

Foschini Retail Group (Pty) Ltd NCRCP 36  
Imimmseliso nemigaqo esesikweni yokuvula  
amatyala

Foschini Retail Goup (Pty) Ltd trading njenge:  
@home, @homelivingspace, American Swiss,  
Donna-Claire, Duesouth,  
Exact!, Fashion Express, Foschini, Luella,  
Markham, Matrix, sportscene, Sterns no-  
Totalsports.  
Reg no. 1988/007302/07, Stanley Lewis  
Centre, 340 Voortrekker Road, Parow East,  
7500  
NCRCP No. 36 ekwangumbolekisi weenkono  
zemali ogunyazisiweyo.  
VAT no. 4210187250

**Qhagamshelana nabasebenzi  
abakwiivenkile zethu ukufumana le fomu  
ngesiBhulu, ngesiLungu okanye  
ngeSeSotho.**

## **1. linkcazelo**

Kule miqathango nale migaqo, ngaphandle  
kokuba apho kuchazwa enye into:

1.1 UMthetho: uthetha uMthetho weSizwe  
wokuthenga ngetyala, ongunombolo 34 ka-  
2005, nemiGaqo njengoko ilungisiwe;

1.2 Okufunyanwayo ngokuba ne-akhawunti:  
kuthetha ezinye izinto ozifumanayo  
ezikubonelela ngokhuseleko xa ulahlekelwe  
likhadi, xa uswelekile nokuhlawuleka kwe-  
akhawunti yonke ngokuhlawula imalana nje  
encinci.

1.3 Isivumelwano, isivumelwano sokuthenga  
ngetyala, uNcedo lokuthenga ngetyala,  
ukufumana uncedo, ikhadi okanye i-  
akhawunti: ithetha isivumelwano sokuthenga  
ngetyala phakathi kwethu nawe

kubandakanywa nekwuti yesivumelwano  
esenziwa kwangaphambili nezibhengezo  
kunye nemigaqo nemiqathango yekhadi  
neyoncedo lokuthenga ngetyala amaxesha  
ngamaxesha;

1.4 Izicelo okanye ukufaka isicelo: kuthetha xa  
ufaka isicelo kuthi sokufumana uncedo lokwazi  
ukuthenga ngetyala, usenokuba usifaka isicelo  
kwenye yeevenkile zethu okanye  
kiwiwebhusayithi yethu ize igqithiselwe kuthi  
ngokobuchwephesha bekhompyutha.

1.5 Umlinganiselo wokuthenga ngetyala:  
uthetha owona mlinganiselo uphezulu  
uvunyiweyo onokuthenga ngawo ngetyala  
apho uFoschini engazi kuvumela ukunyuswa  
kwemaliobekelwe ukuba uthenge ngayo  
ngetyala.

1.6 Isicwangciso soqingqo-mali: (apho  
kuyimfuneko) sithetha isicwangciso sokuhlala  
ngeenyanga ezili-12, ezili-18 nezingama-24  
zonke zihamba nenzala.

1.7 Ikhadi: lithetha ikhadi lakho le-akhawunti  
elikhuthswe kuthi linikwa wena elazisa wena  
nokuba ukwazi ukulisebenzisa ukuze ukwazi  
ukuthenga ngetyala;

1.8 Okwazi ukukufumana ngokubalilungu  
leklabhu: kuthetha ezinye izinto owkazi  
ukuzifumana ezibandakanya ukuba lilungu  
leklabhu apho kukho imali oyihlawulayo rhoqo  
ngenyangaapho kukho izinto ezininzi  
ezifumanekayo kubandakanywa xa uswelekile,  
ukuhlululwa kwetyala lakho lonke, uncedo  
lwezomthetho olufumaneka ngomnxeba  
uncedo lwezempilo olufumaneka ngomnxeba

nemagazini yeklabhu efumaneka rhoqo  
ngenyanga.

1.9 UFoschini: uthetha iQela lakwaFoschini  
lezinto ezithengiswayo (umnini), inombolo  
yobhaliso ngu-1988/007302/07 kwiziko  
lakwaStanley Lewis, 340 Voortrekker Road,  
eParow East, 7501, ababoneleli ngeenkono  
zezemali abavunyiweyo ngokusemthethweni,  
naliphi na icandelo lezoshishino  
lakwaFoschini, okanye nabani na ofumene  
ilungelo okanye isibophelelo phantsi kwesi  
sivumelwano kubandakanywa abathengisi  
bakwaFashion  
Retailers (Pty) Ltd eNamibia.

1.10 IFGRR: ithetha umlinganiselo  
wesalathiso weqela lakwaFoschini,  
ingumlinganiselo wenzala ovunywe  
ngabakwaFoschini amaxesha ngamaxesha.

1.11 Isicwangciso esijikelezayo: sithetha  
isicwangciso sokuthenga ngetyala esithe  
"ngqo" esihlawulwa ngexesha leenyanga ezi-  
6.

1.12 Imali yeenkonzo: ithetha imali ehlawulwa  
rhoqo ngenyanga etsalwa kwi-akhawunti  
yakho yemisebenzi eyenziwa yolawulo  
nokubhalwa kwezinto neyokugcina i-akhawunti  
yakho.

1.13 Ukwabelwa imali yokuthenga ngetyala:  
kuthetha imali yokuthenga ngetyala  
ngokomlinganiselo owunikwe  
ngabakwaFoschini ukuba uthenge ngawo  
ngetyala.

1.14 Thina, yethu: uthetha uFoschini  
okubonelele ukuba uthenge ngetyala, nalapho  
kuyimfuneko, ezinye iinkampani eziphantsi

nezisebenzisana nathi, nasiphi na isibonelelo  
esifumaneka kwiinkampani zethu namphi na  
umntu esimnike ilungelo okanye obotshelwela  
sesi sivumelwano.

1.15 Wena: uthetha othenga ngetyala kuthi,  
umnikazi wekhadi.

## **2. Isicelo nesivumelwano**

2.1 Ngokufaka isicelo kuthi, wenza  
isivumelwano. Akunyanzelekanga ukuba  
sisamkele isicelo sakho.

2.2 Isivumelwano siza kwenziwa ngomhla  
otyikitya ngawo ukufumana kwakho ikhadi.  
Ngokugcina nokusebenzisa ikhadi lakho,  
uvuma imigaqo nemiqathango yesi  
sivumelwano.

