

# The Amended AgriBEE Sector Code made easy!

Compiled by

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# Die Gewysigde Agri- SEB Sektorkode in verstaanbare taal!

Saamgestel deur

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AGTERGROND

BACKGROUND



## Section 9 of the National Constitution

- Equality includes the full and equal enjoyment of all rights and freedoms.
- To promote the achievement of equality, legislative and other measures designed to protect or advance persons or categories of persons disadvantaged by unfair discrimination may be taken.

## Klousule 9 van die Nasionale Grondwet

- Gelykheid sluit die volle en gelyke toegang tot alle regte en vryhede in.
- Om die bereiking van gelykheid te realiseer, mag wetgewing en ander maatreëls ingestel word om mense of kategorieë van persone teen wie onregverdiglik gediskrimineer is te beskerm of te bevoordeel.



AgriBEE Sector  
Charter Council  
Established in 2008

AgriBEE Sector  
Code gazetted on  
28 December 2012

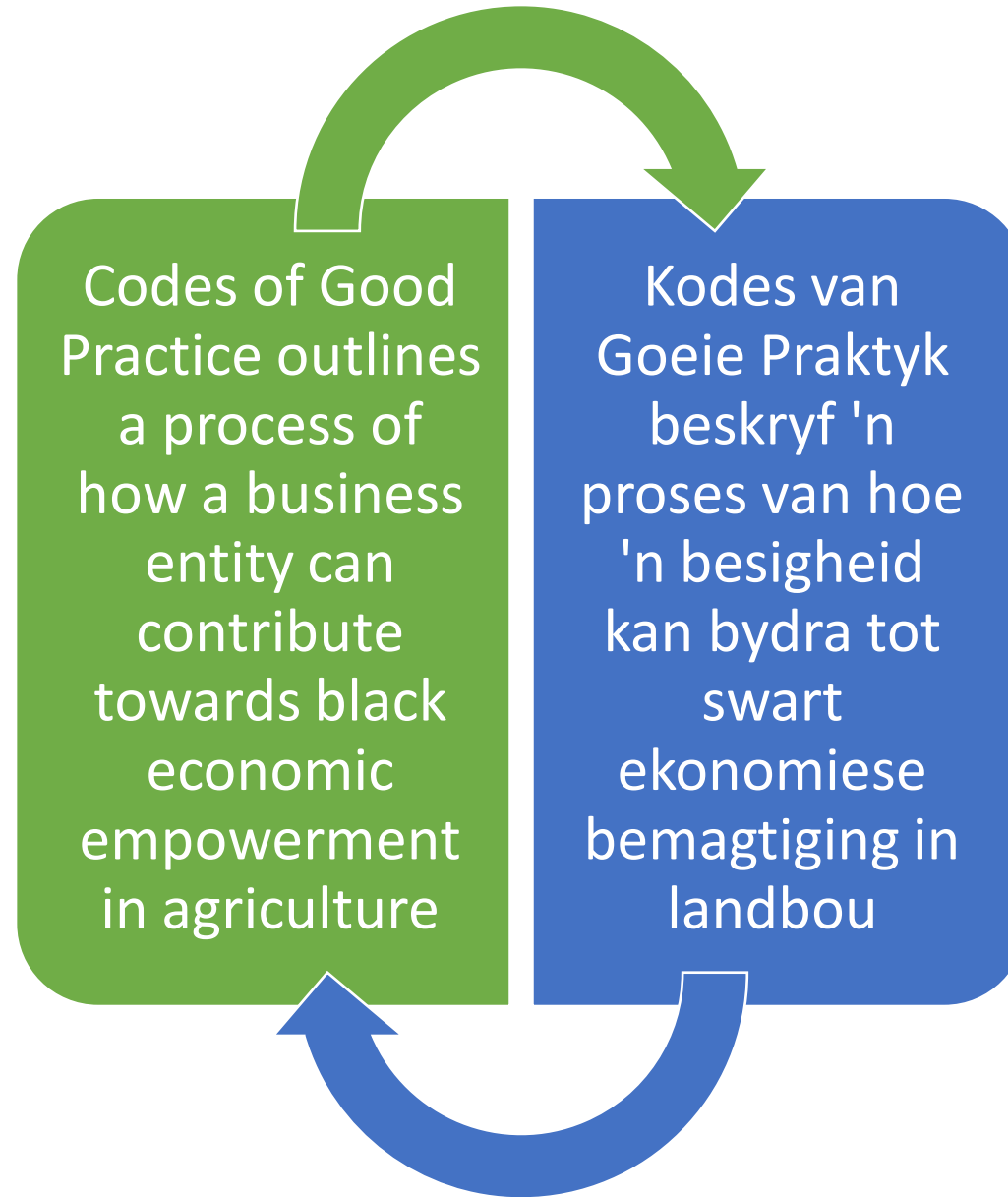
Amended AgriBEE  
Sector Code  
gazetted on 21  
November 2017



AgriSEB Sektor  
Handvesraad  
Gestig in 2008

AgriSEB Sektor  
Kode gazetted op  
28 Desember 2012

Gewysigde  
AgriSEB Sektor  
Kode gazetted op  
21 November 2017



BEE compliance is about the extent to which the entity meets employment equity targets, procures goods and services from black-owned suppliers, enters into joint ventures with black businesses and assists in the creation of black businesses, as well as transfers a percentage of the enterprise into the ownership and control of black people.

SEB-nakoming gaan oor die mate waartoe die entiteit diensbillikheidsteikens bereik, goedere en dienste van verskaffers in swart besit verkry, gesamentlike ondernemings met swart besighede aangaan en help met die skepping van swart besighede, asook die oordrag van 'n persentasie van die onderneming onder die eienaarskap en beheer van swartmense plaas.

OMVANG

SCOPE



- Derives more than 50% of turnover as follows:
  - Primary agricultural production
  - Provision of agricultural inputs and services
  - Beneficiation of agricultural products
  - Storage, distribution, and/or trading of non-beneficiated agricultural products

Local  
Entities

- Verkry meer as 50% van omset soos volg:
  - Primêre landbou-produksie
  - Voorsien landbou-insette en dienste
  - Waarde-toevoeging tot landbou-produkte
  - Storing, verspreiding en/of verhandeling van landbou-produkte in onverwerkte vorm

Plaaslike  
Besighede

- The Amended Sector Code applies also to multinationals whose business falls within the scope of the Code as outlined above.

Inter-  
national  
Businesses

- Die Gewysigde Sektorkode is ook van toepassing op internasionale besighede wie se besigheid binne die bestek van die kode val, soos hierbo uiteengesit.

Inter-  
nasionale  
Besighede

**Exempted Micro  
Agricultural  
Enterprises (EME)**

With a turnover less  
than R10 million

**Qualifying Small  
Agricultural Enterprises  
(QSE)**

With a turnover of R10  
million, but less than

**Large Agricultural  
Enterprises**

With a turnover of R50  
million and more

**Vrygestelde Mikro-  
Landbou- Besighede  
(VME)**

Met 'n omset minder as  
R10 miljoen

**Kwalifiserende Klein  
Landbou-Besighede  
(KKB)**

Met 'n omset van R10  
miljoen, maar minder

**Groot Landbou-  
Besighede**

Met 'n omset van meer  
as R50 miljoen

DOELWITTE

OBJECTIVES



- Equitable access
- Deracialise ownership and management structures
- Upliftment and dignity
- Improve living and working conditions
- Improve protection of rights and tenure security

## Empowerment

- Gelyke toegang
- Inklusiewe eienaarskap en bestuurstrukture
- Opheffing en menswaardigheid
- Verbeter lewens- en werksomstandighede
- Verbeter beskerming van regte en verblyfsekuriteit

## Bemagtiging

- Unlock entrepreneurial skills and potential
- Invest and provide support
- Broaden ownership
- Increase access to economic activities, infrastructure and skills training

