1. WUBANI ONGAFAKA ISIMANGALO?

- Noma wubani ngaphandle kwabayizazi zomthetho njengezinkampani, okopeletsheni noma ososeshini.
- Umuntu oneminyaka yobudala engaphansi kuka 21 kumele asizwe wumzali noma wumphathi osemthethweni.

2. WUBANI ONGAMANGALELWA?

- Ngaphandle kukaHulumeni, noma wubani kubandakanya izinkampani, okopeletsheli, omasipala noma abanye abangaphansi kolawulo lwenkantolo.

3. MALINI ENGAKAFELWA ISIMANGALO?

- Imali engengaphezu kuka R7000.
- Uma isimangalo sakho kungesenani elingaphezu kuka R7000, ungafaka isimangalo semali engaphansi kuka R7000 ukuze semukeleke eNkantolo Yamacala Amancane.

4. ISIBONELO SEZINHLOBO ZAMACALA ANGADLULISELWA EZINKANTOLO ZAMACALA AMANCANE.

- Isimangalo sokubuyiselwa izimali ezibolekiwe.
- Isimangalo sokudilivelwa impahla ethwalekayo noma engathwaleki uma inani layo lingengaphezu kuka R7000.
- Ukumangalela ohleli empahleni engaphansi kolawulo lwenkantolo, inqobo uma inani lalelo lungelo kulowo ohleli alikho ngaphezu kuka R7000.
- Isimangalo esidalwa wukuvuma isikweletu noma ibhondi yempahla, uma inani lingengaphezu kuka R7000.
- Isimangalo esibangwa yiSivumelwano Sesikweletu uma inani lingengaphezu kuka R7000.

5. YIKUPHI OKUNGAMUKELEKILE NGAPHANSI KWENKANTOLO?

- Izimangalo zenani elingaphezu kuka R7000
- Izimangalo ezibhekiswe kuHulumeni
- Izimangalo ezisekeleke ekuyekelweni noma ekudlulisweni kwamalungelo.
- Izimangalo zamademeshe amayelana nokuhlanjalazwa, ukushushiswa okungafanele, ukufakwa ejele okungafanele, ukuboshwa okungafanele, ukuyenga kanye nokwephula isethembiso somshado
- Isimangalo sokuhlakazwa komshado
- Isimangalo mayelana nokuba semthethweni kwewili
- Isimangalo mayelana nomumo womuntu maqondana nekhono lobuchopho bakhe
- Isimangalo lapho kufunwa khona umsebenzi othile ngaphandle kwesimangalo sokukhokhelwa amademeshe, ngaphandle kwesimangalo sokuveza i-akhawunti noma ukudlulisa impahla ethwalekayo noma engathwaleki enenani elingengaphezu kuka R7000.

6. NGABE UPHOQEKILE UKUBA UFAKE ICALA LAKHO ENKANTOLO YAMACALA AMANCANE?

- Cha, ungakhetha ukuthi ufuna ukulifaka eNkantolo Yamacala Amancane noma kunoma iyiphi enye inkantolo esemthethweni.

7. UKUMELWA NGABAMELI

- Ukumelwa yinoma wumuphi ummeli noma ummeli wasemajajini (adocate) enkantolo akuvunyelwe. Nokho, ungazitholela izeluleko zommeli ngaphambi kwecala ngezindleko zakho.
- Abasizi bezomthetho nomabhalane beNkantolo Yamacala Amancane bazokusiza mahhala.

8. ULIMI

- Noma yiluphi phakathi kwezilimi ezisemthethweni eNingizimu Afrika lungasetshenziswa enkantolo.
- Ukuhlelela utolika kufanele kwenziwe nomabhalane wenkantolo ngaphambi kosuku lwecala uma ubufakazi buzokwethulwa ngolimi angalwazi kahle omunye wamaqembu.

9. INDLELA YOKUFAKA ISIMANGALO

9.1 Izinyathelo ezandulela ukufakwa kwesimangalo

- Xhumana neqembu eliphikisayo (umuntu ozommangalela) ngokubonana naye ngqo, ngocingo noma ngencwadi umcele ukuba akalungise iphutha/akhokhe isibizo (claim).
- Uma iqembu eliphikisayo lingalilungisi iphutha, lithumelele imfuno ebhaliwe ubeke yonke imininingwane okusekeleke kuyo isibizo sakho nomthamo wemali owufunayo. Nikeza iqembu eliphikisayo 14 wezinsuku emva kokuthola incwadi yakho zokuba lilungise isibizo sakho.
- Zihambisele mathupha imfuno ebhaliwe noma uyithumele ngeposi elirejistiwe eqenjini eliphikisayo.
- Uma sezidlulile izinsuku eziwu 14, kufakele ubike mathupha kumabhalane wenkantolo uphathe ubufakazi bokuthi imfuno ebhaliwe yalethwa eqenjini eliphikisayo.

