

LSSA to oppose Proxi Smart proposed conveyancing-related business model



ADVISORY FROM THE LAW SOCIETY OF SOUTH AFRICA

Dear Colleagues

Practitioners have previously been advised of a proposed business model by Proxi Smart Services (Pty) Limited (Proxi Smart) to render certain conveyancing-related services which are presently performed by conveyancers – who are regulated by the statutory, provincial law societies.

The view of the Law Society of South Africa (LSSA) and the provincial law societies, is that the proposal by Proxi Smart cannot be supported as the full conveyancing process is regarded as reserved work, and should remain so in the interest of the public.

Proxi Smart has been informed accordingly.

An application to the Gauteng Division of the High Court has subsequently been served on the LSSA for an order to the following effect:

Declaring that the performance of the steps in the transfer process identified by Proxi Smart does not contravene the Attorneys Act, the Legal Practice Act, the Deeds Registries Act or the Regulations made under the Deeds Registries Act, and that this also does not constitute the performance of conveyancing work reserved to attorneys or conveyancers.

The LSSA is opposing the matter and, by agreement, must submit an answering affidavit by 28 February 2017.

The Attorneys Fidelity Fund (AFF), the Chief Registrar of Deeds and the Justice Minister are also respondents.

The AFF has filed its notice to oppose.

At this stage, a joinder of the four provincial law societies as regulatory bodies of the attorneys' profession, is being considered.

Understandably, the matter is of grave concern to the profession and we wish to assure practitioners that we are prioritising this matter and are dealing with the interests of both the profession and the public. We have a skilled legal team and consultants.

The Proxi Smart application can be [downloaded from our website here](#).

This section on our website will be updated with relevant information and documents as we receive them, but we will also keep you informed of progress on the matter.

► Practitioners are welcome to give us their input on this matter by e-mailing LSSA@LSSA.org.za

Regards

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CO-CHAIRPERSONS
LAW SOCIETY OF SOUTH AFRICA

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