



LAW SOCIETY
OF SOUTH AFRICA



PROFESSIONAL
AFFAIRS

DE REBUS

2025/2026

Annual Report





LAW SOCIETY
OF SOUTH AFRICA



PROFESSIONAL
AFFAIRS

DE REBUS

*Committed to Building a BETTER
Legal Profession for ALL*





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MISSION, AIMS AND OBJECTIVES

Organisational overview

The Law Society of South Africa (LSSA) continues to serve as the unified voice of the attorneys' profession, representing tens of thousands of practising and candidate attorneys across the country. The organisation maintains its commitment to advancing the legal profession, strengthening professional standards, and supporting legal practitioners through advocacy, education, and transformation initiatives.

Throughout 2025, the LSSA expanded its national footprint, deepened its national influence, and strengthened its service offerings through communication, education, policy engagement, and professional development, supported by the work of LEAD, the *De Rebus* journal, and the LSSA's communication platforms.

As a voluntary, member interest organisation, the LSSA represents the interests of attorneys while collaborating with key stakeholders such as the Black Lawyers Association (BLA), National Association of Democratic Lawyers (NADEL), and independent attorneys. The LSSA continues to uphold its constitutional purpose of fostering a transformed, accessible, and ethically grounded legal profession.

The organisation operates in parallel with the Legal Practice Council (LPC), which regulates the profession, while the LSSA focuses on education, representation, advocacy, transformation, and professional development.

Education and Development (LEAD): The LSSA, through its LEAD division, remains a leading provider of legal education in South Africa. In 2025, LEAD delivered an extensive portfolio of online courses, webinars, and practical vocational training for both attorneys and candidate attorneys.

Highlights from January–August 2025 include:

- 11 325 total participants across training programmes.
- Strong enrolment in programmes such as Practice Management (1 424 participants), PVT Compulsory Course (1 345), Civil Mediation (334), and Legal Costs (440).
- Significant uptake of free or accessible webinars, including AI related CPD and legal ethics adjacent sessions.

Legal journal: The LSSA's official journal, *De Rebus*, re-

mained a vital source of legal research, commentary, and practitioner guidance in 2025. The journal published dozens of substantive articles across areas such as administrative law, criminal justice, AI ethics in legal practice, employment law, mediation, family law, interpretation of statutes, and legal technology. These articles continued to serve as a key knowledge resource for practitioners, academics, and students.

Advocacy and representation: In 2025, the LSSA maintained active engagement with:

- Parliament;
- The Department of Justice;
- The Legal Practice Council; and
- Various government committees and regulatory bodies.

Its advocacy efforts included new submissions on:

- Legal fees and fee structures,
- Proposed amendments affecting the RAF,
- National Credit Act developments,
- Transformation imperatives in the legal profession.

The LSSA also received extensive media coverage throughout the year, reflecting its ongoing public engagement on major national issues. Media mentions appeared across Radio702, ENCA, Parliament news releases, Moneyweb, The Citizen, Daily Maverick, and more.

The LSSA expanded its communication channels significantly in 2025.

Professional Affairs: The Professional Affairs Department focused on strengthening advocacy, legislative engagement, and stakeholder collaboration during the 2025 period. The department supported 27 specialist committees and eight task teams, ensuring timely input on legislation, improving committee administration, and enhancing engagement with the judiciary, Parliament, the LPC, Sars, and other sector bodies.

Key achievements included:

- Producing extensive submissions on major legislation such as the Children's Amendment Bill, Immigration Amendment Bill, Small Claims Court Rules, and anti money laundering amendments.

- Establishing new committees, including the Litigation Committee and the Artificial Intelligence Committee.
- Coordinating the LSSA's participation in SCOPA's RAF inquiry and strengthening appointments to Deeds Registry and Sectional Titles Boards.
- Building improved relationships with bodies such as the UNHCR and the South African Board for Sheriffs.
- Successfully running a four-day induction programme for over 100 committee members.

Key litigation matters: The LSSA monitored or participated as *amicus curiae* in cases involving the Legal Sector Code, FIC retrospective enforcement, and constitutional issues regarding rights of appearance.

Operational issues highlighted: Concerns about FICA compliance burdens, inconsistent sheriff fees, and ongoing dysfunction in the Master's Offices, leading to sustained engagement with the Office of the Chief Master.

Transformation and access to justice: The LSSA's commitment to a diverse and representative legal profession continued through:

- The Women's Task Team.
- Support for young practitioners.
- Mentorship initiatives.
- Participation in SADC region collaboration programmes.

The organisation also played a key role during National Wills Week, which provides free will drafting services to the public, contributing directly to access to justice.

Professional support and compliance: The LSSA expanded resources supporting practitioners in meeting compliance requirements related to:

- POPIA;
- FICA;
- Cybersecurity readiness; and
- Practice management standards.

These resources were disseminated via advisories, newsletters, and high traffic website notices throughout 2025.

During 2025 the LSSA represented 33 929 practising attorneys and 6 294 candidate attorneys, forming a broad and diverse national membership base united under the organisation's mandate to strengthen and advance the legal profession. As part of its commitment to serving the needs of its members, the LSSA continues to expand its member benefit initiatives, aimed at enhancing professional practice, improving access to high quality legal education, and supporting attorneys through each stage of their careers. These initiatives include the provision of free and subsidised webinars, access to specialised com-

pliance resources, practice management tools, and opportunities for participation in mentorship, transformation, and professional development programmes. The LSSA's strong focus on member centric services reinforces its role as a modern, responsive, and supportive organisation dedicated to empowering legal practitioners in a rapidly evolving professional landscape.

Events and stakeholder engagement: In 2025, the LSSA hosted, participated in, or received coverage for:

- policy dialogues and parliamentary sessions;
- media covered engagements on national legal concerns (including safety of lawyers and the RAF crisis);
- conferences and sector wide thought leadership through *De Rebus* publications; and
- collaborations with educational, public sector, and legal bodies.

Although large scale live events were fewer than in 2024, engagement across digital and broadcast platforms increased sharply.

The year 2025 marked continued growth, strengthened public engagement, and an expanded digital footprint for the Law Society of South Africa. Through a combination of:

- significant education and training outputs;
- robust communications reach;
- influential policy submissions; and
- substantial professional insights via *De Rebus*.

The LSSA reinforced its role as a modern, dynamic, and representative voice for South Africa's attorneys' profession.

This report reflects the organisation's sustained efforts to build a resilient, ethical, future focused legal profession and to support practitioners in delivering high quality, accessible legal services across the country.

Vision

Over the next decade, the Law Society of South Africa will be the **preeminent and inclusive representative body** for the legal profession. The LSSA will be the first point of reference for legal practitioners, equipping them with the **skills, resources, and advocacy** necessary to uphold the highest standards of professionalism and service to the public. The LSSA will serve as a **strong and authoritative voice**, safeguarding the interests of legal practitioners in all regulatory and disciplinary matters while advancing the integrity and independence of the profession.

Mission

The Law Society of South Africa is committed to:

- **Advocacy and representation:** Championing the interests of legal practitioners in all regulatory, legislative, and disciplinary matters to ensure a fair and just professional environment.
- **Professional development:** Providing high-quality training, skills development, and continuous legal education to enhance competence and ethical practice.
- **Access to justice:** Promoting a legal profession that is accessible, accountable, and dedicated to serving the public with integrity.
- **Thought leadership:** Acting as the authoritative voice of the profession, influencing legal and policy developments to uphold the rule of law and strengthen the justice system.

Through these strategic priorities, the LSSA will solidify its role as the preferred and trusted organisation for legal practitioners in South Africa.

Strategic Objectives

- Litigation, regarding to type and impact.
- Members' interests and benefits – create value-add programmes and products.
- Public interest – link activities and communicate societal benefits.
- Business model development: Increase corporate and niche training – investigate other sources of income.
- Ensure effective functioning of Provincial Associations.
- Increase visibility of the LSSA's brands.
- Collaborations – develop new relationships, strengthen existing ones, and leverage established relationships.
- Human capital development and staff engagement.
- Maintain the LSSA's participation in national, regional and international initiatives.
- Maintain the LSSA's relevancy and legitimacy.

National demographics of attorneys

Age

Age Group	Totals
< 21	1
21 - 24	7
25 - 34	9 546
35 - 44	10 460
45 - 54	7 294
55 - 64	5 136
65 - 74	2 305
> 75	792
	35 541

Gender

Age Group	Totals	Male	Female
< 21	1	1	0
21 - 24	7	1	6
25 - 34	9 546	3 860	5 686
35 - 44	10 460	4 934	5 526
45 - 54	7 294	4 143	3 151
55 - 64	5 136	3 591	1 545
65 - 74	2 305	1 895	410
> 75	792	747	45
	35 541	19 172	16 369

Gender

Age Group	Totals	Black	Coloured	Indian	White	Other
< 21	1	0	0	0	0	1
21 - 24	7	6	0	1	0	0
25 - 34	9 546	4 968	631	944	2 897	106
35 - 44	10 460	4 666	582	969	4 037	206
45 - 54	7 294	2 736	420	680	3 298	160
55 - 64	5 136	1 197	245	443	3 186	65
65 - 74	2 305	310	67	211	1 688	29
> 75	792	55	9	60	659	9
	35541	13 938	1 954	3 308	15 765	576

Gender and race

Age Group	Totals	Black Male	Black Female	Coloured Male	Coloured Female	Indian Male	Indian Female	White Male	White Female	Other Male	Other Female
< 21	1	0	0	0	0	0	0	0	0	1	0
21 - 24	7	1	5	0	0	0	1	0	0	0	0
25 - 34	9 546	2 160	2 808	211	420	304	640	1 141	1 756	44	62
35 - 44	10 460	2 586	2 080	207	375	333	636	1 718	2 319	90	116
45 - 54	7 294	1 977	759	218	202	244	436	1 611	1 687	93	67
55 - 64	5 136	964	233	180	65	253	190	2 148	1 038	46	19
65 - 74	2 305	257	53	51	16	155	56	1 407	281	25	4
> 75	792	53	2	9	0	50	10	627	32	8	1
	35 541	7 998	5 940	876	1 078	1 339	1 969	8 652	7 113	307	269



REPORT BY THE PRESIDENT

Report by the President

It is both a privilege and honour to present the Law Society of South Africa's (LSSA) Annual Report for the year 2025.

The 2025 period has unfolded against a complex and demanding backdrop for the legal profession. Economic pressures, regulatory reform, rapid technological change, and persistent challenges within our justice system continue to test both the resilience and the relevance of legal practitioners across the country. It is precisely in such moments that the strength, integrity, and purpose of our profession are most clearly revealed.

The legal profession remains a cornerstone of constitutional democracy. Attorneys are not merely service providers; they are custodians of the rule of law, defenders of access to justice, and essential contributors to social and economic stability. During 2025, practitioners have continued to serve clients and communities under difficult conditions, often with limited resources and increasing compliance demands. The LSSA acknowledges this commitment and remains steadfast in its role as the voice and advocate of the profession.

A defining feature of the current landscape is the growing strain on legal practices, particularly small firms and sole practitioners. Rising operational costs, administrative burdens linked to regulatory compliance, and delays within the court system have placed significant pressure on sustainability. Throughout the year, the LSSA has engaged actively with stakeholders to raise these concerns and to advocate for reforms that support viable, ethical, and independent legal practices.

Equally important is the continued evolution of the regulatory environment. While regulation is essential to protect the public and uphold professional standards, it must be balanced, practical, and proportionate. The LSSA has maintained constructive engagement with the Legal Practice Council (LPC) and government institutions, advocating for clarity, fairness and collaboration in matters affecting attorneys nationwide.

Transformation and inclusivity remain central to the future of the profession. Progress has been made, but more work lies ahead to ensure that the legal profession truly reflects the society it serves. The LSSA continues to support mentorship, skills development, and empowerment initiatives, particularly for young practitioners and historically disadvantaged members of the profession.

The work of the LSSA during this year has been guided by one clear principle: To protect and advance the interests of the profession while upholding the high-

est ethical standards and promoting the rule of law. This report reflects the collective efforts of our House of Constituents (HoC) members, committees, staff, and partners, whose dedication makes this work possible.

As we look ahead, the task before us is clear. We must continue to engage boldly with reform, to defend the independence of the legal profession, to strengthen access to justice, and to ensure that attorneys are supported in delivering quality legal services in a changing world.

Compliance and the Financial Intelligence Centre (FIC)

The regulatory compliance, particularly in relation to obligations arising from the Financial Intelligence Centre Act 38 of 2001, continued to feature prominently in the professional lives of legal practitioners. Attorneys remain designated as accountable institutions, and I am acutely aware of the responsibility this places on members to contribute to the fight against money laundering and terrorist financing.

At the same time, I acknowledge the practical challenges that compliance presents, especially for small firms and sole practitioners. The administrative complexity of the FIC requirements, the costs of implementation, and the need for ongoing monitoring and reporting have added to the pressures already faced by many practices operating in a difficult economic environment.



Nkosana Mvundlela
President the Law Society of South Africa

The LSSA has engaged actively with the FIC and other relevant stakeholders. Our focus has been to advocate for a regulatory approach that is proportionate, clear, and workable, while recognising the unique role of attorneys and the importance of legal professional privilege and confidentiality. It should be emphasised that compliance measures must not undermine the independence of the legal profession or impede access to justice.

The LSSA will be embarking on a national survey of the legal profession to gather empirical data on the types of matters handled by law firms, the proportion of low-risk versus high-risk work, and the compliance burden experiences across different practice types. This survey will enable the LSSA to engage more effectively with the Minister of Finance, the FIC and the LPC using evidence-based insights.

The LSSA has supported practitioners by providing guidance, training, and regular communication aimed at improving understanding of the FIC obligations and promoting a risk-based approach to compliance. These efforts are intended to assist members in meeting their statutory responsibilities with confidence, while maintaining the ethical standards that underpin our profession.

Regulatory compliance will continue to evolve, and it is essential that engagement between regulators and the profession remains constructive and ongoing. The LSSA remains committed to ensuring that the voice of the profession is heard, that the realities of legal practice are properly understood, and that compliance frameworks support, rather than hinder, the effective administration of justice.

Sustainability

The long-term sustainability of the LSSA has been a central focus point during the year, particularly in light of the reduced funding from the LPC. This reduction required careful reflection and decisive action to ensure that the LSSA continues to fulfil its mandate of supporting, representing, and advocating for the legal profession.

During 2025, the LSSA management developed a strategic plan aimed at reviewing the organisation's business model and identifying initiatives to support the generation of additional revenue. While the implementation of these initiatives is expected to occur progressively, it is anticipated that, over time, the LSSA's reliance on the LPC will be reduced.

In parallel, the HoC, through its relevant committees, conducted a comprehensive review of expenditures and resource allocation to ensure operational efficiency and the protection of the LSSA's core functions.

Sustainability also extends beyond finances. Maintaining the LSSA's relevance, credibility, and independence is essential, particularly within a changing regulatory

landscape. The LSSA continues to act as a unified voice for attorneys, ensuring that the profession's interests are represented effectively, even amid constrained resources.

While the funding environment presents challenges, it has also reinforced the importance of strategic clarity, robust governance, and innovation in service delivery. I remain confident that the LSSA will continue to be a resilient, credible, and sustainable institution – capable of supporting its members, safeguarding professional independence, and contributing positively to the administration of justice.

Legal Education

The LPC issued two policy notices to the profession addressing forthcoming reforms in legal education and training. These notices relate to the proposed review of the Practical Vocational Training (PVT) curriculum, scheduled for implementation in 2026, and the introduction of a revised attorneys' competency-based examination consisting of five papers, planned for 2027. Both initiatives represent material regulatory interventions with direct implications for access to the profession and candidate progression.

In preparation for the revised PVT curriculum, Legal Education and Development (LEAD) initiated a structured consultative process with instructors and curriculum drafters to assess the adequacy of existing training materials. This process focused on identifying policy and skills-based gaps in the current curriculum and ensuring alignment with contemporary practice standards and regulatory objectives. LEAD undertook to finalise and implement all curriculum updates by the end of 2025, thereby ensuring regulatory readiness and continuity of training when the revised programme commences in early 2026.

In relation to the proposed five-paper competency-based examination, the LSSA expressed concern regarding the LPC's indication that the current four-paper examination would be discontinued at the end of 2026. Under this approach, candidates who have accumulated credits under the existing examination framework but have not completed all papers by year-end would be required to transition to the new examination structure in 2027. The LSSA is of the view that this policy position fails to adequately account for transitional fairness and legitimate expectations. It contends that, as a matter of sound regulatory practice, the LPC should have provided for transitional measures that protect candidates holding existing credits, in order to prevent undue prejudice and ensure that regulatory reform does not create arbitrary barriers to qualification.

SASSETA Funding

The LSSA appreciates the projects awarded by SASSETA

and hopes that more projects regarding candidate placement will be made available in the future to assist candidates who struggle to secure PVT contracts. Below are the projects that were awarded to the LSSA in 2025 and their value.

SASSETA Funded Projects – 2025

Project Name	Project Code	# of Beneficiaries	Project Rand Value
Employed Bursary	L/C BURSE 0825	20	R 1 200 000
WIL (Internship)	L/C INTU 0525	100	R 14 520 000
WIL (TVET Placement)	L/C TVETU 0125	160	R 14 256 000
WIL (Candidacy)	L/C CANU 0425	80	R 14 784 000
TOTAL			R 44 760 000

Provincial Associations

The LSSA continues to recognise the vital role played by our Provincial Associations in representing the interests of attorneys across the country. These associations serve as the frontline of engagement with members, providing critical support, advocacy, and professional development tailored to the unique needs and challenges of their regions.

The LSSA strengthened its collaboration with Provincial Associations to ensure that national initiatives are effectively communicated and implemented at the local level. The LSSA held its first Provincial Association symposium in 2025. This engagement and others scheduled in the near future would allow the LSSA to remain responsive to emerging issues at provincial level. The LSSA intends to have these symposiums quarterly.

The LSSA believes that Provincial Associations would be instrumental in promoting transformation, and skills development within the profession. Through joint programmes and workshops, they would support young and historically disadvantaged practitioners, foster inclusivity and ensure that the legal profession remains representative of the communities it serves.

The LSSA acknowledges the dedication and commitment of all Provincial Associations and their members. Their ongoing contributions are essential to the LSSA's mission of safeguarding professional independence, advocating for the interests of attorneys, and promoting a strong, united legal profession across South Africa.

The LSSA has established seven out of the nine Provincial Associations. The task teams of the following two provinces will convene meetings in due course for the launch of their Provincial Associations:

- Free State
- Western Cape

Safety of Legal Practitioners

The LSSA has noted with grave concern the continued incidents of violence directed at legal practitioners and other justice sector officials, including killings and attacks occurring at or in close proximity to courts. These incidents represent not only a profound loss of life and trauma to affected families and colleagues, but also a direct threat to the administration of justice and the rule of law.

Legal practitioners play a central role in upholding constitutional democracy by ensuring access to justice, representing clients without fear or favour, and supporting the effective functioning of the courts. Acts of violence against practitioners, whether linked to their professional duties or occurring within court environments, undermine public confidence in the justice system and create an atmosphere of intimidation that is incompatible with an independent legal profession.

The LSSA highlighted growing concerns regarding security at court buildings and surrounding precincts. Inadequate access control, limited visible policing, and insufficient coordination between court security services and law enforcement agencies have contributed to heightened vulnerability for practitioners, prosecutors, judicial officers, court staff, and members of the public attending court proceedings.

The LSSA has consistently and unequivocally condemned all acts of violence against legal practitioners. The LSSA reiterates that attacks on attorneys and other justice system role players constitute an attack on the justice system itself. Practitioners must be able to perform their professional duties without fear for their personal safety or that of their families.

The LSSA will continue to engage with relevant stakeholders, including the Department of Justice and Constitutional Development and law-enforcement authorities, to advocate for enhanced safety measures at courts to ensure that courts are safe spaces for all who use them.

Appointment of Justice Dunstan Mlambo

The legal profession welcomed the appointment of Justice Dunstan Mlambo as Deputy Chief Justice. This appointment represents an important moment for South Africa's judiciary, reinforcing the values of leadership, integrity, and constitutional adherence at the highest levels of the judicial system.

Justice Mlambo's extensive experience, dedication to the rule of law, and commitment to judicial excellence are widely respected within the profession. His appointment strengthens public confidence in the courts and underscores the essential partnership between the judiciary and legal practitioners in upholding justice, protecting constitutional rights, and ensuring that the legal system operates fairly and efficiently.

The LSSA congratulates Justice Mlambo on this appointment and looks forward to continued engagement with him in advancing the objectives of the justice system, promoting access to justice, and supporting a judiciary that embodies independence, ethical governance, and service to the public. His leadership serves as an inspiration to practitioners and reinforces the critical role of the judiciary in safeguarding democracy and the rule of law.

Meetings with Stakeholders

A meeting between the LSSA Presidents' Subcommittee and the Executive Committee of the Legal Practitioners Fidelity Fund (LPFF) was held on 13 August 2025 to discuss issues affecting the legal profession, including reduced Legal Practice Council (LPC) funding for legal education. The Subcommittee proposed reinstating a provision similar to s 46(b) of the repealed Attorneys Act 53 of 1979 into the Legal Practice Act 28 of 2014, which would allow the LSSA to request supplementary funding directly from the LPFF should future reductions occur. Both organisations agreed that such an amendment would require legislative action and committed to continued engagement.

On 4 February 2026, the LSSA President's Subcommittee met with the LPC's Finance and Human Resource Committee to address the impact of ongoing funding cuts on legal education and other matters affecting the profession. The Subcommittee emphasised that persistent reductions would compromise the quality of training offered by Legal Education and Development (LEAD) and highlighted the need for a three-year budget cycle to provide greater planning certainty for accredited providers. Both institutions welcomed the discussions and agreed to maintain regular meetings to address issues of shared concern.

International engagements

Commonwealth Law Conference 2025 – Malta

The Commonwealth Law Conference held in Malta from 5 to 9 April 2025. The conference brought together legal professionals, judges, academics, and bar leaders across the Commonwealth to explore contemporary issues in law, crossborder justice, and the evolving responsibilities of the legal profession. Interactive panels on Family Law and Cross-Border challenges focused on:

- Jurisdictional conflicts when family matters involve multiple states.
- Recognition and enforcement of foreign family law orders and agreements.
- Asset recovery, tracing, and sanctions in crossborder disputes.
- Practical challenges in obtaining evidence, enforcing judgments, and navigating trust structures abroad.

Speakers included senior Maltese government officials and Commonwealth representatives. Key plenary discussions examined effectiveness of the Commonwealth

Charter and whether consensus-based governance adequately protects rule of law and human rights.

A major plenary addressed growing tensions between courts and governments in many jurisdictions, referencing challenges to judicial independence and the Latimer House Principles. With additional sessions exploring crossborder property disputes among estranged couples and women's advancement in private legal practice.

Access to Justice, Children's Rights, and Emerging Technologies sessions focused on:

- Legal aid as a critical foundation for rule of law.
- Implementation gaps in children's rights across the Commonwealth.
- AI in the workplace and its implications for privacy, labour rights, and algorithmic management.
- Growth and diversification in international arbitration.

International Association of Democratic Lawyers

The 19th Congress of the International Association of Democratic Lawyers (IADL) took place in Kathmandu, Nepal, from 18 to 21 July 2025, under the theme 'The Role of Democratic Lawyers in Promoting and Defending Peoples' Rights, Peace, and International Law in the Face of Fascism, Genocide, Militarization, and Wars of Aggression.' The Congress, inaugurated by Nepal's Prime Minister KP Sharma Oli, brought together over 250 delegates from more than 30 countries. Opening sessions stressed international solidarity, accountability for violations of international humanitarian law, and the urgent need to confront global crises such as genocide, militarism, and systemic oppression. Key contributions included a powerful keynote by Raji Sourani on the situation in Gaza and the need for intensified global legal intervention.

The programme featured eight commissions covering issues such as Palestine, women's rights and state responsibility, crises in international law, fascism, peace and war, environmental rights, and labour rights. South Africa's delegation contributed meaningfully, including an intervention on the country's role in the ICJ genocide case. The Congress also held a closed session to adopt constitutional amendments and elect new leadership. Edre Olalia was elected President, while Mohamed Randerer (South Africa) was elected Treasurer. Three NADEL members were elected to the IADL Bureau, strengthening South Africa's influence within the organisation. The Congress also discussed and refined the draft Kathmandu Declaration, which will guide future IADL work.

A key outcome of the Congress was a reaffirmation of IADL's strategic priorities, including ending the genocide in Palestine, defending international law, opposing fascism and militarization, strengthening multilat-

eral initiatives like BRICS, opposing unilateral coercive measures, advancing accountability for international crimes, defending labour and migrant rights, and supporting the human right to a clean and healthy environment. Networking opportunities enabled delegates to deepen international partnerships and explore training and mentorship pathways within the UN human-rights ecosystem. Overall, the Congress successfully aligned global democratic legal movements around pressing human-rights challenges and reinforced the need for principled, coordinated legal action worldwide.

International Bar Association

Bar Leaders Conference

The IBA Bar Leaders Conference held from 21 to 24 May 2025 in Milan, Italy, brought together global bar leaders to discuss the evolving landscape of the legal profession, with particular focus on governance, artificial intelligence, compliance, and the changing demographics of legal practice. Plenary discussions emphasised the growing impact of AI on lawyering, urging bar associations to guide members on responsible use and personal-information protection. Delegates also received a critical briefing on grey-listing and anti-money-laundering risks, stressing that lawyers' trust accounts make them potential conduits for illicit activity and highlighting the example of Canada's FIC Act, parts of which were declared unconstitutional. This raised the recommendation that the LSSA reconsider its own position and explore constitutional challenges to similar legislation.

Round-table sessions explored key issues affecting bar governance and membership engagement. One group examined how bar structures must adapt to shifting professional expectations, noting that the South African governance model is unique in separating regulation from member interests. Insights from jurisdictions such as Australia, Zimbabwe, Denmark, Scotland, and Germany underscored the need for modernised constitutions, fair representation, and re-imagined value propositions to build trust and retain practitioners. Another discussion centred on engaging young lawyers, with recommendations including improved communication, mental-health support, addressing sexual-harassment concerns, equitable briefing patterns, scholarships, and building clear leadership pathways for practitioners under 40. Participants noted a global trend of young lawyers, especially women, leaving private practice for in-house or government roles due to work-life balance and institutional culture challenges.

Further thematic sessions considered the responsibilities of bar associations in addressing climate change, recognising its direct impact on legal work, human rights, and vulnerable communities. Delegates stressed that bodies like the LSSA should proactively engage government on issues such as renewable-energy tran-

sitions and job losses, and advocate for protection of the poor. The final session on business and human rights highlighted the tension between economic imperatives and ethical obligations, with the IBA encouraging apolitical, human-rights-centred lawyering and strict adherence to professional standards. The report concludes by urging bar associations to strengthen engagement across their diverse memberships – rural and urban, young and senior, large and small firms – and encourages South African representatives to remain active in international legal forums.

African Regional Forum Conference (18–19 September 2025)

The Biennial IBA African Regional Forum Conference in Johannesburg explored how the African legal profession is transforming amid rapid technological advancements, shifting global trade dynamics, and the rise of ESG-driven expectations. The programme centred on three core themes: the integration of digital and AI tools in legal practice, the impact of geopolitical and economic trends on African markets, and the increasing necessity for lawyers to understand and embed ESG principles in both advisory work and internal operations. Sessions highlighted how AI is reshaping tasks like contract review and compliance, how tariff turbulence influences regulatory and transactional environments, and how sustainable finance is becoming a mainstream consideration for legal practitioners.

The conference further emphasized Africa's potential to lead in areas such as anticorruption enforcement, sustainable investment structuring, and innovative governance frameworks. Discussions underscored the importance of strengthening whistleblower protections, integrating AML/ABC and cybersecurity obligations, and equipping lawyers to navigate regulatory volatility. A standout session on women in law reinforced the need for mentorship, inclusive workplace cultures, and intentional career planning to support longterm advancement. Overall, the event concluded that African lawyers must be adaptable, technologically confident, and ESG-conscious to remain competitive and shape the continent's evolving legal and business landscape.

BRICS Legal Forum 2025

The BRICS Legal Forum held in Rio de Janeiro on 24 and 25 October 2025 brought together bar leaders, justice officials, and legal professionals from BRICS and BRICS-partner countries to advance cooperation on legal, economic, and governance issues. The forum emphasised the importance of South–South collaboration, with opening statements from the President of the Brazilian Bar Association, the Russian Director of Legal Development, and the Brazilian Minister of Justice, who all underscored the commitments set out in the Brazil Declaration of 10 July 2025. Key discussions focused on repositioning law as a business driver within

BRICS jurisdictions, resisting economic pressures from unilateral sanctions, particularly those imposed by the United States, and strengthening legal frameworks that support inclusive development, trade, and the rule of law across member states.

During the forum, the LSSA held a bilateral meeting with the Iranian delegation to discuss a draft Memorandum of Understanding aimed at cooperation in legal education, arbitration, and professional exchange. Broader panel discussions addressed the need for coordinated legislative and institutional responses to global economic imbalances, promoting legal models that protect BRICS nations from external financial pressures. Delegates also highlighted structural issues affecting the BRICS Legal Forum itself—most notably the absence of a permanent secretariat—which hampers continuity, recordkeeping, and institutional development. The report strongly recommends establishing such a secretariat and increasing South Africa's representation at future BRICS gatherings to ensure full participation in concurrent sessions and to maximise organisational benefit.

The Forum concluded with the adoption (in principle) of the Rio Declaration, a comprehensive document reaffirming BRICS' commitment to multilateralism, the rule of law, improved access to justice, and the development of BRICS aligned dispute resolution mechanisms, including the operationalisation of the BRICS Arbitration Network (BRICSAN). The declaration calls for enhanced legal education, harmonisation of arbitration rules, protection of human rights, and stron-

ger collaboration with global institutions such as the UN and WTO. It also stresses gender equality, technological development, intellectual property protection, and capacity building across BRICS legal communities. Overall, the report positions the BRICS Legal Forum as a strategic platform for shaping global legal governance and urges LSSA to endorse and sign both the bilateral agreement and the Rio Declaration.

South African Board for Sheriffs

Sheriffs, as officers of the courts, plays a crucial role in the justice system of our country. It is therefore imperative and expected that such offices in all jurisdictions function optimally. It is further important that the South African Board for Sheriffs must also function and conduct its business within the governance and legal framework that regulates it. When the LSSA learned of certain patterns of alleged governance failures, financial irregularities and possible procedural breaches these concerns were brought to the attention of the Board. The LSSA has further written to the Minister of Justice and Constitutional Development highlighting the seriousness of these allegations and enquiring on the steps to be taken in dealing with these allegations. We still await the response from the Minister of Justice.

Litigation

The LSSA continues to participate as an *amicus curiae* in the matter of *Len Dekker Attorneys Incorporated v The Financial Intelligence Centre*, which is essentially an appeal of the decision of the FIC Appeal Board's decision. The LSSA has particularly taken issue with the Financial Intelligence Centre's (FIC) approach to retrospective enforcement of compliance before the transition of supervisory authority from the Legal Practice Council (LPC) to the FIC in December 2022. The retrospective application of compliance obligations is of considerable interest and concern to the legal profession at large, and this approach will likely set a precedent affecting numerous legal practitioners and law firms across South Africa. The matter was heard in the Gauteng Division, Pretoria on 3 February 2026 and the judgment was reserved. The LSSA waits in anticipation the outcome of the matter.

The LSSA has also been invited to participate in as an *amicus curiae* in the matter of *Tshepo Thomas Mpshe and Another v Minister of Justice and Constitutional Development and Others*. This matter challenges s 25(2) read together with s 25(3) and/or 25(4) of the Legal Practice Act (LPA) and the applicants challenge the constitutionality and lawfulness of these provisions to the extent that they cater for an unconstitutional legal framework for attorneys to be conferred a right to appear in any of the Superior Courts in South Africa. The LSSA, in 2019 and 2025 submitted comments to the Minister of Justice raising similar challenges with the



Nkosana Mvundlela, President the LSSA speaking at the 9th BRICS Legal Forum, in Moscow, Russia.

said provisions and advocating for the amendment of the LPA in respect of these provisions, amongst others. This is an important matter towards the transformation and infusion of the legal profession and the LSSA has resolved to welcome the invitation to participate in this landmark matter.

The LSSA continues with consultations on the recent judgment on the *De Bod v Road Accident Fund* (RAF) and notes that the issues identified may affect how contingency fees are calculated and could have a wider implication for the personal injury practice.

Transformative Initiatives of the Law Society of South Africa (LSSA)

The LSSA's Strategic Plan, approved in March 2025, embeds transformation within its long-term organisation strategy, read together with the Annual Performance Plan (APP). The plan is structured around four pillars, and these pillars reflect a realignment of the organisation toward responsiveness, inclusivity and sustainability.

Historically, the LSSA has been center in driving transformation in the legal profession and efforts can be traced as far back as its role in the development of the Legal Sector Charter as a Transformation Charter in terms of s 12 of the B-BBEE Act. In March 2016, the LSSA convened a summit titled 'Summit on Briefing Patterns in the Legal Profession' dealing with the continuing unfair discrimination against black practitioners. Sadly, all these efforts were unsuccessful and did not bring about any meaningful change.

