

**LEGAL PRACTICE COUNCIL
NOTICE 6 OF 2021**

NATIONAL OFFICE
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Vorna Valley, Midrand
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THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

NOTICE IN TERMS OF SECTION 95(4) OF THE LEGAL PRACTICE ACT, 28 OF 2014

Notice is hereby given that the Council hereby amends the Rules of the Council made under the authority of sections 95(1), 95(3) and 109(2) of the Legal Practice Act, 28 of 2014 (as amended) in the following manner:

1. by the insertion of a new Rule 22.1.11 relating to candidate attorneys reading as follows:

"22.1.11 Prohibited provisions in advertisements, interviews and practical vocational training contracts

It is misconduct on the part of:

- 22.1.11.1 an attorney seeking to employ a candidate legal practitioner to stipulate in an advertisement that it is a requirement that an applicant must be, or to enquire of an applicant whether he/she is, in possession of a valid driver's licence, or owns or has access to the use of a vehicle for use in the course of his/her prospective employment as a candidate legal practitioner;
- 22.1.11.2 a principal to enter into a practical vocational training contract with a candidate attorney which incorporates any unreasonable or unusual terms, which terms may include, without limitation, a requirement that the candidate attorney be in possession of a valid driver's licence, or owns or has access to the use of a vehicle for use in the course of the latter's service under the contract."

2. by the insertion of Rule 22.2.9 relating to pupils reading as follows:

"22.2.9 Prohibited provisions in interviews and practical vocational training contracts

Executive Committee: Ms. Kathleen Matolo - Dlepu – Chairperson, Adv Anthea Platt SC - Deputy Chairperson, Adv. Greg Harpur SC, Ms. Trudie Nichols, Mr Lutendo Sigogo, Mr Jan Stemmett, Adv. Ghandi Badela, Executive Officer : Ms. Charity Nzuza

It is misconduct on the part of a training supervisor:

- 22.2.9.1 to enquire of an applicant for a practical vocational training contract whether he/she is in possession of a valid driver's licence, or owns or has access to the use of a vehicle for use in the course of his/her prospective employment as a candidate legal practitioner;
- 22.2.9.2 to enter into a practical vocational training contract with a pupil which incorporates any unreasonable or unusual terms, which terms may include, without limitation, a requirement that the pupil be in possession of a valid driver's licence, or owns or has access to the use of a vehicle for use in the course of the latter's service under the contract."

Signed at Midrand on 9th day of December 2020.



MS K MATOLO-DLEPU

CHAIRPERSON: LEGAL PRACTICE COUNCIL