



Emalungelo ami,  
Imisebenti yami







# Emalungelo ami, Imisebenti yami



# The Constitution

of the Republic of South Africa, 1996



Act 108 of 1996

# Emalungelo ami, Imisebenti yami



## Uyini umtsetfosisekelo?

Lomtsetfosisekelo ngumtsetfo lophakeme noma lomkhulu wase Ningizimu Africa. Uyachaza kutsi hulumende wentiwe njani nekutsi lelive kufanele liphatfwe njani. Njengoba kungumtsetfo lophakeme, awukho lomunye umtsetfo longaphikisana ne Mtsetfosisekelo. Imitsetfo lephikisana ne Mtsetfosisekelo kufanele injtjintje ngalesinye sikhatsi imitsetfo lemisha iyentiwa kuze kutsi imibono ye Mtsetfosisekelo ifezeke.

Umculu Wemalungelo ku Mtsetfosisekelo unawo onkhe emalungelo laniketwe bantfu base Ningizimu Africa. Umtsetfo angeke uwantjintje lula lamalungelo ngoba avikeleke ngalokukhetsekile ngu Mtsetfosisekelo. Lamalungelo kulo Mculu Wemalungelo ayaye asentjentiswe tinkantolo akanye nemitsetfo ngemalungelo kwenta tincumo ngemalungelo eluntfu.



## Uyini Umculu Wemalungelo?

Umculu Wemalungelo eluntfu luhla lwemalungelo lapho wonkhe umuntfu anelilungelo. Lutfolakala ku Sigaba 2 se Mtsetfosisekelo wetfu. Lomculu Wemalungelo ungumgogodla we Mtsetfosisekelo.



## Ayini emalungelo eluntfu?

Emalungelo eluntfu ngemalungelo lotalwa nawo, sizatfu kutsi bangebantfu, Awatsengwa futsi akusiwo emalungelo lowaniketwa ngumuntfu noma hulumende. Uwatfola mhla utalwa futsi, angeke atsatfwe kuwe.

Lomculu Wemalungelo eluntfu aniketa loku lokulandzelako:

## 1 Sigaba 9 siniketa lilungelo lekulingana

Lesigaba sichaza kutsi bonke bantfu bayalingana ngembi kwemtsetfo futsi banellungelo lekuvikeleka nekuzuza ngalokulinganako. Akekho longahlukunyetwa ngendlela lengakavumeleki.

Lomculu Wemalungelo uneluhla lwetintfo letitsite telubandlululo nekucacisa kutsi lubandlululo lwanoma ngabe nguwaphi emalungelo kuyintfo lengakavumeleki ngaphandle kwekutsi kutfolakale kutsi kulicinisiso.

Letintfo letibhaliwe tifaka buhlanga, bulili, kukhulelwa, simo semshado, buve noma imvelaphi yakho, libala, sigaba sebulili, umnyaka, kukhubateka, inkholo, nembeza, inkholelo, lisiko, lulwimi nekutalwa.

Lilungelo lekulingana libuye livikelwe ngu Mtsetfo 4 wa 2000 Wekutfutfukiswa Kulingana Nekuvikela Lubandlululo Lolungakemukeleki (PEPUDA).

The following institutions can assist anyone who feels they have been unfairly discriminated against:

### Tinkantolo Tekulingana

- Tikhalo tekubandlululwa lokungakalungi kungayiswa kunoma ngabe nguyiphi Inkantolo Yekulingana. Bewati? Tonkhe Tinkantolo Tabomantji tisebenta njenge Tinkantolo Tekulingana!
- Lwatiso lolungetiwe nge Nkantolo Yekulingana lutfolakala tikwe webhusaythi ye Litiko Letebulungiswa: [www.justice.gov.za](http://www.justice.gov.za)

### *Inkhomishane Yekulingana Ngetebulili (CGE)*

I-CGE sikhungo lesitimele lesakhiwe ngekwe Sigaba 9 se Mtsetfosisekelo. Ngekuya ngekwe Mtsetfosisekelo lesikhungo siniketwe ligunya lekutfufukisa, kuvikela, kugadza nekuhlola kulingana ngetebulili. Imininingwane lengetiwe kule CGE luyatfolakala kuwebhusaythi yabo [www.cge.org.za](http://www.cge.org.za)

Bika Kuhlukunyetwa neku Bandlululwa ngete Bulili ku (0800) 007 709

### *Inkhomishane Yemalungelo Elunfu Eningizimu Afrika*

I-SAHRC isebenta ngekulingana nge:

- Kugcugcutela lilungelo lekulingana ngekufundza, ema workshop, tinsita letitawukhulisa lwati
- Kuvikela lilungelo lekulingana ngekuphenya tikhalo nekutsatsa tinyatselo tekulungisa lapho kwenteke khona kungahlonishwa kwalelilungelo
- kubuyeketa lilungelo lekulingana mayelana nebantfu labaphila nekukhubateka, bachamuki, bantfu lasebakhulile ne buhlanga, nemibiko mayelana nesimo sekulingana e Ningizimu Africa, kufaka imitimba yavelonkhe letibophelele kulelilungelo lekulingana njenge Nhlangano Yamhlabawonkhe yeku Cedza Tonkhe Tinhlobo Telubandlululo Ngetebuhlanga (ICERD)
- Imibiko, lokutfolakele netinsita tekufundza ngale Nkhomishane tiyatfolakala uma uticela kule Nkhomishane naku webhusaythi yayo [www.sahrc.org.za](http://www.sahrc.org.za)

## 2 Sigaba 10 siveta lilungelo lesitfunti selunfu

Lesigaba sicacisa kutsi wonkhe umuntfu unesitfunti latelwe naso nelilungelo lekutsi sitfunti sabo sihlonishwe futsi sivikelwe.

Loku kusho kutsi wonkhe umuntfu unelilungelo lekuhlonishwa ngalokulinganako.

