

MEASUREMENT GUIDANCE NOTICE NO 1 of 2025

ISSUED BY LEGAL SECTOR CHARTER COUNCIL

ON

**CODE SERIES LSC 000 – LSC 401, ACCEPTABLE EVIDENCE REQUIRED FOR MEASUREMENT OF
LSMEs IN TERMS OF THE LEGAL SECTOR CODE**

The purpose of this Guidance Notice is to provide information required on the measurement of the LSC. This information is in addition to physical interviews conducted.

Description	Information and evidence required for LSC	Outcome
1. Paragraph 12 – Scope of Application		
1.1 Attorneys Paragraph 12.3.1 provisions on law firms, sole practitioners, partnerships, incorporated entities	• Proof of registration with the Legal Practice Council (LPC), including registered practice number	B-BBEE certificate and report except in the case of ELEs
1.2 Advocates Paragraph 12.3.1 provisions on advocate enrolments	• Confirmation of registration with LPC showing their name and individual registration number	
1.3 Organs of State and Public Entities The LSC shall be applicable to and binding on all organs of state and all public entities	• Proof of listing of the entity in Schedules () of the Public Finance Management Act no. 1 of 1999 and all organs of state, and/or • as constituted by individual statutes as applicable	
2. Measurement of LSMEs		

2.1 Measurement Period	• Obtain the latest signed Annual Financial Statements • Consolidated signed annual financial statements • Valid CIPC document	B-BBEE certificate and report
2.2 Eligibility to qualify as an ELE – Attorneys & Law firms: • For any ELE entity: • Proof of revenue for the Measurement period	• Sworn affidavit signed by managing partner stating race and certificate issued by the CIPC on an annual basis stating both annual revenue and Black ownership	B-BBEE Affidavit
2.3 Eligibility for enhanced recognition of ELEs with less than 51% Black ownership – Attorneys (LSC 000) • For Law Firms with less than 51% Black ownership. • Proof of qualifying contribution to LSC 300 or LSC 400 or LSTF.	• B-BBEE certificate limited to the relevant elements as indicated in LSC 000, measured in QSE scorecard • Proof of training, exposure to specialised areas of law Beneficiary Affidavit confirming receipt of training, mentorship or internship as may be applicable • proof of payment into the LSTF • Signed LSTF Depositor form • Must be measured in terms of the QSE Scorecard for the applicable elements	B-BBEE certificate on limited elements as indicated in LSC000
2.4 Eligibility to qualify as an ELE – Advocates • For ELE Advocates • Proof of revenue/fees or income in that measurement period	Sworn affidavit signed by Advocate stating race	B-BBEE Affidavit
2.5 New Entrants	Signed confirmatory affidavit from an independent accountant – confirming startup date;	New Entrant Affidavit
2.6 Eligibility to qualify as an QSEs – Attorneys/Law Firms • For QSE LSMES that are 51% Black Owned and Above.	• Sworn affidavit signed by managing partner/director stating race and certificate	B-BBEE Affidavit

• Proof of Black ownership and revenue	issued by the CIPC on an annual basis stating both annual revenue and Black ownership	
2.7 For any QSE LSMs that are less than 51% Black Owned	• B-BBEE Verification Certificate issued by SANAS accredited Verification Agency • Partnership agreement/s • Shareholders agreement/s • Registration and/or incorporation certificate • Company Ownership Structure signed and dated. • Financial Statements	B-BBEE certificate and report
2.8 Eligibility to qualify as an QSE – Advocates who are Black For any advocate whose total annual revenue is above R3 million but not more than R15 million • Proof of being a Black Person and total annual Revenue	• Sworn affidavit signed by Advocate stating race and annual revenue Black	B-BBEE Affidavit
•For any QSE Advocates who are not Black	• B-BBEE Verification Certificate issued by SANAS accredited Verification Agency for skills development	B-BBEE certificate for other advocates
2.9 Eligibility to qualify as a Large LSME – Attorneys Firms • Proof of Revenue	• Consolidated annual financial statements	B-BBEE certificate and report
2.10 Eligibility to qualify as an LSME for advocates with turnover above the QSE threshold • Proof of Revenue	• Annual financial statements	B-BBEE certificate and report
2.11 Measurement of LSMs pursuant to the provisions of paragraph 19.1 of the LSC – South African legal practice registered with the LPC, in terms of the provisions of the LPA	• Certified copy of the organogram or holding structure, including – where applicable, intra trade agreements • Signed Audited Annual Financial Statements	B-BBEE certificate and report

