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## GOVERNMENT NOTICE

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### DEPARTMENT JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R. 507

27 June 2014

#### RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)

#### AMENDMENT OF RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE MAGISTRATES' COURTS OF SOUTH AFRICA

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), with the approval of the Minister of Justice and Constitutional Development, made the rules in the Schedule.

#### SCHEDULE

##### GENERAL EXPLANATORY NOTE:

[ ] Words or expressions in bold typed in square brackets indicate omissions from existing rules.

\_\_\_\_\_ Words or expressions underlined with a solid line indicate insertions in existing rules.

##### Definition

1. In these rules "the Rules" means the Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa published under Government Notice No. R. 740 of 23 August 2010, as amended by Government Notice Nos. R. 1222 of 24 December 2010, R. 611 of 29 July 2011, R. 1085 of 30 December 2011, R. 685 of 31 August 2012, R. 115 of 15 February 2013, R. 263 of 12 April 2013, R. 760 of 11 October 2013, R. 183 of 18 March 2014 and R. 215 of 28 March 2014.

##### Amendment of rule 3 of the Rules

2. Rule 3 of the Rules is hereby amended by the deletion of sub-rule (9).

##### Amendment of rule 4 of the Rules

3. Rule 4 of the Rules is hereby amended by the substitution for sub-rule (4) of the following sub-rule:

“(4) Rules 12(5), (6), (6A) and (7) apply to a request for judgment in terms of sections 57 and 58 of the Act.”

#### **Amendment of rule 5 of the Rules**

4. Rule 5 of the Rules is hereby amended by the substitution for sub-rules (2), (3) and (5) of the following sub-rules:

“(2) (a) In every case where the claim is not for a debt or liquidated demand the summons shall be a combined summons similar to Form 2B of Annexure 1, to which summons shall be annexed a statement of the material facts relied upon by the plaintiff in support of plaintiff’s claim, and which statement shall, amongst others, comply with rule 6, but in divorce matters a combined summons substantially compliant with Form 2C shall be used.

(3) (a) (i) Every summons shall be signed by an attorney acting for the plaintiff and shall bear the attorney’s physical address at which plaintiff will accept service of all subsequent documents and notices in the suit. In places where there are three or more attorneys or firms of attorneys practising independently of one another, the physical address shall be within 15 kilometres of the courthouse. The summons shall also bear the attorney’s postal address, and, where available, the attorney’s facsimile and electronic mail address. The State Attorney may appoint the office of the registrar or clerk of the civil court as its address for service.

(ii) If no attorney is acting for the plaintiff, the summons shall be signed by the plaintiff. The summons shall bear the plaintiff’s physical address at which the plaintiff will accept service of all subsequent documents and notices in the suit. In places where there are three or more attorneys or firms of attorneys practicing independently of one another, the physical address shall be within 15 kilometres of the courthouse. The summons shall also bear the plaintiff’s postal address, and, where available, the plaintiff’s facsimile and electronic mail address.

(5)(a) Every summons shall include a form for notice of intention to defend.

(b) Every summons, except a divorce summons, shall include:

- (i) a form for consent to judgment;
- (ii) a notice drawing the defendant’s attention to the provision of section 109 of the Act; and
- (iii) a notice in which the defendant’s attention is directed to the provisions of sections 57, 58, 65A and 65D of the Act in cases where the action is based on a debt referred to in section 55 of the Act.”

#### **Amendment of rule 6 of the Rules**

5. Rule 6 of the Rules is hereby amended by the substitution for sub-rule (11) of the following sub-rule:

“(11) If a claim is founded on any cause of action arising out of or regulated by legislation, the plaintiff shall state the nature and extent of plaintiff’s compliance with the relevant provisions of the legislation.”

#### **Amendment of rule 9 of the Rules**

6. Rule 9 of the Rules is hereby amended by the substitution for the second proviso of sub-rule (3) of the following proviso:

“Provided further that service of any process through which a divorce action or action for nullity of marriage is instituted shall only be effected by the sheriff on the defendant personally.”

#### **Amendment of rule 12 of the Rules**

7. Rule 12 of the Rules is hereby amended by the substitution for the proviso in paragraph (e) of sub-rule (1) of the following proviso:

“Provided that in divorce actions or actions for nullity of marriage rule 22(5) shall apply.”

#### **Amendment of rule 13 of the Rules**

8. Rule 13 of the Rules is hereby amended by the substitution for sub-rules (3) and (6) of the following sub-rules:

“(3) (a) When a defendant delivers notice of intention to defend-

- (i) the defendant shall therein give his or her full physical, residential or business address, postal address and where available, facsimile address and electronic mail address;
- (ii) the defendant shall also indicate and select therein the preferred address for service on the defendant thereat of all documents in such action, and service thereof at the address so given shall be valid and effectual, except where by an order or practice of the court personal service is required; and
- (iii) if a physical address is given by the defendant in the notice of intention to defend as the preferred address for the purpose of such service, in places where there are three or more attorneys or firms of attorneys practicing independently of one another, that address shall be situated within 15 kilometres of the courthouse.

(6) After receipt of a notice of intention to defend, the plaintiff shall lodge forthwith with the registrar or clerk of the court the original summons and the return of service.”

#### **Amendment of rule 14 of the Rules**

9. Rule 14 of the Rules is hereby amended by the substitution for sub-rule (2) of the following sub-rule:

“(2) (a) The plaintiff shall within 15 days after the date of delivery of notice of intention to defend, deliver notice of application for summary judgment, together

with an affidavit made by plaintiff or by any other person who can swear positively to the facts verifying the cause of action and the amount, if any, claimed and stating that in his or her opinion there is no *bona fide* defence to the action and that notice of intention to defend has been delivered solely for the purposes of delay.

(b) If the claim is founded on a liquid document a copy of the document shall be annexed to such affidavit.

(c) The notice of application for summary judgment shall state that the application will be set down for hearing on a stated day not being less than 10 days from the date of the delivery thereof.

#### **Amendment of rule 18 of the Rules**

10. Rule 18 of the Rules is hereby amended by the substitution for paragraph (b) of sub-rule (2) of the following paragraph:

“(2)(b) In the event of a tender contemplated in paragraph (a) the defendant shall, unless the act must be performed by him or her personally, execute an irrevocable power of attorney authorising the performance of such act which he or she shall deliver to the registrar or clerk of the court together with the tender.”

#### **Insertion of rule 21B in the Rules**

11. The following rule is hereby inserted in the Rules after rule 21A:

##### **“Failure to deliver pleadings - barring**

**21B.** Any party failing to deliver the pleading referred to in a notice within the time therein required or within such further period as may be agreed between the parties, shall be in default of filing such pleading, and *ipso facto* barred: For the purposes of this rule the days between 16 December and 15 January, both inclusive, shall not be counted in the time allowed for the delivery of any pleading.”

#### **Amendment of rule 22 of the Rules**

12. Rule 22 of the Rules is hereby amended by the substitution for sub-rule (5) of the following sub-rule:

“(5) In divorce actions or actions for nullity of marriage, notwithstanding anything in this rule contained, the registrar of the court shall at the written request of the plaintiff set the action down for hearing at the time and place and on a date to be fixed by the registrar of the court, if the defendant has-

(a) failed to deliver notice of intention to defend; or

(b) failed to deliver a plea after receiving a notice in terms of rule 12(1)(b); or

(c) given written notice to the plaintiff and the registrar or clerk of the court that he or she does not intend defending the action, but no notice of such request or set down need be served on the defendant.”

**Amendment of rule 23 of the Rules**

13. Rule 23 of the Rules is hereby amended by the substitution for sub-rule (3) of the following sub-rule:

“(3) If any party believes that there are, in addition to documents or tape, electronic, digital or other forms of recordings disclosed in terms of this rule, other documents, including copies thereof, or tape, electronic, digital or other forms of recordings which may be relevant to any matter in question in the possession of any party thereto, the former may give notice to the latter requiring him or her to make the same available for inspection in accordance with subrule (6), or to state **[an] on** oath within 10 days that such documents are not in his or her possession, in which event he or she shall state their whereabouts, if known to him or her.”

**Amendment of rule 25 of the Rules**

14. Rule 25 of the Rules is hereby amended by the substitution for sub-rule (3) of the following sub-rule:

“(3) The process for requiring the attendance of parties or their legal representatives at a pre-trial conference shall be by letter signed by the registrar or clerk of the court, together with a copy of the request, if any, referred to in subrule (1), which letter shall be delivered **[by hand or registered post]** in accordance with the provisions of subrule 9(9)(a) at least 10 days prior to the date fixed for the said conference.”

**Amendment of rule 28 of the Rules**

15. Rule 28 of the Rules is hereby amended by the substitution for sub-rule (4) of the following sub-rule:

“(4) Where there has been a joinder of causes of action or of parties, the court may on the application of **[any party]** a defendant at any time order that separate trials be held either in respect of some or all of the causes of action or some or all of the parties; and the court may on such application make such order as it deems **[fit]** just and expedient.”

**Amendment of rule 28A of the Rules**

16. Rule 28A of the Rules is hereby amended by the deletion of sub-rule (10).

**Amendment of rule 48 of the Rules**

17. Rule 48 of the Rules is hereby amended by the substitution for sub-rule (3) of the following sub-rule:

“(3) In a matter referred to in subrule (2) the administrator shall obtain from the **[registrar or]** clerk of the court a suitable day and time for the hearing of the objections by the court and thereupon, in writing, notify the creditor referred to in subrule (2), the debtor and any other involved creditors, of the said day and time.”

**Amendment of rule 55 of the Rules**

18. Rule 55 of the Rules is hereby amended by the substitution for paragraph (h) of sub-rule (1) of the following paragraph:

“(1)(h)(i) After receipt of a notice of intention to oppose, the applicant shall lodge forthwith with the registrar or clerk of the court the original notice of motion plus annexures thereto and, where applicable, the return of service.

(ii) Within 10 days of the service upon him or her of the affidavit and documents referred to in paragraph (g)(ii), the applicant may deliver a replying affidavit.”

**Amendment of rule 55A of the Rules**

19. Rule 55A of the Rules is hereby amended by the substitution for sub-rules (1) and (7) of the following sub-rules:

“(1) (a) Any party desiring to amend a pleading or document other than an affidavit, filed in connection with any proceedings, shall notify all other parties of his or her intention to amend and shall furnish the particulars of the amendment.

(b) Unless the court otherwise directs, in actions for divorce or nullity of marriage, where summons had been served personally on the defendant, who remains unrepresented, the notice of amendment in terms of sub-paragraph (a) shall be effected by way of personal service on such defendant by the sheriff.

(7)(a) Unless the court otherwise directs, a party who is entitled to amend shall effect the amendment by delivering each relevant page in its amended form.

(b) Unless the court otherwise directs, in actions for divorce or nullity of marriage, where summons had been served personally on the defendant, who remains unrepresented, the relevant page or pages in an amended form shall be served personally on such defendant by the sheriff.”

**Amendment of rule 56 of the Rules**

20. Rule 56 of the Rules is hereby amended by the substitution for sub-rule (5) of the following sub-rule:

“(5) The security contemplated in subrule ~~[(6)]~~ (4) may be given to abide the result of the action instituted or to be instituted; and may be assigned by the respondent to part only of the order and shall in that event operate to discharge the order as to that part only.”

**Amendment of rule 58 of the Rules**

21. Rule 58 of the Rules is hereby amended by the substitution for sub-rule (1) of the following sub-rule:

“(1) This rule shall apply whenever a spouse seeks relief from the court in respect of one or more of the following matters:

- (a) Maintenance *pendente lite*;
- (b) a contribution towards the costs of a pending matrimonial action;
- (c) interim **[custody]** care of any child; or



(d) interim **[access]** contact [to] with any child.”

#### **Amendment of rule 60 of the Rules**

**22.** Rule 60 of the Rules is hereby amended by the substitution for sub-rule (5) of the following sub-rule:

“(5) (a) Any time limit prescribed by these rules, except the period prescribed in rule 51(3) and (6), may at any time, whether before or after the expiry of the period limited, be extended-

- (i) by the written consent of the opposite party; and
- (ii) if such consent is refused, then by the court on application and on such terms as to costs and otherwise as it may deem fit.

(b) A court granting an extension of the time limit contemplated in subparagraph (a)(ii) after expiry of the time prescribed or fixed may make such order as to it seems appropriate as to the recalling, varying or cancelling of the results of the expiry of any time so prescribed or fixed, whether such results flow from the terms of any order or from these rules.”

#### **Amendment of Annexure 1 of the Rules**

**23.** Annexure 1 of the Rules, containing forms, is hereby amended by the substitution thereof of the following Annexure:

**“ANNEXURE 1****FORMS****NUMERICAL LIST****Form No.**

1. Notice of Motion (Short Form).
- 1A. Notice of Motion (Long Form).
2. Simple Summons.
- 2A. Summons: Provisional Sentence.
- 2B. Combined Summons.
- 2C. Combined Summons: (Divorce Actions).
3. Summons [**commencing action**] (in which is included an automatic rent interdict).
4. Edictal citation/substituted service: short form of process.
5. Request for default judgment.
- 5A. Request for default judgment where the defendant has admitted liability and [**undertook**] undertaken to pay the debt in instalments or otherwise – Section 57 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944).
- 5B. Request for judgment where the defendant has consented to judgment – Section 58 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944).
6. Notice of withdrawal of action/application.
7. Notice of application for summary judgment.
8. Affidavit in support of application for summary judgment.
9. Affidavit under section 32 of the Act.
10. Security under section 32 of the Act.
11. Order under section 32 of the Act.
12. Consent to sale of goods attached under section 32 of the Act.
13. Discovery – form of affidavit.
14. Notice in terms of rule 23(5).
15. Discovery - notice to produce.
- 15A. Discovery – notice to inspect documents.
- 15B. Discovery – notice to produce documents in pleadings, etc.
16. Order for interdict obtained *ex parte*.
17. [**Order for arrest of person *suspectus de fuga***].
18. Order for attachment of property to found or confirm jurisdiction.
19. Direction to attend pre-trial conference.
20. Order - Pre-trial conference.

21. Application for trial with assessors.
22. Summons to assessor.
23. Commissions de *bene esse*.
24. Subpoena.
25. Warrant for payment of fine or arrest of witness in default.
26. Warrant for the arrest of a witness in default.
27. Security on [arrest,] attachment or interdict ex parte.
28. Security when execution is stayed pending appeal.
29. Security when execution is allowed pending appeal.
30. Warrant of ejectment.
31. Warrant for delivery of goods.
32. Warrant of execution against property.
33. Notice of attachment in execution.
34. Notice to preferent creditor [section 66(2) (a) of the Act].
35. Interpleader summons [section 69(1) of the Act].
36. Interpleader summons [section 69(2) of the Act].
37. Security under rule 38.
38. Emoluments attachment order.
39. Garnishee order.
40. Notice to appear in court in terms of section 65A(1) of the Act.
- 40A. Warrant of arrest in terms of section 65A(6) of the Act.
- 40B. Notice to appear in court in terms of section 65A(8) (b) of the Act.
41. Notice of set-down of postponed proceedings under section 65E(3) of the Act.
42. Notice in terms of rule 58(2)(a).
43. Notice to Third Party.
44. Application for an administration order under section 74(1) of the Act.
45. Statement of affairs of debtor in an application for an administration order in terms of section 65I(2) or 74A of the Act.
46. Certificate of service of foreign process.
47. Notice to debtor that an additional creditor has lodged a claim against him or her for a debt owing before the making of the administration order.
48. Notice to debtor that a creditor has lodged a claim for a debt owing after granting of the administration order.
49. Notice to add an additional creditor to the list of creditors of a person under administration.
50. Notice to creditor that his or her name has been added to the list of creditors of a

person under administration.

51. Administration order.
52. Distribution account in terms of section 74J(5) of the Act.
- 52A. Rescission of an administration order.
53. Notice of abandonment of specified claim, exception or defence.
54. Agreement not to appeal.
55. Request to inspect record.
56. Criminal record book.
57. Notice in terms of section 309B(2)(d) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

**No. 1 – Notice of Motion (Short Form)**

**\* For use in the District Court**

IN THE MAGISTRATE’S COURT FOR THE DISTRICT OF  
HELD AT

CASE NO:

In the matter of:

.....

Applicant

TAKE NOTICE that application will be made on behalf of the above-named applicant on the ..... day of ..... at 9:00 or as soon thereafter as **[Counsel]** the parties may be heard for an order in the following terms:

- (a) .....
- (b) .....
- (c) .....

and that the affidavit of ..... annexed hereto will be used in support thereof.

Kindly place the matter on the roll for hearing accordingly.

DATED at .....

.....

Applicant/Applicant's Attorney

(Physical address)

.....

To the Clerk of the above-named Court.

**No. 1 – Notice of Motion (Short Form)**

**\* For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF  
HELD AT

CASE NO:

In the matter of:

.....

Applicant

TAKE NOTICE that application will be made on behalf of the above-named applicant on the ..... day of ..... at 9:00 or as soon thereafter as parties may be heard for an order in the following terms:

- (a) .....
- (b) .....
- (c) .....

and that the affidavit of ..... annexed hereto will be used in support thereof.

Kindly place the matter on the roll for hearing accordingly.

DATED at .....

.....

Applicant/Applicant's Attorney

(Physical address)

.....

To the Registrar of the above-named Court.

**No. 1A – Notice of Motion (Long Form)**

**\* For use in the District Court**

IN THE MAGISTRATE’S COURT FOR THE DISTRICT OF  
HELD AT

CASE NO:

In the matter between:

Applicant

and

Respondent

TAKE NOTICE that ..... (hereinafter called the applicant) intends to make application to this Court for an order (a) ..... (b) ..... (c) ..... (here set forth the form of order prayed) and that the accompanying affidavit of ..... will be used in support thereof.

TAKE NOTICE FURTHER that the applicant has appointed ..... (here set forth an address referred to in rule 55(1)(e)) at which applicant will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that if you intend opposing this application you are required (a) to notify applicant or applicant's attorney in writing on or before the .....

(b) and within 10 days after you have so given notice of your intention to oppose the application, to file your answering affidavits, if any; and further that you are required to appoint in such notification an address referred to in rule 55(1)(g) at which you will accept notice and service of all documents in these proceedings.

If no such notice of intention to oppose be given, the application will be made on the .....at .....(time)

DATED at .....this .....day of .....20.....

.....

Applicant or applicant’s Attorney

(Physical address)

To:

- (1) C.D.
- (Physical address),
- RESPONDENT.

(2) The Clerk of the above Court,

.....

**No. 1A – Notice of Motion (Long Form)**

**\* For use in the Regional Court**

**IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF**

**HELD AT**

**CASE NO:**

**In the matter between:**

**Applicant**

**and**

**Respondent**

**TAKE NOTICE that ..... (hereinafter called the applicant) intends to make application to this Court for an order (a) ..... (b) ..... (c) ..... (here set forth the form of order prayed) and that the accompanying affidavit of ..... will be used in support thereof.**

**TAKE NOTICE FURTHER that the applicant has appointed ..... (here set forth an address referred to in rule 55(1)(e)) at which applicant will accept notice and service of all process in these proceedings.**

**TAKE NOTICE FURTHER that if you intend opposing this application you are required (a) to notify applicant or applicant's attorney in writing on or before the ..... (b) and within 10 days after you have so given notice of your intention to oppose the application, to file your answering affidavits, if any; and further that you are required to appoint in such notification an address referred to in rule 55(1)(g) at which you will accept notice and service of all documents in these proceedings.**

**If no such notice of intention to oppose be given, the application will be made on the ..... at .....(time)**

**DATED at .....this .....day of .....20.....**

\_\_\_\_\_

.....

**Applicant or applicant's Attorney**

**(Physical address)**

**To:**

\_\_\_\_\_ (1) C.D.

\_\_\_\_\_ (Physical address),

\_\_\_\_\_ RESPONDENT.

\_\_\_\_\_ (2) The Registrar of the above Court,

.....

**No. 2 – Simple Summons**

(Claim in respect of debt or liquidated demand)

**\* For use in the District Court**

IN THE MAGISTRATE’S COURT FOR THE DISTRICT OF

Held at

Case No.....

In the matter between:

.....

Plaintiff

and

.....

Defendant

To the sheriff or his/her deputy:

INFORM A.B., of ..... **[(state sex and occupation)]**  
**(state residence or place of business and if known, gender, occupation and place of**  
**employment) .....**(hereinafter called the defendant), that C.D., **[of.....,(state**  
**sex and occupation)]** (state gender and occupation), of ..... (state  
**residence or place of business) .....** (hereinafter called the plaintiff), hereby  
institutes action against him or her in which action the plaintiff claims:

(Here set out in concise terms plaintiff’s cause of action)

INFORM the defendant further that if defendant disputes the claim and wishes to defend the action he or she shall within .....days of the service upon him or her of this summons file with the clerk of this court at .....(here set out the physical address of the clerk of the court’s office) notice of his or her intention to defend and serve a copy thereof on the plaintiff or plaintiff’s attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action.

INFORM the defendant further that if he or she fails to file and serve notice as aforesaid, judgment as claimed may be given against him or her without further notice to him or her.

And immediately thereafter serve on the defendant a copy of this summons and return the same to the clerk of the court with whatsoever you have done thereupon.

DATED at .....this .....day of .....20....

.....

Clerk of the Court

.....

Plaintiff/Plaintiff’s Attorney

(15 km Physical Address)

.....

Postal Address



.....  
Facsimile number

.....  
Electronic Mail Address

.....  
\*The plaintiff is prepared to accept all subsequent documents and notices at the facsimile/electronic mail address stated herein.

Defendant must take notice that-

(a) in default of defendant paying the amount of the claim and costs within the said period, or of defendant delivering a notice of intention to defend, he or she will be held to have admitted the said claim and the plaintiff may proceed therein and judgment may be given against defendant in his or her absence;

(b) if defendant pays the said claim and costs within the said period judgment will not be given against defendant herein and he or she will save judgment charges. Defendant will also save judgment charges if, within the said period, he or she lodges with the clerk of the aforesaid Court a consent to judgment;

(c) if defendant admits the claim and wishes to consent to judgment or **[wish]** wishes to undertake to pay the claim in instalments or otherwise, defendant may approach the plaintiff or plaintiff's attorney.

Notice:

(i) Any person against whom a court has, in a civil case, given judgment or made any order who has not, within 10 days, satisfied in full such judgment or order may be called upon by notice in terms of section 65A(1) of the Act to appear on a specified date before the court in chambers to enable the court to **[inquire]** enquire into the financial position of the judgment debtor and to make such order as the court may deem just and equitable.

(ii) If the court is satisfied that-

(aa) the judgment debtor or, if the judgment debtor is a juristic person, a director or officer of the juristic person has knowledge of the abovementioned notice and that he or she has failed to appear before the court on the date and at the time specified in the notice; or

(bb) the judgment debtor, director or officer, where the proceedings were postponed in his or her presence to a date and time determined by the court, has failed to appear before the court on that date and at that time; or

(cc) the judgment debtor, director or officer has failed to remain in attendance at the proceedings or at the proceedings so postponed,

the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest the said judgment debtor, director or officer and to bring him or her before a competent court to enable that court to conduct a financial inquiry. [Section 65A(6) of the Act]

(iii) Any person who-

(aa) is called upon to appear before a court under a notice in terms of section 65A(1) or 65A(8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice to appear in court) and who wilfully fails to appear before the court on the date and at the time specified in the notice; or

(bb) where the proceedings were postponed in his or her presence to a date and time determined by the court, wilfully fails to appear before the court on that date and at that time; or

(cc) wilfully fails to remain in attendance at the relevant proceedings or at the proceedings so postponed,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act]

(iv) On appearing before the court on the date determined in the notice in terms of section 65A(1) or (8)(b) of the Act in pursuance of the arrest of the judgment debtor, director or officer under a warrant referred to in section 65A(6) of the Act or on any date to which the proceedings have been postponed, such judgment debtor, director or officer shall be called upon to give evidence on his or her financial position or that of the juristic person and his or her or its ability to pay the judgment debt. [Section 65D of the Act]

(v) Any person against whom a court has, in a civil case, given any judgment or made any order who has not satisfied in full such judgment or order and paid all costs for which he or she is liable in connection therewith shall, if he or she has changed his or her place of residence, business or employment, within 14 days from the date of every such change notify the clerk of the court who gave such judgment or made such order and the judgment creditor or his or her attorney fully and correctly in writing of his or her new place of residence, business or employment, and by his or her failure to do so such judgment debtor shall be guilty of an offence and liable upon conviction to a fine or imprisonment for a period not exceeding three months. [Section 109 of the Act)]

**[(2)] (1) Consent to judgment.**

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R..... and costs to date) and I consent to judgment accordingly.

Dated at ..... this ..... day of ....., 20.....,

.....

Defendant

**WITNESSES:**

- 1. (full names)....., (signature).....  
(address).....
- 2. (full names)....., (signature).....  
(address).....

OR

\*[(3)] (2) Notice of intention to defend.

To the Clerk of the Court.

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at ..... this ..... day of .....,  
20.....,

.....

Defendant/Defendant's attorney

Address

.....  
.....

Postal address

.....

Facsimile (fax) number (where available).....

Electronic mail (e-mail) address (where available).....

(Give full address for acceptance of service of process or documents within 15 kilometres from the issuing Court-house and also the postal address.)

\* The original notice must be filed with the clerk of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

Costs if the action is undefended will be as follows:

- Summons.....R
- Judgment.....R
- Attorney's charges.....R
- Sheriff's fees.....R
- Sheriff's fees on re-issue.....R
- Total:.....R

**No. 2 – Simple Summons**

(Claim in respect of debt or liquidated demand)

**\* For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

Held at

Case No.....

In the matter between:

.....

Plaintiff

and

.....

Defendant

To the sheriff or his/her deputy:

INFORM A.B., of ..... (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant), that C.D., (state gender and occupation), of ..... (state residence or place of business) ..... (hereinafter called the plaintiff), hereby institutes action against him or her in which action the plaintiff claims:

(Here set out in concise terms plaintiff's cause of action)

INFORM the defendant further that if defendant disputes the claim and wishes to defend the action he or she shall within .....days of the service upon him or her of this summons file with the registrar of this court at .....(here set out the physical address of the registrar's office) notice of his or her intention to defend and serve a copy thereof on the plaintiff or plaintiff's attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action.

INFORM the defendant further that if he or she fails to file and serve notice as aforesaid, judgment as claimed may be given against him or her without further notice to him or her.

And immediately thereafter serve on the defendant a copy of this summons and return the same to the registrar of the court with whatsoever you have done thereupon.

DATED at .....this .....day of .....20....

.....

Registrar

.....

Plaintiff/Plaintiff's Attorney

(15 km Physical Address)

.....

Postal Address

.....

Facsimile number

.....

Electronic Mail Address

.....

\*The plaintiff is prepared to accept all subsequent documents and notices at the facsimile/electronic mail address stated herein.

.....  
.....  
Defendant must take notice that-

(a) in default of defendant paying the amount of the claim and costs within the said period or of defendant delivering a notice of intention to defend he or she will be held to have admitted the said claim and the plaintiff may proceed therein and judgment may be given against defendant in his or her absence;

(b) if defendant pays the said claim and costs within the said period judgment will not be given against defendant herein and he or she will save judgment charges. Defendant will also save judgment charges if, within the said period, he or she lodges with the registrar of the aforesaid Court a consent to judgment;

(c) if defendant admits the claim and wishes to consent to judgment or wishes to undertake to pay the claim in instalments or otherwise, defendant may approach the plaintiff or plaintiff's attorney.

Notice:

(i) Any person against whom a court has, in a civil case, given judgment or made any order who has not, within 10 days, satisfied in full such judgment or order may be called upon by notice in terms of section 65A(1) of the Act to appear on a specified date before the court in chambers to enable the court to enquire into the financial position of the judgment debtor and to make such order as the court may deem just and equitable.

(ii) If the court is satisfied that-

(aa) the judgment debtor or, if the judgment debtor is a juristic person, a director or officer of the juristic person has knowledge of the abovementioned notice and that he or she has failed to appear before the court on the date and at the time specified in the notice; or

(bb) the judgment debtor, director or officer, where the proceedings were postponed in his or her presence to a date and time determined by the court, has failed to appear before the court on that date and at that time; or

(cc) the judgment debtor, director or officer has failed to remain in attendance at the proceedings or at the proceedings so postponed,

the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest the said judgment debtor, director or officer and to bring him or her before a competent court to enable that court to conduct a financial inquiry. [Section 65A(6) of the Act]

(iii) Any person who-

(aa) is called upon to appear before a court under a notice in terms of section 65A(1) or 65A(8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice to appear in court) and who wilfully fails to appear before the court on the date and at the time specified in the notice; or

(bb) where the proceedings were postponed in his or her presence to a date and time determined by the court, wilfully fails to appear before the court on that date and at that time; or

(cc) wilfully fails to remain in attendance at the relevant proceedings or at the proceedings so postponed, shall be guilty of an offence and liable

on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act]

(iv) On appearing before the court on the date determined in the notice in terms of section 65A(1) or (8)(b) of the Act in pursuance of the arrest of the judgment debtor, director or officer under a warrant referred to in section 65A(6) of the Act or on any date to which the proceedings have been postponed, such judgment debtor, director or officer shall be called upon to give evidence on his or her financial position or that of the juristic person and his or her or its ability to pay the judgment debt. [Section 65D of the Act]

(v) Any person against whom a court has, in a civil case, given any judgment or made any order who has not satisfied in full such judgment or order and paid all costs for which he or she is liable in connection therewith shall, if he or she has changed his or her place of residence, business or employment, within 14 days from the date of every such change notify the registrar of the court who gave such judgment or made such order and the judgment creditor or his or her attorney fully and correctly in writing of his or her new place of residence, business or employment, and by his or her failure to do so such judgment debtor shall be guilty of an offence and liable upon conviction to a fine or imprisonment for a period not exceeding three months. [Section 109 of the Act]

(1) Consent to judgment.

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R..... and costs to date) and I consent to judgment accordingly.

Dated at ..... this ..... day of ....., 20.....  
.....

Defendant

WITNESSES:

- 1. (full names)....., (signature).....  
(address).....
- 2. (full names)....., (signature).....  
(address).....

OR

\*(2) Notice of intention to defend.

To the Registrar.

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at ..... this ..... day of ....., 20.....  
.....

Defendant/Defendant's attorney

Address  
.....

Postal address .....

Facsimile (fax) number (where available).....

Electronic mail (e-mail) address (where available).....

(Give full address for acceptance of service of process or documents within 15 kilometres from the issuing Court-house and also the postal address.)

\* The original notice must be filed with the registrar of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

Costs if the action is undefended will be as follows:

Summons.....R

Judgment.....R

Attorney's charges.....R

Sheriff's fees..... R

Sheriff's fees on re-issue.....R

Total:.....R

**No. 2A - Summons: Provisional Sentence**

\* For use in the District Court

In the Magistrate's Court for the District of .....

held at .....

Case No.....

In the matter between

.....Plaintiff

and

.....Defendant

To the sheriff or his/her deputy:

INFORM A.B., of ..... (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant), that C.D. (state gender and occupation), of ..... (residence or place of business) ..... (hereinafter called the plaintiff), hereby institutes action against him or her in which action:

(1) Defendant is hereby summoned to pay to the plaintiff herein immediately after service of this summons an amount of ..... together with interest thereon at the rate of .....% per annum as from .....

Plaintiff's claim against defendant for payment of the above-mentioned amount is for:  
(set out the cause of action)

.....  
.....

and a copy of which document is annexed hereto;

(2) By failing such payment, defendant is hereby called upon to appear before this court personally or by a practitioner at ..... (place and court if necessary) on the ..... day of ..... 20..... at ..... (time) in the forenoon (or as soon thereafter as the matter can be heard) to admit or deny defendant's liability for the said claim and to state why the mortgaged property should not be declared executable;

(3) If defendant denies liability for the claim, defendant shall not later than the ..... day of ..... 20....., file an affidavit with the clerk of this court, and serve a copy thereof on the plaintiff or plaintiff's attorney at the address indicated for service on the summons, which affidavit shall set forth the grounds of defendant's defence to the said claim, and in particular state whether defendant admits or denies defendant's or defendant's agent's signature which appears on the said ..... and if it is defendant's agent's signature whether defendant admits or denies the signature or authority of defendant's agent.

Defendant is further informed that in the event of defendant not paying the amount and interest above-mentioned to the plaintiff immediately and if defendant further fails to file an affidavit as aforesaid, and to appear before this court at the time above stated, provisional sentence may be granted against defendant with costs, but that against payment of the said amount, interest and costs, defendant will be entitled to demand security for the restitution thereof if the said sentence should thereafter be reversed.

DATED at .....this .....day of .....20....

.....  
Clerk of the Court

.....  
Plaintiff/Plaintiff's Attorney  
(15 km Physical Address)

.....  
Postal Address

.....  
Facsimile number

.....  
Electronic Mail Address  
.....



\*The plaintiff is prepared to accept all subsequent documents and notices at the electronic mail address stated herein.

Costs, if the action is undefended, will be as follows:

Attorney's charges

(i) Issue of summons

(Item 2 of Part II of Table A) R .....

(ii) Attending court

(Item 7 of Part II of Table A) R .....

(iii) Judgment fees

(Item 3 of Part II of Table A) R .....

Court fees R .....

Sheriff's fees R .....

Sheriff's fees on re-issue of summons R .....

Total R .....

And take notice that-

(a) if defendant pays the said claim and costs immediately judgment will not be given against defendant herein and defendant will save judgment charges;

(b) if defendant admits the claim and wishes to consent to judgment, defendant may file with the clerk of the court an admission of liability signed by defendant and witnessed by defendant's attorney, or otherwise verified by affidavit, and if defendant wishes to undertake to pay the claim in instalments or otherwise, defendant may approach the plaintiff or plaintiff's attorney.

Notice:

(i) Any person against whom a court has, in a civil case, given judgment or made any order who has not, within 10 days, satisfied in full such judgment or order may be called upon by notice in terms of section 65A(1) of the Act to appear on a specified date before the court in chambers to enable the court to **[inquire] enquire** into the financial position of the judgment debtor and to make such order as the court may deem just and equitable.

(ii) If the court is satisfied that-

(aa) the judgment debtor or, if the judgment debtor is a juristic person, a director or officer of the juristic person has knowledge of the abovementioned notice and that he or she has failed to appear before the court on the date and at the time specified in the notice; or

(bb) the judgment debtor, director or officer, where the proceedings were postponed in his or her presence to a date and time determined by the court, has failed to appear before the court on that date and at that time; or

(cc) the judgment debtor, director or officer has failed to remain in attendance at the proceedings or at the proceedings so postponed,

the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest the said judgment debtor, director or officer and to bring him or her before a competent court to enable that court to conduct a financial inquiry. [Section 65A(6) of the Act]

(iii) Any person who-

(aa) is called upon to appear before a court under a notice in terms of section 65A(1) or (8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice to appear in court) and who wilfully fails to appear before the court on the date and at the time specified in the notice; or

(bb) where the proceedings were postponed in his or her presence to a date and time determined by the court, wilfully fails to appear before the court on that date and at that time; or

(cc) wilfully fails to remain in attendance at the proceedings or at the proceedings so postponed,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act]

(iv) On appearing before the court on the date determined in the notice in terms of section 65A(1) or (8)(b) of the Act in pursuance of the arrest of the judgment debtor, director or officer under a warrant referred to in section 65A(6) of the Act or on any date to which the proceedings have been postponed, such judgment debtor, director or officer shall be called upon to give evidence on his or her financial position or that of the juristic person and his or her or its ability to pay the judgment debt. [Section 65D of the Act]

**[(iv)] (v)** Any person against whom a court has, in a civil case, given any judgment or made any order who has not satisfied in full such judgment or order and paid all costs for which he or she is liable in connection therewith shall, if he or she has changed his or her place of residence, business or employment, within 14 days from the date of every such change notify the clerk of the court who gave such judgment or made such order and the judgment creditor or his or her attorney fully and correctly in writing of his or her new place of residence, business or employment, and by his or her failure to do so such judgment debtor shall be guilty of an offence and liable upon conviction to a fine or to imprisonment for a period not exceeding three months. [Section 109 of the Act.]

**[2]1: Admission of liability**

Kindly take notice that the defendant admits liability to the plaintiff as claimed in this summons.

Dated at ..... this ..... day of ....., 20.....,  
.....

Defendant

(Must be witnessed by defendant's attorney or otherwise verified by affidavit)

OR

**[3]2: Notice of intention to defend\***

To: THE CLERK OF THE COURT

Kindly take notice that the defendant denies liability and that defendant's affidavit setting forth the grounds upon which defendant disputes liability is attached hereto.

Dated at ..... this ..... day of ....., 20.....,

.....

Defendant/Defendant's attorney

.....  
.....

(15 km physical address where service of process and documents shall be accepted)

.....  
.....  
.....

(Postal address)

\* The original notice and affidavit must be filed with the clerk of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

**No. 2A - Summons: Provisional Sentence**

**\* For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

Held at.

Case No.....

In the matter between

.....Plaintiff

and

.....Defendant

To the sheriff or his/her deputy:

INFORM A.B., of ..... (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant), that C.D. (state gender and occupation), of ..... (residence or place of business) ..... (hereinafter called the plaintiff), hereby institutes action against him or her in which action the plaintiff claims:

\_\_\_\_\_

(1) Defendant is hereby summoned to pay to the plaintiff herein immediately after service of this summons an amount of ..... together with interest

thereon at the rate of .....% per annum as from  
.....

Plaintiff's claim against defendant for payment of the above-mentioned amount is for:  
(set out the cause of action)

.....  
and a copy of which document is annexed hereto;

(2) By failing such payment, defendant is hereby called upon to appear before this court personally or by a practitioner at ..... (place and court if necessary) on the ..... day of ..... 20..... at ..... (time) in the forenoon (or as soon thereafter as the matter can be heard) to admit or deny defendant's liability for the said claim and to state why the mortgaged property should not be declared executable;

(3) If defendant denies liability for the claim, defendant shall not later than the ..... day of ..... 20....., file an affidavit with the registrar of this court, and serve a copy thereof on the plaintiff or plaintiff's attorney at the address indicated for service on the summons, which affidavit shall set forth the grounds of defendant's defence to the said claim, and in particular state whether defendant admits or denies defendant's or defendant's agent's signature which appears on the said ..... and if it is defendant's agent's signature whether defendant admits or denies the signature or authority of defendant's agent.

Defendant is further informed that in the event of defendant not paying the amount and interest above-mentioned to the plaintiff immediately and if defendant further fails to file an affidavit as aforesaid, and to appear before this court at the time above stated, provisional sentence may be granted against defendant with costs, but that against payment of the said amount, interest and costs, defendant will be entitled to demand security for the restitution thereof if the said sentence should thereafter be reversed.

DATED at .....this .....day of .....20....

.....  
Registrar of the Regional Court

.....  
Plaintiff/Plaintiff's Attorney

(15 km Physical Address)  
.....

Postal Address  
.....

Facsimile number  
.....

Electronic Mail Address  
.....

\*The plaintiff is prepared to accept all subsequent documents and notices at the electronic mail address stated herein.

Costs, if the action is undefended, will be as follows:

Attorney's charges

(i) Issue of summons

(Item 2 of Part II of Table A) R .....

(ii) Attending court

(Item 7 of Part II of Table A) R .....

(iii) Judgment fees

(Item 3 of Part II of Table A) R .....

Court fees R .....

Sheriff's fees R .....

Sheriff's fees on re-issue of summons R .....

Total R .....

And take notice that-

(a) if defendant pays the said claim and costs immediately judgment will not be given against defendant herein and defendant will save judgment charges;

\_\_\_\_\_

(b) if defendant admits the claim and wishes to consent to judgment, defendant may file with the registrar of the court an admission of liability signed by defendant and witnessed by defendant's attorney, or otherwise verified by affidavit, and if defendant wishes to undertake to pay the claim in instalments or otherwise, defendant may approach the plaintiff or plaintiff's attorney.

Notice:

(i) Any person against whom a court has, in a civil case, given judgment or made any order who has not, within 10 days, satisfied in full such judgment or order may be called upon by notice in terms of section 65A(1) of the Act to appear on a specified date before the court in chambers to enable the court to inquire into the financial position of the judgment debtor and to make such order as the court may deem just and equitable.

(ii) If the court is satisfied that-

(aa) the judgment debtor or, if the judgment debtor is a juristic person, a director or officer of the juristic person has knowledge of the abovementioned notice and that he or she has failed to appear before the court on the date and at the time specified in the notice; or

(bb) the judgment debtor, director or officer, where the proceedings were postponed in his or her presence to a date and time determined by the court, has failed to appear before the court on that date and at that time; or

\_\_\_\_\_ (cc) the judgment debtor, director or officer has failed to remain in attendance at the proceedings or at the proceedings so postponed, \_\_\_\_\_

\_\_\_\_\_ the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest the said judgment debtor, director or officer and to bring him or her before the court to enable that court to conduct a financial inquiry. [Section 65A(6) of the Act] \_\_\_\_\_

(iii) Any person who- \_\_\_\_\_

(aa) is called upon to appear before a court under a notice in terms of section 65A(1) or (8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice to appear in court) and who wilfully fails to appear before the court on the date and at the time specified in the notice; or \_\_\_\_\_

(bb) where the proceedings were postponed in his or her presence to a date and time determined by the court, wilfully fails to appear before the court on that date and at that time; or \_\_\_\_\_

(cc) wilfully fails to remain in attendance at the proceedings or at the proceedings so postponed, \_\_\_\_\_

\_\_\_\_\_ shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act] \_\_\_\_\_

(iv) On appearing before the court on the date determined in the notice in terms of section 65A(1) or (8)(b) of the Act in pursuance of the arrest of the judgment debtor, director or officer under a warrant referred to in section 65A(6) of the Act or on any date to which the proceedings have been postponed, such judgment debtor, director or officer shall be called upon to give evidence on his or her financial position or that of the juristic person and his or her or its ability to pay the judgment debt. [Section 65D of the Act] \_\_\_\_\_

(v) Any person against whom a court has, in a civil case, given any judgment or made any order who has not satisfied in full such judgment or order and paid all costs for which he or she is liable in connection therewith shall, if he or she has changed his or her place of residence, business or employment, within 14 days from the date of every such change notify the registrar of the court who gave such judgment or made such order and the judgment creditor or his or her attorney fully and correctly in writing of his or her new place of residence, business or employment, and by his or her failure to do so such judgment debtor shall be guilty of an offence and liable upon conviction to a fine or to imprisonment for a period not exceeding three months. [Section 109 of the Act.]

1: Admission of liability

Kindly take notice that the defendant admits liability to the plaintiff as claimed in this summons.

Dated at ..... this ..... day of ....., 20.....,  
.....

Defendant

(Must be witnessed by defendant's attorney or otherwise verified by affidavit)

OR

2: Notice of intention to defend\*

To: THE REGISTRAR

Kindly take notice that the defendant denies liability and that defendant's affidavit setting forth the grounds upon which defendant disputes liability is attached hereto.

Dated at ..... this ..... day of ....., 20.....,

.....  
Defendant/Defendant's attorney

(15 km physical address where service of process and documents shall be accepted)

(Postal address)

\* The original notice and affidavit must be filed with the registrar of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

**No. 2B – Combined Summons**

**\* For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF  
HELD AT

Case No.....

In the matter between:

.....

Plaintiff

and

.....

Defendant

To the sheriff or his/her deputy:

INFORM A.B., of ..... **[(state sex and occupation)]** (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant), that C.D., **[of.....,(state sex and occupation)]** (state gender and occupation), of ..... (state residence or place of business) ..... (hereinafter called the plaintiff), hereby institutes action against him or her in which action the plaintiff claims the relief and on the grounds set out in the particulars annexed hereto.

INFORM the defendant further that if he or she disputes the claim and wishes to defend the action he or she shall-

(i) within ..... days of the service upon him or her of this summons file with the clerk of this court at .....(set out the physical address of the clerk of the court) notice of his or her intention to defend and serve a copy thereof on the plaintiff or plaintiff's attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action;

(ii) thereafter, and within 20 days after filing and serving notice of intention to defend as aforesaid, file with the clerk of the court and serve upon the plaintiff or plaintiff's attorney a plea, exception, notice to strike out, with or without a counter-claim.

INFORM the defendant further that if defendant fails to file and serve notice as aforesaid judgment as claimed may be given against him or her without further notice to him or her, or if, having filed and served such notice, defendant fails to plead, except, make application to strike out or counter-claim, judgment may be given against him or her. And immediately thereafter serve on the defendant a copy of this summons and return the same to the clerk of the court with whatsoever you have done thereupon.

DATED at .....this .....day of .....20.....

.....

Clerk of the Court

\* Consent to judgment. \_\_\_\_\_

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R..... and costs to date) and I consent to judgment accordingly.

Dated at ..... this ..... day of ..... 20.....,

.....

Defendant

WITNESSES:

1. (full names)....., (signature).....  
(address).....

2. (full names)....., (signature).....  
(address).....

OR

\* Notice of intention to defend.

To the Clerk of the Court.

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at ..... this ..... day of ..... 20.....,

.....

Defendant/Defendant's attorney

**[Address]** 15 km physical address from the Court-house for acceptance of service of process or documents

.....



Postal address

.....

Facsimile (fax) number (where available).....

Electronic mail (e-mail) address (where available).....

(Give full address for acceptance of service of process or documents within fifteen kilometres from the Court-house and also the postal address.)

\* The original notice must be filed with the clerk of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

Costs if the action is undefended will be as follows:

Summons.....R

Judgment.....R

Attorney's charges.....R

Sheriff's fees.....R

Sheriff's fees on re-issue.....R

Total:.....R

**ANNEXURE**

Particulars of Plaintiff's Claim

.....

Dated at.....this.....day of.....20.....

.....

Plaintiff/Plaintiff's Attorney

Address of Plaintiff/Plaintiff's Attorney

.....

.....

Plaintiff's Advocate (if any)

**No. 2B – Combined Summons**

**\* For use in the Regional Court**

**IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF**

**HELD AT**

Case No.....

In the matter between:

.....

Plaintiff

and

.....

Defendant

To the sheriff or his/her deputy:

INFORM A.B., of ..... (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant), that C.D. (state gender and occupation), of ..... (residence or place of business) ..... (hereinafter called the plaintiff), hereby institutes action against him or her in which action the plaintiff claims the relief and on the grounds set out in the particulars annexed hereto

INFORM the defendant further that if he or she disputes the claim and wishes to defend the action he or she shall-

(i) within ..... days of the service upon him or her of this summons file with the registrar of this court at .....(set out the physical address of the registrar of the court) notice of his or her intention to defend and serve a copy thereof on the plaintiff or plaintiff's attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action;

(ii) thereafter, and within 20 days after filing and serving notice of intention to defend as aforesaid, file with the registrar of the court and serve upon the plaintiff or plaintiff's attorney a plea, exception, notice to strike out, with or without a counter-claim.

INFORM the defendant further that if defendant fails to file and serve notice as aforesaid judgment as claimed may be given against him or her without further notice to him or her, or if, having filed and served such notice, defendant fails to plead, except, make application to strike out or counter-claim, judgment may be given against him or her. And immediately thereafter serve on the defendant a copy of this summons and return the same to the registrar of the court with whatsoever you have done thereupon.

DATED at .....this .....day of .....20.....  
.....

Registrar

\* Consent to judgment. \_\_\_\_\_

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R..... and costs to date) and I consent to judgment accordingly. \_\_\_\_\_

Dated at ..... this ..... day of ..... 20....., \_\_\_\_\_  
.....

Defendant \_\_\_\_\_

WITNESSES:

1. (full names)....., (signature).....

(address).....

2. (full names)....., (signature).....

(address).....

OR

\* Notice of intention to defend.

To the Registrar. \_\_\_\_\_

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at ..... this ..... day of ....., 20.....,

.....

Defendant/Defendant's attorney \_\_\_\_\_

15 km physical address from the Court-house for acceptance of service of process or documents

.....

Postal address

.....

Facsimile (fax) number (where available).....

Electronic mail (e-mail) address (where available).....

(Give full address for acceptance of service of process or documents within fifteen kilometres from the Court-house and also the postal address.) \_\_\_\_\_

\* The original notice must be filed with the registrar of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

Costs if the action is undefended will be as follows:

Summons.....R

Judgment.....R

Attorney's charges.....R

Sheriff's fees.....R

Sheriff's fees on re-issue.....R

Total:.....R

ANNEXURE

Particulars of Plaintiff's Claim

.....

Dated at ..... this ..... day of.....20.....

.....

Plaintiff/Plaintiff's Attorney \_\_\_\_\_

Address of Plaintiff/Plaintiff's Attorney

.....

.....

Plaintiff's Advocate (if any) \_\_\_\_\_

**No. 2C – COMBINED SUMMONS (DIVORCE MATTERS)****\* For use only in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

\_\_\_\_\_

HELD AT \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

IN THE MATTER BETWEEN:- \_\_\_\_\_

\_\_\_\_\_

PLAINTIFF

Identity Number: \_\_\_\_\_

AND

\_\_\_\_\_

DEFENDANT

Identity Number: \_\_\_\_\_

TO THE SHERIFF OR HIS/HER DEPUTY: \_\_\_\_\_

INFORM (Full names of the Defendant): \_\_\_\_\_

A MAJOR MALE/FEMALE BY OCCUPATION: \_\_\_\_\_ OF

(Address): \_\_\_\_\_

(Hereinafter referred to as the defendant),

THAT (full names of the Plaintiff): \_\_\_\_\_

A MAJOR MALE/FEMALE BY OCCUPATION: \_\_\_\_\_ OF

(Address): \_\_\_\_\_

(Hereinafter referred to as the Plaintiff),

HEREBY institutes action against him/her in which action the Plaintiff claims the relief on the grounds set out in the particulars of claim attached hereto;

INFORM the defendant further that if defendant disputes the claim and wishes to defend the action he/she

shall within 10 (Ten) days of the service upon him or her of this summons file with the registrar of this court at \_\_\_\_\_ (here set out the address of the assistant registrar's office) notice of his/her intention to defend and serve a copy thereof on the plaintiff or plaintiff's attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action;

thereafter, and within 20 (Twenty) days after filing and serving notice of intention to defend as aforesaid, file with the assistant registrar and serve upon the plaintiff or plaintiff's attorney a plea, exception, notice to strike out, with or without a counter-claim.

INFORM the defendant further that if he/she fails to file and serve notice as aforesaid, judgment as claimed may be given against him/her without further notice to him/her, or if, having filed and served such notice, he/she fails to plead, except or to counterclaim, judgment may be given against him/her.

INFORM the defendant also that if he/she does not intend to defend the action, he/she may give written notice to that effect to the plaintiff and the registrar and the action may then, at the written request of the plaintiff, be forthwith set down by the registrar for hearing without further notice to defendant.

And immediately thereafter serve on the defendant a copy of this summons and return the same to the registrar or assistant registrar with whatsoever you have done thereupon.

DATED AT \_\_\_\_\_ ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
REGISTRAR/ASSISTANT REGISTRAR

REGIONAL COURT

REGIONAL DIVISION OF  
 \_\_\_\_\_

\_\_\_\_\_  
PLAINTIFF/PLAINTIFF'S ATTORNEY

Address  
 \_\_\_\_\_  
 \_\_\_\_\_

Postal address  
 \_\_\_\_\_  
 \_\_\_\_\_

Facsimile (fax) number (where available)  
 \_\_\_\_\_

Electronic mail (e-mail) address (where available)  
 \_\_\_\_\_

(Give full address for acceptance of service of process or documents within 15 kilometres from the Court-house and also the postal address.)

The plaintiff is prepared to accept all subsequent documents and notices at the electronic mail address stated herein.\*\*

**(1) Notice of intention not to Defend**

To the Registrar

Kindly take notice that the defendant hereby gives notice that he/she does not intend to defend the action.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_  
 \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Defendant/Defendant's attorney

OR

**(2) Notice of intention to Defend\***

To the Registrar

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at ..... this ..... day of ....., 20 .....

.....

Defendant/Defendant's attorney

Address

.....

Postal address

.....

Facsimile (fax) number (where available)

.....

Electronic mail (e-mail) address (where available)

.....

(Give full address for acceptance of service of process or documents within 15 kilometres from the Court-house and also the postal address.)

Costs if the action is undefended will be as follows:

<u>Summons.....</u>	<u>R</u>
<u>Judgment.....</u>	<u>R</u>
<u>Attorney's charges.....</u>	<u>R</u>
<u>Sheriff's fees.....</u>	<u>R</u>
<u>Sheriff's fees on re-issue.....</u>	<u>R</u>
<u>Total: .....</u>	<u>R</u>

\*The original notice must be filed with the registrar and a copy thereof served on the plaintiff or plaintiff's attorney.

\*\* Delete if not applicable

**No. 3 – Summons [commencing action] (in which is included an automatic rent interdict)**

**\* For use in the District Court**

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF**

**HELD AT**

**Case No.....**

**In the matter between:**

.....

Plaintiff

and

.....

Defendant

To: ..... of ..... (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant).

You are hereby summoned that you do within ..... days of the service of this summons deliver or cause to be delivered to the clerk of the aforesaid court and also the plaintiff or plaintiff's attorney, at the address specified herein, a notice in writing of your intention to defend this action and answer the claim of ..... (state gender and occupation), of ..... (residence or place of business) ..... (hereinafter called the plaintiff), particulars whereof are endorsed hereunder.

And take notice that-

- (a) in default of your paying the amount of the claim and costs within the said period or of your delivering a notice of intention to defend you will be held to have admitted the said claim and the plaintiff may proceed therein and judgment may be given against you in your absence;
- (b) if you pay the said claim and costs within the said period judgment will not be given against you herein and you will save judgment charges. You will also save judgment charges if, within the said period, you lodge with the clerk of the aforesaid court a consent to judgment;
- (c) if you admit the claim and wish to consent to judgment or wish to undertake to pay the claim in instalments or otherwise, you may approach the plaintiff or plaintiff's attorney.

And further take notice that you, the defendant, and all other persons are hereby interdicted from removing or causing or suffering to be removed any of the furniture or effects in or on the premises described in the particulars of claim endorsed hereon which are subject to the plaintiff's hypothec for rent until an order relative thereto shall have been made by the court.

Costs, if the action is undefended, will be as follows:

Summons.....	R
Judgment.....	R
Attorney's charges .....	R
Sheriff's fees .....	R
Sheriff's fees on re-issue .....	R
Totals R .....	R .....
Total	R .....

Notice:

- (i) Any person against whom a court has, in a civil case, given judgment or made any order who has not, within 10 days, satisfied in full such judgment or order may be called upon by notice in terms of section 65A(1) of the Act to appear on

a specified date before the court in chambers to enable the court to **[inquire]** enquire into the financial position of the judgment debtor and to make such order as the court may deem just and equitable.

(ii) If the court is satisfied that-

(aa) the judgment debtor or, if the judgment debtor is a juristic person, a director or officer of the juristic person has knowledge of the abovementioned notice and that he or she has failed to appear before the court on the date and at the time specified in the notice; or

(bb) the judgment debtor, director or officer, where the proceedings were postponed in his or her presence to a date and time determined by the court, has failed to appear before the court on that date and at that time; or

(cc) the judgment debtor, director or officer has failed to remain in attendance at the proceedings or at the proceedings so postponed,

the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest the said judgment debtor, director or officer and to bring him or her before a competent court to enable that court to conduct a financial inquiry. [Section 65A(6) of the Act]

(iii) Any person who-

(aa) is called upon to appear before a court under a notice in terms of section 65A(1) or 65A(8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice to appear in court) and who wilfully fails to appear before the court on the date and at the time specified in the notice; or

(bb) where the proceedings were postponed in his or her presence to a date and time determined by the court, wilfully fails to appear before the court on that date and at that time; or

(cc) wilfully fails to remain in attendance at the relevant proceedings or at the proceedings so postponed,

shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act]

(iv) On appearing before the court on the date determined in the

notice in terms of section 65A(1) or (8)(b) of the Act in pursuance of the arrest of the judgment debtor, director or officer under a warrant referred to in section 65A(6) of the Act or on any date to which the proceedings have been postponed, such judgment debtor, director or officer shall be called upon to give evidence on his or her financial position or that of the juristic person and his or her or its ability to pay the judgment debt. [Section 65D of the Act]

(v) Any person against whom a court has, in a civil case, given any judgment or made any order who has not satisfied in full such judgment or order and paid all costs for which he or she is liable in connection therewith shall, if he or she has changed his or her place of residence, business or employment, within 14 days from the date of every such change notify the clerk of the court who gave such judgment or made such order and the judgment creditor or his or her attorney fully and correctly in writing of his or her new place of residence, business or employment, and by his or her failure to do so such judgment debtor shall be guilty of an offence and liable upon conviction to a fine or imprisonment for a period not exceeding three months. [Section 109 of the Act]



(1) Particulars of claim.

