

To whom it may concern

**SWORN AFFIDAVIT TO CONFIRM B-BBEE STATUS LEVEL OF UMGANO FOUNDATION NPC**

Find attached to this covering letter a **sworn affidavit** relating to the B-BBEE Status Level of **Umgano Foundation NPC**. The sworn affidavit indicates that **Umgano Foundation NPC** qualifies as an **Exempt Micro Enterprise (EME)** under the Broad-Based Black Economic Empowerment Act, Act no.53 of 2003, as amended (B-BBEE Act) and the Amended Codes of Good Practice as issued under section 9 of the B-BBEE Act per Notice 1019, Gazette No 36928 of 11<sup>th</sup> October 2013 as amended by Notice 407, Gazette No 38765 of 6 May 2015 (the amended codes). The amended codes came into effect on 1<sup>st</sup> May 2015 in accordance with Notice 444, Gazette No 38799 of 15<sup>th</sup> May 2015.

**Umgano Foundation NPC** has a **B-BBEE Status of One**, which applies for the 12 month period from **21<sup>st</sup> January 2019 to 21<sup>st</sup> January 2020**. As an EME the entity is an **Empowering Supplier**.

We wish to draw attention of the recipients and users of the attached sworn affidavit to the following matters relating to its validity:

- We are unable to provide you with a B-BBEE verification certificate, as was required under the old Codes of Good Practice that have now been replaced by the amended codes, as the amended codes do not provide for the issue of B-BBEE certificates to EMEs, with two exceptions. The two exceptions being start-up enterprises or EMEs that voluntarily decides to be measured in terms of the Qualifying Small Enterprises (QSE) scorecard.
- Paragraph 4.5 of the Amended Code Series 000 Gazette No 36928 as amended by Gazette No 38765 states **“An EME is only required to obtain a sworn affidavit or Certificate issued by Companies and Intellectual Properties Commission (CIPC) on an annual basis”** confirming its annual total revenue (R10million or less) and its level of black ownership.

- Therefore, an EME can present ONE of the following as valid proof of its B-BBEE Status Level:
- A sworn affidavit confirming its B-BBEE Status Level in accordance with its declaration of annual total revenue and level of black ownership; or
- A B-BBEE certificate issued by CIPC, if the EME is a start-up enterprise; or
- A B-BBEE verification certificate issued in terms of the QSE scorecard, if the EME has voluntarily decided to be measured in terms of the QSE scorecard.

We wish to **declare** that **Umgano Foundation NPC** is not a start-up enterprise as contemplated in the amended codes, nor has the entity decided to be measured under the QSE scorecard. The **only valid proof** that the entity can provide with respect to its B-BBEE Status Level, is in the form of the **attached sworn affidavit**.

This affidavit is in the format as proposed by the dti (which template is available on the dti website).

The entity and [the board of directors/its management board] further **acknowledge and accept** that any misrepresentation of information as contained in the attached sworn affidavit constitutes a criminal offense as set out in the B-BBEE Act (Paragraph 4.5 of the Amended Code Series 000 Gazette No 36928 as amended by Gazette No 38765).

Yours sincerely

Jacques Theron

CA (SA), Registered Auditor

Director