9.2 Yini okufanele uyiphathe uma uya kuMabhalane weNkantolo

- Ubufakazi bokuthi imfuno ebhaliwe yalethwa, njengesliphu saseposini
- Noma yisiphi isivumelwano, iphepha noma obunye ubufakazi okusekeleke kubo isibizo sakho noma okuxhumene naso
- Igama nekheli okuphelele (amakheli asekhaya nawebhizinisi, uma kwenzeka) nenombolo yocingo kweqembu eliphikisayo.

9.3 Yimiphi imisebenzi kaMabhalane weNkantolo?

- Umabhalane wenkantolo nomsizi wezomthetho bazohlola amaphepha akho bese beyakusiza ekubhaleni isamanisi.
- Umabhalane wenkantolo uzokwazisa ngosuku nesikhathi kokulalelwa kwecala.
- Umabhalane wenkantolo uzokhipha isamanisi akunike.

9.4 Wena ulenzani isamanisi?

- Ungalihambisa mathupha isamanisi eqenjini eliphikisayo. (Zama ukuthola ubufakazi bokuthi lamukelwe).

NOMA

- Ungahambisa isamanisi, kanye nenkokhelo efanele, kuSithunywa Senkantolo elihlala ngaphansi kwendawo esiyilawulayo iqembu eliphikisayo, ukuze ihanjiswe kulo isamanisi.

9.5 Wenzenjani emva kwalokho?

- Uma Isithunywa Senkantolo sesivumile ukuhambisa isamanisi, kufanele kuthi ngaphambi kosuku lwecala uthole ikhophi yobufakazi bakhe obubhaliwe bokuthi uyihambisile isamanisi.
- Gcina eduze nawe isivumelwano, amaphepha noma obunye ubufakazi esisekeleke kukho isibizo sakho.
- Yazisa ofakazi bakho ngosuku nesikhathi kokulalelwa kwecala bese ubahlelela ukuba babe khona enkantolo ngalolo suku nangaleso sikhathi.

10. IZINYATHELO EZINGATHATHWA YIQEMBU ELIPHIKISAYO EMVA KOKUFUMANA ISAMANISI

- Angalungisa/angakhokha isibizo soMmangali.
- Angaletha isitatimendi esibhaliwe (plea), esinemininingwane yokuphikisa kwakhe nezizathu zalokho, kumabhalane wenkantolo bese ethumela ikhophi yaso kuMmangali.
- Angafaka esakhe isibizo esiphikisayo (counterclaim) kumabhalane wenkantolo ngokuletha isitatimendi esibhaliwe esinemininingwane efana naleyo edingeka kwisamanisi.
- Ngisho noma isitatimendi esibhaliwe noma isibizo esiphikisayo singethulwa, ukuqhubeka kwenkantolo kusafanele kuhanjelwe.

11. WENZE NJANI UMA IQEMBU ELIPHIKISAYO SELISENELISILE ISIBIZO SAKHO?

- Mnikeze irisidi
- Yazisa ngokushesha umabhalane wenkantolo ukuthi isibizo sakho sesilungisiwe nokuthi ngeke usaqhubeka necala.

12. KWENZEKANI UMA IQEMBU ELIPHIKISAYO LINGASENELISI ISIBIZO SAKHO?

12.1 Kufanele wenze njani ngosuku nesikhathi okuqokelwe icala?

- Kufanele uvele mathupha enkantolo.
- Qinisekisa ukuthi uphathe wonke amaphepha okusekeleke kuwo isibizo sakho.
- Qiniseka ukuthi bonke ofakazi bakho bakhona.
- Qiniseka ukuthi ubuphethe ubufakazi obubhaliwe bokuthi isamanisi lanikezwa iqembu eliphikisayo.

