

No. R. 263

12 April 2013

MAGISTRATES' COURTS: AMENDMENT OF THE RULES OF COURT

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

SCHEDULE**GENERAL EXPLANATORY NOTE:**

[] Expressions in bold type in square brackets indicate omissions from existing rules.

____ Expressions underlined with a solid line indicate insertions into existing rules.

Definition

1. In this Schedule "the Rules" means the Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa published under Government Notice No. R. 740 of 23 August 2010, as amended by Government Notice Nos. R. 1222 of 24 December 2010, R. 611 of 29 July 2011, R.1085 of 30 December 2011, R. 685 of 31 August 2012 and R. 115 of 15 February 2013.

Amendment of rule 58 of the Rules

2. Rule 58 of the Rules is hereby amended by the substitution for sub-rules (7) and (8) of the following sub-rules:

"(7) No attorney or advocate appearing in a case under this rule shall charge a fee of more than **[R175.00]** R404,00 if the claim is undefended or **[R250.00]** R929,00 if it is defended, unless the court in an exceptional case otherwise directs.

(8) No instructing attorney in cases under this rule shall charge a fee of more than **[R250.00]** R1 414,00 if the claim is undefended or **[R375.00]** R2 020,00 if it is defended, unless the court in an exceptional case otherwise directs."

Commencement

3. These rules shall come into operation on **17 May 2013**.