**Ukuqonda ukubaluleka koMyolelo**

Ngaphezulu kwama-70% abantu baseMzantsi Afrika abaphangelayo abanayo imiyolelo. Kukho izizathu ezininzi zokuba kutheni abantu abaninzi baseMzantsi Afrika bekhetha ukungabhali imiyolelo, kodwa ukusweleka ungenawo kongeza uxinzelelo lwezoqoqosho kuxinzelelo olusemoyeni losapho njengoko usapho lwakho lujongene nokusweleka kwakho.

Le brosha inika izikhokelo ezingundoqo ngokuphathelene nemiyolelo kunye nolawulo lwempahla yalowo uswelekileyo. Ayithathi indawo yayo nayiphi imithetho esebenzayo kwaye akufanelanga isetyenziswe njengesingqinisiso esisemthethweni.

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| **IINKCAZELO** | |
| **Umyolelo** | Uxwebhu olusemthethweni okhombisa kulo into eza kwenzeka kwimpahla yakho xa usweleka, oluqulethe imiyalelo yokuba kufuneka yabiwe njani impahla yakho kunye nokuba ngubani omakaxhamle kuyo emva kokuba uswelekile. Lukwaziwa ngokuba yitestamente. |
| **IAsethi** | Into eyeyakho. Inokuquka izinto ezifana nendlu kunye nezinto eziphakathi kuyo, iimoto, izabelo, utyalo-mali, iibhenefithi zomhlalaphantsi, imali eyikheshi, njl. njl. |
| **Abaxhamli** | Imiyolelo, iitrasti kunye neepolisi zeinshurensi ezo umntu aza kuxhamla kuzo xa uswelekile, ngexa lokuqhuba kwayo okanye lokupheliswa kwetrasti, okanye xa ivuthwa ipolisi. Lo mntu, okanye umbutho, oza kufumana ilifa kwimali okanye kwezinye iiasethi kubhekiselwa kuye njengomxhamli. |
| **Ukushiyela** | Ukushiyela kuxa ushiya izinto ezifana nendlu, izacholo okanye imali kwindlalifa okanye kumntu ofumana ilifa, umzkl. “Ndishiyela iqabane lam indlu yam eseThekwini.” |
| **Irhafu yenzuzo kwinkunzi** | Irhafu ehlawulwa kwinzuzo yokuthengisa ipropati. |
| **Impahla** | Yonke into onayo; zonke iiasethi zakho (ipropati enokususwa nepropati engenakususwa) ngokunjalo namatyala akho (izikweleti) |
| **Irhafu yempahla** | Irhafu ehlawulelwa impahla phambi kokuba yabelwe abaxhamli. Irhafu ehloliweyo yamatyala ithathwa kwixabiso lempahla kwaye ingena kuphela kwimpahla engaphezulu kwe-R3,5 yezigidi. |
| **Umabi lifa** | Umntu okhethwe ngumyoleli (wena) kwaye wonyulwa yoNkundla ePhakamileyo yamaFa ukuba aqhube iminqweno yomyoleli, emva kokusweleka kwakhe. |
| **Umlawuli wempahla** | Umntu okanye umbutho olawula iiasethi egameni lomnye umntu okanye abantu ngomoya omhle nangokuthemba. Umlawuli wempahla inokuba yitrasti, umabi lifa, okanye naye umntu ofumana ilifa kwiimeko ezo umyolelo ushiya iaaseti kumntu oshiyela umyolelo ngomqathango wokuba kufuneka iye komnye umntu xa eswelekile lowo ebeshiyelwe. |
| **Indlalifa /umntu oshiyelweyo** | Iindlalifa kunye nabantu abashiyelweyo ngabantu abafumana ilifa kubantu abaswelekileyo Umahluko kwaba babini kukuba indlalifa inokufumana ilifa kumntu osweleke enawo okanye engenawo umyolelo (umyoleli oshiye umyolelo wakhe ungarhoxiswanga okanye ongayolelanga), ngexa umntu ekushiywe kuye enokufumana ilifa kuphela ngomyolelo osemthethweni. Oku kuthetha ukuba izalamame zegazi, umlingane wakho kunye nabantwana obamkele njengabakho ziindlalifa ukuba usweleka ungenamyolelo, kodwa ukuze umsebenzi wakho wasendlini afumana ilifa lemali kuwe kufuneka ukuba ube umkhankanye ngokukhethekileyo kumyolelo wakho. |
| **Ilifa** | Ibhenefithi efunyenwe kwimpahla yomntu oswelekileyo phantsi komyolelo okanye apho kungenziwanga myolelo. Umzekelo, unyana wommelwane ufumene ilifa lesinye kwisithathu sentsalela yempahla katata wakhe. |
| **Ukungabikho komyolelo** | Xa usweleka ungashiyanga myolelo usemthethweni, usweleka “kungekho myolelo”. |
| **Ilifa** | Yiasethi ethile eshiywa kumyolelo kumntu othile. |
| **Amatyala** | La ngamatyala ebengekahlawulwa, iindelo zomngcwabo, irhafu yempahla, njl. njl. |
| **Intsalela** | Into eseleyo kwimpahla emva kokuba onke amatyala, indleko neerhafu zihlawulwe kwaye zonke izinto ezisemthethweni zidluliselwe okanye zihlawulwe kwabo zishiyelwe bona. |
| **Shiya umyolelo** | Ukuba umntu unomyolelo osemthethweni ngexesha lokusweleka, “ushiye umyolelo”. |
| **Umyoleli** | Umntu owenza umyolelo okanye itestamente. |
| **Itrasti** | Itrasti lulungiselelo olo ulawulo kunye/okanye ubunini bepropati budluliselwa kwitrasti ukuba izigcine kwaye izisebenzise ipropati ze kuzuze amaxhamli. Itrasti yetestamente inokumiselwa kumoyolelo ukuba igcinele abantwana abasebancinci ipropati de bafikelele ebudaleni (okanye ngaphezulu). Itrasti imiselwa ngexa esaphila umyoleli (loo nto kuthiwa yi-inter vivos okanye itrasti yosapho) ingayindlalifa okanye umntu oshiyelweyo kananjalo emyolelweni ukuba afumane kwaye agcine ilifa ukuze kuzuze abaxhamli betrasti. |
| **Itrasti** | Umntu okanye iziko, njengegqwetha, ibhanki, inkampani yetrasti okanye inkampani yomlawuli wempahla (FPSA®), olawula itrasti kwaye onoxanduva lokulawula iiasethi zetrasti ukuze kuzuze wabaxhamli de ibe yabelwa abaxhamli. |

