"Uyazi ukuthi zimalunga nantoni izabelo,

Kodwa yintoni enye ekufuneka uyazi njengomtyali mali......"

IMARIKE YEMALI

Yeyiphi imisebenzi engundoqo yeCandelo leeMarike zeMali leBhodi yeeNkonzo zeMali (FSB)?

Ngokwe-FMA, iCandelo leeMarike zeMali le-FSB linoxanduva lokujonga utshintsho lwezibambiso ezinemvume (i-JSE Limited), indawo yokugcina izibambiso engundoqo (i-Strate Limited) kunye neendawo ekutshintshwa kuzo iitsheki nebhil zibe yikheshi, ezizezi i-Strate Limited ne-Safex Clearing Company (Pty) Ltd ("SAFCOM"). Iindawo zotshintsho kunye neendawo ezingundoqo zokugcina izibambiso zizakhiwo zemarike ezisebenz njengemibutho ezilawulayo (self-regulatory organisations) ("SROs") kuba zinoxanduva phantsi kwe-FMA ukuba zijonge abathabathi nxaxheba/abasebenzisi bazo abagunyazisiweyo ("amalungu") kunye nokuqinisekisa ukuba amalungu azo athobela imithetho kuney namagatya e-FMA. I-FMA ikwenza nokuba iindawo zokutshintsha iitsheki kunye neebhili zibe yikheshi zisebenze njengombutho ozilawulayo oya kuba noxanduva lokujonga amalungu awo endawo yokutshintsha iitsheki kunye neebhili zibe yikheshi. I-Strate Limited itshintsha izitokhwe neebhondi ngexa i-SAFCOM itshintsha ii-asethi zorhwebo.

Umntu kufuneka alwenze njani utyalo-mali kwezorhwebo kwizabelo ekurhwetywa ngaza kwiNdawo yoRhwebo lwezaBelo?

Iwebhusayithi ye-JSE iqulethe uluhlu lweefem ezingamalungu ezo abatyali-mali banokuya kuzo ukuba zibancede ekukhetheni i(iza)belo. ' Ilungu linokusebenza njengomphathi wotyalo-mali womtyali-mali kwaye linokuthenga lize lithengise izabelo egameni lomtyali-mali ngokusekelwe kwingqiqo okanye umtyali-mali unokuyalela ibrokha yakhe ukuba irhwebe ngezabelo ngokoko kukhethwa ngumtyali-mali. Abatyali-mali kufuneka baziphonononge ngononophelo ezo ingaba zizabelo phambi kokuba benze isigqibo sotyalo-mali, njengokuba kufuneka bajonge imbali-yotyalo-mali yenkampani, ulawulo lwenkampani, kunye nokuba ingaba inkampani ikhona na kwi-JSE, njalo njalo.

Iinkampani ezingekhoyo kuluhlu okwangoku azilawulwa ngokufanayo nezo zikhoyo kuluhlu kwaye abatyali-mali bezabelo ezi ezingekhoyo kuluhlu, azonwabeli ukhuselo olufanayo lomthetho.

Uza kwazi njani umtyali-mali ukuba umntu/inkampani asebenza nayo inemvume yokuqhuba ishishini lezabelo?

Ngokunxulumene neefem ezingamalungu e-JSE, a batyali-mali banokuqhagamshelana nonobhala wenkampani we- JSE ukumisela ukuba ingaba ifem ililungu elivunyiweyo na le- JSE okanye banokukhangela iwebhusayithi ye-JSE. Ngokunxulumene nababoneleli ngeenkonzo, abatyali-mali banokuqhagamshelana neCandelo leFAIS le-FSB ukukhangela ukuba ingaba i-FSP inayo na okanye ayinayo imvume yi- FSB.

Kuthetha ntoni ukuba yi-SRO kwaye buyintoni ubudlelwane phakathi kwe-FSB nee-SRO, njengendawo yokutshintsha, indawo yokugcina izabelo engundoqo kunye nendawo ezimeleyo yokukhupha izabelo?