Lelilungelo lekuhlonishwa lichumene nalamanye emalungelo elunfu, bese uma lamanye emalungelo ahlukunyetive njengelilungelo lekuba nemanti nekutfutwa kwelindle, lilungelo lesitfunti nalo lisuke lihlukunyetive.

## 3 Sigaba 11 siveta lilungelo lemphilu

Lesigaba siveta kutsi wonkhe umuntfu unelilungelo lekuphila. Akekho umuntfu lonelilungelo lekubulala lomunye umuntfu.

Lilungelo lemphilu lidzinga kuvikeleka lokusezingeni lelisetulu livikelwe ngu Mbuso nabo bonkhe bantfu balelive.

Inkantolo angeke isabagweba bantfu sigwebo sentsambo ngoba Inkantolo Yemtsetfosisekelo imemetele kutsi sigwebo sentsambo asikho emtsetfweni.

Kusongelwa kutsatfwa njengelicala e Ningizimu Africa, lokusatjiswa loko kufanele kubikwe ngekuphutfuma Kusikhungo Semaphoyisa Eningizimu Africa (SAPS).



## 4

## Sigaba 12 siveta lilungelo lenkhululeko nekuvikeleka kwemuntfu

Lelilungelo liveta kutsi wonkhe umuntfu unelilungelo lenkhululeko nekuvikeleka lokufaka:

- Kungancishwa emalungelo enkhululeko yabo ngaphandle kwesizatfu lesivakalako;
- Kungavalelwa ejele ngaphandle kwekugwetjwa;
- Kukhululeka kuto tonkhe tinhlobo teludlame;
- Kungaviswa buhlungu noma ngabe ngayiphi indlela;
- Kangaphatfwa kabi noma bajezizwe ngendlela lebuhlungu, lengenabuntfu noma leyehlisa sitfunti;
- Kwenta tincumo letiphatselene nekutalana;
- Kuvikeleka nekulawula imitimba yabo;
- Bangaphocelwa kuba neligalelo ku eksperimenti yetekwelapha neyesayensi.

Emalungelo eta nekutiphendvulela, akekho namunye lavunyelwe kuphatsa emalungelo alomunye kabi. Kubalulekile kutsi sinake bese siyacaphelisisa kutsi siyawahlonipha emalungelo alabanye labangahlukunyetwa kalula njenge bantfwana, bantfu labaphila nekukhubateka nebantfu lasebakhulile, ngekuba neligalelo lekuvikela emalungelo abo.

Noma ngabe ngubani lohlukunyetwako noma lobone lomunye ahlukunyetwa kufanele achumane ne Sikhungo Semaphoyisa Eningizimu Africa. I-Unithi Yeludlame Lwasekhaya kuwo tonkhe Tinkantolo Tabomatji tingasita ngema oda ekuvikeleka .

5

## Sigaba 13 siveta lilungelo lekuvikelwa ebugciliini, kusebenta matima nekuphocelwa kusebenta

Lelilungelo liyachaza kutsi akekho umuntfu lekufanele agcilatwe, asebente kamatima noma aphocelwe kusebenta. Noma letehlakalo taloludlame tisezingeni leliphasi e Ningizimu Africa, bantfu labasebungotini bayaye babe nebulukhuni lwekutfola lusito uma baphocelwa kusebenta. Litiko Letetisebenti, letinye tinhlango tinphakatsi, ne SAHRC kufanele tatiswe ngaloludlame lolukhombisa bugcili, kusebenta matima nekusebenta ngekuphocelwa.

6

## Sigaba 14 siveta lilungelo lekuba nemfihlo

Wonkhe umuntfu unelilungelo lekuba nemfihlo lokufaka lilungelo leku:

- ngaseshwa imitimba yabo noma emakhaya abo;
- Imphahla yabo ingaseshwa;
- Bangatsatselwa tintfo tabo noma;
- Kukhuluma ngasese kungatsikameteki.

**BEWATI?**

Ngaphandle kwekutsi emaphoyisa abe netinsolo letivakalako kutsi kwentiwe licala noma litawenteka emaphoyisa awakavunyelwa kukusesha noma aseshe likhaya lakho ngaphandle kwemvumo yekusesha!

Ebamele bangasita uma lelilungelo lihlukenyatiwe. Uma ufuna lwatiso lolungetiwe ungachumana nemmeli wakho wetemtsetfo.

Kwelulekwa kwamahhala ngetemtsetfo nekumelwa ngekwemtsetfo kuyatfolakala nge Legal Aid South Africa

[www.legal-aid.org.za](http://www.legal-aid.org.za) Noma ngekuya emahhovisi lanebantfu labaceceshelwe temtsetfo ku [www.nadcao.org.za](http://www.nadcao.org.za)

**7****Sigaba 15 siveta lilungelo lenkhululeko yenkholo, kukholelwa nekuba nembono**

Ingingizimu Africa ilive lelingangeneleli etindzabeni tenkholo, lekufanele ihloniphe tenkholo letehlukahlukene, tinchubo tesilumbi netesintfu letentekako. Bantfu kufanele bangabandlululwa ngoba banemicabango lehlukile kuyalabanye, inkholelo nemibono. Kunaloku kwehlukana nekungafani kufanele kugcugcutelwe kuze kukhule kunotsise umphakatsi.

Lwatiso lolungetiwe ngalamalungelo luyatfolakala ku Nkhomishane Yekutfutukisa neku Vikela Emalungelo Elisiko, Inkholo ne Miphakatsi Yetilwimi [www.crlcommission.org.za](http://www.crlcommission.org.za)



## Sigaba 16 siveta lilungelo lenkhululeko yekukhuluma

Wonkhe umuntfu unelilungelo lenkhululeko yekukhuluma. Lelilungelo lifaka:

- Lilungelo letemaphepha nalabanye betetindzaba;
- Lilungelo lekutfole noma unikete lwatiso noma imibono;
- Lilungelo lekuba nelikhono lebuciko; ne
- Lilungelo lekuba nemfundvo lephakeme nenkhululeko yekucwaninga ngetesayensi.

