

## GO AMOGELWA GA BANTSHO GO NNA BENG BA DISHERE KA THEKISO YA MATLOTLO A KGWEBO LE KA DIKGWEBO TSE DINGWE

### 1. Re bo mang?

1.1 Khomishene ya Go Matlafadiwa Seikonomi ga Bantsho ka Kakaretso (“Khomishene ya B-BBEE”) e tlhomilwe jaaka setlamo tlase ga Lefapha la Kgwebo, Madirelo le Kgaisano (Department of Trade, Industry and Competition [“ the dtic”]) go ya ka karolo 13B ya Molao wa Go Matlafadiwa Seikonomi ga Bantsho ka Kakaretso wa bo 53, wa 2003 o o tlhabolotsweng ke Molao wa Go Matlafadiwa Seikonomi ga Bantsho ka Kakaretso wa bo 46 wa 2013 (“Molao wa B-BBEE”). Boikarabelo jwa sone ke go tsenya Molao wa B-BBEE tirisong le go lwantsha ditiro tsa bonweenwee.

### 2. Polelo ya 102 e akaretsa eng?

2.1 Polelo ya bo 102 ya Molao wa Karolo 100, e naya bantsho mokgwa o sele wa go nna beng ba dishere le go di laola, le dikumo tsa ikonomi. Polelo eno e tlhalosa dipatlafalo tse di kgethegileng tsa go amogela gore bantsho e nne beng ba dishere mo go felelang ka go rekisetsa bantsho matlotlo, lekwatlotshupo la semolao la go nna mong wa kgwebo kgotsa dikgwebo tse dingwe di sele.

2.2 Setlamo se boemo jwa sone bo tthatlhobilweng (Morekisi) ke se se amogelang go nna beng ba ditlamo ga bantsho gore se rekisetse bantsho (Moreki) kgwebo e e kgonang go tthaolwa jaaka e e ikemetseng ka nosi. Kgwebo e e tshwanang le eno e e tthaolwang jaaka e e ikemetseng ka nosi e tshwanetse go nna nngwe ya tse beng ba tsone e leng bantsho mme gape e nne ya morekisi, me go ya ka Polelo 102, ke kgwebo e e amanang le morekisi wa yone ka go bo e le kgwebopotlana, Kgwebo e e tshwaraganetsweng, kgwebo e e kopanetsweng, lephata la kgwebo, yuniti ya kgwebo, kgotsa thulaganyo epe e nngwe e e tshwanang le yone mo go tse e leng tsa beng ba e leng barekisi ba tsone.

2.3 Le fa go ntse jalo, moo morekisi a tleleimileng ditshiamelo go ya ka Polelo 102 gone ka fa tlase ga karata ya maduo ya yone ya go nna mong wa kgwebo, ga a kitla a kgona go tleleima ditshiamelo mo kgwebong le mo karolong e e amanang le go tlhabolola tiro ya setlamo se se tlamelang ka dithoto.

### **3. Ke dikgwebisano dife tse di tshwanelegang ka fa tlase ga Polelo eno?**

3.1 Kgwebisano e e tshwanelegang go ya ka Polelo eno e ka nna ya akaretsa thekiso ya:

- (a) Letlotlo la kgwebo: Letlotlo leno le raya letlotlo le e leng la morekisi e bile e le le nang le boleng jwa ikonomi, ka sekai, thoto, motšhini kgotsa didirisiwa, bodirelo jwa go tlhama dilo, jj.
- (b) Kgwebo: Seno se raya gore morekisi o tshwanetse go rekisa kgwebo e e kgonang go tlhaolwa jaaka e e ikemetseng ka nosi e e leng nngwe ya tse beng ba tsone e leng bantsho e bile e le ya morekisi, jaaka setlamo-potlana kgotsa lefaphanyana la kgwebo e kgolo. Le fa go ntse jalo, seo ga se reye gore morekisi o santse a tshwanelwa ka go tsaya karolo mo go nneng mong wa letlotlo le le rekisitsweng fa le sena go rekisiwa.
- (c) Dishere: A raya dishere tse di bontshang gore o na le tshwanelo ya go nna mong wa kgwebo mo setlamong, ka sekai, dishere tsa setoko jaaka tse go gwebiwang ka tsone mo Johannesburg Securities Exchange, merokotso e e kgonang go fetolwa, jj.

