

## **ISITATIMENDE SABEZINDABA ESIHLANGANISIWE NGOKUSAYINDWA KWESIVUMELWANO SOKUSEBENZISANA SENZIWE YI-SAPS/ DPCI KANYE NOSARS**

**Lesi sivumelwano esisha siphinde siqinise ukubambisana phakathi kwe-SAPS/  
DPCI kanye noSARS**

**Tshwane, 24 kuNhlolanja 2023** – Ukusebenzisana nokubambisana okuthuthukisiwe phakathi kwe-SAPS/ DPCI (Hawks) kanye noSARS kuqiniswa ngokusayindwa kwesivumelwano sokusebenzisana esikhuthaza ukushintshana ngolwazi, izinhlelo okubanjisenwe kuzo kanjalo nezinhlelo zokusebenza okunempumelelo ngokuhambisana nezidingo ze-Financial Action Task Force (FATF).

Le ngqophamlando ye-MOU sisayindwe kuMasingana 2023 nguKhomishana Jikelele wamaPhoyisa kuZwelonke u-Fannie Masemola, yiNhlolo ye-DPCI kuZwelonke, Lieutenant General uGodfrey Lebeya kanye noKhomishana wakwaSARS, uMnu. Edward Kieswetter.

Lesi sivumelwano esisemqoka, esiqala ukusebenza kusukela manje, silekelela ama-  
ejensi okuphoqelelwa komthetho ezweni akwazi ukwenza ngcono ekulwisaneni  
nenkohlakalo, ukugwema intela, ukukhwabaniswa kwemali kanye nobunye  
ubugebengu bemali siphinde siqinise uhlelo lobunhloli bezimali kuzwelonke. Sigcizelela  
ukuzinikela kwezinhloko zama-ejensi, phakathi kokunye, ukwakha nokuqinisa  
ukuthenjwa kwesikhungo kumihlangano yokucobelelana ye-OECD mayelana  
noBugebengu beNtela kanye nokuSebenzisana kwama-ejensi ahlukene obubanjelwe  
ePretoria kuNtulikazi 2022.

I-MOU izolawula, iqinise iphinde yenze kube semthethweni izindaba zokusebenzisana  
ngokubambisana, usizo nokushintshana ngolwazi phakathi kwamaqembu  
womathathu, ekufezekiseni izibophezelo nezibopho zawo ngokuhambisana  
nemithetho-nqubo njengoba kubekiwe eMthethweni wakwaSARS, uMthetho we-  
SAPS noma eminye imithetho-nqubo ikakhulukazi, isigaba 17F soMthetho we-SAPS,  
isigaba 36 soMthetho we-FIC, isigaba 73 sePOCA kanye nesigaba 34 sePRECCA.

I-MOU ihlinzekela:

- Ukubikwa kwezikhhalazo zobugebengu mayelana nokusetshenzwa kwamacala amayelana nentela, ukulawulwa kwempahla emngceleni kanjalo nenkohlakalo ukuqinisekisa uphenyo nokushushisa okuyimpumelelo,
- Ukusebenzisana ngokuvumelana nokwabelana ngolwazi mayelana namacala angena ngaphansi komyalelo ngokomthetho-nqubo yamaqembu, njengoba kushiwo kusigaba 73 sePOCA, ukuze kugwemeke ukuphindeka kwemisebenzi nokuqinisekisa ukuthi izinsizakusebenza zisetshenziswa ngendlela elungile,
- Ukudalulwa kolwazi namalekhodi mayelana nezikhungo ezinesibophokubika (ezifana namabhange, amafemu ezezimali nezomthetho, izinkampani zemishwalense kanjalo nezindawo zokugembula), njengoba kubekiwe kusigaba 36 soMthetho we-FIC, okwenzeke lokhu:
  - a. abathole noma asebezothola inzuzo yemisebenzi engekho emthethweni;
  - b. abasetshenziswa noma abangase esikhathini esizayo basetshenziselwe ukwenza izinto eziphathelene nokukhwabaniswa kwemali; noma
  - c. abayingxenye yamathransekushini asolisayo kanye/noma angavamile noma amathransekushini awuchungechunge njengoba kushiwo kusigaba 29(1)(b) sifundwa nesigaba 268 soMthetho we-FIC,
- Ukutholakala kolwazi olusezandleni zikaSARS mayelana namacala okungewona awentela, okulawulwa kwempahla emngceleni noma inkohlakalo njengokuvunyelwa umthetho, kanye
- Ukuthunyelwa kwezisebenzi ukuze zikwazi ukufinyelela kuzindlela ezahlukahlukene zokubhekana nobugebengu obuseqhulwini kuzwelonke njengoba kushiwo kusigaba 17F soMthetho wamaPhoyisa.
- Umthwalo kaSARS njengoba kubekiwe kuSigaba 34 sePRECCA wokubika emaPhoyiseni nganoma ikuphi okwaziyo kanye/noma okusolisayo kwenkohlakalo, ukweba, ukukhwabanisa, ukuphanga, inkohliso noma okushiwo idokhumenti okuyinkohliso, okubandakanya inani elingu-R100 000 noma ngaphezulu okwenziwa ngaphakathi noma kuSARS.

Amaqembu azinikele ekuthuthukiseni ulwazi, amakhono kanye nokuqonda imisebenzi yamaqembu ngamanye ngezinhlelo ezakhelwe ukwabelana ngobuchwepheshe

namakhono ezindaweni ezivamile. Izindawo okubhekwe ukuba kuzosetshenziswa kuzo ngokwenziwa kophenyo kubandakanya, phakathi kwezinye, lezi ezilandelayo:

- Izindlela zophenyo olusebenzisa ezobuchwepheshe kanye namasu okuphenya ubugebengu bemali.
- Ukusungulwa nokuthuthukiswa kwamandla okuhlaziya uphenyo olusebenzisa ezobuchwepheshe.
- Uphenyo nohlaziyo lolwazi lwezimali ukubona ukuthi yibuphi ubugebengu bemali obukhona.
- Izindlela zokuphenya ekulwisaneni nobugebengu ngokomyalelo wamaqembu.
- Izindlela zesimanje zokuphoqelela umthetho nokuqoqwa kobufakazi nezindaba eziphathelene nalokho.

Ukugcina ubumfihlo nokusebenzisa okuhlinzekelwa yi-MOU, nokuqinisekisa ukuthi okuyizidingo okuhlukile nemiyalelo yomthamo wokuphenya okukhethekile ku-SAPS/DPCI kanye nakwaSARS kuyabhekwa, kuzophinde kube neziVumelwano zoHlaka lokuSebenza eziseceleni, oluzoba yingxenye ye-MOU.

Amaqembu aphinde avumelana ngokusungula iKomidi lokuSebenza ukubhunga ngezindaba eziphathelene nenqubomgomo, ukuphenywa nokushushiswa kwamacala aphaathelene nentela, ukulawulwa kwempahla emngceleni kanye/noma inkohlakalo, ukuhlinzekwa kolwazi, imithetho-nqubo emisha ebekiwe, okuyizidingo zobufakazi, izindlela zokuthuthukisa ukudluliswa kolwazi namakhono, amacala angasonjululiwe adluliselwe kuyo nezinye izindaba ezimayelana nokuqaliswa kokusetshenziswa kwe-MOU.

24 kuNhlolanja 2023

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DPCI: Brigadier Nomthandazo Mbambo



Amazwana:

UKhomishana wakwaSARS uMnu. Edward Kieswetter (kwesobunxele) neNhloko ye-DPCI kuZwelonke, uLuthenenti Jikelele uGodfrey Lebeya, basayinde i-MOU phakathi kukaSARS kanye ne-SAPS/ DPCI ngenkathi bethamele ukubuyekezwa kwe-FATF eRabat, Morocco.