



## **Strategic Plan**

**2025 – 2030**

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## Abbreviations and Acronyms

B-BBEE	Broad-Based Black Economic Empowerment
B-BBEE Commission	Broad-Based Black Economic Empowerment Commission
DPME	Department of Planning, Monitoring and Evaluation
EE	Employment Equity
EEA	Employment Equity Act
EAP	Economic Active Population
ERRP	South African Economic Reconstruction Recovery Plan
GDP	Gross Domestic Product
FY	Financial Year
JSE	Johannesburg Stock Exchange
MTDP	Medium Term Development Plan
NDP	National Development Plan
NGB	National Gambling Board
NPA	National Prosecuting Authority
OCIO	Office of the Chief Information Officer
PFMA	Public Finance Management Amendment Act, No. 1 of 1999
SETAs	Sectoral Education and Training Authorities
<b>the dtic</b>	The Department of Trade, Industry and Competition
TID	Technical Indicator Description

## Executive Authority Statement



**Parks Tau, MP**  
**Minister of Trade, Industry and Competition**

Under the provisions of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) as amended by Act No. 46 of 2013, the Broad-Based Black Economic Empowerment Commission (“B-BBEE Commission”) has powers to amongst others, oversee, supervise and promote adherence with the B-BBEE Act in the interest of the public. The B-BBEE Commission regulates and monitors compliance with the B-BBEE Act to promote economic transformation and combat fronting practices.

The B-BBEE Commission has prepared its Strategic Plan for 2025-2030, which builds from the previous strategy and aligns to various strategic and policy frameworks of **the dtic** and Government of National Unity, including the Medium-Term Development Plan.

I am pleased to table the B-BBEE Commission’s five-year Strategy Plan, which seeks to achieve a stronger role for the B-BBEE Commission in advancing B-BBEE legislation, to promote required changes in the structure of our economy to enable full participation by black people and black entrepreneurs and thereby contributing to economic growth, job creation and the reduction of poverty and inequality.

A handwritten signature in black ink, appearing to read 'P. Tau', written over a horizontal line.

**Mr. Parks Tau, MP**  
**Minister of Trade, Industry and Competition**  
09 / 04 / 2025

## Accounting Officer Statement



**Mr. Tshediso Matona: Commissioner**

The B-BBEE Commission has been in operation since 2016, as an entity within the administration of the Department of Trade, Industry and Competition (**the dtic**), mandated by the B-BBEE Act of 2013 as amended to promote compliance with the Act by private and public entities, investigate complaints, register major B-BBEE transactions, provide advice, conduct education awareness and advocacy to advance B-BBEE.

This Strategic Plan of the Commission has considered and is aligned to the overarching apex outcomes of the Government of National Unity (GNU) and of **the dtic** in particular those related to Transformation. The apex outcomes are: **Industrialisation** to promote jobs and rising incomes; **Transformation** to build an inclusive economy of the economy; and strengthening the **Capacity of the State** to ensure improved impact of public policies. These 3 apex outcomes continue to guide the work of the Commission in an effort to give effect to the spirit of the Statement of Intent of the GNU being the “rapid, inclusive and sustainable economic growth; promotion of fixed capital investment and industrialization; job creation; transformation; livelihood support; land reform; infrastructure development; structural reforms; and transformational change.”.

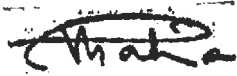
The year 2025 marks 22 years since the promulgation of the B-BBEE Act 53 of 2003. Since then, significant advances have been made towards transformation and meaningful economic participation by black people, through ownership and management of enterprises, new black-owned enterprises and their access to markets and procurement opportunities, as advocated in the Act and the country’s Constitution. Still, it is obvious that the pace and extent of transformation has much further to go. From Statistics SA’s census 2022, blacks account for over 90% of the population, yet from the compliance reports submitted to the B-BBEE Commission they own not much more than 30% of the economy. South Africa’s continuing challenges of extreme inequality, unemployment, poverty, and other social ills, are in some ways manifestations of the state of transformation, which remains a matter of top public interest concern that needs continued confronting and broadening consensus on, as we cast our eyes to the way forward for B-BBEE policy and legislation.

For its part, the B-BBEE Commission will continue to discharge the functions the Act assigned to it, without fear or favour, the resources availed to the Commission permitting, notwithstanding the challenges.

