Guide on how to use the Promotion of Access to Information Act 2 of 2000
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Language sections

1 ENGLISH
2 AFRIKAANS
3 ISINDEBELE
4 ISIXHOSA
5 ISIZULU
6 SEPEDI
7 SESOTHO
8 SETSWANA
9 SISWATI
10 TSHIVENDA
11 XITSONGA

Contact details

1 NATIONAL GOVERNMENT
2 PROVINCIAL DEPARTMENTS
3 MUNICIPALITIES
Guide on how to use the Promotion of Access to Information Act 2000
Guide on how to use the Promotion of Access to Information Act 2 of 2000
South African Human Rights Commission
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Head Office Johannesburg
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Eastern Cape Port Elizabeth
Tel 043 722 7828 • Fax 043 722 7830

Free State Bloemfontein
Tel 052 447 1133 • Fax 051 447 1128

KwaZulu-Natal Durban
Tel 031 304 7323/4/5 • Fax 031 304 7323

Limpopo Polokwane
Tel 015 2913500 • 051 291 3505

Mpumalanga Nelspruit
Tel 013 752 8292 • Fax 013 752 6890

Northern Cape Upington
Tel 054 332 3993/4 • Fax 054 332 7750

North West Rustenburg
Tel: 014 592 0694 • Fax: 014 594 1089

Western Cape Cape Town
Tel 021 426 2277 • Fax 021 426 2875
Finding your way around the PAIA Guide

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Section 2
Where to find information that you need

Section 3
How to make a request for access to information

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### Useful terms

<table>
<thead>
<tr>
<th>TERMS</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access fee</td>
<td>This is the fee paid by the requester to the public or private body from which you are seeking the information, to cover the costs of finding and copying the records you require.</td>
</tr>
<tr>
<td></td>
<td><em>(For more information on access fees see Section 3 of this Guide).</em></td>
</tr>
<tr>
<td>Form A</td>
<td>Found at the end of the PAIA, on the South African Human Rights Commission’s website, and the websites of various public institutions. This form is used to request access to information held by a public body.</td>
</tr>
<tr>
<td></td>
<td><em>(For more information on Form A and requests of access to information to public bodies see Section 3 of this Guide).</em></td>
</tr>
<tr>
<td>Form C</td>
<td>Found at the end of the PAIA, on the South African Human Rights Commission’s website, and the websites of various other private companies. This form is used to request access to information held by a private body.</td>
</tr>
<tr>
<td></td>
<td><em>(For more information on Form C and requests of access to information to private bodies see Section 3 of this Guide).</em></td>
</tr>
<tr>
<td>Guide</td>
<td>Refers to this Guide on PAIA which has been compiled and published by the South African Human Rights Commission, to assist persons in using and understanding PAIA, as provided for in Section 10 of PAIA.</td>
</tr>
<tr>
<td>Information Officer and Deputy Information Officer</td>
<td>The Information Officer (sometimes referred to as IO) is the person authorised to handle PAIA requests. For a public body, this is the person who is or is acting as the head of the body. For a municipality, this is the municipal manager; for a national department it would be the Director General; for a body such as the South African Human Rights Commission it would be the CEO. The Deputy Information Officer (sometimes referred to as DIO) is the person designated by the Information Officer of a public body to assist the requester with their information request. PAIA does not provide for private bodies to designate a Deputy Information Officer; however the South African Human Rights Commission recommends that they do so for efficiency and convenience. <em>(For more information on the role of Information Officers see Section 3 of this Guide).</em></td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Internal Appeal (Form B)    | Requesters must use PAIA Form B to appeal a decision made by the national, provincial or municipal spheres of government regarding access to information.  
(For more information on internal appeals see Section 3 of this Guide). |
| Juristic person             | A company or body which is recognised by law as an entity or ‘person’ having rights and duties.                                            |
| Minister                    | References to the Minister are in relation to the Minister of Justice and Correctional Services.                                           |
| Natural person              | A real person, as opposed to a legal or juristic person such as a corporation (see juristic person above).                                    |
| Private body                | (Also referred to as a private company or institution) This is a natural or juristic person or partnership who is involved or has been involved in any trade, business or profession in that capacity. |
| Record                      | Any recorded information regardless of the form, including, for example, written documents, video materials etc. A record requested from a public or private body refers to a record that is in that body's possession regardless of whether that body created the record. |
| Request fee                 | The cost to be paid for making a request for access to information. For an information request to a public body there is a standard fee of R35; for an information request to a private body there is a standard fee of R50.  
(For more information on request fees and the exemptions see Section 3 of this Guide). |
| Requester                   | The natural or juristic person requesting access to information. A requester also refers to the person making a request on behalf of somebody else. |
| Third party                 | Any natural or juristic person who is not the requester of the information, nor the body to whom the information request is made.             |
List of abbreviations

The following abbreviations are found in this Guide and other commonly used PAIA resources:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIO</td>
<td>Deputy Information Officer</td>
</tr>
<tr>
<td>IO</td>
<td>Information Officer</td>
</tr>
<tr>
<td>ODAC</td>
<td>Open Democracy Advice Centre</td>
</tr>
<tr>
<td>PAIA</td>
<td>Promotion of Access to Information Act 2 of 2000</td>
</tr>
<tr>
<td>PPIA</td>
<td>Protection of Personal Information Act 4 of 2013</td>
</tr>
<tr>
<td>SAHA</td>
<td>South African History Archives</td>
</tr>
<tr>
<td>SAHRC</td>
<td>South African Human Rights Commission</td>
</tr>
</tbody>
</table>
Section 1
Introduction

This section includes:

1.1 The purpose of this PAIA Guide
1.2 The history of PAIA
1.3 The purpose of PAIA and how it can be used
1.4 The role of the South African Human Rights Commission
1.1 The purpose of this PAIA Guide

This Guide provides information on the Promotion of Access to Information Act of 2000 (PAIA). This PAIA Guide will assist people in making requests for information under PAIA, and provides examples on how PAIA has been used in the past to advance human rights. It does this by providing:

» An easy to understand overview of PAIA
» A breakdown of how PAIA can be used to advance other human rights
» A list of types of information which can be requested using PAIA
» A step-by-step guide on how to use PAIA to make an information request

1.2 The history of PAIA

When the South African Constitution was being drafted in the period following the fall of Apartheid in the 1990s, various organisations and individuals campaigned for the inclusion of a right of access to information. It was hoped that the inclusion of this right in the Bill of Rights - Chapter 2 of the Constitution – would ensure that atrocities such as Apartheid could never again take place as the state and private corporations would be obliged to act in an accountable and transparent manner by providing access to information, and therefore, would be unable to hide behind the veil of secrecy.

In 1996, the Constitution of the Republic of South Africa 1996 came into force. Section 32 enshrines the right of access to information held by both public and private bodies. Section 32 also states that legislation must be enacted to give effect to the right of access to information by detailing the ways in which information from public and private bodies can be accessed, and by providing grounds on which a public and private body could refuse access to information.

In 2000, the Promotion of Access to Information Act (PAIA) came into law, fulfilling the provision of section 32 of the Constitution which requires the enactment of legislation relating to access to information.

1.3 The purpose of PAIA and how it can be used

The purpose of PAIA is to promote the right of access to information, to foster a culture of transparency and accountability in South Africa. Furthermore, PAIA is aimed at encouraging an open democracy where individuals from all walks of life are empowered to engage with government and participate in decisions which affect their lives.

The right of access to information is a unique right as it enables the realisation of other human rights: this is one of the most important ways in which PAIA can be used.
Provision of government services
» PAIA can be used to empower people and to hold government to account for the provision of basic services such as water and sanitation.

Civil and political rights
» PAIA can be used to gather information which individuals can use for exercising rights such as the right to vote and the right to freedom of assembly.

Discrimination and Equality
» PAIA can be used as an advocacy tool to fight discrimination on the basis of race, gender, etc. by public or private bodies.

It is important to note that PAIA cannot be used to obtain records for use during civil or criminal legal proceedings after the commencement of such proceedings if the production or access to records for this same purpose are provided for in by law (see Section 7 of the PAIA).

1.4 The role of the South African Human Rights Commission

The South African Human Rights Commission (SAHRC) is mandated under PAIA to:
» Promote the right of access to information
» Monitor the implementation of PAIA by public and private bodies
» Make recommendations to strengthen the PAIA
» Report annually to Parliament

The Protection of Personal Information Act

The Protection of Personal Information Act 4 of 2013 (PPIA) amends PAIA in a number of ways. One of the keys ways in which PPIA changes PAIA relates to the role of the SAHRC. Under PPIA the SAHRC’s functions in terms of PAIA will be transferred to the Information Regulator, a new independent body which will be set up to monitor both PPIA and PAIA, and to handle complaints relating to access to information and the protection of personal information.

However, the SAHRC will still retain its Constitutional obligation to promote, protect and monitor the right of access to information as a rights enshrined in the Bill of Rights.
Section 2

Finding the information that you need

This section includes:

2.1 Where to find useful guides and manuals to assist you in making requests for information

2.2 Who to contact for assistance

2.3 What public and private bodies are required to do to assist information requesters

2.4 Information that is available automatically without having to make a request, in terms of PAIA
2.1 Getting started

The purpose of PAIA is to actively promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights. Sometimes one may be unsure of where to start or how to go about accessing information in terms of PAIA. PAIA foresees this problem and therefore requires that certain guides and manuals be published to map the way forward for information requesters. This section provides an overview of these guides and manuals, the responsibilities of the publishers of these guides and manuals, and, most importantly, where to find them.

Of course, one of the most powerful tools one can use to gain access to information is the formal request for information made in terms of PAIA, which this guide will assist you with. But remember, this is not the only avenue through which to pursue information. Some information is available automatically without even having to make a formal PAIA request. In some cases, legislation actually requires both public and private bodies to disclose certain information publicly. This section also provides an overview of where to access this information.

PAIA is intended to be an empowering piece of legislation that assists all South Africans. It is intended to be a law that is easy to understand and that anyone can use. One does not need a lawyer to make a request for information in terms of PAIA. This guide has been published to assist South Africans from all walks of life to uphold their constitutional right of access to information.

2.2 The PAIA Guide

Section 10 of PAIA requires the SAHRC to compile and publish an easy to understand guide to assist people in accessing records and documents and exercising one’s right to information. The guide is sometimes referred to as the ‘Section 10 Guide’.

The Guide provides you with all the information you need to access any records. It also lists the contact details of government departments and institutions that keep records for the state. The SAHRC is also required to update this guide at least once every two years.

2.2.1 Where to find the guide

This Guide is available in all official languages of South Africa: English, Afrikaans, isiNdebele, isiXhosa, isiZulu, Sepedi, Sesotho, Setswana, isiSwati, Tshivenda and Xitsonga. Copies of the Guide can be found at the head office of the SAHRC and all of its provincial offices (contact details of the offices can be found at the end of this Guide). In addition, an electronic copy is available on the SAHRC’s website (www.sahrc.org.za).
2.3 PAIA Manuals

In addition to the Section 10 Guide on PAIA compiled by the SAHRC, PAIA also requires every public body, as well as private bodies, to produce a manual which contains information on how to use PAIA to access their own records.

2.3.1 PAIA manuals for public bodies

Section 14 of PAIA requires all public bodies to publish a manual in at least three official languages that assists information requesters to make requests for information from the body concerned. At the very least, the manual must contain the following information:

<table>
<thead>
<tr>
<th>REQUIREMENT</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandate</td>
<td>The structure and functions of the public body.</td>
</tr>
<tr>
<td>Contact details</td>
<td>The postal and street address, phone and fax number and, if available, the e-mail address of the Information Officer of the public body, as well as of every Deputy Information Officer of the public body.</td>
</tr>
<tr>
<td>PAIA Section 10 Guide</td>
<td>A description of this Guide compiled by the SAHRC and how to access it.</td>
</tr>
<tr>
<td>Categories of records held</td>
<td>Adequate information to assist in facilitating access to a record held by a public body. The public body must therefore describe the subjects on which it holds records, and the categories of records held on each subject.</td>
</tr>
<tr>
<td>Automatically available</td>
<td>Some information is readily available without a person having to request access in terms of PAIA. The manual of the public body must indicate which information is readily available.</td>
</tr>
<tr>
<td>information</td>
<td></td>
</tr>
<tr>
<td>Services of the public body</td>
<td>A description of the services available to members of the public from the public body, and how to gain access to those services.</td>
</tr>
<tr>
<td>Public participation</td>
<td>A description of any arrangement or provision for a person to either consult, make representations or participate in or influence the formulation of policy; or the exercise of powers or performance of duties by the public body.</td>
</tr>
<tr>
<td>Recourse</td>
<td>The action you may take if the Information Officer of the public body refuses to give you access to information.</td>
</tr>
</tbody>
</table>
2.3.2 Where to find the manual of a public body

All public bodies must make the manual easily available to you. At the very least, they are required to do so in at least the following ways:

- By making a copy available at every office of that particular public body during office hours;
- By making available the manual on the website, if any, of the public body.

The PPIA amends PAIA in a number of ways. One of these is in relation to Section 14 manuals for public bodies. Under PPIA, these manuals will not have to be submitted to the SAHRC, but must only be available online and made available to anyone who requests a copy.

2.3.3 PAIA manuals for private bodies

Private bodies are also required to compile a manual in terms of section 51 of the PAIA. At present, not all private bodies must comply with this section. You may find, therefore, that the body from which you wish to request information has no manual. This does not mean that the body is not subject to PAIA generally. You can still request information from this body and they are still required to process your request. The procedure for making a request for information in terms of PAIA remains the same, even if the private body does not have a manual.

WHICH PRIVATE BODIES DO NOT HAVE TO PUBLISH AN INFORMATION MANUAL?

ALL private bodies must compile a manual. However, the Minister of Justice and Correctional Services may exempt certain private bodies or categories of bodies from having to publish a manual. At present, the Minister has exempted certain private bodies from having to compile manuals for a period of five years, with effect from 1 January 2016 UNLESS the body falls within the categories detailed below.
The following private companies must compile a PAIA manual if they employ over 50 employees in the following industries or have an annual turnover which is greater than the listed amount:

<table>
<thead>
<tr>
<th>INDUSTRY</th>
<th>ANNUAL TURNOVER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>R2 million</td>
</tr>
<tr>
<td>Mining and Quarrying</td>
<td>R7 million</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>R10 million</td>
</tr>
<tr>
<td>Electricity, Gas and Water</td>
<td>R10 million</td>
</tr>
<tr>
<td>Construction</td>
<td>R5 million</td>
</tr>
<tr>
<td>Retail and Motor Trade and Repair Services</td>
<td>R15 million</td>
</tr>
<tr>
<td>Wholesale Trade, Commercial Agents and Allied Services</td>
<td>R25 million</td>
</tr>
<tr>
<td>Catering Accommodation and Other Trade</td>
<td>R5 million</td>
</tr>
<tr>
<td>Storage and Communications</td>
<td>R10 million</td>
</tr>
<tr>
<td>Finance and Business Services</td>
<td>R10 million</td>
</tr>
<tr>
<td>Community, Special and Personal Services</td>
<td>R5 million</td>
</tr>
</tbody>
</table>

The Minister also stated that all companies which are not defined as ‘private companies’ under section 1 of the Companies Act 71 of 2008 are required to compile a Section 51 manual.

### 2.3.4 Where to find the manual of a private body

All private bodies that are required to compile a manual must make the manual easily available to you in the following ways:

- By making a copy available for inspection at every office of that particular private body during office hours. A private body may not charge a fee for inspection;
- By making the manual available on their website.

### 2.3.5 How to comply if you are a private body

There is useful guidance for Information Officers of private companies seeking to comply with Section 51 of PAIA on the SAHRC’s website (www.sahrc.org.za). This includes a downloadable template which Information Officers can use as a roadmap.
In terms of section 51, the head of a private body must:

- Update any material changes in the manual on a regular basis;
- Make the manual available as prescribed by the PAIA at the company offices and on their website;
- Must annex a request form (PAIA Form C) to the manual and also make request forms available on the website and at all company premises.

The manual must at the very least contain the following information:

<table>
<thead>
<tr>
<th>REQUIREMENT</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact details</td>
<td>The postal and street address, phone and fax number and, if available, the e-mail address of the Information Officer of the private company body.</td>
</tr>
<tr>
<td>Automatically available information</td>
<td>Some information is readily available without a person having to request access in terms of PAIA. The manual of the private company must indicate which information is readily available.</td>
</tr>
<tr>
<td>Records available on request</td>
<td>The Section 51 Manual must list the categories of records which are available upon request.</td>
</tr>
<tr>
<td>PAIA procedure</td>
<td>Outline the PAIA procedure to be followed to request access to information from the private company (i.e. Form C).</td>
</tr>
<tr>
<td>Company Information</td>
<td>Including the details of the head of the company or the company’s CEO (in terms of PAIA the Information Officer of a private company is usually the CEO or head).</td>
</tr>
<tr>
<td>Fees</td>
<td>State the request and access fees applicable in terms of PAIA (see Section 3 of the Guide for more information).</td>
</tr>
<tr>
<td>Recourse</td>
<td>What remedies are available to requesters if their request for information has been refused</td>
</tr>
<tr>
<td>Further Details</td>
<td>Any further details relating to requests for access to records.</td>
</tr>
</tbody>
</table>
2.4 Automatically available information held by a public body

A formal request is not required to access all types of information. Various public bodies are required through other laws to make certain information publicly available. Many institutions will also disclose certain information voluntarily for the sake of transparency, accountability and convenience to the public. To promote the voluntary disclosure of information and to facilitate greater access to this information, Section 15 of PAIA requires all public bodies to publish a list, known as the ‘Section 15 notice’ or ‘voluntary disclosure notice’, of all the information relating to that body which is available to anyone automatically.

The Information Officer of a public body must develop a voluntary disclosure notice for the public body and make it available at the offices of the public body as well as publish it in the Government Gazette. The voluntary disclosure notice must be updated every year.

The voluntary disclosure notice contains categories of records and a description of those records that are automatically available:

- For inspection in terms of any legislation other than PAIA;
- For purchase or copying from the public body; and
- From the public body free of charge.

The voluntary disclosure notice must describe how to access the records that are voluntarily disclosed and automatically available. There is no point making a formal request for certain records if those same records are available automatically. In many instances, a fee is required to process a formal request and this may take up to 30 days. This can be avoided if you first consult the voluntary disclosure notice and identify whether or not the record you are seeking is available automatically.

Although it is mandatory for a public body to publish a voluntary disclosure notice, it is not a ‘voluntary’ action by a public body. The notice is termed a ‘voluntary disclosure notice’ because it gives notice of all the information that has been voluntarily disclosed, not because it is up to the discretion of the Information Officer whether to publish the list or not.
2.5 Automatically available information held by a private body

As with public bodies, private bodies may also hold information that you can access without having to make a formal request. Before making a formal request for information in terms of PAIA which will likely involve a fee and a 30 day waiting period, find out whether this information is available automatically without having to make the formal request.

The head of a private body may, on a voluntary and periodic basis, develop a list of information that is automatically available from the private body without you having to make a formal request. This list is called a ‘section 52 notice’ or a ‘voluntary disclosure notice.’

Unlike public bodies where Information Officers must publish a voluntary disclosure notice, an Information Officer of a private body is not obligated to do so. In terms of PAIA, he/she “may, on a voluntary basis” publish such a list. This is the big difference between the section 52 notice for private bodies and the section 15 notice for public bodies.

The voluntary disclosure notice of a private body contains categories of records and a description of those records that are automatically available:

» For inspection in terms of any legislation other than PAIA;
» For purchase or copying from the public body; and
» From the public body free of charge.

The voluntary disclosure notice must also describe how to access the records that are voluntarily disclosed and automatically available.
Section 3
How to make a request for access to information

This section includes:

3.1 Types of requests
3.2 Fees associated with making requests
3.3 The role of the Information Officer
3.4 Legal recourse
3 How do I make a PAIA request?

A request for access to information can be made to both public and private bodies. The person making the request is known as the “requester”. PAIA details different ways of accessing information from either a public or private body. Specific prescribed forms must be used when requesting information. The forms can be found in PAIA.

<table>
<thead>
<tr>
<th>TYPE OF BODY</th>
<th>PAIA FORM</th>
<th>PAIA SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public body</td>
<td>Form A</td>
<td>Section 18</td>
</tr>
<tr>
<td>Private body</td>
<td>Form C</td>
<td>Section 53</td>
</tr>
</tbody>
</table>

Forms should be available on the websites of both public and private entities. They can also be found on the SAHRC website at www.sahrc.org.za.

3.1 Who can make a PAIA request?

Any person is allowed to make a request under PAIA. The requester may be:

Natural person
- the person does not have to be a South African citizen or a resident of South Africa
- Or

Juristic person
- such as a business or organisation
- Or

Person acting on behalf of a natural or justice person

The requester has a right to access records containing personal information about the requester himself, or about the person on whose behalf the request is being made.

A public body is considered a juristic person and may make a request for access to records held by private bodies, only if the public body is (1) acting in the interests of the public, and (2) if the records are required to fulfil or protect any rights other than those of the public body.

It is important to note that PAIA does not specifically provide for government departments (including national, provincial and municipal branches), and any person or institution that exercises a power or performs a duty in terms of the Constitution, (such as the SAHRC of the Public Protector), or provincial legislation (such as the Western Cape Liquor Licensing Board), to make PAIA requests to other public bodies.
3.1.1 How do I fill in a PAIA request form?

A request for access to information held by a public or private body is made by completing a PAIA request form and submitting it to the relevant body. The PAIA request must be directed to the Information Officer, Deputy Information Officer or head of the public or private body, and must use accurate and up-to-date contact details.

In addition to providing details about the relevant body, a prescribed PAIA request form must include the following:

<table>
<thead>
<tr>
<th>INFORMATION REQUIRED</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Details of the requester</td>
<td>Enough information about the requester reasonably easy to identify, including the contact details of the requester: postal address, email address, fax and/or telephone number in South Africa.</td>
</tr>
<tr>
<td>Details of the record requested</td>
<td>Enough information about the record to make it reasonably easy to identify. Additional paper may be used to detail the request, as long as each additional page is signed and attached to the request form.</td>
</tr>
<tr>
<td>Manner of access to the record</td>
<td>A description of the form or manner in which the record should be provided or made accessible.</td>
</tr>
<tr>
<td>Manner in which to inform requester of access</td>
<td>Manner in which to inform the requester about the decision to grant or deny the request.</td>
</tr>
<tr>
<td>Language choice</td>
<td>When a request is made to a public body, the preferred language in which to receive the record must be provided.</td>
</tr>
<tr>
<td>Capacity of authorised person making request</td>
<td>When a request is made on behalf of someone else, proof of the capacity in which the person making the request must be provided (known as the authorised person).</td>
</tr>
<tr>
<td>Rights concerned</td>
<td>When a request is made to a private body, the requester must state the right that is implicated and explain why the record is required for the exercise or protection of that specific right.</td>
</tr>
</tbody>
</table>
Requesters who are unable to read or write can make verbal requests to the Information Offices or Deputy Information Officer of a public body, who is then responsible for completing Form A on behalf of the requester.

3.1.2 Is there a procedure that has to be followed when making a PAIA request?

A requester must be granted access to the records requested if he/she has complied with the following procedural requirements:

- The PAIA request must be made on the correct form (Form A for public bodies, Form C for private bodies), and addressed to the Information Officer or Deputy Information Officer of the public or private body, or to the head of the public or private body.
- The PAIA request form must be hand-delivered, posted, faxed or sent via email to the public or private body to which the request has been made.
- The records requested are not subject to the refusal grounds provided for under PAIA.

3.2 What is the cost for making a PAIA request?

Requesters are required to pay a fee when requesting access to records from both public and private bodies.

The fee for requesting records from a public body is R35, while the fee for requesting records from a private body is R50.

It is important to note that requesters who are requesting access to their personal information are exempt from paying the request fee; however, they are still required to pay access fees.

Requesters who earn less than R14,712 per year (if single) and R27,192 per year (if married or in a life partnership), do NOT have to pay access fees.
3.2.1 What is the cost for accessing records under PAIA?

Requesters are also required to pay fees for accessing the records of public and private bodies. This fee covers the cost of searching for the record and copying it.

The fees for accessing records of public bodies are:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copy per A4 Page</td>
<td>60 cents</td>
</tr>
<tr>
<td>Printing per A4 page</td>
<td>40 cents</td>
</tr>
<tr>
<td>Copy on a CD</td>
<td>R40</td>
</tr>
<tr>
<td>Transcription of visual images per A4 page</td>
<td>R22</td>
</tr>
<tr>
<td>Copy of a visual image</td>
<td>R60</td>
</tr>
<tr>
<td>Transcription of an audio recording per A4 page</td>
<td>R12</td>
</tr>
<tr>
<td>Copy of an audio recording</td>
<td>R17</td>
</tr>
<tr>
<td>Search and preparation of the record for disclosure</td>
<td>R15 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation</td>
</tr>
</tbody>
</table>

The fees for accessing records of a private body are:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copy per A4 Page</td>
<td>R1.10</td>
</tr>
<tr>
<td>Printing per A4 page</td>
<td>75 cents</td>
</tr>
<tr>
<td>Copy on a CD</td>
<td>R70</td>
</tr>
<tr>
<td>Transcription of visual images per A4 page</td>
<td>R40</td>
</tr>
<tr>
<td>Copy of a visual image</td>
<td>R60</td>
</tr>
<tr>
<td>Transcription of an audio recording per A4 page</td>
<td>R20</td>
</tr>
<tr>
<td>Copy of an audio recording</td>
<td>R30</td>
</tr>
<tr>
<td>Search and preparation of the record for disclosure</td>
<td>R30 per hour or part thereof, excluding the first hour, reasonably required for the search and preparation</td>
</tr>
</tbody>
</table>

Postage fees have to be paid by the requester for the delivery of their records in the case of both public and private bodies.
Exceptions

If the Information Officer, Deputy Information Officer, or head of the public/private body thinks that the collection and reproduction of documents will take longer than six hours, he/she must inform the requester (by formal notice) that one third of the access fee is payable upfront as a deposit.

If the record is not provided in the form requested, the access fee that is charged to the requester must not exceed the fee that would have been charged if access was granted in the form requested. However, this rule does not apply when an alternative form is required because information had to be severed from the record. If the requester cannot read, view or hear the record in the form held by a public body because of a disability, the public body is required to provide the record in a form that is accessible to the requester. The access fee charged to the requester must not exceed the fee that would have been charged but for the disability.

3.3 Can an Information Officer help me make a PAIA request?

When a PAIA request is made to a public body, the Information Officer or Deputy Information Officer must help you when necessary to complete the PAIA forms.

Such assistance must be given free of charge.

<table>
<thead>
<tr>
<th>DUTIES OF INFORMATION OFFICERS</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assist the requester in completing the PAIA form</td>
<td>When a PAIA request does not follow all of the set requirements detailed in PAIA and on the prescribed form, the Information Officer or Deputy Information Officer may NOT refuse the request. Instead, the Information Officer must inform the requester, in writing, that he/she is unable to grant the request because it is incomplete, and offer to help the requester make the necessary changes to the form. If the requester does not respond to the letter or correct the form in a reasonable amount of time, then the Information Officer may refuse the request.</td>
</tr>
<tr>
<td>Provide requester with relevant information where possible</td>
<td>If it would be reasonable and possible to do so, the Information Officer must provide the requester with any other information held by the public body which is also relevant to the request, even if the records were not part of the original request.</td>
</tr>
<tr>
<td>Transfer request</td>
<td>When a PAIA request is made to the incorrect public body, the Information Officer of that body must transfer the request to the correct public body within 14 days of receiving the request and must inform the requester of the transfer in writing.</td>
</tr>
</tbody>
</table>
### Duties of Information Officers

<table>
<thead>
<tr>
<th>Description</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 days to respond to request</td>
<td>A PAIA request must be responded to by the public or private body within 30 days after receiving the request. The Information Officer may request an extension for a period of no more than 30 additional days for specific reasons, which include the request involving (1) a large volume of documents, (2) consultation with other public or private entities, (3) or if the requester has granted the extension in writing. Only one extension is allowed per PAIA request.</td>
</tr>
<tr>
<td>Grant or deny access</td>
<td>It is the responsibility of the Information Officer to grant or deny access to the records. This decision must be put to the requester in writing.</td>
</tr>
<tr>
<td>Form of access, access fee and recourse</td>
<td>When a PAIA request is granted, the Information Officer must notify the requester of the form in which access will be given and of the amount of the access fee, which must be paid once access has been given. The notice must also inform the requester that he/she has the right to lodge an internal appeal and application to court against the access fee or against the form in which access will be granted. In addition, the notice must also provide information about the time within which an appeal or court application must be filed as well as the procedure that must be followed.</td>
</tr>
<tr>
<td>Denial of request</td>
<td>If a PAIA request is denied, the notice to the requester must state the reasons for refusal, which must be supported by the relevant provisions of PAIA. As with the form of access and amount of access fees, the notice must provide the requester with information regarding his/her right to appeal the decision or to file an application in court.</td>
</tr>
<tr>
<td>Defer release of the record</td>
<td>The Information Officer may decide to defer the release of a record to a requester in terms of Section 24 of PAIA if that record is intended to be published within 90 days or if the record is required by law to be published but is yet to be.</td>
</tr>
</tbody>
</table>

PAIA states in Sections 23 (for a public body) and 55 (for a private body) that if an Information Officer is unable to find the particular records requested, or it is believed that they do not exist, the Information Officer must, after ensuring that all reasonable steps have been located to find the record, submit an affidavit to the requester giving notice that the records in question do not exist or cannot be found. The affidavit must be very detailed.
3.4 What legal remedies do I have when my PAIA request is denied?

A requester has the right to take legal steps against the Information Officer, Deputy Information Officer, or head of the public or private body if the Information Officer:

- Denies access to a record
- Extends the time to respond to a request
- Charges a request fee or an access fee
- Provides access to a record in a form different from the one originally requested.

This section will explain the legal remedies available to requesters who wish to challenge such decisions.

3.4.1 Legal Recourse against Public Bodies

When a requester is unhappy with a decision made by the Information Officer of a public body, the requester has the right to file an internal appeal. An internal appeal involves a more senior person, known as the relevant authority, reviewing the decision of the Information Officer and deciding whether he/she made the correct decision. If the senior person approves of the Information Officer’s decision, then the internal appeal is denied and the original decision regarding the PAIA request is confirmed. If the senior person does not approve of the Information Officer’s decision, then the appeal is granted and the original decision regarding the PAIA request is overturned.

It is important to note that you can only submit an internal appeal to national, provincial and municipal government departments. No internal appeal procedure is available for other public bodies.

The City of Cape Town is an example of a municipal government department against which an internal appeal can be submitted. The Road Accident Fund is an example of a public body which is not part of national, provincial or local government as it is set up by legislation (the Road Accident Fund Act), and therefore an internal appeal cannot be lodged against them.

3.4.1.1 Who may lodge an internal appeal?

A requester who makes a PAIA request to a national, provincial or municipal public body and is refused access has the right to file an internal appeal. This is done by completing a PAIA Form B and filing it with the national, provincial or municipal public body. A copy of Form B can be found on the website of the relevant bodies and is also available at the SAHRC.

If the internal appeal involves any third party, the public body that has received the internal appeal is responsible for notifying all relevant third parties. The requirements for notification and representation are the same as those required for the original PAIA request.

Third parties are also allowed to file internal appeals against the decision made by a public body to grant access to a specific record.
3.4.1.2 When may you lodge an internal appeal?

A requester may lodge an internal appeal against the decision of a public body for the following reasons:

» The requester is not satisfied with the fees required for the request.

» The requester is not satisfied with the decision to grant a 30 day extension to the public body to respond to the request.

» The requester is not satisfied when the form in which the records are provided are not the same as the form that was requested, and the requester believes that it would not have been unreasonably burdensome for the public body to provide the records in the requester’s preferred form.

3.4.1.3 How do I make an internal appeal?

An internal appeal must be filed by the requester within 60 days of receiving the refusal for the original PAIA request. This is done by completing a Form B and submitting it to the relevant national, provincial or municipal government department.

<table>
<thead>
<tr>
<th>National Government</th>
<th>If the PAIA request was made to a national department, the requester may file an internal appeal with the Minister of that department.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Government</td>
<td>If the PAIA request was made to a provincial department, the requester may file an appeal with the Member of the Executive Council of that department.</td>
</tr>
<tr>
<td>Municipal Government</td>
<td>If the PAIA request was made to a municipal department, the requester may file an appeal with the mayor of the municipality, or the speaker of the municipality, or any other person designated by the Municipal Council for that specific municipality.</td>
</tr>
</tbody>
</table>

The Form B is submitted to the same Information Officer/Deputy Information Officer who refused the initial request, who is then required to forward it to the more senior person.

**NOTE:**

If the appeal requires that notice be given to a third party (i.e., when the information contains personal information about another person, as well as confidential information, specific commercial information, and research information about the third party), then the appeal must be lodged within 30 days of notice being given to that third party.

A requester must submit the internal appeal to the Information Officer of the relevant body via post, fax or email.

An internal appeal must include the subject of the internal appeal, reasons in support of the appeal, and include any other relevant information known to the person making the appeal.

If the requester would like to be informed of the decision regarding the internal appeal in a different manner (in addition to a written reply), he/she must state the preferred manner and provide any necessary information.
3.4.1.4 What happens when an internal appeal is lodged after the expiry date of the prescribed period?

When an internal appeal is filed after the 60 day period has lapsed, the relevant public body must accept the appeal if good cause is shown for the late lodging. When the relevant public body does not accept the late lodging of an internal appeal, it must provide notice to the person who lodged the appeal.

3.4.1.5 What are the fees for internal appeals?

A requester who lodges an internal appeal is required to pay the prescribed fee. The decision regarding the appeal may be deferred until the fee is paid.

CAN I FILE AN APPLICATION IN COURT AGAINST THE DECISION OF A PUBLIC BODY?

Yes. If your internal appeal against a public body has been unsuccessful, or if the public body refused to accept the late lodging of an internal appeal, or if you have been aggrieved in any way because of a decision made by the public body, you may apply to court for relief by filing an application within 180 days of receiving the decision for more information, see below). A requester or third party may only apply to court after the internal appeal process has been concluded.

3.4.2 Legal Recourse against Private Bodies

When a requester is not satisfied by a decision made by the head of a private body, for example for refusing access, for imposing access fees, or for extending the time period in which the response is due, the requester may apply to court for relief within 180 days of receiving the decision for more information, see below) that has caused the grievance. The decision of the private body will be reviewed by a court and a decision will be made by the courts as to whether or not to provide access to the requested records.

BRUMMER V MINISTER FOR SOCIAL DEVELOPMENT

In this matter the courts stated that the original 30 day period under PAIA for a requester to apply to the courts if dissatisfied with the decision of an Information Officer was insufficient to serve the cause of justice. It was therefore held that the 30 day time period was invalid and was to be extended to 180 days. This judgment has been reflected in PPIA

Access to information cases can be heard before the Magistrate’s Courts as a court of first instance, as provided for under section 79 of PAIA, and also the High Courts.
3.4.3 What will happen to my case in court?

There are several possible outcomes when taking a PAIA case to court. After hearing both sides of the matter, the presiding officer has the power to grant an order. This may include an order that: (1) confirms, changes, or removes the decision of a public or private body with respect to the PAIA request; (2) requires the public or private body to take a specific action or to refrain from a specific action; (3) grants an interdict, a declaratory order, specific relief, or compensation; or (4) calls for the payment of particular costs.
Section 4
When access to information can/may be refused

This section includes:

4.1 Balancing the right to access information with other rights

4.2 Mandatory v discretionary grounds for refusal of access

4.3 Grounds for refusal listed in PAIA

4.4 The public interest test
4.1 When access to information may be refused

This section provides an overview of when access to information may be refused under PAIA, and a guide on how to apply the rules that permit an Information Officer to refuse a request. PAIA lists 12 grounds on which access to information may be refused by an Information Officer of a public or private body, some of which are mandatory and some of which are discretionary (see section 4.2 below for further information). In addition, PAIA creates a public interest clause which in certain instances effectively overrides any of the grounds of refusal of access to information where the public interest is of concern. (See section 4.4 below for further information).

### BALANCING THE RIGHT OF ACCESS TO INFORMATION WITH OTHER RIGHTS

<table>
<thead>
<tr>
<th>GENERAL RULE</th>
<th>The right of access to information is enshrined in the Bill of Rights of the South African Constitution. In order to give effect to this right, access to information should be granted as often as possible.</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXCEPTION</td>
<td>Like many other rights contained in the Bill of Rights, the right of access to information can be limited or refused in certain circumstances. PAIA sets out grounds on which information requests may be refused, and therefore, where the right of access to information may be limited.</td>
</tr>
</tbody>
</table>

4.2 Mandatory v Discretionary grounds for refusing access to information

PAIA states that in certain circumstances information cannot be disclosed by the Information Officer. In short, the reasons behind why information cannot be disclosed relate to whether the disclosure of the information would cause more harm than non-disclosure would. PAIA therefore lists 12 grounds under which access to information can be refused by the Information Officer of the public or private body (these 12 grounds are detailed in section 4.3 below). Some of these reasons for non-disclosure are mandatory, meaning that the Information Officer must not allow access to the information if one of the mandatory grounds for refusal of access to information can be proved. Other grounds for refusal of access to information are discretionary. This means that the Information Officer may or may not disclose the information. Therefore, the Information Officer must apply his/her discretion when deciding whether or not to disclose the information. He/ she must do this by assessing whether disclosure would cause more harm to the public or private body than non-disclosure.
When access to information can/may be refused

Section 4

PAIA TERMS TO NOTE...

For mandatory refusals, PAIA uses the word “must”.

For discretionary refusals, PAIA uses the word “may”.

Remember: As an Information Officer, you must remain objective when applying a ground for refusal of access to information. Do not take sides. Be impartial at all times!

4.3 Grounds for refusing of access to information

As stated above, there are various grounds under which an access to information request may or must be refused by an Information Officer of a public or private body. These grounds are listed in PAIA under Chapter 4 of Part 2 for a public body, and Chapter 4 of Part 3 for a private body.

4.3.1 Protection of the privacy of a third party

An Information Officer of a public or private body must not allow access to personal information of a natural person, including a deceased individual (for a definition of “natural person” see Useful Terms above). PAIA states that in order to protect the right to privacy of a third party who is a natural person, the Information Officer must assess whether releasing the information in question to the requester ‘would involve the unreasonable disclosure of personal information’ (see sections 34 and 63 of PAIA).

Section 1 of PAIA provides a broad definition of what information constitutes “personal information”. It includes information relating to sex, pregnancy, and religion, as well as personal correspondence, DNA, fingerprints, and instances where the individual’s name appears in records.

The Information Officer must also consider whether or not the personal information in question falls into the following categories of personal information which may be disclosed:

- Personal information of an individual who has given consent for this information to be released;
- Personal information which has already been made public;
- Personal information about a child under the age of 18 where the disclosure of such information is in the best interest of the child, and the requester is the child’s carer (i.e. parent or guardian);
- Personal information of a deceased person to a requester who is the individual’s next of kin, or who has been authorised (written consent) by the next of kin;
- Personal information of a deceased person who has been deceased for a period of more than 20 years;
- Personal information of an official of a public or private body and where the information relates to their position as an official.

PAIA requires that Information Officers from the South African Revenue Services (SARS) do not disclose personal tax and revenue information, unless the requester is requesting access to his/her own information.
4.3.2 Protection of commercial information of a third party

The Information Officers of public and private bodies must refuse access to information if releasing that information would cause harm to the commercial or financial interests of the business. PAIA lists the following commercial information which cannot be disclosed by an Information Officer:

- Trade secrets;
- Financial, commercial, scientific, research or technical information about a third party which, if released, would cause harm to the third party;
- Information which has been supplied in confidence by the third party.

Although there is a general rule to protect the information of a company, a public body is required to operate in a transparent manner. There are therefore certain instances where commercial information of a company can be released.

PAIA Exclusion: Records of a third party which contain information relating to public safety or environmental risks must be released, even if the release of such information will likely cause harm to the third party. This constitutes public interest information (see section 4.4 below).

4.3.3 Protection of confidential information

PAIA provides that an Information Officer must refuse access to a record if the release of the record will amount to a breach of a duty of confidence owed to a third party in terms of an agreement or contract.

4.3.4 Protection of the safety of individual and property

This section states that an Information Officer must refuse access to a record if the disclosure of the record could reasonably be expected to compromise the safety of an individual or property. This section has a right to privacy aspect to it as it considers the personal life of an individual and their property.

4.3.5 Protection of information in legal proceedings

The purpose of this section is to protect information required in legal and law enforcement processes. This section recognises other legislation governing certain categories of information. In this section, the Criminal Procedure Act 51 of 1977 is recognised as the law governing records pertaining to bail proceedings and other law enforcement procedures. Also, this applies to records that are privileged from production and that are not available to anyone else other than the person who has the privilege to access those records. For example, any records subject to the relationship between an attorney and his/her client are protected under section 40 of PAIA.

Although PAIA acknowledges the existence of other legislation relating to the management and disclosure of information and records, where the other legislation unjustifiably limits the right of access to information and is contrary to the principles of transparency and accountability, PAIA will supersede that law.
4.3.6 Protection of Research Information

An Information Officer of a public or private body must refuse access to records which contain information relating to research which is or will be undertaken by the public or private body in question or a third party. This refusal of access to information is in circumstances where the disclosure of the record will expose the research of the third party or public or private body, the individual or institution carrying out the research, or the subject matter of the research to a serious disadvantage (see sections 43 and 69 of PAIA).

4.3.7 Information where access may be refused

The following categories of information relate to information which an Information Officer may refuse access to if they can justify that the information in question falls within the following categories and is not in the public interest to disclose (for further information on the public interest clause see section 4.4 below).

4.3.7.1 South Africa’s defence, security and international relations

Section 41 of PAIA requires an Information Officer to consider whether the request for information relates to information about the security of South Africa. The Information Officer may refuse a request if they can prove that it will compromise the safety of South Africa to release the information.

4.3.7.2 Economic, financial and commercial interest of South Africa

Section 42 of PAIA requires the protection of information of a public body if its disclosure will be harmful to the economic and financial status of the Republic. This ground for refusal is discretionary meaning that the Information Officer must take into account that public bodies are mandated under the Constitution of South Africa to be accountable to the public, and that it is therefore only in certain instances that the information may be refused. Further, the Information Officer will need to demonstrate that the disclosure of the information in question will cause harm to the financial and economic interests of South Africa.

4.3.7.3 Operations of public bodies

Section 44 of PAIA gives Information Officers the discretion to refuse access to a record if it will hamper the operations of a public body. Section 44 is broad and may include:

- Minutes of meetings;
- Records containing advice or opinions;
- Records pertaining to consultations with other bodies;
- Records pertaining to the formulation of policies or recommendations.

4.3.7.4 “Manifestly frivolous or vexatious requests, or substantial and unreasonable diversion of resources”

An Information Officer may refuse a request for information if he/she is of the opinion that processing requests will be unreasonably time consuming and lead to waste of resources. In addition, an Information Officer may refuse access to a record if the request is seen to be made by a requester to unnecessarily annoy or provoke.
4.4 Public Interest Override

All the protections afforded to information as detailed above falls away if the release of the information is in the public interest. In this way, the public interest test overrides all the other grounds of refusal of access to information.

The following test must be applied by an Information Officer of a public or private body before refusing to allow access to information that falls under the categories for non-disclosure listed above. If these conditions are met, then the information must be disclosed on the grounds of public interest.

- Does the information demonstrate a serious breach of a law?
- OR
- Do the records in question contain information relating to an imminent and serious public safety or environmental risk?
- AND
- Does the public interest in disclosing the information clearly outweigh the potential harm?
Section 5
Key references and other useful information

This section includes:

5.1 A list of some of the key references used to compile this PAIA Guide, including legislation including legislation

5.2 A list of other useful PAIA resources
5.1 Key references

<table>
<thead>
<tr>
<th>RESOURCE</th>
<th>AUTHOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotion of Access to Information Act 2 of 2000</td>
<td>Legislation</td>
</tr>
<tr>
<td>Protection of Personal Information Act 4 of 2013</td>
<td>Legislation</td>
</tr>
<tr>
<td>PAIA Unpacked (available at <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (available at <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (available at <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (available at <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (available at <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 PAIA Regulations

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>DATE</th>
<th>SUBJECT AND DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice: No. R. 1244</td>
<td>22 September 2003</td>
<td>Amendment relating to the availability of the PAIA manuals of public and private bodies.</td>
</tr>
<tr>
<td>Government Notice: No. R. 233</td>
<td>9 March 2001</td>
<td>This Regulation relates to the fees payable for access to records of public and private bodies.</td>
</tr>
<tr>
<td>Government Notice: No. R. 466</td>
<td>1 June 2007</td>
<td>Includes forms for Information Officers to follow when publishing voluntary disclosure notices in terms of sections 15 and 52 of PAIA.</td>
</tr>
</tbody>
</table>
5.3 PAIA Amendments

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>DATE</th>
<th>SUBJECT AND DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice: No. 428</td>
<td>31 March 2004</td>
<td>Amendment to section 92(4) of PAIA to provide for offences and penalties for persons who deliberately and wrongfully obstruct a requester’s request for information, for example by destroying records.</td>
</tr>
<tr>
<td>Government Notice: No. 96</td>
<td>15 January 2003</td>
<td>Amendment to PAIA to provide for the training of presiding officers in the Magistrates’ Courts to hear PAIA matters.</td>
</tr>
<tr>
<td>Government Notice: No. R. 187</td>
<td>15 February 2002</td>
<td>Amendment to PAIA regarding this Section 10 Guide and the availability of PAIA manuals.</td>
</tr>
<tr>
<td>Government Notice: No. 1263</td>
<td>11 April 2003</td>
<td>Notice relating to the availability of the PAIA manuals of private bodies.</td>
</tr>
</tbody>
</table>

5.4 Other useful PAIA resources

1) Using PAIA to Promote Housing Rights, SAHA (available at www.saha.org).
2) Accessing Information for Your Community, SAHA (available at www.saha.org).
3) Accessing Information in the LGBTI Sector, SAHA (available at www.saha.org).
Gids vir die Gebruik van die Wet op Bevordering van Toegang tot Inligting, wet 2 van 2000
Gids vir die Gebruik van die Wet op Bevordering van Toegang tot Inligting, wet 2 van 2000
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Hoe om die PAIA-gids te gebruik

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Inleiding tot die PAIA-gids

Afdeling 2
Waarom die inligting wat u wil hê, te kry

Afdeling 3
Hoe om ’n versoek vir toegang tot inligting te rig

Afdeling 4
Wanneer toegang tot inligting geweier kan/ mag word

Afdeling 5
Belangrike bronne en hulpbronne vir verdere inligting

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<tr>
<th>TERME</th>
<th>BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toegangsgelde</td>
<td>Dit is die geld wat deur die versoeker betaal moet word aan die openbare of privaat liggaam by wie u die inligting wil kry, om die koste te dek verbone aan die vind en kopiëring van die rekords wat u nodig het.</td>
</tr>
<tr>
<td></td>
<td><em>(Vir meer inligting oor toegangsgelde, kyk Afdeling 3 van hierdie Gids.)</em></td>
</tr>
<tr>
<td>Vorm A</td>
<td>Te vinde aan die einde van PAIA, op die Suid-Afrikaanse Menseregtekommissie se webblad en die webblaai van verskeie ander openbare instellings. Hierdie vorm word gebruik om toegang te versoek tot inligting wat deur ’n openbare liggaam gehou word.</td>
</tr>
<tr>
<td></td>
<td><em>(Vir verdere inligting oor Vorm A en versoekte vir toegang tot inligting aan openbare liggame, kyk Afdeling 3 van hierdie Gids.)</em></td>
</tr>
<tr>
<td>Vorm C</td>
<td>Te vinde aan die einde van PAIA en op die Suid-Afrikaanse Menseregtekommissie se webblad en die webblaai van verskeie ander privaat maatskappye. Hierdie vorm word gebruik om toegang te versoek tot inligting wat deur ’n privaat liggaam gehou word.</td>
</tr>
<tr>
<td></td>
<td><em>(Vir verdere inligting oor Vorm C en versoekte vir toegang tot inligting aan privaat liggame, kyk Afdeling 3 van hierdie Gids.)</em></td>
</tr>
<tr>
<td>Gids</td>
<td>Dit verwys na hierdie Gids oor PAIA wat deur die Suid-Afrikaanse Menseregtekommissie saamgestel en gepubliseer is, soos bepaal in artikel 10 van PAIA, om persone te help om die Wet te gebruik en te verstaan.</td>
</tr>
<tr>
<td>Inligtingsbeampte en Adjunkinligtingsbeampte</td>
<td>Die Inligtingsbeampte (soms ook IB genoem) is die persoon wat deur die betrokke instelling gemagtig is om PAIA-versoeke te hanteer. Vir ’n openbare liggaam is dit die persoon wat die hoof van die liggaam is of as sodanig waarnem. Vir ’n munisipaliteit is dit die munisipale bestuurder; vir ’n nasionale department is dit die Direkteur-generaal; vir ’n liggaam soos die Suid-Afrikaanse Menseregtekommissie is dit die Hoof Uitvoerende Beampte.</td>
</tr>
<tr>
<td></td>
<td>Die Adjunkinligtingsbeampte (soms AIB genoem) is die persoon wat deur die Inligtingsbeampte van ’n openbare liggaam aangewys is om versoekers by te staan met hulle inligtingsversoekte.</td>
</tr>
<tr>
<td></td>
<td>PAIA maak nie daarvoor voorsiening dat privaat liggame ’n Adjunkinligtingsbeampte aanwy nie, maar die Suid-Afrikaanse Menseregtekommissie beveel aan dat hulle dit doen vir doeltreffendheid en gerief.</td>
</tr>
<tr>
<td></td>
<td><em>(Vir meer inligting oor die rolle van Inligtingsbeamptes, kyk Afdeling 3 van hierdie Gids.)</em></td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Interne appèl (Vorm B)</td>
<td>Versoekers gebruik PAIA se Vorm B om te appelleer teen ’n besluit oor toegang tot inligting slegs van die nasionale, provinsiale of munisipale sfere van regering.</td>
</tr>
<tr>
<td>Regspersoon</td>
<td>’n Maatskappy of liggaam wat regtens erken word as ’n enkele entiteit of ‘persoon’ met regte en pligte.</td>
</tr>
<tr>
<td>Minister</td>
<td>Verwysings na die Minister het betrekking op die Minister van Justisie en Korrektiewe Dienste.</td>
</tr>
<tr>
<td>Natuurlike persoon</td>
<td>’n Regte persoon, anders as ’n regspersoon soos ’n korporasie (kyk regspersoon hierbo).</td>
</tr>
<tr>
<td>Privaat liggaam</td>
<td>(Ook ’n privaat maatskappy, instelling of liggaam genoem.) Dit is ’n natuurlike of regspersoon of vennootskap wat betrokke is of was by enige handel, besigheid of professie in daardie hoedanigheid.</td>
</tr>
<tr>
<td>Openbare liggaam</td>
<td>(Ook ’n openbare instelling of departement genoem.) Dit is enige departement of instelling van die nasionale, provinsiale en plaaslike sfere van regering. Dit sluit ook enige instelling in wat ’n funksie of plig van die staat verrig het op die tyd toe die betrokke rekord geskep is.</td>
</tr>
<tr>
<td>Rekord</td>
<td>Enige aangetekende inligting, ongeag die vorm, insluitende byvoorbeeld skriftelike dokumente, videomateriaal ens. ’n Rekord wat van ’n openbare of privaat liggaam versoek word, verwys na ’n rekord wat in daardie liggaam se besit was ongeag of daardie liggaam die rekord geskep het.</td>
</tr>
<tr>
<td>Versoekgelde</td>
<td>Die koste wat betaal moet word om ’n versoek vir toegang tot inligting te rig. Vir ’n inligtingsversoek aan ’n openbare liggaam is daar ’n standaardbedrag van R35; vir ’n inligtingsversoek aan ’n privaat liggaam is daar ’n standaardbedrag van R50.</td>
</tr>
<tr>
<td>Versoeker</td>
<td>Die versoeker is die natuurlike of regpersoon wat ’n versoek vir toegang tot inligting rig. ’n Versoeker verwys ook na die persoon wat die inligtingsversoek namens iemand anders rig.</td>
</tr>
<tr>
<td>Derde party</td>
<td>Dit verwys na enige natuurlike of regpersoon wat nie die versoeker van die inligting is nie en ook nie die liggaam aan wie die inligtingsversoek gereg word nie.</td>
</tr>
</tbody>
</table>
Lys van afkortings

Die volgende afkortings verskyn in hierdie Gids en word algemeen gebruik in PAIA-hulpbronne:

<table>
<thead>
<tr>
<th>Afkorting</th>
<th>Omskrif</th>
<th>Verwysing</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIB</td>
<td>Adjunktinligtingsbeampte</td>
<td></td>
</tr>
<tr>
<td>IB</td>
<td>Inligtingsbeampte</td>
<td></td>
</tr>
<tr>
<td>ODAC</td>
<td>Open Democracy Advice Centre</td>
<td></td>
</tr>
<tr>
<td>PAIA SAHA</td>
<td>Wet op Bevordering van Toegang tot Inligting, Wet 2 van 2000 South African History Archives</td>
<td></td>
</tr>
<tr>
<td>SAMRK</td>
<td>Suid-Afrikaanse Menseregtekemmissie</td>
<td></td>
</tr>
<tr>
<td>WBPI</td>
<td>Wet op Beskerming van Persoonlike Inligting, Wet 4 van 2013</td>
<td></td>
</tr>
</tbody>
</table>
Hierdie afdeling sluit in:

1.1 Die doel van hierdie PAIA-gids
1.2 Die geskiedenis van PAIA
1.3 Die doel van PAIA en hoe dit gebruik kan word
1.4 Die rol van die Suid-Afrikaanse Menseregtekommissie
1.1 Die doel van hierdie PAIA-gids

Hierdie Gids bevat inligting oor die Wet op Bevordering van Toegang tot Inligting, Wet 2 van 2000 (PAIA). Hierdie PAIA-gids sal mense help om versoekte vir inligting kragtens die Wet te rig, en bied voorbeelde van hoe die Wet in die verlede gebruik is om menseregte te bevorder deur die verskaffing van:

» 'n maklik verstaanbare oorsig van PAIA
» 'n ontleding van hoe PAIA gebruik kan word om ander menseregte te bevorder
» 'n lys van tipes inligting wat deur middel van PAIA aangevra kan word
» 'n stap-vir-stap-gids oor hoe om PAIA te gebruik om 'n inligtingsversoek te rig
» 'n oorsig van lesse wat uit vorige inligtingsversoekte en PAIA-hofsake geleer is

1.2 Die geskiedenis van PAIA

Toe die Suid-Afrikaanse Grondwet in die tydperk na die afskaffing van apartheid in die 1990’s opgestel is, het verskeie organisasies hulle beywer vir die insluiting van ‘n reg op toegang tot inligting. Daar is gehoop dat die insluiting van hierdie reg in die Handves van Regte – Hoofstuk 2 van die Grondwet – sal verseker dat wreedhede soos apartheid nooit weer kan plaasvind nie omdat die staat en privaat ondernemings verplig sal word om op ‘n verantwoordbare en deursigte manier op te tree deur toegang tot inligting te verleen en dus nie agter die sluier van geheimhouding sal kan skuil nie.

In 1996 het die Grondwet van die Republiek van Suid-Afrika in werking getree. Artikel 32 verskans die reg op toegang tot inligting wat deur sowel openbare as privaat liggame gehou word. Dit was destyds die eerste stuk wetgewing ter wêreld wat die reg op toegang tot inligting uitbrei na inligting wat deur privaat liggame gehou word. Artikel 32 bepaal ook dat wetgewing verorden moet word om aan die reg op toegang tot inligting gevolg te gee deur die maniere uiteen te sit waarop toegang tot inligting van openbare en privaat liggame verkry kan word, en deur verdere inligting te verskaf oor die gronde waarop ‘n openbare en privaat liggaam toegang tot inligting kan weier.

In 2000 het die Wet op Bevordering van Toegang tot Inligting (PAIA) wet geword en gevolg gegee aan die bepaling van artikel 32 van die Grondwet vir die verordening van wetgewing oor toegang tot inligting.

1.3 Die doel van PAIA en hoe dit gebruik kan word

Die doel van PAIA is om die reg op toegang tot inligting te bevorder, om ‘n kultuur van deursigtheid en verantwoordbaarheid in Suid-Afrika te koester en om ‘n oop demokrasie te bevorder waar individue uit alle sfere van die samelewing bemagtig is om die regering teen te staan en deel te neem aan besluite wat hulle lewe raak.

Die reg op toegang tot inligting is ‘n unieke reg omdat dit die verwesenliking van ander regte moontlik maak: dit is een van die vernaamste maniere waarop PAIA gebruik kan word.
Verskaffing van staatsdienste

» PAIA kan gebruik word om mense te bemagtig met inligting waarmee hulle die regering aanspreeklik kan hou oor die verskaffing van basiese dienste soos behuising, water en sanitasie.

Burgerlike en politieke regte

» PAIA kan gebruik word om inligting in te samel wat individue kan gebruik om regte uit te oefen, soos die reg om te stem en die reg op vryheid van assosiasie.

Diskriminasie en gelykheid

» PAIA kan gebruik word as ’n voorspraakinstrument om diskriminasie te bekamp, soos diskriminasie op grond van ras, gender, ens deur verskeie openbare en privaat liggame.

Dit is belangrik om daarop te let dat PAIA nie gebruik kan word om rekords te verkry vir gebruik tydens siviele of strafregsverrigtinge nie ná die aanvang van sodanige verrigtinge as die voorlegging van of toegang tot die rekord vir dieselfde doel regtens gereël word (kyk artikel 7 van die Wet).

1.4 Die rol van die Suid-Afrikaanse Menseregtekommissie

Die mandaat van die Suid-Afrikaanse Menseregtekommissie (SAMRK) ingevolge PAIA is:

» Om die reg op toegang tot inligting te bevorder
» Om die implementering van PAIA deur openbare en privaat liggame te moniteer
» Om aanbevelings te maak om die Wet te versterk
» Om jaarliks aan die Parlement verslag te doen

Die Wet op Beskerming van Persoonlike Inligting

Die Wet op Beskerming van Persoonlike Inligting, Wet 4 van 2013 (WBPI), wysig PAIA in verskeie opsigte. Een van die vernaamste wysings van PAIA ingevolge hierdie Wet is die rol van die SAMRK. Ingevolge die WBPI gaan die SAMRK se funksies ingevolge PAIA oorgeplaas word na die Inligtingreguleerder, ’n nuwe onafhanklike liggaam wat ingestel moet word om sowel PAIA as die WBPI te moniteer en om klagtes rakende toegang tot inligting en die beskerming van persoonlike inligting te hanteer.

Die SAMRK sal egter sy grondwetlike verpligting behou om die reg op toegang tot inligting te bevorder, te beskerm en te moniteer, soos met alle ander regte wat in die Handves van Regte verskans is.
AFDELING 2
Vind die nodig inligting wat jy benodig

Hierdie afdeling sluit in:

2.1 Waar om nuttige gidse en handleidings te kry wat u kan help om versoekte vir inligting te rig

2.2 Wie om te kontak vir hulp as u dit nodig kry

2.3 Wat openbare en privaat liggame moet doen om inligtingsoekers by te staan

2.4 Sekere inligting is outomaties beskikbaar sonder dat ‘n formele versoek gerig hoef te word; hierdie afdeling gee ‘n oorsig van waar om dit te kry
2.1 Begin hier

Die doel van PAIA is die daadwerklike bevordering van ‘n samelewing waarin die mense van Suid-Afrika effektiwke toegang tot inligting het om hulle in staat te stel om al hulle regte vollediger uit te oefen en te beskerm. Soms kan ‘n mens egter onseker wees oor waar om te begin of hoe om te werk te gaan om toegang tot inligting te kry op die manier wat die Wet voorskrif. Die Wet voorsien hierdie probleem en bepaal dat sekere gidse en handleidings gepubliseer moet word om inligtingsoekers van hulp te wees. Hierdie afdeling bied ‘n oorsig van hierdie gidse en handleidings, die verantwoordelikhede van die uitgewers van hierdie gidse en handleidings en, baie belangrik, waar om dit te kry.

Een van die krachtigste instrumente wat gebruik kan word om toegang tot inligting te kry, is natuurlik die formele versoek vir inligting ingevolge PAIA, waarmee hierdie Gids u sal bystaan. Maar onthou, dit is nie die enigste manier om inligting te kry nie. Sekere inligting is outomaties beskikbaar sonder dat ‘n formele PAIA-versoek gereg hoef te word. In sommige gevalle vereis wetgewing van sowel openbare as privaat liggame om sekere inligting tot beskikking van die publiek te stel. Hierdie afdeling bied ook ‘n oorsig van waar om toegang tot hierdie inligting te kry.

PAIA is bedoel as ‘n bemagte instrument wat gebruik kan word om toegang tot inligting te kry, is natuurlik die formele versoek vir inligting ingevolge PAIA, waarmee hierdie Gids u sal bystaan. Maar onthou, dit is nie die enigste manier om inligting te kry nie. Sekere inligting is outomaties beskikbaar sonder dat ‘n formele PAIA-versoek gereg hoef te word. In sommige gevalle vereis wetgewing van sowel openbare as privaat liggame om sekere inligting tot beskikking van die publiek te stel. Hierdie afdeling bied ook ‘n oorsig van waar om toegang tot hierdie inligting te kry.

2.2 Die PAIA-gids

Artikel 10 van PAIA vereis van die Kommissie om ‘n maklik verstaanbare gids op te stel en te publiseer om te help met toegang tot rekords en dokumente en die uitoefening van mense se reg op inligting. Die gids word soms die “artikel 10-gids” genoem.

Dit verskaf al die inligting wat u nodig het om toegang tot enige rekords te kry. Dit bevat ook die kontakbesonderhede van staatsdepartemente en instellings wat rekords vir die staat hou, asook die kontakbesonderhede van verskeie privaat maatskappye. Die Kommissie moet hierdie gids ook ten minste elke twee jaar bywerk..

2.2.1 Waar om die gids te kry

Hierdie gids is beskikbaar in al die amptelike tale van Suid-Afrika: Afrikaans, Engels, isiNdebele, isiXhosa, isiZulu, Sepedi, Sesotho, Setswana, isiSwati, Tshivenda en Xitsonga. Eksemplare van die gids kan gekry word by die Kommissie se hoofkantoor en provinsiale kantore (kontakbesonderhede van die kantore verskyn aan die einde van hierdie Gids). Voorts is elektroniese eksemplare beskikbaar op die Kommissie se webblad (www.sahrc.org.za).
2.3 **PAIA-handleidings**

Benewens die artikel 10-gids oor PAIA wat deur die Kommissie saamgestel moet word, vereis PAIA ook van elke openbare liggaam, asook baie privaat liggame, om ’n handleiding op te stel wat inligting bevat oor hoe om PAIA te gebruik om toegang tot hulle eie rekords te kry.

### 2.3.1 PAIA-handleidings vir openbare liggame

Artikel 14 van PAIA vereis van alle openbare liggame om ’n handleiding in ten minste drie amptelike tale te publiseer wat inligtingszoekers help om versoek vir inligting van die betrokke liggaam te rig. Die handleiding moet ten minste die volgende nuttige inligting bevat:

<table>
<thead>
<tr>
<th>VEREISTES</th>
<th>BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandaat</td>
<td>Die struktuur en funksies van die openbare liggaam.</td>
</tr>
<tr>
<td>Kontakbesonderhede</td>
<td>Die pos- en straatadres,foon- en faksnummer en, indien beskikbaar, die e-posadres van die inligtingsbeampte van die openbare liggaam, asook van elke adjunkinligtingsbeampte van die openbare liggaam.</td>
</tr>
<tr>
<td>PAIA-artikel 10-gids</td>
<td>’n Beskrywing van hierdie Gids wat deur die Suid-Afrikaanse Menseregtekommissie saamgestel is en hoe om toegang daartoe te kry.</td>
</tr>
<tr>
<td>Kategorieë rekords wat gehou word</td>
<td>Genoeg inligting om te help om toegang te kry tot ’n rekord wat deur ’n openbare liggaam gehou word. Die openbare liggaam moet dus die onderwerpe beskryf waaroor hy rekords hou, en die kategorieë rekords wat hy oor elke onderwerp hou.</td>
</tr>
<tr>
<td>Outomaties beskikbare inligting</td>
<td>Sekere inligting is geredelik beskikbaar sonder dat iemand kragtens PAIA toegang hoef te versoek. Die handleiding van die openbare liggaam moet hierdie inligting aandui wat geredelik beskikbaar is.</td>
</tr>
<tr>
<td>Dienste van die openbare liggaam</td>
<td>’n Beskrywing van die dienste van die openbare liggaam tot beskikking van lede van die publiek, en hoe om toegang tot daardie dienste te kry.</td>
</tr>
<tr>
<td>Openbare deelname</td>
<td>’n Beskrywing van enige reëling of voorsiening vir ’n persoon om oorleg te pleeg, vertoe te rig of deel te neem aan of invloed uit te oefen op die formulering van beleid; of die uitoefening van bevoegdhede of verrigting van pligte deur die openbare liggaam.</td>
</tr>
<tr>
<td>Hulp</td>
<td>Die stappe wat gedoen kan word as die inligtingsbeampte van die openbare liggaam weier om toegang tot inligting te verleen.</td>
</tr>
</tbody>
</table>
2.3.2 Waar om die handleiding van 'n openbare liggaam te kry

Alle openbare liggame moet toesien dat toegang tot die handleiding maklik verkry kan word. Hulle moet dit ten minste op die volgende maniere doen:

» Deur 'n eksemplaar beskikbaar te stel by elke kantoor van daardie openbare liggaam tydens kantoorure;
» Deur die handleiding op die openbare liggaam se webblad, as daar een is, beskikbaar te stel.

Soos hierbo genoem, is PAIA in verskeie opsigte gewysig deur die Wet op Beskerming van Persoonlike Inligting, Wet 4 van 2013 (WBPI). Een hiervan is met betrekking tot artikel 14-handleidings vir openbare liggame. Ingevolge die WBPI moet hierdie handleidings nie meer aan die Suid-Afrikaanse Menseregtekommissie voorgelê word nie maar moet dit net aanlyn beskikbaar gestel word en ook beskikbaar gestel word vir enigiemand wat 'n eksemplaar aanvra.

2.3.3 PAIA-handleidings vir privaat liggame

Privaat liggame moet ook 'n handleiding saamstel. Dit is ingevolge artikel 51 van PAIA. Tans word daar nie van alle privaat liggame vereis om aan hierdie artikel te voldoen nie1. U kan dus vind dat die liggaam by wie u inligting wil versoek, nie 'n handleiding het om vir u te gee nie. Dit beteken nie dat die liggaam nie in die algemeen aan PAIA onderhewig is nie. U kan steeds 'n versoek vir inligting aan hierdie liggaam rig en hy is steeds regtens verplig om u versoek te verwerk. Die prosedure om 'n versoek vir inligting ingevolge PAIA te rig, bly dieselfde, ook al het die privaat liggaam nie 'n handleiding nie.

**WATTER PRIVAAT LIGGAME HOEF NIE 'N INLIGTINGSHANDLEIDING TE PUBLISEER NIE?**

Soos die Wet bewoord is, moet ALLE privaat liggame 'n handleiding saamstel. Die Minister kan egter sekere privaat liggame of kategorieë liggame vrystel van die vereiste van 'n handleiding. Tans het die Minister ALLE privaat liggame vrystel van die vereiste van 'n handleiding vir 'n tydperk van vyf jaar met ingang van 1 Januarie 2016, TENSY die liggaam in die kategorieë val wat hieronder uiteengesit word.

---

1 Dit verander op 31 Desember 2015, wanneer alle privaat liggame ingevolge artikel 51 van PAIA 'n handleiding sal moet hé.
Die volgende privaat maatskappye in die volgende bedrywe moet ’n PAIA-handleiding saamstel as hulle meer as 50 werknemers het of ’n jaarlikse omset het wat groter as die genoemde bedrag is:

<table>
<thead>
<tr>
<th>BEDRYF</th>
<th>JAARLIKSE OMSET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landbou</td>
<td>R2 miljoen</td>
</tr>
<tr>
<td>Mynbou en Steengroewe</td>
<td>R7 miljoen</td>
</tr>
<tr>
<td>Vervaardiging</td>
<td>R10 miljoen</td>
</tr>
<tr>
<td>Elektrisiteit, Gas en Water</td>
<td>R10 miljoen</td>
</tr>
<tr>
<td>Konstruksie</td>
<td>R5 miljoen</td>
</tr>
<tr>
<td>Kleinhandel en Motorhandel en Hersteldienste</td>
<td>R15 miljoen</td>
</tr>
<tr>
<td>Groothandel, Kommersiële Agente en Verwante Dienste</td>
<td>R25 miljoen</td>
</tr>
<tr>
<td>Spyseniering, Akkomodasie en Ander Handel</td>
<td>R5 miljoen</td>
</tr>
<tr>
<td>Berging en Kommunikasie</td>
<td>R10 miljoen</td>
</tr>
<tr>
<td>Finansies en Sakedienste</td>
<td>R10 miljoen</td>
</tr>
<tr>
<td>Gemeenskaps-, Spesiale en Persoonlike Dienste</td>
<td>R5 miljoen</td>
</tr>
</tbody>
</table>

Die Minister het ook verklaar dat alle maatskappye wat nie ingevolge artikel 1 van die Maatskappywet 71 van 2008 as ‘privaat maatskappy’ omskryf is nie, ‘n artikel 51-handleiding moet saamstel.

2.3.4 Waar om die handleiding van ’n privaat liggaam te kry

Alle privaat liggame wat ’n handleiding moet saamstel, moet toesien dat die handleiding maklik toeganklik is. Hulle moet dit ten minste op die volgende maniere doen:

» Deur ’n eksemplaar ter insae beskikbaar te stel tydens kantoorure by elke kantoor van daardie privaat liggaam. ’n Privaat liggaam mag nie gelde vra vir insae nie.

» Deur die handleiding op sy webblad beskikbaar te stel.

2.3.5 Hoe om te voldoen as u ’n privaat liggaam is

Op die Suid-Afrikaanse Menseregtekommissie se webblad (www.sahrc.org.za) is daar nuttige riglyne vir inligtingsbeamptes van privaat maatskappy wat aan artikel 51 van PAIA wil voldoen. Dit sluit in ’n aflaaibare templaat wat inligtingsbeamptes as ’n padkaart kan gebruik.
Ingevolge artikel 51 moet die hoof van ’n privaat liggaam die volgende doen:

» Enige wesenlike veranderinge aan die handleiding op ’n gereelde basis bywerk;
» Die handleiding by die maatskappy se kantore en op sy webblad beskikbaar stel soos deur die Wet voorgeskryf;
» ’n versoekvorm (PAIA-Vorm C) by die handleiding aanheg en ook versoekvorms beskikbaar stel op die webblad en by alle maatskappypersonele.

Die handleiding moet ten minste die volgende inligting bevat:

<table>
<thead>
<tr>
<th>VEREISTES</th>
<th>BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kontaktbesonderhede</td>
<td>Die pos- en straatadres, foon- en faksnummer en, indien beskikbaar, die e-posadres van die inligtingsbeampte van die openbare liggaam.</td>
</tr>
<tr>
<td>Outomaties</td>
<td>Sekere inligting is geredelik beskikbaar sonder dat iemand kragtens PAIA toegang hoef te versoek. Die handleiding van die privaat maatskappy moet hierdie inligting aandui wat geredelik beskikbaar is.</td>
</tr>
<tr>
<td>besikbare inligting</td>
<td>Rekords beskikbaar op versoek</td>
</tr>
<tr>
<td></td>
<td>Die artikel 51-handleiding moet die kategorieë rekords noem wat op versoek beskikbaar is.</td>
</tr>
<tr>
<td>PAIA-prosedure</td>
<td>Skets die PAIA-procedure wat gevolg moet word om toegang tot inligting van die privaat maatskappy te versoek (d.i. Vorm C).</td>
</tr>
<tr>
<td>Maatskappypersonele</td>
<td>Insliuite die besonderhede van die hoof van die maatskappy of die maatskappy se HUB (ingevolge PAIA is die inligtingsbeampte van ’n privaat maatskappy gewoonlik die HUB of hoof).</td>
</tr>
<tr>
<td>Gelde</td>
<td>Noem die versoeker- en toegangsgelde van toepassing ingevolge PAIA (kyk Afdeling 3 vir verdere inligting).</td>
</tr>
<tr>
<td>Hulp</td>
<td>Watter regshulp vir versoekers beskikbaar is as hulle versoek vir inligting geweier is.</td>
</tr>
<tr>
<td>Verdere</td>
<td>Enige verdere besonderhede rakende versoekte vir toegang tot rekords.</td>
</tr>
<tr>
<td>besonderhede</td>
<td></td>
</tr>
</tbody>
</table>
2.4 Outomaties beskikbare inligting deur 'n openbare liggaam gehou

'n Formele versoek vir toegang is nie vir alle inligting nodig nie. Verskeie openbare liggame word deur ander wette verplig om sekere inligting aan die publiek beskikbaar te stel. Baie instellings sal ook verdere inligting vrywillig beskikbaar stel met die oog op deursigtigheid, verantwoordbaarheid en gerief vir die publiek. Om die vrywillige openbaarmaking van inligting te bevorder en groter toegang tot hierdie inligting te fasiliteer, vereis artikel 15 van PAIA van alle openbare liggame om 'n lys, bekend as die 'artikel 15-kennisgewing' of 'kennisgewing van vrywillige openbaarmaking', te publiseer van al die inligting rakende daardie liggaam wat outomaties vir enigiemand beskikbaar is.

Die inligtingsbeampte van 'n openbare liggaam moet 'n kennisgewing van vrywillige openbaarmaking vir die openbare liggaam opstel en dit by die openbare liggaam se kantore beskikbaar stel en dit in die Staatskoerant publiseer. Die kennisgewing van vrywillige openbaarmaking moet elke jaar bygewerk word.

Die kennisgewing van vrywillige openbaarmaking bevat kategorieë van rekords en 'n beskrywing van die rekords wat outomaties beskikbaar is:

- Ter insae ingevolge enige ander wetgewing as PAIA
- Om by die openbare liggaam gekoop of gekopieer te word; en
- Kosteloos van die openbare liggaam.

Die kennisgewing van vrywillige openbaarmaking moet beskryf hoe om toegang te kry tot die rekords wat vrywillig openbaar gemaak word en outomaties beskikbaar is. Dit is sinloos om 'n formele versoek vir sekere rekords te rig as daardie rekords reeds vrywillig openbaar gemaak is en outomaties beskikbaar is. In baie gevalle is gelde betaalbaar sodat 'n formele versoek geprosesseer kan word, en dit kan tot 30 dae neem. Dit kan vermy word as u eers die kennisgewing van vrywillige openbaarmaking raadpleeg en vasstel of die rekord wat u soek, outomaties beskikbaar is al dan nie.

Hoewel dit vir 'n openbare liggaam verpligend is om 'n kennisgewing van vrywillige openbaarmaking te publiseer, is dit nie 'vrywillig' nie. Die kennisgewing word 'n 'kennisgewing van vrywillige openbaarmaking' genoem omdat dit kennis gee van al die inligting wat vrywillig openbaar gemaak is, nie omdat dit in die diskresie van die inligtingsbeampte is om die werkleike lys te publiseer of nie.
2.5 Outomaties beskikbare inligting deur 'n privaat liggaam of maatskappy gehou

Soos openbare liggame kan privaat liggame ook inligting hê waartoe u toegang kan kry sonder om 'n formele versoek te rig. Voordat 'n formele versoek vir inligting ingevolge PAIA gerig word, wat waarskynlik gelde en 'n wagtydperk van 30 dae sal behels, is dit belangrik om seker te maak of hierdie inligting outomaties beskikbaar is sonder om 'n formele versoek te rig.

Die hoof van 'n privaat liggaam kan, op 'n vrywillige en periodieke basis, 'n lys saamstel van inligting wat outomaties verkrygbaar is van die privaat liggaam sonder dat u 'n formele versoek hoef te rig. Hierdie lys word 'n 'artikel 52-kennisgewing' of 'n 'kennisgewing van vrywillige openbaarmaking' genoem.

Anders as by 'n openbare liggaam, waar die inligtingsbeampte ingevolge PAIA 'n kennisgewing van vrywillige openbaarmaking moet publiseer, is die inligtingsbeampte van 'n privaat liggaam nie verplig om dit te doen nie. Ingevolge PAIA kan so 'n lys 'op 'n vrywillige grondslag' gepubliseer word. Dit is die groot verskil tussen die artikel 52-kennisgewing vir privaat liggame en die artikel 15-kennisgewing vir openbare liggame.

Die kennisgewing van vrywillige openbaarmaking van 'n privaat liggaam bevat kategorieë van rekords en 'n beskrywing van daardie rekords wat outomaties beskikbaar is:

» Ter insae ingevolge enige ander wetgewing as PAIA
» Om by die openbare liggaam gekoop of gekopieer te word; en
» Kosteloos van die openbare liggaam.

Die kennisgewing van vrywillige openbaarmaking moet ook beskryf hoe om toegang te kry tot die rekords wat vrywillig openbaar gemaak word en outomaties beskikbaar is.
Hierdie afdeling sluit die volgende in:

3.1 Tipes versoeke
3.2 Gelde betaalbaar vir versoeke
3.3 Die rol van die Inligtingsbeampte
3.4 Regshulp
3 Hoe rig ek 'n PAIA-versoek?

'n Versoek vir toegang tot inligting kan aan openbare en privaat liggame geryg word. Die persoon wat die versoek rig, word die “versoeker” genoem. PAIA bepaal verskillende maniere om toegang te kry tot inligting van 'n openbare of 'n privaat liggaam, en aan die einde van die Wet verskyn die vorms wat gebruik moet word om 'n inligtingsversoek in te dien.

<table>
<thead>
<tr>
<th>TIPE LIGGAAM</th>
<th>PAIA-VORM</th>
<th>PAIA-ARTIKEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Openbare liggaam</td>
<td>Vorm A</td>
<td>Artikel 18</td>
</tr>
<tr>
<td>Privaat liggaam</td>
<td>Vorm C</td>
<td>Artikel 53</td>
</tr>
</tbody>
</table>

Vorms moet op die webblaaie van sowel openbare as privaat liggame beskikbaar wees. Dit kan ook gekry word by elke provinciaalf kantoor van die Suid-Afrikaanse Menseregtekommissie, asook op die webblad by www.sahrc.org.za.

3.1 Wie kan 'n PAIA-versoek rig?

Enigiemand kan 'n versoek ingevolge PAIA rig. Die versoeker kan enige van die volgende wees:

'n Natuurlike persoon

» Die persoon hoef nie 'n Suid-Afrikaanse burger of 'n inwoner van Suid-Afrika te wees nie.
OF

'n Regspersoon

» soos 'n besigheid of organisasie
OF

'n Persoon wat namens 'n natuurlike of regspersoon optree.

Die versoeker het 'n reg op toegang tot rekords wat persoonlike inligting bevat oor die versoeker self of oor die persoon namens wie die versoek gerig word.

'n Openbare liggaam word as 'n regspersoon beskou en kan 'n versoek rig vir toegang tot rekords wat deur privaat liggame gehou word slegs (1) as die openbare liggaam in belang van die publiek optree, en (2) as die rekords nodig is om enige ander regte as dié van die openbare liggaam uit te oefen of te beskerm.

Dit is belangrik om daarop te let dat PAIA nie spesifiek vir staatsdepartemente (insluitende nasionale, provinsiale en munisipale vertakkings) en enige persoon of instelling wat 'n bevoegdheid uitoefen of 'n plig verrig ingevolge die Grondwet (soos die SAMRK en die Kantoor van die Openbare Beskermer) of 'n provinsiale grondwet (soos die Wes-Kaapse Dranklisensieraad), voorsiening maak om PAIA-versoeke aan ander openbare entiteite te rig nie.
3.1.1 Hoe moet 'n PAIA-versoekvorm ingevul word?

'N Versoek vir toegang tot inligting wat deur 'n openbare of 'n privaat liggaam gehou word, word gerig deur 'n PAIA-versoekvorm in te vul en dit aan die betrokke liggaam voor te lê. Die PAIA-versoek moet aan die Inligtingsbeampte, Adjunkinligtingsbeampte of Hoof van die openbare of privaat liggaam gereg word en moet akkurate en geldige kontakbesonderhede gebruik.

Benewens die besonderhede van die betrokke liggaam sluit 'n voorgeskrewe PAIA-versoekvorm die volgende in:

<table>
<thead>
<tr>
<th>VERLANGDE INLIGTING</th>
<th>BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Besonderhede van die versoeker</td>
<td>Genoeg inligting oor die versoeker om die versoeker redelikerwys maklik te kan identifiseer, insluitende die kontakbesonderhede van die versoeker: Posadres, e-posadres, faks- en/of telefoonnommer in Suid-Afrika.</td>
</tr>
<tr>
<td>Besonderhede van die verlangde rekord</td>
<td>Genoeg inligting oor die rekord om dit redelikerwys maklik te kan identifiseer. Bykomende papier kan gebruik word om besonderhede van die versoek te verstrek, mits elke bykomende bladsy geteken en aan die versoekvorm geheg is.</td>
</tr>
<tr>
<td>Manier van toegang tot die rekord</td>
<td>'n Beskrywing van die vorm waarin of manier waarop die rekord verskaf of toeganklik gemaak moet word.</td>
</tr>
<tr>
<td>Manier hoe die versoeker in kennis gestel moet word van toegang</td>
<td>Manier hoe die versoeker in kennis gestel moet word van die besluit om die versoek toe te staan of te weier.</td>
</tr>
<tr>
<td>Taalkeuse</td>
<td>Wanneer 'n versoek aan 'n openbare liggaam gereg word, moet die taal waarin die rekord by voorkeur ontvang moet word, gemeld word.</td>
</tr>
<tr>
<td>Hoedanigheid van gemagtigde persoon wat die versoek rig</td>
<td>Wanneer 'n versoek namens iemand anders gereg word, moet bewys van die hoedanigheid waarin die persoon die versoek rig (bekend as die gemagtigde persoon), verstrek word.</td>
</tr>
<tr>
<td>Betrokke regte</td>
<td>Wanneer 'n versoek aan 'n privaat liggaam gereg word, moet die versoek rig die reg meld wat ter sake is en verduidelik waarom die rekord benodig word vir die uitoefening of beskerming van daardie spesifieke reg.</td>
</tr>
</tbody>
</table>
Versoekers wat nie lees of skryf nie, kan mondeling versoekte tot die Inligtingsbeampte of Adjunkinligtingsbeampte van ’n openbare liggaam rig, wat dan verantwoordelik is om Vorm A namens die versoeker in te vul.

3.1.2 Is daar 'n prosedure om te volg wanneer 'n PAIA-versoek gerig word?

Toegang tot die betrokke rekords moet aan 'n versoeker verleen word slegs as hy of sy aan die volgende prosedurele vereistes voldoen het:

» Die PAIA-versoek moet gerig word op die regte vorm (Vorm A vir openbare liggame, Vorm C vir privaat liggame) en moet gerig word aan die Inligtingsbeampte of Adjunkinligtingsbeampte van die openbare of privaat liggaam, of aan die hoof van die openbare of privaat liggaam.

» Die PAIA-versoekvorm moet per hand afgelever word, gepos, gefaks of per e-pos gestuur word aan die openbare of privaat liggaam aan wie die versoek gerig word.

» Die verlangde rekords moet nie aan die gronde vir weiering waarvoor PAIA voorsiening maak, onderhewig wees nie.

3.2 Wat is die koste verbonde aan 'n PAIA-versoek?

Versoekers moet gelde betaal wanneer hulle toegang tot rekords van openbare en privaat liggame versoek.

Die bedrag vir ’n versoek vir rekords van ’n openbare liggaam is R35, en die bedrag vir ’n versoek vir rekords van ’n privaat liggaam is R50.

Dit is belangrik om daarop te let dat versoekers wat toegang tot hulle persoonlike inligting versoek, vrygestel is van betaling van versoekgelde, maar hulle moet steeds toegangsgelde betaal.

Versoekers wat minder as R14 712 per jaar (enkelopendes) of R27 192 per jaar (getrou of in ’n lewensverhouding) verdien, hoewel NIE versoekgelde te betaal nie.
3.2.1 Wat is die koste van toegang tot rekords ingevolge PAIA?

Versoekers moet ook gelede betaal vir toegang tot die rekords van openbare en privaat liggame. Hierdie gelede dek die koste om die rekord te soek en te kopieer.

Die gelede vir toegang tot rekords van openbare liggame is soos volg:

<table>
<thead>
<tr>
<th>AKTIWITEIT</th>
<th>GELDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afskrif per A4-bladsy</td>
<td>60 sent</td>
</tr>
<tr>
<td>Druk per A4-bladsy</td>
<td>40 sent</td>
</tr>
<tr>
<td>Kopie op ’n CD</td>
<td>R40</td>
</tr>
<tr>
<td>Transkripsie of visuele beeld per A4-bladsy</td>
<td>R22</td>
</tr>
<tr>
<td>Kopie van ’n visuele beeld</td>
<td>R60</td>
</tr>
<tr>
<td>Transkripsie van ’n klankopname per A4-bladsy</td>
<td>R12</td>
</tr>
<tr>
<td>Kopie van ’n klankopname</td>
<td>R17</td>
</tr>
<tr>
<td>Soek en voorbereiding van die rekord vir openbaarmaking</td>
<td>R15 per uur of deel daarvan, uitgesonderd die eerste uur, wat redelikerwys nodig is vir die soek en voorbereiding</td>
</tr>
</tbody>
</table>

Die gelede vir toegang tot rekords van privaat liggame is soos volg:

<table>
<thead>
<tr>
<th>AKTIWITEIT</th>
<th>GELDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afskrif per A4-bladsy</td>
<td>R1.10</td>
</tr>
<tr>
<td>Druk per A4-bladsy</td>
<td>75 sent</td>
</tr>
<tr>
<td>Kopie op ’n CD</td>
<td>R70</td>
</tr>
<tr>
<td>Transkripsie of visuele beeld per A4-bladsy</td>
<td>R40</td>
</tr>
<tr>
<td>Kopie van ’n visuele beeld</td>
<td>R60</td>
</tr>
<tr>
<td>Transkripsie van ’n klankopname per A4-bladsy</td>
<td>R20</td>
</tr>
<tr>
<td>Kopie van ’n klankopname</td>
<td>R30</td>
</tr>
<tr>
<td>Soek en voorbereiding van die rekord vir openbaarmaking</td>
<td>R30 per uur of deel daarvan, uitgesonderd die eerste uur, wat redelikerwys nodig is vir die soek en voorbereiding</td>
</tr>
</tbody>
</table>

Let op dat in die geval van sowel openbare as privaat instellings posgeld deur die versoeker betaal moet word vir die lewering van die rekords.
Uitsonderings

Indien die Inligtingsbeampte, Adjunkinligtingsbeampte of hoof van die openbare of privaat liggaam van mening is dat die insameling en reproduksie van dokumente langer as ses uur gaan neem, moet hy/sy die versoeker (per formele kennisgewing) in kennis stel dat een derde van die toegangsgelde vooruit betaalbaar is as ’n deposito.

Indien die rekord nie in die verlangde vorm verskaf word nie, mag die toegangsgeld wat die versoeker moet betaal, nie meer wees nie as die gelde wat gehef sou word as toegang in die verlangde vorm verleen sou word. Hierdie reël geld egter nie wanneer ’n alternatiewe vorm verlang word omdat inligting van die rekord geskei moes word nie.

As die versoeker as gevolg van ’n gestremdheid nie die rekord kan lees, sien of hoor in die vorm wat deur ’n openbare liggaam gehou word nie, moet die openbare liggaam die rekord verskaf in ’n vorm wat vir die versoeker toeganklik is. Die toegangsgelde wat die versoeker moet betaal, mag nie meer wees nie as die gelde wat gehef sou word as die versoeker nie alus gestremd was nie.

3.3 Kan ’n Inligtingsbeampte my help om ’n PAIA-versoek te rig?

Wanneer ’n PAIA-versoek aan ’n openbare liggaam gerig word, moet die Inligtingsbeampte of Adjunkinligtingsbeampte u help, waar nodig, om die PAIA-vorms in te vul.

Inligtingsbeamptes moet bystand kosteloos verleen.

<table>
<thead>
<tr>
<th>PLAGTE VAN INLIGTINGSBEAMPTES</th>
<th>BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Help die versoeker om die PAIA-vorm in te vul</td>
<td>Wanneer ’n PAIA-versoek nie al die gestelde vereistes in PAIA en op die vorm volg nie, mag die Inligtingsbeampte of Adjunkinligtingsbeampte NIE die versoek weier nie. In plaas daarvan moet die Inligtingsbeampte die versoeker skrifteilik in kennis stel dat hy/sy die versoek nie kan toestaan nie omdat dit onvolledig is, en aanbied om die versoeker te help om die nodige veranderinge op die vorm aan te bring. As die versoeker nie binne ’n redelike tydperk op die brief reageer of die vorm regstel nie, kan die Inligtingsbeampte die versoek weier.</td>
</tr>
<tr>
<td>Voorsien versoeker van tersaaklike inligting waar moontlik</td>
<td>As dit redelik en moontlik is om dit te doen, moet die Inligtingsbeampte die versoeker voorsien van enige ander inligting wat deur die openbare liggaam gehou word wat ook tersaaklik is vir die versoek, selfs al is die rekords nie deel van die oorspronklike versoek nie.</td>
</tr>
<tr>
<td>Dra die versoek oor</td>
<td>Wanneer ’n PAIA-versoek aan die verkeerde openbare liggaam gerig word, moet die Inligtingsbeampte van daardie liggaam die versoek binne 14 dae na ontvangs van die versoek na die regte openbare liggaam oordra en moet hy die versoeker skrifteilik van die oordrag in kennis stel.</td>
</tr>
</tbody>
</table>
## PLAGTE VAN INLIGTINGSBEAMPTES
### BESKRYWING

<table>
<thead>
<tr>
<th>PLAGTE VAN INLIGTINGSBEAMPTES</th>
<th>BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>30 dae om op versoek te reageer</strong></td>
<td>Die openbare liggaam of privaat liggaam moet op ’n PAIA-versoek reageer binne 30 dae na ontvangs daarvan. Die Inligtingsbeampte kan ’n verlenging van hoogstens nog 30 dae vra, om spesifieke redes, wat insluit – (1) dat die versoek ’n groot volume dokumente behels, (2) dat die versoek oorlegpleging met ander openbare of privaat liggame behels, (3) of as die versoeker die verlenging skriftelik toegestaan het. Net een verlenging per PAIA-versoek word toegelaat.</td>
</tr>
<tr>
<td><strong>Verleen of weier toegang</strong></td>
<td>Dit is die verantwoordelikheid van die Inligtingsbeampte om toegang tot die rekords te verleen of te weier. Hierdie besluit moet skriftelik aan die versoeker oorgedra word.</td>
</tr>
<tr>
<td><strong>Vorm van toegang, toegangsgelde en hulp</strong></td>
<td>Wanneer ’n PAIA-versoek toegestaan word, moet die Inligtingsbeampte die versoeker in kennis stel van die vorm waarin toegang verleen sal word en van die bedrag van die toegangsgelde, wat betaal moet word wanneer toegang verleen word. Die kennisgewing moet die versoeker ook inlig dat hy/sy die reg het om ’n interne appèl aan te teken en ’n aansoek by die hof in te dien. Verder moet die kennisgewing ook inligting verstreken oor die tydperk waarin ’n aansoek by die hof in te dien moet word.</td>
</tr>
<tr>
<td><strong>Weiering van versoek</strong></td>
<td>As ’n PAIA-versoek geweier word, moet die kennisgewing aan die versoeker die redes vir die weiering meld, wat deur die toepaslike bepalings van PAIA gestaaf moet word. Soos met die vorm van toegang en bedrag van toegangsgelde moet die kennisgewing die versoeker voorsien van inligting oor sy/haar reg om te verleen of te weier of om teen die besluit regstags te teken of ‘n aansoek by die hof in te dien.</td>
</tr>
<tr>
<td><strong>Uitstel van vrystelling van die rekord</strong></td>
<td>Die Inligtingsbeampte kan besluit om die vrystelling van ’n rekord aan ’n versoeker uit te stel kragtens artikel 24 van PAIA as daardie rekord bedoel is om binne 90 dae gepubliseer te word of as die rekord regstags gepubliseer moet word maar nie gepubliseer is nie.</td>
</tr>
</tbody>
</table>

PAIA bepaal in artikels 23 (vir ’n openbare liggaam) en 55 (vir ’n privaat liggaam) dat as ’n Inligtingsbeampte die bepaalde rekords nie kan kry nie, of as daar vermoed word dat dit nie bestaan nie, die Inligtingsbeampte, nadat hy/sy verseker het dat alle redelike stappe gedoen is om die rekord op te spoor, ’n beëdigde verklaring aan die versoeker kan voorlê om kennis te gee dat die betrokke rekords nie bestaan nie of nie opgespoor kan word nie. Die verklaring moet volle besonderhede bevatten.
3.4 Watter regshulp het ek as my PAIA-versoek geweier word?

’n Versoeker het die reg om regstappe teen die Inligtingsbeampte, Adjunkinligtingsbeampte of hoof van die openbare of privaat liggaam te doen indien die Inligtingsbeampte besluit om:

- Toegang tot ’n rekord te weier
- Die tyd te verleng om op ’n versoek te reageer
- Versoekgelde of toegangsgelde te hef
- Toegang tot ’n rekord te verleen in ’n ander vorm as wat oorspronklik versoek is.

Hierdie afdeling verduidelik die regsmiddels tot beskikking van versoekers wat die besluite van die Inligtingsbeampte wil betwis.

3.4.1 Regshulp teen openbare liggame

Wanneer ’n versoeker ontevrede is met ’n besluit deur die Inligtingsbeampte van ’n openbare liggaam, het die versoeker die reg om ’n interne appèl aan te teken. ’n Interne appèl behels ’n meer senior persoon om die Inligtingsbeampte se besluit te hersien en te besluit of hy/sy die korrekte besluit geneem het. Indien die senior persoon die Inligtingsbeampte se besluit goedkeur, word die interne appèl geweier en word die oorspronklike besluit bevestig. Indien die senior persoon die Inligtingsbeampte se besluit nie goedkeur nie, word die interne appèl toegestaan en word die oorspronklike besluit oor die PAIA-versoek omgekeer.

Dit is belangrik om daarop te let dat ’n interne appèl net aan nasionale, provinsiale en munisipale departemente voorgelê kan word. Vir ander openbare liggame is daar geen appèlprosedure beskikbaar nie.

Die Stad Kaapstad is ’n voorbeeld van ’n munisipale regering teen wie ’n interne appèl aangeteken kan word. Die Padongelukkefonds is ’n voorbeeld van ’n openbare liggaam wat nie deel van die nasionale, provinsiale of plaaslike regering is nie. Daar kan dus geen interne appèl aangeteken word.