## Growth

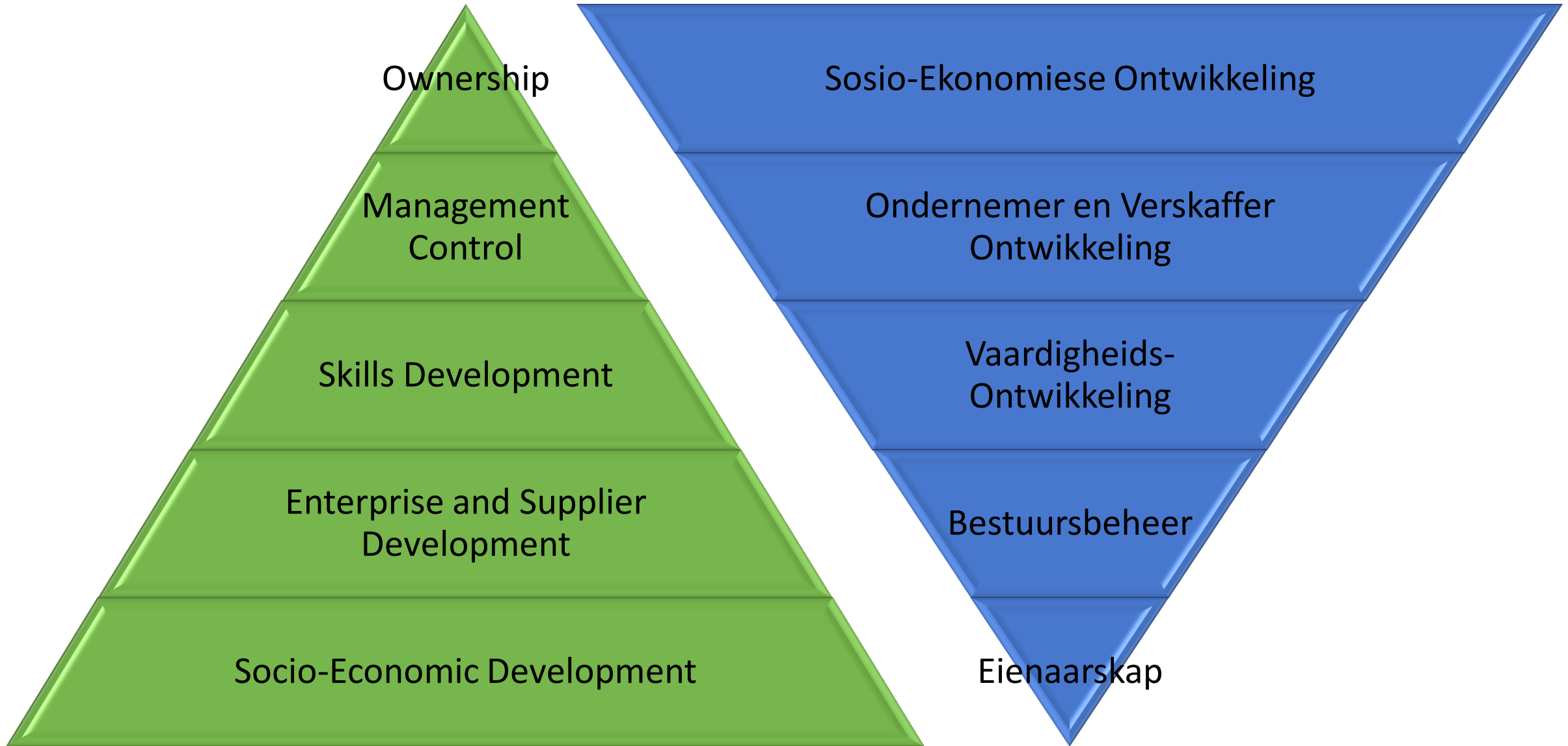
- Ontsluit entrepreneuriese vaardighede en potensiaal
- Investeer en ondersteun
- Bou eienaarskap uit
- Bou toegang tot ekonomiese aktiwiteite, infrastruktuur en vaardigheds opleiding uit

## Groei

TELKAART  
ELEMENTE

SCORE CARD  
ELEMENTS





- During a BEE verification the verified entity has to submit physical proof of activity, spending and contributions in the five elements of empowerment. The elements are:
- **OWNERSHIP** Proof of shares in HDI hands. A share certificate for example will need to be submitted for this purpose. This is regarded as a priority element and failure to comply with the minimum target (40% of Net Value) will result in the Level as obtained above being discounted.
- **MANAGEMENT** Proof of HDI's (men/women) in top/senior/middle/junior management. Interviews will be held to confirm seniority, job description, salary etc. Submission of a EE report and the involvement of PDI's in the organisation on different levels and categories.
- **SKILLS DEVELOPMENT;** Proof of training spend on HDI's employees or non employees and accredited programs such as apprenticeships, learnerships and internships and mentorship programs. This is regarded as a priority element and failure to comply with the minimum target of 40% will result in the Level as obtained above being discounted.
- **ENTERPRISE AND SUPPLIER DEVELOPMENT:** Proof of purchases from current and suppliers that are BEE compliant and Empowering Suppliers as a percentage of total procurement spend. Aiding SMME's and emerging entities owned by HDI's to trade in the mainstream economy. An example is setting up a CC and contracting such an entity to provide products. This is regarded as a priority element and failure to comply with the minimum target 40% in all categories will result in the Level as obtained above being discounted.
- **SOCIO ECONOMIC DEVELOPMENT** Social contributions towards own employees, employees families and communities such as paying employees children's school fees and contributions towards black sports teams.

- Tydens 'n SEB-verifikasie moet die geverifieerde entiteit fisiese bewyse van aktiwiteit, uitgawes en bydraes in die vyf elemente van bemagtiging voorlê. Die elemente is:
- **EIENAARSKAP:** Bewys van aandele in HDI hande. 'n Aandeesertifikaat sal byvoorbeeld vir hierdie doel ingedien moet word. Dit word beskou as 'n prioriteitselement en die versuim om te voldoen aan die minimum teiken (40% van die netto waarde) sal tot gevolg hê dat die vlak soos hierbo verkry verdiskonteer word.
- **BESTUUR:** Bewys van HDI's (mans / vroue) in top / senior / middel / junior bestuur. Onderhoude sal gehou word om senioriteit, posbeskrywing, salaris, ens. te bevestig. Voorlegging van 'n EE-verslag en die betrokkenheid van PDI's in die organisasie op verskillende vlakke en kategorieë.
- **VAARDIGHEIDSONTWIKKELING;** Bewys van opleidingsuitgawes aan HDI se werknemers of nie-werknemers en geakkrediteerde programme soos vakleerlingskappe, leerlingskappe en internskappe en mentorskapprogramme. Dit word beskou as 'n prioriteitselement en versuim om te voldoen aan die minimum teiken van 40% sal daartoe lei dat die vlak soos hierbo verkry verdiskonteer word.
- **ONDERNEMINGS- EN VERSKAFFERONTWIKKELING:** Bewys van aankope van huidige en verskaffers wat SEB-voldoening en bemagtigingsverskaffers is as 'n persentasie van totale verkrygingsbesteding. Die hulp van KMMO's en opkomende entiteite wat deur HDI's besit word om in die hoofstroomekonomie te handel. 'n Voorbeeld is om 'n BK op te stel en so 'n entiteit te kontrakteer om produkte te verskaf. Dit word beskou as 'n prioriteitselement en versuim om te voldoen aan die minimum teiken 40% in alle kategorieë sal daartoe lei dat die vlak soos hierbo verkry verdiskonteer word.
- **SOSIO-EKONOMIESE ONTWIKKELING:** Maatskaplike bydraes tot eie werknemers, werknemersfamilies en gemeenskappe soos die betaling van werknemers se kinders se skoolgeld en bydraes tot swart sportspanne.

