ACCOUNTING STANDARDS BOARDS

AMAZINGA WOMKHUBA OVAME UKUBONWA WOKUBALWA KWEZIMALI

UKULUNDOLOZA NGEZAKHIWO

(GRAP 16)

Ikhishwe yi-
Accounting Standards Board
Febhruwari 2010

Amagama Okubonga

Lo Mthetho Oqashelwa Kabanzi Wokuphathwa Kwezimali (*Standard of Generally Recognised Accounting Practice* [GRAP]) ngokuyinhloko uthathwe kuyi-International Public Sector Accounting Standard (IPSAS) *Yokulondoloza Ngezakhiwo* eyakhishwa yi- International Federation of Accountants' International Public Sector Accounting Standards Board (IPSASB). I-International Federation of Accountants (IFAC) yasungulwa ngo-1977 inomgomo wokwakha nokuthuthukisa lo mkhakha ngokuba nemithetho ehambiselanayo. I-IPSASB iye yakhipha i-IPSAS eningiliziwe, ezosetshenziswa esikhathini esizayo ukuze kukhishwe iMithetho ye-GRAP. Izingcaphuno ze-IPSAS *Zokulondoloza Ngezakhiwo* zisetshenziswe kulo Mthetho we-GRAP ngemvume ye-IPSASB.

Umbhalo ogunyaziwe wama-IPSAS yilowo oshicilelwe yi-IFAC ngolimi lwesiNgisi. Ama-IPSAS aqukethwe ku-IFAC Handbook of International Public Sector Accounting Pronouncements futhi ayatholakala ku-:

International Federation of Accountants

545 Fifth Avenue, 14th Floor

New York, New York 10017 USA

Internet: http://www.ifac.org

Ilungelo lokugcinwa kwekhophi yama-IPSAS, iziboniselo ezikhishiwe nezinye izincwadi ze-IPSASB ziphathiswe i-IFAC futhi imigomo nemibandela efakiwe kufanele igcinwe.

Accounting Standards Board

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Wonke amalungelo agodliwe. Ayikho ingxenye yale ncwadi engashicilelwa, igcinwe kusistimu yokuthola ulwazi, noma idluliselwe kwabanye, nganoma yiluphi uhlobo noma indlela, ngamakhompuyutha, ngemishini, ngokwenza amakhophi, ngokurekhoda, nanganoma iyiphi enye indlela, ngaphandle kwemvume ekhishwe kusengaphambili ye-Accounting Standards Board. Umbhalo ogunyaziwe ushicilelwe ngolimi lwesiNgisi.

Imvume yokushicilela izingxenye ezilinganiselwe zale ncwadi ngokuvamile ngeke igodlwe.

Okuphakathi

Amazinga Womkhuba Ovame Ukubonwa Wokubalwa Kwezimali

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UKULONDOLOZA NGEZAKHIWO

Lo Mthetho wakhishwa okokuqala yi-Accounting Standards Board (iBhodi) ngo-November 2004. Kusukela ngaleso sikhathi, uye wachibiyelwa ngokulandelayo:

- Ukuthuthukiswa kweMithetho yeGRAP, okwakhishwa yiBhodi ngo-February 2010.
- Izichibiyelo eziyimiphumela lapho iMithetho yeGRAP elandeloyo iqala ukusebenza:
  - GRAP 21 *Ukukhinyabezeka Kwama-asethi Angenzi Mali*
  - GRAP 23 *Inzuzo Evela Kokwenziwe Okungashintshaniswa (Izintela Nokudluliswa Kwemali)*
  - GRAP 26 *Ukukhinyabezeka Kwama-asethi Aphehla Imali*
  - GRAP 103 *Izimpahla Eziyigugu*
- Ukuthuthukiswa kweMithetho ye-GRAP, okwakhishwa yiBhodi ngo-March 2012.
- Izichibiyelo eziyimiphumela ngemva kokubukezwa kwe-GRAP 100 *Yemisebenzi Enqanyuliwe* ngo-2013.
- Izichibiyelo eziyimiphumela lapho iMithetho ye-GRAP elandelayo iqala ukusebenza:
  - GRAP 105 *Ukudluliselwa Kwemisebenzi Phakathi Kwamabhizinisi Angaphansi Kokulawulwa Okufanayo*
  - GRAP 106 *Ukudluliselwa Kwemisebenzi Phakathi Kwamabhizinisi Angekho Ngaphansi Kokulawulwa Okufanayo*
  - GRAP 107 *Ukuhlanganiswa Kwamabhizinisi*

Ikhophi ephawuliwe yezichibiyelo ezenziwe ku-GRAP 21 njengeprojekthi yokuThuthukisa (2013) nezichibiyelo eziyimiphumela zamuva ziyatholakala engosini ye-internet.

Isethulo

IMithetho Eqashelwa Kabanzi Yokuphathwa Kwezimali

I-Accounting Standards Board (iBhodi) iyadingeka ngokuya ngoMthetho Wokuphatha Kwezimali Zomphakathi, uMthetho ongunombolo 1 wango-1999, njengoba uchibiyelwe (i-PFMA), ukuze kunqunywe izindlela ezamukelwa kabanzi zokuphathwa kwezimali ezaziwa ngokuthi Amazinga Womkhuba Ovame Ukubonwa Wokubalwa Kwezimali (i-GRAP)

.IBhodi kumele linqume i-GRAP yokulandelayo:

(a) iminyango (ehlanganisa izingxenye zikahulumeni kazwe lonke nowesifundazwe);

(b) amabhizinisi omphakathi;

(c) amabhizinisi wokuhweba (njengoba echazwa kuyi-PFMA);

(d) izinhlangano zomthetho-sisekelo;

(e) omasipala namabhodi, amakhomishani, izinkampani ezincane, izinkampani ezinkulu, izimali noma amanye amabhizinisi angaphansi kobunikazi bokulawulwa ngumasipala; kanye

(f) nePhalamende nezishaya-mthetho zesifundazwe.

Konke okungenhla sekukonke kubizwa ngokuthi "amabhizinisi."

IBhodi ligunyaze ukusetshenziswa kweZitatimende zeZindlela Ezamukelwa Kabanzi Zokuphathwa Kwezimali (GAAP) (Generally Accepted Accounting Practice [GAAP]), njengoba zihlelwe yiBhodi Lezindlela Zokuphathwa Kwezimali kwaphinde kwakhishwa yi-South African Institute of Chartered Accountants kusukela ngo-1 April 2012, ukuze kube yi-GRAP yalokhu:

(a) amabhizinisi wezinkampani zikahulumeni (njengoba echazwe kuyi-PFMA);

(b) noma yiliphi elinye ibhizinisi, ngaphandle kukamasipala, amasheya alo ajwayelekile, amasheya anamandla wokujwayeleka noma isikweletu okungahwebeka ezimakethe ezinkulu zomphakathi; futhi

(c) amabhizinisi angaphansi kokulawulwa kobunikazi banoma yimaphi amabhizinisi kulawa.

Ibhodi ligunyaze ukusetshenziswa kwe-International Financial Reporting Standards (IFRSs) ekhishwe yi-International Accounting Standards Board ukuze kube yi-GRAP yalawa mabhizinisi lapho esebenzisa khona ama-IFRS.

Izitatimende zezimali kufanele zichazwe njengezivumelana neMithetho ye-GRAP kuphela uma zivumelana nazo zonke izimfuneko zoMthetho ngamunye we-GRAP kanye nanoma iziphi izincazelo zeMithetho ye-GRAP ezihlobe nayo.

Noma ikuphi ukulinganiselwa kokusebenza koMithetho noma Izincazelo ezithile kucacisiwe kuleyo Mithetho noma Izincazelo zeMithetho ye-GRAP.

UMthetho we-GRAP *Wokulondoloza Ngezakhiwo* ubekiwe esegabeni .01 kuya .ku-.95. Zonke izigaba ezikulo Mthetho zinegunya elilinganayo. Isimo negunya lezithasiselo kutholakala ezethulweni zesithasiselo ngasinye. Lo Mthetho kufanele ufundwe ngokomomgo womgomo wawo, izisekelo zeziziphetho zawo uma zisebenza, *iSethulo Semithetho Ye-GRAP, iSethulo Sezincazelo Zamazinga e-GRAP* kanye *noHlaka Lokulungiselelwa Nokwethulwa Kwezitatimende Zezimali*.

IMithetho ye-GRAP neZincazelo zeMithetho ye-GRAP nazo kufanele zifundwe kanye kanye nanoma iziphi iziqondiso ezikhishwa iBhodi maqondana namalungiselelo esikhashana, kanye nanoma imiphi imithetho ekhishwa uNgqongqoshe Wezezimali mayelana nezinsuku zokuqala kokusebenza kweMithetho ye-GRAP, enyatheliswa kuyi-Gazethe Kahulumeni.

Kungase kubhekiselwe lapha eMthethweni we-GRAP obungakanyatheliswa ngesikhathi kukhishwa lo Mthetho. Lokhu kwenziwa ukuze kubalekelwe ukushintsha iMithetho eseyikhishiwe kakade lapho sekukhishwa uMthetho omisha kamuva. Isigaba .11 soMthetho we-GRAP *Wezinqubomgomo Zokubala Imali, Izinguquko*

Zezilinganiso Zokubala Imali Namaphutha sibeka isisekelo sokukhetha nokusebenzisa imithetho yokuphathwa kwezimali lapho singekho isiqondiso esiqondile.

Inhloso

.01 Inhloso yalo Mthetho ukunikeza izindlela zokuphathwa kwezimali zokulondoloza ngezakhiwo nezimfuneko zakhona zokudalula.

Imininingwane

.02 Ibhizinisi elungiselela futhi lethule izitatimende zezimali ngaphansi wesisekelo sokuphathwa kwezimali kufanele lisebenzise lo Mthetho lapho libala izimali zokulondoloza ngezakhiwo.

.03 Lo Mthetho usebenza ekubalweni kwezimali zokulondoloza ngezakhiwo kuhlanise nezikalo zenzalo yokulondoloza ngezakhiwo ezitatimendeni zezimali zomqashi ephethwe ngaphansi kokuqashiselana okuphathelene nezimali zokuqashiselana kanye nezikalo ezisezitatimendeni zezimali zomqashisi ngolondoloza ngezakhiwo ezinikwe oqashile ngaphanzi kwesivumelwano sokuqashiselalna esisebenzayo. Lo Mthetho awukhulumi ngezindaba ezihlanganisiwe eMthethweni we-GRAP nge-*Lease*, kuhlanganise:

(a) ukuhlukanisa ukuqashiselana njengokuqashiselana okungokwezimali (finance leases) noma ukuqashiselana okungokomsebenzi (operating leases);

(b) ukuqaphela imali evela ekulondolozeni ngezakhiwo (bheka uMthetho we-GRAP *Wemali Engenayo Evela Ezinkokhelweni Zokushintshisana*);

(c) izikalo ezitatimendeni zezimali zoqashile zenzalo yesakhiwo ngaphansi kokuqashiselana okuphathele nokuqashiselana okungokomsebenzi;

(d) izikalo ezitatimendeni zezimali zoqashisayo ngokulondoloza kukonke ekuqashiselaneni okungokwezimali;

(e) ukubala ukuthengiselana nokuqashiselana; kanye

(f) nokudalula mayelana nokuqashiselana okungokwezimali nokuqashiselana okungokomsebenzi.

