

[Enterprise Declaration Affidavit]

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A. GENERAL INFORMATION:

1. Name of Enterprise: _____

2. Postal Address: _____

Code: _____

3. Physical Address: _____

Code: _____

4. Telephone No.: (_____) _____

5. Mobile No. : _____

6. Fax No.: _____

7. E-mail : _____

8. Contact Person: _____

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B. ENTERPRISE INFORMATION:

No contract will be awarded to a tenderer who has failed to submit an original Tax Clearance Certificate from the South African Revenue Services ("SARS") certifying that the taxes of the tenderer to be in order or that suitable arrangements have been made with SARS.

1. Type of Enterprise [Tick one box]

- Sole Proprietor
- Partnership
- Close Corporation
- Private Company
- Public Company
- Trust
- Foreign Entity / Multi-nationals
- State Owned Enterprises
- Joint Venture(s)
- NGO
- Other: Please specify

Supporting documents required:

- None
- Partnership Agreement
- CK1 – Founding Statement
- CM1 – Certificate of Incorporation
- CM1 – Certificate of Incorporation
- Trust Deed
- CM1 – Certificate of Incorporation
- Relevant legislation of PFMA Classification
- JV Agreement
- Section 21

In the case of a Joint Venture, all parties involved need to complete a separate Enterprise Declaration Affidavit (EDA) and a copy of the Joint Venture agreement must be submitted. The identity of the JV entity must be given.

- 2. Enterprise registration number: _____
- 3. Enterprise VAT registration number: _____
- 4. Enterprise Income Tax reference number: _____
- 5. Enterprise Skills Development number: _____
- 6. Enterprise UIF number: _____
- 7. Enterprise RSC number: _____
- 8. Describe principle business activities:

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9. Enterprise classification:

Agent

Merchant

Manufacturer

Supplier

Professional Service Provider

Other service provider, e.g. transporter, etc.

Please elaborate on “**other**”

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10. Indicate, by ticking the appropriate box below, in which sector of the company your business is predominantly carried out:

"Exempted Micro enterprise" means an enterprise which qualifies for BEE compliance exemption by nature of the fact that the Enterprise has an annual turnover of less than the VAT registration limit as per the Value Added Tax Act of 1991 which is R 300 000.00

Column 1	Column 2	Column 3		Column 4		Column 5	
Sector or subsector in accordance with the Standard Industrial Classification	Size or Class	The total full-time equivalent of paid employees		Total Turnover		Total gross asset value (fixed property excluded)	
Agriculture	Large	> 100	<input type="checkbox"/>	> R5.00m	<input type="checkbox"/>	> R5.00m	<input type="checkbox"/>
	Medium	100	<input type="checkbox"/>	R5.00m	<input type="checkbox"/>	R5.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R2.00m	<input type="checkbox"/>	R3.00m	<input type="checkbox"/>
	Very Small	10	<input type="checkbox"/>	R0.40m	<input type="checkbox"/>	R0.50m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R0.30m	<input type="checkbox"/>	R0.20m	<input type="checkbox"/>
Mining and Quarrying	Large	> 200	<input type="checkbox"/>	> R39.00m	<input type="checkbox"/>	> R23.00m	<input type="checkbox"/>
	Medium	200	<input type="checkbox"/>	R30.00m	<input type="checkbox"/>	R23.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R 7.5.00m	<input type="checkbox"/>	R 6.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 3.00m	<input type="checkbox"/>	R 2.00m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>
Manufacturing	Large	> 200	<input type="checkbox"/>	> R51.00m	<input type="checkbox"/>	> R19.00m	<input type="checkbox"/>
	Medium	200	<input type="checkbox"/>	R40.00m	<input type="checkbox"/>	R19.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R 10.00m	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 4.00m	<input type="checkbox"/>	R 2.00m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>
Electricity, Gas and Water	Large	> 200	<input type="checkbox"/>	> R51.00m	<input type="checkbox"/>	> R19.00m	<input type="checkbox"/>
	Medium	200	<input type="checkbox"/>	R40.00m	<input type="checkbox"/>	R19.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R10.00m	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 4.00m	<input type="checkbox"/>	R 1.90m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>
Construction	Large	> 200	<input type="checkbox"/>	> R26.00m	<input type="checkbox"/>	> R 5.00m	<input type="checkbox"/>
	Medium	200	<input type="checkbox"/>	R20.00m	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>	R 1.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 2.00m	<input type="checkbox"/>	R 0.50m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>
Retail and Motor Trade and Repair Services	Large	> 200	<input type="checkbox"/>	> R39.00m	<input type="checkbox"/>	> R 6.00m	<input type="checkbox"/>
	Medium	100	<input type="checkbox"/>	R30.00m	<input type="checkbox"/>	R 6.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R15.00m	<input type="checkbox"/>	R 3.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 3.00m	<input type="checkbox"/>	R 0.60m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>
Wholesale Trade, Commercial Agents and Allied Services	Large	> 200	<input type="checkbox"/>	> R64.00m	<input type="checkbox"/>	> R10.00m	<input type="checkbox"/>
	Medium	100	<input type="checkbox"/>	R50.00m	<input type="checkbox"/>	R10.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R25.00m	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>	R 0.60m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>
Catering, Accommodation and Other Trade	Large	> 200	<input type="checkbox"/>	> R13.00m	<input type="checkbox"/>	> R 3.00m	<input type="checkbox"/>
	Medium	100	<input type="checkbox"/>	R10.00m	<input type="checkbox"/>	R 3.00m	<input type="checkbox"/>
	Small	50	<input type="checkbox"/>	R 5.00m	<input type="checkbox"/>	R 1.00m	<input type="checkbox"/>
	Very Small	20	<input type="checkbox"/>	R 1.10m	<input type="checkbox"/>	R 1.90m	<input type="checkbox"/>
	Exempted Micro	5	<input type="checkbox"/>	R 0.30m	<input type="checkbox"/>	R 0.10m	<input type="checkbox"/>

