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Imigomo kanye Nemibandela Yesivumelwano Sokubolekwa Imali

(NGOKULAYELA KWESIGABA 93(2) SOMTHETHO KAZWELONKE WEZIKWELETU 34 wezi-2005 ("UMTHETHO"))

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a-FinChoice, okuwuphiko lwenkampani yakwa-HomeChoice (Pty) Ltd, bangumhlinzeki wezinsizakalo zezimali ogunyaziwe (FSP no. 48448). Abakwa-Guardrisk Life bangumhlinzeki wezinsizakalo zezimali ogunyaziwe. Abakwa-FinChoice, okuwuphiko lwenkampani yakwa-HomeChoice, bangumhlinzeki wezikweletu orejistiwe (NCRCP 454). Abakwa-FinChoice bakhuthaza ukubolekisa ngemali okwenziwa ngokulandela inkambiso elungileyo, ngakho-ke ukuhlinzekwa kwesikweletu kuzokwenziwa kuphela ngokubona kwaba-FinChoice futhi isamba semali ongabolekwa yona sincike ezimweni eziqondene nawe ngqo njengomuntu oboleka imali.

Lena yimigomo nemibandela yesikweletu sokubolekwa imali sakwa-FinChoice. Isitatimende Esandulela Isivumelwano kanye Nekhwotheshini, okwenziwe ngokuthi kuqoshwe izwi noma ngokusebenzisa uhlelo-kusebenza lwekhompyutha, futhi ozonikezwa nekhophi yakho ebhalwe phansi, kubandakanya nesigunyaziso sokudonswa kwesitalimende kwi-akhawunti yasebhange, neNkontileka Yokubolekwa Imali (uma ikhona) kanye nale migomo nemibandela, kuqopha isivumelwano sokubolekwa imali esiphakathi kwakho nenkampani yethu ("isivumelwano sokubolekwa imali"). Qaphela ukuthi sihlinzeka ngezinhlobo ezihlukahlukene zemikhiqizo yemali ebolekisayo, kubandakanya imikhiqizo yemali ebolekisayo ekhokhelwa esikhathini esifushane, imikhiqizo yemali ebolekisayo engahambisani nesibambiso kanye nomkhiqizo wokubolekisa ngemali esiwubiza nge-MobiMoney. Konke lokhu kuzolawulwa yile migomo nemibandela yemali ebolekisayo eqondene nohlobo ngalunye lwemali ebolekisayo. Uma kuthiwa "wena" kushiwo umuntu owenze isivumelwano sokubolekwa imali nenkampani yethu, futhi "abakwa-FinCoice" noma "thina" kusho inkampani yakwa-FinChoice (Pty) Limited, okuwuphiko labakwa-HomeChoice (Pty) Limited. Uma sikhuluma "nge-HomeChoice Group" kushiwo noma iyiphi inkampani engeyabakwa-HomeChoice International PLC (HIL) ngokuphelele noma abanengxenye yobunikazi kuyona kanye nanoma iyiphi inkampani engaphansi kwabo.

1. Imigomo ejwayelekile

1.1. Abakwa-FinChoice babhaliswe njengomhlinzeki wesikweletu ngokwemigomo yoMthetho Kazwelonke Wezikweletu (lapha esizowubiza "ngoMthetho" noma "i-NCA").

1.2. Uma ufuna ukufaka isikhalazo sokungagculiseki ngezenzo zethu, ungakwenza lokho ngokushayela uMlawuli Kazwelonke Wezikweletu kule nombolo 0860 627 627 noma ushayele inkampani yethu kule nombolo 0861 346 246.

1.3. Sabelana nama-credit bureau (izinkampani ezigcina umlando wabathengi abathenga ngesikweletu) alandelayo ngolwazi oluphathelene nesicelo sakho, isivumelwano sokubolekwa imali, ukuhluleka kwakho ukuthobela imigomo yesivumelwano sokubolekwa imali kanye nokuhoxiswa noma ukupheliswa kwesivumelwano sokubolekwa imali:

1.3.1. TransUnion Credit Bureau (Pty) Ltd Ucingo: 0861 482 482 I-imeyili: contactcentreadmin@transunion.co.za

1.3.2. Compuscan Information Technologies (Pty) Ltd Ucingo: 021 888 6000 I-imeyili: info@compuscan.co.za

1.3.3. Experian South Africa (Pty) Ltd Ucingo: 011 799 3400 I-imeyili: consumer@experian.co.za

1.3.4. XDS (Xpert Decision System) Ucingo: 011 645 9100 I-imeyili: info@xds.co.za

1.4. Qaphela ukuthi ama-credit bureau ahlinzeka ngephrofayili yakho yokuthenga ngesikweletu futhi kungenzeka ahlinzeke nangesibalo samaphuzu abonisa ukufaneleka kwakho ukuhlinzekwa ngesikweletu, futhi lokhu kususelwa olwazini esabelana ngalo nawo ama-credit bereau.

1.5. Thina njengenkampani kanye nawe njengekhasimende, singena esivumelwaneni sokubolekana imali, esisenze ngocingo noma ngohlelo-kusebenza lwekhompyutha, emahhovisi ethu, ngenkathi wena wamukela imigomo yemali ebolekisayo.

1.6. Ngokwemigomo ye-NCA kanye nezinqubomgomo zethu zangaphakathi zokuhlinzeka ngesikweletu, futhi ngokubona kwethu, singanquma ukukuboleka imali noma singakuboleki imali.

