
CURRICULUM VITAE
OF
MALOKA DANIEL
MPHO

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PERSONAL DETAILS

TITLE : MR
SURNAME : MALOKA
NAME : DANIEL MPHO
DATE OF BIRTH :
NATIONALITY : SOUTH AFRICAN
GENDER : MALE
DRIVERS LICENCE : CODE
HOME LANGUAGE : SETSWANA
MARITAL STATUS : MARRIED
DEPENDANTS :
POSTAL ADDRESS :

CONTACT NO :

HEALTH STATUS : EXCELLENT
PRESENT EMPLOYER : DEPARTMENT OF
COMMUNICATIONS
AND DIGITAL TECHNOLOGIES

PRESENT POST : DIRECTOR: LEGAL SERVICES

HIGHLIGHTS OF MY CAREER

My career spans for over a period of twenty years after completion of my tertiary education. I worked as a legal advisor, Compliance Manager, Contracts Manager at both Senior and Executive Level in different government departments. I was recruited by the Executive Mayor of City of Tshwane to head the 2010 World Cup legal and strategic support work stream as a consultant and later joined the Municipality as an Executive Manager for Litigation and Contract Management, provided strategic support to the City Manager for five years, later deployed at Legal services headed the Group Legal services Contract Management Division as an Executive Manager until my contract ended in 2015.

In 2015, I was employed as a Senior Manager responsible for Legal services, providing legal and strategic support to the MEC of Education, Mr Panyaza Lesufi and sixteen (16) District Directors and their regions. I was employed on contract basis from November 2015 and the contract was renewed for another three (3) years and was permanently employed on the same level by the National Department of Communications and Digital Technologies as a Senior Manager: Legal Services.

I played a key role in complex litigations up to the Constitutional Court, *Fedsas v MEC of Education*, *MEC of Education in Gauteng v Overvaal Hoerskool*. I also played a key role in the investigation of ParkTown Boys investigations amongst others. I was involved in high level investigation by the South African Human Rights Commission investigating racism in Schools at Johannesburg South Region.

Currently I am employed by the National Department of Communications and Digital Technologies providing legal and strategical support to the Spectrum and Broadcasting Digital Migration Team, amongst others.

With regards to my academic background, I have been bestowed with a BJuris Degree and an LLB honours from the University of North West in 1996 and 1998, respectively. I have completed several short courses and Diplomas, a Project Management course, Legal Drafting course with the Justice College and University of Cape Town. I have successfully completed an Executive Leadership Program with University of Pretoria and the Gordon Institute.

TERTIARY EDUCATION

1. NAME OF INSTITUTION : UNIVERSITY OF NORTH WEST
DEGREE OBTAINED : BJURIS
YEAR OF COMPLETION : 1995
2. NAME OF INSTITUTION : UNIVERSITY OF NORTH WEST
COURSE : LLB
DESSERTATION : CONSTITUTIONALITY OF THE "CLOSE SHOP"
AGREEMENT IN SOUTH
DURATION OF DEGREE : 2 (TWO) YEARS
YEAR OF COMPLETION : 1997
3. NAME OF INSTUTION : UNIVERSITY OF PRETORIA
DIPLOMA OBTAINED : DIPLOMA IN PROJECT MANAGEMENT
YEAR OF COMPLETION : NOT COMPLETED, A WAITING RESEARCH
4. NAME OF INSTITUTION : UNIVERSITY OF PRETORIA
DIPLOMA/MODULE : EXECUTIVE LEADERSHIP PROGRAMME

