

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 7532

29 May 2026

RULES BOARD FOR COURTS OF LAW ACT, 1985 (ACT NO. 107 OF 1985)**AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS
OF THE PROVINCIAL AND LOCAL DIVISIONS OF THE HIGH COURT OF SOUTH
AFRICA**

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), with the approval of the Minister of Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE**GENERAL EXPLANATORY NOTE:**

- [] Words in bold type in square brackets indicate omissions from the existing rules.
- _____ Words underlined with a solid line indicate insertions into the existing rules.

Definition

1. In this Schedule the "Rules" means the Rules Regulating the Conduct of the Proceedings of the Provincial and Local Divisions of the High Court of South Africa published

under Government Notice No. R. 48 of 12 January 1965, as amended by Government Notice Nos. R. 235 of 18 February 1966, R. 2004 of 15 December 1967, R. 3553 of 17 October 1969, R. 2021 of 5 November 1971, R. 1985 of 3 November 1972, R. 480 of 30 March 1973, R. 639 of 4 April 1975, R. 1816 of 8 October 1976, R. 1975 of 29 October 1976, R. 2477 of 17 December 1976, R. 2365 of 18 November 1977, R. 1546 of 28 July 1978, R. 1577 of 20 July 1979, R. 1535 of 25 July 1980, R. 2527 of 5 December 1980, R. 500 of 12 March 1982, R. 773 of 23 April 1982, R. 775 of 23 April 1982, R. 1873 of 3 September 1982, R. 2171 of 6 October 1982, R. 645 of 25 March 1983, R. 841 of 22 April 1983, R. 1077 of 20 May 1983, R. 1996 of 7 September 1984, R. 2094 of 13 September 1985, R. 810 of 2 May 1986, R. 2164 of 2 October 1987, R. 2642 of 27 November 1987, R. 1421 of 15 July 1988, R. 210 of 10 February 1989, R. 608 of 31 March 1989, R. 2628 of 1 December 1989, R. 185 of 2 February 1990, R. 1929 of 10 August 1990, R. 1262 of 30 May 1991, R. 2410 of 30 September 1991, R. 2845 of 29 November 1991, R. 406 of 7 February 1992, R. 1883 of 3 July 1992, R. 109 of 22 January 1993, R. 960 of 28 May 1993, R. 974 of 1 June 1993, R. 1356 of 30 July 1993, R. 1843 of 1 October 1993, R. 2365 of 10 December 1993, R. 2529 of 31 December 1993, R. 181 of 28 January 1994, R. 411 of 11 March 1994, R. 873 of 31 May 1996, R. 1063 of 28 June 1996, R. 1557 of 20 September 1996, R. 1746 of 25 October 1996, R. 2047 of 13 December 1996, R. 417 of 14 March 1997, R. 491 of 27 March 1997, R. 700 of 16 May 1997, R. 798 of 13 June 1997, R. 1352 of 10 October 1997, R. 785 of 5 June 1998, R. 881 of 26 June 1998, R. 1024 of 7 August 1998, R. 1723 of 30 December 1998, R. 315 of 12 March 1999, R. 568 of 30 April 1999, R. 1084 of 10 September 1999, R. 1299 of 29 October 1999, R. 502 of 19 May 2000, R. 849 of 25 August 2000, R. 373 of 30 April 2001, R. 1088 of 26 October 2001, R. 1755 of 5 December 2003, R. 229 of 20 February 2004, R. 1343 of 12 December 2008, R. 1345 of 12 December 2008, R. 516 of 8 May 2009, R. 518 of 8 May 2009, R. 86 of 12 February 2010, R. 87 of 12 February 2010, R. 88 of 12 February 2010, R. 89 of 12 February 2010, R. 90 of 12 February 2010, R. 500 of 11 June 2010, R. 591 of 09 July 2010, R. 980 of 19 November 2010, R. 981 of 19 November 2010, R. 464 of 22 June 2012, R. 992 of 7 December 2012, R. 114 of 15 February 2013, R. 262 of 12 April 2013, R. 471 of 12 July 2013, R. 472 of 12 July 2013, R. 759 of 11 October 2013, R. 212 of 28 March 2014, R. 213 of 28 March 2014, R. 214 of 28 March 2014, R. 30 of 23 January 2015, R. 31 of 23 January 2015, R. 317 of 17 April 2015, R. 781 of 31 August 2015, R. 3 of 19 February 2016, R. 678 of 3 June 2016, R. 1055 of 29 September 2017, R. 1272 of 17 November 2017, R. 1318 of 30 November 2018 and R. 61 of 25 January 2019, R. 842 of 31 May 2019, R. 1343 of 18 October 2019, R. 107 of 7 February 2020, R. 858 of 7 August 2020, R. 1157 of 30 October 2020, R. 1603 of 17 December 2021, R. 2133 of 3 June 2022, R. 2413 of 26 August 2022, R. 3397 of 12 May 2023, R. 4477 of 8 March 2024, R. 5124 of 16 August 2024, R. 5560 of 22 November 2024, R. 6230 of 30 May

