



Practice Directives
of the
North West Division
of the
High Court of South Africa



Foreword

I acknowledge the work of my predecessors in title in the compilation of the original Practice Directives, all Judges of the North West Division of the High Court of South Africa for their valuable inputs, comments, and assistance in drafting the Practice Directives, the Pretoria Society of Advocates and the comments of all other legal practitioners (advocates and attorneys) practicing in the North West Division.

The contribution of all the stakeholders to the Practice Directives will undoubtedly impact the efficient functioning of this Division of the High Court.



Preamble

In terms of section 8(4)(b) of the Superior Courts Act, Act 10 of 2013 (“the Act”), the Judge President of the North West Division of the High Court of South Africa (“the Division”) is enjoined to exercise control over the judicial functions in the Division.

In terms of section 8(6) of the Act, the judicial functions referred to in subsection (4)(b) include the –

- (a) determination of sittings of the specific courts;
- (b) assignment of judicial officers to sittings;
- (c) assignment of cases and other judicial duties to judicial officers;
- (d) determination of the sitting schedules and places of sittings for judicial officers:
 - (i) management of procedures to be adhered to in respect of caseflow management;
 - (ii) the finalisation of any matter before a judicial officer, including any outstanding judgment, decision or order.



Declaration

I, RONALD DEON HENDRICKS,

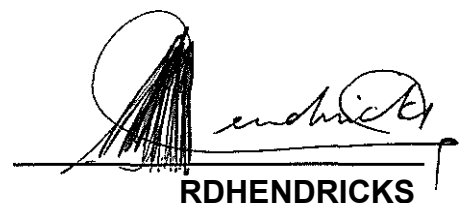
Judge President

of the High Court of South Africa

North West Division

by virtue of the powers vested in me in terms of the provisions of section 8(4)(b) read with section 8(6) of the Act, issue the following revised Practice Directives, to regulate the conduct of proceedings and matters incidental to the effective judicial case flow, in the North West Division of the High Court.

These Practice Directives replaces all other previous Practice Directives and will be the only Practice Directives that will be applicable in the North West Division of the High Court of South Africa, unless otherwise directed by the Judge President.



RDHENDRICKS

**JUDGE PRESIDENT
NORTH WEST DIVISION**



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Practice Directive 1

Definitions

In these Practice Directives, any reference to:

- (a) **“Circuit Court”** means any sitting of the High Court held within the area of jurisdiction of the Division as determined by the Judge President.
- (b) **“combined roll”** means the court roll comprising all matters allocated by the Judge President during term and in recess.
- (c) **“day”** means a court day which is a day that is not a public holiday, Saturday, or Sunday.
- (d) **“Designated Judge”** means a Judge designated by the Judge President of the Division to deal with matters allocated on the roll and includes a Judge on duty designated by the Judge President to deal with any specific matter.
- (e) **“Division”** means the North West Division of the High Court of South Africa.
- (f) **“Full Bench”** means a Court of the Division consisting of two judges.
- (g) **“Full Court”** means a Court of the Division consisting of three judges.
- (h) **“High Court”** means the High Court of the North West Division, South Africa.
- (i) **“legal practitioner”** means an advocate, attorney or state advocate as defined, admitted, and enrolled as such, in terms of the Legal Practice Act 28 of 2014 and the National Prosecuting Authority Act 32 of 1998.



- (j) **“opposed motions”** shall include all opposed applications in which a notice of intention to oppose and an answering affidavit have been filed.
- (k) **“prescribed”** means as directed by the Judge President or Presiding Judge.
- (l) **“Presiding Judge”** means the Judge to whom a matter is allocated by the Judge President of the Division.
- (m) **“Registrar”** means the Registrar of the North West Division of the High Court.
- (n) **“Taxing Master”** refers to the Registrar of the North West Division of the High Court.
- (o) **“unopposed motions”** shall include all *ex parte* applications, and any unopposed application.
- (p) **“unrepresented litigant”** means a party to an action or application who is not represented by a legal practitioner.

Any references to the singular in these Practice Directives include the plural, where applicable.



Practice Directive 2

Application of the Practice Directives and Non-Compliance with Practice Directives

1. These Practice Directives determine the practice for the efficient functioning of the Courts in the Division.
2. The Practice Directives shall apply uniformly to legal practitioners and unrepresented litigants.
3. Notwithstanding any agreement between the parties to the contrary, compliance with the Rules and/or Practice Directives will be insisted upon. The Court may in its discretion condone non-compliance on good cause shown, including a cost order that the Court may deem appropriate.

Practice Directive 3

Court Terms and Recess Periods

1. A copy of the court terms and recesses as determined by the Chief Justice (CJ) by publication in the Government Gazette shall be affixed by the Registrar to the public notice board at the Office of the Registrar.
2. No trials or opposed applications may be set down for hearing during recess save with leave of the Judge President or a Designated Judge. Such leave will only be granted in cases of urgency, or in exceptional circumstances.



Practice Directive 4

Circuit Courts

1. The Circuit Courts of the Division shall adjudicate both civil and criminal matters as directed by the Judge President or Designated Judge.
2. The following civil matters may be enrolled for adjudication at the Circuit Courts of the Division, sitting on pre-determined Fridays, upon the directive of the Judge President or Designated Judge:
 - 2.1 Unopposed Motion Court Applications
 - 2.2 Opposed Motion Court Applications
 - 2.3 Urgent Applications
 - 2.4 Unopposed Matrimonial Actions and Applications
 - 2.5 Default Judgment Applications
3. A notice of set down shall be filed at the respective Circuit Courts of the Division, upon the directive of the Judge President or Designated Judge, by not later than 12H00 (midday) on the Thursday of the week preceding the Friday of the hearing.

4. When the Thursday of the week preceding the Friday of the hearing falls on a public holiday, the notice of set down as contemplated in paragraph 3 above shall be filed by not later than 12H00 (midday) on the Wednesday preceding the public holiday.
5. When the Friday of the hearing falls on a public holiday, the Motion Court shall sit on the Thursday preceding the public holiday.
6. Only matters described in paragraph 2, that are set down as prescribed in paragraphs 3, 4 or 5, will be enrolled for hearing, whereafter the Registrar shall place the roll on the notice board at the Circuit Court, and dispatch it by electronic mail to the legal practitioners or unrepresented litigants by 14H00 on the Thursday of the week preceding the Friday of the hearing.
7. In the event of a matter which is set down as stipulated above not proceeding for whatever reason, the legal practitioner or unrepresented litigant who enrolled the matter shall notify the Registrar, by not later than 12H00 (midday) on the Wednesday preceding the date of hearing of the matter of this. Failing which, an appropriate cost order may be made by the Presiding Judge.
8. The dates on which the Circuit Courts, in relation to criminal matters will be held, shall be determined by the Judge President.



Practice Directive 5

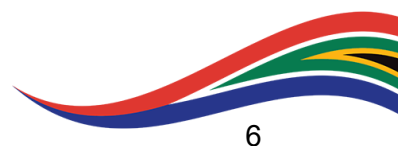
Commencement of Sittings

1. All the sittings in the Division shall commence at 10H00, or at such time as may be determined by the Presiding Judge.
2. Legal practitioners and unrepresented litigants shall be punctual in attending court at the designated time.

Practice Directive 6

Time Limits: Oral Arguments

In amplification of the written submissions/heads of argument filed by legal practitioners and/or unrepresented litigants, oral submissions (arguments) shall not exceed forty (40) minutes for each party, subject to the discretion of the Presiding Judge, save for criminal and civil trials.



