

COMMITTED TO BUILDING A BETTER LEGAL PROFESSION FOR ALL

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Latest on the Legal Practice Act

The National Forum on the Legal Profession (NF) has received a six-month extension from the Justice Minister to finalise outstanding issues relating to legal education, as well as negotiations for the transfer of staff and assets from the provincial law societies to the Legal Practice Council.

Last month, the NF gazetted the Code of Conduct for practising and candidate legal practitioners, and juristic entities for the new dispensation. The code is not in force as yet and will be dealt with further by the LPC.

▶ [Read more on the new timeframes for the LPC implementation and view the Code of Conduct here.](#)

New Deeds Office fees gazetted

On 28 February, the Minister of Rural Development and Land Reform, Gugile Nkwiti, gazetted the Schedule of Fees of Office for the Deeds Office made by the Deeds Registries Regulations Board under s 10 of the Deeds Registries Act 47 of 1937. The regulations come into operation on 28 March 2017. Download the Government Gazette [here](#).

▶ [Download the Government Gazette here.](#)

Updating your registration with the FIC

Attorneys' firms that were registered with the Financial Intelligence Centre (FIC) on the previous system need to update their details on the new system, called goAML. Firms will not be able to file reports with the FIC unless their registration details are updated on the new FIC system and approved by the FIC. The FIC has e-mailed a new entity registration identity to all previously registered attorneys firms, called an "ORG ID" which was sent to the Compliance Officer of the firm.

▶ [Click here to read more and view the notice from FIC.](#)

Conveyancing exam syllabus

If you are writing the conveyancing exam on 10 May you may want to view the syllabus. The syllabus gives information on the examination criteria and pass rate, as well as the Acts that you need to know for the exam.

► [View the syllabus here.](#)

LEAD conveyancing exam preparation workshop: The closing date for the exam prep workshop registration is 3 April 2017.

► [Read more here.](#)

The dates of the other exams are:

Admission examination 22 – 23 August

Conveyancing examination 10 May or 6 September

Notarial examination 7 June or 11 October

Registration for the exams must be done with the relevant provincial law society.

CJ's Office warns of fraudulent court orders and CA training scheme

Last month the Office of the Chief Justice warned the public to be alert to fraudulent court orders. The public was urged always to verify the authenticity of a court order with the court from which it was allegedly issued. If it is established that the court order in an individual's possession is not legitimate, the fraudulent court order must be reported to the Registrar's office at the court of issue and the matter must be reported to the nearest SAPS station for further investigation.

► [Read more here.](#)

The Office of the Chief Justice also alerted the public and legal practitioners of a suspected fraudulent training scheme advertised as "Candidate Attorney Practical Training" which lists the High Court as a venue for this training. The adverts also make use of an image of the Palace of Justice and create the impression that the programme is endorsed by the South African Judiciary. It is not.

► [Read more here.](#)

Polokwane Deeds Office

Minister of Rural Development and Land Reform, Gugile Nkwiti, established the Deeds Registry in Polokwane for the Province of Limpopo on 16 March 2017. The registrars in Pretoria and Polokwane issued circulars providing for the transitional measures relating to the Pretoria Deeds Registry and the opening of the Limpopo Deeds Registry. The Registrar in Polokwane also issued a circular to provide clarity on the description of the Limpopo Deeds Registry on deeds and documents already prepared and lodged in the Pretoria Deeds Registry and that have not been lodged upon opening of the Limpopo Deeds Registry, as well as the description of the seat of deeds registry on new deeds and documents.

► View the Government Notice of 16 March 2016 by the Minister of Rural Development and Land Reform [here](#).

► View the Registrars' Circular of the Pretoria and Limpopo deeds registries of 15 March 2017 [here](#).

► View the Limpopo Registrar's circular of 20 March 2017 [here](#).

Call to all insolvency practitioners to update information at Master's Office

The Office of the Chief Master (Master's Office) has issued a notice to all insolvency practitioners on the national list of liquidators to provide updated information to the Master's Office as per the renewal affidavit that appears on the [Master's website](#).

The period for submitting the updated information is from 20 March to 30 April 2017. Any practitioner who fails to submit this information by the deadline will automatically be suspended from the national list of liquidators.

► [Click here](#) for more information on how to submit your renewal affidavit.

Former Public Protector Thuli Madonsela receives Commonwealth Rule of Law Award

This week, on 24 March, former Public Protector Thuli Madonsela will accept the 3rd Commonwealth Law Conference Rule of Law Award at the closing ceremony of the 20th Commonwealth Law Conference in Melbourne, Australia. The two previous recipients of the award have been Robin Sully from Canada and Upul Jayasuriya from Sri Lanka. The LSSA, which is a member of the Commonwealth Lawyers Association, nominated Ms Madonsela for the award.