3.4.1.1 Wie kan ’n interne appèl aanteken?

’n Versoeker wat ’n PAIA-versoek aan ’n nasionale, provinsiale of munisipale openbare liggaam rig en toegang geweier word, het die reg om ’n interne appèl aan te teken. Dit word gedoen deur ’n PAIA-Vorm B in te vul en dit by die nasionale, provinsiale of munisipale openbare liggaam in te dien. Dergelyke vorme kan op die webblad van die betrokke liggame gekry word en is ook beskikbaar by elke kantoor van die Suid-Afrikaanse Menseregtekommissie.

As die interne appèl ’n derde party behels, is die openbare liggaam wat die interne appèl ontvang het, verantwoordelik om al die tersaaklike derde partye te kontak. Die vereistes vir kennisgewing en verteenwoordiging is dieselfde as vir die oorspronklike PAIA-versoek.

Derde partye word ook toegelaat om interne appèlle aan te teken teen die besluit van ’n openbare liggaam om toegang tot ’n spesifieke rekord te verleen.
### 3.4.1.2 Wanneer kan 'n interne appèl aangeteken word?

'n Versoeker kan 'n interne appèl teen die besluit van 'n openbare liggaam om die volgende redes aanteken:

- Die versoeker is nie met die vereiste gelde vir die versoek tevrede nie.
- Die versoeker is nie tevrede met die besluit om 'n verlenging van 30 dae aan die openbare liggaam te gee om op die versoek te reageer nie.
- Die versoeker is nie tevrede nie wanneer die vorm waarin die rekords verskaf word, nie dieselfde is as die vorm wat versoek is nie, en die versoeker van mening is dat dit nie onredelik drukkend sou wees vir die openbare liggaam om die rekords in die versoeker se voorkeurvorm te verskaf nie.

### 3.4.1.3 Hoe teken ek 'n interne appèl aan?

'n Interne appèl moet deur die versoeker aangeteken word binne 60 dae na ontvangs van die weiering van die oorspronklike PAIA-versoek. Dit word gedoen deur 'n versoeker aangeteken die verskaf word binne 60 dae na ontvangs van die weiering van die oorspronklike PAIA-versoek.

<table>
<thead>
<tr>
<th>Nasionale regering</th>
<th>As die PAIA-versoek aan ’n nasionale departement gereg is, kan die versoeker ’n interne appèl by die Minister van daardie departement aanteken.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provinsiale regering</td>
<td>As die PAIA-versoek aan ’n provinsiale departement gereg is, kan die versoeker ’n interne appèl aanteken by die Lid van die Uitvoerende Raad van daardie departement.</td>
</tr>
<tr>
<td>Munisipale regering</td>
<td>As die PAIA-versoek aan ’n munisipale departement gereg is, kan die versoeker ’n interne appèl reg aan die burgemeester van die munisipaliteit of die speaker van die munisipaliteit of enige ander persoon wat deur die Munisipale Raad vir daardie spesifieke munisipaliteit aangewys is.</td>
</tr>
</tbody>
</table>

Vorm B word aan dieselfde Inligtingsbeampte of Adjunkinligtingsbeampte voorgelê wat die aanvanklike versoek geweier het en hierdie persoon moet dit dan aan die Inligtingsbeampte deurstuur.

### GOED OM TE WEET

As die appèl vereis dat kennis aan ’n derde party gegee moet word (d.i. wanneer die inligting persoonlike inligting oor ’n ander persoon bevat, soos rekords van die Suid-Afrikaanse Inkomstediens (SAID), asook vertroulike inligting, spesifieke komsersiële inligting en navorsingsinligting oor die derde party), moet die appèl binne 30 dae na kennisgewing ingedien word.

'n Versoeker moet die interne appèl per pos, faks of e-pos aan die Inligtingsbeampte van die betrokke liggaam stuur.

'n Interne appèl moet die onderwerp van die interne appèl insluit, asook redes ter stawing van die appèl, en enige ander tersaaklike inligting waarvan die persoon wat die appèl aanteken, bewus is.

As die versoeker op ’n ander wyse ingelig wil word oor die besluit oor die interne appèl (benewens ’n skriftelike antwoord), moet hy/sy sê op watter wyse dit gedoen moet word en enige nodige inligting verskaf.
3.4.1.4 Wat gebeur as ‘n interne appèl aangeteken word ná verstryking van die voorgeskrewe tydperk?

Wanneer ‘n interne appèl na verstryking van die tydperk van 60 dae aangeteken word, moet die betrokke openbare liggaam die appèl aanvaar as goeie gronde vir laat indiening aangevoer word. As die betrokke openbare liggaam nie die laat aantekening van ‘n interne appèl aanvaar nie, moet hy kennis gee aan die persoon wat die appèl aangeteken het.

3.4.1.5 Wat is die gelde vir interne appèl?

‘n Versoeker wat ‘n interne appèl aanteken, moet die voorgeskrewe gelde betaal. As die appèlgelde betaalbaar is wanneer die appèl aangeteken word, kan die besluit oor die appèl uitgestel word totdat die gelde betaal is.

KAN EK ‘N AANSOEK TEEN DIE BESLUIT VAN ‘N OPENBARE LIGGAAM BY DIE HOF INDIEN?

Ja. As ‘n versoeker nie met sy/haar interne appèl teen ‘n openbare liggaam slaag nie, of as die openbare liggaam weier om die laat aantekening van ‘n interne appèl te aanvaar, of as die versoeker enigsins gegrief is as gevolg van ‘n besluit deur die openbare liggaam, kan die versoeker by die hof aanmoedig die regshulp deur ‘n aansoek in te dien binne 180 dae na ontvangs van die besluit (ingeval van die Konstitusionele Hof – kyk hieronder vir meer inligting). ‘n Versoeker of derde party kan by die hof aansoek doen slegs nadat die interne appèlproses afgehandel is.

3.4.2. Regshulp teen privaat liggame

As ‘n versoeker nie tevrede is nie met ‘n besluit van die hoof van ‘n privaat liggaam, byvoorbeeld om toegang te weier of om toegangsgelde te verhoog, kan die versoeker by die hof regshulp aansoek doen binne 180 dae na ontvangs van die besluit (ingeval van die Konstitusionele Hof – kyk hieronder vir meer inligting) wat die gegriefdheid veroorsaak. Die besluit van die privaat liggaam sal deur ’n hof hersien word en die hof sal besluit of toegang verleen moet word al dan nie.

BRUMMER V MINISTER FOR SOCIAL DEVELOPMENT

In hierdie saak het die hof bevind dat die oorspronklike tydperk van 30 dae in geval van ’n versoeker van die hoe kan aanvaar word en moet verleng word tot 180 dae. Hierdie uitspraak word weerspieël in die nuwe Wet op Beskerming van Persoonlike Inligting, wat bepaal dat daar ‘n tydperk van 180 dae is vir versoekers om ‘n klag by die Inligtingreguleerder in te dien nadat die PAIA-proses vir toegang tot ‘n persoonlike rekord uitgeput is.

Sake oor toegang tot inligting kan in die landdroshof as ‘n hof van eerste instansie verhoor word, soos bepaal in artikel 79 van PAIA, asook in die Hoë Hof.
3.4.3. Wat sal in die hof met my saak gebeur?

Daar is verskeie moontlike uitkomste as 'n PAIA-saak hof toe geneem word. Nadat albei kante van die saak aangehoor is, het die voorsittende beampte die bevoegdheid om 'n bevel te gee. Dit kan insluit 'n bevel wat: (1) die besluit van 'n openbare of privaat liggaam ten opsigte van die PAIA-versoek bevestig, verander of ter syde stel; (2) van die openbare of privaat liggaam vereis om spesifieke stappe te doen of om hom van spesifieke stappe te weerhou; (3) 'n interdik, 'n verklarende bevel, spesifieke regshulp of vergoeding toestaan; of (4) die betaling van sekere koste gelas.
AFDELING 4
Wanneer toegang tot inligting geweier kan/mag word

Hierdie afdeling sluit in:

4.1 Balansering van die reg op toegang tot inligting met ander regte
4.2 Verpligte teenoor diskresionêre gronde vir weiering van toegang
4.3 Gronde vir weiering van toegang tot inligting in PAIA genoem
4.4 Die toets van openbare belang
4.1.  Wanneer toegang tot inligting geweier kan word

Hierdie afdeling bied ’n oorsig oor wanneer toegang tot inligting kragtens PAIA geweier kan word, en ’n gids oor die toepassing van die reëls wat ’n Inligtingsbeampte toelaat om ’n versoek te weier. PAIA noem 12 gronde waarop toegang tot inligting geweier kan word deur ’n Inligtingsbeampte van ’n openbare of privaat liggaam, waarvan sommige verpligtend en sommige diskresionêr is (kyk Afdeling 4.2 hieronder vir verdere inligting).

Voorts skep PAIA ’n klousule oor openbare belang wat in sekere gevalle enige van die gronde vir weiering van toegang tot inligting effektief oorheers waar die openbare belang van belang is. (Kyk Afdeling 4.4 hieronder vir verdere inligting.)

**BALANSERING VAN DIE REG OP TOEGANG TOT INLIGTING MET ANDER REGTE**

<table>
<thead>
<tr>
<th>ALGEMENE REËL</th>
<th>Die reg op toegang tot inligting is vervat in die Handves van Regte van die Suid-Afrikaanse Grondwet, en om uitvoering aan hierdie reg te gee, moet toegang tot inligting so dikwels as moontlik verleen word.</th>
</tr>
</thead>
<tbody>
<tr>
<td>UITSONDERING</td>
<td>Soos baie andere regte in die Handves van Regte kan die reg op toegang tot inligting in sekere omstandighede beperk of geweier word. PAIA gee gronde waarop versoekte vir inligting geweier kan word en die reg op toegang tot inligting dus beperk kan word.</td>
</tr>
</tbody>
</table>

4.2  Verpligte teenoor diskresionêre gronde vir weiering van toegang tot inligting

PAIA bepaal dat inligting in sekere omstandighede nie deur die inligtingsbeampte openbaar gemaak mag word nie. Die redes hoekom inligting nie openbaar gemaak mag word nie, hou kortliks daarmee verband of die openbaarmaking van die inligting nadeliger sal wees as nie-openbaarmaking. PAIA noem dus 12 gronde waarop toegang tot inligting geweier kan word deur die inligtingsbeampte van die openbare of privaat liggaam (hierdie 12 gronde word in Afdeling 4.3 hieronder bespreek). Party van hierdie redes vir openbaarmaking is verpligtend, wat beteken dat die inligtingsbeampte nie toegang tot die inligting mag toelaat nie as een van die verpligtende gronde vir weiering van toegang tot inligting bewys kan word. Ander gronde vir weiering van toegang tot inligting is diskresionêr. Dit beteken dat die inligtingsbeampte die inligting openbaar kan maak of nie. Die inligtingsbeampte moet dus sy/haar diskresie gebruik wanneer hy/sy besluit om die inligting openbaar te maak al dan nie. Hy/Sy moet dit doen deur te bepaal of openbaarmaking nadeliger vir die openbare of privaat liggaam sal wees as nie-openbaarmaking.
PAIA-TERME OM TE ONTHOU...

Vir verpligte weiering gebruik PAIA die woord “moet”.

Vir diskresionêre weiering gebruik PAIA die woord “kan”.

Onthou, as ’n Inligtingsbeampte moet u objektyef bly by die toepassing van ’n rede vir weiering van toegang tot inligting. Moeie kies nie, en wees te alle tye onpartydig!

4.3 Gronde vir weiering van toegang tot inligting

Soos hierbo gestel, is daar verskeie gronde waarop ’n versoek vir toegang tot inligting geweier kan of moet word deur ’n Inligtingsbeampte van ’n openbare of privaat liggaam. Hierdie gronde word in Hoofstuk 4 van Deel 2 van PAIA genoem vir ’n openbare liggaam, en in Hoofstuk 4 van Deel 3 vir ’n privaat liggaam.

4.3.1 Beskerming van die privaatheid van ’n derde party

’n Inligtingsbeampte van ’n openbare of privaat liggaam mag nie toegang tot persoonlike inligting van ’n natuurlike persoon toelaat nie, ingesluit ’n oorlede individu (vir ’n definisie van ’n natuurlike persoon, kyk Nuttige Terme hierbo). PAIA bepaal dat, om die reg op privaatheid van ’n derde party wat ’n natuurlike persoon is te beskerm, die Inligtingsbeampte moet vasstel of die vrystelling van die onderhawige inligting aan die versoeker ’die onredelike openbaarmaking van persoonlike inligting’ sal meebreng (kyk artikels 34 en 63 van PAIA).

Artikel 1 van PAIA bevat ’n breë omskrywing van watter inligting “persoonlike inligting” uitmaak. Dit sluit in inligting met betrekking tot geslag, swangerskap en godsdiens, asook persoonlike korrespondensie, DNS, vingerafdrukke en gevalle waar die individu se naam in rekords verskyn.

Die Inligtingsbeampte moet ook oorweeg of die onderhawige persoonlike inligting in die volgende kategorieë persoonlike inligting val wat openbaar gemaak kan word:

» Persoonlike inligting van ’n individu wat toestemming gegee het dat hierdie inligting openbaar gemaak word
» Persoonlike inligting wat reeds openbaar gemaak is
» Persoonlike inligting oor ’n kind jonger as 18 jaar waar die openbaarmaking van sodanige inligting in belang van die kind is en die versoeker die kind se versorger is (d.i. ouer of voog)
» Persoonlike inligting van ’n oorlede persoon aan ’n versoeker wat die individu se naasbestaande is of wat deur die naasbestaande gemagtig is (skriftelike toestemming)
» Persoonlike inligting van ’n oorlede persoon wat al langer as 20 jaar oorlede is
» Persoonlike inligting van ’n individu wat ’n beampte van ’n openbare of privaat liggaam is of was en waar die inligting met sy of haar posisie as ’n beampte verband hou.

PAIA vereis dat Inligtingsbeamptes van die Suid-Afrikaanse Inkomstedienis (SAID) nie persoonlike belasting- en inkomste-inligting openbaar gemaak mag nie, tensy die versoeker toegang tot sy/haar eie inligting versoek.
4.3.2 Beskerming van kommersiële belange van 'n derde party

Die Inligtingsbeampte van openbare en privaat liggame moet toegang tot inligting weier indien die vrystelling van daardie inligting benadeling van die kommersiële of finansiële belange van die onderneming sal veroorsaak.

PAIA noem die volgende kommersiële inligting wat nie deur 'n Inligtingsbeampte openbaar gemaak mag word nie:

- Handelsgeheime
- Finansiële, kommersiële, wetenskaplike, navorsings- of tegniese inligting oor 'n derde party wat, as dit vrygestel word, benadeling van die derde party sal veroorsaak
- Inligting wat vertroulik aan die derde party verskaf is.

Hoewel daar 'n algemene reël is om die inligting van die maatskappy te beskerm, moet 'n openbare liggaam op deursigtige wyse optree. Daar is sekere gevalle waar kommersiële inligting van 'n maatskappy openbaar gemaak kan word.

PAIA-uitsluiting: Derdepartyrekords wat inligting rakende openbare veiligheid of omgewingsrisiko's bevat, moet vrygestel word, selfs al sal die vrystelling van sodanige inligting waarskynlik benadeling van die derde party veroorsaak. Dit maak inligting in openbare belang uit (kyk Afdeling 4.4 hieronder).

4.3.3 Beskerming van vertroulike inligting

PAIA bepaal dat 'n Inligtingsbeampte toegang tot 'n rekord moet weier as die vrystelling van die rekord sal neerkom op 'n verbreking van 'n vertroulikheidsplig teenoor 'n derde party ingevolge 'n ooreenkoms of kontrak.

4.3.4 Beskerming van die veiligheid van individue en eiendom

Hierdie artikel bepaal dat 'n Inligtingsbeampte toegang tot 'n rekord moet weier as daar redelikwy verwag kan word dat die openbaarmaking van die rekord die veiligheid van 'n individu of eiendom kan bedreig. Hierdie artikel het 'n aspek rakende 'n reg op privaatheid aangesien dit die persoonlike lewe van individue en hulle eiendom in ag neem.

4.3.5 Beskerming van inligting in regsverrigtinge

Die doel van hierdie artikel is om inligting te beskerm wat in regs- en wetstoepassingsprosesse vereis word. Hierdie artikel erken ander wetgewing wat oor sekere kategorieë inligting handel. In die geval van hierdie artikel word die Strafproseswet, Wet 51 van 1977, erken as die reg wat rekords rakende borgverrigtinge en ander wetstoepassingsprocedures reguleer. Dit is ook van toepassing op rekords wat teen blootlegging geprivilegieer is. Met ander woorde, rekords wat nie vir enigiemand anders beskikbaar is nie, uitgesonderd die persoon wat die privilegie het om toegang tot hierdie rekords te kry, byvoorbeeld 'n prokureur wat klientprivilegie het. Enige rekords onderhewig aan die verhouding tussen 'n prokureur en sy/haar klient word kragtens artikel 40 van PAIA beskerm.
Hoewel PAIA die bestaan erken van ander wetgewing rakende die bestuur en openbaarmaking van inligting en rekords, in ’n situasie waar die wetgewing die reg op toegang tot inligting op onregverdigbare wyse beperk en strydig is met die beginsels van deursetigheid en verantwoordbaarheid, sal PAIA voorgoed bo daardie wet geniet.

4.3.6 Beskerming van navorsingsinligting

’n Inligtingsbeampte van ’n openbare of privaat liggaam moet toegang weier tot rekords wat inligting bevat rakende navorsing wat deur die betrokke openbare of privaat liggaam of ’n derde party gedoen word of gaan word. Hierdie weiering van toegang tot inligting is in omstandighede waar die openbaarmaking van die rekord die navorsing van die derde party of openbare of privaat liggaam, die individu of instelling wat die navorsing doen, of die onderwerp van die navorsing, aan ernstige benadeling sal blootstel (kyk artikels 43 en 69 van PAIA).

4.3.7 Inligting waartoe toegang geweier kan word

Die volgende kategorieë inligting hou verband met inligting waartoe ’n Inligtingsbeampte toegang kan weier slegs as hy of sy kan regverdig dat die onderhawige inligting binne die volgende kategorieë val en dit nie in openbare belang is om openbaar gemaak te word nie (vir verdere inligting oor die klousule oor openbare belang, kyk Afdeling 4.4 hieronder).

4.3.7.1 Suid-Afrika se verdediging, sekuriteit en internasionale verhoudinge

Artikel 41 van PAIA bepaal dat ’n Inligtingsbeampte dit moet oorweeg of die versoek vir inligting verband hou met inligting oor die sekuriteit van Suid-Afrika. Die Inligtingsbeampte kan ’n versoek weier as hy of sy kan bewys dat die vrystelling van die inligting die veiligheid van Suid-Afrika in die gedrang sal bring.

4.3.7.2 Ekonomiese, finansiële en kommersiële belange van Suid-Afrika

Artikel 42 van PAIA vereis die beskerming van inligting van ’n openbare liggaam as die openbaarmaking daarvan nadelig sal wees vir die ekonomiese en finansiële status van die Republiek. Hierdie grond vir weiering is diskresionêr, wat beteken dat die Inligtingsbeampte die feit in ag sal moet neem dat openbare liggame ingevolge die Grondwet van Suid-Afrika ’n mandaat het om teenoor die publiek verantwoordbaar te wees en dat die inligting gevolglik net in sekere gevalle geweier mag word. Verder sal die Inligtingsbeampte moet aantoon dat die openbaarmaking van die onderhawige inligting die finansiële en ekonomiese belange van Suid-Afrika sal benadeel.
4.3.7.3 Werking van openbare liggaam

Artikel 44 van PAIA verleen aan Inligtingsbeamptes die bevoegdheid om toegang tot ’n rekord te weier as dit die werking van ’n openbare liggaam sal belemmer. Artikel 44 is wyd, en onder werking word ’n aantal rekords genoem, soos:

» Notule van vergaderings
» Rekords wat advies of menings bevat
» Rekords rakende oorlegpleging met ander liggame
» Rekords rakende die formulering van beleide of aanbevelings

4.3.7.4 “Klaarblyklike beuselagtige of kwelsugtige versoekte, of wesenlike en onredelike wegkering van hulpmiddele”

’n Inligtingsbeampte kan ’n versoek vir inligting weier as hy of sy van mening is dat die prosessering van versoekte onredelik tydrowend sal wees en tot ’n vermorsing van hulpbronne sal lei. Voorts kan ’n Inligtingsbeampte toegang tot ’n rekord weier as die versoek beskou word as sinloos of gereg deur ’n versoeker om onnodig te triter of uit te tart.

4.4 Voorrang van Openbare Belang

Al die beskerming vir inligting soos hierbo uiteengesit, val weg as die vrystelling van die inligting in openbare belang is. So geniet die toets van openbare belang voorrang bo al die ander gronde vir weiering van toegang tot inligting.

Die volgende toets moet deur ’n Inligtingsbeampte van ’n openbare of privaat liggaam toegepas word voordat hy of sy weier om toegang te verleen tot inligting wat in bogenoemde kategorieë vir nie-openbaarmaking val. As daar aan hierdie voorwaardes voldoen word, moet die inligting openbaar gemaak word op grond van openbare belang.

Toon die inligting ’n ernstige oortreding van ’n wet?

OF

Bevat die onderhawige rekords inligting rakende ’n dreigende en ernstige risiko vir die openbare veiligheid of vir die omgewing?

EN

Weeg die openbare belang by die openbaarmaking van die inligting duidelik swaarder as die potensiële benadeling?
AFDELING 5
Belangrike bronne en ander nuttige inligting

Hierdie afdeling sluit in:

5.1 'n Lys van die belangrike bronne wat gebruik is om hierdie PAIA-gids saam te stel insluitende wetgewing

5.2 'n Lys van ander nuttige PAIA-hulpbronne
5.1 Belangrike bronne

<table>
<thead>
<tr>
<th>BRON</th>
<th>OUTEUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wet op Bevordering van Toegang tot Inligting Wet 2 van 2000</td>
<td>Wetgewing</td>
</tr>
<tr>
<td>Wet op Beskerning van Persoonlike Inligting Wet 4 van 2013</td>
<td>Wetgewing</td>
</tr>
<tr>
<td>PAIA Unpacked (beskikbaar by <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (beskikbaar by <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (beskikbaar by <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAMRK</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (beskikbaar by <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAMRK</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (beskikbaar by <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAMRK</td>
</tr>
</tbody>
</table>

5.2 PAIA-regulasies

<table>
<thead>
<tr>
<th>GOEWERMESTSKEENNISGEWIN</th>
<th>DATUM</th>
<th>ONDERWERP EN BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goewermentskennisgewing: No. R. 1244</td>
<td>22 September 2003</td>
<td>Wysiging rakende die beskikbaarheid van die PAIA-handleidings van openbare en privaat liggame.</td>
</tr>
<tr>
<td>Goewermentskennisgewing: No. R. 233</td>
<td>9 Maart 2001</td>
<td>Hierdie regulasies handel oor die gelde betaalbaar vir toegang tot rekords van openbare en privaat liggame.</td>
</tr>
<tr>
<td>Goewermentskennisgewing No. R. 466</td>
<td>1 Junie 2007</td>
<td>Ingesluit vorms vir Inligtingsbeamptes om te volg by die publisering van kennisgewings van vrywillige openbaarmaking ingevolge artikels 15 en 52 van PAIA.</td>
</tr>
</tbody>
</table>
5.3. **PAIA-wysigings**

<table>
<thead>
<tr>
<th>GOEWERMENTSKENNISGEWING</th>
<th>DATE</th>
<th>ONDERWERP EN BESKRYWING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goewermentskennisgewing No. 428</td>
<td>31 Maart 20004</td>
<td>Wysiging van artikel 92(4) van PAIA om voorsiening te maak vir misdrywe en strawwe vir persone wat ’n versoeker se versoek vir inligting opsetlik en onregmatig dwarsboom, byvoorbeeld deur rekords te vernietig.</td>
</tr>
<tr>
<td>Goewermentskennisgewing No. 96</td>
<td>15 Januarie 2003</td>
<td>Wysiging van PAIA om voorsiening te maak vir die opleiding van voorsittende beamptes in die landdroshowe om PAIA-aangeleenthede aan te hoor.</td>
</tr>
</tbody>
</table>

5.4. **Wysigings van PAIA-regulasies**

<table>
<thead>
<tr>
<th>GOEWERMENTSKENNISGEWING</th>
<th>DATUM</th>
<th>ONDERWERP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goewermentskennisgewing: No. 1263</td>
<td>11 April 2003</td>
<td>Kennisgewing rakende die beskikbaarheid van die PAIA-handleidings van privaat liggame.</td>
</tr>
</tbody>
</table>

5.5. **Ander nuttige PAIA-hulpbronne**

1) Using *PAIA to Promote Housing Rights, SAHA* (beskikbaar by www.saha.org).
2) Accessing *Information for Your Community, SAHA* (beskikbaar by www.saha.org).
3) Accessing *Information in the LGBTI Sector, SAHA* (beskikbaar by www.saha.org).
Umhlahlandlela
Wokobana
Uwusebenzisa
Njani Umthetho
Wezokukhutjhulwa
Kokufikelelwa
Kwelwazi Wesi-2
Waka-2000

ISINDEBELE
Iwebhsayithi: www.sahrc.org.za

I-imeyili: info@sahrc.org.za

I-Twitter: @SAHRCommission

I-Facebook: SAhumanrightscommission

I-Youtube: SAHRC1
Imininingwana yezokuthintana yeKomitjhini yezamaLungelo woBuntu yeSewula Afrika

I-Ofisi eliKhulu Johannesburg
Umtato 011 877 3600 • Ifeksi 011 403 0684

Pumalanga Kapa Port Elizabeth
Umtato 043 722 7828 • Ifeksi 043 722 7830

Freyistata Bloemfontein
Umtato 052 447 1133 • Ifeksi 051 447 1128

KwaZulu-Natal Durban
Umtato 031 304 7323/4/5 • Ifeksi 031 304 7323

Limpopo Polokwane
Umtato 015 2913500 • Ifeksi 051 291 3505

Mpumalanga Nelspruit
Umtato 013 752 8292 • Ifeksi 013 752 6890

Tlhagwini Kapa Upington
Umtato 054 332 3993/4 • Ifeksi 054 332 7750

Tlhagwini Tjhingalanga Rustenburg
Umtato: 014 592 0694 • Ifeksi 014 594 1089

Tjhingalanga Kapa Cape Town
Umtato 021 426 2277 • Ifeksi 021 426 2875
Ukuzwisisa kwakho umHlahlandlela we-PAIA

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Ulifumanaphi ilwazi olitlhogako

Isigaba 3
Usenza njani isibawo sokufikelela

Isigaba 4
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<table>
<thead>
<tr>
<th>AMATHEMU</th>
<th>IHLATHULULO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imbhadelo yokufikelela</td>
<td>Le yimbhadelo ebhadelwa mbawi ehlanganweni yombuso namkha yangeqadi afuna kiyi ilwazi, ukubhadeli iindleko zokuzuma nokukopa amarekhodi owafunako</td>
</tr>
<tr>
<td></td>
<td><em>(Navufuna ilwazi elinabileko ngokufikelela, qala isiGaba 3 salomHlahlandlela)</em></td>
</tr>
<tr>
<td>Iforomo A</td>
<td>Litholakala ekupheleni kwe-PAIA, kuwebhsayithi yeKomitjhini yezamaLungelo woBuntu yeSewula Afrika kanye nakumawebhsayithi ahlukeneko weenkhungo zombuso. Iforomo leli listjenziselwa ukufikelela ilwazi eliphehthe yihlangano yombuso.</td>
</tr>
<tr>
<td></td>
<td><em>(Navufuna ilwazi elinabileko ngeForomo A kanye nangeembawo zokufikelela ilwazi eenhlanganweni zombuso qala isiGaba 3 salomHlahlandlela)</em></td>
</tr>
<tr>
<td>Iforomo C</td>
<td>Nalo litholakala ekupheleni kwe-PAIA, kuwebhsayithi yeKomitjhini yezamaLungelo woBuntu yeSewula Afrika kanye nakumawebhsayithi wamakhamphani wangeqadi ahlukeneko. Iforomo leli listjenziselwa ukufikelela ilwazi eliphehthe yihlangano yangeqadi.</td>
</tr>
<tr>
<td></td>
<td><em>(Navufuna ilwazi elinabileko ngeForomo C kanye neembawo zokufikelela ilwazi eenhlanganweni zangeqadi qala isiGaba 3 salomHlahlandlela)</em></td>
</tr>
<tr>
<td>UmHlahlandlela</td>
<td>Utjho lomHlahlandlela okhuluma nge-PAIA obuthelelewe bewakhutjwa yikomitjhini yezamaLungelo woBuntu yeSewula Afrika eqalelelewe esiGabeni 10 se-PAIA, ukusiza abantu ekusebenziseni nekuzwisiseni i-PAIA.</td>
</tr>
<tr>
<td>isiPhathiswa seLwazi neSekela lesiPhathiswa seLwazi</td>
<td>IsiPhathiswa seLwazi (kwesinye isikhathi esibizwa nge-IO) mumuntu ogunyazwe sikhungo okuhulunywa ngasocukuphatha iimbawo ze-PAIA. Ehlanganweni yombuso lo mumuntu oyihloko namkha osabambe njengehloko yehlangano. Kumasipala angaba mphathi kamasipala; emnyangweni wesizathwa wombuso angaba mnqophisi Mazombe; ehlanganweni efana neKomitjhini yezamaLungelo woBuntu angaba ngu-CEO.</td>
</tr>
<tr>
<td></td>
<td>iSekela lesiPhathiswa seLwazi (kwesinye isikhathi esibizwa nge-DIO) mumuntu okhethwe siPhathiswa seLwazi sehlhangano yombuso ukusiza umbawi esibaweni sakeso sokufikelela ilwazi. I-PAIA ayiqaleleli iinhlangano zangeqadi ukukhetha iSekela lesiPhathiswa seLwazi; kodwana kuphakanyiswa yikomitjhini yezamaLungelo woBuntu yeSewula Afrika bonyana zenze njalo ukwenzela ukuphumelelisa nobulula.</td>
</tr>
<tr>
<td></td>
<td><em>(Navufuna ilwazi elinabileko ngeendima zeemPhathiswa zeLwazi qala isiGaba 3 salomHlahlandlela)</em></td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td>Ukudluliswa kweenqunto kwangaphakathi (iForomo B)</td>
<td>Ababawikufuze basebenzise iForomo B le-PAIA ukudlulisela phambili isiqunto esenziwe mazinge wombuso wesitjhaba, iphrovinsi namkh a umasipala mayelana nokufikelela ilwazi. <em>(Navufuna ilwazi elinabileko ngokudiselwa phambili kweenqunto kwangaphakathi qala isiGaba 3 salomHlahlandlela).</em></td>
</tr>
<tr>
<td>Ihlanganisela yabantu ngokuya komthetho</td>
<td>Yikhamphani namkha yihlangano evunywa mthetho njengento yinye namkh a ‘umuntu’ onamalungelo nemisebenzi.</td>
</tr>
<tr>
<td>UNGqongqotjhe</td>
<td>Utjho uNGqongqotjhe mayelana noNGqongqotjhe wezoBulungiswa nemiSebenzi yokuLungiswa kokuziPhatha</td>
</tr>
<tr>
<td>Umuntu wemvelo</td>
<td>Mumuntu wamambala, ngokuphikisana nomuntu owakhiwa mthetho (qala ihlanganisela yabantu ngokuya komthetho ngela).</td>
</tr>
<tr>
<td>Ihlangano yangeqadi</td>
<td>(Nayo okuthiwa yikhamphani yangeqadi, isikhungo). Lo mumuntu wemvelo namkha owakhiwe mthetho namkha libambiswano, othinteka namkha ekurhwebeni, ebhinizisini namkha emsebenzini begedu osebenza kuphela ngokuya kwesikhundla leso.</td>
</tr>
<tr>
<td>Ihlangano yombuso</td>
<td>(Godu ebizwa ngesikhungo sombuso, umnyango). Lo mnyango omunye nomunye namkha isikhungo sombuso wesitjhaba, wephrovinsi namkha wezinga lombuso wekhaya. Godu ifaka esinye nesinye isikhungo esenza umsebenzi wombuso kwegxine nesinye isikhathi lapho irekhodi elifunwako lenziwe khona.</td>
</tr>
<tr>
<td>Irekhodi</td>
<td>Ngelinye nelinye ilwazi elirekhodiweko kungaqalwa umhlolo, kufaka isibonelo, imitlolo, amavidio, njil. Irekhodi elibawiwe ehlanganweni yombuso namkha yangeqadi lingatjho irekhodi eliphethwe yihlangano leyo kungaqalwa ukobana ingabe lenziwe yihlangano leyo namkha njani.</td>
</tr>
<tr>
<td>Imbhadelo yokubawa</td>
<td>Ziindleko ezizakubhadelwa ukwenza isibawo sokufikelela ilwazi. Nasiya esibaweni selwazi lehlhlangano yombuso kunembhadelo ebekweko eyi-R35; elwazini lehlhlangano yangeqadi kunembhadelo eyi-R50. <em>(Navufuna ilwazi elinabileko ngeembhadelo yokubawa kanye nokubekelwa ngeqadi qala isiGaba 3 salomHlahlandlela).</em></td>
</tr>
<tr>
<td>Umbawi</td>
<td>Umbawi mumuntu wemvelo namkha mumuntu owakhiwe mthetho owenza isibawo sokufikelela ilwazi. Umbawi godu utjho umuntu owenzela omunye umuntu isibawo selwazi.</td>
</tr>
<tr>
<td>Omunye wesithathu</td>
<td>Lokhu kutjho umuntu wemvelo namkha umuntu owakhiwe mthetho ongasuye umbawi welwazi, noma ihlangano okwenziwa kyo isibawo selwazi.</td>
</tr>
</tbody>
</table>
### Irhemo leenrhunyezo

Irhemo elilandelako leenrhunyezo litholakala kilomHlahlandlela kanye nakweminye imithombo ye-PAIA esetjenziswa ngokujayelekileko:

<table>
<thead>
<tr>
<th>DIO</th>
<th>ISekela lesiPhathiswa seLwazi</th>
</tr>
</thead>
<tbody>
<tr>
<td>IO</td>
<td>IsiPhathiswa seLwazi</td>
</tr>
<tr>
<td>I-ODAC</td>
<td>I-Open Democracy Advice Centre</td>
</tr>
<tr>
<td>I-PAIA</td>
<td>UmThetho wezokuKhutjulwa kokuFikelelwa kweLwazi wesi-2 waka-2000</td>
</tr>
<tr>
<td>I-PPIA</td>
<td>Yi-Protection of Personal Information Act 4 of 2013 (UmThetho wezokuVikelwa kweLwazi lomuNtu Ngokwakhe)</td>
</tr>
<tr>
<td>SAHA</td>
<td>Yi-South African History Archives</td>
</tr>
<tr>
<td>SAHRC</td>
<td>IKomitjhini yezamaLungelo woBuntu yeSewula Afrika</td>
</tr>
</tbody>
</table>
ISIGABA 1
Isingeniso

Isigaba lesi sifaka:

1.1 Umnqopho womHlahlandlela we-PAIA
1.2 Umlando we-PAIA
1.3 Umnqopho we-PAIA nokobana ingasetjenziswa njani
1.4 Indima yeKomitjhini yezamaLungelo woBuntu yeSewula Afrika
1.1. Umqopho womHlahlandlela we-PAIA

LomHlahlandlela unikela ngelwazi mayelana nomThetho wezokukhutjhulwa kokuFikelelwa kwekWelwazi wesi-2 waka-2000 (okuyi-Promotion of Access to Information Act (i-PAIA). LomHlahlandlela we-PAIA uzakusiza abantu ekwenzeni imbangawo zelwazi ngaphasi kwe-PAIA, begodu unikela ngeembonelola zokobana i-PAIA isetjenziswa njani esikhathini esadlulako ukuragelisa phambili amalungelo wobuntu. Yenza lokhu ngokunikela:

» Ngelathululo ye-PAIA efithazana ezwisiseka lula
» Ngokuhlalela kokobana i-PAIA ingasetjenziswa njani ukuragelisa phambili amalungelo wobuntu
» Ngerhemo lembhlobo yelwazi engabawi ngokusebenzisa i-PAIA
» Ngomhlahlandlela wsegadango ngsegadango wokobana i-PAIA ungayisebenzisa njani ukwenza isibawo selwazi
» Ngelathululo efithazana ngeemfundo ezifundwe eembaweni zelwazi ezadlulako kanye nemilandu yekhotho ye-PAIA

1.2. Umlando we-PAIA

Lokha umThethosisekelo weSewula Afrika nawutlanyawako esikhathini esalandelola ukuwa kwebandlululo eminyakeni yabo-1990, inhilangano ezihlukeneko nabantu zabamba amajima wokufakwakwenzokungayo kwekWelwazi. Kwakuthenjwa bonyana ukuqhsana kwelwazi lelenzi elaphambili, izink uncabe, izikhuluma ezikhathi esithetha i-PAIA, ngokuqthembelenzi we-PAIA. LomHlahlandlela umthetho we-PAIA ezikhabeka ezithetha efuna ukuthi ukuhlukelwa kubaluleka emfundo ezilunywa kanye nesikhathini esikhathini esiwisa, ukuthi umthetho we-PAIA ezikhabeka izikhulu ezithetha ekufikelelele. LomHlahlandlela umTHetho wezokuKhutjhulwa kokuFikelelwa kweSewula Afrika nangaphakathi kwakuthethisa nomThetho wezokuKhutjhulwa kokuFikelelwa kweSewula Afrika.


Ngo-2000 umThetho wezokuKhutjhulwa kokuFikelelwa kweSewula Afrika (i-PAIA) ekuqcineni wawumuthetho, wazalisa isijamiso sesigaba 32 somThethosisekelo sokwenziwa umthetho kokufikelela ilwazi.

1.3. Umqopho we-PAIA nokobana ingasetjenziswa njani

Umqopho we-PAIA kukhuphula elungelo lokufikelela ilwazi, ukuhulisa isiko lokwenzelwa izinto emkhanyweni nokuziphendulele eSewula Afrika. Ukudlula lapho i-PAIA ihlose ukukhuthaza intando yenengi yokwenzelwa izinto tjiangalazi lapho abantu ababuya kwiwo amahlangothi wepilo bahlonyiswa khona ngokuthintana nombuso kanye nokuzibandakanya eenquntweni ezithinta amaphiliso wabo.
Ilungelo lokufikelela ilwazi lilungelo elihlukileko ngombana likhophonkalisa ukuphunyeleliswa kwamanye amalungelo wobuntu: le ngenye yeendlela eziqakathekileko i-PAIA engasetjenziswa ngazo

**Ukunikelwa kweensiza zombuso**

- I-PAIA ingasetjenziswa ukuhlomisa abantu kanye nokwenza umbuso bona uziphendulele ekunikelweni kweensiza ezisisekelo ezifana nezindlu, amanzi nokuthuthwa kwesila ngamanzi.

**Amalungelo ajayelekileko wabantu newezepolitiki**

- I-PAIA ingasetjenziselwa ukuthetheleni ilwazi abantu abangalisebenzisela ukusebenzisa amalungelo wabo afana nelungelo lokuvowuda kanye nelungelo lokuhlanganyela nabanye.

**Ibandlululo nokungalingani**

- I-PAIA ingasetjenziswa njengethulusi lokusekela lokulwisana nokubandlulula, elifana nokususela ebuthetheleni, ubulili, njil, eenhlwangelweni ezihlukeneko zombuso nezangeqadi. Kukakhathile ukutjheja bona i-PAIA angeze yasetjenziselwa ukufumana amarekhodi ongawasebenzisa ngesikhathi seenkambiso zombango namkha zobulelisa ngemva kokuthuma kweenkambiso ezinjalo nayikuthi ukukhiqizwa namkha ukufikelela kwerekhodi ukwenzela wona lomnqopho kuqalelelwe mthetho (qala isiGaba 7 somThetho).

#### 1.4. Indima yeKomitjhini yezamaLungelo woBuntu yeSewula Afrika

IKomitjhini yezamaLungelo woBuntu yeSewula Afrika igunyazwe ngaphasi kwe-PAIA:

- Ukukhuphula ilungelo lokufikelela ilwazi
- Ukwelusa ukuficezalisa kanye nokwenza uziphendulele ekunikelweni kweensiza zombuso nezangeqadi
- Ukwenze iimphakamiso ngokuqiniswa komThetho
- Ukubika njalo ngonyaka ePalamende

**UmThetho wezokuVikelwa kweLwazi lomuNtu Ngokwakhe**

UmThetho wezokuVikelwa kweLwazi lomuNtu Ngokwakhe wesi-4 waka-2013 (owaziwa nge-PPIA) utjhungulula i-PAIA ngezethulweni ezinkosi. Enye yeendlela ezikulu lomThetho otjhungulula ngazo i-PAIA iphathelene nendima ye-SAHR. Ngaphasi kwe-PPIA, masebenzi ye-SAHR ngokuya kwe-PAIA izakudlulisela kumLawuli weLwazi, okuyihlanganani etha eziqakathileko ezakuhlonhelyela ukwelusa kokubili e-PPIA kanye ne-PAIA, kanye nokutjheja inihlonhoyiso eziphathelene nokufikelela kwelwazi kanye nokukhiqizwa kweLwazi kanye nokukhulungano zombuso.

Kodwana i-SAHR izakugcina isibopho sayo sangokomThethosisekelo sokukhuphula, ukukhuphula nokwenza ukukhiqizwa kweLwazi lokufikelela ilwazi njengawo woke amalungelo atholakala eVikelwenimalungelo.
Isigaba lesi sifaka ukobana:

2.1 Uyifumana kuphi imihlahlandlela elisizo kanye neencwajana ukukusiza ekwenzeni iimbawo zelwazi

2.2 Ungathinta bani nawufuna isizo

2.3 Ngikuphi okulindelwe eenhlanganweni zombuso nezangeqadi ukusiza abafuna ilwazi

2.4 Elinye ilwazi litholakala ngokuzenzakalela ngaphandle kobana umuntu enze isibawo esihlelekleko, isigaba lesi sizakunikela ngehlathululo efitjhazana yokobana ukufikelela kuphi lokhu
2.1 Ukuthonga

Umnqopho we-PAIA kukhuphula ngokubonakalako umphakathi laphe abantu beSewula Afrika banokufikelelela ngokunetlha ilwazi ukubagkonakalisa ukobana basebenzise ngokuzeleko begodu babikele amalungelo wabo. Kodwana kwestinye isikhathi omunye umuntu kungenzeka angaba nesiqiniseko sokobana uthoma kuphi namkhna sokobana angalifikelela njani ilwazi ngendlela etjiwo yi-PAIA. I-PAIA ibonela phambili lomraro begodu igunyaza bona imhlahlandlela ethileko neencwajana zikhuthjwe ukuze zicable ndlela eya phambili kubafuniilwazi. Isigaba lesi sizakunikela ngehlathululo efitjhazana yalemhlahlandlela neencwajana, kanye neempho zaboakhuphi Balemihlahlandlela neencwajana, begodu, okuqakatheke khulu, kokobana itholakala kuphi.


2.2 UmHlahlandlela we-PAIA

IsiGaba 10 se-PAIA sifuna bona iKomitjhini ibuthelele beyikhuphe umhlahlandlela okulula ukuwenzeka ukusiza ukufikelelela kwacawo amalimi wakwathi wokuhlomisa olwazi. Kodwana kwestinye isikhathi lomhlahlandlela ubizwa ngo'mHlahlandlela wesiGaba 10'.

Ukunikela ngalo loko ilwazi ozalithoga ukufikelela amarekhodi. Godu ubeka imininingwana yezokuthintana yeminyango yombuso kanye neenkungelo ezigcina amarekhodi wobunguso, kanye neminingwana yezokuthintana yamakhambhani ahlukenelele wangeqadi. Ikomitjhini godo kufuneka bona ibheko leigcina ebujameni banjesi lomhlahlandlela ubuncani bakhona kanye eminyakeni emibili

2.2.1 Uwufumana kuphi lomhlahlandlela

Lomhlahlandlela utholakala ngawo woke amalimi wamathetho weSewula Afrika: isiNgisi, isiBhunu, isiNdebele, isiXhosa, isiZulu, iSipedi, iSesotho, iSetswana, isiSwati, iThwane neXitsonga. Amakhophi walomhlahlandlela angatholakala e-ofisini elikhulu kanye newamaphrovinsi weKomitjhini (imininingwana yezokuthintana ingafunyanwa ekupheleni kwalomHlahlandlela.) Ukunxezelela, amakhophi we-elektroniki ayatholakala kuwebhsayithi yeKomitjhini (www.sahrc.org.za).
2.3 **lincwajana ze-PAIA**

Ukungezelela kumHlahlandlela wesIGaba 10 nge-PAIA ozakubuthelelelelwa yiKomitjhini, i-PAIA godu ifuna yoke ihlangano yombuso, kanye neenhlangano zangeqadi ezinengi, bona zikhuphe incwajana ezakumumatha ilwazi lokobana uyisebenzisa njani i-PAIA ukufikelela amarekhodi wazo

2.3.1 **lincwajana ze-PAIA zeenhlangano zombuso**

IsiGaba 14 se-PAIA sifuna bona zoke ihlangano zombuso zikhuphe incwajana ubuncani bakhona ngamalimi wangokomthetho amathamthu ezakusiza abafunilwazi ukwenza imbawo zelwazi ehlanganweni ethintekako. Ubuncani bakhona incwajana kufuze ube nelwazi elinesizo eliandelako:

<table>
<thead>
<tr>
<th>IFUNEKO</th>
<th>IHLATHULULO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Igunya</td>
<td>Isakhiwo nemisebenzi yehlangano yombuso.</td>
</tr>
<tr>
<td>Imininingwana yezokuthintana</td>
<td>I-adresi yeposo neystara, inomboro yomtato neyefeksi, begodu nayikhona, i-adresi ye-imeyili yesipathiswa selwazi sehlangano yombuso, kanye neyesekela lesipathhiswa selwazi esinye nesinye sehlangano yombuso</td>
</tr>
<tr>
<td>UmHlahlandlela wesIGaba 10 we-PAIA</td>
<td>Ihlathululo yalomHlahlandlela ibuthelelele yiKomitjhini yezamaLungelo woBuntu yeSewula Afrika nokobana uyifikelela njani.</td>
</tr>
<tr>
<td>Imihlobo yamarekhodi aphathwako</td>
<td>Ilwazi elanelelo lokukusiza ekukghonakaliseni ukufikelela irekhodi eliphethwe yihlangano yombuso. Ihlangano yombuso kufuze ngalokho ihlathulule iinhloko amarekhodi athwelwe ngazo, kanye nemihlobo amarekhodi aphethwe ngayo kwesinye nesinye isihloko.</td>
</tr>
<tr>
<td>Ilwazi elitholakala ngokuzenzakalela</td>
<td>Elinye ilwazi litholakala khonokho ngaphandle kobana umuntu alibawe ngokuya kwe-PAIA. Incwajana yehlangano yombuso kufuze itjengise ilwazi leli elitholakala khonokho.</td>
</tr>
<tr>
<td>Iinsiza zehlangano yombuso</td>
<td>Ihlathululo yeensiza ezitholakala kumalunga womphakathi ezibuya ehlanganweni yombuso nokuthi ufikelela njani iinsiza ezinjalo.</td>
</tr>
<tr>
<td>Ukuhlanganyela komphakathi</td>
<td>Ihlathululo yehlelo elinye nelinye namkha ukunikelo komuntu wokubonisana , ukwenza izethulo namkha ukuhlanguyela namkha ukuba nomthelela ekwenziweni komthethomgomo; namkha ukusetjenziswa kwamandla namkha ukwenziwa kwemisebenzi yihlangano yombuso</td>
</tr>
<tr>
<td>Ukulungiswa kwemitjhapho</td>
<td>Igadango ongalithatha nayikuthi isiphathiswa selwazi sehlangano yombuso asifuni ukukunikela ngokufikelela ilwazi</td>
</tr>
</tbody>
</table>
2.3.2 Lapho ungafumana khona incwajana yehlangano yombuso

Zoke inhlangano zombuso kufuze zene incwajana itholakale lula kuwe. Ubuncani bakhona, kufuneka zenze njalo ngeendlela ezilandelako:

» Ngokwenza bona kutholakale iakhophi kwelinye nelinye i-ofisi leohlango leyo yombuso ngesikhathi sokusebenza

» Ngokweza itholakale incwajana kuwebhsayithi, nayikhona, yehlangano yombuso


2.3.3 Iincwajana ze-PAIA zeenhlangano zangeqadi

Inhlangano zangeqadi godu kufuneka zibuthelele incwajana kungokuya kwesigaba 51 se-PAIA. Kwanjesi, akusizo zoke inhlangano zangeqadi okufuneka bona zikhambisane nesigaba lesi.1 Ngalokho, ungafumana bona ihlangano ofisa ukwenza kiyi isibawo selwazi ayinayo na incwajana engakunikela yona. Lokhu akutjho bona ihlangano ayalawulwa yi-PAIA ngokujayelekileko. Usengasenza isibawo selwazi nanyana kunjalo ehlanganweni le begodu kusafuneka bona isebenze isibawo sakho ngokuya komthetho. Ikambiso yokwenza isibawo selwazi ngokuya kwe-PAIA ihlala ifana, nanyana ihlangano ebawiwako itjhiywa ngaphandle ekubutheleleni incwajana.

NGIZIPHI IINHLANGANO ZANGEQADI OKUNGAKAFANELI BONA ZIKHUPHE INCWAJANA YELWAZI?


1 Lokhu kutjhubulule ngomhlaka 31 Disemba 2015 lapho zoke inhlangano zangeqadi kuzakulindelwa bona zibe sele zinencwajana ngokuya kwesigaba 51 se-PAIA.
linhlangano zangeqadi ezilandelako kufuze zibuthelele incwajana incwajana ye-PAIA nayikuthi ziqatjhe abasebenzi abangaphezulu kwabama-50 emabubulweni alandelako namkha nazinenzuzo yonyaka edlula leyo ebekwe ngenzasi:

<table>
<thead>
<tr>
<th><strong>IBUBULO</strong></th>
<th><strong>INZUZO YONYAKA</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>ZokuLima</td>
<td>R2 iingidi</td>
</tr>
<tr>
<td>ZokuMayina neGwari</td>
<td>R7 iingidi</td>
</tr>
<tr>
<td>ZokwEziwa kwePahla</td>
<td>R10 iingidi</td>
</tr>
<tr>
<td>ZeGezi, iRhasi naManzi</td>
<td>R10 iingidi</td>
</tr>
<tr>
<td>ZokwAkha</td>
<td>R5 iingidi</td>
</tr>
<tr>
<td>ZokuThengisa nokuRhweba ngeenKoloyi nemiSebenzi yokuLungisa</td>
<td>R15 iingidi</td>
</tr>
<tr>
<td>ZamaHoliseyila, abasebenzeli bezokuThengisa kanye nemiSebenzi eKhambelanako</td>
<td>R25 iingidi</td>
</tr>
<tr>
<td>ZokuPheka, ukuHlalisa kanye namanye amaRhwebo</td>
<td>R5 iingidi</td>
</tr>
<tr>
<td>ZokuBeka nokuThintana</td>
<td>R10 iingidi</td>
</tr>
<tr>
<td>ZemiSebenzi yezeeMali neBhizinisi</td>
<td>R10 iingidi</td>
</tr>
<tr>
<td>ZemiSebenzi yomPhakathi, eKhethekileko neQalene noMuntu</td>
<td>R5 iingidi</td>
</tr>
</tbody>
</table>

UNggqongqotjhe godu ubeke bona woke amakhamphani angakahlathululwa njenga‘makhamphani wangeqadi’ ngaphasi kwesigaba 1 somThetho wezamaKhamphani wama-71 waka-2008 kufuneka bona abuthelele incwajana yesiGaba 51.

2.3.4 Uyifumana kuphi incwajana yehlangano yangeqadi

Zoke inhlangano zangeqadi okufuneka zibuthelele incwajana kufuze senze bona incwajana leyo itholakala lula kuwe. Ubuncani bakhonela, kufuneka senze njalo ngeendlela ezilandelako:

> Ngokwenza bona kutholakale ikhophi ezakuhlowa kwelinye nelinye i-ofisi lehlhangano leyo yangeqadi ngesikhathi sokusebenza. Ihlangano yangeqadi akukafaneli bona ikubhadelise ukuzoyihlola;

> Ngokwenza bona incwajana itholakala kuwebhsayithi yabo.

2.3.5 Ukhambisana njani nayikuthi uyihlangano yangeqadi

Kunelwazi elinesizo lokuhlala iimpadhethwa zelwazi zamakhamphani wangeqadi afuna ukukambisana nesiGaba S1 se-PAIA kuwebhsayithi yeKomithhini yezamaLungelo wobuntu yeSewula Afrika (www.sahrc.org.za). Lokhu kufaka ithempleyithi ongalikhupha imphathiswa zelwazi ezingalisebenzisa njengesibonelo.
Ngokuya kwesigaba 51, ihloko yehlangano yangeqadi kufuze:

» Ilethe ebujameni banjesi woke amatjhuguluko wencwajana njalonjalo;
» Yenze ukuba uwebhu lufumanekile ekufunwa ngayo nguMthetho kwii-ofisi zenkampani nakwiwebhusayithi yayo;
» Kufuze ifake iforomo lesibawo (iForomo C le-PAIA) encwajaneni begedu yenze amakhophi weforomo lesibawo atholakale kuwebhsayithi nakiyo yoke imakhiwo yekhamphani.

Ubuncani bakhona incwajana kufuze ibe neliwazi eliandelako:

<table>
<thead>
<tr>
<th>IFUNEKO</th>
<th>IHLATHULULO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imininingwana yezokuthintana</td>
<td>I-adresi yeposo neyestrada, umtato nenomboro yefeksi begodu nayikhona, i-adresi ye-imeyili yesiphathiswa selwazi sehlangano yangeqadi.</td>
</tr>
<tr>
<td>Ilwazi elitholakala ngokuzenzakalela</td>
<td>Elinye ilwazi litholakala khonokho ngaphandle kobana umuntu alibawe ngokuya kwe-PAIA. Incwajana yekhamphani yangeqadi kufuze itjengise ilwazi leli elitholakala khonokho</td>
</tr>
<tr>
<td>Amarekhodi atholakala ngokubawiwa</td>
<td>INCwajana yesiGaba 51 kufuze itjho amahlangothi wamarekhodi atholakala ngokubawiwa.</td>
</tr>
<tr>
<td>Ikambiso ye-PAIA</td>
<td>Itjho ikambiso ye-PAIA ezakulandelwa ukufikelela ilwazi ekhamphanini yangeqadi (iForomo C).</td>
</tr>
<tr>
<td>Ilwazi leKhamphani</td>
<td>Kufaka imininingwana yehloko yekhamphani namkha u-CEO wekhamphani (njengombana ngokuya kwe-PAIA isiPhathiswa seLwazi sekhamphani yangeqadi ngokuvamileko kungiyo ihloko namkha u-CEO).</td>
</tr>
<tr>
<td>limbhadelo</td>
<td>Yitjho limbhadelo zokufikelela ezisebenza ngokuya kwe-PAIA (qala isiGaba 3 ukufumana ilwazi elinabileko).</td>
</tr>
<tr>
<td>Ukulungiswa kwementjapho</td>
<td>Ngiziphi iintatha ezikhona kubabawi nayikuthi isibawo sabo selwazi saliwe?</td>
</tr>
<tr>
<td>Imininingwana eragela phambili</td>
<td>Eminye neminye imininingwana eragela phambili ephathelene neembawo zokufikelela amarekhodi.</td>
</tr>
</tbody>
</table>
2.4 Ilwazi elitholakala ngokuzenzakalela eliphethwe yihlangano yombuso


Isiphathiswa selwazi sehlangano yombuso kufuneka senze isaziso sokuze ngokuzithandela sehlangano yombuso be ngobudu sitholakala ema-ofisini wehlangano yombuso be ngobudu sisikhuphe kuGaza yomBuso. Ukuze ngokuzithandela kufuze kulunye ibumjane nje lokhu ngonyaka.

Isaziso sokuze ngokuzithandela sinamahlangothi wamarekhodi kanye nehlathululo yamarekhodi lawo atholakala ngokuzenzakalela:

» Ukwenza ukuhlola ngokuya komunye nomunye umthetho ngaphandle kwe-PAIA;
» Ukwenza ukuthenga namkha ukukopa ukusuka ehlanganweni yombuso; kanye
» Nokusuka ehlanganweni yombuso simahla

Isaziso sokuze ngokuzithandela kufuze sihlathulule ukobana uwafikelela njani amarekhodi avezwa ngokuzithandela kanye natholakala ngokuzenzakalela. Akusebenzi ukwenza isibawo esihlelekileko samarekhodi athileko rayikuthi amarekhodi lawo afanako sele avezwe ngokuzithandela be ngobudu atholakala ngokuzenzakalela. Esikhathini esinengi, imbhamelo iyafuneke khona isibawo esihlelekileko sizakusetjenza be ngobudu lokhu kungathatha amalanga ama-30. Lokhu kungabalekelwa rayikuthi ufuna ukuqala isaziso sokuze ngokuzithandela be ngobudu ufanise ukobana ingabe irekhodi olifunako litholakala ngokuzenzakalela namkha njani.

Nanyana lokhu kukelekelele ehlanganweni yombuso ukukhupha isaziso sokuze ngokuzithandela, lokhu akusi kuku’zithandela’ kwelwazi leli yombuso. Isaziso sibizwa ‘isaziso sokuze ngokuzithandela’ ngobana sinikela ngesaziso salo loke ilwazi elivezwe ngokuzithandela, ingasi ngobana kuya ngokuqunta kwesiphathiswa selwazi ukobana liyakhutjhalwa namkha njani irhemo.
2.5 Ilwazi elitholakala ngokuzenzakalela eliphethwe yihlangano yangeqadi namkha yikhamphani

Ngokufana neenhlangano zombuso, inihlangano zangeqadi zinga elwazi ongalifikelela ngaphandle kokwenza isibawo esihlelekileko. Ngaphambi kokwenza isibawo esihlelekileko selwazi ngokuya kwe-PAIA okuzokwenzeka sifune imbhadelo kanye nesikhathi sakulinda samalanga ama-30, funisisa ubonze ingabe ilwazi leli alikabi ukuvezwa ngokuzenzakalela ngaphandle kokwenza isibawo esihlelekileko na

Ihloko yehlangano yangeqadi, ngokuzithandela nangeenkhathi ezithileko, ingenza irhemo lelwazi elitholakala ngokuzenzakalela ehlanganweni yangeqadi ngaphandle kobana wenze isibawo esihlelekileko. Irhemo leli libizwa ‘ngesaziso sesigaba 52’ namkhaka ‘isaziso sokuveza ngokuzithandela’.

Ngokungafaniko neenhlangano zombuso laapho iimphathiswa zelwazi, kufuze zikhuphe isaziso sokuveza ngokuzithandela, isiphathiswa selwazi sehlangano yangeqadi asikakateleleki ukwenza njalo. Ngokuya kwe-PAIA “ngokuzithandela” singakahupha irhemo elinjalo. Lo mumehluko omkhulu phakathi kwesaziso sesigaba 52 sehlangano zangeqadi kanye nesaziso sesigaba 15 sehlangano zombuso

Isaziso sokuveza ngokuzithandela sehlangano yangeqadi sinamahlangothi wamarekhodi kanye nehlathululo yamarekhodi lawo atholakala ngokuzenzakalela:

» Ukwenzela ukuhlola ngokuya komunye nomunye umthetho ngaphandle kwe-PAIA;
» Ukwenzela ukuthenga namkha ukukopa ukusuka ehlanganweni yombuso; kanye
» Nokusuka ehlanganweni yombuso simahla.

Isaziso sokuveza ngokuzithandela kufuze godu sihlathulule ukobana uwafikelela njani amarekhodi azezwe ngokuzithandela begodu natholakala ngokuzenzakalela.
Isigaba lesi sifaka okulandelako:

3.1 Imihlobo yeembawo

3.2 Imbhadelo ezihlobaniswa nokwenza iimbawo

3.3 Indima yesiPhathiswa seLwazi

3.4 Ukulungiswa kwemitjhapho ngokomthetho
3  Ngisenza njani isibawo se-PAIA?

Isibawo sokufikelelela ilwazi singenziwa kokubili eenhlanganweni zombuso nezangeqadi. Umuntu owenza isibawo waziwa ngo"mbawi". I-PAIA inikela ngeendlela ezihlukenekho zokufikelela ilwazi elibuya eenhlanganweni yombuso namkhaka yangeqadi. Amaforomo abekwiweko kufuze asetjenziwe lokha nawubawa ilwazi. Amaforomo la atholakala ku-PAIA.

<table>
<thead>
<tr>
<th>UMLHLOBO WEHLANGANO</th>
<th>IFOROMO LE-PAIA</th>
<th>ISIGABA SE-PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ihlangano yombuso</td>
<td>Iforomo A</td>
<td>Isigaba 18</td>
</tr>
<tr>
<td>Ihlangano yangeqadi</td>
<td>Iforomo C</td>
<td>Isigaba 53</td>
</tr>
</tbody>
</table>


3.1  Ngubani ongenza isibawo se-PAIA?

Omunye nomunye umuntu uvunyelwe ukwenza isibawo ngaphasi kwe-PAIA. Umbawi angaba:

**Mumuntu wemvelo**
- umuntu akuthlogeki bona abe sisakhamuzi seSewula Afrika namkhaka abe mhlali weSewula Afrika

**Yihlanganisela yabantu ngokuya komthetho**
- efana nebhzinisi namkhaka ihlangano

**Umuntu owenzela umuntu wemvelo namkhaka umuntu obunjwe mthetho**

Umbawi unelungelo lokufikelela amarekhodi aphethe ilwazi lakhe namkhaka ngomuntu umbawi amenzelwa isibawo.

Ihlangano yombuso ithatha njengomuntu owenziwe mthetho begodu ingenza isibawo sokufikelela amarekhodi aphetheze zinhlanganano zangeqadi namkhaka kuphela nayikuthi ihlangano yombuso (1) yenzelwa inkareko zomphakathi, begodu (2) amarekhodi afuneka ukwenzela ukuzala namkhaka ukuvikela amanye namanye amalungelo ngaphandle kwaalwalo wehlanganano yombuso.

Kuqakathekile ukutjheja bonyana i-PAIA ayiqaleleli ngokunqophileko iminyango yombuso (kufaka amagatja wesitjhaba, wamaphrovinsi newabomasipala) kanye nomunye nomunye umuntu namkhaka isikhungo esisebenzisa amandla namkhaka esenza umsebenzi ngokuya komThethosisekelo (esifana ne-SAHRK kanye ne-Ofisi lomVikeli womPhakathi) namkhaka ikhamphani yephrovinsi (efana neBhodo yezamaLayisense woTjwala yeTjhingalanga Kapa) ukwenza imbawo ze-PAIA kwezinye inhlanganano zombuso.
### 3.1.1 Ngilizalisa njani iforomo lesibawo le-PAIA?

Isibawo sokufikelela ilwazi eliphethwe yihlangano yombuso namkhya yangeqadi senziwa ngokuzalisa iforomo lesibawo le-PAIA kanye nokulisa ehlanganweni efaneleko. Isibawo se-PAIA kufuze siqaliswe esiPhathisweni seLwazi, kuSekela lesiPhathiswa seLwazi namkhya kuHloko yihlangano yombuso namkhya yehlangano yangeqadi, begodu kufuze sisebenzise iminingwanga yanjesi nenembako yokuthintana.

Ukungezelela ekunikeleni ngemininingwanga yehlangano efaneleko, iforomo lesibawo elitjhiwoko le-PAIA lifaka okulandelako:

<table>
<thead>
<tr>
<th>ILWAZI ELIFUNEKAKO</th>
<th>IHLATHULULO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imininingwana yombawi</td>
<td>Ilwazi elaneleko ngombawi ukwenza bona umbawi afaniseke lula, kufaka iminingwanga yokuthintana: i-adresi yeposo, i-adresi ye-imeyili, ifeksi kanye/namkhya inomboro yomtato eSewula Afrika.</td>
</tr>
<tr>
<td>Imininingwana yerekhodi elibawiwako</td>
<td>Ilwazi elaneleko ngerekhodi ukwenza kube lula ukulifanisa. Iphepha lokungezelela lingasetjenziswa ukubeka ngokuzeleko isibawo, ikani elinye nelinye iphepha litlikitliwe belananyanthiselwa eforomini lesibawo.</td>
</tr>
<tr>
<td>Indlela yokufikelela irekhodi</td>
<td>Ihlathululo ngomhlobo namkhya indlela irekhodi okufanele linikelwe namkhya lenziwe lifikelelwe ngayo</td>
</tr>
<tr>
<td>Indlela okuzakwaziswa ngayo umbawi ngokuzelelewwe</td>
<td>Indlela okuzakwaziswa ngayo umbawi ngesiqunto sokunikela namkhya sokwala isibawo.</td>
</tr>
<tr>
<td>Ilimi elikhethwako</td>
<td>Lokha nakwenziwa isibawo ehlanganweni yombuso, iliim elinyulwako okuzakufunyanwa ngalo irekhodi kufuze linikelwe.</td>
</tr>
<tr>
<td>Isikhundla somuntu ogunyaziweko owenza isibawo</td>
<td>Lokha nakufakwa isibawo ukwenzela omunye, ubufakazi besikhundla somenzi kufuze bunikelwe (lomuntu waziwa njengomuntu ogunyaziwe).</td>
</tr>
<tr>
<td>Amalungelo athintekako</td>
<td>Lokha nakwenziwa isibawo ehlanganweni yangeqadi, umbawi kufuze atjho ilungelo elithintekako begodu ahlathulule ukobana kugani irekhodi lifunelwa ukusebenzisa namkhya ukuvikela ilungelo elithileko</td>
</tr>
</tbody>
</table>
Ababawi abangakghoniko ukufunda namkha ukutlola bangenza iimbawo zomlomo esiPhathisweni seLwazi namkha kuSekela lesiPhathiswa seLwazi sehlhangano yombuso, okungiso esizakuzalisa iForomo A ukwenzela umbawi.

3.1.2 Ingabe kunekambiso ezakulandelwa lokha nakwenziwa isibawo se-PAIA?

Umbawi kufuze anikelwe ukufikelela amarekhodi awabawileko, kuphela nakakhambisana neemfuneko zeenkambiso:

» Isibawo se-PAIA kufuze senziwe eforomini elfaneleko (iForomo A eenhlanganweni zombuso, iForomo C eenhlanganweni zangeqadi) begodu siqaliswe kusiPhathiswa seLwazi namkha kuSekela lesiPhathiswa seLwazi sehlhangano yombuso namkha yangeqadi namkha kuHloko yehlangano yombuso namkha yangeqadi.

» Iforomo lesibawo le-PAIA kufuze lilethwe ngesandla, liposwe, lifekswe namkha lithunyelwe ngokusebenzisa i-imeyili ehlanganweni yombuso namkha yangeqadi umbawi enze isibawo kyo.

» Amarekhodi abawiweko awaweli ngaphasi kwamabanga wokwaliwa atholakala ngaphasi kwe-PAIA.

3.2 Khuyini iindleko zokwenza isibawo se-PAIA?

Ababawi kufuneka babhadele imbhadelo lokha nababawa ukufikelela amarekhodi ukusuka kokubili ehlanganweni yombuso neyomphakathi.

Imbhadelo yokubawa amarekhodi ehlanganweni yombuso yi-R35 kuthi imbhadelo yokubawa irekhodi ehlanganweni yangeqadi kube yi-R50.

Kuqakathekele ukutjheja bona ababawi ababawa ukufikelela ilwazi labo ababhadeliswa lemalii; kodwana bazakulindelwa bonyana babhadele iimali zokufikelela.

Ababawi abarhola ngaphasi kwe-R14 712 ngonyaka (nakangakatjhadi) kanye ne-R27 192 (nakatjhadileko namkha anomlingani kanomphela) AKUKAFANELI bona babhadele imbhadelo zokufikelela.
3.2.1 Khuyini iindleko zokufikelela amarekhodi ngaphasi kwe-PAIA?

Ababawi godu kufuneka bona babhadele iimbhadelo zokufikelela amarekhodi weenhlangano zombuso nezangeqadi. Imbhadelo le ifaka iindleko zokuzuma irekhodi nokulikopa.

Ukuhlahlelwa kweembhadelo zokufikelela amarekhodi weenhlangano zombuso kunje:

<table>
<thead>
<tr>
<th>UMSEBENZI</th>
<th>IMBHADELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ikphpi ngokuya ngekhasi le-A4</td>
<td>60 iinsende</td>
</tr>
<tr>
<td>Ukugadangisa ngokuya ngekhasi le-A4</td>
<td>40 iinsende</td>
</tr>
<tr>
<td>Ikphpi ku-CD</td>
<td>R40</td>
</tr>
<tr>
<td>Ukwenziwa komtlolo wamagama ngeenthombe</td>
<td>R22</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>ezibonwako ngokuya ngekhasi le-A4</td>
<td></td>
</tr>
<tr>
<td>Ikphpi yesithombo esibonwako</td>
<td>R60</td>
</tr>
<tr>
<td>Ukwenziwa komtlolo wamagama ngadangiso</td>
<td>R12</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>elilalelwako ngokuya ngekhasi le-A4</td>
<td></td>
</tr>
<tr>
<td>Ikphpi yegadangiso elilalelwako</td>
<td>R17</td>
</tr>
<tr>
<td>Ukuzuma nokulungiswa kwerekhodi ukwenzela ukuliveza</td>
<td>Yi-R15 nge-awara namkha isiquntu salokho, kungafaki i-awara lokuthoma, ngokuzwakalako efuneka ekuzumeni nekulungiseni.</td>
</tr>
</tbody>
</table>

Ukuhlahlelwa kweembhadelo zokufikelela amarekhodi weenhlangano yangeqadi ngilokhu:

<table>
<thead>
<tr>
<th>UMSEBENZI</th>
<th>IMBHADELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ikphpi ngokuya ngekhasi le-A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Ukugadangisa ngokuya ngekhasi le-A4</td>
<td>75 iinsende</td>
</tr>
<tr>
<td>Ikphpi ku-CD</td>
<td>R70</td>
</tr>
<tr>
<td>Ukwenziwa komtlolo wamagama ngeenthombe</td>
<td>R40</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>ezibonwako ngokuya ngekhasi le-A4</td>
<td></td>
</tr>
<tr>
<td>Ikphpi yesithombo esibonwako</td>
<td>R60</td>
</tr>
<tr>
<td>Ukwenziwa komtlolo wamagama ngadangiso</td>
<td>R20</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>elilalelwako ngokuya ngekhasi le-A4</td>
<td></td>
</tr>
<tr>
<td>Ikphpi yegadangiso elilalelwako</td>
<td>R30</td>
</tr>
<tr>
<td>Ukuzuma nokulungiswa kwerekhodi ukwenzela ukuliveza</td>
<td>Yi-R30 nge-awara namkha isiquntu salokho, kungafaki i-awara lokuthoma, ngokuzwakalako efuneka ekuzumeni nekulungiseni.</td>
</tr>
</tbody>
</table>
Tjheja bonyana kokubili ebujameni beenkhungo zombuso nezangeqadi, iimali zokuposa zizakubhadelwa mbawi ukwenzela ukulethwa kwerekhodi.

**Ukutjhiya ngaphandle**

Nayikuthi isiPhathiswa seLwazi, iSekela lesiPhathiswa seLwazi namkha iHloko yehlangano yombuso / yangeqadi icabanga bonyana ukubuthelelwana nokukhiziqwa butjha kwemthololo kuzakuthatha ama-awara adlula asithandathu, kufuze sazise umbawi, (ngesaziso sangkomthetho) bonyana kunye kokuthathu kwemthololo yokufikelela kuzakubhadelwela phambili njengedibhoxi.

Nayikuthi irekhodi alikanikelwa ngomhlobo obawiweko, imbhadelo yokufikelela ebhadeliswa umbawi akukafuzi bona idlule imbhadelo ebeiyizokubhadeliswa rayikuthi ukufikelele kunikelwe ngomhlobo obawiweko. Kodwana lomthetho awusebenzi lokha omunye umhlolo ufuneka ngombana ilwazi kufanele linikelwe ukusuka erehodini.

Nayikuthi umbawi akawuza ukufunda, ukubona namkha ukuzwa irekhodi eliphethwe yihlangano yombuso ngebanga lokurholophala, ihlangano yombuso kufuneka bona inikele ngerekhodi ngomhlolo ongafekelelwa mbawi. Imbhadelo yokufikelela ebhadeliswa umbawi kufuze ingadluli imbhadelo ebeiyingabhadeliswa ingathana bekungasi kurholophala.

### 3.3 Ingabe IsiPhathiswa seLwazi singangisiza ukwenza isibawo se-PAIA?

Lokha isibawo se-PAIA nasenziwa ehlanganweni yombuso, isiPhathiswa seLwazi namkha iSekela lesiPhathiswa seLwazi kufuze sisize laphe kungakghoneka khona ukuzalisa amaforomo we-PAIA.

Isizo elinjalo kufuze linikelwe simahlal

<table>
<thead>
<tr>
<th>IMISEBENZI YEEMPHATHISWA ZELWAZI</th>
<th>IHLATHULULO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kusiza umbawi ekuvaliseni iforomo le-PAIA</td>
<td>Lokha isibawo se-PAIA nasingalandeli zokwe imfuneko ezibekiweko ezitjiwo ku-PAIA kanye reforomini, isiPhathiswa seLwazi namkha iSekela lesiPhathiswa seLwazi ANGEZE sala isibawo. Esikhundleni salokho, isiPhathiswa seLwazi kufuze sazise umbawi ngomhlolo bonyana asikhgoni ukutjheja isibawo ngombana asikaphelilele, begodu sinelele ngokusiza umbawi ukobana enze amatjhunguluko afaneleko eforomini. Nayikuthi umbawi akaphenduli incwadi leyo namkha alungise iforomo esikhathini esizwakalako, isiPhathiswa seLwazi singala isibawo.</td>
</tr>
<tr>
<td>Ukunikela umbawi ngelwazi elifaneleko laphe kukghoneka khona</td>
<td>Nayikuthi kuyezwakala begodu kuyakghoneka akwenzwa njalo, isiPhathiswa seLwazi kufuze sinelele umbawo elinye nelinye ilwazi eliphethele yihlangano yombuso nalo elisakhambisana nesibawo, nanyana amarekhodi bewangasi yingcenyeni yesibawo sokuthoma.</td>
</tr>
<tr>
<td>IMISEBENZI YEEMPHATHISWA ZELWAZI</td>
<td>IHLATHULULO</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Ukudlulisa isibawo</td>
<td>Lokha isibawo se-PAIA nasenziwa ehlanganweni yombuso engakafaneli, isiphathiswa selwazi sehlangano leyo kufuze sitedlulisele isibawo leso ehlanganweni yombuso efaneleko kungakapheli amalanga ali-14 ngemva kokusifumana begodu kufuze sazise umbawi ngokudluliswa kwaso ngomtolo.</td>
</tr>
<tr>
<td>Amalanga ama-30 wokuphendula isibawo</td>
<td>Isibawo se-PAIA kufuze siphendulwe yihlangano yombuso namkhaya yangeqadi kungakapheli amalanga ama-30 ngemva kokusifumana. Isiphathiswa selwazi singabawa ukungezwa kweSikhathi kwdwana kungadlulimi emalangeni ama-30 wokusebenza ukwenzela amabanga athileko, okungafaka isibawo esibandakanya (1) irinthelelo emikhulu, (2) ukubonisana nezinye inihlangano zombuso namkhaya zangeqadi, (3) namkhaya nayikuthi umbawi unikele ngokungenzeza kweSikhathi ngomtolo. Kukwenzela kanye kuphela kwesikhathi okuvunyelweko ngokuyana kubawo se-PAIA.</td>
</tr>
<tr>
<td>Ukunikela namkhaya ukwaleza ukufikelela</td>
<td>Kumsebenzi wesiPhathiswa selwazi ukunikela namkhaya ukwala ngokunikelwa kokufikelela kwamarekhodi. Isiqunto kufuze senziwe kumbawo ngomtolo.</td>
</tr>
<tr>
<td>Iforomo lokufikelela, imbhadelo yokufikelela kanye nokulungiswa kwemtitjapho</td>
<td>Lokha isibawo se-PAIA nasinikelwako, isiphathiswa selwazi kufuze sazise umbawi ngeforomo lapho ukufikelela kuzokunikelwa khona kanye nangemthembadelo yokufikelela, okufuze ibhadelwwe nasele ukufikelela kunikelwa. Isaziso godu kufuze sazise umbawi bonyana unelungelo lokudlulisiza phambili isiqunto ngaphakathi kanye nokwenzela isibawo ekhetho ukuphikiza imbhadelo yokufikelela namkhaya ngomhlobo okuzakunikelwa ngawo ukufikelela. Ukungenzelela, isaziso godu kufuze simelele ilwazi ngesikhathi lapho ukudluliswa phambili kusiqunto namkhaya isibawo sekhotho kufuze sifakwe ngasotho kanye nesikhathi kufuze siveze umbawo ngakwęseniwa kwemtitjapho.</td>
</tr>
<tr>
<td>Ukwaliwa kwesibawo</td>
<td>Nayikuthi isibawo se-PAIA sijaliwa, isaziso esiya kumbawo kufuze siveze amabanga wokwaliwa, okufanele kuskelelelelezi ngenjamsa ezifaneleko zePAIA. Ngengokoifuna nomhlobo namkhaya ukufikelela kanye nebimhadelo yokufikelela, isaziso kufuze simelele lembawi ngelelo ngeliwazi mayelana nelungelo lakhe lokudlulisiza phambili isiqunto namkhaya lokwenza isibawo ekhetho.</td>
</tr>
<tr>
<td>Ukujamisa ukukhuthjwa kwerekho</td>
<td>Isiphathiswa selwazi singaqunta ukujamisa ukunikelwa kwerekho kubawo ngokuya kwesiGaba 24 se-PAIA nayikuthi irekhodi lelo kuNkhalwele bonyana likhuthjwe kungakapheli amalanga ama-90 namkhaya ngokomthetho irekhodi lelo kufuneke bona likhuthjwe kodwana akukabi ukwenza lokho.</td>
</tr>
</tbody>
</table>

I-PAIA, eengabeni 23 (ehlanganweni yombuso) no-55 (ehlanganweni yangeqadi) ibeka bona nayikuthi isiphathiswa selwazi askhongi ukufumana amarekhodi abawweko, namkhaya kukholwa bona awekho, isiphathiswa selwazi kufuze, ngemva kokuqiniseka bonyana woke amaganadango athethwe ukufumana irekhodi, silethe incwadi yesifungo kumbawo emazisa bonyana amarekhodi anjalo awekho namkhaya awatholakali. Incwadi yesifungo le kufanele inikele ngayo yoke iminingwana.
3.4 Ngiziphi iintatha zomthetho enginazo, nayikuthi isibawo sami se-PAIA siyaliwa?

Umbawi unelungelo lokuthathela isiPhathiswa seLwazi, iSekela lesiPhathiswa seLwazi namkha iHlokho yehlangano yombuso namkha yehlangano yangeqadi amagadango wezomthetho nayikuthi isiPhathiswa seLwazi siqunte:

» Ukumalela nokufikelela irekhodi
» Ukunabisa isikhathi sokuphendula isibawo
» Ukumbhadelisa imbhadelo yokufikelela namkha yokubawa
» Ukunikela ngokufikelela kwerekhodi ngendlela ehlukileko kunakaleyo ebeiyi bawo

Isigaba lesi sizokuhlathulula iintatha zomthetho ezitholakala kubabawi abafisa ukuphikisa iiinqunto zeemPhathiswa zeLwazi.

3.4.1 UkuLungiswa kwemiTjhapho ngokomThetho eenHlanganweni zomBuso

Lokha umbawi nakangakathabi ngesiqunto esenziwe siPhathiswa seLwazi sehlangano yombuso, umbawi unelungelo lokudululisele phambili isiqunto ngaphakathi. Ukudlullisa isiqunto ngaphakathi kufaka umuntu ophezulu ngesikhundla ozakubuyekeza isiqunto esenziwe siPhathiswa seLwazi begodu ozakuqunta ukobana ingabe isiqunto ngesilungileko namkha njani. Nayikuthi umuntu ophezulu lo ngokwesikhundla uvuma isiinqunto sesiPhathiswa seLwazi, ukudululisa kwesiinqunto kwangapakhathi kuyaliwa begodu isiinqunto mayelana nesibawo se-PAIA siyaqinisekiswa. Nayikuthi umuntu ophezulu lo ngokwesikhundla akavumelani nesiinqunto sesiPhathiswa seLwazi, ukudululiswa kwangapakhathi kuyavela begodu isiinqunto sokuthoma mayelana ne-PAIA siyatjhasi kwakwazi kubawo kanye nesiinqunto se-PAIA siyaliwa. Nayikuthi umuntu ophezulu lo ngokwesikhundla akavumelani nesiinqunto sesiPhathiswa seLwazi, ukudululiswa kwangapakhathi kuyavela begodu isiinqunto sokuthoma mayelana ne-PAIA siyatjhasi kwakwazi kubawo kanye nesiinqunto se-PAIA siyaliwa.

Kuqakathekele ukutjheja bonyana ungaletha kuphela ukudululiswa kwesiinqunto kwangapakhathi eminyangweni yesitjhaba, yephrovinci neyabomasipala. Akunakambiso yangapakhathi yokudululiswa kwenqunto ekhona kwezine iinhlangango zombuso.

IDorobha eliKhulu leKapa sibonelo sombuso kamasipala lapho ukudululiswa kwesiinqunto ngaphakathi kungalethwa. IsiKhwama sokuNcancabeza ngeNgozi zeNdleleni (i-Road Accident Fund) sibonelo sehlangano yombuso engasi yingcenye yombuso wesitjhaba, wephrovinci namkha wemibuso yemakhaya, ngombana sikhonywe mthetho (i-Road Accident Fund Act) begodu ngalokho angeze wadululisa isiinqunto ngaphakathi ukuphikisana nabo.
3.4.1.1. **Ngubani ovunyelwe ukudlulisa isiqunto ngaphakathi?**

Umbawi owenza isibawo se-PAIA ehlanganweni yesitjhaba, yephrovisi namkha kamasipala begodu owalelelo nokufikela unelungelo lokudlulisa isiqunto leso ngaphakathi. Lokhu kwenziwa ngokuzala iForomo B le-PAIA nokulisa ehlanganweni yombuso yesitjhaba, yephrovisi namkha yakamasipala. Ikhophi yeForomo B ingatholakala kuwebhaysithi yeenhlangano ezifanelelo begodu itholakala kwelwini nelinye nelinye i-ofisi leKomitjhini yezamaLungelo woBuntu yeSewula Afrika.

Nayikuthi ukudluliswa kwesiqunto ngaphakathi kufaka omunye wesithathu, ihlangano yombuso efumene ukudluliswa ngaphakathi kwesiqunto izakuthinta boke abathintekako besithathu. Iimfuneko zokwazisa nokwethula ziyafana nalezo ezifuneka esibaweni sokuthuma se-PAIA.

Abantu besithathu abathintekako godu bavunyelwe ukwenza ukudluliswa kwesiqunto kwemphakathi ukukhishwa esiqunto esenziwe yihlangano yombuso ukunikela ngakho kakhulu eelihlilileko.

3.4.1.2 **Kunini lapho umuntu angadlulisa ngaphakathi isiqunto?**

Umbawi angadlulisa ngaphakathi isiqunto ukuphikisa isiqunto sehlangano yompakathi ngamabanga alandelako:

- Umbawi akaneliswa ngeembhadelo ezifuneka esibaweni.
- Umbawi akaneliswa ngakuphikisa sokunikela ngokunabiswa kwamalanga ama-30 ehlanganweni yombuso ukuphendula isibawo.
- Umbawi akaneliswa lokhu iForomo okunikelwa kilo amarekhodi nalingafaniko neforomo elabawiwako begodu umbawi ukholwa bonyana kungaba mthwalo ongathogekoko ehlanganweni yombuso ukunikela ngakho kakhulu eelihlilele.

3.4.1.3 **Ngisidlulisa njani isiqunto ngaphakathi?**

Ukudlulisa isiqunto ngaphakathi kufuze kwenzwe mbawi kungakaphele amalanga ama-60 ngemva kokufumana ukwaliwa kwenqa kusetha se-PAIA. Lokhu kwenziwa ngokuzala iForomo B nokulisa emnyangweni efumene ukudlulisa isiqunto ukuphikisa isiqunto kungenziwe ngakho.
Nayikuthi ukudluliswa kwesiqunto kufuna isaziso esiya emuntwini wesithathu (okutjho lokha ilwazi nalanelwazi ngomunye umuntu, kanye nelwazi eliyifihlo, ilwazi elinqophileko lezeemali kanye nelwazi lezerhubhululo ngomuntu wesithathu othinlekako), ukudluliswa kungenziwa kungakapheli amalanga ama-30 wokunikelwa kwsaziso emuntwini wesithathu.

Umbawi kufuze alethe isibawo sakhe sokudlulisa isiqunto ngaphakathi esiphathisweni sELwazi sehlangano efweneleko ngokusebenzisa iposo, ifeksi namkha i-imeyi.

Ukudluliswa kwangaphakathi kufuze kufake isihloko sokudlulisa kwangaphakathi, amabanga asekelaphakathi begodu kufake elinye nelinye ilwazi eliphileleko elaziwa mumuntu odlulisa isiqunto.

Nayikuthi umbawi angathanda ukwaziswa ngesiqunto mayelana nokudluliswa ngaphakathi ngendlela ehlukileko, (ukungezelela ependulweni eetloliweko), kufuze atjho indlela ayinyulako begodu anikele ngelwazi eliphileleko.

3.4.1.4 Kwenzekani lokha ukudluliswa kwesiqunto ngaphakathi nakwenziwa ngemva kwelanga elibekiweko?

Lokha ukudluliswa kwesiqunto nakwenziwa ngemva kokuphela kwesikhathi samalanga ama-60, ihlangano yombuso efweneleko kufuze yamukelwa lesaziso leso nayikuthi kunebanga elizwakalako lokuthethwa kwase sele kudlule isikhathi. Lokha ihlangano yombuso efweneleko nayingamukela ukuthethwa sele kudlule isikhathi kokudluliswa kwesiqunto ngaphakathi, kufuze inikele ngesaziso emuntwini loyo odlulisa isiqunto

3.4.1.5 Khuyini iimbhadelo zokudluliswa kweenqunto ngaphakathi?

Umbawi odlulisa isiqunto ngaphakathi kufuneka abhadele imbhabhelo ebekiweko. Nayikuthi imbhadelo yokudluliswa isiqunto ibhadelwa ngemva kokusifaka, isiqunto mayelana nokudluliswa kwesiqunto singajanyiswa bekube kulapho imbhabhelo leyo imbhabhelo khona.

INGABE NGINGAFAKA ISIBAWO EKHOETHU UKUPHIKISE ISIQUNTO SEHLANGANO YOMBUSO?


Umbawi namkha wesithathu othinlekako angenza isibawo kuphela emakhetho ngemva kobana ikambiso yokudluliswa kweenqunto sele iphelile.
3.4.2 UkuLungiswa kwemiTjhapho ngokomThetho eenHlanganweni zomBuso


**UMLANDU KA-BREMNER NONGQONGQOTJHE WEZOKUTHUTHUKISWA KWETHETHINISWA KWEHLALAKUHLE (BRUMMER V MINISTER FOR SOCIAL DEVELOPMENT)**

Kilendaba amakhotho abeka bonyana isikhathi sokuthuma samalanga ama-30 ngaphasi kwe-PAIA isiphathiswa sesigaba 79. Ngamakhotho amahlangothi kilendaba, esiphathiswa esinga esiphathiswa sapho amahlangothi kilendaba, esiphathiswa esinga esiphathiswa sapho amahlangothi kilendaba. Ngalokho kwabonwa bonyana isikhathi samalanga ama-30 kungathomka isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka. Isiqunto letheshele: (1) oqinisekisa, oqinisekisa, oqinisekisa, oqinisekisa, oqinisekisa; (2) ofuna bonke sasebenzi ngemva kukuqonda isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka; (3) onikela ngesalelo, ukufikilela, ukufikilela, ukufikilela, ukufikilela, ukufikilela. Isiqunto letheshele: (4) ofuna ukubhekela kweendleko ezithileko.

Imilandu yokufikelela ilwazi ingalalelwa maKhotho waboMarhastrada njengamakhotho wokuthuma, njengombana kubekwe ngaphasi kwesigaba 79 se-PAIA kanye namakhetho aPhakemeko.

3.4.3 Kuzakwenzekani emlandwini wami ekibhotho?

Kunemiphumela embalwa engakghonakala lokha nawusa umlandu we-PAIA ekibhotho. Ngemva kokulalela womabili amahlangothi kilendaba, esiphathiswa esongameleko esilelele indaba sinamandla wokunikela ngomlayo. Lokhu kungafaka umlayo: (1) oqinisekisa, oqinisekisa, oqinisekisa, oqinisekisa; (2) ofuna bonke sasebenzi ngemva kukuqonda isibawo sokufikilela ukuqina, isibawo sokufikilela ukuqina, isibawo sokufikilela ukuqina, isibawo sokufikilela ukuqina; (3) onikela ngesalelo, umlayo wokufeze, ukuphunyuzwa ukuthileko nomkhulu, ukuthileko nomkhulu. Namakhetho aPhakemeko.

Kunjengezeka isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka, isibawo sokufikilela ukuqiniseka.
ISIGABA 4
Lokha ukufikelela ilwazi kungavunywa namkha kwaliwe

Isigaba lesi sifaka:

4.1 Ukulinganisa ilungelo lokufikelela ilwazi namanye amalungelo

4.2 Amabanga akateleleweko ngokuphikisana namabanga wokuziquntela ekwaleni ukufikelela

4.3 Amabanga wokwala ukufikelela ilwazi elirhenyiswe ku-PAIA

4.4 Ihlahlubo yekareko yomphakathi
4.1 Lokha ukufikelela ilwazi nakwaliwako

Isigaba lesi sinikela ngehlathululo efithazana yokobana kunini lokha ukufikelela ilwazi kungaliwa khona ngaphasi kwe-PAIA kanye nangomhlahlandlela wokobana uyisebenzisa njani imithetho evumela isiphathiswa selwazi ukwala isibawo. I-PAIA irhemisa amabanga ali-12 ngaphasi kwawo ukufikelela ilwazi kungaliwa khona siphathiswa selwazi sehlhangano yombuso namkhla yangeqadi, amanye wawo akatelelekile begodu amanye sizithathela wona (qala isigaba 4.2. ngenzasi ukufumana ilwazi elinabileko). Ukungezelela, i-PAIA yenza umutjhwana okhulumula ngekareko yokomphakathi kobunye ubujamo esula elinye nelinye ibanga lokufikelela ilwazi, lapho ikareko yokomphakathi ingetshwenya khulu. (Qala isigaba 4.4 ngenzasi ukufumana ilwazi elinengi).

<table>
<thead>
<tr>
<th>UKULINGANISA ILUNGELO LOKUFIKELELA ILWAZI NAMANYE AMALUNGELO</th>
</tr>
</thead>
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<tr>
<td><strong>UMTHETHO OJAYELEKILEKO</strong></td>
</tr>
<tr>
<td><strong>UKUTJHIYA NGAPHANDLE</strong></td>
</tr>
</tbody>
</table>

4.2 Amabanga akatelelweko ngokuphikisana namabanga wokuziquentela ekwaleni ukufikelela ilwazi

### AMATHEMU WE-PAIA OKUFANELE UWATJHEJE

Ekwaleni okukatelelweko, i-PAIA isebenzisa igama elithi “kufuze”.
Ekwaleni oziquntela khona, i-PAIA isebenzisa igama elithi “unga.”

Khumbula: NjengesiPhathiswa seLwazi kufuze uhlale uqale umnqopho okufanele ufikelele lokha nawusebenzisa ilungelo lokwalela ngokufikelelela kwelwazi. Ungathathi ihlangothi. Phatha boke abantu ngokulingana ngaso soke isikhathi!

### 4.3 Amabanga wokwala ukufikelela ilwazi

Njengombana kuthiwo ngehla kunamabanga ahlukeneko ngaphasi kwawo isibawo sokuzelela ilwazi singavunywa namkhaka kufuze saliwe siPhathiswa seLwazi sehlwano yombuso namkhaka yangeqadi. Amabanga la arhenyiswe esahlukweni 4 seNgcenyenye 2 ehlanganweni yombuso kanye nesahlukweni 4 seNgcenyenye 3 ehlanganweni yangeQadi ku-PAIA.

#### 4.3.1 Ukuvikelwa kwefihlo yomuntu wesithathu othintekako

IsiPhathiswa seLwazi sehlwano yombuso namkhaka yangeqadi akufuze sivumele ukufikelela kwelwazi lokhubene, kufaka umuntu ohlongakeleko (nawufuna ihlathululo yo“muntu wehlwano” qala amaThemu alisizo ngehla). I-PAIA ibeka bonyana nakakudzi ukufikelela ilungelo lefihlo yomuntu wesithathu othintekako okumumuntu wehlwano, isiPhathiswa seLwazi kufuze sifakise ukobana ingabe ukukhupha ilwazi okuhlunywa ngalo kumbawi ‘kungafaka ukuvizeza okungakafaneli kwelwazi lo-PAIA’.

IsiGaba 1 se-PAIA sinikela ngehlathululo yamazombe yokobana ilwazi elinjani elibumba “ilwazi lo-PAIA”. Lokhu kufaka ilwazi eliphathelene nobulili, isidisi nekolelo, kanye nokuthintana okuthinta umuntu bunqopho, i-DNA, igadangiso lemino nobujamo lapho igama lomuntu livela emarekhodini.

IsiPhathiswa seLwazi kufuze godu sitjheje ukobana ingabe ilwazi lo-PAIA okuhlunywa ngalo liwela ngaphasi kwamahlangothi alandelako welwazi lokhubene ngokwakhe elingaveza na:

- Ilwazi lomuntu ngokwakhe anikele ngemvumo yakhe bona livezwe
- Ilwazi lomuntu esele livezelwe umphakathi
- Ilwazi lomuntu ngomntwana ongaphasi kweminyaka eli-18 lapho ukuvizeza kwalo kusukela kwehle yomntwana begudu umbawi amthogomeli womntwana (okutjho umbelethi namkhaka umondli); ;
- Ilwazi lomuntu okungelomuntu ohlongakeleko eliya kumbawi osihlobo somuntu lo namkhaka ogunyazwe (onemvumo etloliweko) sihlobo
- Ilwazi lomuntu ohlongakele esikhathini esidulala iminyaka ema-20
- Ilwazi ngomntwana lomuntu osiphathiswa namkhaka obekasiphathiswa sehlwano yombuso namkhaka yangeqadi begudu lapho ilwazi liphathelene nobujamo lapho njengesiphathiswa.

