

* Although section 43(2)(a) was repealed by the Rules Board for Courts of Law Act 107 of 1985, these rules remain in force in terms of section 6(3) of Act 107 of 1985, which reads as follows:
" (3) Rules made under any provision of a law repealed by this Act and in force at the commencement of this Act, shall, subject to the provisions of this Act and notwithstanding the repeal of that provision by section 10 or 11 of this Act, remain in force until amended or repealed under this section."

3A Admission of Advocates

(1) Subject to the provisions of rule 6 in so far as they are not inconsistent with the provisions of this rule, a person applying for admission to practise and for authority to be enrolled as an advocate shall, at least six weeks before the day on which his application is to be heard by the court-

- (a) give written notice to the registrar of the date on which the application is to be made;
- (b) (i) deliver to the registrar the original and a copy of the documents in support of the application and an affidavit stating his identity number and whether or not he has at any time been struck off the roll of advocates or suspended from his practice by the court;
- (ii) deliver to the registrar an affidavit from his attorney or a commissioner of oaths stating that the attorney or commissioner of oaths has examined his identity document and that the attorney or commissioner is satisfied that the applicant is the person referred to in the identity document;

[Para. (b) substituted by GN R608 of 31 March 1989.]

(bA) if he previously was admitted or practised as an attorney, submit to the registrar

a certificate from the law society of the province in which he was so admitted or practised to the effect that, in the opinion of the law society concerned, he is a fit and proper person;

[Para. (bA) inserted by GN R2164 of 2 October 1987 and by GN R2642 of 27 November 1987.]

- (c) serve a copy of the documents and affidavit referred to in paragraphs (a), (b) and (bA) on the Secretary of the Bar Council or the Society of Advocates of the division concerned.

[Para. (c) substituted by GN R2164 of 2 October 1987 and by GN R2642 of 27 November 1987.]

(2)

[Subrule (2) deleted by GN R2164 of 2 October 1987 and by GN R2642 of 27 November 1987.]

(3) If the applicant at any time prior to the hearing of the application delivers any documents or declarations, other than the documents or affidavit referred to in paragraphs (b) and (bA) of subrule (1), to the registrar, he shall forthwith serve a copy thereof on the Secretary of the Bar Council or the Society of Advocates of the division concerned.

[Subrule (3) substituted by GN R2164 of 2 October 1987 and by GN R2642 of 27 November 1987.]

(4)

[Subrule (4) deleted by GN R2164 of 2 October 1987.]

(5) Any person who is admitted to practice and authorised to be enrolled as an advocate shall upon being so admitted and authorised take an oath or make an affirmation before the registrar in court, which shall be subscribed by him, in the form set out hereunder, namely-

'I, do hereby swear/solemnly and sincerely affirm and declare/that I will truly and honestly demean myself in the practice of advocate according to the best of my knowledge and ability, and further, that I will be faithful to the Republic of South Africa.'

[Subrule (5) added by GN R235 of 18 February 1966.]

[Rule 3A, previously Rule 3bis, renumbered by GN R2410 of 30 September 1991.]