



RECOGNITION OF PRIOR LEARNING POLICY



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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 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. **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.
- 1.11. **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.
- 1.12. **Legal qualification** – means degrees of Baccalaureus Legum, Baccalaureus Procuratoris or Baccalaureus Iuris from any University in South Africa or an international equivalent thereto.
- 1.13. **Legal Services and Advice** – means the services provided to a Client or Employer by Corporate Counsel and/or Corporate Legal Support Practitioners.
- 1.14. **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.
- 1.15. **Member / Corporate Counsel Association Member** – means a registered member of the Corporate Counsel Association.
- 1.16. **MOI** – means the Memorandum of Incorporation of the Corporate Counsel Association.
- 1.17. **Prospective member** – means an applicant who is applying for Corporate Counsel Association membership.
- 1.18. **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.
- 1.19. **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 Mol, 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

The purpose of this policy is to guide the Corporate Counsel Association and its representatives to implement the principle of Recognition of Prior Learning in pursuance of its objectives set out under clause 3 and across all its business activities.

5. APPLICATION OF THE POLICY

This policy will apply to the Corporate Counsel Association and its Members.

6. APPLICATION OF RPL PRINCIPLES

- 6.1 The Corporate Counsel Association upholds the principle of RPL in fulfilling its objectives, including in its engagement with both the legal profession and the Corporate Counsel profession.
- 6.2 The Corporate Counsel Association applies RPL when processing applications for membership, including the evaluation and admission of non-legally qualified individuals under the "Associate Membership" category (i.e. Legal Support Practitioners). In doing so, it specifically acknowledges and gives effect to the applicant's prior learning and experience.
- 6.3 The principle of RPL is further applied in the awarding of Corporate Counsel Association Professional Designations.
- 6.4 RPL is used as a mechanism to create opportunities for professional recognition within the workplace.
- 6.5 The Corporate Counsel Association applies RPL to ensure that individuals holding a Corporate Counsel Association-certified Professional Designation are equipped to provide reliable, ethical, and professional legal services and advice to public and private organisations, communities, and individuals.
- 6.6 The Corporate Counsel Association aligns its RPL policies and practices with the national RPL policy as prescribed by the South African Qualifications Authority (SAQA).

7. EXCLUSIONS

- 7.1 Notwithstanding the principles set out under clause 6 above, it falls outside of the powers of the Corporate Counsel Association to apply Recognition of Prior Learning to the award of the initial degree of Baccalaureus Legum, Baccalaureus Procuratoris or Baccalaureus Iuris. This can only be awarded by a university in South Africa.
- 7.2 The Corporate Counsel Association is neither an accredited training provider nor a quality council. It, therefore, cannot apply RPL in terms of:
 - 7.2.1 access to qualifications; or
 - 7.2.2 credits towards qualifications.



8. CRITERIA FOR THE APPLICATION OF RPL

8.1 Representation and Collaboration: Who are the Corporate Counsel Association's Beneficiaries?

8.1.1 The Corporate Counsel Association represents the Corporate Counsel profession in South Africa. This profession comprises qualified legal professionals—individuals who have completed a legal degree at a university and are referred to as Corporate Counsel—as well as Legal Support Practitioners. The latter group includes paralegals, risk managers, company secretaries, compliance officers, internal auditors, HR legal advisors, legal interns, and legal secretaries and assistants. These individuals are employed by clients or organisations to provide a dedicated source of legal services and advice.

8.1.2 To fully realise its objectives, the Corporate Counsel Association also engages and collaborates with a broader group of individuals who are active within, or associated with, the legal profession. Some of these individuals may not necessarily hold a legal degree. These collaborators include, but are not limited to:

- Students or scholars (legal degree not required);
- Legal secretaries (legal degree not required);
- Paralegals (without legal degrees, but providing basic legal services);
- Compliance officers (legal degree not required, though often held);
- Risk managers (legal degree not required, though often held);
- Legal auditors (legal degree not required, though often held);
- Practicing attorneys (legal degree required);
- Company secretaries (legal degree not required, though often held);
- Advocates (legal degree required);
- Magistrates (legal degree required);
- Judges (legal degree required);
- Legal officers (legal degree not required, though often held);
- Corporate Counsel and Legal Advisors employed in other jurisdictions (e.g., Australia, New Zealand, and the European Union).

