

SWARTLAND MUNICIPALITY

NOTICE NUMBER 109/2025/2026

**NOTICE IN TERMS OF SECTION 116(3) OF THE MUNICIPAL FINANCE MANAGEMENT ACT, 56
OF 2003 REGARDING THE PROPOSED CONTINUATION OF EXISTING LEGAL MANDATES
ALLOCATED UNDER TENDER T40/22/23**

Notice is hereby given in terms of section 116(3) of the Local Government: Municipal Finance Management Act, 56 of 2003 ("MFMA"), that the Swartland Municipal Council intends to permit the continuation of certain existing legal contract mandates allocated under Tender T40/22/23: Appointment of a Panel of Legal Service Providers.

The proposed continuation applies only to legal matters for which instructions were issued prior to 30 June 2026 and does not constitute the allocation of new work. All new legal instructions will be allocated through the panel of legal service providers appointed under Tender T38/25/26.

REASONS FOR THE PROPOSED CONTINUATION

The Municipality has determined that it would not be in its best interests to terminate existing legal mandates that remain incomplete. The affected matters include ongoing litigation, conveyancing transactions and other legal processes in respect of which the appointed attorneys have acquired detailed knowledge of the facts, documentation, legal issues and procedural history. The transfer of such matters to newly appointed legal service providers would result in duplication of work, increased costs, delays and the potential prejudice of the Municipality's legal interests. The proposed continuation is therefore considered necessary to ensure the efficient, economical and effective finalisation of existing legal matters and is limited solely to the completion of matters already allocated prior to 30 June 2026.

LEGAL SERVICE PROVIDERS AFFECTED

The proposed continuation applies only to existing legal mandates currently being handled by

- Du Plessis & Mostert Attorneys;
- HSG Attorneys Incorporated; and
- Marais Müller Hendricks Attorneys Inc.

INVITATION TO SUBMIT REPRESENTATIONS

Members of the local community and other interested persons are invited to submit written comments or representations regarding the proposed contract extension to the Municipal Manager at the Municipal Offices, 1 Kerk Street, Malmesbury or by email swartlandmun@swartland.org.za by no later than 15:45 on Friday, 3 July 2026, clearly marked: **"Comments: Proposed Extension of Legal Service Contracts in terms of Section 116(3) of the MFMA"**.

Enquiries in this regard may be directed to Madelaine Terblanche, while persons who cannot read or write, may contact Nicolette Brand at the municipal head office in Malmesbury for assistance during normal office hours.

**J J SCHOLTZ
MUNICIPAL MANAGER**

**MUNICIPAL OFFICES
1 KERK STREET
MALMESBURY**

19 June 2026

SWARTLAND MUNISIPALITEIT

KENNISGEWING 109/2025/2026

KENNISGEWING INGEVOLGE ARTIKEL 116(3) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE FINANSIËLE BESTUUR, 2003 (WET 56 VAN 2003), BETREFFENDE DIE VOORGESTELDE VOORTSETTING VAN BESTAANDE REGSMANDATE TOEGEWYS KRAGTENS TENDER T40/22/23

Kennis geskied hiermee ingevolge artikel 116(3) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet 56 van 2003) ("MFMA"), dat die Swartland Munisipale Raad van voorneme is om die voortsetting van sekere bestaande kontraktuele regsmandate wat ingevolge Tender T40/22/23: Aanstelling van 'n Paneel van Regsdiensverskaffers toegeken is, toe te laat.

Die voorgestelde voortsetting is slegs van toepassing op regsaaengeleenthede waarvoor instruksies voor 30 Junie 2026 uitgereik is en behels nie die toekenning van nuwe werk nie. Alle nuwe regsinstruksies sal deur die paneel van regsdiensverskaffers wat ingevolge Tender T38/25/26 aangestel is, hanteer word.

REDES VIR DIE VOORGESTELDE VOORTSETTING

Die Munisipaliteit het bevind dat dit nie in sy beste belang sou wees om bestaande regsmandate wat nog nie afgehandel is nie, te beëindig. Die betrokke aangeleenthede sluit lopende litigasie, transporttransaksies en ander regsprosesse in ten opsigte waarvan die aangestelde prokureurs reeds oor uitgebreide kennis van die feite, dokumentasie, regsrae en prosedurele geskiedenis beskik. Die oordrag van sodanige aangeleenthede na nuut aangestelde regsdiensverskaffers sal lei tot duplisering van werk, verhoogde koste, vertraginge en moontlike benadeling van die Munisipaliteit se regsbelange.

Die voorgestelde voortsetting word derhalwe as noodsaaklik beskou om die doeltreffende, ekonomiese en effektiewe afhandeling van bestaande regsaaengeleenthede te verseker en is uitsluitlik beperk tot die afhandeling van aangeleenthede wat reeds voor 30 Junie 2026 toegeken is.

BETROKKE REGSDIENSVERSKAFFERS

Die voorgestelde voortsetting is slegs van toepassing op bestaande regsmandate wat tans deur die volgende regsdiensverskaffers hanteer word:

- Du Plessis & Mostert Prokureurs;
- HSG Attorneys Incorporated; en
- Marais Müller Hendricks Prokureurs Ingelyf.

UITNODIGING OM VERTOË TE RIG

Lede van die plaaslike gemeenskap en ander belanghebbende persone word hiermee uitgenooi om skriftelike kommentaar of vertoë rakende die voorgestelde kontrakverlenging te rig aan die Munisipale Bestuurder, Munisipale Kantore, Kerkstraat 1, Malmesbury of per e-pos aan swartlandmun@swartland.org.za teen nie later nie as 15:45 op Vrydag, 3 Julie 2026, duidelik gemerk: **"Kommentaar: Voorgestelde Verlenging van Regsdienskontrakte ingevolge Artikel 116(3) van die MFMA"**.

Navrae in hierdie verband kan gerig word aan Madelaine Terblanche, terwyl persone wat nie kan lees of skryf nie, gedurende normale kantoorure vir bystand met Nicolette Brand by die munisipale hoofkantoor in Malmesbury in verbinding kan tree.

**J J SCHOLTZ
MUNISIPALE BESTUURDER**

**MUNISIPALE KANTORE
KERKSTRAAT 1
MALMESBURY**

19 Junie 2026