.04 Lo Mthetho awusebenzi lapha:

(a) kuma-asethi aphilayo ahlobene nemisebenzi yezolimo (bheka uMthetho we-GRAP *Wezolimo*);

(b) amalungelo ezokumbiwa phansi, nezinto embiwa phansi njengamafutha, igesi engokwemvelo nezinye izinto ezinjalo ezizikhiqizekelayo;

(c) ama-asethi amafa (bheka uMthetho we-GRAP *Wezimpahla Eziyigugu*); kanye

(d) ukuqashelwa okokuqala nokukalwa okokuqala kokonga ngezakhiwo (bheka uMthetho we-GRAP *Wokudluliselwa Kwemisebenzi Phakathi Kwamabhizinisi Angaphansi Kokulawulwa Okufanayo*) noma ibhizinisi elibumbene (bheka uMthetho we-GRAP *Wokuhlanganiswa Kwamabhizinisi*).

Izincazelo

.05 ***La magama alandelayo asetshenziswe kulo Mthetho nezincazelo zawo:***

***Imali yokuphatha** (ngokwenhloso yalo Mthetho) iyimali i-asethi eliphawulwa ngayo esitatimendeni sesimo sezimali.*

***Izindleko** ziyimali noma okulingana nemali eyakhokhwa noma inani elikahle lokunye ukucabangela okwenziwa ukuze kutholwe i-asethi ngesikhathi sokutholwa noma sokwakhiwa kwalo.*

***Ukuthengiselana ngokushintshisana** kuyizikhathi lapho elinye ibhizinisi lithola ama-asethi noma izinkonzo, noma liqede izikweletu, futhi ngokuqondile likeza inani elithi alilingane (ngokuyinhloko linikeza ngemali, izimpahla, izinkonzo, noma ngokusebenzisa ama-asethi) kwelinye ibhizinisi ekushinthiselaneni.*

***Inali elikahle** liyimali i-asethi elingashintshwa ngayo , noma okungaqedwa ngayo isikweletu, phakathi kwabantu abanolwazi, abazimisele ekuhubelaneni.*

***Ukulondoloza ngezakhiwo** kuyisakhiwo (umhlaba noma ibhilidi – noma ingxenye yebhilidi – noma kokubili) ephethwe (umnkazi noma oqashile ngaphansi kokuqashiselana okongokwezimali) ukuze kutholakale imali yokuqasha noma ukukhulisa imali yokusithenga noma kokubili, kunokuba kwenzele okulandelayo:*

(a) ukukhiqiza noma ukukhipha izimpahla noma izinkonzo noma ngezinjongo zasehhovisi, noma

(b) ukungiselana ngendlela evamile yemisebenzi.

***Ukuthengiselana okungekhona okokushintshisana** kuzikhathi zokuthengisela okungekhona okokushintshisana. Ekuthengiselaneni okungekhona okokushintshisana, ibhizinisi lithola inani kwelinye ibhizinisi ngaphandle kokunika ngokuqondile inani lemali elithi alilingane ekushintshiselaneni, noma linikeza inani kwelinye ibhizinisi ngaphandle kokuthola ngokuqondile inani lemali elithi alilingane ekushintshiselaneni.*

***Isakhiwo esikumnikazi waso** yisakhiwo esiphethwe (umniniso noma oqashile ngaphansi kokuqashiselana ngemali) ukusetshenziselwa ukukhiqiza noma ukunikeza ngezimpahla noma izinkonzo noma ngezinjongo zasehhovisi.*

Amagama achazwe kweminye iMithetho ye-GRAP asetshenzisiwe kulo Mthetho ngencazelo efanayo naleyo ekuleyo Mithetho.

Inzalo yesakhiwo esiphethwe oqashile ngaphansi kokuqashiselana okungokomsebenzi

.06 ***Inzalo yesakhiwo esiphethwe oqashile ngaphansi kokuqashiselana okungokomsebenzi kungaze kuhlukaniswe futhi kubalwe njengokulondoloza***

ngesakhiwo uma, futhi uma kuphela, isakhiwo ngenye indlela besizohlangabezana nencazelo yokulondoloza ngesakhiwo futhi oqashile esebenzisa indlela yenani elikahle ebekwe ezigabeni .39 kuya ku-.63 ngama-asethi aqasheliwe. Lokhu kuhlukaniswa okuhlukile kuyatholakala ngesisekelo sesakhiwo nesakhiwo. Nokho, lapho lokhu kuhlukanisa okuhlukile kukhethelwe enye inzalo yesakhiwo esiphethwe ngaphansi kokuqashisela okungokomsebenzi, zonke izakhiwo ezihlukaniswe njengokulondoloza ngezakhiwo kumelwe zibalwe kusetshenziswa indlela yenani elikahle. Lapho lokhu kuhlukanisa kukhethiwe, noma iyiphi inzalo ehlukaniswe kanjalo iyahlanganiswa ekudaluleni okufuneka ezigabeni .83 kuya ku.87.

Ukukonga ngesakhiwo

.07 Kunezimo ezimo lapho ibhizinisi lingase liphathe isakhiwo ukuze lizuze irenti nokukhulisa imali yokulithenga. Ngokwesibonelo, ibhizinisi lingase liqaliswe ukuze lilawule izakhiwo zikamasipala ngemali. Kulesi simo, isakhiwo esiphethwe yibhizinisi, ngaphandle kwesakhiwo esiphethelwe ukuthengiswa ngendlela evamile yokusebenza, siyahlangabezana nencazelo yokulondoloza ngesakhiwo. Amanye amabhizinisi nawo angase aphathe isakhiwo ukuze aqashiwe noma akhulise imali yokusithenga futhi imali evela lapho ayisebenzisele eminye imisebenzi (ukunikeza izinkono). Ngokwesibonelo, ibhizinisi lingase libe umnikazi wesakhiwo ngenjongo yokuliqashisa ngemali kubantu bangaphandle ukuze lakhe imali, kunokuba likhiqize noma linikeze izimpahla nezinkonzo. Lesi sakhiw naso besiyohlangabezana nencazelo yokulondoloza ngesakhiwo.

.08 Ukulondoloza ngesakhiwo yisakhiwo esiphathelwe ukuzuza imali yerenti noma ukukhulisa imali yokusithenga noma kokubili. Ngakho-ke, ukulondoloza ngesakhiwo kwenza imali ngokwengxenye enkulu ngaphandle kwamanye ama-asethi aphethwe yibhizinisi. Lokhu kuhlukanisa ukulondoloza ngesakhiwo kweminye imihlaba noma amabhilidi alawulwa yibhizinisi, kuhlanganise nezakhiwo ezisetshenziswa umnikazi. Ukukhiqizwa noma ukukhishwa kwezimpahla noma izinkonzo (noma ukusetshenziswa kwesakhiwo ngezinjongo zasehhovi) nako kungenza imali. Ngokwesibonelo, ibhizinisi lingase lisebenzise ibhilidi ukuze linikeze izimpahla nezinkonzo kwabazamukelayo ukuze libuyelwe iyona yonke noma ingxenye yemali yezindleko. Nokho, ibhilidi liphathelwe ukuze kukhiqizwe izimpahla nezinkonzo futhi imali yakhiwa hhayi phela yibhilidi, kodwa namanye ama-asethi asetshenziswa enqubweni yokukhiqiza nokukhipha. UMthetho we-GRAP *Wendawo, Imishini Namathuluzi* usebenza esakhiweni esisetshenziwa umniniso.

.09 Amalungiselelo athile esimiso sokuqondisa aba khona ukuze ibhizinisi likwazi ukulawula i-asethi okungenzeka ukuthi ngokomthetho lingelelinye ibhizinisi. Ngokwesibonelo, ibhizinisi lingase lilawule futhi liphathe izimali zamabhilidi athile angawelinye ibhizinisi. Ezimweni ezinjalo, ukuma kubhekiselwa esakhiweni esisetshenziswa umniniso kusho ukuthi isakhiwo sisetshenziswa yibhizinisi elifaka leso sakhiwo ezitatimendeni zalo zemali.

.10 Nazi izibonelo ezilandelozokulondoloza ngesakhiwo:

(a) umhlaba ophethwe isikhathi eside ukukhulisa imali esathengwa ngayo kunokuthesithengisa isikhashana ngendlela evamile yokusebenza. Ngokwesibonelo, umhlaba ophethwe yisibhedlela ukuze kukhululwe imali owathengea ngayo ongase uthengiswe ngesikhathi esinenzuzo esikhathini esizayo;

(b) umhlaba ophethwe okungakaziwa okwamanje ukuthi uzokwenziwa (uma ibhizinisi lingakanqumi ukuthi lizosebenza lizosebenzisa umhlaba njengesakhiso esisetshenziswa umniniso, kunganise nokusisebenzela ukunikeza izinkonzo ezifana nalezo ezikhishwa amapaki kazwelonke ezizukulwaneni zamanje nezesikhathi esizayo, noma ukuthengisa okwesikhashana ngendlela evamile yokusebenza, umhlaba ubhekwa njengophathelwe ukukhulisa imali owathengwa ngayo.);

(c) ibhilidi elingelebhizinisi (noma eliphethwe yibhizinisi ngaphansi kokuqashiselana okungokwemali) futhi eliqashisiwe ngaphansi kokuqashiselana okukodwa noma ngaphezulu ngezisekelo zemali. Ngokwesibonelo, iyunivesithi ingase ibe okungelayo eliliqashisele abangaphandle ngezisekelo zezimali;

(d) isakhiwo esingesebhizinisi futhi esiqashiswe ngerenti engaphansi kweyezimakethe; futhi

(e) isakhiwo esisakhiwa noma esithuthukiswayo ukuze sisetshenziwe esikhathini esizayo njengokulondoloza ngesakhiwo.

Irenti ezuziwe akudingeki ukuva ibe ngaphansi kwezisekelo zemali noma ihlobane nezimakethe ukuze isakhiwo sihlukaniswe njengokulondoloza ngesakhiwo.

.11 Okulandelayo yizibonelo zezino ezingekona ukulondoloza ngesakhiwo futhi ngenxa yalokho zingaphandle kwalo Mthetho uwonke:

(a) isakhiwo siphathelwe ukuthengiswa ngendlela evamile yokusebenza noma sisakhiwa noma sisathuthukiswa ukuze sithengiswe ngaleyo ndlela (bheka uMthetho we-GRAP *Wohlu Lwezimpahla*). Ngokwesibonelo, umasipala ungase ngokwesimiso wenezele emalini engeniswa ama-rate ngokuthenga nokuthingisa izakhiwo, lapho isakhiwo siphathwa ngokukhethekile kuphela ukuba sisolahlwa maduzane noma sizothuthukiswa ukuze sithengiswe kuhlukaniswa ngohlu lwempahla. UMnyango Wezezindlu ungase ngokwesimido uthengise ingxenye yezindlu ngendlela evamile yokusebenza ngenxa yokushintsha kwamanani abantu, lapho yiziphi izindlu eziphathelwe ukuthengiswa zihlukaniswa ngohlu lwempahla;

(b) isakhiwo esakhiwayo noma esithuthukiswayo egameni lengxenye yesithathu. Ngokwesibonelo, uMnyango Wezezindlu ungase ungenele izivumelwano zokwakha namabhizinisi angaphandle kukahulumeni wawo (bheka uMthetho we-GRAP *Wezinkontileka Zokwakha*);

(c) isakhiwo esisetshenziswa umniniso (bheka uMthetho we-GRAP *Wendawo, Imishini Namathuluzi*; kuhlanganise (phakathi kokunye) isakhiwo

esiphathelwe ukusetshenziswa esikhathini esizayo njengesisetshenziswa umniniso, isakhiwo esiphathelwe ukuluthuthukiselwa ukuba sisetshenziswe umniniso esikhathini esizayo, isakhiwo esisetshenziswa abasebenzi njengendawo yokuhlala yamasosha (kungakhathaliseki ukuthi bakhokha irenti elingana neyezimakethe noma cha) kanye nesakhiwo esisetshenziswa umniniso esilinde ukulahlwa.

