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**DEFINITIONS OF BLACK ECONOMIC EMPOWERMENT (BEE)
VERSUS HISTORICALLY DISADVANTAGED INDIVIDUAL (HDI)**

The Black Economic Empowerment Division of the Enterprise and Industry Development Division (EIDD) has furnished us with the following definitions being used by *the dti*:

The following definition of **Historically Disadvantaged Individual "HDI"** is obtained from the *Preferential Procurement Regulations of 2007* issued by National Treasury:

Historically Disadvantaged Individual (HDI) means a South African citizen:

- (1) who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993) (the Interim Constitution); and / or
- (2) who is a female; and / or
- (3) who has a disability

Provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be an HDI.

Black Economic Empowerment: The following definition is used for "Black People", as defined in the Codes of Good Practice for Broad-Based Black Economic Empowerment of 2007, issued by *the dti*:

"Black People" is a generic term which means Africans, Coloureds and Indians as defined in the BEE Act 53 of 2003, further interpreted in the Codes as:

"Black People" has the meaning defined in the Act qualified as including only natural persons who are citizens of the Republic of South Africa by birth or descent; or are citizens of the Republic of South Africa by naturalisation:

- (a) occurring before the commencement date of the Constitution of the Republic of South Africa Act of 1993; or
- (b) occurring after the commencement date of the Constitution of the Republic of South Africa Act of 1993, but who, without the Apartheid policy would have qualified for naturalisation before then.

I trust that this information is of assistance to you.

Regards

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