



POLICY GUIDELINE ON SHERIFFS WITH MULTIPLE OFFICES

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TABLE OF CONTENTS

- 1. Introduction**
- 2. Background**
- 3. Legal implications**
- 4. Policy Guidelines**
- 5. Onus of proof**

1. Introduction

The SABFS is a juristic person created in terms of Section 7 of the Sheriffs Act No. 90 of 1986 (The Act). The Sheriffs Act provides for the appointment of sheriffs, the establishment of the Board for Sheriffs and a Fidelity Fund for Sheriffs, and the regulations of the conduct of sheriffs and matters connected therewith. This policy guideline will guide the sheriffs with multiple offices on what and how to pay in order to obtain Fidelity Fund Certificates.

2. Background

There has been requests from the sheriffs' fraternity for sheriffs with multiple offices to pay a single fee for all their offices, and obtain one certificate, and the offices to be listed in the one certificate.

The current practice is that sheriffs with multiple jurisdictions pay multiple fees and are issued with Fidelity Fund Certificates for each jurisdiction. The exception to this, is that offices that have been clustered due to non-viability, as also sheriffs who are appointed in small offices are allowed to pay one single fee (on request), and to be issued with multiple certificates. Further to this the fee amount to be paid for acting FFC's remain a separate fee.

3. Legal implications

The Act is silent on how this should be handled. It only mentions that sheriffs should complete a form 4 and the information on the certificate should relate with the information on the form 4. Therefore, it is left to the Board to formulate guidelines to regulate the process.

4. Policy Guidelines

The Board has discussed this matter in more than one occasion and it has resolved that the following be implemented:

- 4.1 Sheriffs with multiple offices should pay and be issued with a Fidelity Fund certificate for each and every office;
- 4.2 Sheriffs with a combined turnover from R0 to R99 000 should apply to the SABFS to pay one fee for the multiple offices and be issued with separate FFC's for these offices;
- 4.3 As an exception, offices that have been clustered due to non-viability will pay one fee and be issued with one certificate reflecting all the service areas.

5. Onus of proof

The onus to proof rests with the sheriff that qualify in line with policy guidelines.