KWAZULU-NATAL PROVINCE
HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA

UMQULU WOMNYANGO WEZOKUHLALISWA KWABANTU: ISIFUNDAZWE SAKWAZULU NATALI

Ngokwesigaba 14 soMthetho Wokukhuthaza Ukufinyelela Olwazini,wezi-2000 (uMthetho uNo2 wezi-2000)

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1. Isingeniso

UMthethosisekelo waseRiphabhlikhi yaseNingizimu Afrika, we-1996 ungumthetho omkhulu kunayo yonke ezweni. ISigaba 32 (1) somthethosisekelo sithi wonke umuntu unelungelo lokuthola nanoma yiluphi ulwazi olugcinwe nguHulumeni. UMnyango Wezokuhlaliswa Kwabantu KwaZulu Natali ungena ngaphansi komunxa kahulumeni wesifundazwe, ngalokho ubophezelwe yizihlinzeko zesigaba 32 ngokumaqondana nohulumeni.

ISigaba 32(2) soMthethosisekelo sihlinzekela ukushaywa kwemithetho kazwelonke ngenhloso yokuba kufezekiswe ilungelo lokufinyelela olwazini, yingakho nje kwashaywa uMthetho Wokukhuthaza Ukufinyelela Olwazini, uNo 2 wezi -2000 (i-PAIA) wamiswa.

ISigaba 9 se-PAIA siyavuma ukuthi ilungelo lokufinyelela olwazini lizokuya ngokwemikhawulo ethile efanelekile, okuhloswe ngayo, phakathi kokunye:

(a) ukuvikeleka okufanele kobumfihlo;
(b) ukugcinwa kobumfihlo kwezohwebo; kanye
(c) nokubusa okuhle, okuphumelelayo nokusebenza ngokufanele.

2. Inhloso

Inhloso yalo mqulu ngukuqinisekisa ukufezekiswa kwelungelo langokomthethosisekelo lokufinyelela kunoma yiluphi ulwazi olugcinwe nguhulumeni, ukuqalisa ukusebenzisa lelo lungelo elizokuya ngokwemikhawulo okuhloswe ngayo ukuvikeleka okufanele kobumfihlo, ukugcinwa kobumfihlo kwezohwebo kanye nokubusa okuhle okuphumelelayo nokusebenza ngokufanele, ngokunjalo nokuqinisekisa ukuvikelwa kolwazi olumaqondana nomuntu ngqo njengalokhu kuyalela uMthetho Wokuvikela Ulwazi Olumaqodana Nomuntu Ngqo kube kuthuthazwa ilungelo lokufinyelela olwazini.

Lo mqulu wenziwe waba ngumphumela wokuthobela umthetho ngokwesigaba 14 se-PAIA.

3. Isithombe Esifushane

3.1. Umbono

Sisonke siqhamuka namasu amasha ukuze kuzuzwe ukuhlaliswa kwabantu okuhloniphekile, okudidiyelwe nokuzinzile.

3.2. Impokophelo

Ukuletha amathuba okwakhela abantu izindlu endaweni efanelekile kanye nokuvikela ilungelo lokuhlala endaweni iminyaka emihlanu ezayo ngokuba sisebenzisane nalabo esibambisene nabo, izinqubo zokuhlelela imithetho kanye nokufukulwa kwabesifazane nentsha emkhakheni wezokwakha.

3.3. Izinhlosongqangi Zamasu Okusebenza

- Ukuqinisekisa ukusebenza kahle kwezezimali zoMnyango
- Ukuhlinzekwa kwezinsiza ezinamakhono
- Ukuqalisa imiklamo eqinisekisa ukudidiyela ngokwezindawo, ngokwenhlalo kanye nangokomnotho
- Ukusheshisa imiklamo yokuqedwa kwemijondolo kanye neMiklamo engaphansi koMphumelangqo 8.
- Ukusheshisa ukwakhiwa kwamathuba ezindlu eziqashisayo, nokuqalisa imiklamo eqinisekisa ukudidiyela ngokwezindawo, ngokwenhlalo kanye nangokomnotho.
- Ukusheshisa ukunikezelwa kwamatayitela ukuze kukhuthazwe ubunikazi bamakhaya

3.4. Imisebenzi Enqala

Le misebenzi enqala elandelayo ihlonzwe njengesemqoka ekufezekisweni kwezinhlosongqangi zamasu okusebenza:

- Ukukhuthaza ukuthuthukisa ukwakhela abantu izindlu zokuhlala;
- Ukukhuthaza ukuhlinzekwa kwezindlu zokuhlala abantu ezingambi eqolo kanye nezinezinsiza ezisemqoka;
- Ukwengamela, ukulawula kanye nokunakekela impahla yomnyango engagudluzeki;
- Ukusingatha kanye nokulawula uhlelo loxhaso lwezezindlu kulabo abahlosiwe;
- Ukwenza ucwaningo, ukusungula, ukuqapha kanye nokusebnzisa izinqubomgomo ezingaphansi koHlaka lukaZwelonke lweNqubomgomo Lwezezindlu Zokuhlala;
- Ukwakha uHlelo lweSifundazwe Lokuthuthukiswa Kwezezindlu Zokuhlala;
- Ukwelekelela kanye nokusungula izikhungo zezezindlu;
- Ukuhlinzeka ngezeluleko zezomthetho maqondana nezindaba zomhlaba kanye nezemvelo;
- Ukusingatha kanye nokudidiyela uhlelo lwe-CRU;
- Ukusingatha uhlelo lokuqedwa kwemijondolo KwaZulu-Natali; kanye
- Nokuhlomisa ngamakhono ababambiqhaza abasemkhakheni wezezindlu.

