# COMPLETING ALLOCATURS

| Bill of costs | Fees | Disbursements |
|---|---|---|
| Less taxed off | ___________ | ______________ |
| Sub Total | ___________ | ______________ |

Add: Drawing Fee: (11%) of the fee portion of the bill

Add: Disbursements

Add: Attending Fee: (11%) of the 1st R10 000.00
( 6%) of the 2nd R10 000.00
( 3%) of the balance

Add subtotal fees + drawing fees + disbursements. Then multiply by relevant percentage

Add: VAT: No VAT on disbursements.

Add subtotal fees and drawing fees + attending fees

Then multiply by VAT percentage

Total: Add subtotal fees + drawing fees + disbursements + attending fees + vat

1. Penalty clause – check if a drawing and attending fee is payable. If more than 25% of the fee portion of a Magistrate's Court Bill, or 20% of either the total (fees and disbursements) or the total number of items have been taxed off a high court bill a penalty <u>will</u> (imperative) apply in the Magistrate's Court and may <u>(discretionary)</u> apply in the High Court.

2. Drawing fee – is calculated as a percentage @ (11%) of the fee portion. (Fees on bill less taxed off = R x multiplied by 11%)

3. Disbursements – are calculated by deducting the amount taxed off disbursements from the amount on the bill as drawn.

4. Attending fee – is calculated by adding the fee, drawing fee, and disbursements together and applying a simple formula to that total. 11% to the first R10 000.00, 6% to the second R10 000.00, and 3% to the balance left. Then total these three to get the total.

5. VAT is payable where the cost creditors (the person taxing the bill) attorney is a registered VAT vendor <u>but</u> the cost creditor is not VAT registered. If the cost creditor is a registered VAT vendor no VAT is payable as the cost creditor will not be out of pocket as he/she/it can offset input and output VAT and thereby not be out of pocket. Party and Party costs have been defined as “out of pocket expenses”.