

**POLICY BRIEF ON THE ROLE AND CONTRIBUTION OF
CO-OPERATIVES TOWARDS THE SOUTH AFRICAN
ECONOMIC RECONSTRUCTION AND RECOVERY PLAN**



DECEMBER 2021

POLICY BRIEF

THE ROLE AND CONTRIBUTION OF CO-OPERATIVES TOWARDS THE SOUTH AFRICAN ECONOMIC RECONSTRUCTION AND RECOVERY PLAN

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1 Executive Summary

The purpose of this policy paper and its underlying research is to assist the National Development Agency (“NDA”), the government and the private sector with proposals regarding how the policies and regulatory frameworks aimed at addressing co-operatives’ needs may be adapted and/or developed. These proposals are also intended to promote the contribution of the sector with regard to addressing the economic, social and developmental challenges facing South Africa.

Co-operatives in South Africa require supportive regulatory frameworks that serve to create an enabling environment in order to ensure their sustainability and to ensure that they are able to contribute to economic recovery post COVID-19. As such, any regulatory framework developed for co-operatives’ needs to take cognisance of the challenging circumstances that many South African co-operatives face in order to effectively address these challenges and subsequently create an enabling environment for co-operatives.

Currently, there are several challenges which are negatively affecting co-operatives’ ability to contribute to the South African economy, these include:

- **Lack of Access to Markets**

Primary and secondary research found that a lack of access to markets was a significant barrier preventing the development of co-operatives, and restricting their ability to contribute towards economic recovery. It was found that even in instances where co-operatives had adequate infrastructure, the lack of market access significantly limited their ability to contribute to the South African economy. This means that while a co-operative may have had the infrastructure to produce their products/services, they were unable to access the markets required in order to sell these products/services. For example, an agricultural co-operative may have the adequate infrastructure to produce vegetables, however, they do not have a market to sell their goods to, restricting their ability to contribute to the economy.

- **Inability to Secure Funding**

Access to funding was also identified as a barrier to co-operative development in the underlying research. It was further revealed that the inability to secure funding was a challenge which existed prior to the COVID-19 pandemic, with the general consensus being that this challenge would continue to hinder co-operatives post COVID-19, if not addressed. Key reasons behind co-operatives' inability to secure funding included a lack of knowledge regarding how to apply for funding, a lack of adherence to compliance measures associated with applying for funding and a general lack of information on the various forms of funding that are available to co-operatives.

- **Internal Challenges**

Another challenge identified in the research was the lack of trust and collaboration between co-operative members, which often served as a hindrance to co-operative development, as well as a barrier to the development of networks between co-operatives. This was an issue that had been a persistent concern for the co-operative sector prior to the onset of the pandemic. The lack of collaboration and trust between co-operative members also limited the potential for growth of co-operatives, as in some instances, it prevented the progression from primary co-operatives to more advanced forms, such as tertiary or national apex co-operatives (Emmanuel , 2016).

- **Lack of Business Management, Financial Management, and ICT Skills**

The lack of business management, financial and ICT skills was highlighted as being a significant challenge faced by co-operatives. It was noted that even in instances where co-operatives received grant funding, they were unable to utilise the funding effectively due to a lack of adequate business and financial management skills. Furthermore, a persistent challenge that has been exacerbated by the COVID-19 pandemic is the lack of ICT skills. The possession of ICT skills was closely linked to co-operatives' ability to transition to remote working, which became the norm for many businesses during the COVID-19 national lockdown, as can be seen by the 42% of respondents who cited a lack of computer literacy as the reason for their inability to transition to remote working.

Prior to the COVID-19 pandemic, the lack of ICT skills was considered to be a challenge to the co-operative sector, as it limited co-operatives' ability to market their services, and to leverage the opportunities arising from the fourth industrial revolution (DSDB, 2017).