Practice Directive 7
Communications to Judges

1. Any communication from a legal practitioner or unrepresented litigant for the attention of a Presiding Judge or Judge President, shall be addressed to the Judge President through the Office of the Registrar and may not be delivered and/or sent directly to the Judge President, the Presiding Judge and/or the secretaries of the Judge President or the Presiding Judge.
2. The Judge President will direct any such communication to the Presiding Judge concerned, if required.
3. If no response to communication so delivered and/or sent to the Office of the Registrar is received within a period of ten (10) days, an enquiry can be addressed and delivered and/or sent directly to the Office of the Judge President.
4. Any communication from a legal practitioner or unrepresented litigant addressed or delivered and/or sent directly to a Judge President, the Presiding Judge or the secretaries of the Judge President or the Presiding Judge secretary, which does not comply with above referred practice directive, shall not be responded to unless there are due compliance with the above referred to practice directive.



Practice Directive 8

Dress Code

1. A legal practitioner and an unrepresentative litigant are always required to be properly dressed when appearing in court (open court or on a virtual platform) or attending the chambers of a Judge. This practice directive seeks to advance uniformity in the accepted dress code of legal practitioners recognised in various Divisions of the High Court.
2. Advocates with Senior Counsel (SC) status is required to be attired as follows:
 - 2.1 A silk gown;
 - 2.2 A silk waistcoat;
 - 2.3 A white shirt or blouse with a collar closed at the neck;
 - 2.4 A white lace jabot (commonly referred to as a “bib”) or white bands;
 - 2.5 Dark pants or skirt;
 - 2.6 Black or dark closed shoes.
3. Advocates are required to be attired as follows:
 - 3.1 A black stuff gown;
 - 3.2 A plain black long sleeved jacket (and not a waistcoat) with a collar and lapels. The jacket must have at least one or more black buttons for closing and must be buttoned up.
 - 3.3 A white shirt or blouse with a collar closed at the neck
 - 3.4 A white lace jabot (commonly referred to as a “bib”) or white bands;
 - 3.5 Dark pants or skirt;
 - 3.6 Black or dark closed shoes.

4. Attorneys are required to be attired as follows:

- 4.1 An attorney's gown;
- 4.2 A plain black long sleeved jacket (and not a waistcoat) with a collar and lapels. The jacket must have at least one black buttons for closing and must be buttoned up.
- 4.3 A white shirt or blouse with a collar closed at the neck;
- 4.4 A white lace jabot (commonly referred to as a "bib") or white bands;
- 4.5 Dark pants or skirt; and
- 4.6 Black or dark closed shoes.

5. When attending at a Judge's chambers for any reason, advocates and attorneys may either be dressed as set out in paragraphs 2 to 4 above (properly robed) or properly dressed as follows:

- 5.1 A formal shirt with a collar and a tie (men) or a blouse closed at the neck (women);
- 5.2 Dark pants or dark skirt;
- 5.3 A long sleeved dark jacket; and
- 5.4 Black or dark closed shoes.

Practice Directive 9

Particulars of legal practitioners and unrepresented litigants on documents

1. The name, surname, contact numbers, and an active electronic mail (e-mail) address of the legal practitioner and/or unrepresented litigant filing documents in the Office of the Registrar, shall appear at the bottom left-hand corner of the first page of such a document.
2. The Office of the Registrar shall refuse to accept any document which does not comply with this requirement.
3. A legal practitioner appearing in the Division for the first time, shall provide to the Registrar a certified copy of the court order for his or her admission and a valid certificate of good standing with the Legal Practice Council, as well as that such a legal practitioner has the right to appear in the High Court. The duty rests on a legal practitioner to immediately inform the Registrar of any change in his or her status as a legal practitioner to appear in the High Court.



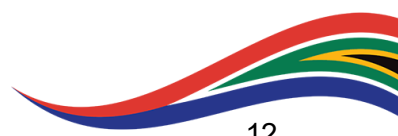
Practice Directive 10

Service

1. The filing of the original return of service shall constitute *prima facie* proof of service.
2. A return of service will ordinarily not be accepted from the bar in the absence of an acceptable explanation.
3. Whenever the Court orders that service of an order of court be by way of publication in one or more newspapers or in any other publication, or any active social media platform, such order of Court shall ordinarily be published in English as the official language of record of the Court and any of the other official languages.
4. This shall apply *mutatis mutandis* to process when an order has been obtained on an application for leave to sue by way of edictal citation or by way of substituted service.
5. Any other Court notices shall be published in newspapers circulating in the areas where interested parties or creditors reside.
6. Where publication in the *Government Gazette* or newspaper of a court order, notice or other document has to be proved, the full page of the *Government Gazette* or newspaper containing the relevant order, notice or other document must be filed. In the case of a publication in a Government Gazette, the heading under which the relevant notice is published, or the section of the Act on which the application is based, must appear in the filed notice. The court order, notice or other document must be clearly highlighted. The full sheet with the heading and the date of a

Gazette or newspaper containing the relevant publication must be filed.

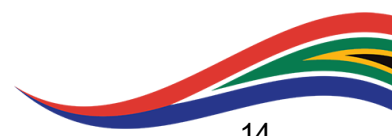
7. If a notice, by virtue of a statutory provision or a court order, has been published in a newspaper and the page of the newspaper on which such notice appears is presented for filing, that page must be folded to A4 size.
8. In the absence of an acceptable explanation, proof of publication will ordinarily not be accepted from the bar.
9. Where service is effected at the registered address of a company or close corporation the Sheriff must state in the return of service that he or she ascertained that there was a notice board at the address where service was effected indicating that such address was indeed the registered office of the company or close corporation. In the absence of such statement in the return of service, the registered address must be proved by filing in the court file an official document proving the registered address of the company or close corporation.
10. Where service is effected at a *domicilium citandi et executandi*, the original document wherein the *domicilium* is chosen must be in the court file.



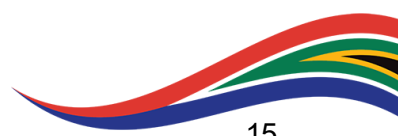
11. In actions or applications for the imprisonment or sequestration of the respondent/defendant, and for divorce, and foreclosure in respect of an immovable property, personal service of the summons or application and notice of set down must be effected on the defendant/respondent.
12. When service of any document by registered post is prescribed or authorised (in any action or application), such service is proved by the production of an affidavit by the person who procured the dispatch of such document, in which he/she:
 - 12.1 indicates the date of dispatch together with the name and address of the addressee;
 - 12.2 describes the document so dispatched; and
 - 12.3 indicates, if applicable, that the item in question has not been returned to the sender by the Post Office as being undelivered and annexes the documentary proof of posting of a registered article issued by the Post Office.
13. Whenever a rule *nisi* or a provisional order has to be served, whether by delivery and/or publication and/or posting of such rule or order, such service shall be effected by the delivery and/or publication and/or posting of the rule or order, as the case may be. Such service shall be effected not later than ten (10) days prior to the return date of the said rule *nisi* or provisional order.



