



CURRICULUM VITAE OF MANDLA MACBETH NCONGWANE

CONTACT



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www.mandla.com

PERSONAL DETAILS

- Date of birth – 1978
- Gender – Male
- Nationality – South African
- Criminal offence – None
- Driver's license – F122781
- Health – Physical & mentally healthy

Membership of Professional Body

- **Legal Practice Council**
 - Senior attorney of the high court (with a letter of good standing and fidelity fund certificate).
- **Association of Certified Fraud Examiners (ACFE)**
 - Affiliate Member

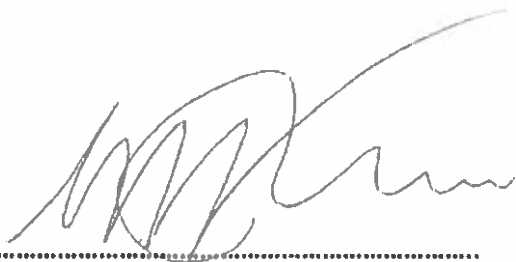
EDUCATION

- **B Iuris (Baccalaureus Iuris)**
 - University of Limpopo
 - 2001
- **Bachelor of Laws**
 - Rhodes University
 - 2003
- **Admission as an Attorney**
 - High Court (Northern Gauteng)
 - 2005
- **Right of Appearance in the High Court of South Africa**
 - High Court (Northern Gauteng)
 - 2006
- **Mining Law Certificate**
 - Wits University
 - 2007
- **Computer Literacy (MS Word; MS Excel and MS PowerPoint)**
 - University of Pretoria
 - 2008

REFERENCES

- Judge Nape Dolamo (Justice)
 - Western Cape High Court
 - ☎
 - ☎

- Ms Joyce Moloi – Moropa
 - Treasury – General
 - South African Communist Party
 - ☎
 - ☒



SIGNATURE

ATTACHED HEREWITH MR MM NCONGWANE'S
PERSONAL PROFILE AND APPOINTMENT TRACK
RECORDS.

EXPERIENCE

- Position Held** - Director/CEO
- Employer Name** - Macbeth Incorporated
- Duration** - 2005 to date
- Provide overall strategy, direction and guidance of the company;
 - Ensure prioritisation of the firm's strategy, risk and opportunity initiatives;
 - Overall financial and operational management of projects;
 - Manage corporate communication and corporate identity;
 - Ensure existence and maintenance of operational policies;
 - Initiate and or co-ordinate strategic partnerships with stakeholders;
 - Develop and maintain corporate social responsibility policy;
 - Ensure quality and timely management of projects.
 - Ensure compliance with applicable legislation and corporate governance requirements.

29 / 06 / 2023

DATES



MACBETH INCORPORATED

Attorneys/Conveyancers/Corporate & Labour Law Advisors
Audit, Advisory, Risk, Forensic, Environment, Institutional Development

Since 2005

MANDLA MACBETH NCONGWANE **PERSONAL PROFILE.**

Macbeth Ncongwane was first articled at the Legal Aid Board Pretoria in 2001, where he was exposed to various legal practice fields, allocation of matters to Judicare legal practitioners, checking and verifying work done by legal practitioners and including attending to legal practitioners, fee notes and attending to attorneys and advocates' accounts.

He thereafter joined MC Mabunda Attorneys where he was a candidate attorney (with right of appearance) at the said firm from January 2002 to May 2005. During his tenure there he received experience in the following fields: Magistrate's Court Practice, Appearance in the Magistrate's Court, High Court Practice, Debt Collection, drafting of pleadings, formal documents and affidavits, researching various aspects of law, drafting of legal opinion (Land, Labour and Contracts) Third Party Claims, Criminal Law Practice, Bail Applications, Commercial and Corporate Law, Maintenance and Matrimonial Matters.

Mandla Macbeth Ncongwane founded Macbeth Attorneys Incorporated in 2005 and as a result of his education in both Bantu and predominantly white universities the firm is rated a very diverse firm which is able to better understand all people across the color line, culture and religion. He has spent most of his practice time advising Boards, Statutory Councils, Provincial and Local Government as well as Chief Executive Officers of statutory bodies spanning from mining, construction and other respective sectors on aspects of Administrative Law, Major commercial Transactions, Treasury regulations, Corporate Governance and Restructuring.