Plaintiff's claim is-

(i) for arrears of rent due in respect of the defendant's tenancy of ..... and for confirmation of the interdict appearing in this summons.

Particulars:

.....

Date

Period

Amount

R

.....

.....

.....

.....

.....

and

(ii) for ejectment.

Particulars:

.....

(2) Consent to judgment.

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R.....and costs to date) and I consent to judgment accordingly.

Dated at.....this.....day of....., 20.....,

.....

Defendant

WITNESSES:

1. (full names)....., (signature).....

(address).....

2. (full names)....., (signature).....

(address).....

ALTERNATIVE TO (2)

\* (3) Notice of intention to defend.

To the Clerk of the Court.

Kindly take notice that the defendant hereby gives notice of defendant's intention to defend this action.

Dated at ..... this ..... day of ..... , 20.....,

.....  
Defendant/Defendant's Attorney.

Physical address where service of process or documents will be accepted (within 15 kilometres from the Court-house)

.....  
Postal address

.....  
\* The original notice must be filed with the clerk of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

**No. 3 – Summons [commencing action] (in which is included an automatic rent interdict)**

**\* For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF \_\_\_\_\_

HELD AT \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

between \_\_\_\_\_

.....Plaintiff

and \_\_\_\_\_

.....Defendant

To: \_\_\_\_\_ of \_\_\_\_\_ (state residence or place of business and if known, gender, occupation and place of employment) .....(hereinafter called the defendant).

You are hereby summoned that you do within \_\_\_\_\_ days of the service of this summons deliver or cause to be delivered to the registrar of the aforesaid court and also the plaintiff or plaintiff's attorney, at the address specified herein, a notice in writing of your intention to defend this action and answer the claim of ..... (state gender and occupation), of ..... (residence or place of business) ..... (hereinafter called the plaintiff), particulars whereof are endorsed hereunder.

Notice to Defendant:

And take notice that- \_\_\_\_\_

\_\_\_\_\_ (a) in default of your paying the amount of the claim and costs within the said period or of your delivering a notice of intention to defend you will be held to have admitted the said claim and the plaintiff may proceed therein and judgment may be given against you in your absence;

\_\_\_\_\_ (b) if you pay the said claim and costs within the said period judgment will not be given against you herein and you will save judgment charges. You will also save judgment charges if, within the said period, you lodge with the registrar of the aforesaid court a consent to judgment;

(c) if you admit the claim and wish to consent to judgment or wish to undertake to pay the claim in instalments or otherwise, you may approach the plaintiff or plaintiff's attorney.

And further take notice that you, the defendant, and all other persons are hereby interdicted from removing or causing or suffering to be removed any of the furniture or effects in or on the premises described in the particulars of claim endorsed hereon which are subject to the plaintiff's hypothec for rent until an order relative thereto shall have been made by the court.

Costs, if the action is undefended, will be as follows:

Summons	R
Judgment	R
Attorney's charges	.....R
Sheriff's fees	.....R
Sheriff's fees on re-issue	.....R.
Totals R	..... R .....
Total	R .....

Notice:

(i) Any person against whom a court has, in a civil case, given

judgment or made any order who has not, within 10 days, satisfied in full such judgment or order may be called upon by notice in terms of section 65A(1) of the Act to appear on a specified date before the court in chambers to enable the court to enquire into the financial position of the judgment debtor and to make such order as the court may deem just and equitable.

(ii) If the court is satisfied that-

(aa) the judgment debtor or, if the judgment debtor is a juristic person, a director or officer of the juristic person has knowledge of the abovementioned notice and that he or she has failed to appear before the court on the date and at the time specified in the notice; or

(bb) the judgment debtor, director or officer, where the proceedings were postponed in his or her presence to a date and time determined by the court, has failed to appear before the court on that date and at that time; or

(cc) the judgment debtor, director or officer has failed to remain in attendance at the proceedings or at the proceedings so postponed,

the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest the said judgment debtor, director or officer and to bring him or her before a competent court to enable that court to conduct a financial inquiry. [Section 65A(6) of the Act]

(iii) Any person who-

(aa) is called upon to appear before a court under a notice in terms of section 65A(1) or 65A(8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice to appear in court) and who wilfully fails to appear before the court on the date and at the time specified in the notice; or

\_\_\_\_\_ (bb) where the proceedings were postponed in his or her presence to a date and time determined by the court, wilfully fails to appear before the court on that date and at that time; or \_\_\_\_\_

(cc) wilfully fails to remain in attendance at the relevant proceedings or at the proceedings so postponed, shall be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act]

(iv) On appearing before the court on the date determined in the notice in terms of section 65A(1) or (8)(b) of the Act in pursuance of the arrest of the judgment debtor, director or officer under a warrant referred to in section 65A(6) of the Act or on any date to which the proceedings have been postponed, such judgment debtor, director or officer shall be called upon to give evidence on his or her financial position or that of the juristic person and his or her or its ability to pay the judgment debt. [Section 65D of the Act]

(v) Any person against whom a court has, in a civil case, given any judgment or made any order who has not satisfied in full such judgment or order and paid all costs for which he or she is liable in connection therewith shall, if he or she has changed his or her place of residence, business or employment, within 14 days from the date of every such change notify the clerk of the court who gave such judgment or made such order and the judgment creditor or his or her attorney fully and correctly in writing of his or her new place of residence, business or employment, and by his or her failure to do so such judgment debtor shall be guilty of an offence and liable upon conviction to a fine or imprisonment for a period not exceeding three months. [Section 109 of the Act]

(1) Particulars of claim.

Plaintiff's claim is- \_\_\_\_\_

(i) for arrears of rent due in respect of the defendant's tenancy of \_\_\_\_\_ and for confirmation of the interdict appearing in this summons. \_\_\_\_\_

Particulars:

.....

Date

Period

Amount

R \_\_\_\_\_

.....

.....

.....

.....

.....

.....

\_\_\_\_\_ and \_\_\_\_\_  
(ii) \_\_\_\_\_ for ejection.

**Particulars:**

.....

(2) Consent to judgment. \_\_\_\_\_

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R.....and costs to date) and I consent to judgment accordingly. \_\_\_\_\_

Dated at.....this.....day of....., 20....., \_\_\_\_\_

.....

Defendant \_\_\_\_\_

**WITNESSES:**

- 1. (full names)....., (signature).....  
(address).....
- 2. (full names)....., (signature).....  
(address).....

**ALTERNATIVE TO (2)**

\* (3) Notice of intention to defend. \_\_\_\_\_

To the Registrar of the Court. \_\_\_\_\_

Kindly take notice that the defendant hereby gives notice of defendant's intention to defend this action. \_\_\_\_\_

Dated at ..... this ..... day of ....., 20....., \_\_\_\_\_

.....

Defendant/Defendant's Attorney. \_\_\_\_\_

Address where service of process or documents will be accepted .....  
(within 15 kilometres from the Court-house) \_\_\_\_\_

Postal address .....  
.....

\* The original notice must be filed with the registrar of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

**No. 4 - Edictal citation/substituted service: short form of process**

**\* For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF  
HELD AT

Case No.....

In the matter between:

.....

Plaintiff

and

.....

Defendant

To:

A ..... B .....  
formerly residing at ....., but whose present whereabouts are unknown (defendant herein):

TAKE NOTICE that by summons sued out of this court, you have been called upon to give notice, within ..... days after publication hereof, to the clerk of this court and to the plaintiff/plaintiff's attorney of your intention to defend (if any) in an action wherein

C ..... D .....(plaintiff herein)  
claims:

- (a) .....
- (b) .....
- (c) .....

TAKE NOTICE FURTHER that if you fail to give such notice, judgment may be granted against you without further reference to you.

DATED at ..... this ..... day of .....20.....

Plaintiff/Plaintiff's Attorney

Address for service:

Physical address 15 km from court house

.....  
.....

Clerk of the Court

**No. 4 - Edictal citation/substituted service: short form of process**

**\* For use in the Regional Court**

**IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF**

**HELD AT**

Case No.....

In the matter between:

Plaintiff

and

.....

Defendant

To:

A ..... B .....  
formerly residing at ....., but whose present whereabouts are unknown (defendant herein):

TAKE NOTICE that by summons sued out of this court, you have been called upon to give notice, within ..... days after publication hereof, to the registrar of this court and to the plaintiff/plaintiff's attorney of your intention to defend (if any) in an action wherein

C ..... D .....(plaintiff herein).....claims:

(a) .....

(b) .....

(c) .....

TAKE NOTICE FURTHER that if you fail to give such notice, judgment may be granted against you without further reference to you.

DATED at ..... this ..... day of .....20.....

Plaintiff/Plaintiff's Attorney

Address for service:

Physical address 15 km from court house

.....

.....

Registrar

**No. 5 - Request for default judgment**

**\*For use in the District Court**

In the Magistrate's Court for the District of.....

held at ..... Case No. .... of 20 .....

In the matter between

..... Plaintiff

and

..... Defendant

The plaintiff hereby applies that-

(a) the defendant having been duly served on .....

(b) the time for entering appearance to defend having expired; and

(c) the defendant not having entered an appearance to defend,

judgment be given against the defendant, as claimed in the summons for R..... (state particulars if judgment is applied for something less than that claimed in the summons), together with interest at ..... per cent.

Dated at ..... this ..... day of .....,  
20.....,

.....

Plaintiff/Plaintiff's Attorney.

**No. 5 - Request for default judgment**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of.....

held at .....

Case No. .... of 20 .....

In the matter between .....

..... Plaintiff

and .....

..... Defendant

The plaintiff hereby applies that-

(a) the defendant having been duly served on .....

(b) the time for entering appearance to defend having expired; and

(c) the defendant not having entered an appearance to defend,

judgment be given against the defendant, as claimed in the summons for R.....  
(state particulars if judgment is applied for something less than that claimed in the  
summons), together with interest at ..... per cent.

Dated at ..... this ..... day of .....,  
20.....,

.....

Plaintiff/Plaintiff's Attorney.

**No. 5A – Request for Judgment where the defendant has admitted liability and  
[undertook] undertaken to pay the debt in instalments or otherwise - Section 57 of  
the Magistrates' [Court] Courts Act, 1944 (Act No. 32 of 1944)**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20.....

In the matter between .....

..... Plaintiff

and .....

..... Defendant



Plaintiff requests that judgment in the above-mentioned matter in terms of section 57(2) of the Magistrates' Courts Act, 1944, be noted in his/her favour against the defendant as follows:

Judgment debt:	R	c
Costs:	R	c
Outstanding balance of the debt [Section 57(2)(c)(i)]	.....	
Interest at .....per cent per annum accounted from	.....	
Collection fees [section 57(1)(c)]	.....	
Summons, if any (attorney's charges, sheriff's fees and sheriff's fees on re-issue) [section 57(1)]	.....	
Cost of affidavit or affirmation by plaintiff/certificate by plaintiff's attorney [section 57(2)(c)]	.....	
Cost of registered letter [section 57(1)]	.....	
Cost of notice in terms of rule 54(1)	.....	
Letter of demand (section 56)	.....	
Request for judgment (section 57)	.....	
Admission of liability and undertaking to pay (section 57)		
Totals R	R	
Total	R	

plus further interest at ..... per cent per annum as from the date of judgment to the date of payment, and that payment thereof take place in accordance with defendant's offer.

The following documents are attached:

- (a) A copy of the letter of demand sent to the defendant in terms of section 56 of the Magistrates' Courts Act, 1944.
- (b) The defendant's written acknowledgment of liability towards the plaintiff for the amount of the debt and costs claimed (or for any other amount) and his/her offer.
- (c) A copy of the plaintiff's or plaintiff's attorney's written acceptance of the offer.
- (d) An affidavit (or affirmation) by the plaintiff/a certificate by the plaintiff's attorney in terms of section 57(2)(c) of the Magistrates' Courts Act, 1944.

Dated at ..... this ..... day of ....., 20.....,

Plaintiff/Plaintiff's attorney

.....

(Address)

.....

Judgment **[noted]** granted on the ..... day of ..... 20 ..... in favour of the plaintiff for the amount of R..... and the amount of R..... costs. The defendant is further ordered to pay the said judgment and costs in monthly/weekly instalments of R..... The first instalment must be paid on or before ..... and

thereafter on or before the ..... day of every succeeding month/week until the outstanding balance of the judgment debt and costs has been paid in full.

.....  
Clerk of the Court

**No. 5A – Request for Judgment where the defendant has admitted liability and undertaken to pay the debt in instalments or otherwise - Section 57 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Plaintiff requests that judgment in the above-mentioned matter in terms of section 57(2) of the Magistrates' Courts Act, 1944, be noted in his/her favour against the defendant as follows:

Judgment debt: R c

Costs: R c

Outstanding balance of the debt [Section 57(2)(c)(i)] .....

Interest at .....per cent per annum accounted from .....

Collection fees [section 57(1)(c)] .....

Summons, if any (attorney's charges, sheriff's fees and sheriff's fees on re-issue) [section 57(1)] .....

Cost of affidavit or affirmation by plaintiff/certificate by plaintiff's attorney [section 57(2)(c)] .....

Cost of registered letter [section 57(1)] .....

Cost of notice in terms of rule 54(1) .....

Letter of demand (section 56) .....

Request for judgment (section 57) .....

Admission of liability and undertaking to pay (section 57) .....

Totals R R

Total R

plus further interest at ..... per cent per annum as from the date of judgment to the date of payment, and that payment thereof take place in accordance with defendant's offer.

The following documents are attached:

(a) A copy of the letter of demand sent to the defendant in terms of section 56 of the Magistrates' Courts Act, 1944.

(b) The defendant's written acknowledgment of liability towards the plaintiff for the amount of the debt and costs claimed (or for any other amount) and his/her offer.

(c) A copy of the plaintiff's or plaintiff's attorney's written acceptance of the offer.

(d) An affidavit (or affirmation) by the plaintiff/a certificate by the plaintiff's attorney in terms of section 57(2)(c) of the Magistrates' Courts Act, 1944.

Dated at ..... this ..... day of ....., 20.....,

Plaintiff/Plaintiff's attorney

.....

(Address)

.....

Judgment granted on the ..... day of ..... 20 ..... in favour of the plaintiff for the amount of R..... and the amount of R..... costs. The defendant is further ordered to pay the said judgment and costs in monthly/weekly instalments of R..... The first instalment must be paid on or before ..... and thereafter on or before the ..... day of every succeeding month/week until the outstanding balance of the judgment debt and costs has been paid in full.

.....

Registrar

**No. 5B – Request for Judgment where the defendant has consented to judgment - Section 58 of the Magistrates' [Court] Courts Act, 1944 (Act No. 32 of 1944)**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Plaintiff requests that judgment in the above-mentioned matter in terms of section 58(1) of the Magistrates' Courts Act, 1944, be noted in plaintiff's favour against the defendant as follows:

Judgment debt:	R	c	
Costs:	R	c	
Amount of debt [section 58(1)(i)]	.....		
Interest at.....per cent per annum accounted from	.....		
Letter of demand (section 56)	.....		
Summons, if any (attorney's charges, sheriff's fees and sheriff's fees on re-issue) [section 58(1)]	.....		
Cost of notice in terms of rule 54(1)	.....		
Request for judgment (section 58)	.....		
Consent to judgment (section 58)	.....		
Totals.....	R	R	
Total.....		R	

and that payment thereof takes place in accordance with defendant's consent.

The following documents are attached:

(a) A copy of the letter of demand sent to the defendant in terms of section 56 of the Magistrates' Courts Act, 1944.

(b) The defendant's written consent to judgment and costs.

Dated at ..... this ..... day of ....., 20.....,

Plaintiff/Plaintiff's attorney:

.....

(Address)

.....

.....

Judgment [**noted**] granted on the ..... day of ..... 20 .... in favour of the plaintiff for the amount of R ..... and the amount of R ..... costs for which the defendant has consented to judgment.

The defendant is further ordered to pay the said judgment and costs in monthly/weekly instalments of R..... The first instalment must be paid on or before ..... and thereafter on or before the ..... day of every succeeding month/week until the outstanding balance of the judgment debt and costs has been paid in full.

.....

Clerk of the Court

**No. 5B – Request for Judgment where the defendant has consented to judgment - Section 58 of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of  
 ..... held at  
 .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Plaintiff requests that judgment in the above-mentioned matter in terms of section 58(1) of the Magistrates’ Courts Act, 1944, be noted in plaintiff’s favour against the defendant as follows:

Judgment debt: R c

Costs: R c

Amount of debt [section 58(1)(i)] .....

Interest at.....per cent per annum accounted from .....

Letter of demand (section 56) .....

Summons, if any (attorney’s charges, sheriff’s fees and sheriff’s fees on re-issue) [section 58(1)] .....

Cost of notice in terms of rule 54(1) .....

Request for judgment (section 58) .....

Consent to judgment (section 58) .....

Totals..... R R

Total..... R

and that payment thereof takes place in accordance with defendant’s consent.

The following documents are attached:

(a) A copy of the letter of demand sent to the defendant in terms of section 56 of the Magistrates’ Courts Act, 1944.

(b) The defendant’s written consent to judgment and costs.

Dated at ..... this ..... day of ....., 20.....

Plaintiff/Plaintiff’s attorney:

.....

(Address)

.....

Judgment granted on the ..... day of ..... 20 ... in favour of the plaintiff for the amount of R ..... and the amount of R ..... costs for which the defendant has consented to judgment.

The defendant is further ordered to pay the said judgment and costs in monthly/weekly instalments of R..... The first instalment must be paid on or before ..... and thereafter on or before the ..... day of every succeeding month/week until the outstanding balance of the judgment debt and costs has been paid in full.

.....

Registrar

**No. 6 - Notice of Withdrawal of action or application**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20.....

In the matter between

.....

Plaintiff/Applicant

and

.....

Defendant/Respondent

The plaintiff/applicant hereby withdraws the above-mentioned action/application and consents to pay the defendant's/respondent's taxed costs.

Dated at ..... this ..... day of ....., 20.....,

.....

Plaintiff/Plaintiff's Attorney\*

Applicant/Applicant's Attorney\*

To: .....

.....

and: The Clerk of the Court,

.....

**No. 6 - Notice of Withdrawal of action or application**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff/Applicant  
and \_\_\_\_\_  
..... Defendant/Respondent

The plaintiff/applicant hereby withdraws the above-mentioned action/application and consents to pay the defendant's/respondent's taxed costs.

Dated at ..... this ..... day of ....., 20.....

.....  
Plaintiff/Plaintiff's Attorney\*  
Applicant/Applicant's Attorney\*

To: .....  
.....

and: The Registrar,  
.....

**No. 7 - Notice of Application for Summary Judgment**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between  
..... Applicant

and  
..... Respondent

Take notice that application will be made to the above-mentioned court on the ..... day of ....., 20..., at ..... (time), for summary judgment against the respondent in this action for R.....and costs;

And further take notice that the document on which the claim is based or the affidavit of ..... (copy served herewith) will be used in support of such application and that respondent may reply thereto by affidavit.

Dated at ..... this ..... day of ....., 20.....  
.....

Applicant/Applicant's Attorney  
To: .....  
.....

and: Clerk of the Court,  
.....

**No. 7 - Notice of Application for Summary Judgment**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

Take notice that application will be made to the above-mentioned court on the ..... day of ....., 20...., at ..... (time), for summary judgment against the respondent in this action for R.....and costs;

And further take notice that the document on which the claim is based or the affidavit of ..... (copy served herewith) will be used in support of such application and that respondent may reply thereto by affidavit.

Dated at ..... this ..... day of ....., 20.....,

.....

Applicant/Applicant's Attorney

To: .....

.....

and: The Registrar

.....

**No. 8 - Affidavit in support of Application for Summary Judgment**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

I, ....., of .....

..... (address), declare on oath as follows:

(a) I am the plaintiff (or state the relationship on which the authority to represent the plaintiff is based) in this action [(or the facts herein stated are within my



own knowledge and I am duly authorised to make this affidavit)] and am duly authorised to make this affidavit, the contents of which are within my personal knowledge.

(b) I verify that the defendant is indebted to me/to the plaintiff in the amount of R..... and on the grounds stated in the summons.

(c) I believe that the defendant does not have a bona fide defence to the claim and that appearance has been entered solely for purposes of delay.

.....

Signature

The deponent has acknowledged that he/she knows and understands the contents of this affidavit.

Signed and sworn to before me at ..... on this ..... day of ....., 20.....

.....

Commissioner of Oaths

.....

Area

.....

Office held if appointment is held ex officio.

**No. 8 - Affidavit in support of Application for Summary Judgment**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

I, ....., of ....., (address), declare on oath as follows:

(a) I am the plaintiff (or state the relationship on which the authority to represent the plaintiff is based) in this action and am duly authorised to make this affidavit, the contents of which are within my personal knowledge.

(b) I verify that the defendant is indebted to me/to the plaintiff in the amount of R..... and on the grounds stated in the summons.

(c) I believe that the defendant does not have a bona fide defence to the claim and that appearance has been entered solely for purposes of delay.

.....

Signature \_\_\_\_\_

The deponent has acknowledged that he/she knows and understands the contents of this affidavit.

Signed and sworn to before me at ..... on this ..... day of ....., 20.....

.....

Commissioner of Oaths \_\_\_\_\_

.....

Area \_\_\_\_\_

.....

Office held if appointment is held ex officio. \_\_\_\_\_

**No. 9 - Affidavit under Section 32 of the Act**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20....

In the matter between

..... Applicant

and

..... Respondent

I, ....., of .....

..... (address), make oath and say:

(a) I am the landlord (or the agent of the landlord.....) of premises situate (describe the premises).

(b) .....(tenant) is justly indebted to me (or to my said principal) in the sum of R.....for rent of the said premises from the.....day of ....., 20... to the .....day of....., 20...

(c) The said sum of R.....became due and recoverable upon the .....day of....., 20....

(d) The said rent was demanded from the said.....on the .....day of....., 20... but has not yet been paid.

or

(d) I believe that the said.....is about to remove certain movables, now upon the said premises, from such premises in order to avoid payment of the said rent.

.....(state basis for such belief)

Signature

The deponent has acknowledged that he or she knows and understands the contents of this affidavit.

Signed and sworn to before me at ..... on this ..... day of ....., 20.....

.....

Commissioner of Oaths

.....

Area

.....

Office held if appointment is held ex officio.

**No. 10 – Security under Section 32 of the Act**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

Whereas ..... (landlord) has applied for the issue of an order to attach the movable property upon ..... (describe the leased premises) for the sum of R..... for rent due by ..... of ..... (name tenant) and R..... for costs;

**[Now, therefore,] Now therefore the said ..... and ..... of ..... [(name the surety)] hereby bind themselves jointly and severally as sureties and co-principal debtors together with the above-named Applicant to pay the above-named Respondent or whom else may lawfully claim against the Applicant as a consequence of this application all damages, costs and charges which he or she or they may sustain by reason of the attachment of the said movable property in case the said attachment is set aside.**

.

Signed and dated at ..... this ..... day of ....., 20.... in the presence of the undersigned witnesses.

.....

Landlord.

Witnesses:

1. ....

Signature and address

.....

Surety and Co-principal Debtor

2. ....

Signature and address

.....

**No.11 – Order under Section 32 of the Act**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

It is ordered:

That the sheriff of the court attaches so much of the .....

..... (describe the movables) in the .....

(house, store, as the case may be) situate at .....  
(describe the premises) as shall be sufficient to satisfy the sum of R..... rent and R..... costs.

Further, should the respondent wish to show cause why the order of attachment should not be confirmed, he shall appear before this court on the ..... day of ..... 20....., at ..... (time) for that purpose.

The aforesaid date may be anticipated by the respondent upon 12 hours' notice to the applicant.

Upon security being given to the satisfaction of the sheriff of the aforesaid court for the amount of the applicant's claim and the costs of the application for attachment, the aforesaid property shall be released from attachment and upon such security being given the order for attachment shall *ipso facto* be discharged.

Dated at ..... this ..... day of ....., 20.....,

.....

Clerk of the Court

.....

Applicant/Applicant's attorney

Address .....

**No. 12 - Consent to sale of goods attached under Section 32 of the Act**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

To the Clerk of the Court

I,....., of....., the above-mentioned respondent, hereby admit that the property attached in the above matter is subject to a hypothec to the above applicant to the extent of R.....and I consent to the sale of the said property in satisfaction of the said amount of R..... plus costs and sheriff's charges.

Dated at.....this.....day of....., 20.....,

Respondent.

Witnesses:

1 .....

Signature and address

2 .....

Signature and address

**No. 13 - Discovery – form of Affidavit**

**\*For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF

HELD AT ..... Case No.....

In the matter between:

Plaintiff

A.B.

and

C.D.

.....

Defendant

I, C.D., the above-named defendant/plaintiff, make oath and say:

(1) I have in my possession or power the documents or recordings relating to the matters in question in this cause set forth in the first and second parts of the First Schedule hereto.

(2) I object to produce the said documents or recordings set forth in the second part of the said schedule hereto.

(3) I do so for the reason that ..... (here state upon what grounds the objection is made, and verify the fact as far as may be).

(4) I have had, but no longer have in my possession or power, the documents or recordings relating to the matters in question in this action, set forth in the Second Schedule hereto.

(5) The last-mentioned documents or recordings were last in my possession or power.....(state when).

(6) The .....(here state what has become of the last-mentioned documents and recordings, and in whose possession they are now).

(7) According to the best of my knowledge and belief, I do not now have, and never have had in my possession, custody, or power, or in the possession, custody or power of my attorney, or agent, or any other person on my behalf, any document or recording, or copy of, or extract from any document or recording, relating to any matters in question in this cause, other than the documents or recordings set forth in the First and Second Schedules hereto.

DATED at .....this .....day of .....20.....

.....

Defendant/Plaintiff

**No. 13 - Discovery – form of Affidavit**

**\*For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

HELD AT ..... Case No.....

In the matter between:

.....

Plaintiff

A.B.

and

C.D.

.....

Defendant

I, C.D., the above-named defendant/plaintiff, make oath and say:

(1) I have in my possession or power the documents or recordings relating to the matters in question in this cause set forth in the first and second parts of the First Schedule hereto.

(2) I object to produce the said documents or recordings set forth in the second part of the said schedule hereto.

(3) I do so for the reason that ..... (here state upon what grounds the objection is made, and verify the fact as far as may be).

(4) I have had, but no longer have in my possession or power, the documents or recordings relating to the matters in question in this action, set forth in the Second Schedule hereto.

(5) The last-mentioned documents or recordings were last in my possession or power.....(state when).

(6) The .....(here state what has become of the last-mentioned documents and recordings, and in whose possession they are now).

(7) According to the best of my knowledge and belief, I do not now have, and never have had in my possession, custody, or power, or in the possession, custody or power of my attorney, or agent, or any other person on my behalf, any document or recording, or copy of, or extract from any document or recording, relating to any matters in question in this cause, other than the documents or recordings set forth in the First and Second Schedules hereto.

DATED at .....this .....day of .....20.....

.....  
Defendant/Plaintiff

**No. 14 - Notice in terms of Rule 23(5)**

**\*For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT/ OF

HELD AT

Case No.....

In the matter between:

AB Plaintiff

and

CD Defendant

To: .....

Please take notice that the abovenamed plaintiff/defendant requires you to deliver within 15 days to the under-mentioned address a written statement setting out what documents or recordings of the following nature you have presently or had previously in your possession:

- (a) .....
- (b) .....

(c) .....

(d) .....

In such statement you must specify in detail which documents or recordings are still in your possession. If you no longer have any such documents or recordings which were previously in your possession you must state in whose possession they now are.

If you fail to deliver the statement within the time aforesaid, application will be made to court for an order compelling you to do so and directing you to pay the costs of such application.

.....  
Plaintiff/Defendant/Plaintiff's/Defendant's Attorney  
(Address)

**No. 14 - Notice in terms of Rule 23(5)**

**\*For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

HELD AT ..... Case No.....

In the matter between:

AB ..... Plaintiff

and

CD ..... Defendant

To: .....

Please take notice that the abovenamed plaintiff/defendant requires you to deliver within 15 days to the under-mentioned address a written statement setting out what documents or recordings of the following nature you have presently or had previously in your possession:

.....  
(a) .....

.....  
(b) .....

.....  
(c) .....

.....  
(d) .....

In such statement you must specify in detail which documents or recordings are still in your possession. If you no longer have any such documents or recordings which were previously in your possession you must state in whose possession they now are.

If you fail to deliver the statement within the time aforesaid, application will be made to court for an order compelling you to do so and directing you to pay the costs of such application.

.....  
Plaintiff/Defendant/Plaintiff's/Defendant's Attorney .....  
(Address) .....



**No. 15 - Discovery - Notice to Produce - Rule 23(6)**

**\*For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF

HELD AT

Case No.....

In the matter between:

.....

Plaintiff

.....

Defendant

TAKE NOTICE that the .....(plaintiff or defendant) requires you to produce within five days for his or her inspection the following documents or recordings referred to in your affidavit, dated the ..... day of ..... 20 .....

(Describe documents or recordings required)

DATED at ..... this .....day of .....20.....

.....

Attorney for .....

(Address)

To:

.....

Attorney for the .....

(Address)

**No. 15 - Discovery - Notice to Produce - Rule 23(6)**

**\*For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

HELD AT

Case No.....

In the matter between:

.....

Plaintiff

.....

Defendant

TAKE NOTICE that the .....(plaintiff or defendant) requires you to produce within five days for his or her inspection the following documents or recordings referred to in your affidavit, dated the ..... day of ..... 20 .....

(Describe documents or recordings required)

DATED at ..... this ..... day of .....20....

.....

Attorney for .....

(Address) .....

To:

.....

Attorney for the .....

(Address) .....

**No. 15A - Discovery - Notice to Inspect Documents**

**\*For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF .....

HELD AT .....

Case No.....

In the matter between:

.....

Plaintiff

.....

Defendant

TAKE NOTICE that you may inspect the documents or recordings mentioned in your notice of the ..... day of .....20 ....., at my office, or at ..... and between the hours of ..... and on the following days.

(or)

That the (plaintiff or defendant) objects to giving you inspection of the documents or recordings mentioned in your notice of the ..... day of ..... 20....., on the grounds that .....

(State the grounds)

DATED at ..... this ..... day of .....20....

.....

Attorney for .....

(Address) .....

To:

.....

Attorney for the .....

(Address) .....

**No. 15A - Discovery - Notice to Inspect Documents**

**\*For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

HELD AT \_\_\_\_\_ Case No.....

In the matter between:

.....

Plaintiff

.....

Defendant

TAKE NOTICE that you may inspect the documents or recordings mentioned in your notice of the ..... day of .....20 ....., at my office, or at ..... and between the hours of ..... and on the following days.

(or)

That the (plaintiff or defendant) objects to giving you inspection of the documents or recordings mentioned in your notice of the ..... day of ..... 20....., on the grounds that .....

(State the grounds)

DATED at ..... this ..... day of .....20....

.....

Attorney for .....

(Address) \_\_\_\_\_

To:

.....

Attorney for the .....

(Address) \_\_\_\_\_

**No. 15B - Discovery – Notice to Produce Documents in Pleadings, etc – Rule 23(13)(a)**

**\*For use in the District Court**

IN THE MAGISTRATE’S COURT FOR THE DISTRICT OF

HELD AT \_\_\_\_\_ Case No.....

In the matter between:

.....

Plaintiff

.....

Defendant

TAKE NOTICE that the plaintiff (or defendant) requires you to produce for his or her inspection the following documents or recordings referred to in your .....  
.....(declaration or plea, or affidavit).

(Describe documents or recordings required)

To:

.....

Attorney for the .....

(Address)

.....

Attorney for .....

(Address)

**No. 15B - Discovery – Notice to Produce Documents in Pleadings, etc – Rule 23(13)(a)**

**\*For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

HELD AT

Case No.....

In the matter between:

.....

Plaintiff

.....

Defendant

TAKE NOTICE that the plaintiff (or defendant) requires you to produce for his or her inspection the following documents or recordings referred to in your .....  
.....(declaration or plea, or affidavit).

(Describe documents or recordings required)

To:

.....

Attorney for the .....

(Address)

.....

Attorney for .....

(Address)

**No. 16 - Order for Interdict Obtained *ex parte***

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

It is ordered:

- (1) That a rule nisi be and is hereby granted calling upon ..... (respondent) of ..... (address) to show cause to this court on the ..... day of ....., 20..... at ..... (time), or so soon thereafter as the matter can be heard, why ..... shall not be interdicted from ..... (set out the acts from which respondent or any other person is restrained) pending the decision of an action by the applicant against the said ..... (respondent) for ..... (set out the nature of the claim).

(2) That this rule nisi operates as an interim interdict.

The aforesaid date may be anticipated by the respondent upon 12 hours' notice to the applicant.

By Order of the Court,

.....

Clerk of the Court

.....

Applicant/Applicant's Attorney

Address:

.....

**No. 16 - Order for Interdict Obtained *ex parte***

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

It is ordered:

(1) That a rule nisi be and is hereby granted calling upon ..... (respondent) of ..... (address) to show cause to this court on the ..... day of ....., 20..... at ..... (time), or so soon thereafter as the matter can be heard, why ..... shall not be interdicted from ..... (set out the acts from which respondent or any other person is restrained) pending the decision of an action by the applicant against the said ..... (respondent) for ..... (set out the nature of the claim).

(2) That this rule nisi operates as an interim interdict.

The aforesaid date may be anticipated by the respondent upon 12 hours' notice to the applicant.

By Order of the Court,

.....

Registrar

.....

Applicant/Applicant's Attorney

Address:

.....

**No.17 – [Order for Arrest of Person *suspectus de fuga*]**

**No. 18 - Warrant for Attachment of Property to Found or Confirm**

**Jurisdiction**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

To: The Sheriff,

You are hereby directed pursuant to an order of the above-mentioned court made on the ..... day of ....., 20....., forthwith to attach .....

..... (state full particulars of property and where situate) to found or confirm jurisdiction of the said court

in an action by  
 ..... against  
 ..... of  
 .....  
 ..... (address of respondent) for  
 ..... (set out particulars of claim);

And for so doing this shall be your warrant.

Further, should the respondent wish to show cause why the order of attachment should not be confirmed, respondent shall appear before this court on the .....day of ....., 20....., at ..... (time), for that purpose.

The aforesaid date may be anticipated by the respondent upon 12 hours' notice to the applicant.

Upon security being given to the satisfaction of the sheriff of the aforesaid court for the amount of the applicant's claim and the costs of the application for attachment, the aforesaid property shall be released from attachment and upon such security being given the order for attachment shall *ipso facto* be discharged.

Dated at ..... this ..... day of ....., 20.....,

Clerk of the Court

.....

Applicant/Applicant's Attorney

Address: .....

Dated at ..... this ..... day of ....., 20.....,

.....

Sheriff

**No. 18 - Warrant for Attachment of Property to Found or Confirm**

**Jurisdiction**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

To: The Sheriff,

You are hereby directed pursuant to an order of the above-mentioned court made on the ..... day of ....., 20....., forthwith to attach .....

(state full particulars of property and where situate) to found or confirm jurisdiction of the said court

in ..... an ..... action ..... by ..... against .....

of ..... (address of respondent) for ..... (set out particulars of claim);

And for so doing this shall be your warrant.

Further, should the respondent wish to show cause why the order of attachment should not be confirmed, respondent shall appear before this court on the ..... day of ....., 20....., at ..... (time), for that purpose.

The aforesaid date may be anticipated by the respondent upon 12 hours' notice to the applicant.

Upon security being given to the satisfaction of the sheriff of the aforesaid court for the amount of the applicant's claim and the costs of the application for attachment, the aforesaid property shall be released from attachment and upon such security being given the order for attachment shall ipso facto be discharged.

Dated at ..... this ..... day of ....., 20.....,

Registrar

Applicant/Applicant's Attorney

Address: .....

Dated at ..... this ..... day of ....., 20.....,

Sheriff

**No. 19 – Direction to Attend Pre-Trial Conference**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between



..... Plaintiff

and

..... Defendant

[Direction in terms of section 54(1) of the Magistrates' Courts Act, 1944 (Act 32 of 1944.)].

To the Plaintiff's Attorney/the Defendant's Attorney.

You are hereby directed to attend a conference to be held before the magistrate in court ..... on the ..... day of ....., [19] 20..., at ..... (time) to consider-

- (a) the simplification of the issues;
- (b) the necessity or desirability of amendments to the pleadings;
- (c) the possibility of obtaining admissions of fact and of documents with a view to avoiding unnecessary proof;
- (d) the limitation of the number of expert witnesses;
- (e) .....

.....  
Dated at ..... this ..... day of ....., 20.....,

By Order of the Court,

.....  
Clerk of the Court.

**No. 19 – Direction to Attend Pre-Trial Conference**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

[Direction in terms of section 54(1) of the Magistrates' Courts Act, 1944 (Act 32 of 1944.)].

To the Plaintiff's Attorney/the Defendant's Attorney.

You are hereby directed to attend a conference to be held before the magistrate in court ..... on the ..... day of ....., 20..., at ..... (time) to consider-

- (a) the simplification of the issues;
- (b) the necessity or desirability of amendments to the pleadings;

(c) the possibility of obtaining admissions of fact and of documents with a view to avoiding unnecessary proof;

(d) the limitation of the number of expert witnesses;

(e) .....

Dated at ..... this ..... day of ..... 20.....,

By Order of the Court,

.....

Registrar.

**No. 20 Order – Pre-Trial Conference**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Order in terms of section 54(2) of the Magistrates' Courts Act, 1944 (Act 32 of 1944).

To the Plaintiff's Attorney and the Defendant's Attorney.

At the pre-trial conference held in chambers/court..... at.....on the.....day of....., 20...between the parties and/or their representatives, the following was agreed upon:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

As a result the court gave the following orders:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

Dated at ..... this ..... day of ..... 20.....,

By Order of the Court,

.....

Clerk of the Court.

To: Plaintiff's Attorney.

To: Defendant's Attorney.

**No. 20 Order – Pre-Trial Conference**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of  
.....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Order in terms of section 54(2) of the Magistrates' Courts Act, 1944 (Act 32 of 1944).

To the Plaintiff's Attorney and the Defendant's Attorney.

At the pre-trial conference held in court..... at..... on the..... day of.....  
20.... between the parties and/or their representatives, the following was agreed upon:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

As a result the court gave the following orders:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

Dated at ..... this ..... day of ....., 20.....,

By Order of the Court,

.....

Registrar.

To: Plaintiff's Attorney.

To: Defendant's Attorney.

**No. 21 - Application for Trial with Assessors**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

The plaintiff/defendant hereby applies to have the above action tried with assessors.

(1) The defendant/plaintiff consents to such application and to the appointment of the following assessor:

.....  
of .....(address)

Plaintiff/Plaintiff's Attorney

.....

Defendant/Defendant's Attorney

or

(2) The defendant/plaintiff consents to such application, but the parties are unable to agree upon the names of assessors.

Wherefore the parties pray the court to appoint an assessor (or two assessors) excluding the following assessors (set out the names of those assessors whom one or other of the parties objects to):

.....

Plaintiff/Plaintiff's Attorney

.....

Defendant/Defendant's Attorney

or

(3) The defendant/plaintiff objects to such application.

Wherefore the plaintiff/defendant has set down this application for hearing on the ..... day of ....., 20..... at ..... (time)

.....

Plaintiff/Defendant or Plaintiff's/Defendant's Attorney

To: The Clerk of the Court.

And: .....

Application granted/refused this ..... day of ....., 20.....

Assessors appointed:

.....

Clerk of the Court

**No. 21 - Application for Trial with Assessors**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

The plaintiff/defendant hereby applies to have the above action tried with assessors.

(1) The defendant/plaintiff consents to such application and to the appointment of the following assessor:

.....  
of .....(address)

.....

Plaintiff/Plaintiff's Attorney

.....

Defendant/Defendant's Attorney

or

(2) The defendant/plaintiff consents to such application, but the parties are unable to agree upon the names of assessors.

.....

Wherefore the parties pray the court to appoint an assessor (or two assessors) excluding the following assessors (set out the names of those assessors whom one or other of the parties objects to):

.....

Plaintiff/Plaintiff's Attorney

.....

Defendant/Defendant's Attorney

or \_\_\_\_\_

(3) The defendant/plaintiff objects to such application.

Wherefore the plaintiff/defendant has set down this application for hearing on the

..... day of ....., 20..... at ..... (time)

.....

Plaintiff/Defendant or Plaintiff's/Defendant's Attorney \_\_\_\_\_

To: Registrar.

And: .....

Application granted/refused this ..... day of ....., 20.....

Assessors appointed:

.....

Registrar

**No. 22 – Summons to Assessor**

**\*For use in the District Court**

In the Magistrate's Court for the District of  
.....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Sir/Madam,

You are hereby summoned to attend and serve as an assessor in this court on the ..... day of ....., 20..... at ..... (time), to assist the court in the above action in accordance with the provisions of section 34 of the Magistrates' Courts Act, 1944 (Act 32 of 1944).

Yours faithfully

.....

Clerk of the Court

To: .....  
.....

**No. 22 – Summons to Assessor**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

Sir/Madam, .....

You are hereby summoned to attend and serve as an assessor in this court on the ..... day of ....., 20..... at ..... (time), to assist the court in the above action in accordance with the provisions of section 34 of the Magistrates' Courts Act, 1944 (Act 32 of 1944).

Yours faithfully .....

.....

Registrar

To: .....

**No. 23 - Commissions de bene esse**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To: .....

.....

Greeting:

Under and by virtue of the authority vested in me by section 53 of the Magistrates' Courts Act, 1944 (Act 32 of 1944), I do hereby commit to you full power and authority as a Commissioner of this court to examine ..... of ..... (and such other witnesses as either of the parties to this suit may desire to call) and to take the evidence on oath of the said witness(es) in the above suit now pending in this court.

Given under my hand at ..... this ..... day of  
....., 20....

.....

Magistrate

**No. 23 - Commissions de bene esse**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To: .....

Greeting: .....

Under and by virtue of the authority vested in me by section 53 of the Magistrates' Courts Act, 1944 (Act 32 of 1944), I do hereby commit to you full power and authority as a Commissioner of this court to examine ..... of ..... (and such other witnesses as either of the parties to this suit may desire to call) and to take the evidence on oath of the said witness(es) in the above suit now pending in this court.

Given under my hand at ..... this ..... day of  
....., 20....

.....

Regional Magistrate

**No. 24 – Subpoena**

**\*For use in the District Court**

In the Magistrate's Court for the District of  
.....

held at ..... Case No. .... of  
20.....

In the matter between

..... Plaintiff

and

..... Defendant

To: the Sheriff/Deputy Sheriff:



INFORM:

- (1) ..... of .....
- (2) ..... of .....
- (3) ..... of .....
- (4) ..... of .....

that each of them is hereby required to appear in person before this court at court ..... on the ..... day of ....., 20....., at ..... (time) in the above-mentioned action to give evidence or to produce books, papers or documents on behalf of the ..... (Where documents are required to be produced, add: ) and to bring with each one of them and then produce to the court the several books, papers or documents specified in the list hereunder.

Payment of the witness fees for the witnesses as provided and allowed under section 51bis of the Magistrates' Courts Act, 1944 (Act 32 of 1944), as amended, is hereby tendered by the Plaintiff.

If any person, being duly subpoenaed to give evidence or to produce any books, papers or documents in his or her possession or under his or her control, which the party requiring the witness(es)' attendance desires to show in evidence, fails, without lawful excuse, to attend or to give evidence or to produce those books, papers or documents according to the subpoena or, unless duly excused, fails to remain in attendance throughout the trial, the court may, upon being satisfied on oath or by the return of the messenger that such person has been duly subpoenaed and that such person's reasonable expenses, calculated in accordance with the tariff prescribed under section 51bis, have been paid or offered to such person, impose upon the said person a fine not exceeding R300, 00, and in default of payment, imprisonment for a period not exceeding three months, whether or not such person is otherwise subject to the jurisdiction of the court.

Dated at ..... this ..... day of ..... , 20.....,

.....

Clerk of the Court

LIST OF BOOKS, PAPERS OR DOCUMENTS TO BE PRODUCED

Date	Description	Original or Copy
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

(See back.)

[Print on back, paragraphs (a) and (b) of section 51(2) of the Act]

**No. 24 – Subpoena**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To: the Sheriff/Deputy Sheriff:

**INFORM:**

(1) ..... of .....

(2) ..... of .....

(3) ..... of .....

(4) ..... of .....

that each of them is hereby required to appear in person before this court at court  
..... on the ..... day of ....., 20....., at

..... (time) in the above-mentioned action to give evidence or to produce  
books, papers or documents on behalf of the ..... (Where documents  
are required to be produced, add: ) and to bring with each one of them and then produce  
to the court the several books, papers or documents specified in the list hereunder.

Payment of the witness fees for the witnesses as provided and allowed under section  
51bis of the Magistrates' Courts Act, 1944 (Act 32 of 1944), as amended, is hereby  
tendered by the Plaintiff.

If any person, being duly subpoenaed to give evidence or to produce any books, papers  
or documents in his or her possession or under his or her control, which the party  
requiring the witness(es)' attendance desires to show in evidence, fails, without lawful  
excuse, to attend or to give evidence or to produce those books, papers or documents  
according to the subpoena or, unless duly excused, fails to remain in attendance  
throughout the trial, the court may, upon being satisfied on oath or by the return of the  
messenger that such person has been duly subpoenaed and that such person's  
reasonable expenses, calculated in accordance with the tariff prescribed under section  
51bis, have been paid or offered to such person, impose upon the said person a fine not  
exceeding R300, 00, and in default of payment, imprisonment for a period not exceeding  
three months, whether or not such person is otherwise subject to the jurisdiction of the  
court.

Dated at ..... this ..... day of  
....., 20.....,

.....

Registrar

LIST OF BOOKS, PAPERS OR DOCUMENTS TO BE PRODUCED

Date Description Original or Copy

.....  
 .....  
 .....  
 .....

(See back.)

[Print on back, paragraphs (a) and (b) of section 51(2) of the Act]

**No. 25 – Warrant for Payment of Fine or Arrest of Witness in Default**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To the sheriff and to the officer in charge of the.....Prison.

Whereas ..... of ..... has been duly subpoenaed to give evidence (or to produce certain books, papers or documents, as the case may be) in the above matter before this court at ..... (time) on the ..... day of ....., 20.... and has made default;

And whereas this court has imposed upon the said ..... for his\_ or her said default a fine of ..... rand and for non-payment has committed him or her to the above-mentioned prison for a period of .....

This is therefore to authorise and require you, the said sheriff of the court, to arrest the said ..... and, unless he or she shall pay to you the said sum of.....rand, to deliver him or her to the officer in charge of the ..... Prison together with this warrant to be safely kept there until he or she shall have paid the said sum of ..... rand or until the expiration of the said period of ..... from the day on which the said ..... shall be received into or retained in the said prison by virtue of this warrant whichever of the two shall first happen or until the said ..... shall be otherwise legally discharged;

And this is to command you, the said officer in charge of the ..... Prison, to receive and safely keep the said ..... as aforesaid.

Dated at ..... this ..... day of ..... 20.....,

.....

Clerk of the Court

**No. 25 – Warrant for Payment of Fine or Arrest of Witness in Default**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of.....Held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To the sheriff and to the officer in charge of the.....Prison.

Whereas ..... of ..... has been duly subpoenaed to give evidence (or to produce certain books, papers or documents, as the case may be) in the above matter before this court at ..... (time) on the ..... day of ....., 20.... and has made default;

And whereas this court has imposed upon the said ..... for his or her said default a fine of ..... rand and for non-payment has committed him or her to the above-mentioned prison for a period of .....

This is therefore to authorise and require you, the said sheriff of the court, to arrest the said ..... and, unless he or she shall pay to you the said sum of.....rand, to deliver him or her to the officer in charge of the ..... Prison together with this warrant to be safely kept there until he or she shall have paid the said sum of ..... rand or until the expiration of the said period of ..... from the day on which the said ..... shall be received into or retained in the said prison by virtue of this warrant whichever of the two shall first happen or until the said ..... shall be otherwise legally discharged;

And this is to command you, the said officer in charge of the ..... Prison, to receive and safely keep the said ..... as aforesaid.

Dated at ..... this ..... day of .... 20.....

.....

Registrar

**No. 26 – Warrant for the Arrest of a Witness in Default**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

(1) To the Sheriff:

Whereas ..... of ..... has been duly subpoenaed to give evidence (or to produce certain books, papers or documents, as the case may be) in the above matter before this court on the ..... day of 20..... at ..... (time), and has made default;

This is therefore to authorise and require you to arrest the said ..... and bring him or her before this court on the ..... day of .....20..... at ..... (time), then and there to give evidence and to be otherwise dealt with according to law.

(2) To the Officer-in-Charge of the ..... Prison:

You are hereby commanded to receive the said ..... and to keep him or her safely until such time as he or she shall be removed to have him or her before the court in accordance with the first part of this warrant or until he or she shall be otherwise lawfully discharged.

Dated at ..... this ..... day of ....., 20.....,

.....

Clerk of the Court

**No. 26 – Warrant for the Arrest of a Witness in Default**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and .....

..... Defendant

(1) To the Sheriff:

Whereas ..... of ..... has been duly subpoenaed to give evidence (or to produce certain books, papers or documents, as the case may be) in the above matter before this court on the ..... day of 20..... at ..... (time), and has made default;

This is therefore to authorise and require you to arrest the said ..... and bring him or her before this court on the ..... day of .....20..... at ..... (time), then and there to give evidence and to be otherwise dealt with according to law.

(2) To the Officer-in-Charge of the ..... Prison:

You are hereby commanded to receive the said ..... and to keep him or her safely until such time as he or she shall be removed to have him

or her before the court in accordance with the first part of this warrant or until he or she shall be otherwise lawfully discharged.

Dated at ..... this ..... day of ..... 20.....,

.....

Registrar

No. 27 – Security on Attachment or Interdict ex parte

\*For use in the District Court

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

Whereas ..... of ..... has applied for the issue of an order for the attachment of or interdict against the goods of ..... at ..... and the court has fixed the security to be given by the said ..... in the sum of R.....;

[Now, therefore] Now therefore, the said ..... binds himself or herself to satisfy any lawful claim by the said ..... against the said ..... for damages which the said ..... may suffer by reason of the said attachment or interdict in case the said attachment or interdict be hereafter set aside;

[And ..... of ..... hereby binds himself or herself as surety for and co-principal debtor with the said ..... in a sum not exceeding the said sum of R.....for the due fulfilment by the said ..... of the obligation hereby undertaken by him or her.]

And ..... (name the surety(ies)) of ..... hereby bind(s) himself/herself/themselves jointly and severally as sureties and co-principal debtors together with the above-named Applicant to pay the above-named Respondent or whom else may lawfully claim against the Applicant as a consequence of this application all damages, costs and charges which he or she or they may sustain by reason of the attachment or interdict being set aside.

Signed at ..... this ..... day of ....., 20....

.....

Applicant.

Witnesses:

1. ....

Signature and address

.....  
 .....  
 Surety and co-principal debtor  
 2. ....  
 Signature and address  
 .....

**No. 27 – Security on Attachment or Interdict ex parte**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Applicant

and

..... Respondent

Whereas ..... of ..... has applied for the issue of an order for the attachment of or interdict against the goods of ..... at ..... and the court has fixed the security to be given by the said ..... in the sum of R.....;

Now therefore, the said ..... binds himself or herself to satisfy any lawful claim by the said ..... against the said ..... for damages which the said ..... may suffer by reason of the said attachment or interdict in case the said attachment or interdict be hereafter set aside;

And ..... (name the surety(ies)) of ..... hereby bind(s) himself/herself/themselves jointly and severally as sureties and co-principal debtors together with the above-named Applicant to pay the above-named Respondent or whom else may lawfully claim against the Applicant as a consequence of this application all damages, costs and charges which he or she or they may sustain by reason of the attachment or interdict being set aside.

Signed at ..... this ..... day of ....., 20....

.....  
 Applicant. ....

Witnesses: .....

1. ....  
 Signature and address

.....  
 .....

Surety and co-principal debtor \_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_  
Signature and address  
\_\_\_\_\_

**No. 28 - Security when Execution is Stayed Pending Appeal**

**\*For use in the District Court**

In the Magistrate's Court for the District of \_\_\_\_\_

held at \_\_\_\_\_ Case No. \_\_\_\_\_ of 20.....

In the matter between

.....Judgment

Creditor

and

..... Judgment

Debtor

Whereas the said ..... on the ..... day of ..... 20..... obtained judgment in this court against the said ..... for the sum of R..... together with a sum of R..... for costs;

And whereas the said ..... has applied to the court for a stay of execution pending appeal/review proceedings and the court has directed that execution be stayed accordingly subject to the said ..... giving security within ..... days;

Now, therefore, the said ..... and ..... of ..... as surety and co-principal debtor for the said ..... hereby bind themselves jointly and severally to satisfy the said judgment and any further liability which may arise by way of damages or otherwise by reason of such suspension, so far as such judgment may not be reversed or varied on appeal/review; and further severally ..... (insert any further terms required).

Signed at ..... this ..... day of ....., 20.....,

.....

Judgment Debtor

Witnesses:

1. \_\_\_\_\_

Signature and address

\_\_\_\_\_  
\_\_\_\_\_

Surety and co-principal debtor

2. \_\_\_\_\_



Signature and address

.....  
.....

**No. 28 - Security when Execution is Stayed Pending Appeal**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

.....Judgment Creditor

and

..... Judgment Debtor

Whereas the said ..... on the ..... day of  
....., 20..... obtained judgment in this court against the said  
..... for the sum of R..... together with a sum of R..... for costs;

And whereas the said ..... has applied to the court for a stay of  
execution pending appeal/review proceedings and the court has directed that execution  
be stayed accordingly subject to the said ..... giving security within  
..... days;

Now, therefore, the said ..... and ..... of  
..... as surety and co-principal debtor for the said ..... hereby bind  
themselves jointly and severally to satisfy the said judgment and any further liability  
which may arise by way of damages or otherwise by reason of such suspension, so far  
as such judgment may not be reversed or varied on appeal/review; and further severally  
..... (insert any further terms required).

Signed at ..... this ..... day of .....  
20.....,

.....

Judgment Debtor

Witnesses:

1. ....

.....  
Signature and address  
.....

.....

.....  
Surety and co-principal debtor

2. ....

.....  
Signature and address  
.....

**No. 29 - Security when Execution is Allowed Pending Appeal**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

Whereas the said ..... on the ..... day of ....., 20..... obtained judgment in this court against the said ..... for the sum of R..... together with a sum of R..... for costs;

And whereas the said court, notwithstanding that the said ..... has noted an appeal against the judgment, has directed the judgment to be carried into execution upon security being given for restitution;

Now, therefore, the said ..... and ..... of ..... as surety and co-principal debtor for the said ..... hereby bind themselves jointly and severally to refund the above sums of R..... and R..... should the judgment of the said court be reversed and further severally ..... (insert any further terms required).

Signed at ..... this ..... day of ....., 20.....,

.....

Judgment Debtor

Witnesses:

1. ....

Signature and address

.....

.....

Surety and co-principal debtor

2. ....

Signature and address

.....

.....

