

Exhibit _____

*Application number: 1/ 4/ 27 – H _____ of 20 _____

*Application number: 1/ 4/ 29 – D _____ of 20 _____

**In the Magistrate's Court for the district of Gert Sibande held at *Breyten/ Ermelo
In the matter between**

Complainant's full names and surname

and

Full names and surname of the *respondent/ respondent no. _____

RESPONDENT'S ANSWERING AFFIDAVIT

I the undersigned, _____
_____ (full names of respondent) hereby declare as follows:

1. I am **the respondent/ respondent no.* _____ in this matter.

2. My particulars are as follows:

Home Address: _____
_____ ; (Tel no: _____)

Work Address: _____
_____ ; (Tel no: _____)

***Identity number/ Date of birth:** _____ ; **Gender:** *Male/ Female

Occupation: _____ ; **Age** _____ years.

3. I have received a copy of the application for a protection order together with other affidavits and a copy of the record of oral evidence (where applicable) when the **notice to show cause/ interim protection order* was served to me and I have perused it.
4. I understand that I have the right to consult with a lawyer of my choice and to be represented by such lawyer. I also understand that if I cannot afford the services of a lawyer I have the right to apply for legal aid and that if my application for legal aid is successful the Legal Aid South Africa will appoint a lawyer at the State expense. I also understand that I am not obliged to consult with or to be represented by a lawyer and that I have the right to conduct my own case. I elect to **apply for legal aid./ appoint my own attorney./ conduct my own defence.*
5. I also understand –
- 5.1. that the court may consider any evidence previously received and/ or such further affidavits or oral evidence as it may direct and that such further affidavits or oral evidence shall form part of the record of the proceedings;
- 5.2. that if I oppose the issuing of a protection order I have to deal with each of the averments made by the complainant in the application and/ or of witnesses on behalf of the complainant in further affidavits and/ or record of oral evidence in the opposing affidavit and that my own version of the events must also be stated;
- 5.3. that the court may issue a protection order against me if the court finds, on a balance of probabilities, –
- that I have engaged in or is engaging in harassment; or
- that I have committed or is committing an act of domestic violence.
- *6. I do not oppose the issuing of a protection order against me _____
_____ ; or

*Delete whichever is not applicable

Mark the appropriate block with a ✓

*7. I oppose the issuing of the protection order against me on the following grounds _____

_____ *(see annexure _____)

8. This statement is true to the best of my knowledge and believes. I made this statement knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I knew to be false or which I did not believe to be true.

OATH/ AFFIRMATION

I, the undersigned commissioner of oaths, hereby certify that before taking the oath or administering the affirmation –

- the deponent identified **himself/ herself* to me;
- the deponent confirmed that **he/ she* is not unwilling to take an oath or to make an affirmation; and
- that I asked the deponent the following questions and noted **his/ her* answers in **his/ her* presence:

1. Do you know and understand the contents of this declaration? **Answer:** _____

2. Do you have any objection to taking the prescribed oath? **Answer:** _____

3. Do you consider the oath to be binding on your conscience? **Answer:** _____

***Oath:**

The deponent is caused to utter the following words: "I swear that the contents of this declaration are true, so help me God."

Dated at _____ this _____
day of _____ 20 _____

Deponent

Certificate by the commissioner of oaths: I certify that the deponent has acknowledged that **he/ she* knows and understands the contents of this declaration which was sworn to before me and the deponent's **signature/ mark* was placed thereon in my presence. The deponent uttered the following words "I swear that the contents of this declaration are true, so help me God."

Commissioned before me at _____

***Affirmation:**

The deponent is caused to utter the following words: "I truly affirm that the contents of this declaration are true."

Dated at _____ this _____
day of _____ 20 _____

Deponent

Certificate by the commissioner of oaths: I certify that the deponent has acknowledged that **he/ she* knows and understands the contents of this declaration which was affirmed before me and the deponent's **signature/ mark* was placed thereon in my presence. The deponent uttered the following words "I truly affirm that the contents of this declaration are true."

Date stamp

Commissioner of Oaths

Full names: _____

Designation: _____ *Ex Officio* Republic of South Africa

Area for which appointed: _____

Physical/ Business address: _____

*Delete whichever is not applicable