

# 9<sup>th</sup> Annual GovLaw Conference

The Annual Law Conference For Government & SOE's

Researched & Developed By:  
ITC  
Intelligence Transfer Centre

Date: 13 & 14 October 2020

Venue: CSIR, Pretoria

## CONFIRMED SPEAKER FACULTY:

**Walter Bhengu**  
Acting Head of Procurement  
**AUDITOR GENERAL OF SOUTH AFRICA (AGSA)**

**Adv Shukrat Makinde**  
Director: Litigation & Legal Services  
**PUBLIC SERVICES COMMISSION (PSC)**

**Adv Pat P Mabaso**  
Director Legal Services  
**MPUMALANGA DEPARTMENT OF HUMAN SETTLEMENTS**

**Thuhwane Jacob Tsetseoa**  
Senior Legal Administrative Officer  
**DEPARTMENT OF PERFORMANCE MONITORING AND EVALUATION (DPME)**

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or [Ryan.ryan@intelligencetransferc.co.za](mailto:Ryan.ryan@intelligencetransferc.co.za)

**Dr Mathole Seroho Motshekga**  
Chairperson - Ad Hoc Committee Amending Section 25 Of The Constitution Of The Republic Of South Africa  
Co-Chairperson - (National Assembly) Of The Joint Constitutional Review Committee (CRC)  
**PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA**

**Caroline Mampuru**  
Anti-Fraud and Corruption Expert

**Connie Khantsi-Sefo**  
Director Legal Services  
**FREE STATE LEGISLATURE**

**Adv Vulani Baloyi**  
Director Legal Services/ Deputy Information Officer  
**MPUMALANGA DEPARTMENT OF TREASURY**

**Dr/Adv Life Maluleke**  
Manager Legal Services  
**COLLINS CHABANE LOCAL MUNICIPALITY**

## 90 MINUTE DUAL PRACTICAL WORKSHOP

**OUTLINING THE LEGAL DEPARTMENTS ROLE IN PROTECTING THE IMAGE OF GOVERNMENT**



**Adv Thembile Joyini**  
Principal State Law Advisor  
**DEPARTMENT OF INTERNATIONAL RELATIONS AND COOPERATION (DIRCO)**

**EVALUATING THE IMPORTANCE OF FORENSIC INVESTIGATIONS IN CASES OF MISMANAGEMENT OF FUNDS IN THE PUBLIC SERVICE (FOLLOWING THE MONEY TRAIL)**



**Chad Thomas**  
Chief Executive Officer  
**IRS FORENSIC INVESTIGATIONS**

## KEY STRATEGIES TO BE DISCUSSED:

- Legal update on recent legislative amendments that affect the public services in their day-to-day conduct
- Tackling Fraud and Corruption for sustainable economic growth
- Saving the Government money spent in litigation through proper application of PAJA
- Understanding the role of the Public Services Commission
- Understanding the legislative drafting process in South Africa
- Implementing measures to improve good governance within Government Department
- Deliberating on pertinent compliance legalities set out in POPIA
- Encouraging the 3 tiers of Government to work together to guide MFMA compliance
- Realising the impact of Traditional Governance in the Public Service in line with the Traditional Courts Bill

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# DAY ONE - 13 October 2020

Registration will be taking place from 7:00 am

**08:30** Opening remarks by chairperson

**08:45** Saving the Government money spent in litigation through proper application of PAJA

- Outlining the legal statutes of PAJA and linking them to your administrative decisions
- Discussing how departments can carry out their mandate with consideration to PAJA
- Outlining your departmental processes with consideration of future PAJA implications
- Looking at Case Laws to highlight the applications of PAJA to administrative decisions

**Walter Bhengu**

Acting Head of Procurement

**AUDITOR GENERAL OF SOUTH AFRICA (AGSA)**

**09:45** Legal update on recent legislative amendments that affect the public services in their day to day conduct

**Thuhwane Jacob Tsetseoa**

Senior Legal Administrative Officer

**DEPARTMENT OF PERFORMANCE MONITORING AND EVALUATION (DPME)**

**10:45** Morning tea & networking opportunity

**11:00** Encouraging the 3 tiers of Government to work together to guide MFMA compliance

- Providing the necessary support required to ensure duties are carried out effectively
- Enforcing a clear system that separates the functions of the different tiers of Government
- Drafting a comprehensive legal framework that clearly outlines a separation of functions
- Ensuring information flow to all tiers of Government

**Dr/Adv Life Maluleke**

Manager Legal Services

**COLLINS CHABANE LOCAL MUNICIPALITY**

**11:45** Deliberating on pertinent compliance legalities set out in POPIA

- Evaluating the role of a regulatory body in enforcing privacy rights
- Outlining the relevant institutions that can enforce POPIA
- Unpacking the rate of cyber-crime in the face of a compromised privacy legislation
- Analysing the application of POPIA through Case Law

**Adv Pat P Mabaso**

Director Legal Services

**MPUMALANGA DEPARTMENT OF HUMAN SETTLEMENTS**

**12:30** Realising the impact of Traditional Governance in the Public Service in line with the Traditional Courts Bill

**Dr Mathole Serofo Motshekga**

Chairperson - Ad Hoc Committee Amending Section 25 Of The Constitution Of The Republic Of South Africa  
Co-Chairperson - (National Assembly) Of The Joint Constitutional Review Committee (CRC)

**PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA**

**13:30** Luncheon and networking opportunity

**14:30** Outlining the legal departments role in protecting the image of Government

- Addressing South Africa's obligation under the Constitution to comply with its international obligations in terms of international agreements and customary international law
- Acting as the primary counsel on all international law matters for the Government as a whole by providing legal advice, legal services and assistance relating to all aspects of international law to the three spheres of Government
- Providing legal advice and support on an on-going basis on various aspects of South Africa's participation in inter-governmental deliberations/negotiations in respect of inter alia the Law of the Sea, South Africa's Submission concerning an Extended Continental Shelf, ICC amongst several other matters
- Availing legal advice that is based on law regardless of other considerations without fear, favour or prejudice

