

FORM C I
[Regulation 4(1)(a)]

**SUBPOENA IN TERMS OF SECTION 9(2) OF THE MAINTENANCE ACT,
1998 (ACT No. 99 OF 1998)**

[A document in the form set out in Form G must accompany the subpoena to the person against whom a maintenance order may be/was made.]

Reference No.

Maintenance Court (Magistrate's Court)	Court/Room No.	Date of inquiry
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A. Subpoena
1. To any person authorised to serve process:

You are hereby directed to -

- (a) subpoena the following persons:

<p>Name of person in whose favour maintenance order is to be/was made:</p> <p>ID No./Date of birth:</p> <p>Address:</p> <p>No. of rail warrant:</p>
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Name of person against whom maintenance order may be/was made:

ID No./Date of birth:

Address:

No. of rail warrant:

(i) to appear in person before the above-mentioned court at 09:00 on the date stated above; and

(ii) to remain present until excused by the court,

to give evidence at an enquiry, in terms of section 10 of the Maintenance Act, 1998 (Act No. 99 of 1998), instituted by the maintenance officer;

(b) serve on each of the above-mentioned persons a copy of this subpoena and report to this Court what you have done with regard to it; and

(c) request the above-mentioned persons to produce the following at the enquiry:

(i) Part B of this Form, duly completed by.....
(the opposing party), together with supporting documentation, where possible.

(ii)
....

(iii)
....

2. To the persons who are hereby summoned:

(a) Warnings:

(i) If your above-mentioned address changes before the proceedings are finalised or before you are officially advised that you are no longer required as a witness you must inform the maintenance

officer of the above-mentioned court thereof.

- (ii) If you fail to comply with the above-mentioned warning and this subpoena you may be arrested and on conviction sentenced to a fine or a term of imprisonment.

(b) An application has been made for -

- * (i) the *making of the following maintenance order/substitution of the existing maintenance order for the following order:

* (aa) A *weekly/monthly payment of -

R in respect of the complainant

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child)

R in respect of (name of child);

and/or

* (bb)

.....

....

.....

....

.....

....

.....

....

.....

....

(other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, schoolwear, expenses for sport and/or cultural activities, birth expenses and maintenance for child(ren) from birth);

*(ii) the discharge of the existing maintenance order.

3. To the person against whom a maintenance order may be made/was made:

Your attention is drawn to -

- (a) section 17(1) of the Maintenance Act, 1998 (Act No. 99 of 1998), in terms of which you may consent in writing (on the attached document) to the making, in your absence, of an order against you for the payment of maintenance; and
- (b) section 18(1) of the Maintenance Act, 1998 (Act No. 99 of 1998), in terms of which an order by default may be issued against you if the maintenance court is satisfied that you have knowledge of this subpoena and still failed to appear before the maintenance court.

Dated at this day of

.....

.....
Maintenance Officer/Clerk of the Maintenance Court

B. Particulars regarding assets, income and expenditure of opposing party:

4. Particulars of my assets and *monthly/weekly income and expenditures (supported by documentary proof, where possible) are as follows:

Assets

Fixed property	R
Investments	R
Savings	R
Shares	R

Motor vehicles	R
Other:	R
	R
	R
	R
	R

Income

Gross salary	R	
Minus: Deductions	Tax	R
	Medical Aid	R
	Pension	R
	Other:	R
		R
		R
		R
Total nett salary	R	
Other income (state source of income)	R	
	R	
	R	
	R	
Total income	R	

Expenditure

			Self	Child(ren)	Total
1	Lodging (bond repayment/levy /rent/ board)				
2	Food	Groceries			
		Meat			
		Bread and milk			

		Fruit and vegetables				
3	Household expenditure	Water and electricity/gas/paraffin				
		Rates and taxes				
		Maintenance (cleaning materials)				
		Laundry/Dry-cleaning				
		Baby food				
		Lunches				
		Toiletries				
		Telephone				
		Domestic worker				
		Garden services				
		Insurance (short term)				
4	Clothing	Clothes and shoes				
		School uniforms				
		Sports clothes				
5	Personal care (including hair care/cosmetics, etc.)					
6	Transport	Bus				
		Car	Instalments			
			Maintenance			
			Fuel			
			Licences			
			Insurance			
		Taxi				
		Lift club				
		Parking				
		Other				
7	Educational expenditure	School fees				
		After school care				

		Crèche/day care			
		Insurance (study policy)			
		Books			
		Stationery			
		Outings			
		Sports			
		Extramural			
		Other school expenditure			
8	Medical expenditure	Doctor/dentist/etc.			
		Medication			
		Hospital			
		Other medical expenditure			
9	Insurance	Life			
		Annuity			
		House owners/House holders			
10	Pocket money/ Allowances				
11	Holidays				
12	Maintenance, replacement and repairs of items	House			
		Household appliances			
		Kitchenware			
		Linen, towels, etc.			
		*Bicycles/bikes/scooters			
		Other items			
13	Entertainment & recreation (incl M-Net)				
14	Personal loans				
15	Security alarm system				
16	Membership fees				
17	Religious contributions/ Charities				

18	Gifts				
19	TV licence				
20	Reading material	Books			
		Newspapers			
		Periodicals			
21	Lease/Hire purchase payments	Furniture			
		Appliances			
		Other			
22	Pets	Food			
		Vet			
		Licence			
23	Other (not specified above)				
	Total expenditure				

C. Return of service

I, , certify that I have -

- * (a) delivered a copy of the subpoena to..... personally [regulation 26(1)(a)(i)];

or

- * (b) offered a copy of the subpoena for delivery to personally [regulation 26(1)(a)(i)];

or

- * (c) delivered a copy of the subpoena to, a

person apparently not younger than the age of 16 years and apparently residing or employed at the *residence/place of employment/place of business of, since he/she could not conveniently be found [regulation 26(1)(a)(ii) or (iii)];

or

*(d) *affixed/placed a copy of the subpoena to/in the *outer/principal door/security gate/post box of the *residence/place of employment/place of business of, since he/she prevented the service by keeping his/her *residence/place of employment/place of business closed [regulation 26(1)(c)].

Dated at this day of

.....
*Maintenance Investigator/Sheriff/Police Officer

*Delete whichever is not applicable