**Kuvisisa kubaluleka Kwencwadzi Yemafa**

Bangetulu kwema-70% bantfu baseNingizimu Afrika labasebentako labangenayo incwadzi yemafa. Kunetizatfu letinyenti tekutsi kungani bantfu labanyenti baseNingizimu Afrika bakhetsa kungabi nencwadzi yemafa, kodvwa kufa ngaphandle kwayo kwengeta kucindzeteleka kwemnotfo ekucindzetelekeni ngekwemoya ngalesikhatsi umndeni wakho ubukene nekushona kwakho emhlabeni.

Lencwajana iniketa imihlahlandlela lesisekelo mayelana netincwadzi temafa kanye nekuphatfwa kwetindzaba temafa talabashonile. Ayitsatsi sikhundla sanoma nguyiphi imitsetfo lesebentako futsi kufanele ingasetjentiswa njengesetsenjwa lesisemtsetfweni.

|  |
| --- |
| **TINCHAZELO** |
| **Incwadzi yemafa** | Idokhumenti lesemtsetfweni loveta kuyo kutsi kutokwentekani ngemphahla yakho uma ushona, lecuketse imiyalelo yakho yekutsi lifa lakho kufanele labiwe njani nekutsi ngubani lekufanele ahlomule kulo ngemva kwekushona kwakho. Iphindze yatiwe ngethestamende. |
| **Lifa** | Loko lokungokwakho. Lingafaka tintfo letifana nendlu yakho nalokuphakatsi kwayo, timoto, emasheya, timali letisisiwe, izinzuzo zomhlalaphansi, ukheshi, njll. |
| **Labazuzako** | Tincwadzi temafa, ema-thrasti kanye nemishwalense ngalokuvamile aba nemuntfu lotohlomula uma ushona, ngesikhatsi sekuphila noma ekumisweni kwe-thrasti, noma uma ipholisi ivutfwa. Lomuntfu, noma inhlangano, lokumele azuze lemali noma letinye timphahla utsatfwa njengemhlomuli. |
| **Kwaba lifa** | Kwaba lifa kungalesikhatsi ushiya tintfo letifana nelikhaya, bucwebe noma imali kundlalifa noma indlalifa, sib.”Ngaba lifa lendlu yami leseDurban kumlingani wami.” |
| **Umtselonzuzo walokutsengisiwe** | Intsela lekhokhwa ngenzuzo yekutsengiswa kwemphahla. |
| **Lifa**  | Nguko konkhe lonako; yonkhe imphahla yakho (imphahla lenyakatako kanye nemphahla lenganyakati) kanye nezikweletu zakho (izikweletu). |
| **Umtselo welifa** | Intsela lekhokhwa efeni ngembi kwekutsi labelwe abahlomuli. Sikweledi sentsela lesihloliwe sisuselwa enanini lemphahla futsi sisebenta kuphela efeni lelinelinani lelingetulu kwetigidzi leti-R3,5. |
| **Umabi wemafa** | Umuntfu lokhetfwe ngumninincwadzi yelifa (wena) futsi ukhetfwe nguMphatsi Wenkantolo Lephakeme kutsi achube tifiso temninincwadzi yelifa, ngemva kwekushona kwakhe. |
| **Libambela lelisemtsetfweni** | Umuntfu noma inhlangano lephetse timphahla egameni lalomunye umuntfu noma bantfu ngekukholwa nekutsembeka. Umuntfu lowamukela lifa angaba ngumphatseli wethrasti, umabi wemafa, noma ngisho ummeli etimeni lapho incwadzi yelifa ishiyela imphahla kulosemtsetfweni ngembandzela wekutsi kufanele liye kulomunye umuntfu ekufeni kwemuntfu lowamukela lifa. |
| **Indlalifa/lowamukela lifa** | Indlalifa nebantfu labamukela lifa ngebantfu labatfola lifa lebantfu labangasekho. Umehluko phakathi kwaloku kokubili kutsi **indlalifa** ingatfola lifa kumuntfu loshone anencwadzi yelifa noma angenayo (incwadzi yelifa noma angenayo), kantsi **lowamukela lifa** yena ulitfola ngencwadzi yelifa lesemtsetfweni. Loku kusho kutsi tihlobo tengati, umlingani wakho kanye nebantfwana lobatsatse njengebakho ngekwemtsetfo kodvwa ube ungabatali baba tindlalifa uma ushona ungakashadi, kodvwa kute sisebenti sakho sasendlini sitfole samba semali kuwe kufanele kube usifakile ngalokucacile encwadzini yakho yelifa. |
| **Lifa lolitfolako** | Inzuzo letfolwe efeni lemuntfu loshonile ngaphansi kwencwadzi yelifa noma ngaphansi kwekwabiwa kwelifa lalongenancwadzi yekwabiwa kwelifa. Sibonelo, indodzana yamakhelwane yatfola kunye kulokutsatfu kwalokusele kwelifa leyise wakhe. |
| **Kungabi nencwadzi yelifa** | Uma ushona ungakashiyi incwadzi yelifa lesebentako, ushona “ungenancwadzi yelifa”. |
| **Lifa lelishiywe ngemuva** | Imphahla letsite leniketwe umuntfu lotsite encwadzini yelifa. |
| **Tikweledi** | Leti tintfo letifana netikweledi letisele, tindleko temngcwabo, tindzaba temafa, njll. |
| **Tinsalela** | Lokusele kwelifa ngemva kwekutsi tonkhe tikweledi, tindleko netintsela setikhokhiwe futsi wonkhe emafa andluliselwe noma akhokhelwe lapho lekumele batfole imali. |
| **I-Testate** | Uma umuntfu anencwadzi yelifa lesebentako ngesikhatsi ashona, ufa “unencwadzi yelifa”. |
| **I-Testator** | Umuntu lowenta incwadzi yelifa noma ithestamende. |
| **Ithrasti** | I-thrasti iluhlelo lapho kulawula kanye/noma bunikati bendzawo bundluliselwa kulibambela lelisemtsetfweni kute babambe futsi basebentise indzawo kute kuzuze bahlomuli. Imali lesisiwe ingabekwa encwadzini yelifa kubamba imphahla yebantfwana labasebancane badzimate bafike eminyakeni yebudzala (noma ngetulu). I-thrasti lesungulwe ngesikhatsi umenti wesivumelwano asaphila (lekutsiwa i-inter vivos noma i-thrasti yemndeni) kungaphindza kube yindlalifa noma lofakwe kutsi amukele imali encwadzini yelifa kutsi amukele futsi abambe lifa noma lifa lalitfolile kute kuzuze bahlomuli bethrasti. |
| **Umphatsi wethrasti** | Umuntfu noma ibhizinisi, lelifana nemmeli, libhange, inkampani yethrasti noma chwepheshe lolibambela lelisemtsetfweni (FPSA ® ), lolawula i-thrasti futsi lonemsebenti wekuphatsa timphahla tethrasti kute kuzuze bahlomuli kudzimate kwabiwe kubahlomuli. |