2.3 Xa siye sathi sathshintshwa salungiswa  
isivumelwano, ezo zilungiso ziza kuqalisa  
kuphela xa uqala ukulisebenzisa ikhadi emva  
komhla ekuye kwenziwa ngalo utshintsho  
unikwa ukuba uthenge ngetyala naxa  
kwenziwe utshintsho ukusebenzisa kwakho  
ikhadi nokutyikitya kwakho kuza kuqinisekisa  
ukuba uyazivuma ezo zinto zitshintshiweyo.

2.4 Nasiphi na isicelo sixhomekeke kwimigaqo  
esiyisebenzisayo yokuvunywa kwesicelo  
nakwimigaqo yokuthenga ngetyala njengoko  
ibekiwo kuMthetho woku. Sinelungelo lokusala  
isicelo sakho nanini na, ukukuchazela imali  
omawuthenge ngayo ngetyala nokwandisa  
imali onokuthenga ngayo ngetyala.

2.5 Isicelo sakho siza kujongwa  
ngokweenkcukacha osinika zona. Zonke  
iinkcukacha kufuneka zinyaniseke, zichaneke  
kwaye ibezizo ngokupheleleyo.

2.6 Kuza kufuneka ubenazo izinto ezisemthethweni ezifunekayo kwaye ubotshelelwe yile migaqo nemiqathango. Singafuna isiqinisekiso sesazisi sakho.

2.7 Xa sikhetha ukukunika ukuba uthenge ngetyala, ngokungena kwethu kwesi sivumelwano loo nto ayithethi ukuba siza kubopheleleka ukwenza oko kwixesha elizayo. Sinelungelo lokukwalela ukuba ufumane nasiphi na isivumelwano. Sinelungelo lokusirhoxisa isivumelwano nawe siyivale ne-akhawunti nanini na.

2.8 Amaxwebhu ethu ezentengiso neekowuti zibonakalisa amaxabiso abonakalisiweyo. La maxabiso abaliwe ngokwemali iyonke yokuthenga ngetyala oyisebenzisileyo ngosuku lokuqala nangexesha elibonakalisiweyo. Ikwoti yethu ibonakalisi olu balo ngokweenyanga ezili-12. Xa ungena kwesi sivumelwano nathi, eyona mali oza kuyihlawula iza kuxhomekeka kwimali eseleyo kwi-akhawunti yakho namaxesha okuhlalwala akhethwa ngexesha uthengayo.

2.9 Isibhengezo sesivumelwano sangaphambili nesaziso sekowuti uza kuzinikwa evenkileni; okanye uza kuzithunyelelwa nge-imeyile emva kokuba isicelo sakho usenze kwiwebhusayithi yethu.

2.10 Kanye xa ufumana isivumelwano esibhaliweyo, kufuneka usityikitye ngepeni kwaye uqinisekise ukuba usigcina kwindawo ekhuselekileyo.

2.11 Kanye nje xa ufumana ikhadi lakho kufuneka ulityikitye ngepeni.

2.12 Nguwe kuphela umntu onokusebenzisa ikhadi lakho awunakuligqithisela komnye umntu okanye awunakugunyazisa omnye umntu ukuba alisebenzise.

2.13 Zezo zinto zigcinwe ixesha leentsuku ezisixhenxe zeentsuku zomsebenzi okanye nangaphezulu, eziza kubalwa njengezithengileyo.

### **3. Idilesi**

3.1 Idilesi ohlala kuyo osinike yona ngoku ubugqibezela isivumelwano (nanjengoko ibonakala kwisivumelwano) yidilesi okhethe ukuba ufumane ngayo izaziso ezisemthethweni nazo naziphi na izinto zeenkundla zamatyala omawuzifumane ngayo ("idilesi ohlala kuyo"). Idilesi yeposi (isenokuba yileyo ohlala kuyo, okanye yokuthumela kuyo iposi okanye yekhompuyutha) iza kusetyenziselwa ukuthumela iingxelo kuwe, izaziso okanye ezinye izinto zoxibelelwano. Xa utshintshela kwenye idilesi yokuhlala, okanye okanye unqwenela ukutshintsha idilesi yeposi okanye ufuna ukusinika nasiphi na isaziso; kufuneka usazise ngokwezi nombolo zoqhagamshelwano kwa- 0860 576 576 okanye ngokuthumela i-imeyile kwa-customer\_services@retailcredit.co.za okanye uyithumele kwa-P.O. Box 6020, Parow East, 7500. Ukuba utshintsha idilesi yakho, olu tshintsho luza kusebenza kuphela emva kweentsuku ezisi-7 emva kokuba sifumene isaziso sakho.

3.2 Ukuba sifuna ukutshintsha indawo esikuyo, siza kwazisa ngoko.

### **4. Ulisebenzisa njani khadi lakho**

4.1 Ngokutyikitya ikhadi nokusebenzisa kwakho uncedo lokuthenga ngetyala, uyayivuma yonke imigaqo nemiqathango yesi sivumelwano.

4.2 Ungalisebenzisa ikhadi ukuthenga izinto okanye ukufumana naziphi na iinkonzo ezifumanekayo kwiivenkile zethu kwaye kufuneka utyikitye into echaza ukuba uthengile ngalo lonke ixesha usebenzisa ikhadi lakho. Siza kuyitsala kwi-akhawunti yakho imali othenge ngayo. Awukwazi kuthenga kwi-akhawunti yakho ngaphandle kokuba uveze ikhadi lakho kwiivenkile zethu. Xa utyikitya ukuba uthengile uvuma ukuba uzifumane izinto ezo uzithengileyo.

4.3. Ukuba awuzithathi izinto ezizuzwayo kwi-akhawunti, loo nto ithetha ukuba xa ulahlekelwe likhadi awufumani kukhuseleka. Kwizinto ezizuzwayo ezifana nezothixo, sikhona isivumelwano esisodwa esenziwayo.

4.4. Xa lilahlekile ikhadi lakho, libiwe okanye lisetyenziswa ngobuqhophololo naxa ungazithathanga ezinye izinto ezizuzwayo kwi-akhawunti, kuza kufuneka usitsalele mnxeba kwa-0860 576 576 ngokukhawuleza.

4.5. Ukuba emva kophando esithe salwenza malunga nalo mba, sigqiba ukuba khangela uzithenge ezo zinto ngavumiyo ukuba uzithengile, awuzi kuzihlawula ezo zinto emva kokuba ulichazile ukuba libiwe okanye lilahlekile ikhadi, okanye lisetyenziswe ngobuqhophololo.

