

**FORM H**  
**[Regulation 11]**

**ORDER BY DEFAULT AND NOTICE IN TERMS OF SECTION 18 READ WITH SECTION 16 OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)**

Reference No. ....

In the maintenance matter between:

.....  
(person who applies for maintenance order)

and

.....  
(person against whom order is made)

**A. Order by default**

1. In terms of the provisions of section 18 read with section 16 of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....  
(full name of person against whom order is made)

identity number .....

living at.....

.....

a n d w o r k i n g a t

.....

.....

,

\*(a) shall pay on a \*weekly/monthly basis with effect from .....  
towards the maintenance of \*the complainant and/or the following  
child(ren) the sum 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),

the first payment is to be made on ..... and after that on or before the ..... day of each succeeding \*week/month to

.....  
.....

in favour of .....

and/or

\*(b) .....  
.....  
.....  
.....  
.....  
.....

(other contribution)

\*2. It is further ordered that the maintenance order, dated .....made

by the ..... is hereby substituted by the above-mentioned maintenance order.

\*3. In terms of the provisions of section 16(2) of the Maintenance Act, 1998 (Act No. 99 of 1998), it is ordered that -

.....  
(person(s) who is/are obliged by any contract to pay money on a periodical basis  
to person against whom maintenance order was made)

of .....

..... (address(es))

make on behalf of the person against whom the order in part A above was made  
the following payments:

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

Dated at ..... this ..... day of .....

.....  
Magistrate

\*Delete whichever is not applicable

**B. Notification of order by default to the person against whom the above-mentioned order was made.**

1. You are hereby informed of the above-mentioned order by default made against you in terms of which you are directed to make payments as specified in the order.

2. Should you wish to apply for the variation or setting aside of the attached order your application must be made to the maintenance officer of the court who issued the order within 20 days after receipt of this notice.

3. Please take note that you must also give notice of your application to the person

in whose favour the order was made and the notice is to be served at least 14 days before the day the application is to be heard.

4. Your application (see paragraph 2) and the notice (see paragraph 3) must be on the prescribed form available at any magistrate's office.

Dated at ..... this ..... day of .....

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

**C. Return in terms of section 18(3)**

I, ....., hereby certify that I have tendered/delivered a copy of the order to ..... at .....  
.....(place) at.....a.m./p.m.  
on this ..... day of ..... , and informed him/her of the nature and urgency thereof.

Dated at ..... this ..... day of .....

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

\*Delete whichever is not applicable