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B-BBEE COMMISSION
a member of the dti group

UMHLAHLANDLELA WENQUBO YEKHOMISHANI YOKULAWULWA KOKUHLONYISWA OKUBANZI KWEZOMNOTHO KWABANTU ABAMNYAMA
UMHLAHLANDLELA WOKUSEBENZA WOKU-01 WONYAKA WE-2022
UKUNQUMA UKUSEBENZA KWESITIFIKETI SOKUHLONYISWA OKUBANZI KWEZOMNOTHO KWABANTU ABAMNYAMA, I-AFIDAVITHI EFUNGELWE YE-B-BBEE KANYE NESITIFIKETI ESIKHISHWE YIKHOMISHANI YEZINKAMPANI NEMPAHLA YOBUHLAKANI.

A. Isingeniso

1. IKhomishana Yokuhlonyiswa Okubanzi Kwezomnotho Kwabantu Abamnyama ("iKhomishana ye-B-BBEE") iwuhlaka olusungulwe uMthetho Wokuhlonyiswa Okubanzi Kwezomnotho Kwabantu Abamnyama wama-53 wonyaka we-2003 njengoba uchitshiyelwe uMthetho wama-46 wonyaka we-2013 ("uMthetho"), ukuze wengamele ukusetshenziswa koMthetho, okubandakanya ukuhlinzekwa kwemihlahlandlela yokusebenza, izaziso ezichazayo, imibono yokweluleka engabophezeli nezinsizakalo zokucacisa ukuze kuthuthukiswe ukuqondwa koMthetho.

2. Lo Mhlahlandlela Wokusebenza ukhishwe njengomhlahlandlela ongabophezeli ukuze usize ekuchazeni imibhalo ye-B-BBEE eyethulwe yizinhlangano ezilinganisiwe ukuze kuqinisekiswe ukuhambisana ekusetshenzisweni koMthetho. Uma kwenzeka le Mhlahlandlela Wokusebenza ungasebenzi kahle kwiqoqo lakho lamaqiniso nganoma isiphi isikhathi, uyelulekwa ukuthi uxhumane neKhomishana ye-B-BBEE ukuze uthole umbono wezeluleko ongabozephezeli, ozoqondana kakhulu neqoqo lakho lamaqiniso.

3. Lo Mhlahlandlela Wokusebenza awakhi umbhalo womthetho noma isinqumo seKhomishana ye-B-BBEE mayelana nodaba oluthintekayo. Ngaphezu kwalokho, yize lo Mhlahlandlela Wokusebenza ungabophezeli kwiKhomishana ye-B-BBEE, ubeka indlela iKhomishana ye-B-BBEE okungenzeka iyithathe kunoma yiluphi udaba oluphathelene nokusetshenziswa kwe-B-BBEE okubandakanya nokuthola ubuqotho bama-afidavithi afungelwe e-B-BBEE, izitifiketi zokuqinisekisa ze-B-BBEE nezitifiketi ezikhishwe yiKhomishani Yezinkampani Nezempahla Yobuhlakani.
4. Lo Mhlahlandlela Wokusebenza uthatha indawo yoMhlahlandlela Wokusebenza womhla zi-01 Novemba 2022.

A. Inhloso yalo mhlahlandlela wokwenza

5. IKhomishana ye-B-BBEE eminyakeni edlule iqhubekile nokugcwala izicelo ezivela kubabambiqhaza abehlukene zokuqinisekisa ubuqiniso bezitifiketi ze-B-BBEE, ama-

afidavithi ezifungelwe ezifungelwe kanye nezitifiketi ze-CIPC, okuwumphumela oholele ekutheni iKhomishana ye-B-BBEE ikhiphe inqwaba yezincwadi zokweluleka eziya ezinhlanganweni ezithintekayo ukuze izeluleke ngokungasebenzi kwemibhalo kanye nesidingo sokuhoxiswa kwezitifiketi zeB-BBEE noma ama-afidavithi afungelwe/izitifiketi ze-CIPC. Ngakho, inhloso yalo Mhlahlandlela Wokusebenza ukubeka indlela yababambiqhaza yokunquma ubuqiniso bezitifiketi ze-B-BBEE noma ama-afidavithi afungelwe/izitifiketi ze-CIPC zokuvumelana.

