Province of the
EASTERN CAPE
SOCIAL DEVELOPMENT

INCWADANA YE-PAIA

ILUNGELELANISWE NGOKWECANDELO LAMA-14 LOMTHETHO WOKUKHUTHAZA UKUFIKELELA KWIINKCUKACHA (UMTHETHO NOMBOLO 2 KA-2000 NJENGOKO UFAKELWE IZILUNGISO)

UMHLA WOKUHLAZIYWA: 01/07/2025

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1. INTSHAYELELO

1.1 Le Ncwadana iqulunqwe ngokoMthetho wokuKhuthaza ukuFikelela kwiiNkcukacha, ka-2000 (PAIA), osekelwe kwilungelo lomgaqo-siseko lokufikelela kwiinkcukacha.

1.2 Eli lungelo lisisiseko lixhobisa abemi kwaye likhuthaza ukungafihli kunye nokuphendula kurhulumente nakuluntu.

1.3 Le ncwadana ke ngoko isebenza njengesikhokelo kumalungu oluntu afuna ukufikelela kwiinkcukacha ezigcinwe liSebe loPhuhliso loLuntu. Ihambelana namasolotya e-PAIA, anika uluntu ilungelo lokufikelela kwiinkcukacha ezigcinwe ngurhulumente okanye amanye amaqumrhu karhulumente.

1.4 Le Ncwadana ichaza iinkqubo zokufikelela kwiinkcukacha ezgcinwe liSebe loPhuhliso loLuntu. Ibandakanya iinkcukacha ngokufaka isicelo sofikelelo, iGosa leNgcaciso elichongiweyo, imisebenzi yenkqubo nganye, kunye noluhlu lweerekhodi ezigcinwe liSebe loPhuhliso loLuntu.

1.5 Le Ncwadana yenzelwe ukuququzelela ukusetyenziswa kwelungelo loluntu lokufikelela kwiinkcukacha nokukhuthaza ukungafihli kunye nokuphendula kwiSebe loPhuhliso loLuntu.

2. ULUHLU LWEZISHUNQULELO, IZIFINYEZO KUNYE NEENKCAZELO

2.1 "**Umrhumo wokuFikelela"** umrhumo omiselweyo ngokweenjongo zecandelo 22(6) okanye 54(6), njengoko kunokuba njalo;

2.2 "**Inkundla"** ithetha

(a) INkundla yoMgaqo-siseko esebenza ngokweCandelo le-167(6)(a) loMgaqo-siseko weRiphablikhi yoMzantsi Afrika, 1996; okanye

(b) INkundla ePhakamileyo okanye enye inkundla ekwinqanaba elifanayo; okanye

(c) INkundla kaMantyi, ngokubanzi okanye ngokunxulumene nodidi oluchaziweyo lwezigqibo

ngokwe-PAIA, ezityunjwe nguMphathiswa, ngesaziso kwiGazethi nechotshelwe ngumantyi okanye umantyi owongezelelweyo otyunjwe ngokwecandelo 91A le-PAIA, ngaphakathi kwendawo yolawulo lwenkundla.

(aa) isigqibo seGosa leNgcaciso okanye igunya elifanelekileyo lequmrhu likarhulumente okanye intloko yequmrhu labucala sithathiwe;

(bb) iqumrhu likarhulumente elichaphazelekayo linendawo yalo ephambili yolawulo okanye yoshishino; okanye

(cc) umfaki-sicelo okanye umntu ongomnye ochaphazelekayo uhlala kwindawo yokuhlala okanye ungumhlali oqhelekileyo kwindawo yolawulo lwenkundla.

2.3 **"Umntu ochatshazelwa yidatha''** umntu lowo iinkcukacha zinxulumene naye;

2.4 **"ISebe"** lithetha iSebe IoPhuhliso loLuntu IeMpuma Koloni

2.5 **"i-DIO"** ISekela Gosa leNgcaciso elonyulwe ngokufanelekileyo liGosa leNgcaciso, neliyiNtloko yeSebe loPhuhliso loLuntu, kwiPhondo leMpuma Koloni nangaliphi na ixesha.

2.6 **"I-DSD"** ISebe loPhuhliso loLuntu,

2.7 "**Isikhokelo"** Isikhokelo soMlawuli weeNkcukacha kwi-PAIA

2.8 **"i-IO"** IGosa leNgcaciso, neliyiNtloko yeSebe loPhuhliso loLuntu, kwiPhondo leMpuma Koloni nangaliphi na ixesha.

2.9 "**Incwadana**" Incwadana ye-PAIA yeSebe loPhuhliso loLuntu,

2.10 **"MEC"** ILungu leBhunga lesiGqeba esiLawulayo elinoxanduva leSebe loPhuhliso loLuntu, kuRhulumente wePhondo leMpuma Koloni

2.11 **"UMphathiswa"** UMphathiswa woPhuhliso loLuntu, uRhulumente kaZwelonke

2.12 **"I-PAIA"** UMthetho wokuKhuthaza ukuFikelela kwiiNkcukacha, nombolo 2 ka-2000 (njengoko ufakelwe izilungiso)

2.13 **"Umntu"** Ngokudalwa okanye onamalungelo ngokomthetho

2.14 **"Iinkcukacha zomntu zobuqu"** Iinkcukacha ezinxulumene nomntu onokwaziwa ukuba ungubani ngokudalwa njengoko kuchaziwe kwicandelo loku-1 le-PAIA

2.14 "I-**PFMA"** UMthetho woLawulo lweMali kaRhulumente onguNombolo 1 ka-1999 (njengoko ufakelwe izilungiso)c

2.15 "I-**POPIA"** UMthetho woKhuseleko lweeNkcukacha zoMntu onguNombolo 4 ka-2013 (njengoko ufakelwe izilungiso)

2.16 **"Imimiselo ye-POPIA"** Imimiselo yokhuseleko lweenkcukacha zomntu ikhutshwe ngokwemiqathango yecandelo 122(2) loKhuseleko loMthetho woKhuseleko lweeNkcukacha zoMntu onguNombolo 4 ka-2013

