

## **Legislation: Legal Practice Amendment Bill to go broader?**

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Most submissions during yesterday's parliamentary hearings on the Legal Practice Amendment [Bill](#) went beyond its scope – with several seeking guidance from the National Assembly's Justice and Correctional Services Committee on how to proceed, reports Pam Saxby, for Legalbrief Policy Watch. While representatives of the National Forum on the Legal Profession reported significant progress in preparing the ground for a Legal Practice Council (LPC), ANC members of the committee were clearly dismayed by the extent of ongoing disagreement within the Forum itself on long-standing issues fundamental to arriving at a single, inclusive, accessible, fully transformed legal profession.

A proposal from the National Bar Council of SA that section 34(2)(b) of the Act (forms of legal practice) be amended – to allow advocates with Fidelity Fund certificates to perform duties traditionally assigned to attorneys over and above those envisaged in the Act – was perceived to demonstrate how little progress has been made in arriving at a compromise on matters territorial. Interestingly, Forum representatives at the meeting insisted that the issue has been addressed. This notwithstanding, there is apparently no provision in the Act for deadlock-breaking – with the result that, according to a submission from the Law Society of SA (LSSA), disagreements over standardised training for advocates and attorneys also remain unresolved.

Worryingly, submissions aimed at facilitating a smooth transition from the Forum to the LPC – and beyond the scope of the Bill – came from the Attorneys Fidelity Fund and the Forum itself. It is not clear why they were not identified earlier in the process and included in the Bill before it was tabled in Parliament. Whether the committee will decide to approach the House for permission to amend the Act beyond the scope of the Bill remains to be seen. Meanwhile, the LSSA has been asked to prepare a 'roadmap to fusion', which – as a first step towards ensuring that the legal profession is fully inclusive and accessible – now appears to be uppermost in the minds of ANC members of the committee.