

APPENDIX TO URGENT CIRCULAR TO SCA PRACTITIONERS

THE TARIFF :

The items referred to hereunder, accord with such item in terms of Rule 18 of the Rules of the Supreme Court of Appeal, as amended by Government Gazette which came into operation on 11th September, 2020.

SECTION A :

TAKING INSTRUCTIONS :

R1,052.00 in all appeals.

R650.00 in all petitions.

R66.50 per page for taking instructions on affidavits.

R131.50 per page for drawing of affidavits.

SECTION B :

PREPARATION OF RECORDS :

A fee of R328.00 will be allowed for certifying the record at the court a quo.

SECTION C :

PERUSAL

A fee of R66.50 will be allowed for the perusal of all photographs, diagrams, sketches, graphs, aerial photographs, maps and any A3 enlargement, per page.

The Bloemfontein attorney on record will be allowed to peruse the heads of argument, etc. at half the prescribed tariff.

SECTION D :

ATTENDANCE

- (i) R66.50 will be allowed for the attendance on any letter, irrespective of the length.

- (ii) R66.50 will be allowed for any formal telephone call. Telephonic consultations must be specified and R21.87 per minute will be allowed.

- (iii) An attorney noting a judgment will be allowed R656.00. A candidate attorney, accompanying counsel, will be allowed R204.00.

- (iv) R66.50 per page perusal for any other document not specifically provided for, inclusive of the Registrar's Notice of Set Down and Request for Heads of Argument.

REMARK :

Should the number of letters received, be 30 or less, it shall not be necessary to specify the same.

- (v) Consultations and attendance at Court proceedings will be allowed at R656.00 per half an hour or part thereof.

(vi) For the perusal and consideration of any affidavit with a deponent prior to attestation thereof, a fee of R328.00 will be allowed for every 30 pages (or part thereof) of such affidavit.

(vii) A fee of R328.00 will be allowed as *ad jurat*.

SECTION E:

INSTRUCTIONS TO COUNSEL

(i) Instructions to Counsel will be allowed at R525.00 in any application.

(ii) Instructions to Counsel will be allowed at R650.00 in any appeal.

(iii) Drawing short brief will be allowed @ R131.50.

(iv) Sorting brief will be allowed @ R102.00.

(v) Delivery of brief will be allowed @ R102.00.

REMARK (1) :

Instructions as above should be allowed as per Court Order, eg. Should the cost of 2 Counsel be allowed, a full instruction fee will be allowed in respect of each Counsel.

4.

REMARK (2) :

Should the number of letters written be 40 or less,
it will not be necessary to specify the same.
A fee of R131.50 will be allowed for any letter written.

SECTION G :

Drawing fee will be allowed @ 11% on fees .

Taxation fee will be allowed on the total bill
(fees and disbursements and drawing fee) as
follows :

11% on the first R10,000.00

6% on the second R10,000.00

3% on the balance.

GENERAL :

(i)

R984.00 will be allowed to the Bloemfontein
correspondent for assistance to the instructing
correspondent and Counsel during the trial.

(ii)

R102.00 will be allowed for service of documents;
R102.00 for filing thereof while R204.00 will be
allowed as an all-inclusive fee for the lodgement of
the record.

(iii)

Perusal of any acknowledgment of receipt will be
allowed at R66.50 each.

- (iv) A once-off fee of R328.00 will be allowed for attendance on and perusal of the court roll, inclusive of all telephonic attendances thereanent.

GENERAL : FAX AND COURIER CHARGES

DISBURSEMENTS

Due to poor service rendered by conventional postal institutions, fax and courier charges will be allowed as follows on a party and party scale, where grounds for urgency exists :

- (i) A fee of R66.50 for any attendance with regard to the transmission of any fax or E-mail, irrespective of the number of pages.
- (ii) An additional disbursement of R5.00 per page will be allowed in respect of outgoing faxes and E-mails, where grounds for urgency exist.
- (iii) The taxing master will allow the reasonable costs relating to courier charges, provided same can be justified.

6.

- (iv) Should sets of documents (Heads of Argument, records, etc.) be transmitted between correspondent firms by means of docex, a once-off fee of R150.00 per delivery will be allowed.
- (v) To peruse any disbursement voucher, R66.50 will be allowed, as well as an attendance fee to pay any disbursement in the amount of R102.00

GENERAL : MISCELLANEOUS MATTERS :

- (i) The Bloemfontein firm on record will be allowed to peruse all 6 sets of the record lodged with the Court at the following rate :
- 1 R6.50 per page will be allowed for the perusal and Consideration of the certified copy of the record.
- 2 R1.00 per page will be allowed for perusal and consideration of all of the further sets of the record.

- (ii) Bloemfontein practitioners in the same matter, are requested, as a measure of courtesy, to exchange all documents (applications, affidavits, etc.) relating to that matter, between their respective firms so as to ensure that both are in possession of a complete file relating to that matter.
- (iii) A once-off fee of R1,312.00 (1 hour) will be allowed for consultations with Counsel relating to compilation of record.
- A fee for binding of documents will be allowed as follows :
- : Appeal documents – R656.00
 - : Application papers – R328.00
- A disbursement for ringbinders and further binding material will be allowed at R25.00 per volume.
- (iv) All practitioners are requested to ascertain prior to attending taxations whether the successful litigant is a registered vendor for VAT purposes or not, and must ensure that proof of all disbursements items are available at taxations, so as to prevent unnecessary delays.

(v) Practitioners must note that their instructing correspondents are entitled to their travel and accommodation expenses incurred in attending a trial, but no travelling time will be allowed.

(vi) As far as the fees of Counsel acting in normal appeals, are concerned, the taxing masters will in future allow an all-inclusive first day fee of R120,000.00 for perusal of documents preparation of Heads of Argument, to conduct the hearing of the appeal and travel and accommodation expenses. The taxing master will only deviate from this guideline should acceptable special circumstances exist and the member attending the taxation can successfully argue same.

It must also be noted that should the hearing of any matter proceed beyond 1 day, the taxing master will allow an additional fee *per diem* for Counsel equal to 2/3 of the first day fee.

Junior counsel will be allowed @ two thirds of the amount allowed for senior counsel, if applicable.

Members are furthermore urgently requested to ensure that the following certificate is endorsed at the end of the bills of cost :

DRAWN BY : _____

CAPACITY : _____

NAME OF FIRM : _____

Alternatively, bills of cost must contain the certificate in terms of Rule 70 of the High Court Rules.

