

# B-BBEE GENERAL REQUIREMENTS UPDATE

**BY MOKGADI RAMEETSE**

**B-BBEE VERIFICATION AGENCIES MUST BE DEEMED FACTUAL AND INDEPENDENT FROM THEIR MEASURED ENTITIES. VERIFICATION AGENCIES SHALL AVOID ANY CIRCUMSTANCE THAT GIVES RISE TO OR MAY POTENTIALLY GIVE RISE TO A CONFLICT OF INTERESTS BETWEEN THE VARIOUS PARTIES. WHEN SUCH CIRCUMSTANCES ARISE, THE FULL NATURE THEREOF MUST BE DISCLOSED IMMEDIATELY TO ALL THE PARTIES INVOLVED AND NO VERIFICATION SHALL BE DONE. THE MEASURED ENTITY SHOULD THEN APPROACH ANOTHER VERIFICATION AGENCY TO PERFORM THE VERIFICATION.**

Please note that it has become evident that we need to emphasize the impartiality clause 13 as stated in R47, "Impartiality is the actual and perceived presence of objectivity. Objectivity means that conflicts of interest do not exist or are resolved so as not to influence adversely the subsequent activities of the B-BBEE Verification Agency. Synonyms that are useful in conveying the element of impartiality are: objectivity, independence, and freedom from conflicts of interest, freedom from bias, and lack of prejudice, neutrality, fairness, open-mindedness, even-handedness, detachment and balance."

Being impartial, and being perceived to be impartial, is necessary for a B-BBEE Verification Agency to be able to deliver a verification that provides confidence. It is

recognised that the source of revenue for a B-BBEE Verification Agency is the client paying for its services and that this is a potential threat to impartiality.

In order to obtain and maintain confidence, a B-BBEE Verification Agency has to be able to demonstrate that its decisions are based on objective evidence and that its decisions have not been improperly influenced by other interests or by other parties.

The Revised B-BBEE Codes published on the 11th October 2013 in the gazette number 36928 allows entities that are Exempted Micro Enterprise and Qualifying Small Enterprise (black owned) to confirm their status using sworn affidavit.

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# B-BBEE GENERAL REQUIREMENTS UPDATE (continued from page 1)

The Department of Trade and Industry (**the dti**) has recently updated the following sworn affidavits to help entity paying not to pay for them:

1. B-BBEE Qualifying Small Enterprise – General  
[http://www.dti.gov.za/economic\\_empowerment/docs/Affidavit-EME-Gen.pdf](http://www.dti.gov.za/economic_empowerment/docs/Affidavit-EME-Gen.pdf)
2. B-BBEE Qualifying Small Enterprise - Specialised Entity – General  
[http://www.dti.gov.za/economic\\_empowerment/docs/Affidavit-EME-Spec.pdf](http://www.dti.gov.za/economic_empowerment/docs/Affidavit-EME-Spec.pdf)
3. B-BBEE Exempted Micro Enterprise – General  
[http://www.dti.gov.za/economic\\_empowerment/docs/Affidavit-QSE-Gen.pdf](http://www.dti.gov.za/economic_empowerment/docs/Affidavit-QSE-Gen.pdf)
4. B-BBEE Exempted Micro Enterprise - Specialised Entity – General  
[http://www.dti.gov.za/economic\\_empowerment/docs/Affidavit-QSE-Spec.pdf](http://www.dti.gov.za/economic_empowerment/docs/Affidavit-QSE-Spec.pdf)

The validity of the B-BBEE certificates issued by the accredited Verification Agencies is for the period 12 months from the date of issue, the validity is also stipulated on the issued certificates.

The SANAS BEE program has formed strategic partnerships and alliances that will give SANAS an opportunity to access a broader range of resources and expertise in order to transform. Strategic partnerships and alliances were formed with:

1. B-BBEE **the dti** BEE unit
2. Property Sector Charter CEO
3. ICT Sector Charter
4. Tourism Sector Charter
5. Gauteng Department of Economic development
6. B-BBEE Commission



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