14. Notice of intention to apply for a provisional order of sequestration shall be given to the respondent prior to the filing of the application.
15. It shall not be necessary to give notice as provided for in paragraph 14 above where the applicant relies on:
- (a) a *nulla bona* return; or
 - (b) an act of insolvency in terms of section 8(g) of the Insolvency Act 24 of 1936, based on a notice by the respondent in writing to any one of the creditors of his inability to pay any of his debts.
16. Notwithstanding the provisions above, the Court may, at its discretion, dispense with the giving of notice where the Court is satisfied that it would be in the interest of the respondent or of the creditors to do so.
17. Notice of intention to apply for a provisional order of liquidation shall be given to the company concerned prior to the filing of the application.
18. In applications for provisional orders of liquidation the provisions of section 346(4A) of the Companies Act, Act 61 of 1973 must be complied with. In terms of section 346(4A) of the Companies Act, Act 61 of 1973, the applicant:
- “(a) When an application is presented to the court in terms of this section, the applicant must furnish a copy of the application –



- (i) registered trade union that, as far as the applicant can reasonably ascertain, represents any of the employees of the company; and
 - (ii) to the employees themselves –
 - (aa) by affixing a copy of the application on any noticeboard which the applicant and the employees access inside the premises of the company; or
 - (bb) there is no access to the premises by the applicant and the employees, by affixing a copy of the application to the front gate of the premises, where applicable, failing which to the front door of the premises from which the company conducted in a business at the time of the application;
 - (iii) the South African revenue service; and
 - (iv) to the company, unless the application is made by the company, or the court, at its discretion, dispenses with the furnishing of a copy if the court is satisfied that it would be in the interests of the company or of the creditors to dispense with it.
- (b) the applicant must, before or during the hearing, file an affidavit by the person who furnished a copy of the application which sets out the manner in which paragraph (a) was complied with.”



19. The Court may in its discretion dispense with the requirements of paragraph 18 *supra* where the Court is satisfied that it would be in the interests of the company or of the creditors to do so, or where the Court is satisfied that the company has knowledge that such application is to be made.

Practice Directive 11

Stale Service

1. When an unopposed application is brought in circumstances where no notice of intention to defend or notice of opposition is filed, six (6) months or longer after the date on which the application or summons was served, a notice of set down must be served on the defendant or respondent.
2. The notice of set down must set out:
 - 2.1 the date, place and time at which the relief will be sought;
 - 2.2 the nature of the relief that will be sought.
3. The notice of set down must be served at least five (5) days before the date on which the relief will be sought.



Practice Directive 12

Motion Court

General

1. Unopposed Motion Court will be held on each Thursday throughout the year, except on a Thursday falling within the period 23 December to 7 January or as directed by the Judge President. The number of unopposed motions shall not exceed 100 (one hundred).
2. Opposed Motion Court will be held on Thursdays and Fridays during term or as directed by the Judge President. An application must be made to the Registrar for an opposed application to be allocated a date on a Thursday or Friday.
3. When a public holiday falls on a Thursday, which falls outside the period 23 December to 7 January, and the Friday immediately following is a court day, Motion Court for that week will be held on that Friday.
4. If the public holiday falls on the Friday immediately following such Thursday which is a public holiday, or is not a court day, Motion Court will be held on the preceding Wednesday.
5. Motion Court Roll will close at 16H00 on the Thursday preceding the Thursday and Friday of the Motion Court for unopposed applications; opposed applications; admissions as legal practitioners, as well as undefended matrimonial applications for the succeeding Monday.

6. When a public holiday falls on a Thursday, the Roll shall close at 16H00 on the Wednesday preceding the public holiday.
7. After the closing of the Roll, the Roll shall be dispatched not later than 14H00, on the Friday preceding the Motion Court day.
8. The Motion Court files will be delivered to the Presiding Judge at or before 12H00 on the Friday following the closing of the Roll.
9. In unopposed applications which are to be postponed, a date for the postponement shall be arranged with the Office of the Registrar and a Management Note shall be completed and handed to the Court at the hearing of the matter.
10. In opposed applications which are to be postponed, a date for the postponement shall be arranged with the Office of the Judge President and a Management Note shall be completed and handed to the Court at the hearing of the matter.
11. A Management Note shall be completed in both unopposed and opposed matters and be handed to the Court at the hearing of the matter, where a postponement is sought.
12. To prevent unopposed matters and opposed matters which are not ready for hearing being set down on the opposed roll, and to prevent opposed matters being set down on the unopposed roll, legal practitioners and unrepresented litigants are required, when setting down matters, to state whether the matters are to be heard either as opposed or unopposed matters.



Unopposed Applications

1. All Notices of Motion should be in accordance with Form 2 of the Uniform Rules of Court.
2. The Notice of Set Down shall be filed not later than 16H00 on the Thursday preceding the date of hearing.
3. Only matters in which the Notice of Set Down as prescribed in paragraph 2.2 above is filed, will be enrolled for hearing.
4. Only admitted legal practitioners, registered candidate legal practitioners, or unrepresented litigants may set matters down for hearing.
5. Should it come to the knowledge of the legal practitioner or an unrepresented litigant who had set the matter down, that an unopposed application will not proceed, the legal practitioner or unrepresented litigant is required to notify the Registrar, and thereafter file a practice note on the court file, before the hearing and not later than 12H00 on the Friday preceding the hearing of the matter.



Opposed Applications

1. No opposed applications may be set down on any day other than a Thursday or Friday, save with the leave of the Judge President. The parties may elect to apply for a date on either a Thursday or a Friday.
2. Only legal practitioners, registered candidate legal practitioners or unrepresented litigants may, in writing, apply for a date of hearing.
3. The date of hearing of opposed motion matters shall be allocated by the Office of the Judge President on a Thursday or Friday. The parties, per agreement, may suggest a date of hearing which may be allocated by the Judge President subject to the availability of a Presiding Judge, on a Thursday or a Friday.
4. A date of hearing shall be allocated by the Office of the Judge President within ten (10) days of such application. If no date has been allocated within the prescribed ten (10) day period referred to above, the applicant or respondent shall enquire in writing from the Registrar about the reason for the delay.
5. A Notice of Set Down shall, save as provided for in Practice Directive 21(2), be served and filed with the Registrar within fifteen (15) days of the date allocated by the Office of the Judge President, failing which the date allocated shall lapse.
6. No date shall be allocated if the court file is not properly paginated and indexed.

7. If a matter on the Opposed Motion Court roll is settled, or if an interlocutory order by consent in respect of an opposed matter is sought, the matter may be placed on the unopposed roll for its disposal in that regard.
8. In opposed applications, the legal practitioners of the applicant, respondent and unrepresented litigants where applicable, shall file a practice note, setting out a brief summary of the nature of the application and the relief sought. The practice note shall be in the form as set out in **Annexure “A”** and shall contain the information as stipulated therein.



Practice Directive 13
Chamber Book Applications

1. The chamber book shall be used for the following matters:
 - 1.1 To correct, amend or vary orders save for matters which require notice in terms of Rule 42(1).
 - 1.2 Section 36 of the Mental Health Act 17 of 2002 applications.
 - 1.3 Surrogacy applications.
 - 1.4 Anton Piller applications.
 - 1.5 Applications for directives from or approval of a Judge required in terms of Uniform Rules of Court 3, 6(11), 31(1), 34(7), 35(1), 39(19), 39(22) and 40(5) or any other order or directive as the Court may deem fit.
2. Allocation of chamber book applications shall be done by the Judge President or a Designated Judge.
3. A chamber book application shall be dealt with and disposed of within seven (7) days of receipt thereof from the Office of the Judge President or the Designated Judge. After the expiry of a period of ten (10) days from the date of the filing of the chamber book application in the Office of the Registrar, a legal practitioner may enquire from the Office of the Judge President in writing about the delay.

