



7 February 2012

Via e-mail XZondo@thedti.gov.za

Ms X Zondo
Department of Trade and Industry
Private Bag X 84
PRETORIA
0002

Dear Sirs

COMMENTS BY THE LAW SOCIETY OF SOUTH AFRICA (LSSA) ON THE BROAD-BASED BLACK ECONOMIC EMPOWERMENT AMENDMENT BILL 2011

The Law Society of South Africa (LSSA) has considered the Broad-Based Black Economic Empowerment Amendment Bill, 2011, published in Government Gazette 34845 on 9 December 2011 for public comment. We wish to comment as follows:

1. Section 1(c): Definition of “broad based black economic empowerment”

The lack of provision for the advancement of women of all race groups in the definition of “broad based black economic empowerment” needs to be addressed. The legislation ought to include the advancement of all women, irrespective of race.

2. Section 15(3)(b)(ii): Establishment and status of B-BBEE Commission

The power given to the Minister in subsection 15(3)(b)(ii) to prescribe to the B-BBEE

The Law Society of South Africa brings together the Black Lawyers Association, the Cape Law Society, the KwaZulu-Natal Law Society, the Law Society of the Free State, the Law Society of the Northern Provinces and the National Association of Democratic Lawyers in representing the attorneys' profession in South Africa.

Commission by way of "... policy statement, directive or request ..." undermines the independence of the Commission as envisaged in subsection 15(3)(c).

Kind regards



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