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Company Profile

Of

Ncube Incorporated Attorneys

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1. BACKGROUND, MISSION, VISION AND VALUES

Ncube Incorporated Attorneys ("Ncube Inc.") is a law firm that has established reputation of service excellence for itself. It was founded by Mr. Bafana Ncube in 1998, who is currently the Managing Director thereof. Ncube Inc. has grown in its strength and capacity over the years and accumulated a wealth of experience. The company now has 5 (five) legal professionals out of a total staff of 20 (twenty) employees, with extensive experience in a diverse range of legal practice areas. We have previously provided advice to a wide variety of clients across the private and public sectors including CATHSSETA, Transnet Freight Rail, South African Broadcasting Corporation, Department of Human Settlements – Gauteng Province, State Information and Technology Agency, ICASA amongst others.

OUR MISSION

- "To be the household name nationally and internationally"

OUR VISION

- To provide quality service to our clients by ensuring that all client needs are considered, understood and appreciated.
- To strive for consistent improvement in the quality of legal advice through specialization, thereby ensuring the best possible service.
- To build and maintain lasting relationships with our clients.
- To keep abreast of recent developments in the legal fraternity.
    - To train and equip legal graduates and attract season lawyers with a rich and diverse knowledge base to continuously add value to the firm, our clientele and the profession as a whole.

VALUES

Our values are entrenched and underpinned by:

- Professionalism
- Quality and timeous service
- Integrity
- Innovation
- Mutual respect of our clients and their employees

2. SERVICE OFFERINGS

Our portfolio of offerings consists of wide spectrum of legal services:

ENTERTAINMENT AND ICT (Broadcasting and Telecommunications) LAW

- Applications for broadcasting services licences.
- Advice on Regulatory Compliance
- Assistance with BCCSA, ICASA, FPB, and other regulatory processes
- Development of internal Compliance Frameworks
- Information Technology Law;

LITIGATION

- Magistrates Court and Supreme Court litigation in general;
- Damages Claims/Disputes;
- Insolvency Law;
- Constitutional Law;
- Divorce actions;
- Maintenance and Custody issues;
- Adoptions;
- Commercial disputes;
- Constitutional Law disputes;
- Defamation suits;
- Court appearances (Magistrates Court and Supreme Court); and
- Insurance Law;

CORPORATE AND COMMERCIAL LAW

- Commercial Law;
- Commercial Contracts;
- Administrative Law;
- Lease Agreements;
- Company Law;
- Corporate and Financial Institutions;
- Liquor Licenses.

EMPLOYMENT AND LABOUR LAW

- Employment Contracts;
- Strikes;
- Arbitration and mediations;
- CCMA arbitrations and mediations;
- Disciplinary proceedings;
- Employment equity and discrimination;
- Skills Development;
- Training and facilitation.

COLLECTIONS AND CREDIT MANAGEMENT

- Debt Collection;
- Foreclosures;
- Repossessions;
- Interdicts;
- Credit Management Surveys.

CRIMINAL LAW

- Bail Applications;
- Defense of accused persons in Regional and District Magisterial Courts and the Supreme Courts;
- Appeals and petition in respect of judgments and sentences.

PERSONAL INJURIES AND MVA CLAIMS

- Motor vehicle accident recoveries and defences;
- Motor vehicle accident assessments and opinions;
- Assessments and advice;
- Court appearances.

PROPERTY LAW

- Property Law;
- Conveyancing;
- Registration of Bonds;
- Transfer of Property;
- Property Development;
- Sectional Titles;
- Town planning
- Township development;
- Commercial and Industrial Developments;
- Mineral Rights and Environmental Law;
- Bond registration for major financial institutions;
- Drafting of building contracts and related contracts;

3. PROJECT EXPERIENCE

SOUTH AFRICAN BROADCASTING CORPORATION

We have previously provided advice and legal services on a variety of matters to the SABC. This has included representation on several critical litigious matters and labour disputes. Further, we have provided advice on and developed materials for the SABC's compliance function with additional input on complex strategic matters. The firm continues to provide general legal services to the SABC.

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

We have previously provided advice on broadcasting related issues to the Independent Communications Authority of South Africa "ICASA" with complex radio licensing proceedings, both in the community and commercial broadcaster spheres. These were large scale projects that involved broadcasters in all the provinces in the Republic,

specifically the issuing of what was then referred to as the “temporary broadcasting licences” under then then new dispensation. This included attending hearings and developing several reports and recommendations on matters that arose during the hearings and deliberations.

During March 2003, the firm was involved, on behalf of ICASA, in the presentations that dealt with the formulation of policy in developing sports rights regulations. Amongst others, the presentations dealt with criteria to be considered when broadcasting sport that is of national interest. The policy was a ministerial initiative that sought to address problems encountered by the public and the broadcasters with regards to the broadcasting of national sports.

We have assisted ICASA with various licensing projects both for community and commercial applications and with its submissions to the Department of Communications (as it was then) during the process of promulgating the Broadcasting Act as well as the amendments to the ICASA ACT.

