



Western Cape
Government



Handbook of important information for Emerging Contractors



Department of Economic Development
and Tourism in partnership with the
Department of Infrastructure

Volume 2

ABOUT

This booklet outlines key compliance information and requirements for emerging contractors who wish to do business with government and the public sector.



BROUGHT TO YOU BY THE RED TAPE
REDUCTION UNIT DEPARTMENT OF ECONOMIC
DEVELOPMENT AND TOURISM



COMPLIANCE ROADMAP

START HERE



Companies and Intellectual
Property Commission

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At Your Service



Construction Industry Development Board



NATIONAL HOME BUILDERS



REGISTRATION COUNCIL



Western Cape
Government

FOR YOU



CENTRAL SUPPLIER
DATABASE
FOR GOVERNMENT

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INTRODUCTION

Compliance information is important for any emerging contractor who wishes to do business within the public sector.

The Red Tape Reduction Unit has a responsibility to simplify information for all businesses, in order for them to access opportunities.

As the Department of Economic Development and Tourism, our role is to ensure ***that we make it easier for you*** to do business in our Province.

We hope that the compliance requirements in this booklet will help you understand the importance of each role player whether you're starting, growing, or scaling your business within the construction sector for the Western Cape Government.

Your role is important to help our economy grow and create jobs for citizens of this Province.

If you require more information from any of the stakeholders and role players mentioned in this booklet, please feel free to contact us directly.

E-mail address: redtape@westerncape.gov.za

WHAT IS COMPLIANCE?

Compliance refers to when a company follows all the laws, regulations and requirements created by government or regulatory bodies that apply to a specific industry.

The construction industry has multiple regulatory bodies and government requirements that companies need to follow in order for the company to be regarded as fully compliant.

WHY SHOULD I BE COMPLIANT?

A construction company that is fully compliant will be in the position to do business with the public sector. Therefore, if you wish to be a service provider to any government department, your construction company needs to be fully compliant.

PURPOSE OF THIS BOOKLET

This booklet will empower you as the emerging contractor with information that may help you do business with government and its agencies.

WHAT IS AN EMERGING CONTRACTOR?

In the South African context, an “emerging contractor” can be defined as a “person or enterprise which is owned, managed and controlled by previously disadvantaged persons and which is overcoming business

impediments arising from the legacy of apartheid” (CIDB 2011b).

POTENTIALLY EMERGING ENTERPRISES

“An enterprise which is owned, managed and controlled by previously disadvantaged persons and which is overcoming business impediments arising from the legacy of apartheid.”

HOW WILL THIS BOOKLET ASSIST YOU?

This booklet will take you through the entire process you will need to follow if you wish to be fully compliant as an emerging contractor.



Companies and Intellectual
Property Commission

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The Companies and Intellectual Property Commission (CIPC)



COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC)

The first step in the compliance process is to make your company official by registering it at the Companies and Intellectual Property Commission (CIPC). CIPC registration must be done so that you can receive a company registration number. Your company registration number and documents will be used to complete the compliance procedure.

WHAT IS THE ROLE OF CIPC?

- Registration of Companies, Co-operatives and Intellectual Property rights and the maintenance thereof.
- Disclosure of information on its registers.
- Enforcement of the relevant legislation.
- Licensing of business rescue practitioners.
- Monitoring compliance with and contravention of financial reporting standards and making recommendations thereto.

WHY SHOULD AN EMERGING CONTRACTOR BE COMPLIANT WITH CIPC?

There are benefits that come with having a registered company:

- **Company has limited liability.** This means that the losses of the business owner(s) will not be more than (in other words, is limited to) the amount of capital the owner(s) invested into the company. This means that your personal assets will not be at risk if the business fails.
- **You can apply for government tenders, contracts, and support.**
- **You can open a business banking account.**
- **Depending on business turnover, the company tax rate may be lower than the tax rate for individuals.** This will be discussed further in the South African Revenue Services (SARS) section of the booklet.

WHAT CIPC REQUIREMENTS DO I NEED TO BE COMPLIANT WITH IF I WANT TO REGISTER MY COMPANY AT CIPC?

There are requirements for before and after your company is registered with CIPC.

Requirements **BEFORE** your company is registered with the CIPC

1. Company registration:

You can register your company by sending the application by using any of the following methods:

- **BizPortal** www.bizportal.gov.za

This is an online system that you can use to register your company.

- **eServices** <https://eservices.cipc.co.za/>

This is an online system you can use to access various services from the CIPC. You will first have to register as a customer and then login. After you have logged in, you will click on company registration.

- **CIPC Self-Service Centre**

The self-service terminals can be found at the following address:

Cape Town Service Centre, Shop 03, Norton Rose House, Thibault Square, Riebeek Street, Cape Town

Make sure you have the following when using the self-service terminal:

- All directors must be present.
- Valid SA ID number
- Valid cellphone number
- Email address

2. Name Reservation (This a compulsory step for non-profit companies)

You may apply for between 1 and 4 proposed names during an application process, which costs **R50**.

For-profit companies can be registered with or without a reserved company name. Not-for-profit companies **must** be registered with a name.

- For companies **without a reserved name**, the company registration number will become the company name with (South Africa) as the suffix. You may apply for a name reservation at a later stage. In this case, you will need to first reserve a name and then apply for a name change, which constitutes a change to its Memorandum of Incorporation (MOI).
- For companies **with a reserved name**, you will need to complete a name reservation application. It is advised that you conduct an internet trademark search

of your proposed name before submitting your name reservation application. This may help prevent you from having to apply for a name a reservation again, which would incur extra costs on your side.

Your name reservation application is only registered or reserved when you receive written confirmation from CIPC in the form of a CoR9.4 (turnaround time is 2 days).

The name reservation is **valid for a period of 6 months** (from the approval date) during which you must have used the name on a company or co-operative registration or a change to a company or close corporation name.

Name reservation periods can be extended on an application for a prescribed fee of R30. The extension period is 60 business days at a time and the extension application must be submitted by the individual who submitted the name reservation.

Approved or reserved names can only be extended within the month before it expires. If your reserved name has expired, you cannot extend it.

How do I reserve a name for my company?

Name reservation can be done via any of the following platforms:

- E-services: www.cipc.co.za / Online Transacting / New E-services
- BizPortal: www.bizportal.gov.za
- CIPC Mobile App
- Self-Service Terminal
- Banks (as part of the company registration process)
- Associated name reservations or names requiring supporting documentation
namereservationsandregistrations@cipc.co.za

A step-by-step guide on name reservation using the new e-Services at https://www.cipc.co.za/wp-content/uploads/Step_by_step_Guide/Name-Reservation-1.pdf

3. Company registration

The company registration fee is **R125**.

If you registered your company without a name, the company's registration number

automatically becomes the company name. Such a company may apply to add a name at a later stage.

A private company must have at least one (1) director and a non-profit company must have a minimum of three (3) directors.

Once, your company is successfully registered with CIPC, SARS will automatically generate an income tax reference number for your company.

Requirements AFTER your company is registered with the CIPC

1. Filing Financial Accountability Supplement (FAS) or Annual Financial Statement (AFS)

Before payment of Annual Returns (AR), a Financial Accountability Supplement (FAS) or an Annual Financial Statement (AFS) must be filed on eServices. It can be filed as part of the Annual Report process or on its own. Your company will need to file either a FAS or an AFS.

What is a Financial Accountability Supplement (FAS)?

FAS (CoR30.2) is a summary of information regarding a company's record keeping and the maintenance of financial records. FAS is an easy questionnaire that has to be answered.

Private Companies that do not need to submit financial statements **must file a FAS through eServices.**

Companies that **must file audited Annual Financial Statements (AFS)** in terms of Regulation 28 of the Companies Act, must do so through XBRL. XBRL is an extensible Business Reporting Language for the electronic communication of business information. A computer program is required to transfer the audited AFS to eServices. XBRL makes it easier for companies to report their financial information in an electronic format.

- For more FAS and AFS information consult our website FAQs (see XBRL programme).
- Email queries to [**XBRL@cipc.co.za**](mailto:XBRL@cipc.co.za)
- A copy of the Companies Act, 2008, and the Regulations are available on the CIPC website.

2. Annual Return submission to CIPC – **COMPULSORY**

- **If not submitted CIPC will start a deregistration process.**
- Annual Return is not related to SARS Tax Returns.

Companies must file the Annual Return within 30 business days after the registration anniversary date.

Calculation of Annual Return fee & payment can be done using:

- eServices on the CIPC website; or
- BizPortal; or
- at a CIPC Self-Service Centre.

Card Payments: Payment with Debit or Credit Cards can be done directly after calculation on eServices and BizPortal.

ANNUAL RETURN FEES

COMPANIES		
ANNUAL TURNOVER	WHEN TO PAY?	FILE AFTER 30 DAYS
	File within 30 business days after anniversary date	Penalty for late lodgement
Less than R1 million	R100	R150
R1 million and more but less than R10 million	R450	R600
R10 million and more but less than R25 million	R2 000	R2 500
R25 million and more	R3 000	R4 000

B-BBEE Certificates

Businesses can apply for a B-BBEE certificate on eServices, Bizportal, or at a CIPC Self-Service Centre when registering a business, or when filing annual returns.

- **For a company with a turnover of less than R10 million, a B-BBEE certificate is not required.**

- Businesses can complete an affidavit, signed by a commissioner of oaths. Once an affidavit has been stamped by a commissioner of oaths, the affidavit serves as a B-BBEE certificate, as no other verification is required for Exempted Micro Enterprises.

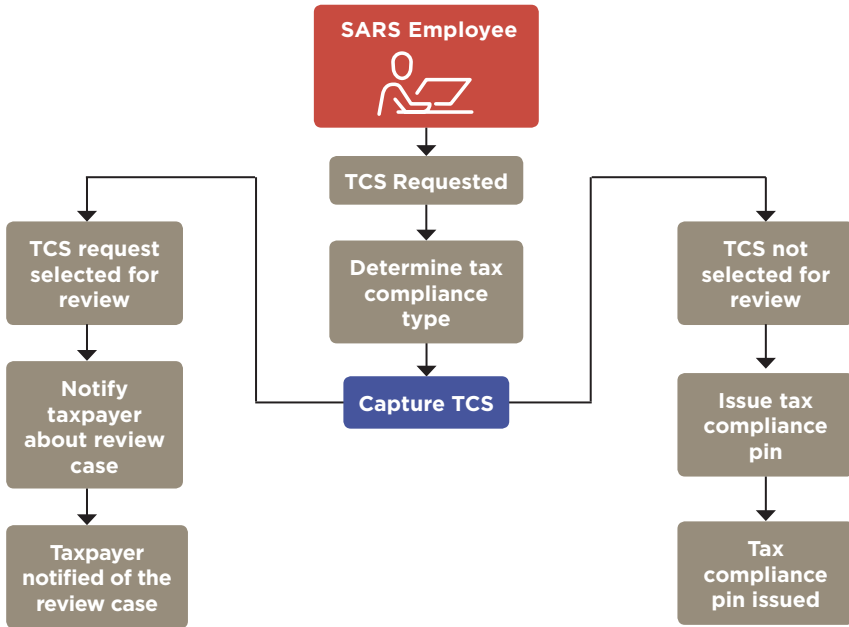
Please note

- CIPC B-BBEE certificates are **free of charge**.
- **CIPC only provides B-BBEE certificates to Exempted Micro Enterprises** in terms of the *Amended Codes of Good Practice, issued in terms of Section 9 of the Broad-Based Black Economic Empowerment Act 53 of 2003 as amended*; **with a turnover of no more than R10 million**.
- A certificate is only valid for 12 months from the date of issue and cannot be renewed. Once expired a new application must be filed.
- Only directors/members of entities are allowed to apply for B-BBEE certificates, no intermediaries or third parties. **You are not allowed to apply for a B-BBEE certificate on behalf of someone, doing so is a criminal offence, and could lead to legal proceedings.**
- Providing incorrect shareholder information is a criminal offence, it could lead to legal proceedings.
- Once an application has been submitted it cannot be amended later. **Read instructions carefully.** Changes will only be recorded when applying for a new B-BBEE certificate after the current one expires.
- Companies that have at least one foreign director/member do not qualify for CIPC B-BBEE certificates.
- All directors/members' contact details must be up to date as a unique OTP (One-Time PIN) will be sent to each member before an application can be concluded. **A functionality to update director/member contact details is available on the CIPC eServices.**
- Directors with more than 10 entities linked to their ID numbers will not be able to apply for CIPC B-BBEE certificates.

