

## LIST OF SUPPORTING DOCUMENTS

***Any Supporting Documents delivered by hand or by post must be originals or certified copies. Any Supporting Documents sent by email or other electronic means must be certified copies.***

***Copies must be certified by a Commissioner of Oaths and can, for example, be certified at any South African Police Station.***

### **Black Individuals**

Identity document	A copy of any <b>one</b> of the following documents: <ul style="list-style-type: none"><li>• The green bar-coded South African identity document;</li><li>• The South African smart identity card (front and back required); or</li><li>• A valid passport reflecting the Applicant's South African identity number.</li></ul>
Country of birth is outside of South Africa	A copy of the certificate of naturalisation from the Department of Home Affairs of South Africa confirming that naturalisation occurred prior to 27 April 1994.

**A. IF YOU ARE SIGNING THIS FORM IN A REPRESENTATIVE CAPACITY, YOU MUST ALSO PROVIDE THE FOLLOWING SUPPORTING DOCUMENTS:**

Power of attorney	To sign under a power of attorney, you must provide: <ul style="list-style-type: none"><li>• The power of attorney together with a copy of the Applicant's green bar-coded South African identity document, South African smart identity card (front and back required) or a valid passport reflecting the Applicant's South African identity number; and</li><li>• A copy of your (the representative's) South African identity document, South African smart identity card (front and back required) or a valid passport reflecting your (the representative's) South African identity number.</li></ul>
Minors	<ul style="list-style-type: none"><li>• Minors must be assisted by their parents or guardians. Minors must submit their green bar-coded South African identity document, their South African smart identity card (front and back required), a valid passport reflecting the Minor's South African identity number or their unabridged birth certificate (provided that the Minor's South African identity number is printed on the birth certificate). The parent or guardian must also submit their green bar-coded South African identity document, South African smart identity card (front and back required) or valid passport reflecting their South African identity number.</li><li>• In the case of a legal guardian a copy of the letters of guardianship.</li><li>• If the birth place of the minor is outside of South Africa, evidence that the individual is a descendant of South African citizens, including an affidavit from a parent is required to be submitted.</li></ul>

## Black Groups

### **SUPPORTING DOCUMENTS FOR ALL BLACK GROUPS**

All Black Groups are required to submit the following Supporting Documents (in addition to the Additional Supporting Documents for the relevant Black Groups set out below):

- A valid Authorising Resolution, a form of which is attached as **Schedule 1** to this list of Supporting Documents;
- The green bar-coded South African identity document, the South African smart identity card (front and back required) or valid passport showing the South African identity number of the Authorised Representative;
- A valid BEE Ownership Certificate (subject to the conditions below under the heading "*Obtaining a Valid BEE Ownership Certificate*") or alternatively, BEE Ownership Documents, being the documents identified as such below in this list of Supporting Documents, and the following:
  - Declaration of percentage of black new entrants who, either directly or indirectly, hold an Effective Interest in the Black Group signed by the authorised representative;
  - Declaration of percentage of black designated groups (applicable for black employee share ownership schemes, black broad-based ownerships schemes, black co-operatives) who, either directly or indirectly, hold an Effective Interest in the Black Group signed by the Authorised Representative;
  - Indirect interests held by Black People require a detailed organogram;
  - A list of all of the Black People who, both directly or indirectly, hold an Effective Interest in the Black Group including their effective percentage economic interest held; and in relation to each such Black Person: a copy of the green bar-coded South African identity document, the South African smart identity card (front and back required) or valid passport showing the South African identity number of such Black Person;
  - BEE proof of identity for all of the Black People who, either directly or indirectly, hold an Effective Interest in the Black Group (i.e. shareholders, members, beneficiaries or partners);
  - If funding was acquired to purchase the shares in MTNZE, funding agreements (to ensure shares are not encumbered).