1.7. Njengengxenye yenqubo yokucutshungulwa kwesicelo sakho sokubolekwa imali, kungenzeka thina abakwa-FinChoice senze lokhu okulandelayo:

1.7.1. Sixhumane nanoma ngubani ukuze sihlole futhi siqinisekise ukuthi iyiqiniso yini imininingwane oyihlinzekile; nokuthola imininingwane kunoma ngubani mayelana nesimo sakho sezimali kanye nemininingwane yakho yasebhange, kufaka phakathi nerekhodi lakho lokuthenga ngesikweletu kanye nomlando wakho wokukhokhela izikweletu;

1.7.2. Sinikeze noma iyiphi inkampani noma isikhungo esifanelekile, esinjengenkampani egcina umlando wabathengi abathenga ngesikweletu noma iRejista Kazwelonke Yezikweletu, imininingwane ephathelene nesicelo sokubolekwa imali, isivumelwano sokubolekwa imali, irekhodi lakho lokuthenga ngesikweletu kanye nomlando wakho wokukhokhela izikweletu;

1.7.3. Sihlaziye noma sidalule ulwazi oluqondene nawe ngokulandela inqubomgomo yethu yobumfihlo etholakala ku-https://www.finchoice.mobi/Home/PrivacyPolicy futhi kafushane nje efaka phakathi nokuthi thina sivumelekile ukudalula ulwazi oluqondene nawe uma:

1.7.3.1. siphoqelekile ngokomthetho ukuba sikwenze lokho;

1.7.3.2. uma kubalulekile futhi kungaba wusizo emphakathini ukuba siludalule ulwazi lwakho;

1.7.3.3. uma usihlinzeka ngemvume noma uma usicela ukuba siludalule ulwazi lwakho; noma

1.7.3.4. uma kufanelekile ukuba abakwa-FinChoice noma enye inkampani ethola lolo lwazi, baludalule noma baluthole ulwazi lwakho.

1.8. Abakwa-FinChoice bavumelekile futhi ukwabelana ngemininingwane yakho kanye nolwazi lwakho oluphathelene nokuthenga ngesikweletu, nezinye izinkampani ezingaphansi kwe-HomeChoice Group ngenhloso yokwenza ibhizinisi, futhi wena uyavuma ngokucacile futhi uyaqonda ukuthi lokhu kungenzeka kubandakanye ukuba lezi zinkampani zixhumane nawe ngqo ngocingo noma ngohlelo-xhumano lwekhompyutha ngezinhloso zokukhangisa imikhiqizo yazo kuwena.

1.9. Uma ushade ngomshado wobunikazi bempahla obulinganayo, noma ushade ngomshado wesintu, uyaqinisekisa ukuthi uyitholile imvume yowakwakho yokwenza isivumelwano sokubolekwa imali nabakwa-FinChoice.

1.10. Kungenzeka iguquke imigomo nemibandela yethu ngezikhathi ezithile. Imigomo nemibandela yethu yakamuva iyatholakala kuleli kheli www.finchoice.mobi futhi ungacela ikhophi yalokhu ngokufonela kule nombolo 0861 346 246. Uma njengamanje uyikhasimende lethu noma ubukade uyikhasimende lethu esikhathini esedlule futhi uma njengamanje wenza isivumelwano esisha, isivumelwano sakho esisha sizolawulwa yimigomo nemibandela ebekiwe noma esebenzayo ngaleso sikhathi ozongena ngaso esivumelwaneni esisha.

1.11. Noma iluphi uguquko oluzokwenziwa kwisivumelwano sokubolekwa imali luzoba yisibopho ngokusemthethweni kuphela uma thina sesikwazisile ngalolo luguquko njengoba i-NCA iyalela ukuthi kube njalo.

1.12. Abakwa-FinChoice babolekisa ngemali yokuthi uyisebenzisele izidingo eziqondene nawe kuphela, hhayi ukwenza ibhizinisi. Ngakho-ke, ungenza isivumelwano nathi sokubolekwa imali kuphela uma leyo mali oyibolekile uzoyisebenzisela izidingo eziqondene nawe.

2. Isitatimende Esandulela Isivumelwano kanye Nekhwotheshini

2.1. Phakathi kokunye, sizokunikeza ulwazi olulandelayo kwiSitatimende Esandulela Isivumelwano kanye Nekhwotheshini mayelana nazo zonke izivumelwano zokubolekwa imali:

2.1.1. Isamba semali oyibolekile: lesi yisamba semali esizokuboleka yona ngaphansi kwesivumelwano sokubolekwa imali;

2.1.2. Imali yokuvula isikweleti: lena yimali esizokukhokhisa yona ngokuvunyelwa wuMthetho, okuyimali yezindleko zokuqalisa inqubo yokwenziwa kwesivumelwano sokubolekwa imali. Le mali ungayikhokha ngaphambi kokuba unikezwe imali oyibolekile, noma-ke siyingeze emalini oyibolekile uma sesiqala ukusebenza isivumelwano sokubolekwa imali, ukuze uyikhokhe ngamancozuncozu njengengxenye yesitalimende sakho esikhokhwa nyangazonke. Mayelana ne-MobiMoney, kungenzeka ukuba sivume ukukukhokhisa imali yokuvula isikweletu kuphela ngaleso sikhathi ozoyisebenzisa ngaso i-MobiMoney, ukuze uyikhokhe kancane kancane kuze kufike isikhathi lapho isikhokhwe ngokuphelele yonke imali yokuvula isikweletu;

2.1.3. Imali yesevisi: lena yimali esingakukhokhisa yona nyangazonke, noma sikukhokhise yona ngenkathi sikuhlinzeka ngesevisi ethile noma sikukhokhise yona njalo ngonyaka, ngokuvunyelwa wuMthetho, okuyimali yokukhokhela izindleko esingene kuzona zokulawula isivumelwano sokubolekwa imali. Isamba semali yesevisi ehambisana nesivumelwano sakho sokubolekwa imali ozokhokhiswa yona sizohlinzekwa kwiSitatimende Esandulela Isivumelwano nakwiKhwotheshini;

2.1.4. Izinga lenzalo: izinga lenzalo elihambisana nesivumelwano sakho sokubolekwa imali ozokhokhiswa lona lizohlinzekwa kwiSitatimende Esandulela Isivumelwano nakwiKhwotheshini. Inzalo ibalwa ngokubheka imali esele esikweletini nsukuzonke bese yengezwa esikweletini njalo ngenyanga (ifakwa nyangazonke phezu kwebhalansi yemali esele esikweletini). Uma kusalele emuva ukukhokhelwa kwesikweletu sakho, kungenzeka sikukhokhise inzalo emalini esalele emuva ngokwezinga lenzalo eliphelele elivumelekile ngokoMthetho;

2.2. Ngaphezu kolwazi oluhlinzekwe kwisiqeshana 2.1, sizokunikeza ulwazi olulandelayo kwiSitatimende Esandulela Isivumelwano nakwiKhwotheshini, oluphathelene nezivumelwano ze-MobiMoney:

2.2.1. Umkhawulo wesikweletu wamanje: lesi yisamba esiphelele semali ongayikhipha (withdraw) noma nini. Lo mkhawulo sizowubeka ngokubona kwethu, emva kokuhlola amandla akho okukhokha imali oyibolekile kanye nokubheka izinqubomgomo zethu zangaphakathi zokuhlinzeka ngesikweletu futhi kungenzeka siwukhuphule lo mkhawulo ngezikhathi ezithile uze ufinyelele emkhawulweni ophelele wemali ongabolekwa yona – futhi lokhu kuncike kwindlela okhokhela ngayo isikweletu sakho;

2.2.2. Umkhawulo ophelele wemali ongabolekwa yona: lesi yisamba sesikweletu sokubolekwa imali thina esibona ukuthi uzoba namandla okusikhokhela.

2.3. Qaphela ukuthi ikhwotheshini yethu ebhalwe kwiSitatimende Esandulela Isivumelwano nakwiKhwotheshini yenziwe ngokubheka umkhawulo ophelele wemali ongabolekwa yona. Maqondana ne-MobiMoney, lokhu kusho ukuthi isitalimende sakho ozosikhokha nyangazonke ngeke neze sibe ngaphezu kwesamba onikezwe sona kwikhwotheshini, kodwa kungenzeka sibe ngaphansi kwemali ebhalwe kwikhwotheshini, futhi lokho kuncike ekutheni uyisebenzisa kanjani i-MobiMoney.

3. Izivumelwano Zokubolekwa Imali - Okujwayelekile

3.1. Ngenkathi ufaka isicelo sakho sokubolekwa imali sokuqala, thina sizokwenza ucwaningo lokuhlola ubungozi bokukuboleka imali kanye nokuhlola ukuthi uzokwazi yini ukubuyisa imali oyibolekiwe njengoba lokhu kudingekile ngokulayela koMthetho.

3.2. Mayelana nezivumelwano zemali ebolekisayo ekhokhwa esikhathini esifushane kanye nemali ebolekisayo engahambisani nesibambiso, lolu cwaningo lokuhlola amandla akho okukhokha yilona oluzosetshenziswa ukuthatha isinqumo esifanele mayelana nomkhawulo ophelele wemali ongabolekwa yona ("umkhawulo ophelele wemali ongayiboleka"), ngokwezinqubomgomo zethu zangaphakathi zokuhlinzeka ngesikweletu kanye nezidingo ze-NCA.

3.3. Umkhawulo wakho ophelele wemali ongayiboleka kungenzeka uguquke ngokuhamba kwesikhathi ngenxa yokuguquka kwesimo sakho sezimali.

3.4. Emva kokwenza nathi isivumelwano sokubolekwa imali, kungenzeka ube sethubeni lokubolekwa enye imali, kuze kufinyelele kwisamba esiphelele semali ongayiboleka. Ngokwezinqubomgomo zokuhlinzekwa ngesikweletu ze-HomeChoice Group wena uvumeleke ukuba noma nini ube nesivumelwano sokubolekwa imali esisodwa kuphela (ngaphandle kwemikhiqizo ethile, enjengezivumelwano ze-MobiMoney ne-FoneChoice noma i-"KwikAdvance" okukhulunywa ngayo kwisiqeshana 6). Uma kusenebhalansi yemali esele esikweletini sakho ngenkathi ufaka isicelo sokubolekwa imali engeziwe, kumele uyikhokhe yonke leyo mali esele esikweletini sakho sokubolekwa imali onaso njengamanje ngaphambi kokuba ukwazi ukwenza isivumelwano sokubolekwa imali esisha. Uvumelekile ukuba usicele ukuthi sisebenzise imali yesikweletu sakho sokubolekwa imali esisha ukukhokhela leso sikweletu sokubolekwa imali onaso njengamanje.

3.5. Uma usicela ukuba sisebenzise imali yesikweletu sakho sokubolekwa imali esisha ukukhokhela leso sikweletu sokubolekwa imali onaso njengamanje, leyo mali ezosala lapho izofakwa kwi-akhawunti yakho yasebhange. Lesi samba semali ezofakwa kwi-akhawunti yakho yasebhange sibizwa nge-"ngesamba se-KwikDraw". Nakuba lesi kuzoba yisivumelwano esisha sokubolekwa imali, siyawabonelela lawo makhasimende anesikweletu sokubolekwa imali esikhona njengamanje ngoba imali yokuvula isikweletu azokhokhiswa yona eqondene nesivumelwano sokubolekwa imali esisha izonqunywa ngokubheka isamba se-KwikDraw kuphela esikhundleni sokuba isuselwe kwisamba esiphelele esibolekwe ngaphansi kwesivumelwano sokubolekwa imali esisha.