South African Revenue Services (SARS)



AFRICAN REVENUE SERVICE (SARS)



WHAT IS THE ROLE OF SARS?

SARS is responsible for collecting taxes, ensuring a culture of taxpayer compliance, and facilitating trade across the country's borders. By doing this, SARS is protecting the country's economy.

WHY SHOULD AN EMERGING CONTRACTOR BE COMPLIANT WITH SARS?

Emerging contractors are required to fulfill their tax obligations and be compliant with SARS. The compliance status of the contractor provides the government with the assurance that the contractor has fulfilled their tax obligations and is tax compliant. The tax compliance status of the contractor increases the eligibility for application to be considered for the government supplier database.

WHAT SARS REQUIREMENTS DO EMERGING CONTRACTORS NEED TO BE COMPLIANT WITH?

According to SARS, being tax compliant is when the taxpayer is registered for all the taxes they should be registered for, has submitted all the required returns and declarations, and

does not owe SARS any money, or at least there must have been an approved payment arrangement in a case where the taxpayer is unable to pay the full amount at once.

The tax you will have to pay depends on the size and nature of your company. As a business owner, you are responsible for the filing and payment to SARS accurately and on time.

The table below describes the different types of entities and can be used to determine what tax(es) your business will need to be registered for

TYPES OF BUSINESS AND TAX RESPONSIBILITIES		
Types of business	Description	Tax responsibilities
Sole Trader/ Owner	Operates on a small scale and run by self-employed individuals. Includes the informal businesses. No requirement to register with Company and Intellectual Property Commission (CIPC).	Register for Personal Income Tax (PIT) and annually declare your business income on the Income Tax Return for Individuals (ITR12). Where you need to pay SARS, you must do so before the payment deadline reflected on your Notice of Assessment (ITA34).
Partnership	Two or more people with common interest who join to run a business. No requirement to register with CIPC. Each partner will be taxed separately according to their share in the business.	Register for Personal Income Tax (PIT) and annually declare your business income on the Income Tax Return for Individuals (ITR12). Where you need to pay SARS, you must do so before the payment deadline reflected on your Notice of Assessment (ITA34).
Private/ Public Companies or Close Corporation	Formal business that is required to register with CIPC and obtain a company registration number. The company is separate from the owner and the owner is required to submit their Personal Income Tax.	<ul style="list-style-type: none"> ● Automatic registration for Corporate Income Tax (CIT) when registering with CIPC and declare CIT annually on ITR14. ● Declare or submit a bi-annual Income Tax return known as Provisional Tax (IRP6) twice a year. ● Register for VAT - if you qualify. ● Register for PAYE - if you qualify and Special Small Business taxes; Turnover Tax, Small Business Corporation (SBC) or Employment Tax Incentive (ETI). ● Payment of Taxes.
Co-operative	A Co-operative is formed when a group of people, with common interests, joins to achieve a certain economic, social or cultural goal, such as stokvel, community agricultural venture, etc. A Co-operative is required to register with CIPC. Co-operative are taxed as companies.	A cooperative must register for income tax with SARS, keep accurate records, submit an annual ITR14 corporate income tax return, declare all income, and pay any taxes due on time.

Source: SARS Small Business Essential Tax Guide

WHEN WILL I NEED TO REGISTER WITH SARS?

If you have already registered your company with the CIPC, SARS will automatically generate a Company Income Tax (CIT) reference number for you.

The company representative must then register on SARS eFiling (sarsefiling.co.za) to update information, including the company representative and transact electronically and conveniently with SARS.

Self Employed/Sole Traders or persons in Partnerships need to register for Personal Income Tax (PIT) directly with SARS via SARS eFiling.

If you are trading as an individual and do not have an Income Tax Reference Number, you must first register as a taxpayer on eFiling (sarsefiling.co.za) to create a profile, and a tax reference number will be generated for you.

TAX COMPLIANCE STATUS SYSTEM

SARS has introduced a new service called the Tax Compliance Status (TCS) system, which replaces the old Tax Clearance Certificate (TCC) system.

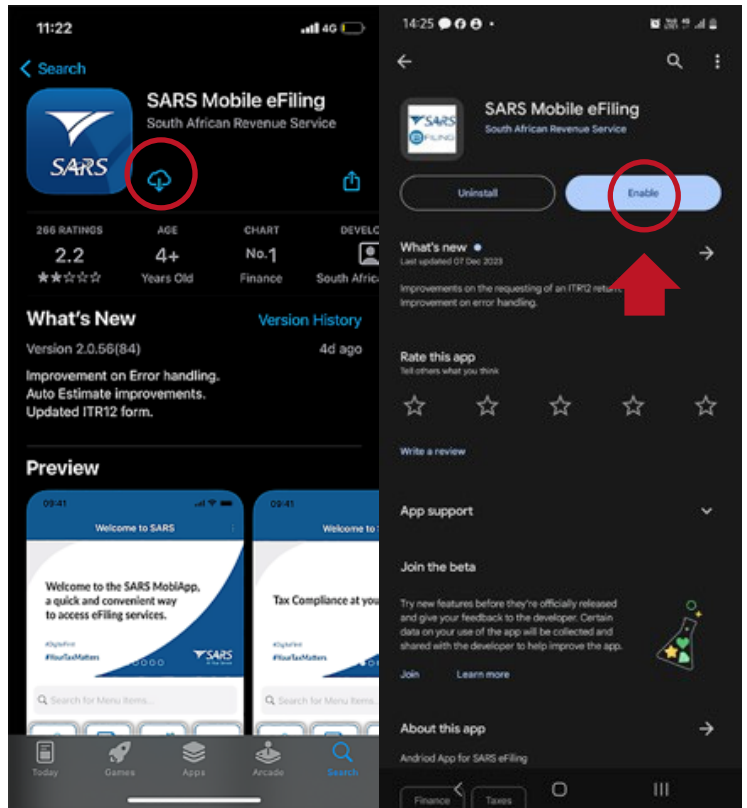
How do I get my Tax Compliance Status?

You can activate your TCS using any of the following:

1. SARS's Online Query system <https://tools.sars.gov.za/sarsonlinequery/tcr01>
2. eFiling system <https://www.sarsefiling.co.za/>

If you are trading as a **Sole Trader or in Partnership** - Download the SARS MobiApp from the Google Play Store (Android) or App Store (Apple devices) and tap on '**REGISTER**'.

3. Visiting a **SARS branch**
4. Contacting the SARS Contact Centre at **0800 00 7277 (Calls are free of charge)**



Screenshots of the App store and Google Play Store showing the SARS MobiApp

ACTIVATING YOUR TAX COMPLIANCE STATUS

To activate the TCS system, you need to be registered for Income Tax on your eFiling profile – TCS activation is a once-off process.

Activating your TCS using the Online Query System

You can use the SARS Online Query System to request your TCS

<https://tools.sars.gov.za/sarsonlinequery/tcr01>

Request Details

TCS Type: Good Standing

Entity Type: Individual

Identity Type: South African ID Number

ID Number *

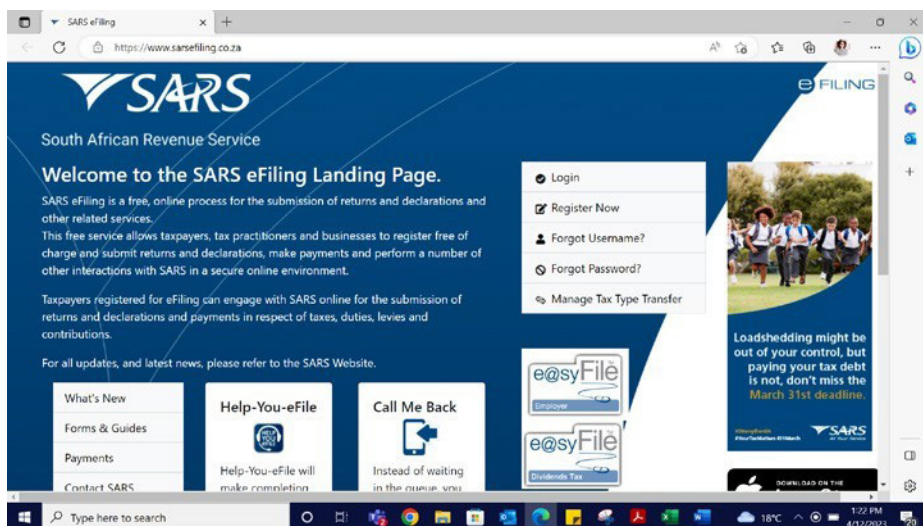
Tax Type: Income Tax

Tax Ref No *

Generate Form Reset

- Under **TCS Type**, select Good Standing
- Under **Entity Type**, select the answer relevant to you.
- Select your identity type and enter your ID number or passport number.
- Select the relevant tax type and insert the tax reference number.

Activating and requesting your TCS using eFiling



Step 1: Log in to eFiling

To use the new Tax Compliance Status Verification service online, you must be authorised to use eFiling. An authorised person (for example the representative taxpayer or eFiling administrator) of the organisation that can set up user groups and user rights must log in and activate the service.

Step 2: Activate the Tax Compliance Verification service

The Tax Compliance Status Verification functionality on SARS eFiling is used by third parties such as government departments, financial institutions, and businesses to confirm a taxpayer's compliance status using a TCS PIN.

Below are steps to follow when using Tax Compliance Status Verification Functionality:

- Activation of the Tax Compliance Verification service is a once-off process.
- Once you have logged in, set up your user groups and applicable user rights to perform TCS verifications.
- Click on "Tax Status"
- Select "Tax Compliance Status Verification"
- Complete the activation process.

Step 3: Verify the taxpayer's TCS.

- Select the "New Verification Request" menu.
- Capture and submit the taxpayer's tax reference number and PIN.
- Confirm that the taxpayer information displayed corresponds with those of the taxpayer whom you tend to verify.

The taxpayer's current tax compliance status will appear and will be colour-coded with a detailed description of what the status means.

You will now be able to print the verification for recording purposes. Your verification will also be stored electronically in "History" for future reference.

How do I view my Tax Compliance Status on eFiling?

To view your tax compliance status, you need to confirm your tax reference number(s) for Income Tax, and if you are registered for PAYE and Value-Added Tax (VAT) you need to confirm those reference numbers as well. Once your details are confirmed, your "My Compliance Profile" will be created, and you will have access to view the tax compliance status of your tax affairs.

"My compliance profile" is a platform that gives you a single view of your tax affairs. On your compliance profile, you can see a summarised compliance status for each of the tax reference numbers you have confirmed. Depending on your profile, the following taxes

will be displayed on your **“My Compliance Profile”**: Income Tax (including Assessed tax and Provisional tax), Employment Taxes (including PAYE, SDL and UIF), and VAT.