**Iziqulatho**

1. Yintoni umyolelo?

2. Kutheni kufuneka ndibe nomyolelo?

3. Kutheni ndingenawo umyolelo okwangoku?

4. Kuza kwenzekani ukuba ndisweleka ndingenawo umyolelo?

5. Ingaba ubhuti wam okanye umhlobo othembekileyo angaba ngumabi wempahla yam?

6. Ayintoni amaxanduva omabi lifa?

7. Ndikulungele ukubhala umyolelo, ngubani ongandinceda?

8. Ngawaphi amaxwebhu endiwadingayo ukubhala umyolelo?

9. Imibuzo ebuzwa rhoqo

Uqhagamshelwano oluluncedo

Ukuba nomyolelo kukunika ukuphumla bokwazi ukuba imivuzo yomsebenzi wobomi bakho iza kwabiwa kwaye ilawulwe ngokwemionqweno yakho. Awukhuseli nje kuphela umlingane wakho, abantwana, neeasethi zakho, ungaxela ngqo ukuba ungathanda ukuba ziphathwe njani zinto zakho emva kokuba uswelekile.

**1. Yintoni umyolelo?**

Umyolelo luxwebhu olusesikweni nolusayiniweyo apho ubhala khona ukuba ufuna yabiwe njani impahla yakho emva kokuba uswelekile. Ukusweleka ungenawo umyolelo kuthetha ukuba impahla yakho ngeke yabiwe ngomyolelo (imiyalelo) wakho, kodwa ngokwemithetho yaxa ungashiywanga umyolelo.

**2. Kutheni kufuneka ndibe nomyolelo?**

Umyolelo wenza kube lula ebantwini obashiya ngemva emva kokuba uswelekile. Luxwebhu olusemthethweni oluqulethe ulwazi malunga nezimali kunye nempahla yakho (indlu, ifanitshala okanye izacholo, njl. njl.) kunye nokuba iza kwabiwa njani phakathi kwabaxhamli bakho. Ukuba unabantwana abancinci, ungaxela umgcini omkhethileyo ukuba abagcine xa kwimeko yokuba ube uyasweleka. Umyolelo unokuqulatha kananjalo ulwazi ngomabi lifa wempahla yakho. Ukuba ngaba awumkhethanga umabi lifa, iNkundla ePhakamileyo yamaFa kufuneka imonyule emva kokucebisana neendlalifa.

**3. Kutheni ndingenawo umyolelo okwangoku?**

Ngezantsi zezinye zezizathu ezixhaphakileyo zokuba kutheni abantu bengenamiyolelo.

**“Indlu yam incinci kwaye ayinaxabiso loneyo**”. Umyolelo ayingowabantu abazizityebi kuphela okanye abo banezindlu ezinkulu. Umyolelo wenza kube lula ebantwini obashiya ngemva.

**“Nditshate umtshato lowo izinto zomnye izezomnye zange ndaphangela!”** Abalingane abatshate umtshato lowo izinto zomnye izezomnye babelanga ngokulinganayo kwimpahla ehlanganyelweyo, njengokuba yonke into yamaqabane. Umlingane ngamnye unesiqingathasesabelo kwimpahla ehlanganyelweyo. Kufuneka ube nomyolelo ukuze ukhankanye ngokukhethekileyo ukuba ngubani oza kuzuza kwisiqingatha sesabelo sakho xa usweleka.

**“Ndisemncinci, liselininzi ixesha lokwenza umyolelo.”** Ukuba uneeasethi ezifana nemoto okanye ifanitshala kwaye ungaphezulu kwe-16 leminyaka, ngeke ube mncinci kangako ukuba ungabi namyolelo. Nabantu abatsah nabangatshatanga na kufuneka babe nemiyolelo ukuqinisekisa ukuba iminqweno yabo inikwa imbelo ngokuphathelene nokuba bafuna ukuba zabiwe njani na iiasethi zabo xa besweleka.