The Commission’s work attracts much interest from diverse stakeholders. In this regard, the Commission intends advancing thematic approaches to promoting implementation of the B-BBEE Act, by periodically focusing on aspects of topical of interest, such as Enterprise and Supplier Development, or the use of trusts as

B-BBEE ownership vehicles, as well as supporting **the dtic** activities around Black Industrialists and funding for transformation, amongst others.

Once again, I thank the Minister for entrusting us with such an important responsibility on behalf of the government and the country, and I thank the executives and staff of the B-BBEE Commission for ensuring we do not disappoint, and for being committed and diligent in your service to the country.



**Mr. Tshediso Matona**

**Accounting Officer, Commissioner**


09 / 04 / 2025

## Official Sign-off


It is hereby certified that this Strategic Plan:

Was developed by the Commission's Management Team under the guidance of the dtic. The plan considers all the relevant policies, legislation and other mandates for which the B-BBEE Commission has authority, and accurately reflects the Strategic Outcome Oriented Goals and objectives which the B-BBEE Commission will endeavour to achieve over the five-year period.

**Ms. Rachel Malatji**  
Executive Manager Compliance

  
Signature

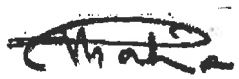
**Dr. Nontokozo Nokhwali-Mboyi**  
Chief Operations Officer

  
Signature


**Ms. Moipone Amanda Kgaboesele**  
Executive Manager Investigations & Enforcement

  
Signature

Recommended for approval by

  
Mr. Tshediso Matona  
Commissioner  
09 / 04 / 2025

Approved by the Executive Authority

  
Mr. Parks Tau, MP  
Minister of Trade, Industry and Competition  
09 / 04 / 2025

## PART A: Our Mandate

### 1. Constitutional Mandates

The mandate of the B-BBEE Commission is derived from section 9 of the Constitution of the Republic of South Africa, which advocates for equality and economic empowerment for a democratic and equitable society.

The B-BBEE Act 53 of 2003 (as amended by Act 46 of 2013) is rooted in this constitutional imperative for the achievement of equity in the country, through laws and by proactive measures and programmes across the state, including licensing and procurement of goods and services.

### 2. Legislative and Policy Mandates

#### 2.1 Legislative Mandates

The B-BBEE Commission is established in terms of section 13B of the B-BBEE Act, and became operational from 1 June 2016. The purpose of the B-BBEE Act is to encourage viable economic empowerment of all Black people, in particular women, workers, youth, people with disabilities and people living in rural areas, through diverse but integrated socio-economic strategies, that include: -

- Increase number of black people who own, manage and control enterprises and productive assets;
- Facilitate ownership and management by communities, workers, co-operatives and other collective enterprises;
- Human resource and skills development;
- Equitable representation in all occupational categories and levels in the workforce;
- Preferential procurement from black-owned and managed enterprises; and
- Investment in enterprises that are black-owned and managed

#### 2.2 Policy Mandate

The work of the B-BBEE Commission is also guided by the following policies and plans:

- The Codes of Good Practice and Regulations;
- The National Development Plan (NDP);
- The Medium-Term Development Plan (MTDP); and
- **the dtic** Medium Term Strategy, including Industrialization, Transformation and State Capacity targets.

The Codes of Good Practice (both generic and the sector codes) and the B-BBEE Act outline the scope of monitoring and regulatory role of the B-BBEE Commission, and the focus areas for measuring transformation are:



- Ownership
- Management Control
- Enterprise and Supplier Development
- Skills Development
- Socio-Economic Development

### 3. Institutional Policies and Strategies over the Five-Year Planning Period

The policy and regulatory mandate of the B-BBEE Commission is derived from section 13F of B-BBEE Act and has jurisdiction throughout the Republic of South Africa. The following are the key functions of the B-BBEE Commission:

- Oversee, supervise and promote adherence with the B-BBEE Act in the public interest;
- Strengthen and foster collaboration between public and private sector to safeguard objectives of the B-BBEE;
- Receive complaints relating to B-BBEE in accordance with the provisions of the B-BBEE Act;
- Investigate either of its own initiative or in response to complaints received, any matter concerning B-BBEE;
- Promote advocacy and access to opportunities, educational programmes and initiatives of B-BBEE;
- Maintain a registry of major B-BBEE transactions with the threshold of R25 million and above;
- Receive and analyse compliance reports filed in line with section 13G of the B-BBEE Act from JSE listed entities, SETAs, Public entities and Organs of State;
- Promote good governance and accountability by creating an effective and efficient environment for the promotion and implementation of B-BBEE;
- Increase knowledge and awareness on B-BBEE; and
- Exercise such other powers conferred by the Minister in writing, which does not conflict with the B-BBEE Act.