FURTHER TRAINING

1. NAME OF INSTITUTION : CS COMPUTER SERVICES
COURSE : MICROSOFT WOR, WORD ADVANCED,
INTERMIDATE
YEAR : JUNE, AUGUST & OCTOBER 1999
2. NAME OF INSTITUTION : UNIVERSITY OF PRETORIA
COURSE : DISCIPLINARY PROCEDURE FOR THE
CIVIL SERVICE
YEAR : 1999
MODULES : BASIC INVESTIGATEIONS, ART OF CROSS
EXAMINATION, RULE OF EVIDENCE,
PRESIDING OFFICER RULES
3. NAME OF INSTUTION : INSIDE LANE
COURSE : APPLIED MANAGEMENT TECHNIQUES
PROJECT PLANNING, PROJECT IMLEMENTING
FINANCE & BUDGETING, LABOUR RELATIONS
AND REPORT WRITING
4. NAME OF INSTITUON : DEPARTMENT OF AGRICULTURE / JUSTICE
COLLEGE
COURSE : LEGISLATIVE DRAFTING
DATE : 2001
5. NAME OF INSTITUTION : SOUTH AFRICAN MANAGEMENT INSTITUTION
COURSE : OPERATIONAL PLANNING
DATE : 2003

CURRENT WORK EXPERIENCE

INSTITUTION : NATIONAL DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES
POST : DIRECTOR: LEGAL SERVICES
DATE APPOINTED : 1 DECEMBER 2020 TO DATE (PERMANENT)

DUTIES

- To manage the Directorate: Legal services
- Manage flow path of legislative programme for the department
- Develop norms and standards and policy directive for the Spectrum,
- Manage the budget of the Directorate, strategic and operational plans,
- To provide legal and strategic advice to the Digital and Migration Task Team
- Drafting Legislation, Sub-ordinate legislation,
- Manage complex litigations against the Department,
- Coordinated and managed litigation database of the Department and its entities where the Minister is a party,
- To Manage and coordinate investigations as directed by the Director General and the Minister, and make recommendations to the Director General,
- To vet contracts, lease agreements, MOU's, Service Level Agreement
- To provide legal and strategic support to the Minister, Director General, Stakeholders
- To draft letters, memos, cabinet memorandum on behalf of DG and the Minister,
- To manage, facilitate litigations against the Minister and the Department,
- Represent the Department, Minister and Director General in different Forums (Portfolio Committee, Strategic Executive Committees, Meetings with Deputy Judge President)
- Represented Department in international and multilateral Committee and International Conferences,
- Develop, co-ordinate a litigation management strategy and value chain,
- To manage Contingency liabilities and provide Quarterly reports
- To brief the Minister, Deputy Minister and Director General abreast with litigations against the Department and its entities,
- Appointed by the Director-General to serve in the Bid Adjudication Committee,
- Advise the Director General on the awards and bids where there are disputes,

PREVIOUS WORK EXPERIENCE

INSTITUTION : GAUTENG DEPARTMENT OF EDUCATION
POSITION : DIRECTOR: LEGAL SERVICES
DATE APPOINTED : 1 NOVEMBER 2015 TO 30 NOVEMBER 2020 (CONTRACT APPOINTMENT)

DUTIES

- To manage the Directorate: Legal services
- Manage flow path of legislative programme for the department
- Develop norms and standards for learner admission and monitor compliance,
- To manage the budget of the Directorate, strategic and operational plans,
- Drafting Legislation, Sub-ordinate legislation,
- Manage and coordinate investigations to be conducted on behalf of the MEC and make recommendations to the MEC,
- To vet contracts, lease agreements, MOU's, Service Level Agreement
- To provide legal and strategic support to the MEC,
- To draft letters, memos, cabinet memorandum on behalf of HOD and MEC
- To manage Appeals, on behalf of MEC & HOD
- To represent the Department at the HEDCOM and MINMEC Subcommittee,
- To manage litigation,
- To draft a litigation management strategy
- To develop and manage litigation database,
- To manage Contingency liabilities and provide Quarterly reports
- To keep the HOD and MEC up-to-date of litigation matters and their impact on policy,
- Co-ordinate appointment of Law Firms to investigate any misconduct at public and independent schools as directed by the MEC

- Serve in the Bid Evaluation Committees as directed by the HOD,
- Manage and coordinate law firms appointed by the Department,
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INSTITUTION : CITY OF TSHWANE METROPOLITAN
 POST : EMPLOYED AS A CONSULTANT
 DATE APPOINTED : 1 FEBRUARY 2010 TO JULY 2010

