

Thulani Dicksy Levi Sagela (Adv)

Residential

Address:

Race: African
Gender: Male
Nationality: South African
ID Number:
Driver's License: Code
Contact: Cell number:
Alternative number:
Email address:

Work Experience

Executive Manager: Company Secretary & Legal Services: Amatola Water Board, East London, Eastern Cape, 10 May 2021 – 30 September 2023

Job Description:

Lead the effective and efficient provision of governance support services to the Board and Committees

- Continuously analyse and monitor Amatola Water management practices for compliance with statutory/legal / governance and advise management of best practices accordingly.
- Research future legislative and governance standards environment developments and appraise MANCO on the adjustments required to maintain compliance.
- Advise on the governance and legal impacts of resolutions discussed and/or taken at MANCO and Board sessions.
- Monitor adequacy of the effectiveness of Board systems (e.g., Terms of Reference, Board Charter, Board performance, etc).
- Review contracts, agreements, and legally sensitive legal correspondence and documents (as they pertain to MANCO and Board), provide feedback on their legal or governance integrity, and effect necessary amendments required or offer guidance on such changes.
- Oversee smooth planning and execution of meeting logistics and guide scheduling of Board and Committee meetings as per calendar or special requirements.
- Oversee preparation of Board and Board Committee meeting packs.
- Work closely with Board Chairperson and keep him or her informed of pertinent Board and governance matters.
- Oversee the recording of minutes of all Board meetings, and Board Committee meetings in accordance with the Board Charter
- Monitor adherence to correct meeting procedures in compliance with statutory requirements.

- Follow-through implementation of Board / Committee resolutions and pending items.
- Guide Board members in executing their duties, responsibilities, and authority.
- Advise and support the Board and respond to any emerging matter regarding the effective functioning of the Board and Committees.
- Develop, roll out and implement the induction and training programme of Board Members.
- Facilitate the selection process of new Board Members.
- Establish and enforce regulatory requirements for the conduct and running of Board meetings.
- Review the Board's governance structure and make recommendations.
- Review the Code of Ethics, Board and Committee Terms of References of both Board and Management level committees as required.
- Compile a year plan for approval by the Board and Board Committees.
- Ensure effective liaison with the Executive Authority (Ministry of Water and Sanitation)

Legal & Compliance

- Render legal advisory services to ensure that the Board aligns its policies, procedures, planning initiatives and activities within the relevant legal framework.
- Oversight on the Corruption hotline.
- Investigate and Report allegations of corruption to the Audit and Risk Committee
- Conduct research and provide legal opinions and/or advice as and when required, including Tender documents, Bid documents, employment contracts, and Labour Relations cases.
- Prepare Engagement Letters
- Manage and provide guidance on the interpretation and application of the Board resolutions considering relevant legislation, regulations, Governance codes (updates) and the DWS Charter.
- Review Resolutions and Action Lists and monitor that they are timely and effectively actioned.
- Inform the Board, Board Committees and MANCO of legislated topics of relevance.
- Liaise with relevant departments to ensure that appropriate courses of action have been taken where legal risks have been identified.
- Create, implement, monitor, and maintain statutory registers such as the Minute Book and Declaration of Interest Register.
- Evaluate and report compliance with King IV governance principles.
- Formulate a compliance checklist to be used for the purposes of ensuring that all information required is provided accordingly.

Manage the Performance of the Department

- Contribute substantively to AW's strategic, integrated development and performance planning and reporting processes.

- Manage staff performance, learning and development activities.
- Formulate, manage, and control all related annual operating and CAPEX budgets.
- Compile annual budgets for the department and monitor utilisation against the baseline.
- Board induction and training: structure and deliver induction and orientation programme for new board members(s), including presentation of the roles of the Board and Executives.
- Board development interventions: facilitate the provision of board up-skilling interventions.
- Contribute towards effective audit processes.
- Coordinate board performance reviews.