These functions are discharged with the limited human and financial resources as the B-BBEE Commission is not yet listed as an entity in terms of the PFMA and relies on **the dtic** on the allocation of resources. Furthermore the strategic plan and annual performance plan of the Commission detail this responsibility.

#### 3.1 Impact-Focused Strategic Plan Theory of Changes

Over the next five years, the B-BBEE Commission will drive a transformed, equitable and inclusive economy by overseeing compliance with the B-BBEE legislation. Through targeted interventions linked to the **impact goals** below:

##### (a) Inclusive Growth and Transformation

- Oversee improved compliance with and enforcement of the B-BBEE Act to drive equitable access to economic opportunities.

- Promote effective compliance of ownership schemes (BBOS, ESOPS, TRUSTS etc.) to the B-BBEE Act.
- Foster effective compliance with Management Control, Skills Development, Enterprise and Supplier Development, and Socio-Economic Development elements.

**(b) Social Inclusion and Economic Empowerment**

- Promote economic empowerment through compliance to section 10(1) & (2) of the B-BBEE Act in order to address the triple challenges of unemployment, poverty and inequality.

The B-BBEE Commission has through its alignment with **the dtic's** key priorities also aligned to the MTDP. Table 1 Below illustrates the B-BBEE Commission's contribution to the MTDP priorities and output targets within **the dtic** group of entities.

The B-BBEE Commission's Outcome: Transformation			
Outcome	Impact	Impact Goals	Outputs
Transformation	Drive a transformed, equitable and inclusive economy by overseeing compliance with the B-BBEE legislation.	Inclusive Growth and Transformation	<p>Increased Transformation and Inclusive Economic Growth</p> <p>✓ % of number of section 13G compliance reports assessed for compliance with the B-BBEE Act</p> <p>Compliant Ownership schemes (BBOS, ESOPS, Trusts etc.) and Economic Inclusion:</p> <p>✓ % of number of ownership transactions assessed for compliance with the B-BBEE Act</p>
		Social Inclusion and Economic Empowerment	<p>Enhanced Capacity and Economic Growth</p> <p>✓ % number of organs of state and public entities compliant with section 10(1) and (2) of the B-BBEE Act</p> <p>✓ % number of B-BBEE compliant suppliers in strategic sectors</p> <p>✓ Number of SMMEs empowered with the focus on corporate governance and B-BBEE training</p>

## 3.2 Defining Outcomes

### Outcome 3: Transformation

In line with section 13F of the B-BBEE Act, the Commission will use its powers foster inclusive growth in order to make a contribution to effective implementation of ownership, management control, skills development, enterprise and supplier development and socio-economic development elements.

**The Commission will use its mandate in order to make a contribution to the following key aspects (focus areas):**

- **Monitor ownership schemes (BBOS, ESOP, Trusts etc):** To ensure that the Commission safeguards the interests of the public by promoting ownership of productive economic assets by black people in order to ensure inclusion of black designated groups in the economy.
- **Increase B-BBEE advocacy:** The Commission intends to use its mandate in order to reshape the negative narrative on B-BBEE as a legislation and policy that is aimed at addressing inequalities in South Africa.
- **Address non-compliance through investigation and enforcement:** To curb fronting practices, and to safeguard the objectives of the B-BBEE Act. Further obtain appropriate remedial relief through the facilitation of alternative dispute resolutions.

### Outcome 4: Social Inclusion and Economic Empowerment

The mandate of the B-BBEE Commission provides direction on the aspect of social inclusion, and working with like-minded partners who intend to ensure there is effective implementation of the B-BBEE legislation and policy. The Commission is further empowered by the B-BBEE Act to build partnerships in order to make the latter fulfilled. This particular function of the Act is to ensure the Commission encourages that both the private and public sector adheres to the elements of B-BBEE. The intention is to also ensure that there is social compact through the partnerships and relationships.

## 4. Relevant Court Rulings

The Commission on a regular basis evaluates the rulings and decisions of the South African Courts as well cases that were before the Courts that have impact on the work of the Commission. A short summary of recent court cases, court decisions and rulings are provided below:

- 4.1 The Commission has noticed an increase in the number of litigations against its findings which were delivered outside the timeline as prescribed in regulation 15(4) of the B-BBEE Regulations. In 2023/24, approximately five (5) cases were set-aside by the High Court of South Africa indicating the Commission has acted beyond its powers when it issued its findings in breach of the empowering provisions of Regulations 15(4) of the B-BBEE Regulations and as such the Commissions' final findings were declared unconstitutional, unlawful and invalid and therefore reviewed and set aside by court. Further, the Commission was found to have acted contradictory to Regulation 15(15) of the B-BBEE Regulations

which refers to sub-regulation (8) which deals with self-initiated investigation not a complaint lodged by a complainant.

The above court findings have a huge effect on the work of the Commissions in that approximately 90% of the active investigations are affected by the High Court of South Africa ruling, putting the institutional reputation at risk with high legal cost thereof. With only two (2) investigators, the possibility of changing the situation is impractical.

## **Part B: Our Strategic Focus**

### **1. Our Vision**

A transformed, equitable and inclusive economy.

### **2. Our Mission**

To facilitate and accelerate an impactful implementation of the Act.

### **3. Our Values**

The following six values inform everything that the B-BBEE Commission does:

#### ***Value 1: An inclusive economy is our first consideration***

- Our first priority and commitment are our national economic interests
- Our stakeholders are key to us achieving our economic goals

#### ***Value 2: Open access and availability to all economic citizens***

- We offer swift turnaround times guided by our service standards
- We offer fair and consistent redress within the legislative parameters
- We offer quick responses as we do not own any red tape

#### ***Value 3: Impartiality***

- We act without favour, fear, bias or prejudice
- We handle all matters objectively in living our purpose
- We respect confidentiality within the law

#### ***Value 4: Consistency***

- We provide clear directions and reliable guidance
- We provide decisions and advice that is consistent

#### ***Value 5: Accountability for all decisions and actions taken by us***

- We uphold and respect all decisions and actions taken by our entity

- We trust all staff to serve stakeholders diligently and professionally
- We take responsibility for our actions

#### **Value 6: Zero Tolerance for corruption**

- We are committed to proper governance
- We are transparent in all dealings
- We do not tolerate any corruption

## **5. Situational analysis**

A high-level assessment was undertaken to identify the most significant developments in the external and internal environment that are likely to influence or impact the Commission over the next few years. An analysis of the internal and external factors impacting on the Commission is then provided.

### **5.1 External environment analysis**

**Table 3: Political Economic Social Technology Legal Environment**

Political	Possible Solutions / Interventions
<ul style="list-style-type: none"> <li>▪ B-BBEE implementation cohesion and support for enhanced enforcement of the B-BBEE Act and integration of B-BBEE policy within government processes and operations.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Agreed on clear implementation strategy for B-BBEE.</li> <li>▪ Engagements with key stakeholders including political and Parliament.</li> <li>▪ Strengthen capacity of the B-BBEE Commission.</li> </ul>
Social / Environmental	
<ul style="list-style-type: none"> <li>▪ Geographical location (Pretoria Only) - the need for greater national visibility of the Commission.</li> <li>▪ Language diversity.</li> <li>▪ Different interpretation of the B-BBEE Act and negative perception about B-BBEE.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Consider mechanism for provincial presence of the Commission.</li> <li>▪ Multilingual programmes.</li> <li>▪ Education and stakeholder engagements to foster common / shared approach.</li> </ul>
Technology	
<ul style="list-style-type: none"> <li>▪ Limited channels of communication to the public</li> </ul>	<ul style="list-style-type: none"> <li>▪ Enhanced outreach and communication strategies.</li> <li>▪ Use of multi-media platforms.</li> </ul>
Legal	
<ul style="list-style-type: none"> <li>▪ Dependency on other authorities in enforcement</li> <li>▪ Court decisions against the Commission for the completion of investigations matters after 12 months</li> </ul>	<ul style="list-style-type: none"> <li>▪ Review of the B-BBEE legislation to strengthen the Commission's enforcement powers and extending the period to finalise investigations. Fostering of alignment and coordination with law enforcement authorities.</li> </ul>