During the COVID-19 pandemic, co-operatives struggled to adapt to the challenges posed by restrictions on movement, given that these restrictions negatively impacted co-operatives' ability to sell their goods and services to customers. Had the co-operative sector been equipped with adequate ICT skills, co-operatives may have been able to transition to remote working, which may have allowed them to sell their products and services in a virtual space.

All the challenges described above are currently limiting the potential contribution that co-operatives could make to the South African economy. It can be argued that the above issues are interlinked, and addressing a specific issue, such as lack of access to markets, might be dependent on addressing the other issues such as the lack of funding or the lack of business management, financial management, and ICT skills.

Despite these challenges, co-operatives appear to have significant potential to contribute to economic growth in South Africa, as well as the potential to address societal ills, such as poverty and unemployment. This can be seen by the 87% of respondents who agreed that co-operatives can play a meaningful role in reducing unemployment post COVID-19.

However, recognising that the co-operative sector can play a significant role in economic growth is only the first step. In order to maximise the potential that the co-operative sector has, it is of critical importance that the policies that guide the co-operative sector are adapted or designed to facilitate co-operative growth. In order to trigger this growth, it is of utmost importance that the key challenges mentioned above are addressed.

Based on the challenges listed above, the key recommendations stemming from this policy brief include:

- A co-operative specific procurement policy should be developed in order to facilitate increased market access for the co-operative sector. For example, the policy could indicate that a certain percentage of departmental expenditure with regard to procurement is allocated to co-operatives.

- With regard to specific co-operative support services, the Co-operative Development Policy provisions relating to support services should be updated in order to allow for the establishment of a body that is focused on assisting co-operatives with drafting proposals for funding from government as well as alternative funding sources. The Co-operative Development Policy updates should provide the authority for the establishment of the body and should explicitly state the purpose and objectives of the body.
- In order to emphasise the importance of trust and collaboration within a co-operative, trust and collaboration amongst co-operative members should be added as a core principle in the Co-operative Development Policy. Furthermore, there is a need for a provision relating to effective internal dispute resolution. It is therefore, recommended that the current provisions in the Co-operative Development Policy and/or the Co-operatives Act with regard to conflict/dispute resolution are adapted to provide clear dispute resolution procedures for internal disputes.
- The current provisions relating to skills development in the Co-operative Development Policy, for e.g., the ‘skills development strategy’ in clause 16 (e), should be updated to provide more specific detail with regard to the skills development strategy to be employed by the government, and to ensure that clear and achievable milestones are in place with regard to the training of co-operatives.

2 Background and Introduction

The section below outlines the purpose of this policy brief, as well as the research objectives of the underlying study that informed this policy brief. Additionally, the section below provides the context within which this policy brief was drafted and outlines the methodology adopted while gathering data.

2.1 Research Objectives

The purpose of this policy paper and its underlying research is to assist the National Development Agency (“NDA”), the government and the private sector with proposals regarding how the policies and regulatory frameworks aimed at addressing co-operatives’ needs may be adapted and/or developed. These proposals are also intended to promote the contribution of the sector with regard to addressing the economic, social and developmental challenges facing South Africa.

Co-operatives in South Africa require supportive regulatory frameworks that serve to create an enabling environment in order to ensure their sustainability and to ensure that they are able to contribute to economic recovery post COVID-19. As such, any regulatory framework developed for co-operatives’ needs to take cognisance of the challenging circumstances that many South African co-operatives face in order to effectively address these challenges and subsequently create an enabling environment for co-operatives.

2.2 Background and Context

Current regulatory frameworks do not appear to create an enabling environment for co-operatives. This is particularly evident when looking at the statistics with regard to co-operative mortality rates. While registered co-operatives increased from 4 061 in 2007 to 22 619 in 2010, a study conducted in 2010 found that only 2 644 of the then 22 619 registered co-operatives were still operational and functional – indicating a mortality rate of 88% (Polity, 2016).