Practice Directive 14

Urgent Applications

1. In accordance with Uniform Rule 6(12)(a) of the Uniform Rules of Court, this Practice Directive determines the procedure applicable to urgent applications in this Division.
2. The procedure applicable to urgent applications in this Division are intended to regulate the procedure provided for in Rule 6(12) and will be strictly enforced by the Judge on duty and/or any other Designated Judge dealing with urgent applications.
3. The Judge on duty dealing with urgent applications and/or any other Designated Judge will determine the time and place and manner in which an urgent application will be disposed of.
4. Urgent applications falling under the following categories:
 - (i) *ex parte* urgent applications where service of the application will defeat the purpose of the relief sought;
 - (ii) extremely urgent applications brought with less than 48 hours' notice from the time of the notice of the application to the respondent(s) to the time of the hearing of the application;
 - (iii) urgent applications ordinarily brought with less than five (5) days' notice from the time of the notice of the application to the respondent(s) to the time of the hearing of the application; and
 - (iv) semi-urgent applications brought with more than five (5) days' notice from the time of the notice of the application to the respondent(s) to the time of the hearing of the application,

shall be specifically stated in the notice of motion. It follows axiomatically that *ex parte* urgent applications and extremely urgent applications may be brought on any day of the week.

5. All other urgent applications and semi-urgent applications shall only be enrolled on a Friday at 10H00.
6. All communications and papers relevant to an urgent application shall be delivered at the Office of the Registrar. An electronic version of the relevant documents may, in the discretion of the duty Judge or Designated Judge, be forwarded to the Office of the Registrar.



Practice Directive 15
Applications for Trial Dates and Notices of Set Down

Applications for Dates

1. Only legal practitioners, registered candidate legal practitioners or an unrepresented litigant may apply for a trial date.
2. A request for a trial date must be made in writing and filed with the Office of the Registrar.
3. Any party requesting a date may, together with such request provide the Registrar with three (3) suggested trial dates (which must be per agreement between the parties in the action). The date may be allocated subject to the availability of a Presiding Judge.
4. A trial date will be allocated by the Registrar within seven (7) days upon receipt of such request.
5. If a date is not allocated within the period stated in paragraph 4, the parties shall in writing make an enquiry to the Office of the Registrar regarding the reasons for the delay.
6. If no response is received from the Registrar within seven (7) days after the enquiry, a written report shall be directed to the Judge President.
7. All applications for trial dates shall explicitly or by reference state the relief which is to be sought at the hearing.



8. No trial date will be allocated unless the court file is properly paginated and indexed as prescribed in Practice Directive 23, at least five (5) days before the date of hearing.

Notices of Set Down

1. Only qualified legal practitioners, registered candidate legal practitioners or an unrepresented litigant may set matters down for hearing.
2. A notice of set down shall be delivered with the Office of the Registrar within fifteen (15) days of the allocation by the Registrar of a date for trial, failing which the date allocated shall lapse.

Practice Directive 16

Applications for Default Judgment

1. Unopposed applications for default judgment to be entertained by a Presiding Judge, will be heard on Mondays at the main seat, or on Fridays at the Circuit Courts, for those matters falling within the jurisdiction of the Circuit Courts.
2. The Plaintiff shall apply for default judgment in accordance with Rule 31 of the Uniform Rules of Court where service of the Summons commencing action has been effected on the Defendant by the Sheriff in accordance with Rule 4(1) and where the Defendant is in default of filing a notice of intention to defend.
3. A notice of application for default judgment and set-down before a Presiding Judge shall be in the form (or as near as may be appropriate) to Annexures “C1” to “C4” of the Practice Directives. All such applications shall be accompanied by a draft order in the form (or as near as maybe appropriate) to Annexure “D1” of the Practice Directives.
4. A notice of application for default judgment and set-down before the Registrar shall be in the form (or as near as may be appropriate) to Annexure “C5” of the Practice Directives. All such applications shall be accompanied by a draft order in the form (or as near as may be appropriate) to Annexure “D2” of the Practice Directives.
5. A draft order, relating to a matter envisaged in 3 and 4 above shall, save in exceptional circumstances, be filed not later than 12H00 (midday) on the Tuesday preceding the Monday on which the matter will be heard.



6. Applications for default judgment before the Registrar, when/where applicable, will be heard every Thursday except a Thursday which falls within the period 23 December to 7 January.
7. If the Registrar is of the opinion that the application for default judgment should be entertained by the Court, the Registrar will direct that the matter be set down for hearing in open court in terms of Rule 31(5)(b)(v). Provided that if the application is for an order declaring residential property specially executable, the Registrar must refer such application to the Court.
8. All applications for default judgment involving residential property where the creditor seeks an order declaring immovable property specially executable, shall comply with Rule 46A(5) of the Uniform Rules of Court.
9. Applications for default judgment in actions for damages where oral evidence is led on the merits and quantum should not be enrolled on a Motion Court day. An application for a date of hearing should be made to the Office of the Registrar.



Practice Directive 17

Pre-Trial Conference

1. Pre-trial conferences shall be dealt with strictly in accordance with Rule 37 of the Uniform Rules of Court.
2. The Pre-trial conference should be regarded as an ongoing procedure which, having been convened, does not end but will stand adjourned until the commencement of the trial with either party free to reconvene it from time to time on reasonable notice. A Designated Judge, who need not be the Presiding Judge, may at any time at the request of a party or of own accord, call upon the legal practitioners for the parties and/or unrepresented litigant to hold or to continue with a conference before the Designated Judge in chambers and may direct the parties to be available at such conference.
3. The minutes of the conference shall comply with Rule 37(6) of the Uniform Rules of Court.
4. Legal practitioners for the parties, or a legal practitioner and the unrepresented party, shall report to the Designated Judge hearing the trial at least five (5) days before the hearing, with a signed copy of any further minutes of the conferences for any suggestions by the Judge, which could curtail the duration of the trial.



5. No application for a date of hearing may be filed unless accompanied by a minute in terms of Rule 37(6) in proper form signed by the legal practitioners for the parties or an unrepresented litigant.
6. If the Court is not satisfied that the letter and spirit of Rule 37 has been complied with, it may order that the matter be removed from the roll or postponed. An appropriate cost order may be considered in terms of Rule 37(9).
7. A trial date shall not be allocated by the Office of the Registrar in conjunction with the Office of the Judge President unless a proper pre-trial minute is filed, or the matter has been certified trial ready by a Designated Judge at a Judicial Case Management Conference.



Practice Directive 18
Judicial Case Management

1. The Judge President or any Designated Judge may intervene in any matter, as soon as a notice of intention to oppose or notice of intention to defend is filed, to case manage the matter until it is certified trial ready.
2. The Judge President or the Designated Judge may execute the judicial case management of the matter in the discretion of the Judge President or the Designated Judge as to what is necessary to advance the matter to trial readiness, which may include the scheduling of a pre-trial conference to be attended by the parties before the Judge President or Designated Judge.
3. A scheduled pre-trial conference may be ordered by the Judge President or Designated Judge at any stage of the judicial case management process, either in the Judge's chambers, telephonically or by means of a virtual hearing to seek agreement on *inter alia*:
 - 3.1 the specific dates on which subsequent pleadings will be filed and other documents exchanged; and
 - 3.2 the date of the pre-trial conference, and the specific date on which the lists envisaged in Rule 37(4) will be exchanged.



4. Should such a pre-trial conference fail to yield positive results, another pre-trial conference should be held in terms of Rule 37(8).
5. The judicial case management of a matter shall include the management of interlocutory application(s) which may occur in the matter. Such interlocutory applications shall be dealt with by the Judge President or the Designated Judge in the discretion of the Judge President or the Designated Judge.
6. Once a matter is certified trial ready the Judge President or the Designated Judge will indicate this in red on the cover of the court file.

