MAINTENANCE ACT, 1998 (ACT NO. 99 0F 1998)
AMENDMENT OF REGULATIONS RELATING TO MAINTENANCE

N 6

I, Mmamoloko Tryphosa Kubayi, Minister of Justice and Constitutional Development, has under section 44 of the Maintenance Act, 1998 (Act No. 99 of 1998), made the regulations in the Schedule.

Given under my hand at Pretoria on 10 day of July 2026

Ms MT Kubayi, MP
Minister of Justice and Constitutional Development

SCHEDULE

Definitions

1. In this Schedule "the Regulations" means the Regulations relating to Maintenance published under Government Notice No. R. 1361 of 15 November 1999, as amended by Government Notices No's. R. 1099 of 3 November 2006, R. 966 of 6 September 2017 and R. 1473 of 21 December 2017.

Amendment of regulation 12 of the Regulations

2. Regulation 12 of the Regulations is hereby amended by the substitution for subregulation (1) in the Regulations of the following subregulation:

"(1) Upon the variation or setting aside of an order contemplated in section 19 of the Act, the maintenance officer shall, inform—

(a) the person required to make a payment in terms of the maintenance order;

(b) the person in whose favour the maintenance order has been made; and

(c) the person on whom a notice referred to in section 16(3)*(a)* of the Act has been served,

of the variation or the setting aside of the order by a notice which shall substantially correspond with Form J of the Annexure, and in the event of a variation order, attach a copy of that order to the notice.

(2) The maintenance officer shall keep record of the manner in which the notice referred to in subregulation (1) or (2) was submitted.".

Amendment of Form J to the Annexure to the Regulations

3. The Annexure to the Regulations is hereby amended by the amendment of Form J:

"FORM J
[Regulation 12]
REQUEST FOR VARIATION OF MAINTENANCE ORDER IN TERMS OF S19 OF THE MAINTENANCE ACT, 1998 (ACT NO. 99 OF 1998)

Reference No: _____

In the maintenance matter between:

_____ Applicant

and

_____ 1st Respondent
(Person against whom maintenance order was made)

_____ 2nd Respondent
(Financial institution or person having the funds due to the respondent)

_____

To the Magistrate of the Maintenance Court, _____

1. I, _____
(Full names of person, MAINTENANCE OFFICER.)

Persal :_____hereby request for variation of the order dated (DD-MM-YYYY)_____**(copy of duly served order is attached).**

2. The reason for the request for variation is based on the following:

_____
_____
_____
_____
_____

3. In support of my request, I hereby attach a copy of the maintenance order **[*declare under oath/truly affirm that]** in terms of section 19 of the Act, a Maintenance Court that has made an order in terms of section 16(1)*(a)*(i) or *(b)*(i) may vary such order by changing the

_____
_____
_____
_____
_____.

Dated at _____ this ___ day of_____20_____

_____(Signature)
Maintenance Officer

PART B: CERTIFICATION

I certify that before administering the *oath/affirmation I asked the Deponent the following questions and noted *his/her answers in * his/her presence as indicated below.

(a) Do you know and understand the contents of the above declaration?
Answer: Yes/No.
(b) Do you have any objection to taking the prescribed oath?
Answer: No/Yes.
(c) Do you consider the prescribed oath to be binding on your conscience?
Answer: Yes/No

I certify that the Deponent has acknowledged that he/she knows and understands the contents of this declaration. The deponent uttered the following words *"I swear that the contents of the declaration are true, so help me God." / "I truly affirm that the contents of the declaration are true." The signature/mark of the deponent was affixed to the declaration in my presence.

_____
Commissioner of Oaths

Full Names and Surname (block letters): _____
Designation (rank) : _____
Business Address (street address must be stated):_____

Dated at _____ this _____ day of _____20_____

*Delete whichever is not applicable"

Short title

4. These regulations are called the Amendment of Regulations Relating to Maintenance, 2026.