**THE NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**2008. Mr D W Macpherson (DA) to ask the Minister of Trade and Industry:**

With reference to the release of the latest Mining Charter by the Minister of Mineral Resources, Mr M J Zwane, what consultations were held between the Minister of Mineral Resources, him and the Broad-Based Black Economic Empowerment (BBBEE) Commission in relation to the provisions around the definitions of a black person to qualify for BBBEE status?NW2223E

**Response:**

The Department of Mineral Resources did not have any consultation with the Broad-Based Black Economic Empowerment (B-BBEE) Commission regarding the Reviewed Mining Charter of 2017. However, the Department of Mineral Resources has consulted with the Department of Trade and Industry on the definition of “Black Person”. The Department advises all departments/Charter Councils to adopt the definitions used in the BEE Act 53 of 2003 as amended by Act 46 of 2013.

*“Black People is a generic term which means Africans, Coloureds and Indians –*

1. *who are citizens of the Republic of South Africa by birth or descent; or*
2. *who became citizens of the Republic of South Africa by naturalisation –*
3. *before 27 April 1994; or*
4. *on or after 27 April 1994 and who would have been entitled to*

*acquire citizenship by naturalisation prior to that date;”*