2.17 **"IQumrhu labucala"** umntu ngokudalwa ophatha okanye owakhe waphatha naluphi na urhwebo, ishishini okanye umsebenzi awuqeqeshelweyo, kodwa kuphela ngokweso sikhundla okanye umsebenzi awuqeqeshelweyo; ubambiswano lweshishini olwakhe laphatha urhwebo, ishishini okanye umsebenzi awuqeqeshelweyo; kwakunye nokuba leliphi iqumrhu okanye umntu onamalungelo ngokomthetho; kodwa oko akubandakanyi iqumrhu likarhulumente"

2.18 **"IQumrhu likarhulumente"** ISebe likarhulumente kaZwelonke okanye lePhondo okanye nawuphi na umasipala kwinqanaba lengingqi; okanye naliphi na igosa okanye iziko xa lisebenzisa igunya okanye lisenza umsebenzi ngokoMgaqo-siseko; okanye ukwenza umsebenzi karhulumente ngokwemigaqo yayo nayiphi na enye

2.19 "**IRekhodi**" naziphi na iinkcukacha ezirekhodiweyo –

(a) nokuba luhlobo luni na okanye ulwimi

(b) eziselugcinweni okanye phantsi kolawulo lwelo qumrhu likarhulumente okanye labucala ngokulandelelanayo; kunye

(c) ingaba zasekwa na okanye hayi lelo qumrhu likarhulumente okanye labucala

2.20 **"Umlawuli"** UMlawuli weeNkcukacha

2.21 **"Umfaki-sicelo"** Nawuphi na umntu owenza isicelo sokufikelela kwirekhodi yelo qumrhu likarhulumente okanye umntu omele umntu owenza isicelo sokufikelela kwirekhodi.

3. INJONGO YENCWADANA YE-PAIA

3.1 Le Ncwadana ye-PAIA ibonelela ngeenkcukacha eziyimfuneko kumalungu oluntu anqwenela ukufikelela kwiirekhodi ezigcinwe liSebe loPhuhliso loLuntu.

3.2 le Ncwadana ye-PAIA iluncedo kuluntu-

3.1.1 ukukhangela uhlobo lweerekhodi ezinokuthi kanti ziyafumaneka kwi-Sebe loKhuseleko loLuntu ngaphandle kokufaka isicelo esisesikweni se-PAIA;

3.1.2 ukufumana ulwazi lokuba ungasenza njani isicelo sokufikelela kwiirekhodi zeSebe loPhuhliso loLuntu;

3.1.3 ukufikelela kuzo zonke iinkcukacha zoqhagamshelwano zabantu abanceda uluntu ngeerekhodi abafuna ufikelela kuzo;

3.1.4 ukwazi ngalo lonke uncedo olufumaneka kwiSebe loPhuhliso loLuntu malunga nezicelo zokufikelela kwiirekhodi, phambi kokuba umntu aye kuMlawuli okanye kwiiNkundla zamatyala;

3.1.5 ukufumana inkcazelo ngeenkonzo zoluntu nezifumaneka kwiSebe loPhuhliso loLuntu, kunye neendlela zokufikelela kwezo nkonzo;

3.1.6 ukufumana inkcazelo epheleleyo ngendlela yokusebenzisa i-PAIA, njengoko ihlaziywa nguMlawuli kunye nangendlela yokufikelela kuyo;

3.1.7 ukwazi ukuba iSebe loPhuhliso loLuntu liza kuzisingatha na iinkcukacha zomntu, injongo yokuusingathwa kweenkcukacha zomntu kunye nodidi lwabantu abachatshazelwa yidatha kunye neenkcukacha okanye udidi lweenkcukacha ezinxulumene noko;

3.1.8 wazi ukuba iSebe loPhuhliso loLuntu licwangcise ukudlulisela okanye ukuthumela iinkcukacha zomntu zobuqu ngaphandle kweRiphabhliki yoMzantsi Afrika na, kunye nabamkeli okanye iindidi zabamkeli ekunokuthi kunikezelwe kubo iinkcukacha zomntu zobuqu; kwaye

3.1.9 ukwazi ukuba iSebe loPhuhliso loLuntu linamanyathelo okhuseleko afanelekileyo ukuqinisekisa ubumfihlo, intembeko kunye nokufumaneka kweenkcukacha zomntu zobuqu eziza kuqwalaselwa.

4. UKUFIKELELA KWIINKCUKACHA NOQHAGAMSHELWANO NGOKUBANZI

4.1 UNdlunkulu wePhondo: -

Idilesi yeposi: Private Bag X 0039, Bhisho 5605

Idilesi yesakhiwo: 1st Floor, One Vision Building, Circular Drive, Bhisho

Ifowuni: 082 414 7770 [Mr. M Machemba]

Ifowuni yesibini: 079 881 7044 [Mr. S Collins]

I-Imeyili: Mzimkhulu.Machemba@ecdsd.gov.za
PAIA.Infor@ecdsd.gov.za

Iwebhusayithi: www.ecdsd.gov.za

4.2 Amalungu oluntu ayakhuthazwa ukuba angenise zonke iifom ze-PAIA kunye/okanye yonke imiba enxulumene ne-PAIA kunye/okanye yonke imicimbi enxulumene ne-POPIA ngokubhala kwiidilesi ze-imeyili ezichazwe ngasentla. Oku kuya kuqinisekisa ukuba umcimbi wakho uhoywa ngokukhawuleza.

5. IINJONGO ZOBUCHULE KUNYE NEENJONGO

5.1 NjengeSebe loPhuhliso loLuntu, sizibophelele ekuguquleni uluntu lwethu ngokwakha abemi abaziqaphelayo nabakwaziyo ukwenza umsebenzi ngokubonelela ngeenkonzo zophuhliso loluntu ezihlangeneyo eziqinisekisa uluntu olunenkathalo ngokhuseleko nophuhliso lwabahlelelekileyo nababuthathaka.

5.2 Sinombono woluntu olukhathalayo kukhuseleko nophuhliso lwabahluphekayo nabasemngciphekweni olubhekiselele kuluntu oluzinzileyo.