How do I request my Tax Compliance Status on the eFiling system?

Once you have viewed your **“My Compliance Profile”**, you may request a Tax Compliance Status by:

1. Select the TCS Request option and the type of TCS for which you would like to apply. You will have the following options:
 - **Good Standing** – Confirms overall tax compliance for tenders, contracts, and general purposes.

Approval International Transfer (AIT) – For authorising the transfer of funds offshore.

2. Complete the Tax Compliance Status Request and submit it to SARS. Once SARS approves your request, you will be issued with an overall tax compliance status and a PIN. You can request that the PIN be sent to you via SMS, and you can view it on your **“Tax Compliance Status Request”** dashboard. The PIN can also be printed in the form of a TCS result letter.

HOW WILL I KNOW WHETHER I AM TAX COMPLIANT OR NOT?

On your **“My Compliance Profile”** a colour indicator will appear next to each tax type to indicate whether you are tax compliant or not for each.

- **“Red”** indicates non-compliance.
- **“Green”** indicates compliance for that specific tax type.

A **“Red”** indicator next to any one of the tax types means that you are non-compliant not only for the specific tax type but also for your overall compliance status as well.

ACTIVATING AND REQUESTING YOUR TCS BY VISITING A SARS BRANCH IN PERSON

You can visit any of the following branches in the province.

1. Making an appointment with SARS to visit a branch in person

You can make an appointment to visit a branch in person through any of the following ways:

- 1.1 Send an SMS to SARS on 47277 to request an eBooking appointment at a branch: Booking (Space) ID number/Passport number/ Asylum Seeker number. View our easy step-by-step video on how to use the SARS SMS services. (<https://www.youtube.com/watch?v=VRagmtSar-c>)
- 1.2 SARS USSD Channel by typing, on your mobile device, a string of characters which comprises of an asterisk (*), followed by a few digits and ending with a hashtag (#) and dialing.

Steps on how to request tax services via the SARS USSD Channel

Step 1: Initiate USSD by dialing *134*7277#

Step 2: Select the service you require.

Step 3: Taxpayer Verification – SARS will request you to complete either your ID/Passport/Asylum Number

Step 4: Tax Resolution – Upon successful verification by SARS, a response will be displayed.

- 1.3 Call the Contact Centre on 0800 00 7277 to make an appointment on your behalf.

2. Virtual appointments

You can make a booking for a virtual appointment with any of the SARS branches using the SARS Branch eBooking System <https://tools.sars.gov.za/SARSeBooking>

You can select any branch/region when making a virtual booking. It doesn't have to be within the area where you reside.

If you select a branch under 'Preferred Branch' and the system returns the message 'The selected Province or Branch do not have available appointment slots....' then please select another Province and/or Branch to view other available appointments.

Branch location	Address
Beaufort West	Church Street, Beaufort West, 6970
Bellville	Corner of Teddington & De Lange Road, Bellville, 7530
Cape Town	17 Lower Long Street, Cape Town, 8001
George	1 Platinum Drive, Edenpark, George
Mitchell's Plain	Liberty Promenade Shopping Centre, AZ Berman Drive, Beacon Valley, Mitchells Plain, 7785
Paarl	19/20 Market Street, Paarl, 7646
Worcester	59 Church Street, Naude Building, Worcester, 6850

Activating your TCS through the SARS Contact Centre

The SARS Contact Centre details are listed in the table below. You can call the Contact Centre and request that they activate your Tax Compliance Status. Make sure that you have your tax registration number with you as the Contact Centre agent might require this number.

Contact Centre number	0800 00 7277
Operating hours	Weekdays 08h00-16h30 Except Wednesdays 09h00-16h30 Closed on weekends and Public Holidays

SARS MOBILE UNIT

SARS also has a mobile unit which serves the purpose of educating the public on compliance and tax procedures. The Mobile Unit visits different parts of the country and delivers educational workshops.

The Mobile Tax Unit offers the following services:

- Completion & submission of Income Tax Returns (ITR12) on MobiApp / eFiling
- Tax Season general enquiries

To see the Mobile Unit schedule, please navigate your way to

<https://www.sars.gov.za/individuals/who-pays-tax/how-do-i-learn-about-taxes/>

For more information contact the Mobile Unit on **0800 00 7277**

SPECIAL TAXES (TAX INCENTIVES) THAT APPLY TO SMALL BUSINESSES

Turnover Tax (TOT)

The Turnover Tax system is a single tax system and replaces Income Tax, VAT, Provisional Tax, Capital Gains Tax and Dividends Tax. Qualifying businesses will declare and pay one

(1) tax (unless with a VAT or PAYE option) and only start paying tax when their annual turnover exceeds R335 000.

Turnover Tax aims at reducing and simplifying tax compliance and the administrative burden on small businesses with an annual turnover of R1 million or less.

Small businesses that qualify for Turnover Tax must register for Pay-As-You Earn (PAYE) if they have employed qualifying employees.

What are the benefits of Turnover Tax?

- Reduced administrative and compliance burden.
- Reduced tax rates as tax is calculated on turnover instead of profit.
- Tax savings for qualifying small businesses

Who qualifies for Turnover Tax?

Registration for Turnover Tax system is optional. Any small business with an annual turnover of R1 million or less may apply to register. The following taxpayers may qualify:

- Individuals (sole proprietors)
- Partnerships
- Close corporations
- Companies
- Co-operatives

How can I register for Turnover Tax?

A person qualifying as a small business may apply to register as a small business manually or online.

Online application

You may apply to register before the beginning of a year of assessment, that is:

- Before 1 March or before a date during the year of assessment prescribed by SARS: or
- Within two months from the date of commencement of business activities during the course of the year of assessment.

Manual application

Complete the application **(TT01) form**.

Submit the completed form by any of the followings:

- In person at a SARS branch after making an eBooking on the SARS website
- Via email using the following addresses applicable to you:
 - **Tax Practitioners:** pcc@sars.gov.za
 - **Taxpayers:** contactus@sars.gov.za

How do I pay Turnover Tax?

- The **1st payment** is due on the last business day of August.
- The **2nd payment** is due on the last business day of February.
- The submission of **TT03 Turnover Tax returns** is in line with the submission of the annual income tax returns between 1 July and 31 January of the following year.

The first two interim payments must be made based on the estimated taxable turnover of the business for that tax year. After the end of the tax year, a Turnover Tax return (TT03) that reflects the actual taxable turnover of the business must be completed and submitted. Any shortfalls or overpayments then become payable or refundable. The second interim payment must be equal to the amount of turnover tax payable on the estimate for the full year, less the first interim payment.

What happens if I am registered for Turnover Tax, and I fail to pay? Interest and penalties

Should a small business fail to pay any Turnover Tax when it is payable to SARS, interest will be charged from:

- **1 September**, in the case of the first interim payment; and
- **1 March**, in the case of the second interim payment

The prescribed rate is payable on the amount of Turnover Tax that should have been paid until the earlier of:

- The date on which the shortfall is received by SARS; and
- The last day of the year of assessment (in the case of a first interim payment) or the due date of the assessment for that year of assessment (in the case of a second interim payment)

A penalty will be imposed if an estimate of the taxable turnover for the second interim payment is less than 80% of the actual taxable turnover for a year of assessment. The penalty to be charged will be determined at 20% of the difference between:

- The tax payable on 80% of the taxable turnover; and
- The tax payable on the estimate that was initially calculated.

A penalty will not be imposed if SARS has issued an assessment for a payment due at the end of a year of assessment (second interim payment).

The penalty will be waived in full or in part if SARS is satisfied or partly satisfied that an understatement of the estimated payment was not done deliberately or negligently, and that the estimate was made earnestly based on the information available.

SMALL BUSINESS CORPORATION (SBC) INCENTIVE

Small businesses with an annual turnover of up to R20 million may qualify to pay Income Tax at a reduced tax rate.

If you indicate that you are a small business on your Income Tax Return (ITR14), and meet all the requirements, the reduced rates will be applied automatically.

- There is no need to apply for the reduced rates because your SBC status will be determined using information on your ITR14.

The reduced SBC tax rates will automatically be applied yearly if your company meets the requirements.

- No more than 20% of revenue may consist of investment income.
- Not more than 20% income from rendering a personal service.

SBC Requirements

- Co-operatives and Private Companies** – not applicable to sole proprietors, partnerships, trusts
- Shareholding held by Natural Persons (individuals)**
 - Held for the entire year.
 - Imperative to deregister from other CC's or companies before starting new venture.
- Shareholders** to have no interest in other company.
 - Includes dormant/shelf/non-trading companies.
 - Excludes listed companies exempt from the payment of income tax and some other exceptions.
- Gross Income** not exceeding R20 000 000 per year.
 - Pro Rata amount if trading less than 12 months - Not taxable income, is based on gross income.

SBC Tax Rates

- Tax rates are applied yearly if requirements are met.

Taxable income (R)	Rate of tax (R)
1 - 87 300	0% of taxable income
87 301 - 365 000	7% of taxable income above 87 300
365 001 - 550 000	19 439 + 21% of taxable income above 365 000
550 001 and above	58 289 + 28% of the amount above 550 000

WHEN AM I REQUIRED TO REGISTER FOR VALUE-ADDED TAX (VAT)?

Businesses with estimated or actual turnover of more than one R1 million are required to register and to charge 15% VAT on the taxable supplies of goods and services.

Categories for VAT registration

Compulsory registration	Voluntary registration
You will be required to register for VAT if your sales are more than R1 million, in any 12 month period or you expect that your sales will exceed that amount in terms of a written contractual obligation.	You can apply for voluntary registration even if your sales, are less than R1 million. The requirement is that the sale made must already have exceeded the minimum threshold of R50 000, or is likely to exceed R50 000 in a 12 month period. Registration for VAT using SARS eFiling is quick and convenient.

Source: SARS Small Business Essential Tax Guide

PAY-AS-YOU-EARN (PAYE)

An employer who is registered or required to register with SARS for PAYE will also be required to register and pay over the Skills Development Levy (SDL) and Unemployment Insurance Fund (UIF) contributions to SARS.

Make sure you register with SARS within **21 business days** after becoming an employer, deduct PAYE and UIF from your employees' salaries or wages and pay it over to SARS on a monthly basis. These payments must be made within seven (7) days after the end of the month. Where employees' salaries are below the set thresholds, currently R83 100 per year, no PAYE is payable.

PROVISIONAL TAX

All companies are automatically registered for Provisional Tax upon registration for Company Income Tax. Individuals that have a small business and earn an income from this business, other than a salary, must register for Provisional Tax. You must complete and submit a Return for Payment of Provisional Tax (IRP6) twice a year and make payment of your estimated income.

This return can be filed via SARS eFiling. If, however you are registered for Turnover Tax, you do not need to submit an IRP6.

CORPORATE INCOME TAX (CIT)

Companies must declare their income annually by submitting a Company Income Tax Return (ITR14) once their registration has been finalised. The declaration must be accurate, stating all income and expenses so that over or under tax assessment is avoided. For the assessment year ending on, or after 31 March 2023, the rate of Corporate Income Tax is 27% (previously 28%).

