ISISHWANKATHELO
SOMTHETHO OYILWAYO WESIZWE WOHLENGAHLENGISO LWAMATYALA

1. INTSHAYELELO

1.1 Injongo yesi sishwankathelo kukunika nokuqondisa ngokucacileyo ngomThetho oYilwayo weZiko lwezeMpilo leSizwe loMzantsi-Afrika (umThetho oYilwayo) ukunceda uluntu nabantu abachaphazelekayo ukuba bacacelwe ngokubanzi ngumThetho oYilwayo ukuze babe nokuthatha inxaxheba kwinkqubo yokwenziwa komthetho.

1.2 Njengoko umthetho uchaphazela wonke umntu elizweni, kubalulekile ukuba abantu bangabi nolwazi ngomthetho kuphela, koko babe nolwazi nangenkqubo yokuqulunqwa komthetho ngokubanzi ukuze babe nokwenza amagalelo avakalayo.

2. ISISHWANKATHELO

2.1 Lo mThetho uYilwayo ngowekomiti kwaye awukangeniswa ePalamente nguMphathiswa kodwa usangeniswe yiKomiti yasePalamente ejongene noRhwebo noShishino ngokwemiqathango yecandelo lama-73(2) lomGaqosiseko weriphabhliki yoMzantsi-Afrika, 1996.

2.2 UmThetho oYilwayo uhlengahlengisa umThetho wamaTyala weSizwe, 2005 ohlengahlengiswe ngomThetho we-19 kowama-2014 kwaye okokuqala wongeza iinkcazelo ezintsha zamagama aya kucacisa imiqathango ethile yomThetho oYilwayo.

2.3 Lo mThetho uYilwayo ubizwa ngokuba "ngumThetho oYilwayo woNgenelelo kumaTyala" njengoko eyona njongon yawo iphambili ikukuthintela amatyala agqithisileyo ebantwini kwaye uqinisekisa nendawo ebolekisa ngemali efikelelayo, engatshintshiyo, ethembekileyo nefanayo.

2.4 Uphando olwenziweyo lubonakalisa ukuba imbolekisomali engalawulwa ngokusemthethweni ikhule kakhulu kwaye ivame kubasebenzi bemizimveliso, abasemgodini, abasezifama nakubasebenzi basemakhitshini nabathi babe ngamaxhoba amatyala agqithisileyo. Uphando lukwabonakalise ukuba ezona zizathu zingunozala woku kukuphela kwemisebenzi, ukunyuka kwamaxabiso ezinto, inani eliphezulu labantu abasweleka kwiingozi zeeteksi neebhasi bangabondli eentsapho.

2.5 Ngenxa yoku kukhankanywe ngasentla, iKomiti ibone kufanelekile ukuba kubekho ungenelelo kuba, nangona umThetho wamaTyala weSizwe ingumthetho ofanelekileyo osebenze njengesikhuseli ngethuba lokuhla kwamandla email kowe-2008, kodwea awubanga nakho ukukhusela ngokwaneleyo abasebenzi abangathathi ntweni.

3. UCAZULULO LWEGATYA NGALUNYE

3.1 Igatya loku-1 lifakela iinkcazelo zamagama ezintsha kulo mThetho.

3.2 Igatya lesi-2 lihlengahlengisa icandelo lesi-3 lomThetho ukubonelela ngongenelelo kumatyala njengesinye sezixhobo zokukhulisa nokuqhubela phambili intlalo nezoqoqosho lwabantu boMzantsi-Afrika.

3.3 Igatya lesi-3 lifakela icandelo le-15A kulo mThetho elichaza imisebenzi ye*National Credit Regulator* ngokubhekiselele kwizicelo zongenelelo kumatyala nokubonelela ngesakhono esifunekayo kulo mba. Imithetho ekhoyo ekhulula umntu etyaleni ibikwenza oko ngokuthimba impahla yonetyala, ukulawulwa kwamatyala omntu nokuphonononongwa kwamatyala.

