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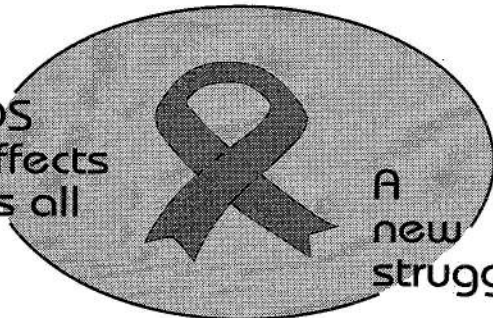
Vol. 413

PRETORIA, 15 NOVEMBER 1999

No. 20627

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

PROCLAMATION

by the

President of the Republic of South Africa

No. R. 116, 1999

COMMENCEMENT OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

Under section 47 of the Maintenance Act, 1998 (Act No. 99 of 1998), I hereby fix 26 November 1999 as the date on which the said Act, with the exception of section 5 and section 7(1)(d) and (2), shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this third day of November, One thousand Nine hundred and Ninety-nine.

T.M.MBEKI,

President

By Order of the President-in-Cabinet:

P.M.MADUNA,

Minister of the Cabinet

PROKLAMASIE*van die**President van die Republiek van Suid-Afrika***No. R. 116, 1999****INWERKINGTREDING VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)**

Kragtens artikel 47 van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), bepaal ek hierby 26 November 1999 as die datum waarop genoemde Wet, met die uitsondering van artikel 5 en artikel 7(1)(d) en (2), in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die derde dag van November Eenduisend Negehonderd Nege-en-negentig.

T.M.MBEKI,**President**

Op las van die President-in-Kabinet:

P.M.MADUNA,**Minister van die Kabinet**

GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE
DEPARTEMENT VAN JUSTISIE

No. R. 1361

15 November 1999

MAINTENANCE ACT, 1998
REGULATIONS RELATING TO MAINTENANCE

The Minister of Justice has, under section 44 of the Maintenance Act, 1998 (Act No. 99 of 1998), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall bear that meaning and, unless the context otherwise indicates -

"sheriff" means a person appointed under section 2(1) of the Sheriffs Act, 1986 (Act No. 90 of 1986), and includes a person appointed under section 5 or 6 of that Act as an acting sheriff or deputy sheriff; and

"the Act" means the Maintenance Act, 1998 (Act No. 99 of 1998).

CHAPTER 1

COMPLAINTS AND INVESTIGATIONS

Complaints

2.(1) Any complaint that any person legally liable to maintain any other person fails to maintain the latter person, contemplated in section 6(1)(a) of the Act, shall substantially correspond with Form A of the Annexure.

(2) A complaint for the substitution or discharge of a maintenance order, contemplated

in section 6(1)(b) of the Act, shall substantially correspond with Form B of the Annexure.

Investigation by maintenance officer

3.(1) A maintenance officer may, in investigating a complaint and with due consideration to expediting the investigation of that complaint, direct the complainant and the person against whom a maintenance order may be or was made to -

- (a) appear on a specific time and date before him or her; and
- (b) produce to him or her on the date of appearance information relating to the complaint and documentary proof of the information, if applicable.

(2)(a) A direction contemplated in subregulation (1) may be given in the manner the maintenance officer deems fit.

(b) The maintenance officer shall keep record of the manner in which the direction was given.

(3) Any person who fails to comply with a direction contemplated in subregulation (1) shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding six months.

Subpoena

4.(1) A subpoena, contemplated in section 9(2)(b) of the Act -

- (a) for the person in whose favour a maintenance order is to be or was made as well as the person against whom a maintenance order may be or was made, shall substantially correspond with Part A of Form CI of the Annexure; and
- (b) for other witnesses, shall substantially correspond with Part A of Form CII of the Annexure.

- (2) Part B of Form CI of the Annexure shall be completed by the opposing party.
- (3) The service of a subpoena referred to in subregulation (1) shall be in accordance with the provisions of regulation 26(1).
- (4) A return of service of a subpoena referred to in -
 - (a) subregulation (1)(a) shall substantially correspond with Part C of Form CI of the Annexure; and
 - (b) subregulation 1(b) shall substantially correspond with Part B of Form CII of the Annexure.
- (5) A subpoena to the person against whom a maintenance order may be or was made must be accompanied by a document in the form set out in Form G of the Annexure.

Subsistence and travelling allowances

5. Any person against whom a maintenance order may be made shall on direction of the maintenance court be entitled to the following allowances:

- (a) His or her reasonable actual expenses if he or she of necessity has to hire accommodation for the night.
- (b) Whenever the person -
 - (i) has to make use of railway transport to attend the enquiry, he or she shall be issued with a rail warrant for a return ticket for the class in which presumably he or she would ordinarily travel or such other class as a maintenance officer may deem appropriate, and the decision of the maintenance officer in this respect shall be final; or
 - (ii) makes use of railway transport without a rail warrant having been issued to him or her, an amount equal to the fare at government rate shall be paid

to him or her: Provided that if a maintenance officer is satisfied that the payment of such amount would in any particular instance be unreasonable, he or she may order that an amount equal to the actual fair be paid to the person.

- (c) Whenever suitable railway transport is not available and a person against whom a maintenance order may be made makes use of any other means of public transport to attend the enquiry, an amount equal to the fare for the forward and return journey along the shortest convenient route shall be paid to him or her: Provided that if more than one such other means of public transport is available, the fair for the least expensive thereof shall be paid.
- (d) Whenever suitable public transport is not available and a person against whom a maintenance order may be made makes use of his or her own or hired transport to attend the enquiry, an amount for the forward and return journey along the shortest convenient route shall be paid, calculated at 50c per kilometre in respect of a motor vehicle, excluding a motorcycle, and at 42c per kilometre in respect of a motorcycle or any other means of conveyance.
- (e) Whenever suitable public transport is available and a person against whom a maintenance order may be made makes use of his or her own or hired transport to attend the enquiry, the amount referred to in subparagraph (d) may be paid for a forward and return journey not exceeding 300 kilometres: Provided that if a maintenance officer is satisfied that the circumstances in a particular instance justify the use of transport other than public transport for a distance in excess of 300 kilometres, he or she may order that the amount referred to in subparagraph (d) or such lesser amount as may be deemed equitable in the circumstances be paid for such longer distance, and the decision of a maintenance officer in this respect shall be final.

- (f) If a maintenance officer is satisfied that the use of such transport is warranted, he or she may grant approval for a person against whom a maintenance order may be made to make use of air transport at government expense to attend the enquiry.

Statements by witnesses

6.(1) A statement in writing by a person, other than a person against whom a maintenance order may be made, contemplated in section 12(1) of the Act, shall -

- (a) be signed by the person who made it; and
- (b) contain a declaration by such person to the effect that it is true to the best of his or her knowledge and belief and that he or she made the statement knowing that he or she may be guilty of an offence if he or she wilfully stated anything therein which he or she knew to be false.

(2) If the person who makes a statement in terms of subregulation (1) cannot read such statement, the statement shall -

- (a) be read to him or her by the person taking down the statement before the statement is signed by the person making the statement; and
- (b) be endorsed by the person who so read the statement to the effect that it was read.

Notification to admit statements by witnesses

7. A notification, contemplated in section 12(2)(c) of the Act, to the person against whom a maintenance order may be or was made requiring his or her consent for the admission of a statement as evidence, shall substantially correspond with Form D of the Annexure.

CHAPTER 2**MAINTENANCE AND OTHER ORDERS****Maintenance and ancillary orders**

8. Any order of a court made under Chapter 4 of the Act, excluding an order contemplated in section 17 or 18 of the Act, shall substantially correspond with Form E of the Annexure.

Notices

9.(1)(a) A notice, contemplated in section 16(3)(a) of the Act, to any person who is obliged by any contract to pay money on a periodical basis to a person against whom a maintenance order has been made, shall substantially correspond with Part A of Form F of the Annexure.

(b) The service of a notice referred to in paragraph (a) shall be in accordance with the provisions of regulation 26(1) or (2), as the case may be.

(c) The return of service of a notice referred to in paragraph (a), if such notice is served in accordance with the provisions of regulation 26(1), shall substantially correspond with Part B of Form F of the Annexure.

(2)(a) A notice, contemplated in section 16(3)(b) of the Act, by a person referred to in subregulation (1) and who has been discharged from his or her contractual obligation, shall substantially correspond with Part C of Form F of the Annexure.

(b) A notice referred to in paragraph (a) shall be submitted to the maintenance officer of the court where the maintenance order was made in any manner convenient to the relevant person, subject thereto that the person who submits the notice shall keep record

of the manner in which the notice was submitted.

Orders by consent

10.(1) The consent of a person against whom a maintenance order may be made, contemplated in section 17 of the Act, shall substantially correspond with Part A of Form G of the Annexure.

(2) Any order made in accordance with the consent referred to in subregulation (1) shall substantially correspond with Part B of Form G of the Annexure.

(3) The return of a maintenance officer, police officer, sheriff or maintenance investigator showing that a copy of an order by consent referred to in subregulation (2) was delivered or tendered to the person who consents to the maintenance order, shall substantially correspond with Part C of Form G of the Annexure.

Orders by default

11.(1) An order by default, contemplated in section 18(1) of the Act, shall substantially correspond with Part A of Form H of the Annexure.

(2) A notice to the person against whom an order by default, referred to in subregulation (1), was made shall substantially correspond with Part B of Form H of the Annexure.

(3) The return of a maintenance officer, police officer, sheriff or maintenance investigator showing that a copy of an order by default referred to in subregulation (1) was delivered or tendered to the person against whom the order was made, shall substantially correspond with Part C of Form H of the Annexure.

(4)(a) An application for the variation or setting aside of an order by default, contemplated in section 18(4)(b) of the Act, shall substantially correspond with Part A of Form I of the Annexure.

(b) A notice of an application for the variation or setting aside of an order by default, contemplated in section 18(4)(c) of the Act, to the person in whose favour such order was made, shall substantially correspond with Part B of Form I of the Annexure.

(c) A person who applied for the variation or setting aside of an order by default shall submit a notice referred to in paragraph (b) to the person in whose favour the order was made in any manner convenient to him or her, subject thereto that the person who submits the notice shall keep record of the manner in which the notice was submitted.

Variation or setting aside of orders

12.(1) Upon the variation or the setting aside of an order contemplated in section 19 of the Act, the maintenance officer shall, in the manner he or she deems fit, inform -

- (a) the person required to make a payment in terms of the maintenance order;
- (b) the person in whose favour the maintenance order has been made; and
- (c) the person on whom a notice referred to in section 16(3)(a) of the Act has been served,

of the variation or the setting aside of the order by a notice which shall substantially correspond with Form J of the Annexure.

(2) The maintenance officer shall keep record of the manner in which the notice referred to in subregulation (1) was submitted.

Substitution or discharge of maintenance orders

13. On receipt of a notice of the substitution or discharge of a maintenance order, contemplated in section 22 of the Act, the registrar or the clerk of the court where the maintenance order concerned was issued, or where the sentence concerned was imposed, as the case may be, shall -

- (a) file the order with the original documents applicable to the case;
- (b) in the case of an order substituting a maintenance order, record the particulars of the new order on the order which is being substituted; and
- (c) in the case of an order discharging a maintenance order, record on the order which is being discharged that the order has been discharged.

Transfer of maintenance orders

14.(1) The clerk of the court where a maintenance order was issued shall, when the maintenance order is to be transferred in terms of section 23(1) of the Act -

- (a) retain certified copies of all orders or judgements, including previous amended orders, and documents with regard to the record of payment which are applicable to the particular case; and
- (b) send by registered post all the original documents referred to in paragraph (a) to the clerk of the maintenance court where the person in whose favour the maintenance order was made resides.

(2) On receipt of the maintenance order referred to in subregulation (1), the clerk of the maintenance court shall register the order by numbering it with the following consecutive number for maintenance cases for the year during which it was received.

Appeals against orders

15.(1) An appeal in terms of section 25 of the Act shall be noted within 20 days of the date of the order appealed against and a cross-appeal shall be noted within seven days of

the noting of the first-mentioned appeal.

(2) An appeal or cross-appeal shall be noted by delivery, within the period prescribed in subregulation (1) to the clerk of the maintenance court concerned and to the other party, of a notice stating -

- (a) whether the whole or part only of the order is appealed against and, if a part only, then what part; and
- (b) the grounds of appeal, specifying the findings of facts or rulings of law appealed against.

(3) The officer who presided at an enquiry shall -

- (a) within 14 days of the noting of an appeal; or
- (b) if the proceedings at the enquiry were taken down or recorded in shorthand or by mechanical means, within 14 days after a transcription of the shorthand notes or mechanical record of the proceedings has been placed before such officer by the clerk of the maintenance court concerned, transmit to the clerk of the maintenance court a statement in writing setting out -
 - (i) the facts he or she found to be proved;
 - (ii) his or her reasons for any finding of fact specified in the notice of appeal as appealed against; and
 - (iii) his or her reasons for any ruling on any question of law or for the admission or rejection of any evidence so specified as appealed against.

(4)(a) The clerk of the maintenance court concerned shall, notwithstanding the provisions of regulation 24(3)(b), if the proceedings at an enquiry were taken down or recorded in shorthand or by mechanical means and an appeal has been noted, forthwith cause the shorthand notes or the mechanical record of the proceedings to be transcribed.

(b) The person who noted an appeal shall bear the costs of the transcription contemplated in paragraph (a): Provided that if the maintenance officer is satisfied that such person is unable to pay the costs, the costs or part of it shall be paid by the State.

(5) After an appeal has been noted in terms of subregulation (1) the appeal shall be prosecuted as if it were an appeal against the decision of a magistrate in a civil matter and the rules regulating the conduct of the proceedings of the several provincial and local divisions of the High Court in so far as they relate to civil appeals from the magistrates' courts shall, with the necessary changes, apply to any such appeal.

(6) The clerk of the maintenance court shall transmit the record of the proceedings at the enquiry, certified by the presiding officer as a true record of proceedings, or a transcription of any shorthand notes or mechanical record of such proceedings, certified as prescribed by regulation 24(3)(c), to the registrar of the division of the High Court concerned within seven days of the receipt by him or her of a notice that the appeal has been set down for hearing.

(7)(a) If the person in whose favour a maintenance order may be or was made notes an appeal or cross-appeal, as the case may be, and he or she cannot afford legal representation he or she shall inform the clerk of the maintenance court accordingly.

(b) The clerk of the maintenance court shall -

(i) inform the Director of Public Prosecutions concerned immediately of the appeal or cross-appeal and that the person in whose favour the maintenance order was made cannot afford legal representation;

(ii) on receipt of the statement of the presiding officer referred to in subregulation (3) furnish the Director of Public Prosecutions concerned with a copy of all relevant documentation; and

- (iii) within seven days of the receipt by him or her of a notice that the appeal has been set down for hearing notify the Director of Public Prosecutions concerned accordingly.

CHAPTER 3 CIVIL EXECUTION

Application for enforcement of maintenance or other orders

16. An application for -

- (a) the authorisation of the issue of a warrant of execution;
- (b) an order for the attachment of emoluments; or
- (c) an order for the attachment of any debt,

contemplated in section 26(2)(a) of the Act, shall substantially correspond with Form K of the Annexure.

Warrant of execution

17.(1) A warrant of execution, contemplated in section 27 of the Act, shall -

- (a) substantially correspond with Form L of the Annexure; and
- (b) be prepared in triplicate.

(2) The person in whose favour the order was made shall prepare Part A of Form L of the Annexure and thereafter lodge the said form with the clerk of the maintenance court concerned.

(3) On receipt of the warrant of execution referred to in subregulation (2) the clerk of the maintenance court shall issue the warrant of execution if he or she is satisfied that -

- (a) authorisation for the issuing of a warrant of execution was granted; and
- (b) the warrant of execution has been properly prepared,

by preparing Part B of Form L of the Annexure.

(4) The clerk of the maintenance court shall after the warrant of execution has been issued -

- (a) return the original warrant of execution and one copy thereof to the person in whose favour the order was made; and
- (b) file the second copy of the warrant of execution in the relevant file.

(5) Any change on the warrant of execution shall be initialled by the clerk of the maintenance court.

(6) The person authorised to execute a warrant of execution shall complete Part C and, if applicable, Part D of Form L of the Annexure and return the form to the clerk of the maintenance court.

Particulars of persons authorised to execute warrant of execution

18. A maintenance investigator or maintenance officer shall submit to the person in whose favour the order was made particulars of the person authorised to execute the warrant of execution.

Application for the setting aside of a warrant of execution

19.(1) An application for the setting aside of a warrant of execution by a person against whom such warrant has been issued, contemplated in section 27(3) of the Act, shall substantially correspond with Part A of Form M of the Annexure.

(2)(a) A notice of an application for the setting aside of a warrant of execution, contemplated in section 27(6)(a) of the Act, shall substantially correspond with Part B of Form M of the Annexure.

(b) A person who applied for the setting aside of a warrant of execution shall submit the notice referred to in paragraph (a) to the person in whose favour the warrant of execution was issued in any manner convenient to him or her, subject thereto that the person who submits the notice shall keep record of the manner in which the notice was submitted.

Attachment of emoluments

20.(1) An application for the suspension, amendment or rescission of an order for the attachment of emoluments, contemplated in section 28(2)(a) of the Act, shall substantially correspond with Part A of Form N of the Annexure.

(2)(a) A notice of an application for the suspension, amendment or rescission of an order for the attachment of emoluments, contemplated in section 28(2)(b) of the Act, shall substantially correspond with Part B of Form N of the Annexure.

(b) A person who applied for the suspension, amendment or rescission of an order for the attachment of emoluments shall submit the notice referred to in paragraph (a) to the person in whose favour the order for the attachment of emoluments was made in any manner convenient to him or her, subject thereto that the person who submits the notice shall keep record of the manner in which the notice was submitted.

(3)(a) A notice, contemplated in section 29(1) of the Act, to an employer shall substantially correspond with Part A of Form O of the Annexure.

(b) The service of a notice referred to in paragraph (a) shall be in accordance with the provisions of regulation 26(1) or (2), as the case may be.

(c) The return of service of a notice referred to in paragraph (a), if the notice is served

in accordance with the provisions of regulation 26(1), shall substantially correspond with Part B of Form O of the Annexure.

(4)(a) A notice, contemplated in section 29(2) of the Act, by the employer that the person against whom the order for the attachment of emoluments was made has left his or her service, shall substantially correspond with Part C of Form O of the Annexure.

(b) The notice referred to in paragraph (a) shall be submitted to the maintenance officer of the court where the order was made in any manner convenient to him or her, subject thereto that the person who submits the notice shall keep record of the manner in which the notice was submitted.

Attachment of debts

21.(1) An application for the suspension, amendment or rescission of an order for the attachment of debts, contemplated in section 30(2) of the Act, shall substantially correspond with Part A of Form P of the Annexure.

(2)(a) A notice of an application for the suspension, amendment or rescission of an order for the attachment of debts, contemplated in section 30(2) of the Act, shall substantially correspond with Part B of Form P of the Annexure.

(b) A person who applied for the suspension, amendment or rescission of an order for the attachment of debts shall submit a notice referred to in paragraph (a) to the person in whose favour the order for the attachment of debts was made in any manner convenient to him or her, subject thereto that the person who submits the notice shall keep record of the manner in which the notice was submitted.

CHAPTER 4**OFFENCES AND ORDERS RELATING TO PROSECUTIONS****Complaints of failure to comply with orders**

22. A complaint regarding a failure to make a payment in accordance with a maintenance order shall substantially correspond with Form Q of the Annexure.

Recovery of arrear maintenance

23.(1) The clerk of the court shall submit a certified copy of an order made by the court in terms of section 40 of the Act to the clerk of the civil court for registration of such order.

(2) The clerk of the civil court shall -

- (a) register the order referred to in subregulation (1) by numbering it with the following consecutive case number for the year during which it is registered; and
- (b) inform the maintenance officer of the maintenance court where the maintenance order was made and the person in whose favour the order was made of the registration and the number of the case.

(3) The provisions of the Act relating to civil execution shall, with the necessary changes, apply in respect of the execution of an order referred to in subregulation (1).

CHAPTER 5**GENERAL AND SUPPLEMENTARY PROVISIONS****Record of proceedings**

- 24.(1)(a) The proceedings at an enquiry shall be recorded by keeping minutes of -
- (i) any maintenance order, including any provisional maintenance order as defined in the Reciprocal Enforcement of Maintenance Orders Act, 1963 (Act No. 80 of 1963) and the Reciprocal Enforcement of Maintenance Order (Countries in Africa) Act, 1989 (Act No. 6 of 1989), made at any enquiry, and of any refusal to make any such maintenance order;
 - (ii) any variation of a maintenance order;
 - (iii) any evidence given at the enquiry and of any objection to any evidence given or tendered at the enquiry and of any ruling by the court; and
 - (iv) the proceedings generally.
- (b) The maintenance court shall mark each document put in evidence and note such mark on the record.
- (2) The statement by an officer presiding at an enquiry referred to in regulation 15(3) shall become part of the record.
- (3)(a) The proceedings at an enquiry shall be recorded by the officer presiding at the enquiry or by any person appointed or designated thereto by the court, either generally or specially for the purpose of a particular enquiry, to take down or record the proceedings in shorthand or by mechanical means.
- (b) No shorthand notes or mechanical record of the proceedings shall be transcribed unless an officer designated to preside in the court concerned otherwise directs.

