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GOVERNMENT NOTICE

GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE

DEPARTEMENT VAN JUSTISIE

No. R. 2385

3 October 1990

No. R. 2385

3 Oktober 1990

REGULATIONS MADE UNDER THE MEDIATION IN CERTAIN DIVORCE MATTERS ACT, 1987 (ACT No. 24 OF 1987)

REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP BEMIDDELING IN SEKERE EGSKEIDINGSAANGELEENTHEDE, 1987 (WET No. 24 VAN 1987)

The Minister of Justice has, under section 5 of the Mediation in Certain Divorce Matters Act, 1987 (Act No. 24 of 1987), made the regulations in the Schedule.

Die Minister van Justisie het kragtens artikel 5 van die Wet op Bemiddeling in Sekere Egskeidingsaangeleenthede, 1987 (Wet No. 24 van 1987), die regulasies in die Bylae uitgevaardig.

SCHEDULE**Definitions**

1. (1) In these regulations any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned to it and, unless the context otherwise indicates—

(i) "advisory committee" means an advisory committee on Family Counsellors appointed by regulation 7;

(ii) "deliver" means the delivery of a copy of any document which in terms of these regulations is to be delivered to any person, to such person—

(a) personally; or

(b) by leaving such copy at his place of residence or business; or

(c) if the person to whom such copy is required to be delivered has chosen a *domicilium citandi*, by delivering or leaving such copy at such *domicilium citandi*; or

(d) by causing such copy to be delivered at his place of residence or business by means of registered or certified post;

(iii) "Registrar of the Supreme Court" means the Registrar of the Supreme Court at the division of the Supreme Court in question;

(iv) "Supreme Court" means the Supreme Court of South Africa;

(v) "the Act" means the Mediation in Certain Divorce Matters Act, 1987 (Act No. 24 of 1987).

(2) For purposes of the calculation of any period referred to in these regulations, a Saturday, Sunday or public holiday shall, except where expressly otherwise provided, be disregarded.

Institution of certain divorce actions and lodging of certain applications for variation, rescission or suspension of certain court orders

2. (1) As from the coming into operation of these regulations—

(a) a plaintiff in any divorce action in which any relief is claimed in relation to the custody or guardianship of, or access to, a minor or dependent child of the marriage concerned; or

(b) an applicant in any application for the variation, rescission or suspension of an order made in terms of the Divorce Act, 1979 (Act No. 70 of 1979), in relation to any minor or dependent child of the marriage concerned,

which action is instituted or application is made on or after such coming into operation, shall, together with the summons or notice of motion whereby such action is instituted or application is made, deliver or cause to be delivered to the defendant or respondent, as the case may be, a completed form, duly sworn or affirmed, corresponding substantially to Annexure A, and file with the Registrar of the Supreme Court two copies thereof.

(2) The defendant or respondent, as the case may be, referred to in subregulation (1)—

(a) may, if he desires to reply to statements made in the form delivered to him in terms of that subregulation, within the period allowed in terms

BYLAE**Woordomskrywing**

1. (1) In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, die betekenis aldus daaraan geheg, en, tensy uit die samehang anders blyk, beteken—

(i) "advieskomitee" 'n advieskomitee oor Gesinsraadgewers by regulasie 7 aangestel;

(ii) "aflewer" die aflewering van 'n afskrif van die een of ander stuk wat ingevolge hierdie regulasies aan die een of ander persoon afelewer moet word, aan sodanige persoon—

(a) persoonlik; of

(b) deur sodanige afskrif by sy woon- of besigheidsplek te laat; of

(c) indien die persoon aan wie sodanige afskrif afelewer moet word, 'n *domicilium citandi* gekies het, deur aflewering van sodanige afskrif by sodanige *domicilium citandi* of deur sodanige afskrif daar te laat; of

(d) deur sodanige afskrif by sy woon- of besigheidsplek deur middel van geregistreerde of gesertifiseerde pos te laat afelewer;

(iii) "die Wet" die Wet op Bemiddeling in Sekere Egskeidingsaangeleenthede, 1987 (Wet No. 24 van 1987);

(iv) "Griffier van die Hooggeregshof" die Griffier van die Hooggeregshof by die betrokke afdeling van die Hooggeregshof;

(v) "Hooggeregshof" die Hooggeregshof van Suid-Afrika.

