ISITATIMENDE SABEZINDABA ESIBUKEZIWE NOKUXOLISA ESIDLANGALALENI KULABO ABABESEBENZELA USARS ABATHINTEKA NGENXA YEZINYATHELO EZATHATHWA USARS, KANYE NABANYE ABANTU ABASECELENI, NGONYAKA 2014-2018

11 November 2022, PRETORIA – Njengelinye igxathu lohambo lokwakha kabusha ukwethenjwa umphakathi nokwethembeka, kuyintokozo kuSARS ukumemezela ukuthi usuvumelene nalabo ababeyizisebenzi zawo abathinteka ngezehlakalo ezenzeka ngesikhathi kubanjwa uSARS ngobhongwane phakathi konyaka wezi-2014 nowezi-2018.

UKhomishana uKieswetter, egameni likaSARS, uzwakalisa ukuxolisa esidlangalaleni kulabo ababeyizisebenzi zawo ngezenzo zenhlangano nalokhu inhlangano engakwenzanga okwaba bomthelela omubi ezimpilweni zabo. USARS uyazisola ngobuhlungu nenhlupheko okubehlele bona nemindeni yabo ngenxa yezenzo ezithile ezenziwa uSARS ngalesi sikhathi.

Lesi sivumelwano singezinye zezincomo zeKhomishana eyayibheka ukuphathwa kwentela kanye nokubusa kukaSARS eyaziwa nge (Nugent Commission) eyathola ukuthi uSARS awubanga nasithunzi futhi wahluleka ukubusa ngesikhathi sikaKhomishana wangaleso sikhathi uMnu. Tom Moyane.

Emva kophenyo olunzulu ezindabeni ezenzeka kwaSARS, kubandakanya izinsolo zokuthi uphiko, olwasungulwa kowezi-2008 ukulwisana nomnotho ongemthetho, lwasungulwa ngokungemthetho, i-Nugent Commission ithole kowezi-2018 ukuthi izinsolo zazingenasisekelo

Lesi sinqumo siphinde sesekwa izinto eziningi ezenzeka kule minyaka embalwa eyedlule. Lokhu kubandakanya ukuthi:

(a) Ukubika kwephephandaba i-Sunday Times okubhebhethekise udaba olungelona iqiniso lwe"rogue unit" luyihoxise yonke imibiko yalo eyayishicilela laphinde lakhipha umbiko wokuxolisa ngalezi zinsolo.

(b) I-KPMG ihoxise lokhu eyaphetha ngakho nezincomo zombiko wayo ngalolu daba.

(c) USihlalo weBhodi Elelulekayo lakwaSARS, iJaji Frank Kroon, wahoxisa isinqumo sakhe mayelana nokungabi semthethweni kokusungulwa kophiko.

(d) INkantolo Ephakeme ibeke eceleni i-Inspector-General of Intelligence Report ngalolu daba; kanti