6. Izici ezinhlanu ze-B-BBEE ezamukelwe emiThethweni Yokusebenza Okuhle (aMakhodi) ngasinye sinenjongo ethile futhi zihlangene zihlinzeka ngokungenelela okudidiyelwe ukuze kuhlonyiswe abantu abansundu njengoba kuhlongozwe eMthethweni. Ngaphezu kwalokho, uMthetho uvumela ukuqinisekiswa kwe-B-BBEE, okuyisinyathelo esisetshenziselwa ukunquma ukuthotshelwa koMthetho, futhi kuholele ekukhishweni kwesitifiketi sokuqinisekisa se-B-BBEE.

7. Isitifiketi sokuqinisekisa se-B-BBEE, i-afidavithi efungelwe kanye nesitifiketi se-B-BBEE esikhishwe yi-CIPC kuwubufakazi bokuthi inhlangano elinganisiwe iyathobelana noMthetho esikhathini esithile. Ukuthobela okunjengalokhu kusekelwe olwazini oluhlobene ne-B-BBEE lwenhlangano elilinganisiwe ngokuhambisana namaKhodi asetshenziswayo ngokweSahluko wesi-9 (1) soMthetho.

8. Kuphambene noMthetho ukuthi inhlangano elinganisiwe ihwebe ngesitifiketi sokuqinisekisa se-B-BBEE noma nge-afidavithi efungelwe/ngesitifiketi se-CIPC esingavumelekile/esingaphelele noma esingalungile. Ukusetshenziswa kwemali okukhethwayo ukuthenga impahla noma okwenziwayo kwezomnotho okwakuqondiswe izinhlangano ezilinganisiwe kumphakeli noma kwinnhlangano ngezizathu zombhalo we-B-BBEE ongavumelekile ayikwazi ukwamukelwa ngesikhathi senqubo yokulinganisa ye-B-BBEE, ngakho-ke, kubalulekile ukunquma ukufaneleka kwezitifiketi zokuqinisekisa ze-B-BBEE noma ama-afidavithi afungelwe/izitifiketi ze-CIPC ngendlela ethulwa ngayo izinhlangano ezilinganisiwe ukuze kufinyelelwe kumathuba ezomnotho emkhakheni kahulumeni nozimele.

B. Ukunquma ukufaneleka kwe-afidavithi efungelwe yokuthotshelwa kwe-B-BBEE

9. Isichazamazwi somthetho (https://legal-dictionary.thefreedictionary.com/Affadavit) sichaza i-afidavithi efungelwe njengesitatimende esibhalwe phansi samaqiniso esenziwa ngokuzithandela ngumuntu ngaphansi kwesifungo noma isiqinisekiso esilawulwa ngumuntu ogunyazwe ukwenza kanjalo ngokomthetho.

10. NgokwamaKhodi, Amabhizinisi Amancane Akhululiwe (ama-EME) kanye namabhizinisi afufusayo alawulwayo nabaphethwe ngabamnyama (ama-QSE) afanele ukusebenzisa i-afidavithi efungelwe kuphela ukukhombisa isimo sawo sokuthobela i-B-BBEE. Uhulumeni wethule le nqubo ikakhulukazi ukwehlisa izindleko zokwenza ibhizinisi kanye nomthwalo wokulawula walezi zinhlangano.

11. UMnyango Wezohwebo, Izimboni kanye Nokuncintisana (i-dtic) wakhe amathempulethi e-amafidavithi afungelwe futhi izinhlangano azilinganisiwe ezifanelekile zifanele zisebenzise lawa mathempulethi, angatholakala kuwebhusayithi ye-dtic. Kwamukelekile ukusebenzisa amathempulethi kwi-letterhead yenhlangano elinganisiwe.