3.5. Amagunya Ezomthetho

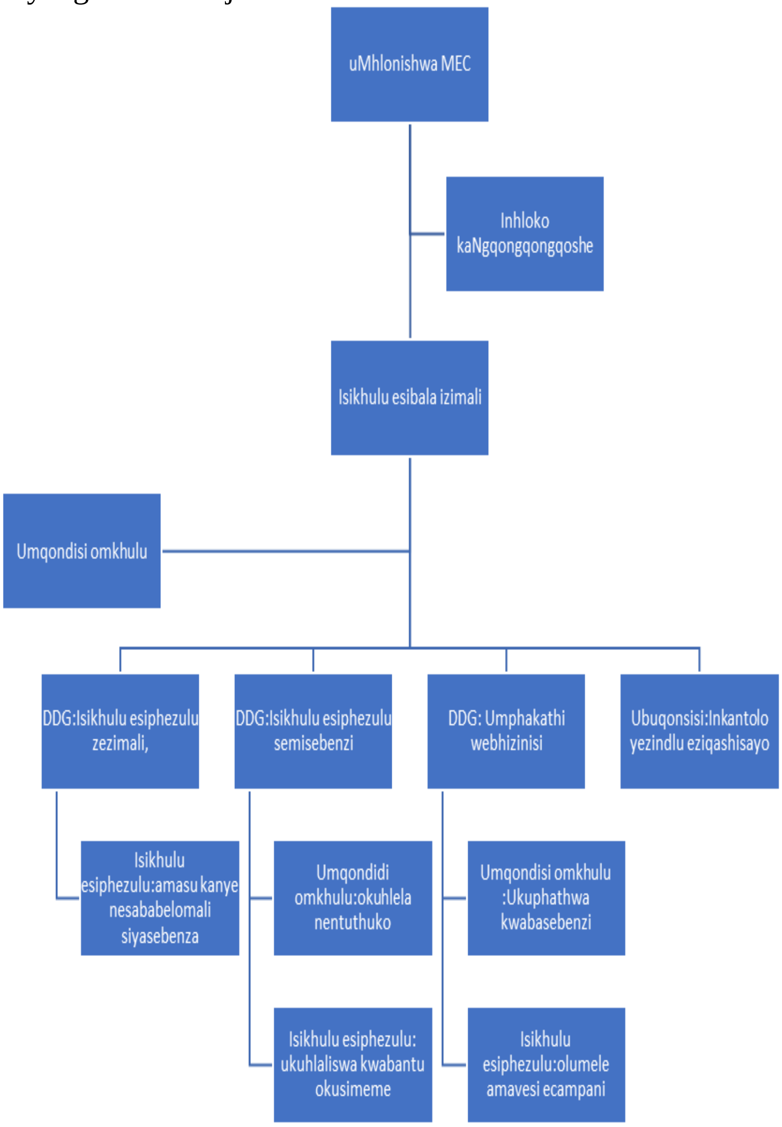
Amagunya ezomthetho asemqoka alawula ukusebenza komnyango yilawa: -

- UMthethosisekelo WaseRiphabhlikhi yaseNingizimu Afrika, we-1996
- UMthetho omaqondana Nezezindlu, we-1997, njengalokhu uchitshiyelwe
- UMthetho omaqondana Nezinyathelo Zokuvikela Abathengi Bezindlu, we-1998, njengalokhu uchutshiyelwe
- UMthetho omaqondana Nezezindlu Eziqashisayo, we-1999
- UMthetho omaqondana Namatayitela, we-1986
- UMthetho omaqondana Nokuqedwa Kwemibandela Ethile Yamatayitela, we-1999
- UMthetho omaqondana Nokuvinjelwa Kokususwa Kwabantu Ngokungemthetho kanye Nokuhlala Kumhlaba Ngaphandle Kwemvume, we-1998
- UMthetho omaqondana Nokudalulwa Kwemalimboleko Yokuthenga Indlu, wezi-2000
- UMthetho omaqondana Nokuhlakazwa kwe-South African Trust Limited, wezi-2000
- Isinqumo seNkantolo yoMthethososekelo, sezi-2000, esimayelana nokuphoqelelwa kwamalungelo ezenhlalo kanye nezomnotho

- UMthetho Wezezindlu waKwaZulu-Natali, 1998, njengalokhu uchitshiyelwe.
- UMthetho Wohlelo Lokwakhelwa Izindlu Kwabantu Asebethathe Umhlalaphansi, we1998, njengalokhu uchitshiyelwe
- UMthetho Kazwelonke Wezimiso Namazinga Okwakha, we-1977
- UMthetho Webhodi Lokuthuthukiswa Kwemboni Yezokwakha, wezi-2000, wezi-2000
- UMthetho omaqondana noHlaka lweNqubomgomo Yokukhetha Ekuthengweni Kwempahla, wezi-2000
- UMthetho omaqondana Nokuphathwa Kwezimali zikaHulumeni, wezi-1999, njengalokhu uchitshiyelwe, kanye neMithethonqubo kaMngcinimafa
- UMthetho omaqondana Nokufukula Abantu Abamnyama Kwezamabhizinisi (i-Broad Based Black Economic Empowerment Act), wezi-2003
- UMthetho kaZwelonke Wezokunakekelwa Kwemvelo, we-1998 njengalokhu uchitshiyelwe
- UMthetho Wezinhlangano Zezakhiwo Zomphakathi, we-1996
- UMthehto omaqondana Nokubhaliswa Kwamatayitela, we-1937
- UMthetho omaqondana Nokwelulwa Kokuvikelela Kwendawo Yokuhlala, we-1997
- UMthetho Wezokulawulwa koMhlaba, we-1995
- UMthetho omaqondana Nesikhwama Sohlelo Sokwakha Kabusha kanye Nokuthuthukisa, we-1994
- UMthetho Wokuphathwa Kwezimali zoMasipala, wezi-2003
- UMthetho obhekele Inkohlakalo, we-1994, njengalokhu uchitshiyelwe
- UMthetho Wezamagugu kaZwelonke, we-1999
- UMthetho Wezokuchithwa koMhlaba kaHulumeni, we-1999
- UMthetho Wamazinga, we-1993
- UMthetho omaqondana Nobuholi Bomdabu Nokubusa waKwaZulu-Natali, wezi-2005
- UMthetho Wezezindlu Zomphakathi, wezi-2008
- UMthetho Wesikhungo Sezokuthuthukiswa Kwezezindlu, we-2008
- Umthetho Wokuqedwa Nokuvinjelwa Kokwakhiwa Kabusha Kwemijondolo, wezi-2007
- UMthetho Wokhuthaza Ukufinyelela Olwazini, we-2000
- UMthetho Wokuvikela Ulwazi Olumaqondana Nomuntu Ngqo, wezi- 2013