(d) Isakhiwo esiqashiselwe elinye ibhizinisi ngaphansi kokuqashiselana okungokwemali;

(e) Isakhiwo esiphathelwe ukukhipha izimpahla nezinkonzo futhi nokuba yenze imali. Ngokwesibonelo, ibhizinisi lingase liphathe indawo enkulu nokugcina izimpahla ukuzinikeza emindenini ehola kancane ngerenti engaphansi kweyasezimakethe. Kulesi simo, isakhiwo siphathelwe ukunikeza izinkonzo zezindlu kunokuma irenti noma ukukhulisa imali eyathengwa ngaso futhi imali engeniswa irenti ihambisana nezinjongo zalokho zokuphathwa kwesakhiwo. Isakhiwo esinjalo asibhekwa "ngengokulondoloza ngesakhiwo" futhi ngeke sibalwe ngokoMthetho we-GRAP n*Wendawo, Imishini Namathuluzi*; futhi

(f) Isakhiwo esiphathelwe ubuhlakani ebesizobalwa ngokuvumelana noMthetho we-GRAP *Wendawo, Imishini Namathuluzi*.

.12 Amanye amabhizinisi aphatha isakhiwo ukuze akhiphe izimpahla nezinkonzo kunoba azuze irenti oma akhulise imali alithenga ngayo. Ezimweni ezinjalo isakhiwo ngeke sihlangabezane nencazelo yokulondoloza ngesakhiwo njengoba ihloso yaso eyinhloko kuwukukhipha izimpahla nezinkonzo. Lo Mthetho usebenza uma inhloso eyinhloko nokusetshenziswa okukhulu kakhulu kwesakhiwo kuwukuzuza irenti noma ukukhulisa imali esathengwa ngayo. Ngokwesibonelo, lapho ibhizinisi lingumnikazi webhilidi, elisetshenziswa ngokuyinhloko ukunekeza abantu izindawo zokuhlala kodwa liqashisa ngesinye isitezi ezitolo, amabhenki nabanye bangaphandle, lelo bhilidi kumelwe libalwe njengesakhiwo, ifemu nempahla okunhloso nenjongo eyinhloko yokusetshenziswa kwaso iwukunikeza abantu izinkonzo. Lokhu kumelwe kube njalo ngisho noma irenti ezuzwa esitezi sebhilidi iyinkulu uma iqhathaniswa nerenti ezuzwa kuyo yonke enye ingxenye yebhilidi.

.13 Kwezinye izimo, amabhizinisi aphatha ezinye zezakhiwo ezihlanganisa ingxenye ephathelwe ukuqashisa ngayo noma ukukhulisa imali esathengwa ngayo kunokunikeza ngezinkonzo kuthi enye ingxenye iphathelwe ukusetshenziselwa ukukhiqiza noma ukukhipha izimpahla noma izinkonzo noma zamahhovisi abaphathi. Ngowesibonelo, isibhedlela noma iyunivesithi ingase ibe nebhilidi, ingxenye yalo isetshenziswa abaqondisi basehhovisi, kuthi enye ingxenye iqashiswe ngokwezimali njengezindawo zokuhlala. Uma lezi zingxenye zingathengiswa ngokwahlukana, (noma ziqashwe ngokwahlukana ngaphansi kokuqashiselana okungokwemali), ibhizinisi lizibala ngokwahlukana lezo zingxenye. Uma lezo zingxenye zingenakuthengiwa ngokwahlukana, leso sakhiwo siwukulondoloza ngesakhiwo uma kuphela kuyingxenye encane ephathelwe ukusetshenziselwa ukukhiqiza noma ukukhipha izimpahla noma izinkonzo noma amahhovisi abaqondisi.

.14 Kwezinye izimo, ibhizinisi linikeza ngezinkonzo zokwenezela kubaqashi besakhiwo elisiphethe. Ibhizinisi libheka isakhiwo esinjalo ngokulondoloza ngesakhiwo uma izinkonzo zizincane kulo lonke ilungiselelo. Isibonelo kungaba yilapho ibhizinisi lingumnikazi webhilidi lamahhovisi eliphathelwe ngokukhethekile ukuqashisa futhi liqashiswe ngokwezimali futhi linikeza izinkonzo zokuphepha nokulondolozwa kulowo oliqashile olisebenzisa ibhilidi.

.15 Kwezinye izimo, izinkonzo ezinikezwayo zinkulu. Ngokwesibonelo, ibhizinisi lingase libe umnikazi wehositela. Izinkonzo ezinikwa abantu abahlala khona ziyingxenye enkulu yalo lonke ilungiselelo. Ngakho-ke, ihositela elilawulwa umninilo liyisakhiwo esisetshenziswa umniniso, kunokuba ukulondoloza ngesakhiwo ngoba injongo nokubaluleka okuyinhloko kokusetshenziswa kwesakhiwo ukunikeza izinkonzo kubahlali.

.16 Kungase kube nzima ukunquma ukuthi izinkonzo zokwenezela zinkulu ngale ndlela yokuthi isakhiwo asifaneleki njengokulondoloza ngesakhiwo. Ngokwesibonelo, ibhizinisi elingumnikazi wehhotela lingase lidlulisele imithwalo ethile kungxenye yesithathu ngaphansi kwesivumelwano sokuphatha. Imibandela yalezo zivumelwano iyashiyashiyana kakhulu. Ngakolunye uhlangothi, isimo sebhizinisi esingokoqobo singase sifane nemtshali mali ongagxilile. Ngakolunye uhlangothi, ibhizinisi lingase liqashe abangaphandle ukuba benze imisebenzi yansuku zonke kuyilapho ligodle iqhaza elikhulu endleleni imali engana ngayo ngemisebenzi yehhotela.

.17 Ukwahlulela kuyadingeka ukunquma ukuthi isakhiwo siyafaneleka yini njengokulondoloza ngesakhiwo. Ibhizinisi lisungula izimiso ukuze likwazi ukusebenzisa lokho kwahlulela ngokuqhubekayo ngokuvumelana nencazelo yokulondoloza ngesakhiwo kanye neziqondiso ezihlobene nazo ezigabeni .07 kuya ku-.18. Isigaba .84(c) sifuna ukuba ibhizinisi lidalule lezo zimiso lapho ukuhlukanisa kunzima.

.18 Kwezinye izimo, ibhizinisi lingumnikazi wesakhiwo esiqashiselwe, futhi esisetshenziswa, libhizinisi lalo elilawulayo noma elinye ibhizinisi elilawulayo. Isakhiwo asifaneleki njengokulondolaza ngesakhiwo ezitatimendeni ezihlangene zezimali, ngoba isakhiwo sisetshenziswa umniniso ngomqondo webhizinisi lemali lilonke. Nokho, ngokohlangothi lebhizinisi elingumnikazi, isakhiwo siwukulondoloza ngesakhiwo uma sihlangabezana nencazelo (bheka isigaba .5). Ngakho-ke, umqashisi uphatha isakhiwo njengokulondoloza ngesakhiwo esisatimendeni sezimali saso sodwa. Lesi simo singase siphakame lapho uhulumeni esungula ibhizinisi lokulawula izakhiwo ukuba liqondise amabhilidi amahhovisi kahulumeni. Lawa mabhilidi abe eseqashiselwa amanye amabhizinisi kahulumeni ngemali. Ezitatimendeni zezimali zebhizinisi elilawula izakhiwo, isakhiwo siyobalwa njengokulondoloza ngesakhiwo. Nokho, ezitatimendeni ezihlangene zezimali zebhizinisi isakhiwo siyobalwa njengesakhiwo, ifemu nempahla ngokuvumelana noMthetho we-GRAP *Wendawo, Imishini Namathuluzi*.

Ukuqashelwa

.19 Ukulondoloza ngesakhiwo kumelwe kuqashelwe njenge-asethi lapho, futhi kuphela lapho:

(a) kubonakala kungenzeka ukuthi izinzuzo ezingokwezimali noma amathuba ezinkonzo esikhathini esizayo okuhlobene naloko kulondoloza ngesakhiwo kuyoza ebhizinisini; futhi

(b) izindleko noma inali elikahle lokulondoloza ngesakhiwo lingakalwa ngokunokuthenjelwa.

.20 Ekunqumeni ukuti into iyazanelisa yini izimiso zokuqahelwa, ibhizinisi lidinga ukuhlola izinga lokuqiniseka elihambisana nokungena kwezinzuzo zemali nezinkonzo ezingenzeka esikhathini esizayo ngesisekelo sokutholakala kobufakazi ngesikhathi kuphawulwa okokuqala. Ukuba khona kokuqiniseka okwanele ukuthi esikhathini esizayo izinzuzo zemali noma izinkonzo zizongena kwenza kube nesiqinisekiso sokuthi ibhizinisi liyozithola izinzuzo ezihambisana ne-asethi futhi liyozithatha izingozi ezihambisana nacho. Le siqinisekiso sivame ukutholakala kuphela lapho izingozi nezinzuso sekudluliselwe ebhizinisini. Ngaphambi kokub lokhu kwenzeke, isenzo sokuthola i-asethi ngokuvameli singakhanselwa ngaphandle kokugwetshwa kakhulu futhi, ngalokho, i-asethi lingaqashelwa.

.21 Isigaba sesibili sokuqashelwa sivame ukwanelisa ngoba ukushintshisana kokuthengiselana okufakazela ukuthengwa kwe-asethi kuveza izindleko zalo. Njengoba kuveziwe esigabeni .26 salo Mthetho, ngaphansi kwezimo ezithile ukulondoloza ngesakhiwo kungatholakala ngaphandle kokuthengiselana ngokushintshisana. Ezimweni ezinjalo, izindleko ziyinani elikahle lokulondoloza ngesakhiwo ngesikhathi sokutholakala.

.22 Ibhizinisi lihlola ngaphansi kwalesi simiso sokuqaphela zonke izindleko zokulondoloza ngesakhiwo ngesikhathi ezenzeka ngaso. Lezi zindleko zihlanganisa izindleko ezenzeka ekuqaleni lapho kuqalwa ukulondoloza ngesakhiwo nezindleko ezenzeka ngokulandelayo ekwenezeleni, ekufakeni okuthile, noma ekulungiseni isakhiwo.

.23 Ngaphansi kwesimiso sokuqaphela esigabeni .19, ibhizinisi aliqapheli ekuphatheni imali yokulondoloza ngesakhiwo izindleko zansuku zonke zokulungisa isakhiwo esinjalo. Kunalokho, lezi zindleko ziqashelwa emalini eyengeziwe noma ezindlekweni njengoba zenzeka. Izindleko zansuku zonke zokulungisa ngokuyinhloko ziyizindleko zabasebenzi nezinto zokusebenza, futhi mhlawumbe zihlanganise namaphathi amancane. Inhlozo yalezi zindleko ivame ukuchazwa ngokuthi ‘ukulungisa nokulondoloza’ isakhiwo.

.24 Izingxenye zokulondoloza ngesakhiwo kungenzeka ziye zatholwa ngokuzifaka esikhundleni sezinye. Ngokwesibonelo, izindonga zangaphakathi kungenze zifakwe esikhundle sezokuqala. Ngaphansi kwesimiso sokuqaphela, ibhizinisi liqaphela emalini yokuphatha ukulondoloza ngesakhiwo izindleko zokufaka ingxenye esikhundleni senye sokulondoloza ngesakhiwo ngesikhathi lezo zindleko zenzeka uma isigaba sokuqaphela sifinyelelwa. Imali yokuphathat lezo zingxenye

ezifakiwe zikhishwa ekuqashelweni ngokuvumelana namalungiselelo alo Mthetho okukhishwa ekuqashelweni.

