

# APPLICATION FOR PUPILLAGE OR EXEMPTION

Schedule 1 entitled 'Information for Applicants' ('the information schedule') constitutes an integral part of this application form. The information schedule sets out necessary requirements for the proper completion of this form. It is accordingly **essential** that you read and understand its contents. Kindly do so before you start filling in this form and before you ask any questions about the application process.



*The marginal notes, if any, next to certain questions in this form refer you to specific paragraphs in the information schedule.*

**I hereby apply for pupil membership of the Society of Advocates of Namibia or for the exemption therefrom. In this form the 'Bar Council' refers to the Bar Council of the Society of Advocates of Namibia.**

## **ABOUT THE APPLICANT**

1.	Full name:	
	Name by which you prefer to be called:	
2.	Home address (physical):	
	Telephone number (home):	
	Mobile number:	
	Email address to be used in all correspondence:	
3.	Work address:	
	Phone number:	
4.	Date of birth:	
5	Nationality:	
	5.1 By birth / by descent / by naturalisation	SELECT WHAT IS APPLICABLE
	5.2 If you are a Namibian citizen by naturalization, on what date did you obtain Namibian citizenship?:	
	5.4 If you are not a Namibian citizen, provide full particulars of your immigration status and your right to reside in Namibia:	
6.	Are you disabled?	CIRCLE APPLICABLE ANSWER – YES / NO
	If you are disabled, provide details:	

## **ACADEMIC QUALIFICATIONS AND ACHIEVEMENTS**

7. Provide the following details of your tertiary academic qualifications:
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Degree / other qualification:	Name of university / other institution:	Date of graduation:

8. Provide details of any academic publications or other academic achievements:


**PREVIOUS EXPERIENCE**

9. Provide the following details, in chronological order, of all your activities since leaving high school (including study, employment, occupation, travelling, unemployment, etc):

Institution / organisation / firm company	Activity / position also state whether full time (FT) or part time (PT)	Date from (yyyy-mm)	Date to: (yyyy-mm)	Duration (eg. 3 years & 2 months)

10. Provide details of previous legal experience other than that set out in the above table:


11. If you were a practising legal practitioner, estimate what percentage of your practice involved litigation work:

	.....%
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## **ADMISSION AS LEGAL PRACTITIONER / OTHER PUPILLAGE**

12. Date on which you were admitted as legal practitioner:	
13. Apart from the answer provided in 12 above, give particulars of any previous-	
13.1 Membership of any Bar or 13.2 application for membership of any 13.3 Bar:	
13.4 Pupillage served at any Bar or 13.5 pupillage applied for at any Bar:	

## **PUPILLAGE**

14. Do you wish to apply for exemption from any of the requirements of pupillage?	CIRCLE APPLICABLE ANSWER – <b>YES / NO</b>
If so, indicate which requirement and what period, and why:	
15. Do you have any preference as to who your pupil master should be?	CIRCLE APPLICABLE ANSWER – <b>YES / NO</b>
15.1 If so, give his or her name:	
15.2 Indicate whether or not you have approached your preferred pupil master and whether or not your preferred pupil master has indicated his/her willingness and availability to serve as your pupil master:	

## **AFTER PUPILLAGE OR EXEMPTION**

16. Do you intend to practise on completion of your pupillage or exemption thereof as a member of the Society of Advocates of Namibia?	CIRCLE APPLICABLE ANSWER – <b>YES / NO</b>
16.1 If the answer is “no”, set out details what you propose to do:	
16.2 If the answer is “yes”, when do you intend to start practice:	

**REFERENCES**

17. Please furnish the name(s) and contact detail(s) of two person (preferably local persons to whom the Bar Council can refer:	
17.1 Name:	
Adress	
Phone number:	
E-mail:	
17.2 Name:	
Address:	
Phone number:	
Email:	

**FULL DISCLOSURE**

18. Have you ever been investigated for or faced charges of misconduct, dishonesty or other improper conduct, <i>inter alia</i> , in relation to your employment, profession or university studies or have you ever been investigated for or faced criminal charges or have you ever been arrested or paid an admission of guilt fine (other than for minor traffic violation or has any hearing, tribunal or court ever made a finding against you?	CIRCLE APPLICABLE ANSWER – <b>YES / NO</b>
If so, give details:	
19. Make full disclosure of all further facts, circumstances or information which may have a bearing upon your fitness to undertake pupillage or to practice as legal practitioner or which the Bar Council should have order to consider your application.	