(c) Any shorthand notes or any transcription thereof or any mechanical record of the proceedings shall be certified as true notes of such proceedings or as a true transcription of such notes or record by the person taking down such notes or making such record or transcription, as the case may be, and any such transcription shall thereupon become part of the record of the proceedings.

(4) No person other than an officer in the Public Service, a person against whom a maintenance order has been or is to be made, a person in whose favour a maintenance order has been or is to be made, or the legal representative of any such person shall have access to any record referred to in this regulation, except with the leave of the presiding officer then holding office in the court in which the enquiry is to be or was held.

(5) The record of the proceedings at a maintenance enquiry shall be accessible on payment of the fees prescribed in Table E of Annexure 2 to the Magistrates' Courts Rules.

Photographs of persons subject to maintenance orders

25.(1) The maintenance officer shall, on receipt of photographs of a person against whom the maintenance court has made a maintenance order -

- (a) endorse on the back of each photograph the personal particulars of the person;
- (b) file one photograph in the relevant maintenance file; and
- (c) attach the other photograph to the relevant maintenance cards, if such a system is in use or appropriately deal with such other photograph in the manner he or she deems fit.

(2) The maintenance officer may make a photograph of a person against whom the maintenance court has made a maintenance order available to any person exercising or performing any power, duty or function in terms of the Act.

(3) The photographs of a person against whom the maintenance court has made a maintenance order shall become part of the maintenance record.

Service of documents

26.(1)(a) A document referred to in regulation 4(1), 9(1)(b) or 20(3)(b), together with a copy thereof, shall be delivered to a police officer, sheriff or maintenance investigator who shall, subject to the provisions of this regulation, forthwith serve it upon the person referred to in the said document by delivering a copy of the document in one of the following manners:

- (i) To the said person personally;
- (ii) at the said person's residence or place of business to a person apparently not less than 16 years of age and apparently residing or employed there: Provided that for the purpose of this paragraph, "residence" means, when a building is occupied by more than one person or family, that portion of the building occupied by the person upon whom service is to be effected;
- (iii) at the said person's place of employment to a person apparently not less than 16 years of age and apparently in authority over the said person or, in the absence of such a person in authority, to a person apparently not less than 16 years of age and apparently in charge at the said person's place of employment; and
- (iv) in the case of a juristic person, at its registered office or main place of business within the area of jurisdiction of the court concerned, to a director or a responsible employee thereof.

(b) A police officer, sheriff or maintenance investigator shall, on request by the person on whom a document is served, exhibit to him or her the original of the document.

(c) Where the person upon whom a document is to be or may be served keeps his or

her residence or place of business closed and thereby prevents the police officer, sheriff or maintenance investigator from serving the document, it shall be sufficient to affix a copy thereof to the outer or principal door or security gate of such residence or place of business, or to place such copy in the postbox at such residence or place of business.

(2) A notice referred to in regulation 9(1)(b) or 20(3)(b) shall be served by the maintenance officer or maintenance investigator upon the person referred to in the said notice by -

- (a) handing a copy of the notice to the said person personally and endorsing the original notice to this effect; or
- (b) sending the notice by facsimile to the said person, in which case proof thereof must be kept, and by sending a copy of the notice by registered post to the said person.

Short title

27. These regulations shall be called the Regulations relating to Maintenance, and shall come into operation on 26 November 1999.

.....
* The child(ren) mentioned is/are under my care because

.....
.....
3. The defendant has since not supported *myself/the said child(ren) and has made *no contribution towards maintenance/the following contribution towards maintenance:

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

4. I request that the defendant be ordered to make the following contribution(s) towards maintenance:

A *weekly/monthly contribution of -

- R..... in respect of myself (complainant)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)
- Rin respect of (name of child)

The first payment should be made on and after that on or before the day of each succeeding *week/month. All payments should be made to

in favour of;

and/or

other contributions (for example medical and dental costs, school fees, fees to tertiary institutions, schoolwear, expenses for sport and/or cultural activities, birth expenses and maintenance for child(ren) from birth):

.....

.....

.....

.....

.....

5. Particulars of my assets and *monthly/weekly income and expenditures (supported by documentary proof, where possible) are as follows:

Assets

Fixed property	R
Investments	R
Savings	R
Shares	R
Motor vehicles	R
Other:	R
	R
	R
	R
	R

Income

Gross salary	R
--------------	---

Minus: Deductions	Tax	R
	Medical Aid	R
	Pension	R
	Other:	
		R
		R
		R
Total nett salary		R
Other income (state source of income)		R
		R
		R
		R
Total income		R

Expenditure

			Self	Child(ren)	Total
1	Lodging (bond repayment/levy /rent/ board)				
2	Food	Groceries			
		Meat			
		Bread and milk			
		Fruit and vegetables			
3	Household expenditure	Water and electricity/gas/paraffin			
		Rates and taxes			
		Maintenance (cleaning materials)			
		Laundry/Dry-cleaning			
		Baby food			
		Lunches			

		Toiletries			
		Telephone			
		Domestic worker			
		Garden services			
		Insurance (short term)			
4	Clothing	Clothes and shoes			
		School uniforms			
		Sports clothes			
5	Personal care (including hair care/cosmetics, etc.)				
6	Transport	Bus			
		Car	Instalments		
			Maintenance		
			Fuel		
			Licences		
			Insurance		
		Taxi			
		Lift club			
		Parking			
		Other			
7	Educational expenditure	School fees			
		After school care			
		Crèche/day care			
		Insurance (study policy)			
		Books			
		Stationery			
		Outings			
		Sports			
		Extramural			
		Other school expenditure			
8	Medical expenditure	Doctor/dentist/etc.			
		Medication			

		Hospital			
		Other medical expenditure			
9	Insurance	Life			
		Annuity			
		House owners/House holders			
10	Pocket money/ Allowances				
11	Holidays				
12	Maintenance, replacement and repairs of items	House			
		Household appliances			
		Kitchenware			
		Linen, towels, etc.			
		*Bicycles/bikes/scooters			
		Other items			
13	Entertainment & recreation (incl M-Net)				
14	Personal loans				
15	Security alarm system				
16	Membership fees				
17	Religious contributions/ Charities				
18	Gifts				
19	TV licence				
20	Reading material	Books			
		Newspapers			
		Periodicals			
21	Lease/Hire purchase payments	Furniture			
		Appliances			
		Other			
22	Pets	Food			
		Veterinary surgeon ("vet")			

		Licence			
23	Other (not specified above)				
	Total expenditure				

Dated at this day of

.....
Signature of Complainant

Oath/Affirmation

1. I certify that before administering the *oath/affirmation I asked the complainant the following questions and wrote down *his/her answers in *his/her presence:

(a) Do you know and understand the contents of the declaration?

Answer

(b) Do you have any objection to taking the prescribed oath?

Answer

(c) Do you consider the prescribed oath binding on your conscience?

Answer

2. I certify that the complainant acknowledged that *he/she knows and understands the contents of this declaration. The complainant uttered the following words *"I swear that the contents of this declaration are true, so help me God"/"I truly affirm that the contents of the declaration are true". The *signature/mark of the complainant was affixed to the declaration in my presence.

.....

Justice of the Peace/Commissioner of Oaths

Full name and surname.....

(block letters)

Designation (Rank) **Ex Officio Republic of South Africa**

Business address.....

(street address must be stated)

.....

Dated at this day of

*Delete whichever is not applicable

FORM B

[Regulation 2(2)]

**SUBSTITUTION OR DISCHARGE OF EXISTING MAINTENANCE ORDER
COMPLAINT IN TERMS OF SECTION 6(1)(b) OF THE MAINTENANCE
ACT, 1998 (ACT No. 99 OF 1998)**

Reference No.

[This information should, as far as possible, be given in order to investigate the complaint.]

I,
(full name)

(called "the deponent")

born on (date)/age

identity number

living at

telephone number

working at

telephone number

nearest police station

hereby *declare under oath/truly affirm as follows:

1.
(full name of person against whom maintenance order was made)

born on..... (date)/age.....

identity number.....

living at.....

telephone number.....

working at

.....

telephone number.....

nearest police station

was ordered by(Court)

on the day of to pay -

(a) on a *weekly/monthly basis with effect from
 towards the maintenance of /the following
 child(ren) the sum of -

Rin respect of the complainant

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

R in respect of (name of child), born on

All payments should have been made to

in favour of

and/or

(b)

.....

.....

.....

.....

.....

(other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, schoolwear, expenses for sport and/or cultural activities, birth expenses and maintenance for child(ren) from birth).

A copy of the order is attached.

2. *Good cause/reason exists for the **substitution** of the said maintenance order as follows:

(a) A *weekly/monthly payment with effect from in the amount of -

R..... in respect of the complainant

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child)

Rin respect of (name of child).

The first payment must be made on..... and after that on or before the day of each succeeding *week/month. All payments must be made to..... in favour of

and/or

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

.....

 (other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, schoolwear, expenses for sport and/or cultural activities, birth expenses and maintenance for child(ren) from birth);

OR

*good cause/ reason exists for the **discharge** of the said maintenance order.

3. The cause/reason for the *substitution/discharge of the maintenance order is -

.....

4. Particulars of my assets and *monthly/weekly income and expenditures (supported by documentary proof, where possible) are as follows:

Assets

Fixed property	R
Investments	R
Savings	R
Shares	R
Motor vehicles	R
Other:	R
	R
	R
	R
	R

Income

Gross salary		R
Minus: Deductions	Tax	R
	Medical Aid	R
	Pension	R
	Other:	R
		R
		R
		R
Total nett salary		R
Other income (state source of income)		R
		R
		R
		R
Total income		R

Expenditure

			Self	Child(ren)	Total
1	Lodging (bond repayment/levy /rent/ board)				
2	Food	Groceries			
		Meat			
		Bread and milk			
		Fruit and vegetables			
3	Household expenditure	Water and electricity/gas/paraffin			
		Rates and taxes			
		Maintenance (cleaning materials)			
		Laundry/Dry-cleaning			

		Baby food			
		Lunches			
		Toiletries			
		Telephone			
		Domestic worker			
		Garden services			
		Insurance (short term)			
4	Clothing	Clothes and shoes			
		School uniforms			
		Sports clothes			
5	Personal care (including hair care/cosmetics, etc.)				
6	Transport	Bus			
		Car	Instalments		
			Maintenance		
			Fuel		
			Licences		
			Insurance		
		Taxi			
		Lift club			
		Parking			
		Other			
7	Educational expenditure	School fees			
		After school care			
		Crèche/day care			
		Insurance (study policy)			
		Books			
		Stationery			
		Outings			
		Sports			
		Extramural			
		Other school expenditure			

8	Medical expenditure	Doctor/dentist/etc.			
		Medication			
		Hospital			
		Other medical expenditure			
9	Insurance	Life			
		Annuity			
		House owners/House holders			
10	Pocket money/ Allowances				
11	Holidays				
12	Maintenance, replacement and repairs of items	House			
		Household appliances			
		Kitchenware			
		Linen, towels, etc.			
		*Bicycles/bikes/scooters			
	Other items				
13	Entertainment & recreation (incl M-Net)				
14	Personal loans				
15	Security alarm system				
16	Membership fees				
17	Religious contributions/ Charities				
18	Gifts				
19	TV licence				
20	Reading material	Books			
		Newspapers			
		Periodicals			
21	Lease/Hire purchase payments	Furniture			
		Appliances			
		Other			

22	Pets	Food			
		Vet			
		Licence			
23	Other (not specified above)				
Total expenditure					

Dated at this day of,

.....
Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?
Answer
- (b) Do you have any objection to taking the prescribed oath?
Answer
- (c) Do you consider the prescribed oath binding on your conscience?
Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/"/"I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

.....
Justice of the Peace/Commissioner of Oaths

Full name and surname.....
(block letters)

Designation (Rank) **Ex Officio Republic of South Africa**

Business address.....
(street address must be stated)

.....
Dated at **this** **day of**

*Delete whichever is not applicable

FORM C I
[Regulation 4(1)(a)]

**SUBPOENA IN TERMS OF SECTION 9(2) OF THE MAINTENANCE ACT,
1998 (ACT No. 99 OF 1998)**

[A document in the form set out in Form G must accompany the subpoena to the person against whom a maintenance order may be/was made.]

Reference No.

Maintenance Court (Magistrate's Court)	Court/Room No.	Date of inquiry
--	----------------	-----------------

A. Subpoena

1. To any person authorised to serve process:

You are hereby directed to -

(a) subpoena the following persons:

<p>Name of person in whose favour maintenance order is to be/was made:</p> <p>ID No./Date of birth:</p> <p>Address:</p> <p>No. of rail warrant:</p>
--

Name of person against whom maintenance order may be/was made:

ID No./Date of birth:

Address:

No. of rail warrant:

- (i) to appear in person before the above-mentioned court at 09:00 on the date stated above; and
- (ii) to remain present until excused by the court,

to give evidence at an enquiry, in terms of section 10 of the Maintenance Act, 1998 (Act No. 99 of 1998), instituted by the maintenance officer;

- (b) serve on each of the above-mentioned persons a copy of this subpoena and report to this Court what you have done with regard to it; and
- (c) request the above-mentioned persons to produce the following at the enquiry:

- (i) Part B of this Form, duly completed by.....
(the opposing party), together with supporting documentation, where possible.
- (ii)
- (iii)

2. To the persons who are hereby summoned:

- (a) Warnings:
 - (i) If your above-mentioned address changes before the proceedings are finalised or before you are officially advised that you are no longer required as a witness you must inform the maintenance

officer of the above-mentioned court thereof.

(ii) If you fail to comply with the above-mentioned warning and this subpoena you may be arrested and on conviction sentenced to a fine or a term of imprisonment.

(b) An application has been made for -

* (i) the *making of the following maintenance order/substitution of the existing maintenance order for the following order:

* (aa) A *weekly/monthly payment of -

R in respect of the complainant

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child);

and/or

* (bb)

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

(other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, schoolwear, expenses for sport

and/or cultural activities, birth expenses and maintenance for child(ren) from birth);

**(ii)* the discharge of the existing maintenance order.

3. To the person against whom a maintenance order may be made/was made:

Your attention is drawn to -

- (a) section 17(1) of the Maintenance Act, 1998 (Act No. 99 of 1998), in terms of which you may consent in writing (on the attached document) to the making, in your absence, of an order against you for the payment of maintenance; and
- (b) section 18(1) of the Maintenance Act, 1998 (Act No. 99 of 1998), in terms of which an order by default may be issued against you if the maintenance court is satisfied that you have knowledge of this subpoena and still failed to appear before the maintenance court.

Dated at this day of

.....
Maintenance Officer/Clerk of the Maintenance Court

B. Particulars regarding assets, income and expenditure of opposing party:

4. Particulars of my assets and *monthly/weekly income and expenditures (supported by documentary proof, where possible) are as follows:

Assets

Fixed property	R
Investments	R
Savings	R
Shares	R

Motor vehicles	R
Other:	R
	R
	R
	R
	R

Income

Gross salary	R	
Minus: Deductions	Tax	R
	Medical Aid	R
	Pension	R
	Other:	R
		R
		R
		R
Total nett salary	R	
Other income (state source of income)	R	
	R	
	R	
	R	
Total income	R	

Expenditure

			Self	Child(ren)	Total
1	Lodging (bond repayment/levy /rent/ board)				
2	Food	Groceries			
		Meat			
		Bread and milk			

		Fruit and vegetables				
3	Household expenditure	Water and electricity/gas/paraffin				
		Rates and taxes				
		Maintenance (cleaning materials)				
		Laundry/Dry-cleaning				
		Baby food				
		Lunches				
		Toiletries				
		Telephone				
		Domestic worker				
		Garden services				
		Insurance (short term)				
4	Clothing	Clothes and shoes				
		School uniforms				
		Sports clothes				
5	Personal care (including hair care/cosmetics, etc.)					
6	Transport	Bus				
		Car	Instalments			
			Maintenance			
			Fuel			
			Licences			
			Insurance			
		Taxi				
		Lift club				
		Parking				
Other						
7	Educational expenditure	School fees				
		After school care				
		Crèche/day care				

		Insurance (study policy)			
		Books			
		Stationery			
		Outings			
		Sports			
		Extramural			
		Other school expenditure			
8	Medical expenditure	Doctor/dentist/etc.			
		Medication			
		Hospital			
		Other medical expenditure			
9	Insurance	Life			
		Annuity			
		House owners/House holders			
10	Pocket money/ Allowances				
11	Holidays				
12	Maintenance, replacement and repairs of items	House			
		Household appliances			
		Kitchenware			
		Linen, towels, etc.			
		*Bicycles/bikes/scooters			
		Other items			
13	Entertainment & recreation (incl M-Net)				
14	Personal loans				
15	Security alarm system				
16	Membership fees				
17	Religious contributions/ Charities				
18	Gifts				

19	TV licence				
20	Reading material	Books			
		Newspapers			
		Periodicals			
21	Lease/Hire purchase payments	Furniture			
		Appliances			
		Other			
22	Pets	Food			
		Vet			
		Licence			
23	Other (not specified above)				
Total expenditure					

C. Return of service

I,, certify that I have -

*(a) delivered a copy of the subpoena to..... personally [regulation 26(1)(a)(i)];

or

*(b) offered a copy of the subpoena for delivery to personally [regulation 26(1)(a)(i)];

or

*(c) delivered a copy of the subpoena to, a person apparently not younger than the age of 16 years and apparently residing or

employed at the *residence/place of employment/place of business of , since he/she could not conveniently be found [regulation 26(1)(a)(ii) or (iii)];

or

*(d) *affixed/placed a copy of the subpoena to/in the *outer/principal door/ security gate/post box of the *residence/place of employment/place of business of , since he/she prevented the service by keeping his/her *residence/place of employment/place of business closed [regulation 26(1)(c)].

Dated at this day of

.....
*Maintenance Investigator/Sheriff/Police Officer

*Delete whichever is not applicable

FORM C II
[Regulation 4(1)(b)]

**SUBPOENA IN TERMS OF SECTION 9(2) OF THE MAINTENANCE ACT,
 1998 (ACT No. 99 OF 1998)**

Reference No.

Maintenance Court (Magistrate's Court)	Court/Room No.	Date of inquiry
--	----------------	-----------------

In the maintenance enquiry between -

.....
 (person in whose favour maintenance order is to be/was made)

and

.....
 (person against whom maintenance order may be/was made)

A. Subpoena

1. To any person authorised to serve process:

You are hereby directed to -

(a) subpoena the following person(s):

<p>Name of witness:</p> <p>ID No./Date of birth:</p> <p>Address:</p> <p>No. of rail warrant:</p>

Name of witness:

ID No./Date of birth:

Address:

No. of rail warrant:

- (i) to appear in person before the above-mentioned court at 09:00 on the date stated above; and
 - (ii) to remain present until excused by the court,
- to give evidence at an enquiry, in terms of section 10 of the Maintenance Act, 1998 (Act No. 99 of 1998), instituted by the maintenance officer;
- (b) serve on each of the above-mentioned person(s) a copy of this subpoena and report to this Court what you have done with regard to it; and
 - (c) request the above-mentioned person(s) to produce the following at the enquiry:
 - (i)
 - (ii)
 - (iii)

2. Warnings to the person(s) who is/are hereby subpoenaed as (a) witness(es):

- (i) If your above-mentioned address changes before the proceedings are finalised or before you are officially advised that you are no longer required as a witness you must inform the maintenance officer of the above-mentioned court thereof.

- (ii) If you fail to comply with the above-mentioned warning and this subpoena you may be arrested and on conviction sentenced to a fine or a term of imprisonment.

Dated at this.....day of

.....
Maintenance Officer/Clerk of the Maintenance Court

B. Return of service

I,, certify that I have -

*(a) delivered a copy of the subpoena to..... personally
[regulation 26(1)(a)(i)];

or

*(b) offered a copy of the subpoena for delivery to
personally [regulation 26(1)(a)(i)];

or

*(c) delivered a copy of the subpoena to, a person
apparently not younger than the age of 16 years and apparently residing or
employed at the *residence/place of employment/place of business of
....., since he/she could not conveniently be found
[regulation 26(1)(a)(ii) or (iii)];

or

*(d) *affixed/placed a copy of the subpoena to/in the *outer/principal door/
security gate/post box of the *residence/place of employment/place of
business of, since he/she prevented the
service by keeping his/her *residence/place of employment/place of

business closed [regulation 26(1)(c)].

Dated at this day of

.....

***Maintenance Investigator/Sheriff/Police Officer**

***Delete whichever is not applicable**

FORM D
[Regulation 7]

NOTIFICATION TO ADMIT STATEMENTS BY WITNESSES
NOTICE IN TERMS OF SECTION 12(2)(c) OF THE MAINTENANCE ACT,
1998 (ACT No. 99 OF 1998)

[This notice shall be served on the person concerned at least 14 days before the hearing of the enquiry.]

Reference No.

In the maintenance enquiry between -

.....
(person who applies for maintenance order)

and

.....
(person against whom maintenance order may be made)

to be held on at with regard
to the payment of maintenance in respect of

.....

To:
(person against whom maintenance order may be made)

of
..... (address)

1. You are hereby notified that it is intended to submit the attached statement(s) made by -

.....
.....

and the attached document(s), referred to in the statement(s), as evidence in the above-mentioned enquiry.

