social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

Imanuwali ye-PAIA

Elungiswe ngokwe sahluko 14 soMthetho Wokukhuthaza Ukutholakala Kolwazi No. 2 ka-2000 (njengoba kushintshiwe)

USUKU LOKUHLANGANISWA: 31/03/2024

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UHLAHLISO LWAMAGAMA AFUSHANE NEZIFINYEZO

PAIA	UMthetho Wokukhuthaza Ukutholakala Kolwazi No. 02 ka-2000 (njengoba ushintshiwe);
PFMA	UMthetho Wokuphathwa Kwezimali Zomphakathi No. 1 ka-1999 (njengoba ushintshiwe);
POPIA	Umthetho Wokuvikelwa Kolwazi Lomuntu No.4 ka-2013;
ICT	Ubuchwepheshe Bokuxhumana Ngolwazi
HIV & AIDS	Igciwane Lesandulela NgculazI kanye Nengculazi
NGOs	Izinhlangano Ezingekho Ngaphansi Kukahulumeni
CBOs	Izikhungo Ezisekelwe Emphakathini
FBOs	Izinhlangano Ezisekelwe Ezokholo

1. INHLOSO YE-PAIA MANUWALI

1.1 Le Manuwali ye-PAIA iyasiza umphakathi ukuze-

a) Hlola uhlobo lwamarekhodi angase atholakale eMnyangweni Wezokuthuthukiswa Kwezenhlalakahle, ngaphandle kwesidingo sokufaka isicelo esisemthethweni se-PAIA;
b) Yiba nokuqonda ngokuthi ungasifaka kanjani isicelo sokuthola irekhodi kuMnyango Wezokuthuthukiswa Kwezenhlalakahle;
c) Thola yonke imininingwane yokuxhumana efanele yabantu abazosiza umphakathi ngamarekhodi abafuna ukuwathola;
d) Yazi zonke izindlela ezitholakalayo ezivela kuMnyango Wezokuthuthukiswa Kwezenhlalakahle maqondana nesicelo sokuthola amarekhodi, ngaphambi kokufinyelela kuMlawuli noma ezinkantolo;
e) incazelo yezinsizakalo ezitholakala kumalungu omphakathi ezivela eMnyangweni wezokuThuthukiswa Kwezenhlalakahle, nendlela yokuthola ukufinyelela kulezo zinsizakalo;
f) incazelo yomhlahlandlela wokuthi ungayisebenzisa kanjani i-PAIA, njengoba ibuyekezwe nguMlawuli nokuthi ungayithola kanjani ukufinyelela kuyo;
g) Yazi ukuthi umzimba uzosebenza yini ngemininingwane yomuntu, inhloso yokusebenza kwe-mininingwane yomuntu, kanye nencazelo yezigaba zabantu abathintekayo nolwazi noma izigaba zolwazi eziphathelene nalokho;
h) Yazi uma uMnyango Wezokuthuthukiswa uhlele ukudlulisa noma ukucubungula imininingwane yomuntu ngaphandle kweRiphabhuliki yaseNingizimu Afrika kanye nabamukeli noma izigaba zabamukeli okunganikezwa kubo ulwazi lomuntu ; futhi
i) Yazi uma uMnyango wezokuThuthukiswa Kwezenhlalakahle unezinyathelo zokuphepha ezifanele ukuqinisekisa imfihlo, ubuqotho kanye nokutholakala kwemininingwane yomuntu okufanele acutshungulwe.

2. UKUSUNGULWA KOMNYANGO WEZOKUTHUTHUKISWA KWEZENHLALAKAHLE

2.1 Izinhloso/Igunya

UMnyango wezokuThuthukiswa Kwezenhlalakahle uthola igunya lawo elisemqoka kuMthethosisekelo weRiphabhuliki yaseNingizimu Afrika:

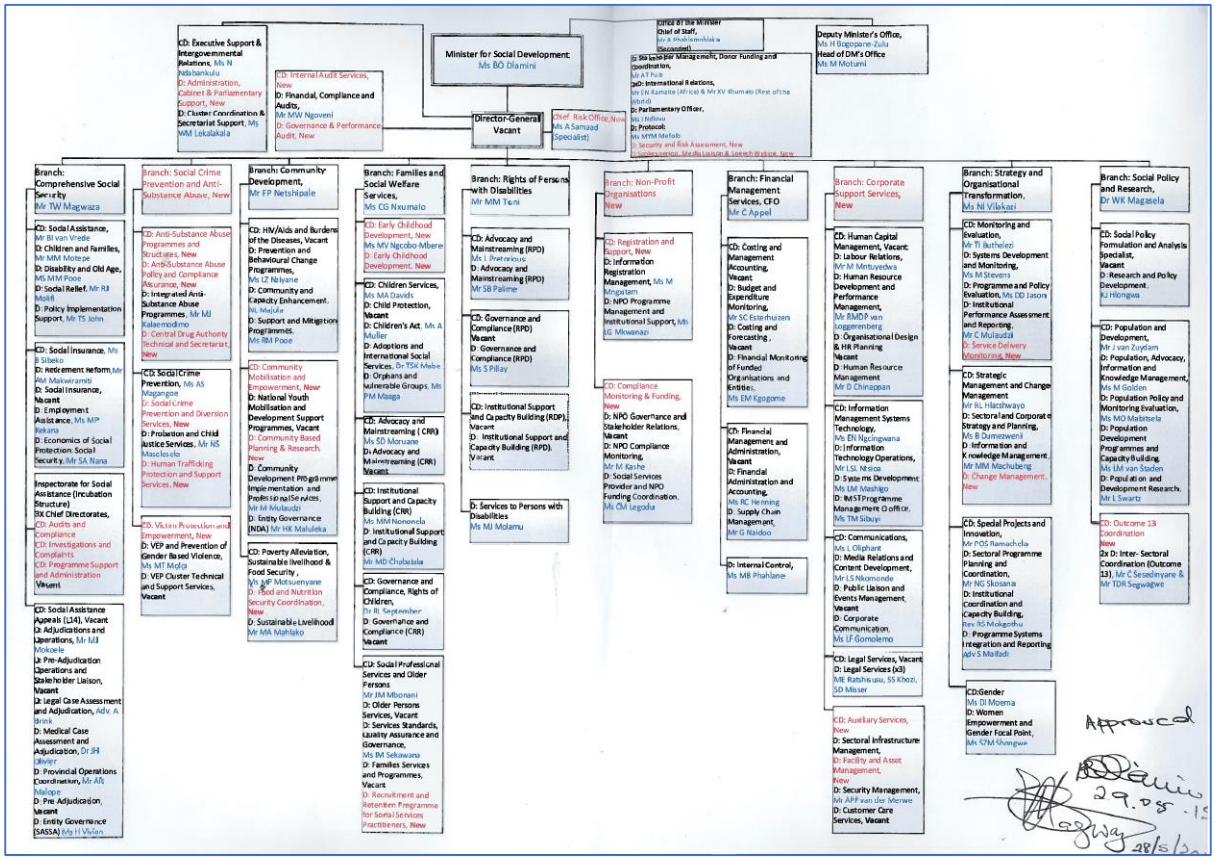
- Isigaba 27 (1)(c) soMthethosisekelo weRiphabhuliki yaseNingizimu Afrika, 1996,sihlinzekela ilungelo lokuthola usizo olufanele lwezenhlalakahle kulabo abangakwazi ukuzixhasa kanye nalabo abancike kubo.
- Ngaphezu kwalokho, Isigaba 28(1) soMthethosisekelo weRepabulikhi yaseNingizimu Afrika sichaza amalungelo abantwana mayelana nokunakekelwa okufanele (ukudla okuyisisekelo, indawo yokuhlala, izinsizakalo zempilo kanye nezinsizakalo zenhlalakahle) kanye nokuboshwa.