**“Usisi/ubhuti wam uza kubagcina abantwana bam ukuba ndiyasweleka”.** Kumakhaya amaninzi emveli nawenkcubeko, kukho ukuqonda ekungathethwayo ngako ekubeni ukuba uyasweleka kwaye abantwana bakho okanye abo baxhomekeke kuwe basebancinci, usapho lwakho luza kubagcina kwaye akukho mfuneko yokuba ube nolu lwazi emyolelweni. Isigqibo esingcono iya kuba kukuxoxa ngokhathalelo lwabantwana bakho nosapho lwakho kwangaphambili kwaye wonyule abagcini kumyolelo wakho

**“Usapho lwam luza kuzibonela ukuba lwenza njani”.** Inyani kukuba, ngeke bakwenze oko. Umthetho (UmThetho wokungaShiywa koMyolelo, 1987) umisela ukuba ngubani oza kufumana ilifa kwimpahla yakho. (Ukuyekela kwabo ubathandayo ukuba basombuluke imicimbi yakho ayiyoresipi nje kuphela yengxaki kusapho, ikwangumthwalo ongafanelekanga owubeka kubo. Xa usenza izigqibo sokuba yintoni eza kwenzeka kwipropati yakho, iisathi (impahla, izacholo, ifanitshala), imali eyikheshi okanye amatyala uza kwenza ubomi babo bube lula kakhulu ngexa bezilile. Emyolelweni wakho ungonyula ababi mafa ukuba balawule imicimbi yakho emva kokusweleka kwakho.

**“Ndineentloni zokubhala umyolelo kuba andazi ukuba ubhalwa njani.”** Kukho abantu abaziingcali njengenkampani zeetrasti, iibhanki, abanoneleli ngeenkonzo zezimali (financial services providers) (FSPs), abasebenzi abalawula impahla (fiduciary practitioners) (FPSA®) okanye amagqwetha abanokukunceda.

**“Kubiza imali ukwenza umyolelo.”** Umyolelo luxwebhu olubalulekileyo ekufuneka lubhalwe yingcali. Ii-FSP ezithile zinika iinkonzo zasimahla zokwenza umyolelo kwaye ziya kugcina kananjalo ikopi yomyolelo wakho simahla. Amagqwetha anokubiza imali kodwa, njengokukunceda, anokuthembisa ukuwugcina simahla umyolelo wakho. Ibhanki yakho inokubiza ubuncinci bemali ehlawulwayo ngenkonzo leyo. Thetha nelinye lamaqela akhankanywe ngentla.

**“Ndiza kwenza umyolelo kwiveki ezayo”** Wenze msinyane kangangoko kunokwenzeka. Ukumisela elinye ixesha kuza kukwenza ulibale ngokuqinisekileyo.

**“Lilishwa!”** Uninzi lunokuba nemvakalelo yokuba xa ubhala umyolelo, umema ilishwa kwikhaya lakho kwaye ke ngexa yoku uza kusweleka msinyane. Bambala kakhulu abantu abaziyo ukuba baza kusweleka nini. Kungcono uzilungiselele.

**“Ndinamatyala angaphezulu kwezinto endinazo.”** Ityala lakho eliseleyo liza kuthathwa kwixabiso lempahla yakho. Ngaphandle kokuba kukho imali eyikheshi eyoneleyo kwimpahla yakho yokuhlawula amatyala okanye iiasethi ezoneleyo zinokuthengiswa ukuze kuhlawulwe amatyala akho, abo unamatyala kubo banokubanga ityala elingekahlawulwa kumlingane wakho kuphela ukuba utshate umtshato lowo izinto zomnye izezomnye.

**“Ndinepolisi yeinshurensi yobomi eza kuhlawulelwa onke amatyala am kwaye enye iza kuya kusapho lwam xa ndisweleka.”** I-inshurensi yobomi ngumthombo olungiletyo wenkxaso kwabo ubathandayo xa usweleka. Ingahlawulela iindleko zemfundo kwaye inike imali yokuhlawula iirhafu kwimpahla yalowo uswelekileyo, okanye ihlawulele iindleko eziqhelekileyo zasendlini, kwaye ngamanye amaxesha ukuxhasa ngemali izicwangciso zomhlalaphantsi. Ukuba ngaba kuza kubakho imali eyikheshi eyoneleyo yokuhlawula amatyala kwimpahla yakho, iirhafu neendleko kunokonyulwa umxhamli ukuba afumane inzuzo yepolisi yeinshurensi. Inzuzo ke iyakuhlawulwa ngqo kumxhamli, umabi lifa ngeke asebenze ngepolisi kwaye engeke abe nelungelo lemali yomabi lifa kwimali ehlawulelwe ipolisi.

**4. Kuza kwenzekani ukuba ndisweleka ndingenawo umyolelo?**

Ukuba usweleka unganawo umyolelo uza kuphulukana nethuba lokwenza isigqibo ngokuba ngubani oxhamlayo kwimpahla yakho. Endaweni yoko, umthetho osebenza xa ungashiyanga myolelo ulawula indlela eyohlulwa ngayo impahla yakho. INkundla ePhakamileyo yamaFa yonyula umabi mafa ukuba alawule impahla yakho kwaye kunokufuneka onyulwe umgcini okanye ityhutha ukuba ijonge amalungelo abantwana abasebancinci kunye/okanye abaxhamloi abaphazamiseke engqondweni.