2025, R. 6504 of 15 August 2025, R. 6753 of 24 October 2025 and R. 6975 of 24 December 2025.

Amendment of rule 49 of Rules

2. Rule 49 of the Rules is hereby amended by the substitution in subrule (13) for paragraphs (a) and (b) of the following paragraphs:

“(a) [Unless the respondent waives his or her right to security or the court in granting leave to appeal or subsequently on application to it, has released the appellant wholly or partially from that obligation, the appellant shall, before lodging copies of the record on appeal with the registrar, enter into good and sufficient security for the respondent’s costs of appeal.] A party desiring security for costs may, upon good cause, apply to the court granting leave to appeal or to the court of appeal, for such security for costs to be provided.

(b) [In the event of failure by the parties to agree on the amount of security] Where security for costs of the appeal is ordered by the court, the registrar shall fix the amount of such security to be provided [and the appellant shall enter into security in the amount so fixed or such percentage thereof as the court has determined, as the case may be].”

Commencement

3. These Rules come into operation on 03 July 2026.

ISAZISO SIKAHULUMENI**UMNYANGO WEZOBULUNGISWA NOKUTHUTHUKISWA KOMTHETHOSISEKELO**

Inombolo. R.

2026

**IBHODI LEMITHETHO LOMTHETHO WEZINKANTOLO ZOMTHETHO, WE-1985
(UMTHETHO 107 WE-1985)****UKUCHITSHIYELWA KWEMITHETHO ELAWULA UKUQHUTSHWA KWAMACALA
OPHIKO LWEZIFUNDAZWE NOLWEZASEKHAYA LWENKANTOLO EPHAKEME
YASENINGIZIMU AFRIKA.**

IBhodi leMithetho leziNkantolo zoMthetho, ngaphansi kwesigaba sesi-6 soMthetho weBhodi leMithetho loMthetho weziNkantolo zoMthetho, we-1985 (uMthetho 107 we-1985), ngemvume kaNgqongqoshe wezoBulungiswa nokuThuthukiswa koMthethosisekelo, lenze imithetho kuSheduli.

ISHEDULI**AMANOTHI ACHAZAYO AJWAYELEKILE:**

- [] Amagama abhalwe ngokugqamile kubakaki abayisikwele abonisa okukhishiwe emithethweni ekhona.
- _____ Amagama adweshelwe ngomugqa ogqamile akhombisa okufakiwe emithethweni ekhona.

Incazelo

1. Kule Sheduli "iMithetho" isho iMithetho Elawula Ukuqhutshwa kwamacala oPhiko lweziFundazwe nolwezaseKhaya lweNkantolo ePhakeme yaseNingizimu Afrika eshicilelwe ngaphansi kweSaziso sikaHulumeni Ino. R. 48 somhla ziyi-12 kuMasingana 1965, njengoba sichitshiyelwe ngeSaziso sikaHulumeni lzinombolo

