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# I-Act yoLawulo lwaMatyala yeSizwe kwakunye noLawulo lwaMatyala lweSizwe (isiXhosa)

the dti
Department:
Trade and Industry
REPUBLIC OF SOUTH AFRICA

## I-Umthetho yoLawulo lwaMatyala

**I-Umthetho yama-34 yonyaka ka-2005**

*Injongo zalo mthetho kukuba kunyuselwe ngokufanelekileyo, ngokwendlela, ngokukhuphisana, ukuthembeka, ngokophuhliso oluzinzileyo, ukuzimisela nokwenza kakuhle, nangokufikelelekayo, imalike yamatyala noshishino, ukuze kukhuselwe nabathengi.*

Lo mthetho iseka uLawulo lwaMatyala lweSizwe, ukuze ifundise, ibhalise abathathi nxaxheba kushishino, idlulisele ezinye imeko, kwiTribunal yabaThengi yeSizwe (inkindla), ukuze kubetheleleke ngokufanelekileyo, inyusele kwizinga elingasentla uthethwa-thethwano nje, iphande ngezikhalazo, kwaye iqinisekise ukusetyenziswa kwe-Act.

## Iinjongo zomthetho waMatyala weSizwe

- ukunyusela kwizinga elifanelekileyo imalike engenamkhethe, ukuze ifikeleleke kubathengi ngetyala, ngalo ndlela, iya kunika ulawulo kumthengi ngokubanzi, neemeko eziphuculiweyo zolwazi kumthengi;
- ukunyusela izinga lophuhliso loqoqosho lwabantu abaNtsundu, nokuthi babe ngabanini bolu shishino lwamatyala lomthengi;
- ukuchasa ezinye imeko zamatyala ezingamkelekanga, kwanokuthengiswa kwenkqubo zamatyala;
- ukunyusa izinga lokunikwa kwemali mboleko efanekileyo, kwanokusetyenziswa kakuhle kwayo, ngalo ndlela kuchaswa ukunikwa kwamatyala;
- ukuze kunikwe inkqubo yokulungiswa kwakhona kwamatyala, xa kuthi kanti umthengi uxakene namatyala.

## Impawu ezingundoqo zomthetho waMatyala weSizwe

- iwimi kwisivumelwano malube lula luqondakale;
- iikowuti mazinikezelwe kuzo zonke izivumelwano zamatyala, zibophelele lowo iintsuku zomsebenzi ezi-nlnu (5);
- upapasho neentengiso, mazibe neenkcukacha ezifaneleyo ngenkcitho yetyala elo;
- iintengiso zamatyala ekhayeni lomntu okanye emsebenzini, zibekelwe umda;
- izizathu zokwala ukunika ityala mazinikezelwe;

- ukunyusela amatyala ngahaphandle kokucela imvume, makube phantsi kolawulo;
- ukubolekisa ngokungaphaya akwamkelekanga;
- iinzala nezinye iimadlana kumatyala, ziyalawulwa kuzo zonke izivumelwano, kuquka neemali mboleko ezincinci;
- ulimi olusetshenzisiwe esivumelwaneni zesikweletu kumele luqondakale kalula ngaphandle kokungabaza;
- kumele izilinganiso zenziwe kuzo zonke izivumelwano zesikweletu, futhi zikubophezela izinsuku ezinhlanu (5) zokusebenza;
- ukukhangisa kanye nokudayisa kumele kuqukathe lonke ulwazi olubekiwe ngezindleko zesikweletu; Ukwenyuka kwezimali ezibekiwe zesikweletu kulawulwa umthetho;
- ukudayisa ngesikweletu ekhaya noma emsebenzini womuntu kumele kube kuncane kakhulu;
- uma kwenzeka isicelo sakho sesikweletu singamukelwa kumele unikwe izizathu;
- ukwenyuka kwezimali zesikweletu kuyalawulwa;
- akuvumelekile ukunikezela ngesikweletu budedengu;
- inzalo kanye nezimali ezikhokhwayo ziyalawulwa kuzo zonke izivumelwano; kubandakanya nezimalimboleko ezincane;
- amaziko adwelisa amatyala ayalawulwa, kwaye abathengi banelungelo lokufumana uxwebhu olunye ngonyaka bengaluhlawulelanga;
- ukucetyiswa ngamatyala kuvezwe ukuze kuhlelwe ngakutsha amatyala abo banamatyala amakhulu;
- ukuze kunikezelwe ngobhaliso matyala kwiziko lobhaliso, nobhaliso lwabaniki matyala nabo beenkonzo zokucebisa ngezikweleti;
- ukuseka imiqathango yesizwe kwakunye namanqanaba ngokubhekiselele kumatyala abathengi;
- ukunyusa izinga elingatshintshiyo, lolawulo ngokubhekiselele kumatyala abathengi;
- ukuseka uLawulo lwaMatyala lweSizwe, kwaneTribunal yeSizwe yabaThengi;
- ukurhoxisa i-Act ka-1968, ne-Act yeZivumelwano zaMatyala, ka-1980, nokulungiselela naziphi na iimeko eziqukayo ezibhekiselele koko.