The LSSA supports and is committed to transformation, we continue to address discriminatory briefing patterns, access to value work by legal practitioners, particularly black and female legal practitioners. The LSSA has played a key role in the development of the Legal Sector Code of Good Practice on Broad-Based Black Economic Empowerment (the Legal Sector Code), a tool to address the historical failures in addressing transformation in the legal profession. The legal profession's transformation must uphold constitutional values and protect the rule of law. A targeted Legal Sector Code is essential to address existing inequalities, expand black participation in legal businesses, and strengthen skills development in the profession.

On 20 September 2024 the Legal Sector Code was promulgated in the *Government Gazette* by the Minister of Trade and Industry, Minister Parks Tau, following delays which saw some of the legal profession organisations lodging an application to compel the then Minister of Trade and Industry to gazette the Legal Sector Code.

On 20 December 2024, Norton Rose Fulbright South Africa Inc (Norton Rose) lodged an urgent application, wherein it sought to suspend with immediate effect the operation of the Legal Sector Code pending the

finalisation of Part B of their application, which relief was later abandoned. Part B of the application sought to review and set aside the decision to publish the Legal Sector Code and declare the Legal Sector Code as invalid and unconstitutional and of no force or effect.

Norton Rose argues that the Legal Sector Code diverges unjustifiably from the Generic Codes, removes key elements, imposes unrealistic targets without transition, and would drastically lower its B-BBEE level, harming its ability to secure clients and state work. They contend the Code is unlawful, irrational, unconstitutional, and inconsistent with established principles.

The LSSA is not a cited party to the proceedings, through its House of Constituency (HoC) and engagements with members of the Legal Sector Code Task team, it sought a legal opinion to guide on its manner of participation and its position to the matter.

The legal opinion highlighted key constitutional aspects for the LSSA to consider looking at its historical position as the driver of transformation in the legal profession, procedural considerations which led to the promulgation of the Legal Sector Code and the contributions of the LSSA in the development stages of the Legal Sector Code. The legal opinion affirmatively guided the LSSA to participate in the proceedings as an interested party (respondent) in defense not only of the Legal Sector Code but also of transformative, equality and anti-discriminatory efforts of the legal profession.

The LSSA robustly debated the legal opinion, focusing on whether to join the proceedings as a respondent or *amicus curiae*. While all constituencies supported participation, there was no adequate consensus reached on the form it should take. BLA and NADEL preferred the LSSA to oppose the application directly as a respondent, whereas the Independents favoured participation as *amicus curiae* to avoid potential cost risks and maintain consistency with the LSSA's previous public position.

Regrettably, efforts made to align perspectives on the matter were unsuccessful in achieving adequate consensus and resulted in the LSSA resolving not to participate in the litigation and monitor its developments.



THE HOUSE OF CONSTITUENTS

House of Constituents attendance 2025

Member	28/02/2025	18/05/2025	04/07/2025	05/09/2025	05/12/2025
Mr N Mvundlela	✓	✓	✓	✓	✓
Mr M Motlounq		✓	✓	✓	
Ms J Anthony-Gooden	✓	✓	✓	✓	✓
Mr M Gwala	✓				
Mr K Govender	✓				
Ms E Masipa	✓	✓	✓	✓	✓
Ms B Olowookorun	✓	✓	✓		✓
Ms O Nyembezi		✓	✓	✓	✓
Mr M Malatsi		✓	✓	✓	✓
Mr S Makara		✓	✓	✓	✓
Mr R Badal		✓	✓	✓	✓
Ms U Naicker	✓				
Mr Z Tiya	✓				
Mr S Tshehla	✓	✓	✓	✓	✓
Ms C Selepe		✓	✓	✓	✓
Ms N Maema	✓	✓	✓	✓	✓
Mr M Ramathe	✓	✓	✓		✓
Mr V Nsibande				✓	✓
Mr C Hendricks	✓		✓	✓	
Ms M Ramagaga	✓				
Mr Z Ngqeza	✓	✓	✓	✓	✓
Ms W Zama	✓	✓	✓	✓	✓
Ms T Mpanza	✓	✓	✓	✓	✓
Mr C Kgotlagomang	✓	✓	✓	✓	✓
Mr M Kutama		✓	✓	✓	✓
Mr P Horn		✓	✓	✓	✓
Mr E Barnard	✓	✓		✓	✓
Mr U Jivan		✓	✓		✓
Ms E le Roux	✓	✓	✓	✓	✓
Mr D Bennett	✓		✓	✓	✓
Mr A Jacobsz			✓	✓	✓
Mr T Joubert	✓	✓		✓	✓
Mr J Bigby				✓	
Ms H Kara	✓	✓		✓	
Mr F Weber			✓		
E Halgreen			✓		✓
Ms M Pretorius	✓	✓	✓		
Mr M de Wet		✓			
Ms A Nel	✓				



ANNUAL FINANCIAL REPORT

Statement by the Audit and Risk Committee as at 31 December 2024

Members: André de Lange (Acting Chairperson), Mongezi Ntanga, Igna Klynsmith, PC Mogale, Willie Scholtz and Rassie Barnard.

For the financial year ended 31 December 2025.

This statement has been prepared in accordance with the principles contained in the Audit and Risk Committee (ARC) Charter and the Combined King IV Risk Assurance Framework adopted by the LSSA.

External audit oversight

The ARC confirms that, in ensuring proper financial operations and record keeping, it has:

- reviewed SAB&T's audit planning for 2025, considered their management reports, and engaged on matters arising from the Auditor's Report;
- noted that the 2025 financial statements were prepared under IFRS for SMMes in line with SAB&T's mandate;
- noted that 2025 concludes SAB&T's three year audit cycle, with procurement for new auditors to begin early in 2026 under Internal Audit Committee oversight.

Committee activities and oversight during 2025

Throughout 2025, the ARC met regularly with management, focusing on:

- financial controls, variance monitoring and reporting;
- budget reviews and financial sustainability, including oversight of the 2026 budget process (review-and-recommend role only);
- management reporting and operational performance;
- risk management and mitigation;
- IT governance as it relates to integrated reporting;
- governance processes, including improved alignment between ARC, Exco and the HoC, and recommending formalised reporting lines and attendance of the ARC Chair at HoC meetings;
- internal control and assurance activities.

The ARC received assurance from management on the effectiveness of internal control, risk management and administrative practices.

Key financial environment observations (2025)

The ARC noted:

- ongoing declines in school and programme numbers;
- an accumulated surplus in the business unit;
- confirmed LPC funding of R 31 million for 2025;
- the need for stricter treasury discipline given high international travel costs (approximately R 1.4 million).

Assessment of the 2025 Annual Financial Statements

To the best of its judgment, the ARC confirms that the 2025 financial statements:

- reflect appropriate conduct of LSSA activities, including attention to risk management;
- show engagement with the HoC and Exco on financial and operational sustainability matters;
- confirm proper financial operations and record keeping; and
- demonstrate compliance with LSSA policies and procedures.

Internal Audit Subcommittee (IAS)

Internal audit remains under the IAS, reporting directly to the ARC. In 2025:

- the IAS supported continued use of peer and cross-functional internal audit activities;
- recommended additional outsourced audit work to ensure adequate coverage;
- nominated Mr Barnard as the new Chair following Mr Igna Klynsmith's departure in September 2025.

The committee will continue applying the audit risk coverage model.

Risk Management

The ARC reviewed the Risk Management Framework and maintained the King IV Combined Assurance Model, focusing on:

- a shared organisational view of risks and opportunities;
- integrated reporting with clear accountability across business units;
- coordinated internal and external assurance for efficient coverage;
- improving maturity of risk and assurance processes.

Operational implementation enabled management to:

- allocate resources based on risk priorities; and
- assign clear owners for material risks and opportunities.

The ARC expects continued improvement in the assurance environment.

Conclusion

The ARC is satisfied that the LSSA maintained appropriate financial governance and complied with statutory and governance obligations in 2025.

The ARC also thanks Mr Igna Klynsmith for his many years of dedicated service and invaluable guidance.



OPERATIONAL REPORTS BY MANAGEMENT

Law Society of South Africa Senior Management

Ogilvie Ramoshaba	Acting Executive Director and Senior Manager: Legal Education
Nkhensane Nthane	Senior Manager: Human Resources
Mapula Oliphant	Senior Manager: Communications Manager and Editor: <i>De Rebus</i>
Ncumisa Siya Sotenjwa	Senior Manager: Professional Affairs
Sharon Sun	Acting Senior Manager: Finance

Communications, Marketing and Publications

This report provides an overview of the Law Society of South Africa's (LSSA) key communication achievements during 2025. The LSSA used communication to advance transparency, protect the legal profession, modernise access to information, and engage practitioners nationwide.

One of the LSSA's most significant communication milestones in 2025 was its official LSSA Membership and Member Benefits Programme, a strategic initiative aimed at enhancing the value and support offered to legal practitioners across the country. The programme provides members with access to a wide range of exclusive benefits, including discounted legal software and office tools, professional training and webinars, practicemanagement resources, and partnerships with trusted service providers to help reduce operational costs. Designed to strengthen the profession, the initiative focuses on improving professional development, efficiency, and access to high-quality legal and business services, making membership a comprehensive value proposition for both established and emerging practitioners.

Throughout 2025, the LSSA issued timely, authoritative public statements on matters of national concern, strengthening the organisation's visibility and commitment to legal integrity.

The LSSA issued several high-impact press releases addressing threats to legal practitioners and the legal system, including:

- Condemnation of the assassination of attorney Bouver van Niekerk (8 September 2025).
- Condemnation of the murder of prosecutor Tracy Brown (6 August 2025).
- These communications reinforced the LSSA's stance on protecting the legal profession and upholding the rule of law.

The LSSA also engaged the public on important legal decisions, such as welcoming the High Court ruling on the Road Accident Fund's urgent bid to extend the moratorium on executions (5 September 2025). This ensured practitioners and the public were informed of key developments and the LSSA's position on them.

In 2025, the LSSA demonstrated strong and multifaceted communication leadership. Its achievements include:

- 15 advisories.

- 16 press statements issued.
- 252 Media mentions.
- Nine free webinars.

The LSSA National Wills Week initiative had a very good year with:

- 973 attorneys who participated.
- Broad national media pickup included government releases, radio interviews, print coverage, and digital news stories.

Overall, the LSSA's communication efforts in 2025 reflected a proactive and strategically aligned approach to supporting the legal profession, enhancing public trust, and responding effectively to issues of national importance.

LSSA AGM

The Law Society of South Africa held its Annual Conference and Annual General Meeting (AGM) on 28 and 29 March 2025 in East London, Eastern Cape. The event brought together legal practitioners from across South Africa and neighbouring countries. The conference theme, 'Sustainability, efficiency and innovation in legal practice', guided discussions on the future trajectory and transformation of the legal profession.

The presence of international delegations reflected the AGM's regional significance and the LSSA's ongoing role in fostering cross-border relationships within the Southern African legal community.

The overarching theme framed the conference discussions around:

- strengthening resilience within the legal profession;
- leveraging innovation and technology;
- improving operational efficiency; and
- enhancing professional integrity.

This theme highlighted the LSSA's recognition of rapidly shifting professional demands and the need to prepare the sector for a technologically advancing environment.

Newly elected President, Nkosana Mvundlela, outlined an ambitious vision for a more resilient, unified, and transformative legal profession. He conveyed that leadership within the legal profession requires humility and servant leadership, stating that leaders should 'lead from behind' and share in the lived realities of members. This approach,

he argued, ensures empathy, inclusivity, and authentic representation.

The LSSA AGM 2025 marked a pivotal moment for South Africa’s legal profession. With a renewed emphasis on sustainability, innovation, ethical leadership and institutional transformation, the AGM showcased strong commitments to rebuilding trust, enhancing professional standards, and preparing the sector for a rapidly changing legal landscape.

Through its discussions and collaborative engagements, the AGM reaffirmed the LSSA’s central role as a champion of legal professionalism both nationally and regionally.

The event saw strong participation, both in-person and virtually:

- 28 March: 196 in-person attendees, 147 online participants (Total: 343)
- 29 March: 162 in-person attendees, 64 online participants (Total: 226)

LPFF and LSSA Young Lawyers Conference

The LSSA–LPFF Young Lawyers Conference took place on 5 July 2025 in Johannesburg at Emperors Palace, under the theme ‘Awaken the Leader Within: Young Lawyers Shaping a Just Future’. The event brought together candidate legal practitioners and young lawyers for a day of skills development, professional insight and leadership inspiration.

A diverse panel of speakers, including Minister of Justice Mmamoloko Kubayi and LPFF CEO Motlatsi Molefe, covered topics such as securing articles and internships, navigating admission requirements, human rights and social justice in South Africa, and the importance of *pro bono* work.

The Chairperson of the LSSA Youth Committee, Masai Buthane, emphasised collective problem-solving and encouraged young legal practitioners to actively participate in shaping the future of the profession through the LSSA Youth Committee’s ongoing programmes.

LSSA and AFT Women’s Month Celebration

On 23 August 2025, Advocates for Transformation, in collaboration with the LSSA, hosted a Women’s Month event themed ‘My Sister’s Keeper’ in Johannesburg. The gathering highlighted the importance of solidarity among women in the legal profession and focused on supporting women’s rights and community protection.

The event underscored that defending the rule of law requires simultaneously protecting the rights and well-being of vulnerable communities. The programme rein-

forced the role of women legal practitioners as leaders in justice, advocacy, and social transformation.

De Rebus Journal

Editorial Committee: Katherine Gascoigne, Peter Horn, Mohamed Randera and Wenzile Zama.

The year 2025 in *De Rebus* reflected a South African legal profession navigating profound transformation, socio-economic pressures, and rapid technological change. *De Rebus* served as a vital chronicle of a legal profession in transition. Through its comprehensive coverage, the publication illuminated the pressures, reforms, technologies, and social realities shaping legal practice in South Africa. It highlighted the profession’s resilience, its struggle with systemic inequities, and its determination to modernise amidst uncertainty. Perhaps most importantly, *De Rebus* consistently underscored the legal community’s responsibility to uphold justice, embrace innovation, and protect the rights of all South Africans.

De Rebus	December 2024	December 2025
Income	R 1 060 559	R 1 162 319
Print subscribers	11	
Website subscribers	17 578	15 306
Mailing list	59 066	60 559
Website Unique browsers	70 269	31 538
WhatsApp channel	–	1 518
Twitter	12 972	13 464
LinkedIn	25 907	29 035
Facebook	5 947	7 400

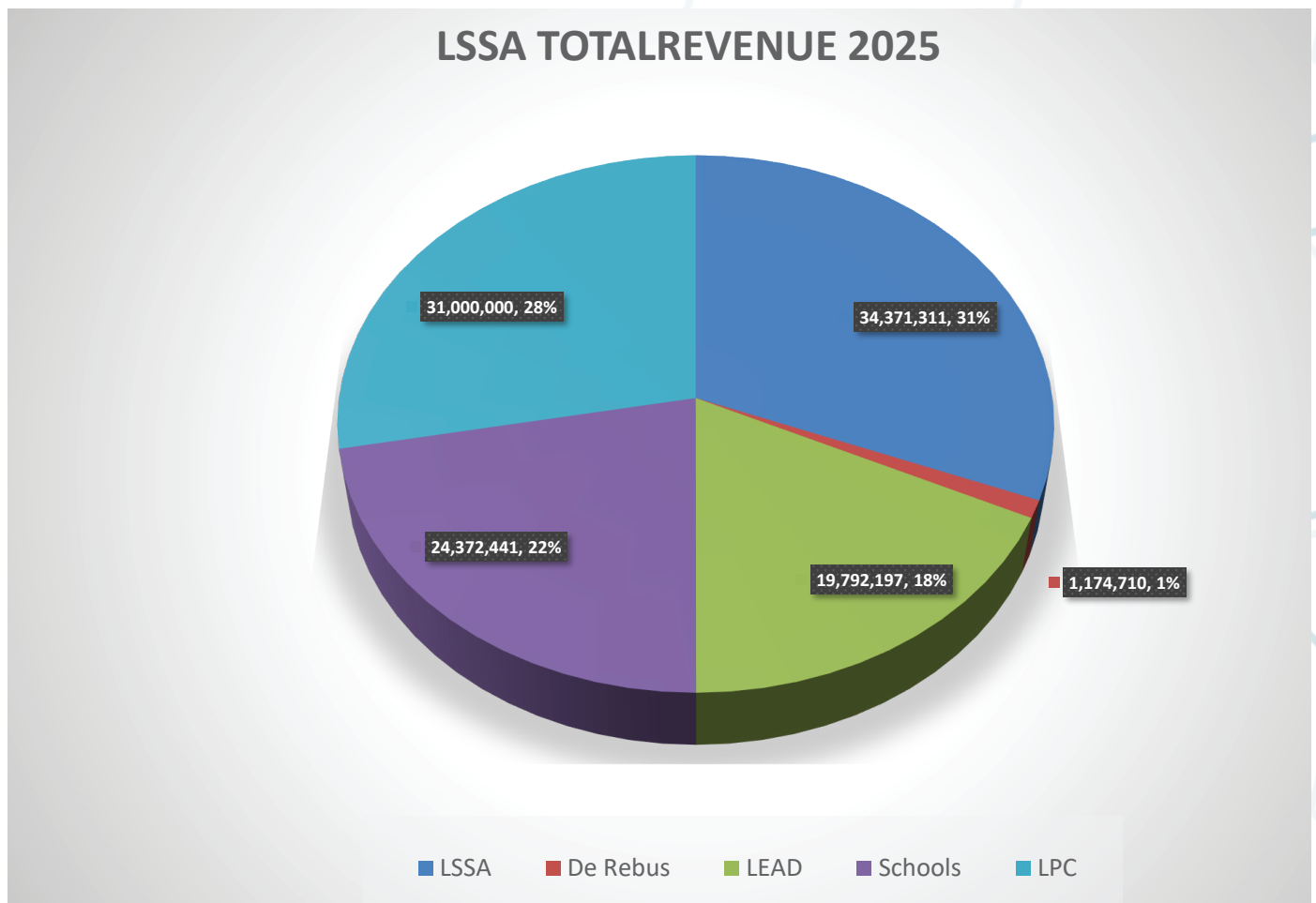
Platform	December 2024	December 2025
Law Society of South Africa		
Newsletter mailing list	76 495	55 946
Twitter	37 448	38 827
LinkedIn	58 900	61 885
Facebook	16 845	17 938
Instagram	8 852	8 801
Legal Education and Development		
Newsletter mailing list	53 890	55 898
LinkedIn	21 272	21 499
Facebook	11 398	11 892

Finance

Summary of the financial report for period ending 31 December 2025

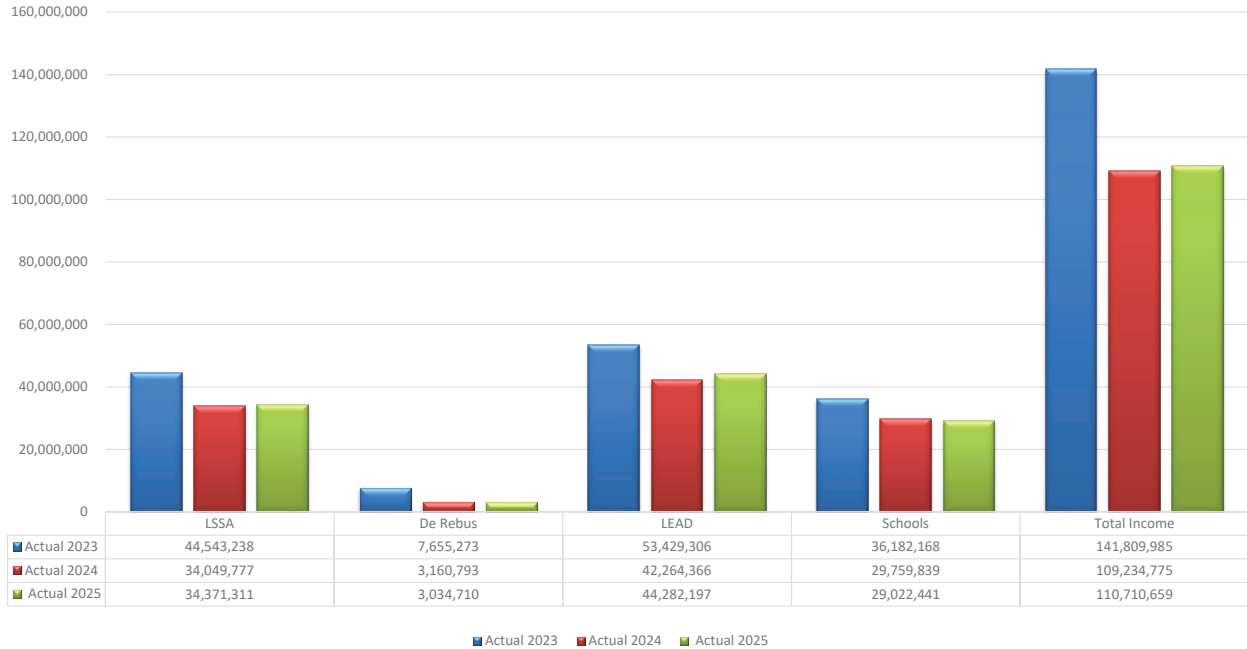
The Law Society of South Africa's (LSSA) main challenges for the past two years have been the reduced funding from the Legal Practice Council (LPC) and the increased competition due to the LPC accrediting new legal training service providers. This has resulted in a reduction in attendee numbers across all LSSA courses, webinars and schools.

In an attempt to offset some of these challenges, the LSSA looked for alternative funding in the form of sponsorships for various events, for example the LSSA Annual Conference and AGM, Women's Day event and the Young Lawyers Conference. A voluntary membership advisory was also sent to legal practitioners which unfortunately has not been very successful.



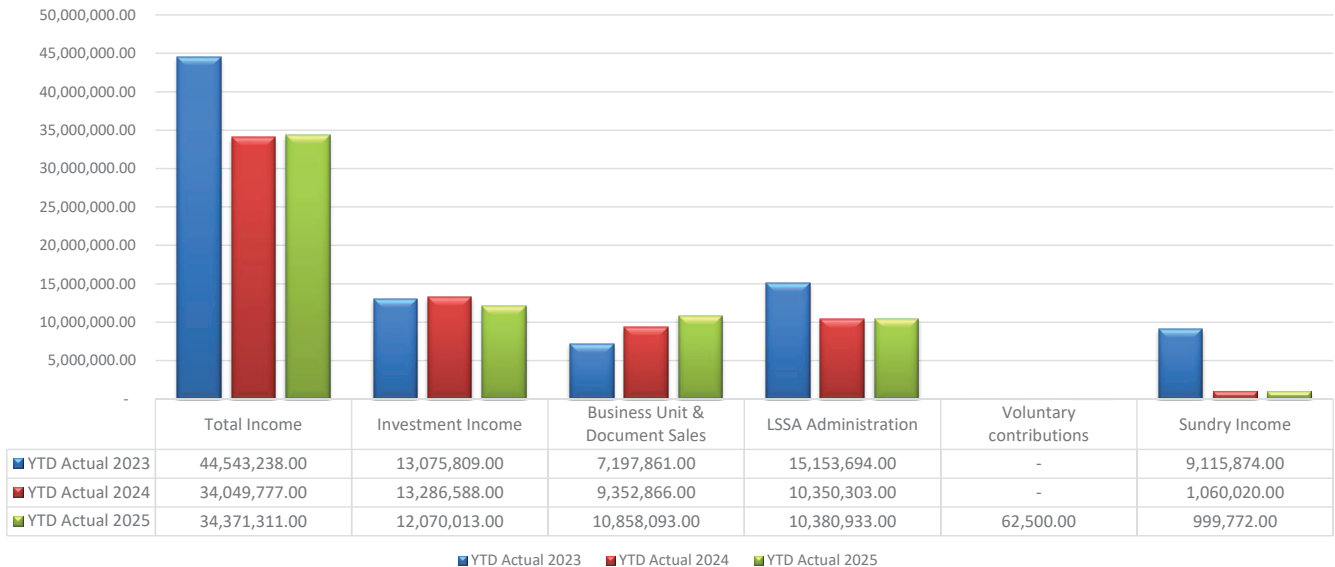
The pie graph indicates the percentage contribution of each LSSA division and LPC subvention percentage to the total revenue in 2025. LPC funding contributed 28% of the revenue in 2025.

LSSA ALL DIVISIONS REVENUE 2023,2024,2025



This graph shows LSSA total revenue including LPC funding from 2023,2024 and 2025. The impact of LPC reduced funding in 2024 and 2025 is reflected in the decline in revenue.

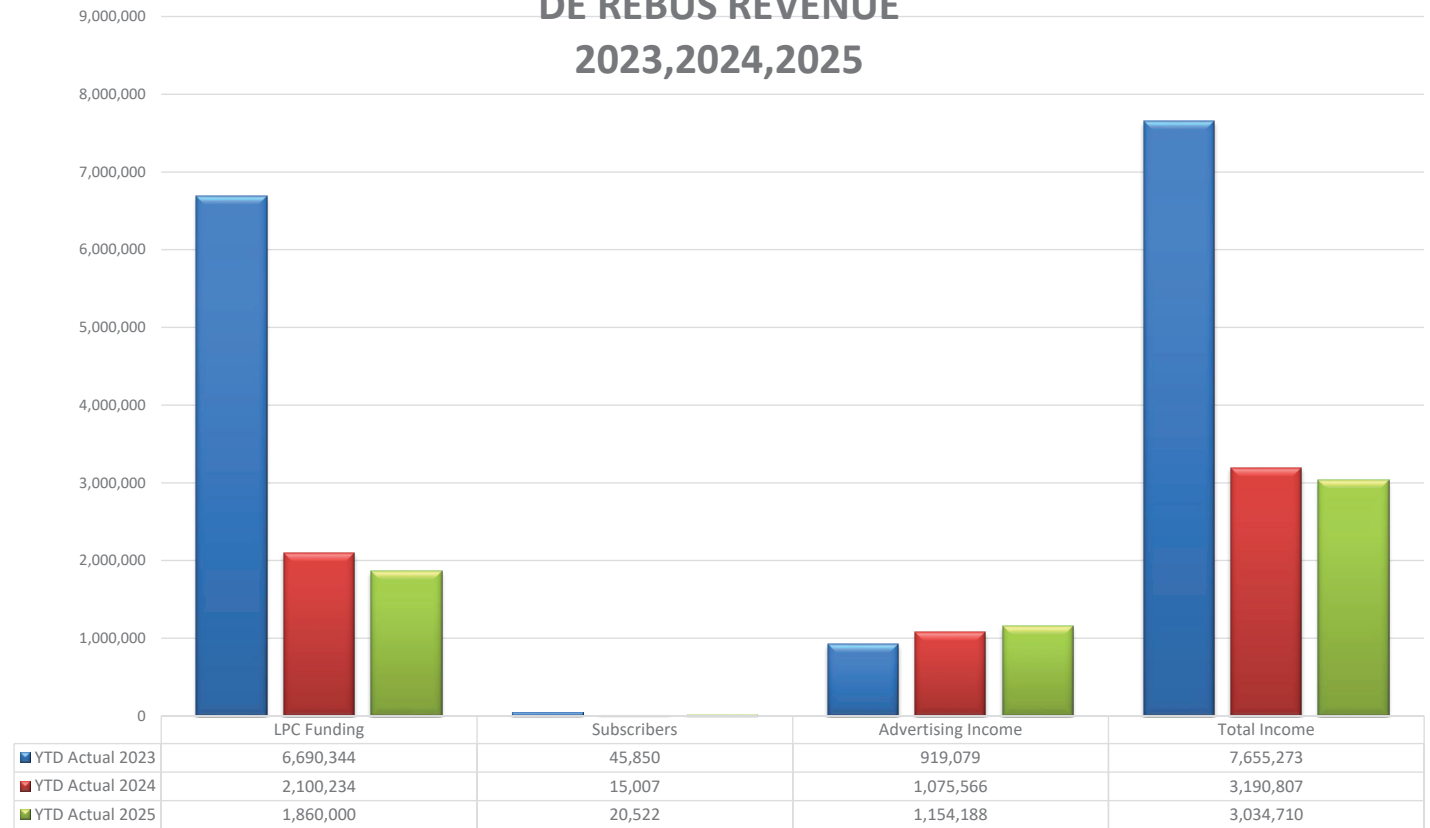
LSSA YTD REVENUE 2023,2024,2025



The LSSA administration, Human Resources and Professional Affairs are funded from revenue generated from interest on investments, administration fees and the Business Unit. This business unit is not funded by LPC funds and was created to generate funds for the LSSA to use in various activities and projects. In 2025, this unit made a surplus of R 6.2 million from webinars which was for both legal and non-legal practitioners.

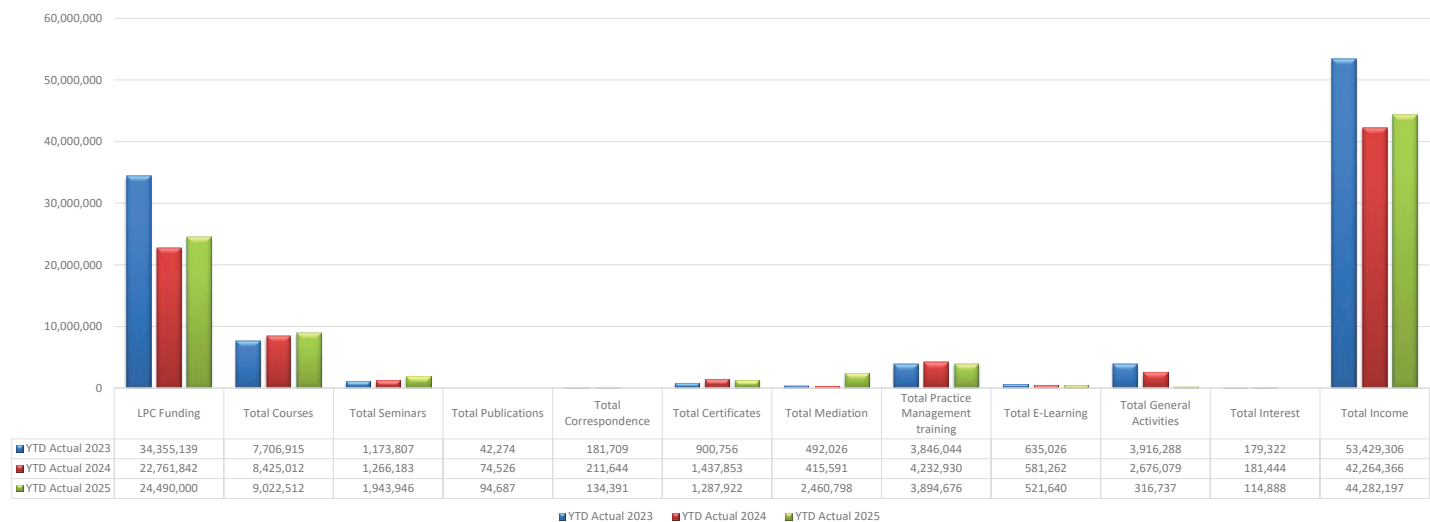
The R 9.1 million in sundry income in 2023 was due to a journal write back of project provisions from previous years which had not been utilised. Investment income decreased by 9% in 2025 because the LSSA had to use its cash reserves to offset the LPC fund reduction.

DE REBUS REVENUE 2023,2024,2025



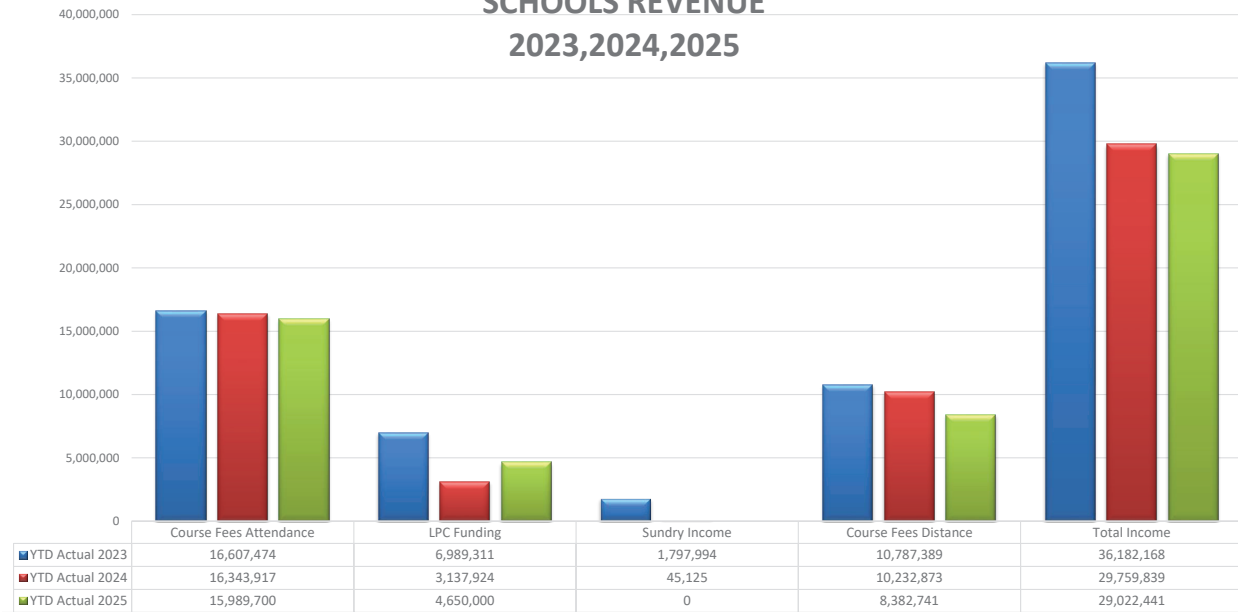
De Rebus is highly dependent on funds from the LPC to finance its activities. This is the main reason for the large drop in income. Magazine subscribers have also decreased as most practitioners prefer the free digital version.