Ukukala ekuqashelweni

.25 Ukulondoloza ngesakhiwo kumelwe kukalwe ngezindleko zokuqala (izindleko zokuthenga kumelwe zihlanganiswe kulokhu kukala kokuqala).

.26 Lapho ukulondoloza ngesakhiwo kutholwa ngokuthengisela okungekona okukoshintshisana, izindleko sako kumelwe zikalwe ngenani lako elikahle langesikhathi sitholakala.

.27 Izindleko zokuthenga ukulondoloza ngesakhiwo zakhiwa yimali yokuthenga nanoma iziphi izindleko zakhona eziqondile. Izindleko zako eziqondile zihlanganisa, ngokwesibonelo, izindleko zabasebenzi bezinkonzo zezomthetho, izintela zokudluliselwa kwesakhiwo kanye nezinye izindleko zokuthengiselana.

.28 Izindleko zokulondoloza ngesakhiwo azikhushulwa yilokhu:

(a) isindleko zokuqala (ngaphandle uma kudingekile ukuze isakhiwo sibe sesimweni esidingekayo ukuze sikwazi ukusetshenziswa ngendlela esasihloselwe yona ngabaphathi);

(b) izindleko zokusebenza ezenzeke ngaphambi kokuba ukulondoloza ngesakhiwo kufinyelela izinga elalihlelelwe yona, noma

(c) izimali ezingavamile zezinto ezilahliwe, izisebenzi noma ezinye izinto ezenzeke ekwakheni noma ekuthuthukiseni isakhiwo

.29 Uma ukulondoloza ngesakhiwo kulibazisekile, izindleko zaso ngemali ewukheshi iyalingana. Umahluko phakathi kwalezi zimali nenqgikithi yezinkokhelo iqashelwa njengenzalo yezindleko phakathi nenkathi yesikweletu.

.30 Ukulondoloza ngesakhiwo singase sitholwe ngokuthengiselana okungekhona okokushintshisana. Ngokwesibonelo, ibhizinisi lingase lithumele, ngaphandle kwemali, ibhilidi kwelinye ibhizinisi, elibe seliliqashisa ngerenti yasezimakethe. Ukulondoloza ngesakhiwo kungase futhi kutholwe ngokuthengiselana okungekhona okokushintshisana ngokusebenzisa amandla okuthatha ngenkani. Kulezo zimo, izindleko zesakhiwo ziba yinani laso esikahle ngosuku esatholwa ngalo.

.31 Lapho ibhizinisi liqaphela okokuqala ukulondoloza kwalo ngesakhiwo ngenani elikahle ngokuvumelana nesigaba .26, inani elikahle liyizindleko zesakhiwo. Ibhizinisi lingase linqume, okulandela ukuqaphela kokuqala, ukwamukela indlela yenani elikahle (izigaba .29 kuya ku-.63) noma indlela yezindleko (isigaba .64).

.32 Izindleko zokuqala zenzalo yesakhiwo ephethwe ngaphansi kokuqashiselana futhi okuhlukaniswe ngokulondoloza ngesakhiwo kumelwe kwenzelwe ukuqashiselana okungokwemali ngokwesigaba .26 soMthetho we-GRAP Wokuqashisa, okuwukuthi, i-asethi kumelwe liqashelwe

ngaphansi kwenani elikahle lesakhiwo kanye nenani lamanje lezinkokhelo eziphansi zokuqashiselana. Imali elinganayo kumelwe iqashelwe njengesikweletu ngokuvumelana neleso sigaba esifanayo.

.33 Noma iyiphi imali ekhokhwayo yokuqasha iphathwa njengengxenye yezimali eziphansi zokuqashiselana ngale njongo, futhi ngaleyo ndlela kuhlanganisiwe ezindlekweni ze-asethi, kodwa azifakwa ezikweletini. Uma inzalo yesakhiwo ephethwe ngaphansi kokuqashiselana kuhlukaniswe njengokulondoloza ngesakhiwo, into ebalwa ngokwenani elikahle yileyo nzalo hhayi isakhiwo. Isiqondiso ekunqumeni inani elikahle lenzalo yesakhiwo sibekiwe endleleni yenani elikahle ezigabeni .39 kuya ku- .58. Leso siqondiso sibalulekile futhi ekunqumeni inani elikahle lapho lelo nani lisetshenziswa njengezindleko ngenjongo yokuqaphela okokuqala.

.34 Ukulondoloza ngesakhiwo esisodwa noma ngaphazulu kungase kutholakale ngokushinthisana nge-asethi noma ngama-asethi angayona imali, noma ngenhlanganisela yama-asethi ayimali nageyona imali. Loku okulandelayo kumane nje kubhekisela ekushintshiselaneni nge-asethi elilodwa elingeyona imali, kodwa kuyasebenza futhi kuko konke ukushintshisana okuchazwe emishweni engaphambili.

.35 Inani elikahle le-asethi elingenazo izikhathi zokuthengiswa ezimakethe lingakalwa ngokwethenjelwa uma (a) umahluko esilinganisweni sezinga lenani elikahle ungemkhulu kakhulu ngalelo asethi noma (b) amathuba ezilinganiso ezingafani kulelo zinga engahlolwa futhi asetshenziswe ekulinganiseni inani elikahle. Uma ibhizinisi likwazi ukunquma ngokwethenjelwa inani elikahle le-asethi elamekelwe oma i-asethi eliyekiwe, khona-ke inani elikahle le-asethi eliyekiwe liyasetshenziswa ukukala izindleko ngaphandle uma inani elikahle le-asethi elamukelwe libonakala kokucace kakhulu.

Ukukala ngemva kokuqashelwa

Inqubo mgomo yokubala izimali

.36 Ngaphandle kwezinto ezishiywayo ezishiwo esigabeni .40 ibhizinisi kumelwe likhethe inqubo mgomo yalo indlela yenani elikahle ezigabeni .39 kuya ku- .63 noma indlela yezindleko esigabeni .64 kumelwe lisebenzise leyo nqubo mgomo kukho konke ukulondoloza kwalo ngezakhiwo.

.37 UMthetho we-GRAP *Wezinqubomgomo Zokubala Imali, Izinguquko Zezilinganiso Zokubala Imali Namaphutha* uyasho ukuthi ushintsho lokuzithandela enqubweni mgomo yokubala izimali kumelwe lwenziwe kuphela uma imiphumela yoshintsho ezitatimendeni zezimali izonikeza ukwaziswa okunokwethenjelwa nokubalulekile ngemithelela yokuthengiselana, ezinye izenzakalo noma izimo esimweni sezimali zebhizinisi, izinga lomsebenzi noma imali engenayo. Cihle akunakwenzeka ukuba ushintsho ukusuka endleleni yanani elikahle kuya endleleni yezindleko iyoholela ekwethulweni okubaluleke kakhudlwana.

.38 Lo Mthetho ufuna ukuba wonke amabhizinisi anqume inani elikahle lokulondoloza ngezakhiwo, ngenjongo yokukala (uma ibhizinisi lisebenzisa indlela yenani elikahle) noma ukudalula (uma lisebenzisa indlela yezindleko). Ibhizinisi likhuthazwa, kodwa akudingeki, ukuba linqume inani elikahle lokulondoloza ngesakhiwo ngesisekelo sokuhlola okwenziwa umhloli ozimele onezitifiketi eziqashelwayo nezidingekayo zomsembenzi futhi onesipiliyoni ngendawo nohlu lokulondoloza ngesakhiwo okuhlolwayo.

Indlela yenani elikahle

.39 Ngemva kokuqaphela okokuqala, ibhizinisi elikhetha indlela yenani elikahle kumelwe likale ukulondoloza kwalo ngezakhiwo ngenani elikahle, ngaphandle kwasezimwen ezichazwe esigabeni .59.

.40 Lapho inzalo yesakhiwo esiphethwe oqashile ngaphansi kokuqashiselana okukungokomsebenzi kuhlukaniswe njengokulondoloza ngesakhiwo ngaphansi kwesigaba .06, isigaba .36 ayikhethiwe, kumelwe kusetshenziswe indlela yenani elikahle.

.41 Imali engenayo noma elahlekayo ngenxa yoshintsho enanini elikahle lokulondoloza ngesakhiwo kumelwe ihlaniswe emalini eyengeziwe noma esilele phakathi nenkathi okwenzeke ngayo.

.42 Inani elikahle lokulondoloza ngesakhiwo liyimali isakhiwo esingathengiswa ngayo phakathi kwamaqembu anolwazi, azimisele (bheka isigaba .5). Inani elikahle ngokukhethekile liyayikhipha imali eyisilinganiso esikhushuliwe noma esehlisiwe ngenxa yemibandela noma izimo ezifana nesimo sezimali esingavamile, namalungiselelo okuthengisa nokuqashisa, ukucabangela okukhethekile noma uzwela olunikwa noma ubani ohlobene nalokho kuthengisa.

.43 Ibhizinisi linquma inani elikahle ngaphandle kokususa noma yiziphi indleko okungenzeka zenzeke ngesikhathi sokuthengisa noma ngokunye ukulahla.

.44 Inani elikahle lokulondoloza ngesakhiwo kumelwe kubonise izimo zezimakethe ngosuku lokubika.

.45 Inani elikahle lincike esikhathini njengosuku oluthethiwe. Ngenxa yokuthi izimo zezimakethe zingase zishintshe, imali ebikwe njengenani elikahle lingase lingabi elinembile noma elifanele uma lilinganiswe ngesinye isikhathi. Incazelo yenani elikahle libuye futhi lilandele ukushintshana nokuphothulwa kwezivumelwano kanyekanye nokuthengisa ngaphandle kwanoma yimuphi umahluko emalini okungenzeka ekuthengiselaneni kwamaqembu anolwazi, azimisele uma ukushintshiselana nokuphuthulwa kungenzi kanyekanye.

.46 Inani elikahle lokulondoloza ngesakhiwo libonisa, phakathi kokunye, imali yerenti evela ekuqashiselaneni nasezizathwini eziqondakalayo nezisekelekelayo ezibonisa ukuth yimaphi amaqembu anolwazi, azimisele azoqala ukuthatha imali yerenti ekuqashiselaneni esikhathini esizayo ngokuya kwezimo zamanye.

Libonisa futhi, ngezisekelo ezifanayo, noma iyiphi imali engenayo, (kuhlanganise nezinkokhelo zerenti nezinye izimali eziphumayo) engalindeleka maqondana nesakhiwo. Ezinye izimali eziphumayo ziboniswa ezikweletini kuyilapho ezinye zihlobene nezimali eziphumayo ezingaqashelwa ezitatimendeni zezimali kuze kube sosukwini lwamuva (isib., izinkokhelo zangezinkathi ezimisiwe njengerenti encike kokuthile).

.47 Isigaba .32 siyasisho isisekelo sokuqashelwa kokuqala kwezindleko zenzalo esakhiweni esiqashisiwe. Isigaba .39 sifuna ukuthi inzalo esakhiweni esiqashisiwe iphinde ikalwe, uma kudingeka, ngenani elikahle. Ekuqashiselaneni okuvunyelwene ngerenti yasezimakethe, inani elikahle lenzalo yesakhiwo esiqashisiwe lapho sitholwa, elihlanganisa zonke *izinkokhelo* (kuhlanganise nalezo ezihlobene nezikweletu eziqashelwe), kufanele zibe iqanda. Leli nani elikahle alishintshi kungakhathaliseki ukuthi, kungokwezinjongo zokubala izimali, i-asethi eliqashisiwe nezikweletu ziqashelwa ngenani elikahle noma ngenani lamanje ephansi lezinkokhelo zokuqashiselana, ngokuvumelana nesigaba .26 soMthetho we-GRAP *Wokuqashisa.* Ngaleyo ndlela, ukuphinda ukukala i-asethi eliqashisiwe ngokwezindleko ngokuvumelana nesigaba .32 ngenani elikahle ngokuvumelana nesigaba .39 akufanele kukhulise noma iyiphi imali yasekuqaleni engenayo noma elahlekayo, ngaphandle uma inani elikahle likalwa ngesikhathi esihlukile. Lokhu kungenzeka lapho ukukhetha ukusebenzisa indlela yenani elikahle yenziwa ngemva kokuqashelwa.