12.2 Ukuqulwa

- Izinqubo zenkantolo azinamicikilisho futhi zilula.
- Qinisekisa ukuthi akhona wonke amaphepha okusekeleke kuwo isibizo sakho.
- Qiniseka ukuthi bonke ofakazi bakho bakhona.
- Qiniseka ukuthi bukhona ubufakazi obubhaliwe bokuthi isamanisi lanikezwa iqembu eliphikisayo.
- Awuvunyelwe ukufika nommeli noma nommeli wasemajajini (advocate).
- UKhomishani wenkantolo uzokucela ukuthi ubeke isibizo sakho. Beka amaphuzu asemqoka ngamafuphi.
- Phendula imibuzo kaKhomishani futhi wethule amazibhithi akho (amaphepha okusekeleke kuwo isibizo sakho).
- Akuvunyelwe ukuphonsana imibuzo phakathi kwamaqembu. Ngemvume kaKhomishani nokho, ungayibuza imibuzo embalwa eqenjini eliphikisayo.
- Lalelisisa izincazelo zeqembu eliphikisayo bese wazisa uKhomishani nganoma yimaphi amaphuzu okholwa wukuthi awabekwanga ngemfanelo.
- Emva kokuba uKhomishani esekuzwile, iqembu eliphikisayo nofakazi abebebiziwe, inkantolo ingakhipha isinqumo. UKhomishani futhi anganquma ukuthi isinqumo siyokhishwa ngencwadi emuva kwesikhathi.

12.3 Ukungeneliseki noma ukubuyekeza

- Akuvunyelwe ukudlulisa ukungeneliseki mayelana nesinqumo noma nomyalelo wenkantolo.
- Izinqubo zenkantolo zingadluliselwa eNkantolo Enkulu (Supreme Court) ukuba ziyobuyekezwa ngezizathu ezintathu kuphela:-
- Ukungabibikho kwenkantolo icala elingaphansi kwayo
- Ukuba nomdlandla ecaleni, ukuchema, izinhloso ezimbi noma inkohlakalo ngasohlangothini lukaKhomishani kanye,
- Nokungahambisi kakhulu ngendlela efanele mayelana nezinqubo.

12.4 Izinyathelo ezilandela isinqumo

12.4.1 Uma isinqumo siphikisana nawe

- Isinqumo senkantolo siwujuqu, ngaphandle uma kunezizathu zokuba sibuyekezwe.
- Khokha noma yiziphi izindleko ozoziyalelwa yinkantolo. Ukuphela kwezindleko ezingaba khona yilezo zeqembu eliphikisayo zokukhokhela Isithunywa senkantolo.
- Hlonipha isinqumo senkantolo.

12.4.2 Uma isinqumo sivuna wena

- Iqembu eliphikisayo kufanele likhokhe ngokushesha yonke imali elikukweleta yona ngokuhambisana nesinqumo. Uma likukhokhela, linikeze ngaleso sikhathi irisidi yemali okhokhelwe yona.
- Uma iqembu eliphikisayo lingeke likwazi ukukhokha ngokuphazima kweso, inkantolo izophenya ngesimo sezezimali seqembu eliphikisayo bese ithola ukuthi lingasikhokha ngayiphi indlela isikweletu esinqunyiwe kanye nezindleko ezihambisana naso bese ikhipha umyalelo mayelana nalokho.

12.4.3 Uma onqunyelwe ukuba akhokhe ehluleka ukuhlonipha isinqumo noma umyalelo wenkantolo

Uma onqunyelwe ukuba akhokhe ehluleka ukuhlonipha isinqumo noma umyalelo weNkantolo Yamacala Amancane futhi wena ufuna ukusiphoqelela isinqumo noma umyalelo okunikiwe, udaba ludluliselwa eNkantolo kaMantshi bese inqubo yokwenza ebalulwe wumthetho iMagistrate's Court Act ongunombolo 32 ka 1944 iyalandelwa. Kunconywa ukuba usebenzise abameli kulokhu.

INKANTOLO

Yamacala Amancane

Faka icala lesakho isibizo!

OKUSEMQOKA

- Leli pheshana likwazisa kuphela ngezinyathelo ezisemqoka kunazo zonke okumele zithathwe mayelana nokufakwa kwecala eNkantolo Yamacala Amancane.

Uma udinga usizo nganoma yiluphi udaba, ikheli nenombolo yocingo kukamabhalane weNkantolo Yamacala Amancane kungatholakala eHhovisi eliseduze nawe likaMantshi.

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