## Yintoni indima yoMlawuli waMatyala weSizwe?

**Umlawuli wezikweletu kazwelonke kumele:**

- wenza uphando kwimalike zamatyala, aqwalasele iimeko zokufikelelwa kwamatyala, neenkcitho yamatyala, ukuze afumane iimeko ezingavumi kunikwe amatyala, ukukhuphisana kwazo nokhuseleko lomthengi;

- wamkela aze aphande izikhalazo, ukuqiniseka ukuba amalungelo omthengi akhuselekile;
- aqiniseke ukuba i-Act iyalandelwa, aze athathele amanyathelo loo maziko angakulandeliyo oko.

## Yintoni inkundla yeSizwe yoMthengi?

Eli liziko elisecaleni, elizimeleyo, kuMlawuli weSizwe waMatyala, iTribunal inosihlalo, namalungu alishumi ubuncinane.

I-inkundla ye sizwe yomthengi imamela amatyala okungalandelwa kwenqubo ze-Act, kwaye ingohlwaya ngale ndlela ilandelayo (umzekelo), ngokubhekiselele kwiCandelo le-150, umzekelo, inqumamise okanye isuse ubhaliso lwalowo ubebhalisile, ifune kubhatalwe umthengi, nayiphi na imali ayibhatele ngaphezulu ingafanelanga, ikhupha izohlwayo zemali, kwaye inike inkqubo yokuphinda kujongwe kwakhona imeko yomthengi, njalo njalo.

### Isabiwomali sasendlini sanyanga zonke

| Ingeniso | |
|---|---|
| Umvuzo | |
| Umvuzo Weqabane | |
| Ibhonasi | |
| Inzala | |
| Ingeniso Yotyalomali | |
| **Iyonke** | |
| **Izindleko** | |
| Irente/imboleko Yendlu | |
| i-insurance | |
| ipetroli/isevisi | |
| intlawulo yebhanki | |
| ukutya | |
| uhoyo lwabantwana | |
| umbane | |
| ukuzonwabisa | |
| imali mboleko | |
| imali egcinwayo | |
| ukugula/namazinyo | |
| iimfonomfono | |
| Enye (Ukhankanye) | |
| **iyonke** | |

## Udibana njani noMlawuli waMatyala eSizwe?

- **i-Toll Share:** 0860 627 627 okanye 0860NCR NCR
- **Imiba yoBhaliso:** 011 554 2600
- **i-Email ukuze ubuze:** info@ncr.org.za **okanye xa eneZikhalazo Ngokubanzi:** complaints@ncr.org.za **ukuba unesikhalazo ngoCebiso lwaMatyala:** dccomplaints@ncr.org.za okanye **kucela iWekshphu** workshops@ncr.org.za **iWebsite: www.ncr.org.za**

## Abathengi balufumana njani uncedo?

Abathengi bangaya kuMlawuli waMatyala eSizwe ukuze bacetyiswe, okanye bancediswe nangaluphi nan a uhlobo lwetyala, oluwela kwi-Act yaMatyala yeSizwe. UMlawuli waMatyala weSizwe naye, angabanceda abathengi kwimiba, ejongene, nokudweliswa kwamatyala, okanye iinkcukacha ngamatyala kunye nokucebisa ngezikweleti.

