

LEGAL PRACTICE COUNCIL

NOTICE 260 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

NOTICE IN TERMS OF SECTION 36(3) & 36(4) OF THE LEGAL PRACTICE ACT, 28 OF 2014

The Legal Practice Council has become aware that the Code of Conduct should be amended, to require a Legal Practitioner to notify Council of their contact details or a change thereto. This amendment arose due the delays experienced at Disciplinary matters as a result of outdated and incorrect contact information. The amendment further seeks to correct Paragraph 16 of the Code of Conduct that only requires an Attorney to respond to the correspondence of Council. Advocates are not included in the rule.

Notice is hereby given that the Council intends to amend the Rules of the Council made under the authority of sections 36(4), 36(5) of the Legal Practice Act, 28 of 2014 (as amended) in the following manner:

1. by the insertion of a new clause 3.17 and 3.18 and deletion of clause 16 in the Code of Conduct reading as follows:

Addition of the following clause 3.17 in the Code of Conduct

- Unless exempted from compliance on good cause shown, and if they have not already done so, shall within 60 days of the taking effect of the amendment to the Code of Conduct by which this paragraph was introduced, notify the Council in writing (an email to the Council's published email address shall suffice as written notice) of their present existing practice physical address, email address, landline number and cell phone number ("their contact details") on the basis that their physical address and email address shall, jointly and severally, serve as their appointed domicilium citandi et executandi, and they shall, in writing, within 30 days of any change to any of their contact details, notify the Council of any such change. The Council shall be entitled to send any written communication to the said domicilium address/es, and such communication shall be deemed (on the basis of a rebuttable presumption the onus in respect of which rests on the addressee), if sent to the physical address, to have been received within 10 days of posting and, if sent to the e-mail address, to have been received within 48 hours of transmission.

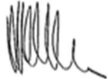
the deletion of the existing clause 16, and the addition of the following clause 3.18 in the Code of Conduct:

3.18

- 3.18.1 shall within a reasonable time reply to all communication from Council that requires an answer:
- 3.18.2 shall respond timeously and fully to requests from the Council for information and/or documentation which he or she is able to provide;
- 3.18.3 shall comply timeously with directions from the Council; and

- 3.18.4 shall refrain from doing anything that may hamper the ability of the Council to carry out its functions.
2. In terms of section 36(4) of the Act, interested persons are called upon to comment to the Council in writing on the draft amendment.
 3. All comments must be sent by email to rules@lpc.org.za within 30 days of publication of this notice.

Signed at Midrand on the 7th day of April 2021.



Ms K Matolo – Dlepu

CHAIRPERSON

LEGAL PRACTICE COUNCIL