**Adv Thembile Joyini**

Principal State Law Advisor

**DEPARTMENT OF INTERNATIONAL RELATIONS AND COOPERATION (DIRCO)**

## ABOUT THE FACILITATOR:



Adv Thembile Joyini is a Member of the Legal and Technical Commission (LTC) of the International Seabed Authority (ISA) from 2017-2021. He acted as Judge of the High Court of South Africa in Pretoria from April to May 2019. During his acting stint, he penned and delivered 12 judgments. He is well equipped with the wealth of experience accompanied by his academic and professional qualifications respectively. He is currently serving as Principal State Law Adviser (International Law) in the Office of the Chief State Law Adviser (International Law) from 2008 to date in the Department of International Relations and Cooperation of the Government of the Republic of South Africa. He is responsible, inter alia, for international law issues including various aspects of the oceans and law of the sea issues.

**16:00** Open forum and discussion on outcomes

**16:15** Closing remarks from chairperson and end of day one

## WHAT DELEGATES HAD TO SAY ABOUT LAST YEAR'S CONFERENCE

"I would attend this conference to enhance my knowledge on best practices and latest developments in the legal fraternity"

Deputy Director Acquisitions  
LIMPOPO DEPARTMENT OF EDUCATION

"The presentation on legal compliance from a supplier perspective for public procurement inspired me"

Assistant Director  
DEPARTMENT OF COMMUNICATIONS

"The robust engagement with delegates on contemporary procurement challenges was very inspiring"

Manager; Legal & Compliance  
RAY NKONYENI MUNICIPALITY

Keynote address



**08:30** Opening remarks by chairperson

**09:00** Implementing measures to improve good governance within Government departments

- Increasing Government accountability through enforceable legislation
- Safeguarding Government departments from litigation by carrying out due diligence in all activities
- Striving to improve service delivery by simplifying processes within Government

**Adv Vulani Baloyi**

Director Legal Services/ Deputy Information Officer  
**MPUMALANGA DEPARTMENT OF TREASURY**

**09:45** Understanding the role of the Public Services Commission

- Monitoring and Evaluation and advice on good Human Resources practices
- Integrity, anti-corruption and enforcement powers of the PSC
- Investigation of grievance and complaints of employees in the public service
- Promotion of ethics, values and principles governing public administration and how to access the services of the PSC

**Adv Shukrat Makinde**

Director: Litigation & Legal Services  
**PUBLIC SERVICES COMMISSION (PSC)**

**10:30** Morning tea & networking opportunity

**11:00** Tackling Fraud and Corruption for sustainable economic growth

**Caroline Mampuru**

Anti-Fraud and Corruption Expert

**11:45** Understanding the legislative drafting process in South Africa

- Outlining the crucial role of Parliament and President in the legislative process
- Examining how legislation is developed and the main driving force behind its development
- Ensuring that all signed pieces of legislation are not vulnerable to legal challenges
- Signing into law pieces of legislation that are compliant with the constitution

**Connie Khantsi-Sefo**

Director Legal Services  
**FREE STATE LEGISLATURE**

**12:30** Luncheon & networking opportunity

**13:30** Evaluating the importance of forensic investigations in cases of mismanagement of funds in the public service (Following the money trail)

**Chad Thomas**

Chief Executive Officer

**IRS FORENSIC INVESTIGATIONS**

**ABOUT THE FACILITATOR**



Chad Thomas is the Chief Executive Officer of IRS Forensic Investigations, an independent financial and organised crimes investigation company. He holds a certificate in International Criminal Law from the Mandela Institute at the Wits School of Law, a certificate in Corporate Fraud Management from the South African Institute of Corporate Fraud Management, various courses in combating fraud and corruption from the University of Pretoria, has completed the Corporate and Ethics Governance program at the University of Pretoria, as well as the POPIA program at the University of Pretoria. He also holds a diploma in security management from DMS. Chad was previously the GM of Stallion Investigations, a division of Stallion Security. Prior to that, Chad was employed as head of investigations for BoE Private Bank (insurance and FG division), and before that head of security at Standard Bank Property Fund Managers. Chad served in an investigation and intelligence capacity in the permanent force of the South African National Defence Force until the end of 1994. Chad is a 28 year veteran of law enforcement in South Africa. He is the recipient of the security industry's 2019 bravery award, as well the security industry gold medal for bravery awarded in 1998. He was nominated for the Mail & Guardian Driver's of Change Award. Chad was the host of the radio show "Corruption Busters" which won the Best Daytime Radio Show in South Africa award in 2017; and is currently the host of the actuality radio show "Confidential Brief" on ChaiFM. Chad is a regular organised crime commentator on television news and in the print media.

**15:00** Open forum and discussion on outcomes

**15:30** Closing remarks by chairperson & end of conference



## WHO SHOULD ATTEND?

- \*Chief Legal Advisor \*Chief Director: Legal Services \*Chief Director/ Director Procurement
- \*Chief Director/ Director Supply Chain \*General Manager Legal \*Head Corporate Services
- \*Chief State Law Advisor \*Executive Director Policy \*Principal State Law Advisor
- \*Parliamentary Officer \*State Law Advisor \*State Advocate \*Legal Advisor
- \*Compliance Manager/ Officer \*Municipal Manager \*Principle Advisor
- \*Legal Services Manager \*Legal Division Head \*Legal Administration Officer

**GOVLAW CONFERENCE**

The Annual Law Conference For Government &amp; SOE's

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