**Abathengi bangadibana nala maziko alandelayo, ajongene ngqo nohlobo oluthile lwezikhalazo:**

- **I-Ombudsman yeeNkonzo zeeBhanki,** ejongene nezikhalazo ngokubhekiselele kwibhank;
- **I-Ombudsman yeeNkcukacha zaMatyala (0861662837)** ijongene nezikhalazo, ngokubhekiselele kumaziko adwelisa amatyala, okanye iinkcukacha;
- **Ulawulo lwePhondo lweeMeko zabaThengi,** olujongene nezikhalazo zabathengi ngokubanzi.

uMlawuli Matyala weSizwe uya kuqhagamshelana noLawulo lwePhondo lweeMeko zabaThengi, i-Ombudsman yeeBhanki kwakunye ne-Ombudsman yeeNkcukacha zaMatyala, ukuqinisekisa ngoncedo olufanelekileyo olunikwa umthengi.

## Ziziphi iintengiselwano ezingena kule Act?

- imali mboleko namanye amatyala asuka ezibhankini, kuquka awezindlu, imali oyibolekwa qho ngenyanga ukongeza umvuzo, amakhadi emboleko yemali, imali mboleko yokuthenga imoto, nolunye uncedo lwakho lwemali mboleko;
- imali mboleko yefenitshala, amatyala eempahla zokunxiba namanye amatyala asuka kwezinye iivenkile zamatyala;
- imali mboleko ezincinane nokutshintshisa ngeempahla ukuze unikwe imali;
- nawaphi na amatyala okanye imali mboleko enikwe umthengi.

## Uthetha ukuthini umthetho yokungciba amatyala esizwe kuwe mthengi?

I-Act yokuNgciba aMatyala yeSizwe, ye-20 yonyaka ka 2014, kunye neMibandela, zijongana neemeko eziliqela kuquka nezi:

**Ukuqhubeka kususwa iinkcukacha zamatyala abhatelweyo**

- ukuba uthe walibhatala ngokupheleleyo ityala, liya, lowo unika inkonzo makathi, kwiintsuku ezisi-7, ebhatelwe, akhuphe ezo nkcukacha, kuwo onke amaziko abhalisiweyo adwelisa amatyala;
- amaziko adwelisa amatyala makasuse uxwebhu lwetyala kwiintsuku ezisi-7, emva kokufumana iinkcukacha kulowo inikeza ityala, zisithi ityala libhatelwe ngokupheleleyo;
- ukuba lowo unikezele ngetyala akakwazi kukhupha ezo nkcukacha, umthengi angafaka isikhalazo, kuMlawuli Matyala weSizwe.

**Inkqubo entsha esekiweyo, yokuvavanya ngokukwazi ukumelana namatyala akho.**

## Yintoni ukuvavanyelwa ukumelana namatyala?

**Olu vavanyo lusetyenziswa ngabaniki matyala, ukuze babone ukuba umthengi, uyakwazi na ukumelana, nokuthatha aphinde abhatale, engakhange abe unomthwalo omkhulu wamatyala.**

- uhlobo lokuvavanywa ngokumelana namatyala, lwenziwa zizo zonke iindawo ezinika amatyala;
- abo banika amatyala mabenze uvavanyo olubanzi phambi kokuvula ityala;
- umthengi kufanele anike ubungqina obufaneleyo, ubuselubala, kumniki matyala, ukuze yena enze uvavanyo lokumelana namatyala ngokufaneleyo;
- umniki matyala makathathe amanqanaba ukuqinisekisa ukuba umthengi uyawazi amalungelo, namelwe kukukwenza, ubungozi, nenkcitho ngokubhekiselele kwisivumelwano setyala.

**Ukuze kuvavanywe ngokukuko ubume ngokwasezimalini, bomthengi, umniki matyala makathi:**

- aqwalasele umvuzo uwonke womthengi, akutsalelwa emvuzweni ngokusemthethweni, ubuncinane benkcitho zokuphila, nokunye amelwe kukukubhatala;

- acele uxwebhu lomvuzo olungena ebhankeni, lweenyanga ezintathu okanye isiqinisekiso somvuzo (esiqinisekiswe ngamapolisa okanye asifumana ngqo kumqeshi);
- athathele ingqalelo iindlela abhatala ngayo amatyala akhe;
- enze uphando kwiintsuku ezisi-7, zomsebenzi, phambi kokuvuma ukumnika ityala, okanye ukunyusa ityala, okanye kwiintsuku ezi-14, zomsebenzi, kumatyala ezindlu.