R. 235 somhla ziyi-18 kuNhlolanja 1966, R. 2004 somhla ziyi-15 kuZibandlela 1967, R. 3553 somhla ziyi-17 kuMfumfu 1969, R. 2021 somhla zi-5 kuLwezi 1971, R. 1985 somhla zi-3 kuLwezi 1972, R. 480 somhla zingama-30 kuNdasa 1973, R. 639 somhla zi-4 kuMbasa 1975, R. 1816 somhla ziyisi-8 kuMfumfu 1976, R. 1975 somhla zingama-29 kuMfumfu 1976, R. 2477 somhla ziyi-17 kuZibandlela 1976, R. 2365 somhla ziyi-18 kuLwezi 1977, R. 1546 somhla zingama-28 kuNtulikazi 1978, R. 1577 somhla zingama-20 kuNtulikazi 1979, R. 1535 somhla zingama-25 kuNtulikazi 1980, R. 2527 somhla zi-5 kuZibandlela 1980, R. 500 somhla ziyi-12 kuNdasa 1982, R. 773 somhla zingama-23 kuMbasa 1982, R. 775 somhla zingama-23 kuMbasa 1982, R. 1873 somhla zi-3 kuMandulo 1982, R. 2171 somhla ziyisi-6 kuMfumfu 1982, R. 645 somhla zingama-25 kuNdasa 1983, R. 841 somhla zingama-22 kuMbasa 1983, R. 1077 somhla zingama-20 kuNhlaba 1983, R. 1996 somhla ziyisi-7 kuMandulo 1984, R. 2094 somhla ziyi-13 kuMandulo 1985, R. 810 somhla zi-2 kuNhlaba 1986, R. 2164 somhla zi-2 kuMfumfu 1987, R. 2642 somhla zingama-27 kuLwezi 1987, R. 1421 somhla ziyi-5 kuNtulikazi 1988, R. 210 somhla ziyi-10 kuNhlolanja 1989, R. 608 somhla zingama-31 March 1989, R. 2628 somhlaka 1 kuZibandlela 1989, R. 185 somhla zi-2 kuNhlolanja 1990, R. 1929 somhla ziyi-10 kuNcwaba 1990, R. 1262 somhla zingama-30 kuNhlaba 1991, R. 2410 somhla zingama-30 kuMandulo 1991, R. 2845 somhla zingama-29 kuLwezi 1991, R. 406 somhla ziyisi-7 kuNhlolanja 1992, R. 1883 somhla zi-3 kuNtulikazi 1992, R. 109 somhla zingama-22 kuMasingana 1993, R. 960 somhla zingama 28 kuNhlaba 1993, R. 974 somhlaka 1 kuNhlanguvana 1993, R. 1356 somhla zingama-30 kuNtulikazi 1993, R. 1843 somhlaka 1 kuMfumfu 1993, R. 2365 somhla ziyi-10 kuZibandlela 1993, R. 2529 somhla zingama-31 kuZibandlela 1993, R. 181 somhla zingama-28 kuMasingana 1994, R. 411 somhla ziyi-11 kuNdasa 1994, R. 873 somhla zingama-31 kuNhlaba 1996, R. 1063 somhla zingama-28 kuNhlanguvana 1996, R. 1557 somhla zingama-20 kuMandulo 1996, R. 1746 somhla zingama-25 kuMfumfu 1996, R. 2047 somhla ziyi-13 kuZibandlela 1996, R. 417 somhla ziyi-14 kuNdasa 1997, R. 491 somhla zingama-27 kuNdasa 1997, R. 700 somhla ziyi- 16 kuNhlaba 1997, R. 798 somhla ziyi-13 kuNhlanguvana 1997, R. 1352 somhla ziyi-10 kuMfumfu 1997, R. 785 somhla zi-5 kuNhlanguvana 1998, R. 881 somhla zingama-26 kuNhlanguvana 1998, R. 1024 somhla ziyisi-7 kuNcwaba 1998, R. 1723 somhla zingama-30 kuZibandlela 1998, R. 315 somhla ziyi-12 kuNdasa 1999, R. 568 somhla zingama-30 kuMbasa 1999, R. 1084 somhla ziyi-10 kuMandulo 1999, R. 1299 somhla zingama-29 kuMfumfu 1999, R. 502 somhla ziyi-19 kuNhlaba 2000, R. 849 somhla zingama-25 kuNcwaba 2000, R. 373 somhla zingama-30 kuMbasa 2001, R. 1088 somhla zingama-26 kuMfumfu 2001, R. 1755 somhla zi-5