LEAD REVENUE 2023,2024,2025



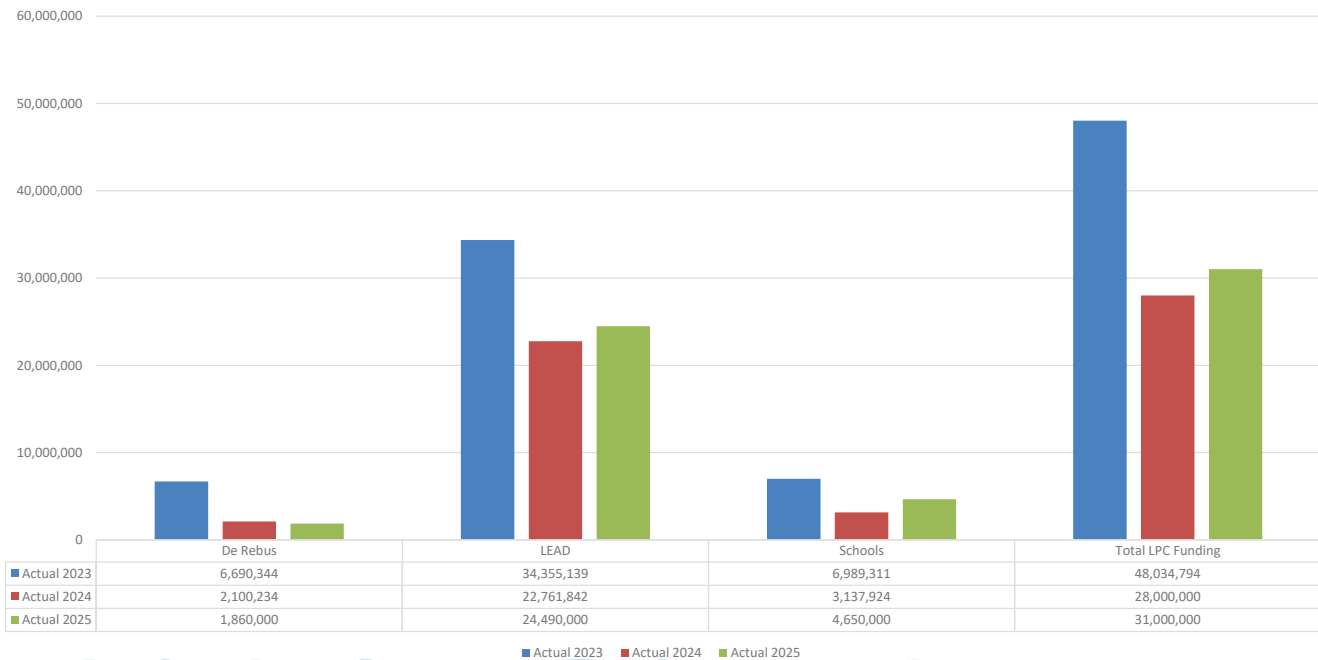
LEAD courses are subvented by LPC funds and this is reflected in the revenue reduction in 2024 and 2025. The increased competition has also resulted in decreased revenue across all courses. The exceptions are the mediation and seminar webinars which increased revenue.

SCHOOLS REVENUE 2023,2024,2025



The decline in the school's revenue is due to reduced LPC funding. The increase in accredited suppliers has also resulted in a drop in student numbers across all the schools, especially in the distance school which dropped by approximately 20%. The sundry income in 2023 is due to the journal writeback of provisions from previous years.

LPC FUNDING 2023,2024,2025



LPC funding has reduced significantly since 2024. In 2023 LPC funding was R 48 million. In 2024, LPC funding was R 28 million and in 2025, R 31 million.

This funding reduction and increased competition resulted in an R 8.2 million loss in 2024 and a R 7 million loss in 2025 for LEAD, schools and *De Rebus*. The total loss for the past two years is R 15,2 million for all LPC subsidised courses and webinars.

The increased revenue from the Business Unit, mediation webinars and alternative funding have assisted in offsetting some of these losses.

However, there are some key vacant positions such as the Executive Director, the Senior Finance Manager and Quality Assurance Manager at the LSSA which has resulted in an underspend in salary costs.

The writeback of R 1.2 million from provisions which is a journal entry from previous years and has no effect on the LSSA's bank balance, also increased the surplus.

Hence, the need to not be overly optimistic that the LSSA has an overall surplus of R 5.2 million.

Human Resources

Staff numbers 2025

Consolidated staff Numbers	Total Actual as at 31/12/2024	Budget 2025	Less Terminations and transfers out	Add Appointments and transfers in	Total as at 31/12/2025
LSSA	23	33	6	2	19
De Rebus	6	6	0	0	6
LEAD	51	60	2	2	51
	80	99	8	4	76

New Appointees 2025

No	Title	Name	Section	Post	Date	Equity
1	Ms	Tembisile Mahlangu	Finance Department	Financial Officer	22/8/2025	A/F
2	Ms	Itumeleng Mogashoa	Professional Affairs	Legal Official / Researcher	1/7/2025	A/F
3	Ms	Linda Sokopo	Unisa Distance School of legal practice	Training Coordinator	22/8/2025	A/F
4	Ms	Milton Mogashoa	Courses and Distance Learning	Training Coordinator	22/8/2025	A/M

Internal transfers and promotions 2025

No	Title	Name	Section	Post	Date	Transfer or promotions
1	Mr	David Madonsela	Support Services	Support Services Manager	1/7/2025	Promotion
2	Ms	Prudence Mabena	Professional Affairs	Project Coordinator	11/3/2024	Transfer

Acting positions 2025

No	Title	Name	Section	Post	Date
1	Mr	Ogilvie Ramoshaba	LSSA	Acting Executive Director	1/12/2024
2	Ms	Sharon Sun	Finance Department	Acting Finance Manager	1/11/2025

Terminations and transfers out 2025

No	Title	Name	Section	Post	Date	Reason for Termination
1	Ms	Anna Molekoa	Finance Department	Finance Officer (Fixed term contract)	28/2/2025	End of contract
2	Ms	Nthabiseng Molekoa	Finance Department	Finance Officer (Fixed term contract)	28/2/2025	End of contract
3	Mr	Ricardo Wyngaard	Professional Affairs	Senior Legal Official	28/2/2025	Returned back to practice
4	Ms	Lolita Pieterse	Support Services	Support Services Manager	30/6/2025	Retired
5	Mr	Esau Mpila	Finance Department	Finance Officer (Credit Control)	6/10/2025	Deceased
6	Ms	Itumeleng Mogashoa	Professional Affairs	Legal Official / Researcher	3/12/2025	Resigned for personal reasons
7	Mr	Zimasa Mtwecu	Finance Department	Senior Finance Manager	31/10/2025	Termination for operational requirements
8	Mr	Thakgalo Mokolo	Venda School for LP	Night School Administrator	7/12/2025	Dismissed

Critical employee matters 2025

- Following the passing of Mr Tony Pillay, former Executive Director (ED) of the LSSA, on 2 June 2024, the position remains vacant after two unsuccessful recruitment processes that failed to identify a suitable candidate. While Mr Ramoshaba is currently acting as Executive Director, the absence of a permanently appointed ED has posed challenges to organisational stability. The lack of a suitably appointed individual to drive the strategic direction and objectives of the LSSA has impacted the organisation's ability to operate optimally.
- The departure of Mr Zimasa Mtwecu, Senior Finance Manager, has created an additional gap at the senior management level, further compounding existing challenges. The recruitment process for a new Senior Finance Manager is currently underway and is expected to be finalised soon, which will restore stability within both the Finance Department and the broader senior management structure.
- At the time of writing this report, NEHAWU, the major-

ity union at the LSSA, had reached a deadlock in wage negotiations. The matter was subsequently referred to the Commission for Conciliation, Mediation and Arbitration (CCMA) for conciliation. During the proceedings, the Commissioner observed that the parties were not significantly apart in their positions (Union – 5%; LSSA – 4%) and advised both parties to reconsider their positions in an effort to reach a compromise. A period of three weeks was allocated for further engagement. Should these attempts fail, the parties will then determine the appropriate way forward.

Objectives achieved for 2026

- In 2025, Senior Management finalised the LSSA's strategic objectives with clearly defined priorities. The mandate was to roll out the strategy and secure staff buy-in to ensure that it becomes embedded in the organisation's operational approach going forward.
- To ensure departmental and individual alignment with the adopted strategy, job descriptions were reviewed

to assess compliance and alignment. Thereafter, departmental and individual performance contracts were finalised in September 2025.

- The LSSA has identified several critical positions that must be prioritised and urgently filled in 2026. These include Executive Director, Senior Finance Manager, Bookkeeper, Night School Administrator (Venda School), Human Resources Officer, and Quality Manager.
- The review of Human Resources policies is currently underway in collaboration with the Employment Equity Committee to ensure alignment with legislative developments and emerging trends within the sector.
- Employee Wellness Programme utilisation, particularly through the wellness application, has improved significantly to 78.4%, compared to a previous high of 65% in prior years. The most frequently reported concerns include acute stress, relationship challenges, adjustment issues, parenting concerns, and anxiety. In response, the organisation plans to increase the number of online wellness sessions for both management and staff, with particular focus on depression-related topics, as recom-

mended by the service provider.

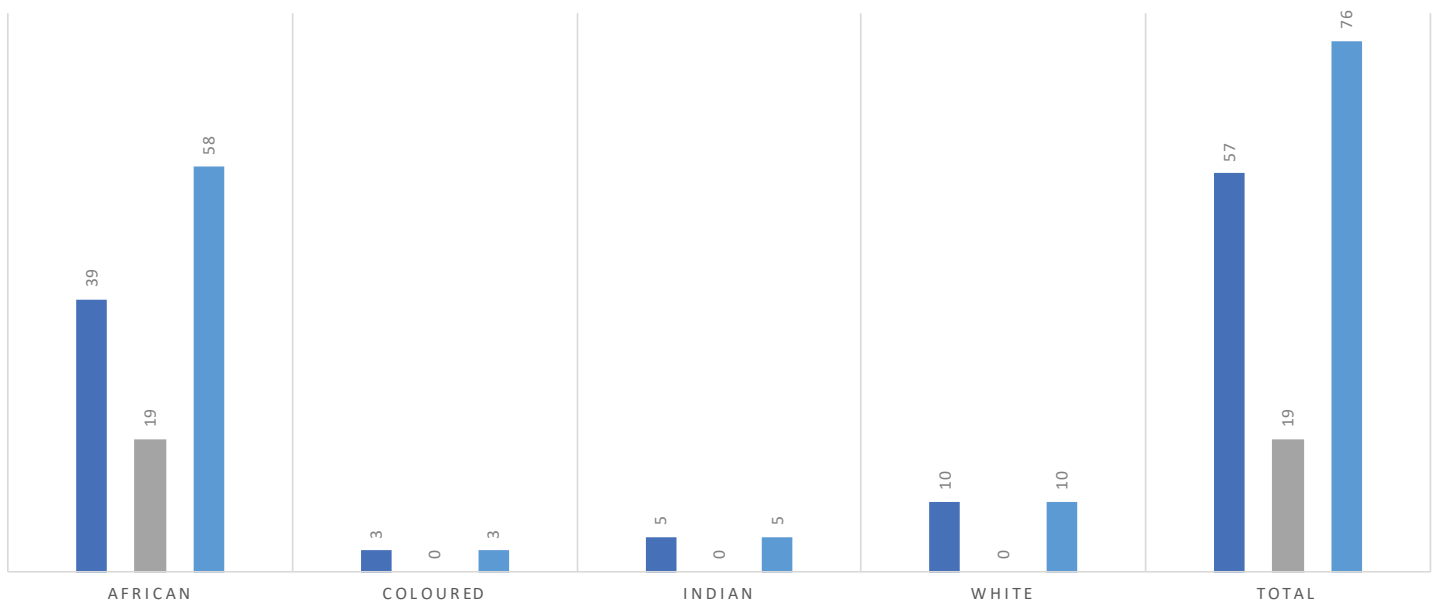
- Budget has been allocated and approved for key initiatives, including a salary benchmarking exercise, change management processes, and organisational redesign to ensure that the LSSA remains fit for purpose.
- Training and development initiatives will be aligned with the proposed organisational optimisation and restructuring process to ensure that staff remain up to date with emerging technologies while maintaining effectiveness and efficiency. The LSSA has also established a productive partnership with SASSETA, through which 20 bursaries have been awarded to internal staff for a 12-month period in 2026. Additionally, mentorship and coaching funding for 40 staff members will be prioritised, alongside other relevant training initiatives.
- Clear communication regarding risk awareness and risk management will continue to be maintained by all accountable managers and supervisors.

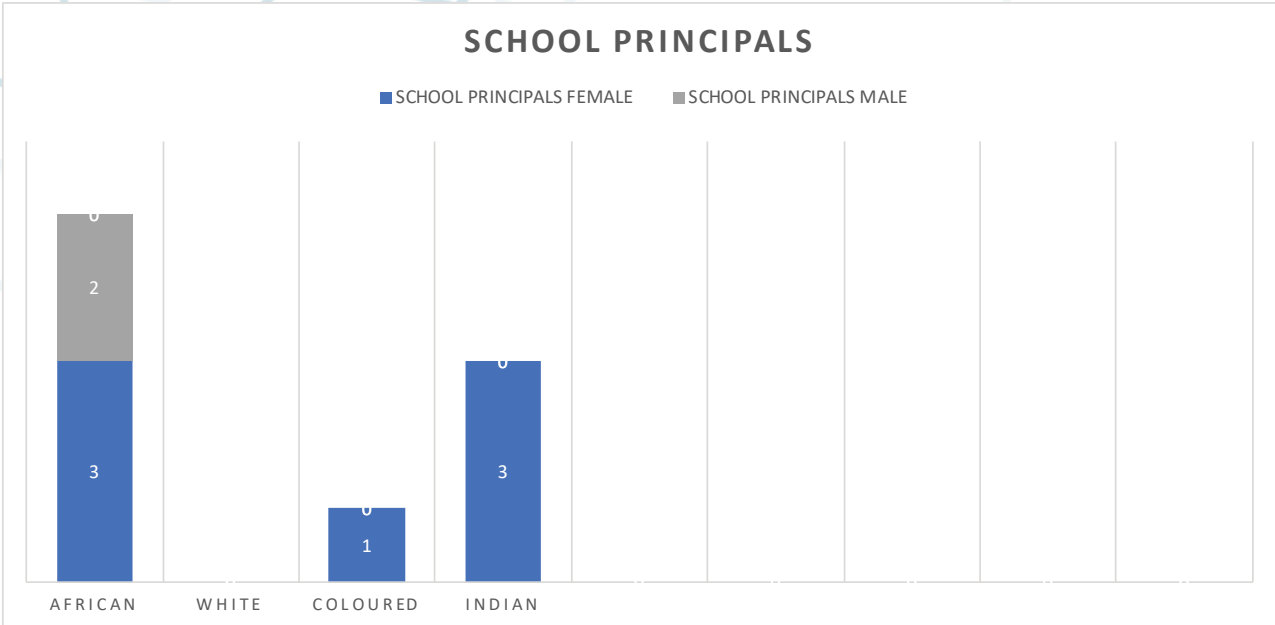
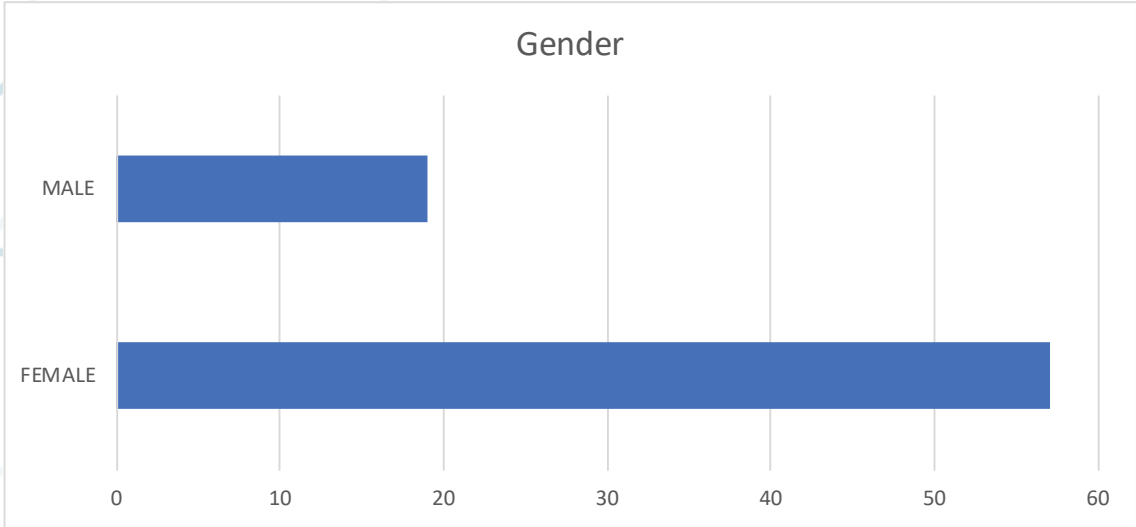
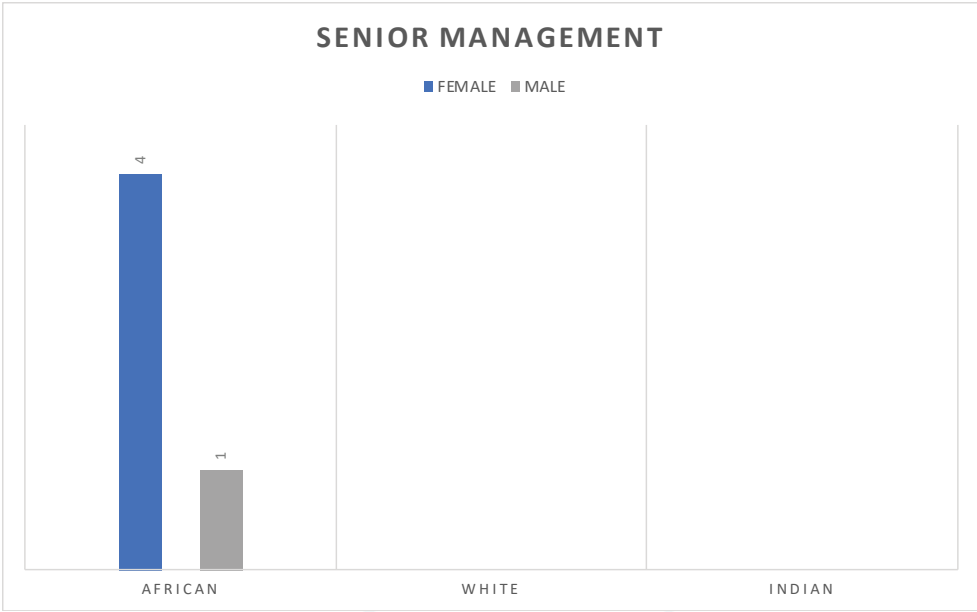
Employment Equity 2025

The following statistics are from the confirmed employment equity report submitted by the LSSA for the 12 months ended 30 September 2024.

STAFF DEMOGRAPHICS

■ FEMALE ■ MALE ■ TOTAL





Legal Education and Development

Standing Committee on Legal Education (SCLE) members: Raj Badal (Chairperson), Popela Maake, Ashwin Trikamjee (Deceased), Dave Bennett, Peter Horn and Zincedile Tiya.

Alternates: Janine Myburgh, Clive Hendricks and Zuku Tshutshane and Tiaan Joubert.

By invitation: Krish Govender, Praveen Sham and the President of the LSSA.

Committee meetings

Three meetings were scheduled for 2025 and were held as follows: 20 February; 26 June and 13 November 2025.

LEAD programmes

LEAD continues to offer most of its programmes virtually, a mode of delivery that most delegates prefer.

Funding

Due to the reduced funding in 2024, the LSSA incurred a deficit of approximately R 8.2 million.

The LSSA funding was again reduced by approximately R 11 million in 2025, and we anticipate that the LSSA will incur a further deficit of approximately R 7 million. The SCLE proposed that a meeting be arranged with the Legal Practice Council (LPC) to discuss the LSSA budget and to impress upon the LPC the challenges this reduction poses to the LSSA's ability to provide quality practical vocational training to candidates.

The LSSA intends to engage the LPC on the current funding process, where the LPC only confirms funding in the current year. This has an adverse impact on our planning due to uncertainty regarding the amount that will be allocated to the LSSA.

Key focus

- More than 12 000 persons enrolled for LEAD programmes in 2025.
- Most of the programmes that were scheduled for 2025 were presented. LEAD also presented 18 webinars out of the 21 that were scheduled for the year. Two webi-

nars were postponed to 2026. The number of delegates attending LEAD webinars has increased since the webinars were scheduled in the afternoon.

- There has been an increase in the number of legal practitioners who attended the mediation training course, and this could be attributed to the Gauteng Mediation Protocol which was introduced in the Gauteng Division of the High Court in April 2025 to assist in addressing severe backlogs in civil court rolls and improve access to justice. Four training courses were scheduled for the year, and an additional course was scheduled towards the end of the year to accommodate the increased demand.
- A four-day arbitration workshop was presented to 30 delegates. Discussions are currently underway with other stakeholders regarding the introduction of an advanced international arbitration course.
- LEAD continues to create strategic partnerships with other relevant stakeholders in the legal profession. Two of these strategic partnerships is a collaboration between the LSSA and the Black Lawyers Association (BLA) – Legal Education Centre and the education department of the National Association of Democratic Lawyers (NADEL) to provide legal education to the profession.
- Due to the uncertainty regarding funding, LEAD continues to explore alternative income streams to generate additional revenue.

Practical Vocational Training

The LPC published a proposed revised Practical Vocational Training (PVT) programme for candidate legal practitioners (candidate attorneys) in the *Government Gazette* and requested comments. The LSSA engaged instructors and drafters and submitted comments. The LPC circulated communication that the proposed revised curriculum would be introduced in 2026. LEAD has reviewed all its training materials to ensure they are aligned with the revised curriculum.

Admission Examinations: Matters raised by SCLE

- The Committee continued to raise concerns regarding the poor pass averages in the competency-based ex-

aminations for admission as attorneys. The Committee believes that wider consultation with the LPC, the LSSA, and other relevant stakeholders is necessary to review the results and how they can be improved.

- The LPC published a notice that a five-paper exam will be introduced in 2027 and that assessments scheduled for March 2026 and August 2026 will be the final sittings administered under the four-paper syllabus. According to the LPC, the August 2026 exam is the final opportunity for candidates to utilise their existing credits or complete outstanding papers under the four-paper exam system. The Committee is concerned that the LPC has not made provision for a transitional period, which may disadvantage candidates who have already passed one or more examination papers under the four-paper system. The Committee will formally raise this matter with the LPC Education Committee.

Schools for Legal Practice

Achievements

- Performance of candidates is stable with the final pass rate between 80-85%. The balance constitutes returning candidates who are still due to write and pass the assessments.
- The pass rate above is after candidates have written assessments several times.
- Previously, most candidates would pass the main exam in a subject, with a smaller percentage writing and passing the supplementary exam.
- Schools afford candidates an opportunity to write three or four times until they pass.
- The pass rate is stable; however, the marks with which candidates are passing is lower and this could be linked to the challenges of learning and comprehension among candidates.

Challenges

- There is a continued decline in applications and registrations to attend the school programmes.
- The limited opportunity for articles creates an obstacle, contributing to affordability challenges for prospective attendees of the PVT School.
- This trend seems to have also affected PVT Schools which usually boast large numbers, such as Johannesburg and Pretoria, where numbers have declined as compared to previous years.
- Schools now provide for the tuition fee to be paid in instalments.
- Law graduates' comprehension skills overall are poor

with many candidates writing the Broad-Based Skills Test examination numerous times.

- The risk from the difficulties experienced with learning skills and comprehension is that candidates cannot think analytically and perform poorly during assessments and exams for this reason.

Summary of attendance of all LEAD programmes for 2025

	2023	2024	2025
School for Legal Practice	2 356	1 996	1 827
23-Day PVT Courses for Candidate Attorneys	1 498	1 399	1 344
Conveyancing and Notarial	524	519	439
Diplomas and Certificates	98	137	231
Mediation	107	92	492
Practice Management Training	1 666	1 721	1 495
Seminars	1 460	1 258	1 750
E-Learning	295	356	223
Pupillage programme	68	96	0
Business Development	3 103	2 836	4 606
TOTAL	11 175	10 410	12 407

Professional Affairs

The Professional Affairs Department of the Law Society of South Africa (LSSA) plays a central role in supporting the legal profession through policy development and engagement, legislative reform commentary, shareholder engagements, parliamentary liaison and the co-ordination of 27 specialist committees and eight task teams.

The relevance and demand for professional affairs continues to rise, as the department continues to actively engage in initiatives that advocate for the interests of legal practitioners, overseeing litigation processes, transformation, lobbying efforts and promoting access to justice.

The department's work over the reporting period focused on strengthening advocacy, enhancing stakeholder engagement and ensuring the profession's voice is represented in national and regional legal forums.

Departmental overview

In aligning with the LSSA Strategic Plan, the department supports the LSSA's broader mission of representing the attorneys' profession, safeguarding the rule of law, promoting access to justice and influencing legislation affecting the profession and the public.

Departmental performance against strategic objectives.

- The department was able to ensure effective functioning of the 27 specialist committees by active engagement, sharing of legislative developments, advising on professional and practice changes or amendments.
- The department ensured timeous response and submission of comments to various draft legislation, rules and regulations impacting the legal profession and the public. Several policy and legislative inputs were produced across various practice areas.
- Stakeholder relationships strengthened with the judiciary through engagements at the NEEC and Gauteng PEEC, continued liaison with parliament and participation in justice-sector advocacy. Improved engagements with the LPC, SARS and property law practitioners

Highlights and achievements

Some of the highlights and achievements by the departments in the reporting period are as follows:

- Improved administrative support to the specialist committees and task teams through efficient and effective administration and support systems.
- Producing submissions and commentary on key legislation affecting the profession and the public, listed below

low are some of the submissions made:

- The Children's Amendment Bill,
 - National Credit Amendment Regulations, Immigration Amendment Bill,
 - Robing in the Lower Courts,
 - Amendments to the Small Claims Court Rules,
 - Draft Paper on the proposed design solution for creation of actuarial formulae to calculate loss of earnings (LOE), loss of support (LOS) and general damages (GDs) for the RAF,
 - Discussion Papers on Review of the Criminal Procedure Act,
 - Alternative Dispute Resolution: A Mediation Act for South Africa, Strengthening relationships with stakeholders, ie: LPC, Sars, Judiciary, South African Board for Sheriffs,
 - Draft Amendments to the Provincial Liquor Regulations, 2004 (Gauteng),
 - Draft Traditional Courts Regulations and Draft Code of Conduct Issued in terms of the Traditional Courts Act, 2022,
 - Draft Revised White Paper on Citizenship, Immigration and Refugee Protection ('The Draft Paper'),
 - Draft General Laws (Anti-Money Laundering and Combating Terrorism Financing) Amendment Bill, 2025.
- Conducting a successful four-day Induction session in November 2025, with a record of 102 attendees from the various specialist committees.
 - Establishment of the Litigation Committee and Artificial Intelligence (AI) Committee.
 - Strengthening of relationships with the LPC in the co-ordination and management of appointments of attorneys to the Deeds Registry and Sectional Titles Regulatory Boards.
 - Coordination of the LSSA to appear before SCOPA on the RAF Enquiry in addressing several issues pertaining to the work of legal practitioners in RAF related work and the maladministration of the RAF.
 - The Cost and Contingency Fees Committee merger with the Court Practice Committee, streamlining related workstreams.
 - The establishment of the Sheriffs' Fees Sub-Committee, consisting of representatives from each province, to look at the challenges the profession faces relating to sheriffs' fees.
 - Establishment of a collaborative relationship between the LSSA Immigration and Refugee Law Committee and the United Nations High Commissioner for Refugees (UNHCR).

Challenges and constraints

- The department has faced a rising number of frequent engagements with the specialist committees and task teams thus creating the management of these specialist committees and task teams a strenuous process, with the additional extensive policy and regulatory reform demands for a department functioning with limited staff capacity.
- The Department was also faced with the challenge of non-responsiveness of some specialist committee members to invitations to meetings as a result, seven committees were unable to meet in 2025 due to the lack of quorum, however, members have recommitted themselves to the service of the profession and we look forward to improved participation.
- The non-responsiveness of some committee members, constituencies and provincial associations to invitations to make comments on legislative reforms has been a challenge as this limits the LSSA's impact and the ability to capture the wide perspective and views of the profession. The department is looking at innovative ways of engagement to improve interaction and participation.

Key litigation involvement

The newly constituted Litigation Committee has hit the ground running and is an instrumental structure in litigation process management. I would like to highlight some of the litigation the LSSA has participated in and has considered in the period of reporting:

Norton Rose Fulbright South Africa Inc v Minister of Trade, Industry and Competition and Others. The application essentially challenges the lawfulness, rationality, and constitutionality of the Legal Sector Code (LSC). It is argued that the LSC is inconsistent with established principles, it diverges unjustifiably from the Generic Codes, imposes unrealistic targets without any consideration of a transition period and it lowers the B-BBEE level, harming the ability to secure clients and state work. After thorough debate on this matter, the LSSA was unable to reach adequate consensus on the form of participation and resolved not to participate in the matter and monitor its development.

Len Dekker Attorneys Inc v The Financial Intelligence Centre (FIC), the LSSA has continued to participate in this matter and joined the High Court appeal application as an *amicus curiae* in arguing the approach the FIC has taken on the retrospective enforcement of compliance before the transition of supervisory authority from the LPC to FIC in December 2022. This is an issue of considerable importance to the legal profession. The issue of retrospective application of compliance, if permitted, will most likely set a precedence which will affect numerous legal practitioners and law firms across the country.

Tshepo Thomas Mpshe and Another v Minister of Justice and

Constitutional Development and Another, the LSSA has welcomed the invitation to join the proceedings as an *amicus curiae* in this matter. This application challenges section 24(2) of the LPA read together with section 25(3) and (4) of the same Act. The applicants are attacking these provisions on the basis of constitutionality and lawfulness to the extent that these provisions cater for an unconstitutional legal framework for attorneys to be conferred a right of appearance in any division of the High Courts, the SCA and the Constitutional Court. The LSSA has resolved to participate in the proceedings.

Members are referred to the Litigation Committee Annual Report for a comprehensive report on the activities of the committee.

Financial Intelligence Centre Act (FICA)

The LSSA has over the years observed the challenges legal practitioners are faced with regarding FICA compliance processes. In aid of the profession the LSSA has over the years developed guidelines in assisting the profession to better understand the compliance expectations. We have engaged with a number of service providers in improving the manner of guidance we provide the profession to remain compliant.

The LSSA has embarked on an investigatory process to understand the practical challenges, the assessment of the FICA requirements against constitutional principles, the potential of some of these provisions being overly burdensome and disproportionate for sole practitioners and small firms. One of our concerns is the viability of the sole practitioners' practices amidst the heavy compliance expectations. We will soon be engaging legal practitioners through a survey to be conducted which will assist in the gathering of empirical data on the types of work that is handled by law firms and the compliance burden experiences of legal practitioners and law firms across the country.

South African Board For Sheriffs

The LSSA has identified several challenges that legal practitioners are experiencing when engaging in the services of sheriffs across all jurisdictions. The LSSA views the body of sheriffs as a key role player in the justice system. Our Court Practice Committee identified disparities in the fees charged by sheriffs, the inconsistent items charged and in some instances non-compliance with the tariffs and some legal practitioners have successfully challenged these inconsistencies and non-compliance through taxation. As a result, the LSSA has formed a Sub-Committee to assist the committee in investigating the trends in the various sheriffs' offices in all the jurisdictions and we encourage participation and members who wish to make any contribution may contact their Provincial Associations.

Through our relevant LSSA committees we continue to monitor any challenges and functioning of the sheriffs' offices and look into innovative ways of improving communication.

Master's Offices

The Master's Offices are a crucial stakeholder of the LSSA, and it has become one of LSSA's objectives to see to the proper functioning of these offices. The LSSA constantly receives requests for interventions from members of the profession and members of the public on the poor functioning of the Master's offices.

The LSSA has over the years engaged the Parliament Portfolio Committee for Justice and raised numerous concerns about the state of the Master's offices and the dysfunction of some of these offices. The LSSA held a stakeholder engagement with the Office of the Chief Master on 18 February 2026 addressing numerous concerns, engaging in collaborative efforts and innovative interventions to improve the functioning of these offices for improved service delivery to members of the public and the impact on the viability of law firms.

The Office of the Chief Master remains committed to ensuring efficient functioning of all Master's Offices and to further engagements with the legal profession.