**No. 29 - Security when Execution is Allowed Pending Appeal**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

Whereas the said ..... on the ..... day of  
....., 20..... obtained judgment in this court against the said .....  
for the sum of R..... together with a sum of R..... for costs;

And whereas the said court, notwithstanding that the said .....  
has noted an appeal against the judgment, has directed the judgment to be carried into  
execution upon security being given for restitution;

Now, therefore, the said ..... and ..... of  
..... as surety and co-principal debtor for the said .....  
hereby bind themselves jointly and severally to refund the above sums of R..... and  
R..... should the judgment of the said court be reversed and further severally  
..... (insert any further terms required).

Signed at ..... this ..... day of .....  
20.....,

.....

Judgment Debtor

Witnesses:

1. ....

Signature and address  
.....

.....

Surety and co-principal debtor

2. ....

Signature and address  
.....

**No. 30 – Warrant of Ejectment**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To the Sheriff.

Whereas in this action the said plaintiff on the ..... day of ....., 20..... obtained judgment for the ejectment of the said defendant from the premises or land known as .....

This is to authorise and require you to put the said plaintiff into possession of the said premises or land by removing therefrom the said defendant for which this shall be your warrant;

And return to this court what you have done by virtue hereof.

Dated this ..... day of ....., 20.....,

By Order of the Court.

.....

Clerk of the Court.

.....

Plaintiff/Plaintiff's Attorney.

Address: .....

.....

**No. 30 – Warrant of Ejectment**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To the Sheriff.

Whereas in this action the said plaintiff on the ..... day of ....., 20..... obtained judgment for the ejectment of the said defendant from the premises or land known as .....

This is to authorise and require you to put the said plaintiff into possession of the said premises or land by removing therefrom the said defendant for which this shall be your warrant;

And return to this court what you have done by virtue hereof.

Dated this ..... day of ....., 20.....

By Order of the Court.

.....

Registrar

.....

Plaintiff/Plaintiff's Attorney.

Address: .....

.....

**No. 31 – Warrant for Delivery of Goods**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To the Sheriff.

Whereas in this action the court ordered that the defendant should deliver to the plaintiff a certain ..... (describe the thing to be delivered);

This is to authorise and require you to take the said ..... (describe the thing) from the defendant and place the plaintiff in possession thereof, for which this shall be your warrant;

And return to this court what you have done by virtue hereof.

Dated this ..... day of ....., 20.....

By Order of the Court.

.....

Clerk of the Court.

.....

Plaintiff/Plaintiff's Attorney.

Address: .....

.....

**No. 31 – Warrant for Delivery of Goods**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant

To the Sheriff.

Whereas in this action the court ordered that the defendant should deliver to the plaintiff a certain ..... (describe the thing to be delivered);

This is to authorise and require you to take the said ..... (describe the thing) from the defendant and place the plaintiff in possession thereof, for which this shall be your warrant;

And return to this court what you have done by virtue hereof.

Dated this ..... day of ....., 20.....,

By Order of the Court.

.....

Registrar

.....

Plaintiff/Plaintiff's Attorney.

Address: .....

.....

**No. 32 – Warrant for Execution Against Property**

**\*For use in the District Court**

In the Magistrate's Court for the District of

.....

held at ..... Case No. .... of 20.....

In the matter between

..... Execution  
 Creditor

and

..... Execution  
 Debtor

To the Sheriff.

Amounts to be levied (with costs execution) Whereas in this action the said  
 ..... of ..... on the ..... day of ....., 20.....  
 obtained judgment in the abovementioned court against the said  
 ..... of ..... for the several sums  
 set out in the margin hereof amounting in all to the sum of R....., of which  
 R..... has since been paid;

This is therefore to authorize and require you to raise on the property of the said  
 .....

the sum of R..... together with your costs of this execution and pay to the said  
 .....

the aforesaid sum of R..... and return to this court what you have done by virtue  
 hereof.

R c

<u>Judgment Debt</u>	<u>.....</u>
Judgment debt Costs	.....
Cost of issuing warrant	.....
Costs of appeal	.....

SUBTOTAL

Less amount paid since judgment .....

TOTAL DUE .....

Dated at ....., this ..... day of  
 .....20....

By Order of the Court.

.....

Clerk of the Court.

.....

Attorney for Execution Creditor

Address: .....

.....

NOTE: (1) If the execution debtor pays the amounts specified in the margin hereof with sheriff's charges of R..... within half an hour of the entry of the sheriff he or she will not be required to pay any further costs of execution. The amount of any payment made by the execution debtor and the date thereof shall be endorsed on the original and copy hereof, which endorsement shall be signed by the sheriff and countersigned by the execution debtor or execution debtor's representative.

(2) This execution may be paid out before sale, subject to the payment of the sheriff's fees and charges of execution, which may be required to be taxed.

(3) The only immovable property upon which this warrant may be executed is .....(set out its situation and nature sufficiently to enable it to be identified).

(4) In case of reissue the fact and date of reissue and any increase or reduction in the amounts to be levied shown on the face hereof shall be set out in a note endorsed hereon and signed by the execution creditor or execution creditor's attorney and by the clerk of the court.

(5) Any alterations made herein shall be initialled by the clerk of the court before the warrant is issued or reissued by him or her.

**No. 32 – Warrant for Execution Against Property**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Execution Creditor

and

..... Execution Debtor

To the Sheriff. ....

Amounts to be levied (with costs execution) ..... Whereas in this action the said  
..... of ..... on the ..... day of ....., 20.....  
obtained judgment in the abovementioned court against the said  
..... of ..... for the several sums  
set out in the margin hereof amounting in all to the sum of R....., of which  
R..... has since been paid;

This is therefore to authorize and require you to raise on the property of the said  
.....

the sum of R..... together with your costs of this execution and pay to the said  
.....

the aforesaid sum of R..... and return to this court what you have done by virtue  
hereof.

..... R c

Judgment Debt .....



Judgment debt Costs .....  
 Cost of issuing warrant .....  
 Costs of appeal .....  
 SUBTOTAL .....  
 Less amount paid since judgment .....  
 TOTAL DUE .....

Dated at ....., this ..... day of .....20....

By Order of the Court.

.....

Registrar

.....

Attorney for Execution Creditor

Address:.....

.....

NOTE: (1) If the execution debtor pays the amounts specified in the margin hereof with sheriff's charges of R..... within half an hour of the entry of the sheriff he or she will not be required to pay any further costs of execution. The amount of any payment made by the execution debtor and the date thereof shall be endorsed on the original and copy hereof, which endorsement shall be signed by the sheriff and countersigned by the execution debtor or execution debtor's representative.

(2) This execution may be paid out before sale, subject to the payment of the sheriff's fees and charges of execution, which may be required to be taxed.

(3) The only immovable property upon which this warrant may be executed is (set out its situation and nature sufficiently to enable it to be identified).

(4) In case of reissue the fact and date of reissue and any increase or reduction in the amounts to be levied shown on the face hereof shall be set out in a note endorsed hereon and signed by the execution creditor or execution creditor's attorney and by the registrar.

(5) Any alterations made herein shall be initialled by the registrar before the warrant is issued or reissued by him or her.

**No. 33 - Notice of Attachment in Execution**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Execution  
Creditor

and

..... Execution  
Debtor

To: .....  
Execution Debtor.

Take notice that I have this day laid under judicial attachment the property comprised in the above inventory in pursuance of a warrant directed to me under the hand of the clerk of the court for the district of ....., whereby I am required to cause to be raised of your property in this district or region the sum of R..... and R..... costs recovered against you by the judgment of the said court in this action and my charges in respect of the said warrant.

Dated at ..... this ..... day of .....,  
20.....

.....

Sheriff.

**No. 33 - Notice of Attachment in Execution**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Execution  
Creditor

and

..... Execution  
Debtor

To: .....  
Execution Debtor.

Take notice that I have this day laid under judicial attachment the property comprised in the above inventory in pursuance of a warrant directed to me under the hand of the registrar for the regional division of ....., whereby I am required to cause to be raised of your property in this district or region the sum of R..... and R..... costs recovered against you by the judgment of the said court in this action and my charges in respect of the said warrant.

Dated at ..... this ..... day of .....,  
20.....

.....

Sheriff.

**No. 34 – Notice to Preferent Creditor**

**\*For use in the District Court**

[Section 66(2)(a) of Act 32 of 1944]

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Judgment  
Creditor

and

..... Judgment  
Debtor

To: .....  
(Preferent Creditor)

Whereas the undermentioned immovable property was laid under judicial attachment by the Sheriff on the ..... day of ....., 20..... you are hereby notified that it will be sold in execution [**in front of the Court-house**] at ..... (place) on the ..... day of ....., 20..... at ..... (time)

Short description of property and its situation:

.....  
.....

Dated at ..... this ..... day of ....., 20.....

.....

Judgment creditor/Attorney for judgment creditor  
Address: .....

**No. 34 – Notice to Preferent Creditor**

**\*For use in the Regional Court**

[Section 66(2)(a) of Act 32 of 1944]

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Judgment Creditor  
and

..... Judgment Debtor

To: .....  
(Preferent Creditor)

Whereas the undermentioned immovable property was laid under judicial attachment by the Sheriff on the ..... day of ....., 20..... you are hereby notified that it will be sold in execution at ..... (place) on the ..... day of ....., 20..... at ..... (time)

Short description of property and its situation:

.....

Dated at ..... this ..... day of ....., 20.....

.....

Judgment creditor/Attorney for judgment creditor

Address: .....

.....

**No. 35 - Interpleader Summons**

**[Section 69(1) of Act 32 of 1944]**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Execution Creditor

and

..... Execution Debtor

To: ..... (Execution Creditor.)

.....

and: ..... (Claimant.)

.....

You are hereby summoned to appear before this court on the ..... day of ....., 20....., at ..... (time), to have it determined and declared whether certain movable property, namely ....., attached on the ..... day of ....., 20..... by the sheriff by virtue of a warrant of execution issued by this court on the ..... day of ....., 20....., in the action in which you, ..... the said execution creditor [.....], obtained judgment for the sum of R..... against ..... of ..... (execution debtor) and which said property is claimed by you, ..... the said claimant [.....], as being your property, is or is not your property or to appear to

have the claim by you, \_\_\_\_\_ the said claimant, [.....  
**(claimant)]** to the proceeds of property, namely ..... attached on the  
 ..... day of ....., 20.....

by the sheriff by virtue of a warrant of execution issued out of this court on the  
 ..... day of ....., 20....., in the action in which the execution creditor  
 obtained judgment for the sum of R..... against .....

of ..... (execution debtor) and which property was sold in execution on  
 the ..... day of ....., 20....., adjudicated upon.

Dated at ..... this ..... day of .....,  
 20.....

.....  
 Clerk of the Court.

**No. 35 - Interpleader Summons**

**[Section 69(1) of Act 32 of 1944]**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Execution Creditor

and

..... Execution Debtor

To: ..... (Execution Creditor.)

.....

and: ..... (Claimant.)

.....

You are hereby summoned to appear before this court on the ..... day  
 of ....., 20....., at ..... (time), to have it determined and declared  
 whether certain movable property, namely ....., attached on the .....  
 day of ....., 20..... by the sheriff by virtue of a warrant of execution issued by this  
 court on the ..... day of ....., 20....., in the action in which you,  
 ..... the said execution creditor, obtained judgment for the sum of R.....  
 against ..... of ..... (execution debtor) and  
 which said property is claimed by you, ..... the said claimant, as being your  
 property, is or is not your property or to appear to have the claim by you, ..... the  
 said claimant, to the proceeds of property, namely ..... attached on the  
 ..... day of ....., 20.....

by the sheriff by virtue of a warrant of execution issued out of this court on the  
..... day of ....., 20...., in the action in which the execution creditor  
obtained judgment for the sum of R..... against .....

of ..... (execution debtor) and which property was sold in execution on  
the ..... day of ....., 20....., adjudicated upon.

Dated at ..... this ..... day of ....., 20.....  
.....

Registrar

**No. 36 – Interpleader Summons**

**[Section 69(2) of Act 32 of 1944]**

**\*For use in the District Court**

In the Magistrate's Court for the District of  
 .....

held at ..... Case No. .... of  
 20.....

To the Sheriff of the Court.

Whereas ..... of ..... has  
 interpleaded in this court as to ..... (state subject matter)  
 which is adversely claimed by ..... of ..... and  
 ..... of ..... hereinafter called the claimants;

Summon the said claimants that they appear before the above-mentioned court  
 on the ..... day of .....20..., at ..... (time), and that  
 they do then severally state the nature and particulars of their several claims and  
 whether they will maintain or relinquish the same.

Dated at ..... this ..... day of .....,  
 20.....

.....

Clerk of the Court.

**No. 36 – Interpleader Summons**

**[Section 69(2) of Act 32 of 1944]**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

To the Sheriff of the Court.

Whereas ..... of ..... has  
interpleaded in this court as to ..... (state subject matter)

which is adversely claimed by ..... of ..... and ..... of ..... hereinafter called the claimants;

Summon the said claimants that they appear before the above-mentioned court on the ..... day of .....20..., at ..... (time), and that they do then severally state the nature and particulars of their several claims and whether they will maintain or relinquish the same.

Dated at ..... this ..... day of ....., 20.....

.....

Registrar

**No. 37 – Security under Rule 38**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Execution Creditor

and

..... Execution Debtor

Whereas the said execution creditor obtained judgment in this court against the said execution debtor on the ..... day of ....., 20..... in the sum of R..... together with the sum of R..... for costs;

And whereas under the said judgment execution has been issued and property/a debt/emoluments has/have been attached;

Now therefore the said execution creditor binds himself or herself to the sheriff of the aforesaid court that if the attachment be hereafter set aside, he or she will satisfy any lawful claim against him or her by the said execution debtor for damages suffered by the said execution debtor by reason of the said attachment;

And ..... of ..... binds himself or herself as surety and co-principal debtor in a sum not exceeding R.....for the due fulfilment by the said execution creditor of the obligation undertaken by him or her.

Signed and dated at ..... this..... day of ....., 20.....

.....

Execution Creditor

Witnesses:

1. ....

Signature and address

.....

Surety and co-principal debtor

2. ....

Signature and address

.....

NOTE: Where the security is for the repayment of moneys attached by a garnishee order, a similar form should be used, the words 'refund the gross amount paid by the garnishee' being substituted for the words 'satisfy any lawful claim against him or her by the said execution debtor for damages suffered by the said execution debtor by reason of the said attachment'.

**No. 37 – Security under Rule 38**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....  
held at .....

Case No. .... of 20.....

In the matter between

..... Execution Creditor

and

..... Execution Debtor

Whereas the said execution creditor obtained judgment in this court against the said execution debtor on the ..... day of ....., 20..... in the sum of R..... together with the sum of R..... for costs;

And whereas under the said judgment execution has been issued and property/a debt/emoluments has/have been attached;

Now therefore the said execution creditor binds himself or herself to the sheriff of the aforesaid court that if the attachment be hereafter set aside, he or she will satisfy any lawful claim against him or her by the said execution debtor for damages suffered by the said execution debtor by reason of the said attachment;

And ..... of ..... binds himself or herself as surety and co-principal debtor in a sum not exceeding R..... for the due fulfilment by the said execution creditor of the obligation undertaken by him or her.

Signed and dated at ..... this..... day of ..... 20.....

.....

Execution Creditor

Witnesses:

1. ....

Signature and address



.....  
Surety and co-principal debtor \_\_\_\_\_

\_\_\_\_\_ 2. ....

Signature and address

.....  
\_\_\_\_\_

NOTE: Where the security is for the repayment of moneys attached by a garnishee order, a similar form should be used, the words 'refund the gross amount paid by the garnishee' being substituted for the words 'satisfy any lawful claim against him or her by the said execution debtor for damages suffered by the said execution debtor by reason of the said attachment'.

**No. 38 - Emoluments Attachment Order - Section 65J of the Magistrates' Courts Act 1944 (Act 32 of 1944)**

**\*Only for use in the District Court**

**IMPORTANT NOTICE:**

YOUR ATTENTION IS DIRECTED to section 65J(3) of the Magistrates' Courts Act, 1944 (read with section 3(1) of the Sheriffs Act, 1986), which provides that only a sheriff may serve this order on a garnishee in the manner prescribed by rule 9 of the Magistrates' Courts Rules. Service of this order by a person who is not a sheriff appointed in terms of section 2 of the Sheriffs Act, 1986, constitutes a criminal offence in terms of section 60(1)(gA) of the Sheriffs Act, 1986, and renders such service invalid and of no effect. A person who is convicted of an offence in terms of section 60(1)(gA) of the Sheriffs Act, 1986, shall be liable to a fine or to imprisonment for a period not exceeding three years or both such fine and such imprisonment.

YOUR ATTENTION IS FURTHER DIRECTED to section 65J(6) of the Magistrates' Courts Act, 1944, which provides as follows:

"If, after the service of such an emoluments attachment order on the garnishee, it is shown that the judgment debtor, after satisfaction of the emoluments attachment order, will not have sufficient means for his or her own and his or her dependants' maintenance, the court shall rescind the emoluments attachment order or amend it in such a way that it will affect only the balance of the emoluments of the judgment debtor over and above such sufficient means."

In the Magistrate's Court for the District of  
.....

held at ..... Case No. ....of 20.....

In the matter between

.....  
Judgment Creditor

and

.....  
Judgment Debtor

.....

Particulars for the identification of the judgment debtor inclusive of his or her identity or work number or date of birth and address.

.....  
Garnishee.

..... Address of  
garnishee. ....

Whereas it has been made to appear to the above-mentioned Court that emoluments are at present or in future owing or accruing to the judgment debtor by or from the garnishee and that after satisfaction of the following order sufficient means will be left to the judgment debtor to maintain himself or herself and those dependent upon him or her;

It is ordered:

(1) That the said emoluments are attached;

(2) That the garnishee pay to the judgment creditor or his or her attorney on the ..... day of each and every month/week after this order has been granted the sum of R..... of the emoluments of the said judgment debtor until a sufficient amount has been paid to satisfy a judgment or order obtained against the judgment debtor by the judgment creditor in the ..... Court at ..... on the ..... day of ..... for the amount of R ..... (on which judgment or order the amount of R ..... remains unpaid) with costs

amounting to R ..... and the costs of attachment amounting to R ..... as well as R ..... sheriff's fees.

Dated at ..... this ..... day of ....., 20.....

By Order of the Court,

.....

Clerk of the Court.

.....

Judgment Creditor/Attorney for Judgment Creditor.

Address of Judgment Creditor/Attorney for Judgment Creditor.

.....

Attention is directed to the provisions of section 65J (10) of the Magistrates' Courts Act, 1944, which reads as follows:

“Any garnishee may, in respect of the services rendered by him or her in terms of an emoluments attachment order, recover from the judgment creditor a commission of up to 5 per cent of all amounts deducted by him or her from the judgment debtor's emoluments by deducting such commission from the amount payable to the judgment creditor.”

**No. 39 – Garnishee Order – Section 72 of the Magistrates’ Courts Act 1944 (Act 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at .....Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

..... Particulars for the identification of the judgment debtor inclusive of his/her identity or work number or date of birth and address

..... Garnishee.

..... Address of garnishee.

Whereas it has been made to appear to the above-mentioned Court that a debt is at present or in future owing or accruing to the judgment debtor by or from the garnishee;

It is ordered-

(1) that the said debt be attached;

(2) that the garnishee pay to the judgment creditor or judgment creditor’s attorney so much of the debt as may be sufficient to satisfy a judgment or order obtained against the judgment debtor by the judgment creditor in the ..... Court at ..... on the ..... day of .....20..... for the amount of R..... (on which judgment or order the amount of R..... remains due and unpaid) and the costs of the proceedings of attachment amounting to R..... as well as R..... sheriff’s fees.

If the garnishee fails to pay the judgment creditor or his or her attorney as aforesaid, he shall appear before this Court on the ..... day of ..... 20.... at ..... (time) ..... to show cause why he or she should not pay the same.

Dated at ..... this ..... day of ....., 20.....

By Order of the Court,

.....

Clerk of the Court

.....

Judgment Creditor/Attorney for Judgment Creditor

.....

..... (Address)

**No. 40 – Notice to Appear in court in terms of section 65A(1) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

To: .....

..... (If the judgment debtor is a juristic person it must be indicated that the responsible person is summoned in his or her personal capacity and in his or her capacity as the representative of the juristic person.)

You are hereby required to appear before abovementioned court on ..... 20 ..... at ..... (time) to enable the court to inquire into your/the juristic person's financial position and to make such order as the court may deem just and equitable, as you/the juristic person failed to satisfy-

(a) the judgment of the said court of ..... given against you/the juristic person on ..... 20 ..... for the payment of the amount of R ..... and R ..... costs; or

(b) the order of the said court of ..... 20 ..... that you/the juristic person shall pay in instalments the amount of R ..... and R ..... costs within 10 days of the date on which the judgment was given or .....

The balance of the debt at present amounts to R ..... and the balance of the costs to R .....

You are further required to submit a full statement to the said court-

(a) of your/the juristic person's assets and liabilities;

(b) of your monthly/weekly income and expenditure, supported by documentary proof inclusive of a statement by your employer giving full particulars of your emoluments and, in the case of a juristic person, the latest financial statements;

(c) and the following:

.....

Notice:

(1) If the court is satisfied on the ground of sufficient proof or otherwise-

(a) that you have knowledge of a notice referred to in section 65A (1) of the Act and that you have failed to appear before the court on the date and at the time specified in the notice; or

(b) that you, where the proceedings were postponed in your presence to a date and time determined by the court, have failed to appear before the court on that date and at that time; or

(c) that you have failed to remain in attendance at the proceedings or at the proceedings so postponed,

the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest you and to bring you before a competent court to enable that court to conduct a financial inquiry. [Section 65A (6) of the Act]

(2) Any person who-

(a) is called upon to appear before a court under a notice in terms of section 65A (1) or (8)(b) of the Act (where the sheriff, in lieu of arresting a person, hands to that person a notice in writing to appear before the court) and who wilfully fails to appear before the court on the date and at the time specified in the notice;

(b) where the proceedings were postponed in his or her presence to a date and time determined by a court, wilfully fails to appear before the court on that date and at that time; or

(c) wilfully fails to remain in attendance at the proceedings or at the proceedings so postponed,

is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A (9) of the Act]

Dated at ..... this ..... day of ..... 20 .....

Judgment Creditor/Attorney  
for Judgment Creditor

Clerk of the Court

**No. 40A – Warrant of Arrest in terms of section 65A(6) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

Warrant of Arrest

To the Sheriff,  
.....

You are hereby commanded to arrest ..... (the above-named judgment debtor/the director or officer of the above-named judgment debtor) who-

(a) failed to appear before the court at ..... (place) on ..... 20 ..... (date) in compliance with a notice in terms of section 65A (1) of the Act \*;

(b) failed to, after proceedings were postponed in his or her presence in the court at ..... on ..... to ..... 20 ..... at ..... (time), appear on the latter date and time\*;

(c) failed to remain present at proceedings in the court at ..... on ..... 20 ..... /postponed proceedings held in the court at ..... on ..... 20 .....\*;

and to bring him or her as soon as is reasonably possible before the court within the district in which he or she was arrested. If it is not possible to bring him or her before the said court, he or she may be detained at any police station pending his or her appearance before that court. [Section 65A (8)(a) of the Act]

Dated at ..... on this ..... day of ..... 20 .....

Judgment Creditor/Attorney for  
Judgment Creditor

Address: .....

Telephone Number: .....

Fax Number: .....

Clerk of the Court

Telephone Number: .....

Fax Number: .....

\* Delete that which is not applicable.

**No. 40B – Notice to Appear in Court in terms of section 65A(8)(b) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at .....Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

To: ..... (Name)

..... (Residential address)

..... (Occupation/Status)

You are hereby required to appear before the court at ..... (place) on ..... (date) at ..... (time) to enable the court to inquire into your/the juristic person's financial position in terms of section 65D of the Act.

Notice:

Should you wilfully fail to appear before the said court on the said date and at the said time, or fail to remain present at the proceedings concerned, you will be guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding three months. [Section 65A(9) of the Act]

Dated at ..... this ..... day of ..... 20 .....

.....  
Sheriff of .....

CERTIFICATE

I, ..... Sheriff/Deputy Sheriff of ..... hereby certify that I have handed the original of this notice to ..... and that I have explained to him or her the import hereof.

.....  
Sheriff of .....

Duplicate original to the  
Clerk of the Court

.....

**No. 41 – Notice of Set-down of Postponed Proceedings under Section 65E(3) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

In the matter between

..... Judgment Creditor

and

..... Judgment Debtor

By hand/By registered post

To: (1) ..... (Judgment Debtor)

.....

(2) Clerk of the Court.....

Take notice that the proceedings against you, the above-mentioned Judgment Debtor, which were postponed on the ..... day of ..... 20....., in terms of section 65E(1) of the Magistrates' Courts Act, 1944, have again been placed on the roll of the above-mentioned Court. You are, therefore, hereby, in terms of section 65E(3) of the said Act, directed to appear before the above-mentioned Court on the ..... day of ..... 20..... at ..... (time).

Notice:

(1) If the court is satisfied on the ground of sufficient proof or otherwise-

(a) that you have knowledge of a notice referred to in section 65E (3) of the Act and that you have failed to appear before the court on the date and at the time specified in the notice; or

(b) that you, where the proceedings were postponed in your presence to a date and time determined by the court, have failed to appear before the court on that date and at that time; or

(c) that you have failed to remain in attendance at the proceedings or at the proceedings so postponed,

The provisions of section 65A(6) of the Act shall mutatis mutandis apply, and the court may, at the request of the judgment creditor or his or her attorney, authorise the issue of a warrant directing a sheriff to arrest you and to bring you before a competent court to enable that court to conduct a financial inquiry.

Dated at ..... this ..... day of ..... 20 .....

..... Judgment Creditor/Attorney for Judgment Creditor

Address of Judgment Creditor/Attorney for Judgment Creditor

.....

No. 42 – Notice in terms of Rule 58(2)(a)

\*Only for use in the Regional Court

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF.....

HELD AT..... CASE NO:.....

In the matter between

.....Applicant

and

.....Respondent

To the above-mentioned respondent:



TAKE NOTICE that if you intend to defend this claim you must within 10 court days file a reply with the registrar of this court, giving an address for service referred to in Rule 55(1)(g)(i) and serve a copy thereof on the applicant or his or her legal practitioner. Should you not comply with the above, you will then be automatically barred from defending and judgment may be given against you as claimed. Your reply must indicate what allegations in the applicant's statement you admit or deny, and must concisely set out your defence.

DATED at .....this.....day of.....20.....

.....

Applicant/Applicant's legal practitioner

Address for service:

.....

**No. 43 - Notice to Third Party**

**\*For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF  
HELD AT

CASE NO:.....

In the matter between:

Plaintiff

and

Defendant

and

.....

Third Party

TO THE ABOVE-NAMED THIRD PARTY:

TAKE NOTICE that the above-named plaintiff has commenced proceedings against the above-named defendant for the relief set forth in the summons, a copy of which is herewith served upon you.

The above-named defendant claims a contribution or indemnification (or such other grounds as may be sufficient to justify a third-party notice) on the grounds set forth in the annexure hereto.

If you dispute those grounds or if you dispute the claim of the plaintiff against the defendant you must give notice of your intention to defend [.] within .....days. Such notice must be in writing and filed with the clerk of the court and a copy thereof served on the above-named defendant at the address set out at the foot of this notice. It must give an address referred to in rule 13(3) for the service upon you of notices and documents in the action. Within 20 days of your giving such notice you must file a plea to the plaintiff's claim against the defendant or a plea to the defendant's claim against you, or both such pleas.

DATED at .....this .....day of .....20 .....

.....

Defendant's Attorney

(Address)

To .....

and to Plaintiff's Attorney,

(Address)

**No. 43 - Notice to Third Party**

**\*For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF

HELD AT

CASE NO:.....

In the matter between:

Plaintiff

and

Defendant

and

.....

Third Party

TO THE ABOVE-NAMED THIRD PARTY:

TAKE NOTICE that the above-named plaintiff has commenced proceedings against the above-named defendant for the relief set forth in the summons, a copy of which is herewith served upon you.

The above-named defendant claims a contribution or indemnification (or such other grounds as may be sufficient to justify a third-party notice) on the grounds set forth in the annexure hereto.

If you dispute those grounds or if you dispute the claim of the plaintiff against the defendant you must give notice of your intention to defend within .....days. Such notice must be in writing and filed with the registrar and a copy thereof served on the above-named defendant at the address set out at the foot of this notice.

It must give an address referred to in rule 13(3) for the service upon you of notices and documents in the action. Within 20 days of your giving such notice you must file a plea to the plaintiff's claim against the defendant or a plea to the defendant's claim against you, or both such pleas.

DATED at .....this .....day of .....20 .....

.....

Defendant's Attorney

(Address) \_\_\_\_\_

To .....

and to Plaintiff's Attorney,

(Address) \_\_\_\_\_

**No. 44 – Application for an Administration Order - Section 74(1) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

**APPLICATION FOR AN ADMINISTRATION ORDER BY**

..... (Full names and surname)

To 1. The Clerk of the Court at .....

2. ....

Take notice that I shall apply to the above-mentioned Court on the ..... day of ..... 20....., at ..... (time) ....., to make an order providing for the administration of my estate under the provisions of section 74 of the Magistrates' Courts Act, 1944.

A full statement of my affairs confirmed by an affidavit in support of this application is attached.

Dated at ..... this ..... day of ..... 20 .....

.....

Applicant.

Full address .....

.....

NOTE: Section 74A (5) of the Magistrates' Courts Act, 1944, provides that the applicant shall deliver to each of his or her creditors at least 3 days before the date appointed for the hearing, personally or by registered post a copy of this application and statement of affairs (Form 45) on which shall appear the case number under which this application was filed.

**No. 45 – Statement of Affairs of Debtor in an Application for an Administration Order - Section 65I(2) or 74A of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

Case No. .... of 20.....

In the application for an Administration Order of .....

(hereinafter referred to as the Applicant)

1. Surname ..... of ..... Applicant .....

First names.....

Date of birth.....Identity number .....

2. Residential ..... address .....

3. Marital status ..... If married, state whether in or out of community of property .....

Full names ..... of spouse.....

Date of birth ..... Identity number .....

If Applicant and spouse are living apart, state from what date .....

4. Dependants:

Full names	Age	Relationship
.....	.....	.....

5. Name and business address of employer:

Applicant:  
.....

6. If not employed furnish reasons:

Applicant:  
.....

Spouse:  
.....

7. Occupation:

Applicant:  
.....

Spouse:

.....

8. Gross income:

Applicant: ..... per week/month

.....

Spouse: ..... per week/month

.....

9. Full particulars of all deductions from income (by way of stop order or otherwise) supported as far as possible by written statements of employer:

Applicant: Spouse:

Particulars

R	Amount	Particulars
---	--------	-------------

R	Amount	
---	--------	--

.....

.....

Total	Total
-------	-------

10. Detailed particulars of essential weekly or monthly expenses, including transport expenses:

Applicant (including his or her dependants): Spouse:

Particulars Amount

R	Particulars	Amount
---	-------------	--------

R

.....

.....

Total	Total
-------	-------

11. Full particulars, supported by statements and copies of the agreements, of goods purchased under hire-purchase agreements in terms of the Hire-Purchase Act, 1942 (Act No. 36 of 1942), or credit agreements in terms of the Credit Agreements Act, 1980 (Act No. 75 of 1980) or the National Credit Act, 2005 (Act No. 34 of 2005), and not paid for in full:

Particulars (purchase price must be stated) weekly/monthly	Balance Date when will be paid for in full	Instalment Reason why provision should be made for remaining instalments	Payable
--	--	--	---------

R	R
---	---

.....

.....

12. Full particulars of assets purchased under a written agreement (excluding an agreement referred to in item 11) which are not paid for in full.

Particulars	Balance	Instalment	Payable weekly/monthly	Date when will
be paid for in full		Reason why the	Administration	Order should
payment thereof				provide for the

R R

.....

.....

13. Full particulars and estimated value of security which creditors have in respect of debt which the Applicant or applicant's spouse is liable for (the name and address of any other person who, in addition to the debtor, is liable for the debt must also be stated):

.....

.....

14. Full particulars of immovable property of the Applicant or spouse which is mortgaged:

Mortgage

.....

Address

.....

Description	Market Value	Balance of the bond(s) thereon	Date when will
be paid for in full	Instalments payable	Reason why the	Administration
payment thereof			Order should

R R

.....

.....

15. Full particulars of movable property of applicant or spouse:

Description	Estimated value
-------------	-----------------

R

.....

.....

16. Full particulars of outstanding claims, bills, investments, bonds or other securities in favour of Applicant investing moneys in a savings or other account with a bank or elsewhere:

Name and address of debtor or institution	Particulars	Amount
---	-------------	--------

R

.....

.....

17. All movable property not already stated, including goods pawned, mortgaged, subject to retention or attached for the execution of a judgment:

Description	Estimated Value	Nature of encumbrance if any	Amount	of
debt encumbered for	Name and address of creditor in favour of whom encumbered			

R R

.....  
.....  
.....

18. If an Administration Order was at any time granted in respect of Applicant's estate, state:

Date of expiry ..... Date set aside

Reasons.....

19. If an Administration Order is granted, state the amount of the weekly, monthly or other instalments which the Applicant offers to pay towards settlement of the debts mentioned in the list of creditors in the annexure to this statement:

R..... with effect from ..... and weekly/monthly thereafter, or  
....., from.....

I .....  
from.....

declare under oath:

(1) I am the applicant.

(2) A judgment/judgments has/have been obtained against me and I am unable forthwith to pay the amount(s), or to meet my financial obligations.

(3) I have no sufficient assets capable of attachment to satisfy such judgment(s) or obligations.

(4) The total amount of all my debts due does not exceed R50 000.

(5) All particulars contained in this statement and in the list of creditors in the Annexure to this statement, as well as the amounts due to them separately, are, to the best of my knowledge, true and correct and that the statement contains all particulars, assets, income and debts of me and my spouse, including my obligations.

Signature

1. I certify that before administering the prescribed oath I asked the Deponent the following questions and wrote down his/her answers in his/her presence:

(a) Do you know and understand the contents of the above declaration?  
.....

(b) Do you have any objection to taking the prescribed oath?.....

(c) Do you consider the prescribed oath to be binding on your conscience?  
.....

2. I certify that the Deponent has acknowledged that he/she knows and understands the contents of this declaration which was sworn to before me and the Deponent's signature was placed thereon in my presence.

.....

Commissioner of Oaths

.....

Area

.....

Designation if appointment is held ex officio.

**ANNEXURE TO STATEMENT OF AFFAIRS (FORM 45)-LIST OF CREDITORS**

Full name and address of creditor	Nature of claim and balance due	Date payable
Amount payable in instalments	Weekly/ monthly	Court Case number
If court order is granted in respect of claim, full particulars about order, including particulars of emoluments attachment order or garnishee order		
Balance	Date	on which obligations terminate

R

.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....

Attention is directed to the provisions of section 74A (2)(e) of the Magistrates' Courts Act, 1944. All the Applicant's creditors and their addresses must be stated in the list in which a clear distinction shall be made between-

(i) debts, the whole amount of which is owing, including judgment debts payable in instalments in terms of a Court Order, an Emoluments Attachment Order or a Garnishee Order; and

(ii) obligations which are payable in future in periodical payments or otherwise or which will become payable under a maintenance order, agreement, stop order or otherwise, and in which the nature of such periodical payments is specified in each case or when the obligations will be payable and how they are then to be paid, the balance owing in each case and when, in each case, the obligation will terminate.



**No. 46 – Certificate of Service of Foreign Process**

**\*For use in the District Court**

I, ....., clerk of the ..... magistrate’s court for the district of ..... hereby certify that the following documents are annexed:

- (1) the original request for service of process or citation received from .....(state, territory or court) in the matter between .....and .....
- (2) the process received with such request;
- (3) the proof of service upon ....., the person named in such request for service, together with the certificate of verification of .....

I also certify that the service so proved and the proof thereof are such as are required by the practice and rules of the magistrates’ courts.

I further certify that the cost of effecting such service, duly certified by the taxing officer of this court, amounts to the sum of R.....

GIVEN UNDER MY HAND and stamp, at ..... this .....day of .....20 .....

.....

Clerk of the Court

Stamp

.....

**No. 46 – Certificate of Service of Foreign Process**

**\*For use in the Regional Court**

I, ....., registrar/assistant registrar of the Regional Division of ..... at ..... hereby certify that the following documents are annexed:

- (1) the original request for service of process or citation received from .....(state, territory or court) in the matter between .....and .....
- (2) the process received with such request;
- (3) the proof of service upon ....., the person named in such request for service, together with the certificate of verification of .....

I also certify that the service so proved and the proof thereof are such as are required by the practice and rules of the magistrates’ courts.

I further certify that the cost of effecting such service, duly certified by the taxing officer of this court, amounts to the sum of R.....

GIVEN UNDER MY HAND and stamp, at ..... this .....day of .....20 .....

.....

Registrar/Assistant Registrar

\_\_\_\_\_

Stamp

.....

**No. 47 – Notice to Debtor that an Additional Creditor has lodged a claim against him or her for a debt owing before the making of the Administration Order - Section 74G(2) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

To: ..... (Debtor)

..... (Address)

Take notice that-

.....  
(name and address of creditor) lodged a claim in terms of section 74G(2) of the Magistrates' Courts Act, 1944, for the amount of R..... in respect of ..... (particulars of claim) which is not listed in the administration order made against you on the ..... day of ..... 20..... in the Magistrate's Court at .....

Kindly notify me in writing whether you admit or dispute this claim on or before the ..... day of .....20..... Please note that if you admit the claim or no reply is received from you on or before the said date, this claim shall be deemed to be proved, subject to the right of any other creditor who has not received notice of the claim to object to the debt, and shall be added to the list of names of your creditors who share pro rata in the payments made by you in terms of the Administration Order.

Dated at ..... this ..... day of ....., 20.....

.....  
Administrator

**No. 48 – Notice to Debtor that a Creditor has lodged a claim for a debt [owing] accruing after granting of the Administration Order - Section 74H(1) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

To: ..... (Debtor)

..... (Address)

.....  
Take notice that-

.....  
(name and address of Creditor) lodged a claim for the amount of R..... in respect of ..... (particulars of claim) as a result of which he or she allegedly

became your creditor after the Administration Order was issued against you on the day of .....20..... in the Magistrate's Court at .....

Kindly notify me in writing on or before the ..... day of ..... 20..... whether you admit or dispute this claim. Please note that if you admit the claim or no reply is received from you on or before the said date, this claim shall be deemed to be proved, subject to the right of any other creditor who has not received notice of the claim to object to the debt, and shall be added to the list of names of your creditors who share pro rata in the payments made by you in terms of the Administration Order.

Dated at ..... this ..... day of ....., 20.....

.....

Administrator

**No. 49 – Notice to add an Additional Creditor to the list of Creditors of a Person Under Administration - Section 74G(3) and 74H(2) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

To: The Clerk of the Court

.....

Administration Order against

.....

Kindly add the name of ..... from ..... as a creditor to the list of creditors sharing pro rata in the payments in terms of the Administration Order for the amount of R..... in respect of .....

Dated at ..... this ..... day of ....., 20.....

.....

Administrator

**No. 50 – Notice to Creditor that his or her name has been added to the List of Creditors of a Person Under Administration - Section 74G(3) and 74H(2) of the Magistrates’ [Court] Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at ..... Case No. .... of 20.....

To: .....

.....

Administration Order against

The above-mentioned Debtor admitted or did not dispute your claim against him/her for the amount of R..... and your name and the amount due to you have been added to the list of creditors sharing pro rata in payments in terms of the Administration Order. Kindly note that other creditors may still object against the debt so listed. In this event, you will be notified.

A copy of the Administration Order issued against the debtor on the ..... day of ..... 20..... in the Magistrate's Court at ..... is attached/has already been received by you.

Dated at ..... this ..... day of ....., 20.....

Administrator

**No. 51 – Administration Order – Section 74(1) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of .....

held at .....this ..... day of ..... 20.....

Case No. ....of 20.....

In the application of

..... (hereinafter referred to as the applicant):

1. It is ordered-

(a) that the estate of the applicant be placed under administration in terms of section 74 of the Magistrates' Courts Act, 1944;

(b) that ..... from ..... be appointed Administrator of the Applicant's estate in terms of section 74E on condition that he or she gives the following security for the due and prompt payment by him or her to all the parties entitled thereto of all the moneys which come into his or her possession by virtue of this appointment

(c) that the Applicant pays the amount of R..... weekly/monthly to the Administrator for distribution among the creditors. **[First]** The first payment is to be made on or before the ..... day of ..... 20.... and weekly/monthly thereafter on or before every ...../the .....of each month;

(d)

(e)

2. Authority is granted-

(a) for the issue of an Emoluments Attachment Order under section 65J of the Magistrates' Courts Act, 1944, against the Applicant's employer for payment to the Administrator of the said amount on or before the said times until the costs of administration and the creditors have been paid in full. This authority is suspended on condition that .....

(b) for the issue of a garnishee order under section 72 of the Magistrates' Courts Act, 1944, against ..... from ..... This authority is suspended on condition that .....

(c) for the realization and distribution of the proceeds of the following assets among the creditors:

(i) .....

(ii) .....

(iii) .....

(iv) of the following assets that are the subject of an agreement in terms of the Hire-Purchase Act, 1942 (Act 36 of 1942) or the Credit Agreements Act, 1980 (Act 75 of 1980) or the National Credit Act 2005, (Act 34 of 2005), with the written permission of the seller:

(aa) .....

(bb) .....

(d) for the return of the following assets to the seller in terms of the Hire-Purchase Act, 1942 or section 17 of the Credit Agreements Act, 1980 or provisions of the National Credit Act, 2005:

(i) .....

(ii) .....

(e) other (give details)

.....;

Dated at ..... this ..... day of ....., 20.....

.....

Magistrate

NOTE: In terms of section 74F (1) of the Magistrates' Courts Act, 1944, the Clerk of the Court shall hand or send by registered post a copy of this order to the debtor and in terms of section 74F (2) the Administrator shall forward a copy hereof by registered post to each creditor whose name is mentioned in the Debtor's statement of affairs (Form 45) or who has given proof of a debt.

**No. 52 - Distribution Account in terms of Section 74J(5) of the Magistrates' Courts Act, 1944**

**\*Only for use in the District Court**

Distribution Account No. ....

To: The Clerk of the Court

.....

Case No. .... of 20.....

Administration Order against

.....

Distribution account for the period ..... to

.....

A B C

A. (1) Amount payable to creditors in terms of the Administration Order/outstanding amount carried forward from previous statement -  
 - (2) Total amount due to additional creditors listed after granting of Administration Order/since lodging of previous statement. - -

(3) Interest - -

B. (1) Administration costs paid for the said period in terms of section 74L - -

(2) Claims paid during the said period that enjoy preference in terms of section 74J(3) - -

(3) Urgent or extraordinary medical, dental or hospital expenses paid during the said period - -

(4) Other payments during the said period (supply details) -  
 -

Total

A B C

Totals carried forward from previous page

C. Total amount received by the Administrator during the said period - -  
 -

Total of C minus total of B - -

Disposal for pro rata distribution

Pro rata distribution:

..... \* -  
 -

..... \* -  
 -

..... \* -

Total amount paid during the said period - -

Total of A minus total of B

Outstanding amount carried forward to next statement .....

Dated at ..... this ..... day of  
 ....., 20.....

.....

Administrator

\* The names of creditors to whom *pro rata* amounts were paid by the Administrator during the said period to be inserted here. (The relevant amounts to be completed in column B.)

**No. 52A – Rescission of Administration Order - Section 74Q of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944)**

**\*Only for use in the District Court**

In the Magistrate's Court for the District of  
 .....

held at ..... this ..... day of ..... 20.....

Case No. .... of 20.....

Administration Order against ..... (hereinafter referred to as the Debtor).

Whereas, after consideration of an application by the Debtor\*/an interested party, i.e. ....\*, it appears that good cause exists for the rescission of the Administration Order granted on the ..... day of .....

20..... in above-mentioned Court, the said Administration Order is rescinded with effect from the ..... day of ..... 20.....

Dated at ..... this ..... day of ....., 20.....

.....

Magistrate

NOTE: (1) The Clerk of the Court must send a copy of this order by registered post to the Administrator.

(2) The Administrator must deliver personally or send by post a copy of this order to the Debtor and to each creditor and inform the latter of the Debtor's last known address.

\* Delete which is not applicable.

**No. 53 – Notice of Abandonment of Specified Claim, Exception or Defence**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant.

Take notice that the plaintiff/defendant hereby abandons the undermentioned claim/exception/defence (as the case may be) set up by him or her in his or her summons/plea/reply (as the case may be).

Particulars:

.....

Dated at ..... this ..... day of ....., 20.....

.....

Plaintiff/Plaintiff's Attorney or Defendant/Defendant's Attorney.

To: .....

**No. 53 – Notice of Abandonment of Specified Claim, Exception or Defence**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant.

Take notice that the plaintiff/defendant hereby abandons the undermentioned claim/exception/defence (as the case may be) set up by him or her in his or her summons/plea/reply (as the case may be).

Particulars:

.....

Dated at ..... this ..... day of ....., 20.....

.....

Plaintiff/Plaintiff's Attorney or Defendant/Defendant's Attorney. ....

To: .....



**No. 54 – Agreement Not to Appeal**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant.

We, ....., of ....., and ....., of ....., the above named plaintiff and defendant, respectively, do hereby agree, in terms of section 82 of the Magistrates' Courts Act, 1944 (Act 32 of 1944), that the decision of the Court in the abovementioned action shall be final.

Signed and dated at ..... this ..... day of ....., 20.....

.....  
Plaintiff

Witnesses:

1. ....

Signature and address.  
.....

Defendant.

2. ....

Signature and address.  
.....

**No. 54 – Agreement Not to Appeal**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....Case No. .... of 20.....

In the matter between

..... Plaintiff

and

..... Defendant.

We, ....., of ....., and ....., of ....., the above named plaintiff and defendant, respectively, do hereby agree, in terms of section 82 of the

Magistrates' Courts Act, 1944 (Act 32 of 1944), that the decision of the Court in the abovementioned action shall be final.

Signed and dated at ..... this ..... day of ..... 20.....

.....  
Plaintiff

Witnesses:

1. ....

Signature and address.

.....  
Defendant.

2. ....

Signature and address.

.....

**No. 55 – Request to Inspect Record**

**\*For use in the District Court**

In the Magistrate's Court for the District of .....

held at .....

I, ....., of ....., hereby apply to inspect the record of Case No. .... of 20.....

(If number of record is not known, then as follows:)

I, ....., of ....., hereby apply to inspect the record of the case between ..... (plaintiff) and ..... (defendant).

Search to begin with the month of ..... 20.....

.....

Signature

(If the applicant is a party to the case or the attorney of such party, his or her capacity should be stated after his or her signature.)

**No. 55 – Request to Inspect Record**

**\*For use in the Regional Court**

In the Regional Court for the Regional Division of .....

held at .....

I, ....., of ....., hereby apply to inspect the record of Case No. .... of 20.....

(If number of record is not known, then as follows:)

I, ....., of ....., hereby apply to inspect the record of the case between ..... (plaintiff) and ..... (defendant).

Search to begin with the month of ..... 20.....

.....

Signature

(If the applicant is a party to the case or the attorney of such party, his or her capacity should be stated after his or her signature.)

**No. 56 - Criminal Record Book**

<u>Date of Hearing and Case No.</u>	<u>Name and Description of Accused.</u>	<u>Crime or Offence Charged.</u>	<u>Verdict and Sentence.</u>	<u>Remarks.</u>

**No. 57 - Notice in terms of Section 309B(2)(d) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977)**

IN THE REGIONAL/DISTRICT COURT FOR THE REGIONAL DIVISION/DISTRICT OF.....

HELD AT

Case

No.....

THE STATE

vs.....

TO THE DIRECTOR OF PUBLIC PROSECUTIONS OR PERSON DESIGNATED BY HIM OR HER (OR OTHER PROSECUTOR\*)

.....

AND TO THE APPELLANT, .....

TAKE NOTICE THAT the application by the appellant for leave to appeal in terms of section 309B of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), has been set down for hearing on ..... (date), at .....(time) or so soon thereafter as the matter may be heard, in Court No.

....., Magistrate's Office

.....

REGISTRAR/CLERK OF THE COURT,

.....

TO THE DIRECTOR OF PUBLIC PROSECUTIONS OR PERSON DESIGNATED BY HIM OR HER,.....

.....  
.....

(Address)

TO THE PROSECUTOR\*, .....

.....  
.....

(Address)

TO THE APPELLANT, .....

.....  
.....

(Address)

OR TO, .....

.....  
.....

(Address of appellant's legal representative, if any)

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE IN TERMS OF SECTION 309B  
(2)(d) OF THE CRIMINAL PROCEDURE ACT, 1977

Receipt of the above-mentioned notice is hereby acknowledged.

.....(Signature)

FOR DIRECTOR OF PUBLIC PROSECUTIONS OR PERSON DESIGNATED BY HIM  
OR HER

.....(Name in print)

..... (Signature)\*

FOR OTHER PROSECUTOR

.....(Name in print)

.....(Signature)

FOR APPELLANT

.....(Name in print)

\* Only to be completed in a case in which the prosecution was not at the public  
instance.”

**Commencement**

**24.** These rules shall come into operation on **28 July 2014.**





CONTINUES ON PAGE 138—PART 2





# Government Gazette Staatskoerant

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REPUBLIEK VAN SUID-AFRIKA

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**PART 2 OF 2**

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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

**ISAZISO SASEBURHULUMENTENI  
UMNYANGO WEZOMTHETHO KUNYE NOPHULISO LOMGAQO-SISEKO**

No. R. 507

27-06-2014

**IBHODI YEMIGAQO YEENKUNDLA ZOMTHETHO, KA-1985 (UMTHETHO NOM. 107  
KA-1985)**

**UHLENGAHLENIGISP LWEMIGAQO EKHOKHELA INKQUBO YOKUQHUBEKA  
KWENKUNDLA KAMANTYI WOMZANTSI AFRIKA**

Iqumrhu lemiGaqo yeNkundla yoMthetho iye, phantsi kwecandelo 6 yeQumrhu lemiGaqo yeNkundla yomMthetho, ka1985 (Umthetho Nom. 107 ka1985), ngemvume woMphathiswa wezoMthetho kunye noPhuhliso loMgaqo-siseko, benza umthetho kwishedyula.

**ISHEDYULI**

**ISAZISI ESICACISA JIKELELE:**

[ ] Amagama okanye iimboniso ezibhalwe ngqingqwa kwisikweri zibonisa ukhupho kwimigaqo ekhona..

\_\_\_\_\_ Amagama okanye iimboniso ezikrwelelwe ngomgca ongqingqwa zibonisa ufako kwimigaqo ekhona.

**Ingcaciso**

1. Kwimigaqo "imiGaqo" ithetha imiGaqo ekhokhela imeko yokuqhubeka kweNkundla kaMantyi epapashwe eMzantsi Afrika phantsi kweSaziso sikaRhulumente iNombolo. R. 740 ka23 Agasti 2010, ngokuhlengahlengiswe siSaziso sikaRhulumente Nos. R. 1222 ye24 kaDisemba 2010, R. 611 ye29 kaJulayi 2011, R.1085 ye30 kaDesemba 2011, R. 685 ye31 kaAgasti 2012, R. 115 ye15 kaFebhuwari 2013, R. 263 ye12 kaApreli 2013, R. 760 ye11 kaOkthobha 2013, R. 183 ye18 kaMatshi 2014 ne R. 215 ye 28 kaMatshi 2014.

**Uhlengahlengiso lomgaqo wesi- 3 wemiGaqo**

2. Umgaqo 3 wemiGaqo upha ulungiswe ngokucima umthetho ongaphantsi wesi (9).

**Uhlengahlengiso lomgaqo wesi- 4 wemiGaqo**

3. Umgaqo wama-4 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (4) walo mthemtho ongaphantsi olandelayo:  
“(4) Imigaqo 12(5), (6), (6A) no (7) faka isicelo sesigwebo ngemimiselo yamacandelo 57 no 58 woMthetho.”

**Uhlengahlengiso lomgaqo wesi- 5 wemiGaqo**

4. Umgaqo wama-5 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo wemithetho ongaphantsi weenombolo (2), (3) no (5)walo womthemtho ongaphantsi olandelayo:

“(2) (a) Nakweliphi ityala apho ibango engelilo eletyala okanye unyanzeliso lokuvala isamoni iza kuba zisamoni esidityanisiwe ezifana noFomu 2B yesiHlomelo 1, apho iisamoni ziza kuhlonyelwa isiteyithimenti seenyani zemathiyireli ekuxhonyekekwe kuzo ngummangali ukuxhasa ubano lommangali, apho isiteyithimenti siza, phakathi kwezinye, sithobebe umgaqo 6, kodwa kwiimeko zoghawulo mtshato iisamoni ezidityanisiwe zithatha ukuhamba neFomu 2C zizakusetyenziswa..”

(3) (a) (i) Neyiphi isamoni iza kutyikitywa ligqwetha elithatha indawo yommangali kwaye ziza kuthwala idilesi yokuhlala yegqwetha apho ummangali eza kwamkela inkonzo ywo onke amaxwebhu nezaziso kwisuti.. Kwiindawo apho kukhona amagqwetha amathathi nangaphezulu okanye ifemu yamagqwetha anonongwayo bengaxhomekanga komnye, idilesi yendawo yokuhlala iza kubaphakathi kweekhilomitha ezingama-15 zendlu yenkundla. Isamoni iza kuthwala idilesi yeposi yegqwetha, kwaye apho kufumaneka inombolo ngqo yegqwetha kunye nedilesi yemeyile yombane. Amagqwetha karhulumente angasebenzisa iofisi yombhalii okanye uklakha kwinkundla yokuhlala njengedilesi yayo yesevisi.

(ii) Ukuba akukho gqwetha lommangali, isamoni iza kusayinwa ngummangali. Isamoni iza kuthwala idilesi yokuhlala apho ummangali eza kwamkela inkonzo yawo onke amaxwebhu nezaziso kwisuti. Kwiindawo apho kukhona amagqwetha amathathi nangaphezulu okanye ifemu yamagqwetha anonongwayo bengaxhomekanga komnye, idilesi yendawo yokuhlala iza kubaphakathi kweekhilomitha ezingama-15 zendlu yenkundla. Isamoni iza kuthwala idilesi yeposi yommangali, kwaye apho kufumaneka inombolo ngqo yommangali kunye nedilesi yemeyile yombane.

(5)(a) Yonke isamoni iza kuquka ifomu yesaziso senjongo zokuvikela.

(b) Yonke isamoni, ngaphandle kwesamoni yoghawulo mtshato, iza kuquka:

- (i) ifomu yemvume kwisigwebo;
- (ii) Isaziso esitsala umdla wommangalelwa ngokonikezo lomthetho 109 loMthetho; kwaye
- (iii) isaziso apho umdla wommangalelwa ubhekiselwe kunikezo lwamacandelo 57, 58, 65A no65D loMthetho kumatyala apho inyathelo libhekisele kwityala ekubhekiswe kulo kwicanedlo 55 loMthetho.”

#### **Uhlengahlengiso lomgaqo wesi- 6 wemiGaqo**

5. Umgaqo wama-6 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (11) walo mthemtho ongaphantsi olandelayo:

“(11) Ukuba ubango lwenzelwe kwimeko yentshukumo eyenzekayo evuka ngokwenkqubo yomthetho, ummangali uza kuchaza ubume kunye nobunzulo bobo ngokusondele kokunikwa ngumthetho.”

#### **Uhlengahlengiso lomgaqo wesi- 9 wemiGaqo**

6. Umgaqo wama-9 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (3) walunikezo olandelayo:

“Kuxhomekeke ukuba inkonzo neyeyiphi inkqubo apho kuthatyathwa inyathelo loqhawulo mtshato okanye upheliso mtshato kwenziwe ukuba kuchatshazelwe kuphela yisherif kummangalelwa ngokwakhe.”

#### **Uhlengahlengiso lomgaqo wesi- 12 wemiGaqo**

7. Umgaqo wama-2 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (1) walunikezo olandelayo:

"Ngaphandle kokuba inyathelo loqhawulo mtshato okanye umthetho wopheliso mtshato we-22(5) uza kufakwa."

