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VAN  
SUID-AFRIKA



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OF  
SOUTH AFRICA

# Staatskōerant Government Gazette

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## DIE PROKUREURSORDE VAN TRANSVAAL

### WYSIGING VAN REËLS

Hiermee word kennis gegee dat die volgende wysiging in die Reëls opgestel kragtens artikel 74 (1) van Wet No. 53 van 1979 en wat deur die Hoofregter van Suid-Afrika in oorleg met die Regter-président van Transvaal goedgekeur is ingevolge artikel 74 (2) van Wet No. 53 van 1979, deur die Raad van Die Prokureursorde van Transvaal uitgevaardig word:

## THE LAW SOCIETY OF THE TRANSVAAL

### AMENDMENT OF RULES

It is hereby notified that the following amendments to the Rules framed in terms of section 74 (1) of Act No. 53 of 1979 and which have been approved by the Chief Justice of South Africa in consultation with the Judge President of the Transvaal in terms of section 74 (2) of Act No. 53 of 1979, are promulgated by the Council of The Law Society of the Transvaal:

#### 1. Nuwe Reël 89.24A

“89.24A indien sy kliënt dit verlang, versuum om 'n rekening vir taksasie of vasstelling, na gelang van die geval, op te stel en voor te lê binne 'n redelike tyd of binne 'n tydperk neergelê deur die raad, tensy daar afdoende rede is waarom die rekening nie getakseer of vasgestel moet word nie”.

#### 2. Nuwe Reël 89.30

“89.30 om sonder grondige rede of verskoning, na te laat om professionele werk, of daardie soort werk wat gewoonlik deur 'n praktisyn gedoen word, te lever met so 'n mate van bekwaamheid, sorg en aandag, of van sodanige gehalte of standaard, as na die oordeel van die raad redelikerwys verwag kan word.”.

#### 3. Nuwe Reël 101

Die volgende reël 101 vervang die huidige reël 101:

“101.1 As 'n ondersoek gehou word voor 'n komitee wat deur die raad ingevolge artikel 67 van die Wet aangestel is en die praktisyn aan die einde van die ondersoek ingevolge artikel 72 van die Wet skuldig bevind word aan onprofessionele of oneerbare of onbetaamlike gedrag, mag die komitee enige straf, wat ingevolge artikel 72 van die Wet toelaatbaar is, daarvoor oplê; met dien verstande dat as die komitee op enige stadium gedurende die ondersoek van mening is dat die gedrag van die praktisyn sodanig is dat 'n aansoek deur die orde ingevolge die Wet vir die skorsing van die praktisyn in sy praktyk of vir sy verwydering van die rol geregtig is, die komitee—

101.1.1 so gou moontlik 'n skriftelike verslag van sy bevindinge aan die raad voorlê, met sy aanbevelings betreffende die skorsing van die praktisyn in sy praktyk of sy verwydering van die rol;

101.1.2 terselfdertyd 'n afskrif van sy verslag en aanbevelings aan die praktisyn lewer en die praktisyn versoek om binne sodanige tydperk as die komitee redelik ag, maar in elk geval binne nie minder nie as 7 dae, skriftelike vertoe aan die raad voor te lê waarom aansoek nie gedoen moet word vir sy skorsing in praktyk of andersins sy verwydering van die rol nie.

- 101.2 By ontvangs van die verslag en skriftelike aanbevelings van die komitee ingevolge reël 101.1.1 en die skriftelike vertoë van die praktisyne ingevolge reël 101.1.2, oorweeg die raad die saak en—
- 101.2.1 as hy besluit om met die aansoek om skorsing van die praktisyne in sy praktyk of sy verwydering van die rol, voort te gaan, deel hy die praktisyne dienooreenkomstig mee en doen hy sodanige verdere stappe as wat in daardie verband nodig mag wees; of
  - 101.2.2 as hy besluit om nie met die aansoek om skorsing van die praktisyne in sy praktyk of sy verwydering van die rol, voort te gaan nie, verwys hy die saak terug na die komitee, met 'n afskrif van die praktisyne se skriftelike vertoë, vir die komitee se afhandeling volgens goeddunke; of
  - 101.2.3 as hy dit paslik ag, versoek hy die praktisyne met nie minder as 7 dae kennisgewing nie, om op sodanige tyd en plek as die raad mag bepaal, voor die raad te verskyn ten einde redes aan te voer waarom aansoek nie gedoen moet word om die praktisyne se skorsing in praktyk of sy verwydering van die rol nie;
- met dien verstande dat as die praktisyne versuim om skriftelike vertoë, soos versoek, aan die raad voor te lê of om voor die raad te verksyn, na gelang van die geval, die raad geregtig is om die komitee se verslag en aanbevelings in die afwesigheid van die praktisyne en sonder sodanige vertoë, te oorweeg; of
- 101.2.4 hanteer hy die saak op enige ander wyse wat hy goedvind".