(2) Vir die doeleindes van die berekening van enige tydperk in hierdie regulasies bedoel, word 'n Saterdag, Sondag en openbare feesdag, behalwe waar uitdruklik anders bepaal, buite rekening gelaat.

Instelling van sekere egskeidingsgedinge en indiening van sekere aansoeke om wysiging, intrekking of opskorting van sekere hofbevele

2. (1) Vanaf die inwerkingtreding van hierdie regulasies moet—

(a) 'n eiser in enige egskeidingsgeding waarin enige regshulp met betrekking tot die bewaring van of voogdy oor of toegang tot 'n minderjarige of afhanklike kind uit die betrokke huwelik geëis word; of

(b) 'n applikant in die een of ander aansoek vir die wysiging, intrekking of opskorting van 'n bevel gegee ingevolge die Wet op Egskeiding, 1979 (Wet No. 70 van 1979), met betrekking tot 'n minderjarige of afhanklike kind uit die betrokke huwelik,

welke geding ingestel of aansoek gedoen word op of na sodanige inwerkingtreding, 'n ingevulde vorm, behoorlik beëdig of bevestig, wat wesenlik met Aanhangsel A ooreenstem, tesame met die dagvaarding of kennisgewing van mosie waarby sodanige geding ingestel of aansoek gedoen word, aan die verweerder of respondent, na gelang van die geval, afelewer of laat afelewer, en twee afskrifte daarvan by die Griffier van die Hooggeregshof liasseer.

(2) Die verweerder of respondent, na gelang van die geval, in subregulasie (1) bedoel—

(a) kan, indien hy wil antwoord op verklarings vervat in die vorm wat ingevolge daardie subregulasie aan hom afelewer is, binne die tydperk wat

of the rules of the Supreme Court for filing any subsequent process, deliver or cause to be delivered to the plaintiff or applicant, as the case may be, a completed form, duly sworn or affirmed, corresponding substantially to the said Annexure A containing his reply to such statements; and

(b) shall, at the same time, file two copies of such form with the Registrar of the Supreme Court.

(3) The Registrar of the Supreme Court shall, as soon as practicable after an action or application referred to in subregulation (1) has been filed with him, transmit to the Family Advocate a copy of the summons or application instituting or bringing such action or application and, if filed, the completed forms referred to in subregulations (1) and (2).

Request by court or party to divorce action or application for variation, rescission or suspension of court order relating to minor or dependent children for enquiry to be instituted by Family Advocate

3. (1) When a court has, in terms of section 4 of the Act, requested the Family Advocate to institute an enquiry referred to in that section, the Registrar of the Supreme Court shall endorse on the court file accordingly, and shall forthwith inform the Family Advocate in writing of such request.

(2) Any party to a divorce action or application referred to in regulation 2 who desires an enquiry to be instituted by the Family Advocate in terms of section 4 of the Act on any matter concerning the welfare of any minor or dependent child of the marriage concerned shall request the Family Advocate accordingly in a form corresponding substantially to Annexure B, and shall at the same time—

(a) deliver or cause to be delivered a copy of such form to every other party to such action or application; and

(b) file a further copy of such form with the Registrar of the Supreme Court.

(3) A party to proceedings referred to in regulation 2 shall, if any such action or application is in any manner settled, not take any further step in terms of the rules of the Supreme Court, unless such party has furnished the Family Advocate with all particulars in relation to such settlement, in so far as such settlement relates to any minor or dependent child of the marriage concerned.

Application by Family Advocate to court for an order authorising an enquiry for purposes of report and recommendation to court on welfare of minor or dependent children

4. An application by the Family Advocate contemplated in section 4 (2) of the Act shall be made either orally or in writing in a form corresponding substantially to Annexure C.

Procedure to be followed by Family Advocate in enquiry instituted for purposes of report and recommendation to court on welfare of minor or dependent children

5. (1) The Family Advocate shall as soon as practicable after receipt of a request referred to in regulation 3, subject to the provisions of this regulation, institute an enquiry in such manner as he may deem expedient or desirable.

ingevolge die reëls van die Hooggeregshof vir die indiening van enige daaropvolgende prosesstuk toegelaat word, 'n ingevulde vorm, behoorlik beëdig of bevestig, wat wesenlik met genoemde Aanhangel A ooreenstem, aan die eiser of applikant, na gelang van die geval, aflewer of laat aflewer wat sy antwoord op daardie verklarings bevat; en

(b) moet terselfdertyd twee afskrifte van sodanige vorm by die Griffier van die Hooggeregshof liasseer.