5.3 Umnqophiso wethu kukuguqula uluntu lwethu ngokwakha abemi abanenkathalo nabanako ukwenza umsebenzi ngokubonelela ngeenkonzo ezihlangeneyo zophuhliso loluntu.

5.4 Sizibophelele ekuboneleleni ngoncedo lwezentlalo ebantwini nakwiintsapho ezingakwaziyo ukuzixhasa, njengoko kucacisiwe kwiCandelo lama-27(1)(c) loMgaqo-siseko.

6. ISITRAKTSHA SESEBE LOPHUHLISO LOLUNTU

6.1 Isitraktsha seSebe loPhuhliso loLuntu sime ngolu hlobo lulandelayo:

6.1.1 **UNdlunkulu wePhondo:** UseBhisho.

6.1.2 **Ii-Ofisi zeZithili:** Ii-Ofisi zeZithili zikwiZithili zikaMasipala ezisibhozo kwiPhondo.

6.1.3 **Ii-Ofisi zeeNkonzo kunye nezeNgingqi:** I-Ofisi yeSithili nganye inothungelwano lwee-Ofisi zeeNkonzo kunye nezeNgingqi ukuze zibonelele ngeenkonzo eluntwini.

6.2 Nceda ujonge iidilesi zezakhiwo zee-Ofisi zethu zeSithili, zeNgingqi, nezaseMakhaya, ndwendwela iwebhusayithi yethu ethi www.ecdsd.gov.za

7. IMISEBENZI YESEBE LOPHUHLISO LOLUNTU

7.1 ISebe loPhuhliso loLuntu lisebe likarhulumente wephondo elisekwe ngokoMgaqo-siseko weRiphabhliki yoMzantsi Afrika, 1996 (“uMgaqo-siseko”) kunye neshedyuli 3 yoMthetho weNkonzo kaRhulumente (Proc. 103 of 1994), njengoko ufakelwe izilungiso

7.2 Elona gunya liphambili lowiso-mthetho leSebe lisuka kuMgaqo-siseko.

7.3 ISebe lakhiwe ngokweeprogram ezi-5 (ezintlanu), ezizezi:

7.3.1 IProgram 1: Ulawulo: -

- Injongo yeprogram yoku-1 kukubonelela ngesikhokelo somgaqo-nkqubo kunye nenkxaso yolawulo kwizinyanzeliso zeqhinga ezigunyaziswe ngumgaqo-siseko. Ibandakanya i-Ofisi yoMphathiswa, i-Ofisi yeNtloko yeSebe, iiNkonzo zoLawulo loShishino kunye noLawulo lweSithili.

7.3.2 Iinkonzo zoPhuhliso lweNtlalontle: -

- Injongo yeprogram yesi-2 kukubonelela ngeeNkonzo ezDityanisiweyo zoPhuhliso lweNtlalo kwabo bahlelelekileyo nabasemngciphekweni ngentsebenziswano nabathathinxaxheba abachaphazelekayo kunye nemibutho yasekuhlaleni.

7.3.3 IProgram yesi-3: Abantwana neeNtsapho: -

- Injongo yeprogram yesi-3 kukubonelela ngeenkonzo ezipheleleyo zokhathalelo lomntwana nosapho nenkxaso kuluntu ngentsebenziswano nabathathi-nxaxheba kunye nemibutho yasekuhlaleni.

7.3.4 IProgram yesi-4: Iinkonzo zokuBuyiselwa kwiSimo sangaPhambilini: -

* Injongo yeprogram yesi-4 kukubonelela ngophuhliso uludityanisiweyo lothintelo lolwaphulo-mthetho ekuhlaleni, iinkonzo zokuchasa ukusetyenziswa gwenxa kweziyobisi kunye nokuxhotyiswa kwamaxhoba kunye neenkonzo zenkxaso kwabona basemngciphekweni ngentsebenziswano nabathathinxaxheba abachaphazelekayo kunye nemibutho yasekuhlaleni.

7.3.5 IProgram yesi-5: UPhando noPhuhliso: -

* Injongo yenkqubo yesi-5 kukubonelela ngeenkqubo zophuhliso oluzinzileyo eziququzelela ukuxhotyiswa koluntu olusekwe kwiinkcukacha zobungqina babantu.

7.4 Ukufumana iinkcukacha ezithe vetshe ngeprogram nganye kubandakanywa neenkqutyana, nceda undwendwele iwebhusayithi yethu: www.ecdsd.gov.za

8. ISIKHOKELO SOMLAWULI WEENKCUKACHA

8.1 UMlawuli, ngokwecandelo le-10 (1) le-PAIA, uye wahlaziya waza wenza ukuba kufumaneke iSikhokelo esihlaziyiweyo sendlela yokusebenzisa i-PAIA (“IsiKhokelo”), ngendlela eqondakala lula nangendlela eqondakalayo, njengoko kunokufunwa ngokufanelekileyo ngumntu onqwenela ukusebenzisa naliphi na ilungelo elixelwe kwi-PAIA ne-POPIA.

8.2 Esi siKhokelo sikhankanywe ngasentla siqulathe inkcazo-

i. ngeenjongo ze-PAIA kunye ne-POPIA;

ii. idilesi yeposi neyesitalato, inombolo yomnxeba neyefeksi kwaye, ukuba ikhona, idilesi ye-imeyili ye-

1. Gosa leNgcaciso lwalo lonke iqumrhu likarhulumente, kunye

2. NeGosa leNgcaciso ngalinye lequmrhu likarhulumente ngalinye nelabucala elimiselwe ngokwecandelo 17(1) le-PAIA[1] kunye necandelo lama-56 lePOPIA[1];

iii. indlela kunye nohlobo lwesicelo -
   1. sokufikelela kwirekhodi yequmrhu loluntu elixelwe kwicandelo 11[2]; kunye
   2. nokufikelela kwirekhodi yequmrhu labucala elikhankanywe kwicandelo 50[3];

iv. uncedo olufumanekayo kwiGosa leNgcaciso lequmrhu likarhulumente ngokwe-PAIA ne-POPIA;

v. uncedo olufumanekayo kuMlawuli ngokwe-PAIA ne-POPIA;

vi. lonke uncedo olukhoyo olusemthethweni malunga nesenzo okanye ukusilela ukwenza ngokubhekiselele kwilungelo okanye umsebenzi onikwe okanye obekwe yi-PAIA ne-POPIA, kubandakanywa nendlela yokufaka-

