



**the doj & cd**

Department:  
Justice and Constitutional Development  
REPUBLIC OF SOUTH AFRICA

The Department of Justice and Constitutional Development invites all interested service providers to submit proposals for requirements stipulated below:

DOCUMENT NUMBER:	RFI 01 2024
RFQ ISSUE DATE:	08 May 2024
RFQ CLOSING TIME AND DATE:	22 MAY 2024 @ 11:00 am (RFIs received after closing date and time as stipulated may not be accepted)
DESCRIPTION:	REQUEST FOR INFORMATION (RFI) IN RESPECT OF LEGAL RESEARCH SERVICES
BRIEFING SESSION TIME AND DATE:	NO BRIEFING SESSION TO BE CONDUCTED
RESPONSES TO THIS RFI MUST BE HAND DELIVERED TO:	THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT, MOMENTUM BUILDING, 329 PRETORIUS STREET, PRETORIA CENTRAL, (TENDER / BID BOX SITUATED AT THE RECEPTION.
ANY ENQUIRIES MUST BE:	Send to <a href="mailto:Sourcing@justice.gov.za">Sourcing@justice.gov.za</a> .

## **ANNEX A: INTRODUCTION**

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### **1. PURPOSE AND BACKGROUND**

#### **1.1 PURPOSE**

Department of Justice and Constitutional Development (the Department) requests information from research bodies in the legal field regarding a research project that will form the basis for the reform of the South African Law Reform Commission Act, 1973 (Act No. 19 of 1973) (the Act).

#### **1.2 BACKGROUND**

1.2.1 The core function of the Department is two-fold, namely, to administer effective and efficient justice and to promote constitutional development, through the development and implementation of legislation and programmes that seek to advance and sustain constitutionalism and the rule of law. The objectives of the Department includes—

- (a) enabling access to justice for all;
- (b) promoting constitutionalism, rule of law and respect for human rights; and
- (c) enhancing organisational efficiency.

1.2.2 The South African Law Reform Commission (the Commission) is a statutory body that operates within the Department. The Commission was established in terms of section 2 the Act.

1.2.3 According to the provisions of section 4 of the Act, the objects of the Commission are “to do research with reference to all branches of the law of the Republic, and to study and investigate all such branches in order to make recommendations for the development, improvement, modernisation or reform thereof, including—

- (a) the repeal of obsolete or unnecessary provisions;
- (b) the removal of anomalies;
- (c) the bringing about of uniformity in the law in force in the various parts of the Republic;
- (d) the consolidation or codification of any branch of the law; and
- (e) steps aimed at making the common law more readily available.”.

1.2.4 The Act is outdated and has to be reviewed to ensure that the—

- (a) Commission’s mandate is aligned with the post democratic dispensation, which is underpinned by the rule of law; and
- (b) Commission operates in an efficient manner.

**2. OBJECTIVE OF THE RFI**

- 2.1 The objective of this RFI is to assess—
- (a) the market’s interest in carrying out legal research that will form the basis for reforming the Act; and
  - (b) the availability of the capabilities necessary to carry out the research.
- 2.2 This will enable the Department to gain insight into the market landscape and to gather information that will assist when the procurement method is considered.

**3. HIGH LEVEL REQUIREMENTS**

The respondents are required to provide the Department with the required information by completing the “response” column in the table below.

NO.1	INFORMATION REQUESTED	RESPONSE
1	Experience in similar projects: 1.1 Legal research, including comparative research; 1.2 Legislative drafting; 1.3 Public consultation processes; and 1.4 Project management. 1.5 Organisational review	
2	Appropriate skills and resources: 2.1 Qualifications and experience of the key project team members. 2.2 Resources (other than human resources) necessary to deliver on the project.	
3	Indicative pricing: 3.1 Indication of the cost of delivering on the project.	

**4. DISCLAIMER**

- (a) This RFI is a stand-alone information-gathering exercise, intended only to inform and assist the Department’s further deliberation and development of a formal

## REQUEST FOR INFORMATION IN RESPECT OF LEGAL RESEARCH SERVICES

Request for Proposal (RFP) for the appointment of a research body to carry out the legal research.

- (b) The Department reserves the right to, at any time, include such responses to this RFI in any further procurement documents which may or may not be made available at such later stage, without the obligation or liability to pay any compensation or reimbursement of any nature to any person pursuant to such use.
- (c) Service providers that access this RFI must make their own independent assessment of the information provided, taking such advice (whether professional or otherwise) as they deem necessary.
- (d) No Service providers, its shareholders, members, contractors or suppliers shall have any claim against the Department, under any circumstances whatsoever, arising out of any matter relating to this RFI of any nature whatsoever, including where such claim is based on any act or omission by the Department, or any of its officers or employees, of any nature whatsoever, or where such claim is based on the content of, or any omission from this RFI of any nature whatsoever.