## Amended AgriBEE Scorecard Weightings

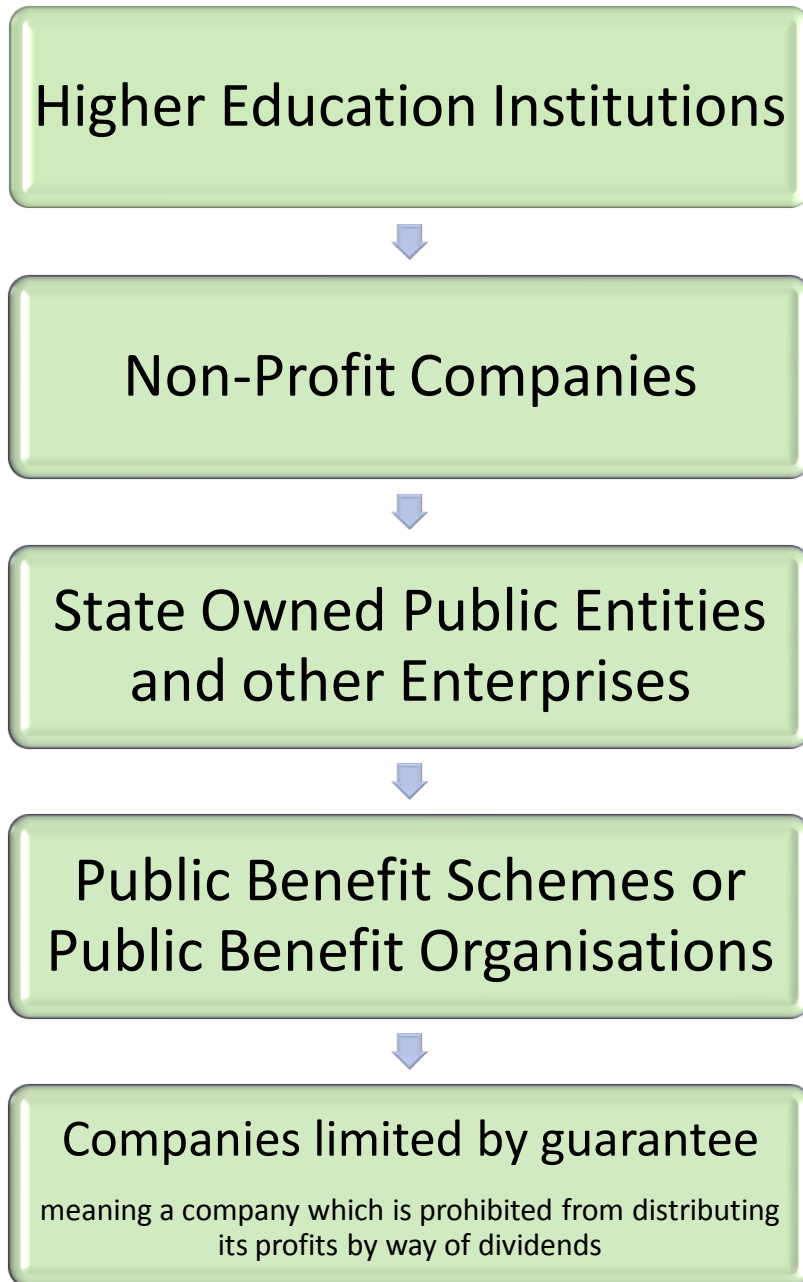
## Gewysigde AgriSEB Telkaart Tellings

Element	Large Enterprises Weighting	QSE Scorecard Weighting	Element	Groot Besighede se Telling	KKB se Telling
Ownership	25 points	25 points	Eienaarskap	25 punte	25 punte
Management Control	19 points	15 points	Bestuurbeheer	19 punte	15 punte
Skills Development	20 points	30 points	Vaardigheidsontwikkeling	20 punte	30 punte
Enterprise and Supplier Development	40 points	25 points	Onderneming en verskafferontwikkeling	40 punte	25 punte
Socio-economic Development	15 points	15 points	Sosio-ekonomiese ontwikkeling	15 punte	15 punte
	119 points	110 points		119 punte	110 punte

**BEPALING VAN AGRI-  
SEB STATUS VIR  
SPESIALISERINGS-  
ENTITEITE**

**DETERMINATION OF  
AGRI-BEE STATUS FOR  
SPECIALISED ENTITIES**





## Amended AgriBEE Specialised Scorecard Weightings

## Gewysigde AgriSEB Spesialisering Telkaart Tellings

Element	Large Enterprises Weighting	QSE Scorecard Weighting	Element	Groot Besighede se Telling	KKB se Telling
Management Control	20 points	25 points	Bestuurbeheer	20 punte	25 punte
Skills Development	25 points	30 points	Vaardigheidsontwikkeling	25 punte	30 punte
Enterprise and Supplier Development	50 points	30 points	Onderneming en verskafferontwikkeling	50 punte	30 punte
Socio-economic Development	5 points	15 points	Sosio-ekonomiese ontwikkeling	5 punte	15 punte
	100 points	100 points		100 punte	100 punte

**BEPALING VAN  
AGRI-SEB STATUS  
VIR KKB'S EN  
GROOT BESIGHEDE**

**DETERMINATION OF  
AGRI-BEE STATUS  
FOR QSE'S AND  
LARGE ENTERPRISES**



For the purposes of preferential procurement, each BEE status band (Levels One to Eight) is assigned a corresponding BEE procurement recognition level. For example, if a procurement officer procures from a Level Five Contributor, s/he can claim 80 cents in every Rand spent with that entity, as BEE procurement spend. It drops to 50 cents in every Rand when procuring from a Level Seven Contributor and increases to R 1.25 for every Rand spent with a Level Two Contributor.

## BEE STATUS

Level 1 Contributor:  $\geq 100$

Level 2 Contributor:  $\geq 95$

Level 3 Contributor:  $\geq 90$

Level 4 Contributor:  $\geq 80$

Level 5 Contributor:  $\geq 75$

Level 6 Contributor:  $\geq 70$

Level 7 Contributor:  $\geq 55$

Level 8 Contributor:  $\geq 40$

Non-compliant Contributor

## SEB STATUS

135%: Vlak 1 Bydraer

125%: Vlak 2 Bydraer

110%: Vlak 3 Bydraer

100%: Vlak 4 Bydraer

80%: Vlak 5 Bydraer

60%: Vlak 6 Bydraer

50%: Vlak 7 Bydraer

10%: Vlak 8 Bydraer

Nie-Voldoende Bydraer

Vir die doel van voorkeur-verkryging word elke BEE-statusband (vlakke een tot agt) aan 'n ooreenstemmende SEB-verkrygingsvlak gekoppel. Byvoorbeeld, as 'n verkrygings-beampte van 'n Vlak Vyf Bydraer koop, kan hy 80 sent in elke Rand wat met daardie entiteit bestee is, as BEE-verkrygings-besteding eis. Dit val tot 50 sent in elke rand wanneer dit verkry word van 'n Vlak Sewe Bydraer en verhoog tot R 1,25 vir elke rand wat aan 'n Vlak Twee Bydraer bestee word.

VERSTAAN DIE  
TELKAART

UNDERSTAND THE  
SCORE CARD



Example: Amended Ownership Scorecard for Large Enterprises				Voorbeeld: Gewysigde Eienaarskap Telkaart vir Groot Besighede			
Ownership for Large Enterprises				Eienaarskap vir Groot Besighede			
Indicator	Measurable Category	Points	Target	Indikator	Meetbare Kategorie	Telling	Teiken
<b>Voting Rights</b>	In the hands of Black people	4	25%+1 vote	<b>Stemreg</b>	In die hande van Swart mense	4	25%+1 stem
	In the hands of Black women	2	10%		In die hande van swart vroue	2	10%
<b>Economic Interests</b>	To which Black people are entitled to	4	25%	<b>Ekonomiese belang</b>	Waarop Swart mense kan aanspraak maak	4	25%
	To which Black women are entitled to	2	10%		Waarop Swart Vroue kan aanspraak maak	2	10%
	To which any of the following Black natural people are entitled too: <ul style="list-style-type: none"> <li>- Black Designated Groups</li> <li>- Black Participants in Employee Ownership Programs</li> <li>- Black people in a Broad Based Ownership Scheme</li> <li>- Black Participants in Co-operatives</li> <li>- Farm Workers</li> </ul>	3	4%		Waarop van die volgende Swart natuurlike mense ook geregtig is: <ul style="list-style-type: none"> <li>- Swart aangewese groepe</li> <li>- Swart Deelnemers in Werknemers Eienaarskap Programme</li> <li>- Swart mense in 'n Breëbasis Eienaarskapskema</li> <li>- Swart deelnemers in koöperatiewe</li> <li>- Plaaswerkers</li> </ul>	3	4%
	New Entrants	2	2%		Nuwe Toetreders	2	2%
<b>Net Value</b>	Net Equity Value: 40% of net value	8	Time based	<b>Netto Waarde</b>	Netto Aandele Waarde: 40% van netto waarde	8	Tyd-gebaseer

**Net Value** – the difference between the value of shares held by a black person and the value of any liability, such as a loan, incurred to purchase the shares. To calculate this, the value of the shares and the liability has to be determined each time an organisation has their BEE score verified. It is expected that over time, the liability will be reduced and therefore the net value will increase. However if the company devalues and the liability cannot be paid off then the reverse will happen and the company will lose points for Net Value. It is therefore important to set up realistic funding structures for share purchases if the company wishes to earn these points continuously.