**Lokucuketfwe**

1. Iyini incwadzi yelifa?

2. Kungani kufanele ngibe nencwadzi yelifa?

3. Kungani ngingakabi nayo incwadzi yelifa?

4. Kutokwentekani uma ngifa ngingenayo incwadzi yelifa?

5. Umnaketfu noma umngani wami lengimetsembako angaba ngumabi welifa lami?

6. Iyini imisebenti yemabi mafa?

7. Sengikulungele kubhala incwadzi yelifa, ngubani longangisita?

8. Nguwaphi emadokhumenti lengiwadzingako nangibhala incwadzi yelifa?

9. Imibuto levame kubutwa

Luchumano lolulusito

Kuba nencwadzi yelifa kukuniketa kutfula emphefumulweni ngekwati kutsi imivuzo yemsebenti wemphilo yakho itokwabiwa futsi ilawulwe ngekwetifiso takho. Akusiko nje kuphela kutsi incwadzi yelifa ingavikela ngalokusemtsetfweni umlingani wakho, bantfwana, kanye nemphahla, ingaphindza ichaze kahle kutsi ungatsandza kutsi tintfo tisingatfwe njani nasewundlulile emhlabeni.

**1. Iyini incwadzi yelifa?**

Incwadzi yelifa iyidokhumenti lesemsetfweni futsi lesayiniwe lapho ubeka khona kutsi ufuna lifa lakho labiwe njani uma sewengcile emhlabeni. Kufa ngaphandle kwencwadzi yelifa kusho kutsi lifa lakho ngeke labiwe ngekuvumelana nelifa lakho (imiyaleto), kodvwa ngekuvumelana nemitsetfo yekulandzelana kwe-intestate.

**2. Kungani kufanele ngibe nencwadzi yelifa?**

Incwadzi yelifa yenta kuphila kube lula kulabo lobashiya ngemuva ngemva kwekushona kwakho. Kuyidokhumenti lesemtsetfweni lenelwatiso lolumayelana netimali takho nemphahla (indlu, ifenisha noma bucwebe, njll.) nekutsi loku kutowabiwa njani phakatsi kwalabazuzako. Uma unebantfwana labancane, ungasho umbhasobhi lomkhetsile kutsi ababhasobhe uma kwenteka ushona. Incwadzi yelifa ingase futsi ibe nelwati ngemabi welifa lakho. Uma ungakamkhetsi umabi welifa, uMphatsi Wenkantolo Lephakeme kufanele akobole munye ngemva kwekubonisana netindlalifa.

**3. Kungani ngingakabi nayo incwadzi yelifa?**

Ngentasi kunetizatfu letijwayelekile tekutsi kungani bantfu bangenayo incwadzi yelifa.

**“Likhaya lami lincane futsi alibiti ngalokwanele”.** Incwadzi yelifa akusiyo yebantfu labanjingile noma labanemakhaya lamakhulu kuphela. Incwadzi yelifa yenta imphilo ibe lula kubantfu lobashiya ngemuva.

**“Ngishade umshado wekuhlanganisa imphahla futsi angimange ngisebente!”** Labashadile bashade ngekuhlanganyela imphahla bahlephulelana ngekulingana efeni lelihlanganyelwe, lokungukutsi yonkhe intfo ngeyabo bobabili. Umlingani ngamunye unencenye yelifa lelihlanganyelwe. Udzinga kuba nencwadzi yelifa kute usho ngalokucondzile kutsi ngubani lotohlomula encenyeni yakho lenguhhafu uma ushona.

**“Ngisemncane, kusanesikhatsi lesanele sekwenta incwadzi yelifa.”** Uma unemphahla lefana nemoto noma ifenisha futsi uneminyaka lengetulu kwe-16, awukwati kuba mncane kakhulu kutsi ube nencwadzi yelifa. Ngisho nebantfu labasha nabangakashadi kufanele babe nencwadi yelifa kuze bacinisekise kutsi tifiso tabo tiyahlonishwa mayelana nendlela labafuna imphahla yabo yabiwe ngayo ngemva kwekushona.

**“Dzadzewetfu/mnaketfu utonakekela bantfwabami uma ngindlula emhlabeni”.** Kumakhaya lamanyenti lachuba sintfu nemasiko, kukhona inkhulumo lengakhulunywa yekutsi uma ushona futsi bantfwana noma bondliwa bakho babancane, umndeni wakho uyobanakekela futsi asikho sidzingo sekufaka lolwatiso encwadzini yakho yelifa. Sincumo lesincono kungaba kucoca ngekunakekelwa kwebantfwana bakho nemndeni wakho kusenesikhatsi kanye nekukhetsa babhasobhi encwadzini yakho yelifa.

**"Umndeni wami utolungisa tintfo emkhatsini wawo".** Liciniso litsi, abakwati kwenta njalo. Umtsetfo (Intestate Succession Act, 1987) ukhetsa kutsi ngubani lotodla lifa lakho. Kulishiyela lobatsandzako kutsi bakulungisele tindzaba takho akusiso nje kuphela sisusa setinkinga temndeni, futsi kuphindza kube ngumtfwalo longakafanele lowubeka emahlombe abo. Uma uncuma kutsi kutokwentekani ngemphahla yakho, imphahla (tiphahla tekwembatsa, bucwebe, ifenisha), kheshi noma tikweledi utokwenta kuphila kwabo kube lula kakhulu ngesikhatsi besekuzileni. Encwadzini yelifa lakho ungakhetsa umabi welifa aphatse tindzaba takho ngemva kwekushona kwakho.

**“Nginemahloni ekwenta incwadzi yelifa ngoba angati kutsi ngentenjani.”** Kunebantfu lababochwepheshe njengetinkampani temathrasti, emabhange, baniketi betinsita tetetimali (FSPs), bosolwati betemafa (FPSA ® ) noma bammeli bangakusita.

**“Kubita imali kwenta incwadzi yelifa.”** Incwadzi yelifa yidokhumenti lebalulekile futsi kufanele ibhalwe nguchwepheshe. Lamanye ema-FSP aniketa ngetinsita tamahhala tekubhala incwadzi yelifa futsi aphindze agcine ikhophi yelifa lakho mahhala. Bammeli bangase bakukhokhise imali kodvwa, njengenhlonipho, bangatinikela kukugcinela incwadzi yakho yelifa mahhala. Libhangi lakho lingakukhokhisa imali lencane ngalesevisi. Khuluma nalinye lalamacembu labalwe ngenhla.

**“Ngitobhala incwadzi yelifa kuleliviki lelitako”.** Kwente masinya. Kukuhlehlisa cishe kutokwenta ukhohlwe ngako.

**“Kulishwa!”** Labaningi beva ngatsi uma ubhala incwadzi yelifa, ungenisa emabhadi ekhaya lakho futhi ngenca yaloku utosheshe ufe. Bambalwa kakhulu bantfu labatiko kutsi bayofa nini. Kuncono kutilungiselela.

**“Ngikweleta ngetulu kwaloko lenginako.”** Sikweledi sakho lesisele sitodla linani lelifa lakho. Ngaphandle uma kunakheshi lowanele efeni lakho kute ukhokhe sikweledi noma imphahla leyanele lengatsengiswa kuze ukhokhele tikweledi takho, labakweletwako bangafuna sikweledi lesisilele kuloshade naye kuphela uma nishade ngekuhlanganyela imphahla.

**“Nginemshwalensi wekuphila lotongikhokhela tonkhe tikweledi tami kantsi lokunye kutoya emndenini wami uma ngishona.”** Umshwalensi wekuphila ungumtfombo lomuhle wekusekelwa kwalabatsandvwa nguwe lapho ushona. Ungakwati kukhokhela tindleko temfundvo futsi ukunikete timali tekukhokha intsela efeni lakho lekushona, noma kukhokhela tindleko letijwayelekile tasendlini, futsi ngaletinye tikhatsi kukhokhela tinhlelo tekutsatsa umhlalaphansi. Uma kutoba nakheshi lowanele efeni lakho wekukhokhela tikweledi, tintsela kanye netindleko, lohlomulako angakhetfwa kutsi atfole tinzuzo temshwalense wemphilo. Timali letitfolwako titokhokhelwa ngco kulohlomulako, umabi welifa akangeni kupholisi futsi angeke abe nelilungelo letimali temabi welifa ekubhadaleni kwepholisi.

**4. Kutokwentekani uma ngifa ngingenayo incwadzi yelifa?**

Uma ushona ungenayo incwadzi yelifa ulahlekelwa litfuba lekukhetsa kutsi ngubani lohlomulako ngelifa lakho. Kunaloko, umtsetfo wekwabiwa kwelifa lalongenayo incwadzi yelifa ulawula kutsi lifa lakho lihlukaniswa njani. UMphatsi Wenkantolo Lephakeme ukhetsa umabi wemafa lotophatsa imphahla yakho futsi kungase kudzingeke akhetse umnakekeli noma umfundisi lotobuka emalungelo ebantfwana labancane kanye/noma bahlomuli labakhubatekile ngekwengcondvo.