.48 Incazelo yenani elikahle ibhekisela "emaqenjini anolwazi, azimisele". Kulo mongo, "ukuba nolwazi" kusho ukuthi bobabili umthengi ozimisele nomthengisi ozimisele banolwazi ngomsuka nezici zesakhiwo, umsebenzi waso nalokho esingasetshenziselwa khona, kanye nezimo zasezimakethe ngosuku lokubika. Umthengi ozimisele ukhuthazwa, kodwa hhayi ukuphoqelelwa, ukuba athenge. Lo mthengi akakhuthele ngokweqile futhi akazimisele ukuthenga nganoma iyiphi imali. Lo ongaba umthengi ngeke akhokhe imali engaphezu kweyasemakethe, umthingisi nomthengi abazimisele, abanolwazi abebezoyifuna.

.49 Umthengisi ozimisele akayena umthengisi okhuthele ngokweqile nama ophoqelelwe, ozimisele ukuthengisa nganoma iliphi inani, futhi ongakulungele ukubamba inani elingabhekwa njengelikahle ezimweni zamanje ezimakethe. Umthengisi ozimisele ukhuthazwa ukuthengisa isakhiwo ngemibandela yasezimakethe ngenani elihle kakhulu elingatholakala. Izimo ezingokoqobo nomnikazi wangempela wesakhiwo aziyona ingxenye zalokhu kucabangela ngoba umthengisi ozimisele ungumnikazi ongekho ngokoqobo (isib., umthengisi ozimisele ngeke abale izimo ezithile zentela zomnikazi ongokoqobo wesakhiwo)

.50 Incazelo yenani elikahle ibhekisela ekuthengiselaneni okungangengalo. Ukuthengiselana okungangengalo okwenzeka phakathi kwamaqembu angenabo ubuhlobo obuthile noma obukhethekile okwenza ukuba inani lokuthengiselana lehluke kwelasezimakethe. Ukuthengiselana kucatshangelwa ukuba kube phakathi kwamaqembu angahlobene, ngalinye lizimele.

.51 Ubufakazi obuhle kakhulu benani elikahle linikezwa amanani amanje ezimakethe ezisebenzayo zezakhiwo ezifanayo endaweni nasezimweni ezifanayo futhi zincike

ekuqashiselaneni okufanayo nakwezinye izivumelwano. Ibhizinisi linakekela ukubheka noma yimuphi umahluko esikhathini esizayo, indawo nezimo zesakhiwo, noma emibandeleni yesivumelwano sokuqashiselana kanye nezinye izivumelwano ezihlobene nesakhiwo.

.52 Lapho engekho amanani amanje ezimakethe ezisebenzayo zohlobo oluchazwe esigabeni .50, ibhizinisi libheka ukwaziswa okuvela emithonjeni ehlukahlukene, ehlanganisa:

(a) amanani amanje asezimakethe ezisebenzayo ezakhiwo ezinomsuka, izimo noma indawo ehlukile (noma ezincike ekuqashiselaneni okuhlukile noma kwezinye izivumelwano), ayalungiswa ukuze abonise lowo mehluko;

(b) amanani amava ezakhiwo ezifanayo ezimakethe ezingasebenzi kakhulu, nokulungisa okubonisa noma yiluphi ushintsho ezimweni zezimali kusukela ngosuku lokuthengisenana olwenzeka kulawo manani; kanye

(c) amanani email ancishisiwe abhekwe ukufinyelelwa asekelwe ezilinganisweni ezinokwethenjelwa zokungena kwemali esikhathini esizayo, kusekelwa imibandela yanoma yikuphi ukuqashiselana okukhona noma ezinye izivumelwano futhi (lapho kunokwenzeka) ngobufakazi bangaphandle ngemarenti asezimakethe ezakhiwo ezifanayo ezindaweni nezimo ezifanayo, futhi kusetshenziswa izinciphiso zezilinganiso ezibonisa ukuhlola kwamanje kwasezimakethe ngokungaqiniseki ngemali nesikhathi sokungena kwemali.

.53 Kwezinye izikhathi, imithombo eyahlukahlukene ebalwe efakwe esigabeni esandulele ingase isikisele iziphetho ezingafani ngenani elikahle lesakhiwo. Ibhizinisi licabangela izizathu zalokho kuhlukahluka, ukuze lifinyelele esilinganisweni esinokwethenjelwa okukhulu kakhulu senani elikahle ezingeni elamukelekayo lezilinganiso zenani elikahle.

.54 Ezimwen ezikhethekile, kunobufakazi obucacile lapho ibhizinisi lithola isakhiwo okokuqala (noma lapho isakhiwo esesikhona kakade siba ukulondoloza ngesakhiwo ngemva kokushintshwa kokusebenza kwaso) ukushintshashintsha esilinganisweni esamukelekayo senani elikahle siyoba sikhulu kakhulu, futhi amathuba emiphumela ehlukahlukene ibe nzima kakhulu ukuyifinyelela, ngalendlela yokuthi ukusetshenziswa kwesilinganiso esisodwa kwenani elikahle kuyancinywa. Lokhu kungase kubonise ukuthi inani elikahle lesakhiwo ngeke linqunywe ngokwethenjelwa ezisekelweni eziqhubekayo (bheka isigaba .59).

.55 Inani elikahle liyehluka enanini elisebenzayo, njengo::ba kuchazwe eMthethweni we-GRAP *Wokukhinyabezeka Kwama-asethi Angenzi Mali* kanye *Nokukhinyabezeka Kwama-asethi Aphehla Imali.* Inani elikahle libonisa ulwazi nezilinganiso zomthengisi nomthengi abanolwazi, abazimisele. Ngokuphambene, inani elisebenzayo libonisa izilinganiso zebhizinisi, kuhlanganise nemithelela yezinto engase zikhetheke ebhizinisini futhi ezingasebenzi emabhizinisini ngokuvamile. Ngokwesibonelo, inani elikahle alizibonisi lezi zinto ezilandelayo ngezinga ngokuvamile ebezingeke zitholakale ngalo kumthengi nomthengisi abanolwazi, abazimesele:

(a) inani elengeziwe ethathwe ekwakhiweni komnyango wezakhiwo ezindaweni ezingafani;

(b) ukusebenzelana phakathi kwezakhiwo namanye ama-asethi;

(c) amalungelo ezomthetho noma ukulinganiselwa okungokomthetho okusebenza kuphela kumnikazi wamanje; kanye

(d) nezinzuzo zentela noma izinqginamba ezisebenza kumnikazi wamanje kuphela.

.56 Lapho kunqunywa imali yokuphatha isakhiwo ngaphansi kwendlela yenani elikahle, ibhizinisi aliwabali kabili ama-asethi noma izikweletu eziqashelwa njengama-asethi nezikweletu ezihlukile. Ngokwesibonelo:

(a) izimpahla ezinjengamakheshi noma iziphephetha-moya zivame ukuba ingxenye yebhilidi futhi ngokuvamile zihlanganisiwe enanini elikahle lesakhiwo, kunokuba ziqashelwe ngokuhlukile njengesakhiwo, ifemu nezimpahla;

(b) uma ihhovisi liqashiswe linefenisha, inani elikahle lehhovisi ngokuvamile lihlanganisa inani elikahle lefenisha, ngoba imali yerenti ihlobene nehhovisi elinefenisha. Lapho ifenisha ihlanganisiwe enanini elikahle lesakhiwo, ibhizinisi ngeke liqaphele ifenisha njenge-asethi elihlukile;

(c) inani elikahle lesakhiwo aliyifaki imali yokuqashiselana ekhokhwe kusengaphambili noma evele emisebenzini yamuva, ngoba ibhizinisi liyiqaphela njengesikweletu noma i-asethi; futhi

(d) inani elikahle lesakhiwo esiphethwe ngaphansi kokuqashiselana libonisa imali elindelekile (kuhlanganise nerenti elindeleke ukuba ikhokhwe). Ngokuvumelana nalokho, uma ukuhlola okutholakele kwesakhiwo kuyinqgikithi yezinkokhelo okulindeleke ukuze zikhokhwe, kuyodingeka ukuba kubuyiselwe kunezelwe noma yiziphi izikweletu zokuqashiselana eziqashelwe, ukuze kufinyelelwe emalini yokuphatha isakhiwo kusetshenziswa indlela yenani elikahle.

.57 Inani elikahle lesakhiwo alibonisi izindleko zokuqala zesikhathi esizayo eziyothuthukisa noma zenze ngcono isakhiwo futhi alibonisi izinzuzo zesikhathi esizayo zalezo zindleko.

.58 Kwezinye izimo, ibhizinisi kulindeleke ukuthi lethule inani lezinkokhelo zalo

ezihlobene nesakhiwo (ngaphandle kwezinkokhelo ezihlobene nezikweletu) ziyoba ngaphezu kwenani lamanje lamarisidi email. Ibhizinisi lisebenzisa uMthetho we-GRAP *Wemibandela, Izikweletu Ezingaba Khona Nezimpahla Ezingaba Khona* ukunquma ukuthi isikweletu siyaqashelwa yini futhi, uma kunjalo, indlela okumelwe sikalwe ngayo.

Ukungakwazi ukunquma inani elikahle ngokunokwethenjelwa

.59 Kunombono ophikisekayo wokuthi ibhizinisi linganquma ngokunokwethenjelwa inani elikahle lesakhiwo ngezisekelo eziqhubekayo. Nokho, ezimweni ezikhethekile, kunobufakazi obucacile lapho ibhizinisi liqala ukuthola isakhiwo (noma laho isakhiwo siba okuqala ukulondoloza ngesakhiwo ngemva kokushintsha umsebenzi waso) ukuthi inani elikahle lesakhiwo alinakunqunywa ngokwethenjelwa ezisekelweni zokuhweba. Lokhu kuphakama lapho, futh kuphela lapho, ukuqhanisa ukuthengiselana kwasezimakethe kuyizilinganiso ezingavamile futhi ezishintshayo nenani elikahle (ngokwesibonelo, ngokusekelwe ezinciphisweni zemali elindelekile) zingatholakali. Uma ibhizinisi linquma ukuthi inani elikahle lesakhiwo esisakhiwa alinakunqunywa ngokunokwethenjelwa kodwa lilindele ukuba inani elikahle lesakhiwo likaleke ekuqedweni kokwakha, kumelwe likale leso sakhiwo esisakhiwa ngemali yokusithenga kuze kube yilapho inani laso elikahle selinganqunywa ngokunokwethenjelwa noma ukwakha sekuphelile (noma yikuphi okufika kuqala). Uma ibhizinisi linquma ukthi inani elikahle lesakhiwo (ngaphandle kwesakhiwo esisakhiwa) alinakunqumeka ezisekelweni eziqhubekayo, ibhizinisi kumelwe likale leso sakhiwo sisebenzisa indlela yezindleko eseMthethweni we-GRAP Wendawo, Imishini Namathuluzi. Inani elisele lesakhiwo kumelwe lithathe ngenjeliyiqanda. Ibhizinisi kumelwe lisebenzise uMthetho we-GRAP ngeZakhiwo, Ifemu neMpahla kuze kube yilapho lisishitha isakhiwo.