I-FMA ibonelela ngezakhiwo zemarike ezifana nendawo yokutshintsha , indawo enmgundoqo yokugcina izabelo kunye nendawo ezimeleyo yokugcina njenge-SRO. I-FMA ixela nhgokucacileyo amaxanduva e-SRO. I-SRO inoxanduba phantsi kwe-FMA lokuphatha amalungu ayo kunye nokuqinisekisa ukuba amalungu ayo athobela imithetho kunye namagatya ayo e-FMA. Indawo yokugcina izabelo, indawo engundoqo yokubeka izabelo okanye indlu yokugcina ezimeleyo ke ngoko kufuneka izalisekise ye-SRO phambi kokuba inikwe imvume yi-FSB. I-SRO inoxanduva lokuvunywa kwamalungu ayo.

U-FMA uthetha umThetho weMarike ze-mali oyiNombolo ye-19 ka-2012;
U-SAFCOM uthetha i-Safex Clearing Company (Pty) Ltd;
U-SRO uthetha u-Self - Regulatory Organ-isation (uMbutho oziLawulayo)
UmThetho we-FAIS uthetha u-Financial Advisory and Intermediary Services Act No. 37 of 2002; (UmThetho weeNkonzo zokuCebisa nokuMela zeziMali) 37 ka-2002)
U-OTC uthetha u-Over- the-Counter (OkuFumaneka eKhawuntaleni)

Ukufaka isikhalazo

Ithini inkqubo yokufaka isikhalazo komtyali-mali kwindawo egcina izabelo, kwindawo engundoqo yezabelo kunye nakwindawo yokugcina ezimeleyo okanye amalungu ayo okanye amagosa kunye nabasebenzi bamalungu?

Yintoni isikhalazo somtyali-mali?

Isikhalazo somtyali-mali sichazwa njengaso nasiphi na isikhalazo esinxulumene nolungiselelo lweenkonzo ezilawulwayo (ezo nkonzo zilawula yindawo yezabelo, indawo engundoqo egcina izabelo okanye indawo ezimeleyo yezabelo) apho umtyali-mali asola ukuba uye wahlupheka, okanye kusenowenzeka ahluphele, ahleleleke ezimalini ngenxa yelungu okanye i-ofisi okanye umsebenzi welungu.

- Ukophula okanye ukusilela ukuthobela nawuphi na umyalelo onikwe ngumtyali-mali, okanye nasiphi na isivumelwano okanye igunya ekungenwe kulo nelungu;
- Ukophula okanye ukusilela ukuthobela i-FMA, imithetho kunye nemiyalelo ye-SRO;
- Ukusebenza ngokunganyanisekanga, ngokungahoyi okanye ngokungakhathali; okanye
- Ukuphatha umtyali-mali ngokungafanelekanga.

Ngaphandle kwezikhalazo ezingentla ezibhekisele kumalungu okanye ii-ofisi zawo okanye abasebenzi, abatyali-mali banokuba nazo izikhalazo ezibhekisele:

- kwi-SRO ngokungazizalisekisi iimfuneko zayo zolawulo, ukusebenza ngendlelea engeke ise phambili iinjongo ze-FMA njengoko kuxeliwe kwicandelo lesi-2 le-FMA okanye ngokophula igatya le-FMA.

Abatyali-mali bathunyelwa kwimithetho yeendawo zezabelo ngeemfuneko kunye neenkqubo zokufaka izikhalazo kunye neembambano, ikopi leyo yazo efumaneka kwiwebhusayithi yendawo yezabelo.

INYATHELO LOKU-1: Faka isikhalazo kwilungu

Isikhalazo somtyali-mali ngokubhekisele kwilungu kufuneka kuqala sifakwe kuze kuxoxwe ngaso nelungu elibandakanyekayo ngokwenkqubo zokusebenza ngezikhalazo zangaphakathi zelungu. Inkqubo yokusebenza ngezikhalazo zelungu ngaphakathi ibonelela ngokufunyanwa kwezikhalazo zomtyali-mali, uphando olufanelekileyo lwezikhalazo ezinjalo, inkqubo efanelekileyo yokwenziwa kwezigqibo ngokunxulumene nokusabela kwisikhalazo somtyali-mali, ukwaziswa ngesigqibo komtyali-mali kunye nokurekhodwa kwezikhalazo.

