

THE LAW SOCIETY OF THE NORTHERN
PROVINCES
(INCORPORATED AS THE LAW SOCIETY OF THE
TRANSVAAL)

RULES

The Rules made under the authority of section 74 of the Attorneys Act 53 of 1979, and promulgated in Government Gazette 7164 of 1 August 1980 as amended by Government gazette 16511 of 7 July 1995, by Government Gazette 17190 of 17 May 1996, by government Gazette 17617 of 22 November 1996, by Government Gazette 17932 of 18 April 1997, by government Gazette 18152 of 12 July 1997, by Government Gazette 18313 of 3 October 1997, by Government Gazette 19446 of 13 November 1998, by Government Gazette 21175 of 19 May 2000, by Government Gazette 22160 of 23 March 2001, by Government Gazette 26477 of 25 June 2004, by Government Gazette 26981 of 19 November 2004, by Government Gazette 32905 of 27 January 2010 and by Government Gazette 33050 of 25 March 2010.

Arrangement of rules

Rule No

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- 30A.1.5.2 where they are declared members, have their places of abode, within the area of jurisdiction of the Society, and shall be members in good standing of the Black Lawyers' Association; and
- 30A.1.6 not more than six in number shall—
- 30A.1.6.1 where they are practising members, have their principal places of practice; and
- 30A.1.6.2 where they are declared members, have their places of abode, within the area of jurisdiction of the Society, and shall be members in good standing of the National association of Democratic Lawyers. [The validity of this rule has been extended indefinitely]

The effect of Rules 31 up to and including Rule 42 is suspended in definitely.

Manner of election of members of the council

- 31.1 After the issue of the notice of the general meeting in accordance with rule 11 in a year in which an election is due to be held, any two members may, in the manner herein prescribed, nominate any member or members, other than themselves, as a member or members of the council for the then ensuing period of office.
- 31.2 All such nominations shall be made over the signature of the two nominating members in a document which shall identify each nominee named therein—
 - 31.2.1 where he/she is a practising member, by—
 - 31.2.1.1 his/her name;
 - 31.2.1.2 the name of the firm of which he/she is the proprietor or a member or by which he/she is employed stating also whether he/she is the proprietor or a member of or is employed by that firm; and
 - 31.2.1.3 the address of his/her principal place of practice; or
 - 31.2.2 where he/she is declared member, by—
 - 31.2.2.1 his/her name;
 - 31.2.2.2 the nature of his employment, profession, business or other occupation, if any;
 - 31.2.2.3 his/her own business address or, where he/she is employed, the name and business address of his/her employer; and
 - 31.2.2.4 the address of his/her place of abode; and on which shall be endorsed, over the signature of each nominee named therein, or over the signature of some other member duly authorised thereto in writing by the nominee, the acceptance of nomination by that nominee and his/her confirmation of the correctness of the information concerning himself/herself given therein.

40. The president shall, on receipt of the report of the scrutineers, cause each candidate to be advised of the result of the election.
41. The report of the scrutineers shall be conclusive as to the effect of the election, notwithstanding any irregularity or informality.
42. The scrutineers, having completed their scrutiny, shall return the ballot box containing the examined ballot papers and locked in accordance with rule 37 to the secretary, together with its key. The secretary shall securely retain the ballot box in that condition for a period of three months after the day of the holding of the general meeting and shall thereupon break the seal, unlock the box, empty it of its contents and destroy all of them. He/she shall then also destroy all the valid declaration forms received by him/her.
43. A member who, with the object of gaining election to the council, or of advancing his prospects of election, canvasses for votes, or offers any inducement or assistance, or in any other way promotes or is a party to the promotion of his own candidature, other than by accepting or indicating that he/she is prepared to accept nomination, shall be guilty of unprofessional conduct, and may, if elected, and on being found guilty, and notwithstanding any punishment imposed on him/her, be summarily removed from office by the council at a special meeting convened for the purpose of considering his/her removal, and without first following the procedure prescribed in rule 46; provided that the quorum at any such meeting shall be ten members of the council, exclusive of the member whose removal is to be considered, present at the commencement of the meeting.

Period of office of members of council

- 44.1 A member of the council shall take office as such immediately after the result of the election at which he/she is elected has been received by the general meeting first following that election and shall, subject to rule 45, hold office until the reception of the result of the next election by the general meeting concerned.
- 44.2 A member of the council who holds office as such at the date of promulgation of these rules shall be deemed to have been elected in accordance with these rules and shall, subject to rule 45, continue to hold office until the reception by the general meeting concerned of the result of the first of the elections held in terms of rule 30.2.

Vacation of office by member of council

- 45.1 A member of the council shall vacate his/her office—
 - 45.1.1 if he/she—
 - 45.1.1.1 resigns by notice in writing to the secretary;
 - 45.1.1.2 ceases to be a member of the society;
 - 45.1.1.3 is suspended from practice by the court;
 - 45.1.1.4 is removed from office by the council in terms of rule 43 or rule 46;
 - 45.1.1.5 surrenders his/her estate or if his/her estate is finally sequestrated as insolvent;