2. The information contained in the(se) document(s) shall be regarded as evidence as if the person(s) who made the(se) statement(s) has(have) given oral evidence, unless you object thereto to the maintenance officer of the above-mentioned court at least seven days before the commencement of the enquiry.

Dated at this day of

.....
Maintenance Officer/Clerk of
the Maintenance Court

FORM E
[Regulation 8]

**MAINTENANCE ORDER IN TERMS OF SECTION 16 OF THE
MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)**

Reference No.

[Form G must be used in the event of an order by consent and Form H must be used in the event of an order by default.]

In the maintenance matter between:

.....

(person who applies for maintenance order)

and

.....

(person against whom order is made)

1. In terms of the provisions of section 16(1)(a) and/or (b) of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....

(full name of person against whom order is made)

identity number

living at

.....

and working at,

.....

*(a) shall pay on a *weekly/monthly basis with effect from.....

towards the maintenance of *the complainant and/or the following

child(ren) the sum of -

R in respect of the complainant

R in respect of (name of child)
 R..... in respect of (name of child)
 R in respect of (name of child)
 R in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child),

the first payment is to be made on and
 after that on/or before the day of each succeeding *week/month to

 in favour of

and/or

*(b)

(other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, schoolwear, expenses for sport and/or cultural activities, birth expenses and maintenance for child(ren) from birth).

*2. It is further ordered that the maintenance order, dated
 made by the
 is hereby substituted by the above-mentioned maintenance order.

*3. In terms of the provisions of section 16(2) of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....
(person(s) who is/are obliged by any contract to pay money on a periodical basis to person against whom maintenance order was made)

of

..... (address(es))

make on behalf of the person against whom the order in paragraph (1) above was made the following payments:

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

Dated at this day of

.....

Magistrate

*Delete whichever is not applicable

FORM F
[Regulation 9]

NOTICE TO MAKE MAINTENANCE PAYMENTS ON BEHALF OF PERSON AGAINST WHOM MAINTENANCE ORDER WAS MADE

NOTICES IN TERMS OF SECTION 16(3) OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

Reference No.

In the maintenance matter between:

.....
(person in whose favour maintenance order was made)

and

.....
(person against whom maintenance order was made)

A. Notification in terms of section 16(3)(a)

[This notice shall be served on the undermentioned person(s) within seven days after the day on which the order was made.]

To:
(person(s) who is/are obliged by any contract to pay money on a periodical basis to above-mentioned person against whom maintenance order was made)

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

1. You are hereby informed of the attached order of court in terms of which you are directed to make the payments as specified. Please note that these payments must be given priority over any other order of court requiring payments to be made from any other moneys due to the person against whom the maintenance order was made.

2. If you are discharged from your contractual obligation you shall within seven days after the day on which you are so discharged give notice thereof on Part C of this form to the maintenance officer of the court where the attached maintenance order was made. This notice may be submitted to the maintenance officer in any manner convenient to you, but you must keep record of the manner in which the notice was submitted.

3. **Warning:**

If you, without good reason, refuse or fail to -

- (a) make any payment in accordance with the attached order; or
- (b) furnish the maintenance officer with the notice provided for in Part C of this form,

you shall be guilty of an offence and may be sentenced to a fine or to imprisonment for a period not exceeding six months.

Dated at this day of

.....
Maintenance Officer / Clerk
of the Maintenance Court

B. Return of service

I,, certify that I have -

*(a) delivered a copy of the notice to personally
[regulation 26(1)(a)(i)];

or

*(b) offered a copy of the notice for delivery to
personally [regulation 26(1)(a)(i)];

or

*(c) delivered a copy of the notice to, a person
apparently not younger than the age of 16 years and apparently residing or
employed at the *residence/place of employment/place of business of
....., since he/she could not conveniently be found
[regulation 26(1)(a)(ii) or (iii)];

or

*(d) *affixed/placed a copy of the notice to/in the *outer/principal door/security
gate/post box of the *residence/place of employment/place of business of
....., since he/she prevented the service by
keeping his/her *residence/place of employment/place of business closed
[regulation 26(1)(c)];

or

*(e) delivered a copy of the notice to a
*director/responsible employee of
at the latter's *registered office/main place of business [regulation
26(1)(a)(iv)].

Dated at this day of,

.....
*Maintenance Investigator/Sheriff/Police Officer

C. Notification in terms of section 16(3)(b)

To: The Maintenance Officer/Clerk of the Maintenance Court of the Magistrate's Office,

1. I,, certify that I have been discharged with effect from(date) from my contractual obligation to pay money on a periodical basis to, the person against whom the above-mentioned order was made, for the following reasons:

.....
.....

2. The following information at my disposal may be relevant for purposes of making a new order against another person who may be obliged by any contract to pay money on a periodical basis to the person against whom the above-mentioned order was made:

.....
.....

Dated at this day of

.....
Signature of person who makes maintenance payments on behalf of person against whom maintenance order was made

*Delete whichever is not applicable

FORM G
[Regulation 10]

CONSENT AND MAINTENANCE ORDER IN TERMS OF SECTION 17 READ WITH SECTION 16 OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

Reference No.

In the maintenance matter between:

.....
(person who applies for maintenance order)

and

.....
(person against whom order may be made)

A. Written consent in terms of section 17(1)

I,
(full name of person against whom order may be/was made)

identity number

living at.....

.....

working at

..... ,

consent to the following:

That a maintenance order be issued against me -

- *(a) to pay on a *weekly/monthly basis with effect from towards the maintenance of *the complainant and/or the following children the sum of -

- R in respect of the complainant
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child)
- R in respect of (name of child),

that the first payment be made on and after that on or before
 the day of each succeeding *week/month to

 in favour of

and/or

*(b) to *make the following contribution/*pay.....

Dated at this day of

.....
 Signature of person against whom
 order may be/was made

B. Maintenance order in terms of section 17(1)

1. A maintenance order in accordance with the above-mentioned written consent by the person against whom an order may be made/was made is hereby made an order of court.

*2. The maintenance order dated, made by the, is hereby substituted.

*3. In terms of the provisions of section 16(2) of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....
(person(s) who is/are obliged by any contract to pay money on a periodical basis to person against whom maintenance order was made)

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

make on behalf of the person against whom the order in part A above was made the following payments:

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

Dated at this day of

.....
Magistrate

C. Return in terms of section 17(2)

I,, hereby certify that I have tendered/delivered a copy of this order to at (place) at.....a.m./p.m. on this day of , and informed him/her of the nature and urgency thereof.

Dated at this day of

.....
***Maintenance Officer/Maintenance Investigator/Sheriff/Police Officer**

*Delete whichever is not applicable

FORM H
[Regulation 11]

ORDER BY DEFAULT AND NOTICE IN TERMS OF SECTION 18 READ WITH SECTION 16 OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

Reference No.

In the maintenance matter between:

.....
(person who applies for maintenance order)

and

.....
(person against whom order is made)

A. Order by default

1. In terms of the provisions of section 18 read with section 16 of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....
(full name of person against whom order is made)

identity number

living at.....

.....

and working at

.....,

*(a) shall pay on a *weekly/monthly basis with effect from
towards the maintenance of *the complainant and/or the following
child(ren) the sum of -

Rin respect of the complainant

R in respect of (name of child)
 R..... in respect of (name of child)
 R in respect of (name of child)
 R in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child)
 R..... in respect of (name of child),

the first payment is to be made on and
 after that on or before the day of each succeeding *week/month to

 in favour of

and/or

***(b)**

(other contribution)

***2.** It is further ordered that the maintenance order, datedmade
 by the is hereby substituted
 by the above-mentioned maintenance order.

*3. In terms of the provisions of section 16(2) of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....
(person(s) who is/are obliged by any contract to pay money on a periodical basis
to person against whom maintenance order was made)

of

..... (address(es))

make on behalf of the person against whom the order in part A above was made
the following payments:

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

Dated at this day of

.....
Magistrate

*Delete whichever is not applicable

B. Notification of order by default to the person against whom the above-mentioned order was made.

1. You are hereby informed of the above-mentioned order by default made against you in terms of which you are directed to make payments as specified in the order.
2. Should you wish to apply for the variation or setting aside of the attached order your application must be made to the maintenance officer of the court who issued the order within 20 days after receipt of this notice.

3. Please take note that you must also give notice of your application to the person in whose favour the order was made and the notice is to be served at least 14 days before the day the application is to be heard.

4. Your application (see paragraph 2) and the notice (see paragraph 3) must be on the prescribed form available at any magistrate's office.

Dated at this day of

.....
Maintenance Officer/Clerk
of the Maintenance Court

C. Return in terms of section 18(3)

I,, hereby certify that I have tendered/delivered a copy of the order to at
.....(place) at.....a.m./p.m.
on this day of, and informed him/her of the nature and urgency thereof.

Dated at this day of

.....
*Maintenance Officer/Maintenance
Investigator/Sheriff/Police Officer

*Delete whichever is not applicable

FORM I
[Regulation 11(4)]

**APPLICATION FOR VARIATION/ SETTING ASIDE OF AN ORDER BY
DEFAULT IN TERMS OF SECTION 18(4) OF THE MAINTENANCE ACT,
1998 (ACT No. 99 OF 1998)**

Reference No.

In the maintenance matter between:

.....
(person in whose favour maintenance order was made)

and

.....
(person against whom maintenance order was made)

A. Application in terms of section 18(4)(a)

To the Maintenance Officer of the Maintenance Court,

1. I, ,
(full name of person against whom maintenance order was made)
identity number
hereby apply that the maintenance order issued against me on the day of
..... by the Maintenance Court,, in
terms of the Maintenance Act, 1998 (Act No. 99 of 1998), be *set aside/varied as
follows:
.....
.....

2. In support of my application I hereby -
(a) *declare under oath/truly affirm that the following reasons exist for the
*variation/setting aside of the order:

.....
.....; and

(b) attach affidavits by the following persons:

.....
.....

Dated at this day of

.....
Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?

Answer

(b) Do you have any objection to taking the prescribed oath?

Answer

(c) Do you consider the prescribed oath binding on your conscience?

Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

.....
Justice of the Peace/Commissioner of Oaths

Full name and surname.....
(block letters)

Designation (Rank) Ex Officio Republic of South Africa

Business address.....
(street address must be stated)

Dated at this day of

B. Notification in terms of section 18(4)(c)

[Submit this notice, at least 14 days before your application is heard, to the person in whose favour the order by default was made in any manner convenient to you but keep record of the manner in which the notice was submitted.]

To:
(person in whose favour maintenance order was made)

1. Take note that the above-mentioned application will be heard on the day of at (time) at the Maintenance Court,
2. Attached hereto, if applicable, are copies of affidavits in support of the application.

Dated at this day of

.....
Signature of person against whom
maintenance order was made

*Delete whichever is not applicable

FORM J
[Regulation 12]

NOTICE IN TERMS OF SECTION 19 OF THE MAINTENANCE ACT, 1998
(ACT No. 99 OF 1998)

Reference No.

In the maintenance matter between:

.....
(person in whose favour maintenance order was made)

and

.....
(person against whom maintenance order was made)

To:

.....
(person in whose favour maintenance order was made)

.....
(person against whom maintenance order was made)

*.....
(person on whom notice referred to in section 16(3)(a)
has been served)

*1. Take note that the order issued under section 16(1)(a)(i) or 16(1)(b)(i) on
....., at the Maintenance Court,
was varied -

* (a) by the designation of
as from (date) as the person, officer,
organisation, institution, or account to whom, to which or into which
payment in terms of this order is to be made; or

* (b) by determining that payment in terms of this order will be made in the
following manner:
as from (date)

*2. Take note that the order issued under section 16(2) on

at the Maintenance Court,, was set aside with effect from

Dated at this day of

.....
Maintenance Officer

* Delete whichever is not applicable

FORM K
[Regulation 16]

**APPLICATION FOR ENFORCEMENT OF MAINTENANCE OR OTHER
ORDER IN TERMS OF SECTION 26 OF THE MAINTENANCE ACT, 1998
(ACT No. 99 OF 1998)**

Reference No.

In the maintenance matter between:

.....
(person in whose favour maintenance order was made)

and

.....
(person against whom maintenance order was made)

To the Maintenance Officer of the Maintenance Court,

1. I,,
(full name of person in whose favour order was made)
identity number

hereby apply -

- *(a) for authorisation to issue a warrant of execution; or
- *(b) for an order for the attachment of emoluments; or
- *(c) for an order for the attachment of a debt.

2. The following information is important for purposes of my application:

.....
.....

(Submit information relating to property and/or debts
of the person against whom the order was made
or his or her employer and income)

3. The whereabouts of the person against whom the order was made are as follows:

4. In support of my application I hereby *declare under oath/truly affirm that -

- (a) on (date) the attached order in terms of the Maintenance Act, 1998, was made by the above-mentioned maintenance court;
- (b) the attached order has remained unsatisfied; and
- (c) the amount of R..... is still outstanding. The amount has been calculated as follows:

Dated at this day of

.....
 Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?
 Answer
- (b) Do you have any objection to taking the prescribed oath?
 Answer
- (c) Do you consider the prescribed oath binding on your conscience?
 Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/ "I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

.....
Justice of the Peace/Commissioner of Oaths

Full name and surname.....
(block letters)

Designation (Rank) Ex Officio Republic of South Africa

Business address.....
(street address must be stated)

.....
Dated at this day of

*Delete whichever is not applicable

FORM L
[Regulation 17]

WARRANT OF EXECUTION AGAINST PROPERTY IN TERMS OF SECTION 27 OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

[Part A must be completed by the person in whose favour the order was made.

Part B must be completed by the clerk of the maintenance court.

Parts C and D must be completed by the person authorised to execute this warrant.]

Reference No.....

In the maintenance matter between:

.....
(person in whose favour order was made, hereinafter referred to as the "execution creditor")

and

.....
(person against whom order was made, hereinafter referred to as the "execution debtor")

A. To the Clerk of the Maintenance Court,

1. Amounts to be levied:

(a) Outstanding amount of order R.....

(b) Interest on amount in (a) R.....

Total due R.....

2. Address of the execution debtor:

Dated at this day of

.....
Signature of person in whose favour order was made

B. To the person authorised to execute this warrant:

1. The above-mentioned maintenance court authorised on the day of in favour of the execution creditor, the issuing of a warrant of execution in terms of section 27 of the Maintenance Act, 1998 (Act No. 99 of 1998), against the *movable/immovable property of the execution debtor for the above-mentioned amounts, amounting in all to the sum of R..... .

2. You are therefore authorised and required to raise on the property of the execution debtor the sum of R....., together with your costs of this execution, and pay to the said execution creditor the sum of R..... and report to this Court what you have done by virtue hereof.

Dated at this day of

Date stamp of issuing office

.....

Clerk of the Maintenance Court

Note to person authorised to execute this warrant:

1. If the execution debtor pays the above-mentioned amount and the costs of this execution within half an hour of your entry 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 forthwith be endorsed on the original and copy hereof, which endorsement shall be signed by the person authorised to execute this warrant and countersigned by the execution debtor or his or her representative.

2. This execution may be paid out of sale, subject to the payment of the execution costs, 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. Any alterations made herein shall be initialled by the clerk of the maintenance court before the warrant is issued or reissued by him or her.

C. Return of service

I,, certify that I have -

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

D. Endorsement

The execution debtor paid the amount of R within half an hour of my entry.

.....
Signature of Sheriff/
Maintenance Investigator

.....
Signature of Execution Debtor/
Representative

FORM M
[Regulation 19]

**APPLICATION FOR SETTING ASIDE OF A WARRANT OF EXECUTION IN
TERMS OF SECTION 27(3) OF THE MAINTENANCE ACT, 1998 (ACT No. 99
OF 1998)**

Reference No.

In the maintenance matter between:

.....
(person in whose favour warrant of execution was issued)

and

.....
(person against whom warrant of execution was issued)

A. Application in terms of section 27(3)

To the Maintenance Officer of the Maintenance Court,

1. I,,
(full name of person against whom warrant of execution was issued)

identity number

hereby apply that the warrant of execution issued on the day of
..... by the clerk of the above-mentioned maintenance court, be set aside.

2. In support of my application I hereby -

(a) *declare under oath/truly affirm that the following reasons exist for the
setting aside of the warrant of execution:

.....
.....; and

(b) attach affidavits by the following persons:

.....
.....

Dated at this day of

.....

Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?

Answer

(b) Do you have any objection to taking the prescribed oath?

Answer

(c) Do you consider the prescribed oath binding on your conscience?

Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

.....

Justice of the Peace/Commissioner of Oaths

Full name and surname.....

(block letters)

Designation (Rank) Ex Officio Republic of South Africa

Business address.....
(street address must be stated)

Dated at this day of

B. Notification in terms of section 27(6)(a)

[Submit this notice, at least 14 days before your application is heard, to the person in whose favour the warrant of execution was issued in any manner convenient to you but keep record of the manner in which the notice was submitted.]

To:
(person in whose favour warrant of execution was issued)

1. Take note that the above-mentioned application will be heard on the day of at (time) at the Maintenance Court,
2. Attached hereto, if applicable, are copies of affidavits in support of the application.

Dated at this day of

.....
Signature of person against whom
warrant of execution was issued

*Delete whichever is not applicable

FORM N
[Regulation 20]

APPLICATION FOR SUSPENSION, AMENDMENT OR RESCISSION OF AN
ORDER FOR THE ATTACHMENT OF EMOLUMENTS IN TERMS OF
SECTION 28(2) OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

Reference No.

In the maintenance matter between:

.....
(person in whose favour order for attachment of emoluments was made)

and

.....
(person against whom order for attachment of emoluments was made)

A. Application in terms of section 28(2)(a)

To the Maintenance Officer of the Maintenance Court,

1. I, ,
(full name of person who applies for suspension, amendment or rescission of order)
identity number

hereby apply that the order for the attachment of emoluments made on the.....
day of by the above-mentioned maintenance court, be
*suspended/rescinded/amended as follows:

.....
.....

2. In support of my application I hereby -

(a) *declare under oath/truly affirm that the following reasons exist for the
*suspension/recission/amendment of the order:

.....
.....; and

(b) attach affidavits by the following persons:

.....
.....

Dated at this day of

Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?

Answer

(b) Do you have any objection to taking the prescribed oath?

Answer

(c) Do you consider the prescribed oath binding on your conscience?

Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

.....
Justice of the Peace/Commissioner of Oaths

Full name and surname.....
(block letters)

Designation (Rank) Ex Officio Republic of South Africa

Business address.....
(street address must be stated)

.....

Dated at this day of

B. Notification in terms of section 28(2)(b)

[Submit this notice, at least 14 days before your application is heard, to the person in whose favour the order for attachment of emoluments was made in any manner convenient to you but keep record of the manner in which the notice was submitted.]

To:
(person in whose favour order for attachment of emoluments was made)

1. Take note that the above-mentioned application will be heard on the day of at (time) at the Maintenance Court,

2. Attached hereto, if applicable, are copies of affidavits in support of the application.

Dated at this day of

.....
Signature of person against whom order for attachment of emoluments was made

*Delete whichever is not applicable

FORM O
[Regulation 20]

**NOTICES TO AND BY EMPLOYER IN TERMS OF SECTION 29 OF THE
MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)**

Reference No.

In the maintenance matter between:

.....
(person in whose favour order for attachment of emoluments was made)

and

.....
(person against whom order for attachment of emoluments was made)

A. Notification in terms of section 29(1)

[This notice shall be served on the person concerned within seven days on which the order was made.]

To:
(the employer of the person against whom order
for the attachment of emoluments was made)

of
..... (address)

1. You are hereby informed of the attached order of court in terms of which you are directed to make the payments as specified. Please note that these payments must be given priority over any other order of court requiring payments to be made from the emoluments due to the person against whom the maintenance order was made.
2. If the person against whom the order for attachment of emoluments was made

leaves your service, you shall within seven days after the day on which he or she left your service, give notice thereof on Part C of this form to the maintenance officer of the court where the attached order was made. This notice may be submitted to the maintenance officer in any manner convenient to you, but you must keep record of the manner in which the notice was submitted.

3. Warning:

If you -

- (a) fail to make the payments specified in the attached order you may be held liable for the payment; and
- (b) without good reason cause, refuse or fail to -
 - (i) make the payments specified in the attached order; or
 - (ii) furnish the maintenance officer with the notice provided for in Part C of this form,

you shall be guilty of an offence and may be sentenced to a fine or to imprisonment for a period not exceeding six months.

Dated at this day of

.....

Signature of the Maintenance Officer/
Clerk of the Maintenance Court

B. Return of service

I,, certify that I have -

- *(a) delivered a copy of the notice to personally
[regulation 26(1)(a)(i)];

or

*(b) offered a copy of the notice for delivery to
personally [regulation 26(1)(a)(i)];

or

*(c) delivered a copy of the notice to, a person
apparently not younger than the age of 16 years and apparently residing or
employed at the *residence/place of employment/place of business of
....., since he/she could not conveniently be found
[regulation 26(1)(a)(ii) or (iii)];

or

*(d) *affixed/placed a copy of the notice to/in the *outer/principal door/security
gate/post box of the *residence/place of employment/place of business of
....., since he/she prevented the service by
keeping his/her *residence/place of employment/place of business closed
[regulation 26(1)(c)];

or

*(e) delivered a copy of the notice to.....
....., a *director/responsible employee of
..... at the latter's *registered office/main
place of business [regulation 26(1)(a)(iv)].