This high mortality rate may be attributed to multiple factors, such as a lack of access to adequate funding, a lack of access to market, a lack of resources, and inadequate business and financial management skills. The COVID-19 pandemic has only served to exacerbate these existing challenges experienced by the co-operative sector.

As such, this policy brief argues that there is a need for government intervention with regard to either adapting the current policies or developing new policies that serve to address the persistent issues that plague the co-operative sector. In order to allow the co-operative sector to play a role in economic development post COVID-19, it is of utmost importance that the sector is adequately supported at a policy level.

2.3 Research Methodology

This policy brief is based on a research study conducted on behalf of the NDA which identified the role, contribution, and challenges faced by co-operatives in revitalising effective and sustainable economic activities in response to the governments' economic reconstruction and recovery plan initiative.

The study included a desktop literature review which was aimed at understanding the impact of COVID-19 on co-operatives both internationally and locally. The desktop literature review also aimed to understand the international responses by co-operatives to the challenges posed by the COVID-19 pandemic.

In addition to the literature review, primary research was conducted, and 461 survey responses were received from co-operatives, NDA and Non-Profit Organisations (“NPOs”). Additionally, 42 interviews and 4 focus groups were conducted with a variety of stakeholders including co-operatives, the NDA, NPOs, government representatives, academia, and industry bodies. Stakeholder consultations focused on gathering input on topics such as the state of the co-operative sector, the sectors' role and contribution in economic recovery and reform amidst the COVID-19 pandemic, barriers preventing co-operatives from competing in the economy, as well as the operational challenges that co-operatives face.

The study aims to use the input obtained from co-operatives and other key stakeholders to inform the formulation of appropriate policy frameworks for the benefit of co-operatives in South Africa.

3 Key Findings from Desk-based and Field Research

The section below provides an overview of some of the key findings that were identified through the underlying research.

3.1 Key Challenges Faced by Co-operatives in South Africa

The section below provides an overview of some of the key challenges facing co-operatives in South Africa.

3.1.1 Lack of Access to Markets

Primary and secondary research found that a lack of access to markets was a significant barrier preventing the development of co-operatives, and restricting their ability to contribute towards economic recovery. It was found that even in instances where co-operatives had adequate infrastructure, the lack of market access significantly limited their ability to contribute to the South African economy. This means that while a co-operative may have had the infrastructure to produce their products/services, they were unable to access the markets required in order to sell these products/services. For example, an agricultural co-operative may have the adequate infrastructure to produce vegetables, however, they do not have a market to sell their goods to, restricting their ability to contribute to the economy.

Additionally, while access to markets is a significant challenge, it was found that in some instances co-operatives had access to a market but lacked the required funds to meet the demand of said market. For example, a particular agricultural co-operative may have had an order to produce 1000 eggs, however due to a lack of funds, the co-operative was unable to purchase fuel to transport the eggs to the purchaser, resulting in the co-operative being unable to meet the demand. This indicates that even in a case whereby co-operatives do receive increased market exposure, the ability of the co-operative to benefit from this exposure is dependent on other factors, such as access to adequate amounts of funding and/or resources.

3.1.2 Inability to Secure Funding

Access to funding was also identified as a barrier to co-operative development in the underlying research. It was further revealed that the inability to secure funding was a challenge which existed prior to the COVID-19 pandemic, with the general consensus being that this challenge would continue to hinder co-operatives post COVID-19, if not addressed. Key reasons behind co-operatives' inability to secure funding included a lack of knowledge regarding how to apply for funding, a lack of adherence to compliance

measures associated with applying for funding and a general lack of information on the various forms of funding that are available to co-operatives.

3.1.3 Internal Challenges

Another challenge identified in the research was the lack of trust and collaboration between co-operative members, which often served as a hindrance to co-operative development, as well as a barrier to the development of networks between co-operatives. This was an issue that had been a persistent concern for the co-operative sector prior to the onset of the pandemic. The lack of collaboration and trust between co-operative members also limited the potential for growth of co-operatives, as in some instances, it prevented the progression from primary co-operatives to more advanced forms, such as tertiary or national apex co-operatives (Emmanuel , 2016).