2.12 Measurement of LSMEs pursuant to the provisions of paragraph 19.2 – Submission of data to the DoL in terms of the Employment Equity Act 55 of 1998 (designated Employers)	• EE2 and EE4 forms intended for the Employment Equity Commission • Confirmation of submission to the DOL	B-BBEE certificate and report
3. LSC 100 Ownership Attorneys		
3.1 Exercisable voting rights in the hands of Black practitioners, Black women practitioners and practitioners from designated categories.	• Written confirmation of all practitioners categorized by race, gender, disability status, and voting rights percentage, including designated categories • Share registers as at measurement date signed and dated • Share certificates • Shareholder agreements/Partnership agreements • Certified Copies of IDs of all equity directors/partners. For QSEs certified copies of IDs of all directors • Affidavits from Black equity directors/partners confirming voting rights and economic interests • Beneficial Ownership register • Organogram • MOI if incorporated LSME/ partnership agreement	B-BBEE certificate and report
3.2 Economic interests in the hands of Black practitioners and Black women practitioners	• Written confirmation of all practitioners categorized by race, gender, disability status, and economic interest percentage, including designated categories • Confirmation of declared dividends/distribution (if a partnership) • Proof of dividends paid to and received by Black equity directors/partners and in the case of QSEs by directors	B-BBEE certificate and report

	• Affidavit by Black equity directors/partners confirming receipt of dividends/distribution	
3.3 Ownership by designated categories	• Proof of disability from medical practitioner (where applicable) • EEA1 • Proof of residence and area where the beneficiary resides (aligned to the definition of rural) • Certified copy of ID	B-BBEE certificate and report
4. Management Control		
4.1 LSC 200 – Measuring Management control for QSEs • Participation of Black practitioners, Black women practitioners and those from designated categories on the board of the QSEs	• Written confirmation of all practitioners categorized by race, gender, disability status, and voting rights percentage – further indicate whether they are a partner/board member or EXCO, also include other designated categories • Minutes of board/partner meetings (most recent) or of executive committee meetings where relevant • Shareholder agreements • Performance agreements if they exist • CIPC registration certificate • Certified copy of IDs of all directors/partners • Employment Contracts/Appointment Letter	B-BBEE certificate and report
• Percentage of executive, senior and junior management participation of Black people in these categories	• Written confirmation of all practitioners categorized by race, gender, disability status, and management level • Company Organogram and total number of attorneys in management positions • Employment contracts / Appointment letters • Payroll	

	• Certified copy of ID or Passport – Affidavit where such is missing or lost • EEA1 • Only legal practitioners registered as such with the LPC may be listed as top, executive, senior, middle and junior management in the legal sector. • Employment Contracts/Appointment Letter	
4.2 LSC 201 - Measuring Management control for Large LSMEs • Percentage of Black legal practitioners and Black women practitioners participating in the Board of an LSME	• Written confirmation of all legal practitioners categorized by race, gender, disability status, and voting rights percentage – further indicate whether they are a partner/equity director • Shareholder/partnership agreements • Performance contracts • CIPC registration certificate for directors • Minutes of Board meetings (most recent) • Minutes of executive committee meetings (most recent) • Appointment Letters • Affidavit by Black legal practitioners confirming equity and voting rights	
• Percentage of Black practitioners, Black women practitioners and practitioners from designated categories on the executive management, heads of departments, senior and junior managements of the Large LSMEs.	• Written confirmation of all practitioners categorized by race, gender, disability status, and management level • Employment contracts / Appointment letters • Performance agreements • Company Organogram and total number of legal practitioners in management • EEA1 Only legal practitioners registered as such with LPC may be listed as board members, members of executive, heads of	