.60 Lapho ibhizinisi selikwazi ukukala ngokunokwethenjelwa inani elikahle lesakhiwo esisakhiwa ebesikade sikalwa ngemali esathengwa ngayo, kumelwe likale isakhiwo ngenani laso elikahle. Lapho ukwakhiwa kwaleso sakhiwo sekuphelile, kuthathwa ngokuthi inani laso elikahle selinganqunywa ngokunokwethenjelwa. Uma kungenjalo, ngokuvumelana nesigaba .59, isakhiwo kumelwe sibalwe ngokusebenzisa indlela yezindleko ngokuvumelana noMthetho we-GRAP *Wendawo, Imishini Namathuluzi.*

.61 Umbono wokuthi inani elikahle lesakhiwo esisakhiwa lingakalwa ngokunokwethenjelwa ungaphikiswa kuphela ekuqashelweni kokuqala. Ibhizinisi eliye lakala into yesakhiwo esisakhiwa ngenani elikahle lingase lingaphethi ngokuthi inani elikahle lesakhiwo alinakunqunywa ngokunokwethenjelwa.

.62 Ezimweni ezikhethekile lapho ibhizinisi liphoqekile, ngesizathu esinikwe esigabeni .59, ukuba sikale isakhiwo sisebenzisa indlela yezindleko ngokuvumelana noMthetho we-GRAP *Wendawo, Imishini Namathuluzi*, likala ngenani elikahle zonke ezinye izakhiwo zalo, kuhlanganise nesakhiwo esisakhiwa. Kulezi zimo, nakuba ibhizinisi lingase lisebenzise indlela yezindleko esakhiweni esisodwa, ibhizinisi kumelwe liqhubeke libala isakhiwo ngasinye esisele lisebenzisa indlela yenani elikahle.

.63 Uma ibhizinisi esikhathini esidlule belikala isakhiwo ngenani elikahle, kumelwe liqhubeke likala isakhiwo ngenani elikahle kuze kube yilapho lisichitha (noma kuze kube yilapho siba isakhiwo esisetshenziswa umniniso noma ibhizinisi liqala ukuthuthukisa isakhiwo ukuze lisithengise ngendlela evamile yokusebenza) ngisho noma ukuthengiselana kwasezimakethe kuya kunqaba noma amanani asezimakethe eya engatholakali ngokushesha.

Indlela yezindleko

.64 Ngemva kokuqahela kokuqala, ibhizinisi elikhetha indlela yezindleko kumelwe likale zonke izakhiwo zalo ngokuvumelana noMthetho weGRAP Wendawo, Imishini Namathuluzi, i.e. ngemali elathengwa ngayo ususe ukwehla kwemali kanye nokunqwabelana kokuthikamezeka kwezindleko.

Ukudlulisela

.65 Ukudlulisela isakhiwo siya, noma siza, kumelwe kwenziwe lapho, futhi lapho kuphela, kunethuba lokushetshenziswa, okufakazelwa:

(a) ukuqala kokusetshenziswa umnikazi, ukudlulisela ekubeni ukulondoloza ngesakhiwo kuya ekubeni isakhiwo esisetshenziswa umniniso;

(b) ukuqala kokuthuthukiswa ngombono wokuthengisa, ukudlulisela ukulondoloza ngesakhiwo ukuya ezinhlwini zezimpahla;

(c) ukuphela kokusetshenziswa umniniso, ukuze kudluliselwe isakhiwo esisetshenziswa umniniso kuya ekongeni ngesakhiwo; noma

(d) ukuqala kokuqashiselana okungokomsebenzi (ngezisekelo zemali) kwelinye iqembu, ukuze kudluliselwe kusuka ezinhlwini zezimpahla kuya ekulondolozeni ngesakhiwo.

.66 Ukusebenzisa kwebhizinisi isakhiwo kungase kushintshe ngokuhamba kwesikhathi. Ngokwesibonelo, ibhizinisi lingase linqume ukusebenzisa ibhilidi njengamanje elisetshenziselwa ukulondoloza ngesakhiwo noma ukuguqula ibhilidi njengamanje elisetshenziselwa ukuhlalisa amasosha noma ngezinjongo zamahhovisi libe ihhotela futhi liqashise lelo bhilidi kwabemekhakha ezimele. Esimweni sokuqala, ibhilidi belizobalwa njengokulondoloza ngesakhiwo kuze kube yilapho liqala ukusetshenziswa. Esimweni sokugcina, ibhilidi beliyobalwa njengesakhiwo, ifemu nezimpahla kuze kube yilapho selisetshenziswa futhi

selihlunganiswe njengokulondoloza ngesakhiwo.

.67 Isigaba .65(b) sifuna ukuba ibhizinisi lidlulisele isakhiwo kusuka ekulondolozeni ngesakhiwo kuya ezinhlwini zezimpahla lapho, futhi lapho kuphela, kunoshintsho ekusebenzeni kwaso, okufakazelwa ukuqala kokuthuthukiswa ngombono wokuthengisa. Lapho ibhizinisi linquma ukusichitha isakhiwo ngapha kokuthuthukisa, liyaqhubeka nokuphatha isakhiwo njengokulondoloza ngesakhiwo kuze kube yilapho sesikhishiwe ekuqashelweni (sikhishiwe esitatimendeni sesimo sezimali) futhi singaphathwa njengohlu lwezimpahla. Ngokufanayo, uma ibhizinisi liqala ukuthuthukisa isakhiwo esesikhona ukuze lisisebenzise esikhathini esizayo njngokulondoloza ngesakhiwo, ibhizinisi lihlala liwukulondoloza ngesakhiwo futhi alihlukaniswa kabusha njengesakhiwo esisetshenziswa umniniso phakathi nokuthuthukiswa.

.68 Ibhizinisi lingase libone, bese liphatha, amabhilidi athile ukuze alithengise. Lawa mabhilidi angase abhekwe njengohlu lwezimpahla. Nokho, uma ibhizinisi linquma ukuphatha ibhilidi ngenxa yamandla alo okungenisa imali ngerenti kanye nokukhulisa imali elathengwa ngayo liyohlukaniswa njengokulondoloza ngesakhiwo ekuqaleni kwanoma yikuphi ukuqalisa kokuqashisenala okungokomsebenzi okulandelayo.

.69 Izigaba .70 kuya ku-.75 zibenza ekuqapheleni nasekukaleni izici eziphakama lapho ibhizinisi lisebenzisa indlela yenani elikahle ekulondolozeni ngesakhiwo. Lapho ibhizinisi lisebenzisa indlela yezindleko, ukudluliselana phakathi kwezakhiwo, isakhiwo esisetshenziswa umniniso nezinhlu zezimpahla akushintshi imali yokuphathwa kwesakhiwo esidluliselwe futhi akushintshi imali esathengwa ngayo isakhiwo ngenxa yokukala noma ngezinjongo zokudalula.

.70 Ngenxa yokudlulisela kusuka ekulondolozeni ngesakhiwo esiphethwe ngenani elikahle kuya esakhiweni esisetshenziswa umniniso noma izinhlu zezimpahla, izindleko zesakhiwo ezibhekwa ezilandela ukubalwa ngokuvumelana noMthetho we-GRAP Wendawo, Imishini Namathuluzi noma ngoMthetho we-GRAP Wezinhlu Zezimpahla kumelwe kube inani laso ngosuku lokushintsha ukusebenza.

.71 Uma isakhiwo esisetshenziswa umniniso siba ukulondoloza ngesakhiwo esiyophathwa ngenani elikahle, ibhizinisi kumelwe lisebenzise uMthetho we-GRAP Wendawo, Imishini Namathuluzi kuze kube sosukwini lokushintsha umsebenzi. Ibhizinisi kumelwe liphathe noma yimuphi umehluko ngalolo suku phakathi kwemali yokuphatha isakhiwo ngokuvumelana noMthetho we-GRAP Wendawo, Imishini Namathuluzi futhi inani laso elikahle ngendlela efanayo nokuhlolwa ngokuvumelana noMthetho we-GRAP Wendawo, Imishini Namathuluzi.

.72 Kuze kube sosukwini lapho isakhiwo esisetshenziswa umniniso siba ukulondoloza ngesakhiwo esiphethwe ngenani elikahle, ibhizinisi liyalinciphisa inani lemali yesakhiwo futhi liqaphela noma yikuphi ukukhinyabezeka kwezindleko okwenzekile. Ibhizinisi liphatha noma yimuphi umahluko ngalolo suku phakathi

kwemali yokuphatha isakhiwo ngokuvumelana noMthetho we-GRAP *Wendawo, Imishini Namathuluzi* futhi inani lalo elikahle ngendlela efanayo nokuhlolwa ngokuvumelana noMthetho we-GRAP *Wendawo, Imishini Namathuluzi.* Ngamanye amazwi:

(a) Noma yikuphi ukwehla kwemali yokuphatha isakhiwo kuqashelwa emalini eyengeziwe noma esilele. Nokho, ngezinga leyo mali elifakwe ngalo ekuhlolweni kwemali eyengeziwe yaleso sakhiwo, ukukwehla kuthathwa ekuhloleni kwemali eyengeziwe.

(b) Noma yikuphi ukwenyuka kwemali ekuphathweni kuphathwa ngokulandelayo:

(i) ngokwezinga loko kwenyuka okubuyisela ngayo ukukhinyabezeka kwezindleko zesakhiwo, ukwenyuka kuqashelwa emalini eyengeziwe noma esilele. Imali eqashelwa emalini eyengeziwe noma esilele ayiyidluli imali edingekayo ukubuyisela imali wokuphatha emalini yokuphatha ebizonqunywa (ukukwehla kwenani lemali) ukube ukukhinyabezeka kwezindleko akuqashelwanga.

(ii) noma iyiphi ingxenye yokwenyuka ifaka ngokuqondile enqgikithini yama-asethi ekuhlolweni kwemali eyengeziwe. Ekuchithweni okulandelayo kokulondoloza ngesakhiwo, ukuhlolwa kwemali eyengeziwe engqikithini yama-asethi kungase kudluliselwe emalini eyengeziwe noma esilele. Ukudlulisela kusuka ekuhlolweni kwemali eyengeziwe kuya emalini enqwabelene eyengeziwe noma esilele akwenziswa ngemali eyengeziwe noma ngesilele.

.73 Ngenxa yokudlulisela uhlu lwezimpahla ekulondolozeni ngesakhiwo esiyophathwa ngenani elikahle, noma yimuphi umahluko phakathi kwenani elikahle lesakhiwo ngalolo suku futhi imali yaso yokusiphatha phambilini kumelwe iqashelwe emalini eyengeziwe noma esilele.

.74 Ukuphathwa kokudluliselwa kusuka ezinhlwini zezimpahla kuya ekulondolozeni ngesakhiwo esiyophathwa ngenani elikahle nokuvumelana nokuphathwa kokuthengisa izinhlu zezimpahla.

.75 Lapho ibhizinisi liqeda ukwakha noma ukuthuthukisa isakhiwo esizakhele sona esizophathwa ngenani elikahle, noma yimuphi umahluko phakathi kwenani elikahle lesakhiwo ngalolo suku kanye nemali yokusiphatha phambilini kumelwe iqashelwe emalini eyengeziwe noma esilele.

Ukuhoxisa Ukonga

.76 Ukonga ngesakhiwo kumelwe kukhishwe ekuqashelweni (sikhishwe esitatimendeni sesimo sezimali):

(a) ekuchithweni (kuhlanganise nokuchitha ngokuthengiselana okungekona okokushintshisana) noma;

(b) lapho ukonga ngesakhiwo kukhishwe unomphela ekusebenzeni futhi kungekho zinzuzo noma izinkonzo zesikhathi esizayo ezilindeleke

ekuchithweni kwaso.