I-PAIA ifuna bona imPhathiswa zeLwazi ezibuya kwa-South African Revenue Services (SARS) zingavezi ilwazi eliphathelene nomthelo ngenenyo yomuntu, ngaphandle kwabwa ukuzelela ilwazi lapho.
4.3.2 Ukuvikelwa kwelwazi lezokuthengiswa lomuntu wesithathu othintekako

IimPhathiswa zeLwazi zeenehlango zombuso nezangeqadi kufuze zale nokufikelelelwa kwelwazi nayikuthi ukukhutjhwa kwalo kungabanga ubuhlungu eenkarekweni zokuthengiswa namkha zeemali zezibhizinisi. I-PAIA irhemisa ilwazi lokuthengiswa elilandelako elingeze laveza siphathiswa seLwazi:

» limfihlo zerhwebo
» Ilwazi lezeemali, lokuthengiswa, lesayensi, lerhubhululo namkha lesithekini ngomunye wesithathu othintekako nayikuthi nelingakakhutjhwa lingabanga ubuhlungu emuntwini wesithathu othintekako

Nanyana kunomthetho ojayelekilelo wokuvikela ilwazi lekhamphani, ihlangano yombuso kufuneka isibonelo ngokwenzela izinto emikhanyweni. Kunobujamo obuthilelo lafihlo ilwazi lokuthengiswa lekhamphani lingakakhutjhwa khona

Ukutjhiya ngaphandle kwe-PAIA: Amarekhodi womuntu wesithathu othintekako anelwazi eliphathelene nokuphepha komphakathi namkha ingozi ebhodulukume kufuze akhutjhwe, nanyana ukukhutjhwa kwelwazi elinjalo kungabanga ubuhlungu emuntwini wesithathu othintekako. Lokhu lubumba ilwazi leisekarekweni yomphakathi (qala isigaba 4.4 ngenzasi).

4.3.3 Ukuvikelwa kwelwazi eliyifihlo

I-PAIA ibeka bonyana isiphathiswa selwazi kufuze sale ukunikela ngokufikelelewa kwerekhodi nayikuthi ukukhutjhwa kwalo kuzakuthathwa njengokwephulweni kwesibopho sokuthembeka emuntwini wesithathu othintekako ngokuya kwesivumelwano namkha ikontraga.

4.3.4 Ukuvikelwa kokuphepha komuntu nepahla

Isigaba lesi sibe bonyana isiphathiswa selwazi kufuze sale ukunikela ngokufikelelewa kwerekhodi nayikuthi ukuvezwa kwalo kungalindlela bona kubeke engozini ukuphepha komuntu namkha ipahla. Isigaba lesi sinelungelo lefihlo ngombana sitjheja ipilo yomuntu nepahla yakhe.

4.3.5 Ukuvikelwa kwelwazi eenkambisweni zomthetho


Nanyana i-PAIA ivuma ukobakhona kweminye imithetho ephathelene nokuphathwa nokuvezwa kwelwazi namarekhodi ebujamani lafho umthetho ngokungakafaneli, uqintela ilungelo lokufikelela ilwazi begodu uphikisana neenkambisolawulo zokwenzela izinto tjhatjhalazi nokuziphendulela, i-PAIA ingehla kwalowomthetho.
4.3.6 Ukuvikelwa kweLwazi leRhubhululo

IsiPhathiswa seLwazi sehlwangano yombuso namkhaya yangeqadi kufuze sale nokufikelelwa kwamarekhodi aphethe ilwazi eliphathelene nerhubhululo elenziwe namkhaka elizakwenziswa yihlangano yombuso namkhaka yangeqadi okukhulunywe ngayo namkhaka wesithathu othintekako. Lokhu kwilwa kokufikelelwa kweLwazi kusebujameni lapho ukuvezwa kwerekhodi kuzakuteza irhubhululo lomuntu wesithathu othintekako namkhaka lehlangano yombuso namkhaka yangeqadi, umuntu namkhaka sikhungo esende irhubhululo namkhaka isihloko serhubhululo kulibeko ebujameni obumbi (qala iingaba 43 no-69 ze-PAIA).

4.3.7 Ilwazi okungaliwa nokufikelelwa kwalo

Amahlangothi alandelako welwazi aphasothelene nelwazi isiphasothelene nelwazi lezokuphepha kweSewula Afrika na. Isiphasothelene nelwazi singala isibawo nayikuthi singaveza ubufakazi bokobana ukukhutjhwa kwelwazi kuzakubeka engozini ukuphepha kweSewula Afrika.

4.3.7.1 Amatjhebiswano weSewula Afrika wezevikeleko, ukuphepha neentjhabatjhaba

IsiGaba 41 se-PAIA sifuna bona isiphathiswa selwazi sitjheje ukobana ingabe isibawo selwazi siphathelene nelwazi lezokuphepha kweSewula Afrika na. Isiphathiswa selwazi singala isibawo nayikuthi singaveza ubufakazi bokobana ukukhutjhwa kwelwazi kuzakubeka engozini ukuphepha kweSewula Afrika.

4.3.7.2 Inkareko zomnotho, iimali nezokuthengisa zeSewula Afrika

IsiGaba 42 se-PAIA sifuna ukuvikelwakwelwazi lehlanganoyombuso nayikuthi ukuvezwakwaloku zukalimazaboutjamo bezomnotho nebezemali beRiphahlili. Ibanga leli lokwaliwa kukuziquntela, okutjho bona isiphathiswa selwazi kuzakufanela bona sitjheje indaba yokobana iinhlangano zombuso zigunyaziwe ngaphasi komThethosisekelo weSewula Afrika bona ziziphendulele emphakathini, begodu ngalokho kusebujameni obuthileko kwaphela lapho ilwazi lingaliwa khona. Ukudlula lapho, isiphathiswa selwazi kuzakufanela bona sitjengese bona ukuvezwa kwelwazi okukhulunywa ngalo kuzakubanga ubuhlungu ebujameni bezewemali nezomnotho beSewula Afrika.

4.3.7.3 Ukusebenza kwehlangano yombuso

IsiGaba 44 se-PAIA sibonwalize kwehlangano yombuso. IsiGaba 44 sibuze bonke, isihloko esinokwazi lokwaliwa ukufikelelwa kwamarekhodi nayikuthi kuzakuliyana ukusebenza kwehlangano yomphakathi. IsiGaba 44 sibonwalize kwehlangano yombuso.

- Amaminidi wemihlangano
- Amarekhodi aphethe inyelele namkhaka imibono;
- Amarekhodi aphathelene nokubonisanisa nezinye iinhlangano
- Amarekhodi aphathelene nokwenziwa kwemithethomgomo namkhaka imphakamiso
4.3.7.4 “limbawo zokudlala namkha ezinganamabanga aqinileko
namkha zokudukiswa okunamandla nokungazwakaliko
kwemithombo”

Isiphisiswa selwazi singala isibawo selwazi nayikuthi sibona bonyana ukusebenzana nesibawo esinjalo
kuzakumotjhia isikhathi ngokungakafaneli begodu kudosele ekumotjweleni kwemithombo. Ukungezelela,
isiphisiswa selwazi singala ukufikelelela kwerekhodi nayikuthi isibawo sithathwa njengesinganasizo namkha
senziwe mbawi ukwenzela ukutshwenya namkha ukusilinga.

4.4 Ukweqiwa kwekareko yomphakathi

Koke ukuvikelwa okunikelwa ilwazi njengombane kubekwe ngokuzeleleko ngehla kuyalahlwa nayikuthi ukukhutjhwa
kwelwazi kusekarekweni yomphakathi. Ngalendlela ilwazi ukufikelelela ilwazi njengesinganasizo namkha yangeqadi
ngaphambi kokwala ngokuzelelela kwelwazi eliwela ngaphasi kwamahlangothi wokungavezwa okurhenyiswe
ngehla. Nayikuthi ubujamobu kuhlangabezwana nabo, ilwazi kufuze livezwe ngamabanga wokwenzela ikareko
yomphakathi.

Ingabe ilwazi litjengisa ukuphulwa komthetho okumbi

**NAMKHA**

Ingabe amarekhodi okukhulunywa ngawo anelwazi eliphathelene nengozi embi khulu engavela njesi
yokuphepha komphakathi namkha kwebhoduluko?

**BEGODU**

Ingabe ikareko yomphakathi yokuveza ilwazi ngokucacileko idlula ingozi engavela?
ISIGABA 5
Amareferensi aqakathekileko kanye nelwazi elinesizo

Isigaba lesi sifaka:

5.1 Irhemo lamareferensi aqakathekileko asetjenziswe ukubuthelele lomHlahlandlela we-PAIA, kufaka umthetho

5.2 Irhemo leminye imithombo ye-PAIA enesizo
5.1 Amareferensi aqakathekileko

<table>
<thead>
<tr>
<th>UMTHOMBO</th>
<th>UMTLOLI</th>
</tr>
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<tbody>
<tr>
<td>Promotion of Access to Information Act 2 of 2000 (UmThetho wezokuKhutjhulwa kokuFikelelwa kweLwazi wesi-2 waka-2000)</td>
<td>Umthetho</td>
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<td>Protection of Personal Information Act 4 of 2013 (UmThetho wezokuVikelwa kweLwazi lomuNTu Ngokwakhe wesi-4 waka-2000)</td>
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</tr>
<tr>
<td>PAIA Unpacked (etholakala ku-www.saha.org.za)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (etholakala ku--www.saha.org.za)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (etholakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (etholakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 ImiThetjhwana ye-PAIA

<table>
<thead>
<tr>
<th>ISAZISO SOMBUSO</th>
<th>ILANGA</th>
<th>ISIHLOKO NEHLATHULULO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice: No. R. 187</td>
<td>15 Febherbari 2002</td>
<td>Itjhuguluko ku-PAIA mayelana nomHlahlandlela wesiGaba 10 kanye nokutholakala kweencwajana ze-PAIA.</td>
</tr>
<tr>
<td>Government Notice No. R. 466</td>
<td>1 Juni 2007</td>
<td>Ufaka amaforomo weemPhathiswa zelWazi lokha nakukhutjhwa izaziso zokuveza ngokuzinthandela ngokuya kweengaba 15 no 52 ze-PAIA.</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>ISAZISO SOMBUSO</th>
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<tr>
<td>Government Notice No. 96</td>
<td>15 Janabari 2003</td>
<td>Itjhuguluko ku-PAIA ukuqalelela ukubandulwa kweemphathiswa ezongameleko emaKhotho waboMarhastrada ukulalela iindaba ze-PAIA</td>
</tr>
<tr>
<td>Government Notice No. R. 187</td>
<td>15 Febherbari 2002</td>
<td>Itjhuguluko ku-PAIA mayelana nalomHlahlandlela wesiGaba 10 kanye nokutholakala kweencwajana ze-PAIA.</td>
</tr>
</tbody>
</table>

5.4 Amatjhunguluko kumiThetjhwana ye-PAIA

<table>
<thead>
<tr>
<th>ISAZISO SOMBUSO</th>
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<th>ISIHLOKO</th>
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5.5 Eminye imithombo enesizo ye-PAIA

1) Using PAIA to Promote Housing Rights, SAHA (etholakala ku-www.saha.org).
2) Accessing Information for Your Community, SAHA (etholakala ku-www.saha.org).
3) Accessing Information in the LGBTI Sector, SAHA (etholakala ku-www.saha.org).
Isikhokelo Malunga
Nokusetyenziswa
Komthetho
Wokuphuculwa
Kokufikelela
Kwiinkcukachacha Ka-
2000

ISIXHOSA
Head Office Johannesburg
Ifowuni 011 877 3600  •  Ifeksi 011 403 0684

Eastern Cape Port Elizabeth
Ifowuni 043 722 7828  •  Ifeksi 043 722 7830

Free State Bloemfontein
Ifowuni 052 447 1133  •  Ifeksi 051 447 1128

KwaZulu-Natal Durban
Ifowuni 031 304 7323/4/5  •  Ifeksi 031 304 7323

Limpopo Polokwane
Ifowuni 015 2913500  •  051 291 3505

Mpumalanga Nelspruit
Ifowuni 013 752 8292  •  Ifeksi 013 752 6890

Northern Cape Upington
Ifowuni 054 332 3993/4  •  Ifeksi 054 332 7750

North West Rustenburg
Ifowuni: 014 592 0694  •  Ifeksi: 014 594 1089

Western Cape Cape Town
Ifowuni 021 426 2277  •  Ifeksi 021 426 2875
Indlela yokusebenzisa esi siKhokelo se-PAIA

ICandelo 1
Intshayelelo yeSikhokelo se-PAIA

ICandelo 2
Uqalisa ngaphi ukufumana iinkcukacha ozifunayo

ICandelo 3
Usenza njani isicelo sokufikelela kwiinkcukacha

ICandelo 4
UkuFikelela kwiiNkcukacha kuNgalelwa Nini

ICandelo 5
Izalathiso ezingundoqo kunye nabanye oovimba ekunokufunyanwa iinkcukacha kubo

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</tr>
<tr>
<td>IFomu A</td>
<td>Iqumaneka kwiwebhusayithi yeKomishoni yaMalungelo oLuntu yaseMzantsi Afrika, kunye nakwenzheni iwebhusayithi ezahlukahlukeneyo zamanye amaziko. Le fomu isetyenziselwa ukufaka isicelo sokufikelela kwinkcukakha ezikulawulo lwefumre likarhulumente. (Ukuze ufumane iinkcukakha ezithi vetshe malunga neFomu A kunye nezicelo zokufikelela kwinkcukakha zamaqumruru karhulumente bona iCandelo 3 lesi Sikhokelo).</td>
</tr>
<tr>
<td>IFomu C</td>
<td>Ikwafumaneka nasemaphetheleni oMthetho we-PAIA, kwiwebhusayithi yeKomishoni yaMalungelo oLuntu yaseMzantsi Afrika, kunye nezicelo iwebhusayithi ezahlukahlukeneyo zamanye amaziko. Le fomu isetyenziselwa ukufaka isicelo sokufikelela kwinkcukakha ezikulawulo lwefumre labucala. (Ukuze ufumane iinkcukakha ezithi vetshe malunga neFomu C kunye nezicelo zokufikelela kwinkcukakha zamaqumruru abucala bona iCandelo 3 lesi Sikhokelo).</td>
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<tr>
<td>ISikhokelo</td>
<td>Sibhekiselela kwesi Sikhokelo se-PAIA esiqulunqwe saze sashicilelwa yiKomishoni yaMalungelo oLuntu yaseMzantsi Afrika njengого kubonelewe kwicandelo 10 le-PAIA ukuze sincede abantu malunga nokusebenzisa kunye nokuqonda lo Mthetho.</td>
</tr>
<tr>
<td>Igosha lezeenKukakha kunye neSekela Gosa lezeenKukakha</td>
<td>Igosha lezeenKukakha (eliqubizwa ngokuba yi-IO) ngumuntu ogyunyaziswa liziko elo lichaphazelekayo ukuba ajongane nezicelo ze-PAIA. Malunga nequmrhu likarhulumente, lo ngumuntu oyintloko okanye osebenza njengentloko yequmrhu. Kumasiplala, lo iba ngumanejala ngumanejala kamasipala; kwisebe likarhulumente lesizwe iba nguMlawuli Jikelele; kwisiqumrhu elifana neKomishoni yaMalungelo oLuntu yaseMzantsi Afrika iba nguMlawuli oyiNtloko, gxebe i-CEO.</td>
</tr>
<tr>
<td>ISekela Gosa lezeenKukakha (eliqubizwa ngokuba yi-DIO) ngumuntu owonyulwe iGosa lezeenKukakha leziko elo lichaphazelekayo ukuba ancedise lowo ufaka isicelo ngokuphathelele kwisicelo sakhe seenKukakha. I-PAIA ayibonileeli ngokonyulwa kweSekela Gosa lezeenKukakha kumaqumruru abucala; kodwa iKomishoni yaMalungelo oLuntu yaseMzantsi Afrika icebisa ukuba kwenziwe njalo ukuze kuqinisekiwe ngokusebenza kakhule kunye nokulungela ukunceda. (Ukuze ufumane iinkcukakha ezithi vetshe malunga nendima yamaGosa ezeenKukakha bona iCandelo 3 lesi Sikhokelo).</td>
<td></td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Isibheno sangaPhakathi</td>
<td>Abafaki-zicelo baza kusebenzisa iFomu B ye-PAIA xa befaka isibheno kuphela ngakwisingqibo eseniwe ngamagatya karihulumente - elesizwe, elephondo okanye elikamasipala - ngokuphathelele kufikelelo kwiinkcukakha.</td>
</tr>
<tr>
<td><em>(Ukuze utumane ininkukakha ezithe vetshe malunga nezibheno zangaphakathi bona iCandelo 3 lesi Sikhokelo).</em></td>
<td></td>
</tr>
<tr>
<td>Umntu onegunya ngokusemthethweni</td>
<td>Inkampani okanye iqumrhu elithathwa njengelona qumrhu okanye njengoyena 'mntu' unamalungelo noxanduva ngokusemthethweni.</td>
</tr>
<tr>
<td>UMphathiswa</td>
<td>Xa kuthethwa ngoMphathiswa kuthethwa ngoMphathiswa weSebe lezoBulungisa neeNkonzo zoLuleko.</td>
</tr>
<tr>
<td>Umntu ophilayo</td>
<td>Ngumntu ongenguye owomthetho okanye onamagunya ngokusemthethweni njengequmrhu (bona 'umntu onegunya ngokusemthethweni' apha ngasentla).</td>
</tr>
<tr>
<td>Iqumrhu labucala</td>
<td>(Likwathathwa ngokuba yinkampani, liziko okanye liqumrhu labucala), lo ngumntu ophilayo okanye onegunya ngokusemthethweni okanye onobudilelane ngokoshishino obandakanyeka okanye obebandakanyeka kule nalu phi na urhwebo, ushishino okanye ubungcali kwaye ngokweso Sikhundla nje kuphela.</td>
</tr>
<tr>
<td>Iqumrhu likarhulumente</td>
<td>(Likwathathwa ngokuba liziko, lisebe okanye liqumrhu likarhulumente), eli lisebe okanye iziko likarhulumente wesizwe, owephondo okanye okamasipala. Likwaquka naliphi na iziko elithwele umsebenzi noxanduva lombuso ngeshesha ebekuqulunqwa ngalo ezi rekho kumntu ongenguye owomthetho.</td>
</tr>
<tr>
<td>Irekhodi</td>
<td>Nazi phi na ininkukakha ezirekhodiweyo kunghakathaliseki ukuba zikwesiphi na isiZulu, kuquka, umzekelo, amaxwebhu abahlaliweyo, iviidiyo, njalo njalo. Irekhodi ezifunwayo kwiqumrhu likarhulumente okanye elabucala iza kuba ziirekhodi ezikuwlwulo lwelo qumrhu kunghakathaliseki ukuba lelo qumrhu kusini na eliziqulunqileyo ezo rekho.</td>
</tr>
<tr>
<td>Imali yesicelo</td>
<td>Imali ekumele ihlawulwe malunga nokwenza isicelo sokufikelela kwiinkcukakha. Malunga nesicelo seeninkukakha kwikumrhu likarhulumente, kukho imali emisiweyo engama-R35 ehlawulwayo; malunga nesicelo seeninkukakha kwikumrhu labucala, kukho imali emisiweyo engama-R50 ehlawulwayo. (Ukuze utumane ininkukakha ezithe vetshe malunga nemali yesicelo kunye nokwaphulelwa bona iCandelo 3 lesi Sikhokelo).*</td>
</tr>
<tr>
<td>Umzeni sicelo</td>
<td>Umenzi sicelo nguye nawuphi na umntu okanye umntu onamagunya ngokusemthethweni owenza isicelo sokufikelela kwiinkcukakha. Umenzi sicelo ukwabhekiselela kumntu owenza isicelo seeninkukakha egameni lomnye umntu.</td>
</tr>
<tr>
<td>Iqela / umngeneleli westathu</td>
<td>Oku kubhekiselela kuye nawuphi na umntu okanye umntu onamagunya ngokusemthethweni ongenguye umenzi sicelo, kube kungelilo nequmrhu elo ekufulwa kulo isicelo seeninkukakha.</td>
</tr>
</tbody>
</table>
## Ululhu lwezifinyezo

Ezi zifinyezo zilandelayo zifumaneka kwesi Sikhokelo nakwezinye izixhobo eziluncedo ze-PAIA ezidla ngokusetyenziswa

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIO</td>
<td>ISekela Gosa lezeNkcukacha</td>
</tr>
<tr>
<td>IO</td>
<td>IGosa lezeNkcukacha</td>
</tr>
<tr>
<td>ODAC</td>
<td>IZiko lezeeNgcebiso ngeDemokhrasi eSebenza ngokuseLubala</td>
</tr>
<tr>
<td>PAIA</td>
<td>UMthetho wokuPhuculwa koKufikelela kwiiNkcukacha ka-2000</td>
</tr>
<tr>
<td>PPIA</td>
<td>UMthetho wokuHuselo lweeNkcukacha zokoBuqu No.4 ka-2013</td>
</tr>
<tr>
<td>SAHA</td>
<td>uVimba weMbali woMzantsi Afrika</td>
</tr>
<tr>
<td>I-SAHR</td>
<td>IKomishoni yaMalungelo oLuntu yaseMzantsi Afrika</td>
</tr>
</tbody>
</table>
ICANDELO 1
Intshayelelo

Eli candelo liquka:

1.1 Injongo yesi Sikhokelo se-PAIA

1.2 IMvelaphi ye-PAIA

1.3 Injongo ye-PAIA kunye nendlela engasetyenziswa ngayo

1.4 Indima yeKomishoni yaMalungelo oLuntu yaseMzantsi Afrika
1.1. Injongo yesi Sikhokelo se-PAIA

Esi Sikhokelo sibonelela ngoMthetho wokuPhuculwa koKufikelela kwiiNKcukacha (i-PAIA) No.2 ka-2000. Esi Sikhokelo se-PAIA siza kuncedisa ekwenziweni kwezicelo zeenkcukachaka phantsi kwalo Mthetho, size sibonelele ngemizekelo malunga nendlela lo Mthetho obusetenyenziswa ngayo kwixa elingaphambili ekuphuculweni kwamalungelo oluntu ngokuthi ubonelele:

» Ngeshwankathelo se-PAIA ekulula ukusiqonda
» Ngohlahlo lwendlela i-PAIA enokusetenyenziswa ngayo ekuphuculeni amalungelo oluntu
» Ngoluhlulwe uzeendlela iNKcukacha ezingokufunwa kusetyenziswa i-PAIA
» Ngesikhokelelo esibonisa ngokwenyenye nenyathelo nenyathelo elungelo kyakhe
» Ngeshwankathelo sezinto ezibesisifundo esifunyenwe kwizicelo kwezinkcukacha ebezifakwe kwixa elidlulileyo kunye namatya e-PAIA asenkefanele

1.2. Imvelaphi ye-PAIA


Ngo-1996 kwathi kwakho ukuqulunqwa uMgaqo-siseko waseMzantsi Afrika. ICandelo 32 limisele ngelungelo lokufikelela kwiiNKcukacha elusebenza kumaqumruho karhulumelona kuyakhe, olu, ngelo xesa, yaijuluxwebhu lokuqalala kwezimthetho kwezimthetho kwezicelo elelwabanga elumqulu waMalungelo lokufikelela kwiiNKcukacha ekulula ukusiqonda. ICandelo 32 likwazi kuqulula ukufakwe emzansi leemfihlo abaza kusithela ngalo nelalingunobangela wokubakho kweemeko ezakhokelela ekusekweni koMbuso wengcinezelo.

Ngo-2000, ekugqibeleni uMthetho wokuPhuculwa koKufikelela kwiiNKcukacha (i-PAIA) wathi waba ngumthetho ngokwenene, wafezekisa isibonelelo seCandelo 22 soMgaqo-siseko esingokusekwa komthetho wokufikelela kwiiNKcukacha.

1.3. Ingongo ye-PAIA nendlela enokusetenyenziswa ngayo

Injongo ye-PAIA kukuphuculwa ilungelo lokufikelela kwiiNKcukacha, ukukhuthaza ubukakho kokwenzeni kwezinto elubala kunye nokuqulonela wxanduvu lokunika impendulo eMzantsi Afrika, kunye noqukuthaza ubukakho kwedmokharsi eumphakathiyo apho bonke abantu baxhotyiswa ukuba bakwazi ukuze mbudlakanye kunye nemibutho abuzigcaba, kunye nabantu bavela kwesiyatho nxalo kubonisa umqulu waMalungelo oluntu kwathi kunye nabawu, abuzangakhe ukuze ungatho kunye nokuqulunqwa elumqulu waMalungelo oluntu kwathi kunye nokuqulunqwa emxamlelela ukuze nkubonisa umqulu waMalungelo oluntu kwathi kunye nokuqulunqwa emxamlelela.
Ilungelo lokufikelela kwininkcukacha lilungelo elikhethkileyo nanjengoko lenza ukuba amanye amalungelo abe nokufekiziswa: le yenyen yezona ndlela zibalulekileyo enokuthi i-PAIA isetyenziswe ngayo.

**Ukubonelela ngeenkonzo zikarhulumente**

» I-PAIA isenokuseteyenziswa ukuxhobisa abantu ngeeenkonzo abasenokuzisebenzisa ekwenzeni urhulumente asabele kuxanduva lwakhe lokunikwa iimpendulo ngokuphathelele ekunikizeleleni ngeenkonzo ezisisiseko ezifana nezindlu, amanzi kunye nogutyulo lwelindle.

**Amalungelo woluntu nawezopolitiko angokomgaqo-siseko**

» I-PAIA isenokuseteyenziswa ukuqokelela iinkcukacha abantu abanokuthi bazisebenzisele ukufezekisa amalungelo abo afana nelungelo lokuvota kunye nelungelo lokuhlangana ngokukhulekileyo.

**Ucalucalulo kunye nokuLingana**

» I-PAIA isenokusetyenziswa njengesixhobo sothethelelo ukuze kuliwe nocalucalulo, njengocalucalulo ngokobuhlanga, ngokwesini, njalo njalo, kumaqumrhu ngamaqumrhu karhulumente nawabucala.

Kubalulekile ukuphokwulo ukuba i-PAIA ayinakuseteyenziswa ukufumana irekhodi eziza kusetyenziswa ezinkundleni zamatyala okuhlala okanye awolwaphulo-mthetho, kuquka nesemva kokukwaisa kweengxoxo ezikumila kunjalo, kwaye ukushicilelewa okanye ukufumanekela kweerkhodi kulingiselelewa imeko enjalo kukhuselwe ngumthetho (*bona iCandelo 7 lalo Mthetho*).

**1.4. Indima yeKomishoni yaMalungelo oLuntu yaseMzantsi Afrika**

IKomishoni yaMalungelo oLuntu yaseMzantsi Afrika (SAHRC) iyagunyaziswa phantsi kwe-PAIA ukuba:

» ququzelele ukwelonelwa kweenkcukacha kwininkcukacha kwilungelo

» Ikubeke esweni ukuphunyezwa kwe-PAIA ngamaqumrhu karhulumente nawabucala

» Yenze iziphakamiso ukuze komeleze we Mthetho

» Inike ingxeko ePalamente qho ngonyaka

**UMthetho woKhulubelo lweeNkcukacha zokoBuqu**

UMthetho woKhulubelo lweeNkcukacha zokoBuqu 4 ka-2013 (i-PPIA) ulungisa i-PAIA ngeendlela ezininzi okakhulu. Enye yezona ndlela ziphambili apho lo Mthetho uthi uyitshintshe ngayo i-PAIA iphatheleleni nendima ye-SAHR. Phantsi kwe-PP, umsebenzi we-SAHR ngokuphathelele kwi-PAIA uza kugqithiselwa kuMlawuli weeNkcukacha, ekuliqumrhu elitsa elizimileyo neliza kumiselwa ngeenjongo zokubeka esweni i-PPIA kunye ne-PAIA, kwakunye nokujongana nezikhalazo eziphatheleleni nokufikelela kwiniinkcukacha kunye nokhuselo lwenkcukacha zokoBuqu.

Nangani kunjalo, iSAHRC izakuqhubeka nemboqheleleo yayo engokoMgaqo-siseko yokuphucula, ukukhusela kunye nokubeka esweni ilungelo lokufikelela kwiniinkcukacha ngokufanayo nabo onke amanye amalungelo adandalaziswe kuMqulu waMalungelo.
ICANDELO 2
Fumana inkcazelo oyidingayo

Eli candelo liquka:

2.1 Indawo apho unokufumana khona izikhokelo namaxwebhu aza kukuncedisa ekwenzeni izicelo zeenkucukacha

2.2 Abo unokuqhagamshelana nabo xa kunokwenzeka ufune uncedo

2.3 Amaqumrhu karhulumente nawabucala anyanzelekileyo ukuba ancedise abo bafuna iinkcukacha

2.4 Ezinye iinkcukacha ezifumaneka lula nje kungadange kufuneke ukuba kwenziwe izicelo ezisesikweni, eli candelo liza kubonelela ngesishwankathelo malunga nokuba oku ungakufumanaphi na
1.1 Ukuqalisa


2.2. Isikhokelo se-PAIA

I-Candelo 10 le-PAIA lifuna ukuba iKomishoni iqulunqe izi isikhokelo esiza le isikhokelo ekulula ukuxhobisa esiza esameshweni eziseMzantsi Afrika: isiNgesi, isiBhulu, isiNdebele, isiXhosa, isiZulu, iSekedi, iSesotho, iSetswana, iShiwenda kunye isXitsonga. Isikhokelo ekubhekiswa kuyo ngamanye amaxesa ngokuba ‘siSikhokelo seCandelo 10’.

Sikubonelela ngazo zonke iinkcukacha ozidingayo ukuze uFina lekufanelele kuyo naziphi na irekthodi, kumaziko agcina amaxwebhu ombuso, ndawonye neenkuckakacha zozhaghamsheWano zeenkampani ngeenkampani zaphakala. IKomishoni ikugunyaziswa usi isikhokelo esiza simfundo eziseMzantsi Afrika kahle emva kweminyaka emibini, ubuncinane.

2.2.1 Sifumanekaphi esi Sikhokelo

Esi sikhokelo sifumana eka ngazo zonke ilwimi esimfundo eka zaseMzantsi Afrika: isiNgesi, isiBhulu, isiNdebele, isiXhosa, isiZulu, iSekedi, iSesotho, iSetswana, iShiwenda kunye isXitsonga. Iikopi esesi sikhokelo zingafumana kuyo ngazo iifisi zamaphondo zeKomishoni (iinkcukacha zozhaghamsheWano zee-ofisi zingafumana ekupheleni kwesi Sikhokelo). Ukongeza, iikopi zingafumana nka iwebhu nayithi yeKomishoni (www.sahrc.gov.za)
2.3 Imiqulu ye-PAIA

Ukongeza kwisiikhokelo seCandelo 10 se-PAIA esiza kuqulunqwa yiKomishoni, i-PAIA ikwafuna ukuba onke amaqumrhu karhulumente, ndawonye namequmrhu abuca ngobuninzi bawo, akhuphe nxwebhu oluqulethe iinkcukacha malunga nendlela enokusetyenziswa ngayo i-PAIA ukuze kufikelelele kwiirekhodi zawo.

2.3.1 Imiqulu ye-PAIA elungiselelewe amaqumrhu karhulumente

ICandelo 14 le-PAIA lifuna ukuba onke amaqumrhu karhulumente ashicilele nxwebhu ngeelwimi ezintathu ezisemthethweni, ubuncinane, ezincedisa abo bafuna iinkcukacha bakwazi ukwenza izicelo zokufumana iinkcukacha kwiqumrhu elo. Nxwebhu olo kufuneka ubuncinane luqulatele ezi nkcukacha zilunce zelindelayo:

<table>
<thead>
<tr>
<th>IIMFUNO</th>
<th>INGCACISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ugunyaziso</td>
<td>Isimo kunye nemisebenzi yequmrhu likharhulumente</td>
</tr>
<tr>
<td>Linkcukacha zoqhagamshelwano</td>
<td>Idilesi yeposi neyesitalato, iinombolo zefowuni nezelekile kunye nedilesi ye-imeyle, ukuba ikho, yegoza lezeenkcukacha kunye nezamasekela gosa lezeenkcukacha amaqumrhu karhulumente.</td>
</tr>
<tr>
<td>Isikhokelo se-PAIA iCandelo 10</td>
<td>Inkcazeliso yesi Sikhokelo equlunqwe yiKomishoni yaMalungelo oLuntu yaseMzantsi Afrika kunye nendlela onokufikelelela ngayo kuso.</td>
</tr>
<tr>
<td>Lindi zeerekhodi ezikhoyo</td>
<td>Inkcukacha ezanelelo zokuncedisa ekuququzelelelelwe fikilelele kwiirekhodi ezikulawulo lwequmrhu likharhulumente. Iqumrhu likharhulumente kufuneka lichaze impilo yezekile ezukuphila ezikulelela ezi nkcukacha zazalo.</td>
</tr>
<tr>
<td>Linkcukacha ezifumanekana lula ngaphandle kwesicelo</td>
<td>Ezine iinkcukacha ziyafumana nje lula umntu engadange wabe wenza isikelo sokufikelela kuko ngokwe-PAIA. Nxwebhu lwequmrhu likharhulumente kufuneka lubonise ukuba zezipho iinkcukacha ezifumanekana ngaphandle kwesicelo.</td>
</tr>
<tr>
<td>Linkonzo zequmrhu likharhulumente</td>
<td>Inkcazeliso yeenkonzolo ezifumanekeayo kwiqumrhu likharhulumente nendlela uluntu olunokufikelela ngayo kwezo nkonzolo.</td>
</tr>
<tr>
<td>Intatho-nxaxheba yoluntu</td>
<td>Inkcazeliso yalo naliphi na ilungiselelo okanye isibonelelo kumntu sokuba enze igalelo, anikele intetha okanye athathe inxaxheba okanye ancedise ekuphulaquwe komgaqo-nkqubo; okanye ukuba negunya okanye ukwenziwa kwemisebenzi liqumrhu likharhulumente</td>
</tr>
<tr>
<td>Uncedo</td>
<td>Inyathelo onokulithatha ukuba igosa lezeenkcukacha liyakwalela ukuba ufikelelele kwiinkcukacha.</td>
</tr>
</tbody>
</table>
2.3.2 Ungayifumanaphi le miqulu elungiselelele we ukusetyenziswa ngamaqurhu karhulumiwe

Onke amaqumrhu karhulumiwe kufuneka ekwenze kwaba lula ukuba ukwazi ukufikelela kumamaxwebhu awo. Kufuneka ekwenze oko, ubuncinane, ngezi ndlela zilandelayo:

» Ngokwenza ikopi zifumaneke kwofi-isisi nganye yequmrhu elo likarhulumiwe ngeshesa lomsebenzi;
» Ngokuthi uwwebhu olo lubuneke kwiwebhusayithi, ukuba ikho, yequmrhu likarhulumiwe elo.

Ngengoko kuchaziwe apha ngasentla, uMthetho wokhusele lweNkcuacha zokoBuqu 4 ka-2013 (i-POPI) wenza uhlengahlengiso kwi-PAIA ngingeendlela ezininzi. Enye yezo ndlela iphathelele kumamaxwebhu eCandelo 14 wamaqumrhu karhulumiwe. Phantsi kwe-POPI, la maxwebhu akusafuneki ukuba angeniswe kwiKomishoni yaMalungelo oLuntu yaseMzantsi Afrika, kodwa kufuneka afumanke kwi-inthaneti kwaye enziwe afumanke kuye nabani na ofuna ikopi.

2.3.3 Imiqulu ye-PAIA elungiselelele we amaqumrhu abucala

Amaqumrhu abucala nawo kufuneka equlunqe uwwebhu ngokokwecandelo 51 le-PAIA. Ngokwengokunje, ayingawo onke amaqumrhu abucala ekunyanzelelekileyo ukuba alithobele eli candelo.1 Ngoko ke usenokufumanisa ukuba eli qumrhu onqwenela ukufuna kulo inkcukacha alinalo uwwebhu elinokukunika Iona. Oku akuthethi ukuba iqumrhu elo alibophelele kwenzo ngokwa-PAIA. Usenako ukwenza isicelo seenkcukacha kweli qumrhu kwaye lisanyanzelelele, ngokusemthethweni, ukuba lisisiqlwasele isicelo sakho. Umgaqo wokwenziwa kweicelwe seenkcukacha ngokwe-PAIA awukajiki, lisamile, nokuba iqumrhu elo kucelwa kulo likhuluwe ekuthini liqulunqe uwwebhu lweenkcukacha.  

NGAWAPHI AMAQUMRHU ABUCALA ANGANYANZELEKANGA UKUBA ASHICILELE IMIQULU YEENKCUKACHA?


1 Oku kwatshintsha ngomhla wama-31 kwetoMngaka ka-2015 xa onke amaqumrhu abucala kwakufanele ukuba abe noxwebhu ngokokwecandelo 51 le-PAIA.
Ezi ncampani zilandelayo kufuneka ziqulunqe amaxwebu e-PAIA ukuba ziqeshe abantu abangaphezu kwama-50 kula mashishini alandelayo okanye zinengenso engaphezu kwesi sixa-mali sibalulileweyo:

<table>
<thead>
<tr>
<th>USHISHINO</th>
<th>INGENISO NGONYAKA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ezolimo</td>
<td>R2 million</td>
</tr>
<tr>
<td>Ezemigodi née Kwari</td>
<td>R7 million</td>
</tr>
<tr>
<td>Ezemveliso</td>
<td>R10 million</td>
</tr>
<tr>
<td>Ezombane, iRhasi naManzi</td>
<td>R10 million</td>
</tr>
<tr>
<td>Ezokwakha</td>
<td>R5 million</td>
</tr>
<tr>
<td>Ezeempahla kunye noSishino ngeeMoto kunye néeNkonzo zokuLungiso</td>
<td>R15 million</td>
</tr>
<tr>
<td>Urhwebo iwentengiso ngezxa, ii-Arhente zoShishino kunye néeNkonzo eziManyeneyo</td>
<td>R25 million</td>
</tr>
<tr>
<td>Ezokudla nendawo yokuhlala kunye nolunye urhwebo</td>
<td>R5 million</td>
</tr>
<tr>
<td>Ugcino noNxibelelwano</td>
<td>R10 million</td>
</tr>
<tr>
<td>Ezemali néeNkonzo zoShishino</td>
<td>R10 million</td>
</tr>
<tr>
<td>Iinkonzo zoLuntu, eziKhethokeleyo nezokoBuqu</td>
<td>R5 million</td>
</tr>
</tbody>
</table>

Umpathiswa ukwabalule ukuba zonke iinkampani ezingachazwanga njengee-‘nkampani zabucala’ phantsi kwecandelo 1 loMthetho weeNkampani, uMthetho nombolo 71 ka-2008, kufuneka ziqulunqe uxwebhu leCandelo 51.

2.3.4 Ungayifumanaphi le miqulu elungiselelelewe ukusetyenziswa ngamaqurhu abucala

Onke amaqumrhu abucala ekufuneka equlunqe uxwebhu kufuneka eqinisekisile ukuba uyawafumana loo maxwebhu. Ubuncinane, kufuneka ekwenze oko ngezi ndlela zilandelayo:

» Ngokwenza ukuba ikopi ifumaneke ukuze ihlolwe kwi-ofisi nganye yelo qumrhu labucala, ngexesha lomsebenzi. Iqumrhu labucala lisenokungabizi mali ngokuhlola;
» Ngokwenza ukuba uxwebhu lufumaneke kuwebhusayithi yayo.

2.3.5 Indlela amaqumrhu abucala ekulindeleke ukuba athobele ngayo

Ngokwecandelo 51, intloko yequmrhu labucala kufuneka:

- Iluhlaziye rhoqo naluphi na utshintsho kuxwebhu olo;
- Yenze ukuba uxwebhu lufumanekeleng kwungayo nguMthetho kwii-ofisi zenkampani nakwiwebhusayithi yayo;
- Ihlomele iifomu yesicelo (iFomu C ye-PAIA) kuxwebhu izenzekubeka iifomu zesicelo zifumanekeleng kwii-ofisi zenkampani.

Uxwebhu olo kufuneka ubuncinane luqulathe ezi nkcukacha zilandelayo:

<table>
<thead>
<tr>
<th>IIMFUNO</th>
<th>INGCACISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iinkcukacha zozhagamshelwano</td>
<td>Idilesi yeposi nyesitalo, iinombolo zefowuni nezefeksi kunye nedilesi ye-</td>
</tr>
<tr>
<td></td>
<td>imeyile, ukuba ikho, yegosa lezeenkcukacha amaqumrhu lenkampani yabucala.</td>
</tr>
<tr>
<td>Iinkcukacha ezifumaneka lula ngaphandle kweicelo</td>
<td>Ezinye iinkcukacha zizifumaneka nje lula umntu engadange wabe wenza</td>
</tr>
<tr>
<td></td>
<td>isicelo sokufikelela kuzo ngokwe-PAIA. Uxwebhu lwqumrhu labucala kufuneka</td>
</tr>
<tr>
<td></td>
<td>lubonise ukuba zeziphi iinkcukacha ezifumaneka ngaphandle kweicelo.</td>
</tr>
<tr>
<td>Iirekhodi ezifumaneka ngokwenza isicelo</td>
<td>UXwebhu lwCandelo 51 kufuneka ludwelise iindidi zeerekhodi ezifumaneka</td>
</tr>
<tr>
<td></td>
<td>ngokwenza isicelo kuphela.</td>
</tr>
<tr>
<td>Umgaqo ye-PAIA</td>
<td>Yenza uyilo lwemigaqo ye-PAIA ekufuneka ilandelwe xa kusenziwa isicelo</td>
</tr>
<tr>
<td></td>
<td>sokufikelela kwinkcukacha kwinkampani yabucala (o.k.k. iFomu C).</td>
</tr>
<tr>
<td>Iinkcukacha ngenkampani</td>
<td>Kuquka iinkcukacha zentloko yenkampani okanye i-CEO yenkampani (ngokwe-</td>
</tr>
<tr>
<td></td>
<td>PAIA, iGosa lezeeNkcukacha lenkampani yabucala yi-CEO okanye intloko).</td>
</tr>
<tr>
<td>Iimali</td>
<td>Chaza umenzi-sicelo kunye neemali ezihlawulwayo ngokwe-PAIA (bona iCandelo</td>
</tr>
<tr>
<td></td>
<td>3 malunga neenkcukacha ezithe vetshe)</td>
</tr>
<tr>
<td>Uncedo</td>
<td>Ngawaphi amanyathelo akhoyo anokuseteyeniswa ngumenzi-sicelo ukuba</td>
</tr>
<tr>
<td></td>
<td>isicelo sakhe sokufuma iinkcukacha sikhatyiwe.</td>
</tr>
<tr>
<td>Iinkcukacha ezithe vetshe</td>
<td>Naziphi na iinkcukacha ezithe vetshe ngokuphathelele kwiicelo sokufikelela</td>
</tr>
<tr>
<td></td>
<td>kwinkcukacha.</td>
</tr>
</tbody>
</table>
2.4 Iinkcukacha ezifumaneka ngaphandle kwesicelo eziphantsi kolawulo lwamaqumrhu karuhlumente

Njengoko kuchaziwe kwintshayelo yeli candelo, ayizizo zonke iinkcukacha ezidinga ukuba kwenziwe isicelo esisesikweni ukuze kufikelela ukubhengeza kwenziwe ukuthobela ezithile ezifumaneka eluntwini. Nangaphezu koko, amaziko amaninzi aza kuzibhengeza iinkcukacha ezilingakumbi engacelwanga ngelizama ukuthobela ukusebenza ngokuselubala kunye nokuqvela kwixanduva lokunika impendulo kuyenzela uluntu undlela lula. Ukuze kube nokuphuculwa ukubhengeza iinkcukacha ngokuzithandela kunye nokuqquzelela ukufikelela kwinkcukacha, iCandeo 15 le-PAIA lifuna ukuba onke amaqumrhu karuhlumente ashilicilele uluhluleni, olwaziwa ngokuba ‘siSaziso seCandelo 15’ okanye ‘isaziso sokubhengeza ngokuzithandela’, kwazo zonke iinkcukacha eziphathelene nequmrhu elo nezinokufumaneka kuye nabani na nanini na ngaphandle kwesicelo.

Igosa lezeenkcukacha lequmrhu likaruhlumente kufuneka ukuba lenze isaziso sokubhengeza ngokuzithandela sequmrhu likaruhlumente, lize lenze ukuba sfumaneke kuzo zonke ii-ofisi zequmrhu likaruhlumente kwanangokulipapasha kwGazethi kaRhuhlumente. Isaziso sokubhengeza ngokuzithandela kufuneka sihlaziywe qho ngonyaka.

Isaziso sokubhengeza ngokuzithandela sequmrhu labucala siqulethe iindidi zeerekhodi kunye nenkcazelo yezo rekhodhi zifumaneka ngaphandle kwesicelo:

- Ezihlolwayo ngokwayo nayiphi na imithetho ngaphandle kwe-PAIA;
- Ezithengwayo okanye zikhutshelwe kwixanduva likaruhlumente, kunye
- Nkwiqumrhu likaruhlumente simahla


Nangona kunyanzelelele ukuba iqumrhu likaruhlumente lipapashe isaziso sokubhengeza ngokuzithandela, oko ‘ayikokuzithandela’. Isaziso sibizwa ngokuba ‘sisaziso sokubhengeza ngokuzithandela’ kuba senza isaziso sazo zonke iinkcukacha ezize zabhengezwa ngaphandle kwesicelo, kungekuba oko kwenziwa ngokubona kwegosa lezeenkcukacha malunga nokuba kupapashwe uluhluleni olululo okanye hayi na.
2.5 linkcukacha ezifumaneka ngaphandle kwesicelo eziphantsi kolawulo lwamaqumrhu abucala

Akwahlukanga ncam okwenzeka kweli candelo leenkcukacha ezifumunena ngaphandle kwesicelo kwiqumrhu labucala koko kwenzeka kumaqumrhu karhulumente. Ngaphambi kokwenza isicelo seenkcukacha esisesikweni ngokwe-PAIA nekunokwenza ukuba sifune imali kunye nexesha elingangeentsuku ezingama-30 ulindle, kubalulekile ukuba uqale uqonde kuqala ukuba zeziphi linkcukacha ezisele zibhengeziwe nezisele zifumaneka ekungekho mfuneko yakwenza isicelo esisesikweni ngazo.

Intloko yequmrhu labucala isenokuseka uluhlulwwekuncukacha ezisele zifumaneka kwiqumrhu labucala ngaphandle kokuba ufake isicelo esisesikweni. Olu luhi lubizwa ngokuba ‘sisaziso secandelo 52’ okanye ‘isaziso sokubhengeza ngokuzithandela.’


Isaziso sokubhengeza ngokuzithandela sequmrhu labucala siqulethe iindidi zeerekhodi kunye nekcacelo yezo rekhodi ezifumane ngaphandle kwesicelo:

» Ezihlolwayo ngokweyo nayiphi na imithetho ngaphandle kwe-PAIA;
» Ezithengwayo okanye zikhutshelwe kwiqumrhu likarhulumente, kunye
» Nakwiqumrhu likarhulumente simahla.

Isaziso sokubhengeza ngokuzithandela kufuneka sichaze rendlela yokufikelela kwirekhodi ezithi zibhengezwe ngokuzithandela nezifumaneka ngaphandle kwesicelo esisesikweni.
ICANDELO 3
Usenza njani isicelo sokufikelela kwiinkcukakha

Eli candelo liquka oku kulandelayo:

- 3.1 lindidi zezicelo
- 3.2 limali ezihlawulwayo ezinxulumene nokwenziwa kwezicelo
- 3.3 Indima yeGosa lezeeNkcukakha
- 3.4 Uncedo lwesomthetho
3 Ndingasifaka njani isicelo se-PAIA?

Isicelo sokufikelela kwiinkcukacha siyensiwa kumaqumrhu karhulumente nawabucala. Umntu owenza isicelo ubizwa ngokuba “ngumenzi sicelo”, kwaye unelungelo lokufikelela kwiindidi ezithile zeerekhodi zamaqumrhu karhulumente nawabucala. I-PAIA idandalazisa iindlela ezahlukileyo zokufikelela kwiinkcukacha nokuba kukwiqumrhu likarhulumente okanye elabucala, ike ekupheleni koMthetho ibonelele ngeefomu ekufanele zisetyenziswe ngabafaki bezicelo ukuze bafake izicelo zeenkcukacha.

<table>
<thead>
<tr>
<th>UQUMRHU</th>
<th>IFOMU YE-PAIA</th>
<th>ICANDELO LE-PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iqumrhu likarhulumtente</td>
<td>IFomu A</td>
<td>ICandelo18</td>
</tr>
<tr>
<td>Iqumrhu labucala</td>
<td>IFomu C</td>
<td>ICandelo53</td>
</tr>
</tbody>
</table>


3.1 Ngubani ongafaka isicelo se-PAIA?

Nabani na uvumekilele ukuba angenza isicelo se-PAIA. Umenzi-sicelo usenokuba:

**Ngumntu ophilayo**

- akunyanzelekanga ukuba umntu ibe ngummi waseMzantsi Afrika okanye umntu ohlala eMzantsi Afrika

**OKANYE**

**Umntu onikwe igunya**

- njengeshishini okanye umbutho

**OKANYE**

**Umntu osebenza egameni lomntu ophilayo okanye umntu onikwe amagunya**

Umenzi-sicelo unelungelo lokufikelela kwirekhodi eziqulethe iinkcukacha ezikulawulo lwamaqumrhu abucala, kuphela ukuba iqumrhu eli likarhulumtente (1) likwenza okanye kungenelwe uluntu, kwaye (2) iirekhodi ezo zifunelwa ukuze kungenelwe uluntu, kwaye (2) iirekhodi ezo zifunelwa ukuze kungenelwe uluntu, kwaye (2) iirekhodi ezo zifunelwa ukuze kungenelwe uluntu.

Kubalulekile ukuqaphela ukuba i-PAIA ayisebenzeli amasebe karhulumtente (kuquka namasebe esizwe, awamaphondo nawoomasipala), kanye naye nabani na okanye naliphi na iziko elsebenzisa amagunya alo okanye elenza umsebenzi ngokoMgaqo-siseko, (njenge-SAHRCE kunye ne-Ofisi yoMkhuseli woLuntu), okanye ngokomgaqo-siseko wephondo (njenge-Western Cape Liquor Licensing Board), ekwenzeni izicelo ze-PAIA kwamanye amaqumrhu karhulumtente.
3.1.1 Ndiyigcwalisa njani ifomu yesicelo se-PAIA?

Isicelo sokufilelela kwinkukulwa ezikulawulo lwequmrhu likarhulumente okanye elabucala senziwa ngokugcwalisa ifomu yesicelo se-PAIA izi ingenische kwiqumrhu elo libandakanyekayo. Isicelo se-PAIA kufuneka sithunyelewwe kwGosa lezeenkcukacha, iSekela Gosa lezeenkcukacha okanye iNtloko yequmrhu likarhulumente okanye elabucala, kwaye kufuneka kusetyenziswa isicelo se-PAIA izi kusetyenziswa kwinkukulwa ezikhagamshelwano ezimasekelele nezakamvanje.

Ukongeza ekunikezeleni ngeenkcukacha malunga nequmrhu elo libandakanyekayo, ifomu esetyenziswayo yesicelo se-PAIA iquka oku kulandelaya:

<table>
<thead>
<tr>
<th>IINKCUKACHA EZIFUNEKAYO</th>
<th>INGCACISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Isicelo zomfakisielo</td>
<td>Iinkukulwa ezianelelo malunga nomfakisielo eziza kwenza kube lula umxazi, kuquka neenkcukulwa zqothagamshelwano zomfakisielo: idilesi ye yahoo, idilesi ye imvelile, inombolo ye fesiki kunye/okanye ye fowuni eMzantsi Afrika.</td>
</tr>
<tr>
<td>Iinkukulwa zeerekhodi ezifunwayo</td>
<td>Iinkukulwa ezithetha zwi malunga neerekhodi ezo ukwenzela kube lula kakhulu ukuzifumana. Kusenoku setyenziswa nelinye iphepha ukuzhaza banzi ngesicelo kwaye iphepha ngalindrome lityikitywe lize lityfaniswe nefomu yesicelo.</td>
</tr>
<tr>
<td>Indlela yokufikelela kwireekhodi ezo</td>
<td>Indlela yefosiko okanye indlela ekufanele isicelo esele iziqithiwe ngayo okanye zefumaneke kyayo.</td>
</tr>
<tr>
<td>Indlela yokwazisa umenzi sicelo ngendlela anokufikelela ngayo kwinkukulwa</td>
<td>Indlela yokwazisa umenzi sicelo malunga nesigqibo sokusifezekisa okanye ukusikhaba isicelo sakhe.</td>
</tr>
<tr>
<td>Ulwimi olukhethiweyo</td>
<td>Xa isicelo sifakiwe kwinkukulwa likarhulumente, kufuneka luchazwe ulwimi olukhethiweyo njengolo ireekhodi ekufuneka zibe ngalo.</td>
</tr>
<tr>
<td>Igunya lomntu owenze isicelo</td>
<td>Xa isicelo sifakiwe egamaenike lomntu, kufuneka unkinekelwe ngakhe njisimiseko segyena lomntu lowo owenze isicelo (owtwa ngakhe lomntu onikwe igunya).</td>
</tr>
<tr>
<td>Amalungelo abandakanyekayo</td>
<td>Xa isicelo sifakiwe kwinkukulwa labucala, umenzi sicelo kufuneka achaze ilungelo ekubhekisiwa kulo aze acacise ukuba kungani na ireekhodi ezo zifunwana ngelixhamla okanye elikhulwa ilungelo elo.</td>
</tr>
</tbody>
</table>
RAbenzi zicelo abangakwazi ukufunda okanye ukubhala basenokwenza izicelo ngomlomo
kwIGosa lezeeNkcukakacha okanye iSekela Gosa lezeeNkcukakacha lequmrhu likarhulumente, lona elinoxanduva lokugcwalisa iFomu A egameni lomenzi sicelo.

3.1.2 Ingaba ukhonza umgqalo olandelwayo xa kuseniwa isicelo se-PAIA?

Umenzisi sikelo kufuneka anikwe imvume yokufiilelela kwiirekhodi azicelayo, kuphela ukuba uye wazithobela ezi mfuno zemigaqo zilandelayo:

- Isicelo se-PAIA kufuneka senziwe kwifomu echanekileyo (iFomu A yamaqumrhu karhulumente, iFomu C yamaqumrhu abucala), waze wabhala ukuba iyana kwIGosa lezeeNkcukakacha okanye iSekela Gosa lezeeNkcukakacha lequmrhu likarhulumente okanye elabucala, okanye kwiNtloko yequmrhu likarhulumente okanye elabucala.

- Ifomu yesicelo se-PAIA kufuneka sifikwe ngesandla, siposwe, sifekswe okanye sithunyelwe nge-imeyile kwiqumrhu likarhulumente okanye elabucala elo kuthunyelwa elo kuthunyelwa kulo isicelo.

- Iirekhodi ezifunwayo azichatshazelwa yimiqathango yokwala echazwe kwi-PAIA.

3.2 Zithini iindleko zokwenziwa kwesicelo se-PAIA?

Abenzi-zicelo kufuneka bahlawule imali xa becela ukufiilelela kwiirekhodi kuwo omabini amaqumrhu, elikarhulumente nelabucala.

Imali yokucela iirekhodi kwiqumrhu likarhulumente ngama-R35, ngeli lixa imali yokucela

iirekhodi kwiqumrhu labucala ingama-R50.

Kubalulekile ukuqaphela ukuba abafaki-zicelo abacela ukufiilelela kwiniikakakacha zabo zokobuqu abahlawuli mali; nangani kunjalo, kusafuneka beyihlawule imali yokufiilela.

Abafaki-zicelo abanomvuzo ongaphantsi kwe-R14,712 ngonyaka (abangatshatanga) kunye nama-R27,192 ngonyaka (ukuba batshatile okanye bayahlalisana), ABAfanelanga ukuba bazihlawula iimali zesiselo.
3.2.1 Zithini iindleko zokufumana iirekhodi phantsi kwe-PAIA?

Abenzi-zicelo kufuneka bahlawule imali xa becela ukufikelela kwiirekhodi zamaqumrhu karhulumente nawabucala. Le mali hlawulela iindleko zokukhangela irekhodi kunye nokwenza ikopi zazo.

Ucacululo lweemali zokufikelela kwiirekhodi zamaqumrhu karhulumente lumi ngolu hlobo:

<table>
<thead>
<tr>
<th>UMSEBENZI</th>
<th>IMALI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ikopi ekwiphepha elingu-A4</td>
<td>lisenti ezingama-60</td>
</tr>
<tr>
<td>Ukuprinta kwiphepha elingu-A4</td>
<td>lisenti ezingama-40</td>
</tr>
<tr>
<td>Ukukhuphelela kwi-CD</td>
<td>R40</td>
</tr>
<tr>
<td>Ukuchwethezwa kwemifanekiso kwiphepha elingu-A4</td>
<td>R22</td>
</tr>
<tr>
<td>Ikopi yemifanekiso</td>
<td>R60</td>
</tr>
<tr>
<td>Ukuchwethezwa kweekopi ezimanyelwayo kwiphepha elingu-A4</td>
<td>R12</td>
</tr>
<tr>
<td>Ukukhutshelwa kweekopi emanyelwayo</td>
<td>R17</td>
</tr>
<tr>
<td>Ukukhangelwa nokulingsiswa kweerekhodi ezenzelwe ukubhengezwa</td>
<td>R15 ngeyure okanye inxenye yayo, ngaphandle kwuye yokuqala, evumelekleayo xa kukhangelwa kune nokulingsiswa kweerekhodi.</td>
</tr>
</tbody>
</table>

Imali zokufikelela kwiirekhodi zamaqumrhu abucala zimi ngolu hlobo:

<table>
<thead>
<tr>
<th>UMSEBENZI</th>
<th>IMALI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ikopi ekwiphepha elingu-A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Ukuprinta kwiphepha elingu-A4</td>
<td>lisenti ezingama-75</td>
</tr>
<tr>
<td>Ukukhuphelela kwi-CD</td>
<td>R70</td>
</tr>
<tr>
<td>Ukuchwethezwa kwemifanekiso kwiphepha elingu-A4</td>
<td>R40</td>
</tr>
<tr>
<td>Ikopi yemifanekiso</td>
<td>R60</td>
</tr>
<tr>
<td>Ukuchwethezwa kweekopi ezimanyelwayo kwiphepha elingu-A4</td>
<td>R20</td>
</tr>
<tr>
<td>Ukukhutshelwa kweekopi emanyelwayo</td>
<td>R30</td>
</tr>
<tr>
<td>Ukukhangelwa nokulingsiswa kweerekhodi ezenzelwe ukubhengezwa</td>
<td>R30 ngeyure okanye inxenye yayo, ngaphandle kwuye yokuqala, evumelekleayo xa kukhangelwa kune nokulingsiswa kweerekhodi.</td>
</tr>
</tbody>
</table>
Ilimali zentlawulo yokuposa kuza kufuneka zihlawulwe ngumenzi-sicelo ukulungiselela ukuposa kweerekhodi ezo zabo zamaqumrhu karhulumente nawabucala.

**Ukwaphulelwana**

Ukuba iGoza lezeeNKcukacha, iSekela Gosa lezeeNKcukacha, okanye iNtloko yequmrhu likarhulumente/elabucala icinga ukuba ukucqokelelwa nokuvuliswa kwamaxwebhu kuza kuthatha ishesa elide elingaphezu weewyure ezintandathu, kufuneka yazise lowo wenze isicelo, (ngesaziso esisesikweni), ukuba kuza kufuneka ehlawule isiqingatha seali yokufikelela njengediphozithi.

Ukuba ireekhodi azigqithiswa ngendlela ezicelwe ngayo, imali yokufikelela ebizwayo kumenzi sicelo akufunekanga igqithe kwimali ebinokubizwa ukuba ukufikelela kwiinkcukacha bekunikezelwe ngendlela eceliweyo. Nangona kunjalo, lo mgqo awusebenzi xa enye indlela ifuneka kuba iinkcukacha bekufuneka zigqithisiwe kwireekhodi.

Ukuba umenzi sicelo akakwazi kufunda, ukubona okanye ukuba oko kurekhodiweyo ngendlela egcinwe ngayo liqumrhu likarhulumente ngenxa yokuhubazeka kwakhe, iqumrhu likarhulumente kufuneka libonelele ngeeerekhodi ngendlela eza kufikeleleka kumenzi sicelo. Imali yokufikelela ebizwayo kumenzi sicelo akufunekanga igqithe imali ebiza kubizwa ukuba bekungenganxa yokuhubazeka.

### 3.3 Ingaba iGosa lezeeNKcukacha lingandincedisa ekwenzeni isicelo se-PAIA?

Xa isicelo se-PAIA sisenziwa kwiqumrhu likarhulumente, iGosa lezeeNKcukacha okanye iSekela Gosa lezeeNKcukacha kufuneka likuncedise apho kuyimfuneko khona ukuze ugcwalise iifomu ze-PAIA.

Uncedo kufuneka lunikezelwe ngamaGosa ezeenKcukacha mahala.

<table>
<thead>
<tr>
<th>IMISEBENZI YAMAGOSA EZEENKCUKACHA</th>
<th>INGCACISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukuncedisa umenzi sicelo agcwalise iifomu ye-PAIA</td>
<td>Xa isicelo se-PAIA singalandelini zonke iimfuno ezibekiweyo ezichazwe kwi-PAIA nakwifomu, iGosa lezeeNKcukacha okanye iSekela Gosa lezeeNKcukacha ALINAKO ukusikhaba isicelo. Endaweni yoko, iGosa lezeeNKcukacha kufuneka lazise umenzi sicelo, ngembalelwano, ukuba alinako ukusifezekisa isicelo ngenxa yokuba iinkcukacha aziphelelelanga, lize lichazele umenzi sicelo ukuba lizimisele ukuncedisa ekwenzeni utshintsho olufunekayo kwifomu leyo. Ukuba umenzi sicelo akaphenduli kwincwadi ayihalelwelo yokanye enye ezilungiso kwifomu kwangexesha elifanelekiyelo, igosa linokusikhaba eso sicelo.</td>
</tr>
<tr>
<td>Ukubonelela umniki sicelo ngeenKcukacha ezifanelekiyelo apho kuyimfuneko khona</td>
<td>Ukuba ngaba kuhle kwaye kusenokwenzena, iGosa lezeeNKcukacha kufuneka libonelele umenzi sicelo ngazo naziphi na iinkcukacha ezikulawulo lwqumrhu likarhulumente nezo zikwafunwana ngumenzi sicelo, nokuba ireekhodi ezo bezingeyeonyenye yesicelo sokuqala.</td>
</tr>
<tr>
<td>IMISEBENZI YAMAGOSA EZEENKCUKACHA</td>
<td>INGCACISO</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Ukugqithiselwa kwesicelo</td>
<td>Xa isicelo se-PAIA senziwe kwipiirmhu likarhlumemente elingelilo, iGosa lezeenKncukachaka kunfunka lisigqithiselwe kwipiirmhu likarhlumemente elililo eso sicelo zingaphelanga iintsuku ezili-14 emva kokuba lisifumene isicelo eso kwaye kunfunka lazise umenze sicelo ngembalelwano malungu noko kugqithiselwa kwesicelo.</td>
</tr>
<tr>
<td>Iintsuku ezingama-30 zokuphendula kwisicelo</td>
<td>Isicelo se-PAIA kunfunka siphendulwe liquimrhu likarhlumemente zingaphelanga iintsuku ezingama-30 emva kokuba sifunyenwe isicelo. iGosa lezeenKncukachaka lisenokucela ukwandiselwe ixesha elingeko ngaphezu kweentsuku ezingama-30 ezonzeziwayo, negezithathu ethiile, eziquka isicelo eso (1) amaxwebhu amakhulu kakhulu, (2) ukubonisana namanye amaquimrhu karhlumemente okanye awabucala, (3) okanye ukuba umenze sicelo uvumile ukulongeza ixesha ngembalelwano. Kuvumelelikile ukongeza kweshe kanye kuphela kwisicelo se-PAIA ngasinye.</td>
</tr>
<tr>
<td>Ukuvunywa nokukhatywa kofikelelo</td>
<td>Luxanduva lweGosa lezeenKncukachaka ukuvuma okanye ukwaal ngokufikelela kwiwirehlu. Esi sigqibo kunfunka siggqithiselwe kumenzi sicelo ngembalelwano.</td>
</tr>
<tr>
<td>Indlela yokufikelela, imali yokufikelela kunye noncedo</td>
<td>Xa isicelo se-PAIA sivyiiwe, iGosa lezeenKncukachaka kunfunka lazise umenze sicelo malungu nendlela ufikelelo oluza kufumaneka ngayo kunye nemali yofikelelo, ekufunka ihlawulwe yakume imvume yofikelelo inikezelwe. Isaziso kukwafuneka ukuba sazise umniki sicelo ukuba unelungelo lokwenza isibheno sangaphakahle kunye nesicelo enkundleni ngenxa yentlawulo yokwalelwano okanye ngendlela ufikelelo oluza kunikezelwe ngayo. Ukongeza, isaziso kunfunka sibonelele nangeenKcukachaka malungu nexesha isibheno isicelo enkundeni ekumele sifakwelo ngayo ndawonye nomqago ekumele uumladelwe.</td>
</tr>
<tr>
<td>UKukhatywa kwesicelo</td>
<td>Ukuba isicelo se-PAIA sikhatiyiweyo, isaziso esiya kumenzi sicelo kunfunka siphakhe izizathu zokukhatywa kwsicelo, ekufunka zikhase ngezibonelelo ezikwi-PAIA. Ngokufanayo nefomu okanye ufikelelo kunye nemali yofikelelo, isaziso kunfunka sibonelele umenze sicelo ngeenKcukachaka eziphathelele nokwenza isibheno ngesiqibo okanye ngokwenza isicelo senkundla.</td>
</tr>
<tr>
<td>Ukulityaziswa kokuhululwa kweenkucukachaka</td>
<td>IGosa lezeenKncukachaka lisenokuthatha isigqibo sokulubazisa ekukhululeni unkucukachaka kumenzi sicelo ngokweCandelo 24 le-PAIA, ukuba ezo nkcukachaka bekufanele ukuba zishicilelwwe zingaphelanga iintsuku ezingama-30 okanye ukuba unkucukachaka ezo kunfunka zishicilelewwe ngokomthetho kodwa zibe ziseza kushicilelwwe.</td>
</tr>
</tbody>
</table>

I-PAIA kumaCandelo 23 nelama-55 ithi ukuba iGosa lezeenKncukachaka alikwazi ukuzifumana ezo rekhoodiceziwyo, okanye kukholelela kukholeleka ukuba azikho kwa ukubakho, iGosa lezeenKncukachaka kunfunka, emva kokuba liqinisekile ukuba kuthithwe onke amanyathelo okuzifumana ezo rekhoodi, lifake i-afidavithi kumenzi sicelo emazisa ukuba irekhoodi ezo zicelwayo azikho okanye azifumaneki.
3.4 Ngawaphi amanyathelo asemthethweni endinokuwenza xa sikhathiwe isicelo sam se-PAIA?

Umenzi sicelo unelungelo lokuthatha amanyathelo asemthethweni ngakwiGosa lezeeNKcukacha, iSekela Gosa lezeeNKcukacha, okanye iNtloko yequmrhu likarhulumente okanye elabucala ukuba iGosa lezeeNKcukacha liggqibe kwelokuba:

» Likwalele ukufikelela kwinkcukacha
» Longerize ixesha lokuphendula kwisicelo
» Libize imali yesicelo okanye imali yokufikelela
» Linikezele ngofikelelo ngendlela eyahlukileyo kuleyo ebeycinlelw.

Eli candelo liza kukucacisela ngamayathelo asemthethweni abenzi bebezicelo abasenokuwasebenzisa ukuba banommqweno wokwenza isibheno ngakwizigqibo ezithathwe ngamaGosa eezeNKcukacha.

3.4.1 Uncedo lwezoMthetho ngakuMaqumrhrhu kaRhulumente


Kubalulekile ukuphakala ukuba isibheno sangaphakathi isigqibo esithathwe ukuthi sibe benziwe, ophendolo nokamaisipala kuphela. Akukho zinkqobo zezibheno zangaphakathi ezikhoyo ezisetyenziswa kwamanye amaqumrhu karhulumente.

ISixeko saseKapa ngumzekelo karhulumente kamasipala ekunokufakwa kuye izibheno zangaphakathi. I-Road Accident Fund ngumzekelo wequmrhu likarhulumente elingeyonzaleleni karhulumente wesizwe, ophendolo okanye kamaisipala, nanjengoko isekwe ngokommiselo (I-Road Accident Fund Act), ngoko ke isibheno sangaphakathi asinakwenziwa ngakuyo.

3.4.1.1 Ngubani onelungelo lokufaka isibheno sangaphakathi?

Ukuba isibheno sangaphakathi siquka nabani na ongomye, iqumrhu likarhulumelento efumene isibheno sangaphakathi linoxanduva lokuhagamshelana nomuntu lowo ongomye, ongowesithathu. Imfuno zokwazisa kunye nezokumela ziyafana nezo zifunwayo xa kufakwa isicelo se-PAIA.

Abanye abantu abangabanye nabangabesithathu nabo bavumeleklele ukufaka isibheno sangaphakathi kwisiggqibo esenziwe liqumrhu likarhulumelento malunga nokunikisa ngokifakelele kwiinkcukacha ezithile.

3.4.1.2 Singenziwa nini isibheno sangaphakathi?

Umenzi sicelo usenokufaka isibheno ngakwisiggqibo esithathwe liqumrhu likarhulumelento ngenxa yezi zizatu zilandelayo:

» Umenzi sicelo akonelisekanga ziimali ezifunekayo xa kusenziwa isicelo.

» Umenzi sicelo akonelisekanga sisisigqibo sokongeza iintsuku ezingama-30 zesongezo kwiqumrhu likarhulumelento ukuze lisabele kwisicelo.

» Umenzi sicelo akonelisekanga yindlela ezize ngayo inkcukacha engeyiyo le ndlela echaziweyo kwsicelo, kwaye umenzi sicelo ukholelwa kwelokuba ibingayi kuba ngumsinandozele kwiqumrhu likarhulumelento into yokumnika inkcukacha ngendlela ayikhethileyo kwifomu yesicelo.

3.4.1.3 Ndingasenza njani isibheno sangaphakathi?

Isibheno sangaphakathi kufuneka sigcwaliswe ngumenzi sicelo zingaphelanga iintsuku ezingama-60 emva kokufumana ukwalelwa kwesicelo sokuqala se-PAIA. Oku kwenziwa ngokucwalisa ifomu B nokuyifaka kwiwesizwe, ukufuna umenzi sicelo sesibheno sangaphakathi kuMphathiswa wesebe.

<table>
<thead>
<tr>
<th>URhulumelento weSizwe</th>
<th>Ukuba isicelo se-PAIA senziwa kwisebe likarhulumelento wesizwe, umenzi sicelo angafaka isicelo sesibheno sangaphakathi kuMphathiswa wesebe.</th>
</tr>
</thead>
<tbody>
<tr>
<td>URhulumelento wePhondo</td>
<td>Ukuba isicelo se-PAIA senziwa kwisebe likarhulumelento wephondo, umenzi sicelo angafaka isicelo sesibheno sangaphakathi kuMphathiswa wePhondo wesebe elo.</td>
</tr>
<tr>
<td>URhulumelento kaMasipala</td>
<td>Ukuba isicelo se-PAIA senziwa kwisebe likamasipala, umenzi sicelo angafaka isicelo sesibheno kusodolophu kamasipala, okanye kusomlomo kamasipala okanye kuye nabani na onikwe magunya yiKhansile kaMasipala lowo.</td>
</tr>
</tbody>
</table>

I-Form B ifakwa kwakwedinya Gosa lezeenKcukacha / iSekela Gosa lezeenKcukacha elisikhabileyo isicelo sokuqala, lona ekuza kufuneka ukuba liyiggqithisele kwiGosa lezeenKcukacha loo fomu.
QAPHELA:

Ukuba isibheno sifuna ukuba isaziso sigqithiselwe kumntu wesithathu (o.k.k. xa iinkcukacha ziqulethe iinkcukacha zokobuqu zomnye umntu, njengeerekhodi ezisuka kwiINKonzo zeRhafu zoMzantsi Afrika (SARS), ndawonye neenkcukacha ezisemfihlakalweni, iinkcukacha ezithile zorhwebo, kunye neenkcukacha zoPhando malunga nomntu wesithathu), ngoko ke isibheno eso kufuneka sfakwe zingaphelanga iintsuku ezingama-30 emva kokuba kukhutshwe isaziso.

Umenzi sicelo kufuneka afake isibheno sangaphakathi kwiGosa lezeeNkcukacha lequmrhu elo lichaphazekayo ngeposi, ngefeksi okanye nge-imeyile.

Isibheno sangaphakathini kufuneka siquke umxholo wesibheno sangaphakathi, izizathu ezizhasa isibheno eso, size siquke nazo naziphi na iinkcukacha ezifaneleleleleyo ezazwi ngaumntu lowo owenza isibheno.

Ukuba umenzi sicelo angathanda ukwaziswa malunga nesiqgibo esiphathelele kwiibheno sangaphakathi ngendlela ekuyenye, (eyongeza kwimpandulelo ngembelelwano), kufuneka ayichaze loo ndlela ayikhethayo aze agqithise neenkcukacha ezijimfunekela zalo ndlela ayikhethayo.

3.4.1.4 Kwenzekani xa isibheno sangaphakathi sfakwe emva komhla wokuphelelelwwa kwexeshe elibekiweyo?

Xa isibheno sangaphakathi sfakwe emva kokuba lipheleli ixesha leentsuku ezingama-60, iqumrhu elo likarhulumente lichaphazekayo kufuneka lisamkele isibheno eso ukuba izizathu ezizibizelileleko eyizandalalaziwe ezokusingenisa emva kwexeshe isibheno. Xa iqumrhu likarhulumente elo lichaphazekayo lingasamkeli isibheno sangaphakathi, kufuneka likhuphe isaziso esiya kulowo ufakwe isibheno.

3.4.1.5 Izibheno zangaphakathi zibiza malini?

Umenzi sicelo owenza isibheno sangaphakthi kufuneka ehlawule imali ebekiweyo, ukuba ikho. Ukuba imali yesibheno kufuneka ihlawulwe xa kufakwa isibheno, isiqgibo malunga nesibheno isenokulibaziseka de ibe ihlawulwe imali.

INGABA Ndingasingafaka Isicelo Enkundleni Malunga Nesiqqibo Sequmrhu Likarhulumente?

Ewe. Ukuba umenzi sicelo akaphumelelanga kwisibheno sakhe sangaphakathi ngakwiqumrhu likarhulumente, okanye ukuba iqumrhu likarhulumente liyala ukusamkelo isibheno sangaphakathi esifakwe emva kokuphelelelwwa kwexeshe, okanye ukuba umenzi sicelo akonelisekanga ngendlela ithile ngenxa yesiqgibo esenziwe liqumrhu likarhulumente, umenzi sicelo usenokufaka isicelo sokufumana isiqabu enkundleni ngokuthi afake isicelo zingaphelanga iintsuku ezingama-30 emva kokufumana isiqqibo.

Umenzi sicelo okanye umntu wesithathu usenokufaka isicelo enkundleni kuphela emva kokuba inkqubo yangaphakathi yokubhena sele igqityiwe.
3.4.2 Uncedo lwezoMthetho ngakuMaqumrhu aBucala

Xa umenzi sicelo engonelisekanga sisigqibo esenziwe yintloko yequmrhu labucala, umzekelo ngokwandlela ufikelelo, ngokunyanzelisa intlawulo yokufikelela, okanye ngokwandleisa ixesha lokufumaneka kwempendulo, umenzi sicelo usenokufaka isicelo sesiqabu enkundleni zingaphelanga iintsuku ezingama-180 emva kokufumanana sisigqibo esenzwa ukuba kubekho isikhala. Isigqibo sequmrhu labucala siza kuqwalasela yinkundla size isigqibo senziwe yinkundla malunga nokuba kunikezelwe ngofikelelo okanye hayi.

BRUMMER V MPHATHISWA WESEBE LEZOPHUHLISO LOLUNTU


Amatyala ofikelelo kwiinkundlaka asenokuchotshelwa kwiiNKudla zikaMantyi njengenkundla yokuqala, njengoko kubeonelelephantsi kwecandelo 79 le-PAIA kunye nakwiiNKunda eziPhakamileyo.

3.4.3. Kuza kwenzekani ngetyala lam enkundleni?

Ziliqela iziphumo ezinokubakho xa xa usa imeko ye-PAIA enkundleni. Emva kokuba kumanyelwe omabini amacala, ijaji echophele ityala inegunya locukwisa isigwebo esinobulunga nesolingano. Oku kunokukuqka isigwebo: (1) esiqinisekisa, esitshintsha, okanye escima sisigqibo sequmrhu likarhulumente okanye elabucala ngokuphathelele kwisicelo se-PAIA; (2) esifuna ukuba iqumrhu likarhulumente okanye elabucala lithathe inyathelo elithe okanye lingasilisenzisi ilungiselelo elithe; (3) esinikezela ngokhuselo, isigwebo sobhengezo, isiqabu esithile okanye imbuyekezo; okanye (4) esigunyazisa intlawulo yeendleko ezithile.
ICANDELO 4
Apho ufikelelo kwiinkcukacha kusenokwalelwa...

Eli candelo liquka:

4.1 Ukulungelelanisa ilungelo lokufikelela kwinkcukacha namanye amalungelo

4.2 Izizathu ezinyanzelekileyo xa zithelekswa nezingelwayo zokwalela ufikelelo kwinkcukacha

4.3 Izizathu zokwalela ufikelelo kwinkcukacha ezidweswe wki-PAIA

4.4 Uvavanyo olungumdlu oyingenele yoluntu
4.1. UkuFikelela kwiiNkcukuchaka kuNgalelwa Nini

Eli candelo liza kubonelela ngesishwankathelo malunga nokuba ukuFikelela kwiiNkcukuchaka kungalelwa nini na phantsi kwe-PAIA, lize likhokele malunga nokuba ungayisebenzisa njani na imigaqo evumela igosa lezeenkcukuchaka ukuba kungalelwa nini ngokuhlonipa, lize likhokele malunga nokuba ungayisebenzisa njani na imigaqo evumela igosa lezeenkcukchaka kungalelwa nini.

4.2. Izizathu eziNyanzekileyo xa zitheleksiswa nezo zinokuCingelwa malunga nokwalela ukufikelela kwiiNkcukuchaka

likarhulumente okanye elabucala ngaphezu kokungazibhengezi iinkcukacha ezo, nto leyo iza kulinyhasha ilungelo lomenzi sicelo lokufikelela kwinkcukakacha.

**AMAGAMA E-PAIA EKUMELE AQATSHELWE…**

Kulwalelo olunyanzelekileyo, i-PAIA isebenzisa igama elithi “kufuneka”.

Kulwalelo olucingelwayo, i-PAIA isebenzisa igama elithi “isenoku”.

Khumbula ukuba njengeGosa lezeenKncukakacha kufuneka ungathathi cala xa usebenzisa izizathu zokwalela ufikelelo kwinkcukakacha. Musa ukukhetha amacala, kwaye ungabi nakhethe ngalo ionke ixesha!

### 4.3. Izizathu zokwalelwa ukufikelela kwinkcukacha

Njongoko kuchaziwe apha ngasentla kukho izizathu ngezizathu apho ukufikelela kwinkcukakacha kusenokwalelwa okanye kufuneka kwinkcukakacha losapani.

**4.3.1. Ukhuselo lobumfihlelo bomnye umntu**

I-Gosa lezeenKncukakacha lequmrhu likarhulumente okanye elabucala akufunekanga livumele ufikelelo kwinkcukakacha zokobuqu zomntu, kuquka umntu osele eswelekele (malunga nenkcazelo “yomntu ophilayo” bona Amagama Aluncedo apha ngasentla), i-PAIA ithi ukuze ukwazi ukukhusela ilungelo lobumfihlelo bomntu wesithathu ongumntu ophilayo, i-Gosa lezeenKncukakacha kufuneka lihlile ukuba ukukhululwa kweenkucakacha ezo zikhuluilewe uzenzi sicelo ‘kuza kuquka ukubhengezwa ongungenangiqo kweenkcukakacha zokobuqu’ (bona amacandelo 34 nelama-63 e-PAIA).

ICandelo 1 le-PAIA libonelela ngengcaciiso ebanzi malunga nokuba zeziphi iinkcukakacha eziquka “iinkcukakacha zokobuqu”. Liquka iinkcukakacha eziphathelele kwisini, ukukhulelele, kanye nenkolo, ndawonye neembalelwano zokobuqu, iimpawu zofuzo – i-DNA, iminwe, kunye neemeko apho igama lomntu lowo livelayo kwiirekhodi.

**4.3.2. Izizathu zokwalelwa ukufikelela kwinkcukacha**

- iinkcukakacha zokobuqu zomntu onikise ngemvume yokuba ezo nkcukacha zikhutshwe;
- iinkcukakacha zokobuqu ezisele zipapasiwelo esidlangalaleni;
- iinkcukakacha zokobuqu malunga nomntwana ongaphantsi kweminyaka eli-18 ubudala apho ukubhengezwa kwezo nkcukakacha kusenzelwa ingenelo yomntwana lowo, kwaye umenzi sicelo ngumnakekeli womntwana (o.k.k. umzali okanye umgcini womntwana);
- iinkcukakacha zokobuqu zomntu osele eswelekele zikhutshelwa uzenzi sicelo ollungu losapho lwalowo, okanye onikwe igunya (imvume ebhaliweyo) lilungu losapho;
- iinkcukakacha zokobuqu zomntu osele eminyaka engaphezu kwengama-20 eswelekele;
- iinkcukakacha zokobuqu zomntu osebenza okanye owayesebenza iqumrhu likarhulumente okanye elabucala nalapho iinkcukakacha ziphathelele kwisikhundla sakhe njengegosa.

I-PAIA ifuna ukuba amaGosa ezeenKncukakacha akwa-SARS angazibhengezi iinkcukakacha zerhafu nezengeniso yokobuqu, ngaphandle kokuba umenzi sicelo ucela ukufikelela kwinkcukakacha zakhe.
4.3.2. Ukhuselo lweenkcukacha zoshishino zomnye umuntu

AmaGosa ezeenNkucukacha amaqumrhu karhulumente nawabucala kufuneka, ale ngofikilelele kwinkucukacha ukuba ngaba ukukhutshwa kwezo nkucukacha kuza kubangela ubungozi kwiiingenelo zorhwebo nezeemali zeshishini. I-PAIA idweliwe ezi nkucukacha zoshishino zilandelayo ezingenakubhengezwa liGosa lezeenNkucukacha:

» limfihlo zorhwebo;
» linkucukacha zezemali, ezoshishino, ezobunzululwazi, ezophando okanye ezobugcisa ezimalungana nomuntu wesithathu;
» linkucukacha ebezigqithiswe phantsi kwemikithatho yokuba semfihlakalweni nokuthembeka kumuntu wesithathu.

Nangona kukho umgaqo omisiweyo wokukhusela iinkucukacha zenkampani, iqumrhu likarhulumentekufuneka lisebenze ngenqele eselubula. Ngokwale ndlela, kufuneka iqatshelwe into yokuba kukho iimeko apho iinkucukacha zoshishino lwenkampani zisenokuthi zibhengezwe khona.

Ukunxaxha kwe-PAIA: irekhodi zomntu wesithathu eziqulethe iinkucukacha eziphathelele kukhuselo loluntu okanye ukuba sesichengeni kokusingqongileyo kufuneka zikhutshwe, nokuba ukukhutshwa kweenkucukacha ezikumila kunjalo kusenokumbeka esichengeni umntu lowo wesithathu. Oku kuquka iinkucukacha ezingayingelo eluntwini (bona icandelo 4.4 ngezantsi).

4.3.3. Ukhuselo lweenkcukacha eziyimfihlo

I-PAIA yenza isibonelelo sokuba igosa lezeenkcukacha kufuneka likulandule ukuqaleka kwinkucukacha ukuba ngaba ukukhutshwa kwezo nkucukacha kuza kukhoqelela ekuthini kube kwaphulwa izigqibo zentembeko ebezenziwe kumuntu wesithathu ngokwesivumelwano.

4.3.4. Ukhuselo lokukhuseleka komuntu kunye nempahla

Eli candelo lichaza ukuba igosa lezeenkcukacha kufuneka likwailelele ukuqalela kwinkucukacha ukuba ngaba ukubhengeza kulindeleku ukuba kulubeke esichengeni ukuhuselelo lomuntu okanye olwempahla. Eli candelo linomba welungelo lwemfihlakalo nanjengoko libuthathela ingqalelo ubomi bomntu nempahla yakhe.

4.3.5. Ukhuselo lweenkcukacha kwiingxoxo zenkundla

lokufikelele kwiinkcukacha kwaye uyaphikisana nemigaqo-nkqubo yokuba selubala kunye nokuthwala uxanduva lokunika iimpendulo, i-PAIA iza kuba ngaphezulu kuloo mthetho lowo.

4.3.6. Ukhuselo lweenNkcukacha zoPhando

Igosa lezeeNkcukacha lequmrhu likarhulumi kwiinkcukacha kufuneka likwalele ukufikelela kwiirekhodi eziqulethe iinkcukacha eziphathelele kwiinkcukacha eziqulethelele kwezikhulu kwezikhulu kwenzele, ukuze ukufikilelela kwiinkcukacha kusenokwalelela umgqo-nkqubo. Uku kwalelela kwiinkcukacha kukwiimeko apho ukubhengezwa kwezikhulu kwezikhulu kwenzele, ukuze ukufikilelela kwiinkcukacha kusenokwalelela umgqo-nkqubo. Ukuthwala ukuze ukufikilelela kwiinkcukacha kusenokwalelela umgqo-nkqubo, olomuntu okanye elegizwa lenza uphando, ukanye umba lowo wophando lube nemiphumela emibi kakhulu (bona icandelo 43 nelama-69 e-PAIA).

4.3.7. Iinkcukacha ekunokwaliwa ngazo

Ezi ndidi zilandelayo zisenzekukacha ziyaphanelele neenkcukacha iGosa lezeeNkcukacha elinqualela ukuba kufikelelele kwezikhulu kwezikhulu kwenzele, kuphela ngaphandle kokuba basenokukwenza izithetha ezithetha ezikhulu ezikwazi umuntu yaphakazi. IiNkcukacha ezilwathengo kumuntu kumuntu, ukuze ukubhengezwa kwezikhulu kwezikhulu kwenzele, ukuze ukufikilelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo. Uku kwalelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo, olomuntu okanye elegizwa lenza uphando, ukanye umba lowo wophando lube nemiphumela emibi kakhulu (bona icandelo 43 nelama-69 e-PAIA).

4.3.7.1. Ukhuseleko, ukhuselo loMzantsi Afrika kunye nobudlelwane namazwe ngamazwe

Icandelo 41 le-PAIA lifuna ukuba igosa lezenkukukakhulu kwezikhulu kwezikhulu kwenzele, kuphela ngaphandle kokuba basenokukwenza izithetha ezithetha ezikhulu ezikwazi umuntu yaphakazi. IiNkcukacha ezilwathengo kumuntu, ukuze ukubhengezwa kwezikhulu kwezikhulu kwenzele, ukuze ukufikilelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo. Uku kwalelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo, olomuntu okanye elegizwa lenza uphando, ukanye umba lowo wophando lube nemiphumela emibi kakhulu (bona icandelo 43 nelama-69 e-PAIA).

4.3.7.2. Iingenelo zoqoqosho, zezemali nezoshishino loMzantsi Afrika

Icandelo 42 le-PAIA lifuna ukuba igosa lezenkukukakhulu kwezikhulu kwezikhulu kwenzele, kuphela ngaphandle kokuba basenokukwenza izithetha ezithetha ezikhulu ezikwazi umuntu yaphakazi. IiNkcukacha ezilwathengo kumuntu, ukuze ukubhengezwa kwezikhulu kwezikhulu kwenzele, ukuze ukufikilelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo. Uku kwalelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo, olomuntu okanye elegizwa lenza uphando, ukanye umba lowo wophando lube nemiphumela emibi kakhulu (bona icandelo 43 nelama-69 e-PAIA).

4.3.7.3. Imisebenzi yamaqumrhu karhulumi

Icandelo 44 le-PAIA lifuna ukubalulela kwezikhulu kwezikhulu kwenzele, kuphela ngaphandle kokuba basenokukwenza izithetha ezithetha ezikhulu ezikwazi umuntu yaphakazi. IiNkcukacha ezilwathengo kumuntu, ukuze ukubhengezwa kwezikhulu kwezikhulu kwenzele, ukuze ukufikilelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo. Uku kwalelela kwiinkcukacha kusenokwalelelela umgqo-nkqubo, olomuntu okanye elegizwa lenza uphando, ukanye umba lowo wophando lube nemiphumela emibi kakhulu (bona icandelo 43 nelama-69 e-PAIA).
4.3.7.4. “Izicelo ezibubuvuvu nezicaphukisayo kakhulu, okanye ukumoshwa kweenkonzo ezizingengelo ezivisayo nokungenangqiqo”

Igosa lezenenkukacha lisenokusikhaba isicelo seenenkukacha ukuba licinga ukuba ukwenziwa kweso sicelo kuya kuba yinkathaxesa nje engasokuze uye ndawo ibe imosha izikhobo eziluncedo kwaneenkonzo. Ukongeza, iGosa lezeenKcukacha lisenokulukhaha uFikelelo kwilinkcukacha ukuba ngaba eso sicelo sibonwa njengesingenangqiqo okanye esenziwe ngumenzi sicelo ngeenjongo nje zokucaphukisa okanye ezokuvusa umnyele.

4.4 Ukungananzwa komdla oyingenelo yoluntu

Lonke ukhuseleko olwenziwa kwiinkcukacha ezichazwe apha ngasentla alusebenzi ukuba ukukhutshwa kwezo nkucukacha kuza kuba yingenelo engumndla yoluntu. Ngale ndlela, umdla oyingenelo yoluntu awuzinanzi zonke ezinye izizathu zokuhaba ufikelelo kwiinkcukacha.

Olu vavanyo lulandelayo kufuneka lwenziwe liGosa lezeenKcukacha lequmrhu likarhulumente okanye elabucala ngaphambi kokwala ukuvumela ufikelelo kwilinkcukacha eziwela phantsi kodidi olungafanelanga kuchazwa oludwelelwe apha ngasentla. Ukuba le miqathango kuyahlangatyewana naye, ngoko ke inenkukacha kufuneka zibhengeziwe phantsi kwezi zokubukwa oko kungumndla oyingenelo yoluntu.

Ingaba iinkukacha zibonisa ukwaphulwa komthetho kakubi?

OKANYE

Ingaba iirekhodi ezifunwayo ziqulethe inenkukacha ezizhelelele kukhuseleko olukhawulezileyo nolumandla kakhulu okanye ukuba sesichengeni kokusingqongileyo?

KWAYE

Ingaba iingenelo ezingenmdla yoluntu ngokuphathelele ekubhengezweni kwezi nkucukacha kuyazigqumelela iingozi ezisenokubakho?
ICANDELO 5
Izixhobo ezingundoqo kunye nezinye iinkcukacha eziluncedo

Eli candelo liquka:

5.1 Uluhlu lwezixhobo ezingundoqo ezisetyenzisiweyo ekuqulunqeni esi Sikhokelo se-PAIA, kuquka nomthetho

5.2 Uluhlu lwezinye izixhobo eziluncedo ze-PAIA
5.1 Oovimba ekuthathelwe kubo

<table>
<thead>
<tr>
<th>UVIMBA</th>
<th>UMBHALI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotion of Access to Information Act 2 of 2000</td>
<td>Umthetho</td>
</tr>
<tr>
<td>Protection of Personal Information Act 4 of 2013</td>
<td>Umthetho</td>
</tr>
<tr>
<td>PAIA Unpacked (ifumaneka ku- <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (ifumaneka ku- <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (ifumaneka ku- <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (ifumaneka ku- <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (ifumaneka ku- <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 Imigaqo ye-PAIA

<table>
<thead>
<tr>
<th>ISAZISO SIKARHULUMENTE</th>
<th>UMHLA</th>
<th>UMXHOLO NENGCACISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice No. R. 466</td>
<td>1 kweyeSilimela 2007</td>
<td>Iquka iifomu ekufanele zisetyenziswe ngamaGosa ezeenKcukacha xa apapasha ngokuzhandedla izaziso zokuba selubala ngokwamacandelo 15 nelama-52 e-PAIA.</td>
</tr>
</tbody>
</table>
### 5.3 Izilungiso kwi-PAIA

<table>
<thead>
<tr>
<th>ISAZISO SIKARHULUMENTE</th>
<th>UMHLA</th>
<th>UMXHOLO NENGCACISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice No. 428</td>
<td>31 Kweyo Kwindla 20004</td>
<td>Izilungiso kwicandelo 92(4) lwe-PAIA ukuzekulungiselelewa amaTyala neziGwebo zabantu abaphazamisana ngabom nangempazamo nezicelo zabenzi-zocelo zeenkcukacha, umzekelo ngokuthi batshabalalise iirekhodi.</td>
</tr>
<tr>
<td>Government Notice No. 96</td>
<td>15 kweyo Mqungu 2003</td>
<td>Izilungiso kwi-PAIA zokubonelela ngoqeqesho lwamagosa ongameleyo kwiiNkundlz zikaMantyi&quot; eziza kuchophela imiba ye-PAIA.</td>
</tr>
<tr>
<td>Government Notice No. R. 187</td>
<td>15 kweyo Mdumba 2002</td>
<td>Izilungiso kwi-PAIA ngokuphathelele kwesi Sikhokelo seCandelo 10 kunye nokufumaneka kwemiqulu ye-PAIA.</td>
</tr>
</tbody>
</table>

### 5.4 Izilungiso kwimiqaqo ye-PAIA

<table>
<thead>
<tr>
<th>ISAZISO SIKARHULUMENTE</th>
<th>UMHLA</th>
<th>UMXHOLO NENGCACISO</th>
</tr>
</thead>
</table>

### 5.5 Abanye oovimba be-PAIA abaluncedo

Umhlahlandlela Wokuthi Ungasetshenziswa Kanjani Umthetho 2 Ka-2000 Wokukhuthaza Ukuthola Ulwazi

ISIZULU
ISIZULU

UMHLAHLANDLELA WOKUTHI UNGASETSHElwisa KANJANI UMTHETHO 2 KA-2000
WOKUKHUTHAZA UKUTHOLA ULWAZI

I-website: www.sahrc.org.za
I-imeyile: info@sahrc.org.za
I-Twitter: @SAHRCommission
I-Facebook: SAhumanrightscommission
I-Youtube: SAHRC1
Umhlalandlela Wokuthi Ungasetshenziswa Kanjani UMthetho 2 ka-2000 Wokukhuthaza Ukuthola Ulwazi

Ihhovisi Eliyinhloko Johannesburg
Ucingo 011 877 3600 • Ifeksi 011 403 0684

Eastern Cape Port Elizabeth
Ucingo 043 722 7828 • Ifeksi 043 722 7830

Free State Bloemfontein
Ucingo 052 447 1133 • Ifeksi 051 447 1128

KwaZulu-Natal Durban
Ucingo 031 304 7323/4/5 • Ifeksi 031 304 7323

Limpopo Polokwane
Ucingo 015 2913500 • Ifeksi 051 291 3505

Mpumalanga Nelspruit
Ucingo 013 752 8292 • Ifeksi 013 752 6890

Northern Cape Upington
Ucingo 054 332 3993/4 • Ifeksi 054 332 7750

North West Rustenburg
Ucingo: 014 592 0694 • Ifeksi: 014 594 1089

Western Cape Cape Town
Ucingo 021 426 2277 • Ifeksi 021 426 2875
Lokho okuqukethwe uMhlahlandlela we-PAIA

INgxenye 1
Isethulo soMhlahlandlela we-PAIA

INgxenye 2
Uqalaphi ukufuna ukuze uthole ulwazi oludingayo

INgxenye 3
Indlela yokwenza isicelo sokuthola ulwazi

INgxenye 4
Kunini lapho ukuthola ulwazi kunganqatshwa/kungase kunqatshwe khona

INgxenye 5
Izikhombo (references) ezinyihloko nemithombo yokuthola ulwazi olwengeziwe
3. Ngisifaka kanjani isicelo se-PAIA?