12. Kuphela kwesikhathi lapho i-EME ingaqinisekiswa khona uHlelo Lukazwelonke Lokuqinisekisa LwaseNingizimu Afrika (i-SANAS) okunguchwepheshe wokuqinisekisa ogunyaziwe uma ifisa ukukhulisa amaphuzu ayo e-B-BBEE futhi iye ezingeni eliphezulu lokwamukelwa kwe-B-BBEE, futhi lokho kufanele kwenziwe kusetshenziswa iKhadi Lamapuzu le-QSE.

13. Okushiywe ngaphandle kulokhu kuphela maqondana noMkhakha Wezokuthutha lapho ama-EME enokukhetha khona ukuthola incwadi yesikhulu esiphezulu noma aqinisekiswe futhi anikezwe isitifiketi sokuqinisekiswa kwe-B-BBEE yingcweti egunyazwe ye-SANAS noma i-ejensi ngoba iKhodi Yomkhakha Wezokuthutha Edidiyelwe ayihlotshaniswanga namaKhodi Ajwayelekile Achitshiyelwe.

14. Futhi, abaqalayo abangama-EME kodwa abafisa ukufaka amathenda ezinkontileka zenani eliyizigidi ezi-10 zamaRandi ngenani noma ngaphezulu bafanele baqinisekiswe kusetshenziswa ikhadi lamaphuzu le-QSE, futhi abamathenda ezigidi ezi-50 zamaRandi nangaphezulu bafanele baqinisekiswe kusetshenziswa iKhadi Lamaphu Ejwayelekile.

15. Ngaphezu kwalokho, iKhodi Yomkhakha Wezokwakha, ihlinzekela ama-EME anenzuzo yawo yonyaka eyizigidi ezi-1.8 zamaRandi kwi-Built Environment Professionals kanye nezigidi ezi-3 zamaRandi yoSonkontileka noma ngaphansi ukuze bathole amazinga okwamukelwa okuzenzakalelayo futhi lokhu akudingi ukuqinisekiswa ngaphandle kwasezimweni lapho bekhetha ukuthuthukisa amazinga abo e-B-BBEE. Kulezo zimo kunesidingo sokuthi lawa ma-EME afake isandla ekuhlinyisweni ngokuhambisana ngokuhlonipha ingxenye engama-40% ubuncane yokuthuthukiswa kwamakhono futhi nasekuqinisekiseni ukuhambisana nesici sokuthuthukiswa kwamakhono, lawa ma-EME kudingeka aqinisekiswe uchwepheshe noma i-ejensi yokuqinisekisa egunyaziwe.

16. Ngaphezu kwalokho, Amakhodi Ajwayelekile kanye Nekhodi Yomkhakha Wezinsizakalo Zezezimali anikeze ithuba lokukhetha ama-QSE aphethwe abantu abamnyama angama-51% kanye nama-100% ukuthi angenele inqubo yokuqinisekisa evela kuchwepheshe wokuqinisekisa ogunyaziwe we-SANAS uma ekhetha ukwenze njalo. Nokho-ke, ukuze kufakwe isicelo esifanayo, ama-EME Omkhakha Wezinsizakalo Zezezimali afanele athole kuphela i-afidavithi efungelwe , hhayi isitifiketi sokuqinisekiswa se-B-BBEE njengoba kungekho okufanele kuqinisekiswe.

17. **Izinkomba ezilandelayo zibalulekile ekunqumeni ubuqiniso be-afidavithi efungelwe:**

    a) Igama/amagama ofungayo njengoba evela kumazisi kanye nenombolo kamazisi kufanele kugcwaliswe.