.77 Ukuhoxisa ukulondoloza ngesakhiwo kungafinyelelwa ngokuthengisa noma nokungena ekuqashiselaneni okungokwemali. Ekunqumeni usuku lokuchitha ukulondoloza ngesakhiwo, ubhizinisi lisebenzisa isimiso eziseMthethweni we-GRAP *Wemali Engenayo Evela Ezinkokhelweni Zokushintshisana* ukuze liqaphele imali evela ekuthengisweni kwezimpahla futh licabangele iziqondiso ezihlobene eziseSithasiselweni salo Mthetho we-GRAP *Wemali Engenayo Evela Ezinkokhelweni Zokushintshisana.* UMthetho we-GRAP ngo-*Kuqashiselana* usebenza ekuchithweni okubangelwa ukungenela ukuqashiselana okungokwemali nokuthengisa nokubuyisa ukuqashisa.

.78 Uma, ngokuvumelana nesimiso zokuqaphela esisesigabeni .19, ibhizinisi liqaphela emalini yokuphatha i-asethi izindleko zokushintsha okuthile esakhiweni esiwumlondolozo, liyayeka ukuqaphela imali yokuphatha yalokho okushintshiwe. Ukuze isakhiwo esilondolozwayo sibalwe ngendlela yezindleko, okushintshiwe kungase kungabi ingxenye eyehla izinga lemali ngasese. Akunakwenzeka ngebhizinisi ukunquma imali yokuphatha ingxenye eshintshiwe, lingase lisebenzise izindleko zokushintsha njengenkomba yezindleko zokushintsha okuthile ngesikhathi kutholwa noma kwakhiwa. Ngaphansi kwendlela yenani elikahle, inani elikahle lesakhiwo esilondolozwayo kungenzeka liyayibonisa leyo ngxenye kakade okumelwe ishintshwe ukuthi isilahlekelwe inani layo. Kwezinye izimo kungase kube nzima ukunquma ukuthi inani elikahle kumelwe lincishiswe kuleyo ngxenye eshintshiwe. Okuhlukile ekunciphiseni inani elikahle lengxenye eshintshiwe, lapho kungenakwenzeka ukwenza kanjalo, kuwuba kuhlanganiswe izindleko zokushintsha emalini yokuphatha i-asethi bese lihlolwa kabusha inani elikahle, njengoba bekuzodingeka nokwenezela okungahileli ukushintsha.

.79 Imali engenayo noma elahlekayo ephakama ekuthatheni umhlalaphansi noma ekuchithweni kwesakhiwo esilondolozwayo kumelwe kunqunywe njengomahluko phakathi kwengqikithi yemali yokuchitha kanye nemali yokuphatha i-asethi futhi kumelwe iphawulwe emalini eyengeziwe noma esilele (ngaphandle uma uMthetho we-GRAP ngokuqashiselana ufuna okuhlukile ekuthengiseni nasekubuyiseni ukuqashisa) phakathi nenkathi yokuthatha umhlalaphansi noma ukuchithwa.

.80 Ukucabangela okuzuzwe ngokokuchithwa kwesakhiwo esilondoloziwe kuqashelwa okokuqala ngenani elikahle. Ngokukhethekile, uma ukukhokhelwa kwesakhiwo esilondolozwayo kwephuzile, ukucabangela okuzuziwe kuqashelwa okokuqala ngokulingana kwemali ephathekayo. Umahluko phakathi kwemali evamile yokucatshangelwa kanye nokulingana nemali ephathekayo kuqashelwa njengenzalo ngokuvumelana noMthetho we-GRAP *Wemali Engenayo Evela Ezinkokhelweni Zokushintshisana* kusetshenziswa indlela yomthelela wenzalo. (Isiqondiso ekubaleni izikweletu ezinjengalezo ibhzinisi elisala nazo ngemva kokuchitha isakhiwo esilondolozwayo singatholakala eMthethweni we-GRAP *Wemibandela, Izikweletu Ezingaba Khona Nezimpahla Ezingaba Khona*).

.81 Isinxephezelo esibela eqenjini lesithathu lesakhiwo esilondolozwayo

esasikhinyabezekile, esalahleka noma esayekwa kumelwe siphawulwe emalini eyengeziwe noma esilele lapho isinxephezelo sitholaka.

.82 Ukuthikamezeka noma izindleko zesakhiwo esilondolozwayo, izinkinga ezihlobene nokukhokhwa kwesinxephezelo yiqembu lesithathu nanoma yikuphi ukuthengwa noma ukwakhiwa kwe-asethi elishintshwayo kuyizenzakalo zezimali ezihlukile futhi zibalwa ngokuhlukile ngokulandelayo:

(a) ukukhinyabezeka kwesakhiwo esilondolozwayo kuqashelwa ngokuvumelana noMthetho we-GRAP *Wokukhinyabezeka Kwama-Asethi Aphehla Imali*;

(b) ukuthatha umhlalaphansi noma ukuchithwa kwesakhiwo esilondolozwayo kuqashelwa ngokuvumelana nezigaba .76 kuya ku-.80 zalo Mthetho;

(c) isinxephezelo esivela eqenjini lesithathu lesakhiwo esilondolozwayo esasikhinyabezekile, esalahleka noma esadelwa siqashelwa emalini eyengeziwe noma esilele lapho sikwazi ukutholakala; futhi

(d) izindleko zama-asethi abuyiselwe, athingisiwe noma akhiwayo njengazoshintshwa zinqunywa nokuvumelana nezigaba .25 kuya ku-.35 kulo Mthetho.

Ukudalula

Indlela yenani elikahle nendlela yezindleko

.83 Ukudalula okungezansi kusebenza ngaphezu kwalokho okuseMthethweni we-GRAP *Wokuqashisa.* Ngokuvumelana noMthetho we-GRAP *Wokuqashisa* umnikazi wesakhiwo esilondolozwayo unikeza oqashayo ukudalula ngokuqashiselana asengene kukho. Ibhizinisi eliphethe isakhiwo esilondolozwayo ngaphansi kokuqashiselana okungokwemali noma okungokomsebenzi linikeza oqashayo ukudalula kokuqashiselana okungokwemali nokudalula koqashisayo nganoma yikuphi ukuqashiselana aye wakungena kukho.

.84 Ibhizinisi kumelwe lidalule:

(a) kungakhathaliseki lisebenzisa indlela yenani elikahle noma indlela yezindleko;

(b) uma lisebenzisa indlela yenani elikahle, kungakhathaliseki, futhi kunoma yiziphi izimo, inzalo yesakhiwo ephethwe ngaphansi kokuqashiselana okungokomsebenzi kuhlukaniswa futhi kubalwe njengesakhiwo esilondolozwayo;

(c) lapho ukuhlukanai kunzima (bheka isigaba .17), izimiso elizisebenzisayo ukuhlukanisa isakhiwo esilondolozwayo esakhiweni esisetshenziswa umniniso nasesakhiweni esiphathelwe ukuthengiswa ngendlela evamile yokusebenza;

(d) izindlela nemibono ebalulekile esetshenzisiwe ekunqumeni inani lesakhiwo esilondolozwayo, kuhlanganise nesitatimende sokuthi ukunquma inani elikahle kusekelwe ubufakazi basezimakethi yini noma

kwakusekelwe kakhulu kwezinye izici (okumelwe ibhizinisi lizidalule) ngoba umsuka wesakhiwo noma ukungabikho kwedatha yasezimakethe;

(e) izinga inani elikahle lesakhiwo esilondolozwayo (njengoba sikaliwe noma lidaluliwe ezitatimendeni zezimali) lisekelwe ekuhloleni okwenziwa umhloli ozimele oneziqu zomsebenzi eziqashelwayo nonesipiliyoni samuva ngendawo nesigaba sesakhiwo esilondolozwayo esihlolwayo. Uma kungakaze kube nalokho kuhlola, lokho kumelwe kudalulwe;

(f) izimali eqashelwa emalini eyengeziwe noma esilele:

(i) imali yerenti evela esakhiweni esilondolozwayo;

(ii) izindleko eziqondile zokusebenza (kuhlanganise ukulungisa nokuthuthukisa) okuvela esakhiweni esilondolozwayo esakha imali yerenti phakathi naleyo nkathi; kanye

(iii) izindleko eziqondile zokusebenza (kuhlanganise ukulungisa nokuthuthukisa) okuvela esakhiweni esilondolozwayo esingazange sense imali yerenti phakathi naleyo nkathi;

(g) ukuba khona kokulinganiselwa nezimali kokuba khona kwesakhiwo esilondolozwayo noma ukukhokhwa kwezimali nezimali zokuchitha; kanye

(h) nezibopho zesivumelwayo sokuthenga, ukwakha noma ukuthuthukisa isakhiwo esilondolozwayo noma ukulungisa, ukulondoloza noma ukuthuthukisa.

Indlela yenani elikahle

.85 Ngaphezu kokudalula okufuneka esigabe .84, ibhizinisi lisebenzisa indlela yenani elikahle ezigabeni .39 kuya ku-.63 kumelwe lidalule ukubuyisana phakathi kwezimali zokuphatha isakhiwo esilondolozwayo ekuqaleni nasekupheleni kwenkathi, kubonise lokhu okulandelayo:

(a) izenezelo, ukudalula okuhlukile kwalezo zenezelo okuvela ekutholweni nalezo ezivela ezindlekweni eziza kamuva eziqashelwa emalini yokuphatha i-asethi;

(b) izenezelo ezivela ekutholeni ngokudlulisela imisebenzi phakathi kwamabhizinisi ngaphansi kokulawula okufanayo, ukudluliselwa kwemisebenzi phakathi kwamabhizinisi angaphansi kokulawula okufanayo noma ahlanganisiwe;

(c) ingqikithi yamali engenile noma izindleko okuvela ekulungisweni kwenani elikahle;

(d) ingqikithi yomahluko yokushintshisana okuvela ekuhunyushweni kwezitatimende zezimali ekwethulweni okuhlukile kwezimali, kanye nasekuhunyushweni kwemisebenzi yakwelinye izwe ekwethulweni kwezimali zebhizinisi elilawulayo;

(e) ukudlulisela kuya futhi kuvela ezinhlwini zezimpahla kanye nesakhiwo esisetshenziswa umniniso, kanye

(f) nezinye izinguquko.

.86 Lapho kutholaka ukuhlola kwesakhiwo esilondolozwayo kulungiswa ngokuphaleka kakhulu ngenjongo yezitatimende zezimali, ngokwesibonelo ukugwema ukubala kabili ama-asethi noma izikweletu eziqashelwa njengama-asethi nezikweletu ezihlukile njengoba kuchazwe esigabeni .56, ibhizinisi kumelwe lidalule ukubuyisana phakathi kokuhlola okutholiwe nokulungisa ukuhlola okuhlanganisiwe ezitatimendeni zezimali, okubonisa ngokuhlukile izimali ezihlangene zanoma yiziphi izibopho zokuqashiselana eziqashelwe eziye zabuyiswa zanezelwa, nanoma yikuphi ukulungisa okukhulu.

