



REPUBLIC OF SOUTH AFRICA

NO.11 – APPLICATION BY JUDGMENT CREDITOR IN TERMS OF S41(2) OF THE SMALL CLAIMS COURTS ACT, 1984 (ACT NO. 61 OF 1984)

In the Small Claims Court for the area of.....

Case No..... Unique Reference No.:

..... PLAINTIFF

AND

..... DEFENDANT

APPLICATION BY JUDGMENT CREDITOR IN TERMS OF s41(2) OF THE SMALL CLAIMS COURTS ACT, 1984 (ACT NO. 61 OF 1984)

1. The judgment creditor in the above matter, hereby makes application in terms of section 41(2) of the Small Claims Courts Act, 1984 and requests that the matter be referred to the Clerk of the Magistrates' Court as provided for in section 41(3) of the Small Claims Courts Act, 1984.
2. The affidavit of the judgment creditor appears below:

AFFIDAVIT

1. I, the undersigned
 (State full names and surname)
 Identity or Passport No.:..... being the plaintiff or defendant in this matter
 Residing at:

Hereby make oath and state or solemnly affirm that:

1.1 Judgment for R..... (insert the amount) and costs in the amount of R..... (delete if not applicable) was granted on (insert date) in the Small Claims Court (insert area) against

1.2 The following amount or amounts has or have been paid since Judgment:

1.2.1 R..... paid on (insert date);

1.2.2 R..... paid on (insert date);

1.2.3 R..... paid on (*insert date*); **or**

1.3 No payment has been made (*delete whichever is not applicable*).

1.4 The amount still owing on the judgment as at the date of my signature below is R.....

NAME:

SIGNATURE.....

I certify that the deponent has acknowledged that he or she knows and understands the contents of this declaration, which was sworn to/affirmed (*delete what is not applicable*) and signed before me at (*place*) on(*date*) under compliance with the rules promulgated in Government Notice R. 1258 dated 21 July 1972 (as amended).

COMMISSIONER OF OATHS

NAME:

CAPACITY:

ADDRESS:

.....

To: The Clerk of the Small Claims Court(*insert area*)

By hand: Received by the Clerk of the Small Claims Court on this day of 20.....

or

Per E-mail: