

South African National Accreditation System

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Our Reference: **SUBMISSION OF B-BBEE CERTIFICATES AND REPORTS TO SECTOR COUNCIL**

8 September 2023

NOTIFICATION TO ALL VERIFICATION AGENCIES REGARDING SANAS ASSESSING THE SUBMISSION OF B-BBEE CERTIFICATES AND REPORTS TO SECTOR COUNCILS

Section 10 (4) of B-BBEE Act says 'Enterprises operating in a sector in respect of which the Minister has issued a sector code of good practice in terms of section 9, must report annually on their compliance with Broad-Based Black Economic Empowerment to the sector council which may have been established for that sector'.

Furthermore, Gazette no.38766 on 6 May 2015 for establishment of sector codes councils says in clause 6, 'the measured entities must submit on annual basis the B-BBEE Certificates and Reports to the Sector Councils.

It has been identified that there is a challenge in obtaining the B-BBEE Certificates and Reports from the sector specific enterprises and the Sector Council cannot report due to that reason.

During the STC meeting held on 5 April and 23 November 2022, the members decided that SANAS should check whether the B-BBEE Certificates and Reports were submitted to the Sector Council. The verification agencies must check and ensure that the rated measured entities have submitted the previous and current B-BBEE Certificates and Reports to their specific sector.

This submission process will be assessed from the beginning of 2023/24, i.e. 1 April 2023.

Please note the below clauses in Annexure A that requires measured entities or/and verification agencies to submit the B-BBEE Certificates and Reports to the Sector Councils.

Kindly share the attached notification with the measured entities.

BOARD OF DIRECTORS

Lerato Mothae, Samuel Mlangeni, Fezile Wetes, Patricia Lindi Tlou (Interim Chairperson), Sarah Mohlala, Tshenge Demana, Mpho Phaloane, Irene Ramafola, Sadick Jaffer, Tumelo Baleni (Acting CEO).

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Annexure A

| Sector | Gazette | Page | Clause No | Clause Statement | Submission Platform |
|------------------------|---------|------|-----------------|---|---|
| Property Sector | 40910 | 21 | 14.6 | All verification agencies must submit Property Sector BBEE Certificate and Scorecard Report within 30 days of issue. | admin@propertycharter.co.za |
| Financial | 41287 | 10 | 2.14 8.5 | The verification of B-BBEE compliance of financial institutions will be undertaken by B-BBEE verification professionals as determined by the Act. All verification agencies verifying a financial institution must submit the financial institution's B-BBEE certificate and the full verification report to the Financial Sector Charter Council within 30 days of the certificate issue. VAs to discount by 1 level an entity that cannot prove that the entity submitted their report for the previous verification to the FSTC | reporting@fstc.org.za |
| ICT | 40407 | 13 | 7 | The verification of B-BBEE compliance is encouraged and to this end, the B-BBEE ICT Sector Council will from time-to-time issue guidelines on the Framework for Reporting by Measured Entities and Verification Professionals. | ictcouncil@ictsectorcouncil.org.za CC: chair@ictsectorcouncil.org.za depchair@ictsectorcouncil.org.za |
| Agri | 41306 | | | | AgriBEE@dalrrd.gov.za |
| Forestry | 40803 | | | | info@forestsectorcharter.co.za |

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| Sector | Gazette | Page | Clause No | Clause Statement | Submission Platform |
|---------------------|---------|------|-----------|---|--|
| Transport | 32511 | | | | |
| Construction | 41287 | 5 | 1.5.4 | It will be compulsory for all Measured Entities who are measured through the Verification Agencies to ensure that BBEE certificates issued in terms of the Construction Sector Code to annually provide the independently verified scorecard and associated details of the Measured Entity in a prescribed format to the Construction Sector Charter Council in line with Section 10 (4) of the B-BBEE Amendment Act. The Construction Sector Charter Council will use this information to assess the performance of the sector and to provide accurate and reliable state of the industry reports to the line Minister and the DT. Verification agencies must ensure that the confidentiality obligations with their clients do not prohibit them from providing such information. | Construction Council Website, ie www.csc.org.za |
| MAC | 39887 | | | | Chair.MACsectorCouncil@gcis.gov.za |
| Defence | 42391 | | | | defencecouncil@defencecouncil.co.za |
| Tourism | 39430 | 18 | 20.2 | Measured entities that are governed by the Amended Tourism B-BBEE Sector Code must submit on an annual basis their B-BBEE verification certificate and B-BBEE verification report or, where relevant, sworn affidavit, to the Tourism B-BBEE Sector Charter Council. | bbbee@tourism.gov.za |