

GAUTENG PROVINCIAL OFFICE

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LEGAL PRACTICE MANAGEMENT COURSE (PMT) – RULE 27

It has come to the Council's attention that some practitioners who opened new practices since 1 November 2018 or who were appointed as partners/directors for the first time as from that date have, due to a *bona fide* administrative oversight, received correspondence from this office incorrectly advising them that they have to complete the compulsory practice management training course by either 31 December 2019 or 31 December 2020, depending on the date when the practitioner was issued with his/her first Fidelity Fund certificate.

It is important for all legal practitioners to note the following requirements in respect of the compulsory legal practice management training course:

Section 84(1) of the Legal Practice Act, No 28 of 2014, provides that every attorney or any advocate referred to in Section 34(2)(b) [trust account advocate] who practises for his/her own account either alone or in partnership or as a director of a juristic entity, must be in possession of a Fidelity Fund certificate.

Section 85(1)(b) provides that every legal practitioner who, for the first time practises as such, must within the period determined in the Rules, complete a legal practice management course approved by the Council.

Rule 27(1) provides that every legal practitioner who is obliged in terms of Section 84(1) to be in possession of a Fidelity Fund certificate must, within a period of one year after the date on which the legal practitioner was required for the first time to be in possession of a Fidelity Fund certificate, complete a legal practice management training course approved by the Council. This relates only to practitioners who practise as attorneys.

In terms of **Rule 30.4.4.2** and **Rule 32.2.2**:

- an advocate who applies for conversion of enrolment to that of an attorney; and
- an advocate who applies for conversion of enrolment from a Section 34(2)(a)(i) advocate to a Section 34(2)(a)(ii) advocate [advocate with a trust account]

must submit **proof of completion** of the legal practice management course. **The one year period referred to in Rule 27(1) is NOT applicable in these instances, as prior completion is required.**

The approved training course is offered by the Legal Education and Development (LEAD) section of the Law Society of South Africa.

Information on the course is available from LEAD at tel no (012) 441 4600 or on their website: www.lssalead.org.za

M J S GROBLER
DIRECTOR

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