### **ADDITIONAL SUPPORTING DOCUMENTS FOR SPECIFIC BLACK GROUPS**

Entity type	Required documents
Sole proprietor	<ul style="list-style-type: none"><li>• The following additional BEE Ownership Documents are required:<ul style="list-style-type: none"><li>○ A copy of: (i) valid South African green barcoded identity document; or (ii) valid South African smart identity card (front and back required); or (iii) valid South African passport;</li><li>○ Original affidavit found on the following website: <a href="http://www.thedit.gov.za/gazettes/Affidavit_EME.pdf">http://www.thedit.gov.za/gazettes/Affidavit_EME.pdf</a>.</li></ul></li></ul>
Black Companies (Note: References to "CoR" refer to the documents as per the Companies Act whereas references to "CM" refer to documents as per the Companies Act, No. 61 of 1973, which may still be applicable to Black Companies incorporated prior to 1 May 2010 (being the effective date of the Companies Act.)	<ul style="list-style-type: none"><li>• The following additional BEE Ownership Documents are required:<ul style="list-style-type: none"><li>○ Registration certificate (CoR14.3)/Certificate of incorporation (CM1);</li><li>○ Memorandum of Incorporation;</li><li>○ Certificate of change of name of company (CM9) (if applicable);</li><li>○ Securities register and share certificates;</li><li>○ Latest shareholders agreement and sale of shares agreement with any of the BEE shareholders (if applicable).</li></ul></li></ul>

Trusts	<ul style="list-style-type: none"> <li>• The following additional BEE Ownership Documents are required: <ul style="list-style-type: none"> <li>○ Trust deed or other founding document, as currently in force, including all annexures to these documents;</li> <li>○ Letters of authority issued by the Master of the High Court of South Africa in respect of the current trustees;</li> <li>○ Schedule of beneficiaries;</li> <li>○ To the extent that the proportion of the distributions towards black females, black designated groups and black new entrants are not reflected in the trust deed of the trust, representation from the trustees will be required.</li> </ul> </li> </ul>
Partnerships	<ul style="list-style-type: none"> <li>• The following additional BEE Ownership Documents are required: <ul style="list-style-type: none"> <li>○ Partnership agreement(s), as currently in force.</li> </ul> </li> </ul>
Non-profit organisation	<ul style="list-style-type: none"> <li>• The following additional BEE Ownership Documents are required: <ul style="list-style-type: none"> <li>○ Constitution or founding document;</li> <li>○ Letter from an independent third party confirming the percentage of black beneficiaries and black female beneficiaries.</li> </ul> </li> </ul>
Close corporations	<ul style="list-style-type: none"> <li>• The following additional BEE Ownership Documents are required: <ul style="list-style-type: none"> <li>○ Founding statement and certificate of incorporation (CK1), as currently in force;</li> <li>○ Amended founding statement (CK2), if applicable, as currently in force;</li> <li>○ Certificate of change of name reflecting the current name of the company (if applicable);</li> <li>○ Latest association agreement and sale of membership interest agreement with any of the BEE members (if applicable);</li> <li>○ Register of members.</li> </ul> </li> </ul>
Black Entities such as Stokvels	<ul style="list-style-type: none"> <li>• The following additional BEE Ownership Documents are required: <ul style="list-style-type: none"> <li>○ Constitutional documents, founding documents or other such documents, as currently in force;</li> <li>○ List of members of the Black Entity, if not included in the founding documents;</li> <li>○ Any rules or regulations governing the operation and management of the Black Entity.</li> </ul> </li> </ul>
Obtaining a BEE Ownership Certificate	<p>An existing BEE Ownership Certificate may be submitted provided that:</p> <ul style="list-style-type: none"> <li>• it was obtained from a valid BEE Verification Agency;</li> <li>• it is not older than 12 months;</li> <li>• it contains the following information as defined in the Codes using the flow-through principle: <ul style="list-style-type: none"> <li>○ % exercisable voting rights of Black People (compulsory); and</li> <li>○ % economic interest of Black People (compulsory).</li> </ul> </li> </ul> <p>It may also contain the following information as defined in the Codes using the flow-through principle (not compulsory):</p> <ul style="list-style-type: none"> <li>○ % exercisable voting rights of black women (if known);</li> <li>○ % voting rights of black new entrants (if known);</li> <li>○ % economic interest of black women (if known);</li> <li>○ % economic interest of black new entrants (if known);</li> <li>○ whether the combined shareholding of black designated groups and/or black new entrants are equal to or higher than 5% (if known);</li> </ul>