## 5.2 SWOT ANALYSIS

SWOT analysis is a summary of organisational strengths, weaknesses, opportunities and threats. SWOT analysis help us to understand internal and external environment and the factors that can impact the feasibility of a decision. The below figure provides summarized SWOT analysis elements that were identified during the strategy session.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>• Dedication and team work.</li> <li>• Knowledge, expertise and clear mandate.</li> <li>• Understanding of B-BBEE legislation.</li> <li>• Ability to simplify B-BBEE legislation.</li> <li>• Educating, raising awareness and advocacy.</li> <li>• Learning and training opportunities</li> <li>• Remedial Intervention.</li> </ul>	<ul style="list-style-type: none"> <li>• Inadequate budget, human resource constraints and lack of succession planning.</li> <li>• Dependency on other authorities in enforcement (no tribunal, over criminalisation).</li> <li>• Limited access to the B-BBEE Commission by the public (geographical location – <i>only head office</i>).</li> <li>• Language diversity affecting stakeholders to understand the legislation.</li> <li>• Manual operational processes and data management.</li> <li>• Limited channels of communications to the public.</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>• Raise additional revenue through fees.</li> <li>• Making B-BBEE transactions and schemes more transparent.</li> <li>• Develop Automate systems</li> <li>• Ability to influence the discourse and make impact.</li> <li>• Creation of a talent pool.</li> <li>• Consistent messaging on B-BBEE and communicating the Commission's achievements and impact.</li> <li>• Collaboration with other institutions and engage political leaders and parliament.</li> <li>• Link B-BBEE implementation to all government economic activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Non-listing of the B-BBEE Commission.</li> <li>• Inconsistent messaging about B-BBEE and different interpretation of the B-BBEE Act</li> <li>• Negative reports on B-BBEE.</li> <li>• Lack of political champion and support</li> <li>• Loss of continuity with change in political leadership.</li> <li>• Lack of consultation in development or changes to policy, legislation and codes.</li> <li>• Circumvention of the law through B-BBEE models.</li> <li>• Resistance by stakeholders in implementing B-BBEE.</li> <li>• Cybercrime.</li> <li>• Misaligned regulatory posture.</li> <li>• Lack of integrity in verification processes.</li> <li>• Inconsistent application, misconception and resistance by government departments and public entities to comply with the B-BBEE Act and to undergo verification of their B-BBEE claims.</li> <li>• Lack of consequence management for government departments that are not complying with B-BBEE Act.</li> <li>• Continuous fronting practices and corruption of using invalid B-BBEE credentials to acquire business opportunities.</li> </ul>

### 5.3 Medium Term Development Plan

The MTDP was approved by Cabinet on 26 February 2025. The MTDP incorporates three strategic priorities that were outlined by President Ramaphosa in his Opening of Parliament Address on 18 July 2024, namely:

- i. Drive inclusive economic growth and job creation;
- ii. Reduce poverty and tackle the high cost of living; and
- iii. Build a capable, ethical, and developmental state.

The Commission contributes towards to the apex priority driving inclusive economic growth and job creation. At the centre of the MTDP is the identification of 5 pillars which represent the key interventions to achieve economic growth of 3% by 2029. The Commission will contribute to the Transformation Pillar (Pillar 5), which aims to drive economic empowerment interventions, explicitly targeting black people, black women, and black designated groups who are pivotal in achieving the MTDP and GNU priorities relating to promoting inclusive growth and job creation.

The Commission has aligned its Strategic Plan and APP to support the MTDP 5-year targets through compliance and enforcement as guided by the B-BBEE Act.

### 5.4 Internal environment analysis

The B-BBEE Commission's strategic focus areas are derived from its mandate as spelled out in Section 13F of the Act, and Section 13E provides for how the B-BBEE Commission will be financed.

The Commission's current resource allocation does not match the magnitude of its work and demands of its services. As the institutionalisation of the Commission is still pending, the Commission operates as a unit of **the dtic** under the Transformation and Competition Branch and is dependent on the Department for resources. Given its resource constraints National Treasury Financial Circular No. 10 of 2023 on Cost Containment Measures adversely impacts on the Commission.