Dated at this day of

.....
*Maintenance Investigator/Sheriff/Police Officer

C: Notification in terms of section 29(2)

To: The Maintenance Officer/Clerk of the Maintenance Court of the Magistrate's Office,

1. I,, hereby give notice that, who was in my employment, left my service on (date).

Dated at this day of

.....

Signature

*Delete whichever is not applicable

FORM P

[Regulation 21]

**APPLICATION FOR SUSPENSION, AMENDMENT OR RESCISSION OF AN
ORDER FOR THE ATTACHMENT OF DEBTS IN TERMS OF SECTION
30(2) OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)**

Reference No.

In the maintenance matter between:

.....
(person in whose favour order for attachment of debts was made)

and

.....
(person against whom order for attachment of debts was made)

A. Application in terms of section 30(2)

To the Maintenance Officer of the Maintenance Court,

1. I, ,
(full name of person who applies for suspension, amendment or rescission of order)

identity number

hereby apply that the order for the attachment of debts made on the day
of by the above-mentioned maintenance court, be
*suspended/rescinded/amended as follows:

.....
.....

2. In support of my application I hereby -

- (a) *declare under oath/truly affirm that the following reasons exist for the *suspension/rescission/amendment of the order:

.....
; and

- (b) attach affidavits by the following persons:

.....

Dated at this day of

.....

Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?

Answer

- (b) Do you have any objection to taking the prescribed oath?

Answer

- (c) Do you consider the prescribed oath binding on your conscience?

Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/"/"I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

Justice of the Peace/Commissioner of Oaths

Full name and surname.....

(block letters)

Designation (Rank) Ex Officio Republic of South Africa

Business address.....

(street address must be stated)

Dated at this day of

B. Notification in terms of section 30(2)(b)

[Submit this notice, at least 14 days before your application is heard, to the person in whose favour the order for attachment of debts was made in any manner convenient to you but keep record of the manner in which the notice was submitted.]

To:
(person in whose favour order for attachment of debts was made)

1. Take note that the above-mentioned application will be heard on the day of at (time) at the Maintenance Court,
2. Attached hereto, if applicable, are copies of affidavits in support of the application.

Dated at this day of

.....
Signature of person against whom order
for attachment of debts was made

*Delete whichever is not applicable

FORM Q

[Regulation 22]

COMPLAINT OF FAILURE TO COMPLY WITH A MAINTENANCE ORDER FOR PURPOSES OF SECTION 31(1) OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)

Reference No.

I, (full name)

(called "the complainant")

born on(date)/age.....

identity number.....

living at

.....

telephone number

working at

.....

telephone number

nearest police station

hereby *declare under oath/truly affirm as follows:

1. (full name)

(called "the defendant")

born on(date)/age

identity number

living at

.....

telephone number

working at

.....
 telephone number
 nearest police station
 was ordered by the(Court)
 on to pay the total amount of R per
 *week/month being R current maintenance for *me and/or the
 child(ren) and/or an outstanding amount of R towards

2. The first payment should have been made on and after that
 on or before the day of each succeeding *week/month. All payments
 should have been made to *the clerk of the court,,
 myself in person/the following bank account.....

3. The defendant is in arrears with *his/her maintenance payments to the following
 extent:.....

4. A certified copy of the existing maintenance order is *attached/is on file at the
 Maintenance Court,

.....
 Signature of Deponent

Oath/Affirmation

1. I certify that before administering the *oath/affirmation 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 declaration?

Answer

(b) Do you have any objection to taking the prescribed oath?

Answer

(c) Do you consider the prescribed oath binding on your conscience?

Answer

2. I certify that the deponent acknowledged that *he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of this declaration are true, so help me God."/ "I truly affirm that the contents of the declaration are true. "The *signature/mark of the deponent was affixed to the declaration in my presence.

.....
Justice of the Peace/Commissioner of Oaths

Full name and surname.....
(block letters)

Designation (Rank) Ex Officio Republic of South Africa

Business address.....
(street address must be stated)

.....
Dated at this day of

*Delete whichever is not applicable

No. R. 1361

15 November 1999

WET OP ONDERHOUD, 1998
REGULASIES BETREFFENDE ONDERHOUD

Die Minister van Justisie het ingevolge artikel 44 van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Regulasies het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg word, die betekenis aldus daaraan geheg en, tensy uit die samehang anders blyk, beteken -

"balju" 'n persoon aangestel ingevolge artikel 2(1) van die Wet op Balju's, 1986 (Wet No. 90 van 1986), en sluit in 'n persoon aangestel as waarnemende balju of adjunkbalju ingevolge artikel 5 of 6 van die Wet; en

"die Wet" die Wet op Onderhoud, 1998 (Wet No. 99 van 1998).

HOOFSTUK 1

KLAGTES EN ONDERSOEKE

Klagtes

2.(1) Enige klagte dat 'n persoon wat regtens verplig is om 'n ander persoon te

onderhou, in gebreke bly om laasgenoemde persoon te onderhou, soos bedoel in artikel 6(1)(a) van die Wet, moet wesenlik met Vorm A van die Aanhangsel ooreenstem.

(2) 'n Klagte vir die vervanging of opheffing van 'n onderhoudsbevel, soos bedoel in artikel 6(1)(b) van die Wet, moet wesenlik met Vorm B van die Aanhangsel ooreenstem.

Onderzoek deur onderhoudsbeampte

3.(1) 'n Onderhoudsbeampte kan, tydens die ondersoek van 'n klagte en met behoorlike oorweging om die ondersoek te bespoedig, die klaagster of klaer en die persoon teen wie 'n onderhoudsbevel gegee kan word of gegee is, beveel om -

- (a) op 'n spesifieke datum en tyd voor hom of haar te verskyn; en
- (b) op die datum van verskyning inligting met betrekking tot die klagte en dokumentêre bewys van die inligting, indien van toepassing, aan hom of haar voor te lê.

(2)(a) 'n Bevel soos bedoel in subregulasie (1) kan gegee word op die wyse wat die onderhoudsbeampte goed dink.

(b) Die onderhoudsbeampte moet 'n rekord hou van die wyse waarop die bevel gegee is.

(3) Enige persoon wat versuim om aan 'n bevel soos bedoel in subregulasie (1) te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met gevangenisstraf van hoogstens ses maande.

Dagvaarding

4.(1) 'n Dagvaarding, soos bedoel in artikel 9(2)(b) van die Wet -

- (a) vir die persoon in wie se guns 'n onderhoudsbevel gegee kan word of gegee is, sowel as die persoon teen wie 'n onderhoudsbevel gegee kan word of gegee is, moet wesenlik met Deel A van Vorm CI van die Aanhangsel ooreenstem; en

- (b) vir ander getuies, moet wesenlik met Deel A van Vorm CII van die Aanhangsel ooreenstem.
- (2) Deel B van Vorm CI van die Aanhangsel moet deur die teenparty ingevul word.
- (3) Die betekening van 'n dagvaarding bedoel in subregulasie (1) moet in ooreenstemming wees met die bepalings van regulasie 26(1).
- (4) 'n Relas van die betekening van 'n dagvaarding bedoel in -
- (a) subregulasie (1)(a) moet wesenlik met Deel C van Vorm CI van die Aanhangsel ooreenstem; en
 - (b) subregulasie 1(b) moet wesenlik met Deel B van Vorm CII van die Aanhangsel ooreenstem.
- (5) 'n Dagvaarding aan die persoon teen wie 'n onderhoudsbevel gegee kan word of gegee is, moet vergesel word van 'n dokument in die vorm soos uiteengesit in Vorm G van die Aanhangsel.

Reis - en verblyftoelaes

5. Enige persoon teen wie 'n onderhoudsbevel gegee kan word, is op bevel van die Onderhoudshof geregtig op die volgende toelaes:

- (a) Sy of haar redelike werklike uitgawes indien hy of sy genoodsaak is om huisvesting vir 'n nag te huur.
- (b) Wanneer die persoon -
 - (i) van spoorwegvervoer gebruik moet maak om die ondersoek by te woon, word 'n spoorwegorder vir 'n retoerkaartjie aan hom of haar uitgereik vir

die klas waarin hy of sy vermoedelik gewoonlik sou reis of sodanige ander klas as wat 'n onderhoudsbeampte geskik ag, en die beslissing van die onderhoudsbeampte in hierdie verband is finaal; of

- (ii) van spoorwegvervoer gebruik maak sonder dat 'n spoorwegorder aan hom of haar uitgereik is, word 'n bedrag gelyk aan die reisgeld teen staatstarief aan hom of haar betaal: Met dien verstande dat indien 'n onderhoudsbeampte oortuig is dat die betaling van sodanige bedrag in enige bepaalde geval onbillik sou wees, hy of sy kan gelas dat 'n bedrag gelyk aan die werklike reisgeld aan die persoon betaal word.
- (c) Wanneer geskikte spoorwegvervoer nie beskikbaar is nie en die persoon teen wie 'n onderhoudsbevel gegee kan word van enige ander vorm van openbare vervoer gebruik maak om 'n ondersoek by te woon, word 'n bedrag gelyk aan sy of haar reisgeld vir die heen-en-terug-reis langs die kortste geskikte roete aan hom of haar betaal: Met dien verstande dat indien meer as een sodanige ander vorm van openbare vervoer beskikbaar is, die reisgeld vir die goedkoopste daarvan betaal word.
- (d) Wanneer geskikte openbare vervoer nie beskikbaar is nie en die persoon teen wie 'n onderhoudsbevel gegee kan word van sy eie of gehuurde vervoer gebruik maak om 'n ondersoek by te woon, word die reisgeld vir die heen-en-terug-reis langs die kortste geskikte roete betaal, bereken teen 50c per kilometer ten opsigte van 'n motorvoertuig, uitgesonderd 'n motorfiets, en 42c per kilometer ten opsigte van 'n motorfiets of enige ander vervoermiddel.
- (e) Wanneer geskikte openbare vervoer wel beskikbaar is en 'n persoon teen wie 'n onderhoudsbevel gegee kan word van sy of haar eie gehuurde vervoer gebruik maak om die ondersoek by te woon, kan die reisgeld bedoel in subparagraaf (d),

vir 'n heen-en-terug-reis van hoogstens 300 kilometer betaal word: Met dien verstande dat indien 'n onderhoudsbeampte daarvan oortuig is dat die omstandighede in 'n bepaalde geval die gebruik van ander vervoer as openbare vervoer vir 'n afstand verder as 300 kilometer regverdig, hy of sy kan gelas dat die reisgeld bedoel in subparagraaf (d) of sodanige laer reisgeld as wat in die omstandighede billik geag word, vir sodanige langer afstand betaal word, en die beslissing van 'n onderhoudsbeampte in hierdie verband is final.

- (f) Indien 'n onderhoudsbeampte oortuig is dat die gebruik van sodanige vervoer geregverdig is, kan hy of sy goedkeur dat 'n persoon teen wie 'n onderhoudsbevel gegee kan word, op staatskoste van lugvervoer gebruik kan maak om die ondersoek by te woon.

Skriftelike verklarings deur getuies

6.(1) 'n Skriftelike verklaring deur 'n persoon, behalwe 'n persoon teen wie 'n onderhoudsbevel gegee kan word, soos bedoel in artikel 12(1) van die Wet, moet -

- (a) onderteken word deur die persoon wat dit gedoen het; en
- (b) 'n verklaring deur so 'n persoon bevat te dien effekte dat dit tot sy of haar beste wete en oortuiging waar is en dat hy of sy die verklaring gedoen het wetende dat hy of sy skuldig kan wees aan 'n misdryf indien hy of sy opsetlik iets daarin verklaar wat hy of sy weet vals is.

(2) Indien die persoon wat 'n verklaring ingevolge subregulasie (1) doen, nie die verklaring kan lees nie, moet die verklaring -

- (a) aan hom of haar voorgelees word deur die persoon wat die verklaring afneem, voordat die persoon wat die verklaring maak, dit onderteken; en
- (b) deur die persoon wat die verklaring aldus voorgelees het, geëndosseer word dat dit aldus voorgelees is.

Kennisgewing om verklarings van getuies in te dien

7. 'n Kennisgewing, soos bedoel in artikel 12(2)(c) van die Wet, aan die persoon teen wie 'n onderhoudsbevel gegee kan word of gegee is om sy of haar toestemming te verkry om die verklaring as getuienis aan te bied, moet wesenlik met Vorm D van die Aanhangsel ooreenstem.

**HOOFSTUK 2
ONDERHOUDS- EN ANDER BEVELE****Onderhouds- en aanvullende bevele**

8. Enige bevel van 'n hof wat ingevolge Hoofstuk 4 van die Wet gegee is, behalwe 'n bevel, soos bedoel in artikel 17 of 18 van die Wet, moet wesenlik met Vorm E van die Aanhangsel ooreenstem.

Kennisgewings

9.(1)(a) 'n Kennisgewing, soos bedoel in artikel 16(3)(a) van die Wet, aan enige persoon wat ingevolge een of ander kontrak verplig is om geld op 'n periodieke grondslag te betaal, aan 'n persoon teen wie 'n onderhoudsbevel gegee is, moet wesenlik met Deel A van Vorm F van die Aanhangsel ooreenstem.

(b) Die betekening van 'n kennisgewing bedoel in paragraaf (a) moet in ooreenstemming wees met die bepalings van regulasie 26(1) of (2), na gelang van die geval.

(c) Die relaas van die betekening van 'n kennisgewing bedoel in paragraaf (a), indien so 'n kennisgewing beteken is in ooreenstemming met die bepalings van regulasie 26(1), moet wesenlik met Deel B van Vorm F van die Aanhangsel ooreenstem.

(2)(a) 'n Kennisgewing, soos bedoel in artikel 16(3)(b) van die Wet, deur 'n persoon

bedoel in subregulasie (1) en wat van sy of haar kontraktuele verpligting vrygestel is, moet wesenlik met Deel C van Vorm F van die Aanhangsel ooreenstem.

(b) 'n Kennisgewing bedoel in paragraaf (a) moet aan die onderhoudsbeampte van die hof waar die onderhoudsbevel gegee is, voorgelê word op enige manier wat vir die betrokke persoon gerieflik is, onderhewig daaraan dat die persoon wat die kennisgewing voorlê, rekord moet hou van die wyse waarop die kennisgewing voorgelê is.

Bevele by toestemming

10.(1) Die toestemming van 'n persoon teen wie 'n onderhoudsbevel gegee kan word, soos bedoel in artikel 17 van die Wet, moet wesenlik met Deel A van Vorm G van die Aanhangsel ooreenstem.

(2) Enige bevel wat in ooreenstemming met die toestemming bedoel in subregulasie (1) gegee word, moet wesenlik met Deel B van Vorm G van die Aanhangsel ooreenstem.

(3) Die relaas van 'n onderhoudsbeampte, polisiebeampte, balju of onderhoudsondersoeker wat aandui dat 'n afskrif van die bevel by toestemming bedoel in subregulasie (2) aan die persoon wat tot die onderhoudsbevel toestem, oorhandig of aangebied is, moet wesenlik met Deel C van Vorm G van die Aanhangsel ooreenstem.

Bevele by verstek

11.(1) 'n Bevel by verstek, soos bedoel in artikel 18(1) van die Wet, moet wesenlik met Deel A van Vorm H van die Aanhangsel ooreenstem.

(2) 'n Kennisgewing aan die persoon teen wie 'n bevel by verstek gegee is, bedoel in subregulasie (1), moet wesenlik met Deel B van Vorm H van die Aanhangsel ooreenstem.

(3) Die relaas van die onderhoudsbeampte, polisiebeampte, balju of onderhoudsondersoeker wat aandui dat 'n afskrif van die bevel by verstek bedoel in subregulasie(1) aan die persoon teen wie die bevel gegee is, oorhandig of aangebied is, moet wesenlik met Deel C van Vorm H van die Aanhangsel ooreenstem.

(4)(a) 'n Aansoek vir die wysiging of tersydestelling van 'n bevel by verstek, soos bedoel in artikel 18(4)(b) van die Wet, moet wesenlik met Deel A van Vorm I van die Aanhangsel ooreenstem.

(b) 'n Kennisgewing vir die wysiging of tersydestelling van 'n bevel by verstek, bedoel in artikel 18(4)(c) van die Wet, aan die persoon in wie se guns sodanige bevel gegee is, moet wesenlik met Deel B van Vorm I van die Aanhangsel ooreenstem.

(c) 'n Persoon wat aansoek gedoen het vir die wysiging of tersydestelling van 'n bevel by verstek, moet die kennisgewing bedoel in paragraaf (b) aan die persoon in wie se guns die bevel gegee is, voorlê op enige manier wat vir hom of haar gerieflik is, onderhewig daaraan dat die persoon wat die kennisgewing voorlê, rekord moet hou van die wyse waarop die kennisgewing voorgelê is.

Wysiging of tersydestelling van bevele

12.(1) By die wysiging of tersydestelling van 'n bevel, soos in artikel 19 van die Wet, moet die onderhoudsbeampte op die wyse wat hy of sy goed dink -

- (a) die persoon van wie dit vereis word om 'n betaling ingevolge die onderhoudsbevel te maak;
- (b) die persoon in wie se guns die onderhoudsbevel gegee is; en
- (c) die persoon op wie 'n kennisgewing, soos bedoel in artikel 16(3)(a) beteken is,

in kennis stel van die wysiging of tersydestelling van die bevel deur middel van 'n

kennisgewing wat weselik met Vorm J van die Aanhangsel moet ooreenstem.

(2) Die onderhoudsbeampte moet rekord hou van die wyse waarop die kennisgewing bedoel in subregulasie (1) voorgelê is.

Vervanging of opheffing van onderhoudsbevele

13. By ontvangs van 'n kennisgewing van die vervanging of opheffing van 'n onderhoudsbevel, soos bedoel in artikel 22 van die Wet, moet die griffier of die klerk van die hof waar die betrokke onderhoudsbevel uitgevaardig is of waar die betrokke vonnis opgelê is, na gelang van die geval -

- (a) die bevel by die oorspronklike stukke wat op die geval van toepassing is, liasseer;
- (b) in die geval van 'n bevel wat 'n onderhoudsbevel vervang, die besonderhede van die nuwe bevel aanteken op die bevel wat vervang word; en
- (c) in die geval van 'n bevel wat 'n onderhoudsbevel ophef, 'n aantekening, dat die bevel opgehef is, aanbring op die bevel wat opgehef word.

Oorplasing van onderhoudsbevele

14.(1) Indien 'n onderhoudsbevel ingevolge artikel 23(1) van die Wet oorgeplaas moet word, moet die klerk van die hof waar die onderhoudsbevel uitgevaardig is -

- (a) gewaarmerkte afskrifte van alle bevele of vonnisse, insluitende vorige gewysigde bevele, asook dokumente wat betrekking het op die betalingsrekord wat van toepassing is op die betrokke geval, behou; en
- (b) alle oorspronklike dokumente bedoel in paragraaf (a) met geregistreerde pos na die klerk van die onderhoudshof stuur waar die persoon in wie se guns die onderhoudsbevel gegee is, woonagtig is.

(2) By ontvangs van 'n onderhoudsbevel bedoel in subregulasie (1), moet die klerk van die betrokke onderhoudshof die bevel registreer deur dit te nommer met die volgende volgnummer vir onderhoudsgevalle vir die jaar waarin dit ontvang is.

Appèlle teen bevele

15.(1) 'n Appél ingevolge artikel 25 van die Wet moet binne 20 dae na die datum van die bevel waarteen geappelleer word, aangeteken word en 'n teenappél moet binne sewe dae na die aantekening van eersgenoemde appél aangeteken word.

(2) Enige appél of teenappél moet aangeteken word deur aflewering, binne die tydperk voorgeskryf in subregulasie (1) aan die klerk van die betrokke onderhoudshof en aan enige ander party, van 'n kennisgewing waarin vermeld word -

- (a) of daar teen die geheel of slegs teen 'n gedeelte van die bevel geappelleer word en, indien slegs teen 'n gedeelte, dan watter gedeelte; en
- (b) die gronde van appél, met uiteensetting van die feitebevindings of regsbeslissings waarteen geappelleer word.

(3) Die beampte wat by 'n ondersoek voorgesit het, moet -

- (a) binne 14 dae nadat 'n appél aangeteken is; of
- (b) indien die verrigtinge by die ondersoek in snelskrif afgeneem of op meganiese wyse opgeneem is, binne 14 dae nadat 'n transkripsie van die snelskrifaantekeninge of meganiese opname van die verrigtinge aan sodanige beampte deur die klerk van die betrokke onderhoudshof voorgelê is, aan sodanige klerk 'n skriftelike uiteensetting besorg waarin vermeld word -
 - (i) die feite wat hy of sy bewese bevind het;
 - (ii) sy of haar redes vir enige feitebevinding gespesifiseer in die kennisgewing van appél waarteen geappelleer word; en

(iii) sy of haar redes vir enige beslissing oor enige regspraak of vir die toelating of verwerping van enige getuieis aldus gespesifiseer waarteen geappelleer word.

