

ECONOMIC INCLUSION ACT, 2021

No. 26



of 2021

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An Act to make provision for the establishment of the office of the Coordinator of the Economic Empowerment Office, to promote the effective participation of targeted citizens in the economic growth and development of the economy, to facilitate enforcement of the economic empowerment initiatives and for matters connected therewith and incidental thereto.

Date of Assent: 18.10.2021

Date of Commencement: On Notice

ENACTED by the Parliament of Botswana.

PART I — *Preliminary*

1. This Act may be cited as the Economic Inclusion Act, 2021, and shall come into operation on such date as the Minister may, by Order published in the *Gazette*, appoint.

Short title and commencement

2. In this Act, unless the context otherwise provides —
“citizen owned enterprise” means an enterprise wholly owned by a targeted citizen or jointly by targeted citizens;

Interpretation

“Coordinator” means the Coordinator of the Office appointed under section 5;

“economic empowerment” means the capacitation of a targeted person to participate, contribute and benefit from economic growth processes;

“empowerment” means any practice, scheme or programme aimed at enhancing and promoting economic empowerment;

“fronting” means obtaining an economic empowerment initiative, programme or scheme benefit to enable another person, who would otherwise not qualify to obtain such an empowerment benefit;

“graduation model” means gradual reduction of support while developing entrepreneurial culture;

“medium enterprise” has the same meaning assigned to it under the Industrial Development Act;

Cap. 43:01

“micro enterprise” has the same meaning assigned to it under the Industrial Development Act;

“non-state actor” means any other entity other than that owned by the State;

“Office” means the Economic Empowerment Office established under section 4;

“professional body” means an organisation with individual members practising a profession or occupation in which the organisation maintains an oversight over the knowledge, skills, conduct and practice of that profession or occupation;

“public body” means any office, organisation, establishment or body created by or under any enactment or under powers conferred by any enactment; or any organisation, trust, company or body where public moneys are used, and includes —

- (a) any Ministry or Department;
- (b) a local authority;
- (c) land board;
- (d) statutory body; and
- (e) a company registered under the Companies Act being a company in which the Government or an agency of the Government through holding of shares or otherwise, is in a position to direct the operations of that company; and

“targeted citizen” means a citizen whose access to economic resources has been constrained by various factors as may be prescribed by the Minister from time to time.

Application **3.** This Act shall apply to all sectors of the economy, the State and its related state owned entities and agencies (public body), and any private sector employer that plays a significant role in economic empowerment.

PART II — *Institutional Framework*

Establishment of Economic Empowerment Office

4. (1) There is hereby established an Economic Empowerment Office which shall direct the action of state ministries, agencies or entities in relation to economic empowerment initiatives.

(2) The Office shall consist of a Coordinator and such other staff, as may be necessary for the proper performance of the functions of the Office.

Cap. 26:01

(3) The Office shall be a public office and accordingly, the provisions of the Public Service Act shall, with such modifications as may be necessary, apply to the Coordinator and to his or her staff.

Appointment of Coordinator

5. (1) There shall be a Coordinator who shall be appointed by the Minister on such terms and conditions as the Minister may determine.

(2) A person appointed as a Coordinator shall hold office for a five year renewable term or until he or she attains the age of 60 years, whichever is the earlier.

(3) The Coordinator shall be responsible for the direction and administration of the Office.

Functions of Economic Empowerment Office

6. The Office shall be responsible for —

- (a) the promotion of the economic empowerment of targeted citizens;
- (b) overseeing and coordinating implementation of the relevant existing economic empowerment laws, policies, initiatives and programmes;
- (c) ensuring an integrated, coordinated and uniform approach to economic empowerment;
- (d) ensuring the promotion and facilitation of ownership of income generating activities and assets by targeted citizens;
- (e) strengthening the ability of a targeted citizen to own, manage and control a private sector enterprise and productive assets;

- (f) ensuring designation of types of businesses that may be operated by targeted citizens, jointly or in partnerships with foreign owned businesses;
- (g) ensuring funding for economic empowerment laws, policies, initiatives and programmes;
- (h) monitoring and measuring implementation of economic empowerment laws, policies, initiatives and programmes;
- (i) developing and maintaining a comprehensive data base on every targeted citizen owned enterprise, targeted citizen and groups of citizens or co-operatives;
- (j) ensuring a well maintained sector and multi-sector economic empowerment information management systems and intensive information dissemination;
- (k) developing and supervising an effective mechanism for monitoring trends of economic empowerment activities and for evaluating impact or results;
- (l) ensuring compliance, fostering accountability as well as ensuring ease of monitoring and evaluation of economic empowerment laws, policies, initiatives and programmes;
- (m) facilitating enforcement of the economic empowerment laws, policies, initiatives and programmes;
- (n) continuously reviewing the economic empowerment laws, policies, initiatives and programmes, and advising on required changes to related laws, policies, initiatives and programmes; and
- (o) advising on any relevant training to be provided to a targeted citizen.