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Column 1	Column 2	Column 3	Column 4	Column 5
Sector or subsector in accordance with the Standard Industrial Classification	Size or Class	The total full-time equivalent of paid employees	Total Turnover	Total gross asset value (fixed property excluded)
Transport, Storage and Communications	Large	> 200	<input type="checkbox"/> > R26.00m	<input type="checkbox"/> > R 6.00m
	Medium	100	<input type="checkbox"/> R20.00m	<input type="checkbox"/> R 6.00m
	Small	50	<input type="checkbox"/> R10.00m	<input type="checkbox"/> R 3.00m
	Very Small	10	<input type="checkbox"/> R 2.00m	<input type="checkbox"/> R 0.60m
	Exempted Micro	5	<input type="checkbox"/> R 0.30m	<input type="checkbox"/> R 0.10m
Finance and Business Services	Large	> 200	<input type="checkbox"/> > R26.00m	<input type="checkbox"/> > R 5.00m
	Medium	100	<input type="checkbox"/> R20.00m	<input type="checkbox"/> R 5.00m
	Small	50	<input type="checkbox"/> R10.00m	<input type="checkbox"/> R 3.00m
	Very Small	10	<input type="checkbox"/> R 2.00m	<input type="checkbox"/> R 0.50m
	Exempted Micro	5	<input type="checkbox"/> R 0.30m	<input type="checkbox"/> R 0.10m
Community, Social and Personal Services	Large	> 200	<input type="checkbox"/> > R13.00m	<input type="checkbox"/> > R 6.00m
	Medium	100	<input type="checkbox"/> R10.00m	<input type="checkbox"/> R 6.00m
	Small	50	<input type="checkbox"/> R 5.00m	<input type="checkbox"/> R 3.00m
	Very Small	10	<input type="checkbox"/> R 1.00m	<input type="checkbox"/> R 0.60m
	Exempted Micro	5	<input type="checkbox"/> R 0.30m	<input type="checkbox"/> R 0.10m

11. Total number of years the enterprise has been in business:

12. Was your enterprise known by another name previously? Yes No

12.1. If yes, what was the previous name?

13. Name below three of the largest projects contracted for by your enterprise below:

Project Name	Client	Value in ZAR	Completion Date	Contact Person & Contact Number

14. Name below three of the smallest projects contracted for by your enterprise below:

Project Name	Client	Value in ZAR	Completion Date	Contact Person & Contact Number

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15. Previous relationship with TCTA:

Did your enterprise render any goods / services to TCTA previously, or is your enterprise engaged in any contract(s) at present for TCTA?