Focus for 2026

For the new period the department will focus mainly on:

- Improvement of record management systems for members of the profession representing the LSSA in various boards and national structures.
- Investing in committee management systems to streamline input and workflows for better coordination, improved engagement with the specialist committees.
- Enhancing stakeholder engagement and communication for more tangible collaborative efforts.
- Streamlining of Terms of References for all specialist committees and task teams.
- Streamlining of the claims process for specialist committee members for efficiency and financial (budgetary) accuracy.
- Improve advocacy and litigation processes, through the finalisation of the appointment of panel attorneys' policy and briefing policy.
- Expanding visibility of committees' output to encourage broader professional participation.
- Increasing awareness campaigns on various identified practice topics.
- Engaging with the Minister of Justice in addressing, *inter alia*:
 - Safety of courts
 - Lack of judges
 - Legal education funding

- Crisis in Masters' offices
- Amendments to the LPA
- Crisis in the Gauteng Division, High Courts
- Challenges in the South African Board for Sheriffs

Quarterly trends

- Quarterly activity trends indicate that the 1st quarter was the most active, followed by the 3rd, 4th and 2nd quarters, respectively.
- **Annual Target** of stakeholder engagements is 10 engagements, and a total of 17 stakeholder engagements took place in 2025 with anticipated growth in 2026
- Quarterly activity trends indicate that the 1st quarter was the most active, followed by the 3rd, 4th and 2nd quarters, respectively.
- **Annual Target** is 12 submissions issued on key legal developments, and a total of 29 submissions were made in 2025.

Concluding remarks

As we conclude the 2025/2026 reporting period, the Professional Affairs Department reflects with gratitude and pride on a year marked by growth, strengthened engagement, and impactful contributions across the legal profession. The breadth of work undertaken by the department, ranging from extensive policy development and legislative commentary to dynamic stakeholder cooperation and the coordination of our specialist committees, continues to affirm our central role in advancing the mandate of the LSSA.

We were delighted to welcome two new members to the department, Prudence Mabena (Project Coordinator) and Itumeleng Mogashoa (Legal Officer/Researcher). Their expertise, energy, and commitment enriched our operations. Itumeleng unfortunately left the LSSA at the end of 2025 and we thank her for her contribution and wish her well in her new endeavours.

To the dedicated staff of the Professional Affairs Department, Selina Sekalo (Committee Secretary), Kris Devan (PA to the Senior Manager), Prudence Mabena (Committee Secretary): Thank You. Your resilience, professionalism, and unwavering dedication has enabled the department to deliver consistently, despite increasing demands and the complex landscape within which we operate. Your contributions underpin every achievement reflected in this report.

We also extend heartfelt appreciation to the specialist committees and task teams members whose guidance, effort, and subject-matter leadership remain indispensable to fulfilling our mandate. Their insights continue to shape the LSSA's contributions on key legal issues, legislative reforms, and the broader justice sector. We recognise especially the committees that have undertaken signifi-

cant work despite challenges such as quorum constraints and heavy legislative schedules. Your commitment to serving the profession is deeply valued.

Looking ahead, we anticipate a year focused on strengthening internal systems, deepening stakeholder engagement, enhancing committee management processes, and prioritising key advocacy efforts, including critical engagements with justice sector institutions. We remain committed to improving record management, expand-

ing the visibility of committee outputs, finalising policy instruments, and addressing systemic issues affecting the profession, including those within the courts, the Master's Offices, and statutory bodies.

With renewed momentum, an expanded team, and the continued support of our committees and stakeholders, the department is well positioned to advance its strategic objectives and contribute meaningfully to a strengthened and transformative legal profession.

Legal Practitioners Insurance Indemnity Fund

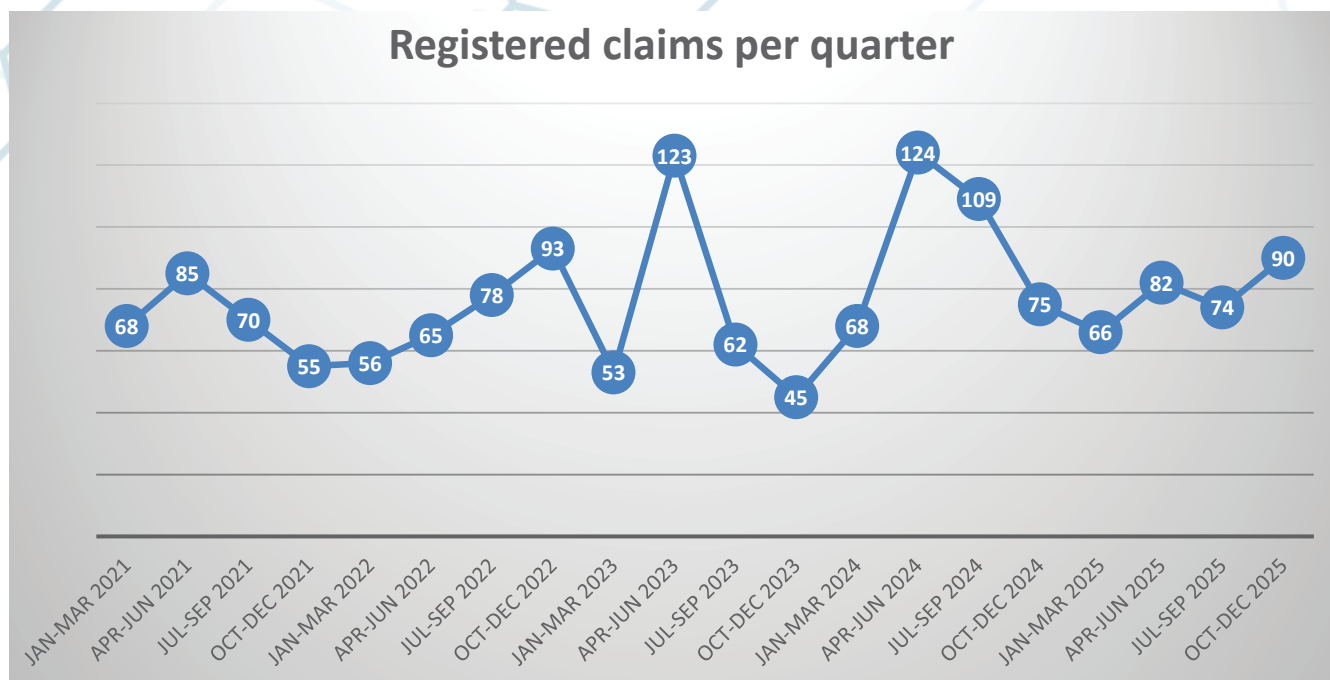
– Statistics as of 31 December 2025

Professional indemnity claims

Note: The Legal Practitioners' Insurance Indemnity Fund (LPIIF) insurance year runs from 1 July of each year to 30 June of the following year.

Number of claims notified per insurance quarter

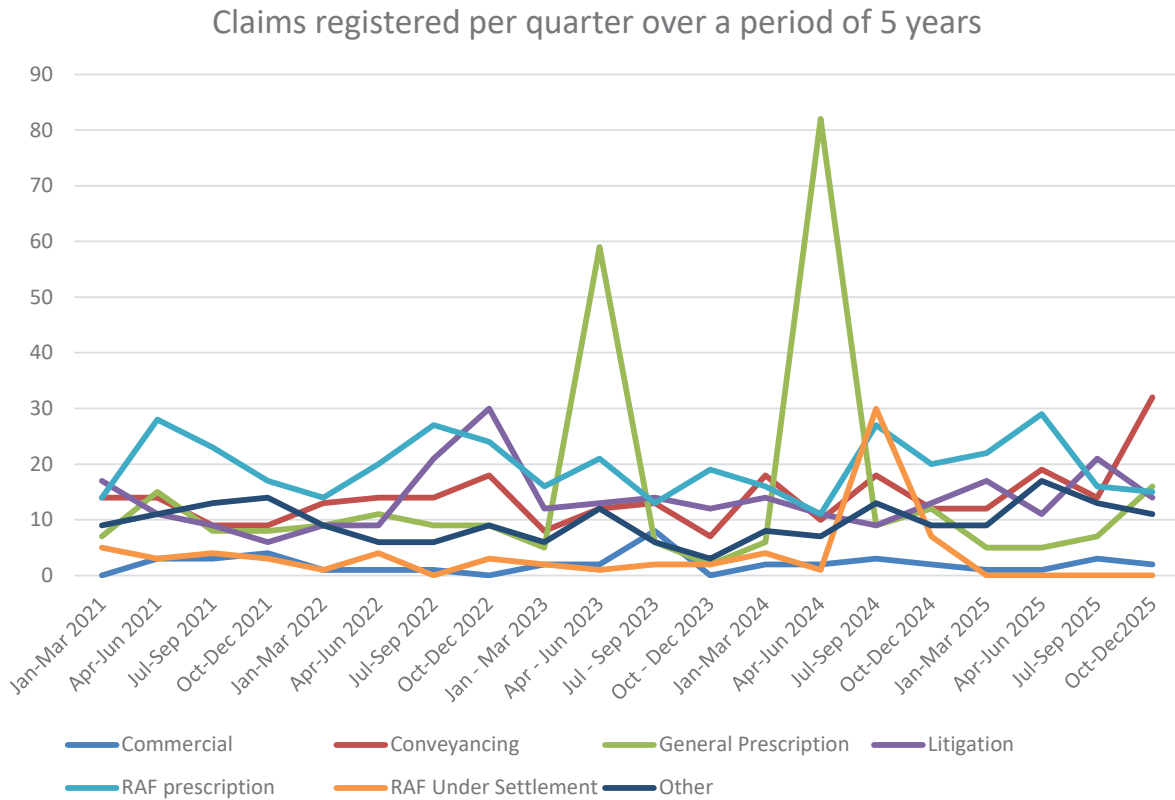
Graph 1 below shows the number of claims that were notified in a particular insurance quarter as at the end of December 2025, regardless of the year in which a particular claim belonged. Some of the claims could have been notified to the LPIIF in the year under review, but referred to and registered in any of the previous policy years. The majority of them, however, belongs in the insurance year in which they were notified.



Graph 1: Number of claims notified per insurance quarter.

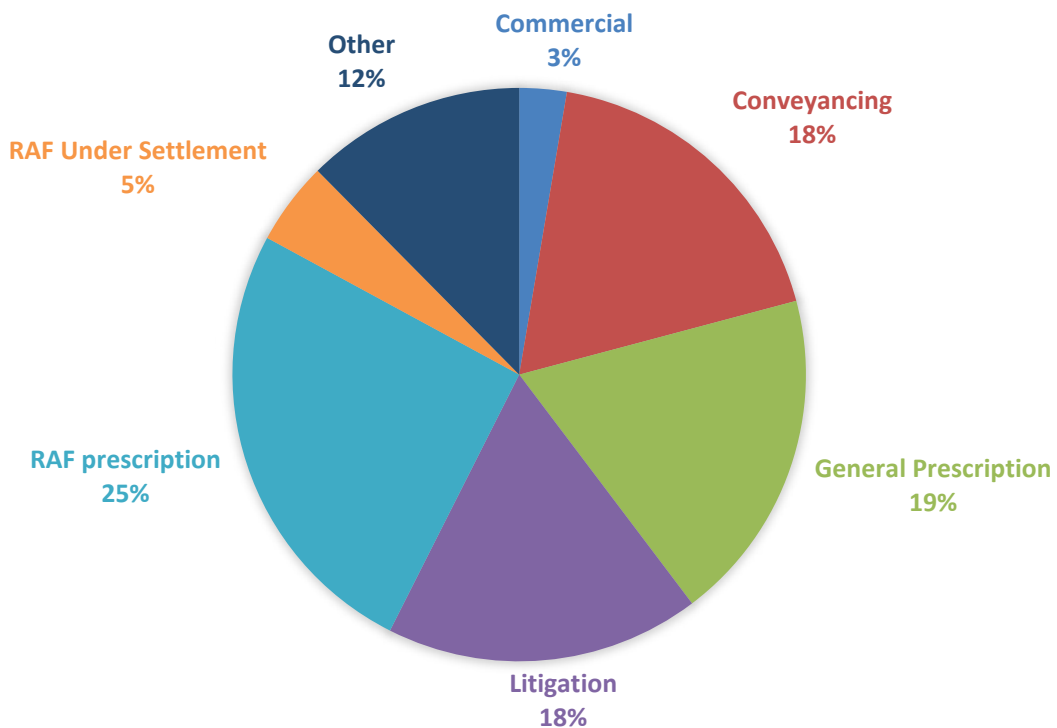
Type of claims notified per insurance quarter

Graph 2 below depicts the types of claims that were notified as at the end of December 2025. As will also be seen from Graph 3 and 4 below, RAF prescriptions, conveyancing, litigation, and general prescription related claims still form the majority of claims notified to the LPIIF. These areas of practice have, perennially, contributed the highest number of notified claims over the five-year period covered in this report.



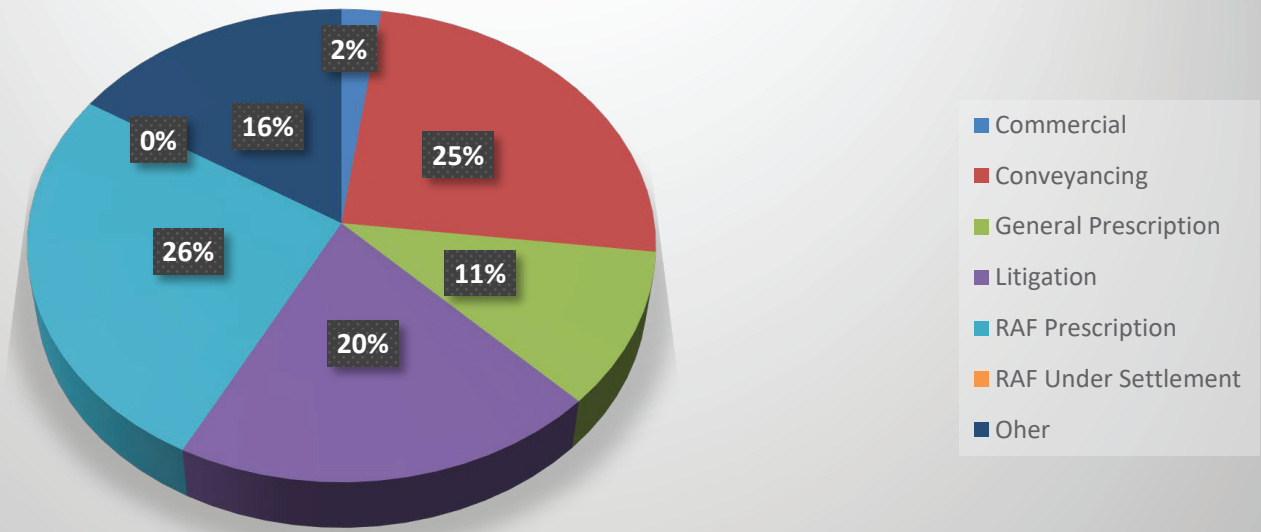
Graph 2: Type of claims notified per insurance quarter.

CLAIM TYPES REPORTED OVER A 5 YEAR PERIOD



Graph 3: Type of Claims reported in a five-year period.

Registered Claims per Claim Type over a Twelve month period

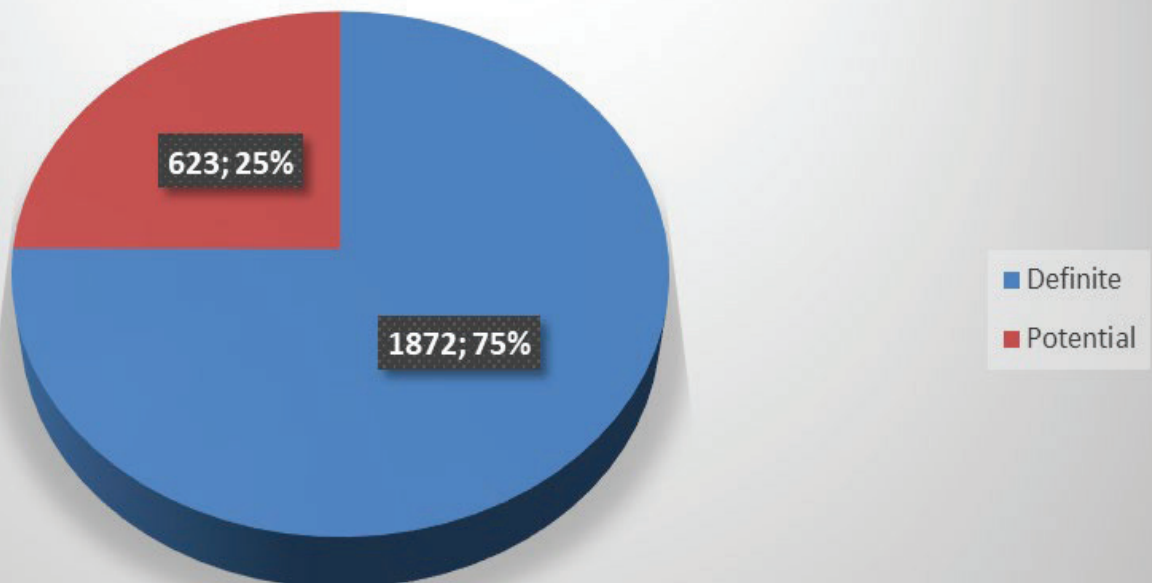


Graph 4: Type of claims reported in a 12-month period.

Outstanding claims

As at the end of December 2025 the LPIIF had 2 495 claims outstanding on record. 25% of these claims are still potential claims as can be seen from Graph 5 below. The total reserve held, at the end of December 2025, for these outstanding claims was R601 million and this amount seeks to cover the capital, party and party, and investigation costs.

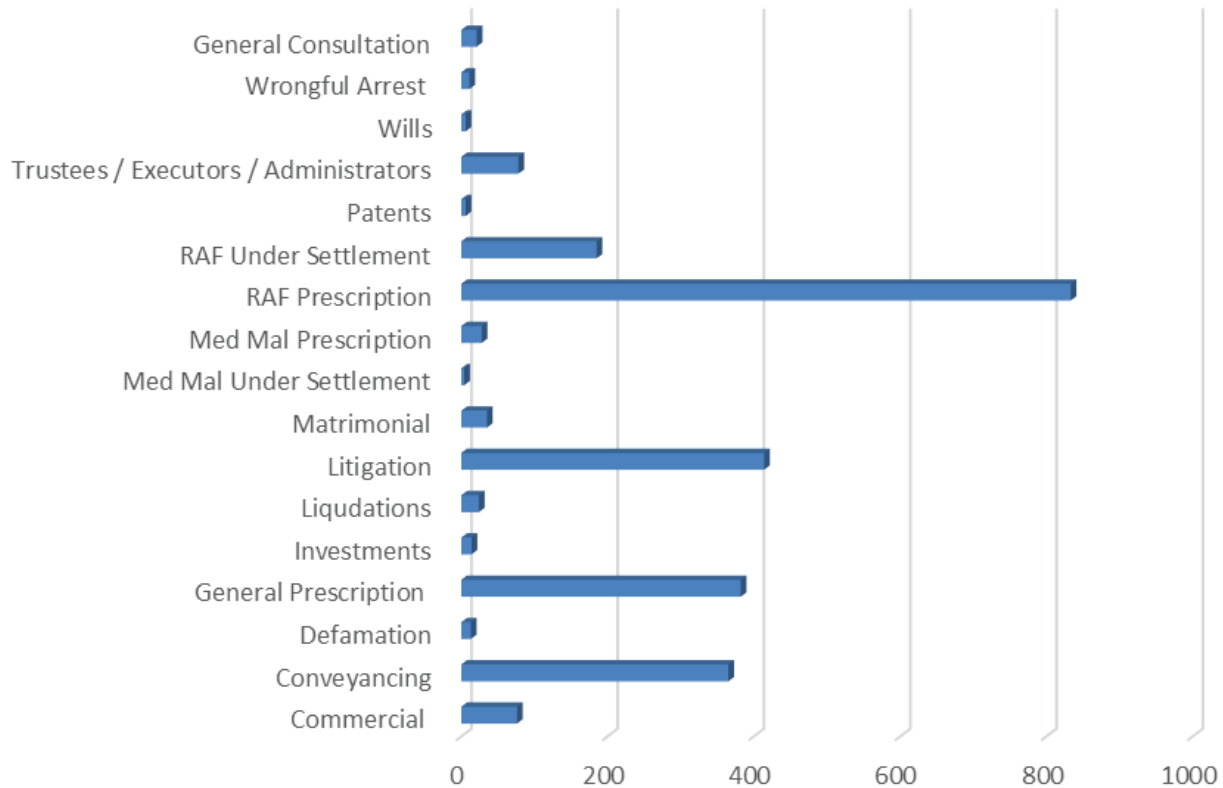
Outstanding claims as at December 2025



Graph 5: Outstanding claims.

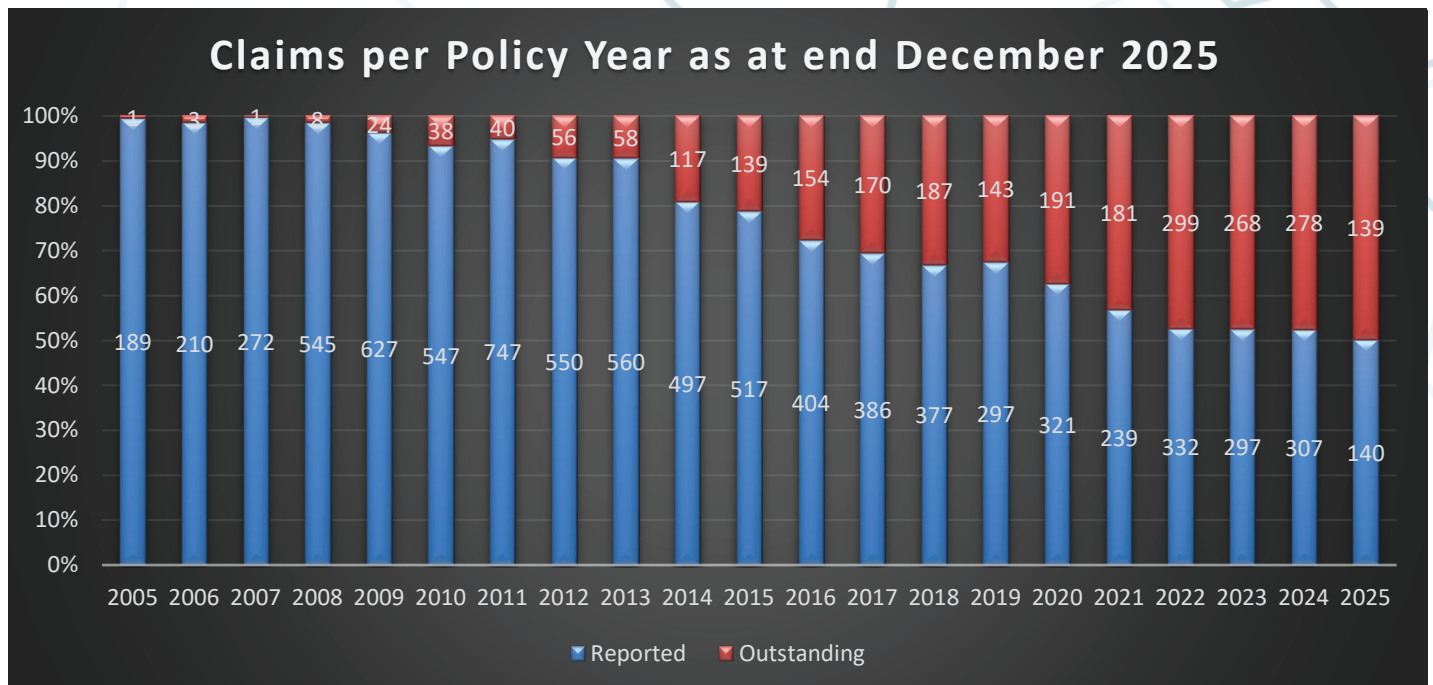
Graphs 6 below shows the outstanding claims by types, as well as their numbers as 31 December 2025.

Outstanding claims as at end December 2025



Graph 6: Outstanding claims: Type and frequency.

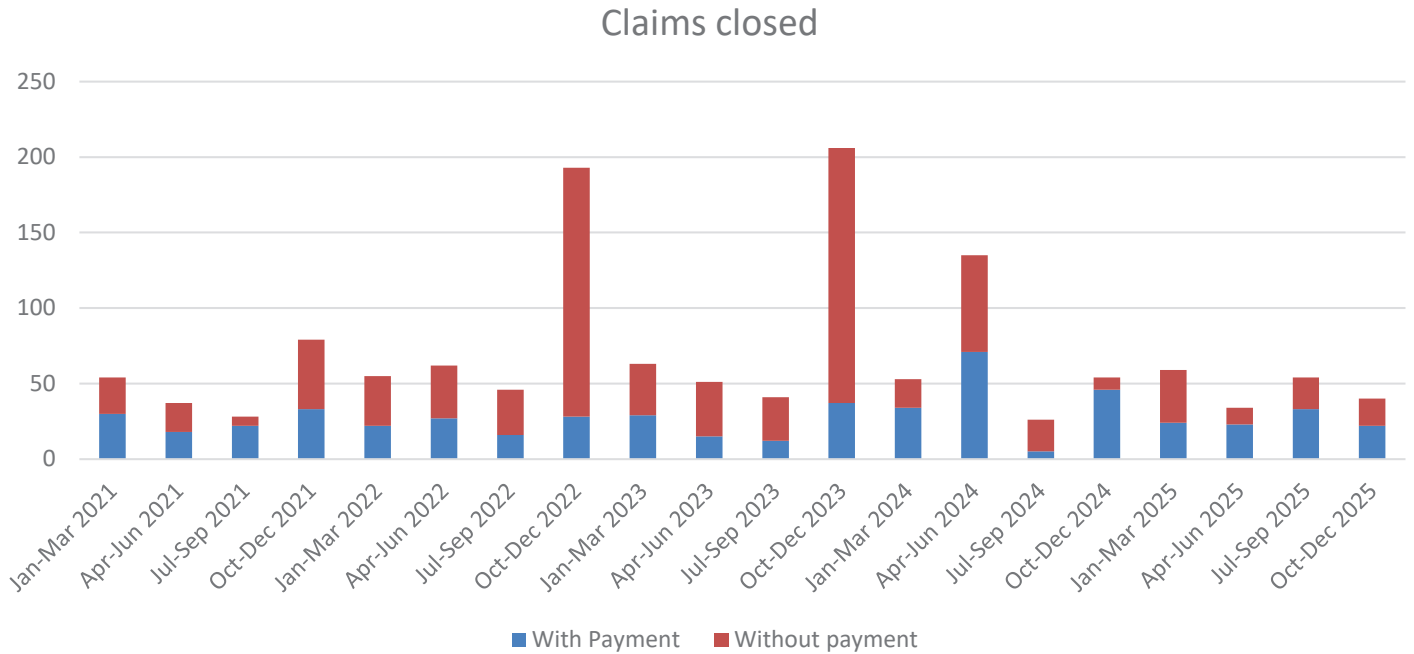
Graph 7 below shows how the progress made in the finalisation of claims in each insurance year, with the red portion showing the number of outstanding claims in each year. Some of our claims have been outstanding for various lengths of time as Graph 6 below shows.



Graph 7: Split between reported and outstanding claims.

Finalised claims

In the last five-year period, the LPIIF has finalised 1 370 claims. 187 claims were finalised in the 12 months from 1 January 2025 to 31 December 2025.



Graph 8: Registered v Closed Claims.

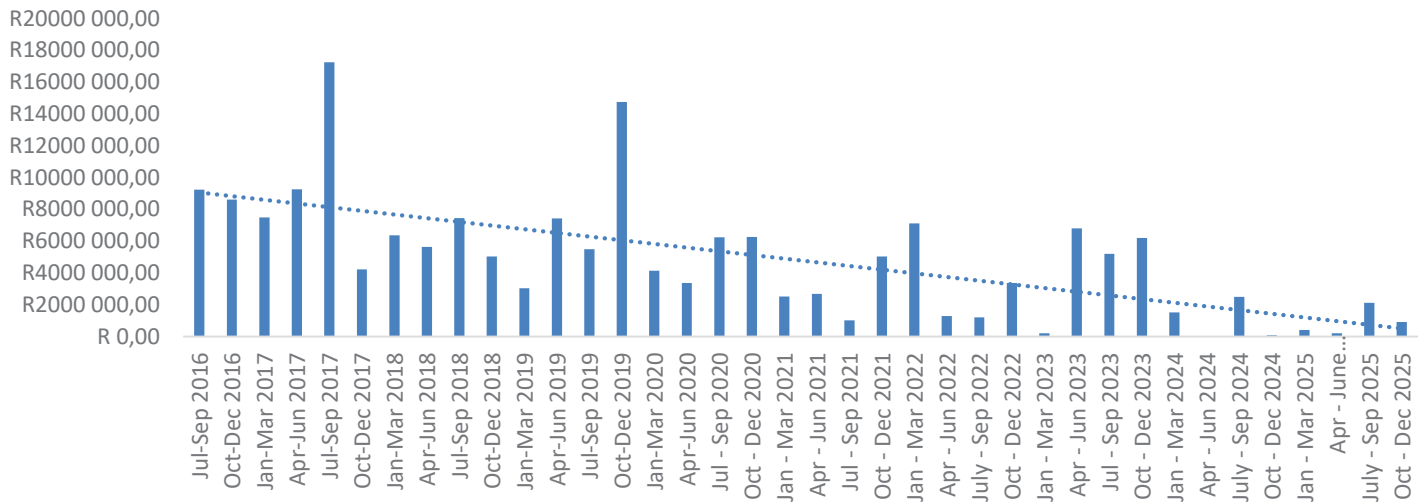
Number and value of cybercrime notifications

The total number of cybercrime claims that have been reported to the LPIIF between July 2016 and December 2025 was 268 with a total rand value of R 181 921 360.39 as Graphs 14 and 15 below show. These graphs are the pictorial display of how these claims have progressed since July 2016, both in terms of the frequency and the severity of the claims.



Graph 9: Cybercrime claims – Number notified.

VALUE CLAIMED END DECEMBER 2025



Graph 10: Cybercrime claims – Value of claims notified.

SJ Kunene
Claims Executive, LPIIF

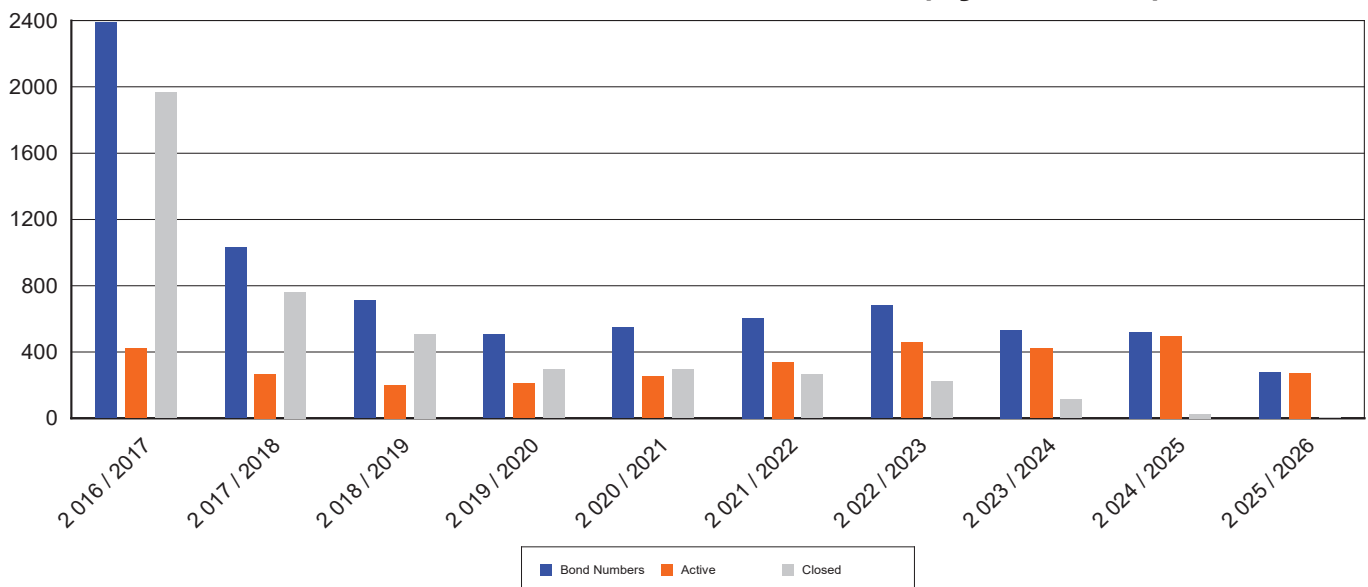
Executor Bonds

The LPIIF provides bonds of security on behalf of practising attorneys with a valid Fidelity Fund Certificate in support of their appointment by the Master of the High Court, as executors in deceased estates. These bonds of security are issued in line with the executor bonds policy and other risk management measures that are in place.

The management of the bonds is critical for various reasons. When bonds are managed to finality within the allocated timelines, capacity is created for the company to issue further bonds. The management of bonds also reduces the risks associated with this line of business. We continue to engage with all key stakeholders which include the Master of the High Court, the executors and the Legal Practice Council among others.