3.1 Ubani ongafaka isicelo se-PAIA?

3.2 Kuyizindleko ezingakanani ukufaka isicelo se-PAIA?

3.3 Ingabe iSikhulu Sezolwazi singangisiza ukuba ngifake isicelo se-PAIA?

3.4 Yiziphi izinyathelo ezingokomthetho engingazithatha uma isicelo sami se-PAIA sinqatshwa?

4.1 Kunini lapho uKuthola Ulwazi kungase kunqatshwe khona

4.2 Kunini lapho uKuthola Ulwazi kungase kunqatshwe khona

4.3 Izizathu eziwumyalo lapho ziqhathaniswa nezizathu eziyisiNqumo sokubona komuntu ngokunqabela ukuthola ulwazi

4.4 Izinto Ezingezenzuzo Yomphakathi Kuza Zona Kuqala

5.1 Izikhombo eziyinhloko

5.2 Imithetho ye-PAIA

5.3 Izichibiyelo ze-PAIA

5.4 Izichibiyelo zeMithetho ye-PAIA

5.5 Eminye imithombo ye-PAIA ewusizo
## Amagama awusizizo

<table>
<thead>
<tr>
<th>AMAGAMA</th>
<th>INCAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imali ekhokhwayo ukuze uthole</td>
<td>Lena yimali okumelwe ikhokhwe umuntu ofake isicelo enhlanganweni yomphakathi noma ezimele afuna kuyo ulwazi, ukuze kukhokhkelwe izindleko zakuthola nokwenza amakhophi amarekhodi owafunayo. (Ukuze uthole ulwazi olwenziwe ngezimali ezikhokhwayo ukuze kutholwe okuthile, bheka iNgxenye 3 yalo Mhlahlandlela).</td>
</tr>
<tr>
<td>I-Form A</td>
<td>Litholakala ekupheleni kwe-PAIA, ku-website yeKhomishane Yamalungelo Abantu BaseNgingizimu Afrika, kanye nakuma-website ezinye izinhlanganano ezihlukahlukene. Leli fomu lisetshenziselwa ukucela ukuthola ulwazi olusenhlanganweni yomphakathi. (Ukuze uthole imininingwane eyengeziwe ngi-Form A kanye nezicelo zakuthola ulwazi ezinhlanganweni zomphakathi, bheka iNgxenye 3 yalo Mhlahlandlela).</td>
</tr>
<tr>
<td>I-Form C</td>
<td>Litholakala ekupheleni kwe-PAIA, ku-website yeKhomishane Yamalungelo Abantu BaseNgingizimu Afrika, kanye nakuma-website ezinye izinhampani ezizimele ezihlukahlukene. Leli fomu lisetshenziselwa ukucela ukuthola ulwazi olusenhlanganweni ezizimele. (Ukuze uthole imininingwane eyengeziwe ngi-Form C kanye nezicelo zakuthola ulwazi ezinhlanganweni ezizimele, bheka iNgxenye 3 yalo Mhlahlandlela).</td>
</tr>
<tr>
<td>UMhlahlandlela</td>
<td>Ubhekisela kulo Mhlahlandlela omayelana ne-PAIA owenziwe futhi washicilelwa yiKhomishane Yamalungelo Abantu BaseNgingizimu Afrika njengoba kuchazwe eSigabeni 10 se-PAIA, ukuze kusizwe abantu ekusebenziseni nasekuqondeni i-PAIA.</td>
</tr>
<tr>
<td>ISikhulu Sezolwazi kanye nePhini LeSikhulu Sezolwazi (Information Officer and Deputy Information Officer)</td>
<td>ISikhulu Sezolwazi (ngezimnye izikhathi esibizwa ngokuthi yi-IO) umuntu ogunyazwe yinhlanganano ethintekayo ukuba asingane izicelo ze-PAIA. Enhlanganweni yomphakathi, lona ngumuntu oyinhloko yinhlanganano noma obambele inhloko yinhlanganano. Kumasipala, kuzoba umphathi kamasipala; emnyangweni kazwelokonke kuzoba uMqondisi Jikelele (Director General); enhlanganweni enjengeKhomishane Yamalungelo Abantu BaseNgingizimu Afrika kuzoba u-CEO.</td>
</tr>
<tr>
<td>IPhini LeSikhulu Sezolwazi (Deputy Information Officer) (ngezimnye izikhathi esibizwa ngokuthi yi-DIO) umuntu omisiswe ySiSikhulu Sezolwazi (Information Officer) senhlanganano yomphakathi ukuba asize lowo ofake isicelo esicelweni sakhe sokuthola ulwazi.</td>
<td>I-PAIA ayikuphoqeleli ukuthi izinhlanganano ezizimele zimise iPhini LeSikhulu Sezolwazi; kodwa iKhomishane Yamalungelo Abantu BaseNgingizimu Afrika itusa ukuba ziwenze lokho ukuze kusebenzeke kahle futhi izinto zibe lula. (Ukuze uthole imininingwane eyengeziwe ngemisebenzi yeZikhulu Zezolwazi, bheka iNgxenye 3 yalo Mhlahlandlela).</td>
</tr>
<tr>
<td>Ukufaka Isikhalo Kwangaphakathi (i-Form B)</td>
<td>Abafake izicelo bangasebenzisa i-PAIA Form B ukufaka isikhalo ngesinqumo esenzwi kufhela yimikhakha kazwelonke, yesifunda noma kamasipala kahulumeni ngokuphathelele nokuthola ulwazi. <em>(Ukuze uthole imininingwane eyengeziwe ngokufaka isikhalo kwangaphakathi, bheka iNgxenye 3 yalo Mhlahlandlela).</em></td>
</tr>
<tr>
<td>Umuntu wezomthetho</td>
<td>Inkampani noma indikimba eqashelwa ngumthetho njengenka kompani eyodwa noma ‘umuntu’ enamalungelo nemisebenzi.</td>
</tr>
<tr>
<td>UNgqongqoshe</td>
<td>Ukubhekisela kuNgqongqoshe kupathelene noNgqongqoshe Wezobulungiswa Nezokuhlonyeleliswa Kwezimilo.</td>
</tr>
<tr>
<td>Umuntu wemvelo</td>
<td>Umuntu ongokooqobo, ngokungafani nomuntu ongokomthetho noma wezomthetho njengenhlangano (bheka elithi umuntu wezomthetho ngenhla).</td>
</tr>
<tr>
<td>Indikimba ezimele</td>
<td>Ebizwa nangokuthi inkampani ezimele, inhlango, noma indikimba (body), lena ngumuntu wemvelo noma wezomthetho noma ukusebenzisana (partnership) obandakanye noma oye wabandakanye kunoma yiluphi uhuwebo, ibhizinisi noma umsebenzi ofundelwe futhi enza leyonto kuphela.</td>
</tr>
<tr>
<td>Indikimba yomphakathi</td>
<td>Ebizwa nangokuthi inhlango yomphakathi, umnyango, noma indikimba), lena yinoma yimuphi umnyango noma inhlango yemikhakha kahulumeni kazwelonke, wesifunda nowendawo. Ihlanganisa nanoma iyiphi inhlango eyenza umsebenzi wombokso ngesikhathi okwenziwe ngaso irekhodi.</td>
</tr>
<tr>
<td>Irekhodi</td>
<td>Yinoma yiluphi ulwazi olerenkhoziwe kungakhathaliseki uhlobo oluyilo, kuhlanganise, ngokwesibonelo, amadokhumenti abhaliwe, izinto ezingamavidiyo njil. Irekhodi elicelwa enhlanganweni yomphakathi noma ezimele liyobhekisela kuyirekhodi elikuleyo nhlangano kungakhathaliseki ukuthi leyo nhlangano yigo eyalenza noma cha.</td>
</tr>
<tr>
<td>Imali yesicelo</td>
<td>Izindleko okumelwe zikhokhwe ukuze kwenzwiwe isicelo sokuthola ulwazi. Mayelana nesicelo solwazi enhlanganweni yomphakathi kunemali ekhokhwayo emisiwe engu-R35; mayelana nesicelo solwazi enhlanganweni ezimele kunemali ekhokhwayo emisiwe engu-R50. <em>(Ukuze uthole imininingwane eyengeziwe ngezimali wesicelo kanye nabakhulurolekile kuzikhokha, bheka iNgxenye 3 yalo Mhlahlandlela).</em></td>
</tr>
<tr>
<td>Umuntu ofaka isicelo</td>
<td>Umuntu ofaka isicelo ngumuntu wemvelo noma wezomthetho ofaka isicelo sokuthola ulwazi. Elithi umuntu ofaka isicelo libhekisela nakumuntu ofaka isicelo solwazi egameni lomunye umuntu.</td>
</tr>
<tr>
<td>Omunye umuntu (Third party)</td>
<td>Lokhu kubhekisela kunoma yimuphi umuntu wemvelo noma wezomthetho okungeyenya umuntu ofaka isicelo solwazi, futhi okungeyenya inhlango okwenziwe kuyo isicelo solwazi.</td>
</tr>
</tbody>
</table>
# Uhlu lwezifushaniso

Izifushaniso ezilandelayo zitholakala kulo Mhlahlandlela nakwamanye ama-PAIA avame ukusetshenziswa.

Imithombo:

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DIO</strong></td>
<td>Deputy Information Officer (IPhini LeSikhulu Sezolwazi)</td>
</tr>
<tr>
<td><strong>IO</strong></td>
<td>Information Officer (ISikhulu Sezolwazi)</td>
</tr>
<tr>
<td><strong>ODAC</strong></td>
<td>Open Democracy Advice Centre (Isikhungo Sezokweluleka SeDemokhrasi Ekhululekile)</td>
</tr>
<tr>
<td><strong>PAIA</strong></td>
<td>Promotion of Access to Information Act 2 of 2000 (UMthetho 2 ka-2000 Wokuhuthaza Ukuthola Ulwazi)</td>
</tr>
<tr>
<td><strong>PPIA SAHA</strong></td>
<td>Protection of Personal Information Act 4 of 2013 (UMthetho 4 ka-2013 Wokuvikelwa Kolwazi Lomuntu Siqu – Izinqolobane Zomlando WaseNingizimu Afrika)</td>
</tr>
<tr>
<td><strong>SAHRC</strong></td>
<td>South African Human Rights Commission (IKhomishane Yamalungelo Abantu BaseNingizimu Afrika)</td>
</tr>
</tbody>
</table>
Le ngxenye ihlanganisa:

| 1.1 | Injongo yoMhlahlandlela we-PAIA |
| 1.2 | Umlando we-PAIA |
| 1.3 | Injongo ye-PAIA kanye nokuthi ingasetshenziswa kanjani |
| 1.4 | Indima yeKhomishane Yamalungelo Abantu BaseNingizimu Afrika |
1.1 Injongo yalo Mhlahlandlela we-PAIA

Lo Mhlahlandlela ukwazisa ngoMthetho (PAIA) 2 ka-2000 Wokuthuthukisa Ukuthola Ulwazi. UMHlahlandlela we-PAIA uzosiza abantu ukwenza icicelo zolwazi ngaphansi kwe-PAIA, futhi unikeze izibonelo zokuthi i-PAIA iyaye yasetshenziswa kanjani esikhathini esidlude ukuthuthukisa amalungelo abantu, ngokunikeze:

» Uhlaka lwe-PAIA okulula ukuluqonda
» Incazeliso enxingiliziwe yendlela i-PAIA engasetsheziswa ngayo ukuthuthukisa amanye amalungelo abantu
» Uhlu lwezinhlobo zolwazi olungase lucelwe ngokusebenzisa i-PAIA
» UMHlahlandlela wesinyathelo ngasinye wendlela yokusebenzisa i-PAIA ukuze ufafe isicelo solwazi
» Uhlaka lwezifundo ezifundwe ezicelweni zolwazi zesesikhathi esidlude kanye namakala asenkantolo e-PAIA

1.2 Umlando we-PAIA


1.3 Injongo ye-PAIA kanye nokuthi ingasetshenziswa kanjani

Injongo ye-PAIA iwukuthuthukisa ilungelo lokuthola ulwazi, ukuphquelela isiko lokwenza izinto obala kanye nokulandisa ngezinto eNingizimu Afrika. Ngaphini kwalokho, i-PAIA ihloselwe ukuthola isikhathi ukuze ukufinyelela amanye amalungelo abantu; lena ngenye yezindlela ezezibonelo kanye amayalwa amanye amalungelo abantu. Ilungelo lokuthola ulwazi liyilungelo eliyinqhayizivele ngabo lenza kwenzeka ukufinyelele amanye amalungelo abantu; lena ngenye yezindlela ezezibonelo kanye amayalwa amanye amalungelo abantu.
Ukuhlinzekwa kwamasevisi kahulumeni

» I-PAIA ingasetshenziswa ukunika abantu amandla ngokuba nolwazi abangenza ngalo uhulumeni ukuba alandise ngokuhlinzeko kwakhe amasevisi ayizidingo-ngqangi njengezindlu, amanzi kanye nokukhucululwa kwendle.

Amalungelo omphakathi nanyezipolitiki

» I-PAIA ingasetshenziswa ukuqoqa ulwazi olungase lusetshenziswe ngabantu ekusebenziseni amalungelo anjengelungelo lokuvota kanye nelungelo lokuba nenkululeko yokwenza imibuthano

Ukubandulululwa Nokulingana

» I-PAIA ingasetshenziswa njengethuluzi lokusekela ukulwa nobandulululo, njengokubandulululwa ngenxa yohlanga, ubulili, njill, ezinhlanganweni ezihlukahlukene zomphakathi nomazizimilele.

Kubalulekile ukuphawuwa ukuthi i-PAIA ayinakusetshenziswa ukuthola amarekhodi azosetshenziswa phakathi nokuqulwa kwamacala angokomthetho omphakathi noma obuqengenzi, kuhlakanisa nangemva kokuqala kwalo kuthola kwamacala, futhi uma ukwenziswa nomazizimilele kanye nokukhucululwa kweminyaka.
**INGXENYE 2**  
Thola ulwazi oludingayo

**Le ngxenye ihlanganisa:**

1. **2.1**  
Lapho ongathola khona imihlahlandlela nezincwadi okuwusizo kokukusiza ukuba ufake izicelo zokuthola ulwazi

2. **2.2**  
Abantu ongabathinta ukuba bakusize uma ungase udinge noma yiluphi usizo

3. **2.3**  
Lokho izinhlangano zomphakathi kanye nezizimele okufuneka zikwenze ukuze zisize labo abafuna ulwazi

4. **2.4**  
Ulwazi oluthile luyatholakala nje kalula ngaphandle kwaresidingo sokuba ufake isicelo esingokomthetho, le ngxenye izonikeza uhlaka lokuthi ungakutholaphi lokhu
1.1 Ukuqala

Injongo yoMthetho we-PAIA iwukukhuthaza ngentshiseko umphakathi lapho abantu baseNingizimu Afrika bekwazi ukuluthola ngokuphumeleloayo ulwazi ukuze kubenze bakwazi ukuwasebenzisa ngokugcwele wonke amalungelo abo futhi bawavikele. Kodwa ngezinye izikhathi umuntu angase angaqiniseki ukuthi angaqalaphi nomamphakathi omateleleni emamphakathi ukuthola ulwazi ngendlela echazwa yi-PAIA, I-PAIA iyibona kusengaphambili le nkinga futhi empeleni igunyaza ukuba imihlahlandlela ethile kanye nezincwadi kushicilelewe kwekuchazwa indlela yokukwenza kulabo abafuna ulwazi. Le ngxenye izikhathi umuntu angase angaqiniseki ukuthi angaqalaphi nomamphakathi omateleleni emamphakathi ukuthola ulwazi ngendlela echazwa indlela yokukwenza kulabo abafuna ulwazi. Le ngxenye izikhathi umuntu angase angaqiniseki ukuthi angaqalaphi nomamphakathi omateleleni emamphakathi ukuthola ulwazi ngendlela echazwa indlela yokukwenza kulabo abafuna ulwazi. Le ngxenye izikhathi umuntu angase angaqiniseki ukuthi angaqalaphi nomamphakathi omateleleni emamphakathi ukuthola ulwazi ngendlela echazwa indlela yokukwenza kulabo abafuna ulwazi.

1.1.1 Ukuqala


Yiqiniso, elinye lamathuluzi anamandla kakhu umuntu angalisebebenzisa ukuthola ulwazi, liwukufaka isicelo esingkomthetho sokuthola ulwazi eseniwi ngokuvumelana nomMthetho we-PAIA, lo mihlahlandlela ozokusiza ukuba usifake. Kodwa khumbula, lena akuyona ukuphela kwelolwazi ongase ngokuhlubha ukuthola ulwazi. Ulwazi oluthile luyatholakala kalula nje ngaphandle kwesidingo sokufaka isicelo esingkomthetho se-PAIA. Ezimweni ezithile, umthetho emempeleni emfuna ukuba kokwihlumang izinhlangano zomphakathi kanye nezicwadi ekutholelu isicelo yokukwenza kuphakala. Le ngxenye ilokhu lwazela lokuthola ulwazi, le ngxenye imihlanqo, imisebenzi yakwazi, futhi omuhlapha lokuthola ulwazi, le ngxenye lusikake. Le ngxenye izikhathi umuntu angase angaqiniseki ukuthi angaqalaphi nomamphakathi omateleleni emamphakathi ukuthola ulwazi ngendlela echazwa indlela yokukwenza kulabo abafuna ulwazi.

2.3 Izincwadi Ze-PAIA

Ngaphezu kokuba iKhomishane yenze i-Section 10 Guide echaza i-PAIA, i-PAIA ifuna ukuba inhlangano ngayinye yomphakathi, kanye nezinhlangano eziningi ezizimele, zenze incwadi (manual) equkethe ulwazi oluchaza indlela yokusebenzisa i-PAIA ukuze uthole amarekhodi azo uqobo.

2.3.1 Izincwadi ze-PAIA zezinhlangano zomphakathi

ISigaba 14 se-PAIA sifuna ukuba zonke izinhlangano zomphakathi zishicilele incwadi (manual) okungenani ngezilimi ezintathu esiza abantu abafuna ulwazi ukuba benze izicelo zokuthola ulwazi kuleyo nhlangano ethintekayo. Okungenani, le ncwadi kumelwe iqukathe ulwazi olimusizo olulandelayo:

<table>
<thead>
<tr>
<th>IMFUNEKO</th>
<th>INCAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Umyalo (mandate)</td>
<td>Isimo nemisebenzi yenhlango yomphakathi.</td>
</tr>
<tr>
<td>Imininingwane yokuthintana</td>
<td>Ikheli laseposini kanye nelomgwaco, inombolo yocingo neyeefesi futhi, uma ikhona, i-imeyili yeSikhulu sezlwazi sehlangano yomphakathi, kanye neyephini ngalinye leSikhulu sezlwazi sehlangano yomphakathi.</td>
</tr>
<tr>
<td>I-Section 10 Guide ye-PAIA</td>
<td>Incazelolo yalo Mhlahlandlela owenziwe yiKhomishane Yamalungelo Abantu BaseNingizimu Afrika kanye nendlela yokuwuthola.</td>
</tr>
<tr>
<td>Izigaba zamarekhodi agciniwe</td>
<td>Ulwazi olwanele lokusiza ekwenzeni kube lula ukuthola irekhodi elisenhlanganweni yomphakathi. Ngakho-ke inhlangano yomphakathi kumelwe ichaze izihloko ewagcina ngazo amarekhodi, kanye nezigaba zamarekhodi asesihlokweni ngasinye.</td>
</tr>
<tr>
<td>Ulwazi olutholakala kalula</td>
<td>Olunye ulwazi lutholakala ngokushesha ngaphandle kokuba umuntu kudekgeke afake isicelo sokuluthola ngokuvumelana ne-PAIA. Incwadi yenhlango yomphakathi kumelwe ilubonise lolu lwazi olutholakala ngokushesha.</td>
</tr>
<tr>
<td>Amasevisi enhlangano yomphakathi</td>
<td>Incazelolo yamasevisi etholakalayo kumalungu omphakathi enhlanganweni yomphakathi, kanye nendlela yokuwuthola lawo masevisi.</td>
</tr>
<tr>
<td>Ukubamba iqhaza komphakathi</td>
<td>Incazelolo yanoma yiliphi ilungiselelo kokuba umuntu abonane, ethule izinkulumo nomlaba abambe iqhaza noma athonye ukwenziwa komgomo (policy); noma ukusethenziswa kwamandla noma ukwenziwa kwemisebenzi yinhlangano yomphakathi.</td>
</tr>
<tr>
<td>Lokho ongakwenza</td>
<td>Isinyathelo ongase usithathe uma iSikhulu sezlwazi sehlangano yomphakathi sinqaba ukukuvumela ukuthola ulwazi.</td>
</tr>
</tbody>
</table>
2.3.2 Ungayitholaphi incwadi yenhlangano yomphakathith

Zonke izinhlangano zomphakathi kumelwe zenze ukuba uyithole kalula incwadi. Okungenani, kufuneka ukuba lokhu zikwenze ngezindlela ezilandelayo:

» Ngokwenza ukuba kutholakale iikhophi ehhovisi ngalinye laleyo nhlangano yomphakathi phakathi nesikhathi somsebenzi;

» Ngokwenza ukuba kutholakale incwadi ku-website, uma ikhona, yenhlangano yomphakathi.

Ngokwenza ukuba kutholakale ikhophi ehhovisi ngalinye laleyo nhlangano yomphakathi phakathi nesikhathi somsebenzi;

» Ngokwenza ukuba kutholakale incwadi ku-website, uma ikhona, yenhlangano yomphakathi.

Zonke izinhlangano zomphakathi kumelwe zenze ukuba uyithole kalula incwadi. Okungenani, kufuneka ukuba lokhu zikwenze ngezindlela ezilandelayo:

» Ngokwenza ukuba kutholakale iikhophi ehhovisi ngalinye laleyo nhlangano yomphakathi phakathi nesikhathi somsebenzi;

» Ngokwenza ukuba kutholakale incwadi ku-website, uma ikhona, yenhlangano yomphakathi.

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» Ngokwenza ukuba kutholakale iikhophi ehhovisi ngalinye laleyo nhlangano yomphakathi phakathi nesikhathi somsebenzi;

» Ngokwenza ukuba kutholakale incwadi ku-website, uma ikhona, yenhlangano yomphakathi.

Zonke izinhlangano zomphakathi kumelwe zenze ukuba uyithole kalula incwadi. Okungenani, kufuneka ukuba lokhu zikwenze ngezindlela ezilandelayo:

» Ngokwenza ukuba kutholakale iikhophi ehhovisi ngalinye laleyo nhlangano yomphakathi phakathi nesikhathi somsebenzi;

» Ngokwenza ukuba kutholakale incwadi ku-website, uma ikhona, yenhlangano yomphakathi.

2.3.3 Izincwadi ze-PAIA zezinhlangano ezizimele


YIZIPHI IZINHLANGANO EZIZIMELE OKUNGADINGEKILE UKUBA ZISHICILELE INCWADI YOLWAZI?


1 Lokhu kwashintsha ngomhla ka-31 Disemba 2015, lapho zonke izinhlangano ezizimele kwakufanele ngabe zaba nencwadi ngokuvumelana nesigaba 51 se-PAIA.
Izinkampani ezizimele ezilandelayo kumelwe zenze incwadi ye-PAIA uma ziqashe abasebenzi abangaphezu kuka-50 ezimbonini ezilandelayo nama uma ngonyaka zenza imali engaphezu kwenani eliboniswe lapha:

<table>
<thead>
<tr>
<th>IMBONI</th>
<th>IMALI EYENZA NGONYAKA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ezolimo</td>
<td>R2 million (izigidi)</td>
</tr>
<tr>
<td>Izimayini Nezinkwali</td>
<td>R7 million</td>
</tr>
<tr>
<td>Imboni Eyenza izinto</td>
<td>R10 million</td>
</tr>
<tr>
<td>Ekagesi, Igesi kanye naManzi</td>
<td>R10 million</td>
</tr>
<tr>
<td>Ezokwakha</td>
<td>R5 million</td>
</tr>
<tr>
<td>Ezokuthengiswa kanye neziHweba Ngezimo kanye nezamaSevisi Okulungisa</td>
<td>R15 million</td>
</tr>
<tr>
<td>Ezokuhweba Ngama-Wholesale, Ama-Ejenti Ezokuthengiswa Ezinkampani Zobumbano</td>
<td>R25 million</td>
</tr>
<tr>
<td>Ezokulungiselela Ukudla Indawo Yokuhlala kanye noLunye Uhwebo</td>
<td>R5 million</td>
</tr>
<tr>
<td>Ezokugcina Impahla Nezokuxhumana</td>
<td>R10 million</td>
</tr>
<tr>
<td>Eezimali Namasevisi Amabhizinisi</td>
<td>R10 million</td>
</tr>
<tr>
<td>Ezomphakathi, namaSevisi Akhethekile Nawomuntu Siqu</td>
<td>R5 million</td>
</tr>
</tbody>
</table>

UNGqongqoshe washo nokuthi zonke izinkampani ezingachaziwe ngokuthi ‘yizinkampani ezizimele’ ngaphansi kwesigaba 1 somthetho 71 weziNkampani ka-2008 kufuneka zenze i-Section 51 manual.

2.3.4 Ungayitholaphi incwadi yenhlangano ezimele

Zonke izinhlangano ezizimele okudingeka zenze incwadi kumelwe zenze le ncwadi ukwazi ukuyithola kalula. Okungenani, kufuneka ukuba lokhu zikwenze ngezindlela ezilandelayo:

» Ngokwenza ukuba kutholakale ikhophi engase inhlolwe ehhovisi ngalinye lalayo nhlangano ezimele phakathi nesikhathi somsebenzi. Inhlangano ezimele akumelwe ikhokhise imali ukuze kuhlolwe;

» Ngokwenza ukuba incwadi itholakale ku-website yayo.

2.3.5 Uma uynihlangano ezimele wenza kanjani ngokuvumelana nomthetho

Ngokuvumelana nesigaba 51, inhloko yenhlangano ezimele kumelwe:

» Ilungise imininingwane yanoma yiziphi izinguquko ezingokoqobo encwadini njalo nje;
» Yenze incwadi ukuba itholakale njengoba kufunwa nguMthetho emahhovisi enkampani kanye naku-website yayo;
» Kumelwe ijobelele ifomu lesicelo (i-Form C ye-PAIA) encwadini futhi yenze ukuba amafomu ezicelo atholakale ku-website kanye nakuzo zonke izindawo zenkampani.

Incwadi kumelwe okungenani ibe nolwazi olulandelayo:

<table>
<thead>
<tr>
<th>IMFUNUKO</th>
<th>INCAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imininingwane yokuthintana</td>
<td>Ikheli lasersini kanye nelomgwaqo, inombolo yocingo neyefeksi futhe, uma ikhona, i-imeyili yeSikhulu sezolwazi senhhlangano ezimele.</td>
</tr>
<tr>
<td>Ulwazi olutholakala kalula</td>
<td>Olunye ulwazi lutholakala ngokusheza ngaphandle kokuba umuntu kudingeke afake isicelo sokuluthola ngokuvumelana ne-PAIA. Incwadi yenhlangano ezimele kumelwe ilubonise lolu lwazi olutholakala ngokusheza.</td>
</tr>
<tr>
<td>Amarekhodi atholakala uma uwacela</td>
<td>I-Section 51 Manual kumelwe ibe nohlu lwesigaba ezitholakalayo uma zicela.</td>
</tr>
<tr>
<td>Inqubo ye-PAIA</td>
<td>Izeza inqubo ye-PAIA okumelwe ilandelwe ukuze ukuthola ulwazi enkampanini ezimele (okungukutha, i-Form C).</td>
</tr>
<tr>
<td>Imininingwane Yenkampani</td>
<td>Ihlanganisa imininingwane yenhlolo yenkampani noma u-CEO wenkampani (njengoba ngokwe-PAIA iSikhulu Sezolwazi senkampani ezimele ngokuvumile ngu-CEO noma inhloko).</td>
</tr>
<tr>
<td>Izimali ezikhokhwayo</td>
<td>Zisho umuntu ofaka isicelo kanye nezimali ezikhokhwayo zokuthola ulwazi ezisebenzayo ngokwe-PAIA (bheka iSigaba 3 ukuze uthole imininingwane eyengeziwe).</td>
</tr>
<tr>
<td>Lokho ongakwenza</td>
<td>Yimaphi amakhambi atholakalayo kubantu abafake izicelo uma izicelo zabo zokuthola ulwazi ziyi zenqatshwa?</td>
</tr>
<tr>
<td>Imininingwane Eyengeziwe</td>
<td>Noma yimaphi imininingwane eyengeziwe ephathelene nezicelo zokuthola amarekhodi.</td>
</tr>
</tbody>
</table>
2.4 Ulwazi olutholakala kalula olukuyinhlangano yomphakathi


ISikhulu sezolwazi senhlangano yomphakathi kudingeka senze isaziso sokudalulwa kwemininingwane ngokuzithandela senhlangano yomphakathi, futhi isenze sitholakale emahhovisi enhlangano yomphakathi futhi sisishicielele ku-Government Gazette. Isaziso sokudalulwa kwemininingwane ngokuzithandela kumelwe sifakwe iminingingwane emisha njalo ngonyaka.

Isaziso sokudalulwa kwemininingwane ngokuzithandela siqukethe izigaba zamarekhodi kanye nencazelo yalawo marekhodi atholakala kalula:

» Ukuze kuhlohlwe ngokuvumelana nanoma yimiphile imithetho ngaphandle kwe-PAIA;

» Ukuze kuthengwe nomali kwenziwe amakhophi enhlanganweni yomphakathi; futhi

» Mahhala enhlanganweni yomphakathi.

Isaziso sokudalulwa kwemininingwane ngokuzithandela kumelwe sifakwe isaziso sokudalulwa kwemininingwane ngokuzithandela futhi atholakala kalula. Asikho isizathu sokufaka isicelo esingokomthetho mayelana namarekhodi athile uma wona lawo marekhodi esedalulwe kakade ngokuzithandela futhi atholakala kalula. Ezimweni eziningi, kudingeka imali ukuze kusethenzwe isicelo esingokomthetho futhi lokhu kungase kuthathe izinsuku ezifika ku-30. Lokhu kungase kwegweniwe uma uqala ngokubhekha isaziso sokudalulwa kwemininingwane ngokuzithandela futhi ubone ukuthi irekhodi olifunayo litholakala kalula yini noma cha.

Nakuba kunomyalo wokuba inhlangano yomphakathi ishicielele isaziso sokudalulwa kwemininingwane ngokuzithandela, akuyona int’eyeziwa ngokuzithandela’ Lesi saziso sibizwa ngokuthi ‘isaziso sokudalulwa kwemininingwane ngokuzithandela’ ngoba sinikeza isaziso ngalo lonke ulwazi olyeledlulwe ulwazi oluphathelene ngokuzithandela, hhayi ngoba kukhumeke esinqumweni seSikhulu sezolwazi ukuthi silushiciele yini uhu loqobo noma cha.
2.5 Ulwazi olutholakala kalula olusenkanpanini noma enhlanganweni ezimele

Kwenzeka okufanayo nakulesi sigaba solwazi olutholakala kalula njengoba kunjalo nasolwazini olusenhanweni yomphakathi okungadengke ukuba kwenziwe isicelo esingokomthetho. Ngaphambi kokuba ufake isicelo esingokomthetho sokuthola ulwazi ngokuvumelana ne-PAIA cishe okuyobandakanya nemali ekhokhwayo kanye nenkathi yokulinda yezinsuku ezingu-30, kubalulekile ukuqinisekisa ukuthi lolu lwazi seludululwe yini kakade noma cha nokuthi ngalokho lutholakala kalula yini ngaphandle kwesidingo sokufaka isicelo esingokomthetho.

Inhloko yenhlango ezimele ingase, ngokuzithandela nangezikhathi ezithile, yenze uhlu lolwazi olutholakala kalula enhlanganweni ezimele olungadingi ukuba ufake isicelo esingokomthetho. Lolu hlu lubizwa ngokuthi yi-section 52 notice noma i-voluntary disclosure notice.’

Ngokungafani nezinhlangano zomphakathi lapho iZikhulu zeolwazi kumelwe zishicilele khona isaziso sokudalulwa kwemininingwane ngokuzithandela, iSikhulu sezolwazi senhlangano ezimele asinaso isibopho sokwenza lokho. Njengoba i-PAIA isho, “singase, ngokuzithandela” silushicilele uhlulwulo olunjalo. Lona ngumehluko omkhulu phakathi kwe-section 52 notice yezinhlangano ezizimele kanye ne-section 15 notice yezinhlangano zomphakathi.

Isaziso sokudalulwa kwemininingwane ngokuzithandela senhlangano ezimele siqukethe izigaba zamarekhodi kanye nencazelulo yalawo marekhodi atholakala kalula:

» Ukuze kuhlolwe ngokuvumelana nanoma yimphi imithetho ngaphandle kwe-PAIA;
» Ukuze kuthengwe noma kwenziwe amakhophi enhlanganweni yomphakathi; futhi
» Mahhala enhlanganweni yomphakathi.

Isaziso sokudalulwa kwemininingwane ngokuzithandela kumelwe sichaze nendlela yokuthola amarekhodi adalulwa ngokuzithandela futhi atholakala kalula.
INGXENYE 3
Indlela yokufaka isicelo sokuthola ulwazi...

Le ngxenye ihlanganisa lokhu okulandelayo:

3.1 Izinhlobo zezicelo

3.2 Izimali ezihambisana nokuqafa izicelo

3.3 Indima yeSikhulu Sezolwazi (Information Officer)

3.4 Lokho wena ongase ukwenze ngokomthetho
3  Ngisifaka kanjani isicelo se-PAIA?

Isicelo sokuthola ulwazi singafakwa kukho kokubili izinhlango zomphakathi kanye nezizimele. Ofaka isicelo waziwa ngokuthi "umuntu ofaka isicelo" (requester). I-PAIA ichaza izindlela ezihlukahlukene zokuthola ulwazi kungaba senhlanganweni yomphakathi nomza ezimele. Amafomu aqondile amiswe ngokusemthethweni kumelwe asetshenziswe lapho ufaka isicelo sokuthola ulwazi. Amafomu angatholakala ku-PAIA.

<table>
<thead>
<tr>
<th>UHLLOBO LWENHLANGANO</th>
<th>IFOMU LE-PAIA</th>
<th>ISIGABA SE-PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inhlangano yomphakathi</td>
<td>I-Form A</td>
<td>Isigaba 18</td>
</tr>
<tr>
<td>Inhlangano ezimele</td>
<td>I-Form C</td>
<td>Isigaba 53</td>
</tr>
</tbody>
</table>


3.1 Ubani ongafaka isicelo se-PAIA?

Noma yimuphi umuntu uvunyelwe ukufaka isicelo ngaphansi kwe-PAIA. Umuntu ofaka isicelo angase abe:

Umuntu wemvelo
  » lo muntu akudingekile kube yisakhamuzi saseNingizimu Afrika noma umhlali waseNingizimu Afrika

Noma

Umuntu wezomthetho
  » njengebhizinisi nomza inhlangano

Noma

Umuntu omelele umuntu wemvelo nomza wezomthetho

Umuntu ofaka isicelo unelungelo lokuthola amarekhodi aqukethe ulwazi lomuntu siqu amayelana nomuntu ofake isicelo ngokwakhe, nomza amayelana nomuntu omelele isicelo esenziwa egameni lakhe.

Inhlangano yomphakathi ibhekwa njengomuntu wezomthetho futhi ingase ifake isicelo sokuthola amarekhodi asezinhlanganweni ezizimele, kuphela uma leyo nhlango yomphakathi (1) imelela izimfuna zomphakathi, futhi (2) uma amarekhodi efunelwa ukugcwalisa nomza ukuvikela nomza yimaphi amalungelo okungewona enhlango yomphakathi.

Kubalulekile ukuphawula ukuthi i-PAIA ayifuni ngokuqondile ukuba iminyango kahulumeni (kuhlanganisa namagatsha kawzelonke, awesifunda nawomasipala), kanye nanoma yimuphi umuntu noma inhlangano enikezwe amandla nomza eyenza umsebenzi ngokuvumelana noMthethosisekelo, (njenge-SAHRC kanye neHhovisi LoMvikeli Womphakathi), nomza uhlaka oluthile lwesifunda (njenge-Western Cape Liquor Licensing Board), ifake isicelo se-PAIA kwezinye izinhlango zomphakathi.
3.1.1 Ngiligcwalisa kanjani ifomu lesicelo le-PAIA?

Isicelo sokuthola ulwazi olusenhlanganweni yomphakathi noma ezimele senziwa ngokugcwalisa ifomu lesicelo le-PAIA futhi ulithumele endikimbeni efanele. Isicelo se-PAIA kumelwe siqondiswe eSikhulwini Sezolwazi (Information Officer), kuyiPhini LeSikhulu Sezolwazi (Deputy Information Officer) noma kuyiNhloko yenhlangano yomphakathi noma ezimele, futhi kumelwe kusetshenziswe iminingwane yokubathintsha enembale kanye neyamuva.

Ngaphezu kokunikeza iminingwane ngenhlangano efanele, ifomu lesicelo le-PAIA elishethweni lihlanganisa lokhu okulandelayo:

<table>
<thead>
<tr>
<th>ULWAZI OLUDINGEKAYO</th>
<th>INCAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imininingwane yomuntu ofaka isicelo</td>
<td>Ulwazi olwanele mayelana nomuntu ofaka isicelo ukuze kwenze kube lula ukumchaza umuntu ofaka isicelo, kuhlanganisa iminingwane yomphakathi: iikheli laseposini, i-imeyili, inombolo yefeksi kanye/noma yocingo eNingizimu Afrika.</td>
</tr>
<tr>
<td>Imininingwane yerekhodi elicelwayo</td>
<td>Ulwazi olwanele mayelana nerekhodi ukuze kwenze kube lula ukulibona. Kungase kusetshenzwe iphepha elengeziwe ukuchaza kabanzi ngesicelo, uma nje iikhasi ngalinye elengeziwe lisayiniwe futhi lihambisana nefomu lesicelo.</td>
</tr>
<tr>
<td>Indlela yokuthola irekhodi</td>
<td>Incazele yefomu noma indlela irekhodi okufanele linikezwe ngayo noma lenziwe litholakale ngayo.</td>
</tr>
<tr>
<td>Indlela yokutshela umuntu ofake isicelo ngokuthola ulwazi</td>
<td>Indlela yokutshela umuntu ofake isicelo ngokuthola ulwazi</td>
</tr>
<tr>
<td>Ukukhetha ulimi</td>
<td>Lapho isicelo senziwa enhlananweni yomphakathi, kumelwe kunikezwe ulimi olukhethwayo okuzokwamukelwa ngalo irekhodi.</td>
</tr>
<tr>
<td>Isikhundla somuntu ogunyaziwe ofaka isicelo</td>
<td>Lapho isicelo senziwa egameni lomunye umuntu, kumelwe kunikezwe ubufakazi besikhundla somuntu ofaka isicelo (owaziwa ngokuthi umuntu ogunyaziwe).</td>
</tr>
<tr>
<td>Amalungelo athintekayo</td>
<td>Lapho isicelo sifakwa enhlananweni ezimele, umuntu ofaka isicelo kumelwe asho ilungelo elithintekayo futhi achaze ukuthi kungani irekhodi lidingeka ukuze kusetshenziswe noma kuvikelwe lelo lungelo elithile.</td>
</tr>
</tbody>
</table>
Abantu abafaka izicelo abangakwazi ukufunda nomaloka ubangakwazi izicelo ezenziwa ngomlomo eSikhulwini Sezolwazi nomaloka kuyiPhini LeSikhulu Sezolwazi lenhlangano yomphakathi, lona-ke eliba nesibopho sokugcwalisa i-Form A egameni lomuntu ofaka isicelo.

3.1.2 Ikhona yini inqubo okumelwe ilandelwe lapho ufaka isicelo se-PAIA?

Umuntu ofaka isicelo kumelwe avunyelwe ukuthola amarekhodi awacelayo, kuphela uma enze ngokuvumelana nezimfuneko zenqubo ezilandelayo:

» Isicelo se-PAIA kumelwe sifakwe efomini elifanele (i-Form A ezinhlanganweni zomphakathi, i-Form C ezinhlanganweni ezizimele), futhi liqondiswe eSikhulwini Sezolwazi nomaloka kuyiPhini LeSikhulu Sezolwazi lenhlangano yomphakathi nomaloka ezizimele, nomaloka kuyiNhloko yenhlango yomphakathi nomaloka ezizimele.

» Ifomu lesicelo le-PAIA kumelwe lidiliwe ngesandla, liposwe, lifekswe noma lithunyelwe nge-imeyili enhlanganweni yomphakathi nomaloka ezizimele okufakwe kuyo isicelo.

» Amarekhodi acelwe awaxhomekekele ezizathwini zokwenqtshelwa anikezwe ngaphansi kwe-PAIA.

3.2 Kuyizindleko ezingakanani ukufaka isicelo se-PAIA?

Abantu abafaka izicelo kudingeka bakhokhe imali ethile lapho becela ukuthola amarekhodi kukho kokubili ezinhlanganweni zomphakathi kanye nezizimele.

Imali ekhokhwayo yokucela amarekhodi enhlanganweni yomphakathi ngu-R35, kanti imali yokucela amarekhodi enhlanganweni eze-Phakathi ngu-R50.

Kubalulekile ukuphawula ukuthi abantu abafaka izicelo zokuthola ulwazi lwabo siqu bakhululekile ekukhokheni imali; nokho kusadingeka ukuba bakhokhe imali yokuthola ulwazi.

Abantu abafaka izicelo abahola ngaphansi kuka-R14,712 ngonyaka (uma engashadile) kanye no-R27,192 ngonyaka (uma eshadle nomaloka enophathina wokuphila kwakho konke), AKUDINGEKILE bakhokhe izimali zesicelo.
3.2.1 Ziyimalini izindleko zokuthola amarekhodi ngaphansi kwe-PAIA?

Abantu abafaka izicelo kudingeka bakhokhe imali yokuthola amarekhodi ezinhlangano zomphakathi kanye nezikizime. Le mali iikhoda izindleko zokufuna irekhodi nokwenza ikhophi yalo.

Indlela ezakheke ngayo izimali zokuthola amarekhodi ezinhlangano zomphakathi imi kanje:

<table>
<thead>
<tr>
<th>OKWENZIWE</th>
<th>IMALI EKHOKHAWAYO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ikhophi yeKhasi ngalinye eliyi-A4</td>
<td>Amasenti angu-60</td>
</tr>
<tr>
<td>Ukuphrinta ikhansi ngalinye eliyi-A4</td>
<td>Amasenti angu-40</td>
</tr>
<tr>
<td>Ikhophi eku-CD</td>
<td>R40</td>
</tr>
<tr>
<td>I-transcription yemifanekiso ebukwayo ikhansi ngalinye eliyi-A4</td>
<td>R22</td>
</tr>
<tr>
<td>Ikhophi yomfanekiso obukwayo</td>
<td>R60</td>
</tr>
<tr>
<td>I-transcription yento eqophiwe elalelwayo ikhansi ngalinye eliyi-A4</td>
<td>R12</td>
</tr>
<tr>
<td>Ikhophi yento eqoshiwe elalelwayo</td>
<td>R17</td>
</tr>
<tr>
<td>Ukucinga nokulingiselelwa kwerekhodi elizodalulwa</td>
<td>U-R15 ngehora noma ingxenye yalo, ngaphandle kwehora lokuqala, ngokusesilinganisweni elidingekayo ukucinga nokulingiselela</td>
</tr>
</tbody>
</table>

Indlela ezakheke ngayo izimali zokuthola amarekhodi enhlangano ezimele imi kanje:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ikhophi yeKhasi ngalinye eliyi-A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Ukuphrinta ikhansi ngalinye eliyi-A4</td>
<td>Amasenti angu-75</td>
</tr>
<tr>
<td>Ikhophi eku-CD</td>
<td>R70</td>
</tr>
<tr>
<td>I-transcription yemifanekiso ebukwayo ikhansi ngalinye eliyi-A4</td>
<td>R40</td>
</tr>
<tr>
<td>Ikhophi yomfanekiso obukwayo</td>
<td>R60</td>
</tr>
<tr>
<td>I-transcription yento eqophiwe elalelwayo ikhansi ngalinye eliyi-A4</td>
<td>R20</td>
</tr>
<tr>
<td>Ikhophi yento eqoshiwe elalelwayo</td>
<td>R30</td>
</tr>
<tr>
<td>Ukucinga nokulingiselelwa kwerekhodi elizodalulwa</td>
<td>U-R30 ngehora noma ingxenye yalo, ngaphandle kwehora lokuqala, ngokusesilinganisweni elidingekayo ukucinga nokulingiselela.</td>
</tr>
</tbody>
</table>
Phawula ukuthi endabeni yakho kokubili ezihlanganweni zomphakathi kanye nevizimele, izimali zokuposa kudingeka zikhokhwe ngumuntu ofake isicelo ukuze kudlilwe amarekhodi akhe.

**Izimo ezihlukile**

Uma iSikhulu Sezolwazi, iPhini LeSikhulu Sezolwazi, noma iNhloko yenhlangano yomphakathi/ezimelo icabanga ukuthi ukulandwa nokwenziwa kabusha kwezincwadi kuzothatha isikhathi eside ukudlula amahora ayisithupha, kumelwe itshele umuntu ofake isicelo, (ngesaziso esisemthethweni), ukuthi ingxenye eyodwa kwezintathu yemali ekhokhwayo kumelwe ikhokhwe kusengaphambili njengediphozithi.

Uma irekhodi linganikeziwe ngesimo elicelele ngaso, imali yokukhoshekela ukulithola ebizwe kumuntu ofake isicelo akumelwe yeqe emalini ebizobizwa uma belitholwe ngesimo escelwe. Nokho, lo mthetho avusebenzi lapho kufunwa ukuba lenziwe lebe kwezincwadi isicelo ukuze lubamile kulinganisekela. 

Uma umuntu ofake isicelo engakwazi ukufunda, ukubona noma ukuzwa irekhodi esimweni elikuso enhlanganweni yomphakathi ngenxa yokukhoshekela, inhlango yomphakathi kudingeka inikeze lelo rekholi ngesimo akwazi ukulithola ngaso lowo muntu ofake isicelo. Imali yokukhoshekela ebizwe kumuntu ofake isicelo akumelwe yeqe emalini ebizobizwa ngaphandle kokukhoshekela.

### 3.3 Ingabe iSikhulu Sezolwazi singangisiza ukuba ngifake isicelo se-PAIA?

Lapho kufakwa isicelo se-PAIA enhlanganweni yomphakathi, iSikhulu Sezolwazi noma iPhini LeSikhulu Sezolwazi kumelwe likusize lapho kudingeka khona ukuba ugcwalise amafomu e-PAIA.

Usizo olunjalo kumelwe ulunikwe mahhala.

<table>
<thead>
<tr>
<th>IMISEBENZI YEZIKHULU ZEZOLWAZI</th>
<th>INCASELENO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukusiza umuntu ofaka isicelo ukugcwalisa</td>
<td>Lapho isicelo se-PAIA singalandeli zonke izimfuneko ezimisweni ezizhazwe ku-PAIA nasefomini, iSikhulu Sezolwazi noma iPhini LeSikhulu Sezolwazi ALINAKUSINQABA isicelo. Kunalokho, iSikhulu Sezolwazi kumelwe sazise umuntu ofake isicelo, ngokubhalwe phansi, ukuthi asinakukwazi ukumvumela isicelo ngoba asiphelite, bese sithi singamsiza umuntu ofake isicelo ukuba enze izinguqoko ezidingekayo efomini. Uma umuntu ofake isicelo engaphenduli encwadini nama alungise ifomu esikhathini esisesininganisweni, khona-ke iSikhulu Sezolwazi singase sisenqabe isicelo.</td>
</tr>
<tr>
<td>ifomu le-PAIA</td>
<td>Sinika umuntu ofake isicelo ulwazi olufanele lapho kungenzeka</td>
</tr>
</tbody>
</table>
UMHLALANDLELA WOKUTHI UNGASETCHENZISWA KANJANI UMTETHO 2 KA-2000
WOKUKUTHAZA UKUTHOLA ULWAZI

<table>
<thead>
<tr>
<th>IMISEBENZI YEZIKHULU ZEZOLWAZI</th>
<th>INCAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ukudlulisela isicelo</td>
<td>Lapho isicelo se-PAIA sifakwe enhlanganweni yomphakathi okunyelo, iSikhulu Sezolwazi saleyo nhlangano kumelwe sidululisele isicelo enhlanganweni yomphakathi efanele kungakedlulwazi izinsuku ezingu-14 samukele leso icicelo futhi kumelwe sazise umuntu ofake isicelo ngokubhalwe phansi ngalokho kudluliselwa.</td>
</tr>
<tr>
<td>Ukuphendula isicelo ezinsukwini ezingu-30</td>
<td>Inhlango yomphakathi noma ezimele kumelwe iphendule isicelo se-PAIA phakathi neziinsuku ezingu-30 ngemva kokwamukela isicelo. iSikhulu Sezolwazi singase sicele ukwelulwazi kwenkathi engadlulwazi ezinsukwini ezingu-30 ezengeziwe, futhi ngenxa yezizathu ethile, okuhlanganisa isicelo esibandakanya (1) izincwadi eziningi, (2) ukuthintana neziinye izinhlanganisa yomphakathi noma ezimele, (3) noma uma umuntu ofake isicelo evumile ukuwethsha kwesikhathi ngencwadi ebelhale phansi. Kuvunyelwa ukuwethsha okukwakwedwa kufanelengi ngasicelo ngasinye se-PAIA.</td>
</tr>
<tr>
<td>Ukuvunyelwa noma ukunqatshelwa ukuthola amarekhodi</td>
<td>Kungumsebenzi weSikhulu Sezolwazi ukuvumela noma ukunqabela ukuthola amarekhodi. Lesi sinqumo kumelwe sazise ngokubhalwe phansi.</td>
</tr>
<tr>
<td>Isimo owathola ngaso, imali ekhokhwayo yokuwathola kanye nezinto wena ongazenza</td>
<td>Lapho sivunyelwa icicelo se-PAIA, iSikhulu Sezolwazi kumelwe sazise umuntu ofake isicelo ngesimo esizothola ngaso irekhodi kanye nenani lemalu, iSikhulu Sezolwazi kumelwe isicelo futhi sazise umuntu ofake isicelo ukuthintana neziinye izinhlanganisa yomphakathi noma ezimele, (3) noma uma umuntu ofake isicelo evumile ukuwethsha kwesikhathi ngencwadi ebelhale phansi.</td>
</tr>
<tr>
<td>Ukwenqatsha kwesicelo</td>
<td>Uma isicelo se-PAIA sinqatshwa, isaziso esiya kumuntu ofake isicelo kumelwe sisho izizathu zokuntshwa, okumelwe sisekelwe ngamalunyelwelele efanele e-PAIA. Njengoba kunjalo ngesimo nomu ngokuthola irekhodi kanye nenani lemalu lokuthola, isaziso kumelwe sithathaswe umuntu ofake isicelo umlalo ukunzeka, okumelwe sinesi ukuwethsha kwesikhathi ngencwadi esizhunga umlando elenchelo okuthola.</td>
</tr>
<tr>
<td>Ukulibazisa ukukhulula irekhodi</td>
<td>iSikhulu Sezolwazi singase sinqume ukulibazisa ukukhulula lempilo ofake isicelo irekhodi ngokukhulula neSigaba 24 se-PAIA, uma lelo irekhodi lihlolwelele ukusibicilelwazi phakathi neziinsuku ezingu-90 noma uma umthetho ufuna ukuba irekhodi lihlolwelele kudla lokho kuyinto esazakwenzenza.</td>
</tr>
</tbody>
</table>

EziGabeni 23 (ngenhlango yomphakathi) no-55 (ngenhlango ezimele) i-PAIA ithi uma iSikhulu Sezolwazi singakwazi ukuthola amarekhodi athile aceliwe, noma kunenkolelo yokuthi ake. iSikhulu Sezolwazi kumelwe, ngemva kokuqinisekisa ukuthi zonke izinyathelo ezinengqondo ziye zathathwa ukuze kutholwe irekhodi, sithumele isitatemende esifunelwelele kumuntu ofake isicelo simnike isaziso sokuthi irekhodi eliceliwe alikho noma alitholakali.
3.4 Yiziphi izinyathelo ezingokomthetho engingazithatha uma isicelo sami se-PAIA sinqatshwa?

Umuntu ofaka isicelo unelungelo lokuthatha izinyathelo ezingokomthetho ngokumelene neSikhulu Sezolwazi, iPhini LeSikhulu Sezolwazi, noma iNhloko yenhlangano yomphakathi noma ezimele uma iSikhulu Sezolwazi sinqume:

» Ukunqabela ukutholwa kwerekhodzi
» Ukunweba isikhathi sokuphendula isicelo
» Ukubiza imali yesicelo noma yokusithola
» Ukwenza ukuba irekhodzi litholakale ngesimo esihlukile kuleso ebesiceliwe ekuqaleni.

Le ngxenye izochaza izinyathelo ezingokomthetho abantu abafake izicelo abanazo abafisa ukumangalela izinqumo zeZikhulu Zezolwazi.

3.4.1 Izinyathelo Ongazithatha Ezingokomthetho ngokumelene neziNhlangano Zomphakathi

Uma umuntu ofake isicelo engajabulile ngesiNyathi eseniNgozo yomphakathi, umuntu ofake isicelo unelungelo lokufaka isikhalo sangaphakathi. Isikhalo sangaphakathi sibandakanya umuntu osesikhundleni esingaphezulu ukuba abukeze isnqumo seSikhulu Sezolwazi futhi anqume ukuthi senze isnqumo esifanele yini noma cha. Uma umuntu osesikhundleni esiphezu evumelana nesinqumo seSikhulu Sezolwazi, khona-ke isikhalo sangaphakathi siyenqatshwa futhi isnqumo sasekuqaleni mayelana nesicelo se-PAIA siyaqinisekiswa. Uma umuntu osesikhundleni esiphezu evumelana nesinqumo seSikhulu Sezolwazi, khona-ke isikhalo siyavunywa futhi isnqumo sasekuqaleni mayelana nesicelo se-PAIA siyachithwa.

Kubalulekile ukuphawula ukuthi ungathumela isikhalo sangaphakathi kuphela eminyangweni kahulumeni kazwelonke, yeziphulu: Ayikho incqubo yokufaka isikhalo sangaphakathi kwezinye izinhlangano zomphakathi.

IDolobha LaseKapa liyisibonelo sikahulumeni kamasipala okungase kuthunyelwe isikhalo sangaphakathi ngokumelene nalo. LeSikhwa leShezolwazi Zomgwaqo siyisibonelo senhlangano yomphakathi engeyona ingxenye kahulumeni kazwelonke, wesifunda noma wendawo, ngoba simiswe ngumthetho (uMthetho leShezolwazi Zomgwaqo), futhi ngenxa yalokho akunakufakwa isikhalo sangaphakathi nesicelo se-PAIA siyachithwa.

3.4.1.1 Ubani ongafaka ukudluliselwa kwenkhalo sangaphakathi?

Umuntu ofake isicelo se-PAIA enhlanganweni yomphakathi kazwelonke, yesifunda noma kamasipala futhi owenqatshelwa ukuthola amarekhodi, unelungelo lokufaka ukudluliselwa kwesikhalo sangaphakathi. Lokhu kwenziwa ngokucwalisa i-Form B le-PAIA kanye nokulyisa enhlanganweni yomphakathi kazwelonke, yesifunda noma kamasipala. Ikhophi ye-Form B ingatholakala ku-website yezinhlangano ezifanele kanti futhi ayatholakala ehhlvisi ngalinye leKhomishane Yamalungelo Abantu BaseNingizimu Afrika.
Uma ukudluliselwa kwesikholo sangaphakathi kubandakanya nama yimuphi omunye umuntu (third party), inhlango yomphakathi eyamukele ukudluliselwa kwesikhalo sangaphakathi inomthwalo wokuthinta bonke abanye abantu (third parties) abathintekayo. Izimfuneko zokukhishwa kwezaziso nokuthunyelwa kwabazobamelela ziyafana nalezo ezifuneka esicelweni sokuqala se-PAIA.

Abanye abantu (third parties) nabo bavunyelwe ukufaka ukudluliselwa kwezikhalo zangaphakathi ngokumalene nesinqumo esenziwe yinhlango yomphakathi yokuvumela ukuthola irekhodi elithile.

### 3.4.1.2 Ungakufaka nini ukudluliselwa kwesikholo sangaphakathi?

Umuntu ofake isicelo angase afake ukudluliselwa kwesikhalo sangaphakathi ngokumalene nesinqumo senhlangano yomphakathi ngenxa yezizathu ezilandelayo:

- Umuntu ofake isicelo akanelisekile ngezimali ezifunekayo zesicelo.
- Umuntu ofake isicelo akanelisekile ngesinqumo sokunika ukunwetshwa kwezinsuku ezingu-30 enhlanganweni yomphakathi ukuba iphendule isicelo.
- Umuntu ofake isicelo akanelisekile lapho isimo amarekhodi anikezwa ekuso engafani nawesimo esasiceliwe, futhi umuntu ofake isicelo ekholelwa ukuthi kwakungeke kube umthwalo ongenangqondo ngenhlangano yomphakathi ukunekeza amarekhodi ngesimo esasikhethwe ngumuntu ofake isicelo.

### 3.4.1.3 Ngikwenza kanjani ukudluliselwa kwesikholo sangaphakathi?

Ukudluliselwa kwesikholo sangaphakathi kumelwe kwenziwe ngumuntu ofake isicelo phakathi nezinsuku ezingu-60 ethole ukunqatshwa kweisicelo sokuqala se-PAIA. Lokhu kwenziswa ngokugcwalisa i-Form B kanye nokulithumela emnyangweni ofanele kahulumeni kazwelonke, wesifunda noma kamasipala.

<table>
<thead>
<tr>
<th>Uhulumeni Kazwelonke</th>
<th>Uma isicelo se-PAIA sasifakwe emnyangweni kazwelonke, umuntu ofake isicelo angase athumele ukudluliselwa kwesikhalo sangaphakathi kuNgqongqoshe walowo mnyango.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uhulumeni Wesifunda</td>
<td>Uma isicelo se-PAIA sasifakwe emnyangweni wesifunda, umuntu ofake isicelo angase athumele ukudluliselwa kwesikhalo kuyiLungu loMkhandlu Ophethe (Member of the Executive Council) lałowlo mnyango.</td>
</tr>
<tr>
<td>Uhulumeni Womasipala</td>
<td>Uma isicelo se-PAIA sasifakwe emnyangweni kamasipala, umuntu ofake isicelo angase athumele ukudluliselwa kwesikhalo kumphathi-dolobha kamasipala, nomaokusimo kamasipala, noma nanoma ubani omunye umuntu omiswe nguMkhandlu KaMasipala walowo masipala ngokuqondile.</td>
</tr>
</tbody>
</table>

**Form B** lithunyelwa kuso iSikhulu Sezolwazi/iPhini LeSikhulu Sezolwazi elanqaba isicelo sokuqala, okube-ke sekufuneka ukuba lilidlulisele kumuntu oseSikhundleni esiphezulu nakakhulu.
PHAWULA:

Uma ukudluliselwa kwesikhalo kufuna ukuba isaziso sinikwe omunye umuntu (third party) (okungukuthi, lapho ulwazi luqakethe iniminingwane yomuntu siqu mayelana nomunye umuntu, kanye nelwazi olyumfihlo, ulwazi oluqondle iwezokuhweba, kanye nelwazi iwezocwaninggo mayelana nomunye umuntu [third party]), khona-ke ukudluliselwa kwesikhalo kulwele kufakwe phakathi nezinsuku ezingu-30 kukhishwe isiziso kulelo muntu.

Umuntu ofake isicelo kumelwe athumele ukudluliselwa kwesikhalo sangaphakathi eSikhulwini Sezolwazi senhlango fenele nggaposi, ngefesxeni nomu nge-imeyili.

Ukudluliselwa kwesikhalo sangaphakathi kumelwe kuhlanganise isihloko sokudluliselwa kwesikhalo sangaphakathi, izizathu ezisekela ukudluliselwa kwesikhalo, beso kuhlanganisa noma yiluphi omunye ulwazi oluqondile lwezokuhweba, kanye nolwazi oluyimfihlo, ulwazi oluqondile lwezocwaningo mayelana nomunye umuntu [third party], khona-ke ukudluliselwa kwesikhalo kulwele kufakwe phakathi nezinsuku ezingu-30 kukhishwe isiziso kulelo muntu.

Ukudluliselwa kwesikhalo sangaphakathi kumelwe eSikhulwini Sezolwazi senhlangano efanele ngeposi, ngefelese noma yiluphi omunye ulwazi oluqondile lwezokuhweba, kanye nolwazi oluyimfihlo, ulwazi oluqondile lwezocwaningo mayelana nomunye umuntu [third party], khona-ke ukudluliselwa kwesikhalo kulwele kufakwe phakathi nezinsuku ezingu-30 kukhishwe isiziso kulelo muntu.

Umuntu ofake isicelo engase athande ukwaziswa ngakunkala esinamayelana nokudluliselwa kwesikhalo sangaphakathi ngendlela ehlukile (ngaphezu kwempendulo ebhalwe phansi), kulwele asho indlela ayikhethayo futhi anikeze noma yiluphi ulwazi oludingekayo.

3.4.1.4 Kuthiwani uma ukudluliselwa kwesikhalo sangaphakathi kuthunyelwa ngemva kokuba seludlulile usuku lwenkathi emiswe ngokusemthethweni?

Lapho ukudluliselwa kwesikhalo sangaphakathi kufakwa ngemva kokuba yezinsuku ezingu-60 isiphelile, inhlango yomphakathi efanele kumelwe ikwamukela ukudluliselwa kwesikhalo uma kuvezwa isizathu esihle sokufakwa kokudluliselwa kwesikhalo sekwephuzele. Lapho inhlango yomphakathi efanele ingakwamukela ukufakwa kokudluliselwa kwesikhalo sangaphakathi sekwephuzele, kulwele inike umuntu odlulisele isikhalo isaziso.

3.4.1.5 Yimalini ekhokhwayo ngokudlulaliswa kwesikhalo zangaphakathi?

Umuntu ofake isicelo odlulisa isikhalo sangaphakathi kudingeka akhokhe imali emiswe ngokomthetho, uma ikhona. Uma imali yokudlulaliswa kwesikhalo kulwele ikhokhwe lapho kufakwa, isiqungo ngokudlulaliswa kwesikhalo singase silithatho kumelwe isifonjeni kodwaba kwakhe isicelo eSikhulwini Sezolwazi senhlangano efanele ngeposi.

NGINGASIFAKA YINI ISICELO ENKANTOLO NGOKUMELENE NESINQUMO SENHLANGANO YOMP-HAKATHI?

Yebo. Uma umuntu ofake isicelo engaphumelelanga ngokudlulaliswa kwakhe isikhalo ngokumelene nhlanhango yomphakathi, nomu uma inhlango yomphakathi isiphiya ukwamukela ukufakwa kokudluliselwa kwesikhalo sangaphakathi sekwephuzele, noma uma umuntu ofake isicelo eyo waphathwa ngokungualingile ngandela-thile ngenxa yesinqumo eseniwiyo yinhlangano yomphakathi, uma umuntu ofake isicelo angase acele ukuba inkantolo imine impumuzo ngokufaka isicelo phakathi nezinsuku ezingu-180 ethole leso sinqumo. Umuntu ofake isicelo nomunye umuntu (third party) angase ofake isicelo ezinkantolo kuphela ngemva kokuba inqubo yokudluliselwa kwesikhalo sangaphakathi isiphethiwe.
3.4.2. Izinyathelo Ongazithatha Ezingokomthetho ngokumelene neziNhlangano Ezizimele

Lapho umuntu ofake isicelo enganelisekile ngesinqumo esenziwe yinhloko yenamkampani ezimele, isibonelo, ngokunqaba ukuba athole irekhodi, ngokufuna imali yokulithola, nama ngokwelula inkathi okufuneka ngayo impendulo, umuntu ofake isicelo angase acele ukuba inkantolo imike impumuzo phakathi nezinsuku ezingu-180 ethole leso singumo esidale ukuba ofake isikhalo. Isinqumo senhlangano ezimele sizobuyekeza yinkantolo futhi isinqumo sizokwenziwa yizinkantolo ukuthi avunyelwe yini ukuthola irekhodi nomaphambili. 

ECALENI LIKABRUMMER V UNGQONGQOSHE WEZOKUTHUTHUKISWA KWEZENHLALO


Amacala okutholwa kolwazi angase alalelwe phambi kweziNkantolo zikaMantshi njengenkantolo okuqalwa kuyo, njengoba kuboniswe ngaphansi kwegama 79 se-PAIA kanye naseziNkantolo Eziphakeme.

3.4.3. Yini ezokwenzeka ecaleni lami enkantolo?

Kunemiphumela eminingana engase yenzeka lapho uyisa icala le-PAIA enkantolo. Ngemva kokulalelwa kwazo zombili izinhlangothi zendaba, isikhulu esengamele icala sinamandla okukhipha umyalo oyikho kokubili olungile nolinganayo. Lokhu kungase kuhlanganise umyalo: (1) oqinisekisa, oshintsha, nama osusa isinqumo senhlangano yomphakathi noma ezimele ngokuphathelene nesicelo se-PAIA; (2) ofuna ukuba inhlangano yomphakathi noma ezimele ithathe isinyathelo esithile noma iyeke isinyathelo esithile; (3) onikeza umyalelo ovimbelayo, umyalelo oyisimemezelo, impumuzo ethile, noma isinxephezelo; noma (4) ofuna ukuba kukhokhwe izindleko ezithile.
INGXENYE 4
Kunini lapho ukuthola ulwazi kunganqatshwa/kungase kunqatshwe khona...

Le ngxenye ihlanganisa:

4.1 Ukwenza ilungelo lokuthola ulwazi lilungane kahle namanye amalungelo

4.2 Izizathu eziwumyalö lapho ziqhathaniswa nezizathu eziyisinqumo somuntu ngokunqatshelwa ukuthola ulwazi

4.3 Izizathu zokunqatshelwa ukuthola ulwazi ezibhalwe ku-PAIA

4.4 Ukuhlolwa kwezinto ezingezenzuzo yomphakathi
4.1 Kunini lapho uKuthola Ulwazi kungase kunqatshwe khona

Le ngxenye izonikeza uhlaka okumayelana nokuthi kunini lapho ukuthola ulwazi kungase kunqatshwe khona ngaphansi kwe-PAIA, bese kuba nomhlalandlela wokuthi ungyisebenzisa kanjani imithetho evumela iSikhulu sezolwazi ukuba sinqabe isicelo. I-PAIA inohlu Iwezizathu ezingu-12 okungase kunqatshwe ngazo ukutholwa kolwazi yiSikhulu sezolwazi senhlangano yomphakathi noma ezimele, ezinye zazo ziyimiyalo kanti ezinye zazo ziyizinqumo zokubona komuntu (bheka ingxenye 4.2, ngezansi ukuze uthole iminingwane eyengeziwe). Ngaphezu kwalokho i-PAIA yenza umushwana wezinto ezinto ezisimelane ezithi lezi zimayelana nokuthi ukuthola ulwazi, ukuthola ulwazi sikuphila ukuthi izithi ziyisinque zokwenqabela ukuthola ulwazi singasebenzi, uma nje inzimo yomphakathi kulolo lwazi kuyiyonanto enkulu. *(bheka ingxenye 4.4, ngezansi ukuze uthole iminingwane eyengeziwe).*

<table>
<thead>
<tr>
<th>UKWENZA ILUNGELO LOKUTHOLA ULWAZI LILINGANE KAHLE NAMANYE AMALUNGELO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>UMTHETHO OVAMILE</strong></td>
</tr>
<tr>
<td><strong>ISIMO ESIHLUKILE</strong></td>
</tr>
</tbody>
</table>

4.2 Izizathu eziwumyalo lapho ziqhathaniswa nezizathu eziyisiNqumo sokubona komuntu ngukwenqabela ukuthola ulwazi

AMAGAMA AKU-PAIA OKUMELWE UWAPHAWULE...

Mayelana nokunqaba okungumyalo, i-PAIA isebenzisa igama elithi "kumelwe".
Mayelana nokunqaba okuya ngokubona komuntu, i-PAIA isebenzisa igama elithi "kungase".
Khumbula ukuthi njengeSikhulu Sezolwazi kumelwe uhiale unenjongo lapo usebenzisa isizathu sokunqabela ukutholwa kolwazi. Ungathathi izinhlangothi ezithile, futhi ungakhethi ngazo zonke izikhathi

4.3 Izizathu zokunqatshelwa ukuthola ulwazi

Njengoba kushiwo ngenhla kunezizathu ezihlukahlukene isicelo sokuthola ulwazi esingase nomakumelwe senqatshwe kuzo yiSikhulu Sezolwazi senhlangano yomphakathi nomaximele. Lezi zizathu zisohlwini oloku-PAIA ngaphansi kweSahluko 4 seNgxenye 2 yeNhlangano Yomphakathi, nakuSahluko 4 seNgxenye 3 yeNhlangano Ezimele.

4.3.1 Ukuvikelwa kokugcinwa kwezindaba zangasese zomunye umuntu (third party)

ISikhulu Sezolwazi senhlangano yomphakathi nomaximele kumelwe singamakhe ukutholwa kolwazi lomuntu siqu lomuntu wemvelo, kuhlanganisa nomuntu oshonile (mayelana nencazelo yegama elithi "umuntu wemvelo* bhekwenzi esithi Amagama Awusizo ngenhla). I-PAIA ithi ukuze kuvikelwa ilungelo lokuvikelwa kwezindaba zangasese zomunye umuntu (third party) ongumuntu wemvelo, iSikhulu Sezolwazi kumelwe sihlole ukuthi ukukhipha ulwazi okukhulunywa ngalo kumuntu ofake isicelo ‘kuzobandakanya yini ukudalulwa okungenangqondo kwezindaba zangasese.borrowed from someone else (be a third party)’. I-PAIA ithi ukuze kuvikelwa ilungelo lokuvikelwa kwezindaba zangasese zomunye umuntu (third party) ongumuntu wemvelo, iSikhulu Sezolwazi kumelwe sihlole ukuthi ukukhipha ulwazi okukhulunywa ngalo kumuntu ofake isicelo ‘kuzobandakanya yini ukudalulwa okungenangqondo kwezindaba zangasese.borrowed from someone else (be a third party)’. I-PAIA ithi ukuze kuvikelwa ilungelo lokuvikelwa kwezindaba zangasese zomunye umuntu (third party) ongumuntu wemvelo, iSikhulu Sezolwazi kumelwe sihlole ukuthi ukukhipha ulwazi okukhulunywa ngalo kumuntu ofake isicelo ‘kuzobandakanya yini ukudalulwa okungenangqondo kwezindaba zangasese.borrowed from someone else (be a third party)’. I-PAIA ithi ukuze kuvikelwa ilungelo lokuvikelwa kwezindaba zangasese.zomunye umuntu (third party).

Isigaba 1 se-PAIA sinikeza incazelbo ebansi yalokho okwakhaha “imininingwane yomuntu siqu”. Kuhlanganisa ulwazi olumayelana nobulili, ukukhulelwena, nenkolo, kanye nezincwadi zokuhlukeleni kwakhe nyanene, i-DNA, imigqa yeminwe, kanye nezimo igama lalowo muntu elivela kuzo kumarekhodi.

ISikhulu Sezolwazi kumelwe futhi sicabangele ukuthi ulwazi lomuntu siqu okukhulunywa ngalo luyangena yini ezigabeni ezilandelayo zolwazi lomuntu siqu esingase zidalulwe:

» Ulwazi lomuntu siqu lomuntu onikeze imvume yokuba lolu lwazi lukhululwe
» Ulwazi lomuntu siqu lomuntu onikeze imvume yokuba lolu lwazi lukhululwe
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I-PAIA ifuna ukuba iZikhulu Zezolwazi zase-South African Revenue Services (SARS) zingadaluli ulwazi lwentela yomuntu siqu nolwemali ayenzayo, ngaphandle kwalapho umuntu ofake isicelo ecela ukuthola ulwazi lwakhe siqu.

4.3.2 Ukuvikelwa kolwazi lwezohwebo lomunye umuntu (third party)

I-Zikhulu Zezolwazi zezinhlangano zomphakathi kanye nezizimele kumelwe ziqhabe umuntu uma ukukhuluwla kwalo lwo zizolwa kuzodala umonakalo ezinzuzweni lwezohwebo lona nomolwemali ezikhuluzelelana

» Ucwaningo lwezimali, lwezohwebo, lwesayensi noma ulwazi lwezobuchwepheshe olumayelana nabanwe abantu (third party), okungathi uma lwezohwebo, kudaleke umonakalo kulabo bantu;

» Ulwazi oluwisiphuba olunikezwe omunye umuntu (third party) ngoba ethenzayo, ngamandla ukuthola ulwazi.

Nakuba kunomthetho ovamile wokuvikela ulwazi lwenkampani, inhlangano yomphakathi kudingeku ukuba isebenze ngendlela edalula izinto obala. Kulokhu kumelwe kuphawulwe ukuthi kunezimo ezithile lapho ulwazi lwezohwebo lwenkampani lungakhululwa khona.

Izinto i-PAIA Ezishiyela Ngaphandle: Amarekhodi abanye abantu (third party) akuqekete ulwazi oluphathelene nokuphfo komphakathi nomolwemali ezikhuluzelelana kungathi uma lukhululwe, ngisho noma ukukhuluwla kolwazi olunjalo cisse kuzodala umonakalo kulabo bantu (third party). Lokhu kuyingxenye yolwazi lwenzu zo yomphakathi (bhekha ingxenye 4.4 ngezansi).

4.3.3 Ukuvikelwa kolwazi oluyimfihlo

I-PAIA ithi iSiKhulu Sezolwazi kumelwe singakuvumeli ukutholwa kwerekhodi uma ukukhuluwla kwalo lwezohwebo losibopho sokucukinwa kwemfihlo olumayelana ngakhe nomunye umuntu (third party) ngokwesivumelwano nama inkontekeka.

4.3.4 Ukuvikelwa kokuphfo komuntu kanye nemphala

Le izithu izikhulu sezolwazi kumelwe singakuvumeli ukutholwa kwerekhodi uma ukukhuluwla kwalo lwezohwebo losibopho sokucukinwa kwemfihlo olumayelana ngakhe nomunye umuntu (third party) ngokwesivumelwano nama inkontekeka.

4.3.5 Ukuvikelwa kolwazi ekukwulweni kwamacala ezomthetho

Injongo yale izikhulu sezolwazi olufuneka ezinzubweni zezomthetho nezokuphoqelelwa komthetho. Le izikhulu sezolwazi olufuneka ezinzubweni zezomthetho nezokuphoqelelwa komthetho. Le izikhulu sezolwazi olufuneka ezinzubweni zezomthetho nezokuphoqelelwa komthetho. Le izikhulu sezolwazi olufuneka ezinzubweni zezomthetho nezokuphoqelelwa komthetho.
Kunini lapho ukuthola ulwazi kunganqatshwa/kungase kunqatshwe khona

kunoma ubani omunye, ngaphandle komuntu onelungelo lokubona lawo marakhodi, isibonelo, ummelisi
onzezimphilo zezikhasimende. Noma yimaphi amarekhodi obudilelwano phakathi komensi kanye nekhasimende
lakhe avikelwe ngaphansi kwesigaba 40 se-PAIA.

Nakuba i-PAIA ikuqaphela ukuba khona kweminye imithetho esinamleni ukuthola kwamarekhodi
esimweni lapho imithetho elinganisela khona ngokungafanele ilungelo lokuthola ulwazi futhe
kubo kuphambene nezimiso zokwenza izinto obala nokuba nokulandisa, i-PAIA izothatha indawo elwazi.

4.3.6 Ukuvikelwa Kolwazi Locwaningo
ISikhulu Sezolwazi senhlanganiso yomphakathi noma ezimele kumelwe singakumelwe ukutholwa kwamarekhodi
aquketho ulwazi oluphathelene nocwanga olwenziwa noma oluzokwenziwa yinhlangano yomphakathi noma
ezimele okukhulunywa ngayo noma abanye (third party). Lokhu kwenqaba ukutholwa kolwazi kusezimweni
lapho ukudalulwa kwerekhodi kuzokwenza ukuthola kwamarekhodi, esimweni lapho ukuthola kwamarekhodi
ekusengane ezingxenye 43 no-69 ze-PAIA.

4.3.7 Ulwazi okungase kwenqatshwe ukuba uluthole
Izigaba ezilandelayo zolwazi zimayelana nolwazi iSikhulu Sezolwazi esingase senqabe ukuba uluthole,
kuphela uma singafakazela ukuthi ulwazi okukhulunywa ngalo lwelwa ezizakabeni ezilandelayo futhi angake
kubonise ukuthi ukudalulwa kwerekhodi kubaluleka ukuze

4.3.7.1 Ezokuvikelwa zaseNingizimu Afrika, ezokuphepha
nezokubandela kwamazwe omhlaba
Isigaba 41 se-PAIA sifuna ukuba iSikhulu sezolwazi sicabangle ukuthi isicelo solwazi sithezithene yini nolwazi
olumayelana nezokuphepha zaseNingizimu Afrika. I-Sikhulu sezolwazi singase senqabe isicelo uma singa
kubonise ukuthi isicelo solwazi sithezithene yini nolwazi olumayelana nezokuphepha zaseNingizimu Afrika.

4.3.7.2 Izinto ezingokwenzuzo yeNingizimu Afrika ngokomnotho,
negokwezimala nangokuhwebo
Isigaba 42 se-PAIA sifuna kubonise ukuthi isicelo solwazi sithezithene yini nolwazi
olumayelana nezokuphepha zaseNingizimu Afrika. I-Sikhulu sezolwazi sicabangle ukuthi isicelo solwazi sithezithene yini nolwazi
olumayelana nezokuphepha zaseNingizimu Afrika.
4.3.7.3 **Imisebenzi yezinhlangano zomphakathi**

Isigaba 44 se-PAIA sinika iSikhulu Sezolwazi amandla okunqaba ukutholwa kwerekhodi una kuzophazamisa imisebenzi yenhlangano yomphakathi. Isigaba 44 sibanzi, inani lamarekhodi abhalwe ngaphansi kwemisebenzi lihlanganisa:

- Amaphuzu akhulunywe emihlanganweni;
- Amarekhodi aqukethe izeluleko nomaximbono;
- Amarekhodi aphathelene nezingxoxo ezenziwe nezinye izinhlangano;
- Amarekhodi aphathelene nokwenziwa kwemigomo (policies) noma izincomo (recommendations).

4.3.7.4 **“Izicelo ezibonisa ukusa nje noma ezicasulayo, noma ukuphambukiswa okukhulu kwezimali nokungenangqondo”**

ISikhulu Sezolwazi singase sisenqabe isicelo sokuthola ulwazi uma sicabanga ukuthi ukuhlekile lezo zicelo kuzodla isikhathi ngokungenangqondo futhi kuholele ekumoseni imali. Ngaphezu kwalokho, iSikhulu Sezolwazi singase senqabe isicelo sokuthola kolwazi uma isicelo sibonakala singenangqondo noma umuntu ofake isicelo esenzele ukucasula noma ukudala uchuku ngokungadingekile.

4.4 **Izinto Ezingezenzuzo Yomphakathi Kuza Zona Kuqala**

Zonke izinto ezivikela ulwazi njengoba kuchazwe ngenhla ziyasuka uma ukukhululwa kolwazi kungokwenzuzo yomphakathi. Kanjalo ukuhlolwa kwezinto ezingezenzuzo yomphakathi kuza kuqala kunazo zonke ezinye izinkungosto zokwenqatshwa kokutholwa kolwazi.

ISikhulu Sezolwazi senhlangano yomphakathi noma ezimele kumelwe sisebenzise ukuthola okulandelayo ngaphambi kokunqaba ukuvumela ukutholwa kolwazi olungaphansi kwezimbalwa ezingenakudululwa eziboniswe ngenhla. Uma kuhlangatshezvana nale mibandela, khona-ke lolo lwazi kwezimo umenzetho zokwenzu zokuthi kungokwenzuzo yomphakathi.

Ingabe ulwazi lubonisa ukwephulwa okukhulu komthetho?

**NOMA**

Ingabe amarekhodi okuhleluwywa ngayo aqukethe ulwazi oluphathelene nento ezokwenzeka ngokusheza ethinta ukuphetha komphakathi ngezinga elikhulu noma ingozi kwezivelake?

**FUTHI**

Ingabe inzuzo yomphakathi ekudaluneni lolo lwazi iwudlula kude umonakalo ongase ube khona?
INGXENYE 5
Izikhombo (references) eziyinhloko kanye nolunye ulwazi oluwusizo

Le ngxenye ihlanganisa:

5.1 Uhlu lwezikhombo eziyinhloko ezisetshenziswe ukwenza lo Mhlahlandlela we-PAIA, kuhlenganisa nomthetho

5.2 Uhlu lweminye imithombo ye-PAIA ewusizo
5.1. Izikhombo eziyinhloko

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<th>UMLOBI</th>
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<tr>
<td>Promotion of Access to Information Act 2 of 2000</td>
<td>Abezomthetho</td>
</tr>
<tr>
<td>Protection of Personal Information Act 4 of 2013</td>
<td>Abezomthetho</td>
</tr>
<tr>
<td>PAIA Unpacked (itholakala ku-www.saha.org.za)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (itholakala ku-www.saha.org.za)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (itholakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (itholakala ku-www.sahrc.org.za)</td>
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</tr>
<tr>
<td>PAIA Frontline Staff Manual (itholakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
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<th>ISAZISO SIKAHULUMENI</th>
<th>USUKU</th>
<th>ISIHLOKO NENCAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice No. R. 466</td>
<td>1 June 2007</td>
<td>Ifaka namafomu eSikhulu Sezolwazi okumelwe siwasebenzise aping kishicilela izaziso zokudalula ngokuzithandela ngokweziga 15 no-52 be-PAIA.</td>
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</table>
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<table>
<thead>
<tr>
<th>ISAZISO SIKAHULUMENI</th>
<th>USUKU</th>
<th>ISIHLOKO NENCAZELO</th>
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</thead>
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<tr>
<td>Government Notice No. 428</td>
<td>31 March 2004</td>
<td>Isichibiyelo kusigaba 92(4) se-PAIA ukubhekelela amaCala neziJeziso zabantu abavimbela ngamabomu nangokungafanele isicelo somuntu ofake isicelo sokuthola ulwazi, isibonelo ngokushabalalisa amarekhodi.</td>
</tr>
<tr>
<td>Government Notice No. 96</td>
<td>15 January 2003</td>
<td>Isichibiyelo ku-PAIA ukubhekelela ukuqeqetshwa kwezikhulu ezengamele eziNkantolo zoMantshi ukuba zilalele amacala e-PAIA.</td>
</tr>
<tr>
<td>Government Notice No. 187</td>
<td>15 February 2002</td>
<td>Isichibiyelo ku-PAIA mayelana nale Section 10 Guide kanye nokutholakala kwezincwadi ze-PAIA</td>
</tr>
</tbody>
</table>

5.4 Izichibiyelo zeMithetho ye-PAIA

<table>
<thead>
<tr>
<th>ISAZISO SIKAHULUMENI</th>
<th>USUKU</th>
<th>ISIHLOKO</th>
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</table>

5.5 Eminye imithombo ye-PAIA ewusizo

1) **Using PAIA to Promote Housing Rights, SAHA** (itholakala ku-www.saha.org).
2) **Accessing Information for Your Community, SAHA** (itholakala ku-www.saha.org).
3) **Accessing Information in the LGBTI Sector, SAHA** (itholakala ku-www.saha.org).
Tlhahlî Ka Ga Ka Fao O Ka Šomišago Molao Wa 2 Wa Tšwetšopele Ya Phihlelelo Ya Tshedimošo Wa 2000
TLHAHLI KA GA KA FAQO O KA ŠOMIŠAGO MOLAO WA 2 WA TŠWETŠOPELE YA PHIHLELELO YA TSHEDIMOŠO WA 2000

Wepsaete: www.sahrc.org.za
Emeile: info@sahrc.org.za
Twitter: @SAHRCommission
Facebook: SAhumanrightscommission
Youtube: SAHRC1
Dintlha tša Kgokagano tša Khomišene ya Ditokelo tša Botho ya Afrika Borwa

Kantorokgolo Johannesburg
Mogala: 011 877 3600 • Fekese: 011 403 0684

Kapa Bohlabela Cape Port Elizabeth
Mogala: 043 722 7828 • Fekese: 043 722 7830

Foreisetata Bloemfontein
Mogala: 052 447 1133 • Fekese: 051 447 1128

KwaZulu-Natal Durban
Mogala: 031 304 7323/4/5 • Fekese: 031 304 7323

Limpopo Polokwane
Mogala: 015 2913500 • Fekese: 051 291 3505

Mpumalanga Nelspruit
Mogala: 013 752 8292 • Fekese: 013 752 6890

Kapa Leboa Upington
Mogala 054 332 3993/4 • Fekese: 054 332 7750

Leboa Bodikela Rustenburg
Mogala: 014 592 0694 • Fekese: 014 594 1089

Western Cape Cape Town
Mogala: 021 426 2277 • Fekese: 021 426 2875
Go hwetša dintlha ka go Tlhahli ya PAIA

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Matseno go Tlhahli ya PAIA

Karolo ya 2
Fao o ka thomago gona go hwetša tshedimošo ye e e hlokago

Karolo ya 3
Ka fao o ka dirago kgopelo ya go fihlelela tshedimošo

Karolo ya 4
Ke neng fao phihlelelo ya tshedimošo e ka/e swanetšego go ganwa

Karolo ya 5
Dingwalwa le methopo ye bohlokwa ya go hwetša tshedimošo go tšwela pele

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<th>TLHALOŠO</th>
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| **Tšhelete ya phihlelelo** | Ye ke tšhelete ye e swanetšego go lefša ke mokgopedi gos ehlongwa sa setšhaba goba sa phraebete se o kgopelo aga tshedimošo go sono, ya go lela ditshenyegelo tša go nyaka le go kopiša dipego tše o di nyakago.  
(Go hwetsa tshedimošo ka ga ditefšo tša phihlelelo ya tshedimošo bona Karolo ya 3 ya Tlhahli ye). |
| **Foromo ya A** | E hwetswa mafelelong a PAIA, wepsaeteng ya Khomišene ya Ditokelo tša Botho ya Afrika Borwa, le diwepsaeteng tša dihlongwa tše dingwe tša setšhaba tša mehutahuta. Foromo ye e šomišwa go kgopela phihlelelo ya tshedimošo ye e swerwego ke sehlongwa sa setšhaba.  
(Go hwetsa tshedimošo ka batlalo ka qa Foromo ya A le go kgopela phihlelelo go tshedimošo go dihlongwa tša setšhaba bona Karolo ya 3 ya Tlhahli ye). |
| **Foromo ya C** | E hwetswa mafelelong a Molao wa PAIA, wepsaeteng ya Khomišene ya Ditokelo tša Botho ya Afrika Borwa, le diwepsaeteng tša dikhamphani tše dingwe tša phraebete tša mehutahuta.  
(Go hwetsa tshedimošo ka batlalo ka qa Foromo ya C le go kgopela phihlelelo go tshedimošo ye e swerwego ke dihlongwa tša phraebete bona Karolo ya 3 ya Tlhahli ye). |
| **Tlhahli** | E ra Tlhahli ye ka ga PAIA yeo e ngwadilwego le go phatlalatšwa ke Khomišene ya Ditokelo tša Botho ya Afrika Borwa k age go hlagišitšwe ka go Karolo ya 10 ya PAIA, go thuša batho go šomiša le go kwešiša Molao PAIA. |
| **Mohlankedi wa Tshedimošo le Motlatšamohlankedi wa Tshedimošo** | Mohlankedi wa Tshedimošo (yo ka dinako tše dingwe a bitšwago IO) ke motho yo a dumeletšwego ke sehlongwa seo go bolelwago ka sono go šoma ka dikgopelo tša PAIA. Go sehlongwa sa setšhaba yo ke motho yo e lego goba yo a šomago bjalo ka hlogo ya sehlongwa seo. Ge e le masepala, yena ke molaodi wa masepala; ge e le kgoro ya bosetšhaba e tša šoma ka dikgopelo tša PAIA. Go sehlongwa sa setšhaba yo ke motho yo e lego goba yo a šomago bjalo ka hlogo ya sehlongwa seo. Ge e le masepala, yena ke molaodi wa masepala; ge e le kgoro ya bosetšhaba e tša šoma ka dikgopelo tša PAIA.  
Motlatšamohlankedi wa Tshedimošo (ka dinako tše dingwe a bitšwago IO) ke motho yo a filwego mošomo wo ke Mohlankedi wa Tshedimošo wa sehlongwa sa setšhaba go thuša mokgopedi ka go nyaka tshedimošo.  
PAIA ga e hlagiše gore dihlongwa tša phraebete di be le Motlatšamohlankedi wa Tshedimošo; le ge go le bjale go šišinywa ke Khomišene ya Ditokelo tša Botho ya Afrika Borwa gore di dire bjalo ka nepo ya go phethagatša mošomo gabotse le ka pela.  
(Go hwetsa tshedimošo ka batlalo ka qa Mešomo ya Bahlankedi ba Tshedimošo bona Karolo ya 3 ya Tlhahli ye). |
| **Boipiletšo bja ka Gare** (Foromo ya B) | Bakgopedi ba swanetše go ŋomiša Foromo ya B ya PAIA go dira boipelaeťšo go sephetho seo se dirilwego fela ke makala a bosetšhaba a mmušo, a diprobentshe goba a mebasepala mabapi le phihlelelo ya tshephimošo.

*(Go hwetsa tshephimošo ka ga boipelaeťšo bja ka gare bona Karolo ya 3 ya Tlhahli ye)*. |
| **Mothe wa semolao** | Khamphani goba sehlongwa seo se bonwago ke molao bjalo ka sehlongwa se tee goba 'mothe' yo a nago le ditokelo le mesomo. |
| **Tona** | Go bolela ka Tona go mabapi le Tona ya Toka le Ditirelo tša Tshokollo. |
| **Mothe wa tlhago** | Mothe wa makgonthe, yo a fapanago le mothe wa molao goba wa semolao wa go swana le khamphani ya mohlakanelwa (bona mothe wa semolao ka mo godimo). |
| **Sehlongwa sa phraebete** | (Gape se bitšwa khamphani ya phraebete, sehlongwa, goba setheo), yo ke mothe wa tlhago goba wa semolao goba wa selekane yo a kgagatho tema goba yo a kgathilego tema ka kgwebišanong efe goba efē, kgwebo goba phro-fešene le fela ka maemo ao. |
| **Sehlongwa sa setšhaba** | (Gape se bitšwa setheo sa setšhaba, kgoro, goba sehlongwa), ye ke kgoro efe goba efe goba sehlongwa sa mmušo sa bosetšhaba, sa phrobentshe le sa selegæ. Se akaretša gape sehlongwa sefe goba sefe se se dirago mosomo goba modiro wa mmušo ka nako yeo le lego gore pego ye go bolelwago ka yona e hlamile. |
| **Pego** | Tshedimošo efe goba efe ye e gotšišwego go sa lebelewe sebopego sa yona, go akaretša, go fa mohlala, dingwalwa tše dingwadiškwe, dibidio, bjalo. Kgopelo ya peyo go sehlongwa sa setšhaba go phraebete e ka ra peyo ye e swerwego le sehlongwa seo go sa lebelele e eba sehlongwa sa se hlamile peyo yeo goba awa. |
| **Tshelete ya kgopelo** | Tshelete ye e swanetšego go lefša ya go dira kgopelo ya phihlelelo ya tshephimošo. Go dira kgopelo ya tshedimošo go sehlongwa sa setšhaba go beilwe tefelo ya mang le mang ya R35; go dira kgopelo ya phihlelelo ya tshedimošo go sehlongwa sa phraebete go beilwe tefelo ya mang le mang ya R50. *(Go hwetsa tshedimošo ka ga ditšhelete tša kgopelo le ditikollo bona Karolo ya 3 ya Tlhahli ye)*. |
| **Mokgopedi** | Mokgopedi ke mothe wa tlhago goba wa semolao yo a dirago kgopelo ya phihlelelo ya tshedimošo. Mokgopedi e ra gape mothe yo a dirago kgopelo ya tshedimošo legatong la mothe yo mongwe. |
| **Mothe wa boraro** | Mothe ofe goba ofe wa tlhago goba wa semolao yo e sego mokgopedi wa tshedimošo, goba yo e sego sehlongwa seo se kgopelwago phihlelelo ya tshedimošo. |
Lenaneo la dikhutsofatšo

Dikhutsofatšo tšo le latelago di hwetša ka mo gare ga Tlhahli ye le ka go dingwalwa tšo dingwe tša PAIA tšo di šomišwago ka tlwaelo:

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>DIO</td>
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</tr>
<tr>
<td>IO</td>
<td>Mohlankedi wa Tshedimošo</td>
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<td>ODAC</td>
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</tr>
<tr>
<td>SAHRC</td>
<td>Khomišene ya Ditokelo tša Botho ya Afrika Borwa</td>
</tr>
</tbody>
</table>
KAROLO YA 1
Matseno

Karolo ye e akaretša:

1.1 Nepo ya Tlhahli ye ya PAIA
1.2 Histori ya PAIA
1.3 Nepo ya PAIA le ka fao e ka šomišwago ka gona
1.4 Mošomo wa Khomišene ya Ditokelo tša Botho ya Afrika Borwa
1.1 Nepo ya Tlhahli ye ya PAIA

Tlhahli ye e fa tshedimošo ka ga Molao wa Twetšopele ya Phihlelelo ya Tshedimošo (PAIA) wa 2000. Tlhahli ye ya PAIA e tla thuša gape batho go dira dikgopelo tša tshedimošo ka fase ga PAIA, le go fa mehlala ya ka fao PAIA E bego e šomišwa ka gona mo nakong ye e fetichego go tšwetša pele ditokelo tša botho, ka go aba:

» Kakaretšo ye e kwešišegago gabonolo ya PAIA
» Karoganyo ya ka fao PAIA e ka šomišwago go phethagatša ditokelo tše dingwe tša botho
» Lenaneo la mehuta ya tshedimošo yeo e ka kgopelwago ka go šomiša PAIA
» Tlhahli ya kgato ka kgato ka ga ka fao o ka šomišaago PAIA go dira kgopelo ya tshedimošo
» Kakaretšo ya dithuto tše re ithutilego tšona go dikgopelo tša tshedimošo tša nakong ye e fetichego le melato ya kgorotsheko ya PAIA

1.2 Histori ya PAIA

Ge Molaotlheo wa Afrika Borwa o be o sa thalwa ka nako ye e latelago go phuhlama ka kgethologanyo ka bo 1990, mekgatlo le batho be mehtahuta ba ile ba dira lesolo la go tseynga wa tokelo ya phihelelelo ya tshedimošo. Go be go holofelwa gore go tseynga wa tokelo ye ka gare ga Molao wa Ditokelo - e lego Kgaolo ya 2 ya Molaotlheo - go tla netefatša gore dikgatako tša botho tša go swana le Kgethologanyo di ka se tsoge di hlagile gape le gatee ka ge mmušo le mekgatlo ya phraebete e ka gapeletšega go dira ka mokgwa wa boikarabelo le wa go hloka sephiri ka go fa phihelelelo go tshedimošo, gomme ka go realo e tla palela ke go fihla sephiri se se hlopho meamo ao Kgethologanyo e hlagilego ka fase ga ona.

Ka 1996, Molaotlheo wa Rephalibiki ya Afrika Borwa wa 1996 o ile wa thoma go tseynga tirišong. Karolo ya 32 e ukame tokelo ya go fihlelela tshedimošo yeo e swerwego ke bobedi dihlongwa tša setšhaba le tša phraebete. Se e bile, ka nakong yeo, karolo ya mathomo ya molao lefaseng yeo e dirilego gore go be le tokelo ya go fihlelela tshedimošo yeo e swerwego ke dihlongwa tša phraebete. Karolo ya 32 le yona e ile ya bolela gore meketo le swanetše go hlangwa go dira gore go be le tokelo ya go fihlelela tshedimošo ka go fihlelela ka botlalo ka ga ga fao tshedimošo ye e tšwago go dihlongwa tša setšhaba le tša phraebete e ka fihlelela tshedimošo ka gona, le go fa tshedimošo go tšwela pele ka ga gabaka ao ka ona sehlongwa sa setšhaba le sa phraebete di ka ganago phihelelelo go tshedimošo.

Ka 2000 Molao wa Tšwetšopele ya Phihlelelo ya Tshedimošo (PAIA) o ile wa ha molao, ka go realo wa phethagatša tlhagisgo ya karolo ya 32 ya Molaotlheo ya go hla mealo ye e amanago le phihelelelo ya tshedimošo.

1.3 Nepo ya PAIA le ka fao e ka šomišwago ka gona

Nepo ya PAIA ke go tšwetša pele phihelelelo ya tshedimošo, go gapeletša setlwaedi sa go hloka sephiri le boikarabelo ka Afrika Borwa. Godimo ga fao, PAIA, e ikemšesediše go hloheleletša temokrasi ye e lokologišego fao e lego gore batho go tšwago mathokong ka moka a bohelo ba maaltlafatšwago go rišana le mmušo le go kgatha tema ka diphethong tše di amago maphelo a bono.
Tokelo ya go fihlelela tshedimošo ke tokelo ye e swanago e nnoši ka ge e kgotšha go fihlelela ditokelo tše dingwe tša botho: ye ke ye ngwe ya ditsela tše bohlokwa kudu tše ka tšona PAIA e ka šomišwago.

Kabo ya ditirelo tša mmušo
» PAIA e ka šomišwa go maatlafatša batho ka tshedimošo yeo ka yona ba ka rwešago mmušo boikarabelo ka ga kabo ya ona ya ditirelo tša motheo tša go swana le kago ya dintlo, meetse le kelelatšhila.

Ditokelo tša molotheo tša boagi le tša sepolotiki
» PAIA e ka šomišwa go kgboketša tshedimošo yeo batho ba e šomišaša go phethagatša ditokelo tša go swana le tokelo ya go bouta le tokelo ya tokologo ya go kgbokana.

Kgethologanyo le Tekatekano
» PAIA e ka šomišwa bjalo ka sedirišwa sa tlhoheletšo ya go lwantšha kgethologanyo, go swana le kgethologanyo ye e amanago le morafe, bong, bjaloobjal, ka go ditheo tša mehutahuta tša setšhaba gaba tša phraebete.

Go bohlokwa go lemoga gore PAIA e ka se šomišwe go hwetša dipego tše di ka šomišwago nakong ya ditshepedišo tša semolao tša kgorotsheko tša mabapi le baagi le melato ye mengwe ka morago ga ge ditshepedišo tša se tša kgorotsheko di šeše di thomilwe ge šweletšo goba fihlelelo ya dipego ya lebaka lona le e hlagišwa ke molao (bona Karolo ya 7 ya Molao).

1.4 Mošomo wa Khomišene ya Ditokelo tša Botho ya Afrika Borwa

Khomišene ya Ditokelo tša Botho ya Afrika Borwa (SAHRC) e filwe mošomo ka fase ga PAIA go:
» Tšwetša pele tokelo ya pihlelelo ya tshedimošo
» Hlokomela go tšwe enywa tšereng ga PAIA ka dihlwongo tša setšhaba le tša phraebete
» Dira di tšivišyny tša go maatlafatša Molao
» Begela Palamente ngwaga ka ngwaga

Molao wa Tšhireletšo ya Tshedimošo ya Sephiri

Molao wa 4 wa Tšhireletšo ya Tshedimošo ya Sephiri wa 2013 (PPIA) o fetoša PAIA ka ditsela tše ntši. Ye ngwe ya ditsela tše bohlokwa tše Molao o fetoša PAIA e amane le mošomo wa SAHRC. Ka fase ga PPIA, mešomo ya SAHRC go latela PAIA e tša fetšetša go Molao di sa Tshedimošo, e lego se tšireletša ya Molao le Molao wa Ditokelo. Le go le tjale, SAHRC e tša tšwela pele ka ditlamago tša yona tša Molaottheo go tšwetša pele, go šireletša le go hlokomela tokelo go pihlelelo ya tshedimošo ya swana le ditokelo tše dingwe ka moka tše di ukangwego ka go Molao wa Ditokelo.
Karolo ye e akaretša

2.1 Fao o ka hwetšago ditlhahli tša mohola le dingwalwa tše di ka go thušago go dira dikgopelo tša tshedimošo

2.2 Yo o ka ikgokaganyago le yena go hwetša thušo ge o ka e hloka

2.3 Seo dihlongwa tša setšhaba le tša phraebete di kgopelwago go se dira go thuša bao ba kgopelago tshedimošo

2.4 Tshedimošo ye nngwe e hwetšagala semeetseng ka ntle le go dira kgopelo ya semmušo, karolo ye e tla fa kakaretšo ya føo o ka fihlelelago se
2.1 Go thoma

Nepo ya Molao wa PAIA ke go tšwetša pele ka mafolofolo setšhaba seo ka go sona batho ba Afrika Borwa ba nago le phihelelelo ye e šomago go tshedimošo go ba kgontšha go phethagatša ditokelo tša bona ka botlalo le go di šireletša. E u pša ka dinako tše dingwe motho a ka no se be le bonnete bja gore a ka thoma ka le gore a ka dira bjang go fihelelela tshedimošo ka tsela yeo PAIA e laelago ka gona. PAIA e bona gore bothata bjo bo ka hlaga ka moso ebile o laela gore ditlhahli tše dingwe le dingwalwa di phatlalatšwe go beakanya se o se tlago dirwa go tšwela pele go bao ba nyakago tshedimošo. Karolo ye e tla fa kakaretšo ya ditlhahli le dingwalwa tše, maikarabelo ya baphatlalatši ba ditlhahli le dingwalwa tše, le, se bohlokwa kudu, fao ba ka di hwetšago gona.

Ka nnete, ye nngwe ya didirišwa tše maatla tše motho a ka di šomišago go fihelelela tshedimošo ke kgopele ya semmušo ya tshedimošo ye e dirwago go latela PAIA, yeo tlahlihli ye e tla go thušago go e dira. Eupša gopola, se ga se mokgwana fela o nnoši wo o ka nyakago tshedimošo ka ona. Tshedimošo ye nngwe e hwetšagala semeetseng ka ntle le go dira kgopele ya semmušo ya PAIA. Mabakena a mangwe, molao o tloa o kgopele gore bobedi dihlongwa tša setšhaba le tša phraebete tše tshedimošo ye itšego phatlalatša. Karolo ye e fa kakaretšo ya fako o ka fihelelela tshedimošo gona.

PAIA e ikemišeditše go ba sengwalwa seo se maatlabatša se tla se tla se thušago MaAfrika Borwa ka moka. O ikemišeditše go ba molao wo o kwešišegago gabonolo le wo o ka šomišwago ke maga goba mang. Motho ga a hloke go ba le ramola le go dira kgopele ya semmušo mabapi le PAIA. Tlahlihli ye e phatlaladitšwe e le go thušago MaAfrika Borwa go tswa mathokong ka moka a bophelo go phethagatša tokelo ya bona ye e ukangwego ka gare ga molaotheo tša go fihelelela tshedimošo.

2.2. Tlhahli ya PAIA

Karolo ya 10 ya PAIA e nyaka gore Khomišene e ngwale le go phatlalatša tlahlihli ye e kwešišegago gabonolo go thuša go fihelelela dipelo le dingwalwa le go phethagatša tokelo ya motho go tshedimošo. Tlahlihli ye ka dinako tše dingwe e bitšwa ‘Tlhahli ya Karolo ya 10’.

E go fa tshedimošo ka moka ye o e hloko go fihelelela dipelo dife goba dife. E fa gape dintilha tša kgokagano tša dikgoro tša mmmušo le dihlongwa tše di swarelago mmmušo dipego, gammogo le dintilha tša boigokaganyo tša dikhamphani tša phraebete tše mehutahuta. Khomišene e kgopelewa gape go fela e mpshafatša tlahlihli ye bonyane gatee mengwaga ye mengwe le ye mengwe ye mebedi.

2.2.1 Fao o ka hwetšago tlahlihli gona

2.3 Dingwalwa tša PAIA

Godimo ga Tlhahli ya Karolo ya 10 ka ga PAIA yeo e tlogo ngwalwa ke Khomišene, PAIA e kgopela gore sehlongwa se sengwe le se sengwe sa setšhaba, gammogo le dihlwngwa tša phrebete, go tšweletša sengwalwa seo se nago le tshedimošo ka ga ka fao o ka šomišago PAIA go fihlelele dipego tša bona.

2.3.1 Dingwalwa tša PAIA tša dihlwngwa tša setšhaba

Karolo ya 14 ya PAIA e kgopela gore sehlwngwa tša setšhaba ka moka di phatlalatše sengwalwa ka bonyane dipolelo tša semmušo tše tharo tšeo di thušago bao ba nyakago tshedimošo go dira dikgopelo tša tshedimošo go sehlwngwa seo se amegago. Bonyane ke gore sengwalwa seo se swanetše go ba le tshedimošo ye le latelago ya mohola:

<table>
<thead>
<tr>
<th>SENYAKWA</th>
<th>TLHALOŠO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mošomo</td>
<td>Sebopego le mešomo ya sehlwngwa sa setšhaba.</td>
</tr>
<tr>
<td>Dintlha tša boikgokaganyo</td>
<td>Aterese ya poso le ya mmla, mogala le nomoro ya fekese le, ge e le gona, aterese ya imele ya mothlakeng wa tshedimošo wa sehlwngwa sa setšhaba, gammogo le ya motlatšamohlakeng wa tshedimošo yo mongwe le yo mongwe wa sehlwngwa sa setšhaba.</td>
</tr>
<tr>
<td>Tlhahli ya Karolo ya 10 ya PAIA</td>
<td>Tlhalošo ya Tlhahli ye yeo e ngwadilwego ke Khomišene ya Ditokelo tša Botho ya Afrika Borwa le ka fao o ka e fihlelelagö ka gona.</td>
</tr>
<tr>
<td>Magoro a dipego tše di swerwego</td>
<td>Tshedimošo ya maleba ya go thuša go nolofatša phihlelelo ya dipego tše di swerwego ke sehlwngwa sa setšhaba. Sehlwngwa sa setšhaba ka fao se swanetše go hlahoša diholgota tšeo e swerwego dipego tša tšona, le magoro a dipego ao a swerwego go hlogotša ye nngwe le ye nngwe.</td>
</tr>
<tr>
<td>Tshedimošo ye e hwetšagalago semeetseng</td>
<td>Tshedimošo ye nngwe e hwetšagalago semeetseng ka ntle le gore motho a kgopela phihlelelo ya yona go latela PAIA. Sengwalwa sa sehlwngwa sa setšhaba se swanetše go laetša tshedimošo ye yeo e hwetšagalago semeetseng.</td>
</tr>
<tr>
<td>Ditirelo tša sehlwngwa sa setšhaba</td>
<td>Tlhalošo ya ditirelo tše di hwetšwago ke maloko a setšhaba go tšwa go sehlwngwa sa setšhaba, le ka fao ba ka hwetšago phihlelelo go ditirelo tšeo.</td>
</tr>
<tr>
<td>Go kgatha tema ga setšhaba</td>
<td>Tlhalošo ya thušagany o goba tlhagišo efe goab efe ye gore motho a ikgokaganye, a dire ditlhagišo goba a kgathe tema ka go go a huetše go hlangwa ga melawana; goba go phethagatša ga maatla goba ga phethagatšo ye mešomo ke sehlwngwa sa setšhaba.</td>
</tr>
<tr>
<td>Kimollo</td>
<td>Kgato ye o ka e tšeago ge e le gore mohlankedi wa tshedimošo wa sehlwngwa sa setšhaba o gana go go fa phihlelelo ya tshedimošo.</td>
</tr>
</tbody>
</table>
2.3.2 Fao o ka hwetšago sengwalwa sa sehlongwa sa setšhaba

Dihlongwa tša setšhaba ka moka di swanetše go dira gore o hwetše sengwalwa seo gabonolo. Bonyane ke gore di kgopelwa go dira bjalo ka ditsela tše di latelego:

- Ka go dira gore khopi e hwetšagale ka kantorong ye ngwwe le ye ngwwe ya sehlongwa seo sa setšhaba ka nako ya diiri tša mošomo;
- Ka go dira gore sengwalwa seo se hwetšagale wepsaeteng, ge e le gona, ya sehlongwa sa setšhaba

Ka ge go boletšwe ka mo godimo, Molao wa 4 wa 2013 wa Tšhireletšo ya Tshedimošo ya Sephiri (PPIA) o feto ša PAIA ka ditsela tše mmalwa. Ye ngwwe ya tšona ke mabapi le dingwalwa tša Karolo ya 14 tša dihlongwa tša setšhaba. Ka fase ga PPIA dingwalwa tše di tla swanelwa ke go išwa go Khomišene ya Ditokelo tša Botho ya Afrika Borwa, eupša di swanetše go hwetšagala inthaneteng fela le gore dirwa gore di hwetšwe ke motho mang goba mang yo a kgopelago khopi.

2.3.3 Dingwalwa tša PAIA tša dihlongwa tša phraebete

Dihlongwa tša phraebete le tšona di kgopelwa go ngwala sengwalwa go latela karolo ya 51 ya PAIA. Mo lebakeng le, ga se dihlongwa ka moka tša phraebete tše di kgopelwago go obanela karolo ye.1 Ka fao, o ka hwetša gore sehlongwa seo o nyakago go kgopela tshedimošo go sona ga se na sengwalwa seo se ka go fago sona. Se ga se re gore sehlongwa seo ga se laolwe ke PAIA ka kakarešo. O ka tšwela pele go dira kgopelo ya tshedimošo go sehlongwa se gomme se se kgopelwa ke molao go šoma kgopelo ya gago. Tshepedišo ya go dira kgopelo ya tshedimošo go latela PAIA e dula e swana, le ge e le gore dihlongwa tše di kgopelwago di lokollotšwe go se ngwale sengwalwa seo.

NAA KE DIHLONGWA DIFE TŠA PHRAEBETE TȘE DI SA GAPELETŠEGEGO GO PHATLALATŠA SENGWALWA SA TSHEDIMOŠO?

Ka fao PAIA e ngwadilwego ka gona ke go kgopela dihlongwa tša phraebete KA MOKA go ngwala sengwalwa. Le ge go le bjale, Tona a ka lokolla dihlongwa tše dingwe tša phraebete goba magoro a dihlongwa gore di se ke tša phatlalatša sengwalwa. Mo lebakeng le, Tona o lokollotše dihlongwa tša phraebete KA MOKA gore di se ke tša gapeletšega go ngwala dihlongwa tše mo lebakeng la nako la mengwaga ye mehlano go thoma ka la 1 Janewear 2016 KA NTLE LE GE sehlongwa seo se wela ka gare ga magoro ao a filwego ke mo fase.

---

1 Se se fetogile ka la 31 Desemere 2015, ge dihlongwa tša phraebete ka moka di tla swanelwa ke go ba le dingwalwa go latela karolo ya 51 ya PAIA.
Dikhamphani tše di latelago tša phraebete di swanetše go ngwala sengwalwa sa PAIA ge e le gore di thwetše bašomi ba go feta ba 50 ka diintastering tše di latelago goba ge di na le letseno la ngwaga ka ngwaga leo le fetago tšhelete ye e fIwego:

<table>
<thead>
<tr>
<th>INTASTERI</th>
<th>LETSENO LA NGWAGA KA NGWAGA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temo</td>
<td>R2 milione</td>
</tr>
<tr>
<td>Meepo le Maqgwara</td>
<td>R7 milione</td>
</tr>
<tr>
<td>Botšweletši</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Mohlagase, Gase, le Meetse</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Boagi</td>
<td>R5 milione</td>
</tr>
<tr>
<td>Bogwebi le Kgwebo ya Difatanaga le Ditirelo tša Tokišo</td>
<td>R15 milione</td>
</tr>
<tr>
<td>Kgwebo ya Holeseile, Badiredi ba tša Kgwebo le Ditirelo tša Dilogwa</td>
<td>R25 milione</td>
</tr>
<tr>
<td>Boapedi, Madulo le Kgwebo ye Nngwe</td>
<td>R5 milione</td>
</tr>
<tr>
<td>Polokelo le Dikgokagano</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Ditirelo tša Ditšhelete le tša Kgwebo</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Ditirelo tša Setšhaba, tše Kgethegilego le tša Setho</td>
<td>R5 milione</td>
</tr>
</tbody>
</table>

Tona o boletše gape gore dikhamphani ka moka tšeo di sa hlalošwego bjalo ka ‘dikhamphani tša phraebete’ ka fase ga karolo ya 1 ya Molao wa Dikhamphani wa 71 wa 2008 di kgopelwa go ngwala sengwalwa sa Karolo ya 51.

2.3.4 Fao o ka hwetšago sengwalwa sa sehlongwa sa phraebete

Dihlongwa tša phraebete ka moka tše di kgopelwago go ngwala sengwalwa di swanetše go dira gore o kgone go hwetša sengwalwa seo gabonolo. Bonyane ke gore, di kgopelwa go dira bjalo ka ditsela tše di latelago:

» Ka go dira gore khopi e hwetšagale go tla go hlahlobja ka kantorong ye nngwe le ye nngwe ya sehlongwa seo sa phraebete ka diiri tša mošomo. Sehlongwa sa phraebete ga se sa swanela go lefiša tšhelete ya go hlahloba sengwalwa;

» Ka go dira gore sengwalwa seo se hwetšagale wepsaeteng ya bona.

2.3.5 Ka fao o ka obamelago ka gona ge o le sehlongwa sa phraebete

Go na le tlhahlo ye mohola go bahlankedi ba tshedimošo ba dikhamphani tša phraebete tšeo di nyakago go obamela Karolo ya 51 ya PAIA wepsaeteng ya Khomišene ya Ditokelo tša Botho ya Afrika Borwa (www.sahrc.org.za). Yona e akaretša thempoleite ye bahlankedi ba tshedimošo ba ka e šomišago bjalo ka peakanyetšo ya ka moso.
Go ya ka karolo ya 51, hlogo ya sehlongwa sa phraebete e swanetše:

- Go mpshafatša diphetšo dife goba dife tša dingwalwa godimo ga sengwalwa kgafetšakgafetša;
- Go dira gore sengwalwa se hwetšagale ka fao go beilwego ka gona ke Molao ka dikantorong tša khamphani wepsaeteng ya bona;
- Go tsenya foromo ya kgopelo (Foromo ya C ya PAIA) ka menyualeng le go dira gore diforomo tša kgopelo di hwetšagale wepsaeteng le ka mafelong ka moka a khamphani.

Sengwalwa se swanetše bonyane se be le tshedimošo ye e latelago:

<table>
<thead>
<tr>
<th>SENYAKWA</th>
<th>TLHALOŠO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dintlu tša boikgokaganyo</td>
<td>Aterese ya poso le ya mmila, mogala le nomoro ya fekese le, ge e le gona, aterese ya imeile ya mohlankedi wa tshedimošo wa sehlongwa sa phraebete.</td>
</tr>
<tr>
<td>Tshedimošo ye e hwetšagalago semeetseng</td>
<td>Tshedimošo ye nngwe e hwetšagala semeetseng ka ntle le gore motto a kgopele phihlelelo ya yona go latela PAIA. Sengwalwa sa sehlongwa sa phraebete sa swanetše go laetša tshedimošo ye yeo e hwetšagalago semeetseng.</td>
</tr>
<tr>
<td>Dipego tše di hwetšagalago ge di kgopelwa</td>
<td>Sengwalwa sa Karolo ya 51 se swanetše go fa magoro a dipego tše di hwetšagalago ge di kgopelwa.</td>
</tr>
<tr>
<td>Tshepedišo ya PAIA</td>
<td>Efa tshepedišo ya PAIA ye e swanetše go latelwa go kgopela phihlelo ya tshedimošo go tšwa go khamphani ya phraebete (ke gore, Foromo ya C).</td>
</tr>
<tr>
<td>Tshedimošo ya Khamphani</td>
<td>Go akareteša dintlu tša hlogo ya khamphani goba tša Mohlankedimogolophethiši wa khamphani (ka ge go ya ka PAIA Mohlankedi wa Tshedimošo wa Khamphani ya phraebete ka tiwaelo ke Mohlankedimogolophethiši goba hlogo).</td>
</tr>
<tr>
<td>Ditšhelete</td>
<td>Efa ditšhelete tšeo di lefago ke mokgopedi le tša phihlelelo go latela PAIA (bona Karolo ya 3 go hwetša tshedimošo ka bottalo).</td>
</tr>
<tr>
<td>Kimollo</td>
<td>Naa ke dikimollo dife tšeo di hwetšwago ke bakgopedi ge kgopelo ya bona ya tshedimošo e gannwe?</td>
</tr>
<tr>
<td>Dintlu go tšwela pele</td>
<td>Dintlu dife goba dife go tšwela pele tše di amanago le dikgopelo tša phihlelelo ya dipego.</td>
</tr>
</tbody>
</table>
2.4 Tshedimošo ye e hwetšagalagago semeetseng ye e swerwego ke sehlongwa sa setšhaba

Ga se tshedimošo ka moka ye e nyakago gore kgopelo ya semmušo e fhilelelewe. Dihlongwa tša setšhaba tša mehutahuta di kgopelwa ka mokgwa wa melao ye e fapafapano gore dira gore tshedimošo ye itšego e hwetšwe ke setšhaba. Dihlongwa tše ntši di tla tsebagatša ga pe tshedimošo ye ngwwe go tšwela pele ka boithaopo ka maikemišetšo a go hloka sephiri, a boikarabelo le fao e hwetšagalago gabonolo go setšhaba. Ka nepo ya go tšwetša pele go tsebagatša tshedimošo ka boithaopo go go noloMATša phihlelele ye kgolo mo tshedimošong ye, Karolo ya 15 ya PAIA e kgopela gore dihlongwa tša setšhaba ka moka di phatlalatše lenaneo, leo le bitšwago ‘tsebišo ya Karolo ya 15’ goba ‘tsebišo ya tsebagatšo ka boithaopo’, ya tshedimošo ka moka ye e emanago le sehlweng seo yeo e ka hwetšwago ke mang goba mang semeetseng.

Mohlankedi wa tshedimošo wa sehlweng sa setšhaba o kgopelo ya hwetšagalago kgopelo ya setšhaba, gomme a dire gore e hwetšagalago e dikantorong tša sehlweng wa tša setšhaba gammogo le go e phatlalatša ga kare ga Kuranta ya Mmušo. Tsebišo ya go tsebagatša tshedimošo ka boithaopo e swanetše go tsebagatša tshedimošo ka boithaopo, gomme wa tseba ge eba pego ye o e nyakago e hwetšagalago semeetseng. Mabakeng a mantši, go nyakega tšhelete ya gore kgopelo yeo ya semmušo e šongwe gomme se se ka tšea go fihla ka mabotši a 30. S e se ka ekgwa ge o ka thoma ka go bala tsebišo ya go tsebagatša tshedimošo ka boithaopo gomme wa tseba ge eba pego ye o e nyakago e hwetšagalago semeetseng goba aowa.

Le ge e le gore ka kgapeletšo ya demolao gore sehlweng sa setšhaba se phatlalatše tsebišo ya go tsebagatša tshedimošo ka boithaopo, ga se ‘boithaopo’. Tsebišo ye e bitšwago ‘tsebišo ya go tsebagatša ka boithaopo’ ka gobane e fa tsebišo ya tshedimošo ka moka ye e tsebagaditšwego ka boithaopo, e sego ka gore go tša go sephetho sa mohlankedwa tshedimošo ge eba o phatlalatša lenaneo leo goba aowa.

» Go hlahlobja go latela melao efe goba efe ye e sego PAIA
» Go reka goba go kopisha go tšwa sehlweng sa setšhaba; le
» Go tšwa sehlweng sa setšhaba ka ntle le tefo.


Le ge e le gore ka kgapeletšo ya demolao gore sehlweng sa setšhaba se phatlalatše tsebišo ya go tsebagatša tshedimošo ka boithaopo, ga se ‘boithaopo’. Tsebišo ye e bitšwago ‘tsebišo ya go tsebagatša ka boithaopo’ ka gobane e fa tsebišo ya tshedimošo ka moka ye e tsebagaditšwego ka boithaopo, e sego ka gore go tša go sephetho sa mohlankedwa tshedimošo ge eba o phatlalatša lenaneo leo goba aowa.
2.5 Tshedimošo ye e hwetšagalagago semeetseng ye e swerwego ke khamphani goba sehlongwa sa phraebete

Se se no swana le ka mo legorong le mabapi le tshedimošo ye e hwetšagalagago semeetseng go swana le ka go tshedimošo ye e swerwego ke sehlongwa sa setšhaba ka ntle le go dira kgopelo ya semmušo. Pele o ka dira kgopelo ya semmušo ya tshedimošo go latela PAIA ye go nago le kgonagalagago ya gore e ka nyaka tefelo ya tšelete le lebaka la nako la go leta la matšatši a 30, go bohlokwa go tseba ge eba tshedimošo ye e šetše e tsebagaditšwe le gore e hwetšagalagago semeetseng ka ntle le go dira kgopelo ya semmušo.

Hlogo ya sehlongwa sa phraebete e ka, ka boithaopo le ka dinakong tše dingwe, hlama lenaneo la tshedimošo ye e hwetšagalagago semeetseng go sehlongwa sa phraebete ka ntle le go dira kgopelo ya semmušo. Lenaneo le le bitšwa ‘tsebišo ya karolo ya 52’ goba ‘tsebišo ya go tsebagatša ka boithaopo.’

Go fapana le sehlongwa sa setšhaba fao bahlankedi ba tshedimošo ba swanetsšego go phatlalatša tsebišo ya go stebagatša ka boithaopo, mohlankedi wa tshedimošo wa sehlongwa sa setšhaba ga a gapeletsšego go dira bjalo. Ka ge PAIA e hlaloša, a “ka, ka boithaopo” phatlalatša lenaneo le. Se ke phapane e kgolo magareng ga tsebišo ya karolo ya 52 ya dihlongwa tša phraebete e na le magoro a dipego le tlhalošo ya dipego tšeo tše di hwetšagalagago semeetseng:

- Go tla go hlalošiwa go latela melao efe goba efe ye e sego ya PAIA;
- Go reka goba go kopišwa go sehlongwa sa setšhaba; e
- Go sehlongwa sa setšhaba ka ntle le tefišo.

Tsebišo ya go tsebagatša tshedimošo ka boithaopo ya sehlongwa sa phraebete e na le magoro a dipego le tlhalošo ya dipego tšeo de tsebagatša tshedimošo ye e hwetšagalagago semeetseng.
KAROLA YA 3
Ka fao o ka dirago kgopelo ya go fihlelela tshedimošo

Karolo ye e akaretša tše di latelago:

3.1 Mehuta ya kgopelo

3.2 Ditšhelete tše di amanago le go dira dikgopelo

3.3 Mošomo wa Mohlankedi wa Tshedimošo

3.4 Kimollo ya semolao
3. Naa ke dira bjang kgopelo ya PAIA?

Kgopelo ya go fihlelela tshedimošo e ka dirwa go bobedi dihlongwa tša setšhaba le tša phraebete. Motho yo a dirago kgopelo o tsebja bjalo ka “mokgopedi”. PAIA e fa ka botlalo mekgwa ye e fapafapanego ya go fihlelela tshedimošo go sehlongwa sa setšhaba goba sa phraebete. Diforomo tše di beliwe go diwanetše go šomišwa ge go kgopelwa tshedimošo. Diforomo tše di ka hwetšwa go PAIA.

<table>
<thead>
<tr>
<th>MOHUTA WA SEHLONGWA</th>
<th>FOROMO YA PAIA</th>
<th>KAROLO YA PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sehlongwa sa setšhaba</td>
<td>Foromo ya A</td>
<td>Karolo ya 18</td>
</tr>
<tr>
<td>Sehlongwa sa phraebete</td>
<td>Foromo ya C</td>
<td>Karolo ya 53</td>
</tr>
</tbody>
</table>


3.1 Naa ke mang yo a ka dirago kgopelo ya PAIA?

Motho ofe goba ofe o dumeletšwe go dira kgopelo ka fase ga PAIA. Mokgopedi a ka ba:

**Motho wa tlhago**
- motho yo ga a gapeletše ge go ba modudi wa Afrika Borwa goba yo a phelago ka Afrika Borwa

**MOBA**

**Motho wa semolao**
- go swana le kgwebo goba mokgatlo

**MOBA**

**Motho yo a šomago legatong la motho wa tlhago goba wa semolao**

Mokgopedi o na le tokelo ya go fihlelela tshedimošo ya sephiri ka ga mokgopedi ka boyna, goba ka ga motho yoo kgopelo e dirwago legatong la gagwe.

Sehlongwa sa setšhaba se bonwa bjalo ka motho wa semolao gomme se ka dira kgopelo ya go fihlelela dipego te di swerwego ke dihlongwa tša phraebete, **ge fela** sehlongwa sa setšhaba se (1) šoma legatong la kgahego ya setšhaba, le (2) ge dipego di nyakwa go phethagatša goba go šireletša ditokelo dife goba dife tše e sego tša sehlongwa sa setšhaba.

Go bohlokwa go lemoga gore PAIA ga e tloge e hlagišetša dikgoro tša mnušo (go akaretšwa tša bosetšhaba, tša diprohentshe le tša makala a phrobentshe), le motho ofe goba ofe goba sehlongwa seo se phethagatša go maatla goba dirago mošomo go latela Molaotheo, (go swana le SAHRC le Kantoro ya Mošireletši wa Setšhaba), goba molaotheo wa phrobentshe (go swana le Lekgotla la go Aba Dilaesentshe tša Bjala la ka Kapa Bodikela), go dira dikgopelo tša PAIA go dihlongwa tše dingwe tša setšhaba.
3.1.1 Naa ke tlatša bjang foromo ya kgopelo ya PAIA?

Kgopelo ya go fihlelela tshedimošo ye e swerwego ke sehlongwa sa setšhaba le sa phraebete e dirwa ka go tlatša foromo ya kgopelo ya PAIA gomme ya romelwa go sehlongwa seo se amegago. Kgopelo go PAIA e swanetše go lebišwa go Mohlankedi wa Tshedimošo, go Motlatšamohlankedi wa Tshedimošo goba go Hlogo ya sehlongwa sa setšhaba goba sa phraebete, gomme o swanetše go šomiša dintilha tša boikgokaganyo tše di nepagetšego le tša moragorago.

Godimo ga go fa dintilha ka ga sehlongwa sa maleba, foromo ye e beilwego ya kgopelo ya PAIA e akaretša tše di latelago:

<table>
<thead>
<tr>
<th>TSHEDIMOŠO YE E NYAKEGAGO</th>
<th>TLHALOŠO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dintlha tša mokgopedi</td>
<td>Tshedimošo ye e lekanego ka ga mokgopedi go dira gore go be bonolo go tseba mokgopedi, go akaretša dintilha tša boikgokaganyo tša mokgopedi: atere se ya poso, atere se ya imeile, fekese le/goba nomoro ya mogala ka Afrika Borwa.</td>
</tr>
<tr>
<td>Dintlha tša peyo ye e kgopelwago</td>
<td>Tshedimošo ye e lekanego ya go dira gore go be bonolo go tseba peyo. Letlakala la tlaletetsa le ka šomiša wa ngwala kgopelo ka botlalo, le fela letlakala le lengwe le le lengwe la tlaletetsa le ka saenwa gomma la tsenywa go foromo ya kgopelo.</td>
</tr>
<tr>
<td>Mokgwa wa go fihlelela peyo</td>
<td>Tlahošo ya mokgwa goba tselo yeo ka yona peyo e swanetšego go fiwa ka yona goba e ka dirwago gore e hwetšagale ka yona.</td>
</tr>
<tr>
<td>Mokgwa wo o ka tsebišago mokgopedi ka ga pihlelelo ya peyo</td>
<td>Tselo yeo o ka tsebišago mokgopedi ka ga sephetho sa go dumela goba sa go gana kgopelo yeo.</td>
</tr>
<tr>
<td>Kgetho ya polelo</td>
<td>Ge kgopelo e dirwa go sehlongwa sa setšhaba, polelo ye o nyakago go hwetša peyo ka yona e swanetše go fiwa.</td>
</tr>
<tr>
<td>Mabaka ao motho yo a dumeletšwego yo a dirago kgopelo a e dirago ka ona</td>
<td>Ge kgopelo e dirwa legatong la motho yo mongwe, bohlatse bja mabaka ao motho yo a dirago kgopelo ka ona a swanetše go fiwa (yo a tsebjago bjalo la motho yo a dumeletšwego).</td>
</tr>
<tr>
<td>Ditokelo tše di amegago</td>
<td>Ge kgopelo e dirwa go sehlongwa sa phraebete, mokgopedi o swanetše go fa tokelo ye e amegago gomme a hlaloše gore ke ka lebaka la eng kgopelo e nyakwa go phethagatša goba go šireletša tokelo yeo.</td>
</tr>
</tbody>
</table>

Bakgopedi bao ba palelwago ke go bala goba go ngwala ba ka dira dikgopelo ka molomo go Mohlankedi wa Tshedimošo goba go Motlatšamohlankedi wa Tshedimošo wa sehlongwa sa setšhaba, yo ka morago a nago le maikarabelo a go tlatša Foromo ya A legatong la mokgopedi.
3.1.2 Naa go na le tshepedišo ye e swanetšego go latelwa ge o dira kgopelo ya PAIA?

Mokgopedi os wanetše go fiwa phihelelo go dipego tše di kgopetšwego, ge fela a obametše dinywakwa tše di latelago tša tshepedišo:

» Kgopelo ya PAIA e swanetše go dirwa foromong ye e nepagetšego (Foromo ya A ya dihlongwa tša setšhaba, Foromo ya C ya dihlongwa tša phraebete), gomme e lebišwe go Mohlankedi wa Tshedimošo goba go Motlatšamohlankedwa Tshedimošo wa sehlongwa sa setšhaba goba sa phraebete, goba go Hlogo ya sehlongwa sa setšhaba goba sa phraebete.

» Foromo ya kgopelo ya PAIA e swanetše go dipego tše di lefšago ka letsegwa ka lefšago, e poswe, e fekeswe goba e romelwe ka emeile go sehlongwa sa setšhaba goba sa phraebete se kgopelo e dirilwego go sona.

» Dipego tše di kgopetšwego ga di angwe ke mabaka a go gana kgopelo ao a filwego ka fase ga PAIA.

3.2 Naa tshenyegelo ya go dira kgopelo ya PAIA ke bokae?

Bakgopedi ba kgopela le ka kgopela go lefa tšhelete ye e lefišwago ge ba kgopela phihelelo ya dipego go tšwa go bobedi sehlongwa sa setšhaba le sa phraebete.

Tšhelete ye e lefišago ya go kgopela dipego go sehlongwa sa setšhaba ke R35, mola e le gore tšhelete ye e lefšago ya go kgopela dipego go sehlongwa sa phraebete ke R50.

Go bohlokwa go lemoga gore bakgopedi bao ba kgopelago phihelelo ya tshedimošo ya bona ya sephiri ba lokollwa go lefa tšhelete; le ge go le bjale, ba sa kgopela le ka lefa tšhelete ya phihelelo.

Bakgopedi bao ba hwetšago letseno la ka fase ga R14, 712 ka ngwaga (ge ba se ba nyalana) le bao ba hwetšago R27,192 ka ngwaga (ge ba nyetše/nyetšwe goba ba le selekaneng sa bophelo), ga SE ba swanela go lefa ditšhelete tša kgopelo.
3.2.1 Naa tshenyegelo ya go fihlelela dipego ka fase ga PAIA ke bokae?

Bakgopedi ba kgopelwa gape go lefa ditšhelete tša go fihlelela dipego tša seholongwa sa setšhaba le sa phraebete. Tšhelete ye e akaretša ditshenyegelo tša go nyaka pego le go e kopiša.

Ditšhelete tše di lešago tša go fihlelela dipego tše di swerwego ke seholongwa sa setšhaba ke:

<table>
<thead>
<tr>
<th>MOŠOMO</th>
<th>TŠHELETE YE E LEFŠAGO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khopi ya Letlakala la A4</td>
<td>Disente tše 60</td>
</tr>
<tr>
<td>Go prhintha letlakala la A4</td>
<td>Disente tše 40</td>
</tr>
<tr>
<td>Khopi ye e lego go CD</td>
<td>R40</td>
</tr>
<tr>
<td>Go ngwalolla diswantšho tša go bonwa ka letlakala la A4</td>
<td>R22</td>
</tr>
<tr>
<td>Khopi ya seswantšho sa go bonwa</td>
<td>R60</td>
</tr>
<tr>
<td>Go ngwalolla kgatišo ya mantšu ka letlakala la A4</td>
<td>R12</td>
</tr>
<tr>
<td>Khopi ya kgatišo ya mantšu</td>
<td>R17</td>
</tr>
<tr>
<td>Go nyaka le go lokiša pego go tlo e tsebagatša</td>
<td>R15 ka iri goba karolo ya yona, go sa akaretšwe iri ya mathomo, yeo go nyakegago ka mabaka go e nyaka le go e lokiša</td>
</tr>
</tbody>
</table>

Ditšhelete tše di lešago tša go fihlelela dipego tša seholongwa sa phraebete ke:

<table>
<thead>
<tr>
<th>MOŠOMO</th>
<th>TŠHELETE YE E LEFŠAGO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khopi ya Letlakala la A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Go prhintha letlakala la A4</td>
<td>Disente tše 75</td>
</tr>
<tr>
<td>Khopi ye e lego go CD</td>
<td>R70</td>
</tr>
<tr>
<td>Go ngwalolla diswantšho tša go bonwa ka letlakala la A4</td>
<td>R40</td>
</tr>
<tr>
<td>Khopi ya seswantšho sa go bonwa</td>
<td>R60</td>
</tr>
<tr>
<td>Go ngwalolla kgatišo ya mantšu ka letlakala la A4</td>
<td>R20</td>
</tr>
<tr>
<td>Khopi ya kgatišo ya mantšu</td>
<td>R30</td>
</tr>
<tr>
<td>Go nyaka le go lokiša pego go tlo e tsebagatša</td>
<td>R30 ka iri goba karolo ya yona, go sa akaretšwe iri ya mathomo, yeo go nyakegago ka mabaka go e nyaka le go e lokiša</td>
</tr>
</tbody>
</table>

Ditšhelete tše di lešiwago tša poso tše di swanetšego go leša ke mokgopedi gore go tlīshe dipego tša bona sebakeng sa ge le diholongwa tša setšhaba le tša phraebete.
Go se akaretswe

Ge Mohlankedi wa Tshedimošo, Motlatšamohlankedi wa Tshedimošo, goba Hlogo ya sehlongwa sa setšhaba/sa phraebete a naganagore gore go kgboketša le go tšwetšwa leswa ga dingwa lwa go tlo tšea nako ya go feta diiri tse tshela, o swanetsa go tsebiša mokgopedi, (ka tsebišo ya semmušo), gore tee-tharong ya tšhelete ya phihelelelo e swanetsa go lefa pele ga nako bjalo ka tepositi.

Ge e le gore pego ga e fiwe ka mokgwa wo e kgotsetšwe ka yona, tšhelete ye e lefišwago mokgopedi ya phihelelelo ga se ya swanela go feta tšhelete ye e ka bego e lefišišwe ge phihelelelo e be e tla fiwa ka mokgwa wu o bego e kgotsetšwe ka yona. Le ge go le bjale, molawana wa ga o šome ge mokgwa o mongwe o nyakwa ka gobane tshedimošo e swanela go tlošwa go tlošwa dipegong.

Ge e le gore mokgopedi ga a kgone go bala, go lekodišiša go kwa kgo pego ka mokgwa wo e swerego ke sehlongwa sa setšhaba ka ona ka lebaka la bogole, sehlongwa sa setšhaba se kgelwana go fa pego yeo ka mokgwa wu o phihelelwego ka yona. Le ge e le gore dipego ga se tša ba karolo ya kgopelo ya mathomong.

Fa mokgopedi tshedimošo ya maleba fao go kgonagalago

Ge kgopelo ya PAIA e dirwa go sehlongwa sa setšhaba, Mohlankedi wa Tshedimošo goba Motlatšamohlankedi wa Tshedimošo o swanetsa go thọsa fao go hlokegago gona go tlatša diforomo tša PAIA.

Thušo yeo e swanetsa go fiwa ka ntle le tefo.

### 3.3 Naa Mohlankedi wa Tshedimošo a ka nthuša go dira kgopelo ya PAIA?

Ge kgopelo ya PAIA e dirwa go sehlongwa sa setšhaba, Mohlankedi wa Tshedimošo goba Motlatšamohlankedi wa Tshedimošo o swanetsa go thọsa fao go hlokegago gona go tlatša diforomo tša PAIA.

<table>
<thead>
<tr>
<th>MEŠOMO YA BAHLANKEDI BA TSHEDIMOŠO</th>
<th>TLHALOŠO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thuša mokgopedi go tlatša diforomo tša PAIA</td>
<td>Ge kgopelo ya PAIA e sa latele dinyakwa ka moka tše di beilwego tše di ngwadiwego ka go PAIA le godimo ga foromo, Mohlankedi wa Tshedimošo goba Motlatšamohlankedi wa Tshedimošo GA sa a swanela go gana kgopelo. Sebakeng seo, Mohlankedi wa Tshedimošo o swanetsa go tsebiša mokgopedi, ka go ngwala, gore o kgona go dumelela kgopelo yeo ka gobane ga se ya felela, gomme a thuša mokgopedi go dira diphethošo tše di hlokagalago godimo ga foromo. Ge mokgopedi a sa fetole lengwalo leo goba a sa phošolle foromo yeo ka nako ye e kwagalago, gona Mohlankedi wa Tshedimošo a ka gana kgopelo yeo.</td>
</tr>
<tr>
<td>Fa mokgopedi tshedimošo ya maleba fao go kgonagalago</td>
<td>Ge go kwagala le ge go kgonagalaga go dira bjalo, Mohlankedi wa Tshedimošo o swanetsa go fa mokgopedi tshedimošo efe goba efe ye e swerwego ke sehlongwa sa setšhaba yeo gape e lego maleba go kgopelo, le ge e le gore dipego ga se tša ba karolo ya kgopelo ya mathomomng.</td>
</tr>
<tr>
<td>Fetšetša kgopelo</td>
<td>Ge kgopelo ya PAIA e dirwa go sehlongwa sa setšhaba se se phošagetešego, Mohlankedi wa Tshedimošo wa sehlongwa se o swanetsa go fetšetša kgopelo yeo go sehlongwa sa setšhaba seo se nepagetešego mo matšatšing a 14 a 14 ka morago ga go amogela kgopelo gomme o swanetsa go tsebiša mokgopedi ka ga phetšetša yeo ya kgopelo ka go mo ngwalela lengwalo.</td>
</tr>
</tbody>
</table>
Matšatši a 30 a go fetola kgopelo

Kgopelo ya PAIA e e swanetše go fetolwa ke seholongwa sa setšhaba goba sa phraebete mo matšatsing a 30 ka morago ga go amogela kgopelo. Mohlankedi wa Tshedimošo a ka kgpela gore nako ya go fetla lengwalo leo e katološwe matšatši a tlaleletšo ao a sa fetego a 30, gomme ka mabaka a itšego, ao a akarešago (1) dingwalwa tše kgolo, (2) ka go rerisha le diholongwa tše dingwe tša setšhaba le tša phraebete, (3) goba ge e le gore mokgopedi o file katološo ka go ngwala. Go dumelešwe føla katološo e tee ka kgpelo ya PAIA.

Go dumelela goba go gana phihlelelo

Ke maikarabelo a Mohlankedi wa Tshedimošo go dumelela goba go gana phihlelelo ya dipego. Sephetho se se swanetše go tsebišwa mokgopedi ka go ngwala.

Mokgwa wa phihlelelo, tšhelete ye e lefšwago ya phihlelelo le kimollo

Ge kgopelo ya PAIA e e dumelelwa, Mohlankedi wa Tshedimošo o swanetše go tsebiša mokgopedi ka ga mokgwa wo phihlelelo ya pego e tlogo fiwa ka ona le tšhelete ye e lefšwago ya phihlelelo ya pego, ye e swanetsego ge lefša ge phihlelelo e se no fiwa. Tsebišo ye e swanetše go tsebiša mokgopedi gape gore o na le tokelo ya go dire boipelaetšo bja ka gare le go dira kgopelo go kgorotsheko kgahlanong le tšhelete ya phihlelelo ye e lefša is go kgahlanong le mokgwa wo phihlelelo ya pego e tlogo fiwa ka ona. Godimo ga fao, tsebišo e swanetše go fa gape tshedimošo ka ga nako yeo ka yona boipelaetšo goba kgopelo ya kgorotsheko e swanetsego go dinwa ka yona gammole le tshepedišo ye e swanetsego go latelwa.

Go gana kgopelo

Ge kgopelo ya PAIA e ka ganwa, tsebišo ye e fiwago mokgopedi e swanetše go bolela mabaka a go gana, gomme a swanetše go thekgwa ke didlhagisino tša maleba tša PAIA. Go swana le mokgwa goba phihlelelo le tšhelete ya phihlelelo ye e lefšago, tsebišo e swanetše go fa mokgopedi tshedimošo mabapi le tokelo ya gagwe ya go dira boipelaetšo bja sephetho seo goba ya go dire kgopelo go kgorotsheko.

Go fega go lokollwa ga pego

Mohlankedi wa Tshedimošo a ka tšea sephetho sa go fega go lokollwa ga pego ya go mokgopedi go latela Karolo ya 24 ya PAIA, ge e le gore pego yeo e ikemišeditše goba e tša phatlalatšwa mo matšatsing a 90 goba ge e le gore pego yeo go nyakwa ke molao gore e phatlalatšwe eupša e se yona hiwa e phatlalatšwa.

PAIA e bolela ka go Karolo ya 23 (ya seholongwa sa setšhaba) le ya 55 (ya seholongwa sa phraebete) gore ge e le gore Mohlankedi wa Tshedimošo o palela ke go hwetsa dipego tše itšego tše di kogopetswe, goba go duneliwa gore ga di gona, Mohlankedi wa Tshedimošo o swanetše, ka morago ga go netefatša gore magato ka moka ao a kwagalago a naykilwe go hwetsa pego yeo, a romele abitabiti go mokgopedi a efa tsebišo ya gore dipego tše di nyakwago ga di gona goba ga di hwetsagale. Abitabiti yeo e swanetše go ngwala ka botlalo kudu.
3.4 Naa ke dikimollo dife tša semolao tše ke nago le tšona ge kgopelo ya ka ya PAIA e ganwa?

Mokgopedi o na le tokelo ya go tšea dikgato tša semolao kgahanong le Mohlankedi wa Tshedimošo, Motlatšamohlankedi wa Tshedimošo, goba Hlogo ya sehlongwa sa setšhaba goba sa phraebete ge Mohlankedi wa Tshedimošo a tšere sephetho sa go:

» Gana phihlelelo go pego
» Katološa nako ya go fetola kgopelo
» Lefiša tšhelete ya kgopelo goba tšhelete ya phihlelelo ya pego
» Fa phihlelelo go pego ka mokgwao wo o fapanego le wo o kgopetšwe go mathomong.

Karolo ye e tša hlašo dikimollo tša semolao tše bakgopedi ba ka di hwetsago bao ba ratago go ganetšana le sephetho sa Bahlankedi bsa Tshedimošo.

3.4.1 Kimollo ya Semolao kgahanong le Dihlongwa tša Setšhaba

Ge mokgopedi a se a thabišwa ke sephetho seo se tšerwego ke Mohlankedi wa Tshedimošo wa sehlongwa sa setšhaba, mokgopedi o na le tokelo ya go dira boipelaetšo bja ka gare. Boipiletešo bja ka gare bo dirwa ke motho wa maemo a godimo kudu yo o lekodišišago sephetho sa Mohlankedi wa Tshedimošo gomme a tšea sephetho sa ge eba o tšere sephetho sa maleba. Ge motho yoo wa maemo a godimo a dumelela sephetho sa Mohlankedi wa Tshedimošo, gona boipelaetšo bja ka gare bo a ganwa gomme sephetho sa mathomong sa mabapi le kgopelo ya PAIA sa tšišetšwa. Ge motho yoo wa maemo a godimo a sa dumelele sephetho sa Mohlankedi wa Tshedimošo, gona boipelaetšo bja a fiwa gomme sephetho sa mathomong sa mabapi le sephetho sa PAIA se a fetošwa.

Go bohlokwa go lemoga gore o ka romela fela boipelaetšo bja ka gare go dikgoro tša mmušo tša boisetšhaba, tša phrobentshe le tša mebasapela. Ga go tshepetšišo ya boipelaetšo bja ka gare ye e hwetsagala go dihlongwa tše dingwe tša setšhaba.

Toropokgolo ya Cape Town ke mohlala wa mmušo wa masepala wo boipelaetšo bja ka gare bo ka romelwago go yona. Sekhwama sa Dikotsi tša Mebileng ke mohlala wa sehlongwa sa setšhaba seo e sego karolo ya mmušo wa boisetšhaba, wa phrobentshe goba wa selegae, ka ge se hlomilwe ke molao (Molao wa Sekhwama sa Dikotsi tša Mebileng), gomme ka fato boipelaetšo bja ka gare bo ka se dirwe kgahanong le tšona.

3.4.1.1 Naa ke mang yo a ka dirago boipelaetšo bja ka gare?

Mokgopedi yo a dirago kgopelo ya PAIA go sehlongwa sa boisetšhaba, sa diphrobentshe goba sa masepala gomme a ganwa ka phihlelelo ya pego o na le tokelo ya go dira boipelaetšo bja ka gare. Se se dirwa ka go tlatša Foromo ya B ya PAIA gomme wa e tlatša le sehlongwa sa setšhaba sa boisetšhaba, sa phrobentshe goba sa masepala. Khopi ya Foromo ya B e ka hwebotša wepsaeteng ya dihlongwa tša maleba ebile e hwetsagala kantorong ye ngwe ye ye ngwe ya Khomišene ya Ditokelo tša Botho ya Afrika Borwa.

Ge e le gore boipelaetšo bja ka gare bo ama sehlongwa goba motho ofe goba ofe wa boraro, sehlongwa sa setšhaba seo se amogtetšego boipelaetšo bja ka gare se rewe maikarabelo a go ikgokaganyana le dihlongwa goba batho ka moka ba boraro bao ba amegago. Dinyakwa tša tsebišo le tša tlhagišo di swana le tšeo di nyakeggao tša kgopelo ya PAIA ya mathomong.
Batho ba boraro le bona ba dumeletšwe go dira boipelaetšo bja ka gare kgahanong le dipetho tše di dirilwego ke sehlongwa sa setšhaba sa go fa phihlelelo go pego ye itšego.

3.4.1.2 Naa o ka dira boipelaetšo bja ka gare neng?
Mokgopedi a ka dira boipelaetšo bja ka gare kgahanong le sephetho sa sehlongwa sa setšhaba ka mabaka ao a latex:

- Mokgopedi ga se a kgotsofala ka ga ditšhelete tše di lefšago tša kgopelo.
- Mokgopedi ga se a kgotsofatišwa ke sephetho sa go fa katološo ya matšatši a 30 go sehlongwa sa setšhaba go fetola kgopelo.
- Mokgopedi ga se a kgotsofatšwa ke mokgw wo dipego di fiwago ka ona o sa swane le wo a kgopetšego gore di fiwe ka ona, gomme mokgopedi a dumela gore nkabe go se gwa ba morwalo gore sehlongwa sa setšhaba se fe dipego ka mokgw wo di bego di nyakwa ka ona.

3.4.1.3 Naa nka dira boipelaetšo bja ka gare bjang?
Boipelaetšo bja ka gare bo swanetše go dirwa ke mokgopedi mo matšatšing a 60 ka morago ga go amogela go gana kgopelo ya PAIA ya mathomong. Se se dirwa ka go tlatša Foromo ya B le go e romela go kgoro ya kgopelo ya mmušo ya bosetšhaba, ya phrobentshe goba ya masepala.

<table>
<thead>
<tr>
<th>Mmušo wa Bosetšhaba</th>
<th>Ge kgopelo ya PAIA e dirwa go kgoro ya bosetšhaba, mokgopedi a ka dira boipelaetšo bja ka gare le Tona ya kgoro yeo.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mmušo wa Phrobentshe</td>
<td>Ge kgopelo ya PAIA e dirwa go kgoro ya phrobentshe, mokgopedi a ka dira boipelaetšo go Molekgotlaphethiši wa kgoro yeo.</td>
</tr>
<tr>
<td>Mmušo wa Masepala</td>
<td>Ge kgopelo ya PAIA e dirišwe go kgoro ya masepala, mokgopedi a ka dira boipelaetšo go Meyara wa masepala woo, goba go sepikara sa masepala woo, goba go motho o ge goba o ge ye o a rometšwe ke Lekgotla leo le Masepala la masepala woo.</td>
</tr>
</tbody>
</table>

Foromo ya B e tšišwa go Mohlankedi wa Tshedimošo/Motlatšamohlankedi wa Tshedimošo yona yoo a gannego kgopelo ya mathomong, yo ka morago a kgopelwago go e romela go motho wa maemo a godimo.

**SE KAONE SE O SWANETŠEGO GO SE LEMOGA**

Ge boipelaetšo bo nyaka gore tsebišo e fiwe motho wa boraro (ke gore, ge tshedimošo e na le tshedimošo ya sephiri ka ga motho yo mongwe, go swana le tshedimošo ya sephiri, tshedimošo ye itšego ya kgwebo, tshedimošo ya dinvakisišo ka ga motho wa boraro), , gona boipelaetšo bo swanetše go dirwa mo matšatšing a 30 a ka morago ga ge tsebišo e fiwe motho wa boraro.

Mokgopedi o swanetše go romela boipelaetšo bja ka gare go Mohlankedi wa Tshedimošo wa sehlongwa sa maleša ka poso, ka fekese goba ka emeile.

Boipelaetšo bja ka gare bo swanetše go ba le hiogotaba ya boipelaetšo bja ka gare, mabaka a go thekga boipelaetšo bjoo, gomme bo akaretše tshedimošo efe goba efe ye ngwe ye e tsebjago ke motho yo a dirago boipelaetšo.

Ge mokgopedi a nyaka go tsebišwa ka ga sephetho sa mabapi le boipelaetšo bja ka gare ka mokgw wo o fapanego, (go tlaletša phetolo ya go ngwalwa), o swanetše go fa mokgw wo o ratwago gomme a fe tshedimošo efe goba efe ye e hlokegago.
3.4.1.4 Naa go direga eng ge boipelaeltšo bja ka gare bo dirwa ka morago ga lešatšikgwedi la mafelelo la nako ye e beilwego?

Ge boipelaeltšo bja ka gare bo dirwa ka morago ga ge lebaka la nako la matšatši a 60 le fedile, sehlongwa sa setšhaba sa maleba se swanetše go amogela boipelaeltšo bjo ge go fiwa lebaka leo le kwagalago leo le dirilego gore boipelaeltšo bjo bo dirwe ka morago ga nako. Ge sehlongwa sa setšhaba sa maleba sa se amogele boipelaeltšo bja ka gare bjo bo tlīswago ka morago ga nako, se swanetše go fa motho yo a dirilego boipelaeltšo bjoo tsebišo.

3.4.1.5 Naa ditšhelete tše di lefšago tša boipelaeltšo bja ka gare ke dife?

Mokgopedi yo a dirago boipelaeltšo bja ka gare o kgopele go lefa tšhelete ye e beilwe Ge e le gore tšhelete ya boipelaeltšo e dirwa ka morago ga go dira boipelaeltšo, sephetho sa mabapi le boipelaeltšo se ka fegwa go fiha ge tšhelete yeo e lefša.

3.4.2 Kimollo ya Semolao kghalanong le Dihlongwa tša Phraebete

Ge mokgopedi a se a kgotsofatšwa ke sephetho se o dirilewe ka hlogo ya sehlongwa sa phraebete, go fa mohlala ka go gana phihlelelo, go tšenya di tšhelete tša phihlelelo, gob a go katološa lebaka la nako leo phetolo e swanetšego go tlīswa ka lona, mokgopedi a ka dira kgopele go kgorotsheko mo matšatšing a 180 ka mora go ga go hweťa sephetho se o bakilego go ngongorega fao. Sephetho se sehlongwa sa phraebete se tla lekodišišwa ke kgorotsheko gomme sephetho se tla dirwa ke dikgorotsheko ge eba go ka fiwa phihlelelo goba aowa.

BRUMMER KGAHLANONG LE TONA YA KGORO YA TLHABOLLO YA TŠA LEAGO

Ka mo tabeng ye dikgorotsheko di boletše gore lebaka la mathomong la matšatši a 30 ka fase ga PAIA leo ka lona mokgopedi a ka dirago kgopele go dikgorotsheko ge a se a kgotsofatšwa ke sephetho sa Mohlankedi wa Tshedimošo le be le se la lekana go ka tšea sephetho sa toka ya molao. Ka fao go ile gwa tšewa sephetho sa gore nako ya matšatši a 30 e be e se ya nepagalaa gomme e swanetše go kgotlošwa go ba matšatši a 180. Kahlolo ye e laeditšwe ka go Molao o moswa wa Tšhireletšo ya Tshedimošo ya Sephiri wo o bolelago gore go na le lebaka la nako la matšatši a 180 a gore bakgopedi ba romele ngongorego go Molaodi wa Tshedimošo, ka morago ga go ṣomiša tshepedišo ya PAIA ya go fihelela pega ya sephiri.

Melato ya mabapi le phihlelelo ya tshedimošo e tla thelešišwa pele ga Dikgorotsheko tša Maseterata bjalo ka kgorotsheko ya mathomo, ka ge go hiagišišwe ka go karolo ya 79 ya PAIA le gape ka go Dikgorotsheko tša Godimo.
3.4.3 Naa go tla direga eng ka ga molato wa ka ka kgorotshekong?

Go na le dipelo tše mmalwa tše di ka kgonagalago ge o iša molato wa PAIA go kgorotsheko. Ka morago ga go theeletša mahlakore ka moka a molato, moahlodi yo a lebeletšego molato o na le maatla a go fa taelo yeo e lokilego e bile e lekalekanyago. Yona e ka akareša taelo ye e: (1) tišetšago, fetošago, goba e tlošago sephetho sa sehlongwa sa setšhaba goba sa phraebete mabapi le kgopelo ya PAIA; (2) kgopelago sehlongwa sa setšhaba goba sa phraebete go tšea kgato ye itšego goba go se tseye kgato ye itšego; (3) fa taelo ya molao, taelo ya kwano, kimollo ye itšego, goba ya tefelo; goba (4) ya ipiletša gore go lefše ditshenyegelo tše itšego.
KAROLO YA 4

Ke neng fao phihlelelo ya tshedimošo e ka ganwago

Karoloye e akaretša:

4.1 Go lekanya tokelo ya phihlelelo ya tshedimošo le ditokelo tše dingwe

4.2 Mabaka a semolao kgahlanong le a boikgethelo a go gana phihlelelo

4.3 Mabaka a go gana phihlelelo ya tshedimošo ao a filwego ka go PAIA

4.4 Teko ya kgahlego ya setšhaba
4.1 Ke neng Fao Phihlelelo ya Tshedimošo e ka Ganwago

Karolo ye e tla fa kakaretšo ka ga gore ke neng fao phihlelelo ya tshedimošo e ka ganwago ka fase ga PAIA, le go hlaha la ga ka fao o ka phethagatša melawana ye e dumelelafo mohlankedi wa tshedimošo go gana kgopelo. PAIA e fa mabaka a 12 ao ka ona phihlelelo ya tshedimošo e ka ganwago ke mohlankedi wa tshedimošo wa seholongwa sa setšhaba goba sa phraebete, gomme e a mangwe ke a kgapeletšo ya semolao mola a mangwe e le a boikgethelo (bona karolo ya 4.2. ka mo fase go hwtša tshedimošo go ya pele). Godimo ga fao PAIA e hlama temana ya kgahlego ya setšhaba yeo e tlogago e phumola a mangwe a mabaka a gob gana phihlelelo ya tshedimošo, ge e le gore kgahlego ya setšhaba ka tshedimošong e ka ba tlhobaboroko e kgolo. (Bona karolo ya 4.4 ka mo fase go hwtša tshedimošo ka botlalo).

GO LEKANYA TOKELO YA PHIHELELELO YA TSHEDIMOŠO LE DITOKELO Tše Dingwe

<table>
<thead>
<tr>
<th>MOLAWANA WA KAKARETŠO</th>
<th>Tokelo ya phihlelelo ya tshedimošo e hwetšwa ka gare ga Molao wa Ditokelo wa Molaotthe wa Afrika Borwa gomme, ka nepo ya go phethagatša tokelo ye, phihlelelo ya tshedimošo e swanetše go fiwa ka pela ka fao go kgonagalago.</th>
</tr>
</thead>
<tbody>
<tr>
<td>GO SE AKARETŠWE</td>
<td>Go swana le ditokelo tše dingwe tše di lego ka gare ga Molao wa Ditokelo, tokelo ya go fihlelela tshedimošo e ka direlwa mellwane goba ya ganwa mabakeng a mangwe. PAIA e hlomilwe kudu go fa dintlha ka botlalo tša mabaka ao dikgopelo tša tshedimošo di ka ganwago ka ona, gomme ka fato tokelo ya go fihlelela tshedimošo e diretšwe mellwane.</td>
</tr>
</tbody>
</table>

4.2 Mabaka a Kgapeletšo ya Semolao kgahlanong le a Boikgethelo a go gana phihlelelo ya tshedimošo

PAIA e bolela gore mabakeng a mangwe tshedimošo e ka se tsenbagatšwe ke mohlankedi wa tshedimošo. Ka boripana, mabaka a gore tshedimošo e se ke ya tshebagatša a amana le ge eba go tsebagatša tshedimošo go ka baka go senya kudu go feta go phala ke go se e tsebagatše. PAIA ka fao e fa mabaka a lesomepedi ao ka ona phihlelelo go tshedimošo e ka ganwago ke mohlankedi wa tshedimošo wa seholongwa sa setšhaba goba sa phraebete (mabaka a a 12 a tla fiwa ka botlalo ka go karolo ya 4.3 ka mo fase). Mabaka a mangwe a go se tsebagatše tshedimošo ke a kgapeletšo ya semolao, go e ra gore mohlankedi wa tshedimošo ga se a swanela go dumelela phihlelelo ya tshedimošo ge e le gore le lengwe la mabaka a kgapeletšo a semolao a go gana phihlelelo ga le kgone go fiwa bjalo ka bohlatse. Mabaka a mangwe a go gana phihlelelo ya tshedimošo ke a o a bitšwago a boikgethelo. Se se ra gore mohlankedi wa tshedimošo a ka goba a se tsebagatše tshedimošo goba pego ye e nyakwago. Ka fao, mohlankedi wa tshedimošo o swanetše go šomiša sepetho sa gago ka go sekaseka ge eba go tsebagatša tshedimošo yeo. O swanetše go dira se ka go seka sek a ge eba go tsebagatša tshedimošo go ka baka tshenyo ye kgolo go seholongwa sa setšhaba goba sa phraebete go phala ke ge a sa e tsebagatše.
4.3 Mabaka a go gana ka phihlelelo ya tshedimošo

Ka ge go boletšwe ka mo godimo go na le mabaka a mehutahuta ao ka ona phihlelelo ya tshedimošo go swanetsègo goba go ka gapeletšega gore e ganwe ke Mohlankedi wa Tshedimošo wa sehlongwa sa setšhaba goba sa phraebete. Mabaka a a filwe ka go Kgaolo ya 4 ya Karolo ya 2 ya Sehlongwa sa Setšhaba, le Kgaolo ya 4 ya Karolo ya 3 ya Sehlongwa sa Phraebete ka go PAIA.

4.3.1 Tšhireletšo ya sephiri sa motho wa boraro

Mohlankedi wa Tshedimošo wa sehlongwa sa setšhaba goba sa phraebete o gapeletšega go se dumelele phihlelelo ya sephiri ya motho wa tlhago, go akaretšwa motho yo a hlokofetsègo (go hwetša tlhalošo ya “motho wa tlhago” bona Mareo a Mohola ka mo godimo). PAIA e bolela gore ka nepo ya go šireletša tokelo go sephiri ya motho wa boraro yo e lebo motho wa tlhago, Mohlankedi wa Tshedimošo o swanetšego go sekaseka ge eba go lokolla tshedimošo ye e nyakwago go mokgopedi ‘go ka akaretša go tsebagatša tshedimošo ya sephiri fao go se nago mabaka’ (bona dikarolo tša 34 le tša 63 tša PAIA).

Karolo ya 1 ya PAIA e fa tlhalošo ka kakaretšo ya seo tshedimošo e akaretšago “tshedimošo ya sephiri”. E akaretša tshedimošo ye e amangoto le thobalana, boimana, le sedumedi, gammogo le dipoledišano tša sephiri, DNA, dikgatišo tša menwana, le maemo ao e leloko wa leloko wa motho ye e kaone ya ngwana yoo, gomme mokgopedi e le mohlokomedi (ke gore motswadi goba mohlokomedi); Mohlankedi wa Tshedimošo le yena o swanetšego lekodiseša ge eba tshedimošo ya sephiri ye go bolelwago ka yona e wela ka gare ga magoro a tshedimošo ya sephiri ye e ka tsebagatšwago:

» Tshedimošo ya sephiri ya motho yo a dumetsègo gore tshedimošo ye e lokollwe;
» Tshedimošo ya sephiri ye e šetšego e tsebagaditsègo;
» Tshedimošo ya sephiri ya ngwana wa mengwaga ya ka fase ga ye 18 fao go tsebagatša tshedimošo yeo go lebo kgahlegong e kaone ya ngwana yoo, gomme mokgopedi e le mohlokomedi wa ngwana (ke gore motswadi goba mohlokomedi);
» Tshedimošo ya sephiri ya motho o a hlokofetšego go mokgopedi yo e leloko wa kgauswi wa motho yoo, goba yo a dumelitšégwe (tumelelo ya ngwalwa) ke motho wa leloko wa kgauswi;
» Tshedimošo ya sephiri ya motho yo a hlokofetšego lebaka la mengwaga ye e fetagoe ye 20;
» Tshedimošo ya sephiri ya motho yo e lebo mother ogolanwa, sa sehlongwa sa setšhaba goba sa phraebete gomme mo e lelo gore tshedimošo ye e maemo ao mohlankedi yoo.

PAIA e kgope gore Bahlankele ba Tshedimošo go tšwa go Tirelo ya Metšhelo ya Afrika Borwa (SARS) ba se ke ba tsebagatša tshedimošo ya metšhelo ya batho le ya letseno la bona, ka ntle le le mokgopedi a kgope gore phihlelelo ya tshedimošo ya gagwe.
4.3.2 Tšhireletšo ya tshedimošo ya kgwebo ya motho wa boraro

Bahlankedi ba Tshedimošo ba sehlongwa sa setšhaba le sa phraebete ba gapelešega go gana phihelelelo ya tshedisošo mo e le gore go lokolla tshedimošo yeo go tla baka tsheny o go dikgahlego tša kgwebo tša ditšhelete tša kgwebos. PAIA e fa tshedimošo ye e latešago ya kgwebo ye e ka se tsebagatšwego ke Mohlankedi wa Tshedimošo:

- Diphihi tša kgwebišano;
- Tshedimošo ya ditšhelete, ya kgwebo, ya mahlale, ya dinyakišišo goba ya sethekani ka ga motho wa boraro yeo e lego gore, ge e ka lokollwa, e ka baka tsheny o go motho wa boraro;
- Tshedimošo ye e filwego ka sephiring go motho wa boraro.

Le e le gore go na le molawana wa kakarešo wa go šireletša tshedimošo ya khamphani, sehlongwa sa setšhaba se kgopelwa go soma ka tsetsa ye e hiokašo sephiri. Mabapi le se go swanetšo go lemogwa gore go na le abaka a mangwe fao e le gore go tshedimošo ya kgwebo ya khamphani e ka lokollwa ka fase ga ona.

Go se akarešte ga PAIA: Dipego tša motho wa boraro tše di nago le tshedimošo ye e yemonako le polokego ya setšhaba goba dikotse go tikologo di gapeletšega go lokollwa, le e ge e le gore go lokolla tshedimošo ye e ba le kgonagalo ya go baka tsheny o motho wa boraro. Se se bopa tshedimošo ya kgahlego ya setšhaba (bona karolo ya 4.4 ka mo fase).

4.3.3 Tšhireletšo ya tshedimošo ya sephiri

PAIA e hlagiša gore mohlankedi wa tshedimošo o gapelešega go gana phihelelelo ya yemonako ge e le gore go lokollwa pego yeo go tla bopa go tshela sephiri seo se tshephišitišwe motho wa boraro gore se tla dirwa go latela tumelelelo goba koneraka.

4.3.4 Tšhireletšo ya polokego ya motho le ya thoto

Karolo ye e bolela gore Mohlankedi wa Tshedimošo o gapelešega go gana phihelelelo ya yemonako ge e le gore go tsebagatša pego yeo go ka emelwa ka abaka ao a kwagagalo gore go ka bea kotsing polokego ya motho goba ya thoto. Karolo ye e na le taba ya tokelo go sephiri go yona ka ge e lekindišiša bophelo bja sephiri bja motho le thoto ya gagwe.

4.3.5 Tšhireletšo ya tshedimošo ka ditshepedišong tša sephiri

Maikemišetšo a karolo ye ke go šireletša tshedimošo ye e nyakengago ka ditshepedišong tša semolao le tša tirišo ya molao. Karolo ye e lemoga melao ye mengwe ye e laolago magoro a mangwe a tshedimošo. Mabapi le karolo ye Molao wa 51 wa Tshepedišo ya Molao go Bosenyi wa 1977 o bonwa bjalo go molao wo o laolago dipego tše di amanango le ditshepedišo tša dipelela le ditshepedišo tše dingwe tša tirišo ya molao. Gape, se se amana le dipego tšo di ka se šweletšwešwe. Ka mantšu a mangwe dipego tšeo di sego tša swarwa ke motho yo mongwe, yo e sego motho yo a nago le maswanedi a go ſiša bophelo bja sephiri bja motho le thoto ya gagwe.

Maikemišetšo a karolo ye ke go šireletša tshedimošo ye e nyakengago ka ditshepedišong tša semolao le tša tirišo ya molao. Karolo ye e lemoga melao ye mengwe ye e laolago magoro a mangwe a tshedimošo. Mabapi le karolo ye Molao wa 51 wa Tshepedišo ya Molao go Bosenyi wa 1977 o bonwa bjalo go molao wo o laolago dipego tše di amanango le ditshepedišo tša dipelela le ditshepedišo tše dingwe tša tirišo ya molao. Gape, se se amana le dipego tšo di ka se šweletšwešwe. Ka mantšu a mangwe dipego tšeo di sego tša swarwa ke motho yo mongwe, yo e sego motho yo a nago le maswanedi a go ſiša bophelo bja sephiri bja motho le thoto ya gagwe. Dipego dife goba dife tše di amanango le kamano magareng ga ramolao le modirelwa wa gagwe ka fase ka karolo ya 40 ya PAIA.

Le e le gore PAIA e dumela gore go na le melao ye mengwe ye e yemonako le taolo le go tsebagatša tshedimošo le dipego, mabakeng a o a le Gore molda o direla mellwane go tokelo ya phihelelelo ya tshedimošo ka fao go sego gwa loka ebile o thulana le melawana ya go hioka sephiri le boikarabelo, PAIA e tla hlokonokwelo go lela melawana ya go feta molao wo.
4.3.6 Tšhireletšo ya Tshedimošo ya Dinyakišišo

Mohlankedi wa Tshedimošo wa sehlongwa sa setšhaba goba sa phraebete o swanetše go gana phihlelelo ya dipego ye e nago le tshedimošo ye e amanago le dinyakišišo tše di dirwago goba tše di tlologo dirwa ke sehlongwa sa setšhaba se go bolelago ka sona goba ke motho wa boraro. Go gana mo ga phihlelelo ya tshedimošo go bea gore go tsebagatša tshedimošo go tla bea pepeneneng dinyakišišo tša motho wa boraro goba tša sehlongwa sa setšhaba goba sa phraebete, sa motho goba sehlongwa se se dirago dinyakišišo, goba taba ya dinyakišišo go tšitelo ye kgoło kudu (bona dikarolo tša 43 le 69 tša PAIA).

4.3.7 Tshedimošo ye go ka ganwago ka phihlelelo ya yona

Magoro ao a latelago a tshedimošo a amana le tshedimošo yeo Mohlankedi wa Tshedimošo a ka ganago phihlelelo go yona, go fela a ka fa mabaka a gore tshedimošo ye e kgopelwago e wela ka gare ga magoro ao a latelago e biele ga e kgahlegong ya setšhaba go ka e tsebagatša (go hwetsa tshedimošo ka botlalo ka ga temana ya kgahlego ya setšhaba bona karolo ya 4.4 ka mo fase).

4.3.7.1 Tšhireletšo ya Afrika Borwa, polokego le dikamano tša boditšhabatšhaba

Karlo ya 41 ya PAIA e kgapela gore mohlankedi wa tshedimošo a lekodiše se eba kgopelo ya tshedimošo e amana le tshedimošo ka ya Afrika Borwa. Mohlankedi wa tshedimošo a ka gana kgopelo yeo ge a ka fa bohlatsie bja gore go tla tsenya kotsing polokego ya Afrika Borwa ge a ka lokolla tshedimošo yeo.

4.3.7.2 Kgahlego ya ekonomi, ya ditšhelete le ya kgwebo ya Afrika Borwa

Karlo ya 42 ya PAIA e kgapela gore tshedimošo ya sehlongwa sa setšhaba e šireletšwe ge e le gore go e lokolla go ka senya maemo a ekonomi le a ditšhelete a Rephabliki. Mabaka a a go gana go lokolla tshedimošo ke a boikgethelo go e ra gore Mohlankedi wa Tshedimošo o tla swanelwa ke go hlokomela gore dihlongwa tša setšhaba di filwe mošomo ka fase ga Moloatheo ya Afrika Borwa gore di be le boikarabelo go setšhaba, le gore ke ka mabaka a m a n g w e f a o e le go gore tshedimošo e ka ganwa. Godimo ga fao, Mohlankedi wa Tshedimošo o tla swanelwa ke go laetša gore go tsebagatša tshedimošo ye go bolelango ka yona go tla senya dikgahlego tša ditšhelete le tša ekonomi tša Afrika Borwa.

4.3.7.3 Mešomo ya dihlongwa tša setšhaba

Karlo ya 44 ya PAIA e fa Bahlankedi ba Tshedimošo bokgoni bja go gana phihlelelo ya pego ge e le gore go fa phihlelelo ya yona go tla šitiša mešomo ya sehlongwa sa setšhaba. Karolo ya 44 ke phatlaleše kudu, palo ya dipego tše di beiwele ka fase ga mešomo e akareša:

» Metsotsos ya dikopano;
» Dipego tše di nago le keletšo goba maikutlo;
» Dipego tša mabapi le ditherišano le dihlongwa tše dingwe;
» Dipego tša mabapi le go hlama melawana goba ditšhišinyo.
4.3.7.4 “Dikgopelo tše di tlogago di se na mohola goba tše di nyakago go tliša kgakanego, goba go phamoša methopo kudu le ka fao go sa kwagalego”

Mohlankedi wa tshedimošo a ka gana kgosela ya tshedimošo ge e le gore o na le maikutlo a gore go šoma dikgopelo tšeo go tla ja nako ka fao go sa kwagalego gomme gwa feletša ka tšenyo ya methopo. G o d i m o g a fa o, Mohlankedi wa Tshedimošo a ka gana phihlelelo ya pegonge ge e le gore kgosela yeo ga e bonwa e se mohola goba e e le gore e dinwa ke mokgopedi go tena goba go rumula ka fao go sa hlokagalego.

4.4 Go Phumolwe ke Kgahlego ya Setšhaba

Ditšhireletšo ka moka tše di fiwago tshedimošo ka ge e go hlalošišwe ka mo godimo di a tloga go e le gore go lokolwwe ga tshedimošo go kgahlegong ya setšhaba. K a m o k g w a w o k g a h l e g o y a s e tšhaba e phumola mabaka ka moka a mangwe a go gana phihlelelo ya tshedimošo.

Teko ye e letalego e swaneše go dišwa ke Mohlankedi wa Tshedimošo wa sehlongwa sa setšhaba goba sa phraebete pele a ka gana go dumelela phihlelelo ya tshedimošo ye e welago ka fase ga magoro a go se tsebagatšwe ao a ngwadišwe ka mo godimo. Ge maemo a a ka fihlelela, gona tshedimošo e swaneše go tsebagatšwa ka mabaka a gore go kgahlegong ya setšhaba.

Naa tshedimošo e laetša go tšela molao fao go šiišago?

GOBA

Naa dipego tše go bolelwago ka tšona di na le tshedimošo ye e amanago le pološe ya setšhaba ye e emetšwege goba ye kotsi goba dikotsi go tikologo?

LE

Naa kgahlego ya setšhaba ge go tsebagatšwa tshedimošo e tloga e fenya tšenyo ye e ka bago gona?
Karolo ye e akaretša:

5.1 Lenaneo la dingwalwa tše bohlokwa tše di šomišitšwego go ngwala Tlhahli ye ya PAIA, go akaretšwa melao

5.2 Lenaneo la dingwalwa tše dingwe tša mohola tša PAIA
## 5.1 Dingwalwa tše bohlokwa

<table>
<thead>
<tr>
<th>SENGWALWA</th>
<th>MONGWADI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Molao wa Tšwetšopele ya Phihlelelo ya Tshedimošo wa 2 wa 2000</td>
<td>Melalo</td>
</tr>
<tr>
<td>Molao wa Tšhireletšo ya Tshedimošo ya Motho wa 4 wa 2013</td>
<td>Melalo</td>
</tr>
<tr>
<td>PAIA Unpacked (e hwetšagala go <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (e hwetšagala go <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (e hwetšagala go <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (e hwetšagala go <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (e hwetšagala go <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

## 5.2 Melawana ya PAIA

<table>
<thead>
<tr>
<th>TSEBIŠO YA MMUŠO</th>
<th>LETŠATŠIKGWEDI</th>
<th>HLOGOTABA LE TLHALOŠO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tsebišo ya Mmušo: ya Nomoro ya R. 187</td>
<td>15 Feberware 2002</td>
<td>Phetošo ya mabapi le PAIA malebana le Tlhahli ya Karolo ya 10 le go hwetšagala ga dingwalwa tša PAIA.</td>
</tr>
<tr>
<td>Tsebišo ya Mmušo: ya Nomoro ya R. 466</td>
<td>1 June 2007</td>
<td>E akareditše mekgwa yeo Bahlankedi ba Tshedimošo ba swanetšego go e latela ge ba gatiša ditsebišo tša tsebagatšo tša boithaopo go latela dikarolo tša 15 le 52 tša PAIA.</td>
</tr>
</tbody>
</table>
## 5.3 Diphetošo tša PAIA

<table>
<thead>
<tr>
<th>TSEBIŠO YA MMUŠO</th>
<th>LETŠATŠIKGWEDI</th>
<th>HLOGOTABA LE TLHALOŠO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tsebišo ya Mmušo ya Nomoro ya 428</td>
<td>31 Matšhe 2004</td>
<td>Phetošo go karolo ya 92(4) ya PAIA go akaretša Melato le dikotlo tša batho bao šitišago kgopelo ya mokgopedi ya go nyaka tshedimošo ka maikemišetšo le ka phošo, go fa mohlala ka gos enya dipego.</td>
</tr>
<tr>
<td>Tsebišo ya Mmušo ya Nomoro ya 96</td>
<td>15 Janeware 2003</td>
<td>Phetošo go PAIA go akaretša tlahlo ya bahlankedi bao ba etilego pele ka go Dikgorotsheko tša Maseterata go theeletša ditaba tša PAIA.</td>
</tr>
<tr>
<td>Tsebišo ya Mmušo ya Nomoro ya R. 187</td>
<td>15 Feberware 2002</td>
<td>Phetošo go PAIA mabapi le Tlhahli ya Karolo ya 10 le go hwetšagala ga dingwalwa tša PAIA.</td>
</tr>
</tbody>
</table>

## 5.4 Diphetošo go melawana ya PAIA

<table>
<thead>
<tr>
<th>TSEBIŠO YA MMUŠO</th>
<th>LETŠATŠIKGWEDI</th>
<th>HLOGOTABA</th>
</tr>
</thead>
</table>

## 5.5 Methopo ye mengwe ye mehola ya PAIA

1) Using PAIA to Promote Housing Rights, SAHA (e hwetšagala go www.saha.org).
2) Accessing Information for Your Community, SAHA (e hwetšagala go www.saha.org).
3) Accessing Information in the LGBTI Sector, SAHA (e hwetšagala go www.saha.org).
TLHAHLI KA GA KA FAO O KA ŠOMIŠAGO MOLAO WA 2 WA TŠWETŠOPELE YA PHIHELELELO YA TSHEDIMOŠO WA 2000
Tataiso Ya Ka Moo O Ka Sebedisang Molao Wa Kgothaleletso Ya Phihlello Ya Lesedi Wa Bo 2 Wa 2000

SESOTHO
Website: www.sahrc.org.za
Email: info@sahrc.org.za
Twitter: @SAHRCommission
Facebook: SAhumanrightscommission
Youtube: SAHRC1
Dintlha tsa Dikgokahanyo tsa Khomishene ya Afrika Borwa ya Ditokelo tsa Botho

Ofisi ya Sehlooho Johannesburg
Tel 011 877 3600 • Fax 011 403 0684

Kapa Botjhabela Port Elizabeth
Tel 043 722 7828 • Fax 043 722 7830

Foreisetata Bloemfontein
Tel 052 447 1133 • Fax 051 447 1128

KwaZulu-Natala Durban
Tel 031 304 7323/4/5 • Fax 031 304 7323

Limpopo Polokwane
Tel 015 2913500 • 051 291 3505

Mpumalanga Nelspruit
Tel 013 752 8292 • Fax 013 752 6890

Kapa Leboy a Upington
Tel 054 332 3993/4 • Fax 054 332 7750

Leboya Bophirima Rustenburg
Tel: 014 592 0694 • Fax: 014 594 1089

Kapa Bophirima Cape Town
Tel 021 426 2277 • Fax 021 426 2875
Ha o sebedisa Tataiso ya PAIA

Karoolo ya 1
Selelekela sa Tataiso ya PAIA

Karoolo ya 2
Moo o ka qalang teng ho fumana lesedi leo o le hlokang

Karoolo ya 3
Ka moo o ka kopang ka teng ho fumantshwa phiilello ya lesedi

Karoolo ya 4
Maemo ao phiilello ya lesedi e ka hanelwang tlasa ona

Karoolo ya 5
Dingolwa le mehlodi ya boholokwa e ka sebediswang ho fumana lesedi le eketshileng

MANTSWE A THUSANG
LENANE LA DIKGUTSUFATSO
KAROLO YA 1
  1.1. Morero wa Tataiso ena ya PAIA
  1.2. Histori ya PAIA
  1.3. Morero wa PAIA le ka moo o ka sebediswang ka teng
  1.4. Seabo sa Khomishene ya Afrika Borwa ya Ditokelo tsa Botho
KAROLO YA 2
  2.1. Ha o qala
  2.2. Tataiso ya PAIA
  2.3. Dibukana tsa ditaelo tsa PAIA
  2.4. Lesedi le fumanehang ka ho iketsahalla le polokelong ya setheo sa bohle
  2.5. Lesedi le fumanehang ka ho iketsahalla le polokelong ya khamphani kapa setheo sa poraefete
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<th>Mantswe</th>
<th>Tihaloso</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tefo ya Phihlello</td>
<td>Ena ke tefo e lokelang ho lefuwa ke mokopi ho setheo sa bohle kapa sa poraefete seo o kopang lesedi ho sona, ho lefella ditjeho ts'a ho fumana le ho kopitsa ditokomane tse'o o di hlokang. <em>(Hore o fumane lesedi le eketsehileng ka diteto ts'a phihlello sheba Karolong ya 3 ya Tataiso ena)</em>.</td>
</tr>
<tr>
<td>Foromo ya A</td>
<td>E fumaneha webesaeteng ya Khomishene ya Afrika Borwa ya Ditokelo ts'a Botho, ekasitana le diwebesaeteng ts'a diinstijushene tse ding tse fapaneng ts'a bohle. Foromo ena e sebedisetswa ho kopa phihlello ya lesedi le leng polokelong ya setheo sa bohle. <em>(Bakeng sa ho fumantshwa lesedi le eketsehileng ka Foromo ya A le dikopo ts'a ho fumantshwa phihlello ya lesedi le lebisitsweng ho ditheo ts'a bohle sheba Karolong ya 3 ya Tataiso ena)</em>.</td>
</tr>
<tr>
<td>Foromo ya C</td>
<td>E fumaneha webesaeteng ya Khomishene ya Afrika Borwa ya Ditokelo ts'a Botho, ekasitana le diwebesaeteng ts'a dikhamphani tse ding tsa poraefete. Foromo ena e sebedisetswa ho kopa phihlello ya lesedi le leng polokelong ya setheo sa poraefete. <em>(Bakeng sa ho fumantshwa lesedi le eketsehileng ka Foromo ya C le dikopo ts'a ho fumantshwa phihlello ya lesedi le lebisitsweng ho ditheo ts'a poraefete sheba Karolong ya 3 ya Tataiso ena)</em>.</td>
</tr>
<tr>
<td>Tataiso</td>
<td>E bua ka Tataiso ena ya PAIA e Hlahisitsweng le ho phatalatswa ke Khomishene ya Afrika Borwa ya Ditokelo ts'a Botho jwalo ka ha ho laetswe Karolong ya 10 ya PAIA, ho thusa batho hore ba sebedise le ho utlwisisa Molao.</td>
</tr>
<tr>
<td>Mohlanka wa Lesedi le Motlasa Mohlanka wa Lesedi</td>
<td>Mohlanka wa Lesedi (eo ka nako tse ding a bitswang IO) ke motho ya dumelletsengwe ke instijushene eo ho buuwaing ka yona hore a arabelle dikopo tse amang PAIA. Ditheong ts'a bohle enwa ke motho eo e leng hlooho ya setheo kapa ya emetseng hlooho ya setheo. Bakeng sa masepala, enwa ke molaodi wa masepala; bakeng sa lefapha la naha, enwa e tla ba Molaodi-Kakaretso; bakeng sa setheo se kang Khomishene ya Afrika Borwa ya Ditokelo ts'a Botho e tla ba CEO (molaodi e moholo was phethahatso).</td>
</tr>
<tr>
<td>Boipiletso ba ka Hare (Foromo ya B)</td>
<td>Bakopi ba tla sebedisa PAIA Foromo ya B bakeng sa boipiletso feeela qetong e entsweng ke makala a mmuso a naha, porofentshe kapa masepala mabapi le phihlello ya lesedi. <em>(Hore o fumane lesedi le eketsehileng ka boipiletso ba ka hare sheba Karolong ya 3 ya Tataiso ena)</em>.</td>
</tr>
<tr>
<td>Motho wa molao</td>
<td>Khamphani kapa setheo se ananetsweng ka molao e le setheo se le seng kapa ‘motho’ ya nang le ditokelo le tshwanelo.</td>
</tr>
<tr>
<td>Letona</td>
<td>Ha ho buuwa ka Letona ho buuwa ka Letona la Toka le Ditshebeletso tsa Tshokollo ya Batshwaruwa.</td>
</tr>
<tr>
<td>Motho wa Tlhaho</td>
<td>Motho wa nnete, e seng motho wa molao jwalo ka khamphani (sheba motho wa molao mona ka hodimo).</td>
</tr>
<tr>
<td>Setheo sa poraefete</td>
<td>(Ka nako tse ding se bitswa khamphani ya poraefete, institjushene, kapa mokgatlo), sena ke motho wa tlhaho kapa wa molao kapa (khamphani ya) kopanelo e keneng kananyong, kgwebong kapa porofesheneng mme e le boemong boo feela.</td>
</tr>
<tr>
<td>Setheo sa bohle</td>
<td>(Ka nako tse ding se bitswa institjushene ya bohle, lefapha, kapa mokgatlo), sena ke lefapha kapa institjushene le ha e ka ba efe ya lekala la mmuso la naha, porofentsehe kapa lehae. Hape se kenyelesta institjushene le ha e ka ba efe e etsang mosebetsi kapa tshwanelo ya mmuso nakong eo rekoto eo ho buuwang ka yona e neng e etsuwa.</td>
</tr>
<tr>
<td>Rekoto</td>
<td>Lesedi le ha e ka ba lefe le rekotuweng ho sa kgathalehe hore ke la mofuta ofe, ho kenyelelwa, ho tea mohlala, ditokomane tse ngotsweng, difidiyo, jwalojwalo. Rekoto e kopuweng ho setheo sa bohle kapa sa poraefete e tla bolela rekoto e neng e le polokelong ya setheo seo ho sa kgathalehe hore e ka ba setheo seo se entse reketo eo.</td>
</tr>
</tbody>
</table>
| Tefo ya kopo | Ditjeho tse lokelang ho lefuwa bakeng sa ho kenya kopo ya phihilello ya lesedi. Bakeng sa kopo ya lesedi e lebiswang ho setheo sa bohle ho na le tefo e sa fetoheng ya R35; bakeng sa kopo ya lesedi e lebiswang ho setheo sa poraefete ho na le tefo e sa fetoheng ya R50. 
(Hore o fumane lesedi le eketsehileng ka ditefo tsa dikopo le ba sa lefisweng sheba Karolong ya 3 ya Tataiso ena). |
| Mokopi | Mokopi ke motho wa tlhaho kapa wa molao ya kenyang kopo ya phihilello ya lesedi. Mokopi hape e ka ba motho ya kenyang kopo ya lesedi lebitsong la motho e mong. |
| Setho sa boraro | Sena ke motho le ha e ka ba ofe wa tlhaho kapa wa molao eo e seng mokopi wa lesedi, mme hape e se setheo seo kopo ya lesedi e lebisitsweng ho sona. |
### Lenane la dikgutsufatso

Dikgutsufatso tse latelang di fumanwa Tataisong ena le mehloding e meng e atisang ho sebediswa ya PAIA:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>DIO</td>
<td>Motlatsa Mohlanka wa Lesedi</td>
</tr>
<tr>
<td>IO</td>
<td>Mohlanka wa Lesedi</td>
</tr>
<tr>
<td>ODAC</td>
<td>Setsi sa Bohle sa Dikeletso ka Demokerasi</td>
</tr>
<tr>
<td>PAIA</td>
<td>Molao wa Kgothaletso ya Phihlello ya Lesedi wa bo 2 wa 2000</td>
</tr>
<tr>
<td>PPIA</td>
<td>Molao wa Paballo ya Lesedi la Botho wa bo 4 wa 2013</td>
</tr>
<tr>
<td>SAHA</td>
<td>Dipokelo tsa Histori ya Afrika Borwa</td>
</tr>
<tr>
<td>SAHRC</td>
<td>Khomishene ya Afrika Borwa ya Ditokelo tsa Botho</td>
</tr>
</tbody>
</table>
KAROLO YA 1
Selelekela

Karolo ena e kenyeltsa:

1.1 Morero wa Tataiso ena ya PAIA

1.2 Histori ya PAIA

1.3 Morero wa PAIA le ka moo o ka sebedisweng ka teng

1.4 Seabo sa Khomishene ya Ditokelo tsa Botho ya Afrika Botwa
1.1 Morero wa Tataiso ena ya PAIA

Tataiso ena e nehelana ka lesedi ka Molao wa Kgothaletso ya Phihlello ya Lesedi (PAIA) wa bo 2 wa 2000. Tataiso ena ya PAIA e tla thuša batho ka ho kena dikopo tsa Lesedi ho latela Molao, mme e fana ka mehlala ka ka moo Molao o sebedisitsweng ka teng nakong e fetišeng ho kgothaletsana ditokelo tsa botho, ka ho fana ka:

» Tjhebokakaretso ya PAIA e utlwisisehang habonolo
» Tlhophollo ya ka moo PAIA e ka sebediswang ho kgothaletsana ditokelo tse ding tsa botho
» Lenane la mfuta ya Lesedi e ka kopuwang ka tshebediso ya PAIA
» Tataiso ya kgato ka nngwe ya ka moo o ka sebedisang PAIA ka teng ho kena kopo ya lesedi
» Tjhebokakaretso ya dithuto tse fumanweng kopong ya nako e fetišeng ya lesedi le dinyewe tsa kgotla tsa PAIA

1.2 Histori ya PAIA

Ha Molao wa Motheo wa Afrika Borwa o ne o ngolwa nakong e latetseng holwa ho wa ha Leano la Kgethollo ka dilemo tsa bo 1990, mekgato e fapaneng le batho ba ile ba sebelela ho keneletswa ha tokelo ya phihlello ya lesedi. Ho ne ho na le tshepo ya hore ho keneleletswa ha tokelo ena Biling ya Ditokelo – Kgaolo ya 2 ya Molao wa Motheo – ho tla netefatsa hore manyonyonyo a khang Leano la Kgethollo a ke ke a hloela a ba teng ka lebaka la hobane mmuso le dikoporasi tsa poraefete di tla tshwanelo ho sebetsa ho mokgwao wa boikarabelo le wa ponahalo ka ho nehelana ka phihlello ya lesedi, mme ka hoo di ke ke ts ka kgona ho ipata ka makunutu a neng a neha Leano la Kgethollo sebaka sa ho sebetsa.

