



INTERNAL / EXTERNAL ADVERTISEMENT DIVISION: CORPORATE SERVICES 21 July 2023		
REFERENCE NUMBER	POSITION: PERMANENT	NUMBER OF VACANCIES AVAILABLE
CS: 23/2023	MANAGER: LEGAL AND COMPLIANCE (RE-ADVERTISEMENT) ALL INCLUSIVE REMUNERATION: TCTC (PER ANNUM) R920 800.00 – R1 312 800.00	1

MICT SETA seeks to employ a suitably qualified and competent Manager: Legal and Compliance to oversee and manage the Legal and Compliance department for the organization to ensure compliance to all relevant legislation and to proactively identify and manage potential risks and litigation.

The successful incumbent will be based at Head Office (Midrand) and will report to the **Senior Manager: Corporate Services**.

MINIMUM REQUIREMENTS:

- Legal Qualification, LLB NQF Level 8
- Admitted attorney of the High Court of South Africa with 5 years' experience post admission experience in litigation, Contract Management and or in Regulatory Compliance Environment.
- LLM or a post graduate qualification in Contract Drafting & Interpretation will be advantageous.
- Exposure to SETA operational requirements and legislative practice environment is ideal
- Knowledge of compliance and risk management.
- Knowledge of contract management
- Knowledge of SETA legislation
- Knowledge of Administrative, Civil, Criminal, Corporate and Contract Law.
- Knowledge of Companies Act, PFMA, Treasury Regulations.

REQUIRED OUTPUTS

Legal & Compliance Strategic Management

- Provide input in the development of the Division's Annual Performance Plan,
- Communicate the Annual Performance Plan (APP) with employees and stakeholders within own area of responsibility.
- Provide strategic direction to the Legal & Compliance department towards achieving set divisional objectives.
- Develop detailed action plans to execute strategic initiatives.
- Implement and monitor operational Legal & Compliance Plans based on divisional

objectives.

- Continuously monitor the environment for the new legislation and/or amendments impacting on MICT SETA and ensuring the implementation and compliance thereof.

Statutory Compliance

- Develop Compliance Policy & Framework for due implementation.
- Oversee the review of policies across all business units to ensure that policies and related processes adhere to relevant changes in the legislative and MICT SETA environment.
- Establish and maintain a policy repository accessible to all stakeholders.
- Establish and maintain a policy version control system to monitor changes and keep track of the policy review process.
- Ensure the MICT SETA Complies with all prescripts include but not limited to Skills Development Act. PFMA, Treasury Regulations. MICT SETA Constitution, etc.
- Review, amend and develop internal policies in conjunction with relevant line managers to ensure alignment with Public Policy. RSA Constitution etc.
- Ensure MICT SETA 's compliance matrix is established and is adhered into.
- Compile and submit all statutory reports to DHET as per Compliance Plan of the DHET.
- Support the development of the MICT SETAs strategic and annual performance plans.
- Develop procedures to comply with new and impending legislation and codes.
- Compile monthly compliance reports for the various stakeholders.
- Track legislature developments and update management on legislative changes.
- Collaborate with other departments to direct, investigate or resolve issues of compliance.

Legal Services and Mitigation

- Drive continuous innovation at an operational level by ensuring the development, alignment and implementation of best practice Legal and Compliance services and protocols.
- Oversee all MICT SETA ongoing litigations and attend Court and Arbitration hearings as required.
- Prepare a dossier on both Court and Arbitration proceedings in defence of the MICT SETA 's case and hand it to the external law firms litigating on behalf of the MICT SETA.
- Report and present to the Board on all litigious matters and allow the Board to make informed strategic decision on the matters.
- Advise the MICT SETA regarding the interpretation and the application of MICT SETA rules. statutes and legislation relating to the organisation.
- Ensure the research and drafting of legal opinions as required by the MICT SETA to inform the MICT SETA 's decision-making process.
- Ensure and oversee the drafting of letters in response to complaints and/or letters of demand from attorneys representing external parties.
- Consult with law firms to conduct legal business on behalf of the MICT SETA, in accordance with the CEO and Board directives.
- Manage the MICT's Legal related service providers.
- Undertake any other legal related duties from time to time as directed by the business.

Contracts Management

- Ensure the accurate drafting, reviewing and interpretation of contracts for the MICT SETA and Board and update them on the MICT's contractual agreements.
- Drafting, vetting of contracts, monitoring of performance thereof and advise on terminations that are due.
- Liaising with panel attorneys and update litigation register monthly, quarterly, and annually on legal processes unfolding.

