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B-BBEE COMMISSION
a member of the dti group

UKUQONDA NGOKUQALA KOKUSEBENZA KOHLELO LWEZOKUSEBENZA KWENTSHA

Luyini uhlelo lokusebenza kwentsha i-Youth Employment Service (YES)?

Uhlelo lwe-YES lwashicilelwa ngaphansi kwe-Code Series 000 of Statement 000 yezinqubo ezichibiyeliwe ngaphansi kwe-Codes of Good Practice (“ama-Codes”) yomthetho we-Broad-Based Black Economic Empowerment Act 53 of 2003 njengoba ichibiyelwe ngumthetho i-B-BBEE Act 46 of 2013. Uhlelo lwe-YES luqale ukusebenza ngomhla wama-28 kuNcwaba (August) futhi inhloso yawo kwakunguku qhuba umsebenzi wokuvulwa kwamathuba emisebenzi entsheni emnyama kanye nokuhlinzeka ngezinga elithuthukile le-B-BBEE ezinkampanini ezikalwe ngokohlelo lwe-YES (YES Measured Entities).

Yimiphi Imiqondo Engumongo Ekukaleni?

Lokhu okulandelayo kufanele ukuba kufezeke ukuze inkampani ekaliwe yamukelwe:

(a) Ukubhaliswa nenkampani engenzi nzuzo (YES Non-Profit Company) ukuze ikwazi ukubamba iqhaza ngaphansi kohlelo lwe-YES futhi izinkampani ezingabhalisiwe ngeke zamukelwe ngokohlelo lwe-B-BBEE.

(b) Okulindelekile okuyiminxa ebalulekile yezinkampani ezingaphansi kohlelo lwe-YES (YES Measured Entities) ezilawulwa umthetho womkhakha zizobalelwa njengokwemiqondo ekulowo mhthetho womkhakha ukuze zikwazi ukusebenza ngaphansi kohlelo lwe- YES.

(c) Izinkampani ezingaphansi kohlelo lwe-YES (YES Measured Entities) kudingeka ukuba zigcine izinga lazo le-B-BBEE (B-BBEE Status Level) laphambilini ukuze zibambe iqhaza ohlelweni lwe-YES (i.e. Izinga 4, Izinga 5, njll.). Lapha izinkampani zingaligcini izinga lazo laphambilini le-B-BBEE (B-BBEE Status Level) ngenxa

yanoma yisiphi isizathu noma izizathu futhi zisanesifiso sokubamba iqhaza ohlelweni lwe-YES, zingaxhumana nophiko lwe-**dtic** B-BBEE Lwezezinqubomgomo ziveze ubufakazi obubonakalayo bokubamba iqhaza. Lokhu kungahlanganisa, kofwa akupheleli kulokhu:

- Ukuphela kwesivumelwano sobunikazi;
- Izichibiyelo emithethweni yomkhakha okungaholela ekwehleni kwezinga le- B-BBEE;

(d) Ukwamukelwa kuzokwenzeka kuphela uma sekuphothulwe izinyanga eziyi-12 kwenziwe uqeqesho lwasemsebenzini futhi okuphokophelwe kususelwa kokubekiwe njengokuphokophelelwe kwe-YES kwezinkampani esohlelweni lwe-YES. Lapho kutholakala khona ukuthi ukwamukela kwenziwe ngokwezimiso ezibekiwe ngokwe-B-BBEE Verification, ukugunyazwa (B-BBEE Recognition) kuzonikezwa.

(e) Uhlelo lokuqeqeshelwa emsebenzini lwezinyanga eziyi-1 alusilo uhlelo lokuqeqeshela amakhono omsebenzi (learnership, internship, apprenticeship).

(f) Izinkampani ezingama-Exempt Micro Enterprises (ama-EMEs) kanye nezinobunikazi babamnyama obungama-51% nama-100% ezingama-Qualifying Small Enterprises (ama-QSEs) ezibambe iqhaza ohlelweni lwe-YES zizohlolwa ngokwesilinganiso se-QSE Scorecard nesitifiketi se-B-BBEE sizokhishwa yinhlangano eyi-Accredited SANAS B-BBEE Verification Agency.

(g) Ukugunyazwa i-B-BBEE Recognition kuzosebenza kuphela uma uma kuvulwa amathuba emisebenzi ngaphansi kohlelo lwe-YES kubasebenzi abafanele abangaqashiwe ngesikhathisokubhalisela uhlelo lwe-YES.

Yiziphi izinkampani ezinelungelo lokubamba iqhaza ohlelweni lwe-YES?

Izinkampani ezijwayelekile ezinengeniso yezigidi ezingama-50 nangaphezulu kufanele zibe nesibalo esingama-40% seminxa ebalulekile esilinganisweni se-B-BBEE ngokomthetho. Okanye, lezi zinkampani kufanele zibe ne-avareji yama-50% eminxeni emithathu ebalulekile ngokokubalulwe ngokwemithetho.

KANYE

Nama-QSEs ayizinkampani ezinengeniso yonyaka ephakathi kweyizigidi eziyi-R10 kuya kwezingama-R50 kufanele zibe okungenani nama-40% kokubalulekile okubili kokuthathu nokuyimpoqo okumayelana ngobunikazi benkampani. Okanye, i-QSE

kufanele ibe ne-avareji engama-40% kokubili kokubalulekile kokuyimpoqo mayelana nobunikazi.

KANYE

Nama-EME ayizinkampani ezinengeniso yonyaka ephakathi kwe-R0 kuya ezigidini eziyi-R10 futhi ezingenakho okunye okudingekayo.