UmThetho wokungaShiywa koMyolelo, 1987 (umThetho wama-81 ka-1987) umisela indlela yokuba kufuneka yohlulwe njani impahla yakho. NgokomThetho, umabi lifa owonyulwe yiNkundal ePhakamileyo yamaFa kufuneka ohlule impahla yakho phakathi komlingane kunye nabantwana bakho (kuquka abantwana obamkele njengebakho), okanye ezinye izalamane zegazi ukuba ngaba awunaye umlingane kunye nabantwana. Naliphi na ilifa ekulindeleke ukuba liye ebantwaneni bakho liza kufakwa kwiNgxowa-mali yabaGcini yona ke eye ilawulwe ngumntu ongamaziyo kwaye okungabi nokusemdleni wabantwana bakho entliziyweni.

UmThetho wenza ulungiselelo lokohlulwa kwempahla yakhn ngendlela ekhethekileyo. Umzekelo:

* Ukuba ngaba ushiya umlingane kuphela, unokulithatha lonke ilifa lempahla yakho. Umlingane nguye nabani na otshate phantsi komThetho wemiTshato, umThetho woManyano olunamaLungelo aFanayo nawomTshato, umThetho wokuQondwa kwemiTshato yesiNtu, okanye umsitho wenkolo.
* Ukuba kukho umlingane nabantwana, babelana ngempahla. Umlingane ufumana mhlawumbi isabelo esilingana nesomntwana okanye i-R250 000, nokuba yeyiphi enkulu. Abantwana ke baye babelane ngempahla xa iyonke ngokulinganayo.
* Ukuba akukho mlingane, nawuphi umntwana okanye abantwana abaseleyo bafumana impahla njengelifa.
* Ukuba awunaye umlingane nabantwana, abazali bakho babelana ngokulinganayo ngempahla yakho. Ukuba um(aba)zali wa(ba)kho u(ba)swelekile, abantwana bakowenu bafumana njengelifa inxenye leyo umzali oswelekileyo ebeza kuyifumana njengelifa.
* Xa kungekho zalamane zisondeleyo, impahla yakho yabelwa izalamane ezisondeleyo ezisaseleyo.
* Izibini ezingatshatanga ezihlala kunye, nokuba zikubudlelwane bexesha elide ezizibophelele kubo, azonwabeli khuselo lufanayo. Ukuba usweleka kungekho myolelo, iqabane lakho alikwazi ukufumana ilifa kwimpahla yakho phantsi komthetho wokushiya kungekho myolelo.

**5. Ingaba ubhuti wam okanye umhlobo othembekileyo angaba ngumabi wempahla yam?**

Phambi kokuba wenze isigqibo sokuba ngubani omkhetha njengomabi lifa wakho qiniseka ukuba lowo unesakhono eziyimfuneko kunye nexesha lokujongana noxanduva. Ababi mafa kufuneka baqokelele izinto zakho kaye bazabe ngokomyolelo wakho okanye ngemithetho ekungashiywanga myolelo kuyo ekhankanywe ngentla.

Umthetho woMzantsi Afrika ubeka izithintelo ezimbalwa ekubeni ngubani ongaba ngumabi lifa, kodwa ngokufanelekileyo umntu owonyuliweyo kufuneka awuqonde umthetho, abe nolwazi ngenkqubo yerhafu kwaye akwazi ukusebenza nabaxhamli, abo unamatyala kubo neengoxwa -mali zemihlalaphantsi, njl. njl.

Ngoko ke, ungakhetha umhlobo othembekileyo okanye ubhuti ukuba abe ngumabi lifa wempahla yakho. Nakuba kunjalo, iNkundla ePhakamileyo yamaFa inokufuna ukuba umabi lifa okhethiweyo ongenazo iziqinisekiso eziyimfuneko kufuneka ancediswe yiarhente enobungcali njengegqwetha, umphicothi-ncwadi, igqwetha lejajji, i-FPSA®, okanye inkampani yetrasti ngexa lenkqubo yolawulo. Xa kusenzeka oku, umabi lifa omonyuleyo kumyolelo wakho kunokufuneka asabenzise iarhente enjalo ukuba ilawule impahla.

Umabi lifa onyuliweyo usenoxanduva lokugqitywa kwenkqubo leyo yempahla kodwa ulawulo lwemihla ngemihla luza kwenziwa yiarhente eyonyulwe numabi lifa.

Ukuba wonyula umntu ongenazo iziqinisekiso ezikhethekileyo kodwa ongumntu othenjiweyo onesidima, wena ngokwakho kumyolelo wakho unokonyula umncedisi mabi lifa oyingcali ukuba alawule impahla. Ngale ndlela unokukhululeka emoyeni kuba omnye wababi lifa ngumntu omaziyo nomthembayo, kwaye omnye yingcali efanelekileyo enamava olawulo lwempahla yomntu oswelekileyo.

