

**LEGAL PRACTICE COUNCIL
NOTICE 548 OF 2020**

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Thornhill Office Park
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Vorna Valley, Midrand
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THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

NOTICE IN TERMS OF SECTION 95(4) OF THE LEGAL PRACTICE ACT, 28 OF 2014

Notice is hereby given that the Council intends to amend the Rules of the Council made under the authority of sections 95(1), 95(3) and 109(2) of the Legal Practice Act, 28 of 2014 (as amended) by the deletion of rule 16.10 and the substitution therefore of the following new Rules:

- "16.10 Any two attorneys admitted to practise and enrolled on the practising roll may, in the manner prescribed in this rule, nominate any eligible attorney (other than themselves) as an attorney member of the Provincial Council for the then ensuing period of office, subject to the restriction that if more than one attorney practising in the same firm is so nominated only one of those nominated attorneys will be eligible to be elected as a member of the Provincial Council; provided that:
- 16.10.1 if, following the process prescribed in this rule 16, a member of the firm who has been so nominated receives sufficient votes to be elected as a member of the Provincial Council in one of the categories set out in Schedule 1A, then that member will be so elected even if the other member or members of the firm who have been nominated, receive more votes than the member elected;
- 16.10.2 if both or, if more than two, all of the members of the firm would otherwise be elected as members of the Provincial Council in one or more of the categories set out in Schedule 1A then the member of the firm who receives the greatest number of votes among all the members of the firm who are nominated will be the one who is elected as a member of the Provincial Council in the relevant category set out in Schedule 1A;
- 16.10.3 if the members of the firm who are nominated receive the same number of votes and by virtue of the voting they would both or all qualify to be elected to the Provincial Council in one or more of the categories set out in Schedule 1A, then the question as to which of them shall be deemed to be elected shall be determined by lot in accordance with rule 16.28;
- 16.10.4 in determining the number of eligible candidates for purposes of rule 16.14 all of the members of the same firm who have been nominated will be counted as a single candidate."

Executive Committee: Ms. Kathleen Matolo - Dlepu – Chairperson, Adv Anthea Platt SC - Deputy Chairperson, Adv. Greg Harpur SC, Ms. Trudie Nichols, Mr Lutendo Sigogo, Mr Jan Stemmett, Adv. Ghandi Badela, Executive Officer: Ms. Charity Nzuza

In terms of section 95(4)(a) of the Act, interested persons are called upon to comment to Council in writing on the draft amendment.

All comments must be sent by email to rules@lpc.org.za by no later than 9 November 2020.

Signed at Midrand on 30 September 2020



Ms K Matolo - Dlepu

Chairperson: Legal Practice Council

Executive Committee: Ms. Kathleen Matolo - Dlepu – Chairperson, Adv Anthea Platt SC - Deputy Chairperson, Adv. Greg Harpur SC, Ms. Trudie Nichols, Mr Lutendo Sigogo, Mr Jan Stemmett, Adv. Ghandi Badela, Executive Officer: Ms. Charity Nzuza