NCR
National Credit Regulator

The National Credit Act and the National Credit Regulator (isiZulu)

the dti
Department:
Trade and Industry
REPUBLIC OF SOUTH AFRICA

UMthetho weziKweletu kuZwelonke kanye noMlawuli weziKweletu kuZwelonke

UMthetho nombolo 34 wezi-2005

Izinhloso zalo Mthetho ukukhuthaza nokuthuthukisa inhlalakahle nomnotho wabantu baseNingizimu Afrika, ukukhuthaza imakethe yezikweletu kanye nemboni enobulungiswa, ukuba sobala, encintisanayo, ezinzile, enesibopho, esebenzayo, ephumelelayo kanye nefinyelelekayo, kanye nokuvikela amakhasimende.

UMthetho usungula uMlawuli weziKweletu kuZwelonke ukuze afundise, kubhaliswe ababambiqhaza kule mboni, badlulisele amacala esiGungwini samacala amakhasimende kuZwelonke ukuze bathole izigwebo ezibafanele, ukhuthaza ukusonjululwa kwamacala ngendlela engahleliwe, uphenya ngezikhalazo uphinde usebenzise uMthetho.

Izimpokophelo zoMthetho weziKweletu kuZwelonke

- Ukukhuthaza imakethe enobulungiswa engabandlululi ukuze amakhasimende athole isikweletu kuthi futhi ngaleyo nhloso kuhlinzekwe ukulawulwa okujwayelekile kwesikweletu sekhasimende kanye nokwenza kangcono imigomo yolwazi lwekhasimende;
- Ukukhuthaza ukuhlomisa abamnyama kwezomnotho kanye nobunini embonini yezikweletu;
- Ukuvimbela ukunikeza ngesikweletu obungenabulungiswa kanye nezinye izinto ezihambisana nokuthengiswa kwesikweletu;
- Ukukhuthaza ukunikezelwa nokusetshenziswa kwesikweletu ngendlela eyiyo, kuthi futhi ngaleyo nhloso kuvinjwe ukunikeza ngesikweletu ngendlela enobudedengu;
- Ukuhlinzekela ukuhlelwa kabusha kwesikweltu uma kutholakala ukuthi ucwile ezikweletini;
- Ukulawula imininingwane yophiko lwezikweletu;
- Ukuhlinzekela ukubhaliswa kophiko lwezikweletu, abahllinzeka ngezikweletu kanye nabosizo lokweluleka ngezikweletu;
- Ukusungula imikhuba nemigomo kazwelonke mayelana nesikweletu sekhasimende;
- Ukukhuthaza ukusebenza ngendlela efanayo kohlala lokusebenza mayelana nesikweletu sekhasimende;
- Ukusungula uMlawuli wezikweletu kuZwelonke kanye nesiGungu samacala amakhasimende kuZwelonke;
- Ukuchitha uMthetho weNzalo, we-1968, kanye noMthetho weziVumelwano zesiKweletu, we-1980; kanye nokuhlinzekela izindaba ezihambisana nalezi.

Izimo ezibalulekile zoMthetho weziKweletu kuZwelonke

- Ulimi olusetshenzisiwe ezivumelwaneni zesikweletu kumele lube lula futhi kube lula ukuluqonda;
- Kumele izilinganiso zenziwe kuzo zonke izivumelwano zesikweletu, futhi zikubophezela izinsuku ezi-5 zokusebenza;
- Ukukhangisa kanye nokudayisa kumele kuqukathe ulwazi olubekiwe ngezindleko zesikweletu;
- Ukudayisa ngesikweletu ekhaya noma emsebenzini womuntu kumele kube kuncane kakhulu;
- Uma kwenzeka isicelo sesikweletu singamukelwa kumele unikwe izizathu;
- Ukwenyuka kwezimali zesikweletu ziyalawulwa;
- Akuvumelekile ukubolekisa budedengu;
- Inzalo kanye nezimali ezikhokhwayo ziyalawulwa kuzo zonke izivumelwano; kubandakanya nezimalimboleko ezincane;
- Uphiko lwezikweletu luyalawulwa kanti futhi namakhasimende nawo anelungelo lokuthola umbiko yobume ngezikweletu zabo;
- Ukwelulekwa ngesikweletu kubekelwe ukuthi kuhlelwe kabusha izikwetu kulawo makhasimende acwile ezikweletini.

Ingabe iyini indima yoMlawuli weziKweletu kuZwelonke?