Increasing the level of trust and collaboration amongst co-operatives is thus, of critical importance to the development of co-operatives, and their ability to contribute to the South African economy.

3.1.4 Lack of Business Management, Financial and ICT Skills

The lack of business management, financial and ICT skills was highlighted as being a significant challenge faced by co-operatives. It was noted that even in instances where co-operatives received grant funding, they were unable to utilise the funding effectively due to a lack of adequate business and financial management skills.

Furthermore, a persistent challenge that has been exacerbated by the COVID-19 pandemic is the lack of ICT skills. The possession of ICT skills was closely linked to co-operatives' ability to transition to remote working, which became the norm for many businesses during the COVID-19 national lockdown, as can be seen by the 42% of respondents who cited a lack of computer literacy as the reason for their inability to transition to remote working.

Prior to the COVID-19 pandemic, the lack of ICT skills was considered to be a challenge to the co-operative sector, as it limited co-operatives' ability to market their services, and to leverage the opportunities arising from the fourth industrial revolution (DSDB, 2017).

During the COVID-19 pandemic, co-operatives struggled to adapt to the challenges posed by restrictions on movement, given that these restrictions negatively impacted co-operatives' ability to sell their goods and services to customers. Had the co-operative sector been equipped with adequate ICT skills, co-operatives may have been able to transition to remote working, which may have allowed them to sell their products and services in a virtual space.

3.2 Ability of Co-operatives to Contribute to Economic Growth in South Africa

All the challenges described above are currently limiting the potential contribution that co-operatives could make to the South African economy. It can be argued that the above issues are interlinked, and addressing a specific issue, such as lack of access to markets, might be dependent on addressing the other issues such as the lack of funding or the lack of business management, financial management, and ICT skills.

Despite these challenges, co-operatives appear to have significant potential to contribute to economic growth in South Africa, as well as the potential to address societal ills, such as poverty and unemployment. This can be seen by the 87% of respondents who agreed that co-operatives can play a meaningful role in reducing unemployment post COVID-19.

However, recognising that the co-operative sector can play a significant role in economic growth is only the first step. In order to maximise the potential that the co-operative sector has, it is of critical importance that the policies that guide the co-operative sector are adapted or designed to facilitate co-operative growth. In order to trigger this growth, it is of utmost importance that the key challenges mentioned above are addressed.

As such, a key first step in order to facilitate co-operatives' contribution to the economy is to adapt current policies or develop new policies that will assist co-operatives overcome the challenges they are currently facing.

In order to understand the ways in which policy can be adapted, it is important to understand the current policy and legislative framework that underpins the co-operative sector. As such, the following section provides an overview of the current policy and legislative framework for co-operatives in South Africa.

4 Current Policy/Legislative Framework

The international consensus regarding the development of co-operatives is that in order to establish the right environment for growth and prosperity of co-operatives, supportive legislation has to be in place to create this enabling environment (United Nations, 2021). To ensure that this environment is adequate, legislation needs to consider the complex, multipurpose and heterogenous nature of co-operatives (United Nations, 2021). The section below provides an overview of the current legislative framework governing co-operatives in South Africa.

4.1 Co-operatives Act (2005)

Co-operatives in South Africa are regulated under the Co-operatives Act of 2005 (“The Act”). The Act is the principal legislation regulating co-operatives and makes explicit reference to co-operative principles¹ which are defined with reference to the International Co-operative Alliance (“ICA”). The primary purpose of the Act is to ensure that co-operatives are compliant with the abovementioned international co-operative principles. It is relevant to all co-operatives, and a schedule to the current Act contains special provisions for four distinct types of co-operatives namely, worker co-operatives; housing co-operatives; financial services co-operatives and agricultural co-operatives (Cooperatives Act, 2005).