8.1.3 The Corporate Counsel Association's engagement with the above individuals and groups may occur on either a formal membership basis or an informal, collaborative basis. In all cases, the Corporate Counsel Association will consider and give appropriate recognition to an individual's prior learning and experience—gained both in the workplace and through other relevant avenues—when determining the nature and extent of such engagement.



8.2. Application of RPL in respect of general engagement with beneficiaries

When approached by any of the aforementioned beneficiaries, the Corporate Counsel Association applies the principle of RPL by considering the individual's or entity's prior learning, experience, and qualifications. This assessment is undertaken to identify areas of common interest, shared expertise, and mutual benefit. Where such synergies exist, the Corporate Counsel Association seeks to explore how these shared learnings and experiences can be leveraged to support collaboration and contribute to the professional development of both parties.

In determining whether to engage with a beneficiary, the Corporate Counsel Association evaluates whether the individual, group, or organisation is involved in the legal profession in any meaningful capacity and whether such engagement would support or advance the objectives and mandate of the Corporate Counsel Association.

Importantly, the Corporate Counsel Association does not base its engagement decisions solely on the possession of a legal degree. Instead, it undertakes a broader, holistic assessment of the beneficiary's background, taking into account the following factors:

- Educational background and level of qualification;
- Industry or sector of involvement or representation;
- Gender and race, in alignment with the Corporate Counsel Association's transformation policy and procedures;
- Skills and professional expertise;
- Workplace experience;
- Formal qualifications (legal or otherwise);
- Nature and type of work performed or engaged in;
- Professional affiliations, roles, or the sector in which the beneficiary is employed;
- Services and value the beneficiary can offer or contribute.

Through this inclusive approach, the Corporate Counsel Association ensures that engagement with beneficiaries is meaningful, equitable, and aligned with its broader mission to advance and support the Corporate Counsel profession and related legal support roles across various sectors.

8.3 Corporate Counsel Association membership categories

- 8.3.1 In order to fulfil its objectives and to accommodate the diverse range of beneficiaries outlined in section 8.1.2, the Corporate Counsel Association offers three categories of membership. These categories are designed to support engagement with individuals and entities across various roles within the legal profession:



- **Individual Membership:**

This category is intended for individual Corporate Counsel who hold a recognised legal degree. Members in this category are responsible for paying their own membership fees.

- **Corporate Membership:**

This category is for Corporate Counsel who are employed by an organisation. In this case, the membership fee is covered by the employing organisation, not the individual.

- **Associate Membership:**

Individuals in this category are not required to hold a legal degree or be employed as Corporate Counsel. This category includes a wide range of professionals and entities such as:

- Legal Practitioners as defined under the Legal Practice Act, 2014
- Recruitment agencies operating within the legal sector
- Legal interns
- Paralegals
- Legal secretaries
- Compliance officers
- Legal auditors
- Risk managers
- Company secretaries
- This tiered membership structure enables the Corporate Counsel Association to engage meaningfully with all relevant stakeholders in the broader legal ecosystem, fostering inclusivity and collaboration.

8.3.2 **Requirements to be a Corporate Counsel**

To be employed by an organisation as a Corporate Counsel, an individual must, as a minimum requirement, hold a legal degree. This typically comprises a primary undergraduate degree (e.g., BA or BCom) followed by a secondary legal qualification, such as an LLB. This academic pathway ensures that the individual has received formal education and training in the field of law through a recognised university, thereby meeting the foundational standards required for the profession.

This requirement is consistent with that of individuals seeking to practise as Legal Practitioners under the Legal Practice Act, 2014, which also mandates possession of a legal degree as a prerequisite—along with other statutory requirements detailed in the Act.



8.3.3 Application of RPL in respect of membership applications

8.3.3.1 Application of RPL

The Corporate Counsel Association applies the principle of RPL when evaluating membership applications across all three of its membership categories. This approach is intended to promote equal access, participation, and recognition within the legal profession and the broader workplace. Furthermore, by applying RPL, the Corporate Counsel Association ensures that its members—regardless of category—are equipped to act ethically and to provide reliable, professional legal services and advice to public and private organisations, communities, and individuals.

8.3.3.2 Criteria for the application of RPL to Corporate Counsel Association member applicants

When an individual applies for membership to the Corporate Counsel Association, the Corporate Counsel Association incorporates the principles of RPL as a fundamental part of its application review and decision-making process.