(3) Die Griffier van die Hooggeregshof moet so gou doenlik nadat 'n geding of aansoek in subregulasie (1) bedoel, by hom geliasseer is, aan die Gesinsadvokaat 'n afskrif van die dagvaarding of aansoek waarby daardie geding of aansoek ingestel is of geskied het en, indien dit geliasseer is, die ingevulde vorms in subregulasies (1) en (2) bedoel, deurstuur.

Versoek deur hof of party by egskedingsgeding of aansoek om wysiging, intrekking of opskorting van hofbevel betreffende minderjarige of afhanklike kinders dat ondersoek deur Gesinsadvokaat ingestel word

3. (1) Wanneer 'n hof die Gesinsadvokaat ingevolge artikel 4 van die Wet versoek het om 'n ondersoek in daardie artikel bedoel, in te stel, moet die Griffier van die Hooggeregshof dienooreenkomstig 'n endossement op die hoflêer aanbring en die Gesinsadvokaat onverwyld skriftelik van sodanige versoek verwittig.

(2) Enige party by 'n egskedingsgeding of aansoek in regulasie 2 bedoel, wat verlang dat die Gesinsadvokaat 'n ondersoek ingevolge artikel 4 van die Wet instel oor enige aangeleentheid rakende die welsyn van enige minderjarige of afhanklike kind uit die betrokke huwelik, moet die Gesinsadvokaat, in 'n vorm wat wesenlik met Aanhangel B ooreenstem, dienooreenkomstig versoek en moet terselfdertyd—

(a) 'n afskrif van sodanige vorm aan elke ander party by die geding of aansoek aflewer of laat aflewer; en

(b) 'n verdere afskrif van sodanige vorm by die Griffier van die Hooggeregshof liasseer.

(3) 'n Party by verrigtinge in regulasie 2 bedoel, mag nie, indien sodanige geding of aansoek op enige wyse geskik word, enige verdere stap ingevolge die reëls van die Hooggeregshof doen nie, tensy sodanige party aan die Gesinsadvokaat alle besonderhede met betrekking tot sodanige skikking, vir sover sodanige skikking op enige minderjarige of afhanklike kind uit die betrokke huwelik betrekking het, verskaf het.

Aansoek deur Gesinsadvokaat by hof om 'n bevel vir magtiging om 'n ondersoek in te stel vir doeleindes van verslag en aanbeveling aan hof oor welsyn van minderjarige of afhanklike kinders

4. 'n Aansoek deur die Gesinsadvokaat in artikel 4 (2) van die Wet beoog, geskied mondeling, of skriftelik in 'n vorm wat wesenlik met Aanhangel C ooreenstem.

Prosedure deur Gesinsadvokaat gevolg te word by ondersoek ingestel vir doeleindes van verslag en aanbeveling aan hof oor welsyn van minderjarige of afhanklike kinders

5. (1) Die Gesinsadvokaat moet so gou doenlik na ontvangs van enige versoek in regulasie 3 bedoel, behoudens die bepalings van hierdie regulasies 'n ondersoek instel op die wyse wat hy dienstig of wenslik ag.

(2) The Family Advocate may, if he deems it necessary for an enquiry referred to in subregulation (1), require any person to submit to him such affidavits or other statements in writing or reports, documents or things as the Family Advocate may deem necessary.

(3) The Family Advocate shall submit his report and recommendation to the Registrar of the Supreme Court within 15 days after the completion of his enquiry or within such shorter period as may be determined by the court, and shall deliver or cause to be delivered to the plaintiff or defendant, or the applicant or respondent, as the case may be, copies of such report and recommendation.

Appointment by Family Advocate or Family Counsellor of persons to assist him with an enquiry for purposes of report or recommendation to court on welfare of minor or dependent children

6. The Family Advocate or Family Counsellor who institutes an enquiry in terms of section 4 of the Act may appoint a person or persons to assist him with such an enquiry.