kuZibandlela 2003, R. 229 somhla zingama-20 kuNhlolanja 2004, R. 1343 somhla ziyi-12 kuZibandlela 2008, R. 1345 somhla ziyi-12 kuZibandlela 2008, R. 516 somhla ziyisi-8 kuNhlaba 2009, R. 518 somhla ziyisi-8 kuNhlaba 2009, R. 86 somhla ziyi-12 kuNhlolanja 2010, R. 87 somhla ziyi-12 kuNhlolanja 2010, R. 88 somhla ziyi-12 kuNhlolanja 2010, R. 89 somhla ziyi-12 kuNhlolanja 2010, R. 90 somhla ziyi-12 kuNhlolanja 2010, R. 500 somhla ziyi- 11 kuNhlolanja 2010, R. 591 somhla ziyisi-09 kuNtulikazi 2010, R. 980 somhla ziyi-19 kuLwezi 2010, R. 981 somhla ziyi-19 kuLwezi 2010, R. 464 somhla zingama-22 kuNhlolanja 2012, R. 992 somhla ziyisi-7 kuZibandlela 2012, R. 114 somhla ziyi-15 kuNhlolanja 2013, R. 262 somhla ziyi-12 kuMbasas 2013, R. 471 somhla ziyi-12 kuNtulikazi 2013, R. 472 somhla ziyi-12 kuNtulikazi 2013, R. 759 somhla ziyi-11 kuMfumfu 2013, R. 212 somhla zingama-28 kuNdasa 2014, R. 213 somhla zingama-28 kuNdasa 2014, R. 214 somhla zingama-28 kuNdasa 2014, R. 30 somhla zingama-23 kuMasingana 2015, R. 31 somhla zingama-23 kuMasingana 2015, R. 317 somhla ziyi-17 kuMbasas 2015, R. 781 somhla zingama-31 kuNcwaba 2015, R. 3 somhla ziyi-19 kuNhlolanja 2016, R. 678 somhla zi-3 kuNhlolanja 2016, R. 1055 somhla zingama-29 kuMandulo 2017, R. 1272 somhla ziyi-17 kuLwezi 2017, R. 1318 somhla zingama-30 kuLwezi 2018 kanye nesaziso R. 61 somhla zingama-25 kuMasingana 2019, R. 842 somhla zingama-31 kuNhlaba 2019, R. 1343 somhla ziyi-18 kuMfumfu 2019, R. 107 somhla ziyisi-7 kuNhlolanja 2020, R. 858 somhla ziyisi-7 kuNcwaba 2020, R. 1157 somhla zingama-30 kuMfumfu 2020, R. 1603 somhla ziyi-17 kuZibandlela 2021, R. 2133 somhla zi-3 kuNhlolanja 2022, R. 2413 somhla zingama-26 kuNcwaba 2022, R. 3397 somhla ziyi-12 kuNhlaba 2023, R. 4477 somhla ziyisi-8 kuNdasa 2024, R. 5124 somhla ziyi-16 kuNcwaba 2024, R. 5560 somhla zingama-22 kuLwezi 2024, R. 6230 somhla zingama-30 kuNhlaba 2025, R. 6504 somhla ziyi-15 kuNcwaba 2025, R. 6753 somhla zingama-24 kuMfumfu 2025 kanye no-R. 6975 somhla zingama-24 kuZibandlela 2025.

Ukuchitshiyelwa komthetho 49 weMithetho

2. Umthetho 49 weMithetho ngalokhu uchitshiyelwa ngokufaka esikhundleni somthetho ongaphansi (13) wezigaba (a) no-(b) zalezi zigaba ezilandelayo:

“(a)[Ngaphandle uma ummangalelwa edela ilungelo lakhe lokuvikeleka noma inkantolo ekunikezeni imvume yokukhalaza noma ngemva kokufaka isicelo kuyo, ikhulule ofake isikhalo ngokuphelele noma ingxenywe kuleso sibopho, umfakisicelo, ngaphambi kokufaka amakhophi

erekhodi ngesikhalazo kumbhalisi, uzofaka isibambiso esihle nesanele sezindleko zommangalelwa zesikhalazo.] Uhlangothi olufisa isibambiso sezindleko, ngesizathu esizwakalayo, lungafaka isicelo enkantolo ngokunikeza imvume yokudlulisa icala noma enkantolo yokudlulisa amacala, ukuze kuhlinzekwe leso sibambiso.

(b)[Esimeni lapho amaqembu ehluleka ukuvumelana ngenani lesibambiso] Lapho isibambiso sezindleko zokwedluliswa kwecala siyalwe yinkantolo, umbhalisi kufanele alungise inani laleso sibambiso esizohlinzekwa. [futhi ummangali uzongena kusibambiso enanini elinqunyiwe noma iphesenti layo njengoba inkantolo inqumile, kuye ngokuthi yikuphi.]”.

Ukuqala

3. Le Mithetho iqala ukusebenza mhla zingu 03 kuNtulikazi 2026.