

B-BBEE Legislative Framework & Codes of Good Practice (AgriBEE Legislative Framework)

LIVESTOCK TRANSFORMATION CONFERENCE

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East London IDC, Eastern Cape Province

Presented by

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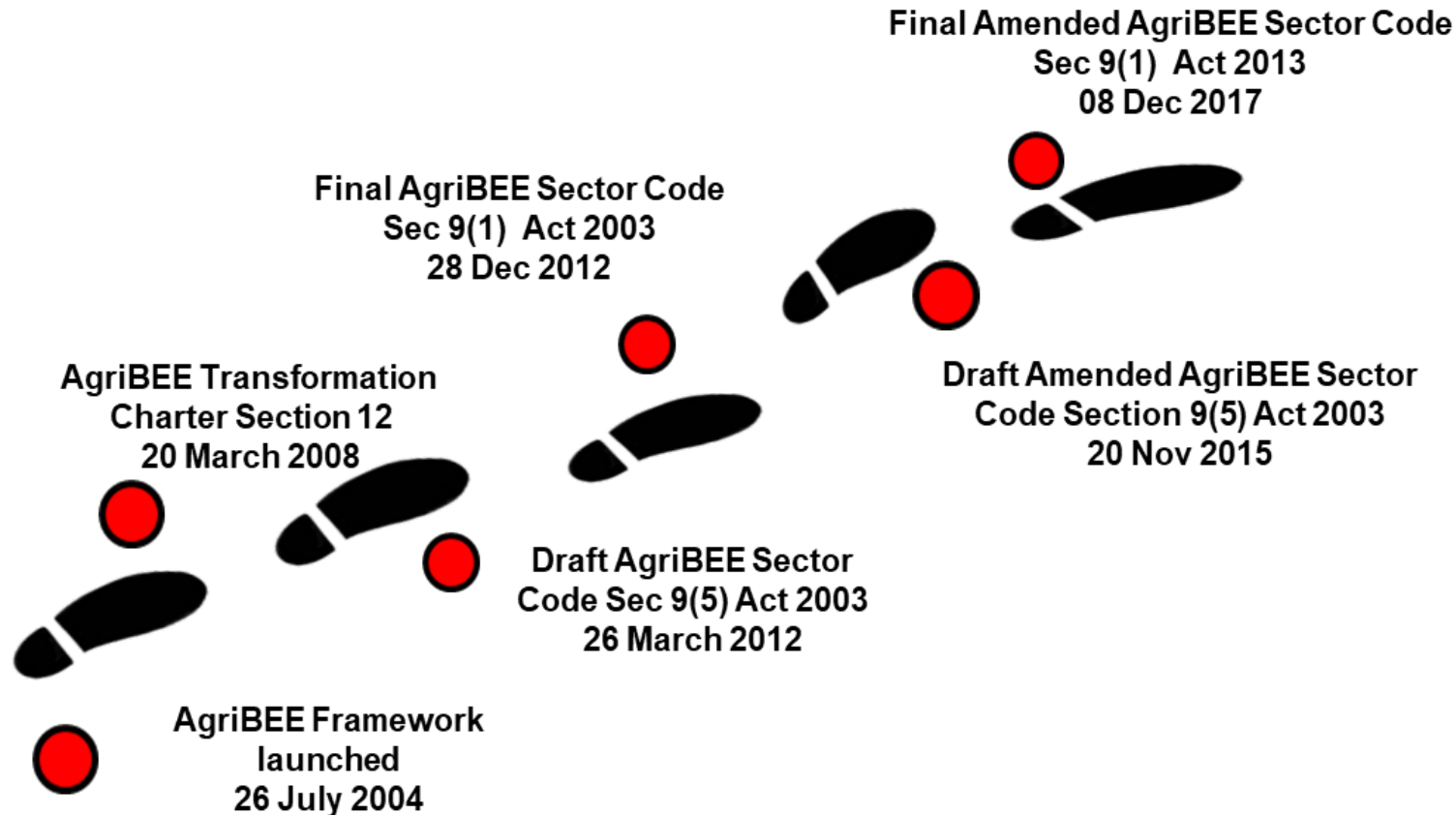


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1. Roadmap development of AgriBEE Legislative Framework



2. AgriBEE Sector Codes – Elements of Empowerment

- B-BBEE Strategy
- Narrow BEE – Ownership and Management Control Elements
- Direct & Indirect Empowerment focus
- AgriBEE Sector Codes (28th December 2012)
- ✓ Seven (7) Elements of Empowerment
 - ✓ Ownership
 - ✓ Management Control
 - ✓ Employment Equity
 - ✓ Skills Development
 - ✓ Preferential Procurement
 - ✓ Enterprise Development
 - ✓ Socio-Economic Development
- Amended AgriBEE Sector Codes (8th December 2017)



3. AgriBEE Charter Council

- Established in terms of B-BBEE Act No 53 of 2003; as Amended No 46 of 2013
- Agricultural Stakeholder Organisations constituency representatives
- Nomination Process – Appointment by Minister of Agriculture
- Three (3) year term of office
- Mandate of
 - ✓ Development; Review of Sector Codes
 - ✓ Interpretation on Sector Codes
 - ✓ Reporting on B-BBEE status by agricultural measured enterprises annually
 - ✓ Monitoring of transformation initiatives and the impact on B-BBEE beneficiaries; Communities (rural areas)
- Engagement with sector stakeholders sharing information and knowledge; and advocacy with role players in the B-BBEE environment
- Facilitate for Provinces to establish Provincial AgriBEE Structures



4. Reporting; Monitoring and Review

- Section 13G(1) of B-BBEE Amendment Act
- Private Enterprises; Industries report on B-BBEE compliance annually to B-BBEE Commission
- Section 13G(2) of B-BBEE Amendment Act
 - ✓ Organs of State; Public Entities and Government Departments must report on their B-BBEE Compliance status annually in the Audited Annual Report and Audited Annual Financial Statements and to B-BBEE Commission
 - ✓ Failure to report leads to adverse audit finding by Auditor General (AGSA)
- Section 13G(3) of B-BBEE Amendment Act
 - ✓ All Sectoral Education & Training Authorities (SETAs) must report on their B-BBEE Compliance status annually
- Monitoring of transformation initiatives.



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