#### **Uhlengahlengiso lomgaqo wesi- 13 wemiGaqo**

8. Umgaqo wama-3 wemiGaqo uhlehlengiswa ngokuthathelwa indawo wemithetho ongaphantsi weenombolo (3) no (6) walo womthemtho ongaphantsi olandelayo:

"(3) (a) Xa ummangalewa eziza isaziso seenjongo zokukhusela-

- (i) ummangali uza kuthi anikese idilesi yakhe ephelele, eyokuhlala oanye idilesi yeshishini, idilesi yeposi kunye nalapho afumaneka khona, idilesi ngqo kunye nedilesi yemeyile yombane;
- (ii) ummangalelwa uza kubonisa kwaye akhethe lo dilesi ayikhethayo yenkonzo apho ummangalelwa aza kufumana onke amaxwebhu alo nkqubo, kunye nenkonzo kwaye kufuneke ibeyinyani, isebenze, ngaphandle apho umyalelo okanye isenzo senkundla sifuna inkonzo yomntu; kwaye
- (iii) ukuba idilesi yokuhlala inikezwe ngummangali kwisaziso sokuzikhusela njengedilesi ayikhethayo ukwenzela lo nkonzo, kwindawo apho kukho amagqwetha amathathu nangaphezulu okanye ifemu yamagqwetha asebenza ezimele komnye nomnye, lo dilesi iza kubekwa phakathi kwekhilomitha ezingama-15 ukusukela kwindlu yenkundla.

(6) Emveni kokuba ufumene isaziso senjongo zokuzikhusela, ummangali uza kukhupha ngoko nangoko nombhalisi okanye ilkalkha yenkundla isamoni yokuqala kunye nokubuyiswa kwenkonzo."

#### **Uhlengahlengiso lomgaqo wesi- 14 wemiGaqo**

9. Umgaqo wama-14 wemiGaqo uhlehlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (2) walo mthemtho ongaphantsi olandelayo:

"(2) (a) Ummangali uza kuthi phakathi kweentsuku ezingama-15 emveni komhla wokuzisa isaziso seenjongo zokuzikhusela, azise isaziso sesicelo sesishwankathelo sesigwebo, kunye ne-afidavithi eyenziwe ngummangali okanye nangomnye umntu ongafunga kakuhle kwinyani engqina isizathu sentshukumo kunye nemali, ukuba ikhona, ebanga kwaye echaza ukuba kwiizimvo zakhe akukho mkhethe kulo ntshukumo kunye nesaziso senjongo zokukhusela siziswe kuphela ngeenjongo zokuba singalityaziswa.

(b) Ubango lenzwele kuxwebhu lamanzi ikopi yesazisi iza kuhlonyelwa kulo afidavithi.

(c) Isaziso sofako sicelo sesigwebo esishwankathelwe siza kuchaza ukuba isicelo siza kuhlalelwa phantsi ukwenzela ingxoxo ngalo mhla uchaziwe okungekho ngaphantsi kweentsuku ezili- 10 ukususela kumhla woziso."

#### **Uhlengahlengiso lomgaqo wesi- 18 wemiGaqo**

10. Umgaqo wama-18 wemiGaqo uhlehlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (2) wesi siqingatha silandelayo:

"(2)(b) Kwisiganeko sethenda ecingwe kulo mqolo (a) ummangalelwa uza ku-, ngaphandle kokuba isenzo siza kwenziwa nguyw, akhuphe amandla egqwetha elinika igunya lesenzo aza kuthi alizise kuMbhali okanye iklakha yenkundla kunye nalo thenda."

**Ufako lomgaqo wama- 21B wemiGaqo**

11. Lo mgaqo ulandelayo ufakwa apha kumGaqo esemveni komgaqo 21A:

**“Ungaphumeleli ukuzisa izicelo - ngaphandle kwe-**

**21B.** Naliphi iqela elingaphumeleli ukuzisa isicengo ekubhekiselwe kuzo kwisaziso ngaphakathi kwexesha elo lifunekayo okanye phakathi kwelo xesha libekiwe ngokuvunyelwene phakathi kwamagela, uza kubakwityala lokubeka eso sicelo kwaye ngokwenyani akazuvunyelwa: Ngeenjongo zalo Mgaqo iintsuku eziphakathi kuka 16 kaDisemba ukuya kwi15 kaJanyuwari zombini zisecaleni, azozukubalelwa kwixesha elivulw ukuzisa nasiphi isicelo.”

**Uhlengahlengiso lomgaqo wesi- 22 wemiGaqo**

12. Umgaqo wama-60 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (22) walo mthemtho ongaphantsi olandelayo:

“(5) Kumanyathelo oqhawulo mtshato okanye amanyathelo okuphelisa umtshato, ngaphandle kokunqandwa nayeyeyiphi into equlathwe kumgaqo, umbhalisi wenkundla uza kuthi kwisicelo esibhaliwe sommangali abeke ixesha lokuva ityala nendawo nomhla oza kubekwa ngumbhalisi wenkundla, ukuba ummangalelwa-

(a) engaphumelelanga ukunikeza isaziso senjongo zokuvikela; okanye

(b) woyisakele ukuzisa isicelo emveni kokufumana isaziso ngokommiselo womgaqo 12 (1)(b); okanye

(c) unikeze isaziso esibhaliwe kummangali kunye nombhalisi okanye iklakha yenkundla ukuba akafuni kuzikhusela kwisenzo, kodwa akukho saziso seso sicelo okanye ukuhlalelwa phantsi kuza kunikezwa kummangalelwa.”

**Uhlengahlengiso lomgaqo wesi- 23 wemiGaqo**

13. Umgaqo wama-48 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (23) walo mthemtho ongaphantsi olandelayo:

“(3) Ukuba kukhona iqela elikholelwa ukuba kukho, ekongezweni amaxwebhu okanye ushicilelo, into yombane okanye naluphi uhlobo loshicilelo kuveziwe ngokommiselo walo mgaqo, olunye uxwebhu, ukuquka iikopi zoko, okanye iteyiphu, ezombane, ezamanani okanye ezinye iintlobo zoshicilelo ezingasondela nakweyiphi umntu anayo kwaye futhi neyeyiphi inxalenye, okudlulile kungaqhaphela okuzayo okuza kufuna ukuba yena enze ujongongisiso lufumaneke ngokomthetho ongaphantsi ongu (6), okanye kwilizwe [i] kufungo ngaphakathi kweentsuku ezingama 10 apho lo maxwebhu engekho kuye, apho kweso siganeko aza kuchaza ukuba aphi ukuba uyawazi.”

**Uhlengahlengiso lomgaqo wesi- 25 wemiGaqo**

14. Umgaqo wama-48 wemiGaqo uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (25) walo mthemtho ongaphantsi olandelayo:

“(3) Inkqubo yokufuna ukuba makuzinyaswe ngamaqela okanye amagqwetha abo kwi-khonferensi engaphambi kwetyala iza kubangeleta esayinwe ngumbhalisi okanye iklakha enkundleni, kunye nekopi yesicelo, ukuba ikhona, ifakwe phantsi komthetho (1), apho ileta ingaziswa [**ngesandla okanye iposi**] ngokwendlela enikeziwe kumthetho ongaphantsi 9(9)(a) nokwana iintsuku ezilishumi ngokosuku ebekiwe ngokwekhonferensi echaziwe.”

**Uhlengahlengiso lomgaqo wesi- 28 wemiGaqo**

15. Umgaqo wama-4 wemiGaqo uhlehlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (28) walo mthemtho ongaphantsi olandelayo:

“(4) Apho kukho intlangano yezizathu zonyathelo okanye maqela, inkundla inga kwisifako sicelo [**yalo nalipi iqela**] ummangalelwa nangaliphi ixesha ayalele ukuba amatyala ahlukile abanjwe ngenxa yamanye okanye zonke izizathu zentshukumo okanye ezinye okanye onke amaqela; inkundla kwezo zicelo ifaka eso sicelo ngokufanele [**okufanele**] okuhle nokulindeleke ngqo.”

**Uhlengahlengiso womgaqo wama- 28A wemiGaqo**

16. Umgaqo 28A wemiGaqo upha ulungiswe ngokucima umthetho ongaphantsi wesi (10).

**Uhlengahlengiso lomgaqo wesi- 48 wemiGaqo**

17. Umgaqo wama-48 wemiGaqo uhlehlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (48) walo mthemtho ongaphantsi olandelayo:

“(3) kwimeko ekuthethwa ngayo kumgaqo ongaphantsi ka-(2) umbhalisi uza kufumana okusuka kwi-**[kumbhalisi okanye]** iklakha yenkundlaiza kwazisa usuku nexesha ukuva okukona enkundeleni kwaye nallapho, ngokubhala, yasize umntu okolotwayo.”

**Uhlengahlengiso lomgaqo wesi- 55 wemiGaqo**

18. Umgaqo wama-55 wemiGaqo uhlehlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (1) wesi siqingatha silandelayo:

“(1)(h)(i) Emveni kokufumana isaziso senjongo zokuchasa, ummangali uza kukhupha ngoko nangoko nombhalisi okanye iklakha wenkundla esona saziso sequbo kwaye ihlonjwele apho kwaye xa kufuneka ubuyise inkonzo.

(ii) Ngaphakathi kweentsuku ezingama-10 yenkonzo exhomekeke kuye lwe-afidavithi kunye namaxwebhu ekubhekiselwe kuwo kumqolo (g)(ii), ummangali angabuyisa i-afidavithi yokuphendula.”

**Uhlengahlengiso womgaqo wama- 55A wemiGaqo**

19. Umgaqo wama-55A wemiGaqo uhlehlengiswa ngokuthathelwa indawo wemithetho ongaphantsi weenombolo (1) no (7) walo womthemtho ongaphantsi olandelayo:

“(1) (a) Naliphi iqela elifuna uhlehlengisa ucengo okanye ixwebhu ngaphandle kwe-afidavithi, ifakwe malunga naluphi uqhubeko, iza kwazisa onke amalungua aqhubekayo ngenjongo zakhe ukuhlehlengengiseni kwaye iza kugcwalisa iinkucacha zohelnga hlengiso.

(b) Ngaphandle kokuba inkundla iyakhomba, kumanyathelo okuqhawula umtshato okanye ukuphliswa komtshato, apho isamoni sele ikhutshiwe ngumntu okanye ummangalelwa, ohala engamelwa, isaziso sotshintsho ngokommiselo womqolo ongaphantsi (a) Uza kuchatshazelwa ngohlobo lwenkonzo yomntu ngokokokummangalelwa ngusherifu.

(7)(a) Ngaphandle kokuba inkundla ikhokhela iqela elimelwe kukuba lilungise luza kuchaphazela uhlehlengiso ngokuzisa iphepha ngalinye elisondele ngokohlobo lalo lohlehlengiso.

(b) Ngaphandle kokuba inkundla iyakhomba, kumanyathelo okuqhawula umtshato okanye ukuphliswa komtshato, apho isamoni sele ikhutshiwe ngumntu okanye ummangalelwa, ohlala engamelwa, iphepha elisondele okanye amaphepha kwifomu ehlangahlengisiwe iza kuziswa kuwe ngqo kulo mangalelwa ngusherifu.

#### **Uhlengahlengiso lomgaqo wesi- 56 wemiGaqa**

20. Umgqaqo wama-60 wemiGaqa uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (56) walo mthemtho ongaphantsi olandelayo:

“(5) Ukhuselo olubekwe kumgaqo [(6)] (4) unganikezwa ukuba abambe kwiziphumo zesenzo ezibekho okanye eziza kubakho; kwaye kungabekwa kumphenduli ukuba ziphume kuphela ngesaziso kwaye kulo meko zenze ukukhupha umyalelo kwelo nqanaba kuphela. tion instituted or to be instituted.”

#### **Uhlengahlengiso lomgaqo wesi- 58 wemiGaqa**

21. Umgqaqo wama-58 wemiGaqa uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (58) walo mthemtho ongaphantsi olandelayo:

“(1) Lo mthetho uza kungena qho xa iqabane lifuna ukukhululwa enkundleni kwenye yezi okanye okuninzi kwezi zinto zilandelayo:

- (a) Isondlo *pendente lite*;
- (b) igalelo ngakwimali ngakwinyathelo lomtshato;
- (c) ungenelelo [ukugcina umntwana] ukhathalelo lomntwana; okanye
- (d) ungenelelo [ukungena] qhagamshela [uku] nawuphi umntwana.”

#### **Uhlengahlengiso lomgaqo wesi- 60 wemiGaqa**

22. Umgqaqo wama-60 wemiGaqa uhlengahlengiswa ngokuthathelwa indawo womthetho ongaphantsi wenombolo (60) walo mthemtho ongaphantsi olandelayo:

“(5) (a) Nangaliphi ixesha hamba ngale migaqo, ngaphandle kwexesha elichaziwe kumgawo 51(3) no (6), akwaba nangaliphi ixesha, nokuba kungaphambili okanye ekupheleni kwexesha ekibekiwe, landiswe-

- (i) ngobhalo lwemvume yecala elichasayo kwaye
- (ii) Ukuba eso sivumo saliwe, kengoko ngesicelo esenziwa enkundleni kwaye ngalo mimmiselo emalunga nemali kwaye nangokubonakala kufanele.

(b) Inkundla enikeza ixesha elinye echazwe kumqolo ongaphantsi u (a)(ii) emveni kokuphelelwa kwexesha elibekiwe okanye olubekwe ngxi lungenza umyalelo onjalo ngokufnanele ngokucinga, ukungafani okanye ukumisa ngenxa yokuphelelwa kwexesha elibekiwe okanye elisingxi, nokuba ezo ziphumo ziphuma kwimmimiselo yawo nawuphi umyalelo okanye ukusuka kumagunya .”

#### **Uhlengahlengiso lesihlomelo 1 wemiGaqa**

23. Isihlomelo 1 semiGaqa, esiqulathe iifomu, apha ungiswe ngotshintsho lwezi ziHlomelo zilandelayo:

**“ISIHLOMELO 1****IIFOMU****ULUHLU LWAMANANI****Ifomu nombolo**

1. Isaziso seNkqubo (ifomu emfutshane).
- 1A. Isaziso seNkqubo (ifomu ende).
2. Isamoni elula.
- 2A. lisamoni: Isigwebo esinikeziwe.
- 2B. lisamoni ezidityanisiwe.
- 2C. lisamoni ezidityanisiwe: (Ingubo yoQhawulo mtshato).
3. lisamoni [**intshukumo eqalayo**] (apo kuqukwa kuqasho oluzenzekelayo yokuvalwa).
4. Impepha zesamoni letyala/indawo yenkonzo: ifomu emfutshane yenkqubo
5. Isicelo sesigwebo esikhona.
- 5A. Isicelo sesigwebo esiqhelekile apho ummangalelwa avume ityala kwaye [**wakhetha**] ukethe ukuhlawula ityala ngezavenge okanye ngenye indlela – Icandelo 57  
leNkundla kaMantyi uMthetho, 1994 (Umthetho Nom.32 ka1994).
- 5B Isicelo sesigwebo apho ummangalelwa avume isigwelo – Icandelo 58 leNkundla kaMantyi uMthetho, 1994 (Umthetho Nom.32 ka1994).
6. Isaziso sorhoxa seNyathelo/isicelo.
7. Isaziso sofako sicelo sokushwankathela isigwebo.
8. I-afidavithi ukuxhasa isicelo soshwankathelo lwesigwebo.
9. I-afidavithi phantsi kwecandelo 32 yoMthetho.
10. Ukhuselo phantsi kwecandelo 32 yoMthetho.
11. Umyalelo phantsi kwecandelo 32 yoMthetho.



12. Isivumo sokuthengisa iimpahla sincanyathiselwe phantsi kwecandelo 32 woMthetho.
13. Ukufumanisa – ifomu ye-afidavithi
14. Isaziso ngokwemimiselo yomgaqo 23(5).
15. Ukufumanisa - isaziso sokuvelisa.
- 15A. Ukufumanisa - isaziso sokujongisisa amaxwebhu.
- 15B. Ukufumanisa - isaziso sokuzisa amaxwebhu okucenga, njalo nalo.
16. Umyalelo woalwa ufunyenwe *ex parte*.
17. **[Umyalelo wokubamba umntu *suspectus de fuga*].**
18. Umyalelo ukufakwa kwendlu kufunyanwe okanye ugqine ngokomthetho.
19. Isikhokhelo soyokuzimasa ikhonferense yangaphambi kwetyala.
20. Umyalelo - Wekhonferensi ngaphambi kwetyala.
21. Isicelo sesigwebo nabajongisisi.
22. Iisamoni eziya kumjongisisi.
23. Uhlobo lwentlawulo de *bene esse*.
24. iSubpoena.
25. Iwararanti yentlawulo yengqina okanye ukubanjwa kwengqina elingenanyani.
26. Impepha-mvume zokubamba ingqina elingalunganga.
27. Ukhuseleko ku [kubanjwa,] unyamathiselwe okanye ukuvalwa *ex parte*.
28. Ukhuseleko xa ukhupho luhleli lungenzeki cenga.
29. Ukhuseleko xa ukhupho lungavunyelwa lenzeke cenga
30. Iimpepha zokususa.
31. Iimpepha mvume lokuzisa iimpahla.
32. Iimpepha zokuphuma ngakumhlaba.
33. Isaziso esincamathiselwe sokhupho.
34. Isaziso sokumtyali omkhethayo [icandelo 66(2) loMthetho].
35. Isamoni yokuphinde ucenge [icandelo 69(1) loMthetho].

36. Isamoni yokuphinde ucenge [icandelo 69(2) loMthetho].
37. Ukhuseleko phantsi komgaqo 38.
38. Umyalelo ofakiwe womrholo.
39. Umyalelo womntu obambile.
40. Isaziso sokuvela enkundleni ngokwecandelo 65A(1) woMthetho.
- 40A. Impepha-mvume zokubamba ngokwecandelo 65A(6) woMthetho.
- 40B. Isaziso sokuvela enkundleni ngokwecandelo 65A(8) woMthetho.
41. Isaziso esahlalelwa phantsi kwanqunyanyiswa ukuqhubeka ngaphantsi kwecandelo 65E(3) woMthetho.
42. Isaziso ngokwemimiselo yomgaqo 58(2)(a).
43. Isaziso kwiQela lesiThathu.
44. Isicelo somyalelo wokufaka phantsi kwecandelo 74(1) loMthetho.
45. Isiteyithimenti malunga nomntu onetyala kwisicelo somyalelo wokufakwa iimimiselo yecandelo 65I(2) okanye 74A yoMthetho.
46. Isatifikethi senkonzo senqubo engaqhelekanga.
47. Isaziso somntu onetyala ukuba umntu okolotwayo wengeze ibango ngakuye ukubanetyala ngaphambi komyalelo wokufaka
48. Isazio eziya kumntu onetyala ukuba lowounetyala kuye ufake ibango letyala onalo emveni kokuba ekunikile lomyalelo wokungeniswa.
49. Isaziso sokufaka omnye okolotwayo kuluhlu lwabakolotwayo lomntu ongaphantsi ungeniso.
50. Isaziso kumtyali ukuba igama lakhe lifakwe kuluhlu labatyali be-umntu ophantsi kongeniso.
51. Umyalelo wongeniso.
52. I-akhawunti yokuhambisa ngokwecandelo 74J(5) woMthetho.
- 52A. Umyalelo wokungafaki isivumelwano.

53. Isaziso sokulahlwa sebango elichaziwe, ukhetho okanye ukhuselo.
54. Isivumelwano sokungacengi.
55. Iscicelo sokujonga irekhodi.
56. Incwadi yokushicilela isikrelemnqa.
57. Isaziso ngakummiselo wecandelo 309B(2)(d) weNkqubo yaMasela kuMtheth, 1977, (Umthetho No. 51 ka 1977).

**Nom. 1 – Isaziso seNkqubo (ifomu emfutshane)****\* isetyenziswa kwiNkundla yeNgingqi****INKUNDLA KAMANTYI YENQINGI YE-  
IBANJWE E****INOMBOLO YETYALA:**

Yingxaki ephakathi ko:

.....

Umenzi-sicelo

QAPHELA ukuba isicelo siza kwenziwa endaweni yomfaki sicelo ochazwe ngentla nge..... usuku lwe .....ngo 9:00 okanye emveni koko njenge [Iqumrhu] amaqela angaviwa ukuyalelwa ngokwale mimiselo ilandelayo:

- (a) .....
- (b) .....
- (c) .....

kwaye i-afidavithi ka..... ehlonjyelwa apha iza kusetyenziswa ukuxhasa oku

Nceda ufake ingxaki kwirolu ukuze uve ngokomyalelo.

IFAKWE UMHLA we .....

.....

Umenzi-sicelo/Igwetha lomenzi sicelo

(Idilesi yokuhlala)

.....

Iya kuKlakha weNkundla wenkundla engendla echaziwe.

**No. 1 – Isaziso seNkqubo (ifomu emfutshane)****\* isetyenziswa kwiNkundla yeNgingqi****KWINKUNDLA YENQINGQI KWISAHLULELO SENGWINGQI SE-  
IBANJWE E****INOMBOLO YETYALA:****Yingxaki ephakathi ko:****.....****Umenzi-sicelo**

QAPHELA ukuba isicelo siza kwenziwa endaweni yomfaki sicelo ochazwe ngentla nge..... usuku lwe .....ngo 9:00 okanye emveni koko njenge amaqela angaviwa ukuyalelwa ngokwale mimiselo ilandelayo:

- (a) .....
- (b) .....

(c) .....

kwaye i-afidavithi ka..... ehlonyelwa apha iza kusetyenziswa ukuxhasa oku

Nceda ufake ingxaki kwirolu ukuze uve ngokomyalelo.

IFAKWE UMHLA we .....

Umenzi-sicelo/Igwetha lomenzi sicelo

(Idilesi yokuhlala)

Iya kuMbhali weNkundla wenkundla engendla echaziwe.

### **No. 1A – Isaziso seNkqubo (ifomu ende)**

**\* isetyenziswa kwiNkundla yeNgingqi**

**INKUNDLA KAMANTYI YENGQINGI YE-**

**IBANJWE E**

**INOMBOLO YETYALA:**

Kwingxaki ephakathi ko:

Umenzi-sicelo

no

Ummangalelwa

QAPHELA ukuba ..... (apha kubizwa ummangali) ofuna ukufaka isicelo kule Nkundla ukwenza umyalelo (a) ..... (b) ..... (c) ..... (apha kumiselwa uhlobo lomylelo othandazelwe) waye kukhatshwa nyai-afidavithi..... iza kusetyenziswa ukuxhasa oko.

THATHA UQAPHELO NZULU ukuba ummangali unyule ..... (apha ubeke idilesi ekubekiselwe kuyo kumgaqo 55(1) aho umfaki sicelo uza kwamkela isicelo senkonzi seenkqubo zonke kule nkqubo.

THATHA UQAPHELO OLUNZULU ukuba ufuna ukuchasa olu papasho kuyofuneka wazise ummangali okanye igqwetha lomangali ngokubhala nge- okanye phambi kwe .....

(b) kwaye phakathi kweentsuku ezingama-10 emveni kokuba unikeze isaziso senjongo yakho ukuchasa isicelo, ukufayila i-afidavithi yakho yokuphendula, ukuba zikhona, kwaye uqhubeleke ukuba kufuneka uqashe kweso saziso idilesi ekubhekiselwe kuyo kumgaqo 55(1)(g) lowo oza kuthi wamkele isaziso sawo nenkonzo yamaxwebhu onke kwinkqubo.

Ukuba asikho eso saziso seenjongo zokuchasa esinikeziwe, isicelo sizakwenziwa nge- .....e .....(ixesha)

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

.....  
Ummangali okanye igqwetha lommangali

(Idilesi yokuhlala)

Iya:

- (1) C.D.  
(Idilesi yokuhlala),  
Ummangalelwa
- (2) Uklakha weNkundla engentla,  
.....

**No. 1A – Isaziso seNkqubo (ifomu ende)**

**\* isetyenziswa kwiNkundla yeNgingqi**

**KWINKUNDLA YENGINQI KWISAHLULELO SENGWINGQI SE-  
IBANJWE E**

**INOMBOLO YETYALA:**

Kwingxaki ephakathi ko:

Umenzi-sicelo

no

Ummangalelwa

QAPHELA ukuba ..... (apha kubizwa ummangali) ofuna ukufaka isicelo kule Nkundla ukwenza umyalelo (a) ..... (b) ..... (c) ..... (apha kumiselwa uhlobo lomyalelo othandazelwe) waye kukhatshwa nyai-afidavithi..... iza kusetyenziswa ukuxhasa oko.

THATHA UQAPHELO NZULU ukuba ummangali unyule ..... (apha ubeke idilesi ekubekiselwe kuyo kumgaqo 55(1) aoho umfaki sicelo uza kwamkela isicelo senkonzi seenkqubo zonke kule nkqubo.

THATHA UQAPHELO OLUNZULU ukuba ufuna ukuchasa olu papasho kuyofuneka wazise ummangali okanye igqwetha lommangali ngokubhala nge- okanye phambi kwe ..... (b) kwaye phakathi kweentsuku ezingama-10 emveni kokuba unikeze isaziso senjongo yakho ukuchasa isicelo, ukufayila i-afidavithi yakho yokuphendula, ukuba zikhona, kwaye uqhubeleke ukuba kufuneke uqashe kweso saziso idilesi ekubhekiselwe kuyo kumgaqo 55(1)(g) lowo oza kuthi wamkele isaziso sawo nenkonzo yamaxwebhu onke kwinkqubo.

Ukuba asikho eso saziso seenjongo zokuchasa esinikeziwe, isicelo sizakwenziwa nge- .....e .....(ixesha)

KUFAKWE UMHLA we .....le .....usuku lwe  
.....20....

.....  
Ummangali okanye igqwetha lommangali

(Idilesi yokuhlala)

lya:

(1) C.D.

(Idilesi yokuhlala),

Ummangalelwa

(2) .Umhalisi weNkundla engentla

.....

## No. 2 – lisamoni ezilula

(Banga ngenxa yetyala okanye unyanzelo lokuphelisa)

\* isetyenziswa kwiNkundla yeNgingqi

INKUNDLA KAMANTYI YENGGINGI YE-

Ibanjelwe e

Inombolo yetyala.....

Kwingxaki ephakathi ko:

.....

Ummangali

no

.....

Ummangalelwa

Usherifu okanye umxhasi wakhe:

YAZISA U- A.B., ka ..... **[(chaza isini kunye nomsebenzi)]**(indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa), ukuba iC.D., **[we.....(chaza isini nomsebenzi)]**(chaza ubuni nomsebenzi), we ..... (Indawo yokuhlala karhulumente kunye nendawo yeshishini) ..... (emveni koku kubizwa ummangali), apha kuza kwenziwa inyathelo ngakuye elo nyathelo ummangali alibangayo:

(Apha kubekwa immimiselo ecacile apho kuchazwa inyathelo lommangali)

YAZISA ummangalelwa nzulu ukuba ukuba ummangalelwa uyala ibango kwaye unqwenela ukuzikhusela kwintshukumo uya kuthiphakathi .....kwentsuku ezingama-10 zenkonzo ekuye zalefayile yesamoni zombhalisi wale nkundla ..... (apha beka idilesi zomncedisi mbhalisi we-ofisi) isaziso seenjongo zakhe sokwala kwaye azise ikopi kumangali okanye kwigqwetha lommangali, apho isaziso siza kunikeza idilesi ekubhekiselwe kuyo kumgaqo 13 (3) wenkonzo apho ummangali wezaziso zonke kunye namaxwebu akwinkqubo.

YAZISA ummangalwa nzulu ukuba akaphumeleli ukufayila azise isaziso njengoko bekutshwo, isigwebo njengokuba kubangwa angasinikwa ngaphandle kwesilumkiso esinzulukuye.

Emveni koko ngqo nikeza kummangalelwa ikopi yesamoni kwaye ubuyise okunjalo kwiklakh wenkundla kwako konke osele ukwenzile.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

Uklakhi weNkundla

Ummangali/Amagwetha ommangali  
(i15 km Yedilesi yokuhlala)

Idilesi yeposi

inombolo yekopi ngqo

Idilesi yombane yemeyile

\*Ummangali ukulindele ukwamkela onke amaxwebhu ahamba noko kunye nesaziso kwidilesi yemeyile yombane/ ngqo echazwe apha.

Ummangalelwa makaqaphele ukuba-

(a) ityala lommangalelwa ehlawula ibango kunye neemali phakathi kwethuba elichaziwe okanye lommangalelwa lokuzisa isaziso seenjongo zakho uza kubanjelwa ukuba uvume ibango elichaziwe kwaye ummangali angaqhubeka apho kwaye isigwebo singanikezwa kummangalelwa noba awukho;

(b) ukuba uumangali uhlawula ubango oluchaziwe kunye nemali kwixesha elibekiwe kummangalelwa lowo uza kugwetywa apho kwaye uza kuphepha iintlawulo zesigwebo; Ummangalwa uza kusose wange iimali zesigwebo, ukuba phakathi kwelixa elichaziwe, ukuba uvum neklakhi oko kutshiwo ngaphambili yinkundla isivumo sokugqwetywa;

(c) ukuba ummangalelwa uyavuma ibango kwaye ufuna uvuma isigwebo okanye **[umnqweno]** imingweno yokuthabatha ukuhlawula ibango ngezavenge okanye, ummangali angaya ummangali okanye ingqwetha lommangali.

Isaziso:

(i) Nawuphi umntu ochase nokwenkundla, kwityala lokuhlala, onikezwe isigwebo okanye enze nawuphi umyalelo, ngaphakathi kweentsuku ezingama-10, anele ngeso sigwebo okanye umyalelo angabizwa ngesaziso ngokwemimiselo yecandelo 65A(1) loMthetho ukuba avele ngomhla othile ngaphambi kwenkundla



**[isicelo]** ukucela kwindawo yezimali yesigwebo somntu onetyala kwaye benze lo myalelo njengenkundla kungabonakala kulungile kwaye kuthe ngqo.

(ii) Ukuba inkundla yanele ukuba-

(aa) isigwebo somntu onetyala okanye, ukuba isigwebo somntu onetyala ngumntu womthetho, umlawuli, okanye i-ofisa yomtu womthetho uyazi ngesaziso esichazwe ngasentla kwaye woyisakele ukucela ngaphambi kwenkundla ngomhla kwaye ngexesha elichazwe kwisaziso; okanye

(bb) isigwebo somntu onetyala, umkhokheli okanye uno-ofisi, apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, woyisakele ukucela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ityala eligwetywayo, umphathi okanye i-ofisa yoyisakele ukuhlala kuzimaso kwinqubo oanye kwinqubo kuza kubekelwa omnye umhla,

inkundla inga-, kwisicelo sesigwebo sokweletwayo okanye igqwetha lakhe, agunyaziswe imeko yemvume ekhomba kusherifu ukuba makabambe lowo okufuneka egwetyiwe, ulawuli okanye i-ofisa kwaye azise yena ngaphambi kwenkundla esebenza kakuhle ukusebenzisa lo kunza ukuba iqhube isicelo sezemali. [Icandelo 65A(6) loMthetho]

(iii) Namphi umntu o-

(aa) uyabizwa ukuba avele phambi kwenkundla ngaphantsi kwesaziso gokommiselo wecandelo 65A(1) okanye 65A(8)(b) woMthetho (apho isherifu, kukhutshwa ukubanjwa komntu, uncedo kulo mntu ukuba avele enkundleni) kwaye angaphumeleli ngothanda ukucela ngaphambi kwenkundla ngalo mhla kwaye ngexesha elichaziwe kwisaziso; okanye

(bb) apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, ngentando yakhe oyisakele ukucela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ngokuthanda kwakho ungaphumeleli ukuzimasa ezi zihlangene nezinqubo okanye kwinqubo kuza kubekelwa omnye umhla,

uza kubanetyala lokumosha kwaye ubenetyalo lokuhlawuliswa okanye isigwebo esingadluli kwiinyanga ezintathu. [Icandelo 65A(9) loMthetho]

(iv) Ngokucela phambi kwenkundla ngosuku oluqikelwe kwi-

isaziso ngokommiselo wecandelo 65A(1) okanye (8)(b) woMthetho ukujonga ummangalelo wesigwebo somntu onetyala, umlawuli okanye i-ofisi engaphantsi kwewarantu ekubhekiselwa kuyo kwicandelo 65A(6) woMthetho okanye nangomphi umhla apho inkqubo inqunyanyisiwe, oko kugqeba umntu onetyala, umlawuli okanye i-ofisi iza kubizwa ukuba inike ubungqina kwindawo yakhe yemali okanye oko komntu womthetho kwaye okwakhe okanye ukubanako ukuhlawula isigwebo setyala. [Icandelo 65D loMthetho]

(v) Nawuphi umntu onetyala lasekuhlaleni, onikezwe nasiphi isigwebo okanye onikeze naluphi uyalelo okanye okanye owenze nawuphi umyalelo onganelisanga ngokuphelele eso sigwebo okanye ayalele okanye abhatale zonke iindleko ezo anoxanduva lwazo kulo nto, ukuba utshintshe indawo yakhe yokuhlala, okanye ishishini okanye ingqesho phakathi kwentsuku ezingama-14 ukususela kwelo tshintsho lunjalo makazise iklakha wenkundla onikeze eso sigwebo okanye owenze lo myalelo kunye omgqwebi wetyala okanye igqwetha lakhe kwaye abhale kakuhle indawo yakhe entsha yokuhlala, yeshishini okanye ingqesho, kwaye ngokungaphumeleli kwakhe

ukwenza eso sigwebo umkoloti uza kubanetyala lokumosha kwaye abenexanduva lokuba ahlawuliswe okanye abanjwe ixesha elingadluli kwiinyanga ezintathu. [Icandelo 109 loMthetho]

[(2)] (1) Isivumelwano kwisigwebo.

Ndiyavuma ukuba ndinetyala kummangali ngokwebango elukule samoni (okanye kwimali R..... kunye neendleko kumhla) kwaye ndiyasivuma isigwebo ngokwendlela.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa

INGQINA:

1. (igama eliphelele)....., (isandla).....  
(idilesi).....
2. (igama eliphelele)....., (isandla).....  
(idilesi).....

OKANYE

\*[(3)] (2) Isaziso senjongo yokukhuseela.

Iya kuklakha weNkundla.

Nceda uqaphele apha ummangalelwa wazisa iinjongo zakhe ukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa/Igwetha lommangalelwa

Idilesi

.....

Idilesi yeposi

.....

Inombolo (feksi) yekopi ngqo (apho ifumaneka khona).....

Idilesi (imeyile) meyile yombane (apho ifumaneka khona).....

(Nikeza idilesi ephelele ukwamkela inkonzo yenkqubo okanye amaxwebhu phakathi kweekhilimithazi ezingama-15 kukhupheni indlu yeNkundla kunye nedilesi yeposi.)

\* Isaziso esingundoqo masigcwaliswe neklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

limali ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

lisamoni.....R

Isigwebo.....R

Imali yamagwetha.....R

limali zikasherifu.....R

Imali yesherifu xa iphende ikhutshwa.....R

Iyonke:.....R

## **No. 2 – lisamoni ezilula**

Banga ngenxa yetyala okanye unyanzelo lokuphelisa)

\* isetyenziswa kwiNkundla yeNgingqi

KWINKUNDLA YENGINGQI KWISAHLULELO SENGWINGQI SE-

Ibanjelwe e

Inombolo yetyala.....

Kwingxaki ephakathi ko:

.....

Ummangali

no

.....

Ummangalelwa

Usherifu okanye umxhasi wakhe:

YAZISA U- A.B., ka ..... (indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa), ukuba iC.D., (chaza ubuni nomsebenzi), we ..... (Indawo yokuhlala karhulumente kunye nendawo yeshishini) ..... (emveni koku kubizwa ummangali), apha kuza kwenziwa inyathelo ngakuye elo nyathelo ummangali alibangayo:

(Apha kubekwa immimiselo ecacile apho kuchazwa inyathelo lommandali)

YAZISA ummangalelwa nzulu ukuba ukuba ummangalelwa uyala ibango kwaye unqwenela ukuzikhusela kwintshukumo uya kuthiphakathi .....kwentsuku ezingama-10 zenkonzo ekuye zalefayile yesamoni zeklakha wale nkundla (apha beka idilesi zomncedisi mbhalisi we-ofisi) isaziso seenjongo zakhe sokwala kwaye azise ikopi kumangali okanye kwiqwebetha lommandali, apho isaziso siza kunikeza idilesi ekubhekiselwe kuyo kumgaqo 13 (3) wenkonzo apho ummangali wezaziso zonke kunye namaxwebu akwinkqubo.

YAZISA ummangalwa nzulu ukuba akaphumeleli ukufayila azise isaziso njengoko bekutshwo, isigwebo njengokuba kubangwa angasinikwa ngaphandle kwesilumkiso esinzulukuye.

Emveni koko ngqo nikeza kummangalelwa ikopi yesamoni kwaye ubuyise okunjalo kumbhalisi wenkundla kwako konke osele ukwenzile.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

.....  
Umbhalisi

.....  
Ummangali/Amagwetha ommangali

(i15 km Yedilesi yokuhlala)

.....  
Idilesi yeposi

.....  
inombolo yekopi ngqo

.....  
Idilesi yombane yemeyile

.....  
\*Ummangali ukulindele ukwamkela onke amaxwebhu ahamba noko kunye nesaziso kwidilesi yemeyile yombane/ ngqo echazwe apha.

.....  
Ummangalelwa makaqaphele ukuba-

ityala lommangalelwa ehlawula ibango kunye neemali phakathi kwethuba elichaziwe okanye lommangalelwa lokuzisa isaziso seenjongo zakho uza kubanjelwa ukuba uvume ibango elichaziwe kwaye ummangali angaqhubeka apho kwaye isigwebo singanikezwa kummangalelwa noba awukho;

ukuba uummangali uhlawula ubango oluchaziwe kunye nemali kwixesha elibekiwe kummangalelwa lowo uza kugwetywa apho kwaye uza kuphepha iintlawulo zesigwebo; Ummangalwa uza kusose wange iimali zesigwebo, ukuba phakathi kwelixa elichaziwe, ukuba uvume nombhalisi oko kutshiwo ngaphambili yinkundla isivumo sokugqwtywa;

(c) ukuba ummangalelwa uyavuma ibango kwaye ufuna uvuma isigwebo okanye [umngqweni] iminqweno yokuthabatha ukuhlawula ibango ngezavenge okanye, ummangali angaya ummangali okanye ingqwetha lommangali.

Isaziso:

(i) Nawuphi umntu ochase nokwenkundla, kwityala lokuhlala, onikezwe isigwebo okanye enze nawuphi umyalelo, ngaphakathi kweentsuku ezingama-10, anele ngeso sigwebo okanye umyalelo angabizwa ngesaziso ngokwemimiselo yecandelo 65A(1) loMthetho ukuba avele ngomhla othile ngaphambi kwenkundla

kumaqumrhu ukusebenzisa ukundla ukuxela kwisikhundla sezezimali setyala lomkweletwa kwaye enze lo miyalelo xa ikundla ivela ngokulunga nangokuthe ngqo.

(ii) Ukuba inkundla yanele ukuba-

(aa) isigwebo somntu onetyala okanye, ukuba isigwebo somntu onetyala ngumntu womthetho, umlawuli, okanye i-ofisa yomtu womthetho uyazi ngesaziso esichazwe ngasentla kwaye woyisakele ukucela ngaphambi kwenkundla ngomhla kwaye ngexesha elichazwe kwisaziso; okanye

(bb) isigwebo somntu onetyala, umkhokheli okanye uno-ofisi, apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, woyisakele ukucela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ityala eligwetywayo, umphathi okanye i-ofisa yoyisakele ukuhlala kuzimaso kwinqubo oanye kwinqubo kuza kubekelwa omnye umhla,

inkundla inga-, kwisicelo sesigwebo sokweletwayo okanye igqwetha lakhe, agunyaziswe imeko yemvume ekhomba kusherifu ukuba makabambe lowo okufuneka egwetyiwe, ulawuli okanye i-ofisa kwaye azise yena ngaphambi kwenkundla esebenza kakuhle ukusebenzisa lo kunza ukuba iqhube isicelo sezemali. [Icandelo 65A(6) loMthetho]

(iii) Namphi umntu o--

(aa) uyabizwa ukuba avele phambi kwenkundla ngaphantsi kwesaziso gokommiselo wecandelo 65A(1) okanye 65A(8)(b) woMthetho (apho isherifu, kukhutshwa ukubanjwa komntu, uncedo kulo mntu ukuba avele enkundleni) kwaye angaphumeleli ngothanda ukucela ngaphambi kwenkundla ngalo mhla kwaye ngexesha elichaziwe kwisaziso; okanye

(bb) apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, ngentando yakhe oyisakele ukucela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ngokokokuthanda kwakhe angaphumeleli ukuza kunkqubo yetyala kwiinkqubo ezihhanjiselwe, uza kubanetyala kwaye abanetyala lokuba makahlawuliswe okanye abanjwe kwisithuba esingazodluli iinyanga ezintathu. [Icandelo 65A(9) loMthetho]

(iv) Ngokucela phambi kwenkundla ngosuku oluqikelelwe kwi-

isaziso ngokommiselo wecandelo 65A(1) okanye (8)(b) woMthetho ukujonga ummangalelo wesigwebo somntu onetyala, umlawuli okanye i-ofisi engaphantsi kwewarantu ekubhekiselwa kuyo kwicandelo 65A(6) woMthetho okanye nangomphi umhla apho inkqubo inqunyanyisiwe, oko kugqeba umntu onetyala, umlawuli okanye i-ofisi iza kubizwa ukuba inike ubungqina kwindawo yakhe yemali okanye oko komntu womthetho kwaye okwakhe okanye ukubanako ukuhlawula isigwebo setyala. [Icandelo 65D loMthetho]

(v) Nawuphi umntu onetyala lasekuhlaleni, onikezwe nasiphi isigwebo okanye onikeze naluphi uyalelo okanye okanye owenze nawuphi umyalelo onganelisanga ngokuphelele eso sigwebo okanye ayalele okanye abhatale zonke iindleko ezo anoxanduva lwazo kulo nto, ukuba utshintshe indawo yalhe yokuhlala, okanye ishishini okanye ingqesho phakathi kwentsuku ezingama-14 ukususela kwelo tshintsho lunjalo makazise umbhalisi wenkundla onikeze eso sigwebo okanye owenze lo myalelo kunye omgqwebi wetyala okanye igqwetha lakhe kwaye abhale kakuhle indawo

yakhe entsha yokuhlala, yeshishini okanye ingqesho, kwaye ngokungaphumeleli kwakhe ukwenza eso sigwebo umkoloti uza kubanetyala lokumosha kwaye abenexanduva lokuba ahlawuliswe okanye abanjwe ixesha elingadluli kwiinyanga ezintathu. [Icandelo 109 loMthetho]

(1) Isivumelwano sesigwebo.

Ndiyavuma ukuba ndinetyala kummangali ngokwebango elukule samoni (okanye kwimali R..... kunye neendleko kumhla) kwaye ndiyasivuma isigwebo ngokwendlela.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa

INGQINA:

1. (igama eliphelele)....., (isandla).....

(idilesi).....

2. (igama eliphelele)....., (isandla).....

(idilesi).....

#### OKANYE

\*(2) Isaziso senjongo yokukhusela.

Iya kumbhalisi.

Nceda uqaphele apha ummangalelwa wazisa iinjongo zakhe ukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa/Igwetha lomangalelwa

Idilesi

.....

Idilesi ..... yeposi

.....

Inombolo (feksi) yekopi ngqo (apho ifumaneka khona).....

Idilesi (imeyile) meyile yombane (apho ifumaneka khona).....

(Nikeza idilesi ephelele ukwamkela inkonzo yenkqubo okanye amaxwebhu phakathi kweekhilimithazi ezingama-15 kukhupheni indlu yeNkundla kunye nedilesi yeposi.)

\* Isaziso esingundoogo masigcwaliswe neklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

limali ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

lisamoni.....R

Isigwebo.....R

Imali yamagwetha.....R

Imali yesherifu..... R

Imali yesherifu xa iphende ikhutshwa.....R

lyonke:.....R

**Nombolo. 2A - lisamoni: Isigwebo esinikeziwe**

**\* isetyenziswa kwiNkundla yeNgingqi**

Inkundla kaMantyi yeNgingqi ye- of .....

ibanjelwe e .....

Inombolo yetyala.....

Kwingxaki ephakathi ko

.....Ummanga

li

no

.....Ummangal

elwa

Usherifu okanye umxhasi wakhe:

YAZISA U- A.B., ka ..... (indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa), ukuba iC.D. (Chaza isini kunye nomsebenzi), we ..... (Indawo yokuhlala kunye nendawo yeshishini) ..... (emveni koku kubizwa ummangali), apha kuza kwenziwa inyathelo ngakuye elo nyathelo:

(1) Ummangalelwa apha ukutshelwa isamoni ukhlawula kummangali ngoko nangoko emveni kwekonzo yale samoni imali ye- ..... kunye nenzala ye- .....% qho ngonyakuka ukusukela ku .....

Ummangali ubanga kummangalelwa ukuhlawulwa le mali echaziwe ngentla ye: (misela isizathu senkqubo)

.....

kunye nekopi apho ixwebhu lihlonyelwe khona;

(2) Ukoyiswa yilo ntlawulo, ummangalwea uyacelwa ukuba uvele ngaphambi kwenkundla ngokwakho okanye nommeli kwi ..... (indawo nenkundla ukuba kuyafuneka) nge ..... usuku lwe ..... 20..... e..... (ixehsa) emveni koko (okanye ngokukhawuleza emveni kokuba

imeko ingaviwa) ukuvuma okanye ukwala ityala lommgalelwa ngebango elichaziwe kwaye uchaze kutheni impahla yendlu ingachazwa ngethinjwayo;

(3) Ukuba ummgalelwa yalala ityala yebango, ummgalelwa akazu emveni kokuba ..... umhla we..... 20....., faka i-afidavithi iklakha yale nkundla, kwaye kufakwe ikopi yommangali okanye jigqwetha lakhe kwidilesi eboniselwe inkonzo kwisamoni, apho i-afidavithi iza kubeka umhlaba wokuzikhusela kwelo bango lichaziwe, kwaye kwimeko apho nokuba uyavuma okanye uyalawena okanye isandla sommgalelwa esivela kokuchaziwe ..... kwaye ukuba sisandla sommgalelwa nokuba uyavuma okanye uyala isandla okanye igunya lommgalelwa.

Ummgalelwa uye aphinde aziswe ukuba kwimeko apho ummgalelwa engahlawuli imali kunye nenzala echazwe ngentla kummangali ngoko nangoko kwaye ukuba ummgalelwa uyaghubeka oyisakale ukufaka i-afidavithi ngokuchaziwe, kwaye avele evele phambi kwenkundla kwixesha elichazwe ngentla, isigwebo singakhutshwa ngakummgalelwa ngokuhlululiswa, kodwa ingeyiyo le mali ibichazwe ngentla, inzala nemali, ummgalelwa unalo ilungelo lokufumana ukhuselo kwilahleko ukuba elo tyala lichaziwe lingagcinwa.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

.....

Uklakhi weNkundla

.....

Ummangali/Amagwetha ommangali

(i15 km Yedilesi yokuhlala)

.....

Idilesi yeposi

.....

inombolo yekopi ngqo

.....

Idilesi yombane yemeyile

.....

\*Ummangali ukulindele ukwamkela onke amaxwebhu ahamba noko kunye nesaziso kwidilesi yemeyile yombane echazwe apha.

limali, ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

Imali yamagwetha

(i) Khupha iisamoni

(Into 2 yecandelo II yeTafle A) R .....

(ii) Ukuvela enkundleni

(Into 7 yecandelo II yeTafle A) R .....

(iii) Imali yesigwebo



(Into 3 yecandelo II yeTafle A) R .....

Imali yenkundla .....R

Imali yesherifu .....R

Imali yesherifu xa kuphinde kukhutshwa isamooni .....R

Iyonke R .....

Kwaye uqaphele ukuba

(a) ukuba ummangali uhlawula ubango oluchaziwe kunye nemali ngoko nangoko uwuzukugwetywa mmangali apho kwaye ummangalelwa uza kuphepha iintlawulo zesigwebo;

(b) ukuba ummangalelwa uyavuma ityala kwaye unqwenela ukuvuma isigwebo, ummangalelwa angafayila neklakhi yenkundla kufako letyala okufakwe nguwe kwaye kwingqinwa ligqwetha lakho, okanye kwangqinwa yi-afidavithi, kwaye ukuba unqwenela ukubhatala ibango kwizavenge zemali okanye kanjalo, ungajongana nommangali okanye igqwetha lommangali.

Isaziso:

(i) Nawuphi umntu ochase nokwenkundla, kwityala lokuhlala, onikezwe isigwebo okanye enze nawuphi umyalelo, ngaphakathi kweentsuku ezingama-10, anele ngeso sigwebo okanye umyalelo angabizwa ngesaziso ngokwemimiselo yecandelo 65A(1) loMthetho ukuba avele ngomhla othile ngaphambi kwenkundla **[isicelo]** ukucela kwindawo yezimali yesigwebo somntu onetyala kwaye benze lo myalelo njengenkundla kungabonakala kulungile kwaye kuthe ngqo.

(ii) Ukuba inkundla yanele ukuba-

(aa) isigwebo somntu onetyala okanye, ukuba isigwebo somntu onetyala ngumntu womthetho, umlawuli, okanye i-ofisa yomntu womthetho uyazi ngesaziso esichazwe ngasentla kwaye woyisakele ukuvela ngaphambi kwenkundla ngomhla kwaye ngexesha elichazwe kwisaziso; okanye

(bb) isigwebo somntu onetyala, umkhokheli okanye uno-ofisi, apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, woyisakele ukuvela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ityala eligwetywayo, umphathi okanye i-ofisa yoyisakele ukuhlala kuzimaso kwinqubo oanye kwiqubo kuza kubekelwa omnye umhla,

inkundla inga-, kwisicelo sesigwebo sokweletwayo okanye igqwetha lakhe, agunyaziswe imeko yemvume ekhomba kusherifu ukuba makabambe lowo okufuneka egwetyiwe, ulawuli okanye i-ofisa kwaye azise yena ngaphambi kwenkundla esebenza kakuhle ukusebenzisa lo kunza ukuba iqhube isicelo sezemali. [Icandelo 65A(6) loMthetho]

(iii) Namphi umntu o--

(aa) uyabizwa ukuba avele phambi kwenkundla ngaphantsi kwesaziso gokommiselo wecandel 65A(1) okanye (8)(b) woMthetho (apho isherifu, kukhutshwa ukubanjwa komntu, uncedo kulo mntu ukuba avele enkundleni) kwaye angaphumeleli ngothanda ukuvela ngaphambi kwenkundla ngalo mhla kwaye ngexesha elichaziwe kwisaziso; okanye

(bb) apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, ngentando yakhe oyisakele ukuvela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ngokuthanda kwakho ungaphumeleli ukuzimasa ezi nqubo okanye kwinqubo kuza kubekelwa omnye umhla,

uza kubanetyala lokumosha kwaye ubenetyalo lokuhlawuliswa okanye isigwebo esingadluli kwiinyanga ezintathu. [Icandelo 65A(9) loMthetho]

(iv) Ukuvela enkundleni kumhla obekwe kwisaziso esiqikelelwa ngommiselo wecandelo 65A(1) okanye (8)(b) woMtetho ukujonga ummangalelo wesigqwebo somntu onetyala, umlawuli okanye i-ofisi engaphantsi kwewarantu ekubhekiselwa kuyo kwicandelo 65A(6) woMthetho okanye nangomphi umhla apho inkqubo inqunyanyisiwe, oko kugqeba umntu onetyala, umlawuli okanye i-ofisi iza kubizwa ukuba inike ubungqina kwindawo yakhe yemali okanye oko komntu womthetho kwaye okwakhe okanye ukubanako ukuhlawula isigwebo setyala. [Icandelo 65D loMthetho]

[(iv)] (v) Nawuphi umntu onetyala lasekuhlaleni, onikezwe nasiphi isigwebo okanye onikeze naluphi uyalelo okanye okanye owenze nawuphi umyalelo onganelisanga ngokuphelele eso sigwebo okanye ayalele okanye abhatale zonke iindleko ezo anoxanduva lwazo kulo nto, ukuba utshintshe indawo yalhe yokuhlala, okanye ishishini okanye ingqesho phakathi kwentsuku ezingama-14 ukususela kwelo tshintsho lunjalo makazise umbhalisi wenkundla onikeze eso sigwebo okanye owenze lo myalelo kunye omgqwebi wetyala okanye igqwetha lakhe kwaye abhale kakuhle indawo yakhe entsha yokuhlala, yeshishini okanye ingqesho, kwaye ngokungaphumeleli kwakhe ukwenza eso sigwebo umkoloti uza kubanetyala lokumosha kwaye abenexanduva lokuba ahlawuliswe okanye abanjwe ixesha elingadluli kwiinyanga ezintathu. [Icandelo 109 loMthetho]

### [2]1: Ukuvuma ityala

Qaphela ukuba ummangalelwa uyalivuma ityala lomngali njengokuba kufunwa kule samoni.

Kufakwe umhla we .....le ....., usuku lwe .....20....

.....

Ummangalelwa

(Kufuneke ibonwe ngamagwetha ommangalelwa okanye ingqinwe nge-afidavithi)

### OKANYE

### [3]2: Isaziso senjongo sokukhusela\*

Iya: Uklakhi weNkundla

Qaphela ukuba umngali uyalala ityala kwaye ummiselo lwe-afidavithi yommangalelwa lubonisa umhlaba apho ummangalelwa wetyala acamathisele khona.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa/Igwetha lomngangalelwa

.....

.....

(i15 km yedilesi yokuhlala apho inkonzo yenkqubo kunye namaxwebhu azakwamkelwa khona)

.....  
(Idilesi yeposi)

\* Isaziso esingundooqo kunye ne-afidavithi mazigcwaliswe yiklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

**Nombolo. 2A - lisamoni: Isigwebo esinikeziwe**

**\* isetyenziswa kwiNkundla yeNgingqi**

KWINKUNDLA YENGINQI KWISAHLULELO SENGWINGQI SE-

Ibanjwe e.

Inombolo yetyala.....

Kwingxaki ephakathi ko

.....Ummangali

no

.....Ummangalelwa

Usherifu okanye umxhasi wakhe:

YAZISA U- A.B., ka ..... (indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa), ukuba iC.D. (Chaza isini kunye nomsebenzi), we ..... (Indawo yokuhlala kunye nendawo yeshishini) ..... (emveni koku kubizwa ummangali), apha kuza kwenziwa inyathelo ngakuye elo nyathelo ummangali alibangayo:

(1) Ummangalelwa apha ukutshelwa isamoni ukhlawula kummangali ngoko nangoko emveni kwekonzo yale samoni imali ye- ..... kunye nenzala ye- .....% qho ngonyakuka ukusukela ku .....

Ummangali ubanga kummangalelwa ukuhlawulwa le mali echaziwe ngentla ye: (misela isizathu senkqubo)

.....

kunye nekopi apho ixwebhu lihlonyelwe khona;

(2) Ukoyiswa yilo ntlawulo, ummangalwea uyacelwa ukuba uvele ngaphambi kwenkundla ngokwakho okanye nommeli kwi ..... (indawo nenkundla ukuba kuyafuneka) nge ..... usuku lwe ..... 20..... e..... (ixehsa) emveni koko (okanye ngokukhawuleza emveni kokuba imeko ingaviwa) ukuvuma okanye ukwala ityala lomangalelwa ngebango elichaziwe kwaye uchaze kutheni impahla yendlu ingachazwa ngethinjwayo;

(3) Ukuba ummangalelwa yalala ityala yebango, ummangalelwa akazu emveni kokuba ..... umhla we..... 20....., faka i-afidavithi iklakha yale nkundla, kwaye kufakwe ikopi yommangali okanye iigqwetha lakhe kwidilesi eboniselwe inkonzo kwisamoni, apho i-afidavithi iza kubeka umhlaba wokuzikhusela kwelo bango lichaziwe, kwaye kwimeko apho nokuba uyavuma okanye uyalawena okanye isandla

sommangalelwa esivela kokuchaziwe ..... kwaye ukuba sisandla sommangalwelwa nokuba uyavuma okanye uyala isandla okanye igunya lomangalelwa.