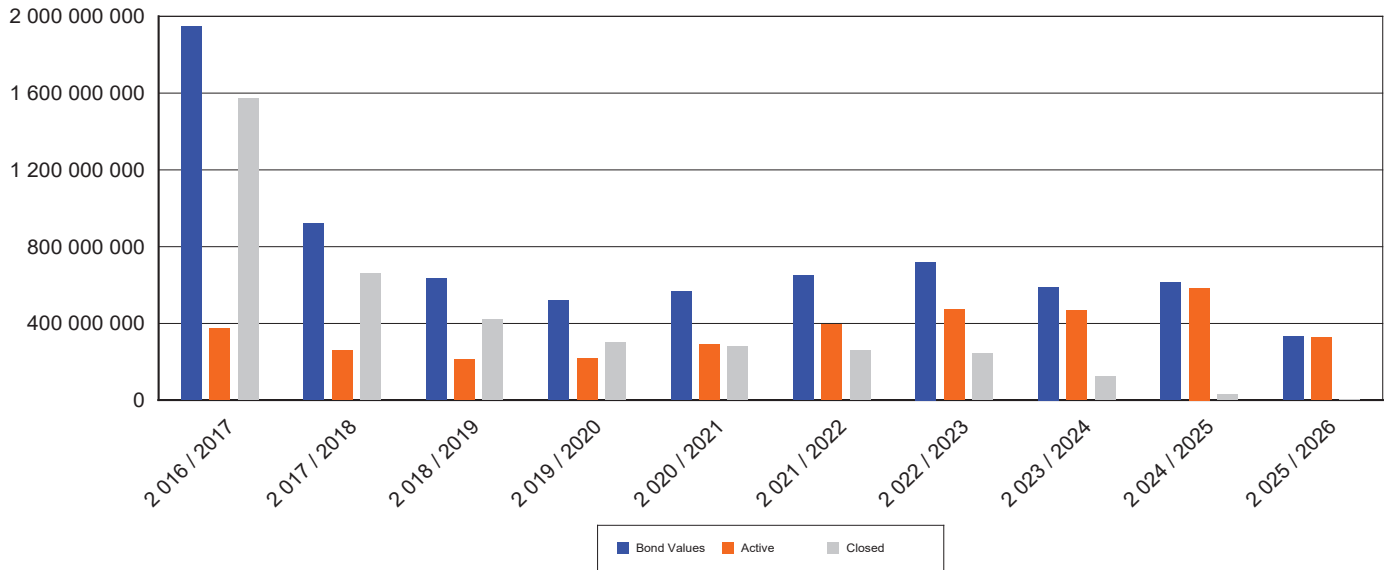
The statistics provided in this section of the report cover a period of ten insurance years. From the below graphs the movement of the bonds issued in the various years can be noted.

Active vs Closed Executor Bonds (by number)



Graph 11: Active v Closed Bonds – Numbers as of December 2025.

Active vs Closed Executor Bonds (by value)

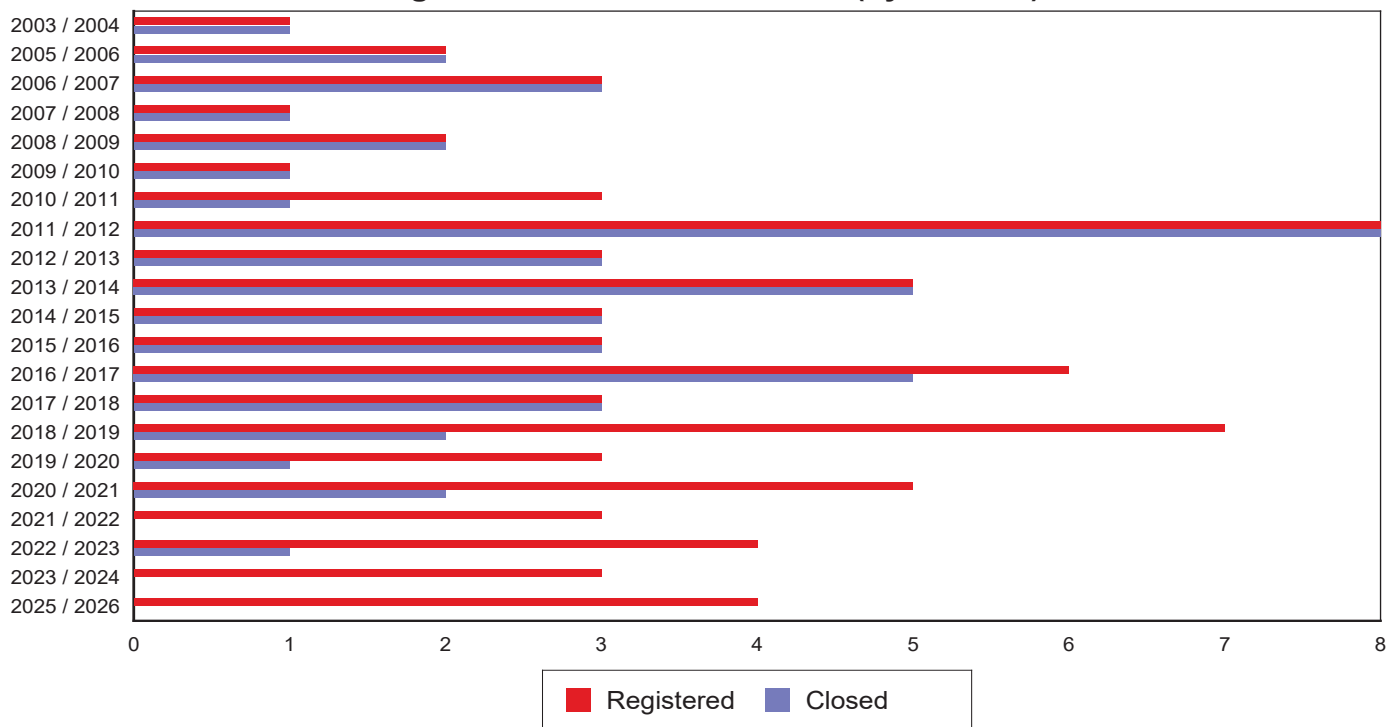


Graph 12: Active v Closed Bonds – Values as of December 2025

Unfortunately, there continues to be executors who once they have received the bond of security fail to administer the estate to finality and to cooperate with the us.

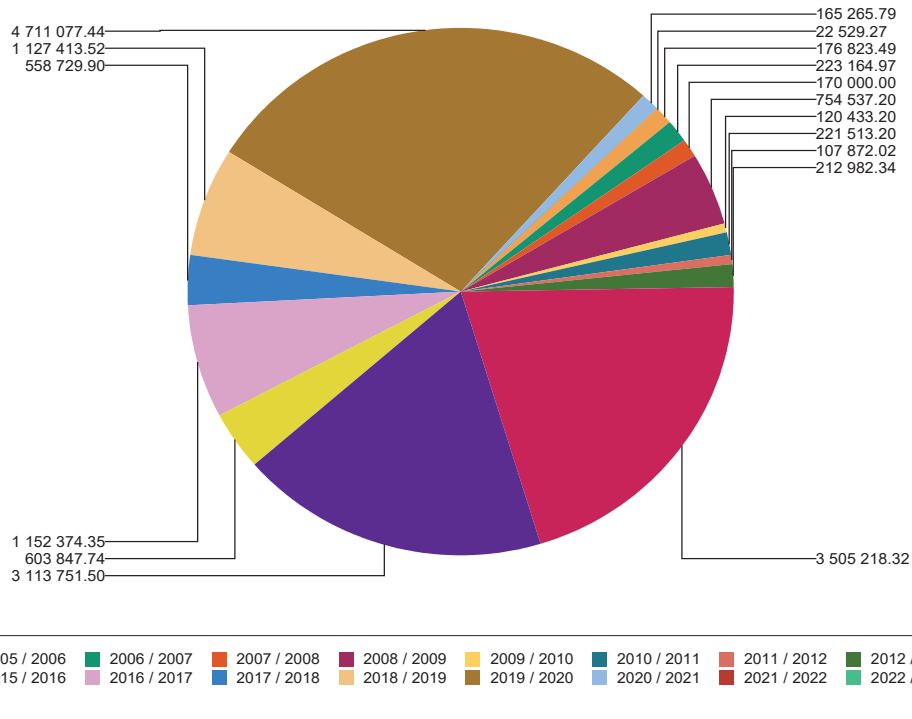
The claims in this line of business continue to emanate from misappropriation of the estate assets. The information relating to the registered and finalised claims in number and value may be gleaned from the graphs below.

Registered vs Finalised Claims (by number)



Graph 13: Finalised Bond Claims – Numbers as of December 2025.

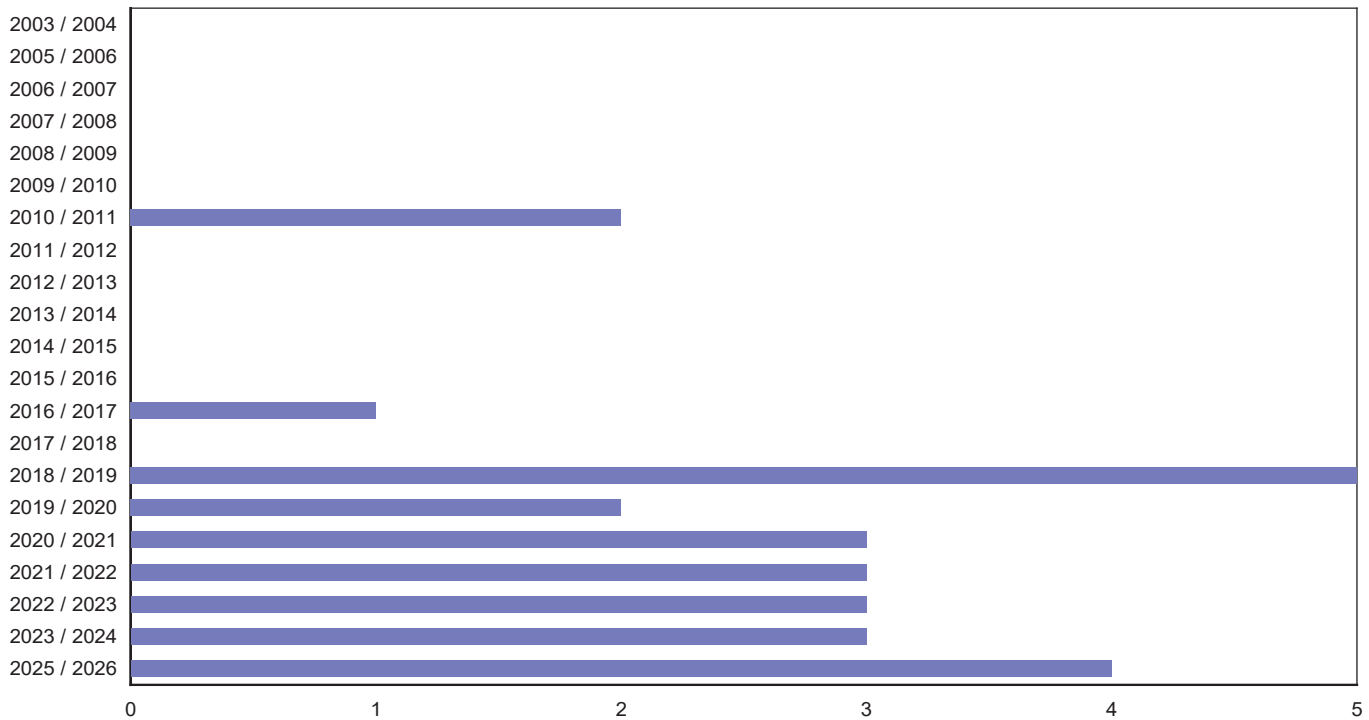
Finalised executor bonds claims (by value)



Graph 14: Finalised Bond Claims – Values as of December 2025

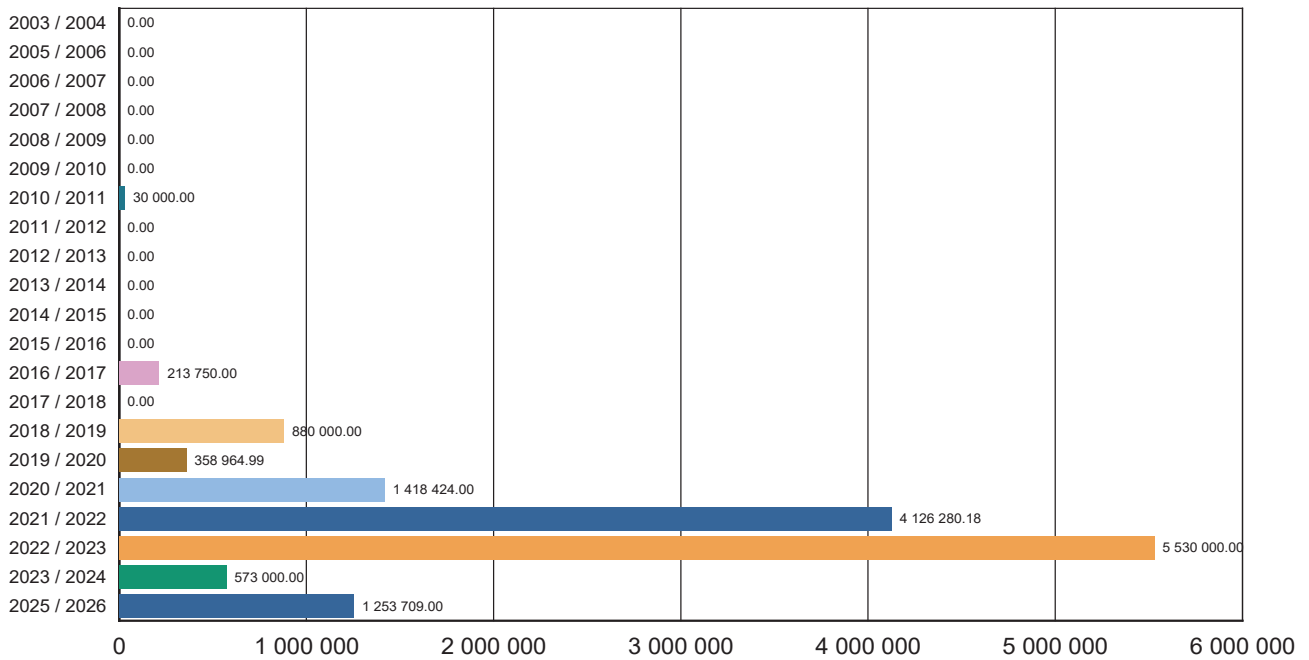
The graphs below provide an overview of the number and value of executor bond claims that are still under investigation. Because a bond of security is issued in favour of the Master of the High Court, any claim arising therefrom, can only be instituted by the Master’s office. The delays in investigating and finalising these claims is the lack of critical information which supports the master’s claim, as in some instances the executor is suspended or struck off the roll, with estate files missing and executor not cooperative.

Outstanding Executor Bonds Claims (by number)



Graph 15: Outstanding Bond Claims – Numbers as of December 2025.

Outstanding executor bonds claims (by value)



Graph 16: Outstanding Bond Claims – Values as of December 2025.

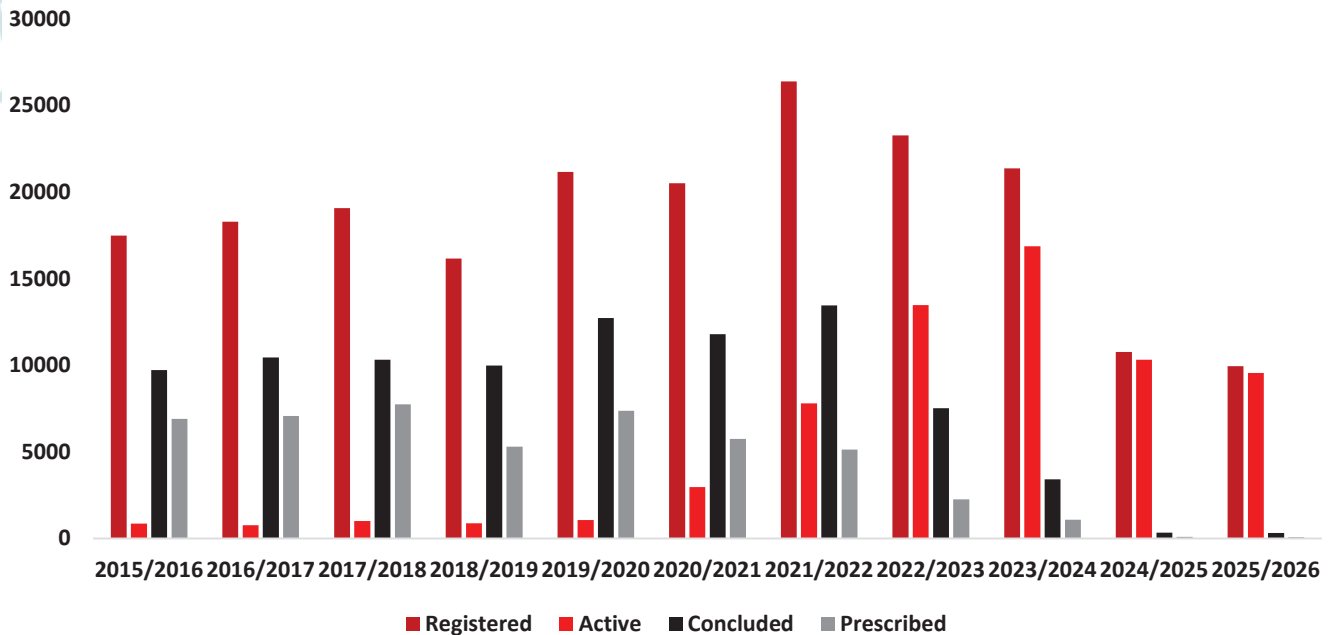
Prescription Alert

Prescription Alert is a computerised diary system which is provided by the LPIIF to the profession. It is a risk management tool which assists the profession in managing their time-barred matters. Practitioners that register their matters on this system receive reminders at predetermined intervals alerting them of the approaching prescription dates. Practitioners have full control over their firm profiles and matters.

We continue to see a steady increase in the number of firms that utilise this system for their time-barred matters. We liaise with newly admitted practitioners, introducing them to this service monthly.

From the graph below a comparative picture of the various statuses of matters registered over the 11-year period may be gleaned. Those matters that are classified as prescribed were not updated on the system by the practitioners to show that prescription was interrupted, prior to the expiry of the prescriptive period.

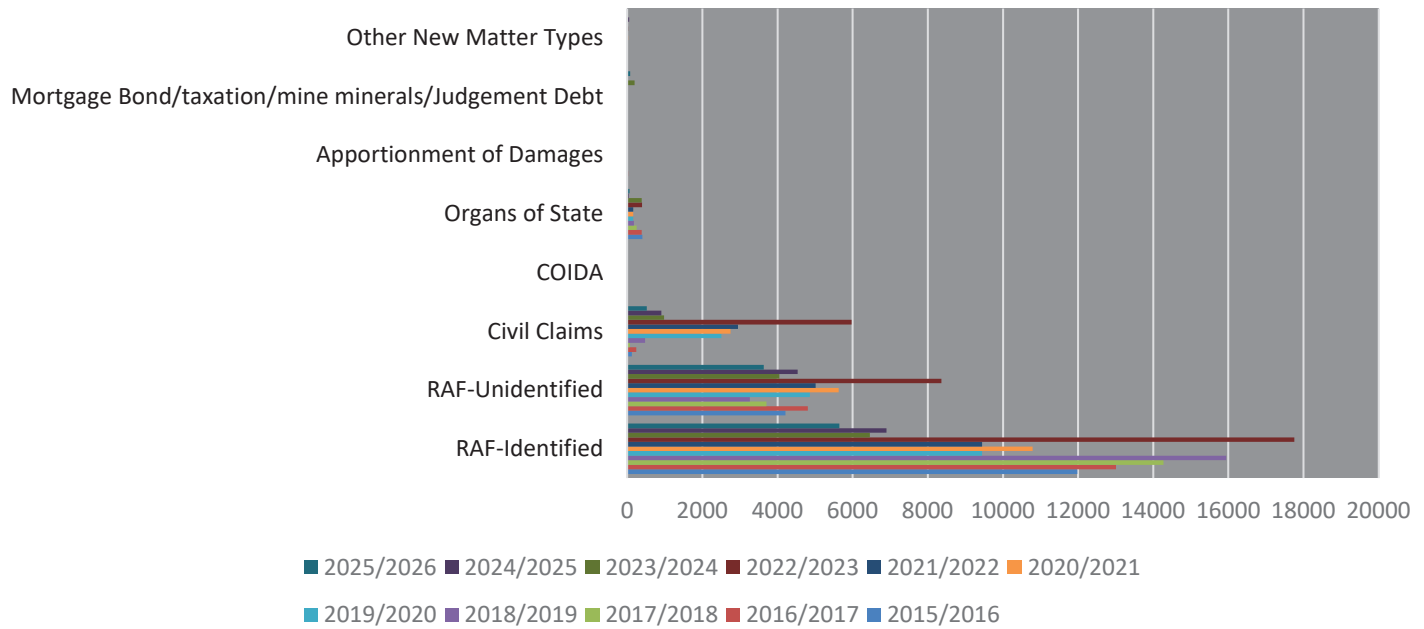
Prescription Alert Matter Statuses



Graph 17: Prescription Alert Matter Status as of December 2025.

It must be noted that Prescribed RAF claims attract a 20% loading on the deductible if they were not registered with Prescription Alert and/or where the reminders sent by that unit were not adhered to. The graph below shows the various matters registered on this system through the years.

Registered Matters by Type



Graph 18: Registered Matter - Type as of December 2025.

Prescription Alert may be used for all time-barred matters; however, the trend has continued that it is mainly used to manage the Road Accident Fund matters.

Z Mbatha
Executor Bond Executive, LPIIF

Legal Provident Fund

The Legal Provident Fund (the Fund) was created by the attorneys’ profession to help legal practitioners meet their retirement savings and death and disability benefit needs. It is a standalone umbrella retirement fund regulated by the Pension Funds Act 24 of 1956. The Law Society of South Africa (LSSA) is a sponsor and key stakeholder of the Fund.

The Fund supports Small and Medium Enterprises (SMEs) within the legal profession in that it offers membership to employers with as few as one employee. This differs from other retail umbrella funds, where membership is only available for employers with ten or more employees. This allows SMEs to offer their employees a retirement savings vehicle and access to risk benefits at institutional rather than retail pricing.

Fund Management

The Fund has an independent Principal Officer, Jeanine

Astrup, who is an actuary and a Certified Financial Planner. The Board of Trustees comprises of both Trustees elected by the LSSA and the General Council of the Bar (the GCB) (as sponsors), as well as Independent Trustees. The current Board is detailed below.

Sponsor Elected Trustees	Independent Trustees
Adv Kameel Magan (GCB) (Chairman)	Vanessa Bell
Ellen Zanele Makula (LSSA)	Adv Hannine Drake
Matshego Ramagaga (LSSA)	Iqbal Ganie
Andre Styger (LSSA)	Janine Player
Eunice Masipa (LSSA) (alternate)	Lerato Moletse (alternate)
Adv Zandile Qono (GCB) (alternate)	

Both Sponsor Elected and Independent Trustees have a fiduciary duty to act independently in the best interests of members. Trustees are required to complete formal Trustee Training prepared by the Financial Sector Conduct Authority within six months of appointment. Trustees are also required to attend Board meetings and to deal with Fund matters between meetings.

Trustees' term of office

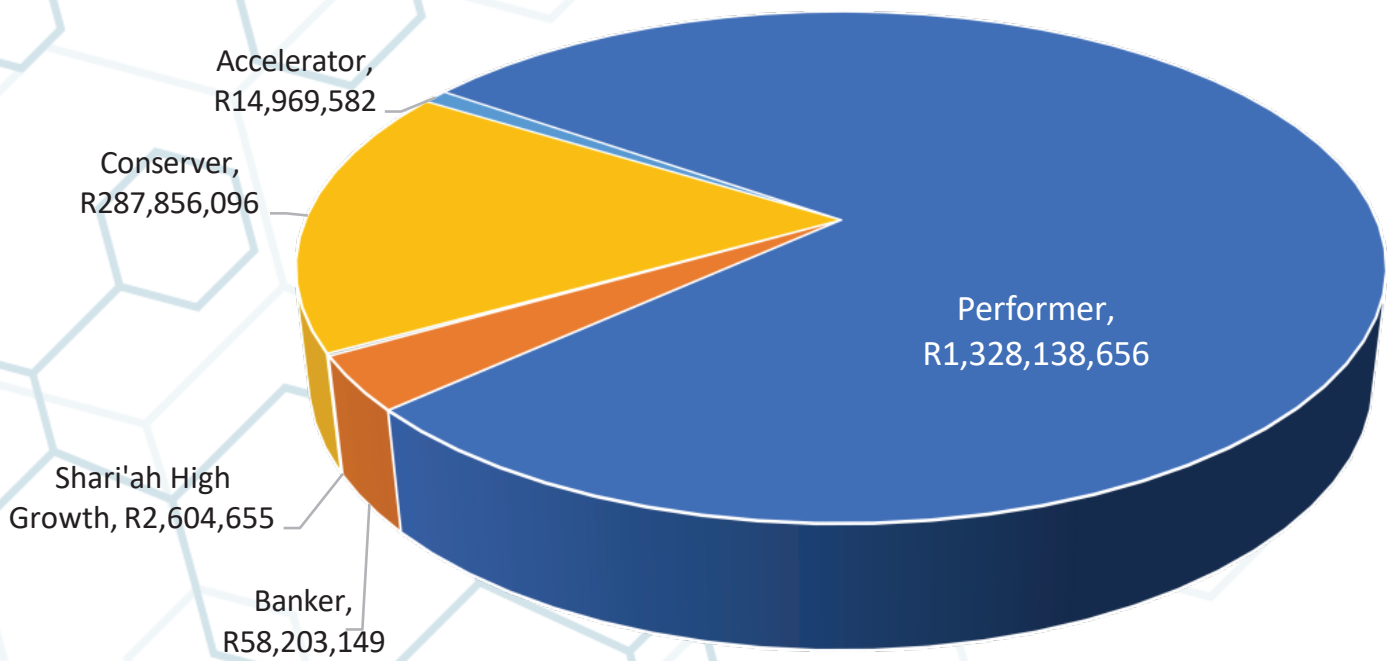
The term of office of the Independent Trustees will end on 31 March 2026. The Sponsor Elected Trustees have agreed that the appointment of an alternate Independent Trustee is not required for the foreseeable future, given the strong commitment demonstrated by the Independent Trustees in respect of meeting attendance and active participation in Fund matters. In addition, the Sponsor Elected Trustees have recognised the value

contributed by the current Independent Trustees over the past three-year term, as well as the importance of continuity, and have therefore agreed to retain the current Independent Trustees for a further three-year term.

Accordingly, Lerato Molete will replace Iqbal Ganie as an Independent Trustee with effect from 1 April 2026. The Fund would like to express its sincere appreciation to Mr Ganie for his many years of dedicated service and wishes him well in his future endeavours.

The terms of office of three of the four Sponsor-Elected Trustees will end on 30 September 2026, while Ms Ramagaga's term will end on 31 December 2026. The LSSA will therefore be required to consider new appointments with effect from 1 October 2026 and 1 January 2027 respectively, with the option of re-appointing the current Trustees.

Fund Investments



Details regarding the historical returns earned on the above portfolios are provided below.

Name	1 Month	3 Months	6 Months	1 Year	3 Years	5 Years	8 Years	10 Years
Performer								
Gross of Fees	1.89%	4.91%	12.66%	21.85%	16.77%	14.96%	11.75%	11.08%
Net of Fees	1.82%	4.65%	12.15%	20.78%	15.79%	14.00%	10.85%	10.16%
<i>Benchmark</i>	1.84%	4.74%	12.21%	22.42%	16.69%	14.50%	10.70%	10.02%
Conserver								
Gross of Fees	1.75%	4.46%	10.11%	17.93%	14.95%			
Net of Fees	1.68%	4.22%	9.61%	16.85%	13.89%			
<i>Benchmark</i>	1.60%	4.35%	10.47%	18.76%	14.07%			
Banker								
Gross of Fees	0.71%	2.07%	4.24%	8.94%	9.53%	8.02%	8.02%	8.19%
Net of Fees	0.69%	2.01%	4.10%	8.66%	9.25%	7.76%	7.77%	7.86%
<i>Benchmark</i>	0.60%	1.70%	3.48%	7.26%	7.75%	6.32%	6.17%	6.30%
Accelerator								
Gross of Fees	2.01%	6.42%	15.39%	26.09%	19.31%	17.16%	12.38%	
Net of Fees	1.93%	6.22%	14.97%	25.19%	18.45%	16.26%	11.54%	
<i>Benchmark</i>	1.79%	5.81%	14.75%	25.48%	19.11%	15.77%	10.82%	
Shari'ah High Growth								
Gross of Fees	2.10%	6.75%	20.33%	28.84%	15.25%	15.11%	11.55%	
Net of Fees	2.01%	6.45%	19.66%	27.41%	13.94%	13.89%	10.40%	
<i>Benchmark</i>	1.43%	5.31%	18.93%	31.07%	13.86%	13.37%	10.63%	

The table below details the expenses paid on each of the portfolios. Participating employers and members benefit significantly from reduced expenses as a result of the total size of the assets invested by the Fund.

Fees for the three-year rolling period 30 November 2025*

*December 2025 fees were not yet available at the time of finalising this report.

Expense type		Accelerator	Banker	Conserver	Performer	Shari'ah High Growth
A	Average Annual Service Charge (incl VAT)	0.61%	0.25%	0.59%	0.47%	1.10%
B	Underlying Manager Performance Fees	0.07%	0.00%	0.00%	0.08%	0.00%
C	Underlying Global Manager Expense	0.00%	0.00%	0.00%	0.09%	0.00%
D	Underlying Fund Expense	0.09%	0.00%	0.33%	0.24%	0.04%
E	Other Expenses	0.01%	0.01%	0.01%	0.00%	0.01%
F	Total Expense Ratio (TER) (1)	0.78%	0.26%	0.92%	0.89%	1.15%
G	Transaction Costs (TC)	0.18%	0.00%	0.09%	0.11%	0.09%
H	Securities Lending Income (SLI)	0.00%	0.00%	(0.01%)	0.00%	0.00%
I	Total Investment Charges (TIC) (2)	0.96%	0.26%	1.01%	1.00%	1.24%

(1) Columns A + B + C + D + E

(2) Columns F + G + H

Did you know?

Employers with member assets of less than R 50 million participating in a commercial umbrella fund would pay 0.20% more in investment fees on the Performer portfolio? That is equal to R 100 000 a year in additional retirement savings.

The South African investment environment experienced a notably positive period during the final quarter of 2025. Key developments included South Africa's removal from the Financial Action Task Force (FATF) grey list, an upgrade to the country's sovereign credit rating by S&P, and the formal adoption of a 3% inflation target. Together, these developments improved investor confidence in the local economy.

By contrast, global markets were affected by uncertainty, particularly around United States tariff negotiations and broader geopolitical tensions. This uncertainty led many investors to shift capital towards commodities, which in turn provided additional support to South Africa's resource sector. As a result, local markets delivered exceptional returns in 2025, with the JSE All Share Index increasing by 42.40% and the All Bond Index rising by 24.24%.

Foreign investments, however, delivered weaker returns when measured in South African Rand terms. This was largely due to the approximately 13% strengthening of the Rand against the US Dollar during the year. While stronger currency levels are positive for the broader economy, they reduced the Rand value of offshore investments and therefore moderated overall portfolio returns for South African investors in 2025.

Fund developments

As at 31 December 2025, the Fund had 3,117 active (in-service) members and more than 200 participating employers across South Africa.

The Fund finalised its audit in September 2025 and received an unqualified audit opinion for the financial year ended 31 March 2025, providing assurance on the integrity of its financial reporting and governance processes.

Member activity relating to the two-pot savings component withdrawal benefit continued during the year, with an initial increase in claims following the start of the new tax year. Since 1 March 2025, a total of 588 claims have been paid, amounting to approximately R6 million.

Cybersecurity remained a key focus for the financial services sector in 2025, with regulators requiring retirement

funds and their service providers to implement robust cybersecurity and cyber-resilience measures. The Fund can confirm that its administrator, Alexforbes, has strong cybersecurity controls in place, including two-factor authentication for member online access. The Fund continues to encourage employers to make use of online contribution schedule submissions and electronic exit form processing to further reduce cybersecurity risks associated with the transmission of personal information via e-mail.

The Fund also continues to enhance its employer-level communication to better understand member needs and improve engagement with all Fund stakeholders.

This engagement takes place through group presentations and one-on-one meetings. Employers are encouraged to look out for the Common Questions documents issued at least twice a year, which provides important employer-focused information and updates.

Conclusion

The Fund continues to look for ways to improve its offering to employers and members in the form of competitive benefits, simplified administration and member and employer education and assistance.

Employers and members are encouraged to browse the Fund's website should they need further information or details on how to contact the Fund should they have any questions.



SPECIALIST COMMITTEES

Alternative Dispute Resolution Committee

Members: Mojau Ramathe (Chairperson); Frankl Weber, Tsoane Khoarai; Ugeeta Pala; Joanne Anthony-Gooden; Onesimo Mkhumbuzi; Thembelani Nkele and Chandika Singh (invitee).

Meetings and activities

The Alternative Dispute Resolution (ADR) Committee did not convene frequently during the period under review. The Committee formally held two meetings held on 6 May 2025 and a joint meeting with the Personal Injury and Court Practice Committees on 14 August 2025, after various meetings were cancelled due to lack of quorum and unavailability of members. The committee dealt with the South African Law Reform Commission Discussion Paper on Mediation and the exclusion of the LSSA as a structure that can host mediations and the need to train practitioners on various alternative dispute resolution (ADR) professions.

