



# national treasury

Department:  
National Treasury  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X115, Pretoria, 0001 - Tel: (+27 12) 315 5111  
**Enquiries:** Petrus Makulane **Tel:** (012) 315 5258 **Email:** [Petrus.Makulane@treasury.gov.za](mailto:Petrus.Makulane@treasury.gov.za)

Mr. Cameron Morajane  
Director  
Commission for Conciliation Mediation and Arbitration (CCMA)  
PRIVATE BAG X94  
**MARSHALLTOWN**  
2107

Email: [CameronM@ccma.org.za](mailto:CameronM@ccma.org.za); [PortiaR@ccma.org.za](mailto:PortiaR@ccma.org.za); [KediboneM@ccma.org.za](mailto:KediboneM@ccma.org.za)

Dear Mr. Morajane

## **DEVIATION FROM THE NORMAL COMPETITIVE BIDDING PROCESSES: APPOINTMENT OF BLACK LAWYERS ASSOCIATION**

1. National Treasury acknowledges receipt of your letter dated 24 November 2021.
2. Your Institution is requesting approval to deviate from the normal competitive procurement process and appoint the Black Lawyers Association for provisioning of Once-off Trial Advocacy Training for the Director for the period 13-17 December 2021 at a total amount of R10 000.00.
3. The request to deviate was recommended by the CCMA Director on 24 November 2021.
4. The reasons provided for the deviation are that a training need was identified for the CCMA Director to enhance his skills on court appearances in carrying out his duties as required by the Labour Relations Act. The Director has begun facilitating conciliations and arbitration matters referred to the CCMA and will soon be representing the CCMA at the Labour Court and Labour Appeal Court, which will require the Director to apply his skills and advanced legal knowledge.
5. The training course comprises a six-day advanced training covering the following aspects of trial; Case analysis, opening statements, direct examination, cross-examination, re-examination, impeachment, rehabilitation of witness, tendering of exhibits, expert witnesses, etc. closing arguments. The training is facilitated by Judges, Senior Counsels, Magistrates, Professors, and Senior attorneys. The training course will be offered during the Director downtime in preparation for the new year activities.

## **DEVIATION FROM THE NORMAL COMPETITIVE BIDDING PROCESS: APPOINTMENT OF BLACK LAWYERS ASSOCIATION**

6. During this period, there are limited training institutions offering training because of the December holidays. Enquiries were made with the Universities of Cape Town and Pretoria, which offer a similar course. It was identified that there was no training scheduled during the period identified. However, it was confirmed with the BLA that they have training scheduled in Cape Town during the period 13<sup>th</sup> to 17 December 2021. Despite the unavailability of the course during the CCMA Director downtime, a cost comparator was also performed, and it was confirmed that the cost of the course offered is within the industry norms.
  
7. The reasons provided for the request for deviation are justifiable.
  
8. National Treasury supports the request for deviation.
  
9. The Institution has an obligation to ensure that any contract for goods and services is in accordance with a system of procurement which is fair, equitable, transparent, competitive, and cost-effective.
  
10. This award must be published on e-tenders.

Kind regards,

Signed by: Molefe Isaac Fani  
Signed at: 2021-12-07 09:52:49 +02:00  
Reason: Witnessing Molefe Isaac Fani



**MOLEFE-ISAAC FANI**  
**ACTING CHIEF PROCUREMENT OFFICER**  
**DATE:**