Ummangalelwa uye aphinde aziswe ukuba kwimeko apho ummangalelwa engahlawuli imali kunye nenzala echazwe ngentla kummangali ngoko nangoko kwaye ukuba ummangalelwa uyaqhubeka oyisakale ukufaka i-afidavithi ngokuchaziwe, kwaye avele evele phambi kwenkundla kwixesha elichazwe ngentla, isigwebo singakhutshwa ngakummangalelwa ngokuhlawuliswa, kodwa ingeyiyo le mali ibichazwe ngentla, inzala nemali, ummangalelwa unalo ilungelo lokufumana ukhuselo kwilahleko ukuba elo tyala lichaziwe lingagcinwa.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

.....  
Umbhalisi weNkundla yeNgingqi

.....  
Ummangali/Amagwetha ommangali

(i15 km Yedilesi yokuhlala)

.....  
Idilesi yeposi

.....  
inombolo yekopi ngqo

.....  
Idilesi yombane yemeyile

\*Ummangali ukulindele ukwamkela onke amaxwebhu ahamba noko kunye nesaziso kwidilesi yemeyile yombane echazwe apha.

Imali, ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

Imali yamagwetha

(i) Khupha iisamoni

(Into 2 yecandelo II yeTafile A) R .....

(ii) Ukuvela enkundleni

(Into 7 yecandelo II yeTafile A) R .....

(iii) Imali yesigwebo

(Into 3 yecandelo II yeTafile A) R .....

Imali yenkundla .....R

Imali yesherifu .....R

Imali yesherifu xa kuphinde kukhutshwa isamooni .....R

Iyonke R .....

Kwaye uqaphele ukuba

(a) ukuba ummangali uhlawula ubango oluchaziwe kunye nemali ngoko nangoko uwuzukugwetywa mmangali apho kwaye ummangalelwa uza kuphepha iintlawulo zesigwebo;

(b) ukuba ummangalelwa uyavuma ityala kwaye unqwenela ukuvuma isigwebo, ummangalelwa angafayila nombhalisi wenkundla kufako letyala okufakwe nguwe kwaye kwingqinwa ligqwetha lakho, okanye kwangqinwa yi-afidavithi, kwaye ukuba unqwenela ukubhatala ibango kwizavenge zemali okanye kanjalo, ungajongana nommangali okanye igqwetha lommangali.

Isaziso:

(i) Nawuphi umntu ochase nokwenkundla, kwityala lokuhlala, onikezwe isigwebo okanye enze nawuphi umyalelo, ngaphakathi kweentsuku ezingama-10, anele ngeso sigwebo okanye umyalelo angabizwa ngesaziso ngokwemimiselo yecandelo 65A(1) loMthetho ukuba avele ngomhla othile ngaphambi kwenkundla kumagumrhu ukusebenzisa ukundla ukuxela kwisikhundla sezezimali setyala lomkweletwa kwaye enze lo myalelo xa ikundla ivela ngokulunga nangokuthe ngqo.

(ii) Ukuba inkundla yanele ukuba-

(aa) isigwebo somntu onetyala okanye, ukuba isigwebo somntu onetyala ngumntu womthetho, umlawuli, okanye i-ofisa yomtu womthetho uyazi ngesaziso esichazwe ngasentla kwaye woyisakele ukuvela ngaphambi kwenkundla ngomhla kwaye ngexesha elichazwe kwisaziso; okanye

(bb) isigwebo somntu onetyala, umkhokheli okanye uno-ofisi, apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, woyisakele ukuvela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ityala eligwetywayo, umphathi okanye i-ofisa yoyisakele ukuhlala kuzimaso kwinqubo oanye kwinqubo kuza kubekelwa omnye umhla,

inkundla inga-, kwisicelo sesigwebo sokweletwayo okanye igqwetha lakhe, agunyaziswe imeko yemvume ekhomba kusherifu ukuba makabambe lowo okufuneka egwetyiwe, ulawuli okanye i-ofisa kwaye azise yena ngaphambi kwenkundla ukusebenzisa lo kunza ukuba iqhube isicelo sezemali. [Icandelo 65A(6) loMthetho]

(iii) Namphi umntu o--

(aa) uyabizwa ukuba avele phambi kwenkundla ngaphantsi kwesaziso gokommiselo wecandelo 65A(1) okanye (8)(b) woMthetho (apho isherifu, kukhutshwa ukubaniwa komntu, uncedo kulo mntu ukuba avele enkundleni) kwaye angaphumeleli ngothanda ukuvela ngaphambi kwenkundla ngalo mhla kwaye ngexesha elichaziwe kwisaziso; okanye

(bb) apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, ngentando yakhe oyisakele ukuvela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ngokuthanda kwakho ungaphumeleli ukuzimasa ezi ngubo okanye kwinqubo kuza kubekelwa omnye umhla,

uza kubanetyala lokumosha kwaye ubenetyalo lokuhlawuliswa okanye isigwebo esingadluli kwiinyanga ezintathu. [Icandelo 65A(9) loMthetho]

(iv) Ukuvela enkundleni kumhla obekwe kwisaziso esiqikelelwa ngommiselo wecandelo 65A(1) okanye (8)(b) woMtetho ukujonga ummangalelo wesigqwebo somntu onetyala, umlawuli okanye i-ofisi engaphantsi kwewarantu ekubhekiselwa kuyo kwicandelo 65A(6) woMthetho okanye nangomphi umhla apho inkqubo inqunyanyisiwe, oko kugqeba umntu onetyala, umlawuli okanye i-ofisi iza kubizwa ukuba inike ubungqina kwindawo yakhe yemali okanye oko komntu womthetho kwaye okwakhe okanye ukubanako ukuhlawula isigwebo setyala. [Candelo 65D loMthetho]

(v) Nawuphi umntu onetyala lasekuhlaleni, onikezwe nasiphi isigwebo okanye onikeze naluphi uyalelo okanye okanye owenze nawuphi umyalelo onganelisanga ngokuphelele eso sigwebo okanye ayalele okanye abhatale zonke iindleko ezo anoxanduva lwazo kulo nto, ukuba utshintshe indawo yalhe yokuhlala, okanye ishishini okanye ingqesho phakathi kwentsuku ezingama-14 ukususela kwelo tshintsho lunjalo makazise iklakha wenkundla onikeze eso sigwebo okanye owenze lo myalelo kunye omgqwebi wetyala okanye igqwetha lakhe kwaye abhale kakuhle indawo yakhe entsha yokuhlala, yeshishini okanye ingqesho, kwaye ngokungaphumeleli kwakhe ukwenza eso sigwebo umkoloti uza kubanetyala lokumosha kwaye abenexanduva lokuba ahlawuliswe okanye abanjwe ixesha elingadluli kwiinyanga ezintathu. [Candelo 109 loMthetho]

1: Ukuvuma ityala

Qaphela ukuba ummangalelwa uyalivuma ityala lommgangali njengokuba kufunwa kule samoni.

Kufakwe umhla we .....le ....., usuku lwe .....20....

Ummangalelwa

(Kufuneke ibonwe ngamagwetha ommangalelwa okanye ingqinwe nge-afidavithi)

OKANYE

2: Isaziso senjongo sokukhusela\*

Iya: UMBHALISI

Qaphela ukuba ummgangali uyalala ityala kwaye ummiselo lwe-afidavithi yommangalelwa lubonisa umhlaba apho ummangalelwa wetyala acamathisele khona.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa/Igwetha lommgangalelwa

.....

.....

(i15 km yedilesi yokuhlala apho inkonzo yenkqubo kunye namaxwebhu azakwamkelwa khona)

.....

(Idilesi yeposi)

\* Isaziso esingundoogo kunye ne-afidavithi mazigcwaliswe kumbhalisi wenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

**Nombolo. 2B – Isamoni ezidityanisiwe****\* isetyenziswa kwiNkundla yeNgingqi**INKUNDLA KAMANTYI YENGGINGI YE-  
IBANJWE E

Inombolo yetyala.....

Kwingxaki ephakathi ko:

.....

Ummangali

no

.....

Ummangalelwa

Usherifu okanye umxhasi wakhe:

YAZISA U- A.B., ka ..... **[(chaza isini kunye nomsebenzi)]**(indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa), ukuba iC.D., **[we.....,(chaza isini nomsebenzi)]**(chaza ubuni nomsebenzi), we ..... (Indawo yokuhlala karhulumente kunye nendawo yeshishini) ..... (apha emveni koko kubizwa ummangali), apho akhupha isenzo ngakulo mntu apho ummangali abanga ukukhululwa kwaye kumhlaba abeke iinkcukacha ezihlonyelwe kwi.

YAZISA ukuba ummangalelwa nzulu ukuba wala ibango kunye neminqweno ukwala inyathelo uza-

(i) phakathi ..... kwentsuku ezingama-10 (shumi)zenkonzo ekuye zalefayile yesamoni zeklakha wale nkundla .....(apha beka idilesi zomncedisi mbhalisi we-ofisi) isaziso seenjongo zakhe sokwala kwaye azise ikopi kumangali okanye kwigqwetha lommangali, apho isaziso siza kunikeza idilesi ekubhekiselwe kuyo kumgaqo 13(3) wenkonzo apho ummangali wezaziso zonke kunye namaxwebu akwinkqubo;

(ii) emveni koko, kwaye phakathi kweentsuku ezingama-20 kufayilwa kuziswa nezaziso zeenjongo ukukhusela njengoko kwakutshiwo ngaphambili, fayila noklekhi wenkundla kwaye unikeze ummangali okanye igqwetha lommangali isicelo, ukhetho, isaziso zokugwayimba, nokuba unayo okanye awunalo elakho ibango.

YAZISA ummangali nzulu ukuba uumangali akaphumeleli ukufayila kwaye azise isaziso isigwebo esiqinisekisiwe njengebango singawiswa kuye ngaphandle kokumlunmkisa nzulu, okanye ukuba, ekubeni eyigcwalisile wazisa eso zaziso, ummangali angakwazi ukucela, ngaphandle, enze isicelo sokumisa okanye naye amangale, isigwebo singawiswa kuye. Emveni koko ngqo nizeza kummangalelwa ikopi yesamoni kwaye ubuyise okunjalo kwiklakh wenkundla kwako konke osele ukwenzile.

KUFAKWE UMHLA we .....le .....usuku lwe  
.....20....

.....

Uklakhi weNkundla

\* Isivumelwano sesigwebo.

Ndiyavuma ukuba ndinetyala kummangali ngokwebango elukule samoni (okanye kwimali R..... kunye neendleko kumhla) kwaye ndiyasivuma isigwebo ngokwendlela.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

UmmangalelwaINGQINA:

1. (igama eliphelele)....., (isandla).....  
(idilesi).....
2. (igama eliphelele)....., (isandla).....

(idilesi).....

OKANYE

\*Isaziso senjongo sokukhusela.

Iya kuklakha weNkundla.

Nceda uqaphele apha ummangalelwa wazisa iinjongo zakhe ukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa/Igwetha lomangalelwa

[Idilesi] iikm engama-15 zedilesi yokuhlala ukusukela kwindlu yenkundla ukwamkela inkonzo yenkqubo okanye amaxwebhu

.....

Idilesi yeposi

.....

Inombolo (feksi) yekopi ngqo (apho ifumaneka khona).....

Idilesi (imeyile) meyile yombane (apho ifumaneka khona).....

(Nikeza idilesi ephelele ukwamkela inkonzo yenkqubo okanye amaxwebhu phakathi kweekhilimithazi ezingamashumi anantlanu ukususela ekukhupheni kwindlu yeNkundla kunye nedilesi yeposi.)

\* Isaziso esingundoqo masigcwaliswe neklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

Iimali ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

Iisamoni.....R

Isigwebo.....R



Imali yamagwetha.....R  
 limali zikasherifu.....R  
 Imali yesherifu xa iphende ikhutshwa.....R  
 Iyonke:.....R

**ISIHLOMELO**

linkcukacha zommangali zebango loMmangali

.....  
Ibekwe umhla we.....le.....usuku lwe.....20.....

.....  
 Ummangali/Amagwetha ommangali  
 Idilesi yommangali/Amagwetha ommangali

.....  
 Iggwetha loMmangali(ukuba likhona)

**Nom. 2B – Isamoni ezidityanisiwe**

**\* isetyenziswa kwiNkundla yeNgingqi**

**KWINKUNDLA YENGINGQI KWISAHLULELO SENGWINGQI SE-  
 IBANJWE E**

Inombolo yetyala.....

Kwingxaki ephakathi ko:

.....  
Ummangali

no

.....  
Ummangalelwa

Usherifu okanye umxhasi wakhe:

YAZISA U- A.B., ka ..... (indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa), ukuba iC.D. (Chaza isini kunye nomsebenzi), we ..... (Indawo yokuhlala kunye nendawo yeshishini) ..... (apha emveni koko kubizwa ummangali), apho akhupha isenzo ngakulo mntu apho ummangali abanga ukukhululwa kwaye kumhlaba abeke iinkcukacha ezihlonyelwe kwi.

YAZISA ukuba ummangalelwa nzulu ukuba wala ibango kunye neminqweno ukwala inyathelo uza-

(i) phakathi ..... kwentsuku ezingama-10 (shumi)zenkonzo ekuye zalefayile yesamoni zombhalisi wale nkundla .....(apha beka idilesi zomncedisi mbhalisi we-ofisi) isaziso seenjongo zakhe sokwala kwaye azise ikopi kumangali okanye kwigqwetha lommangali, apho isaziso siza kunikeza idilesi ekubhekiselwe kuyo kumgaqo 13(3) wenkonzo apho ummangali wezaziso zonke kunye namaxwebu akwinkqubo;

(ii) emveni koko, kwaye phakathi kweentsuku ezingama-20 kufayilwa kuziswa nezaziso zeenjongo ukukhusela njengoko kwakutshiwo ngaphambili, fayila noklekhi wenkundla kwaye unikeze ummangali okanye igqwetha lommangali isicelo, ukhetho, isaziso zokugwayimba, nokuba unayo okanye awunalo elakho ibango.

YAZISA ummangali nzulu ukuba uumangali akaphumeleli ukufayila kwaye azise isaziso isigwebo esiqinisekisiwe njengebango singawiswa kuye ngaphandle kokumlunmkisa nzulu, okanye ukuba, ekubeni eyigcwalisile wazisa eso zaziso, ummangali angakwazi ukucela, ngaphandle, enze isicelo sokumisa okanye naye amangale, isigwebo singawiswa kuye. Emveni koko ngqo nikeza kummangalelwa ikopi yesamoni kwaye ubuyise okunjalo kumbhalisi wenkundla kwako konke osele ukwenzile.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

.....

Umbhalisi

\* Isivumelwano sesigwebo.

Ndiyavuma ukuba ndinetyala kummangali ngokwebango elukule samoni (okanye kwimali R..... kunye neendleko kumhla) kwaye ndiyasivuma isigwebo ngokwendlela.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa

INGQINA:

1. (igama eliphelele)....., (isandla).....

(idilesi).....

2. (igama eliphelele)....., (isandla).....

(idilesi).....

OKANYE

\*Isaziso senjongo sokukhusela.

Iya kumbhalisi.

Nceda uqaphele apha ummangalelwa wazisa iinjongo zakhe ukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....

Ummangalelwa/Igwetha lommangalelwa

likm ezingama-15 zedilesi yokuhlala ukusukela kwindlu yenkundla ukwamkela inkonzo yenkqubo okanye amaxwebhu

Idilesi yeposi

Inombolo (feksi) yekopi ngqo (apho ifumaneka khona).....

Idilesi (imeyile) meyile yombane (apho ifumaneka khona).....

(Nikeza idilesi ephelele ukwamkela inkonzo yenkqubo okanye amaxwebhu phakathi kweekhilimithazi ezingamashumi anantlanu ukususela ekukhupheni kwindlu yeNkundla kunye nedilesi yeposi.)

\* Isaziso esingundoogo masigcwaliswe neklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

limali ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

lisamoni.....R

Isigwebo.....R

Imali yamagwetha.....R

limali zikasherifu.....R

Imali yesherifu xa iphende ikhutshwa.....R

lyonke:.....R

## ISIHLOMELO

linkcukacha zommangali zebango loMmangali

Kufakwe umhla we .....20....

Ummangali/Amagwetha ommangali

Idilesi yommangali/Amagwetha ommangali

Iggwetha loMmangali(ukuba likhona)

**Nom. 2C – IISAMONI EZIDITYANISIWE (KWIIMEKO ZOQHAWULO MTSHATO)**\* isetyenziswa kwiNkundla yeNgingqi

KWINKUNDLA      YENGINQI      KWISAHLULELO      SENGWINGQI      SE-

IBANJWE E

INOMBOLO      YETYALA:

KWINGXAKI EPHAKATHI KO:

UMMANGALI

Inombolo yesaziso:

NO

UMMANGALELWA

Inombolo yesaziso:IYA KUSHERIFU/ISEKELA LAKHE:

YAZISA      (Igama      eliphelele      loMmangalewla):

EYONA      NDODA/IBHINQA

NGOMSEBENZI:      LWE      (Idilesi):

(Apha kubhekiswe kummangalelwa).

LO,      (Igama      eliphelele      loMmangalewla):

EYONA      NDODA/IBHINQA

NGOMSEBENZI:      LWE      (Idilesi):

(Apha kubhekiswe kummangali).APHA, ukhupha isenzo ngakulo mntu apho uMmangali abanga ukukhululwa kwaye kumhlaba abeke iinkcukacha ezihlonyelwe kwi.YAZISA ukuba ummangalelwa nzulu ukuba ummangali wala ibango kunye nemingweno ukwala inyathelo uzaphakathi kwentsuku ezingama-10 (shumi)zenkonzo ekuye zalefayile yesamoni zombhalisi wale nkundla (apha beka idilesi zomncedisi mbhalisi we-ofisi) isaziso seenjongo zakhe sokwala kwaye azise ikopi kumangali okanye kwiqgwetha lomangali, apho isaziso siza kunikeza idilesi ekubhekiselwe kuyo kumgaqo 13 (3) wenkonzo apho ummangali wezaziso zonke kunye namaxwebu akwinqubo;(ii) emveni koko, kwaye phakathi kweentsuku ezingama-20 ( amashumi amabini) kufayilwa kuziswa nezaziso zeenjongo ukukhusela njengoko kwakutshiwo ngaphambili, fayila nomncedisi wombhalisi wenkundla kwaye unikeze ummangali okanye igqwetha

lommangali isicelo, ukhetho, isaziso zokugwayimba, nokuba unayo okanye awunalo elakho ibango.

YAZISA ummangali nzulu ukuba ummangali akaphumeleli ukufayila kwaye azise isaziso isigwebo esiqinisekisiwe njengebango singawiswa kuye ngaphandle kokumlumkisa nzulu, okanye ukuba, ekubeni eyigcwalisile wazisa eso zaziso, ummangali angakwazi ukucela, ngaphandle, enze isicelo sokumisa okanye naye amangale, isigwebo singawiswa kuye.

YAZISA ummangalelwa ukubangaba akajonganga ukuzikhusela kwinyathelo, anganikeza isaziso esibhaliwe malunga noko kummangali kunye nombhalisi ke ngoko inyathelo linga-, ngesicelo esibhaliwe sommangali, sibekwe kuhlalelwa phantsi ngumbhalisi kuviwe ityala ngaphandle kwesinye isazio kummangalelwa.

Emveni koko ngqo nikeza kummangalelwa ikopi yesamoni kwaye ubuyise okunjalo kumbhalisi okanye umncedisi mbhalisi wenkundla kwako konke osele ukwenzile.

<u>IBEKWE UMHLA</u>	<u>NGE</u>	<u>KUSUKU LWE</u>
20		

UMBHALISI/UMNCEDI MBHALISI

INKUNDLA YENGINQI

ULWAHLULELO LWENDAWO YE

UMMANGALI/IGWETHA LOMMANGALI

Idilesi

Idilesi yeposi

Inombolo (feksi) yekopi ngqo (apho ifumaneka khona)

Idilesi (imeyile) meyile yombane (apho ifumaneka khona)

(Nikeza idilesi ephelele ukwamkela inkonzo yenqubo okanye amaxwebhu phakathi kweekhilimithazi ezingama-15 anantlanu ukususela ekukhupheni kwindlu yeNkundla kunye nedilesi yeposi.)

\*Ummangali ukulindele ukwamkela onke amaxwebhu ahamba noko kunye nesaziso kwidilesi yemeyile yombane echazwe apha.

**(1) Isaziso senjongo sokungakhuseli**

Iya kumbhalisi

Nceda uqaphele apha ummangalelwa unikeza isaziso ukuba akafuni kuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....  
20 .....

Ummangali/Amagqwetha ommangalelwa

OKANYE

**(2) Isaziso senjongo sokungakhuseli\***

Iya kumbhalisi

Nceda uqaphele apha ummangalelwa wazisa iinjongo zakhe ukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

Ummangali/Amagqwetha ommangalelwa

Idilesi

Idilesi yeposi

Inombolo (feksi) yekopi ngqo (apho ifumaneka khona)

Idilesi (imeyile) meyile yombane (apho ifumaneka khona)

(Nikeza idilesi ephelele ukwamkela inkonzo yenkqubo okanye amaxwebhu phakathi kweekhilimithazi ezingama-15 anantlanu ukususela ekukhupheni kwindlu yeNkundla kunye nedilesi yeposi.)

limali ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

lisamoni..... R

Isigwebo..... R

Imali yamagqwetha..... R

limali zesherifu..... R

limali zesherifu xa kuphinda kukhutshwa..... R

Iyonke: ..... R

\* Isaziso esingundoogo masigcwaliswe nombhalisi yenkundla kunye nekopi apha enikezwe ummangalelwa okanye amagqwetha ommangali.

\* cima ukuba ayingeni

**Nom. 3 – lisamoni [intshukumo eqalayo] (apo kuqukwa kuqasho oluzenzekelayo luyama)**

**\* isetyenziswa kwiNkundla yeNqingqi**

**INKUNDLA KAMANTYI YENGQINGI YE-**

**IBANJWE E**

Inombolo yetyala.....

Kwingxaki ephakathi ko:

.....

Ummangali

no

.....

Ummangalelwa

Iya: ..... ye ..... (indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) .....( emveni koko apha kubizwa ummangalelwa).

Apha uyachazelwa ngumthetho ukuba phakathi kwe- ..... yentsuku zenkonzo zale samoni izisiwe okanye isizathi sokuziswa kwiklakha yenkundla echazwe kwangaphambili kunye nommangali okanye igqwetha lommangali, kwidilesi echaziwe apha, isaziso esibhaliwe senjongo zakho kummangalelwa weli nyathelo kwaye aphenjule ibango le..... (Chaza isini kunye nomsebenzi), we ..... (Indawo yokuhlala kunye nendawo yeshishini) ..... (apha kubize ummangali), iinkcukacha apho zivunyelwe phantsi kwe.

Kwaye uqaphele ukuba

(a) ityala lakho uhlawula ibango kunye neemali phakathi kwethuba elichaziwe okanye lakho lokuzisa isaziso seenjongo zakho uza kubanjelwa ukuba uvume ibango elichaziwe kwaye ummangali angaqhubeka apho kwaye isigwebo singanikezwa kuwe noba awuko;

[(a) ukuba uhlawula ubango oluchaziwe kunye nemali kwixesha elibekiwe uwuzukugwetywa apho kwaye uza kuphepha iintlawulo zesigwebo; Uza kusose wange iimali zesigwebo, ukuba phakathi kwelixa elichaziwe, ukuba uvum neklakhi oko kutshiwo ngaphambili yinkundla isivumo sokugqwetywa;

(c) ukuba uyavuma ibango kwaye ufuna uvuma isigwebo okanye unqwenela ukuthabatha ukuhlawula ibango ngezavenge okanye okunye, ungaya kummangali okanye ingqwetha lommangali.

Kwaye nzulu qaphela ukuba, ummangalela, kunye nabanye abantu apha bavaliwe ukuba basuse okanye benze okanye intlungu yokususwa kwempahla zendlu okanye inyathelo apho okanye kwinkcukacha ezichazwe kwelo bango ezivunyelwe apho ezo zilixhoba kummangali ukwenzela ingqasho kude umyalelo osondele apho ube wenziwe yinkundla.

limali, ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

lisamoni.....R

Isigwebo.....R

Imali yamagqwetha .....R

Imali yesherifu .....R

Imali yesherifu xa kuphinde kukhutshwa .....R

Iyonke R .....R .....

Iyonke R .....

Isaziso:

(i) Namphi umntu inkundla enetyala lokuhla, unikezwe nasiphi

(i) isigwebo okanye enze nawuphi umyalelo, ngaphakathi kweentsuku ezingama-10, anele ngeso sigwebo okanye umyalelo angabizwa ngesaziso ngokwemimiselo yecandelo 65A(1) loMthetho ukuba avele ngomhla othile ngaphambi kwenkundla kumaqumrhu ukusebenzisa inkundla **[ukucela]** ukucela kwisikhundla sezezimali setyala lomkweletwa kwaye enze lo miyalelo xa ikundla ivela ngokulunga nangokuthe ngqo.

(ii) Ukuba inkundla yanele ukuba-

(aa) isigwebo somntu onetyala okanye, ukuba isigwebo somntu onetyala ngumntu womthetho, umlawuli, okanye i-ofisa yomntu womthetho uyazi ngesaziso esichazwe ngasentla kwaye woyisakele ukucela ngaphambi kwenkundla ngomhla kwaye ngexesha elichazwe kwisaziso; okanye

(bb) isigwebo somntu onetyala, umkhokheli okanye uno-ofisi, apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, woyisakele ukucela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ityala eligwetywayo, umphathi okanye i-ofisa woyisakele ukuhlala kuzimaso kwinqubo oanye kwinqubo kuza kubekelwa omnye umhla,

inkundla inga-, kwisicelo sesigwebo sokweletwayo okanye igqwetha lakhe, agunyaziswe imeko yemvume ekhomba kusherifu ukuba makabambe lowo okufuneka egwetyiwe, ulawuli okanye i-ofisa kwaye azise yena ngaphambi kwenkundla esebenza kakuhle ukusebenzisa lo kunza ukuba iqhube isicelo sezemali. [Icandelo 65A(6) loMthetho]

(iii) Namphi umntu o--

(aa) uyabizwa ukuba avele phambi kwenkundla ngaphantsi kwesaziso gokommiselo wecandel 65A(1) okanye 65A(8)(b) woMthetho (apho isherifu, kukhutshwa ukubanjwa komntu, uncedo kulo mntu ukuba avele enkundleni) kwaye angaphumeleli ngothanda ukucela ngaphambi kwenkundla ngalo mhla kwaye ngexesha elichaziwe kwisaziso; okanye

(bb) apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, ngentando yakhe oyisakele ukucela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ngokuthanda kwakho ungaphumeleli ukuzimasa ezi zihlangene nezi



ukuqhubeka okanye kukuqhubeka kuyamiswa,

uza kubanetyala lokumosha kwaye ubenetyalo lokuhlawuliswa okanye isigwebo esingadluli kwiinyanga ezintathu. [Icandelo 65A(9) loMthetho]

(iv) Ngokuvela phambi kwenkundla ngosuku oluqikelwe kwi-

isaziso ngommiselo wecandelo 65A(1) okanye (8)(b) woMtetho ukujonga ummangalelo wesigwebo somntu onetyala, umlawuli okanye i-ofisi engaphantsi kwewarantu ekubhekiselwa kuyo kwicandelo 65A(6) woMthetho okanye nangomphi umhla apho inkqubo inqunyanyisiwe, oko kugqeba umntu onetyala, umlawuli okanye i-ofisi iza kubizwa ukuba inike ubungqina kwindawo yakhe yemali okanye oko komntu womthetho kwaye okwakhe okanye ukubanako ukuhlawula isigwebo setyala. [Icandelo 65D loMthetho]

(v) Nawuphi umntu onetyala lasekuhlaleni, onikezwe nasiphi isigwebo okanye onikeze naluphi uyalelo okanye okanye owenze nawuphi umyalelo onganelisanga ngokuphelele eso sigwebo okanye ayalele okanye abhatale zonke iindleko ezo anoxanduva lwazo kulo nto, ukuba utshintshe indawo yakhe yokuhlala, okanye ishishini okanye ingqesho phakathi kwentsuku ezingama-14 ukususela kwelo tshintsho lunjalo makazise iklakha wenkundla onikeze eso sigwebo okanye owenze lo myalelo kunye omgqwebi wetyala okanye igqwetha lakhe kwaye abhale kakuhle indawo yakhe entsha yokuhlala, yeshishini okanye ingqesho, kwaye ngokungaphumeleli kwakhe ukwenza eso sigwebo umkoloti uza kubanetyala lokumosha kwaye abenexanduva lokuba ahlawuliswe okanye abanjwe ixesha elingadluli kwiinyanga ezintathu. [Icandelo 109 loMthetho]

(1) linkcukacha zebango.

Ibango loMmangali yi-

(i) imali edlulele yokuqesha kwendawo yabahlali bommangalelwa ..... kwaye ngokugqina nongqino lokuvalwa kuvela kule sammoni.

linkcukacha:

.....

Umhla

Ithuba

Imali

R

.....

.....

.....

.....

no

(ii) eyokususwa.

linkcukacha:

.....

(2) Isivumelwano sesigwebo.

Ndiyavuma ukuba ndinetyala kummangali ngokwebango elukule samoni (okanye kwimali R..... kunye neendleko kumhla) kwaye ndiyasivuma isigwebo ngokwendlela.

ibekwe umhla e.....nge.....ngomhla we-....., 20.....,

.....  
Ummangalelwa

**INGQINA:**

1. (igama eliphelele)....., (isandla).....  
(idilesi).....
2. (igama eliphelele)....., (isandla).....  
(idilesi).....

**UKHETHO LOKUYA KU- (2)**

\*(3) Isaziso senjongo yokukhusela.

Iya kuklakha weNkundla.

Nceda uqaphele apha ummangalelwa wazisa iinjongo zommangalelwaukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

.....  
Ummangalelwa/Igwetha lommangalelwa.

Idilesi yokuhlala apho inkonzo yenkqubo okanye amaxwebhu za kwamkelwa khona (phakathi kwekhilomitha ezingama-15 ukusukela kwindlu yenkundla)

.....  
Idilesi yeposi

.....  
\*Isaziso esingundoqo masigcwaliswe neklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

**Nom. 3 – lisamoni [intshukumo eqalayo] (apo kuqukwa kuqasho oluzenzekelayo luyama)**

**\* isetyenziswa kwiNkundla yeNgingqi**

KWINKUNDLA      YENGINQI      KWISAHLULELO      SENGWINGQI      SE-

IBANJWE E      INOMBOLO YETYALA:

phakathi

.....Ummangali

no

.....Ummangalelwa

Iya: ..... ye ..... (indawo yokuhlala okanye indawo yeshishini kwaye ukuba iyaziwam isini, indawo kunye nendawo yengqesho) ..... ( emveni koko apha kubizwa ummangalelwa).

Apha uyachazelwa ngumthetho ukuba phakathi kwe- ..... yentsuku zenkonzo zale samoni izisiwe okanye isizathi sokuziswa kumbhalisi wenkundla echazwe kwangaphambili kunye nommangali okanye igqwetha lomangali, kwidilesi echaziwe apha, isaziso esibhaliwe senjogo zakho kummangalelwa weli nyathelo kwaye aphendule ibango le..... (Chaza isini kunye nomsebenzi), we ..... (Indawo yokuhlala kunye nendawo yeshishini) ..... (apha kubize ummangali), iinkcukacha apho zivunyelwe phantsi kwe.

Isaziso soMmangalelwa:

Kwaye uqaphele ukuba

(a) ityala lakho uhlawula ibango kunye neemali phakathi kwethuba elichaziwe okanye lakho lokuzisa isaziso seenjongo zakho uza kubanjelwa ukuba uvume ibango elichaziwe kwaye ummangali angaqhubeka apho kwaye isigwebo singanikezwa kuwe noba awuko;

[(a) ukuba uhlawula ubango oluchaziwe kunye nemali kwixesha elibekiwe uwuzukugwetywa apho kwaye uza kuphepha iintlawulo zesigwebo; Uza kusose wange iimali zesigwebo, ukuba phakathi kwelixa elichaziwe, ukuba uvuma nombhalisi oko kutshiwo ngaphambili yinkundla isivumo sokugqwetywa;

(c) ukuba uyavuma ibango kwaye ufuna uvuma isigwebo okanye unqwenela ukuthabatha ukuhlawula ibango ngezavenge okanye okunye, ungaya kummangali okanye ingqwetha lomangali.

Kwaye nzulu qaphela ukuba, ummangalela, kunye nabanye abantu apha bavaliwe ukuba basuse okanye benze okanye intlungu yokususwa kwempahla zendlu okanye inyathelo apho okanye kwinkcukacha ezichazwe kwelo bango ezivunyelwe apho ezo zilixhoba kummangali ukwenzela ingqasho kude umyalelo osondele apho ube wenziwe yinkundla.

limali, ukuba amanyathelo akavikelwanga aza kuba ngoku kulandelayo:

Isamoni R

Isigwebo R

Imali yamagqwetha .....R

Imali yesherifu .....R

Imali yesherifu xa kuphinde kukhutshwa .....R.

Iyonke R .....R

Iyonke R

Isaziso:(i) Namphi umntu inkundla enetyala lokuhla, unikezwe nasiphi

(i) isigwebo okanye enze nawuphi umyalelo, ngaphakathi kweentsuku ezingama-10, anele ngeso sigwebo okanye umyalelo angabizwa ngesaziso ngokwemimiselo yecandelo 65A(1) loMthetho ukuba avele ngomhla othile ngaphambi kwenkundla kumaqumrhu ukusebenzisa ukundla ukuxela kwisikhundla sezezimali setyala lomkweletwa kwaye enze lo miyalelo xa ikundla ivela ngokulunga nangokuthe ngqo.

(ii) Ukuba inkundla yanele ukuba-

(aa) isigwebo somntu onetyala okanye, ukuba isigwebo somntu onetyala ngumntu womthetho, umlawuli, okanye i-ofisa yomntu womthetho uyazi ngesaziso esichazwe ngasentla kwaye woyisakele ukuvela ngaphambi kwenkundla ngomhla kwaye ngexesha elichazwe kwisaziso; okanye

(bb) isigwebo somntu onetyala, umkhokheli okanye uno-ofisi, apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, woyisakele ukuvela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ityala eligwetywayo, umphathi okanye i-ofisa yoyisakele ukuhlala kuzimaso kwinqubo oanye kwinqubo kuza kubekelwa omnye umhla,

inkundla inga-, kwisicelo sesigwebo sokweletwayo okanye igqwetha lakhe, agunyaziswe imeko yemvume ekhomba kusherifu ukuba makabambe lowo okufuneka egwetyiwe, ulawuli okanye i-ofisa kwaye azise yena ngaphambi kwenkundla esebenza kakuhle ukusebenzisa lo kunza ukuba iqhube isicelo sezemali. [Icandelo 65A(6) loMthetho]

(iii) Namphi umntu o--

(aa) uyabizwa ukuba avele phambi kwenkundla ngaphantsi kwesaziso gokommiselo wecandel 65A(1) okanye 65A(8)(b) woMthetho (apho isherifu, kukhutshwa ukubaniwa komntu, uncedo kulo mntu ukuba avele enkundleni) kwaye angaphumeleli ngothanda ukuvela ngaphambi kwenkundla ngalo mhla kwaye ngexesha elichaziwe kwisaziso; okanye

(bb) apho kuqhubeka inkqubo zimisiwe kwindawo yakhe zabekwa kumhla kunye nexesha eliqikelelwe yinkundla, ngentando yakhe oyisakele ukuvela ngaphambi kwenkundla kuloo mhla okanye ixesha; okanye

(cc) ngokuthanda kwakho ungaphumeleli ukuzimasa ezi zihlangene nezi

ukuqhubeka okanye kukuqhubeka kuyamiswa,

uza kubanetyala lokumosha kwaye ubenetyalo lokuhlawuliswa okanye isigwebo esingadluli kwiinyanga ezintathu. [Icandelo 65A(9) loMthetho]

(iv) Ngokuvela phambi kwenkundla ngosuku oluqikelwe kwi-

isaziso ngommiselo wecandelo 65A(1) okanye (8)(b) woMthetho ukujonga ummangalelo wesigwebo somntu onetyala, umlawuli okanye i-ofisi engaphantsi kwewarantu ekubhekiselwa kuyo kwicandelo 65A(6) woMthetho okanye nangomphi umhla apho inkqubo inqunyanyisiwe, oko kugqeba umntu onetyala, umlawuli okanye i-ofisi iza kubizwa ukuba inike ubungqina kwindawo yakhe yemali okanye oko komntu womthetho

kwaye okwakhe okanye ukubanako ukuhlawula isigwebo setyala. [Icandelo 65D loMthetho

(v) Naquphi umntu inkundla enetyala lokuhla, unikezwe nasiphi

isigwebo esenziwe okanye onikeze naluphi uyalelo okanye okanye owenze nawuphi umyalelo onganelisanga ngokuphelele eso sigwebo okanye ayalele okanye abhatale zonke iindleko ezo anoxanduva lwazo kulo nto, ukuba utshintshe indawo yakhe yokuhlala, okanye ishishini okanye ingqesho phakathi kwentsuku ezingama-14 ukususela kwelo tshintsho lunjalo makazise iklakha wenkundla onikeze eso sigwebo okanye owenze lo myalelo kunye omgqwebi wetyala okanye igqwetha lakhe kwaye abhale kakuhle indawo yakhe entsha yokuhlala, yeshishini okanye ingqesho, kwaye ngokungaphumeleli kwakhe ukwenza eso sigwebo umkoloti uza kubanetyala lokumosha kwaye abenexanduva lokuba ahlawuliswe okanye abanjwe ixesha elingadluli kwiinyanga ezintathu. [Icandelo 109 loMthetho

(1) linkcukacha zebango.

Ibango loMmangali yi-

(i) imali edlulele yokuqesha kwendawo yabahlali bommangalelwa ..... kwaye ngokugqina nongqino lokuvalwa kuvela kule sammoni.

linkcukacha:

.....

Umhla

Ithuba

Imali

R

.....

.....

.....

.....

no

(ii) eyokususwa.

linkcukacha:

.....

(2) Isivumelwano sesigwebo.

Ndiyavuma ukuba ndinetyala kummangali ngokwebango elukule samoni (okanye kwimali R..... kunye neendleko kumhla) kwaye ndiyasivuma isigwebo ngokwendlela.

ibekwe umhla e.....nge.....ngomhla we-....., 20.....,

.....

Ummangalelwa

INGQINA:

1. (igama eliphelele)....., (isandla).....

2. (idilesi).....
3. (igama eliphelele)....., (isandla).....  
(idilesi).....

UKHETHO LOKUYA KU- (2)

\*(3) Isaziso senjongo yokukhusela.

Iya kuMbhalisi weNkundla.

Nceda uqaphele apha ummangalelwa wazisa iinjongo zommangalelwaukuvikela eli nyathelo.

Kufakwe umhla we .....le .....usuku lwe .....20....

Ummangalelwa/Igwetha lomangalelwa.

Idilesi apho inkonzo yenkqubo kunye namaxwebhu azakwamkelwa khona..... (ngaphakathi kweekhilomitha ezingama-15 ukususela kwiNdlu yenkundla) .....

Idilesi ..... yeposi

\*Isaziso esingundooqo masigcwaliswe neklakha yenkundla kunye nekopi apho enikezwe ummangalelwa okanye amagqwetha ommangalelwa.

**Nom. 4 - Impepha zesamoni letyala/indawo yenkonzo: ifomu emfutshane yenkqubo**

**\* isetyenziswa kwiNkundla yeNgingqi**

INKUNDLA KAMANTYI YENGGINGI YE-  
IBANJWE E

Inombolo yetyala.....

Kwingxaki ephakathi ko:

.....

Ummangali

no

.....

Ummangalelwa

Iya:

A .....B .....  
.....wayekade .....ehlala .....e  
....., kodwa abo bazisa ukuba baphi bayaziwa (ummangalelwa apha):

QAPHELA ukuba isamoni ukhutshwe kule nkundla, ubiziwe ukuba unikeze isaziso, phakathi kweentsuku ezi ..... emveni kopaphasho, kwiklakhi yale nkundla okanye

kummangali/igqwetha lommangali leenjongo zakho ukukhusela (ukuba kukhona) kwinyathelo lalapho

C ..... D .....(ummangali apha)  
amabango:

- (a) .....
- (b) .....
- (c) .....

QAPHELA NZULU ukuba wuphumeleli ukunikeza eso saziyo, isigwebo singaziswa kuwe ngaphandle kokuba kuviwe kuwe.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

Ummangali/Amagwetha ommangali

Idilesi yenkomzo:

Idilesi yokuhlala, iikm engama-15 ukususela kwindlu yenkundla

.....  
.....

Uklakhi weNkundla

**Nom. 4 - Impepha zesamoni letyala/indawo yenkonzo: ifomu emfutshane yenkqubo**

**\* isetyenziswa kwiNkundla yeNgingqi**

**KWINKUNDLA YENGINGQI KWISAHLULELO SENGWINGQI SE-IBANJWE E**

Inombolo yetyala.....

Kwingxaki ephakathi ko:

Ummangali

no

.....

Ummangalelwa

Iya:

A ..... B ..... wayekade ehlala e ....., kodwa abo bazisa ukuba baphi bayaziwa (ummangalelwa apha):

QAPHELA ukuba isamoni ukhutshwe kule nkundla, ubiziwe ukuba unikeze isaziyo, phakathi kweentsuku ezi ..... emveni kopaphasho, kumbhalisiyale nkundla okanye kummangali/igqwetha lommangali leenjongo zakho ukukhusela (ukuba kukhona) kwinyathelo lalapho

C ..... D .....(ummangali apha)  
amabango:

(a) .....

(b) .....

(c) .....

QAPHELA NZULU ukuba wuphumeleli ukunikeza eso saziso, isigwebo singaziswa kuwe ngaphandle kokuba kuwiwe kuwe.

KUFAKWE UMHLA we .....le .....usuku lwe .....20....

Ummangali/Amagwetha ommangali

Idilesi yenkomzo:

Idilesi yokuhlala, iikm engama-15 ukususela kwindlu yenkundla

.....

.....

Umbhalisi

#### **Nom. 5 - Isicelo sesigwebo esinikwe yinkundla**

##### **\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
 sase.....

ebibanjwe e ..... INombolo yeTyala ..... ka-  
 20 .....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali ubeka ukuba

(a) ummangalelwa aziswe ngokufanelekileyo ngo.....;

(b) ixesha lokucela ukuze azikhusele libe liphelile; kwaye

(c) ummangalelwa engavelanga ukuba azikhusele

isigwebo sizakunikwa ngokubhekisele kummangalelwa, njengoko kuxeliwe kwiisamani sama- R..... (xela iinkcukacha ukuba isigwebo siwiselwe okungaphantsi kunoko kuxeliweyo kwiisamani), kunye nenzala ngama- .....eepesenti .

Ifakwe umhla e ..... ngowe ..... wosuku lwe  
 ....., 20.....,

.....

koMmangali/iGqwetha loMmangali



**Nom. 5 - Isicelo sesigwebo esinikwe yinkundla****\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebibanjwe e .....

INombolo yeTyala ..... ka-20 .....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali ubeka ukuba

(a) ummangalelwa aziswe ngokufanelekileyo ngo.....;

(b) ixesha lokuvela ukuze azikhusele libe liphelile; kwaye

(c) ummangalelwa engavelanga ukuba azikhusele

isigwebo sizakunikwa ngokubhekisele kummangalelwa, njengoko kuxeliwe kwiisamani sama- R..... (xela iinkcukacha ukuba isigwebo siwiselwe okungaphantsi kunoko kuxeliweyo kwiisamani), kunye nenzala ngama- ..... eepesenti .

Ifakwe umhla e ..... ngowe ..... wosuku lwe .....  
20.....,

.....

koMmangali/iGqwetha loMmangali

**Nom. 5A – Isicelo sesigwebo apho ummangalelwa aluvumileyo uxanduva kwaye [wamkela] ekwamkele ukuhlawula ityala ngezavenge okanye ngenye indlela - iCandelo lama-57 lomThetho weeNkundla [iNkundla] kaMantyi, 1944 (umThetho oyiNombolo yama-32 ka-1944)**

**\*Kusetyenziswa yiNkundla yeSithili**

KwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali ucela ukuba isigwebo kulo mcimbi ukhankanywe ngasentla ngokwecandelo lama-57(2) lomThetho weeNkundla zooMantyi, 1944, siqatshelwe sibe ngokwecala lakhe ngokuchasene nommangalwela njengoku kulandelayo:

Isigwebo setyala: R c

lindleko: R c

Intsalela yetyala engekahlawulwa [iCandelo lama- 57(2)(c)(i)] .....

Inzala engama .....eepesenti ngonyaka ebalwa ukuqala .....

Imali ebizelwa ukuqokelela [icandelo lama-57(1)(c)] .....

lisamani, ukuba kukho naziphi na (imali ebizwa ligqwetha, imali ehlawulwa isherifu kunye nemali ehlawulwa isherifu yokukhupha kwakhona) [icandelo lama-57(1)] .....

lindleko zengxelo efungelweyo okanye uqiniseko lom Mangali/isitifiketi segqwetha lom Mangali [icandelo lama-57(2)(c)] .....

lindleko zeleta yerejista [icandelo lama-57(1)] .....

lindleko zesaziso ngokomthetho wama- 54(1) .....

Ileta yebango (icandelo lama-56) .....

Isicelo sesigwebo (icandelo lama- 57) .....

Ukwamkela uxanduva kunye nokuvuma ukuhlawula (icandelo lama- 57)

Kuphelele R R

Kuphelele R

Kunye nenzala engaphaya nge ..... yepesenti ngonyaka ukusukela kumhla wesigwebo ukuya kumhla wentlawulo, kwaye intlawulo ngaphaya koko izakwenziwa ngokungqinelana nokuthenjiswa ngummangalelwa.

La maxwebhu alandelayo ahlonyelwe :

(a) Ikopi yeleta yebango ethunyelwe kummangalelwa ngokwecandelo lama-56 lomThetho weNkundla zooMantyi, 1944.

(b)Ukwamkela uxanduva kummangalelwa ngokubhekisele kum Mangali ngesixa setyala kunye neendleko ezifuniweyo (okanye sazo nasiphi na esinye isixa) kunye nokuthenjiswa nguye.

(c) Ikopi yom Mangali okanye yegqwetha lom Mangali yokwamkela okuthenjiswa.

(d) Ingxelo efungelweyo (okanye uqiniseko) eyenziwe ngummangali/isitifiketi segqwetha lom Mangali ngokwecandelo lama- 57(2)(c) lomThetho weNkundla zooMantyi, 1944.

Ifakwe umhla e ..... ngowe ..... wosuku lwama ....., 20.....,

UM Mangali/igqwetha loM Mangali

.....

(Idilesi)

.....

Isigwebo [siqatshelwe] sinikwe ngowe..... wosuku lwe ..... 20 ..... ngokwecala lom Mangali kwisixa sama-R..... kunye nesixa sama-R..... eendleko. Ummangalelwa ukwayalelwa ngokungaphaya ukuba ahlawule isigwebo esikhankanyiweyo kunye neendleko ngezavenge zenyanga/zeveki zama- R.....

Isavenge sokuqala kufuneka sihlawulwe ngawo okanye ngaphambi kwalo .....  
 kuze emva koko ngawo okanye ngaphambi kwalo ..... usuku lwenyanga/iveki  
 nganye elandelayo de ityala kunye nendleko zalo zesigwebo zibe zihlawulwe  
 ngokupheleleyo.

.....  
 UMabhalana weNkundla

**Nom. 5A – Isicelo sesigwebo apho ummangalelwa aluvumileyo uxanduva kwaye ekwamkele ukuhlawula ityala ngezavenge okanye ngenye indlela - iCandelo lama-57 lomThetho weNkundla kaMantyi, 1944)**

**\*Kusetyenziswa kwiNkundla yoMmandla**

KwiNkundla                      yoMmandla                      kwiCandelo                      loMmandla  
le.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali ucela ukuba isigwebo kulo mcimbi ukhankanywe ngasentla ngokwecandelo lama-57(2) lomThetho weNkundla zooMantyi, 1944, siqatshelwe sibe ngokwecala lakhe ngokuchasene nommangalwela njengoku kulandelayo:

Isigwebo setyala:                      R                      c

lindleko:                      R                      c

Intsalela yetyala engekahlawulwa [iCandelo lama- 57(2)(c)(i)] .....

Inzala engama .....eepesenti ngonyaka ebalwa ukugala .....

Imali ebizelwa ukuqokelela [icandelo lama-57(1)(c)] .....

Iisamani, ukuba kukho naziphi na (imali ebizwa ligqwetha, imali ehlawulwa isherifu kunye nemali ehlawulwa isherifu yokukhupha kwakhona) [icandelo lama-57(1)] .....

lindleko zengxelo efungelweyo okanye uqiniso lommandali/isitifiketi segqwetha lommandali [icandelo lama-57(2)(c)] .....

lindleko zeleta yerejista [icandelo lama-57(1)] .....

lindleko zesaziso ngokomthetho wama- 54(1) .....

lleta yebango (icandelo lama-56) .....

Isicelo sesigwebo (icandelo lama- 57) .....

Ukwamkela uxanduva kunye nokuvuma ukuhlawula (icandelo lama- 57) .....

Kuphelele R R \_\_\_\_\_

Kuphelele \_\_\_\_\_ R \_\_\_\_\_

Kunye nenzala engaphaya nge ..... yepesenti ngonyaka ukusukela kumhla wesigwebo ukuya kumhla wentlawulo, kwaye intlawulo ngaphaya koko izakwenziwa ngokungqinelana nokuthenjiswa ngummangalelwa.

La maxwebhu alandelayo ahlonyelwe :

(a) Ikopi yeleta yebango ethunyelwe kummangalelwa ngokwecandelo lama-56 lomThetho weeNkundla zooMantyi, 1944.

(b)Ukwamkela uxanduva kommangalelwa ngokubhekisele kummangali ngesixa setyala kunye neendleko ezifuniweyo (okanye sazo nasiphi na esinye isixa) kunye nokuthenjiswa nguye.

(c) Ikopi yommangali okanye yegqwetha lommangali yokwamkela okuthenjiswa.

(d) Ingxelo efungelweyo (okanye uqiniseko) eyenziwe ngummangali/isitifiketi segqeetha lommangali ngokwecandelo lama- 57(2)(c) lomThetho weeNkundla zooMantyi, 1944.

Ifakwe umhla e ..... ngowe ..... wosuku lwama ..... 20.....,

UMmangali/igqwetha loMmangali

(Idilesi)

Isigwebo sinikwe ngowe..... wosuku lwe ..... 20 ..... ngokwecala lommangali kwisixa sama-R..... kunye nesixa sama-R..... eendleko. Ummangalelwa ukwayalelwa ngokungaphaya ukuba ahlawule isigwebo esikhankanyiweyo kunye neendleko ngezavenge zenyanga/zeveki zama- R..... Isavenge sokuqala kufuneka sihlawulwe ngawo okanye ngaphambi kwalo ..... kuze emva koko ngawo okanye ngaphambi kwalo ..... usuku lwenyanga/iveki nganye elandelayo de ityala kunye nendleko zalo zesigwebo zibe zihlawulwe ngokupheleleyo.

Umbhalisi

**Nom. 5B – Isicelo seSigwebo apho ummangalelwa asivumileyo isigwebo - ICandelo lama-58 lomThetho weeNkundla [iNkundla] zooMantyi, 1944 (umThetho oyiNombolo yama-32 ka-1944)**

**\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla \_\_\_\_\_ kaMantyi \_\_\_\_\_ yeSithili \_\_\_\_\_  
sase.....

ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali ucela ukuba isigwebo kumcimbi okhankanywe ngasentla ngokwecandelo lama-58(1) lomThetho weeNkundla zooMantyi, 1944, siqatshelwe sibe ngokwecala lommangali ngokuchasene nommangalelwa njengoku kulandelayo:

Isigwebo setyala: R c

lindleko: R c

Isixa setyala [icandelo lama-58(1)(i)] .....

Inzala engama ..... eepesenti ngonyaka ebalwa ukuqala .....

Ileta yebango (icandelo lama-56) .....

lisamani, ukuba kukho naziphi na (imali ebizwa ligqwetha, imali ehlawulwa isherifu kunye nemali ehlawulwa isherifu yokukhupha kwakhona) [icandelo lama-58(1)] .....

lindleko zesaziso ngokomthetho wama- 54(1) .....

Isicelo sesigwebo (icandelo lama- 58) .....

Ukuvuma isigwebo (icandelo lama- 58) .....

Kuphelele..... R R

Kuphelele..... R

kwaye loo ntlawulo ke ngoko isebenza ngokungqinelana nemvume yommangalelwa.

La maxwebhu alandelayo ahlonyelwe:

(a) Ikopi yeleta yebango ethunyelwe kummangalelwa ngokwecandelo lama-56 lomThetho weeNkundla zooMantyi, 1944.

(b) Imvume ebhaliweyo yommangalelwa kwisigwebo kunye neendleko.

Ifakwe umhla e ..... ngowe ..... wosuku lwama ..... , 20.....,

UMmangali/igqwetha loMmangali:

.....

(Idilesi).....

Isigwebo [siqatshelwe] sinikwe ngowe..... wosuku lwe ..... 20 .... ngecala lommangali kwisixa sama-R.....kunye nesixa sama-R ..... seendleko ezo azivumileyo ummangalelwa kwisigwebo.

Ummangalelwa ukwayalelwa ngokungaphaya ukuba ahlawule isigwebo esikhankanyiweyo kunye neendleko ngezavenge zenyanga/zeveki zama- R..... Isavenge sokuqala kufuneka sihlawulwe ngawo okanye ngaphambi kwalo ..... kuze emva koko ngawo okanye ngaphambi kwalo ..... usuku lwenyanga/iveki nganye elandelayo de ityala kunye nendleko zalo zesigwebo zibe zihlawulwe ngokupheleleyo.

.....

UMabhalana weNkundla

**Nom. 5B – Isicelo seSigwebo apho ummangalelwa asivumileyo isigwebo - ICandelo lama-58 lomThetho weeNkundla zooMantyi, 1944 (umThetho oyiNombolo yama-32 ka-1944)**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla \_\_\_\_\_ yoMmandla \_\_\_\_\_ kwiCandelo \_\_\_\_\_ loMmandla  
le.....ebelibanjwe.e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali ucela ukuba isigwebo kumcimbi okhankanywe ngasentla ngokwecandelo lama-58(1) lomThetho weeNkundla zooMantyi, 1944, sigatshelwe sibe ngokwecala lommandali ngokuchasene nommangalelwa njengoku kulandelayo:

Isigwebo setyala: R c \_\_\_\_\_

lindleko: R c \_\_\_\_\_

Isixa setyala [icandelo lama-58(1)(i)] .....

Inzala engama .....eepesenti ngonyaka ebalwa ukuqala .....

Ileta yebango (icandelo lama-56) .....

Iisamani, ukuba kukho naziphi na (imali ebizwa ligqwetha, imali ehlawulwa isherifu kunye nemali ehlawulwa isherifu yokukhupha kwakhona) [icandelo lama-58(1)]

lindleko zesaziso ngokomthetho wama- 54(1) .....

Isicelo sesigwebo (icandelo lama- 58) .....

Ukuvuma isigwebo (icandelo lama- 58) .....

Kuphelele..... R R \_\_\_\_\_

Kuphelele..... R \_\_\_\_\_

kwaye loo ntlawulo ke ngoko isebenza ngokungqinelana nemvume yommangalelwa.