b) Ukuqokwa kofungiswayo njengomqondisi, umnikazi noma ilungu kufanele kukhonjiswe ukuze kwaziwe ukuthi umuntu onika ubufakazi ekufungeni ugunyazwe ngendlela efanele. Umuntu ofungiswayo uyakwazi ukumaka okungapheze kokukodwa uma uma umuntu engumqondisi nomnikazi webhizinisi.
c) Igama lebhizinisi lifanele libalulwe ngokwemibhalo yokubhaliswa kwebhizinisi ekhishwe yi-CIPC, lapho kufanele khona, kubandakanya nekheli lokusebenza lebhizinisi.
d) Amaphesenti obunikazi aphethwe abantu abamnyama, amaqembu aqokiwe abesifazane abamnyama nawaqemby abantu abamnyama. Emaqenjini aqokiwe, amaphesenti afanele akhonjiswe esigatshaneni ngasinye noma kokungekho lapho engekho khona. Esimweni samabhizinisi akhethekile ngokweSitatimende 004, amaphesenti abantu abamnyama abahlomulayo kufanele abonakale.
e) Ukubonisa isamba semali engenayo yonyaka yonyaka obuyekezwayo futhi nokuthi ingabe isekelwe ezitatimendeni zezimali ezihloliwe noma izitatimende zezimali noma ekuphathweni kwama-akhawunti. Sicela ukhethe inketho eyodwa.
f) Khomba ukuphela konyaka wezimali ogcwele (usuku/inyanga/unyaka) ngokwamibhalo yokubhaliswa kwebhizinisi, osetshenziswe ukunquma isamba semali engenayo. Lokhu kufanele kube unyaka wezimali wakamuva nje.
g) Khetha izinga lesimo se-B-BBEE ngokusekelwe kumaphesenti obunikazi babantu abamnyama. Ibhizinisi lingaba nezinga lesimo se-B-BBEE elilodwa kuphela.
h) Ukunika amandla isimo somphakeli sifanele sikhonjiswe. Kuma-QSE, ofungiswayo ufanele akhethe isisekelo lapho isimo somphakeli onikeza amandla esisulwa kuso.
i) Usuku lokusayina kwabo bobabili ofungiswayo kanye noKhomishani Wezifungo lufanele lufane. Uma kusetshenziswa ithempulethi yokuqala ye-dtic kuma-afidavithi afungelwe, lapho kunganikezwanga isikhala sosuku lwesiginesha kaKhomishana Wezifungelwe, usuku lofungiswayo luyothathwa ngokuzenzakalelayo njengosuku lwesiginesha kaKhomishana Wezifungo.
j) UKhomishana Wezfungo akakwazi ukuba umsebenzi noma ngenxa yesikhundla sebhizinisi ngoba, umuntu angeke ngokomthetho, enze i-afidavithi efungelwe lapho anentshisekelo kuyo. Sicela wazi ukuthi uMthetho we-B-BEE awunqumi ukufaneleka kukaKhomishana Wezifungo, lokhu kwenziwa ngokoMthetho Wejaji Lokuthula NoKhomishana Wezifungo wonyaka we-1963 (uMthetho we-16 wonyaka we-1963) olawulwa uMnyango Wezobulungiswa Nokuthuthukiswa Komthethosisekelo (i-DOJ & CD). Ngakho-ke noma yimiphi imibuzo emayelana nokuba semthethweni kukaKhomishana Wezifungo ufanele iqondiswe e-DOJ & CD.
k) I-afidavithi efungelwe ye-B-BBEE isebenza isikhathi esiyizinyanga eziyi-12 kusukela ngosuku okwasebenza ngalo i-afidavithi efungelwe, isibonelo, uma i-afidavithi efungelwe isebenza ngo-12 Agasti 2022, izophelelwa yisikhathi mhla ziyi-11 Agasti 2023.

C. Isitifiketi se-B-BBEE esikhishwe yiKhomishini Yezinkampani Nempahla Yobuhlakani

18. **I-dtic** ngeGazethi Kahulumeni enguNombolo 38765 eyashicilelwa mhla zi-6 Meyi 2015, yagunyaza i-CIPC ukuthi ikhiphe izitifiketi ze-B-BBEE zama-EME kanye namabhizinisi

asafufusa, emizamweni yayo yokunciphisa izindleko zebhizinisi kumabhizinisi amancane. Isitifiketi esikhishwe yi-CIPC sinesimo esifanayo nese-afidavithi efungelwe ye-B-BBEE.

