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DIE PROKUREURSORDE VAN TRANSVAAL

WYSIGING VAN REËLS

Hiermee word kennis gegee dat die volgende wysiging in die Reëls opgestel kragtens artikel 74 (1) van Wet 53 van 1979 en wat deur die Hoofregter van Suid-Afrika in oorleg met die Regter-president van Transvaal goedgekeur is ingevolge artikel 74 (2) van Wet 53 van 1979, deur die Raad van die Prokureursorde van Transvaal uitgevaardig word:

1. Nuwe reël 115A

115A Enige regskliniek wat as sodanig vir doeleindes van die Wet en van hierdie Reëls erken wil word, moet aan die volgende vereistes voldoen:

115A.1 Die kliniek moet behoorlik gekonstitueer, georganiseer en beheer word tot die bevreëdiging van die Raad, óf as deel van 'n regs fakulteit verbonde aan 'n universiteit in die Republiek óf as 'n regssentrum wat deur 'n organisasie sonder winsoogmerk beheer word;

115A.2 die kliniek moet regsdienste aan die publiek verskaf;

115A.3 die regsdienste wat deur die kliniek verskaf word, moet kosteloos, direk of indirek aan die ontvanger van sodanige dienste gelewer word; met dien verstande dat—

115A.3.1 die kliniek van die ontvanger van sodanige dienste enige bedrae mag ontvang wat werklik deur die kliniek ten behoeve van die ontvanger uitgegee is;

115A.3.2 waar die kliniek vir 'n suksesvolle litigant in 'n litigasie aangeleentheid optree, sal dit geregtig wees om van sodanige litigant sessie te neem van enige kostebevel wat ten gunste van die litigant gemaak is en om sodanige koste vir eie rekening in te vorder;

115A.4 die dienste mag slegs gelewer word aan persone wat, volgens die oordeel van die Raad, dit nie andersins kan bekostig nie; en die Raad mag van tyd tot tyd voorskrifte vir die leiding van klinieke uitreik om te bepaal aan welke persone dienste gelewer mag word;

THE LAW SOCIETY OF THE TRANSVAAL

AMENDMENT OF RULES

It is hereby notified that the following amendments to the Rules framed in terms of section 74 (1) of Act 53 of 1979 and which have been approved by the Chief Justice of South Africa in consultation with the Judge President of the Transvaal in terms of section 74 (2) of Act 53 of 1979, are promulgated by the Council of the Law Society of the Transvaal:

- 115A.5 die kliniek mag nie werk in verband met die opstel van 'n testament of ander testamentêre geskrif, die administrasie of likwidasie of verdeling van die boedel van enige oorlede of insolvente persoon, geestesongestelde persoon of enige persoon met enige ander juridiese ongeskiktheid of die geregtelike bestuur of die likwidasie van 'n maatskappy of werk wat in verband staan met die oordrag of verbandgewing van onroerende eiendom, of werk wat in verband staan met die indien of verwerking van eise kragtens die Motorvoertuieongelukkewet, 1986, of enige wysigings daarvan onderneem nie of enige ander werk soos wat van tyd tot tyd deur die Raad bepaal mag word;
- 115A.6 die naam waaronder die kliniek sy aktiwiteite bedryf, asook die briefhoofde en ander skryfbehoeftes van die kliniek, die voorafgaande goedkeuring van die Raad benodig;
- 115A.7 prokureurs in diens van die kliniek mag slegs by wyse van 'n salaris betaalbaar deur die kliniek of deur die organisasie waaraan dit verbonde is, vergoed word.

