



REPUBLIC OF SOUTH AFRICA

No. 51 – Administration Order – Section 74(1) of the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944)

IN THE MAGISTRATE’S COURT FOR THE DISTRICT/REGION OF

HELD AT CASE NO:

In the application of

..... (hereinafter referred to as the applicant):

1. It is ordered-

(a) that the estate of the applicant be placed under administration in terms of section 74 of the Magistrates' Courts Act, 1944;

(b) that from be appointed Administrator of the Applicant's estate in terms of section 74E on condition that he or she gives the following security for the due and prompt payment by him or her to all the parties entitled thereto of all the moneys which come into his or her possession by virtue of this appointment

(c) that the Applicant pays the amount of R..... weekly/monthly to the Administrator for distribution among the creditors. First payment on or before the day of 20..... and weekly/monthly thereafter on or before every/the of each month;

(d)

(e)

2. Authority is granted-

(a) for the issue of an Emoluments Attachment Order under section 65J of the Magistrates' Courts Act, 1944, against the Applicant's employer for payment to the Administrator of the said amount on or before the said times until the costs of administration and the creditors have been paid in full. This authority is suspended on condition that

(b) for the issue of a garnishee order under section 72 of the Magistrates' Courts Act, 1944, against from This authority is suspended on condition

(c) for the realization and distribution of the proceeds of the following assets among the creditors:

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

(iv) of the following assets that are the subject of an agreement in terms of the Hire-Purchase Act, 1942 (Act 36 of 1942) or the Credit Agreements Act, 1980 (Act 75 of 1980) or the National Credit Act 2005, (Act 34 of 2005), with the written permission of the seller:

- (aa)
- (bb)

(d) for the return of the following assets to the seller in terms of the Hire-Purchase Act, 1942 or section 17 of the Credit Agreements Act, 1980 or provisions of the National Credit Act, 2005:

- (i)
- (ii)
- (e) other (give details)

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

.....
Magistrate

NOTE.-In terms of section 74F (1) of the Magistrates' Courts Act, 1944, the Registrar/Clerk of the Court shall hand or send by registered post a copy of this order to the debtor and in terms of section 74F (2) the Administrator shall forward a copy hereof by registered post to each creditor whose name is mentioned in the Debtor's statement of affairs (Form 45) or who has given proof of a debt.