COMMENTS BY THE LAW SOCIETY OF SOUTH AFRICA ON THE ATTORNEYS AMENDMENT BILL (B9-2014)

The Law Society of South Africa (LSSA) welcomes the opportunity to comment on the Attorneys Amendment Bill. The amendments are considered to be urgent and to be in the interest of the attorneys' profession nationally.

The following are comments of a technical nature and by no way should delay the implementation of the Act:

1. Clause 1(d)(a)

The word "council" in the first line should be replaced with "Society".

2. Clause 3(a)(f)

The words "of the Society" should be added immediately after the word "council" in the first line.

3. Clause 10

The words "of the Society" should be added immediately after the word "council" in the third line.

4. Clause 21(6)(a)

The word "actions" in the first line should be replaced with "court proceedings".

5. Clause 23(a)(i), (ii), (iii) and (iv)

(i) The words "its society" in the second line should be "the Society".

- (ii) "that area of jurisdiction" should read "the area of jurisdiction".
- (iii) "that area of jurisdiction" should read "the area of jurisdiction".
- (iv) "that area of jurisdiction" should read "the area of jurisdiction".

6. Clause 25(b), (c) and (d)

The amendments to Clause 25(b), (c) and (d) are not clear, having regard to the current wording of the Act.

7. Clause 26(2)

The words "or which" in the third line (after "with whom") should be deleted and also the word "which" in the fourth line should be deleted, for the wording to make sense.

8. Clause 33(5)

The completion of a legal training course as a requirement for admission under Section 15(1)(b)(ivA) has not been included as an exemption. It was never a requirement in the Bophuthatswana jurisdiction.