Additional Responsibilities at Amatola Water:

Member of the Bid Adjudication Committee

Member of the Local Labour Forum

Deputy Information Officer

Managing Partner & Company Secretary: SJ Secretarial & Legal Services, East London, East Cape Province, February 2020 – 31 April 2021

Secretariat Support

- Draft Board and Committee Plans.
- Arrange Board and Committee meetings as per Year Plans.
- Arrange and ensure the distribution of meeting packs to relevant members on time for meeting preparation.
- Minute taking and digital record keeping.
- Update and maintain Resolution Register.
- Provide logistics support to ensure board members attend meetings.

Governance & Legal Compliance

- Draft Service Level Agreements with relevant stakeholders.
- Quarterly Governance Reporting.
- Improve Oversight by the Board.
- Draft and or review Board and Committee Charters.
- Registration or conversion of companies.
- Keep a proper register of Executive and Non-Executive Directors with the CIPC.
- Prepare a Memorandum of Incorporation (MOI) and lodge it with CIPC.
- Submit Annual Returns.
- Conduct Annual General Meetings (AGM) for shareholders.
- Develop Company Secretary's Report in the Annual Report.

- Develop a Code of Conduct for the Board of Directors.

Legal Services

- Thoroughly study and analyse copies of the case docket and determine the merits of the case.
- Consult with clients and advise on the best legal strategy.
- Conduct critical legal analysis and research.
- Prepare for court proceedings, including obtaining further particulars to determine chain evidence, and prepare witnesses.
- Present client's case in court, including examination in chief and cross-examination of witnesses.
- Address the court on conviction and sentence.
- Make representations on behalf of clients.
- Draft heads of arguments on behalf of clients.

Executive Manager: Company Secretary & Legal Services: - Amathole Economic Development Agency t/a ASPIRE, Eastern Cape Province, 1 August 2018 – January 2020

Job Description:

Operations, Planning and Management

- Managing and coordinate the strategic planning for the organisation.
- Develop and implement operational plans for the Governance and Legal Services Unit and ensure Unit goals and objectives work towards the organisation's strategic direction.
- Oversee the efficient and effective day-to-day operation of the Governance and Legal Services.

Governance and Compliance

- Manage, coordinate and evaluate the improvement of governance management process.
- Ethics management and monitor compliance within the organisation.
- Provide sound and professional advice to the Chairperson of the Board and CEO on effective and efficient governance matters.
- Advise and assist Board members regarding their duties and responsibilities.
- Compile, update and manage a comprehensive policy register.
- Keep the Board members, CEO and Executive Directors fully informed of existing and new legislative requirements and ensure the execution of such requirements.
- Perform all secretariat functions outlined in KING IV, best practices, the Companies Act and requirements of the Board.

Legal Advisory & Support

- Draft legal opinions and representations for external and internal stakeholders.
- Provide legal support on all operational aspects including review or draft of contracts, policies, and procedures. rules, etc.
- Promote an understanding of the legal framework that the Agency operates in, by tracking changes to complimentary legislation, practices, and case law and communicating the findings.
- Take responsibility for litigation and other legal proceedings.

Communications

- Act as a communication and information channel for Board & Committee Members.
- Ensure Board resolutions and directives are communicated and implemented by relevant parties.
- Follow up on Board members' decisions and requests.
- Track and coordinate Board requests between the Board and Management.
- Review press statements.

Financial Planning, Management and Administration

- Assist in the preparation of a comprehensive budget for the Legal and Governance Department.
- Administer the funds of the department according to the approved budget.
- Monitor budget expenditure and take corrective action when necessary.

Additional Responsibilities at ASPIRE:

Member of the Bid Adjudication Committee
Deputy Information Officer

Manager: Legal and Compliance: - Emalahleni Local Municipality, Eastern Cape Province, 1 August 2015 to 31 July 2018

Job Description: Primary activities include the provision of secretariat and legal services to Council and Management.