19. Ngemuva kwalokho, i-CIPC yakhipha Isaziso Samakhasimende esibonisa ukuthi izitifiketi ze-B-BBEE zingafakelwa isicelo ngama-e-services kuwebhusayithi ye-CIPC (www.cipc.co.za), kuma-CIPC Self Services Terminals lapho kubhaliswa noma kufakwa i-Annual Returns.

20. **Kusebenza izimo ezilandelayo uma ibhizinisi lisebenzisa izinsiza ze-CIPC ukuthola isitifiketi se-B-BBEE:**

    a) Abaqondisi benkampani noma amalungu ama-close corporation kuphela angafaka isicelo sesitifiketi se-B-BBEE.
    b) Izinkampani nama-close corporation anenzuzo engaphansi kwezigidi eziyi-10 zamarandi kuphela ezingafaka isicelo nge-CIPC.
    c) Isimo sebhizinisi sifanele sibe "Ebhizinisini".
    d) Konke ukufilwa kweMbuyiselo Yentela Yonyaka kwenkampani efanele noma kwe-close corporation kufanele kube okwakamuva;
    e) Isicelo sesitifiketi se-B-BBEE singenziwa nganoma yisiphi isikhathi (hhayi kuphela lapho kubhaliswa inkampani noma kufakwa amafomu embuyiselo yentela), inqobo nje uma isicelo sesitifiketi esisasebenza, besingakaqedwa.
    f) Umfakisicelo ufanele avumelane nemigomo nemibandela ye-B-BBEE.
    g) Umqondisi noma ilungu eliyisichibiyelo lifanele lifakwe uma umqondisi noma ikheli le-imeyili noma ucingo lelungu lungafanele noma lungabuyekeziwe.

21. Isitifiketi se-CIPC singathunyelwa kuKhomishani ye-B-BBEE ukuze sithole ukunakwa nguMnu. Madidimalo Ramare ku-MRamare@beecommission.gov.za ukuze aqinisekise ukuthi sakhiwe ohlelweni lwe-CIPC. Nokho-ke, ngobuso, ulwazi olulandelayo lufanele luvele esitifiketini:

    a) Igama lebhizinisi, inombolo yokubhalisa nekheli lebhizinisi.
    b) Usuku lokukhishwa nokuphelelwa yisikhathi esingezwa ezinyangeni eziyishumi nambili (isib. 9 June 2018 kuya ku-8 June 2019) kufanele kukhonjiswe.
    c) Iphesenti lobunikazi babantu abamnyama, ubunikazi besifazane abamnyama kanye nobunikazi obumhlophe buphelele.
    d) Inombolo yesitifiketi.
    e) Ibhakhodi enenombolo yokulandelela.
    f) Ibhakhodi enenombolo yebhizinisi.
    g) Isimo se-B-BBEE nezinga lokwamukelwa kokuthengwa kwempahla.
    h) **Ilogo ye-dtic ekhoneni eliphezulu kwesokunxele, kanye nelogo ye-CIPC ekhoneni eliphezulu kwesokudla.**
    i) Isiphawuli ezingabonakali se-CIPC.

D. Ukunquma ukufaneleka kwesitifiketi sokuqinisekisa se-B-BBEE sokuthotshelwa kwe-B-BBEE

22. Inhlangano efaneleka ngokoMthetho we-B-BBEE ukwenza inqubo yokuqinisekisa i-B-BBEE, ingakwenza lokho kuphela ngochwepheshe bokuqinisekisa noma i-ejensi egunyazwe yi-SANAS noma nguMlawuli Osemthethweni Wokuqinisekiswa kwe-B-BBEE ongaqokwa nguNgqongqoshe Wezohwebo, Izimboni Nokuncintisana.

23. Ukuqinisekiswa kwe-B-BBEE kusho inqubo nokwenziwayo eyenziwa uchwepheshe wokuqinisekisa noma i-ejensi yokuhlola, iqinisekise kanye yamukele ukuthi amaphuzu aklonyeliswe inhlangano elinganisiwe awumphumela wezici zekhadi lamaphuzu ngalinye elihlinzekwe yibhizinisi elinganisiwe, kanye nokuhlola imisebenzi ye-B-BBEE ukuze kuhlinzekwe amaphuzu e-B-BBEE ayinkomba kanye nokukhishwa kwesitifiketi se-B-BBEE esisekelwe kwiKhodi ye-B-BBEE.