**MOTIVATION**

20. In fewer than **150 words**, explain why you believe you would make a good member of the Society of Advocates of Namibia:

### **DECLARATIONS AND UNDERTAKINGS**

#### **21. I DECLARE THAT:**

- 21.1 The information provided in this application is true and correct.
- 21.2 I have not been guilty of any dishonest or improper conduct or other conduct which may render me unsuitable or disqualify me from being admitted as a member of the Society of Advocates of Namibia. No investigation relating to any such conduct is being considered or is pending.
- 21.3 No fact, circumstance or information which ought to be considered by the Bar Council in order to enable it to decide upon my fitness to be admitted as a pupil member or member has been withheld by me.
- 21.4 I have read and understood the information contained in the attached information schedule.
- 21.5 I accept and agree to be bound by the conditions and requirements of application for pupillage and/or membership of the Society of Advocates of Namibia has set, including those contained in this application form and the attached information schedule.
- 21.6 I attach to this application each of the documents which are list and required in the information schedule.

**22. I UNDERTAKE THAT:**

- 22.1 During my pupil membership and/or membership, I shall abide by the Constitution and Rules of the Society of Advocates of Namibia, as well as any directions and decisions of the Bar Council.
- 22.2 Save to the extent that I may in law be compelled to do so, I will not, during or after the period of my pupillage, disclose to any person any information obtained by me during the course of my pupillage concerning the affairs of my pupil master or any other advocate with whom I might work as a pupil or concerning the affairs of any client.

.....  
**SIGNATURE OF APPLICANT**

.....  
**DATE**

Schedule 1

**INFORMATION FOR APPLICANTS - SCHEDULE 1**  
(‘The Information Schedule’)

**COMPLETION AND SUBMISSION OF APPLICATIONS**

- 23. You are requested, but not required, to complete the application form in **bold** typewriting on a word processor (Microsoft Word).
- 24. If you are completing the application form on a word processor and the form does not provide enough space for you to fully answer any particular question then continue typing each answer until it is complete (and delete any dotted lines).
- 25. If you are completing the application form by hand and the form does not provide enough space for you to fully answer any particular question then use a separate page. If you use a separate page, ensure that (a) this fact is clearly stated under the relevant question on the application form itself and (b) the answer on the separate page is headed with the corresponding question number.
- 26. Each application must be accompanied by a non-refundable application fee. Payment must be made to Society of Advocates of Namibia. See the requirement in paragraph 27.
- 27. The following annexures must be attached to this application, **failing which your application will not be considered:**
  - 27.1 Printed confirmation of EFT in the amount of **N\$750.00;**

- 27.2 A recent passport photograph securely glued (but not stapled) to the designated space on page 1;
- 27.3 A certified copy of your identification document or passport;
- 27.4 A certified copy of your degree certificate(s) (if you have graduated);
- 27.5 A certified copy of your **academic record** showing all marks or other results obtained towards your final academic degree, i.e. LLB or other recognized degree(s). Without this information, the Bar Council will not be able to assess your application;
- 27.6 A certified copy of the court order admitting you as a Legal Practitioner of the High Court of Namibia.
28. An application will be considered only if it is received in **hard copy with all required annexures** are delivered at the office of the **Secretary-General** of the Society of Advocates of Namibia. The application form is required in hard copy, *inter alia*, to ensure authenticity of your signature, quality of your photo and to provide the Society of Advocates of Namibia with the necessary number of copies.
29. The closing time for applications is **16:30** on the **last working day of MAY** in the year preceding the year of pupillage. A working day is a day other than Saturday, Sunday or public holiday.
30. Save in exceptional circumstances, no application received after the closing time will be considered. It is therefore in your interests to not leave the completion and submission of your application to the last minute. Rather ensure that the Secretary-General of the Society of Advocates of Namibia has received your application well before the closing date.

### **NOTIFICATION OF ANY CHANGE TO CONTACT DETAILS**

31. You are required to immediately notify the Secretary-General of the Society of Advocates of Namibia of any changes to your contact details (address, phone number(s), fax number and e-mail address).
32. You will be deemed to have received a communication sent to your address, e-mail address on record. For example, after a notice of the date, time and venue for any interview has been sent to your address, or e-mail address on record, the Society of Advocates of Namibia will not follow up with you to establish whether or not you in fact received such notice.
33. Your duty to immediately notify the Secretary-General of the Society of Advocates of Namibia of any changes to your contact details lasts throughout your period of pupillage, should your application be successful.

### **ASSESSMENT OF APPLICATIONS**

34. The timeous submission of a complete application form does not guarantee that the Bar Council will necessarily accept your application.