7. The Minister may give the Coordinator directions of a general or specific nature regarding the exercise of his or her powers in the performance of his or her functions, which directions shall not be inconsistent with this Act, and the Coordinator shall give effect to any such directions.

Directions by
Minister

PART III — Entrenchment of Citizen Empowerment in Social and Economic Measures

8. A public body shall implement economic empowerment laws, policies, initiatives and programmes to enable ownership of land and property by targeted citizens through —

Ownership
of land and
property

- (a) providing opportunities to own productive land and assets, including businesses;
- (b) providing specific measures and criteria for access to commercial, industrial, civic and community land for a targeted citizen;
- (c) fully implementing the Land policy to ensure that opportunities are presented to all targeted citizens to own land;

- (d) reserving a quota of business plots for targeted citizens;
- (e) ensuring that research or assessment is done to collect data that may provide necessary information that may be used to influence policy development in relation to land allocation;
- (f) ensuring periodic monitoring and evaluation of the different categories of land owners, and ensuring that data on land ownership by citizenship is compiled by use, gender and age of the land owner;
- (g) ensuring lawful transfer of land after the land has been owned and developed by a targeted citizen after a relevant number of years; and
- (h) empowering targeted citizens in rural and local communities to access economic activities, land, infrastructure, ownership and skills through relevant policies, including the Privatisation policy.

Investment opportunities

9. A public body shall implement economic empowerment laws, policies, initiatives and programmes to create investment opportunities for a targeted citizen through —

- (a) making assets in the public sector accessible to a targeted citizen by accelerating the process of privatisation of public institutions and increasing the targeted citizen's participation in shareholding in Botswana Stock Exchange listed enterprises; and
- (b) prohibiting the allotting, issuing, or transferring of any portion of a private sector enterprise that is owned and controlled by a targeted citizen or a targeted citizen owned enterprise, to a non-citizen or a citizen that is not targeted.

Empowerment programmes

10. A public body shall implement economic empowerment programmes to empower a targeted citizen through —

- (a) increasing the extent to which communities, workers, co-operatives and other collective enterprises own and manage existing and new enterprises, and increasing their access to economic activities, infrastructure and skills training, and reducing unemployment rate of targeted citizens;
- (b) ensuring coherent regulatory systems for effective and smooth implementation of empowerment programmes for targeted citizens;
- (c) entrenching the share and contribution or participation of a targeted citizen in reserved sectors, as well as reservation of some business activities for a targeted citizen or targeted citizen owned enterprises;
- (d) ensuring that economic empowerment initiatives, programmes and schemes for targeted citizens do not allow for degeneration into entitlement syndrome;
- (e) ensuring that economic empowerment initiatives, programmes and schemes are output based or driven by deliverables, and shall also encourage graduation of a targeted citizen from support;
- (f) re-focusing economic empowerment initiatives, programmes and schemes such that they are non-homogenous but are target specific;

- (g) promoting economic empowerment investment programmes that lead to inclusiveness and meaningful participation in the economy by a targeted citizen in order to achieve sustainable development and prosperity, and encouraging partnership between a targeted citizen and a foreign enterprise at a percentage to be determined from time to time;
- (h) increasing effective economic participation by a targeted citizen in privately owned and managed private sector enterprises including small, medium and micro enterprises and co-operatives, and to enhance the targeted citizen's access to financial and non-financial support;
- (i) ensuring that a targeted citizen who has received ownership in a private sector enterprise in accordance with the provisions of any economic empowerment laws, policies, initiatives and programmes may only allot, issue or register the transfer of such ownership in such enterprise to another targeted citizen; and
- (j) facilitating partnership between Government agencies and the private sector that will enhance the objectives of economic empowerment.

11. A public body shall implement economic empowerment laws, policies, initiatives and programmes to enable for representation of a targeted citizen in the workforce through —

Representation of targeted citizens

- (a) entrenching assumption of a leadership position for a targeted citizen where there is partnership with a foreign investor; and
- (b) ensuring that where a targeted citizen qualifies and is available, such citizen is equitably represented at Board and management level in the workforce.

12. A professional body shall ensure that there is a minimum representation of citizens in its executive as the Minister may prescribe.

Representation in professional bodies

13. A public body shall implement economic empowerment laws, policies, initiatives and programmes that re-focus capacity development of targeted citizens towards production of quality products.

Capacity development

14. A public body shall implement economic empowerment laws, policies, initiatives and programmes to combat fronting or corruption, and create capacity to investigate fronting.

Combating fronting

PART IV — Enhancing Global Competitiveness Through Empowerment and Partnerships, and Transforming the Economy to be Private Sector Led

15. The Office shall, in connection with a relevant public body, foster the creation of an environment which —

Capacity building for private sector

- (a) is aggressive in targeting global leaders in selected economic growth areas such as —
 - (i) agriculture,

- (ii) creative industry,
 - (iii) construction,
 - (iv) education,
 - (v) manufacturing,
 - (vi) mining,
 - (vii) mineral beneficiation,
 - (viii) technology and innovations,
 - (ix) tourism, or
 - (x) financial services supported by strong information communication technology, and research and development service sectors, where monitoring and evaluation shall be enhanced; and
- (b) increases the share of Gross Domestic Product (GDP) attributable to the private sector, and reduces Government contribution to GDP.

PART V — Procurement and Licensing to Promote Empowerment

- Accreditation** **16.** A public body responsible for investment, trade and industry, shall provide —
- (a) an opportunity for targeted citizen enterprises to do business with the State by putting in place a mechanism for accreditation of an enterprise wishing to do business with a public body, as well as encourage imparting of skills by large suppliers, to assist targeted citizens to achieve quality standards; and
 - (b) guidelines with qualification and accreditation criteria for preferential treatment for procurement purposes and other economic activities by a public body.
- Decentralisation** **17.** A public body responsible for finance and economic development, shall provide —
- (a) emphasis on decentralisation of procurement to Ministries and local authorities, in order to strengthen the capacity of these entities to manage and monitor their budgetary allocations and sourcing of goods and services;
 - (b) more flexibility in procurement to give equal opportunities across the board, and ensure increased procurement and share of Government business for a targeted citizen owned enterprise;
 - (c) for the flexibility of payment systems to reduce turnaround time for payment of works, goods and services;
 - (d) for subcontracting in areas where there is need for skills transfer; and
 - (e) for subcontracting of services, material and equipment from targeted citizens and targeted citizen owned enterprises in line with respective procurement laws.
- Localisation** **18.** A public body responsible for finance and economic development, shall provide —

- (a) a continuous review of the framework for procurement of works, goods and services from businesses domiciled within different localities, districts or regions;
 - (b) for introduction of legal instruments for production and procurement of local products, works and services;
 - (c) preferential treatment or preferential procurement to a targeted citizen and targeted citizen owned enterprises in assessing procurement contracts and other services of state-owned enterprises;
 - (d) for reservation schemes and procurement preferences to be provided for in the evaluation process by all government entities, in line with relevant laws and empowerment schemes; and
 - (e) for greater preference to be given to goods manufactured using local materials over imported materials and that, local capacity shall be exhausted before any other procurement method is employed.
- 19.** A public body responsible for environment, natural resources conservation and tourism shall provide — Natural resources
- (a) proper regulation of natural resources such as tourism and traditional knowledge as well as intellectual property; and
 - (b) for licences or concessions relating to exploitation of natural resources to be subjected to a scorecard evaluation to encourage targeted citizen participation either solely or through joint ventures, and regulated accordingly and respectively.
- 20.** A public body responsible for investment, trade and industry shall provide — Skills transfer
- (a) for the promotion and support of franchising to exploit transfer of skills, knowledge and quality assurance by established and sustainable business entities to a targeted citizen; and
 - (b) for capacitation of targeted citizens by developing their skills and knowledge for them to participate in public procurement and a graduation model shall ensure weaning off of targeted citizen enterprises from dependence on preferences.
- 21.** A public body which is responsible for finance and economic development shall provide — Procurement and tendering
- (a) for publicity of ministerial tender or procurement plans to empower targeted citizen enterprises through preparedness in terms of supply and quality issues and in accordance with procurement laws;
 - (b) for mandatory monitoring of running tenders and reporting on tender performance to ensure that there is no diversion of commitment after a tender award so as to ensure that a targeted citizen benefits fully from economic empowerment initiatives;
 - (c) notwithstanding the provisions of any other law relating to procurement of public goods and services, thresholds which shall be determined from time to time, to enable the participation of a targeted citizen and targeted citizen owned enterprises in tenders for the procurement of goods and services for public bodies;

- (d) for the inculcation into professional contracts, management into the projects and programmes implemented to allow for checks and balances, penalties or enforcement of economic empowerment requirements in projects execution or procurement; and
- (e) for a procuring entity to exhaust locally produced goods, works and services before outsourcing outside the country.

