

**DEPARTMENT OF JUSTICE
DEPARTEMENT VAN JUSTISIE**

No. 414

14 June 2013

Amendment of the Practice Rules of the Free State Provincial Division

The RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE ORANGE FREE STATE PROVINCIAL DIVISION OF THE HIGH COURT OF SOUTH AFRICA promulgated under GN 820 in GG 30253 of 7 September 2007 are hereby amended as follows:

1. **Replace Rule 7.4 with the following:**

7.4 All applications must be indexed, paginated and bound at the time of set-down.

2. **Replace Rule 9.4.1 with the following:**

9.4.1 All applications for provisional sequestration and voluntary surrender will be approached by this Court on the basis that the costs of sequestration and administration will amount to R30 000. (This amount may be adjusted from time to time.)

3. **Replace Rule 13.3 with the following:**

13.3 Opposed Motions

Set-down and Heads of Argument:

13.3.1. Opposed motions must be enrolled before 12h00 on the second Friday of the week preceding the date of hearing.

13.3.2. The applicant's heads of argument shall be filed before 12h00 on the Wednesday of the week immediately preceding the date of hearing.

13.3.3. The respondent's heads of argument shall be filed before 11h00 on the Friday immediately preceding the date of hearing.

13.3.4. The heads of argument of all parties shall be accompanied by a practice note in which the issues in the application are succinctly identified and an estimated duration of the argument is stated.


4. Replace Rule 16.5 with the following:

16.5 Leave to appeal applications can be decided in chambers upon written representations, unless one of the parties or both request a hearing in open court, or where the judge deems it desirable to hear the application in open court.

5. Replace Rule 17.4 with the following:

17.4 Leave to appeal applications can be decided in chambers upon written representations, unless one of the parties or both request a hearing in open court, or where the judge deems it desirable to hear the application in open court.

6. These amendments shall come into operation on 1 June 2013 insofar as they are not yet en force.



S.P.B. HANCKE
Acting Judge President
24 April 2013