Tax return submission periods per tax type			
Tax Type	Submission Due Dates	Tax Form	Notes
Company Income Tax (CIT)	Once a year as per company's financial year end	ITR14	The company has 12 months to submit the ITR14 after the financial year-end. The financial year end is indicated on the company registration certificate from CIPC.
Personal Income Tax (for self-employed individuals)	Once a year as announced by SARS during filing season	ITR12	Sole traders, self-employed and individuals in a partnership should declare their business income on their ITR12
VAT	Every two (2) months before the 25th	VAT201	The period will be allocated at registration and some companies may be required to submit every month
PAYE	Monthly on or before the 7th	EMP201	The submission is due within seven (7) days after the month the tax was deducted from the employee.
Provisional Tax	Twice a year	IRP6	For companies: The first submission is due six (6) months from the start of the financial year. The second submission is due at the end of your financial year. For individuals: the first submission is due on 30 August and second submission is due 28/9 February of each year.
Turnover Tax	Once a year	TT03	The submission of turnover tax returns is done once a year in line with the company's financial year-end or submission of the annual income tax returns, between 1 July and 31 January of the following year for individuals.
Employer Reconciliation	End of October and end of May	EMP501	First interim submission is due at end of October and final submission end of May

PRACTICING GOOD RECORDKEEPING

It is good practice to open a separate bank account for your company so that you do not mix personal and business expenses.

Tips

- Make sure your records clearly show your company's income and expenses.
- Records must be kept in their original form; in the form, including electronic, prescribed by the Commissioner by public notice; or in the case of a request by a specific taxpayer to retain records or documents in a different but acceptable form, the form authorised by a senior SARS official; in an orderly fashion; in a safe place; and open for inspection, audit, or investigation by SARS.
- Records must be kept for the period of 5 years from the day of submission until the last day of the 5 years or indefinitely if not yet submitted to SARS.

Your company's records should include the following:

- Assets, liabilities, various loans
- Register of fixed assets
- Sales slips, invoices, receipts, bank deposit slips
- Records of credit purchases and sales
- Statements of annual stocktaking
- Supporting vouchers

****All source documents must be available for examination by SARS and must be kept for 5 years.*



Construction Industry Development Board

Construction Industry
Development Board
(CIDB)



WHAT IS THE ROLE OF THE cidb?

Chapter 3 of cidb Act

The Board must establish a National Register of Contractors (RoC) that must categorise contractors in a manner that (16(1)): facilitates public sector procurement and promotes contractor development.

18(1) A contractor may not undertake, carry out or complete any construction works or portion thereof for public sector contracts, awarded in terms of competitive tender or quotation unless he or she is registered with the Board and holds a valid registration issued by the Board.

(2) Any contractor who carries out or attempts to carry out any construction works or portion thereof under a public sector contract and who is not a registered contractor, is guilty of an offence.

The Regulations requires that the register be applied only to construction works contracts having a value in excess of R30 000 including VAT.

What is the Register of Contractors (RoC)?

The RoC is a database maintained by the cidb in which contractors are graded according to their level of works and financial capability. The RoC will support clients to better procure for infrastructure.

- It applies to all contractors who want to do work in the public sector.
- The Construction Industry Development (CID) Regulations bind public sector clients to only award construction works contracts to cidb-registered contractors.
- Contractors on the RoC will also be able to access funding and other support programmes offered by the cidb.

Who Can Register?

Construction companies who have the capability to undertake construction works contracts and who wish to tender for public construction contracts.

Who Must Not Register (Exemptions):

Joint ventures

- Joint ventures themselves are not required but the contractors who form part of the JV must be registered individually at the cidb.
- JVs can have a maximum of 5 contractors.
- Lead partner must be registered on the required class of work and should be at least one grade below the required grade.
- JV grading is verified using JV calculator on cidb website.

Contractors who are under restrictions from doing business with the public Sector

- E.g., Bidders who are listed on the national Treasury register of defaulters will be automatically disqualified.

Labour-only contractors who undertake substantially labour-only contracts.

Supply-only contractors who undertake substantially supply-only (or majority supply only) contracts.

NHBRC contractors - contractors registered as home builders are exempt provided that they only undertake construction of homes.

cidb GRADING

The cidb has 9 grades upon which they grade contractors. Grading is based on:

1. **Works capability** (track record/project), which is determined by the largest completed project within the five years immediately preceding the application.
2. **Financial capability**, which is determined by financial history: the **best annual turnover** (over two financial years) and **available capital** (calculated from the financial statements for the two years immediately preceding the application).

WHAT cidb GRADE AM I ELIGIBLE TO APPLY FOR?

Grade 1 Registration – Entry Level

Grade 1 contractors can register with the cidb using **online registration or in person at the cidb Provincial Western Cape Office at 4 Dorp Street.**

What do I need to register online?

- A valid **Central Supplier Database** (CSD) number
- Access to **email**
- Access to **mobile phone** to receive the one-time pin “OTP” when making payment.
- A **bank card** with sufficient funds/credit balance on your cidb account
- Service is accessible from the CIDB website
- Turnaround time – Registration is activated immediately after successful payment.

Grade 2

- Must meet 1 grading requirement (track record)
- Completed a contract with the value of not less than R130 000

Grade 3

- Must meet 2 grading requirements (track record & turnover or available capital)
- Completed a contract with the value of not less than R450 000
- Either have best annual turnover not less than R1000,000 or have available capital not less than R100 ,000 (available capital and turnover are determined from latest annual financial statements Grade 4)

Grade 4

- Must meet 2 grading requirements (track record & turnover or available capital)
- Completed a contract with the value of not less than R900 000
- Either have best annual turnover not less than R2, 000 000 or have available capital not less than R200 000.

Grade 5, 6,7,8 & 9

- Must meet all three requirements (track record, turnover & available capital)
- Completed contract works to the values stipulated in the table.
- Satisfy the turnover and available capital of the contractor designation being applied for

Refer to table above in conjunction with the points below.

Determining Financial Capability				
Grade	Upper limit of tender value range	Best Annual Turnover (R)	Largest Contract (Mandatory from Grade 2 - 9)	Available Capital (R)
1	500 000	0	0	0
2	1 000 000	0	130 000	0
3	3 000 000	1 000 000	450 000	100 000
4	6 000 000	2 000 000	900 000	200 000
5	10 000 000	3 250 000	1 500 000	650 000
6	20 000 000	6 500 000	3 000 000	1 300 000
7	60 000 000	20 000 000	9 000 000	4 000 000
8	200 000 000	65 000 000	30 000 000	13 000 000
9	No limit	200 000 000	90 000 000	40 000 000

WHAT cidb REQUIREMENTS DO EMERGING CONTRACTORS NEED TO BE COMPLIANT WITH?

You can register with the cidb by filing in the application forms which can be downloaded from the cidb website, or you can register online.

- The **online registration system** can be found at www.cidb.org.za click on **register online as a contractor** under the Quick Links menu to open the login page.
- **All application forms** can be accessed at the following website <https://www.cidb.org.za/resource-centre/downloads-1/#45-147-wpfd-applications-forms>

Once you have registered with the cidb, it will be **valid for 3 years** from the date of registration.

All supporting documentation you submit with your applications need to meet with the following.

- Copies of IDs, share certificates, and contractor electrical certificate must be **originally certified** (emailed or faxed copies are not acceptable).
- Certification must be done by a **Commissioner of Oath** (the certification stamp must show Commissioner of Oath, preferably certification done at SAPS).
- Certification validity period is 3 months from date of certification (the validity period must be shown on the certification stamp).

Grade 1 Registration at the Provincial Office:

Grade 1 must provide the following supporting documentation when they apply:

Company supporting documentation.

For the company, the following forms must be completed:

- Certificate of Incorporation (CM1)/CoR 14.3 forms.
- List of all active directors (CM29)/CoR 39 forms.
- Share certificates (must be originally certified by the Commissioner of Oaths). The validity period of certification is three months.
- All name change certificates (CM9) (if applicable).

For Close Corporation, the following forms must be completed and submitted to the CIDB:

- Latest CK1/CK2 forms

For other entities, the following is applicable:

- Partnership (partnership agreement).
- Trust (a copy of the trust deed or JM21).
- Co-operatives - CR 10 (Certificate of Incorporation). A list of all directors in a table format with their names, surnames, ID numbers, addresses, and signed by all.

Company principal(s) and ownership/interest supporting documentation.

- Attach originally certified copies of Identity Documents.
- A Commissioner of Oaths must certify copies.
- Certified copies are valid for three months.
- For external Companies, the originally notarised copy of the passport.
- Tax Clearance Certificate
- Valid and original Tax Clearance Certificate must be attached to your application.

Additional requirements for Registration in Electrical Engineering for EB class of works

- Originally certified and signed copy of the company's valid Electrical Contractor's Certificate.

- A Commissioner of Oaths must certify copies.
- Certified copies are valid for three months.

Declaration

- The applicant must ensure that the declaration is signed.

Note: Registration is valid for a period of three years. Please notify the cidb of any change of your particulars. Incomplete applications result in delays in processing. Applications without relevant supporting documentation will not be processed.

Grade 2-9 registration

Contractors on Grades 2-9 can register with the cidb using the application form for Grade 2-9 which can be found on the following webpage <https://www.cidb.org.za/resource-centre/downloads-1/#45-147-wpfd-applications-forms>

Documents and supporting documents to complete:

- Completed Grade 2 - 9 application form.
- Basic company statutory documents (same as Grade 1 requirements)
- Proof of payment of registration fees (Admin fee per class of works plus annual fees – admin fee is non-refundable)
- Track Record (Appointment/award letter, completion certificate/confirmation, latest/final payment certificate/copies of bank statements)
- Latest annual financial statements
- If financial statements are not audited, copies of bank statements or vat returns (Vat 201 forms and Vat Statement of Account) to support the highest turnover.
- Registration turnaround time- 21 working days

Annual Fees Payable

- Proof of payment (company name or CRS number must be used as the reference number when making payment) must be attached.

Grading Designation	Administration Fee	Annual Fees
1	450 (Valid for 3years)	
2	450	250
3	750	350

4	750	900
5	750	1 750
6	750	3 500
7	750	9 000
8	750	29 000
9	750	55 000

Requirements to meet after you are registered with the cidb:

In **addition to the track record documentation** (appointment; completion certificate & last/final payment certificate):

- Joint Ventures – must submit a **signed JV agreement**.
- Sub-Contracting – must submit a **sub-contract agreement** stipulating the scope of work and payments for sub-contract work should be traceable.
- Private Sector Work – must submit appointment/copy of contract/completion certificate or confirmation of completion and copies of bank statements as proof of payment for works undertaken.

Annual Financial Statements

- Must be compiled by a registered Accounting Officer / Auditor in good standing with the relevant accounting body.
- Must be signed off by members/Directors and Accounting Officer/Auditor
- If not audited, must be accompanied by vat returns (vat 201 forms & vat statement of account) or copies of 12-month bank statements (for purpose of verification of the highest turnover)
- If audited, bank statements are not mandatory unless requested.

If submitting bank statements (for proof of payment of works done or to verify turnover:

- Must be bank stamped (applicable to internet statements).
- Must not be shaded.
- All pages of each statement must be submitted, and not only specific pages, i.e., if a statement has 20 pages, all 20 pages must be submitted.

WESTERN CAPE CIDB PROVINCIAL OFFICE	
Operating Hours:	07:30 to 15:30, Monday to Friday.
Telephone Number(s):	086 100 2432
Street Address:	Cidb provincial office, 4 Dorp Street, Cape Town, 8000
Email Address:	cidbwc@cidb.org.za



THE BUILDING INDUSTRY
BARGAINING COUNCIL

Building Industry
Bargaining Council
(BIBC)



WHAT IS THE ROLE OF THE BIBC?

The Building Industry Bargaining Council (BIBC) is a Sector and Area-specific Bargaining Council established through an Act of Parliament to promote and facilitate collective bargaining in the building industry.