3.6. Uhlaka Lwezikhundla zoMnyango Wezokuhlalisa Kwabantu KwaZulu-Natali

Uhlaka lwezikhundla zomnyango lumi kanje:



4 Imisebenzi yeSikhulu Esibhekele Ulwazi/AmaSekela eSikhulu Esibhekele Ulwazi

Imisebenzi yeSikhulu Esibhekele Ulwazi ingadluliselwa kumaSekela eSikhulu Esibhekele Ulwazi. Ngakho-ke, imisebenzi eqondene neSikhulu Esibhekele Ulwazi kusayiyo nakulabo abangamaSekela Esikhulu Esibhekele Ulwazi. Imisebenzi yeSikhulu Esibhekele Ulwazi/amaSekela eSikhulu Esibhekele Ulwazi injengoba inqunyiwe kusigaba 6 soMhlahlandlela weSikhulu Esibhekele Ulwazi kanye namaSekela eSikhulu Esibhekele Ulwazi ekhishwe nguMlawuli Obhekele Ulwazi (eNingizimu Afrika).

5 Imininingwane yokuxhumana yeSikhulu Esibhekele Ulwazi kanye namaSekela eSikhulu Esibhekele Ulwazi

(a) ISikhulu Esibhekele Ulwazi

ISikhulu Esibhekele Ulwazi	uMnu Sihle Maxwell Mbili
Ikhelo Lokuposa	Private Bag X9157, Pietermaritzburg, 3200
Ikheli Lendawo	203 Church Street, Pietermaritzburg, 3200
Ucingo	033-392 6434
I-Imeyili	Informationofficer@kzndhs.gov.za

(b) AmaSekela eSikhulu Esibhekela Ulwazi

ISikhulu Esibhekele Ulwazi sidlulisele imisebenzi kanye nezibopho zaso ngokoMthetho Okhuthaza Ukufinyelela Olwazini (i-PAIA), uNo.2 wezi-2000 kanye noMthetho Wovikela Ulwazi Olumaqondana Nomuntu Ngqo (i-POPIA), uNo.4 wezi-2013 kula maSekela eSikhulu Esibhekele Ulwazi, imininingwane yawo elapha ngezansi:

Igama nesibongo Nesibongo	Ucingo	I-Imeyili
uNk Odette Anderson	033-392 6146	odette.anderson@kzndhs.gov.za
uMnu Mduduzi Nhlozi	033-392 6470	Mduduzi.Nhlozi@kzndhs.gov.za
uNkk Shirmala Pillay	033-392 6429	Shirmala.Pillay@kzndhs.gov.za
uMnu Lindani Khoza	031-336 5278	Lindani.Khoza@kzndhs.gov.za
uMnu Sandile Sibiya	033-392 6412	Sandile.Sibiya@kzndhs.gov.za
uNk. Nonhlanhla Mungwe	031-336 5410	Nonhlanhla.Mungwe@kzndhs.gov.za
uMnu Kehla Dlamini	031 3721825	khehla.dlamini@kzndhs.gov.za
Ikheli Lokuposa: Private Bag X9157, Pietermaritzburg, 3200		
Ikheli Lendawo: 203 Church Street, Pietermaritzburg, 3200		

6. UMhlahlandlela weKhomishini Yamalungelo Esintu yaseNingizimu Afrika omaqondana nokuthi usetshenziswa kanjani uMthetho

Ngokwesigaba 10(1) se-PAIA, i-Information Regulator idingeka ukuthi ibuyekeze futhi yenze itholakale Umhlahlandlela wayo. Inhloso yalo Mhlahlandlela oshiwo ngenhla ukuhlinzeka ngolwazi oludingwa yinoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elihlongozwe ku-PAIA kanye ne-POPIA. Imibuzo mayelana nendlela yokusebenzisa Umhlahlandlela ingaqondiswa kule mininingwane yokuxhumana elandelayo yesilawuli solwazi:

Ikheli Lokuposa: P. O. Box 31533
Braamfontein
2017

Ikheli leBhizinisi: JD House
27 Stiemens Street
Braamfontein
Johannesburg

2001

I-imeyili: Enquiries@inforegulator.org.za okunye

PAIACompliance@inforegulator.org.za

Isizindalwazi: inforegulator.org.za

7. Amarekhodi

7.1. Ulwazi kanye nezigaba zamarekhodi esiwagcinile

Ngenhloso yokwenza lula ukubhekana nesicelo ngokwalo Mthetho, nazi izihloko uMnyango Wezokuhlaliswa Kwabantu wakwaZulu-Natali ogcine ngaphansi kwazo amarekhodi kanye nezigaba zamarekhodi agcinwe ngaphansi kwesihloko ngasinye:

(a) UPhiko Lwezabasebenzi

- Izindaba Eziphathelene Nazo Zonke Izimpiko/Abasebenzi okungukuthi, Amafayela Abasebenzi.
- Ezabaphathi Abaphezulu
- Ukuthuthukiswa Kwamakhono/Ukuhlonyiswa Ngamakhono
- Iqhingasu Lokuqeqesha
- Imibandela Yokusebenza
- Inqubomgomo emaqondana Nemiholo kanye Nokwenganyelwa Kokukhokhelwa Kwabasebenzi
- Ukuhlolwa Komsebenzi
- Ukuxoxisana
- Ubudlelwane Nabasebenzi
- Amarekhodi Ezinqubo Zokuqondiwa Kobugwegwe

(b) Ulwazi Olumaqondana Nokuhlinzekwa Ngezinsiza (Ukulawulwa Kwemiklamo)

- Imiklamo egunyazwe yiSigungu Esiphezulu
- Izindaba eziphakanyiswe yiKomidi elibhekele Ukuhlolwa Kwezindlu, i-Housing Evaluation and Assessment Committee.
- Imibiko emayelana nesimo umklamo okuso kanye nemali esetshenzisiwe.
- Izinkontileka eziphothulwe nguMnyango
- Ulwazi oluqondene nabahlomuli kanye noxhaso
- Izinqubomgomo zoMnyango

(c) Ulwazi olumaqondana Nezemisebenzi Yokweseka

- Izindaba eziphathelene Nezezimali
- Izindaba ezimaqondana neZokuphathwa Kokuthengwa Nokusatshalaliswa Kwempahla ngokunjalo neZinqubo Zokuthenga Impahla

- Izindaba eziphathelene nobungozi kweZokuxhumana kanye Nezindaba Zokucwaningwa Kwamabhuku
- Izindaba eziphathelene nezokuthutha zoMnyango Wezokuhlaliswa Kwabantu waKwaZulu Natali (DOHS – KZN) kanye nokuhlela
- Izindaba eziphathelene neZemisebenzi yezoMthetho

7.2. Amarekhodi Atholakala Ngaphandle Kokufaka Isicelo

Asikho isaziso esisikhishiwe okwamanje mayelana nezigaba zamarekhodi atholakalayo ngaphandle kokuthi umuntu acele ukufinyelela kuwo ngokwenqubo yoMthetho Wokukhuthazwa Ukufinyelela Olwazini. Nokho-ke amarekhodi akusizindalwazi somnyango esithi www.kzndhs.gov.za ayatholakala ngokuthi umuntu awabuke khona noma awaphrinte ngale kokuthi aze aafake isicelo sokuwathola ngokwalo Mthetho.

8. Ukuvikelwa Kolwazi olumaqondana Nomuntu Ngqo

Ulwazi olumaqondana Nomuntu Ngqo yinoma yiluphi ulwazi olumaqondana nomuntu kumbe umuntu owaziwayo, okhona ngokomthetho. Siqoqa siphinde sisebenzise ulwazi olumaqondana nomuntu ukuze sihlinzeke umsebenzi wethu, kanye nokufezekisa lokhu uMnyango ojutshwe ukuba ukwenze. Eminye imininingwane emaqondana nokuthi silusebenzisa kanjani ulwazi olumaqondana nomuntu ngqo ungaluthola kuSitatimende Semfihlo naso esitholakala kusizindalwazi sethu esithi-https://www.kzndhs.gov.za.

8.1. Inhloso yoMnyango yokucungula ulwazi olumaqondana nomuntu ngqo ongumnikazi wolwazi

UMnyango ucubungula ulwazi olumaqondana nomuntu ngqo ongumnikazi wolwazi olugcinwe nguwo ngalezi zindlela ezilandelayo:

- Ukufezekisa noma ukwenza izibopho zawo zangokomthetho maqondana nengunya lawo kanye noMthethosisekelo waseNingizimu Afrika.
- Izinqubo zokuphathwa kwehhovisi, ukuqapha kanye nezokubika zangaphakathi, , ezimaqondana nemisebenzi eyahlukahlukene yoMnyango.
- Ukwenza lula ukwesekwa kwabahlomuli.
- Ukuqhuba uhlelo lokuhlola nokuphenyisisa abasebenzi kanye nabahlinzekimsebenzi.
- Ukwelekelela ekubambeni iqhaza kwamalungu omphakathi ezinhlelweni zoMnyango.
- Ukulawula kanye nokwengamela imisebenzi emaqondana nezinhlelo kumbe imiklamo ebandakanya umphakathi.
- Ukulawula kanye nokwengamela imisebenzi emaqondana nezinhlelo zokubandakannya ababambiqhaza imicimbi kanye nemiklamo.
- Ngezinhloso zokuthobela izibopho zangokomthetho ezahlukene ezingaphansi kwemithetho yaseNingizimu Afrika.
- Ukucubungula ukungena kwezivakashi emahhovisi ethu.
- Ukubhekana nezinqubo zezinkantolo, izimangalo kanye nezincwadi zokuxhumana.

