



## **PROFESSIONAL DESIGNATION COMPETENCY FRAMEWORK**

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## 1. GLOSSARY AND TERMS OF REFERENCE

- 1.1. This document must be read in conjunction with the Corporate Counsel Association Memorandum of Incorporation, the Corporate Counsel Association Professional Designation Award Policy, the Corporate Counsel Association CPD Code and Guidelines and the Corporate Counsel Association Code of Ethics and Professional Conduct.
- 1.2. Unless otherwise stated, or the context indicates to the contrary, terms, words and expressions defined and used under the Corporate Counsel Association MOI and Code and used in this document shall have the same meanings and descriptions when used in this document as have been ascribed to them under the Corporate Counsel Association MOI and the Code.
- 1.3. **Board** – means the Board of directors of the Corporate Counsel Association of South Africa NPC.
- 1.4. **Corporate Counsel Association** – means the Corporate Counsel Association of South Africa NPC, a Company which was incorporated on 12 September 2019 as a Non-Profit Company as defined in the Companies Act, 2008 and which represents Corporate Counsel and the Corporate Counsel profession in South Africa.
- 1.5. **Certified Corporate Counsel professional** – means a member of the Corporate Counsel Association who has undertaken the Corporate Counsel Association assessment process and has met the Corporate Counsel Association standards and requirements which have been set for the Corporate Counsel profession in South Africa and who are permitted to refer to themselves as certified 'Corporate Legal Support Practitioner' or 'Corporate Legal Counsel' or 'Corporate Senior Legal Counsel' or 'Corporate General Counsel', as the case may be, and use the designations: 'Corporate Legal Support Practitioner' or 'Corporate Legal Counsel' or 'Corporate Senior Legal Counsel' or 'Corporate General Counsel', as the case may be.
- 1.6. **Client** – means the person, entity or employee who makes use of the expertise and skill of Corporate Counsel and/or a Corporate Legal Support Practitioner.
- 1.7. **Code** – means the Corporate Counsel Association Code of Ethics and Standards of Professional Conduct.
- 1.8. **Corporate Counsel** – means qualified legal practitioners who are employed by a Client or Employer for the purpose of providing that Client or Employer with a dedicated source of Legal Services and Advice in exchange for a salary or remuneration, and phrases and names such as "legal advisor", "general counsel", "in-house counsel" and "legal counsel" attract the same meaning.
- 1.9. **Corporate Counsel profession** – means the profession made up of Corporate Counsel and Corporate Legal Support Practitioners who are employed by a Client or Employer for the purposes of providing that Client or Employer with a dedicated source of Legal Services and Advice.



- 1.10. **CPD** - means continuous professional development, being the systematic maintenance, improvement and broadening of one's business and legal knowledge, experience, skills and the development of personal qualities helpful in the execution of one's legal professional duties, whereby a person makes a deliberate effort to ensure that his/her skills, knowledge and professional competence are kept current and in line with generally acceptable professional standards.
- 1.11. **CPD hours** – means 1 CPD point for every hour of CPD undertaken by the Member or certified Corporate Counsel professional.
- 1.12. **Employer** – means the person or entity who/which employs and makes use of the expertise and skill of Corporate Counsel and Corporate Legal Support Practitioners.
- 1.13. **Legal profession** – means the profession made up of persons holding specific legal skills, qualifications and expertise, including, without detracting from the generality thereof: Corporate Legal Support Practitioner, legally qualified legal practitioners, admitted legal practitioners, Corporate Counsel, state advocates, public prosecutors, magistrates, judges and/or legal advisors who provide Legal Services and Advice to the public and/or the private sector.
- 1.14. **Legal qualification** – means degrees of Baccalaureus Legum, Baccalaureus Procuratoris or Baccalaureus Iuris from any University in South Africa or an international equivalent thereto.
- 1.15. **Legal Services and Advice** – means the services provided to a Client or Employer by Corporate Counsel and/or Corporate Legal Support Practitioners.
- 1.16. **Legal Support Practitioner** – means paralegals, risk managers, assistant company secretaries / company secretaries, compliance officers, internal audit, HR legal advisors, legal interns and legal secretaries and assistants who are employed by a Client or Employer for the purposes of providing that Client or Employer with a dedicated source of Legal Services and Advice.
- 1.17. **Member / Corporate Counsel Association Member** – means a registered member of the Corporate Counsel Association.
- 1.18. **MOI** – means the Memorandum of Incorporation of the Corporate Counsel Association.
- 1.19. **Professional designation** – means a title or status conferred by a professional body in recognition of a person's expertise and/or right to practice in an occupational field
- 1.20. **Progression pathway** – means a hierarchy of two or more related qualifications and/or professional designations that allow for vertical progression within a profession.
- 1.21. **Prospective member** – means an applicant who is applying for Corporate Counsel Association membership.



- 1.22. **Recognition of Prior Learning (RPL)** – means the principles and processes through which the prior knowledge and skills of a person are made visible, mediated and assessed for the purposes of alternative access and admission, recognition and certification, or further learning and development.
- 1.23. **South African Qualifications Authority (“SAQA”)** - means the Authority established by the National Qualifications Framework Act (Act 67 of 2008).

## **2. INTRODUCTION**

- 2.1. The Corporate Counsel Association of South Africa is the SAQA-recognised professional body representing the Corporate Counsel profession across South Africa. This profession encompasses a wide range of roles including Corporate Counsel, paralegals, risk managers, company secretaries, compliance officers, internal auditors, HR legal advisors, legal interns, legal secretaries, and assistants, operating in both the public and private sectors.
- 2.2. The Corporate Counsel Association’s vision is to elevate the standing and value of Corporate Counsel nationally and internationally and to be the association of choice for all Corporate Counsel professionals in South Africa.
- 2.3. The Corporate Counsel Association is committed to upholding the highest standards of legal and business integrity, ethics, and professionalism, which underpin the profession and are expected of all practitioners, including Corporate Counsel Association Members. Ethical and professional conduct is a cornerstone of the legal profession, requiring members to act with integrity, impartiality, and in full compliance with the law, free from conflicts of interest or undue influence.
- 2.4. To support this mission, the Corporate Counsel Association is dedicated to the continuous development and improvement of the profession through research, education, advocacy, recognition of prior learning, and professional upliftment. The Corporate Counsel Association ensures its Members are equipped with the necessary ethical foundations, legal knowledge, and practical skills to effectively meet their professional responsibilities. Prior learning and professional experience are formally recognised to enable members to apply their competencies in the workplace.
- 2.5. A comprehensive Code of Ethical Standards and Behavioural Guidelines, aligned with the Corporate Counsel Association’s Memorandum of Incorporation (Mol), reinforces a culture of ethical conduct and accountability.

## **3. OBJECTIVES**

### **3.1. Overarching Purpose**

The Corporate Counsel Association exists to promote the collective interests and professional value of Corporate Counsel and to highlight the diverse and evolving roles they fulfil. Its key goals include:



- Acting as the recognised voice and public representative of the Corporate Counsel profession in South Africa.
- Providing leadership and support to in-house legal practitioners.
- Empowering members with resources, networking, and tools to enhance service to their organisations.
- Establishing, upholding, and developing common professional and ethical standards.
- Promoting proficiency, credibility, and professional recognition of Corporate Counsel in both public and private sectors.
- Regulating qualifications and standards for professional designation.
- Monitoring and responding to national and international trends in in-house legal services delivery.

