

ADDRESS & CONTACT DETAILS

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IMPORTANT NOTICE TO LEGAL PRACTITIONERS
21 NOVEMBER 2018

To: Legal Practitioners,

**APPLICATION FOR 2019 FIDELITY FUND CERTIFICATES IN TERMS OF THE LEGAL PRACTICE ACT, 2014
/ NEW REQUIREMENTS**

Legal practitioners are referred to Section 84(1) and (2) of the Legal Practice Act, 28 of 2014, which reads as follows:

- (1) *Every attorney or any advocate referred to in Section 34(2)(b), other than a legal practitioner in the full-time employ of the South African Human Rights Commission or the State as a state attorney or state advocate and who practises or is deemed to practise -*
 - (a) *for his or her own account either alone or in partnership;*
or
 - (b) *as a director of a practice which is a juristic entity, must be in possession of a Fidelity Fund certificate.*
- (2) *No legal practitioner referred to in subsection (1) or person employed or supervised by that legal practitioner may receive or hold funds or property belonging to any person unless the legal practitioner concerned is in possession of a Fidelity Fund certificate.*

The requirements for obtaining a 2019 Fidelity Fund certificate in terms of the Legal Practice Act, are: -

- the annual contribution of R345 (VAT included) payable by the applicant, for the issuing of the certificate, as set out in Rule 48 of the Legal Practice Act Rules;
- proof of completion of the Practice Management Training before applying for the first Fidelity Fund Certificate, subject to the provisions of Rule 27.1 of the Legal Practice Act Rules;
- timeous submission of the trust account audit report; approved by the Council, and
- the completed (online) application.

The application process for the 2019 Fidelity Fund Certificate applications is now open and legal practitioners who are required in terms of the Legal Practice Act to be in possession of a Fidelity Fund Certificate for 2019 should access the secure online application and certificate issuing portal through the following link <https://ffc.fidfund.co.za> or from the Legal Practitioners Fidelity Fund's website (www.fidfund.co.za) to apply for a Fidelity Fund Certificate.

The Fidelity Fund Certificate application portal was further developed to ensure alignment with the requirements for the 2019 Certificate as set out above, which resulted in some delays in respect of the commencement of the application process. However, having regard to the provisions of Rule 47.3 and to prevent any prejudice, legal practitioners will this year be afforded an opportunity until 31 December 2018 to apply for a 2019 Fidelity Fund certificate.

Practitioners are reminded that applications for 2019 Fidelity Fund Certificates will only be accepted through the online application process.

The Legal Practitioners Fidelity Fund has established help desks at the Provincial Offices of the Legal Practice Council and legal practitioners who require assistance can contact the provincial help desk staff (details attached).

Yours faithfully,



MS C NZUZA
ACTING EXECUTIVE OFFICER

FIDELITY FUND CERTIFICATE HELP DESKS

Practitioners can make enquiries with the provincial office in the jurisdiction where the practitioner's firm is registered.

Gauteng Provincial Office	Western Cape Provincial Office
Stanley Sambo ffc@lpc.org.za 012 338 5822	Records Department marli@capelawsoc.law.za thergesari@capelawsoc.law.za clsrecords@capelawsoc.law.za 021 443 6700
Lebusa Mohajane lebusam@lpc.org.za 012 338 5888	
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KwaZulu-Natal Provincial Office	Free State Provincial Office
Shana Harryparsad records@lawsoc.co.za 033 345 1304	Ilze Maree ilze@fs-law.co.za 051 447 3237