UMtsetfo Wekwabiwa Kwelifa Lalongenayo Incwadzi Yelifa, wa-1987 (uMtsetfo wema-81 wa-1987) ubeka ifomula yekutsi lifa lakho lihlukaniswa njani. NgekweMtsetfo, umabi wemafa lokhetfwe nguMphatsi Wenkantolo Lephakeme kufanele ahlukanisele umlingani wakho wemshado nebantfwana lifa lakho (kuhlanganise nebantfwana lababangebakho bangasibo bekutalwa nguwe), noma letinye tihlobo tengati uma ungenaye umlingani wemshado nebantfwana. Noma nguliphi lifa lelitotfolwa bantfwana bakho litofakwa ku-Guardian Fund bese iphatfwa ngumuntfu longamati futsi lokungenteka kutsi akasiye lobanakekelako labantfwana bakho.

Umtsetfo uniketa tindlela tekwabiwa kwelifa lakho ngendlela letsite. Ngekwesibonelo:

* Uma ushiywe ngumlingani wedvwa, batfola lifa lakho lonkhe. Umlingani ngunoma ngubani loshadile ngaphansi kwe-Mtsetfo Wemshado, Umtsetfo Wemshado Wekuhlanganyela Imphahla, kunakwa KweMtsetfo Wemishado Yesintfu, noma umcimbi wenkholo.
* Uma kukhona umlingani nebantfwana, bayabelana ngelifa. Umlingani utfola incenye lelingana neyemntfwana noma R250 000, kuye ngekutsi nguyiphi lenkhulu. Bantfwana bona babelana lelifa lelisele ngeKulingana.
* Uma angekho umlingani, noma ngumuphi umntfwana noma bantfwana labasaphila batsatsa lifa.
* Uma ungenaye umlingani wemshado noma bantfwana, batali bakho babelana ngelifa lakho ngalokulinganako. Uma umtali/batali bakho bashona kucala kunawe, bantfwana bakini batfola incenye umtali loshonile labekufanele ayitfole.
* Ngaphandle kwetihlobo letidvutane, lifa lakho lihlukaniselwa tihlobo letisedvute letisele.
* Bomasihlalisane labahlala ndzawonye, ngisho noma kutsandzana kwabo kwesikhatsi lesidze, abakutfokoteli kuvikeleka lokufanako. Uma ushona ngaphandle kwencwadzi yelifa, umlingani wakho akakwati kutfola lifa lakho ngaphansi kwemtsetfo welifa lelingenancwadzi.

**5. Umnaketfu noma umngani wami lengimetsembako angaba ngumabi welifa lami?**

Ngembi kwekuncuma kutsi ngubani lotomkhetsa njengemabi welifa ciniseka kutsi banemakhono ladzingekako kanye nesikhatsi sekubukana nalomtfwalo. Labangebabi bemafa kudzingeka bacoce tintfo takho bese bataba ngekwencwadzi yelifa lakho noma ngemitsetfo yekwaba lifa lelingenancwadzi yelifa lobalwe ngenhla.

Umtsetfo waseNingizimu Afrika ubeka imikhawulo lembalwa kakhulu ngekutsi ngubani longaba ngumabi welifa, kodvwa ngalokufanelekile umuntfu lokhetsiwe kufanele awati umtsetfo, lwati lwenchubo yentsela kanye nelikhono lekusebenta nebahlomuli, labakweledwako kanye netikhwama tempesheni, njll.

Ngako, ungakhetsa umngani lomtsembako noma umnakenu kutsi abe ngumabi welifa lakho. Nanoma kunjalo, uMphatsi Wenkantolo Lephakeme angase adzinge kutsi umabi wemafa lokhetsiwe longenato ticu letidzingekako kufanele asitwe yi-ejenti lececeshiwe lefana nemmeli, umcwaningi tincwadzi, ummeli, i-FPSA ®, noma inkampani ye-thrasti ngesikhatsi senchubo yekuphatsa. Uma loku kwenteka, umabi wemafa lomkhetsile encwadzini yakho yelifa kungase kudzingeke acashe i-ejenti lenjalo kute ilawule lifa.

Umabi wemafa lokhetsiwe unemtfwalo wekuphotfula temafa kodvwa kulawula kwamalanga onkhe kutawubukwa yi-ejenti lekhetfwe ngumabi wemafa.

Uma ukhetsa umuntfu longenato ticu letikhetsekile kodvwa angumuntfu lotsembekile locotfo, wena ngekwakho ungakhetsa chwepheshe njengemabi lohlanganyela naye kute asite ekuphatseni lifa. Ngalendlela uba nekuthula emcondvweni kwekutsi lomunye webaphatsi belifa ngumuntfu lomatiko nalometsembako, kantsi lomunye uyingcweti lenelwati lolufanele lwekuphatsa emafa aloshonile.