Le mithetho noma izingxenye zayo ezilandelayo zenza igunya lomthetho loMnyango wezokuThuthukiswa Kwezenhlalakahle:

- Umthetho Wezingane, 2005 (Umthetho No. 38 ka 2005)
- Umthetho Wabantu Abadala, 2006 (Umthetho No.2006)
- Umthetho Wezisebenzi Zezenhlalakahle, 1978 (Umthetho No. 1978)
- Umthetho Wokuhlukunyezwa Kwasekhaya, 1998 (Umthetho no. of 1998)
- Umthetho Wokuvimbela Nokwelashwa Kokusebenzisa Kabi Izidakamizwa, 2008 (Umthetho No. 70 ka-2008)
- Umthetho Wezinhlangano Ezingenzi Nzuzo, 1997 (Umthetho no. ka 1997)
- Umthetho Wokusiza Umphakathi, 2004 (Umthetho no. 13 ka 2004)
- Umthetho WeSikhungo Sezokuphepha Kwezomphakathi SaseNingizimu Afrika, 2004 (Umthetho No. 09 ka-2004)
- Umthetho Wezikhungo Zentuthuko Kazwelonke, 1998 (Umthetho No. 1998)

3. ISAKHIWO SOMNYANGO WEZOKUTHUTHUKISWA KWEZENHLALAKAHLE KANYE NEMISEBENZI

3.1 Isakhiwo



3.2 Imisebenzi

UMnyango wezokuThuthukiswa Kwezenhlalakahle wenza le misebenzi elandelayo:

- Ukuphathwa nokubhekwa kwezokuphepha komphakathi, okuhlanganisa izinqubomgomo zosizo lwezenhlalakahle kanye neziqinisekiso zokuphepha komphakathi, ezihlose ukuvimbela nokunciphisa ubuphofu ngesikhathi somphumela wokuphila njengezingozi ezihlobene nokulahlekelwa komholo ngenxa yokungasebenzi, ukugula, izinkinga zobudala, noma ukufa.
- Izinsizakalo zenhlalakahle zeNtuthuko ezinikeza ukwesekwa ekunciphiseni ubuphofu, ukungavikeleki, kanye nomthelela we-HIV ne-AIDS, ngezinhlelo zentuthuko eqhubekayo, ngokubambisana nokusebenzisa ama-ejenti afana nezikhungo ezixhaswe nguHulumeni, Izinhlangano Ezingekho

Ngaphansi Kukahulumeni (NGOs), Izinhlangano Ezisekelwe Emphakathini (CBOs), kanye neZinhlangano Ezisekelwe Okholweni (FBOs).

4. IZINOMBOLO ZOKUXHUMANA EZIBALULEKILE ZOKUTHOLA ULWAZI MAYELANA NOMNYANGO WEZOKUTHUTHUKISWA KWEZENHLALAKAHLE

Isikhulu solwazi

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Iphini Lesikhulu Solwazi

Igama: Umnu Michael Machubeng
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Izinkomba Ezivamile Zokuthola Ulwazi

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0001

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0001

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I-imeyili: PAIA@dsd.gov.za

Iwebhusayithi: www.dsd.gov.za

5. Incazelo yazo zonke izindlela ezikhona mayelana nomthetho noma ukwehluleka ukwenza ngomyango Wezokuthuthukiswa Kwezenhlalakahle

5.1 Isikhalazo Sangaphakathi

a) Lowo ofake isicelo angafaka isikhalo sangaphakathi ngesinqumo seSikhulu soLwazi/iPhini leSikhulu soLwazi ngezizathu ezilandelayo:
   (i) Ukwenqaba ukunikeza ukufinyelela kumarekhodi;
   (ii) Ukwehluleka ukudalula amarekhodi;

b) Lowo ofake isicelo angafaka isikhalo sangaphakathi ngokwesigaba 74 se-PAIA nesiphathimandla esifanele (uNgqongqoshe wezokuThuthukiswa kwezenhlalakahle).

c) Ukuze ufake isikhalo nganoma yisiphi isinqumo (izinqumo) esenziwe yiSikhulu soLwazi noma iPhini leSikhulu soLwazi, okukhulunywa ngaso endimeni (a) ngenhla, ofake isicelo kufanele afake isikhalo sangaphakathi ngokugcwalisa iFomu 4. Ifomu 4, elinamathiselwe lapha, kufanele lifakwe kwiSikhulu soLwazi esifanayo noma iPhini leSikhulu soLwazi esenze isinqumo sokuqala, ebese kudingeka ukuthi sidlulisele kwisiphathimandla esifanele (uNgqongqoshe wezokuThuthukiswa kwezenhlalakahle) zingakapheli izinsuku eziyishumi zokusebenza ngemuva kokuthola isikhalo sangaphakathi.

d) Kukhona izixazululo ezitholakalayo mayelana nesenzo noma ukungaphenduli kweMnyango WezokuThuthukiswa Kwezenhlalakahle ngokuhambisana nemibandela yezenzo zomthetho ezihlukahlukene noma izinqubomgomo.

   Uma iklayenti likhathele isinqumo esithathwe yi-SASSA mayelana nesicelo sakhe sokufaka isicelo sesibonelelo noma ukubuyekezwa kwesibonelelo sabantu abadala, abantu abakhubazekile, usizo lwezondlo, izimpi, usizo lwezingane, usizo lwezingane ezithathwe, isibonelelo sokuAmasonto noma usizo lwezenhlalakahle, lowo muntu angafaka isikhalazo, phakathi kwezinsuku ezingama-90 kusukela osukwini kwesinqumo se-SASSA, kumkhandlu ozimele wezokuphathwa kwesikhalazo sosizo lwezenhlalakahle, ngokuthumela Ifomu Lesikhalazo kanye nemibhalo efanele ngqo kumkhandlu ozimele wezokuphathwa kwesikhalazo sosizo lwezenhlalakahle ngamahhovisi akhuphuka e-SASSA noma nge-imeyili Grantappeals@dsd.gov.za.

   Noma yisiphi esinye isikhalazo singathunyelwa ku-Complaints@dsd.gov.za.

5.2 Isikhathi sokufaka isikhalazo

a) Ifomu lokudlulisa isikhalo langaphakathi kufanele lihanjiswe noma lithunyelwe ekhelini leSikhulu soLwazi noma lePhini leSikhulu soLwazi, imininingwane yokuxhumana engatholakala ekhasini lesi-6, zingakapheli izinsuku ezingama-60 ngemuva kokuthathwa kwesinqumo; futhi zingakapheli izinsuku ezingama-30 ngemuva kokunikezwa isaziso kumuntu wesithathu ngesinqumo esidluliswayo.
b) Isikhalo kufanele sifakwe kuMphathi woLwazi okufanele ngokwe-PAIA, asidlulisele kuNgqongqoshe wezokuThuthukiswa kwezenhlalakahle, zingakapheli izinsuku eziyishumi (10) zokusebenza, kanye nezizathu zakhe zesinqumo esithintekayo kanye negama, ikheli leposi, inombolo yocingo nekheli le-imeyili, noma yikuphi okukhona, kumuntu wesithathu okufanele aziswe ngesicelo, ngokwesigaba 47(c)(1) se-PAIA.
c) Isikhalazo kumele sithunyelwe noma sithumeleke kunoma yiziphi zezinkomba zokuxhumana ezibhaliwe ekhasini lesi-6.
d) UNgqongqoshe WezokuThuthukiswa Kwezenhlalakahle angavuma, uma kunezizathu ezifanele, ukufakwa kwesikhalazo sangaphakathi ngokulibaziseka. Uma UNgqongqoshe WezokuThuthukiswa Kwezenhlalakahle enganeliseki nezizathu ezethulwe zokulibaziseka kokufakwa kwesikhalazo, isicelo sizophikiswa ngokuxhumana okubhalwe phansi kumuntu ofake isikhalazo sangaphakathi.
e) UNgqongqoshe WezokuThuthukiswa Kwezenhlalakahle kumele ahlele futhi athathe isinqumo ngesikhalazo sangaphakathi phakathi kwezinsuku ezingamashumi amathathu (30) kusukela ngosuku lapho isikhalazo sangaphakathi sitholwe yiSikhulu soLwazi noma iPhini leSikhulu soLwazi.

