



FRAN HACKETT ATTORNEYS

498 TERESA LANE, DIE WILGERS

PRETORIA

EMAIL: FRAN@FHACKETTATTORNEYS.CO.ZA

TEL: 076 522 1558

ATTORNEY AND OWN CLIENT MANDATE

1. PARTIES:

1.1 I, the undersigned

_____ (full name)

_____ of _____

_____ (name of firm)

do hereby nominate and appoint Fran Grant of Fran Hackett Attorneys (hereinafter referred to as "the cost consultant") with power of substitution to render professional cost consulting services to me, which shall include the right to draw, present or oppose any Bill of Costs in any competent Court on my behalf and to take all necessary steps in connection therewith.

2. PAYMENT OF FEES:

2.1 I confirm that:

2.1.1 The cost consultant is entitled to charge fees on the attorney and own client scale for services rendered in terms hereof and that I undertake and agree to pay Fran Hackett Attorneys' fee as set out in the fee structure attached hereto within thirty (30) calendar days of presentation of the invoice.

2.1.2 Should payment not be received by Fran Hackett Attorneys within thirty (30) calendar days as set out above, I undertake and agree that interest on the outstanding sum will be charged for from and including the due date for payment up to and including the date of actual payment, at a rate of 11.75% per annum.

2.1.3 I undertake and agree that payment of Fran Hackett Attorneys' fees is not dependant on my Client placing me in funds prior to paying Fran Hackett Attorneys.

2.1.4 The fees on an attorney and own client scale will be calculated as set out in the fee structure attached hereto.

2.1.5 Time reasonably spent travelling or attending at inspections by the cost consultant will be calculated at an hourly rate which is, at present **R550.00 p/h** (or part thereof) as set out in more fully the fee structure attached hereto.

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2.1.6 The hourly rate set out above shall automatically increase annually from one (1) year of date of signature hereof at a rate of 10% per annum unless specifically otherwise agreed upon.

3. PAYMENT OF DISBURSEMENTS:

3.1 I confirm that:

3.1.1 Disbursements may reasonably have to be incurred and I accept responsibility to pay such disbursement to Fran Hackett Attorneys as detailed on their invoice within 30 business days of presentation.

3.1.2 Disbursements may include charges such as photocopies, the use of Correspondent Attorney services and travelling costs.

3.1.3 Disbursements in respect of travelling costs by motor vehicle will be recovered at the rate of R5.00 per kilometre, which amount shall escalate annually on the same basis as is set out in paragraph 2.1.6 above.

3.1.4 The cost of making photocopies will be recovered at the rate of R4.50 per page which amount will increase in accordance with any changes made to the copying charge as set out in the High Court Tariff.

3.1.5 All other disbursements, such as Correspondent Attorney services, shall be recovered on the actual amount thereof, as per the invoice rendered.

SIGNATURE

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FEE STRUCTURE

DRAFTING AND PRESENTING BILL OF COSTS:

a) DRAFTING OF BILL OF COSTS:

- ❖ 11% of the fee component of the Bill of Costs, as drafted, will be charged for. This fee will increase in accordance with any changes to the drawing fee as set out in the High Court Tariff.
- ❖ An increased drawing fee of 12.5% of the fee component of the Bill of Costs will be charged for should you require your Bill to be drafted urgently (within 3 business days – reasonably dependent on the size of the instruction).

b) PHOTOCOPIES:

- ❖ Photocopies of the Bill of Costs, Certificate, Court Order and disbursements thereto for filing and service will be charged at R4.50 per page.
- ❖ This sum will increase in accordance with any changes to the copying charge as set out in the High Court Tariff.

c) INSPECTION OF OFFICE FILES:

- ❖ Attendance at the inspection of your office file will be charged for at the cost consultant's hourly rate or part thereof.

d) PRESENTATION OF BILL AND ATTENDANCE AT TAXATION:

- ❖ The taxation fee as per the final signed and stamped allocator will be charged for.
- ❖ Should the taxation be held outside of Pretoria, travelling fees will be charged for.

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e) TRAVELLING FEES:

- ❖ Should the cost consultant be required to travel outside of Pretoria for either a taxation or inspection, the travelling fees will be as follows:
 - Travel time at R550.00 p/hour.
 - R5.00 per kilometre will be charged for distances travelled by motor vehicle.
 - All other disbursements, such as toll fees, shall be recovered on the actual amount thereof, as per the invoice rendered.

OPPOSING A BILL OF COSTS:

a) ATTENDING INSPECTION (IF REQUIRED):

- ❖ The hourly rate of the cost consultant or part thereof will be charged.
- ❖ If applicable, travelling fees will be charged for.

b) ATTENDING TO OPPOSE BILL AT TAXATION:

- ❖ 10% of the sum saved for Client will be charged. The sum saved for Client is calculated by comparing the difference between the final allocator and an allocator should nothing have been taxed off the Bill of Costs.
- ❖ If applicable, travelling fees will be charged for.

KINDLY TAKE NOTE OF PARAGRAPHS 2.1.2 AND 2.1.3 ABOVE IN REGARDS LATE PAYMENTS

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