

FORM IDG 01

FORM OF NOTIFICATION OF EXTENT OF INDIGENISATION AND INDIGENISATION IMPLEMENTATION PLAN

NOTICE TO PERSON COMPLETING THIS FORM

Essential definitions

According to the Indigenisation and Economic Empowerment Act, an “indigenous Zimbabwean” is defined as follows: *“any person who, before the 18th April, 1980, was disadvantaged by unfair discrimination on the grounds of his or her race, and any descendant of such person, and includes any company, association, syndicate or partnership of which indigenous Zimbabweans form the majority of the members or hold the controlling interest”*

Also according to the Indigenisation and Economic Empowerment Act, a “controlling interest”, in relation to—

- (a) a company, means the majority of the voting rights attaching to all classes of shares in the company;
- (b) any business other than a company, means any interest which enables the holder thereof to exercise, directly or indirectly, any control whatsoever over the activities or assets of the business.

Purpose of this form

To enable the Minister to assess the extent of indigenisation of the business concerned and, together with the information gathered from forms submitted by other businesses, to enable the Minister to assess the extent of indigenisation in the sector of the economy to which the business belongs and in the economy as a whole.

Also, if less than 51% of the shares in your business are held by persons who are not indigenous Zimbabweans, or if a controlling interest in your business is held by a person or persons who are not indigenous Zimbabweans, you are hereby notified that the Indigenisation and Economic Empowerment Regulations are framed with the general objective that every business of or above the value of **five hundred thousand United States dollars** must—

- (a) within the next five years from the 1st March, 2010, or within five years from the commencement of your business, as the case may be, dispose of a controlling interest of not less than 51% of the shares or interests therein to indigenous Zimbabweans; unless, in order to achieve other socially or economically desirable objectives, a lesser share of indigenisation or a longer period within which to achieve it is justified;
- (b) after five years from the 1st March, 2010, or within five years from the commencement of your business, as the case may be, dispose of a controlling interest or not less than 51% of the shares or interests therein to indigenous Zimbabweans, unless your business has previously submitted an indigenisation implementation plan together with this form which has been approved by the Minister in terms of these regulations.

1. Name of business:
2. Form of business:.....

(Please tick the appropriate box)

| | |
|---|--|
| Public Company | |
| Private Company | |
| Private Business Corporation | |
| Partnership | |
| Other Form of Association(Please Specify) | |
| Sole Trader | |

2A.Physical and other addresses (including electronic mail address, if any) and telephone number(s) of the head office of the head office of the business:

.....

2B.Physical and other addresses (including electronic mail address, if any) and telephone number(s) of the principal place of business in Zimbabwe of the business, in the case where the head office of the business is outside Zimbabwe:

.....

3. Type of business (Tick appropriate box)

| Sector | Sub-sector | |
|---------------|-------------------------------------|--|
| Manufacturing | Agro-industry/Fertiliser | |
| | Seed | |
| | Chemicals & Petroleum products | |
| | Agricultural equipment & machinery | |
| | Plastics & packaging | |
| | Food stuffs (including stock feeds) | |
| | Drink and tobacco | |
| | Textiles including ginning | |
| | Clothing & footwear | |
| | Wood & furniture | |

| | | |
|---------------|--------------------------------------|--|
| | Paper printing & publishing | |
| | Non-metallic mineral products | |
| | Metals & metal products | |
| | Glass & glass products | |
| | Transport & transport equipment | |
| | Health & pharmaceuticals | |
| | Other (Specify) | |
| Mining | Energy minerals | |
| | Precious minerals | |
| | Other minerals | |
| | Other (Specify) | |
| Tourism | Accommodation & Amenities | |
| | Tourism transport | |
| | Other (Specify) | |
| Finance | Commercial banks | |
| | Discount houses | |
| | Building societies | |
| | Merchant Banks | |
| | Insurance | |
| | Asset management | |
| | Other (Specify) | |
| Transport | Passenger road transportation | |
| | Freight transportation by road | |
| | Water transportation (ships & boats) | |
| | Air transportation | |
| | Rail transportation | |
| | Other (Specify) | |
| Communication | Broadcasting | |
| | Fixed telephone | |
| | Internet access | |
| | Public data | |

| | | |
|-----------------|---|--|
| | Courier | |
| | Mobile cellular | |
| | Postal general | |
| | Publishing | |
| | Publications | |
| | Other (Specify) | |
| Construction | Building contractors | |
| | Civil engineering contractors | |
| | Mechanical engineering contractors | |
| | Electrical engineering contractors | |
| | Joinery & shop fitting | |
| | Construction & building material supplies | |
| | Other (Specify) | |
| Energy | Hydro-electricity | |
| | Thermal power | |
| | Liquid fuel | |
| | Coal energy | |
| Other (Specify) | | |