24. Inqubo yokuqinisekisa i-B-BBEE ibalulekile ekuqinisekiseni izinhlangothi ezithembele ekufezweni kwamaphuzu yibhizinisi elinganisiwe futhi abonakala esitifiketini sazo sokuqinisekisa i-B-BBEE (ibhekisela esitifiketini sokuqinisekisa se-B-BBEE esikhishwe uchwepheshe wokuqinisekisa noma i-ejensi ebonisa isimo se-B-BBEE senhlangano elinganisiwe kanye nokwabiwa kwamaphuzu anikezwe ukuqinisekiswa kwesici ngasinye sekhadi lesikweletu lamaphuzu maqondana nenhlangano) futhi nokuthi lolo lwazi olwakhishelwa isitifiketi luyamukeleka, futhi luqinisekisiwe ngokuzimele, futhi alunazo izitatimende ezingamaphutha.

25. Ngakho-ke, indima yomqinisekisi iwukuhlola, ukuqinisekisa nokwamukela kokubili ulwazi oludaluliwe nolungadalulwanga oluhlobene ne-B-BBEE lwenhlangano elinganisiwe. Ukuqinisekiswa kwakho kufanele kusekelwe kwimigomo equkethwe uMthetho we-B-BBEE kanye NamaKhodi afanele, ngokusebenzisa izindlela zokuqinisekisa ezishiwo oHlakeni lokugunyazwa nokuqinisekiswa yiwo wonke ama-ejensi aqinisekisayo (elwaziwa nangokuthi imanuwali yokuqinisekisa) kanye nombhalo woKugunyazwa Nokuqinisekiswa kwe-B-BBEE okhishwa yi-SANAS03 (ophinde ubizwe nge-R47-03) Kubalulekile ukuqaphela ukuthi isiqinisekisi akufanele sinikeze ukucaca noma umbono ngokuchazwa kwanoma yiluphi udaba lwe-B-BBEE njengoba ukucaciswa okunjengalokhu kufanele kufunwe kuKhomishana ye-B-BBEE kusetshenziswa imininingwane yokuxhumana eshiwo ngezansi.

26. **Isitifiketi Sokuqinisekisa se-B-BBEE sizohlonza ulwazi olulandelayo:**
    a) Igama kanye nezindawo ezibonakalayo ezibonakalayo zenhlangano elinganisiwe ngokwamarekhodi e-CIPC.
    b) Ukubhaliswa kanye nenombolo ye-VAT yenhlangano elinganisiwe.
    c) Izinsuku zokunikezwa kwamaphuzu e-B-BBEE/isikhathi sokusebenza, okuwusuku lokuqala lokukhishwa (isib. 7 Okhthoba 2021 kuya ku-6 Okhthoba 2022) kanye nosuku lokuphelelwa yisikhathi kwesitifiketi sokuqinisekisa.
    d) Usuku lokubuyekeza noma lokukhishwa kabusha uma lukhona. .

e) Inombolo kamazisi ekhethekile kubandakanya nenombolo yokubuyekezwa uma ikhona.
f) Umbhalo ojwayelekile kanye/noma ovamile, kubandkanya ukukhishwaa kanye/noma ukubuyekezwa okusetshenziselwe ukuhlola iklayenti (amakhodi achitshiyelwe / amakhodi akhethekile noma amakhodi emikhakha ehlukene).
g) Igama kanye/noma uphawu/ilogo ye-ejensi yokuqinisekisa i-B-BBEE.
h) Ikhadi lamaphuzu okuqinisekiswe ngalo inhlangano elinganisiwe (Okuvamile / i-QSE).
i) Izinga lesimo se-B-BBEE.
j) Uphawu Lokugunyazwa kwe-SANAS esitifiketini sokuqinisekisa.
k) Izinga lokwamukelwa ukuthengwa kwempahla kwe-B-BBEE.
l) Iphuzu ngesici ngasinye kufaka phakathi isamba samaphuzu atholiwe.
m) Amaphesenti obunikazi babantu abamnyama.
n) Amaphesenti obunikazi babesifazane abamnyama.
o) Iphesenti leqembu elikhethiwe labamnyama:
- Iphesenti Lentsha Emnyama
- Amaphesenti Labaphila Nokhubazeka Abamnyama
- Amaphesenti Abamnyama Abangasebenzi
- Iphesenti Labantu Abamnyama abahlala Emaphandleni
- Iphesenti lezigagayi Zempi Zabantu Abamnyama

