

**Regulations under section 109(1)(a) read with section 97(1) of
the Legal Practice Act, 28 of 2014**

It is hereby certified that, acting under the powers conferred by section 109(1)(a) of the Legal Practice Act, 28 of 2014, the Minister of Justice and Constitutional Development, acting in consultation with the National Forum on the Legal Profession, has made the following regulations in connection with the matters referred to therein.

The right of appearance of candidate legal practitioners

1. Definitions

In these regulations, unless the context otherwise indicates -

- 1.1 "The Act" means the Legal Practice Act, 28 of 2014;
- 1.2 words and phrases defined in the Act shall have the same meanings assigned to them in these regulations.

2. Candidate attorneys

- 2.1 A candidate attorney is, subject to regulation 2.2, entitled to appear -
 - 2.1.1 in any court, other than the High Court, the Supreme Court of Appeal or the Constitutional Court; and
 - 2.1.2 before any board, tribunal or similar institution on behalf of any person
instead of and on behalf of the person under whose supervision he or she is undergoing his or her practical vocational training.
- 2.2 A candidate attorney may appear in a regional division established under section 2 of the Magistrates' Courts Act, 1944 (Act 32 of 1944), as contemplated in regulation 2.1, only if he or she has previously practised as an advocate for at least one year or has undergone at least one year of practical vocational training.
- 2.3 A candidate attorney is entitled to be remunerated for any appearance in terms of regulation 2.1 as provided for in terms of the rules.

APPENDIX "F"

RECOMMENDATIONS:

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3. Pupils

3.1 A pupil is entitled to appear -

3.1.1 in any court, other than the High Court, the Supreme Court of Appeal or the Constitutional Court; and

3.1.2 before any board, tribunal or similar institution on behalf of any person

subject to the approval of the person under whose supervision he or she is undergoing his or her practical vocational training.

3.2 A pupil is entitled to be remunerated for any appearance in terms of regulation 3.1 as provided for in terms of the rules.