



# Wes-Kaapse Provinsiale Parlement Western Cape Provincial Parliament IPalamente yePhondo leNtshona Koloni

Ref Number: WCPP 11/4/2/

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Report of the Standing Committee on Finance, Economic Opportunities and Tourism (the Committee) on the recommendations for the appointment of candidates to the Western Cape Consumer Affairs Tribunal, dated 29 January 2024, as follows:

1. The matter of vacancies on the Western Cape Consumer Affairs Tribunal (the Tribunal) was referred to the Committee on 21 November 2022, by the Office of the Speaker. The process was delayed due to undesirable probity outcomes. The Directorate: Office of the Consumer Protector in the Department of Economic Development and Tourism (the Department) engaged in a second round of calls for nominations in 2023, which yielded more promising probity results.
2. Section 15 of the Western Cape Consumer Affairs (Unfair Business Practices) Act, 2002 (Act 10 of 2002) (the Act) stipulates that the Minister, or an official of the Department appointed by the Minister, and the Committee must nominate candidates for appointment to the Tribunal. This includes the nomination of alternate members to the Tribunal. The Act also states that these candidates should be interviewed, and the interviews should be open to the public.
3. On 22 January 2024, the Department briefed the Committee on the process leading to the shortlisting of candidates, as well as the interview and selection process. The Committee was provided with a list of 22 candidates to evaluate. This list was further shortlisted to 12 candidates due to withdrawals, the disqualification of certain candidates (based on Section 16 of the Act: Persons disqualified from being members of tribunals), and the non-disclosure of pertinent information that was requested.
4. The interview and selection panel, consisting of the Committee, and Mr A Searle (Director: Office of the Consumer Protector), as appointed by the Minister, were tasked with nominating four persons, namely, a chairperson with legal experience, and three additional members having special knowledge or experience of consumer advocacy, economics, industry, or commerce. Section 15(3) of the Act also allowed the panel to nominate an alternate member for every member of the Tribunal.
5. The panel interviewed the candidates on 25, 26 and 29 January 2024. Prior to Mr A Du Plessis' interview, Mr A Searle (Director: Office of the Consumer Protector) declared that he was familiar with Mr Du Plessis as the candidate had worked with the Office of the Consumer Protector; however, this was several years ago.

6. The Committee, having interviewed the candidates on 25, 26 and 29 January 2024, recommended the following candidates, ranked as follows:

6.1 For the chairperson position within the Tribunal:

- Ms Lizanne Venter

6.2 For the three remaining member positions within the Tribunal:

- Mr Alvin Peter
- Mr Ben Mdebuka
- Mr Andre Du Plessis

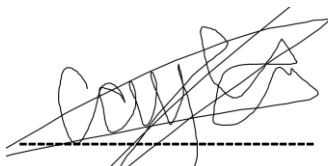
6.2 For the alternate positions:

- Mr Claude Bassuday
- Mr Lizo Ntloko
- Mr Lionel Esterhuizen
- Mr Julian Schroeder

7. The panel also submits the Members' scoresheets along with this Report. The scoresheets have been attached as an annexure. Kindly note that the scores indicated on the scoresheets are not a reflection of the panel's final recommendations, as these nominations were also subject to debate. It was agreed that the scoresheets could not be considered a mathematical exercise because certain factors were not quantifiable by nature.

8. The Committee would also like to reiterate that these recommendations are subject to the verification of the criminal checks and all other outstanding verifications.

Report to be considered.



**MS CAT MURRAY, MPP**  
**CHAIRPERSON: STANDING COMMITTEE ON FINANCE, ECONOMIC OPPORTUNITIES AND TOURISM**

**DATE: 29 January 2024**