### 3.2. Strategic Objectives

Aligned with its MoI, the Corporate Counsel Association pursues the following strategic objectives:

#### 3.2.1. Establish a Unified National Framework

Develop a single, integrated national framework for qualifications, learning achievements, prior learnings, skills, and professional expertise within the Corporate Counsel profession.

#### 3.2.2. Promote Access, Mobility, and Progression

Facilitate access to, mobility within, and progression through education, training, and career pathways, including the recognition and integration of workplace-based prior learning into formal qualifications.

#### 3.2.3. Enhance Quality of Education and Training

Continuously improve the quality, relevance, and recognition of education and training for Corporate Counsel professionals.

#### 3.2.4. Advance Transformation and Redress

Actively support the redress of historical inequities in education, training, and employment, with particular focus on previously disadvantaged groups.

#### 3.2.5. Support Personal and Economic Development

Contribute to the holistic personal development of Corporate Counsel Association Members and foster the social and economic growth of the Corporate Counsel profession at large.



### 3.3. Recognition and Development of the Profession

The Corporate Counsel Association voluntarily undertakes responsibility for:

- Recognising and enhancing the credibility of the Corporate Counsel profession.
- Acknowledging and crediting prior workplace learning, irrespective of formal qualifications.
- Driving continuous professional development through a structured, progressive system integrating:
  - Legal-related educational outcomes;
  - Formal qualifications;
  - Workplace experience and learning;
  - Training curricula, workshops, informal courses, development programmes, on-the-job training, and best practice guidelines.

These initiatives are delivered collaboratively with select legal education and service providers and are rolled out nationally for the benefit of Corporate Counsel professionals, particularly Corporate Counsel Association Members.

### 3.4. Professional Designation Framework

The Corporate Counsel Association oversees four coordinated and integrated sub-frameworks, each corresponding to a specific professional designation or level within the Corporate Counsel profession. These frameworks include qualification standards, experiential criteria, assessment requirements, and development pathways, and are governed by the Corporate Counsel Association Board and Secretariat.

### 3.5. Ethical, Social, and Global Commitments

To strengthen public trust and professional accountability, the Corporate Counsel Association aims to:

- Promote public confidence through regulated recognition systems and thorough assessment procedures for professional designation.
- Encourage ethical conduct, professional responsibility, and social accountability within the profession.
- Ensure Members provide ethical, reliable legal services to organisations, communities, and individuals.
- Uphold standards protecting the public from substandard legal services and professional malpractice.
- Foster respect for the Corporate Counsel profession nationally and internationally.



- Encourage adoption of international best practices.
- Support the development of a national career guidance system for Corporate Counsel professionals.
- Facilitate legitimate access to profession-related data while safeguarding confidentiality and privacy.
- Promote Continuing Professional Development (CPD) as a core professional obligation.

### **3.6. Commitment to Transformation and Justice**

The Corporate Counsel Association embraces and promotes transformation within the legal sector, with commitments to:

- Diversity and inclusivity;
- Recognition of prior learning;
- Environmental sustainability;
- Broader social justice.

## **4. PURPOSE OF THIS DOCUMENT**

- 4.1 This policy outlines the Competency Frameworks and progression pathway that define the Corporate Counsel profession, specifically as they relate to each of the Corporate Counsel Association's certified Professional Designations.
- 4.2 This policy must be read in conjunction with the Corporate Counsel Association Professional Designation Award Policy, which details the application procedures to be followed in order to be certified and authorised to use the Corporate Counsel Association's professional designations.

## **5. THE CORPORATE COUNSEL ASSOCIATION'S PROFESSIONAL DESIGNATIONS**

- 5.1 The Corporate Counsel Association has four (4) certified Professional Designations along the progression pathway of the Corporate Counsel profession. These are as follows:
- 5.1.1 Corporate Legal Support Practitioner;
  - 5.1.2 Corporate Legal Counsel;
  - 5.1.3 Corporate Senior Legal Counsel;
  - 5.1.4 Corporate General Counsel.





## **6. COMPETENCY FRAMEWORKS, PROGRESSION PATHWAY AND SUGGESTED KPI'S**

### **6.1. CORPORATE LEGAL SUPPORT PRACTITIONER**

#### **6.1.1. Overview**

A Corporate Legal Support Practitioner is employed in an employer organization's in-house legal department or other departments where a legal support service is provided.

The main purpose of a Corporate Legal Support Practitioner is to provide legal assistance, basic legal advice and related services to legal department and to low and middle management employees and functions in the organisation as a whole.

Corporate Legal Support Practitioners include, but is not limited to: paralegals, compliance officers, assistant company secretaries, risk practitioners, legal interns and legal secretaries and assistants who are employed by a Client or Employer for the purposes of assisting the Legal Function / Department established within the Client / Employer organisation.

#### **6.1.2. General Job Description:**

Legal Support position including:

- Typing and correspondence;
- Answering phone calls;
- Formatting and basic drafting of legal documents;
- Arranging meetings and related communications;
- Provision of basic legal services and advice;
- Basic investigation and research of legal facts;
- Maintaining legal library and precedent database;
- Organise and maintain documents in a paper and electronic filing system;
- Gather and arrange evidence and other legal documents for the Corporate Counsel's review and case preparation;
- Researching legal facts using libraries or consulting online resources to find applicable legislation, cases, precedents and legal opinions;
- analyses the available information, preparing summaries, reports or recommendation based on the facts;
- assisting with preliminary drafting and vetting of legal documents and correspondence such as complaints, investigations, notices and legal briefs, affidavits and legal statements;
- Communicate with clients, witnesses, lawyers and vendors to schedule interviews, meetings and inspections or workshops / presentations;

- Maintaining and organising legal department files;
- Typing and vetting of legal agreements and correspondence.
- Typing and vetting of Board papers, reports and presentations.
- Administering legal account payments;
- Attending to update the organisation's compliance framework and related compliance and regulatory processes;
- Preparing summaries of applicable laws, including self-assessment and auditing checklists;
- Monitoring compliance by the organisation and its employees;
- Keeping employer organisation and employees up to date with legal and regulatory developments;
- Assisting with company secretarial and corporate governance matters including the drafting of agendas, notice of meetings, meeting minutes, proxies, resolutions and related documents;
- Updating legal portals and databases.

**6.1.3. Competencies / Personal Attributes**

- Honesty and integrity
- Confidence
- Trustworthy
- Discretion, diplomacy and tact
- Attention to detail
- Communication skills
- Reliable / dependable
- Stress tolerance: able to manage a large workload and deliver within tight deadlines
- Pro-active and forward thinking
- Conducts self-development to keep abreast of important issues
- Ability to work in a team
- Good administration skills
- Good computer skills

#### 6.1.4. Reporting Structures / Progression Pathway



#### 6.1.5. Underlying NQF Registered Qualification / Part-Qualification(S)

- National Senior Certificate (Matric) or equivalent.
- No degree required as accreditation will be based primarily on prior learnings and workplace exposure and experience, however diploma / primary degree an advantage.

#### 6.1.6. Experiential Learning / Practical Experience

- Where no post matric qualification, i.e. diploma or primary degree, must have worked for at least 5 years post matric in a legal support function / position;
- Where a diploma or primary degree obtained, must have been employed in a legal support function / position for at least 1 year post completion of diploma / primary degree.