**Table 2:** Internal Key Challenges

Significant Challenges	Possible Solutions / Interventions
<ul style="list-style-type: none"><li>• Inadequate budget, human resources, and succession planning.</li><li>• Manual operational processes and data management</li><li>• Inconsistent messaging about B-BBEE.</li><li>• Low staff morale and uncertain conducive working conditions.</li></ul>	<ul style="list-style-type: none"><li>• Engage the Minister for support and a viable institutional model of the B-BBEE Commission.</li><li>• Resuscitate engagements with <b>the dtic</b> and National Treasury regarding listing and funding of the B-BBEE Commission.</li><li>• Develop automated systems.</li><li>• Continuous collaboration and engagements with <b>the dtic</b> BEE Policy Unit to outline the</li></ul>



Significant Challenges	Possible Solutions / Interventions
	<p>framework.</p> <ul style="list-style-type: none"> <li>• Explore having team building and flexibility</li> <li>• Streamlining the work of the Commission based on existing resources</li> </ul>

## Part C: Measuring Our Performance

### 1. Institutional Performance Information

#### 1.1 Impact Statements

Impact Statements	Inclusive, Equal and Economically Transformed South African Economy
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#### 1.2 Measuring Outcomes

MTDP Priority: Drive Inclusive Growth and Job Creation			
MTDP Outcome: Transformation			
Outcome	Outcome Indicator	Baseline	Five-year target
Improved Compliance with the B-BBEE Act	% of number of section 13G compliance reports assessed for compliance with the B-BBEE Act	99% of the received compliance reports from JSE entities assessed	100% of the received compliance report from JSE entities assessed
		100% of the received compliance reports from organs of state and public entities assessed	100% of the received compliance reports from organs of state and public entities assessed
		100% of the received compliance reports from SETAs	100% of the received compliance reports from SETAs assessed
	% of number of ownership transactions assessed for compliance with the B-BBEE	68% of ownership transactions (major B-BBEE transactions) assessed	100% of ownership transactions (Major B-BBEE transactions) assessed
	% number of organs of state and public entities compliant with section 10(1) and (2) of the B-BBEE Act	0% (new target)	100% of organs of state and public entities compliant with section 10(1) and (2) of the B-BBEE Act



	% number of B-BBEE compliant suppliers in strategic sectors	0%	100% B-BBEE compliant supplier in strategic sectors
	Number of SMMEs empowered with the focus on corporate governance and B-BBEE training	500 SMME trained on corporate governance and B-BBEE	500 SMME trained on corporate governance and B-BBEE

### 1.3 Explanation of Planned Performance over the Five-Year Plan Period

The selected outputs for each programme are aimed at supporting key government strategic objectives and the dtic's strategic outcomes and the ten Economic Cluster outputs, in particular the promotion of an inclusive and growing economy linked to the GNU Statement of Intent, with greater meaningful participation of women, youth, and people living with disability in the mainstream economy. The table below illustrates the linkages between the choice of the outcome indicators and the National Development goals.

Outcomes	National Development Goals
<b>1. Safeguarding the outcomes of an inclusive economy.</b>	Supports NDP Outcome 4 – decent employment through inclusive growth.  Facilitate broad-based black economic empowerment through targeted interventions to achieve more inclusive growth.
<b>2. Implementing corrective enforcement to achieve compliance.</b>	Supports NDP Outcome 11 – Create a better South Africa and a better world.  Create a fair regulatory environment that enables transformational development in an equitable and socially responsible manner.
<b>3. Researching, analyzing and reporting on the state of transformation.</b>	Provides trend and other in-depth analysis in easy to read formats to measure both the success of the Commission and transformation gains across South Africa.  Facilitate broad-based black economic empowerment through targeted interventions to achieve more inclusive growth.
<b>4. Collaborating with relevant stakeholders to advance transformation.</b>	Extends relationships with key stakeholders for the betterment of the economy in relation to B-BBEE.  Supports NDP Outcome 12 – An efficient, effective and

Outcomes	National Development Goals
	<p>development-oriented public service.</p> <p>Promote a professional, ethical, dynamic competitive and customer-focused working environment that ensures effective and efficient service delivery.</p> <p>Create a fair regulatory environment that enables transformational development in an equitable and socially responsible manner.</p>
<b>5. Developing capability and capacity of the Commission to deliver on its mandate.</b>	<p>Supports NDP Outcome 12 – An efficient, effective and development-oriented public service.</p> <p>Promote a professional, ethical, dynamic competitive and customer-focused working environment that ensures effective and efficient service delivery.</p>

## 2. Key Risks and Mitigations

Key Risks have been identified and described below with their mitigating actions. The Office of the Chief Operating Officer (OCCO) will control the risk register and the progress of both Strategic Risks and Operational Risks.