- ▶ [Read the LSSA press release.](#)
- ▶ [Read the Commonwealth Lawyers Association press release.](#)

LSSA Significant Leadership Programme for women lawyers: Cape Town and Durban

This LSSA's empowerment and networking programme for women attorneys – the Significant Leadership™ Programme for Experienced Women Lawyers – will be held in Cape Town and Durban this year. Successful sessions of the programme were held in Johannesburg in 2014, 2015 and 2016, and also in Durban last year. The programme specifically focuses on the attorneys' profession and its unique business models. The registration deadline is 24 April 2017.

- ▶ [Click here for more information and to register.](#)

LSSA Synergy Link empowerment initiative

The LSSA has an empowerment and transformation project called *LSSA Synergy Link*. In this initiative, successful law firms assist small law firms to master specified legal practice areas. The small firms can also receive guidance on how to run their firms more efficiently. Darolls Attorneys based in Cape Town wants to assist a small law firm to grow and specialise. Darolls Attorneys is able to assist with the following: Labour law, civil litigation, family law, estates and conveyancing. The closing date for applications is 31 March 2017. [Read more here.](#)

- ▶ [Click here for more information on Synergy Link.](#)

▶ If you are an experienced firm and wish to participate in this initiative by transferring skills to a growing firm – and also include this initiative as part of your enterprise development points in your B-BBEE scorecard – [read more here.](#)

New LSSA basic labour law rights brochure for public information

The LSSA's Labour Law Committee has drafted a brochure for public information aimed at answering the most common questions about the rights which employees have in the workplace and to offer some practical and legal tips when employees are dismissed. The brochure is also available for attorneys' firms and provides a space for the firm's contact information. The brochure is available in English, isiZulu, isiXhosa, Afrikaans and Sesotho.

- ▶ [View the public information brochure here.](#)
- ▶ Request the brochure for use by an attorneys' firm from email: LSSA@LSSA.org.za

Latest comments by the LSSA

Draft Liquor Amendment Bill: The LSSA has made a number of submissions on proposed legislation, one of them being the Draft Liquor Amendment Bill, 2016 (the Bill). In the submission, made at the end of last year, the LSSA states that it has considered the proposed amendments contained in the Bill which proposes amendments to the existing Liquor Act 59 of 2003 and is of the view that, should the Bill, be promulgated in its current format, to impose provisions on the retail sale of liquor, such content will be unconstitutional

- ▶ [View the full submission here.](#)

Judicial Matters Amendment Bill: The LSSA has also submitted comment on the Judicial Matters Amendment Bill [B14-2016], stating that it has 'serious reservations' regarding the proposed amendment of s 103 of the Administration of Estates Act, 1965 (clause 6 of the Bill), which will give the Minister the power to make regulations as to who would be competent to administer deceased and insolvent estates.

► [View the full submission here.](#)

Other LSSA comments: Other legislation that the LSSA has commented on recently includes on the Courts of Law Amendment Bill and the Judicial Matters Amendment Bill; comments to the Rules Board on the harmonisation of the taxation process in Magistrates' Courts Rule 33 with Uniform Rule 70 (3B) and (4) as well as on Uniform Rule 70 and Table A of Annexure 2 to the Magistrates' Courts Rules: Harmonisation of Taxation Fees and Uniform Rule 68(5)(c)(iv) and Item 14(a) of Table C of Annexure 2 to the Magistrates' Courts Rules.

► [All the LSSA submissions can be viewed here.](#)

Recent press releases

- 16 March 2017: NADEL welcomes Government's decision to revoke its withdrawal from the International Criminal Court. [Read press release.](#)
- 7 March 2017: NADEL mourns death of Judge Bonisile Sandi. [Read press release.](#)
- 6 March 2017: The Council of the Cape Law Society mourns the passing away of Judge Bonisile Sandi. [Read press release.](#)
- 27 February 2017: Nadel tribute: The Honourable Judge Essa Moosa. [Read press release.](#)
- 27 February 2017: Cape Law Society mourns the sudden passing away of respected Judge Essa Moosa. [Read press release.](#)

SAVE THE DATE: Pan African Union Lawyers Conference Durban 5 to 8 July 2017

The LSSA will be co-hosting the Pan African Lawyers Conference with the Pan African Lawyers' Union (PALU) at the Elangeni/Maharani Hotel in Durban from 5 to 8 July 2017. Diarise the dates in order to meet colleagues from various African jurisdictions.

Presentations will be divided in the following 3 simultaneous streams for you to choose the ones that better suit your interests and areas of practice: Business and Commercial Law; Legal Practice and Law Firm Management; and Public Interest and Development Law. Registration information for South African delegates will be available soon.

► [Read about PALU here.](#)

► Should you be interested in showcasing your firm by being featured as a sponsor, please e-mail us at LSSA@LSSA.org.za and we will put you in contact with the PALU organisers for more information.

NEW IN THE LSSA PRACTICE MANAGEMENT TOOLKIT

A compendium of practice management articles written by experts for *De Rebus* to support you in your practice.

Recent addition to the toolkit includes

Professional indemnity claims and breaches of the professional duties of an attorney: Is there a link?