Multiple benefits

22. A public body which is responsible for finance or investment, trade and industry shall guard against double or multiple benefitting by a targeted citizen in various empowerment programmes, through the consolidation and alignment of empowerment policies and programmes.

PART VI — Using Budgeting Process in Support of Empowerment

Budget process

- 23.** A procuring entity of a public body shall —
- (a) indicate the percentage of their procurement budget set aside for procurement of locally made goods, works services, and agricultural produce; and
 - (b) allow for an unsolicited bid of a percentage of the procurement entity’s annual budget to promote innovation and creativity for a targeted citizen youth.

PART VII — Investment in Quality Human Capital Development

Training of targeted citizens

- 24.** A public body relevant to training shall —
- (a) emphasise lifelong learning education and training system in Botswana for a targeted citizen, prioritizing outcomes that eliminate the skills mismatch in the economy;
 - (b) provide a seamless transition from the world of education and training to the world of business, entrepreneurship and work by equipping a targeted citizen with appropriate skills, competencies and abilities to take advantage of economic opportunities to manage, own business entities and be competitive;
 - (c) emphasise the collaboration model between education and training institutions in order to address issues of lack of data and baseline;
 - (d) emphasise alignment of the education system to the job market with skills that are critical to the needs of the current generation; and
 - (e) ensure that the responsible institution develops a sector plan for the purpose of education and enhancing human resource skills development or relevant industry skills for any economic sector, and to report on the progress made in training of targeted citizens to enable them to effectively participate in the value chain or achieve broad based economic empowerment, as well as provide for monitoring and skills training in the sector.

PART VIII — *Encouraging Non-State Actors to Play a Role in the Delivery of Public Sector Programmes*

25. (1) A private sector enterprise that is non-citizen owned or non-targeted citizen owned shall —

Role of private sector

- (a) mentor and share knowledge and technology regarding business development and market penetration with a targeted citizen or targeted citizen owned private sector enterprise;
- (b) engender economic empowerment of a targeted citizen in its missions in order to inculcate entrepreneurial culture among targeted citizens;
- (c) partake in activities that build capacity of a targeted citizen and targeted citizen owned enterprise levels;
- (d) procure goods and services from a targeted citizen and a targeted citizen owned enterprise within the private sector, including from small and medium enterprises;
- (e) develop sector codes and codes of good practice for economic empowerment;
- (f) foster business relationships and enter constructive procurement partnerships through supplier development programmes with a targeted citizen or a targeted citizen enterprise;
- (g) effect inclusive ownership of the business through training, coaching and mentoring of employees;
- (h) facilitate economic transformation and empowerment of private sector enterprises owned and managed by targeted citizens;
- (i) provide a system for a private sector enterprise to prepare transformation charters and to report on compliance with those charters and economic empowerment standards to Government; and
- (j) put in place appropriate or targeted citizen strategies and mechanisms for private sector capacity development of a targeted citizen and a targeted citizen enterprise to enhance and promote an export-led economy, particularly a private sector enterprise operating in the sphere of export and import.

(2) A private sector enterprise that is non-citizen or non-targeted citizen, shall apply economic empowerment standards and strategies referred to in subsection (1) as may be prescribed.

26. Foreign investors shall empower a targeted citizen through the value chain and with other measures as the Minister may prescribe.

Foreign investors

27. A public body shall apply economic empowerment standards as may be prescribed, including —

Economic empowerment standards

- (a) determining qualification criteria for the issuing of licences, concessions or other authorisations in respect of an economic activity;
- (b) determining criteria for the awarding of incentives, grants and investment schemes; and

Economic transformation and empowerment

- (c) applying preferential treatment to a private sector enterprise that achieves applicable economic empowerment of a targeted citizen or an enterprise that is owned by a targeted citizen, in support of economic empowerment for targeted citizens or wholly targeted citizen owned enterprises.

28. A public body, private sector, non-governmental organisations, local communities and other stakeholders shall provide for an integrated, coordinated and uniform approach to economic transformation and empowerment.