Appointment of advisory committees

7. The Minister may appoint an advisory committee referred to in section 5 (1) (e) of the Act at each division of the Supreme Court.

Application of these regulations

8. These regulations shall apply only in respect of a division of the Supreme Court at which a Family Advocate has been appointed under section 2 of the Act.

Title and commencement

9. These regulations shall be called the Mediation in Certain Divorce Matters Regulations, 1990, and shall come into operation on 8 October 1990.

(2) Die Gesinsadvokaat kan, indien hy dit vir 'n ondersoek bedoel in subregulasie (1) nodig ag, van enige persoon vereis om die eedsverklarings en ander skriftelike verklarings of verslae, stukke of goed wat die Gesinsadvokaat nodig ag, aan hom voor te lê.

(3) Die Gesinsadvokaat moet sy verslag en aanbeveling aan die Griffier van die Hooggeregshof voorlê binne 15 dae nadat sy ondersoek voltooi is of binne sodanige korter tydperk as wat die hof bepaal, en moet afskrifte van sodanige verslag en aanbeveling aan die eiser of verweerder, of die applikant of respondent, na gelang van die geval, aflewer of laat aflewer.

Aanstelling deur Gesinsadvokaat of Gesinsraadgewer van persone om hom met ondersoek vir doeleindes van verslag en aanbeveling aan hof oor welsyn van minderjarige of afhanklike kinders behulpsaam te wees

6. Die Gesinsadvokaat of Gesinsraadgewer wat 'n ondersoek ingevolge artikel 4 van die Wet instel, kan 'n persoon of persone aanstel om hom met sodanige ondersoek behulpsaam te wees.

Aanstelling van advieskomitees

7. Die Minister kan 'n advieskomitee bedoel in artikel 5 (1) (e) van die Wet, by elke afdeling van die Hooggeregshof aanstel.

Toepassing van hierdie regulasies

8. Hierdie regulasies is slegs van toepassing ten opsigte van 'n afdeling van die Hooggeregshof waarby 'n Gesinsadvokaat kragtens artikel 2 van die Wet aangestel is.

Titel en inwerkingtreding

9. Hierdie regulasies heet die Regulasies op Bemiddeling in Sekere Egskeidingsaangeleenthede, 1990, en tree op 8 Oktober 1990 in werking.

ANNEXURE A

**(REGULATION 2 OF THE MEDIATION IN CERTAIN DIVORCE MATTERS REGULATIONS, 1990)
ARRANGEMENTS REGARDING DEPENDENT AND MINOR CHILDREN**

CASE No.19.....

IN THE SUPREME COURT OF SOUTH AFRICA

.....DIVISION

IN THE MATTER BETWEEN

.....PLAINTIFF/APPLICANT

AND

.....DEFENDANT/RESPONDENT

PARTICULARS OF PLAINTIFF/APPLICANT:

POSTAL ADDRESS:
.....
.....

RESIDENTIAL ADDRESS:
.....
.....

TELEPHONE NUMBER:

NAME AND ADDRESS OF EMPLOYER:

.....
.....
.....

TELEPHONE NUMBER:

GROSS MONTHLY INCOME:

EXTENT OF MONTHLY FINANCIAL COMMITMENTS:

.....
.....
.....

PARTICULARS OF DEFENDANT/RESPONDENT:

POSTAL ADDRESS:

.....
.....
.....

RESIDENTIAL ADDRESS:

.....
.....
.....

TELEPHONE NUMBER:

NAME AND ADDRESS OF EMPLOYER:

.....
.....
.....

TELEPHONE NUMBER:

GROSS MONTHLY INCOME, IF KNOWN:

.....

EXTENT OF MONTHLY FINANCIAL COMMITMENTS, IF KNOWN:

.....
.....
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GENERAL INFORMATION

STATE THE FULL NAME, GENDER AND DATE OF BIRTH OF EACH MINOR OR DEPENDENT CHILD OF THE MARRIAGE:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

STATE WITH WHOM THE CHILDREN ARE LIVING AT PRESENT:

.....
.....
.....

