

Exhibit _____

Reference Number: 14/ 3/ 2 – M _____ of 20 _____

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

Person **against whom** the maintenance order was made
and

Person in whose favour the maintenance order was made *hereinafter referred to as the respondent*

AFFIDAVIT IN SUPPORT OF APPLICATION FOR DISCHARGE OF MAINTENANCE ORDER

(Complaint by the person **against whom** the maintenance order was made)

[Section 6(1)(b) of the Maintenance Act, 1998 (as amended)]

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

1. I am the person **against whom** the maintenance order was made.
2. On the _____ day of _____ 20 _____ the maintenance order was against me in favour of the respondent by the **High Court/ Regional Court/ Maintenance Court* sitting at **Breyten/ Ermelo/* _____.
3. A copy of the said order is attached hereto, marked Annexure “1”.
4. I hereby submit that **good cause/ *good reason* exists for the discharge of the said maintenance order in the light of the following considerations:

*Delete whichever is not applicable

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- *5. Particulars of my current **monthly/ fortnightly/ weekly* income and expenditure (supported by documentary proof, where possible) as well as particulars of my assets and liabilities are attached hereto as Annexure "2".
6. I respectfully request the court to discharge the said maintenance order.
- *7. I also request the court to set aside the order in terms of which my employer was ordered to make the maintenance payments on my behalf.
8. The contents of this statement are true to the best of my knowledge and believe. I made the statement knowing that if it were tendered as evidence I would be liable to prosecution if I wilfully stated in it anything 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."

***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."

Commissioned before me at _____

Date stamp

Commissioner of Oaths

Full names: _____

Designation: _____ **Ex Officio Republic of South Africa**

Area for which appointed: _____

Physical/ Business address: _____