**Ukuba umthengi akanwabanga ziziphumo zovavanyo, angafaka isicelo nabaniki zinkonzo emva, nalapho emva koko, umthengi, angadlulisela isikhalazo, kuMlawuli Matyala weSizwe, ukuba akoneliseki, ziziphumo zenkqubo yalowo unika inkonzo.**

**Ukwalelwa intengiso nokuqokelelwa kwemali yetyala ekuthiwa "lidala".**

### Ityala ekuthiwa "lidala leli":

- elo umniki matyala angathanga kwiminyaka emithathu elandelelanayo, akukhuphele isamani ngalo;
- kwiminyaka emi-3 elandelelanayo, awulivumanga elo tyala ngomlomo, okanye naluphi na uqhagamshelwano, kwakhona;
- awukhange ubhatale nakanye okanye uthembise ukubhatala, kwityala unalo.

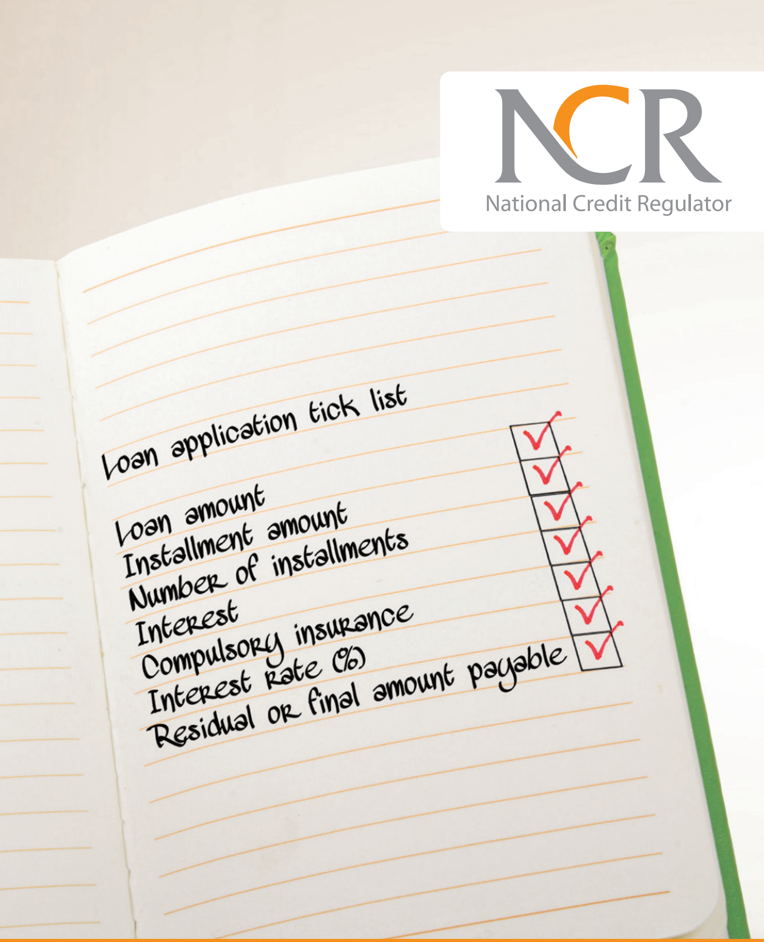
**QAPHELA:** ukuba ezi meko zingasentla zifunyenwe, elo tyala, awufanelanga kulibhatala, okanye akufanelanga livuswe.

## Unaliphi ke ilungelo?

- unelungelo lokucela ubungqina, kwaye ubufumane, ukuba eli tyala lagqityelwa nini ukubhatalwa;
- unelungelo lokucela, kwaye ufumane ubungqina bokuba yakhe yakhutshwa na isamani yelo tyala;
- unelungelo lokwazisa lowo uqoqa imali yetyala, ukuba awufanelanga kubhatala, ityala elo kuthiwa libhatale;
- ukuba umazisile lowo uqoqa imali, ukuba elo tyala liwela kwezi meko zingasentla, kwaye awufanelanga kulibhatala, kufanele ayeke ukunxibelelana nawe ngalo.

*Ukuba uthe walixhoba lomqoqi zimali, omana ekutsalela umnxeba, eqoqa imali yetyala elo, okanye ekuphoxa, ethetha kabuhlungu nawe, nangona ubaxelele ngobume betyala elo, ungafaka isikhalazo, kuMlawuli Matyala weSizwe (NCR).*

**Soloko uqiniseka ukuba abo banikezela ngamatyala, bayayikhupha inkcitho yokucela ukuvula ityala.**

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