

**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 | Gildenhuys 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 |
| 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 |

1. “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 |
| 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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