#### 6.1.7. Recognition of Prior Learning

Where experiential learning and practical experience are not met as per above, when considering the application, prior learnings and related experience received in the following positions will be considered –

- Where no post matric qualification, i.e. diploma or primary degree, workplace experience received during at least a 5-year period post matric;
- Where a diploma or primary degree obtained, workplace experience received during at least a 1-year post completion of diploma / primary degree, including knowledge obtained and acquired as a result of diploma / degree qualification;



As an illustration, when considering the application, prior learnings and related experience received in the following positions will be considered –

- Diploma / primary degree;
- Employment in a law / risk / accountant firm as a support function;
- Employment as a secretary / assistant / paralegal / intern / compliance officer / assistant company secretary / risk practitioner.

#### 6.1.8. **Additional Criteria**

- The person must be actively employed as a bona fide Corporate Legal Support Practitioner for an Employer or Client;
- Be a Corporate Counsel Association Member in good standing (Associate Membership category);
- Not in breach of any of the Corporate Counsel Association's Codes.

#### 6.1.9. **Application for Assessment**

- Submission of completed application form together with all the required supporting documents (as per below list) to the Corporate Counsel Association's Secretariat.
- The following documentation must be submitted together with your completed application:
  - A current CV, including full details of qualifications, prior learning, employment history, workplace experience, and current role;
  - A detailed job description with associated Key Performance Indicators (KPIs);
  - Confirmation of employment from current employer, verifying applicant's position within the organization;
  - A testimonial from applicant's line manager or direct supervisor, commenting on applicant's professional performance;
  - A testimonial from a colleague or peer;
  - A certified copy of applicant's Identity Document;
  - Certified copies of applicant's qualifications;
  - Applicant's CPD records for the past two years.

#### 6.1.10. **Continuing Professional Development (CPD) Requirements post certification**

20	10	10
<b>Total points</b>	<b>Verifiable</b>	<b>Non-verifiable</b>

#### 6.1.11. Accountabilities & Responsibilities And Key Performance Indicators

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Legal Support</b>	
<ul style="list-style-type: none"> <li>Act as support to organisation: is part of either a general or divisional legal department.</li> </ul>	<ul style="list-style-type: none"> <li>Ability to accurately type in required time period;</li> <li>Ability to answer phone calls and attend to telephonic queries;</li> <li>Ability to format and draft basic legal documents;</li> <li>Professionally arrange meetings and related communications in a prompt and efficient manner;</li> <li>Ability to provide basic legal services and advice;</li> <li>Basic investigation and research of legal facts done timeously and in line with brief;</li> <li>Maintain legal library and precedent database;</li> <li>Organise and maintain document in a paper and electronic filing system;</li> <li>Gather and arrange evidence and other legal documents for the Corporate Counsel's review and case preparation;</li> <li>Researching legal facts using libraries or consulting online resources to find applicable legislation, cases, precedents and legal opinion;</li> <li>Analyse available information, prepare accurate and reliable summaries, reports or recommendations based on the facts;</li> <li>Professionally assist with preliminary drafting and vetting of legal documents and correspondence;</li> <li>Call clients, witnesses, lawyers, and vendors to schedule interviews, meetings and inspections or workshops / presentations;</li> <li>Maintain and organise legal department files;</li> <li>Type and vet legal agreements and correspondence professionally, accurately and in line with deadlines;</li> <li>Type and vet Board papers, reports and presentations in line with deadlines;</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
	<ul style="list-style-type: none"> <li>Proficiently administer legal account payments and queries in line with company policy;</li> <li>Update the organisation's compliance framework and related processes;</li> <li>Prepare summaries of applicable laws, including self-assessment and auditing checklists for use by the organisation;</li> <li>Conduct compliance audits and present results to organisation personnel;</li> <li>Keep employer organisation and employees up to date with legal and regulatory developments;</li> <li>Prepare company secretarial and corporate governance documents timeously and accurately;</li> <li>Update legal portals and databases;</li> <li>Able to consistently complete work according to plan, identifies and resolves work obstacles and problems effectively and has contingency plans to deliver required output;</li> <li>Understands and consistently meets client needs;</li> <li>Develops trusting / professional internal relationships to smooth the flow of work;</li> <li>Supports and participates in corporate citizenship initiatives.</li> </ul>
<b>Privilege and Confidentiality</b>	
<ul style="list-style-type: none"> <li>Apply understanding of the concept of legal privilege and related principles;</li> <li>Invoke legal privilege appropriately in order to withhold disclosing or discovering documents;</li> <li>Apply understanding of the difference between privilege and confidentiality.</li> </ul>	<ul style="list-style-type: none"> <li>Actions demonstrate an understanding of attorney-client privilege;</li> <li>Actions demonstrate an awareness of and application of the duty of confidentiality.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Ethics</b>	
<ul style="list-style-type: none"> <li>• Be a fit and proper person, law-abiding and honest, with no previous criminal convictions, showing integrity and objectivity;</li> <li>• Know and apply legal ethics and related behaviours in an in-house environment;</li> <li>• Respond professionally to conflicts of interest.</li> </ul>	<ul style="list-style-type: none"> <li>• Recognises circumstances giving rise to ethical problems or conflicts;</li> <li>• Examples of impeccable honesty or an antipathy to doing anything unprofessional or illegal;</li> <li>• Behaviour indicates a solid understanding of legal ethical principles;</li> <li>• Behaviour indicates a solid understanding of conflict of interest, how to avoid and when to disclose.</li> </ul>
<b>Compliance</b>	
<ul style="list-style-type: none"> <li>• Basic knowledge of the legal framework applicable to the organisation;</li> <li>• Basic knowledge of the principles of compliance.</li> </ul>	<p>At a basic level:</p> <ul style="list-style-type: none"> <li>• Be able to identify the laws applicable to the organisation and develop a draft compliance framework and matrix;</li> <li>• Ability to analyse and understand laws applicable to the organisation;</li> <li>• Apply the laws to the organisation and develop related summaries and checklist;</li> <li>• Ability to keep the organisation up to date with regulatory and compliance related developments.</li> </ul>
<b>Company Secretarial and Corporate Governance matters</b>	
<ul style="list-style-type: none"> <li>• Basic understanding and knowledge of the Companies Act, 2008.</li> </ul>	<p>At a basic level:</p> <ul style="list-style-type: none"> <li>• Be able to prepare agendas, notices of Board meetings, board minutes, resolutions, amendments and other documents comprising board packs;</li> <li>• Demonstrate ability to register directors, company changes and other required matters with the relevant authorities, i.e. CIPC;</li> <li>• Demonstrate ability to correspond with Board of Directors.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Law of Contract</b>	
<ul style="list-style-type: none"> <li>• Basic understanding and knowledge of the law of contract;</li> <li>• Knowledge of the principles pertaining to the interpretation of contracts.</li> </ul>	<p>At a basic level:</p> <ul style="list-style-type: none"> <li>• Demonstrated ability to apply the laws and principles of contract;</li> <li>• Demonstrated ability to draft and vet a sound, reliable contract.</li> </ul>

## 6.2. CORPORATE LEGAL COUNSEL

### 6.2.1. Overview

A Corporate Legal Counsel is typically a junior, non-managerial legal professional employed in the in-house legal department of an organization. This role is usually based at head office, with occasional local or international travel required.

They operate as part of a legal team, supporting senior legal staff and contributing to general or divisional legal functions. The position commonly reports to a senior legal professional and may work in departments of varying sizes—centralized, decentralized, small, medium, or large.

Corporate Legal Counsel can be found across a wide range of industries and sectors. At the junior level, the focus is on understanding the responsibilities of in-house legal work rather than industry-specific expertise. However, industry knowledge becomes more critical as one progresses into specialized or senior roles.

Responsibilities may span both local and international legal matters. Where the employer is part of a larger group with an offshore holding company, reporting into the holding company may be required.