5.3 Inqubo yokukhalaza kuMlawuli woLwazi noma iyiphi inhlangano elawulayo ofake isicelo noma umuntu wesithathu angafaka isikhalazo kuMlawuli woLwazi ngemuva kokuthi lowo ofake isicelo noma umuntu wesithathu eseqedile inqubo yesikhalo sangaphakathi ngokumelene nesinqumo seSikhulu soLwazi noma iPhini leSikhulu soLwazi.

a) UMlawuli woLwazi angasilahla isikhalazo uma inqubo yokudlulisela isikhalo kwisiphathimandla esifanele (UNgqongqoshe wezokuThuthukiswa Kwezenhlalakahle) ingakaphothulwa.
b) Isikhalazo kuMphathiswa Wezokulawula Ulwazi kumele sithunyelwe kumphakathi noma kumuntu wesithathu kungakapheli izinsuku ezingama-180 ukusuka ekutholeni isinqumo kusuka ebhodini.
c) Umuntu ofake isicelo angafaka isikhalazo kuMlawuli woLwazi, uma engajabuli ngomphumela wesikhalo sangaphakathi esivela kwisiphathimandla esifanele (UNgqongqoshe wezokuThuthukiswa Kwezenhlalakahle) okungaba kanje:
    (i) Isinqumo sesiphathimandla esifanele (UNgqongqoshe wezokuThuthukiswa Kwezenhlalakahle) sokungavumeli ukufakwa kwesikhalazo sokuphikisana ngaphakathi ngemuva kwesikhathi esivumelekile.
    (ii) Isinqumo soMphathi Wezokulawula Ulwazi sokwenqaba isicelo sokufinyelela; noma
d) Yandisa isikhathi sokubhekana nesicelo; noma unikeze ukufinyelela ngendlela ethile
e) Umuntu wesithathu angafaka isikhalazo kuMlawuli woLwazi, uma engajabuli ngomphumela wesikhalo sangaphakathi kwisiphathimandla esifanele (UNgqongqoshe wezokuThuthukiswa Kwezenhlalakahle), okungaba kanje:

(i) Isinqumo seSikhulu soLwazi noma iPhini leSikhulu soLwazi sokunikeza isicelo sokufinyelela.

5.4 Ungafaka kanjani isikhalazo kuMphathiswa Wezokulawula Ulwazi

a) Isikhalazo kuMphathiswa Wezokulawula Ulwazi kumele senziwe ngokubhala futhi kufanele kugcwaliswe ifomu lesikhalazo, ngokwesandla noma ku-inthanethi. Ifomu lesikhalazo, iFomu 5, lingalandelwa kuwebhusayithi kaMphathiswa Wezokulawula Ulwazi, https://www.justice.gov.za/inforeg/.

5.5 Inqubo yokufaka isicelo enkantolo enegunya lokuhlinzeka ngosizo olufanele

Isinqumo esithathwe ngabezomthetho abafanele (UNgqongqoshe wezokuThuthukiswa Kwezenhlalakahle) mayelana nanoma yiziphi izinqumo ezenziwe umuntu ofake isicelo noma umuntu wesithathu abonakala ephoxa ngazo, siyisiphetho, futhi lowo ofake isicelo noma umuntu wesithathu angase, ngendlela yesicelo, ngaphakathi kwezinsuku ezingu-180, afake isicelo enkantolo ukuze athole usizo olufanele ngokweSahluko 82.

a) Isicelo enkantolo ngaphansi kwe-PAIA senziwa ngezinkonzo zomphakathi futhi kufanele sisebenze njengesixazululo sokugcina.
b) Amacala okufinyelela olwazini angalalelwa ngaphambi kwezinkantolo zeMantshi, njengenkantolo yokuqala, futhi iNkantolo Ephakeme inamandla.
c) Ukwehluleka ukufaka isicelo phakathi nesikhathi esingu-180 ezinsukwini kungaxolelwa yiNkantolo uma kukhombisa ukuthi izintshiseko zobulungiswa zidinga njalo. Lokhu kusho ukuthi inkantolo ingavuma isicelo esilandelwayo uma kuvela ukuthi udaba okufanele luhlolwe luhambisana nezintshiseko zobulungiswa.

6. UMHLAHLANDLELA WOKUTHI UNGAYISEBENZISA KANJANI I-PAIA NOKUTHI UNGAYITHOLA KANJANI UKUFINYELELA KUMHLAHLANDLELA

6.1 Umphathiswa, ngokwesigatshana 10(1) se-PAIA, uvuselele futhi wenza ukuthi kube khona umhlahlandlela obuyekeziwe wokuthi ungayisebenzisa kanjani i-PAIA ("Umhlahlandlela"), ngendlela ecacile futhi elula, njengokufaneleka okujwayelekile kumuntu ofisa ukusebenzisa noma yiluphi ilungelo elibhekiselwa ku-PAIA ne-POPIA.

6.2 Umhlahlandlela utholakala ngolimi ngalunye olusemthethweni.

Umhlahlandlela oshiwo ngenhla uqukethe incazelo yezinto ze-PAIA ne-POPIA;

ikheli leposi nomgwaqo, inombolo yocingo neyefeksi futhi, uma ikhona, ikheli leposi le-elekthronikhi leSikhulu soLwazi kuyo yonke inhlangano yomphakathi, kanye nayo yonke iPhini Lesikhulu soLwazi kuyo yonke inhlangano yomphakathi neyangasese eqokwe ngokwesigaba 17(1) se-PAIA nesigaba 56 se-POPIA;

Indlela nesimo sezicelo zokufinyelela kumarekhodi omzimba womphakathi, njengoba kuhlongozwe esigabeni 11, nokufinyelela kumarekhodi omzimba wangasese, njengoba kuhlongozwe esigabeni 50;

Usizo olutholakalayo oluvela kuSikhulu soLwazi somzimba womphakathi, ngokuya nge-PAIA ne-POPIA;

Usizo olutholakalayo oluvela kuMqondisi, ngokuya nge-PAIA ne-POPIA;

zonke izindlela zomthetho ezitholakalayo mayelana nesenzo noma ukwehluleka ukwenza okuhlobene nelungelo noma isibopho esinikezwe noma esifakwe ngaphansi kwe-PAIA ne-POPIA, kuhlanganise nendlela yokufaka isikhalazo sangaphakathi, isikhalazo kuMqondisi kanye nesicelo enkantolo sokuphikisa isinqumo seSikhulu soLwazi somzimba womphakathi, isinqumo esenziwa esikhalazweni sangaphakathi, noma isinqumo sikaMqondisi noma isinqumo senhloko yomzimba wangasese;

Izinhlinzeko ezisezihlokweni 14 no-51 ezifuna umzimba womphakathi kanye nomzimba wangasese, ngokulandelana, ukuba babhale umhlahlandlela, kanye nendlela yokuthola ukufinyelela kulo mhlahlandlela;

Izinhlinzeko ezisezihlokweni 15 no-52 ezinikeza ukuvezwa ngokuzithandela kwezigaba zamarekhodi ngumzimba womphakathi kanye nomzimba wangasese, ngokulandelana;

Izaziso ezikhishwe ngokwezigaba 22 no-54 mayelana nezimali okufanele zikhokhwe maqondana nezicelo zokufinyelela; kanye nemithetho eyenziwe ngaphansi kwesigaba

92. Amalungu omphakathi angahlola noma enze amakhophi oMhlahlandlela emahhovisi ezinhlaka zomphakathi noma zangasese, kuhlanganise nehhovisi loMlawuli, ngezikhathi zokusebenza ezijwayelekile.

uMhlahlandlela ungatholakala futhi ngesicelo kumphathi wolwazi; kusuka kuwebhusayithi yoMlawuli (https://www.justice.gov.za/inforeg/).

7. UKUCHAZWA KWEMITHETHO YEZINHLOKO EZIPHAKAMILEYO KUHLELO LOKUTHOLAKALA KWEZINCWADI EZIPHATHWE NGUMNYANGO WEZOKUTHUTHUKISA KWEZENHLALAKAHLE

a) Izincwadi eziphathwe nguMnyango Wezokuthuthukisa Kwezenhlalakahle ziveliswa ngegatsha ngalinye kanye nasezinqumweni ezithathwa yizinkomidi ezahlukene.

b) Igatsha ngalinye loMnyango wezokuThuthukiswa Kwezenhlalakahle likhiqiza amarekhodi amakhulu ahlobene ngokukhethekile nemiphumela yegatsha namarekhodi okusebenza ekuhambeni kwemisebenzi yoMnyango wezokuThuthukiswa Kwezenhlalakahle.

c) Izinhlobo zezincwadi ezenziwa eMnyangweni Wezokuthuthukisa Kwezenhlalakahle zihlukaniswa ngendlela elandelayo:

   i) Ngokwezinhlu zamafayela ezikhona eziphathelene neziphakamiso, amafayela ezisekelo ezisemqoka, izindaba zecala kanye nezinqubo zokusebenza zomnyango.

   ii) Izinhlu zokulawula izincwadi kwezinye izinto ezihlanganisa izincwadi zokushicilela kanye nezincwadi ezinemifanekiso noma umsindo-obonakalayo kanye nezinhlelo zolwazi lwe-elekthronikhi zomnyango.

e) Ezinye izincwadi zomnyango zitholakala ngesikhathi somsebenzi womnyango, futhi kwezinye izimo, izincwadi zitholwa kubantu siqu noma emiphakathini esemthethweni ngokuhambisana nemithetho nezinqubomgomo.

f) UMnyango Wezokuthuthukisa Kwezenhlalakahle ugcina ilungelo lokuthumela izicelo zezincwadi emisebenzini efanele lapho le misebenzi ibe yiziphathimandla eziyinhloko noma ezenza imininingwane eceliwe, noma lapho umnyango ungasekho kulowo msebenzi.

g) UMnyango Wezokuthuthukisa Kwezenhlalakahle ugcina ilungelo lokudala izigaba ezintsha zezincwadi lapho lokhu kudingeka.

h) UMnyango wezokuThuthukiswa Kwezenhlalakahle unelungelo lokudala izigaba ezintsha zamarekhodi lapho lokhu kudingekile

i) Lena imanuwali izovuselelwa ukuze ibonise izinguquko kuzihloko zezincwadi ngokulandelana.

7.1 Incazelo yezihloko eziphathwe nguMnyango Wezokuthuthukisa Kwezenhlalakahle kanye nezigaba zezincwadi eziphathwe ngawo ngezihloko ezithile.

a) UMnyango Wezokuthuthukisa Komphumela unazo lezi zincwadi ezilandelayo, ezingatholakala eMnyangweni Wezokuthuthukisa Komphumela futhi zingacelwa ngokusebenzisa inqubo yesicelo se-PAIA. Lezi zincwadi ngokuvamile azinayo imininingwane engasho ukuthi inobumfihlo.

b) Izinhlamvu eziningi ezihambisana nalolu hlobo lwezincwadi zitholakala kuHhovisi Lokubhalisa leMnyango Wezokuthuthukisa Komphumela eHhovisi Lalo Elikhulu noma kuwebhusayithi yeMnyango Wezokuthuthukisa Komphumela: https://www.dsd.gov.za.

c) Nansi uhlu lwezincwadi nemininingwane engacelwa ngokusemthethweni ngokwe-PAIA noma ethathwa kuwebhusayithi engenhla yeMnyango Wezokuthuthukisa Kwezenhlalakahle.

Izihloko	**Izigaba zemibhalo**	**Isicelo Sokufinyelela**	**Ukulanda Kuwebhusayithi**
Izincwadi Zamasu, Izinhlelo, Neziphakamiso	Isu Lesikhathi Esizayo, Uhlelo Lokusebenza Lonyaka, Izibalo Zonyaka	X	X
Ukuhlola Nokuhlaziywa	Imibiko Yokuhlola	X	X
Izinsiza Zabasebenzi	Izinqubomgomo nezinqubo zabasebenzi Amarekhodi abasebenzi Ukuthuthukiswa	X	

Izihloko	Izigaba zemibhalo	Isicelo Sokufinyelela	Ukulanda Kuwebhusayithi
	kokusebenza Okuthunyelwe okukhangisiwe Uhlelo Lokulingana Kwemisebenzi Kanye Nezibalo		
Izinqubomgomo Zokusebenza, Izimiso, Imihlahlandlela, Izinhlelo	Izivumelwano Zokuqinisekisa, Ukuphathwa Kwezimpahla, Izinkontileka, Imibiko Yokuhlola, Izinhlelo Zokuphatha Izimali, Izinkampani, Ukuphathwa KweRisiko, Imibiko Yezihlolo, Ubuchwepheshe Bolwazi, Ukuphathwa Kwezezimali, Izinsiza Zabasebenzi, Izikhangiso Nezokuthengisa	X	
Ezomthetho, Inqubomgomo, Ucwaningo	Izimvo Zomthetho	X	
Ukuphathwa Kwezinkampani	Imemorandamu Yokuqonda, Inqubomgomo Nezindlela, Uhlelo Lokuphepha, Ikomidi Lezokuphatha, Ikomidi Lezokuphatha Eliphezulu, Ikomidi Lokulawula Ukulahlekelwa	X	
Imanuwali	Imanuwali kanye	X	X

Izihloko	Izigaba zemibhalo	Isicelo Sokufinyelela	Ukulanda Kuwebhusayithi
Nomhlahlandlela	Nomhlahlandlela Sommeli Wezolwazi Ngokusebenzisa i-PAIA		
Izinto Zokukhangisa Nezokuthengisa	Izincwadi ezishicilelwe, izihlolisiswa, izibuyekezo zokuhlola, kanye nemibuzo ebuzwa njalo zitholakala kuwebhusayithi yeSikhungo soLwazi	X	
Ubuchwepheshe Bolwazi	Izincwadi zokuphatha i-ICT, izivumelwano zesilinganiso sevisi, kanye nezikhombandlela zokugcina izinhlelo zibhalwe ngaphakathi kwemihlahlandlela yeSistimu	X	
Izincwadi Zokushicilela	Izincwajana, Izincwadi, Izincwadi ezikhishwayo ngezikhathi ezithile, Amashejuli, Izibuyekezo, Izincwadi zokwazisa, Izikhangiso, Ibhulogi ye-DSD, Izincwadi zedijithali	X	X
Abezindaba	Izikhulumi zabezindaba Izingxoxo zomsakazo ne-TV Izitatimende Izinkulumo ezisemthethweni Izipesheli nezivuzo	X	X

Izihloko	Izigaba zemibhalo	Isicelo Sokufinyelela	Ukulanda Kuwebhusayithi
	Okuqukethwe kwamawebhusayithi nokukhomba kwesikhungo Nezithombe Zenkampani		
Imicimbi, Imisebenzi, Izinkulumo kanye Nezingqungquthela	Izethulo, Izingxoxo, Amadokhumenti, Imibiko	X	X
Izihlu zokubhalisela.	Izinkomba zangaphakathi Uhlelo lwamafayela Uhlelo lokulawulwa kwemibhalo Izihlu zokubhalisela zangaphakathi Uhlu lwezimali ezamukelwe njengeminikelo	X	
Imibiko / Imininingwane yezenzakalo / Izinqumo	Izimemo nezithunywa Imininingwane yezenzakalo (noma) Imininingwane yebhodi	X	
Izindaba zokuhanjiswa kwezimali	Amadokhumenti amabhid Izinkontileka Ama-oda wokuthenga Izilinganiso Amathenda Imigomo yesethenjwa nezivumelwano zokuqasha Uhlu lwezicelo zamathenda Uhlu lwamathenda anikeziwe	X	
Ucwaningo Nezokuhambisana	Izethulo ezisekelwe kwizinsiza zomthetho	X	

Izihloko	Izigaba zemibhalo	Isicelo Sokufinyelela	Ukulanda Kuwebhusayithi
	Izimemo zokuvela enkantolo Izaziso zokuphoqelela Izaziso zolwazi Ukungenelela kweze-HR Izethulo zomphakathi Imibiko yesithangami Umbiko wophenyo		
Izimali	Ukuphathwa kwezimali Ukubikwa kwezimali Izinkontileka nokuphathwa kwamathenda Ukuphathwa kwezimpahla Uhlu lwezimpahla Ukubalwa kwezimali zokuphatha Izilinganiso Izitatimende Izabelomali Imibiko Imibhalo yokuhlola izimali Izitatimende zemali engenayo Imibiko nezibuyekezo Uhlaka lwezimali zezibonelelo ezibekwe imithetho	X	
Ukuqoshwa kwezinto ezibonakalayo nezizwakalayo	Amaslayidi, Izithombe, Amafilimu, Amavidiyo	X	

7.2 Izigaba zamarekhodi angase abe ngaphansi kwezizathu zokwenqaba ukufinyelela kumarekhodi

a) Izincwadi ezibhaliwe ezingaphansi kwezigaba ezilandelayo zingacelwa ngokusemthethweni, kodwa ukufinyelela kwezinye zezi zincwadi noma ukufinyelela okuphelele kungancishiswa ngenxa yezizathu zomthetho ezibhalwe esigabeni 33 kuya ku-46 se-PAIA.

b) UMnyango Wezokuthuthukisa Komphumela ugcina ilungelo lokwenqabela ukufinyelela ezincwadini lapho ukucubungula izincwadi kuzoholela ekutheni kube nomphumela omkhulu, ongafaneleko ekusetshenzisweni kwezimali zomnyango.

c) Ufuzo lwezicelo luzophinde lwenqatshwe lapho izicelo zitholakala ngokusobala njengezizicelo ezingaqondakali noma ezinzima.

   i. Nokho, uNobhalisi Wezokwazi noma uNobhalisi Wezokwazi Omncane woMnyango Wezokuthuthukisa Komphumela bangavuma isicelo sokufinyelela kuhlelo lwezincwadi zomnyango uma:

   ii. Ukudalulwa kwalezo zincwadi kuzoveza ubufakazi bokuphulwa okukhulu kwecala, noma ukungawulandeli umthetho; futhi

   iii. Izithakazelo zomphakathi ekudaluleni lezi zincwadi zidlula ngokucacile umonakalo ocacisiwe kwezinye zezizathu zokwenqatshwa kokufinyelela kwezincwadi.

Isigaba serekhodi	**Efomini lesicelo kuphela**
Ulwazi Oluhlobene Nokuphepha	X
Izincwadi Eziphathwe Ngohlelo Lwezezimali	X
Izincwadi Zokuphathwa Okuphezulu Ezingaphakathi Nezobufihlo	X
Imiphumela Yocwaningo Eyenziwe UMnyango Wezokuthuthukisa Komphumela	X
Ulwazi Lwamaklayenti Olufihlekile	X
Ulwazi Oluthokozisayo Oluphuma Ohlelweni Lokucwaninga Oluhlobene Nophepha Lwezizwe,	X

Isigaba serekhodi	Efomini lesicelo kuphela
Ulwazi Lwesithathu	
Ulwazi Lwezabasebenzi, kuhlanganisa, kodwa kungagcini lapho, amafayela ahlobene nenqubo yokuhlukumeza, kanye nezincwadi zolwazi lomuntu	X
Izindlela Zokudayisa Izimpahla kanye Nokuvikela Izimpahla	X
Izivumelwano Zezinga Lesevisi	X
Imibhalo yamathenda	X
Ama-ajenda, amaminithi emihlangano nemibiko	X
Imibiko, izinqubomgomo kanye nemibhalo yezingxoxo	X
Amaphepha ocwaningo nemibono yezomthetho	X
Izinkokhelo nobufakazi bokukhokha	X
Imibiko Yokuhlola	X

8. IZIGABA ZAMAREKHODI OMNYANGO WEZOKUTHUTHUKISWA KWEZENHLALAKAHLE ATHOLAKALA NGAPHANDLE KOKUTHI UMUNTU ACELE UKUFINYELELA

Imithetho	Umthetho Wezingane, 2005 (Umthetho No. 38 ka-2005) Umthetho Wabantu Abadala, 2006 (Umthetho No. ka-2006) Umthetho Wezifundiswa Zenkonzo Yezokuhlalisana, 1978 (Umthetho No. ka-1978) Umthetho Wodlame Lwasemakhaya, 1998 (Umthetho No. ka-1998) Umthetho Wokuvimbela Nokwelapha Ukulutheka Ezidakamizweni, 2008 (Umthetho No. 70 ka-2008) Umthetho Wokuvimbela Nokwelapha Ukuncika Ezidakamizweni, 1992 (Umthetho No. ka-1992) Umthetho Wesizo Loluntu, 2004 (Umthetho No. ka-2004) Umthetho Wezinhlangano Ezingaholile, 1997 (Umthetho No. ka-1997) Umthetho Wophiko Lokuthuthukisa Izwe, 1998 (Umthetho No. ka-1998) Umthetho Wokukhuthaza Ukuthola Ulwazi, 2000 (Umthetho No. 02 ka-2000) Umthetho Wesevisi Yezinqolobane Nezirekhodi ZaseNingizimu Afrika,	X

	1996 (Umthetho No. 43 ka-1996, njengoba ulungisiwe) Umthetho Wokuvikela Ulwazi Lomuntu Siqu, 2013 (Umthetho No. 04 ka-2013) Umthetho Wokukhuthaza Ubulungiswa Kwezokuphatha, 2000 (Umthetho No. 03 ka-2000) Umthetho Wokuphatha Izimali Zomphakathi, 1999 (Umthetho No. 1 ka-1999) Umthetho Wezokuxhumana Ngezindlela Zedijithali, 2002 (Umthetho No. 25 ka-2002) Umthetho Wamazinga Ayisisekelo Emigomo Yomsebenzi, 1997 (Umthetho No. 75 ka-1997) Umthetho Wezobudlelwane Emaqenjini Ezabasebenzi, 1995 (Umthetho No. 66 ka-1995) Umthetho Wokulingana Emisebenzini, 1998 (Umthetho No. 55 ka-1998)	
Imithetho	Izimiso Zomthetho Wezingane	X
Amafomu	Ifomu Lokucela Ulwazi Lwe-PAIA Ifomu Lokufaka Isikhalo Se-PAIA Ifomu Lokufaka Isikhalo Se-POPIA	
Izinqubomgomo, Amaqhinga, Imihlahlandlela	Umhlahlandlela we-PAIA Imanuwali ye-PAIA Inqubomgomo Ngobumfihlo Kwiwebhusayithi Inqubomgomo Ngokudalulwa Kwezinzuzo	X

	Iphepha Elimhlophe Lamalungelo Abantu Abakhubazekile Amazinga Nezindinganiso	
Imibhalo Yamasu (Izinhlelo Nemibiko)	Iphrofayela Yenhlangano (Ukubuka, Izinhloso, Imisebenzi, Ishadi) Izinhlelo Zamasu Izinhlelo Zokusebenza Zonyaka Umbiko Wokusebenza Wonyaka Izinhlelo Zokusebenza Zonyaka	X
Ukuxhumana	Inkulumo kaNgqongqoshe Inkulumo yePhini likaNgqongqoshe Izitatimende Zabezindaba Izindaba ze-DSD	X
Uphathwa Kwezabasebenzi	Ifomu Lesicelo Somsebenzi Wemphakathi (Z83) Izikhangiso Zokumemezela Izikhala Zomsebenzi Inqubomgomo Yokuthola Abasebenzi Nokukhetha Inqubomgomo Yezehlakalo Zokulingana Emsebenzini Uhlelo Lwezinhlelo Zokulingana Emsebenzini Inqubomgomo Yokuphathwa Kokusebenza Inqubomgomo Yokusebenza KwamaHora Inqubomgomo Yokuhlolwa Komsebenzi Inqubomgomo Yokuveza Izimpahla Zokugqoka Inqubomgomo Yokweseka Abasebenzi	X

	Inqubomgomo Yokuphatha Uhlaka Lwezikhala Inqubomgomo Yokuphuma Komsebenzi Inqubomgomo Yokuhlukunyezwa Kocansi Inqubomgomo Yokweseka Izifundo Inqubomgomo Yokuhlala Kwabasebenzi	

9. IZINSIZA EZITHOLAKALAYO KWAMALUNGU OMPhAKATHI KUSUKA KU-MNYANGO WEZOKUTHUTHUKISWA KWEZENHLALAKAHLE NOKUTHOLAKALA KWAZO

9.1 I-Regista Yokuvikela Izingane

a) Ngokwesigaba 111 soMthetho Wezingane u-38 ka-2005, uMqondisi Jikelele kumele agcine futhi alondoloze Irejista Yokuvikelwa Kwezingane Kazwelonke, equkethe iNgxenye A neNgxenye B.
b) Ingxenye A kufanele ibe nomlando wokuhlukunyezwa noma ukunganakwa ngamabomu kwengane, zonke izigwebo zazo zonke abantu ngamacala abandakanya ukuhlukunyezwa noma ukunganakwa ngamabomu kwengane, nakho konke okutholakele yinkantolo yezingane ukuthi ingane idinga ukunakekelwa nokuvikelwa ngenxa yokuhlukunyezwa nokunganakwa ngamabomu kwengane (Bheka: Isigaba 114 soMthetho Wezingane 38 ka-2005).
c) Ingxenye B kufanele ibe nomlando wabantu abangafanelekile ukusebenza nezingane, futhi basebenzise ulwazi olubhakisiwe (Ingxenye B) ukuze kuvikelwe izingane kuhlukunyezwa yilaba bantu (Bheka: Isigaba 118 soMthetho Wezingane 38 ka-2005).
d) Zonke izingane eziphathwe kabi futhi eziyingxenye yocwaningo oluhlobene nanoma yiluphi uhlobo lokuhlukunyezwa kwezingane, olubandakanya ukuhlukunyezwa ngokomzimba, ngokomzwelo, ngokocansi noma

ukunganaki ngokuhlosiwe, kufanele lifakwe eNgxenyeni yeRejista Kazwelonke Yokuvikelwa Kwezingane.