3.6. Kungenzeka sikwazise ngezikhathi ezithile ukuthi malini eyisamba se-KwikDraw okungenzeka ubolekwe yona. Njalo uma wenza isicelo sokubolekwa imali esisha, sizokwenza olunye ucwaningo lokuhlola ukuthi uzokwazi yini ukubuyisa imali oyibolekiwe. Isamba se-KwikDraw uzonikezwa sona kuphela uma ucwaningo lokuhlola lukhombisa ukuthi uzoba nawo amandla okukhokha imali ozoyiboleka ngaphansi kwesivumelwano sokubolekwa imali esisha. Asikwazi ukuqinisekisa ukuthi noma kanjani kukhona imali ozobolekwa yona noma nini – lokho kuzoncika ekuhlolweni okuzokwenziwa ngenhloso yokubheka ukuthi uzokwazi yini ukukhokha imali oyibolekiwe futhi kuzoya ngokwezinqubomgomo zethu zangaphakathi zokuhlinzeka kwesikweletu.

3.7. Ngaphambi kokuba wenze isivumelwano sokubolekwa imali esisha nabakwa-FinChoice kumele uvume futhi uqinisekise ukuthi uziqonda ngokuphelele izindleko kanye nobungozi obuhambisana nokwenza esinye isivumelwano sokubolekwa imali, kanye namalungelo akho nezibopho onazo ngaphansi kwesivumelwano sokubolekwa imali esisha.

3.8. Uma unokungabaza ukuthi sesiguqukile yini isimo sakho sezimali, noma ungabuqondi ubungozi kanye nezindleko zokwenza isivumelwano sokubolekwa imali noma amalungelo akho kanye nezibopho onazo ngokwemigomo yaleso sivumelwano sokubolekwa imali, kumele ufonele abakwa-FinChoice kuqala ku 0861 346 246 ngaphambi kokungena esivumelwaneni sokubolekwa imali.

3.9. Nakuba kungadingekile ngokomthetho, kungenzeka sikunikeze isikhathi sokuba ucubungule futhi uhlaziye isivumelwano ngenkathi wenza isivumelwano sokubolekwa imali okokuqala nathi, futhi ngalesi sikhathi uvumelekile ukuhoxisa isivumelwano ngaphandle kokukhokhiswa inhlawulo.

4. Izivumelwano Zokubolekwa Imali – ze-MobiMoney

Le mibandela iqondene ikakhulukazi nezivumelwano zokubolekwa imali ze-MobiMoney:

4.1. Uma siphumelelile isicelo sakho sokubolekwa imali, thina sizokunikeza umkhawulo wesikweletu "wamanje" ("current") kanye nomkhawulo wesikweletu "ophelele" ("maximum").

4.2. Kungenzeka sisiphelise isivumelwano sakho se-MobiMoney emva kokukunikeza isaziso sokuthi ukhiphe imali kanye kuphela. Lokhu kusho ukuthi singakuthumelela isaziso noma nini sokuthi uvumelekile ukuphinda ukhiphe imali kanye kuphela ngaphambi kokuba siphelelwe yisikhathi isivumelwano se-MobiMoney, okusho ukuthi ngeke usavumeleka ukukhipha imali ngaphansi kwesivumelwano se-MobiMoney emva kwaleli thuba lokugcina onikezwe lona lokukhipha imali.

4.3. Umkhawulo wesikweletu wamanje kanye nomkhawulo wesikweletu ophelele sizowubala ngokubheka umphumela wocwaningo esilwenzile lokuhlola ukuthi uzokwazi yini ukukhokha imali obolekwe yona kanye nezinqubomgomo zethu zangaphakathi zokuhlinzeka ngesikweletu. Ngeke neze sikucele ukuthi ukhokhe isitalimende esingaphezulu kwaleso esithole ukuthi ungaba nawo amandla okusikhokha, kodwa-ke njalo uma ukhipha imali, ungaqoka ukukhokha imali oyikhiphile ngesikhathi esifushane kunaleso esibekiwe okudingeka ukhokhe ngaso.

4.4. Umkhawulo wesikweletu wamanje wumkhawulo woqobo (actual) esizokunikeza wona ozohlala unawo enkampanini yethu noma nini, futhi kungenzeka lokhu kube yisamba esingaphansana kwesamba somkhawulo wesikweletu ophelele, futhi lokho kuzohambisana nesimo sobungozi bakho bokuhlinzekwa ngesikweletu esizosihlonza ngokubheka imithetho yethu yobungozi bokubolekisa ngemali.

4.5. Ngakho-ke kungenzeka ukuthi emva kokubheka isimo sobungozi bakho bokuhlinzekwa ngesikweletu ngenkathi kwenziwa isivumelwano se-MobiMoney, ngokubona kwethu, siwukhuphule noma siwehlise umkhawulo wakho wesikweletu wamanje, kepha-ke uma sikwenza lokho ngeke neze umkhawulo wesikweletu wamanje ube ngaphezulu komkhawulo wesikweletu ophelele.

4.6. Umkhawulo wesikweletu ophelele yisamba esihlonzwe ocwaningweni esilwenzile lokuhlola amandla akho okukhokha imali oyibolekiwe, kepha-ke ngenhloso yokulandela inkambiso elungileyo yokubolekisa ngemali futhi ngenhloso yokwakha ubudlelwano phakathi kwethu nekhasimende obuzoqhubeka isikhathi eside, wonke amakhasimende ethu siwahlinzeka ngomkhawulo wesikweletu wamanje ophansi, ekuqaleni, futhi sizowukhuphula kancane kancane ngokuhamba kwesikhathi ngokubheka isimo sobungozi bakho bokuhlinzekwa ngesikweletu.

