

## Ama-ejensi athembise ngokuqinisa ukusebenzisana njengoba kusondela isikhathi esibucayi sokubuyekezwa kwe-FATF

**11 kuNcwaba 2022** - Izikhungo zaseNingizimu Afrika ezilwisana nenkohlakalo, kubandakanya ukubanjwa kombuso ngobhongwane, zithembise ngokuzinikela kwazo ekuqiniseni imizamo yabo ezibambisene kuyo nokwenza ngcono ukusebenzisana kwabo ukuze kuqinisekise ukuthi labo abasebenzisa budlabha izinsizakusebenza zombuso babhekane nengalo yomthetho.

UKhomishana wakwaSARS u-Edward Kieswetter, uMqondisi Wezokushushiswa Komphakathi kuZwelonke uShamila Batohi kanye neNhloko yeDPCI kuZwelonke uGodfrey Lebeya, bebeyingxenye yabaphathi abebekhona ngenkathi kuvulwa umhlangano wokubonisana wezinsuku ezintathu ngokusebenzisana kwama-ejensi obubanjelwe ePretoria.

Umhlangano wokubonisana owawubanjwe ngoNtulikazi waba yinqophamlando kuma- ejensi okuphoqeelwa komthetho, ndawonye noMgcinimafa kaZwelonke, UPhiko Lwemalingeniso Eqoqwayo LwaseNingizimu Afrika, Isikhungo sobuchwepheshe Kwezezimali i-Financial Intelligence Centre, i-Financial Sector Conduct Authority kanye neBhangengodla laseNingizimu Afrika ndawonye bazobeka izinga lokusebenzisana phakathi kwama-ejensi ekulwisaneni nokugeleza kwezimali okungemthetho, ukukhwabaniswa kwemali, ubugebengu bentela kanye nenkohlakalo. Ubuhanjewe izisebenzi eziphethe ezingama-40 ezivela emnyangweni kaMgcinimafa kaZwelonke, uSARS, i-SARB, i-Financial Intelligence Centre, i-Financial Sector Conduct Authority, uPhiko Lokushushisa kuZwelonke, oKlebe (Hawks) kanye noPhiko Lophenyo Olukhethekile.

Kulesi sikhathi esibalulekile sentandoyeningi eNingizimu Afrika, iziNhloko zezikhungo ezibambe iqhaza zivumelene ngokuthi ukwakha izikhungo eziqinile nezikwaziyo ukubuyela masinya emva kokuwa ezizokwazi ukumelana nenkohlakalo kanye neminye imizamo engase yenziwe ukubamba umbuso ngobhongwane yikho okuyisisekelo ekubuyiseni isithunzi nokwakha kabusha ukuthenjwa umphakathi.

Kumongo wokubuyisa ukwethenjwa umphakathi ukuqinisekisa ukuthi labo abatholakale embikweni weKhomishana kaZondo ababikwe ukuthi bayabandakanyeka ekubanjweni kombuso ngobhongwane nasekuphazamiseni amandla ombuso kumele babhekane nomthetho ngezenzo zabo ezilimaze isizwe kakhulu kuleminyaka eyishumi eyedlule.

Izinhloko zezikhungo zavumelana ukuthi ukuze lokhu kube yimpumelelo kudingeka kwenziwe lokhu:

- Lonke uhlelo lobuchwepheshe lwezezimali kuzwelonke olwenza ukusebenzisana phakathi kwama-ejensi kumele luthuthukiswe futhi luqiniseke.
- Ama-ejenti abandakanyekayo kumele asebenze ndawonye ngokubambisana ohlelweni lokuzokwenziwa oluhlanganisiwe.
- Kumele basebenzisane nasekwabelaneni ngolwazi ngokuvunyelwa umthetho futhi kuphuculwe nokusetshenziswa kwemininingo.
- Ama-ejensi abelane ngezindlela ezisebenza kahle kanye nezindlela zokuqinisekisa ukuqaliswa kokusetshenziswa nangendlela esheshayo yokuzokwenziwa okuhleliwe.
- Labo abenza ukuthi kwenzeka ukubanjwa kombuso ngobhongwane nenkohlakalo, abafana namanye amabhange, izinkampani ezicwaninga amabhuku, abathengisi bezindlu kanye nabammeli, bazobhekana nengalo yomthetho futhi babhekane nemikhandlu elawulayo.