   1. isibheno sangaphakathi;
   2. isikhalazo kuMlawuli; kunye
   3. nesicelo enkundleni esichasene nesigqibo segosa lengcaciso lequmrhu likarhulumente, isigqibo sesibheno sangaphakathi okanye isigqibo soMlawuli okanye isigqibo sentloko yequmrhu labucala;

vii. amasolotya amacandelo 14[4] nelama-51[5] afuna ukuba iqumrhu likarhulumente kunye nequmrhu labucala, ngokulandelelanayo, liqulunqe incwadana, nendlela yokufumana ufikelelo kwincwadana;

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[1] *Icandelo 56(a) lePOPIA- Iqumrhu ngalinye likarhulumente nelabucala kufuneka lenze amalungiselelo, ngendlela echazwe kwicandelo le-17 loMthetho wokuKhutaza ukuFikeela kwiiNkcukacha, ngotshintsho oluyimfuneko, ukuze kunyulwe inani labantu abanjalo, ukuba likho, njengosekela-gosa lengcaciso njengoko kuyimfuneko ukwenza imisebenzi noxanduva njengoko kuchazwe kwicandelo 55(1) lePOPIA.*

[2] *Icandelo le-11(1) le-PAIA- Umfaki-sicelo kufuneka anikwe ufikelelo kwirekhodi yequmrhu likarhulumente ukuba loo mfaki-sicelo uthobela zonke iimfuno zenkqubo kwi-PAIA ngokunxulumene nesicelo sokufikelela kuloo rekhodi; kwaye ukufikelela kuloo rekhodi akwaliwa ngokwemiqathango yaso nasiphi na isizathu sokwala esixelwe kwiSahluko sesi-4 sesi Sahlulo.*

[3] *ICandelo lama-50(1) le-PAIA- Umfaki-sicelo kufuneka anikwe ufikelelo kuyo nayiphi na irekhodi yequmrhu labucala ukuba-*
- *a) loo rekhodi iyafuneka ekusebenziseni okanye ekukhuseleni nawaphi na amalungelo.*
- *b) loo mntu uthobela iimfuno zenkqubo kwi-PAIA ngokunxulumene nesicelo sokufikelela kuloo rekhodi; kwaye*
- *c) ukufikelela kuloo rekhodi akwaliwa ngokwemiqathango yaso nasiphi na isizathu sokwala esixelwe kwiSahluko sesi-4 sesi Sahlulo.*

viii. amasolotya amacandelo 15[4] nelama-52[5] abonelela ngokubhengezwa ngokuzithandela kweendidi zeerekhodi liqumrhu likarhulumente kunye nequmrhu labucala, ngokulandelelanayo;

ix. izaziso ezikhutshwe ngokwemigaqo yecandelo lama-22[4] nelama-54[5] malunga nemirhumo emayihlawulwe ngokunxulumene nezicelo zokufikelela; kunye

x. imimiselo eyenziwe ngokwecandelo lama-92[4].

8.3 Uluntu lunokuhlola okanye lwenze iikopi zesiKhokelo kwii-ofisi zequmrhu likarhulumente okanye zabucala, kubandakanywa ne-ofisi yoMlawuli, ngeeyure eziqhelekileyo zokusebenza. IsiKhokelo sinokufumaneka-

8.3.1 ngokucelwa kwiGosa leNgcaciso;

8.3.2 kwiwebhusayithi yoMlawuli (www.inforegulator.org.za).

8.3.3 kwiwebhusayithi yeSebe loPhuhliso loLuntu leMpuma Koloni (www.ecdsd.gov.za)

8.3.4 ngokucelwa kuNdlunkulu weSebe eBhisho

8.4 Amalungu oluntu angaqhagamshelana ngqo noMlawuli weeNkcukacha. Inombolo yomnxeba: 010–023 5200 kunye/okanye nge-imeyili: enquiries@inforegulator.org.za

9 USENZA NJANI ISICELO SOKUFIKELELA KWIINKCUKACHA

9.1 Inkqubo

9.1.1 Umfaki-sicelo kufuneka agcwalise **iFom 2** eqhotyoshelweyo njenge**Sihlomelo A** aze ayingenise, izaliswe ngokufanelekileyo, kwiGosa leNgcaciso elichaphazelekayo kwidilesi enikelwe kumhlathi 4 apha ngasentla ukwenzela ukuba umfaki-sicelo akwazi ukuphenduleka.

9.1.2 IGosa leNgcaciso kufuneka lincedise umfaki-sicelo ukuba umfaki-sicelo ufuna uncedo ngenkqubo okanye ngokuzalisa iifom, kubandakanywa nabafaki-zicelo abangafundanga okanye abakhubazekileyo.

9.1.3 Ifom engeniswe kwiGosa leNgcaciso kufuneka iqulathe zonke iinkcukacha ezifanelekileyo ukuze iGosa leNgcaciso likwazi ukuchonga iinkcukacha ezithile eziceliweyo.

9.1.4 Umfaki-sicelo kufuneka kwakhona abonise ukuba ngaba ufuna ukufumana ikopi yerekhodi, ukufunda irekhodi kwi-ofisi yeSebe loPhuhliso loLuntu okanye, kungenjalo, ukukhusela irekhodi ngolunye uhlobo olukhoyo.

9.1.5 Isicelo akufuneki sibe seserekhodi eziphantsi kwezizathu zokwaliwa njengoko kubonelelwe phantsi kweSahluko sesi-4 se-PAIA.

9.1.6 Ukuba, ngenxa yezizathu ezibambekayo, ufikelelo alunakunikwa ngendlela efunwayo kodwa lube ngolunye uhlobo, umrhumo kufuneka ubalwe ngokwendlela umfaki-sicelo ebenze ngayo kuqala.