UMlawuli weziKweletu kuZwelonke kumele:

- Enze ucwaningo ngezimakethe zezikweletu baphinde baqaphe ukutholakala kwesikweletu kanye nenani lesikweletu ukuze bathole izinto ezingenza ukuthi kungabi lula ukuthola isikweletu, amazinga okuncintisana kanye nokuvikeleka kwekhasimende;
- Lithole liphinde liphenye izikhalazo bese eyaqinisekisa ukuthi amalungelo ekhasimende avikelekile, aphinde
- Asebenzise uMthetho bese enza okuthile uma kukhona izikhungo ezephula umthetho.

Siyini isiGungu samacala amakhasimende kuZwelonke?

IsiGungu samacala siyisikhungo esiseceleni esizimele esingahlangene noMlawuli weziKweletu kuZwelonke. IsiGungu lesi siba noSihlalo kanye namanye amalungu ayi-10 okungenani. IsiGungu lesi silalela amacala mayelana nokungathobeli uMthetho kanti futhi lingakhipha lezi zigwebo ezilandelayo ngokweSigaba 150 kungaba ukumisa noma ukukhansela ukubhaliswa kwalowo obhalisiwe, singafuna kukhokhelwe ikhasimende imali uma kukhona akhokhiswe yona ngaphezulu kwelindelekile, sikhipha inani lokuhlawula siphinde sihlinzeke ngosizo lokulungisa izinto namakhasimende njalo.

Isabiwomali sasendlini sanyanga zonke

Imali engenayo	
Umholo	
Umholo womlingani	
Ibhonasi	
Inzalo	
Imali etshalwayo	
Isamba	
Izindleko	
Intela / imalimboleko yendlu	
Umshwalense	
Uphethilomu / ukulungiswa kwemoto	
Izinhlawulo zasebhange	
Izinto ezithengiwe zasendlini	
Izingubo zokugqoka	
Ukunakekelwa kwezingane	
Ugesi	
Ubumnandi	
Izimalimboleko	
Imali eyongiwayo	
Imithi / odokotela bamazinyo	
Ucingo	
Nezinye (cacisa)	
Isamba	

Uxhumana kanjani noMlawuli weziKweletu kuZwelonke

- **Inombolo yakwa-Toll share:** 0860 627 627 noma 0860 NCR NCR
- **Izinkinga zokubhalisa:** 011 554 2600
- **Ikheli le-imeyli uma unemibuzo** info@ncr.org.za noma **Ikheli le-imeyli uma unezikhalazo ezijwayelekile** complaints@ncr.org.za noma **Ikheli le-imeyli uma unezikhalazo ngokwalulekwa ngesikweletu** dccomplaints@ncr.org.za noma **ikheli le-imeyli uma ucela umhlangano wokucobelelana ngolwazi** workshops@ncr.org.za
- **Isizindalwazi:** www.ncr.org.za

Amakhasimende aluthola kanjani usizo?

Amakhasimende angathinta uMlawuli weziKweletu kuZwelonke uma edinga isiyalo noma usizo mayelana namathransekushini esikweletu angaphansi koMthetho weziKweletu kuZwelonke. UMlawuli weziKweletu kuZwelonke angaphinde assize amakhasimende ngezindaba ezimayelana nophiko lwezikweletu noma imininingwane yesikweletu kanye nokwelulekwa ngezikweletu.

Amakhasimende angaphinde axhumane nalezi zikhungo ezilandelayo okuyizona ezibhekene ngqo nezinhlobo ezithile zezikhalazo:

- **The Ombudsman for Banking Services** ibhekene nezikhalazo eziphathelene namabhange;
- **The Credit Information Ombudsman (0861 662 837)** ibhekene nezikhalazo ezimayelana nophiko lwezikweletu noma nemininingwane yophiko lwezikweletu;
- **Igatsha lesiFundazwe leziNdaba zamaKhasimende** ubhekene nezikhalazo ezijwayelekile zamakhasimende.

UMlawuli weziKweletu kuZwelonke uzoxhumana neGatsha lesiFundazwe leziNdaba zamaKhasimende, Banking Ombudsman kanye ne-Credit Information Ombudsman ukuqinisekisa ukuthi amakhasimende ahlinzekwa ngosizo oluwusizo kuwo.

Yimaphi amathransekushini angena ngaphansi koMthetho?