**Netto Waarde** - die verskil tussen die waarde van aandele wat deur 'n swart persoon gehou word en die waarde van enige verpligting, soos 'n lening, aangegaan om die aandele te koop. Om dit te bereken, moet die waarde van die aandele en die verpligting bepaal word elke keer as 'n entiteit hul SEB-telling nagaan. Daar word verwag dat die verpligting met verloop van tyd verminder sal word en daarom sal die netto waarde toeneem. Maar as die maatskappy devalueer en die aanspreeklikheid nie betaal kan word nie, sal die omgekeerde gebeur en die maatskappy sal punte verloor vir netto waarde. Dit is dus belangrik om realistiese befondsingsstrukture vir die aankoop van aandele op te stel indien die maatskappy die punte deurlopend wil verdien.

- **Ownership:** 40% of Net Value based on the Time Based Graduation Factor
- **Skills Development:** 40% of total weighting points
- **Enterprise and Supplier Development:** 40% of Preferential Procurement, Supplier Development and Enterprise Development



- **Eienaarskap:** 40% van Netto Waarde gebaseer op die Tyd-Gegradeerde Gradueringfaktor
- **Vaardigheidsontwikkeling:** 40% van die totale gewigtelling
- **Ondernemer en Verskafferontwikkeling:** 40% van Voorkeurverskaffing, Verskafferontwikkeling en Ondernemerontwikkeling

- **Ownership:** Compulsory and can choose between:
- **Skills Development & Enterprise and Supplier Development**



- **Eienaarskap:** Verpligtend en kan kies tussen
- **Vaardigheidsontwikkeling & Ondernemer en Verskafferontwikkeling**

## Time Based Graduation Factor

- The sub-minimum requirement for the Ownership Element is 40% of the net value.
- It is based upon the time based graduation factor which provides for the reduction of debt held by the black participants.
- The graduation factor prohibits entities, with not a relative big profit margin, to declare sufficient dividends or profits for the repaying of the loan account according to the time based graduation factor which provides for the reduction of debt attributable to the economic interest held by the black participants:
  - 10% of black shareholder's debt should be paid by the end of year 1
  - 20% by the end of year 2
  - 40% by the end of year 4
  - 60% by the end of year 6
  - 80% by the end of year 8
  - 100% by the end of year 10.

## Tydgegradeerde Gradueringsfaktor

- Die sub-minimum vereiste vir die Eienaar Element is 40% van die netto waarde.
- Dit is gegrond op die tydgebaseerde gradueringsfaktor wat voorsiening maak vir die vermindering van skuld wat deur die swart deelnemers gehou word.
- Die gradueringsfaktor verbied entiteite, met nie 'n relatiewe groot winsmarge, om voldoende dividende of winste te verklaar vir die terugbetaling van die leningsrekening volgens die tydgebaseerde gradueringsfaktor wat voorsiening maak vir die vermindering van skuld wat toeskryfbaar is aan die ekonomiese belang van die swart deelnemers
  - 10% van die swart aandeelhouer se skuld moet teen die einde van jaar 1 betaal word
  - 20% teen die einde van jaar 2
  - 40% teen die einde van jaar 4
  - 60% teen die einde van jaar 6
  - 80% teen die einde van jaar 8
  - 100% teen die einde van jaar 10

## The Flow-Through Principle and the Modified Flow-Through principle

The **Flow-Through Principle** requires that black ownership can be traced back to a specific black individual. As such, when measuring the rights of ownership of any category of black people in a Measured Enterprise, only rights held by natural persons are relevant. If the rights of ownership of black people pass through a juristic person, then the rights of ownership of black people in that juristic person are measurable. This principle applies across every tier of ownership in a multi-tiered chain of ownership until that chain ends with a black person holding rights of ownership.

The **Modified Flow-Through Principle** allows one entity in a chain of ownership that is more than 50 percent black owned to be treated as 100 percent black owned. This means that when calculating Exercisable Voting Rights and Economic Interest held by black people in general (not black women, broad-based ownership or designated groups) the following applies: Where in the chain of ownership, black people have a flow-through level of participation in excess of 50 percent, then only once in that chain may such black participation be treated as if it were 100 percent black.

## Die Deurvloei Beginsel en die Gewysigde Deurvloei Beginsel

Die **Deurvloei Beginsel** vereis dat swart eienaarskap teruggespoor kan word na 'n spesifieke swart individu. As sodanig, wanneer die eiendomsreg van enige kategorie gemeet word van swart mense in 'n Gemete onderneming, is net regte wat deur natuurlike persone besit word, relevant. As die regte van eienaarskap van swartmense deur 'n regspersoon gaan, dan is die regte van eienaarskap van swartmense in daardie regspersoon meetbaar. Hierdie beginsel is van toepassing op alle vlakke van eienaarskap in 'n veelvuldige ketting van eienaarskap totdat daardie ketting eindig met 'n swart persoon wat eiendomsreg het.

Die **Gewysigde Deurvloei Beginsel** laat een entiteit toe in 'n ketting van eienaarskap wat meer as 50 persent in swart besit is, om as 100 persent in swart besit hanteer te word. Dit beteken dat by die berekening van Uitoefenbare Stemregte en Ekonomiese Belang wat deur swartmense in die algemeen (sluit swart vroue, breë-basis eienaarskap óf aangewese groepe uit) besit word, is die volgende van toepassing: Waar swart mense 'n deurvloeiproses van meer as 50 persent in die ketting van eienaarskap het, kan sulke swart deelname slegs een keer as 100 persent in daardie ketting gereken word.

BEREKEN JOU  
TELLINGS

CALCULATE YOUR  
SCORES



## Example of Measuring the Ownership Element

Number of Shares in Entity:  
1000

Shares currently held by  
white owners: 1000

New shares issued to black  
shareholders: 500

Black men: 400  
Black women: 100

## Voorbeeld van Meting van Eienaarskap Element

Getal Aandele in Entiteit:  
1000

Aandele in besit van wit  
eienaars: 1000

Nuwe aandele beskikbaar vir  
swart aandeelhouders: 500

Swart mans: 400  
Swart vroue: 100

## Excerpt of the scorecard for QSE OWNERSHIP looks as follows:

### VOTING RIGHTS

Category and Ownership Indicator	Weighting Points	Compliance Target
Exercisable Voting Rights in the Enterprise in the hands of black people	5	25% + 1 vote
Exercisable Voting Rights in the Enterprise in the hands of black women	2	10%
Therefore the following will happen:		
Exercisable voting rights in the hands of black people: $500/1500 = 33,3\%$		
The target is set at 25% plus one vote		
In this example the company scores 33,3% black ownership and therefore will score the full 5 points	5	33,3%
Then of the black shareholders, black women hold 100 shares out of the 1500 = 6,7%		
The target is set at $10\% \left( \frac{6,7\%}{10\%} \times 2 = 1.3 \right)$ Black women representation sits at 6,7% and therefore did not score full points	1.3	6,7%

## Uittreksel van die Telkaart vir KKB EIENAARSKAP lyk soos volg:

### STEMREG

Kategorie en EienaarskapIndikator	Gewig Telling	Voldoenings-teiken
UitoefenbareStemreg in die Besigheid in die hande van swartmense	5	25% + 1 stem
UitoefenbareStemreg in die Besigheid in die hande van swartvroue	2	10%
Vervolgensgebeur die volgende:		
UitoefenbareStemreg in die Besigheid in die hande van swartmense: $500/1500 = 33,3\%$		
Die teiken is gestel op 25% plus een stem		
In die voorbeeldstaan die Besigheid se wart eienaarskap op 33,3% en word die volle telling van 5 toegeken	5	33,3%
Uit die totaleaantalswartaandeelhouders, besitswartvroue 100 aandeleuit die 1500 = 6,7%		
Die teiken beloop egter $10\% \left( \frac{6,7\%}{10\%} \times 2 = 1.3 \right)$ Swart vroue verteenwoordiging beloop dus 6,7% daarom verdien dit nie die volle telling nie	1.3	6,7%

## Excerpt of the scorecard for QSE ENTERPRISE AND SUPPLIER DEVELOPMENT looks as follows:

### PREFERENTIAL PROCUREMENT

Category and Ownership Indicator	Weighting points	Compliance Target
B-BBEE Procurement Spend from all Empowering Suppliers based on the B-BBEE Procurement Recognition Level as a percentage of Total Measured Procurement Spend	10	60%
Assume all purchases from the local suppliers meet the definition of procurement. BEE procurement spend out of a total spend per annum of R7, 5 million will be calculated as follows:		
BEE Supplier A – R500 000		
BEE Supplier B – R1 600 000		
BEE Supplier C – R900 000		
Total procurement spend: R3 000 000 (R3m / R7,5m) equates to 40%		
The points awarded are as follows $(\frac{40\%}{60\%} \times 10) = 6,6$ points	6,6	40%