(e) nalokhu okwabhalwa uMvikeli Womphakathi njengokuzolungisa embikweni wakhe ngenkathi ebhekene nalolu daba nakho kuthiwe akukho emthethweni kwase kubekwa eceleni yiNkantolo Ephakeme (Gauteng Division) kowezi-2020, nawo, phakathi kweminye owawuncike embikweni we-KPMG, umbiko weSikhakhane kanye nombiko we-Inspector-General of Intelligence. INkantolo Ephakeme ithole ukuthi uMvikeli Womphakathi uhlulekile ukwenza uphenyo ngendlela efanele leli hhovisi. Ngokwenza kanjalo, uMvikeli Womphakathi wenze okungahambisani nhlobo nemigomo ebekwe kuSigaba 181(1)(a) nakusigaba 182 siMthethosisekelo, ezithi uMvikeli Womphakathi kumele angathathi hlangothi futhi asebenzise amandla akhe enze nomsebenzi wakhe ngaphandle kokwesaba, ukwenzelela nokubandlulula. Inkantolo iphinde yayalela ukuba uMvikeli Womphakathi noMmeli Omkhulu uBusisiwe Mkhwebane ngokwakhe, bathwale ngokuhlanganyela noma ngabodwana izindleko njengesijeziso. kuMandulo 2021, amajaji amabili eNkantolo Enkulu Yokudluliswa Kwamacala isichithile isicelo soMvikeli Womphakathi sokuphinde kubhekwe isicelo sakhe sokudlulisa icala ngesinqumo seNkantolo Ephakeme. UMvikeli Womphakathi wafaka isicelo kumongameli weNkantolo Enkulu Yokudluliswa Kwamacala (i-SCA) ukuze kuphinde kubhekwe ukuchithwa kwesicelo sakhe sokudlulisa icala. Mhla lu-1 kuNhlolanja 2022, umongameli weNkantolo Enkulu Yokudluliswa Kwamacala (i-SCA) naye usichithile isicelo soMvikeli Womphakathi sokubhekwa kabusha kwesicelo sakhe sokudlulisa icala. UMvikeli Womphakathi ube esefaka isicelo sokudlulisa icala eNkantolo Yomthethosisekelo. Mhla ziyi-10 kuLwezi 2022, iNkantolo Yomthethosisekelo isichithile isicelo soMvikeli Womphakathi sokudlulisa icala mayelana nesinqumo esenziwa yiNkantolo Ephakeme, okuqeda lolu daba olungelona iqiniso mayelana nophiko lokuphenya amacala.

Embikweni wokugcina wezincomo zombiko weNugent Commission wokuthi uSARS kumele uzame ukulungisa kuzisebenzi zakwaSARS nalabo ababesebenzela wona, hhayi ngokusebenzisa imali, abathinteka ngenxa yezinyathelo ezathathwa uSARS ngenxa yombiko, phakathi kweminye, kaSikhakhane nowe-KPMG.

Ekuqashweni kwakhe kuNhlaba wezi-2019, uKhomishana uKieswetter wathola isimo sisibi ukwedlula lokhu okwakuvezwe embikweni weNugent Commission. Wafike waqalisa ukusebenzisa izindlela eziningi ngemizamo yokuzinzisa izisebenzi, ukubuyisela ugqozi nenkuthalo kuzisebenzi nokusungula kabusha ukwethembeka kwenhlangano.

Izinyathelo ezathathwa zibandakanya lokhu:

- Umkhankaso wokuhola "nokulalela" ohlose ukunika izisebenzi ithuba lokukhuluma nokwabelana ngezinto ababhekene nazo, ukubuyiselwa kwezisebenzi "ezengeziwe" lapho zazisebenza khona noma zibekwe lapho zizodlala khona indima ebonakalayo kanjalo nokuqashwa futhi kwezinye izisebenzi ezingongoti ezashiya uSARS phakathi konyaka wezi-2014 nowezi-2018.
- Ukubuyekezwa kophenyo olwenziwa ngaphandle nangaphakathi, nezinyathelo ezathathwa zokuqondisa izigwegwe kanjalo nezinye izindaba eziphathelene nokuqashwa okubonakala ukuthi zazingafanele kodwa ezenziwa kanye nazo zonke lezi zindaba sekuphothuliwe.
- Ukuphothulwa kwenqubo yokulungisa kulabo abaseyizisebenzi zakwaSARS okwathikamezeka izikhundla zabo balungiselelwe izindlela eziningi zokungenelela.

Kowezi-2021, kulandela lokhu okukhulunywe ngakho ngenhla, uKhomishana uKieswetter uqoke iKomidi Lokweluleka elizimele elinamajaji amabili, uSolwazi Thuli Madonsela (usihlalo) kanye neJaji Lenkantolo Yomthethosisekelo esalathatha umhlalaphansi uJohan Froneman, ukuze bameluleke ngokuthi kuzokwenzeka yini lokhu kulungisa okumele kwenziwe kulabo ababeyizisebenzi zakwaSARS abathintwa yilezi zinsolo ezingelo iqiniso zokuthi babengamalungu noma behlangene nophiko "oluyinkohlakalo" oluphenya amacala elenza izinto ngokungemthetho.