What this means is that representatives of employees (registered trade unions) and representatives of employers (registered employer organisations), work together to agree on conditions of employment in the construction industry.

The BIBC is made up of 3 employer associations and 3 trade unions, led by a Chairperson and Vice-Chair.

Trade unions and employer organisations need to register with the Department of Employment and Labour (DoEL) and maintain that registration to apply for representative status at the BIBC.

WHY SHOULD AN EMERGING CONTRACTOR BE COMPLIANT WITH THE BIBC?

Apart from the moral obligation to pay a fair wage as negotiated between the employers' organisations and trade unions who serve on the Council, there is also a commitment among responsible employers in the industry to compete fairly by offering the same conditions of employment.

Employers registered with the BIBC subscribe to standard rates of pay and employee benefits. This allows for all employers within the jurisdiction of this bargaining council and in accordance with the Collective Agreement to compete fairly across the industry.

In addition, the Minister of Employment and Labour, by publishing the BIBC Main Collective Agreement as a Government Gazette, has made registration and compliance with the BIBC Main Collective Agreement a legal requirement and has bestowed the necessary powers on various officers to enforce that agreement.

Benefits of being compliant with the BIBC

- Compliance Certificate will be issued to you which offers the opportunity to tender for work.
- Employers in good standing experience lower levels of labour unrest.

- Employers in good standing are listed on our website and this information is available to 'givers of work'.
- Your company will be in the registers of the BIBC and therefore available to anyone on request.
- Employees who are registered by their employers are assigned permanent, individual member (holiday fund) numbers which ensure that they receive their correct benefits and that these accrue to them for their entire career in the industry – regardless of their movement between employers.
- The BIBC administers five employee benefit funds on behalf of the industry – pension, medical aid, sick, bonus and holiday funds. This means that you do not need to provide your own funds or pay for sick leave.
- The BIBC has negotiated undertakings from various bodies, government and otherwise, who are responsible for awarding contracts to the building industry, which means that only employees in good standing will qualify for such work. This program is expanding constantly as the BIBC engages with these stakeholders.

WHAT BIBC REQUIREMENTS DO EMERGING CONTRACTORS NEED TO BE COMPLIANT WITH?

- Employers must be registered with the BIBC, should register new employees with the BIBC and should provide employees with the prescribed minimum wage and benefits.
- Employers who are not registered or are in dispute with the BIBC are not regarded as compliant (in other words, they are non-compliant)
- A compliance order will be issued against the employers who do not adhere to the and comply with all legal requirements of the Labour Law (Collective Agreement).

To be in good standing, you need to be registered as an employer and your employees need to be registered with the BIBC as well. New employers must register within fourteen days of operating within the scope of the BIBC Main Collective Agreement and new employees must be registered within fourteen days of commencement of employment.

To maintain your good standing, you must provide your employees with the minimum prescribed wages and benefits as detailed in the BIBC Main Collective Agreement.

WHAT ARE COMMON MISTAKES EMERGING CONTRACTORS MAKE WHEN ENGAGING WITH THE BIBC?

The most common mistake made by emerging contractors is that they do not conduct the necessary research to access the information that is needed to set up and run a compliant new business in the construction industry.

Basic knowledge that is required by a new business owner includes:

- An understanding of employment relations laws. For example, the Basic Conditions of Employment Act (BCEA) contains provisions that regulate the employment relationship between the contractor and his employees.

The BCEA also contains provisions on:

- Administration and record keeping (wage records) and payment of contributions to the BIBC, and
 - Contracting with employees (HR Admin).
- It is important that new contractors understand all relevant laws that govern employee benefit payments, including the Labour Relations Act.
 - In addition, the payment of pension fund contributions is governed by its own law, i.e., and Pension Schemes Act.
 - Knowledge of commercial contracting types, tender processes and an understanding of the standard forms used to contract in the industry e.g., JBCC and labour-only contracts, is a requirement for new contractors wanting to grow their business.

SCENARIOS OF COMMON MISTAKES MADE BY EMERGING CONTRACTORS WHEN ENGAGING THE BIBC

Scenario 1

A new, emerging contractor failed to register as an employer with the BIBC before tendering. He was awarded the tender and then could not access the tender due to not being compliant with the BIBC.

Scenario 2

A foreman at a large construction company has been retrenched and has set up his own labour-only subcontracting business in the construction industry. He has

no management or business experience and has not done his basic research on the regulations that apply in the industry.

BIBC agents conducting random site inspections have visited his construction site and found him to be non-compliant, as neither he nor his employees are registered at the BIBC. This results in a compliance order and the main contractor being held jointly and severally liable for any shortfall in wages and benefits that are due to the sub-contractors' employees.

Scenario 3

A new contractor who has been in business for 9 months has properly registered as an employer and registered his employees at the BIBC. He has deducted pension fund benefits from his employees but has not paid over the funds deducted from to the BIBC. He is reported to the Financial Sector Conduct Authority (FSCA) after ignoring communications from the BIBC and in accordance with the pension fund legislation, has been reported. As a result, a criminal case has been opened against him at the South African Police Services. In addition, a civil case relating to the debt to the Fund is also pursued according to the FSCA rules.

REGISTERING WITH THE BIBC

Employers are responsible for the registration of themselves as well as the registration of their employees.

The BIBC has 2 documents that assist employers with the registration process for themselves:

- Employer Registration Guidelines will guide employers on how to complete the registration form. https://www.bibc.co.za/images/assets_registration/Documents/BIBC_Employer_Registration_Guidelines_2024.pdf
- Employer Registration Form. This form must be completed by employers and be submitted to the BIBC offices with the required supporting documentation,

https://www.bibc.co.za/images/assets_registration/Documents/BIBC_Employer_Registration_2024_1.pdf

REGISTERING EMPLOYEES

Employers can register their employees on the eesi@ platform using the Provisional Employee Registration module. If you are an employer and have not registered on the eesi@ platform yet, you can contact the BIBC via email at employersupport@bibc.co.za or you can visit one of the BIBC offices.

Employers can also make use of the Employee Registration Form which can be found here https://www.bibc.co.za/media/abc/docs/assets_registration/bibc_employee_registration_2022.pdf

WHEN SHOULD YOU REGISTER?

Every employer in the industry who falls within the registered scope of the Council must register with the council within 14 days of commencing operations.

It is important that employers ensure their employees are registered with the BIBC within 14 days of starting employment.

BIBC CONTACT INFORMATION	
Website	https://www.bibc.co.za/
Telephone (Switchboard)	021 950 7400 021 950 7405
Email	bibc@bibc.co.za
Office Hours	Monday: 08h00 - 15h00 Tuesday - Friday: 08h00 - 16h00
Head Office	81 Voortrekker Road, Bellville, 7535 Private Bag X29, Bellville, 7535
Satellite office contact details	https://www.bibc.co.za/contact

The BIBC's areas of jurisdiction are broken down into 4 areas:

- **Area A:** Cape Peninsula (Peninsula Area) – Bellville Office
- **Area B:** Paarl and surrounds (Somerset West Area) – Somerset West Office
- **Area C:** Malmesbury and surrounding areas (Boland Area) – Paarl Office
- **Area D:** Overstrand (Overstrand surrounding areas) – Hermanus Office



National Home Builders
Registration Council
(NHBRC)



WHAT IS THE NHBC?

Governed by the Housing Consumers Protection Measures Act, 1998 (Act No.95 of 1998), the National Home Builders Registration Council (NHBC) is a regulatory body of the National Department of Human Settlements mandated to protect the interests of housing consumers and regulate the home building industry.

WHAT IS THE ROLE OF THE NHBC?

The NHBC is mandated to protect the interests of housing consumers and to regulate the home building industry. To fulfil this mandate, the NHBC protects housing consumers and promotes high construction standards by ensuring that all home builders are registered and that new homes are enrolled before construction begins. Furthermore, the NHBC inspects all enrolled projects to verify compliance with the Housing Consumers Protection Measures Act, the National Building Regulations, and its own Home Building Manual, thus, safeguarding the structural integrity and quality of homes.

Beyond the regulation aspects, the NHBC offers a warranty scheme on NHBC-enrolled homes for up to a period of five (05) years from the date of occupation by the housing consumer, and provides training to upskill builders (especially emerging contractors and designated groups), in addition to promoting transformation in the industry through designated Social Transformation and Empowerment Programmes (STEP), where the interest groups include military veterans, persons living with disabilities, youth and women. The NHBC also resolves disputes between housing consumers and builders, enforces technical standards, and partners with stakeholders to ensure compliant home building practices across South Africa.

WHY SHOULD AN EMERGING CONTRACTOR BE COMPLAINT WITH THE NHBC?

In accordance with South African laws, being NHBC-registered is a legal requirement for anyone in the business of building new homes. Non-compliance can lead to fines, project stoppages, or being barred from certain developments. Registration signals to clients, developers, and financiers that you meet national quality standards and can be trusted to deliver safe, durable homes.

Compliance also comes with benefits and are inclusive to the access the NHBCs training programmes aimed at enhancing technical skills, eligibility to work on private and public

housing projects, and the backing and protection of the NHBRC warranty scheme – which safeguards the interests of the housing consumer.

WHAT NHBRC REQUIREMENTS DO EMERGING CONTRACTORS NEED TO BE COMPLIANT WITH?

Both emerging and established home builders are required to register and renew their NHBRC membership on annual basis.

Here is a streamlined guide on how to register with the NHBRC through the e-Services portal: <https://www.eservices.nhbrc.org.za/>

Step-by-Step: Register with NHBRC via e-Services

1. Create an Online Profile

Visit the NHBRC e-Services portal and click “Register a profile.” A mobile number will be required (An OTP is sent for verification). If already a member, one is required to click on the membership renewal option.

2. Prepare Required Documents

Gather the necessary supporting documents:

- **Latest Company Registration Certificate** (if company older than 1yr- an abridged certificate is required)
- **ID copies** of company director/s
- **Proof of address** - No longer required
- **Bank Confirmation** - No longer required

3. Registration submission

Complete the online form, upload the required supporting documents, and submit.

4. Receive and Pay Invoice

After submission, the NHBRC will issue a proforma invoice with a unique reference. Pay the R745.61 application fee via EFT, deposit into the bank account provided or the

e-services portal.

5. Prepare for Technical Assessment

Once the payment is received and confirmed, the NHBRC will issue the Home Building Manual. The manual must be studied in preparation for the technical assessment that must be undertaken at any NHBRC office, available from Monday to Friday during the office hours of 8h30-16h30. Only two attempts are allowed within 30 days of the fee payment.

How long does an NHBRC registration take?

The full registration, including profile creation, document submission, fee payment, and technical assessment, takes between **2 to 4 weeks**, depending on how the compliance of the process.

What is the NHBRC technical exam and how does the test work?

The NHBRC technical exam is a necessary assessment every prospective home builder (or their appointed technical manager) must pass as part of the NHBRCs registration process. It is designed to ensure and assess the satisfactory understanding of the technical requirements, standards, and legal obligations required to build homes in South Africa.

Purpose of the Exam:

- To confirm that builders are familiar with the NHBRCs Home Building Manual and the Housing Consumers Protection Measures Act.
- To ensure builders can deliver homes that meet minimum structural quality and safety standards.
- To promote compliance with building regulations before granting registration.

How the Test Works

Study Material: Upon paying the NHBRC registration fee, the prospective builder receives the Home Building Manual (study guide). This can be brought into the room since it is an open book assessment. However, no electronic devices are allowed to be used during the assessment.