Ngokubheka umsuka wenkombandlela ehlanganyelwe ohlinzekwe yiziNhloko zezikhungo, ongoti be-OECD baxhumanise ukuzihlola wena okubalulekile ngokuvuthwa kokusebenzisana phakathi kwama-ejensi aphoqelela umthetho kanye nema-ejensi alawulayo eNingizimu Afrika esebenzisa indlela evuthiwe yemigomo encike emigomweni yomhlaba wonke eyishumi yokulwa nobugebengu bentela esungulwe yi-OECD. Ababambiqhaza bahlonze izinkinga nezikhala ezikhona kanye nezindlela zokukulungisa lokhu. Umhlangano wokubonisana uphinde wabheka ukuthi iziphi izindlela zokubambisana emazweni omhlaba ezikhona nezingasetshenziswa ngendlela eyimpumelelo ukulwisana nobugebengu bentela, ukugeleza kwemali

okungemthetho, ukukhwabaniswa kwemali kanye nokufaka imali ezenzweni zobudlova .

Imiphumela yokuphendula imibuzo yokuzihlola wena siqu iveze ukuthi kunokuguquka okwenzekayo okuvelayo ohlelweni lobuchwepheshe lwezimali. I-OECD ikushayele izandla lokhu kuguquka. I-OECD yeseke imizamo ehlanganyele yezinhlango ukuthi ziqhubeke nokuqinisa umongo wamasu kanye nezinhlelo ngokuqinisa imugudu phakathi kwama-ejensi ezama izindlela ezisebenzayo neziyimpumelelo zokushintshana ngolwazi nokusebenzisana ngokubambisana. I-OECD iphakamise i-Fusion Centre njengeyona ndlela enhle efufusayo engakwazi ukuthi yelulwe ukulwa nokukhwabaniswa kwemali nokwakha phezu komsebenzi owenziwe yi-South African Anti-Money Laundering Integrated Taskforce (SAMLIT) okungukusebenzisana phakathi kwezinhlangano ezizimele nezikahulumeni okuhloselwe ukulwa nobugebengu bezimali futhi kuzoholwa yi-FIC kanti izobe ibandakanya ama-ejenti afanele okuphoqelelwa komthetho, izikhungo ezilawulayo, kanye namabhange.

I-OECD iphinde ikhuthaze izinhlangano ukuthi zihlole ukuthi lezi ziphakamiso ezenziwe ama-ejenti zizosebenza yini ekubhekaneni nokuceba okungachazeki.

Imiphumela jikelele iveza ukuthi iNingizimu Afrika inohlelo oluzinzile nolusebenzayo, olubandakanya ukusungulwa kwethimba lama-ejensi elisebenzisanayo olugxile ekugelezeni kwemali okungemthetho kodwa kusekuningi okusamele kwenziwe ukulwisana nobugebengu bentela, ukugeleza kwemali okungemthetho, ukukhwabaniswa kwemali kanye nokufaka imali ezenzweni zobudlova. Lokho kubandakanya imizamo yokuphucula ukuhlaziywa nokuhlanganiswa kwemininingo, ukuhlanganisa imithetho futhi kuzanywe ukuthi kuncishiswe imithetho enqindayo ukukhuthaza ukushintshana ngolwazi oluqondile noluthembekile ngokushesha, okuceza isikalosilinganiso okuqhubekayo kokuvuthwa kokusebenzisana phakathi kwama-ejensi kanye nokuthenjwa kwama-ejensi kanjalo nokubuyekezwa kwezivumelwano zamazwe amabili noma zamazwe amaningi zaseNingizimu Afrika ngokufaneleka kwenhloso.

IziNhloko zezikhungo ziyivumile imiphumela yomhlangano wokubonisana nokuqaliswa kokusetshenziswa kwezincimo njengesinyathelo esiyaphambili ekuvuseleleni ukuphendula kweNingizimu Afrika ku-FATF kuMasingana kowezi-2023. Udaba olusemqoka manje ukugxila kakhulu ekwenzeni nasekufinyeleleni kumiphumela ebonakalayo.

IYAPHELA.