Lelilungelo lisho kutsi wonkhe umuntfu ukhululekile kukhuluma ngelwatiso nemibono, abe anake ngalokukhetsekile kuvikeleka kwemalungelo ekukhuluma ngekwelucwaningo lwesayensi, tetindzaba nekukhuluma ngetemfundvo lephakeme. Lelilungelo kufanele lisentjentsiswe ngalokuphelele, bese kuba nemkhawulo lapho ligcugcutela khona ludlame noma lufuna kulimata labanye. Inkhulumo yenzondvo kuvamile kutsi kukhalwe ngayo e Ningizimu Africa, ikakhulukati uma kukhulunywa luhlobo lwebantfu, buhlanga, bulili noma inkholo, buve, kwenta kutsi le Nkhomishane nemakhotho ekulingana akhulume ngaletikhalo.

Imitimba lefana ne Nkhomishane Lesakata Ngetikhalo yase Ningizimu Africa , Umlamuli Wetemaphephandzaba ( Press Ombudsman), i-CCMA nayo isebenta ngetikhalo

9

## Sigaba 17 siveta lilungelo lekubutsana, umshuco, kuphatsa tincwembe letibhalwe tikhalo kanye nekubeka ticelo ngekutibhala phansi

Lesigaba siniketa kutsi wonkhe umuntu unelilungelo, lelinekuthula futsi angalinyatwa:

- Kubutsana, kushuca,
- Kuphatsa tincwembe letibhalwe tikhalo kanye
- Nekubeka ticelo ngekutibhala phansi.

Lelilungelo liniketa bantfu litfuba lekusho nabanganeliseki noma banetidzingo kodwa ngendlela lenekuthula. Awudzingi imvumo yekushuca, kodwa kufanele watiselabaphetse cishe tinsuku leti-7 kungakafiki lusuku lwemshuco.

Imininingwane lengetiwe iyatfolakala tikwencwajana ye SAHRC: Emalungelo Eluntu Nemishuco Yemiphakatsi ( Human Rights and Community Protest) nange webhusaythi yetfu [www.sahrc.org.za](http://www.sahrc.org.za).

10

## Sigaba 18 siveta lilungelo lenkhululeko yekuhlangana

Lesigaba siniketa kutsi wonkhe umuntu unelilungelo lekuhlangana nanoma ngubani.

Ngaphandle nakusho umtsetfo, lo ngalesinye sikhatsi udzinga bulunga baleminye imitimba yetemisebenti, noma kuvikelwa kutsi ungakhi tinhlango tebugebengu, bantfu bangajoyina noma bakhe noma ngabe tiphi tindlela tekuchumana, emacembu noma tinhlango.

## 11

**Sigaba 19 siveta emalungelo etepolitiki**

Wonkhe umuntfu unelilungelo lekutikhetsela ngekukhululeka licembu letepolitiki, njengelilungelo :

- Lekucala licembu letepolitiki;
- Kuhlanganyela etintfweni telicembu lepolitiki.

Wonkhe umuntfu unelilungelo:

- Lwelukhetfo lolukhululekile naloluhamba kahle;
- Kuvota ngekwemfihlo ngesikhatsi selukhetfo; ne
- Kumela umphakatsi ehhovisi ,uma kakhetsiwe kutsi aphantse lihhovisi.

I-webhusaythi nemahhovisi avelonkhe e Nkhomishane Yelukhetfo Lelitimele (IEC) ikuniketa lwatiso lolungetiwe ngelilungelo lekuvota, lukhetfo nekuhlanganyela.

I-webhusaythi yaka IEC itsi [www.elections.org.za](http://www.elections.org.za)

## 12

**Sigaba 20 siveta lilungelo lekungatsatselwe buve bakho**

Akekho umuntfu langatsatselwa buve bakhe.

Lelilungelo lisho kutsi buve bakho angeke butsatfwe kuwe. Umtsetfo 88 wa 1995 Webuve Eningizimu Afrika uniketa tibonelo lapho buve bakho bungatsatfwa khona.

Litiko Letindzaba Tasekhaya ngilo lelisebenta ngalelilungelo. Uma ufuna lwatiso lolungetiwe vakashela: [www.dha.gov.za](http://www.dha.gov.za)

13

## Sigaba 21 siveta lilungelo lenkhululeko yekuhambahamba nekuhlala

Wonke umuntu unelilungelo :

- Lekuya noma ngabe ngukuphi e Ningizimu Afrika; ne
- Kuhamba e Ningizimu Afrika uma bakhetsa kwenta njalo.

Wonke umuntu losakhamuti unelilungelo:

- Lekungena, kuhlala nekwakha Noma ngukuphi e Ningizimu Afrika, ne
- Kuba nephasiphoti.

Kufaka sicelo se phasiphoti chumana nelihhovisi lakho lasekhaya le Litiko Letindzaba Tasekhaya.

14

## Sigaba 22 siveta lilungelo lekuwheba, kusebenta nekufundzela

Wonke umuntu losakhamuti unelilungelo lekuwheba, kusebenta noma kufundzela umsebeni ngekukhululeka.

Lelilungelo lisho kutsi sakhamuti sikhululekile kukhetsa noma ngabe nguwuphi umsebeni lesitsandza kuwenta, noma sicale libhizinisi laso. Lelilungelo linemkhawulo wemtsetfo lofuna usebente umsebeni losemtsetfweni bese kuba nemibandzela lengetiwe tikwebantfu labangasito takhamuti .

Ngelwatiso lolungetiwe ngemisebeni, ungachumana nanoma ngusiphi sikhungo setemfundvo lephakeme.

Ngelwatiso lolungetiwe lwekucala libhizinisi nekufaka sicelo sekulekelwa ngemali chumana Nelitiko Lekutfufukiswa Kwemabhizinisi Lamancane ngekusebentisa iwebhusaythi yabo [www.dsbd.gov.za](http://www.dsbd.gov.za)

## 15 Sigaba 23 siveta emalungelo etisebenti nebacashi (budlelwane bekusebenta)

Wonkhe umuntu unelilungelo lenchubo yetekusebenta lemukelekile.

Umtsetfo lomkhulu lolawula budlelwane bekusebenta ufaka:

- Umtsetfo 66 wa 1995 Webudlelwane Bekusebenta; ne
- Mtsetfo 75 wa 1995 Wemigomo Sisekelo Yekucashwa;

Litiko Letetisebenti liphethise lomtsetfo. Uma ufuna lwatiso lolungetiwe vakashela [www.labour.gov.za](http://www.labour.gov.za)

Letinye tikhungo nemikhakha tisebenta kubuka tinkhinga letivela emisebentini njenge CCMA, nemakhotho etisebenti. Imikhandlu lekhethsekile yekukhulumisana kube nesivumelwano ikhona kumkhakha wetisebenti e Ningizimu Afrika. Lemikhandlu ikhuluma ngetimo tekusebenta, tinchubomgomo, imigomo nendlela netinkhinga letinemtselela emsebentini.

## 16 Sigaba 24 siveta emalungelo esimondzawo

Wonkhe umuntu unelilungelo lekuhlala endzaweni lephephile emphilweni yakhe. Emalungelo ekuhlala endzaweni lephephile ayandza futsi ayabaluleka njengobe emabhizinisi nalabanye labatsintsekako basebenta imisebenti njengesatimayini lokungaba nemtselela wekungcolisa ubulale imvelo. Kungcola kwendzawo kungabanga kugula lokuyingoti emiphakatsini lebukene nalokungcoliswa. Ngaloko lelilungelo liniketa umbuso umsebenti wekucinisekisa kutsi indzawo yekuhlala iphatseke kahle.

Litiko Letindzaba Tasekhaya Nesimondzawo lingumphatsi walelilungelo. Uma ufuna lwatiso lolungetiwe vakashela [www.environment.gov.za](http://www.environment.gov.za)



## 17 Sigaba 25 siveta emalungelo emphahla

Kute umuntu langemukwa imphahla ngaphandle nakwentiwa ngekwemtsetfo losebenta ngalokwetayelekile futsi kute umtsetfo longavumela kutsatselwa imphahla ngalokungekho emtsetfweni.

## 18 Sigaba 26 siveta lilungelo lekuba nendlu

Wonkhe umuntu unelilungelo lekutsi atfole indlu lefanele.

I-SAHRC itfolo tikhalo letinyenti letihlobene nelilungelo lekuba nendlu. Loku kucala lapho bakhala ngekutsi kutsatsa sikhatsi kuniketwa indlu, kucoshwa ngalokungekho emtsetfweni nesimo sendlu.

Tinkantolo tetfu tincume ngalokucacako ngelilungelo lekuba nendlu futsi likunakile kuvikeleka kwelilungelo ikakhulukati lapho bantfu bangahle batitfole bangenatindlu ngobe bacoshiwe.

Leminye imitsetfo lenemtselela kulelilungelo letindlu ngu:

- Umtsetfo 19 wa 1998 Wetemhlaba Lovikela Kucoshwa ne Kuhlala Ngalokungekho Emtsetfweni (PIE)
- Umtsetfo 62 wa 1997 Welilungelo Lelengetiwe lesikhatsi sekuhlala endzaweni (ESTA)

Litiko Letindlu tikwesifundza ngasinye nakubomasipala labasemadolobheni tikwesifundza ngasinye; ezingeni savelonkhe ngibo labaphetse lelilungelo.

19

## Sigaba 27 siveta lilungelo lekutfola kunakekelwa kwetempilo, kudla, emanti nekuvikeleka kwetempilo

Wonkhe umuntu unelilungelo lekutfola:

- Tinsita tekunakekelwa ngetempilo, lokufaka kunakekelwa ngetempilo tekwandzisa;
- Kudla lokwanele nemanti; ne
- Kuvikelela kutenhlalakahle, kufaka kutsi uma bangakhoni kutondla bona nebondliwa babo;
- Akekho umuntu langalelwa kutsi atfole kulashwa lokuphutfumako.

I-SAHRC ikhiphe umsebenzi lobalulekile kakhulu kulamalungelo ngalinye kulembiko yayo, luphenyo, nekugadza. Lemininingwane kanye nelishidi lelinemaphuzu lachaza kutsi ngukuphi kudla lokulungele kudliwa nencwajana lekhuluma ngemanti nekutfutfwa kwelindle kuyatfolakala ku webhusaythi ye SAHRC [www.sahrc.org.za](http://www.sahrc.org.za)

Loku lokulandzelako: imitimba inemsebenzi yekuvikela, nekutfutfukisa nekucinisekisa kutsi lamalungelo ayatfolakala:

- Litiko Letempilo [www.health.gov.za](http://www.health.gov.za)
- Litiko Letinsita Tenhlalakahle [www.dsd.gov.za](http://www.dsd.gov.za)
- I-Ejensi Yekuvikela Tenhlalakahle e- Ningizimu Africa [www.sassa.gov.za](http://www.sassa.gov.za)

20

## Sigaba 28 siniketa emalungelo ebantwana

Wonkhe umuntu longaphansi kweminyaka lenge-18 unelilungelo:

- Lekuba neligama nebuve kusukela mhla atalwa;
- Lekunakekelwa ngumndeni noma kunakekelwa batali noma lokunye kunakekelwa nangabe asuswe emndenini wakhe;
- Lekunikwa kudlasisekelo lokunemso, indzawo yekufihla inhloko, lusitosisekelo kutempilo kanye nelusito kutenhlalakahle,