STATE WHERE THE CHILDREN ARE TO LIVE, FURNISH PARTICULARS OF THE ACCOMMODATION, WHAT OTHER PERSONS (NAME THEM) ARE LIVING THERE AND WHO WILL LOOK AFTER THE CHILDREN. IF IT IS PROPOSED THAT THE CHILDREN SHOULD BE IN THE CARE OF A PERSON OTHER THAN YOURSELF, STATE WHETHER OR NOT THAT PERSON HAS AGREED TO THIS ARRANGEMENT. STATE THE RELATIONSHIP OF SUCH OTHER PERSON TO THE CHILDREN:

.....
.....
.....
.....

STATE THE NAME OF THE SCHOOL OR OTHER EDUCATIONAL ESTABLISHMENT WHICH YOUR CHILDREN ARE AT PRESENT ATTENDING, OR, IF ANY OF THEM ARE ALREADY WORKING, THEIR PLACE OF EMPLOYMENT, THE NATURE OF THEIR WORK AND DETAILS OF ANY TRAINING THEY ARE RECEIVING. ATTACH COPIES OF THE MOST RECENT SCHOOL REPORTS:

.....
.....
.....
.....

IS IT ENVISAGED THAT THE CHILDREN, AFTER THE CONCLUSION OF THE ACTION/APPLICATION, WILL HAVE TO CHANGE SCHOOLS? IF SO, GIVE FULL DETAILS:

.....
.....
.....

DO ANY OF THE CHILDREN EXPERIENCE LEARNING PROBLEMS? ARE ANY OF THEM IN ANY RESPECT PHYSICALLY OR MENTALLY DISABLED? IF SO, GIVE FULL DETAILS AND ATTACH RECENT MEDICAL REPORTS:

.....
.....
.....
.....

STATE WHO IS SUPPORTING THE CHILDREN AT PRESENT, OR CONTRIBUTING TO THEIR SUPPORT, AND TO WHAT EXTENT:

.....
.....
.....
.....

WHAT ARRANGEMENTS HAVE BEEN MADE REGARDING RIGHTS OF ACCESS OF YOUR HUSBAND/WIFE? STATE THE DETAILS OF ANY SUCH ARRANGEMENT:

.....
.....
.....
.....

SET OUT ANY FURTHER DETAILS CONCERNING YOUR MINOR OR DEPENDENT CHILDREN WHICH MAY BE RELEVANT TO THE CUSTODY OF, ACCESS TO AND FINANCIAL PROVISION FOR SUCH CHILDREN, E.G. WHETHER ANY SUCH CHILDREN HAVE BEEN CONVICTED OF ANY CRIMINAL OFFENCE OR WHETHER ANY SUCH CHILDREN HAVE BEEN SUBJECT TO ANY ORDER IN TERMS OF THE CHILD CARE ACT, 1983 (ACT No. 74 OF 1983):

.....
.....
.....
.....

STATE BRIEFLY THE EXTENT TO WHICH THE ABOVE ARRANGEMENTS REGARDING YOUR MINOR OR DEPENDENT CHILDREN ARE THE RESULT OF MUTUAL AGREEMENT WITH YOUR HUSBAND/WIFE:

.....
.....
.....
.....

ARE YOU OR A MEMBER OF YOUR FAMILY KNOWN TO A WELFARE ORGANISATION OR AGENCY? IF SO, STATE THE NAME OF THE ORGANISATION/AGENCY AND WHERE IT OPERATES.

.....
.....

DATED AT THIS DAY OF 19.....

Signed

OATH/AFFIRMATION

I,.....
HEREBY DECLARE UNDER OATH/HEREBY TRULY AFFIRM* THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE FOREGOING STATEMENTS ARE TRUE, COMPLETE AND CORRECT.

Signature of Deponent

I certify that, before administering the oath/affirmation*, I asked the deponent the following questions and wrote down his/her* answers in his/her* presence:

1. Do you know and understand the contents of the above declaration?

Answer.....

2. Do you have any objection to taking the prescribed oath?

Answer.....

3. Do you consider the prescribed oath to be binding on your conscience?

Answer.....

I certify that the deponent has acknowledged that he/she* knows and understands the contents of this declaration which was sworn to/affirmed before* me, and the deponent's signature/thumb print/mark* was placed thereon in my presence.

Justice of the Peace/Commissioner of Oaths*

Full name

Designation (Rank) and area for which appointed

BUSINESS ADDRESS:

DATE:

PLACE:

* Delete whichever is not applicable.

