

LEGAL PRACTICE COUNCIL

NOTICE 948 OF 2022

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THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

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

Notice is hereby given that the Council intends to amend the Code of Conduct made under the authority of sections 36(1) of the Legal Practice Act, 28 of 2014 (as amended) by amendment of the following Clause(s) to the Code of Conduct:

Explanatory Note

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

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

Amendment of Clause 9.9

A legal practitioner shall, in giving any advice about the prospects of success in any matter, give a true account of his or her opinion and shall not pander to a client's whims or desires. However, in any matter in which the legal practitioner's opinion is adverse to the prospects of success, the legal practitioner may upon client's insistence place before a court the client's case for the adjudicating officer to decide the matter and the legal practitioner shall advance that case as best as **circumstances allow**.

In terms of Section 36(5) 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 1 May 2022.

Signed at Midrand on 25 March 2022

Ms Janine K Myburgh: Chairperson, Legal Practice Council