	departments/practice heads, middle and junior management • Confirmation by Black practitioners	
• Appointment of Black people in the supporting roles and other consulting staff, who are not legal practitioners, as part of the total number of non-legal employees in the Large LSME	• The total number of non-legal employees on the payroll of the LSME categorized by race and gender • Payment parities and policies • Organogram and role functions • Employment Equity reports EEA2 & EEA4 and proof of submission • Confirmation by Black people in these roles	
5. Skills Development		
5.1 LSC 300 – Measuring compliance with the Skills Development elements in the LSC • When measuring initiatives and contributions pursuant to the provisions of paragraph 29.1 – 29.15 of the LSC and specifically initiatives issued in terms of paragraph 29.9 of the LSC	• 12 Months EMP 201s and EMPsA • Proof of training as per the training matrix	
5.2 LSC 300.1 – Attorney Firms: Measuring the expenditure of the QSEs on the training of the number Black Candidate Legal Practitioners (CLPs) as a % of the leviable amounts.	• Written confirmation of all candidates categorized by race, gender and disability status • Proof of CLP registration • Practical vocational training contracts registered with LPC for all CLPs • Certified ID copies of Black CLPs • Proof of expenses paid and incurred towards Training Invoices and proof of payments • Proof of training programmes enrolled • Proof of training as per the training matrix • Payslips for the period if salary is claimed	B-BBEE certificate and report
5.3 LSC 300.2 – Measuring the expenditure incurred by both the QSEs and the Large	• Proof of expenses paid and incurred on training Providers/ Institutes	

LSMEs for expenditure incurred in the training of Black CLPs and admitted Black legal practitioners in specialized areas of the law.	• Proof of training programmes enrolled • Proof of training material and equipment paid for. • Proof of training as per the training matrix • Confirmation of training received by trainee categorized by race, gender and disability status	
5.4 LSC 300.3 – Measuring the spend incurred by both the QSEs and Large LSMEs in training of Practice Management Training & Trial Advocacy, and any other Post-Admission Courses for Black legal practitioners and CLPs	• Written confirmation of all training in Practice Management Training & Trial Advocacy, and any other Post-Admission Courses categorized by race, gender, and disability status • Proof of registration issued by the PMT center or training facility in instances of other types of training • Proof of attendance and confirmation of attendance by beneficiary attendee.	
5.5 LSC 300.4 – Measuring the implementation of internships and vocational placement programmes	• Written Confirmation of all interns and vocational placement programme beneficiaries categorized by race, gender and disability status • Certified copies of ID of mentees and interns – Affidavits where these are misplaced or lost. • Internship contracts or letters of acceptance • Interns Payslips • Confirmation by Black interns and beneficiaries of the vocational placement programme	