In addition, the Committee participated in a joint engagement with the Personal Injury and Court Practice Committee, during which consideration was given to the mediation directives issued by the Judge President of the Gauteng Division to give input on the views of the committee.

This joint engagement was constructive and allowed for meaningful discussion and consideration of the implications of the Judge President's directives on mediation practices and dispute resolution processes.

Functioning of the Committee

While the Committee remains properly and well constituted, the limited number of meetings constrained its ability to fully implement, monitor, and assess resolutions and enable full contributions in the initiatives within its mandate. The Committee recognises that regular engagement is essential to ensure effective oversight, responsiveness to developments in ADR practices, and alignment with judicial directives and professional standards.

Reflection and way forward

The Committee is of the view that it needs to meet more frequently in order to –properly implement its resolutions;

- monitor and assess the effectiveness of ADR-related initiatives;
- respond proactively to developments such as judicial directives on mediation; fulfil its mandate to the LSSA in a meaningful and impactful manner; and contribute fully to the management of direction that ADR is taking in the Republic.

Conclusion

The ADR Committee remains committed to its role within the LSSA framework. Increased frequency of meetings will enhance the Committee's effectiveness and ensure that its work contributes positively to the development and regulation of alternative dispute resolution in South Africa.

We thank the management of the LSSA for the support they have given us in making sure that this committee adds value to the LSSA.

Mojau J Ramathe

Chairperson

Artificial Intelligence Committee

Members: Azhar Aziz-Ismail (Acting Chairperson), Duimpie Dube, Chris Mamathuntsha, Hajira Kara, Andréa Campbell (Expert), Nerushka Bowan (Expert), Naomi Thompson (Expert) and Leah Molatseli (Expert).

The evolution of legal practice

The legal profession in South Africa (and across the world) is navigating a period of transformation. The rapid evolution of technology, culminating in the widespread accessibility of GenAI, has shifted AI from a niche technological interest to a fundamental driver of legal practice. This shift presents a dual reality... while it offers tools that can radically enhance efficiency and broaden access to justice, it also introduces significant ethical and professional risks that require careful stewardship.

Recognising this, the LSSA House of Constituents (HoC) resolved to establish the LSSA's Artificial Intelligence (AI) Committee, which was formed in October 2025. As a dedicated specialist body, the AI Committee's role is to serve as a compass for legal practitioners, helping them navigate the complexities of digital transformation while ensuring that the 'human element,' which is the bedrock of our justice system, remains intact. Our mission is to promote the responsible and appropriate use of AI in a manner that not only protects the integrity of the profession but actively creates a more equitable legal industry where firms and legal departments of all sizes can thrive, and ultimately empower access to justice. It is an honour for me to present the AI Committee's first report, marking the beginning of an essential chapter in the LSSA's commitment to guiding the profession through technological change.

The purpose of the AI Committee

The AI Committee operates as a Specialist Committee, with a structure designed to incorporate subject-matter experts to address the highly technical and rapidly evol-

ing nature of this field. Our mandate is to provide expert guidance and policy recommendations on the ethical, legal, and professional implications of AI while facilitating a broad exchange of knowledge across the legal sector. By monitoring national and international developments, the AI Committee aims to develop best-practice guidelines for responsible use and support harmonisation efforts across Africa. Furthermore, we are committed to promoting AI-related education and digital literacy for legal practitioners, candidate legal practitioners, pupils, regulators, and the judiciary to ensure the entire legal ecosystem is empowered for the future.

The necessity of oversight: Navigating benefits and risks

The establishment of this AI Committee comes at a critical juncture. Globally and locally, we have witnessed the consequences of the 'irresponsible' use of AI, notably through hallucinations, where tools generate fictitious outputs (such as case law). Significant local matters such as *Mavundla v MEC: Department of Co-Operative Government and Traditional Affairs KwaZulu-Natal*, *Northbound Processing v South African Diamond and Precious Metals Regulator and Others*, and *Parker v Forsyth* serve as stark reminders that professional duties and responsibilities cannot be delegated to technology. These cases underscore the 'human-in-the-loop' principle and that legal professionals maintain an unwavering duty to verify any information they rely on, whether sourced from a traditional journal, a basic internet search, or generative AI.

While hallucinations are the most publicised risk at present, they represent only one facet of a broader challenge. Legal practitioners must be cognisant of other serious risks when using AI, and clear guidance on these risks is essential to ensure that technological adoption does not come at the expense of our ethical foundations or the protection of the public.

Nevertheless, these risks must also be balanced against the immense potential for AI to act as a 'great equaliser' in our industry. For small and mid-sized practices and legal departments, AI-driven automation and research tools offer scalability, allowing them to transform their workflows and compete more effectively. When used ethically, appropriately, and responsibly, AI becomes a powerful tool for access to justice, enabling legal practitioners to serve a broader segment of the public with greater speed and lower costs.

Inaugural activities and strategic mandate

Since its formation in October 2025, the AI Committee has moved swiftly to define its strategic mandate. Key highlights from our inaugural meeting and ongoing work include:

- **Finalisation of Terms of Reference (ToR):** The AI Com-

mittee has established a robust framework focused on providing expert guidance on AI law, advancing recommendations on national policy, and supporting regional initiatives to develop best practices across the African continent.

- **International alignment:** We are considering insights from the International Bar Association (IBA), Commonwealth Lawyers Association (CWLA), American Bar Association (ABA), Law Society of England & Wales, Law Society of Ireland, Nigerian Bar Association (NBA), Ministry of Law Singapore, and others across the world, ensuring that South African legal standards remain aligned with global data governance and security trends.
- **Regulatory collaboration:** A priority for the AI Committee is establishing a proactive channel with the Legal Practice Council (LPC) and other relevant stakeholders to ensure that there is unified guidance across South Africa. This also includes engaging with policymakers, regulators, academia, and SADC law societies.
- **Friends of the Committee:** To ensure our guidance is inclusive and dynamic, we will be establishing a 'Friends of the Committee' network. This allows us to consult with a diverse group of legal-tech experts and stakeholders to ensure our recommendations are practical and future-proof. The AI Committee will reach out to those experts identified at a later stage in the process.

Strategic Outlook for 2026

In the coming year, the AI Committee will focus on the following pillars:

- **Drafting National Guidelines:** Developing a comprehensive set of ethical guidelines for the use of AI in South African legal practice.
- **Professional development:** Creating educational resources to move the profession from a state of apprehension to one of informed empowerment.
- **Advocacy:** Engaging in legislative discussions to ensure that AI regulation in South Africa supports innovation while protecting the public interest.

Note of appreciation

I would like to express my gratitude to the members of the AI Committee and our specialist expert invitees for their commitment to this pioneering work. My thanks also go to the LSSA Professional Affairs department for their diligent support in operationalising this AI Committee.

As we move forward, we remain dedicated to ensuring that AI serves as a catalyst for a more efficient, inclusive, and just legal system for all South Africans.

Azhar Aziz-Ismail
Acting Chairperson

Company Law Committee

Members: Peter Veldhuizen (Chairperson), Abigail Reynolds (Deputy Chairperson), Millie Shantelle Lurie, Nolundi Mda, Umesh Jivan, Odwa Mkhumbuzi and Arnold Mohobo.

This Annual Report reflects on the work, engagements, and key developments of the Company Law Committee (the Committee) of the Law Society of South Africa (LSSA) during the 2025 reporting period. The Committee continued to play a critical role in engaging with regulatory authorities, particularly the Companies and Intellectual Property Commission (CIPC), and in addressing matters of concern to legal practitioners and the broader profession in relation to company law and regulatory compliance.

Composition of the Committee

During 2025, the Committee comprised representatives from various constituencies, including independent members, professional bodies, and LSSA office bearers. The Committee benefited from a diverse range of expertise, which supported informed discussion and constructive engagement with stakeholders.

The Committee was supported administratively by the LSSA Professional Affairs division.

Meetings and governance

The Committee met once during the year, via Zoom on 4 September 2025.

Key focus areas and activities

Engagement with CIPC and the Company Liaison Committee (CLC).

A significant focus during 2025 was improving stakeholder engagement with the CIPC. This continues to be a focus area, not without its challenges.

Audit of business accounts

A key development during the reporting period was the confirmation of a declaratory court order obtained by the LSSA regarding the audit of business accounts. The Committee noted that:

- The CIPC had indicated an intention to appeal the order but failed to do so within the prescribed time period.
- The declaratory order therefore remains in force and business accounts are not subject to audit in terms of the current legal position.

Beneficial ownership

The Committee closely monitored the rollout of the CIPC's new beneficial ownership platform during 2025.

Conclusion

The Chairperson and Vice-Chairperson take this opportunity to thank the LSSA staff for their assistance during the year and their ongoing support.

Peter Veldhuizen

Chairperson

Competition Law Committee

Members: Paul Coetser (Chairperson), Chris Mamathuntsha, Matshego Ramagaga, Nikita Mazwi, Gavin Gow, Ntombomzi Ngada, Rebone Mohlahatsa.

Key developments

The Committee considered a letter from the Competition Commission requesting information relating to conveyancing practices in the profession. The source of the letter was a complaint from a certain Mr Raath to the Commission relating to conveyancing fees in property transfers, claiming they are disproportionately high and questioning why the seller appoints the conveyancer while the purchaser pays the fees. The Committee met with the Property Law Committee to discuss the matter. It was then agreed that rather than responding to the Commission in writing, a meeting should be set up with the Commission for an opportunity to provide context on the how conveyancing operates in practice and the various risks relating thereto.

The Committee then met with officials from the Competition Commission on 17 April 2025. Committee members explained the rationale behind the practice of sellers appointing the conveyancer, highlighting the risks sellers face when transferring what is often their most valuable asset. They further noted that mechanisms are in place to address complaints related to overcharging. A high-level explanation of the conveyancing fee guideline was also given, which was subsequently provided to the Commission. Following this interaction, there was no further communication from the Commission with regard to Mr Raath's complaint.

The Committee also considered the responses from two commercial banks to a letter from the LSSA relating to conveyancing fees. The one response indicated that the subject matter falls within the mandate of the Banking Association of South Africa (BASA) and referred the LSSA to BASA, expressing the view that the matter should be dealt with at that level. The Committee resolved that the LSSA should reach out to BASA to determine whether the matter was indeed considered by BASA and what the outcome was. If the response was not affirmative or satisfactory, BASA should be requested whether it would be

prepared to meet with the LSSA to discuss the matter.

The Committee noted that there was no significant development following the South African Law Reform Commission's discussion paper on the investigation into legal fees (on which the Committee commented in previous years). The Committee indicated that it would keep on monitoring the situation and await further direction from the LSSA Council.

The Committee resolved, as a matter of general conduct, not to only act in response to issue referred to them by Council but also to take a pro-active approach to competition developments which may potentially affect the legal profession.

Apart from in person meetings, members of the Committee interacted further in correspondence and by telephone from time to time as and when required by the circumstances.

Focus for 2026

The Committee will consider and adopt a formal Terms of Reference, a draft of which will be prepared by the Senior Professional Affairs Manager for consideration by the Committee in due course.

The Committee will attempt to meet with the new Minister of Trade, Industry and Competition, Mr Parks Tau and/or the newly appointed Director General of the Department of Trade, Industry and Competition. The Committee will also consider commenting from time to time on new competition law legislation, guidelines and practice notices if and to the extent that this impacts substantially on the legal profession.

Paul Coetser
Chairperson

Compliance Committee

Members: Mfana Gwala (Chairperson) Nkosana Mvundlela, Angela Itzkowitz, Nolita Jali, Andries Nkome, Sentebale Makara, Muziwandile Nhlapo, Martus de Wet (expert)

Introduction

The Compliance Committee of the Law Society of South Africa (LSSA) is mandated to guide the profession on compliance obligations, particularly those arising from the Financial Intelligence Centre Act (FICA), Legal Practice Council (LPC) and to advise the LSSA on strategic matters relating to regulatory risk, litigation, and policy interventions.

During 2025 the Committee's work was dominated by:

- The Len Dekker Attorneys and Kunene Ramapala Inc. matters involving FIC administrative sanctions;
- The development of Risk Management and Compliance

Programme (RMCP) Guidelines;

- Engagements on the burdensome nature of FIC compliance, especially for small practitioners; and
- Considerations of a broader constitutional challenge to certain aspects of the FIC Act.

The Committee met, on 22 January 2025 and 09 September 2025 and on 05 March 2026 and continued engagements electronically between meetings when required.

Committee Composition

The Committee included representation from:

- BLA: N Mvundlela, M Nhlapo
- Independents: M de Wet
- NADEL: S Makara
- LSSA: N Sotenjwa, S Sekano, K Devan
- Ex Officio Member: M Gwala
- Invitee: F Dorey

The Committee notes ongoing concerns regarding gender representation. While Ms N. Jali and Ms A Itzkowitz serve on the Committee, they were unable to attend the September meeting. The Committee supports the broader LSSA initiative to improve female representation across committees.

Key Activities and Decisions

FIC Litigation Matters

i) Len Dekker Attorneys / FIC

The Committee spent substantial time addressing this matter. Key issues included:

- The retrospective application of FIC sanctions;
- The extent of FIC's powers post 2022, considering the previous role of the Legal Practice Council (LPC); and
- The LSSA has continued to participate as an amicus curiae in the matter. The High Court Appeal application was heard on 03 February 2026, and the judgment has been reserved.

ii) Potential Constitutional Challenge of FICA

Discussions highlighted concerns that:

- FICA requirements may be unconstitutional, overly burdensome, and disproportionate for small firms;
- The framework may undermine access to justice, particularly in urgent matters or cases involving vulnerable individuals; and
- Heavy compliance expectations jeopardise the viability of the 14,000 sole practitioners in South Africa.

A firm of attorneys, De Wet Wepener Inc has been appointed by the LSSA to give an opinion on the concerns noted above.

During the committee meeting held on 05 March 2026

the committee discussed the disproportionate compliance burden on sole practitioners who constitute the majority of the attorneys' profession, the categorization of all legal work as inherently high-risk, the potential increase of legal services as a result of the compliance burden, limiting access to justice and potentially threatening the profession's independence and constitutional protections, including attorney-privilege.

The committee resolved to conduct a national survey of the legal profession to gather empirical data on the types of matters handled by law firms, the proportion of low-risk versus high-risk work, and the compliance burden experiences across different practice types. This survey will enable the LSSA to engage more effectively with the Minister of Finance and the FIC using evidence based insights.

iii) Development of RMCP Guidelines

One of the Committee's major achievements in 2025 was progressing a 60 page RMCP Guideline aimed at:

- Helping practitioners understand FICA obligations.
- Directing compliance with registration, reporting, risk assessment, and employee screening requirements.
- Supporting preparation of Risk and Compliance Returns (RCRs).

Conclusion

The Compliance Committee's work in 2025 reflected the growing pressure on the legal profession created by FIC compliance demands. The Committee continues to play a critical role in safeguarding the interests of practitioners while ensuring that responsible, lawful compliance frameworks are developed. The Committee expresses appreciation to all members, supporting staff, stakeholders, and legal practitioners who contributed to its work during the year.

Mfana Gwala
Chairperson

Constitutional Affairs and Human Rights Committee

Members: Shamila Singh (Chairperson), Andries Nkome (Deputy Chairperson) Sekonyela Moeketsi, Zincedile Tiya, Eliot Buthane, Ryan Smit, Sonja Labuschagne and Larry Seethal.

The previous chairperson Mr Daryl Burman resigned from this committee in 2025 due to serious ill health. The previous Deputy Chairperson of the committee, Ms Shamila

Singh was appointed as the current Chairperson since the end of 2025 and Mr Andries Nkome appointed Deputy Chairperson since the end of 2025.

Term of reference of this Committee

It is honourably accepted that prior to 2025 this committee was lawfully and correctly re-evaluated and entitled to enhance the protection and application of the South African Constitution and Bill of Rights in respect of existing legislations where the Constitutional aspect of the legislation is deemed suspect.

Key developments

In November 2025 this committee received requests for comments in respect to the following issues:

- Minutes of the previous meeting on the 22 March 2024. This was attended to and finalised inclusive of comments made by the Chairperson.
- Government amendments in 2025 in respect to Regulations relating to the surveillance and control of the Notifiable Medical Conditions 2017. These regulations were subject to legal scrutiny and court challenges in South Africa due to mostly their concerns about their constitutionality and the extent of state powers during public emergencies. This was attended to and finalised inclusive of comments by the Chairperson.
- The Department of Justice and Constitutional Development requested interested parties, which included this committee, to submit written comments on draft regulations issued in respect to ss 8(1)(a) and (b) and 10(2)(c) of the Prevention and Combating of Hate Crimes and Hate Speech Act 16 of 2023. This was attended to and finalised inclusive of comments by the Chairperson.
- Additionally, the Chairperson contributed to s 270 of the Criminal Procedure Act 51 of 1977 and the importance of the Draft regulation requirements to be met by the departments Director-General, the South African Police Services Service, National and Provincial directors of Public Prosecutions, Clerks of Court and High Court Registrars plus further research responses.
- The Rules Board requested interested parties, which included this committee, to submit written comments on proposed amendments (Rule 51A) to Rule 51 the Magistrates Court Rules which rules do not refer to the Land Court, appeals in land related legislation, nor the automatic reviews in terms of the Extension of Security of Tenure Act 62 of 1997 (ESTA) and some appeals were still being submitted to the High Court instead of the Land Court, so the Rules Board had to consider the prospect of inserting the amendments in terms of Rule 51A in the Magistrates Court Rules. This was attended to and finalised with contributions made by the Chairperson. In that the said amendments are certainly legally and

factually compliant with the existing Rule 51 of the said Magistrates' Courts Act 32 of 1944, as well as ss 19(3) and 20(4) of the ESTA and ss 11(1) of the Land Courts Act 6 of 2023, and satisfy the relevant necessary lawful information requirements of the parties in respect of eviction orders.

Conclusion

This committee is relevant and compliant for constitutional and human rights issues for which relevant contributory comments and oversight in terms of relevant legislative and factual approval are to be done. The staff of LSSA provide very good support structures to the members of this committee. The committee is grateful and thankful, therefore. In addition, it is vitally important for this committee to have regular meetings and provide regular comments.

Shamila Singh
Chairperson

Court Practice Committee

Members: Umesh Jivan (Co-Chairperson), Graham Bellairs (Co-Chairperson), Banniky Mabunda, Odwa Nyembezi, Bukky Olowookorun, Ntsoafi Maema, Frankl Weber, Emily Simenya, Zuko Tshutshane, Dudu Mthimunya-Hluyo, Marianne Pretorius, Jappie Malatsi, Simon Tshehla, Vusi Nsibande, Marinkie Putuka, Xoliswa Bacela, Sinawo Makangela, Peta Fernie and Noko Maimela.

The Committee held various meetings in the reporting period; on 3 June 2025, 28 July 2025 and 14 August 2025. Further issues were dealt with during the course of the year by way of e-mail exchanges. The main issues considered by the committee were the following:

Board for Sheriffs

We participated in a combined meeting with the LSSA President's Sub-Committee, Legal Aid and Pro Bono Committee and Small Claims Court Committees on 12 May 2025. The purpose of the meeting was to receive and consider a report back from Mr Randall Titus, the attorney who was the previous attorney appointee to the Board for Sheriffs. He reported on numerous matters of concern and as a result of discussions his report was referred to Executive Committee (Exco) for further consideration and action.

PEEC and NEEC meetings

The minutes of Provincial Efficiency Enhancement Committee (PEEC) and National Efficiency Enhancement Committee (NEEC) meetings were considered and dis-

cussed. They covered the standard of court facilities, delays in most aspects of court services experienced by attorneys, transcription delays, overcrowding in prisons as well as security concerns.

The Road Accident Fund (RAF), its inefficiencies and the crowding out of court rolls to deal with RAF matters were also discussed and considered at length.

Sheriffs

The Sheriffs receive continuous scrutiny by the Committee which include a discussion regarding the failure to renew Sheriffs tenders which impacted on the delay of the service of process. The issues of demarcation and appointment of acting sheriffs were noted with concern.

Another issue relating to Sheriffs was their apparent charging of fees over and above the tariffs which requires investigation and engagement with the Board for Sheriffs as well as proactive intervention by practitioners.

Costs Committee

The Committee discussed and considered the incorporation of the Costs and Contingency Fees Committee into the Courts Practice Committee. Much discussion ensued as a consequence of which it was agreed that the Costs and Contingency Fees Committee should be invited to join the Court Practice Committee. The Cost Committee subsequently agreed to and with the merger being approved by the House of Constituents (HoC), the committee now forms part of the portfolio of the Court Practice Committee.

Rules Board

In addition to the meetings referred to above the Committee and its members received numerous proposals from the Rules Board with regard to rule and tariff changes on which feedback was provided to the Rules Board. The most significant of these provides for the intended incorporation of the Court Online Procedures to be implemented into the magistrates' courts.

Induction

The Committees also met with the LSSA Exco and Management for an induction meeting on 26 November 2025 to consider and to be advised on the structure of the LSSA, how the various committees fit into these structures and what was expected of them. It was an informative meeting, and it went a long way to enhancing the functioning and performance of the various Committees.

U Jivan
Co-Chairperson

G Bellairs
Co-Chairperson

Criminal Law Committee

Members: William Booth (Chairperson), Llewelyn Curlewis (Deputy Chairperson), Chule Sitshange, Odwa Mgxaji, Amanda Vilakazi, Puseletso Tsautse and Amkelwa Malamlela.

The Criminal Law Committee met on two occasions, via Zoom, on the 16 April 2025 and the 16 September 2025.

During the meetings, the following was highlighted:

Problems experienced with regard to the transcription of court records

A letter was recently sent to the Director General at the Department of Justice and Constitutional Development to address the problems that are experienced with the typing of court records.

No response has been received as yet.

The high cost of the typing of court records impacts on an accused's constitutional right of appeal and needs to be addressed.

The meeting minutes of the National Efficiency Enhancement Committee (NEEC) which was held on 24 April 2025 were still outstanding. The LSSA was to follow up on the availability of the meeting minutes.

The holding of Regional Efficiency Enhancement Committee meetings (REEC), Provincial Efficiency Enhancement Meetings (PEEC) and NEEC meetings

It is important that these meetings take place on a regular basis and that the Law Society of South Africa (LSSA) ensure that its attendees have the necessary experience to provide meaningful input.

The representatives for the various provinces are as follows:

- Western Cape – William Booth, Meerushini Govender and Frank Webber
- Gauteng – Marianne Pretorius
- Northwest – Albert Jacobsz
- KwaZulu-Natal – Umesh Jivan

The Western Cape PEEC held meetings on 20 August 2025 and 26 November 2025.

The meeting minutes of the following were noted:

- Johannesburg REEC meeting held on 26 March 2025.
- Pretoria PEEC meeting held on 3 April 2025.
- Western Cape PEEC meeting held on 20 August 2025.
- North-West PEEC meeting held on 13 June 2025.

The date of the next Western Cape PEEC meeting has not yet been finalised.

After hours bail applications and the availability of detectives at police stations

The LSSA has written to the various Provincial offices of the South African Police Service (SAPS) to request them to make a list of detectives available as there has been a significant turnover of personnel.

No response has been received as yet.

Upon the LSSA receiving the response to the letter, it was agreed that they will make the list available to all the Provincial Law Associations.

Often detectives are not available at police stations to process cases. Some detainees for minor offenses have to remain in custody unnecessarily awaiting the arrival of a detective. This is unconstitutional.

This is one aspect that can be raised at the PEEC meetings which is why members are encouraged to attend the meetings to raise such important issues.

New approach from the LSSA – engagement with the legal profession and public

It had been previously resolved that Committee members would submit the topics they wanted to address to be recorded for the LSSA YouTube channel.

The members were encouraged to make use of the channel in that it is a good forum to communicate and to promote issues.

No input has been received to date.

The procedure followed with regard to complaints against legal practitioners

There is concern that the complaints lodged with the Legal Practice Council (LPC) are not being dealt with effectively, this concern is not relating to a specific province, but on a national level.

The view is that the more serious complaints are not being dealt with in an effective manner. It is felt that petty complaints are also not being properly investigated which results in practitioners spending an inordinate amount of time dealing with minor issues which should not be the case.

Infrastructure at courts and the impact thereof on legal practitioners, their clients as well as the general public particularly insofar as how it effects the efficient running of courts

Although load shedding no longer seems to be occurring there are still concerns with the effective running of the courts such as the breaking down of the recording machines, the interruption of the water supply, overcrowding, air-conditioning etcetera.

These issues have been raised repeatedly, and proposed changes were raised at both the PEEC and the NEEC meetings in order to bring about change.

In this regard, an article published in the journal *Ground-Up* on 20 November 2025 authored by the Chairperson addresses the dire state of the courts (W Booth 'Criminal courts in Cape Town are near to collapse' *GroundUp* (<https://groundup.org.za>, 20-11-2025).

The safety of all legal practitioners at court

It was resolved at a previous meeting that this matter would be raised at the PEEC meetings.

The concerns are for the safety of legal practitioners due to poor security and the inability of the appointed security companies to handle high-risk situations.

While these issues will be continued to be raised at the PEEC meetings it was noted that the Department of Public Works and Infrastructure is responsible for the court buildings and the management of the security personnel.

Some courts need to be urgently refurbished and the safety of legal practitioners to be prioritised. All personnel at courts are at risk, as shooting incidents take place regularly causing loss of life. This cannot continue.

The LPC will be issuing a communication to all legal practitioners nationwide to reinforce the LSSA's concerns.

Backlog of trials and the extreme problems in bail courts

A letter was addressed to the Minister of Justice regarding the backlog of trials in the High Court in Gauteng. A date for a meeting was received; however, the meeting was indefinitely postponed at the Minister's request.

The meeting is under discussion, and the Minister of Justice has indicated a forthcoming total overhaul of the criminal justice system, though the specifics remain unclear.

This issue affects other provinces, including the Western Cape.

One option to combat this issue is to appoint more competent and experienced Acting Judges to deal with the backlog.

Some accused who are in custody are having their cases postponed for long periods of time, causing injustice.

Often there is only one court allocated to bail applications, as in the Western Cape's Wynberg and Cape Town's Magistrate's Courts.

Opposed bail applications are usually lengthy and can take months to finalise. This is so because of the lack of courts to deal with these urgent matters.

Appointment of magistrates

There is concern about the lack of transparency in the appointment of Acting Magistrates.

The LSSA had prepared comments on the appointment

of Acting Judges and part of the proposal was that this was to be replicated in terms of appointing Acting Magistrates.

There have been complaints received about the conduct of certain Magistrates. However, the Magistrates Commission is very lethargic in investigating these complaints. Some remain unresolved for years. This is not in the interest of an efficient court system and the public.

Crime statistics

It was suggested to engage again with SAPS and inviting a member of the National Prosecuting Authority (NPA) to a meeting to discuss the standard of prosecutors, the bail system and other related topics.

A member of the NPA as a representative is to be invited to the next meeting, such meetings have proved to be productive.

Proposals going ahead

Meetings are to be arranged with the Minister of Justice and the NPA to discuss practical issues at all courts. This will include the improvement of security infrastructure for all courts and other relevant issues.

To consider engaging with the International Criminal Court (ICC) for a fairer and more regular allocation of cases in the Hague to South African lawyers who have been appointed as Counsel at the ICC.

To establish a forum to discuss the backlog of cases as well as the amendment to the Criminal Procedure Act 51 of 1977 to improve access to justice.

Appreciation

All the members of the committee including the staff of the LSSA are thanked for their input throughout 2025.

Dates are still to be determined for the committee meetings for 2026.

William Booth
Chairperson

Deceased Estates, Trusts and Planning Committee

Members: Hussan Goga (Chairperson), Sama Kovani, Refilwe Tshukudu, Elvira le Roux, Marche Davel, Johan Gijsbers, Nduduzo Mohlala, Ntombomzi Ngada, Willie van der Westhuizen and Ceris Field.

The Deceased Estates, Trusts and Planning Committee presents its Annual Report for the period under review, reflecting the Committee's work, challenges, and engage-

ments with key stakeholders. The reporting period has been characterised by persistent operational difficulties within the Master's Offices nationally, ongoing concerns relating to legislative and procedural inconsistencies, and the Committee's active efforts to address systemic inefficiencies affecting legal practitioners and the public.

The Committee met on 2 July 2025 via Zoom, under the chairpersonship of Mr Hussan Goga. Members representing National Association of Democratic Lawyers (NADEL), Black Lawyers Association (BLA), Independents, experts, and the Law Society of South Africa (LSSA) participated, supported by Professional Affairs staff.

Governance and administration

The minutes of the previous meeting held on 6 June 2024 were adopted without amendment, indicating procedural continuity and agreement on prior deliberations. Throughout the year, the committee has maintained consistent engagement on matters of legislative reform, operational challenges in estate administration, and practitioner support.

Operational challenges in the Master's Offices

A dominant theme for the reporting period was the widespread dysfunction within several Master's Offices, most notably Nelspruit, and Cape Town. The committee received detailed reports demonstrating:

- **Severe delays** in issuing Letters of Executorship and Letters of Authority, often extending to ten–12 months despite officially reduced turnaround times of 15 days.
- **Non-responsiveness** to correspondence and emails, including widespread deletion of emails without being opened.
- **Frequent loss of documents** and inconsistent application of procedures, causing repeated submissions and substantial practitioner frustration.
- **Systemic under-resourcing**, resulting in chronic backlogs and administrative stagnation.

The Nelspruit Office, in particular, was highlighted as the worst performing in the country, with long-outstanding files dating back to before the COVID-19 pandemic.

Members emphasised that the cumulative delays adversely affect clients, legal practitioners, and estate beneficiaries. Practitioners spend disproportionately more time following up on unresponsive offices than on substantive legal work, resulting in unpaid labour and significant financial strain.

The Committee expressed unified concern and resolved that these issues must be addressed urgently at senior government level.

Escalation protocols and engagement with the Acting Chief Master

The Committee examined the existing complaint esca-

tion protocol on the Master's website and noted that its existence is poorly communicated to practitioners. Many legal practitioners remain unaware that unresolved matters may be escalated from provincial offices to the Acting Chief Master.

Committee members reported that, in practice, even escalations yield limited results due to a lack of functioning communication channels.

The LSSA has remained in communication with the newly appointed Acting Chief Master, although substantive performance data has not yet been provided.

Mandamus applications

The Committee extensively discussed the increasing reliance on mandamus applications as a last resort to compel action from dysfunctional Master's Offices. Although practitioners frequently threaten such applications, few proceed due to –their cost and complexity:

- the administrative burden of serving multiple government bodies; and
- uncertainty regarding recoverability of legal costs.

Several Committee members supported the creation of a working group to prepare template documents and practical guidance for use by practitioners.

The chairperson undertook to obtain materials used by practitioners already experienced in bringing such applications.

Appointment of independent trustees

The Committee revisited longstanding concerns with Chief Master's Directive 2 of 2017. Members expressed frustration at the cyclical nature of discussions with the Chief Master's Office, which have yielded little progress.

Key issues included:

- The directive's origin within Fiduciary Institute of Southern Africa's (FISA's) advocacy efforts, raising concerns about representivity.
- The circulation of a Memorandum of Understanding in external forums incorrectly listing the LSSA as a stakeholder without its knowledge.
- The directive's overextended interpretation of the *Parker* judgment (*Land and Agricultural Bank of South Africa v Parker and Others* 2005 (2) SA 77 (SCA)), leading to inconsistent and sometimes arbitrary implementation.

There was broad support for revisiting the directive comprehensively, with some members suggesting full withdrawal and others advocating selective amendment.

A long-anticipated meeting with the Minister of Justice will address this matter, and the committee intends to provide additional submissions.

Legislative matters and policy developments Section 18(3) security requirements:

After reviewing scholarly work on the issue, the Commit-

tee resolved not to circulate the material to the Master's Office at this stage.

Enduring power of attorney:

The Committee discussed developments relating to enduring powers of attorney, a longstanding gap in South African law. The committee welcomed news that a declaratory application was likely to be launched soon, potentially leading to legislative reform. Members also noted the significant practical hardship caused by the absence of a statutory framework.

Antimoney laundering reforms:

The Committee received updates on South Africa's grey-listing status and potential future amendments to the Trust Property Control Act 57 of 1988. While progress is being made, serious concerns persist regarding the far reaching and impractical amendments to the Trust Property Control Act.

Engagement with the South African Revenue Service (Sars)

The committee recorded persistent problems involving – registration of deceased estates for tax purposes:

- inability to replace missing or deceased tax practitioners on Sars eFiling due to OTP based authentication; and
- lack of clear guidance for resolving practitioner-related deadlocks.

The Committee agreed to engage Legal Education and Development (LEAD) to facilitate meetings with Sars and explore training opportunities enabling attorneys to become accredited tax practitioners.

Deceased Estates Online Registration System

The mandatory online registration system, implemented in October 2024, has been a major source of frustration. Members reported that –the system frequently goes offline:

- submissions generate no confirmation, feedback, or followup;
- no clear process exists after the online submission of a will; and
- Letters of Executorship are not being issued, leaving estates unable to progress.

The Committee resolved to gather further data nationally and raise these concerns formally with the Acting Chief Master.

Incorrect marital status on death certificates

The Committee noted ongoing problems related to inaccurate marital information recorded by the Department of Home Affairs. Despite a court judgment confirming that such errors should not prevent the Master from issuing Letters of Executorship, the practical challenges

remain unresolved. An amended death certificate takes between six to 12 months to obtain, or even longer, and this causes significant delays to finalise the administration of a deceased estate.