While it is uncommon, a Corporate Legal Counsel may be supported by a paralegal, legal secretary, or personal assistant.

These individuals are employed to provide legal advice and services directly to their organization.

### 6.2.2. General Job Description

Corporate Legal Counsel provides general legal services and advice related to business operations. This includes, but is not limited to, the following areas:

- Compliance and risk management
- Company secretarial duties
- Finance and tax law





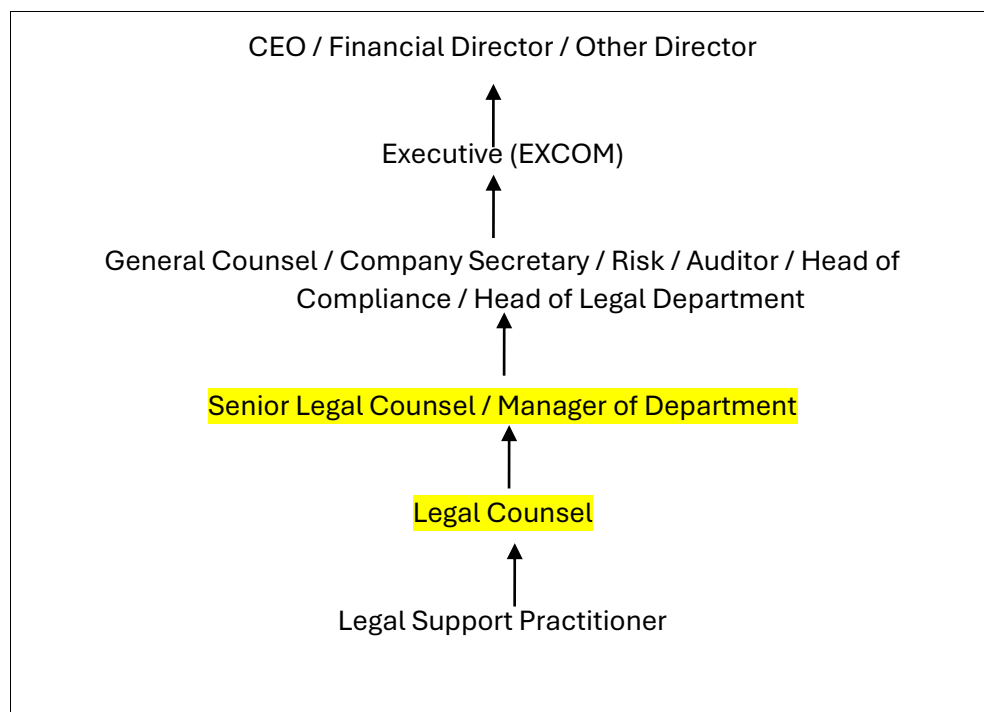
- Labour and industrial relations
- Competition law
- Commercial contracts
- Dispute resolution
- Other general legal matters

The focus is on broad-based legal support rather than specialization.

#### 6.2.3. **Competencies / Personal Attributes**

- Honesty and integrity
- Decisiveness
- Confidence
- Discretion, diplomacy and tact
- Analytical thinking
- Attention to detail
- Communication skills, including active listening
- Reliable / dependable
- Stress tolerance: able to manage a large workload and deliver within tight deadlines
- Conducts self-development to keep abreast of important issues
- Persuasive
- Ability to work in a team

#### 6.2.4. Reporting Structures / Progression Pathway



#### 6.2.5. Underlying NQF Registered Qualification / Part-Qualification(s)

Corporate Legal Counsel are required to be in possession of one of the following legal degrees:

- Baccalaureus Legum;
- Baccalaureus Procuratoris;
- Baccalaureus Iuris; or
- Equivalent legal degree.

#### 6.2.6. Experiential Learning / Practical Experience

3 years post obtaining legal degree actively practicing as a bona fide Corporate Legal Counsel in South Africa for an organization.

#### 6.2.7. Recognition of Prior Learning

Where experiential learning and practical experience are not met as per above, when considering the application, prior learnings and related experience received in the following positions will be considered:

- Actively working for an organisation/s for a period of 5 years post obtaining legal degree in the position where legal advice is provided; these positions can include i.e.: practicing attorney, advocate, prosecutor, magistrate, risk managers, compliance officers, Auditors, HR legal advisors;



- Learnings during legal degree and related training;
- Articles of Clerkship or Pupillage;
- Performance of Practical Legal Training;
- Admission as an Attorney or Advocate to the High Court;
- Employment as a Prosecutor or Magistrate;
- Employment in a law firm;
- Employment as a legal consultant;
- Employment as a bona fide Corporate Legal Counsel;
- Employment as a risk manager / assistant company secretary / compliance officer / Auditor / HR legal advisor providing in part legal services and/or advice.

#### **6.2.8. Additional Criteria**

- Applicant must be a Corporate Counsel Association Member in good standing;
- Applicant must not be in breach of Corporate Counsel Association's Codes.

#### **6.2.9. Application for Assessment**

- Submission of completed application form together with all the required supporting documents (as per below list) to the Corporate Counsel Association's Secretariat.
- The following documentation must be submitted together with your completed application:
  - A current CV, including full details of qualifications, prior learning, employment history, workplace experience, and current role;
  - A detailed job description with associated Key Performance Indicators (KPIs);
  - Confirmation of employment from current employer, verifying applicant's position within the organization;
  - A testimonial from applicant's line manager or direct supervisor, commenting on applicant's professional performance;
  - A testimonial from a colleague or peer;
  - A certified copy of applicant's Identity Document;
  - Certified copies of applicant's qualifications;
  - Applicant's CPD records for the past two years.