Legal Advisory Services

- Giving inputs to the development of Legal Services and Council Support Strategies, developing Sectional Plans taking into account changes in legislation and latest developments in the field.
- Giving inputs into Legal Serviced Strategy, developing legal compliance plan, providing legal support and advice to the municipality, highlighting any issues of non-compliance with the law.
- Ensuring that all legal activities are coordinated and carried out efficiently and effectively while keeping agreements and costs in line and in compliance with legal requirements, national directives, Council policy and procedures.

- Conduct research into best practices associated with the functionality and determining the appropriateness of specific policies or procedures for implementation.
- Implementing Human Resources policies and procedures to control or regulate workplace conflict and/or instituting corrective measures and consultation processes to address deviations from standards.
- Serve as a Presiding Officer or Employer representative in disciplinary proceedings.

Legal Compliance

- Managing the alignment and implementation of key legal requirements and implementation of key legal requirements concerning upholding the image and/or maintain positive perception of the municipality.
- Contribution and input towards the strategic planning processes of the institution.
- Participation in the municipality's disciplinary board, provide guidance on the application of legislation, conducting investigations related to the allegations of financial misconduct and input into the development of the disciplinary board report for submission to Council.
- Review policies and procedures to ensure compliance with legislation and ensure good governance.
- Oversee development, implementation and review of good governance control systems, policies, and procedures.
- Implement appropriate risk management strategies.
- Managing responses to requests for information in terms of PAIA from the general public through source responses within legal parameters and approve responses on behalf of the municipality.

Council Secretariat

- Manage the office of the MPAC Chairperson in an efficient, economic, and effective manner.
- Provide advice and strategic support to the MPAC Chairperson on tactical and strategic issues.
- Plan and conduct research and have innovation towards ensuring the efficiency and effectiveness of the Office.
- Develop process for MPAC investigations as directed by Council.
- Compile MPAC programme and integrate into the institutional calendar.
- Plan the management of MPAC activities to ensure logistical arrangements are made.
- Lead ad hoc projects that may give rise to working with Risk Management and Internal Audit.
- Directs management support to secretarial work of MPAC projects and programmes.
- Plan linkages with other spheres on matters of oversight.
- Facilitate community and ward meetings on ensure public comments on the Oversight Report.
- Assist the MPAC Chairperson in drafting MPAC Reports to Council.

- Attend to the filing of confidential and/or general documentation and correspondences.
- Managing the process of development, circulation of the approved Council Calendar and monitor adherence to.
- Reviewing the Standing Rules of Council and Terms of Reference for its Committees and ensuring that these are adopted by Council and monitor adherence thereto.
- Perusing specific reports to Council and its Committees so as to ensure compliance with approved guidelines and prescripts of the applicable legislation.
- Managing the development of Council and Council Committee minutes, agenda, resolutions and ensuring timeous circulation on approval.
- Tracking the implementation of resolutions of various Committees of Council and Council.
- Raising matters that may warrant the attention of Council or its Committees.

Personnel, Performance and Financial Management

- Providing leadership and direction to the Section function by providing on-the-job support, guidance and coaching after assessing performance and taking the appropriate steps to resolve the issues presented.
- Develop departmental budget in line with operational plans.
- Report on financial performance of the function. - Monitor expenditure against the budget.

Acting Director: Corporate Services: - Emalahleni Local Municipality, Eastern Cape Province, 1 October 2017 to 31 October 2017 and 1 April 2018 to 31 June 2018.

Job Description:

- Policy formulation, strategy development, and corporate governance promotion.
- Providing strategic support to the Municipality in terms of Human Capital Management, Legal Services, Information Communication and Technology.
- Records and Archives Management, Fleet Management and Council Support.
- Implementation of the Human Resources Plan to meet the strategic objectives of the municipality.
- Monitoring the implementation of the SDBIP and policies.
- Managing the departmental budget.

Legal Practitioner: Sagela Law Chambers, Western Cape Province, December 2013 – July 2015

Job Description:

Litigious duties

- Thoroughly study and analyse the copies of the docket.
- Conduct legal research.
- Advice clients on the best legal strategy.