La maxwebhu alandelayo ahlonyelwe :

(a) Ikopi yeleta yebango ethunyelwe kummangalelwa ngokwecandelo lama-56 lomThetho weeNkundla zooMantyi, 1944.

(b) Imvume ebhaliweyo yommangalelwa kwisigwebo kunye neendleko.

Ifakwe umhla e ..... ngowe ..... wosuku lwama  
....., 20.....,

UMmangali/igqwetha loMmandali:

.....

(Idilesi)

.....  
Isigwebo sinikwe ngowe..... wosuku lwe ..... 20 .... ngecala lommangali kwisixa sama-R.....kunye nesixa sama-R ..... seendleko ezo azivumileyo ummangalelwa kwisigwebo.\_\_\_\_\_

Ummangalelwa ukwayalelwa ngokungaphaya ukuba ahlawule isigwebo esikhankanyiweyo kunye neendleko ngezavenge zenyanga/zeveki zama- R..... Isavenge sokuqala kufuneka sihlawulwe ngawo okanye ngaphambi kwalo ..... kuze emva koko ngawo okanye ngaphambi kwalo ..... usuku lwenyanga/iveki nganye elandelayo de ityala kunye nendleko zalo zesigwebo zibe zihlawulwe ngokupheleleyo.\_\_\_\_\_

.....  
Umbhalisi

**Nom. 6 - Isaziso sokuRhoxiswa kokuThathwa kwamanyathelo okanye isicelo**

**\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili sase

.....  
 ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

.....  
uMmangali/UMfaki Sicelo

kunye no

.....  
uMmangalelwa/oMangalelweyo

Ummangali/umfaki sicelo ngale ndlela urhoxisa amanyathelo/isicelo esikhankanyiwe ngasentla kwaye uyavuma ukuhlawula iindleko zerhafu zommangalelwa/omangalelweyo.

Ifakwe umhla e ..... ngowe ..... wosuku lwama ..... , 20.....,

.....  
UMmangali/iGqwetha loMmangalelwa\*

UMfaki sicelo/iGqwetha loMfaki sicelo\*

Iya: .....

kunye: UMabhalana weNkundla,

**Nom. 6 - Isaziso sokuRhoxiswa kokuThathwa kwamanyathelo okanye isicelo****\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali/UMfaki  
Sicelo

kunye no

.....  
uMmangalelwa/oMangalelweyo

Ummangali/umfaki sicelo ngale ndlela urhoxisa amanyathelo/isicelo esikhankanywe ngasentla kwaye uyavuma ukuhlawula iindleko zerhafu zommangalelwa/omangalelweyo

Ifakwe umhla e ..... ngowe ..... wosuku lwama ....., 20.....  
.....

UMmangali/iGqwetha loMmangalelwa\*

UMfaki sicelo/iGqwetha loMfaki sicelo\*

Iya: .....

kunye: UMBhalisi,  
.....

**Nom. 7 - ISaziso seSicelo seSigwebo esisiSishwankathelo****\*Kusetyenziswa yiNkundla yeSithili**

KwiNkundla kaMantyi yeSithili sase .....

ebelibanjwe e ..... INombolo yeTyala  
..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Qaphela ukuba kuzakwenziwa isicelo kule nkundla ikhankanywe ngasentla ngowe..... wosuku lwe .....,20...., ngeye ..... (ixesha), ngesigwebo esisishwankathelo esichasene nomangalelweyo kula manyathelo ngama-R.....kunye neendleko;

Kwaye qaphela ngokungaphaya ukuba uxwebhu olo ibango lisekelwe kulo okanye ingxelo efungelweyo ye ..... (ikopi inikiwe apha) iyakusetyenziswa ukuxhasa isicelo esinjalo kwaye omangalelweyo unokuphendula kulo ngengxelo efungelweyo.



Ifakwe umhla e ..... ngowe ..... wosuku lwama  
 ....., 20.....,

UMfaki sicelo/iGqwetha loMfaki sicelo

Iya: .....  
 .....

kunye: UMabhalana weNkundla,  
 .....

**Nom. 7 - ISaziso seSicelo seSigwebo esisiSishwankathelo**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Qaphela ukuba kuzakwenziwa isicelo kule nkundla ikhankanywe ngasentla  
ngowe..... wosuku lwe .....,20...., ngeye ..... (ixesha),  
ngesigwebo esisishwankathelo esichasene nomangalelweyo kula manyathelo ngama-  
R.....kunye neendleko;

Kwaye qaphela ngokungaphaya ukuba uxwebhu olo ibango lisekelwe kulo okanye  
ingxelo efunjelweyo ye ..... (ikopi inikiwe apha) iyakusetyenziswa ukuxhasa  
isicelo esinjalo kwaye omangalelweyo unokuphendula kulo ngengxelo efunjelweyo.

Ifakwe umhla e ..... ngowe ..... wosuku lwama  
....., 20.....,

UMfaki sicelo/iGqwetha loMfaki sicelo

Iya: .....  
.....

kunye: UMbhalisi

.....

**Nom. 8 - INgxelo efungelweyo yeSicelo seSigwebo esisiSishwankathelo****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili sase .....

ebelibanjwe eheld at .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Mna,..... wase.....

..... (idilesi), ndibhengeza kwisifungo njengoku kulandelayo:

(a) Ndingummangali (okanye xela ubudlelwane obo igunya lokumela ummangali busekelwe kubo) kula manyathelo (**okanye imiba exelwe apha akulwazi lwam kwaye ndigunyazisiwe ukuba ndenze le ngxelo ifungelweyo**) kwaye ndigunyazisiwe ngokufanelekileyo ukuba ndenze le ngxelo ifungelweyo, ekuquletheyo endinolwazi buqu ngako.

**[(b) Ummangalelwa unetyala kum/kummangali lesixa sama-R..... kwimihlaba exelwe kwiisamani.**

**(c) Ndikholwa ngenene ukuba ummangalelwa akanalo ukhuselo olunyanisekileyo kwibango kwaye ukuvela kwenzelwe kuphela iinjongo zokulibazisa.**

(b) Ndiyaqinisekisa ukuba ummangalelwa unetyala kum/kummangali lesixa sama-R..... kunye nakwimihlaba exelwe kwiisamani.

(c) Ndiyakholwa ukuba ummangalelwa akanalo ukhuselo olunyanisekileyo kwibango kwaye ukuvela kwenzelwe kuphela iinjongo zokulibazisa.

.....

USayino

Omangalelweyo uyavuma ukuba uyakwazi kwaye ekuqonda okuqulethwe kule ngxelo ifungelweyo.

Isayinwe kwaye yafungelwa phambi kwam.....ngalo .....  
wosuku lwama ....., 20.....

.....

UMkomishinala oFungisayo

.....

Ummandla

.....

I-Ofisi ebambileyo ukuba ngaba kubanjwe lilungu ngesikhundla.

**Nom. 8 - INgxelo efungelweyo yeSicelo seSigwebo esisiSishwankathelo****\*Kusetyenziswa kwiNkundla yoMmandla**

KwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebelibanjwe eheld at .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Mna, ....., wase .....

..... (idilesi), ndibhengeza kwisifungo njengoku kulandelayo:

(a) Ndingummangali (okanye xela ubudlelwane obo igunya lokumela ummangali busekelwe kubo) kula manyathelo kwaye ndigunyaziswe ngokufanelekileyo ukuba ndenze le ngxelo ifungelweyo, ekuquletheyo endinolwazi buqu ngako.

(b) Ndiyaqinisekisa ukuba ummangalelwa unetyala kum/kummangali lesixa sama-R..... kunye nakwimihlaba exelwe kwiisamani.

(c) Ndiyakholwa ukuba ummangalelwa akanalo ukhuselo olunyanisekileyo kwibango kwaye ukuvela kwenzelwe kuphela iinjongo zokulibazisa.

.....

USayino

Omangalelweyo uyavuma ukuba uyakwazi kwaye ekuqonda okuqulethwe kule ngxelo ifungelweyo.

Isayinwe kwaye yafungelwa phambi kwam.....ngalo .....  
wosuku lwama ....., 20.....

.....

UMkomishinala oFungisayo

.....

Ummandla

.....

I-Ofisi ebambileyo ukuba ngaba kubanjwe lilungu ngesikhundla.

**Nom. 9 - INgxelo eFungelweyo phantsi kweCandelo lama-32 lomThetho****\*Kusetyenziswa yiNkundla yeSithili**

KwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Mna,.....wase.....

..... (idilesi), yenza isifungo kwaye uthi:

(a) Ndingumnini (okanye i-arhente yomnini.....) wezakhiwo nomhlaba wazo ezimi (chaza izakhiwo nomhlaba wazo).

(b) .....(umqeshi) unetyala kum (okanye isixa sam esibolekiweyo esikhankanyiweyo) esingama-R .....ngengqesho yezakhiwo nomhlaba wazo ezikhankanyiweyo ukusukela ngama.....kusuku lwe ..... , 20.... ukuya kuma .....kusuku lwe....., 20...

(c) Isixa esikhankanyiweyo sama-R.....besilindelekile kwaye sinokufunyanwa ngama.....kusuku lwe....., 20....

(d) Irente ekhankanyiweyo yafunwa ukusukela kowe.....okhankanyiweyo ngo .....kusuku lwe....., 20... kodwa asikahlawulwa okwangoku.

okanye

(d) Ndiyakholwa ukuba i.....ekhankanyiweyo izakususa izinto ezithile ezisukayo, ngoku kwizakhiwo kunye nomhlaba wazo, kwizakhiwo nomhlaba wazo ezinjalo ukuphepha intlawulo yerente ekhankanyiweyo.

.....(xela isiseko senkolo enjalo)

USayino

Omangalelweyo uyavuma ukuba uyakwazi kwaye ekuqonda okuqulethwe kule ngxelo ifungelweyo.

Isayinwe kwaye yafungelwa phambi kwam.....ngalo .....  
wosuku lwama ..... , 20.....

.....

UMkomishinala oFungisayo

.....

Ummandla

.....

I-Ofisi ebambileyo ukuba ngaba kubanjwe lilungu ngesikhundla.

**Nom. 10 - UKhuselo phantsi kweCandelo lama-32 lomThetho****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e.....

INombolo yeTyala ..... ka- 20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Nakuba ..... (umninindlu) efake isicelo sokukhutshwa komyalelo obamba impahla enokususwa xa ..... (chaza izakhiwo nomhlaba wazo ekuqeshiswe ngazo) ngesixa sama-R..... ngerente elindeleke ngowama ..... ka ..... (xwela igama lomqeshi) kunye nama-R..... eendleko;

**[Ngoku ke, ngoko,]** Ngoku ke ngoko i .....**ekhankanyiweyo kunye** ..... **ka** ..... **[(xela ummeli)]** ngale ndlela bayazibophelela ngokuhlangeneyo kunye nangokwahlukeneyo njengabameli kunye nabanetyala kunye noMfaki sicelo okhankanywe ngasentla ukuba bahlawule oMangalelweyo okhankanywe ngasentla okanye omnye ongomnye onokubanga ngokusemthethweni ngokubhekisele kuMfaki Sicelo njengesiphumo sesi sicelo wonke monakalo, iindleko kunye nemali ebizwayo anokuthi yena okanye bona bayifumane ngesizathu sokubanjwa kwaloo mpahla inokususwa ikhankanyiweyo kwimeko yokuba oko kubanjwa kwempahla kukhankanyiweyo kubekwe ecaleni.

Isayinwe e ..... ngalo ..... wosuku lwama ..... , 20.... kukho la mangqina asayinileyo.

.....

Umninindlu.

Amangqina:

1. ....

Usayino nedilesi

.....

Ummeli kunye nomNye umNtu oneTyala kuMniki Kredithi

2. ....

Usayino nedilesi

.....

**Nom. 11 – Umyalelo phantsi kweCandelo lama-32 lomThetho****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Kuyalelwa ukuba:

Isherifu yenkundla ibambe ubuninzi be.....  
(chaza impahla enokususwa) e .....

(indlu, ivenkile, njengoko imeko inokuba njalo ) emi e  
..... (chaza izakhiwo kunye nomhlaba wazo)  
njengoko inokonela ukuzalisekisa isixa sama- R..... serente kunye nama-  
R..... eendleko.

Ngaphaya koko, ukuba ngaba ummangalelwa uxela isizathi sokuba kutheni umyalelo wokubamba impahla kufuneka ungaqinisekiswa, uyakuvela phambi kwale nkundla ngowe ..... wosuku lwe ..... 20....., ngeye ..... (ixesha) ngalo njongo.

Umhla okhankanywe ngasentla unokuxelwa kwangaphambili ngummangalelwa ngesaziso seeyure ezili-12 esiya kumfaki sicelo.

Ekunikweni kwesibambiso esonelisa isherifu yenkundla ekhankanywe ngasentla sesixa sebango lomfaki sicelo kunye neendleko zesicelo sokubamba impahla, ipropati ekhankanyiweyo ayakukhululwa ekubanjweni kwaye ekunikweni kwesibambiso esinjalo umyalelo wokubanjwa kwempahla uyakuphelelwa.

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
....., 20.....,

.....

UMabhalana weNkundla

.....

UMfaki sicelo/iGqwetha lomfaki sicelo

idilesi .....

.....

**Nom. 12 - Imvume yokuthengiswa kwempahla ebanjiweyo phantsi kweCandelo lama-32 lomThetho****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili sase

.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

UMabhalana weNkundla

Mna,....., we....., omangalelweyo okhankanywe ngasentla, ngale ndlela uyavuma ukuba ipropati ebanjiweyo kumcimbi ongasentla ixhomekeke ekubeni imiswe njengesibambiso kumfaki sicelo ongasentla iyokuma kuma-R.....kwaye ndiyayivuma intengiso yepropati ekhankanyiweyo ukuze kuzalisekise isixa esikhankanyiweyo sama- R..... kunye neendleko kunye nebali ebizwa yisherifu.

Ifakwe umhla e ..... ngowe ..... wosuku lwe ..... , 20.....,

.....

OMangalelweyo.

Amangqina:

1 .....

Usayino nedilesi

.....

2 .....

Usayino nedilesi

.....

**Nom. 13 - Ukufunyanwa – ifom yeNgxelo eFungelweyo**

**\*Kusetyenziswa yiNkundla yeSithili**

KWINKUNDLA KAMANTYI YESITHILI SASE

EBELIBANJWE E ..... INombolo yeTyala.....

Kumba ophakathi ko:

.....

koMmangali

A.B.

kunye no

C.D.

.....

Mmangalelwa

Mna, C.D.,ummangalelwa/ummangali okhankanywe ngasentla, ndenza isifungo ndisithi:

(1) Kum ndinawo okanye ndinegunya lawo amaxwebhu okanye urekhodo olunxulumene nomcimbi obandakanyekayo apha ezibekwe phambili kwisigaba sokuqala nesesibini seShedyuli yokuQala okwangoku.

(2) Ndiyala ukuveza amaxwebhu okanye urekhodo olukhankanyiweyo ngaphambili kwisigaba sesibini seshedyuli ekhankanyiweyo okwangoku.

(3)Ndikwenza oko ngesizathu sokuba ..... (apha chaza ukuba inkcaso yenziwa phantsi kweyiphi na imihlaba, kwaye qinisekisa ubunyani kangangoko).

(4)Bendinawo, kodwa andisenawo kum okanye amagunya, amaxwebhu okanye urekhodo olunxulumene nomcimbi obandakanyekayo kumba, obekwe phambili kwiShedyuli yesiBini okwangoku.

(5) Amaxwebhu okanye urekhodo lokugqibela olukhankanyiweyo lwalukum okanye kumagunya am okokugqibela .....(xela ukuba nini).

(6) IThe .....(apha xela ukuba kwenzeka ntoni na ngamaxwebhu okanye urekhodo olukhankanywe ekugqibeleni, kwaye lukubani na ngoku).

(7) Ngokolona lwazi kunye nenkolelo yam, ngoku andinawo, kwaye ndingazange ndibe nawo kum, kugcino, okanye kumandla, okanye kulo, kugcino okanye kwigunya legqwetha lam, okanye i-arhente okanye nawuphi na omnye umntu ongomnye owenza oko egameni lam, naluphi na uxwebhu okanye urekhodo, okanye ikopi, okanye isicatshulwa esivela kulo nakoluphi na uxwebhu okanye urekhodo, olunxulumene nawo nawuphi na umcimbi obandakanyekayo, ngaphandle kwamaxwebhu okanye iirekhodi ezibekwe phambili kwiiShedyuli eyokuQala kunye neyeSibini okwangoku.

IFAKWE UMHLA e ..... ngowe ..... wosuku lwe ..... 20.....

UMmangalelwa/uMmangali

### **Nom. 13 - Ukufunyanwa – ifom yeNgxelo eFungelweyo**

#### **\*Kusetyenziswa kwiNkundla yoMmandla**

KWINKUNDLA YOMMANDLA KWICANDELO LOMMANDLA LE

EBELIBANJWE E \_\_\_\_\_ INombolo yeTyala.....

Kumba ophakathi :

.....  
koMmangali

A.B.

kunye no

C.D.

.....  
Mmangalelwa



Mna, C.D.,ummangalelwa/ummangali okhankanywe ngasentla, ndenza isifungo ndisithi:

(1) Kum ndinawo okanye ndinegunya lawo amaxwebhu okanye urekhodo olunxulumene nomcimbi obandakanyekayo apha ezibekwe phambili kwisigaba sokuqala nesesibini seShedyuli yokuQala okwangoku.

(2) Ndiyala ukuveza amaxwebhu okanye urekhodo olukhankanyiweyo ngaphambili kwisigaba sesibini seshedyuli ekhankanyiweyo okwangoku.

(3)Ndikwenza oko ngesizathu sokuba ..... (apha chaza ukuba inkcaso yenziwa phantsi kweyiphi na imihlaba, kwaye qinisekisa ubunyani kangangoko).

(4)Bendinawo, kodwa andisenawo kum okanye amagunya, amaxwebhu okanye urekhodo olunxulumene nomcimbi obandakanyekayo kumba, obekwe phambili kwiShedyuli yesiBini okwangoku.

(5) Amaxwebhu okanye urekhodo lokugqibela olukhankanyiweyo lwalukum okanye kumagunya am okokugqibela .....(xela ukuba nini).

(6) IThe .....(apha xela ukuba kwenzeka ntoni na ngamaxwebhu okanye urekhodo olukhankanywe ekugqibeleni, kwaye lukubani na ngoku).

(7) Ngokolona lwazi kunye nenkolelo yam, ngoku andinawo, kwaye ndingazange ndibe nawo kum, kugcino, okanye kumandla, okanye kulo, kugcino okanye kwigunya legqwetha lam, okanye i-arhente okanye nawuphi na omnye umntu ongomnye owenza oko egameni lam, naluphi na uxwebhu okanye urekhodo, okanye ikopi, okanye isicatshulwa esivela kulo nakoluphi na uxwebhu okanye urekhodo, olunxulumene nawo nawuphi na umcimbi obandakanyekayo, ngaphandle kwamaxwebhu okanye iirekhodi ezibekwe phambili kwiiShedyuli eyokuQala kunye neyeSibini okwangoku.

IFAKWE UMHLA e ..... ngowe ..... wosuku lwe ..... 20.....

.....

UMmangalelwa/uMmangali

#### **Nom. 14 - ISaziso ngokomThetho wama-23(5)**

##### **\*Kusetyenziswa yiNkundla yeSithili**

KWINKUNDLA KAMANTYI YESITHILI /SASE

EBIBANJWE E

INombolo yeTyala.....

Kumba ophakathi ko:

AB uMmangali

kunye no

CD uMmangalewa

Iya: .....

Nceda uqaphele ukuba ummangali/ummangalelwa ongasentla ufuna ukuba wena kwiintsuku ezili-15 kwidilesi ekhankanywe ngasezantsi ingxelo ebhaliweyo exelayo ukuba ngawaphi na amaxwebhu okanye urekhodo olulolu hlobo lulandelayo onalo kuwe ngoku okanye obunalo ngaphambili kuwe:

(a) .....

- (b) .....
- (c) .....
- (d) .....

Kwingxelo enjalo kufuneka uxele ngokweenkcukacha ukuba ngawaphi amaxwebhu okanye urekhodo olusekuwe. Ukuba ngaba awusenawo amaxwebhu okanye urekhodo olunjalo obelukuwe ngaphambili kufuneka uxele ukuba lukubani na ngoku.

Ukuba ngaba uyasilela ukuhambisa ingxelo ngexesha elikhankanyiweyo, kuyakwenziwa isicelo esiya enkundleni somyalelo okunyanzelayo ukuba wenze njalo kwaye ukuyalela ukuba uhlawule iindleko zesicelo esinjalo.

.....  
 UMmangali/uMmangalelwa/iGqwetha loMmangali/loMmangalelwa  
 (Idilesi)

**Nom. 14 - ISaziso ngokomThetho wama-23(5)**

**\*Kusetyenziswa kwiNkundla yoMmandla**

KWINKUNDLA YOMMANDLA KWICANDELO LOMMANDLA LE

EBIBANJWE E

INombolo yeTyala.....

Kumba ophakathi ko:

AB uMmangali

kunye no

CD uMmangalewa

Iya: .....

Nceda uqaphele ukuba ummangali/ummangalelwa ongasentla ufuna ukuba wena kwiintsuku ezili-15 kwidilesi ekhankanywe ngasezantsi ingxelo ebhaliweyo exelayo ukuba ngawaphi na amaxwebhu okanye urekhodo olulolu hlobo lulandelayo onalo kuwe ngoku okanye obunalo ngaphambili kuwe:

- \_\_\_\_\_ (a) .....
- \_\_\_\_\_ (b) .....
- \_\_\_\_\_ (c) .....
- \_\_\_\_\_ (d) .....

Kwingxelo enjalo kufuneka uxele ngokweenkcukacha ukuba ngawaphi amaxwebhu okanye urekhodo olusekuwe. Ukuba ngaba awusenawo amaxwebhu okanye urekhodo olunjalo obelukuwe ngaphambili kufuneka uxele ukuba lukubani na ngoku.

Ukuba ngaba uyasilela ukuhambisa ingxelo ngexesha elikhankanyiweyo, kuyakwenziwa isicelo esiya enkundleni somyalelo okunyanzelayo ukuba wenze njalo kwaye ukuyalela ukuba uhlawule iindleko zesicelo esinjalo.

.....  
 UMmangali/uMmangalelwa/iGqwetha loMmangali/loMmangalelwa \_\_\_\_\_

(Idilesi) \_\_\_\_\_

**Nom. 15 - ISaziso sokuVeza - umThetho wama- 23(6)****\*Kusetyenziswa yiNkundla yeSithili**

KWINKUNDLA KAMANTYI YESITHILI SASE

EBIBANJWE E

INombolo yeTyala.....

Kumba ophakathi :

.....

koMmangali

.....

Mmangalelwa

NCEDA UQAPHELE ukuba .....(ummangali okanye ummangalelwa)  
 ufuna ukuba uveze kwiintsuku ezintlanu zohlolo lwakhe la maxwebhu okanye urekhodo  
 olulandelayo ekubhekiselwe kulo kwingxelo yakho efungelweyo, yomhla we  
 ..... wosuku lwama ..... 20 .....

(Chaza amaxwebhu okanye urekhodo olufunwayo)

IFAKWE UMHLA e ..... ngolu .....suku lwama  
 .....20.....

.....

Igqwetha lo .....

(Idilesi)

Iya:

.....

Igqwetha lo .....

(Idilesi)

**Nom. 15 - ISaziso sokuVeza - umThetho wama- 23(6)****\*Kusetyenziswa kwiNkundla yoMmandla**

KWINKUNDLA YOMMANDLA KWICANDELO LOMMANDLA LE

EBIBANJWE E

INombolo yeTyala.....

Kumba ophakathi :

.....

koMmangali

.....

Mmangalelwa

NCEDA UQAPHELE ukuba .....(ummangali okanye ummangalelwa)  
 ufuna ukuba uveze kwiintsuku ezintlanu zohlolo lwakhe la maxwebhu okanye urekhodo

olulandelayo ekubhekiselwe kulo kwingxelo yakho efungelweyo, yomhla we  
..... wosuku lwama ..... 20 .....

(Chaza amaxwebhu okanye urekhodo olufunwayo)

IFAKWE UMHLA e ..... ngolu .....suku lwama  
.....20.....

Igqwetha lo .....

(Idilesi)

Iya:

Igqwetha lo .....

(Idilesi)

### **Nom. 15 A - ukuFunyanwa - ISaziso sokuHlola amaXwebu**

#### **\*Kusetyenziswa yiNkundla yeSithili**

KWINKUNDLA KAMANTYI YESITHILI SASE

EBIBANJWE E

I Nombolo yeTyala.....

Kumba ophakathi :

koMmangali

Mmangalelwa

QAPHELA ukuba unokuwahlola amaxwebhu kunye norekhodo olukhankanywe kwisaziso sakho so ..... sosuku lwama .....20 .....,kwi-ofisi yam, okanye e ..... kwaye phakathi kweeyure ze ..... kwaye ngezi ntsuku zilandelayo.

(okanye)

Ukuba (ummangali okanye ummangalelwa) uyakuchasa ukukuvumela ukuba uhlole amaxwebhu okanye urekhodo olukhankanywe kwisaziso sakho so ..... sosuku lwama ..... 20....., kwimihlaba yokuba.....

(Xela imihlaba)

IFAKWE UMHLA e ..... ngolu .....suku lwama  
.....20.....

Igqwetha lo .....

(Idilesi)

Iya:

.....  
 Igqwetha lo .....  
 (Idilesi)

**Nom. 15 A - ukuFunyanwa - ISaziso sokuHlola amaXwebu**

**\*Kusetyenziswa kwiNkundla yoMmandla**

KWINKUNDLA YOMMANDLA KWICANDELO LOMMANDLA LE

EBIBANJWE E \_\_\_\_\_ INombolo yeTyala.....

Kumba ophakathi :

.....

koMmangali

.....

Mmangalelwa

QAPHELA ukuba unokuwahlola amaxwebhu kunye norekhodo olukhankanywe kwisaziso sakho so ..... sosuku lwama .....20 .....,kwi-ofisi yam, okanye e ..... kwaye phakathi kweeyure ze ..... kwaye ngezi ntsuku zilandelayo.

(okanye)

Ukuba (ummangali okanye ummangalelwa) uyakuchasa ukukuvumela ukuba uhlole amaxwebhu okanye urekhodo olukhankanywe kwisaziso sakho so ..... sosuku lwama ..... 20....., kwimihlaba yokuba.....

(Xela imihlaba)

IFAKWE UMHLA e ..... ngolu .....suku lwama .....20....

.....

Igqwetha lo .....

(Idilesi) \_\_\_\_\_

Iya:

.....

Igqwetha lo .....

(Idilesi)

**Nom. 15B - UkuFunyanwa - ISaziso sokuVeza amaXwebhu ekuziThetheleleni, njalo njalo - umThetho wama- 23(13)(a)**

**\*Kusetyenziswa yiNkundla yeSithili**

KWINKUNDLA KAMANTYI YESITHILI SASE

EBIBANJWE E .....

I Nombolo yeTyala.....

Kumba ophakathi :

.....

koMmangali

.....

Mmangalelwa

NCEDA UQAPHELE ukuba ummangali (okanye ummangalelwa) ufuna ukuba wenze ahlole la maxwebhu okanye urekhodo olulandelayo ekubhekiselwe kwi ..... (sibhengezo okanye kwingxelo yommangalelwa, okanye kwingxelo efungelweyo).

(Chaza amaxwebhu okanye urekhodo olufunwayo)

Iya:

.....

Igqwetha lo .....

(Idilesi)

.....

Igqwetha lo .....

(Idilesi)

**Nom. 15B - UkuFunyanwa - ISaziso sokuVeza amaXwebhu ekuziThetheleleni, njalo njalo - umThetho wama- 23(13)(a)**

**\*Kusetyenziswa kwiNkundla yoMmandla**

KWINKUNDLA YOMMANDLA KWICANDELO LOMMANDLA LE

EBIBANJWE E

I Nombolo yeTyala.....

Kumba ophakathi :

.....

koMmangali

.....

Mmangalelwa

NCEDA UQAPHELE ukuba ummangali (okanye ummangalelwa) ufuna ukuba wenze ahlole la maxwebhu okanye urekhodo olulandelayo ekubhekiselwe kwi ..... (sibhengezo okanye kwingxelo yommangalelwa, okanye kwingxelo efungelweyo).

(Chaza amaxwebhu okanye urekhodo olufunwayo)

Iya:

.....

Igqwetha lo .....

(Idilesi)

.....

Igqwetha lo .....

(Idilesi)

**Nom. 16 - UMyalelo woThintelo oFunyenwe kwelinye iqela**

**\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e.....INombolo yeTyala .....ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Kuyalelwa ukuba:

- (1) Ukuba umthetho awunyanzelekanga kwaye ngale ndlela uyanikwa kubizwa  
..... (omangalelweyo) wase  
..... (idilesi) ukuba avele kule  
nkundla ngo..... wosuku lwama ....., 20..... nge  
..... (ixesha), okanye msinyane emva koko kuba umcimbi  
unokuchotshelwa, kutheni .....  
ungenakuthintelwa ekubeni..... (beka imithetho leyo  
omangalelweyo okanye nawuphi na omnye umntu ongomnye athintelwayo)  
ngokuxhomekeke kwisigqibo sesizathu somfaki sicelo ngokubhekisele ku  
..... (omangalelweyo) okhankanyiweyo nge  
..... (xela uhlobo lwebango).
- (2) Ukuba lo mthetho unganyanzelekanga usebenze njengothintelo lwexeshana.

Umhla okhankanywe ngasentla unokuxelwa kwangaphambili ngummangalelwa ngesazi seeyure ezili-12 esiya kumfaki sicelo.

NgokoMyalelo weNkundla,

.....

UMabhalana weNkundla

.....

UMfaki sicelo/iGqwetha loMfaki sicelo

Idilesi:

.....

**Nom. 16 - UMyalelo woThintelo oFunyenwe kwelinye igela****\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebelibanjwe e..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Kuyalelwa ukuba:

(1) Ukuba umthetho awunyanzelekanga kwaye ngale ndlela uyanikwa kubizwa  
..... (omangalelweyo) wase ..... (idilesi) ukuba  
avele kule nkundla ngo..... wosuku lwama ..... 20..... nge  
..... (ixesha), okanye msinayne emva koko kuba umcimbi unokuchotshelwa,  
kutheni ..... ungenakuthintelwa  
ekubeni..... (beka imithetho leyo omangalelweyo okanye nawuphi  
na omnye umntu ongomnye athintelwayo) ngokuxhomekeke kwisigqibo sesizathu  
somfaki sicelo ngokubhekisele ku ..... (omangalelweyo)  
okhankanyiweyo nge ..... (xela uhlobo lwebango).

(2) Ukuba lo mthetho unganyanzelekanga usebenze njengothintelo lwexeshana.

Umhla okhankanywe ngasentla unokuxelwa kwangaphambili ngummangalelwa ngesazi  
seeyure ezili-12 esiya kumfaki sicelo.

NgokoMyalelo weNkundla,

.....

Umbhalisi

.....

UMfaki sicelo/iGqwetha loMfaki sicelo

Idilesi:

.....

**Nom. 17 – [UMyalelo wokuBanjwa komNtu onokubaleka ityala lakhe]****Nom. 18 - IGunya lokuBamba iPropati ukuze kuFunyanwe okanye kuQinisekiswa uLawulo****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko



..... uMfaki sicelo  
 kunye no

..... oMangalelweyo  
 Iya: Isherifu,

Ngale ndlela uyayalelwa ukuba ulandele umyalelo okhankanywe ngasentla  
 wenkundla owenziwe ngowama ..... osuku lwama ....., 20.....,  
 wokubamba .....

.....  
 (xela iinkcukacha ezipheleleyo zepropati kunye nokuba ime phi na) ukufumana okanye  
 ukuqinisekisa ulawulo lwenkundla ekhankanywe ngasentla

ngokuthathwa ..... kwamanyathelo ..... yi  
 .....ngokubhek  
 isele ku

..... wase

..... (xela idilesi yomangalelweyo) nge

..... (xela iinkcukacha zebango);

Kwaye ngokwenza oko eli izakuba ligunya lakho.

Ngaphaya koko, ukuba ngaba ummangalelwa uxela isizathu sokuba kutheni  
 umyalelo wokubamba impahla kufuneka ungaqinisekiswa, uyakuvela phambi kwale  
 nkundla ngowe ..... wosuku lwe ....., 20....., ngeye  
 ..... (ixesha), ngaloo njongo.

Umhla okhankanywe ngasentla unokuxelwa kwangaphambili ngummangalelwa  
 ngesazi seeyure ezili-12 esiya kumfaki sicelo.

Ekunikweni kwesibambiso esonelisa isherifu yenkundla ekhankanywe ngasentla  
 sesixa sebango lomfaki sicelo kunye neendleko zesicelo sokubamba impahla, ipropati  
 ekhankanyiweyo ayakukhululwa ekubanjweni kwaye ekunikweni kwesibambiso esinjalo  
 umyalelo wokubanjwa kwempahla uyakuphelelwa.

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
 ....., 20.....,

UMabhalana weNkundla

.....

UMfaki sicelo/iGqwetha loMfaki sicelo

Idilesi: .....

.....

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
 ....., 20.....,

.....

Isherifu

**Nom. 18 - IGunya lokuBamba iPropati ukuze kuFunyanwe okanye kuQinisekiswa****uLawulo****\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebelibanjwe e .....INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Iya: Isherifu,

Ngale ndlela uyayalelwa ukuba ulandele umyalelo okhankanywe ngasentla  
wenkundla owenziwe ngowama ..... osuku lwama ....., 20.....  
wokubamba .....

.....  
(xela iinkcukacha ezipheleleyo zepropati kunye nokuba ime phi na) ukufumana okanye  
ukuqinisekisa ulawulo lwenkundla ekhankanywe ngasentla

ngokuthathwa kwamanyathelo yi

.....ngokubhek

isele ku .....wase.....

.....(xela idilesi yomangalelweyo) nge ..... (xela iinkcukacha zebango);

Kwaye ngokwenza oko eli izakuba ligunya lakho.

Ngaphaya koko, ukuba ngaba ummangalelwa uxela isizathu sokuba kutheni  
umyalelo wokubamba impahla kufuneka ungaginisekiswa, uyakuvela phambi kwale  
nkundla ngowe ..... wosuku lwe ....., 20....., ngeye  
..... (ixesha), ngaloo njongo.

Umhla okhankanywe ngasentla unokuxelwa kwangaphambili ngummangalelwa  
ngesazi seeyure ezili-12 esiya kumfaki sicelo.

Ekunikweni kwesibambiso esonelisa isherifu yenkundla ekhankanywe ngasentla  
sesixa sebango lomfaki sicelo kunye neendleko zesicelo sokubamba impahla, ipropati  
ekhankanyiweyo ayakukhululwa ekubanjweni kwaye ekunikweni kwesibambiso esinjalo  
umyalelo wokubanjwa kwempahla uyakuphelelwa.

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
....., 20.....

.....

Umbhalisi

.....

UMfaki sicelo/iGqwetha loMfaki sicelo

Idilesi: .....

.....

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
 ....., 20.....,

Isherifu \_\_\_\_\_

**Nom. 19 – UMyalelo wokuZa kwiNkomfa yaPhambi kweTyala**

**\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
 sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

[Umyalelo ngokwecandelo lama-54(1) lomThetho weeNkundla zooMantyi, 1944  
 (umThetho wama-32 ka-1944.)].

Iya kwiGqwetha loMmangali/iGqwetha loMmangalelwa.

Ngale ndlela uyayalelwa ukuba uze kwinkomfa ezakubanjwa phambi kukamantyi  
 enkundleni ..... ngowe ..... wosuku lwama ....., [19]  
 20...., ngeye ..... (ixesha) ukuba uthathele ingqalelo-

- (a) ukwenziwa lula kwemiba;
- (b) imfuno okanye umnqweno wotshintsho ekuzithetheleleni;
- (c) ukwenzeka kokufumana ukuvunywa kwemiba kunye namaxwebhu  
ngombono wokuphepha ubungqina obungeyomfuneko;
- (d) ukumiselwa komda kwini lamangqina aziingcali;
- (e) .....

.....  
 Ifakwe umhla e ..... ngalo ..... wosuku lwama  
 ....., 20.....,

NgokoMyalelo weNkundla,

UMabhalana weNkundla.

**Nom. 19 – UMyalelo wokuZa kwiNkomfa yaPhambi kweTyala**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla ..... yoMmandla ..... kwiCandelo ..... loMmandla  
 le.....

ebelibanjwe e ..... .INombolo ..... yeTyala  
 ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

[Umyalelo ngokwecandelo lama-54(1) lomThetho weeNkundla zooMantyi, 1944 (umThetho wama-32 ka-1944.)].

Iya kwiGqwetha loMmangali/iGqwetha loMmangalelwa.

Ngale ndlela uyayalelwa ukuba uze kwinkomfa ezakubanjwa phambi kukamantyi enkundleni .....ngowe ..... wosuku lwama ....., [19] 20...., ngeye ..... (ixesha) ukuba uthathele ingqalelo-

- (a) ukwenziwa lula kwemiba;
- (b) imfuno okanye umngqweni wotshintsho ekuzithetheleleni;
- (c) ukwenzeka kokufumana ukuvunywa kwemiba kunye namaxwebhu ngombono wokuphepha ubungqina obungeyomfuneko;
- (d) ukumiselwa komda kwinqanaba lamangqina aziingcali;
- (e) .....

Ifakwe umhla e ..... ngalo ..... wosuku lwama ....., 20.....,

NgokoMyalelo weNkundla,

Umbhalisi.

## **Nom. 20 – UMyalelo - INkomfa yaPhambi kweTyala**

### **\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka- 20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Umyalelo ngokwecandelo lama-54(2) lomThetho weeNkundla zooMantyi, 1944 (umThetho wama-32 ka-1944).

Iya kwiGqwetha loMmangali kunye neGqwetha loMmangalelwa.

Kwinkomfa yaphambi kwetyala ebelibanjwe kwitshemba/inkundla..... e.....ngowama..... wosuku lwama....., 20....phakathi kwamaqela kunye/okanye abameli babo, oku kulandelayo kuvunyelwene ngako:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

Ngenxa yoko inkundla inike le miyalelo ilandelayo:

- (1) .....
- (2) .....
- (3) .....
- (4) .....
- (5) .....

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
....., 20.....,

NgokoMyalelo weNkundla,

UMabhalana weNkundla.

Iya: kwiGqwetha loMmangali.

Iya: kwiGqwetha loMmangalelwa.

**Nom. 20 – UMyalelo - INkomfa yaPhambi kweTyala**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla  
le.....

ebelibanjwe e ..... INombolo yeTyala ..... ka- 20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Umyalelo ngokwecandelo lama-54(2) lomThetho weeNkundla zooMantyi, 1944  
(umThetho wama-32 ka-1944).

Iya kwiGqwetha loMmangali kunye neGqwetha loMmangalelwa.

Kwinkomfa yaphambi kwetyala ebibanjwe kwinkundla.....  
e.....ngowe.....wosuku lwama....., 20.... phakathi kwamaqela kunye/okanye  
abameli babo, oku kulandelayo kuvunyelwene ngako:

- (1) .....
- (2) .....
- (3) .....

(4) .....

(5) .....

Ngenxa yoko inkundla inike le miyalelo ilandelayo:

(1) .....

(2) .....

(3) .....

(4) .....

(5) .....

Ifakwe umhla e ..... ngalo ..... wosuku lwama  
....., 20.....,

NgokoMyalelo weNkundla,

.....

Umbhalisi.

Iya: kwiGqwetha loMmangali.

Iya: kwiGqwetha loMmangalelwa.

#### **Nom. 21 - Isicelo seTyala elinabaCebisi beJaji**

##### **\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali /ummangalelwa ngale ndlela ufaka isicelo sokuba la manyathelo alandelayo enziwe nabacebisi bejaji.

(1) Ummangalelwa/ummangali uyasivuma isicelo esinjalo kunye nokonyulwa kwalo mcebisi wejaji ulandelayo:

wase.....(idilesi)

.....

UMmangali/igqwetha loMmangali

.....

UMmangalelwa/iGqwetha loMmangalelwa

okanye

(2) Ummangalelwa/ummangali uyasivuma isicelo esinjalo, kodwa amaqela awakwazi ukuvumelana ngamagama abacebisi bejaji.

Apho ke amaqela acela inkundla ukuba yonyule umcebisi wejaji (okanye abacebisi bejaji ababini) kukhutshelwa ngaphandle aba bacebisi bejaji balandelayo (xela amagama abo bacebisi bejaji abo iqela elinye okanye elinye iqela libachasileyo):

.....  
UMmangali/igqwetha loMmangali

.....  
UMmangalelwa/iGqwetha loMmangalelwa  
okanye

(3) Ummangalelwa/ummangali uyasikhaba isicelo esinjalo.

Apho ummangali/uumangalelwa abeke esi sicelo ukuba sichotshelwe ngowe  
..... wosuku lwama ....., 20....., ngeye ..... (ixesha)

.....  
UMmangali/uMmangalelwa okanye iGqwetha loMmangali/loMmangalelwa  
Iya: U Mabhalana weNkundla.  
Kwaye:.....

Isicelo sivunyiwe/sikhatyiwe ngalo..... wosuku lwama ....., 20.....  
Abacebisi bejaji abonyuliweyo:

.....  
UMabhalana weNkundla

**Nom. 21 - Isicelo seTyala elinabaCebisi beJaji**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Ummangali /ummangalelwa ngale ndlela ufaka isicelo sokuba la manyathelo alandelayo enziwe nabacebisi bejaji.

(1) Ummangalelwa/ummangali uyasivuma isicelo esinjalo kunye nokonyulwa kwalo mcebisi wejaji ulandelayo:

wase.....(idilesi)

.....

UMmangali/igqwetha loMmangali

.....

UMmangalelwa/iGqwetha loMmangalelwa

okanye

(2) Ummangalelwa/ummangali uyasivuma isicelo esinjalo, kodwa amaqela awakwazi ukuvumelana ngamagama abacebisi bejaji.

Apho ke amaqela acela inkundla ukuba yonyule umcebisi wejaji (okanye abacebisi bejaji ababini) kukhutshelwa ngaphandle aba bacebisi bejaji balandelayo (xela amagama abo bacebisi bejaji abo igela elinye okanye elinye igela libachasileyo):

.....

UMmangali/igqwetha loMmangali

.....

UMmangalelwa/iGqwetha loMmangalelwa

okanye

(3) Ummangalelwa/ummangali uyasikhaba isicelo esinjalo.

Apho ummangali/uumangalelwa abeke esi sicelo ukuba sichotshelwe ngowe

..... wosuku lwama ....., 20....., ngeye ..... (ixesha)

.....

UMmangali/uMmangalelwa okanye iGqwetha loMmangali/loMmangalelwa

Iya: Umbhalisi.

Kwaye:

.....

Isicelo sivunyiwe/sikhatyiwe ngalo..... wosuku lwama ....., 20.....

Abacebisi bejaji abonyuliweyo:

.....

Umbhalisi

**Nom. 22 – liSamani eziya kuMcebisi weJaji**

**\*Kusetyenziswa yiNkundla yeSithili**

KwiNkundla kaMantyi yeSithili sase .....

ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no



..... uMmangalelwa

Mhlekezzi/Nkosikazi

Ngale ndlela uyabizwa ukuba uze kwaye uzokusebenza njengomcebisi wejaji ngowe ..... wosuku lwama ....., 20..... ngeye ..... (ixesha), uzokunceda inkundla kulo mba ungasentla ngokungqinelana namagatya ecandelo lama-34 lomThetho weNkundla zooMantyi, 1944 (umThetho wama- 32 ka-1944).

Owakho wenene

.....  
UMabhalana weNkundla

Iya: .....  
.....

**Nom. 22 – liSamani eziya kuMcebisi weJaji**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Mhlekezzi/Nkosikazi

Ngale ndlela uyabizwa ukuba uze kwaye uzokusebenza njengomcebisi wejaji ngowe ..... wosuku lwama ....., 20..... ngeye ..... (ixesha), uzokunceda inkundla kulo mba ungasentla ngokungqinelana namagatya ecandelo lama-34 lomThetho weNkundla zooMantyi, 1944 (umThetho wama- 32 ka-1944).

Owakho wenene

Umbhalisi

Iya: .....  
.....

**Nom. 23 - UMkomishinala wexeshana****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Iya: .....

Ndiyabulisa:

Ngaphantsi kunye nangegunya eliwiswe kum licandelo lama-53 lomThetho weeNkundla zooMantyi, 1944 (umThetho wama-32 ka-1944), Ngale ndlela ndinikela kuwe amandla kunye namagunya apheleleyo njengoMkomishinala wale nkundla ukuba uphonononge ..... u ..... (kunye namanye amangqina anjalo mhlawumbi awamaqela kweli tyala njengoko lo mba unokufuna njalo) kunye nokuthatha ubungqina kunye nesifungo se(sa)mangqina e(a)likhankanyiweyo kwityala elingasentla ngoku elixhomekeke kule nkundla.

Linikwa phantsi kwesandla sam e .....ngowe ..... wosuku lwe ....., 20....

UMantyi

**Nom. 23 - UMkomishinala wexeshana****\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Iya: .....

Ndiyabulisa

Ngaphantsi kunye nangegunya eliwiswe kum licandelo lama-53 lomThetho weeNkundla zooMantyi, 1944 (umThetho wama-32 ka-1944), Ngale ndlela ndinikela

kuwe amandla kunye namagunya apheleleyo njengoMkomishinala wale nkundla ukuba uphonononge ..... u ..... (kunye namanye amangqina anjalo mhlawumbi awamaqela kweli tyala njengoko lo mba unokufuna njalo) kunye nokuthatha ubungqina kunye nesifungo se(sa)mangqina e(a)likhankanyiweyo kwityala elingasentla ngoku elixhomekeke kule nkundla.

Linikwa phantsi kwesandla sam e .....ngowe ..... wosuku lwe ..... 20....

UMantyi woMmandla

**Nom. 24 – Ukubizelwa enkundleni**

**\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
sase.....

ebelibanjwe e ..... INombolo yeTyala ..... ka-  
20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Iya kuSherifu/Sekela Sherifu:

YAZISA:

- (1) ..... wase
- .....
- (2) ..... wase
- .....
- (3) ..... wase
- .....
- (4) ..... wase
- .....

ukuba ngamnye kubo kufunwa ukuba avele buqu phambi kwale nkundla kwinkundla ..... ngowama ..... kusuku lwama ..... ,  
20....., ngeye ..... (ixesha) kweli tyala likhankanywe ngasentla ukuba anike ubungqina okanye aveze iincwadi, amaphepha okanye amaxwebhu egameni lika ..... (Apho kufunwa khona ukuba kuvezwe amaxwebhu, ukongeza: )  
kunye nokuza nayo nganye kuzo kunye nokuveza enkundleni iincwadi , amaphepha okanye amaxwebhu amaninzi axelwe kuluhlu olugasezantsi.

Intlawulo yemali yamangqina kumangqina njengoko inikiwe kwaye ivunyelwe phantsi kwecandelo lama-51bis lomThetho weeNkundla zooMantyi, 1944 (umThetho wama-32 ka- 1944), njengoko utshintshiwe, ngale ndlela ke inikwa nguMmangali.

Ukuba ngaba nawuphi na umntu, ubizelwe enkundleni ukuba azokunika ubungqina okanye ukuba aveze naziphi na iincwadi, amaphepha okanye amaxwebhu akuye

okanye aphantsi kolawulo lwakhe, apho iqela elifuna ukuza kwe(ama)ngqina lifuna ukubonisa ubungqina, akaphumeleli, ngaphandle kwesizathu esisemthethweni, ukuza okanye ukunika ubungqina okanye ukuveza ezo ncwadi, amaphepha okanye amaxwebhu ngokweesamani okanye, ngaphandle kokuba uyekwe ngokufanelekileyo, akaphumeleli ukuza ngexesha lonke lokuqhuba kwetyala, inkundla, yakube yonelisekile sisifungo okanye kukubuya komthunywa ekubeni umntu onjalo ubizelwe enkundleni ngokufanelekileyo kunye nokuba iindleko zomntu onjalo ezifanelekileyo, zibalwa ngokungqinelana nerhafu emiselwe phantsi kwecandelo 51bis, zihlawulwe okanye okanye zinikwe umntu onjalo, kumiselwe kumntu onjalo isohlwayo esingodluliyo kuma-R300, 00, kwaye xa ingenziwanga intlawulo, ukuvaleywa ithuba elingedluliyo kwiinyanga ezintathu, nokuba umntu onjalo uxhomekekile okanye akaxhomekekanga kulawulo lwenkundla.

Ifakwe umhla e ..... ngowe ..... wosuku lwama  
....., 20.....,

.....

UMabhalana weNkundla

ULUHLU LWEENCWADI, AMAPHEPHA OKANYE AMAXWEBHU AMAWAVEZWE

UMhla Inkcazo Olungakhutshelwanga okanye iKopi

.....

.....

.....

.....

.....

(Jonga ngasemva.)

[Bhala ngasemva, imihlathi (a) no- (b) ecandelo lama-51(2) lomThetho]

**Nom. 24 – Ukubizelwa enkundleni**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi \_\_\_\_\_

..... uMmangali

kunye no ko \_\_\_\_\_

..... uMmangalelwa

Iya kuSherifu/Sekela Sherifu:

YAZISA:

- (1) ..... wase
- (2) ..... wase
- (3) ..... wase
- (4) ..... wase

ukuba ngamnye kubo kufunwa ukuba avele buqu phambi kwale nkundla kwinkundla  
 ..... ngowama ..... kusuku lwama .....  
 20....., ngeye

..... (ixesha) kweli tyala likhankanywe ngasentla ukuba anike ubungqina  
 okanye aveze iincwadi, amaphepha okanye amaxwebhu egameni lika  
 ..... (Apho kufunwa khona ukuba kuvezwe amaxwebhu, ukongeza: )  
 kunye nokuza nayo nganye kuzo kunye nokuveza enkundleni iincwadi , amaphepha  
 okanye amaxwebhu amaninzi axelwe kuluhlu olugasezantsi.

Intlawulo yemali yamangqina kumangqina njengoko inikiwe kwaye ivunyelwe phantsi  
 kwecandelo lama-51bis lomThetho weeNkundla zooMantyi, 1944 (umThetho wama-32  
 ka- 1944), njengoko utshintshiwe, ngale ndlela ke inikwa nguMmangali.

Ukuba ngaba nawuphi na umntu, ubizelwe enkundleni ukuba azokunika ubungqina  
 okanye ukuba aveze naziphi na iincwadi, amaphepha okanye amaxwebhu akuye  
 okanye aphantsi kolawulo lwakhe, apho iqela elifuna ukuza kwe(ama)ngqina lifuna  
 ukubonisa ubungqina, akaphumeleli, ngaphandle kwesizathu esisemthethweni, ukuza  
 okanye ukunika ubungqina okanye ukuveza ezo ncwadi, amaphepha okanye  
 amaxwebhu ngokweesamani okanye, ngaphandle kokuba uyekwe ngokufanelekileyo,  
 akaphumeleli ukuza ngexesha lonke lokuhamba kwetyala, inkundla, yakube yonelisekile  
 sisifungo okanye kukubuya komthunywa ekubeni umntu onjalo ubizelwe enkundleni  
 ngokufanelekileyo kunye nokuba iindleko zomntu onjalo ezifanelekileyo, zibalwa  
 ngokungqinelana nerhafu emiselwe phantsi kwecandelo 51bis, zihlawulwe okanye  
 okanye zinikwe umntu onjalo, kumiselwe kumntu onjalo isohlwayo esingodluliyo kuma-  
 R300, 00, kwaye xa ingenziwanga intlawulo, ukuvalelwa ithuba elingedluliyo kwiinyanga  
 ezintathu, nokuba umntu onjalo uxhomekekile okanye akaxhomekekanga kulawulo  
 lwenkundla.

Ifakwe umhla e ..... ngowe ..... wosuku lwama  
 ..... 20.....,

Umbhalisi

ULUHLU LWEENCWADI, AMAPHEPHA OKANYE AMAXWEBHU AMAWAVEZWE

UMhla Inkcazo Olungakhutshelwanga okanye iKopi

.....  
 .....  
 .....  
 .....

.....  
 \_\_\_\_\_  
 (Jonga ngasemva.)

[Bhala ngasemva, imihlathi (a) no- (b) ecandelo lama-51(2) lomThetho]

**Nom. 25 – iGunya leNtlawulo yeSohlwayo okanye lokuBanjwa kweNgqina eliSileleyo**

**\*Kusetyenziswa yiNkundla yeSithili**

KwiNkundla kaMantyi yeSithili  
 sase.....

ebelibanjwe e..... INombolo yeTyala .....  
 ka-20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

Kwisherifu kunye nakwigosa eliphetheyo leNtolongo yase.....

Nakuba ..... wase ..... ebizelwe enkundleni ngokufanelekileyo ukuba anike ubungqina (okanye aveze iincwadi, amaphepha okanye amaxwebhu athile, njengoko imeko inokufuna njalo) kumba ongasentla phambi kwale nkundla ngeye ..... (ixesha) ngowe ..... wosuku lwama ....., 20.... kwaye usilele;

Kwaye nangona le nkundla iwisele kokhankanyiweyo u ..... ekusileleni kwakhe okukhankanyiweyo isohlwayo sama ..... eerandi kunye nokungahlawuli kwakhe uvalelwe kule ntolongo ikhankanywe ngasentla ithuba le .....

Oku ke kukugunyazisa ke ngoko kunye nokufuna ukuba wena, sherifu wenkundla okhankanyiweyo, umbambe u ..... okhankanyiweyo kwaye, ngaphandle kokuba uyakukhulawula isixa semali esikhankanyiweyo sama ..... eerandi, ukumzisa kwigosa eliphetheyo leNtolongo yase ..... kunye neli gunya ukuba agcinwe apho ngokukhuselekileyo de abe uhlawula eso sixa mali sama ..... eerandi okanye de ibe kube kukuphelelwa kwelo thuba likhankanyiweyo le ..... ukusukela kumhla lowo ama ..... akhankanyiweyo ayakufunyanwa ngawo okanye ukugcinwa kwintolongo ekhankanyiweyo ngokokulunga kweli gunya nokuba yeyiphi kwezi zimbini ezakwenzeka kuqala okanye de abe u ..... okhankanyiweyo ngenye indlela uyakhutshwa ngokusemthethweni;

Kwaye oku kukuyalela wena, igosa elikhankanyiweyo eliphethe iNtolongo yase ....., ukuba wamkele kwaye ugcine ngokukhuselekileyo u ..... okhankanyiweyo njengoko sekuxeliwe.

Ifakwe umhla e ..... ngalo ..... wosuku lwama ....., 20.....,

.....

UMabhalana weNkundla

**Nom. 25 – iGunya leNtlawulo yeSohlwayo okanye lokuBanjwa kweNggina eliSileleyo****\*Kusetyenziswa kwiNkundla yoMmandla**

KwiNkundla \_\_\_\_\_ yoMmandla \_\_\_\_\_ kwiCandelo \_\_\_\_\_ loMmandla  
le.....Ebibanjwe e .....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi \_\_\_\_\_

..... uMmangali \_\_\_\_\_

kunye no \_\_\_\_\_

..... uMmangalelwa \_\_\_\_\_

Kwisherifu kunye nakwigosa eliphetheyo leNtolongo yase.....

Nakuba ..... wase ..... ebizelwe enkundleni ngokufanelekileyo ukuba anike ubungqina (okanye aveze iincwadi, amaphepha okanye amaxwebhu athile, njengoko imeko inokufuna njalo) kumba ongasentla phambi kwale nkundla ngeye ..... (ixesha) ngowe ..... wosuku lwama ....., 20.... kwaye usilele;

Kwaye nangona le nkundla iwisele kokhankanyiweyo u ..... ekusileleni kwakhe okukhankanyiweyo isohlwayo sama ..... eerandi kunye nokungahlawuli kwakhe uvallelwe kule ntolongo ikhankanywe ngasentla ithuba le .....