(4)(a) Ondanks die bepalings van regulasie 24(3)(b), moet die klerk van die betrokke onderhoudshof, indien die verrigtinge by 'n ondersoek in snelskrif afgeneem of op meganiese wyse opgeneem is en appél aangeteken is, onverwyld die snelskrifaantekeninge of meganiese opname van die verrigtinge laat transkribeer.

(b) Die persoon wat appél aanteken, moet die koste dra vir die transkripsie bedoel in paragraaf (a): Met dien verstande dat die Staat die koste of 'n gedeelte daarvan moet betaal indien die onderhoudsbeampte oortuig is dat so 'n persoon nie die koste kan betaal nie.

(5) Nadat 'n appél ingevolge subregulasie (1) aangeteken is, moet die appél voortgesit word asof dit 'n appél teen die beslissing van 'n landdros in 'n siviele aangeleentheid is en die reëls waarby die verrigtinge van die onderskeie provinsiale en plaaslike afdelings van die Hoë Hof gereël word vir sover dit op siviele appelle van die landdroshowe betrekking het, is, met die nodige veranderinge, op enige sodanige appél van toepassing.

(6) Die klerk van die onderhoudshof moet, binne sewe dae na ontvangs deur hom of haar van 'n kennisgewing dat die appél vir verhoor ter rolle geplaas is, aan die griffier van die afdeling van die betrokke Hoë Hof die notule besorg van die verrigtinge by die ondersoek wat deur die voorsittende beampte as 'n juiste notule van sodanige verrigtinge gewaarmerk of 'n transkripsie van enige snelskrifaantekeninge of meganiese opname van sodanige verrigtinge wat, soos voorgeskryf, by regulasie 24(3)(c) gewaarmerk is.

(7)(a) Indien 'n persoon in wie se guns 'n onderhoudsbevel gegee kan word of gegee is,

'n appél of teenappél, na gelang van die geval, aanteken en hy of sy nie regsverteenwoordiging kan bekostig nie, moet hy of sy die klerk van die onderhoudshof dienooreenkomstig inlig.

(b) Die klerk van die onderhoudshof moet -

- (i) die betrokke Direkteur van Openbare Vervolging onverwyld inlig oor die appél of teenappél en dat die persoon in wie se guns die onderhoudsbevel gegee is, nie regsverteenwoordiging kan bekostig nie;
- (ii) by ontvangs van die verklaring van die voorsittende beampte bedoel in subregulasie (3) die betrokke Direkteur van Openbare Vervolging voorsien van 'n afskrif van alle relevante dokumentasie; en
- (iii) binne sewe dae na ontvangs deur hom of haar van 'n kennisgewing dat die appél vir verhoor ter rolle geplaas is, die betrokke Direkteur van Openbare Vervolging dienooreenkomstig in kennis stel.

HOOFSTUK 3 SIVIELE TENUITVOERLEGGING

Aansoek om afdwinging van onderhouds- of ander bevele

16. 'n Aansoek om -

- (a) die magtiging vir die uitreiking van 'n lasbrief vir eksekusie;
- (b) 'n bevel vir die beslaglegging op besoldiging; of
- (c) 'n bevel vir die beslaglegging op enige skuld,

soos bedoel in artikel 26(2)(a) van die Wet, moet wesenlik met Vorm K van die Aanhangsel ooreenstem.

Lasbrief vir eksekusie

17.(1) 'n Lasbrief vir eksekusie, soos bedoel in artikel 27 van die Wet, moet -

- (a) wesenlik met Vorm L van die Aanhangsel ooreenstem ; en

- (b) in triplikaat opgestel word.
- (2) Die persoon ten gunste van wie die bevel gegee is, moet Deel A van Vorm L van die Aanhangsel invul en daarna die genoemde vorm by die klerk van die betrokke onderhoudshof indien.
- (3) By ontvangs van die lasbrief vir eksekusie bedoel in subregulasie (2) moet die klerk van die onderhoudshof die lasbrief vir eksekusie uitreik indien hy of sy oortuig is dat -
- (a) magtiging vir die uitreiking van die lasbrief vir eksekusie verleen is; en
 - (b) die lasbrief vir eksekusie behoorlik opgestel is,
- deur Deel B van Vorm L van die Aanhangsel in te vul.
- (4) Die klerk van die onderhoudshof moet, nadat die lasbrief vir eksekusie uitgereik is -
- (a) die oorspronklike lasbrief vir eksekusie en 'n afskrif daarvan aan die persoon in wie se guns die bevel gemaak is, terugbesorg; en
 - (b) die tweede afskrif van die lasbrief vir eksekusie in die relevante lêer liasseer.
- (5) Enige verandering op die lasbrief vir eksekusie moet deur die klerk van die onderhoudshof geparafeer word.
- (6) 'n Persoon wat gemagtig is om 'n lasbrief vir eksekusie uit te voer, moet Deel C en, indien van toepassing, Deel D van Vorm L van die Aanhangsel invul en die vorm aan die klerk van die onderhoudshof terugbesorg.

Besonderhede van persone wat gemagtig is om 'n lasbrief vir eksekusie uit te voer

18. 'n Onderhoudsondersoeker of 'n onderhoudsbeampte moet die besonderhede van 'n persoon wat gemagtig is om die lasbrief vir eksekusie uit te voer aan die persoon in wie se guns die bevel gegee is, voorsien.

Aansoek vir die tersydestelling van 'n lasbrief vir eksekusie

19.(1) 'n Aansoek om die tersydestelling van 'n lasbrief vir eksekusie deur 'n persoon teen wie so 'n lasbrief uitgereik is, soos bedoel in artikel 27(3) van die Wet, moet wesenlik met Deel A van Vorm M van die Aanhangsel ooreenstem.

(2)(a) 'n Kennisgewing vir die tersydestelling van 'n lasbrief vir eksekusie, soos bedoel in artikel 27(6)(a) van die Wet, moet wesenlik met Deel B van Vorm M van die Aanhangsel ooreenstem.

(b) 'n Persoon wat aansoek gedoen het vir die tersydestelling van 'n lasbrief vir eksekusie, moet die kennisgewing bedoel in paragraaf (a) aan die persoon in wie se guns die lasbrief vir eksekusie uitgereik is, voorlê op enige manier wat vir hom of haar gerieflik is, onderhewig daaraan dat die persoon wat die kennisgewing voorlê, rekord moet hou van die wyse waarop die kennisgewing voorgelê is.

Beslaglegging op besoldiging

20.(1) 'n Aansoek om die opskorting, wysiging of intrekking van 'n bevel vir die beslaglegging op besoldiging, soos bedoel in artikel 28(2)(a) van die Wet, moet wesenlik met Deel A van Vorm N van die Aanhangsel ooreenstem.

(2)(a) 'n Kennisgewing van 'n aansoek om die opskorting, wysiging of intrekking van 'n bevel vir die beslaglegging op besoldiging, soos bedoel in artikel 28(2)(b) van die Wet, moet wesenlik met Deel B van Vorm N van die Aanhangsel ooreenstem.

(b) 'n Persoon wat aansoek doen om die opskorting, wysiging of intrekking van 'n bevel vir die beslaglegging op besoldiging moet die kennisgewing bedoel in paragraaf (a) aan die persoon in wie se guns die bevel vir die beslaglegging op besoldiging gegee is, voorlê op enige manier wat vir hom of haar gerieflik is, onderhewig daaraan dat die persoon wat die kennisgewing voorlê, rekord moet hou van die wyse waarop die kennisgewing voorgelê is.

(3)(a) 'n Kennisgewing, soos bedoel in artikel 29(1) van die Wet, aan die werkgewer moet wesenlik met Deel A van Vorm O van die Aanhangsel ooreenstem.

(b) Die betekening van 'n kennisgewing bedoel in paragraaf (a) moet in ooreenstemming wees met die bepalings van regulasie 26(1) of (2), na gelang van die geval.

(c) Die relaas van die betekening van 'n kennisgewing bedoel in paragraaf (a), indien so 'n kennisgewing beteken is ooreenkomstig die bepalings van regulasie 26(1), moet wesenlik met Deel B van Vorm O van die Aanhangsel ooreenstem.

(4)(a) 'n Kennisgewing, soos bedoel in artikel 29(2) van die Wet, deur die werkgewer dat die persoon teen wie die bevel vir beslaglegging op besoldiging gegee is, sy of haar diens verlaat het, moet wesenlik met Deel C van Vorm O van die Aanhangsel ooreenstem.

(b) Die kennisgewing bedoel in paragraaf (a) moet aan die onderhoudsbeampte van die hof waar die bevel gegee is, voorgelê word op enige manier wat vir hom of haar gerieflik is, onderhewig daaraan dat die persoon wat die kennisgewing voorlê, rekord moet hou van die wyse waarop die kennisgewing voorgelê is.

Beslaglegging op skulde

21.(1) 'n Aansoek om die opskorting, wysiging of intrekking van 'n bevel vir die beslaglegging op skulde, soos bedoel in artikel 30(2) van die Wet, moet wesenlik met Deel A van Vorm P van die Aanhangsel ooreenstem.

(2)(a) 'n Kennisgewing van 'n aansoek om die opskorting, wysiging of intrekking van 'n bevel vir die beslaglegging op skulde, soos bedoel in artikel 30(2) van die Wet, moet wesenlik met Deel B van Vorm P van die Aanhangsel ooreenstem.

(b) 'n Persoon wat aansoek gedoen het om die opskorting, wysiging of intrekking van 'n bevel vir die beslaglegging op skulde moet die kennisgewing bedoel in paragraaf (a) aan die persoon in wie se guns die bevel vir die beslaglegging op skulde gegee is, voorlê op enige manier wat vir die hom of haar gerieflik is, onderhewig daaraan dat die persoon wat die kennisgewing voorlê, rekord moet hou van die wyse waarop die kennisgewing voorgelê is.

HOOFSTUK 4**MISDRYWE EN BEVELE MET BETREKKING TOT VERVOLGINGS****Klagtes van versuim om bevele na te kom**

22. 'n Klagte met betrekking tot 'n versuim om 'n betaling in ooreenstemming met 'n onderhoudsbevel te maak, moet wesenlik met Vorm Q van die Aanhangsel ooreenstem.

Verhaal van agterstallige onderhoud

23.(1) Die klerk van die hof moet 'n gesertifiseerde afskrif van die bevel wat ingevolge artikel 40 van die Wet deur die Hof uitgereik is, by die klerk van die siviele hof indien vir die registrasie van so 'n bevel.

- (2) Die klerk van die siviele hof moet -
- (a) die bevel bedoel in paragraaf (a) registreer deur dit te nommer met die volgende opeenvolgende saaknommer vir die jaar waarin dit ontvang is; en
 - (b) die onderhoudsbeampte van die onderhoudshof waar die onderhoudsbevel gegee is en die persoon in wie se guns die bevel gegee is, in kennis stel van die registrasie en die saaknommer.
- (3) Die bepalinge van die Wet met betrekking tot siviele eksekusie is, met die nodige wysigings, van toepassing ten opsigte van die uitvoering van 'n bevel, soos bedoel in subregulasie (1).

HOOFSTUK 5 ALGEMENE EN AANVULLENDE BEPALINGS

Rekord van verrigtinge

- 24.(1)(a) Die verrigtinge by 'n ondersoek word aangeteken deur notule te hou van -
- (i) enige onderhoudsbevel, insluitende enige voorlopige onderhoudsbevel soos omskryf in die Wet op Wederkerige Afdwinging van Onderhoudsbevele, 1963 (Wet No. 80 van 1963) en die Wet op Wederkerige Afdwinging van Onderhoudsbevele (Lande in Afrika), 1989 (Wet No. 6 van 1989), wat by enige ondersoek gegee is en van enige weiering om sodanige onderhoudsbevel te gee;
 - (ii) enige wysiging van 'n onderhoudsbevel;
 - (iii) enige getuienis wat by die ondersoek aangevoer word en van enige beswaar teen enige getuienis wat by die ondersoek aangevoer of aangebied word en van enige beslissing deur die hof; en
 - (iv) die verrigtinge in die algemeen.
- (b) Die onderhoudshof moet enige dokument wat in getuienis aangebied word, merk

en sodanige merk op die rekord aanteken.

- (2) Die verklaring deur die voorsittende beampte by 'n ondersoek bedoel in regulasie 15(3) moet deel van die rekord uitmaak.
- (3)(a) Die verrigtinge by enige ondersoek moet aangeteken word deur die voorsittende beampte by die ondersoek of deur enige persoon wat deur die hof aangestel of aangewys is, hetsy in die algemeen of spesiaal vir die doel van 'n bepaalde ondersoek, om die verrigtinge in snelskrif af te neem of op meganiese wyse of op te neem.
- (b) Geen snelskrifaantekeninge of meganiese opname van die verrigtinge word getranskribeer nie, tensy 'n beampte wat aangewys is om in die betrokke hof voor te sit, anders gelas.
- (c) Enige snelskrifaantekeninge of 'n transkripsie daarvan of enige meganiese opname van die verrigtinge word as juiste aantekeninge van sodanige verrigtinge of as 'n juiste transkripsie van sodanige aantekeninge of opname gewaarmerk deur die persoon wat sodanige aantekeninge afneem of sodanige opname of transkripsie maak, na gelang van die geval, en sodanige transkripsie word daarna deel van die rekord van die verrigtinge.
- (4) Geen ander persoon as 'n beampte in die Staatsdiens, 'n persoon teen wie 'n onderhoudsbevel gegee is of gegee gaan word, 'n persoon ten gunste van wie 'n onderhoudsbevel gegee is of gegee gaan word, of die regsverteenvoerder van enige sodanige persoon, mag insae hê in enige rekord bedoel in hierdie regulasie nie, behalwe met die verloop van die voorsittende beampte wat in daardie stadium die amp beklee in die hof waar die ondersoek gehou word of gehou is.
- (5) Die rekord van die verrigtinge by 'n onderhoudsondersoek is toeganklik by

betaling van die gelde voorgeskryf in Tabel E van Aangangsel 2 van die Landdroshowerëls.

Foto's van persone onderworpe aan onderhoudsbevele

25.(1) Die onderhoudsbeampte moet by ontvangs van foto's van 'n persoon teen wie 'n onderhoudshof 'n onderhoudsbevel gegee het -

- (a) op die agterkant van elke foto die persoonlike besonderhede van die persoon endosseer;
- (b) een foto in die relevante onderhoudslêer liasseer; en
- (c) die ander foto aan die relevante onderhoudskaarte aanheg, indien so 'n stelsel in gebruik is, of toepaslik met sodanige ander foto handel op 'n wyse wat hy of sy goeddink.

(2) 'n Onderhoudsbeampte kan 'n foto van 'n persoon teen wie 'n onderhoudshof 'n onderhoudsbevel gegee het, beskikbaar stel aan enige persoon wat enige bevoegdheid, plig of funksie ingevolge die Wet uitoefen of verrig.

(3) Die foto's van 'n persoon teen wie die onderhoudshof 'n onderhoudsbevel gegee het, moet deel van die onderhoudsrekord word.

Betekening van dokumente

26.(1)(a) 'n Dokument bedoel in regulasie 4(1), 9(1)(b) of 20(3)(b), saam met 'n afskrif daarvan, moet aan 'n polisiebeampte, balju of onderhoudsondersoeker gelewer word, wat dit, behoudens die bepalings van hierdie regulasie, onverwyld aan die persoon bedoel in die gemelde dokument moet beteken deur 'n afskrif van die dokument op een van die volgende wyses af te lewer:

- (i) Aan bedoelde persoon self;
- (ii) by bedoelde persoon se woon- of besigheidsplek aan iemand wat

oënskynlik nie jonger as 16 jaar is nie en oënskynlik daar woon of in diens is: Met dien verstande dat, vir doeleindes van hierdie paragraaf, waar 'n gebou deur meer as een persoon of gesin bewoon word, "woonplek" dié gedeelte van die gebou beteken wat deur die persoon aan wie betekening moet geskied, bewoon word;

- (iii) by bedoelde persoon se werkplek aan 'n persoon wat oënskynlik nie jonger as 16 jaar is nie en wat oënskynlik in 'n gesagsposisie oor bedoelde persoon is of, in die afwesigheid van so 'n persoon in 'n gesagsposisie, aan 'n persoon wat oënskynlik nie jonger as 16 jaar is nie en wat oënskynlik in beheer is by bedoelde persoon se werkplek; en
- (iv) in die geval van 'n regs persoon, by die regs persoon se geregistreerde kantoor of belangrikste besigheidsplek binne die regs gebied van die betrokke hof, aan 'n direkteur of 'n verantwoordelike werknemer van die regs persoon.

(b) 'n Polisiebeampte, balju of onderhoudsonderzoeker moet op versoek van die persoon aan wie 'n dokument beteken word, die oorspronklike dokument aan hom of haar toon.

(c) Indien die persoon aan wie 'n dokument beteken moet of kan word, sy of haar woon- of besigheidsplek gesluit hou en sodoende die polisiebeampte, balju of onderhoudsonderzoeker verhinder om die dokument te beteken, is dit voldoende om 'n afskrif van die dokument aan die buite- of hoof deur of veiligheidshek van sodanige woon- of besigheidsplek aan te bring, of sodanige afskrif in die posbus by sodanige woon- of besigheidsplek te plaas.

(2) 'n Kennisgewing bedoel in regulasie 9(1)(b) of 20(3)(b) moet deur 'n onderhoudsbeampte of onderhoudsonderzoeker aan die persoon na wie in die betrokke

kennisgewing verwys word, beteken word deur -

- (a) 'n afskrif van die kennisgewing persoonlik aan die betrokke persoon te oorhandig en 'n endossement te dien effekte op die oorspronklike kennisgewing te maak; of
- (b) die kennisgewing by wyse van 'n faksimilee aan die bedoelde persoon te versend, in welke geval bewys daarvan gehou moet word, en deur 'n afskrif van die kennisgewing per geregistreerde pos aan die bedoelde persoon te stuur.

Kort titel

27. Hierdie regulasies heet die Regulasies betreffende Onderhoud en tree op 26 November 1999 in werking.

AANHANGSEL

VORM A

[Regulasie 2(1)]

AANSOEK OM 'N ONDERHOUDSBEVEL

**KLAGTE INGEVOLGE ARTIKEL 6(1)(a) VAN DIE WET OP
ONDERHOUD, 1998 (WET No. 99 VAN 1998)**

Verwysingsno.

[Hierdie inligting moet, sover moontlik, verskaf word ten einde die klagte te ondersoek]

Ek,,
(volle name)

(genoem "die klaagster/klaer")

gebore op(datum)/ouderdom

identiteitsnommer.....

woonagtig te.....

.....

telefoonnommer

werksaam te.....

.....

telefoonnommer

naaste polisiestatie.....

* verklaar hiermee onder eed/ bevestig hiermee opreg soos volg:

1.,
(volle name)

(genoem "die verweerder(es)")

gebore op.....(datum)/ouderdom

identiteitsnommer.....

woonagtig te.....

.....
telefoonnommer

werkzaam te.....

.....

telefoonnommer

naaste polisiestasie

is regtens verplig om *my en/of die volgende kind(ers) wat in my sorg is, te onderhou:

..... geboortedatum.....

..... geboorte datum.....

..... geboortedatum.....

..... geboortedatum

..... geboorte datum.....

..... geboortedatum

..... geboortedatum

..... geboortedatum

..... geboortedatum

..... geboortedatum

2.* Die verweerder(es) is regtens verplig om my te onderhou omrede.....

.....

.....

.....

* Die genoemde kind(ers) is in my sorg omrede

.....

.....

3. Die verweerder(es) het sedert.....versuim om *my/die betrokke

kind(ers) te onderhou en het *geen bydrae tot onderhoud/die volgende bydrae tot

onderhoud gemaak:

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

4. Ek versoek dat die verweerder(es) beveel word om die volgende bydrae(s) ten opsigte van onderhoud te maak:

'n Weeklikse/maandelikse bydrae van -

R..... ten opsigte van myself (klaagster/klaer)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van (naam van kind)

Rten opsigte van..... (naam van kind)

Die eerste betaling moet geskied op en daarna op of voor die dag van elke daaropvolgende *week/maand. Alle betalings moet gemaak word aan ten gunste van

en/of

ander bydraes (byvoorbeeld mediese en tandheekkundige uitgawes, skoolgelde, gelde ten opsigte van tersiêre instellings, skoolklere, uitgawes ten opsigte van sport en/of kulturele aktiwiteite, uitgawes tydens geboorte en onderhoud vir die

kind(ers) vanaf geboorte):

.....

.....

.....

.....

.....