**6. Ayintoni amaxanduva omabi lifa?**

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| **IMISEBENZI ENGUNDOQO YOMABI LIFA** |
| * Ukufumana ikopi eqinisekisiweyo yesitifiketi sokusweleka, umyolelo ongakhutshelwanga kunye namaxwebhu epolisi – eyomngcwabo, eyeinshurensi njl. njl. |
| * Qulunqa uluhlu lwayo yonke impahla yalowo uswelekileyo. |
| * Ukuba ngaba impahla ngumxhamli wayo nayiphi i-inshurensi yobomi, qinisekisa kuba inkampani yeinshurensi iyaziswa ize ke ipolisi ihlawulwe kwimpahla leyo. |
| * Bazise abo unamatyala kubo ngesibhengezo kwiGazethi karhulumente kunye nakwiphepha ndaba ukuba uswelekile kwaye bahlawule amatyala ebengekahlawulwa kunye namanye amabango asemthethweni ngokubhekisele kwimpahla. Ngenisa iifom zerhafu kwaye bahlawule iirhafu zengeniso kunye nezempahla. |
| * Qulunqa iakhawunti yempahla, ekuthiwa yiakhawunti yokuthengiswa kwenmpahla ze kuhlawulwe amatyala nokwaba (liquidation and distribution) (L&D), kunye nokuxela zonke iiasethi kwimpahla kunye nokuba ngubani oza kufumana ntoni kwimpahla ngokwemiyalelo equletwhe kumyolelo. |
| * Ngenisa le akhawunti ye-L&D kwiNkundla ePhakamiley yamaFa kwaye, yakube ikhangelwe yiNkundla yaze yapapashwa kwiGazethi kaRhulumente nakwiphepha-ndaba, wabe iiasethi ngokweendlalifa kunye nabo bashiyelweyo. |
| * Ukuba yimfuneko, utshintshe iiasethi zempahla, ezifana nepropati, ubugcisa okanye i-inshurensi yobomi umzekelo, zibe yimali eyikheshi. |
| * Ufumane iintlawulo ekulindeleke ukuba zingene kwimpahla ezifana nenzala, izabelo, utyalo-mali kunye nenye ingeniso (umzkl. umvuzo ongahlawulwanga, imali ehlawulelwa ikhefu kunye nezinye iibhenefithi zemali eyikheshi). Umabi lifa kufuneka avule iakhawunti yebhanki ngegama lempahla msinyane nje ukuba kufunyanwe imali engaphezulu kwe-R1 000 kwaye afake kule akhawunti yonekimali efunyenweyo. |
| * Imali yomhlalaphantsi ayiqukwanga kwimpahla kwaye iCandelo lama-37C lomThetho weNgxowa-mali yoMhlalaphantsi lilawula indlela amabazabe ngazo ezo bhenefithi ababi mafa. Eli candelo lomthetho lijolise ekukhuseleni abaxhamli nakwiminqweno yalowo uswelekileyo na. Ngeke uxele umxhamli weebhenefithi zomhlalaphantsi wakho kumyolelo. Kuphela kuxa kungafumaneki mxhomekeki okanye mxhamli kwiinyanga ezilishumi elinambini zokusweleka ezi bhenefithi ziya kuhlawulwa kwaye zabiwe ngumabi lifa kwi(kwii)ndlalifa emva kokuba kuhlawulwe onke amatyala neendleko. |

**7. Ndikulungele ukubhala umyolelo, ngubani ongandinceda?**

Kubalulekile ukuba usebenzise umntu onolwazi kunye nobungcali obufanelekileyo ekubhaleni umyolelo wakho. Ungasebenzisa igqwetha okanye uye kwibhanki yakho okanye inkampani yetrasti ngoncedo. Umntu obhala umyolelo wakho akanakude onyulwe njengomabi lifa. Xa ubhala umyolelo wakho ungonyula umntu omnye okanye ngaphezulu ukuba asebenze njengomabi lifa kwaye banokubiza imali ngeenkonzo zabo. Ukuba ngaba imali ehlawulwayo ingaphantshi kobuninzi obumiselweyo be-3.5% yexabiso lempahla, kuza kufuna isivumelwano sabo.

Wakube ugqityiwe umyolelo, kufuneka usayinwe ngokupheleleyo kwiphepha ngalinye kukho amangqina amabini ukuze ube semthethweni. Amangqina kufuneka ubuncinane abe neminyaka eli-14 okanye ngaphezulu yobudala kwaye afaneleke ukuba abe angabunika ubungqina enkundleni yomthetho. Omabini amangqina kufuneka asayine kananjalo ekhona umyoleli kunye nawo.

**Qaphela:** Ukuba, emyolelweni wakho, ukhetha umntu ongumxhamli ukuba asayine njengengqina, okanye ubebandakanyeka ekuqulunqweni komyolelo wakho, kufuneka arhoxiswe ekuxhamleni kumyolelo wakho.

**Khumbula:** Umyolelo “uthethela” umntu oswelekileyo. Ingcali yeyona ifanelekileyo ekuqondeni injongo yakho ize iyibeke ngamagama acacileyo nangqale ngqo.

**8. Ngawaphi amaxwebhu endiwadingayo ukubhala umyolelo?**

|  |
| --- |
| **ANAXWEBHU AFUNEKAYO XA UBHALA UMYOLELO** |
| * Igama neenkcukacha zesazisi zomabi lifa wempahla yakho. |
| * Igama nenombolo yesazisi yomlingane wakho kunye nekopi yesitifiketi somtshato echaza uhlobo lwesivumelwano somtshato. Ukuba uqhawule umtshato, kufuneka unike ikopi yoqhawulo mtshato kunye nesivumelwano sentlawulo. |
| * Amagama apheleleyo neenombolo zee-ID zabo bonke abantwana bakho, kuquka nabo ubamkele njengabakho kunye nabantwana bomlingane wakho ukuba ufuna baxhamle kumyolelo wakho. |
| * Amagama kunye neenombolo zee-ID zabazukulwana ongathanda ukubaquka. |
| * Ukuba unabantwana abancinci, igama neenkcukacha zoqhagamshelwano zomgcini. |
| * Ukuba kuyangena, inkcukacha zeziko elifana nelo bagcina abantu abagula kakhulu kulo, indawo ehlala iinkedama okanye iziko lenkolo ongathanda ukuzishiya kulo iiasethi zakho. |
| * Iinkcukacha zalo naliphi elinye iqela okanye iziko ongathanda ukuba lixhamle. |
| * Iikopi zeetayitile ngokunxulumene neepropati ezingasukiyo eMzantsi Afrika kunye neenkcukacha zebhondi zeepropati ezinjalo. |
| * Iikopi zamaxwebhu eengxowa-mali zomhlalaphantsi okanye yobekelo kunye neepolisi zeinshurensi, ezifana neepolisi olondoloza kuzo, iipolisi zekhredithi zobomi njl. njl. |
| * I-Digital currency, efana ne-Bitcoin, ithathwa njengeasethi enexabiso elingaphathekiyo yi-SARS. Imithetho eqhelekileyo yerhafu iyasebenza, kwaye inokuqukwa kumyolelo wakho ukuze kuxhamle iindlalifa. Ububodwa bayo kucela ungeni kubabi mafa abanokufuna i-password eyodwa okanye isitshixo sokufikelela kwiwalethi yakho yedijithali emva kokusweleka kwakho. Kuba imiyolelo iziirekhodi zikawonke-wonke kucetyiswa ukuba ungaluquki olu lwazi kumyolelo wakho. Kungcono ukufumana indlela ekhuseleke ngokungaphaya yokuba umabi lifa wakho afikelele ngayo kwiwalethi yakho yedijithali. |
| * Kubalulekile ukuquka uluhlu olupheleleyo lwamatyala akho ngokunjalo. |

**9. Imibuzo ebuzwa rhoqo**

**Ndingasebenzisa umzekeliso weintanethi ukuzenzela okanye ukubhala owam umyolelo kwisiqwenga sephepha?**

Ayiloluvo lulungileyo ukuzenzela owakho umyolelo. Umyolelo kufuneka uhlangabezane neemfuneko zomthetho ukuze ube semthethweni. Umyolelo kufuneka ucace, ungqale ngqo kwaye umele iinjongo zokwenani zomyoleli (wena). Imiyolelo equlunqwe ngamava amancinci okanye angekhoyo kwaphela kaninzi ikhokelela kwingxaki.

**Ngowuphi umzekelo wesicelo esikhethekileyo endingasifaka kumyolelo wam?**

Umzekelo omnye wesicelo esikhethekileyo ongasiquka kumyolelo wakho inokuba abantwana bakho banokunikwa ulawulo lweeasethi zabo ngamabakala awohlukeneyo obomi babo; isinye esithathwini sokuqala selifa labo sifumaneka kubudala beminyaka engama-21 intsalela kubudala beminyaka engama-25, okanye mva ukuba kukho isizathu esivakalayo. Ukuba ngaba ufuna ukuthathela ingqalelo isicelo esikhethekileyo njengakumzekelo ongentla, ukhetho lwakho olungcono inokuba kukuseka itrasti. Kukho iintlobo ezintathu zeetrasti:

* itrasti yetestamente, oyimisela kumyolelo wakho
* itrasti ye-inter vivos, “eyitrasti yosapho” eqhelekileyo
* itrasti esekwe ngumyalelo wenkundla ukuba ifumane iintlawulo ezithile ezifana, umzekelo, imali ehlawulwa yiNgxowa-mali yeNgozi zeNdlela.

**Yintoni injongo yetrasti?**

Itrasti inokuba nepropati, ifumane iminikelo okanye ifumane imali njengelifa kwimpahla yakho xa usweleka. Into eyenza itrasti ikhuseleke kangaka kukuba izigqibo zithathwa ziitrasti ozonyuleyo xa uyiseka. Abaxhamli banokufuna ibhenefithi yabo kuphela kubudala okanye ngexesha elimiselwe kumyolelo okanye kwitayitile. Ngokuxhomekeke kuhlobo lwetrasti olusekayo, iiasethi zezetrasti kwaye zinokukhuseleka kubantu onamatyala kubo abafuna kuhlawulwe amatyala akho.

Ukuba ngaba ufuna ukudlulisela imali okanye iasethi zisuke keimpahla yakho ziye kwitrasti, oku kufuneka kwenziwe ligqwetha, ibhanki, inkampani yetrasti, okanye umlawuli wempahla oyingcali (fiduciary professional) (FPSA®) onolwazi lwengcali ukuze akuncede ngempumelelo udlulisele okanye useke itrasti enjalo.