### **1. New Rule 89.24A**

"89.24A if his client requires him to do so, failing to prepare and submit an account for taxation or assessment, as the case may be, within a reasonable time or within a time fixed by the council, unless there is sufficient reason for the account not being taxed or assessed;".

### **2. New Rule 89.30**

"89.30 without reasonable cause or excuse, failing to perform professional work, or work of a kind commonly performed by a practitioner, with such a degree of skill, care or attention, or of such a quality or standard, as in the opinion of the council may reasonably be expected.".

### **3. New Rule 101**

The following new rule 101 to be substituted for the existing rule 101:

- "101.1 Should an enquiry be held before a committee appointed by the council in terms of section 67 of the Act and at the conclusion of the enquiry the practitioner be found guilty of unprofessional or dishonourable or unworthy conduct in terms of section 72 of the Act, the committee may impose any punishment in respect thereof which is permitted in terms of section 72 of the Act; provided that if at any stage during the enquiry the committee is of the opinion that the conduct of the practitioner is such as to warrant an application by the society in terms of the Act for suspension from practice or the striking from the roll of the practitioner it shall—
- 101.1.1 as soon as possible submit a written report on its findings to the council together with its recommendations regarding the suspension from practice or the striking from the roll of the practitioner;
  - 101.1.2 at the same time deliver a copy of its report and recommendations to the practitioner and call upon the practitioner to furnish the council with representations in writing, within such period as the committee considers reasonable but in any event within not less than 7 days, why application should not be made for suspension from practice or, as the case may be, for the striking from the roll of the practitioner.
- 101.2 On receipt of the report and written recommendations of the committee in terms of rule 101.1.1 and the written representations of the practitioner in terms of rule 101.1.2 the council shall consider the matter and shall—
- 101.2.1 if it shall decide to proceed with an application for suspension from practice or for striking from the roll, advise the practitioner accordingly and take such further steps as may be necessary in that regard; or
  - 101.2.2 if it shall decide not to proceed with an application for suspension from practice or from striking from the roll, refer the matter back to the committee, together with a copy of the written representations of the practitioner, for the committee to dispose of as it deems fit; or
  - 101.2.3 if it considers it appropriate, call upon the practitioner on not less than 7 days notice to appear before the council at such time and place as the council may determine to show cause why application should not be made for suspension from practice or for striking from the roll of the practitioner;
- provided that if the practitioner does not furnish written representations to the council as requested, or fails to appear before the council, as the case may be, the council shall be entitled to consider the report and recommendations of the committee in the absence of such representations or in the absence of the practitioner; or
- 101.2.4 deal with the matter in any other manner that it thinks fit".

**BELANGRIKE AANKONDIGING*****Sluitingstye voor vakansiedae vir*****WETLIKE KENNISGEWINGS  
GOEWERMENTSKENNISGEWINGS 1990***Die sluitingstyd is stiptelik 15:00 op die volgende dae:*

- **29 Maart**, Donderdag, vir die uitgawe van Donderdag **5 April**
- **4 April**, Woensdag, vir die uitgawe van Donderdag **12 April**
- **11 April**, Woensdag, vir die uitgawe van Vrydag **20 April**
- **26 April**, Donderdag, vir die uitgawe van Vrydag **4 Mei**
- **17 Mei**, Donderdag, vir die uitgawe van Vrydag **25 Mei**
- **23 Mei**, Woensdag, vir die uitgawe van Vrydag **1 Junie**
- **4 Oktober**, Donderdag, vir die uitgawe van Vrydag **12 Oktober**
- **18 Desember**, Dinsdag, vir die uitgawe van Vrydag **28 Desember**
- **21 Desember**, Vrydag, vir die uitgawe van Vrydag **4 Januarie**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n APARTE Staatskoerant verlang word moet die kopie drie kalenderweke voor publikasie ingediend word

**IMPORTANT ANNOUNCEMENT*****Closing times prior to public holidays for*****LEGAL NOTICES  
GOVERNMENT NOTICES 1990***The closing time is 15:00 sharp on the following days:*

- **29 March**, Thursday, for the issue of Thursday **5 April**
- **4 April**, Wednesday, for the issue of Thursday **12 April**
- **11 April**, Wednesday, for the issue of Friday **20 April**
- **26 April**, Thursday, for the issue of Friday **4 May**
- **17 May**, Thursday, for the issue of Friday **25 May**
- **23 May**, Wednesday, for the issue of Friday **1 June**
- **4 October**, Thursday, for the issue of Friday **12 October**
- **18 December**, Tuesday, for the issue of Friday **28 December**
- **21 December**, Friday, for the issue of Friday **4 January**

Late notices will be published in the subsequent issue. If, under special circumstances, a late notice is being accepted, a double tariff will be charged

The copy for a SEPARATE Government Gazette must be handed in not later than three calendar weeks before date of publication

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