3.2 Ka mafoko a a thaloganyesegang bonolo, thekiso ya matlotlo, kgwebo kgotsa dishere e raya kgwebisano e e amang thekiso ya setlamo sa semolao se se ikemetseng ka nosi se se lejang e le kgwebo e e kgonang go tlhaolwa jaaka e e ikemetseng ka nosi e mo go yone matlotlo a a jaaka didirisiwa kgotsa motšhini kgotsa bodirelo kgotsa dishere mo kgwebongpotlana a a newang bantsho.

### **4. Go dirisiwa dipatlafalo dife tsa ditshwanelego mo polelwaneng eno?**

4.1 Setlamo se boemo jwa sone bo tlhatlhobilweng, se se batlang go solegelwa molemo ke Polelo 102, se tshwanetse go supa gore kgwebisano e e amanang le thekiso ya matlotlo, dishere kgotsa kgwebo e tla felela ka nngwe ya diphelelo tse di latelang:

- (a) Go tlhamiwa ga dikgwebo tse di kgonang go itsetsepela kgotsa ditšhono tsa kgwebo tse di tsamaisiwang ke bantsho le go ba ruta dikgono tsa botlhokwa tse di kgethegileng, dikgono tsa tiro ya bomenejara le go nna le matswela mo tirong ga bantsho. Ka jalo, bantsho ba tshwanetse go ikemela ka nosi mo go nneng le kgwebo ya bone le go laola matlotlo, kgwebo kgotsa makwalotshupo a semolao a ba nang le one, morekisi a sa tlhotlhetse ditshwetso tsa bone.
- (b) Thekiso ya matlotlo, dishere le kgwebo, di tshwanetse go akaretsa kgwebo e e amanang le yone e e kgonang go tlhaolwa jaaka e e ikemetseng ka nosi e e senang dikgoreletsi kgotsa dithibelo tse di sa tlhokegeng mo ditelaenteng kgotsa mo dikhasetomareng tsa tsone, le go supa gore e na le ditelaente, dikhasetomara kgotsa ba ba e tlamelang ka dithoto mo godimo ga morekisi. Gape seno se raya gore morekisi a ka se kgone go bolelela moreki gore moreki o tshwanetse go dira kgwebo le dikhasetomara dife morago ga go fudusiwa ga kgwebo.

- (c) Thulaganyo epe ya go batla badirela ditirelo fa gare ga morekisi le kgwebo e ba dirisanang mmogo le yone e tshwanetse go tlotlwa go ya ka boleng jwa mmaraka kwantle ga go gobelega ka tsela epe. Ka jalo, fa moreki a tlhopha go dirisa didirisiwa tsa moreki ka mabaka a a mosola, ba tshwanetse gore ba tlotle ka thulaganyo eo ba le bosu kwa thoko ka tekatekano, kwantle ga go gatelela moreki ka tsela epe e e sa siamang, mme morekisi ga a tshwanela go kgoreletsana le ditiro kgotsa tsamaiso ya moreki morago ga go fudusiwa ga matlotlo, kgwebo kgotsa dishere.
- (d) Kgwebisano e tshwanetse go sekasekwa ke mankge yo o ikemetseng ka nosi wa tshekatsheko ya boleng. Eno ke thulaganyo e e amang mokgwa o o tlhomilweng wa tshekatsheko ya boleng jwa letlotlo, kgwebo kgotsa dishere go dirisiwa mekgwa ya ka gale ya tshekatsheko ya boleng e e emelang mokgwa-tiro wa ditekanyetso tsa kwa mmarakeng.

## **5. Go nna mong wa kgwebo go balelelwa jang morago ga kgwebisano?**

5.1 Morekisi yo o batlang kamogelesego ya kgwebisano e e tshwanelegang ka fa tlase ga Polelo 102 ya karata ya maduo e e buang ka go nna le dishere, o tshwanetse go tlhomamisa gore melawana ya kamogelesego ya yone e go buiwang ka yone go serapa 4 e dirwa ka letlha la go balelelwa ga maduo a setheo. Go ya pele, Polelo 102 e batla gore go balelelwa ga dintlha tsa go nna mong wa kgwebo (kgotsa boleng jotlhe) e nne tse di theilweng go:

- (a) Boleng jotlhe jwa kgwebisano;
- (b) Boleng jwa dishere tsa bantsho tse bantsho ba nang le tsone mo dikgwebong tse di amanang, tse nngwe le nngwe ya tsone e kgonang go tlhaolwa jaaka e e ikemetseng ka nosi;
- (c) Selekanyo sa boleng jwa sekoloto se batho bantsho ba nang le sone mo kgwebong e e kgonang go tlhaolwa jaaka e e ikemetseng ka nosi; mme
- (d) Dipalelelo tsotlhe go ya ka dirapa (a) go fitlha ka (c) fa godimo di tshwanetse go dirisa mokgwa o o tlhomilweng wa go lekanya boleng.