- Develop, maintain, and manage a contract library - prompt all with renewal and review notifications.
- Conduct quarterly trainings on Contract Management life cycles with all divisional heads.
- Provide general legal advice and guidance to business units where required.
- Monitor the implementation of legal and contract duties by parties involved.
- Ensure that all agreements and contracts are filed safely within MICT SETA.
- Ensure the creation and maintenance of a contracts register of all original contracts.
- Oversee and ensure the establishment and enforcement of a Risk Framework and related protocols for all business units.
- Oversee and ensure the establishment and enforcement of a Risk Framework and related protocols for all business units within the MICT SETA.
- Provide legal advice on and provide input into contracts the MICT SETA enters into with external parties.
- Provide advocacy on the drafting of service level agreements, Memorandums of Agreement and Memorandums of understanding.

Governance & Risk

- Identify potential areas of compliance vulnerability and risk and issue corrective action mitigation strategies.
- Prepare and present reports for submission to the MICT SETA Management/Executives and Board and its committees and other stakeholders.
- Ensure the monthly quarterly governance committee/ AA meetings takes place as per Annual Governance Calendar approved by AA.
- Assist with Board Governance and administration matters.
- Assist with drafting of meeting minutes and monitors the implementation of the resolution's schedules thereof.
- Assist in conduct new members inductions and legislative trainings.
- Assist in conducting annual Board/Committee reviews.
- Identify and mitigate risk in area of responsibility.
- Respond to Audit queries.
- Monitor the management of both operational and strategic risks.
- Compile mitigation plans for identified risk within own area of responsibility.
- Advise Management, Executives, Committees of Board and/or Board on potential legal risks and possible measures to mitigate the identified risks.
- Ensure compliance with internal policies and relevant legislative framework.
- Develop internal policies and procedures and ensure implementation thereof.

Budget & Financial Management

- Develop and manage the budget of the department by ensuring financial stability within the department.
- Ensure expenditure is in line with budget requirements.
- Monitoring financial control, budget management and the procurement process to ensure compliance with the legislation Management e.g. (PFMA, PPFA, and BBBEE)
- Maximize revenue and reduce expenditure through effective cost control measures.
- Account for original contracts while end-user & Finance Unit will keep the copy of contracts for payment purposes.
- Set, establish goals for budget adherence and controls for relevant area and establish best practice principles in process and application

Stakeholder Management & Relations

- Maintain a compliance framework in collaboration with the relevant stakeholders.
- Liaise internal and external stakeholders and maintain healthy relationships.

- Collaboration with Communications & Marketing Division by providing content on Legal Services related matters for inclusion in various media platforms.
- Represent the organisation at various forums as directed.
- Establish and maintain relations with key internal and external stakeholders to ensure support and cooperation within both the MICT SETA and the industry.
- Develop and maintain strategic relationships with the relevant stakeholders to ensure that the department can fulfil its tasks effectively and efficiently.
- Conduct regular workshops for to ensure the correct interpretation and application of the of related legislation.
- Build corporate Legal Services capacity by identifying common queries, implement strategies to build organizational Legal knowledge and develop standard solutions so that corporate capacity is built on common Legal Services issues.

SYSTEM SKILLS

- Microsoft Office Suite – Intermediate

VALUES

- Customer Centricity
- Ethical
- Innovative
- Committed
- Meritocracy
- Collaboration
- Responsiveness

FUNCTIONAL COMPETENCIES

- Audit, Risk and Compliance
- Strategic Leadership
- Contract drafting
- Written and Verbal Communication
- Negotiation skills
- Planning and organizing
- Driving performance
- Report Writing
- Policy Development
- Change Management
- Facilitation skills
- Conflict Management

BEHAVIORAL COMPETENCIES

- Planning and Organizing Decision making & problem solving
- Emotional Intelligence
- High attention to detail
- Interpersonal relations
- Team Leadership
- Professional
- Stress tolerance and works well under pressure
- Efficient and effective in meeting deadlines and delivering results
- Negotiating

Application:

CVs and qualifications of suitably qualified persons must be forwarded to the Human Resources Division for the attention of: Mr. Matome Matshwi (Recruitment@mict.org.za) by no later than **30 July 2023**. Queries may be directed to 011-207-2600.

Should candidates not hear from us 30 days after the closing date of applications, they should consider their application unsuccessful. Please note this is an open position.



White, Indian, Coloured and people with disabilities are highly encouraged to apply for this position in-line with the MICT SETA Employment Equity Targets.

POPIA DISCLAIMER- By applying for MICT SETA's vacancy, you hereby expressly give MICT SETA consent to process your personal information in accordance with the relevant provisions of the Protection of Personal Information Act 4 of 2013 ("POPIA"). Further, the MICT SETA shall retain personal information as per the regulations set out by the National Archives and Records Service of South African Act (NARSSA), Act. 43 of 1996, as amended.

Please refer to the MICT SETA POPIA Disclaimer for further information

[\(https://www.mict.org.za/popia-disclaimer/\)](https://www.mict.org.za/popia-disclaimer/)