Practice Directive 19A
Evidence on Affidavit: Rule 38(2)

1. A substantive application shall be brought before the Presiding Judge by any of the parties if such party intends to request the Presiding Judge that evidence is required to be adduced on affidavit at any trial or that the affidavit of any witness be read at the hearing.
2. An application in terms of Uniform Rule 38(2) shall be brought before the commencement of the trial, on due notice in terms of Rule 6, to the other parties in the litigation.



Practice Directive 19B
Expert Evidence in Personal Injury Claims

1. In all personal injury claims parties must file a practice note.
2. The practice note shall constitute an explanatory note on either merits and/or quantum, setting out the nature of the claim, the issues to be decided and whether a separation of merits and quantum should be ordered in terms of Rule 33(4).
3. In any personal injury claim, where liability was finalised following a separation order in terms of Rule 33(4) in respect of the merits (liability) and quantum, the parties must indicate in the practice note exactly what paragraphs of the Particulars of Claim, read with the Plea, were disposed of during the trial in respect of liability.
4. The parties are required to provide a list of experts for whom notices of intention to call such experts as contemplated in Rule 36(9) were given and who are to be called by the respective parties at the trial.
5. Where experts of a similar nature are used by the parties, such experts shall compile a joint minute expressly setting out and containing sufficient information as to what the experts agree upon; what the experts disagree upon; and set out and motivate the reasons and/or explanations for the disagreement between the experts.
6. The parties are requested to confirm that those experts who are going to testify have been reserved and are available to testify.
7. The parties are required to record any agreement regarding the status and admissibility of documents, including agreement on the admissibility of hearsay evidence in terms of section 3(1)(c) of the Law of Evidence Amendment Act 45 of 1988 and in terms of Part VI of the Civil Proceedings Evidence Act 25 of 1965.
8. Where the parties are unable to agree on the status of documents, the party that objects to any document/s must specify each document so disputed and provide the reason/s for doing so.



Practice Directive 20

Early Allocation of Matters to Judges

1. Any matter on the roll which in the opinion of the legal practitioners or unrepresented litigant is of such a nature, by reason of the volume of the record or complexity thereof, such legal practitioner or unrepresented litigant shall deliver to the Registrar, not less than thirty (30) days before the date of hearing, a notice to that effect, setting out the details of the case.
2. A notice envisaged in 1 above shall set out the case number, the names of the parties and of the legal practitioners appearing, the date of hearing and that the provisions of Rule 62(4) have been or will be timeously complied with.
3. Failure on the part of the legal practitioner or unrepresented litigant to deliver the notice referred in 2 above could result in the matter not being heard on the allocated day.
4. A punitive cost order may be made against the party or the legal practitioner who does not comply with these provisions.



Practice Directive 21

Commencement and Continuation of Hearing of Matters

1. When a Court commences with the hearing of an enrolled matter which has been set down, such matter shall ordinarily in the discretion of the Presiding Judge, be adjudicated until it is finalised.
2. In instances where the hearing of a matter has commenced, and has not been finalised, the matter may proceed on a date to be determined by the Presiding Judge in conjunction with the Office of the Judge President, and in consultation with all parties to ensure continuity and stability of the court roll for the expeditious and efficient disposal of matters.
3. In the allocation of a date for continuation of a matter envisaged in 2 above, due regard shall be had to matters that have already been enrolled on the combined roll to circumvent any prejudice to parties whose matters have so been enrolled, with due regard to section 34 of the Constitution.



Practice Directive 22

Divorce Actions

Undefended Divorces

1. The adjudication of undefended divorces shall be on Mondays at the main seat.
2. The adjudication of undefended divorces which fall within the jurisdiction of the Circuit Courts, may be set down for adjudication on Fridays in accordance with the provisions of Practice Directive 4, applicable to Circuit Courts.

Defended divorces

The adjudication of defended divorces shall be set down for hearing at the main seat on Mondays or the designated Circuit Courts on Thursdays and/or Fridays.

Production of marriage certificates, antenuptial contracts and financial disclosure forms in divorce actions

1. In all divorce actions, a copy of the marriage certificate of the parties and/or antenuptial contracts where applicable shall be filed. The financial disclosure form where applicable shall be filed. The original marriage certificate and/or antenuptial contracts where applicable shall be handed up at the hearing of the matter.
2. Failure to comply with the provisions of 1 above will result in the matter either being postponed, removed or struck from the roll.



Practice Directive 23

Preparation and Filing of Court Documents

1. All documents shall have a left and right-side margin of at least 35mm. The margin serves as a binding space and shall not be used for notes, signatures, initials, stamps or any other purpose.
2. At the top of each document a space of at least 50mm is to be left blank. This space is to be used for the noting of reference numbers or any other purpose.
3. All documents shall have typed chronological page numbers and paragraph numbers and be typed on A4 paper size in double spacing on both sides of the paper in Arial Font size 12 only. All documents filed by legal practitioners and/or unrepresented litigants must be typed.
4. All documents which are to be used as exhibits and which do not have a left and right-side margin of 35mm should, where possible, be fixed or stapled to A4 size paper.
5. Before applying for a date of set-down the legal practitioners and/or unrepresented litigants shall index and paginate the court file.
6. The index must contain sufficient information to enable the Court to identify every document without having to refer to the document itself. For example, '*Notice in terms of Rule 36(9)(a)*' will not be sufficient. The item should read '*Plaintiff's Notice dated ... in terms of Rule 36(9)(a)* in respect of Dr X, Orthopaedic Surgeon.' Similarly, '*Annexure A*' is insufficient. It should read e.g. '*Annexure A - letter dated ... from plaintiff's attorney to defendant's attorney*'.



7. The rule regarding description of documents in the index shall apply to all matters, including civil and criminal proceedings.
8. Where additional documents are filed after the indexing has been completed, the additional documents must be paginated following the original pagination and a supplementary index must be filed in which the additional documents are listed.
9. Duplication of documents should be avoided. Any duplicate documents and/or extra documents shall be removed from the court file and a punitive order as to costs may be made if a legal practitioner and/or unrepresented litigant fails to remove duplicate or extra documents from the court file.
10. Where the papers exceed 100 pages after binding, the bundles must be divided into files and the volumes numbered clearly and accordingly in the index.
11. Special orders as to costs may be made in appropriate cases, where the papers are not in order, including orders for costs *de bonis propriis*.
12. The practice directives regarding the filing of court documents on *Caselines* shall be determined by the Judge President on a future date when such system of filing becomes operational in the Division.



Practice Directive 24

Settlement, Withdrawal and Postponement of Matters

1. If a matter is settled, or is to be withdrawn or postponed, or if any issue raised will not be pursued, the legal practitioner or unrepresented litigant, who has set the matter down shall immediately file a Practice Note informing the Registrar accordingly, and where applicable file the relevant notice. The Registrar shall without delay inform the Presiding Judge.
2. If a settlement agreement is entered into between the parties, the original settlement agreement shall be provided to the Presiding Judge.
3. Where a settlement has been reached, Rule 41(4) shall apply.
4. If the settlement is in respect of contingency fee agreements as defined in the Contingency Fees Act 66 of 1997, the affidavits in terms of section 4 of this Act must be filed. The legal practitioner of the plaintiff shall ensure that the settlement complies with the Act.
5. Where no contingency fee agreement was entered into, the legal practitioner must file an affidavit confirming such fact.
6. All matters postponed in Court shall be postponed to a date arranged with the Office of the Registrar in conjunction with the Office of the Judge President, after the Presiding Judge has confirmed that the matter can be postponed, and the

Office of the Judge President issues a management note for the postponement.

