

## **KHOMIXINI YA NTIYISA VUBINDZU BYA VANTIMA LEBYI ANAMEKE**

### **XITIVISO XA NHLAMUSELO XA 01 XA 2024**

## **KU RHUMERIWA KA TIDOKHUMENTE LOKO KU TSARISIWA NXAVISELANO LOWUKULU WA B- BBEE**

### **A. *Manghenelo***

1. Khomixini ya Ntiyisa Vubindzu bya Vantima lebyi Anameke (“Khomixini”) i nhlango lowu simekiweke hi Nawu wa Ntiyisa Vubindzu bya Vantima wa 53 wa 2003 tanihilaha wu cinciweke hakona hi Nawu wa 46 wa 2013 (“Nawu”), ku langutela ku tirhisiwa ka Nawu, lowu katsaka mphakelo wa switiviso swo hlamusela leswi hlamuselaka maendlelo ya Nawu ku letela vaaki.
2. Xiyenge xa 13F(1)(f) xa Nawu xi lava leswaku Khomixini ya B-BBEE yi hlayisa rhijisitara ra mixaviselano leyikulu ya ntiyisa vubindzu bya vantima lebyi anameke (“B-BBEE”). Nxaviselano lowukulu wa B-BBEE swi vula nxaviselano lowu faneleke ku tsarisiwa eka Khomixini hi ku landza xiyenge xa 13F(1)(f) xa Nawu, ehenhla ka mpimo lowu vekikeke hi Holobye wa Mabindzu, Vumaki na Mphikizano (“Holobye”) eka Gazete. Xinawana xa 18 eka Xiphemu xa 5 xa Swinawana swa B-BBEE swa 2016 xi andlala endlelo ro tsarisa nxaviselano lowukulu wa B-BBEE.
3. Vuyelo lebyikulu bya rhijisitara ra mabindzu lamakulu ya B-BBEE i ku pfumelela ku langutisisa ku landzelerisa ka vun’wini bya B-BBEE, swiyimo swa cinco na mpimo lowu mimbuyelo ya mabindzu lamakulu ya B-BBEE yi khulukaka wona eka vanhu va vantima lava nga xiphemu xa mintwanano leyi hi ku landzelela swikongomelo swa Nawu wa B-BBEE.
4. Xitiviso lexi xo Hlamusela xi humesiwile hi ku landza xiyenge xa 13F(3)(b)(i) xa Nawu ku letela mavandla/swiyenge mayelana na phurosese na matsalwa lama faneleke ku rhumeriwa eku tsariseni ka nxaviselano lowukulu wa B-BBEE ku landzelela swilaveko

swa Nawu wa B-BBEE, ku katsa na xinawana xa 18 xa Swinawana swa B-BBEE swa 2016.

5. Xitiviso lexi xa Nhlamuselo xi siva Xitiviso xa Nhlamuselo xa 1 xa 2017 lexi sungulaka ku sukela hi siku leri xi humesiweke ha rona.

**B. Xana nxaviselano Lowukulu wa B-BBEE i yini?**

6. Hi ti 9 ta Khotavuxika 2017, Holobye u humesile Xitiviso xa No. ya 551 eka Gazete ya Mfumo ya No. ya 40898 (“Xitiviso”) lexi vekaka mpimo wa ku tsarisa nxaviselano lowukulu wa B-BBEE.
7. Hi ku ya hi Xitiviso, nxaviselano lowukulu wa B-BBEE wu kombisa nxaviselano wihi kumbe wihi tanihilaha swi nga hakona eka Khodi ya Serisi ya 100 (ku katsa na Xitatimende xa 102) leyi ntsengo wa nxaviselano wu ringanaka kumbe ku tlula makume mbirhi ntlhanu wa timiliyoni ta tirhandi (R25 wa timiliyoni). Nkoka wa mpimo wu kongomisa eka nkoka wa nxaviselano ku nga katsiwi tihakelo ta vufambisi, ta xiphurofexinali na ta nawu. Eka Xitatimende xa 102, nkoka wa nxaviselano wu vula nkoka wa nxaviso wa nhundzu/bindzu/xitirhisiwa xa vuxavisi.
8. Nxaviselano lowukulu wa B-BBEE a wu katsi mabindzu lama sunguriweke hi ku landza Xitatimende xa 103 lexi tirhanaka na ku amukeriwa ka nongonoko wa vuvekisi lebyi ringanaka na ti-equity eka tikhamphani ta matiko yo hambana.