# Uittreksel van die Telkaart vir KKB ONDERNEMER- EN VERSKAFFERONTWIKKELNG lyk soos volg:

## VOORKEURVERKRYGING

Kategorie en EienaarskapIndikator	Gewig Telling	Voldoenings-teiken
BBSEB Voorkeuraankopevanafalle SEB verskaffersgebaseer op die BBSEB Voorkeurvercryingsvlak as 'n persentasie van die TotaleGemeteVercryingsbesteding	10	60%
Veronderstelalleaankope van plaaslikeverskafferskwalifiseervolgens die aankope-definisie. SEB Vercryingsbestedinguit 'n totaleaankope van R7, 5 miljoensalsoosvolgbereken word:		
SEB Verskaffer A – R500 000		
SEB Verskaffer B – R1 600 000		
SEB Verskaffer C – R900 000		
Totale SEB-vercryingsbesteding: R3 000 000 (R3m / R7,5m) is gelykaan 40%		
Die punte toegeken word is soos volg $(\frac{40\%}{60\%} \times 10) = 6,6$ punte	6,6	40%

## Measurement Principle

Divide the enterprise's actual contribution by the compliance target

The result is multiplied by the corresponding weighting points to obtain a score for that indicator

$$\left(\frac{40\%}{60\%} \times 10\right) = 6,6 \text{ points}$$

In cases of excess weighting points, the enterprise is only entitled to the corresponding weighting points

## Metingsbeginsel

Deel die besigheid se werklike bydrae deur die voldoeningsteiken

Die resultaat word vermenigvuldig met die ooreenstemmende gewigtelling om 'n punt vir daardie indikator te verkry

$$\left(\frac{40\%}{60\%} \times 10\right) = 6,6 \text{ punte}$$

In gevalle waar van 'n hoër gewigtelling, is 'n besigheid slegs geregtig op die ooreenstemmende gewigtelling

SEB VERIFIKASIE-  
PROSES

BEE VERIFICATION  
ADDRESS



## • Understand Agri-BEE:

- Learn about BEE
- Look at where BEE is likely to affect you
- Look at the indicators to find ways of scoring points
- Collect documents around the indicators where points can be scored
- Do a rough calculation to find out how many points you have achieved
- Write a Report, Scorecard, Profiles, Policies and Strategies around BEE and display your scorecard level
- Spend time and effort and earn the points
- Do a final self rating – must be signed once you are completely happy with it
- Look for ways to find more points on the scorecard
- Not mandatory – get an independent organisation to sign off your scorecard (Auditors or Rating Agencies)

## • Verstaan Agri-SEB:

- Leer van SEB
- Kyk na waar SEB jou waarskynlik sal affekteer
- Kyk na die aanwysers om maniere van punte te versamel
- Versamel dokumente wat verband hou met die aanwysers wat punte kan aanteken
- Doen 'n rowwe berekening om uit te vind hoeveel punte jy behaal het
- Trek 'n Verslag, Telkaart, Profiele, Beleide en Strategieë op rondom SEB en stel jou telkaartvlak bekend
- Spandeer tyd en moeite en verdien die punte
- Doen 'n finale selfevaluering - moet geteken word sodra jy heeltemal tevrede is
- Soek maniere om meer punte op die telkaart te vind
- Nie verpligtend nie - kry 'n onafhanklike organisasie om jou telkaart af te teken (Ouditeure of Verifiëringsagentskap)

## • Remember:

- Agri-BEE is not forced upon any entity by law.
- However, any agricultural entity wanting to do business with the government or any organs of state has to be Agri-BEE compliant first.
- The process of becoming Agri-BEE compliant is known as the BEE verification process.

## • Onthou:

- Agri-BEE word nie deur die wet op enige entiteit gedwing nie.
- Enige landbou-entiteit wat sake wil doen met die regering of enige staatsorgane moet egter eers aan die Agri SEB-kode voldoen.
- Die proses om voldoende te word, staan bekend as die SEB-verifikasieproses.

- **National Accreditation of verification Agencies:**

- SANAS, as the national accreditation body, operates in compliance with the requirements for accreditation bodies as defined in the International Standard ISO/IEC Guide 62 and ISO/IEC 17011.
- BEE Verification Agencies are required to apply to SANAS for accreditation.
- SANAS, on behalf of **the DTi**, shall accredit BEE Verification Agencies in terms of the accreditation criteria set out in this document for Verification Agencies.
- SANAS undertakes to perform an initial assessment of an applicant within the agreed time period.

- **Nasionale Akkreditasie van Verifikasie Agentskappe:**

- SANAS funksioneer as die nasionale akkrediteringsliggaam in ooreenstemming met die vereistes vir akkrediterings-liggame soos omskryf in die Internasionale Standaard ISO / IEC Guide 62 en ISO / IEC 17011.
- SEB-verifikasie-agentskappe moet by SANAS aansoek doen vir akkreditasie.
- SANAS, namens die DTi, sal SEB-verifikasie-agentskappe akkrediteer ingevolge die akkreditasiekriteria wat in hierdie dokument vir Verifikasie-agentskappe uiteengesit word.
- SANAS onderneem om binne die ooreengekome tydperk 'n aanvanklike assessering van die aansoeker te doen.

## • **Start the Verification Process:**

- This is a process where the entity has to come into contact with an SANAS Accredited BEE Verification Agency.
- Together with the BEE Agency the entity has to undergo a partial or full audit to determine its BEE Compliancy Levels.
- This comprises three easy steps.
  - Completion of Documentation and BEE Verification planning.
  - Gathering of evidence according to the 5 elements of relevance.
  - Verification of Evidence and calculating BEE Compliancy.

## • **Begin die Verifikasie Proses:**

- Dit is 'n proses waar die entiteit met 'n SANAS-geakkrediteerde SEB-verifikasieagentskap in aanraking moet kom.
- Saam met die SEB-agentskap moet die entiteit 'n gedeeltelike of volle oudit ondergaan om sy SEB-vlakke te bepaal.
- Dit behels drie maklike stappe.
  - Voltooing van dokumentasie en SEB-verifikasiebeplanning.
  - Versameling van bewyse volgens die 5 elemente van relevansie.
  - Verifikasie van bewyse en berekening van SEB-voldoening

- Verifications shall be done according to a Verification Plan.
- The verifications shall take place at the site(s) of the measured entity. The purpose of the evaluation is to measure the BBEE progress or status.
- The verification team shall conduct the evaluation to gather evidence to verify the measured entity's in terms of BBEE.
- The verification team shall rate a sufficient number of examples of the activities of the measured entity in relation to the BBEE criteria to arrive at a sound appraisal of the measured entity's BBEE status.
- As part of the verification process, the verification team shall interview a sufficient number of the staff, including top management and operational personnel of the measured entity, to provide assurance that the information gathered is sound.
- The verification team shall analyse all the information and verification evidence gathered to determine the BBEE status of the measured entity.
- The BEE Verification Agency shall ensure that a detailed, written Verification Report is promptly provided to the verified measured entity.
- Ownership of the Verification Report shall be retained by the BEE Verification Agency.

- Verifikasies sal gedoen word volgens 'n Verifiëringsplan.
- Die verifikasies sal plaasvind op die perseel (s) van die gemete entiteit. Die doel van die evaluering is om die BBSEB-vordering of status te meet.
- Die verifikasie span sal die evaluering doen om bewyse in te samel om die gemete entiteit se BBEE te verifieer.
- Die verifikasie span sal 'n voldoende aantal voorbeelde van die aktiwiteite van die gemete entiteit met betrekking tot die BBSEB kriteria beoordeel om te kom tot 'n goeie evaluering van die gemete entiteit se BBEE status.
- As deel van die verifikasieproses moet die verifikasiespan 'n voldoende aantal personeellede ondervra, insluitend topbestuur en operasionele personeel van die gemete entiteit, om te verseker dat die inligting wat ingesamel is, betroubaar is.
- Die verifikasie-span sal al die inligting en verifikasiebewyse wat ingesamel is, analiseer om die SEB status van die gemete entiteit te bepaal.
- Die SEB-verifikasie-agentskap sal toesien dat 'n gedetailleerde skriftelike verifikasieverslag dadelik aan die geverifieërde gemete entiteit verskaf word.
- Eienaarskap van die Verifikasieverslag sal deur die SEB-Verifikasieagentskap bewaar word.