A management note for the postponement must be signed by the Registrar or the secretary in the Office of the Judge President.

7. Where a matter is withdrawn, the provisions of Rule 41(1) shall apply.



Practice Directive 25

Application for Leave to Appeal

An application for leave to appeal will, in all matters where such application was not brought immediately after judgment, and reasons therefor were handed down, be heard on a date to be determined by the Registrar in consultation with the Judge President and/or Presiding Judge. In that event, unless the Presiding Judge otherwise directs, heads of argument should be filed in accordance with Practice Directive 26.

Practice Directive 25A

Appeals - General

1. Civil and criminal appeals may be set down for hearing during term on a date allocated by the Registrar in conjunction with the Office of the Judge President.
2. It is the responsibility of the appellant to ensure that the record, which may include a transcription of the proceedings and/or pleadings only, is properly typed, both as to content, layout, spacing, numbering of the pages and lines, and is properly indexed, paginated and bound. Where the pages of the record have already been numbered by the transcriber, it shall not be necessary to re-number those pages. Any additional pages which are inserted at the beginning of the record before the already numbered pages, may be numbered in Roman numerals or alphabetically to obviate the need to re-number those pages which have already been



numbered. Any additional pages which are inserted at the end of the record shall follow numerically in sequence.

3. Legal practitioners and/or unrepresented litigants must indicate in a Practice Note which volumes and reading material are necessary for the determination of the issues on appeal.
4. Applications for the amendment of the grounds of appeal will not be considered unless adequate notice has been given to all parties concerned.
5. Where an appeal is set down for hearing and the appellant abandons the appeal or is unable to proceed with it, the appellant and/or the legal practitioner shall immediately file a Practice Note to notify the Registrar, and the appeal will be removed from the roll.
6. A legal practitioner who withdraws as a legal practitioner of record for a party in an appeal, must comply with the procedure prescribed by Uniform Rule 16(4).
7. The heads of argument of each party must be accompanied by a typed practice note indicating:
 - a) the name and case number of the matter;
 - b) the nature of the appeal;
 - c) the issues on appeal succinctly stated;
 - d) an estimate of the duration of the argument, which shall not exceed more than forty (40) minutes per legal practitioner.
 - e) if more than one day is required for argument, the reasons for the request;

- f) if the appeal is said to be urgent or is entitled to some preference on the roll, the reasons therefor;
- g) a list reflecting those parts of the record that, in the opinion of the legal practitioner, are necessary for the determination of the appeal;
- h) a summary of the argument, not exceeding two folios;
- i) an indication of those authorities to which particular reference will be made during the argument.

8. Cross-appeals do not require separate heads of argument.

9. The Registrar will, subject to the discretion of the Presiding Judge or Judges, accept documents in relation to an appeal, on the date of the hearing of that appeal.



Practice Directive 25B

Civil Appeals

Civil Appeals to the Full Court

1. In all civil appeals to the Full Court, three (3) copies of heads of argument as well as three (3) copies of the record shall be delivered to the Registrar.
2. The appellant shall deliver a concise and succinct statement of the main points (without elaboration) which the appellant intends to argue on appeal, as well as a list of the authorities to be tendered in support of each point, not later than fifteen (15) days before the appeal is heard. The respondent shall deliver a similar statement not later than seven (7) days before the appeal is heard.

Civil Appeals to the Full Bench

1. In all civil appeals to the Full Bench, two (2) copies of heads of argument as well as two (2) copies of the record shall be delivered to the Registrar.
2. The appellant shall deliver a concise and succinct statement of the main points (without elaboration) which the appellant intends to argue on appeal as well as a list of the authorities to be tendered in support of each point, not later than fifteen (15) days before the appeal is heard. The respondent shall deliver a similar statement not later than seven (7) days before the appeal is heard.



3. Notwithstanding the provisions of Rule 50(10), the Judge President may, in consultation with the parties concerned, direct that an appeal be dealt with as an urgent matter.

Practice Directive 25C

Criminal Appeals

Criminal Appeals to the Full Court

1. In all criminal appeals to the Full Court, three (3) copies of heads of argument and list of authorities, as well as three (3) copies of the record shall be delivered to the Registrar.
2. The heads of argument of the appellant shall be delivered to the Director of Public Prosecutions not later than fifteen (15) days before the appeal is heard. The Director of Public Prosecutions shall deliver heads of argument, not later than seven (7) days before the appeal is heard.

Criminal Appeals to the Full Bench

1. In all criminal appeals to the Full Bench, two (2) copies of heads of argument and list of authorities, as well as two (2) copies of the record shall be delivered to the Registrar.
2. The heads of argument of the appellant shall be delivered not later than fifteen (15) days before the appeal is heard, to the Director of Public Prosecutions. The Director of Public Prosecutions shall deliver heads of argument, not later than seven (7) days before the appeal is heard.



Practice Directive 25D

Re-instatement/Re-enrolment of Appeals, Removal and Striking of Appeals

1. Whenever an appeal is struck from the roll, a substantive application must be made for the re-instatement of the appeal on proper notice to the respondent(s), setting out the reasons for the failure to timeously prosecute the appeal. The court may on good cause shown re-instate the appeal.
2. An application for the allocation of the date of hearing of the application for the re-instatement of the appeal, coupled with the hearing of the merits of the appeal, must be made to the Office of the Registrar, in conjunction with the Office of the Judge President, for the allocation of a date of hearing.
3. The application for re-instatement of the appeal shall be determined by the court hearing the appeal.
4. Whenever an appeal is removed from the roll, such an appeal can be re-enrolled upon due notice to the respondent(s), and upon an application being made to the Office of the Registrar, in conjunction with the Office of the Judge President for the allocation of a date for the re-enrolment of the appeal, coupled with the hearing of the merits of the appeal.



Practice Directive 25E

Lapsed Appeals

1. An appeal from the Magistrates Court which is deemed to have lapsed as contemplated in Rule 50(1) of the Uniform Rules of Court read with Rule 51(9) of the Magistrates' Court Rules, may be enrolled upon application being made and upon good cause being shown, to the court of appeal.
2. The respondent may apply for an order by the court of appeal hearing the re-instatement of the appeal that the appeal has in fact lapsed.
3. The application either for the re-instatement of the appeal or for the declaration of the lapsing must be heard simultaneously with the merits of the appeal.

Practice Directive 25F
Petitions from the Magistrates Court

1. If an application for leave to appeal in a criminal matter is unsuccessful in the Magistrates' Court, the accused may in terms of section 309B and section 309C of the Criminal Procedure Act 51 of 1977, petition the Judge President for leave to appeal.
2. The petition from the Magistrates' Court must be lodged by way of petition procedure and not by way of notice of motion to the Motion Court.
3. The petition to the Judge President for leave to appeal against the conviction or sentence of the Magistrates' Court must be lodged by delivering the original and one (1) copy to the Office of the Registrar.
4. Petitions shall be dealt with urgently and finalised within seven (7) days of receipt from the Office of the Judge President.
5. The Junior Judge should read the petition and contact the Senior Judge with his/her views whether leave to appeal should be granted or not as soon as possible after the record has been studied. It should be indicated whether leave to appeal should be granted against conviction and sentence or only conviction or the sentence, where the petitioner requests leave to appeal against both conviction and sentence.
6. An order should be typed and signed by both Judges.