9.2 Izinsizakalo zezingane

d) UMnyango Wezokuthuthukiswa Komphakathi uhlinzeka ngezinsiza ezinganeni ezidinga ukunakekelwa nokuvikelwa, ezinokuphila okuthile okuthize (okungahlanganisa izifo ezinzima, ukukhubazeka, kanye nezingane ezibonisa ukuziphatha okunzima ukulawula).
e) Ngalolu hlelo, uMnyango uzibophezele ekwakheni imindeni nemiphakathi enakekela futhi ivikele izingane ukuze zifinyelele emandleni azo ngokugcwele.

9.3 Izinsizakalo Kubantu Abakhubazekile

a) uMnyango Wezokuthuthukiswa Kwezenhlalakahle uklama futhi wenza izinhlelo ezihlangene, uhlinzeka ngezinsiza ezikhuthaza ukuthuthukiswa kokuphila kahle nokunika amandla kwezenhlalo kwabantu abakhubazekile, ngokuhlinzeka ngezinhlelo zokuphendula nezinsiza, kanye nokwakhiwa kwamakhono nokwesekwa.

9.3 HIV and AIDS

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uhlinzeka ngokuklama nokwenza izinhlelo ezihlangene zokunakekelwa komphakathi ezihlose ukunciphisa umphumela wezinhlelo zenhlalo nezomnotho we-HIV ne-AIDS, ngokuhlinzeka ngezinhlelo zokuphendula, izinhlelo zokuheha, nosizo lwezempilo yomqondo, kanye nokuxhasa ngezimali nokwakhiwa kwamakhono kwezinhlangano ezixhaswayo.

9.4 Usizo Lwezokuhlenga Komphakathi

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uphendula izidingo eziphuthumayo ezitholakala emiphakathini ethintwe izinhlekelele

ezingakabizwa ngokusemthethweni, noma yiziphi ezinye izimo zenhlalo ezibeka ubunzima obukhulu, ngokuhlinzeka ngokwelulekwa nokwesekwa kwabantu nemindeni ethintekile, ukuthuthukisa izinhlelo zokunakekela izinyathelo zesikhathi esifushane, esimaphakathi nesikhathi eside, kanye nokuhlinzeka ngosizo lwezimali nolwezinto kubantu noma emakhaya ngqo noma ngokusebenzisa abalingani abamisiwe abamukelwe kwezokulethwa kwezinsiza.

9.5 Ukunakekelwa Ekhaya Nasemphakathini

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uhlinzeka ngoxhaso lwezimali nokwesekwa kwezinhlangano ezinikezela ngezinsiza ezahlukene kubantu kanye nemindeni ethintekile noma ehlukunyezwe yi-HIV ne-AIDS. Lezi zinhlangano zinikeza Izinsiza Zokunakekela Emakhaya Nasemphakathini ukuqinisekisa ukuthi izidingo eziyisisekelo zabantu abaphila ne-HIV ne-AIDS zihlala zihlangatshezwa.

9.6 Ukunakekelwa Ngokufostela

a) Ukunakekelwa ngokufostela kusho ukubekwa komntwana ekunakekelweni ngumuntu ongeyena umzali noma umlondolozi womntwana, njengomphumela wesinqumo senkantolo yezingane, noma ukudluliselwa komntwana ekunakekeleni okunye.

9.7 Ukutholwa Kwabantwana Ngokusemthethweni

a) Ukutholwa komntwana ngokomthetho kusho ukubekwa komntwana ekunakekeleni okuphakade komuntu ongeyena umzali wakhe wemvelo noma umlondolozi wakhe osemthethweni. Lokhu kunikeza umntwana impilo yomndeni ezinzile futhi ehlala njalo, okuvimbela ukushiywa ngaphandle komndeni.
b) Ukuthatha umntwana ngokomthetho phakathi kwamazwe kuwumkhuba lapho umntwana athathwa ngumuntu noma abantu abavela emazweni ahlukene, ngokuvumelana nemithetho yezehlakalo zomntwana nezokuhamba.

9.8 Ukubhaliswa kweNPO kanye nokwakhiwa kwamakhono okusekela izikhungo

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle ubhalisa futhi ulandela ukuqinisekiswa kokuhambisana kweziZinhlelo Ezizimele (NPOs). UMnyango Wezokuthuthukiswa Kwezenhlalakahle uhlinzeka ngokwakhiwa kwamandla ezikhungo nokwesekwa kweziZinhlelo Ezizimele (NPOs), Izinhlangano Ezisuselwe Emphakathini (CBOs), kanye Nezinhlangano Ezisuselwe Ezweni Lokholo (FBOs) ezinikezela ngezinsiza ezihlanganisa: Ukwelashwa kokusebenzisa izidakamizwa, ukuqeqeshwa kwamakhono okuphila nokuthuthukiswa komuntu, ukunikezela ngezokwelulekwa, i-HIV ne-AIDS, kanye Nezinhlelo zabantu abasebasha abaphikisana nomthetho.

9.9 Uxhaso lwezimali kweziZinhlelo Ezizimele (NPOs)

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uhlinzeka ngoxhaso lwezimali nokwesekwa ezinhlakeni ezihlinzeka ngezinsiza emkhakheni wezenhlalakahle.

9.10 Izinsizakalo kwabesifazane nezindaba zobulili

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uhlinzeka ngoxhaso lwezimali nokwesekwa ezinhlakeni ezisebenza ngezindaba zabesifazane nobulili. Lezi zinhlangano zinikeza uhla lwezinsiza, okuhlanganisa ukwesekwa kwezomnotho, izinsiza zokuvikela amalungelo, kanye nezinhlelo zokuthuthukisa izinga lempilo yabesifazane:
    - Indawo yokuhlala yabesifazane abahlukumezekile
    - Ukuhlonyiswa kwezisulu
    - Ukwelulekwa kwabesifazane abahlukumezekile nezingane zabo /imindeni
    - Ukuqeqeshwa nokuthuthukiswa kwamakhono
    - HIV and AIDS

9.11 Ukuthuthukiswa Kwenqubomgomo Yabantu kanye Nocwaningo

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uqoka futhi wenza ucwaningo ngezimo zabantu, kanye nokuthuthukisa, ukuqaliswa, ukuqapha, nokuhlola Inqubomgomo Yabantu.

9.12 Ukunakekela nokusekela abantu abadala

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle unika amandla futhi uvikela abantu abadala ekuphathweni kabi. Futhi, uhlinzeka ngezinhlelo nezinsiza ezihlanganisa ukuguga okunempilo, izikhungo zokuphila ezisizekile, kanye nezikhungo zokuhlala (izindlu zabantu abadala).

9.13 Ukuhlanganiswa Komphakathi

a) Ukwakha imiphakathi ephephile nezizinzile ngokudala inethiwekhi eqinile yomphakathi, esekelwe ezimisweni zokuthembana, ukuhlonipha ukuhlukahluka komphakathi, nokukhuthaza umuzwa wokuba yingxenye kanye nokuzethemba kubantu basendaweni.

9.14 Ukunciphisa ubuphofu kanye nokuthuthukisa izindlela zokuziphilisa eziqhubekayo

a) Ukuphucula imiphakathi yendawo kanye namakhaya ampofu ngokwakha amakhono abo okuziphilisa okuqhubekayo nokuzimela.

9.15 Amandla, imisebenzi kanye nomsebenzi

a) Ukuphatha nokwengamela izinhlelo zokuphepha kwezenhlalakahle, okubandakanya izinqubomgomo zosizo lwezenhlalakahle kanye nezinqubomgomo zomshwalense wezenhlalakahle ezihloselwe ukuvimbela nokunciphisa ubuphofu uma kuvela izingozi ezihambisana nesigaba sempilo, ezifana nokulahlekelwa yimali ngenxa yokungasebenzi, ukukhubazeka, ukuguga, noma ukushona.

b) Izinsiza zokuthuthukisa inhlalakahle yomphakathi ezinikeza ukwesekwa ukunciphisa ubuphofu, ukuthinteka, kanye nomthelela we-HIV ne-AIDS ngokusebenzisa izinhlelo ezisekelwe ekuthuthukisweni okuqhubekayo, ngokubambisana nabantu abasebenza ngokuhlanganyela, njengezikhungo ezixhaswa uHulumeni, Izinhlangano Ezizimele (NGOs), Izinhlangano Ezisuselwe Emphakathini (CBOs), kanye Nezinhlangano Ezisuselwe Ezweni Lokholo (FBOs).

