ISITATIMENDE SABEZINDABA ESIHLANGANYELWE

Kuzohlolwa ukusebenza kwethuluzi elisha lokushaya umthetho elihloselwe ingcebo engachaziwe

Tshwane, 30 kuNcwaba 2022 - Isinyathelo, esihlolwa ukusebenza kwaso iminyango eminingi kahulumeni nezisebenzeli zokuphoqelelwa komthetho nokushushisa, sizokonga imali, kusheshe futhi kube lula ukuphenya nokuthola impahla etholakale ngezenzo ezingekho emthethweni ezifana nenkohlakalo, ukukhwabanisa, ukugwema intela kanye nokukhwabanisa imali.

UPhiko Lokushushisa Kuzweloke (i-NPA), uPhiko Oluphenya Amacala Aseqhulwini (i-DPCI), uMnyango Wezobulungiswa (i-DOJ) kanye noPhiko Lwemalingeniso Eqoqwayo LwaseNingizimu Afrika (SARS), beholwa yiSikhungo Sobunhloli Bezimali i-Financial Intelligence Centre (FIC) futhi besebenza ngaphansi kokwalulekwa nokwesekwa yiThimba Elibhekene Nokulwa Nenkohlakalo i-Anti-Corruption Task Team (ACTT), basebenza ngokubambisana kulo mklamo ohlanganyele wokuvimbela labo abaphila impilo ethile ngenzuzo etholwe ngendlela engeyiyo kungcebo yabo engachaziwe.

Lokhu kuzokwenza iNingizimu Afrika ikwazi ukubamba inzuzo etholakale ngobugebengu ngokuhambisana nezincomo ezenziwe yi-Financial Action Task Force (FATF) ngalolu daba.

Izisebenzeli zokuphoqelelwa komthetho zizosebenzisa umthetho okhona wokuthola impahla ukuze zithole imiyalelo efanele ekhishwe yizinkantolo zethu zokudla ingcebo engachaziwe, lokho okuzokwenza iziphathimandla zaseNingizimu Afrika zikwazi ukuthola izinzuzo ezitholakale ngendlela engafanele.

Okuhlinzekelwa umthetho wethu okhona wokuthola impahla obhekene nengcebo engachaziwe yithuluzi lomthetho elidinga ukuba uMbuso uveze ubufakazi bokuthi imithombo esemthethweni yemalingeniso yommangalelwa ayanele ukuthethelela impahla ummangalelwa anayo.

Lokhu kubeka umthwalo kummangalelwa ukuba aveze ubufakazi bokuthi imithombo yezimali zempahla yakhe isemthethweni nokuthi impahla leyo ayitholakalanga ngenzuzo yezenzo zobugebengu. Inkantolo ingabe isikhipha umyalelo wokudliwa kwengcebo engachaziwe ngezizathu zokuthi ingcebo yomuntu noma inkampani ayihambisani nemalingeniso esemthethweni engenile noma edalulwe ngumuntu lowo noma inkampani nokuthi ummangalelwa akakwazi ukuthethelela noma ukuchaza ukuthi ingcebo leyo yatholakala kanjani ngendlela esemthethweni.

Le ndlela izokwenza izisebenzeli zokuphoqelelwa komthetho noSARS bakwazi ukwenza okuthile ngisho nangamacala lapho izenzo ezingekho emthethweni zingakwazi ukuvezwa ubufakazi bazo ngaphandle kokungabaza.

Emazweni omhlaba, i-UK, i-Australia, i-Ireland, i-Mauritius kanye neKenya bayizibonelo zamazwe asewuthathile lomqondo we-UWO njengethuluzi lomthetho kanti bakwazile ukuthi bazithole izimpahla.

Isinyathelo saseNingizimu Afrika sokusebenzisana kwezisebenzeli sihlose ukuqinisa nokwengeza ekusetshenzisweni kohlakakusebenza lwezomthetho olukhona ukonga nokulahlekelwa impahla ngokubhekana nengcebo engachaziwe. Isinyathelo sihlose ukuthola ukuthi ngabe umthetho okhona ungakwazi na ukusetshenziswa ngempumelelo noma kumele kwengezwe uhlakakusebenza oluzimele lomthetho we-UWO.

Siphinde sihlose ukuhlola ukuthi ukusebenzisana kwezisebenzeli ngabe kungakwazi yini ukwenzeka ukuze kwandiswe imikhawulo yomthetho okhona ngokusungula umthetho wecala ngokusebenzisa izinqubo zasenkantolo.

Isinyathelo saqalwa kuLwezi 2020 ukuhlola ukuphumelela kwendlela yokuthola impahla ye-UWO eNingizimu Afrika ngaphansi kweSahluko 6 soMthetho Wokuvikelwa Kobugebengu Obuhleliwe nangokusebenzisana phakathi kwezisebenzeli. Ikomidi eliphethe lo mklamo selisunguliwe kwase kubekwa nethimba elizosebenza ukwenza ucwaningo nokubeka izilinganiso bese benza izincomo ngokumele kwenziwe ukuya phambili.

Izisebenzeli ezibamba iqhaza zingene esivumelwaneni sokusebenzisana phakathi kwazo ukwenza ukusebenzisana kwazo kube semthethweni kanye nendlela yokuqalisa ukusebenzisa izinyathelo emacaleni azokhethwa; kanye nokulawula ubumfihlo bolwazi okuzokwabelwana ngalo kuzisebenzeli ezinye.

Imisebenzi yokulungiselela isigaba esilandelayo iyaqhubeka ukuze kukhethwe icala elifanele lokuhlola lokhu okukhona okuhlinzekelwayo okubhekene nengcebo engachaziwe ezinkantolo.

Inhlangano i-Organisation for Economic Cooperation and Development izwakalise intshisekelo nokweseka imiphumela yomklamo njengendlela yokugxilisa ukusebenzisana kanye nokulwisana nezenzo ezingekho emthethweni ezifana nenkohlakalo, ukukhwabanisa, ukugwema intela, ukukhwabanisa imali kanye nokugeleza kwemali okungemthetho.

ISITATIMENDE SABEZINDABA SIKHISHWE EGAMENI LIKA:

Adv Xolisile Khanyile, Director of the Financial Intelligence Centre

General Godfrey Lebeya: National Head: DPCI and Chairperson of ACTT

Adv Shamila Batohi, National Director of Public Prosecutions

Mr. Edward Kieswetter, Commissioner, South African Revenue Service

IYAPHELA