CULTURE ARTS TOURISM HOSPITALITY AND SPORTS SECTOR EDUCATIONAND TRAINING AUTHORITY (CATHSSETA)

Ncube Inc has been appointed to the panel of service providers to provide legal services to CATHSSETA on a variety of matters. These include the review of the governance framework extending to advice on Organizational redesign, change management processes and retrenchment matters. This also includes the review of a number of revised policies and opinions on the implementation of such policies.

In addition, the firm has been advising on a number of labour matters starting with the conducting of investigations, formulation of charges and management of internal disciplinary processes as well as representation at CCMA, Labour Court and Supreme Courts.

Further, the firm has been advising on the management of various contracts and the resolution of disputes arising from or related to such contracts. This also allowed the firm to propose several improvements to the library of existing templates and gaps in other governance instruments such as board approved governance policies and approved processes.

GAUTENG DEPARTMENT OF ECONOMIC DEVELOPMENT (DED)
PAIA MANUAL

During 2006 the DED appointed Ncube Inc. to draft and prepare a PAIA Manual for the department for same to be submitted to the South African Human Rights Commission.

The Promotion of Access to Information Act No. 2, of 2000, provides that all public institutions must prepare a manual in order to facilitate requests for access to records by members of the public in exercising their right to access any information held by a government department. The manual is also intended to ensure compliance by the Department with S195 (1) of the Constitution, which requires that public and private bodies administer and foster transparency by allowing the public timely, accessible and accurate information.

As a result of the above the DED appointed Ncube Inc. to prepare and draft the Manual in order that compliance with the relevant legislation was met.

The project was carried over a period of 3 months and was successfully completed.

During March 2013 – July 2013, Ncube Inc was engaged by the Department of Arts and Culture to develop its PAIA manual. As with the above, the process is a statutory requirement for all Government departments. The project has since been completed successfully and is currently been implemented by the DAC.

DEPARTMENT OF TRANSPORT (GAUTENG)

Ncube Inc. was involved with the then Department of Public Transport Road and Works as a service provider for various legal services. It was instructed, inter alia, in the fields of litigation as well as the drafting and preparation of various businesses cases and legislation for the establishment of Schedule 3 Entities.

Ncube Inc. was instrumental in the drafting of both the Impophoma Infrastructure Support Entity and G-fleet business cases and legislations for the establishment of both entities.

Ncube Inc. has also on various occasions provided legal opinions on various matters affecting the DPTRW.

In 2009, Ncube Inc. was mandated by the Gauteng Transport Department to establish a strategy as well as a division within the department for the short term insurance for state owned vehicles.
In order to achieve this mandate, Ncube Inc. established a project team consisting of an Actuary, Chartered Accountant and an Attorney. The project was successfully completed at the end of 2009.

TRANSFER OF RESIDENTIAL PROPERTIES REVIEW PROJECT (TORPS) GAUTENG HOUSING DEPARTMENT: 2004-2006 & 2013 - 2014

Between 2004 -2006 Ncube Inc was engaged to manage adjudication review process relating to the TORPS Projects for the Gauteng Government. A further contract was entered into for the financial year 2013 / 2014 for the TORPS review project.

The project involves the Ncube Inc. managing 22 legal firms across the Province in conducting reviews on previous adjudications of over 50 000 cases.

Ncube Inc. has also on numerous occasions provided the department with legal opinions on matters relating to the Public Finance Management Act (PFMA). The opinions varied from issues relating to the Delegations of Authority within the department as well as procurement issues.

TRANSNET FREIGHT RAIL BOARD OF INQUIRIES: 2005-date

Ncube Inc. is engaged on a continuous lead Board of Inquiries (BOI) on behalf of Transnet Freight Rail relating to fatal accidents within the business unit.

Mr. Ncube has received specialized training in such investigations in order to determine the causes of such accidents and to provide opinion on legal liabilities which may result from such incidents.

Over the past nine years Mr Ncube has conducted 18 BOI's on behalf of Transnet Freight Rail and Transnet Rail Engineering.

ROAD TRAFFIC MANAGEMENT CORPORATION

In 2010 we assisted the Road Traffic Management Corporation (RTMC) with its submissions to the AARTO Act.

EKURHULENI METROPLOLITAN MUNICIPALITY

We are the current debt collectors for the Ekurhuleni Metropolitan Municipality.

MPUMALANGA LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS

We are also assisting the MEC of Local Government and Traditional Affairs in resolving its dispute with Afriforum relating to the property valuation roll.

4. PROFESSIONAL STAFF

Mr. Bafana Ncube (DIRECTOR)

Mr. Ncube, the Managing Director, obtained his B.Proc Degree from the University of the North. He is an admitted practicing Attorney of the High Court of South Africa and a member of the Black Lawyers Association (BLA). He has 18 years post admission legal experience. He established Ncube Inc in 1998. Mr. Ncube's experience includes legal research, opinion and litigation on behalf of various clients.

Mr. Ncube was appointed in 2004 by the Gauteng Government's Housing Department to manage a widespread review process of the TORPS (transfer of residential properties) project. This was the largest project of its nature to be awarded to a black law firm. As the managing consultant, Mr. Ncube was responsible to manage a panel of 22 law firms that would be conducting such review process.