.87 Ezimweni ezikhethekile lapho ibhizinisi likala isakhiwo esilondolozwayo lisebenzisa indlela yenani elikahle eMthethweni we-GRAP Wendawo, Imishini Namathuluzi ngoma inani elikahle lesakhiwo esilondolozwayo akunqunywa ngokunokwethenjelwa ezisekelweni eziqhubekayo (bheka isigaba .59), ukubuyisana okufunwa isigaba .85 kumelwe kudalule izimali ezihlobene nesakhiwo esilondolozwayo ngokuhlukile ezimalini ezihlobene nezinye izakhiwo ezilondolozwayo. Ngaphezu kwalokho, ibhizinisi kumelwe lidalule:

(a) incazelo yesakhiwo esilondolozwayo;

(b) incazelo yokuthi kungani inani elikahle lingenakunqunywa ngokunokwethenjelwa;

(c) uma kungenzeka, izinga lezilinganiso phakathi kwenani elikahle kunamathuba amakhulu okuqamba amanga, futhi

(d) ekuchithweni kwesakhiwo esilondolozwayo esingaphethwe ngenani elikahle:

(i) iqiniso lokuthi ibhizinisi liye lachitha isakhiwo esilondolozwayo esingaphethwe ngenani elikahle;

(ii) imali yokuphatha isakhiwo esilondolozwayo ngesikhathi sokuthengisa, kanye

(iii) nemali engenile noma izindleko eziqashelwe..

Indlela yezindleko

.88 Ngaphezu kokudalula okufuneka esigabeni .84, ibhizinisi elisebenzisa indlela yezindleko esigabeni .64 kumelwe lidalule:

(a) izindlela ezisetshenzisiwe zokunciphisa inani lemali;

(b) izinto eziphilayo noma izilinganiso ezinciphisa inani lemali elisetshenzisiwe

(c) ***ingqikithi yemali yokuphatha nokuncipha kwenani lemali (okuhlanganiswe nokukhinyabezeka kwezindleko ezinqwabelene) ekuqaleni nasekupheleni kwenkathi;***

(d) ***ukuvunyelaniswa kwenani lokuphatha lesakhiwo sokulondoloza ekuqaleni nasekupheleni kwenkathi, okubonisa okulandelayo:***

   (i) ***izenezelo, ukudalula okuhlukile kwezenezelo ezivela ekutholeni nalezo ezivela ezindlekweni eziza muva eziqashelwa ngenge-asethi;***

   (ii) ***izenezelo ezivela ekutholeni ngokudlulisela imisebenzi phakathi kwamabhizinisi angaphansi kokulawula okukodwa, ukudlulisela imisebenzi phakathi kwamabhizinisi angekho ngaphansi kokulawula okukodwa noma ahlanganisiwe;***

   (iii) ***ukwehla kwenani lemali;***

   (iv) ***imali yokukhinyabezeka kwezindleko eziqashelwe, kanye nemali yokukhinyabezeka kwezindleko ezihlehlisiwe, phakathi nenkathi ngokuvumelana noMthetho we-GRAP ngoKukhinyabezeka Kwama-Asethi Enza Imali;***

   (v) ***ingqikithi yomahluko ekushintshiselaneni okuvela ekuhunyushweni kwezitatimende zezimali ekwethulweni kwezimali, nasekuhunyushweni kwemisebenzi yakwamanye amazwe ekwethulweni kwezimali zebhizinisi elibikayo;***

   (vi) ***ukudlulisela kuya futhi kuvela ezinhlwini zempahla nasesakhiweni esisetshenziswa umniniso***

   (vii) ***ezinye izinguquko.***

.89 Amabhizinisi akhuthazwa ukuba adalule inani elikahle lesakhiwo esilondolozwayo lapho kungenzeka umahluko emalini yokuphatha..

Amalungiselelo esikhashana

Ukwamukelwa okokuqala kweMithetho ye-GRAP

.90 **Amalungiselelo oshintsho okumelwe asetshenziswe amabhizinisi lapho kwamukelwa lo Mthetho okokuqala achaziwe eziqondisweni. Amalungiselelo alo Mthetho kumelwe afundwe kanye kanye nesiqondiso ngasinye esisebenzayo*.***

Ukuchibiyelwa kweMithetho ye-GRAP

.91 Izigaba .12, .15, .34, .76, .84 no-.87 zachibiyelwa yi-Improvements ngeMithetho ye-GRAP okwakhishwa ngo-1 Ephreli 2012. Ibhizinisi kumelwe lisebenzise lezi zichibiyelo ngethemba ngokuvumelana noMthetho we-GRAP Wezinqubomgomo Zokubala Imali, Izinguquko Zezilinganiso Zokubala Imali

Namaphutha.

.92 ***Noma yiziphi izichibiyelo zeMithetho ye-GRAP kumele zisetshenziswe kanyekanye, ngokuvumelana neMithetho ye-GRAP Yezinqubomgomo Zokubala Imali, Izinguquko Zezilinganiso Zokubala Imali Namaphutha.***

Usuku lokuqala

Ukwamukelwa okokuqala kweMithetho ye-GRAP

.93 **Ibhizinisi kumelwe lisebenzise lo Mthetho we-GRAP ezitatimendeni zalo zezimali zaminyaka yonke kuhlanganise inkathi eqala ngosuku noma ngemva kosuku oluyonqunywa uNqgonqgoshe Wezezimali emthethweni oyokhishwa ngokuvumelana neNgxenye 91(1)(b) YoMthetho No 1 ka-1999 woKuphathwa Kwezimali Zomphakathi njengoba uchibiyelwe.**

Amabhizinisi aseyisebenzisa kakade iMithetho ye-GRAP

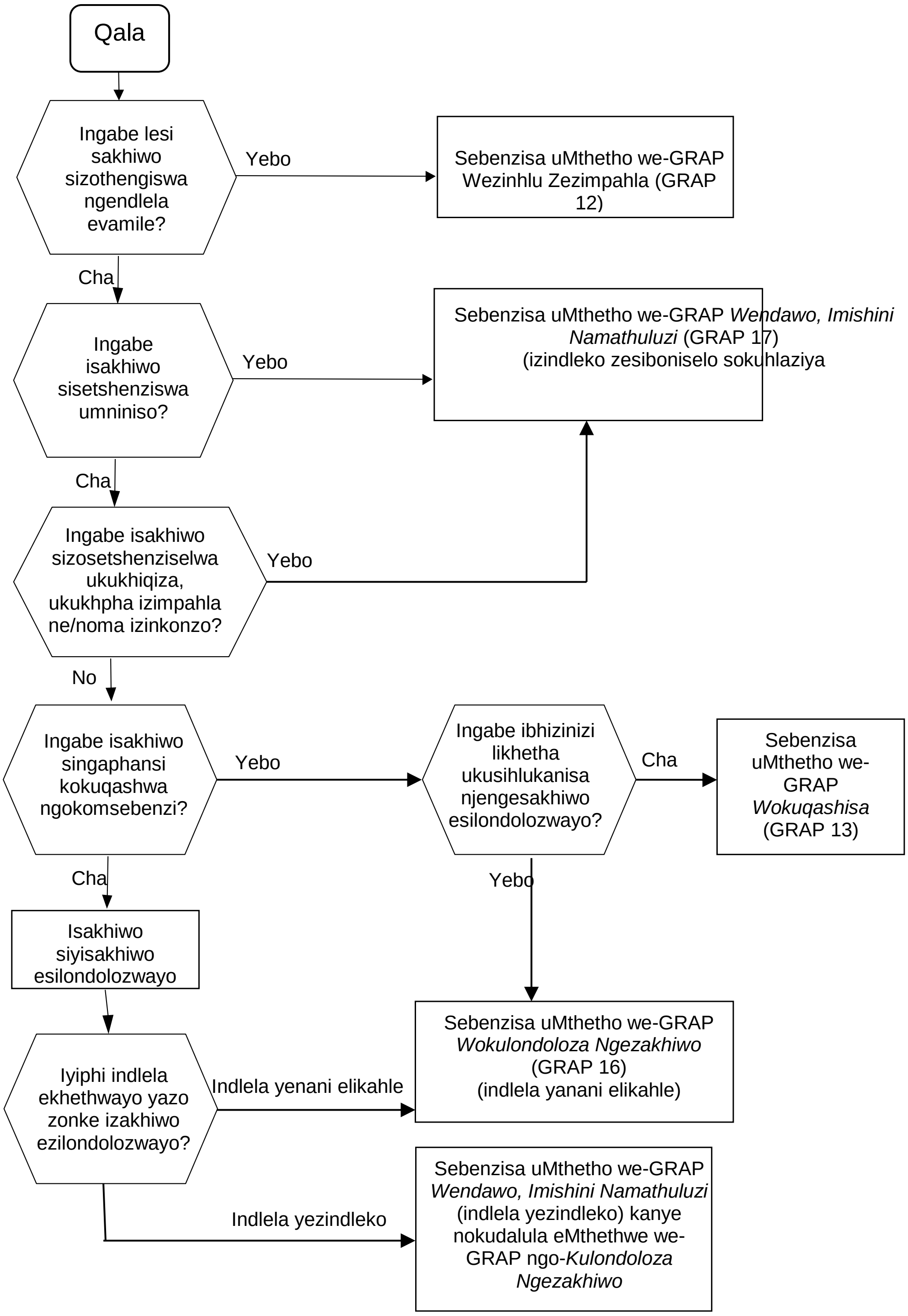
.94 ***Ibhizinisi kumelwe lisebenzise lokhu kuchibiyelwa kulo Mthetho we-GRAP ezitatimendeni zalo zezimali zaminyaka yonke kuhlangnise inkathi eqala noma ngemva kuka-1 Ephreli 2013. Ukuwusebenzisa ngaphambi kwesikhathi kuyakhuthazwa. Uma ibhizinisi likhetha ukusebenzisa lo Mthetho ngenkathi eqala ngaphambi kuka- 1 Ephreli 2013, kumelwe likudalule lokho.***

Ukukhishwa koMthetho we-GRAP *Wokulondoloza Ngezakhiwo* (2004)

.95 Lo Mthetho uthatha indawo yoMthetho we-GRAP omdala *Wokulondoloza Ngezakhiwo* owakhishwa ngo-November 2004.

ISithasiselo – Isihlahla sesinqumo

Injongo yesihlahla esilandelayo sesinqumo ukufushanisa ukuthi yimiphi iMithetho ye-GRAP esebenza ezinhlotsheni ezihlukahlukene zezakhiwo. Lesi sithasiselo kumelwe sifundwe ngokomongo woMthetho uwonke.



Ukuqhathanisa ne-International Public Sector Accounting Standard *Yokulondoloza Ngezakhiwo* (December 2006)

UMthetho we-GRAP *Wokulondoloza* Ngezakhiwo uthathwe ngokuyinhloko kuyi-International Public Sector Accounting Standard *Yokulondoloza Ngezakhiwo* (IPSAS 16). Umahluko oyinhloko phakathi koMthetho we-GRAP *Wokulondoloza Ngezakhiwo* ne-International Public Sector Accounting Standard *Yokulondoloza Ngezakhiwo* umi ngokulandelayo:

- UMthetho we-GRAP *Wokulondoloza Ngezakhiwo* ufake izinguquzo ezenziwe kuyi-International Accounting Standards *Yokulondoloza Ngezakhiwo* ngaphansi kweprojekthi yokuthuthukisa ye-International Accounting Standards Board (IASB). Lokhu kunganganisa nokulondoloza ngezakhiwo ezisakhiwa.
- I-IPSAS 16 inikeza iziqondiwo zokulondoloza ngezakhiwo ezingase zitholwe ngokushintshisana ngama-asethi angeyona imali, lapho ukushintshiselana kungenayo imali. Le siqondiso siye sakhishwa kulo Mthetho we-GRAP, njengoba isiqondiso sifakiwe eMthethweni we-GRAP *Wemali Engenayo Evela Ezinkokhelweni Zokushintshisana*.
- Lo Mthetho uhlanganisa izibonelo ezengeziwe ukubonisa ukusetshenziswa kwalo Mthetho, i.e. lapho lo Mthetho usetshenziswa nalapho kusetshenziswa uMthetho *Wendawo, Imishini Namathuluzi*.
- Amalungiselelo esikhashana alo Mthetho ahlukile kulawo afakwe kuyi-IPSAS 16.