Yes No

If yes, please detail these below:

Contract Number and Name	Description / Goods / Services	Contract Supply Value	Contact Person / Tel No.

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C. OWNERSHIP:

1. Are you a South African owned enterprise?

Yes No

2. List below ALL shareholders of the enterprise:

Name	Position Occupied	ID Number	Citizen ship (*)	Race	Ownership Effective	Gender	Disabled Yes / No	% Owned

Please note: Public Companies must provide a list of the majority shareholders in a similar format as above

* Please state your current citizenship

** If South African citizenship status was recently awarded, please provide the date there-of. South African citizenship will have the same meaning as defined below being;

2.1 **"Black People"** or non-white means African, coloured or Indian persons who are natural persons and:

- a) are citizens of the Republic of South Africa by birth or descent; or
- b) are citizens of the Republic of South Africa by naturalisation before the commencement date of the Constitution of the Republic of South Africa of 1993; or
- c) became citizens of the Republic of South Africa after the commencement date of the Constitution of the Republic of South Africa of 1993, but who, but for the Apartheid policy that had been in place prior to that date, would have been entitled to acquire citizenship by naturalisation prior to that date;

2.2 **"Disability"** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.

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From the previous table, please state if the % owned shareholding enjoys voting rights;

Yes No

If yes, please complete the below table.

Name	Shareholding	Economic Interest	Voting Right

Total percentage Black Ownership

 %

- 2.3 **"Economic Interest"** means a participant's claim against the enterprise representing a return on ownership of the enterprise.
- 2.4 **"Exercisable Voting Right"** means a voting right of a participant that is not subject to any limitation
- 2.5 **"Voting Right"** means a voting right attached to an instrument owned by or held on behalf of a participant that may be exercised at a meeting of the shareholders of an enterprise
- 2.6 **"Participant"** means a natural person who is:
- a) entitled to an Economic interest in a measured enterprise
 - b) enjoying an Exercisable Voting right in a measured enterprise

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3. From the previous section, please indicate by selecting the most appropriate description of the supplier / vendor ownership structure.

- 3.1 **Black majority owned enterprises** means an enterprise having a shareholding in which black participants enjoy an entitlement to an economic interest that is in excess of 50% Yes No
- 3.2 **Black majority controlled enterprises** means an enterprise having a shareholding in which black participants are entitled to Exercisable Voting Rights in excess of 50% of the total entitlement to Exercisable Voting Rights in that enterprise Yes No
- 3.3 **Black empowered enterprises** means companies that are more than 25% owned by black people and where substantial participation in control is vested in black people Yes No
- 3.4 **Black influenced enterprises** means enterprises that are between 5% and 25% owned by black people and with participation in control by black people Yes No
- 3.5 **Black woman-owned enterprise** is one with at least 25,1% representation of women within the black equity and management portion Yes
- 3.6 **Black SME** means a small or medium enterprise (with a turnover ranging from R500,000 per annum to R20 million per annum) which is a black company or a black empowered company. Yes No
- 3.7 Not one of the above Yes No

Supporting Documentation: Copy of share register indicating the issued share capital, share certificates member's interest and / or joint venture agreement, Copy of the ID of shareholders, Verification certificate or letter from the financial accountant stating financial status of your company if it is a new company affidavit from the commissioner oath must be submitted.

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D. STAFF STRUCTURE OF ORGANISATION:

1. Executive Management / Board of Directors:

State number of executive / board members in your organization by completing the table below:

Classification	African		Coloured		Indian		White		Total	
	M	F	M	F	M	F	M	F	M	F
1. Executive										
2. Non-Executive										
3. Other Top Management										
4. Senior Top Management										
Total										

- a. **“Executive Member of the Board”** means those members of the Board who fall within the definition of “Executive Director” specified in the King Report
- b. **“Independent Non-executive Board Members”** means those members of the Board who fall within the definition of “Independent Director” specified in the King Report
- c. **“Other Top Management”** means Employees of a Measured Entity who are appointed by or upon authority of the Board to undertake the day to day management of the Measured Entity and who are actively involved in the development and / or implementation of the Measured Entity’s strategy insofar as it is related to their area of responsibility
- d. **“Senior Top Management”** means Employees of a Measured Entity who are appointed by or upon authority of the Board to undertake the day to day management of the Measured Entity and who have individual responsibility for the overall management and for the financial management of that Measured Entity and who are actively involved in the development and / or implementation of the Measured Entity’s strategy
- e. **“King Report”** means the King Report on corporate Governance for South Africa 2002 authored by the King Committee on Corporate Governance of the Institute of Directors in Southern Africa.