**C. I mani loyi a faneleke ku tsarisa nxaviselano Lowukulu wa B-BBEE?**

9. Hi ku landza xinawana xa 18 xa Swinawana swa B-BBEE swa 2016, mavandla/swiyenge leswi ngenaka eka nxaviselano lowukulu wa B-BBEE lowu nga ehenhla ka mpimo lowu vekiweke hi Holobye eka Gazete, ku nga si hela masiku ya khume ntlhanu (15) ku sukela loko ku hetisisiwile nxaviselano lowukulu wa B-BBEE, swi fanele ku yisa nxaviselano lowukulu wa B-BBEE eka Khomixini eka FOMO leyi vekiweke ya B-BBEE 18 ku landzelela xiyenge xa 13F(1)(f) xa Nawu.
10. Ku kumiwa ka masiku ya 15 endzhaku ka loko mavandla ya sayinile mintwanano hinkwayo leyi lawulaka eka nxaviselano, ku nga langutiwi leswaku swipimelo swo karhi leswi khomanisiweke eka nxaviselano swi hetisisiwile kumbe e-e Hambiswiritano, loko nxaviselano wu nga endliwi hikwalaho ka ku nga hetiseki ka swipimelo leswi vekiweke,

mavandla/swiyenge leswi rhumeleke nxaviselano ku tsarisiwa swi fanele ku tivisa Khomixini hi ku tsala mayelana na xiyimo xa nxaviselano.

11. Mavandla/swiyenge swotala leswi nghenelelaka eka nxaviselano wa B-BBEE lowukulu swi fanele ku tsarisa nxaviselano tanihi nhlanganelo na Khomixini, leswaku ku papalatiwa ku tsarisiwa ko tala ka nxaviselano wun'we wa B-BBEE lowukulu hi mavandla/swiyenge leswi nghenelelaka hi ku hambana.
12. Khomixini yi ta amukela ku tsarisiwa ka nxaviselano lowukulu wa B-BBEE hi wahi kumbe wahi ya mavandla/swiyenge leswi nghenelelaka hi papila ra vulawuri hi mavandla/swiyenge swin'wana tanihi vumbhoni bya vulawuri byo tsarisa nxaviselano hi ku yimela nhlanganelo.
13. Laha nkoka wa nxaviselano wu nga ehansi ka R25 wa timiliyoni naswona mavandla/swiyenge hi ku tirhandzela swi lava ku tsarisa nxaviselano wolowo ku endlela ku pfumelela Khomixini ku hetisisa xileriso xa yona hi ku landza xiyenge xa 13F(1)(a) xa Nawu, endlelo leri hlamuseriweke eka Xitiviso lexi xo Hlamusela lexi hlayiweke na xinawana xa 18 xa Swinawana swa B-BBEE swa 2016 swi ta tirhisiwa.

**D. I matsalwa wahi lama lavekakau ku kota ku tsarisa nxaviselano Lowukulu wa B-BBEE ?**

14. Mavandlaswiwenge leswi rhumelaka nxaviselano lowukulu wa B-BBEE eka Khomixini ya B-BBEE ku tsarisiwa swi fanele ku tata no rhumela FOMO ya B-BBEE 18 tanihilaha swi vekiweke hakona.
15. Mavandla/swiyenge leswi rhumelaka nxaviselano ku tsarisiwa swi fanele hi ku fambisana na xinawanatsongo xa 8(4) xa Swinawana swa B-BBEE swa 2016 swi fanele ku tiyisisa leswaku u nyika Khomixini ya B-BBEE vito ra yena ra le nawini, adirese ya vukorhokeri, nomboro ya riqingho, adirese ya imeyili na nomboro ya fekisi loko swi ri kona, naswona loko munhu a nga ri munhu wa xiviri, vito ra munhu loyi a pfumeleriweke ku tirhana na Khomixini eka mhaka leyi.
16. Xitiviso xi vule leswaku mavandla/swiyenge swi fanele ku yisa matsalwa yo tsarisa matsalwa ya nxaviselano wa B-BBEE hi ku landza swilaveko swa Khomixini ya B-BBEE. Hikwalaho Khomixini yi lava leswaku matsalwa lama landzelaka ya rhumeriwa na FOMO ya B-BBEE 18 eku tsariseni ka nxaviselano lowukulu wa B-BBEE:

- 16.1 Papila ra vulawuri kumbe vumbhoni byihi kumbe byihi byo fana bya leswaku vandla/nhlangano lowu tsarisaka nxaviselano Lowukulu wa B-BBEE wu pfumeleriwile hi mavandlamihlangano yin'wana eka nxaviselano Lowukulu wa B-BBEE ku tsarisa eka nhlanganelo;
- 16.2 Nhlamuselo yo koma ya nxaviselano Lowukulu wa wa B-BBEE;
- 16.3 Khopi ya Ntwanano wo Xavisa lowu sayiniweke, kumbe ntwanano lowu fanaka lowu hundziselaka swiave/ntswalo/nhundzu/bindzu, tanihilaha swi nga ta va hakona, ku suka eka vandla rin'we /nhlangano ku ya eka rin'wana.
- 16.4 Khopi ya Mintwanano ya Lavanganankavelo leyi sayiniweke, kumbe ntwanano lowu fanaka lowu lawulaka vuxaka exikarhi ka vakhomi va ntsakelo, mayelana na nxaviselano lowukulu wa B-BBEE;
- 16.5 Khopi ya matsalwa ya thirasiti lama sayiniweke, loko xivumbeko xa vun'wini bya nxaviselano Lowukulu wa B-BBEE xi katsa thirasiti;
- 16.6 Khopi ya ntwanano wa timali lowu sayiniweke lowu fambelanaka na nxaviselano, ku nga langutiwi leswaku wu seketeriwile hi timali hi muxavisi kumbe e-e;
- 16.7 Khopi ya xiviko xa mali lexi lulamisiweke hi xikongomelo xo kumisisa nkoka wa nxaviselano Lowukulu wa B-BBEE;
- 16.8 Khopi ya Xifaniso xa Dayagiramu xa xivumbeko xa vun'wini emahlweni na le ndzhaku ka ku hetisisiwa ka nxaviselano Lowukulu wa B-BBEE, ku katsa na ku hambanisiwa loku heleleke ka vun'wini bya mavandla/mihlangano leyi hoxaka xandla eka ku amukeriwa ka vun'wini bya vantima;
- 16.9 Nxaxamelo wa lavanganankavelo wa bindzu leri pimiweke endzhaku ka ku hetisisiwa ka nxaviselano Lowukulu wa B-BBEE, lowu kombisaka phesente ya un'wana na un'wana langanankavelo, ntlawa wa minkavelo, naswona wu kombisa kahle lavanganankavelo va vantima eka nxaxamelo;
- 16.10 Khopi ya Xitifikhethi xa B-BBEE lexi tirhaka kumbe Xihlambanyo xa Vumbhoni xa B-BBEE, tanihilaha swi nga ta va hakona, ya bindzu leri pimiweke leri nghenelelaka eka nxaviselano Lowukulu wa B-BBEE;

16.11 Tsalwa rin'wana na rin'wana leri mavandla/swiyenge swi vonaka ri ri na nkoka eka nxaviselano; na

16.12 Laha tsalwa leri boxiweke laha henhla ri nga tirhiki eka nxaviselano Lowukulu wa B-BBEE, mavandlaswiyege swi fanele ku kombisa tano hi ku tsala tanihi xiphemu xa nhlamuselo yo koma ya nxaviselano.

17. Matsalwa hinkwawo lama boxiweke laha henhla ya fanele ku rhumeriwa leswaku xitifikheti xa ntsariso xi kota ku humesiwa hi Khomixini.

18. Mavandla/swiyenge leswi tsarisaka nxaviselano Lowukulu wa B-BBEE swi fanele ku rhumela mahungu eka Khomixini hi ku tirhisa yin'wana na yin'wana ya tindlela leti nga laha hansi:

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**E. Mikarhi yo puosesa na ku tsarisa nxaviselao Lowukulu wa B-BBEE**

19. Loko yi amukela matsalwa yo tsarisa nxaviselano lowukulu wa B-BBEE, Khomixini ku nga si hela masiku ya ntlhanu (5) yi ta amukela xikombelo no humesa nomboro ya nandzu eka munhu loyi a rhumeleke nxaviselano hi ku landza xinawana xa 8 xa Swinawana swa B-BBEE swa 2016, naswona mapapila man'wana na man'wana lama landzelaka mayelana na mhaka leyi ya fanele ku funghiwa hi nomboro ya nandzu leyi averiweke.

20. Khomixini ya B-BBEE yi ta ya emahlweni yi humesa xitifikheti xa ntsariso (FOMO YA B-BBEE 19) eka mavandla/swiyenge leswi rhumeleke nxaviselano ku tsarisiwa ku nga si hela masiku ya khume (10) ntsena loko swilaveko swa ntsariso swi fikeleriwa.