**6. Iyini imisebenti yemabi mafa?**

|  |
| --- |
| **IMISEBENTI LEBALULEKILE YEMABIMAFA** |
| * Tfola ikhophi lecinisekisiwe yesitifiketi sekushona, incwadzi yelifa yekucala kanye nanoma nguwaphi emadokhumenti epholisi – umngcwabo, umshwalensi njll.
 |
| * Bhala luhlu lwato tonkhe timphahla temufi.
 |
| * Uma ngabe lelifa lichamuka kunoma ngumuphi umshwalense wekuphila, cinisekisa kutsi inkampani yemshwalense iyatiswa futsi ipholisi ikhokhelwa efeni.
 |
| * Yatisa lobakweledako ngesikhangisi lesikuGovernment Gazette kanye neliphephandzaba kutsi ushonile futsi akhokhele tikweledi letisasele kanye naletinye ticelonkhokhelo letisemtsetfweni kulelifa. Ufaka emafomu entsela futsi akhokhe intsela yemali lengenako neyelifa.
 |
| * Ubhala i-akhawunti yelifa, lebitwa ngekutsi yi- liquidation and distribution account (L&D), bese ubeka tonkhe timphahla letikulelo lifa nekutsi bani utfolani efeni njengekwemiyalelo lebhalwe encwadzini yelifa.
 |
| * Utfumela le- akhawunti ye-L&D kuMphatsi Wenkantolo Lephakeme futsi, uma seyihloliwe ngu-Mphatsi yabuye yakhangiswa ku-Government Gazette nasephephandzabeni, wabela tindlalifa nalabanelilungelo lekwamukela.
 |
| * Uma kunesidzingo, ugucula timphahla telifa, njengesakhiwo, tebuciko noma umshwalense wekuphila, sibonelo, kube ngukheshi.
 |
| * Wamukela timali lekufanele tikhokhelwe efeni njengentalo, tabelo, timali letisisiwe kanye nalenye imali lengenako (sib. liholo lelingakakhokhelwa, inkhokhelo yekhefu naletinye timali letingukheshi). Umabi wemafa kumele avule i-akhawunti yasebhange lesegameni lelifa uma nje timali letingetulu kwa-R1 000 titfolakala kantsi kufanele akhokhele tonkhe timali letitfolakele kule- akhawunti.
 |
| * Timali temhlalaphansi tona atikafakwa efeni kantsi Sigaba 37C seMtsetfo Wetikhwama Tempesheni silawula indlela baphatsi labakhipha ngayo leto tinzuzo. Lesigaba semtsetfo kuhloswe ngaso kuvikela bondliwa ngisho nangetulu kwetifiso temufi. Awukwati kusho umhlomuli encwadzini yakho yelifa kute utfole tinzuzo takho temhlalaphansi. Kuphela uma angekho umondliwa noma lohlomulako longalandzeleleka etinyangeni letilishumi nambili tekushona ngulapho leto tinzuzo titokhokhelwa efeni bese tabiwa ngumabi wemafa ku(ti)ndlalifa ngalokusalele.
 |

**7. Sengikulungele kubhala incwadzi yelifa, ngubani longangisita?**

Kubalulekile kutsi usebentise umuntfu lonelwati nelikhono lelidzingekako kute ubhale incwadzi yakho yelifa. Ungasebentisa ummeli noma utsintsane nelibhange lakho noma inkampani yethrasti kute utfole lusito. Umuntfu lobhala incwadzi yakho yelifa akudzingeki kuthi akhetfwe njengemabi wemafa. Uma ubhala incwadzi yakho yelifa ungakhetsa munye noma labanyenti bantfu labatosebenta njengebabi bemafa futsi usho imali labatayikhokhelwa yesevisi yabo. Uma imali lekhokhwayo ingaphansi kwelinani leliphakeme elincunyiwe lelingu-3.5% welinani lemphahla, utodzinga sivumelwano sabo.

Uma incwadzi yelifa seyicedziwe, kufanele isayinwe ngalokugcwele kuwo onkhe emakhasi ngembi kwabofakazi lababili kute ibe semtsetfweni. Bofakazi kufanele lokungenani babe neminyaka leli-14 noma ngetulu futsi babe nelikhono lekuniketa bufakazi enkantolo yemtsetfo. Bobabili bofakazi kumele basayine incwadzi yelifa phambi kwemninincwadzi welifa kanye nalomunye.

**Caphela:** Uma, encwadzini yakho yelifa, ukhetsa umuntfu lohlomulako kutsi asayine njengafakazi, noma uke waba yincenye ekubhalweni kwelifa lakho, angase akhishwe ekuzuzeni efeni lakho.

**Khumbula**: Incwadzi yelifa “ikhulumela” umuntfu lofile. Chwepheshe ufaneleka kancono ekuvisiseni inhloso yakho kanye nekuyibeka icace futsi ibe yimfisha.