	<ul style="list-style-type: none"><li>○ % economic interest of black designated groups (if known);</li><li>○ % economic interest of employee ownership schemes, broad-based ownership schemes and co-operatives; and</li><li>○ the net value for all Black People.</li></ul> <p>The Black Group must also submit written confirmation, in the form of a written declaration signed by the relevant signatory/ies, that its ownership structure has not changed after obtaining the existing BEE Ownership Certificate and that the information recorded therein remains true and correct in all material respects.</p>
--	--

## Authorising Resolution for Black Groups

Resolutions of the directors, trustees, partners or members of

\_\_\_\_\_

(\_\_\_\_\_)

Black Group name

Black Group registration number

(the "**Black Group**")

### RESOLUTIONS

The directors, trustees, members or partners ("**we**") have been given the required notice and have agreed on ("**resolved**") the following:

#### Resolution 1

##### Purchasing, holding, selling and/or transferring MTNZF Shares

We agree (resolve) that the Black Group be and is authorised to do all things and sign all documents in respect of MTN Zakhele Futhi (RF) Limited ("**MTNZF**") regarding the purchasing, holding, selling and/or transferring of, or otherwise taking any action in relation to, the ordinary shares in MTNZF ("**MTN ZF Shares**"), including but not limited to (and to the extent applicable):

- applying to MTNZF for confirmation that the Black Group is eligible to become a holder (owner) of MTNZF Shares, and to complete, sign and implement all forms, documents and agreements for (and related to) such application process ("**Application Process**");
- applying to MTNZF to be verified to buy and/or sell and/or give/take transfer of MTNZF Shares, and to complete, sign and implement all forms, documents and agreements for (and related to) such verification process ("**BEE Verification Process**"); and
- otherwise engaging with, or issuing instructions to MTNZF, any of its service providers and/or any third parties rendering services to the Black Group, from time to time, in respect of the buying, holding, selling and/or transferring of, or otherwise taking any action in relation to, MTNZF Shares (including, but not limited to any action in relation to any corporate action affecting the Black Group's holding of MTNZF Shares).

#### Resolution 2

##### Appointment of Authorised Representative

We appoint \_\_\_\_\_ (insert name),

with ID number \_\_\_\_\_ (insert ID number),

as "**Authorised Representative**" of the Black Group.

We agree (resolve) that the Authorised Representative is allowed to do the following, for the Black Group:

- do all such things and sign all such documents, necessary to give effect to or incidentally required for the Application Process;
- do all such things and sign all such documents, necessary to give effect to or incidentally required for the BEE Verification Process; and
- otherwise engage with, or issue instructions to MTNZF, any of its service providers and/or any third parties rendering services to the Black Group, from time to time, in respect of the buying, holding, selling and/or transferring of, or otherwise taking any action in relation to, MTNZF Shares (including, but not limited to any action in relation to any corporate action affecting the Black Group's holding of MTNZF Shares).

Full name  
\_\_\_\_\_

Signature  
\_\_\_\_\_

ID number  
\_\_\_\_\_

Date  
\_\_\_\_\_

Full name  
\_\_\_\_\_

Signature  
\_\_\_\_\_

ID number  
\_\_\_\_\_

Date  
\_\_\_\_\_

Full name  
\_\_\_\_\_

Signature  
\_\_\_\_\_

ID number  
\_\_\_\_\_

Date  
\_\_\_\_\_

**Certification that the extract and signatures are true and accurate**

I certify (promise) that:

- 1) the above are the signatures of all the directors, trustees, partners or members of the Black Group needed to pass this resolution; and
- 2) the above is a true extract of the original resolution.

\_\_\_\_\_  
Name: \_\_\_\_\_

Capacity: \_\_\_\_\_

(Company secretary; director; trustee; managing partner or authorised member)

Date: \_\_\_\_\_