- Izimalimboleko kanye nezinye izikweletu zasemabhange, okubandakanya izikweletu zezindlu, ama-overdraft, amakhadi ezikweletu, isikweletu semoto kanye nezinye izikweletu eziqondene nawe;
- Isikweletu sezimpahla zasendlini, ama-akhawunti ezitolo zezimpahla zokugqoka kanye naluphi na uhlobo lwesikweletu sasesitolo;
- Izimalimboleko ezincane kanye namathransekushini okubambisa;
- Noma hlobo luni lwesikweletu noma imalimboleko enikezwe ikhasimende.

Kusho ukuthini ekhasimende ukuchitshiyelwa komthetho wezikweletu kuzwelonke?

UMthetho oChitshiyelwe weziKweletu kuZwelonke (nombolo 19 wezi-2014) kanye nemithetho-nqubo ikhuluma ngezindaba eziningi, ezibandakanya:

Ukuqhutshekwa nokususwa komniningwane onegama elibi kulabo asebekhokhe baqeda izikweletu

- Uma ususikhokhe wasiqeda isikweletu sakho, kumele ukuthi umhlinzeki ngesikweletu, ezinsukwini eziyi-7 emva kokuthi ukhokhile imininingwane le ilungiswe kwabophiko lwezikweletu ababhalisiwe.
- Abophiko lwezikweletu kumele basuse yonke imininingwane emibi ezinsukwini eziyi-7 emva kokuthola imininingwane kumhlinzeki wesikweletu yokuthi ususikhokhe wasiqeda isikweletu sakho.
- Uma umhlinzeki wesikweletu engakwazi ukulungisa imininingwane mayelana nokuqeda kwekhasimende ukukhokha, lapho-ke ikhasimende lingafaka isikhalazo kuMlawuli weziKweletu kuZwelonke.

Indlela entsha esetshenziswayo ukuhlola ukuthi uzokwazi yini ukuyikhokhela

Kuyini ukuhlola ukuthi uzokwazi yini ukuyikhokhela?

Lokhu ukuhlolwa noma ukuvivinywa okusetshenziswa abahlinzeki bezikweletu ukuze bathola ukuthi ikhasimende lizokwazi yini ukuthatha nokusikhokhela isikweletu ngaphandle kokucwila ezikweletini.

- Indlela yokuhlola ukuthi uzokwazi yini ukuyikhokhela isebenza kubo bonke abahlinzeki bezikweleti.
- Abahlinzeki bezikweletu banesibopho sokuthi bahlole kahle ukuthi uzokwazi yini ukusikhokhela isikweletu ngaphambi kokuthi bakunike isikweletu.
- Ikhasimende linesibopho sokuhlinzeka umhlinzeki wesikweletu ngobufakazi obufanele liphinde litshele umhlinzeki wesikweletu konke ukuze umhlinzeki wesikweletu ezokwazi ukuhlola kahle ukuthi uzokwazi yini ukuyikhokhela.
- Abahlinzeki bezikweletu kumele bathathe izinyathelo zokuqinisekisa ukuthi ikhasimende liyawaqonda amalungelo alo, izibopho zalo, ubungozi kanye nezindleko ezihambisana nesivumelwano sesikweletu.

Ukuze kuhlolwe kahle ubume bezimali zekhasimende, umhlinzeki wesikweletu kumele:

- Abheke imali yekhasimende engenayo ngaphambi kokuthi kubanjwe izimali ezithile, izimali ezibanjwayo, izindleko zempilo kanye nezinye izibopho anazo zezikweletu.
- Acele isitatimende sasebhange sezinyanga ezintathu ezedlule noma ubufakazi bomholo (kube amakhophi angampela noma afakwe isigxivizo sokuqinisiekisa).
- Abheke indlela ikhasimende elikhokha ngayo ezikweletini ezedlule.
- Akwenze lokhu ezinsukwini eziyi-7 zokusebenza ngaphambi kokuvuma ukukunika isikweletu noma ukwenyusa lesi sikweletu esikhona, noma ezinsukwini eziyi-7 kulabo abafuna izikweletu zendlu.

Uma ikhasimende lingagculisekile ngemiphumela yokuhlolwa, lingafaka isikhalazo kumhlinzeki wesikweletu emva kwalokho ikhasimende lizobe selisidlulisela ku-NCR lesi sikhalazo uma lingenelisekile yimiphumela yenqubo yomhlinzeki wesikweletu.

Ukuvimbela ukudayiswa nokulandwa kwesikweletu esesiphelelwe yisikhathi noma "esidala".