**8. Nguwaphi emadokhumenti lengiwadzingako uma ngibhala incwadzi yelifa?**

|  |
| --- |
| **EMADOKHUMENTI LADZINGEKAKO EKUDVWEBENI INCWADZI YELIFA** |
| * Ligama nemininingwane yamatisi yemabi wemafa elifa lakho.
 |
| * Ligama nenombolo ye-ID yemlingani wakho womshado kanye nekhophi yesitifiketi lesichaza luhlobo lwesivumelwano semshado. Uma udivosile, kufanele unikete ikhophi yesimemetelo sesehlukaniso kanye nesivumelwano sekukhokhelana.
 |
| * Emagama laphelele kanye netinombolo te-ID yabo bonkhe bantfwana bakho, kuhlanganisa nebakho lobakhulisako ngekwemtsetfo kodvwa ungakabatali kanye nalabangakabelekwa nguwe kodvwa bachamuka nemlingani wakho uma ufuna bahlomule encwadzini yakho yelifa.
 |
| * Emagama netinombolo te-ID tanoma ngumuphi kubatukulu longatsandza kubafaka.
 |
| * Uma unebantfwana labancane, ligama nemininingwane yekuchumana yembhasobhi.
 |
| * Uma kusebenta, imininingwane yetikhungo letifana ne-hospice, sikhungo setintsandzane noma sikhungo setenkholo lofisa kusishiyela timphahla.
 |
| * Imininingwane yanoma nguliphi licembu noma sikhungo lofisa sizuze.
 |
| * Emakhophi ematayitela lamacondzana netakhiwo eNingizimu Afrika kanye nemininingwane yemabhondi etindlu talowo mhlaba.
 |
| * Emakhophi empesheni noma emadokhumenti esikhwama semhlalaphansi kanye nemapholisi, lanjengemishwalensi ye -endawumenti, imishwalensi yemphilo yonkhe, umshwalensi wemphilo yonkhe yesikweledi njll.
 |
| * Imali yedijithali, njenge-Bitcoin, itsatfwa njengemphahla yelinani lelingaphatseki ngebaka-SARS. Imitsetfo yentsela levamile iyasebenta, futsi ingafakwa encwadzini yakho yelifa kute kuzuze tindlalifa takho. Kwehluka kwato kuletsa insayeya kubabi belifa labangadzinga iphasiwedi lehlukile noma sikhiya kute bafinyelele esikhwameni sakho semali lesidijithali ngemva kwekufa kwakho. Njengoba tincwadzi temafa tingemarekhodi emphakatsi kuyalulekwa kutsi ungalufaki lolwatiso encwadzini yakho yelifa. Kuncono kakhulu kutfola indlela lephephile kakhudlwana kute umabi wemafa afinyelele esikhwameni sakho semali yedijithali.
 |
| * Kubalulekile kufaka luhlu loluphelele lwetikweleti takho.
 |

**9. Imibuto levame kubutwa**

**Ngingakwati kusebentisa ithempulethi yelifa leliku-inthanethi kute ngente intsandvo yami noma ngiyibhale ephepheni?**

Akusiwo umcondvo lomuhle kwenta intsandvo yakho. Incwadzi yelifa kufanele ihlangabetane netimfuneko letitsite temtsetfo kute isebente. Incwadzi yelifa kumele icace, ibe yimfishane futsi imele tinhloso letiliciniso tementi welifa (wena). Tincwadzi telifa letibhalwa ngulabo labanelwati loluncane noma labangenalwati ngalokuvamile tiholela etinkingeni.

**Ngusiphi sibonelo sesicelo lesikhetsekile lengingasibeka encwadzini yami yelifa?**

Sibonelo lesisodvwa sesicelo lesikhetsekile longasifaka encwadzini yakho yelifa kungaba kutsi bantfwana bakho balawule imphahla yabo etigabeni letehlukene temphilo yabo; kunye kwalokutsatfu kwekucala kwelifa labo kuyatfolakala eminyakeni lengu-21 bese kutsi lokusele lapho sebeneminyaka engu-25, noma ngekuhamba kwesikhatsi uma kunesizatfu lesihle. Uma ufuna kucabangela sicelo lesikhetsekile njengesibonelo lesingenhla, lokuncono kakhulu kungaba kucala ithrasti. Kunetinhlobo letintsatfu tema-thrasti:

* i-testamentary trust, loyibeke encwadzini yakho yelifa
* i- *inter vivos* trust, lokuyi-"thrasti yemndeni" lejwayelekile
* i-thrasti ledalwe ngemyalelo wenkantolo wekutfola tinkhokhelo letitsite letifana, njengemali lekhokhwa yi-Road Accident Fund.

**Iyini inhloso ye-trust?**

I-thrasti ingaba ngumnikati wendzawo, yamukele iminikelo futsi itfole imali efeni lakho uma ushona. Lokwenta i-thrasti ivikeleke kangaka kwekutsi tincumo titsatfwa baphatsi bethrasti lobakhetsako uma uyisungula. Bahlomuli bangafuna inzuzo yabo kuphela ngeminyaka noma ngesikhatsi lesibekwe encwadzini yelifa noma ye-trust deed. Kuye ngeluhlobo lwe-thrasti lolumisile, timphahla tiphetfwe yi-thrasti futsi tingavikeleka kubabolekisi labafuna kukhokhelwa tikweledi takho.

Uma ufuna kwendlulisa imali noma timphahla letisuka efeni lakho utiyise ku-thrasti, loku kufanele kwentiwe ngummeli, libhange, inkampani yethrasti, noma chwepheshe lolibambela lelisemtsetfweni (FPSA ®) lonelwati lolukhetsekile lwekukusita ngemphumelelo ekwendluliseni noma ekuhleleni ithrasti.

Uma ufuna kushiyela loshade naye noma umntfwana indlu kuthrasti, kutodzingeka bakhokhe tindleko tekuntjintja ligama kute indlu ibhaliswe egameni labo. Ungaphindza ubashiyele nemali yekukhokhela letindleko tekuntjintja bunikati. Kwendlulisela indlu kundlalifa kungatsatsa tinyanga letimbalwa kantsi timali takamasipala kudzingeka tikhokhwe. Tindlalifa atikhokhiswa intsela yekundlulisa, kodvwa tindleko tekuphatsa letifana netimali telihhovisi lekundlulisa kanye netematayitela titokhokhiswa. Caphela kutsi kunetindleko tekuba ne-thrasti. I-thrasti isebenta kahle kubantfu labanetindzawo letinkhulu naletibaluleke kakhulu lekufanele batiphatse futsi ingaba yindlela lengabiti kakhulu yekunciphisa tintsela. Emindenini lefuna kundlulisa umhlaba longaphansi kwemndeni kwakha i-thrasti lephetse lowo mhlaba kuyindlela yekuwugcina emndenini futsi kuvimbele kutsi tincenye tawo titsengiswe tindlalifa letingakashadi.