Ukuba ngaba ufuna ukushiyela umlingane wakho okanye umntwana indlu kwitrasti, kuza kufuneka bahlawule iindleko zokutshintsha ukuze indlu ibhaliswe emagameni abo. Ungabashiyela kananjalo imali yokuba bahlawulele ezi ndleko zokutshintsha. Ukutshintshela ipropati kwindlalifa kunokuthatha iqela leenyanga kwaye iimali ehlawulelwa iirhafu zikamasipala kunye neerhafu kufuneka ihlawulwe. Iindlalifa azibizwa mali yerhafu yokutshintshela impahla, kodwa bahlawulela iindleko ezifana nokutshintsha itayitile kunye nemali ehlawulwa kwiofisi yeetayitile iyabizwa. Qaphela ukuba kubiza imali ukuba netrasti. Itrasti isebenza kakuhle ebantwini abanempahla eninzi kunye nexabiseke ngokungaphaya abazilawulayo kwaye inokuba yeyona ndlela ingabiziyo yokwehlisa kwiirhafu. Kwiitsapho ezifuna ukudlulisela umhlaba wosapho ukuseka itrasti ukuba ibe ngumnini waloo mhlaba yindlela yokugcina ukusapho kwaye ke oko kuthintela ukuba iziqwenga zithengiswe ziindlalifa zingazodwa.

**Kufuneka ndiwugcine phi umyolelo wam?**

Iibhanki, abagcwangcisi-mali, iinkampani zeetrasti, amagqwetha kunye nabacebisi ngezimali ababhalisiweyo bayayigcina imiyolelo egameni leeklayenti zabo simahla okanye ngemali encinci ehlawulwayo.

Yenza ikopi yomyolelo wakho uze uyiphawule ngokucacileyo ngegama “iKopi” uze wazise umntu omthembayo ukuba unokuwufumana phi xa unokusweleka. Yazisa umabi lifa omonyuleyo kumyolelo wakho ukuba ugcinwe phi na umyolelo ongakhutshelwanga, ngokunjalo nekopi.

**Kufuneka ndiwuhlaziye rhoqo kangakanani umyolelo wam?**

Imiyolelo kufuneka iqwalwaselwe kwakhona ixesha nexesha, ingakumbi ukuba kwenzeke izihlo ezibalulekileyo kubomi bomyoleli (wena). Izihlo ezibalulekileyo ezitshintsha ubomi zinokuquka ukuzalwa komntwana, umtshato, uqhawulo-mtshato, ukusweleka komxhamli, ukuba nepropati kunye nezinye iiasethi ozifumanayo emva kokusayina umyolelo wakho osele ukhona. Kubalulekile ukuwuqwalasela kwakhona umyolelo wakho kwiinyanga ezintathu emva koqhawulo mtshato, kuba ukungakwenzi oko kunokubanga iziphumo ezingafunekiyo.

**Ingaba yinyani ukuba kukho iirhafu ekufuneka zihlawulwe emva kokuba ndiswelekile?**

Kukho iirhafu ezimbini ezihlawulwayo kwimpahla: yirhafu karhulumente kunye nerhafu yenzuzo kwinkunzi (capital gains tax) (CGT).

**Irhafu karhulumente luhlobo lwerhafu ekufuneka uyihlawule emva kokusweleka kwakho ukuba impahla yakho eseleyo (emva kokuba onke amatyala, iindleko iirhafu oko ukushiyele umlingane osaphilayo okanye kwisisa sekutsaliwe) ixabisa ngaphezulu kwe- R3,5 yezigidi.**

Ukungqala ngqo, impahla yakho (enokuquka ipropati, i-inshurensi nemali) kufuneka ihlawule ama-20% erhafu karhulumente kwiNkonzo yeRhafu yoMzantsi Afrika (South African Revenue Service) (SARS) ukuba ngaba ixabisa phakathi kwe-R3,5 yezigidi kunye nama-R30 ezigidi. Izinga lama-25% liyahlawulwa kuso nasiphi isixa esiseleyo esingaphezulu kwama-R30 ezigidi. Ukuba ngaba impahla yakho ixabisa ngaphantsi kwe-R3,5 yezigidi, akukho rhafu karhulumente ihlawulwayo.

**IRhafu yeNzuzo kwiNkunzi (Capital Gains Tax) (CGT)** ihlawulwa kuso nasiphi na isixa esidlula kwinzuzo yezigidi ezi ezi-R2 kwintengiso yendawo yokuhlala engundoqo (indlu wena nosapho lwakho ebenihlala kuyo isigxina). Ngokufanayo, xa ilahleko kwinkunzi ingaphezulu kwezigidi ezi-R2, yinxenye yelahleko yezigidi ezi-R2 kuphela eza kuvunyelwa njengelahleko kwinkunzi.

I-CGT ihlawulwa kuyo yonke inzuzo kwinkunzi engaphezulu kwama-R300 000 kunyaka werhafu owudlulileyo. Kuthathwa ngokuba utshintshele yonke ipropati yakho kwimpahla yakho yoswelekileyo ngomhla wokusweleka kwakho kunye nokuba inzuzo ngumahluko phakathi koko ukuhlawulele iiasethi xa ubuyithenga kunye nexabiso leasethi ngomhla wokusweleka kwakho. Ama-R300 000 akhutshelwa ngaphandle atsalwa kwisixa sazo zonke ezi nzuzo. Aze ke ama- 40% esiphumo aqukwe kwingeniso yakho yaloo nyaka werhafu osweleke ngawo kwaye aza kutsalelwa irhafu nenye ingeniso yakho ngamazinga aqhelekileyo erhafu yengeniso.