5. Besonderhede van my bates en *maandelikse/weeklikse inkomste en uitgawes (met stawende dokumente, waar nodig) is soos volg:

Bates

Onroerende eiendom	R
Beleggings	R
Spaarrekening	R
Aandele	R
Motorvoertuie	R
Ander:	R
	R
	R
	R
	R

Inkomste

Bruto salaris	R	
Minus: Aftrekkings	Belasting	R
	Mediese Fonds	R
	Pensioen	R
	Ander:	R
		R
		R
		R
Totale netto inkomste	R	

Ander inkomste (meld die bron van inkomste)		R
		R
		R
		R
Totale inkomste		R

Uitgawes

			Self	Kind(ers)	Totaal
1	Huisvesting (verband-terugbetaling/heffing/huur/losies)				
2	Voedsel	Kruideniersware			
		Vleis			
		Brood en melk			
		Vrugte en groente			
3	Huishoudelike uitgawes	Water en elektrisiteit/gas/paraffien			
		Diensgelde en belasting			
		Onderhoud (skoonmaakmiddels)			
		Wassery/Droogskoonmaak			
		Babavoedsel			
		Middagetes			
		Toiletartikels			
		Telefoon			
		Huishulp			
		Tuindienste			
		Versekering (Korttermyn)			
4	Klerasie	Klere en skoene			
		Skoolklere			
		Sportklere			

5	Persoonlike versorging (insluitende haarversorging/grimering, ens.)					
6	Vervoer	Bus				
		Motor	Paalemente			
			Onderhoud			
			Brandstof			
			Lisensie			
			Versekering			
		Huurmotor				
		Saamryklub				
		Parkering				
Ander						
7	Opvoedkundige uitgawes	Skoolgelde				
		Naskoolsentrum				
		Kleuterskool/dagsorg				
		Versekering (studiepolis)				
		Boeke				
		Skryfbehoeftes				
		Uitstappies				
		Sport				
		Buitemurse aktiwiteite				
		Ander skooluitgawes				
8	Mediese uitgawes	Dokter/tandarts/ ens.				
		Medikasie				
		Hospitaal				
		Ander mediese uitgawes				
9	Versekering	Lewens				
		Annuïteite				
		Huiseienaars/Huishouers				
10	Sakgeld/Toelaes					

11	Vakansies				
12	Onderhoud, vervanging en herstel van artikels	Huis			
		Huishoudelike toebehore			
		Kombuisware			
		Linne, handdoeke, ens.			
		*Fietse/motorfietse/ bromponies			
	Ander artikels				
13	Onthaal & Ontspanning (insluitende M Net)				
14	Persoonlike lenings				
15	Sekuriteitsalarmstelsel				
16	Ledegelde				
17	Godsdienstige bydraes/Liefdadigheid				
18	Geskenke				
19	TV- lisensie				
20	Leesstof	Boeke			
		Koerante			
		Tydskrifte			
21	Huur-/Huurkoop - paaielemente	Meubels			
		Toebehore			
		Ander			
22	Troeteldiere	Voedsel			
		Veearts			
		Lisensie			
23	Ander (nie gespesifiseer hierbo)				
	Totale uitgawe				

Gedateer te hierdie..... dag van.....

.....
Handtekening van Klaagster/Klaer

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het.:

(a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?

Antwoord

(b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

2. Ek sertifiseer dat die klaagster/klaer erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die klaagster/klaer het die woorde geuiter *"Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/"Ek bevestig opreg dat die inhoud van hierdie verklaring waar is. "Die klaagster/klaer se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....
Vrederegter/Kommissaris van Ede

Volle name en van

(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres.....

(straatadres moet ingevul word)

.....
Gedateer te hierdie dag van

*Skrap wat nie van toepassing is nie

VORM B

[Regulasie 2(2)]

VERVANGING OF OPHEFFING VAN BESTAANDE ONDERHOUDSBEVEL
KLAGTE INGEVOLGE ARTIKEL 6(1)(b) VAN DIE WET OP ONDERHOUD,
1998 (WET No. 99 VAN 1998)

Verwysingsno.

[Hierdie inligting moet, sover moontlik, verskaf word ten einde die klagte te ondersoek]

Ek,
(volle naam)

(genoem "die verklaarder")

gebore op(datum)/ouderdom

identiteitsnommer.....

woonagtig te.....

telefoonnommer

werksaam te.....

telefoonnommer

naaste polisiestasi.....

* verklaar hiermee onder eed/ bevestig hiermee opreg soos volg:

1.
(volle naam van die persoon teen wie die onderhoudsbevel gegee is)

gebore op(datum)/ouderdom

identiteitsnommer.....

woonagtig te.....

telefoonnommer

werkzaam te.....

.....

telefoonnommer

naaste polisiestasië

is deur(Hof)

op die dag van..... beveel -

(a) om op 'n *weeklikse/maandelikse grondslag met ingang van tot die onderhoud van...../die volgende kind(ers) die volgende bedrag te betaal -

Rten opsigte van die klaagster/klaer

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Rten opsigte van (naam van kind), geboortedatum.....

Alle betalings moes gemaak word aan ten gunste van

en/of

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

.....

 (ander bydraes, soos byvoorbeeld mediese en tandheelkundige uitgawes, skoolgelde, gelde ten opsigte van tersiêre instellings, skoolklere, uitgawes ten opsigte van sport en/of kulturele aktiwiteite, uitgawes tydens geboorte en onderhoud vir die kind(ers) vanaf geboorte).

'n Afskrif van die bevel is aangeheg.

2. *Goeie oorsaak/rede bestaan vir die **vervanging** van die betrokke onderhoudsbevel soos volg:

(a) 'n *weeklikse/maandelikse betaling met ingang van..... ten bedrae van -

R..... ten opsigte van die klaagster/klaer

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van.....(naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van(naam van kind)

Rten opsigte van.....(naam van kind).

Die eerste betaling moet geskied op en daarna op of voor die dag van elke daaropvolgende *week/maand. Alle betalings moet gemaak word aan ten gunste van

en/of

(b)

.....

.....

.....

.....

(ander bydraes,byvoorbeeld mediese en tandheelkundige uitgawes, skoolgelde, gelde ten opsigte van tersiêre instellings, skoolklere, uitgawes ten opsigte van sport en/of kulturele aktiwiteite, uitgawes tydens geboorte en onderhoud vir die kind(ers) vanaf geboorte);

OF

*goeie oorsaak/rede bestaan vir die **opheffing** van die betrokke onderhoudsbevel.

3. Die oorsaak /rede vir die *vervanging/opheffing van die onderhoudsbevel is soos volg:

.....

.....

.....

.....

.....

4. Besonderhede van my bates en *maandelikse/weeklikse inkomste en uitgawes (met stawende dokumente, waar nodig) is soos volg:

Bates

Onroerende eiendom	R
Beleggings	R
Spaarrekening	R
Aandele	R
Motorvoertuie	R
Ander:	R

	R
	R
	R
	R

Inkomste

Bruto salaris	R	
Minus: Aftrekkings	Belasting	R
	Mediese Fonds	R
	Pensioen	R
	Ander:	R
		R
		R
		R
Totale netto inkomste	R	
Ander inkomste (meld die bron van inkomste)		R
		R
		R
		R
Totale inkomste	R	

Uitgawes

			Self	Kind(ers)	Totaal
1	Huisvesting (verband-terugbetaling/heffing/huur/losies)				
2	Voedsel	Kruideniersware			
		Vleis			
		Brood en melk			
		Vrugte en groente			

3	Huishoudelike uitgawes	Water en elektrisiteit/gas/ paraffien					
		Diensgelde en belasting					
		Onderhoud (skoonmaakmiddels)					
		Wassery/Droogskoonmaak					
		Babavoedsel					
		Middagetes					
		Toiletartikels					
		Telefoon					
		Huishulp					
		Tuindienste					
		Versekering (Korttermyn)					
4	Klerasie	Klere en skoene					
		Skoolklere					
		Sportklere					
5	Persoonlike versorging (insluitende haarversor- ging/grimering, ens.)						
6	Vervoer	Bus					
		Motor	Paaimente				
			Onderhoud				
			Brandstof				
			Lisensie				
			Versekering				
		Huurmotor					
		Saamryklub					
		Parkering					
Ander							
7	Opvoedkundige uitgawes	Skoolgelde					
		Naskoolsentrum					
		Kleuterskool/dagsorg					

		Versekering (studiepolis)			
		Boeke			
		Skryfbehoeftes			
		Uitstappies			
		Sport			
		Buitemuurse aktiwiteite			
		Ander skooluitgawes			
8	Mediese uitgawes	Dokter/tandarts/ ens.			
		Medikasie			
		Hospitaal			
		Ander mediese uitgawes			
9	Versekering	Lewens			
		Annuïteite			
		Huiseienaars/Huishouers			
10	Sakgeld/Toelaes				
11	Vakansies				
12	Onderhoud, vervanging en herstel van artikels	Huis			
		Huishoudelike toebehore			
		Kombuisware			
		Linne, handdoeke, ens.			
		*Fietse/motorfietse/ bromponies			
		Ander artikels			
13	Onthaal & Ontspanning (insluitende M Net)				
14	Persoonlike lenings				
15	Sekuriteitsalarmstelsel				
16	Ledegelde				
17	Godsdienstige bydraes/Liefdadigheid				

18	Geskenke				
19	TV-lisensie				
20	Leesstof	Boeke			
		Koerante			
		Tydskrifte			
21	Huur-/Huurkoop- paaieimente	Meubels			
		Toebehore			
		Ander			
22	Troeteldiere	Voedsel			
		Veearts			
		Lisensie			
23	Ander (nie gespesifiseer hierbo)				
	Totale uitgawe				

Gedateer te hierdie..... dag van.....

.....

Handtekening van Verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

- (a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?

Antwoord

- (b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuit *"Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/"/"Ek bevestig opreg dat die inhoud van hierdie verklaring waar is. "Die verklaarder se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....
Vrederegter/Kommissaris van Ede

Volle name en van
(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres.....
(straatadres moet ingevul word)

.....
Gedateer te hierdie dag van

*Skrap wat nie van toepassing is nie

VORM C I
[Regulasie 4(1)(a)]

**DAGVAARDING INGEVOLGE ARTIKEL 9(2) VAN DIE WET OP
 ONDERHOUD, 1998 (WET No. 99 VAN 1998)**

[’n Dokument in die vorm soos uiteengesit in Vorm G moet die dagvaarding aan die persoon teen wie ’n onderhoudsbevel gegee kan word/gegee is, vergesel]

Verwysingsno..

Onderhoudshof (Landdroshof)	Hof/Kamer No.	Datum van ondersoek

A. Dagvaarding

1. Aan enige persoon gemagtig om prosesstukke te beteken:

U word hiermee gelas om -

- (a) die volgende persone te dagvaar -

Naam van persoon in wie se guns onderhoudsbevel gegee kan word/gegee is:

ID. No/ Geboortedatum:

Adres:

Spoorwegorderno.

Naam van persoon teen wie onderhoudsbevel gegee kan word/gegee is:

ID. No/Geboortedatum:

Adres:

Spoorwegorderno.

- (i) om persoonlik om 09:00 op bovermelde datum voor bovermelde hof te verskyn; en
- (ii) om aan te bly totdat hy/sy deur die hof verskoon word, ten einde getuienis te lewer by 'n ondersoek ingevolge artikel 10 van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), ingestel deur die onderhoudsbeampte;
- (b) aan elk van bogenoemde persone 'n afskrif van die dagvaarding te beteken en aan hierdie Hof verslag te doen wat u daaromtrent gedoen het; en
- (c) bogenoemde persoon/persone te versoek om die volgende by die ondersoek beskikbaar te stel:
 - (i) Deel B van hierdie Vorm, volledig ingevul deur
(die teenparty), tesame met stawende dokumentasie, waar moontlik.
 - (ii)
 - (iii)

2. Aan die persone wat hiermee gedagvaar word:

- (a) Waarskuwings:
 - (i) Indien u van bogenoemde adres verander voordat die ondersoek finaal afgehandel is of voordat u amptelik meegedeel is dat u nie langer as 'n getuie benodig word nie, moet u die onderhoudsbeampte

van bogenoemde hof in kennis stel van sodanige verandering.

(ii) Indien u versuim om aan bogenoemde waarskuwing en hierdie dagvaarding te voldoen mag u gearresteer word en by skuldigbevinding gevonniss word tot 'n boete of gevangenisstraf.

(b) Daar is aansoek gedoen om -

*(i) die *gee van die volgende onderhoudsbevel/vervanging van die bestaande onderhoudsbevel deur die volgende bevel:

*(aa) 'n *Weeklikse/maandelikse betaling van -

R..... ten opsigte van die klaer/klaagster

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind);

en/of

*(bb)
.....
.....
.....

(ander bydraes, byvoorbeeld mediese en tandheelkundige uitgawes, skoolgelde, gelde ten opsigte van tersiêre instellings, skoolklere, uitgawes ten opsigte van sport en/of kulturele aktiwiteite, uitgawes tydens geboorte en onderhoud vir die kind(ers) vanaf geboorte);

***(ii)** die opheffing van die bestaande onderhoudsbevel.

3. Aan die persoon teen wie 'n onderhoudsbevel gegee kan word/gemaak is:

U aandag word gevestig op -

- (a) artikel 17(1) van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), ingevolge waarvan u skriftelik (op die aangehegte dokument) kan toestem dat 'n bevel vir die betaling van onderhoud in u afwesigheid teen u gegee kan word; en
- (b) artikel 18(1) van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), ingevolge waarvan 'n bevel by verstek teen u gegee kan word as die onderhoudshof oortuig is dat u kennis dra van hierdie dagvaarding en nogtans versuim het om voor die onderhoudshof te verskyn.

Gedateer tehierdie dag van.....

.....
Onderhoudsbeampte/Klerk van die Onderhoudshof

B. Besonderhede met betrekking tot bates, inkomste en uitgawes van die teenparty:

4. Besonderhede van my bates en *maandelikse/weeklikse inkomste en uitgawes (met stawende dokumente, waar moontlik) is soos volg:

Bates

Onroerende eiendom	R
Beleggings	R
Spaarrekening	R
Aandele	R
Motorvoertuie	R
Ander:	R
	R
	R
	R
	R

Inkomste

Bruto salaris	R	
Minus: Aftrekkings	Belasting	R
	Mediese Fonds	R
	Pensioen	R
	Ander:	R
		R
		R
		R
Totale netto inkomste	R	
Ander inkomste (meld die bron van inkomste)	R	
	R	
	R	
	R	
Totale inkomste	R	

Uitgawes

			Self	Kind(ers)	Totaal
1	Huisvesting (verband-terugbetaling/heffing/huur/losies)				
2	Voedsel	Kruideniersware			
		Vleis			
		Brood en melk			
		Vrugte en groente			
3	Huishoudelike uitgawes	Water en elektrisiteit/gas/paraffien			
		Diensgelde en belasting			
		Onderhoud (skoonmaakmiddels)			
		Wassery/Droogskoonmaak			
		Babavoedsel			
		Middagetes			
		Toiletartikels			
		Telefoon			
		Huishulp			
		Tuindienste			
		Versekering (Korttermyn)			
4	Klerasie	Klere en skoene			
		Skoolklere			
		Sportklere			
5	Persoonlike versorging (insluitende haarversorging/grimering, ens.)				
6	Vervoer	Bus			
		Motor	Paaimente		
			Onderhoud		
			Brandstof		

		Lisensie			
		Versekering			
		Huurmotor			
		Saamryklub			
		Parkering			
		Ander			
7	Opvoedkundige uitgawes	Skoolgelde			
		Naskoolsentrum			
		Kleuterskool/dagsorg			
		Versekering (studiepolis)			
		Boeke			
		Skryfbehoeftes			
		Uitstappies			
		Sport			
		Buitemurse aktiwiteite			
		Ander skooluitgawes			
8	Mediese uitgawes	Dokter/tandarts/ ens.			
		Medikasie			
		Hospitaal			
		Ander mediese uitgawes			
9	Versekering	Lewens			
		Annuïteite			
		Huiseienaars/Huishouers			
10	Sakgeld/Toelaes				
11	Vakansies				
12	Onderhoud, vervanging en herstel van artikels	Huis			
		Huishoudelike toebehore			
		Kombuisware			
		Linne, handdoeke, ens.			
		*Fietse/motorfietse/ bromponies			

		Ander artikels			
13	Onthaal & Ontspanning (insluitende M Net)				
14	Persoonlike lenings				
15	Sekuriteitsalarmstelsel				
16	Ledegelde				
17	Godsdienstige bydraes/Liefdadigheid				
18	Geskenke				
19	TV- lisensie				
20	Leesstof	Boeke			
		Koerante			
		Tydskrifte			
21	Huur/Huurkoop- paaielemente	Meubels			
		Toebehore			
		Ander			
22	Troeteldiere	Voedsel			
		Veearts			
		Lisensie			
23	Ander (nie gespesifiseer hierbo)				
	Totale uitgawe				

C. Relas van bestelling

Ek,, sertifiseer dat ek -

- *(a) 'n afskrif van die dagvaarding aan persoonlik oorhandig
het [regulasie 26(1)(a)(i)];

- * (b) 'n afskrif van die dagvaarding vir oorhandiging aan
persoonlik aangebied het [regulasie 26(1)(a)(i)]
of
- * (c) 'n afskrif van die dagvaarding oorhandig het aan, 'n persoon
wat oënskynlik nie jonger as 16 jaar is nie en wat oënskynlik by
..... se *woonplek/werkplek/besigheidsplek woonagtig
of werksaam is, aangesien nie maklik gevind kon
word nie [regulasie 26(1)(a)(ii) of (iii)];
of
- * (d) 'n afskrif van die dagvaarding *aan/in die *buite-/hoof deur/veiligheidshek/posbus
van se *woonplek/besigheidsplek
*aangebring/geplaas het aangesien laasgenoemde die *woonplek/besigheidsplek
gesluit gehou het en sodoende betekening verhinder het [regulasie 26(1)(c)].

Gedateer te..... hierdie dag van

.....
*Onderhoudsondersoeker/Balju/Polisiebeampte

*Skrap wat nie van toepassing is nie

VORM C II
[Regulasie 4(1)(b)]

**DAGVAARDING INGEVOLGE ARTIKEL 9(2) VAN DIE WET OP
 ONDERHOUD, 1998 (WET No. 99 VAN 1998)**

Verwysingsno..

Onderhoudshof (Landdroshof)	Hof/Kamer No.	Datum van ondersoek
-----------------------------	---------------	---------------------

In die onderhoudsondersoek tussen:

.....
 (persoon in wie se guns onderhoudsbevel gegee gaan word/gemaak is)

en

.....
 (persoon teen wie onderhoudsbevel gegee kan word/gemaak is)

A. Dagvaarding

1. Aan enige persoon gemagtig om prosesstukke te beteken:

U word hiermee gelas om -

(a) die volgende persoon/persone te dagvaar -

<p>Naam van getuie:</p> <p>ID. No/Geboortedatum:</p> <p>Adres:</p> <p>Spoorwegorderno.</p>
<p>Naam van getuie:</p> <p>ID. No/Geboortedatum:</p> <p>Adres:</p> <p>Spoorwegorderno.</p>

- (i) om persoonlik om 09:00 op bovermelde datum voor bovermelde hof te verskyn; en
 - (ii) om aan te bly totdat hy/sy deur die hof verskoon word,
- ten einde getuienis te lewer by 'n ondersoek ingevolge artikel 10 van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), ingestel deur die onderhoudsbeampte;
- (b) aan elk van die bogenoemde persoon/persone 'n afskrif van die dagvaarding te beteken en aan hierdie Hof verslag te doen oor wat u daaromtrent gedoen het; en
 - (c) bogenoemde persoon/persone te versoek om die volgende by die ondersoek

beskikbaar te stel:

- (i)
- (ii)
- (iii)

2. Waarskuwings aan die persoon/persone wat hiermee as getuie(s) gedagvaar word:

- (i) Indien u van bogenoemde adres verander voordat die ondersoek finaal afgehandel is of voordat u amptelik meegedeel is dat u nie langer as 'n getuie benodig word nie moet u die onderhoudsbeampte van die bogenoemde hof in kennis stel van sodanige verandering.
- (ii) Indien u versuim om te voldoen aan bogenoemde waarskuwing en hierdie dagvaarding mag u gearrester word en by skuldigbevinding gevonniss word tot 'n boete of gevangenisstraf.

Gedateer tehierdie dag van

Onderhoudsbeampte/Klerk van die Onderhoudshof.

B. Relas van betekening

Ek,, sertifiseer dat ek -

- * (a) 'n afskrif van die dagvaarding aan persoonlik oorhandig het [regulasie 26(1)(a)(i)];

of

- * (b) 'n afskrif van die dagvaarding vir oorhandiging aan persoonlik aangebied het [regulasie 26(1)(a)(i)];

of

* (c) 'n afskrif van die dagvaarding oorhandig het aan,'n persoon wat oënskynlik nie jonger as 16 jaar is nie en wat oënskynlik by se *woonplek/werkplek/besigheidsplek woonagtig of werksaam is, aangesien nie maklik gevind kon word nie [regulasie 26(1)(a)(ii) of (iii)];

of

* (d) 'n afskrif van die dagvaarding *aan/in die buite-/hoof deur/veiligheidshek/ posbus van se *woonplek/besigheidsplek *aangebring/geplaas het aangesien laasgenoemde die *woonplek/besigheidsplek gesluit gehou het en sodoende betekening verhinder het [regulasie 26(1)(c)].

Gedateer te..... hierdie dag van

.....
*Onderhoudsondersoeker/Balju/Polisiebeampte

*Skrap wat nie van toepassing is nie

VORM D

[Regulasie 7]

**KENNISGEWING OM VERKLARINGS DEUR GETUIES IN TE DIEN
KENNISGEWING INGEVOLGE ARTIKEL 12(2)(c) VAN DIE WET OP
ONDERHOUD,1998 (WET No. 99 VAN 1998)**

[Hierdie kennisgewing moet ten minste 14 dae voor die aanvang van die ondersoek aan die betrokke persoon beteken word.]

Verwysingsno.. ..