Ka 1996 Molao wa Motheo wa Afrika Borwa o ile ya kena tsebetsong. Karolo ya bo 32 e ile ya ahella tokelo ya phihlello ya lesedi le polokelang ya ditheo tsa bohole le tsa poraefete ka babedi. Nakong eo, ona e ne le molao wa pele lefatsheng o neng o nehela batho tokelo ya phihlello ya lesedi le polokelang ya ditheo tsa poraefete. Karolo ya bo 32 le yona e ne e bolela hore ho hlokeha molao o tla phethahatsa tokelo ya phihlello ya lesedi ka ho hloela mokgwao oo lesedi le polokelang ya ditheo tsa bohole le tsa poraefete le ka fihlelwaeng ka teng, le ka ho fana ka dintlo tse eketseleng ka mabaka ao tlasa ona setheo sa bohole le sa poraefete sa ka hanang ho fana ka phihlello ya lesedi.

Qetellong, ka 2000 Molao wa Kgothaletso ya Phihlello ya Lesedi (PAIA) o ile wa kena tsebetsong, e le ho phethahatsa ditaelo tsa Karolo ya bo 32 ya Molao wa Motheo tsa ho etsa molao wa phihlello ya lesedi.

1.3 Morero wa PAIA le ka moo o ka sebediswang ka teng

Morero wa PAIA ke ho kgothaletsana tokelo ya phihlello ya lesedi, ho ha ha e moeto bo ponahalo le boikarabelo Afrika Borwa, le ho kgothaletsana demokerasi ya bohole moo batho bohole ba matlafatsweng hore ba sebedisane le mmuso le ho nka seabo diqetong tse amang maphele a bona.

Tokelo ya phihlello ya lesedi ke tokelo e ikgethang ka ha e kgonahatsa phethahatsa ya ditokelo tse ding tsa botho: ona ke o mong wa mekgwa e boholkwa eo PAIA e ka sebediswang ke tsa yona.
Phaelo ya ditshebeletso tsa mmuso

» PAIA e ka sebediswa ho matlafatsa batho ka lesedi leo ba ka le sebedisang ho bona hore mmuso o jara boikarabelo mabapi le ho nehelana ka ditshebeletso tsa motheo tse kang bodulo, metsi le dikgwerekgwere.

Ditokelo tsa setjhaba le tsa sepolotiki le molao wa motheo

» PAIA e ka sebediswa ho bokella lesedi leo batho ba ka le sebedisang ho phethahatsa ditokelo tse kang tokelo ya ho vouta le tokelo ya tokoloho dibokeng.

Kgethollo le Tekatekano

» PAIA e ka sebediswa jwalo ka sesebediswa sa ho lwanela ditokelo ho fedisa kgethollo, jwalo ka kgethollo ho ya ka morabe, bong, jj, ditheong tse fapaneng tsa bohle le tsa poraefete.

Ho bohlokwa ho ela hloko hore PAIA ha e kgone ho sebedisetswa ho fumana direkoto tse ka sebediswang ditshebetsong tsa molao tsa setjhaba le tsa bosenyi, ho kenyeltswa le kamora dinyewe tse jwalo, le haeba tlhahiso kapa phihlello ya direkoto tla setjhaba tsesa mabaka ona ana e baballetswe tla tla Molao (sheba Karolong ya 7 ya Molao).

1.4 Seabo sa Khomishene ya Afrika Borwa ya Ditokelo tsa Botho

Khomishene ya Afrika Borwa ya Ditokelo tsa Botho (SAHRC) e na le thomo tla PAIA ya:

» Ho kgothaletsa tokelo ya phihlello ya lesedi
» Ho disa phethahatsa ya PAIA ke ditheo tsa bohle le tsa poraefete
» Ho etsa ditshisinyo tsa ho matlafatsa Molao
» Ho Tlaleha Palamenteng hang ka selemo

Molao wa Paballo ya Lesedi la Botho

Molao wa Paballo ya Lesedi la Botho wa bo 4 wa 2013 (PPIA) o ntlafatsa PAIA ka ditsela tse mmalwa. E nngwe ya ditseka tsa seholohoe tseo ka tsona Molao ona o fetolang PAIA e mabapi le seabo sa SAHRC. Tlase PPIA mesebetsi ya SAHRC ho latela PAIA e tla fetisetswa ho Molaodi wa Lesedi, e leng setheo se setjhawa se ikemetseng se tla thehwa ho disa PPIA le PAIA ka bobedi, le ho rarolla ditlelebeho tse amang phihlello ya lesedi ekasitana le paballo ya lesedi la botho.

Le ha ho le jwalo, SAHRC e sa tla boloka tlamo ya yona ya Molao wa Motheo ya ho kgothaletsa, ho baballa le ho disa tokelo ya phihlello ya lesedi jwalo ka ditokelo tse ding tsohle tse ahelletseng Biling ya Ditokelo.
KAROLA YA 2
Hofumana lesedi goseo osebatlang

Karolo ena e kenyeltsa:

2.1 Moo o ka fumanang teng ditataiso le dibukana tsa ditaelo ho o thusa ha o keny dikopo tsa lesedi

2.2 Motho eo o ka ikgokahanyang le ena ha o ka hloka ho hong

2.3 Seo ditho tsa bohle le tsa poraefete di hlokaeng ho se etsa ho thusa bakopi ba lesedi

2.4 Ho na le lesedi le fumanehang ka ho iketsahalla ntle le ho etsa le ha e ka ba kopo ya semuso, karolo ena e tla nehelana ka tjhebokakaretso ya moo o ka fumanang sena
2.1 Ha o qala

Morero wa Molao wa PAIA ke ho kgothalets ka matla setjhaba se ho sona batho ba Afrika Borwa ba nang le phihlelo o atlehieng ya lesedi ho ba thusa hore ba phethahatse ka botlalo le ho baballa ditokelo tsohle tsa bona. Empa ka dinako tse ding o ka ikutlwa o qaequa ka hore na o ka qala ka, kapa hore o ka fihlela jwang lesedi ho latela taelo ya Molao. Molao o bona bothata bo sa tlang mme o laela e le ka nnete hore ditataiso tse itseng le dibukana tsa ditaelo o phatlalatswe ho bontsha ka ho hlaka tsela e tla latelwa ke bakopile ba lesedi. Karolo ena e fana ka tjehebo ka karetso ya ditataiso tse dibukana tsa ditaelo, boikarabelo ba baphatlalatsi ba ditataiso tse dibukana tsa ditaelo, le hore di ka fumanwa ka e, e leng se boholokwahadi.

Ehlile, se seng sa disebediswa tse matla ka ho fetisisa tseo o ka di sebedisang ho fumanwa phihlelo ya lesedi ke kopo ya semmuso ya lesedi e etswang ho latela Moalo wa PAIA, oo tataiso ena e tla o thusa ho e etsa. Empa hopola, ena ha se yona feela tselo eo o ka e sebedisang ho latelia lesedi. Ho na le lesedi le fumanehang ka ho iketsahalla ntle le ho etsa le ha e ka ba kopo ya semmuso ya PAIA. Dinakong tse ding, molao o laela e le ka nnete hore ditheo tsa bohle le tsa porofentshe tse porofentshe tsa porofentshe tse porofentshe tse fapaneng. Khomishene hape e laelwa ho ntlafatsa tataiso bonyane hang dilemog tse ding le tse ding tse pedi.

2.2 Tataiso ya PAIA

Karolo ya bo 10 ya PAIA e laela hore Molao wa Motheo o hlhise mme o phatlashate tataiso e bonolo ho e utlwisisa ho thusa phihlellong ya direkoto le ditokomane le ho phethahatsa tokelo ya motho ya ho fumantsa lesedi. Tataiso ka nako tse ding e bitswa ‘Tataiso ya Karolo ya bo 10’.

E o neha lesedi lohle leo o le hlokang ho fumanwa direkoto le ha e ka ba dife. Hape e fana ka lenane la dintilha tsa dkgokahanyo tsa mafapha le diinstitjushene tsa mmmuso tse bolokang direkoto bakeng sa mmmuso, ekasitane le dintilha tsa dkgokahanyo tsa dikhamphani tsa porafete tse fapaneng. Khomishene hape e laelwa ho ntlafatsa tataiso bonyane hang dilemog tse ding le tse ding tse pedi.

2.2.1 Moo o ka fumanang tataiso teng

2.3 Dibukana tsa ditaelo tsa PAIA

Ho feta ho Karolo ya bo 10 ya PAIA e tla hlahiswa ke Khomishene, PAIA e laela hape hore ditheo tsohle tsa bohle, ekasitana le ditheo tse ngata tsa porae, di hlahisakeng bukana ya ditaelo e fupereng lesedi la ka moo PAIA e ka sebedisang ho fihlella direketo tsa tsona ka teng.

2.3.1 Dibukana tsa ditaelo tsa PAIA tsa ditheo tsa bohle

Karolo ya bo 14 ya PAIA e laela ditheo tsohle tsa bohle hore di phatlalatse bukana ya ditaelo bonyane ka maleme a mararo a semmuso ho thusa babatli ba lesedi hore ba keny dikopo tsa lesedi ho setheo se amehang. Bonyane, bukana ya ditaelo e lokela ho fupara lesedi le bohlokwa le latelang:

<table>
<thead>
<tr>
<th>Se hlokwang</th>
<th>Tihaloso</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomo</td>
<td>Moralo le mesebetsi ya setheo sa bohle</td>
</tr>
</tbody>
</table>

**Dintliha Dzikokahanyo**

Diterese tsa poso le bodulo, nomoro ya founu le fekese le, haeba e fumaneha, aterese ya imeile ya mohlanka wa lesedi wa setheo sa bohle, ekasitana le motlatsa mohlanka wa lesedi e mong le e mong wa setheo sa bohle.

**Tataiso ya Karolo ya bo 10 ya PAIA**

Tihaloso ya Tataiso ena e hlahisitsweng ke Khomishene ya Afrika Borwa ya Ditokelo tsa Botho le ka moo e ka fihlellang ka teng.

**Mekgahlelo ya direketo tse bolokilweng**

Lesedi le lekaneng ho thusa ka ho kgonahatsa phihiello ya direketo tse polokelong ya setheo sa bohle. Setheo sa bohle se lokela ke hona ho hlaho diholo ose se bolokileng direkoto ho tsona, le mekgahlelo ya direkoto tse bolokilweng sehlooho ka seng.

**Lesedi le fumanehang ka ho iketsahalla**

Lesedi le leng le fumaneha habonolo ntle le hore motho a keny kopo ya phihiello ho latela PAIA. Bukana ya ditaelo ya setheo sa bohle e lokela ho bontsha lesedi lena le fumanehang habonolo.

**Ditshebeletso tsa setheo sa bohle**

Tihaloso ya ditshebeletso tse fumanehang ho ditho tsohle ho tswa ho setheo sa bohle, le ka moo o ka fihlellang ditshebeletso tseo ka teng.

**Bankkarolo ba setjhaba**

Tihaloso ya tlhophiso kapa kabelo le ha e ka ba efe bakeng sa hore motho a reisane le e mong, a eme le kapa a nke seabo kapa ho hlahisa maikutlo ketsong ya leano; kapa ho sebedisa matla kapa phethahatso ya mesebetsi ya setheo sa bohle.

**Monyetla**

Mohato oo o ka o nkang haeba mohlanka wa lesedi wa setheo sa bohle a hana ho o neha phihiello ya lesedi.
2.3.2 Moo o ka fumanang teng bukana ya ditaelo ya setheo sa bohle

Ditheo tshole tsa bohle di lokela ho bona hore o ka fumanana bukana ya ditaelo habonolo. Bonyane, di laelwa ho etsa jwalo ka mekgwa e latela:

» Ka ho bona hore ho ba le kopi ofising e ngwe le e ngwe ya setheo seo sa bohle kalaka tse mosebetsi;

» Ka ho bona hore ho ba le bukana ya ditaelo webesaeteng ya setheo sa bohle, haeb a na le yona.


2.3.3 Dibukana tsa ditaelo tsa PAIA bakeng sa ditheo tsa poraefete

Ditheo tsa poraefete le tsona di laelwa ho hlahisa bukana ya ditaelo. Sena ke ho latela karolo ya bo 51 ya PAIA. Nakong ya jwale, ha se ditheo tshole tsa poraefete tseo bonneteng di laelweng ho ikobela karolo ena.1 O ka fumanana, ka hona, hore setheo seo o lakatsang ho kopa lesedi ho sona ha se na bukana ya ditaelo eo se ka o nehang yona. Hona ha ho bolele hore setheo se se tla di tla tse poraefete tsa lesedi ha se tla poraefete hore di se laelwa ka POPI o tla tla di le tla poraefete ka le tla poraefete hore. Tshebeto sa ho laelwa ka POPI o laelwa le kopa le mabapi le kopa le mabapi. Tshebeto sa ho kopa ya lesedi ho latela PAIA ha e feteto, le hoja setho se kopuwe se dumelletswe hore se se ka o hlahisa bukana ya ditaelo.

KE DITHEO DIFE TSA PORAEFETE TSE SA TLAMEHENGO HO PHATLALATSU BUKANA YA DITAELO YA LESEDI?

Mokgwa oo Molao o ngotsweng ka ona ke ho laela hore ditheo TSOHLE tsa poraefete di hlahisa bukana ya ditaelo. Le ha ho le jwalo, boemo bo akaretsang bo latela bokgoli boketso, bo Letona ba ho dumella ditheo tse itseng tsa poraefete le kopa makohlalelo e itseng ya poraefete hore se se ka o phatlalatsu bukana ya ditaelo. Nakong ya jwale, Letona le dumelletswe ditheo TSOHLE tsa poraefete hore di se ke tsa hlahisa dibukana tsa ditaelo ho qala ka la 1 Pherekong 2016 NTLE LE HA setheo se se le mokgahlelelong o hlahisitsweng mona ka tlase.

1 Sena se fetotswe ka la 31 Tshitwe 2015, ha ditheo tshole tsa poraefete di ne di tshwanetse hore e be di bile le bukana ya ditaelo ho latela karolo ya 51 ya PAIA.
TATAISO YA KA MOO O KA SEBEDISANG MOLAO WA KGOTHALETSE YA PHIHLELLO YA LESEDI
WA BO 2 WA 2000

Dikhamphani tse latelang tsa poraefete di tlameha ho hlahisa bukana ya ditaelo ya PAIA haeba di na le basebeletse ba fetang 50 diindasetering tse latelang kapa di na le lekenokakaretso le fetang bokalo bo bontshitsweng lenaneng:

<table>
<thead>
<tr>
<th>INDASETERI</th>
<th>LEKENOKAKARETSO KA SELEMO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tse Temo</td>
<td>R2 dimiliyone</td>
</tr>
<tr>
<td>Merafo le Dikwari</td>
<td>R7 dimiliyone</td>
</tr>
<tr>
<td>Bohlahisi</td>
<td>R10 dimiliyone</td>
</tr>
<tr>
<td>Motlakase, Kgase le Metsi</td>
<td>R10 dimiliyone</td>
</tr>
<tr>
<td>Kaho</td>
<td>R5 dimiliyone</td>
</tr>
<tr>
<td>Thekiso le Kananyo ya Makoloi le Ditshebeletso tsa Tokiso</td>
<td>R15 dimiliyone</td>
</tr>
<tr>
<td>Kananyo ya bongata, Boemedi ba Kgwebo le Ditshebeletso tsa Botswalle</td>
<td>R25 dimiliyone</td>
</tr>
<tr>
<td>Ditshebeletso tsa Dijo, Bodulo le Kananyo e Nngwe</td>
<td>R5 dimiliyone</td>
</tr>
<tr>
<td>Polokelo le Dikgokahanyo</td>
<td>R10 dimiliyone</td>
</tr>
<tr>
<td>Ditshebeletso tsa Ditjhelete le Kgwebo</td>
<td>R10 dimiliyone</td>
</tr>
<tr>
<td>Ditshebeletso tsa Baahi, tse Ikgethang le tsa Botho</td>
<td>R5 dimiliyone</td>
</tr>
</tbody>
</table>

Letona hape le boletse hore dikhamphani tsohle tse sa hlaloswang ka hore ke ‘dikhamphani tsa poraefete tlasa karolo ya bo 1 ya Molao wa Dikhamphani wa bo 71 wa 2008 di tlamehile ho hlahisa bukana ya ditaelo ya Karolo ya bo 51.

2.3.4 Moo o ka fumanang bukana ya ditaelo ya setheo sa poraefete teng

Ditheo tsohle tsa poraefete tse laelwang ho hlahisa bukana ya ditaelo di tlamehile ho bona hore o ka fumana bukana ya ditaelo habonolo. Bonyane, di laelw ho etsa jwalo ka mekgwa e latelang:

» Ka ho bona hore ho ba le kopi ofising e nngwe le e nngwe ya setheo seo sa poraefete ka dinako tsa mosebetsi hore e hlahlojwe; Setheo sa poraefete ha se a tshwanela ho lefisa bakeng sa tlahlobo ena;
» Ka ho bona hore bukana ya ditaelo e a fumaneha webesaeteng.
### 2.3.5 Ka moo o ka ikobelang ditaelo ha o le setheo sa poraefete

Webesaeteng ya Khomishene ya Ditokelo tsá Botho ya Afrika Borwa (www.sahrc.org.za), ho na le tataiso e ntlafetseng bakeng sa bahlanka ba lesedi ba dikhamphani tsa poraefete hore ba ikobele Karolo ya bo 51 ya PAIA. Sena se kenyelaetsa moralo o ka daonloutwanga oo bahlanka ka lesedi ba ka o sebedisang ho supa tseka.

Ho latela karolo ya bo 51, hlooho ya setheo sa poraefete e lokela:

- Ho ntlafatsa nako le nako ditokiso le ha e ka ba dife tsa bohlokwa bukaneng ya dita elo;
- Ho bona hore bukana ya dita elo e a fumaneha diofising tsa khamp hanji jwalo ka ha ho laetswe ke Molao, eka sitana le webesaeteng ya yona;
- Ho hlomathisa foromo ya kopo (PAIA Foromo ya C) ho bukana ya dita elo ekasitana le ho bona hore diforomo tsa kopo di ba teng webesaeteng le dibakeng tsohle tsa khamphani.

Bukana ya dita elo e lokela bonyane ho fupara lesedi le latela ng:

<table>
<thead>
<tr>
<th>SE HLOKWANG</th>
<th>TLHALOSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dintlha tsa Dikgokahanyo</td>
<td>Aterese ya poso le ya sebaka, nomoro ya foune le ya fekese le aterese ya imele, haeba e le teng, ya mohlanka wa lesedi wa setheo sa khamphani ya poraefete.</td>
</tr>
<tr>
<td>Lesedi le fumanehang ka ho iketsahalla</td>
<td>Lesedi le leng le fumaneha habonolo ntle le hore motho a keny e kopo ya phihlello ho latela PAIA. Bukana ya dita elo ya khamphanji ya poraefete e lokela ho bontsha lesedi lena le fumanehang habonolo.</td>
</tr>
<tr>
<td>Direkoto tse fumanehang ha di kopuwa</td>
<td>Bukana ya dita elo ya Karolo ya bo 51 e lokela ho bontsha lenane la mekgahlelo ya direkoto tse fumanehang ha di kopuwa.</td>
</tr>
<tr>
<td>Tsamaiso ya PAIA</td>
<td>Bontsha tsamaiso ya PAIA e lokelang ho latellwa ha o kopa phihlello ya lesedi khamphanji ya poraefete (ke hore Foromo ya C).</td>
</tr>
<tr>
<td>Lesedi ka Khamphanji</td>
<td>E kenyelaetsa dintlha tsa hlooho ya khamphanji kapa CEO ya khamphanji (hobane, ho latela molaol wa PAIA, Mohlanka wa Lesedi wa khamphanji ya poraefete o atisa ho ba CEO kapa hlooho).</td>
</tr>
<tr>
<td>Ditefo</td>
<td>Bo lela mokopi le ditefo tsa phihlello tse lefuwang ho latela molaolwa PAIA (sheba Karolo ya bo 3 ha o batla lesedi le eketsehileng).</td>
</tr>
<tr>
<td>Monyetla</td>
<td>Na ho na le ditokiso dife tse fumanehang ho bakopi haeba kopo ya bona ya lesedi e hanelwa.</td>
</tr>
<tr>
<td>Dintlha tse Eketsehileng</td>
<td>Dintlha tse ding le ha e ka ba dife mabapi le dikopo tsa phihlello ya direkoto.</td>
</tr>
</tbody>
</table>
2.4 Lesedi le fumanehang ka ho iketsahalla le polokelong ya setheo sa bohle

Jwalo ka ha ho boletswe selelekeleng sa karolo ena, ha se lesedi lohle le hlokang kopo ya semmuso hore le ka fihlellwa. Ditheo tse fapaneng tsa bohle di laelwa ke melao e fapaneng hore di bone hore lesedi le itseng le ka fumanwa ke bohle. Le ho feta mona, diinstitjushene tse ngata di tla senola lesedi le eketsehilekeng ka boithaopo molemeng wa ponahalo, boikarabelo le ho tshwanelo ho bohle. Ho kgothaletsatsa tshenolo ka boithaopo ya lesedi le ho kgonahatsa phihlello e eketsehilekeng ya lesedi lena, Karolo ya bo 15 ya PAIA e laela le fapaneng tsa bohle ho phatlalatsa lenane, le tsejwang ka hore ke ‘Tsebiso ya Karolo ya bo 15’ kapa ‘tsebiso ya tshenolo ka boithaopo’, la lesedi lohle le mabapi le setheo se o le ka fumanwang ke mang kapa mang ka ho iketsahalla.

Mohlanka wa lesedi wa setheo sa bohle o laelwa ho hlahisa tsebiso ya tshenolo ka boithaopo bakeng sa setheo sa bohle, le ho etsa hore e fumanehang diofising tsa setheo se o sa bohle ekasitana le ho e phatlalatsa Koranteng ya Mmuso. Tsebiso ya tshenolo ka boithaopo e lokela ho ntlafatswa seleme seleme.

Tsebiso ya tshenolo ka boithaopo e fupere mekgahlelo ya direkoto le tlhaloso ya direkoto tse fumanehang ka ho iketsahalla:

- Bakeng sa tlahlobo ho latela molao le ha e ka ba 0fe ntle le PAIA;
- Ho reka kapa ho kopitsa setheong sa bohle; le
- Ho tswa setheong sa bohle mahala.


Le hoja ho tlama hore setheo sa bohle se phatlalatsate tsebiso ya tshenolo ka boithaopo, ha se ntho ya ‘boithaopo’. Tsebiso e bitswa ‘tsebiso ya tshenolo ka boithaopo’ hobane e fana ka tsebiso ya lesedi lohle le senotsweng ka boithaopo, e seng hobane ho ho boikgethelo ba mohlanka wa lesedi hore a ka phatlalatsa lenane leo kapa tjhe.
2.5 Lesedi le fumanehang ka ho iketsahalla le polokelong ya khamphani kapa setheo sa poraefete

Ona mokgwa ona o sebetsang ho lesedi le polokelong ya setheo sa bohole o ntse o sebetsa le mokgahlelong ona wa lesedi o fumanehang ka ho iketsahalla, ntle le ho kenywa kopo ya semmuso. Pele o kenywa kopo ya semmuso bakeng sa lesedi ho latela PAIA, e leng kopo e tla o ja tšehele le hore o lete matsatsi a 30, ho boholwa ho netefatsa hore na lesedi lena le se se senotswe mme ka hoo le fumaneha ka ho iketsahalla ntle le ho kenywa kopo ya semmuso.

Ka boithaopo le ka dinako tse boletsweng, hlooho ya setheo sa poraefete e ka hlähisa lenane la lesedi le fumanehang ka ho iketsahalla ho setheo sa poraefete ntle le hore wena o kenywa kopo semmuso. Lenane lena le bitswa ‘tsebiso ya karolo ya bo 52’ kapa ‘tsebiso ya tshenolo ka boithaopo.’

Ho sa tshwane le maemo ao mohlanka wa lesedi wa setheo sa bohole a tobaneng le ona ao, ho latela PAIA, a tlamehieng ho phatlabatsa tsebiso ya tshenolo ka boithaopo, mohlanka wa lesedi wa setheo sa poraefete ha a tlamehē ho etsa jwalo. Jwalo ka ha PAIA e bolela, “ka boithaopo, a ka” phatlabatsa lenane le. Ena ke phapang e kgolo pakeng tsa tsebiso ya karolo ya bo 52 ya ditheo tsa poraefete le tsebiso ya karolo ya bo 15 bakeng sa ditheo tsa bohole.

Tsebiso ya tshenolo ka boithaopo ya setheo sa poraefete e fupere mekgahlelo ya direkoto le tlhalosoga ya direkoto tse fumanehang ka ho iketsahalla:

- Bakeng sa tlahlobo ho latela molao le ha e ka ba ofe ntle le PAIA;
- Ho reka kapa ho kopitsa setheong sa bohole; le
- Ho tswa setheong sa bohole mahala.

Tsebiso ya tshenolo ka boithaopo e lokela hape ho hlalosa ka moo direkoto tse senolwango ka boithaopo le tse fumanehang ka ho iketsahalla di ka fihlelwa nga teng.
KAROLO YA 3
Ka moo o ka kopang ka teng ho fumantshwa phihlelo ya lese di

Karolo ena e kanyelets'a tse latelang:

| 3.1  | Mofuta wa kopo            |
| 3.2  | Ditefo tse tsamayang le ho keny a dikopo |
| 3.3  | Seabo sa Mohlanka wa Lesedi |
| 3.4  | Menyetla ya mmuso         |
3 Na nka e kenya jwang kopo ya PAIA?

Kopo ya phihlello ya lesedi e ka kenngwa ho ditheo tsa bohle le tsa poraefete. Motho ya kenyang kopo o tsejwa ka hore ke “mokopi”, mme o na le tokelo ya phihlello ya mefuta e itseng ya lesedi le bolokilweng ke ditheo tsa bohle kapa tsa poraefete. PAIA e bontsha mekgwa e fapaneng ya ho fihlella lesedi la setheo sa bohle kapa sa poraefete. Diforomo tse itseng tse laetsweng di thamehile ho sebediswa ke bakopi ha ba keny dikopo tsa lesedi. Diforomo tsena di ka fumanwa ho PAIA.

<table>
<thead>
<tr>
<th>MOFUTA WA SETHEO</th>
<th>FOROMO YA PAIA</th>
<th>KAROLO YA PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setheo sa bohle</td>
<td>Foromo ya A</td>
<td>Karolo ya bo 18</td>
</tr>
<tr>
<td>Setheo sa poraefete</td>
<td>Foromo ya C</td>
<td>Karolo ya bo 53</td>
</tr>
</tbody>
</table>


3.1 Ke mang ya ka kenyang kopo ya PAIA?

Mang kapa mang o a dumellwa ho keny dikopo ho latela molao wa PAIA. Mokopi a ka ba:

**Motho wa Tlhaho**

» motho enwa ha a tlamehe ho ba mohahi wa Afrika Borwa kapa modudi wa Afrika Borwa

**KAPA**

**Motho wa molao**

» jwalo ka kgwebo kapa mokgatlo

**KAPA**

**Motho ya emetseng motho wa tlhaho kapa motho wa molao**

Mokopi o na le tokelo ya ho fihlella direkoto tse supereng dintlha tsa botho tsa mokopi ka boyena, kapa tsa motho eo mokopi a mo kenyetsang kopo.

Setheo sa bohle se nkuwa e le motho wa molao mme se ka keny dikopo ya phihlello ya direkoto tse polokelong ya ditheo tsa poraefete, **ha feela** setheo sa bohle se (1) sebeletsa molemo wa bohle, le (2) haeba direkoto di batlelwa ho phethahatsa kapa ho baballa ditokelo le ha e ka ba dite tseo e seng tsa setheo sa bohle.

Ho bholokwa ho ela hloko hore PAIA ha e sebeletse hore mafapha a mmuso (ho keneleltswa makala a naha, porofentshe le masepala), motho kapa institjushene efe kapa efe e phethahatsang matla kapa e etsang tiamo ho latela Molao wa motheo, (jwalo ka SAHRC le Ofisi ya Mosireletsi wa Setjhaba), kapa molao wa motheo wa porofentshe (jwalo ka Lekgotla la Kapabophirima la Dilaesentshe tsa Tahi), o keny dikopo tsa PAIA ho ditheo tse ding tsa bohle.
3.1.1 Na ke e tlatsa jwang foromo ya kopo ya PAIA?

Kopo ya phiilello ya lesedi le polokelong ya setheo sa bohle kapa sa porafete e kenngwa ka ho tlatsa foromo ya kopo ya PAIA le ho e neha setheo se tshwanelehileng. Kopo ya PAIA e lokela ho lebisa ho Mohlanka wa Lesedi, Motlatsa Mohlanka wa Lesedi kapa Hlooho ya setheo sa bohle kapa sa porafete, mme e lokela ho sebedisa dintlha tsa dikgokahanyo tse nepahetseng le ts a moraorao.

Ho feta ho ho nehelana ka dintlha ka setheo se tshwanelehileng, foromo ya kopo ya PAIA jwalo ka ha ho laetswe e kenelele tse latelang:

<table>
<thead>
<tr>
<th>LESEDI LE BATLWANG</th>
<th>TLHALOSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dintlha tsa mokopi</td>
<td>Ho hlokeha dintlha tse kgotsofatsang ka mokopi hore mokopi a tsebehe habonolo, ho keneleleka le dintlha tsa dikgokahanyo tsa mokopi: aterese ya poso, aterese ya imeile, nomoro ya fekese le/kapa fouu ya Afrika Borwa.</td>
</tr>
<tr>
<td>Dintlha tsa rekoto e kopuwang</td>
<td>Ho hlokeha dintlha tse kgotsofatsang ka rekoto hore rekoto eo e fumanehe habonolo. Dipampiri tse ding di ka sebediswa ho nehelana ka dintlha tse ding tsa kopo, ha feela leqephe ka leng le saenuwa mme le hokelwa ho foromo ya kopo.</td>
</tr>
<tr>
<td>Mokgwa wa ho fihlella rekoto</td>
<td>Tlhaloso ya foromo kapa mokgwa oo rekoto e lokelang ho fanwa kapa ho fihlella ka ona.</td>
</tr>
<tr>
<td>Mokgwa oo mokopi a tla tsebiswa ka ona ka phiilello</td>
<td>Mokgwa oo mokopi a tla tsebiswa ka ona ka qeto ya ho dumella kapa ho hanelo kopo ya hae.</td>
</tr>
<tr>
<td>Kgetho ya leleme</td>
<td>Ha kopo e kenngwa ho setheo sa bohle, leleme le kgethilweng leoa le kona rekoto e tla nehwa le lokela ho bontshwa.</td>
</tr>
<tr>
<td>Maemo a motho ya dumelletsweng ya kenyang kopo</td>
<td>Ha kopo e etswa lebitsong la motho e mong, bopaki ba boemo boo motho a kenyang kopo ka bona bo lokela ho nehwa (sen a tsejwa ka hore ke motho ya dumelletsweng).</td>
</tr>
<tr>
<td>Ditokelo tse amehang</td>
<td>Ha kopo e kenngwa ho setheo sa porafete, mokopi o lokela ho boilela tokelo e amehang le ho hlalo sa hore haboneng rekoto e hlokwa bakeng sa phethahatso kapa paballo ya tokelo eo ka boyona.</td>
</tr>
</tbody>
</table>

Bakopi ba sa kgoneng ho bala kapa ho ngola ba ka kena dikopo ka ho bua feela ho Mohlanka wa Lesedi kapa Motlatsa Mohlanka wa Lesedi wa setheo sa bohle, e leng ena ya tla jara boikarabelo ba ho tlatsa Foromo ya A lebitsong la mokopi.
3.1.2 Na ho na le tsamaiso e lokelang ho latelwa ha o kenya kopo ya PAIA?

Mokopi o lokela ho nehwa phihlello ya direkoto tse kopuweng, feela haeba a latetse ditlhoko tse latelang tsa tsamaiso:

» Kopo ya PAIA e lokela ho etswa foromong e nepahetseng (Foromo ya A bakeng sa ditheo tsa bohle, Foromo ya C bakeng sa ditheo tsa poraefete), mme e lebiswe ho Mohlanka wa Lesedi kapa Motlatsa Mohlanka wa Lesedi wa setheo sa bohle kapa sa poraefete, kapa ho Hlooho ya setheo sa bohle kapa sa poraefete.

» Foromo ya kopo ya PAIA e lokela ho kenngwa ka letsoho, ho romelwa ka poso, ka fekese kapa ho romelwa ka imele ho setheo sa bohle kapa sa poraefete seo kopo e lebiswang ho sona.

» Direkoto tse kopuwang ha di laolwe ke maemo a ho hana a fuweng ho PAIA.

3.2 Ho ja bokae ho kenya kopo ya PAIA?

Bakopi ba laelwa ho lefa tefo ha ba kenya kopo ya phihlello ya direkoto tse ditheo tsa bohle le tsa poraefete.

Tefo ya ho kopa direkoto setheong sa bohle ke R35, ha tefo ya ho kopa direkoto ho setheo sa poraefete e le R50.

Ho bohlokwa ho ela hloko hore bakopi ba kopang phihlello ya lesedi la bona la botho ba dumelletswe hore ba se ke ba lefa tefo eo; empa ho sa na le tefo ya phihlello eo ba lokelang ho e lefa.

Bakopi bao moputso wa bona o leng ka tlase ho R14,712 ka selemo (haeba ba sa nyala) le ka tlase ho R27,192 ka selemo (haeba ba nyetse kapa ba le selekaneng sa bophelo bohle) HA BA a lokela ho lefa ditefo tsa kopo.
3.2.1  Ho ja bokae ho fihlella direkoto ho latela PAIA?

Bakopi hape ba lokela ho lefa ditefo tsa ho fihlella direkoto tsa ditheo tsa bohle le tsa poraeftse. Tefo e akaretsa ditjeho tsa ho fuputsa ho fumanu direkoto le ho di kopitsa.

Tlhophollo ya ditefo tsa ho fihlella direkoto tsa ditheo tsa bohle ke ena:

<table>
<thead>
<tr>
<th>MOSEBETSI</th>
<th>TEFÛ</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kopi ya leqephe la A4 ka leng</td>
<td>60 disente</td>
</tr>
<tr>
<td>Kgatiso ya leqephe la A4 ka leng</td>
<td>40 disente</td>
</tr>
<tr>
<td>Kopi ho CD</td>
<td>R40</td>
</tr>
<tr>
<td>Ngolollo ya ditshwantsho leqepheng la A4</td>
<td>R22</td>
</tr>
<tr>
<td>Kopi ya setswantsho</td>
<td>R60</td>
</tr>
<tr>
<td>Ngolollo ya kgatiso ya kutlo leqepheng la A4</td>
<td>R12</td>
</tr>
<tr>
<td>Kopi ya kgatiso ya kutlo</td>
<td>R17</td>
</tr>
<tr>
<td>Phuputse le tokiso ya rekoto bakeng sa tshenolo</td>
<td>R15 hora ka nngwe kapa karolo ya yona, ho sa kenyeleletswe hora ya pele, e hlokehang bakeng sa ho fuputsa le ho lokisa</td>
</tr>
</tbody>
</table>

Tlhophollo ya ditefo tsa ho fihlella direkoto tsa setheo sa poraeftse ke:

<table>
<thead>
<tr>
<th>MOSEBETSI</th>
<th>TEFÛ</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kopi ya leqephe la A4 ka leng</td>
<td>R1.10</td>
</tr>
<tr>
<td>Kgatiso ya leqephe la A4 ka leng</td>
<td>75 disente</td>
</tr>
<tr>
<td>Kopi ho CD</td>
<td>R70</td>
</tr>
<tr>
<td>Ngolollo ya ditshwantsho leqepheng la A4</td>
<td>R40</td>
</tr>
<tr>
<td>Kopi ya setswantsho</td>
<td>R60</td>
</tr>
<tr>
<td>Ngolollo ya kgatiso ya kutlo leqepheng la A4</td>
<td>R20</td>
</tr>
<tr>
<td>Kopi ya kgatiso ya kutlo</td>
<td>R30</td>
</tr>
</tbody>
</table>
| Phuputse le tokiso ya rekoto bakeng sa tshenolo | R30 hora ka nngwe kapa karolo ya yona, ho sa kenyeleletswe hora ya pele, e hlokehang bakeng sa ho fuputsa le ho lokisa.
Ela hloko hore bakeng sa diinstitjushene tsa bohole le tsa poraefete, ditefo tsa ho posa di lokela ho lefuwa ke mokopi bakeng sa ho tsamaisa direkoto tsa bona.

Tse sa kenyelsetsweng

Haeba Mohlanka wa Lesedi, Motlatsa Mohlanka wa Lesedi, kapa Hlooho ya setheo sa bohole/poraefete a nahana hore pokello le tlahasobotjha ya ditokomane e tla nka dihora tse fetang tshelela, o lokela ho tsebisa mokopi, (ka tsebiso ya semolao), hore karolo ya nngwe borarong e lokela ho lefelliwa ka pele e le diphositi.

Haeba rekoto e sa nehwe ka mokgwa o kopilweng, tefo ya phihlello e lefisitsweng mokopi ha e a tshwanela ho feta e neng e tla lefuwa haeba phihlello e ne e nehuwe ka mokgwa o kopilweng. Le ha ho le jwalo, molawana ona ha o sebetsa haeba ho tlamehile ho sebediswa mokgwa o mong hobane lesedi le ne le lokela ho pongwa rekotong.

Haeba mokopi a sa kgone ho bala, ho bona kapa ho utlwa rekoto ka mokgwa oo e leng polokelong ya setheo sa bohole ka ona ka lebaka la bofokodi mmeleng, setheo sa bohole se laelwa ho nehela mokopi rekoto foromong eo mokopi a kgonang ho e fihlela. Tefo ya phihlello e lefiswang mokopi ha e a lokela ho feta tefo e neng e tla lefiswa ha a ne a se na bofokodi boo.

3.3 Na Mohlanka wa Lesedi a ka nthusa ho kenya kopo ya PAIA?

Ha kopo ya PAIA e etswa ho setheo sa bohole, Mohlanka wa Lesedi kapa Motlatsa Mohlanka wa Lesedi o lokela ho o thusa moo ho hlokehang ho tlatsa diforomo tsa PAIA.

Thuso mahala e tlamehile ho nehwa ke Bahlanka ba Lesedi.
<table>
<thead>
<tr>
<th><strong>MESEBETSI YA BAHLANKA BA LESEDI</strong></th>
<th><strong>TLHALOSO</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Thusa mokopi ho tlatsa</td>
<td>Ha kopo ya PAIA e sa latele ditaelo tsohle tse ngotsweng foromong ya PAIA le molaong. Mohlanka wa Lesedi kapa Motlatso Mohlanka wa Lesedi HA A kgone ho hana kopo. Bakeng sa hoo, Mohlanka wa Lesedi o lokela ho tsebisa mokopi, ka lengolo, hore ha a kgone ho dumela kopo hobane ha e a phethahala mme a mo nehe thuso ya ho etsa diphetohoe tse hlokehang foromong. Haeba mokopi a sa arabe lengolo kapa a sa lokise foromo ka nako e kgotsofatsang, Mohlanka wa Lesedi a ka nna a hana kopo ya hae.</td>
</tr>
<tr>
<td>Foromo ya PAIA</td>
<td>Haeba ho kgotsofatsa mme ho kgoneha ho etsa jwalo, Mohlanka wa Lesedi o tlamehile ho neha mokopi lesedi le ha e ka ba lefe le leng le polokeleng ya sethelo sa bohole le lona le tshwanetseng kopo, le hoja direkoto tse di ne di se karolo ya kopo ya pele.</td>
</tr>
<tr>
<td>Neha mokopi lesedi le tshwanelehileng moo ho kgonehang.</td>
<td>Ha kopo ya PAIA e kenggwa setheong sa bohole se fosahetseng, Mohlanka wa Lesedi wa setheo se o tlamehile ho fetisetsa kopo eo ho setheo se nepahetseng sa bohole nakong ya matsatsi a sa feteng 14 kamora hoba kopo e amohelwe mme o lokela ho tsebisa mokopi ka lengolo ka phetiso eo.</td>
</tr>
<tr>
<td><strong>Kopo ya phetiso</strong></td>
<td>Haeba ho kgotsofatsa mme ho kgoneha ho etsa jwalo, Mohlanka wa Lesedi o tlamehile ho neha mokopi lesedi le ha e ka ba lefe le leng le polokeleng ya sethelo sa bohole le lona le tshwanetseng kopo, le hoja direkoto tse di ne di se karolo ya kopo ya pele.</td>
</tr>
<tr>
<td>Matsatsi a 30 ho arabela kopo</td>
<td>Haeba ho kgotsofatsa mme ho kgoneha ho etsa jwalo, Mohlanka wa Lesedi o tlamehile ho neha mokopi lesedi le ha e ka ba lefe le leng le polokeleng ya sethelo sa bohole le lona le tshwanetseng kopo, le hoja direkoto tse di ne di se karolo ya kopo ya pele.</td>
</tr>
<tr>
<td>Nehela phihlello kapa o hane</td>
<td>Haeba ho kgotsofatsa mme ho kgoneha ho etsa jwalo, Mohlanka wa Lesedi o tlamehile ho neha mokopi lesedi le ha e ka ba lefe le leng le polokeleng ya sethelo sa bohole le lona le tshwanetseng kopo, le hoja direkoto tse di ne di se karolo ya kopo ya pele.</td>
</tr>
<tr>
<td>Sebopeho sa phihlello, tefo ya phihlello le menyetla</td>
<td>Ha kopo ya PAIA e dumellwa, Mohlanka wa Lesedi o lokela ho tsebisa mokopi ka sebopeho se o sa sona phihlello e tla nehwa le hore ho tla ja bokae, e leng tefo e lokela bigo ka lefwa hang ha phihlello e nehilwe. Hape mokopi o lokela ho tsebisa hore o na le tokelo ya ho kenya boipiletso ba ka hare le kopo e lebispang kgotla kgahlanong le tefo ya phihlello kapa kgahlanong le sebopeho se o phihlello e tla nehwa ka sona. Ho feta moo, tsebiso e lokela hape ho nehelana ka lesedi ka nako e boipiletso kopo ya kgotla e lokela bigo ka lefwa hang ha phihlello e tsa nehilwe.</td>
</tr>
<tr>
<td>Ho qhala kopo</td>
<td>Haeba ho kgotsofatsa mme ho kgoneha ho etsa jwalo, Mohlanka wa Lesedi o tlamehile ho neha mokopi lesedi le ha e ka ba lefe le leng le polokeleng ya sethelo sa bohole le lona le tshwanetseng kopo, le hoja direkoto tse di ne di se karolo ya kopo ya pele.</td>
</tr>
<tr>
<td>Tjhetjhisa ho nehelana ka rekoto</td>
<td>Haeba ho kgotsofatsa mme ho kgoneha ho etsa jwalo, Mohlanka wa Lesedi a ka nka qeto ya ho tjhetjhisa nako eo a tla nehari mokopi rekoto eo a e kopileng ho latela Karolo ya bo 24 ya PAIA, haeba morero wa kopo ya rekoto eo ke ho e phatlatlatsa nakong ya matsatsi a sa feteng 90 kapa haeba rekoto eo e laelwa ka molao hore e phatlatlatswe empa e so phatlatlatswe.</td>
</tr>
</tbody>
</table>
PAIA e bolela Dikarolong tsa 23 le 55 hore haeba Mohlanka wa Lesedi a sa kgone ho fumana direkoto tse kopilweng, kapa ho kgolwa hore ha di fumanehe, kamora ho netefatsa hore mehato yohle e kgotsofatsang e ile ya nkuwa ho fumana rekoto eo, Mohlanka wa Lesedi o lokela ho fa mokopi lengolo la boikano le bolelang hore rekoto e kopuweng ha e fumanehe kapa ha e kgone ho fumanwa. Lengolo la boikano le tlamehile ho ba le dintlha tse kgotsofatsang.

3.4 Na ke na le menyetla efe molaong ha kopo ya ka ya PAIA e hanwa?

Mokopi o na le tokelo ya ho nka mehato ya molao kgahlanong le Mohlanka wa Lesedi, Motlatsha Mohlanka wa Lesedi, kapa Hloooho ya setheo sa bohle kapa poraefete haeba Mohlanka wa Lesedi a ka nka qeto ya:

» Ho hanela phihlello ya rekoto  
» Ho eketsa nako ya ho arabela kopo  
» Ho lefisa tefo ya kopo kapa tefo ya phihlello  
» Ho nehelana ka phihlello ya rekoto ka sebopeho se fapaneng le se kopilweng qalong.

Karlolo ena e tla hlalosa menyetla ya molao e fumanehang ho bakopí ba lakatsang ho bula nyewe kgahlanong le diqeto tsa Bahlanaka ba Lesedi.

3.4.1 Menyetla ya Molao kgahlanong le Ditheo tsa Bohle

Ha mokopi a sa kgotsofatswa ke qeto e nkuweng ke Mohlanka wa Lesedi wa setheo sa bohle, mokopi o na le tokelo ya ho etsa boipiletso ba ka hare. Boipiletso ba ka hare bo kenya motho wa maemo a batlang a le hodimo ya shebang botjha qeto ya Mohlanka wa Lesedi le ho nka qeto ka hare Mohlanka wa Lesedi o nkile qeto e nepahetseng kapa tjhe. Haeba motho enwa wa maemo a phahameng a dumella qeto ya Mohlanka wa Lesedi, boipiletso ba ka hare bo a hanelwa mme qeto e nkuweng pele mabapi le kopo ya PAIA e a tiiswa. Haeba motho enwa wa maemo a phahameng a sa amohelwa qeto ya Mohlanka wa Lesedi, boipiletso bo a amohelwa mme qeto ya pele mabapi le kopo ya PAIA ea a qhalwa.

Ho bohlokwa ho ela hloko hore o ka kenya boipiletso ba ka hare feela ho mafapha a mmuso a naha, porofentshe le masepala. Ha ho tsamaiso ya ka hare e fumanehang bakeng sa ditheo tse ding tsa bohle.

Motse wa Cape Town ke mohlala wa mmuso wa masepala oo boipiletso ba ka hare bo ka qalwang kgahlanong le ona. Letlole la Dikotsi Mebileng ke mohlala wa setheo sa bohle seo e seng karolo ya mmuso wa naha, porofentshe kapa lehae, ka ha setheuwe ho latela molao (Molao wa Letlole la Dikotsi Mebileng), mme ka hoo boipiletso ba ka hare ha ho kgone ho etswa kgahlanong le setheo sena.

3.4.1.1 Ke mang ya ka etsang boipiletso ba ka hare?

Mokopi ya etsang kopo ya PAIA ho setheo sa bohle sa naha, porofentshe kapa masepala mme a hanelwa phihlello o na le tokelo ya ho etsa boipiletso ba ka hare. Sena se etswa kapa ho tiatsa Foromo ya B ya PAIA le ho e neha setheo sa bohle sa naha, porofentshe kapa masepala. Kopi ya Foromo ya B e ka fumanwa webesaeteng ya setheo se amehang mme e ka fumanwa hape ofising e nngwe le e nngwe ya Khomishene ya Afrika Borwa ya Ditokelo tsa Botho.
Haeba boipiletso ba ka hare bo keny sa boraro, setheo sa bohole se amohetseng boipiletso ba ka hare, se jara boikarabelo ba ho ikgokahanya le ditlo tsa boraro tsohle tse amehang. Ditaelo tsa tsebiso le boemedi di a tshwana le tsa kopo ya pele ya PAIA.

Ditlo tsa boraro di a dumellwa hape ho etsa boipiletso ba ka hare kgahlanong le qeto e entsweng ke setheo sa bohole ho neha phihlello ya reketo e boletsweng.

### 3.4.1.2 Na o ka etsa neng boipiletso ba ka hare?

Mokopi a ka etsa boipiletso ba ka hare kgahlanong le qeto ya setheo sa bohole tlasa mabaka a latelang:

- Mokopi ha a kgotsofatswe ke ditlelo tse hlokehang bakeng sa kopo.
- Mokopi ha a kgotsofatswe ke qeto ya ho neha setheo sa bohole keketso ya matsatsi a 30 ho arabela kopo.
- Mokopi ha a kgotsofala ha sebopeho seo direkoto di nehwang ka sona ha se tshwane le sebopeho se kopiweng, mme mokopi o dumela hore ho ne ho ke ke ha ba boima ka tsela e sa kgotsofatseng hore setheo sa bohole se mo fe rekoto ka sebopeho seo mokopi a e kopilela ka sona.

### 3.4.1.3 Na nka etsa jwang boipiletso ba ka hare?

Boipiletso ba ka hare bo lokela ho etswa ke mokopi nakong e sa feteng matsatsi a 60 kamora ho tsebiswa hore kopo ya pele ya PAIA e hannwe. Sena se etswa ka ho tlatsa Foromo ya B le ho e keny lefapheng la mmuso le loketseng la naha, porofentshe kapa masepala.

<table>
<thead>
<tr>
<th>Mmuso wa Naha</th>
<th>Haeba kopo ya PAIA e entswe ho lefapha la naha, mokopi a ka etsa boipiletso ba ka hare ho Letona la lefapha leyo.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mmuso wa Porofentshe</td>
<td>Haeba kopo ya PAIA e entswe ho lefapha la porofentshe, mokopi a ka etsa boipiletso ho Setho sa Lekgotla la Phethahatso la lefapha leyo.</td>
</tr>
<tr>
<td>Mmuso wa Masepala</td>
<td>Haeba kopo ya PAIA e entswe ho lefapha la masepala, mokopi a ka etsa boipiletso ho majoro wa masepala, kapa sebei sa masepala, kapa motho mang kapa mang e mong ya kgeliweng ke Lekgotla la Masepala masepalela ona oo.</td>
</tr>
</tbody>
</table>

Foromo ya B e kengwaa ho Mohlanka wa Lesedi/Motlatso Mohlanka wa Lesedi yena eo ya hanneng kopo ya pele, eo jwale a laelwang ho e neha Mohlanka wa Lesedi.

### ELA HLOKO

Haeba boipiletso bo laela hore tsebisoe nehwe setheo sa boraro (ke hore, ho lesedi le fupere lesedi la botho ka motho e mong, le kang direkoto tsa Ditshebeletso tsa Lekeno tsa Afrika Borwa (SARS), ekasitana le lesedi la lekunutu, lesedi le tsohlaung ka gwebo, le lesedi la Diphuputso ka setho sa boraro), tlasa maemo ao boipiletso bo tlamehile bo etswe matsatsi a 30 a so fete kamora hoba tsebisoe e nehwe.

Mokopi o lokela ho etsa boipiletso ba ka hare ho Mohlanka wa Lesedi wa setheo se loketseng ka poso, fekese kapa imele.

Boipiletso ba ka hare bo lokela ho kenyetela sehlooho sa boipiletso ba ka hare, mabaka a tshehetsang boipiletso, le ho kenyetela lesedi le leng le ha e ka ba lefe le tsejwanga ke motho ya etsang boipiletso.

Haeba mokopi a lakatsa ho tsebiswa ka qeto ya boipiletso ba ka hare ka mokgwa o mong, (ntle le karabelo e ngotsweng), o tlamehile a bolele mokgwa oo o mong le ho nehelana ka lesedi le ha e ka ba lefe le hlokehang.

Ho etsahalang ha boipiletso ba ka hare bo etswa kamora ho feta ha letsatsi la ho qetela la nako e behuweng?
Ha boipiletso ba ka hare bo etswa kamora hoba matsatsi a 60 a fete, setheo sa bohle se tshwanelehileng se lokela ho amohela boipiletso haeba lebaka le kgotsofatsang le le teng bakeng sa boipiletso ba kamora nako. Ha setheo se tshwanelehileng sa bohle se sa amohele boipiletso ba ka hare bo entsweng kamora nako, se lokela ho tsebisa motho ya entseng boipiletso.

3.4.1.4 Boipiletso ba ka hare bo ja bokae?
Mokopi ya etsang boipiletso ba ka hare o tlamehile ho lefa tefo e laetsweng, haeba e le teng. Haeba tefo ya boipiletso e lokela ho lefuwa ha kopo e etswa, qeto ka boipiletso e tla tjhetjhiswa ho fihlela tefo e etswa.

NA NKA KENYA KOPO KGOTLA KGHAHLANONG LE QETO YA SETHEO SA BOHLE?
Ee. Haeba mokopi a sa atleha ka boipiletso ba hae ba ka hare kgahlanong le setheo sa bohle, kapa haeba setheo sa bohle se hanne ho amohela boipiletso ba ka hare bo entsweng kamora nako e behi lweng, kapa haeba mokopi a sa kgotsofala ka mokgwasa le ha e ka ba ofe ka lebaka la qeto e rikueng ke setheo sa bohle, mokopi a ka kopa ho lekgotla la dinyewe ka ho kenywa kopo matsatsi a 30 a so fete kamora hoba a fumane qeto. Mokopi kapa setso sa boraro se ka lebisa kopo kgotla limo lela kamora hoba ta ye lehlela ya boipiletso e phethwe.

3.4.2 Monyetla wa Molao kgahlanong le Ditheo tsa Poraefete
Ha mokopi a sa kgotsofala ka qeto e entsweng ke hlooho ya setheo sa poraefete, ho tea mohlala, ho hanela phihlello, ho lefisa tefo ya phihlello, kapa ho eketsa nako eo a lokelang ho nehelana ka karabelo, mokopi a ka kopa thuso kgotla matsatsi a 180 a so fete kamora hoba a fumane qeto e sa mo kgotsofatsang. Qeto ya setheo sa poraefete e tla shejwa botjha ke lekgotla mme qeto e tla nkuwa ke lekgotla la dinyewe hore na phihlello e tla nehwa kapa tjhe.

BRUMMER V LETONA LA LEFAPHA LA NTSHTESOPELE YA SETJHABA
Nyeweng ena lekgotla le ile la bolela hore nako ya pele ya matsatsi a 30 ho latela PAIA eo ho yona mokopi a ka kopang lekgotleng ha a sa kgotsofala ka qeto ya Mohlanka wa Lesedi e ne e sa lekana hore tshebetso ya toka e phethahale. Ho ile ha nkuwa qeto, ke hona, hore nako ya matsatsi a 30 e na le bofokodi mme e tla eketsa wre e be nako ya matsatsi a 180. Kahlolo ena e bontshitswe Molaong wa Paballo ya Lesedi la Botho o bolelang hore ho na le nako ya matsatsi a 180 eo mokopi a nang le yona hore a ka kenywa tletlebo ho Molaodi wa Lesedi, kamora hoba a sebedise tshebetso ya PAIA yohle ya ho fumana phihlello ya rekoto ya botho.

Hang ha melawana le tsamaiso e laolang dinyewe tsa phihlello ya lesedi e thehilwe ke Lekgotla la Melawana bakeng sa Lekgotla la Dinyewe, dinyewe tsolhe tse amang phihlello ya lesedi di tla iswa pela Makgotla a Maseterate e le lekgotla la pele, jwalo ka ha ho laetswe karolong ya 79 ya PAIA ekasitana le ho Makgotla a Dinyewe a Phahameng.
3.4.3 Ho tla etsahala eng ka nyewe ya ka kgotla?

Ho na le dipheho tse mmalwa tse ka fihlelliwang ha o isa nyewe ya PAIA kgotla. Kamora ho utliwa mahlakore ka bobedi a nyewe, mohlanka ya tshwereng nyewe o na le matla a ho nehalana ka taelo ya toka le tekatekano. Hona ho ka kenyetletsa taelo: (1) e tiisang, e fetolang, kapa e qhelelang ka thoko qeto ya setheo sa bohole kapa sa poraefete mabapi le kopo ya PAIA; (2) e laelang setheo sa bohole kapa poraefete ho nka mohato o itseng kapa ho se nke mohato o itseng; (3) e nehang thibelo ya molao, taelo, monyetla o boletsweng, kapa tefo; kapa (4) e laelang hore ditefo tse boletsweng di etswe.
KAROLO YA 4
Mabaka ao phihlello ya lesedi e ka hanelwang tlasa ona

Karo lo ena e kenele tsa:

4.1 Ho tlisa botsitso pakeng tsa tokelo ya phihlello ya lesedi le ditokelo tse ding
4.2 Maemo a tlamang kgahlanong le Maemo a boikgethelo a ho hanela phihlello
4.3 Maemo a ho hanela phihlello ya lesedi a lenaneng la PAIA
4.4 Teko ya molemo wa bohle
4.1 Maemo ao Phihlello ya Lesedi e ka Hanelwang tlasa ona

Karolo ena e tla nehelana ka tjhebokakaretso ya maemo ao phihlello ya lesedi e ka hanelwang tlasa ona ho latela PAIA, le tataiso ya mokgwa wa ho phethahatsa melawana e dumellang mohlanka wa lesedi ho hanela kopo. PAIA e fana ka maemo a maemo a 12 ao phihlello ya lesedi e ka hanelwang tlasa ona ke mohlanka wa lesedi wa setheo sa bohole kapa sa poraefete, mme a mang a ona ke a tlamang ha a mang a ona e le a boikgethelo (*sheba karolo ya bo 4.2 mona ka tlase bakeng sa lesedi le eketsehileng*). Ho feta moo, PAIA e fana ka polelwana ya molemo wa bohole eo hantlentle e hlakolang maemo le ha e ka ba afe a ho hanela phihlello ya lesedi, ho feela molemo wa bohole leseding leo e ka ba se lokelang ho shejwa. (*Sheba karolo ya bo 4.4 mona ka tlase bakeng sa lesedi le eketsehileng*).

<table>
<thead>
<tr>
<th>HO TLISA BOTSITSO PAKENG TSA TOKELO YA PHIHELLO YA LESEDI LE DITOKELO TSE DING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MOLAWANA O AKARETSANG</strong></td>
</tr>
<tr>
<td>Tokelo ya phihlello ya lesedi e fumanwa kahara Bili ya Ditokelo ya Molao wa Motheo wa Afrika Borwa mme, hore tokelo ena e tle e phethahatswe, phihlello ya lesedi e lokela ho nehwa nako le nako ha ho tshwanelelelele.</td>
</tr>
<tr>
<td><strong>MAEMO A MEKGEO</strong></td>
</tr>
<tr>
<td>Jwalo feela ka ho ditokelo tse ding tse superweng ke Bili ya Ditokelo, tokelo ya phihlello ya lesedi e ka sehelwa meedi kapa ya hanelwa maemong a itseng, PAIA e thehilwe haholoholo ho totobatsa maemo ao dikopo tsa lesedi di ka hanelwang tlasa ona, mme ka hoo tokelo ya phihlello ya lesedi e sehetswe meedi.</td>
</tr>
</tbody>
</table>

4.2 Maemo a tlamang papisong le Maemo a boikgethelo a ho hanela phihlello ya lesedi

PAIA e a bolela hore tlasa mabaka a itseng mohlanka wa lesedi ha a tshwanele ho senola lesedi. Ka bokgutschwanyane, mabaka a hlalosang hore hobaneng lesedi le sa kgone ho senolwa a mabapi le hore na tshenolo eo ya lesedi e tla baka kotsi e fetang ya ha le sa senolwe. Ka lebaka leo, PAIA e fana ka lenane la maemo a leshome le metso e mmedi ao mohlanka wa lesedi wa setheo sa bohole kapa poraefete a ka hanelang phihlello ya lesedi tlasa ona (*maemo ana a 12 a tla hlaiswa ka botlalo karolong ya 4.3 mona ka tla*). Ka tsohong la pele, a mang a mabaka ana a ho se senole ke a tlamang Mohlanka wa Lesedi, ho bolelang hore mohlanka wa lesedi ha a tshwanele ho dumella phihlello ya lesedi ha ho ka hlaiswa bopaki ba hore ho na le maemo a itseng a tlamang a ho hanela phihlello ya lesedi, Ka ho le leng, maemo a mang a ho hanela phihlello ya lesedi ke a tsejwang ka hore kae boikgethelo. Hona ho bolela hore mohlanka wa lesedi a ka senola lesedi kapa rekoto e boletsweng kapa a se senole letho. Ka lebaka lena mohlanka wa lesedi o lokela ho sebedisa boikgethelo ba hae ha a hlaloba maemo ho bona hore na ho senola lesedi ho ka baka kotsi ho setheo sa bohole kapa sa poraefete ho feta ha a sa le senole, e leng se ka behang kotsing tokelo ya mokopi ya phihlello ya lesedi.
4.3 Maemo a ho hanela phihiello ya lesedi

Jwalo ka ha ho boletswe mono ka hodimo ho na le maemo a fapaneng ao kopo ya phihiello ya lesedi e ka hanelwang kapa e tlamehileng ho hanelwa tlasa ona ke Mohlanka wa Lesedi wa setheo sa bohole kapa poraefete. Maemo ana a lenaneng le Kgaolong ya bo 4 ya Karolo e Kgolo ya bo 2 bakeng sa Setheo sa Bohle, le Kgaolong ya bo 4 ya Karolo e Kgolo ya bo 3 bakeng sa Setheo sa Poraeefete ho PAIA.

4.3.1 Paballo ya lekunutu la setho sa boraro

Mohlanka wa Lesedi wa setheo sa bohole kapa poraefete ha a tshwanele ho dumella phihiello ya lesedi la botho la motho la tlaho, ho kenyeltswa motho ya seng a hlokahetseleng (bakeng sa tlahalo sa “motsho wa tlaho” sheba Mantswe a Thusang mono ka hodimo). PAIA e a bolela hore molemong wa ho baballa tokelo ya lekunutu ya setho sa boraro se o leng motho wa tlaho, Mohlanka wa Lesedi o tlamehile ho lekola hore ho na ho heha mokopi lesedi le boletseng ‘ho tla kenywa tshenolo e sa kgotsofatseng ya lesedi la botho’ (sheba dikarolo tsa 34 le 63 tsa PAIA).

Karolo ya bo 1 ya PAIA e nehelana ka tlahaloso e botsi ya lesedi leo e leng “lesedi la botho”. E kenyeltsa lesedi le amang bong, ho ima, le bodelese, ekasitana le mangolo a botho, DNA, dikgatiso tsa menwana, le moo lebitso la motho le hlahellang direkotong.

Le ha ho le jwalo, Mohlanka wa Lesedi o tlamehile hape ho nahana ka hore na lesedi la botho le boletseng le ka ba la mekgahlelo e latelang ya lesedi la botho e ka senolwang kapa tje:

> Lesedi la botho ka motho ya nehelaneng ka tumello hore lesedi lena le ka nehwa;
> Lesedi la botho le seng le tsejwe ka bohole;
> Lesedi la botho la ngwana wa dilemo tse ka tlaese ho 18 moo tshenolo ya lesedi leo e leng molemog wa ngwana, mme mokopi e le mohlakomedi wa ngwana eo (ke hore, motswadi kapa mohlakomedi);
> Lesedi la botho la motho ya seng a hlokahetseleng le nehwa mokopi eo e leng wa lapa la motho ya hlokahetseng, kapa ya nehuweng tumello (e ngotsweng) a e nehwa ke eo e leng wa lapa;
> Lesedi la botho la motho la hlokahetseng eo e seng e le dilemo tse fetang 20 a hlokahetseleng;
> Lesedi la botho la motho eo e leng kapa eo e neng e le mohlanka setheong sa bohole kapa poraeefete le moo lesedi le leng mabapi le boemo ba hae ba bohlangaka.

PAIA e laela hore Bahlanka ba Lesedi ba Ditsheletso tsa Afrika Borwa tsa Lekeno (SARS) ba se ke ba senola lesedi la motho la lekgotlo le lekeno, ntle le ha mokopi a kopa phihiello ya lesedi la hae ka boyna.
4.3.2 Paballo ya lesedi la kgwebo la setho sa boraro

Bahlnaka ba Lesedi ba ditheo tsa bohle le tsa poraefete ba tlaehile ho hanela phihlello ya lesedi haeba bo lokolla lesedi leo ho ka baka kotsi ho menyetla ya kgwebo kapa tjhelete ya mokgatio. PAIA e nehelana ka lenane la lesedi la kgwebo leo Mohlanka wa Lesedi a sa tshwanelang ho le senola.

  » Makunutu a Kananyo;
  » Lesedi la ditjhelete, kgwebo, saentshe, dipheputso kapa thekeniki ka setho sa boraro leo, ha le ka senolwa, le ka bakang kotsi ho setho sa boraro;
  » Lesedi le seng le nehuwe setho sa boraro ka lekunutu.

Le hoja ho na le molawana o akaretsang wa hore lesedi la khamphani le baballiwe, setheo sa bohle se laelwa ho sebetsa ka mokgwa wa ponahalo. Maemong ana ho lokela ho elwe hloko hore ho na le maemo a itseng ao le lesedi la kgwebo la khamphani le ka senolwang ho ona.

Ho sa Kenyeletsweng ho PAIA: Direkoto tsa setho sa boraro tse fupereng lesedi le amang polokeho ya bohle kapa dikotsi tsa tikoloho le lokela ho senolwa, le hoja tshenolo ya lesedi leo e ka baka kotsi ho setho sa boraro. Honka ke lesedi la molema wa bohle (sheba karolo ya bo 4.4 la tlase ho mona).

4.3.3 Paballo ya lesedi la lekunutu

PAIA e laela hore mohlanka wa lesedi o tlaehile ho hanela phihlello ya rekoto haeba ho senola rekoto e tla ba tlolo ya tshwanelo ya tumellano eo motho a nang le yona ho e mong ho latela tumellano kapa konteraka.

4.3.4 Paballo ya polokeho ya motho le thepa

Karolo ena e bolela hore mohlanka wa lesedi o tlaehile ho hanela phihlello ya rekoto bonneteng ho ka lebeliwa hore e ka tlsa bofokodi polokehong ya motho kapa thepa. Karolo ena e na le nthla ya tokelo ya lekunutu kata e sheba bophelo ba botho ba motho le thepa ya hae.

4.3.5 Paballo ya lesedi tshebetsong ya molao

Morero wa karolo ena ke ho baballa lesedi le batiwang ditsebetsong tsa molaoo le tsa phethahatso ya molao. Karolo ena e ananela melao e meng e laolang mekgahlelo e meng ya lesedi. Karolo a Molao wa Tsamaiso ya Melato ya Botlokotsebe wa bo 51 wa 1977 o ananelwa e le molaoo o laolang direktoro tse mabapi le tsamaiso ya dibelele ditsebetsong tse ding tsa phethahatso ya molao. Hape, hona ho a sebetsa le ho direktoro tse sa tshwanelang ke ho hlahiswa. Ka mantse a mang, direktoro tse sa fumaneheng ho motho e mong ho le ha e ka ba mang, ntle le motho ya nang le tshwanelo ya ho di fihiello, mehlaa, leqwetha le nang le tshwanelo ya moemelwa. Direkoto le ha e ka ba dife tse tlasa taolo ya kamano pakeng tsa leqwetha le moemelwa wa hae di baballetswo ho latela karolo ya bo 40 ya PAIA.

Le hoja PAIA e ananelo boteng ba melao e meng mabapi le tsamaiso le tshenolo ya lesedi le direktoro, maemong a ha moloa o seha meedi ya phihlello ya lesedi ka mokgwa o se nang toka mme o na le kgohloa le dittheo tsa ponahalo le boikarabelo, ho tla latelwa PAIA, e seng molaoo o.
4.3.6 Paballo ya Lesedi la Diphuputso

Mohlanka wa Lesedi wa setheo sa bohle kapa poraefete o tlaehile ho hanela phihlello ya direkoto tse fupereng lesedi le mabapi le diphuputso tse etswang kapa tse tla etswang ke setheo sa bohle kapa poraefete se boletsweng kapa setho sa boraro. Kganelo ena ya phihlello ya lesedi e maemong ao ho ona tshenolo ya rekoto e tla pepesang diphuputso tsa setho sa boraro kapa setheo sa bohle kapa poraefete, motho kapa institjushene e eta diphuputso tseo, kapa dikahare tsa diphuputso di ka behwa kotsing e kgolo (sheba dikarolo tsa 43 le 69 tsa PAIA).

4.3.7 Lesedi le ka hanelwang phihlello

Mekgahlelo e latelang ya lesedi ke lesedi lebo Mohlanka wa Lesedi a ka hanang ho fana ka phihlello ya lona, ha feela a kgonas ho nehela mabaka a hore lesedi lebo wela mekgahlelong e latelang mme ha ho molemong wa bohle hore le senolwe (hore o lumane lesedi le eketsehileng ka polelwana ya molemo wa bohle sheba karolo ya bo 44 mona ka tlase).

4.3.7.1 Dikamano tsa Afrika Borwa tsa tshireletso le matjhaba

Karolo ya bo 41 ya PAIA e laela mohlanka wa lesedi lebo a nahane ka hore na kopo ya lesedi e amana le lesedi la tshireletso ya Afrika Borwa kapa tjhe. Mohlanka wa Lesedi a ka qhala kopo haeba a ka hlahisa bopaki ba hore ho nehelana ka lesedi lebo ho tlh lebela ke lebelo ya Afrika Borwa kotsing.

4.3.7.2 Menyetla ya Afrika Borwa ya Moruo, Tjhelete le Kgwebo

Karolo ya bo 42 ya PAIA e laela paballo ya lesedi la setheo sa bohle haebra tshenolo ya lona e tla ba kotsi ho boemo ba Riphaboliki ba moruo kapa tjhelete. Maemo ana a ho hana ka a boikgethelo, ho bolelang hore Mohlanka wa Lesedi o tla hloka ho ela hloka nthia ya hore ditheo tsa bohle di laetswe tlasa Molao wa Motheo wa Afrika Borwa hore di be le boikarabelo ho bohle, le hore ka lebaka lebo ke maemong a itseng feela ao kopo ya phihlello ya lesedi e ka hanelwang ho ona. Ho feta moo, Mohlanka wa Lesedi o tla hloka ho bontsha ho tshenolo ya lesedi lebo ho buuwang ka lona e tla baka kotsi ho menyetla ya Afrika Borwa ya tjhelete le moruo.

4.3.7.3 Mesebetsi ya ditheo tsa bohle

Karolo ya bo 44 ya PAIA e neha Bahlanka ba Lesedi bokgoni ba ho hanela phihlello ya rekoto haeba e tla sitisa mesebetsi ya setheo sa bohle. Karolo ya ba 44 e basi, lenane la direkoto tse bontshitsweng katlasa mesebetsi le kenyelaetsa:

» Metsotso ya dikopano;
» Direkoto tse fupereng keletso le meholo;
» Direkoto tse mabapi le dithetiso le ditheo tse ding;
» Direkoto tse mabapi le ho ralwa ha dipholisi kapa ditshisinyo.

4.3.7.4 “Dikopo tseo bonneteng di se nang botebo kapa di tenang, kapa di bakang ho fetola ha matla le ho sa kgotsofatseng ha merero ya mehlodi”

Mohlanka wa Lesedi a ka hanela kopo ya lesedi haeba a na le tjhebo ya hore ho sebetsa ka dikopo tseo ho tla nka nako e telele mme ho bake tshenyo ya mehlodi. Hape, Mohlanka wa Lesedi a ka hanela phihlello ya rekoto haeba kopo e bonwa e se na kelelo kapa e etswa ke mokopi ka morero wa ho tena kapa ho phephetsa.
4.4 Molemo wa Bohle ke Morena

Dipaballo tsohle tse neilweng lesedi jwalo ka ha di bontshitswe mona ka hodimo di a hlakolwa haeba ho lokollwa ha lesedi ho le molemong wa bohle. Ka mokgwa ona teko ya molemo wa bohle e hlakola maemo ohle a mang a ho hanela phihlello ya lesedi.

Mohlanka wa Lesedi wa setheo sa bohle kapa poraefete o tlamehile ho sebedisa teko e latelang pele a hanela phihlello ya lesedi e welang mekgahlelong ya ho se senolwe e lenaneng le ka hodimo. Haeba maemo ana a phethahatswa, lesedi le tlamehile ho senolwa ka lebaka la molemo wa bohle.

Na lesedi le bontsha tlolo e matla ya molao?

KAPA

Na direkoto tseo ho bolelwang ka tsona di fupere lesedi le amang polokeho e matla ya bohle kapa kotsi ya tikoloho e ka bang teng?

LE

Na molemo wa bohle o feta kotsi e ka hlahang ka mokgwa o totobetseng ha lesedi le ka senolwa?
KAROLO YA 5
Dingolwa tsa bohlokwa le mehlodi e ka sebediswang

Karolo ena e keneletsa:

5.1 Lenane la dingolwa tsa bohlokwa tse sebedisitsweng tlhahisong ya Tataiso ena ya PAIA, hammoho le molao

5.2 Lenane la mehlodi e meng ya PAIA e ka sebediswang
5.1 Mehlodi ya bohlokwana

<table>
<thead>
<tr>
<th>MOHLIDI</th>
<th>MONGODI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotion of Access to Information Act 2 of 2000</td>
<td>Molao</td>
</tr>
<tr>
<td>Protection of Personal Information Act 4 of 2013</td>
<td>Molao</td>
</tr>
<tr>
<td>PAIA Unpacked (e fumaneha ho <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (e fumaneha ho <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (e fumaneha ho <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (e fumaneha ho <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (e fumaneha ho <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 Melawana ya PAIA

<table>
<thead>
<tr>
<th>TSEBISO YA MMUSO</th>
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<tr>
<td>Government Notice: No. R. 1244</td>
<td>22 Lwetse 2003</td>
<td>Ditokiso tse amanang le ho fumaneha ha dibukana tsa ditaelo tsa PAIA tsa ditheo tsa bohole le tsa poraefete.</td>
</tr>
<tr>
<td>Government Notice: No. R. 187</td>
<td>15 Hlakola 2002</td>
<td>Tokiso ya PAIA mabapi le Tataiso ena ya Karolo ya le ho fumaneha ya dibukana tsa ditaelo tsa PAIA</td>
</tr>
<tr>
<td>Government Notice No. R. 466</td>
<td>1 Phupjane 2007</td>
<td>Diforomo tse kenyeleditsweng bakeng sa Bahlanka ba Lesedi di tla latela ha ho phatlalatswa ditsebiso tsa tshenolo la boithaopo ho latela dikarolo tsa 15 le 52 tsa PAIA.</td>
</tr>
</tbody>
</table>
5.3 Ditokiso tsa PAIA

<table>
<thead>
<tr>
<th>TSEBISO YA MMUSO</th>
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<tr>
<td>Government Notice No. 428</td>
<td>31 Hlakubele 2004</td>
<td>Tokiso ya karolo ya 92(4) ya PAIA ho akaretsa Ditlolo le Dikotlo ho batho ba thibelang ka bomo le ntle le molao kopo ya mokopi ya lesedi, mohlala, ka ho senya direkoto.</td>
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<tr>
<td>Government Notice No. R. 187</td>
<td>15 Hlakola 2002</td>
<td>Tokiso ya PAIA mabapi le Tataiso ena ya Karolo ya bo 10 le ho fumaneha ha dibukana tsa ditaelo tsa PAIA.</td>
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5.4 Ditokiso tsa Melawana ya PAIA

<table>
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<tr>
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<td>11 Mmesa 2003</td>
<td>Tsebiso e mabapi le ho fumaneha ha dibukana tsa ditaelo tsa PAIA tsa ditheo tsa poraefete.</td>
</tr>
</tbody>
</table>

5.5 Mehlodi e meng ya PAIA e thusang

1) Using PAIA to Promote Housing Rights, SAHA (e fumaneha ho www.saha.org).
2) Accessing Information for Your Community, SAHA (e fumaneha ho www.saha.org).
3) Accessing Information in the LGBTI Sector, SAHA (e fumaneha ho www.saha.org).
Kaelo Ya Tsela Ya Go Dirisa Thotloetso Ya Go Newa Tshedimosetso Molao Wa Bo 2 Wa Ka 2000
Webosaete: www.sahrc.org.za
Imeile: info@sahrc.org.za
Twitter: @SAHRCommission
Facebook: SAhumanrightscommission
Youtube: SAHRC1
Dintlha tsa go Ikgolaganya le Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa

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Kapa Bophirima Cape Town
Mog 021 426 2277 • Fekese 021 426 2875
Go bona se o se batlang mo kgatisong eno ya Kaelo ya PAIA

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Matseno a Kaelo ya PAIA

**Karolo 2**  
Mo o ka bonang gone tshedimosetso e o e tlhokang

**Karolo 3**  
Kafa o ka kopang ka gone go newa tshedimosetso

**Karolo 4**  
Fa kopo ya go newa tshedimosetso e ka / e ka nna ya ganwa

**Karolo 5**  
Ditshupetso tsa botlhokwa le metswedi ya tshedimosetso ya go bona tshedimosetso go ya pele

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**MAREO A A MOSOLA**

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**LENAANE LA DIKHUTSHWAFATSO**

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1.2. Hisitori ya PAIA

1.3. Boikaelelo jwa PAIA le ka fa e ka dirisiwang ka gone

1.4. Seabe sa Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa

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<th>TLHALOSO</th>
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<tr>
<td>Tuediso ya go newa tshedimosetso</td>
<td>Eno ke tuediso e mokopatshedimosetso a tshwanetseng go e duela setlamo sa puso kgotsa sa poraeftse se o batlang tshedimosetso mo go sone, go duelela ditshenyegelo tsa go batla le go dira khopi ya direkoto tse o di tlhokang. (Go bona tshedimosetso go ya pele ka tuediso ya go newa tshedimosetso leba Karolo 3 ya Kaelo eno).</td>
</tr>
<tr>
<td>Foromo ya A</td>
<td>E fitlhelwa kwa bokhutlong jwa PAIA, mo webosaeteng ya Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa, le mo diwebosaeteng tsa ditheo tse dingwe tse di farologaneng tsa ditheo tsa puso. Foromo eno e dirisediwa go dira kopo ya go newa tshedimosetso e e tshwerweng ke setlamo sa puso. (Go bona tshedimosetso go ya pele me go Foromo A le dikopa tsa go newa tshedimosetso tse di yang go ditlamo tsa puso leba Karolo 3 ya Kaelo eno).</td>
</tr>
<tr>
<td>Foromo C</td>
<td>E fitlhelwa kwa bokhutlong jwa PAIA, mo webosaeteng ya Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa, le mo diwebosaeteng tsa dikhamphani tse dingwe tse di farologaneng tsa poraeftse. Foromo eno e dirisediwa go dira kopo ya go newa tshedimosetso e e tshwerweng ke setlamo sa poraeftse. (Go bona tshedimosetso go ya pele me go Foromo C le dikopa tsa go newa tshedimosetso tse di yang go ditlamo tsa poraeftse leba Karolo 3 ya Kaelo eno).</td>
</tr>
<tr>
<td>Kaelo</td>
<td>E raya Kaelo eno mo go PAIA e e kwadilweng le go phasaladiwa ke Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa, jaaka go laetswe mo go Karolo 10 ya PAIA, go thusa batho go dirisa PAIA le go e tlhaloganya.</td>
</tr>
<tr>
<td>Motlhankedi wa Tshedimosetso le Motlatsamotlhankedi wa Tshedimosetso</td>
<td>Motlhankedi wa Tshedimosetso (yo ka dinako tse dingwe a bidiwang IO (Motlhankedi wa Tshedimosetso) ke mootho yo setheo se mo neileng taolo ya go dira ka dikopa tsa PAIA. Mo setlamong sa puso yono ke mootho yo e leng tlhogo ya setlamo kgotsa yo e leng moemedi wa tlhogo ya setlamo. Ka jalo mo go mmasepala, e tla nna mmenejara wa mmasepala; mo lefapheng la bosetšhaba e tla nna Mokaedikakaretso; mme mo setlamong se se jaaka sa Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa e tla nna Mokhuduthamagamogolo wa yone. Motlatsamotlhankedi wa Tshedimosetso (yo ka dinako tse dingwe a bidiwang DIO) ke mootho yo o tlhophiwlweng ke Motlhankedi wa Tshedimosetso wa setlamo sa puso go thusa mokopatshedimosetso ka tshedimosetso e ba e kopang. PAIA ga e letle ditlamo tsa puso go tlhopha Motlatsamotlhankedi wa Tshedimosetso; mme Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa tshitshinya gore ba dire jalo gore mokopatshedimosetso a solegelwe molo le gore a se ka a nna le mathata. (Go bona tshedimosetso go ya pele ka seabe sa Batlhankedi ba Tshedimosetso leba Karolo 3 ya Kaelo eno).</td>
</tr>
</tbody>
</table>

Motlhankedi wa Tshedimosetso le Motlatsamotlhankedi wa Tshedimosetso
Boikuelo jwa mo Teng ga Setlamo (Foromo B)
Bakopatsshedimosetso ba tshwanetse go dirisa Foromo B ya PAIA go dira boikuelo ka tshwetso e e dirilweng fela ke mafapha a botsešhaba, a porofense kgotsa a mmasepala a puso malebana le go newa tshedimosetso.
*(Go bona tshedimosetso go ya pele ka maikuelo a mo teng ga setlamo leba Karolo 3 ya Kaelo eno).*

Mankge mo go tsa molao
Khamphaní kgotsa setlamó se se amogelwango ke molao jaaka setheo se le sengwe kgotsa ‘motho’ yo o nang le ditshwanelo le maikarabelo.

Tona
Fa go buiwa ka Tona go buiwa ka Tona ya Bosiamisi le Ditirelo tsa Kgopololo.

Motho wa tlhago
Motho wa mmatota, fa a bapisiwa le motho wa semolao kgotsa mankge mo go tsa molao jaaka koporasi (leba mankge mo go tsa molao fa godimo).

Setlamo sa poraefete
*(Se gape se bidiwang khamphaní ya poraefete, setheo)* Ke motho wa tlhago kgotsa mankge mo go tsa molao kgotsa mafaphisani yo o amegang kgotsa yo o kileng a amega kgotsa kgotsa mo thekisong, mo kgwebong kgotsa mo porofešeneng mo go yone tiro eo.

Setlamo sa puso
*(Se gape se bidiwang setheo sa puso, lefapha)* Ke lefapha lepe fela kgotsa setheo sa botsešhaba, sa porofense le sa mafapha a pusoselegae. Gape se akaretsa setheo sepe se se dirang tiro kgotsa se se nang le boikarabelo jwa puso ka nako e rekoto e e neng e batiwa e neng e thamiwi ka yone.

Rekoto
Tshedimosetso epe e e rekotilweng go sa kgathalasege gore ke ya sebopego sefe, ka sekai, go akaretsa le ditokomane tse di kwadilweng, dibidio jj. Rekoto e e kopiwang mo setlamong sa puso kgotsa mo setlamong sa poraefete e tla raya rekoto e e neng e thwerwe ke setlamo sego go sa kgathalasege gore a setlamo se ke sone se thamileleng rekoto eo.

Tuelelo ya go dira kopo
Ditshenyegelo tse di duelilweng kopo ya go newa tshedimosetso. Fa kopo ya tshedimosetso e le e e yang go setlamo sa puso go nna le tuediso ya ka gale e e duelang ya R35; fa kopo ya tshedimosetso e le e e yang go setlamo sa poraefete go na le tuediso ya ka gale e e duelang ya R50.
*(Go bona tshedimosetso go ya pele ka dituediso tsa go dira kopo le dithebolo leba karolo 3 ya Kaelo eno).*

Mokopatsshedimosetso
Ke motho wa tlhago kgotsa mankge mo go tsa molao yo o dirang kopo ya go newa tshedimosetso. Mokopatsshedimosetso gape e raya motho yo o dirang kopo ya go newa tshedimosetso mo boemong jwa yo mongwe.

Motho wa boraro
O raya motho ope wa tlhago kgotsa mankge mo go tsa molao yo e seng mokopatsshedimosetso, kgotsa setlamo se kopo ya go newa tshedimosetso e romelwang kwa go sone.
Lenaane la dikhutshwafatso

Dikhutshwafatso tse di latelang di fitlhelwa mo Kaelong eno le mo metsweding e mengwe ya tshedimosetso e e dirisiwang thata ke PAIA:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIO</td>
<td>Motlatamotlhankedwa Tshedimosetso</td>
</tr>
<tr>
<td>IO</td>
<td>Motlhankedwa Tshedimosetso</td>
</tr>
<tr>
<td>ODAC</td>
<td>Open Democracy Advice Centre</td>
</tr>
<tr>
<td>PAIA</td>
<td>Molao wa Thotloetsa ya go Newa Tshedimosetso wa bo 2 wa ka 2000</td>
</tr>
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<td>PPIA</td>
<td>Molao wa Tshireletso ya Tshedimosetso ya Poræfete wa bo 4 wa ka 2013</td>
</tr>
<tr>
<td>SAHA</td>
<td>Dipolokelotshedimosetso tsa Hisitori ya Aforikaborwa</td>
</tr>
<tr>
<td>SAHRC</td>
<td>South African Human Rights Commission (Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa)</td>
</tr>
</tbody>
</table>
Karolo eno e akaretsa:

1.1 Boikaelelo jwa Kelo eno ya PAIA
1.2 Hisitori ya PAIA
1.3 Boikaelelo jwa PAIA le ka fa e ka dirisiwang ka gone
1.4 Seabe sa Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa
1.1 Boikaelelo jwa Kaelo eno ya PAIA

Kaelo eno e thusa ka tshedimosetso ya Molao wa Thotloetso ya go Newa Tshedimosetso (PAIA) Molao wa bo 2 wa ka 2000. Kaelo eno ya PAIA e tla thusa batho go dira dikopo tsa go newa tshedimosetso go ya ka PAIA, le go ba naya dikai tsa kafa PAIA e neng e dirisiwa ka gone mo nakong e e fetileng go buelela ditshwanelo tsa batho, e dira seno ka go tlameloa ka:

» Dintlhakakaretso tsa PAIA tse go leng motlhofo go di tihaloganya
» Dintlha kgato ka kgato tsa kafa PAIA e ka dirisiwang ka gone go buelela ditshwanelo tse dingwe tsa batho
» Lenaane la mefuta ya tshedimosetso e e ka kopiwang go dirisiwa PAIA
» Kaelo ya kgato ka kgato ya tsela ya ya dirisa PAIA go kopa go newa tshedimosetso
» Dintlhaokakaretso ka dithuto tse di ihutlulonga fa go ne go kopiwa tshedimosetso mo nakong e e fetileng le dikgetse tsa kgotlatshekelo tsa PAIA

1.2 Hisitori ya PAIA

Fa go ne go terafotwiwa Molaotheo wa Aforikaborwa mo nakong e morago ga yone go neng ga fedisiwa Apareteiti ka dingwaga tsa bo 1990, ditlamo tse di farologaneng le batho ka bongwe ba ne ba tswa letsholo la go kopa gore go tsenngweng tshwanelo ya go newa tshedimosetso. Go ne go solofetswe gore go tsenngwa ga tshwanele eno mo teng ga Molaothomo wa Ditshwanelo - Kgaolo 2 ya Molaatheo – go ne go tla thomamisa gore ditiro tsa bosethogo tse di jaaka Apareteiti di se ka le ka moltha tsa direga gape ka gone puso le ditlamo tsa bo fela kgotlatshelelelelelo e tla pose le dikgetse tsa kgotlatshekelo tsa PAIA.

Ka 1996 ya Molaatheo wa Repaboliki ya Aforikaborwa 1996 o ne wa simolola go dira. Karolo 32 e ne e akaretsa tshwanele ya go newa tshedimosetso e e tshwerweng ke ditlamo tsa puso le tsa poraefete. Ka nako eo, ono e ne e le molao wa nthla mo lefatsheng o o neng o naya batho tshwanelo ya go newa tshedimosetso e e tshwerweng ke ditlamo tsa puso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso e e tshwerweng ke ditlamo tsa puso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Karolo 32 le yone e ne e nava batho tshwanelo ya go newa tshedimosetso. Ka 2000, Molao wa Thotloetsa ya go Newa Tshedimosetso (PAIA) o ne wa simolola go dira, mme o ne e diragatsa citaelo tsa karolo 32 ya Molaatheo tsa gore go newa tshedimosetso go tsenngweng tirisong.

1.3 Boikaelelo jwa PAIA le ka fa e ka dirisiwang ka gone

Boikaelelo jwa PAIA ke go rotloetsa tshwanelo ya go newa tshedimosetso, go rotloetsa go dirwa ga dilo kwantle ga go fitlha sepe le go sikara maikarabelo a ditiro tse di ihutlulonga mo Aforikaborwa. Mo godimo ga moo, boikaelelo jwa PAIA ke go rotloetsa go nna le seabe mo pusoong ya temokerasi e mo go yone batho ba ba tswang mo maemong otlhe a botshelo ba tlihomelelwang gore ba buisane le puso le go nna la seabe mo ditshwetsong tse di amang matshelo a bone.
Tshwanelo ya go newa tshedimosetso ke tshwanelo e e tlhomologileng ka gonne e dira gore go kgonege go bona ditshwanelo tse dingwe tsa batho: eno ke nngwe ya ditsela tse di boltlokwa tse PAIA e ka dirisiwang ka tsone.

**Go tlamelwa ka ditirelo tsa puso**

- PAIA e ka dirisediwa go thomelela batho ka tshedimosetso e ba ka e dirisetsang go latofatsa puso fa e sa ba direle ditirelo tsa motheo tse di jaaka tlamelo ka matlo, metsi le kgelelo ya leswe la matlwana.

**Ditshwanelo tsa Molaotheo tsa setšhaba le tsa sepolotiki**

- PAIA e ka dirisediwa go kokoanya tshedimosetso e batho ka bongwe ba ka e dirisetsang go diragatsa ditshwanelo tsa bone jaaka tshwanelo ya go boutsa le tshwanelo ya go kopana mmogo ka kgolosesego.

**Tlhaolele le Tekatekano**

- PAIA e ka dirisiwa jaaka sedirisiwa sa bobueledi go lwantsha tlhaolele, s.k. jaaka go tlhaolwa ka ntlha ya lotso, bong, j.j. mo ditlamong tse di farologaneng tsa puso kgotsa tsa poraefete.

Go bothokwa go ela tlokho gore PAIA ga e ka ke ya dirisediwa go newa direkoto gore motho a di dirise

ka nako ya dikgotlatshkelo tsa setšhaba kgotsa tsa bokebekwa morago ga go simolola ga dikgetse tsefa go tlhagisiwa kgotsa go newa direkoto ka ntlha ya lebaka leno go umakiwa mo molaong (*leba Karolo 7 ya Molao*).

1.4 **Seabe sa Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa**

Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa (SAHRC) e neilwe boikarabelo kafa tlase ga PAIA jwa go:

- Go rotloetsa tshwanelo ya go newa tshedimosetso
- Go baya leitlho gore a ditlamo tsa puso le tsa poraefete di tsenya PAIA tirisong
- Go dira ditshitshinyo tsa go nonotsha Molaao
- Go romela pego gangwe ka ngwaga kwa Palamenteng

**Molao wa Tshireletso ya Tshedimosetso ya Poraefete**

Molao wa Tshireletso ya Tshedimosetso ya Poraefete wa bo 4 wa ka 2013 (PPIA) o tlhabolola PAIA ka ditsela tse di farologaneng. Nngwe ya ditsela tse di bothokwa e Molao o fetolang PAIA ka tsone e amana le seabe sa SAHRC. Ka fa tlase ga PAIA ditiro tsa SAHRC go ya ka PAIA di tla fudusediwa go ba lefapha la Go Laola Tshedimosetso, setlamo se se ntlha se se ikemetseng ka nosi se se tla tloholderwa go baya PPIA le PAIA leitlho, le go reetsa dingongorego tse di amanang le go newa tshedimosetso le go sireletsa tshedimosetso ya poraefete.

Mme SAHRC e sa ntse e tla tswelela ka boikarabelo jwa yone jwa Molaotheo jwa go rotloetsa, go sireletsa le go baya leitlho tshwanelo ya go newa tshedimosetso fela jaaka e dira le ka ditshwanelo tse dingwe tsothle tse di leng mo teng ga Molaotlhomo wa Ditshwanelo.
KAROLO 2
Gothola tshedimoso yeo o e batlang

Karolo eno e akaretsa:

2.1 Koo o ka bonang dikaelo tse di mosola gone le dimmanuale go go thusa go dira kopo ya go newa tshedimosetso;

2.2 Tshwanetse go ikgolaganya le mang go bona thuso fa o e tlhoka;

2.3 Se ditlamo tsa porae tete le tsa puso di kopiwang go se dira go thusa batho ba ba batlang tshedimosetso;

2.4 Tshedimosetso nngwe e kgona go bonwa kwantle ga tikatiko kwantle ga gore motho a dire kopo semmuso, karolo eno e tla tlotla ka dintlhakaharetso ya gore e ka bonwa kae.
2.1 Go simolola

Boikaelelo jwa PAIA ke go rotloetsa gore go nne le setšhaba se mo go sone batho ba Aforikaborwa bo kgonang go newa tshedimosetso go ba kgontsha gore ba diragatse le go sireletsa ditshwanelo tsothle tsa bone ka botlalo. Mme ka dinako tse dingwe motho a ka nna a se ka a thlomamisega gore go simololwa kae kgotsa a ka dira jang gore a kgone go newa tshedimosetso ka tsela e PAIA e thalosang ka yone. PAIA e bonela bothata jono pele e bo e laela gore go phasaladiwe dikaelo le dimmanuale dingwe go thalosang tsele e babatli ba tshedimosetso ba ka dirang seno ka yone. Karolo eno e tla kotla ka dintlhakakaretso tsa dikaelo tsenoe le dimmanuale tsa teng, maikarabelo a bagatisi ba dikaelo le dimmanuale tsenoe, mme, sa bothokwa le go feta, gore ba ka di bona ka e.