PART IX — Social Upliftment Programmes to Ensure Nobody is Left Behind

Social upliftment

29. (1) A public body shall localise some procurement activities by restricting participation or allowing preferential treatment of a targeted citizen bidder who is resident within certain localities in line with the prevailing local procurement laws.

(2) A relevant public body shall —

- (a) develop a support scheme through programme, including labour only contractors; or
- (b) set a target for admission of female students or people with disabilities who meet the merit based requirements, as a way of empowering such targeted citizens in the area of tertiary education.

(3) A private sector enterprise shall devote part of its profit to corporate social investment of communities comprising of disadvantaged targeted citizens.

(4) A public body, private sector, non-governmental organisation, local communities and other stakeholders, shall —

- (a) be required to adhere to a point-based system (preferential scheme) aimed at empowering businesses owned by youth, women and people with disabilities;
- (b) ensure the promotion of a community based targeted citizen contractor through skills and technology transfer; and
- (c) increase outsourcing of maintenance activities to targeted citizens of the prescribed locality whereby non-compliance shall attract penalties.

PART X — Funding for Economic Empowerment Initiatives

Funding

30. A bank, funding agency or a financier that loans or grants Government monies shall —

- (a) design and adopt successive programmes of subsidies, reservation and preference schemes (input subsidies) to include incentives that are based on output driven deliverables, that will increase productivity and output, specifically for a targeted citizen;

- (b) ensure the empowerment of a targeted citizen through leveraging finance to enable the targeted citizen to take strategic stakes in major projects; and
- (c) create investments for floating in the Botswana Stock Exchange to enable a targeted citizen to have a share in the benefits of domestic and global investments.

PART XI – Access to Information, Technology and Markets

31. A public body shall —

- (a) in particular, an enterprise development agency, ensure creation of a conducive environment for a targeted citizen and an enterprise wholly owned by a targeted citizen to access appropriate information and participate in networks that build business relations;
- (b) comply with initiatives, strategies or programmes that are in place, such as the e-Commerce Strategy to ensure technological advancement for access to global business for a targeted citizen;
- (c) provide a conducive environment for development, adaptation and diffusion of technology, and affordable access to information communication technology infrastructure for a targeted citizen; and
- (d) support targeted citizen small, medium and micro enterprises to harness an innovative and creative approach to improve productivity, quality of products and services, competitiveness and enhance market access.

Access to information, etc.

PART XII — Compliance with Economic Inclusion Law

32. (1) The Office shall set targets and measure the compliance of a public body, non-state actor, and any other relevant entity using the following measures and any other relevant measures —

Compliance

- (a) compiled and published progress reports on economic empowerment of a targeted citizen, submitted to the Office;
- (b) submission of reports on the progress being made to achieve economic empowerment of a targeted citizen in accordance with its sector plan or strategy;
- (c) publication of summaries of the progress report on economic empowerment of a targeted citizen in that institution's or enterprise's annual report;
- (d) reporting on compliance with the skills development of targeted citizen programmes;
- (e) reporting on empowerment of targeted citizens and youth development;
- (f) reporting on the level of compliance of public bodies and non-state actors with the economic standards and transformation charter;
- (g) whether there has been a recorded diversion from contract commitments after award of tender to a targeted citizen; or

(h) whether there has been non-compliance with any requirement of the economic empowerment laws, policies, initiatives, and programmes.

(2) Any reporting required under subsection (1) shall be in such manner as may be prescribed.

(3) A public body, non-state actor or any other relevant public entity which contravenes the provisions of this section commits an offence.

Issuance of special identity card

33. The Coordinator may issue an identity card to an officer appointed by the Office.

Inspection of premises

34. The Office or any member of its staff authorised by the Office may enter and inspect, during reasonable hours, the premises of any public body or enterprise to ensure compliance with this Act.

Issuance of warning

35. (1) An officer of the Office may issue a warning to a person who contravenes any provision under this Act.

(2) The warning under subsection (1) shall be as set out in the Schedule.

Charge for non-compliance

36. (1) The Office may on its own initiative, or upon receipt of information or a complaint from any person, before commencing any investigation, conduct a preliminary inquiry into any practice where the Office has reasonable grounds to suspect that the practice in question may contravene any provision under this Act.

(2) Where the Office conducts an investigation, the Office shall as soon as practicable, issue a written notice of the proposed investigation to a person, enterprise or body which is suspected to be a party to the practice to be investigated.

(3) The notice referred to under subsection (2) shall —

(a) indicate the subject matter and the purpose of the investigation; and

(b) invite the organisation concerned to submit to the Office any representation which the person, enterprise or body, may wish to make to the Office in connection with the practice to be investigated, within such period as the Office shall specify in the notice.