4.6. Kuza kufuneka uhlawule imali yokuba ufumane elinye ikhadi.

### **5. Ukulivala ikhadi**

Ikhadi lakho liza kusoloko ilelethu, ngaphandle kokuphulukana namalungelo okwenza naliphi na ibango esinalo kuwe, sinelungelo nanini na lokulivala, silirhoxise, lixhonywe okanye silifune ukuba ulibuyise ikhadi lakho.

### **6. Imali yokuthenga ngetyala**

6.1 Awukwazi kuthenga ngekhadi lakho ngemali engaphaya kwaleyo ubunikwe ukuba uthenge ngayo ngetyala.

6.2 Xa unqwenela ukunyuselwa okwexeshana imali onokuthenga ngayo ngetyala ngaphaya kwemali obunikwe ukuba ungathenga ngayo, kuza kufuneka usixelele oko ukuze oku kuhlalwe kugcinwe ukuze ubenokonyuselwa okwexeshana imali onokuthenga ngayo. Oko konyuselwa okwexeshana kuza kumiselwa ixeshana elithile kwaye emva kokuba uyihlawule iza kuphinda ithotywe imali onokuthenga ngayo ibeyileyo ubunayo ngaphambili phambi kokuba uyinyuse okwexeshana. Oko kwenyuswa kuza kuxhomekeka kwabakwaFoschini, kwaye kuza kufuneka ubonakalise ukuba uyakuvuma oku ngokutyikitya kwiphepha elibonakalisa izinto ozithengileyo ngeli xesha uthenga ngalo.

6.3 Sinelungelo lokuyehlisa imali onokuthenga ngayo, sitshintsha okanye silirhoxise uncedo lokuthenga kwakho ngetyala kunye/okanye nemali oyinikiweyo kwi-akhawunti yakho.

6.4 Ukuba unqwenela ukunyuselwa imali yokuthenga ngonyaka okanye umlinganiselo onokuthenga ngawo, kufuneka usibhalele. Ukuba ufuna ukunyuselwa siza kuyihlola imali onokuthenga ngayo rhoqo ngonyaka kwaye siza kukunyusela ngokoMthetho.

6.5 Imali efanelekileyo yokuthenga ngetyala amaxesha ngamaxesha, nemali ekhoyo enokusetyenziswa ukuba ungathenga ngayo, iza kuvela kwingxelo yakho yenyanga nenyanga.

6.6 Sinelungelo lokujonga kwibhunga elijongene nokuthenga ngetyala kwaye kujongwe umlinganiselo okufaneleyo onokuthenga ngawo malunga nokunyuselwa i-akhawunti yakho, uncedo lokuthenga ngetyala okanye imali onokuthenga ngayo nge-akhawunti nanini na.

6.7 Umlinganiselo onokuthenga ngawo ngetyala usenokubangaphaya kweyona mali wabelwe ukuba uthenge ngayoengumlinganiselo onokuthenga ngawo.

6.8 Nakuphi na ukwenyuswa kwemali ofanele ukuba uthenge ngayo akuyi kubangaphaya komlinganiselo owunikiweyo. Kanti, usenokufaka isicelo sokuba nyenyuswe imali onokuthenga ngayo, noxa ukuvunywa kweso sicelo kuza kuxhomekekeka kwabakwaFoschini.

6.9 Xa iimeko zakho zzemali zinokutshintsha okanye kwenzeka ukuba ungaphangeli, okanye ukuba umvuzo wakho utshintshile, kufuneka usazise oko ngokuqhagamshelana neziko lethu okanye ngokuthumela i-imeyile okanye ngeposi njengoko kuchaziwe ku-3.1, ngentla.

## **7. Ukutshintsha kwemiqathango yokusebenzisa ikhadi**

Singazitshintsha, sizirhoxise okanye sifake ezinye okanye songeze iimeko zeendlela zokusebenzisa ikhadi lakho kwaye ukuba

senza njanlo siza kukwazisa ngokukuthumelela izinto ezitshintshileyo kwidilesi yakho yeposi phambi kokuba lusebenze olo tshintsho. Ukuba uyaqhubeka usebenzisa ikhadi lakho emva kweso saziso, iimeko ezintsha ziza kusebenzay.

## **8. Okuzuzwayo kwi-akhawunti nokuzuzwayo kwiklabhu**

### Okuzuzwayo kwi-akhawunti

8.1. Okuzuzwayo kwi-akhawunti kubandakanya ukukhuseleka xa ulahlekelwe likhadi, xa uswelekile nokuhlalulwa kwe-akhawunti yakho yonke. Xa uswelekile naxa kuhlalulwa i-akhawunti yakho yonke zizinto ze-inshorensi. Nangona kukho igatya 20.14, ipolisi eyodwa nesibhengezo siza kusebenza kwezi zinto zi-2 ze-inshorensi nezikubophelelayo, ukongeza kwesi sivumelwano. Oku kunika iinkcukacha ukuba ungawenza nini na amabango ngezi zinto zizuzwayo zizezinye, angenziwa ngubani, nini nanjani.

8.2 Ngeli xa ukukhuseleka xa lilahlekile ikhadi lakho kuyinxalenye yezinye izinto ezizuzwayo kwi-akhawunti yakho, akujongwana nako kwesi sivumelwano kuba sisivumelwano esisodwa esiphakathi kwakho nabakwaFoschini. Asiyonto ye-inshorensi.

8.3 Ukuba awuzithathi ezinye izinto ezizuzwayo ze lilahleke ikhadi lakho, libiwe okanye lisetyenziswe ngobuqhophololo, nceda ujonge kwigatya le-4.3 ukuy kwele-4.6.

8.4 Uqinisekisa ukuba unikwe inkululeko yokuzikhethelela ukwamkela loo nto ubuyinikwa yokufumana ezinye izinto ezinokuzuzwa kwi-

akhawunti. Khange unyanzelwe ukwenza oko kwaye ungakwala oko okanye eso sicelo.

8.5. Okunye okunokuzuzwa kwi-akhawunti yinto eyongeziweyo.

8.6. Uncedo xa uswelekile okanye ukuhlalulwa kwetyala lonke:

8.6.1 EMzantsi Afrika, iNkampani ye-inshorensi iGuardrisk Insurance Company Limited, FSP No 75, siphantsi kwayo. ENamibia, iNkampani i-Alexander Forbes Insurance Company Limited yiyo esiphantsi kwayo.

