

COST OF ADMINISTRATION & CONTRIBUTION

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SECTIONS OF THE ACTS THAT ARE APPLICABLE

Companies Act

339 Law of insolvency to be applied *mutatis mutandis*

384 Remuneration of liquidator

408 Conformation of account

Close Corporations Act

66 Application of the Companies Act

Insolvency Act

14(1)(2) & (3) Petitioning Creditor to prosecute sequestration proceedings until trustee appointed.

37 effect of sequestration on a lease

40,41 & 42 Meetings of creditors (1st 2nd General & Special)

56 Appointment of Trustee. Security for his Administration

Insolvency Act (continues)

73 Trustee may obtain legal assistance

79 Subsistence allowance for insolvent and family

82 Sale of property after second meeting and manner of sale

96 Funeral and death-bed expenses

97 Costs of execution

**106 Contribution by creditors towards costs of sequestration
when free residue insufficient**

**113 Distribution of estate and collection of contribution from
creditors**

118 Enforcing payment of contribution

Costs of Administration

Advertising

Bond of security 0.05% of value-Minimum of

Masters fees R100.00 minimum, maximum of R 25000.00

Application for liquidation Attorneys fees

Liquidation as creditors Voluntary

Liquidators fees Minimum of R2500.00 to be taxed by the Master in accordance with tariff B of the insolvency act.

Storage of records

Cost of Statutory reports to creditors @ R5/ proved creditor

Insurance of assets

Storage of assets or administration rentals

Removal and storage of assets

Security guards.

CONTRIBUTION

Who pays?

How is it collected?

What is needed to obtain a warrant of execution against property :

- 1. Copy of Certificate of appointment**
- 2. Certified copy of account**
- 3. Certified copy of Masters letter confirming the account.**
- 4. Letter of demand in terms of section 113 of the insolvency act**
- 5. Certified copy of the Government Gazette advertisement in compliance with section 113(2)**

WARRANT OF EXECUTION AGAINST PROPERTY

In the Magistrate's court for the district

Johannesburg

Held at

Johannesburg

(Plaintiff)

In the matter between

Master's : T.

and

(Defendant)

To the messenger

WHEREAS the Liquidation and distribution account of the mentioned (in liquidation) was confirmed by the Master of the High Court on

Contribution costs	
Costs of issuing of warrant of execution	
Appeal costs	
Subtotal	_____
Less amount paid	
Amount paid since judgement	

and whereas a contribution towards costs of R is due to the liquidator of (in liquidation) and whereas payment of the mentioned amount was requested by registered post within 30 days after delivery or posting of the aforementioned request and whereas no payment was made, you are therefore authorised and ordered to levy the payment of R..... together with your costs hereof on the property of the contribution debtor and pay same over to the mentioned liquidator and report to this court what you have done by virtue hereof.

for : Liquidatator
Address :

Dated at _____
on the _____ day of _____
2001
By order of the court

CLERK OF THE COURT

PLEASE NOTE :

- Should the defendant pay the amount mentioned herein together with the sheriff's fees of R within half an hour of arrival of the sheriff, no further costs for the service of this warrant of execution are payable. The amount of any payment by the defendant made and the date thereof must be endorsed on the original and copy hereof, which endorsement must be signed by the sheriff and execution debtor, or its representative.
- The amount of this warrant of execution can be paid before the sale and execution, subject to payment of the sheriff's fees and costs for which taxation of his bill may be required.
- In the case of the re-issue of this warrant, the reason for the re-issuing and the date of re-issue and any increase or decrease in the amounts shown herein, must be endorsed by way of a note and must be signed by the liquidator or his attorney and by the clerk of this court.
- Any amendment herein must be initialled by the clerk of the court before this warrant may be issued or re-issued by him.

Re-issue in this the day of

RE-ISSUING
2001 for the following amounts :
First amount of warrant R
Messenger fees R
Interest R
Cost of re-issuing R

Address :

Paid _____
R
R