8.2. Izigaba Zabanikazi Bolwazi kanye Nemininingwane yoLwazi olumaqondana Nomuntu Ngqo

Lapha ngezansi kuhlinzekwe incazelo yezigaba zabanikazi bolwazi esilucubungulayo ngokunjalo nemininingwane emaqondana nalolo lwazi lomuntu ngqo:

Izigaba Zabanikazi Bolwazi	**Imininingwane emaqondana nomuntu ngqo**
Abasebenzi	Amagama, ubulili, isimo sangokomshado, ubuhlanga, iminyaka yobudala, ulimi, imininingwane yezemfundo (iziqu zemfundo), imininingwane yezezimali, umlando wangokomsebenzi, inombolo kaMazisi (ID), ikheli lendawo nelokuposa, imininingwane yokuxhumana (inombolo/izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili) irekhodi lobugebengu, amalungu omndeni, ezokwelashwa, ubuzwe, uhlanga, imvelaphi, isimo sempilo sangokomzimba noma sengqondo, ukukhubazeka, imininingwane yezithupha zomuntu (yebhayomethrikhi), umkhandlu womsebenzi arejiste kuwo kanye nabantu abamaziyo abangabuzwa ngaye.
Abahlinzekimsebenzi	Amagama abantu okuxhunyanwa nabo; igama lenhlangano; amagama abaqondisi kanye nabanikazi bamasheya, ikheli lendawo kanye nelokuposa kanye nemininingwane yokuxhumana (inombolo/izinombolo, inombolo ye-feksi, ikheli le-imeyili) imininingwane yezezimali, inombolo yokurejistwa kwenkampani, izincwadi ezimaqondana nokusungulwa kwenkampani, imininingwane emaqondana nezentela, labo abasayinayo abagunyaziwe, isimo senkampani ngokumaqondana nokufukulwa kwabantu abamnyama ngokomnotho (i-B-BBEE), izinhlangano engaphansi kwazo, kanye namasu okusebenza ebhizinisi.
Abahlomuli	Amagama, izinombolo zikamazisi, ikheli lendawo kanye nekheli lokuposa, imininingwane yokuxhumana (inombolo/izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili).
Amalungu Omphakathi	Amagama kanye nemininingwane yokuxhumana.
Amalungu Ezinhlaka zikaHulumeni	Amagama, ubulili, isimo sangokomshado, ubuhlanga, iminyaka yobudala, ulimi, imininingwane yezemfundo (iziqu zemfundo), imininingwane yezezimali, umlando wangokomsebenzi, inombolo kaMazisi (ID), ikheli lendawo nelokuposa, imininingwane yokuxhumana (inombolo/izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili) irekhodi lobugebengu, amalungu omndeni, ezokwelashwa, ubuzwe, uhlanga, imvelaphi, isimo sempilo sangokomzimba noma sengqondo, ukukhubazeka, imininingwane yezithupha zomuntu (yebhayomethrikhi), umkhandlu womsebenzi arejiste kuwo kanye nabantu abamaziyo abangabuzwa ngaye.
Ababambiqhaza Abathintekayo	Amagama, izinombolo zokuxhumana kanye nemakheli e-imeyili.

8.3. Ngobani abathola ulwazi olumaqondana nomuntu ngqo

Sinikezela ngolwazi olumaqondana nomuntu ngqo kulaba:

- Abahlinzekimsebenzi bangaphandle, okuyibona abenzela uMnyango umsebenzi wokucubungula imininingwane emaqondana nomuntu siqu. Le misebenzi yokucubungula izohlala ingaphansi kolawulo lwethu futhi izokwenziwa ngokuhambisana namaqophelo ethu okuphepha kanye nemiyalelo eqinile;
- Izinhlangano zezokuqiniswa komthetho, lapho kunesidingo, ukuze zelekekele ekunqandweni noma ekuhlonzeni ubugebengu kumbe-ke ukuboshwa noma ukushushuswa kwezaphulimthetho; kanye
- Neziphathimandla zikahulumeni, abalawuli, kanye nezinhlangano zikahulumeni, uma kunesidingo sokuba sithobele izibopho zethu zangokomthetho.

8.4. Ukudluliselwa kolwazi luyiswa kwamanye amazwe

- Ngokomlando, asizange sibekwe esimweni esidinga noma yikuphi ukugeleza kwe-transborder kolwazi lomuntu siqu futhi asikulindele lokho kushintshana esikhathini esizayo.
- Noma kunjalo, uma kunesidingo sokwenza lokho, kungenzeka kudingeke ukuba sidlulisele ulwazi olumaqondana nomuntu ngqo luyiswe kwelinye izwe ukuze lucutshungulwe noma lugcinwe. Sizoqinisekisa ukuthi nanoma ngubani esidlulisela kuye ulwazi olumaqondana nomuntu ngqo uyavuma ukugcina ulwazi lwakho ngokuvikelela okufanayo njengalokhu kuhlinzekwe ku-POPIA.
- Ngemvume yakho, singaludlullisela ulwazi lwakho siluyise kwamanye amazwe angenakho ukuvikeleka okufana nalokho okuhlinzekwe ku-POPIA.

8.5. Izinyathelo zokuvikela ulwazi

- Sithatha izinyathelo ezifanele neziqondekayo ngokwezobuchwepheshe nangokomnyango ukuze sinqande ukufinyelela okungagunyaziwe noma ngokungemthetho, ukulahleka, ukonakala kumbe ukucekelwa phansi okungagunyaziwe kolwazi olumaqondana nomuntu ngqo.
- Sesiqalise izinqubomgomo ezahlukahlukene, izinqubo ezilandelwayo kanye nezinhlelo zoLwazi Lwezobuchwepheshe (i-IT) ukuze sivikele ulwazi olumaqondana nomuntu ngqo.
- Siyaqinisekisa ngezikhathi ezifanele ukuthi izindlela zokuvikela zisebenza ngempumelelo kanye nokuthi ziyabuyekezwa njalo.

9. Inqubo yokufaka isicelo

a) Ukunikeza imvume noma ukwenqaba:

Umfakisicelo kufanele anikezwe ukufinyelela kurekhodi lebandla lomphakathi zingakapheli izinsuku ezingama-30 esitholile isicelo, uma umfakisicelo evumelana nalokhu okulandelayo:

- Umfakisicelo uyahambisana nazo zonke izidingo zoMthetho maqondana nesicelo sokuthola lelo rekhodi; futhi

- Ukuthola lelo rekhodi akunqatshiwe nanganoma yisiphi isizathu sokunqaba esibalulwe eMthethweni.

b) Ngicela kanjani ukuthola irekhodi?