## **6. Go ikobela dikarolo tse di etelediwang kwa pele ka fa tlase ga Poleloya 000**

6.1 Morekisi yo o dirisang Polelo 102 ya go ikobela melawana ya go nna le dishere go le gonnye fela kgotsa ka botlalo, o tla tshwanelwa ke go nna le bobotlana 40% ya dishere le go fokotsa ditlhwatlhwa tsa kgwebisano e e amanang le dikgwebo tse pedi tse nngwe le nngwe ya tsone e lejwang jaaka e e ikemetseng ka nosi.

6.2 Morekisi o tla tshwanelwa ke go ikobela dikarolo tse dingwe tsotlhe tse di tshwanelwang ke go etelediwa kwa pele (tlhabololo ya dikgono-tiro le kgwebo le tlhabololo ya tiro ya setlamo ya go tlamela ka dithoto) jaaka go tshalosa serapa 3.3 sa Polelo 000.

## 7. Se Morekisi a Tshwanetseng go se Fitlhelela

7.1 Fomula e e fa tlase fano jaaka e kwadilwe go Mametlelelo 102 (A) e a tshwanela mo go dirisediweng go tlotlhomisa selekanyo sa peresente ya ditshwanelo tsa go bouta le ya ditshwanelo tsa kgwebo go sa kgathalesege selekanyo sa dishere tse batho bantsho ba nang le sone mo setlamong se se rekang matlotlo:

$$A = \frac{B}{C} \times D$$

Mo go yone

**A** ke selekanyo sa peresente ya ditshwanelo tsa go bouta gape ke ditshwanelo tsa kgwebo tsa karata ya maduo ya go nna mong wa dishere

**B** ke boleng jwa kgwebisano e e tshwanelegang ya kgwebo e e kgonang go tlaolwa jaaka e e ikemetseng ka nosi mo e e tlotlhomisiwang ka go dirisa mokgwa wa ka gale wa tshekatsheko ya boleng

**C** ke boleng jwa morekisi jo bo tlotlhomisitsweng go dirisiwa mokgwa wa ka gale wa tekanyetso ya boleng

**D** ke tshupo ya diperesente tsa kgwebo e e kgonang go tlaolwa jaaka e e ikemetseng ka nosi

7.2 Mo dingwageng di le tharo morago ga kgwebisano, morekisi o tla fitlhelela dintlha tsa go nna le dishere ka letlha la go balelelwa ga dintlha tsa setlamo go dirisiwa boleng jwa morekisi le boleng jwa kgwebo e e kgonang go tlaolwa jaaka e e ikemetseng ka nosi.

7.3 Mme, ngwaga mongwe le mongwe, mme morago ga moo ngwaga mongwe le mongwe wa boraro, morekisi o tla amogela dintlha tsa go nna mong wa dishere ka letlha la go balelelwa ga dintlha go dirisiwa peresente ya tshupo ya go nna monf q dishere e e fitlheletsweng ka letlha la go balwa ga dintlha mo ngwageng wa boraro morago ga kgwebisano.

7.4 Go ya pele, morekisi yo o batlang kamogelesego ya kgwebisano e e tshwanelegang ya go dirisa ditshwanelego tsa go bouta le ditshwanelo tsa kgwebo go ya ka karata ya maduo a go nna le dishere, o tshwanetse go newa bosupi jwa gore boleng jwa kgwebisano bo tthatlhabilwe ke mankge yo o ikemetseng ka nosi, yo o tshwanetseng go tshalosa maikutlo a gagwe ka kgwebisano eo e e dirilweng kwantle ga bofitlha bope. Go tswelela pele ka kamogelesego eo gape go tla ikaega ka kgopolo ya mankge yo o ikemetseng ka nosi fa a tshegetsa boleng jwa kgwebisano eo.

