

## LEGAL PRACTICE COUNCIL

### NOTICE 2849 OF 2024

NATIONAL OFFICE  
Building 10  
Riverview Office Park  
100 River View Park Street  
Halfway Gardens  
Midrand 1685  
Tel: 010 001 8500



#### THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

#### NOTICE IN TERMS OF SECTION 95(1) & (4) OF THE LEGAL PRACTICE ACT, 28 OF 2014

Notice is hereby given that the Council intends to amend 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) by amendment of the following rule to the South African Legal Practice Council Rules:

#### Explanatory Note

Words in bold type square brackets [ ] indicate proposed deletions from the existing Rule.

Words in *italic* and underlined with a solid line indicate proposed insertions to the existing Rule.

#### Proposed amendment to Rule 21.4 of the Legal Practice Council Rules. (Competency-based examinations or assessments):

21.4 A person wishing to qualify to be admitted and enrolled as an attorney who, before the date referred to in section 120(4) of the Act, had passed one or more parts of the practical examinations provided for in section 14 of the Attorneys Act, 1979 (Act no. 53 of 1979) but at that date had not yet passed all parts of those examinations, shall have the right to be examined or assessed on those parts which he or she had not yet passed, and upon successfully completing those parts of the said examinations which he or she had not passed at that date, he or she will be deemed to have complied with rule 20.1; provided, however, that if the candidate concerned has not passed the parts of the said examination which he or she had not successfully completed prior to the date referred to in section 120(4) of the Act within a period of three years from that date, then he or she shall no longer have the right to be examined or assessed on any part of those examinations.

21.4.1 *In the event that a person as mentioned in 21.4 above, due to a disability or exceptional circumstances beyond his or her control, is unable to fulfill the requirement of completing the outstanding examination components within the three-year period following the date mentioned in section 120(4) of the Act, may apply to the Council for a waiver or extension of the application of Rule 21.4.*

21.4.2 The Council, upon receiving an application under Rule 21.4.1, may, at its discretion, waive, grant an extension of time, to ensure that the person is not unfairly disadvantaged by the provisions of Rule 21.4. The Council's decision shall be based on the merits of the request, taking into account the nature of the disability or the exceptional circumstances involved, as the case may be.

In terms of Section 95(4)(a) of the Legal Practice Act, interested persons are called upon to comment to the Council in writing on the draft amendment.

Please note that all comments must be sent by email to [rules@lpc.org.za](mailto:rules@lpc.org.za) by no later than **20 December 2024**.

Signed at Midrand on 12 November 2024.



Adv Pule Seleka (SC)

CHAIRPERSON- LEGAL PRACTICE COUNCIL