IMPORTANT  
DOCUMENTS FOR  
VERIFICATION  
PURPOSES

BELANGRIKE  
DOKUMENTE VIR  
VERIFIKASIE-  
DOELEIENDES



## OWNERSHIP

Share Register

Share Certificates

Shareholders Agreement

Memorandum of Incorporation

Sale of Shares Agreement

Confirmation of Black New Entrants Status

Interviews

Independent Valuation of the Company

Confirmation of Designated Group Status

## EIENAARSKAP

Aandele Register

Aandele Sertifikate

Aandehouers Ooreenkoms

Memorandum van Inkorporasie

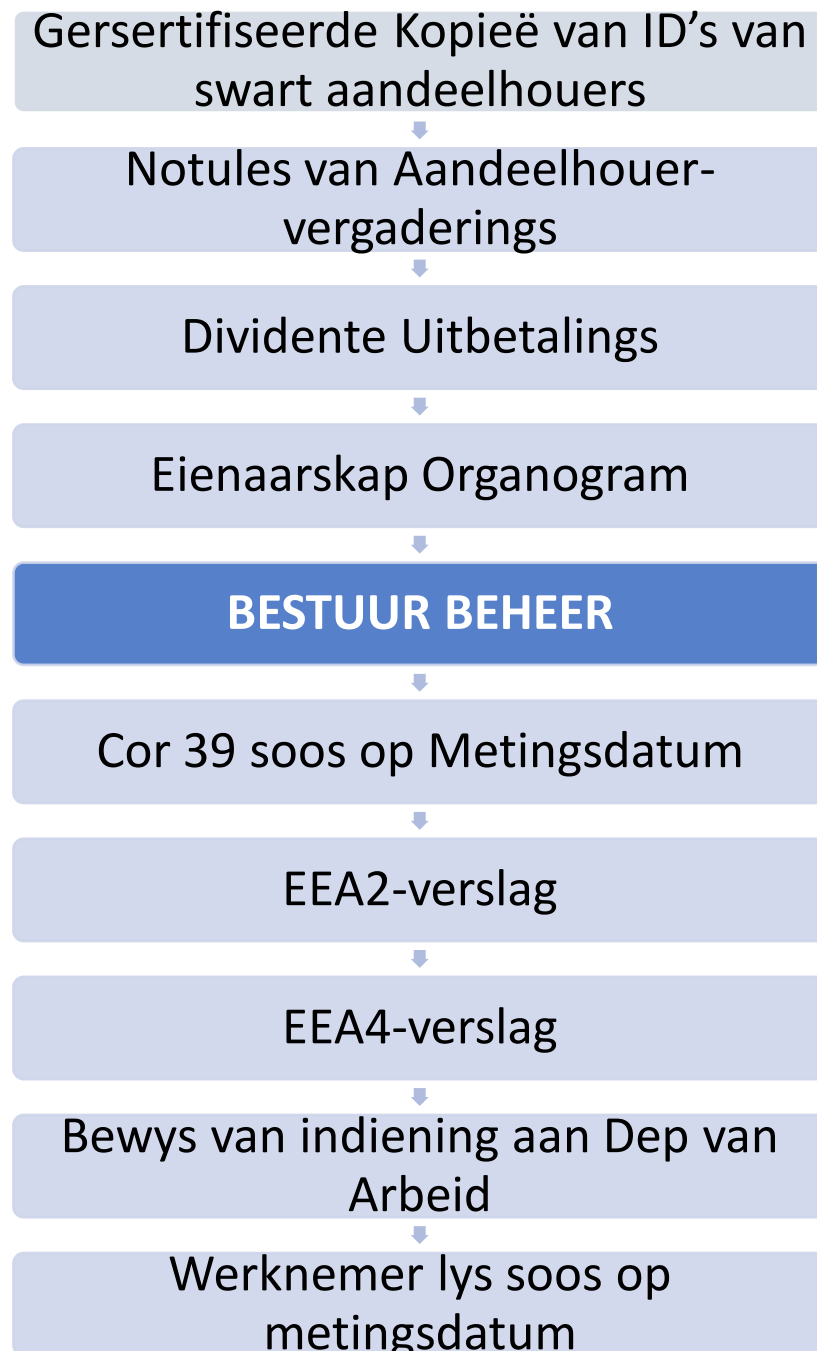
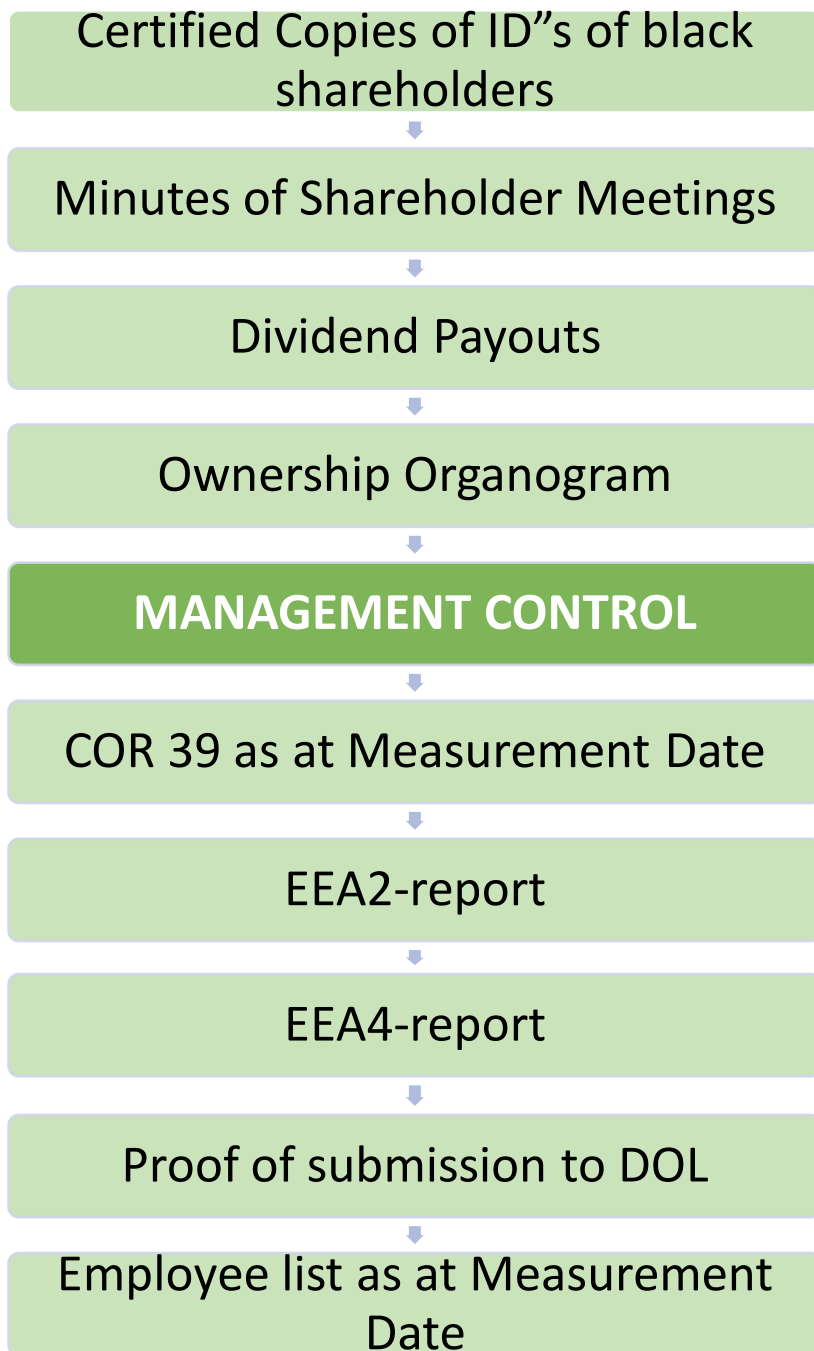
Verkope van Aandele Ooreenkoms