- Lekuvikeleka ekuphatfweni kabi, ekutsini anganakwa, kuhlukunyetwa noma kwehliswa sitfunti;
- Lekuvikeleka ekuphatfweni kabi emsebentini;
- Lekungentiswa nekungavunyelwa kwenta imisebenti lebeka imphilo yakhe ebungotini, imfundvo yakhe, umtimba noma ingcondvo noma umoya wakhe, kutiphatsa kwakhe noma kutfutfuka kutenhlalakahle;
- Lekungavalelwa ejele, ngaphandle nangabe sekute lenye indlela yekumjezisa noma angavalelwa sikhshane lesincane futsi bagcinwe ngekwehlukani swa nalabanye bantfu labavalelwe ejele labaneminyaka lengetulu kwa-18;
- Lekuba nemmeli wamahhala;
- Inhlalakahle yalomntfwana iyintfo lebaluleke kakhulu kuto tonkhe tintfo letiphatselene nalomntfwana. Loku kufaka tintfo letifana nekunakekela nelitfuba lekubona bantfwana.

I-SAHRC ibalungele bantfwana, inetindzawo letibalungele kutsi bangatisebentisa, futsi kunenchubo lekhetsokile yekwamukela tikhalo letibuya ebantfwaneni ibuye isebentela kwenta ncono kufundzisa ngelwati lwemalungelo ebantfwana nekucinisa kuvikeleka kwemalungelo abo.

Kumhlabawonkhe inhlango lekhetsokile ivikela emalungelo ebantfwana ne Mbuso ne SAHRC itfula imibiko kulomtimba lemayelana nemalungelo ebantfwana e Ningizimu Africa.

Likhasi lemaphuzu, tincwajana, libhodi lekukhangisa nalamanye emathulusi latfolakala mahhala ku webhusaythi ye SAHRC website. [www.sahrc.org.za](http://www.sahrc.org.za)

Imitimba yetfu letiniketele kubukana nalamalungelo ngule lelandzelako:

- Litiko Letekutfutfukiswa Kwemimango [www.dsd.gov.za](http://www.dsd.gov.za)
- Le-Unithi leku SAPS Yekuvikela Bantfwana – tsintsa noma ngabe ngusiphi sitieshi semaphoyisa ucele lusito.

Lomunye umtsetfo lobalulekile lomayelana nemalungelo ebanfwana ngu Mtsetfo Webantfwana ne Kulawulwa kwa Lomtsetfo.

## 21 Sigaba 29 uniketa lilungelo letemfundvo

Wonkhe umuntfu unelilungelo:

- Lemfundvo lesisekelo, lokufaka ekhatsi imfundvo lesisekelo yalabadzala; futsi
- Lekuchubeka nemfundvo, lapho umbuso kufanele utsatse tinyatselo letisemtsetfweni naletinye letifanele naletinenchubekela embili nekwenta lelilungelo litfolakale.

Litiko Lemfundvo sisekelo ne Litiko Lemfundvo Lephakemene Kucecesha ngibo labaphetse lamalungelo. Uma ufuna lwatiso lolungetiwe vakashela lewebhusaythi lelandzelako:

- [www.education.gov.za](http://www.education.gov.za)
- [www.dhet.gov.za](http://www.dhet.gov.za)

## 22 Sigaba 30 siveta lilungelo lelulwimi nelisiko

Wonkhe umuntfu unelilungelo lekusebentisa lulwimi lwakhe nekuhlanganyela natikwemphilo yemasiko labatikhetsele wona.

Letikhungo letilandzelako ngito letisebenta ngalamalungelo. Uma ufuna imininingwane lengetiwe ungavakashela lewebhusaythi lelandzelako:

- I-Bhodi Letfutukisa Tilwimi e Ningizimu Africa [www.pansalb.org](http://www.pansalb.org)
- Inkhomishana ye CRL [www.crlcommission.org.za](http://www.crlcommission.org.za)

## 23 Sigaba 31 siveta lilungelo lekulandzela emasiko, inkholo nemiphakatsi lelandzela emasiko

Imiphakatsi lelandzela emasiko, tenkholo noma lekhuluma lulwimi lunye ingete yaphucwa lelolungelo:

- Kutfokotela emasiko ayo, ichube inkholo yayo iphindze isebentise tilwimi tayo; ne
- Kubumba, kujoyina futsi nelekugcina tinhlanganiso nemibutsana yetemsiko, tenkholo netilwimi kanye naletinye nje tinhlango temiphakatsi.

Uma ufuna imininingwane lengetiwe ngalelilungelo vakashela i- Nkhomishane ye CRL ku [www.crlcommission.org.za](http://www.crlcommission.org.za)

## 24 Sigaba 32 siveta lilungelo lekutfola lwatiso

Wonkhe umuntfu unelilungelo lekutfola:

- Noma ngabe ngimiphi imininingwana yelwati lolugciniwe ngumbuso; futsi
- Noma ngabe ngimiphi imininingwana yelwati loluginwe ngulomunye umuntfu lekayidzingela kuyisebentisa noma kuvikele noma nguwaphi emalungelo akhe.

I-SAHRC isebenta ne Mtsetfo Wekufutukisa Lilungelo Lekutfola Lwatiso [PAIA] lelibukene nelilungelo lekutfola lwatiso. Lelilungelo libalulekile kuntsandvo yelinyenti lehamba kahle kuletsa kuvuleleka, kuveta inkhohlakalo, nekucinisekisa kutsi bantfu baniketwa lwatiso lebalidzingako bakhone kuphila babe neligalelo ekwenteni tincumo ngendlela levisisekako.

Ngalomtsetfo lomusha lovikela lwatiso lwemuntfu, i- Ningizimu Afrika ibeke Umlawuli Welwatiso. (Lwatiso Regulator) Lomlawuli Welwatiso utawugadza kutsi kuyahambisana nemtsetfo we PAIA bese uyalekelela uma lwatiso lungatfolakali lugodlwe ngulabaluphetse.