#### 6.2.10. Continuing Professional Development (CPD) Requirements post certification

20	10	10
<b>Total points</b>	<b>Verifiable</b>	<b>Non-verifiable</b>

#### 6.2.11. Accountabilities & Responsibilities And Key Performance Indicators

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Legal Support</b>	
<ul style="list-style-type: none"> <li>• Act as support function providing legal services and advice to organisation and is part of either a general or divisional department;</li> <li>• Provide general business services and advice;</li> <li>• Form part of the team providing legal services and advice;</li> <li>• Provide general (rather than specialist) legal advice on general business issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrates understanding of legal issues, applies legal principles to situations in a business context and recommends legally-sound solutions;</li> <li>• Consistently completes work according to plan, identifies and resolves work obstacles and problems effectively and has contingency plans to deliver required output;</li> <li>• Produces balanced output i.t.o. quality, cost, business expectations, risk management and compliance;</li> <li>• Builds sound professional relationships - understands and consistently meets client needs;</li> <li>• Develops trusting / professional relationships to smooth the flow of work;</li> <li>• Supports and participates in corporate citizenship initiatives;</li> <li>• Shares knowledge with team and other professionals.</li> </ul>
<b>Company Secretarial</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the SA company laws.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to provide a company secretarial service, advice and related legal commercial advice.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Ethics</b>	
<ul style="list-style-type: none"> <li>• Be a fit and proper person, law-abiding and honest, with no previous criminal convictions, showing integrity and objectivity;</li> <li>• Know and apply legal ethics and related behaviours in an in-house environment;</li> <li>• Respond professionally to conflicts of interest.</li> </ul>	<ul style="list-style-type: none"> <li>• Recognises circumstances giving rise to ethical problems or conflicts;</li> <li>• Examples of impeccable honesty or an antipathy to doing anything unprofessional or illegal;</li> <li>• Behaviour indicates a solid understanding of legal ethical principles;</li> <li>• Behaviour indicates a solid understanding of conflict of interest, how to avoid and when to disclose</li> </ul>
<b>Privilege and Confidentiality</b>	
<ul style="list-style-type: none"> <li>• Apply understanding of the concept of legal privilege and related principles;</li> <li>• Invoke legal privilege appropriately in order to withhold disclosing or discovering documents;</li> <li>• Apply understanding of the difference between privilege and confidentiality.</li> </ul>	<ul style="list-style-type: none"> <li>• Actions demonstrate an understanding of attorney-client privilege;</li> <li>• Actions demonstrate an awareness of and application of the duty of confidentiality.</li> </ul>
<b>Litigation</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the laws and principles pertaining to litigation.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to proceed to recover outstanding debts or to correctly brief collection attorneys;</li> <li>• Demonstrated ability to attempt to resolve disputes before decisions to proceed with litigation;</li> <li>• Demonstrated ability to prepare thorough briefs to attorneys to litigate on a matter on behalf of the company;</li> <li>• Demonstrated ability to settle and close out matters which are under dispute through either alternative dispute resolution or via the courts.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Corporate Governance</b>	
<ul style="list-style-type: none"> <li>• Awareness of corporate governance principles;</li> <li>• Knowledge of King III and King IV and previous codes;</li> <li>• Ability to apply where relevant sound corporate governance principles.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated application of sound corporate governance principles where appropriate.</li> </ul>
<b>Compliance and Risk Management</b>	
<ul style="list-style-type: none"> <li>• Knowledge of the legal framework applicable to the organisation;</li> <li>• Knowledge of the principles of compliance;</li> <li>• Understanding of the organisation's risk methodology and framework.</li> </ul>	<ul style="list-style-type: none"> <li>• Be able to identify the laws applicable to the organisation and develop a draft compliance framework and matrix;</li> <li>• Ability to analyse and understand laws applicable to the organisation;</li> <li>• Ability to develop a compliance risk management register, including risk ratings, relevant department's implicated and required controls and processes to minimise and/or eliminate risk;</li> <li>• Apply the laws to the organisation and develop related summaries and checklist;</li> <li>• Ability to keep the organisation up to date with regulatory and compliance related developments.</li> </ul>
<b>Alternative Dispute Resolution Practices</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the laws and principles pertaining to alternative dispute resolution.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to proceed to alternative dispute resolution forums (alternative to the magistrate or high court processes) and mechanisms such as arbitration or mediation.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Commercial Law and Law of Contract</b>	
<ul style="list-style-type: none"> <li>• Knowledge of the law of contract;</li> <li>• Knowledge of the principles pertaining to the interpretation of contracts;</li> <li>• Understanding of basic Commercial Law principles.</li> </ul>	<p>At a basic level:</p> <ul style="list-style-type: none"> <li>• Demonstrate ability to apply the laws and principles of contract;</li> <li>• Demonstrate ability to apply Commercial Law principles;</li> <li>• Demonstrate ability to draft and vet a sound, reliable contract.</li> </ul>

### 6.3. CORPORATE SENIOR LEGAL COUNSEL

#### 6.3.1. Overview

A Corporate Senior Legal Counsel serves as a general legal advisor within a company's legal department—either at head office or in a divisional or branch office. This role may involve oversight of specific business units or departments.

While this role can exist in any industry, the nature of the legal services provided will vary significantly depending on the sector. For example, legal work in the banking industry differs greatly from that in mining or telecommunications. Each sector has distinct legal frameworks, corporate cultures, internal policies, and risk environments, all of which the Senior Legal Counsel must understand and adapt to when delivering legal advice—often of a specialist nature.

As a result, Senior Legal Counsel often develop industry-specific expertise over time and are likely to continue their careers within the same sector. Likewise, employers typically seek candidates with proven legal experience and knowledge relevant to their industry.

These professionals are employed to provide comprehensive, ongoing legal services and guidance to their organization.

#### 6.3.2. Department Structure and Reporting

A Corporate Senior Legal Counsel may:

- Work in legal departments of varying sizes—small, medium, or large.
- Be employed in a semi-managerial capacity, providing legal advice and potentially overseeing junior legal staff or divisional matters.
- Report to a Company Secretary, Senior Legal Counsel, General Counsel, or Group Legal at a holding company level, especially in multinational organizations.
- Support legal functions both locally (e.g., South Africa) and internationally.
- Have access to support from a paralegal, legal secretary, or PA, often shared within the department.



#### 6.3.3. **Job Description**

The role involves providing both general and, where required, specialist legal services and advice, tailored to the organization's business environment. Responsibilities may cover areas such as:

- Commercial and corporate law
- Risk and compliance
- Regulatory matters
- Labour and employment law
- Litigation and dispute resolution
- Industry-specific legal issues

#### 6.3.4. **Competencies / Personal Attributes**

- Honesty and integrity
- Decisiveness
- Confidence
- Persuasiveness
- Discretion, diplomacy and tact
- Analytical thinking
- Attention to detail
- Excellent communication skills, including active listening
- Reliable / dependable
- Stress tolerance: able to manage a large workload and deliver within tight deadlines
- Able to manage conflict
- Conducts self-development to keep abreast of important issues
- Ability to work in a team: as either a leader or team player
- Relevant software and systems knowledge, including MS Office
- Facilitation techniques
- Risk management process and frameworks
- Insurance / risk management procedures
- Strategic planning
- Budgeting
- Performance management and evaluation methods



- Company vision and strategy
- Business administration and management
- Employee training / development
- Diversity management
- Business acumen
- Negotiating techniques
- Business writing skills
- Management information and reporting principles, tools and mechanisms
- Organisational behaviour theory
- Capacity planning
- Client service management
- Talent management
- Stakeholder management

#### 6.3.5. Reporting Structures





#### **6.3.6. Underlying NQF Registered Qualification /Part-Qualification(S)**

Corporate Senior Legal Counsel are required to be in possession of one of the following legal degrees:

- Baccalaureus Legum;
- Baccalaureus Procuratoris;
- Baccalaureus Iuris; or
- Equivalent legal degree.

#### **6.3.7. Experiential Learning / Practical Experience**

5 years post obtaining legal degree actively practicing as a bona fide Corporate Counsel in South Africa for an organization.

#### **6.3.8. Recognition of Prior Learning**

Where experiential learning and practical experience are not met as per above, when considering the application, prior learnings and related experience received in the following positions will be considered:

- Actively working for an organisation(s) in the position where legal advice is provided for a period of 7 years post obtaining legal degree; these positions can include i.e.: practicing attorney, advocate, prosecutor, magistrate, risk managers, company secretaries, compliance managers, Auditors, HR legal advisors;
- Learnings during legal degree and related training;
- Articles of Clerkship or Pupillage;
- Performance of Practical Legal Training;
- Admission as an Attorney or Advocate to the High Court;
- Employment as a Prosecutor or Magistrate;
- Employment in a law firm;
- Employment as a legal consultant;
- Employment as a bona fide Legal Counsel;
- Employment as a risk manager / company secretary / compliance manager or senior officer / Auditor / HR legal advisor providing in part legal services and/or advice.

#### **6.3.9. Additional Criteria**

- Applicant must be a Corporate Counsel Association Member in good standing;
- Applicant must not be in breach of any of the Corporate Counsel Association's Codes.