Efforts are under way to secure a meeting with Home Affairs.

Chief Master's Directives

Several directives were discussed, including those relating to beneficial ownership registers, litigation, and the publication of estate advertisements. Concerns were raised about vague language and impractical requirements, particularly regarding online advertisement criteria.

These matters will be discussed in more detail at the next meeting.

Appointments

The committee formally noted the appointment of Ms Kalyvani Pillay as Acting Chief Master.

Stakeholder engagement: Engagement with the Chief Master

On 18 February 2026, the LSSA Deceased Estates, Trusts and Planning Committee and the LSSA President's Sub-Committee met with the Office of the Chief Master to address widespread systemic failures across the Master's Offices. The meeting highlighted severe operational challenges, including information and communication technology (ICT) system failures, inconsistent practices, servicedelivery breakdowns, staffing shortages, and fraud risks affecting the administration of deceased estates and trusts.

The meeting reflected a shared commitment to systemic reform. In addressing infrastructure failures, ensuring uniform practices, strengthening communication, and enhancing collaboration, both parties aim to restore public confidence and improve the administration of estates and trusts nationwide.

Conclusion

The reporting period has revealed deeprooted systemic inefficiencies in the administration of deceased estates and trusts, with significant consequences for practitioners and members of the public. Delays, communication failures, legislative ambiguities, and implementation challenges continue to impede effective service delivery.

Despite these challenges, the Committee remains committed to further active engagement with the Acting Chief Master, the Department of Justice, Sars, the Department of Home Affairs, and other stakeholders. The Committee will continue to advocate for transparent processes, efficient service delivery, legislative reform, and the protection of the public interest.

Hussan Goga
Chairperson

Environmental and Climate Justice Committee

Members: Terry Winstanley (Chairperson), Catherine Warburton, Karmani Krishna, Rose Mfundisi, Norman Brauteseth, Hajira Kara, John Mnisi and Sentebale Makara.

Meeting

We had one meeting this year held on 9 October 2025 at which we:

- Elected a new Chairperson (and decided not to elect a Deputy Chairperson, given the infrequency of meetings).
- Undertook the usual business of meetings, including approving of the minutes of the previous meeting of 21 November 2024.
- Discussed important case law developments, including the matter of *Uzani Environmental Advocacy CC v BP Southern Africa (Pty) Ltd* (GP) (unreported case no CC82/2017, 6-9-2024) (Spilg J) matter, which has been ongoing for approximately eight years (and which involves the first private prosecution under s 33 of the National Environmental Management Act 107 of 1998). The penalties imposed were discussed, including a total fine of just under R 60 million and an order to cover the costs of the private prosecution. Both parties have been granted to leave to appeal to the Supreme Court of Appeal.
- Discussed new and proposed laws and amendments, including the Draft National Water Amendment Bill, the Climate Change Act 22 of 2024 (which came into force on 17 March 2025) and the Draft National Greenhouse Gas Carbon Budget and Mitigation Plan Regulations.
- Were updated on the litigation concerning the Legal Sector Code, in which the LSSA is not participating, but remains committed to transformation of the legal profession and will maintain a watching brief over the litigation.
- Agreed that all committee members would review the judgment of the *Green Connection NPC and Another v Minister of Forestry, Fisheries and the Environment and Others* (WCC) (unreported case no 5676/2024, 13-8-2025) (Mangcu-Lockwood J) for discussion at our next meeting.
- Were advised that the Professional Affairs Department is currently running a campaign across all committees to encourage the sharing of landmark cases, significant developments, or legislative updates with the broader legal profession to enhance visibility and provide insights from the committee to the profession. The LSSA is working to expand its digital footprint, including through social media and video-on-demand platforms.

- Noted with thanks the annual report for 2024 by the former chairperson of the committee, Ilan Lax.

Induction sessions

All committee members were required to attend a 90-minute online induction session on either 19 or 26 November 2025. During these, the structure, composition and functions of the LSSA were explained and guidance was offered in assisting committee members to be more effective. They were very useful.

Thanks

The committee is extremely grateful to the LSSA representatives for all their support over the past year.

Terry Winstanley
Chairperson

Ethics Committee

Members: Krish Govender (Chairperson), Johan van Blerk, Alex Mopeli, Nicolette De Witt, Sehaam Semaai and Sam Matsimela

National focus

With each passing year the difficulties facing the legal profession in promoting the values of ethics and integrity, among lawyers, has been ever increasing. This can be seen by the threats to our legal order and our lawyers, few as they might be, who are and were pursuing justice for their clients, and were killed mercilessly by the forces behind organised crime. The Ethics Committee salutes the work and the memory of those upstanding lawyers. Some of them were killed in their offices while fearlessly carrying out their mandates. Some escaped with injuries, while others still face death threats and harm, directly or indirectly. While some lawyers have withdrawn from cases where their lives or those of the family have been threatened, there are other lawyers who are on the payroll of the crime lords, marking out a new area of legal practice, namely, organised crime.

The various and never ending commissions of enquiry into corruption have seen the many brave lawyers come to the fore in assisting the state in this programme of countering corruption in the criminal justice system and the broader cancer of corruption that is eroding state institutions, and also the private sector, involving the financial, auditing, medical and other professions. No one is immune from this scourge.

Global

We have entered the era of governmental globalised crime, led by the United States. This is now on the increase since 2025, at unprecedented levels, involving crimes against humanity, war crimes, genocide; condon-

ing Epstein styled sex and human trafficking; kidnaping, predator styled theft of minerals, wealth and land belonging to other nations, all in the name of shoring up the dollar, or planning for its alternative, crypto currency. With the backing of billionaire techies, mineral and oil rich oligarchs of many colours, the world is being threatened with military and nuclear action, if surrender or capitulation is not negotiated by way of dirty, violent and murderous 'deals'.

Global abuse of artificial intelligence (AI)

What has become a great facilitator for this age of madness and rage that we have now entered, is the critical use and abuse of generative AI, at the behest of competing trillionaire growing tech industries and their ungovernable techno predatory crime lords. The rampant abuse of AI, in all its dangerous forms, can be seen by its use in perpetrating genocide, war crimes and crimes against humanity in Palestine, Venezuela, Syria, Lebanon, Iran and looming over Greenland and other places, including South Africa.

At the base level, AI is also used for widespread exploitation, cybercrime, misogynistic and related behaviour. It is a source of perverted entertainment and pleasure, in the hands of some of the well-known techno oligarchs who greedily invest in advancing their research, profiting from the crude sexual fantasies of many and undressing the objects of their perverted desire, by the use of unregulated tech apps. A further worrying factor is the breakneck speed at which AI is evolving at all levels of generative AI, creative applications and large-scale technological platforms. This is driven by wealth accumulation and the assertion of power over people and countries.

South Africa and legal tech

The recent establishment of an 'Artificial Intelligence Committee' by the Law Society of South Africa (LSSA) will hopefully look beyond the speedier accumulation of wealth for the privileged legal practitioners. Legal tech, which is almost totally unregulated or beyond regulation, is mostly advancing tech for faster billing, short cuts to the preparation of voluminous legal documents and cutting through complex thought processes. Algorithms and robotics in the hands of the greedy and prejudiced minds will give us the cybercrimes and all of its offshoots like the proverbial 'robotic liar of a lawyer' in 2026 and onwards. The work of the Ethics Committee will no doubt have its work cut out for itself as a result of these dynamic and equally threatening developments.

The proper use of AI and robotics in engineering, science, medicine and related worthy areas of human activity must be acknowledged and cannot be discounted or ignored. However, without proper legislation and regulation, all wonderful things, in a criminal dominated world greedily devouring all in its path in the crooked chase for wealth and power, will come to nought.

So, ethics is not only about the ethical and fair use of AI in litigation, and its abuses by lawyers, some of which have been uncovered by alert judges and good lawyers, as its ramifications are too widespread to close down. Ethics is rooted in the human psyche, which, if it is out of synch with fairness, justice, integrity and strong human values, it will never be harnessed by laws or regulations. These human made boundaries or guardrails, steeped in good conscience and values, might best act as deterrents. However, they are necessary for law and justice to prevail, under conditions of fairness, transparency and truth. It is no wonder that stronger resistance to lawful and firm regulatory oversight, is growing as generative AI has galloped way ahead and has virtually run away. While the Legal Practice Council (LPC) and the LSSA are committed to preparing guidelines for the proper and ethical use of AI, the existing Code of Conduct might [not] be broad enough, for the present, to deal with any improper conduct on the part of a legal practitioner.

Committee overview

The work of the Ethics Committee over the past year has had its moments and helped to strengthen the spirit and enthusiasm among our Committee members, who are, apart from me, Johan van Blerk, Sam Matsimela and Nicolette de Witt. Our meetings have been most collegial, productive and challenging when grappling with the many sensitive human questions affecting legal practitioners.

The last Committee meeting held online on 18 November 2025, gave us the opportunity to deal with the following important matters, namely

- robbing in the lower courts;
- ethical questions that arise in the AI space;
- ethical legal practice around matters of the environment and climate justice;
- fighting corruption and protecting whistleblowers; and
- developments around case law.

The missing ethics LLB module

The irksome and perennial question that we still find worrying is the apathy of the vast majority of law faculties in South African universities which offer ethics as an elective rather than a mandatory module for the completion of the LLB degree. Some law deans opportunistically dismiss this concern by suggesting that ethics is taught or covered as part of a subject syllabus in some of their courses. If the import of the profession's concerns in this regard is lost on many law deans, then how much worse would the result be for the law student. There may be hope for the profession in the high probability of a legal textbook on ethics being published this year, as a result of the work of Professors Helen Rees and Jonathan Klaaren. This might make the work of those reluctant law academics who find it hard to prepare notes and lectures on this topic, harder to refuse to teach as a mandatory or compulsory module.

The need for curriculum reform of the LLB is long overdue and it is hoped that the Council for Higher Education will heed the calls of the legal profession to be involved in such a process.

Continuing legal education

The Committee is also strongly of the view that to maintain the high standards required of the profession, Continuing Legal Education (CLE), for practitioners need to be structured and developed into a solid accountable programme that every practising lawyer should be part of, in a mandatory format. Numerous proposals arising out of the Legal Practice Act 28 of 2014 (LPA) have been made to institutionalise CLE. However, they are yet to be formalised.

Robing in courts

A recent poll held by the LPC around the question of having all legal practitioners (attorneys and advocates) to robe in the lower courts resulted in strong support for such a step. The historical opposition from the Bar Councils based on their perceptions of 'superiority' in not robing in the 'lower' courts, has been a perpetual barrier to change. However, the LPA has been a leveller as its provisions are clearly for eliminating such discriminatory practices of the past and for the establishing of equality for all legal practitioners. Whatever the final decision may be, the regulations or rules will ensure that matters of dignity, respect, humility, practicality, cost, and other relevant factors like seasonal and weather patterns, will be taken into account in the final determination of this long-delayed matter. Hopefully it will give rise to better ethical behaviour in the simplest and correct dress code, among legal practitioners.

Climate change and climate justice

Climate change is upon the world and each of us, at times, in all its fury. It is Mother Earth's way of sending a warning to earthly inhabitants and to express her disdain for human behaviour, which is extractive, destructive, wasteful and abusive. In response, a few governments, many indigenous peoples and international agencies have been waging battles to reduce carbon emissions. Many of such struggles have committed lawyers, with limited funding, taking up the cudgels, seeking climate justice, to stop major cartels and multinationals from engaging in the continued degradation of the environment at all costs, for maximum profits. The lawyers for the cartels are handsomely rewarded for conducting SLAPP styled lawfare to allow for the unabated exploitation of resources at the expense of climate change. The tragedy that has unfolded in many parts of the world, and in South Africa, is that climate change activists have been attacked and even killed. Lawyers on the side of these activists have also been targeted and have faced penury and physical danger. While the proverbial Jack the Ripper or Raper needs to be also represented by a lawyer what is called into question is the often-forgotten ethical boundar-

ies that lawyers must respect in the quest for justice.

The matter of defending unjust causes raises many such serious ethical questions. More so in situations of climate justice, genocide, crimes against humanity, war crimes, looting, corruption, and more. These debates must be raised more seriously in national and international debates. The blind acceptance of legal work without a conscience and regard to victim's rights works for the opportunist, the weak and the Frankenstein styled lawyer. This has contributed to international lawlessness and impunity, the destruction of the rule of law and the jungle justice inflicted upon masses of good people by Trumpian acts of insanity.

Whistleblowers and the Protected Disclosures Act 26 of 2000

The universal fight against corruption is waged under extremely difficult conditions. Success in this battle depends largely on the brave whistleblower. When the protection of the whistleblower is weakened or non-existent then the crime syndicates triumph. The endless commissions of enquiry have repeatedly proven this fact. A recent murder of a secret witness, after giving evidence of serious criminal conduct by high profile suspects, before the Madlanga Commission, serves as a chilling reminder that the existing protection under the Protected Disclosures Act is wholly inadequate. Whistleblowers are left exposed and vulnerable. The safety net under the existing labour laws for whistleblowers to rely upon this legislation is at best cumbersome and hopelessly weak to protect an honest employee standing against the might of a thieving manager or a senior colleague. The employee or worker facing dismissal for trumped up charges comes off second best.

Corruption strikes at the heart of honesty, integrity and ethical conduct. The line between serving justice and advancing or gratuitously protecting the search for truth by legal practitioners and legal advisors has to be brought under national scrutiny. If the legal profession cannot do this in the best interests of the people of our country or the national interest, then the state needs to intervene. The legal profession is under constant public scrutiny for aiding and abetting those who hide behind the law and engage in every delaying or obstructive ruse to frustrate the prosecutorial and judicial authorities in their quest to enforce justice, law and order. The legal practitioner is generally seen to first reach for the wallet before concerns about justice. Consideration of the ethics involved is a bridge too far to cross.

The Contingency Fees Act 66 of 1997 (CFA) and opportunistic litigation

The notoriety of legal practitioners who turn legal practices into cottage industries, preying upon the poorest of the poor, the vulnerable, the sick, the victims of state incompetence and corruption and even the dead, has been recorded in case law especially after the commencement of this

millennium. (See *C and Others v Department of Health and Social Development, Gauteng, and Others* 2012 (2) SA 208 (CC) and a host of cases reported thereafter). Many of these lawyers were first schooled in the art of touting doing criminal work and motor vehicle injury claims, from accidents, known as MVA. Under apartheid, this was the limited but also lucrative source of income for the successful black lawyers who struggled in mainly one 'man' practices.

The so called 'learned friends' soon learnt, within half a dozen years after President Nelson Mandela took office, about the greater advantages handed to them on a silver platter Constitution which was born out of heroic struggles for liberation and justice. A developmental state with newborn rights was snatched with glee by rapacious lawyers like taking candy from a child. Before we knew it, the massive socio-economic failures of a former apartheid state became the responsibility of a growing infant democratic but financially bankrupt state. The consequences of these historically inherited failures were gleefully snatched up and converted into profits on the back of all these victims of apartheid, by these same 'clever' lawyers who never understood what fighting for rights and justice was about, but who suddenly became champions of the rights of the poor. At what a great cost to the state and great rewards for the cottage industry lawyers. These lawyers grew in numbers, competing ravenously with each other with a sophisticated system of touts, operating out of and around government offices, hospitals, police stations, taxis and wherever the poor suffered a partial or any delayed relief from a slow learning and growing state, staffed largely by inexperienced employees. Of course, there were some incompetent and even lazy and corrupt among them who saw opportunities, offered by corrupt 'clever' lawyers, to earn some bucks on the side from these lawyers.

The massive financial failures and insolvent state of the Road Accident Fund, the debilitation within the offices of State Attorneys, the ever shrinking budgets of every major government department, as a result of mountainous costs of litigation and payment of exponentially growing claims, are largely due to this crass craving for profiteering from the structural failures of our new born democratic state by rapacious, self-serving, conscienceless, (not unconscious), determined and driven, without any sideways glance at ethics or integrity of any kind. The cravings of these hardcore lawyers is nowadays firmly grounded in medical negligence and claims against the failing and corrupt police. The problems within local government are legendary and have also been a fertile ground for litigation around basic services, potholes, water and related failures of services.

The evidence for all of this can be found in the mountainous number of files bursting in the offices of State Attorneys and offices of the legal officials at all levels of government departments, not excluding the collapsing Court Rolls and burnt-out judicial officers and run down justice services.

A powerful facilitator for those 'learned friends' out there has been the Contingency Fees Act (CFA). All that this Act has done was to duck the question of the structural failures of the state under our Constitutional Democracy, and to give legitimacy to and regulate the rapacious conduct of lawyers, in a country with the highest levels of economic inequality in the world. Giving lawyers statutory powers to claim 25% of a victim's claim, be it R40m or R4m, is simply enticing greed and corruption, by finding any which way and every dubious means to secure as many clients or victims of state failures for their profitable litigation. The successes of many of these 'Contingency' expert lawyers can be seen from their lavish lifestyles in a country that is imploding under poverty, mismanagement and corruption. The poor and unemployed have laid siege to the big cities in search of food and work.

Under a constitutional democracy, the state stands on our laws, and not guns under dictatorships, or under religious texts of theocracies, democracies under military control, and such like. Our lawyers therefore ought to be our front-line troops to uphold and advance our constitutional values. Many of our lawyers do so, however the significant part of the profession, that have sought out and seized every loophole and structural and administrative weakness, have betrayed the constitutional state, and without militancy, contributed to its bankruptcy, aiding and abetting gangsterism, State Capture, corruption and more without a conscience, and without an iota of integrity or ethics in their pursuit of wealth at all costs.

The world is in crisis. South Africa is in crisis facing many real and existential threats from within and the Global North with the United States/Israel leading the charge with the assistance of AI in the hands of international techno criminals. Only people with the best human values and instincts, grounded in good judgement, ethics, honesty and integrity can help our government turn around a failing state. Maybe a good army of lawyers can also come to the fore in such a venture, excluding those rapacious lawyers who live off the ignorance, poverty and failures of our young democracy.

Krish Govender
Chairperson

Family Law Committee

Members: Zenobia du Toit (Chairperson), Amanda Catto (Deputy Chairperson), Joanne Anthony-Gooden, Ncumisa Nongogo, Queen Mamaila, Colin Geoffreys and Dikeledi Manthata.

The Family Law Committee has commented on various proposed Bill as well as Law Reform Commission issue papers.

The Committee has, for example, *inter alia*, commented on:

- The South African Law Reform Commission (SALRC) report on Care and Contact with Children – Alternative Dispute Resolution in Family Matters.
- The Marriage Bill – Project 100A – Alternative Dispute Resolution (ADR).
- The General Family Law Amendment Bill.
- The Divorce Amendment Bill.

The Committee is considering looking into developing guidelines for practitioners who represent children, based on existing research.

The Committee members have been encouraged to investigate ways to strengthen *pro bono* mediation structures in their respective jurisdictions.

The Family Law Committee has collaborated with certain international organisations via the Chairperson:

- The Eastern African Law Society's conference.
- The International Academy of Family Lawyers (IAFL).
- The International Bar Association (IBA).

It is proposed that certain workshops relating to ADR and family law take place with LSSA members, the IBA and the African Regional IBA Committee as well as the ADR Committee of the IBA in the next six months.

The Committee has agreed to a project to propose possible amendments to the procedure set out in the respective Rules of Court relating to family law matters and to put a different procedure in place in order to limit the trauma of extended litigation, tortuous processes and escalating costs.

- Through the Chairperson, there was participation training sessions for international practitioners on cross-border mediation.
- Through the Chairperson, there was co-operation with the Hague Conference in regard to discussing South Africa's accession to both Conventions on the Hague Convention on International Child Abduction.
- Input has been given to the Surrogacy Project of the Hague Conference on Private International Law (HCCH).
- Input has further been given into developments of article 13 defences in regard to the International Convention on Child Abduction.
- Through the Chairperson, there was participation in certain expert workshops for example with Marilyn Freeman of the University of Westminster in regard to the Hague Convention on International Child Abduction.
- Certain of the family lawyers in Africa are hopeful to strengthen their bonds with the South African family lawyers and foresee in the next year hosting workshops/webinars with the Committee to explore certain common issues and the approaches in the various jurisdictions.

Zenobia du Toit
Chairperson

General Agreements on Trade and Services Committee

Members: Willy Phalatsi (Chairperson), Zincedile Tiya, Joanne Anthony-Gooden, Joseph Sephachana, Duimpie Dube and Marianne Pretorius.

During the year under review, great strides have been made towards the finalisation of the Mutual Recognition Agreements (MRAs).

As reported last year, the Legal Practice Council (LPC) offered to draft the initial MRA for the legal profession.

During the General Agreements on Trade and Services (GATS) Committee meeting on 21 July 2025, the Committee was informed that the LPC has indeed produced a draft document. It was resolved in the said meeting that the Law Society of South Africa (LSSA) would request a copy of the draft document from the LPC and also request a joint meeting between the LSSA GATS Committee and the LPC International Relations Committee to formulate a unified South African stance at the further workshop organised by the SADC Secretariat, which was going to be held in Johannesburg, on 5 to 7 August 2025.

The LSSA was furnished with the draft MRA and a further meeting between the LPC International Relations Committee, the LSSA GATS Committee and a representative from the Department of Trade Industry and Competition was held on 28 July 2025, which was chaired by advocate Pule Seleka SC, Chairperson of the LPC.

Although article specific discussions were held in respect of the draft document, which would not be included in this report, it is worth mentioning that it was resolved that a proposal would be made at the workshop to request regulatory bodies in SADC to submit their codes of conduct, to analyse the commonalities and discrepancies and draft a harmonised or standardised version, to be included in the MRA.

At the workshop which was held in Johannesburg on 5 to 7 August 2025, it was resolved that the SADC Secretariat should facilitate the drafting of a model clause on dispute resolution, specifically for handling interpretation and application issues related to the MRA.

It was further resolved that the regulators should discuss the feasibility of establishing a regional legal regulatory body to support creation and maintenance of a central data system for legal professionals:

- oversight and implementation of the MRA;
- coordination with other regional blocks;
- harmonisation of legal regulatory environments;
- facilitation of continuing legal education and capacity

- building; and
- serving as an appeal body for disciplinary matters.

In conclusion, it was emphasised that the timelines agreed upon should be strictly followed, to speed up the finalisation of the MRA.

The Committee remains committed to continue making contributions and working hard for the finalisation of the task at hand.

Willy Phalatsi
Chairperson

Immigration and Refugee Law Committee

Members: Marcus A Malan (Chairperson), Kabelo Manamela, Duimpie Dube, Tumi Maubane, Neil Goodway, Sam Nemuhuyuni and Amanda Stemele.

This report provides a brief overview of key developments in immigration and refugee law during the 2025 reporting period. It focuses on legislative reform initiatives, policy developments within the Department of Home Affairs (the Department), and the ongoing engagement of the Law Society of South Africa (LSSA) through its Immigration and Refugee Law Committee (the Committee).

Immigration Amendment Bill

A significant development during 2025 was the publication of the Immigration Amendment Bill [B8–2024], which proposes targeted amendments to s 34 of the Immigration Act 13 of 2002 regulating the arrest and detention of undocumented foreign nationals. The Bill directly affects detained migrants and asylum seekers, immigration officers, and lower courts responsible for detention oversight.

During the reporting period, the LSSA submitted formal written comments on the Bill. These submissions highlighted concerns regarding constitutional compliance, legal certainty, procedural fairness, and the practical implementation of several proposed provisions. The Committee was actively involved in formulating these submissions and continues to emphasise that meaningful consultation with the legal profession is essential to ensure that legislative reform upholds the rule of law and administrative justice.

Revised White Paper on Citizenship, Immigration and Refugee Protection

In December 2025, the Department of Home Affairs published the Draft Revised White Paper on Citizenship, Immigration and Refugee Protection which introduces a consolidated policy framework for citizenship, immigration, and refugee protection. It includes reforms aimed

at improving administrative efficiency, advancing digital transformation, enhancing border management, and strengthening national security as well as several other proposed amendments. Notably, the White Paper also addresses refugee protection policy, with proposals affecting asylum procedures, appeals and review mechanisms, application of the first safe country principle, and long-term solutions for recognised refugees. This publication was accompanied by an extension of the public participation period, with the deadline for submissions set for 15 February 2026.

As part of the Committee’s mandate, it will be assisting the LSSA in preparing submissions on the Revised White Paper. This demonstrates the LSSA’s commitment to constructive engagement on policy proposals.

Department of Home Affairs Directives and Circulars

Throughout 2025, the Department continued to utilise immigration directives and circulars to address systemic delays in the processing of visas, waivers, and appeals.

Key developments included the issuance of Immigration Directive 4 of 2025 and subsequent amendments in Immigration Directive 22 of 2025. These directives extended temporary concessions for foreign nationals with pending waivers and visa appeal applications, with the current concession in place until 31 March 2026.

Additionally, the Minister issued Immigration Directive 20 of 2025 and 21 of 2025, which extended the validity of Lesotho Exemption Permits (LEPs) and Zimbabwean Exemption Permits (ZEPs) respectively until 28 May 2027. These measures offer interim protection against arrest, detention, and deportation, allow for continued entry and exit, and provide affected individuals with the opportunity to regularise their status while broader policy consultations continue.

The release of Immigration Circular No. 30 of 2025, which sets out official turnaround times for visa, permit, waiver, appeal, and related immigration applications, marked a meaningful step towards greater administrative transparency and predictability. For applicants and legal practitioners dealing with pending applications, the Circular provides an objective benchmark against which delays can be measured, enabling more informed follow-ups, structured engagements with the Department, and, where necessary, the pursuit of appropriate legal remedies in cases of unreasonable delay.

Conclusion and acknowledgements

In 2025, immigration and refugee law in South Africa was influenced by proposed changes to legislation, new policy proposals, and temporary administrative measures introduced to deal with ongoing capacity and processing challenges within the Department of Home Affairs.

The Committee and the LSSA remain dedicated to con-

structive engagement with the Department and other stakeholders in order to promote a fair, efficient, and constitutionally compliant system of immigration and refugee protection.

The Committee expresses its sincere appreciation to the LSSA and Committee members who provided insights, practical feedback, and ongoing engagement throughout the reporting period. The Committee also thanks the LSSA for its continued support and for offering a platform that enables the profession to participate meaningfully in immigration and refugee law reform.

Marcus A Malan
Chairperson

Labour Law Committee

Members: Jason Whyte (Chairperson), Bonolo Thebe, Roy Ramdaw, Riaan de Lange and Mpho Mabidi.

Throughout 2025, the Labour Law Committee engaged extensively with key institutions in the labour dispute resolution system, namely the Labour Court and Labour Appeal Courts and the Commission for Conciliation, Mediation and Arbitration (CCMA). These engagements aimed to address concerns raised by legal practitioners, improve systemic efficiency, and strengthen collaboration between the profession and statutory bodies.

The Committee held its formal meeting on 11 March 2025 and held formal meetings with the Judge President of the Labour Courts on 8 April 2025 and with senior officials of the CCMA on 19 June 2025.

Labour Courts: Systemic Challenges and Developments

Budgetary and Infrastructure Constraints

The Labour Courts continue to face significant budget limitations affecting facilities, judicial capacity, and general court operations. Notable issues included delayed renovations in Johannesburg, the deteriorating state of the Durban court building, and the reliance on external facilities in Pretoria North. Despite these constraints, progress was reported on enhancing virtual court capabilities and extending the court's footprint to areas such as George.

Backlogs and Case Flow Management

Backlogs remain a persistent challenge, driven by a shortage of judges and administrative burdens. While *pro bono* interventions helped reduce the backlog, a structured checklist system was introduced to streamline the preparation of files. Legal practitioners were urged to respond promptly to checklists to avoid delays. The Committee also encouraged members to avail themselves for acting judge appointments, especially from underrepresented provinces.

Court Online Implementation

The Labour Court confirmed that the Court Online system would become fully operational from 14 April 2025. The platform is functioning effectively for reviews and urgent applications, although challenges remain regarding file uploads and audio recordings. Minor rule-related issues persist, particularly concerning urgent applications where practitioners continue to use outdated rules. The Committee committed to offering further training to address compliance concerns.

Internal Committee Priorities

- **Labour Court and CCMA Engagement:** The Committee emphasised the importance of maintaining structured engagement with the Judiciary and CCMA. Due to growing backlogs and operational challenges, members proposed earlier followup meetings and prioritisation of agenda items related to delays and systemic constraints. The Committee also supported remote engagements to expedite communication and improve responsiveness.
- **New Labour Court and Labour Appeal Court Rules:** The Committee has identified that training initiatives on the new rules were a priority, including collaborations with experienced members of the Bar. The Chairperson of the Committee has engaged with members of the Bar (advocate Craig Bosch of the Cape Bar) to present on the new Labour Court Rules.
- **Draft Code of Good Practice on Dismissal:** The Committee reviewed the draft Code, noting that it provides greater flexibility for employers during disciplinary processes. Concerns were raised about the definition of a 'small employer', prompting the drafting of comments to the Minister recommending clearer thresholds to avoid litigation.

CCMA engagement: Key issues and institutional pressures

Impact of budget cuts

During the Committee's engagements with the CCMA, the following issues of discussion are highlighted:

- The budgetary constraints which remain the CCMA's most significant challenge.
- Reduced allocation days for parttime commissioners have contributed to mounting backlogs.
- The referral statistics, however, indicate a steady annual increase in caseloads. The CCMA is implementing mitigation measures, including digital transformation, office space optimisation, and exploration of alternative revenue streams.

Regional disparities in case allocation

It was noted in the meeting that there are substantial regional inconsistencies in the turnaround times for hear-

ing dates. Centralised regions such as Johannesburg continue to perform well, while Cape Town and several rural areas experience delays due to logistical and financial constraints. The Committee expressed concern that prolonged delays undermine the efficiency and credibility of the dispute resolution system.

Administrative responsiveness

The significant communication challenges in some regions, including delayed email responses and unanswered calls were reported to the CCMA, which acknowledged these concerns and outlined escalation protocols and disciplinary measures to improve accountability.

Representative misconduct

The CCMA raised concerns about unauthorised individuals representing parties, particularly in smaller regions. Commissioners have been instructed to verify credentials rigorously, and practitioners were encouraged to report irregularities. This measure aims to preserve professional integrity and ensure lawful representation.

Postponements, prearbitration conferences, and enforcement

Concerns relating to postponements, pre-arbitration conference and enforcement that continue to burden the system were also discussed. The legal profession is encouraged to conduct proper pre-arbitration conferences and support enforcement efforts.

Collaboration and pro bono initiatives

Both the Committee and the CCMA noted the importance of structured *pro bono* collaborations to support applicants in navigating enforcement challenges and procedural complexities. Opportunities were identified for collaboration with the LSSA, South African Society for Labour Law (SASLAW), and the Legal Practice Council.

Conclusion

The Labour Law Committee's engagements in 2025 highlighted significant systemic pressures across both the Labour Courts and the CCMA. Budget constraints, backlogs, and administrative inefficiencies continue to impede timely dispute resolution. Nevertheless, the Committee made measurable progress in strengthening relationships, and advocating for improvements in judicial and administrative processes.

The Committee remains committed to ongoing dialogue with labour institutions and to supporting members through training, policy engagement, and structural collaboration aimed at improving the functioning and fairness of the labour dispute resolution system.

Jason Whyte
Chairperson

Legal Aid Pro Bono Committee

Members: Shaun Hangone (Chairperson); Khayaletu Sibeko; Bonolo Thebe; Philippa Kruger; Liesl Williams; Praisegod Rabebe; Ncumisa Nongogo and Ettienne Barnard.

During the year under review the LSSA specialist committee in its current format failed to meet due to the inability to meet quorum requirements.

Pro bono in South Africa – a formal review of recent advances and strategic directions

Pro bono legal services, is defined as the provision of professional legal assistance without charge to individuals lacking the means to secure representation, continues to serve as a cornerstone in promoting equitable access to justice in South Africa.

In the past several years, the *pro bono* sector has experienced noteworthy transformation, reflecting both evolving national imperatives and the adoption of international best practices. This report offers an analysis of the progression, current trends, and outlook for *pro bono* legal services in South Africa.

Historical context

South Africa's dedication to *pro bono* legal assistance is firmly anchored in constitutional principles, particularly the right of every individual to access the courts and obtain legal representation. The prominence of legal aid and *pro bono* initiatives increased markedly during the country's transition to democracy, as legal practitioners acknowledged their obligation to address entrenched inequalities and to support vulnerable populations.

Regulatory framework and institutional support

The enactment of the Legal Practice Act 28 of 2014 formalised the requirement for attorneys and advocates to engage in *pro bono* work as a professional duty. The Legal Practice Council (LPC) is tasked with monitoring compliance, establishing guidelines for minimum annual *pro bono* hours, and collaborating with law societies, universities, and non-governmental organisations to broaden the reach of these essential services.

Key developments and trends

Mandatory *pro bono* hours: Legal practitioners are now obliged to fulfil a prescribed number of *pro bono* hours annually. This regulatory requirement has contributed to a marked increase in the provision of free legal services.

Expansion of *pro bono* organisations: Specialised institutions such as ProBono.Org, the Legal Resources Centre,

and Lawyers for Human Rights have extended their operations, providing training, support, and coordination for both practitioners and clients. These organisations have become pivotal to the nationwide delivery of *pro bono* legal services.