9.1.7 Umfaki-sicelo kufuneka abonise indlela anqwenela ukwaziswa ngayo ngesigqibo seGosa leNgcaciso malunga nesicelo seenkcukacha ngendlela ethile (o.k.t. iposi, ifaksi, i-imeyili) kwaye kufuneka ke ngoko anike iinkcukacha eziyimfuneko ukuze aziswe ngolo hlobo. Kucelwa nijonge amanqaku abalulekileyo ngokumalunga nokusetyenziswa konxibelelwano lweposi kumhlathi 4 apha ngasentla njengoko kubaluleke kakhulu ukufumana nokuqwalaselwa kwezicelo.

9.1.8 Ukuba umfaki-sicelo ucela iinkcukacha egameni lomnye umntu, amandla kunye nobungqina begunya esenziwa phantsi kwalo isicelo kufuneka lubonakaliswe ngendlela eyanelisa iGosa leNgcaciso, kwaye loo myalelo kufuneka ubhalwe kwaye usayinwe ngokufanelekileyo.

9.1.9 IGosa leNgcaciso kufuneka lenze isigqibo kwiintsuku ezingama-30 emva kokufumana isicelo kwaye lazise umfaki-sicelo ngesigqibo.

9.1.10 IGosa leNgcaciso linokwandisa ixesha leentsuku ezingama-30 kube kanye ixesha elingaphezulu elingekho ngaphezulu kweentsuku ezingama-30. ISebe loPhuhliso loLuntu kufuneka lazise umfaki-sicelo ngolo hlobo lolwandiso kunye nezizathu, ke ngoko.

9.2 **Amaxwebhu amakaqhotyoshelwe afunekayo:**

9.2.1 **IFom 2 (iSihlomelo A)** ezaliswe ngokupheleleyo

9.2.2 Ukuba isicelo senziwa egameni lomnye umntu okanye umntu onamalungelo ngokomthetho, ubungqina besikhundla apho umfaki-sicelo esenza ngaso isicelo, kufuneka buncanyathiselwe kwiFom yesi-2. Jonga ku-9.1.8 ngasentla.

9.2.3 Ikopi eqinisekisiweyo yesazisi somfaki-sicelo.

9.2.4 Umfaki-sicelo kufuneka anikwe ufikelelo kwiirekhodi zeSebe ukuba eso sicelo siyahambelana nazo **zonke iimfuno zenkqubo**, ukuba ukufikelela

kuloo rekhodi akwaliwa nangasiphi na isizathi esichazwe kwiSahluko se-4 se-PAIA.

9.2.5 Ubungqina bentlawulo yomrhumo ofunekayo.

9.3 **Imirhumo**

9.3.1 Umrhumo wesicelo ongabuyiswayo oyi-**R100.00** (okanye onokuthi utshintshwe kumaxesha ngamaxesha ngesaziso esibhaliweyo) uyahlawulwa ngokusingise kwisicelo ngasinye sokufikelela kwiinkcukacha okanye kwisibheno sangaphakathi esifakwe kwiGosa leNgcaciso.

9.3.2 Xa iSebe lifumana isicelo, umfaki-sicelo kufuneka aziswe, kusetyenziswa i**Fom 3 (iSihlomelo B)** ukuba isicelo sivunyiwe okanye asivunywanga kwaye ukuba isicelo sivunyiwe, umfaki-sicelo kufuneka aziswe ukuba ahlawule idipozithi emiselweyo yofikelelo (ukuba ikho) njengoko kucacisiwe **kwiSihlomelo C**, phambi kokuba kuqwalaselwe ngakumbi isicelo.

9.3.3 Ukuxolelwa ekuhlawuleni kunokuvunywa ngokumalunga nabafaki-zicelo abafikelelayo kwiinkqubo zokuxolelwa ekuhlawuleni njengoko kumiselwe yi-PAIA. Kucelwa niqaphele ukuba, oku kuxolelwa akusebenzi kubantu abamelwe ngokusemthethweni, naphantsi kweemeko apho izivumelwano zentlawulo yokungekehli kuye kwangenwa kuzo ngumfaki-sicelo kunye nokumelwa kwakhe ngumthetho.

9.3.4 Ukufikelela kwikopi yeerekhodi kuya kwalelwa de yonke imirhumo efunekayo ibe ihlawulwe ngokupheleleyo.

9.3.5 Umfaki-sicelo ongonelisekanga ngumrhumo ofunwayo unokufaka isibheno sangaphakathi ngokuchasene neso sigqibo, njengoko kuchaziwe kumhlathi 10.1 ngezantsi.

9.3.6 Imirhumo kufuneka ihlawulwe kwiakhawunti yebhanki yeSebe. Idiphozithi mayibhalwe ngokuchanekileyo, kwaye ubungqina bentlawulo nganye kufuneka bungeniswe kwiSebe loPhuhliso loLuntu.

9.4 Iinkcukacha zebhanki zokuhlawulwa kwemirhumo ye-PAIA zezi zilandelayo:

Igama le-Akhawunti:	**ECPG: Social Development**
Ibhanki:	**Standard Bank)**
Inombolo ye-Akhawunti:	**273020765**
Uhlobo lwe-Akhawunti:	**Business Current Account**

Isebe:	**KING WILLIAMS TOWN**
Ikhowudi yeSebe:	**050419**
Inombolo yeRefrensi:	**PAIA (Unobumba wokuqala wegama nefani, umz B Dlamini)**

10 UNCEDO OLUFUMANEKAYO

10.1 Isibheno sangaphakathi

10.1.1 Apho umfaki-sicelo angonelisekanga sisiphumo sesicelo sokufikelela kwiinkcukacha, umfaki-sicelo unokufaka isibheno sangaphakathi ngokuchasene nesigqibo seGosa leNgcaciso ngokuzalisa nokuhambisa iFom 4 (iSihlomelo D) kwisithuba seentsuku ezingama-60 kwiGosa leNgcaciso.

10.1.2 Isibheno sangaphakathi singafakwa ngokuchasene naso nasiphi na kwezi zigqibo zilandelayo zeGosa leNgcaciso:

i. Ukwala isicelo sofikelelo

ii. Imirhumo ebizwayo.

iii. Ukwandiswa kwexesha lokujongana nesicelo; kunye

iv. Nokufikelela ngendlela ethile.

10.1.3 Umfaki-sicelo kufuneka ahlawule umrhumo omiselweyo wesibheno sangaphakathi (apho kufanelekileyo) xa efaka isibheno.

10.1.4 Isigqibo sesibheno sangaphakathi sinokuthi, nangona kunjalo, sirhoxiswe de umrhumo uhlawulwe.

10.1.5 Ngokukhawuleza okunokwenzeka, kodwa zingadlulanga iintsuku zokusebenza ezili-10 emva kokufumana isibheno sangaphakathi, iGosa leNgcaciso kufuneka lingenise isibheno sangaphakathi kuMphathiswa wePhondo woPhuhliso loLuntu.

10.1.6 UMphathiswa wePhondo kufuneka enze isigqibo ngesibheno sangaphakathi kwiintsuku ezingama-30 emva kokuba isibheno sangaphakathi sinikezelwe kwiGosa leNgcaciso.

10.2 Isikhalazo kuMlawuli weeNkcukacha

10.2.1 Umfaki-sicelo unokufaka isikhalazo kuMlawuli weeNkcukacha ngokuthi agcwalise ngokufanelekileyo kwaye anikezele nge**Fom 5 (isihlomelo E),**

kodwa kuphela emva kokuba umfaki-sicelo esebenzise inkqubo yangaphakathi yesibheno ngokuchasene nesigqibo seGosa leNgcaciso leSebe IoPhuhliso loLuntu .

10.3 **Ukuya eNkundleni yamaTyala**

10.3.1 Nangona iSebe licebisa ukuba abafaki-zicelo bazame ukusombulula iingxabano malunga nokufikelela kwiinkcukacha ngaphandle kokuya kwiinkundla zamatyala, umfaki-sicelo unokuthi, ukuba usenengxaki, aye enkundleni emva kwenkqubo yesibheno sangaphakathi.

11. IIREKHODI KUNYE NENDIDI ZEEREKHODI EZIGCINWE LISEBE LOPHUHLISO LOLUNTU.

Izihloko apho iqumrhu ligcina iirekhodi	**Iindidi zeerekhodi ezigcinwe kwisihloko ngasinye**
Amaxwebhu eQhinga, iziCwangciso, iiNtetho kunye neeNgxelo ezisemthethweni	- IziCwangciso zoBuchule - IsiCwangciso zokuSebenza zoNyaka - IziCwangciso zokuSebenza - iziCwangciso zokuPhuculwa koNikezelo lweeNkonzo - Iingxelo zoNyaka - Iintetho zoMgaqo-nkqubo - IiNtetho zoBume bePhondo;
Izixhobo zabasebenzi kunye neeNkonzo zokusebenza	- IMigaqo-nkqubo kunye neenkqubo ze-HR; - Izithuba ezibhengeziweyo; - Iirekhodi zokuqasha; - Iirekhodi zabasebenzi; - UkuFunda kunye noPhuhliso umz. iziCwangciso zoPhuhliso lweZakhono kunye noQeqesho; - Isicwangciso soBulungisa kwezeNgqesho kunye neeNkcukacha manani; - Iincwadana zeendaba;

Izihloko apho iqumrhu ligcina iirekhodi	**Iindidi zeerekhodi ezigcinwe kwisihloko ngasinye**
	- Ulwazi lweNkampani; - Iingxelo zemidiya; - Iintetho kunye neMiyalezo; - Iiflaya zeMpilontle kunye neePowusta; - Unxielelwano lokuchasana noBuqhophololo noRhwaphilizo; - Iincwadana; - Amaphetshana - Umboniso wevidiyo wemisitho esemthethweni.
Uxwebhu ngezeMali	- Isiteyithimenti sezemali; - Isiteyithimenti sezemali ezidityanisiweyo; - Ingxelo yoPhicotho-zincwadi; - Uhlahlo-lwabiwo mali; - Uxwebhu loLawulo loKuthengwa kweeMpahla neeNkonzo nolubandakanya iinkcukacha zeethenda, izibhengezo zethenda, iirejista zethenda, ukufakwa kweebhidi, iingxelo zovavanyo lweebhidi, iingxelo zokugweba iithenda, iileta zokuqeshwa, iileta eziya kwabo beethenda abangaphumelelanga, kunye neerekhodi zolawulo lwee-asethi;
Amaxwebhu okusebenza	- Amaxwebhu oMgaqo-nkqubo kunye neNkqubo yokusebenza; - UNxibelelwano kunye neeRekhodi eziphathelele kwiNkqubo yokusebenza yeSebe loPhuhliso loLuntu.

12. IIREKHODI EZIGCINWE LISEBE LOPHUHLISO LOLUNTU EZIFUMANEKA NGAPHANDLE KOKUFAKWA KWESICELO SOKUFIKELELA KUZO NGUMNTU

Udidi	**Uhlobo loxwebhu**	Iyafumaneka kwiWebhusayithi	Iyafumaneka ngesicelo
Amaxwebhu esiCwangciso-Qhinga	- Iprofayile yombutho - Iingxelo zoNyaka - Isicwangciso-qhinga sobuchule - IsiCwangciso sokuSebenza soNyaka - IziCwangciso-Qhinga kunye neNtsebenzo	X	
Umthetho	- UMgaqosiseko weRiphabhlikhi yoMzantsi Afrika ka1996 - Umthetho ojongene ngqo neSebe loPhuhliso loLuntu	X	
Iinkcukacha ngokubanzi	- Iprofayili yoMphathiswa wePhondo - Iprofayili yeNtloko yeSebe - Igunya leSebe loPhuhlio loLuntu - Iimbasa zeSizwe	X	

Udidi	**Uhlobo loxwebhu**	Iyafumaneka kwiWebhusayithi	Iyafumaneka ngesicelo
Iindaba	- Iincwadana kunye nemipapasho - Iipowusta kunye neebhanile - Iincwadana kunye namaphetshana - Imisitho esemthethweni kunye nemisebenzi	X	
Ukuthengwa kwempahla neenkonzo	Uxwebhu lweBhidi kwiithenda	X	
Imisebenzi	- I-*Internship* kunye noQeqesho	X	

13. UKUQWALASELWA KWEENKCUKACHA ZOMNTU ZOBUQU

13.1 Injongo zokuqwalaselwa:

ISebe loPhuhliso loLuntu liqwalasela iinkcukacha zomntu zobuqu ezinxulumene nokusebenza kunye nemisebenzi yeSebe, echazwe kumhlathi we-7 apha ngasentla

13.2 Inkcazelo:

Inkcazelo yeendidi zabantu abachatshazelwa yidatha kunye neenkcukacha okanye iindidi zeenkcukacha ezinxulumene nazo zichazwe kwitheyibhile engezantsi:

Iindidi zabantu abachatshazelwa yidatha	**Iinkcukacha zomntu zobuqu ezinokuqwalaselwa**
Umntu ngokudalwa	Amagama kunye nefani; iinkcukacha zoqhagamshelwano (i(ii)nombolo zoqhagamshelwano), inombolo yefeksi, idilesi ye-imeyili); indawo yokuhlala, idilesi yeposi kunye/okanye yeshishini; inombolo esisazisi eyenzelwe lo mntu kuphela kunye nembalelwano eyimfihlo
Umntu onamalungelo ngokomthetho;	Amagama abantu ekuqhagamshelwana nabo; igama lequmrhu lomthetho; idilesi yendawo kunye neyeposi; iinkcukacha zoqhagamshelwano (i(ii)nombolo yoqhagamshelwano), inombolo yefaksi, idilesi ye-imeyill); inombolo yobhaliso; iinkcukacha ngezemali, ngezorhwebo, ngezenzululwazi okanye ngezobugcisa kunye neemfihlo zorhwebo.
Abasebenzi	Isini, ukukhulelwa; ubume obuxela ukuba utshatile okanye awutshatanga; uhlanga; ubudala, ulwimİ, iinkcukacha ngezemfundo (iziqinisekiso); iinkcukacha ngezemali; imbali yokuqeshwa; inombolo yesazisi; idilesi yendawo kunye neyeposi; iinkcukacha zoqhagamshelwano (i(ii)nombolo yoqhagamshelwano), inombolo yefeksi, idilesi ye-imeyili); ukuziphatha kulwaphulo-mthetho; intlalo-ntle kunye nezalamane zabo (amalungu osapho); uhlanga; ezonyango; isini; ubuzwe; imvelaphi yobuhlanga okanye yentlalo; ukwaziswa ngezesondo; ubudala, impilo yomzimba okanye yengqondo; intlalo- ntle; ukukhubazeka; inkolo; isazela; inkolelo; inkcubeko; ulwimİ; iinkcukacha zebhayometriki zomntu njengoko zifuneka kwimimiselo kunye nakwimigaqo- nkqubo yenkonzo karhulumente.

13.3. **Abamkeli:**

Udidi lweenkcukacha zomntu zobuqu	Abamkeli okanye Iindidi zabamkeli
Iinombolo zezazisi, amagama, iidilesi ukuhlola ulwaphulo-mthetho	IiNkonzo zamaPolisa oMzantsi Afrika
Iinombolo zezazisi, amagama kunye needilesi	ISebe loPhuhliso loLuntu likaZwelonke, UNonophelo lwe-Foster, ukuthathela kuwe umntwana abe ngowakho (adoption)
Iinombolo zezazisi, amagama kunye needilesi	Iithenda, amaxwebhu eBhidi angenisiwe
Iinombolo zezazisi, amagama kunye needilesi	Iinkqubo zesimangalo ngokuchasene okanye kuRhulumente nge-Ofisi yeGqwetha likaRhulumente
Iinombolo zezazisi, amagama kunye needilesi	ISebe lezoBudlelwane baMazwe ngaMazwe UNonophelo lwe-*Foster*, ukuthathela kuwe umntwana abe ngowakho (*adoption*)
Iinombolo zezazisi, amagama kunye needilesi	ISebe lezoBulungisa / iiNkonzo zoLuleko Abaphuli-mthetho abaselula
Iinombolo zezazisi, amagama kunye needilesi	Abamkeli bemali evela kwi-Arhente yoKhuseleko lwezeNtlalo yaseMzantsi Afrika
Iziqinisekiso zemfundo, ukuqinisekisa iziqinisekiso zemfundo	UGunyaziwe weziQinisekiso zoQeqesho waseMzantsi Afrika
Amatyala kunye nembali yentlawulo, ukwenzela iinkcukacha zamatyala	ii-*Credit Bureaus*
Iinombolo zezazisi, amagama kunye needilesi	Abanikezeli kunye nababoneleli ngenkonzo (kubandakanywa abameli bomthetho kwimiba yokumangalelwa) apho iSebe loPhuhliso loLuntu linobudlelwane bekhontrakthi ukuze babe nokufikelela kwiinkcukacha zomntu zobuqu.

Udidi Iweenkcukacha zomntu zobuqu	Abamkeli okanye Iindidi zabamkeli
Iinkcukacha zezonyango	Abameli bomthetho abamele iSebe loPhuhliso loLuntu
Iinkcukacha zabasebenzi	Iibhanki kunye namanye amaqumrhu ezemali, abalawuli bengxowa-mali yomhlalaphantsi, imibutho yabasebenzi

13.4 **Ukuhanjiswa ziye kwelinye ilizwe :**

13.4.1 ISebe loPhuhliso loLuntu alikacwangcisi nakuphi na ukuhanjiswa kweenkcukacha zomntu zobuqu ziye kwelinye ilizwe. Nangona kunjalo, ukuba kuye kwafuneka ukuba kudluliselwe iinkcukacha zomntu zobuqu kwelinye ilizwe ngazo naziphi na izizathu ezisemthethweni, iSebe loPhuhliso loLuntu liya kuqinisekisa ukuba nabani na elidlulisela kuye iinkcukacha zomntu zobuqu kugqamane nomthetho, imithetho ebophelelayo yequmrhu okanye isivumelwano esibophelelayo nesinika inqanaba elaneleyo lokhuseleko, kwaye umntu ongomnye ochaphazeekayo uyavuma ukuphatha ezonkcukacha ngenqanaba elifanayo lokhuseleko njengelo leSebe loPhuhliso loLuntu nelinyanzelwa yi-POPIA ngalo.