8.6.2 Xa unokusweleka:

8.6.2.1 Imali ukuya kumlinganiselo wama-R2000 iza kufakwa kwi-akhawunti yakho ukuhlalulwa ityala lakho eliseleyo osityala lona, xa unokusweleka ungaphantsi kweminyaka engama-40, naxa unokusweleka nokuba yintoni na ungaphezu kweminyaka engama-40;kunye

8.6.2.2 Imali engange-R2000 iza kuhlalulwa xa usweleke ngenxa yengozi xa unokusweleka uneminyaka engaphantsi kwama-40, okanye kuza kuhlalulwa ama-R2000 naxa unokusweleka nokuba yintoni na ungaphezu kweminyaka engama-40.

8.7 Ukuba emva kokuhlalulwa kwe-akhawunti njengoko kuchaziwe ku-8.6.2.1 ngentla, kukho imali eseleyo ekufuneka ihlalulwe kwi-akhawunti yakho, iziko lakho lkuza kufuneka ililo elihlawula imali eseleyo.

8.8 Ukuba imali yarhoqo ngenyanga yoko kuzuzwayo kwi-akhawunti yakho ayikahlalulwa enyangeni ekufanele ukuba ihlalulwe ngayo, uza kunikwa inceba

yeentsuku ezili-15 ukuba ubenokuhlalulwa, ngoko isibonelelo sale polisi siza kuqalisa.

8.9.Uyavuma ukuba singatsala okanye siqokelele imali (njengoko kuchaziwe kwingxelo yarhoqo ngenyanga) kuncedo lokuthenga ngetyala nokuba imigaqo nemiqathango yesi sivumelwano iza kusebenza, kwaye nepolisi ye-inshorensi nokubhencwa kwakho kwesi sivumelwano ziza kusebenza; kunye nepolisi ye-inshorensi nekubhencwa kwakho.oku kuthetha ukuba inzala inokutshintshwa xa isicwangciso sentlawulo sinenzala. Inzala ibuyiselwa sithi ngomlinganiselo ofanayo womlinganiselo wakho wokuthenga ngetyala.

8.10 Okuzuzwayo kwiklabhu:

8.10.1 Amacandelo amabini e-inshorensi yoko kuzuzwayo kwiklabhu kukuhlalulwa kwetyala lakho lonke nokubonelelwa xa uswelekile.

8.10.2 Amanqaku 8.1, 8.4, 8.6.1 nele-8.7 nawo ayasebenza koko kuzuzwayo kwiklabhu; funda "Okuzuzwayo kwiklabhu" apho uza kubona "Okuzuzwayo kwi-akhawunti".

8.10.3 Xa unokusweleka:

8.10.3.1 Imali ukuya kumlinganiselo wama-R1500 iza kufakwa kwi-akhawunti yakho ukuhlalulwa ityala lakho eliseleyo osityala lona; kunye

8.10.3.2 ne-R2000 yokubonelela kwi-akhawunti xa uswelekile iza kuhlalulwa.

8.10.3.3 Ukuba emva kokuhlalulwa kwe-akhawunti njengoko kuchaziwe ku-8.10.3.1 ngentla, kukho imali eseleyo ekufuneka ihlalulwe kwi-akhawunti yakho, iziko lakho lkuza kufuneka ililo elihlawula imali eseleyo.

8.10.4 Ungakhethe ukufumana izaziso ngobulungu bakho beklabhu xa unqatyalayo nto kwi-akhawunti yakho okanye ungenatyala.

8.10.5 Imali ehlawulwayo ngokuzuzwayo kwiklabhu inokubanzala xa isicwangciso sokuhlawula sinenzala; loo nzala iyagcinwa ibenzala elinganayo naleyo yokuthenga ngetyala.

8.11. Apho uncedo lokuthenga ngetyala lumiswa ngenxa yeenkqubo ezenziwayo ezisemthethweni, akukho ntlawulo oza kuyifunwa ngokuzuzwayo kwaye i-akhawunti yakho kunye/okanye okuzuzwayo kwiklabhu kuza kurhoxiswa.

## 9. Ingxelo

9.1 Ingxelo ziza kusoloko zithunyelwa kwaye zithunyelwe nge-imeyile xa kucelwe oko. Okanye ungazijonga iingxelo zakho kwikhompyutha ngokuya ku-[www.retailcredit.co.za](http://www.retailcredit.co.za). Ingxelo ziza -

9.1.1 kubonisa zonke izinto ozithengileyo kwi-akhawunti yakho;

9.1.2 kubonisa imali ekufuneka uyihlawule;

9.1.3 kubonisa yonke inzala neemali ezitsalwayo, (kubandakanywa okanye okuzuzwayo kwi-akhawunti nokanye okuzuzwayo kwiklabhu) eza kutsalwa sithi kwi-akhawunti yakho

9.1.4 kubonisa zonke iintlawulo ezenziweyo kunye nemali eseleyo; kwaye

9.1.5 zikwazise ngemali ekufuneka usihlawule yona ngomhla okanye phambi komhla omiselweyo ochaziweyo kwingxelo yakho ye-akhawunti, kwisicwangciso ngasinye.

9.2 Luxanduva lwakho ukujonga ingxelo yakho ye-akhawunti. Ngaphandle kokuba ungasazisa ngokusibhalela zingaphelanga iintsuku ezingama-30 (ezingamashumi amathathu) zexesha lokufumana kwakho ingxelo ye-akhawunti yakho, ukuba awuvumelani nengxelo ebonakala kwingxelo yakho ye-akhawunti, kuza kufuneka uhlawule oko.

9.3 Ukungafumani kwakho ingxelo ye-akhawunti akuthethi ukuba usenokungayihlawuli imali ekufanele ukuba uyihlawule kuthi, njengoko usenokuzifumana kuthi iinkcukacha ze-akhawunti yakho nokukubophelelayo, ngefowuni, okanye nakweyiphi na enye yeevenkile zethu.

## 10. Intlawulo, ukuhlawulwa kwetyala lonke nokupheliswa kwe-akhawunti

10.1 Kufuneka uhlawule ubuncinane umlinganiselo obonakalisiweyo kwingxelo ye-akhawunti yakho, ngomhla ekufanele ukuba uhlawule ngawo. Sinokwenza izigqibo ukuba sithini na isavenge.

