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IMPORTANT NOTICE TO ALL LEGAL PRACTITIONERS

ATTORNEYS PRACTISING AS ESTATE AGENTS

Many attorneys offer estate agency work in their practices.

Historically practising attorneys received exemption from the operation of the Estate Agents Act on the ground that sufficient protection to the public was already afforded by the Fidelity Fund (now Legal Practitioners Fidelity Fund) and the rules and code of conduct (to be implemented soon) of the Legal Practice Council (Previously the Law Society)

Section 1(b) of the Estate Agents Act provide an exemption from the terms of the Act for an attorney or his candidate who does estate agency work in the course of and in the name of and from the premises of his / her attorney office.

Practitioners must however take note of the following when offering estate agency work in their practices:

- A practitioner can only use the name of his practice subject to the rules and code of conduct of the Legal Practice Council and no other name is allowed.
- Practitioners may not share fees or commission with estate agents
- Practitioners may not share offices with Estate Agents
- Practitioners should also take note of the prohibition on touting and the buying of work when securing estate agency work.

MS KATHLEEN DLEPU

LEGAL PRACTICE COUNCIL: CHAIRPERSON

Executive Committee: Ms Kathleen Dlepu – Chairperson, Adv Anthea Platt SC - Deputy Chairperson, Adv. Greg Harpur SC , Ms Trudie Nichols , Mr Lutendo Sigogo, Mr Jan Stemmett, Adv. Phillip Zilwa SC, Executive Officer (acting): Ms Charity Nzuza