- Prepare for court proceedings.
- Drafting legal opinions
- Alternative dispute resolutions.

Non-Litigious Duties

- Provide leadership and strategic direction of the practice.
- Overseeing all business administration and support functions.
- Drive business initiatives.
- Manage day-to-day operational functions of the office.

Candidate Legal Practitioner, Legal Aid SA, Western Cape Province, September 2011 - October 2013

Job Description

- Conduct consultation with clients to determine merit and the law.
- Legal research and drafting.
- Pre-trial preparations, (i.e. negotiation settlements with opposing parties, drafting court papers on behalf of a client).
- Appearing on trial or hearing on behalf of a client.
- Appear in court in applications relating to maintenance matters in terms of the Maintenance Act 99 of 1998 which include, inter alia, formal, and informal maintenance enquiry.
- Render advice to clients on issues pertaining to family law (divorce, domestic violence and issues involving children in terms of the Child Justice Act).
- Assist farm workers in finalising their rights under the Labour Relations Act as required under section 8(3) of the Extension of Security of Tenure Act.
- Assist clients to enforce Commission, Mediation and Arbitration (CCMA) awards except where there is no prospect of recovery.

Boards and Oversight Committees

Audit Committee Member: Enoch Mgijima Local Municipality, Komani, Eastern Cape, 4 April 2022 – to Date

Key Functions

Advising the Council, Municipal Manager and Management on the following matters:

- Internal Audit.
- Internal Financial controls.
- Accounting policies.
- Risk management.
- Adequacy, reliability and accuracy of financial reports and information.
- Performance management.
- Effective governance.
- Compliance with the Municipal Finance Management Act No. 56 of 2003.
- Compliance with the division of Revenue Act, and any other applicable legislation.
- Performance evaluation.
- Any other issues referred to by the Municipality. - Review the annual financial statements.

Education & Training

Secondary Education

Institution : Queens College Boys High
School Grade passed: Grade 12 **Year passed** : 1999.

Tertiary Education

Institution : University of the Western Cape (UWC)
Degree : Bachelor of Laws
Graduation date : September 2011
Institution : University of Cape Town (UCT)
Course : Certificate in Compliance Management
Year passed : 2022.

Training

- Introduction to Occupational Health & Safety Act (NOSA)
- Corporate Governance in the Public Sector (Ikhaya Training & Consulting)
- Intermediary Excel 2013 (ITEC)
- Advanced Excel 2013 (ITEC)
- Attended Finance for Non – Finance Managers (Global Business Solutions)

Professional affiliation

Member of the Legal Practice Council (Membership number: 54754)

Member of the Institute of Directors of Southern Africa (Membership number: 55223067)

Additional Skills and achievements

Languages: IsiXhosa (fluent), English (fluent), Afrikaans (fair), Sesotho (fair)

IT: Advanced Microsoft Office 2016, Internet, Typing, Research

Other Skills: Preparing presentations, Filing, Managing administrative processes.

Achievements

Recipient of the LexisNexis Prize for the Student with Best Research Dissertation for 2011/2012 held during the pre-graduation ceremony in March 2011.

References

Mr. B. Dladla

Occupation: Audit Committee Chairperson
Institution: Enoch Mgijima Local Municipality

Cell:

Mrs Zameka Ngele

Occupation: Executive Manager: Corporate Services

Institution Amatola Water Board
Cell:
E-mail:

**Adv. Mzwandile
Jiya**

Occupation: Managing Partner & Legal Practitioner
Institution SJ Secretarial & Legal Services

Cell:
E-mail:

Mr. Nkosinathi Mbende

Occupation: Director

Institution Amathole Economic Development Agency t/a ASPIRE SOC

Cell:
E-mail:

**Ms. Pumla
Makoma**

Occupation: Municipal Manager
Institution Emalahleni Local Municipality

Cell:
Email:

Ms. Ingrid Rensburg

Occupation: Principal Attorney
Institution: Legal Aid SA (Cape Town Justice Centre)

Cell:
E-mail: