



## UkuXhotyiswa kwaBantu abaNyama kwezoQoqosho kuko okufunekayo kuhlumo

**K**winyanga kaTshazi-mpunzi kulo nyaka, iintengiselwano yokuxhotyiswa kwabantu abamnyama ngokubanzi kwezoqoqosho yaqakunjelwa eMpuma Koloni ethe yaphucula ngokubonakalayo ukuthatha inxaxheba kwamashishini abasetyhini abamnyama kwicandelo lezamadla.

Indawo yamafutha amaninzi olwelo esetyenziswa yi-BP Southern Africa eMonti ithengiselwe i-Wasaa, eyinkampani ezimeleyo yeekhemikhali zepe-troli. I-Wasaa ifumene yonke impahla yenkampani kunye nesabelo se-20% kwimibhobho ehambisa amafutha.

Ngengxelo yowama-2020 yeKomishoni yokuXhotyiswa kwaBantu abaNyama ngoku-Banzi kwezoQoqosho ebonisa ukuba uninzi lwamacandelo ezoqoqosho ayasilela kwizinto ebekujoliswe kuzo zobunini babasetyhini abamnyama, le ntengiselwano efunyenwe yinkampani yamafutha olwelo yowasetyhini omnyama oluphuhliso oluyimbali.

Inegalelo kumzamo wethu wesizwe wokulungisa ukungalingani kunye nokuqinisekisa ukuba kukho ukuthatha inxaxheba okunentsingiselo yesininzi selizwe kuqoqosho lwethu.

Kutshanje, ndibhengeze ukuqeshwa kweBhunga elitsha leeNgcebiso zokuXhotyiswa kwabantu abaNyama ngoku-Banzi kwezoQoqosho, eliquka urhulumente, amashishini, abasebenzi kunye nabanye abachaphazekayo. Lasekelwa ukukhuthaza injongo yenguqu kwezoqoqosho.

Ibhunga linemvelaphi yalo kwingxelo yowama-2001 eyaveliswa yiKomishoni ye-BEE.

Le ngxelo iphuma kuphando olubanzi malunga nobume bezoqoqosho loMzantsi Afrika, kunye nento eyayifuneka ukugqula uqoqosho, ukukhulisa

ushishino lwabamnyama, ukuqinisekisa ulawulo olubanzi lwabantu abamnyama kunye nobunini bamashishini, kunye nokuzisa abasetyhini abamnyama kuqoqosho olungundoqo.

Kunyaka ozayo, iza kuba ngamashumi amabini eminyaka ukususela oko uMthetho wokuXhotyiswa kwabantu abaNyama ngokuBanzi kwezoQoqosho (i-B-BBEE) – owaseka ibhunga – waphunyezwa.

Ukuzinikela kwethu ekuzinziseni nasekuqiniseni ukuxhotyiswa kwezoqoqosho akugungqi. Yiyo loonto ukuxhotyiswa kwabantu abamnyama kwezoqoqosho kuyinxalenye ebalulekileyo yolwakhiwo ngokutsha nokuvuselelwa koqoqosho lwethu emva kobhubhane we-COVID-19.

Esi sesinye seziqinisekiso endazithetha kwiBhunga loShishino lwabantu abaNyama ekuqaleni kwenyanga ephelileyo, apho besixoxa ngobume be-B-BBEE elizweni, inkqubela esele yenziwe kunye noko kufuneka sikwenze njengembumba ukwakhela phezu kweenzuzo zethu.

Ngelixa kukho inkqubela ebonakalayo kule minyaka ingamashumi amabini idlulileyo, kukho iindawo ezithile apho kuye kwakho ukulehla. Sibuyele umva xa kufikelelwa ekwandiseni ulawulo lokuphatha kwabantu abamnyama, ukunyusa uphuhliso lwezakhono, ukuzinzisa uphuhliso lwamashishini kunye nokwandisa inkqubo yokufumana abaniki-zinkonzo ukuze kunikwe amathuba abasetyhini abamnyama kunye nolutsha.

Urhulumente wobandlululo wenza ngabom ekwakheni uqoqosho olungeyonyani olwalulungiselelwe ukuba kuxhamle abantu abamhlophe. Uninzi lwabemmi boMzantsi Afrika bebjongelwe phantsi

kuqoqosho olungundoqo, apho oosomashishini abantu abamnyama bebevaleleke kumashishini amancinane ezilokishini.

