

COMMITTED TO BUILDING A BETTER LEGAL PROFESSION FOR ALL

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LSSA EXCO MEMBER APPOINTED MEMBER OF INFORMATION REGULATOR

The Law Society of South Africa (LSSA) welcomes the appointment of its Executive Committee and House of Constituents member, Mfana Gwala, as a part-time member of the Information Regulator for a period of five years, with effect from 1 December 2021. The LSSA congratulates Mr Gwala on his appointment.

The Information Regulator is an independent body which was established in terms of the Protection of Personal Information Act 4 of 2013 (POPIA). POPIA aims to promote the protection of personal information processed by, among others, introducing certain conditions for the lawful processing of personal information. The Regulator is empowered to monitor and enforce compliance by public and private bodies with the provisions of POPIA.

The Regulator consists of a chairperson and four other members. Two members serve in a full-time capacity and two members may serve in a full-time or part-time capacity.

The recently appointed members of the Information Regulator are:
Advocate Pansy Tlakula as full-time member and Chairperson, advocates Lebogang Stroom-Nzama and Johannes Weapond, as full-time members and Mr Mfana Gwala, as a part-time member.

[Click here to read the Information Regulator's media statement.](#)

PROFESSIONAL EXAMINATION DATES FOR 2022

Please note that the registration for the first session for the 2022 examinations will open on 3 January 2022 and close on 4 February 2022. Candidates will be required to complete their applications online via a link which will be made available in due course.

The dates for the first session of 2022 exams are as follows:

Attorneys Admission Examination

15 March 2022 Paper 1 and 2

16 March 2022 Paper 3 and 4

Conveyancing Examination

As of 2021, the exam is written over two days, with Paper 1 on theory and Paper 2 on practice.

6 April 2022 Paper 1

13 April 2022 Paper 2

Notarial Practice Examination

7 April 2022

The registration for the second session will open on 6 June 2022 and close on 8 July 2022.

[Click here for more information.](#)

[Click here to read the Legal Practice Council notice.](#)

2021 LSSA LEXISNEXIS LEGAL TECH REPORT

The LSSA in conjunction with LexisNexis conducted a national survey of the legal profession. Drawing comparisons against a 2016 survey, the survey analysed the evolution of South African law firms as they responded to challenges facing the profession in 2021.

The results of the survey show that law firms in South Africa have been hard hit by the pandemic but have remained strong and resilient. Sixty percent of mainly small and medium size firms say they have been hugely impacted by the lockdown with the remainder saying the pandemic had a minimum effect on their law firm.

[Click here to read a summary of the report.](#)

[Click here to download the report.](#)

INNOVATIONS IN ORGANISATION OF JHB MOTION COURT

The Office of the Deputy Judge President, Gauteng Local Division, has issued a notice to all litigation attorneys in Gauteng regarding innovations in the organisation of the motion court in Johannesburg. The notice states that with effect from 1 January 2022 a new set of categorisation of applications will be in place for all applications filed in the High Court in Johannesburg. When enrolling an application from that date, the new system should be used. The notice also talks about case load per judge and the current lead time from first enrolment to final set down date.

The telephone numbers to be used when communicating with the Motion Applications' Office have also been updated, effective immediately.

[Click here to read the notice and to download the new category template.](#)

[Click here to view the notice regarding the updated telephone numbers.](#)

PRACTITIONERS URGED TO ADVISE LPC ON CHANGE OF CONTACT DETAILS AND PRACTICE STATUS

The Legal Practice Council (LPC) has urged legal practitioners to let the relevant provincial LPC office know of any changes in their contact details (physical address, email address and telephone number of the practice and cell phone number where applicable).

In terms of Paragraph 3.17 of the Code of Conduct published in terms of s 36 of the Legal Practice Act (LPA), it is mandatory to notify the LPC, in writing, within 30 days of any change to any of their contact details.

In the notice the LPC adds that a number of legal practitioners have ceased practising without notifying the relevant provincial office of the changed status, and without complying with the requirements for the closure of their practice as set out in subrules 54.31 to 52.32 of the Rules made under the authority of sections 95(1), 95(3) and 109(2) of the LPA.

[Click here to read the notice.](#)

PRACTICE DIRECTIVE ON APPLICATIONS FOR DEFAULT JUDGEMENTS

The Judge President of the Free State High Court, Bloemfontein, issued a practice directive, effective immediately, relating to applications for default judgment pertaining to the National Credit Act. The directive states that these applications will no longer be considered by the Registrar's office and must be directly placed on the motion court roll by way of Notice of Set Down.

[Click here to read the directive.](#)

COMPLIANCE OBLIGATIONS WHILE IN BUSINESS RESCUE

The CIPC issued an important reminder to companies, close corporations and business rescue practitioners regarding the compliance obligations of companies and close corporations in business rescue.

[Click here to read CIPC notice 61 of 2021.](#)

THE UN CHARTER ON UNIVERSAL HUMAN RIGHTS, ESTABLISHED ON 10 DECEMBER 1948

The realisation of the principles in the Charter after 73-years remains a challenge, and many gains have been reversed over the past few years.

The UN has recognised this fact and proposed:

The international protection itself requires national measures of implementation of human rights treaties and the strengthening of national institutions (to include regional frameworks) linked to the full observance of human rights and the rule of law.

The international community must find new ways to prevent and hold accountable all those states who wantonly violate the basic principles of human rights of their citizens.