Mme, sengwe sa didirisiwa tse di maatla go di gaisa se motho a ka se dirisang go newa tshedimosetso ke tsel e ya semmuso ya go kopa go newa tshedimosetso e e dirwang go ya ka PAIA, e kaeo eno e tla go thusang go e dira. Mme, gakologelwa, ena ga se yone fela tsele ya go batla tshedimosetso. Tshedimosetso ngwe e kgona go bonwa kwantle ga tikitak kwantle ga gore e dire kopo ya semmuso ya PAIA. Mo mabakeng mangwe, molao o o thalosang ke kgotlatheomola o batla gore ditlamo tsa puso le tsa poraefete di senolele setšhaba tshedimosetso ngwe. Karolo eno gape e tla tsele ya dintlhakakaretso tsa gore e ka bona ka tshedimosetso eno.

PAIA e ikaeletswe gore go newa tshedimosetso go ya newa tshedimosetso e e dirwang go ya ka PAIA. Karolo eno e tla go thusa Maaforikaborwa a a tswang mo maemong otlhe a botshelo go tshegetsa ditshwanelo tsa one tsa Molaetheo.

2.2 Kaelo ya PAIA

Karolo 10 ya PAIA e botla gore Khomišine e kwale le go gatisa kaelo e e thalosang kopo ya go thusa ka go newa direkoto le ditokomane le gore motho a diragatse tshwanelo e a nang le yone ya go newa tshedimosetso.

E go naya tshedimosetso yotlhe e o e tlhokang gore o newe direkoto dipe fela. Gape e na le lenaane la dintlha tsa go gokagana le mafapha a puso le a ditheo tse di bolokileng direkoto tsa puso, mmogo le dintlha tsa go gokagana le dikhamphani tse di farologaneng tsa poraefete. Gape e lebeletswe gore Khomišine e tlhaborlole kaelo eno bobotlana gangwe morago ga dingwaga di le pedi.

2.2.1 Koo o ka bonang kaelo gone

2.3 Dimmanuale wa PAIA

Mo godimo ga Kaelo ya Karolo 10 e e reng PAIA e tshwanetse go kwalwa ke Khomišine, Gape PAIA e batla gore setlamo sengwe le segwe sa puso, mmogo le ditlamo tse dintsi tsa poraefete, di tlhagise mmanuale o o nang le tshedimosetso ya gore PAIA e dirisiwa jang go fitlhelela direkoto tsa bone.

2.3.1 Dimmanuale tsa PAIA tsa ditlamo tsa puso

Karolo 14 ya PAIA e batla gore ditlamo tsothle tsa puso di gatise mmanuale ka bobotlana dipuo di le tharo tsa semmuso tse di thusang babatli ba tshedimosetso go dira dikopo tsa go newa tshedimosetso mo setlamong se se e tshwereng. Mmanuale o tshwanetse gore bobotlana o nne le tshedimosetso e e latelang e e mosola:

<table>
<thead>
<tr>
<th>PATLAFALO</th>
<th>TLHALOSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taelo</td>
<td>Ka fa setlamo sa puso se rulagantsweng le go dira ka gone.</td>
</tr>
<tr>
<td>Dintlha tsa kgokagano</td>
<td>Aerese ya poso le ya mmila, mogala le nomore ya fekese le atere se e kweneng tshedimosetso eno e kgo re tshedimosetso tsa setlamong se e tshwereng. Mmanuale o tshwanetse kweneng tshedimosetso e e latelang e e mosola:</td>
</tr>
<tr>
<td>Kaelo ya Karolo 10 ya PAIA</td>
<td>Tlhaloso ya Kaelo eno e e kwadilweng ke Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa le ka fa e ka fitlhelelwang ka gone.</td>
</tr>
<tr>
<td>Ditlhopha tsa direkoto tse di tshwerweng</td>
<td>Tshedimosetso ka botlalo ya go thusa go newa rekoto e e tshwerweng ke setlamo sa puso. Ka jalo setlamo sa puso se tshwanetse go tshwereng ditlhogo tsa direkoto tse di tshwereng, ditlhopha tsa direkoto tse di di tshwereng tsa setlhogo sengwe le sengwe.</td>
</tr>
<tr>
<td>Tshedimosetso e e kgonang go bonwa kwantle ga tikatiko</td>
<td>Tshedimosetso ngwe e ka kgona go bonwa kwantle ga tikatiko kwantle ba gore mothe a kope go e newa go ya ka PAIA. Mmanuale wa setlamo sa puso o tshwanetse go supa gore ke tshedimosetso efe ene e e kgonang go bonwa kwantle ga tikatiko.</td>
</tr>
<tr>
<td>Ditirelo tsa setlamo sa puso</td>
<td>Tlhaloso ya ditirelo tse setlamo sa puso se di direlang maloko a setšhaba, le gore ba ka dira jang gore ba direlwe ditirelo tseo.</td>
</tr>
<tr>
<td>Go nna le seabe ga baagi</td>
<td>Tlhaloso ya thulaganyo epe kgotsa taelo ya gore mothe a ikgolaganye, a amolele dingongorego tsa gagwe kgotsa a nne le seabe mo pholising kgotsa gore a rotoletse go tlhamiwa ga yone; kgotsa go diragadiwa ga bolaodi kgotsa tiro ya maikarabelo a setlamo sa puso.</td>
</tr>
<tr>
<td>Dikgato tsa semolao</td>
<td>Kgato e o ka e tsayang fa mothlankedi wa tshedimosetso wa setlamo sa puso a gana go go naya tshedimosetso.</td>
</tr>
</tbody>
</table>
2.3.2  Koo mmanuale wa setlamo sa puso o ka bonwang gone

Ditlamo tsa puso tsothle di tshwanetse go dira gore mmanuale o kgone go bonwa motlhoho. Ba kopiwa gore bobotlana ba dire jalo ka ditsela tse di latelang:

» Ka go dira gore go nne le khopi ya one kwa ofising nngwele nngwe ya setlamo se o sa puso ka nako ya diura tsa tiro;
» Ka go dira gore mmanuale ono o kgone go bonwa mo webosae teng ya setlamo sa puso, fa se na le yone
» Jaaka go umakilwe fa godimo, Molao wa Tshireletso ya Tshedimosetso ya Poraefete wa bo 4 wa ka 2013 (PPIA) o tlhabolola PAIA ka ditsela di le mmalwa. Nngwe ya tsone e amana le dimmanuale tsa Karolo 14 tsa dítlamo tsa puso. Ka fa tlase ga PPIA, mmanuale tse tso di tshwenetse go romelwa go Khomišine ya Ditshwanelo tsa Batho ya Afrikaborwa, mme di tshwanetse gore di nne teng mo inthaneteng fela le go dira gore di bonwe ke mongwe le mongwe yo o kopang khopi ya tsone.

2.3.3  Dimmanuale tsa PAIA tsa dítlamo tsa poraefete

Ditlamo tsa puso gape di kopiwa go kwala mmanuale go ya ka Karolo 51 ya PAIA. Ga jaanong jaana, ga se ditlamo tsothle tsa puso tse di kopiwang go dira go ya ka karolo1 eno. Ka jalo, o ka nna wa fitlhela gore setlamo se o batlang go kopa tshedimosetso kwa go sone ga se na mmanuale. Seno ga se reye gore setlamo seno ga se dire dilo go ya ka PAIA ka kakaretso. O sa ntse o ka kopa go newa tshedimosetso ke setlamo seno e bile molao o sa ntse o batla gore se berekane le kopo ya gago. Mokgwatsamaiso wa go dira kopo ya go newa tshedimosetso go ya ka PAIA ga o fetoge, le fa setlamo seo se sena mmanuale.

KE DITLAMO DIFE TSA PORAEFETE TSE DI SA TLHOKENG GO PHASALATSA MMANUALE WA TSHEDIMOSETSO?

Tsele a PAIA e kwadilweng ka yone e batla gore ditlamo TSOTLHE tsa poraefete di kwale mmanuale. Mme Tona e ka nna ya rebola ditlamo tse di rileng tsa poraefete kgotso ditlhophsa tsa ditlamo gore di se ka ts a kwala mmanuale. Ga jaanong jaana, Tona e rebotse ditlamo TSOTLHE tsa poraefete gore di se ka tsa kwala dimmanuale dingwaga di le thano, go simolola ka 1 Ferikgong 2016 NTLE LE FA setlamo seo se wela ka fa tlase ga ditlhophsa tse di tlhalosiwang fa tlase.

1 Seno se ne sa fetoga ka di 31 Sedimonthole 2015, fa ditlamo tsothle tsa poraefete di ne di tshwanelwa ke go nna le mmanuale go ya ka karolo 51 ya PAIA.
Dikhamphani tse di latelang tsa poraefete di tshwanetse go kwala mmanuale wa PAIA fa di thapa badiri ba ba fetang 50 mo diintasetering tse di latelang kgotsa fa di na le lotseno lwa ngwaga le ngwaga lo lo fetang selekanyo se se bontshitsweng sa madi:

<table>
<thead>
<tr>
<th>INTASETERI</th>
<th>LOTSENO LWA NGWAGA LE NGWAGA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temothuo</td>
<td>R2 milione</td>
</tr>
<tr>
<td>Tiro ya Moepo le Matikiri</td>
<td>R7 milione</td>
</tr>
<tr>
<td>Botlhami</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Motlakase, Gase le Metsi</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Kago</td>
<td>R5 milione</td>
</tr>
<tr>
<td>Thekisetsosetšhaba le Kgwebo ya Dikoloi le Ditirelo tsa go di Baakanya</td>
<td>R15 milione</td>
</tr>
<tr>
<td>Thekisetsodikgwebo, Baemedi ba Kgwebo le Ditirelo tse di Golagantsweng</td>
<td>R25 milione</td>
</tr>
<tr>
<td>Lefelo la Bonno le le Nan g le Kapeo ya Dijo le Kgwebo e Nngwe</td>
<td>R5 milione</td>
</tr>
<tr>
<td>Polokelo le Ditlhaeletsano</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Ditirelo tsa Madi le tsa Kgwebo</td>
<td>R10 milione</td>
</tr>
<tr>
<td>Baagi, Ditirelo tse di Kgethegileng le tsa Botho</td>
<td>R5 milione</td>
</tr>
</tbody>
</table>

Gape Tona e ne ya thalosa gore ditlamo tsotlhe tse di sa thalosiweng jaaka ‘dikhamphani tsa poraefete’ ka fa tlase ga karolo 1 ya Molao wa Dikhamphani wa bo 71 wa ka 2008 di tshwanetse go kwala mmanuale wa Karolo 51.

### 2.3.4 Koo mmanuale wa setlamo sa poraefete o ka bonwang gone

Ditlamo tsotlhe tsa poraefete tse di tshwanetseng go kwala mmanuale di tshwanetse go dira gore mmanuale oo o kgone go bonwa motlhofo. Ba kopiwa gore bobotlana ba dire jalo ka ditsela tse di latelang:

- Ka go dira gore go nne le khopi ya one kwa ofising nngwe le nngwe ya setlamo seo sa poraefete gore e tlahlothobiwe ka nako ya diura tsa tiro. Setlamo sa poraefete ga se a tshwanela go duedisa tuediso ya tlahlothobo;
- Ka go dira gore mmanuale o nne teng mo webosaeteng ya bone.
Tsela ya go latela melao fa lo le setlamo sa poraefete

Go na le kaelo e e mosola ya batlhandeki ba tshedimosetso ba dikhamphani tsa poraefete ba ba batlang go latela melao ya Karolo 51 ya PAIA mo webosaateng ya Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa (www.sahrc.org.za). E akaretsa thempoleiti e e kgonang go laisololwa e batlhandeki ba tshedimosetso ba ka e dirisang jaaka kaelo.

Go ya ka karolo 51 tlhogo ya setlamo sa poraefete e tshwanetse:

» Go tlhabolola dintlha dipe tse di fetolwang mo mmanualeng ka metlha;
» Go dira gore botlhe ba kgone go fitlhelela mmanuale ka tsela e Molao o tlhalosang ka yone kwa diofising tsa khamphani le mo webosaateng ya bone;
» Go tšhwaraganya foromo ya kopo (Foromo C ya PAIA) le mmanuale le go dira gore diferomo tsa kopo di kgone go bonwa mo webosaateng le kwa dikagong tsa khamphani yotlhe.

Mmanuale o tshwanetse gore bobotlana o nne le tshedimosetso e e latelang:

<table>
<thead>
<tr>
<th>PATLAFALO</th>
<th>TLHALOSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dintlha tsa kgokagano</td>
<td>Aterese ya poso le ya mmila, mogala le nomore ya fekese le aterese ya imele ya motlhandeki wa tshedimosetso, fa e le teng, ya setlamo sa khamphani ya poraefete.</td>
</tr>
<tr>
<td>Tshedimosetso e e kgonang go bonwa kwantle ga tikatiko</td>
<td>Tshedimosetso nngwe e ka kgona go bonwa kwantle ga tikatiko kwantle ga gore motho a kope go e newa go ya ka PAIA. Mmanuale wa khamphani ya poraefete o tshwanetse go supa tshedimosetso eno e e kgonang go bonwa kwantle ga tikatiko.</td>
</tr>
<tr>
<td>Direkoto tse di bonwang fa di kopiwa</td>
<td>Mmanuale wa Karolo 51 o tshwanetse go nna le lenaane la ditlhopha tsa direkoto tse di ka bonwang fa di kopiwa.</td>
</tr>
<tr>
<td>Mokgwatsamaiso wa PAIA</td>
<td>O thalosa mokgwatsamaiso wa PAIA o o tshwanetse go latelwa go kopa go newa tshedimosetso ke khamphani ya poraefete (ke gore, Foromo C).</td>
</tr>
<tr>
<td>Tshedimosetso ya Khamphani</td>
<td>Go akaretsa le dintlha tsa tlhogo ya khamphani kgotsa tsa Mokhuduthamagamogolo wa khamphani (go ya ka PAIA Motlhandeki wa Tshedimosetso wa khamphani ya poraefete gantsi ke Mokhuduthamagamogolo kgotsa tlhogo ya yone).</td>
</tr>
<tr>
<td>Dituediso</td>
<td>Tlhalosa kopo le dituediso tsa go newa tshedimosetso go ya ka PAIA (leba Karolo 3 go bona tshedimosetso go ya pele).</td>
</tr>
<tr>
<td>Dikgato tsa semolao</td>
<td>Bakopatseshidimosetso ba ka tsaya dikgato dife fa kopo ya bone ya go newa tshedimosetso e gannwe.</td>
</tr>
<tr>
<td>Dintlha go ya pele</td>
<td>Dintlha dipe go ya pele tse di amanag le dikopo tsa go newa direkoto.</td>
</tr>
</tbody>
</table>
2.4 Tshedimosetso e e kgonang go bonwa kwantle ga tikatiko e e tshwerweng ke setlamo sa puso

Ga se tshedimosetso yotlhe e e batlang kopo ya semmuso gore e kgone go bonwa. Ditlamo tse di farologaneng tsa puso di kopiwa go dira gore tshedimosetso e e rileng e kgone go newa ke botlhe. Ditheo di le dintsi le tsone di tla ithaopela go senola tshedimosetso go ya pele ka boikaelelo jwa go dira dilo kwantle ga go fitlha sepe, go sikara maikarabelo a ditiro tsa tsone le kwa ntle ga go bakela setšhaba matsapa ape. Gore go rotloediwe go ithaopela go senola tshedimosetso le go dira gore bontsi bo fitlhelele tshedimosetso, Karolo 15 ya PAIA e batla gore ditlamo tsothle tsa puso di phasalatse lenaane, le le bidiwang ‘kitsiso ya Karolo 15’ kgotsa ‘kitsiso ya go ithaopela go senola tshedimosetso’, tshedimosetso yotlhe e e amanang le setlamo se e e ka kgonang go bonwa ke mongwe le mongwe kwantle ga tikatiko.

Motlhankedi wa tshedimosetso wa setlamo sa puso o kopiwa go tlhamela setlamo sa puso kitsiso ya go ithaopela go senola tshedimosetso le go dira gore e nne gone kwa dionfising tsa setlamo sa puso le go e phasalatsa mo Kaseteng ya Puso. Kitsiso ya go ithaopela go senola tshedimosetso e tshwanetse go tlhabololwa ngwaga le ngwaga.

Kitsiso ya go ithaopela go senola tshedimosetso e na le dithophsa tsa direktlo le tlhaloago ya direktlo tseo tse di kgonang go bonwa kwantle ga tikatiko:

» Gore di tlhatlhopiwe go ya ka molao ope o o tlhomilweng ke kgotlatheomolao kwantle ga PAIA;
» Gore di rekwe kgotsa di kopopolwe go tswa go setlamo sa puso; le
» Gore di bonwe mahala go tswa go setlamo sa puso.

Kitsiso ya go ithaopela go senola tshedimosetso e tshwanetse go tlhaloago gore direktlo di ka fitlhelela jang tse di senolwang ka go ithaopa le tse di kgonang go bonwa kwantle ga tikatiko. Ga go tlhokege go dira kopo ya semmuso ya go newa direktlo tse di rileng fa direktlo tseo di setse di senotswe ka go ithaopa e bile di kgona go bonwa kwantle ga tikatiko. Mo mabakeng a mantsi, go tlhokega tuediso ya gore go berekanwe le kopo ya semmuso mme go berekana le yone go ka tsaya malatsi a le 30. Seno se ka kgona go tilwa fa o leba pele kitsiso ya go ithaopela go senola tshedimosetso le go bona gore a rekoto e e e batlang e kgona go bonwa kwantle ga tikatiko kgotsa nnyaa.

Le fa e le molao gore setlamo sa puso se phasalatse kitsiso ya go ithaopela go senola tshedimosetso, setlamo sa puso ga se dire se no ‘ka go ithaopa’. Kitsiso eno e bidwà ‘kitsiso ya go ithaopela go senola tshedimosetso’ ka gonne e ntsha kitsiso ka tshedimosetso yotlhe e e senotsweng ka go ithaopa, mme seno ga se reye gore go ikaegile ka tshwetse ya motlhankedi wa tshedimosetso ya gore a phasalatse lenaane la teng kgotsa nnyaa.
2.5 **Tshedimose tsetso e e kgonang go bonwa kwantle ga tikatiko e e tshwerweng ke khamphani kgotsa setlamo sa poraefete**

Jaaka go ntse ka ditlamo tsa puso, ditlamo tsa poraefete le tsone di ka kgona go tshwara tshedimose tsetso e o ka kgonang go e newa kwantle ga go dira ga kopo ya semmuso. Pele o dira kopo ya semmuso ya go newa tshedimosetso go ya ka PAIA e go senang pelaelo gore e tla batla tuediso le go leta lobaka lwa malatsi a le 30, tihomamisa gore a tshedimosetso eno e ka kgona go bonwa kwantle ga tikatiko kwantle ga go dira kopo ya semmuso.

Tlhogo ya setlamo sa poraefete e ka nna ya ithaopa nako le nako go dira lenaane la tshedimosetso e e kgonang go bonwa kwantle ga tikatiko go tswa kwa setlamong sa poraefete kwantle ga gore o dire kopo ya semmuso. Le naane leno le bide fa ‘**kitsiso ya karolo 52**’ kgotsa ‘**kitsiso ya go ithaopela go senola tshedimosetso.**’

Go farolagana le ditlamo tsa puso tse mo go tsone batlhankedi ba tshedimosetso **ba tshwanetseng** go phasalatsa kitsiso ya go ithaopela go senola tshedimosetso, motlhankedi wa tshedimosetso wa setlamo sa poraefete ga a **patelesege** go dira jalo. Jaaka fa PAIA e thalosa, “ka go ithaopa, a ka nna” a phasalatsa lenaane le le ntseng jalo. Seno ke pharologano e kgolo fa gare ga kitsiso ya karolo 52 ya ditlamo tsa poraefete le kitsiso ya karolo 15 ya ditlamo tsa puso.

Kitsiso ya go ithaopela go senola tshedimosetso ga setlamo sa poraefete e na le ditlhopha tsa direkoto le tlahaloso ya direkoto tseo tse di kgona go bonwa kwantle ga tikatiko:

> Gore di tlahthobiwe go ya ka molao ope o o tihomilweng ke kgotlatheomolao kwantle ga PAIA;
> Gore di rekwe kgotsa di kopololwe go tswa go setlamo sa puso; le
> Gore di bonwe mahala go tswa go setlamo sa puso.

Kitsiso ya go ithaopela go senola tshedimosetso e tshwanetseng gore gape e tlahalose gore direkoto di ka fitlhelelewa jang tse di senolwang ka go ithaopa le tse di kgona go bonwa kwantle ga tikatiko.
KAROLO 3
Kafa o ka kopang ka gone go bona tshedimosetso

Karolo eno e akaretsa dilo tse di latelang:

3.1 Mefuta ya kopo
3.2 Dituediso tse di amanang le go dira dikopo
3.3 Seabe sa Motlhankedi wa Tshedimosetso
3.4 Dikgato tsa semolao
3 Nka dira jang kopo ya PAIA?

Kopo ya go newa tshedimosetso e ka romelwa go setlamo sa puso le sa poraefete. Motho yo o dirang kopo o bidwiwa “mokopatshedimosetso”. PAIA e tlahlosa ditsela tse di farologaneng tsa go newa tshedimosetso go tswe go setlamo sa puso kgotsa sa poraefete. Go tshwanetse ga dirisiwa diforomo tse di tshwanetseng fa go kopiwa tshedimosetso. Diforomo di ka bonwa go PAIA.

<table>
<thead>
<tr>
<th>MOFUTA WA SETLAMO</th>
<th>FOROMO YA PAIA</th>
<th>KAROLO YA PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setlamo sa puso</td>
<td>Foromo ya A</td>
<td>Karolo 18</td>
</tr>
<tr>
<td>Setlamo sa poraefete</td>
<td>Foromo C</td>
<td>Karolo 53</td>
</tr>
</tbody>
</table>

Go tshwanetse ga nna le diforomo mo diewebosaeteng tsa ditheo tsa puso le tswe poraefete. Gape di ka bonwa kwa ofising nngwe le ngwe ya porofense ya Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa, le mo webosaeteng mo atereseng ya www.sahrc.org.za.

3.1 Ke mang yo o ka dirang kopo ya PAIA?

Motho ope fela o letleletswe go dira kopo go ya ka PAIA. Mokopatshedimosetso e ka nna:

**Motho wa tlhago**
- motho yoo ga a tlhoke go bo e le moagi wa Aforikaborwa kgotsa monni wa AforikaBorwa

**KGOTSA**

**Mankge mo go tsa molao**
- jaaka kgwebo kgotsa mokgatlho

**KGOTSA**

**Motho yo o tsayang kgato mo boemong jwa motho wa tlhago kgotsa yo e leng mankge mo go tsa molao**

Mokopatshedimosetso o na le tshwanelo ya go newa direkoto tse di nang le tshedimosetso ya poraefete ka mokopatshedimosetso ka boene, kgotsa ka motho yo a dirang kopo mo boemong jwa gagwe.

Setlamo sa puso se lejwa e le mankge mo go tsa molao e bile se ka nna sa dira kopo ya go newa direkoto tse di tshwerweng ke ditlamo tsa poraefete, **fa fela** setlamo sa puso se (1) diro gore setšhaba se solegelwe molemo le (2) fa direkoto di tihokwa go diragatsa kgotsa go sileetsa ditshwanelo tse e seng tsa setlamo sa puso.

Go botlhokwa go ela tlhoko gore, ka mo go kgethegileng, PAIA ga e laele mafapha a puso (go akaretsa le makala a bosetšhaba, a porofense le a mmasepala), le motho ope fela kgotsa setheo se se nang le tulo kgotsa se se diragatsang maikarabelo go ya ka Molaotšheo, (jaaka Ofisi ya Khomišine ya Ditshwanelo tsa Batho ya Aforikaborwa le Ofisi ya Mošireleši wa Setšhaba), kgotsa molaotšheo wa porofense (jaaka Boto ya Laesense ya Bojalwa ya kwa Kapa Bophirima), go romela dikopo tsa PAIA kwa ditheong tsa puso.
3.1.1 Nka tlatsa jang foromo ya kopo ya PAIA?

Kopo ya go newa tshedimosetso e e tshwerweng ke setlamo sa poraefete kgotsa sa puso e dirwa ka go tlatsa foromo ya kopo ya PAIA le go e romela kwa setlamong se se maleba. Kopo ya PAIA e tshwanetse go romelwa go Motlhankedi wa Tshedimosetso, Motlatsamothankedi wa Tshedimosetso kgotsa go Thogo ya setlamo sa puso kgotsa sa poraefete, mme e tshwanetse go dirisa dintlhakgokagano tse di nepagetseng tse di mo nakong.

Mo godimo ga go tlamela ka dintilha tsa setlamo se se maleba, foromo ya kopo ya PAIA e e tshwanetseng go dirisiwa e akaretsa dilo tse di latelang:

<table>
<thead>
<tr>
<th><strong>TSHEDIMOSETSO E E BATLEGANG</strong></th>
<th><strong>TLHALOSO</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dintlha tsa mokopathedimosetso</td>
<td>Tshedimosetso e e lekaneng ka mokopathedimosetso go dira gore go nne motlhoko go tlhaola mokopathedimosetso, go akaretsa le dintlhakgokagano tsa mokopathedimosetso: aterese ya poso, aterese ya imeile, fekese le /kgotsa nomore ya mogala mo Aforikaborwa.</td>
</tr>
<tr>
<td>Dintlha tsa rekoto e e kopiwang</td>
<td>Tshedimosetso e e lekaneng ka rekoto go dira gore go nne motlhoko go e tlhaola. Go ka nna ga dirisiwa pampiri e ngwe gape go tlahlosa kopo ka botlalo, fa fela pampiri ngwe le ngwe e go okeditsweng kay one e saenilwe le go tshwaraganngwa le foromo ya kopo.</td>
</tr>
<tr>
<td>Sebopego se rekoto e e kopiwang go bonwa e le mo go sone</td>
<td>Tlahloso ya sebopego kgotsa mokgwa o rekoto e tshwanetseng go ntshiwa e le ka one kgotsa go bonwa ka one.</td>
</tr>
<tr>
<td>Mokgwa wa go itsise mokopathedimosetso ka go newa tshedimosetso</td>
<td>Mokgwa wa go itsise mokopathedimosetso ka tshwetso ya go mo naya kopo kgotsa go gana ka yone.</td>
</tr>
<tr>
<td>Puo e e tlhophilweng</td>
<td>Fa go romelwa kopo go <strong>setlamo sa puso</strong>, go tshwanetse ga umakiwa puo e go eletswang gore rekoto e ntshiwa ka yone.</td>
</tr>
<tr>
<td>Maemo a motho yo o neiwend taolo yo o dirang kopo</td>
<td>Fa kopo e dirwa mo boemong jwa mongwe o sele, go tshwanetse ga ntshiwa bosupi jwa maemo a motho yo o dirang kopo eo (yo o bidiwang motho yo o neiwend taolo).</td>
</tr>
<tr>
<td>Tshwanelo e go tshwenyegwang ka yone</td>
<td>Fa go dirwa kopo e e yang go <strong>setlamo sa poraefete, mokopathedimosetso o tshwanetse go tlahlosa tshwanelo e e amegang le go tlahlosa gore ke eng fa rekoto e thokwa gore go diragadiwe kgotsa go sirelediwe tshwanelo eo.</strong></td>
</tr>
</tbody>
</table>

Bakopathedimosetso ba ba sa kgoneng go buisa le go kwalaa ba ka dira kopo ka molomo e e yang go Motlhankedi wa Tshedimosetso kgotsa Motlatsamothankedi wa Tshedimosetso wa setlamo sa puso, yo o nang le boikarabelo jwa go tlatsa Foromo A mo boemong jwa mokopathedimosetso.
3.1.2 A go na le mokgwatsamaiso o o tshwanetseng go latelwa fa go dirwa kopo ya PAIA?

Mokopatshedimosetso o tshwanetse go newa direkoto tse a di kopileng fa fela a dirile dilo go ya ka dipatlalafalo tsa mokgwatsamaiso o o latelang:

Kopo ya PAIA e tshwanetse go direlwa mo foromong e e siameng (Foromo A ya ditlamo tsa puso, Foromo C ya ditlamo tsa Poraefete), mme e romelwe go Motlhankedi wa Tshedimosetso kgotsa go Motlatsamotlhankedi wa Tshedimosetso wa setlamo sa puso kgotsa sa poraefete.

Foromo ya kopo ya PAIA e tshwanetse go romelwe ka seatla, ka poso, ka fekese kgotsa e ka romelwe ka imeile kwa setlamong sa puso kgotsa sa poraefete se kopo e rometsweng kwa go sone.

Direkoto tse di kopilweng ga di na mabaka a go ka ganwa ka tsone a a ka fa tlase ga PAIA.

3.2 Ditshenyegelo tsa go dira kopo ya PAIA ke bokae?

Bakopatshedimosetso ba kopiwa go duela tuediso fa ba kopa go newa direkoto go tswa go setlamo sa puso le sa poraefete.

Tuediso ya go kopa direkoto go tswa go setlamo sa puso ke R35, mme tuediso ya go kopa direkoto go tswa go setlamo sa poraefete ke R50.

Go botlhokwa go ela tlhoko gore bakopatshedimosetso ba ba kopang go newa tshedimosetso ya bone ka namana ba robotswe gore ba se ka ba duela tuediso; le fa go ntse jalo, ba sa ntse ba kopiwa go duela tuediso ya go di newa.

Badirakopo ba ba amogelang ka fa tlase ga R14 712 ka ngwaga (fa a sa nyala/nyalwa) le R27 192 ka ngwaga (fa a nyetse/nyetswe kgotsa a nna le molekane wa botshele jotlhe), GA BA DUEDISIWE tuediso ya go di newa.
3.2.1 Ditshenyegelo tsa go newa direkoto go ya ka PAIA ke bokae?

Badirakopo gape ba kopiwa go duela dituediso tsa go newa direkoto tsa ditlamo tsa puso le tsa poraefete. Tuedisoenyegelo go batiwa ga rekoto le go dira khopi ya yone.

Dituediso tsa go newa direkoto tsa ditlamo tsa puso ke:

<table>
<thead>
<tr>
<th>TIRO</th>
<th>TUEDISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khopi ya Tsebe nngwe le nngwe ya A4</td>
<td>Disente tse 60</td>
</tr>
<tr>
<td>Go porintat tsebe nngwe le nngwe ya A4</td>
<td>Disente tse 40</td>
</tr>
<tr>
<td>Khopi mo teng ga CD</td>
<td>R40</td>
</tr>
<tr>
<td>Go thagisa ditshwantsho gape di bo di kgona go bonwa mo tsebeng nngwe le nngwe ya A4</td>
<td>R22</td>
</tr>
<tr>
<td>Go bona khopi e e nang le ditshwantsho</td>
<td>R60</td>
</tr>
<tr>
<td>Mafoko a a tlantsweng a a gatisitsweng ka segatisamantswe mo tsebeng nngwe le ngwe ya A4</td>
<td>R12</td>
</tr>
<tr>
<td>Khopi ya mafoko a a gatisitsweng ka segatisamantswe</td>
<td>R17</td>
</tr>
<tr>
<td>Go batla rekoto le go baakayetsa go e senola</td>
<td>R15 ka ura kgotsa bontlhanyeng jwa yone, kwantle ga ura ya ntlha, e tihoka go duelelwa go batla rekoto le go baakanngwa ga yone</td>
</tr>
</tbody>
</table>

Dituediso tsa go newa direkoto tsa setlamo sa poraefete ke:

<table>
<thead>
<tr>
<th>TIRO</th>
<th>TUEDISO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khopi ya Tsebe nngwe le nngwe ya A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Go porintat tsebe nngwe le nngwe ya A4</td>
<td>Disente tse 75</td>
</tr>
<tr>
<td>Khopi mo teng ga CD</td>
<td>R70</td>
</tr>
<tr>
<td>Go thagisa ditshwantsho gape di bo di kgona go bonwa mo tsebeng nngwe le nngwe ya A4</td>
<td>R40</td>
</tr>
<tr>
<td>Go bona khopi e e nang le ditshwantsho</td>
<td>R60</td>
</tr>
<tr>
<td>Mafoko a a tlantsweng a a gatisitsweng ka segatisamantswe mo tsebeng nngwe le ngwe ya A4</td>
<td>R20</td>
</tr>
<tr>
<td>Khopi ya mafoko a a gatisitsweng ka segatisamantswe</td>
<td>R30</td>
</tr>
<tr>
<td>Go batla rekoto le go baakayetsa go e senola</td>
<td>R30 ka ura kgotsa bontlhanyeng jwa yone, kwantle ga ura ya ntlha, e tihoka go duelelwa go batla rekoto le go baakanngwa ga yone</td>
</tr>
</tbody>
</table>

Mokopatshedimosetso o tshwanetse ga duela dituediso tsa poso tsa go tlisediwa direkoto tsa kwa a nnang gone ke setlamo sa puso le sa poraefete.
Dintlha tse di sa akarediweng

Fa Motlhankedi wa Tshedimosetso, Motlatsamotlhankedi wa Tshedimosetso, kgotsa Tlhogo ya setlamo sa puso/porafete a akanya gore gore kokoangwga le go tlahagiswa ga ditokomane go tìle go tsaya nako e telele go feta diura di le thataro, o tshawanetse go bolelela mokopatschedimosetso, (ka kitsiso ya semmuso), gore o tshwanetse go duela nngwe-tharong ya tuediso pele jaaka dipositi.

Fa rekoto e sa ntshiwe e le ka sebopego se mokopi a e kopang e le ka sone, tuediso ya go e newa e mokopatschedimosetso a e duedisiwang ga e a tshwanelga go feta tuediso e a neng a tìle e duedisiwa fa a ne a ka newa rekoto eo ka sebopego se a e kopileng e le ka sone. Mme molao ono ga o dire fa e kopiwa ka sebopego se sengwe se sele ka gonne tshedimosetso e tshwanetse go ntshiwa gore go rekoto.

Fa mokopatschedimosetso a sa kgone go buisa, a sa kgone go bona kgotsa go utlwa rekoto e le ka sebopego se setlamo sa puso se e tshwereng e le ka sone ka ntlha ya bogole, setlamo sa puso se kopiwa gore se ntšhe rekoto eo ka sebopego se modirako po a tìla kgonang go e dirisa se le ka yone. Tuediso e mokopatschedimosetso a e dudedisiwang ga e a tshwanelga go feta tuediso e a ka bong a e dedisitswe fa a ne a ka newa rekoto eo.

3.3 A Motlhankedi wa Tshedimosetso a ka nthusa go dira kopo ya PAIA?

Fa kopo ya PAIA e romelwa go setlamo sa puso, Motlhankedi wa Tshedimosetso kgotsa Motlatsamotlhankedi wa Tshedimosetso o tshwanetse go go thusa moo o tlohang thuso gone ya go tlatla diforomo tsa PAIA.

Motlhankedi wa Tshedimosetso o tshwanetse go go naya thuso mahala.

<table>
<thead>
<tr>
<th>MAIKARABELO A MOTLHANKEDI WA TSHEDIMOSETSO</th>
<th>TLHALOSO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Go thusa mokopatschedimosetso go tlatsa Foromo ya PAIA</td>
<td>Fa kopo ya PAIA e sa fithelele dikopo tsothi tse di tlimiwiweng sa tlahosiwang mo teng ga PAIA le mo foromong, Motlhankedi wa Tshedimosetso kgotsa Motlatsamotlhankedi wa Tshedimosetso GA A A TSHWANELA go gana kopo. Mo boemong jwa moo, Motlhankedi wa Tshedimosetso o tshwanetse go bolelela mokopatschedimosetso, ka lekwalo, gore ga a kgone go mo naya kopo ya gagwe ka gonne e sa felela, le go itha opela go thusa mokopatschedimosetso go dira diphetogo tse di tlohang thuso mo foromong. Fa mokopatschedimosetso a sa arabe lekwalo la gagwe kgotsa a sa baakanye foromo mo lobakeng lo lo lekaneng sentle lwa nako, Motlhankedi wa Tshedimosetso a ka nna a gana go mo naya kopo.</td>
</tr>
<tr>
<td>Naya mokopatschedimosetso tshedimosetso e e maleba go kgonega</td>
<td>Fa e le gore go tla kgonega go dira jalo, Motlhankedi wa Tshedimosetso o tshwanetse go naya mokopatschedimosetso tshedimosetso epe e nngwe e e tshwereng ke setlamo sa puso e le yone e tsamaisanang le kopo, le fa direkoto tsa yone e ne e se karolo ya kopo e e dirilweng kwa tshimologong.</td>
</tr>
<tr>
<td>Go fudusa kopo</td>
<td>Fa kopo ya PAIA e romelwa go setlamo se e seng sone sa puso, Motlhankedi wa Tshedimosetso wa setlamo seo o tshwanetse go fudusetsa kopo eo kwa setlamong se se tshwanetseng sa puso mo malatsing a le 14 morago ga a sena go amogela kopo e bile o tshwanetse go itsise modirako po ka phuduso eo ka lekwalo.</td>
</tr>
</tbody>
</table>
KAELO YA TSELA YA GO DIRISA THOTLOETSO YA GO NEWA TSHEDIMOSETSO MOLAO WA BO 2 WA KA 2000

Malatsi a le 30 a go araba kopo

Kopo ya PAIA e tshwanetse go arabiwa ke setlamo sa puso le sa poraeftse mo malatsing a le 30 morago ga go amogela kopo. Motlhankedi wa Tshedimosetso a ka nna a kopa go okelediwa nako ka lobaka lo lo sa feteg malatsi a mangwe a le 30, ka nthla ya babaka a a rileng, mmogo le kopo e e akaretsang

(1) ditokomane tse di ndi thata, (2) go ikogolaganya le ditlamo tse dingwe tsa puso kgotsa tsa poraeftse, (3) kgotsa fa mokopatschedimosetso a ntshitse nako e e oketsegileng ka lekwalo. Go letleletswe gore kopo nngwe le nngwe ya PAIA e okelediwe nako gangwe fela.

Go ntshiwa ga rekoto kgotsa go gana ka yone

Boikarabelo jwa Motlhankedi wa Tshedimosetso ke go naya mokopatschedimosetso direkoto kgotsa go gana ka tsone. Mokopatschedimosetso o tshwanetse go romelele tshwetso eno ka lekwalo.

Sebopego se rekoto e ntshiwanw e le ka sone, go e newa le dikgato tsa semolao

Fa kopo ya PAIA e dumelwa, Motlhankedi wa Tshedimosetso o tshwanetse go boelela mokopatschedimosetso gore rekoto e tla ntshiwa e le ka sebepogo sefe le gore tuediso ya go e newa ke bokae, e e tshwanetseg go duelwa fa a sena go newa rekoto eo. Gape kitsiso e tshwanetseg go itsise mokopatschedimosetso gore o na le tshwanelo ya go tlhatlhela boikuelo jwa mo teng ga setheo le kwa kgotlatshekelong kgatihanong le tuediso ya go newa rekoto kgotsa kgatihanong le sebepogo se rekoto e tla ntshiwanw e le ka sone. Mo godimo ga moo, gape kitsiso e tshwanetse go tlamela ka tshedimosetso e e ka ga nako e ka yone boikuelo kgotsa kgatsi kwa kgotlatshekelong e tshwanetseng go tlahethwa ka yone mmogo le mokgwatsamaiso o o tshwanetseng go latelwa fa go dirwa jalo.

Go gana kopo

Fa kopo ya PAIA e ganwa, kitsiso e e yang go mokopatschedimosetso e tshwanetse go nna le babaka la go gana ka yone, a a tshwanetseg go tshegediwa ke ditaelo tsa PAIA. Jaaka ka sebepogo se rekoto e ntshiwanw e le ka sone kgotsa go e newa mmogo le tuediso ya go e newa, kitsiso e tshwanetse go naya mokopatschedimosetso tshedimosetso malebana le tshwanelo ya gagwe ya go dira boikuelo kgatihanong le tshwetso e e disiwe kgotsa go tlhatlhela kgtsi kwa kgotlatshekelong.

Go diegisa go ntshiwa ga rekoto

Motlhankedi wa Tshedimosetso a ka nna a dira tshwetso ya go diegisa go gololwa ga rekoto gore e newe mokopatschedimosetso go ya ka Karolo 24 ya PAIA, fa boikaelelo jwa rekoto eo e le go phasaladiwa mo malatsing a le 90 kgotsa molao o batla gore rekoto eo e phasaladiwe mme e sa ntse e tla batiwa.

PAIA e tlhalosa mo go Karolo 23 (ya setlamo sa puso) le 55 (ya setlamo sa poraeftse) gore fa Motlhankedi wa Tshedimosetso a sa kgone go bona direkoto tse di kopilweng, kgotsa fa go dumelwa gore ga di ise di ke di nne gone, morago ga go tlhomamisa gore go tserwe diktgato tsothle tsa go batla direkoto, Motlhankedi wa Tshedimosetso o tshwanetse go romelela mokopatschedimosetso afitafiti go mo itsise gore direkoto tse a di batlang ga di ise di ke di nne gone kgotsa ga di bonwe. Afitafiti e tshwanetse go nna le dintlhla ka botlialo.
3.4 Ke ditharabololo dife tsa semolao tse ke ka di dirisang fa kopo ya me ya PAIA e ganwa?

Mokopatshedimosetso o na le tshwanelo ya go tsaya dikgato tsa semolao kgatlhaong le Motlhankedwi wa Tshedimosetso, Motlatsamotlhankedwi wa Tshedimosetso, kgotsa Tiho ya setlamo sa puso kgotsa sa porae fete fa Motlhankedwi wa Tshedimosetso a dirile tshwetso ya:
   » Go gana goro e newe rekoto
   » Go oketsa nako ya go arabiwa ga kopo ya gago
   » Go go duedisa tuediso ya kopo kgotsa tuediso ya go newa rekoto
   » Gore o newe rekoto e le ka sebopego se se farologaneng le se e kopilweng e le mo go sone go tloga kwa tshimologong.

Karolo eno e tla tlahela dikgato tsa semolao tse bakopatshedimosetso ba ka di tsayang ba ba batlang go dira boikuelo kgatlhanong le tshwetso ya Bathlankedwi ba Tshedimosetso.

3.4.1 Dikgato tsa Semolao kgatlhanong le Ditlamo tsa Puso

Fa mokopatshedimosetso a sa itumelela tshwetso e e dirilweng ke Motlhankedwi wa Tshedimosetso wa setlamo sa puso, mokopatshedimosetso o na le tshwanelo ya go tiatlhela boikuelo jwa mo teng ga setheo. Boikuelo jwa mo teng ga setheo bo akaretsa motho yo o mo maemong a a kwa godingwana yo o tiatlhobang tshwetso ya Motlhankedwi wa Tshedimosetso le go swetsa ka gore a o dirile tshwetso e e siameng, Fa motho yo o mo maemong a magolwane a amogela tshwetso ya Motlhankedwi wa Tshedimosetso, boikuelo jwa mo teng ga setheo ga bo kitla bo amogela mme tshwetso ya ntiha malebana le kopo ya PAIA ga e kitla e fetoliwa. Fa motho yo o mo maemong a magolwane a sa amoge le tshwetso ya Motlhankedwi wa Tshedimosetso, boikuelo bot la amogela mme tshwetso ya ntiha malebana le kopo ya PAIA e tla fetoliwa.

Go bothokwa go ela tlhoko goro o ka tiatlhela boikuelo jwa mo teng ga setheo fela kwa mafapheng a puso a bosetšhaba, a porofense le a mmasepala. Ditlamo tse dingwe tsa puso ga di na mokgwatsamaiso wa go tiatlhelwa ga boikuelo jwa mo teng ga setheo.

Lekgotlatoropo la Cape Town ke sekai sa puso ya mmasepala e go ka tiatlhelweng boikuelo jwa mo teng ga setheo kgatlhaong le yone. Letlole la Dikotsi tsela se sekai sa setlamo sa puso se e seng karolo ya lefapha la bosetšhaba, la porofense kgotsa la pusoselegae, ka gonne lone le thlomilwe ke kgotlatheomoao (Molao wa Letlole la Dikotsi tsela), mme ka jalo boikuelo jwa mo teng ga setheo ga bo ka ke jwa tiatlhelwa kgatlhaong le mafapha ano.

3.4.1.1 Ke mang yo o ka tiatlhelang boikuelo mo teng ga setlamo?

Mokopatshedimosetso yo o dirang kopo ya PAIA e e yang kwa lefapheng la bosetšhaba, la porofense kgotsa kwa setlamong sa puso sa mmasepala mme kopo ya gagwe e bo e ganwa o na le tshwanelo ya go tiatlhela boikuelo jwa mo teng ga setheo. Bo dirwa ka go tlatso Foromo B ya PAIA le go e tlatso le lefapha la bosetšhaba, la porofense kgotsa le setlamo sa puso sa mmasepala. Khopi ya Foromo B e ka bonwa mo webosae tsa ditlamo tse di malebana mme gape di ka bonwa kwa ofising nngwe le nngwe ya Khomišine ya Ditshwanelo tsale Batho ya Aforikaborwa.
Fa boikuelo jwa mo teng ga setheo bo ama motho ope yo o sa amiweng ke kgang eno ka tlhamalalo, setlamo sa puso se se amogetsebeng boikuelo jwa mo teng ga sethelo se na le boikarabelo jwa go ikloagoanyaka le maloko a mangwe a sa amiweng ka tlhamalalo ke kgang eno. Dipatlafalala ts'a go ntsha kitsiso le dingongorego di tshwana fela le tsa go ntsha kopo yo o ntla ya PAIA.

Batho ba ba sa amiweng ke kgang eno ka tlhamalalo le bone ba letlwa go tlhatlhela boikuelo jwa mo teng ga sethelo kgatlhanong le tshwetse e e dirilweng se setlamo sa puso ya gore mokopatshedimosetso a newe rekoto e e kgethegileng.

### 3.4.1.2 O ka tlhatlhela boikuelo mo teng ga setlamo leng?

Mokopatshedimosetso a ka nna a tlhatlhela boikuelo jwa mo teng ga sethelo kgatlhanong le tshwetse e e dirilweng ya setlamo sa puso ka ntla ya mabaka a a latelang:

- Fa mokopatschedimosetso a sa kgotsofalela tuediso e e batliwang ya kopo.
- Fa mokopatschedimosetso a sa kgotsofalela tshwetse ya gore setlamo sa puso se okelediwe nako ka malatsi a le 30 a go aboka kopo.
- Fa mokopatschedimosetso a sa kgotsofalela gore sebopego se direkoto di ntshitsweng di le ka sone ga se tshwane le sebopego se se kopilweng, e bile mokopatschedimosetso a dumela gore se sebopego, e e kgethegileng ya kgwebo le sebopego se a se eletsang.

### 3.4.1.3 Nka dira jang boikuelo jwa mo teng ga setlamo?

Boikuelo jwa mo teng ga setheo bo tshehatlela go tlhatlhela ke mokopatschedimosetso mo tsamaong ya malatsi a le 60 morago ga go ganwa ga kopo ya gagwe ya ntla ya PAIA. Seno se dirwa ka go tlatsa Foromo B le go e romela go lefapha la bosetšhaba, la porofense kgotsa le la puso ya mmasepala.

<table>
<thead>
<tr>
<th>Puso ya bosetšhaba</th>
<th>Fa kopo ya PAIA e ne e rometswe go lefapha la bosetšhaba, mokopatschedimosetso a ka nna a tlhatlhela boikuelo jwa mo teng ga sethelo kwa go Tona ya lefapha lebo.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Puso ya Porofense</td>
<td>Fa kopo ya PAIA e ne e rometswe go lefapha la porofense, mokopatschedimosetso a ka nna a tlhatlhela boikuelo jwa Go Leloko la Khansele ya Bakhuduthamaga ya lefapha.</td>
</tr>
<tr>
<td>Puso ya Mmasepala</td>
<td>Fa kopo ya PAIA e ne e rometswe go lefapha la mmasepala, mokopatschedimosetso a ka nna a tlhatlhela boikuelo jo bo yang go ratoropo wa mmasepala, kgotsa go sebui sa mmasepala, kgotsa go motho ope yo mongwe yo o tshomilweng ke Khansele ya Mmasepala ya mmasepala oo.</td>
</tr>
</tbody>
</table>

Foromo B e romelwa kwa go ene Motlhankedi wa Tshedimosetso/Motlatsetlhankedi wa Tshedimosetso yo o ganneng kopo ya ntla, yo morago go moo a tla kopiwang go e romela go motho yo o mo maemong a magolwane.

### ELA TLHOKO

Fa boikuelo bo batla gore kitsiso e newe motho yo mongwe o sele yo o sa amegeng mo go seno ka tlhamalo (k.g.r. fa tshedimosetso e na le tshedimosetso ya poraefete ka motho yo mongwe, le tshedimosetso ya khupamarama, tshedimosetso e e kgethegileng ya kgwebo, le tshedimosetso ya patlisiso ka motho o sele yo o sa amiweng ke kgang eno ka tlhamalalo), boikuelo bo tla tshwanelwa ke gore bo tlhatlhlela mo malatsing a le 30 a morago ga go ntshiwa ga kitsiso.
Mokopatschedimosetso o tshwanetse go tlhatlheka boikuelo jwa mo teng ga setheo jo bo yang go Motlhankedi wa Tshedimosetso wa setlamo se se maleba ka poso, ka fekese kgotsa ka imele.
Boikuelo jwa mo teng ga setheo bo tshwanetse go nna le setlhogo sa boikuelo jwa mo teng ga setheo, mabaka a a tshegetsang boikuelo, le go akaretse tshedimosetso epe e nngwe e e maleba e e itsiweng ke motho yo o tlhatlhelang boikuelo.
Fa mokopatschedimosetso a ka rata go itsisiwe tshwetsa bo kaikuelo jwa mo teng ga setheo ka mokgw a o sele, (mo godimo ga go itsisiwe ka lekwalo), o tshwanetse go tlhalosa mokgw a o a eletsang le go ntsha tshedimosetso epe e e tlhokegang.

3.4.1.4 Go tweng fa boikuelo jwa mo teng ga setlamo bo tlhatlhelwa morago ga letlhela le le beilweng la go bo tlhatlhelwa le sena go feta?

Fa boikuelo jwa mo teng ga setheo bo tlhatlhetswe fa lobaka lwa malatsi a le 60 lo sena go feta, setlamo sa puso se se maleba se tshwanetse go amogela boikuelo fa go bontshitswe lebaka le le utlwalang la go bo bo tlhatlhetswe morago ga nako. Fa setlamo sa puso se se maleba se sa amogele go tlhatlhela ga boikuelo jwa mo teng ga setheo morago ga nako, se tshwanetse go naya motho yo o tlhatlhetseng boikuelo joo lebaka.

3.4.1.5 Dituediso tsa maikuelo a mo teng ga setlamo ke bokae?

Mokopatschedimosetso yo o dirang boikuelo jwa mo teng ga setheo o kopiwa go duela tediso e e batlegang, fa e le teng. Fa tediso ya go dira boikuelo joo e duelwa ka nako ya fa bo tlhatlhela, tshwetsa bo kaikuelo e ka nna ya diegisiwa go fitlha fa go sena go duelwa.

A KE KA TLHATLHELA KOPO KWA KGOTLATSHEKELONG KGATLHANONG LE TSWWETOYA SETLAMO SA PUSO?

Ee. Fa mokopatschedimosetso a sa atlega ka go tlhatlhela ga gagwe boikuelo jwa mo teng ga setheo kgatlhanong le setlamo sa puso, kgotsa fa setlamo sa puso se ganne go amogela go tlhatlhela ga boikuelo jwa mo teng ga setheo morago ga nako, kgotsa fa e le gore mokopatschedimosetso o ne a hutsafaditswe ka tsela epe ke tshwetsa e e dirilweng ke setlamo sa puso, mokopatschedimosetso a ka nna a tlhatlhela boikuelo kwa kgotlatshekelong go bona thuso ka go tlhatlhela kgo mo mo tsamaong ya malatsi a le 180 morago ga ga go amogela tshwetsa (go ya ka kathilo ya Kotlatshekelo ya Molaotheo – go bona tshedimosetso go ya pele, leba fa tlase). Mokopatschedimosetso kgotsa motho ope o sele yo o sa amiweng ke kgang eno ka tlhamalalo a ka nna a tlhatlhela kgetsi kwa kgotlatshekelong morago ga fa thulaganyo ya boikuelo jwa mo teng ga setheo e sena go konelwa.

3.4.2 Dikgato tsa Semolao kgatlhanong le Ditlamo tsa Porafete

Fa mokopatschedimosetso a sa kgotsofalela tshwetsa e e dirilweng ke tlhogo ya setlamo sa porafete, ka sekai ya go gana go newa tshedimosetso, go duedisiwa tediso ya go newa tshedimosetso, kgotsa ya ga oketsa lobaka lwa nako e karabo e tshwanetseng go ntshiwa ka lone, mokopatschedimosetso a ka nna a tlhatlhela kopo kwa kgotlatshekelong go bona thuso mo tsamaong ya malatsi a le 180 morago ga ga go amogela tshwetsa (go ya ka kathilo ya Kotlatshekelo ya Molaotheo – go bona tshedimosetso go ya pele, leba fa tlase) e e mo hutsafaditseng. Tshwetsa ya setlamo sa porafete e tla sekasekwa ke kgotlatshekelo mme tshwetsa e tla dinwa ke dikgotlatshekelo gore a tshedimosetso e ntshiwe kgotsa nyyaa.
3.4.3 Go tla direga eng ka kgetse ya me kwa kgotlatshekelong?

Go na le diphelelo di le mmalwa tse di ka nnang tsa nna gone fa motho a isa kgetsi ya PAIA kwa kgotlatshekelong. Fa go sena go reediwa matlhakore oomabedi, moatlhodi yo o eteletseng kgetse pele o na le thata ya go ntsha taelo. E ka nna ya akaretsa taelo: (1) e e netefatsang, e e fetolang, kgotsa e e tlosang tshwetso ya setlamo sa puso kgotsa sa poraefete malebana le kopo ya PAIA; (2) e e kopang setlamo sa puso kgotsa sa poraefete go tsaya kgato e e rileng kgotsa go se tseye kgato e e rileng; (3) e e ntshang taelo ya kgotlatshekelo, taelo ya maikano, kgotlolo e e kgethegileng, kgotsa tuelo ya phimolakeledi; kgotsa (4) e ka kopa gore go duelwe ditshenyegelo tse di rileng.

Dikgetsetsotlhesedi amanangle go newa tshedimosetso di ka reediwa fa leka Kgotlatshekelo ya Mmagiseterata jaaka kgotlatshekelo ya ntlha, jaaka go tshalosiwa ka fa tlae ga karolo 79 ya PAIA le Dikgotlatshekelokgolo.
Karolo eno e akaretsa:

4.1 Go boloka tshwanelo ya go newa tshedimosetso e lekalekane le ditshwanelo tse dingwe

4.2 Molao v mabaka a a itshetlegileng ka maemo a go gana ka tshedimosetso

4.3 Mabaka a go gana ka tshedimosetso a a kwadiwleng mo teng ga PAIA

4.4 Teko ya kgatlhego e setšhaba se nang le yone mo kgannyeng eno
4.1 Fa kopo ya go newa tshedimosetso e ka nna ya ganwa

Karolo eno e tla re naya dintlhakakaretso tsa fa ga ganwa ka tshedimosetso ka fa tlase ga PAIA, le kaelo ya go dirisa melao e e letlang motlhankedi wa tshedimosetso go gana kopo. PAIA e na le mabaka a le 12 a go newa tshedimosetso go ka nnang ga ganwa ka motlhankedi wa tshedimosetso wa setlamo sa puso kgotsa sa poraefete, a mangwe a one e leng a a tlhomilweng ke molao mme a mangwe ke a a ikaegileng ka maemo (leba karolo 4.2. fa tlase go bona tshedimosetso go ya pele). Mo godimo ga moo, PAIA e tlhama polelwana ya semolao ya go bontsha kgatlhego ga setšhaba e e nnang botlhokwa go gaisa mabaka ape a go gana go newa tshedimosetso, fa kgatlhego ya setšhaba malebana le tshedimosetso e ka nna kgolo. (leba karolo 4.4 fa tlase go bona tshedimosetso go ya pele).

<table>
<thead>
<tr>
<th>GO BOLOKA TSHWANELO YA GO NEWA TSHEDIMOSETSO E LEKALEKANE LE DITSHWANELO TSE DINGWE</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOLAOKAKARETSO</td>
</tr>
<tr>
<td>Tshwanelo ya go newa tshedimosetso e fitlhelwa mo teng ga Molaotlhomo wa Ditshwanelo wa Molaotlhomo wa Aforikaborwa e ile, gore tshwanelo eno e diragadiwe, go newa tshedimosetso go tshwanelo tse dirwa ganwe le gape.</td>
</tr>
<tr>
<td>FA MOLAO O SE KITLANG GO DIRISIWA GONE</td>
</tr>
<tr>
<td>Fela jaaka ditshwanelo tse dingwe tse dintsi tsa Molaotlhomo wa Ditshwanelo, tshwanelo ya go newa tshedimosetso e ka lekanyediwa kgotsa ya ganwa mo mabakeng mangwe. PAIA e tlahlosa mabaka a go gana ka tshedimosetso, le moo tshwanelo ya go newa tshedimosetso e ka nnang ya lekanyediwa.</td>
</tr>
</tbody>
</table>

4.2 Molao fa o bapisiwa le Tshwetso e e Ikaegileng ka Maemo ya go gana ka tshedimosetso

PAIA e tlahlosa gore mo maemong mangwe tshedimosetso ga e ka ke ya senolwe ka motlhankedi wa tshedimosetso. Ka bokhutshwane, mabaka a go bo tshedimosetso e ka se ka ya senolw a amana le gore a go senolwe ga tshedimosetso go tla baka mathata go na le fa e sa senolwe. Ka jalo PAIA e tlahlosa mabaka a le somepedi a go bo motlhankedi wa tshedimosetso wa setlamo sa puso kgotsa sa poraefete a ka ganang go ntsha tshedimosetso ka one (mabaka ano a a 12 a tla tlahlosiwa mo karolong 4.3 fa tlase). Mangwe a mabaka ano a go sa ntshe tshedimosetso ke a a tlhomilweng ke molao, mo go rayang gore motlhankedi wa tshedimosetso ga a tshwanela go ntsha tshedimosetso fa lengwe la mabaka a go sa ntshe tshedimosetso le ka kgona go supiwa. Mabaka a mangwe a go gana ka tshedimosetso ke a a ikaegileng ka maemo a a bonwang ke motlhankedi wa tshedimosetso. Seno se raya gore motlhankedi wa tshedimosetso a ka nna a senola tshedimosetso kgotsa a ka nna a se e senole. Ka jalo motlhankedi wa tshedimosetso a tshwanelo tse dira tshwetso go ya ka maemo a gore a go senola tshedimosetso go tla baka mathata mo setšhabeng kgotsa go setlamo sa poraefete go na le fa e sa senolwe.
Fa kopo ya go newa tshedimosetso e ka/e ka nna ya ganwa

**MELAO YA PAIA E TSHWANETSENG GO ELWA TLHOKO...**

Fa go gana ka tshedimosetso e le ka ntlha ya melao, PAIA e dirisa lefoko “tshwanetse”.

Fa go gana ka tshedimosetso e le ka ntlha ya maemo, PAIA e dirisa lefoko “ka nna”.

Gakologelwa: Jaaka Motlhankedi wa Tshedimosetso, o tshwanetse go leba dilo ka tsela e di ntseng ka yone fa o dirisa lebaka la go gana ka tshedimosetso. O se ka wa tsya matlhakore. O se ka wa nna le tlhaclele le ka motlihla!

**4.3 Mabaka a go gana ka tshedimosetso**

Jaaka go thalositswe fa godimo go na le mabaka a a farologaneng a ka one kopo ya tshedimosetso e ka nnang ya ganwa kgotsa e tshwanetseng go ganwa ke Motlhankedi wa Tshedimosetso wa setlamo sa puso kgotsa sa poraefete. Mabaka ano a mo go Kgaolo 4 ya Karolo 2 ya Setlamo sa Puso, le Kgaolo 4 ya Karolo 3 ya Setlamo sa PoraeFete.

**4.3.1 Go sireletsa tshedimosetso ya poraefete ya motho wa boraro**

Mothlhankedi wa Tshedimosetso wa setlamo sa puso kgotsa sa poraefete ga a tshwanela go letla motho go newa tshedimosetso ya poraefete ya motho wa thlago, go akaretsa le ya motho yo o tihokafetseng (*malebana le thalositswe ya “motho wa thlago” leba Mareo a a Mosola kwa godimo*), PAIA e thalosa gore, gore e kgone go sireletsa tshedimosetso ya poraefete ya motho wa boraro yo e leng motho wa thlago, Motlhankedi wa Tshedimosetso o tshwanetse go lekola gore a go golola tshedimosetso e e kopiwang le go e naya mokopatsshedimosetso ‘go ka fetola tsela e e sa tlhokegeng ya go senola tshedimosetso ya poraefete’ (*leba dikarolo 34 le 63 tsa PAIA*).

Karolo 1 ya PAIA e naya thalositswe e e tesneletseng ya gore ke tshedimosetso efe e e leng “tshedimosetso ya poraefete”. E akaretsa tshedimosetso e e amanang le thobalano, go ima, le bodumedi, le go kwalelana le ba bangwe, DNA, dikgatisomenwana, le dikai rsa fa leina la motho le tlhago mo direkotong.

Gape Motlhankedi wa Tshedimosetso o tshwanetse go akanyetsa gore a tshedimosetso ya poraefete e e kopiwang ga e wele ka fa tlase ga ditlhopha tse di latelang tsa tshedimosetso ya poraefete e e ka senolwang.

- Tshedimosetso ya poraefete ya motho yo o dirileng tumelelo ya gore tshedimosetso eno e golowe;
- Tshedimosetso ya poraefete e e setse e tshedimosetso;
- Tshedimosetso ya poraefete ka ngwana yo o ka la tla ga dingwaga di le 18 e go senolwa ga yone go tla sologela ngwana molemo, e mokopi wa yone e leng motlhokomedi wa ngwana (ke gore, motsadi kgotsa motlhokomedi);
- Tshedimosetso ya poraefete ya motho yo o tihokafetseng e e newang mokopi yo e leng wa losika lwa yo o tihokafetseng, kgotsa yo o neiwileng taolo eo (tumelelo e e kwadiwileng) ke yoo wa losika lwa gagwe;
- Tshedimosetso ya poraefete ya motho yo o tihokafetseng yo o sa leng a tihokafetseng lobaka lo lo fetang lwa dingwaga di le 20;
- Tshedimosetso ya poraefete ya motho yo e leng kgotsa yo o neng a le motlhankedi mo setlamo sa puso kgotsa sa poraefete yo tshedimosetso e amanang le maemo a gagwe jaaka motlhankedi.
4.3.2 Go sireletsa tshedimosetso ya kgwebo ya motho wa boraro

Batlhankedi ba Tshedimosetso ba ditlamo tsa puso le tsa poraefete ba tshwanetse go gana ka tshedimosetso fa go golola tshedimosetso eo go ka bakela motho yoo wa boraro kgobalo mo kgwembong kgotsa mo go tsa ditšhelete ya kgwebo ya gagwe. PAIA e kwala lenaane la tshedimosetso e e latelang ya kgwebo e e ka se khang ya senolelwa Motlhankedi wa Tshedimosetso:

- Diphiri tsa kgwebisano;
- Tshedimosetso ya tsa ditšhelete, ya kgwebo, ya saense kgotsa ya setegeniki eo go ka diregang gore go senolwa ga yone go bakele kgwebo ya motho yoo wa boraro mathata;
- Tshedimosetso e e neilweng motho wa boraro mo sephiring.

Le go na le molaokakaretso wa go sireletsa tshedimosetso ya khamphani, go tlhokega setiama sa puso se se tla dirang dilo kwante ga go fitlha sepe. Go na le maemo a mangwe a ka one go ka senolwang tshedimosetso ya kgwebo ya khamphani.

Dintlha tse PAIA e sa di akaretseng: Direkoto tsa motho wa boraro tse di nang le tshedimosetso e e amanang le tshireletsego ya setšhaba kgotsa dikotsi tse di ka tshgba tshwekile tshweke tse di ka kgatlhale tshweke tshwe ke amanang. Seno se amela tshedimosetso e e amang setšhaba (leba karolo 4.4. fa tlase).

4.3.3 Go sireletsa tshedimosetso ya khupamarama

PAIA e laela gore motlhankedi wa tshedimosetso o tshwanetse go gana ka rekoto fa e le gore go tshgba rekoto eo go tla bo go le kgathangan go tshgalak ya poraefete ga rekoto go ka lebelelela rekgotse motho kgotsa tsho mo kotsing. Karolo ene o tlaho tla tsho tla tsho, ka lebelela rekgotse ka gonne e amega ka lebelela rekgotse ka poraefete ka lebelela rekgotse.
Le fa PAIA e tsaa tsia go nna teng ga melao e mengwe e e amananag le go laolwa le go senolwa ga tshedimosetso le direkoto, mo maemong a mo go one molao o lekanyetseang tshwanelo ya go newa tshedimosetso go sa tshwanelo e bile o thulananang le melaotheo ya go dira dilo kwantie ga go fitlha sepe le go sikara maikarabelo, go tla iwa le molao wa PAIA.

4.3.6 Go sireletsa Tshedimosetso ya Patlisiso

Motlhankedwi wa Tshedimosetso wa setlamo sa puso kgotsa sa poraefete o tshwanetse go gana ka direkoto tse di nang le tshedimosetso e e amananeg le patlisiso e e tla dirwang ke setlamo sa puso kgotsa sa poraefete se e kopiwang mo go sone kgotsa ke motho wa boraro. Go gana ka tshedimosetso gono go dirwa fa go senolwa ga rekoto ko go senolwa patlisiso ya motho wa boraro kgotsa ya setlamo sa puso kgotsa sa poraefete, ya motho ka bongwe kgotsa ya setheo se se dirang patlisiso, kgotsa fa go ka baya kgang e go dirwang patlisiso ka yone mo boemong jo bo masisi (leba dikarolo 43 le 69 tsa PAIA).

4.3.7 Tshedimosetso e go ka nnang ga ganwa ka yone

Ditlhopha tse di latelang tsa tshedimosetso di amana le tshedimosetso e Motlhankedwa Tshedimosetso a ka nnang a gana ka yone, fa fela ba ka netefatsa gore tshedimosetso e e batliwang e wela mo ditlhopheng tse di latelang le gore go senolwa ga yone ga ama setšhaba (go bona tshedimosetso go ya pele ka tshedimosetso e e amang setšhaba leba karolo 4.4 fa tlase).

4.3.7.1 Go Femelwa ga Aforikaborwa, tshireletsego le dikamano le dinaga di sele

Karolo 41 ya PAIA e batla gore motlhankedwi wa tshedimosetso a sekaseke go bona gore a kopo ya go newa tshedimosetso go amana le tshedimosetso ka ga tshireletsego ya Aforikaborwa. Motlhankedwi wa tshedimosetso a ka nna a gana kopo fa a ka kgona go supa gore e tla tsenya tshireletsego ya Aforikaborwa mo kotsing fa a ka e senola.

4.3.7.2 Boemo jwa Aforikaborwa jwa Ikonomi, jwa ditšhelete le tsa kgwebo

Karolo 42 ya PAIA e batla gore go sirelediwe tshedimosetso ya setlamo sa puso fa e le gore go senolwa ga yone go tla nna kotsi mo boemong jwa ikonimo le jwa ditšhelete jwa Repaboliki. Lebaka leno la go gana le dirwa go ya ka maemo, mo go rayang gore Motlhankedwi wa Tshedimosetso o tla tshwanelwe ke go akanyetsa nthla ya gore ditlamo tsa puso di neiliwe boikarabelo ke Molaotheo wa Aforikaborwa gore di sikare maikarabelo malebana le setšhaba, le gore e tla nna ka fa tlase ga maemo a a rileng fela a go tla ganwang ka tshedimosetso mo go one. Mo godimo ga moo, Motlhankedwi wa Tshedimosetso o tla tshwanelwe ke go supa gore go senola tshedimosetso e e kopilweng go tla bakela boemo jwa ditšhelete le jwa ikonimo ya Aforikaborwa mathata.

4.3.7.3 Go dira ga ditlamo tsa puso

Karolo 44 ya PAIA e naya Batlhankedwi ba Tshedimosetso kgono ya go gana go ntsha rekoto fa e le gore e tla kgoreletsia go dira ga setlamo sa puso. Karolo 44 e kgole, dingwe tsa direkoto tse di kwadiweng ka fa tlase ga yone di akaretse:

» Ditshwetsa tse di dirilweng mo dikopanong;
» Direkoto tse di nang le kgakololo kgotsa maikutlo;
» Direkoto tse di amananeg le dikgakololo le ditlamo tse dingwe;
» Direkoto tse di amananeg le go tlamiwa ga dipholisi kgotsa ditshitshinyo.
4.3.7.4  “Fa dikopo tsa tshedimosetso e le tsa go tshameka kgotsa tse di dirwang ka kgalefo, kgotsa tse di akaretsang go faposa ditsompelo go sa tlhokege di tla ganwa.”

Motlhankedi wa Tshedimosetso a ka nna a gana ka tshedimosetso fa a akanya gore go baakanya dikopo tseo go tla ja nako e ntsi go sa tlhokege le gore go tla baka tshenyo ya ditsompelo. Mo godimo ga moo, Motlhankedi wa Tshedimosetso a ka nna a gana ka tshedimosetso fa kopo e lejwa e sena mosola ope kgotsa fa mokopatschedimosetso a e directe lela go galefisa ba bangwe.

4.4  Go Ama Setšhaba go Phimola Mabaka Otlhe

Tshireletsego yotlhe e e newang tshedimosetso jaaka e tlhalosiwa fa godimo ga e tlhole e dira fa go gololwa ga tshedimosetso go ama setšhaba. Ka tsela eno teko ya go ama ga yone setšhaba e phimola mabaka a mangwe otlhe a go gana ka tshedimosetso.

Teko e e latelang e tshwanetse go dirisiwa ke Motlhankedi wa Tshedimosetso kgotsa ke setiamo sa puso kgotsa sa poraefete pele a gana ka tshedimosetso e e velang ka fa tlase ga dithopho tsa tshedimosetso e e sa senolweng e e mo lenaaneng le le fa tlase. Fa maemo ano a fitlhelelwa, tshedimosetso e tshwanetse go senolwa ka ntlha ya mabaka a go bo e ama setšhaba.

A tshedimosetso e bontsha go tlola molao ka tsela e e masisi.

KGOTSA

A direkoto tse di kopiwang di na le tshedimosetso e e amanang le kotsi e e masisi e e gornagomelang tshireletsego ya setšhaba kgotsa ya tikologo?

LE GORE

A go ama setšhaba ga tshedimosetso fa e senolwa go feta kgobalo e e ka nnang gone.
KAROLO 5
Ditshupetso tse di botlhokwa le tshedimosetso e e mosola

Karolo eno e akaretsa:

5.1 Lenaane la ditshupetso tsa botlhokwa tse di dirisediwang go kwalwa Kaelo ya PAIA, go akaretsa le molao

5.2 Lenaanela la metswedi e mengwe e e botlhokwa ya tshedimosetso ya PAIA
5.1 Ditshupetso tsa botlhokwa

<table>
<thead>
<tr>
<th>MOTSWEDI WA TSHEIMOSETSO</th>
<th>MOKWADI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Molao wa Thotloetso ya go Newa Tshedimosetso wa bo 2 wa ka 2000</td>
<td>Molao</td>
</tr>
<tr>
<td>Molao wa Tshireletso ya Tshedimosetso ya Poraefete wa bo 4 wa ka 2013</td>
<td>Molao</td>
</tr>
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<td>Go tlhalosiwa ga PAIA (go ka bonwa mo atereseng ya <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>Kobotlo ya Didiriisiwa ya PAIA (e ka bonwa mo atereseng ya <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
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<td>Kaele ya Tsele ya go Dirisa Moalo wa Thotloetso ya go Newa Tshedimosetso wa bo 2 wa ka 2000 (e ka bonwa mo atereseng ya <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>Sedirisiwa ka Kaele sa Baagi sa PAIA (se ka bonwa mo atereseng ya <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>Mmanuale wa PAIA wa Badiri b aba Dirang ka fa Pele (o ka bonwa mo atereseng ya <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 Melawana ya PAIA

<table>
<thead>
<tr>
<th>KITSISO YA PUSO</th>
<th>LETLHA</th>
<th>SETLHOGO LE TLHALOSO</th>
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<tbody>
<tr>
<td>Kitsiso ya Puso: No. R. 1244</td>
<td>22 Lwetse</td>
<td>Tlhabololo e e amanang le go bonwa ga dimmanuale tsa PAIA tsa ditlamo tsa puso le tsa poraefete.</td>
</tr>
<tr>
<td></td>
<td>2003</td>
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<tr>
<td>Kitsiso ya Puso: No. R. 187</td>
<td>15 Tlhakole</td>
<td>Tlhabololo ya PAIA malebana le Kaele ya Karolo 10 le go bonwa ga dimmanuale tsa PAIA.</td>
</tr>
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<td></td>
<td>2002</td>
<td></td>
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<tr>
<td>Kitsiso ya Puso: No. R. 233</td>
<td>9 Mopitlwe</td>
<td>Molawana ono o amana le tuediso e e duelelwang go newa direkoto tsa ditlamo tsa puso le tsa poraefete.</td>
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<tr>
<td></td>
<td>2001</td>
<td></td>
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<td>Kitsiso ya Puso No. R. 466</td>
<td>1 Seetebosigo</td>
<td>Go akaretsa le diforomo tse Batlhankedibathshedimosetso ba tshwanetseng go di dirisa fa ba phasalatsa go ithaopela go senola dikitsiso tsa tshedimosetso go ya ka dikarolo 15 le 52 tsa PAIA.</td>
</tr>
</tbody>
</table>
## 5.3 Ditlhabololo tsa PAIA

<table>
<thead>
<tr>
<th>KITSISO YA PUSO</th>
<th>LETLHA</th>
<th>SETLHOGO LE TLHALOSEO</th>
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<tr>
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<td>Tlhabololo ya karolo 92(4) ya PAIA e e lhalosang Ditlolomolao le Dikothaokga batho ba ka boomo le ka tsela e e sa siamang ba kgoreletseng kopo ya mokopatsshedimosetso ya go bona tshedimosetso, ka sekai ka go senya direkoto.</td>
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<td>Tlhabololo ya PAIA malebana le Kaelo eno ya Karolo 10 le go bonwa ga dimmanuale tsa PAIA.</td>
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</table>

## 5.4 Ditlhabololo tsa Melawana ya PAIA

<table>
<thead>
<tr>
<th>KITSISO YA PUSO</th>
<th>LETLHA</th>
<th>SETLHOGO</th>
</tr>
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<tbody>
<tr>
<td>Kitsiso ya Puso: No. 1263</td>
<td>11 Moranang 2003</td>
<td>Kitsiso e e amanang le go bonwa ga dimmanuale tsa PAIA tsa ditlamo tsa poraefete.</td>
</tr>
</tbody>
</table>

## 5.5 Metswedi e mengwe ya tshedimosetso ya e e mosola ya PAIA

2. Go Fitlhelela Tshedimosetso mo Boemong jwa Baagi ba Gaeno, SAHA (e ka bonwa mo atereseng ya www.saha.org).
TATAISO YA KA MOO O KA SEBEDISANG MOLAO WA KGOTHALETSO YA PHIHELLO YA LESEDI WA BO 2 WA 2000
Umhlahlandlela
Ngekusetjentiswa
Kwemtsetfo
Wekutfutfukisa
Kutfolakala
Kwelwatiso Nombolo
2 Wanga 2000

SISWATI
Iwebhusayithi: www.sahrc.org.za
Imeyili: info@sahrc.org.za
Ithwitha: @SAHRCommission
Facebook: SAhumanrightscommission
Youtube: SAHRC1
Imininingwane Yekutsintsana neKhomishini Lemelele Emalungelo Eluntfu eNingizimu Afrika

Lihhovisi Lelikhulu Johannesburg
Lucingo 011 877 3600 • Ifeksi 011 403 0684

Eastern Cape Port Elizabeth
Lucingo 043 722 7828 • Ifeksi 043 722 7830

Free State Bloemfontein
Lucingo 052 447 1133 • Ifeksi 051 447 1128

KwaZulu-Natal Durban
Lucingo 031 304 7323/4/5 • Ifeksi 031 304 7323

Limpopo Polokwane
Lucingo 015 2913500 • Ifeksi 051 291 3505

Mpumalanga Nelspruit
Lucingo 013 752 8292 • Ifeksi 013 752 6890

Northern Cape Upington
Lucingo 054 332 3993/4 • Ifeksi 054 332 7750

North West Rustenburg
Lucingo 014 592 0694 • Ifeksi: 014 594 1089

Western Cape Cape Town
Lucingo 021 426 2277 • Ifeksi 021 426 2875
Kutfola indlela yakho yekusebentisa Lomhlahlandlela we-PAIA

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Singeniso seMhlahlandlela we-PAIA

Sigaba 2
Ungacala kuphi kutfola lolwatiso loludzingako

Sigaba 3
Usifaka njani sicelo sekutfola lwatiso

Sigaba 4
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<th><strong>INCHAZELO</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Imali lekhokhwako kute usitwe</td>
<td>Lena yimali lekufanele ikhokhwe ngulofake sicelo kulomtima lotimele noma wahulumende lapho usuke ufuna kutfola khona lwatiso, kute kutsi kukkholhelwe tindlelo tekutfola nekukhopha lamarekhodi lowacelako. <em>(Kutfola iminingingwane lepelele ngemali buka Sigaba sesi-3 seMhlahlandlela.)</em></td>
</tr>
<tr>
<td>Lifomu A</td>
<td>Lifikfolakala kuwebhusayithi yeLikhomishana Lemelele Emalungelo Eluntfu, Kanye nemawebhusayithi aletinye tikhungo tahulumende. Lelifomu lisetjentiselfastwa kutfola Lwatiso lolucinwe ngumtima wahulumende. <em>(Kutfola iminingingwane lepelele ngelifikfolu A bese ucela lwatiso kutfola buka Sigaba 3 saloMhlahlandlela.)</em></td>
</tr>
<tr>
<td>Lifomu C</td>
<td>Nalo litfolakala ekucinunye kweMtsetfo i-PAIA, kuwebhusayithi yeLikhomishana Lemelele Emalungelo Eluntfu, kanye nemawebhusayithi aletinye tinkampani letimtele. Lelifomu lisetjentiselfastwa kutfola Lwatiso lolucinwe ngumtima lotimele. <em>(Kutfola iminingingwane lepelele ngelifikfolu C bese ucela lwatiso kutfola lotimele buka Sigaba 3.)</em></td>
</tr>
<tr>
<td>Uhlahlandlela</td>
<td>Kushiwo loMhlalandlelela-PAIA lohlanganisise wase uslzicilelwa Likhomishana Lemelele Emalungelo Eluntfu eNingizimu Afrika njengoba kuvetiwe kuSigaba 10 se-PAIA, kute usite bantfu ekusebentiseni nasekuvisiseni loMtsetfo.</td>
</tr>
<tr>
<td>Sisebenti lesiniketa lwatiso kanye nelisekela leSisebenti lesiniketa lwatiso</td>
<td>LeSisebenti lesiniketa lwatiso (ngalesinye sikhatsi sibitwa nge-IO) ngumuntfu loniketwe lugunya ngalokusemtsetweni sikhungo lesitise kutsi asebente ngeticelilo te-PAIA. Kumtima wahlulumende lomuntfu nguye losebenta ngejemhomi wemtimba. Kantsi kumaisipala kutawuba ngulophetse masipala, kulitiko lavelonkhe kutawuba ngumCondzisi-Jikelele; njengemtimba lonjengeLikhomishana Lemelele Emalungelo Eluntfu eNingizimu Afrika kutawuba ngu-CEO.</td>
</tr>
</tbody>
</table>

LeLislekela leSisebenti lesiniketa lwatiso (ngalesinye sikhatsi sibitwa ngu-DIO) ngumuntfu lobekwe Sisebenti lesiniketa lwatiso semtimba wahulumende kutsi asite lofaka sicelo sekutfola lwatiso. I-PAIA ayisho kwekusitse nimtimba letimtele ayibe nelisekela leSisebenti lesiniketa lwatiso; noma kunjalo, Likhomishana Lemelele Emalungelo Eluntfu eNingizimu Afrika inconota kutsi kwedi sisebenti leSisebenti lesiniketa lwatiso. *(Kutfola iminingingwane lepelele ngalokuphatseteleni nemisebenti yeSisebenti lesiniketa lwatiso buka Sigaba sesi-3 saloMhlahlandlela.)*
<table>
<thead>
<tr>
<th><strong>Sikhalo sangekhatsi (Lifomu B)</strong></th>
<th>Labafake sicelo batawusebentisa lelifomu B le-PAIA kufaka sikhalo ngesincumo leseminti kuphela ngumikhakha wahulumende wavelonkhe, wesifundza nomu wamasipala nglakuphatselene nekutfola lwatiso. <em>(Kutfola iminingwane lephelele ngekufaka ticelo tangekhatsi buka SIGABA 3 salaMhlahlandlela)</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Inhlangano lesemtsetfweni</strong></td>
<td>Kushiwo inkampani nomu umtimba losemtsetfweni nalobonwa ngekweletso njengemikhakha lotimele nomu ‘inhlango’ lenemalungelo nemisebenti.</td>
</tr>
<tr>
<td><strong>Indvuna Yelitiko</strong></td>
<td>Uma kuhulunywa ngeNdvuna Yelitiko kushiwo INdvuna Yelitiko Letebulungiswa neTEkulungiswa Kwesimilo.</td>
</tr>
<tr>
<td><strong>Umuntfu ngekwekumenelo</strong></td>
<td>Kushiwo umuntfu mbamba, hhayi inhlango lesemtsetfweni njengenkampani (buka inhlango losemtsetfweni ngenhla).</td>
</tr>
<tr>
<td><strong>Umtimba lotimele</strong></td>
<td>Ubuye ubitwe ngekutzisi yinkampani letimele, sikhungo, nomu umtimba, lena yinhlangano lesemtsetfweni nomu inhlango lesentfweni yebantu labahlanganyele bunjiyo bayo lengenelela kunoma nguluphi luhlobo lwekuhwebelana, ibhizinisi nomu ticu kuphela ngalamandla leniketwe wona.</td>
</tr>
<tr>
<td><strong>Umtimba wahulumende</strong></td>
<td>Kushiwo kusikhungo sahulumende, litiko, nomu umtimba, leli ngunomu nguluphi litiko nomu sikungo savelonkhe, sifundza nomu hulumende wasemakhaya. Ubuye ufake ekhatsi nomu siphi sikungo lesente umsebenti wembuso ngalesikhatsi lelirekhodi lekukhulunywa ngalo lentwa.</td>
</tr>
<tr>
<td><strong>Lirekhodi</strong></td>
<td>Noma luphi lwatiso lolurekhodiwe ngekwa ngayiphile indlela, kufaka ekhatsi, sibonelo, miculu lebhaliwe, emavidyo njil. Lirekhodi lelikulowa kumtimba lotimele nomu wahulumende kushiwo lirekhodi lelikulowo mtimba nomu ngabe lowo mtimba ngiwo losungule lelo rekhodi.</td>
</tr>
<tr>
<td><strong>Imali yesicelo</strong></td>
<td>Tindleko letikhokhwako kute kutfulakale lwatiso lolucelako. Kufaka sicelo sekutfola lwatiso kumtimba wahulumende kunemali lebekiwe lengu-R35; kuqela lwatiso kumtimba lotimele nakhona kunemali lebekiwe lengu-R50. <em>(Kutfola iminingwane lephelele ngemali yekufaka sicelo nekutsi awukhokhi nakwentenjani buka Sigaba 3 salaMhlahlandlela)</em>.</td>
</tr>
<tr>
<td><strong>Lofaka sicelo</strong></td>
<td>Lofake sicelo ngumuntfu nomu inhlango lefuna kufaka sicelo sekutfola lwatiso. Lofake sicelo naye afakela lomunye naye afuna lwatiso naye ubitwa ngemuntfu lufake sicelo.</td>
</tr>
<tr>
<td><strong>Lofakela lomunye sicelo</strong></td>
<td>Kushiwo kumuntfu nomu inhlango lekungasiyo letifakele sicelo sekutfola lwatiso, nomu lomtimba lekuwinkwe kuwo sicelo sekutfola lwatiso.</td>
</tr>
</tbody>
</table>
Luhlu lwetifinyeto

Letifinyeto letilandzelako titfolakala kulomhlahlandlela kanye naleminye imitombolusito ye-PAIA lesetjentiswako:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>DIO</td>
<td>Lisekela Lesisebenti lesiniketa lwatiso</td>
</tr>
<tr>
<td>IO</td>
<td>Sisebenti lesiniketa lwatiso</td>
</tr>
<tr>
<td>ODAC</td>
<td>Sikhungo Lesivulekile Lesicwayisa Ngentsandvo Yelunyenti</td>
</tr>
<tr>
<td>PAIA</td>
<td>Umtsetfo Lotfutfukisa Kutfolakala Kwelwatiso we-2 wanga 2000</td>
</tr>
<tr>
<td>PPIA</td>
<td>Umtsetfo Lovikela Lwatiso Lolucondzene Nawe we-4 wanga 2013</td>
</tr>
<tr>
<td>SAHA</td>
<td>Silulu Lesigcina Umlandvo eNingizimu Afrika</td>
</tr>
<tr>
<td>SAHRC</td>
<td>Likhomishana Lelimelele Emalungelo Eluntfu</td>
</tr>
</tbody>
</table>
SIGABA 1
Singeniso

Lesigaba sifaka ekhatsi:

1.1 Inhloso yaloMhlahlandlela wePAIA
1.2 Umlandvo we-PAIA
1.3 Inhloso ye - PAIA nekusetjentiswa kwayo
1.4 Umsebenti weLikhomishana Lelimelele Emalungelo Eluntfu
1.1 Inhlosos yaloMhlahlandlela we-PAIA

LoMhlahlandlela uniketa lwatiso ngeMtsetfo Lotfutfukisa Kutfolakala Kwelwatiso (PAIA) wanga 2000. LoMhlahlandlela we-PAIA utawusita bantu kufaka ticelo tekutfolo lwatiso letingaphasi kwaloMtsetfo, bese uniketa tibonelo tekutsi loMtsetfo usejtjentiswe njani kuletikhatsi letindlulile ekwenteni kancono emalungelo eluntu, ngekuniketa:

» Indlela leyinhaNglanisela leyenta i-PAIA ivisiseke kalula
» Tindlela letiNhlukenedebuka tekutsi i-PAIA ingasejtjentiswa njani kute ifutfufikise lamanye emalungelo eluntu
» Luhlu lwetínhlombo telwatiso lolungacelwa kusetjentiswa i-PAIA
» Inkombandlela lekhombisa tonkhe tinyatselo tekutsi i-PAIA ingasejtjentiswa njani uma ufuna kufaka sicelo selwatiso
» Kubuyeketa kabanti kwetifundvo letifundziwe ngalokudlulile ngakufaka ticelo tekutfolo lwatiso kanye nesimacala lamayelana ne-PAIA lafakwa enkantolo

LoMhlahlandlela wasungulwa ngakufaka sekunubentsa iWati lulyinhlanganisela lwetisebentse taka SAHRC lebetisololu tisebentse nge-PAIA tisita bantu kufaka ticelo kusukela nga 2000.

1.2 Umlandvo we-PAIA


Nga-2000 Umtsetfo Wekutufufikisa KufoltolaNla Kwelwatiso (PAIA) wabese ugcina uba ngumsetfo loshayiwe, kugcwaliseke lomgomo wesigaba 32 seMtsetfosisekelo kule kuthokuthi kubekwelelele kubekwelelele kwekutsi umsebentse ngeNingizimu Afrika.

1.3 Inhlosos yalo-PAIA nekutsi ingasejtjentiswa njani

Inhlosos yalo-PAIA kutufufikisa lilungelo lekutfolaNla kwekwisela, kwenta kutsi kubalulelela yeNkuthula Nguke futhi wemakuthola kwenta unsebenti ngaloNkufanele eNgingizimu Afrika, nefunghuNkuthola kutsi kubalulelela yeNkuthula kwiso Ntshwengelo yeNkuthula kufana kuselwane elapho khona bantu labavela etendzaweni leNkuthula kuleli baniketwa emandla ekutimbandzakanya kutidzaba tahlulumeleni futsi bafake sandla uma kutsathwa tincumo letitsentsa timphilo taba.

Lilungelo lekutfolaNla kwekwisela lilungelo leNkuthula leNkuthula kufana kuselwane elapho khona bantu labavela etendzaweni leNkuthula kuleli baniketwa emandla ekutimbandzakanya kutidzaba tahlulumeleni futsi bafake sandla uma kutsathwa tincumo letitsentsa timphilo taba.

Lilungelo lekutfolaNla kwekwisela lilungelo leNkuthula leNkuthula kufana kuselwane elapho khona bantu labavela etendzaweni leNkuthula kuleli baniketwa emandla ekutimbandzakanya kutidzaba tahlulumeleni futsi bafake sandla uma kutsathwa tincumo letitsentsa timphilo taba.
Kuniketelwa kwetinsita tahulumende

» I-PAIA ingasetjentiselwa kuniketa bantfu emandla ngekubanika lwatiso lwakutsi bakhone kulandzelela hulumende kutsi ente umsebenti wakhe wekufula tinsitanchanti njengekwakha tindlu, kuphakela emanti nekulahlwa kwellindle.

Emalungelo eluntfu newepolitiki lakuMtsetfosisekelo

» i-PAIA ingasetjentiselwa kucokela l lwatiso lolungasetjentiswa bantfu kukhombisa emalungelo abo njengelilungelo lekuvota nelilungelo lekubamba imihlangano.

Kubandlululwa Nekulingana

» i-PAIA ingasetjentiswa njengelithulusi lekufula nelubandlululo, njengekubandlulululo ngekwebuhlanga, kwebulili, njill, etindzaweni tahulumende netemimitba letimele.

Kubalulekile kwati kwekutsi i-PAIA angeke yasetjentiselwa kutfola emarekhodi lekufula asetjentiswe uma kudzingidwwa emacala emmango noma ebugebengu, kufaka ekhatsi ngalesikhatsi sekucale inchubo yalelo cala, uma ngabe lokuhichitiwa noma lokufuna emarekhodi kwentelwa tizatfu letifanako kuvikelekile ngekwemtsetfo (buka Sigaba 7 saloMtsetfo).

1.4 Umsebenti weLikhomishana Lemelele Emalungelo Eluntfu

LeLikhomishana Lemelele Emalungelo Eluntfu eNingizimu Afrika (SAHRC) iniketwe umsebenti ngaphansi kwe-PAIA we:

» Kutfutfukisa lelilungelo lekutfolakala kwelwatiso
» Kulandzelela kusetjentiswa kwe-PAIA yimitimba letimele neyahulumende
» Kwenta tincomo tekucinisekisa umbiko wemnyaka ngaloMtsetfo ePhalamende
» Kwetfula umbiko wemnyaka ngaloMtsetfo ePhalamende

2.1 Kucala

Umtsetfo Wekuvikela Lwatiso Lolungelwakho

LoMtsetfo Wekuvikela Lwatiso Lolungelwakho Nom. 4 wanga 2013 (PP1A) uchibiyela i-PAIA ngetindilela letinyenti. Yinye yaletindilela letibaleleleloMtsetfo logucula ngayo i-PAIA ikuhuluma ngalosebenti we-SAHRc. Ngaphansi kwe-PP1A imisedbe nges-SAHRc ngakwe-PAIA itawundululiselela Kumlalwuli welwisiso uMtimba, umtimba lomusha lotimbele lotawusungulwa kutsi ulandzelele kokubili i-PP1A ne PAIA, nekubili emateppha ngakwe-PAIA ngePAIA elulwazi nekufunga nekufula ngakwe-PAIA elulwazi nekufula ngakwe PAIA.

Noma kunjalo, i-SAHRC itawuchubeka nemsebentwe wona ngakweMtsetfoisekelo wekufulufukisa, ivikele ibuye ilandzelele lelilungelo lekufula lwatiso njengalamanaye emalungelo lavikelwe kuMculu Wemalungelo Eluntfu
Lesigaba sifaka ekhatsi kwekutsi:

1. Ungayitfola kuphi imihlahlandlela kanye netincwadzi letichazako letitakusita kufaka ticelo tekutfola lwatiso;

2. Ungatsintsana nabani kutfola lusito uma kungenteka uludzinge

3. Imitimba letimele neyahulumende kufanele kutsi yenteni kute isite labafuna lwatiso

4. Lolunye lwatiso luyatfolakala ngaphandle kwekutsi wente sicelo lesisemtsetfweni, Lesigaba sitawuchaza kabantana kwekutsi ungakutfola njani loko


2.2. Umhlahlandlela we - PAIA

Sigaba 10 se-PAIA sidzinga kwekutsi Likhomishana libhale libuye lishicilele umhlahlandlela lekutawuba lula kuwuvisisa lotawusita ekufinyeleli kumarekhodi naleminye imiculu nekusebentisa lilungelo lakho lekuwusitse kwakwakwa lwatiso. Lomhlalandlela uyaye ubitwe ngekutsi ngukubonakalako wesigaba 10.


2.2.1 Ungawutfolaphi lomhlalandlela

2.3 Tincwadzi Letichazako te-PAIA

Kwengeta kulomhlahlandlela wesigaba 10 se-PAIA lekufanele sibhalwe nguleLikhomishana, i-PAIA ibuye idzinge kwekutsi yonkhe imitimba yahulumende, kanye nemitimba leminyenti letimele, kutsi ikhicite umhlalahlandlela locuketse lwatiso lwekutsi i-PAIA isetjentiswa njani kute bafinyelele kumarekhodi abo ngekwabo.