In die onderhoudsondersoek:

.....
(persoon wat aansoek doen om onderhoudsbevel)

en

.....
(persoon teen wie 'n onderhoudsbevel gegee kan word)

wat gehou word op te
betreffende die betaling van onderhoud ten opsigte van.....
.....

Aan:
(persoon teen wie 'n onderhoudsbevel gegee kan word)

van.....
.....(adres)

1. U word hiermee in kennis gestel dat daar beoog word om die aangehegte verklaring(s) gemaak deur -

.....
.....

en die aangehegte dokument(e), soos bedoel in die verklaring(s), as getuienis in bogenoemde ondersoek voor te lê.

2. Die inligting vervat in hierdie dokument(e) moet toelaatbaar wees as getuienis in dieselfde mate as mondelinge getuienis met dieselfde strekking deur die betrokke persoon/persone, tensy u minstens sewe dae voor die aanvang van die ondersoek by die onderhoudsbeampte van bogenoemde hof beswaar daarteen maak.

Gedateer te..... hierdie..... dag van

.....

Onderhoudsbeampte /Klerk van die Onderhoudshof

VORM E

[Regulasie 8]

ONDERHOUDSBEVEL INGEVOLGE ARTIKEL 16 VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)

[Vorm G moet in die geval van 'n bevel by toestemming gebruik word en Vorm H moet in die geval van 'n bevel by verstek gebruik word.]

Verwysingsno.. ..

In die onderhoudsaangeleentheid tussen:

.....

(persoon wat aansoek doen om onderhoudsbevel)

en

.....

(persoon teen wie bevel gegee word)

1. Ingevolge die bepalings van artikel 16(1)(a) en/of (b) van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), word gelas dat -

.....

(volle name van die persoon teen wie die bevel gegee word)

identiteitsnommer.....

woonagtig te

.....

en werksaam te

.....

*(a) op 'n *weeklikse/maandelikse grondslag met ingang van.....

tot die onderhoud van die *klaagster/klaer en/of die volgende kinder(s) die

volgende bedrag moet betaal -

R ten opsigte van die klaagster/klaer

- Rten opsigte van..... (naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van.....(naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van(naam van kind)
- Rten opsigte van.....(naam van kind)
- Rten opsigte van.....(naam van kind),

die eerste betaling moet geskied op en daarna op of voor die
 dag van die daaropvolgende *week/maand aan

.....
 ten gunste van;

en/of

*(b)

(ander bydraes, byvoorbeeld mediese en tandheelkundige uitgawes, skoolgelde, gelde ten opsigte van tersiêre instellings, skoolklere, uitgawes ten opsigte van sport en/of kulturele aktiwiteite, uitgawes tydens geboorte en onderhoud vir die kind(ers) vanaf geboorte).

*2. Daar word verder gelas dat die onderhoudsbevel, gedateer
 gegee deur die

hiermee deur bogenoemde onderhoudsbevel vervang word.

*3. Ingevolge die bepalings van artikel 16(2) van die Wet op Onderhoud,1998 (Wet No.99 van 1998), word daar gelas dat -

.....
(persoon/persone wat ingevolge die een of ander kontrak verplig is om geld op 'n periodieke basis aan die persoon teen wie die onderhoudsbevel gegee is, te betaal)

van

..... (adres(se))

namens die persoon teen wie die bevel in paragraaf (1) hierbo gegee is, die volgende betalings maak:

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

Gedateer te..... hierdie..... dag van.....

.....

Landdros

*Skrap wat nie van toepassing is nie

VORM F

[Regulasie 9]

KENNISGEWING OM ONDERHOUDSBETALINGS NAMENS PERSOON TEEN WIE 'N ONDERHOUDSBEVEL GEGEE IS TE MAAK

KENNISGEWING INGEVOLGE ARTIKEL 16(3) VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)

Verwysingsno.. ..

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns onderhoudsbevel gemaak is)

en

.....
(persoon teen wie onderhoudsbevel gemaak is)

A. Kennisgewing ingevolge artikel 16(3)(a)

[Hierdie kennisgewing moet aan ondergenoemde persoon/persone beteken word binne sewe dae nadat die bevel gemaak is.]

Aan:
(persoon/persone wat ingevolge die een of ander kontrak verplig is om geld op 'n periodieke basis aan bogenoemde persoon teen wie die onderhoudsbevel gegee is, te betaal)

van.....
..... (adres(se))

1. U word hiermee ingelig omtrent die aangehegte bevel van die hof ingevolge waarvan u gelas word om die betalings soos gespesifiseer te maak. Neem asseblief kennis dat u aan die betalings voorkeur moet gee bo enige hofbevel wat vereis dat betalings gedoen moet word uit ander gelde wat verskuldig is aan die persoon teen wie die onderhoudsbevel gegee is.

2. Indien u van u kontraktuele verpligting onthef word, moet u binne sewe dae na die dag waarop u aldus onthef word, die onderhoudsbeampte van die hof waar die aangehegte onderhoudsbevel gegee is, daarvan in kennis stel op Deel C van hierdie vorm. Hierdie kennisgewing kan op enige manier wat vir u gerieflik is, voorgelê word, maar u moet rekord hou van die wyse waarop u die kennisgewing voorgelê het.

3. **Waarskuwing:**

Indien u, sonder goeie rede, weier of versuim om -

(a) enige betaling in ooreenstemming met die aangehegte bevel te maak;
of

(b) die onderhoudsbeampte van die kennisgewing waarvoor in Deel C van hierdie vorm voorsiening gemaak is, te voorsien,

is u aan 'n misdryf skuldig en mag u gevonnissen word met 'n boete of met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Gedateer te..... hierdie dag van

.....
Onderhoudsbeampte/Klerk van die Onderhoudshof

B. Relaa van betekening

Ek,, sertifiseer dat ek -

*(a) 'n afskrif van die dagvaarding aan persoonlik oorhandig het [regulasie 26(1)(a)(i)];

of

*(b) 'n afskrif van die dagvaarding vir oorhandiging aan persoonlik aangebied het [regulasie 26(1)(a)(i)];

of

*(c) 'n afskrif van die dagvaarding oorhandig het aan, 'n persoon wat oënskynlik nie jonger as 16 jaar is nie en wat oënskynlik by se *woonplek/werkplek/besigheidsplek woonagtig of werksaam is, aangesien nie maklik gevind kon word nie [regulasie 26(1)(a)(ii) of (iii)];

of

*(d) 'n afskrif van die dagvaarding *aan/in die buite-/hoofdeur/veiligheidshek/posbus van se *woonplek/besigheidsplek *aangebring/geplaas het aangesien laasgenoemde die *woonplek/besigheidsplek gesluit gehou het en sodoende betekening verhinder het [regulasie 26(1)(c)];

of

*(e) 'n afskrif van die kennisgewing gelewer het aan 'n *direkteur/verantwoordelike werknemer van by laasgenoemde se *geregistreerde kantoor/belangrikste werkplek [regulasie 26(1)(a)(iv)].

Gedateer te hierdie dag van

.....
*Onderhoudsondersoeker/Balju/Polisiebeampte

C. Kennisgewing ingevolge artikel 16(3)(b)

Aan: Die Onderhoudsbeampte/Klerk van die Onderhoudshof van die Landdroskantoor,
.....

1. Ek,, sertifiseer dat ek met ingang van (datum) van my kontraktuele verpligting om geld op 'n periodieke basis aan, die persoon teen wie bogenoemde bevel gegee is, onthef is weens die volgende redes:

.....
.....

2. Die volgende inligting tot my beskikking mag relevant wees vir die doeleindes van die gee van 'n nuwe bevel teen 'n ander persoon wat ingevolge een of ander kontrak verplig is om geld op 'n periodieke basis te betaal aan die persoon teen wie bogenoemde bevel gegee is:

.....
.....

Gedateer te hierdie dag van

.....
Handtekening van die persoon
wat onderhoudsbetalings maak
namens die persoon teen wie die
onderhoudsbevel gegee is

*Skrap wat nie van toepassing is nie

B. Onderhoudsbevel ingevolge artikel 17(1)

1. 'n Onderhoudsbevel in ooreenstemming met bogenoemde skriftelike toestemming deur 'n persoon teen wie 'n bevel gegee kan word/gegee is, word hierby 'n bevel van die hof gemaak.

*2. Die onderhoudsbevel gedateer, gegee deur die, word hierby vervang.

*3 Ingevolge die bepaling van artikel 16(2) van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), word daar gelas dat -

.....
(persoon/persone wat ingevolge een of ander kontrak verplig is om geld op 'n periodieke grondslag te betaal aan persoon teen wie onderhoudsbevel gegee is)

van.....
..... (adres(se))

die volgende betalings maak ten gunste van die persoon teen wie die bevel in Deel A hierbo gegee is:

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

Gedateer te hierdie dag van

.....
Landdros

C. Relas ingevolge artikel 17(2)

Ek,, sertifiseer hiermee dat ek 'n afskrif van hierdie bevel aan te (plek) om vm/nm op hierdie dag van oorhandig/aangebied het en hom/haar terselfdertyd omtrent die aard en die erns daarvan ingelig.

Gedateer hierdie dag van.....

.....
*Onderhoudsbeampte/Onderhoudsondersoeker/
Balju/Polisiebeampte

*Skrap wat nie van toepassing is nie

VORM H
[Regulasie 11]

BEVEL BY VERSTEK EN KENNISGEWING INGEVOLGE ARTIKEL 18
GELEES MET ARTIKEL 16 VAN DIE WET OP ONDERHOUD, 1998 (WET
No. 99 VAN 1998)

Verwysingsno.

In die onderhoudsaangeleentheid tussen:

.....
(persoon wat aansoek doen om onderhoudsbevel)

en

.....
(persoon teen wie bevel gegee is)

A. Bevel by verstek

1. Ingevolge die bepalings van artikel 18 gelees met artikel 16 van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), word daar gelas dat -

.....
(volle naam van persoon teen wie bevel gegee is)

identiteitsnommer

woonagtig te

en werksaam te

.....
*(a) op 'n *weeklikse/maandelikse grondslag met ingang van..... tot die onderhoud van die *klaagster/klaer en/of die volgende kinder(s) die volgende bedrag moet betaal -

R ten opsigte van die klaagster/klaer

Rten opsigte van..... (naam van kind)

Rten opsigte van..... (naam van kind)

- Rten opsigte van..... (naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van.....(naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van..... (naam van kind)
- Rten opsigte van(naam van kind)
- Rten opsigte van.....(naam van kind)
- Rten opsigte van.....(naam van kind),

dat die eerste betaling moet geskied op en daarna op of voor die..... dag van elke daaropvolgende *week/maand aan

.....
 ten gunste van

en/of

*(b)

(ander bydraes)

*2. Daar word verder gelas dat die onderhoudsbevel, gedateer, gegee deur die hiermee deur bogenoemde onderhoudsbevel vervang word.

*3. Ingevolge die bepalings van artikel 16(2) van die Wet op Onderhoud, 1998 (Wet No.99 van 1998), word daar gelas dat -

.....
 (persoon/persone wat ingevolge die een of ander kontrak verplig is om geld op 'n periodieke basis aan persoon teen wie onderhoudsbevel gemaak is, te betaal)

van.....
 (adres(se))
 namens die persoon teen wie die bevel in Deel A hierbo gegee is, die volgende
 betalings maak:

Gedateer te.....hierdie..... dag van.....

.....

Landdros

*Skrap wat nie van toepassing is nie

B. Kennisgewing van bevel by verstek aan die persoon teen wie bogenoemde bevel gegee is

1. U word hiermee in kennis gestel van bogenoemde bevel wat teen u gegee is ingevolge waarvan u gelas word om die betalings soos in die bevel gespesifiseer, te maak.
2. Indien u sou verkies om aansoek te doen om die wysiging of tersydestelling van die aangehegte bevel, moet u aansoek binne 20 dae na ontvangs van die kennisgewing aan die onderhoudsbeampte van die hof wat die bevel uitgereik het, gemaak word.
3. Neem asseblief kennis dat u ook die persoon in wie se guns die bevel gegee is, van u aansoek in kennis moet stel en die kennisgewing moet ten minste 14 dae voor die datum waarop die aansoek aangehoor word, beteken word.

4. U aansoek (sien paragraaf 2) en die kennisgewing (sien paragraaf 3) moet op die voorgeskrewe vorm wat by enige Landdroskantoor beskikbaar is, wees.

Gedateer te hierdie dag van.....

.....
 Onderhoudsbeampte/Klerk
 van die Onderhoudshof

C. Relas ingevolge artikel 18(3)

Ek,, sertifiseer hiermee dat ek 'n afskrif van hierdie bevel aan te (plek) om vm/nm op hierdie dag van oorhandig/aangebied het en hom/haar terselfdertyd omtrent die aard en die erns daarvan ingelig het.

Gedateer te hierdie dag van.....

.....
 *Onderhoudsbeampte/Onderhoudsondersoeker/
 Balju/Polisiebeampte

*Skrap wat nie van toepassing is nie

VORM I
[Regulasie 11(4)]

AANSOEK OM DIE WYSIGING/TERSYDESTELLING VAN 'N BEVEL BY
VERSTEK INGEVOLGE ARTIKEL 18(4) VAN DIE WET OP ONDERHOUD,
1998 (WET No. 99 VAN 1998)

Verwysingsno.

In die onderhoudsaangeleentheid tussen :

.....
(persoon in wie se guns onderhoudsbevel gegee is)

en

.....
(persoon teen wie onderhoudsbevel gegee is)

A. Aansoek ingevolge artikel 18(4)(a)

Aan die Onderhoudsbeampte van die Onderhoudshof,

1. Ek, ,
(volle name van persoon teen wie onderhoudsbevel gegee is)

identiteitsnommer

doen hiermee aansoek dat die onderhoudsbevel wat op die dag van
..... deur die Onderhoudshof,, ingevolge die Wet
op Onderhoud, 1998 (Wet No. 99 van 1998), teen my gegee is *tersyde gestel
word/soos volg gewysig word:

.....
.....

2. Ter ondersteuning van my aansoek-

(a) *verklaar ek hiermee onder eed/bevestig ek hiermee opreg dat die volgende
redes bestaan vir die *wysiging/tersydestelling van die bevel:

.....
.....; en

(b) heg ek verklarings deur die volgende persone aan:

.....
.....

Gedateer te hierdie dag van

.....
Handtekening van verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat, voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

(a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?

Antwoord

(b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuiter *"Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/ "Ek bevestig opreg dat die inhoud van hierdie verklaring waar is." Die verklaarder se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....
Vrederegter/Kommissaris van Ede

Volle name en van
(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres.....
(straatadres moet ingevul word)

Gedateer te hierdie dag van

B. Kennisgewing ingevolge artikel 18(4)(c)

[Lê hierdie kennisgewing ten minste 14 dae voordat u aansoek aangehoor word voor aan die persoon in wie se guns die bevel by verstek gegee is op enige manier wat gerieflik vir u is, maar hou rekord van die wyse waarop die kennisgewing voorgelê is.]

Aan:
(persoon in wie se guns onderhoudsbevel gegee is)

1. Neem kennis dat bogenoemde aansoek op dag van
om (tyd) by die Onderhoudshof, aangehoor sal word.

2. Afskrifte van verklarings ter ondersteuning van die aansoek, indien van toepassing,
is hierby aangeheg.

Gedateer te..... hierdie dag van

.....
Handtekening van persoon teen wie
onderhoudsbevel gegee is

*Skrap wat nie van toepassing is nie

VORM J
[Regulasie 12]

**KENNISGEWING INGEVOLGE ARTIKEL 19 VAN DIE WET OP
ONDERHOUD, 1998 (WET No. 99 VAN 1998)**

Verwysingsno.

In die onderhoudsaangeleentheid tussen:

.....

(persoon in wie se guns onderhoudsbevel gegee is)

en

.....

(persoon teen wie onderhoudsbevel gegee is)

Aan:

.....

(persoon in wie se guns onderhoudsbevel gegee is)

.....

(persoon teen wie onderhoudsbevel gegee is)

*

(persoon aan wie kennisgewing bedoel in artikel 16(3)(a) beteken is)

*1. Neem kennis dat die bevel uitgereik ingevolge artikel 16(1)(a)(i) of 16(1)(b)(i) op
....., by die Onderhoudshof,
gewysig is -

(a) deur die aanwys van
met ingang van (datum) as die
persoon beampte, organisasie, inrigting of rekening aan wie, waaraan of
waarin betalings ingevolge hierdie bevel gemaak moet word; of

(b) deur die bepaling dat die betalings ingevolge hierdie bevel met ingang
van (datum) op die volgende wyse gemaak
moet word:

*2. Neem kennis dat die bevel wat op by die Onderhoudshof,
....., ingevolge artikel 16(2) uitgereik is, met ingang van
..... tersyde gestel is.

Gedateer te hierdie dag van

.....
Onderhoudsbeampte

* Skrap wat nie van toepassing is nie

VORM K
[Regulasie 16]

**AANSOEK OM DIE AFDWINGING VAN ONDERHOUDS-OF ANDER
BEVEL INGEVOLGE ARTIKEL 26 VAN DIE WET OP ONDERHOUD, 1998
(WET No. 99 VAN 1998)**

Verwysingsno..

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns onderhoudsbevel gegee is)

en

.....
(persoon teen wie onderhoudsbevel gegee is)

Aan die Onderhoudsbeampte van die Onderhoudshof,

1. Ek,,
(volle naam van die persoon in wie se guns bevel gegee is)
identiteitsnommer

doen hiermee aansoek -

- * (a) om magtiging vir die uitreiking van 'n lasbrief vir eksekusie; of
- * (b) om 'n bevel vir die beslaglegging op besoldiging; of
- * (c) om 'n bevel vir die beslaglegging op skuld.

2. Die volgende inligting is belangrik vir die doeleindes van my aansoek:

.....

.....

(Voorsien inligting met betrekking tot eiendom en/of skulde van die persoon teen wie die bevel gegee is of sy of haar werkgewer en inkomste)

3. Die verblyfplek van die persoon teen wie die bevel gegee is, is soos volg:

.....

4. Ter ondersteuning van my aansoek *verklaar ek hiermee onder eed/bevestig ek hiermee opreg dat -

- (a) die aangehegte bevel, ingevolge die Wet op Onderhoud, 1998 op (datum) deur bogenoemde Onderhoudshof gegee is;
- (b) daar nie aan die die aangehegte bevel voldoen is nie; en
- (c) die bedrag van R steeds uitstaande is. Die bedrag is soos volg bereken:

.....

Gedateer te..... hierdie..... dag van

.....
Handtekening van Verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

- (a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?
Antwoord
- (b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?
Antwoord
- (c) Beskou u die voorgeskrewe eed as bindend vir u gewete?
Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuiter *"Ek sweer dat

die inhoud van hierdie verklaring waar is, so help my God."/ "Ek bevestig opreg dat die inhoud van hierdie verklaring waar is." Die klaagster/klaer se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....

Vrederegter/Kommissaris van Ede

Volle name en van

(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres

(straatadres moet ingevul word)

.....

Gedateer te hierdie dag van

*Skrap wat nie van toepassing is nie

VORM L

[Regulasie 17]

**LASBRIEF VIR EKSEKUSIE TEEN EIENDOM INGEVOLGE ARTIKEL 27
VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)**

[Deel A moet deur die persoon in wie se guns die bevel gegee is, ingevul word.
[Deel B moet deur die Klerk van die Onderhoudshof ingevul word.
[Deel C en D moet deur die persoon wat gemagtig is om die lasbrief uit te voer, ingevul word.]

Verwysingsno.....

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns bevel gegee is, hierna die "eksekusiekrediteur" genoem)

en

.....
(persoon teen wie die bevel gegee is, hierna die "eksekusiedebiteur" genoem)

A. Aan die Klerk van die Onderhoudshof,.....

1. Bedrae om te vorder:

(a) Uitstaande bedrag van bevel R.....

(b) Rente op bedrag in (a) R.....

Totaal verskuldig R.....

2. Adres van die eksekusiedebiteur:

.....

Gedateer te..... hierdie dag van.....

.....
Handtekening van persoon
in wie se guns bevel gegee is

B. Aan die persoon wat gemagtig is om hierdie lasbrief uit te voer:

1. Bogenoemde Onderhoudshof het op dag van die uitreiking gemagtig van 'n lasbrief vir eksekusie ingevolge artikel 27 van die Wet op Onderhoud, 1998 (Wet No. 99 van 1998), teen die *roerende/onroerende eiendom van die eksekusiedebiteur vir bogenoemde bedrae wat gesamentlik R beloop, ten gunste van die eksekusiekrediteur.

2. U is gevolglik gemagtig en verplig om die bedrag van R op die eiendom van die eksekusiedebiteur te hef, tesame met u uitgawes vir hierdie eksekusie, en aan die betrokke eksekusiekrediteur die bedrag van R te betaal en aan hierdie Hof te rapporteer wat u uit hoofde hiervan gedoen het.

Gedateer te..... hierdie dag van.....