Exam Booking: The test is written in person at any NHBRC office. Test slots are available Monday to Friday, subject to availability.

Format: Multiple-choice questions based on the Home Building Manual, NHBRC processes, and compliance standards. 25 questions with a required pass mark of 50%.

Duration: 1 hour.

Attempts Allowed: Two attempts to pass within 30 days of paying the registration fee.

WHAT ARE FREQUENTLY ASKED QUESTIONS EMERGING CONTRACTORS ASK THE NHBRC?

Why must I register with the NHBRC?

By law, anyone in the business of building new homes in South Africa must be registered with the NHBRC. This protects housing consumers, ensures homes meet quality standards, and gives access to the NHBRC warranty scheme. Without the NHBRC registration, one cannot legally build or enrol homes.

Must I have a registered company?

One can either register as a sole proprietor or be registered as a company.

How much are the NHBRC fees?

Registration application fee: R745.61 (once-off, non-refundable)

Annual membership renewal fee: R526

Project enrolment fees: Vary depending on the value of each home built.

Who must do the assessment?

The NHBRC technical assessment must be written by the builder or their appointed Technical Manager, which is the person responsible for ensuring all construction meets NHBRC standards.

What are the benefits of registering with the NHBRC?

- Legal compliance (you can build and enrol homes).
- Credibility with clients, developers, and financiers.
- Access to government housing projects (subsidy).
- Free or subsidised training to improve technical skills.
- Access to the NHBRC warranty protection.

Which training courses are provided and how much do they cost?

The NHBRC offers various free or subsidised courses, including technical skills, construction management, and emerging contractor development programmes.

Are there work opportunities available after registration?

The NHBRC does not directly provide jobs or recommend builders as that would constitute a conflict of interest. However, being registered allows one to tender for projects, work with government housing programmes, and gain credibility with private clients.

How many times will the inspector come to my site?

The NHBRC conducts a minimum of four key stage inspections:

1. Foundation excavation
2. Foundation concrete
3. Superstructure (walls, roof structure)
4. Practical completion/finishing

Will the inspector make an appointment to do the inspections?

Yes. An NHBRC inspector will arrange inspection times with the builder/s in advance. However, the builder is responsible for notifying the NHBRC inspectors when the project reaches each inspection stage.

EXAMPLES OF COMMON MISTAKES MADE BY EMERGING CONTRACTORS ENGAGING WITH THE NHBRC

Failing to Register Before Starting Work: Some start building without the prerequisite

NHBRC registration, which is illegal and can result in fines, project stoppages, or loss of clients.

- **Not Enrolling Projects on Time:** Each new home must be enrolled with the NHBRC at least 15 days before construction starts. Late enrolment can lead to penalties and delayed inspections.
- **Incomplete or Outdated Documents:** For instance, an expired CIPC certificate may delay the registration process.
- **Ignoring the Technical Assessment Preparation:** Underestimating the exam and failing it due to not studying the Home Building Manual properly or not attending the non-compulsory training.
- **Poor Communication with Inspectors:** Not informing inspectors in time for scheduled inspection stages, causing delays in approval and project progress.
- **Skipping or Resisting Inspections:** Trying to avoid inspections or rushing through work without meeting NHBRC quality standards.
- **Failure to Keep Proper Records:** No written contracts with clients, missing proof of inspections, or poor site documentation.
- **Misunderstanding the Warranty Scheme:** Promising client's coverage without understanding what the NHBRC warranty includes and excludes.

CONTACT INFORMATION

Cape Town Office

Centennial Office Park, First Floor, East Block, Century City Boulevard, Milnerton, Cape Town, 7441.

Phone: 021 913 9210

George (Satellite Office)

1st Street, Fairview Office Park, George, Western Cape, 6259.

Phone: 044 871 1209

NHBRC's Social Media Platforms:

Facebook: National Home Builders Registration Council

Instagram: @NHBRC_SA

LinkedIn: National Home Builders Registration Council

X (formerly twitter): @NHBRC

Database Registration



To be fully compliant, you will need to be registered on both the National and Provincial supplier databases.

The WCG requires its suppliers to register on both the Central Supplier Database (national database) and the Western Cape Supplier Evidence Bank (provincial database) for procurement via the eProcurement System (ePS) also known as the Integrated Procurement Solution (IPS).

*Depending on your municipality, you might also need to register on a municipality database (if you wish to do business with your municipality).

NATIONAL

Central Supplier Database

The CSD is the official database for companies, organisations and individuals who wish to provide goods and services to the government. When you register on the CSD, the Government verifies your CIPC company registration number, SARS tax clearance, email address, banking details, and cell number.

How to register on the Central Supplier Database

Registration on the CSD is made up of a two-stage online process and should be done by the primary user only (not a representative).

STAGE 1

If you are not registered on the CSD, you can register a new account using the following link. <https://secure.csd.gov.za/Account/Register>

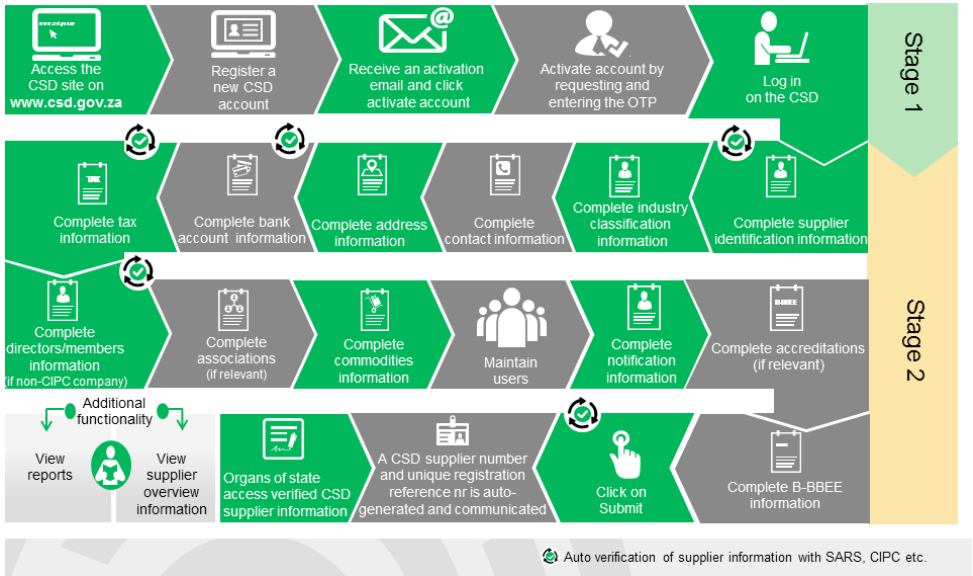
- You'll receive an activation email on which you should click to activate the account.
- You will receive a One-Time Password (OTP) which will be sent to your cell number (make sure you have your cell phone close by). The OTP will be used to activate your account.
- Log into the CSD.

STAGE 2

- Complete the following:
 - Supplier identification information
 - Industry classification information
 - Contact information.
 - Address information
 - Banking details
 - Tax information and details
- If the company is non-CIPC registered, complete the director's and members' information.
- Associations information (if relevant)
- Commodities information
- Maintain users.
- Complete notifications information
- Complete accreditation information (if relevant)
- Complete the B-BBBE information.
- Click submit to proceed.

Once you have completed all required sections, supplied all the required information, and all the information has been verified, you will receive an auto-generated communication containing your CSD supplier number and a unique reference number (MAAA number). Organs of the state will have access to verified CSD supplier information.

The picture below displays the CSD supplier self-registration process.



PROVINCIAL

Western Cape Supplier Evidence Bank (WCSEB)

The WCSEB is a web-based application that allows users of the Western Cape Government to extract, manage and verify data of prospective suppliers that wish to do business with the Western Cape Government.

Why should I be registered on the WCSEB?

The WCSEB draws information on service providers from the CSD and over and above, SCM compliance documents which are housed and maintained annually on the WCSEB. This augments the CSD as this information is not available on the CSD.

How do I register on the WCSEB?

You would first need to be registered on the CSD to obtain your MAAA number. Thereafter you will need to complete a WCSEB registration form and submit it with the required regulatory documents.

The required documents are listed and linked below:

- WCBD 4 - compulsory (https://www.westerncape.gov.za/provincial-treasury/files/atoms/files/WCBD_4_Declaration_of_Interest_1.pdf)
- WCBD 6.1 (if applicable) including the B-BBEE certificate/ affidavit. <https://www.westerncape.gov.za/provincial-treasury/sites/provincial-treasury.westerncape.gov.za/files/atoms/files/WCBD%206.1%20Preference%20Points%20Claim%20Form.pdf>
- ID document
- Security Officer's Board Certificate (PSIRA) (if applicable)
- Construction Industry Development Board (CIDB) Certificate (if applicable)
- Selection of commodities (Annexure A) - compulsory (https://www.westerncape.gov.za/provincial-treasury/sites/provincial-treasury.westerncape.gov.za/files/atoms/files/Commodity_List_Annexure_A_1.PDF)

Where do I submit my completed WCSEB registration form?

You can submit your forms via email, in person, or via post.

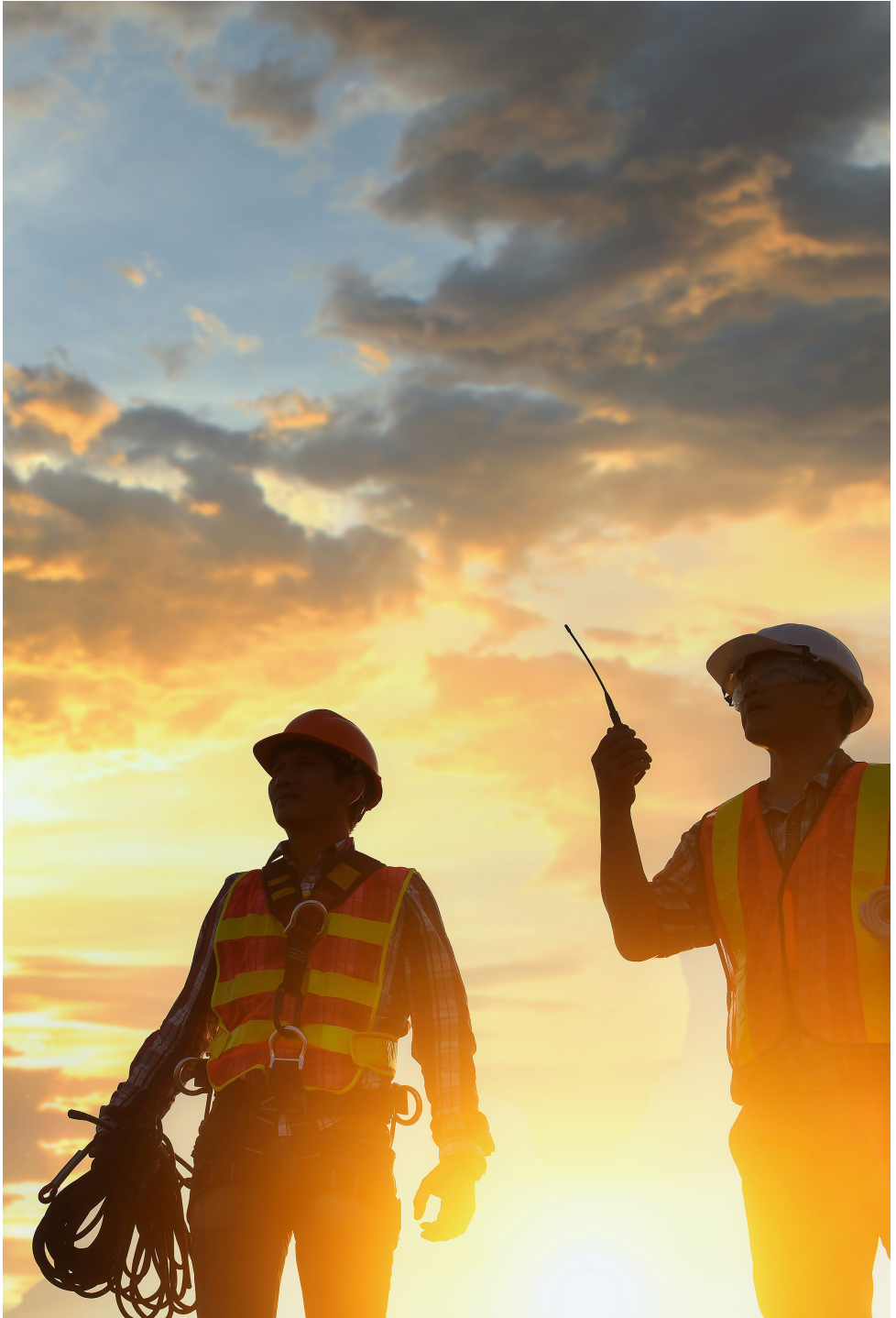
- **Email:** wcseb@westerncape.gov.za
- **Delivery/in person:** 4 Waterford Place, 2nd Floor, Century City, 7441
- **Post:** Private Bag x9165, Cape Town, 8000.