All states must protect the human rights of all its citizens, irrespective of the nature of their political and socio-economic structure.

The UN has acknowledged an urgent obligation to consolidate the human rights that are owed to all people of our planet.

The LSSA has a core focus on the rule of law and the call to action of all legal practitioners to ensure that they continue to uphold, protect, and enhance the rule of law as an ethical, moral, and professional obligation in the broader interests of society.

[Click here to read more.](#)

LSSA AGM - SAVE THE DATE!

Please note that the Law Society of South Africa annual general meeting and conference is provisionally scheduled to take place on 23 March 2022. The venue will be communicated in due course.

RISK ALERT BULLETIN

The December issue of the Bulletin features a risk management column titled: 'The attorney-client relationship: does the person who pays the piper exclusively call the tune?'. The author states that the column attempts to show that the proverb is misplaced in the context of the contemporary relationship between attorneys and their clients. 'In the first part of the article, the intention is to demonstrate that the professional duties of an attorney are not exclusively owed to their clients. The second part gives a brief overview of the jurisprudence on the liability of attorneys to non-clients,' the author states.

[Download the December 2021 issue of the Risk Alert Bulletin here.](#)

LSSA INFORMATION VIDEOS

The LSSA has, at a national level, done educational videos. The videos aim to inform attorneys of the relevant requirements and practices regarding the specific focus topic. Click on the links below to watch the videos and don't forget to subscribe to [our channel](#). We would also appreciate any suggestions on further related video topics that you may have. Click on the links below to watch the videos.

[The importance of cross-border practice rights for legal practitioners.](#)

[LSSA History and Mandate.](#)

[Admission of Guilt Fines Final.](#)

[What to know when appointing a Liquidator/Receiver in divorce matters.](#)

[Good Practices Withdrawal as Attorneys Part 1.](#)

[Good Practices Withdrawal as Attorneys Part 2.](#)

[Pension Fund Interests in Divorce Matters Part 1.](#)

[Pension Fund Interest in Divorce Matters Part 2.](#)

[Requirements for the Recognition of Customary Marriages.](#)

[Forfeiture of Patrimonial Benefits.](#)

REMINDER: FIDELITY FUND CERTIFICATE PORTAL

The LSSA would like to remind attorneys that the 2022 Fidelity Fund Certificate (FFC) application portal is open for applications. The LPC has requested legal practitioners to immediately access the portal to apply for their FFC online and check progress of their application. In terms of s 85 (7) of the Legal Practice Act, a FFC is valid until 31 December of the year in which it was issued.

[Click here to create a profile and apply for your 2022 FFC.](#)

[Click here to read the LPC notice.](#)

[Click here for the FFC application LPC provincial contact details.](#)

REMINDER: DURBAN HIGH COURT RENOVATIONS

The LSSA would like to remind practitioners that due to renovations, the services offered at the High Court, Durban will be accommodated at the Durban Magistrate Court during the December 2021/January 2022 recess period.

[Click here to read the notice.](#)

ON BEHALF OF THE HOUSE OF CONSTITUENTS AND STAFF OF THE LSSA, WE WISH ALL LEGAL PRACTITIONERS, CANDIDATE LEGAL PRACTITIONERS AND SUPPORT STAFF A SAFE, PEACEFUL FESTIVE SEASON AND A BLESSED NEW YEAR.

DONT FORGET TO FOLLOW US ON SOCIAL MEDIA

Please note that most of the information shared in this newsletter has already been shared, as it happened, on our social media platforms. Follow us on [Facebook](#), [Instagram](#), [LinkedIn](#) and [Twitter](#) to get the latest information. We endeavour to keep you abreast at all times via our social media platforms.

KEEP UPDATED WITH EDUCATIONAL TRAINING

LEAD is an LPC accredited legal education training provider.

PVT STRUCTURED COURSEWORK AND EXAM PREPARATION FOR PUPILS 2022

6 JANUARY - 6 APRIL 2022

Essential vocational training programme for candidate legal practitioners intending to be admitted as advocates.

[Click here to register.](#)

PRACTICE MANAGEMENT TRAINING | REGISTRATION CLOSING DATE: 7 JANUARY

Is practice management training mandatory for legal practitioners? Yes. Section 84(1) of the Legal Practice Act No 28 of 2014, provides that every attorney or any advocate referred to in Section 34(2)(b) - 'trust account advocates' - who wishes to practice for his/her own account either alone or in partnership or as a director of a juristic entity, must be in possession of a Fidelity Fund certificate. Section 85(1)(b) provides that every legal practitioner who, for the first-time practices as such, must within the period determined in the rules, complete a legal practice management course approved by the Council.

[Click here to register.](#)

ACCOUNT MANAGEMENT (ONLINE) | 17 JANUARY - 18 MARCH 2022

Students will learn about accounting principles as they relate to legal practices. They will learn about financial statements, debits and credits, accounts payable and much more.

[Click here to register.](#)

CONVEYANCING AND NOTARIAL PRACTICE COURSES

The main aim of the courses is to give attorneys a practical background in the law, practice and procedure of conveyancing and notarial practice. The training is provided by practising conveyancers and notaries who also draft the course material.

[Click here to register.](#)

DE REBUS

www.derebus.org.za

The December issue of *De Rebus* is out! You can read it at www.derebus.org.za

Can you afford not to have this valuable information at your fingertips? If you would like to receive a free digital copy, [click here to opt in](#).