- Kumele umfakisicelo asebenzise ifomu (u-Form 2) elashicilelwa nguMlawuli Wolwazi (eNingizimu Afrika).

- Kumele umfakisicelo asho ukuthi ufuna ikhophi yerekhodi noma ufuna ukufika bese elibheka irekhodi emahhovisini ohlaka lomphakathi. Uma kungenjalo, uma irekhodi lingekho ephepheni lingabe selibukwa njengoba liceliwe, uma kunokwenzeka.

- Uma umuntu ecela ukufinyelela ngenye indlela ethile (okungaba, yikhophi eyiphepha, kukhompuyutha, njll) lowo ofaka isicelo uzobe eselithola ngaleyo ndlela. Lokhu ngaphandle uma ukwenza kanjalo kuzophazamisa ngokungafanele ukusebenza kwenhlangano yomphakathi ethintekayo, noma kulimaze irekhodi, noma kwephule ilungelo lobunikazi okungesilo elikahulumeni. Uma ngezizathu ezizwakalayo ukutholakala kwerekhodi kungeke kunikezwe ngendlela edingekayo kodwa ngenye indlela, imali ekhokhwayo kumele ibalwe ngokwendlela umfakisicelo aqale wayicela ngayo.

- Uma, ngaphezu kwempendulo ayibhalelwe maqondana nesicelo serekhodi, umfakisicelo efuna ukuba aziswe ngesinqumo nganoma iyiphi enye indlela, isib, ucingo, kumele lokho kushiwo.

- Uma umfakisicelo ecela ulwazi egameni lomunye umuntu, kumele aveze isikhundla sakhe esimgunyaza ukuthi afake isicelo.

- Uma umfakisicelo engakwazi ukufunda noma ukubhala, kumbe ekhubazekile, lapho ke isicelo singenziwa ngomlomo. Kumele isikhulu esibhekele ulwazi sigcwalisele umfakisicelo ifomu bese simnikeza ikhophi yefomu esigcwalisiwe.

c) Imali ekhokhwayo yesicelo kanye nokwaziswa ngesinqumo sokuthola irekhodi

- Umfakisicelo ofuna ukufinyelela erekhodini elinolwazi olumaqondana naye siqu akudingeki ukuba akhokhe imali yesicelo. Bonke abanye abafake isicelo kuzomele bakhokhe imali yesicelo engama-R35.

- Kumele isikhulu esibhekele ulwazi sazise umfakisicelo (ngale kwalowo ofake isicelo solwazi olumaqondana naye) ngesaziso, ngemali ekhokhwayo (uma ikhona) kanye nediphozi (uma ikhona) ngaphambi kokuba ngaphambi kokuba kucutshungulwe isicelo.

- Umfakisicelo angafaka isikhalo kanye nokudlulisa icala ngaphakathi, uma kufanele, kumbe afake isicelo enkantolo esiphikisana nethenda noma ukukhokhwa kwemali.

- Emva kokuba isikhulu esibhekele ulwazi sesisithathile isinqumo maqondana nesicelo, kumele umfakisicelo aziswe ngaleso sinqumo ngendlela umfakisicelo afuna ukwaziswa ngayo.

- Uma samukeliwe isicelo, kumele kukhokhwe enye imali ukuze kukhiqizwe futhi kubhekwe bese kulungiswa irekhodi maqondana nesikhathi esengeziwe esikhathini esibekiwe ukuze kubhekwe bese kulungiswa irekhodi elizokhishwa.

- Ukuthola irekhodi kuzogodlwa kuze kuba kukhokhwa imali efanele.

10. Izinsiza ezitholwa nguMphakathi

UMnyango uthembele ekulekelelweni ngomasipala ohlelweni lokuhlinzeka umphakathi ngezindlu kanye nokudala Izindawo Zokuhlala Abantu Ezinozinzo. Nokho, izinhlelo zoxhaso kanye nezinqubomgomo zivulelekile emphakathini.

11. Uhlelo oluvumela ukubamba Iqhaza Ekuhlanganisweni Kwenqubomgomo kanye Nokwenziwa Kwemisebenzi

11.1. Inqubomgomo kanye Nomthetho Oshayiwe

Uma uMnyango ucubungula inqubomgomo entsha noma umthetho oshayiwe ixoxisana nabo bonke ababambiqhaza ngokuba ibacele ukuba benze iziphakamiso emaphepheni ashicilelwe kanye/noma emihlanganweni yokucobelelana ngolwazi/ezingqungqutheleni. Inqubo yokubamba iqhaza iyehluka kuye ngohlobo lomklamo futhi kuvamise ukuthi kwaziswe ngayo ngaphambi kokuba kuqale umklamo noma ngemuva kwalokho.

11.2. Isenzo sezokuphathwa kwehhovisi

Ezimweni lapho isenzo sezokuphathwa kwehhovisi sithikameza amalungelo noma lokho okulindelekile ngokomthetho kwanoma yimuphi umuntu; kumbe amalungelo omphakathi, kuyosebenza imithetho emaqondana nezenzo zokuphathwa kwehhovisi ezinobulungiswa ezibalulwe ezihlinzekweni zoMthetho Wokukhuthazwa Kobulungiswa Kwezokuphatha, wezi-2000 (uMthetho u-No. 3 wezi-2000), (ikakhulu isigaba 4 no 5).