10.2 Ungayihlawulwa kwangaphambili imali osityala yona nanini na.

10.3 Ungasicela sizitsalele imali kwi-akhawunti yakho yebhanki rhoqo ngenyanga nayo nayiphi na imali ekufanele ukuba uyihlawule ngokwesi sivumelwano.

10.4 Ungayihlawulwa kwakho imali ekufanele ukuba uyihlawule

10.4.1 nakweyiphi na ivenkile yabakwaFoschini; okanye

10.4.2 ngokuhlawula ngokobuchwephesha beekhompyutha; okanye

10.5 awukwazi kuyihlawula imali ekufanele ukuba uyihlawule okanye ukuba awukwazi kuhambelana nemigaqo ebekiweyo kwisivumelwano okanye ukuba iziko othenge kulo lithinjwe okanye ukuba uyasweleka okanye ukuba wenza ingxelo enganyanisekanga okanye engachanekanga okanye ummelo okanye awuzichazi zonke iinkcukacha malunga nesi sivumelwano okanye xa usenza isicelo, okanye wenza nantoni na echasana namalungelo ethu; ngoko ke-

10.5.1 yonke imali osityala yona kuza kufuneka ihlawulwe ngokuhlawuleza; kwaye

10.5.2 ngaphandle kokuya emthethweni, singamazisa omnye umntu esicinga ukuba kufanele azi ngoku; kwaye

10.5.3 ikhadi lakho alisayi kuphinda lisetyenziswe.

10.6 Indlela yokuhlawula oyikhethayo nguwe ozifaka kuloo ngxaki kodwa nayiphi na intlawulo iza kwenziwa ngokufanelekileyo xa siyifumana kwaye siyinika ingqwalasela.

10.7 Siza kuzigcina zonke iintlawulo ozenzileyo zihlawuleke ngomhla esizifumene ngawo ezo ntlawulo kwii-ofisi zethu okanye kwiivenkile zethu kwaye ezo ntlawulo ziza kwabiwa ngolu hlobo lulandelayo:

10.7.1 ekuhlawuleni inzala;

10.7.2 ekuhlawuleni ezinye iintlawulo neemali ezitsalwayo; okokugqibela

10.7.3 ekuhlawuleni undoqo wetyala.

10.8 Ungasirhoxisa nanini na esi sivumelwano xa unqwenela ukwenza njalo, kuza kufuneka usazise ngokusibhalela, uyizise imbalelwano leyo ngokwakho, ngefeksi, nge-imeyile okanye ngeposi. Ukuba unqwenela ukusirhoxisa

isivumelwano, kuza kufuneka uyihlawule yonke imali osityala yona.

10.9 Singasirhoxisa esi sivumelwano xa unqahambelaniyo nemigaqo nemiqathango yethu.

## 11. Inzala nezinye iimali

11.1 Ngokuxhomekeke kumalungiselelo oMthetho, siza kuqinisekisa inzala nezinye iimali ezitsalwayo, eziza kubakho kwi-akhawunti yakho amaxesha ngamaxesha kwaye oku kubonakale kwingxelo yakho ye-akhawunti. Kuza kufuneka sifake iimali; ezithile ngokomlinganiselo wonyaka ovumelekileyo ngokusemthethweni amaxesha ngamaxesha.

11.2 Inzala efunwayo kwisicwangciso sakho esijikelezayo semali eseleyo nesicwangciso semali eqingqiweyo semali eseleyo ("umlinganiselo wakho") ngumlinganiselo otshintshayo, oqinisekiswa xa unikwa imali onokuthenga ngayo. Ukutshintsha komlinganiselo wakho kunxulumene neFGRR. Sinelungelo lokwandisa, ukunciphisa okanye ukugcina umlinganiselo ngokwelungelo lethu. Ukutshintsha komlinganiselo kunye/okanye nonxulumano oluqingqiweyo kwi FGRR luza kwaziswa zingaphelanga iintsuku ezingama-30 (ezingamashumi amathathu) zokutshintshela kwi FGRR okanye ubuncinane beentsuku ezi-5 (ezintlanu) kwangaphambili ngokwaziswa kwingxelo yakho ye-akhawunti yarhoqo ngenyanga. Ngokuxhomekeke koku kungentla, utshintsho kwi FGRR kubangela kuhlengahlengiswe kumlinganiselo wakho onxulumene neFGRR.

11.3 Inzala kwisicwangciso ezitshintshayo nesiqingqiweyo siza kubalwa yonke imihla senziwe isambuku senyanga semali eseleyo, ngomhla ekufanele ukuba uhlawula ngawo, de kubengumhla ohlawula ngawo. Le nzala iyongezwa kwityala lakho eliseleyo ngenyanga.

11.4 Ukuba usemva ekuhlulweni isicwangciso esiqingqiweyo, kuza kufakwa enye inzala kwimali ekufanele ukuba uyihlawule kwi-akhawunti yakho ngomlinganiselo ofanayo nowenzala yetyala lakho. Ukuba uhlawula ngokutsalelwa imali ebhankini, le nzala yemali osemva ngayo iza kuthathwa xa kutsalwa imali yesiqhelo ebhankini.

11.5 Ukuba ukhetha ukuthenga ngokusebenzisa isiCwangciso esijikelezayo seenyanga ezi-6 kwaye nyanga nenyanga uhlawula izavenge zakho ngokupheleleyo ngomhla okany phambi komhla ekufanele uhlawule ngawo eso savenge salo nyanga njengoko kubonakalisiwe kwingxelo ye-akhawunti yakho yenyanga, kwaye i-akhawunti yakho ihlawulwa kakuhle ngelo xesha lentlawulo, ngoko ke sinokukhetha ukungakuhlulwulisi nzala, njengoko kuvunyelwene, malunga nezinto ozithengileyo eziza kuvela ngelo xesha. Ukuba awuhlulwuli ngokupheleleyo ngomhla okanye phambi komhla obonakalisiweyo kwingxelo ye-akhawunti yakho yenyanga, malunga nalo ntlawuloyaloo nyanga (kwisicwangciso esijikelezayo seenyanga ezi-6), inzala ephelileyo iza kufunwa kwaye ihlawulwe

njengoko kuchaziwe nanjengoko kuvunyelwene.