3.4 Igatya lesi-4 lihlengahlengisa icandelo lama-27 lomThetho ngokuthi longeze imisebenzi ye*Tribunal* ebhekiselele kwimiba edluliselwe kuyo ngokwemiqathango yalo mThetho.

3.5 Igatya lesi-5 lihlengahlengisa icandelo lama-60 lomThetho elibonisa ngokuchanekileyo ilungelo lokwenza isicelo setyala nokomTttttho.

3.6 Igatya lesi-6 lifakela icandelo lama-69A kulo mThetho kwaye lifuna ukuba i*National Credit Regulator* igcine incwadi yongenelelo kwizicelo zamatyala nelichaza ukuba uMphathiswa kufuneka amisele ingcaciso emele kubhalwa kuloo ncwadi.

3.7 Igatya lesi-7 lihlengahlengisa icandelo lama-70 lomThetho kwaye lifuna ukuba i*credit bureaux* yamnkele ingcaciso emayela nezicelo zongenelelo kumatyala ezisuka kwi*National Credit Regulator* ngaphandle kokubiza imali.

3.8 Igatya lesi-8 lihlengahlengisa icandelo lama-71 lomThetho kwaye lichaza ngokukhutshwa kwesiqinisekiso sokungabi natyala sikhutshwa yi*National Credit Regulator* nokusonjululwa kweembambano kulo mba.

3.9 Igatya le-9 lihlengahlengisa icandelo lama-71A lomThetho kwaye lichaza ithuba ekufuneka ukuba i*credit bureaux* isuse ngalo uluhlu oluphathelele kungenelelo lwamatyala nokusombulula iimbambano kulo mba.

3.10 Igatya le-10 lifakela icandelo lama-82A kumThetho kwaye lifuna ukuba abacebisi bezamatyala banike ingxelo ngamatyala akrokrelekayo anikezelwa ngokungenankathalo.

3.11 Igatya le-11 lihlengahlengisa icandelo lama-85 lomThetho ngenjobngo yokugunyazisa inkundla ukuba iphande ngokuphathelele kumba ophambi kwayo nalapho umbolekimali alufaneleyo ungenelelo lwamatyala.

3.12 Igatya le-12 lihlengahlengisa icandelo lama-86 lomThetho kwaye lifuna ukuba umcebisi wezamatyala asoloko ethathela ingqalelo izivumelwano zamatyala ezibolekisa ngokungenankathalo, engakwenzi oko ngokwesicelo sombolekimali kuphela.

3.13 Igatya le-13 lifakela icandelo lama-86A lomThetho.

3.14 Igatya le-14 lihlengahlengisa icandelo lama-87 lomThetho kwaye ligunyazisa i*Tribunal* ukuba licwangcise ngokutsha iimfanelo zombolekimali.

3.15 Igatya le-15 lifakela icandelo lama-87 kulo mThetho. Eli candela lichaza imiyalelo enokunikwa yi*Tribunal* apho iimfanelo zombolekimali zingenakho ukucwangciswa ngokutsha ngethuba elithile.

3.16 Igatya le-16 lifakela icandelo lama-88A nelama-88B kulo mThetho.

3.17 Igatya le-17 lihlengahlengisa icandelo lama-89 lomThetho kwaye lixhobisa i*Tribunal* ukuba ibhengeze izivumelwano zamatyala ezingekho mthethweni njengezingasebenziyo.

3.18 Igatya le-18 lihlengahlengisa icandelo lama-90 lomThetho kwaye lixhobisa i*Tribunal* ukuba ikhuphe umyalelo omayela nemiqathango yesivumelwano setyala engekho mthethweni.