Practice Directive 25G
Automatic and Special Reviews

1. Save for reviews received during recess which shall be dealt with by the recess duty Judge, automatic and special reviews in terms of ss 302(1) and 302(4) of the Criminal Procedure Act 51 of 1977, section 85 of the Child Justice Act 75 of 2008 and section 22 of the Superior Courts Act 10 of 2013, shall be dealt with within seven (7) days of receipt from the Office of the Judge President.
2. Where a reviewing Judge has requested reasons from the trial magistrate and the magistrate has responded thereto, that review should be referred back to the reviewing Judge during term (unless the Judge is no longer available). During recess, however, the duty Judge whether or not the Judge has dealt with the review previously, shall attend to the review, within seven (7) days.
3. Similarly, where a reviewing Judge has referred a review to the Director of Public Prosecutions (DPP), and the DPP's opinion has been received, the review should be referred back to that Judge for disposal during term (unless the Judge is no longer available). During recess, the duty Judge whether or not the Judge has requested an opinion from the DPP, shall attend to the review within seven (7) days.
4. Where the reviewing Judge(s) have ordered the immediate release of the accused from a Correctional Centre, the order of the reviewing Judge(s) for the immediate release of the accused must forthwith be referred to the Office of the Registrar for urgent processing.

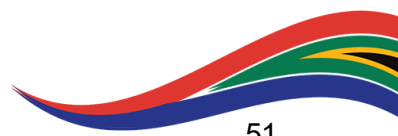
5. If proceedings are certified to be in accordance with justice, the review control document (J4) in the court file must be signed by the reviewing Judge where provided, and a written judgment will not be necessary, unless the reviewing Judge is of the view that certain aspects relating to the trial need to be brought to the attention of the trial magistrate.
6. As soon as the comments of the Magistrate and/or Director of Public Prosecutions are received, and the Judge decides that there is a need to interfere with the conviction and/or sentence, the Judge shall write a judgment within seven (7) days.
7. A review judgment shall be handed down by two (2) Judges, save during recess when the recess duty Judge shall hand down such judgment as a single Judge.

Practice Directive 25H

Bail Appeals

Bail Appeals from the Magistrates Court

1. As soon as the proceedings in the bail application (the record) and the magistrate's judgment have been transcribed, application for the enrolment of the appeal shall be made to the Office of the Registrar.
2. The Office of the Judge President shall then determine the date of hearing and the allocation to a Designated Judge.
3. The Office of the Registrar shall inform all parties of the allocated date and time of the bail appeal.
4. Judgments in bail appeals shall be handed down within seven (7) days of the date of hearing of the bail appeal.



Bail Appeals from a decision of a single Judge of the Division

1. As soon as the proceedings in the bail application (the record) and the Judges' judgment have been transcribed, application for the enrolment of the appeal shall be made to the Office of the Registrar.
2. The Office of the Judge President shall then determine the date of hearing and the allocation to a Designated Judge.
3. The Office of the Registrar shall inform all parties of the allocated date and time of the bail appeal.
4. Bail appeals from a decision of a single Judge of the Division are heard by the Full Court.

Bail applications in the High Court after transfer of a criminal trial from the Magistrates' Court

1. Once a criminal trial has been transferred from the Magistrates Court and the accused has/have appeared in the High Court, the High Court will be seized with any application for bail brought by an accused.
2. The Office of the Judge President shall determine the date of hearing of the bail application and the allocation to a Presiding Judge.
3. The Office of the Registrar shall inform all parties of the allocated date and time of the bail application.

Bail applications by the Full Bench

Any application for bail, pending an application for special leave to the Supreme Court of Appeal, following the dismissal of an appeal by the Full Bench shall be heard by the Full Bench.



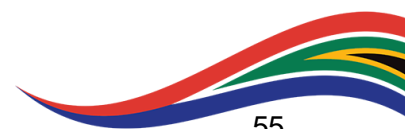
Practice Directive 26

Filing and Service of Heads of Argument in Matters others than Civil or Criminal Appeals

1. In all matters except trials and civil or criminal appeals which have been set down for hearing on a specific date by the Registrar, heads of argument clearly indicating the names of the parties, the case number, and the date on which it is set down on the roll, shall be delivered by a legal practitioner appearing on behalf of the parties, or unrepresented litigant(s) as follows:
 - (a) by the delivery of a copy of the heads of argument of plaintiff, applicant or excipient (as the case may be) to the Office of the Registrar, not less than fifteen (15) days before the date upon which the matter is to be heard;
 - (b) by like delivery of the heads of argument of defendant or respondent (as the case may be), in like manner not less than seven (7) days before the said date;
2. The Judge President may in any instance determine earlier or later dates than those prescribed in this notice.
3. In all applications where the Respondent has only filed a notice of intention to oppose, but no answering affidavit has been filed; and intends to argue on the papers of the applicant or raise points of law, the Respondent shall file a notice to that effect and heads of argument.
4. In addition to the filing of the heads of argument as prescribed above, the parties shall also file their heads of argument electronically to the Office of the Registrar.

Practice Directive 27
Striking/Removing Matters other than Appeals from the Roll

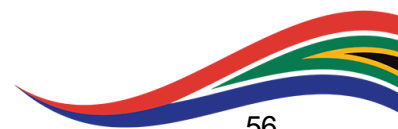
1. Save where special circumstances are found to be present, matters in which the set-down has preceded the expiry of the *dies induciae* will be struck from the roll with an appropriate order as to costs.
2. Failure to file a practice note and/or heads of argument in accordance with the relevant Practice Directives, may result in the matter being struck from the roll.
3. If there is no appearance when a matter is called in Court, the matter may be struck from the roll.
4. Whenever a matter is struck from the roll, a substantive application must be made for the re-instatement of the matter on proper notice to the respondent(s) accompanied by an affidavit comprehensively setting out the reasons for the failure to comply with the rules and/or practice directive which led to the striking of the matter from the roll.
5. Whenever a matter is removed from the roll, such a matter can only be re- enrolled upon proper notice to the respondent(s), and upon an application being made to the Office of the Registrar for the allocation of date for the re-enrolment of the matter.



Practice Directive 28

Postponement *sine die*

1. A matter may be postponed *sine die*, if in the discretion of the Presiding Judge, circumstances exist which warrant such postponement.
2. Where a matter is postponed *sine die*, service of a notice of set-down will be required before the matter may re-enrolled for hearing.
3. Where the party upon whom service has to be effected in terms of paragraph 2, the provisions of Rule 4 shall apply.
4. Where matters have been postponed *sine die*, the Presiding Judge may call upon the legal practitioners for the parties to hold or to continue with a conference, before a judge in chambers, and may direct a party to be available personally at such conference in terms of Rule 37(8)(a) of the Uniform Rules of Court.



Practice Directive 29
Taxation of Bills of Costs

1. Taxation of bills of costs is the competence of the Taxing Master.
2. When applying for a date to the Taxing Master, a party intending to tax a bill shall attach the following to the application:
 - (a) the notice of taxation, indicating to the satisfaction of the Taxing Master that the party liable to pay the costs has received due notice of such taxation and is entitled to be present at taxation in accordance with Uniform Rule 70(4);
 - (b) three copies of the bill of costs;
 - (c) a signed Rule 70 certificate in accordance with item E3(a) of Uniform Rule 70;
 - (d) a copy of the court order or the notice in which one of the parties tenders the costs.
3. The normal means of giving notice of taxation is delivery of a copy of the notice and bill to the opposing legal practitioner's office. Service by the Sheriff is not necessary.
4. The Taxing Master shall not proceed to tax any bill of costs unless he or she is satisfied that the party liable for paying the costs has received due notice in terms of Uniform Rule 70.