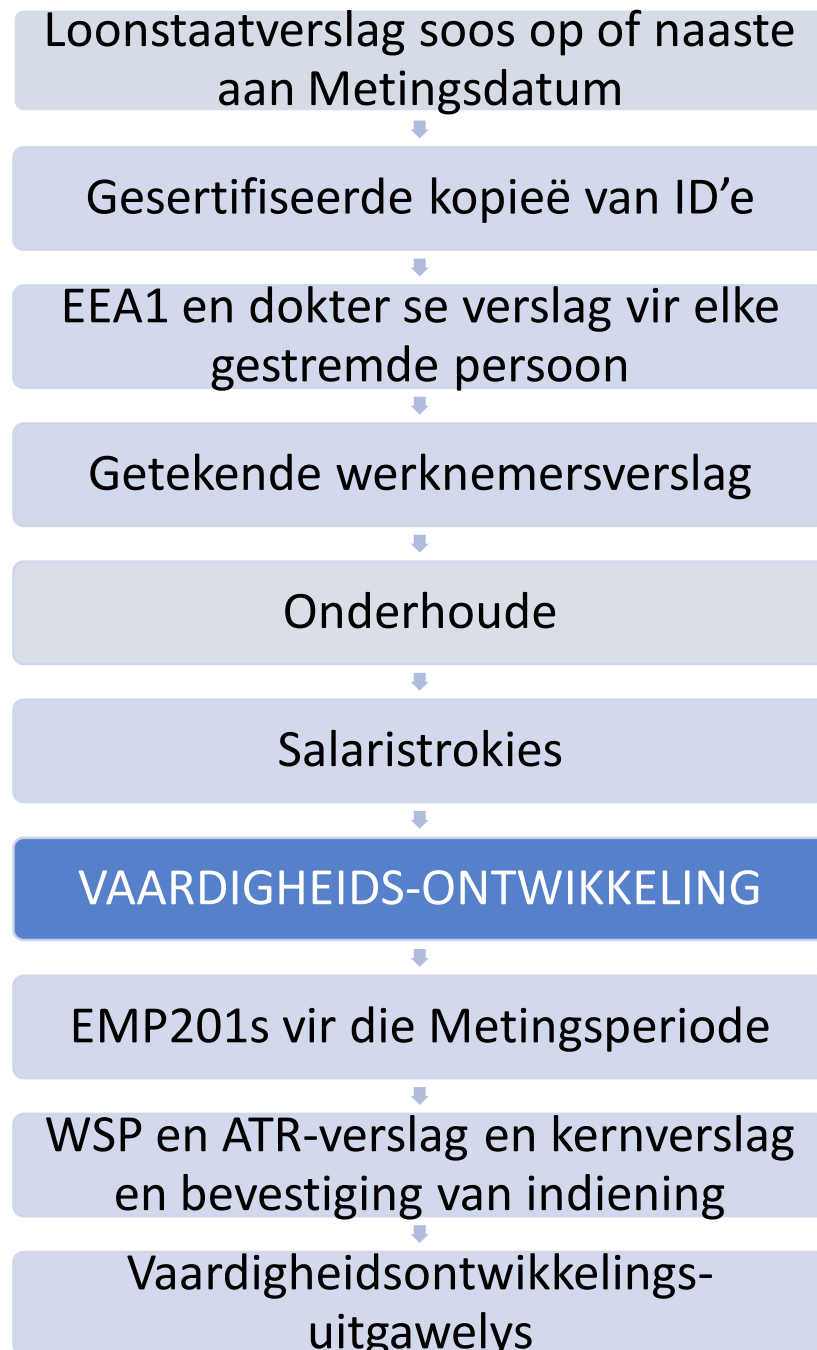
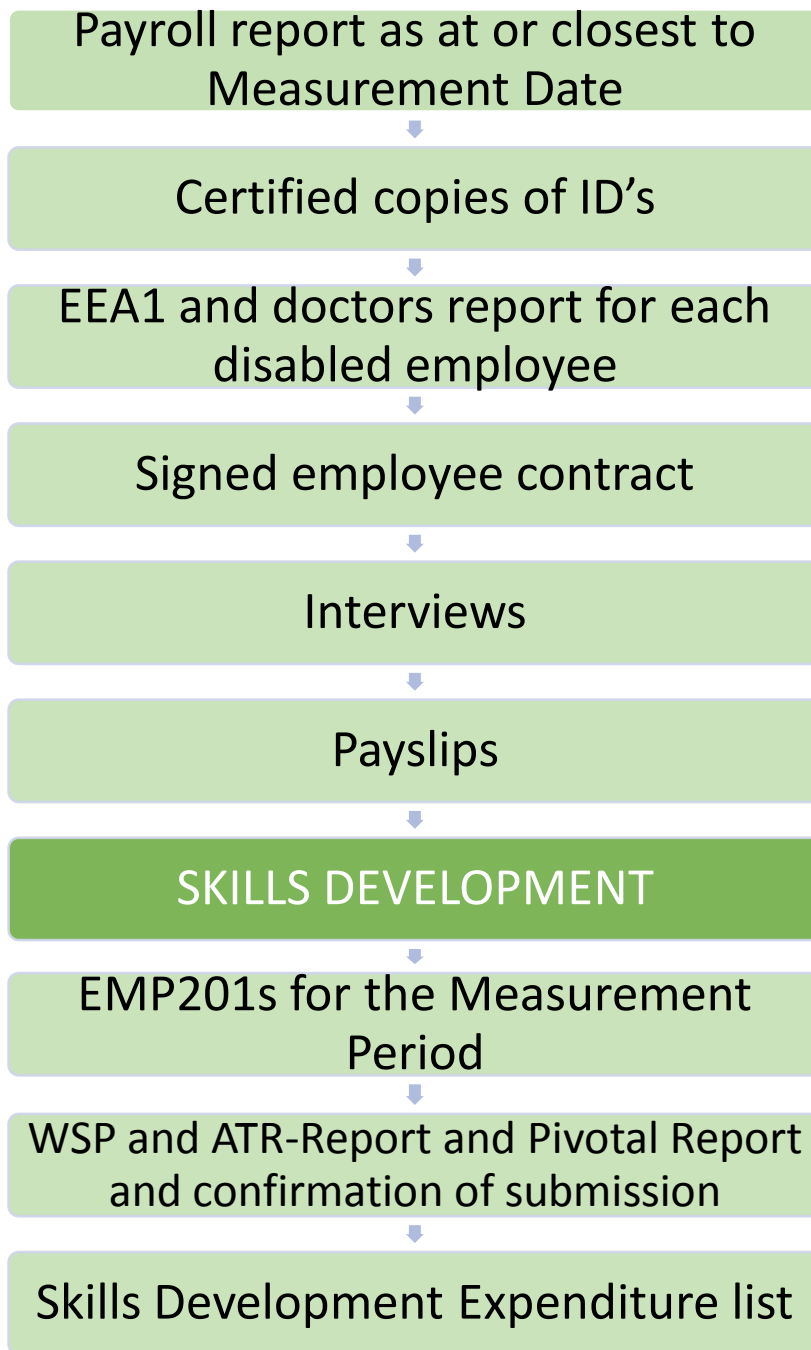
Bevestiging van Swart Nuwe Toetreders Status