In order to address the potential weaknesses identified in the Act, the government adopted several amendments to the Act in 2013 (Cooperatives 4 Development, 2019). Weaknesses identified include co-operatives being registered for opportunistic reasons, for example to access government grants, resulting in a discrepancy between the number of registered co-operatives and the impact that these co-operatives have had on economic development (Cooperatives 4 Development, 2019).

While it was found that the amendments did not adequately address the issue of co-operatives being registered for the wrong reasons, the amendments did attempt to address other concerns such as the introduction of provisions that sought to ease the burden on small co-operatives with regard to having audited financial statements

¹ See Section 4.4. for list of Co-operative Principles

(Cooperatives Act, 2005). However, critics noted that the provision introduced a level of complexity which was unsuitable for a relatively unsophisticated co-operative movement.

4.2 Co-operative Development Policy (2004)

The Co-operative Development Policy (“CDP”) existed prior to the enactment of the current Co-operatives Act. The CDP was a framework that was put in place to ensure the promotion and support of developing or emerging co-operatives in South Africa. Furthermore, the CDP was drafted with the objective of creating an enabling environment for co-operative enterprises in the absence of any existing legislation at the time. At the time of its development, the CDP was the first explicit co-operative development policy (Department of Trade and Industry, 2004). As such, the policy guidelines available in the CDP provided substantial input into the development of the current legislation regulating co-operatives.

4.3 Co-operative Banks Act of 2007

The Co-operative Banks Act of 2007 (“CBA”) provides for the registration of deposit-taking financial service co-operatives which meet a specified threshold as co-operative banks (Cooperatives 4 Development, 2019). One of the aims of the CBA is to facilitate the establishment of co-operative banks in South Africa, which would subsequently lead to co-operatives receiving increased financial support to fund their activities (Cooperative Banks Act , 2007). While the CBA was enacted to facilitate the establishment of co-operative banks in South Africa, this has not been the case. According to the Parliamentary Monitoring Group (2017), this is partly due to the 15% external credit limit currently in place, which limits the amount of credit co-operative banks can offer, with the argument being made that this is not incentive enough to enter the market. As such, the current legislation needs to be amended in order to create a conducive environment for co-operative banks, to facilitate their infiltration into the market.

4.4 Principles of Good Governance for Co-operatives

The principles of good governance for co-operatives provides a framework for co-operatives to develop their own operational policies. The principles of good governance for co-operatives does not detail or define all aspects of good governance, however, it provides an outline of the fundamentals of good governance informed by the unique

identity of the co-operative business model. Furthermore, the principles of good governance for co-operatives are generic and not aimed at any specific kind of co-operative (Department of Small Business Development, 2015).

According to the principles of good governance for co-operatives, all co-operative members and their boards should act in accordance with the following seven co-operative principles:

- Voluntary and open membership
- Democratic member control
- Member economic participation
- Autonomy and independence
- Education, training and information
- Co-operation among co-operatives
- Concern for community

These principles seek to assist co-operative directors and managers with regard to ensuring compliance with legislative requirements as well as the requirements stipulated in the co-operative's own constitution. Furthermore, the principles allow members of co-operatives to understand their rights as members.

5 Recommendations

The section below aims to provide suggestions on the ways in which current policies can be revised in order to address co-operatives' needs and to ensure that co-operatives can successfully contribute to the economy.

5.1 Lack of Access to Markets

A co-operative specific procurement policy should be developed in order to facilitate increased market access for the co-operative sector. For example, the policy could indicate that a certain percentage of departmental expenditure with regard to procurement is allocated to co-operatives. For example, as part of the Department of Basic Education's National School Nutrition Programme, the policy could aim to ensure that at least 10% of the raw produce required for the nutrition programme is procured from agricultural co-

operatives. Developing a specific procurement policy for co-operatives will serve as a mechanism to allow co-operatives to participate in government procurement processes in a more equitable manner.

