

**PROCEDURE FOR THE REGISTRATION OF
CONTRACT OF ARTICLES OF CLERKSHIP/COMMUNITY SERVICE**

Prospective candidate attorneys should follow the procedure set out below to achieve prompt and trouble-free registration of their contracts of articles of clerkship/community service.

- obtain from the Society the prescribed application form which consists of three components, namely, the Contract, Part I to be completed by the principal and Part II to be completed by the candidate attorney.

- prepare and execute a contract of articles of clerkship/community service only if your educational qualifications comply with the requirements prescribed by the Attorneys Act 53 of 1979, as amended.

- **You should lodge with the Society:**

a. **YOUR ORIGINAL CONTRACT OF ARTICLES OF CLERKSHIP/COMMUNITY SERVICE.**

DO NOT SEND YOUR CONTRACT OF ARTICLES TO THE SOCIETY VIA EMAIL OR FAX. AS THESE WILL NOT PROCESSED. Please ensure that all the pages are **initialled by the principal, the candidate attorney and the two witnesses to the contract.** All amendments (including places where correction fluid is used) must be initialled by all parties signing the document.

PLEASE NOTE: THE EFFECTIVE DATE OF A CONTRACT OF ARTICLES OF CLERKSHIP/COMMUNITY SERVICE IS THE DATE OF SIGNATURE. YOUR CONTRACT CANNOT BE BACKDATED.

b. **PARTS I AND II OF THE PRESCRIBED APPLICATION.**

Please note that :

- Re **Part I**, aside from signing at the end, all pages must be initialled by the principal and both witnesses.

- Re **Part II**, aside from signing at the end, both pages must be initialled by you.

- The Commissioner of Oaths, who commissions your **verifying affidavit**, may not be associated, in any way, with the firm which employs you. The Verifying Affidavit cannot be signed prior to the date of signature of the contract.

PLEASE NOTE: ALL ANNEXURES MUST BE ORIGINAL DOCUMENTS OR CERTIFIED COPIES THEREOF. COPIES OF ANNEXURES MUST BE CERTIFIED BY AN INDEPENDENT COMMISSIONER OF OATHS (THIS EXCLUDES THE PRINCIPAL OR A MEMBER OF THE PRINCIPAL'S FIRM)

c. **ANNEXURES TO THE PRESCRIBED APPLICATION.**

- A certified copy of a MATRICULATION CERTIFICATE OR SENIOR CERTIFICATE (with a matriculation exemption endorsed thereon) **only if** the candidate attorney is entering into a **five year contract**.
- Candidate attorneys who by virtue of completing the Full Time School for Legal Practice are entering into **one year contracts** are required to attach a certified copy of the CERTIFICATE OF ATTENDANCE SIGNED BY THE DIRECTOR OF LEAD IN PRETORIA.
- Certified copies of **all** DEGREE CERTIFICATES. (not applicable to candidates entering into a five year contract.)
- Certified copy of BIRTH CERTIFICATE OR FRONT PAGE OF IDENTITY DOCUMENT. (Preferably the identity document as a birth certificate is not proof of citizenship).
- A CERTIFICATE OF GOOD CONDUCT signed by the REGISTRAR of the university/(ies) attended. (not applicable to candidates entering into a five year contract.)
- The originals or certified copies of TWO CHARACTER REFERENCES/TESTIMONIALS, **WHICH ARE DATED, SIGNED AND WHICH ARE NOT OLDER THAN SIX MONTHS. THE REFERENCES OR TESTIIMONIALS MUST BE ON A LETTERHEAD. PLEASE NOTE THAT THE TESTIMONIALS MUST BE OBTAINED FROM AN INDEPENDENT SOURCE.**
- **Foreign Citizens** are required to furnish a certified copy of their: Passport, Work or Study Permit, Degree (**foreign qualifications must be equated**), Academic Record and two testimonials.
- A certified copy of the Court Order for removal from the Roll of Advocates must be furnished if the applicant was previously admitted as an advocate. Articles cannot be registered before the applicant's name has been removed from the Roll of Advocates.
- a CHEQUE drawn in the amount of R 228.00 for the prescribed fee due to the Society. The cheque must be made out to "**The Cape Law Society**".

THEREAFTER the Director, if satisfied that the candidate attorney is a fit and proper person, that all documents lodged are in order and that the prescribed fee has been paid, will register the contract of articles and will advise the principal and the candidate attorney of such registration, in writing and by registered mail.

If the contract of articles of clerkship/community service is not registered within two months of the date of signature thereof, service shall be deemed to commence on the date of registration. In this

regard, your attention is drawn to the provisions of Section 5(3) of the Attorneys Act read with Rule 5.1 of the Rules of the Cape Law Society.

Your attention is drawn also to Section 9 of the Attorneys Act which provides that, unless a candidate attorney obtains the PRIOR WRITTEN CONSENT OF COUNCIL to engage in any business or hold office in addition to that of candidate attorney, his/her contract of articles of clerkship/community service will be void *ab initio*. If you intend to apply for such consent, please provide the Society with full details of the business/office you intend engaging in when lodging your contract for registration, together with the written consent thereto of your principal.

PLEASE NOTE: A CERTIFICATE OF RIGHT OF APPEARANCE WILL ONLY BE ISSUED BY THE SOCIETY ON RECEIPT OF A WRITTEN REQUEST BY THE PRINCIPAL OF THE CANDIDATE ATTORNEY AND AGAINST PAYMENT OF THE PRESCRIBED FEE OF R 114.00 (SEE SECTION 8(3) OF THE ATTORNEYS ACT)

PLEASE NOTE FURTHER: THAT WHEN REGISTERING FOR THE ATTORNEYS' ADMISSION EXAMINATION, YOUR REGISTRATION FORM, TOGETHER WITH THE REGISTRATION FEE, MUST REACH THE SOCIETY ON OR BEFORE THE PUBLISHED CLOSURE DATE FOR REGISTRATION OF THE EXAMS. UNLESS THE REGISTRATION FORM AND FEE IS RECEIVED TIMEOUSLY, YOU WILL NOT BE ENTITLED TO SIT THE EXAMINATION.

SHOULD YOU WISH TO PAY MONIES ELECTRONICALLY OR BY DIRECT DEPOSIT INTO THE SOCIETY'S ACCOUNT, THE BANKING DETAILS ARE:

Business Bank Account:

Name of Account: The Cape Law Society

Bank: FNB

Account Number: 50262871202

Branch: Adderley Street

Branch Code: 201409

Reference: Surname, Initials and COA (add ROA if applying for Right of Appearance)

Name: _____ Email: _____

Telephone No: (w) _____ (cell) _____

List of Documents and Annexures (Annexures to be original or certified copies attested by an independent commissioner of oaths)	Mark with an X
CONTRACT OF ARTICLES OF CLERKSHIP / COMMUNITY SERVICE	
Completed Contract of Articles of application form	
Completed Part 1 and Part 2 of application form	
Completed Verifying Affidavit	
Certified copy of Identity Document	
Certified copy of Matric Certificate (applicable to candidates entering into a five year contract only)	
Certified copy of Degree / Academic Record, signed on/behalf of Registrar, confirming you have satisfied requirements for the degree	
Certified copy of Certificate of Good Conduct / Academic Record, signed on/behalf of Registrar, confirming your conduct was satisfactory	
Original / certified copies of two testimonials are dated, signed, printed on a letterhead and not older than six months.	
Request for Right of Appearance signed by Principal	
Payment of R 228.00 for processing of Contract of Articles	
Payment of R 114.00 for Right of Appearance	
Declaration of Professional responsibility	