FUTHI

Nezinkampani ezingaphansi kohlelo lwe-YES kufanele ziqinisekise ukuba ziyaligcina noma zenze ngcono izinga lazo le-B-BBEE Status Level kanye nokusebenza kwazo ngokwezimiso zesilinganiso jikelele esitholakale ngonyaka ophelile ngaphambi kokungena kwazo ngaphansi kohlelo lwe-YES.

Yibaphi abasebenzi abangabamba iqhaza ohlelweni lwe-YES?

Laba abalandelayo bavumelekile ukubamba iqhaza ngaphansi kohlelo lwe-YES:

- Kufanele babe phakathi kweminyaka eyi-18 nama-35; futhi
- Bahambelane nencazelo “Yabantu Abamnyama” njengokuchaza komthetho i-B-BBEE Act.

Kuyini okuphokophelelwe ngokwe-YES?

Okuphokophelwe ngokwe-YES kuncike ebukhulwini benkampani esohlelweni lwe-YES, lokhu okulandelayo kusebenza ezinkampanini ezihlukene ezisohlelweni lwe-YES:

Izinkampani ezijwayelekile	**Okuphokophelwe kwe-YES**
A	I-1.5% lesibalo sabasebenzi ngonyaka owandulelayo;

NOMA (B)	I-1.5% lenzuzo i-Net Profit After Tax (NPAT) emsebenzini owenziwa eNingizimu Afrika eminyakeni emithathu eyandulelayo, eliphendulwa libe yisibalo sabasebenzi ngokuhlukanisa inzuzo i-NPAT ngezi-R55,000;
NOMA (C)	Izinga lngeniso yonke kanye nesibalo sonke semisebenzi eyakhiwe (imininingwane eyengeziwe iyatholakala kwi-B-BBEE Commission noma i-YES NPO).

Ama-QSE nama-EME

Okuphokophelwe kwama-QSE nama-EME konyaka ngamunye kususelwa ezibalweni zabasebenzi (eminye imininingwane iyatholakala kwi-B-BBEE Commission noma i-YES NPO).

<u>Amazinga okwamukelwa</u>

Izinkampani ezisohlelweni lwe-YES zingenza ngcono isimo sazo ngokwe-B-BBEE ngamazinga amabili (2) ngale ndlela ekhonjiswe kuleli thebhula elingezansi:

Amaqoqo amukelekile	Okufeziwe okuphokophelwe kwe-YES	Amazinga Okwamukelwa ngokwe-B-BBEE afeziwe
Iqoqo 1	Ukufeza okungama-100% kwe-YES target nama-2.5% okwamukela	Ukukhuphuka ngezinga eli-1 le-B-BBEE lokwamukelwa esilinganisweni se-B-BBEE
Iqoqo 2	Ukufeza okuyi-1.5 X kokuphokophelwe kwe-YES nama-5% okwamukela	Ukukhuphuka ngezinga eli-1 l e - B-BBEE lokwamukelwa futhi kutholakale namaphuzu ama-3 ayibhonasi esilinganisweni jikelele
Iqoqo 3	kufeza okuphindwe kabili kwe-YES nama-5% okwamukela	Ukukhuphuka ngamazinga ama-2 e-B-BBEE okwamukelwa esilinganisweni jikelele se-B-BBEE

Izindleko Zokuthuthukiswa Kwamakhono ngaphansi kohlelo lwe-YES

Izindleko mali esetshenziselwe Ukuthuthukiswa Amakhono abasebenzi abangaphansi kwenhlelo ze-YES zizkwamukelwa ngesikhathi sokuqinisekisa ngokwezokuthuthukiswa kwamakhono ngaphansi kochungechunge lwemithetho oluchibiyelwe (Amended Code Series 300). Izinkampani ezisohlelweni lwe-YES azokwazi ukufaka isicelo sokubuyiselwa imali engafinyelela kuma-50% wemali esetshenziselwe ukuthuthukisa amakhono njengemali yokuqeqesha (Isigaba F no-G ohlwini lwezokuthuthukiswa kwamakhono) ngokwesilinganiso sezokuthuthukiswa kwamakhono.

Imibandela ngezokuqasha okufanele inkampani engaphansi kohlelo lwe-YES izifeze

Inkampani esohlelweni lwe-YES kufanele ithobele umthetho waseNingizimu Afrika olawula imibandela eyisisekelo yokuqashwa nezimo zokusebenza okuhlanganisa ukusayinwa kweknontileka yesikhashana noma yesikhathi esibekiwe nabo bonke abasebenzi abangena ezikhundleni ezintsha enkampanini.

Lapho umsebenzi engasifezi isikhathi esiyizinyanga eziyi-12 ngenxa yezimo ezingahlelekanga inkampani esohlelweni lwe-YES idinga ukuqinisekisa ukuba usesebenze okungenani izinyanga eziyisishiyagalolmbili (8) ezigcwele ukuze ikwazi ukuthola ukwamukelwa ngokohlelo lwe-B-BBEE nalapho umsebenzi eyeka ukusebenza ngenxa yezinye izizathu, inkampani izonikwa inyanga eyodwa (1) ukuze ithole ozongena esikhaleni sakhe ukuze ikwazi ukuthola ukwamukelwa ngokohlelo lwe-B-BBEE.

Inkampani esohlelweni lwe-Yes kufanele iqinisekise ukuthi ihlinzeka ngohlelo lomsebenzi olusezingeni eliphezulu, kwakhiwe amathuba amasha emisebenzi engeziwe esibalweni sabasebenzi abakhona futhi ingaxhasa imisebenzi emisha uma ingenawo amasha.

Uma kudingekaminye imininingwane noma ukucaciseleka, izinkampani zingathintana nekhomishana i-B-BBEE Commission futhi kungathintwana nenkampani ye-YES mayelana nokubhaliswa.

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