

K. MOPHETHE CHAMBERS BUSINESS PROFILE:

1. EXECUTIVE SUMMARY:

K. MOPHETHE CHAMBERS is a law firm offering a variety of law products. The services offered are corporate and commercial, environment and labour relations laws. The firm also performs analysis and evaluation of laws and policies

The firm started operating in March, 2005

FIRM'S PROFILE:

2. MISSION:

Our Mission is to provide to our clients, timely effective and practical legal advisory services in both contentious and non-contentious matters while observing the highest ethical standards.

3. OBJECTIVES:

The firm's objective is to actively participate in the development of Lesotho through undertaking researches on development laws, by providing the Government and the business community with a range of developmental and commercial legal solutions that will assist them to minimize their law related risk exposures, through proactive advice and well structured contracts and friendly corporate, commercial, environmental and employment policies. It is also the firm's objective to educate and train the business community in related laws through structured in-house programmes and seminars.

4. SERVICES:

We are specialists in **corporate and commercial, development, environment and labour** laws. We offer amongst others, **legal services** in the following fields:

- ✓ Contracts for the procurement of goods and services;
- ✓ Negotiation of contracts for clients;
- ✓ Construction law including tender documents and contract analysis, claims preparation and appraisal and project insurance;
- ✓ Project finance;
- ✓ Labour law, management and forensic audits;
- ✓ Analysis and evaluation of laws and policies;
- ✓ Corporate Governance and compliance issues;
- ✓ Dispute resolution, Alternative Dispute Resolution, including arbitration, either as a party appointed advocate, or a mediator or arbitrator;
- ✓ Seminars and in-house training to the client's staff in any of the above mentioned fields; and
- ✓ Conveyancing and Real Estate management.

5. NON- CONTENTIOUS WORK:

We believe that preventing a problem or nipping it in the bud is less expensive to the client than waiting to resolve such a problem, once it has arisen.

- We work with the client to deliver practical, timely, cost effective and efficient legal solutions, giving the client peace of mind that their legal matters are being handled by professionals.
- We create, draft and tailor make for the client and with the client, effective practical contracts, agreements, memoranda of understanding, policies and procedures and other legal instruments.
- Where the client so requires, we negotiate contracts together with the client's team or on behalf of the client.
- We work with the client throughout all the stages of the client's project cycle.
- We keep the client up dated on any developments in the laws that affect the client, locally and within the environment it operates so that the client is never 'caught unaware'.
- We provide tailor made training to clients.

6. CONTENTIOUS WORK:

We have extensive experience in both domestic and international commercial arbitration as well as other forms of Alternative Dispute Resolution, ADR.

The firm organizes seminars on ADR to educate the business community on the use of ADR.

The firm also represents or finds legal representation for clients in the event that a matter has to go to court

7. ASSIGNMENTS TO DATE:

The following are some of the assignments the firm has to date handled

7.1. Research, report writing on the findings and drafting of legislation for the Ministry of Tourism, Environment and Culture and the United Nations Environment Programme (UNEP) on:

- (a) Environmental Impact Assessments;
- (b) Toxic and Hazardous Chemicals; and
- (c) Hazardous Waste Management.

7.2. Advising WASA on a number of claims with its contractor over the Maseru Peri Urban Project

7.3 Advising AON Lesotho (Pty) on its employee pension issues with the Lesotho National Insurance Company. Advised AON Lesotho (Pty) on an issue involving them and the Central Bank of Lesotho in its capacity as insurance regulator.

7.4 Advised a private client on a company management buy out. (details can be given on request and in confidence)

7.5 Currently working with a number of private clients on a number of HR related issues, including sitting on staff disciplinary panels for organizations.

7.6 In conjunction with the National University of Lesotho and Sechaba Consultants, currently working on a project on the elimination of worst forms of child labour in Lesotho for the Ministry of Labour and the International Labour Organisation (ILO). This project involves researching on the laws and policies that exist and affect child labour and drafting a country Action Programme on the Elimination of Child Labour (APEC) May, 2006 - (ongoing)

7.7 Appointed by the International Finance Corporation (IFC) to advise them and perform a Legal Due Diligence in respect of a Public Private Partnership (PPP) arrangement the Lesotho Government wants to enter into for the construction of a referral hospital, 2006. (completed)

7.8 In consortium with S.M.Consulting Engineers awarded a contract by Maloti Drakensberg Transfrontier Project to do an environmental, legal and compliance audit of the Mahlasela Ski Resort, 2006. (completed)

7.9 Advising, negotiating and drafting a number of contracts for Telecom Lesotho (Pty) Ltd with a number of contractors and service providers. Advised Telecom Lesotho (Pty) on its procurement rules

7.10 Handled, drafted and registered a number of deeds for a number of clients.

7.11 Incorporation of a number of companies for a number of clients.

7.12 Legal opinions for a number of clients on a variety of issues

7.13. Legal Advisor responsible for the drafting of the legal framework, under the Horticulture component, for the commercialization of framing in selected pilot project areas under the private sector competitiveness project (PSCP) financed by the World Bank;

7.14 In collaboration with the Institute of Development Management (IDM) facilitated and trained the Lesotho college of Education Council members on their responsibilities as members of the LCE Council, November, 2006;

7.15 Prepared training for the Telecom Lesotho (Pty) Ltd Board of Directors on their responsibilities as board members, 2007;

7.16 Appointed by the Ministry of Tourism, Environment and Culture to research and prepare reports and regulations for the Lesotho National Library management, as well as prepare a Code of Ethics, 2007.

7.17 In collaboration with the IDM offered training services to train the public service on specialized HR management, to commence in 2007

7.18 Worked with a number of clients in the construction industry on a number of issues,

8. ADVISORS:

The firm has a panel that advises it on different legal and commercial issues as well as its direction in general.

9. NETWORKING AND LIAISONS:

Through the initiatives of Advocate K. Mophethe, the firm has established links and has access to a wide array of experts, locally, regionally and internationally, to draw from in cases of need, and with the specific agreement of the client if the use of such expertise will result in extra charge to the client.

Where the client so requires, we work with the client's team, be it in-house or external, to provide such inputs as the client may require.

10. FEES:

We charge an hourly rate but we also can agree with the client on a flat fee once there is full appreciation of the work involved. Because fees are driven by the number of hours spent on the assignment, our experience and expertise ensures that the client will not pay for any more time than it should.

Our fees are influenced by a number of factors, including the following:

- The nature of the services required by the client;
- Documentation involved;
- Complexity and novelty of the problem; and
- The speed or urgency with which the client wants the service.

We always strive to agree an estimate of fees with the client during the initial stages of the assignment. This avoids any discomfort or surprises on either party

11. MANAGEMENT:

The firm is under the direct control and management of Advocate K. Mophethe

12. OFFICES:

The office is located at 1st Floor Mafike House on Kingsway, Maseru, Lesotho, in the city center where it can be easily accessed.

The following are the office contact details:

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“We deliver practical solutions ... not just law”