



**TERMS OF REFERENCE:
TO SERVE AS AN INDEPENDENT PRESIDING OFFICER FOR THE DISCIPLINARY
HEARING**

The National Consumer Commission (NCC) requires a qualified and experienced individual to serve as a Presiding Officer for the disciplinary hearing.

1. PURPOSE

To appoint a qualified and experienced individual to serve as an independent officer to preside over a Disciplinary Hearing.

2. BACKGROUND

2.1. The National Consumer Commission is a schedule 3A public entity established in terms of the provisions of section 85 of the Consumer Protection Act; No 68 of 2008 ("Act"), and officially started its operations with effect from 1 April 2011.

3. REASON FOR THE NEED.

3.1. It is the intention of the National Consumer Commission to follow a fair and substantive process when conducting a disciplinary hearing. As a result, the NCC requires the services of an independent person to preside over a Disciplinary Hearing in order to ensure fairness and objectivity.

4. SCOPE OF THE ASSIGNMENT

The Commission hereby invites proposals from a qualified and experienced individuals to serve as an independent Presiding Officer over a disciplinary hearing.

4.1. Services required

4.1.1. The person/service provider will be required to provide services, including but not limited to the following:

- a) Chairing and managing the proceedings of the disciplinary hearing.
- b) Consider and analyse the evidence.
- c) Ensure a fair disciplinary hearing.
- d) Determine sanctions in terms of the Labour Relations Act (LRA), the NCC disciplinary code and procedure, and other relevant legislation, and
- e) Provide a written report on the findings and outcome of the disciplinary hearing within 14 days of the hearing.
- f) Should the matter be referred to the CCMA, the chairperson must assist in terms of preparation of the record.
- g) Provide a secretariat to keep and maintain an accurate record of the hearing.

5. MANDATORY EVALUATION

The service Provider must be:

- 5.1. A qualified individual OR an entity that will provide a qualified individual. This individual must have an NQF level 8 qualification in Human Resource Management/ Employee Relations/ Industrial Psychology/Law AND 5 years of labour relations experience. **(CV required)**.
- 5.2. At least 5 years of experience in conducting disciplinary hearings, arbitration, and/or mediation processes **(CV required)**.
- 5.3. **Failure to submit the above will amount to disqualification.**

6. EVALUATION CRITERIA

Bidders who complied with the Mandatory Requirements will be evaluated using the following criteria:

Stage 1 - Price Evaluation (80 Points)

Criteria	Points
Price Evaluation $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80

The following formula will be used to calculate the points for price:

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

Stage 2 – Specific Goals Evaluation (20 Points)**Specific Goals**

A maximum of 20 points may be allocated to a bidder for attaining the specific goals in accordance with the table below:

Specific Goals	Number of Points
100% Black owned	6
51-99% Black owned	4
100% women owned	6
51% to 99% women owned	4
5% Youth Ownership	2
2% Owned by persons with disabilities	1
Exempt Micro Enterprise (EME)	5
Qualifying Small Enterprise (QSE)	3
Large Enterprise	0

Points for specific goals will be allocated to bidders on submission of the following documentation or evidence:

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1)
- B-BBEE Certificate
- CSD Report

7. SPECIAL CONDITIONS

- 7.1. The Disciplinary Hearing should be conducted in four consecutive days as from the date of commencement of the disciplinary hearing, except where delays outside the control of the service provider or the NCC are experienced. This is exclusive of address on merits and sentence (if necessary).
- 7.2. Candidates are required to provide their comprehensive CVs with a clear indication of the relevant as reflected in mandatory requirement mentioned above.

8. REPORTING RELATIONSHIP

- 8.1. The presiding officer will report directly to the Commissioner of the National Consumer Commission (NCC), with the assistance of Divisional Head for Enforcement and Legal Services of the NCC.

9. PAYMENT STRUCTURE

- 9.1. Payment will be made upon submission of invoice(s), accompanied by an itemised statement of account, covering all services rendered. Such payment will be made within thirty (30) days of receipt of an undisputed invoice.

10. CONFIDENTIALITY

- 10.1. The NCC will treat all relevant and available data and/or information provided by the Service Provider with confidentiality. The Service Provider is not allowed to discuss or make any information available to any member of the public, press or other service providers or any other unauthorized person(s) except as authorized by the Commissioner or her delegate.

11. CLOSING DATE

- 11.1. The proposals and quotations must be sent to quotations@thencc.org.za before or on **18 June 2025 at 11am.**

12. CONTACT NUMBERS

- 12.1. For any further technical enquiries, the following individuals can be contacted at the National Consumer Commission:

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