DUTIES

- To co-ordinate and manage the 2010 World Cup Contracts work stream
- To negotiate 2010 World Cup sister to sister international agreement
- To develop core-suit contracts
- To develop strategic legal support to the Executive Mayor and City Manager on 2010 World Cup Contracts
- To develop service level agreements (SLA's)
- To develop and manage contracts management strategy

INSTITUTION : CITY OF TSHWANE METROPOLITAN
 POSITION : EXECUTIVE MANAGER: LITIGATION & CONTRACT MANAGEMENT
 DATE APPOINTED : 01 AUGUST 2010 TO JULY 2015 (CONTRACT APPOINTMENT)

DUTIES

- To co-ordinate, facilitate and manage contracts.
- To manage the division, its budget and personnel
- To provide strategic and legal support to the Executive Mayor and City Manager
- Draft by-laws and sub-ordinate legislations
- Develop and coordinate the business plan and operational plans of the Division
- Provide strategic legal support for the Chief Metro Police
- To develop and manage a contract management strategy for the City,
- To develop and manage a litigation management strategy for the City,
- To develop service level agreements (SLA's)
- To manage litigations as results of contracts
- To develop and manage an electronic database of all contracts
- To develop project plans and business plans for all the Directorates
- To develop, negotiate and vet all lease agreements between the COT and landlords
- Monitor implementation and compliance of By-laws
- To develop Quarterly contingency reports

INSTITUTION : EUROPEAN UNION (NATIONAL DEPT OF HEALTH)
 POSITION : PROJECT MANAGER: LEGAL & COMPLIANCE MANAGEMENT
 PERIOD : CONTRACT (14 JANUARY 2008- 31 DECEMBER 2009)

DUTIES

- To provide guidance to provincial departments on contracts entered into by Provincial department of health and medical schemes
- To develop guidelines for contracting with medical schemes
- Manage litigations and provide guidance to provinces
- To develop standard contract/agreement with SLA
- To facilitate and provide legal support to provincial departments
- To develop a monitoring and compliance tool to measure compliance by parties
- To assist in the development of private public partnership between the department and private parties.

INSTITUTION : NATIONAL DEPT OF SOCIAL DEVELOPMENT / SASSA
POSITION : MANAGER: COMPLIANCE MANAGEMENT AND INVESTIGATIONS
PERIOD : 1 NOVEMBER 2003 TO 13 JANUARY 2008

DUTIES

- To ensure compliance with Norms and standards, legislation and business rules
- To co-ordinate and manage Investigations,
- Conduct and coordinate exception reports from data analyses,
- To develop a complains mechanism / system for the department/SASSA
- Develop a tool to ensure compliance with Norms and standards and legislation
- To vet and provide guidance on contracts entered into by the Agency/Department
- To ensure compliance with the PFMA and other legislations,
- To manage and co-ordinate litigation against the Agency/Dept by beneficiaries
- To provide project management skills to projects managed by the unit, manage outreach programs on beneficiary protection and their rights
- Manage, supervise staff and the budget of the unit
- Assist the Director with the development of the business plan of the unit
- To conduct comparative study and research
- To represent the department at portfolio committees of the department
- Provide guidance on any investigation of complains received.

HIGHLIGHTS:

- ❖ I was appointed Director while the director was on leave for over (4) months, and I facilitated the appointment of the special investigation's unit (with the approval of the state president) to investigate. Inter alia, complaints related to social security and fraud corruption.
- ❖ I provided strategic management to the special investigation unit project
- ❖ I initiated a process to indemnify beneficiaries that were receiving social grants illegally, to date over 87 000 grants were cancelled and that resulted into saving over 400 million

INSTITUTION : SECRETARIAT FOR SAFETY AND SECURITY
POSITION : ASSISTANT DIRECTOR: LEGAL SERVICES
PERIOD : 1 FEBRUARY 2002 – 31 OCTOBER 2003

