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ALGEMENE KENNISGEWING

KENNISGEWING 1212 VAN 1993

DEPARTEMENT VAN JUSTISIE

DIE WET OP PROKUREURS, 1979
(WET No. 53 VAN 1979)

TOEPASLIKE REGSONDERVINDING

Die Wysigingswet op Prokureurs, 1993 (Wet No. 115 van 1993), wat die Wet op Prokureurs, 1979 (Wet No. 53 van 1979) ("die Wet"), wysig, het op 1 Augustus 1993 in werking getree. Die Wet maak nou ook voorsiening vir alternatiewe toetreewyses tot die prokureursberoep benewens die bestaande toetreewyses.

Artikel 2A (c) van die Wet bepaal in hierdie verband dat iemand wat as prokureur toegelaat wil word en aan sekere graadvereistes ingevolge die Wet voldoen het of daarop geregtig is om as advokaat van die Hooggeregshof toegelaat te word, van diens kragtens leerkontrak vrygestel kan word indien hy ten genoeg van die betrokke prokureursorde minstens vyf jaar "toepaslike regsondervinding" opgedoen het.

Artikel 1 van die Wet omskryf "toepaslike regsondervinding" as enige diens wat met die toepassing van die reg verband hou en wat deur die Minister van Justisie voorgeskryf word. Sodanige diens moet nog voorgeskryf word.

Ingevolge artikel 81 (1) (b) van die Wet kan die Minister, na raadpleging met die Hoofregter en na oorlegpleging met die presidente van die verskillende prokureursordes, regulasies uitvaardig met betrekking tot die diens wat vir doeleindes van artikel 2A (c) as "toepaslike regsondervinding" erken word, en die tydperk wat kan verloop tussen die datum waarop sodanige diens voltooi is en die datum waarop vrystelling van leerkontrak verleen word.

GENERAL NOTICE

NOTICE 1212 OF 1993

DEPARTMENT OF JUSTICE

THE ATTORNEYS ACT, 1979
(ACT No. 53 OF 1979)

APPROPRIATE LEGAL EXPERIENCE

The Attorneys Amendment Act, 1993 (Act No. 115 of 1993), which amends the Attorneys Act, 1979 (Act No. 53 of 1979) ("the Act"), came into operation on 1 August 1993. The Act now provides for alternative routes to join the attorney profession, in addition to the existing routes.

In this regard section 2A (c) of the Act provides that any person intending to be admitted as an attorney and who has satisfied certain requirements for a degree in terms of the Act or who has become entitled to be admitted as an advocate of the Supreme Court may be exempted from service under articles of clerkship if he has, to the satisfaction of the law society concerned, gained at least five years' "appropriate legal experience".

Section 1 of the Act defines "appropriate legal experience" as any service which is related to the application of the law and which is prescribed by the Minister of Justice. Such service is still to be prescribed.

In terms of section 81 (1) (b) of the Act the Minister may, after consultation with the Chief Justice and the presidents of the various law societies, make regulations with regard to the service which will be recognized as "appropriate legal experience" for the purposes of section 2A (c) and the period which may expire between the date on which such service has been completed and the date on which exemption from articles of clerkship may be granted.

Belanghebbendes word nou uitgenooi om nie later as 17 Januarie 1994 gemotiveerde voorstelle en/of kommentaar met betrekking tot welke diens (wat met die toepassing van die reg verband moet hou) vir doeleindes van die Wet as "toepaslike regsondervinding" voorgeskryf behoort te word, asook die tydperk wat kan verloop tussen die datum waarop sodanige diens voltooi is en die datum waarop vrystelling van leerkontrak verleen word, skriftelik aan die Direkteur-generaal: Justisie, Privaat Sak X81, Pretoria, 0001, te rig.

Interested parties are invited to direct to the Director-General of Justice, Private Bag X81, Pretoria, 0001, not later than 17 January 1994, in writing, substantiated recommendations and/or comment with regard to which service (which must be related to the application of the law) is to be prescribed as "appropriate legal experience" for the purposes of the Act, and the period which may expire between the date on which such service has been completed and the date on which exemption from articles of clerkship may be granted.

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No.	Bladsy No.	Koerant No.
ALGEMENE KENNISGEWING		
Justisie, Departement van		
Algemene Kennisgewing		
1212 Prokureurs: Toepaslike regsondervinding.....	1	15317

CONTENTS

No.	Page No.	Gazette No.
GENERAL NOTICE		
Justice, Department of		
General Notice		
1212 Attorneys: Appropriate legal experience ..	1	15317