ANNEXURE B

(REGULATION 3 OF THE MEDIATION IN CERTAIN DIVORCE MATTERS REGULATIONS, 1990)

REQUEST TO FAMILY ADVOCATE TO INSTITUTE AN ENQUIRY IN TERMS OF SECTION 4 OF THE MEDIATION IN CERTAIN DIVORCE MATTERS ACT, 1987 (ACT No. 24 OF 1987)

1. DETAILS OF APPLICANT REQUESTING ENQUIRY:

FULL NAME:

9. ARE YOU OR A MEMBER OF YOUR FAMILY KNOWN TO ANY WELFARE ORGANISATION OR AGENCY? IF SO, STATE THE NAME OF THE ORGANISATION/AGENCY AND WHERE IT OPERATES:

.....
.....
.....
.....

.....
Applicant (Signature)

DATE:

PLACE:

ANNEXURE C

(REGULATION 4 OF THE MEDIATION IN CERTAIN DIVORCE MATTERS REGULATIONS, 1990)

IN THE SUPREME COURT OF SOUTH AFRICA

.....DIVISION

IN THE MATTER BETWEEN

.....PLAINTIFF/APPLICANT

AND

.....DEFENDANT/RESPONDENT

After having considered the following information:

.....
.....
.....

I, (initials and surname),
Family Advocate at the above-mentioned Division of the Supreme Court of South Africa, hereby apply for an order in terms of which I am authorised to institute an enquiry contemplated in section 4 (1) of the Mediation in Certain Divorce Matters Act, 1987 (Act No. 24 of 1987), into the welfare of the minor and/or dependent children of the above-named parties.

Dated and signed at this day of 19.....

.....
Family Advocate

ORDER

The Family Advocate at the
Division of the Supreme Court of South Africa is hereby under an order of the Court given on
authorised to institute an enquiry contemplated in section 4 (1) of the Mediation in Certain Divorce Matters Act, 1987 (Act No. 24 of 1987), in respect of the minor and/or dependent children of the above-named parties.

By Order of the Court

.....
Registrar

AANHANGSEL A

(REGULASIE 2 VAN DIE REGULASIES OP BEMIDDELING IN SEKERE EGSKEIDINGSAANGELEENTHEDE, 1990)

REËLINGS IN VERBAND MET AFHANKLIKE EN MINDERJARIGE KINDERS

SAAK No.19.....

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

.....AFDELING

IN DIE SAAK TUSSEN

.....EISER/APPLIKANT

EN

.....VERWEERDER/RESPONDENT

BESONDERHEDE VAN EISER/APPLIKANT:

POSADRES:

.....

.....

WOONADRES:

.....

.....

.....

.....

TELEFOONNUMMER:

NAAM EN ADRES VAN WERKGEWER:

.....

.....

TELEFOONNUMMER:

MAANDELIKSE BRUTO INKOMSTE:

OMVANG VAN MAANDELIKSE FINANSIËLE VERPLIGTINGE:

.....

.....

.....

BESONDERHEDE VAN VERWEERDER/RESPONDENT:

POSADRES:

.....

.....

WOONADRES:

.....

.....

TELEFOONNUMMERS:

NAAM EN ADRES VAN WERKGEWER:

.....

.....

TELEFOONNUMMER:

MAANDELIKSE BRUTO INKOMSTE, INDIEN BEKEND:

.....

OMVANG VAN MAANDELIKSE FINANSIËLE VERPLIGTINGE, INDIEN BEKEND:

.....

.....

.....

.....

ALGEMENE INLIGTING

**VERSTREK DIE VOLLE NAAM, GESLAG EN GEBOORTEDATUM VAN ELKE MINDERJARIGE OF AFHANK-
LIKE KIND UIT DIE HUWELIK:**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

BY WIE WOON DIE KINDERS TANS?

.....
.....
.....

**NOEM WAAR DIE KINDERS GAAN WOON, VERSTREK BESONDERHEDE VAN DIE AKKOMMODASIE,
WATTER ANDER PERSONE (VERSTREK HULLE NAME) DAAR WOON EN WIE DIE KINDERS SAL VER-
SORG. INDIEN DAAR BEOOG WORD DAT DIE KINDERS IN DIE SORG VAN IEMAND ANDERS AS U SELF
SAL WEES, NOEM OF DAARDIE PERSOON TOT DIE REËLINGS TOEGESTEM HET AL DAN NIE. WAT IS DIE
VERWANTSKAP TUSSEN SODANIGE ANDER PERSOON EN DIE KINDERS?**

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.....