- 34.1 If the number of applications for pupil membership of the Society of Advocates of Namibia exceeds the number of available places in any particular year, then some applications will, unfortunately, be turned down.
- 34.2 The selection criteria are: academic results and other academic achievements, relevant previous experience, aptitude and motivation to be an advocate, nationality, race, sex and disability status. The order in which these criteria have been listed here do not necessarily indicate the weighting that they will be given as these criteria will be applied with due regard to the principle stated in paragraph 34.5 *infra*.
- 34.3 The application and weighting of the abovementioned criteria will be in the sole and unfettered discretion of the Bar Council.
- 34.4 Irrespective of the number of available places, the Society of Advocates of Namibia may turn down your application if it decides that you are not a suitable candidate for pupillage.
- 34.5 To promote the transformation of the Society of Advocates of Namibia to better reflect the composition of society, preference may be given to applicants who are (a) historically disadvantaged individuals; (b) female; or (c) disabled.
35. The Bar Council may require you to be interviewed prior to taking a decision on your application and your failure to attend will be regarded as a withdrawal of your application.
36. The Bar Council will inform you of the outcome of your application by end of **July**.

### **DURATION OF PUPILLAGE**

37. Unless you are granted an exemption, pupillage commences on **01 SEPTEMBER** each year (or the following business day if **01 SEPTEMBER** falls on a Saturday, Sunday or public holiday). Pupillage terminates on such date the Bar Council may determine. The normal duration of pupillage is a period of 8 (eight) months.
38. Should you be admitted to the pupillage programme but not fulfil the requirements of the programme, the Bar Council may extend the period of your pupillage.
39. The Bar Council may terminate the pupillage of a pupil for any good reason, including:
- 39.1 misconduct or inappropriate conduct;
- 39.2 a failure to meet the compulsory requirements of the pupillage program; or
- 39.3 other conduct (whether or not such conduct constitutes a disciplinary offence) which disrupts, disturbs or interferes with the functioning or work of a court, the Bar or the pupillage programme or any person including the pupil's master, another member of the Bar or another pupil.
40. As part of your pupillage you will be required to do two months service at the High Court of Namibia, subject to and under such conditions as the Judge President may determine.

## **ADMISSION AS A LEGAL PRACTITIONER**

41. Before you start your pupillage you must be an admitted Legal Practitioner in terms of the Legal Practitioners Act 15 of 1995 or the governing laws.

## **EXEMPTION FROM THE REQUIREMENTS OF PUPILLAGE**

42. If you wish to apply for an exemption from any requirement of pupillage, fully motivate all the facts relied upon to support your application. Use separate page(s) to do so.
43. For your information it is noted that exemptions are granted sparingly and it remains the Bar Council's sole and unfettered prerogative to decide thereon.

## **PUPIL MASTER**

44. You are encouraged to ascertain from a member of the Society of Advocates of Namibia whether that member would be willing to be your master in the event that your application succeeds. Note that senior counsel are never appointed as masters and that, absent prior relevant experience, members of less than five years standing are generally not appointed as masters.
45. The decision on the allocation of your master rests with the Bar Council and while your preference, if any, will be taken into account, the fact that a member may be willing to be your master does not necessarily mean that you will be allocated to that member. Likewise, the fact that a member may be willing to be your master does not necessarily mean that you will be offered a place in the pupillage programme.
46. It is **not** essential that you arrange for someone to be your master. If you do not or cannot arrange for an advocate to be your prospective master, the Bar Council will allocate a suitable member to be your master.

## **FINANCIAL SUPPORT**

47. The Bar Council may, if in a financial position to do so, provide limited financial support to some pupils during their pupillage. The nature and amount of support available will be within the sole and unfettered discretion of the Bar Council. Should you wish to apply for financial support, please apply to the Bar Council in writing.
48. The nature and amount of support available will be in terms of, and guided by, the Financial Assistance Policy of the Society of Advocates and shall be within the sole and unfettered discretion of the Bar Council.
49. The Bar Council will decide each application on a range of considerations including the merits of each individual's application, an applicant's financial needs, the availability of funds, transformation policy objectives ( race and gender), other relevant policy considerations which the Bar Council considers relevant at the time.

