



LAW SOCIETY
OF SOUTH AFRICA

PRESS RELEASE

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LAW SOCIETY TRIUMPHANT IN *PROXI SMART* MATTER

The Law Society of South Africa (LSSA) welcomes the judgment delivered on 16 May 2018 at the Gauteng Division of the High Court in the matter *Proxi Smart Services (Pty) Limited vs the Law Society of South Africa and Others*.

The applicant applied for declaratory relief concerning the lawfulness of its business model for performing the administrative and related services pertaining to property transfers that it contended was not by law reserved to conveyancers or legal practitioners.

The court held that the applicant has not made out a case for the relief it sought and dismissed the application with cost.

'Proxi Smart Services wanted to render certain 'non-reserved' or 'administrative' conveyancing-related services. The LSSA contended that Proxi Smart's attempt at creating a distinction between 'reserved work' and 'non-reserved work' had no basis in law, and that the full conveyancing process is regarded as professional work performed by conveyancers – who are regulated by the statutory, provincial law societies. This should remain so in the interest of the public', say LSSA Co-Chairpersons Etienne Barnard and Mvuzo Notyesi.

The matter was first heard in the High Court: Gauteng on 6 and 7 February 2018 where judgment was reserved.

'This judgement reaffirms the specialised skill involved in the conveyancing process', added Mr Notyesi and Mr Barnard.

The other thirteen respondents in the matter were the Chief Registrar of Deeds; Roger Dixon; the Justice Minister; the Attorneys Fidelity Fund; the four statutory provincial law societies; the National Association of Democratic Lawyers; the Black Lawyers Association; the Black Conveyancers Association; the Minister of Rural Development and Land Reform and the National Forum on the Legal Profession.

The LSSA was represented by Advocate Ish Semenya SC and Advocate Allen Liversage SC, instructed by Maponya Attorneys.

[View all the Proxi Smart matter documents on the LSSA website.](#)

ISSUED ON BEHALF OF THE CO-CHAIRPERSONS OF THE LAW SOCIETY OF SOUTH AFRICA, ETTIENNE BARNARD AND MVUZO NOTYESI

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Editor's note:

The Law Society of South Africa brings together its six constituent members – the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces, the Black Lawyers Association and the National Association of Democratic Lawyers – in representing South Africa's 25 200 attorneys and 5 700 candidate attorneys.