



2020

NOTICE – LEGAL SECTOR CODE

Communication to	All Legal Sector Stakeholders All Government Departments and State & Its Arms All Private Sector Corporate Legal Practitioners
Subject	PUBLIC NOTICE – LPC COMMENCEMENT WITH THE DRAFTING OF THE LEGAL SECTOR CODE (INDUSTRY NOTICE)

1. **BACKGROUND INFORMATION:**

1.1 The Legal Practice Council (the “**LPC**”) established in terms of Section 4 of the Legal Practice Act, 28 of 2014, (“**the Act**”), has resolved to embark on a process to facilitate the development and adoption of a B-BBEE Legal Sector Code (“LSC”) in terms of Section 9 of the Broad Based Black Economic Empowerment Act no 53 of 2003 as amended, in order to advance the transformation of the legal profession.

1.2 This decision was taken in terms of the objectives of the Act, particularly, Section 3 thereof which states:

“The purpose of this Act is to:

a) Provide a legislative framework for the transformation and restructuring of the legal profession that embrace the values underpinning the Constitution and ensures that the rule of law is upheld.

b) Broaden access to justice by putting in place - ‘...

...

(iii) measures that provide equal opportunities for all aspirant legal practitioners in order to have a legal profession that broadly reflects the demographics of the Republic.”

1.3 Section 5 (a) of the Act provides that one of the objects of the LPC is to facilitate the realisation of a transformed and restructured legal profession that is accountable, efficient and independent, and to promote access to the legal profession in pursuit of a legal profession that broadly reflects the demographics of the republic.

While some changes have occurred over the years, the legal profession is one of the sectors that remains largely untransformed in a myriad of ways.

2. **LEGAL SECTOR CODE :**

The LSC will serve as the B-BBEE measurement framework for the procurement of legal work by the public sector (including the Government Departments and all its arms including public entities) as well as the private sector once it has been finalized, submitted to the Minister of Trade and Industry and gazetted.

3. **PUBLIC NOTICE:**

3.1 This serves as public notice issued in terms of the provisions of paragraphs 5.2.1.1 – 5.2.2.6 of Statement 003 (Development and Gazette of Sector Charters) Notice 876 issued and published by the Minister of Trade and Industry in accordance with Section 9 of the B-BBEE Act, and serves as an invitation for all stakeholders including practitioners and users of legal services to participate in consultations which the LPC will be initiating over the next few months.

- 3.2 The notice is issued to all interested and affected persons, particularly legal practitioners involved in the established legal profession, and users of legal services commercial firms and voluntary associations of legal practitioners to participate in the consultations that the LPC will be initiating over the next few months .

4. **THE IMPLICATIONS OF THIS NOTICE:**

- 4.1 Stakeholders are requested to take heed of the notice and communicate it widely with their affiliates. Once concluded , the process of engagement and consultations will be deemed to have been fully dispensed with.
- 4.2 In view of the changes in the manner and ways of economic engagements as presented by the movement restrictions imposed by the spread of the COVID-19 pandemic and the lockdown, the forms of engagements which involves physical interaction have to be revisited. Engagements will probably have to take place via videoconferencing and the like.
- 4.3 Therefore, interested and affected stakeholders are notified that the Steering Committee , which will be established as part of this process, will be notifying stakeholders on the manner and form of future consultations.
- 4.4 It is vital that stakeholders familiarise themselves with the planned process of public consultations, once information regarding the commencement date of such consultations has been issued by the LPC.



**MS K MATOLO – DLEPU
CHAIRPERSON
LEGAL PRACTICE COUNCIL**