

**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
NOTICE 249 OF 2018**

National Forum on the Legal Profession

SA Law Commission, 1st Floor, Spooral Park Building, 2007, Lenchen South Avenue, Centurion [●] 2018

Rules required by sections 95(1), 95(3) and 109(2) of the Legal Practice Act

The National Forum on the Legal Profession (the National Forum) is a transitional body established in terms of chapter 10 of the Legal Practice Act 28 of 2014 (the Act).

On 2 February 2018 in Notice 43 of 2018 published in Government Gazette number 41419 the National Forum published draft rules required by sections 95(1), 95(3) and 109(2)(1) of the Act for comment. Sections 95(4) and 109(2)(b), read with sections 97(1) and 109(2) and (3) of the Act (as amended by the Legal Practice Amendment Act 16 of 27) required the National Forum to publish a draft of the proposed rules in the Gazette calling on interested parties to comment thereon in writing within a period of not less than 30 days from the date of publication.

Comments on the draft rules received from a number of interested parties were considered by the Rules Review Committee of the National Forum and, where considered appropriate, the draft rules were amended.

Draft rules 2, 3, 4 and 5 established the fees as required by section 6(4) of the Act, which fees were stated as being inclusive of value-added tax. As a consequence of the increase in value-added tax with effect from 1 April 2018 all of these fees and charges have been adjusted to take account the increase in value-added tax.

Adv. K.D Moroka SC - Chairperson • Mr M Boqwana - Deputy Chairperson • Ms C Mhlungu - Executive Officer

Rule 4 deals with the issue of annual fees payable by legal practitioners. The draft rule as published provided for annual fees (inclusive of value-added tax by legal practitioners in practice of R2 500, and annual fees payable by legal practitioners not in practice of R500. On a reconsideration of the annual fees, having regard to the draft budget of the Legal Practice Council, the National Forum considered it necessary to increase these amounts (inclusive of value-added tax) to **R3 500 and R800** respectively.

Although it is not obliged to do so, the National Forum considers that the proposal relating to the increase in fees, and in particular the annual fees payable in terms of rule 4, should be published for further comment, in view of the substantial increase over and above the fees originally published. Interested parties are accordingly invited to submit written comments on the issues of fees dealt with in this notice, such comments to be received by the National Forum not later than the close of business on 1 June 2018. Such comments should be submitted to the following address:

Ms Charity Nzuza
Executive Officer - National Forum
Email: BonGumede@justice.gov.za

Or hand delivered to
National Forum on the Legal Profession
SA Law Commission, 1st Floor, Spooral Park Building, 2007
Lenchen South Avenue, Centurion between 9am - 3pm weekdays.

Comments should be restricted to the issue of fees and charges. Comments on any other matters will not be considered.

Signed at Pretoria on this the 10th day of May 2018



Adv. Kgomotso Moroka SC

Chairperson: National Forum for the Legal Profession