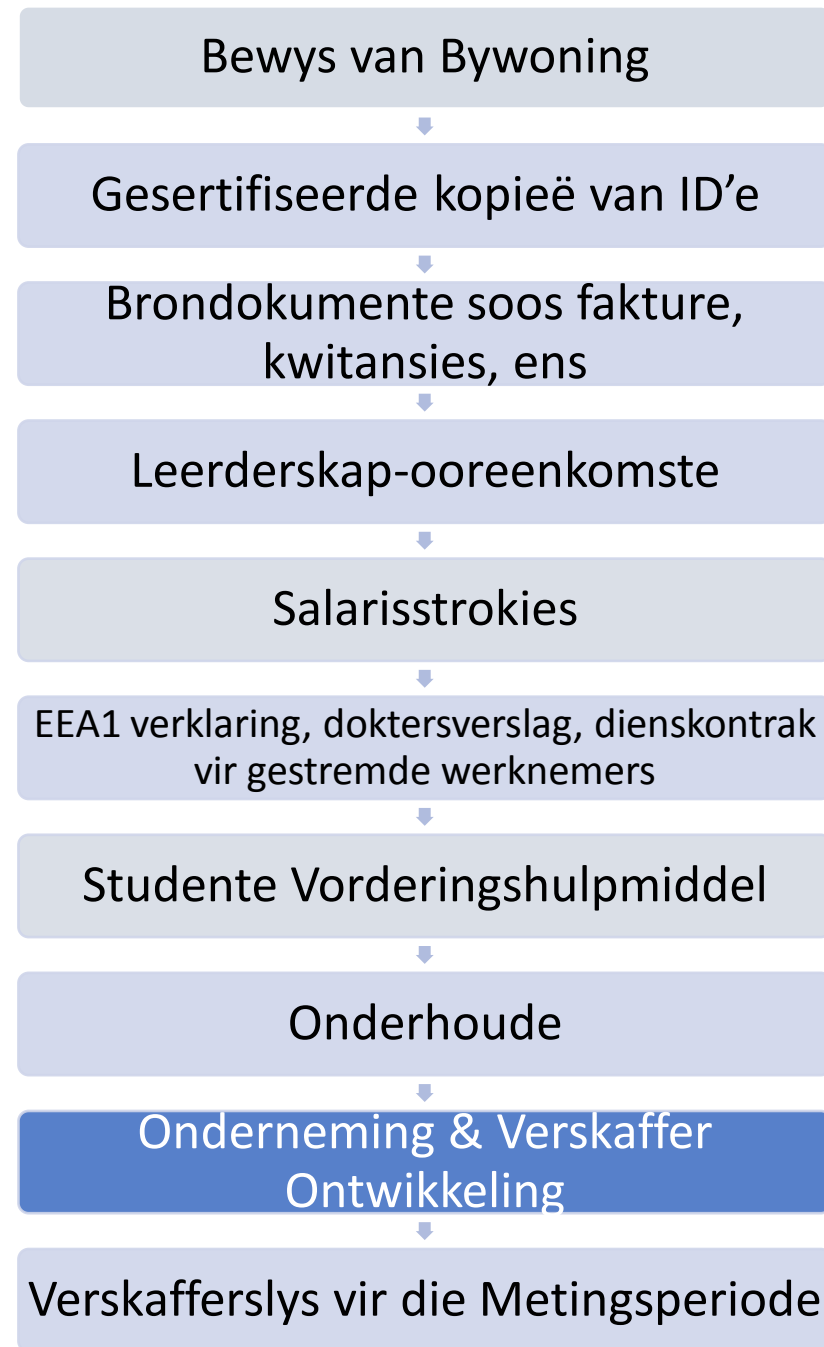
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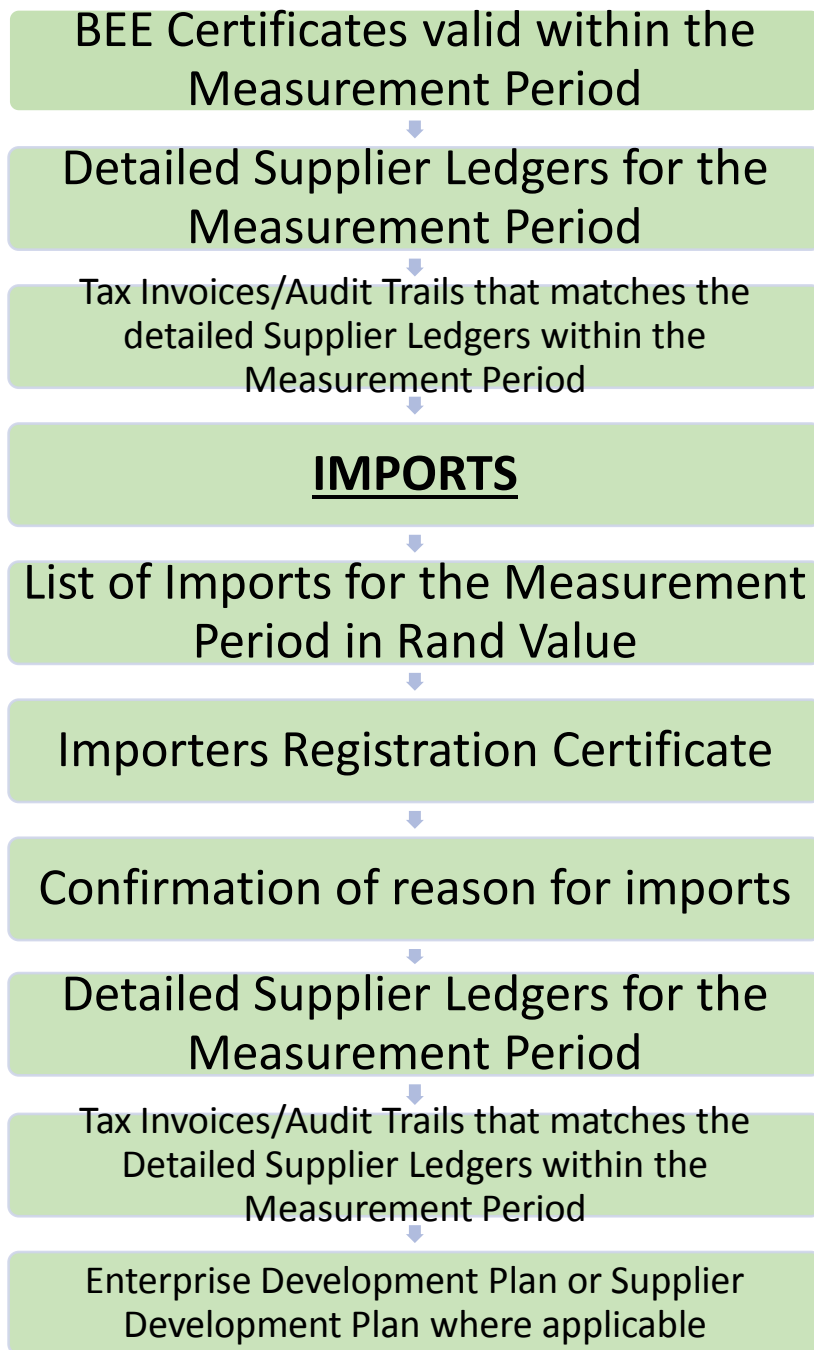
Onafhanklike Waardasie van die Maatskappy

Bevestiging van Aangewese Groep se Status









## SUPPLIER DEVELOPMENT

Signed Agreement between Beneficiary and Measured Entity – Agreement needs to be descriptive in terms of the Initiatives and timelines

Obtain confirmation that the Supplier Beneficiary is in fact a Supplier to the Measured Entity

B-BBEE Certificate, CIPC Certificate or Sworn Affidavit of Beneficiary Entity

Proof of Assistance (Monetary or non-Monetary) within the Measurement Period

Target is based on Net Profit After Tax (NPAT)

## ENTERPRISE DEVELOPMENT

Signed Agreement between Beneficiary and Measurement Entity – Agreement needs to be descriptive in terms of Initiatives and timelines

B-BBEE Certificate, CIPC Certificate or Sworn Affidavit of Beneficiary entity

Target is based on Net Profit After Tax (NPAT)

## VERSKAFFER ONTWIKKELING

Getekende ooreenkoms tussen Begunstigde en Gemete Entiteit - Ooreenkoms moet beskrywend wees in terme van die inisiatiewe en tydlyne

Verkry bevestiging dat die Verskaffer Begunstigde in werklikheid 'n Verskaffer aan die Gemete Entiteit is

BBSEB-sertifikaat, CIPC-sertifikaat of Beëdigde Verklaring van Begunstigde Entiteit

Bewys van bystand (Monetêr of nie-Monetêr) binne die metingsperiode

Teiken is gebaseer op Netto Wins Na Belasting (NPAT)

## ONDERNEMINGSONTWIKKELING

Getekende ooreenkoms tussen Begunstigde en Gemete Entiteit - Ooreenkoms moet beskrywend wees ten opsigte van inisiatiewe en tydlyne

BBSEB-sertifikaat, CIPC-sertifikaat of beëdigde verklaring van begunstigde entiteit

Teiken is gebaseer op Netto Wins na Belasting (NPAT)

## Socio-Economic Development

Confirmation in terms of the receipt of donation from Beneficiary

Independent Confirmation in respect of the percentage of Black Beneficiaries

Proof of Assistance (Monetary or Non-monetary) within the Measurement Period

Target is based on Net Profit After Tax (NPAT)

## Sosio-Ekonomiese Ontwikkeling

Bevestiging in terme van die ontvangs van donasie van Begunstigde

Onafhanklike bevestiging ten opsigte van die persentasie Swart Begunstigdes

Bewys van bystand (Monetêre of Nie-monetêre) binne die metingsperiode

Teiken is gebaseer op Netto Wins Na Belasting (NPAT)

## Violation of the Act

If an entity is found to have violated the Act, an entity could be fined up to 10% of its annual turnover, and individuals involved could be imprisoned for up to 10 years, and / or fined. Specifically, an offence under section 13O (2) could lead to imprisonment of up to 12 months, or a fine, or both the fine and imprisonment.

## Oortreding van die Wet

As bevind word dat 'n onderneming die Wet oortree, kan 'n entiteit tot 10% van sy jaarlikse omset beboet word en individue wat betrokke is, kan tot 10 jaar gevangenisstraf kry en / of beboet word. Meer spesifiek, 'n misdryf wat ingevolge artikel 13O (2) gepleeg word kan gevangenisstraf van tot 12 maande, óf 'n boete, óf beide die boete en gevangenisstraf tot gevolg het.