ISINQUMO SIQINISEKISA UKUHAMBISANA KOMTHETHO WOKUSINGATHWA KWENTELA NOMTHETHOSISEKELO

Tshwane, 14 Nhlolanja 2025 - UKhomishana woPhiko Lwemalingeniso Eqoqwayo LwaseNingizimu Afrika (SARS), uMnu Edward Kieswetter usamukele isinqumo esikhishwe mhla ziyi-12 kuNhlolanja 2025 odabeni oluphakathi kuka-Greyvensteyn noKhomishana wakwa-SARS Nabanye.

Lesi sinqumo sandulelwe umyalelokumisa wesikhashana omelene no-Andries Greyvensteyn ("Greyvensteyn") kanye ne-The Gold Kid (Pty) Ltd (Gold Kid) ngaphansi kwesigaba se-163 soMthetho Wokusingathwa Kwentela, 28 wezi-2011 (TA Act) mhla zingama-28 kuNhlolanja 2023. Umyalelo ugunyaze ukulandwa kwempahla emazweni nokubeka umkhawulo elungelweni lomkhokhintela ekuhambeleni ngaphandle kweRiphabhulikhi ngokwesigaba se-186 nese-186(3). Uphinde wavumela ukumiswa kwempahla ka-Greyvensteyn neka-Gold Kid kanjanlo nokulandwa okuyimpoqo kwempahla kaMnu. Greyvensteyn esemazweni.

Umfakisicelo, u-Andries Greyvensteyn ("Greyvensteyn"), uphonsele isigaba se-180, 184(2), nese-186(3) soMthetho Wokusingathwa Kwentela 28 wezi-2011 inselelo ngokuhambisana kwazo nomthethosisekelo. Isigaba se-180 sithi umuntu unomthwalo wesikweletu somkhikhintela sentela uma kuwubudedengu babo noma ukukhwabanisa okuholele ekutheni bahluleke ukukhokhela isikweletu sentela. Isigaba se-184(2) sinesidingo sokuthi u-SARS uhlinzeke ngethuba lokwenza izethulo ngaphambi kokuthola umuntu enecala lesikweletu somkhokhintela sentela. Isigaba se-186(3) sivumela inkantolo ukuba ilande impahla yomkhokhintela esemazweni iphinde ibeke umkhawulo ekwazini kwabo ukuhambela noma ukwenza ibhizinisi.

U-Greyvensteyn uthe lokhu kuhlinzekela kuhlukumeze amalungelo akhe ngokomthethosisekelo, ikakhulukazi isigaba sama-34 (ilungelo lokufinyelela enkantolo) kanye nesigaba sama-21 nesama-22 (ilungelo lokuhamba ngokukhululeka nokukhetha ukuhweba, umsebenzi, noma ukusebenza ngokukhululeka). Uphikise ngelokuthi izenzo zika-SARS zifana nokuzisiza bona, ezibukela phansi ilungelo lakhe lomhlangano onobulungiswa.

Inkantolo ithole ukuthi izenzo zika-SARS ngaphansi kwesigaba se-180 nese-184(2) ziyizenzo zokusingatha, okwaziyo ukuzibukeza ngaphansi koMthetho Wokukhuthazwa Kokusingathwa Kwezobulungiswa (i-PAJA). Inkantolo igcizelele ukuthi u-Greyvensteyn unelungelo lokubukeza isinqumo sakwa-SARS emajajini, okuqinisekisa ukufinyelela enkantolo. Inkantolo ibuye yathola ukuthi imikhawulo ebekwe isigaba se-186(3) emalungelweni ka-Greyvensteyn ibifanele emphakathini ovulelekile nobuswa yintando yeningi, ngokubuka ubumqoka bokuqoqwa kwentela ukuze isebenzele umphakathi. Inkantolo ithole izigaba 180, 184(2), nese-186(3) zihambisana nomthethosisekelo. Isicelo sichithwe nezindleko, kubandakanya nezindleko zabameli abane abasezingeni C.

Amandla nemisebenzi ka-SARS yokuthola izintela awaphelele lapho kanti lesi sinqumo siqinisekisa ukuthi yize u-SARS ungeke ukwazi ukusebenzisa amandla nemisebenzi yawo ngendlela ehlukumeza amalungelo ngokomthethethosisekelo, inkantolo ikuqinisekisile ukuthi ukuhlinzekela okukhona akuwanyatheli amalungelo omkhokhintela ngokomthethosisekelo.

UKhomishana u-Kieswetter uthe "lesi sibonelo esenziwa yilesi sinqumo siqinisekisa igunya lika-SARS kwezomthetho lokwenza umsebenzi wawo wokuqoqa imali yomuso ngendlela esebenzayo futhi eyimpumelelo. Okusemqoka kakhulu, kwakuwukugcizelela kwenkantolo ukuthi ukuhlinzekela okuvumela u-SARS ukwazi ukubeka umthwalo wesikweletu kumuntu wesithathu, ukulandwa kwempahla esemazweni kanye nokukhawula ukuhambela kusemthethweni futhi kuhambisana nomthethosisekelo. U-SARS uzoqhubeka nokuhlinzeka ngengcaciso nesiqinisekiso kubakhokhintela ube wenza kube lula ukusebenzisana nesikhungo. Kodwa-ke, u-SARS uzomelana naziphi izenzo zomkhokhintela ezihlose ukubukela phansi umyalelo wawo".

Ngolwazi olwengeziwe sicela uxhumane noSARS ku SARSMedia@sars.gov.za

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