

Mukelwe Mthembu

Senior Associate



Mukelwe Mthembu is a Senior Associate in our Dispute Resolution practice. She has experience in commercial litigation, arbitration proceedings and procurement law. Mukelwe provides regulatory, risk advisory and dispute resolution services in both the public and private sector.

About Mukelwe

Mukelwe joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2018. She served her articles of clerkship whilst serving in CDH's Dispute Resolution Practice, Employment Law Practice and Competition Law Practice.

In September 2021 she was admitted as an attorney of the High Court of South Africa and has been practicing in Dispute Resolution and Litigation since, wherein she has been appointed as an Associate.

Mukelwe was promoted to Senior Associate in 2024.

Credentials

Education

- LLB, University of the Witwatersrand

Experience

- Legal advice

Advised major banking institutions on the enforceability of various government agreements and/or legality of such underlying public law requirements for the government (i.e. governments/state-owned) action/conduct for purposes of considering whether to fund particular transactions/projects.

- Legal advice

Representing multi-national oil companies in arbitration and litigation in various matters that affect the sale and distribution of petroleum products in South Africa.

News

Publication of Draft Petroleum Products Bill for public comment

On 21 October 2024, the Department of Mineral Resources and Energy (DMRE) published the draft Petroleum Products Bill (Bill) for public comment.

Contact Mukelwe

+27 (0)11 562 1354

mukelwe.mthembu@cdhlegal.com

[Mukelwe on LinkedIn](#)

Expertise

[Dispute Resolution](#)

Location

Johannesburg

Language

English

isiZulu

['New Dawn' for Public Procurement in South Africa: The Public Procurement Act becomes law](#)

Following its adoption by the National Assembly on 16 May 2024, President Cyril Ramaphosa on 23 July 2023, assented to signed into law the Public Procurement Act 28 of 2024. The Public Procurement Act seeks to create a single framework that regulates public procurement, including preferential procurement, by all organs of state, with the necessary efficiency, cost-effectiveness and integrity and enhance transparency and integrity, among others, to combat corruption, ensure efficient, effective and economic use of public resources and advance transformation and broadened economic participation.

[The establishment of the Public Procurement Tribunal](#)

The complex public procurement system in South Africa has been fertile ground for litigation over many years, and to say that law reports are replete with cases dealing with public procurement would be an understatement. Litigation in this context almost invariably brings significant delays in public procurement. Those delays cost money and cause much frustration and inefficiency within public procurement, and are a significant contributor to the lack of service delivery. The unnecessary complexity in the public procurement regulatory framework often results in confusion that invariably leads to disputes.

[Another judgment on prescription?](#)

Whether it relates to the meaning of a debt or the running of prescription, it seems that every year, the courts are obliged to publish judgments dealing with one or the other.

[Nigeria's incoming Arbitration and Mediation Bill, 2022](#)

The incoming Arbitration and Mediation Bill (Bill) in Nigeria, which is said to be more commercially aware and more in tune with international practices, is set to change the legal landscape of mediation and arbitration in Nigeria.

[All news by Mukelwe Mthembu →](#)