Umyalelo weKomidi Elelulekayo kwakuwukusungula inqubo yokuphatha ezokwelusa ezodala ukwelapheka, ukubuyisana, nezindlela zokulungisa ezinokulingana, ubulungiswa futhi ezilinganayo ngokusebenzisa izindlela zobulungiswa zokubuyisela. IKomidi Elelulekayo lithumele umbiko walo kwaSARS kuNdasa 2022 kanti izincomo zalo zemukelwa nguKhomishana.

UKhomishana uKieswetter, egameni likaSARS, uthe: “Ngiyazi ukuthi inhlangano yalimala kanye nalabo ababesondelene nokusungulwa, ukuphathwa nokusebenza kophiko lokuphenywa kwamacala, kanjalo nemindeni yabo. Ngethemba ukuthi ukuphothulwa kwale nqubo, labo abathinteka nemindeni yabo bazokwazi ukudlula kulokhu baqhubeke nokwelapheka emoyeni.

USARS uyabona ukuthi uphenyo kanye nemiphumela eyavela lapho okwenziwa yiSikhakhane ne-KPMG akuzange kuhambe kahle, kanti uSARS usukwenze kwacaca futhi

wagcizelela ukuthi angeke uze ukusebenzisele nanoma yini. USARS uyavuma ukuthi le mibiko kwakungamele isetshenziselwe ukuthatha izinyathelo kulabo abathinteka ababebamba iqhaza kanye nezinye izisebenzi zakwaSARS.

Ngebhadi, ngenxa yokuthi uSARS wona waba isisulu sokubanjwa kombuso ngobhongwane kulesi sikhathi, uSARS uyavuma ukuthi wahluleka ukuvikela izisebenzi zawo ngenkanti zisolwa ngokwenza okuphambene nomthetho ngesikhathi kuvela futhi kuMfumfu 2014 naseminyakeni eyalandela lapho."

USARS uphinde wakhipha ukuxolisa kulabo abathinteka kanye nemindeni yabo ngabanye ngesehlo ababhekana naso nokulimala okwenzeka phakathi kowezi-2014 kuya kowezi-2018 nasesikhathini eside emva kwalokho.

Ngokuhambisana nezincomo zeKomidi Elelulekayo, uSARS usukhokhe isinxephezelo esiyimali (amademeshe ajwayelekile) ngokunukubezwa kwamalungelo ababambiqhaza kanjalo nesinxephezelo ngokulahlekelwa umsebenzi lapho lokhu kufanele khona.

UKhimshana uKieswetter udlulisa ukubonga kwakhe eKomidini Elelulekayo ngokuzinikela kwalo kulenqubo yokulungisa, ikakhulukazi, ngobuholi nobuhlakani balo ekuqinisekiseni ukuthi inqubo yenziwa ngempumelelo ekufezekiseni inhloso yayo yokuqinisekisa ukubuyiswa bokulungiswa kulabo abathintekayo libe libheka nalokhu okufanele uSARS njengesikhungo.

UKhomishana uKieswetter uphinde wabonga ababambiqhaza ngokuthemba inqubo, yize kwakunzima ukwenza njalo, nangokubambisana kwabo ekuphothulweni kwenqubo ngempumelelo. Yize le nqubo yokulungisa ingeke ikuqede bonke ububi obenzeka kubantu nasemisebenzini yabo kulesi sikhathi eside kangaka, kodwa uSARS unethemba lokuthi inqubo yokulungisa iza nokwelapha okuthile nokudlulisa okuthile kulabo ababeyizisebenzi zakwaSARS nemindeni yabo futhi kuzokwenza sonke sikwazi ukuqhubekela phambili.

Lezi zisebenzi ezazisebenza kwaSARS zivumile ukuba amagama azo avezwe emphakathini njengengxenye yalesi sixoliso:

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