11.6 Ukuba sigqiba ukungakubizi nzala, oko akuzi kuthetha ukuba sirhoxisa ilungelo lethu lokufuna inzala nanini na.

## **12. Imali zoMthetho nezinye iimali**

12.1 Ukuba i-akhawunti yakho isemva:

12.1.1 uza kufunwa ezinye iindleko zemisebenzi yokuqokelela amatyala kubandakanywa imali yembalelwano neyokutsalela umnxeba nyanga nenyanga ngeli xa i-akhawunti yakho ihleli isemva; kwaye

12.1.2 neenkukacha zokusilela kwakho ziza kugqithiselwa kwibhunga elijogene nokuthenga ngetyala kwaye oku kuza kukuchaphazela ukuba ungakwazi ukuphinda uthenge ngetyala; kwaye

12.1.3 sisenokulirhoxisa ikhadi lakho sikwazise ngoko ngeentsuku ezili-10 phambi kokuba ivalwe i-akhawunti yakho, kwaye ukuba siyayivala i-akhawunti yakho kuza kufuneka uyihlawule ngokupheleleyo i-akhawunti yakho; kwaye

12.1.4 i-akhawunti yakho isenokugqithiselwa kwii-arhente eziqokelela amatyala ukuze afumane imali osemva ngayo kwaye uza kuhlulwulwa nezi ndleko zokwenza oku.

12.2 Ukuba kuza kufuneka sithathe amanyathelo asemthethweni ngawe (sikuthumelele iisamani), zonke iindleko ezinxulumene nokusemthethweni ziza kufunwa kuwe, ezibandakanya kodwa zingaphelelanga apha:

12.2.1 iindleko zomthetho ezibizwa ngokuba "sisikali segwetha nalowo ufumana iinkonzo" (zonke ezo ziindleko eziza kufunwa ligqwetha ngokuchazela sithi, kubandakanywa iindleko zonke zalo naliphi na igqwetha eliyalelwe sithi, neendleko zeenkonzabo zabo nanobugcisa ezinikezelwa ngamagqwetha ethu);

12.2.2 imali yokuqokelela neyokukuphanda;

12.2.3 izitampu zengeniso nemali yoonothimba;

12.2.4 Irhafu (iVAT), eyenzeke ekufunyanweni okanye ekuzanyweni ukufumana iimali osityala zona; kwaye

12.2.5 ezi ndleko ziza kutsalwa kwi-akhawunti yakho.

12.3 Kuza kuwiswa nesigwebo kuwe.

12.4 Asizi kuzama ukuqokelela naziphi na iindleko ezingaphaya kweendleko ezimisela ngokusemthethweni.

## **13. Isiqinisekiso sobutyala**

Isetifikethi esityikitywe nangomphi na omnye wabalawuli bethu (isikhundla negunya lakhe azidingi kucaciswa) apho imali osityala yona nenzala ichaziwe kwi-akhawunti yakho, ziza kuthathwa njengobona bungqina baneleyo kwiinkqubo zomthetho kwaye ziza kuthathwa njengezichanekileyo ngaphandle kokuba ubonakalisa ukuba imali okanye inzala ayichanekanga, ngokoMthetho.

## **14. Isivumelwano solawulo lwezobulungisa**

Ngokwecandelo lama-45 loMthetho weeNkundla zamatyala, wama-32 ka-1944, uyavuma ukuba singathatha nawaphi na amanyathelo asemthethweni anento

yokwenza nesi sivumelwano okanye ne-akhawunti yakho, kwiNkundla zamatyala, isenokuba yiyo nayiphi na inkundla kaMantyi enegunya kuwe, ngokwecandelo lama-28 kuMthetho weeNkundla zamatyala. Sisenokukhetha ukuthatha amalungelo asemthethweni nakweyiphi na inkundla yomthetho enegunya lokwenza oko.

## **15. Iphepha elirhoxisa amalungelo**

Ukuba nangasiphi na isizathu okanye injongo asikunyanzeli kwangoko okanye asiwasebenzisi nawaphi na amalungelo ethu ngokwesi sivumelwano, oko akuthethi ukuba siwatyeshele, sinikezele okanye siwarhoxisile loo malungelo.

## **16. Ukutsalwa kwezinye iimali**

Singakufuna kwaye sitsale kwi-akhawunti yakho ezinye iimali njengoko sinokuqinisekisa nezinye iimali njengoko kuchaziwe kuMthetho neemali neerhafu ezisemthethweni.

## **17. Iinkcukacha zakho neziyimfihlo**

17.1 Kwesi sivumelwano, iinkcukacha zakho zithetha:

17.1.1 iinkcukacha osinike zona okanye esinazo ngawe, esinokuzigcina, kubandakanywa inombolo yomnxeba ositsalela ngayo;

17.1.2 iinkcukacha esizifumanayo xa sibuzisa ngawe ukuze sikwazi ukuthatha izigqibo ngesicelo sakho okanye kwisivumelwano kubandakanywa iinkcukacha esizifumana xa siphandayo ngegama lakho nakweliphi na ibhunga elijongene nokuthengwa ngetyala;

17.1.3 iinkcukacha nangayiphi na i-akhawunti okanye ipolisi yamatyala okanye i-inshorensi yamatyala onayo nathi; kunye

17.1.4 iinkcukacha esizifumanayo nakubani na ovumelekileyo ukusinika ezo nkcukacha ngawe malunga nesicelo sakho, okanye i-akhawunti yakho, okanye ipolisi yakho yokuthenga ngetyala okanye i-inshorensi yakho yamatyala.