Outcomes	Key Risks	Risk Mitigations
<b>1. Developing capability of the Commission to deliver on its mandate</b>	Lack of clarification of institutional model of the B-BBEE Commission	<ul style="list-style-type: none"> <li>Re-engage with the dtic to resolve institutional model of the B-BBEE Commission.</li> </ul>
<b>2. Developing capability of the Commission to deliver on its mandate</b>	Inadequate human and financial resources for the Commission to function effectively.	<ul style="list-style-type: none"> <li>Continue engaging the dtic for additional human and financial resources.</li> <li>Levy/charge fees as directed by the B-BBEE Act.</li> </ul>
<b>3. Developing capability and capacity of the Commission to deliver on its mandate</b>	Functionality of infrastructure to support the B-BBEE Commission	<ul style="list-style-type: none"> <li>Monitor the implementation of the ICT strategy plan.</li> <li>Continued engagement with the dtic OCIO.</li> </ul>
<b>4. Safeguarding the outcomes of an inclusive economy</b>	Misalignment of approaches to transformation / B-BBEE in government	<ul style="list-style-type: none"> <li>Continuous engagements with role played by other departments in advancing B-BBEE.</li> <li>Engage organs of state and</li> </ul>

Outcomes	Key Risks	Risk Mitigations
5. Implementing corrective enforcement to achieve compliance	Non-compliance of entities with corrective action and recommendations of the Commission.	<p>public entities to align other laws with section 10(1) of the B-BBEE Act.</p> <ul style="list-style-type: none"> <li>• Practice guides on B-BBEE and MOU's.</li> <li>• Publication of investigation findings.</li> <li>• Engagement with the dtic on the possible amendments of legislation to strengthen enforcement.</li> </ul>
6. Implementing corrective enforcement to achieve compliance	Litigation against B-BBEE Commission	<ul style="list-style-type: none"> <li>• Continue engaging the dtic for enhancing capacity for high quality of investigations and strong defence of B-BBEE Commission decisions.</li> </ul>

### 3. Public Entities

Not Applicable.

## Part D: Technical Indicator Descriptions (TIDs)

<b>Outcome</b>	<b>Improved Compliance with the B-BBEE Act</b>
<b>Indicator Title 1.1</b>	<b>% of number of section 13G compliance reports assessed for compliance with the B-BBEE Act</b>
<b>Definition</b>	Compliance reports are submitted to the B-BBEE Commission in line with section 13G where organs of state, public entities, public companies listed on JSE and SETAs are required to report to the B-BBEE Commission on their compliance with B-BBEE. The B-BBEE Commission will acknowledge receipt and assess the compliance reports and provide feedback with regards to state of compliance as per the B-BBEE Act.
<b>Purpose/importance</b>	The purpose is to ensure transparency with B-BBEE compliance
<b>Source/ collection of data</b>	Submitted compliance report from JSE listed companies, organs of state, public entities, SETA's
<b>Method of calculation</b>	Simple count
<b>Data limitations</b>	Only submitted compliance report will be assessed and analysed
<b>Assumptions</b>	Functional Case Management System (CMS)
<b>Type of indicator</b>	Outputs
<b>Calculation type</b>	Non-Cumulative
<b>Reporting cycle</b>	Quarterly
<b>Baseline Indicator</b>	90 days taken to assess compliance report
<b>Desired performance</b>	Monthly update
<b>Indicator Responsibility</b>	Executive Manager: Compliance