Specialising in Administration of Estates, Criminal Law; Civil Law; Debt Collection; Liquor Licenses; Labour Law; Environmental Law; Human Rights; Corporate Law; Third Party

Claims; Appraisal and statutory Interpretation; Property Valuation; Local, Provincial and National Government Law. He also worked with the Mpumalanga Cooperative Governance and Traditional Affairs helping municipalities under section 139 of the Constitution with turnaround strategies or business recovery/rescue strategies

Macbeth became an advisor to the Minister of Higher Education in 2012 where he was more involved with the Universities, University of technology, TVET colleges and Sector Education Authority (SETA). He was also involved in the restructuring and re-engineering of the student financial aid system to assist previously disadvantaged youth in obtaining higher education to sustain their lives whilst developing the economy of the country.

In 2019 he founded Macbeth Incorporated, a subsidiary company of Macbeth Attorneys Incorporated, with an object of bringing together a matrix of skills to tackle any challenge in the growing consulting industry. Macbeth Inc. specializes in advisory, audit, research, governance, risk, environment, compliance, forensic investigations and legal services.

A highly accomplished Attorney complemented with 18 years' experience in Practicing Law representing both public and private sector. In my practice I have represented the poor, illiterate, and most vulnerable i.e. the disabled, children and women. I still continue to do so at this present moment. Through my initiative our firm has adopted a school (Khutsalani Secondary School in Kabokweni and recently Ngodini Secondary School) to which we continue to offer bursaries to three outstanding matriculants annually after they have received their results. A proven experienced Leader and effective team member, able to respond quickly and accurately to Public and Private Sector Regulations.

Personal Attributes: integrity, Competent, dedication of times and effort, inquisitive and independent judgement. Thorough knowledge of Corporate Law and Government Law, hand on experience in Interpretation of Statutes and ability to offer new different and constructive suggestions. Attendance, allocation and reporting.

APPOINTMENT TRACK RECORDS

Organisation - **Mine Health & Safety Council**
Appointment - **Forensic Investigation**
Duration - **2020 Nov to 2021 April**

- Investigate procurement and project management of a monument, sculpture and memorial for mining disasters;
- Determine if advance payments were made;
- Existence of the finished products;
- Total payments made in respect of the project;
- Validity and significance of variations of scope and payments done;
- Validation of media reports for the project.

Organisation - **KwaZulu-Natal Department of Education**
Appointment - **Initiator: Disciplinary Hearings**
Duration - **2020 December to 2021 May**

- Review of investigation report;
- Drafting charges as per forensic investigation report;
- Drafting notices of set down in consultation with stakeholders;
- Prepare indexed and paginated bundle with charges, notice of set down, investigation report and supporting documentation and timeously submit to stakeholders;
- Prepare witnesses;
- Lead evidence and cross examine employee witnesses;
- Prepare arguments for the employer;
- Prepare aggravating factors on behalf of the employer.

Organisation - **Mine Health and Safety Council**
Appointment - **Chairing a Grievance (Executive Management vs Audit & Risk Committee)**
Duration - **August 2021 to November 2021**

- Chair and manage the proceedings of the grievance
- Consider and analyse the evidence;
- Ensure a fair hearing, including, speedy hearing and finalisation of the matter;
- Determine sanctions in terms of the Labour Relations Act, the MHSC grievance policy and procedure and other relevant legislation;
- Provide a detailed report on the findings and outcome of the grievance within 14 days of the grievance process to the board.

Organisation - **Mpumalanga Office of The Premier c/o**
Appointment - **Investigation into Touting and theft of Records by Attorneys In Mpumalanga Hospital Clinics**
Duration - **August 2021 to December 2021**

- Alleged forged signatures on special power of attorney;
- Some patients deny presence and signing the special power of attorney in Nelspruit;
- Patients deny awareness of representation by the attorneys;
- Failure by the attorneys to pay for bills for retrieved records, instead dispute the gazetted bills;
- Refusal by the attorneys to consider affidavits for untraceable or irretrievable files or records insisting on obtaining such records;
- Suspicion of inside informant(s), considering the knowledge the attorneys have regarding the patients which are remotely placed from the attorneys' offices in Mbombela.