7.5 Kamogelesego ya dintlha tsa boleng jotle jwa morekisi e tla ikaega ka dintlha tse di fitlheletsweng go dirisiwa melawana e e tlhalosiwang go serapa 5 fa godimo mo ngwageng wa boraro wa kgwebisano, go dirisiwa ntlha ya gore dishere di tshwanetse go fudusediwa mo bathong ba bantsho ngwaga le ngwaga jaaka go tlhalosiwa go Polelo 100, go ya ka maikutlo a mankge yo o ikemetseng ka nosi a gore go balelelwa ga boleng jotle go dirilwe sentle le gore boleng joo bo dirisitswe sentle ngwaga mongwe le mongwe morago ga ngwaga wa boraro.

## **8. Ke eng se e seng thekiso ya matlotlo/kgwebo kgotsa dishere?**

8.1 Dikgwebisano tse di latelang ga se tse di tshwanelegang tsa go rekisiwa ga matlotlo, tsa kgwebo kgotsa dishere:

- (a) Ke go fudusiwa ga ditshwanelo tsa kgwebo ka laesense, ka khiro kgotsa ka thulaganyo epe e nngwe e sele ya semolao e e nang le dithibelo tse di beilweng tsa fa motho e le mong wa dishere. Ka sekai, seno se raya gore le fa khiro ya matlotlo mangwe e le ya lobaka lo lo leele jaaka dingwaga di le 30, seo ga se kitla se dira gore matlotlo ao a fudusediwe go mongwe o sele. Sekai sa go fudusetsa tshwanelo mo go yo mongwe ke fa morekisi a naya moreki tshwanelo ya go dirisa ditshwanelo tsa gagwe tsa semolao tsa dithoto fa a tsamaisa kgwebo ka lobaka lo lo khutshwane mme a duelela go dira jalo.
- (b) Go rekisa dikgwebo tsa diforentšhaise ga batho ba ba tsamaisang dikgwebo tsa forentšhaise ba di rekisetsa batho ba e tlileng go nna batsamaisa ba dikgwebo tsa forentšhaise (fa motho a duela yo mongwe gore a nne le tshwanelo ya go dirisa letshwaokgwebo la gagwe), mme seno se akaretsa go rekisa dikgwebo tsa diforentšhaise ga batho ba ba tsamaisang dikgwebo tsa forentšhaise ba di rekisetsa ba bangwe ba e tlileng go nna batsamaisa ba dikgwebo tsa forentšhaise kgotsa baforentšhaise ba ba ntšha. Ka sekai, ke fa motho a setse a hirile lefelo la kgwebo la setlamo se se rileng gore a rekise dithoto tsa kgwebo eo, a ikaelela go tsenamotlamo se sengwe gape gore le sone a rekise dithoto tsa sone kgotsa a rekisetse yo mongwe yo le ene a setseng a dirile jalo setlamo se a ntseng a rekisa dithoto tsa sone. Diresetšhurente tse di rekisang dijo tsa ka bonako ke sekai se se siameng sa mofuta wa kgwebo eno.
- (c) Kgwebisano e e tshwanelegang e e nang le Polelo ya semolao ya go reka gape dithoto tse di setseng di rekiseditswe moreki, e mo go yone morekisi a newang tshwanelo ya go reka gape matlotlo, kgwebo kgotsa dishere mo lobakeng lwa dingwaga di le tharo morago ga go tsenya kgwebisano eno tirisong, le fa go tsenya kgwebisano eno tirisong go ka diega go fitlha ka nako ya morago ga dingwaga di le tharo. Morekisi ga a ka ke a kgona go nna le tshwanelo epe ya go dira gore theko e e ntseng jalo e dirwe gape.
- (d) Thulaganyosešwa e e santseng e letla morekisi go nna le kgwebo ya matlotlo le go e laola e e tshwanetseng go bo e rekiseditswe batho bantsho. Seno se amana le

thulaganyosešwa, e mo go yone morekisi, ka tetla ya moreki, a santseng a ipelela ditshiamelo tsa madi tse a di boneng go tswa go matlotlo kgotsa go tswa mo kgwebong eo ka go nna le dishere kgotsa ka go newa kgono ya go dumalana le ditshwetso tse di rileng tse moreki a tshwanetseng go di dira malebana le matlotlo kgotsa kgwebo e ba e rekileng.

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