u) Ukugeleza okushintshiwe kusetshenzisiwe, khombisa yebo noma cha.
v) Umgomo wokushiya ngaphandle osetshenzisiwe, khombisa yebo noma cha.
w) Ukuphela konyaka wezimali kwakamuva okusetshenziswe (usuku/inyanga/unyaka).
x) Umgomo wesaphulelo osetshenzisiwe, khombisa yebo/cha.
y) Ukuhlomisa isimo Somphakeli, khombisa yebo / cha.
z) Igama nesiginesha yomuntu osayinayo
aa) Izichibiyelo zesitifiketi ukuze zibhalwe ngokucacile.
bb) Isitifiketi esihlanganisiwe esisho kanjalo futhi sisho okunamathiselwe kwezinhlangano ezilinganisiwe ezihlanganiswe nokubhaliswa kanye nezinombolo ze-VAT.
cc) Mayelana nokuvezwa kwezinga namaphuzu esitifiketini sokuqinisekisa i-B-BBEE, okulandelayo kuyasebenza:
- Ubambe iqhaza kwiphulo le-Y.E.S yebo / cha
- Ufeze Okuqondiwe kwee-Y.E.S kanye Nokwamukela ngama-2.5% yebo / cha
- Ufeze u-1.5 x Wokuqondiwe i-Y.E.S kanye nama-5% Okwamukela / no
- Ufeze Ngokuphiwe Okuqondiwe kwe-Y.E.S kanye nama-5% Okwamukela / no

27. Umamukeli noma umsebenzisi wesitifiketi sokuqinisekisa se-B-BBEE angaxhumana nanoma yibaphi ochwepheshe bokuqinisekisa abagunyaziwe noma i-ejensi okuthiwa ikhiphe isitifiketi sokuqinisekisa se-B-BBEE, ukuze acele isiqinisekiso sokukhishwa kwesitifiketi se-B-BBEE. Umamukeli noma umsebenzisi uphinde welulekwa ukuthi asebenzise iwebhusayithi ye-SANAS ukuze aqinisekise isimo sokugunyazwa, isikhathi sokugunyazwa kanye nobukhulu bokugunyazwa kochwepheshe bokuqinisekisa noma i-ejensi. Iwebhusayithi ye-SANAS futhi inohlu lwabo bonke ochwepheshe bokuqinisekisa noma ama-ejensi isimo sawo sokugunyaza sihoxisiwe, noma simisiwe, ngoba uchwepheshe wokuqinisekisa noma i-ejensi ayikwazi ukukhipha isitifiketi se-B-BBEE uma isimo sokugunyazwa siphelelwe yisikhathi, sihoxisiwe noma simisiwe.

28. Umamukeli noma umsebenzisi wesitifiketi sokuqinisekisa se-B-BBEE, i-afidavithi efungelwe noma isitifiketi se-B-BBEE esikhishwe yi-CIPC uvunyelwe, njengengxenye yezinqubo zayo zokuqikelela, ukuthi acele nanoma yimiphi eminye imininingwane noma imibhalo efanele enhlanganweni elinganisiwe ukuze kuqinisekiswe ukwethembeka kolwazi olurekhodiwe esitifiketini sokuqinisekisa se-B-BBEE, i-afidavithi efungelwe/isitifiketi se-CIPC se-B-BBEE.

