



ICT Sector Council

Private Bag X860
Pretoria
0001

Tel: +27(0)12 427 8000
Fax: +27(0)12 427 8110

15 October 2015

Dr. Siyabonga Cwele, MP
Minister of Telecommunications and Postal Service

iParioli Office Park
1166 Park Street
Hatfield
Pretoria
0001

Dear Honorable Minister,

Subject: Difficulties in meeting the B-BBEE ICT Sector Code alignment deadline.

Thank you for establishing the B-BBEE ICT Sector Council and allowing us to lead the process of aligning the B-BBEE ICT Sector Code and finalising the ICT Sector Council Constitution.

From inception the Council has worked tirelessly to ensure that the deadline you set of the 30 October 2015 to submit the aligned B-BBEE ICT Sector Code draft is on track. To date, the Council has finalised the constitution and aligned the Terms of Reference to it. In addition we have established sub-committees to align the Sector Code to the revised Generic Codes of Practice with a view to meet your submission timeframe.

The Council has committed to spending three days over the weekend, 23 to 25 October 2015 to consolidate and finalise the aligned Sector Code, which will be sent to sector stakeholders for consultation before final submission to your office.

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

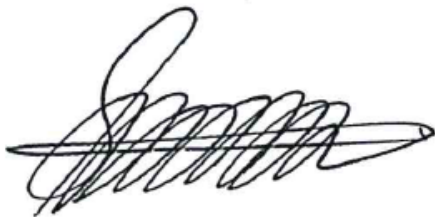
However the Councilors have raised the following concerns;

- The risk of repealing the current ICT Sector Code (gazette 35423, 6 June 2012) due to the lack of sufficient time to complete the process of gazetting the Code before the end October 2015 as per Gazette 38764 of 5 May 2015.
- The Council will be held responsible for non-delivery of the aligned Code should the current ICT Sector Code (gazette 35423, 6 June 2012) be repealed.
- The legal standing of the Council may be compromised should the current ICT Sector Code (gazette 35423, 6 June 2012) be repealed before the alignment is gazetted.
- The repealing of the current ICT Sector Code (gazette 35423, 6 June 2012) would have a negative impact on the implementation of B-BBEE and dampen investor confidence in the sector.

The Council requests the Minister to support our application for an extension to the DTI of the deadline on gazetting the aligned ICT Sector Code without repealing the current Sector Code. The Council foresees that the process would be completed by the end of February 2016, inclusive of the sixty day (60) public consultation.

It is in this context that the Deputy Chairperson and I would like an audience with you to discussion the above at length.

Sincerely and humbly yours



pp

Ms Nokuzola Ehrens

ICT Sector Council Chairperson