## **25** Sigaba 33 siveta lilungelo lekutsatsa sinyatselo sembuso lesitsetfwe sibe sisemtsetfweni

Wonkhe umuntfu unelilungelo lesinyatselo sembuso lesisemtsetfweni. Loku kusho kutsi wonkhe umuntfu unelilungelo:

- Lekutsatsa sinyatselo sembuso lesitsetfwe sibe sisemtsetfweni; futsi
- Baniketwe tizatfu tetinyatselo letisemtsetfweni letibatsintsa ngendlela lengakavumeleki.

I-Phalamende ipasise umtsetfo lobitwa ngekutsi ngu Mtsetfo 3 wa 2000 Wekutfutfukiswa Wekulawula Bulungiswa (PAJA). Lomtsetfo ucacisa tikhatsi lekufanele lemitimba leyenta tincumo iletse ngaso timphendvulo ebantfweni, basho netizatfu tetincumo tabo. Tincumo tekulawula njengekwala kuniketa emalayisensi kungayiswa enkantolo ngekusentjentsiswa kwetinchubo tekubuyeketa.

## **26** Sigaba 34 siveta lilungelo lekukhona kuya enkhantolo

Wonkhe umuntfu unelilungelo lekutsi aletse noma ngabe nguluphi ludzaba lwekungavumelani enkantolo lolungacatululwa ngekwentsetfo kutsi luncunywe ngalokufanele yinkantolo leteka loludzaba ngalokusebaleni nome lapho kunesidzingo lubuketwe ngulelinye libandla lelitimele futsi lelingakhetsi noma inhlanganiso letsite.

Uma ufuna imininingwane ngalelilungelo vakashela Litiko Letebulungiswa. Imitimba leminyenti inetindlela tekucazulula tinkhinga ngekusebentisa libandla lelingakhetsi lelitimele ne mlamuli. Lemitimba ifuna kuletsa tisombululo letiphutfumako talokungavumelani kuvikela lelilungelo. Tincumo talemitimba tingabuyeketwa ngekusebentisa tinkantolo. Tibonelo talamabandla latimele nalangakhetsi libandla leliku Libandla Lelitimele Lekuncintisana, Libandla Lelitimele Lekucasha Tindlu ne Libandla Lelitimele Lebatseengi.

## 27 Sigaba 36 siveta kuncishiswa kwemalungelo

Emalungelo laku Mculu Wemalungelo angancishiswa ngekwemtsetfo losentjentsiswa ngalokwetayelekile kuze kufike ezingeni lapho khona lokuncishiswa kunetizatfu letibonakalako emphakatsini losebenta ngekwewentsandvo yelinyenti lobekwe esisekelweni sekuhlonishwa kwesitfunti sebuntfu, kulingana nekukhululeka.

Loku kusho kutsi lamalungelo laku Mculu Wemalungelo awakapheleli. Bantfu banemalungelo ekuncintisana nekungevisisani. Sibonelo kutsi sitfunti salomunye singancubutane nelilungelo lalomunye lekukhuluma, ngaloko Umtsetfosisekelo unelesigatjana sekunciphisa. Lesigatjana sinendlela yeluhlobo lwekunciphisa lekufanele ihlangabetane nemalungelo sisekelo uma kungasinjalo angancishiswa ngalokusemtsetfweni.



## Angavikeleka njani emalungelo eluntfu

Kuze ukhona kuvikela nekugadza kutsi emalungelo laku Lomculu wemalungelo ayachubeka futsi ayafezeka, Sigaba 9 Semtsetfosisekelo siniketa kwakhiwa kwetikhungo letitimele futsi letingaphansi kwe Mtsetfosisekelo nemtsetfo. Letikhungo atikhetsi futsi tisebentisa emandla ato bese tisebente imisebenti yato ngaphandle kwekwesaba, kukhetsa nekubandlulula.



## Inkhomishane Yemalungelo Eluntfu Eningizimu Afrika

I-SAHRC sikhungo lesitimele sahumende, sakhawe ngumtsetfosisekelo kutfutukisa, nekuvikela kuhlonishwa kwelisiko lemalingelo eluntfu e - Ningizimu Afrika. Lenkhomishane inesikhundla lesikhethsekele lesingu” A” sekusebenta nemitimba yavelonkhe kuze avikela emalungelo.

Lenkhomishane kufanele iluleke humende ngetinchubomgomo netindlela , isebente nalabanye labatsintsekako kugcugcutela kuvisiswa kwemalungelo eluntfu bese itsatsa tinyatselo lapho lamalungelo asentjentiswe kabi, ngaphandle kwekwesaba noma kukhetsa noma kubandlulula yentele kutsi bonkhe bantfu e Ningizimu Afrika bazuze.



## Umsebenti we SAHRC

Ngekwesigaba 184 se Mtsetfosisekelo, i- SAHRC kufanele:

- Igcugcutela kuhlonishwa kwemalungelo eluntfu nelisiko lemalingelo eluntfu;
- Igcugcutela kuvikeleka, kutfutuka nekutfolakala kwemalungelo eluntfu;
- Kugadza nekuhlola indlela lelawabuka ngayo emalungelo e Rephabliki.