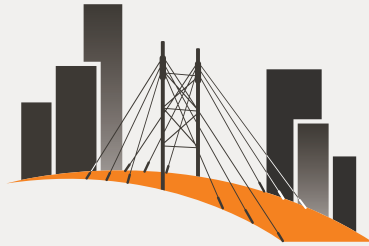
Please note that if you decide to email your documents, you should keep the hard copies safe as we will still need you to deliver the hard copies to us.

Frequently asked questions (FAQs) about the WCSEB

- A list of FAQs with answers can be found on this webpage: <https://www.westerncape.gov.za/provincial-treasury/tenders/supplier-databases>

Once you have completed both previous processes, your business is fully compliant. You may start doing business with both the Western Cape Government and National Government. Businesses must visit their local municipality and their website to gain information on what is required.





BCCEI

Bargaining Council for the
Civil Engineering Industry

Bargaining Council for
the Civil Engineering
Industry (BCCEI)



WHAT IS THE BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY?

The Bargaining Council for the Civil Engineering Industry (BCCEI) is a statutory body created under the Labour Relations Act 66 of 1995 (LRA) to provide for the co-regulation of stable and productive employment relations within the civil engineering industry with a view to achieving harmonious workplaces and stability within the industry.

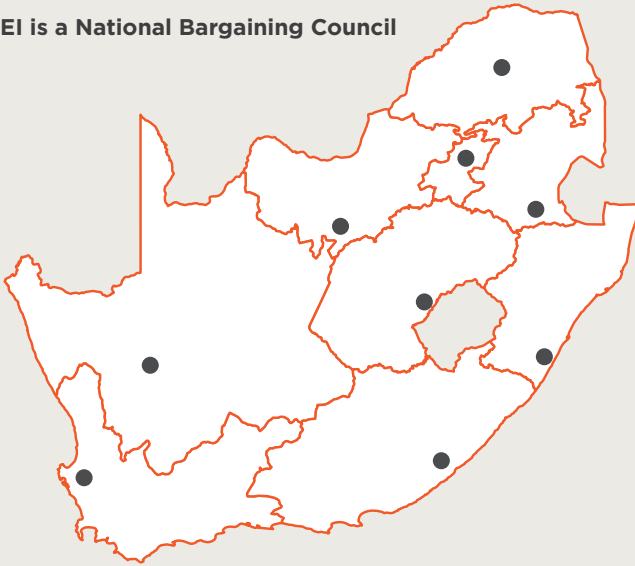
It was established when the employer organisation and the trade unions who represented the majority of the employers and employees in the civil engineering industry, approached the then Minister of Labour to establish a Bargaining Council in terms of the provisions set out in the LRA and was registered in December 2012. It is therefore an industry-based forum of organised business and labour that regulates employment conditions and labour relations within the civil engineering industry, providing the necessary administrative infrastructure and technical expertise to ensure effective coactive bargaining, industry compliance and dispute resolution for the civil engineering industry.



THE SCOPE OF THE BCCEI

The BCCEI has jurisdiction over all employers (but not local authorities) and employees who carry out work of a civil engineering character normally associated with the civil engineering industry as determined by NEDLAC. It includes work such as the construction of roads, dams, bridges, cable ducts, pipelines, railways, sewerage works or water treatment plants. Earthworks, excavation, loading, hauling and dumping of waste or mineralized material to waste dumps or processing plant feeds also fall under the BCCEI's registered scope, including, any work incidental to or consequent to any of the aforementioned activities and those contained in the registered scope. Employers who are performing civil engineering work are therefore encouraged to reach out to their nearest BCCEI office to confirm whether they are required to register with the BCCEI.

The BCCEI is a National Bargaining Council



SHOULD AN EMERGING CONTRACTOR REGISTER WITH THE BCCEI?

It is important to note that all employers that perform civil engineering work as defined in the BCCEI's registered scope, are required to register with the BCCEI and comply with the relevant collective agreements that have been concluded by the parties. The collective agreements have been extended to non-parties by the Minister of Employment and Labour and therefore apply to all contractors, big and small, regardless of whether the employers are members of the employers' organisations or whether the employees belong to the trade unions who concluded the collective agreements.

THE IMPORTANCE OF COMPLIANCE

Compliance with the BCCEI's respective collective agreements ensures lawful operation within the civil engineering industry, access to dispute resolution services, and guarantees fair wages and benefits for employees. Compliant employers are issued a letter of good standing by the BCCEI, which may be required by clients when tendering for projects or civil engineering work. Failure to comply can also result in enforcement processes being instituted against such employers, which can be very costly for those employers.

THE ROLE AND PURPOSE OF THE BCCEI

- Provide a valuable service to employers and employees in the civil engineering industry.

Facilitate wage negotiations between representative employer organisations and representative trade unions.

- Operate a Dispute Resolution Centre to prevent and resolve disputes between employers and employees.
- Ensure compliance with the respective collective agreements.
- Provides a platform for employers and employees to engage on matters affecting the civil engineering industry.
- Manage exemption and demarcation applications.

Role and purpose of the Bargaining Council



BCCEI



Role and purpose



Information services



Collective bargaining



Compliance
with agreements



Exemptions and
demarcation issues



Dispute resolution

LEVIES

All bargaining councils are funded by various fees (levies) payable by both employers and their employees in the industry.

These nominal charges cover the operating costs required to provide services to the civil engineering industry and are regulated in the Registration and Administration Expenses Collective Agreement.

The BCCEI levies are made up of two separate levies, namely the administrative expenses levy and the dispute resolution levy.

Scheduled employees, being those employees engaged in the civil engineering industry in task grades 1 – 9 of the BCCEI's Wage and Task Grade Collective Agreement, are required to contribute the administration expenses levy and non-scheduled employees will contribute towards the dispute resolution levy.

The levies are calculated as a percentage of the employee's basic wage, excluding overtime and bonuses, and capped at the minimum wage rate applied to a task grade 9 employee or the earning threshold as determined by the Minister of Employment and Labour. The employer would be required to add an equal amount to what was deducted from an employee and forward the total sum to the BCCEI every month.

What is the purpose of the levies?

The purpose of the levies is to contribute to the costs involved in enforcing the respective collective agreements, which includes the operation of the Dispute Resolution Centre to deal with all labour disputes (both staff and hourly paid) instead of the matters being heard by the Commission for Conciliation Mediation and Arbitration (CCMA). It also covers the cost to access the BCCEI's designated agents for guidance and assistance with the interpretation and application of the respective collective agreements.

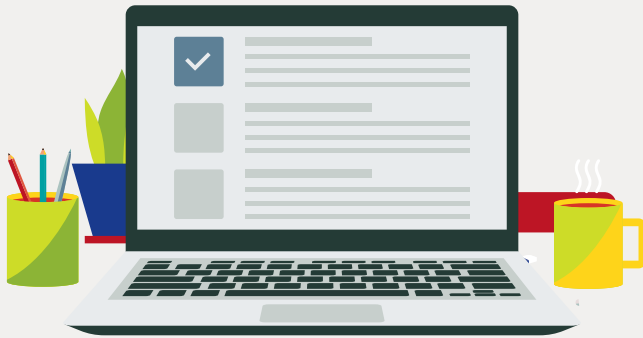
COMPLIANCE

The LRA empowers the BCCEI to ensure that the employers that fall under the BCCEI's registered scope, comply with the various collective agreements concluded by the parties.

If an employer is of the view that the scope of its activities does not fall within the BCCEI's jurisdiction or that it is unable to comply or meet its obligations in accordance with a particular collective agreement, it may apply to the BCCEI for an appropriate exemption. Demarcation disputes are not referred to the BCCEI but referred to the CCMA.

The process of considering and granting exemptions is carried out by the BCCEI and all applications are heard by an Independent Exemptions Committee. If an exemption application has been declined, it may be appealed to the Independent Appeal Board.





Resources for emerging contractors

The following section contains information on government information, programmes and resources that offer services and opportunities to citizens looking to access opportunities.



CONTRACTOR DEVELOPMENT PROGRAMME (WESTERN CAPE GOVERNMENT DEPARTMENT OF INFRASTRUCTURE)

The Contractor Development Programme facilitates sustainable growth for emerging construction contractors CIDB Grades 1 - 5. The Programme shares compliance information, creates networking opportunities, provide accredited training and mentoring interventions for emerging contractors.

WHO DOES THE CONTRACTOR DEVELOPMENT PROGRAMME FOCUS ON?

Contractors with a CIDB Grade 1 - 5

The Contractor Development Programme offers the following:

1. Construction information expo

- 1-day event
- All construction contractors
- Various stakeholders presenting

2. Structured training

- Takes place for 8 weeks spread over 8 months.
- CIDB grading 2GB/CE.
- Themed Accredited Training.

3. Advanced Mentoring training

- Duration of up to 20 months.
- CIDB grading 3GB/CE to 5GB/CE.
- 4-month training and up to 16 month mentoring.

4. Customised training

- Varies between 1 to 2 weeks.
- CIDB grading 1GB/CE to 5GB/CE.
- Various accredited training interventions (e.g. health and safety, enterprise development, etc.)

Emerging contractors often experience challenges with registering with the CIDB and the Central Supplier Database. By not being registered with these 2 bodies, contractors cannot be selected for the training and are therefore, disqualified.



How can I apply to the Contractor Development Programme?

If you want to apply to be part of the Contractor Development Programme, you must complete the application form which can be found at the following link:

<https://www.westerncape.gov.za/infrastructure/media/34237>

Contact information for the Contractor Development Programme

Tel: +27 483 8924 / 2412/ 4884/ 3254

E-mail: TPW.CDP@westerncape.gov.za

www.westerncape.gov.za

23rd Floor, Luno Building (The Box), 9 Riebeeck Str., Cape Town, 8000



COMMUNITY DEVELOPMENT WORKER PROGRAMME (CDWP)

The CDWP is a national government programme that was officially launched in the Western Cape in 2005.

CDWs are catalysts between the community and government through:

1. Informing communities on government services community members can make use of.
2. Informing government on the needs of communities

The CDWP is managed by the Western Cape Department of Local Government.