4.7. Kungenzeka noma nini abakwa-FinChoice bakumise ukufinyelela kwakho ku-MobiMoney uma uhlulekile ukukhokha imali oyibolekiwe ngesikhathi esibekiwe futhi kungenzeka bayivale i-akhawunti yakho ye-MobiMoney emva kokukunikeza isaziso sezinsuku zomsebenzi eziyishumi, kepha-ke nakuba kunjalo isivumelwano sokubolekwa imali sizoqhubeka sisebenze ngokusemthethweni kuze kufike isikhathi lapho usuyikhokhe ngokuphelele yonke imali oyikweletayo ngaphansi kwesivumelwano sokubolekwa imali. Kungenzeka futhi sikumise ukufinyelela nokusebenzisa kwakho i-MobiMoney uma izinqubomgomo zethu zokuhlinzeka ngesikweletu zibonisa ukuthi usengcupheni yokuthi ugcine usunesikweletu esingaphezu kwamandla akho uma singakuvumela ukuthi uqhubeke nokukhipha imali.

4.8. Uvumelekile ukuba usibhalele incwadi usicele ukuba sinciphise umkhawulo wakho wesikweletu ophelele futhi usitshele ngokucacile ukuthi ufuna umkhawulo wesikweletu ophelele ongakanani.

5. Ukufaka isicelo sokubolekwa imali ngokusebenzisa uhlelo-xhumano lwekhompyutha

5.1. Kungenzeka sikuvumele ukuthi ufake isicelo sokubolekwa imali ngokusebenzisa umakhalekhukhwini wakho, i-inthanethi noma ezinye izinhlobo zohlelo-xhumano lwekhompyutha ("uhlelo-xhumano lwekhompyutha"). Uma ufaka isicelo sokubolekwa imali ngohlelo-xhumano lwekhompyutha ulwazi luzoqoqwa, luthunyelwe, lwamukelwe futhi lugcinwe ngekhompyutha.

5.2. Uma uqoka ukufaka isicelo ngohlelo-xhumano lwekhompyutha, kumele uzikhethele inombolo eyimfihlo ozofinyelela ngayo olwazini olugciniwe, njenge-PIN noma iphasiwedi (password). Kumele uyigcine ngokuphepha le mininingwane futhi uqinisekise ukuthi ihlala iyimfihlo. Abakwa-FinChoice bazothatha ngokuthi zigunyazwe nguwena futhi zenziwe nguwena zonke izivumelwano zokubolekwa imali ozenze ngohlelo-xhumano lwekhompyutha usebenzisa inombolo yakho eyimfihlo yokufinyelela olwazini olugciniwe. Kumele usazise ngokushesha uma uthola ukuthi i-PIN noma iphasiwedi yakho ilahlekile noma iwele ezandleni zomuntu ongagunyaziwe. Ngeke siwuthwale umthwalo wezindleko ezibangelwe wukusetshenziswa kwe-PIN noma iphasiwedi yakho ngendlela engagunyaziwe kuze kufike isikhathi lapho usazisile ngalokhu.

5.3. Abakwa-FinChoice banelungelo lokusebenzisa noma iyiphi inqubo yokuqinisekisa imininingwane yakho abacabanga ukuthi idingekile ngenhloso yokuqinisekisa imininingwane yekhasimende ngenkathi lifaka isicelo sokubolekwa imali ngokusebenzisa uhlelo-xhumano lwekhompyutha.

6. Ukukhokhwa Kwemali Ebolekiwe

6.1. Kumele ukhokhe isamba esiphelele semali okuvunyelwane ngayo ngenkathi kwenziwa isivumelwano sokubolekwa imali, futhi lokhu kubandakanya imali oyibolekile, nazo zonke izindleko eziphathelene nesikweletu kanye nenzalo ngokwemigomo ye-NCA.

6.2. Ngenkathi ufaka isicelo sokubolekwa imali, uvumile ukuba abakwa-FinChoice badonse izitalimende kwi-akhawunti yakho yasebhange nyangazonke kanye nayo yonke imali okumele ubakhokhele yona. Abakwa-FinChoice basebenzisa uHlelo Lokudonswa Kwemali Ebhange Ngaphambi Kwesikhathi Olungaqinisekisiwe (NAEDO) futhi kungenzeka bacubungule ukusebenza kwe-akhawunti yakho yasebhange ukubheka ukuthi kunemali eyanele yini uma befuna ukudonsa isitalimende. Lokhu kuhambisana nale migomo elandelayo:

6.2.1. Mayelana nemikhiqizo yethu yemali ebolekisayo yesikhathini esifushane ekhokhwa esikhathini esiyinyanga eyodwa ("KwikAdvance"), isitalimende sakho kumele usikhokhe ngendlela ovumelene ngayo nathi ngenkathi ufaka isicelo sokubolekwa imali futhi uyavuma ukuthi sidonse isitalimende kwi-akhawunti yakho yasebhange ngosuku okuvunyelwane ngalo;

6.2.2. Mayelana nazo zonke ezinye izinkokhelo zesitalimende, uma usuku lwakho lomholo:

6.2.2.1. lungempelasonto noma ngoMsombuluko, sizodonsa imali kwi-akhawunti yakho yasebhange ngoLwesihlanu olwandulela usuku lomholo. Kuzokwenzeka into efanayo futhi mayelana neziqeshana 6.2.2.2 – 6.2.2.4 uma usuku esivamise ukudonsa ngalo isitalimende lungoMsombuluko noma ngempelasonto;