Oku ke kukugunyazisa ke ngoko kunye nokufuna ukuba wena, sherifu wenkundla okhankanyiweyo, umbambe u ..... okhankanyiweyo kwaye, ngaphandle kokuba uyakukhulawula isixa semali esikhankanyiweyo sama ..... eerandi, ukumzisa kwigosa eliphetheyo leNtolongo yase ..... kunye neli gunya ukuba agcinwe apho ngokukhuselekileyo de abe uhlawula eso sixa mali sama ..... eerandi okanye de ibe kube kukuphelelwa kwelo thuba likhankanyiweyo le ..... ukusukela kumhla lowo ama .....akhankanyiweyo ayakufunyanwa ngawo okanye ukugcinwa kwintolongo ekhankanyiweyo ngokokulunga kweli gunya nokuba yeyiphi kwezi zimbini ezakwenzeka kuqala okanye de abe u ..... okhankanyiweyo ngenye indlela uyakhutshwa ngokusemthethweni;

Kwaye oku kukuyalela wena, igosa elikhankanyiweyo eliphethe iNtolongo yase ....., ukuba wamkele kwaye ugcine ngokukhuselekileyo u .....okhankanyiweyo njengoko sekuxeliwe.

Ifakwe umhla e ..... ngalo ..... wosuku lwama .... 20.....,

.....

Umbhalisi

**Nom. 26 – iGunya lokuBanjwa kweNgqina eliSileleyo****\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla kaMantyi yeSithili  
sase.....

ebelibanjwe e..... INombolo yeTyala ..... ka- 20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

**(1) KwiSherifu:**

Nakuba ..... wase .....  
ebizelwe enkundleni ngokufanelekileyo ukuba anike ubungqina (okanye aveze iincwadi, amaphepha okanye amaxwebhu athile, njengoko imeko inokufuna njalo) kumba ongasentla phambi kwale nkundla ngeye ..... wosuku luka-20..... ngeye ..... (ixesha), kwaye usilele;

Oku ke kukugunyazisa ke ngoko kunye nokufuna ukuba wena ubambe u ..... okhankanyiweyo kwaye uze naye phambi kwale nkundla ngowe ..... wosuku lwama ....., 20.....ngeye..... (ixesha), ngoko kunye nalapho ukunika ubungqina kunye ngenye indlela kusetyenziwe ngayo ngokomthetho.

**(2) KwiGosa eliPhethe eyase ..... iNtolongo:**

Wena ngale ndlela uyayalela ukuba wamkele u ..... okhankanyiweyo kwaye ukuba umgcine ekhuselekile de ibe lelo xesha ayakususwa ngalo okanye asiwe pahmbi kwenkundla ngokungqinelana nesigaba sokuqala seli gunya okanye ngenye indlela akhululwe ngokusemthethweni.

Ifakwe umhla e ..... ngolu .....suku lwama ..... , 20.....,

.....

UMabhalana weNkundla

**Nom. 26 – iGunya lokuBanjwa kweNgqina eliSileleyo****\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e.....

INombolo yeTyala ..... ka- 20.....

Kumba ophakathi ko

..... uMmangali

kunye no

..... uMmangalelwa

**(1) KwiSherifu:**



Nakuba ..... wase .....  
 ebizelwe enkundleni ngokufanelekileyo ukuba anike ubungqina (okanye aveze iincwadi,  
 amaphepha okanye amaxwebhu athile, njengoko imeko inokufuna njalo) kumba  
 ongasentla phambi kwale nkundla ngeye ..... wosuku luka-20..... ngeye  
 ..... (ixesha), kwaye usilele;

Oku ke kukugunyazisa ke ngoko kunye nokufuna ukuba wena ubambe u  
 ..... okhankanyiweyo kwaye uze naye phambi kwale nkundla  
 ngowe ..... wosuku lwama ....., 20.....ngeye..... (ixesha), ngoko kunye  
 nalapho ukunika ubungqina kunye ngenye indlela kusetyenziwe ngayo ngokomthetho.

(2) KwiGosa eliPhethe eyase ..... iNtolongo:

Wena ngale ndlela uyayalela ukuba wamkele u  
 .....okhankanyiweyo kwaye ukuba umgcine ekhuselekile de ibe  
 lelo xesha ayakususwa ngalo okanye asiwe phambi kwenkundla ngokungqinelana  
 nesigaba sokuqala seli gunya okanye ngenye indlela akhululwe ngokusemthethweni.

Ifakwe umhla e ..... ngolu .....suku lwama  
 ....., 20.....,

Umbhalisi

## **Nom. 27 – Isibambiso kwiMpahla eBanjiweyo okanye uThintelo kwiqela elinye**

### **\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
 sase.....

ebelibanjwe e..... INombolo yeTyala .....  
 ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Nakuba ..... wase ..... efake isicelo  
 sokukhutshwa komyalelo wokubanjwa kwempahla okanye uthintelo ngokubhekisele  
 kwimpahla ka ..... e ..... kwaye inkundla ilungiselele ukuba  
 isibambiso sinikwe u .....okhankanyiweyo sisixa mali sama- R.....;

**[Ngoku, ke ngoko]** Ngoku ke ngoko u.....okhankanyiweyo  
 uyazibophelela ekuzalisekiseni naliphi na ibango elisemthethweni lika  
 .....okhankanyiweyo ngokubhekisele ku  
 .....okhankanyiweyo kumonakalo lowo u  
 .....okhankanyiweyo unokumehlela ngenxa yokubanjwa kwempahla  
 okanye uthintelo olukhankanyiweyo kwimeko yokuba ukubanjwa kwempahla okanye  
 uthintelo olukhankanyiweyo apha lubekelwe ecaleni;

Kwaye ..... (xela um(aba)meli baka ..... ngale ndlela  
 u(ba)yazibophelela ngokuhlangeneyo kunye nangokwahlukemeyo njengabameli kunye  
 nabanetyala kumniki khredithi kunye noMfaki sicelo okhankanyiweyo ngasentla ukuba  
 bahlawule omangalelweyo okhankanyiweyo ngasentla okanye omnye ongomnye

onokubanga ngokusemthethweni kuMfaki sicelo njengesiphumo sesi sicelo wonke umonakalo, iindleko kunye nemali ebizwayo eye yabehlela ngenxa yokubanjwa kwempahla okanye uthintelo olubekelwe ecaleni.

Ifakwe umhla e ..... ngowe ..... wosuku lwama ....., 20....

UMfaki sicelo.

Amangqina:

1. ....

Usayino nedilesi

Ummeli kunye nomNye umNtu oneTyala kuMniki Khredithi

2. ....

Usayino nedilesi

**Nom. 27 – Isibambiso kwiMpahla eBanjiweyo okanye uThintelo kwiqela elinye**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi ko

..... uMfaki sicelo

kunye no

..... oMangalelweyo

Nakuba ..... wase ..... efake isicelo sokukhutshwa komyalelo wokubanjwa kwempahla okanye uthintelo ngokubhekisele kwimpahla ka ..... e ..... kwaye inkundla ilungiselele ukuba isibambiso sinikwe u ..... okhankanyiweyo sisixa mali sama- R.....;

Ngoku ke ngoko u.....okhankanyiweyo uyazibophelela ekuzalisekiseni naliphi na ibango elisemthethweni lika .....okhankanyiweyo nngokubhekisele ku .....okhankanyiweyo kumonakalo lowo u .....okhankanyiweyo unokumehlela ngenxa yokubanjwa kwempahla okanye uthintelo olukhankanyiweyo kwimeko yokuba ukubanjwa kwempahla okanye uthintelo olukhankanyiweyo apha lubekelwe ecaleni;

Kwaye ..... (xela um(aba)meli baka ..... ngale ndlela u(ba)yazibophelela ngokuhlangeneyo kunye nangokwahlukenmeyo njengabameli kunye nabanetyala kumniki khredithi kunye noMfaki sicelo okhankanywe ngasentla ukuba bahlawule omangalelweyo okhankanywe ngasentla okanye omnye ongomnye onokubanga ngokusemthethweni kuMfaki sicelo njengesiphumo sesi sicelo wonke

umonakalo, iindleko kunye nemali ebizwayo eye yabehlela ngenxa yokubanjwa kwempahla okanye uthintelo olubekelwe ecaleni.

Ifakwe umhla e ..... ngowe ..... wosuku lwama ..... 20....

UMfaki sicelo.

Amanggina: \_\_\_\_\_

1. \_\_\_\_\_

Usayino nedilesi

Ummeli kunye nomNye umNtu oneTyala kuMniki Khredithi

2. \_\_\_\_\_

Usayino nedilesi

## **Nom. 28 - ISibambiso xa iSohlwayo sisaHleli ngokuXhomekeke kwisiBheno**

### **\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
sase.....

ebelibanjwe e..... INombolo yeTyala ..... ka-20.....

Kumba ophakathi kwe

.....iQela

eliBanjwa iMali

kunye ne

..... iQela eliBamba  
imali yesigwebo esiwisiweyo

Nakuba u .....okhankanyiweyo ngowe .....  
kusuku lwama ..... 20..... isigwebo kule nkundla saba ngecala lakhe  
ngokubhekisele ku ..... okhankanyiweyo ngesixa mali sama-R.....  
kunye nesixa mali sama-R..... eendleko;

Kwaye nakuba u ..... okhankanyiweyo efake isicelo  
eenkundleni sokuba kubanjwe isohlwayo esiwisiweyo esixhonyiweyo/ukujongwa  
kwakhona kweenkqubo kwaye inkundla iyalele ukuba isohlwayo sihlale sinjalo  
ngokuxhomekeke ku .....okhankanyiweyo ngokunika kwakhe isibambiso  
kuma ..... eentsuku;

Ngoku ke ngoko u.....okhankanyiweyo ..... kunye  
..... wase ..... njengabameli kunye nomnye umntu  
onetyala kubaniki kredithi ku ..... okhankanyiweyo ngale ndlela bayazibophelela  
ngokuhlengeneyo kunye nangokwahlukeneyo ekuzalisekeni isigwebo esikhankanyiweyo  
kunye nalo naluphi na uxanduva olungaphaya olunokubela ngendlela yomonakalo  
okanye ngenye indlela ngenxa yonqunyanyiso olunjalo, ukuza kuthi ga ngoku isigwebo

esinjalo ngeke sitshintshwe okanye sohlulwe kwisibheno/ukujongwa kwakhona kwisibheno/ukujongwa kwakhona, kwaye ngokungaphaya ngokwahlukeneyo ..... (faka nayiphi na imiqathango engaphaya efunekayo).

Isayinwe e ..... ngalo ..... wosuku lwama ..... , 20.....,

.....  
iQela eliBamba imali yesigwebo esiwisiweyo

Amangqina:

1. ....

Usayino nedilesi

Ummeli kunye nomNye umNtu oneTyala kuMniki Khredithi

2. ....

Usayino nedilesi

**Nom. 28 - ISibambiso xa iSohlwayo sisaHleli ngokuXhomekeke kwisiBheno**

**\*Kusetyenziswa kwiNkundla yoMmandla**

kwiNkundla yoMmandla kwiCandelo loMmandla le.....

ebelibanjwe e.....

INombolo yeTyala ..... ka-20.....

Kumba ophakathi kwe

.....iQela

eliBanjwa iMali

kunye ne

..... iQela eliBamba

imali yesigwebo esiwisiweyo

Nakuba u .....okhankanyiweyo ngowe .....

kusuku lwama ..... , 20..... isigwebo kule nkundla saba ngecala lakhe

ngokubhekisele ku ..... okhankanyiweyo ngesixa mali sama-R.....

kunye nesixa mali sama-R..... eendleko; .....

Kwaye nakuba u ..... okhankanyiweyo efake isicelo

eenkundleni sokuba kubanjwe isohlwayo esiwisiweyo esixhonyiweyo/ukujongwa

kwakhona kweenkqubo kwaye inkundla iyalele ukuba isohlwayo sihlale sinjalo

ngokuxhomekeke ku .....okhankanyiweyo ngokunika kwakhe isibambiso

kuma ..... eentsuku; .....

Ngoku ke ngoko u.....okhankanyiweyo ..... kunye

..... wase ..... njengabameli kunye nomnye umntu

onetyala kubaniki kredithi ku ..... okhankanyiweyo ngale ndlela bayazibophelela

ngokuhlangeneyo kunye nangokwahlukeneyo ekuzalisekeni isigwebo esikhankanyiweyo

kunye nalo naluphi na uxanduva olungaphaya olunokvela ngendlela yomonakalo

okanye ngenye indlela ngenxa yonqunyanyiso olunjalo, ukuza kuthi ga ngoku isigwebo esinjalo ngeke sitshintshwe okanye sohlulwe kwisibheno/ukujongwa kwakhona kwisibheno/ukujongwa kwakhona, kwaye ngokungaphaya ngokwahlukeneyo ..... (faka nayiphi na imiqathango engaphaya efunekayo).

Isayinwe e ..... ngalo ..... wosuku lwama ..... 20.....,

iQela eliBamba imali yesigwebo esiwisiweyo

Amanggina: \_\_\_\_\_

1. \_\_\_\_\_

Usayino nedilesi

Ummeli kunye nomNye umNtu oneTyala kuMniki Khredithi

2. \_\_\_\_\_

Usayino nedilesi

**Nom. 29 - ISibambiso xa iSohlwayo siVunyelwa ngokuXhomekeke kwisiBheno**

**\*Kusetyenziswa yiNkundla yeSithili**

kwiNkundla ..... kaMantyi ..... yeSithili  
sase.....

ebelibanjwe e.....INombolo yeTyala ..... ka-20.....

Kumba ophakathi kwe

..... iQela  
eliBanjwa iMali

kunye ne

..... iQela eliBamba  
imali yesigwebo esiwisiweyo

Nakuba ..... okhankanyiweyo ngowama  
.....kusuku lwama ....., 20..... isigwebo sibe ngecala lakhe  
kule nkundla ngokubhekisele ku .....okhankanyiweyo sesixa mali sama-  
R..... kunye nesixa mali sama-R..... eendleko;

Kwaye nakuba inkundla ekhankanyiweyo, nangona u  
.....okhankanyiweyo esivumile isigwebo ngokubhekisele kwisigwebo,  
uyalele ukuba isigwebo sisiwe kwisohlwayo ukuze isibambiso esinikiweyo sibuyezwe

Ngoku, ke ngoko u.....okhankanyiweyo kunye .....  
wase ..... njengommeli kunye nomntu ongomnye onetyala kumniki  
khredithi walowo ukhankanyiweyo ..... ngale ndlela bayazibophelela  
ngokuhlengeneyo kunye nangokwahlukeneyo ukuba babuyezwe ezi zixa zikhankanywe  
ngasentla zama-R..... kunye nama-R..... ukuba ngaba isigwebo senkundla

ekhankanyiweyo siyatshintshwa kwaye ngokungaphaya ngokwahlukeneyo  
 ..... (faka nayiphi na imiqathango engaphaya efunwayo)

Isayinwe e ..... ngalo ..... wosuku lwama  
 ....., 20.....,

IQela eliBamba imali yesigwebo esiwisiweyo

Amangqina:

1. ....

Usayino nedilesi

.....  
 .....

Ummeli kunye nomNye umNtu oneTyala kuMniki Khredithi

2. ....

Usayino nedilesi

.....

### **Nom. 30 – IGunya lokuGxotha**

#### **\* Elisetyenziswayo kwiNkundla yesiThili**

ENkundleni kaMantyi yesiThili esiyi .....

bekuqhutyelwa e .....INombolo eTyala ..... ngonyaka ka-20.....

Kwimbambano ephakathi

.....komMangali

kunye naye

..... nomMangalelwa

Kuyo iNkulu yamapolisa kwisithili .

Ekubeni kwesi sehlo lowo kuthiwa ngummangali ngowama..... umhla wenyanga engu.....kunyaka ka-20..... efumene ukugwetyelwa ukuze kukhutshwe lowo kuthiwa ngummangalelwa ukuba makasuke emasangweni okanye emhlabeni owaziwa njenge.....;

Oku kukugunyazisa okufuna ukuba wena beka lowo kuthiwa ngummangali njengomnini wendawo ekuthethwa ngayo okanye womhlaba ngokususa apho lowo kuthiwa ngummangalelwa, sigunyaziso ezo sakuwe sisiqinisekiso sakho;

Kananjalo buyisela kule nkundla oko ukwenzileyo ngendlela elungileyo.

Kwenzeke ngalo mhla wenyanga engu .....ngonyaka ka-20.....,

NgomYalelo weNkundla.

.....

UMabhalana weNkundla.

.....

UmMangali / IGqwetha lomMangali.

Idilesi: .....

.....

**Nom. 30 – IGunya lokuGxotha**

**\*Elisetyenziswayo kwiNkundla yeNqila**

KwiNkundla yeNqila yeCandelo leNkundla yomMandla

.....

Apho bekuxoxwa e .....

iTyala elinguNombolo lonyaka ka-20.....

Kwimbambano ephakathi

.....komMangali

kunye

..... nomMangalelwa

.....

Kuyo iNkulu yamapolisa kwisithili

Ekubeni kwesi sehlo lowo kuthiwa ngummangali ngowama---- umhla wenyanga engu---  
-----kunyaka ka-20..... efumene ukugwetyelwa ukuze kukhutshwe lowo kuthiwa  
ngummangalelwa ukuba makasuke emasangweni okanye emhlabeni owaziwa  
njenge.....;

Oku kukugunyazisa okufuna ukuba wena beka lowo kuthiwa ngummangali njengomnini  
wendawo ekuthethwa ngayo okanye womhlaba ngokususa apho lowo kuthiwa  
ngummangalelwa, sigunyaziso ezo sakuwe sisiqinisekiso sakho;

Kananjalo buyisela kule nkundla oko ukwenzileyo ngendlela elungileyo.

Kwenzeke ngalo mhla wenyanga engu .....ngonyaka ka-20.....,

NgokomYalelo weNkundla.

.....

Umgcini-zincwadi zerejista

.....

UmMangali / IGqwetha lomMangali.

Idilesi: .....

.....

**Nom. 31 – IGunya lokuNikezela ngeMpahla****\* Elisetyenziswayo kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi .....

Bekuqhutyelwa e ..... iTyala elinguNombolo..... ngonyaka ka- 20.....

Kumbandela ophakathi

.....komMangali

kunye naye

..... nomMangalelwa

.....

Kuyo iNkulu yamapolisa kwisithili.

Ekubeni kwesi sehlo inkundla iyalele ukuba ummangalelwa makanikezele kummangali impahla eyi ..... (nika inkcazelo yento emayinikezelwe);

Oku kukugunyazisa kwaye le mpahla kuthethwa ngayo iyafuneka ..... (nika inkcazelo yale mpahla) kummangalelwa ukuze ibe sezandleni zommangali endaweni, olu gunyaziso luzakuba sisiqinisekiso kuwe;

Kananjalo buyisela kule nkundla oko ukwenzileyo ngendlela elungileyo.

Kwenzeka ngalo mhla wenyanga engu .....ngonyaka ka-20.....,

NgokomYalelo weNkundla.

.....

Umgcini-zincwadi zerejista

.....

UmMangali / IGqwetha lomMangali.

Idilesi: .....

.....

**Nom. 31 – IGunya lokuNikezela ngeMpahla****\* Elisetyenziswayo kwiNkundla yesiThili**

KwiNkundla yeNqila yeCandelo leNkundla yomMandla

.....

Apho bekuxoxwa e ..... iTyala elinguNombolo.....

lonyaka ka-20.....

Kumbandela ophakathi

.....komMangali

kunye naye

..... nomMangalelwa

.....



Kuyo iNkulu yamapolisa kwisithili.

\_\_\_\_\_ Ekubeni kwesi sehlo inkundla iyalele ukuba ummangalelwa makanikezele kummangali impahla eyi ..... (nika inkcazelo yento emayinikezelwe);

Oku kukugunyazisa kwaye le mpahla kuthethwa ngayo iyafuneka ..... (nika inkcazelo yale mpahla) kummangalelwa ukuze ibe sezandleni zommangali endaweni yakhe, olu gunyaziso luzakuba sisiqinisekiso kuwe;

Kananjalo buyisela kule nkundla oko ukwenzileyo ngendlela elungileyo.

Kwenzeka ngalo mhla wenyanga engu .....ngonyaka ka-20.....,

NgokomYalelo weNkundla.

Umgcini-zincwadi zerejista

.....

UmMangali / IGqwetha lomMangali.

Idilesi: .....

.....

**Nom. 32 – IGunya lesiGwebo ngokumalunga nomHlaba kunye nezaKhiwo**

**\*Elisetyenziswayo kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi .....

apho bekuxoxwa e ..... iTyala elinguNombolo..... lonyaka ka-20.....

Kumbandela ophakathi

.....kokuGxotha koTyalwayo

kunye

.....noneTyala oKhutshwayo

Kuyo iNkulu yamapolisa kwisithili

Kufuneka kuqokelelwe izixamali (ezihamba neendleko zokukhutshwa)

Ekubeni kwesi isenzo oko kuthethwa ngako kwe .....ngowama- umhla wenyanga engu----- kunyaka ka-20..... wafumana isigwebo kule nkundla ikhankanyiweyo ngasentla ngokuchaseneyo naleyo kuthethwa ngayo ye- ..... kwezo zixamali zibekiweyo, zizonke ziyafikelela kwisixamali esingama-R....., imali eyinxalenye yoko engama-R..... seyihlawulwe ukususela ngoko;

Lilonke oku kukugunyazisa ukuba wena ngoku uhleli kweso sakhiwo salowo kuthethwa ngaye qokelela isixamali esifikelelayo kuma-R ..... uze uqokelele nemali eziindleko zoku kukhutshwa, mhlawule lowokuthethwa ngaye .....

Esi sixamali sixelwayo singama-R..... uze ubuyisele kule nkundla oko ukwenzileyo ngendlela elungileyo.

R c

ITyala leNtlawulo .....

liindleko zeTyala leNtlawulo .....

lindleko zokukhutshwa kwegunya .....

lindleko zesibheni .....

#### ISIXAMALI SINGEKAPHELELI

Imalana ehlawulweyo ukususela ngomhla wesigwebo .....

ISIXAMALI ESIFUNEKAYO .....

Kuqhutyiwe e....., ngalo mhla wama-.....wenyanga  
engu.....kunyaka ka-20....

NgokomYalelo weNkundla.

.....

UMabhalana weNkundla.

.....

IGqwetha loTyalwayo oWinileyo

Idilesi: .....

.....

**QAPHELA:** (1) Ukuba lowo unesigwebo sokuba netyala uzihlawule ezi zixamali zixliweyo ngexesha elifanelekileyo kunye neendleko zikanothimba ezingama-R..... ngexesha elisisiqingatha seyure yokungena kukanothimba, akuzokubakho mfuneko yokuba ahlawule neziphi na iindleko zoko kuthinjwa. Ubungakanani bayo neyiphi na intlawulo ekhutshiweyo ngonetyala kuba egwetyiwe, kanti nalo mhla wokuhlawula uza kusayinelwa kwikopi engumbhalo-ngqangi, ogwetyelwe ukuba netyala kunye nolo suku bakuqiniselwa kwikopi engumbhalo-ngqangi, uqiniselelo olo lwakusayinelwa ngunothimba kanti uza kusayina nogwetyelwe ukuba netyala okanye ummeli walowo ugwetyelwe ityala.

(2) Esi sigwebo singahlawulelwa phambi kwentengiso, oko kuxhomekeke kwintlawulo yemali kanothimba nakwintlawulo yesigwebo ekusenokufuneka ukuba apho kuyo makutsalwe irhafu..

(3) Impahla ekukuphela kwayo engashenxiswayo naleyo linokujoliswa kuyo eli gunya yileyo .....(imeko yayo kunye nembonakalo yayo ithe yadandalaziswa ngokwaneleyo ukuze ikwazi ukuchongeka).

(4) Xa igunya liphinde lakhutshwa ngokweengongoma, umhla wokulikhupha kwakhona, nokuphi na ukongezelelwa okanye ukuthotywa kwezixamali eziqokelelwayo ezithe zaboniswa, konke oko kwakudandalaziswa kuxwebhu oluqiniselweyo lwaza kwasayinwa ngumntu otyalwayo ogxothayo okanye ligqwetha lakhe nangumabhalana wenkundla.

(5) Nakweyiphi na inguqulelo ethe yenziwa apha, umabhalana wenkundla kuyo uza kubhala kuyo oonobumba bakhe bokuqala bamagama ache phambi kokukhutshwa kwesigunyaziso okanye ke siphinde sikhutshwe kwangumabhalana lowo.

**Nom. 32 – IGunya lesiGwebo ngokumalunga nomHlaba kunye nezaKhiwo****\*Elisetyenziswayo kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi .....

apho bekuxoxwa e ..... iTyala elinguNombolo.....

lonyaka ka-20.....

Kumbandela ophakathi

.....kokuGxotha koTyalwayo

kunye

.....nokuKhutshwa koneTyala

Kuyo iNkulu yamapolisa kwisithili.Kufuneka kuqokelelwe izixamali (ezihamba neendleko zokukhutshwa)Ekubeni kwesi isenzo oko kuthethwa ngako kwe .....ngowama- umhla wenyanga engu----- kunyaka ka-20..... wafumana isigwebo kule nkundla ikhankanyiweyo ngasentla ngokuchaseneyo naleyo kuthethwa ngayo ye- ..... kwezo zixamali zibekiweyo, zizonke ziyafikelela kwisixamali esingama-R....., imali eyinxalenye yoko engama-R..... seyihlawulwe ukususela ngoko;Lilonke oku kukugunyazisa ukuba wena ngoku uhleli kweso sakhiwo salowo kuthethwa ngaye qokelela isixamali esifikelelayo kuma-R ..... uze uqokelele nemali eziindleko zoku kukhutshwa, mhlawule lowokuthethwa ngaye .....Esi sixamali sixelwayo singama-R..... uze ubuyisele kule nkundla oko ukwenzileyo ngendlela elungileyo.

..... R c

ITyala leNtlawulo .....liNdleko zeTyala lesiGwebo .....lindleko zokukhutshwa kwegunya .....lindleko zesibheni .....ISIXAMALI SINGEKAPHELELI .....Imalana ehlawulweyo ukususela ngomhla wesigwebo .....ISIXAMALI ESIFUNEKAYO .....Kuqhutywe e....., ngalo mhla wama-.....wenyanga engu.....kunyaka ka-20....NgokomYalelo weNkundla.

.....

UMabhalana weNkundla.

.....

IGqwetha loTyalwayo okwaGxothayo .....

Idilesi: .....

QAPHELA: (1) Ukuba lowo unesigwebo sokuba netyala uzihlawule ezi zixamali zixiliweyo ngexesha elifanelekileyo kunye neendleko zikanothimba ezingama-R..... ngexesha elisisiqingatha seyure yokungena kukanothimba, akuzokubakho mfuneko yokuba ahlawule neziphi na iindleko zoko kuthinjwa. Ubungakanani bayo neyphi na intlawulo ekhutshiweyo ngonetyala kuba egwetyiwe, kanti nalo mhla wokuhlawula uza kusayinelwa kwikopi engumbhalo-ngqangi, ogwetyelwe ukuba netyala kunye nolo suku bakuqiniselwa kwikopi engumbhalo-ngqangi, uqiniselelo olo lwakusayinelwa ngunothimba kanti uza kusayina nogwetyelwe ukuba netyala okanye ummeli walowo ugwetyelwe ityala.

(2) Esi sigwebo singahlawulelwa phambi kwentengiso, oko kuxhomekeke kwintlawulo yemali kanothimba nakwintlawulo yesigwebo ekusenokufuneka ukuba apho kuyo makutsalwe irhafu..

(3) Impahla ekukuphela kwayo engashenxiswayo naleyo linokujoliswa kuyo eli gunya yileyo .....(imeko yayo kunye nembonakalo yayo ithe yadandalaziswa ngokwaneleyo ukuze ikwazi ukuchongeka).

(4) Xa igunya liphinde lakhutshwa ngokweengongoma, umhla wokulikhupha kwakhona, nokuphi na ukongezelelwa okanye ukuthotywa kwezixamali eziqokelelwayo ezithe zaboniswa, konke oko kwakudandalaziswa kuxwebhu oluqiniselweyo lwaza lwasayinwa ngumntu otyalwayo ogxothayo okanye ligqwetha lakhe nangumbhalisi.

(5) Noluphi na utshintsho olwenziweyo apha umbhalisi uza kufaka kulo oonobumba bokuqala bamagama akhe phambi kokukhuttshwa kwesigunyaziso okanye ke phambi kweso siphinde sakhutshwa nguye.

### **Nom. 33 – IsaZiso sokuNamatheliswa kwesiGwebo**

#### **\*Siyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi .....

apho bekuxoxwa e ..... iTyala elinguNombolo .....

lonyaka ka-20.....

Kumbandela ophakathi

.....KoTyalwayo oWinileyo ...

nalowo

.....uneTyala

leNtlawulo.....

Kuye: .....

oneTyala leNtlawulo .

Qaphela isaziso sokuba ngayo le mini phantsi konamatheliso lwenkundla ndiye ndafaka umhlaba obandakanywayo kolu luhlu lwempahla lungasentla ngokungqinelanayo negunya elijoliswe kum phantsi kwesandla somabhalana wenkundla yesithili esiyi ....., kulapho kufuneka ndibe ngunobangela wokuqokelelwa kwezakhiwo kwesi sithili okanye kule ngingqi isixamali esingama-

R..... kunye nama-R..... eendleko ezijoliswe kuwe sisigwebo sale nkundla ngaso esi senzo kunye nentlawulo endiyifunela esi sigwebo kuthethwa ngaso.

Kungawo lo mhla e..... .ngenyanga engu..... yonyaka ka-20.....

.....

YiNkulu yamapolisa kwisithili

**Nom. 34 – IsaZiso esiya koTyalwayo oKhethiweyo**

**\*Siyasetyenziswa kwiNkundla yesiThili**

[ ICandelo 66(2)(a) lomThetho 32 ka-1944]

KwiNkundla kaMantyi yesiThili esiyi .....

Bekuxoxelwa e ..... iTyala elinguNombolo .

lonyaka ka-20.....

Kumbandela ophakathi

..... koTyalwayo oWinileyo .....

naye

.....oneTyala leNtlawulo.....

.....

Kuye: ..... ( 9  
(OTyalwayo noKhethiweyo)

Ekubeni le mpahla ikhankanyiweyo ingezantsi ingashenxiswayo yafakwa phantsi konamatheliso lwenkundla yiNkulu yamapolisa kwisithili ngowama---umhla wenyanga engu-----kunyaka ka-20..... uyaziswa ngokoke ukuba iya kuthengiswa xa ikhutshwayo **[phambi kwendlu yeNkundla]** kuyo (indawo) ngowama-----umhla kwinyanga engu.....yonyaka ka-20..... ngalo (ixesha) eliyintsimbi yesi-----.

Inkcazelo emfutshane ngale mpahla nokuba ikwimeko enjani na:

.....

.....

e .....ngomhla wama---.....kwinyanga engu---..... yonyaka ka- 20.....

.....

OTyalwayo oWinileyo / iGqwetha loTyalwayo oWinileyo

Idilesi: .....

**Nom. 34 – IsaZiso soTyalwayo oKhethiweyo**

**\*Siyasetyenziswa kwiNkundla yeNqila**

[ ICandelo 66(2)(a) lomThetho 32 ka-1944]

KwiNkundla yeNqila kusenzelwa iCandelo leNqila .....

Bekuxoxelwa e .....

INombolo yTyala . .....lonyaka ka-20.....

Kumbandela ophakathi

.....koTyalwayo  
oWinileyo.....

naye

.....oneTyala lokuGwetywa.....

Kuye:

.....  
... oTyalwayo oWinileyo

naye

.....oneTyala leNtlawulo .....

Kuye: .....  
(OTyalwayo oKhethiweyo)

Ekubeni le mpahla ingashenxiswayo ikhankanyiweyo apha ngasezantsi yafakwa phantsi konamatheliso lwenkundla nguNothimba ngomhla wama- .....kwinyanga engu- .....kunyaka ka-20..... , uyaziswa ngokoke ukuba iya kuthengiswa ngokwesiqwebo e--..... (indawo) ngowama--- ..umhla kwinyanga engu- .....yonyaka ka-20..... ngentsimbi yesi----..... (ixesha)

Inkcazelo emfutshane ngale mpahla nokuba ikwimeko enjani na:

.....  
.Ngawo lo mhla wama---.kwinyanga engu-----yonyaka ka-20-----  
.....

OTyalwayo oWinileyo / neGqwetha loTyalwayo wesiGwebo

Idilesi: .....

**Nom. 35 – liSamani zomthetheleli wenkundla**

**[ICandelo 69(1) lomThetho 32 ka-1944]**

**\*Ziyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi---

.....

bekuxoxwa .....e .....iTyala elinguNombolo .....lonyaka ka-20.....

Kumbandela ophakathi

.....koTyalwayo oWinileyo .....

naye

.....oneTyala lokuGwetywa.....

Kuye:

.....(oTyalwayo wesiGwebo)

.....

naye: ..... (umMangali)

Ubizelwa ukuba uvele phambi kwale nkundla ngomhla wama---- wenyanga engu-----kunyaka ka-20, ngentsimbi engu----- (ixesha), ukuze kwenziwe isigqibo kucaciswe ukuba impahla eshenxiswayo, eyi-----, edityanisiweyo ngomhla wama-----wenyanga engu-----kunyaka ka-20..... ngunothimba ngenxa yegunya lokwaba elikhundlwe yinkundla ngomhla wama-----wenyanga engu-----kunyaka ka-20, ngendlela othe wena, ..... otyalwayo omele ukwabelwa [.....], yena ugwetyelwe ukuba azuze imali eyi-R..... kuphikiswana ..... yakhe ..... (onetyala lesigwebo) mpahla leyo ixelwayo wena oyibangayo, ..... ungobangayo ekuthethwa ngaye [.....], othi impahla leyo yeyakhe, iyeyakho okanye asiyoyakho okanye ubonakala unebango elilelakho, ..... obangaye ekuthethwa ngaye, [..... **(obangayo)**] kwinzuzo yale mpahla, iyi----- inamathiselweyo ngomhla wama---- wenyanga engu-----kunyaka ka-20.....

ngunothimba ngenxa yegunya lokwaba elikhutshiweyo yile nkundla ngomhla wama---- wenyanga engu-----kunyaka ka-20, kwisenzo apho otyalwayo owinileyo efumene ukugwetyelwa ngemali eyi-R.....kuphikiswana .....

naye ..... (onetyala lokuhlawula) nalapho impahla ithengiselwe ukuhlawula ngawo umhla wama-----wenyanga engu-----kunyaka ka-20.....ngokwesigwebo..

Kubhaliwe ngomhla wama-----wenyanga engu-----kunyaka ka-20.....

UMabhalana weNkundla.

### **Nom. 35 – liSamani zokuzithethelela**

#### **[iCandelo 69(1) lomThetho 32 ka-1944]**

#### **\*Ziyasetyenziswa KwiNkundla yeNqila**

KwiNkundla yeNqila kusenzelwa iCandelo leNqila eyi.....

Bekuxoxelwa e .....

iTyala elinguNombolo .....lonyaka ka-20.....

Kwimbambano ephakathi

.....koTyalwayo oWinileyo

naye

.....oneTyala lokuGwetywa

Kuye: .....oTyalwayo oWinileyo.....

naye: ..... (umBangi.) .....

Wena ngokoke uyayalelwa ukuba uvele phambi kwale nkundla ngomhla wama----- wenyanga engu-----kunyaka ka-20.....ngentsimbi ye----- (ixesha), kwenziwe isigqibo ukuze kucaciswe ukuba impahla eshenxiswayo eyi ....., nenamathiselweyo ngomhla wama-----wenyanga engu-----kunyaka ka-20..... ngunpothimba ngenxa yesiqinisekiso sesigwebo esikhutshiweyo yile nkundla ngomhla wama-----wenyanga engu-----kunyaka ka-20...., kwisenzo apho, .....ekuthethwa ngaye otyalwayo

nowinileyo., ufumene ukugwetyelwa ngemali eyi-R..... kuphikiswana  
..... naye ..... (onetyala lokuhlawula) kwaye  
nempahla ekuthethwa ngayo iyabangwa nguwe, ..... umbangi ekuthethwa  
ngaye, ngempahla eyeyakho, okanye asiyoyakho okanye kubonakala elo ilibango  
elifunwayo kuwe, ..... umbangi ekuthethwa ngaye, wenzuzo yempahla eyi .....  
enamathiselweyo ngawo umhla wama-----wenyanga engu-----kunyaka ka-20.....

Ngunothimba ngenxa yesiqinisekiso sesigwebo esikhutshwe ngaphandle kwale nkundla  
ngomhla wama-----wenyanga engu-----kunyaka ka-20....., kwisenzo apho otryalwayo  
nowinileyo afumene ukugwetyelwa ngemali eyi-R..... kuphikiswa  
yena..... (onetyala lokugwetywa) mpahla leyo ithengisiweyo ngomhla  
wama-----wenyanga engu-----kunyaka ka-20.....ngokwesigwebo.

Kubhaliwe ngalo mhla wama-----wenyanga engu-----kunyaka ka-20.....

.....

Umgcimi-zincwadi zerejista .....

### **Nom. 36 – liSamani zokuzithethelela**

**[ICandelo 69(2) lomThetho onguNombolo 32 ka-1944]**

#### **\*Ziyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi kusenzelwa isiThili esiyi.....  
.....

Bekuxoxwa e-- .....iTyala elinguNombolo lonyaka ka-20.....

Kuyo eyeNkundla iNkulu yamapolisa kwisithili

Ekubeni ..... yena .....uzithethelela kule nkundla ngawo  
umbandela .....(mayixelwe imbambano) wento eye yabangwa  
ngokungalinganga ...ngabo ----.....abase.....kwixesha elizayo babizwa njengababangi;

Thumela iisamani kwabo babizwa njengababangi zokuba mabavele phambi  
kwale nkundla ikhankanyiweyo ngasentla ngomhla wama-----wenyanga engu-----  
kunyaka ka-20... ngentsimbi ye---- (ixesha), kananjalo emva koko bayabuxela  
ngamandla ubunjani neenkucacha zamabango abo aliqela nokuba baza kuwagcina  
enjalo na okanye baza kuwancama ngokufanayo.

Kubhaliwe ngomhla wama-----wenyanga engu-----kunyaka ka-20.....

.....

UMabhalana weNkundla

### **Nom. 36 – liSamani zokuzithethelela**

**[ICandelo 69(2) lomThetho onguNombolo 32 ka-1944]**

#### **\*Ziyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi kusenzelwa isiThili esiyi.....  
.....

Bekuxoxwa e-- .....iTyala elinguNombolo lonyaka ka-20.....

Kuyo eyeNkundla iNkulu yamapolisa kwisithili



Ekubeni ..... yena .....uzithethelela kule nkundla ngawo umbandela .....(mayixelwe imbambano) wento eye yabangwa ngokungalinganga ...ngabo ----..... abase-- .....kwixesha elizayo babizwa njengababangi;

Thumela iisamani kwabo babizwa njengababangi zokuba mabavele phambi kwale nkundla ikhankanyiweyo ngasentla ngomhla wama-----wenyanga engu-----kunyaka ka-20... ngentsimbi ye---- (ixesha), kananjalo emva koko bayabuxela ngamandla ubunjani neenkukacha zamabango abo aliqela nokuba baza kuwagcina enjalo na okanye baza kuwancama ngokufanayo.

Kubhaliwe ngomhla wama-----wenyanga engu-----kunyaka ka-20.....

Umgcini-zincwadi zerejista

### **Nom. 37 – UKhuseleko phantsi komQathango 38**

#### **\*Luyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi kusenzelwa isiThili esiyi.....

Bekuxoxwa e-- .....iTyala elinguNombolo

lonyaka ka-20.....

Kwimbambano ephakathi

.....koTyalwayo oWinileyo

kunye

.....noneTyala lesiGwebo.....

Ekubeni lo kuthethwa ngaye utyalwayo nowinileyo efumene ukugwetyelwa kule nkundla kuphikiswa lowo unetyala lesigwebo ngomhla wama-----wenyanga engu-----kunyaka ka-20..... ngemali eyi-R..... kunye nemali eyi-R..... yeendleko;

Kwaye nangona phantsi kwesixeliweyo isigwebo sobuchule esikhutshiweyo, kwaye impahla / ityala / imivuzo, konke kuye kwanamathiselwa;

Ngoku lilonke ekuthethwa ngaye otyalwayo owinileyo uyazibophelela kwinkulu yamapolisa kwisithili sale nkundla ikhankanyiweyo ngokuba xa isinamatheliso singabekelwa bucala emva koko, yena uza kulanelisa neliphi na ibango elisemthethweni eliphikisana naye lalowo kuthiwa ungonetyala lokuhlawulela umonakalo ofunyenweyo ngulowo unetyala lokuhlawula ngenxa yonamatheliso ekuthethwa ngalo.;

Kwaye ..... wase ..... uyazibophelela njengommeli osebenzisana nomenzi wetyala lemali engagqithanga kwi-R.....kuzalisekiswa okufunwayo ngulowo utyalwayo uwinileyo wesinyanzeliso esithathiweyo nguye.

Kusayiniwe kwaza kwabhalwa umhla wama-----wenyanga engu-----kunyaka ka-20.....

.....

OTyalwayo oWinileyo

Amangqina:

1. ....

Ukusayina nedilesi

.....

.....

Ummeli osebenzisana nomntu onetyala

2. ....

Ukusayina nedilesi

.....

**QAPHELA:** Apho ukhuseleko lusenzelwa ukuphinda kuhlawulwe izixamali ezinamathiselweyo ngumyalelo weganishi, kufuneka kusetyenziswa uxwebhu olufanayo nolu, amagama athi 'phinda usihlawule sonke isixamali esikhutshwe ngulowo uyalelwe ngeganishi' endaweni yamagama lawo kuye kwabhalwa 'lanelisiwe neliphi na ibango lasemthethweni elimphikisayo livela konetyala lokuhlawulela umonakalo ofunyenweyo ngonetyala lokuhlawula ngenxa yesinamatheliso esixeliweyo'.

### **Nom. 37 – UKhuseleko phantsi komQathango 38**

#### **\*Luyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi kusenzelwa isiThili esiyi.....

.....

Bekuxoxwa e-- ..... iTyala elinguNombolo

lonyaka ka-20.....

Kwimbambano ephakathi

.....koTyalwayo oWinileyo

kunye

.....noneTyala lesiGwebo.....

Ekubeni lo kuthethwa ngaye utyalwayo nowinileyo efumene ukugwetyelwa kule nkundla kuphikiswa lowo unetyala lesigwebo ngomhla wama----wenyanga engu-----kunyaka ka-20..... ngemali eyi-R..... kunye nemali eyi-R..... yeendleko;

Kwaye nangona phantsi kwesixeliweyo isigwebo sobuchule esikhutshiweyo, kwaye impahla / ityala / imivuzo, konke kuye kwanamathiselwa;

Ngoku lilonke ekuthethwa ngaye otyalwayo owinileyo uyazibophelela kwinkulu yamapolisa kwisithili sale nkundla ikhankanyiweyo ngokuba xa isinamatheliso singabekelwa bucala emva koko, yena uza kulanelisa neliphi na ibango elisemthethweni eliphikisana naye lalowo kuthiwa ungonetyala lokuhlawulela umonakalo ofunyenweyo ngulowo unetyala lokuhlawula ngenxa yonamatheliso ekuthethwa ngalo.;

Kwaye ..... wase ..... uyazibophelela njengommeli osebenzisana nomenzi wetyala lemali engagqithanga kwi-R.....kuzalisekiswa okufunwayo ngulowo utyalwayo uwinileyo wesinyanzeliso esithathiweyo nguye.

Kusayiniwe kwaza kwabhalwa umhla wama----wenyanga engu-----kunyaka ka-20.....

OTyalwayo oWinileyo

Amangqina: \_\_\_\_\_

1. \_\_\_\_\_

Ukusayina nedilesi

\_\_\_\_\_

Ummeli osebenzisana nomntu onetyala

2. \_\_\_\_\_

Ukusayina nedilesi.....

QAPHELA: Apho ukhuseleko lusenzelwa ukuphinda kuhlawulwe izixamali ezinamathiselweyo ngumyalelo weganishi, kufuneka kusetyenziswa uxwebhu olufanayo nolu, amagama athi 'phinda usihlawule sonke isixamali esikhutshwe ngulowo uyalelwe ngeganishi' endaweni yamagama lawo kuye kwabhalwa 'lanelisiwe neliphi na ibango lasemthethweni elimphikisayo livela konetyala lokuhlawulela umonakalo ofunyenweyo ngonetyala lokuhlawula ngenxa yesinamatheliso esixeliweyo'.

**Nom. 38 – UmYalelo woNamatheliso lwemiVuzo – Icandelo 65J lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Usetyenziswa kuphela kwiNkundla yesiThili**

ISAZISO ESIBALULEKILEYO:

INYAMEKO YAKHO IJOLISWA kwicandelo 65J(3) lomThetho ka-1944 weNkundla kaMantyi (funda necandelo 3(1) lomThetho ka-1986 weNkulu yamapolisa kwisithili), obonelela ngokuthi kuphela yinkulu yamapolisa kwisithili enokunika lo myalelo kulowo uneganishi ngale ndlela imiselweyo ngumqathango 9 wemiQathango yeNkundla kaMantyi. Ukunikezelwa kwalo myalelo ngumntu ongeyiyo inkulu yamapolisa kwisithili etyunjwe ngokubhekiselele kwicandelo 2 lomThetho ka-1986 weNkulu yamapolisa kwisithili, kwenza ityala lolwaphulo-mthetho ngokubhekiselele kwicandelo 60(1)(gA) omThetho ka-1986 weNkulu yamapolisa kwisithili, ukuze nolo nikezelo lungabilulo olokwenene luphinde lungabi nakusebenza. Umntu onetyala ngokwasemthethweni ngokubhekiselele kwicandelo 60(1)(gA) lomThetho ka-1986 weNkulu yamapolisa kwisithili, uza kufanelwa sisohlwayo esiyintlawulo okanye kukufakwa etrongweni ixesha elingagqithanga eminyakeni emithathu okanye angahlawuliswa aphinde avalelwe etrongweni.

KWAKHONA INYAMEKO YAKHO IJOLISWA kwicandelo 65J(6) loka-1944 umThetho kaMantyi obonelela ngolu hlobo:

Ukuba, emva komyalelo wonamatheliso lwemivuzo leyo kulowo uneganishi, kubonakaliswa ukuba lowo unetyala lokuhlawula, emva kokwanelisa komyalelo wonamatheliso lwemivuzo, oko akuzokuba kwanele kuye nakwinkxaso yabo baxhomekeke kuye, inkundla iza kuwurhoxisa umyalelo wonamatheliso lwemivuzo okanye ingawulungisa ngendlela eya kuchaphazela kuphela umnconco wemivuzo yalowo unetyala lokuhlawula ngokungaphezulu kwezo ndlela zanelisayo."

KwiNkundla kaMantyi yesiThili esiyi .....

Bekuxoxelwa e-----iTyala elinguNombolo kunyaka ka-20.....

Kwimbambano ephakathi

.....koTyalwayo oPhumeleleyo

kunye

.....noneTyala lokuHlawula

linkcukacha zokuchongwa konetyala lokuhlawula kuqukwa nesazisi sakhe okanye inombolo yomsebenzi okanye umhla awazalwa ngawo nedilesi yakhe.

.....  
Ganishi.

.....Idilesi

yomntu

oneganishi.....

Ekubeni bekwenziwe ukuba makuvele kule nkundla ikhankanyiweyo ngasentla ukuba imivuzo ngalo eli xesha okanye kwixa elizayo okanye leyo yongezelelekayo nefunwayo konetyala lokuhlawula ngokomyalelo oye koneganishi, kwaye emva kokwaneliseka kwalo myalelo ulandelayo, kwakushiywa imali eyaneleyo konetyala lentlawulo ukuze akwazi ukuziphilela okanye axhase nabo baxhomekeke kuye;

Kuyayalelwa :

(1) ukuba imivuzo ekuthethwa ngayo inamathiselwe;

(2) ukuba lowo uneganishi makahlawule lo mntu amtyalayo uwinileyo okanye igqwetha lakhe ngomhla wama-----kwinyanga / kwiveki nganye emva kokuba lo myalelo uvumela imali eyi- R..... yemivuzo yalowo unetyala lokuhlawula kuthethwa ngaye kude kube kuhlawulwe isixamali esaneleyo sokwanelisa isigwebo okanye umyalelo ofunyenweyo kuphikiswa lowo unetyala amakalihlawule kulowo amtyalayo uwinileyo kuyo ..... iNkundla e-----ngomhla wama-----imali eyi-R ..... (apho isigwebo okanye umyalelo usithi imali eyi-R ..... ayikahlawulwa) kudibene neendleko

Ezifikelelayo kwi-R ..... kunye neendleko zonamatheliso ezifikelelayo kwi-R ..... kwakunye nemali eyi-R ..... eyintlawulo yenkulu yamapolisa kwisithili. .

Kubhaliwe ngalo mhla wama-----wenyanga engu-----kunyaka ka-20.....

Ngokomyalelo weNkundla,

.....

UMabhalana weNkundla.

.....

OneTyala lokuHlawula / oTyalwayo oWinileyo / iGqwetha loTyalwayo oWinileyo

Idilesi yoTyalwayo oWinileyo / yeGqwetha loTyalwayo oWinileyo.

.....

Inyameko isiwa kumagatya ecandelo 65J (10) omThetho ka-1944 weNkundla kaMantyi ofundeka ngale ndlela:

“Nowuphi na oneganishi anganakho, ngokumalunga neenkonzazo azinikezelelo ngokubhekiselele kumyalelo wonamatheliso lwemivuzo, ukufumana kwakhona obekulahlekile kotyalwayo ophumeleleyo ikomishini efikelelayo kwiipesenti ezi-5 yezixamali zonke ezitsaliweyo nguye okanye yena afumane kwimivuzo yonetyala lokuhlawula ngokutsala ikomishini leyo kwisixamali esifunyanwa ngotyalywayo ophumeleleyo.”

**Nom. 39 – UmYalelo weGanishi – ICandelo 72 lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Usetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi-----  
 .....bekuxoxelwa e ..... iTyala elinguNombolo lonyaka ka-20.....

Kwimbambano ephakathi

..... koTyalwayo oPhumeleleyo

kunye

.....noneTyala lokuHlawula

.....linkcukacha zokuchongwa kwalowo unetyala lokuHlawula kuqukwa nesakhe / isazisi okanye inombolo yomsebenzi okanye umhla awazalwa ngawo kunye nedilesi..... yoneGanishi.

.....Idilesi yoneGanishi.

Ekubeni bekwenzelwe ukuba kuvele kule Nkundla ikhankanyiweyo ngasentla ukuba ngalo eli xesha okanye kwixesha elizayo onoxanduva lokuba netyala lokuHlawula okanye okongezelelekayo konetyala lokuHlawula okanye kuvela kulowo uneganishi;

Kuyayalelwa -

(1) ukuba ityala ekuthethwa ngalo malinamathiselwe;

(2) lowo uneganishi makahlawule kotalwayo ophumeleleyo okanye kwigqwetha lotyalwayo ophumeleleyo inxalenye eyimali ethile yetyala elo nenokuba yeyaneleyoi nenokusanelisa isigwebo okanye umyalelo ofumaneka uphikisa lowo unetyala lokuHlawula, ngokubona kotalwayo ophumeleleyo kwiNkundla ye-----ese-----ngomhla wama----wenyanga engu-----kunyaka ka-20..... imali eyi-R..... (kwisigwebo okanye kuwo umyalelo isixamali esiyi-R..... kufuneka sihlawulwe kwaye asikahlawulwa), kanti iindleko zezimangalo zonamathiselo zifikelela kwi-R..... nakwi-R..... eyintlawulo kanothimba.

Ukuba onomyalelo weganishi uyasilela ekumhlawuleni lowo amtyalayo uphumeleleyo okanye igqwetha lakhe njengoko bekutshiwo ngaphambili, uya kuvela phambi kwale Nkundla ngomhla wama----wenyanga engu----kunyaka ka-20... ngentsimbi ye----... (ixesha) .....abonise isizathu sokuba kungani na lento angenakuhlawula imali ngokufanayo.

Kubhaliwe ngomhla wama-----wenyanga engu-----kunyaka ka-20.....

Ngokomyalelo weNkundla,

.....

UMabhalana weNkundla

.....

OTyalwayo oPhumeleleyo / iGqwetha loTyalwayo oPhumeleleyo

.....

.....

..... (Idilesi)

**Nom. 40 – Isaziso sokuvela enkundleni ngokubhekiselele kwicandelo 65A(1) lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Sisetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi-...bekuxoxelwa e .....iTyala elinguNombolo lonyaka ka-20.....

Kwimbambano ephakathi

..... koTyalwayo oPhumeleleyo

kunye

..... noneTyala lokuHlawula

Kuye: .....

.....(Ukuba lo unetyala lokuHlawula ungumntu ophicotha amatyala, makucaciswe ukuba lowo unetyala zithunyelwa kuye ubuqu iisamani okanye kulowo ummeleyo njengomphicothi wamatyala.)

Wena ngoko ke kufuneka uvela phambi kwale nkundla ikhankanyiweyo ngasentla ngomhla wama-----kwinyanga engu-----kunyaka ka-20 .....ngentsimbi ye----- (ixesha) ukuize inkundla ikwazi ukuphanda ngemeko yakho / ngemeko yezimali zomntu ophicotha amatyala ukuze kukhutshwe umyalelo onjalo xa inkundla ibona kufanelekile kukwalungile, njengoko wena / mphicothi wamatyala ungakhange wanelise -

(a) isigwebo sale nkundla kuthethwa ngayo ye----..... sijolisiwe kuphikiswana nawe / nomntuy ochophela amatyala ngomhla wama----- wenyanga engu----kunyaka ka-20 ..... ukwenzela intlawulo eyi-R ..... neyi-R ..... yeendleko; okanye

(b) umyalelo wale nkundla ixelieyo womhla wama-----ngenyanga engu----- kunyaka ka-20 ..... wokuba wena / umphicothi wamatyala uya kuHlawula ngezavenga imali eyi-R .....kunye neyi-R ..... yeendleko ngexesha eliziintsuku ezili-10 zalo mhla wokuwisa kwesigwebo okanye .....

Imali elityala elingekahlawulwa ngeli ixesha iyafikelela kwi-R ..... kunye nomncono oziindleko ezingekahlawulwa oyi-R .....

Kananjalo kufuneka ungenise ingxelo ephumeleleyo kule nkundla ixeliweyo -

(a) yeyakho / yeyomphicothi wamatyala impahla yexabiso esenokuthengiswa kunye neemfanelo;

(b) eyakho ingeniso yenyanga / yeveki kunye nenkcitho, oko makuxhaswe bubungqina obungamaxwebhu adityaniswe nengxelo evela kumqeshi wakho apho kubhalwe iinkcukacha ezipheleleyo zemivuzo yakho kunye, malunga nomphothichi wamatyala, ingayingxelo ebhaliweyo yakutshanje yezimali;

(c) noku kulandelayo:.....

