



REPUBLIC OF SOUTH AFRICA

**SUBSTITUTION OR DISCHARGE OF EXISTING MAINTENANCE ORDER  
COMPLAINT IN TERMS OF SECTION 6(1)(b) OF THE MAINTENANCE ACT, 1998 (ACT No. 99 OF 1998)**

\* Delete whichever is not applicable.

Reference No. ....

[This information should, as far as possible, be given in order to investigate the complaint. If space is insufficient information should be supplied on an attached annexure.]

I, (full name) ....., (called "the deponent")

 born on 

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| d | d | m | m | y | y |
|---|---|---|---|---|---|

 age 

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 ID number 

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living at ..... working at .....

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tel. no (.....) ..... tel. no (.....) .....

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nearest police station.....

hereby \*declare under oath/truly affirm as follows:

.....

.....

1. ....

(Full name of person against whom maintenance order was made)

.....

 born on 

|   |   |   |   |   |   |
|---|---|---|---|---|---|
| d | d | m | m | y | y |
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living at ..... working at .....

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tel. no (.....) ..... tel. no (.....) .....

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.....

nearest police station.....

.....

.....

was ordered by (Court) ..... on the ..... day of ..... year .....

to pay – (a) on a \*weekly/monthly basis with effect from ..... towards the maintenance of

.....

..... /the following child(ren) the sum of -

R..... in respect of the complainant, and / or

| Amount |               | Name of Child | Born |   |   |   |   |   |   |   |
|--------|---------------|---------------|------|---|---|---|---|---|---|---|
| R      | in respect of |               | d    | d | m | m | y | y | x | x |
| R      | in respect of |               | d    | d | m | m | y | y | x | x |
| R      | in respect of |               | d    | d | m | m | y | y | x | x |
| R      | in respect of |               | d    | d | m | m | y | y | x | x |
| R      | in respect of |               | d    | d | m | m | y | y | x | x |
| R      | in respect of |               | d    | d | m | m | y | y | x | x |

All payments should have been made to .....

in favour of .....

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, birth expenses and maintenance for child(ren) from birth] .....

A copy of the order is attached.

2. \*Good cause/reason exists for the **substitution** of the said maintenance order as follows:

(a) A \*weekly/monthly payment with effect from ..... in the amount of –

R..... in respect of the complainant

| Amount |               | Name of Child | Born |  |  |  |  |  |  |  |
|--------|---------------|---------------|------|--|--|--|--|--|--|--|
| R      | in respect of |               |      |  |  |  |  |  |  |  |
| R      | in respect of |               |      |  |  |  |  |  |  |  |
| R      | in respect of |               |      |  |  |  |  |  |  |  |
| R      | in respect of |               |      |  |  |  |  |  |  |  |
| R      | in respect of |               |      |  |  |  |  |  |  |  |
| R      | in respect of |               |      |  |  |  |  |  |  |  |

The first payment must be made on..... and after that on or before the ..... day of each succeeding \*week/month. All payments must be made to..... in favour of .....

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, birth expenses and maintenance for child(ren) from birth] .....

OR

\*good cause/ reason exists for the **discharge** of the said maintenance order.

3. The cause/reason for the \*substitution/discharge of the maintenance order is .....

4. Particulars of my assets and \*monthly/weekly income and expenditures (supported by documentary proof, where possible) are as follows:

| ASSETS         |   | INCOME                                      |             |        |
|----------------|---|---------------------------------------------|-------------|--------|
| Fixed property | R | Gross salary                                |             | R      |
| Investments    | R | Minus: Deductions                           | Tax         | R      |
|                |   |                                             | Medical Aid | R      |
| Savings        | R |                                             | Pension     | R      |
|                |   |                                             | Other:      | R      |
| Shares         | R |                                             |             | R      |
|                |   |                                             |             | R      |
| Motor vehicles | R | Total nett salary                           |             | R 0.00 |
| Other:         | R | Other income<br>(state source of<br>income) |             | R      |
|                | R |                                             |             | R      |
|                | R |                                             |             | R      |
|                |   | Total income                                |             | R 0.00 |

| Expenditure |                                                                   |                                        | Self                     | Child(ren) | Total |
|-------------|-------------------------------------------------------------------|----------------------------------------|--------------------------|------------|-------|
| 1           | Lodging (bond repayment/levy /rent/ board)                        |                                        |                          |            | 0.00  |
| 2           | Groceries/food/personal care (including hair care/cosmetics etc.) |                                        |                          |            | 0.00  |
| 3           | Household expenditure                                             | Water and electricity / gas / paraffin |                          |            | 0.00  |
|             |                                                                   | Rates and taxes                        |                          |            | 0.00  |
|             |                                                                   | Laundry/Dry-cleaning                   |                          |            | 0.00  |
|             |                                                                   | Lunches                                |                          |            | 0.00  |
|             |                                                                   | Telephone                              |                          |            | 0.00  |
|             |                                                                   | Domestic worker                        |                          |            | 0.00  |
|             |                                                                   | Garden services                        |                          |            | 0.00  |
|             |                                                                   | Insurance (short term)                 |                          |            | 0.00  |
| 4           | Clothing                                                          | Clothes and shoes                      |                          |            | 0.00  |
|             |                                                                   | School uniforms                        |                          |            | 0.00  |
|             |                                                                   | Sports clothes                         |                          |            | 0.00  |
| 5           | Transport                                                         | Bus / taxi / lift club                 |                          |            | 0.00  |
|             |                                                                   | Car                                    | Installments & Insurance |            | 0.00  |
|             |                                                                   |                                        | Maintenance              |            | 0.00  |
|             |                                                                   |                                        | Fuel                     |            | 0.00  |
|             |                                                                   |                                        | Licences                 |            | 0.00  |
|             |                                                                   |                                        | Parking                  |            | 0.00  |

