

LEGAL PRACTICE COUNCIL

NOTICE 540 OF 2021

NATIONAL OFFICE  
Thornhill Office Park  
Building 20  
94 Bekker Road  
Vorna Valley, Midrand  
Tel: 010 001 8500



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 30.4.4.2**

30.4 The application referred to in rule 30.1 must be signed by the applicant, and must be accompanied by the following –

30.4.4 where the applicant is an advocate applying to convert his or her enrolment to that of an attorney, proof to the satisfaction of the Council -

30.4.4.2 **[that the applicant has attended a legal practice management course as contemplated in section 85(1)(b) of the Act] a statement indicating whether he or she intends to practise as an attorney and, if so, whether he or she intends to practise for his or her own account or as a partner in a firm of attorneys or as a member of a professional company;**

**Amendment of Rule 32.2.2**

32.2 An advocate referred to in section 34(2)(a)(i) and practising as such may at any time, as determined in the rules and upon payment of the fee determined by the Council, apply to the Council for the conversion of his or her enrolment to that of an advocate referred to in section 34(2)(a)(ii) and practising as such, provided the applicant satisfies the Council -

32.2.2 that the applicant **[has attended a legal practice management course as contemplated in section 85(1)(b) of the Act] shall within a period of one year after the date on which the applicant was required for the first time to be in possession of a Fidelity Fund certificate, or within such further period as the Council may approve in any specific case, complete to the satisfaction of the Council a legal practice management course approved by the Council;**

**Amendment of Rule 47.7.1**

47.7 Every such application shall be accompanied by –

47.7.1 in the case of an applicant who, for the first time, is required to be in possession of a Fidelity Fund certificate, **[proof that the applicant has completed a legal practice management course referred to in section 85(1)(b) of the Act] a statement indicating that the applicant shall within a period of one year after the date on which the applicant was required for the first time to be in possession of a Fidelity Fund certificate, or within such further period as the Council may approve in any specific case, complete to the satisfaction of the Council a legal practice management course approved by the Council, failing which a Fidelity Fund certificate will not be issued to him or her until he or she has completed the course;**

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](mailto:rules@lpc.org.za) by no later than 10 October 2021.

Signed at Midrand on the 30<sup>th</sup> day of August 2021



**Ms K Matolo – Dlepu**

**Chairperson: Legal Practice Council**