(4) Where the Office considers that to give notice under subsection (2) would materially prejudice the exercise of its mandate in terms of section 34, the Office may defer giving the notice until after the mandate has been carried out.

(5) For the purposes of an investigation under this section, the Office may, by written notice served on a person considered by the Office to be relevant to the investigation, require that person —

(a) to provide the Office with any information pertaining to any matter specified in the notice which the Office considers relevant to the investigation, in a statement signed by —

- (i) that person, or
- (ii) in the case of a body corporate, a director, member or other competent officer, employee or agent of the body corporate, within the time and in the manner specified in the notice; or
- (b) to produce to the Office or to a person specified in the notice to act on the Offices' behalf, any document or article as specified in the notice, which relates to any matter which the Office is investigating or has an interest in.

(6) The Office shall have the power to conduct a hearing in order to determine the adequacy of the charges and to issue findings.

37. (1) Where there is failure by a person, enterprise or body, to comply with the provisions of this Act, the Office may after an investigation, hearing and issuance of findings, impose remedial action or an administrative fine as may be prescribed, on such person, enterprise or body.

Power to impose administrative fine

(2) A party aggrieved by the outcome under subsection (1) may appeal to the Minister.

PART XIII — *Offences and Penalties*

38. (1) A person, public body, enterprise, member of the private sector or any relevant party commits an offence where there is —

Offences and penalties

- (a) a misrepresentation or attempt to misrepresent the compliance status of an enterprise, private sector enterprise, economic empowerment laws, policies, initiatives and programmes;
- (b) provision of false information or misrepresentation of information to secure a particular compliance status or any benefit associated with compliance with this Act;
- (c) provision of false information or misrepresentation of information to any public body in assessing the compliance status of a private sector enterprise;
- (d) an engagement in a corrupt practice, or fronting with regard to economic empowerment laws, policies, initiatives and programmes;
- (e) failure to comply with timelines for submission of any report, or publish any information, or make any information accessible as may be required under this Act;
- (f) failure to publish sector code of conduct, and compliance thereof;
- (g) failure to comply with the public procurement and asset disposal audit recommendations from an audit conducted under the Public Procurement Act; or
- (h) failure to accord a targeted citizen or citizen owned enterprise a benefit that is accorded by the provisions of this Act,

Act No. 24

and is liable for a fine of not less than P5 000 but not exceeding P1 000 000, or to imprisonment for a term of not less than six months, and not exceeding 10 years for individuals, a fine of not less than P5 000 and not exceeding P10 000 000 for organisations.

(2) In case of —

- (a) a public body, the Accounting Officer shall be held liable; and

(b) an enterprise or private entity, the Chief Executive Officer or Managing Director shall be held liable, for an offence committed under this section and section 32.

(3) Notwithstanding the provisions of subsection (1), the Office may where applicable, for an offence committed under section 32 of this Act, blacklist a person or a non-state actor from bidding for government tenders.

PART XIV — Miscellaneous

Regulations

39. The Minister may, on the recommendation of the Coordinator, make regulations prescribing anything under this Act which is to be prescribed or which is necessary or convenient to be prescribed for the better carrying out of the object and purposes of this Act, or to give force and effect to its provisions.

**SCHEDULE
ECONOMIC INCLUSION ACT
(Cap.)**

(section 35(2))

Warning notice for offenders

Date:

Part 1: To be completed by Officer

Name of Offender:

.....

Identity of the Offender:

.....

Name of Enterprise:

.....

Address of the Enterprise:

.....

.....

In terms of the Economic Inclusion Act, you are hereby warned that you have contravened section..... of the Act in that you —

.....

.....

.....

.....

On (date) at (time) at (location).....
.....

by (Officer's name in capital letters).....

Signature of Officer: Rank:

You are reminded that such action is an offence in terms of the above-mentioned Act, and you are hereby warned that if you are observed committing the same offence again, you will be prosecuted accordingly. It should be noted that a copy of this warning notice will be forwarded to the Office Headquarters for retention on your Organisation File and this may adversely influence your organisation status.

Part 2: To be completed by the offender

I have read and acknowledge the correctness of the facts detailed above.

Name in capital letters:

.....

Signature:

.....

Telephone Number:

(Work):

(Cellphone):

Date:

Enterprise:.....

PASSED by the National Assembly this 1st day of September, 2021.

BARBARA N. DITHAPO,
Clerk of the National Assembly.