

TO BEE OR NOT TO BEE

How to ensure your affidavit is not rejected for incompleteness?

We indicated the need for exempted EME and automatic QSE must complete a BEE affidavit. Completing the affidavit may look easy for some, but we have taken this series to go through the affidavit and what must be completed in each section. Below we look at the BEE affidavit completed by EME – financial sector and have included commentary on what must be completed for each section. **Failure to complete the correct affidavit or to complete it incorrectly will deem the affidavit invalid for procurement or tender adjudication.**

B-BBEE divides companies into three major categories which have covered previously communication:



1 **Exempt Micro-Enterprises (EMEs)**

Turnover:
Less than R10m per annum



2 **Qualifying Small Enterprises (QSE)**

Turnover:
More than R10m;
less than R50m



3 **Exempt Micro-Enterprises (EMEs)**

Turnover:
More than R50m

I, the undersigned,

Full name and surname:

Identity number:

Hereby declare under oath as follows:

1 The contents of this statement are to the best of my knowledge a true reflection of the facts.

2 I am a **Member / Director / Owner** of the following enterprise and am duly authorised to act on its behalf.

Indicate clearly if you are a Member (only for CC) and a Director and or Owner. If you are both a director and owner do indicate this clearly. We prefer that you ensure font is bold and underlined or if completed manually circle the correct selection.

Enterprise name:

Identity number:

Trading name (If applicable):

Registration number:

Enterprise physical address:

Type of entity (CC, (Pty) Ltd, Sole Prop etc.):

Nature of business:

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Who is considered to be black in terms of B-BBEE Act.



Definition of “Black people”

As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “**Black People**” is a generic term which means Africans, Coloureds and Indians

A who are **citizens** of the Republic of South Africa by **birth or descent**; or

B who became **citizens** of the Republic of South Africa by **naturalisation**

- before 27 April 1994; or
- on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;



Definition of “Black designated groups”

“**Black designated groups**” means:

A **unemployed black people** not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;

B **Black people** who are **youth** as defined in the National Youth Commission Act of 1996;

C **Black people** who are **persons with disabilities** as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;

D **Black people** living in **rural and under developed areas**;

E **Black military veterans** who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”

3 I hereby declare under Oath that:

- The Enterprise is _____ % Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.

Indicate the actual black ownership percentage in your company bearing in mind who is black. If your company is part of a complex ownership structure, request a rating agency to give you the flow through black ownership percentage.

- The Enterprise is _____ % Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.

Indicate the actual black female ownership percentage in your company bearing in mind who is black.

- The Enterprise is _____ % Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.

Refer to definition of who is classified as designated groups and indicate the percentages at each of the following categories:

- Black Designated Group Owned % breakdown as per the definition stated above:

Black Youth % = _____ %

Black Disabled % = _____ %

Black Unemployed % = _____ %

Black People living in rural areas % = _____ %

Black Military Veterans % = _____ %

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- Based on the financial statements/management accounts and other information available on the latest financial year-end 2020, the annual Total Revenue was _____ or less.

Must be based on the latest financial year end of your entity e.g. date/month/year.

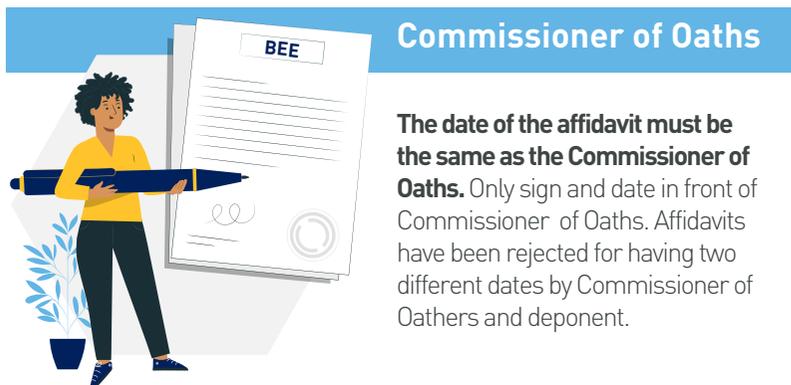
- Please confirm on the below table the B-BBEE Level Contributor, by ticking the applicable box.

Tick the appropriate selection based on your black ownership. Ticking the incorrect box will disqualify your affidavit.

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

- I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
- The sworn affidavit will be valid for a period of 12 months from the date signed by Commissioner.

Deponent signature: Date:



NEXT STEPS

What do we require from you?



Should you have further questions or require assistance, please send your email requests to our Transformation Team at SantamTransformation@santam.co.za



Review your current BEE affidavit against the above guidelines;



Use the **correct affidavit template** supplied in this series;



Submit the latest affidavit to Santam Transformation team;



If you are unsure or need assistance, **contact us** on the below details.