Nuwe reël 115B

- 115B Indien 'n prokureur wat in voltijdse diens by 'n regs-kliniek staan, van voorneme is 'n kandidaat-prokureur onder 'n leerkontrak in diens te neem, mag hy dit slegs doen indien—
 - 115B.1 die kandidaatprokureur onder die direkte persoonlike toesig van sodanige prokureur of onder die direkte persoonlike toesig van 'n ander prokureur wat 'n lid van die professionele personeel van die kliniek is, dien;
 - 115B.2 die kliniek besigheid bedryf gedurende normale besigheidsure vir nie minder nie as 11 maande in enige jaar;
 - 115B.3 die kliniek oor behoorlike kantoorstelsels met telefone, tikfasiliteite, lêers en liasseer-prosedures, 'n dagboekstelsel asook ten minste elementêre biblioteekfasiliteite beskik;
 - 115B.4 die kliniek oor 'n behoorlike boekhoustelsel beskik en behoorlike rekeningkundige prosedures volg;
 - 115B.5 die kliniek 'n redelik wye verskeidenheid van werk hanteer om sodoende die kandidaatprokureur blootstelling te gee aan die tipe probleme wat 'n onlangs-gekwali-seerde prokureur kan verwag om mee te doen te kry en gedurende sy eerste jaar in die praktyk vaardig te hanteer. Die Raad sal die reg hê om aan die kliniek voor te skryf om van die kandidaatprokureur te verwag om 'n opleidingskursus by te woon, wat deur die Raad goedgekeur is, in die afdelings van praktyk waarmee volgens die oordeel van die Raad, nie genoegsaam deur die kliniek gehandel word nie.

1. New rule 115A

- 115A Any law clinic which seeks recognition as a law clinic for purposes of the Act and of these Rules shall comply with the following requirements:
 - 115A.1 The clinic shall be properly constituted, organised and controlled to the satisfaction of the Council, either as part of the faculty of law at a university in the Republic or as a law centre controlled by a non-profit making organisation;
 - 115A.2 the clinic must provide legal services to the public;
 - 115A.3 the legal services provided by the clinic must be rendered free of charge, direct or indirect, to the recipient of those services; provided that—
 - 115A.3.1 the clinic may recover from the recipient of its services any amounts actually disbursed by it on behalf of the recipient;
 - 115A.3.2 where the clinic acts for the successful litigant in litigation it will be entitled to take cession from such litigant of any order for costs awarded in favour of the litigant and to recover those costs for its own account;
 - 115A.4 the services may be rendered only to persons who, in the opinion of the Council, would not otherwise be able to afford them; and the Council may from time to time issue guidelines for the assistance of clinics in determining to whom services may be rendered;

- 115A.5 the clinic may not undertake work in connection with the drawing up of a will or other testamentary writing, the administration or liquidation or distribution of the estate of any deceased or insolvent person, mentally ill person or any person under any other legal disability, or the judicial management or the liquidation of a company, nor in relation to the transfer or mortgaging of immovable property, nor in relation to the lodging or processing of claims under the Motor Vehicle Accidents Act, 1986, or any amendment thereof or such other work as the Council may from time to time determine;
- 115A.6 the name under which the clinic is to carry on its activities, and the letterheads and other stationery of the clinic, shall require the prior approval of the Council;
- 115A.7 attorneys in the employ of the clinic may be remunerated only by way of salary payable by the clinic or by the organisation to which it is attached.

2. New rule 115B

115B If an attorney in the full time employment of a law clinic wishes to engage a candidate attorney under articles of clerkship he may do so only if—

- 115B.1 the candidate attorney is to be under his direct personal supervision or under the direct personal supervision of another attorney who is a member of the professional staff of the clinic;
- 115B.2 the clinic is open for business during normal business hours for not less than 11 months in any year;
- 115B.3 the clinic has proper office systems with telephones, typing facilities, files and filing procedures, a diary system and at least elementary library facilities;
- 115B.4 the clinic has a proper bookkeeping system and accounting procedures;
- 115B.5 the clinic handles a reasonably wide range of work to give the candidate attorney exposure to the kind of problems that a newly qualified attorney would expect to encounter and be able to handle competently during his first year of practice. The Council shall have the right to direct the clinic to require the candidate attorney to attend a training course approved by the Council in areas of practice which, in the opinion of the Council are not adequately dealt with by the clinic.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

Die "Onderstepoort Journal of Veterinary Research" word deur die Staatsdrukker, Pretoria, gedruk en is verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria, 0001, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Hierdie publikasie is 'n voortsetting van die "Reports of the Government Veterinary Bacteriologist of the Transvaal" wat terugdateer tot 1903 en waarvan 18 verskyn het tot 1932. Dit is gevolg deur 52 volumes van die "Onderstepoort Journal". Tans bestaan elke volume uit vier nommers wat teen R12,50 per kopie of R50 per jaar (BTW ingesluit) binnelands en R15 per kopie of R60 per jaar buitelands van bogenoemde adres posvry verkrygbaar is.