Isikweletu esesiphelelwe yisikhathi noma "esidala" kulapho:

- Eminyakeni emi-3 eyedlule elandelanayo umhlinzeki wesikweletu akaze akufakele amasamanisi ngalesi sikweletu;
- Eminyakeni emi-3 eyedlule elandelanayo awukaze usivume isikweletu ngomlomo noma ngokubabhalela; futhi/noma
- Awukaze ukhokhe noma wenze isethembiso sokukhokha isikweletu sakho esisele.

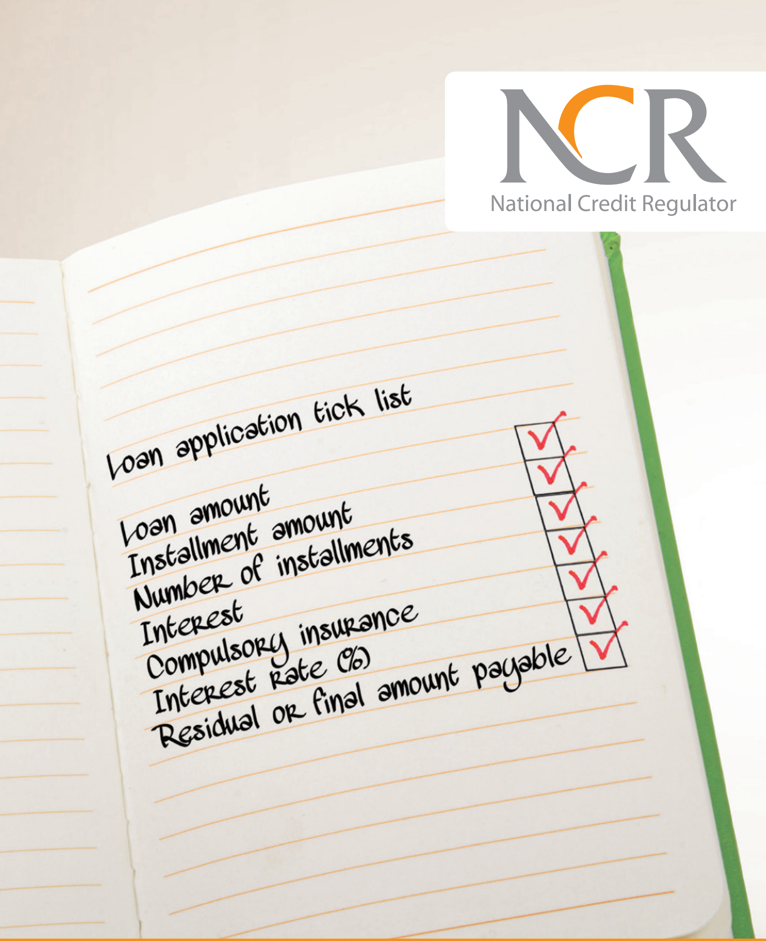
Qaphela ukuthi: Uma le mibandela engenhla kuhlangatshezenwe nayo lokho kusho ukuthi isikweletu sesiphelelwe yisikhathi. Awunaso isibopho ngokomthetho sokuthi usikhokhe leso sikweletu kanti futhi leso sikweletu angeke sisavuselelwa.

Yimaphi amalungelo onawo?

- Unelungelo lokucela, nokuthola ubufakazi, bokuthi wagcina nini ukukhokhela isikweletu.
- Unelungelo lokucela, nokuthola ubufakazi, bokuthi ake akhishwa yini amasamanisi aqondene nalesi sikweletu sakho.
- Unelungelo lokwazisa oqoqa izikweletu ukuthi awunasibopho ngokomthetho sokukhokhela isikweletu esesiphelelwe yisikhathi.
- Uma usumazisile oqoqa izikweletu ukuthi isikweletu sesiphelelwe yisikhathi futhi awusenasibopho ngokomthetho sokusikhokhela, oqoqa izikweletu kumele ayeke ukuxhumana nawe.

Uma kwenzeka uba yisisulu soqoqa izikweletu ngokuthi elokhu eqhubeka nokuxhumana nawe ngesikweletu esesiphelelwe isikhathi noma ekuhlukumeza ngisho usubatshelile ukuthi isikweletu leso sesiphelelwe yisikhathi, ungabe usufaka isikhalazo kwabakwa-NCR.

Qinisekisa njalo ukuthi abahlinzeki besikweletu bayakutshela ngazo zonke izindleko ezihambisana nokufaka kwakho isicelo sesikweletu.



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For more information **call 0860 627 627 | www.ncr.org.za**