**Kufanele ngiyigcine kuphi incwadzi yami yelifa?**

Emabhange, kubosomabhuku betimali, tinkampani tethrasti, bammeli kanye nebaluleki betetimali lababhalisiwe bagcina tincwadzi telifa egameni lemakhasimende awo mahhala noma ngemali lencane.

Yenta ikhophi yencwadzi yelifa lakho futsi uyiphawule ngalokucacile ngeligama lelitsi “Kopa” ubuye utjele umuntfu lometsembako kutsi angayitholaphi uma kwenteka ushona. Yatisa umabi wemafa lomkhetsile encwadzini yakho yelifa lapho kugcinwe khona incwadzi yelifa yekucala, kanye nekhophi.

**Kufanele ngiyibuyekete kangaki incwadzi yami yelifa?**

Tincwadzi telifa tidzinga kubuyeketwa njalo, ikakhulukati uma tehlakalo letibalulekile tentekile emphilweni yementi welifa (wena). Tehlakalo letibalulekile letintjintja imphilo tingambandzakanya kutalwa kwemntfwana, umshado, sehlukaniso, kushona kwemuntfu lozuzako noma umabi wemafa, kuzuza indlu kanye naletinye timphahla lotitfole ngemva kwekusayina incwadzi yakho yelifa lekhona. Kubalulekile kutsi ubuyekete incwadzi yakho yelifa phakatsi netinyanga letintsatfu ngemuva kwesehlukaniso, ngoba kungenti njalo kungase kubangele imiphumela lengadzingeki.

**Ingabe kuliciniso kutsi kunetintsela lekudzingeka tikhokhwe ngemva kwekushona kwami?**

Kunetintsela letimbili letikhokhwa kumafa: intsela yezindlu kanye nentsela yenzuzo lenkhulu (CGT).

**Intsela** yelifa iluhlobo lwentsela lekufanele lukhokhwe ngemva kwekushona kwakho uma imphahla yakho yonkhe (ngemuva kwekutsi setikhishwe tonkhe tikweledi, tindleko, tintsela kanye nekwaba lifa kumlingani losaphila noma tinhlangano) ibita ngetulu kwa-R3,5 wetigidzi.

Kukhuluma ngco, lifa lakho (lelingase lihlanganise imphahla, umshwalense kanye nemali) kufanele likhokhe intsela yelifa lengu -20% weTemisebenti Yamalingena taseningizimu Afrika (i-SARS) uma lilingana nesamba semali lesisemkhatsini wa-R3,5 wetigidzi kanye na-R30 wetigidzi. Silinganiso lesingu-25% sikhokhwa kunoma ngusiphi samba semali lengetulu kwa-R30 wetigidzi. Uma lifa lakho lingaphansi kwesamba semali lengu-R3,5 wetigidzi, ayikho intsela yelifa lekhokhwako.

**-Umtselonzuzo walokutsengisiwe (CGT**) ukhokhwa kunoma nguyiphi imali leyengca intalo ya-R2 wetigidzi ngekutsengiswa kwendzawo yekuhlala lesisekelo (indlu lapho wena nemndeni wakho benihlala khona njalo). Ngalokufanako, lapho kulahleka kwelinanimphahla kwengca R2 wetigidzi, incenye yalokulahlekile leyengca R2 wetigidzi letovunyelwa njengekulahlekelwa lokukhulu.

I-CGT ikhokhwa kuyo yonkhe intalo yelinanimphahla lengetulu kwa-R300 000 emnyakeni wentsela lowadlula kuwo. Kucatjangwa kutsi wandlulisela yonkhe imphahla yakho efeni lakho lekushona ngelilanga lokudlula kwakho emhlabeni kantsi intalo ingumehluko emkhatsini waloko lokukhokhele kwaleyo mphahla ngesikhatsi uyitsenga kanye nelinani laleyo mphahla ngelilanga lekushona kwakho. R300 000 longafakwa udvonswa esambeni sayo yonkhe lentalo. Bese kutsi 40% wemphumela ufakwe emalini yakho lengenako yalowo mnyaka wentsela loshone ngawo kantsi utawukhishwa intsela kanye nalenye imali lengenako ngemazinga entsela latayelekile.

Ngo-2020, ngemnyaka lencwajana leyashicilelwa ngawo, lizinga lelisebentako le-CGT beliphakatsi kwa-7.2% na-18% wetintalo letengca linani la-R300 000.

* Noma ngutiphi timphahla letisetjentiswa ngumuntfu sicu sakhe njengetimoto netintfo takhe atifakwa ku-CGT.
* Tonkhe timphahla letiya kumlingani losaphila nato atikafakwa ku-CGT.

Buka kuwebsayithi yaka-SARS kute utfole kwatiswa lokwengetiwe kweminyaka yonkhe lokumacondzana netigaba tentsela njengoba kushiwo ngenhla (www.sars.co.za).