DUTIES

- Co-ordinate and manage litigation against the minister
- Liaison with provincial secretariats and SAPS legal division
- Draft legislation – SAPS Act, private security industries levies Bill, explosives acts, firearms control act
- Developed and monitor policy implementation
- Provided legal support to the minister
- Manager operational plans of the Sub-unit
- Prepared work-plans and budget of the Sub-unit
- Render legal and department support to EXCO and international committees
- Represented the department in the parliamentary portfolio committees
- Provide a hands-on investigation's against members of the SAPS
- Accompanied the Minister and secretary on official visit

INSTITUTION : NATIONAL DEPARTMENT OF AGRICULTURE
POSITION : LEGAL ADMINISTRATIVE OFFICER
PERIOD : 1 MARCH 1999 to JANUARY 2002

DUTIES

- Legal advice on different legislation administered by the department
- Drafting and editing of Sub-ordinated legislation
- Publication of legislation in the government Gazzet and invite comments
- Drafting and vetting of contracts
- Providing legal and administrative support to international negotiations
- Ensuring legislation compliance by the industry
- Providing legal and administrative support Exco Sub-committee on international relations
- Liaison and briefing state attorney
- Represented the minister on internal wine and spirit negotiations team

HIGHLIGHTS

- ❖ While working for the department of Agriculture, I was deployed by the minister of Agriculture and lands, Mr T. Didiza, MP to investigate the cause of the outbreak of the food and mouth disease in Kwa-Zulu Natal, Limpopo and Mpumalanga.
- ❖ I was deployed to represent the minister of Agriculture, Ms T. Didza, at the international negotiations on the wine and spirits with the European Union

OTHER WORK EXPERIENCE

1. INSTITUTION : HACK STPEL AND ROSS ATTORNEYS
UNIT : CRIMINAL AND MVA UNIT
DATE : 1 FEBRUARY 1998 – 28 FEBRUARY 1999

RESPONSIBILITIES

- To represent an accused (clients) in criminal matters
- Provide general legal advice
- To claim on behalf of client's motors accidents funds (MVA)
- Liaison with the Legal Aid board
- Draft contracts for clients

2. INSTITUTION : GA-RANKUWA MAGISTRATE COURT
POSITION : PROSECUTOR
DATE : 1994 0 1995 (VOLUNTEER DURING UNIVERSITY
VACATION)

RESPONSIBILITIES

- Organise Tutorial lecture and workshops for students
- Assist in the administration and management of the law clinic
- Organise empowerment workshop on human rights amongst destitute communities

SPORTS AND RECREATION

- SOCCER : IN PLAYED FOR THE DEPARTMENT:
AGRICULTURE TEAM

LEADERSHIP ROLE AND POLITICAL ACTVISM

- 1999- 2001 : COMMITTEE MEMBER OF THE DEPARTMENTAL TRANSFORMATION FORUM (DEPARTMENT OF AGRICULTURE)
- 1992 - 1994 : ORGANIZER SASCO (UNIVERSITY OF NORTH WEST)
- 1993 - 1995 : NATIONAL SPOKESPERSON FOR THE ALL LAW STUDENT UNIVERSITIES
- 1993-1996 : PRESIDENT OF THE LAW STUDENT COUNCIL (UNIVERSITY OF NORTH WEST) SECRETARY, STUDENT BLACK LAWYERS ASSOCIATION
- 1992-3 :COMMITTEE MEMBER BOPHUTHATSWANA STUDENT RESISTANCE MOVEMENT
- 1992 :COMMITTEE MEMBER OF THE EXPELLED UNIBO 63 (CURRENTLY KNOWN AS UNVERSIY OF NORTH WEST)

REFERENCES

1. ADVOCATE BRUNO SEABELO
STRATEGIC EXECUTIVE (DDG LEVEL)
LEGAL COUNSEL
CITY OF TSHWANE
Tel:
2. PANYAZA LESUFI
MEC: GAUTENG EDUCATION
Tel:
3. ADV NTINI MTSHIZANA
CHIEF DIRECTOR LEGAL SERVICES
GAUTENG EDUCATION
Tell:
4. Hon Minister KHUMBUDZO NTSHAVENI
MINISTER OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES
Cell:
5. ADV, SYBIL LYONS GROOTBOOM
CHIEF DURECTOR: LEGAL SERVICES
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