#### 6.3.10. Application for Assessment

- Submission of completed application form together with all the required supporting documents (as per below list) to the Corporate Counsel Association's Secretariat.
- The following documentation must be submitted together with your completed application:
  - A current CV, including full details of qualifications, prior learning, employment history, workplace experience, and current role;
  - A detailed job description with associated Key Performance Indicators (KPIs);
  - Confirmation of employment from current employer, verifying applicant's position within the organization;
  - A testimonial from applicant's line manager or direct supervisor, commenting on applicant's professional performance;
  - A testimonial from a colleague or peer;
  - A certified copy of applicant's Identity Document;
  - Certified copies of applicant's qualifications;
  - Applicant's CPD records for the past two years.

#### 6.3.11. Continuing Professional Development (CPD) Requirements Once Accredited

15	10	5
<b>Total points</b>	<b>Verifiable</b>	<b>Non-verifiable</b>

### 6.3.12. Accountabilities & Responsibilities And Key Performance Indicators

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Legal Support</b>	
<ul style="list-style-type: none"> <li>• Act as general legal advisor to the organisation and form part of either a general or divisional legal department (often heads a divisional or branch office);</li> <li>• Provide general legal services and in some cases specialist legal advice;</li> <li>• Semi-managerial position forming part of the legal team and providing legal advice to his or her employer;</li> <li>• The person holding the position typically reports to a Company Secretary or another senior Corporate Counsel function or to a General Counsel;</li> <li>• Duties involve providing general and specialist legal advice to the employer.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrates understanding of legal issues, applies legal principles to situations in a business context and recommends legally-sound solutions;</li> <li>• Consistently completes work according to plan, identifies and resolves work obstacles and problems effectively and has contingency plans to deliver required output;</li> <li>• Produces balanced output i.t.o. quality, cost, business expectations, risk management and compliance;</li> <li>• Contributes to the drafting of policies, procedures, standards, processes, etc.;</li> <li>• Builds sound professional relationships - understands and consistently meets client needs;</li> <li>• Develops trusting / professional internal relationships to smooth the flow of work;</li> <li>• Develops collaborative relationships with contractors / consultants / suppliers which meet business needs;</li> <li>• Delivers systems, products &amp; projects which contribute to improved client service;</li> <li>• Advice given on systems, processes and equipment accepted and implemented, leads to improved results;</li> <li>• Supports team efforts to achieve transformation goals and establishes a culture conducive to the achievement of transformation goals;</li> <li>• Supports and participates in corporate citizenship initiatives;</li> <li>• Improvements to work methods, processes &amp; systems are implemented successfully;</li> <li>• Analyses, researches, develop &amp; implements innovative ideas &amp; solutions adding value to the Company;</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
	<ul style="list-style-type: none"> <li>• Systems, process, services, solutions are aligned to business strategy, objectives &amp; values;</li> <li>• Shares knowledge with team and other professionals;</li> <li>• Successfully obtains "buy-in" for value-adding projects, systems &amp; products/ processes.</li> </ul>
<b>Privilege and Confidentiality</b>	
<ul style="list-style-type: none"> <li>• Apply understanding of the concept of legal privilege and related principles;</li> <li>• Invoke legal privilege appropriately in order to withhold disclosing or discovering documents;</li> <li>• Apply understanding of the difference between privilege and confidentiality.</li> </ul>	<ul style="list-style-type: none"> <li>• Actions demonstrate an understanding of attorney-client privilege;</li> <li>• Actions demonstrate an awareness of and application of the duty of confidentiality.</li> </ul>
<b>Ethics</b>	
<ul style="list-style-type: none"> <li>• Be a fit and proper person, law-abiding and honest, with no previous criminal convictions, showing integrity and objectivity;</li> <li>• Know and apply legal ethics and related behaviours in an in-house environment;</li> <li>• Respond professionally to conflicts of interest.</li> </ul>	<ul style="list-style-type: none"> <li>• Recognises circumstances that give rise to ethical problems or conflicts;</li> <li>• Examples of impeccable honesty or an antipathy to doing anything unprofessional or illegal;</li> <li>• Behaviour indicates a solid understanding of legal ethical principles;</li> <li>• Behaviour indicates a solid understanding of conflict of interest, how to avoid and when to disclose.</li> </ul>
<b>Consumer Law</b>	
<ul style="list-style-type: none"> <li>• Knowledge of Consumer Protection Act, 2008;</li> <li>• Knowledge of National Credit Act, 2005.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to negotiate and settle consumer - or regulator-related complaints.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Commercial Law and Law of Contract</b>	
<ul style="list-style-type: none"> <li>• Knowledge of the law of contract;</li> <li>• Knowledge of the principles pertaining to the interpretation of contracts;</li> <li>• Knowledge and understanding of Commercial Law principles.</li> </ul>	<p>At an advanced level:</p> <ul style="list-style-type: none"> <li>• Demonstrated ability to apply the laws and principles of contract;</li> <li>• Demonstrated ability to apply the Commercial Law principles;</li> <li>• Demonstrated ability to draft and vet a sound, reliable contract.</li> </ul>
<b>Corporate Governance</b>	
<ul style="list-style-type: none"> <li>• Awareness of corporate governance principles;</li> <li>• Knowledge of King III and previous codes;</li> <li>• Ability to apply where relevant sound corporate governance principles.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated application of sound corporate governance principles where appropriate.</li> </ul>
<b>Litigation</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the laws and principles pertaining to litigation;</li> <li>• Provide sound litigation and dispute resolution advice;</li> <li>• Provide legal advice on claims and defended actions, regulatory investigations or complaints or alternative dispute resolution process through application of professional and industry knowledge and expertise to ensure that the best practice advice and opinions are implemented.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to attempt to resolve disputes before decisions to proceed with litigation;</li> <li>• Demonstrated ability to prepare thorough briefs to attorneys to litigate on a matter on behalf of the company;</li> <li>• Demonstrated ability to settle and close out matters which are under dispute through either alternative dispute resolution or via the courts.</li> </ul>
<b>Competition Law</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the SA competition laws;</li> <li>• Ability to apply for merger approval.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to apply the SA competition laws and provide solid legal advice and opinion on strategic company issues that may have competition impact.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Alternative Dispute Resolution Practices</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the laws and principles pertaining to alternative dispute resolution;</li> <li>• Identify client's needs, assess resolution options, make recommendations, advocate persuasively in a manner which advances the client's position;</li> <li>• Manage litigation process, including sourcing and managing external counsel.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to proceed to alternative dispute resolution forums (alternative to the magistrate or high court processes) and mechanisms such as arbitration or mediation;</li> <li>• Demonstrated ability to act as mediator or arbitrator and to settle business disputes.</li> </ul>
<b>Compliance and Risk Management</b>	
<ul style="list-style-type: none"> <li>• Knowledge of the legal framework applicable to the organisation;</li> <li>• Knowledge of the principles of compliance;</li> <li>• Understanding of the organisation's risk methodology and framework.</li> </ul>	<ul style="list-style-type: none"> <li>• Be able to identify the laws applicable to the organisation and develop a draft compliance framework and matrix;</li> <li>• Ability to analyse and understand laws applicable to the organisation;</li> <li>• Ability to develop a compliance risk management register, including risk ratings, relevant department's implicated and required controls and processes to minimise and/or eliminate risk;</li> <li>• Apply the laws to the organisation and develop related summaries and checklist;</li> <li>• Ability to keep the organisation up to date with regulatory and compliance related developments.</li> </ul>
<b>Labour Law</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the SA labour laws.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to apply the SA labour laws to an employer's operation or unique situation;</li> <li>• Demonstrated ability to represent corporation or employer before CCMA proceedings.</li> </ul>
<b>Company Law</b>	
<ul style="list-style-type: none"> <li>• Knowledge and understanding of the SA company laws.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to provide a company secretarial service, advice and related legal commercial advice.</li> </ul>



## **6.4. CORPORATE GENERAL COUNSEL**

### **6.4.1. Overview**

The Corporate General Counsel is the most senior legal professional within an organization, serving as the head of both general and divisional legal departments. Employed by an organization to provide expert legal advice, this role oversees the delivery of legal services across the entire business.