6.2.2.2. lungeholide, sizodonsa imali kwi-akhawunti yasebhange ngosuku olwandulela iholide;

6.2.2.3. lumhlaka-1 enyangeni, sizodonsa imali kwi-akhawunti yakho mhlaka-30 ngenyanga eyandulela lolu suku;

6.2.2.4. lumhlaka-31 enyangeni, sizodonsa imali kwi-akhawunti yakho yasebhange mhlaka-30 enyangeni;

6.2.3. Kungenzeka ukuthi ngoDisemba umholo wakho uwuthole ngaphambi kwesikhathi esijwayelekile futhi uyavuma ukuthi sicubungule ukusebenza kwe-akhawunti yakho ukuze sibone uma kungena umholo bese sidonsa imali kwi-akhawunti yakho yasebhange noma nini emva komhlaka-10 Disemba, ngaphandle uma usazisile ukuthi uzowuthola ngaluphi usuku umholo wakho kaDisemba;

6.2.4. Uma kusalele emuva ukukhokhelwa kwe-akhawunti yakho yokubolekwa imali, abakwa-FinChoice banelungelo lokudonsa imali ebhange nganoma iluphi usuku ngenhloso yokudonsa leyo mali esalele emuva emalini ekhona kwi-akhawunti yakho yasebhange.

6.3. Kumele usazise ngokushesha uma kwenzeka kuba noguquko mayelana ne-akhawunti yakho yasebhange noma usuku lwakho lomholo ukuze nathi siguqule imininingwane yokudonswa kwemali ebhange ngendlela efanelekile ukuze ihambelane noguquko olwenzekile.

6.4. Awuvumelekile ukuvala i-akhawunti yakho yasebhange, ngaphandle uma usinikezile imininingwane yenye i-akhawunti yasebhange esizodonsa kuyona imali oyikweletayo.

6.5. Awuvumelekile ukuhoxisa uhlelo lokudonswa kwemali kwi-akhawunti yakho yasebhange kuze kufike isikhathi lapho usuyikhokhe ngokuphelele yonke imali okumele uyikhokhele abakwa-FinChoice ngokwesivumelwano sokubolekwa imali.

6.6. Uma wenze izivumelwano zokubolekwa imali ezingaphezu kwesisodwa nabakwa-FinChoice:

6.6.1. futhi uma kwenzeka kuba khona isivumelwano sokubolekwa imali esisodwa okusalele emuva ukukhokhelwa kwaso, uyasinikeza imvume yokuthatha imali ekhokhwe ngokweqile kwenye yama-akhawunti akho siyifake kwi-akhawunti okusalele emuva ukukhokhelwa kwayo noma siyifake kwi-akhawunti esenebhalansi yemali esele futhi engakakhokhwa ngokuphelele;

6.6.2. Uyasivumela ukuba sidonse isamba esisodwa kwi-akhawunti yakho yasebhange mayelana nemali oyikweletayo kuwona wonke ama-akhawunti akho, bese emva kwalokho siyihlukanisa leyo mali ukuqinisekisa ukuthi ukukhokhelwa kwawo wonke ama-akhawunti akho akusaleli emuva, uma lokho kunokwenzeka;

6.6.3. Uma ungasitshelanga ukuthi iyiphi i-akhawunti yesikweletu sokubolekwa imali ofuna ukuyikhokhela, thina sinelungelo lokuthatha isinqumo sokwaba imali oyikhokhile ngendlela esibona ngayo.

6.7. Kumele ukhokhe isamba esiphelele semali enqunyiwe, ngohlelo lokudonswa kwemali kwi-akhawunti yakho yasebhange ngesikhathi esibekiwe. Uma kwenzeka kuba khona inkinga mayelana ne-akhawunti yakho yasebhange noma mayelana nokufakwa komholo wakho ebhange kumele uxhumane nathi ukuze usebenzise ezinye izindlela zokukhokha okungenani kusasele izinsuku zokusebenza ezintathu ngaphambi kosuku lokukhokhwa kwesitalimende olunqunyiwe ukuze ugweme ukwengezwa kwenzalo eyinhlawulo noma izindleko zomthetho.

6.8. Uma kwenzeka usicela ukuthi sihlele kabusha ukukhokhelwa kwesikweletu sakho sokubolekwa imali futhi uma sikuvuma lokho okucelayo, isivumelwano sokubolekwa imali esihlelwe kabusha sizolawulwa yimigomo kanye nemibandela esivumelane ngayo thina kanye nawe. Isinqumo sokuhlelwa kabusha kwesikweletu sizothathwa kuphela uma sikubona kufanelekile ukuthi sikwenze lokho.

6.9. Ngokulandela lokho okushiwo kwisiqeshana 6.6, noma iyiphi inkokhelo yesitalimende evela kuwena izokwabiwa ngale ndlela elandelayo: izosetshenziswa ukukhokhela

6.9.1. ama-premium omshwalense wesikweletu;

6.9.2. ezinye izinsizakalo ezengeziwe;

6.9.3. inzalo;

6.9.4. ezinye izimali nezindleko zesikweletu;

6.9.5. isikweletu esiyinhloko.

7. Ilungelo labakwa-FinChoice Lokuqeda Isivumelwano

7.1. Uma kwenzeka wena uhluleka ukukhokha imali okumele uyikhokhe ngesikhathi esibekiwe, ngaphansi kwesivumelwano sokubolekwa imali, abakwa-FinChoice noma abameleli babo bazokubhalela incwadi bakwazise ukuthi wephule isivumelwano sokukhokha imali oyikweletayo futhi bakucebise ukuthi udlulisele lesi sivumelwano sokubolekwa imali kumeluleki wezezikweletu, noma omunye umuntu owenza umsebenzi wokuxazulula imibango, inkantolo yezabathengi noma isikhulu esiphenya izikhalo zabathengi esinegunya, ukuze kuxazululwe noma yimuphi umbango ongaba khona ngaphansi kwalesi sivumelwano noma kuvunyelwane ngohlelo lokukhokha yonke imali esalele emuva.

