GOVERNMENT NOTICE NO. 48

LEGAL EDUCATION AND LEGAL PRACTITIONERS ACT

(NO. 31 OF 2018)

MALAWI LAW SOCIETY (HONOURS SUB-COMMITTEE) RULES, 2021

ARRANGEMENT OF RULES

RULE

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IN EXERCISE of the powers conferred upon the Malawi Law Society by section 73 of the Legal Education and Legal Practitioners' Act, and with the approval of the Annual General Meeting, the Society hereby make the following Rules—

Citation

1. These Rules may be cited as the Legal Education and Legal Practitioners (Malawi Law Society) (Honours Sub-Committee) Rules, 2021.

Interpretation

2. In these Rules, unless the context otherwise requires—

"Chairperson" means the Chairperson of the Society;

"Code" means the Malawi Law Society Code of Ethics (2006);

"previous chairperson" means a person who has previously served a full term as a chairperson of the Society; and

"sub-committee" means the Honours Sub-Committee of the Society established under rule 3(1).

Establishment and composition of the Honours Sub-Committee

3.— (1) There shall be an Honours Sub-Committee of the Society (hereinafter referred to as the "sub-committee") which shall consist of—

(*a*) three previous chairpersons of the Society, counting in reverse chronological order from the last serving chairperson;

(*b*) two respected legal practitioners with at least ten years standing at the bar appointed by the Executive Committee of the Society; and

(*c*) two respected legal practitioners appointed by the Executive Committee of the Society to represent relevant interest groups within the profession.

(2) The members of the sub-committee appointed under paragraphs (*b*) and (*c*) of subrule (1) shall hold office for a term of two years and shall be eligible for reappointment for one further term.

(3) The earliest person to hold office of chairperson of the Society on the sub-committee shall be chairperson of the sub-committee.

Functions of the sub-committee

4.— (1) The sub-committee shall perform the following functions—

(*a*) conduct due diligence and make recommendations to the Society on nominees and categories of legal practitioners proposed for award of special recognition or periodic awards for highest professional standards;

(*b*) conduct due diligence and make recommendations to the Society of legal practitioners suitable for conferment of the honour of Senior Counsel or appointment as Judges of the High Court;

(*c*) conduct due diligence and make recommendations to the Society for certification of a legal practitioner as a specialist or an expert in a specific field or area of practice in accordance with chapter 5 rule 1 of the Code;

(*d*) act as an advisory body to the Executive Committee of the Society on professional and regulatory matters; and

(*e*) perform any other function as requested by the Honours Committee of the Society.

Meetings of the sub-committee

5. The provisions of sections 59, 60 and 61 of the Act relating to meetings of the Honours Committee shall apply *mutatis mutandis* to meetings of the sub-committee.

Power to exercise functions

6. The sub-committee shall, in the exercise of its functions, have all the powers vested in the Society necessary for the effective carrying out of the functions:

Provided that such powers shall be under the written authority of the Chairperson from time to time.

Made this 31st day of August, 2021.

C. C. NGUNDE
Secretary

P. G. MPAKA
Chairperson