CDWs can also be accessed through Thusong Centres (this is explained a bit further in the booklet).

Contact information for Community Development Workers

Municipality	Name and Surname	Email address	Job designation
Beaufort West	Mark De Bruin	mark.debruin@westerncape.gov.za	Regional Coordinator
	Yvonne Hector	yvonne.hector@westerncape.gov.za	CDW Supervisor
	Richenda Muller	richenda.muller@westerncape.gov.za	CDW Supervisor
	Nontembiso Gaba	nontembiso.gaba@westerncape.gov.za	CDW
	Ronald Twani	ronald.twani@westerncape.gov.za	CDW
	Wendy Abrahams	wendy.abrahams@westerncape.gov.za	CDW
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	Chante Beyers	chante.beyers@westerncape.gov.za	CDW
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	Fredrico Smith	frederico.smith@westerncape.gov.za	CDW
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	Randall Matthews	randall.matthews@westerncape.gov.za	CDW
	Bianca Adams		CDW
	Beauty Hlutyana	beauty.huthlana@westerncape.gov.za	CDW
	Minki Yanta	minki.zwelethemba@westerncape.gov.za	CDW
Cape Winelands District	Ashraf Kafaar	Ashraf.Kafaar@westerncape.gov.za	Regional Coordinator
	Gerrit Jacobs	Gerri.Jacobs@westerncape.gov.za	CDW Supervisor
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	Bukelwa Hendry	bukelwa.mbekweni@westerncape.gov.za	CDW
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	Colleen Jantjies	colleen.jantjies@westerncape.gov.za	CDW
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Langeberg	Charmain Swanepoel	charmain.swanepoel@westerncape.gov.za	CDW
Matzikama	Pieter Isacks	pieter.isacks@westerncape.gov.za	CDW
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	Zonia Koordom De Koker	zonia.lewat@westerncape.gov.za	CDW
	Danico De Koker	danico.lewat@westerncape.gov.za	CDW
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Overstrand	Bongiwe Mahlonti	bongiwe.mahlonti@westerncape.gov.za	CDW
	Cynthia Booysen	cynthia.booysen@westerncape.gov.za	CDW
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Swartland	Mavis Ndamane	mavis.mdamane@westerncape.gov.za	CDW
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	Anneen Philander	anneen.philander@westerncape.gov.za	CDW
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	Lizzina Swarts	lizzina.swarts@westerncape.gov.za	CDW
	Shiela Zoliswa Mangqayi	Shiela.mangqayi@westerncape.gov.za	CDW
	Lungile Chicago Thuntubele	lungile.thuntubele@westerncape.gov.za	CDW
	Melvin Bezuidenhout	melvin.bezuidenhout@westerncape.gov.za	CDW
	Thandeka Tshambu	thandeka.tshambu@westerncape.gov.za	CDW
	Christo Jacobs Louw	christo.louw@westerncape.gov.za	CDW

THE EXPANDED PUBLIC WORKS PROGRAMME (EPWP)

The EPWP is a nationwide government programme aiming to provide poverty and income relief through the creation of temporary jobs for the unemployed using labor-intensive methods. The EPWP is implemented on all levels of government (National, Provincial and Local) and State-Owned Enterprises.

The EPWP focuses on creating jobs in the following four sectors:

1. Infrastructure
2. Non-state
3. Environment and Culture
4. Social

The EPWP is coordinated by the National Department of Public Works and Infrastructure, and they are responsible for monitoring the quality of the programme's delivery of infrastructure and services to the poor.

The main aims of the EPWP are to:

1. Bring unemployed citizens into a working environment.
2. Equip the unemployed with skills and work experience.
3. Award the unemployed a stipend (allowance)
4. Enhance the unemployed's chances of future employment and/or trigger an "entrepreneurial spirit".

Who is eligible to apply for EPWP jobs?

- Unemployed individuals
- Unskilled individuals
- Adult men and women
- Youth (16-35)
- People living with disability.

Western Cape Government EPWP provincial co-ordination office information

Allison Petersen

Tel: 021 483 8528

Email: Allison.Petersen@westerncape.gov.za

THUSONG SERVICE CENTRES

A Thusong Service Centre is a one-stop service centre providing Government information and services to communities based on the needs of the specific community.

The Thusong Centre programme aims to:

- Bring government information and services closer to the people to promote access to opportunities as a basis for improved livelihoods.
- Promote cost-effective, integrated, efficient and sustainable service provision to better serve the needs of citizens.
- Build sustainable partnerships with government, business and civil society.
- Create a platform for greater dialogue between citizens and government.

What services are offered at Thusong Centres?

Emerging contractors can make use of the services offered at Thusong Centres such as labor relations enquiries and making use of the internet services at centres.

Core services offered by the Thusong Centres are listed in the table below:

Service providers	Core services
South African Social Services Agency (SASSA)	<ul style="list-style-type: none"> ● Disability grants. ● Child support grant. ● Old age grants. ● Foster care grant.
Department of Social Development	<ul style="list-style-type: none"> ● Foster Care. ● Food relief programme. ● Registration of partial care. ● Request of payment of social grant into beneficiary account. ● Reporting social grant fraud.
Department of Employment and Labour	<ul style="list-style-type: none"> ● Labour related issues. ● UIF applications. ● Compensation Fund Status ● Maternity Benefits and other labour related issues.
Provincial Community Development Workers	<ul style="list-style-type: none"> ● Enhancing Service Delivery. ● Community needs identification. ● Contributing to citizen education by ● Providing referral services to communities on government services and programmes. ● Identify and facilitate community needs. ● Assist communities with government information.

Local municipal area office	<ul style="list-style-type: none"> • Municipal account printouts. • Assisting with housing applications and queries.
Cape Access	<ul style="list-style-type: none"> • Provision of access to information through information communication technology (ICT) infrastructure. • Internet access.

Thusong Centres contact information

Thusong Service Centres Provincial Coordinators

Fax 021 483 8719

Phone 021 483 3839

Postal Private Bag X9112, Cape Town, 8000

Street 6th Floor, 14 Queen Victoria Street, Cape Town

PISSC Chairperson: Western Cape

Mornay Pretorius, Ms

Postal Private Bag X9112, CAPE TOWN, 8000

Street 6th Floor, 14 Queen Victoria Street, Cape Town

Phone 021 483 5517

Email Pretorius@westerncape.gov.za

Provincial Director

Geraldine Thopps, Ms

Postal Private Bag X9007, Cape Town, 8000

Street GCIS Norton Rose Building, 8 Riebeeck Street, Foreshore, Cape Town, 8000

Phone 021 697 0145

Fax 021 418 2066

Email geraldinet@gcis.gov.za

Below you will find a directory for all Thusong Centres located in the Western Cape:

Thusong Service Centre	Contact individuals
<p>Beaufort West Address: 3 Devries Street, Rustdene, Beaufort West, 6970 Phone 023 415 3144 Fax 023 415 3144</p>	<p>Centre Manager Mr. Rufus Maans 023 415 1008 Email: Rufusm@beaufortwestmun.co.za Regional Communications Coordinator (GCIS) Ms. Monique Warden Email: monique@gcis.gov.za</p>

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<p>Hopefield (satellite) Address Saldanha Bay Local Municipality, West Coast District, 7 Antonio Sieni Street, Langebaan Phone 022 772 2622</p>	<p>Centre Manager Ms. Salomie Adams 022 772 2622 Email: salome.adams@sbm.gov.za Regional Communication Coordinator (GCIS) Ms. Esmeralda McKay Email: esmaralda@gcis.gov.za</p>
<p>Ilingeethu Address Swartland Local Municipality, West Coast District, Ilingeethu Sports Field, Malmesbury, 7299 Phone 022 486 4593 Fax 022 486 4415</p>	<p>Centre Manager Mr. Lindani Gwebu 022 487 9400 Regional Communication Coordinator (GCIS) Ms. Esmeralda McKay Email esmaralda@gcis.gov.za</p>
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<p>Mossel Bay</p> <p>Address Mossel Bay Local Municipality, Eden District, 108 Adriaans Avenue, Asla Park, Mossel Bay, 6500. GPS coordinates: 34Å°10'46.04"S 22Å° 4'47.26"E</p> <p>Phone 044 606 6245 Fax 044 606 5062</p>	<p>Centre Manager Ms. Nomboniso Jika 044 886 0040 Email: njika@mosselbay.gov.za</p> <p>Regional Communication Coordinator (GCIS) Mr. Jethro Grootboom 044 606 6245 Email: jethro@gcis.gov.za</p>
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<p>Waboomskraal Address George Local Municipality, Eden District, Main Road, Waboomskraal Phone 044 886 0040 Fax 044 886 0040</p>	<p>Centre Manager Mr. Adam Lewie 044 886 0040 Email: adamlewie03@gmail.com Regional Communication Coordinator (GCIS) Mr. Jethro Grootboom 023 415 3144 Email: jethro@gcis.gov.za</p>

BUSINESS SUPPORT HELPLINE SERVICE

The Red Tape Reduction Unit in the Department of Economic Development and Tourism offers a FREE service that assists businesses with red tape challenges.

If you are experiencing any red tape barriers when dealing with government, you can contact the Business Support Helpline Service via email at redtape@westerncape.gov.za

The service is FREE! Please e-mail us if you experience any challenges trying to grow or start your business.



Office of the Consumer Protector



WHAT IS THE OFFICE OF THE CONSUMER PROTECTOR?

The Western Cape Office of the Consumer Protector (OCP) is a Provincial Government unit that is mandated to act as a consumer protection agency within the province by the provisions of provincial and national legislation. The OCP is primarily responsible for two main mandates namely, the investigation of consumer disputes and the provision of consumer education and awareness to citizens and businesses.

WHICH LEGISLATION IS USED BY THE OFFICE OF THE CONSUMER PROTECTOR?

- Consumer Protection Act, 68 of 2008 and Regulations
- Western Cape Consumer Affairs (Unfair Business Practices Act), Act 10 of 2002
- National Credit Act, 34 of 2005
- Common law

DOES THE CONSUMER PROTECTION ACT APPLY TO SMME'S?

The CPA applies to all transactions for goods or services in South Africa in the ordinary course of business. A “consumer” is defined as any person (which includes juristic persons e.g. a business) to whom goods or services are marketed, the person transacting as well as the beneficiary of a particular good or service. A “supplier” is any person who markets goods or services. The phrase “ordinary course of business” means that if a supplier sells a product to a consumer, that consumer can only enforce his rights if the supplier is in the business of selling that particular product or service. Similarly, the consumer’s rights can only be enforced by consumers as defined – natural persons (individuals) or juristic persons (such as companies) with an annual turnover or asset value of less than R2m. A SMME could therefore be classified as a consumer but it’s asset value or annual turnover must be less than R2m. The intention is clear, to protect individuals and small businesses.

WHAT IS THE AIM OF THE CONSUMER PROTECTION ACT?

- to promote a fair, accessible and sustainable marketplace for consumer products and services and for that purpose to establish national norms and standards relating to consumer protection,
- to provide for improved standards of consumer information,
- to prohibit certain unfair marketing and business practices,
- to promote responsible consumer behaviour,

- to promote a consistent legislative and enforcement framework relating to consumer transactions and agreements.

HOW DO I LODGE A COMPLAINT OR GET ADVICE FROM THE OFFICE OF THE CONSUMER PROTECTOR?

The Office of the Consumer Protector can be contacted on our toll-free number 0800 007 081, or via e-mail at consumer.protector@westerncape.gov.za. We also have a please call me number which is 079 7691207.



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**Western Cape
Government**