7.2. Uma ungakhokhile kuze kuphele okungenani izinsuku zokusebenza ezingama-20 noma sekuphele izinsuku zokusebenza eziyi-10 emva kokuba abakwa-FinChoice bekuthumelele isaziso futhi wangathatha izinyathelo ezifanele emva kokuthola isaziso okukhulunywa ngaso kwisiqeshana 7.1 noma uma uzichithile iziphakamiso zabakwa-FinChoice, kungenzeka abakwa-FinChoice basihoxise isivumelwano noma bacele inkantolo ukuthi ikhiphe umyalelo wokuphoqelela ukuhlonishwa nokuthotshelwa kwesivumelwano sokubolekwa imali.

7.3. Wena uvumelekile noma nini emva kokuthola izaziso okukhulunywa ngaso kwisiqeshana 7.1, ukuthi ubuyisele isivumelwano sokubolekwa imali esimweni saso sangaphambili ngokukhokhela abakwa-FinChoice yonke imali engakakhokhwa futhi ukukhokhwa kwayo osekudlulelwe yisikhathi kuhlangene nezindleko ezivumelekile ngokoMthetho noma ezivunyelwe yinoma imuphi omunye umthetho, ezibandakanya izindleko zokungakhokhi ngesikhathi esibekiwe kanye nezindleko zokuqoqa isikweletu kodwa kungagcini ngalokhu nje kuphela, okuyizindleko eziphoqelela ukuhlonishwa kwesivumelwano sokubolekwa imali kuze kufinyelele esikhathini lapho usuyikhokhe ngokuphelele yonke imali esalele emuva, kodwa-ke lokhu ungakwenza kuphela ngaphambi kokuba abakwa-FinChoice basihoxise isivumelwano sokubolekwa imali njengoba kushiwo kwisiqeshana 7.2, futhi ngaso sonke isikhathi ngokulandela imigomo yoMthetho.

8. Izitatimende

Abenzi besivumelwano bayavumelana ukuthi wena uzothunyelelwa isitatimende se-akhawunti njalo emva kwezinyanga ezintathu ngohlelo-xhumano lwekhompyutha, ngaphandle uma indlela engasebenziseka kungeyokuthunyelwa kwesitatimende ngeposi elijwayelekile kuphela. Abakwa-FinChoice bazokuhlinzeka ngesitatimende, uma ubacela, esikhombisa zonke izindleko ezidonsiwe, nayo yonke imali ekhokhiwe kanye nebhalansi yemali esele.

9. Ukukhokhwa Kwesikweletu Ngokugcwele Ngaphambi Kosuku Lokuphela Kwesivumelwano

9.1. Unelungelo lokuqeda lesi sivumelwano sokubolekwa imali noma nini ngokukhokha ngokuphelele yonke imali esele esikweletini sakho ngaphambi kwesikhathi esinqunyiwe, futhi uma uthanda, lokho ungakwenza emva kokusinikeza isaziso noma ukwenze ngaphandle kokusinikeza isaziso.

9.2. Uma ufuna ukukhokha ngokuphelele yonke imali oyikweletayo ngaphambi kwesikhathi esinqunyiwe, xhumana nathi ngqo ukuze sikunikeze isamba semali esele okumele uyikhokhe. Lolu lwazi ngeke silunikeze omunye umuntu noma inkampani ngaphandle kokuthola umyalelo wakho obhalwe phansi.

10. Amandla negunya lokusebenza kwenkantolo

Ngokwesigaba 45 soMthetho Wezinkantolo Zezimantshi, 32 we-1944, wena uyavuma ukuba sikuthathele noma yiziphi izinyathelo zomthetho, eNkantolo kaMantshi, mayelana nalesi sivumelwano sokubolekwa imali noma mayelana ne-akhawunti yakho.

11. Izindleko Zokulawulwa Kokuhluleka Ukukhokha Isikweletu Nezokuqoqwa Kwesikweletu

11.1. Uma kusalele emuva ukukhokhwa kwezitalimende zakho okumele zikhokhwe nyangazonke futhi uma kwenzeka abakwa-FinChoice bethatha izinyathelo zokuqoqa leyo mali okumele bakhokhelwe yona ngaphansi kwesivumelwano sokubolekwa imali, nguwena ozokhokha izindleko zokulawulwa kokuhluleka kwakho ukukhokha isikweletu kanye nezindleko zokuqoqwa kwesikweletu abangene kuzona abakwa-FinChoice, kufaka phakathi izindleko zokulandela umkhondo wakho ukuze utholakale ukuthi ukuphi, nekhomishini yokuqoqwa kwesikweletu, izindleko zommeli noma zomqoqi wezikweletu, kubandakanya lokhu okulandelayo kodwa kungagcini lapho nje kuphela, izindleko zokukushayela ucingo, ukukuthumelela i-voicemail kanye nezindleko zokuxhumana nawe ngohlelo-xhumano lwekhompyutha.

11.2. Abakwa-FinChoice banelungelo lokuqoqa isamba esiphelele semali yezindleko zokulawulwa kokuhluleka kwakho ukukhokha isikweletu kanye nezindleko zokuqoqwa kwesikweletu ezivunyelwe nguMthetho Wezinkantolo zeziMantshi No. 32 we-1944, uMthetho weNkantolo yamaJaji Ephakeme No.59 we-1959, uMthetho Wabameli we-1979 noma uMthetho Wabaqoqi Bezikweletu No.114 we-1998, nanoma yimuphi kule mithetho osebenzayo ngaphansi kwalesi simo.