3.19 Igatya le-19 lihlengahlengisa icandelo le-106 lomThetho kwaye libonelela ngeinshorensi yetyala.

3.20 Igatya lama-20 lihlengahlengisa icandelo le-129 lomThetho kwaye lichaza ukuba umbolekisi ngemali akanakho ukubuyisela okanye ukuvuselela isivumelwano setyala okanye inxalenye yaso xa sele kukhutshwe umyalelo we*Tribunal* obhekiselele kwisivumelwano setyala.

3.21 Igatya lama-21 lihlengahlengisa icandelo le-130 lomThetho kwaye lichaza ukuba inkundla kufuneka iwukhuphe kuyo umbandela osele ukhutshelwe umyalelo yi*Tribunal.*

3.22 Igatya lama-22 lihlengahlengisa icandelo le-137 lomThetho kwaye lichaza ukudluliselwa kwezicelo zongenelelo kwityala yi*Tribunal*.

3.23 Igatya lama-23 lihlengahlengisa icandelo le-142 lomThetho kwaye lichaza ukuviwa kwesicelo songenelelo kwityala lilungu elinye le*Tribunal.*

3.24 Igatya lama-24 lihlengahlengisa icandelo le-152 lomThetho kwaye licacisa ukuba imiyalelo ye*Tribunal* iyabophelela kubabolekisi ngemali nakubabolekimali.

3.25 Igatya lama-25 lifakela la macandelo; 157A, 157B, 157C nele-157D kumThetho.

3.26 Igatya lama-26 lihlengahlengisa icandelo le-161 lomThetho kwaye lichaza izohlwayo zolwaphulomthetho ezichazwe kwigatya lama-25.

3.27 Igatya lama-27 lihlengahlengisa icandelo le-164 lomThetho kwaye linabisa imiqathango yomThetho ephathelele kumatyala esizi.

3.28 Igatya lama-28 lihlengahlengisa icandelo le-165 lomThetho kwaye lichaza ukuba i*Tribunal* lingawutshintsha okanye liwurhoxise umyalelo wayo phantsi kweemeko ezithile.

3.29 Igatya lama-29 lihlengahlengisa icandelo le-171 lomThetho kwaye ligunyazisa uMphathiswa ukuba enze imimiselo emisela inkqubo yemfundiso ngemali.

3.30 Igatya lama-30 lilungisa isihloko eside somThetho ngenjongo yokubonelela ngongenelelo kumatyala.

3.31 Igatya lama-31 libonelela ngomThetho woHlengahlengiso ngaphandle kwala magatya ele-19, elama-25 nelama-26 asebenza kwisivumelwano setyala.

3.32 Igatya lama-32 lichaza isihloko esifutshane kwanokuqalisa komThetho ukusebenza.

4. ELOKUQWELA INGQOKOQHO

Abantu bayakhuthazwa ukuba bahlomle kulo mThetho uYilwayo phambi kokuba uphunyezwe njengomthetho osebenzayo. Iikopi zalo mThetho uYilwayo zingafumaneka ngenye yezi ndlela zilandelayo:

- ngokufunxwa kwisiza sentungelwano esithi: www.parliament.gov.za okanye
- www.ecleg.gov.za okanye
- kuMququzeleli weKomiti, uMnu Makabongwe Tyiwani onokuchwethwa kula manani omnxeba 079 496 6490 okanye kule imeyile: mtyiwani@ecleg.gov.za okanye
- ngokuchukumisa uMnu Lonwabo Sopela, iGqwetha eliCebisayo kwiKomiti kula manani omnxeba 082 562 4493 okanye kule imeyile: lsopela@ecleg.gov.za

Izihlomlo ezenziwa ngomlomo nezibhaliweyo ngalo mThetho uYilwayo zamnkelekile kwaye zingathunyelwa kumalungu ekomiti okanye kumagosa ekomiti leyo aya kuthi bhazalala kwizithili eziliqela zeli phondo ekwiphulo lokuva izimvo zabantu. Izihlomlo zisenokuthunyelwa nakumnxeba wefeksi othi 086 734 4949.

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