**VERSTREK DIE NAAM VAN DIE SKOOL OF ANDER OPVOEDKUNDIGE INRIGTING WAT U KINDERS TANS
BYWOON OF, INDIEN ENIGE VAN HULLE REEDS WERK, HULLE WERKPLEK, AARD VAN HULLE WERK
EN BESONDERHEDE VAN ENIGE OPLEIDING WAT HULLE ONTVANG. HEG AFDRUKKE VAN DIE
JONGSTE SKOOLRAPPORTE AAN:**

.....
.....
.....
.....
.....

**WORD DAAR BEOOG DAT DIE KINDERS, NA AFHANDELING VAN DIE AKSIE/AANSOEK, VAN SKOOL SAL
VERANDER? INDIEN WEL, VERSTREK VOLLEDIGE BESONDERHEDE:**

.....
.....
.....

ONDERVIND ENIGE VAN DIE KINDERS LEERPROBLEME? IS ENIGE VAN HULLE ENIGSINS LIGGAAMLIK OF GEESTELIK GESTREMD? INDIEN WEL, GEE VOLLE BESONDERHEDE EN HEG ONLANGSE MEDIESE VERSLAE AAN:

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.....

WIE ONDERHOU DIE KINDERS TANS OF DRA TOT DIE ONDERHOUD BY, EN IN WATTER MATE?

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.....
.....

WATTER REËLINGS IS GETREF TEN AANSIEN VAN DIE TOEGANGSREGTE VAN U MAN/VROU? VERSTREK BESONDERHEDE VAN ENIGE SODANIGE REËLING:

.....
.....
.....

VERSTREK ENIGE VERDERE BESONDERHEDE OOR U MINDERJARIGE OF AFHANKLIKE KINDERS WAT RELEVANT MAG WEES BY DIE TOESIG EN BEHEER OOR, TOEGANGSREGTE TOT EN FINANSIËLE VOORSIENING VIR SODANIGE KINDERS, BV. OF ENIGE VAN DIE KINDERS SKULDIG BEVIND IS AAN 'N STRAFREGTELIKE OORTREDING OF ONDERWORPE WAS AAN ENIGE BEVEL INGEVOLGE DIE WET OP KINDERSORG, 1983 (WET No. 74 VAN 1983):

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.....
.....

NOEM KORTLIKS IN WATTER MATE BOGENOEMDE REËLINGS TEN AANSIEN VAN U MINDERJARIGE OF AFHANKLIKE KINDERS VOORTSPRUIT UIT 'N ONDERLINGE OOREENKOMS TUSSEN U EN U MAN/VROU:

.....
.....
.....

IS U OF 'N LID VAN U GESIN AAN 'N WELSYNSINSTANSIE OF -ORGANISASIE BEKEND? INDIEN WEL, WAT IS DIE NAAM VAN DIE INSTANSIE/ORGANISASIE EN MELD WAAR DIT WERKSAAM IS:

.....
.....

GEDATEER TE..... OP HEDE DIE..... DAG VAN.....19.....

Geteken

EED/BEVESTIGING

Ek,

VERKLAAR ONDER EED/BEVESTIG OPREG* DAT BOSTAANDE INLIGTING NA DIE BESTE VAN MY WETE WAAR, VOLLEDIG EN KORREK IS.

Handtekening van Verklaarder

Ek sertifiseer dat ek, voordat ek die voorgeskrewe eed/bevestiging* afgeneem het, die volgende vrae aan die verklaarder gestel en sy/haar* antwoorde in sy/haar* teenwoordigheid neergeskryf het:

1. Is u vertrouwd met die inhoud van bostaande verklaring en begryp u dit?

Antwoord

2. Het u enige beswaar teen die aflê van die voorgeskrewe eed?

Antwoord

3. Beskou u die voorgeskrewe eed as bindend vir u gewete?

Antwoord

Ek sertifiseer dat die verklaarder erken dat hy/sy* vertrouwd is met die inhoud van die verklaring en dit begryp. Hierdie verklaring is beëdig/bevestig* voor my en verklaarder se handtekening/duimafdruk/merk* is in my teenwoordigheid daarop aangebring.

