

Reference Number: 14/ 3/ 2 – M \_\_\_\_\_ 20 \_\_\_\_\_

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

Person **in whose favour** the maintenance order was made

**and**

Person **against whom** the maintenance order was made (*hereinafter referred to as the respondent*)

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR SUBSTITUTION OF MAINTENANCE ORDER**

[Complaint by the person **in whose favour** 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 in whose favour the maintenance order was made.
2. On the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ a maintenance order was made in my favour against the respondent by the *\*High Court/ Regional Court/ Maintenance Court* sitting at *\*Breyten/ Ermelo/* \_\_\_\_\_ to pay on a *\*weekly/ fortnightly/ monthly* basis towards *\*my own maintenance and/ or the maintenance of the following \*child/ children* the total sum of R \_\_\_\_\_ with effect from \_\_\_\_\_ / \_\_\_\_\_ / 20 \_\_\_\_\_ being –  
R \_\_\_\_\_ in respect of the myself and/ or

Amount	Full name(s) of child/ children
R	
R	
R	
R	
R	
R	

and to make the following contribution/ pay \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ (*other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, school wear, expenses for sport and/or cultural activities*)

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3. The particulars of the respondent are as follows: \*His/ Her \*identity number/ date of birth/ age is \_\_\_\_\_ \*He/ She is living at \_\_\_\_\_ and \*his/ her residential/ contact telephone number is \_\_\_\_\_ \*He/ She is working at \_\_\_\_\_ and \*his/ her work telephone number is \_\_\_\_\_ The police station nearest to \*his/ her home is \_\_\_\_\_.

4. A copy of the maintenance order referred to in paragraph 2 above is attached hereto.

5. I submit that good cause exists for the substitution of the said maintenance order with an order to pay on a \*weekly/ fortnightly/ monthly towards \*my own maintenance and/ or the maintenance of the following \*child/ children the total sum of R \_\_\_\_\_ with effect from \_\_\_\_\_ / \_\_\_\_\_ / 20 \_\_\_\_\_ being – R \_\_\_\_\_ in respect of the myself and/ or

Amount	First name(s) of child or children	Date of birth	@Gender
R			
R			
R			
R			
R			
R			

@ "m" = male; "f" = female

that the first payment should be made on \_\_\_\_\_ and thereafter on the \*first/ last \_\_\_\_\_ day of each succeeding \*week/ fortnight/ month. All payments to be made my bank account namely **Bank:** \_\_\_\_\_; **Branch code:** \_\_\_\_\_; **Account number:** \_\_\_\_\_, and/ or \_\_\_\_\_

\_\_\_\_\_ (other contributions, for example medical and dental costs, school fees, fees to tertiary institutions, school wear, expenses for sport and/or cultural activities);

6. The reason(s) for my submission is/ are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Delete whichever is not applicable

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7. I respectfully request the court to substitute the existing maintenance order with the order mentioned in paragraph 5 above.
- \*8. 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.

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### OATH/ AFFIRMATION

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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:** \_\_\_\_\_