10 UKUBAMBA IQHAZA KOMPHAKATHI EKWAKHIWENI KWEZINQUBOMGOMO NOMA EKWENZIWENI KWEMISEBENZI YOMNYANGO WEZOKUTHUTHUKISWA KWEZENHLALAKAHLE

a) Ekusetshenzisweni kwamandla noma ekwenzeni imisebenzi yayo ngokweSigaba 27 soMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika kanye neminye imithetho (okukhulunywa ngayo ekhasini lesi-5), amalungu omphakathi ayamenywa ngezikhathi ezithile ukuthi enze izethulo, abambe iqhaza, noma athinte ukuthuthukiswa kwamaBhili, amaPhepha Amhlophe, izinhlelo, kanye neziNdinga zoMnyango Wezokuthuthukiswa Kwezenhlalakahle.

b) Amalungu omphakathi ayakhuthazwa ukuthi afake iziphakamiso zokuthuthukiswa kwamaBhili, amaPhepha Amhlophe, izinqubomgomo, kanye neziNdinga. Amalungu omphakathi ayakhuthazwa futhi ukuthi abambe iqhaza ezingxoxweni zomphakathi kanye nemihlangano yabathintekayo ehlelwa uMnyango Wezokuthuthukiswa Kwezenhlalakahle.

c) Izinkundla ezisetshenziselwa ukubamba iqhaza lomphakathi zingaba izethulo zomphakathi (ngokomzimba noma ngokomakhalekhukhwini), i-imeyili, noma izethulo ezibhaliwe.

d) Amagalelo kanye nokuhanjiswa kwamalungu omphakathi kubhekwa kakhulu ngesikhathi kwakhiwa amabhilidi oMnyango wezokuThuthukiswa Kwezenhlalakahle, amaphepha amhlophe, izinqubomgomo, izimiselo, kanye namazinga.

e) UMnyango wezokuThuthukiswa koMphakathi usabalalisa ulwazi emphakathini ngemithombo yezindaba ye-elekthronikhi, ezishicilelwe, igazethi kahulumeni, kanye nezinkundla zokuxhumana.

11 UKUCUBUNGULA ULWAZI LOMUNTU

11.1 Inhloso Yokucubungula

1. UMnyango wezokuThuthukiswa kwezenhlalakahle ucubungula ulwazi lomuntu lwezifundo zedatha ngaphansi kokunakekelwa kwawo ngokufeza noma ukwenza izibopho zawo zomthetho nenqubomgomo ngokusebenzisa–

i. Irejista Yokuvikela Izingane
ii. Ukubhaliswa kwezinhlangano ezingenzeli inzuzo (NPOs)
iii. Ukuphikisana kwezicelo zezibonelelo
iv. Ukuthatha izingane
v. Ukunakekelwa Ngokufostela
vi. Bhalisa Abantu Abadala
vii. Ukunikezwa Amandla Kwezisulu
viii. Ukunciphisa ubuphofu nokuziphilisa okuqhubekayo
ix. Ukuphathwa kwabasebenzi kanye nezicelo zomsebenziUkugcina
x. ama-akhawunti amarekhodi
xi. Inqubo yokuthengwa kwempahla
xii. Izivakashi kunoma yisiphi isakhiwo soMnyango Wezokuthuthukiswa Kwezenhlalakahle
xiii. Ukuhambisana neminye imithetho efanele, njengoMthetho Wokulingana emisebenzini kanye ne-PFMA, imithethonqubo engaphansi kwayo yonke namanothi yengcebo kazwelonke.

11.2 Incazelo yezigaba zabasebenzisi bemininingwane kanye nezincazelo zolwazi noma izigaba zolwazi ezihlobene nazo

Nansi isifanekiso esichaza izigaba zabasebenzisi bemininingwane, kanye nesichazo sobunjalo noma izigaba zolwazi lomuntu ezizophathwa. Qaphela ukuthi ubunjalo bolwazi lomuntu buxhomeke enjongweni yomzimba ekuqedeni imisebenzi noma izinsizakalo ezihlinzekwayo.

Izigaba Zabasebenzisi Bemininingwane	**Ulwazi Lomuntu Olungase Lusetshenziswe**
Abazuzi boMnyango Wezokuthuthukiswa Kwezenhlalakahle: Abaphikisi kanye Nabantu Abasemthethweni	Amagama nesibongo; imininingwane yokuxhumana (inombolo zokuxhumana, inombolo ye-feksi, ikheli le-imeyili); ikheli lokuhlala, leposi, noma lebhizinisi; inombolo yokukhiqiza/Isaziso sokuziqinisekisa; kanye nezincwadi eziyimfihlo

Izigaba Zabasebenzisi Bemininingwane	Ulwazi Lomuntu Olungase Lusetshenziswe
Abaphikisi: Izinhlangano Zomthetho	Amagama abantu abathintekayo; igama lenhlangano yomthetho; ikheli lendawo nekheli leposi; imininingwane yokuxhumana (inombolo zokuxhumana, inombolo ye-feksi, ikheli le-imeyili); inombolo yokubhalisa; ulwazi lwezezimali, lwezohwebo, lwezesayensi noma lobuchwepheshe; kanye nezimfihlo zohwebo.
Abasebenzi / Amalungu / Amalungu eKomidi	Ubulili, ukukhulelwa; isimo somshado; ubuzwe, iminyaka, ulimi, ulwazi lwezemfundo (iziqu); ulwazi lwezezimali; umlando wezokuqashwa; isaziso sokuziqinisekisa; ikheli lendawo nekheli leposi; imininingwane yokuxhumana (inombolo zokuxhumana, inombolo ye-feksi, ikheli le-imeyili); umlando wobugebengu; impilo kanye namalungu omndeni; ezokwelapha; ubuzwe, isizinda sobuzwe noma sosiko; impilo yomzimba noma yengqondo; ukukhubazeka; ulwazi lwezobuchwepheshe lomuntu; umlando wezokuqashwa; ubudlelwano bobungcweti; nezithenjwa.
Abantu bangaphandle / Izinhlangano	Igama; imininingwane yokuxhumana (inombolo zokuxhumana, inombolo ye-feksi, ikheli le-imeyili); amakheli endawo nekheli leposi.
Isikhulumeli / Umeluleki / Umxhumanisi	Amagama abantu abaxhumene nabo, igama leNhlangano, ikheli lezindawo nezokuthumela, imininingwane yokuxhumana (inombolo yokuxhumana, inombolo ye-feksi, ikheli le-imeyili), kanye nenombolo yokubhalisa
Abahlinzeki Bezinsizakalo Abanenkontileka	Amagama abantu abathintekayo; igama lenhlangano; amagama abaphathi nabanikazi bezabelo; ikheli lendawo nekheli leposi; nemininingwane yokuxhumana (inombolo zokuxhumana, inombolo ye-

Izigaba Zabasebenzisi Bemininingwane	Ulwazi Lomuntu Olungase Lusetshenziswe
	feksi, ikheli le-imeyili); ulwazi lwezezimali; inombolo yokubhalisa; imibhalo yasungulweni; ulwazi oluhlobene nentela; abaphosa abavumelekile; isimo sebhizinisi se-B-BBEE; izinkampani ezihambelanayo; amasu ebhizinisi.