Isaziso:

- (1) Ukuba inkundla yanelisekile kwicala lobungqina obaneleyo okanye ngenye indlela -

(a) ukuba unolwazi ngesaziso ekubhekiswa kuso kwicandelo 65A (1) osalo mThetho kwaye usilele akwavela phambi kwenkundla ngomhla nangexesha elibekiweyo kwisaziso; okanye

(b) ukuba wena, apho izimangalo bezibekelwe elinye ixesha nawe ukhona, kwabekwa usuku nexesha ngokwesigqibo senkundla, uye wasilela akwavela phambi kwenkundla ngalo mhla nangelo xesha; okanye

(c) ukuba usilele akwabikho ngexesha lezimangalo okanye kwezo zimangalo zibekelwe elinye ixesha,

Inkundla inganakho, ngokwesicelo sotyalwayo ophumeleleyo okanye esegqwetha lakhe, gunyazisa ngokukhutshwa kwesiqinisekiso esiyalela unothimba ukuba makakubambe akuzise phambi kwenkundla enobuchule ukuze inkundla leyo iphande ngemeko yezimali. [ICandelo 65A (6) lalo mThetho ]

(2) Nowuphi na umntu othe -

(a) wabizelwa ukuvela phambi kwenkundla phantsi kwesaziso ngokubhekiselele kwicandelo 65A (1) okanye (8)(b) lalo mThetho (apho unothimba, endaweni yokubamba umntu, anikezela ngesandla isaziso esibhaliweyo kuloo mntu kusithiwa makavele phambi kwenkundla) nothe wasilela ngabom akavela phambi kwenkundla ngalaa mhla nangexeshaelibekiweyo kwisaziso;

(b) apho izimangalo zibekelwe elinye ixesha naye ekhona, kwabekwa usuku nexesha ngokwezigqibo zenkundla, esenzangabom asuke asilele angaveli phambi kwenkundla ngaloo mhla nangelo xesha; okanye

(c) uyasilela ngabom angabikho ngexesha lezimangalo okanye lezo zimangalo zibekelwe elinye ixesha,

Lowo unetyala ngokwasemthethweni kwaye angabanjwa alindiswe nakwesiphi na isikhululo samapolisa xa athe wavela phambi kwenkundla. [ICandelo 65A (8)(a) lalo mThetho],

Kwaye ufanele ukugwetyelwa isohlayo sentlawulo okanye esokufakwa etrongweni ixesha elingagqithanga kwiinyanga ezintathu.. [ICandelo 65A (9) lalo mThetho].

Kubhaliwe ngomhla wama.....wenyanga engu.....kunyaka ka-20.....

OTyalwayo oPhumeleleyo / iGqwetha loTyalwayo oPhumeleleyo

Idilesi: .....

.....

UMabhalana weNkundla

**Nom. 40A – Isiqinisekiso sokuBamba ngokubhekiselele kwicandelo 65A(6) lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Sisetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili  
 esiyi.....  
 bekuxoxelwa e .....iTyala elinguNombolo lonyaka ka-20.....

Kwimbambano ephakathi

.....koTyalwayo oPhumeleleyo

kunye

.....noneTyala lokuHlawula

Isiqinisekiso sokuBamba

Siya kuye uNothimba

Wena ngokoke unikwa umyalelo wokubamba .....  
 (lo ukhankanyiweyo ngasentla unetyala lokuHlawula / umlawuli okanye igosa lalo ukhankanyiweyo ngasentla unetyala) nothe -

(a) wasilela akavela phambi kwenkundla e----- (indawo) (ngomhla) wama---  
 --ngenyanga engu-----kunyaka ka-20 ..... ukuze kuthotyelwe isaziso ngokubhekiselele  
 kwicandelo 65A (1) lalo mThetho \*;

(b) ekusileleni, emva kokuzibekela elinye ixesha izimangalo, naye ekhona  
 enkundleni e .....ngomhla wama..... ngenyanga engu-- .....ngonyaka ka-20  
 .....ngentsimbi ye---..... (ixesha), makavele ngawo lo mhla wokugqibela kwangelaa  
 xesha linye \*;

(c) wasilela, akabikho enkundleni ngexesha lezimangalo e----ngomhla  
 wama----ngenyanga engu----.....ngonyaka ka-20 ..... / izimangalo zenkundla  
 zibekelwe elinye ixesha enkundleni yamatyala e-----ngomhla wama----ngenyanga  
 engu----ngonyaka

ka-20 .....\*;

kananjalo yiza naye msinyane kangangoko kunokwenzeka phambi kwenkundla elapha  
 kwisithili esi ebebanjwe ekuso. Ukuba akukwazi kufika naye phambi kwale nkundla  
 ixeliweyo, yena unetyala kwaye angabanjwa alindiswe nakwesiphi na isikhululo  
 samapolisa xa athe wavela phambi kwenkundla. [ICandelo 65A (8)(a) lalo mThetho]

Kubhaliwe ngomhla wama.....wenyanga  
 engu.....kunyaka ka-20.....

OTyalwayo oPhumeleleyo / iGqwetha loTyalwayo oPhumeleleyo

Idilesi: .....

.....

.....

Inombolo yefowuni: .....



Inombolo ..... yeFeksi:.....

UMabhalana weNkundla

Inombolo yefowuni: .....

Inombolo yeFeksi: .....

\* Cima izinto ezingasebenziyo.

**Nom. 40B – IsaZiso sokuVela eNkundleni ngokubhekiselele kwicandelo 65A(8)(b) lomThetho ka-1944 weNkundla kaMantyi (umThetgho onguNombolo 32 ka-1944)**

**\*Sisebenza kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi-----  
 .....bekuxoxelwa e .....iTyala elinguNombolo lonyaka ka-20.....

Kwimbambano ephakathi

.....koTyalwayo oPhumeleleyo

kunye

.....noneTyala lokuHlawula

Kuye: ..... (Igama)

..... (Idilesi yalaph ahlala khona)

..... (Imeko yomSebenzi awenzayo)

Wena ngokoke kufuneka uvele phambi kwenkundla e ..... (indawo) ngowama-----  
 (umhla) ngentsimbi ye--- .....(ixesha) ukuze inkundla ikwazi ukuphandisisa ngeyakho /  
 ngemeko yezimali zomntu wasemthethweni ngokubhekiselele kwicandelo 65D  
 lomThetho.

Isaziso:

Ukuba unokungaphumeleli ukucela kunjalo usenza ngabom phambi kwale  
 nkundla ixeliweyo ngalo mhla ubekiweyo nangeli xesha limisiweyo, okanye usilele uze  
 ungabikho ngexesha lezi zimangalo zibekiweyo, uzakube unetyala  
 ngokwasemthethweni kwaye ufanele isigwebo ukuze wohlwaywe ngokuhlawuliswa  
 okanye uvalelwe etrongweni ixesha elingagqithanga kwiinyanga ezintathu. [Candelo  
 65A(9) lalo mThetho]

Kubhaliwe ngomhla wama-----wenyanga engu-----kunyaka ka-20.....

UNothimba we-----.....

ISATIFIKETHI

Mna.....onguNothimba / oliSekela likaNothimba  
 wase..... ngokoke ndiyaqinisekisa ukuba ndiwunikezele  
 umbhalo-ngqangi wesi saziso kuye u----- kwaye ndimcacisele  
 ngentsingiselo yesaziso.

.....  
UNothimba wase .....

Ikopi yombhalo-ngqangi iya kuye

UMBhalana weNkundla

.....

**Nom. 41 – IsaZiso sokuBekwa phantsi kweziMangalo eziBekelwe elinye ixesha phantsi kweCandelo 65E(3) lomThetho weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Sisetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi-----

.....

bekuxoxelwa e .....iTyala elinguNombolo lonyaka ka-20.....

Kumbandela ophakathi

.....koTyalwayo oPhumeleleyo

kunye

.....noneTyala lokuHlawula

Ngesandla / ngeleta eyirejista

Kuye: (1) .....

(noneTyala lokuHlawula)

.....

(2)

UMabhalana...weNkundla.....

.....

Qaphela ukuba izimangalo ezichasene nawe, okhankanywe ngasentla apha oneTyala lokuGwetywa, zibekelwe elinye ixesha elingumhla wama-----wenyanga engu---kunyaka ka-20....., ngokubhekiselele kwicandelo 65E(1) lomThetho ka-1944 weNkundla kaMantyi, ziphinde zabekwa kuludwe lwale Nkundla ikhankanyiweyo ngasentla. Lilonke, wena ngokoke, ngokubhekiselele kwicandelo 65E(3) lalo mThetho uxeliweyo, uyalelwe ukuba uvele phambi kwale Nkundla ikhankanyiweyo ngasentla ngomhla wama-----wenyanga engu-----kunyaka ka-20.....ngentsimbi ye----- (ixesha).

Isaziso: \_\_\_\_\_

(1) Ukuba inkundla yanelisekile kwicala lobungqina obuphathekayo okanye ngenye indlela - \_\_\_\_\_

(a) ukuba wena unolwazi lwesaziso ekubhekiswa kuso kwicandelo 65E (3) lomThetho kwaye uye wasilela akwafika phambi kwenkundla ngalo mhla nangeli xesha libekiweyo kwisaziso, okanye

(b) wena, apho izimangalo ziye zabekelwa elinye ixesha, ube ukhona, zibedkelwe umhla kwanexesha elimiselwe yinkundla, ukuze wena usilele ungabonakali phambi kwenkundla ngolo suku nangelo xesha; okanye

(c) ukuba usilele ude ungabikho ngexesha lezimangalo okanye kwezo zimangalo zimiselwe elinye ixesha,

Amagatya ecandelo 65A(6) omThetho aza kusebenza nokuba uyathanda, nokuba akuthandi, kwaye inkundla inganakho, kwisicelo sotyalwayo ophumeleleyo okanye segqwetha lakhe, ingagunyazisa ukuba kukhutshwe isiqinisekiso esiyalela unothimba ukuba makakubambe ukuze akuzise phambi kwenkundla enobuchule ukuze inkundla leyo iphandisise ngemo yakho yezimali.

Kubhaliwe ngomhla wama-----winyanga engu-----kunyaka ka-20 .....

.....

oTyalwayo oPhumeleleyo / iGqwetha loTyalwayo oPhumeleleyo

Idilesi yoTyalwayo oPhumeleleyo / eyeGqwetha loTyalwayo oPhumeleleyo

.....

#### **UNombolo 42 – IsaZiso ngokubhekiselele kumQathango 58(2)(a)**

##### **\*Sisebenza kuphela kwiNkundla yeNqila**

KWINKUNDLA YENQILA KUSENZELWA ICANDELO LENQILA ELIYI .....

BEKUXOXWA ITYALA ELINGUNOMBOLO:.....

Kumbandela ophakathi

.....komFaki-sicelo...

kunye

.....nomMangalelwa.....

Kulo mmangalelwa ukhankanyiweyo ngasentla:

QAPHELA ukuba xa ufuna ukulikhusela elibango, ngexesha leentsuku ezili-10 kufuneka ufake efayilini impendulo eya kumbhalisi wale nkundla, unikezele ngedilesi yenkonzo ekubhekiswa kuyo kumQathango 55(1)(g)(i) ukuze kubekho ikopi eya kumfaki-sicelo okanye kumntu wasemthethweni omele yena. Xa ungawuthobeli lo mpoposho ungasentla, ngokuzenzekelayo uya kuthinteleki ungabi nakuzithethelela kwaye kanaanjalo kungawiswa isigwebo esiphikisana nawe njengoko kukho ibango. Impendulo yakho mayicacise ukuba zeziphi na izityholo ozivumayo okanye oziphikayo ezikwingxelo ebhaliweyo yomfaki-sicelo, kanaanjalo le mpendulo yakho mayidandalazise iingongoma zokuzikhusela kwakho.

KUBHALIWE ngowama- umhla kwinyanga engu----- .....ngonyaka ka-20 .....

UmFaki-sicelo / ummeli wasemthethweni womFaki-sicelo

Idilesi yenkonzo emayinikezelwe:

.....

.....

.....

**UNombolo. 43 - iSaziso esiya kumntu wesiThathu****\*Siyasetyenziswa kwiNkundla yeNqila**

KWINKUNDLA YENQILA YECANDELO ELIKWINQILA ELIYI  
BEKUXOXELWA E

ITYALA ELINGUNOMBOLO

Kumbandela ophakathi

KoMangali

naye

UmMangalelwa

Kunye .....

Nomntu wesithathu

**KOWESITHATHU OKHANKANYIWEYO APHA NGASENTLA:**

QAPHELA ukuba lo mmangali ukhankanyiweyo ngasentla uyiqalisile inkqubo ephikisa lo ukhankanyiweyo ngasentla umamangalelwa ngenxa yesiqabu esilungiselelwe iisamani, ikopi yeso siqabu ngala mazwi iyanikezelwa kuwe.

Ummangalelwa okhankanyiweyo apha ngasentla unebango lomrhumo okanye imbuyekezo (okanye ezinye iindlela ezinokuba zezaneleyo ukuze oko kube sisizathu sesaziso somntu wesithathu) ngenxa yengongoma ezibhaliweyo kwesi sihlomelo.

Ukuba uyazigatya ezo ngongoma okanye uyqaliphika nelo bango lommandali ophikisa ummangalelwa, kufuneka wazise ngenjongo onayo yokuzithethelela ngexesha eliziintsuku ezi-----. Isaziso esinjalo masibe sesibhaliweyo, sibe kwifayile yombhalisi kwaye ikopi mayibe kulo mmangalelwa ukhankanyiweyo ngasentla kwidilesi ebhaliweyo kumazantsi esi saziso.

Masinike idilesi exeliweyo kumqathango 13(3) ukwenzela wena ukuze ufumane izaziso namaxwebhu ekusetyenzwa ngawo. Ngexesha eliziintsuku ezingama-20 lokunikezela kwakho eso saziso, kufuneka ufake efayilini isibongozo esijoliswe kweli bango lommandali liphikisa ummangalelwa okanye okanye isibongozo esijoliswe kwibango lommandali kuphikiswa wena, okanye ezo zibongozo zingakhona zozibini.

KUBHALIWE ngowama- umhla kwinyanga engu----- .....ngonyaka ka-20 .....

.....

IGqwetha lomMangalelwa

(Idilesi)

Kuye .....

nakwiGqwetha lomMangali,

(Idilesi)

**Nom. 44 – Ufako-sicelo lomYalelo weenkukacha zoLawulo – iCandelo 74(1) lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Lusetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi .....

bekuxoxwa e ..... iTyala elinguNombolo . ..... lonyaka ka-20.....

UFAKO-SICELO LOMYALELO WEENKUKACHA ZOLAWULO OLWENZIWAYO NGUYE

..... (Igama elipheleleyo nefani)

Kuye 1. UMabhalana weNkundla e

2. ....

. Qaphela ukuba ndiza kufaka isicelo kule Nkundla ikhankanyiweyo ngasentla ngomhla wama ..... wenyanga engu..... kunyaka ka-20....., ngentsimbi yesi ..... (ixesha) ....., yokuqulunqwa komyalelo obonelela ngeenkukacha zolawulo lwelifa lam phantsi kwamagatya ecandelo 74 lomThetho ka-1944 weNkundla kaMantyi.

Ingxelo epheleleyo ngemicimbi yam neqinisekise yingxelo efungelweyo eyinxaso yolu fako-sicelo inamathiselwe.

Kubhaliwe ngomhla wama-- - wenyanga engu--..... kunyaka ka-20.....

UmFaki-sicelo.

Idilesi epheleleyo .....

**QAPHELA:** ICandelo 74A (5) lomThetho ka-1944 weNkundla kaMantyi liyabonelela ngokuba umfaki-sicelo uya kunikezela ngesandla kumntu ngamnye kwabo abatyalwayo ubuncinane iintsuku ezi-3 phambi kosuku olunyulelwe ingxoxo yetyala, ngokwakhe ubuqu okanye ngencwadi eyirejista esayinelwayo eposini ikopi yolu fako-sicelo kunye nengxelo ebhaliweyo yemicimbi yonke (kuXwebhu 45) kulapho kuya kuvela inombolo yetyala ekufakwe ifayile yetyala ngaphantsi kwayo.

**Nom. 45 – INgxelo ebhaliweyo ngemiCimbi yomntu oneTyala kuFako-sicelo somYalelo weenkukacha zoLawulo – iCandelo 65I(2) okanye 74A lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Isetyenziswa kuphela kwiNkundla yesiThili**

ITyala elinguNombolo . ..... lonyaka ka-20.....

Kufako-sicelo somYalelo weenkukacha zoLawulo sika-----

(ekubhekiswa kuye apha njengomFaki-sicelo)

1. Ifani yomFaki-sicelo

Amagama  
okuqala.....  
.....

Umhla awazalwa ngawo..... Inombolo yesaZisi .....  
.....

2... Idilesi yendawo ahlala  
kuyo.....

3. Imeko yomtshato ..... Ukuba utshatile, makuchazwe ukuba  
impahlayexabiso abanayo badibene na ngayo bobabini okanye ingulowo uneyakhe  
impahla yexabiso. ....

Amagama apheleleyo omntu ekutshatwe  
naye.....

Umhla awazalwa ngawo..... Inombolo yesaZisi .....

Ukuba umFaki-sicelo akahlali ndawonye nalowo atshate naye, makubhalwe ukuba  
baqale ukuhlala ngokwahlukeneyo ukususela ngowuphi na umhla.....  
.....

4. Abantu abaxhomekeke kubo:

Amagama abo apheleleyo. Ubudala bomntu ngamnye. Ubudlelwane  
.....

5. Igama lomqeshi nedilesi yeshishini lakhe:

UmFaki-sicelo:  
.....

6. Ukuba akasebenzi mazibhalwe izizathu zokungasebenzi kwakhe:

UmFaki-sicelo:  
.....

Umntu atshate naye:  
.....

7. Umsebenzi awuqeshelweyo:

UmFaki-sicelo:  
.....

Umntu atshated naye:  
.....

8. Umvuzo uwonke kungatsalwanga mali:

OwomFaki-sicelo.....oweveki.../owenyanga  
.....  
.....

Owomntu atshate naye: .....oweveki / owenyanga...  
.....

.....  
 9. linkcukacha ezipheleleyo zemali yonke etsalwayo kumvuzo (ngomyalelo wesithintelo okanye ngenye indlela) nothe waxhaswa kangangoko ngengxelo ebhaliweyo yomqeshi:

UmFaki-sicelo: Umntu atshate naye:

linkcukacha

R Imali linkcukacha

R Imali

.....  
 .....  
 .....

lyonke lyonke

10. linkcukacha ezipheleleyo zenkcitho yeveki okanye eyenyanga, kuqukwa neendleko zokuhamba ngezithuthi:

EzomFaki-sicelo (kuqukwa nezabantu abaxhomekeke kuye): Umntu atshate naye:

linkcukacha Imali

R linkcukacha Imali

R

.....  
 .....  
 .....

lyonke lyonke

11. linkcukacha ezipheleleyo, zixhaswa yingxelo ebhaliweyo naziikopi zezivumelwano, zempahla ethengwe ngesivumelwano sentlawulo yezavenga ngokubhekiselele kwizivumelwano zomThetho ka-1942 wokuThengisela ngeTyala (umThetho onguNombolo 36 ka-1942), okanye izivumelwano zekhredithi ngokubhekiselele kumThetho ka-1980 weziVumelwano zeKhredithi (umThetho onguNombolo 75 ka-1980) okanye umThetho ka-2005 weKhredithi kaZwelonke (umThetho onguNombolo 34 ka-2005), ezingakhange zihlawulelwe ngokupheleleyo:

linkcukacha (malibhalwe ixabiso ekuthengiswe impahla ngalo). Umncono.

Isavenga. Esihlawulwayo ngeveki / ngenyanga. Umhla  
 wokuhlawulelwa kwempahla ngokupheleleyo. Isizathu sokuba kungani na  
 kufuneka kwenziwe amalungiselelo ezi zavenga zingekahlawulwa.

R R

.....  
 .....  
 .....

12. linkcukacha ezipheleleyo zempahla yexabiso ethengiweyo phantsi kwesivumelwano esibhaliweyo (kungaqukwanga isivumelwano ekubhekiswa kuso kwingongoma 11) ezingakhange zihlawulelwe ngokupheleleyo.

linkcukacha. Umncono. Isavenga. Esihlawulwayo ngeveki / ngenyanga. Umhla wokuhlawulelwa kwaso ngokupheleleyo. Isizathu sokuba kungani na umYalelo weenkukacha zoLawulo ufanele ukubonelela ngentlawulo.

R R

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13. linkcukacha ezipheleleyo nexabiso lentelekelelo yokhuseleko abanalo aba batyalwayo ngokumalunga netyala eliluxanduva lomFaki-sicelo okanye lwalowo atshate naye (igama nedilesi yakhenowuphi na umntu othe, ngokongezwa kulowo unetyala, wanoxanduva lweli tyala, nazo mazibhalwe):

.....  
.....  
.....

14. linkcukacha ezipheleleyo zempahla engashenxiswayo yomFaki-sicelo okanye yomntu atshate naye ethengiswe ngesibambiso:

Ukubambisa

.....

Idilesi

.....

Inkcazelo UmNcono weXabiso leMarike. UmNcono wesivumelwano. Umhla wokusihlawulela ngokupheleleyo. Isizathu sokuba kungani na umYalelo weenkukacha zoLawulo ubonelela ngale ntlawulo.

R R

.....  
.....  
.....

15. linkcukacha ezipheleleyo zempahla eshenxiswayo yomFaki-sicelo okanye yomntu atshate naye:

Inkcazelo. Ixabiso lentelekelelo.

R

.....  
.....  
.....

16. linkcukacha ezipheleleyo zalawo abalaseleyo amabango, ii-akhawunti, uzaliso-mali, izivumelwano okanye olunye ukhuseleko lokunceda umFaki-sicelo azalise imali ngokuyigcina okanye ibe kwenye i-akhawunti yebhanki okanye kwenye indawo:

Igama nedilesi yomntu onetyala okanye yebhanki. linkcukacha. Imali



R

.....  
 .....  
 .....

17. Yonke impahla eshenxiswayo engekaxelwa ukuze ibhalwe, kuqukwa nempahla ekubambiswe ngayo xa bekufunwa imali, esisibambiso, kuxhomekeka kugcino okanye kunamathiselwa kusenzelwa isigwebo sokwaba:

Inkcazelo. Ixabiso lentelekelelo. Imeko yokuba ngumthwalo ukuba ikhona. Ubungakanani betyala elixakekisayo. Igama nedilesi yomntu otyalwayo kulungiselelwa lowo uncediswayo kumthwalo lowo.

R

R

.....  
 .....  
 .....

18. Ukuba umYalelo weenkukacha zoLawulo ubukhe wavunyelwa nangeliphi na ixesha ngokumalunga nelifa lomFaki-sicelo, bhala:

Umhla wokuphelelwa lixesha...Umhla obekelwe bucala. ....

Izizathu:.....

19. Ukuba umYalelo weenkukacha zoLawulo uvunyelwe, bhala ubungakanani besavenga esihlawulwayo ngeveki, ngenyanga okanye ezinye izavenga ezikhutshwayo ngumFaki-sicelo esenzela ukuba makawagqibe amatyala akhankanyiweyo eluhlwini lwabatyalwayo kwisihlomelo sale le ngxelo ibhaliweyo:

IR..... iza kuhlawulwa ukususela..... kananjalo  
 qho ngeveki / ngenyanga emva koko, okanye

.....  
 ukususela.....,

Mna .....  
 ukususela.....,

Ndiyavakalisa phantsi kwesifungo:

(1) Ndingumfaki-sicelo.

(2) Kukho isigwebo / izigwebo ezikhutshiweyo neziphikisana nam kwaye kwangoku andikwazi ukuyihlawula le mali, okanye andikwazi kuhlangebezana nezibophelelo endinazo kwicala lemali.

(3) Andinayo impahla yexabiso eyaneleyo enokunamathiselwa yokwanelisa isigwebo / izigwebo ezinjalo okanye izibophelelo ezinjalo.

(4) Isixamali esipheleleyo samatyala am onke ekufuneka ndiwahlawule asingaphezulwanga kuma-R50 000.

(5) Zonke iinkukacha eziqulathwe yile ngxelo ibhaliweyo nakuluhlu lwabatyalwayo kwisihlomelo esikule ngxelo ibhaliweyo, kunye nezixamali ekufuneka ndizihlawule kwabatyalwayo ngokwahlukeneyo, ngokolwazi lwam lokwenene, ziyinyaniso kwaye zezichanekileyo kwaye le ngxelo iziqulathile zonke iinkukacha, ii-

asethi, ingeniso namatyala am nawalowo nditshate naye, oko kuquka nezam izibophelelo.

.....  
Ukusayina

1. Ndiyaqinisekisa ukuba phambi kokusisebenzisa esi sifungo simiselweyo, ndilibuzile le mibuzo ilandelayo iNgqina eligcinayo ndaza ndazibhala phantsi iimpendulo zalo xa belikhona nalo:

(a) Uyakwazi na kwaye unengqiqo ngako okuqulathiweyo kwesi saziso singasentla? .....

(b) Ingaba unayo na inkcaso ekuthatheni esi sifungo simiselweyo?.....

(c) Esi sifungo simiselweyo uyasithathela na ingqalelo yokuba siyakubophelela kwisazela sakho? .....

2. Ndiyaqinisekisa ukuba iNgqina eligcinayo liyivumile eyokuba siyakwazi kwaye sinengqiqo ngako konke okuqulathiweyo kwesi saziso nesithe safungelwa phambi kwam kwaye nokusayina kweNgqina kwenzekile nam ndikhona..

.....  
UmKhomishinari weziFungo

.....  
Ingingqi

.....  
Unyulo xa kuqeshwe olilungu ngenxa yesikhundla.

ISIHLOMELO KWINGXELO EBHALIWEYO NGEMICIMBI (KUXWEBHU 45)-

ULUHLU LWABATYALWAYO

Igama elipheleleyo nedilesi yomntu otyalwayo. Uhlobo lwebango nemali yalo ekufuneka ihlawulwe. Umhla wokuhlawulwa kwemali. Imali ekufuneka ihlawulwe ngezavenga. Ngeveki / ngenyanga. Inombolo yeTyala leNkundla. Ukuba uvunyelwe umyalelo wenkundla malunga nebango, iinkcukacha ezipheleleyo zomyalelo, ,kuqukwa neenkukacha zomyalelo wonamatheliso lwemivuzo okanye umyalelo weganishi. Umncono. Umhla wokuphela kwezibophelelo. .

R

.....  
.....  
.....  
.....  
.....  
.....

Inyameko ijoliswe kumagatya ecandelo 74A (2)(e) loka-1944 umThetho weNkundla kaMantyi. Bonke abatyalwayo ngumFaki-sicelo kunye needilesi zabo mabakhankanywe eluhlwini apho umahluko ocacileyo uza kwenziwa phakathi -

(i) kwamatyala, isixamali sonke emasihlawulwe, kuqukwa namatyala esigwebo amawahlawulwe ngezavenga ngokubhekiselele kumYalelo weNkundla, kumYalelo woNamatheliso lwemiVuzo okanye umYalelo weGanishi; kwaye

(ii) izibophelelo ekufuneka zihlawulelwe kwixa elizayo ngentlawulo yamaxesha abekiweyo okanye ngenye indlela, okanye ezo kufuneka zihlawulwe phantsi komyalelo wenkxaso, wesivumelwano, ngomyalelo othintelayo, okanye ngenye indlela, nalapho imeko yentlawulo leyo imiselwe amaxesha athile icacisiwe yaziswa kwityala ngalinye, okanye xa izibophelelo kuza kufuneka zihlawulelwe, nokuba ngelo xesha mazihlawulwe njani na, umncono ofunekayo kwityala ngalinye, kuhlawulwe nini kwityala ngalinye, isibophelelo sakupheliswa.

#### **Nom. 46 – ISatifikethi seNkonzo kwiNkqubo yezangaPhandle**

##### **\* Sisetyenziswa kuphela kwiNkundla yesiThili**

Mna, ....., mabhalana wenkundla kamantyi yesithili esiyi ..... ngokoke ndiyaqinisekisa ukuba la maxwebhu alandelayo ahlonyelwe:

(1) olwesicelo esingumbhalo-ngqangi esenzelwa inkonzo yenkqubo okanye uneesamani ezivela .....(kurhulumente, kummandla okanye enkundleni) kumbandela ophakathi ko-----.....naye u---.....;

(2) inkqubo efunyenwe inesicelo esinjalo;

(3) ubungqina benkonzo malunga ....., umntu okhankanyiwe kwisicelo esinjalo senkonzo, kunye nesatifikethi sokuqinisekisa

Kwakhona ndiqinisekisa ukuba iinkonzo ezibubungqina apha zizezona zifunekayo xa kusetyenzwa nakwimiqathango yeenkundla zoomantyi.

Kananjalo ndiqinisekisa ukuba iindleko zokunikezela ngeenkonzo ezinjalo, ngokufanelekileyoziqinisekiswa ligosa lerhafu lale nkundla, imali iyafikelela

kwi- R.....

KUNIKEZELWA PHANTSI KWESANDLA SAM nangesitampo,

e .....ngalo mhla wama- .... wenyanga engu.....kunyaka ka-20 .....

UMabhalana weNkundla

Isitampo

#### **Nom. 46 – ISatifikethi seNkonzo kwiNkqubo yezangaPhandle**

##### **\* Sisetyenziswa kuphela kwiNkundla yeNqila**

Mna, ....., mbhalisi / mncedisi wombhalisi weCandela leNqila eyi-----e.....ngokoke ndiyaqinisekisa ukuba la maxwebhu alandelayo ahlonyelwe:

(1) olwesicelo esingumbhalo-ngqangi esenzelwa inkonzo yenkqubo okanye uneesamani ezivela .....(kurhulumente, kummandla okanye enkundleni) kumbandela ophakathi ko-----.....naye u---.....;

(2) inkqubo efunyenwe inesicelo esinjalo;

(3) ubungqina benkonzo malunga ....., umntu okhankanyiwe kwisicelo esinjalo senkonzo, kunye nesatifikethi sokuqinisekisa .....

Kwakhona ndiqinisekisa ukuba iinkonzo ezibubungqina apha zizezona zifunekayo xa kusetyenzwa nakwimiqathango yeenkundla zoomantyi.

Kananjalo ndiqinisekisa ukuba iindleko zokunikezela ngeenkonzo ezinjalo, ngokufanelekileyoziqinisekiswa ligosa lerhafu lale nkundla, imali iyafikelela

kwi- R.....

KUNIKEZELWA PHANTSI KWESANDLA SAM nangesitampo,

e .....ngalo mhla wama- ..... wenyanga engu--... kunyaka ka-20 .....

.....

UmBhalisi / umNcedisi womBhalisi

.....  
Isitampo

.....

**Nom. 47 – IsaZiso esiya kumntu oneTyala simxelela ukuba lowo amTyalayo ufake ibango ngakuye okanye letyala amele ukulihlawula phambi kokuqulunqwa komYalelo weenkukacha zoLawulo – iCandelo 74G(2) lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\* Sisetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi.....

bekuxoxelwa e ..... iTyala elinguNombolo . ..... lonyaka ka-20.....

Kuye: ..... (oneTyala)

..... (wale dilesi)

Kulowo:..... (uneTyala)

..... (wale dilesi.....)

Qaphela ukuba -

(igama nedilesi yomntu otyalwayo) ulifakile ibango ngokubhekiselele kwicandelo 74G(2) lomThetho ka-1944 weNkundla kaMantyi, lemali eyi-R..... ngokumalunga ..... (iinkukacha zebango) elingafakwanga eluhlwini lomyalelo weenkukacha zolawulo ezijoliswe kuwe ngawo owama.....umhla wenyanga engu.....kunyaka ka-20..... kwiNkundla kaMantyi e .....

Ngenkathalo ndazise ngembalelwano ukuba ibango eli uyalamkela okanye uyalibhebheletha ngawo okanye phambi kwawo umhla wama.-.....wenyanga engu.....kunyaka ka-20..... Nceda uqaphele ukuba ukuba eli bango uyalamkela okanye akukho mpendulo ifumanekayo ivela kuwe ngawo okanye phambi kwalo mhla ubekiweyo, eli bango lakuthathwa njengelo libubungqina, oko kuxhomekeka kwilungelo lakhe nowuphi na umntu ongomnye otyalwayo ongakhange afumane saziso sokukhatywa kwebango lakhe letyala elo, eli bango lakudityaniswa eluhlwini lwamagama abo unamatyala kubo, abo babelwayo ngokwalameneyo kwintlawulo oyikhuphayo ngokubhekiselele kumYalelo weenkukacha zoLawulo.

Kubhaliwe ngomhla wama wenyanga engu.kunyaka ka 20.....

UmPhathi weenkukacha zoLawulo

**Nom. 48 – IsaZiso esiya kumntu oneTyala simxelela ukuba lowo amTyalayo ufake ibango letyala elo [elisisikweliti] esongezelekayo emva kokuba kuvunyelwe umYalelo weenkukacha zoLawulo – iCandelo 74H(1) loka-1944 umThetho weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\* Sisetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi.....  
bekuxoxelwa e .....iTyala elinguNombolo . .....lonyaka ka-20.....

Kuye: ..... (oneTyala)  
.....(wale dilesi)

Kuqaphele ukuba -

.....  
(igama nedilesi yomntu otyalwayo) ulifakile ibango lemali eyi-R..... ngokumalunga  
..... (iinkukacha zebango) ngenxa yoko yena uthathwe njengalowo wena umtyalayo emva kokuba wena ukhutshelwe umYalelo weenkukacha zoLawulo ngomhla wama-----wenyanga engu----- kunyaka ka-20..... kwiNkundla kaMantyi e .....

Nceda undazise ngembalelwano ngawo okanye phambi kwawo umhla wama----  
---wenyanga engu-----kunyaka ka-20..... ukuba uyalamkela na okanye uyalibhebhetha eli bango. Nceda uqaphele ukuba ukuba eli bango uyalamkela okanye akukho mpendulo ifumanekayo ivela kuwe ngawo okanye phambi kwalo mhla ubekiweyo, eli bango lakuthathwa njengelo libubungqina, oko kuxhomekeka kwilungelo lakhe nowuphi na umntu ongomnye otyalwayo ongakhange afumane saziso sokukhatywa kwebango lakhe letyala elo, eli bango lakudityaniswa eluhlwini lwamagama abo unamatyala kubo, abo babelwayo ngokwalameneyo kwintlawulo oyikhuphayo ngokubhekiselele kumYalelo weenkukacha zoLawulo.

Kubhaliwe ngomhla wama-- - wenyanga engu--.....kunyaka ka-20.....

UmPhathi weenkukacha zoLawulo

**Nom. 49 – IsaZiso sokuDityaniswa koTyalwayo owoNgeziweyo eluhlwini lwabo baTyalwayo ngulowo uneTyala nompahla yakhe yexabiso iPhantsi kweNgqwalasela yezoLawulo – iCandelo 74G(3) ne-74H(2) lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\* Sisetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi.....  
bekuxoxelwa e .....iTyala elinguNombolo . .....lonyaka ka-20.....

Kuye: UMabhalana weNkundla

.....  
 UmYalelo weenkukacha zoLawulo ophikisana  
 .....

Ngovelwano igama lika----- ovela.....e.....  
 njengomntu otyalwayo lifake eluhlwini lwabantu abatyalwayo nabaza kwabelwa  
 kwintlawulo ngokwalameneyo nangokubhekiselele kumYalelo weenkukacha zoLawulo  
 lwesixamali esiyi-R..... ngokumalunga  
 .....

Kubhaliwe ngomhla wama-- - wenyanga engu--.....kunyaka ka-20.....

.....  
 UmPhathi weenkukacha zoLawulo

**Nom. 50 – IsaZiso esiya koTyalwayo sokuba igama lakhe lifakiwe eLuhlwini lwabo  
 baTyalwayo ngumNtu ompahla yakhe yexabiso iPhantsi kweNgqwalasela  
 yabaPhathi beenkcukacha zoLawulo – iCandelo 74G(3) neCandelo 74H(2)  
 lomThetho ka-1944 wekaMantyi [iNkundla] iNkundla, (umThetho onguNombolo 32  
 ka-1944)**

**\*Sisetenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi.....

bekuxoxelwa e ..... iTyala elinguNombolo . .....lonyaka ka-20.....

Ngawo: .....

.....  
 UmYalelo weenkukacha zoLawulo ophikisana  
 .....

Lo uneTyala ukhankanyiweyo ngasentla apha uvumile okanye khangе aliphikise  
 ibango lakho onalo ngakuye lemali efikelelayo kwi-R..... kwaye igama lakho kunye  
 nemali omele ukuyifumana zibhaliwe zafakwa eluhlwini lwabatyalwayo nabaza  
 kwabelwa kwintlawulo ngokwalameneyo ngokubhekiselele kumYalelo weenkukacha  
 zoLawulo. Qaphela ukuba abanye abatyalwayo basenokungavumelani nobungakanani  
 bemali abayitalwayo ekhoyo kolu luhlu. Xa kunjalo ke uza kwaziswa.

Ikopi yomYalelo weenkukacha zoLawulo ekhutshelwe lowo unetyala ngomhla  
 wama ..... wenyanga engu.....kunyaka ka-20..... kwiNkundla kaMantyi  
 e..... iye yanamathiselwa / wena sele uyifumene.

Kubhaliwe ngomhla wama-- - wenyanga engu--.....kunyaka ka-20.....

.....  
 UmPhathi weenkukacha zoLawulo

**Nom.51 – UmYalelo weenkukacha zoLawulo – iCandelo 74(1) lomThetho ka-1944 weNkundla kaMantyi, (umThetho onguNombolo 32 ka-1944)**

**\*Usetyenziswa kuphela kwiNkundla yesiThili**

KwiNkundla kaMantyi yesiThili esiyi .....

bekuxoxelwa e .....ngowama-.....umhla wenyanga engu.....kunyaka ka-20.....

iTyala elinguNombolo. ....lonyaka ka-20.....

Kufako-sicelo lwakhe

.....(lowo kubhekiswa kuye njengomfaki-sicelo):

1. Kufakwa umyalelo -

(a) wokuba ilifa lomfaki-sicelo malifakwe phantsi kolawulo ngokubhekiselele kwicandelo 74 lomThetho ka-1944 weNkundla kaMantyi;

(b) ukuze

.....ukususela.....makutyunjwe umPhathi weenkukacha zelifa lomFaki-sicelo ngokubhekiselele kwicandelo 74E okuba yena anganikezela olu khuseleko lulandelayo ukwenzela ixesha elibekiweyo nelona lithe ngqo lentlawulo yomPhathi weenkukacha zoLawulo kubantu bonke abanelungelo lokuyifumana imali leyo iphelele ntlawulo leyo ikufaneleyo ukutyunjwa komPhathi.

(c) nokuba umFaki-sicelo uhlawula imali eyi- R..... ngeveki / ngenyanga kumPhathi weenkukacha zoLawulo ukuze kwabelwe abatyalwayo. **[Kuqala]** Intlawulo yokugala kufuneka ibekho ngawo okanye phambi .....komhla wama-.....kwinyanga engu... yonyaka ka-20... ukuze ngeveki / ngenyanga emva koko kuhlawulwe qho ngomhla okanye phambi komhla wama---- intlawulo yenyanga nganye;

(d)

(e)

2. IGunya livunyelwe -

(a) lokuba makukhutshwe umYalelo woNamatheliso lwemiVuzo phantsi kwecandelo 65J lomThetho ka-1944 weNkundla kaMantyi ophikisana nomqeshi womFaki-sicelo wokuba makuhlawulwe le mali ibekiweyo kumPhathi weenkukacha zoLawulo kanye ngomhla okanye phambiki kwamaxesha amisiweyo kude kube iindleko zolawulo nezabantu abatyalwayo zihlawulwe ngokupheleleyo. Esi sigunyaziso sisarhoxisiwe phantsi kwemeko yokuba

(b) ukuze kukhutshwe umyalelo oneenkukacha ezongezelelweyo phantsi kwecandelo 72 lomThetho ka-1944 weNkundla kaMantyi, ophikisanayo

..... ukususela ..... Esi sigunyaziso siyarhoxiswa phantsi kwemeko ethi .....

(c) kungenxa yokuthathela ingqalelo kwanokwabelwa kwabatyalwayo kwinzuzo yale mpahla yexabiso ilandelayo:

(i)

(ii)

(iii)

(i) kwezi asethi zilandelayo zinokuthengiselwa ukuhlawula amatyala, mpahla ezo zingumxholo wesivumelwano ngokubhekiselele kumThetho ka-1942 wokuThengiselwa impahla ngeNtlawulo yezaVenga, (umThetho 36 ka-1942) okanye umThetho ka-1980 wesiVumelwano seKhredithi (umThetho 75 ka-1980) okanye umThetho ka-2005 weKhredithi kaZwelonke (National Credit Act 2005) (umThetho 34 ka-a- 2005), ohamba nemvume ebhaliweyo yomthengisi.:

(aa)

(bb)

(d) ukuze kubuyiselwe kumthengisi le mpahla yexabiso ilandelayo ngokubhekiselele kumThetho ka-1942 wokuThengiselwa impahla ngeNtlawulo yezaVenga okanye kwicandelo 17 kumThetho ka-1980 wesiVumelwano seKhredithi okanye kumThetho ka-2005 weKhredithi kaZwelonke:

(i) .....

(ii) .....

(e) omnye (mazibhalwe iinkcukacha)

Kubhaliwe ngomhla wama-- wenyanga engu--.....kunyaka ka-20.....

UMantyi

**QAPHELA:** Ngokubhekiselel kwicandelo 74F (1) lomThetho ka-1944 weNkundla kaMantyi, uMabhalana weNkundla uya kunikezela ngesandla okanye athumele ngencwadi eyirejista esayinelwayo ikopi yalo myalelo kulowo unetyala kwaye ngokubhekiselele kwicandelo 74F (2), umPhathi weenkcukacha zoLawulo uya kuthumela ikopi ke ngoko ngencwadi eyirejista esayinelwayo kwi-ofisi yeposi, makathumele kumntu ngamnye otyalwayo nogama lakhe likhankanyiweyo kweyomntu oneTyala ingxelo eyidandalazisayo imeko yonke (kuXwebhu 45) okanye lowo ubunikileyo ubungqina betyala elikhoyo..



**Nom. 52 – I-Akhawunti yoKwaba ngokubhekiselele kwiCandelo 74J(5) lomThetho ka-1944 weNkundla kaMantyi**

**\*Isetyenziswa kuphela kwiNkundla yesiThili**

INombolo ye-Akhawunti yoKwaba. ....

Iya kuye: UMabhalana weNkundla

.....

kwiTyala elinguNombolo .....lonyaka ka-20.....

UmYalelo weenkukacha zoLawulo ophikisana

.....

Ne-akhawunti yoKwaba yexesha elibekelwe ukususela ngenyanga engu----- ukuya kwinyanga engu.....

A B C

A. (1) Isixamali emasihlawulwe kwabatyalwayo ngokubhekiselele kumYalelo weenkukacha zoLawulo / isixamali esingekahlawulwa sigqithiselwa kumakhasi alandelayo kusukwa kweyexesha elidlulileyo ingxelo ebhaliweyo. ---- ----

(2) Isixamali ekufuneka sihlawulwe kwabongezelekileyo abatyalwayo abakwaseluhlwini emva kokuvunyelwa komYalelo weenkukacha zoLawulo / emva kokufakwa kwengxelo ebhaliweyo yexesha elidlulileyo.. -- --

(3) Inzala -- --

B. (1) Iindleko zolawulo ezihlawulelwe ixesha ebelibekiwe ngokubhekiselele kwicandelo 74L -- --

(2) Amabango ahlawulweyo ngexesha ebelibekiwe aqulathe ukuzonwabisa ngokuzikhethela ngokubhekiselele kwicandelo 74J(3) -- --

(3) Iindleko ezihlawulweyo zexesha elingxamisekileyo okanye elingaqhelekanga kwezonyango, kwezijongene namazinyo okanye ezezibhedlele ngexesha elibekiwe -- --

(4) Enye intlawulo engine ngexesha ebelibekiwe (mazibhalwe iinkukacha) -- --

Iyonke intlawulo

A B C

Iyonke imali egqithiselwa kumakhasi alandelayo kusukwa kwelo bekubhalwe kulo kuqala.

C. Iyonke imali efunyenwe ngumPhathi wezoLawulo ngexesha ebelibekiwe.

Kubhaliwe ngomhla wama ---- wenyanga engu--.....kunyaka ka-20.....

.....

Iyonke imali ekuluhlu C nekutsalwe kuyo epheleleyo ekuluhlu B - -

Ukugqitywa ukwaba ngokwalameneyo

Ukwabelana ngokwalameneyo:

.....\* -  
 lyonke imali ehlawulweyo ngexesha ebelibekiwe -  
 lyonke imali ekuluhlu A ukuze kutsalwe epheleleyo ekuluhlu B ---

Isixamali esingekahlawulwa sibhalwa kumqolo osequqaleni kwelandelayo ingxelo ebhaliweyo. ....

Kubhaliwe ngomhla wama- - wenyanga engu--.....kunyaka ka-20.....

UmPhathi wezoLawulo

\* Mawafakwe apha amagama abantu abatyalwayo nekuhlawulwe kubo izixamali ngokwalameneyo nguye umPhathi wezoLawulo ngeli xesha belibekiwe.(Izixamali ezifanelekileyo mazingqityezelwe kuluhlu oluku- B.)

**Nom. 52A – Ukurhoxiswa komYalelo wezoLawulo – iCandelo 74Q lomThetho ka-1944 weNkundla kaMantyi (umThetho onguNombolo 32 ka-1944)**

**\*Oku kusetyenziswa kuphela kwiNkundla yesiThili**

KwiNkujndla kaMantyi kusenzelwa isiThisi esiyi-

.....  
 bekuxoxelwa e ...ngawo lo mhla wama-.....wenyanga engu.....kunyaka ka-20.....

iTyala elinguNombolo .....lonyaka ka-20.....

UmYalelo wezoLawulo ophikisanayo .....(nalowo kubhekiswa kuye njengomntu oneTyala).

Ekubeni, emva kokuthathelwa ingqalelo kofako-sicelo salowo uneTyala / lowo unomdla wenxaxheba, oko kukuthi, .....\*; kubonakala kukho isizathu esibalulekileyo sokuba kuvunywe ukurhoxiswa komYalelo wezoLawulo ngawo lo mhla wama----- wenyanga engu .....

Kunyaka ka-20..... kule Nkundla ikhankanyiweyo ngasentla, umYalelo weNkundla ekuthethwa ngawo uyarhoxiswa ukususela ngawo umhla wama-.....wenyanga

engu--.....kunyaka ka-20.....

Umhla wokurhoxisa ngowama- .....wenyanga engu.....kunyaka ka-20.....

.....  
 UMANTYI:

QAPHELA: (1) UMabhalana weNkundla kufuneka athumele ikopi yalo myalelo ngencwadi eyirejista eya kumLawuli nesayinelwayo kwi-ofisi yeposi.

(2) UmLawuli makaqiniseke ukuba ikopi yalo myalelo uyinikezela ngesandla kulowo uneTyala nakumntu ngamnye otyalwayo okanye makayithumele ngeposi, kananjalo otyalwayo makamxelele i-adresi yena mLawuli amgqibele ehlala kuyo lowo uneTyala.

\* Makucinywe oko kungenakusebenza.

**Nom. 53 – IsaZiso sokuLahlwa kweBango eliChongiweyo, kunye nokuNgaphandle okanye ukuziKhusela**

**\*Siyasetyenziswa kwiNkundla yesiThili**

KwiNkundla kaMantyi kuso isiThili esiyi-

.....

e ..... iTyala elinguNombolo ..... lonyaka ka-20.....

Kubandela ophakathi

..... komMangali.

naye

..... umMangalelwa.....

Makuqaphelwe ukuba ummangali / ummangalelwa ngoko ke uyalilahla eli libhalwe ngasezantsi ibango / okungaphandle / nokhuseleko (njengoko kusenokuba kunjalo), zinto ezo bezichongwe nguye kwezakhe iisamani / isibongozo / impendulo (njengoko kusenokuba kunjalo).

linkcukacha:

: .....

Kubhaliwe ngomhla wama-- wenyanga engu--..... kunyaka ka-20.....

.....

UmMangali / IGqwetha lomMangali okanye umMangalelwa okanye iGqwetha lomMangalelwa.

Kuye: .....

**Nom. 53 – IsaZiso sokuLahlwa kweBango eliChongiweyo, kunye nokuNgaphandle okanye ukuziKhusela**

**\*Siyasetyenziswa kwiNkundla yeNqila**

KwiNkundla yeNqila kusenzelwa iCandelo leNqila eyi.....

bekuxoxelwa e..... iTyala. elinguNombolo..... lonyaka ka-20.....

Kubandela ophakathi

..... komMangali.

naye

..... umMangalelwa.....

Makuqaphelwe ukuba ummangali / ummangalelwa ngoko ke uyalilahla eli libhalwe ngasezantsi ibango / okungaphandle / nokhuseleko (njengoko kusenokuba kunjalo), zinto ezo bezichongwe nguye kwezakhe iisamani / isibongozo / impendulo (njengoko kusenokuba kunjalo).

linkcukacha:

.....

.....  
 Kubhaliwe ngomhla wama---- wenyanga engu--.....kunyaka ka-20.....  
 .....

UmMangali / IGqwetha lomMangali okanye umMangalelwa okanye iGqwetha lomMangalelwa. \_\_\_\_\_

Kuye: .....

**Nom. 54 – IsiVumelwano sokuNgasenzi isiBheno**

**\*Siyasetyenziswa kwiNkundla yeNqila**

KwiNkundla yeNqila kusenzelwa iCandelo leNqila eyi.....

bekuxoxelwa e.....iTyala elinguNombolo .....lonyaka ka-20.....

Kumbandela ophakathi

.....komMangali.

naye

.....umMangalelwa.....

Thina, ....., base- .....,nabo .....base, ....., okhankanyiweyo ngasentla ummangali kunye nomMangalelwa, ngokwahlukeneyo, siyavumelana ngokoke, ngokubhekiselele kwicandelo 82 lomThetho ka-1944 weNkundla kaMantyi (umThetho 32 ka-1944), ngokuba isigqibo seNkundla kwesi senzo sikhankanyiweyo apha ngasentla sakuba sesipheleleyo nesingaguqukiyo.

Kusayiniwe kwabhalwa umhla wama- ....wenyanga engu.....ngonyaka ka-20.....

.....

UmMangali

AmaNgqina:

1. ....

Ukusayina nedilesi.

.....

UmMangalelwa.

2. ....

Ukusayina nedilesi.

.....

**Nom. 55 – IsiCelo sokuyiHlola iRekhodi**

**\*Siyasetyenziswa kwiNkundla yesiThili**

Kwinkundla kaMantyi yesiThili esiyi-.....

.....

bekuxoxelwa e.....

Mna, ....., wase ....., ngokoke ndifaka isicelo sokuyihlola irekhodi yeTyala elinguNombolo lonyaka ka-20.....

(Ukuba inombolo yerekhodi ayaziwa,makuqhutywe ngolu hlobo:)

Mna, ....., wase ....., ngokoke ndifaka isicelo sokuyihlola irekhodi yetyala eliphakathi ..... (kommangali) kunye..... (nommangalelwa).

Uphononongo kufuneka luqalise kwinyanga engu-----kunyaka ka-20.....

.....

**Osayinileyo**

(Ukuba umfaki-sicelo unenxaxheba kweli tyala okanye uligqwetha lalowo unenxaxheba, isikhundla sakhe kufuneka sibhalwe akuba yena esayinile.)

**UNombolo 55 – IsiCelo sokuyihlola iRekhodi**

**\* Siyasetyenziswa kwiNkundla yesiThili**

KwiNkundla yeNqila kusenzelwa iCandelo leNqila eyi .....  
 bekuxoxelwa e.....

Mna, ....., wase-- ..... ngokoke ndifaka isicelo sokuyihlola irekhodi yeTyala elinguNombolo..... lonyaka ka-20.

.....(Ukuba inombolo yerekhodi ayaziwa,makuqhutywe ngolu hlobo:)

.....Mna, ....., wase ....., ngokoke ndifaka isicelo sokuyihlola irekhodi yetyala eliphakathi ..... (kommangali) kunye..... (nommangalelwa).

Uphononongo kufuneka luqalise kwinyanga engu-----kunyaka ka-20.....

**Osayinileyo**

(Ukuba umfaki-sicelo unenxaxheba kweli tyala okanye uligqwetha lalowo unenxaxheba, isikhundla sakhe kufuneka sibhalwe akuba yena esayinile.)

**UNombolo 56 - INcwadi eyiRekhodi yolwaPhulo-mThetho**

Umhla wokuXoxa kunye neNombolo yeTyala.	Igama neNkcazelo yalowo uTyholwayo	UlwaPhulo-mThetho okanye iTyala aTyholwa ngalo.	IsiGwebo kunye nemiNyaka agwetyelwe yona.	lingongoma.

**UNombolo 57 – IsaZiso ngokubhekiselele kwiCandelo 309B(2)(d) lomThetho ka-1977 weNkqubo yolwaPhulo-mThetho, (umThetho onguNombolo 51 ka-1977)**

KWINKUNDLA YENQILA EMELE ICANDELO LENQILA / LESITHILI ESIYI-  
.....

KUQHUTYELWA E ITYALA ELINGUNOMBOLO .....

URHULUMENTE

ephikisana.....

NOMLAWULI WOKUTSHUTSHISWA KOLUNTU OKANYE NOMNTU ONYULWE  
NGUYE (OKANYE OMNYE UMTSHUTSHISI\*)

.....

KWAYE KUYE UMBHENI KUTHIWA, .....

QAPHELA UKUBA ufako-sicelo sekhefu lokubhena kwalowo ubongozayo ngokubhekiselele kwicandelo 309B lomThetho ka-1977 weNkqubo yokwaPhulwa komThetho (umThetho onguNombolo 51 ka-1977), selubalelwe ukuba makuxoxwe ngowama----..... (umhla), ngayo intsimbi ye .....(ixesha) okanye kwamsinyane emva koko njengoko kunokuxoxwa ngombandela lowo, kwiNkundla enguNombolo -.

.....,kwi-Ofisi kaMantyi

.....  
UMGCINI-ZINCWADI ZEREJISTA / / UMABHALANA WENKUNDLA,

.....  
KUYE UMLAWULI WOKUTSHUTSHISWA KOLUNTU OKANYE KUMNTU ONYULIWEYO NGUYE,.....

.....  
.....  
(Idilesi)

KUYE UMTSHUTSHISI\*, .....

.....  
.....  
(Idilesi)

KUYE UMBHENI, .....

.....  
.....  
(Idilesi)

OKANYE

KUYE.....

.....  
.....  
(Idilesi yommeli wezomthetho ojongene nombheni, ukuba ukhona)

UKWAZISA NGOKUFUMANEKA KWESAZISO NGOKUBHEKISELELE KWICANDELO  
309B (2)(d) LOMTHETHO KA-1977 WENKQUBO YOLWAPHULO-MTHETHO

Ukufumaneka kwesikhankanyiweyo apha ngasentlaisaziso ngokoke kuyavunywa.

.....(Osayinileyo)

KUSENZELWA UMLAWULI WOKUTSHUTSHISWA KOLUNTU OKANYE UMNTU  
ONYULIWEYO NGUYE.....(Igama maliprintwe)

.....  
(Osayinileyo).....(Igama lmaliprintwe)

.....(Osayinileyo)

KUSENZELWA UMBHENI

.....(Igama maliprintwe)

\* Oku makugqityezelwe kwimeko apho ukutshutshisa bekungaqhutyelwanga phakathi  
koluntu jikelele.”

### **Ukuqalisa**

**24.** Le migaqo iza kuqalisa ukusebenza ngomhla **wama28 kuJulayi 2014.**

**NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS**

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 [GeneralEnquiries@gpw.gov.za](mailto:GeneralEnquiries@gpw.gov.za)
  - Maps : 012 748 6061/6065 [BookShop@gpw.gov.za](mailto:BookShop@gpw.gov.za)
  - Debtors : 012 748 6060/6056/6064 [PublicationsDebtors@gpw.gov.za](mailto:PublicationsDebtors@gpw.gov.za)
  - Subscription : 012 748 6054/6055/6057 [Subscriptions@gpw.gov.za](mailto:Subscriptions@gpw.gov.za)
- SCM : 012 748 6380/6373/6218
- Debtors : 012 748 6236/6242
- Creditors : 012 748 6246/6274

Please consult our website at [www.gpwonline.co.za](http://www.gpwonline.co.za) for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

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Subscriptions: Tel: (012) 748 6054, 748 6055, 748 6057

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 748 6052, 748 6053, 748 6058

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