Organisation	-	Mpumalanga Office of The Premier sub-contract by Rubo Management Services (PTY) Ltd
Appointment	-	Investigation into an irregular expenditure raised by Auditor General and the Legal aspects of the contract.
Duration	-	December 2021 to January 2022

- OTP decision for the procurement process;
- Investigating the planning process, including Cabinet/EXCO Resolutions, strategic plan, MTEF budget, procurement plan;
- Review the process leading to award of the contract, including payments;
- Review the Service Level Agreement (SLA) and contracts against the Terms of Reference (ToR), for variations and extension of scope;
- Review the deliverables in terms of the SLA and Addenda issued related to the contract;
- Review legal aspects and requirements related to the SLA and Addenda entered into by the OTP with service providers;
- Review the irregular expenditure raised by a-g in its report for the otp.

Organisation	-	Mtubatuba Municipality
Appointment	-	Providing support to the Section 139(b) Process
Duration	-	December 2021 to January 2022

- Analysis, review and management of municipal contracts awarded to different service providers;
- Review all concessions agreements entered into by the municipality; and
- Opinions and legal representation in tribunals and courts.

Organisation	-	City of Mbombela
Appointment	-	Legal Services
Duration	-	2006 – to date

- High Courts and Magistrate Courts Litigation.
- Disciplinary Enquiries, Investigations, Chairing and Initiations.
- Provision of labour related matters in terms of Section 198 of the Labour Relations Act.
- Investigation, Survey, Review and Analysis into the illegal awarding of RDP Houses in the municipality.
- Legal Opinions.
- Policy review, analysis and recommendations.

Organisation - **Albert Luthuli Municipality**

Appointment - **General Legal Services**

Duration - **2007 – 2019**

- High Courts and Magistrate Courts Litigation.
- Disciplinary Enquiries, investigations, chairing and initiations.
- Provision of labour related matters in terms of Section 198 of the Labour Relations Act.
- Legal Opinions.
- Review of senior management contracts.
- Management of concession agreements.
- Policy review, analysis and recommendations

Organisation - **Department of Higher Education**

Appointment - **Advisor: Minister of Higher Education (Hon Mr B Ndzimande)**

Duration - **2007 – 2019**

- Advise on merging and restructuring of universities and technikons in SA
- Advice on re-engineering and marketing of TVET Colleges
- Alignment of higher education curriculum in line with economic skills demand
- General departmental administration, monitoring and oversight
- Legal opinions on departmental matters
- Advice on department imminent legal, governance and compliance risks; and mitigation thereof.

Organisation - **State Owned Entities (SoE's)**

Appointment - ***Legal Services and Training Contracts***

- South African Forestry Company Limited (SAFCOL);
- York Timbers
- South African Revenue Services (SARS)
- Rand Water Board (formally Bushbuckridge Water Boards)
- Mpumalanga Economic Regulator (Mpumalanga Gambling Board)
- Mpumalanga Tourism and Parks Agency (MTPA)
- South African National Parks (SANParks)
- Mpumalanga Economic Growth Agency (MEGA)
- Commission on Gender Equality (CGE)
- Air Traffic and Navigation Services (ATNS)
- Mine Health and Safety Council
- Coega Development Corporation
- Competition Commission
- National Student Financial Aid Scheme (NSFAS)
- Ditsong Museums
- Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs (DARDLEA)
- Mpumalanga Department of Human Settlements
- Mpumalanga Office of The Premier (OTP)

Organisation - **Private Sector Organisations**

Appointment - ***Legal Services and Training Contracts***

- GNT Security
- C3 Security
- EQ Tickets
- Mbombela Bricks
- Maphuthi Surveyor
- Masincazelane Investments
- Sisonke Development

- Kiwi ICT Solutions
- Lithabo Development
- Komati Mine
- Duratrend
- Kabokweni Taxi Association
- Pumba Wildlife Park
- Dikwena ICT Solutions (Pty) Ltd
- Lihle Technologies (Pty) Ltd

This is a brief overview of Mandla Macbeth Ncongwane's broad client base where he was involved either as a Project Manager or Consultant. These clients are diverse in their needs and requirements, which were identified and addressed in the process of working with them, have been equally diverse. The objective and approach have not always been the same. The results however have always been achieved to the benefit and satisfaction of the client. By my signature below I certify the correctness of the information above and confirm that the above CV is an accurate description as my experience.



Signature

29/06/2023

Date