| Expenditure |                                                   |                                       | Self | Child(ren) | Total |
|-------------|---------------------------------------------------|---------------------------------------|------|------------|-------|
| 6           | Educational expenditure                           | School fees                           |      |            | 0.00  |
|             |                                                   | Crèche / day care / after school care |      |            | 0.00  |
|             |                                                   | Insurance (study policy)              |      |            | 0.00  |
|             |                                                   | Books / Stationery                    |      |            | 0.00  |
|             |                                                   | Outings / Extramural                  |      |            | 0.00  |
|             |                                                   | Sports                                |      |            | 0.00  |
|             |                                                   | Other school expenditure              |      |            | 0.00  |
| 7           | Medical expenditure                               | Doctor/dentist/etc.                   |      |            | 0.00  |
|             |                                                   | Medication                            |      |            | 0.00  |
|             |                                                   | Hospital                              |      |            | 0.00  |
|             |                                                   | Other medical expenditure             |      |            | 0.00  |
| 8           | Insurance                                         | Life                                  |      |            | 0.00  |
|             |                                                   | Annuity                               |      |            | 0.00  |
|             |                                                   | House owners/House holders            |      |            | 0.00  |
| 9           | Pocket money/ Allowances                          |                                       |      |            | 0.00  |
| 10          | Holidays, entertainment & recreation (incl M-Net) |                                       |      |            | 0.00  |
| 11          | Maintenance, replacement and repairs of items     | House                                 |      |            | 0.00  |
|             |                                                   | Household appliances                  |      |            | 0.00  |
|             |                                                   | Kitchenware                           |      |            | 0.00  |
|             |                                                   | Linen, towels, etc.                   |      |            | 0.00  |
|             |                                                   | *Bicycles/bikes/scooters              |      |            | 0.00  |
|             |                                                   | Other items                           |      |            | 0.00  |
| 12          | Personal loans                                    |                                       |      |            | 0.00  |
| 13          | Security alarm system                             |                                       |      |            | 0.00  |
| 14          | Membership fees                                   |                                       |      |            | 0.00  |
| 15          | Religious contributions/ Charities                |                                       |      |            | 0.00  |
| 16          | Gifts                                             |                                       |      |            | 0.00  |
| 17          | TV licence                                        |                                       |      |            | 0.00  |
| 18          | Reading material                                  | Books / Newspapers / Periodicals      |      |            | 0.00  |
| 19          | Lease / credit agreement payments                 | Furniture                             |      |            | 0.00  |
|             |                                                   | Appliances                            |      |            | 0.00  |
|             |                                                   | Other                                 |      |            | 0.00  |
| 20          | Pets                                              | Food                                  |      |            | 0.00  |
|             |                                                   | Veterinary surgeon ("vet")            |      |            | 0.00  |
|             |                                                   | Licence                               |      |            | 0.00  |

| Expenditure |                             |  | Self | Child(ren) | Total |
|-------------|-----------------------------|--|------|------------|-------|
| 21          | Other (not specified above) |  |      |            | 0.00  |
|             |                             |  |      |            | 0.00  |
|             |                             |  |      |            | 0.00  |
|             |                             |  |      |            | 0.00  |
|             |                             |  |      |            | 0.00  |
|             | Total expenditure           |  | 0.00 | 0.00       | 0.00  |

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

.....  
Signature of Deponent

\* Delete whichever is not applicable

**FOR OFFICIAL USE ONLY**

**Oath/Affirmation**

1. I certify that before administering the \*oath/affirmation I asked the deponent the following questions and wrote down \*his/her answers in \*his/her presence:

- (a) Do you know and understand the contents of the declaration? Answer .....
- (b) Do you have any objection to taking the prescribed oath? Answer .....
- (c) Do you consider the prescribed oath binding on your conscience? Answer .....

2. I certify that the deponent acknowledged that \*he/she knows and understands the contents of this declaration. The deponent uttered the following words \*"I swear that the contents of this declaration are true, so help me God"/"I truly affirm that the contents of the declaration are true". The \*signature/mark of the deponent was affixed to the declaration in my presence.

.....  
**Justice of the Peace/Commissioner of Oaths**

Full name and surname (block letters) .....

Designation (rank) ..... Ex Officio Republic of South Africa

Business address (street address must be stated) .....

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