5.2 Inability to Secure Funding

With regard to specific co-operative support services, the Co-operative Development Policy provisions relating to support services should be updated in order to allow for the establishment of a body that is focused on assisting co-operatives with drafting proposals for funding from government as well as alternative funding sources. The Co-operative Development Policy updates should provide the authority for the establishment of the body and should explicitly state the purpose and objectives of the body. This will ensure that co-operatives have opportunities to access funds from diverse sources and will make significant progress in ensuring that co-operatives do not become reliant on government funding. This body can also provide other forms of information to co-operatives, such as information on alternative options for funding, information on where to get other forms of support, and the application processes attached to each of form of support. Furthermore, the updated policy provision should ensure that strict monitoring processes are in place to determine whether funds granted are being used for the appropriate reasons.

Additionally, the CBA, specifically Section 15 relating to the 'general functions of a co-operative bank', should be updated to stipulate that, in order to promote and advance the social and economic welfare of all citizens, one of the functions of a co-operative bank is to provide funding for co-operatives. Additionally, the CBA should specify that a certain percentages of a co-operative bank's loan book be made up of loans to co-operatives. This should facilitate access to funding opportunities for co-operatives.

5.3 Internal Challenges

While it is noted that the settlement of disputes is regarded as an internal matter, and that the Co-operative Development Policy as well as the Co-operative Act encourages co-operatives to settle their disputes internally, it is evident that an intervention at the policy and/or legislative level is required to effectively address issues relating to a lack of trust and collaboration within co-operatives.

Therefore, in order to emphasise the importance of trust and collaboration within a co-operative, trust and collaboration amongst co-operative members should be added as a core principle in the Co-operative Development Policy. The principles of good governance should also be updated to include the trust and collaboration amongst members as one of the key co-operative principles. Adding trust and collaboration may ensure that newly formed co-operatives are aware of the importance of this principle, and therefore, may assist with minimising this challenge.

Furthermore, there is a need for a provision relating to effective internal dispute resolution. It is therefore recommended that, Clause 18 of the Co-operative Development Policy, which concerns conflict/dispute resolution, is updated to provide clear dispute resolution procedures for internal disputes (beyond the procedures stipulated in individual co-operatives' constitutions). This can be done by, for example, adapting the current provisions to ensure that each co-operative includes a standard dispute resolution clause in their respective constitutions that provides a standardised process with regard to dealing with disputes. Alternatively, a set of 'rules' regarding the mechanisms and/or structures that need to be in place in order to address disputes may be provided.

Additionally, there is a need for a provision in the Co-operative Development Policy and/or the Co-operatives Act that allows for all newly formed co-operatives to receive adequate support services from the registering body, such as the CIPC, at the point of registration in order to ensure that co-operatives are aware of how to establish proper governance structures, such as a board. This support can also be in the form of business and financial management guides and/or training, conflict resolution guides and/or training, or educational workshops on the critical success factors of co-operatives.

Furthermore, in order to improve the sustainability of co-operatives, updated provisions in the Co-operative Development Policy and/or the Co-operatives Act need to ensure the proper formation and initial development of governance structures within a co-operative, in order to ensure that newly formed co-operatives have a strong foundation in place. This can be done by, for example, updating the current provisions to indicate that at the point of registration, co-operatives are provided with the information and training regarding how to establish these governance structures by the registering body.

5.4 Lack of Business Management, Financial and ICT Skills

The current provisions relating to skills development in the Co-operative Development Policy, for e.g., the 'skills development strategy' in clause 16 (e), should be updated to provide more specific detail with regard to the skills development strategy to be employed by the government, and to ensure that clear and achievable milestones are in place with regard to the training of co-operatives. This will ensure that the success of training interventions is measurable against a specific set of goals, which should allow for the identification of and focus on more effective training interventions. Furthermore, this clause should be adapted to ensure that training interventions are focused on addressing the persistent issues that the sector has faced, such as the lack of business, financial management and ICT skills, instead of adopting a more general approach.

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