



UMTHETHO WOKUKHUTHAZA UKUFIKELELA KULWAZI

INCWADI YECANDELO LE-14



the dtic

Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA



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2. IMVUME

IGAMA KUNYE NETAYITILE	IMVUME	UTYIKITYO	UMHLA
3. Gqirha G.J. Calitz D: RIM OCIO	KUCETYISWA Akucetyiswa	<input checked="" type="checkbox"/> <input type="checkbox"/>	
Izizathu (kunyanzelekile xa uxwebhu lungakhuthazwa)			
4. Nks S. Kornizer Acting CIO OCIO	Kucetyiswa Akucetyiswa	<input type="checkbox"/> <input type="checkbox"/>	
Izizathu (kunyanzelekile xa uxwebhu lungakhuthazwa)			
5. Nks S.N.O. Choane DDG CMSD	Ixhasiwe Ukungaxhaswa	<input type="checkbox"/> <input type="checkbox"/>	
Izizathu (kunyanzelekile xa uxwebhu lungakhuthazwa)			
6. Nks M. Mabitje-Thompson U-DG oBambeleyo i-dtic	Ivunyiwe Ayivunywanga	<input type="checkbox"/> <input type="checkbox"/>	
Izesha lokuqinisekisa: Le ncwadana iyakuthi ukuba, kuyimfuneko, ihlaziye rhoqo ngonyaka.			

7. IZISHWANKATHETO KUNYE NEZIFAKANISO

ISIFINYEZO	INKCAZELO
B-BBEE	UXhotyiso IwaBamnyama IoQoqosho oluSekelwe ngokuBanzi
CMSD	ICandelo leNkonzo yoLawulo IweNkampani
DDG	USekela Mlawuli- Jikelele
FER	UMmeli wezoQoqosho IwangaPhandle
ICT	UNxibelewano IoLwazi kune nobuChwepheshe
MISS	UBuncinane boMgangatho woKhuseleko IoLwazi
ODG	IOfisi yoMlawuli- jikelele
PAIA	UMthetho wokuKhuthaza ukuFikelela kuLwazi
PAYE	Hlawula njengoko uSamkela
POPIA	UMthetho woKhuseleko IoLwazi IoBuqu
R-CTFL	Urhwebo, impahla, amalaphu, izihlangu nesikhumba
SAHRC	IKhomishoni yaMalungelo oLuntu yaseMzantsi Afrika
SARB	UVimba weBhanki
SARS	lunkonzo zengeniso zaseMzantsi Afrika
the dtic	ISebe IoRhwebo, uShishino noKhuphiswano
UIF	ISibonelelo sabangaPhangeliyo

8. IINKCAZELO

INGCACISO	IINKCAZO
Umrhumo wokufikelela	Umrhumo omiselweyo ngokweenjongo zecandelo 22(6) okanye 54 (6), njengoko kunokuba njalo.
Isihloko sedatha	Umntu ulwazi lomntu siqu lunxulumene naye
ISekela Gosa loLwazi	Umntu ochongiweyo kwiqumrhu likaRhulumente okanye labucala onoxanduva lokunceda iGosa LoLwazi ngesicelo se-PAIA
IGosa loLwazi	IGosa loLwazi ngokunxulumene nequmrhu likaRhulumente - (a) kwimeko yesebe lesizwe, ulawulo Iwephondo okanye icandelo lombutho- (i) okhankanywe kuKholam1 kaShedyuli 1 okanye 3 womthetho wenkonzo kaRhulumente, 1994 (UMpoposh 103 ka 1994), uthetha igosa elibambe isikhundla esinobizo olukhankanywe kuKholam 2 Iwale Shedyuli 1 okanye 3exeliweyo ngokuchasene negama lesebe lesizwe elifanelekileyo, ulawulo Iwephondo okanye icandelo lombutho okanye umntu obambeleyo; okanye (ii) engakhankanywanga ngolo hlobo, kuthetha uMlawuli- Jikelele, intloko, umlawuli olawulayo okanye igosa elilinganayo, ngokulandelalanayo, welo sebe lesizwe, kulawulo Iwephondo okanye kwicandelo lombutho, ngokulandeelanayo okanye umntu obambeleyo.
UMLawuli woLwazi	UMLawuli woLwazi osekwe ngokwemigaqo yeCandelo lama- 39 loMthetho wokhuseleko loLwazi loBuqu, wama – 2013.
Isibheno sangaphakathi	Isibheno sangaphakathi kwigunya elifanelekileyo ngokweCandelo la-74
UMphathiswa	Ilungu leKhabhinethi elijongene noLawulo IwezobuLungisa.
Umntu	Umntu ngokwendalo nomntu osemthethweni.
Iinkcukacha zomntu	Ulwazi olunxulumene nomntu wendalo obonakalayo, kubandakanya kodwa kungaphelelanga apho - (a) Ulwazi olunxulumene nobuhlanga, isini, ukukhulelwa, ubume bomtshato, ubuzwe okanye imvelaphi yentlalo, umbala, isini, ubudala, impilo yomzimba okanye yengqondo, intlalontle, ukukhubazeka, inkolo, isazela, inkolelo, inkubeko, ulwimi kunye nokuzalwa komntu; (b) Ulwazi olunxulumene nemfundo okanye imbali yezonyango, yezemali, yolwaphulo mthetho okanye yengqesho yomntu; (c) Nayiphi na inombolo echazayo, isimboli, idilesi yendawo, idilesi yeimeyile, inombolo yomnxeba, ulwazi lwendawo, isichazi, seintanethi okanye enye into eyabelwe lo mntu; (d) Ulwazi IweBhayometrikhi yomntu; (e) limbono zobuqu, iimbono okanye ukhetho lomntu; (f) Imbalelwano ethunyelwa ngumntu eyimfhlo okanye enye imbalelwano eya kutyhila okubhalwe kwimbalelwano yokuqala; (g) limbono okanye iimbono zomnye umntu ngomntu lowo; okanye (h) Igama lalo mntu ukuba liyavela kunye nezinye iinkcukacha zobuqu eziphathelele loo mntu okanye ukuba ukubhengezwa kwegama ngokwalo kuya kutyhila inkcazelo

	ngaloo mntu, kodwa ayiquki inkcazelu engomntu oswelekeileyo ngaphezu kweminyaka engama-20;
Umbutho woluntu	<p>Iqumrhu loluntu luthetha</p> <p>(a) Naliphi na isebe likarhulumente okanye ulawulo kwisigaba sesizwe okanye sephondo sikarhulumente okanye nawuphi na uMasipala okwinqanaba lengingqi likarhulumente; okanye</p> <p>(b) Nawuphi na omnye umsebenzi okanye iziko xa</p> <p>(i) Ukusebenzisa igunya okanye ukwenza umsebenzi ngokoMgaqo- siseko okanye uMgaqo- siseko wephondo; okanye</p> <p>(ii) Ukusebenzisa igunya likarhulumente okanye ukwenza umsebenzi woluntu ngokwemigaqo yaho nawuphi na umthetho.</p>
Ushicilelo	<p>Rekhodi, okanye ngokunxulumene, nequmrhu likarhulumente okanye labucala, lithetha naluphi na ulwazi olushicilelweyo -</p> <p>(a) Nokuba yeyiphi ifomu okanye isixhobo;</p> <p>(b) Kwindawo okanye phantsi kolwawulo lwelo zoiko likarhulumente okanye labucala, ngokulandelelanayo; kwaye</p> <p>(c) Nokuba yadalwa na okanye hayi eli ziko likarhulumente okanye labucala, ngokulandelelanayo.</p>
Umceli	<p>Nawuphi na umntu owenza isicelo sokufikelela kwirekhodi yombutho kwaye kulo mba, i-PAIA yahlula phakathi kweentlobo ezimbini zabafaki zicelo zokufikelela kulwazi, okanye umceli wobuqu (isihloko sedatha) kunye nomnye umceli.</p> <p>Umba wedatha ngumceli othi, akuba enike ubungqina obaneleyo bokuzazisa afune ukufikelela kwirekhodi eneenkcukacha zobuqu malunga nomxholo wedatha.</p> <p>Ngokuxhomekeke kulungiselelo Iwe-PAIA kunye ne-POPIA, umbutho uya kubonelela ngolwazi oluceliweyo, okanye unike ufilelelo kuyo nayiphi na irekhodi malunga neenkcukacha zobuqu zomfundi ngexesha elifanelekileyo (ngentlawulo emiselweyo, ukuba ikhona) ngendlela efanelekileyo nangefomathi, yaye ngendlela eqondakalayo ngokubanzi. Intlawulo emiselweyo yokuphinda kuveliswe iinkcukacha zobuqu eziceliweyo ziya kubizwa.</p> <p>Umntu okuluhlu lomnye umceli unelungelo lokucela ufilelelo kulwazi oluphathelele kumaqela esithathu, Nangona kunjalo, umbutho awunyanzelekanga ukuba unikezele ufilelelo phambi kokuba umceli afezekise iimfuno zokufikelela kulwazi ngokwe-PAIA ne-POPIA.</p>
Isicelo sokufikelela	Isicelo sokufikelela, ngokunxulumene nequmrhu loluntu, sitetha isicelo sokufikelela kwirekhodi yequmrhu loluntu ngokwemigaqo yecandelo le-11.
Iqela elinoxanduva	Iqumrhu likarhulumente okanye iqumrhu labucala okanye nawuphi na omnye umntu, eydwa okanye ehlangene nabanye, emisela injongo kunye neendlela zokusetyenzwa kolwazi lomntu.
Iqela lesithathu	<p>Iqela lesithathu, ngokunxulumene nesicelo sokufikelela kwirekhodi yequmrhu loluntu, lithetha nawuphi na umntu (kubandakanywa, kodwa kungaphelelanga aphi, urhulumente welizwe langaphambili, umbutho wamazwe ngamazwe okanye iqumrhu lalo rhulumente okanye umbutho) ngaphandle –</p> <p>(i) umceli ochaphazelekayo; kwaye</p> <p>(ii) iqumrhu loluntu;</p>

	Kodwa, ngokwenjongo zecandelo lama-34, ukubhekisa 'kumntu' makuthathwe njengokubhekisisa 'kumntu' wendalo.
uMthetho	uMthetho uthetha uMthetho wokuPhakanysiwa koFikelelo kuLwazi we-2 ka- 2000 njengoko ulungisiwe, kwaye ubandakanya nawuphi na ummiselo owenziweyo nosebenzayo ngokweCandelo lama- 92.

9. 1. INTSHAYELELO

UMthetho wokukhuthazwa koFikelelo kuLwazi. UNombolo 2 ka-2000 (PAIA) waqalisa ukusebenza ngomhla we-9 kwekaTshazimpuzi ka-200, unika impembelelo kwilungelo lomgaqo-siseko lokufikela kulo naluphi na ulwazi olugcinwe okanye iqumrhu labucala elifunekayo ukuze kusetyenziswe okanye kukhuselwe naliphi na icandelo likarhulumente okanye labucala. Amalungelo aphi isicelo se-PAIA senziweyo, iqumrhu ekwenziwa kulo isicelo linyanzelekile ukuba likhuphe ulwazi, ngaphandle kwalapho uMthetho uchaza ngokucacileyo ukuba ulwazi lungakhutshwa okanye lungakhutshwa.

ICandelo le-9 loMthetho liyayivuma into yokuba ilungelo elinjalo lokufikelela kulwazi alinakuphela, kwaye kufuneka libe phantsi kwemida ethethelelekayo, kubandakanywa, kodwa kungaphelelanga aphi:

- Izithintelo ezijolise kukhuseleko olufanelekileyo lobumfihlo.
- Imfihlo yorhwebo
- Ulawulo olusebenzayo, olusebenzayo nolulungileyo.

Ngaphezu koko, ilungelo elikhankanywe ngaphambili lokufikelela kulwazi kufuneka lisetyenziswe ngendlela elungelelanisa elo kunye nawo nawaphi na amanye amalungelo, kubandakanywa amanye amalungelo aquelethwe kumthetho oyilwayo wamalungelo njengoko efunyenwe kumgaqo-siseko.

Ukongeza, iSebe lezoRhwebo, iShishini kunye noKhuphiswano (**i-dtic**) lizama ukwenza izinto elubala kwaye rhoqo ngokukhululekileyo libonelele ngolwazi kuluntu Iwezoshishino, abathengi kunye noluntu ngopapasho, izaziso kwiwebhusayithi yalo kunye namaziko omnxeba.

UMthetho woKhuseleko LoLwazi loBuqu, uNombolo 4 ka-2013 (POPIA), lilungu lomthetho okhusela imfezeko novakalelo lolwazi lwabucala. Imibutho kufuneka ilawule ukuthathwa kwedatha kunye nenkqubo, yokugcinwa kolwazi lomntu ngaphakathi kwesakhelo esisemthethweni njengoko kuchazwe kuMthetho.

UMthetho ubonelela ngeemeko ezsibhozo aphi iinkcukacha zomntu zinokuqokolelw ngokusemthethweni kwaye ziwalaselwe. Inika imixholo yedatha ilungelo lokucela ufikelelo, ngokungqinelana namalungiselelo e-PAIA, kwiinkcukacha zabo kulo naliphi na iqela elinoxanduva.

10.2. INJONGO

ICandelo le-14 le-PAIA lifuna ukuba amaqumrhu karhulumente aqulunqe incwadi eza kunceda umntu ukuba afikelele kulwazi olugcinwe liqumrhu likarhulumente. Isiqendu se-14 sikhachaza ezona mfuno zisezantsi ekufuneka incwadi yencwadana ihambelane nazo.

Le ncwadana ilungiselelw ngokuhambelana neCandelo le - 14 le- PAIA, kunye neemfuno ze-POPIA.

Le ncwadana ijonge ukukhuthaza inkcubeko yokwenziwa kwezinto elubala kunye nokuthatha uxanduva **kwi-dtic** ngokunika isisphumo kwilungelo lolwazi olufunekayo ekusetyenzisweni nasekukhuseleni amalungelo omntu okanye ombutho. Ukukhuthaza ulawulo olusebenzayo lwemibutho yoluntu, kuyimfuneko ukuqinisekisa ukuba wonke umntu uxhotyiswe kwaye ufundile ukuze aqonde amalungelo abo ngokwe-PAIA.

Le ncwadana inika nabani na onqwenela ukusebenzisa uMthetho ngeenkukacha zoqhagamshelwano kunye neenkubo zokufumana ulwazi oluthile **kwi-dtic** lkwanika umntu onjalo isishwankathelo esicacileyo sesakhiwo, imisebenzi, iinkonzo kunye nesalathiso solwazi **Iwe-dtic** ukuze akwazi ukuchonga ulwazi olufunekayo, ukuba sele luhkona.

Le ncwadana ichaza iifomu kunye neentlawulo ekufuneka zikhaphe nasiphi na isicelo solwazi, kunye neefomu ezifunekayo ukuchasa ukusetyenzwa kolwazi lomntu kunye nokucela ukulungiswa okanye ukucinywa koko.

11.3. OKUSHIYELWAYO

Ukongeza kwisikhundla sayo sangaphakathi, i-dtic ixhomekeke kwiqela lee-arrhente ezikhethekileyo, ezilawulayo kunye nophuhliso Iwezemali kunye namaziko ekuxhaseni ukukhula koqoqsho, ingqesho kunye neenjongo zolingano, kunye nokuhamisa iimveliso kunye neenkonzo kubemi bezooqoqsho belizwe.