Direkteure van laboratoriums ens. wat begerig is om publikasies om te ruil moet in verbinding tree met die Direkteur, Navorsingsinstituut vir Veeartsenykunde, Pk. Onderstepoort, 0110, Republiek van Suid-Afrika.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

The Onderstepoort Journal of Veterinary Research is printed by the Government Printer, Pretoria, and is obtainable from the Director, Division of Agricultural Information, Private Bag X144, Pretoria, 0001, to whom all communications should be addressed.

This publication is a continuation of the Reports of the Government Veterinary Bacteriologist of the Transvaal which date back to 1903 and of which 18 have appeared up to 1932. These were followed by 52 volumes of the Onderstepoort Journal. At present each volume comprises four numbers which are obtainable from the above address at R12,50 per copy or R50 per annum (VAT included) local or other countries R15 per copy or R60 per annum.

Directors of laboratories etc. desiring to exchange publications are invited to communicate with the Director, Veterinary Research Institute, P.O. Onderstepoort, 0110, Republic of South Africa.

No. 739 2 Maart 1992**WET OP LANDDROSHOWE, 1944****BEPALING VAN 'N PLEK IN DIE DISTRIK LOWER UMFOLOZI AS 'N PLEK VIR DIE HOU VAN HOF SITTINGS**

Kragtens artikel 2 (1) (h) van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), bepaal ek, Hendrik Jacobus Coetsee, Minister van Justisie, hierby ten opsigte van die distrik Lower Umfolozi Richardsbaai, in gemelde distrik as 'n plek vir die hou van hofsittings vir daardie distrik.

H. J. COETSEE,

Minister van Justisie en van die Nasionale
Intelligensiediens.

No. 740 2 Maart 1992**WET OP LANDDROSHOWE, 1944****BEPALING VAN 'N PLEK IN DIE DISTRIK VEREENIGING AS 'N PLEK VIR DIE HOU VAN HOF SITTINGS**

Kragtens artikel 2 (1) (h) van die Wet op Landdroshowe, 1944 (Wet No. 32 van 1944), bepaal ek, Hendrik Jacobus Coetsee, Minister van Justisie, hierby ten opsigte van die distrik Vereeniging, die Orange Farm by die Suid-Afrikaanse Polisie-stasie, in gemelde distrik as 'n plek vir die hou van hofsittings vir daardie distrik.

H. J. COETSEE,

Minister van Justisie en van die Nasionale
Intelligensiediens.

No. 739 2 March 1992**MAGISTRATES' COURTS ACT, 1944****APPOINTMENT OF A PLACE IN THE DISTRICT OF LOWER UMFOLOZI AS A PLACE FOR THE HOLDING OF A COURT**

Under section 2 (1) (h) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), I, Hendrik Jacobus Coetsee, Minister of Justice, hereby in respect of the District of Lower Umfolozi appoint Richards Bay, in the above-mentioned district as a place for the holding of a court for that district.

H. J. COETSEE,

Minister of Justice and of the National
Intelligence Service.

No. 740 2 March 1992**MAGISTRATES' COURTS ACT, 1944: APPOINTMENT OF A PLACE IN THE DISTRICT OF VEREENIGING AS A PLACE FOR THE HOLDING OF A COURT**

Under section 2 (1) (h) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), I, Hendrik Jacobus Coetsee, Minister of Justice, hereby in respect of the District of Vereeniging appoint Orange Farm at the South African Police Station, in the above-mentioned district as a place for the holding of a court for that district.

H. J. COETSEE,

Minister of Justice and of the National
Intelligence Service.

INHOUD

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