5. Estimated value of Business by assets as at the date of this form:

6. Current shareholding (Please fill in the tables below)

| Name and Nationality of shareholder(s)/partner(s)/owner(s) | National I.D. No./Passport No. | Extent of shareholders'/partners'/owners' shares/interests held by respective shareholders, partners and owners expressed as percentages | |
|--|--------------------------------|--|------------------------------|
| | | Indigenous Zimbabwean(s) | Non-indigenous Zimbabwean(s) |
| | | | |

NB.

In the case of a company, attach a schedule of the---

- (a) names of members of the company;*
- (b) number and type of shares held by each member;*
- (c) date of incorporation or registration of the company and company registration number.*

Where members in a company exceed 50 only those with shares in excess of 10% should be listed.

- 7 Do you consider that a controlling interest or not less than 51 % of the shares in your business is held by an indigenous Zimbabwean/are held by indigenous Zimbabweans? YES/NO. In either case, to what extent is your business indigenised, expressed as a percentage?
8. If the answer to question 7 is NO, do you have a plan for indigenising your business, that is, a plan for ensuring that, within five years, your business will be owned or controlled by indigenous persons to the extent of at least fifty-one per centum? YES/NO. If YES provide details on separate sheet. (For your information, if you believe that a lesser share of indigenisation or a longer period within which to achieve it is justified in your case because your business has achieved or intends to achieve certain socially or economically desirable objectives, please specify these objectives in your plan; the list of such objectives is itemised in question 9).
- 9 In the absence of a plan referred to in question 8, specify—

- (a) the reasons, if any, why it may not be possible for your business to be indigenised within five years from the 1st March, 2010, or within five years from the commencement of your business, as the case may be? *(Provide details on separate sheet)*
- (b) why a lesser share of indigenisation or a longer period within which to achieve it (or both) is justified by reason of your business having achieved, or intending to achieve within a specified period (being not longer than five years from the 1st March, 2010, or within five years from the commencement of your business, as the case may be) any one or more the following socially and economically desirable objectives
 - (i) your business has undertaken or intendeds to undertake certain development work in the community in which it carries on its business; *(Provide details on separate sheet)*
 - (ii) your business has, to a specified extent, benefited or intendeds, to a specified extent, to benefitate raw materials that are extracted in Zimbabwe before it exports them *(Provide details on separate sheet)*
 - (iii) your business has, to a specified extent, transferred or taken concrete measures to transfer new technology to Zimbabwe or intendeds, to a specified extent, to transfer new technology to Zimbabwe *(Provide details on separate sheet)*
 - (iv) your business has, to a specified extent, employed local skills or imparted new skills to Zimbabweans, or intendeds, to a specified extent, to employ local skills or impart new skills to Zimbabweans *(Provide details on separate sheet)*
 - (v) your business has achieved or intendeds to achieve any other socially and economically desirable objective not mentioned above *(Provide details on separate sheet)*

Declaration

We do hereby certify that the above information is to the best of our knowledge true and correct *(to be completed by any of the following as may be applicable)*

| | Names | ID Number | Signature | Date |
|--|-------|-----------|-----------|------|
| Company Secretary | | | | |
| Senior Partner | | | | |
| A person nominated by the governing body of an | | | | |

| | | | | |
|--|--|--|--|--|
| unregistered association | | | | |
| A person in whose name a private business corporation is incorporated in terms of the Private Business Corporation Act | | | | |
| The sole trader | | | | |
| Person relinquishing a controlling interest in a business | | | | |
| Person authorized by the investor projecting or proposing any investment; | | | | |