Mr. Ncube is also a member of the National Soccer League's Dispute Resolution Chamber.

Mr Ncube provides legal advice to the Managing Director of ERWAT (Ekurhuleni Water) on a continuous basis, whenever he is called upon to do so.

Mr Ncube is the former Chairman of the Impophoma Infrastructure Support Entity (Impophoma) an entity wholly owned by the Gauteng Government.

Mr. Levy Nakedi (ASSOCIATE DIRECTOR)

Mr. Nakedi obtained his LLB degree from the University of North West in 2001. He served his articles of clerkship with messrs M J Motshabi Attorneys in Rustenburg and then later ceded his articles to messrs Phiri Moalusi Attorneys in Rustenburg. He was admitted as an attorney in 2004. He became a professional assistant in the firm Phiri Moalusi

Attorneys, attending to criminal, civil and labour litigation, drafting of contracts, matrimonial matters, MVA claims and general legal advice.

He was previously appointed as a panelist of Independent Electoral Commission dispute resolution committee in the North West province during 2004 national election, where his duties were the resolution of disputes that arose between political parties during the elections.

In 2005 he worked for Legal and Tax services in Johannesburg as a legal advisor until 2006. He attended to general legal advice and drafting of legal opinions.

He then again joined the firm Phiri Moalusi Attorneys as an associate where he was heading the firm's litigation department.

He joined NCUBE Inc on the 4th of June 2007 as an associate and he is heading the firm's litigation department.

Mr Thato Mahapa (Candidate Attorney)

Thato Mahapa is an experienced lawyer who specializes in ICT law and regulation with an LLB from University of the Witwatersrand. He has gained valuable experience working at senior levels in both the private and public sectors - and as such has a unique understanding of the ICT sector and its dynamics. He spent four years at the national regulator, ICASA (Independent Communications Authority of South Africa) and then headed the legal and regulatory department of the then recently licensed subscription broadcaster, TopTV.

In the last quarter of 2012, Thato joined Smile Communications, a leading communications company that launched the first 4G LTE network in Uganda and Tanzania, with operations in Africa's biggest economy, Nigeria. At Smile, as Head of Regulatory Affairs, Thato was responsible for the group's regulatory affairs in addition to

sustained efforts to acquire much sought after radio frequency spectrum to kick-start operations in South Africa.

Thato has served on several boards and industry representative bodies over the course of his career. From February 2011 – September 2012 he served on the broadcasting industry self-regulatory body, the National Association of Broadcasters (the NAB), ultimately joining its executive committee. He was also appointed by the President of the Republic to become a board member of the Media Development and Diversity Agency (the MDDA), a government//operator funded agency to develop community and small commercial media across the republic, amongst other things, from July 2011 to September 2014. He also sat on the board of the South African Communications Forum (the SACF) from May 2014- April 2015.

Ms. Ntombizodwa Seloko (Candidate Attorney)

Ms. Seloko obtained her LLB degree from the University of the Witwatersrand in 2012 and has since then worked as a legal Administrative Officer for the Department of Infrastructure Development Legal Services. She has garnered extensive knowledge in commercial law.

She joined Ncube Inc. as a Candidate Attorney and deals with a variety of matters within the firm which include: labour law, family law, property law, drafting of contracts, legal opinions, to name but a few.

Matthew Kapp (Candidate Attorney)

Mr Kapp obtained his LLB from the University of the Witwatersrand in 2014. He joined Ncube Inc in January 2015 as legal officer and is dealing with a variety of matters within the firm.

5. CLIENT BASE

Over the years it has existed, Ncube Inc Attorneys has offered its services to a wide variety of clients on an equally wide variety of areas of law. Whilst all of our clients remain special and individually significant, some of our biggest past and present clients include the following:

Gauteng Department of Human Settlements
South African Broadcasting Corporation
State Information Technology Agency (SITA)
Department of Land Affairs (Commission on Restitution of Land Rights, Gauteng & Northwest),
CATHSSETA,
Transnet Limited,
MBT Group Holdings,
Gauteng Department of Economic Development,
Gauteng Department of Infrastructure Development,
Independent Communication Authority of South Africa (ICASA)
ERWAT (Ekurhuleni Water Utility)

6. CONTACTABLE REFERENCES:

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Sizwe Vilakazi
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CATHSSETA
Pumzile Kedama
Administrator
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Killarney
Tel: (011) 217 0600

STATE INFORMATION TECHNOLOGY AGENCY
Legal Department
Ms. Nicola Green
459 Tsitsa Street,
Erasmuskloof, Pretoria
Tel.: (012) 672 1537

DEPARTMENT OF HUMAN SETTLEMENT
Director Legal Services
Mr Vusi Sifile
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37 Sauer Street
Johannesburg
Tel: (011) 355 4062

DEPARTMENT OF ECONOMIC DEVELOPMENT
Mr. Pieter Holl
Director Legal Services
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AREAS OF SERVICE:

ALL OVER SOUTH AFRICA AND ANYWHERE WHERE IT IS NECESSARY

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