**Lochumana nabo labalusito**

**I-Financial Sector Conduct Authority**

Kuhlola kutsi i-FSP noma umeluleki wetetimali **ugunyatiwe yini kukutsengisela imikhicito**

|  |  |
| --- | --- |
| Inombolo Yesikhungo Setincingo | 0800 20 37 22 (FSCA) |
| I-FSCA switchboard | 012 428 8000 |
| Inombolo yefeksi | 012 346 6941 |
| I-imeyili |  info@fsca.co.za  |
| Likheli lendzawo | Riverwalk Office Park, Block B, 41 Matroosberg Road, Ashlea Gardens,Pretoria, eNingizimu Afrika 0081 |
| Likheli leliposi | PO Box 35655, Menlo Park, Pretoria, 0102 |
| Iwebusayithi |  [www.fsca.co.za](http://www.fsca.co.za)  |

Kute utfole lwati lolwengetiwe lwemfundvo yetetimali yebatsengi kanye netinsita tsintsana ne-**FSCA’s Consumer Education Department.**

|  |  |
| --- | --- |
| Imeyili |  CED.Consumer@fsca.co.za  |
| Iwebusayithi |  [www.FSCAmymoney.co.za](http://www.FSCAmymoney.co.za) |

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

Kute utfole lusito ngetincwadzi telifa, tindzawo, ema-thrasti, kuhlelwa kwetindlu kanye netimali talabazuzile chumana ne-FISA.

|  |  |
| --- | --- |
| Lucingo | 082 449 2569 |
| I-imeyili | unobhala@fisa.net.za |
| Ikheli leposi | PO Box 67027, Bryanston, 2021 |
| Iwebusayithi | [www.fisa.net.za](http://www.fisa.net.za) |

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

Kute utfole lusito ngelifa noma lamanye emasevisi ekuhlela tetimali chumana ne-FPI.

|  |  |
| --- | --- |
| Lucingo | 011 470 6000 |
| Imeyili | info@fpi.co.za |
| Likheli lendzawo | 84 Sophia Street, Fairlands, Johannesburg |
| Likheli leliposi | PO Box 6493, Weltevredenpark, 1715 |
| Iwebusayithi | [www.fpi.co.za](http://www.fpi.co.za) |

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

Uma ufuna kwenta sicinisekiso sekutsi bantfu lobatsandzako batokwati kutfola incwadzi yakho yelifa ngemva kwekushona kwakho, ungayibhalisa ka-SARWT.

|  |  |
| --- | --- |
| Lucingo | 061 436 2240 |
| Imeyili | admin@sarwt.org |
| Likheli lendzawo | 1 Bellingham Crescent, Alberton Gauteng |
| Iwebusayithi | [www.sarwt.org](http://www.sarwt.org) |

**UMkhandlu Wekusebenta Kwetemtsetfo**

Uma unembuto noma udzinga kufaka **sikhalo ngemmeli**,tsintsana neMkhandlu Wekusebenta Kwetemtsetfo:

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

Gauteng, Limpopo, Mpumalanga, Nyakatfo Nshonalanga

|  |  |
| --- | --- |
| Lucingo | 012 338 5800 |
| Likheli lendzawo | I-ProcForum Building, 123 Paul Kruger Street, Pretoria |

Mpumalanga Kapa, Nyakatfo Kapa, Nshonalanga Kapa

|  |  |
| --- | --- |
| Lucingo | 021 443 6700 |
| Likheli lendzawo | 29th Floor, ABSA Centre, 2 Riebeek Street, Cape Town. |

KwaZulu-Natal

|  |  |
| --- | --- |
| Lucingo | 033 345 1304 |
| Likheli lendzawo | 200 Hoosen Haffejee Str, Pietermaritzburg |

Free State

|  |  |
| --- | --- |
| Lucingo | 051 447 3237 |
| Likheli lendzawo | 139 Zastron Street, Bloemfontein |

© 2020 FSCA

IDISKLEYIMA

*Lwatiso lolucuketfwe kulencwajana yelwatiso luniketwe Luphiko Lwekutiphatsa Lwemkhakha Wetetimali (i-FSCA) ngetinhloso telwatiso kuphela. Lolwatiso aluhlanganisi seluleko setemtsetfo, sebuchwepheshe, noma setetimali. Nanoma konkhe kunakekela kwentiwe kute kucinisekiswe kutsi lokucuketfwe kulusito futsi kuyanemba, i-FSCA ayitiniketi ticinisekiso, tibopho noma tigunyato mayelana naloku futsi ayamukeli noma ngusiphi sibopho lesisemtsetfweni noma sibopho salokucuketfwe noma kunemba kwelwatiso loluniketiwe, noma, nganoma ngukuphi kulahlekelwa noma umonakalo lowentekile lodalwe lovele ngalokucondzile noma ngalokungakacondzi ngekutsembela ekusetjentisweni kwelwatiso lolunjalo. Ngaphandle kwalapho kushiwo ngalenye indlela, i-copyright yalo lonkhe lolwatiso ye-FSCA. Ayikho incenye yalencwajana yelwatiso lengaphindze ikhicitwe noma yendluliselwe noma isetjentiswe kabusha noma yentiwe itfolakale nganoma nguyiphi indlela noma nganoma nguyiphi imidiya, ngaphandle uma kutfolwe imvume lebhaliwe ngaphambilini ku-Financial Sector Conduct Authority’s Office of General Counsel.*