This is typically an executive-level position, and the General Counsel often sits on the Board of Directors—either as a full board member or a standing invitee.

### **6.4.2. Department Structure And Composition**

The legal department led by the Corporate General Counsel:

- May be centralized or decentralized, but remains under the overall leadership of the General Counsel.
- Is generally medium to large in size, depending on the organization's scope and operations.
- Can span both domestic (e.g., South Africa) and international operations, with oversight of offshore legal departments.
- Consists of a mix of generalist and specialist legal professionals.
- Is typically headquartered at the organization's main office, although the General Counsel may be required to travel locally and internationally.
- In cases where the organization is part of a larger group, the General Counsel may report to a Group General Counsel.
- Is supported by a dedicated personal assistant (PA).

### **6.4.3. Brief Job Description**

The General Counsel is responsible for:

- Managing and overseeing the entire legal function, including legal teams and resources.
- Identifying legal risks and issues across all departments—such as engineering, design, marketing, sales, distribution, credit, finance, HR, production, and corporate governance.
- Providing both general and specialist legal advice aligned with the organization's objectives.
- Offering strategic legal support to the executive team and the board.
- Leading corporate governance, policy development, and regulatory compliance.
- Acting in a managerial and executive capacity, with direct reporting lines to the Chief Executive Officer (CEO).



#### 6.4.4. Competencies / Personal Attributes

- Honesty and integrity
- Decisiveness
- Confidence
- Discretion, diplomacy and tact
- Analytical thinking
- Attention to detail
- Excellent communication skills, including active listening
- Reliable/ dependable
- Stress tolerance: able to manage a large workload and deliver within tight deadlines
- Able to manage conflict
- Conducts self-development to keep abreast of important issues
- Persuasive
- Ability to work in a team: as either a leader or team player
- Relevant software and systems knowledge, including MS Office
- Facilitation techniques
- Risk management process and frameworks
- Insurance / risk management procedures
- Strategic planning
- Budgeting
- Performance management and evaluation methods
- Company vision and strategy
- Business administration and management
- Employee training / development
- Diversity management
- Business acumen
- Negotiating techniques
- Business writing skills
- Management information and reporting principles, tools and mechanisms
- Organisational behaviour theory
- Capacity planning



- Client service management
- Talent management
- Stakeholder management

#### 6.4.5. Reporting Structures



#### 6.4.6. Underlying NQF Registered Qualification /Part-Qualification(s)

Corporate General Counsel are required to be in possession of one of the following legal degrees:

- Baccalaureus Legum;
- Baccalaureus Procuratoris;
- Baccalaureus Iuris; or
- Equivalent legal degree.

#### 6.4.7. Experiential Learning / Practical Experience

10 years post obtaining legal degree actively practicing as a bona fide Corporate Counsel in South Africa for an organization.

#### 6.4.8. Recognition of Prior Learning

Where experiential learning and practical experience are not met as per above, when considering the application, prior learnings and related experience received in the following positions will be considered:



- Actively working for an organisation/s in the position where legal advice is provided for a period of 15 years post obtaining legal degree; these positions can include i.e.: practicing attorney, advocate, prosecutor, magistrate, risk managers, compliance managers, company secretaries, Auditors, HR legal advisors;
- CIS;
- Master's and/or Doctorate;
- LLM / LLD;
- Diplomas;
- Master of Business Administration (MBA);
- Executive Management Programme(s).
- Learnings during legal degree and related training;
- Articles of Clerkship or Pupillage;
- Performance of Practical Legal Training;
- Admission as an Attorney or Advocate to the High Court;
- Employment as a Prosecutor or Magistrate or Judge or Regulator;
- Employment in a law firm;
- Employment as a senior legal consultant;
- Employment as a bona fide Senior Legal Counsel;
- Employment as a risk manager / company secretary / compliance manager or senior officer / Auditor / HR legal advisor providing in part legal services and/or advice.

#### **6.4.9. Additional Criteria**

- Applicant must be a Corporate Counsel Association Member in good standing;
- Applicant must not be in breach of Corporate Counsel Association's Codes.

#### **6.4.10. Application for Assessment**

- Submission of completed application form together with all the required supporting documents (as per below list) to the Corporate Counsel Association's Secretariat.
- The following documentation must be submitted together with your completed application:
  - A current CV, including full details of qualifications, prior learning, employment history, workplace experience, and current role;
  - A detailed job description with associated Key Performance Indicators (KPIs);

- Confirmation of employment from current employer, verifying applicant's position within the organization;
- A testimonial from applicant's line manager or direct supervisor or organisation's CEO, commenting on applicant's professional performance;
- A testimonial from a colleague or peer;
- A certified copy of applicant's Identity Document;
- Certified copies of applicant's qualifications;
- Applicant's CPD records for the past two years.