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2. Employment Equity Structure of the Enterprise:

State the number of staff (employees) in your organization by completing the table below. Employee bears the same definition as stipulated in the Employee equity Act being;

“Employee “ means any person other than an independent contractor who:

- works for another person or for the State and who receives, or is entitled to receive, any remuneration; and
- in any manner assists in carrying out or conducting the business of an employer

Classification	African		Coloured		Indian		White		Total	
	M	F	M	F	M	F	M	F	M	F
1. Top										
2. Senior										
3. Middle										
4. Professional										
5. Technicians										
6. Clerks										
Total										

3. Skills Development

Please state Skills Development expenditure as a percentage (%) of total payroll. %

E. PREFERENTIAL PROCUREMENT:

Does your company have a preferential procurement policy ? Yes No

What was the enterprise's total procurement spend in the last 12 months ? R

Please state both the rand value and percentage of your spend

In the last 12 months with:

Black Enterprise	<input type="text"/> R	<input type="text"/> %
Black influenced Enterprise	<input type="text"/> R	<input type="text"/> %
Black woman-owned Enterprise	<input type="text"/> R	<input type="text"/> %
Total	<input type="text"/> R	

Note: The definitions of Black, empowered and woman-owned enterprise will have the same definition as in section 3.

[Enterprise Declaration Affidavit]

F. SOCIAL RESPONSIBILITY:

1. Please state the percentage (%) of local content of your proposal in relation to the bid price %
2. Does the company spend any amount of its budget on the promotion of export- orientated production to create jobs? Yes No
3. Does the company spend any amount of its budget on the creation of new jobs or the intensification of labour absorption? Yes No
4. Does the company spend any amount of its budget on the promotion of enterprises located in a specific province for work to be done or services to be rendered in that province? Yes
5. Does the company spend any amount of its budget on the promotion of enterprises located in a specific region for work to be done or services to be rendered in that region? Yes No
6. Does the company spend any amount of its budget on the promotion of enterprises located in a specific municipal area for work to be done or services to be rendered in that municipal area? Yes No
7. Does the company spend any amount of its budget on the promotion of enterprises located in rural areas? Yes No
8. Does the company spend any amount of its budget on the upliftment of communities through, but not limited to, housing, transport, schooling, infrastructure, donations and charity organizations? Yes No

G. BANKING DETAILS:

Bank: _____

Account Holder: _____

Type of account: _____

Branch: _____

Branch Code: _____

Account Number: _____

Supporting documents required.

For a cheque account a cancelled cheque and for any other type of account a letter from the bank confirming the account details.

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H: AFFIDAVIT:

I, the undersigned,

(FULL NAMES)

do hereby make oath and state as follows:

1. I am;
 - 1.1. an adult male/female aged _____;
 - 1.2. presently employed as/carrying on business as _____
situated at _____.
2. The facts stated herein are both true and correct and within my personal knowledge and belief unless otherwise stated.
3. I hereby confirm that:
 - 3.1. all information contained in the document to which this EDA is attached has been submitted completely, accurately and truthfully and no material information relevant to the possible award of business by TCTA has been omitted;
 - 3.2. I am duly authorised to depose to this affidavit;
4. I hereby authorise TCTA to take all steps necessary to verify the information submitted by me as may be necessary and I undertake to pay all costs, losses or damages of TCTA as may be incurred by it should it be discovered that misrepresentations have been made by me in the submission of such information to TCTA.

DEPONENT

Thus done and signed at _____ on this the _____ day of _____ 2006, the Deponent having indicated that:

1. he/she knows and understands the contents of this declaration;
2. he/she has no objection to taking the prescribed oath; and
3. he/she considers the prescribed oath to be binding on his/her conscience.

COMMISSIONER OF OATHS

FULL NAMES

CAPACITY

BUSINESS ADDRESS