50. You should not assume that you will be successful in applying for such support. You remain responsible to ensure that you have sufficient financial resources available to you during and after the pupillage program.
51. Should you wish to apply for financial assistance, please fill in the financial assistance application form in Schedule 2. The following important conditions apply to the application for financial assistance:
  - 51.1 the warnings in the accompanying declaration which you must sign apply to applications for financial assistance;
  - 51.2 every item in Schedule 1 must be answered;
  - 51.3 an incomplete application may not be considered;
  - 51.4 your application for financial assistance will be kept confidential;
  - 51.5 the application for financial assistance must accompany your application for pupillage;
  - 51.6 if your financial circumstances improve at any stage change during pupillage you must immediately inform the Bar Council.
52. An application for financial assistance will not prejudice your application for admission to the pupillage programme, provided it is honest, accurate and complete in every respect. It is in your interests that you disclose in your pupillage application the financial arrangements you have made for pupillage. Information provided in this application will be considered when an application for financial assistance is evaluated.
53. The outcome of the application for financial assistance from the Society will be communicated to you as soon as reasonably possible.”

### **FULL DISCLOSURE REQUIREMENTS AND INVESTIGATIONS BY THE BAR COUNCIL**

54. You must make full disclosure of each particular matter mentioned in **paragraph 18**, and in **paragraph 19**, and of any further facts, circumstances or information which may have a bearing upon your fitness to undertake pupillage or to practise as a member of the Society of Advocates of Namibia in order to consider your application. You must disclose any traffic-related offences for which a term of imprisonment without the option of a fine could have been (but was not necessarily) imposed. This includes driving under the influence of alcohol or drugs, driving with excessive alcohol in the blood and/or breath specimen taken and negligent or reckless driving.
55. The Bar Council may seek to verify any information contained in this form and may investigate any matters about which, in the view of the Bar Council, disclosure ought to be made. Such investigations may extend beyond the references that you provide. By making this application you consent to any such investigation.
56. Your duty to make full disclosure is taken very seriously. Should it be found that you failed to make full disclosure, your application may be dismissed or your pupillage may be terminated for that reason alone.

### **MOTIVATION**

57. The Bar Council will use your answer to **question 20** to assess *inter alia* your knowledge of the work of a member of the Society of Advocates of Namibia, your writing skills and your ability to concisely convey an idea.

### **PARTICULAR APPLICATION REQUIREMENTS**

58. Applications for pupillage at the Society of Advocates of Namibia must be directed to the chambers of the:  
The Secretary-General  
Society of Advocates of Namibia  
Windhoek  
Also email your scanned application: [socadv@afol.com.na](mailto:socadv@afol.com.na)  
Copies also to [retha@steinmann.com.na](mailto:retha@steinmann.com.na) / [evashifotoka@gmail.com](mailto:evashifotoka@gmail.com)
59. An application will be considered by the Society of Advocates of Namibia only if received in hard copy and **e-mail** with all required annexures at the above office at or before the closing time stated in paragraph 29 above.
60. Each application to the Bar Council must be accompanied by a non-refundable application fee of **N\$750,00**.
- 60.1 The application fee must be paid either by means of electronic funds transfer (EFT) or by means of cheque. **No cash will be accepted.**
- 60.2 Payment of the non-refundable deposit made to the Society of Advocates of Namibia by EFT must be made into the bank account of the Society of Advocates of Namibia, the details of which can be obtained from the Society's Manager and/or the office of the Secretary-General of the Society of Advocates of Namibia, using your last name and initials as the reference. Printed confirmation of EFT **must** be attached to the application form.

### **NOTE:**

61. The applicant for pupillage is directed to the Constitution of the Society of Advocates of Namibia (latest revision) as well as the Rules of the Society of Advocates of Namibia (latest revision).
62. The Society of Advocates of Namibia reserves the right to, at any time and upon becoming aware of any actions and/or omissions not previously disclosed to the Society of Advocates of Namibia by the applicant and/or of any information pertaining to the applicant which was previously not available to either the applicant or the Society of Advocates of Namibia which in turn could indicate to actions or omissions which in turn are an infringement of the Rules and/or Constitution of the Society of Advocates of Namibia to, in those instances, invite the candidate to make representations (*vis a vis* to be heard) in respect to the possibility of revisiting any decision made previously to admit the applicant as a pupil advocate or as a member.”

**FINANCIAL ASSISTANCE POLICY - SCHEDULE 2**  
**(The Financial Schedule)**

**APPLICATION FOR FINANCIAL ASSISTANCE FOR PUPILS / JUNIOR MEMBERS**

*Complete the form in Schedule 1 only if you are applying both for pupillage and for financial assistance*

**A. Nature of application**

1. State what financial assistance you need:

.....  
.....

**B. Personal Particulars**

2. Address at which you will be residing during pupillage/your first two years of practise and with whom, if anyone, will you be residing

.....  
.....

3. Do you have access to a motor vehicle? If so, details of make and model?

.....

4. How do you intend travelling to chambers during pupillage/your first year of practise?

.....