#### 6.4.11. Continuing Professional Development (CPD) Requirements post certification

10	5	5
<b>Total points</b>	<b>Verifiable</b>	<b>Non-verifiable</b>

#### 6.4.12. Accountabilities & Responsibilities And Key Performance Indicators

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Legal Support</b>	
<ul style="list-style-type: none"> <li>• Chief lawyer of a legal department and head of the general and divisional legal departments.</li> <li>• Operate at an executive level and delivers results of a complete legal function through legal specialists within Company Group.</li> <li>• Provision of general and specialist legal advice and management of the legal function.</li> <li>• Provision of strategic legal support to the executive and the board.</li> <li>• This role is typically a managerial function and an Executive position.</li> <li>• Heads up, manages and leads in-house legal department and assists Executive and Board with legal and strategic issues.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrates an understanding of legal issues, applies legal principles to situations in a business context and recommends legally-sound solutions.</li> <li>• Consistently completes work according to plan, identifies and resolves work obstacles and problems effectively and has contingency plans to deliver required output.</li> <li>• Produces balanced output i.t.o. quality, cost, business expectations, risk management and compliance.</li> <li>• Contributes to the drafting of policies, procedures, standards, processes, etc.</li> <li>• Builds sound professional relationships - understands and consistently meets client needs.</li> <li>• Develops trusting / professional internal relationships to smooth the flow of work.</li> <li>• Develops collaborative relationships with contractors / consultants / suppliers which meet business needs.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>Duties involve managing and overseeing the legal function and identifying the legal issues in all departments and their interrelation, including engineering, design, marketing, sales, distribution, credit, finance, human resources, production, as well as corporate governance and business policy.</li> </ul>	<ul style="list-style-type: none"> <li>Delivers systems, products &amp; projects which contribute to improved client service.</li> <li>Advice given on systems, processes and equipment accepted and implemented, leads to improved results.</li> <li>Supports team efforts to achieve transformation goals and establishes a culture conducive to the achievement of transformation goals.</li> <li>Supports and participates in corporate citizenship initiatives.</li> <li>Improvements to work methods, processes &amp; systems are implemented successfully.</li> <li>Analyses, researches, develop &amp; implements innovative ideas &amp; solutions adding value to the Company.</li> <li>Systems, process, services, solutions are aligned to business strategy, objectives &amp; values.</li> <li>Shares knowledge with team and other professionals.</li> <li>Successfully obtains "buy-in" for value-adding projects, systems &amp; products/ processes.</li> </ul>
<b>Ethics</b>	
<ul style="list-style-type: none"> <li>Be a fit and proper person, law-abiding and honest, with no previous criminal convictions, showing integrity and objectivity.</li> <li>Know and apply legal ethics and related behaviours in an in-house environment.</li> <li>Respond professionally to conflicts of interest.</li> </ul>	<ul style="list-style-type: none"> <li>Recognises circumstances that give rise to ethical problems or conflicts.</li> <li>Examples of impeccable honesty or an antipathy to doing anything unprofessional or illegal.</li> <li>Behaviour indicates a solid understanding of legal ethical principles.</li> <li>Behaviour indicates a solid understanding of conflict of interest, how to avoid and when to disclose.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Consumer Law</b>	
<ul style="list-style-type: none"> <li>• Knowledge of Consumer Protection Act, 2008.</li> <li>• Knowledge of National Credit Act, 2005.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated ability to appear before the Consumer Tribunal on behalf of the company with or without assistance from external counsel and attorneys and negotiate and settle consumer - or regulator - related complaints.</li> </ul>
<b>Privilege and Confidentiality</b>	
<ul style="list-style-type: none"> <li>• Apply understanding of the concept of legal privilege and related principles.</li> <li>• Invoke legal privilege appropriately in order to withhold disclosing or discovering documents.</li> <li>• Apply understanding of the difference between privilege and confidentiality.</li> </ul>	<ul style="list-style-type: none"> <li>• Actions demonstrate an understanding of attorney-client privilege.</li> <li>• Actions demonstrate an awareness of and application of the duty of confidentiality.</li> </ul>
<b>Corporate Governance</b>	
<ul style="list-style-type: none"> <li>• Awareness of corporate governance principles.</li> <li>• Knowledge of King III and previous codes.</li> <li>• Ability to apply where relevant sound corporate governance principles.</li> </ul>	<ul style="list-style-type: none"> <li>• Demonstrated application of sound corporate governance principles where appropriate.</li> </ul>
<b>Commercial Law and Law of Contract</b>	
<ul style="list-style-type: none"> <li>• Knowledge of the law of contract.</li> <li>• Knowledge of the principles pertaining to the interpretation of contracts.</li> <li>• Knowledge of the principles of Commercial Law.</li> </ul>	<p>At a complex and specialised level:</p> <ul style="list-style-type: none"> <li>• Demonstrated ability to apply the laws and principles of contract.</li> <li>• Demonstrated ability to draft and vet a sound, reliable contract.</li> <li>• Demonstrated ability to apply Commercial Laws and principles.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Labour Law</b>	
<ul style="list-style-type: none"> <li>Knowledge and understanding of the South African labour laws.</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrated ability to apply the SA labour laws to an employer's operation or unique situation.</li> <li>Demonstrated ability to represent corporation or employer before CCMA proceedings.</li> </ul>
<b>Litigation</b>	
<ul style="list-style-type: none"> <li>Knowledge and understanding of the laws and principles pertaining to litigation.</li> <li>Provide sound litigation and dispute resolution advice.</li> <li>Provide legal advice on claims and defended actions, regulatory investigations or complaints or alternative dispute resolution process through application of professional and industry knowledge and expertise to ensure that the best practice advice and opinions are implemented.</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrated ability to attempt to resolve disputes before decisions to proceed with litigation.</li> <li>Demonstrated ability to prepare thorough briefs to attorneys to litigate on a matter on behalf of the company.</li> <li>Demonstrated ability to settle and close out matters which are under dispute through either alternative dispute resolution or via the courts.</li> </ul>
<b>Alternative Dispute Resolution Practices</b>	
<ul style="list-style-type: none"> <li>Knowledge and understanding of the laws and principles pertaining to alternative dispute resolution.</li> <li>Identify client's needs, assess resolution options, make recommendations, advocate persuasively in a manner which advances the client's position.</li> <li>Manage litigation process, including sourcing and managing external counsel.</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrated ability to proceed to alternative dispute resolution forums (alternative to the magistrate or high court processes) and mechanisms such as arbitration or mediation.</li> <li>Demonstrated ability to act as a mediator or arbitrator and to settle business disputes.</li> </ul>
<b>Competition Law</b>	
<ul style="list-style-type: none"> <li>Knowledge and understanding of the South African competition laws.</li> <li>Ability to apply for merger approval.</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrated ability to apply the SA competition laws and provide solid legal advice and opinion on strategic company issues that may have competition impact.</li> </ul>

KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<b>Company Law</b>	
<ul style="list-style-type: none"> <li>Knowledge and understanding of the SA company laws.</li> </ul>	<ul style="list-style-type: none"> <li>Demonstrated ability to provide a company secretarial service, advice and related legal commercial advice.</li> </ul>
<b>Client Service Management</b>	
<ul style="list-style-type: none"> <li>Understand client and stakeholder needs requirements and expectations.</li> <li>Encouraging personal responsibility for satisfying customers.</li> </ul>	<ul style="list-style-type: none"> <li>Positive customer feedback.</li> </ul>
<b>Quality Assurance</b>	
<ul style="list-style-type: none"> <li>Monitor processes, materials and outputs vigilantly to ensure accuracy, quality and completeness.</li> <li>Reviewing reports for mistakes.</li> </ul>	<ul style="list-style-type: none"> <li>No significant quality problems reported by clients or established via negative feedback from other sources (e.g. courts).</li> </ul>
<b>Management of Legal Department</b>	
<ul style="list-style-type: none"> <li>Strategic Planning for law department.</li> <li>Develop standardised job profiles, career streams / opportunities, metrics, knowledge sharing and curriculum for training / up-skilling to provide career progression for legal specialists.</li> <li>Management of legal advisors within legal department - head office and regional / divisional.</li> <li>Establishing standard rules and processes ensuring advisors perform clearly defined, stable work assignments with established goals and procedures.</li> <li>Management of record keeping, information retention and information security.</li> <li>Implementation of reporting framework.</li> <li>Employee development through challenging assignments, on-the-job learning, formal training programmes, mentorship and leadership.</li> </ul>	<ul style="list-style-type: none"> <li>Strategic plan developed and implemented via change management process.</li> <li>Work processes standardised.</li> <li>Staff development plans created in conjunction with staff implemented and managed.</li> <li>Appropriate culture defined and established.</li> <li>Process for monitoring and managing key client expectations established.</li> <li>BEE targets met.</li> <li>Budget developed and approved.</li> </ul>



KEY PERFORMANCE AREAS & TASKS	KEY PERFORMANCE INDICATORS
<ul style="list-style-type: none"> <li>• Ensure department is sufficiently resourced.</li> <li>• Respond quickly to business needs; developing products, plans and strategies quickly and perfecting them later.</li> <li>• Receptive to and supportive of change.</li> <li>• Monitor the implemented Functional EE and Transformation Plan through consultation with HR to ensure the achievement of targets.</li> <li>• Monitor the budget and spend of outsourced work to Black Economic Empowered (BEE) firms to achieve BEE targets as related to Litigation and Dispute work.</li> <li>• Interact internally (with senior management) and externally (with various regulatory bodies) through formal and informal interaction to ensure a relationship of trust is built and maintained to achieve functional objectives.</li> <li>• Prepare budget for the legal department, including litigation.</li> <li>• Manage the outsourcing process (sourcing and managing external counsel).</li> </ul>	