11.3. Imibandela Yokusebenza yabasebenzi bakahulumeni

Imibandela yokusebenza kanye nezinye izindaba ezithinta abasebenzi bakahulumeni kudingidwa ngazo emkhandlwini wokuxoxisana osungulwe ngokoMthetho Wobudlelwane Nabasebenzi, we-1995 (uMthetho uNo 66 we-1995). Izinyunyana ezimele isibalo esinqunyiwe sabasebenzi bakahulumeni ziba yingxeye yalowo mkhandlu wokuxoxisana. Umkhandlu wokuxoxisana, i-Public Service Coordinating Bargaining Council, uyisigungu lapho phakathi kokunye kuxoxiswana ngazo zonke izimo zokusebenza ezisebenza kubo bonke abasebenzi bakahulumeni ngendlela efanayo. Kukhona leMikhandlu Yokuxoxisana elandelayo:

- I-General Public Service Sectoral Bargaining Council
- I-Education Labour Relations Council
- I-Public Health and Welfare Sectoral Bargaining Council
- I-Safety and Security Sectoral Bargaining Council

12. Izindlela zokulungisa ezikhona ngokumaqondana noMthetho noma ukuhluleka komthetho

Kukhona lezi zinqubo ezilandelayo zokuba abantu babike noma balungise izenzo noma amaphutha okungahambisi ngendlela kumbe okungalandeli umthetho kuMnyango Wezokuhlaliswa Kwabantu waKwaZulu-Natali.

(a) Izinqubo zokubika noma zokulungisa:

(i) Izindlela zokulungisa maqondana nezenzo noma ukuhluleka ukwenza ngokoMthetho Wokukhuthaza Ukufinyelela Olwazini: Isiphathimandla esibhekele izikhalo zangaphakathi ngokwalo Mthetho nguNgqongqoshe walo mnyango. Uma sekuhanjwe yonke imigudu yesikhalo sangaphakathi, sekungafakwa isicelo enkantolo (isigaba 78 – 82).

(ii) Umsebenzi kahulumeni angafaka isikhalo ukuba siphenywe yiKhomishini Yezemisebenzi Kahulumeni maqondana nesenzo esingavumelekile noma okungenziwanga (isigaba 35 soMthetho obhekele Ezemisebenzi kaHulumeni).

(iii) Umuntu angasebenzisa izindlela zezabasebenzi zokulungisa maqondana nezenzo ezingamukelekile noma okungenziwanga, okuyizingxabano ngamalungelo (uMthetho obhekele Ezemisebenzi kaHulumeni, we-1994, kanye noMthetho Wezobudlelwane Nabasebenzi, we-1995).

(vi) Umuntu angase afake isikhalazo ku-Information Regulator mayelana nesenzo esisemthethweni noma ukweqiwa okusolakala ukuthi kuwukwephulwa noma usongo kunoma yiliphi ilungelo eliyisisekelo elivela kule dokhumenti.

(v) Umuntu angafaka isikhalo kuMvikeli Womphakathi maqondana nesenzo okusoleka ukuthi asikho emthethweni noma okungenziwanga (uMthethosisekelo kanye nomthetho obizwa nge-*Public Protector Act*, we-1994 (uMthetho uNo. 23 we-1994)).

(vi) Umuntu angafaka isikhalo kuKhomishini Yamalungelo Oluntu eNingizimu Afrika maqondana nesenzo kumbe okungenziwanga okusolakala ukuthi kungukwephulwa kumbe ukubeka engozini kwananoma yiliphi ilungelo eliyisisekelo (uMthetho Wekhomishini Yamalungelo Oluntu we-1994 (uMthetho uNo. 54 we-1994)).

(vii) Umuntu okukhulunywa ngaye angasebenzisa inqubo ezilandelwayo yokudalula engaphansi koMthetho obhekele Ukudalula Okuvikelekile, wezi-2000 (uMthetho uNo 26 wezi-2000, ukuze avikeleka ekujezisweni ngenxa yokudalula izenzo ezingekho emthethweni zomqashi noma uzakwabo asebenza naye maqondana nesenzo somsebenzi noma omunye umsebenzi esingekho emthethweni.

(viii) Umuntu angasebenzisa ezinye izindlela zomthetho zokulungisa okuwukubuyekezwa kwezinqumo zomthetho ngokoMthetho Wokhuthaza Ubulungiswa Kwezokuphatha, wezi- 2000 (uMthetho uNo. 3 wezi-2000).

(b) Ezinye izindlela zokulungisa ezesekayo:

(i) Umuntu angacela izizathu zesenzo sezokuphathwa kwehhovisi esenziwe ngokoMthetho Wokukhuthaza Ubulungiswa kwezokuphatha, wezi-2000. (iSigaba 5).

(ii) Umuntu angacela ukuba athole amarekhodi omnyango kahulumeni kumbe olunye uhlaka lomphakathi ngokoMthetho Wokukhuthaza Ukufinyelela Olwazini, wezi-2000 (iSigaba 5).

(c) Umsebenzi wokubika:

(i) Umsebenzi kahulumeni, lapho enza umsebenzi wakhe osemthethweni, ubophezelekile ngokwemibandela yeNqubo Yokuziphatha yabasebenzi bakakahulumeni, ukuthi abikele iziphathimandla ezifanele, ukukhwabanisa, inkohlakalo, ukuchema, ukungaphathi kahle kanye nanoma yisiphi esinye isenzo esiyicala noma esingahambisani nezintshisekelo zomphakathi. Umsebenzi ohlulekayo ukulandela lokhu, unecala lokungaziphathi kahle. (UMthethonqubo B.3 no C.4.10 weSahluko 2 weMithethonqubo yezeMisebenzi kaHulumeni, yezi-2001).