5. Taxation of bills of cost will be heard on Fridays at 10H00.
6. The notice of set down in respect of taxations must be filed by not later than 15H00 on the Monday preceding the Friday of the hearing.
7. When a public holiday falls on the Monday preceding the Friday of the hearing, the notice of set down shall be filed by not later than 15H00 on the Friday preceding the public holiday. When a public holiday falls on the Friday of the hearing, such hearing shall be set down on the Thursday preceding the public holiday.

Annexure "A"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

APPLICANT

RESPONDENT

APPLICANT'S/APPELLANT'S/RESPONDENT'S

PRACTICE NOTE

Legal Practitioner: Advocate/Attorney
for Applicant: Legal Practitioner:
Advocate/Attorney for Respondent:
Nature of Application:

Was the matter previously postponed/
removed/Previous Court order?:
Brief summary of the issues:
Relief sought:

Is the matter proceeding or will it be postponed or
removed?
Have heads of argument been filed?

Is a virtual hearing requested?
Reasons:
Should the matter be adjudicated on the
papers in terms of section 19(a) of the
Superior Courts Act in the case of an appeal:

DATED AT MAHIKENG THIS ____ DAY OF _____ 20 ____

Annexure "B"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

PLAINTIFF/APPLICANT

DEFENDANT/RESPONDENT

MANAGEMENT NOTE FOR POSTPONEMENT

1. Nature of Application/Claim	
2. Legal Practitioner for Plaintiff/Applicant	
Contact Number	
3. Legal Practitioner for Defendant/Respondent	
Contact Number	
4. Date of Motion/Trial/Divorce	
5. Date of Postponement Allocated	
6. Reason for Postponement	
7. Number of days required (furnish reasons)	
8. Presiding Judge	
9. Date of Postponement Allocated by	
10. Opposed/Unopposed Roll:	
REGISTRAR/SECRETARY IN THE OFFICE OF THE JUDGE PRESIDENT	

Annexure "C1"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

APPLICANT

RESPONDENT

NOTICE OF APPLICATION AND SET DOWN

DEFAULT JUDGMENT: RULE 31(2)(a)

TAKE NOTICE that the Plaintiff will make an application to the above Honourable Court on Thursday, the _____
20_____ at 10h00 in Court ____ or so soon thereafter as the matter may be heard for default judgment to be entered against the
Defendant in terms of the draft order annexed hereto.

FURTHER TAKE NOTE that the circumstances under which default judgment is sought are the following:

1. The summons was duly served on the Defendant on _____ 20_____
2. The *dies induciae* (10 days) expired on _____ 20_____
3. The Defendant has failed to give notice of intention to defend the action.

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY.

DATED AT MAHIKENG THIS _____ DAY OF _____ 20_____

Details of Plaintiff's Legal Practitioner

TO: _____ RESPONDENT

Annexure "C2"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

APPLICANT

RESPONDENT

NOTICE OF APPLICATION AND SET DOWN

DEFAULT JUDGMENT: RULE 31(2)(a)

TAKE NOTICE that the Plaintiff will make an application to the above Honourable Court on Thursday, the _____ 20_____ at 10h00 in Court __ or so soon thereafter as the matter may be heard for default judgment to be entered against the Defendant in terms of the draft order annexed hereto.

1. The summons was duly served on the Defendant on _____ 20_____
2. The Defendant has delivered a notice of intention to defend.
3. The Defendant had failed to deliver a plea on _____ 20_____
4. A notice of bar was duly served on the Defendant on _____ 20_____
5. The *dies induciae* (5 days) expired on _____ 20_____

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY.

DATED AT MAHIKENG THIS _____ DAY OF _____ 20_____

Details of Plaintiff's Legal Practitioner

TO: _____ RESPONDENT

Annexure "C3"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

APPLICANT

RESPONDENT

NOTICE OF APPLICATION AND SET DOWN

DEFAULT JUDGMENT: RULE 31(5)(a)

TAKE NOTICE that the Plaintiff will make an application to the above Honourable Court on Thursday, the _____
20_____ at 10h00 in Court ____ or so soon thereafter as the matter may be heard for default judgment to be entered against the
Defendant in terms of the draft order annexed hereto.

FURTHER TAKE NOTE that the circumstances under which default judgment is sought are the following:

1. The summons was duly served on the Defendant on _____ 20_____
2. The *dies induciae* (10 days) expired on _____ 20_____
3. The Defendant has failed to give notice of intention to defend the action.

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY.

DATED AT MAHIKENG THIS _____ DAY OF _____ 20_____

Details of Plaintiff's Legal Practitioner

TO: _____ RESPONDENT

AND TO: The Registrar of the above Honourable Court, MAHIKENG

Annexure "C4"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

APPLICANT

RESPONDENT

NOTICE OF APPLICATION AND SET DOWN

DEFAULT JUDGMENT: RULE 31(5)(a)

TAKE NOTICE that the Plaintiff will make an application to the above Honourable Court on Thursday, the _____ 20_____ at 10h00 in Court ____ or so soon thereafter as the matter may be heard for default judgment to be entered against the Defendant in terms of the draft order annexed hereto.

FURTHER TAKE NOTE that the circumstances under which default judgment is sought are the following:

1. The summons was duly served on the Defendant on _____ 20_____
2. The Defendant has delivered a notice of intention to defend.
3. The Defendant had failed to deliver a plea on _____ 20_____
4. A notice of bar was duly served on the Defendant on _____ 20_____
5. The *dies induciae* (5 days) expired on _____ 20_____

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY.

DATED AT MAHIKENG THIS _____ DAY OF _____ 20_____

Details of Plaintiff's Legal Practitioner

TO: _____ RESPONDENT

AND TO: The Registrar of the above Honourable Court, MAHIKENG

Annexure "C5"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

APPLICANT

RESPONDENT

NOTICE OF APPLICATION AND SET DOWN

DEFAULT JUDGMENT: RULE 31(5)(b)

TAKE NOTICE that the Plaintiff will make an application to the Registrar of the above Honourable Court on Thursday, the _____ 20____ at 10h00 or so soon thereafter as the matter may be heard for default judgment to be entered against the Defendant in terms of the draft order annexed hereto.

FURTHER TAKE NOTE that the circumstances under which default judgment is sought are the following:

1. The summons was duly served on the Defendant on _____ 20____
2. The *dies induciae* (10 days) expired on _____ 20____
3. The Defendant has failed to give notice of intention to defend the action.

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY.

DATED AT MAHIKENG THIS _____ DAY OF _____ 20____

Details of Plaintiff's Legal Practitioner

Annexure "D1"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between::

PLAINTIFF

DEFENDANT

DRAFT ORDER

Before the Honourable Mr/Madam Justice _____

Having heard Adv/Mr/Ms _____ for the Plaintiff, and having read the documents filed of record, default judgment is entered against the Defendant for:

1. Payment in for the sum of R _____
2. Interest on the said sum claimed at the rate of _____ %
3. Costs of suit.

By order of the Court

REGISTRAR

Annexure "D2"

IN THE HIGH COURT OF SOUTH AFRICA

NORTH WEST DIVISION

MAHIKENG

CASE NUMBER: _____

In the matter between:

PLAINTIFF

DEFENDANT

DRAFT ORDER

Before the Registrar _____

Having heard Adv/Mr/Ms _____ for the Plaintiff, and having read the documents filed of record, default judgment is entered against the Defendant for:

1. Payment in the sum of R _____
2. Interest on the said sum claimed at the rate of _____ %
3. Costs of suit.

By order of the Court

REGISTRAR

