

2 April 2020

**NOTICE TO ALL CANDIDATE LEGAL PRACTITIONERS AND LEGAL PRACTITIONERS / EXCEEDING 30 DAY
ABSENCE PERIOD DURING COVID 19 LOCKDOWN**

The Legal Practice Council is aware that many practitioners and candidate attorneys are not permitted to attend the office during the lockdown period and are working from home in an effort to stem the spread of Covid-19.


Rule 22.1.4.1 of the Rules promulgated under the Legal Practice Act provides that, subject to Rule 21.1.4.2, a candidate attorney may absent himself or herself from the office for a period which does not, or for periods which in the aggregate do not, exceed 30 working days in any one year of the practical vocational training contract.

Candidate attorneys are given the assurance that, so long as the provisions of Rule 22.1.4.2.2 are adhered to, the Council will in appropriate cases not oppose applications for admission on the basis that the 30 working day period of absence has been exceeded, if both the candidate attorney and the principal include in their affidavits:

1. a statement as to the number of working days for which the candidate attorney was required to be absent from the office in each year of the PVT contract as a result of Covid-19;
2. a statement that the candidate attorney was able, throughout that absence, to fulfil his/her duties to his/her principal in full on each day, alternatively a summary of the legal work that the candidate attorney performed during that absence from office and an estimate of the number of full days' work that were achieved during that absence;
3. if the candidate attorney was unable to attend to any legal work or limited in his/her ability to do legal work, an explanation as to why this was not possible (for example, lack of computer and/or internet access, difficulties in accessing the courts etc.);
4. a statement that during this period the principal exercised proper supervision over the candidate attorney.

The Council is not at this early stage of Covid-19 able to give any assurance that candidate attorneys will in some cases not be expected to extend their PVT contracts to make up for time spent away from the office, and the lack of experience and/or training that may result from that absence, but practitioners are assured that the Council is fully appreciative of the difficulties that we all face in these difficult times.

Yours truly

A handwritten signature in black ink, appearing to read 'K. Matolo-Dlepu', with a stylized, cursive script.

MS KATHLEEN MATOLO-DLEPU

CHAIRPERSON

LEGAL PRACTICE COUNCIL