(ii) Isibopho sawo wonke umqashi kanye nomsebenzi ukudalula ubugebengu kanye nanoma yikuphi okunye ukungaziphathi ngendlela efanele emsebenzini weseka uMthetho obhekele Ukudalula Okuvikelekile, wezi-2000, Isendlalelo).

(iii) Faka isikhalazo kuMlawuli woLwazi ngokweSigaba 77A soMthetho ngemva kokuba umuntu esewasebenzise wonke amanye amakhambi akhona nangaphambi kokuba aye eNkantolo.

13. Ukubuyekeza kanye nokutholakala koMqulu

13.1. Umqulu uzobuyekezwa zingakapheli izinyanga eziyishumi nambili kushicilelwe lo mqulu wokuqala

UMnyango Wezokuhlaliswa Kwabantu KwaZulu-Natali uzophinde ubhekelele indaba yokwandisa inani lezilimi lo mqulu ozoshicilelwa ngazo kuze kube iyafezeka inhloso yangokomthetho yokuwushicilela ngazo zonke izilimi ezisemthethweni.
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13.2. Ukutholakala kwalo mqulu

Umqulu uzotholakala ezindaweni ezinqunywe ngumthetho obizwa ngokuthi yi-Legal Deposit Act, kanye nasemahhovisi oMlawuli Obhekele Ulwazi kanjalo nakusizindalwazi sethu (www.kzndhs.gov.za).

14. Izimali ezikhokhwayo Zamarekhodi Omphakathi njengalokhu kubalulwe kuMithethonqubo yoMthetho esebenza njengamanje

Imali ekhokhelwa ukukhiqiza, okukhulunywe ngakho esigabeni 15(3) soMthetho, imi kanje:

(a)	Ikhophi ngayinye eyikhasi elingu-A4 kumbe ingxenye yayo.		0-60
(b)	Ikhophi ngayinye eprintiwe eyikhasi elingu-A4- kumbe ingxenye yayo		0-40
(c)	egcinwe kukhompyutha kumbe engendlela yokuthi ifundeke kukhompytha		
(i)	nge-Stiffy disc		5-00
(ii)	nge-Compact disc		40-00
(d)	(i)	Ukuqoshwa kwezithombe ezibukwayo ekhasini ngalinye elingu-A4- kumbe ingxenye yayo	22-00

	(ii)	Ikhophi yezithombe ezibukwayo	60-00
(e)	(i)	Ukuqoshwa kwerekhodi lomsindo ekhasini elingu-A4 kumbe ingxenye yalo	12-00
	(ii)	Ikhophi yerekhodi lomsindo	17-00

Imali ekhokhwayo yesicelo ekhokhwa ngumfakisicelo, ngale kwalowo ocele irekhodi eliqondene naye okukhulunywe ngakho esigabeni 22(1) soMthetho, 35-00

Imali ekhokhwayo yokuthola irekhodi ekhokhwa ngumfakisicelo okukhulunywe ngakho esigabeni-22(7) soMthetho, ngaphandle uma exolelwe ukuba akhokhe ngaphansi kwesigaba 22(8) soMthetho, imi kanje: -

(a)		Ikhophi ngayinye eyikhasi elingu- A4- kumbe ingxemye yalo	0-60
(b)		Ikhophi ngayinye eprintiwe eyikhasi elingu-A4 kumbe ingxenye yalo egcinwe kukhumpuytha kumbe ngendlela yokuthi ifundwe kukhompyutha	0-40
(i)		nge-Stiffy disc	5-00
(ii)		nge-Compact disc	40-00
(c)	(i)	Ukuqoshwa kwezithombe ezibukwayo ekhasini elingu-A4 kumbe ingxenye yalo	22-00
	(ii)	Ikhophi yezithombe ezibukwayo	60-00
(d)	(i)	Ukuqoshwa kwerekhodi lomsindo ekhasini elingu-A4 kumbe ingxenye yalo	12-00
	(ii)	Ikhophi yerekhodi lomsindo	17-00

Ukucinga irekhodi ukuze livezwe, yi- R15.00ihora ngalinye kumbe ingxenye yehora, lingabalwa ihora lokuqala, eliyisikhathi esilingene lokho kucinga.
Kuyokhokhwa imali yokuposa uma ikhophi yerekhodi kumele iposelwe lowo ofake isicelo.

Ngokwenhoso yesigaba 22(2) soMthetho, kusetshenziswa lokhu okulandelayo:

3.2 Amahora ayisithupha angeqiwa ngaphambi kokuba kukhokhwe idiphozithi: kanye
3.3 Nengxenye yokukodwa kokuthathu yenkokhelo yokufinyelela kumarekhodi ekhokhwa ibe yidiphozithi yalowo ofake isicelo.

15. Indlela Yokufaka isicelo

Lawa ngamaFomu e-PAIA anqunywe nguMlawuli Wolwazi (eNingizimu Afrika) ukuba asetshenziswe:

- IFomu 01: Isicelo soMhlahlandlela kaMlawuli [UMthethonqubo 2]
- IFomu 01: Isicelo seKhophi yoMhlahlandlela kuSikhulu EsibhekeleUlwazi [IMithethonqubo 3]
- IFomu 02: Isicelo Sokuthola Irekhodi [UMthethonqubo 7]
- IFomu 03: Umphumela wesicelo kanye nemali ekhokhwayo [UMthethonqubo 8]
- IFomu 04: IFomu LokufakaLokudlulisa Isikhalo Sangaphakathi [UMthethonqubo 9]
- IFomu 05: IFomu Lokufaka Isikhalo [UMthethonqubo 10]
- IFomu13: IFomu Lesicelo se-PAIA Sokuhlola Ukuthobela Umthetho [UMthethonqubo 14(1)]