.....
Vrederegtel/Kommissaris van Ede*

.....
Volle naam

.....
Amp (Rang) en gebied waarvoor aangestel

BESIGHEIDSADRES:

DATUM:

PLEK:

* Skrap wat nie van toepassing is nie.

AANHANGSEL B

(REGULASIE 3 VAN DIE REGULASIES OP BEMIDDELING IN SEKERE EGSKEIDINGSAANGELEENTHEDE, 1990)

VERSOEK AAN GESINSADVOKAAT OM ONDERSOEK IN TE STEL KRAGTENS ARTIKEL 4 VAN DIE WET OP BEMIDDELING IN SEKERE EGSKEIDINGSAANGELEENTHEDE 1987 (WET No. 24 VAN 1987)

1. BESONDERHEDE VAN APPLIKANT WAT ONDERSOEK VERLANG:

VOLLE NAAM:

WOONADRES:

POSADRES:

TELEFOONNOMMERS: (Huis)

(Werk)

2. IS APPLIKANT 'N PARTY BY 'N AANSOEK/AKSIE WAARBY MINDERJARIGE OF AFHANKLIKE KINDERS BETROKKE IS?

JA

NEE

3. WAAR IS DIE AKSIE/AANSOEK INGESTEL/GEDOEN?

.....

4. WANNEER IS DIE AKSIE/AANSOEK INGESTEL/GEDOEN?

.....

5. HOFLÊER-VERWYSINGSNOMMER VAN AKSIE/AANSOEK:

.....

6. NAME, OUDERDOMME EN GESLAG VAN MINDERJARIGE OF AFHANKLIKE KINDERS BETROKKE BY AKSIE/AANSOEK:

.....
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7. BESONDERHEDE VAN ANDER PARTY BETROKKE BY AKSIE/AANSOEK:

VOLLE NAAM:

WOONADRES:

.....
.....
.....

POSADRES:

.....
.....

TELEFOONNOMMERS: (Huis)

(Werk)

8. VOLLE BESONDERHEDE VAN REDES WAAROM 'N ONDERSOEK AANGEVRA WORD:

.....
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9. IS U OF 'N LID VAN U GESIN BEKEND AAN 'N WELSYNSINSTANSIE OF -ORGANISASIE? INDIEN WEL, VERSTREK DIE NAAM VAN DIE INSTANSIE/ORGANISASIE EN WAAR DIT WERKSAAM IS:

.....
.....
.....
.....
.....
.....

Applikant (Handtekening)

DATUM:

PLEK:

AANHANGSEL C

(REGULASIE 4 VAN DIE REGULASIES OP BEMIDDELING IN SEKERE EGSKEIDINGSAAANGELEENTHEDE, 1990)

IN DIE HOOGGEREGSHOF VAN SUID-AFRIKA

.....AFDELING

IN DIE SAAK TUSSEN

.....EISER/APPLIKANT

EN

.....VERWEERDER/RESPONDENT

Na oorweging van die volgende inligting:

doen ek, (voorletters en van),
Gesinsadvokaat by bovermelde Afdeling van die Hooggeregshof van Suid-Afrika, hierby aansoek om 'n bevel waarby ek
gemagtig word om 'n ondersoek bedoel in artikel 4 (1) van die Wet op Bemiddeling in Sekere Egskeidingsaangeleentehede,
1987 (Wet No. 24 van 1987), in te stel na die welsyn van die minderjarige en/of afhanklike kinders van bogenoemde partye.

Gedateer en geteken te..... op hede diedag van19....

Gesinsadvokaat

BEVEL

Die Gesinsadvokaat by die
Afdeling van die Hooggeregshof van Suid-Afrika word hierby kragtens 'n bevel van die Hof gegee op
gemagtig om 'n ondersoek bedoel in artikel 4 (1) van die Wet op Bemiddeling in Sekere Egskeidingsaangeleentehede, 1987
(Wet No. 24 van 1987), in te stel ten opsigte van die minderjarige en/of afhanklike kinders van die partye hierbo genoem.

Op Las van die Hof

Griffier

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