

No. 37 - Security under rule 38

***For use in the District Court**

In the Magistrate's Court for the district of

held at Case Number: of 20.....

In the matter between:

..... Execution Creditor

and

..... **[Execution]** Judgment Debtor

Whereas the said execution creditor obtained judgment in this court against the said **[execution]** judgment debtor on the day of, 20... in the sum of R..... together with the sum of R..... for costs;

And whereas under the said judgment execution has been issued and property/a debt/emoluments has/have been attached or is/are about to be attached;

Now therefore the said execution creditor binds himself or herself to the sheriff of the aforesaid court that if the attachment be hereafter set aside, he or she will satisfy any lawful claim against him or her by the said **[execution]** judgment debtor or any person for damages suffered by the said **[execution]** judgment debtor or person by reason of the said attachment or seizure;

And of binds himself or herself as surety and co-principal debtor **[in a sum not exceeding R.....]** for the due fulfilment by the said execution creditor of the obligation undertaken by him or her.

Signed and dated at this day of 20.....

.....
Execution Creditor
..... (Full name)

Witness:
..... (Full name)
..... (Signature)
..... (Address)

Signed and dated at this day of 20.....

.....
Surety and Co-principal Debtor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)

OR

We the undersigned [surety 1 name, ID number and address] and [surety 2 name, ID number and address] do hereby bind ourselves jointly and severally to the sheriff of the aforesaid court as sureties and co-principal debtors that if the attachment be hereafter set aside, we, the two sureties, shall satisfy any lawful claim against him or her by the said judgment debtor or any person for damages suffered by the said judgment debtor or person by reason of the said attachment or seizure.

Signed and dated at..... this day of 20.....

.....
First Surety & Co-principal Debtor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)

Signed and dated at this day of 20.....

.....
Second Surety and Co-principal Debtor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)

No. 37 - Security under rule 38

***For use in the Regional Court**

In the Regional Court for the Regional Division of

held at Case Number: of 20.....

In the matter between:

.....

Execution Creditor

and

.....

[Execution] Judgment Debtor

Whereas the said execution creditor obtained judgment in this court against the said **[execution] judgment** debtor on the day of, 20.... in the sum of R..... together with the sum of R..... for costs;

And whereas under the said judgment execution has been issued and property/a debt/emoluments has/have been attached or is/are about to be attached;

Now therefore the said execution creditor binds himself or herself to the sheriff of the aforesaid court that if the attachment be hereafter set aside, he or she will satisfy any lawful claim against him or her by the said **[execution] judgment** debtor or any person for damages suffered by the said **[execution] judgment** debtor or person by reason of the said attachment or seizure;

And of binds himself or herself as surety and co-principal debtor **[in a sum not exceeding R.....]** for the due fulfilment by the said execution creditor of the obligation undertaken by him or her.

Signed and dated at this day of 20.....

.....

Execution Creditor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)

Signed and dated at this day of 20.....

.....

Surety & Co-principal Debtor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)

OR

We the undersigned [surety 1 name, ID number and address] and [surety 2 name, ID number and address] do hereby bind ourselves jointly and severally to the sheriff of the aforesaid court as sureties and co-principal debtors that if the attachment be hereafter set aside, we, the two sureties, shall satisfy any lawful claim against him or her by the said judgment debtor or any person for damages suffered by the said judgment debtor or person by reason of the said attachment or seizure.

Signed and dated at this day of 20.....

.....

First Surety & Co-principal Debtor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)

Signed and dated at this day of 20.....

.....

Second Surety & Co-principal Debtor

..... (Full name)

Witness:

..... (Full name)

..... (Signature)

..... (Address)