Le ncwadana ibonelela ngeerekhodi ze-dtic kuphela hayi ezo zmaqumrhu ayo. Naziphi na izicelo zokufikelela kulwazi olunxulumene naliphi na kwiziko likarhulumente le dtic kufuneka zithunyelwe kwiGosa loLwazi lombutho ofanelekileyo.

12.4. UKWAKHIWA KWENKUBO NEMISEBENZI YE-DTIC

4.1 Umbono we-dtic

Uqoqsho lwaseMzantsi Afrika oluguquguqukayo, olunokhuphiswano Iwehlabathi, oluphawulwa yinguqu yezoqoqsho enentsingiselo, ukukhula nophuhliso olubandakanyayo, ingqesho enesidima kunye nolingano, olwakhelwe phezu kwamandla abo bonke abemi.

4.2 Injongo ye-dtic

Injongo ye-dtic kuku:

- Ukukhuthaza inguqu kulwakhiwo, ukuya kushishino oluguquguqukayo noqoqoqsho olunokhuphiswano Iwehlabathi.
- Ukubonelela ngemekobume enokucingeleka, enokhuphiswano, enobulungisa nenoxanduva loluntu, elungele utsyalomali, urhwebo nophuhliso Iwamashishini.
- Yandisa intatho nxaxheba kuqoqsho ukomeleza uphuhliso loqoqsho.
- Ukuqhubela phambili nokuphucula izakhono nezakhono **ze-dtic** ukuze ifezekise isigunyaziso sayo kwaye iphendule kwiimfuno zabemi boqoqsho zabemi boMzantsi Afrika.
- Ukulungelelaniswa kwamagalelo amasebe karhulumente, amaqumrhu karhulumente kunye noluntu ukuphumeza uphuhliso loqoqsho.
- Ukuphucula ulungelewaniso phakathi kwemigaqo nkubo yezoqoqsho, izicwangciso zikarhulumente, iiarhente zakhe, kunye neenjongo zikarhulumente zezopolitiko nezoqoqsho kunye nesigunyaziso.

4.3. Inkcazelo yeenkqubo kanye neenkqutanya

I-dtic ineenkqubo ezili-10 ezbekwe ngezantsi.

4.3.1 Inkqubo 1: Ulawulo

a) **Injongo:** Ukubonelela ngobunkokheli obucwangcisiweyo, ulawulo neenkonzo zenkxaso kwisebe.

b) **Inkcazo yeenkqutanya:**

- (i) **Icandelo IoMphathiswa** libonelela ngobunkokheli kanye nesikhokhelo somgaqonkqubo kwi-dtic.
- (ii) **IOfisi yoMlawuli** Jikelele ibonelela ngolawulo lulonke Iwezibonelelo **ze-dtic**.
- (iii) **IIkonzo eziManyanisiweyo** zibonelela ngezisombululo ezigxile kubathengi kanye nezihlanganisiweyo zezbonelelo kulawulo Iwabasebenzi, ulwazi nobuchwepheshe bonxibelewano, iinkonzo zomthetho kanye nolawulo Iwezibonelelo.
- (iv) **Indawo yokuHlala yeOfisi** lulwabelo Iweenkonzo zendawo yokulala kwii-ofisi zemimandla ye-dtic kwaye iqinisekisa ngenkonzo yolondolozo eqhubekayo.
- (v) **Ulawulo Lwezemali** lubonelela ngenkxaso kwiSebe le-dtic, ngokubhekiselele kulwabiwo Iwezibonelelo zemali kanye nolawulo Iwayo, ukunceda ukuzalisekisa iinjongo kanye neenjongo zesebe.
Intengiso, uNxibelewano kanye noBudlelwane bezoSasazo buququzelela ukuqonda ngakumbi indima yesebe, kwandisa ukuthathwa kwemveliso kanye neenkonzo zalo, kwaye iqinisekisa ukuba iqikelwelwa ngokufanelekileyo kumajelo eendaba ngokuphembelela umxholo wemithombo yeendaba ngokuxhasa isebe.

4.3.2 Inkqubo 2: UMgaqonkqubo woRhwebo, UThethathethwano nentsebenziswano

a) **Injongo:** ukwakha inkqubo yorhwebo yehlabathi elinganayo eququzelela uphuhliso ngokomeleza amakhonco orhwebo notyalomali kanye noqoqosho olungundoqo kanye nokukhuthaza uphuhliso IweAfrika, kubandakanywa ukuditianisa kommandla kanye nelizwekazi kanye nentsebenziswano yophuhliso ngokuhambelana neAjenda yeManyano yeAfrika yowama-2063.

b) **Inkcazo yeenkqutanya**

- (i) **Uphuhliso IoRhwebo IwaMazwe ngaMazwe** luququzelela ubudlelwane nezivumelwano zorhwebo phakathi kwamazwe amabini kanye namazwe amaninzi.
- (ii) **Uphuhliso IwezoQoqosho IwaMazwe ngaMazwe eAfrika** luququzelela ubudlelwane borhwebo bamazwe ngamazwe e-Afrika obujolise ekuzinziseni umanyano lommandla.

4.3.3 Inkqubo 3: UPhuhliso IweMimandla yoShishino kanye nenguqu zoQoqosho

a) **Injongo:** Ukuqhube inguqu kwezoqoqosho nokwandisa intatho-nxaxheba kushishino.

b) **Inkcazo yeenkqutanya**

- (i) **UKhuphiswano IoShishino** lukhuthaza kwaye lukhuthaze ushishino kanye notshintsho kwisakhiwo ngophuhliso nokusasazwa kobuchwepheshe neenkqubo zophuhliso Iwezakhono.

- (ii) **Ulingano nokuXhotyiswa** lukhuthaza ukuxhotyiswa kwabantsundu kuqoqosho olubanzi(I-B-BBEE) Kunye nokukhula kwsiseko semizi mveliso ngeNkqubo yooSomashishini abaNtsundu.
- (iii) **UPhuhliso IwezoShishino IweNgingqi** lukhuthaza uphuhliso lwemizi- mveliso yengingqi ngemigaqo -nkqubo, amaqhinga kunye neenkqubo ezifana nemimandla yoqoqosho olulodwa (ii-SEZ) kunye neepaki zemizi.

4.3.4 Inkubo 4: Ukhuphiswano kuShishino kunye nokuKhula

- a) **Injongo:** ukuyila nokuphumeza imigaqo-nkqubo, izicwangciso- qhinga kunye neenkqubo zophuhliso lwemveliso kunye namacandelo ezoqoqosho anxulumenyo, kwaye ubenegalelo ekudaleni ngokuthe ngqo nangokungathanga ngqo kwemisebenzi endilisekileyo, ukongezwa kwexabiso kunye nokuphiswano kwiimarike zasekhaya nezokuthengisa ngaphandle.
- b) **Inkazo yeenkqutyana**
 - (i) **UKhuphiswano kuShishino** luhuhlisa imigaqo-nkqubo izicwangciso-qhinga kunye neenkqubo zokuqinisa amandla okwenziwa kwemveliso kunye namanye amacandelo okongeza ixabiso ukudala imisebenzi endilisekileyo kunye nokwandisa ukongezwa kwexabiso kunye nokuphiswano kwiimarike zasekhaya nezokuthengisa ngaphandle.
 - (ii) **linkquo zeCandelo eziLungisiweyo** zipuhhlisa kwaye ziphumeze izicwangciso-qhinga zecandelo elinempembelelo ephezulu ezigxile kwiimveliso kunye namanye amacandelo okongeza ixabiso ukudala imisebenzi endilisekileyo nokwandisa ukongezwa kwexabiso kunye nokuphiswano kwiimarike zasekhaya nezokuthengisa ngaphandle.

4.3.5 Inkubo 5: Ukulawulwa kwaBathengi kunye neQumrhu

- a) **Injongo:** ukupuhhlisa nokuphumeza isisombululo zolawulo ezihambelanayo, ezinokuqikelewa kunye neziselubala eziqquzelela ukufikelela lula kulungiso kunye nolawulo olusebenzayo kubemi bezozoqosho.
- b) **linkcazo ngeenkqutyana**
 - (i) **Umgaqonkqubo wowisomthetho**, uphuhlisa imigaqo nkqubo, imithethonezikohkholo zolawulo, kwaye uyila umthetho.
 - (ii) **Ukunyanzeliswa kunye nokuthotyelwa;** yenza uhlalutyo lwentsingiselo yovavanyo lwempembelelo yentlalo-ntle yemigaqo- nkqubo, imithetho kunye novavanyo lwemarie; uphumeza umthetho kwimiba ephathelele kutywala; ibeka iliso kwaye ivavanye impumelelo yolawulo; kwaye longamele ukusebenza kwamaqumrhu olawulo esebe (iinkampani kunye nekomishini yeprophathi enomgangatho ophezulu wokuqonda, iinkampani, iinkundla yamatyala, iKomishoni yoMthengi yeSizwe, iNkundla yaBathengi yeSizwe, NCR, iBhodi yeSizwe yoNgcakazo, kunye nekomishini yelotho yeSizwe).
 - (iii) **linkonzo Zolawulo** ukongamela uphuhliso lwemigaqo-nkqubo, imithetho, izikhokelo zolawulo nokuphunyezwa kogunyaziso lwecandelo kwaye libonelela ngenkxaso yobuchule kugunyaziso lecandelo kwaye libonelela ngenkxaso yobuchule kwiyyunithi zoshishino lwamacandelo, ngokulandeelanayo, ngokuhambelana nomthetho wolawulo olusebenzayo.

4.3.6 Inkubo 6: Inkxasomali kwimizimveliso

- a) **Injongo:** ukuvuselela nokuquuzelela uphuhliso lwamashishini azinzileyo, akhuphisanyo ngokubonelela ngokufanelekileyo kwemilinganiselo yenkuthazo esebenzayo nefikelelekayo exhasa imiba ephambili yesizwe.
- b) **linkcazo zeenkqutyana**
 - (i) **Ukwandisa Inkuthazo yeNtathonxaxheba** kubonelela ngeenkqubo zenkuthazo ezikhuthaza intathonxaxheba ebanzi kuqoqosho oluqhelekileyo ngamashishini aphethwe ngabantu abasuka kwiindawo ezazifudula zisingelwe phantsi ngokwembali nakwiinginqi ebezivinjwe amathuba.
 - (ii) **Inkuthazo Yokwenziwa Kwemveliso** ibonelela ngenkuthazo ukukhuthaza ukutyalomali olongezelelweyo kwicandelo lemveliso. Iqela lotyalomali lokwenziwa kwemveliso eliqua iNkqubo yokuPhucula ukuVelisa, iNkqubo yokuNzeka kweeProjekthi zeNkunzi, iNkqubo yoTyalomali, kwiZithuthi, iNtengiso yokuThumela kumazwe angaphandle kune noNcedo loTyalomali, isikimu soNcedo IweCandelo, kune nesikimu senkuthazo seCandelo le-12L.
 - (iii) **Inkuthazo yoTyaloMali kwiiNkonzo** ibonelela ngeenkqubo zenkuthazo ezikhuthaza ukwanda kotalomali, nokudalwa kwemisebenzi kwicandelo leenkonzo. linkqubo ziquka inkubo yeeNkonzo zeNkqubo yoShishino kwihiabathi jikelele kune neNkqubo yeNkxaso yokuveliswa kwefilimu kune nomabonakude kwimveliso yaseMzantsi Afrika nezangaphandle.
 - (iv) **Inkxaso yoTyalomali kwiziseko zophuhliso** ibonelela ngenkxaso-mali yamalinge amabini eziseko ezingundoqo zemizimveliso; ii-SEZ kune neNkqubo yeZiseko ezinguNdoqo eziBalulekileyo, eziJolise ekwandiseni iziseko ezingundoqo nophuhliso lwemizimveliso, nokwandisa utyalomali kune nokuthunyelwa kweempahla zorhwebo kumazwe angaphandle.
 - (v) **UPhuhliso IweMveliso neeNkqubo** iphonophonga, ibeke iliso kwaye iphuhlise iinkqubo zenkuthazo ukuxhasa isicwangciso semizimveliso, kwaye iphuhlisa izicwangciso zecandelo ukulungisa ukusilela kweemarike.
 - (vi) **INTsebenziswano yobuChule kune nokuKhathalelwka kwabaThengi** iquuzelela ukufikilela kumashishini ekujoliswe kuwo ngokuphonononga impumelelo yezikim zenkuthazo kune nokuziphucula aphi kunokwenzeka.

4.3.7 Inkubo 7: UPhuhliso IokuThengisa ngaPhandle, ukuKhuthazwa kune noTyaloMali Iwangaphandle

- a) **Injongo:** ukwandisa umthamo wokuthengisa kumazwe angaphandle kune nokuxhasa ukuhamba kotalomali oluthe ngqo, ngezicwangciso eziJolise kuzo wokuthengisa kumazwe angaphandle kune nokuxhasa ukuhamba kotalomali oluthe ngqo, ngezicwangciso eziJolise kuzo, kune nothungelwano olusebenzayo olulawulwayo lweofisi yorhwebo Iwangaphandle.
- b) **Ukuchazwa Kweenkqutyana**
 - (i) **UTyalo IoRhwabo eAfrika** iquuzelela urhwebo lwamazwe amabini kune nobudlelwane botyalomali olunzulu kune nobudelwane botyalomali kune noqoqosho lwaseAfrika kwaye

- ixhasa ukuzinzisa ukudityanisa kommandla ngokusebenzisa indela yorhwebo yangaphandle ekhokelwa lurhwebo.
- (ii) **Ukukhuthaza kokuThunyelwa kweMpahla kune neNtengiso** kukhuthaza ukuthunyelwa kwempahla kune neenkonzo zoMzantsi Afrika ezonegeziweyo kumazwe angaphandle ukwandisa isabelo seemarike ekujoliswe kuko ekukhuleni okuphezulu kune nokugcina isabelo seemarike kwiimarike zesiqhelo.
 - (iii) **iYunithi yoLawulo IweeNkonzo zaMazwe angaPhandle kuRhwebo noTyalomali,** ikhuthaza urhwebo notyalomali kwaye ilawule, ibonelele ngeenkonzo zequmrhu kuthungelwano lweofisi yesebe yezangaphandle yabameli boqoqsho Iwangaphandle ukuze amashishini oMzantsi Afrika akwazi ukufikelela kwiimarike zehlabathi.
 - (iv) **Uphuhliso kune neNkxaso yokuThunyelwa kwamanye amazwe** ilawula iNkqubo yeSizwe yoPhuhliso IwaMazwe aNgaphandle, eyilelwe ukufaka isandla ekubekeni uMzantsi Afrika njengeqabane elithembekileyo lezorhwebo, nokuphucula nokwandisa isiseko sabathengi belizwe ngaphandle.

4.3.8 Inkubo 8: UMtsalane woTyaloMali Iwangaphakathi, ukuPhathwa kune noLondolozo Iwasemva

- a) **Injongo:** Ukuhassa ukuhamba kotyalomali oluthe ngqo Iwangaphandle kune notyalomali Iwangaphakathi ngokubonelela indawo enye yokukhuthaza utyalomali, uququzelelo lotyalomali kune nenkxaso yokhathalelo Iwasemva kotyalomali.
- b) **Ukuchazwa kweenkqutyana**
 - (i) **Ukukhuthazwa koTyalomali** iququzelela ukonyuka komgangatho kune nobungakanani botyalomali oluthe ngqo Iwangaphandle, kune notyalomali Iwangaphakathi, nolwangaphandle ngokubonelela ngomtsalane wotalomali, ukuvelisa okujoliswe kuko kune nenkxaso yokugaya abasebenzi.
 - (ii) **Utyalomali kune neNdlu yoCwangciso yaMasebe** ikhuthaza kwaye iququzelele utyalomali kwaye ibonelele ngeenkonzo zenkxaso kutyalomali nakwindlu yokucoca phakathi kwamasebe. Le Nkqutyana ikwabonelela ngenkonzo yeengcebiso zeengcali kune nokukhawuleza iingoma, ukuvala kune nokunciphisa ukungathembeki kubatyalu mali.
 - (iii) **Inkxaso yoTyalomali kune noKhathalelo Iwasemva kononophelo** ibonelela ngeenkonzo zeengcebiso zeengcali ngophando, ukuthengiswa kolwazi, ukhathalelo Iwasemva kononophelo kune nenkxaso yomgaqonkqubo ukuququzelela utyalomali, nokugcina nokwandisa utyalomali olukhoyo.

4.3.9 Inkubo 9: UMgaqonkqubo woKhuphiswano kune noCwangciso loQoqosho

- a) **Injongo:** ukupuhlisa nokuqalisa ungenelelo lomgaqonkqubo ophakamisa imiba yokhuphiswano, ngocwangciso loqoqosho olusebenzayo, ukuphunyezwa kwendawo kune nezixhobo zomgaqonkqubo olungelelanisiweyo wotalomali nophuhliso.
- b) **Inkcazo yenqutyana**
 - (i) **Isicwangciso sezoqoqosho** siphuhlisa izicwangciso zezoqoqosho ezihambelanayo kwaye ikhuthaza ucwangciso loqoqosho ngamaqumrhu karhulumente.

- (ii) **iziCwangciso zoPhuhliso loQoqosho IweSithuba** ikhuthaza uphuhliso kwezoqoqosho ngokwesithuba.
- (iii) **UTyalomali noPhuhliso** ikhuthaza utyalomali lukarhulumente nolwabucala kupuhhliso.
- (iv) **ULungelelaniso IwezoQoqosho IwePhondo** likhuthaza ukuthungelana kwezicwangciso zophuhliso loqoqosho Iwephondo kunye namanye amaziko karhulumente ukuqinisekisa ulungelewaniso nezicwangciso zesizwe okanye imithetho.
- (v) **Ukongamela ukhuphiswano** kubonelela ngenkxaso kumphathiswa ukuba aphumeze uxanduva olusemthethweni olulindileyo njengoko kuyimfuneko ngokomthetho wokhuphiswano.
- (vi) **Amaqumrhu oLawulo Iwezoqoqosho** akhuthaza intsebenziswano phakathi komgaqonkqubo wophuhliso loqoqosho kurhulumente kunye nokusebenza kabalawuli abathile bezoqoqosho.
- (vii) **Amaziko ezeMali yoPhuhlliso** akhuthaza intsebenziswano phakathi kwemigaqonkqubo karhulumente yophuhliso loqoqosho kunye nokusebenza kwamaziko emali anxulumeneyo.
- (viii) **ICandelo kunye neNdawo yokusebenza lingxoxo kunye nokuXhobisa ngeZakhono** ikhuthaza ukabalwa kwabantu kwicandelo nakwinqanaba lendawo yokusebenza, kwaye yakha isakhono kumaqabane asekuhlaleni.
- (ix) **Imibuzo ngeMarike, ukudityanisa kunye nokuFumana, kunye nokusebenzia kakubi uLawulo** ithatha inxaxheba kwimibuzo yemarike, izicelo ezimalunga nokudityanisa kunye nokufunyanwa, kunye namatyala anxulumene nemibutho, intsebenziswano kunye nokusetyenziswa kakubi kolawulo Iwemarieke.

4.3.10 Inkubo 10: uPhando IwezoQoqosho

- a) **Injongo:** ukupuhhlisa nokukhupha iiknqubo zomthetho ukuququzelela uqoqosho olubandakanya wonke umntu ngamangenelelo okwandisa ukhuphiswano kuqoqosho.
- b) **Inkcazeloyeenkqutbyana**
 - (i) **UPhando IwezoQoqosho** kunye noLungelelaniso loMgaqonkqubo lenza uphando Iwezoqoqosho, lipuhlise iindlela zokhetho zomgaqonkqubo, likhokela umgaqonkqubo ngokubonisana nabachaphazelekayo, kwaye livavanye iindlela zomgaqonkqubo woqoqosho olukhulu kunye noqoqosho oluncinci.
 - (ii) **Umgaqonkqubo woqoqosho olukhulu** uvavanya kwaye uphuhlise iinketho zomgaqonkqubo woqoqosho olukhulu kunye noqoqosho oluncinci ukukhuthaza iziphumo eziphucukileyo zomsebenzi, kunye nokukhuthaza imveliso, ushishino kunye nokueliswa kwezinto ezintsha.
 - (iii) **Indlela yoHlumo kunye nokudalwa koMsebenzi oNdilisekileyo** iyila indlela yokukhula, isicwangciso sobuchule esisekelwe(kushishino, abasebenzi kunye noluntu) ungenelelo lokuxhasa ukuyilwa kwemisebenzi endilisekileyo.

13. ISIKHOKELO SECANDELO LE- 10 NGENDLELA YOKUSEBENZISA UMTHETHO

ICandelo le- 10 loMthetho limisela umsebenzi kuMlawuli woLwazi "ukuhla ziya nokwenza ukuba kufumanek e isikhokelo esikhoyo esiqulunqwe yiKomishoni yamaLungelo oLuntu yaseMzantsi Afrika equlethe ulwazi olunjalo, ngendlela eqondakalayo, njengoko kunokufunwa ngokufanelekileyo ngumntu onqwenela ukusebenzisa naliphi na ilungelo elixelwe kulo Mthetho kunye noMthetho woKhuseleko loLwazi loBuqu, ka 2013."

UMLawuli woLwazi uluhla ziyle isikhokelo seCandelo le-10, njengoko liqulunqwe okokuqala yi-SAHRC, ngokungqinelanayo. Amalungu oluntu anokuhlola okanye enze iikopi, ngeeyure eziqhelekleleyo zokusebenza, zeSikhokelo kwiofisi zikawonke- wonke kunye nemibutho yabucala (ngeelwimi ezi-2 ubuncinane kwilwimi ezisemthethweni), kubandakanya neofisi yoMlawuli (kulwimi ngalunye kwilwimi ezisemthethweni). isiKhokelo, ngolwimi ngalunye kwilwimi ezisemthethweni sinokufumaneka:

- KwiGazethi karhulumente;
- Ngesicelo esivela kuMlawuli, liGosa loLwazi, kwifomu ehambelana kakhulu neFomu yo-1 (jonga isihlomelo A);
- Ngesicelo esivela kuMlawuli, nguye nawuphi na umntu, ngaphandle kweGosa loLwazi ekubhekiswe kulo ngasentla, kwifomu ehambelana kakhulu neFomu 1 (jonga isihlomelo A); kunye
- Ukusuka kumnatha wolwazi wolawulo <https://www.justice.gov.za/inforeg/> kunye neyawo nawaphi na amaqumrhu oluntu nawabucala.

14.6. IINKUKACHA ZOQHAGAMSHELWANO

6.1. IGosa loLwazi

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6.2. Usekela Gosa woLwazi

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6.3. II Dilesi

IDILESI YEPOSI	IDILESI YOKUHLALA	WEBHUSAYITHI	IMIBUZO NGOKUBANZI
IGosa loLwazi the dtic Private Bag X84	IGosa loLwazi the dtic 77 Meintjies Street	www.thedtic.gov.za	iZiko leNkukacha zoNxibelelwano le- dtic

IDILESI YEPOSI	IDILESI YOKUHLALA	WEBHUSAYITHI	IMIBUZO NGOKUBANZI
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15.7. UKUFIKELELA KWIREKHODI EZIGCINWE YI- DTIC

7.1. lindidi zerekhodi ezigcinwe yi-dtic

Imiba	lindidi zerekhodi
Ulwazi IweMveliso kanye neNtengiso	Oku kubandakanya ulwazi oluphathelele kwiimveliso kanye neemeko zemarike, kanye nemilinganiselo yesalathisiapho ezi mveliso zikhona. Olu didi lolwazi lubnadakanya iinkukacha zeenkampani ezivelisa okanye ezingenisa iimveliso ngaphandle, ubume bokungabhengezwa kweemveliso, iintsingiselo zemarike ngokuphathelene neemveliso kuzwelonke, kwiningqi nakumazwe ngamazwe, kanye nemiba ephambili ehquba iindlela.
Izivumelwano zoRhwebo	Oku kubandakanya ulwazi olunxulumene nezivumelwano zorhwebo Phakathi koMzantsi Afrika kanye namazwe ngamazwe kanye neminye imibutho. Ulwazi oluphambili olunxulumene nolu didi lujongene nezivumelwano Phakathi koMzantsi Afrika kanye namanye amazwe kanye nemimandla yoqoqosho.lwangaphandle, iinkukacha zesivumelwano ezinxulumene neemveliso, iimpawu zoqoqosho kanye nentsingiselo yemarike, kanye neemeko zeemveliso ezibandakanyiweyo kwizivumelwano.
Inkuthazo kanye nezibonelelo	Oku kuquka ulwazi olunxulumene nenkuthazo ethile- dtic ibonelele kwimibutho yotshintshiselwano ngobugcisa nophuhliso lwemizi- mveliso. Ulwazi oluphambili kolu didi lubandakanya imveliso kanye neentlobo zeshishini ekbonelelwaa ngazo, izicelo ezifunyenweyo, iinkukacha zeenkampani ezithe zanikwa inkuthazo, iimeko zenkuthazo, kanye nokwenziwa kokunikezelwa kwenkuthazo kwiinkampani ngokuchasene nale miqathango.
limvume	Oku kuquka ulwazi olunxulumene neemvume kwimiba ye- dtic kwimibutho, kubandakanya ukuthengisela ngaphandle/ukungenisa elizweni kanye namaphephamvume okurhweba ngotywala, kanye nalawo asebenza ngeemveliso ezilawulwa phantsi koMthetho wokubhengezwa koTywala. Ulwazi oluphambili kumxholo wamaphepha- mvume yinkampani kanye nolwazi lwemveliso kanye nemida yokungenisa/ ukuthumela ngaphandle ehambelana nemveliso apho kufanelekileyo.

Imiba	lindidi zerekhodi
ImiRhumo yokungenisa kunye nokuthumela ngaphandle	Oku kuquka iirhafu zangoku nezembali zokungenisa kunye nokuthunyelwa ngaphandle kweemveliso. Ulwazi lunxulumene nezivumelwano zorhwebo phakathi koMzantsi Afrika kunye namanye amazwe, kunye naphakathi kwamazwe angaphandle.
liNkonzo zeNgeniso zaseMzantsi Afrika(i-SARS) kunye nebhangi enguvimba (i-SARB)	Olu Iwazi lunxulumene nentengiselwano yezemali kunye neengxelo ezingaphakathi kwe-SARS, i-SARB kunye ne- dtic . Oku kuquka iitranekshini zokuthunyelwa kwempahla kumazwe angaphandle kunye nokuthengwa kwempahla kumazwe angaphandle ziinkampani, imali yangaphandle efunyenwe yimbutho yokuthumela izinto kumazwe anagaphandle, kunye ne- VAT namanani engeniso yemibutho ebhalisiwego.
I- dtic kunye nolawulo Iwecandelo.	Olu didi Iujongene ikakhulu nolwazi olunxulumene nolawulo kunye namaxwebhu angaphakathi e- dtic kunye namsebe ayo. Uhlobo Iolwazi oluqukiwego kolu didi zizicwangciso zoshishino, inkcitho, yamacandelo, nengxelo yenqubela phambili, iinkqubo kunye neenkukacha zomgaqonkqubo we- dtic wangaphakathi.
Abaphathi boqhagamshelwano kunye nabachaphazelekayo.	Ulwazi Iolawulo loqhagamshelwano lubandakanya ulwazi malunga nabachaphazelekayo abaphambilu kunye nabaxhasi, kunye nobudlelwane babo kunye nonxibelewano kunye ne- dtic . Izicelo zesimo kunye nezikhalazo eziphakanyiswe ngumntu ochaphazelekayo okanye umxhasi zigcinwa njengenxalenye yowlazi loqhagamshelwano.
Ulawulo Iwezemali nezabasenzi	Oku kubandakanya iinkcukacha zemali ze- dtic ezifana nohlahlo Iwabiwomali, inkcithomali, ngokuchasene nohlahlo Iwabiwomali, kunye nesimo semali senkuthazo eqikelelweyo ngokuchasene neyona inkuthazo okanye izibonelelo ezikhutshwe yi- dtic . Olu Iwazi lubhekiselele ngokuthe ngqo kuyo yomibini imisebenzi yomvuzo kunye nokuthenga. Ulwazi Iwezabasenzi lunxulumene nemivuzo, ikhefu, izakhono kunye nezicwangciso zophuhliso lomntu ngamnye, kunye neerjongo zomntu ngamnye kunye nendlela abaqhuba ngayo ezi zinto.
Ababoneleli kunye nezakhono	Olu didi lubandakanya ulwazi malunga nabanikezeli bezakhono neenkonzo kwi- dtic kunye newonga le-B- BBEE laloo mbutho okanye abantu ngabanye. Olu Iwazi luyinxalenye yowlazi lokuthengwa kweempahla neenkonzo.
Inkqubo/ ulawulo Iweprojekhthi	Olu Iwazi lunxulumene neenkqubo kunye neeprojekthi ze- dtic, ezohlukeneyo ukusuka kupuhliso oluxhaswa ngemali ngabaxhasi ukuya kwimisitho yenqubelo equuzelelwa yi- dtic . Oku kubandakanya uwangciso, uhlahlo- Iwabiwo mali, ukubeka iliso, izinto ezinokunikezelwa kunye neenkukacha.

Imiba	lindidi zerekhodi
Ulawulo kanye nomthetho	i-dtic ilawula uluhlu lwemithetho enxulumene norhwebo kanye noshishino, imimiselo kanye nemigaqonkqubo. Ukongeza idtic inerekhodi zamatyala asemthethweni anxulumene norhwebo kanye nemiba yoshishino yezehllo zasekhaya nezamazwe ngamazwe.
Uphando/ukuhlolola	I-dtic iqhuba uphando kanye nokuhlolola ngenxa yemibandela yohlalutyo lomgaqonkqubo, izikhala zo zabathengi kanye nesicelo secandelo lohishino. ULwazi oluyinxalenye yolu didi lubandakanya uphando/ uhlolo lokuhlolola, umhloli owabelwego kanye neziphumo.
IMigaqo- nkqubo	Inani lemigaqonkqubo enxulumene norhwebo, ushishino, imiba yezoqoqsho nentlalontle iqhuba iintshukumo namangenelo e-dtic. Le migaqonkqubo iphindia ijongiwe kwaye iphuculwe ngamaxhesha athile kwaye yenze isakhelo esisembindini solwazi olunxulumene nolawulo kanye nenkuthazo. Imigaqo- nkqubo yokusebenza iyafumaneka kubo bonke abaqeshwa be-dtic ngokusebenzia i- intanethi ukwenzela ukuba baziqhelanise nokusebenza kwavo onke amasebe kanye naluphi na utshintsho olunokuba nefuthe.
IShishini kanye neCandelo	Zonke iinkampani zihlelwne ngokwamaqela ezoshishino ukuze kanye namacandelo ukuze adibanise ubukrelekrele ezoqoqsho. linkampani zingenisa iingxelo zemali neerhafu zonyaka ezisetyenziselwa ukugcwalisa iinkukacha- manani.

7.2. lindidi zerekhodi ezikhoyo ukuze zihlolwe ngokwemigaqo yoMthetho ngaphandle kwi- PAIA

IIREKHODI	UMTHETHO
lirekhodi zobhaliso loTywala (ubhaliso kanye nezatifikethi)	Umhetho woTywala, Nombolo 59 ka 2003: iCandelo 23
lingxelo zokuhlolola okanye zokuqinisekisa ezinkelwe kumntu ohholiwego.	Ukugonatyiswa kwezixhobo zoMthetho wokuTshabalaliswa koMnini onguNombolo 87 ka- 1993. ICandelo le- 14.

7.3. lindidi zeerekhodi ezifumaneka ngokuzenzekelayo kwi- dtic

Category	Uhlolo loxwebhu	Webhus ayithi
UPapasho	Incwadana, iincwadana, izicwangciso, izikhokelo, imithetho	X
Isishwankathelo se- dtic	<ul style="list-style-type: none"> • uLawulo • IOganogram 	X

Category	Uhlobo loxwebhu	Webhus ayithi
	<ul style="list-style-type: none"> li-ahente ze-dtic 	
lintetho	lintetho zabaPhathiswa noSekela Mphathiswa	X
lingxelo zosasazo	lingxelo zosasazo ezenziwa lisebe	X
IziCwangciso ezinguNdoqo	<ul style="list-style-type: none"> Isicwangciso esiPhambili seCandelo lezaMahlathi kuRhwebo ngo- 2020 – 2025. IsiCwangciso esinguNdoqo seCandelo leeNkukhu. IsiCwangciso esiPhambili se- R- CTLF sesiXokelwano seXabiso saseMzantsi Afrika ukuya kowama – 2030. Ilungiselwe ukukhula isiCwangciso esiPhambili soShishino IweziThuthi IwaseMzantsi Afrika ukuya kowama- 2035. IsiXokelelwano seXabiso lesiSeko esiPhambili saseMzantsi Afrika sowama- 2030. IsiCwangciso esinguNdoqo sokufaka iiNtsimbi kunye neentsimbi eMzantsi Afrika1.0 Icandelo lefenitshala eMzantsi Afrika 	X
IPalamente	<ul style="list-style-type: none"> lintetho likomiti Imibuzo yase- Palamente 	X
Uncedo lwemali	Uluhlu Iweenkuthazo ze-dtic, kubandakanywa iinkcazo,iinjongo, iminikelo, iinkcukacha, zoqhagamshelwano kunye namaxwebhu (iifomu, izikhokelo njalo njalo) ukukhuphela, iskim senkuthazo nganye.	X
AmaSebe kunye neeNkonzo	<ul style="list-style-type: none"> B-BBEE Imimandla yoqoqosho olukhethekileyo. Uphuhliso Iwamashishini URhwebo kunye nokuthumela ngaPhandle UMthetho kunye nolawulo IweShishini. 	X
IziCwangciso zeQhinga lokuSebenza IoNyaka	IziCwangciso zeQhinga lokuSebenza IoNyaka ze- dtic namaqrhu ayo.	X
lingxelo zonyaka	lingxelo zonyaka zamaqumrhu e-dtic	X
IKhovidi-19	<ul style="list-style-type: none"> Amaziko okutsalela kunye neenombolo zocingo FAQs IShedyuli yeenkonzo Inkxaso yeefemu ezisembandezelweni. lintetho 	X

Category	Uhlobo loxwebhu	Webhus ayithi
	<ul style="list-style-type: none"> Izikhokelo ezinikeziwego kanye nemibandelo IMimiselo Imimiselo yezithuthi zikawonke wonke IBizportal Unyenyiselo Ukukhutshwa kweendaba/neentetho Impembelelo yeCovid-19 kwimiboniso yoRhwebo/inkuthazo LiPhothali ezssemthethweni zolwazi lwewebhu yeCorona. 	
Unikezelo kanye neThenda	<ul style="list-style-type: none"> LiThenda LiBhidi zinikezelwe LiBhidi zirhoxisiwe 	X
Uphando kanye neekcukacha manani	<ul style="list-style-type: none"> Ngaphaya 20/20 Intengiso ezintsha zezithuthi 	X

7.4 Ukwensiwa kolwazi lomntu

Ukukhusela ubumfihlo kanye nokhuseleko lweenkcukacha zomntu, zonke iinkcukacha zomntu eziqhutywe **yi-dtic** zilawulwa ngokwemigaqonkqubo yesebe efanelekileyo kanye nemithetho- siseko ye-POPIA..

7.4.1 Injongo yokwenza inkqubo

I-dtic isebeenzisa iinkcukacha zobuqu eziphantsi kokhathalelo lwayo ngezi ndlela zilandelayo:

- Intsebenziswano yabathengi (efana nezicelo zezibonelelo, iimvume, ukuthatha inxaxheba kwimisitho, umgaqonkqubo nomthetho oyilwayo kanye nothethwabo, izicelo ezingekho sikweni nezisesikweni kanye nemibuzo yorhwebo).
- Izibonelelo zabasebenzi (ukusetyenzwa kweenkcukacha zabasebenzi)
- Intengiso kanye neentengiso.
- Ulawulo Iwesixokelewano sobonelelo(ukulungiswa kolwazi lomboneleli)
- Ulawulo lolwazi (ukuhlelwa, ukugcinwa kanye nokhuseleko lolwazi)
- Ezemali (ulwazi Iwabanamatyala nabatyalayo).

7.4.2 Iindidi zezifundo zedatha kanye neenkukacha zabo zobuqu

I-dtic inokuba neerekodi ezinxulumene nabaxhasi, abaninizabelo, iikontraka, ababoneleli ngeenkonzo, abasebenzi kanye nabaxhasi.

UHLOBO LWEZIKO	IINKCUKACHA ZOBUQU KUSAQHUTYWA
Abathengi – abantu njengoko besaziwa njalo ngokomthetho	Amagama; iinkcukacha zoqhagamshelo; iidilesi zendawo nezeposi; umhla wokuzalwa; iNombolo yeSazisi; ulwazi olunxulumene nerhafu; ubuzwe; Isini; imbalelwano eyimfihlo.

UHLOBO LWEZIKO	IINKCUKACHA ZOBUQU KUSAQHUTYWA
Abathengi– abantu/amaziko ngokomthetho	Amagama abantu ekuqhagamshelwana nabo; igama lequmrhu elisemthethweni; iidilesi zendawo kune nezeposi; iinkcukacha zoqhagamshelo; ulwazi lwemali; inombolo yobhaliso; amaxwebhu okusekwa; ulwazi olunxulumene nerhafu; abatyikityi abagunyazisiweyo, abaxhamli, abanini baxhamli bokugqibela.
Abathengi – Abantu/amaziko angaphandle	Amagama; iinkcukacha zoqhagamshelo; iidilesi zendawo kune nezeposi; umhla wokuzalwa; inombolo yepasi; ulwazi olunxulumene nerhafu; ubuzwe; isini; imbalelwano eyimfihlo.
Ababonelelinkonzo abanekontraki	Amagama abantu ekuqhagamshelwana nabo; igama lequmrhu elisemthethweni; iidilesi zendawo kune nezeposi; iinkcukacha zoqhagamshelo; ulwazi lwemali; inombolo yobhaliso; amaxwebhu okusekwa; ulwazi olunxulumene nerhafu; abatyikityi abagunyazisiweyo, abaxhamli, abanini baxhamli bokugqibela.
Abasebenzi/amalungu/amalungu ekomiti	isini, ubume bomtshato; uhlanga, iminyaka, ulwimi, iinkcukacha ngemfundu; iinkcukacha ngezemali; imbali yokuqeshwa; INombolo yeSazisi; iidilesi zokuhlala nezeposi; iinkcukacha zoqhagamshelo; izimvo, ukuziphatha kolwaphulo- mthetho; intlalontle,

7.4.3 Abamkeli okanye iindidi zabamkeli apho iinkcukacha zoluqu zinokunikwa

I- dtic inokubonelela ngeenkukacha zoluqu kwimibutho ebonelela ngeenkonzo zokucubungula kwisebe.

Ezi ziukua:

- Amanye amaqumrhu namaziko karhulumente.
- Ukuqinisekiswa kolwazi lomntu kune nee- arhente zereferensi yamatyala.
- Amagunya alawulayo nanika ingxelo.
- Abacebisi abaqeqlieshiweyo nabacebisi.
- Ababoneleli kune nababoneleli ngeenkonzo.
- Abaqeshi bangoku, abadlulileyo nabalindelekileyo kune/ okanye abasebenzi.
- USapho, izinxulumani kune nabameli bomntu ulwazi lwakhe lobuqu lusetyenzwayo.
- Uvavanyo kune nemibutho yophando.
- li-arhente zogcino mthetho, ezifana neNkonzo yamaPolisa oMzantsi Afrika kune neenkundla.

7.4.4 Okwenyani okanye okucwangcisiweyo ukunqumla imida- ukuhamba kolwazi lomntu

Ezi zilandelayo ziimeko kuphela aphi iinkcukacha zoluqu zikhutshelwa ngaphandle kwaseMzantsi Afrika:

- Iphulo langaphandle/ iipaviliyonu zesizwe(amagama,eenkampani, iipaspoti), imishini yangaphandle eMzantsi Afrika (amagosa, abathengi/ abameli beenkampani) kune namagumbi orhwebo angaphandle.

- Imibuzo yoRhwebo iya kwii- ofisi zangaphandle.
- Abameli bezooqoqosho bangaphandle (FERS) (ulwazi lwezabasebenzi).

7.4.5 Inkazo ngokubanzi yamanyathelo okhuseleko lolwazi.

I- dtic isebeenzisa ubuchwepeshe obuhlaziyiweyo ukuqinisekisa ubumfihlo, imfezeko kanye nokufumaneka kolwazi lobuqu oluphantsi kokhathalelo Iwayo. Amanyathelo abandakanya:

- Amadonga okukhusela
- Urukhusela kwivayirasi kanye neendlela zokuhaziya.
- Ulawulo lofikelelo olusengqiqweni nolwenyama.
- Ukuseta ngokukhuselekileyo kwe *hardware* kanye *software* eyenza isiseko se- IT.
- Ugcino kanye nokuphinda phinda idatha kanye neenkqubo.
- Ababoneleli ngeenkonzo ngaphandle abajonga iinkcukacha zabo egameni lesebe bayahlolwa kwaye kufuneka baphumeze ulawulo lokhuseleko.

i-dtic ithobelana noMgangatho woLwazi ophantsi (MISS) kwiimfuno zokugcina nolawulo lweerekodi eziphathekayo.

7.4.6 lindlela ezifumanekayo kwimeko zokungathobeli Imiqathango yoMthetho

Umceli angafaka:

- Isibheno sangaphakathi;
- Isikhala zo kuMlawuli woLwazi; okanye
- Isicelo senkundla.

(Bhekisela kwiCandelo 9.2.)

16. 8. INKQUBO YOKUCELA

ICandelo le- 18 le-PAIA lichaza inkqubo emayilandelwe xa kusenziwa isicelo sokufikelela kulwazi olugcinwe **yi-dtic**. ICandelo lama- 23(1) le-POPIA libonelela ngenqubo yokufikelela kulwazi lomntu. Indlela yokufikelela kulwazi lomntu ngokwecandelo lama- 23 le-POPIA kufuneka ihambelane necandelo le- 18 le-PAIA.

8.1. Inkqubo

Isebe liphumeze ezi nkqubo zilandelayo ukujongana nezicelo zeerekodi okanye iinkcukacha zomntu ngokwe- PAIA kanye ne-POPIA.

Inyathelo 1: Inkqubo yokufaka isicelo

Isicelo sokufaka isicelo ukucela irekhodi okanye iinkcukacha zobuqu, ifomu yesicelo(isiHlomelo B) kufuneka izaliswe ize ingeniswe ku:

NGEPOSI	NGESANDLA	NGEMEYILE
ISekela Gosa loLwazi i- dtic Private Bag X84 Pretoria 0001	ISekela Gosa loLwazi i- dtic Shared Services Centre 77 Meintjies Street Sunnyside Pretoria	ISekela Gosa loLwazi GCalitz@thedtic.gov.za

Ubungqina obaneleyo bokuzazisa kufuneka bubonelelwwe xa ungenisa ifomu yesicelo.

Njengoko kufunwa nguMthetho, isixa- mali esiyi- **R100.00** kufuneka sihlawulwe ukuba isicelo solwazi asiphumi kumceli buqu. Esi sixa- mali sinokufakwa kwi- akhawunti yebhanki ye- **dtic**, kwimeko apho ubungqina bokubhatala kufuneka buhambe kunye nefomu yesicelo.

AKHAWUNTI	IINKCUKACHA
Bhanki	Standard Bank
Isebe	Sunnyside
IKhowudi yesebe	010645
IGama le-Akhawunti	ISabe loRhwebo, Industry kunye noKhuphiswano
INombolo ye-Akhawunti	370 650 026
Referensi	11825740

Inyathelo 2: Ukuqinisekiswa kunye nokuvunywa

ISekela leGosa leNgcaciso le-dtic liyasifumana lize liqinisekise isicelo sokuqinisekisa ukuba ulwazi olufunekayo luyafumaneka nakwi-**dtic**. Isicelo mhlawumbi siyamkelwa, siyakhatywa okanye sigqithiselwe kubagcini abafanelekileyo bolwazi olufunekayo. Ulwamkelo luthunyelwa kummeli ukuqinisekisa ubume besicelo.

Inyathelo 3: Ukwensiwa kolwazi

Ukuba isicelo samkelwe, **i- dtic** iya kuqokelela kwaye ilungiselele ulwazi, kwaye kwaye ibale indleko ezifanelekileyo ezibandakanyekayo(jonga umhlathi 8.2).

Inyathelo 4: Isaziso sokugqibela

Umceli uyakwaziswa ngokugqitywa kwesicelo kunye neentlawulo ezsahlawulwayo ekufuneka zihlawulwe kwi- **dtic**.

Kwiimeko apho iirekhodi ezingekho okanye zingenakufumaneka, impendulo iya kunikwa ngendlela ye- afidavithi okanye isiqinisekiso.

Inyathelo 5: Intlawulo kunye nokuhanjiswa

Nje ukuba intlawulo echazwe kwiNyathelo le-4 ifunyenwe (kulandelwa inkqubo efanayo yokuhlawula njengoko kuchaziwe kwiNyathelo 1), ulwazi luya kukhutshwa kumceli.

IINKCUKACHA JIKELELE

Umntu onqwenela ukufikelela kwiirekhodi ezigcinwe yi-dtic kufuneka agcwalise iFomu yesi- 2 yesiHlomelo B kule ncwadana.Ulwazi olwaneleyo kufuneka linikezelwe ukuchonga iirekhodi, kubandakanya

- linkcukacha (isazisi) zomntu ocela ukufikelela kwiirekhodi.
- linkcukacha zomntu isicelo esenziwa egameni lakhe.
- linkcukacha zerekhodi okanye iirekhodi ekucelwa ukufikelela kuzo.
- Loluphi uhlobo lofikelelo olufunekayo,umzkl; ifomu ebhaliwego okanye eprintiweyo, ielektroniki okanye ifomu ekwikhompyutha efundekayo.
- Idilesi yeposi okanye inombolo yefeksi yomceli.
- Ingaba ingxelo echaphazelekayo kufuneka ibe ngolwimi oluthile.
- Isalathiso sokuba umenzisicelo unqwenela ukwaziswa njani ngesiggibo malunga nesicelo sokufikelela kwirekhodi ezichaphazelekayo.

Izicelo ziya kusetyenzwa zingaphelanga iintsuku ezingama-30 zokufunyanwa, ngaphandle kokuba umenzisicelo uchaze izizathu ezikhethekileyo eziya kwanelisa iGosa IoLwazi ukuba iimeko ziyalela ukungatyholewa kwexesha elingentla. Ithuba leentsuku ezingama-30 apho **i-dtic** kufuneka ithathe isiggibo sokuba iyasivuma okanye isale isicelo inokwandisa ixesha elingekho ngaphezulu kweentsuku ezingama-30 ukuba:

- a) Isicelo sesenani elikhulu leerekhodi okanye sifuna ukukhangelwa ngenani elikhulu leerekhodi, kwaye ukuthotyelwa kwexesha lokuqala kuya kuphazamisana ngokungekho ngqiqweni kwimisebenzi yequmrhu loluntu elichaphazelekayo.
- b) Isicelo sifuna ukukhangelwa kweerekhodi, okanye ingqokelela yazo, kwiofisi yequmrhu likarhulumente elingekho kwidolophu enye okanye kwisixeko esinye njengeOfisi yeGosa IoLwazi engenako ukuggitywa ngokufanelekileyo ngexesha lokuqala.
- c) Utthethethwano phakathi kwecandelo likarhulumente okanye elinye iqumrhu loluntu luyimfuneko okanye lunqweneleka ukwenza isiggibo ngesicelo esingenako ukuggitywa kwixesha langaphambili.
- d) Zingaphezulu kwesinye seemeko ezichatshazelwe kumhlathi (a), (b), no- (c) ngokumalunga nesicelo esenza ukuba kuthotyelwe ixesha lokuqala elingenakwenzeka.
- e) Umceli uyavuma ngokubhaliwego ukuba kwandiswe oko.

Ukuba isicelo senziwa egameni lomnye umntu, umenzi- sicelo makaqhoboshele kuxwebhu ubungqina besigunyaziso esinjalo.

Ukuba umntu akawazi ukugcwalisa ifomu emiselwego ngenxa yokuba engafundanga okanye ekhubazekile, umntu onjalo anagasenza ngomlomo isicelo. IGosa IoLwazi le-**dtic** liya kuthi ke lisinciphise eso sicelo somlomo ukuba lisibhale kwifomu emiselwego, kwaye linike ikopi yaso kumceli.

8.2. Imali

UMthetho ubonelela ngeentlobo ezimbini zentlawulo ezizezi :

- Umrhumo wesicelo, umrhumo oqhelekileyo ohlawulwa kuphela ngabaceli abangengobaso; kwaye

- Umrhumo wokufikelela, obalwa ngokuthathela ingqalelo iindleko zokuvelisa kwakhona, ixesha lokukhangela nokulungiselela neendleko, kwakunye neendleko zokuposa.

Nje ukuba iGosa loLwazi lifumane isicelo, liya kufuna ukuba umenzisicelo ahlawule umrhumo omiselweyo phambi kokuba kuqhutyelwe phambili nesicelo.

Ukuba ngaba uphando lweerekhodi lwenziwe kunye nolungiselelo lweerekhodi ukuze lidizwe, kubandakanya namalungiselelo okuyenza ifumanekе kwifomu eceliweyo, kufuna ngaphezu kweeyure ezichazwe kwimimiselo yale njongo, iGosa loLwazi liya kwazisa umceli ukuba uhlawula njengediphozithi inxalenye emiselweyo yomrhumo wofikelelo oya kuhlawulwa ukuba isicelo samkelwe.

Igosa lolwazi liya kubamba ingxelo eceliweyo ade umceli abe uhlawule intlawulo njengoko kubonisiwe kwiCandelo 8.2.1.

Umceli, osicelo sakhe sokufikelela kwirekhodi sivuniweyo, kufuneka ahalawule umrhumo wokufikelela kwingxelo ngokutsha, ukukhangela nokulungisa, nangaliphi na ixesha elifunekayo ngokungaphaya kweeyure ezimiselweyo zokukhangela nokulungiselela ingxelo ukuze ichazwe, kubandakanya namalungiselelo ukwenza ukuba ifumanekе kwizicelo.

8.2.1 Imirhumo ngokuhambelana nemibutho yoluntu

Ngokwenjongo zeCandelo la-22(2) loMthetho, oku kuyafuneka:

Into	Inkcazo	Isixa
1.	Umrhumo wesicelo ohlawulwa ngumceli ngamnye.	R100.00
2.	Ifotokopi yephepha elibukhulu be- A4	R1.50 ngephepha okanye nxalenye yalo
3.	Ikopi eprintiweyo yephepha elingange- A4	R1.50 ngephepha okanye nxalenye yalo
4.	Ikopi kwifomu efundeka ngekhompyutha kwi: (i) isixhobo sokugcina amaxwebhu (iyakubonelewa ngumceli) (ii) Idiski edibeneyo <ul style="list-style-type: none"> • Ukuba unikwe ngumceli • Ukuba unikwe umceli 	R40.00 R40.00 R60.00
5.	Kushicilelo lwemifanekiso ebonwayo ngokwephepha lobungakanani be- A4	Inkonzo eza kunikwa abantu bangaphandle iya kuxhomekeka kwikoteiyishini evela kumniki nkonzo.
6.	Ikopi yemifanekiso ebonakalayo	Inkonzo eza kunikwa abantu bangaphandle iya kuxhomekeka kwikoteiyishini evela kumniki nkonzo.
7.	Ushicilelo lweerekhodi yomsindo, ngephepha lobungakanani be- A4	R24.00
8.	Ikopi yerekhodi yesandi kwi: (i) kwisixhobo sokugcina amaxwebhu(iza kuza nomceli)	R40.00

Into	Inkcazo	Isixa
	(ii) icwecwe <ul style="list-style-type: none"> • Ukuba inikeziwe ngumceli • Ukuba uyunikiwe umceli 	R40.00 R60.00
9.	Ukukhangela nokulungiselela Ukungaggithi kwiindleko zizonke ze	R100.00 R300.00
10.	Idiphozithi; ukuba uphendlo ludlula iiyure ezintandathu	Isinye kwisithathu semali ngesicelo ngasinye esibalwe ngokwezinto 2-8
11.	Iposi, i-l meyile okanye naluphi na olunye ugqithiselo lwe-elektroniki.	lindleko ezizizo ukuba zikhona

8.2.2 Ukukhululwa kunye nokuzimisela

Aba bantu balandelayo baxolelwé ekuhlawuleni umrhumo wofikelelo ngokweSaziso sikaRhulumente seR991 somhla we- 14 kweyeDwarha ka- 2005:

- Umntu ongatshatanga onomvuzo wonyaka, emva kokutsalwa imali okuvumelekileyo njenge - PAYE ne-UIF, ungaphantsi kwe-R14 712,00 ngonyaka.
- Abantu abatshatileyo okanye umntu kunye neqabane lakhe lobomi abanomvuzo ngokudibeneyo ungaadluliyo kwi- R12 900, ngonyaka emva kokutsalwa kwemali okuvumelekileyo okufana ne-PAYE ne-UIF.

Kugqityiwe ngakumbi ukuba:

- Apho iindleko zokuqokolela nayiphi na imali ehlawulwayo ingaphezulu kwexabiso elibizwayo, loo mrhumo awuyi kusebenza.
- Umrhumo wofikelelo awusebenzi kwirekhodi yomntu ocelayo.

17.9. UKUNIKEZELWA/UKWALIWA KWEZIBONELELO

9.1. Ukwaliwa kwezicelo

Isicelo solwazi sinokukhatya ngenye yezi zizathu zilandelayo, njengoko kuchaziwe kuMthetho:

ICANDELO	Inkcazelo
34	<u>Ukukhuselwa okunyanzelekileyo kobumfihlo bomntu wesithathu ongumntu wendalo.</u> IGosa lezoLwazi lequmrhu likarhulumente kufuneka lisala isicelo sokufikelela kwirekhodi yelo qumrhu loluntu ukuba oko kuya kubandakanya ukudizwa ngokungekho ngqiqweni kolwazi lobuqu malunga nomntu wesithathu, kubandakanya nomntu oswelekileyo. Nangona kunjalo, ingxelo ayinakwaliwa ukuba iqulethe ulwazi: <ul style="list-style-type: none"> • Malunga nomntu wesithathu othe wavuma ngokubhaliwego ukubhengezwa kolwazi; • Inikwe iqumrhu loluntu ngumntu elinxulumene naye, kwaye loo mntu waziswa liqumrhu likarhulumente, phambi kokuba libhengezwe, kwaye ulwazi olo lolodidi lolwazi eseles luumaneka kuluntu;

ICANDELO	Inkcazelo
	<ul style="list-style-type: none"> • Leyo sele ifumaneka esidlangularaleni; • Ngokunxulumene nempilo yomntu ngokwasemzimbeni okanye ngokwasengqondweni, okanye impilo- ntle yomntu, ophantsi kokhathalelo lomceli, kwaye ongaphantsi kweminyaka eli- 18 ubudala okanye ongakwaziyo ukuqonda uhlobo lwasicelo, kwaye ngaphezulu ukubhengeza kuya kuba kwiminqweno yomntu ngamnye; • Malunga nomntuoswelekileyo, kwaye umenzi- sicelo sisalamane sakhe, okanye wenza isiscelo ngemvume ebhaliwego yesizalwane saloo mntu; kwaye • Malunga nomntu oligosa okanye owayeligosa leuqmrhu loluntu, kwaye ulwazi lunxulumene nezikhundla okanye imisbenezi yomntu.
35	<p><u>Ukhuseleko olusisinyanzelo lweerekhodi ezithile ze- SARS</u></p> <p>IGosa loLwazi kufuneka lisikhabe isicelo sokufikelela kwirekhodi ye-SARS ukuba iqulethe ulwazi olufenyenwe okanye olugcinwe yi-SARS ngeenjongo zokunyanzelisa umthetho omalunga nokuqokelewa kwengeniso ngokoMthetho weeNkonzo zeRhafu yaseMzantsi Afrika, onguNombolo 32 ka 1997; Ngaphandle kokuba ingxelo eceliwego iqulethe ulwazi malunga nomceli okanye umntu isicelo esenziwa egameni lakhe, apha ingxelo ayinakwaliwa.</p>
36	<p><u>Ukhuseleko olusisinyanzelo solwazi lwezorhwebo lomntu wesithathu</u></p> <p>IGosa loLwazi lequmrhu loluntu kufuneka lale isicelo sokufikelela kwirekhodi ukuba iqulethe;</p> <ul style="list-style-type: none"> • limfiho zorhwebo zomntu wesithathu; • Imali, urhwebo, inzululwazi yolwazi lobugcisa ngaphandle kweemfiho zorhwebo zeqela lesitahthu, apha kubhengezwa koko kunokubangela ingozi kurhwebo okanye kwimidla yezemali yelo qela lesithathu;okanye • Ulwazi olunikelwe liqela lesithathu ngokuzithembra, ukuba luxeliwe, luya kulindeleka ngokufanelekileyo ukubeka iqela lesithathukwindawo engalunganga kwisivumelwano sekcontraka okanye olunye uthethathethwano okanye lugwebe iqela lesithathu kukhuphiswano lwezorhwebo. <p>Nangona kunjalo, ingxelo ayinakwaliwa ukuba iqulethe ulwazi:</p> <ul style="list-style-type: none"> • Sele ifumaneka esidlangularaleni; • Malunga nomntu wesithathu othe wavuma ngokubhaliwego ukuba kubhengezwe umceli ochaphazelekayo; okanye • Malunga nezipumo zayo nayiphi na imveliso okanye uvavanyo lokusingqongileyo(hayi uvavanyo lokuqala) okanye olunye uphando olwensiwa ngumntu okanye egameni leqela lesithathu, apha ukubhengezwa koko kuya kuveza ukhuseleko olumandla loluntu okanye umngcipheko wokusingqongileyo.
37	<p><u>Ukhuseleko olusisinyanzelo lolwazi oluthile oluyimfiho kunye nokukhuselwa kolunye ulwazi oluyimfiho lomntu wesithathu;</u></p> <p>IGosa loLwazi kufuneka lisikhabe isicelo sokufikelela kwirekhodi yelo qumrhu loluntu ukuba ukubhengezwa koko kuya kuthetha ukophulwa komsebenzi wokuthenjwa otyalwa umntu wesithathu ngokwesivumelwano.</p>

ICANDELO	Inkcazelو
	<p>IGosa IoLwazi lequmrhu likarhulumente lisenokusikhaba isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ingxelo iqulathe ulwazi olunikezelwe ngokuthembekileyo liqela lesithathu kwaye; kusemdleni woluntu ukuba ulwazi okanye ulwazi oluphuma kumthombo omnye, kwaye kusemdleni woluntu ukuba ulwazi oluphuma kumthombo omnye luqhubeke ukunikezelwa.</p> <p>Nangona kunjalo, ingxelo ayinakwaliwa, ukuba iqulethe ulwazi:</p> <ul style="list-style-type: none"> • Sele ifumaneka esidlangularaleni; okanye • Malunga nomntu wesithathu, kwaye iqela lesithathu line; sele livumile ngokubhaliwego ukubhengeza kwalo kumceli
38	<p><u>Ukhuseleko olusisinyanzelo lokhuseleko Iwabantu kunye nokukhuselwa kwe prophathi</u></p> <p>IGosa IoLwazi lequmrhu loluntu kufuneka lisala isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ukubhengezwa kwayo kunokulindeleka ngokufanelekileyo ukubeka emngciphekweni ubomi okanye ukhuseleko lomzimba lomntu.</p> <p>IGosa IoLwazi lequmrhu likarhulumente lisenokusikhaba isicelosokufikelela kwirekhodi yelo qumrhu ukuba ukubhengezwa kwalo kuya kuthintela okanye kuphazamise ukhuseleko Iwesakhwi, isakhwi okanye inkqubo, kubandakanywa ikhompyutha okanye inkqubo yonxibelewano, indlela yezothutho okanye nayiphi na enye iprophathi.</p> <p>IGosa IoLwazi lequmrhu likarhulumente lisenokusikhaba isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ukubhengezwa kwalo kuya kudlelelela okanye konakalise iindlela, iinkqubo, izicwangciso okanye inkqubo yokhuseleko:</p> <ul style="list-style-type: none"> • Umntu ophantsi kwesikim sokhuseleko Iwengqina; • Ukhuseleko loluntu okanye nayiphi na inxalenye yoluntu; okanye • Ukhuseleko Iwesakhwi, isakhwi okanye inkqubo, kubandakanywa ikhompyutha okanye inkqubo yonxibelewano, indlela yooutho okanye nayiphi nae nye impahla.
39	<p><u>Ukukhuselwa okusisinyanzelo kweedokethi zamapolisa kwiinkqubo zebheyile kunye nokukhuselwa kokuthotyelwa komthetho kunye neenkqubo zomthetho</u></p> <p>IGosa IoLwazi Iwequmrhu loluntu kufuneka lisikhabe isicelo sokufikelela kwirekhodi yequmrhu ukuba ukufikelela kulo rekhodi kuthintelwe ngokweCandelo (60) 14 IoMthetho weNkqubo yoLwaphulo- mthetho, onguNombolo 51 ka- 1997, unesizathu sokwala ngokweCandelo 39(1) (b) le- PAIA.</p> <p>Ingxelo ayinakwaliwa ukuba iqulethe ulwazi malunga neemeko jikelele zokuvalelwa kwabantu abaseluvaleweni.</p>
40	<p><u>Ukhuseleko olusisinyanzelo Iwerekhodi elibekwe ngaphambili kwimveliso kwiinkqubo zomthetho</u></p> <p>Igosa IoLwazi lequmrhu likarhulumente kufuneka lale isicelo sokufikelela kwirekhodi yequmrhu loluntu ukuba ingxelo inelungelo lokuvelisa kwiinkqubo zomthetho ngaphandle kokuba loo malungelo arhoxisiwe.</p>
41	<p><u>Ukhuselo, ukhuseleko kunye nobudlelwane bamazwe ngamazwe kuluntu</u></p> <p>IGosa IoLwazi lequmrhu likarhulumente linokwala isicelo sofikelelo kwirekhodi yelo qumrhu ukuba ukubhengezwa kwayo kunokulindeleka ngokufanelekileyo kubangele udlelelo:</p> <ul style="list-style-type: none"> • Ukhuselo IweRiphablikhi;

ICANDELO	Inkcazelو
	<ul style="list-style-type: none"> Ukhuseleko IweRiphablikhi Ubudlelwanе bamazwe ngamazwe kwiRiphablikhi; okanye IGosa IoLwazi lequmrhu loluntu linokwala isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ukubhengezwa kalo kuya kuveza ulwazi; Inikezelwe ngentembeko okanye egameni leRiphablikhi komnye urhulumente okanye umbutho wamazwe ngamazwe; Unikezelо okanye egameni leRiphablikhi komnye urhulumente okanye umbutho wamazwe ngamazwe ngokwemiqathango yolungiselelo okanye isivumelwano samazwe ngamazwe esifuna ukuba ulwazi lugcinwe ngokuyimfihlo; okanye Ifuneka igcinwe elugcinweni ngokwesivumelwano samazwe ngamazwe okanye kumthetho wamazwe ngamazwe wesintu oxelwe phantsi kwamaCandelo 231 okanye 232 oMgaqo-siseko.
42	<p><u>Umdla wezoqqsho kune nentialontle yezemali yeRiphablikhi kune nemisebenzi yorhwebo yamaqumrhu oluntu</u></p> <p>IGosa IoLwazi lequmrhu loluntu linokwala isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ukubhengezwa kalo kuya Kubeka emngciphekweni umda woqoqsho okanye intialontle yezemali yeRiphablikhi okanye amandla karhulumente ukulawula uqoqsho IweRiphablikhi ngokufanelekileyo, ngokomdla weRiphablikhi.</p> <p>IGosa IoLwazi lequmrhu loluntu linokwala isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ingxelo leyo:</p> <ul style="list-style-type: none"> Iqulethe iimfihlo zorhwebo zikarhulumente okanye iqumrhu loluntu; Iqulethe ulwazi lwezemali, lwezorhwebo, lwenzululwazi okanye lobugcisa kwaye ukubhengezwa koko kunokubangela ingozi kurhwebo okanye kwimidla yezemali karhulumente okanye iqumrhu loluntu; Iqulethe ulwazi olunokuthi, ukuba lubhengeziwe, lubeke iqumrhu loluntu emngciphekweni kwiikhontrakhthi okanye olunye uthethathethwano okanye ludlelelele iqumrhu loluntu kukhuphiswano lwezorhwebo. Yinkubo yekhompyutha, njengoko ichazwa kuMthetho welungelo lokushicilela onguNombolo. 98 ka- 1978, okanye iqumrhu loluntu, ngaphandle kokuba kufuneka inike ufikelelo ngokwe- PAIA. <p>IGosa IoLwazi alinakusala isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ingxelo ibandakanya ulwazi:</p> <ul style="list-style-type: none"> Olusele lusesidlangularalen; Malunga okanye eliphantsi kwequmrhu likarhulumente elingelilo iqumrhu likarhulumente ekwenziwa kulo isicelo, kwaye eli qumrhu likarhulumente likuvumile ngokubhaliwego ukubhengezwa kwaalo; okanye Malunga nezipumo zayo nayiphi na imveliso okanye uvavanyo lokusingqongileyo okanye olunye olunye uphando (ngaphandle kovavanyo Iwangaphambili) olunikezelwe liqumrhu likarhulumente okanye izipumo zalo naluphi na uvavanyo olunjalo okanye uphando olwenziwe okanye egameni lequmrhu likarhulumente, kwaye ukubhengezwa koko kuya kuveza ubuzaza, ukhuseleko loluntu okanye umngcipheko wokusingqongileyo.

ICANDELO	Inkcazelo
43	<p><u>Ukhuseleko olusisinyanzelo lolwazi lophando lomntu wesithathu kune nokukhuselwa kolwazi lophando lwequmrhu loluntu</u></p> <p>IGosa IoLwazi lequmrhu karhulumente kufuneka lale isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ingxelo iqulethe ulwazi malunga nophando olwenziwayo okanye oluza kwenziwa okanye egameni leqela lesithathu kwaye, ukuba oku bekuza kubhengezwa, inokuthi iveze iqela lesithathu, umntu oqhuba uphando egameni leqela lesithathu okanye umcimbi wophando kwisithintelo esikhulu.</p> <p>IGosa lolwazi lwequmrhu loluntu linokwala isicelo sokufikelela kwirekhodi yelo qumrhu ukuba ingxelo iqulethe ulwazi malunga nophando olwenziwayo okanye oluza kwenziwa egameni lequmrhu loluntu kwaye, ukuba oku bekuza kukbhengezwa, inokuthi ibeke iqumrhu likarhulumente, umntu oqhuba uphando egameni lequmrhu likarhulumente okanye umba wophando kumngcipheko omkhulu.</p>
44	<p><u>Ukusebenza kwemibutho yoluntu</u></p> <p>IGosa IoLwazi lequmrhu loluntu linokwala isicelo sokufikelela kwirekhodi yequmrhu loluntu ukuba ingxelo iqualathe ulovo, iingcebiso, iingxelo okanye iingcebiso ezifunyenweyo okanye ezelungisiweyo, okanye ngenxa yothethwano, ingxoxo okanye iingxoxo kubandakanya nemizuzu yeentlanganiso, ngeenjongo zokuncedisa ekuqulunqwensi komgaqonkqubo okanye ekuthathweni kwesiqqibo ekusetyenzisweni kwegunya okanye ekwenzeni umsebenzi ngokomthetho.</p> <p>IGosa IoLwazi lequmrhu likarhulumente linokwala isicelo kwirekhodi yelo qumrhu ukuba ukubhengezwa kwerekhodi kunokulindeleka ngokufanelekileyo ukuba kuyiphazamisae inkqubo yeengxoxo kwiqumrhu likarhulumente okanye phakathi kwamaqumrhu karhulumente, ngokuthintela unxibelewano olucacileyo lolovo, iingcebiso, ingxelo okanye iingcebiso ; okanye ukuziphatha kokubonisana, iingxoxo okanye ukuba ukubhengezwa kwerekhodi kunokuthi ngokubhengezwa kwangaphambi kwexesha komgaqonkqubo okanye umgaqonkqubo ocinglewayo ngokufanelekileyo kulindeleke ukuba kuphazamise impumelelo yaloo mgaqonkqubo.</p> <p>IGosa IoLwazi lequmrhu loluntu linokwala isicelo sokufikelela kwirekhodi yelo qumrhu loluntu ukuba:</p> <ul style="list-style-type: none"> • Ukubhengezwa kwerekhodi kunokulindeleka ngokufanelekileyo ukuba kubekemngciphekweni impumelelo yovavanyo, uvavanyo okanye inkqubo yophicothoziincwadi esetyenziswa liqumrhu likarhulumente; • Ingxelo iqulethe imathiriyeli evavanyayo, nokuba ngaba umntu oyinikileyo uchongiwe kwirekhodi, kwaye ukubhengezwa kwemathiriyeli kuya kwaphula isithembiso esicacileyo okanye esichaziweyo, esenziwe kumntu onikezele ngesixhobo; kune nempahla okanye isazisi somntu othe wasinika sona siya kugcinwa siyimfihi; okanye • Ingxelo iqulethe isiqalo, ukusebenza okanye olunye uyitolwegosa lequmrhu loluntu.
45	<p><u>Izicelo ezibonakala zingeyonyani okanye ezicaphukisayo, okanye ukuphambukiswa kwemithombo yobutyebi okubalulekileyo nokungekho ngqiqweni.</u></p>

ICANDELO	Inkcazelو
	iGosa loLwazi lequmrhu loluntu linokwala isicelo sofikelelo kwirekhodi yelo qumrhu loluntu ukuba ngaba isicelo sibonakala siyimfeketho okanye siyakruqula, okanye ukuba umsebenzi obandakanyekayo ekusetyenzweni kвесicelo unokuphambukisa ubutyebi bequmrhu loluntu ngokubanzi nangokungekho ngqiqweni.
46	<p><u>Ukubhengezwa okusisinyanzelo kumdra woluntu</u></p> <p>Ngaphandle kwezi zizathu zidwelise ngasentla zokwala, iGosa loLwazi lequmrhu likarhulumente kufuneka livume isicelo sokufikelela kwirekhodi yequmrhu loluntu ukuba ukubhengezwa kwayo kuya kuveza ubungqina bokwaphulwa okukhulu kokusilela ukuthobela umthetho; okanye umngcipheko wokhusaleko loluntu olumandla noluxhomileyo okanye umngcipheko wokusingqongileyo; kunye nomdla woluntu ekubhengezweni kwerekhodi ukodlula umonakalo ocingelwayo phantsi kwezizathu zokwaliwa.</p>

9.2 Izisombululo ezikhoyo ukuba izibonelelo zoMthetho aziqulunqwanga

Umceli unokufaka isicelo:

- Isibheno sangaphakathi;
- Isikhala zo kumlawuli wolwazi; okanye
- Isicelo nenkundla

9.2.1 Isibheno sangaphakathi

Umceli unokufaka isibheno sangaphakathi ngokuchasene nesigqibo seGosa loLwazi lequmrhu loluntu:

Umceli angafaka isibheno

- Ukwala isicelo sokufikelela;
- Ngokumalunga nomrhumo wesicelo, idiphozithi kumrhumo wofikelelo, okanye umrhumo wofikelelo;
- Ngokumalunga nokwandiswa kwexesha lokujongana nesicelo; kunye
- Ngokumalunganofikelelo olunikezelwa ngendlela eyahlukileyo kunceliwego.

Umntu wesithathu angafaka isibheno sangaphakathi ngokuchasene nesigqibo seGosa loLwazi lebhodi yoluntu ukuze livume isicelo sokufikelela.

INdlela yokubhena, kunye neentlawulo zesibheno

- Isibheno kufuneka sifakte kwifomu emiselwego (jonga isiHlomelo C) kwiGosa loLwazi okanye kwiSekela leGosa loLwazi:
 - Isibheno kufuneka sifakte phakathi kweentsuku ezingama-60.
 - Ukuba isaziso esiya kumntu wesithathu siyafuneka, isibheno kufuneka sifakte phakathi kweentsuku ezingama- 30 emva kokuba isaziso sinikezelwe kumbheni ngesigqibo ekubhenwa ngaso.
 - Ukuba isaziso kumfaki- sibheno asifunwa emva kokuba isigqibo sithathiwe, isibheno kufuneka sinikezelwe okanye sithunyelwe kwiGosa loLwazi lequmrhu loluntu

- elichaphazelekayo kwidilesi yakhe, inombolo yefeksi okanye idilesi ye-imeyile ye-elektroniki.
- Isibheno kufuneka sichaze umxholo wesibheno kwaye sichaze izizathu zesibheno sangaphakathi kwaye sinokubandakanya naluphi na ulwazi olufanelekileyo olwaziwayo ngumbheni.
 - Ukuba, ukongeza kwimpendulo ebhaliweyo, umbheni unqwenela ukwaziswa ngesigqibo sesibheno sangaphakathi ngayo nayo nayiphi na enye indlela, kufuneka ayichaze loo ndlela kwaye anike neenkukacha eziyimfuneko ukuze aziswe.
 - Ukuba kufanelekile, isibheno kufuneka sikhatshe yintlawulo emiselweyo yesibheno kwaye kufuneka ichaze idilesi yeposi okanye inombolo yefeksi.
 - Ukuba isibheno sifakte emva kokuphela kwexesha elinikiweyo, ugynyaziwe ochaphazelekayo kufuneka, ngesizathu esibambekayo esibonisiweyo, avumele ukufakwa kade kwesibheno.
 - Ukuba elo gunya lichaphazelekayo liyakwala ukufakwa emva kwexesha kwesibheno, kufuneka banike isaziso seso sigqibo kumntu ofake isibheno.
 - Umceli ofake isibheno ngokuchasene nokwaliwa kwesicelo sakhe sokufikelela kufuneka ahlawule umrhumo omiselweyo wesibheno, ukuba ukhona.
 - Ukuba umrhumo omiselweyo uyahlawulwa malunga nesibheno, isigqibo sesibheno sinokurhoxiswa de umrhumo uhlawulwe.
 - Kamsinya kangangoko kunokwenzeka, kodwa kuyo nayiphi na imeko phakathi kweentsuku zokusebenza ezili-10 emva kokufumana isibheno, iGosa loLwazi lequmrhu likarhulumente elichaphazelekayo malingenise kwabasemagunyeni abachaphazelekayo;
 - Isibheno kune nezizathu zabo zesigqibo; kwaye
 - Ukuba isibheno sinxamnye nokwaliwa okanye ukuvunywa kwesicelo sofikelelo, igama, idilesi yeposi, inombolo yomnxeba nefeksi kune nedilesi yeimeyle ye-elektroniki, nayiphi na ekhoyo kuye nawuphi na umntu wesithathu ekufuneka aziswe ngesicelo eso.
 - Isibheno kufuneka siqwalaselwe kwaye kugqitywe ngalo kwiintsuku ezingama-30 zomhla apho isibheno sangaphakathi sifunyenwe liGosa loLwazi okanye isekela-gosa loLwazi.

UMphathiswa wezoRhwebo, uShishino noKhuphiswano usebenza njengogunyaziswe ofanelekileyo wokujongana nezibheno kwiSebe.

9.2.2 Isikhala zo kuMlawuli woLwazi

Umceli okanye umntu wesithathu angafaka isikhala zo kuhela kuMlawuli woLwazi emva kokuba umceli okanye iqela lesithathu lisebenzise inkubo yangaphakathi yesibheno ngokuchasene nesigqibo seGosa loLwazi likarhulumente wesizwe, wephondo okanye wengingqi karhulumente.

Nangona kunjalo, malunga nequmrhu loluntu, apho isibheno sangaphakathi singasebenzi kwaye iqumrhu labucala, umenzi wesicelo okanye umntu wesithathu unokungenisa isikhala zo kuMlawuli woLwazi ukuba akonelisekanga sisigqibo sequmrhu elichaphazelekayo.

Isikhala zo kuMlawuli woLwazi ngumceli okanye umntu wesithathu masifikwe kwisithuba seentsuku ezili-180 emva kokufumana isigqibo esivela kwiqumrhu kwaye masingeniswe kusetyenziswa iFomu ye-5, eqhotyoshelwe njengesihlomelo D apha.

9.2.3 Isicelo nenkundla

NgokweCandelo lama- 78 le-PAIA, umenzi wesicelo okanye umntu wesithathu angafaka isicelo enkundleni kuphela ukuze afumane isiqabu esifanelekileyo ngokweCandelo lama- 82 loMthetho, emva kokuba egqibe inkqubo yangaphakathi yesibheno kwisiqqibo seGosa loLwazi.

18.10. UKUFUMANEKA KWEENCWADANA

Le ncwadana iyafumaneka:

- KwiWebhusayithi ye-**dtic**
- Kundlunkulu wesebe ngamaxesha omsebenzi aqhelekileyo.
- Kuye nawuphi na umntu ngokwesicelo.

19. ISIHLOMELO A: IFOMU 1 – CELA IKOPI YESIKHOKHELO

IFOMU 1

CELA IKOPI YESIKHOKHELO [IMimiselo ye- 2 kunye neye- 3]

Iya UMIlawuli woLwazi
P.O Box 31533, Braamfontein
2017

Idilesi ye-imeyile: inforeg@justice.gov.za
Inombolo yomnxeba: +27 (0)10 023 5200

Okanye*IGosa loLwazi

.....
.....
.....

Mna, amagama apheleleyo:			
Kwiskhundla sam njenge (phawula ngo "X"):	IGosa loLwazi		Okunye
IGama loLuntu/iQumrhu labucala (ukuba kuyangena)			
Idilesi yePosi:			
Idilesi yeSitalato:			
Idilesi yelmeyile:			
Feksi:			
linombolo zoqhagamshelwano:	Umnxeba(W)		Iselula

Kengoko ndicela iikopi ezilandelayo zesikhokelo:

ULwimi (phawula ngo "X")	INani leekopi	ULwimi (phawula ngo "X")	INani leekopi
Sepedi		Sesotho	
Setswana		IsiSwati	
Tshivenda		Xitsonga	
IAfrikansi		IsiNgesi	
IsiNdebele		isiXhosa	
isiZulu			

Indela yokuqokelela (phawula ngo "X")

Ingqokelela yobuqu	IDilesi yePosi	Feksi	Unxibelewano nge-elektroniki (<i>nceda utsho ngqo</i>)

ITyikitywe ngalo..... mhla we 20

UTyikityo lomceli

*Cima nayiphi na into engasebenziyo

20. ISIHLOMELO B: IFOMU 2 – ISICELO SOKUFIKELELA KWIREKHODI

IFOMU 2

ISICELO SOKUFIKELELA KWIREKHODI [UMmiselo 7]

QAPHELA:

1. Ubungqina bobuqu mabuhlonyelwe ngumceli.
2. Ukuba izicelo zenziwe egameni lomnye umntu, ubungqina besigunyaziso esinjalo, kufuneka buhlonyelwe kule fomu.

IYA: IGosa loLwazi

Idilesi ye-imeyile: _____
Inombolo yefeksi: _____

Phawula ngo "X"

Isicelo senziwe egameni lam

Isicelo esenziwe egameni lomnye umntu

IINKCUKACHA ZOMNTU

Amagama apheleleyo					
Inombolo yeSazisi					
Isikhundla esenziwa ngaso isicelo (xa senziwe endaweni yomnye umntu)					
IDilesi yePosi					
IDilesi yeSitalato					
IDilesi yelmeyile					
INombolo zoQhagamshelwano	Umnxeba (W)		Feksi		Iselula
Amagama apheleleyo omntu lowo isicelo senziwa egameni lakhe(ukuba ayafumaneka):					
INombolo yeSazisi					
IDilesi yePosi					
IDilesi yeSitalato					
IDilesi yelmeyile					
INombolo zoQhagamshelwano	Umnxeba(W)		Feksi		Iselula

IINKCUKACHA ZEREKHODI ELICELWAYO

Nikezela ngeenkukacha eziphelelleyo zerekodi ecelwe ukufikelela kulo, kubandakanywa
nenombolo yereferensi ukuba uyayazi, ukuze irekhodi ifumaneko. (ukuba isithuba esinikiweyo)

asanelanga, nceda uqhubeka kwiphepha elahlukileyo uze uliqhoboshele kule fomu. Onke amaphepha ongezelelweyo mawtyikitywe).

Inkcazo yerekhodi okanye inxalenyefanelekileyo yerekhodi.	
Inombolo yereferensi ukuba ikhona:	
Nazo naziphi na iinkcukacha zerekhodi	

UHLOBO LWEREKHODI

(Phawula ibhokisi esebezayego "X")

IRekhodi libhaliwe okanye liprintiwe	
Ingxelo ibandakanya imifanekiso ebonakalayo (oku kuquka iifoto, izilayidi, ushicilelo Iwevidiyo, imifanekiso eyenziwe ngekhompyutha, imizobo njalo njalo)	
Ingxelo iqulathe irekhodi okanye ulwazi olunokuthi luveliswe kwakhona ngesandi.	
Ingxelo igcinwe ekhompyutheni okanye ngobuxhaka xhaka, okanye ifomu efundeka ngomatshini.	

IFOMU YOKUFIKELELA

(Phawula ibhokisi esebezayego "X")

Ikopi yerekhodi eprintiwego(kubandakanya iikopi zayo nayiphi na imifanekiso ebonakalayo, ushicilelo kanye nolwazi olugcinwe ekhompyutheni okanye kubuxhaka xhaka okanye kwifomu efundeka ngomatshini.)	
Ushicilelo olubhaliwego okanye olushicilelwego Iwemifanekiso(oku kubandakanya iifoto, izilayidi, ushicilelo Iwevidiyo, imifanekiso eyenziwe ngekhompyutha, imizobo njalo- njalo.)	
Ukukhutshelwa kwengoma yesandi (uxwebhu olubhaliwego okanye olushicilelwego)	
Ikopi yerekhodi kwisixhobo sokugcina amaxwebhu(kubandakanya nemifanekiso ebonakalayo kanye neengoma zesandi)	
Ikopi yerekhodi kwi- diskhi (kubandakanya nemifanekiso ebonakalayo kanye neengoma zesandi)	

INDLELA YOKUFIKELELA

(Phawula ibhokisi esebezayego "X")

Ukuhlolwa komntu kwerekhodi kwidilesi ebhalisiwego yequmrhu loluntu/ labucala (kubandakanya ukumamela amagama arekhodiwego, ulwazi olunokuthi luveliswe kwakhona ngesandi, okanye ulwazi olugcinwe kwikhompyutha okanye nge- elektronik okanye efundeka ngomatshini.	
linkonzo zeposi ukuya kwidilesi yeposi	
linkonzo zeposi ukuya kwidilesi yesitalato	
Inkonzo yeKhuriya kwidilesi yesitalato.	
IFeksi yowlazi ngeformathiebhaliwego okanye eprintiwego (kubandakanya nokukhutshelwego)	
linkcukacha zeimeyile (ukuquka iizandi ukuba kuyenzeka)	
Ulwimi olukhethiwego:	

(Qaphela ukuba irekhodi alifumaneki ngolwimi olukhethayo, ukufikelela kunokunikezelwa ngolwimi ingxelo efumaneka ngalo)

IINKCUKACHA ZELUNGELO LOKUSETYENZISWA OKANYE LIKHUSELWE	
Ukuba isithuba esinikiwego asonelanga, nceda uqhubeka kwiphepha elahlukileyo uze ulihlomele kule Fomu. Umceli kufuneka atyikitye onke amaphepha ongezelelweyo.	
Bonisa ukuba leliphi ilungelo ekufuneka lisetyenziswe okanye likhuselwe:	
Cacisa ukuba kutheni irekhodi eliceliwego lifuneka ekusebenziseni okanye ekukhuseleni ilungelo elikhankanyiwego:	

IMALI	
a) Isicelo sokufikelela kwirekhodi, ngaphandle kwerekhodi enolwazi ngawe, siya kuqwalaselwa kuphela emva kokuba umrhumo wesicelo uhlawulwe.	
b) Uyakwazisa ngemali ekufuneka ihlawulwe njengentlawulo yesicelo.	
c) Umrhumo ohlawulelwa ukufikelela kwirekhodi uxhomekeke kuhlobo ukufikelela okufunwa ngalo kunye nexesha elifanelekileyo elifunekayo lokukhangela nokulungisa irekhodi.	
d) Ukuba ufanelekile ukuba ukhululwe kwintlawulo yayo nayiphi na intlawulo, nceda uchaze isizathu sokukhululwa.	
ISizathu	

Uyakwazisa malunga nokuba isicelo sakho sivuniwe okanye sikhatiwe na kwaye ukuba kuvuniyiwe iindleko ezinxulumene nesicelo sakho, ukuba zikhona. Nceda ubonise indlela oyikhethayo yembalelwano;

IDilesi yePosi	Feksi	Unxibelelwano lwe- elektroniki (Cacisa)

Ityikitye ngalo mhla we 20

.....
Utyikityo lomceli / umntu isicelo esenziwa endaweni yakhe

UKUSETYENZISWA NGOKUSEMTHETHWENI

Inombolo yerefereensi:	
Isicelo sifunyenwe ngu: <i>(iSikhundla sikarhulumente, iGama neFani yeGosa loLwazi)</i>	
Umhla wokufunyanwa:	
Iimali zokufikelela:	
IDiphozithi (ukuba kukhona enye):	

.....
Utyikityo lweGosa loLwazi

21. ISIHLOMELO C: IFOMU 4 – UKUFAKA ISIBHENO SANGAPHAKATHI

IFOMU 4

UKUFAKA ISIBHENO SANGAPHAKATHI [Isikhokelo 9]

Nombolo yeReferensi.

IINKCUKACHA ZEQUMRHU LOLUNTU	
Igama leQumrhu loLuntu	
IGama kunye neFani yeGosa loLwazi	

IINKCUKACHA ZOMMANGALI OFAKA ISIBHENO SANGAPHAKATHI						
Amagama apheleleyo						
Inombolo yeSazisi						
IDilesi yePosi						
INombolo zonxibelewano	Umnxeba (W)		Feksi		iselula	
Ingaba isibheno sangaphakathi sifakwe egameni lomnye umntu?	Ewe			Hayi		
Ukuba impendulo ithi "ewe", amandla apho isibheno sangaphakathi sifakwe egameni lomnye umntu: (<i>ubungqina besikhundla esifakwe phantsi kwesibheno, ukuba bukhona, kufuneka buncanyathiselwe.</i>)						

IINKCUKACHA ZABANTU EKUFAKELWA ISIBHENO SANGAPHAKATHI EGAMENI LABO (<i>Ukuba ifakwe ngumntu wesithathu</i>)	
Ukwaliwa kwesicelo sokufikelela	
Isiggibo malunga neentlawulo ezimisewo ngokweCandelo lama-22 loMthetho.	
Isiggibo malunga nokwandiswa kwexesha isicelo ekufuneka kusetyenzwe ngaso ngokweCandelo (26)1 loMthetho.	
Isiggibo ngokweCandelo (29)3 loMthetho sokwala ukufikelela ngendlela ecelwe ngumceli.	
Isiggibo sokunikeza isicelo sokufikelela	

IZIZATHU ZESIBHENO

(ukuba isithuba osinikiwego asanelanga, nceda uqhubeke kwiphepha elahlukileyo uze ulihlomele kule fomu. Onke amaphepha ongezelelwego mawatyikitywe.)

Chaza imihlaba esekelwe phezu kwaso isibheno sangaphakathi	
Xela naluphi na olunye ulwazi olunokuba lufanelekile xa kuqwalaselwa isibheno.	

Uzakwazisa ngembalelwano ngesiggibo kwisibheno sakho sangaphakathi. Nceda ubonise indlela oyikhethayo yokwazisa:

IDilesi yeposi	Feksi	Unxibelewano lwe-elektroniki (uyacelwa ucacise)

Ityikitywe e ngalo mhla we 20

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Utyikityo lombheni/Umntu wesithathu

**UKUSETYENZISWA NGOKUSEMTHETHWENI
INGXELO ESEMTHEHWENI YESIBHENO SANGAPHAKATHI**

Isibheno sifunyenwe ngu (<i>isikhundla, igama nefani zegosa lolwazi</i>)		
UMhla wokufunyanwa		
Isibheno sikhatswa zizizathu zesiggibo seGosa loLwazi kwaye, apho kufanelekileyo, neenkukacha zalo naliphi na iqela lesithathu elinxulumene nalo, zingeniswe liGosa loLwazi.	Ewe	
	Hayi	

ISIPHUMO SESIBHENO				
Ukwaliwa kwesicelo sokufikelela. Iqinisekisiwe?	Ewe		Isiggibo esitsha (ukungaqinisekiswa)	
	Hayi			
Imali (iCandelo 22). Iqinisekisiwe?	Ewe		Isiggibo esitsha (ukungaqinisekiswa)	
	Hayi			
Ukwandiswa (iCandelo 26(1)). Iqinisekisiwe?	Ewe		Isiggibo esitsha (ukungaqinisekiswa)	
	Hayi			
UkuFikelela (iCandelo 29(3)). Iqinisekisiwe?	Ewe		Isiggibo esitsha (ukungaqinisekiswa)	
	Hayi			
Isicelo sokufikelela siphunyeziwe. Iqinisekisiwe?	Ewe		Isiggibo esitsha (ukungaqinisekiswa)	
	Hayi			

Ityiktywe e ngalo..... mhla we..... 20

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IGunya eliFanelekileyo

22. ISIHLOMELO D: IFOMU 5 – UKUFAKWA KWESIKHALAZO

IFOMU 5

UKUFAKA ISIKHALAZO [Ummiselo 10]

Qaphela

1. Le Fomu yenzelwe ukunceda uMfakisicelo (emva koku ekubhekiselwa kuye "njengoMmangali) ekuceleni uqwalaselongokutsha lwempendulo yequmrhu likawonkewonke okanye lequmrhu labucala okanye ukungaphenduli kwesicelo sokufikelela kwiirekhodi phantsi koMthetho wokuphakanyiswa koFikelelo kuLwazi, ka-2000. (uMthetho onguNombolo 2 ka- 2000) ("PAIA"). Nceda ugcwalise le fomu kwaye uyithumele kuMlawuli woLwazi okanye ugcwalise ifomu yesikhalaZo ekwi-intanethi efumanekayo ku- <https://www.justice.gov.za/inforeg/>.
2. I-PAIA inika ilungu loluntu ilungelo lokufaka isikhalaZo kuMlawuli woLwazi malunga naluphi na uhlobo lwezikhalazo ezichazwe kwinxalenye u- E yale Fomu yesikhalaZo.
3. Kungomgaonkqubo wolawulo lolwazi ukurhoxisa ukuphanda okanye ukukhaba isikhalaZo ukuba ummangali akakhange aqale anike iqumrhu likarhulumente okanye labucala (apha emva kokubizwa ngokuba 'iZiko') ithuba lokuphendula kanye nokuzama ukusombulula lo mba. Ukunceda iZiko liJongane nezinto ezikuxhalabisayo phambi kokuba uye kuMlawuli woLwazi, kufuneka uGcwalise ifomu ye- PAIA emiselweyo kwaye uyingenise kwiZiko.
4. IKopi yale fomu iya kunikwa iQumrhu elingumba wesikhalaZo sakho. Ulwazi olunikezelayo kule fomu, luncanyatheliswe kule fomu okanye osinika lona kamva, luya kusetyenziswa kuphela ukuzama ukusombulula ingxabano yakho, ngaphandle kokuba kuchazwe ngenye indlela apha.
5. UMLawuli woLwazi uya kusamkela kuphela isikhalaZo sakho wakuba uqinisekile ukuba uyithobele le mimiselo ingezantsi.
6. Nceda uqhoboshele iikopi zala maxwebhu alandelayo, ukuba unawo:
 - Ikopi yefomu kwiZiko ecela ukufikelela kwiirekhodi;
 - Impendulo yeZiko kwisikhalaZo sakho okanye isicelo sokufikelela;
 - Nayiphi na enye imbalelwano phakathi kwakho neZiko;
 - Ikopi yefomu yesibheno, ukuba uthotyelo lwakho lunxulumene nequmrhu loluntu;
 - Impendulo yoMbutho kwisibheno sakho;
 - Nayiphi na enye imbalelwano phakathi kwakho neZiko malunga nesibheno sakho;
 - Amaxwebhu agunyazisa ukuba wenze egameni lomnye umntu (ukuba kufanelekile);
 - Umyalelo wenkundla okanye amaxwebhu enkundla anxulumene nesikhalaZo sakho, ukuba akhona;
7. Ukuba isithuba esibonelelweyo kule Fomu asonelanga, ngenisa ulwazi njengeSihlomelo kule Fomu uze utyikitye iphepha ngalinye.

Iya UMLawuli woLwazi
P.O Box 31533, Braamfontein
2017

IDilesi ye- imeyile: inforeg@justice.gov.za
Inombolo yomnxeba: +27 (0)10 023 5200

IINKCUKACHA ZOMNTU ISIBHENO SANGAPHAKATHI EESIFAKWE EGAMENI LAKHE
 Phawula ngo "X"

	Ubuqu bommangali		UMmeli wommangali		Umntu wesithathu
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IZINTO EZIFUNEKAYO KUQALA			
Usifakile isicelo(ifomu ye-PAIA) ukufikelela kwirekhodi yequmrhu loluntu/labucala?	Ewe		Hayi
Ingaba iintsuku ezingama – 30 ziphelile ukususela kumhla ongenise ngawo i-PAIA yakho?	Ewe		Hayi
Ingaba uye wayisebenzisa yonke inkubo yangaphakathi yesibheno ngokuchasene nesiggibo seGosa loLwazi lequmrhu loluntu?	Ewe		Hayi
Ingaba usifakile isicelo enkundleni soncedo olfanelekileyo malunga nalo mba?	Ewe		Hayi

UKUSETYENZISWA KOMLAWULI WENGCACISO KUPHELA			
Ifunyenwe ngu(Amagama apheleleyo)			
Isikhundla			
Utyikityo			
Isikhala zo samkelwe	Ewe		Hayi
INombolo yeReferensi			

Umhla weStampu

IDilesi yePosi	Feksi	Ezinye iindlela zonxibelewano lwe- elektronikhi (<i>uyacelwa ucacise</i>)

ICANDELO A : IINKCUKACHA ZOBUQU ZOMMANGALI						
Amagama apheleleyo						
Inombolo yesazisi						
IDilesi yePosi						
IDilesi yeSitalato						
IDilesi yelmeyile						
linombolo zoQhagamshelwano	Umnxeba (W)		Feksi		Iselula	

ICANDELO B : ULWAZI LWABAMELI

<p><i>(Gcwalisa kuphela ukuba uya kuthi theca, Amandla egqwetha kufuneka ancanyathisewa ukuba ummangali umelwe, ukuba akuphumeleli oko isikhala zo siya kukhatywa.)</i></p>						
Full names of representative						
Ubume bokumelwa						
INombolo yeSazisi./INombolo yokubhaliswa.						
IDilesi yePosi						
IDilesi yeSitalato						
IDilesi yelmeyile						
Inombolo zoQhagamshelwano	Umnxeba (W)		Feksi		iSelula	

ICANDELO C: ULWAZI LOMNTU WESITHATHU <i>(Nceda uqhoboshele ileta yesigunyaziso)</i>					
Uhlobo lwequmrhu	Bucala		eyoLuntu		
IGama lequmrhu loluntu/Elabucala					
INombolo yokubhalisa(ukuba ikhona)					
Igama, ifani kunye netayitile yomntu ogunyazisiweyo ukuba afake isikhala zo.					
IDilesi yePosi					
IDilesi yeSitalato					
IDilesi yelmeyile					
	Inombolo yomnxeba(W)		Feksi		iSelula

ICANDELO D: IQUMRHU APHO ISIKHALAZO SIFAKWE KHONA					
Uhlobo lwequmrhu	Bucala		eyoLuntu		
IGama lequmrhu loluntu/Elabucala					
INombolo yokubhalisa(ukuba ikhona)					
IGama, ifani kunye netayitile yomntu osebenza naye kwiqumrhu likarhulumente okanye labucala ukuzama ukusombulula isikhala zo sakho okanye isicelo sokufikelela kulwazi, ukuba kuhona enye.					
IDilesi yePosi					
IDilesi yeSitalato					
IDilesi yelmeyile					
	umnxeba(W)		Feksi		iSelula
Inombolo yereferensi enikeziweyo (ukuba ikhona)					

ICANDELO E : IZIKHALAZO					
<i>Sixelete ngamanyathelo othe wawathatha ukuzama ukusombulula isikhala zo sakho(izikhala zo kufuneka zigale zingeniswe ngqo kwiqumrhu loluntu ukuze kuphendulwe kwaye kusonjululwe, kukho imida emiselweyo)</i>					

<i>Umhla esifakwe ngawo isicelo sofikelelo kwiirekhodi</i>	
Nceda ucacise uhlobo IweLungelo(ama) kusetyenziswa okanye ukukhuselwa, ukuba uthotyelo luchasene nequmrhu labucala.	
Ngaba ukhe ukusombulula lo mba nombutho?	
Ukuba Ewe, uyifumene nini? (<i>Nceda uqhoboshele ileta yesi sicelo</i>)	
Ingaba ukhe wabhena ngokuchasene nesigqibo seGosa loLwazi lequmrhu loluntu?	
Ukuba Ewe, usifake nini isibheno?	
Ingaba usifikile isicelo enkundleni soncedo olufanelekileyo malunga nalo mba ?	
Ukuba ewe, nceda ubonise ukuba umcimbi wagwetywa nini yiNkundla? Nceda uhlomele uMyalelo weNkundla, ukuba ukho.	

ICANDELO F: UHLOBO OLUCACILEYO LOKUFIKELA KWIIREKHODI (<i>Nceda ukhethethe enye okanye ngaphezulu kwezi zilandelayo ukuchaza isikhalaZo sakho kuMlawuli woLwazi</i>)		
Isibheno asiphumelelanga: (iCandelo 77A(2)(a) okanye iCandelo 77A(3)(a) le- PAIA)	<i>Ndibhene ngokuchasene nesigqibo sequmrhu loluntu kwaye isibheno asiphumelelanga</i>	
Isicelo soxolelo asibanga yimpumelelo: (amaCandelo 77 A(2)(b) kunye na-75(2) e-PAIA)	Ndafaka isibheno sam ngokuchasene nesigqibo sequmrhu loluntu emva kwexesha ndaza ndafaka isicelo soxolelo, isicelo soXolelo siye sachithwa.	
Ukwaliwa kwesicelo sokufikelela: (iCandelo77A(2)(c)(i) okanye 77A(2)(d)(i) okanye 77A(3)(b) ze- PAIA)	Ndicele ukufikelela kulwazi olugcinwe liqumrhu kwaye eso sicelo saliwe okanye saliwe ngokuyinxenye.	
Iqumrhu lifuna ukuba ndihlawule imali kwaye ndivakalelwu kukuba iyaggithisa: (iCandelo 22 okanye 54 le- PAIA)	iThenda okanye intlawulo yomrhumo omiselweyo.	
Ukuhlawulwa kwediphozithi: (iCandelo 22(4) le- PAIA)	Ithenda okanye intlawulo yedephozithi.	
Ukungavumelani nokwandiswa kwexesha: (amaCandelo 26 okanye 57 e- PAIA)	IGosa loLwazi lalile ukuhlawula idiphozithi ehlawulweyo malunga nesicelo sofikelelo esithe saliwa.	
Fomu yokufikelela yaliwe: (iCandelo 29(3) okanye 60(a) le- PAIA)	Iqumrhu ligqibe kwelokuba malandise umda wexesha lokuphendula isicelo sam, kwaye andivumelani nokongezwa komda wexesha eliceliweyo okanye ukongenzwa kwexesha elithathiweyo ukuphendula kwisicelo sam sofikelelo.	

Kuthathwa njengokwaliwa: (iCandelo 27 okanye 58 ye- PAIA)	Ndicele ufikelelo ngendlela ethile nefanelekileyo kwaye olo hlobo lofikelelo lwalawa.	
Ukuchazwa ngendlela engafanelekanga kwerekhodi: (izizathu ezinyanzelekileyo zokwaliwa ukufikelela kwirekhodi)	Ziintsku ezingaphezu kwama-30 ndinesicelo sam kwaye andikasifumani isiggibo.	
Akukho zizathu zaneleyo zokwalelwa ukufikelela: (iCandelo 56(3)(a) ye-PAIA)	Ixesha lokwandiswa liphelile kwaye akukho mpendulo ifunyenweyo. lirekhodi (eziphantsi kwezizathu zokwaliwa ukufikelela)ziye zabhengezwa ngendlela engafanelekanga/ engekho ngqiqweni.	
Ukufikelela ngokuyinxene ye kwiirekhodi: (iCandelo 28(2) okanye 59(2) ye-PAIA)	Isicelo sam sofikelelo saliwe, kwaye akukho zizathu zibambekayo okanye ezaneleyo zokwaliwa, ezithe zanikwa, kubandakanya wa amagatya alo Mthetho ekuxhomekeke kuwo ukwaliwa.	
Ukurhoxisa umrhumo: (iCandelo 22(8) okanye 54(8) le- PAIA)	Ukufikelela kwinxalenye kuphela yeerekhodi eziceliwego kwavunywa kwaye ndiyakholelwa ukuba ngaphezulu kweerekhodi bekufanele ukuba zixeliwe.	
IiRekhodi ezingafumanekiyo okanye ezingekhoyo: (iCandelo 23 okanye 55 le- PAIA)	Andiyi kuhlawula nayo nayiphi na imali kwaye isicelo sam sokurhoxisa iintlawulo saliwe.	
Ukungaphumeleli ukuxela iiRekhodi:	Iqumrhu libonise ukuba isicelo sam sibonakala singenamsebenzi okanye siyacaphukisa kwaye andivumi.	
Akukho gunya (ukwenza okanye ukukhusela kwawo nawaphi na amalungelo): (iCandelo 50(1)(a) ye- PAIA)	Iqumrhu ligqibe kwelokuba lindinike imvume yokufikelela kwiirekhodi eziceliwego, kodwa andikazifumani. Iqumrhu libonise ukuba iiRekhodi eziceliwego azibandakanywanga kwi-PAIA kwaye andivumi.	
Isicelo esingenangqiqo: (iCandelo 45 le- PAIA)	Iqumrhu libonise ukuba ezinye okanye zonke iiRekhodi eziceliwego azikho kwaye ndiyakholelwa ukuba zininzi iiRekhodi zikhona.	
Okunye: (Nceda uchaze):		

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ICANDELO G: ISIPHUMO EZILINDELEKILEYO

(Ucinga ukuba uMlawuli woLwazi angakaunceda njani? Chaza iziphumo ozikhangelayo)

ICANDELO H: IZIVUMELWANO

Isiseko esisemthethweni sezi zivumelwano zilandelayo sichazwe kwiSaziso saBucala malunga nendlela yokufaka uxwebhu Iwakho Iwesikhala. Kuze uMlawuli woLwazi aqhubeke nesikhala sakho, kufuneka ujunge ngaye kwezi bhokisi zingezantsi ukubonisa isivumelwano sakho:

<p>Ndiyavuma ukuba uMlawuli woLwazi angasebenzisa ulwazi olunikiwego kwisikhala sam ukuyinceda ekuphandeni imiba enxulumene nokukhuthazwa kwelungelo lokufikelela kulwazi kunye nokukhuselwa kwelungelo lokuba neemfihlo eMzantsi Afrika. Ndiyaqonda ukuba uMlawuli woLwazi akanakuze aquke ulwazi Iwam lobuqu okanye olunye ukuchonga kuyo nayiphi na ingxelo kawonke-wonke, kwaye ulwazi Iwam lobuqu lusakhuselwu luKhuseleko loMthetho woLwazi loBuqu, ka- 2013 (uMthetho onguNombolo 4 ka- 2013). Ndiyaqonda ukuba xa ndingavumi, uMlawuli woLwazi uzakuqhubeka nesikhala sam.</p>
<p>Ulwazi olukule Fomu yesikhala luyinyani ngokolwazi Iwam kunye nenkolelo yam.</p>
<p>Ndigunyazisa uMlawuli woLwazi ukuba aqokelele iinkukacha zam zesikhala (ezifana neenkukacha ngam kule fomu yesikhala) kwaye ndiyisebenzise ukujongana nesikhala samalungelo oluntu esinxulumene nelungelo lokufikelela kulwazi kunye/ okanye ukukhuselwa kwelungelo lokuba neemfihlo.</p>
<p>Ndigunyazisa nabani na (onjengomqeshi, umnikezeli wenkonzo, ingqina onolwazi olufunekayo kuze kuqwalaselwe isikhala sam ukaze abelane ngaso noMlawuli woLwazi. UMLawuli woLwazi unokufumana olu wazi ngokuthetha namangqina okanye ngokucela iirekhodi ezibaliwego. Ngokuxhomekeke kuhlobo Iwesikhala, ezi rekhodi zinokubakanya iifayile zabasebenzi, okanye idatha yomqeshi, iirekhodi zonyango okanye zesibhedlele kunye nolwazi Iwezemali okanye lomrhafi.</p>
<p>Ukuba naluphi na ulwazi Iwam loqhamshelwano luyatshintsha ngexesha lenqubo yesikhala, luxanduva Iwam ukwazisa uMlawuli woLwazi; kungenjalo isikhala sam sinokulibaziseka okanye sivalwe.</p>

Ityikitywe e..... ngalo mhla we..... 20

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Umkhalazi/UMmeli/Umntu ogunyazisiweyo weqela lesithathu

Inkcazeloyemifanekiso

ACCESS - UKUFIKELELA



iminyaka engama- 20 enkululeko

Proudly South African - uMzantsi Afrika ozingcayo

iSebe; uRhwebo, uShishino kunye noKhuphiswano iRiphabliki yoMzantsi Afrika