## Yentani i-SAHRC ?

- I- SAHRC iphenya tikhalo tekusentjentsiswa kabi kwemalungelo eluntfu nekubuyeketa tikhalo temalungelo eluntfu;
- Kubuyeketa nekubika njalo ngemnyaka e Phalamende ngesimo sencubekela phambili ye Mbuso kucinisekisa kutsi emalungelo ekuhlalisana netemnotfo ayabuyiswa.
- Ihlele ngekuhamba embili ngekuya iyowatisa bantfu ngekuya kubo nekufundzisa umphakatsi ngemalungelo eluntfu ne Mtsetfosisekelo;
- Ibuyekete kwakhiwa kwemtsetfo lomusha kucinisekisa kutsi lowomtsetfo uyayibuka imigomo yemalungelo yeluntfu.
- Ichumane nebetindzaba kuletsa lwatiso lolungasita ngemalungelo eluntfu nekwatisa bantfu ngemalungelo eluntfu; ne
- Kuhlela luphenyo lwemphakatsi ibuke indlela lesentjentsiwako lebangela kusentjentsiswa kabi kwalamalungelo eluntfu.
- Yakhe indzawo yabosolwati nalabanye labatsintsekako kutsi bakhulumisane ngetindzaba temalungelo eluntfu, tidzingo nekutfufukiswa
- Isebente nelicembu lelihlukile lebantfu labatsintsekako kulungiswe ngendlela lengiyo lapho emalungele asentjentsiswe kabi, noma bagcugcutele tinchubo letincono, tinchubomgomo nemitsetfo kwentelwe emalungelo eluntfu



## Tikhalo letiphenywe yi - SAHRC

I-SAHRC inelilungelo lekwenza noma ngabe nguluphi luphenyo uma kukhona sikhalo lesivetiwe lesisolwa ngekusebentisa kabi lilugelo lelibalulekile leluntfu. I-SAHRC inemandla ekuphenya ngekwayo noma ngabe ngukuphi kusentjentsiswa kwelilungelo noma kusabisa.



## Tingafakwa kuphi tikhalo

Sikhalo singafakwa kunoma ngabe kuliphi lihhovisi lesifundza le SAHRC esifundzeni lapho letinsolo tekusebentisa kabi lomtsetfo tenteke khona.



## Ngubani longafaka sikhalo?

- Noma ngabe ngubani ngekutsandza kwakhe;
- Noma ngabe ngubani lomele lomunye umuntfu langeke akhone kutimela ngeligama lakhe;
- Noma ngabe ngubani lomele lilunga le noma amele licembu tsite noma luhlobo tsite lwebantfu;
- Noma ngabe ngubani lomele umphakatsi noma ;
- Noma ngabe nguyiphi inhlango noma sikhungo lesimele emalunga aso.



## Tingafakwa njani tikhalo?

- Ungeta ngekwakho noma ngelucingo.
- Sikhalo singatfulwa ngekubhala.
- Bafaki tikhalo bangcalisa lifomu leliku intanethi lelitfolakala ku: [www.sahrc.org.za](http://www.sahrc.org.za)



## Other Chapter 9 Institutions that monitor the protection and realisation of human rights:

### Lenkhomishane yeku Gcugcutela neku Vikela Emalungelo e Temasiko, Tenkholo ne Miphakatsi Yetilwimi (Inkhomishana ye CRL )

Tinhloso letihlelwe ngule Nkhomishane ye CRL ngu:

- Kugcugcutela inhlonipho yemalungelo emasiko, tenkholo nemiphakatsi yetilwimi;
- Kugcugcutela nekutfufukisa kuthula, bungani, buntfu, kubeketelelana nebunye kuwowonkhe umuntfu phakatsi kwetemasiko, tenkholo nasemiphakatsini yetilwimi, kwentelwa kutsi kube nekulingana, kungabi nelubandlululo nekuchumana lokukhululekile ne
- Kwenta sincomo sekwakhiwa noma kwati ngekwemtsetfo wavelonkhe , wemasiko noma umkhandlu noma imikhandlu yemiphakatsi noma imiphakatsi e Ningizimu Afrika.
- Le Nkhomishane ye CRL inemandla ekugadza, kuphenya, kucwanginga, kufundzisa, kuhlohlotela, kweluleka nekubika tindzaba letiphatselene nemalungelo elasiko, tenkholo nemiphakatsi yetilwimi.

I Nkhomishane ye CRL ingatfolakala kuleminingwane lelandzelako:

**Forum 4, Braampark Office Park**

**33 Hoofd Street Braamfontein**

**Johannesburg**

**Email address: [info@crlcommission.org.za](mailto:info@crlcommission.org.za)**

**Tel No: (011) 358 9100**

## **Inkhomishane Yekulingana Ngetebulili (CGE)**

I-CGE ineligunya ngekwe Mtsetfosisekelo lekugcugcutela inhlonipho yekulingana ngetebulili nekuvikela, nekutfutukisa nekutfolakala kwekulingana ngetebulili.

Ngekwe Mtsetfosisekelo i CGE inemandla ekugadza, kuphenya, kucwaninga, kufundzisa, kuhlohlotela, kweluleka nekubika tindzaba letiphatselene nekulingana ngetebulili.

I-CGE ingatfolakala kulemininingwana lelandzelako:

**2 Kotze Street, Women's Jail**

**East Wing, Constitutional Hill**

**Braamfontein 2017**

**Tel No: (011) 403 7182**

## **Umvikeli Wemphakatsi**

Umvikeli wemphakatsi unemandla eku:

Phenya noma ngabe ngukuphi kutiphatsa noma etindzabeni tembuso noma kuphatfwa kwahulumende kunoma ngabe nguluphi luhlaka lwahulumende lolusolelwako noma lisolwa ngekungenti kahle noma kugcine kukhombisa kungahloniphi noma lubandlululo;

- Kubika ngaloko kutiphatsa ne
- Kutsatsa tinyatselo letingito tekulungisa.

Umvikeli Wemphakatsi angatfolakala kulemininingwana lelandzelako:

**175 Lunnon Street**

**Hillcrest Office Park, Hatfield, Pretoria,0083**

**Tel No: (0800) 11 20 40**

Inkhomishane Lelitimele Yelukhetfo(IEC)

I-IEC iniketwe ligunya ngekwe Mtsetfo Sisekelo ku:

- Kuphatsa lukhetfo lwavelonkhe, lwetifundza nelwemitimba yabomasipala labaniketwe emandla ngekwemtsetfo wavelonkhe neku
- Cinisekisa kutsi lolo khetfo lukhululekile futsi luyanetisa.

