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Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

THE NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO. 1355

Mr M J Cuthbert (DA) to ask the Minister of Trade, Industry and Competition:

- (1) Whether he will furnish Mr M J Cuthbert with a list of legal service providers who have rendered legal services on a consultancy and/or other basis to the National Lotteries Commission (NLC) over the past five financial years; if not, why not; if so, what are the relevant details;
- (2) whether he will furnish Mr M J Cuthbert with a list of lawyers and/or law firms that are part of the NLC's selection panel of legal practitioners that are regularly used for legal matters involving the NLC; if not, why not; if so, what are the relevant details;
- (3) whether a certain firm and/ or person (names furnished) has ever rendered services to the NLC in any of the above specified capacities; if not, what is the position in this regard; if so, what are the relevant details? NW1725E

REPLY

I have been furnished with a reply to the question submitted, by Ms Thabang Mampane, Commissioner of the National Lotteries Commission, which is reproduced below.

Reply by the National Lotteries Commission, Ms Thabang Mampane:

- (1) "The panels for the past financial years (2015/16 to date) were established following a supply chain process as prescribed by the Public Finance Management Act (No.1 of 1999 as amended) ("PFMA"), National Treasury Regulations- Practice Notes, Instructions, Circulars and Letters, Preferential Procurement Policy Framework Act (No. 5 of 2000) ("PPPFA") and Regulations,

2011, Broad Based Black Economic Empowerment Amendment Act (No. 46 of 2013, amongst other legislation, as well as NLC's Supply Chain Management Policy. The NLC's panel of attorneys list for the past financial years (2015/16 to date) are detailed as below. The NLC did not have a panel prior to the years depicted herein."

Table 1:

Bid Number	Name of Legal Firm	Duration	End-Date
RFP/2013-4HL	M.L Mateme Incorporated (PTY) LTD	36 Months	1-May-17
RFP/2013-4HL	Gildenhuis Malatji Incorporated	36 Months	1-May-17
RFP/2013-4HL	Routledge Modise Attorney (T/A Hogan Lovells)	36 Months	1-May-17
RFP/2013-4HL	Rooth and Wessels Incorporated (PTY) LTD	36 Months	1-May-17
RFP/2013-4HL	Maponya Inc	36 Months	1-May-17
RFP/2013-4HL	Denga Incorporated (PTY) LTD	36 Months	1-May-17
RFP/2013-4HL	Poswa Incorporated	36 Months	1-May-17
RFP/2013-4HL	Adams & Adams	36 Months	1-May-17
RFP/2013-4HL	Ngeno & Mteto Inc	36 Months	1-May-17
RFP/2013-4HL	Malebye Incorporated	36 Months	1-May-17

Table 2:

Bid Number	Name of Legal Firm	Duration	End-Date
NLC/2017-3	Raphela Inc Attorney	36 Months	22-Aug-20
NLC/2017-3	Padi Inc	36 Months	22-Aug-20
NLC/2017-3	Nozuko Nxusani Inc	36 Months	22-Aug-20

Bid Number	Name of Legal Firm	Duration	End-Date
NLC/2017-3	Morare Thobejane Inc	36 Months	22-Aug-20
NLC/2017-3	Moche Attorneys	36 Months	22-Aug-20
NLC/2017-3	Malebye Motaung Mthembu Inc	36 Months	22-Aug-20
NLC/2017-3	Manong Pilane Mokotedi Inc	36 Months	22-Aug-20
NLC/2017-3	Diale Mogashoe Inc	36 Months	22-Aug-20
NLC/2017-3	Ndobela Lamola Inc.	36 Months	22-Aug-20

Table 3:

Bid Number	Name of Legal Firm	Duration	End-Date
NLC/2019-2	Malatji Kanyane Inc	36 Months	31-Aug-22
NLC/2019-2	Spoor & Fischer	36 Months	31-Aug-22
NLC/2019-2	Moeti Kanyane Inc	36 Months	31-Aug-22
NLC/2019-2	Gildenhys Malatji Inc	36 Months	31-Aug-22
NLC/2019-2	Cheadle Thompson & Hayson Inc	36 Months	31-Aug-22
NLC/2019-2	Ramushu Mashile Twala	36 Months	31-Aug-22
NLC/2019-2	Mfenyana Attorneys	36 Months	31-Aug-22
NLC/2019-2	Lannard Paul Cowen	36 Months	31-Aug-22
NLC/2019-2	Mathopo Mashimane Mulangaphume	36 Months	31-Aug-22
NLC/2019-2	Poswa Inc	36 Months	31-Aug-22
NLC/2019-2	Hogan Lovells	36 Months	31-Aug-22
NLC/2019-2	Maphosa Attorneys	36 Months	31-Aug-22

- (2) “The NLC’s panel of attorneys regularly used for legal matters involving the NLC depends on their areas of expertise/legal scope and/or availability including urgency, where applicable. The issue of capacity and/or resources are considered while an attempt is made to reach as many as possible. On the list below, all but two law firms have done work for the NLC. Since this is a panel, the NLC endeavours’ to ensure that as many law firms as possible are allowed the opportunity to do work, though this is not a guarantee. The details are as follows:”

Table 4:

Bid Number	Name of Legal Firm	Duration	End-Date
NLC/2017-3	Raphela Inc Attorney	36 Months	22-Aug-20
NLC/2017-3	Padi Inc	36 Months	22-Aug-20
NLC/2017-3	Nozuko Nxusani Inc	36 Months	22-Aug-20
NLC/2017-3	Morare Thobejane Inc	36 Months	22-Aug-20
NLC/2017-3	Moche Attorneys	36 Months	22-Aug-20
NLC/2017-3	Malebye Motaung Mthembu Inc	36 Months	22-Aug-20
NLC/2017-3	Manong Pilane Mokotedi Inc	36 Months	22-Aug-20
NLC/2017-3	Diale Mogashoe Inc	36 Months	22-Aug-20
NLC/2017-3	Ndobela Lamola Inc.	36 Months	22-Aug-20
NLC/2019-2	Malatji Kanyane Inc	36 Months	31-Aug-22
NLC/2019-2	Spoor & Fischer	36 Months	31-Aug-22
NLC/2019-2	Moeti Kanyane Inc	36 Months	31-Aug-22
NLC/2019-2	Gildenhys Malatji Inc	36 Months	31-Aug-22
NLC/2019-2	Cheadle Thompson & Hayson Inc	36 Months	31-Aug-22
NLC/2019-2	Ramushu Mashile Twala	36 Months	31-Aug-22

Bid Number	Name of Legal Firm	Duration	End-Date
NLC/2019-2	Mfenyana Attorneys	36 Months	31-Aug-22
NLC/2019-2	Lannard Paul Cowen	36 Months	31-Aug-22
NLC/2019-2	Mathopo Mashimane Mulangaphume	36 Months	31-Aug-22
NLC/2019-2	Poswa Inc	36 Months	31-Aug-22
NLC/2019-2	Hogan Lovells	36 Months	31-Aug-22
NLC/2019-2	Maphosa Attorneys	36 Months	31-Aug-22

“All the Legal Firms that are on the panel were utilized by the NLC, with the exception of Ramushu Mashile Twala and Mathopo Mashimane Mulangaphume.”

- (3) “Ramulifho Inc. or Lesley Ramulifho is not on the NLC panel of attorneys. Ramulifho Inc. has rendered legal services for labour related issues to the then National Lotteries Board now the NLC. This was approximately around 2014, prior to the advent of the panel of legal service providers.”

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