17.2 Siza kuzigcina iinkcukacha zakho kangangoko sifuna okanye kumiselweyo nguMthetho.

17.3 Uyavuma ukuba singaqhubeka, singazigcina okanye sizibhengeze iinkcukacha zakho, kubandakanywa iinkcukacha zokuthenga kwakho, uku:

17.3.1 ukuphanda kwibhunga elijongene nokuthenga ngetyala, apho bagqithiselwa khona abanamatyala ne-arhente ejongene nokuthintela ubuqhophololo ukuze sikwazi ukuyilawula i-akhawunti yakho onayo kuthi sikwazi nokwenza izigqibo ngetyala onalo kuthi, kubandakanywa ukuba singakwazi ukukunika ityala na okanye ukuqhubeka sikwenyusela imali yokuthenga ngetyala;

17.3.2 ukuhlola nasiphi na isicelo sokuthenga ngetyala okanye naziphi na iinkonzo zezemali onazo wena okanye nabani na kusapho lwakho (ngamanye amaxesha singasebenzisa amanqaku akumgangatho olindelekileyo okuthenga ngetyala okanye inkqubo yokwenza izigqibo ukwenza oku);

17.3.3 ukulawula i-akhawunti yakho nokwenza izigqibo nangasiphi na isicelo, isivumelwano onaso nathi;

17.3.4 ukuphumeza, ukuhlola nokuvavanya ishishini lethu;

17.3.5 ukuqhangamshelana nawe ngeposi, ngomnxeba okanye nangayiphi na enye indlela ngezinye izinto neenkonzo esinokucinga ukuba unokuba nomdla kuzo ngaphandle kokuba uyasixelela ukuba awunamdla wokuchazelwa ngoku; kunye

17.3.6 nokuhambelana nayo nayiphi na imithetho okanye imigaqo.

17.4 Uyavuma ukuba singazibhengeza iinkcukacha ngawe:

17.4.1 nakubani na osebenza nathi;

17.4.2 ukuba wenza amalungiselelo e-inshorensi ngathi, kulowo ubonelela ngaloo inhorensi;

17.4.3 nawuphi na umbutho esiphantsi kwawo okanye oxhasa naziphi na izinto zethu onazo;

17.4.4 nayiphi na inkqubo yokuhlawula ephantsi okanye ohlawula ngayo i-akhawunti yakho;

17.4.5 nabani n esimnika amalungelo ethu okanye izibhambathiso phantsi kwesi sivumelwano;

17.4.6 naliphi na iqela lesithathu eliyi-arhente eqokelela amatyala okanye igqwetha eliqokelela iimali osityala zona; kunye

17.4.7 nabani na omnikhe igunya lokuba afune iinkcukacha zakho kuthi.

17.5 Singagqithisela, sinike ilayisenisi okanye igunya lokuba kusetyenziswe naziphi na iinkcukacha zakho ngokusemthethweni.

## **18. Iinkcukacha zokuthenga ngetyala kwabathengi**

## **namabhunga ajongene nokuthengwa ngetyala**

18.1 Uyvuma ukuba:

18.1.1 singabuzisa ukuqinisekisa ukuba naziphi na iinkcukacha osinike zona kwisicelo sakho okanye nanini na zizizo ngexesha wenza ngalo isivumelwano;

18.1.2 singagqithisela naziphi na iinkcukacha kwibhunga elijonge nokuthengwa ngetyala, okanye kwiqela lesithathu (ononxibelelwano nalo ngezemali nanini na), okanye ezikhoyo okanye esinikwe zona nguwe kwisicelo sakho, malunga nesicelo, ukuvulwa nokuvulwa kkwale akhawunti yakho;

18.1.3 singafuna, siqinisekise kwaye sifumane iinkcukacha nakweliphi na ibhunga elijongene nokuthengwa ngetyala okanye iqela lesithathu (ononxibelelwano nalo nanini na) xa sihlola isicelo sakho okanye ukufanele na ukuthenga ngetyala, nanini na ngexesha unale akhawunti;

18.1.4 sinikezele, sibhengeze kwaye sibhalise ubukho besi sivumelwano nazo naziphi na iinkcukacha zakho, neenkukacha ezimalunga noku, nakweliphi na ibhunga elijongene nokuthengwa ngetyala okanye iqela lesithathu (ononxibelelwano nalo nanini na) sabelane ngeenkukacha ezintle nezimbi ngawe nokuhambelana kwakho nemigaqo nemiqathango yesi sivumelwano.

18.2 Uyavuma kwaye uyaqonda ukuba ibhunga elijongene nokuthengwa ngetyala liza kusinika ingxelo ngawe ngamatyala akho, amanqaku ngamatyala akho abonakalisa ukuba ukufanele na ukuthenga ngetyala.

18.3 Ngokuxhomekeke kumalungiselelo oMthetho, siza kuba nelungelo lokufumana nelokubhengeza ngezi nkcukacha zingentla –

18.3.1 ukuba sicinga ukuba kufanelekile okanye oku kuza kuba luncedo kuwe;

18.3.2 apho kunyanzelekileyo ngokusemthethweni ukwenza oku;

18.3.3 apho kungumdlola woluntu ukwenza oku; okanye

18.3.4 apho umdla wethu ufuna sense oku.

18.4 Uvumile ukuba iinkcukacha zakho osinike zona xa ubusenza isicelo okange ubungena kwesi sivumelwano nathi, sisenokuzisebenzisa injongo encedisayo ukugcina ubume beshishini lethu kakuhle ngenjongo zentengiso neenjongo ezinxulumene noku. Ukuba awufuni sizisebenzisele le njongo iinkcukacha zakho, kufuneka usixelele ngoko ngokusibhalela okanye ngomnxeba ukuze oko ukukhethayo kugcinwe ze kuqinisekise ngokubhalwa.

18.5 Uqinisekisa ukuba iinkcukacha oza kusinika zona okanye osinike zona ziyinyani, zichanekile, zizizo kwaye zigqibelele

18.6 Uphelisa nawaphi na amalungelo okanye amabango onokubanawo kuthi malunga neenkukacha esizinikezeleyo okanye esinikezelwe zona malunga nesi sivumelwano.

18.7 Siza kukunika isaziso esibhaliweyo seentsuku ezingama-20 phambi kokuba sithumele iinkcukacha zokusitela kwakho kwibhunga elijongene namatyala.

18.8 Unelungelo lokufaka umceli-mngeni iinkcukacha ezibonakala kwabebhunga elijongene namatyala. Unelungelo

lokuqhagamshelana nebhunga elijongene namatyala, ufune bazibhence kuwe iinkcukacha zamatyala akho kwaye ufune iinkcukacha ezingachanekanga zilungiswe.