Ekupheleni kobandlululo, ubunini babantu abamnyama beenkampani ezikuluhlulwe-JSE babungaphantsi kwepesenti enye. Eli nani aliphucukanga kangako kule minyaka ingama-28 idlulileyo. Ngaxeshanye, kubekho amaphulo abalulekileyo eandelo labucala kunye namanyathelo angabom karhulumente ukuquzelela ukuthatha inxaxheba okukhulu kwabantu abamnyama nokunentsingiselo kuqoqosho.

Phakathi kowama-2017 nowama-2020, phantse iintengiselwano zokuxhotyiswa ezingama-500 zangeniswa ukuba zibhaliswe kwiKomishoni ye-B-BBEE. Kumacandelo angundoqo afana nelokwakha, iprothathi, ubugcisa bolwazi nonxibelelwano, ukhenketho nothutho, ubunini babantu abamnyama bugqithile koko bekujoliswe kuko.

Inguqu kwezoqoqosho kunye nohlumo lwezoqoqosho ngumtya nethunga. Akunakubakho enye ngaphandle kwenye.

Ngokudibanisa inguqu kwinkqubo yophuhliso lwemizimveliso, siqhubelisa phambili umfuziselo wohlumo olubandakanya wonke umntu owabelanayo, endaweni yokugxila, kubutyebi.

ISebe lezoRhwebo, uShishino kunye noKhuphiswano (i-DTIC) lilandela le njongo ngendlela yeenkqubo ezahlukeneyo. Ziquka inkqubo yenkxaso kumashishini asezi-lokishini, uqeqesho olunxulumene nokuthunyelwa kweempahla kwamanye amazwe eyenziwa liQumrhu loPhuhliso lwezoShishino (i-IDC) kumashishini abantu abamnyama, awabantu basetyhini kunye nawolutsha, kunye nokwa-

ndiswa kohlahlo lwabiwo-mali lweziseko ezingundoqo kwii-SMME kuMmandla woQoqosho oKhethekileyo waseTshwane.

Ngendlela yezicwangciso eziyintloko zamacandelo siqhuba ukuveliswa kwasekhaya okuxhamlisa amashishini angawabantu abamnyama. Umzekelo, abalimi bexeshana abangabantu abamnyama abali-10 baye basekwa ngotyalo-mali oluzizigidi zeerandi ezingama-336 njengenxalenye yesicwangciso esiyintloko sokufuya iinkukhu. Urhulumente ukwasungule uthungelwano lwabarhwebi abamnyama oluncediza ngokuthunyelwa kwempahla kumazwe angaphandle oluza kudibanisa iinkampani zabantu abanyama ekutyeni, kwiimveliso zobunjinieli, kwizinto zezithuthi, kwiimveliso zobuhle namanye amacandelo ezoqoqosho.

Njengenxalenye yephulo lethu lokuvelisa isizukulwana esitsha soosomashishini abangabantu abamnyama, kunyaka ophelileyo urhulumente uvumele iibhiliyoni zeerandi eziyi-2.5 kwinkxaso entsha koosomashishini abangabantu abamnyama abamalunga ne-180 ngendlela yemali-mboleko esuka kwi-IDC nakwiNgxowa-mali yokuXhobisa yeSizwe (i-NEF) nangezibonelelo-mali ezivela kwisicwangciso senkuthazo se-DTIC. Kwisithuba seminyaka emithathu ezayo i-IDC, i-NEF kunye namanye amaziko aye azibophelela ngokunikezela ngeebhiliyoni zeerandi ezingama-21 ezongezelelweyo ukuxhasa oosomashishini babantu abamnyama. Imali eyongezelelweyo yeebhiliyoni zeerandi ezingama-25 izakunikezelwa ekuxhaseni iinkampani zabantu abamnyama, ezabasetyhini, ezolutsha kunye nezabasebenzi.

Kucacile ukuba mkhulu umsebenzi ekufuneka wenziwe ukulungisa imiceli-mngeni emininzi ajongene nayo amashishini abantu abamnyama. Oku kuquka ubunzima boku-fikelela kwimali yokuqalisa kunye nokwandisa ishishini kunye nokubanakho kwee-SMME ukufumana iimarike zeemveliso zazo. Amashishini angawabantu abamnyama basetyhini, ingakumbi, adibana nobunzima ekuthatheni iintengiselwano zokuxhobisa ngokomlinganiselo omkhulu.

Ukuqhawula umjikelo wokunqongophala kophuhliso ngendlela yokuxhotyiswa koqoqosho lwabantu abamnyama akuyomfuneko nje yokuziphatha; kwenza ingqiqo kwezoshishino kananjalo.

Ukungaqakwa okuqhube-kayo kwesininzi sabantu abamnyama kuqoqosho olungundoqo kuthintela uhlumo lwezoqoqosho, nto leyo enefuthe kumashishini onke. Ukwandisa isiseko soshishino lwelizwe kubalulekile kuhlumo.

Sinoxanduva lwentsebenziswano lokuphembelela umzamo wokuzinzisa i-B-BBEE kuba imalunga nokuphelisa ukungalingani. Uqoqosho olungalinganiyo luvelisa uluntu olungalinganiyo, kwaye uluntu olungalinganiyo aluhlumi kwaye aluphumeleli.

Ayiyonto engalunganga nje kuphela, kodwa kukwayinto engagcinakaliyo, ukuba amashishini agcine ulawulo lwawo nobunini bezakhiwo ikakhulu kubantu abamhlophe okanye amadoda.

Ngapha koko, luluntu lwasemzantsi Afrika olungabathengi abaphambili beempahla kunye neenkonzo zalo. Oku kufuneka kuboniswe kwiiindlela ezahlukeneyo zokuqesha kunye nokulawula, kubunini nakwinkqubo yokufumana abaniki-zinkonzo.

Ukuxhotyiswa kwabantu abamnyama ngokubanzi kwezoqoqosho kuza kuphunyezwa kuphela ngobambiswano nangokuzinikela kwintsebenziswano ukuya kwinguqu.

Ukuqeshwa kweBhunga elitsha le-B-BBEE kuza kusinceda ekwandiseni imida yokuxhotyiswa kwabantu abamnyama ngokubanzi kwezoqoqosho. Ndihlaba ikhwelo koosomashishini, kubasebenzi nakushishino ukuba basebenzisane nebhunga njengoko lisenza lo msebenzi ubaluleke kangaka.



# Ukukhupha isisu ngokukhuselekileyo nokusemthethweni kusimahla



## Allison Cooper

**A**sikho isizathu sokuba abasesetyhini basebenzise ikloniki yokukhupha isisu engekho mthethweni nengakhuselekanga ukuba bafuna ukukhupha izisu zabo.

Oku kungokutsho kuka-Sekela Mphathiswa wezeMpilo uGqr Sibongiseni Dhloomo, ocacisa athi, ngokomthetho, bonke abasesetyhini banelungelo lokukhupha isisu, simahla kwisibhedlele okanye kwiklinikhi karhulumente kwiveki ezili-12 zokuqala.

“Kuyasikhathaza thina njengeenkoxheli zikarhulumente ukubona abantu bethu beshiya iinkonzo zempilo ezikhuselekileyo nezisimahla, nokuba kungasiphi na isizathu, besiya kuchitha imali yokugqibela ekunganyanzelekanga ukuba bayihlawule umntu obeka ubomi babo emngciphekweni. Asikho isizathu sokuba abasesetyhini balungise ukukhulelwa okungacetywanga ngokuthi bakhuphe isisu ngokungekho mthethweni nangokungakhuselekanga kuba sonke siyazenza iimpazamo. Ukukhupha isisu ngokungekho mthethweni akusosiso-mbululo,” utshilo uGqr Dhloomo.

Wongeze ngokuthi iSebe lezeMpilo linamaziko ezempilo oluntu angama-346 abonelela ngeenkono zokukhupha isisu ngokukhuselekileyo.

Amaziko afumaneka eMpuma Koloni (46), eFreystata (16), eRhawutini (25), KwaZulu-Natal (56), eLimpopo (54), eMpumalanga (27), eMntla Koloni (6), eMntla Ntshona (26) kwaye eNtshona Koloni (90).

## Iingxaki zokukhupha isisu ngokungekho mthethweni

IBambela loMlawuli weNkonzo yezeMpilo yaBantwana neyabaseTyhini kwiSebe lezeMpilo KwaZulu-Natal, uPhalannndwa Muthuphei, uthi abasesetyhini bangajongana neengxaki ezininzi xa bakhupha isisu kwiklinikhi yokukhupha isisu engekho

mthethweni.

“Ezi ngxaki zikhawulezileyo ziquka ukopha kakhulu, ukukrazuka komlomo wesibekeko, umonakalo omkhulu kumalungu angasese nakwisisu, ukosuleleka ngaphakathi esiswini kunye nokutyhefeka kwegazi.