Outcome	Improved Compliance with the B-BBEE Act
Indicator Title 1.2	% of number of ownership transactions assessed for compliance with the B-BBEE
Definition	The B-BBEE Commission is charged with registering all major B-BBEE transactions (above threshold i.e. R25 million) which should be published electronically and assuring that B-BBEE transactions comply with the B-BBEE Act.
Purpose/importance	The purpose is to ensure transparency of all B-BBEE transactions above the threshold and to ensure all B-BBEE transactions are legal in respect of the law. It is important that the B-BBEE Commission drive compliance and best practice.
Source/ collection of data	All B-BBEE transactions registered with the B-BBEE Commission will be placed on the B-BBEE Transaction Register and will be audited internally. The register will also be published on the website of the Commission from time to time. Non-compliance will be dealt with in terms of specific procedures.
Method of calculation	Simple count
Assumptions	Functional Case Management System (CMS)
Data limitations	Only those B-BBEE transactions above the gazette threshold, that are registered, can be assessed.
Type of indicator	Outputs
Calculation type	Non-Cumulative
Reporting cycle	Quarterly
Baseline Indicator	Assess transactions within 90 days upon registration
Desired performance	A monthly update must be published
Indicator Responsibility	Executive Manager: Compliance

Outcome	Improved Compliance with the B-BBEE Act
Indicator Title 1.3	% Number of Investigation reports produced
Definition	Investigation is conducted in terms of section 13F (1)(d) and section 13J (1) of the B-BBEE Act read with regulation 15 of the B-BBEE Regulations, culminating in the issuing of findings in terms of regulation 15 (4) (g) 15 of the B-BBEE Regulations.
Purpose/importance	The efficiency of the B-BBEE Commission to deal with queries in a timely fashion is of paramount importance.
Source/ collection of data	Database
Method of calculation	Days between Date of registration to Date of closure of each report should be less than 365 as a percentage of all Investigative reports
Data limitations	Accurate dates must be captured and stored
Type of indicator	Activities
Calculation type	Non-cumulative
Reporting cycle	Annual
Baseline Indicator	On average 50% of reports produced with findings on investigations conducted within 12 months upon receipt of complaint
Desired performance	100%
Indicator Responsibility	Executive Manager: Investigations & Enforcement



Outcome	Improved Compliance with the B-BBEE Act
Indicator Title 1.4	% number of organs of state and public entities compliant with section 10(1) & (2) of the B-BBEE Act
Definition	Section 10(1) of the B-BBEE Act mandates organs of state and public entities to apply the relevant codes of good practice when undertaking certain economic activities. In addition, section 10(2) of the B-BBEE Act allows for the Minister to issue deviations and exemptions in relation to sub-section (1).
Purpose/importance	Safeguard the objectives of the B-BBEE Act
Source/ collection of data	Organs of State and Public Entities
Method of calculation	Random Selection
Data limitations	Cooperation by affected organs of state and public entities
Type of indicator	Activities
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Baseline Indicator	0%. This is a new indicator
Desired performance	100%
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Legal and Special Projects

Outcome	Improved Compliance with the B-BBEE Act
Indicator Title 1.5	% number of B-BBEE compliant suppliers in strategic sectors
Definition	Statement 004 of the Codes of Good Practice requires organs of state and public entities to procure goods and services from B-BBEE compliant entities
Purpose/importance	Safeguard the objectives of the B-BBEE Act
Source/ collection of data	Organs of State and Public Entities and/or E-tenders portal
Method of calculation	Random selection
Data limitations	System accessibility
Type of indicator	Activities
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Baseline Indicator	0%. This is a new indicator
Desired performance	100%
Indicator Responsibility	Executive Manager: Compliance and Executive Manager: Legal and Special Projects

<b>Outcome</b>	<b>Improved Compliance with the B-BBEE Act</b>
<b>Indicator Title 1.6</b>	<b>Number of SMMEs empowered with focus on corporate governance and B-BBEE Training</b>
<b>Definition</b>	Section 13F (1)(h) of the B-BBEE Act requires the Commission to promote good governance and accountability by creating a an effective and efficient environment for promoting B-BBEE.
<b>Purpose/importance</b>	To safeguard the objectives of the B-BBEE Act
<b>Source/ collection of data</b>	Database
<b>Method of calculation</b>	Simple count
<b>Data limitations</b>	Accessibility to information for targeted SMMEs
<b>Type of indicator</b>	Activities
<b>Calculation type</b>	Non-cumulative
<b>Reporting cycle</b>	Annual
<b>Baseline Indicator</b>	500 trained SMMEs
<b>Desired performance</b>	100%
<b>Indicator Responsibility</b>	Chief Operating Officer and Executive Manager: Compliance