11.3. Uma abakwa-FinChoice beqasha ummeli ukuze bakuthathele izinyathelo zomthetho futhi/noma baqoqe noma iyiphi imali oyikweletayo okumele uyikhokhe ngesikhathi esibekiwe, wena uyavuma ukuthi nguwena ozothwala izindleko zommeli futhi lezo zindleko zizonqunywa ngokwesilinganiso sezindleko phakathi kommeli kanye nekhasimende lakhe.

12. Amakheli

12.1. Wena uqoka ikheli elibhalwe kwisivumelwano sokubolekwa imali njengekheli ozokwamukela kulona izincwadi eziphathelene nezomthetho kanye nezaziso zomthetho, kufaka phakathi nanoma yiziphi izaziso ezikhishwe ngokwemigomo yesigaba se-129.

12.2. Uma kwenzeka liguquka ikheli lakho, kumele unikeze abakwa-FinChoice imininingwane yekheli lakho elisha ngokubabhalela incwadi noma ngokubashayela ucingo ngokushesha.

12.3. Ikheli lethu esizokwamukela kulona izincwadi eziphathelene nomthetho kanye nezaziso zomthetho lithi FinChoice, 78 Main Road, Wynberg, Cape Town, 7800, futhi kumele ziqondiswe ku-"FinChoice Legal".

13. Ukuxhumana nge-Imeyili

13.1. Ngaphandle uma kuvunyelwane ngokwehlukile, sizothumela nge-imeyili ekhelini osinikeze lona ("Ikheli Eliqoshwe Phansi Njengekheli Lakho Elaziwayo") zonke izivumelwano zokubolekwa imali, izitatimende noma okunye esifuna ukukwazisa kona.

13.2. Wonke ama-imeyili athunyelwe eKhelini Eliqoshwe Phansi Njengekheli Lakho Elaziwayo, kubandakanya nalawo aphathelene nalesi sivumelwano sokubolekwa imali kodwa kungagcini lapho, kuzothathwa ngokuthi uwatholile uma sekuphele amahora angama-36 emva kokuba amafayela ethu esikhombisa ukuthi ihambile i-imeyili.

13.3. Uma kwenzeka liguquka ikheli lakho le-imeyili noma uma unquma ukuthi awusafuni ukuba sixhumane nawe nge-imeyili ngesikhathi esibekiwe sokukhokhwa kwesikweletu sokubolekwa imali, kumele usinikeze imininingwane emisha.

14. Isitifiketi

Isitifiketi esisayinwe ngenye yezimenenja zakwa-FinChoice (esingekho isidingo sokuba ihlinzeke ubufakazi besikhundla sayo), sizoba wubufakazi obanele bebhalansi yemali esele esikweletini sokubolekwa imali.

15. Ukudluliswa kwamalungelo

Uyavuma ukuthi abakwa-FinChoice noma nini futhi ngaphandle kwesaziso banikezele (badlulisele) kwenye inkampani noma yimaphi amalungelo nezibopho zabo noma wonke amalungelo nezibopho zabo ngaphansi kwesivumelwano sokubolekwa imali.

16. Isivumelwano Esiphelele

Isivumelwano sokubolekwa imali yisivumelwano esiphelele esiphakathi kwakho nabakwa-FinChoice, futhi ayikho eminye imigomo nemibandela okungakhulunywanga ngayo ekhona, ngaphandle uma ifakwe ngokuchibiyela isivumelwano sokubolekwa imali njengoba umthetho ukuvumela lokho, futhi uma kunjalo lezo zichibiyelo ezenziwe zizosebenza ngokusemthethweni.

17. Izindlela Zokukhangisa Imikhiqizo

17.1. Uma wenza isivumelwano sokubolekwa imali nabakwa-Finchoice, unelungelo lokucela ukuthi ungafakwa kulokhu okulandelayo:

17.1.1. Emikhankasweni yokushayelwa ucingo ngenhloso yokukhangisa imikhiqizo yabakwa-FinChoice noma egameni labo;

17.1.2. Ohlwini lokukhangisa noma lwamakhasimende oludayisayo noma olusatshalaliswa ngabakwa-FinChoice, ngaphandle uma kuwuhla oludingekayo ngokulayela koMthetho;

17.1.3. Kunoma yikuphi ukusatshalaliswa kwenqwaba yemilayezo nge-imeyili noma nge-sms.

17.2. Uzocelwa ukuba ulisebenzise leli lungelo ngesikhathi kwenziwa kwesicelo sokubolekwa imali. Izindlela ezintathu ozikhethile zizokhonjiswa kwinkontileka yokubolekwa imali enanyathiselwe esivumelwaneni sokubolekwa imali. Uvumelekile ukuba uxhumane nabakwa-FinChoice noma nini ubacele ukuba bachibiyele izindlela ozikhethile.

18. Amanye Amalungelo Omthengi

18.1. Wena unelungelo lokuxhumana nama-credit bureau ukuze uhlinzekwe ngerekhodi lakho lokuthenga ngesikweletu futhi kulungiswe nanoma yiluphi ulwazi oluphaphalazayo noma oluyiphutha oluqukethwe lapho.

18.2. Unelungelo lokuthi kuxazululwe isikhalazo sakho ngokuthi (i) kusetshenziswe indlela ehlukile yokuxazulula imibango, (ii) ufake isikhalazo sakho kuMlawuli Kazwelonke Wezikweletu noma (iii) usifake eNkantolo Kazwelonke Yezabathengi.