Datumstempel van uitreikingskantoor

.....
Klerk van die Onderhoudshof

Nota aan die persoon wat gemagtig is om die lasbrief uit te voer:

1. Indien die eksekusiedebiteur binne 'n halfuur na u intrede bogenoemde bedrag en die koste van hierdie eksekusie betaal, sal hy of sy nie verplig wees om enige verdere koste van eksekusie te betaal nie. Die bedrag van enige betaling deur die eksekusiedebiteur gemaak en die datum daarvan moet op die oorspronklike en op 'n afskrif hiervan aangeteken word, welke aantekening geteken moet word deur die persoon wat gemagtig is om die lasbrief uit te voer en medeonderteken moet word deur die eksekusiedebiteur of sy of haar verteenwoordiger.

2. Die uitvoering van die eksekusie kan uit 'n verkoping betaal word onderhewig aan die betaling van die eksekusiekoste, ten opsigte waarvan taksasie vereis kan word.

3. Die enigste onroerende eiendom waarop hierdie lasbrief uitgevoer mag word, is -

.....
.....
(sit die ligging en aard daarvan genoegsaam uiteen sodat dit geïdentifiseer kan word)

4. Enige wysigings wat hierin aangebring word, moet deur die klerk van die onderhoudshof geparafeer word voordat die lasbrief deur hom of haar uitgereik of heruitgereik word.

C. Relas van betekening

Ek,, sertifiseer ek het -
.....
.....
.....
.....

D. Endossement

Die eksekusiedebiteur het die bedrag van Rbinne 'n halfuur na my intrede betaal.

.....
Handtekening van Balju/
Onderhoudsondersoeker

.....
Handtekening van Eksekusie-
debiteur/Verteenwoordiger

VORM M
[Regulasie 19]

AANSOEK OM TERSYDESTELLING VAN 'N LASBRIEF VIR EKSEKUSIE
INGEVOLGE ARTIKEL 27(3) VAN DIE WET OP ONDERHOUD, 1998 (WET
No. 99 VAN 1998)

Verwysingsno.. ..

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns die lasbrief vir eksekusie uitgereik is)

en

.....
(persoon teen wie die lasbrief vir eksekusie uitgereik is)

A. Aansoek ingevolge artikel 27(3)

Aan die Onderhoudsbeampte van die Onderhoudshof,

1. Ek, ,
(volle name van persoon teen wie lasbrief vir eksekusie uitgereik is)
identiteitsnommer
doen hiermee aansoek dat die lasbrief vir eksekusie wat op die dag van
..... deur die klerk van bogenoemde onderhoudshof uitgereik is,
tersyde gestel word.

2. Ter ondersteuning van my aansoek -
(a) *verklaar ek hiermee onder eed/bevestig ek opreg dat die volgende redes
bestaan vir die tersydestelling van die bevel:

.....
.....; en

(b) heg ek hiermee verklarings deur die volgende persone aan:

.....

Gedateer te hierdie dag van

.....

Handtekening van Verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

(a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?

Antwoord

(b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuiter *"Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/ "Ek bevestig opreg dat die inhoud van hierdie verklaring waar is. "Die verklaarder se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....

Vrederegter/Kommissaris van Ede

Volle name en van
(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres
(straatadres moet ingevul word)

Gedateer te hierdie dag van

B. Kennisgewing ingevolge artikel 27(6)(a)

[Lê hierdie kennisgewing ten minste 14 dae voordat u aansoek aangehoor word, voor aan die persoon in wie se guns die lasbrief vir eksekusie uitgereik is op enige manier wat gerieflik vir u is, maar hou rekord van die wyse waarop die kennisgewing voorgelê is.]

Aan:
(persoon in wie se guns lasbrief vir eksekusie uitgereik is)

1. Neem kennis dat bogenoemde aansoek op dag van
om (tyd) by die Onderhoudshof aangehoor sal word.

2. Afskrifte van verklarings ter ondersteuning van die aansoek, indien van toepassing,
is hierby aangeheg.

Gedateer te..... hierdie dag van

.....
Handtekening van persoon teen wie
lasbrief vir eksekusie uitgereik is

*Skrap wat nie van toepassing is nie

VORM N
[Regulasie 20]

AANSOEK OM OPSKORTING, WYSIGING OF INTREKKING VAN 'N
BEVEL VIR BESLAGLEGGING OP BESOLDIGING INGEVOLGE ARTIKEL
28(2) VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)

Verwysingsno.. ..

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns bevel vir die beslaglegging op besoldiging gegee is)

en

.....
(persoon teen wie bevel vir die beslaglegging op besoldiging gegee is)

A. Aansoek ingevolge artikel 28(2)(a)

Aan die Onderhoudsbeampte van die Onderhoudshof,

1. Ek, ,
(volle name van persoon wat aansoek doen vir die opskorting, wysiging of intrekking van bevel)
identiteitsnommer
doen hiermee aansoek dat die bevel vir die beslaglegging op besoldiging wat op
die dag van deur bogenoemde onderhoudshof,
.....gegee is, *opgeskort/ingetrek/soos volg gewysig word:
.....
.....

2. Ter ondersteuning van my aansoek -
(a) *verklaar ek hiermee onder eed/bevestig ek opreg dat die volgende redes

bestaan vir die *opskorting/intrekking/wysiging van die bevel:

.....
.....; en

(b) heg ek hiermee verklarings deur die volgende persone aan:

.....
.....

Gedateer te hierdie dag van

.....
Handtekening van Verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

(a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?
Antwoord

(b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?
Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?
Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuit "Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/"Ek bevestig opreg dat die inhoud van hierdie verklaring waar is. "Die verklaarder se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

Vrederegter/Kommissaris van Ede

Volle name en van

(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres

(straatadres moet ingevul word)

Gedateer te hierdie dag van

B. Kennisgewing ingevolge artikel 28(2)(b)

[Lê hierdie kennisgewing ten minste 14 dae voordat u aansoek aangehoor word, voor aan die persoon in wie se guns die bevel vir die beslaglegging op besoldiging gegee is op enige manier wat gerieflik vir u is, maar hou rekord van die wyse waarop die kennisgewing voorgelê is.]

Aan:

(persoon in wie se guns bevel vir beslaglegging op besoldiging gegee is)

1. Neem kennis dat bogenoemde aansoek op dag van om (tyd) by die Onderhoudshof, aangehoor sal word.

2. Afskrifte van verklarings ter ondersteuning van die aansoek, indien van toepassing, is hierby aangeheg.

Gedateer te..... hierdie dag van

Handtekening van persoon teen wie
bevel vir beslaglegging op besoldiging gegee is

*Skrap wat nie van toepassing is nie

VORM O
[Regulasie 20]

KENNISGEWINGS AAN EN VAN WERKGEWER INGEVOLGE ARTIKEL 29
VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)

Verwysingsno.. ..

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns bevel vir beslaglegging op besoldiging gegee is)

en

.....
(persoon teen wie bevel vir beslaglegging op besoldiging gegee is)

A. Kennisgewing ingevolge artikel 29(1)

[Hierdie kennisgewing moet binne sewe dae na die bevel gegee is, aan die betrokke persoon beteken word.]

Aan:
(die werkgewer van die persoon teen wie die bevel vir die beslaglegging op besoldiging gegee is)

van
..... (adres)

1. U word hiermee ingelig omtrent die aangehegte hofbevel ingevolge waarvan u versoek word om die betalings soos gespesifiseer, te maak. Neem asseblief kennis dat u aan die betalings voorkeur moet gee bo enige hofbevel wat vereis dat betalings gedoen moet word uit ander gelde wat verskuldig is aan die persoon teen wie die onderhoudsbevel gegee is.

2. Indien die persoon teen wie die bevel vir beslaglegging op besoldiging gegee is, u diens verlaat, moet u binne sewe dae na die dag waarop hy of sy u diens verlaat het die onderhoudsbeampte van die hof waar die aangehegte onderhoudsbevel gegee is daarvan in kennis stel op Deel C van hierdie vorm. Hierdie kennisgewing kan op enige manier wat vir u gerieflik is, voorgelê word, maar u moet rekord hou van die wyse waarop u die kennisgewing voorgelê het.

3. Waarskuwing:

Indien u -

- (a) versuim om die betalings soos gespesifiseer in die aangehegte bevel te maak, kan u verantwoordelik gehou word vir die betaling; en
- (b) sonder goeie rede weier of versuim om -
 - (i) enige betaling in ooreenstemming met die aangehegte bevel te maak; of
 - (ii) die onderhoudsbeampte van die kennisgewing waarvoor in Deel C van hierdie vorm voorsiening gemaak is, te voorsien, is u aan 'n misdryf skuldig en mag u gevonnissen word met 'n boete of met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Gedateer te.....hierdie dag van

.....
Onderhoudsbeampte/Klerk van die Onderhoudshof

B. Relas van betekening

Ek,, sertifiseer dat ek -

*(a) 'n afskrif van die dagvaarding aan persoonlik oorhandig het [regulasie 26(1)(a)(i)];

of

*(b) 'n afskrif van die dagvaarding vir oorhandiging aan persoonlik aangebied het [regulasie 26(1)(a)(i)];

of

*(c) 'n afskrif van die dagvaarding oorhandig het aan, 'n persoon wat oënskynlik nie jonger as 16 jaar is nie en wat oënskynlik by se *woonplek/werkplek/besigheidsplek woonagtig of werksaam is, aangesien nie maklik gevind kon word nie [regulasie 26(1)(a)(ii) of (iii)];

of

*(d) 'n afskrif van die dagvaarding *aan/in die buite-/hoofdeur/veiligheidshek/posbus van se *woonplek/besigheidsplek *aangebring/geplaas het aangesien laasgenoemde die *woonplek/besigheidsplek gesluit gehou het en sodoende betekening verhinder het [regulasie 26(1)(c)];

of

*(e) 'n afskrif van die kennisgewing gelewer het aan 'n *direkteur/verantwoordelike werknemer van by laasgenoemde se *geregistreeerde kantoor/belangrikste werkplek [regulasie 26(1)(a)(iv)].

Gedateer te..... hierdie dag van

.....
*Onderhoudsondersoeker/Balju/Polisiebeampte

C: Kennisgewing ingevolge artikel 29(2)

Aan: Die Onderhoudsbeampte/Klerk van die Onderhoudshof van die Landdroskantoor,
.....

1. Ek,, gee hiermee kennis datwat in my diens was op (datum), my diens verlaat het.

Gedateer te hierdie dag van.....

.....
Handtekening

*Skrap wat nie van toepassing is nie

VORM P

[Regulasie 21]

AANSOEK OM OPSKORTING, WYSIGING OF INTREKKING VAN BEVEL VIR BESLAGLEGGING OP SKULDE INGEVOLGE ARTIKEL 30(2) VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99 VAN 1998)

Verwysings No.

In die onderhoudsaangeleentheid tussen:

.....
(persoon in wie se guns bevel vir die beslaglegging op skulde gegee is)

en

.....
(persoon teen wie die bevel vir beslaglegging vir skulde gegee is)

A. Aansoek ingevolge artikel 30(2)

Aan die Onderhoudsbeampte van die Onderhoudshof,

1. Ek,,
(volle name van persoon wat aansoek doen om die opskorting, wysiging of intrekking van bevel)
identiteitsnommer
doen hiermee aansoek dat die bevel vir die beslaglegging op skulde wat op die
..... dag van deur bogenoemde onderhoudshof,
.....gegee is, *opgeskort/ingetrek/soos volg gewysig word:
.....
.....

2. Ter ondersteuning van my aansoek -

(a) *verklaar ek hiermee onder eed/bevestig ek opreg dat die volgende redes bestaan vir die *opskorting/intrekking/wysiging van die bevel:

.....
; en

(b) heg ek hiermee verklarings deur die volgende persone aan:

.....

Gedateer te hierdie dag van

.....
 Handtekening van Verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

(a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?

Antwoord

(b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuiter *"Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/"Ek bevestig opreg dat die inhoud van hierdie verklaring waar is. "Die verklaarder se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....
Vrederegter/Kommissaris van Ede

Volle name en van
(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres
(straatadres moet ingevul word)

.....
Gedateer te hierdie dag van

B. Kennisgewing ingevolge artikel 30(2)(b)

[Lê hierdie kennisgewing ten minste 14 dae voordat u aansoek aangehoor word, voor aan die persoon in wie se guns die bevel vir die beslaglegging vir skulde gegee is op enige manier wat gerieflik vir u is, maar hou rekord van die wyse waarop die kennisgewing voorgelê is.]

Aan:
(persoon in wie se guns bevel vir die beslaglegging vir skulde gegee is)

- 1. Neem kennis dat bogenoemde aansoek op dag van om (tyd) by die Onderhoudshof, aangehoor sal word.
- 2. Afskrifte van verklarings ter ondersteuning van die aansoek, indien van toepassing, is hierby aangeheg.

Gedateer te..... hierdie dag van

.....
Handtekening van persoon teen wie
bevel vir die beslaglegging vir skulde gegee is

*Skrap wat nie van toepassing is nie

VORM Q
[Regulasie 22]

KLAGTE VAN VERSUIM OM 'N ONDERHOUDSBEVEL VIR DOELEINDES
VAN ARTIKEL 31(1) VAN DIE WET OP ONDERHOUD, 1998 (WET No. 99
VAN 1998) NA TE KOM

Verwysingsno.

Ek,

(volle name)

(genoem "die klaagster/klaer")

gebore op..... datum)/ouderdom

identiteitsnommer

woonagtig te

.....
telefoonnommer.....

werksaam te

.....
telefoonnommer

naaste polisiestasië

*verklaar hiermee onder eed/ bevestig hiermee opreg soos volg:

1.

(volle name)

(genoem "die verweerder(es)")

gebore op..... (datum)/ouderdom

identiteitsnommer

woonagtig te

.....
telefoonnommer.....

werksaam te

.....
 telefoonnommer
 naaste polisiestasie
 is gelas deur die (Hof)
 op om die totale bedrag van R per
 *week/maand synde R huidige onderhoud vir *my en/of die
 kind(ers) en/of die uitstaande bedrag van R vir

 te betaal.

2. Die eerste betaling moes gemaak gewees het op en daarna op
 of voor die dag van elke daaropvolgende *week/maand. Alle betalings
 moes gemaak word aan *die Klerk van die Hof,, aan
 my persoonlik/ die volgende bankrekening

3. Die Verweerder(es) is in die volgende mate agterstallig met *sy/haar
 onderhoudsbetalings:

4. 'n Gesertifiseerde afskrif van die bestaande onderhoudsbevel is *aangeheg/is op
 lêer by die Onderhoudshof,

.....
 Handtekening van Verklaarder

Eed/Bevestiging

1. Ek sertifiseer dat voordat ek die voorgeskrewe *eed/bevestiging afgeneem het, ek die volgende vrae aan die verklaarder gestel het en *sy/haar antwoorde in *sy/haar teenwoordigheid neergeskryf het:

(a) Is u vertrouwd met die inhoud van die bostaande verklaring en begryp u dit?

Antwoord

(b) Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

(c) Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

2. Ek sertifiseer dat die verklaarder erken het dat *hy/sy vertrouwd is met die inhoud van die verklaring en dit begryp. Die verklaarder het die woorde geuiter *"Ek sweer dat die inhoud van hierdie verklaring waar is, so help my God."/"Ek bevestig opreg dat die inhoud van hierdie verklaring waar is. "Die verklaarder se *handtekening/merk is in my teenwoordigheid op die verklaring aangebring.

.....
Vrederegter/Kommissaris van Ede

Volle name en van

(drukskrif)

Amp (Rang) Ex Officio Republiek van Suid-Afrika

Besigheidsadres

(straatadres moet ingevul word)

.....
Gedateer te hierdie dag van

* Skrap wat nie van toepassing is nie

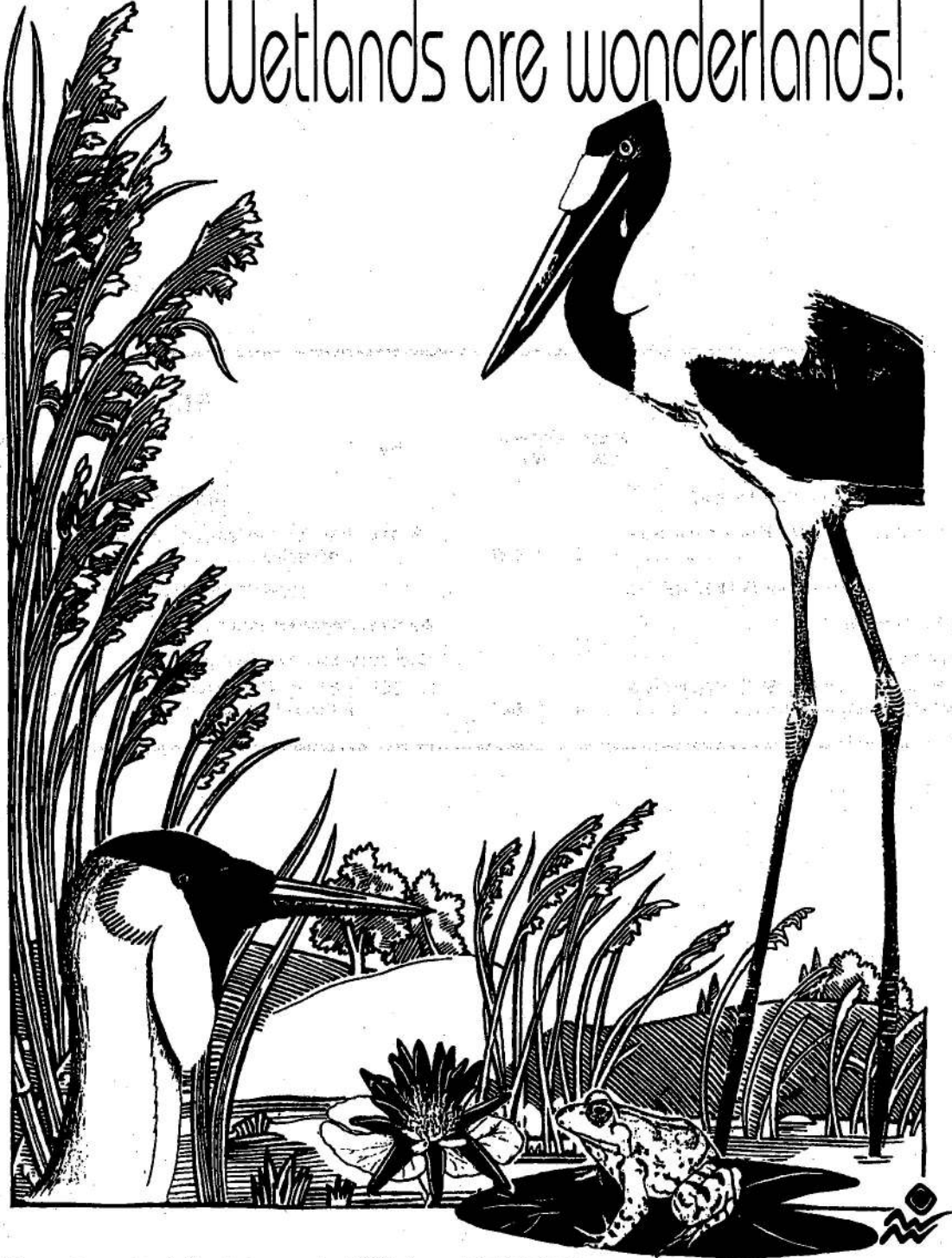
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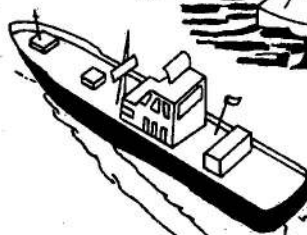
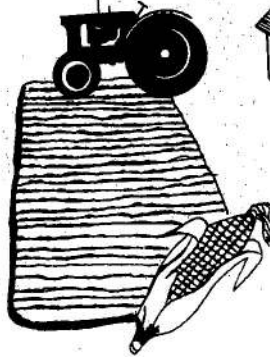
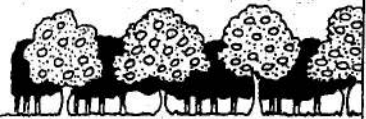
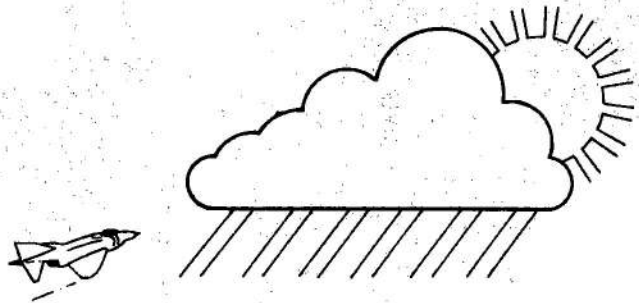
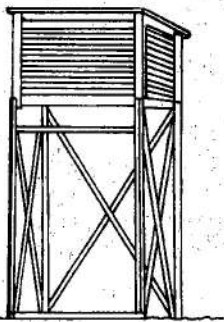
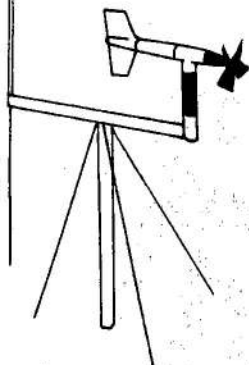
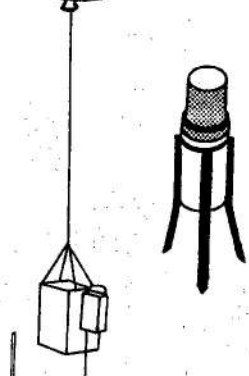
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