Ngo-2020, unyaka epapashwe ngawo le ncwadana, izinga elisebenzayo le-CGT beliphakathi kwe-7.2% ne-18% o yenzuzo eyodlula isixa sama-R300 000.

* Naziphi na iiasethi ezisetyenziselwa ubuqu ezifana nesithuthi kunye nempahla yobuqu aziqukwa kwi-CGT.
* Zonke iiasethi eziya kumlingane osaphilayo aziqukwa kananjalo kwi-CGT.

Jonga kwiwebhusayithi ye-SARS ngohlaziyo lonyaka ngokunxulumene neebrakethi zerhafu njengoko kukhankanyiwe ngasentla (www.sars.co.za).

**Uqhagamshelwano oluluncedo**

**I-Financial Sector Conduct Authority**

Ukukhangela ukuba i-FSP okanye umcebisi ngezimali **ugunyazisiwe na ukwazisa ngemveliso neenkonzo zezimali, qhagamshelana ne-FSCA.**

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| I-imeyile | [info@fsca.co.za](mailto:info@fsca.co.za) |
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| Idilesi yeposi | P.O. Box 35655, Menlo Park, Pretoria, 0102 |
| Iwebhusayithi | [www.fsca.co.za](http://www.fsca.co.za) |

Okungaphaya ngolwazi kunye nemithombo yokukufundisa abasebenzisi ngezimali qhagamshelana **neCandelo eliFundisa abaSebenzisi le-FSCA.**

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| I-imeyile | [CED.Consumer@fsca.co.za](mailto:CED.Consumer@fsca.co.za) |
| Iwebhusayithi | [www.FSCAmymoney.co.za](http://www.FSCAmymoney.co.za) |

**I-Fiduciary Institute of Southern Africa (FISA)**

Ngoncedo ngemiyolelo, impahla, iitrasti, ucwangciso lwempahla kunye neengxowa-mali zabaxhamli qhagamshelana ne- FISA.

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| Umnxeba | 082 449 2569 |
| I-imeyile | [secretariat@fisa.net.za](mailto:secretariat@fisa.net.za) |
| Idilesi yeposi | P.O. Box 67027, Bryanston, 2021 |
| Iwebhusayithi | [www.fisa.net.za](http://www.fisa.net.za) |

**I-Financial Planning Institute of South Africa (FPI)**

Ngoncedo ngempahla okanye ezinye iinkonzo zocwangciso qhagamshelana ne-FPI.

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| Umnxeba | 011 470 6000 |
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| Idilesi yesitalato | 84 Sophia Street, Fairlands, Johannesburg |
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| Iwebhusayithi | [www.fpi.co.za](http://www.fpi.co.za) |

**I-South African Registry of Wills and Testaments (SARWT):**

Xa ufuna ukuqinisekisa ukuba abo ubathandayo baza wukwazi ukufumana umyolelo wakho emva kokuba uswelekile, ungawubhalisa kwi-SARWT.

|  |  |
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| Umnxeba | 061 436 2240 |
| I-imeyile | admin@sarwt.org |
| Idilesi yesitalato | 1 Bellingham Crescent, Alberton Gauteng |
| Iwebhusayithi | [www.sarwt.org](http://www.sarwt.org) |

**IBhunga leMisebenzi yezomThetho**

Ukuba ngaba unombuzo okanye ufuna **ukufaka isikhalazo kumsebenzi ngezomthetho, qhagamshelana neBhunga leMisebenzi yezomThetho:**

|  |  |
| --- | --- |
| Iwebhusayithi | [www.lpc.org.za](http://www.lpc.org.za) |

EGauteng, Limpopo, Mpumalanga, mNtla Ntshona

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| Umnxeba | 012 338 5800 |
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EMpuma Koloni, mNtla Koloni, Ntshona Koloni

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| Umnxeba | 021 443 6700 |
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UKUNGATHATHI XANDUVA

*Ulwazi oluqulethwe kule ncwadi yolwazi lunikwe yi-Financial Sector Conduct Authority (FSCA) ngeenjongo zolwazi kuphela. Olu lwazi alumiseli icebo lomthetho, lobungcali, okanye lezimali. Ngexa lonke ukhathalelo luthathiwe ukuqinisekisa ukuba isiqulatho siluncedo kwaye sichanekile, i-FSCA ayiniki naluphi uqinisekiso, ukwamkela okanye iziqiniselo ngokuphathelene noku kwaye ayamkeli naluphi uxanduva lomthetho okanye olunye uxanduva ngesiqulatho okanye ukuchaneka kolwazi olunikiweyo, okanye, ngayo nayiphi ilahleko okanye umonakalo obangwe uvela ngokungqalileyo okanye ngokungangqalanga ngokunxulumene nokuthembela ekusetyenzisweni kolwazi olunjalo. Ngaphandle kwalapho kuxeliweyo ngenye indlela, ilungelo lombhali kulo lonke ulwazi lolwe-FSCA. Akukho nxenye yale ncwadana yolwazi enokuveliswa kwakhona okanye isasazwe okanye iphinde isetyenziswe okanye yenziwe ifumaneke ngayo nayiphi indlela okanye naluphi ucholacholo ndaba ngaphandle kokuba imvume ebhaliweyo ifunyenwe kwiOfisi yoMcebisi Jikelele we-Financial Sector Conduct Authority.*