I-IEC ingatfolakala kulemininingwane lelandzelako:

**Indlu Yelukhetfo**

**Riverside Office Park**

**1303 Heuwel Avenue**

**Centurion**

**0157**

**Tel No: (011) 622 57 00**

**Email: [info@elections.org.za](mailto:info@elections.org.za)**

## Nguyiphi lenye indlela yekuvikela emalungelo?

Kungeta kulo Mculu Wemalungelo, imitimba yavelonkhe neyetigodzi ngasosonkhe sikhatsi yakha tinkhambo nemigomo `ngelilungelo lelitsite leli uma imibuso ivumelana ngalo, kufanele balihloniphe. Letinkhambo nemigomo kugucuka kube mihlangano netivumelwano. Tibonelo talesivumelwano Simemetelo Samhlabawonkhe se Malungelo Eluntfu, Umhlangano Wekukhishwa kwato tonkhe tinhlobo Telubandlululo lolwenteka Kubomake ne Mhlangano Wemalungelo Ebantfwana.

Umculu we Afrika we Malungelo Eluntfu Nebantfu sivumelwano sesigodzi lesifana ne Mculu Wemalungelo asosonkhe sigodzi se Afrika. Uma live lisayina noma ngabe nguyiphi imiculu, lisuke livuma kuvikela emalungelo lelibekelwe wona. Kuze kube ngunyalo, i Ningizimu Afrika iyisayinile yonkhe lelechazwe ngenhla kanye netivumelwano letivikela bakhoseli nekusho kutsi lubandlululo ngekwebuhlanga alukho emtsetfweni. I webhusaythi ye United Nations iniketa lonkhe lwatiso nge Tivumelwano, Imihlangano, Inchubo ne Timemetelo letisayinwe yi Ningizimu Afrika ku [www.un.org](http://www.un.org)

### Ungachumana njani ne SAHRC

Forum 3, Braampark Office Park, Braamfontein

Johannesburg

Tel No: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [info@sahrc.org.za](mailto:info@sahrc.org.za)

[complaints@sahrc.org.za](mailto:complaints@sahrc.org.za)

Twitter: @SAHRCommission

Facebook: SA Human Rights Commission

# Iminingwane Yekuchumana

## EMAHHOVISI ESIFUNDZA

### Eastern Cape

Address: 4th Floor Oxford house,  
86 Oxford street, East London, 5200  
Tel: 043 722 7828/21/25 | Ifeksi: 043 722 7830

#### I-Meninja ye Sifundza

##### ***M Abongile Sipondo***

Contact: Yolokazi Mvovo  
E-mail: ymvovo@sahrc.org.za

### Free State

18 Keller Street, Bloemfontein  
Tel: 051 447 1130 | Ifeksi: 051 447 1128

#### I-Meninja ye Sifundza

##### ***Mr. Thabang Kheswa***

Contact: Alinah Khompeli  
E-mail: akhompeli@sahrc.org.za

### Limpopo

First Floor, Office 102, Library Garden Square,  
Corner of Schoeman and  
Grobler Streets, Polokwane  
Tel: 015 291 3500 | Ifeksi: 015 291 3505

#### I-Meninja ye Sifundza

##### ***Mr Victor Mavhidula***

Contact: Mahlatse Ngobeni  
E-mail: mngobeni@sahrc.org.za

### Northern Cape

45 Mark and Scot Road,  
Ancorley Building, Upington  
Tel: 054 332 3993/4 | Ifeksi: 054 332 7750

#### I-Meninja ye Sifundza

##### ***Ms Chantelle Williams***

Contact: Zukiswa Louw  
E-mail: zlouw@sahrc.org.za

### Western Cape

7th Floor ABSA building,  
132 Adderley Street, Cape Town  
Tel: 021 426 2277 | Ifeksi: 021 426 2875

#### I-Meninja ye Sifundza

##### ***Adv Lloyd Lotz***

Contact: Shafeeqah Salie  
E-mail: ssalie@sahrc.org.za

### Gauteng Office

2nd Floor, Braampark Forum 3,  
33 Hoofd Street, Braamfontein  
Tel: 011 877 3750 | Ifeksi 011 403 0668

#### I-Meninja ye Sifundza

##### ***Mr Buang Jones***

Contact: Nthabiseng Kwaza  
E-mail: nvkwaza@sahrc.org.za

### KwaZulu-Natal

First Floor, 136 Margaret Mncadi, Durban  
Tel: 031 304 7323/4/5 | Ifeksi: 031 304 7323

#### I-Meninja ye Sifundza

##### ***Ms Tanuja Munnoo***

Contact: Kathleen Boyce  
E-mail: kathleenboyce@sahrc.org.za

### Mpumalanga

4th Floor Carltex Building,  
32 Bell Street, Nelspruit  
Tel: 013 752 8292 | Ifeksi: 013 752 6890

#### I-Meninja ye Sifundza

##### ***Mr Eric Mokonyama***

Contact: Carol Ngwenyama  
E-mail: cngwenyama@sahrc.org.za

### North West

25 Heystek Street, Rustenburg  
Tel: 014 592 0694 | Ifeksi: 014 594 1069

#### I-Meninja ye Sifundza

##### ***Ms Mpho Boikanyo***

Contact: Poppy Mochadibane  
E-mail: pmochadibane@sahrc.org.za

## Ungachumana njani ne SAHRC

Forum 3, Braampark Office Park, Braamfontein

Johannesburg

Tel No: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [info@sahrc.org.za](mailto:info@sahrc.org.za)

[complaints@sahrc.org.za](mailto:complaints@sahrc.org.za)

Twitter: @SAHRCommission

Facebook: SA Human Rights Commission