5. Names of dependants (if any):

Name	Relationship	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**C. Education**

6. How did you pay for your studies? Parental support / other .....

If other, give particulars:

.....

7. If you received a bursary, loan or other sponsorship, give full details, including the total amounts:

.....

.....

8. Did you have to repay loans/bursaries? If so, are you still making payments and if so, how frequently and how much is each payment, and how much is still outstanding?

.....

.....

.....

**D. Previous employment**

9. Details of any benefits received from previous employment:

Pension: N\$.....

Provident fund: N\$.....

Other: N\$.....

*Please complete, in addition, Table 'A' below.*

**E. Financial Particulars**

Personal Assets

10. Describe any immovable property registered in your name: .....

.....

VALUE: N\$.....

11. Do you or your spouse/partner have an interest in any business, including family business?

Yes  No

If so, provide full details of the name and type of the business(es), the nature and extent of the interest, including the amount of income derived from the business or the value of any other benefit:

.....

12. Are you the beneficiary of any trust(s)? If so, provide details:

.....

13. Estimate the value of your movable assets including clothes, jewellery, household furniture and appliances, books and legal text books

VALUE: N\$.....

14. Total savings / investments of any nature (formal, informal or investments into assets of any kind)

- yourself VALUE: N\$.....

- your spouse / partner VALUE: N\$.....

- parents VALUE: N\$.....

Income

*Attach certified copies of **salary slips and three months' bank statements***

15. What was your total pre-tax income for the past twelve months?

N\$.....

Source(s) of pre-tax income for the past twelve months.....

16. Your expected pre-tax income during your year of pupillage/first two years of practise from all sources:

<b>Source</b>	<b>Amount</b>
(a) .....	N\$.....
(b) .....	N\$.....
(c) .....	N\$.....

17. Your spouse/partner's expected total pre-tax income during your year of pupillage/first two years of practise:

N\$.....

18. Have any other individuals (including parents, spouse or partner) provided you with financial support in the past five years and/or are willing and able to do so now?

Yes  No

If so, describe the relationship of this/these individual(s) to you:

.....

What is their expected total pre-tax income during your year of pupillage:

N\$.....

*Attach certified copies of three months' bank statements for each of these accounts or facilities.*

19. How many bank accounts or banking finance facilities do you have access to, whether in your name or not (including personal, business or otherwise)? .....

20. Provide the following details for each of those accounts and facilities:

Name of bank: .....

Account number: .....

Branch: .....

Main purpose(es) of account (eg. personal, business): .....

21. **Please note:** you must attach certified copies of salary slips and three months' bank statements.

22. Are you receiving, or have you applied for any other financial assistance? If so, from whom, and what is the amount?

(a) ..... N\$.....

(b) ..... N\$.....

(c) ..... N\$.....

23. Should your application for financial assistance not be successful, how do you intend supporting yourself during your pupillage?

.....

.....

**FINANCIAL DECLARATION**

**( the Financial declaration schedule in respect of schedule 2)**

*(This declaration is only to be completed if you are applying both for pupillage and for financial assistance)*

I declare that the information provided by me in this application for financial assistance, is true and correct.

I undertake to advise the Bar Council in writing in the event of any material change in the information supplied. I hereby grant approval to the Bar Council to investigate the aforesaid information and hereby grant my consent to anybody approached to provide confidential information to the Bar Council.

.....  
**APPLICANT'S SIGNATURE**

.....  
**DATE**

*A witness must be a parent, guardian, spouse, partner or other person who can attest to the correctness of the financial information you have submitted.*

**FIRST WITNESS**

Full name .....

Residential address .....

.....

Relationship to applicant: .....

.....

**SIGNATURE**

.....

**DATE**

**SECOND WITNESS**

Full name .....

Residential address .....

.....

Relationship to applicant: .....

.....

SIGNATURE

.....

DATE

**TABLE A: LIST OF ASSETS**

		<b>YOURSELF</b>	<b>SPOUSE/ PARTNER</b>
1.	Realisable assets	N\$	N\$
2.	Moveable assets	N\$	N\$
3.	Immovable assets	N\$	N\$
4.	Incorporeal assets	N\$	N\$
5.	Bank accounts:		
	(a) .....	N\$.....	N\$.....
	(b) .....	N\$.....	N\$.....
	(c) .....	N\$.....	N\$.....
6.	Unit Trust account	N\$	N\$
7.	Endowment policies	N\$	N\$
8.	Motor vehicle	N\$	N\$
9.	Time share	N\$	N\$
10.	Other assets (give full details)	N\$	N\$
	1.	N\$	N\$
	2.	N\$	N\$