21. Laha mavandla/swiyenge swi rhumeleke mahungu lama nga helelangiki eka ku tsarisiwa ka nxaviselano Lowukulu wa B-BBEE, Khomixini yi ta hi ku landzela ku amukeriwa ka nxaviselano tivisa mavandla/swiyenge sweswo, na ku swi nyika masiku ya ntlhanu (5) ku rhumela mahungu lama nga sala , loko swi tsandza ku rhumeriwa ka ntsariso wa nxaviselano ku ta ariwa hi ku tsala kunene.
22. Khomixini yi fanele ku tivisiwa hi ku cinca kwihi kumbe kwihi ka nkoka eka xiphemu xa B-BBEEE xa bindzu lexi humeletakana endzhaku ka loko nxaviselano lowukulu wa B-BBEE wu tsarisiwile, loko ku cinca koloko ka nkoka ku fikelela mpimo wa ku tsarisiwa ka nxaviselano lowukulu wa B- BBEE.
23. Nxaxamelo wa mixaviselano Leyikulu ya B-BBEE leyi tsarisiweke wu ta tlhela wu kandziyisiwa eka webusayiti ya Khomixini nkarhi na nkarhi, handle ko tlula muxaka wa xihundla wa mahungu lama rhumeriweke hi mavandla/swiyenge.

**F. *Xikombelo xa xihundla***

24. Mavandla/swiyenge leswi nyikaka mahungu yo tsarisa nxaviselano Lowukulu wa B-BBEE swi nga kombela Khomixini ku teka mahungu wolawo hi ku helela kumbe hi xiphemu tanihi mahungu ya xihundla hi ku landza swilaveko swa xiyenge xa 13L(1)-(3) xa Nawu, lexi hlayiweke na xinawanatsongo xa 13(1) a) na (c)(ii) Swinawana swa B-BBEE swa 2016.

**G. *Ku chaja Tihakelo***

25. Hi ku landza xinawana xa 9(2) xa Xinawana xa B-BBEE xa 2016, Khomixini ya B-BBEE yi nga chaja tihakelo leti twisisekaka ta vukorhokeri lebyi yi byi nyikeke lebyi fambelanaka na Nawu na Swinawana sweswo, leswi katsaka mali yo tsarisa nxaviselano Lowukulu wa B-BBEE.
26. Khomixini yi fanele ku kandziyisa xedulu ya tihakelo hi xitiviso eka Gazete, endzhaku ko burisana na Holobye.
27. Khomixini ya B-BBEE a yi si kandziyisa xedulu ya tihakelo ta vukorhokeri lebyi, naswona sweswi byi nyikiwa mahala. Xedulu yo tano ya tihakelo, loko se yi bohiwile hi ku landza Swinawana, yi ta hangalasiwa tanihilaha swi lavekaka hakona, ku katsa na le ka webusayiti.

## **H. Mahetelelo**

28. Khomixini yi tiyimiserile ku fikelela minkarhi leyi vekiveke ya ku humesiwa ka xitifikheti xa ntsariso na ku nyika mbuyelo wa xihatla eka mavandlaswiyenge , laha swi lavekaka. Hambiswiritano, leswi swi lawuriwa hi mavandla/swiyenge ku va swi landzelela maendlelo hi ku hetiseka, na ku nyika matsalwa lama faneleke tanihilaha swi lavekaka hakona.
29. Hi kombela u xiya leswaku Khomixini yi nga ha kombela mahungu yo engetela lama ringaneleke hi ku tsala eka mavandla/swiyenge leswaku yi ta tirha kahle xileriso xa yona hi ku ya hi phurosele leyi, naswona laha swi lavekaka, nhlengeletano yi nga khomiwa na mavandla/swiyenge.
30. Mavandla lama ehleketaka ku hetisisa nxaviselano Lowukulu wa B-BBEE ya khutaziwa ku lava, tanihilaha swi leteriwaka hakona hi xinawanatsongo xa 18(6) xa Xinawana xa B-BBEE xa 2016, Xitsundzuxo ku nga se hetisisiwa nxaviselano.
31. Khomixini yi ta tiyisisa leswaku yi tivisa ku cinca kwihi kumbe kwihi eka endlelo leri hlamuseriweke eka Xitiviso lexi xo Hlamusela xa ku Rhumela Matsalwa eku Tsariseni ka Nxaviselano Lowukulu wa B-BBEE.

Xi humesiwile hi Khomixini ya B-BBEE

20 Mhawuri 2024