

LEGAL PRACTICE COUNCIL
GENERAL NOTICE 2002 OF 2023

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THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

NOTICE IN TERMS OF SECTION 95(1) & (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 inserting of the following Rule:

Proposed insertion of Rule 21.12 (Study leave for candidate legal practitioners for competency-based examinations):

Rule 21.12 Study leave for candidate legal practitioners for competency-based examinations.

21.12.1 Subject to rule 21.12.4, a candidate legal practitioner may, with the consent of his or her principal and/or supervisor, take a minimum of two (2) days of study leave per competency-based examination, which will encompass the day before the examination (unless the day falls on a weekend or a public holiday) and the day of the examination. A candidate legal practitioner will be entitled to a maximum of twelve (12) days of study leave in any one year of the practical vocational training for the purpose of writing the competency-based examinations.

21.12.3 In the case of candidate attorneys the study leave day(s) will be deducted from the days of absence from office as contemplated in rule 22.1.4 of the rules.

21.12.4 Council may, on the application of a candidate legal practitioner-

21.12.4.1 where the principal and/or supervisor refuses to grant the candidate legal practitioner study leave; or

21.12.4.2 where in the case of a candidate attorney, the period of absence, including study leave as provided for above, exceeds, or the periods of absence from office in the aggregate exceed, thirty (30) working days in any one year of the practical vocational training contract;

authorise leave of absence from the office for the period in question, if Council is satisfied that the principal and the Council received due notice of the application and that there is sufficient cause, as the case may be.

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

Please note that all comments must be sent by email to rules@lpc.org.za by no later than 02 October 2023.

Executive Committee: Ms Janine Kim Myburgh – Chairperson, Adv. Kennedy Tsatsawane SC - Deputy Chairperson, Ms Kathleen Matolo-Dlepu, Mr Miles Carter,
Mr Priyesh Daya, Adv. Brenton Joseph SC, Mr Pritzman Busani Mabunda, Executive Officer: Ms. Charity Nzuza

Signed at Midrand on 18 August 2023.

A handwritten signature in black ink, appearing to be 'Nzuza', written over a horizontal line.

Ms C Nzuza

Executive Officer: Legal Practice Council