13.4.2. Nakuphi na ukudluliselwa kwelinye ilizwe kweenkcukacha zomntu zobuqu kuya kuba nemvume yomntu ochatshazelwa yidatha okanye ukuba ukudluliselwa kuyimfuneko ekuqukunjelweni okanye ekusebenzeni kwekhontrakthi egqitywe phakathi kweSebe loPhuhliso loLuntu kunye nomntu ongomye ochaphazelekayo kwintshisekelo yomntu ochatshazelwa yidatha. Nangona kunjalo, ukuba akunakwenzeka ngokufanelekileyo ukufumana imvume yomntu ochatshazelwa yidatha, iSebe loPhuhliso loLuntu liya kudlulisela iinkcukacha zomntu zobuqu ukuba ukudluliselwa kuya kuba luncedo kumntu ochatshazelwa yidatha kwaye umntu ochatshazelwa yidatha uya kunika imvume ukuba bekunokwenzeka ngokufanelekileyo ukufumana. imvume enjalo.

13.5 **Amanyathelo oKhuseleko Iweenkcukacha**

13.5.1 ISebe IoPhuhliso loLuntu lithe gqolo ukuseka kunye nokugcina amanyathelo afanelekileyo, obugcisa kunye nawequmrhu ngokuthatha amanyathelo okuthintela:

13.5.1.1 ukulahlekelwa, ukonakalelwa okanye ukutshatyalaliswa okungagunyaziswanga kweenkcukacha zomntu zobuqu; kunye

13.5.1.2 ukufikelela okanye ukuqwalaselwa kweenkcukacha zomntu zobuqu ngokungekho semthethweni.

13.5.2 ISebe loPhuhliso loLuntu lithathe amanyathelo afanelekileyo, ukwenza oku:

13.5.2.1. ukuchonga yonke imingcipheko yangaphakathi kunye neyangaphandle enokubakho kwiinkcukacha zomntu zobuqu ezikulo okanye eziphantsi kolawulo lwalo;

13.5.2.2. ukuseka kwaye kugcinwe iindlela zokhuseleko ezifanelekileyo ngokuchasene nemingcipheko echongiweyo;

13.5.2.3. kuqinisekiswe rhoqo ukuba iindlela zokhuseleko ziphunyezwa ngokufanelekileyo; kwaye;

13.5.2.4. kuqinisekiswe ukuba iindlela zokhuseleko zihlaziywa rhoqo ukumelana nemingcipheko emitsha kukhuseleko oluphunyezwe ngaphambili

13.5.3. Amanyathelo athathwe liSebe loPhuhliso loLuntu aquka:

13.5.3.1. Ulawulo lokuFikelela;

13.5.3.2. Ufihlo lweDatha;

13.5.3.3. Amanyathelo okuziKhušela;

13.5.3.4. Ukubeka iliso okuliqilima, ukuPhicotha kunye nokuNika iNgxelo ngezakhono;

13.5.3.5. Ugcino lweDatha;

13.5.3.6. Izisombululo ze-Anti-virus kunye ne-Anti-malware;

13.5.3.7. Ukuqonda kunye nokuQaphela; kunye

13.5.3.8. Nezivumelwano ezigqityiweyo nabasebenzisi ukuphumeza ulawulo lokhuseleko.

14. UKUTHATHA INXAXHEBA KOLUNTU EKUQULUNQWENI KOMGAQO-NKQUBO OKANYE EKUSEBENZISENI AMAGUNYA OKANYE EKWENZIWENI KWEMISEBENZI LISEBE LOPHUHLISO LOLUNTU

14.1 ISebe loPhuhliso loLuntu liyinxalenye yesigqeba sikaRhulumente wePhondo leMpuma Koloni.

14.2 Apho ukuqulunqwa komgaqo-nkqubo kuya kukhokelela kuwiso-mthetho, iSebe loPhuhliso loLuntu licela uluntu ukuba luvakalise izimvo zalo ngalo mgaqo-nkqubo ngokupapashwa kwiGazethi yePhondo ukuze uluntu luhlomle kwaye likwaququzelela ukubanjwa kweendibano zovakaliso-zimvo.

14.3 Amalungu oluntu asenokuthi ngaphezu koko abe nefuthe ngokungangqalanga ekuqulunqweni komgaqo-nkqubo ngokunxibelelana nabameli babo abanyuliweyo nangokuzimasa iiseshoni zeNdlu yoWiso-mthetho yePhondo.

15. UKUFUMANEKA KWENCWADANA

15.1 Ikopi yale Ncwadana okanye inguqulelo ehlaziyiweyo yayo, nayo iyafumaneka ngolu hlobo lulandelayo-

i. Kwiwebhusayithi yeSebe loPhuhliso loLuntu: www.ecdsd.gov.za

ii. kundlunkulu weSebe loPhuhliso loLuntu ePhondweni eBhisho.

iii. kwii-Ofisi zeeNkonzo zeSithili, ezeNgingqi nezaseMakhaya.

iv. kuye nawuphi na umntu ofanelekileyo, iqumrhu, ishishini likarhulumente, umbutho okanye iziko lomthetho kunye

v. nakuMlawuli weeNkcukacha xa eceliwe.

16. UKUHLAZIYWA KWENCWADANA

15.1 ISebe loPhuhliso loLuntu liya kuthi emva kophononongo lwangaphakathi, lihlaziye kwaye liphinde lipapashe le Ncwadana apho iimeko ziyalela njalo.

Ikhutshwe ngu:

Mnu M A Machemba

____

INTLOKO YESEBE
Isebe loPhuhliso loLuntu leMpuma Koloni
IGOSA LENGCACISO
Unhla: 01/07/2026