For Individual and Corporate Membership Applicants, the following criteria will be considered:

- Applicant's compulsory qualifications (e.g., legal degree)
- Applicant's current employment position and employer
- Applicant's non-compulsory qualifications
- Applicant's past workplace experience
- Applicant's previous work exposure
- Duration of employment
- Whether the applicant is legally in good standing
- Membership in other professional bodies
- Nature of employment or work performed, including positions held and industries or sectors engaged in
- Applicant's involvement or position within the legal profession
- Applicant's ability to comply with the Corporate Counsel Association's codes of practice and procedures
- Applicant's capacity to provide reliable and ethical professional legal services and advice to public and private organisations, communities, and individuals.



For Associate Membership Applicants, the following criteria will be considered:

- Applicant's involvement or position within the legal profession
- Applicant's current employment position and employer
- Applicant's past workplace experience
- Applicant's previous work exposure
- Applicant's prior learning and skills
- Whether the applicant's profile aligns with the Corporate Counsel Association's objectives
- Whether the applicant is legally in good standing
- Membership in other professional bodies
- Nature of employment or work performed, including positions held and industries or sectors engaged in
- Applicant's ability to comply with the Corporate Counsel Association's codes of practice and procedures
- Applicant's capacity to provide reliable and ethical professional legal services and advice to public and private organisations, communities, and individuals

All of these criteria take into account the applicant's prior learning, skills, and experience, thereby embracing the principle of RPL.

If an applicant meets the relevant criteria outlined above, they will be admitted as a Corporate Counsel Association member upon payment of the applicable membership fee.

8.4 Application of RPL in respect of the award of the Corporate Counsel Association's certified Professional Designations

8.4.1 Application of RPL

The Corporate Counsel Association applies the principle of RPL in awarding its certified Professional Designations. This principle is employed to create opportunities for workplace recognition and to ensure that members holding a Corporate Counsel Association-certified Professional Designation deliver reliable and ethical professional legal services and advice.

8.4.2 Baccalaureus Legum, Baccalaureus Procurationis or Baccalaureus Iuris

The award of initial law degrees such as the Baccalaureus Legum, Baccalaureus Procurationis, or Baccalaureus Iuris lies exclusively within the jurisdiction of universities. The Corporate Counsel Association, not being an accredited provider or quality council, does not have the authority to apply RPL in respect of access to these qualifications; or credit recognition towards these qualifications.



8.4.3 **Criteria for the application of RPL to the Corporate Counsel Association Professional Designations**

When evaluating applications for any of the Corporate Counsel Association's four certified Professional Designations, the following criteria are considered in alignment with the typical activities and performance levels expected at the relevant designation level, as part of the RPL process:

- Applicant's involvement or position within the legal profession
- Current employment position and employer
- Past workplace experience and work exposure
- Previous learning and skills held
- Alignment and synergy with Corporate Counsel Association objectives
- Legal standing of the applicant
- Memberships in other professional bodies
- Nature of employment or work performed, including specific positions, industries, or sectors
- Ability to comply with Corporate Counsel Association codes of practice and procedures
- Ability to provide reliable and ethical professional legal services and advice to public and private organisations, communities, and individuals
- Compulsory qualifications (e.g., legal degree)
- Additional non-compulsory qualifications
- Duration of employment
- Evaluation of practical application and professional practice in providing legal services and advice
- Awareness and practical knowledge of current issues in South African law relevant to employers and clients

8.4.4 **Assessment Panel**

Each member of the Assessment Panel is selected based on their extensive knowledge of the Corporate Counsel profession. Panel members receive ongoing guidance to ensure compliance with the criteria and principles set forth in the Corporate Counsel Association RPL Policy. The effectiveness of the assessment process includes reviewing the fitness and suitability of panel members relative to these standards. Furthermore, panel members are chosen to represent a diverse range of sectors within the economy where Corporate Counsel and Corporate Legal Support Practitioners are employed.



8.4.5 Evaluation procedure

Applicants for any of the Corporate Counsel Association's certified Professional Designations must complete an application form. The application forms incorporate the criteria detailed in section 8.4.3 and reflects the expected range of activities and performance standards for the relevant designation level, consistent with the Corporate Counsel Association's RPL process. The evaluation process takes into account each applicant's prior learning and experience, thereby upholding the principles of Recognition of Prior Learning.

9. FORMS

Not applicable