It is important that practitioners conduct themselves in accordance with the rules of the

profession at all times. A failure to do so may expose the practitioner to disciplinary action by the provincial law society and also to professional indemnity (PI) claims. Thomas Harban from the AIIF points out that not every PI claim will constitute the basis for a disciplinary inquiry against the practitioner concerned and, likewise, not every disciplinary action taken by the provincial law society will constitute a basis for a PI claim..

Having considered the statistics for the various types of complaints lodged against attorneys, he explains how the AIIF's Master Policy would generally respond to some of the categories of claims.

▶ [Read more here](#)

▶ Access the full Practice Management Toolkit [here](#).

LEAD: UPDATE YOUR KNOWLEDGE OR EXPLORE A NEW FIELD

Coming up in the next few days: Evictions and landlord-tenant dispute seminar: The seminar that will simplify the eviction process and general landlord-tenant dispute resolution. Solutions to disputes will be discussed taking into consideration rental collection and ADR. The focus will be on all legal aspects of rental property in general and will not repeat focus areas of previous seminars on evictions.

▶ [Read more here](#).

Course in divorce mediation: Divorce mediation requires attorneys who are personable and articulate and who have good listening skills. For effective mediation, it is also advantageous if the attorney has practical experience in working with divorcing couples. Whether you wish to practice as a mediator or be in a position to advise your clients or represent them at mediations, you will benefit greatly from attending this LEAD workshop.

▶ [Read more here](#).

Wills and testamentary trusts seminar: Estate planning; drafting and case law updates - adopt a holistic approach to estate planning using wills and testamentary trusts. The seminar will also include a general discussions on case law, electronic wills and digital assets.

▶ [Read more here](#).

No time to attend training? Try an online course

Introduction to medical law for attorneys: Online course

Course duration: 1 August 2017 to October 2017 Registration closes 30 June 2017.

The course consists of various modules, each focusing on a specific requirement of medical negligence and aspects of medical law in general. Material is presented in an interactive and interesting short video format, which is supplemented by written material.

▶ [Read more here](#).

What about your staff?

Each and every member of the law firm has a role to play in the management of risk. Well-trained staff can assist in mitigating the risk you as a practitioner face in your everyday practice. The AIIF has found that the majority of PI claims have in common the fact that they are dealt with by staff who have no formal legal qualification – or if they are legally qualified, then they have little experience in practice and little supervision. ▶ [Read more here](#).

Are you a secretary/administration clerk/candidate attorney/paralegal at a law firm? ▶ [Read more here](#).

Now consider training for your staff through LEAD's ACT division. ▶ [Read more here](#).

Book offer: Case Management in our Courts - R290 only Order today and save 10%

An essential introduction for attorneys to the concept and practice of case management. The book, published by the LSSA/LEAD, is intended to assist you with the new direction that dispute resolution has taken. It has been written by experienced practitioners: Adv Ismail Hussain SC, Ettienné Barnard and Brendan Hughes. They will lead you through the steps an attorney is required to take for a case to be certified as trial ready. You will learn how to apply case management techniques from the point of taking instructions to argument in a trial. An indispensable guide written by experienced practitioners to lead you through the steps from the point of taking instructions to argument in trial.

► [Download the brochure and order form here.](#)

DE REBUS

Did you miss the March issue of *De Rebus*? Highlights from the March issue:

- Editorial: No more free *De Rebus*?
- POPI: Compliance v defiance
- Limiting the scope of the moratorium in business rescue: Ejection of unlawful occupier of a leased property
- Regional court to district court: Horizontal and vertical application
- Rooted in patriarchy: Delictual claims in adultery cases
- Demanding your interest – a new era for sectional titles
- Case note on unfair labour practice relating to promotion.

► [View the March issue here.](#)

The April issue of *De Rebus* will be online on 1 April 2017 at www.derebus.org.za

► Download the FREE *De Rebus* app from the [AppStore](#) or [Googleplay](#).

AIIF RISK ALERT BULLETIN

Did you miss the February issue of the AIIF's *Risk Alert Bulletin*?

In the February issue:

- Cyber scam matters – practitioners continue to fall victim to the scams
- An update on medical negligence claims
- Some conflicting decisions in respect of the prescription of RAF matters
- Recent judgments dealing with prescription.

► [View the February *Risk Alert Bulletin* here.](#)

LEGAL PROVIDENT FUND 50 years: The fund for the profession since 1967

The Legal Provident Fund was registered in 1967 as an independent body for the legal profession and since then via its body of trustees has been providing member employees with retirement, death and disability benefits. The fund is a defined contribution provident fund. It is registered as an umbrella fund which allows it to have multiple participating employers.

The LPF is open to employees, directors and partners of law firms. It is also open to employees of advocates and advocates' groups. Sole practitioners and advocates are not "employees" in terms of law and cannot join any pension or provident fund. They can take out a policy for individuals such as a retirement annuity. Most law firms do not have enough employees to be

able to set up their own retirement funds. Through the LPF, the employees of the individual firms are pooled to negotiate good benefits and affordable premiums.

▶ [Read more and request a quotation.](#)

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