5.6 LSC 300.5 – Measuring initiatives that seek to retain and absorb Black CLPs as a : • Percentage of the total number of CLPs who have been absorbed by the LSMs PVT by both QSEs and Large SMEs • Measuring the payment of monthly top-ups as remuneration of CLPs by the QSEs in instances where such QSE receives a SASSETA stipend for CLPs that they are training. (Note these bonus points are not available for large LSMs).	• Letters of appointment or employment agreement with newly admitted attorney • Statement of confirmation by the entity to confirm the total number of CLPs absorbed. • Proof of Top up payments in instances of SASSETA or other funding, and confirmation of receipt by the receiving beneficiary. • Proof of training.	
5.7 LSC 300.6 – measuring the expenses incurred in training of members of support staff from designated categories	• Written confirmation of all training expenditure categorized by race, gender and disability status • Certified copies of IDs of members of support staff • Invoices and proof of payments to the training institution • Confirmation of attendance from the Black trainee of such training • Proof of residence and area where the beneficiary resides.	
5.8 LSC 301.1 – Advocates: Measuring the initiatives undertaken by advocates in the training of Black juniors including from designated areas. Contribution to LSTF in lieu of expenditure on recognisable training and tutoring of Black junior advocates	• Written confirmation of all advocates in the training of Black juniors categorized by race, gender and disability status. • Proof of training • Confirmation by beneficiary recipient • Certified copies of IDs • Proof of residence and the area where the beneficiary resides based on definition of rural areas. • Attendance registers to confirm the number of hours spent. • Proof of payment to the LSTF in lieu of training Such proof must be a bank	

	guaranteed proof of payment and completion of • Signed LSTF Depositor form	
5.9 LSC 301.2 – Measuring mentorships. Bonus points for Senior Counsel contributing to the LSTF in lieu of training	• Written confirmation of all mentees categorized by race, gender, disability status and hours spent with mentor • Attendance registers to confirm the number of hours spent where applicable • Evidence of other forms of mentorship • Confirmation affidavits by Black beneficiary recipients • Proof of payment to the LSTF. • Signed LSTF Depositor form	
5.10 LSC 301.3 – Measuring training and other initiatives by Voluntary Associations that are accredited by the LPC or individual advocates for purposes of training junior advocates in the specialized areas of the law.	• List of all training & initiatives by Voluntary Associations categorized by race, gender and disability status. • Attendance registers and proof of attendance by Black junior advocates • Confirmation affidavits by beneficiary recipients • Confirmation of payments and proof of payments where applicable	
6. Preferential Procurement, and Enterprise Development (PSED)		
6.1 LSC 400 – Measuring the procurement of legal services from Black advocates	• Audited Trust accounts for the measurement period showing total fee expenditure on advocates/ and any other documentation. • Written schedule of all payments to advocates and an indication on such schedule, of payments to Black advocates specifically and percentage of such expenditure of total fee expenditure on advocates. • Invoices from Black advocates • Proof of payments to Black advocates	B-BBEE certificate and report

6.2 Measuring the procurement of goods and services that support the business of LSMEs, who are 51% Black owned by both QSEs and Large LSMEs • 51% Black ownership	• ELE or QSE Affidavits • B-BBEE Certificates for Large LSMEs • Proof of purchase • Order numbers of Service Level Agreements (SLAs) • Confirmation of purchase by the beneficiary entities • Written confirmation of all Suppliers and Service Providers with the total amount spent and their B-BBEE information • Certified copies of IDs if individual service provider	
6.3 Measuring Enterprise initiatives that are aimed at partnering, Joint Venturing and Sub-contracting of ELEs and Black-owned LSMEs to build capacity and skills transfer • Black ownership and designated categories	• Written confirmation of all Suppliers and Service Providers participating in these initiatives, with the total amount spent • ELE Affidavit in instance of sole proprietor • QSE affidavit or large LSME B-BBEE certificate • Copy of SLA with client if applicable • Sub-contracting agreements and Joint Venture Agreements • Written confirmation by Black LSME of participation and quantum and nature of benefits received – signed by participating member	
6.4 LSC 401 – Measuring public sector procurement of legal services from LSMEs and Advocates	• Instruction letters from Legal Departments or State Attorney or proof of expenditure on Black LSMEs	
6.5 Measurement of legal services procured from Black LSMEs including from Black advocates	• Instruction of Black LSMEs and Black advocate • Confirmation of payments to LSMEs and Advocates • Confirmation affidavit of benefit by Black LSMEs and advocates	LSCC to develop a template of such to accompany the BBBEE certificate & report

