



ICT Sector Council

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To all media houses: for immediate release
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MEDIA STATEMENT ON THE ALIGNMENT OF THE BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) ICT SECTOR CODE TO THE B-BBEE GENERIC CODES OF GOOD PRACTICE GAZETTE NO. 36928 DATED 11 OCTOBER 2013 AND GAZETTE NO. 38766 06 MAY 2015

The B-BBEE ICT Sector Council (Council), was established on the 23rd of September 2015 following Cabinet's endorsement of the nominees. The Council is mandated to implement and monitor B-BBEE in the ICT Sector. The Council held its first meeting on 01 October 2015 and has subsequently adopted its Constitution.

As per the Department of Trade and Industry (DTI) notice with Gazette No. 38764 of 5 May 2015, all sector codes must be aligned to the revised Generic B-BBEE Code of Good Practice by the end of October 2015. In terms of the Notice, should the Sector not be aligned and ready for publication in the Gazette by this date, a consideration shall be made for the Sector Code to be repealed and the Sector will be measured using the Generic B-BBEE Codes. This presents significant financial and administrative challenges to the ICT Entities that may lead to regulatory uncertainties, loss of business and investor confidence which will set back gains already achieved by the implementation of the ICT Sector Code. The unintended consequence of this will result in limited opportunity for the Sector to upskill and empower black people especially women and people with disabilities.

In response to this, the Council immediately committed to embark on the process to align the ICT Sector Code to the revised Generic B-BBEE Code of Good Practice.

True to its commitment, the Council was able to finalise the alignment process within 3 weeks and therefore is able to present the aligned B-BBEE ICT

N. Ehrens (Chairperson), A. Tlhoale (Deputy Chairperson), F. Awuah, S. Capazario, P. Gwangwa, T. Lesiba, P. Linders, L. Masilela, M. Mkhonza, G. Pieterse, K. Pillay, R. Poulton, M. Ramonyai, A. Schofield, T. Tshefuta.

Sector Code for publication in the Government Gazette as per the requirements of the DTI.

A 60 day public stakeholder consultation process is required on the aligned ICT Sector Code before it is approved and published in the Gazette as a final binding document. The Council looks forward to the active participation of all stakeholders during this period and commits to ensuring that the consultation process is accessible to all.

The Council confirms that Clause 6.5 through to 6.5.2.3 of the ICT Sector Code does not form part of the alignment process with which it has been tasked. At this time and to this end, these clauses remain unchanged, as they deal with matters relevant only to the ICT Sector and therefore do not form part of the alignment process. In order for the Council to take a view and make a pronouncement on this provision, the Council invites all interested stakeholders to provide views supported by evidence, on this provision to assist it in making a determination thereto.

The ICT Sector Code will be subjected to a comprehensive review by the end of the current financial year. This review process will also be conducted in a fair, transparent and accessible manner by the Council.

For enquiries and further information, contact Mr. Ephraim Adom on eadom@dtps.gov.za or 012 421 7207 or 076 654 5206.

The 2015 Draft Aligned B-BBEE ICT Sector Code is available at www.dtps.gov.za