18.9 Iinkcukacha zoqhagamshelwano zebhunga elijongene namatya;a: Trans Union Credit Bureau

Wanderers Office Park, 52 Corlett Drive, Illovo P O Box 4522, Johannesburg, 2000

Umnxeba : (011) 214 6000

### **19. Ukunika abeBhunga elijongene nokuthengwa ngetyala nezinye ii-arhente ezikwanjalo**

19.1 Uyavuma ukuba singazikhupha ezinye iinkcukacha ngawe kwabebhunga elijongene namatyala xa sikhangelwa iingxelo zabo ngawe. Baza kuzigcina iingxelo zophando lwethu. Siza kuzikhupha neenkukacha kubo nangayiphi na i-akhawunti onayo kuthi, kubandakanywa iinkcukacha ngazo naziphi na iintlawulo ongakhange uzihlawule. Iinkcukacha abanazo zisenokunxulunyaniswa nabanye abantu ononxibelelwano nabo ngezemali. Ukuba usinika iinkcukacha ezinganyaniswa okanye ezingachanekanga okanye sikrokrela ubuqhophololo , siza kubaxelela ngoku.

19.2 Abebhunga elijongene namatyala baza kwabelana nathi ngeenkukacha zophando nangeenkukacha ze-akhawunti yakho neminye imibutho ukuze thina nale mibutho:

19.2.1 Sihlole izicelo zokuthenga ngetyala nezinye iinkonzo ezinxulumene noku, silawule ii-akhawunti zakho okanye zamalungu osapho lwakho;

19.2.2 Sihlole isazisi sakho ukuthintela abantu abazenzela imali ngokungekho semthethweni (loo nto ithetha ukuba xa imali igqithiselwa kwi-akhawunti ingabinakufumaneka ukuba ivela phi);

19.2.3 sithintele, sifumanise okanye sitshutshise ubuqhophololo nolunye ulwaphulo-mthetho; kwaye

19.2.4 sifumanise siphande namatyala.

19.3 Abebhunga elijongene namatyala baza kwabelana nathi ngeengxelo eziza kusinceda zincele nabanye ukwenza izigqibo ngezicelo, namabango e-inshorensi kuwe (namalungu osapho lwakho).

19.4 Abebhunga elijongene namatyala baza kuzisebenzisela iinkcukacha zakho ukuhlela amanani ngamatyala nobunye ubuqhophololo.

19.5 Xa sinokuyigqithisela i-akhawunti yakho kwi-arhente ejongene nokuqokelelwa kwamatyala okanye igqwetha eliqokelela okanye elithatha amanyathelo asemthethweni, uyavuma ukuba sikhuphe iinkcukacha ezithile ngawe.

### **20. Jikelele**

20.1 Singahlola sigcine yonke iminxeba nolunye unxibelelwano esibenalo nawe.

20.2 Uyaqinisekisa ukiuba imigaqo nemiqathango, intsingiselo neemeko ezikwesi sivumelwano uye wayinikwa wacaciselwa ngazo ngolwimi oluqondayo . ubungozi malunga nesivumelwano, namalungelo akho nezibophelelo nazo uzicaciselwe.

20.3 Xa unqwenela ukufumana iikopi zoxwebhu olumalunga ne-akhawunti yakho, kufuneka usichazele ngendlela ofuna oku

kuziswe kuwe, (ukuba le indlela uyikethayo siyakwazi ukuba nayo). Kwiimeko ezithile, sivumelekile ukufuna imali yezo kopi.

20.4 Singancama, sinikele okanye sigqithisele naliphi na kumalungelo ethu okanye izibophelelo phantsi kwesi sivumelwano okanye sense amalungiselelo ukuba nabani na athwalele kuye amalungelo ethu okanye izibhambathiso phantsi kwesi sivumelwano ngaphandle kwemvume yakho nsingakhange sikwazise ngoku.

20.5 Asizi kuba nabutyala nangantoni na engaphaya kolawulo lwethu (umzekelo, ukungasebenzi kwamandla eekhompyutha zethu, okanye ukuwa kombane ezisenokwenzeka ngezizathu ezingaphaya kwamandla ethu) okanye naziphi na iintshukumo zoqhankqalazo, okanye ukuhexa-hexa kwezopolitiko, imfazwe, ukuba ezi zinto zithintela ukusebenza kwethu kwesiqhelo.

20.6 Asizi kuba nabutyala ngomonakalo owenziwe nguwe okanye liqela lesithathu malunga nokwenziwa kwesicelo sokuthenga ngetyala okanye malunga nesi sivumelwano.

20.7 Singalibazisa ukunyanzelisa amalungelo ethu phantsi kwesi sivumelwano ngaphandle kokuphulukana nawo.

20.8 Ukuba asikwazi kunyanzelisa naziphi na iimeko phantsi kwesi sivumelwano, loo nto ayizi kuchaphazela ezinye iimeko zesi sivumelwano.

20.9 Ukuba sibe siyasebenza kwaye siyabophelela, nangaphandle kokuba lo tshintsho lwenziwe ngokusemthethweni,

naluphi na utshintsho okanye izilungiso kwesi sivumelwano kufuneka:

20.9.1 sigcinwe ngokwefowuni zesiqinisekiswa ngokubhalwa sithi;

20.9.2 okanye kufuneka sibhalwe.

20.10 Ngokuxhomekeke ku-2.3, nanini na sisenokulungisa okanye sibeke eminye imigaqo nemiqathango kwaye ukuba senza njalo, oko akuthethi ukuba isivumelwano okanye nantoni na ethengiweyo okanye amatyala (loo nto ithetha ukuba isivumelwano esitsha asibikho ngokuzenzekela).

20.11 Unelungelo lokusombulula isikalazo ngendlela yokusombulula ukungavisisani.

20.12 Ungazigcina kwifayile izikalazo ngokoMgaqo olawula amatyala wesizwe (inombolo yoqhagamshelwano kwa-0860 627 627) okanye ufake isicelo kwiNkundla zamatyala zeSizwe.

20.13 Usenokuba nelungelo lokufaka isicelo kubacebisi ngamatyala ukuhlola amatyala akho okanye ukuchazwa njengonamatyala angaphaya kokulindelekileyo.

Malunga noku, abalawuli bamatyala kwisizwe kusenokuqhagamshelwana nabo xa ufuna iinkcukacha zabacebisi ngamatyala kule nombolo yoqhagamshelwano kwa-0860 627 627.

20.14 Ikwuti eyenziwa kwangaphambili nezaziso zokubhencwa kwakho, isivumelwano kubandakanywa imigaqo nemiqathango, ziyinxalenye yesivumelwano siphatelele phakathi kwethu nawe malunga noncedo lokuthenga ngetyala ne-akhawunti yakho,

ezilawulwa kwaye zitolikwe ngokwemithetho  
yaseMzantsi Afrika.