11.3 Abamukeli noma izigaba zabamukeli lapho ulwazi lomuntu lungahlinzekwa khona

a) UMnyango Wezokuthuthukiswa Komphakathi ungahlinzeka ngolwazi lomuntu lwezihloko zedatha kubasebenzi boMnyango Wezokuthuthukiswa Kwezenhlalakahle, njengengxenye yokuphumeza umyalo wokulawulwa komthetho.
b) UMnyango Wezokuthuthukiswa Kwezenhlalakahle ungahlinzeka ngolwazi lomuntu lwezihloko zedatha kubahlinzeki bezinsizakalo abahlinzeka ngezinsizakalo ezilandelayo:
    i. Ukugcinwa kolwazi lomuntu
    ii. Ukuthumela ama-imeyili nezinye izincwadi zokuxhumana kumphakathi
    iii. Ukwenza izivivinyo zokucophelela okufanele
    iv. Ukwenza ukuhlolwa kobugebengu
    v. Ukwenza ukuqinisekiswa kweziqu
    vi. Ukuhlolwa kwabasebenzi abafanele ukusebenza nezingane
    vii. Uphenyo lobufakazi kanye nanoma yiluphi uphenyo olunye oluhlobene nemisebenzi yoMnyango Wezokuthuthukiswa Kozenhlalakahle
    viii. Ukuhlola izincwadi zezimali
    ix. Ukuphathwa kwezimali zomhlalaphansi kanye nosizo lwezokwelapha
    x. Ingqalasizinda ye-ICT
c) UMnyango Wezokuthuthukiswa Kwezenhlalakahle ungase futhi ahlinzeke ngolwazi lomuntu lwezihloko zedatha ku:
    i. Noma yimuphi umuntu ofakwe isikhalazo kuye;

ii. Noma yimuphi umuntu, igunya lokulawula noma isigungu, mayelana nanoma yisiphi isihloko noma ingxenye yaso, esingaphansi kwemvume yabo;
iii. Izikhungo zokuphatha umthetho, ezifana negunya lokushushisa likazwelonke; Amaphoyisa aseNingizimu Afrika (yokucwaninga nobulungisa bezenzo zobugebengu);
iv. Izinkantolo, mayelana nanoma yini ethathwe kokubuyekezwa kwezomthetho;
v. Izikhungo ezibhekene nokuhlolwa kokuphepha komuntu kanye nokuqinisekiswa kweziqu, njengezikhungo zezikweletu kanye negunya leziphathimandla ZaseNingizimu Afrika

11.4 Ukuhamba okuhlinzekwe ngaphambi kokudluliswa kolwazi lomuntu phakathi kwamazwe

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle ungene kumasevisi okuvuma phakathi kwamazwe aphethwe yiSivumelwano saseHague Sokuvikela Izingane Nokubambisana mayelana namasevisi okuvuma kanye nokuvikelwa kwamalungelo izingane.
b) Uma kudingeka ukudlulisela olunye ulwazi lomuntu kwelinye izwe ngezizathu ezisemthethweni, uMnyango Wezokuthuthukiswa Kwezenhlalakahle uzoqinisekisa ukuthi noma ubani obamukela ulwazi lomuntu ulawulwa umthetho, imithetho esebenzayo yezenhlangano, noma isivumelwano esibophezelayo esihlinzeka ngezinga elanele lokuvikelwa, futhi leli qembu lesithathu livuma ukuphatha ulwazi lomuntu ngohlobo lwezinga lokuvikelwa elifanele, njengoba uMnyango Wezokuthuthukiswa Kwezenhlalakahle ephoqelekile ngaphansi kwe-POPIA.

c) Noma yikuphi ukudlulisela kolwazi lomuntu phakathi kwemingcele kuzoba ngemvume yesihloko sedatha, kodwa uma kungaba nzima ukufinyelela imvume yesihloko sedatha, uMnyango Wezokuthuthukiswa Kwezenhlalakahle uzodlulisela ulwazi lomuntu uma:
    i. Kuzoba ngenzuzo yesihloko sedatha; futhi
    ii. Isihloko sedatha besizokhipha imvume uma bekungaba khona ithuba elivumelekile lokuthola imvume enjalo.

11.5 Incazelo Ejwayelekile Yezinyathelo Zokuvikela Ulwazi ezizothathwa yilona osesikhundleni sokuphatha ukuqinisekisa ubuqotho, ubuqiniso, nokutholakala kolwazi

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uhlala usungula futhi ugcina izinyathelo ezilungile, ezizwakalayo zobuchwepheshe nezohlelo ngokuthatha izinyathelo ezilungile, ezizwakalayo zobuchwepheshe nezohlelo ukuvimbela:
    i. Ukulahlekelwa noma ukonakaliswa kolwazi lomuntu; kanye nokubhujiswa kokungavunyelwe kolwazi lomuntu
    ii. Ukufinyelela noma ukucubungula ulwazi lomuntu ngendlela engekho emthethweni.
b) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uthathé izinyathelo ezizwakalayo ezitholakala esigabeni esingezansi ukuze:
    i. Khomba zonke izingozi ezingaba khona zangaphakathi nezangaphandle zolwazi lomuntu oluphansi kokuphatha noma oluphathwe yilo.
    ii. Sungula futhi ugcine izinyathelo zokuvikela ezifanele ezimelene nezingozilezi ezikhonjiwe.
    iii. Hlola njalo ukuthi izinyathelo zokuvikela zisebenza ngempumelelo.
    iv. Qinisekisa ukuthi izinyathelo zokuvikela ziyavuselelwa ngokuqhubekayo ukuphendula izingozi ezintsha noma iziphazamiso ezivela ezinyathelweni zokuvikela ezazisetshenziswa ngaphambilini.
c) Izinyathelo ezithathwe UMnyango Wezokuthuthukiswa Kwezenhlalakahle zifaka, phakathi kwabanye:
    i. Ulawulo Lokufinyelela
    ii. Ukuqinisekisa Ubufakazi Bedatha
    iii. Izinyathelo Zokuvikela
    iv. Amakhono aqinile okuhlola, ukuhlola kanye nokubika
    v. Izisekelo zedatha
    vi. Izixazululo zokuvimbela ama-virus ne-malware
    vii. Ukuqaphela nokuqapha
    viii. Izivumelwano ziqedelwa nabasebenzi ukuze kufezwe izilawuli zokuphepha.

c) UKUTHOLAKALA KWEMANUWALI

12.1 Lo Manuwali utholakala kulezilimi ezisemthethweni ezilandelayo -

a) English
b) Sepedi
c) Setswana
d) Afrikaans
e) isiZulu
f) isiXhosa
g) isiNdebele
h) Sesotho
i) siSwati
j) Tshivenda
k) Xitsonga
l) Braille

12.2 Ikhophi yeManuwali noma inguqulo yayo ebuyekeziwe, nayo iyatholakala kanje

a) Ku-www.dsd.gov.za uma ikhona, inhlangano yomphakathi.
b) Ehofisini elikhulu lomzimba womphakathi ukuze kubonwe umphakathi phakathi nezikhathi ezijwayelekile zebhizinisi.
c) KuMqondisi Wokulawula Ulwazi uma kuceliwe.

d) AMAREKHODI ANGATHOLAKALI NOMA ANGEKHO

a) Abaceli banelungelo lokuthola impendulo ngendlela yesitatimende esifungelwe noma isiqinisekiso, uma amarekhodi engatholakali ngokufanele, kodwa kufakazeleka ukuthi abafakizicelo bebengakwazi ukufinyelela kuwo ukube irekhodi belikhona.
b) Abaceli banelungelo lokuthola impendulo ngendlela yesitatimende esifungelwe noma isiqinisekiso uma kutholakala ukuthi amarekhodi aceliwe awatholakali nhlobo.

e) UKUPHATHWA KAMAREKHODI

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle unelungelo lokulahla amarekhodi athile ngokusemthethweni, ngokuhambisana neziphathimandla ezitholwe kuZinqolobane Zesizwe Nezikhungo Zamarekhodi.
b) Abafaki bezicelo bazaziswa uma irekhodi elithile selisusiwe, uma lokhu kuhambisana namarekhodi aceliwe.
c) Ngokuhambisana nesigaba 24(1) se-POPIA, uMnyango Wezokuthuthukiswa Kwezenhlalakahle ungaletha isicelo esihlobene nesihloko sedatha:

i. Lungisa noma ususe ulwazi lomuntu oluhlobene nendaba yedatha empahleni yayo noma ngaphansi kokulawula kwayo, uma lutholakala ukuthi luyiphutha, alusebenzi, ludlulele, luphelelwe yisikhathi, aluphelele, ludukisayo, noma lwatholakala ngendlela engekho emthethweni; noma
ii. Bhubhisa noma susa irekhodi lolwazi lomuntu oluhlobene nesihloko sedatha esingasenazo izimvume zokugcinwa ngumNyango Wezokuthuthukiswa Kwezenhlalakahle, ngokwesahluko 14 soMthetho Wezokuvikela Ubumfihlo Bolwazi (POPIA).

f) Ukuvuselelwa kweManuwali

a) UMnyango Wezokuthuthukiswa Kwezenhlalakahle uzovuselela futhi ushicilele le Manuwali njalo ngonyaka uma kudingeka.

Ikhishwe ngu

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