INYETHELO LESI-2: Faka isikhalazo kwi-SRO

Ukuba umtyali-mali akonelisekanga ngesigqibo esinikwe lilungu, okanye sisahleli singasonjululwanga, umtyali-mali kufuneka angenise isikhalazo ngokubhalwe phantsi kwi-SRO ebandakanyekayo enika iinkcukacha ezipheleleyo zomba obandakanyekayo. I-SRO iya kuzama ukuququzelela isisombululo sesikhalazo phakathi kwelungu kunye nomtyali-mali.

INYETHELO LESI-3: Faka imbambano kwigosa lezikhalazo eliqeshwe yindawo yezabelo

Ukuba ngaba i-SRO ayikwazi ukuququzelela ukusonjululwa kwesikhalazo, i-SRO (kusebenza kuphela kwindawo yezabelo) inokubhengrza isikhalazo njengembambano kwaye iya kusebenza ngesikhalzo esingasonjululwanga ngokwemithetho yokusonjululwa kwembambano yaso, ukuba umtyali-mali ukhetha ukulandela inkqubo yokusonjululwa kwembambano kwaye ukuba indlela esetyenziswayo njengoko ixeliwe kwimithetho yendawo yezabelo kuhlangatyezwene nayo. Imbambano ke iya kuthunyelwa kwigosa lezikhalazo ukuba liyithathele ingqalelo, eliqeshwe ngokufanelekileyo phantsi kwesikim sokusombulula sendawo yezabelo, oqondwayo ngokomThetho weziKim zeGosa leziKhalazo leeNkonzo zeMali, 2004. Isigqibo esenziwe ligosa lezikhalazo kufuneka sithotyelwe liqela elo isigqibo senziwe ngokubhekisele kulo kwiveki enye yokwenziwa kwesigqibo ligosa lezikhalazo.

Ukuba i-SRO ayisinakani isikim sokusonjululwa kwezikhalazo, njengakwimeko yendawo yezabelo engundoqo, umfaki sikhalazo unokufaka isikhalazo kwiGosa leziKhalzo leeNkonzo zeMali. Isikhalazo kufuneka sinxulumane nezimali okanye umonakalo obangwe kukophula okanye ukusilela ukuthobela amagatya e-FMA.

Umfaki sikhalazo kuza kufuneka ukuba anike iGosa leziKhalazo ubungqina bokuba umfaki sikhalazo uzamile ukusisombulula isikhalazo. Oku kunokwenziwa ngokungenisa ikopi yempendulo yokugqibela ye-SRO okanye ye-FSB, kunye nesizathu somfaki sikhalazo sokungavumelani nempendulo. Isikhalazo kufuneka singeniswe ngokubhalwe phantsi kwiGosa leziKhalazo kunye nawo nawaphi na amaxwebu axhasayo.

Linkqubo zokusebenza ngezikhalazo zomtyali-mali ngokubhekisele kwii-SRO okanye amagosa kunye nabasebenzi be-SRO.

INYATHELO LOKU-1: Faka isikhalazo kwi-SRO

Isikhalazo somtyali-mali ngokubhekisele kwi-SRO kufuneka kuqala sifakwe ngokubhalwe phantsi uze kuxoxwe ngaso ne-SRO ebandakanyekayo. Inkcukacha ezipheleleyo zesikhalazo kufuneka zinikwe i-SRO.

INYATHELO LESI-2: Faka isikhalazo kwi-FSB

Ukuba ngaba asisonjululwa isikhalazo yi-SRO, umtyali-mali unokufaka isikhalazo kwiCandelo leeMarike zemali le-FSB. Isikhalazo kuya kuxoxwa ngaso ne-SRO ebanmdakanyekayo ngenjongo yokuqiniseksia ukuba i-SRO yenze konke enako ukukwenza ukusisombulula isikhalazo ukuze koneliseke amaqela abandakanyekayo.