“Kwixesha elide, abasesetyhini banokujongana nokwanda kancinci komngcipheko wokungazali, ukukhulelwa kwindawo engaqhelekanga, ukuphuncukelwa sisisu okanye ukubeleka phambi kwexesha okanye nokufa,” utshilo uMuthuphei.

“Abasesetyhini basenokuchaphazeleka ngokweemvakalelo ngenxa yokukhupha isisu okungakhuselekanga, ngokungekho mthethweni, okuquka ukuphazamiseka koxinzelelo lwasemva kokwenzakala, ukudakumba kunye

neengxaki zobudlelwane phakathi kwabantu.

“Ukukhupha isisu okungakhuselekanga nako kunokukhokelela kwimpembelelo zoqoqosho lwentlalo olubi kwabasesetyhini, ebantwaneni, kwiintsapho noluntu,” wongeze watsho.

## Iindlela zokukhupha isisu ezisemthethweni

UMuthuphei uthi abasesetyhini abafuna ukukhupha isisubaneendlela ezikhuselekileyo nezisimahla zokwenza oko kwiklinikhi nakwizibhedlele zikarhulumente.

“Ukhetho lweendlela kufuneka lube khona, konke kufuneka kwenziwe ngugqirha oqeqeshiweyo nonamava okanye ngumongikazi oqeqeshiweyo,” wongeze watsho.

Ezi ndlela, nokuba kukukhupha isisu ngonyango okanye ngotyando, zixhokeke kubude bexesha lokukhulelwa kowasesetyhini.

Ukukhupha isisu ngonyango, okubandakanya ukusela iipilisi ezimbini ukuphelisa ukukhulelwa, kunokwenziwa de kube ziveki ezilithoba zokukhulelwa.

“Isigulane ngoko ke sinokukhupha isisu ekhaya hayi eklinikhi okanye esibhedlele,” utshilo uMuthuphei.

Ukukhupha isisu ngoqhaqho kwenziwa ngumongikazi obhalisiweyo (ukuya kwiveki ezili-12) okanye ngugqirha (ukusuka kwiveki ezili-12 ukuya kwezingama-20).

NgokoMthetho wokuKhetha ukuKhupha Isisu (UMthetho Nombolo 92 wowe-1996), ukukhupha

isisu kunokwenziwa ukusuka kwiveki ezili-13 ukuya kwezingama-20 ukuba ugqirha, emva kokubonisana nowasesetyhini okhulelweyo, ukholelwa ukuba:

- Ukukhulelwa okuqhubekayo kubangela umngcipheko wokwenzakala kwimpilo yomzimba okanye kweyengqondo yowasesetyhini.
- Kukho umngcipheko omkhulu wokuba umntwana ongekazalwa angaba nokukhubazeka okukhulu ngokwasemzimbeni okanye ngokwasengqondweni.
- Ukukhulelwa kube sisiphumo sokudlwe-ngulwa okanye umbulo.
- Ukukhulelwa okuqhubekayo kunokuchaphazela kakhulu imeko yentlalo okanye eyezoqoqosho kwabasesetyhini.

Ukukhupha isisu kusenokwenziwa emva kweveki yama-20 ukuba ugqirha, emva kokubonisana nombeleki obhalisiweyo, ukholelwa ukuba ukukhulelwa okuqhubekayo kunokububeka esichengeni ubomi bowasesetyhini, kubangele ukukhubazeka okukhulu kusana olungekazalwa okanye kubangele umngcipheko wokwenzakala kusana olungekazalwa.

NgokoMthetho, bonke abasesetyhini, nokuba bangaphantsi kweminyaka eli-18 ubudala, banelungelo lokukhupha isisu.

Akukho mfuneko yokufumana imvume kubazali okanye umgcinini. NgokweSebe lezeMpilo laseNtshona Koloni, ukuba ungumntwana, uya kucetyiswa ukuba uthethe nomntu omdala omthembileyo kwaye uze nomntu kwidinga lakho. Nangona kunjalo, awunyanzelekanga ukuba wenze njalo.



Ngeenkukacha ezithe vetshe malunga neenkono ezisemthethweni zokukhupha isisu zasimahla okanye ngeengcebiso zokukhulelwa kunye nocwangciso, tyelela iziko lezempilo likarhulumente elikufutshane nawe.