

LEGAL PRACTICE COUNCIL

NOTICE 538 OF 2021

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THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL ("THE COUNCIL")

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

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).

Explanatory Note

Words in bold type square brackets [] indicate proposed deletions from the existing Rules.

Words in bold and underlined with a solid line indicate proposed insertions to the existing Rules.

Amendment of Rule 2**Rule 2: Application fees**

[The following] Application fees (which are inclusive of value-added tax), in the amounts prescribed by the Council from time to time, and as notified by the Council in the Gazette and on the Council's, website shall be payable on application to the Council in respect of the matters referred to below:

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| 2.1 | the registration of a practical vocational training contract, and
the examination fee of any such contract; | [R 345] |
| 2.2 | issuing of a certificate of good standing; | [R 175] |
| 2.3 | cession of a practical vocational training contract, and the
examination fee in respect thereof; | [R345] |
| 2.4 | enrolment of a legal practitioner or re-enrolment of a person
whose name was removed from the roll as a legal practitioner
or as a notary or conveyancer at his or her own request; | [R 460] |
| 2.5 | re-enrolment as a legal practitioner, and/or as a notary or
conveyancer, subsequent to the name of that legal
practitioner being struck off the roll; | [2 875] |
| 2.6 | enrolment as a notary; | [R 690] |
| 2.7 | enrolment as a conveyancer; | [R 690] |
| 2.8 | registration for the legal practice management course in
terms of section 26(1)(c)(ii) of the Act or application for
exemption from attendance at the course; | [R 460] |

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|------|---|---------|
| 2.9 | conversion of enrolment in terms of section 32(1)(a) of the Act; | [R 690] |
| 2.10 | conversion of enrolment by an advocate in terms of section 32(1)(b) of the Act. | [R 690] |

Amendment of Rule 3**Rule 3: Annual fees for Fidelity Fund certificates**

- 3.1 Every attorney required to be in possession of a Fidelity Fund certificate, and every advocate contemplated in section 34(2)(b) of the Act, shall pay to the Council an annual fee which is inclusive of value-added tax, in the amount prescribed by the Council from time to time, and as notified by the Council in the Gazette and on the Council's website [of R345 (inclusive of value-added tax)] for the issue to him or her of a Fidelity Fund certificate, such fee being payable on application for a Fidelity Fund certificate.

Amendment of Rule 4**Rule 4: Annual Fees payable by all legal practitioners**

- 4.1 Every [practising] legal practitioner who is admitted and enrolled in terms of section 24(1) of the Act as a legal practitioner shall pay an annual fee to the Council at such time as may from time to time be fixed by the Council. That fee (which is inclusive of value-added tax) shall be the amount prescribed by the Council from time to time, as notified by the Council in the Gazette and on the Council's website: Provided that in prescribing such annual fee, the Council may differentiate between legal practitioners according to their category of admission and enrollment in the case of all legal practitioners and the date of enrolment in the practising roll in the case of practising attorneys.
- [4.1.1 in the case of a legal practitioner enrolled on the practising roll during the first two years of practise:
R1 725; and
- 4.1.2 in the case of a legal practitioner enrolled on the practising roll and who has been on the practising roll for more than two years: R4 025.]

Amendment of Rule 5**Rule 5: Fees payable in respect of examinations conducted by the Council**

- 5.1 Every legal practitioner and every candidate legal practitioner entering any examination conducted by the Council or on behalf of the Council, or repeating any such examination, shall pay [the following] fees to the Council, which are inclusive of value-added tax in the amounts prescribed by the Council from time to time, and as notified by the Council in the Gazette and on the Council's website in respect of the following:
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|-------|--|--------|
| 5.1.1 | [in respect of] the examination referred to in section 26(1)(d)
of the Act (candidate legal practitioners); | [R345] |
| 5.1.2 | [in respect of] the examination referred to in section 26(2) | [R345] |

of the Act (conveyancers);
5.1.3 [in respect of] the examination referred to in section [R345]
26(3) of the Act (notaries).”

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

All comments must be sent by email to rules@lpc.org.za by no later than 10 October 2021.

Signed at Midrand on the 30th day of August 2021



Ms K Matolo – Dlepu

Chairperson: Legal Practice Council