
GOVERNMENT NOTICE

GOEWERMENSKENNISGEWING

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 827

1 August 2008

ATTORNEYS ACT, 1979 (ACT NO. 53 OF 1979)

AMENDMENT OF REGULATIONS

The Minister for Justice and Constitutional Development has under section 81(1) of the Attorneys Act, 1979 (Act No. 53 of 1979), after consultation with the presidents of the various law societies, made the regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. 638 of 23 April 1937, as amended by Government Notices Nos. 830 of 23 May 1940, 1206 of 21 July 1944, 1613 of 30 July 1948, 1048 of 10 July 1959, 833 of 13 October 1961, 2113 of 28 December 1962, 2022 of 11 December 1964, 1726 of 5 November 1965, R. 1065 of 4 June 1982, R. 872 of 24 April 1987, R. 1708 of 7 August 1987, R. 1936 of 23 September 1988, R. 1350 of 30 June 1989, R. 346 of 22 February 1991, R. 588 of 2 April 1993, R. 1813 of 1 October 1993, R. 2273 of 30 December 1994 and R. 675 of 5 May 1995.

Substitution of regulation 8(1) of the Regulations

2. Regulation 8 of the Regulations is hereby amended by the substitution for regulation 8(1) of the following regulation:

"8. (1)(a) Any interest referred to in section 78(3) of the Attorneys Act, 1979 (Act No. 53 of 1979), which relates to a trust banking account opened in terms of section 78(1) of the said Act, received by or credited to a practising practitioner during the course of a calendar month, shall be paid over to the Attorneys Fidelity Fund or its nominee on or before the last day of the succeeding calendar month: Provided that the Attorneys Fidelity Fund or its nominee may, in its discretion, exempt a practitioner from this obligation.

(b) Where exemption has been granted as contemplated in paragraph (a), any interest referred to in section 78(3) of the Attorneys Act, 1979 (Act No. 53 of 1979), which relates to a trust banking account opened in terms of section 78(1) of the said Act, received by or credited to a practising practitioner in respect of any period ending on the last day of February in each year shall, on or before the last day of May in that year, be paid to the Attorneys Fidelity Fund or its nominee.

(c) Any interest referred to in section 78(3) of the Attorneys Act, 1979 (Act No. 53 of 1979), which relates to an account opened in terms of section 78(2)(a) of the said Act, received by or credited to a practising practitioner in respect of any period ending on the last day of February in each year shall, on or before the last day of May in that year, be paid to the Attorneys Fidelity Fund or its nominee. "