Limfuneko zokufaka izikhalazo komtyali-mali kwi-FSB

Kufuneka zingeniswe njani izikhalazo zomtyali-mali?

Izikhalazo zomtyali-mali kufuneka zingeniswe ngokubhalwe phantsi. Isizathu soku kukufumana imvelaphi kunye nezizathu ngqo zesikhalzo kunye nokwenza ukuiba i-FSB ixoxe ngesikhalazo somtyali-malli ne-SRO ebandakanyekayo.

Izikhalazo zingangeniswa ngayo nayiphi yezi ndlela zilandelayo:

- Ukugcwalisa ifom yezikhalazo ekwi-intanethi kwiwebhusayithi ye-FSB, eyile www.fsb.co.za. Ukuba anatyali-mali abkwazi ukuyidawnolda ifom yesikhalzo ye-FSB, banokuqhagamshelana neNkonzo yabaXhasi ku-0800110443/ 0800202087 ukuze bafumane ikopi; okanye
- Thumela i-imeyile kuMphathi wezomThetho: kwiCandelo leeMarike zemali, info@fsb.co.za okanye
- Bhala ileta eya kuMphathi wezomThetho: kwiCandelo leeMarike zemali, PO Box 35655, Menlo Park , Pretoria, 0102; okanye
- Thumela isuikhalazo ngefeksi kuMphathi wezomThetho: kwiCandelo leeMarike zemali, +27 12 347 1379.

Loluphi ulwazi olufunwayo?

- Abafaki zikhalazo kufuneka banike i-FSB ubuncinane bolu lwazi lulandelayo:
- Igama nefani yomfaki sikhalazo.
- Iinkcukacha zoqhagamshelwano (kuquka idilesi yeposi, inombolo yomnxeba, inombolo yefeksi kunye nedilesi ye-imeyile nokuba yeyiphi na esebenzayo.
- Inkcukacha ezipheleleyo zesikhalazo.
- Iikopi zawo nawaphi na amaxwebhu abandakanyekayo axhasa isikhalazo.
- Igama le-SRO ekukhalazwa ngayo.
- Iinkcukacha zamanyathelo asele ewathathile umfaki sikhalazo ukusombumbulula isikhalazo.
- Isiphumo angathanda ukusifumana umfaki sikhalazo.

Isiphumo sophando lokusombulula isikhalazo

I-FSB iya kwazisa umfaki sikhalazo ngokubhalwe phantsi ngesiphumo sophando lokusombulula isikhalazo, sihamba nezizathu.
Ukwenzela lula abatyali-mali, iinkcukacha zoqhagamshelwano ze-FSB, SROs neGosa leziKhalzo leeNkonzo zemali zinikwe kwitheyibhile engezantsi.

Iinkcukacha zoqhagamshelwano

IBhodi yeeNkonzo zeMali
PO Box 35655, Menlo Park, 0102
Riverwalk Office Park, Block B,
41 Matroosberg Road, Ashlea Gardens,
Extension 6, Pretoria,
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www.fsb.co.za

Tyelela iwebhusayithi yokuqala yokufundisa abaxhasi ye-FSB; www.mylifemymoney.co.za ngesikhokelo sokuba uyisebenzisa njani kakuhle imsli yakho.

IGosa leziKhalazo labaBoneleli ngeeNkonzo zemali
P O Box 74571,
Lynwood Ridge,
0040

Eastwood Office Park, Baobab House,
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Le ncwadi yipropati ye-FSB. Imvume yokuveliswa kwayo kwakhona kufuneka ifunyanwe kumbhali ngokubhalwe phantsi; Consumer Education Department of Financial Services Board,
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I-Imeyile: CED.consumer@fsb.co.za okanye
Tsalelaku: 012 428 8000

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