAX RECEIVED	11.50 per fax
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
GIVING NOTICE TO AN INTERESTED PARTY (IF ANY)	14.50
POSTAGE	11.50 [SUGGESTED MINIMUM]

PLACING PURCHASER ON TERMS

REGISTRATION	8.00
RETURN	28.50
SERVICE	55.00
TRAVELLING	5.00 per km
TELEPHONE CALL RECEIVED	10.50
TELEPHONE CALL MADE	8.00 per call [AMOUNT TO BE DETERMINED FOR NUMBER OF CALLS MADE]
CELLPHONE CALL	12.50
LETTERS WRITTEN	14.50 per page
FAX SENT	12.50 [include telephone call]
FAX RECEIVED	11.50 per fax
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
RULE 46(11) REPORT	41.00
POSTAGE	11.50 [SUGGESTED MINIMUM]

CHAMBERBOOK APPLICATION IN TERMS OF RULE 46(11) OF ACT 59 OF 1959

REGISTRATION	8.00
RETURN	28.50
SERVICE	55.00
TELEPHONE CALL RECEIVED	10.50
TELEPHONE CALL MADE	8.00 per call [AMOUNT TO BE DETERMINED FOR NUMBER OF CALLS MADE]
CELLPHONE CALL	12.50
LETTERS WRITTEN	14.50 per page
FAX SENT	12.50 [include telephone call]
FAX RECEIVED	11.50 per fax
E-MAILS SENT [if any]	22.50 per page [SUGGESTED]
E-MAILS RECEIVED [if any]	22.50 per page [SUGGESTED]
CHAMBERBOOK APPLICATION	1000.00 [SUGGESTED]
COPIES	3.50
POSTAGE	11.50 [SUGGESTED MINIMUM]