Help desk: The Western Cape High Court has created an enabling environment of having a dedicated help desk at the seat of the court. The help desk is operated by attorneys and/or advocates who volunteer their time to assist members of the public. The help desk is situated near the motion court allowing members of the public to have direct access to a legal practitioner. This also allows for swifter access to justice opposed to matters having to be postponed for unrepresented litigants to attend at a Legal Aid office.

Integration of technology and innovation: Digital platforms and virtual legal clinics have emerged, facilitating remote consultations and the preparation of legal documents. These advancements have improved access to legal advice and representation, especially in rural and underserved communities.

Focus on vulnerable groups: Recent initiatives have prioritised assistance to refugees, survivors of gender-based violence, and individuals subject to land dispossession. *Pro bono* legal services are increasingly oriented towards advancing social justice and upholding human rights.

Collaboration with academic institutions: Law faculties and universities have established partnerships with legal practices and non-governmental organisations, thereby facilitating experiential learning opportunities for students while simultaneously enhancing the provision of legal services within communities.

Impact and challenges

Pro bono legal services have yielded measurable benefits for numerous South Africans, enabling the realisation of justice for individuals who might otherwise be excluded from the legal system. Notwithstanding these achievements, the sector continues to face challenges such as constrained resources, high demand for services, and limited awareness among legal professionals and the broader public. Securing sustainable funding and cultivating a robust culture of volunteerism remain essential priorities.

Future directions

Looking forward, the *pro bono* sector in South Africa is poised for further evolution, with a heightened focus on integrating technology, building capacity, and fostering strategic partnerships. There is an increasing consensus regarding the necessity to address emerging legal concerns, including digital rights, environmental justice, and economic empowerment, through *pro bono* efforts.

Conclusion

Pro bono legal work in South Africa has been extensively

reshaped in recent years, propelled by regulatory reforms, institutional backing, and innovative strategies. Although significant challenges endure, the sector occupies a vital role in promoting social justice and legal empowerment, and there exist substantial opportunities for continued development and broader impact.

In conclusion, we must acknowledge that progress has been made in South Africa's *pro bono* landscape. The Committee accepts that we need continued efforts to address existing challenges, and we must ensure that all individuals regardless of their social and or economic status have meaningful access to legal services and access to justice.

Shaun Hangone
Chairperson

Liquor Matters Committee

Members: Kobus Burger (Chairperson), Savera Maharaj, Abongile Matomane, Eugene Kruger, Bongani Dinga and Sam Matsimela.

The Liquor Matters Committee convened during November 2025, and the following report provides a summary of the current state of affairs relating to the provincial Liquor Boards across South Africa.

Before addressing each province individually, it should be noted that several challenges appear to be common to almost all provincial Liquor Boards. These include significant backlogs, slow turnaround times, and an apparent lack of expertise and/or a genuine commitment to providing efficient and effective delivery service.

Gauteng Liquor Board

The Gauteng Liquor Board continues to experience severe delays in processing applications. Turnaround times are so prolonged that practitioners are frequently compelled to obtain court orders to force the Board to attend to applications. In addition, the quality of the Board's decisions is often poor, resulting in unnecessary litigation.

Eastern Cape Liquor Board

The turnaround time of the Eastern Cape Liquor Board is no longer as efficient as it was previously. The Board has introduced new regulations, certain provisions of which appear to be *ultra vires* the enabling Act. Practitioners are currently engaging with officials of the Board in an attempt to address these concerns.

Western Cape Liquor Board

According to practitioners in the Western Cape, the licensing environment has deteriorated noticeably. Challenges include flawed Tribunal decisions, overly restrictive inter-

pretations of legislation, and poor communication from officials. Submissions to address these concerns have been made to the Premier as well as the Minister of Trade, Industry and Competition.

Limpopo Liquor Board

The Limpopo Liquor Act 5 of 2009 came into effect in 2024, which resulted in a significant increase in litigation. Feedback from clients indicates that inspectors of the Liquor Board are allegedly harassing license holders, rather than providing education and guidance on compliance requirements.

North West Liquor Board

The North West Province was the last province to enact its own liquor legislation, which was published on 1 April 2025. The implementation of the Act has been problematic and has led to further application backlogs and a continued deterioration in service delivery, which was already poor prior to the new legislation.

Mpumalanga Liquor Board

The Mpumalanga Liquor Board appears to be functioning relatively smoothly, with no major issues reported at this stage.

Northern Cape Liquor Board

The Northern Cape Liquor Board was without a duly appointed board for more than a year. Although a new board was appointed during 2025, there has been no meaningful effort to address the substantial existing backlog. This situation continues to cause serious prejudice to the province and its economy.

KwaZulu-Natal Liquor Board

The KwaZulu-Natal Liquor Board continues to face severe challenges, particularly following the 2020/2021 unrest. The Board has not yet recovered, and significant backlogs and poor service delivery persist.

Free State Liquor Board

Amendments to the Free State Gambling, Liquor and Tourism Act 6 of 2010 came into effect on 10 May 2024 (Free State Gambling, Liquor and Tourism Amendment Act 3 of 2024). The Free State remains the only province in which only South African citizens may apply for a liquor licence, a provision that appears to be clearly unconstitutional. Service delivery and turnaround times remain problematic, to the extent that practitioners are still required to obtain court orders to compel the Board to process applications.

Across most provinces, there appears to be a lack of understanding and/or inadequate knowledge of the relevant Liquor Acts and their implementation. Liquor traders frequently receive inconsistent and contradictory information from Liquor Board officials and the South African

Police Service, which creates confusion and uncertainty within the industry.

A further recurring concern is that licensed outlets are often subjected to stricter enforcement measures than illegal outlets, while insufficient action is taken against illegal liquor trading. This imbalance is detrimental to compliant traders and undermines the liquor industry as a whole.

These challenges are exacerbated by inconsistent guidance from Liquor Boards, law enforcement authorities, attorneys, and liquor consultants.

Historically, liquor regulation in South Africa was governed by a single national Liquor Act 27 of 1989, which was subsequently repealed, resulting in each province adopting its own liquor legislation. The lack of uniformity between provincial laws has contributed significantly to the challenges outlined above.

Institutional knowledge within the regulatory system has declined, and only a limited number of attorneys retain specialised expertise in liquor law, further compounding the difficulties faced by liquor traders and practitioners alike.

Legal practitioners in all provinces are encouraged to share their challenges and experiences in this area of practice with the LSSA.

Kobus Burger
Chairperson

Litigation Committee

Members: Tiaan Joubert (Chairperson), Ntombomzi Ngada, Chris Mamathuntsha and Albert Jacobz.

This report marks the first Chairperson's Report of the Litigation Committee of the Law Society of South Africa (LSSA), following the Committee's establishment towards the end of 2025. The inaugural meeting of the Committee was held on 11 November 2025 via Zoom and represented an important foundational step in operationalising the Committee's mandate.

The Committee is constituted to reflect a broad and inclusive spectrum of the organised profession. Its core membership includes representatives from the National Association of Democratic Lawyers (NADEL), Black Lawyers Association (BLA), and the Independents, supported by the Professional Affairs administrative staff of the LSSA. This composition ensures balanced representation, diversity of perspective, and institutional continuity as the Committee undertakes its work.

The current members of the Committee are:

- Mr Tiaan Joubert (Chairperson) – Independents
- Ms Ntombomzi Ngada – NADEL

- Mr Chris Mamathuntsha – BLA

The Committee is supported by the Senior Manager, Secretariat and administrative staff of the LSSA.

Governance and institutional framework

Given the Committee's recent establishment, its early meetings appropriately focused on governance, policy development, and structural alignment with the broader LSSA framework.

The amended Terms of Reference of the Litigation Committee were initially adopted in November 2025. During the February 2026 meeting, the Committee revisited the quorum provisions to ensure alignment with the LSSA's established principle of non-dominance. After careful deliberation and consideration of historical specialist committee practice, the Committee unanimously agreed that quorum would require representation from each constituency. Each constituency is formally represented by two members (currently designated as main and alternate), and for purposes of attendance and quorum both are regarded as full committee members. A meeting is therefore quorate when at least one representative from each constituency is present.

This approach reinforces inclusivity, ensures institutional balance, and upholds the governance traditions of the LSSA. Revised wording aligning the Terms of Reference with the format of other specialist committees will be finalised and circulated for approval.

The Committee also approved the LSSA Litigation Policy, which consolidates established practices into a coherent framework for decision-making, reporting, and oversight of litigation involving or affecting the profession. Members emphasised flexibility and proportionality, particularly in relation to the reporting of judgments of professional relevance.

Further progress was made on the draft Terms of Reference for the LSSA Panel of Attorneys. Constructive engagement took place around fee structures, market alignment, financial sustainability, and the voluntary nature of panel participation. The Committee considered comparative regional fee data and emphasised that the proposed tariffs reflect reasonable and competitive rates for the LSSA's purposes, intentionally set below prevailing market averages while remaining fair. It was confirmed that participation on the panel would remain voluntary and that attorneys would be free to accept or decline the proposed structure.

The Committee also considered the scope of legal expertise listed in the draft Terms of Reference. It was agreed that the list would not be exhaustive but would reflect the primary areas of focus historically relevant to the LSSA, with flexibility retained to expand or supplement the list where necessary. Revised wording will be prepared and

circulated to ensure clarity without inadvertently limiting the Panel's mandate.

Substantive litigation matters *Marweshe Attorneys and Others v Minister of Justice and Constitutional Development and Others*:

The Committee revisited this matter, which had initially been brought to its attention by practitioners in Bloemfontein. It was agreed that, in the absence of a formalised and unified position from the affected attorneys, it would be premature for the LSSA to determine its stance. The Committee resolved to obtain input from the relevant LSSA Free State structures before considering further intervention. This measured approach reflects the Committee's commitment to distinguishing between regional concerns and matters warranting national intervention.

***Mpshe and Another v Minister of Justice and Constitutional Development and Others (GP) (case no 2024/097139)*:**

The Committee continued its deliberations regarding this matter, in which the LSSA has been invited by court order to assist as *amicus curiae*. The LSSA Executive Committee (Exco) has approved participation in principle.

The Committee engaged substantively with the structural issues raised in the application, particularly the historical and practical distinctions between attorneys and advocates within the framework of the Legal Practice Act 28 of 2014. Members identified potential disparities in post-LLB vocational training models and their implications for rights of appearance and professional readiness. It was agreed that Professional Affairs would consolidate the Committee's views into formal instructions to the LSSA's attorneys, seeking advice on whether the Committee's proposed arguments would introduce distinctive contributions not already advanced by the applicant or the Legal Practice Council. The Committee will determine the appropriate next steps once that opinion is received.

Sale of immovable property – constitutional referral

The constitutional referral concerning the sale of immovable property remains under consideration. The matter was deferred in February pending confirmation of the relevant court order and procedural posture, including whether a Rule 16 notice has been issued. An update will be provided at the next meeting.

***De Bod v Road Accident Fund (GP) (case no A55/2025, 7-11-2025) (Mngqibisa-Thusi, Nyathi and Millar JJ)*:**

The Committee received input from the Personal Injury Committee and the Costs and Contingency Fees Committee regarding the implications of the judgment in *De Bod v RAF*. Issues identified include potential consequences for contingency fee calculations and broader impacts on personal injury practice.

The Committee agreed that further consolidated guidance from the specialist committees is required before determining whether the LSSA should actively participate. The matter is presently held in abeyance pending that engagement. This approach reflects the Committee's recognition that technical subject-matter expertise must inform strategic litigation decisions.

Frederick Lodewicus van der Merwe v Louis Theunis Janse van Vuren and Others (CC) (case no 204/2025):

The Committee noted the renewed proceedings following the earlier dismissal of related litigation by the Constitutional Court of South Africa on 6 October 2025. Consistent with its prior position, and in the absence of compelling grounds for participation, the Committee resolved to maintain its earlier stance.

Conclusion

Across its first two meetings, the Litigation Committee has demonstrated a strong commitment to principled governance, institutional alignment, and carefully calibrated litigation oversight. Particular emphasis has been placed on ensuring that Committee processes reflect the LSSA's constitutional principles, especially non-dominance and inclusive representation.

The Committee is steadily consolidating its role as a considered and credible forum within the LSSA – one that advances the interests of the profession through measured deliberation, strategic discernment, and collaborative engagement across representative groupings.

The Committee will continue refining its governance instruments and addressing substantive litigation matters with due regard to the profession's broader institutional and constitutional context.

Tiaan Joubert
Chairperson

Personal Injury Committee

Members: Jacqi Sohn (Chairperson), Mpendulo Gama, Moses Mkhabela, Lindy Langer, Conrad Van Der Vyfer, Likhaya Makana and Sinawo Makangela.

2025 was a roller coaster year for all involved with the Road Accident Fund (RAF). It started with an attempt by the RAF to introduce a standardised formula for the calculation of damages including compensation for non-pecuniary loss (general damages). This had been mooted towards the end of 2024 – see last year's report.

The RAF continued to reject new claims based on the provisions of Board Notice 271 as read with the new RAF Form

1 published by the Minister of Transport on 4 July 2022 and continued to refuse to pay out –

- undocumented foreign nationals, regardless of whether they have a valid court order or not;
- past expenses covered by medical aid, also regardless of whether there are court orders against them or not; and
- judgments for future loss of earnings in cases where the plaintiff died after judgment or settlement but before receipt of payment.

Despite the refusal of an application brought on an urgent basis for the extension of the 180-day moratorium on payment of claims the RAF still maintains its 180-day payment policy.

In mid 2025 drastic changes took place within the RAF, starting with the suspension of the then Chief Executive Officer (CEO), Collins Letsoalo, the dissolution of the then Road Accident Fund Board and the appointment of an interim board by the Minister of Transport. This was against the background of ongoing forensic investigations by the Special Investigation Unit (SIU) and oversight hearings and inspections by the two relevant Parliamentary Portfolio Committees – Standing Committee on Public Accounts (SCOPA) and Transport. Since then, certain other key management employees have been placed on suspension by the Minister of Transport.

At the same time, the Minister of Transport announced that government would be reintroducing Road Accident Benefits Scheme Bill (RABS) to solve the RAF's problems.

In October 2025 SCOPA commenced a formal parliamentary inquiry into the RAF which is still running.

Development of standard formula for the calculations of damages for the Road Accident Fund

In early January 2025 the LSSA received invitation from the RAF requesting input and requesting it to solicit views on a proposed solution to RAF's ongoing problems by the creation of actuarial formulae for calculating loss of earnings, loss of support and general damages benefits. The proposal envisaged an online calculator where claimants could independently determine the possible quantum of their claims. The proposal called for public comment and was underpinned by complicated formulae and vague references to statistical data which or may not exist. An example being:

'Determination of a set fee or amount called VLGD (value of life for general damages) to be determined using methods of the statistical nature and be benchmarked against other jurisdictions where such exist.' In view of the technical nature of the proposal, advice was taken from Willem Burger, a fellow of the Actuarial Society of South Africa, who prepared a preliminary report which was attached to the submission made by LSSA.

The LSSA pointed out in its submission that the proposal

ran contrary to the provisions of the Road Accident Fund Act 56 of 1996, as amended (the Act) and, in particular s 17 thereof. Accordingly, it was not open to the RAF to determine alternative methods of calculating compensation and, in particular, any method proposed that failed to ensure that the injuries were assessed subjectively as this would be *ultra vires* to the Act.

A copy of the LSSA submission can be viewed on its website.

The SCOPA inquiry

During early July 2025 because meetings conducted by SCOPA had not produced satisfactory answers to questions raised by members a formal parliamentary commission of enquiry was established by SCOPA and its terms of reference circulated to enable interested parties to make submissions and participate in the inquiry.

The LSSA prepared a submission to SCOPA which included a copy of the 2023 joint memorandum presented to the then Minister of Transport and other relevant bodies addressing the crisis at the RAF which memorandum had been prepared by a consortium of various legal bodies including LSSA and its constituent members. In addition to this, a covering memorandum highlighting the consequences arising from the rigid implementation of Board Notice 271, including the rejection (without registration) of 90% (according to the former CEO) of all claims submitted after 4 July 2022 which resulted in –none of those claims being entered into the records of the RAF:

- the understatement of outstanding claims and liabilities in the financial statements of the RAF from July 2022 to the current time;
- many of those claims proceeding to default judgment;
- a dramatic increase in litigation as none of the ‘rejected’ claims could be settled;
- the collapse of the civil trial court rolls in Pretoria and Johannesburg;
- severe delays in the allocation of all hearing dates in all courts; and
- an increase in the average value of claims.

Following the submission, the LSSA consulted with the parliamentary legal advisory team through virtual platform in preparatory of a formal affidavit for submission by LSSA to SCOPA prior to appearing at the inquiry. An affidavit was prepared and signed by the President of LSSA, Mr Nkosana Francois Mvundlela.

On 11 November 2025 the President, accompanied by a delegation comprising of members of the LSSA Personal Injury Committee and LSSA staff attended the SCOPA inquiry in person to give evidence and to answer questions raised by members. A comprehensive summary of the presentation to SCOPA by LSSA can be found at <https://pmg.org.za/committee-meeting/42013/>.

Dissolution of RAF Board and appointment of an interim board by the Minister of Transport

After his ‘precautionary’ suspension, ostensibly for refusing to attend a parliamentary portfolio committee meeting, the former CEO, Collins Letsoalo, brought an urgent application to set aside his suspension and to interdict the Road Accident Fund from advertising for the appointment of a new CEO as his five year contract was coming to an end at the end of August 2025. He contended that the Board had agreed to extend his contract. The application was dismissed, the contract ran out and the post was advertised.

Despite the removal of the CEO and dissolution of the Board the policies encapsulated in Board Notice 271 and other internal directives continue to be implemented, presumably pending the outcome of the various cases proceeding to appeal hearings. It has been reported that significantly increased payouts took place after the appointment of the interim board which were aimed at clearing the backlog of claims due for payment older than 180 days. In matters where writs were issued in respect of undocumented foreign nationals, offers were made to settle those claims under ‘duress’ via payments to the sheriff.

SIU investigations

At the time of dissolving the board, the Minister of Transport announced that she had approached the SIU to broaden the scope of its investigations into irregularities at the RAF. SIU presented reports to SCOPA and their investigations continue.

An interim report was published by the SIU dated 10 October 2025 which can be accessed online via the website of the Parliament of South Africa and a summary on the PMG website.

Pending litigation relative to Board Notice 271 and Directives

During 2026 two of the major cases pertaining to the legality of Board Notice 271 and the new RAF Form 1 and other directives issued by the RAF will be argued in the Supreme Court of Appeal. On 16 February 2026 the Discovery Health case, which relates to the liability of the RAF to compensate road accident victims for past expenses covered by their medical aid, will be argued and on 17 February 2026 the matter of *Legal Practitioners Indemnity Insurance Fund NPC and Others v Road Accident Fund and Others* 2024 (4) SA 594 (GP) (LPIIF case) will be argued in the Supreme Court of Appeal.

The court *a quo* (a full bench of the Pretoria High Court) in the LPIIF case struck down Board Notice 271 as well as the new RAF 1 claim form promulgated on 4 July 2022. It found it unnecessary to rule on the constitutionality

of Regulation 7.1 which had been declared unconstitutional in two other cases, *Mudawo and Others v Minister of Transport and Another* (GP) (unreported case no 011795/2022, 26-3-2024) (Davis J) and *Mautla and Others v Road Accident Fund and Others* (GP) (unreported case no 29459/2021, 6-11-2023) (Opperman, Millar JJ and Ally AJ), both of which still await dates for appeal hearings in the Supreme Court of Appeal.

It is hoped that a favourable outcome in both cases to be heard in February 2026 may put an end to the ongoing costly and time-consuming litigation relative to the implementation of Board Notice 271 and other directives issued by the previous management of the Fund.

Revival of RABS

While the Minister of Transport dissolved the RAF Board, she also announced government's intention to reintroduce the Road Accident Benefits Scheme Bill (RABS) which she contended will make it easier for road accident victims to access the benefits without costly legal bills.

During July 2025 and at a mini-debate in the National Assembly on 2 July 2025, the Deputy Minister of Transport, Mkhuleko Hlengwa, said that Minister Barbara Creecy had delegated several key responsibilities to him to ensure a more focused and streamlined Department of Transport (DOT) and emphasised the DOT's determination to fix the Fund through the implementation of RABS which would, among others, ensure a no-fault compensation system with defined benefits; faster direct payments; structured, long term benefits paid in an annuity instead of lump sums; ensure the exclusion of foreign nationals, illegal ones as well; and also a medical based processing system and an integrated data system.

The National Assembly rejected the RABS Bill in 2020. It is anticipated that its reintroduction will again be fiercely opposed by various public interest groups as well as individual members of the public.

The original RABS Bill contemplated a no-fault scheme wherein the common law rights of any injured party were substituted for the very limited benefits contemplated in the scheme. There was no provision for compensation for general damages, even for catastrophic injuries, medical expenses to be paid according to a determined tariff (still to be provided by way of regulation) and limited benefits for loss of earnings and support. For example, a widow's loss of support was to last for 15 years' maximum or until age 60, whichever was the sooner. No detail was provided of the maximum amounts to be paid for loss of support or income as this would be determined by regulations not yet promulgated.

If such a system is introduced it can only be against the backdrop of returning the common law rights to injured innocent road accident victims, failing which, such a

scheme must surely fail constitutional muster. The implications of this are far reaching for all South Africans.

LSSA will continue to closely monitor any developments in an attempt to reintroduce RABS. When it was last presented LSSA made a comprehensive submission dealing with its shortcomings and the devastating impact it would have on all motorists and injured road accident victims. That submission is available on the LSSA website. LSSA also attended the Portfolio Committee on Transport hearings.

Focus for 2026

The LSSA will continue to closely monitor any developments relative to the reintroduction of RABS. The LSSA's position on the previous RABS Bill is expressed in the submissions previously made.

The LSSA will also continue to monitor the ongoing litigation as well as the SCOPA and SIU investigations into the affairs of RAF and where appropriate take steps in the interests of the public and the profession.

Jacqi Sohn
Chairperson

Property Law Committee

Members: Anita Gounden (Deputy Chairperson); Zolile Sontshi; Anton Theron, Dave Bennett, Monise Ponoane, Elivia le Roux; Leah Mamabolo and Khaya Tshiki.

The following meetings were held:

17 February 2025:

The Property Law committee met with the Conveyancing Task Team with the aim to identify and provide solutions to the unethical practices in the conveyancing sector.

Outcome: Collaboration and dialogue with the major players in the industry and together with all the major players in the industry and together find solutions.

12 March 2025:

At the Property Law Committee meeting Mr Hassan Goga was elected as the new Chairperson.

Matters that were for discussion:

The opinion by advocate Mark Oppenheimer with regard to the payment of the commission on unregistered property practitioners, was discussed. Unfortunately, the Property Practitioners Regulatory Authority (PPRA) had a different viewpoint. It seems that a stalemate was reached and the committee agreed that it will continue to monitor the situation and provide updates.

The committee discussed the inclusion of the other provincial committees. It was agreed that while it will be a good idea, circumspection must be applied as certain sensitive matters may be relayed to wrong parties. The committee agreed that the inclusion must be done strictly on invitation with clear agendas.

At this point it must be added that the Pietermaritzburg Attorneys Association requested on two occasions to meet with the committee/LSSA whom they regard as their 'trade union' to discuss the eDRS.

There is ongoing discussion regarding the mortgage registration fees with the banks who do not seem too interested in meeting with the LSSA/committee.

The eDRS still proves to be an issue and it was agreed that a meeting be held with the Chief Registrar of Deeds (CRD) and the Legal Practice Council (LPC).

There was a complaint with the Competition Committee against the LSSA. Schindler attorneys prepared an excellent draft response and members were invited to comment or add further points.

17 April 2025:

LSSA met with the Competition Commission with regard to a complaint concerning the appointment of the conveyancers and transfer costs. It was a fruitful discussion and the meeting concluded with the LSSA committing to provide the requested conveyancing guidelines. The Commission expressed satisfaction with the clarifications provided.

It was agreed that any issues requiring comparative jurisdiction analysis would be discussed with the LSSA at a later stage if necessary.

26 June 2025:

Meeting the attorneys' associations as well as Regulation Board member.

Topics addressed were Stakeholder Engagement Strategy to involve other stakeholders in the industry. This was a working document and further feedback is required.

Conveyancing mentorship programme to assist in the poor results in the Conveyancing and Notary Exams. It was agreed that a working group consider the challenges and pitfalls and the House of Constituents (HoC) should consider the revival of the mentorship programme.

The Upgrading of Land Tenure Rights Amendment Act 6 of 2021: It was reported that the Registrar of Deeds Johannesburg refuses to adhere to the Chief's Registrar's circular. Some law firms have instituted litigation against the Registrar. Progress updates will follow.

In relation to Financial Intelligence Centre Act 38 of 2001: Two High Court Appeals, one with the LSSA actively participating and the second was a review of a R 7 million

fine. LSSA is seeking a legal opinion and LPC is doing the same. The opinion will be shared with the members.

Bribery in the conveyancing industry is rife. The PPRA, LPC and LSSA formed a task team and a draft report was crafted. This is an ongoing issue.

Conveyancing fees increased by 3%.

The LSSA sent a letter to the CRD challenging several circulars as *ultra vires*. The CRD responded, citing a disconnect between the LSSA and LPC.

Other issues were Form LLL which is required in all matters, the R 50 00 Lodgement Fee and Composition of the Regulation Board and Sectional Title Board.

The Pietermaritzburg Attorneys' Association has filed a Promotion of Access to Information Act 2 of 2000 (PAIA) application to obtain information from the Chief Registrar. If no response is received, they are prepared to proceed with a review application.

It was agreed that the Professional Affairs department will communicate to the HoC that:

- Multiple associations participated in the meeting.
- There is broad support for a meeting with the LPC.
- The meeting is urgent and necessary to address conveyancing-related issues.

On 21 August 2025 a meeting was held with LPC and LSSA to discuss the Chief Registrar's conference in Cape Town and to forming a working relationship. The meeting resolved to set up a meeting with the CRD which will be attended jointly.

Meeting with Chief Registrar and LPC and LSSA to set out the roles of the respective organisations

Meeting with South African Institute of Chartered Accountants, two meetings held on 26 September 2025 and 14 October 2025 on a discussion regarding the purpose or reason that banks are requesting confirmations from the auditor or accountant and what this information is used for. Requests for comments were sent to the members of the Committee. Further updates to follow.

Anita Gouden
Deputy Chairperson

Tax Matters and Exchange Control Committee

Members: Robert Gad (Chairperson), Iqbal Ganie (until July 2025), Joseph Osei (from August 2025), Charles Ancer, Mzawuthethi Kalimashe (until July 2025), Vusumuzi Rajuili (until July 2025), Abe Taoa (from July 2025) and Kabela Maloka.

Key engagements

- Meeting between the Tax and Exchange Control Committee and the Legal Practice Council (LPC) was held on 16 January 2025.
- Tax and Exchange Control Committee meeting was held on 22 January 2025.
- Tax and Exchange Control Committee meeting was held on 7 April 2025.
- Meeting between the Law Society of South Africa (LSSA) and the South African Revenue Service (Sars) was held on 1 September 2025.
- Meeting with SARS/LPC/LSSA/General Council of the Bar of South Africa (GCB) on the Continued Professional Education (CPE) policy for tax practitioners was held on 27 November 2025.
- Tax and Exchange Control Committee Meeting was held on 2 December 2025.

The initiated discussions regarding LPC and Sars Declarations for tax practitioners is an ongoing matter.

This Committee held virtual meetings during the period under review to discuss relevant topics, including proposed engagement with other SARS and professional bodies. In lieu of physical meetings, virtual meetings seem to be a more economical and convenient alternative.

We continue to receive invitations to attend Sars/National Treasury workshops, and make submissions on proposed tax law, to which we respond.

We have been a regular invitee and participant in the Recognised Controlling Body (RCB) stakeholder workshops with Sars on issues of concern to tax practice.

We have a very good relationship with Sars, and have regular access in order to raise any tax operational issues.

Where appropriate, this Committee participates in written and oral comments on changes to the tax and related legislation.

As Chairperson, I would like to thank the Committee very much for all of their input and efforts during the course of the year under review. My sincere appreciation to Ncumisa Sotenjwa, Senior Manager at the Professional Affairs, Kris Devan, (Professional Assistant), and Selinah Sekano (Committee Secretary) for their assistance provided to the Committee.

Robert Gad
Chairperson

Judicial Services Research Task Team

Members: Krish Govender (Chairperson), Dinah Sibiya and Frankl Weber.

Although the Law Society of South Africa (LSSA) Judicial Services Research Task Team has been in existence since 2021, it is the first time that a report has been submitted for incorporation into the Annual Report of the LSSA. The need to record and report on the important work of this task team was, in the past, seemingly overlooked. This might have been due to the fact that it did not carry the title of 'Committee' to qualify for reporting purposes like other Committees. The Senior Manager of Professional Affairs saw the need to remedy this in the best interest of the LSSA.

The Task Team comprises of three legal practitioners representing National Association of Democratic Lawyers (NADEL), Black Lawyers Association (BLA) and the Independents. In 2022, the BLA appointed Ms Dinah Sibiya to the task team and in 2025, the Independents appointed Mr Frankl Weber to the Task Team replacing Mr Umesh Jivan.

The work of this Task Team finds its way to the Judicial Service Commission (JSC), after scrutiny by the Executive Committee (Exco) of the LSSA, as a submission of the LSSA. This submission by the LSSA is an important contribution towards strengthening our constitutional democracy and the role of the LSSA in this regard cannot be underestimated. This submission finds its way to the JSC and each of its members, after meeting tight deadlines set by the JSC for the submission of comments on the suitability of candidates for appointment to each and every vacant post as they arise throughout the judiciary. This Herculean task is performed at least twice a year during April and October months when the JSC sits to conduct its public televised interviews.

In addition to the standard twice a year sittings of the JSC for judicial appointments, the JSC also sits as requested in relation to scrutinising and recommending candidates for appointment to the top judicial posts in the country, namely, the Chief Justice, Deputy Chief Justice, President and Deputy President of the Supreme Court of Appeal (SCA), and any further ad hoc vacancies that may arise in the course of the year in relation to the broader judiciary, eg. the Electoral Court. In 2025, the Task Team dealt with the following appointments in addition to the two annual sittings for the appointment of judges –

- comments on the shortlisted candidates nominated for the position of the Deputy Chief Justice; and
- comments on the shortlisted candidates for the Electoral Commission.

The task entails reading the questionnaire that is submitted by candidates for interview by the JSC. The questionnaire is accompanied by nominations on behalf of the candidate, the candidate's CV, any additional documents of relevance, and in the case of almost all applicants, the attachment of three judgments written by the candidate.

Each candidate could have a bundle averaging 200 pages. The bundles vary in size from about 100 to 300 pages. On average, there are between 50 and 60 candidates who sit for the interviews for judicial appointments, twice a year.

The work is divided among the three members of the Task Team, and this could involve each of us reading bulky submissions of between ten and 20 candidates per session of the JSC. The average time to peruse and check the questionnaire and the attachments takes between two to three hours per candidate. It is labour intensive and condensed into a period of two to three weeks for the preparation of the draft report on every candidate for submission to the Exco of the LSSA for final approval.

The JSC demands serious scrutiny of all the material submitted by the candidates for suitability for appointment in terms of s 174 of the Constitution, by stakeholders and interested members of the public. The LSSA, being the voice of the attorneys' profession, bears a great responsibility in supporting the work of the JSC in ensuring that the rule of law is maintained, the separation of powers is respected, and our constitutional democracy is strengthened, through a powerful and independent judiciary. Any support, reservation or criticism of any candidate has to be carefully and properly motivated. Hence the scrutiny of the applicants' papers carries many responsibilities for the Task Team on behalf of the LSSA.

The public attention and the live streaming of interviews makes the work of the JSC in conducting the interviews and making its final recommendations to the President of South Africa a crucial and most important part of serving and upholding the highest principles of fairness and justice under our Constitution. The candidates and their submissions, the responses of the stakeholders and the public at large, the media and the members of the JSC all contribute to the complexities, controversies and outcomes of the process for the appointment of judges.

The LSSA plays an important role in these long processes and contributes to the best outcomes for a strong judiciary for our country, without fear, favour or prejudice.

Krish Govender
Chairperson

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SW360

SW360 is a leading South African provider of data intelligence and compliance solutions, helping organisations verify, assess and manage risk. As the parent brand to SearchWorks and VOCA, SW360 delivers seamless access to real-time, verified data across industries. SearchWorks is South Africa's largest data aggregation platform, offering more than 170 search types across trusted data sources including credit bureaus, CIPC and the Deeds Office. VOCA simplifies regulatory compliance through automated verification, onboarding and ongoing monitoring aligned with Financial Intelligence Centre (FIC) requirements. Together, these solutions form a powerful ecosystem that enables organisations to make informed decisions faster while strengthening compliance and reducing exposure to fraud and financial crime.

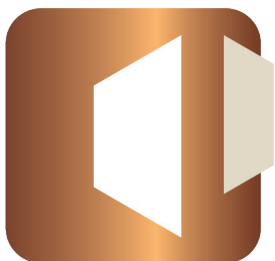
The AVBOB logo consists of the word "AVBOB" in a bold, white, sans-serif font. The text is centered on a dark green rectangular background. A white, curved swoosh underline is positioned beneath the letters, starting from the left and ending with a small white circle on the right.

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As a mutual, AVBOB has no external shareholders. Instead, it is owned by its members - our policyholders, who share in the value created by the business. Our mutual status does more than define our ownership model - it shapes our purpose.

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