

Church Square Association of Advocates
Church Square Bar

Kerkplein Vereniging van Advokate
Kerkplein Balie

7 November 2017

NOTICE


PLEASE TAKE NOTE THAT:

GOVERNMENT NOTICE NO. R.1163 PROMULGATED IN GOVERNMENT GAZETTE NO. 41224, DATED 3 NOVEMBER 2017, under section 153(1) *bis* of the **INSOLVENCY ACT, 1963 (ACT NO. 24 of 1936)**, the Minister of Justice and Constitutional Services, hereby amends the Third Schedule to the said Act. The amendments to the Third Schedule will come into operation on 1 January 2018 and the provisions of Items 1 and 2 of the Third Schedule shall only apply to the insolvent estates whose final court order is granted on or after 1 January 2018.

Same is available on our website at www.churchsquarebar.co.za under legal amendments.

Should you not have internet access, same is available at our Chambers, Suite 410, Standard Bank Chambers, Pretoria, for your perusal.

MEMBERS ARE URGED to take note thereof and to comply with the said amendments in order to avoid embarrassment.



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DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 1163

03 NOVEMBER 2017

INSOLVENCY ACT, 1936 (ACT NO. 24 OF 1936)

AMENDMENT OF THE THIRD SCHEDULE

Under section 153(1)*bis* of the Insolvency Act, 1936 (Act No. 24 of 1936), I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby amend the Third Schedule to the said Act—

(a) by the substitution for items 1 and 2 of the following items:

"1. On all insolvent estates under final sequestration the total gross value of the assets according to the trustee's liquidation and distribution account and/or contribution account of which -	
	R
(a) is R5 000 or more, but less than R50 000	250,00
(b) is R50 000 or more, but less than R150 000	1 000
(c) is R150 000 or more, for each complete further R5 000 when the gross value exceeds R150 000, a further	275,00
subject to a maximum fee of	275 000,00
2.	
(a) For a copy of any document preserved in the office of a Master, a fee of R25,00 per document pack shall be paid.	
(b) For a certified copy of any document preserved in the office of a Master, R50,00 per document pack of certified copies shall be paid.	
(c) For an electronic copy of any document preserved in the office of a Master, when it is	

made in such office, and if it is available, no fee is payable.”;

and

(b) by the insertion after item 2 of the following item:

“2A. “For purposes of item 2, “document pack” means any document, irrespective of the number of pages, which constitutes a complete document which can be read on its own.”.

Commencement

The amendments to the Third Schedule come into operation on 1 January 2018 and the provisions of Items 1 and 2 of the Third Schedule shall only apply to the insolvent estates whose final court order is granted on or after 1 January 2018.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 1163

03 NOVEMBER 2017

INSOLVENSIEWET, 1936 (WET NO. 24 VAN 1936)

WYSIGING VAN DERDE BYLAE

Kragtens artikel 153(1)*bis* van die Insolvensiewet, 1936 (Wet No. 24 van 1936), wysig ek, Tshililo Michael Masutha, Minister van Justisie en Korrektiewe Dienste, hierby die Derde Bylae tot die genoemde Wet—

(a) deur items 1 en 2 deur die volgende items te vervang:

"1. Op alle insolvente boedels onder finale sekwestrasie waarvan die totale bruto waarde van die bates volgens die kurator se likwidasië- en distribusierekening en/of kontribusierekening—	
	R
(a) R5 000 of hoër is, maar minder as R50 000	250,00
(b) R50 000 of hoër is, maar minder as R150 000	1 000
(c) R150 000 of hoër is, vir elke verdere R5 000 wanneer die bruto waarde R150 000 oorskry, 'n verdere	275,00
behoudens 'n maksimum van	275 000,00
2.	
(a) Vir 'n afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, moet 'n bedrag van R25,00 per dokumentstel betaal word.	
(b) Vir 'n gewaarmerkte afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar word, moet R50,00 per dokumentstel van gewaarmerkte afskrifte betaal word.	
(c) Vir 'n elektroniese afskrif van 'n dokument wat in die kantoor van 'n Meester bewaar	

word, wanneer dit in sodanige kantoor gemaak word, en indien dit beskikbaar is, is gratis.”;

en

(b) deur die volgende item na item 2 in te voeg:

“2A. By die toepassing van item 2 beteken “dokumentstel” enige dokument, ongeag die getal bladsye, wat ’n volledige dokument is wat alleen gelees kan word.”.

Inwerkingtreding

Die wysigings aan die Derde Skedule tree in werking op 1 Januarie 2018 en die bepalings van Items 1 en 2 van die Derde Skedule is slegs van toepassing op insolvente boedels waar die finale hofbevel gemaak is op of na 1 Januarie 2018.