29. Futhi kuyisibopho somamukeli noma umsebenzisi wesitifiketi sokuqinisekisa se-B-BBEE noma i-afidavithi efungelwe/isitifiketi se-CIPC ukucacisa ukuthi izinhlangano ezilinganisiwe zifanele zinikeze ikhophi okuyiyona yona noma ikhophi ebandkanya ikhophi eqinisekisiwe yesitifiketi sokuqinisekisa se-B-BBEE noma i-afidavithi efungelwe/isitifiketi se-CIPC.

E. Izijeziso ngokoMthetho we-B-BBEEE

30. Ukuhweba ngesitifiketi se-B-BBEE esingalungile noma esiwumgunyathi noma i-afidavithi efungelwe/isitifiketi se-CIPC kungase kube icala ngokweSahluko se-13O (1) (a) soMthetho we-B-BBEE, esisho ukuthi umuntu wenza icala uma lowo muntu ehlanekezela ngamabomu noma ezama ukuhlanekezela ngokungeyikho isimo sebhizinisi sokuhlonyiswa okubanzi kwezomnotho kwabantu abamnyama kwe-BBC, kanye iKhomishani ye-B-BBEE ingasungula uphenyo ngokweSahluko se-13J soMthetho we-B-BBEE. Ukwengeza, iSahluko se-13A soMthetho we-B-BBEE sinikeze amandla izinhlaka zikahulumeni nezinhlangano zikahulumeni ukuthi zisule nanoma iyiphi inkontileka noma ukugunyazwa okunikezwe ngenxa yolwazi olungamanga oluhlinzekwe ngamabomu yibhizinisi noma egameni lebhizinisi maqondana nesimo salo sokuhlonyiswa okubanzi kwezomnotho kwabantu abamnyama.

31. Uma inhlangano itholakala ukuthi yephule uMthetho we-B-BBEE, iKhomishana ye-B-BBEE inikwe amandla okwenza ngokufanele njengoba iqondiswa uMthetho we-B-BBEE futhi lokhu kungahle kuholele ekutheni inhlangano eyephule uMthetho we-B-BBEE ihlawuliswe kuze kufike kuma-10% enzuzo yayo yonyaka, futhi abantu abathintekile bangaboshwa iminyaka efika kweyi-10, futhi / noma bahlawuliswe. Ngokucacile, icala elingaphansi kwesahluko se-13O(2) lingaholela ekuboshweni isikhathi esingafika ezinyangeni eziyi-12, noma inhlawulo, noma kokubili inhlawulo nokuboshwa.

32. Ngokwesahluko se-13O(2) uchwepheshe oqinisekisayo, isikhulu sokuthengwa kwempahla noma nanoma yisiphi isikhulu sohlaka lukahulumeni noma senhlangano kahulumeni esazi ngokwenziwa, noma esizama ukwenza nanoma yiliphi icala elishiwo ngokwesahluko se-13O(1) futhi sehluleke ukulibika, sinecala.

33. Lo Mhlahlandlela Wokusebenza ukhishwe njengomhlahlandlela ukuze usize ekuchazeni nasekuhloleni ubuqiniso bezitifiketi zokuqinisekisa ze-B-BBEE kanye nama-afidavithi afungelwe /izitifiketi ze-CIPC, futhi awusiwo umbalo womthetho noma isinqumo seKhomishana ye-B-BBEE.

34. Lo Mhlahlandlela Wokusebenza ungabuyekezwa noma nini yiKhomishana ye-B-BBEE uma kukhona izinguquko ezibonakalayo ezivela ekuthuthukisweni kokusetshenziswa koMthetho we-B-BBEE. Esimeni esinjengalesi, inguqulelo echitshiyelwe izoshicilelwa ukuze kungene lena.

35. Uma unanoma imiphi imibuzo noma udinga okunye ukucaciseleka ngalo Mhlahlandlela Yokuzibophezela, sicela ukhululeke ukusithinta kule minininingwane yokuxhumana elandelayo:

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Ukhishwe iKhomishana we-B-BBEE?

19 Okhthoba 2022