2.3.1 Tincwadzi letichazako te - PAIA temitimba yahulumende

Sigaba 14 se-PAIA sifuna kwekutsi yonkhe imitimba yahulumende ikhiphe umhlalahlandlela ngetilwimi lokungenani letintsatfu letisemtsetweni letitawusita bantfu labafuna lwatiso kutsi bafake ticelo tekutfola lwatiso kumtimba lotsintsekako. Kulokanye kwaloko, lomhlahlandlela kufanele uke ucuketse lolwatiso lolubalulekile lolulandzelako:

<table>
<thead>
<tr>
<th>LOKUDZINGEKAKO</th>
<th>INCHAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ligunya lekusebenta</td>
<td>Simo nemsebenti wemtimba wahulumende.</td>
</tr>
<tr>
<td>Imininingwane yekutsintsansa</td>
<td>Likheli laseposini nelikheli lasekhaya, inombolo yelucingo nefeki, uma kukhona, likheli laseposini lesisebenti lesiniketa lwatiso lwemtimba wahulumende, kanye nelisekela lesisebenti lesiniketa lwatiso lelisebentela umtimba wahulumende.</td>
</tr>
<tr>
<td>Sigaba 10 seMhlahlandlela ye-PAIA</td>
<td>Inchazelo yeMhlahlandlela lebhalwe Likhomishana Lelimelele Emalungelo Eluntfu eNingizimu Afrika nekutsi kufinyeleleka njani kuyo.</td>
</tr>
<tr>
<td>Imikhakha yemarekhodi laciniwe</td>
<td>Lwatiso lolwanele lekusita ekufinyeleleni kumarekhodi lagcinwe ngumtimba wahulumende, Umbimba wahulumende kufanele uchaze thlokole talamarekhodi letiwacinile, nemikhakha yalamarekhodi lagcinwe ngaphasi kwasihloko ngasinye.</td>
</tr>
<tr>
<td>Lwatiso lolumane lutfolakale</td>
<td>Lolunye lwatiso seluwele luhkona akudingekwi kwekutsi umuntfu afake sicelo ngekuhambisana ne-PAIA. Lomhlahlandlela wemtimba wahulumende kufanele ukhombise lolwatiso leseluwele luhkona.</td>
</tr>
<tr>
<td>Tinsita temtimba wahulumende</td>
<td>Inchazelo yetinsita tahulumende letifolakalako kumalunga emmango avela kumtimba wahulumende, nekutsi angafinyelele njani kufinyeleleka.</td>
</tr>
<tr>
<td>Kuhlanganyela kwemmando</td>
<td>Inchazelo yanoma nguluphi luhlelo nomi imibandzela yakutsi umuntfu acelo leluido, etfule inkhulumo nomi ahlhanganyele nomi afake sandla ekungulwini kwenchubogo; nomi kusetjentiswa kwemandla nomi kwentiwa kwemsebenti ngumtimba wahulumende.</td>
</tr>
<tr>
<td>Sisombululo</td>
<td>Simyatselo longasitsatsa uma ngabe sisebenti lesiniketa lwatiso kumtimba wahulumende sicitsa sicelo seksfola lwatiso.</td>
</tr>
</tbody>
</table>
2.3.2 Ungatitfola kuphi tincwadzi letichazako temitimba yahulumende

Yonkhe imitimba yahulumende kufanele kutsi, ibe nemhlahlandlela longawutfola kalula. Loko kufanele kutsi bakwente ngalendlela lelandzelako:

» Ngekutsi kube khona emakhophi latfolakalako kuwo onkhe emahhovisi kulowo mtimba wahulumende ngesikhatsi semsebenzi;

» Ngekutsi bente kutsi kutfolakale tincwadzi letichazako talomhlahlandlela kuwebhusayithi, uma ikhona, kulowo mtimba wahulumende


2.3.3 Tincwadzi Letichazako te-PAIA yemitimba letitimele

Imitimba letimele nayo kudzingeka kutsi, ibe nencwadzi lechazako. Loku kubekwe ngukhambisana nesigaba 51 se-PAIA. Kwanyalo, akusiyo yonkhe imitimba letimele ledzingeka kwekutsi ihambisane nalesigaba.¹ Ungahle ufole kutsi lomtimba lofuna kucela kuwo lwatiso awunao incwadzi lechazako longakunikana yona. Loku akusho kwekutsi lomtimba awuhambisani nemigomo ye-PAIA. Ungachubeka sikeclo sekufola lwatiso kulomtimba kantsi kulindzelele kwekutsi bakunikete lolwatiso ngewmtsetfo. Indlela yekufaka sicelo sekufola lwatiso ngukhambisana ne-PAIA itawube solo ifana, noma ngabe leyo nhlangano ayikalindzeleki kutsi ibe nencwadzi lechazako.

NGIMIPHI IMITIMBA LETIMELE LENGAKALINDZELEKI KWEKUTS'I IBHALE INCWADZI LECHAZAKO NGEKUTFOLA LWATISO?


¹ Lokwasha nthwa mhlala ti-31 Ingongoni 2015 lapho yonkhe imitimba letimele bekumele ibe nemanuwali ngukhambisana nesigaba 5.1 se-PPIA.
Tinkampani letithythm letingentasi kufanele kwekutsi tibhale tincwadzi letichazako te-PAIA uma ngabe ticasha tisebenti letindlu. Kuma-50 kulentimboni letilandzelako noma bane netisebenti letindlu leti ngemnyaka:

<table>
<thead>
<tr>
<th>IMBONI</th>
<th>INOMBOLO YEBASEBENTI NGEMNYAKA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tekulima</td>
<td>R2 tigidzi</td>
</tr>
<tr>
<td>Temigodzi neKumba</td>
<td>R7 tigidzi</td>
</tr>
<tr>
<td>Tekukhicitu</td>
<td>R10 tigidzi</td>
</tr>
<tr>
<td>Igezi, igesi neManti</td>
<td>R10 tigidzi</td>
</tr>
<tr>
<td>Tekwakha</td>
<td>R5 tigidzi</td>
</tr>
<tr>
<td>Tekutsengisa nekhuwebelanu Ngetimoto neTinsita Tekulungisa</td>
<td>R15 tigidzi</td>
</tr>
<tr>
<td>Tekhuwebelanu kumaWoliseli, Basebenti beTekutsengiselana netinsita Telubumbano</td>
<td>R25 tigidzi</td>
</tr>
<tr>
<td>Tekupheka, Kulala nalokunye Khuwebelanu</td>
<td>R5 tigidzi</td>
</tr>
<tr>
<td>Tekugcina neKuchumana</td>
<td>R10 tigidzi</td>
</tr>
<tr>
<td>Tetimali Netinsita Tetemabhizinisi</td>
<td>R10 tigidzi</td>
</tr>
<tr>
<td>Tinsita Temmango, letikhetsekile Naletingetakho</td>
<td>R5 tigidzi</td>
</tr>
</tbody>
</table>

16
2.3.5 Ungenta njani kute uhambisane nemtsetfo njengemtimba lotimele


Ngekuhambisana nesigaba 51, umphatsi wemtimba lotimele kufanele:

- alungise kabusha noma ngabe ngutiphi tingucuko letingaba khona kulencwadzi yekuchaza njalo njalo;
- ente kutsi lencwadzi yekuchaza iyatfolakala njengoba kubhalwe kuMtsetfo wemahhovisi alenkampani nakuwebhusayithi yayo;
- Kufanele abeke ngalokufanele lifomu lekuwebhwalakala sikulawula sisebenti lesiniketa lwatiso letinkampani letitimele letifuna kuhambisana


Ngekuhambisana nesigaba 51, umphatsi wemtimba lotimele kufanele:

- alungise kabusha noma ngabe ngutiphi tingucuko letingaba khona kulencwadzi yekuchaza njalo njalo;
- ente kutsi lencwadzi yekuchaza iyatfolakala njengoba kubhalwe kuMtsetfo wemahhovisi alenkampani nakuwebhusayithi yayo;
- Kufanele abeke ngalokufanele lifomu lekuwebhwalakala sikulawula sisebenti lesiniketa lwatiso letinkampani letitimele letifuna kuhambisana

Lencwadzi lechazako kufanele kutsi lokungenani ibe nalo lwatiso lolulandzelako:

<table>
<thead>
<tr>
<th>LOKUDZINGEKAKO</th>
<th>INCHAZEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imininingwane yekutsintsana</td>
<td>Likheli laseposini neLikheli lashekaya, inombolo yelucingo nefeksi, uma kukhona, l-imeyli yesisebenti lesiniketa lwatiso lwemtimba lotimele.</td>
</tr>
<tr>
<td>Lwatiso loluvele lukhona ngaphandle kwekuwebhwalakala sikulawula sisebenti lesiniketa lwatiso letinkampani letitimele</td>
<td>Lulunye lwatiso luvele lukhona ngaphandle kwetsetfo umuntufu afake sikelo ngekuwebhwalakala ne-PAIA. Lencwadzi lechazako yemtimba lotimele kufanele ikhombise lolwatiso loluvele lukhona lolwatiso leselulele lukhona.</td>
</tr>
<tr>
<td>Emarekhodi latfolakala uma ufakke sikelo</td>
<td>Sigaba 51 sencwadzi lechazako kufanele kutsi lokungenani ibe nalo lwatiso lolulandzelako.</td>
</tr>
<tr>
<td><strong>Inchubo ye-PAIA</strong></td>
<td><strong>Icacisa ngalokusebaleni inchubo ye-PAIA lekuwebhwalakala sikulawula sisebenti lesiniketa lwatiso lephatselene nekufaka sikelo ngekuwebhwalakala sikulawula sisebenti lesiniketa lwatiso leselulele lukhona lofaka sicelo.</strong></td>
</tr>
<tr>
<td>Lwatiso Lwenkampani</td>
<td>Kufaka ekhatsi imininingwane yemphatsi longu-CEO wenkhapani (ngekuhambisana ne-PAIA lesisebenti lesiniketa lwatiso kunkampani letimele kuvume kuba yi-CEO noma umphatsi).</td>
</tr>
<tr>
<td>Tindleko</td>
<td>Yisho kutsi ngubani lofaka sikelo kanye netindleko letikhokhzwako ngekuwebhwalakala ne-PAIA (buka Sigaba 3 kutfola lwatiso lolungetiwe).</td>
</tr>
<tr>
<td>Letinye tindlela</td>
<td>Ungenta njani njengemuntufu lofaka sikelo uma ngabe sikelo sakho sekufola lwatiso singavunyelwa?</td>
</tr>
<tr>
<td>Leminye Imininingwane</td>
<td>Leminye imininingwane lephatselene nekutfola e marekhodi.</td>
</tr>
</tbody>
</table>
2.4 Lwatiso loluvelo lutfolakale lolugodlwe ngumtimba wahulumende


Lesisebenti lesiniketa lwatiso lwemtimba wahulumende kufanele kutsi sibhale satiso sekuvelo lwatiso ngumtimba wahulumene, bese siba khona emahhovisi alomtimba wahulumende sibuye sikhishwe nakuGazethi yaHulumende. Lesatiso sekutiveta ngokutitsandzela kufanele sentiwe kabusha njalo ngemnyaka.

Lesatiso sekuvelo lwatiso ngokutitsandzela sicuketse imikhakha yemarekhodi kanye nenchazo yaloawo marekhodi latfolakala ngaphandle kwekufana siculo:

- Kwentelwa kuhlolwa ngukhemabisa nanoma ngumuphi umtsetfo loshayiwe ngaphandle kwe-PAIA;
- Kwentelwa kutsenga noma kukhopha kulomtimba wähulumende wahulumende; ne
- Kungakhokhi kumtimba wahulumende..

Lesatiso sekuvelo lwatiso ngokutitsandzela kufanele sicuketse kwekutshi uwaftola njani lamarekhodi lekahishwa ngokutitsandzela abe khona ngaphandle kwekufana siculo. Akunasidzingo sekuvelo siculo uma ufuna lawo marekhodi uma ngabe emarekhodi lafana nalowo sekuvelo ngokutitsandzela futshi afolakala ngaphandle kwekufana siculo. Etkhathsini letinyenti, kudzingeka imali letsite kute kutsi ufake siculo ngakwemtsetsetweni kantsi loku kungatsatsa emalanga langema 30. Loku kunagaka kuthaha uma ungacela ngokutsinsana nalesatiso sekuvelo lwatiso ngokutitsandzela bese uyu abukwa kutsi ngabe lelirekhodi loludzingako livele likhona ngaphandle kwekufana siculo noma cha.

Noma nje kugunyatiwe kutsi umtimba wahulumende iukhiphe satiso sekuvelo lwatiso ngokutitsandzela, akwentiwa 'ngokutitsandzela'. Lesatiso sibitwa 'ngesatiso lekahishwa ngokutitsandzela' ngoba sikhipha tatiso ngalo lonkhe lwatiso lolukhishwe ngokutitsandzela, hhayi ngoba kusemandleni esisebenti lesiniketa lwatiso kutsi singalukhipha lolwatiso siculo noma cha.
2.5 Lwatiso loluvele lutfolakale lolugodlwe ngumtimba noma inkampani letimele


Umphatsi weutmbele angasungula luhlulwazi loluvele khona ngaphandle kwekufaka sicelo lesisemtsetfweni, njalo uma atsandza nangetikhatsi letitsite. Loluhlulwazi ngekutsi 'satiso sesigaba 52' noma 'satiso sekukhipha lwatiso ngaphandle kwekucindzetelwa.'

Kungafanani nalesimo lesibukene nesisebenti lesininikela lwatiso semtimba wahlumumende lapho khona, ngakhekhebelelele satiso sekuveta lwatiso ngaphandle kwekucindzetelwa, sisebenti lesininika lwatiso semtimba lotimele asiwocelelewa kutse sente njalo. Njengoba i-PAIA ikuveta, "sangakhhipha, njalo lwatiso ngekutitsandzela" lolo luhlulwazi. Lona ngumehluko lomkhulu lusemkhatsini wesatiso sesigaba 52 semtimba letimele nesatiso sesigaba 15 semtimba letimele umuthi letimele.

Lesatiso sekuveta lwatiso ngekutitsandzela semtimba lotimele sicuketse imikhakha yemarekhodi kanye netinchazelo talawo marekhodi latfolakala ngaphandle kwekufaka sicelo:

» Kwentelwa kuhiolwa ngakhekhebelelele nanona ngumuphi umsetfo loshayiwe ngaphandle kwe-PAIA;
» Kwentelwa kutsenga noma kankhipha nolomtimba wahulumumende; ne
» Kungakhokhi kumtimba wahulumumende.

Lesatiso sekuveta lwatiso ngekutitsandzela kufanele sibuye sichaze kwekutsi ungafinyelela njani kulamarekhodi levetwe ngakhekhebelelele nalatfolakala ngaphandle kwekufaka sicelo.
SIGABA 3
Ungasifaka njani sicelo sekutfola lwatiso

Lesigaba sifaka ekhatsi loku lokulandzelako:

3.1 Tinhlobo teticelo
3.2 Tindleko tekufaka sicelo
3.3 Umsebenti weSisebenti lesiniketa lwatiso
3.4 Lusito lwetemtsetfo
3 Ngisifaka njani sicelo sekutfola lwatiso lwe-PAIA?


<table>
<thead>
<tr>
<th>LUHLOBO LWEMTIMBA</th>
<th>LIFOMU LE-PAIA</th>
<th>SIGABA SE-PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Umtimba wahulumende</td>
<td>Lifomu A</td>
<td>Sigaba 18</td>
</tr>
<tr>
<td>Umtimba lotimele</td>
<td>Lifomu C</td>
<td>Sigaba 53</td>
</tr>
</tbody>
</table>


3.1 Ngubani longafaka sicelo sekutfola lwatiso lwe-PAIA?

Noma ngabe ngubani uvumelekile kufaka sicelo sekutfola lwatiso ngaphasi kwe-PAIA. Lofake sicelo angaba:

Umuntfu

» ngumuntfu lenoma angasuye wase Ningizimu Afrika noma lohlala e Ningizimu Afrika

NOMA

Inhlangano lesmentsetweni

» njengebhizinisi noma inhlangango

NOMA

Umuntfu losesikhundleni salomunye umuntfu noma inhlangango lesmentsetweni.

Lofake sicelo unelilungelo lekufinyelela kumarekhodi la cinwe ngumtimba lotimele, kuphela nje uma ngabe lomtimba wahulumende (1) ufaka lesicelo ngekumelela tinshisekelo tebantu, futsi (2) nangabe lamarekhodi adzingeka kutsi acinisekise noma avikele noma ngumaphi emalungelo kungasiwo lawo emtimba wahulumende.

Kubalulekile kwati kwekutsi i-PAIA ayisho ngalokucondzile kwekutsi ematiko ahulumende (kufaka ekhatsi avelonkhe, tifundza nemagatja amasipala), noma ngabe ngumuphi umuntfu noma tikungo letinemandla noma letenta umsebenti ngukuhambisana ne Mtsetfosisekelo (njengeLibhodi Lelikhhipha Timvume Tekutsengisa Tjwala eNShonalanga Kapa), kutsi tingafaka ticelo telwatiso lwe-PAIA kuleminye imikhakha yahulumende.
3.1.1 Ngiligcwalisa njani lifomu lekufaka sicelo sekutfolwa lwatiso ngekwe-PAIA?

Sicelo sekufinyelela kulwatiso lolugcinwe ngumtimba lotimele nomu wahulumende sentiwa ngugcwalisa lifomu lekufaka sicelo selwatiso lwe-PAIA bese ulimikisa kumptimba lofanele. Lesicelo selwatiso lwe-PAIA kufanele situnyelwe kuSisebenti lesiniketa lwatiso, Lisekela leSisebenti lesiniketa lwatiso nomu kumphatsi wentimba lotimele nomu wahulumende, kantsi kufanele usebentise iminingwange yekutsintsana lesebentako.

Kwengeta ngalokuphatselene nekuniketa iminingwange ngemtimba lofanele, lifomu lekufaka sicelo selwatiso lwe-PAIA lelisenetsetfweni lifaka ekhatsi loku lokulandzelako:

<table>
<thead>
<tr>
<th>LWATISO LOLUDZINGEKAKO</th>
<th>INCHAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Imininingwane yalofake sicelo</td>
<td>Lwatiso lolwanele nalona ofake sicelo kute kutsi bakhone kwati kalula ngaye, kufaka ekhatsi iminingwange yekuchumana nalona ofake sicelo: likheli, limeyili, ifeksi kanye/noma inombolo yelucingo yaseNingizimu Afrika.</td>
</tr>
<tr>
<td>Imininingwane yalirekhodi lelichelwako</td>
<td>Lwatiso lolwanele lwelirekhodi lelichelwako kute kutsi kube lula kulifika. Lamanye emapingpha langetiwe angasetjentiswa kuniketa leminye iminingwane ngelirekhodi lelichelwako, ingce nje ngabe likhasi ngalinele lisayiniwe lanamatsiselwa kulelifomu lekufaka sicelo.</td>
</tr>
<tr>
<td>Indlela yekufinyelela kulirekhodi</td>
<td>Inchazelo yendlela nomu yeluhlobo irekhodi lekufanele liniketwe ngayo nomu indlela yekufinyelele kule.</td>
</tr>
<tr>
<td>Indlela lekufanele kwatiswe ngayo lona ofake sicelo</td>
<td>Indlela lekufanele kwatiswe ngayo lona ofake sicelo kwekutsi uyalutfola nomu akalutfcoli.</td>
</tr>
<tr>
<td>Lulwimi Longalukhetsa</td>
<td>Uma ngabe sicelo sifakwa kumtimba wahulumende, lulwimi lohlohe kutfola ngalo imphendvulo kufanele kuti ulubhale phasi.</td>
</tr>
<tr>
<td>Sikhunda semuntfu losemtsetweni ofake sicelo</td>
<td>Uma ngabe sicelo sifakwa kuphila umunye umuntfu, bufakazi bekutsi lomuntfu ofake sicelo uphetha siphi sikhunda ate afake lesicelo kufanele buvetwe, (kwatiwe nekutsi ngumuntfu loniketwe ligunya).</td>
</tr>
<tr>
<td>Emalungelo latsintsekako</td>
<td>Uma ngabe sicelo sifakwa kumtimba lotimele, lolofake sicelo kufanele asho leilunkele lelitsintsekako abuye achaze kwekutsi kungani lelirekhodi lidzingeka kute kutsi kusetjentiswe nomu kuvikwellwelo lelo lilungelo.</td>
</tr>
</tbody>
</table>

Labafaka ticelo kodwwa bangakwati kufundzuka nekubhala bangatifaka ngemlomo ticelo tabo kulihhovisi leSisebenti Lesiniketa Ngelwatiso nomu kuLisekela leSisebenti lesiniketa lwatiso kumptimba wahulumende, yena-ke kutawufanele kutsi agcwalisele ofake sicelo Lwomu A.
3.1.2 Ngabe ikhona yini indlela lekuFanelele ilandzelwe uma ufaka sicelo sekutfola lwatiso lwe-PAIA?

Lofaka sicelo kuFanelele kutsi avunyelwe kufinyelela kulamarekhodi laceliwe, uma ngabe akhonile kuhambisana naletindlela letilandzelako tekufaka sicelo:

Lesicelo selwatiso lwe-PAIA kufanele sifakwe ngelifomu lelifanele (Lifomu A kumitimba yahulumende, neliFomu C kumitimba letimele), bese libhalwa licondziswe kuSisebenti lesiniketa lwatiso noma Lisekela leSisebenti lesiniketa lwatiso kumitimba wahulumende noma lotimele, noma umphatsi wemtimba wahulumende noma lotimele.

Lifomu lekuFuka sicelo selwatiso lwe-PAIA kufanele lingahanjiwas matfupha, liposwe, lifekswe noma litfunyelwe nge-imeyili kumitimba wahulumende noma kumitimba lotimele lapho lesicelo sitawube sifakwe khona.

Lamarekhodi lacelwako awakunaki kungavunyelwa lokubhalwe ngaphasi kwe-PAIA.

3.2 Malini kufaka sicelo sekutfola lwatiso lwe - PAIA?

Labafaka ticelo kudzingeke kutsi bakhokhe imali letsite uma ngabe bafaka sicelo sekufinyelela kumarekhodi kuyo yomibili imitimba, lotimele newahulumende.

Imali yekucela emarekhodi kumitimba wahulumende ngema-R35, kantsi imali yekucela emarekhodi kumitimba lotimele ngema-R50.

Kubalulekile kwati kwekutsi labafaka ticelo tekucela kutfola lwatiso lolumayelana nabobe akunasidzingo sekutsi bakhokhe imali; kepha, balindeleke kutsi bakhokhe imali yekufinya kulelwako.

Labafaka sicelo babe bahlola imali lengaphasi kwa R14,712 ngemnyaka (uma bangakashadi) na R27,192 ngemnyaka (uma bashadile noma bahlala nebalingani babo), AKUFANELE bakhokhe imali yekufaka sicelo.
3.2.1 Malini kufaka sicelo sekutfola emarekhodi langaphasi kwelwatiso lwe-PAIA?

Labafaka ticelo kumele bakhokhe imali yekufinyelela kumarekhodi emtimba lotimele noma wahulumende. Lemali ifaka ekhatsi tindleko tekubuka emarekhodi nekuwafothokhopha.

Lemali naseyihlahllelewe yekufinyelela kumarekhodi emtimba wahulumende ingaloluhlolo:

<table>
<thead>
<tr>
<th>UMSEBENTI</th>
<th>IMALI LEKHOKHWAKO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kufothokhopha likhasi linye le-A4</td>
<td>60 emasenti</td>
</tr>
<tr>
<td>Kuprinta likhasi linye le-A4</td>
<td>40 emasenti</td>
</tr>
<tr>
<td>Kuhxophela ku-CD</td>
<td>R40</td>
</tr>
<tr>
<td>Kurekhoda tifombe likhasi ngalinye le-A4</td>
<td>R22</td>
</tr>
<tr>
<td>Ikhophi yesitfombe</td>
<td>R60</td>
</tr>
<tr>
<td>Kurekhoda lokulalelwako likhasi linye le-A4</td>
<td>R12</td>
</tr>
<tr>
<td>Ikhophi yalokurekhodiwe</td>
<td>R17</td>
</tr>
<tr>
<td>Kufuna ne kulungiselela lirekhodi kute likhishwe</td>
<td>R15 lihora noma inceny eyaloko, kungafaksi ekhatsi lihora leku cala, lelisetjentisela kufuna nekulungiselela</td>
</tr>
</tbody>
</table>

Lemali naseyihlahllelewe yekufinyelela kumarekhodi emtimba lotimele ingaloluhlolo:

<table>
<thead>
<tr>
<th>LOKWENTAKO</th>
<th>IMALI LEKHOKHWAKO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kufothokhopha likhasi linye le-A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Kuprinta likhasi linye le-A4</td>
<td>75 emasenti</td>
</tr>
<tr>
<td>Kuhxophela ku-CD</td>
<td>R70</td>
</tr>
<tr>
<td>Kurekhoda tifombe likhasi ngalinye le-A4</td>
<td>R40</td>
</tr>
<tr>
<td>Ikhophi yesitfombe</td>
<td>R60</td>
</tr>
<tr>
<td>Kurekhoda lokulalelwako likhasi linye le-A4</td>
<td>R20</td>
</tr>
<tr>
<td>Ikhophi yalokurekhodiwe</td>
<td>R30</td>
</tr>
<tr>
<td>Kufuna ne kulungiselela lirekhodi kute likhishwe</td>
<td>R30 lihora noma inceny eyaloko, kungafaksi ekhatsi lihora leku cala, lelisetjentisela kufuna nekulungiselela</td>
</tr>
</tbody>
</table>

Yati kwekutsi uma kwentekile kuyo yomibili imitimba, wahulumende nalotimele, lofaka sicelo sekufinyelela kumarekhodi nguye lokhokha tindleko teliposi..
Lokungangeni

Uma ngabe Sisebenti lesiniketa lwatiso, Lisekela Sisebenti lesiniketa lwatiso, noma umphatsi wemtimba wahuwalumende/iotimlele acabanga kwekutse lokulandza noma lokukhicita kabausha emaphetha kutawutsatsa sikhathi leesidulana emahora lasifupha, kufanele atise lona lofa ke sicelo, (ngesatiso lesisemtsetfweni), ikota yalemlali kufanele kutsi ihokhkhwe ngaphambili njengesibambiso.

Uma ngabe lamarekhodi awakaniketwa ngalelelifomu lelilecinwe, lemali lekufanele ihokhkhwe ngulgulona lofa ke sicelo akukafaneli indlule imali lebekatayikhokhha uma ngabe bekafake sicelo savunyelwa ngalelelifomu lelilecinwe. Noma kunjalo, lomtsetfo awusebenti uma ngabe kudzingeka lelinye lifomu ngoba lwatiso kufanele lefultwe ngalamarekhodi.

Uma ngabe lolofake sicelo akakwati kufundza, kubona noma eve lokurekhodiwe ngalelelifomu lelilecinwe ngumtimba wahuwalumende ngenci yeekuphila nekukhubateka, umtimba wahuwalumende ulindzeleke kutsi unikete lelirekhodi ngalelelifomu lapho lona lofa ke sicelo angakwati kulitifisa. Lemali leihokhkhwe kute ufakala usiyo lelilecinwe ngabe bekakwazi lelangi ngaphambi bali ngakho kufanele atise lowo lofa ke sicelo, Sinikete lofake sicelo  nanoma nguluphi lwatiso lolufanele, noma ngabe lamarekhodi bekangasiyo incenye yalamarekhodi lebekacelwe ngaphambilini.

3.2 Ngabe Tisebenti Letisebenta

Ngelwatiso Tingangisita yini Kufaka Sicelo selwatiso lwe-PAIA?

Uma ngabe sicelo selwatiso lwe-PAIA sifakwa kumtimba wahuwalumende, leSisebenti lesiniketa lwatiso noma Lisekela lesisebenti lesiniketa lwatiso kufanele sikusite lapho kufanele khona kugcwalisa lelilecinwe lwe-PAIA.

Lusito kufanele luniketwe Sisebenti lesiniketa lwatiso mahhala hha.

<table>
<thead>
<tr>
<th>IMISEBENTI YESISEBENTI LESINIKETA LWATISO</th>
<th>INCHAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kusita lofa ke sicelo kugcwalisa lifomu le-PAIA</td>
<td>Uma ngabe sicelo selwatiso lwe-PAIA singalandzeli konkhe lolokudzingekako lokubalwe ku-PAIA nakulelifomu, leSisebenti lesiniketa lwatiso noma Lisekela leSisebenti lesiniketa lwatiso akukafaneli BANGASAMUKEI sicelo. Kunaloko, leSisebenti lesiniketa lwatiso kufanele satise lona lofa ke sicelo, ngalokuhbalwe phasi, kwekutse akakhoni kufezekisa lesicelo sakhe ngoba asikapheleli, asho kwekutsi utawusita lolofake sicelo ente letingucuko letifanele kulelifomu. Uma ngabe lolofake sicelo angaphendvuli lencwadzwi nomu angalungisini lelilecinwe ngesikhathi lesicelo, Sisebenti lesiniketa lwatiso singasicitsa lesicelo.</td>
</tr>
<tr>
<td>Kuniketa lofa ke sicelo lwatiso lolufanele lapho kudzingeke khona</td>
<td>Uma ngabe kungentekana loko, leSisebenti lesiniketa lwatiso kufanele sinikete lolofake sicelo nanoma nguluphi lwatiso lolufanele, noma ngabe lamarekhodi bekangasiyo incenye yalamarekhodi lebekacelwe ngaphambilini.</td>
</tr>
<tr>
<td>Kudlulisa sicelo</td>
<td>Uma ngabe sicelo selwatiso lwe-PAIA sifakwa kumtimba wahuwalumende lekungasiyo, leSisebenti lesiniketa lwatiso salomtimba kufanele sidilulisele lesicelo kumtimba wahuwalumende lekunguwona kungakadluli emalanga lali-14 ngemuva kwekusitfola kantsi kufanele atise lowo lofa ke sicelo ngekumbhalela ngalokudululisele kwaMasecinelo.</td>
</tr>
<tr>
<td>Emalanga langema-30 kuphendvula ngesicelo</td>
<td>Sicelo se-PAIA kufanele siphendvulwe ngumtimba lotimele noma wahlumumende kungakadluli emalanga langema-30 ngemvuna kwekusifolfa. LeSisebenti lesiniketa lwatiso singacela kungetelwana emalanga langadluli kumalanga langema-30, kwengethali tizafu letitseite, lekuflaka ekhatsi lesicelo lesifaka (1) Imiculu lemikhulu, (2) kutshintsana naleminye imikhakha yahulumumende noma letimele, (3) noma uma ngabe lolofake sicelo uniketwe sikhatshi lesengetiwe ngekubhalelwa. Kuvumeleke kewengetwa kweisikhatshi kanye kusicelo se-PAIA ngasinye.</td>
</tr>
<tr>
<td>Kuniketa nomu kungavumi kuniketa lwatiso</td>
<td>Kungumsebenti weSisebenti lesiniketa lwatiso kuniketa nomakungavumi kuniketa emarekhodhi. Lesincumo kufanele sitfunyelwe kulona lofake sicelo ngekubhala phasi.</td>
</tr>
<tr>
<td>Lifomu, tindleko naletinye tindlela tekutfola lusito</td>
<td>Uma ngabe sicelo selwatiso lwe-PAIA sivunyelwe, leSisebenti lesiniketa lwatiso kufanele satise lofake sicelo ngendlela lwatiso lolutotawuniketwa ngayo kanye nelimini letindlelo letawukhokhwa kutfola lolwatiso, lekuflanele ikhokhwe ngemvuna kwekusifolfa kungetelwana imvume. Lesatiso kufanele satise lofake sicelo kwekusifolfa unelilunghelo lekuflaka sikhala ngekhatsi nekubhalela inkantolo uma angavumelani naphumla lekhoakhwa ngayo kufufla lwatiso. Kwengeta, lesatiso kufanele sikhaze ngesikhatsi lekuflanele sikhala nomu ngekubhala inkantolo kufanele kwenteke ngaso kanye nelaendlela lekuflanele lilenzelwe.</td>
</tr>
<tr>
<td>Kungavunywa kwesicelo</td>
<td>Uma ngabe sicelo selwatiso lwe-PAIA singavunyelwe, lesatiso lekhoakhwe ngemvuna kufanele sisho tizafu tekungavunyelwe, lekuflanele sisekelwana tigaletifanele se-PAIA. Ngalokuphatsele nalamulungelo ngayo kufanele lekuflaka sikhala ngakho efaka sikhala nomu nelaendlela kubhalela inkantolo.</td>
</tr>
<tr>
<td>Kumiswa kwekukhishwa kwemarekhodi</td>
<td>LeSisebenti lesiniketa lwatiso singacuma kungakhshipi emarekhodi sinnedo lofake sicelo ngemvuna ngokudinyaba nesibana 23 se-PAIA, uma ngabe lelo rekhodi kufanele lokhishwe kungakapheli emalanga langema-90 nomu uma ngabe lelirekhodi kufanele lokhishwe ngekwemtsetfo kudeva lebo lisatawukhishwa.</td>
</tr>
</tbody>
</table>

I-PAIA ibeka kutigaba 23 na 55 kwekusifolfa sileSisebenti lesiniketa lwatiso singakholwe kwengethe kwekusifolfa, una ngabe sesikholwela kwekusifolfa sithetha tshage tshayelana kufutama kutfola lelirekhodi, afuwe bufakazi kulona lofake sicelo aniketa satiso kwekusifolfa lelirekhodi lelisingekako alikho noma alifotokazi.
3.4 Ngutiphi tinsita tetemtsetfo lengingatisebentisa uma ngabe sicelo sami selwatiso lwe-PAIA sicitfwa?

Lofake sicelo uneliliungelo lexutsatsa tinyatselo temtsetfo atsatsele Sisebenti lesiniketa lwatiso, Lisekela leSisebenti lesiniketa lwatiso, noma umphatsi wemtimba lotimele noma wahulumende uma ngabe Sisebenti lesiniketa lwatiso sicitfwa:

» Kungavumi nemarekhodi lacelewe
» Kukhulisa sikhatsi sekuphendvula uma kufakwa sicelo
» Kukkhosisa imali yekufaka sicelo noma yekufinyelele kumarekhodi
» Kuniketa emarekhodi ngalenyi indlela lehlukile kunalena lebekecelwe ngayo.

Lesigabasitawuchaza letindlela temtsetfo letingasetjentiswa ngulofake sicelo lofisa kumelana nesincumo seSisebenti lesiniketa lwatiso.

3.4.1 Lenye indlela lesemtsetfweni yekumelana nemtimba wahulumende

Umangabe lofakesi cicelo angakajabuli ngesincumo lesitsetfweni Sisebenti lesiniketa lwatiso ngentimba wahulumende, lofake sicelo uneliliungelo lekuwuka sikhalo sangekhatsi, Sikhalo sangekhatsi sifaka ekhati umuntuF ophetse sikhundla leisiphakeme lotawubuyeketa lesincumo seSisebenti lesiniketa lwatiso bese uyancuma kwekutse wende sincumo lesifanele. Uma ngabe lwowunjana avumelana nalesincumo seSisebenti lesiniketa lwatiso, lesionsiko sitawube sesiyacitfwa bese lesincumo lebesitsetfweni ngaphambili ngalokuphaseleni ne-PAIA siyacisidwiwa. Uma ngabe lonphatsi losesikhundleni lesisetulu akavumelana nesincumo seSisebenti lesiniketa lwatiso, lesionsiko sitawuwnyelwa bese lesincumo sekuca cala leisiphatselene nesicelo selwatiso lwe-PAIA siyaculula.

Kubalulekile kwathi kwetutse ungafaka sikhalo ngekhatsi kuhulumende wavelonkhe, wesifundza nakumasipala. Asikhiso sikhalo sangekhatsi lesingafaka kumtimba wahulumende.

Masipala weLidoaloba lase Kapa ngulesinye sibonelo sahulumende wabomasipala lelingafakelwa sikhalo. Sikhwama Setingoti Tasemgwacweni sibonelo semtimba wahulumende lesingasemweni incenyeh yahulumende wavelonkhe, sifundza namasipala, njengoba kubekeiwe kumtsetfo kuthlashe (Umtsetfo weSikhwama Setingoti Temgwaco), ngako ke sikhalo sangekhatsi angeke safakwa ngekumelana nabo.

3.4.1.1 Ngubani longafaka sikhalo sangekhatsi?

Lofaka sicelo selwatiso lwe-PAIA kumtimba wahulumende wavelonkhe, esifundzeni noma kumasipala bese sicitfwe uneliliungelo lekuwuka sikhalo sangekhatsi. Loku kwenitwa ngakugaxisana Lifomu B le-PAIA bese lifakwe kumtimba wahulumende wavelonkhe, esifundzeni noma kumasipala. Ikhophi yelifomu B liyatfolakala kuwebhusayithi yemitimba lefanele kantsi liyatfolakala kuwo wonkhe emahhovisi elikhomisana Lembelele Emalungelo Eluntfu.

Uma ngabe lesicelo sangekhatsi sifaka ekhatsi llomelewle ngulomunye, lomtimba wangekhatsi lotfolo lesikhalo unemsebhenti wekutsinta bongke labatsintsekako. Tidzingo tekwatiswa nekumelela tiyafana naleti letidzingekako nawufuka sicelo selwatiso lwe-PAIA.

Labamelele labanye bavumelilele kutsi bangafaka tikhalo tangekhatsi ngekumelana nesincumo semtimba wahulumende kutsi batfole kufinyelele kuwo wonkhe emarekhodi.
3.4.1.2 Ungasifaka nini sikhalo sangekhatsi?

Lofake sicelo angafaka sikhalo sangekhatsi ngekumelana naletincumo temtimba wahulumende ngaletizatfu letilandzelako:

» Uma ngabe lona lofake sicelo anganeliseki ngaletindleko letidzingekako talesicelo.

» Lofake sicelo selwatsiso akakaneliseki ngesincumo sekungetelelewa emalanga laingema-30 kulomtimba wahulumende kutsi uphendvule ngalesicelo.

» Lolofake sicelo selwatsiso akakaneliseki ngalendlela lamarekhodi etfulwe ngayo ibe ingafani naleza letizatfu lawacele ngayo, kantsi lolofake sicelo ukholelwwe ekutseni bekungeke kube yinkhinga kungake kumtimba wahulumende kutsi umnikete lamarekhodi ngalendlela lona lacinile awadzinge ngayo.

3.4.1.3 Ngisifaka njani sikhalo sangekhatsi?

Sikhalo sangekhatsi kufanele sifakwe ngulofake sicelo selwatiso kungakedluli emalanga langema-60 ngemuva kwengavunywa kwescicelo sakhe sekuca la selwatiso lwe-PAIA. Loku kwentiwa ngekugcwalisa Lifomu B bese uliyisa kulitiko lahulumende wavelonkhe, wesifundza noma kumasipala.

<table>
<thead>
<tr>
<th>Hulumende Wavelonkhe</th>
<th>Uma ngabe lesicelo selwatsiso lwe-PAIA sifakwe kuhulumende wavelonkhe, lolofake sicelo angafaka sikhalo sakhe kuNdvuna yalelo litiko.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hulumende Wesifundza</td>
<td>Uma ngabe lesicelo selwatsiso lwe-PAIA sentiwa kuhulumende wesifundza, lolofake sicelo angafaka sikhalo sakhe Kulilinga Lemkhandlu Lophakene walelo Litiko.</td>
</tr>
<tr>
<td>Hulumende Wasemakhaya</td>
<td>Uma ngabe lesicelo selwatsiso lwe-PAIA sifakwe kuhulumende wasemakhaya, lolofake sicelo angafaka sikhalo sakhe kumeya walowo wasipala, noma kuSomlomo wasasipala, noma ngabe ngubani lomunye umuntfu lobekwe nguloye wasipala, noma ngabe ngubani lomunye ngamnikete lamarekhodi ngekungeta kulempendulo lebhalwe phansi, kufanele ayichaze lendlela lekayifunako bese umnikete nalolunye lwatiso ngulofake sicelo.</td>
</tr>
</tbody>
</table>

LeLiFomu B letfulwa kuleso Sisebenti lesiniketa lwatiso/Lisekela leSisebenti lesiniketa lwatiso lesicitse lesicelo sekuca la lekudzingeka kwekusti asidululisele kuSisebenti lesiniketa lwatiso.

LEKUFANELE UKWATI

Uma ngabe lesilelwile sithanda sintungciso kweniketsi kunelelelempedwe wemunye (k.a. uma ngabe lolwatiso lucuketse lwatiso lolutshinta umuntfu tsite, njengelwatiso loluvula kaSARS, kanye nelwatiso lolyimfihi, lwatiso lolutsinta tekukhwelela, kanye nelwatiso lwelucwanele ngemuntfu lomunye), lesikhalo kufanele sifakwe ngulakapheli emalanga langema-30 ngemuva kwekutfola satiso.

Lofake sicelo kufanele atfule lesilelwile kuSisebenti lesiniketa lwatiso salowo mtimba lofanele nguliposi, Ifekisi noma i·Imeyili.

Sikhalo sangekhatsi kufanele sifakwe sihloko salesikhalo, tizatfu letishekela lesikhalo, bese sifakwe noma nguluphi lomunye lwatiso lofanele lwatiso ngulomuntfu noma ngunye lwatiso ngulofake sicelo. Lofake sicelo selwatiso utawufuna kwatiswa ngemuntu nesikhalo sakhe kungalela lehlukile, (ngekungketa kulempendvulo lebhalwe phansi), kufanele ayichaze lendlela lekayifunako bese uniketa nalolunye lwatiso ngulofake sicelo.
3.4.1.4 Kwentekani uma sikhalo sangekhatsi sifakwa ngemuva kwekudlula kwelusuku lwalesikhatsi lesibekiwe?

Uma ngabe sikhalo sangekhatsi sifakwa ngemuva kwemalanga langema-60, lomtimba wahulumende lofanele kufanele usitsatsi lesicelo uma ngabe kungeniza letiphatsekako kwekutsi kungani sifakwa sekudlule sikhatshi. Uma ngabe lomtimba wahulumende ungasitsatsi lesikhalo lesifakwe ngemuva kwesikhatsi, kufanele unikete satiso kulomuntfu lofase lesikhalo.

3.4.1.5 Malini kufaka sikhalo sangekhatsi?

Lofake sicelo lofaka sikhalo kufanele kutsi akhokhe imali lebekeiwe, uma ngabe ikhona lebekeiwe. Uma ngabe lemali yesikhalo ikhokhwa ngalesikhatsi kufaka sikhalo, lesincumo ngalesikhatsi singalindza kudzimate kukhokhwe leyo mali.

<table>
<thead>
<tr>
<th>NGINGAFIKA SIKHALO ENKANTOLO UMA NGINGAHAMBISANI NESINCUMO SEMTIMBA WAHULUMENDE?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yebo. Uma ngabe lofaka sicelo angakaphumeleli ngesikhalo sakhe lasifake ngokhutsi amelana nemtimba wahulumende, nome uma ngabe untimba wahulumende wala kutatsa sikhalo lesifakwe sekudlule sikhatshi, nome uma ngabe lolofake sicelo atifile aseningeni ngencena yesincumo lesikhishwe ngumtimba wahulumende, lona lofaka sicelo angabhalela inkantolo kutfolo lusito ngekutsi afaka sicelo kungakedluli emalanga langema-180 ngemuva kwekutfolo lesinincumo. Lofaka sicelo nama lommele angabhalela kuphela enkantolo uma ngabe inchubho yonke seyiphetsiwe.</td>
</tr>
</tbody>
</table>

3.4.2 Lenye indlela lesemtsetfweni yekumelana nemtimba lotimele

Uma ngabe lofaka sicelo selwatiso angakanetiseki ngesiscumo lesikhishwe yinhloko yemtimba lotimele, sibonelo kungavumi neliwatiso, kukhokhiswa timali tekutfolo lwatiso, kwengerela sikhatshi lekufanele kuphendvuwe ngaso, lofaka sicelo angakaphumeleli sikhalo sekutfola lusito kungakapheli emalanga langema-180 ngemuva kwekutfolo lesincumo lesembangele leesikhalo. Sincumo salomtimba lotimele sitawubuyeketa yinkantolo kantsi sincumo sitawentiwa tinkantolo kwesikhutsi lwatiso luniketa lusito kutsi kufanele senyuselwe kumalanga langema-180. Sincumo lesiyingama-30 ingekhalyo yesiMantji njengenkantolo yekucala, onkhe isivelile esingemalanga langema-79 kutsi sePAIA bekufinyelela kumarekhodi latsintsa umuntu lotsite.

<table>
<thead>
<tr>
<th>LICALA LELIMAYELANA NABRUMMER NENDVUNA YEKUTFUTFUKISA TETENHLALAKHLE</th>
</tr>
</thead>
</table>

Uma ngabe sekusungulwe lemtsetfweni netinchubho tekulawula kutfolakala kwelwatiso emacala asungulwe yibeHodi yeMitsetso isungulela Tinkantolo, onkhe emacala laphatselene nekutfolo lwatiso atawutsanyelwa eTinkantolo taboMantji njengenkantolo yekucala, njengoba kubekiwe kusigaba 79 se-PAIA.
3.4.3 Kutawentekani ngelicala lami enkantolo?
Kunemiphumela lembalwa lengahle ibe khona uma ngabe uyisa licala lakho le-PAIA enkantolo. Ngemuva kwekulalela emacele omabili aloludzaba, lijaji leleitsamele leleicala linemandla ekuniketa sincumo lecingavuni cala futsi ngekulingana kubo bobabili labatsintsekako. Loku kungafaka ekhatsi sincumo sekutsi: (1) sicinisekisa, senta tingucuko, noma sisusa lesincumo semtimba wahulumende nama lotimele ngalokuphatselene nalesicelo se-PAIA; (2) kudzingeka lomtimba lotimele noma wahulumende kutsi utsatse tinyatselo letitsite noma tingasitsatsi sinyatselo lesitsite; (3) kuniketwe umyalelo wenkantolo, umyalelo loncumako, kulungisa lokucondzile, noma sincepheteliso; noma (4) kubite kutsi kukhokhwe tindleko leletitsite.
Lesigaba sifaka ekhatsi:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Kulinganisa lilungelo lekutfolalwatiso nalamanye emalungelo</td>
</tr>
<tr>
<td>4.2</td>
<td>Ligunya licatsaniswa netindlela letingabangela kutsi walelwe kutfola lwatiso</td>
</tr>
<tr>
<td>4.3</td>
<td>Tizatfu tekuvinjelwa kutfolalwatiso letibhalwe ku-PAIA</td>
</tr>
<tr>
<td>4.4</td>
<td>Luhlolo lwetinshisekelo tebantfu</td>
</tr>
</tbody>
</table>
4.1 Kutfola lwatiso kungacitfwa uma kwente njani

Lesigaba sitawubuyeketa kutfolakala kvelwatiso akuvumeleki uma kwente njani ngaphasi kwe-PAIA, nemhlakhandlela wekutsi ungyaisebentisa njani imitsetelo levumela sisebenti lesiniketa lwatiso kutsi singasemukeli sicele. I-PAIA ibeka imibandzela leli-12 lengabangela kutsi sisebenti lesiniketa lwatiso semtimba lotimlele nomawahulumende singavumi kuniketa lwatiso, leminyane yato ingemagunya kantsi leminyane itizatfu tabo letitsite (buka sigaba 4.2. ngaphasi kutfola lwatiso lolwengetiwe). Kwenge, i-PAIA yента kutsi kube nencenye lekhumula ngeshisekelo yeiyandlwatho lengayilandzeli lesimbandzelayekungavumule kutfolakala kvelwatiso, uma ngabe inshisekelo yeiyandlwatho yeiyandlwatho lwatiso ibalulekile. (Buka sigaba 4.4 ngaphasi kutfola lwatiso lolwengetiwe).

KUSIMAMISA EMALUNGELO EKUTFOLAKALA KWELWATISO NALAMANYE EMALUNGELO

<table>
<thead>
<tr>
<th>UMTSETFO LOTAYELEKILE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leiligengolo lekufulofalawatiso lifolakala kuMculu Wemalungelo Eluntfu latfolakala kufitseto sisekelo wase Ningizimu Afrika kantsi kute kuphumeleli sileiligengolo lwatiso, lwatiso kungetheka lelilelwnikelelele lekungakhonakala ngayo.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LOKUNGANGENI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Njewo onke emalungelo lacuketwe kuMculu Wemalungelo Eluntfu, leiligengolo lekufulofalawatiso lesingacibhisele wapha lwatiso ngaletwe kwabena. I-PAIA yensungulwa lasebengekela kwakhele ngekufanele lwatiso, lwatiso ngaphansi kutsi kungetheka ludale umonakalo lomkhulu.</td>
</tr>
</tbody>
</table>

4.2 Kucatsanisa ligunya netizatfu letingasiyo imibandzela lengasetjentiswa uma sicelo sekutfola lwatiso sicutifwa

Sigacifwa nakwentjenji sicelo sakho sekutfola lwatiso

4.3 Tizatfu tekucitfwa kwekutfolakala kwelwatiso

Njengoba sekubekiwe ngenhla, kunemibandzela leyehlukeneletingabangela kwekutso sicelo sekutfola lwatiso singanoma kumele sicitfwe. Sisebenti lesiniketa lwatiso semtimba lotimele nomawahunlume. Lemibandzelaibhalwe kuSahluko 4 Incenyel2 seMtimba wabaHulumenende, nakuSahluko 4 Incenyel3 seMtimba Lotimele ku-PAIA.

4.3. Kuvikelwa kwekungavetwa kwenhlhlangano/ umuntuwe wenesatsfu

Sisebenti lesiniketa lwatiso semtimba lotimele nomawahunlume akukafaneli sivumele kuvetla lwatiso lopoluphatselene nemuntfu, kufaka ekhatsi umuntuwe losihe nolarhecwe ngenhla, kunemibandzela leyehlukeneletingabangela kwekutso sicelo sekutfola lwatiso singanoma kumele sicitfwe.

Sigaba 1 se-PAIA siniketa inchazelo legcwele kwekutsi nguluphi lwatiso lolungelsfu “njengaloluphatselene nelwumuntfu”. Kufaka ekhatsi lwatiso lopoluphatselene netemacansi, kuhulela, wenetkolo, kanye nekuchumushana kwekutso, i-DNA, tinyatseliso tetandla, kanye nalomapho ligunya. I-PAIA ichaza kwekutsi kutsi kuvikelwe emalungelo emuntfu wesitsatfu lekangumuntfu, Sisebenti lesiniketa lwatiso kufanele siphole kwekutso lokukhipha lwatiso “ikutawufaka ekhatsi kufanakela kwekutsi” kwelwatiso “ikutawufaka ekhatsi lokuvetwa kwelwatiso”.

Sigaba 1 se-PAIA siniketa inchazelo legcwele kwekutsi ngumuntfu wesitsatfu lekangumuntfu, Sisebenti lesiniketa lwatiso lesivela kubentsela baseNingizimu Afrika (SARS) asiveti lwatiso lopoluphatselene.

I-PAIA idzinga kwekutso sisebenti lesiniketa lwatiso lecebeng, kuyiphaka kufacafana kwisa Afrika (SARS) asiveti lwatiso lopoluphatselene nentsela yemuntfu nelwatiso lwekutso, ngaphandle kwekutso lobekha cere lacecwe ngelelwa kwelwatiso.
4.3.2 Kuvikelwa kwelwatiso lwetekuhwebelana lenhlangano/umuntfu wesitsatfu

Sisebenti lesiniketa lwatiso ngemtimba lotimele **kufanele** singavumi nelwatiso uma ngabe kukhipha lolwatiso kutawudula umonakalo etimalini noma kutekuhwebelana ngekwebhizinisi. I-PAIA ibhala luhlulwelwatiso lwetekuhwebelana lolulandzelako lekungafanele kutsi luvetwe Sisebenti lesiniketa lwatiso:

- Timfihlo tekuhwebelana;
- Tetimali, tekuhwebelana, tesayensi, lucwaningo nomwa lwatiso lwetethekhinkhingalomunye umuntfu, uma ngabe lukhishiwe lungadala umonakalo kulowo muntfu;
- Lwatiso lolineletwe umuntfu wesitsatfu ngekufanele ngekufaletshi.

Noma ngabe kunemtsetfo wekuvikelwa lwatiso lwabelana lokungedweleleke, temtimba wahulumende elindzelele kutsi usebente ngendlela leka kungafanele kufanele kutawudala umonakalo kulowo muntfu. Kufanele kwakhe kutsi luvente Sisebenti lesiniketa lwatiso ngemtimba lotimele sisebhululeka ngendlela lekuhwebelana.

4.3.3 Kuvikelwa kwelwatiso loluyimfihlo

I-PAIA iniketa kwekuwakhe sisebenti lesiniketa lwatiso **kufanele** singavumi kubona ngyciyi lokekuhwebelana. Esebeni lesiniketa lwatiso ngemtimba lotimele sisebhululeka ngendlela lekuhwebelana. Lokungathela i-PAIA: Emarekhodi laphatselene nemuntfu wesitsatfu lekuhwebelana lokungakhe
dlela lekuhwebelana umonakalo lwatiso kwakhe kutsi luvente Sisebenti lesiniketa lwatiso ngemtimba lotimele sisebhululeka ngendlela lekuhwebelana

4.3.4 Kuvikelwa kwekuphepha kwemuntfu nemphahla

Lesigaba sikhala kutsi sisebenti lesiniketa lwatiso **kufanele** sale nemarekhodi uma ngabe kukhipha lolwatiso kwakhe kutsi luvente Sisebenti lesiniketa lwatiso ngemtimba lotimele sisebhululeka ngendlela lekuhwebelana. Lokungathela i-PAIA: Emarekhodi laphatselene nemuntfu wesitsatfu lekuhwebelana.

4.3.5 Kuvikelwa kwelwatiso nakudzingidvwa licala

Injongo yathizana kuvikela lwatiso lwetekuhwebelana ngekwemtsetfo nasekushayweni kuvikela lwatiso. Lesigaba sikhala kutsi luvente Sisebenti lesiniketa lwatiso ngemtimba lotimele sisebhululeka ngendlela lekuhwebelana. Lokungathela i-PAIA: Emarekhodi laphatselene nemuntfu wesitsatfu lekuhwebelana. Lokungathela

4.3.6 Kuvikelwa Kwewatiso Lwomtsetfo

Sisebenti lesiniketa lwatiso lwetemtimba lotimele noma wahlulumende kufanele singacitsa sesiwo sekuhufihla kulekhe lohawulwani ngawo noma umuntfu wesitsatfu. Lokucifwe kwakhe lwatiso lwelagacao kusimone kutsi luvente Sisebenti lesiniketa lwatiso ngemtimba lotimele sisebhululeka ngendlela lekuhwebelana.
kutawukhiphela ebaleni loulucwaning lwalomuntfu wesitsatfu noma umtimba wahulumende noma lokuhlelele, umuntfu noma sikhunye lesenta loulucwaning, noma loludzaba loluhambembili lwalolucwaning luluzekele phansi ngendlela lematima (buka tigaba 43 na 69 te-PAIA).

4.3.7 Lwatiso lokungavunyelwa kwekutsi lubinyeleleka

Lemikhakha lelandzelako yelwatiso icichaza lwatiso leSisebenti lesiniketa lwatiso sibuke kutsi lolwatiso luwela ngaphansi wathamkhakha lolandzelako kantsi bantfu abanashisekelo yekutsi lolwatiso lukhishelwe ngaphandle (kutfola lwatiso lulaestimfumba ngalesigaba setinshisekelo tebantfu buka Sigaba 4.4 ngentasi).

4.3.7.1 Budlelwano bavelonkhe emkhatsini wetekuvikela nemasotja aseNingizimu Afrika

Sigaba 41 se-PAIA sidzinga kwewekutsi sisebenti lesioniketa lwatiso sibuke kuti molwatiso luluzekele lokufanele kweNingizimu Afrika. Sisebenti lesioniketa lwatiso singakucitsa kuniketa imvume yalesicelo uma ngabe sitawucvelo phasi kuhlelele kweNingizumu Afrika.

4.3.7.2 Temnotfo, temali netinshisekelo tekuhwebelana kweNingizimu Afrika

Sigaba 42 se-PAIA sitshi kufanele kuvikela lwatiso lwemtimba wahulumende uma ngabe kuvetwe kwalolwatiso kutawubha nemtselela lomubi kutemnotfo nenice setimali teRiphabhulikhi. Lesizatfo salokuciflwa kwenkhalo sisebenti lesioniketa lwatiso kutawucvelo phasi lesicelo lesiniketo lwatiso lutawucekela phasi noma temnotfo nemtselela lembalwe ngaphasi kwetitchabwini, ngako-ke kutawubha ngaphasi kwetikhatsi letitsite kuti molwatiso lungavunyelwa. Lokunye, Sisebenti lesioniketa lwatiso kutawucekela phasi kwemtimba lokuziwe kweNingizimu Afrika.

4.3.7.3 Kusebenta kwemtimba yahulumende

Sigaba 44 se-PAIA sitshi sisebenti lesioniketa lwatiso emanila ekungavumini nemarekhodi uma ngabe lwatiso lutawucekela phasi umsebenti lwemtimba lokuhlelele. Sigaba 44 sitshi lephakathi lobalwe ngaphansi kwalasetjentisawako afaka ekhatsi lalala lalandzelako:

» Emaminitsi emhlangano;
» Emarekhodi lacuketse tecwayiso nemibono;
» Emarekhodi laphatselene nekutsientsana naleminye imitimba;
» Emarekhodi laphatselene nekubhalwa kwetitchabwini noma tincomo.

4.3.7.4 “Ticelo letibonakala tingakhombisi kutimisela noma letingajabulisi, noma letinkhulu kakhu la nalingasikahle leticelaka phasi tinsita”

Sisebenti lesioniketa lwatiso angeke sisamukele sicelo sekutfola lwatiso uma sibungabang kutshi kuchubeke nari ticelo kungadla sikhatsi kantsi kuti kungabha kudlala ngetinsita. Kweningita, Sisebenti lesioniketa lwatiso singakucitsa kuniketa kwemarekhodi uma ngabe lesicelo sibonakala singakubululeki noma sentiwe ngulofoke sicelo ngoba afuna kutufukutelsisa nomu achukulule lesisebenti.
4.4 Кunganaki tinshisekelo temmango

Konkhe lokuvikeleka lokuniketwa lwatiso njengoba kubalwe ngenhla angeke kube khona uma ngabe lokukhishwa kwalolwatiso kunenshisekelo yemmango. Ngaloluhlobo tinshisekelo temmango tita ngetulu kwato tonkhe letizatfu tekucitsa kutfolakala kwalwatiso.

Sisebenti lesiniketa lwatiso kumtimba lotimele nomu wahulumende kumele sente loluhlolo lolulandzelako ngembi kwekungavumi kuniketa lwatiso lolungena ngaphasi kwalemikhakha lengavumeli kungakhishwa kwalwatiso lebalwe ngenhla. Uma ngabe letizatfu tilandzelelele, kumele kutsi lwatiso luhishelwe tinshisakelo temmango.

Ngabe lwatiso lukhombisa kwephulwa kwemtsetfo?

NOMA

Ngabe lamarekhodi lacelwako acuketsilewatiso lalokusawenteka nomu nebungoti lobukhulu bekuphepha kwemmango nomu simondzawo?

KANYE

Ngabe lenshisekelo yemmangoekuvuta lolwatiso ibaluleke ngetulu kemonakalo longadaleka?
SIGABA 5
Emareferensi labalulekile nalolunye lwatiso lolulusito

Lesigaba sifaka ekhatsi loku lokulandzelako:

5.1 Luhlu lwemareferensi labalulekile lasetjentiselwe kuhlanganisa lomhlahlandela we-PAIA, lokufaka ekhatsi umtsetfo

5.2 Luhlu lwaLetinye tinsita letidzingekako te-PAIA
5.1 Emareferensi labalulekile

<table>
<thead>
<tr>
<th>INSITA</th>
<th>UMBHALI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotion of Access to Information Act 2 of 2000</td>
<td>Umtsetfo</td>
</tr>
<tr>
<td>Protection of Personal Information Act 4 of 2013</td>
<td>Umtsetfo</td>
</tr>
<tr>
<td>PAIA Unpacked (lotfolakala ku- <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (lotfolakala ku- <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (lotfolakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (lotfolakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (lotfolakala ku-www.sahrc.org.za)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 Imitsetfo ye-PAIA

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>LUSUKU</th>
<th>SIHLOKO NENCHAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice: No. R. 187</td>
<td>15 Indlovu 2002</td>
<td>Sichibiyelo se-PAIA lesimayelana neMhlahlandlela weSigaba seli-10 kanye nekutfolakala kwemamaniwali e-PAIA.</td>
</tr>
<tr>
<td>Government Notice No. R. 466</td>
<td>1 Inhlaba 2007</td>
<td>Emafomu lafakelwe Sisebenti selwatiso kutsi siwalandzele uma sishicilela lwatiso lolukhishwe ngesifiso lolumayelana neTitgaba 15 na 52 te-PAIA, 115 and 52 of PAIA.</td>
</tr>
</tbody>
</table>
5.3 Tichibiyelo te-PAIA

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>LUSUKU</th>
<th>SIHLOKO NENCHAZELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice No. 428</td>
<td>31 Indlovulenkhulu 2004</td>
<td>Sichibiyelo sesigaba 92(4) se-PAIA kute kubonelelwe emacala netinhlawulo tebantfu labatsikameta ngamabomu nangalokungekho emtsetweni ticelo tekutfola lwatiso lokufana nekushabalalisa emarekhodi.</td>
</tr>
<tr>
<td>Government Notice No. 96</td>
<td>15 Bhimbidvwane 2003</td>
<td>Sichibiyelo se-PAIA lesibonelela kuceceshwa kwebaphatsi betisebenti eTinkhantolo letincane lapho kutsetfwa khona emacala e-PAIA.</td>
</tr>
</tbody>
</table>

5.4 Tichibiyelo kuMitsetfo ye-PAIA

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>LUSUKU</th>
<th>SIHLOKO</th>
</tr>
</thead>
</table>

5.5 Letinye tinsita te-PAIA letimcoka

1) Using PAIA to Promote Housing Rights, SAHA (itfolakala ku-: www.saha.org).
2) Accessing Information for Your Community, SAHA (itfolakala ku-: www.saha.org).
3) Accessing Information in the LGBTI Sector, SAHA (itfolakala ku-: www.saha.org).
Nyeneddzi Ya U Shumisa Mulayo Wa ŋhuhungwedzo Ya U Swikela Mafhungo Wa 2 Wa 2000
South African Human Rights Commission
Contact Details

Head Office Johannesburg
Tel 011 877 3600 • Fax 011 403 0684

Eastern Cape Port Elizabeth
Tel 043 722 7828 • Fax 043 722 7830

Free State Bloemfontein
Tel 052 447 1133 • Fax 051 447 1128

KwaZulu-Natal Durban
Tel 031 304 7323/4/5 • Fax 031 304 7323

Limpopo Polokwane
Tel 015 2913500 • 051 291 3505

Mpumalanga Nelspruit
Tel 013 752 8292 • Fax 013 752 6890

Northern Cape Upington
Tel 054 332 3993/4 • Fax 054 332 7750

North West Rustenburg
Tel: 014 592 0694 • Fax: 014 594 1089

Western Cape Cape Town
Tel 021 426 2277 • Fax 021 426 2875
U wana ngila kha Nyendedzi ya PAIA

Khethhekanyo ya 1
Marangaphanđa kha Nyendedzi ya PAIA

Khethhekanyo ya 2
Hune vha wana mafhungo ane vha a ṭođa

Khethhekanyo ya 3
U ita khumbelo ya u swikela mafhungo

Khethhekanyo ya 4
Ndi lini hune u swikela mafhungo ha nga haniwa

Khethhekanyo ya 5
Rifarentsi na zwiko zwa vhuthogwa zwa mańwe mafhungo

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<tr>
<th>MAIPFI</th>
<th>ṬHALUTSHEDZO</th>
</tr>
</thead>
</table>
| Tshelede ya u swikela | Iyi ndi tshelele i badelwaho nga muhumbeli kha dzangano ja tshatshavha kana ja phuraiwete jine a khou色调 mafhungo khalo, ndi ya mbadelo dza u wana na u kopa rekhode dzine vha dze色调.  
(U itela u wana mafhungo manzhi nga ha tshelede ya u swikela kha vha sedze Khethhekanyo ya 3 ya Nyendedzi iy). |
| Fomo ya A | I wanala mafheloni a PAIA, kha webusaithi ya Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe, na kha webusaithi dza zwiniwe zwimiwisa zwa tshitshavha zwo thambanaho. Fomo iy i i shumiswa u ita khumbelo ya u swikela mafhungo o farwaho nga dzangano ja tshitshavha.  
(U itela u wana mafhungo manzhi kha Fomo ya A na u ita khumbelo ya u swikela mafhungo kha madzangano a tshitshavha kha vha sedze Khethhekanyo ya 3 ya Nyendedzi iy). |
| Fomo ya C | I wanala mafheloni a PAIA, kha webusaithi ya Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe, na kha webusaithi dza dziniwe khamphani dza phuraiwete. Fomo iy i i shumiswa u ita khumbelo ya u swikela mafhungo o farwaho nga dzangano ja phuraiwete.  
(U itela u wana mafhungo manzhi nga Fomo ya C na u ita khumbelo ya u swikela mafhungo a madzangano a phuraiwete kha vha sedze Khethhekanyo ya 3 ya Nyendedzi iy). |
| Nyendedzi | U amba nga Nyendedzi iy kha PAIA ye ya kuhanganywa na u ganjiswa nga Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe sa zve zwa petshedzwa kha Khethhekanyo ya 10 ya PAIA, u itela u thusa vhathu kha u shumisa na u pfesesa PAIA. |
| Muofisiri wa zwa Mafhungo na Mufarisa Muofisiri wa zwa Mafhungo | Muofisiri wa zwa Mafhungo (tsiynwe tshifhinga u vhidzwa sa IO) ndi muthu o newaho maandga nga tshirimiswa tshenetshe u shuma na khumbelo dza PAIA. Kha dzangano ja tshitshavha uyu ndi muthu ane a vha kana o tou farelaho sa tho yoh ya dzangano. Zwenezwo kha masipala hu do vha hu mulangi va masipala; kha muhasho wa lushaka hu do vha hu Mulangi Muhulwane; kha dzangano ji fanaho na Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe hu do vha hu CEO. |

(U itela u wana mafhungo manzhi nga mishumo ya Vhaofisiri vha zwa Mafhungo kha vha sedze Khethhekanyo ya 3 ya Nyendedzi iy).
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aphiḽi ya nga ngomu (Fomo ya B)</td>
<td>Vhahumbeli vha ջջ shumisa Fomo ya B ya PAIA u ita aphiḽi kha tsheo yo dzhiwaho nga davhi ja mvhuuso ja lushaka, vunďu kana masipala malugana na u swikela maṱhungo. (U itela u wana maṱhungo manzhi nga ha aphiḽi ya nga ngomu kha vha sedze Khethekanyo ya 3 ya Nyendedzi iyi).</td>
</tr>
<tr>
<td>Muthu tshimulayo</td>
<td>Khamphani kana dzangano jine ja ḣivhea kha mulayo sa dzangano ḣithi kana ‘muthu’ a re na pfanela na vhuṱifhinduleli.</td>
</tr>
<tr>
<td>Minisiţa</td>
<td>Rifarentsi kha Minisiţa i elana na Minisiţa wa Tshumelo dza Vhulamukanyi na Vhululamisi.</td>
</tr>
<tr>
<td>Muthu</td>
<td>Muthu wa vhukuma, o ḣambahano na muthu tshimulayo u fana na koporasi (kha vha sedze muthu tshimulayo afho nthā).</td>
</tr>
<tr>
<td>Dzangano ja phuraivete</td>
<td>(Li dovha hafhu ja vhizwza sa khamphani ya, tshimiiswa tsha, phuraivete). ǁi ndi muthu tshimulayo kana binduṱhangelwa ǁe ja dzhenela kana ǁe ja vhuya ǁa dzhenela hambambadzo, bindu kana phurofesheni nahone kha khaphasithi yeneyo fhedzi.</td>
</tr>
<tr>
<td>Dzangano ja tshitshavha</td>
<td>(Li dovha hafhu ja vhizwza sa tshimiiswa tsha, muhasho wa tshitshavha, ), uyu ndi muhasho kana tshimiiswa tshiṅwe tsha matavhi a mvhuuso wa lushaka, vunďu na wapo. Tshi katela hafhu na tshimiiswa tshifhio na tshifhio tshine tsha khou ita mushumo wa mvhuuso nga tshifhinga tshe rekhole i kwameaho ya sikwa ngatsho.</td>
</tr>
<tr>
<td>Rekhode</td>
<td>Maṱhungo maṅwe na maṅwe o rekholo wa hu sa khathali tshivhumbeo, hu tshi katelwa na, sa tsumbo, maṅwalo o nṱalwaho, matheriala a video nz. Rekhode yo hambelwaho kha dzangano ja tshitshavha kana ja phuraivete i ջջ amba nga rekhole ye ya vha i ya ijo dzangano hu sa sedzwi uri hu nga vha hu ijo dzangano jo sikaho rekhole.</td>
</tr>
<tr>
<td>Tshelede ya khumbelo</td>
<td>Mutengo une wa tea u badelwa musi vha tshi ita khumbelo ya u swikela maṱhungo. U itela khumbelo ya maṱhungo kha dzangano ja tshitshavha hu na tshelede yo tiwaho ya R35; ya khumbelo ya maṱhungo kha dzangano ja phuraivete hu na tshelede yo tiwaho ya R50. (U itela u wana maṱhungo manzhi nga ha tshelede ya khumbelo na mutshipiso kha vha sedze Khethekanyo ya 3 ya Nyendedzi iyi).</td>
</tr>
<tr>
<td>Muhumbeli</td>
<td>Muhumbeli ndi muthu tshimulayo a itaho khumbelo ya u swikela maṱhungo. Muhumbeli zwi dovha hafhu zwa amba muthu ane a khou ita khumbelo ya maṱhungo o imela muṅwe muthuvho.</td>
</tr>
<tr>
<td>Muthu wa vhuraru</td>
<td>Izwi zwi amba muthu tshimulayo a si muhumbeli wa maṱhungo, kana hu si dzangano jine khumbelo ya maṱhungo ya khou itwa khalo.</td>
</tr>
</tbody>
</table>
Mutevhe wa dziaburivesheni

Dziaburivesheni dzi tevhelaho dzi wanala kha Nyendedzi iyi na kha zwiñwe zwiko zwa PAIA zwo čoweleaho:

**DIO**  
Mufarisa Muofisiri wa zwa Mafhungo

**IO**  
Muofisiri wa zwa Mafhungo

**ODAC**  
Senthara ya Ngeletshedzo ya Demokirasi ya Vhoṱhe

**PAIA**  
Mulayo wa Ṭhuṱhuwedzo ya u Swikela Mafhungo wa 2 wa  2000

**PPIA**  
Mulayo wa Tsireledzo ya Mafhungo a Vhuṅe wa 4 wa 2013

**SAHA**  
Dziakhaivi dza Ąivhazwakale ya Afurika Tshipembe

**SAHRC**  
Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe

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Marangaphanḓa
KHETHEKANYO YA 1
Marangaphanďa

Khethekanyo iyi i katela:

1.1 Ndivho ya Nyendedzi iyi ya PAIA
1.2 Ğivhazwakale ya PAIA
1.3 Ndivho ya PAIA na zwine ya nga shumiswa zwone
1.4 Mushumo wa Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe
1.1 Ndivho ya Nyendedzi iyi ya PAIA

Nyendedzi iyi i nêthshedza mafhungo a Mulayo wa Tshuthuwedzo ya u Swikela Mafhungo (PAIA) wa 2 wa 2000. Nyendedzi iyi ya PAIA i ño thusa vhathu musi vha tshi ita khumbelo ya mafhungo fhasi ha PAIA, na u nêthshedza tsumbo dza zve PAIA ya shumiswa zwone tshifhingani tsho fhiraho u kwiwinisa pfanelo dza vhathu, i ita izwi nga u nêthshedza:

» Manweledzo a PAIA a leluwaho u a pfesesa
» U kovhekanywa ha kushumisele kwa PAIA u itela u kwiwinisa dziîwe pfanelo dza vhathu
» Mutevhe wa tshaka dza mafhungo ane a nga humbelwa hu tshi khou shumiswa PAIA
» Nyendedzi ya jîga nga jîga ya kushumisele kwa PAIA ya u ño ita khumbelo ya mafhungo
» Manweledzo a ngudo dzo gudwaho u bva kha khumbelo dza mafhungo dza tshifhinga tsho fhiraho na milandu ya khothe dza PAIA

1.2 Ŋivhazwakale ya PAIA

Musi Mulayotewa wa Afurika Tshipembe u tshi khou talatadziwa nga tshifhinga tsho tevhela ho u wa ha Tshijalula nga vhô 1990, madzangano o hambanaho na vhathu vho fara manalo a u kateleho ha u swikela mafhungo. Ho vha ho fulufhelwa uri u kateleho ha pfanelo iyi ka Mulayotibe wa Pfanelo dza Vhathu – Ndimwa ya 2 ya Mulayotewa – hu ño khwaṱhisedza uri mabulayo a fanaho na a Tshijalula ha nga ño dovha a itea sa afha muvhuso na koporasi dza phuraivetse zwi tshi ño kombetsedza u ita zwiwin nga ndîla ya vhuďifhinduleli na u vha khagala nga u nêthshedza u swikela mafhungo, zwenezwo zwa ita uri hu sa ño vha na u dzumbama nga sila ja tshiphiiri.

Nga 1996, Mulayotewa wa Riphabulikîja ya Afurika Tshipembe wa 1996 wo thoma u shuma. Khethekanyo ya 32 yo tsireledza pfanelo ya u swikela mafhungo o farwaho nga madzangano a tshithavha na a phuraivetse. Izwi ho vha, nga tshifhinga tshenetsho, tshipiga tsha u thoma tsha mulayo kha liphandi tshe tsha engedza pfanelo ya u swikela mafhungo o farwaho nga madzangano a phuraivetse. Khethekanyo ya 32 i dovha hafhu ha bula uri mulayo u teu u phasiswa zwone ño ita mveledzwa kha pfanelo ya u swikela mafhungo nga u dodombedza ndîla dzine mafhungo a bvaho kha madzangano a tshithavha na a phuraivetse a nga swikelwa, na nga u nêthshedza mańwe mafhungo nga ha zwitisisi zwine dzangano ja tshithavha na ja phuraivetse ji nga landula u swikela mafhungo.

Nga 2000 Mulayo wa Tshuthuwedzo ya u Swikela Mafhungo (PAIA) wo mbo ñi thoma u shuma sa mulayo, u tshi khou khunyeledza mbetshelwa ya Khethekanyo ya 32 ya Mulayotewa u itela u phasiswa ha mulayo nga ha u swikela mafhungo.

1.3 Ndivho ya PAIA na kushumisele kwayo

Ndivho ya PAIA ndi u tšuṱwedza pfanelo ya u swikela mafhungo, u bveledza mvelele ya u vha khagala na vhuďifhinduleli Afurika Tshipembe. Zwiṅwe hafhu, PAIA yo lumbama kha u tšuṱwedza demokirasi ya vhoṱhe hune vhathu vha vhvimo ho hambanaho vhutshilioni vha maanďafhadzwa uri vha kone u dâvhidzana na muvhuso na u shela mulenzhe kha tsho dzî kwamaho vhutshilo havho.

Pfanelo ya u swikela mafhungo a i fani na pfanelo iṅwe sa afha i tshi konisa u swikelwa ha dziîwe pfanelo dza vhathu: liyî ndi iṅwe ya ndîla dza ndime nga maanja dzine ngadzo PAIA ya nga shumiswa.
Mbethelela ya tshumelo dza muvhuso

» PAIA i nga shumiswa u maanqaphadza vhathu nga mafhungo ane ngao vha ita uri muvhuso u vhe na vhugififhenduleli kha mbethelela ya tshumelo dza mutheo dzi fanaho na vhudzulo, maçi na tshampungane.

Pfanelo dza vhapo na dza polotiki

» PAIA i nga shumiswa u kuvhanganya mafhungo ane vhathu vha nga a shumisa kha pfanelo dzavho u fana na pfanelo ya u khetha na pfanelo ya mbofoholo wo ya u dzhenela mjangano.

Tshiṱalula na Ndingano

» PAIA i nga shumiswa sa tshishumiswa tsha u lwa na tshiṱalula, u fana na tshiṱalula tsha disendekah o nira murafto, mbeu, nz, nga madzangano o fhambanaho a tshitshavha na a phuraivete.

Ndi zwa ndeme u dzhiela nzhele ya uri PAIA a i koni u nga shumiswa u wana rekhole dza u shumisa nga tshifhunga tsha maitele a mulayo wa vhapo kana wa mupfukamulayo, hu tshi katele na nga murahu ha u thoma ha maitele o raliho arali vhubelezi kana u swikela rekhole zwi zwa ndivho yenei nthihiyo tsireledze nga mulayo (Kha vha sedze Khethekanyo ya 7 ya Mulayo).

1.4 Mushumo wa Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe

Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe (SAHRC) yo ńewa maanq a nga fhasi ha PAIA a u:

» Tutuwedza pfanelo ya u swikela mafhungo
» Lavhelela u thomiwa ha PAIA nga madzangano a tshitshavha na a phuraivete
» Ita themendelo dza u khwathisa Mulayo
» Vhiga kha Phalamennde ñwaha muñwe na muñwe

Mulayo wa Tsireledzo ya Mafhungo a Vhunde

Mulayo wa Tsireledzo ya Mafhungo a Vhunde wa 4 wa 2013 (PPIA) u khwipisa PAIAnga ngilila dzo fhambanaho. Irīwe ya ngilila dza vhujhogwa ine ngayo Mulayo uyu wa shandukisa PAIA i elana na mushumo wa SAHRC. Nga fhasi ha PPIA mishumo ya SAHRC uya nga PAIA i dho fhiriselwa kha Mulauli wa Mafhungo, dzangano jiswa jo diimisaho nga jofhe jine ja dho thomiwa u itela uri ji dholavhelesa PPIA na PAIA, na u dho shumana na mbialelo dzi elanaho na u swikela mafhungo na tsireledzo ya mafhungo a vhunde.

Fhedziha, SAHRC i dho sala na pfanelo yayo ya Ndayotewa ya u tutuwedza, u tsireledza na u lavhelesa pfanelo dza u swikela mafhungo u fana na dзонwe pfanelo dzvo tsireledzwaho kha Mulaytibe wa Pfanelo.
Khethhekanyo iyi i katela:

| 2.1 | Hune vha ḓo wana nyendedzi dzi thusaho na bugupfarwa dzine dza ḓo vha thusa musi vha tshi ita khumbelo dza mafhungo |
| 2.2 | Muthu ane vha ḓo mu kwama musi vha tshi ṹoḓa thuso |
| 2.3 | Zwi ṹoḓea ho kha madzangano a tshitshavha na a phuraivete uri a ḓo thusa vhaṱoḓi vha mafhungo |
| 2.4 | Maṅwe mafhungo a wanalea nga one ane vha songo vhuya vha ita na khumbelo ya tshiofisi, khethhekanyo iyi i ḓo ṫetshedza manweledzo a hune vha ḓo swikela izwi |
2.1 U thoma

Ndívho ya PAIA ndi u tũtwedza nga vhudzimiseli tshitshavha tshine vhaflu vha Afurika Tshipembe vha swikela mafhungo nga njɪlila bvelemdału hu u itela uri vha do kona u reledza pfanelo dzavho dzọthẹ. Fhedzĩ tšińwe tshifhinga muthu a nga vha a sa ċivhi uri a thome ngafhi kana uri a nga swikelisa hani mafhungo u ya nga PAIA. PAIA yo vha na luvhenela phanga kha thaidzo iyi ya ṭa na u ṱea ndaela ya uri dzĩńwe nyendedzi na bugupfarwa dzi ganjiswe sa pulane ya u ya phanga ya vhańgo vha mafhungo. Khethekanyo iyi i do qetshegedza manweledzo a nyendedzi na bugupfarwa idzi, vhudzifhindeleli ha vhanganńgoi vha nyendedzi na bugupfarwa idzi, na, tsha ndeme nga maanńgo, ndi hune dza do wanala hone.

Zwi tou vha khagala, tshińwe tsha zwishumiswa zwa maanńgo tshine muthu a nga tshi shumisa u swikela mafhungo ndi khumbelo ya mafhungo ya tshitsho fisi yo itwaho u ya nga PAIA, ine nyendedzi iyi i do vha thusa ngayo. Fhedzĩ vha elelwe, iyi a si yone njilila i yońthe ya u tọga mafhungo. Māńwe mafhungo a tou dzula a hone vha songo vhuva vha thoma vha ita khumbelo ya tshitsho fisi kha PAIA. Kha dzĩńwe nyimele, mulayu o anzela u tọga madzangano a tshitshavha na a phuravete a tshi vhudza tshitshavha mańwe mafhungo. Khethekanyo iyi i dovha hańfu vha qetshegedza manweledzo a hune vha nga swikela mafhungo hone aya.

PAIA yo livhiswa kha u maanńgafhadza tshipińga tsha mulayu one wa thusa Maafurika Tshipembe vhońthe. Wo livhiswa kha u vha mulayu one zwa leluwa u u pfesesa nahone unе munańwe na munańwe a nga shumisa. Muthu ha tọga axennńge musi a tshi tọga u ita khumbelo ya mafhungo u ya nga PAIA. Nyendedzi iyi yo ganńiswa uri i do thusa Maafurika Tshipembe vha vhui mo ho fhambanaho vhutshiloni uri vha tikeđe pfanelo dzavho dza u swikela mafhungo dzos tsireledzwaho nga ndayotewa.

2.2. Nyendedzi ya PAIA

Khethekanyo ya 10 ya PAIA i tọga Khomishini i tshi kuvhanganya na u gangisa nyendedzi i sa konńgį i u pfesesa ine ya do thusa musi hu tshi swikelwa rekhole na māńwalo na uri muthu a shumise pfanelo yawe u itela u wana mafhungo. Tshińwe tshifhinga nyendedzi i vhidzwa u pfi ndi ‘Nyendedzi ya Khethekanyo ya 10’.

I vha qetshegedza mafhungo otņe ane vha a tọga u swikela rekhole, I dovha hańfu ya dodombedza zwidodombedzwa zwa vhukwamani zwa mihasho ya muvhuso na zwimiswa zwine zwa vhea rekhole dza muvhuso, khathini na zwidodombedzwa zwa vhukwamani ha khamphani dza phuravete dzo fhambanaho. Khomishini i dovha hańfu vha tọga uri i kwińjise nyendedzi iyi luthi ngi ōwa munańwe na muńwe wa vhuvhili.

2.2.1 Hune nyendedzi ya wanalea hone

2.3 Bugupfarwa dza PAIA

U engedza njha ha Khethekanyo ya 10 ya Nyendedzi nga ha PAIA ine ya tea u kuvhanganywa nga Khomishini, PAIA i tọga hafhu uri dzangano jinwe na jinwe ja tshitshavha, khathihii na madzangano a phuraivete, vha bveledze bugupfarwa ine ya vha na mafhungo a u shumisa PAIA u itela uri vha swikele rekhoze dzavho vhone vhane..

2.3.1 Bugupfarwa dza PAIA dza madzangano a tshitshavha

Khethekanyo ya 14 ya PAIA i tọga uri madzangano a tshitshavha oţhe a gangise bugupfarwa nga nyambo dza tshiofisi dzi swikaho henehfa kha tharu hune a ño thusa vhaţozi vha mafhungo uri vha ño ita khumbelo dza mafhungo u bva kha dzangano jikwameaho. Arali zwo konţa tshoţhe, bugupfarwa i tea u vha na mafhungo a vhutţogwa a tevhela:A

<table>
<thead>
<tr>
<th>THODEA</th>
<th>THALUTSHEDEZO</th>
</tr>
</thead>
<tbody>
<tr>
<td>MaanĎa</td>
<td>Tshivhumbeo na mishumo ya dzangano ja tshitshavha.</td>
</tr>
<tr>
<td>Zwidodombedzwa zwa vhukwamani</td>
<td>Ñiresi ya poswoni na ya ofisi, nomboro dza founi na dza fakisi na, arali i hone, Ñiresi ya imeilj zwa muofisiri wa zwa mafhungo wa dzangano ja tshitshavha, khathihii na dza mufarisa muofisiri wa zwa mafhungo muńwe na muńwe wa dzangano ja tshitshavha.</td>
</tr>
<tr>
<td>Khethekanyo ya 10 ya Nyendedzi ya PAIA</td>
<td>Ñhalutshedzo ya Nyendedzi iyi yo kuvhanganywaho nga Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe na uri vha i swikela hani.</td>
</tr>
<tr>
<td>Khethekanyo dza rekhoze dzi re hone</td>
<td>Mafhungo a linganaho u thusa nga u leludza u swikelwa ha rekhoze yo farinaho nga dzangalo ja tshitshavha. Dzangano ja tshitshavha ji tea u őalutshedza thero dzine ja vha na rekhoze dza hone, na khethekanyo dza rekhoze dza thero ińwe na ińwe.</td>
</tr>
<tr>
<td>Mafhungo a dzulaho a hone</td>
<td>Mańwe mafhungo a dzula a hone hu si na uri muthu u tea u thoma a ita khumbelo ya u a swikela u ya nga PAIA. Bugupfarwa ya dzangano ja tshitshavha i tea u sumbedza mafhungo aya ane a dzula a hone.</td>
</tr>
<tr>
<td>Tshumelo dza dzangano ja tshitshavha</td>
<td>Ñhalutshedzo ya tshumelo dzine miraĎo ya tshitshavha i nga dzi shumisa u bva kha dzangano ja tshitshavha, na uri tshumelo idzo dzi nga swikelwa hani.</td>
</tr>
<tr>
<td>U shela mulenzhe nga tshitshavha</td>
<td>Ñhalutshedzo ya nzudzanyo ifhio na ifhio kana mbetshelwa ya uri muthu a vhudzise, a swikise makumedzwa kana a dzhenele kana a ſee mihungulo kha u sikwa ha mbekanyamaitele; kana u shumiswa ha maanĎa kana a itiwa ha mishumo nga dzangano ja tshitshavha.</td>
</tr>
<tr>
<td>Thandululo</td>
<td>Liga ľine vha nga ji dzhia musi muofisiri wa zwa mafhungo wa dzangano ja tshitshavha o lamba u vha ſee thendelo ya u swikela mafhungo.</td>
</tr>
</tbody>
</table>
2.3.2 Hune vha nga wana hone bugupfarwa ya dzangano ja tshitshavha

Madzangano oţhe a tshitshavha a tea u ita uri zwi vha lelutshele u wana bugupfarwa. Arali zwo kongo tshoţhe, a kombetshedzua u ita ngauralo nga njilia dzi tevhelaho:

» Nga u ita uri hu vhe na khophi kha ofisi i'nwe na i'nwe ya dzangano ja tshitshavha jenejo nga tshifhinga tsha mushumo;
» Nga u ita uri bugupfarwa i wanalee kha webusaithi, arali i hone, ya dzangano ja tshitshavha

Sa zwo bulwaho afho njha, Mulayo wa Tsireledzo ya Mafhungo a Vhune wa 4 wa 2013 (PAIA) u kwinjisa PAIA nga njilia dzo vhalaho. I'nwe yadzo ndi elanaho na bugupfarwa dza Khethekanyo ya 14 ya madzangano a tshitshavha. Nga fhasi ha PAIA bugupfarwa idzi dzi tea u swikiswa kha Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe, fhedzi dzi tea u wanalee kha inthanete na u itwa uri dzi wanalee kha mu'rwe na mu'rwe a humbelaho khophi.

2.3.3 Bugupfarwa dza PAIA dza madzangano a phuraivete

Madzangano a phuraivete na one a a kombetshedzua u kuvhanganya bugupfarwa u ya nga khethekanyo ya 51 ya PAIA. Zwa zwino, a si madzangano a phuraivete oţhe ane a kombetshedzua u tevhedza khethekanyo iyi. Vha nga wana uri, zwenezwo, dzangano jine vha tama u humbela mafhungo khajo a ji na bugupfarwa ine ji nga vha ńtshedza yone. Izwini a zwi ambi uri dzangano a ji fhasi ha PAIA nga u angaredza. Vha nga kha ńtla khubelo ya mafhungo kha dzangano iji nahone ji kha ńtla kombetshedzua nga mulayo u tshimbidza khubelo yavho. Maiwele a u ita khubelo ya mafhungo u ya nga PAIA a kha ńtla vha heneaja, naho hu na uri dzangano a ji na bugupfarwa.

NDI MADZANGANO AFHIO A PHURAIVETE ANE HA TEI U GANĐISA BUGUPFARWA YA MAFHUNGO?

Ndzila ye PAIA ya Ůwalo nga amba uri madzangano a phuraivetethe O'THE a tea u kuvhanganya bugupfarwa. Fhedziha, Minisita vha nga vhofholola marwe madzangano a phuraivete kana khethekanyo dza madzangano uri a sa ganjise bugupfarwa. Zwa zwino, Minisita vho vhofholola madzangano a phuraivete O'THE uri a songo kuvhanganya bugupfarwa kha tshifhinga tsha misa nhaza mitanu u thoma nga 1 Phando 2016 NGA NNĐANI ha musi dzangano ji tshi wela fhasi ha khethekanyo dzo dodombedzwaho afha fhasi.

1 Izwini zwo shanduka nga ja 31 Nyendavhusiku 2015, hune madzangano oţhe a phuraivete a tea u vha na bugupfarwa u ya nga khethekanyo ya 51 ya PAIA.
2.3.4 Hune vha nga wana hone bugupfarwa ya dzangano ǂa phuraivete

Madzangano ǁthe a phuraivete a kombetshedzeaho u kuvhanganya bugupfarwa a tea u ita uri vha wane bugupfarwa nga nqila yo leluwaho. Musi zwo kongesa tshoqhe, vha kombetshedzea u ita izwi nga nqila dzi tevhelaho:

- Nga u ita uri hu vhe na khophi ine ya do toliwa kwa ofisi iwe na iwe ya dzangano ǁenejo ǂa phuraivete nga tshihinga tsha mushumo. Dzangano ǂa phuraivete a ǂi nga ǂoqi tshelede ya u tšola;
- Nga u ita uri bugupfarwa i wanalee kwa webusaithi yalo.

2.3.5 U tevhedzela arali vha dzangano ǂa phuraivete

U ya nga khethekanyo ya 51, ōho ya dzangano ja phuraivete i tea u:

» Dzulela u khwiṋisa tshanduko dzifhio na dzifhio kha matheriala a re kha bugupfarwa;
» Ita uri bugupfarwa i wanalee kha ofisi dza dzikhamphani na kha webusaiṭhi dzadzo sa zve Mulayo wa randela;
» Tea u dzhenisa fomo ya khumbelo (Fomo ya C ya PAIA) kha bugupfarwa na u dovha hafhu ja ita uri fomo dza khumbelo dzii wanalee kha webusaiṭhi na kha zwifhaṭo zwothe zwa khamphani.

Bugupfarwa i tea u vha na mafhungo a tevhelaho:

<table>
<thead>
<tr>
<th>THOQEA</th>
<th>THALUTSHEDZO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zwidodombedzwa zwa vhukwamani</td>
<td>Dhiriṣi ya poswoni na ya ofisi, nomboro dza founi na dza fakisi na, arali i hone, dhiriṣi ya imeji lyu, muofisiři wa zwa mafhungo wa dzangano ja khamphani ya phuraivete.</td>
</tr>
<tr>
<td>Mafhungo a dzulaho a hone</td>
<td>Maṅwe mafhungo a dzula a hone na musi hu si na muthu we a ita khumbelo ya u a swikela u ya nga PAIA. Bugupfarwa ya khamphani ya phuraivete i tea u sumbedza mafhungo aya ane a dzula a hone.</td>
</tr>
<tr>
<td>Rekhode dzi wanalaho arali dzo humbelwa</td>
<td>Bugupfarwa ya Khethekanyo ya 51 i tea u dodombedza khethekanyo dza rekhode dzine dza wanala musi dzo humbelwa.</td>
</tr>
<tr>
<td>Maitele a PAIA</td>
<td>U nweledza maitele a PAIA ane a tea u tevhedzwa musi hu na khumbelo ya u swikela mafhungo u bva kha khamphani ya phuraivete (i.e. Fomo ya C).</td>
</tr>
<tr>
<td>Zwidodombedzwa zwa Khamphani</td>
<td>U katela zwidodombedzwa zwa ōho ya khamphani kana zwa CEO ya khamphani (u ya nga milayo ya PAIA Muofisiři wa zwa Mafhungo wa khamphani ya phuraivete u anzela u vha CEO kana ōho).</td>
</tr>
<tr>
<td>Tshelede</td>
<td>U bula tshelede ya u swikela yo teaho u ya PAIA (kha vha sedze Khethekanyo ya 3 u itela u wana mafhungo manzhī).</td>
</tr>
<tr>
<td>Thandululo</td>
<td>Thasululo dzine dza vha hone kha vhahumbeli arali khumbelo yavho ya mafhungo yo lambiwa.</td>
</tr>
<tr>
<td>Zwiṅwe Zwidodombedzwa</td>
<td>Zwiṅwe zwidodombedzwa zwi elanaho na khumbelo dza u swikela dzirekhode.</td>
</tr>
</tbody>
</table>
2.4 Mafhungo a dzulaho a hone o farwaho nga dzangano ća tshitshavha

A si mafhungo ọţhe a ọţlaho khumbelo ya tshiofisi uri a swikelwe. Madzangano a tshitshavha o fhambanaho a khombetshedzee nga milayo mińwe uri a īte uri mańwe mafhungo a wanalee kha tshitshavha. Zwiimiswa zwinzhi zwi ćo bula mańwe mafhungo nga u tou funa u ītela uri a vhe khagala, u vha na vhufihinduleli na u ćo thusa tshitshavha. U itela u ītįwedza u bula mafhungo nga u tou funa na u leludza u swikela hu hulwane ha mafhungo aya, Khethekanyo ya 15 ya PAIA i kombetshedza madzangano ọţhe a tshitshavha uri a ganţiše mutevhe, une wa divhe sa ‘n gióvhadzo ya Khethekanyo ya 15’ kana ‘n gióvhadzo ya u bula nga u tou funa’, ya mafhungo ọţhe a elanaho na dzangano ījo ane a dzula a hone u nga shumiswa nga muńwe na muńwe.

Muofisiri wa zwa mafhungo wa dzangano ća tshitshavha u kombetshedzee u bveledza ndįvihadzo ya u bula nga u tou funa ya dzangano ća tshitshavha, na u īta uri i wanalee kha ofisi dzanga dzangano ća tshitshavha khathihi na u i ganţiša kha Gurann大蒜ya Muvhuso. Ndįvhadzo ya u bula nga u tou funa i tea u khwiįiswa ēwaha muńwe na muńwe.

Ndįvhadzo ya u bula nga u tou funa i na khethekanyo dza rekhode na ćhalutshedzo dza rekhode idzo dzine dza dzula dzì hone:

» U īteła u īlowa u ya nga mulayo muńwe na muńwe u si wa PAIA;
» U īteła u renga kana u kopa u bva kha dzangano ća tshitshavha; na
» U bva kha dzangano ća tshitshavha ndi mahala.

Ndįvhadzo ya u bula nga u tou funa i tea u ćhalutshedza ngįla ya u swikela rekhode dze dzula bulwa nga u tou funa na u dzula dzì hone. A zwi thusi tshįthu u ita khumbelo ya tshiofisi kha dzińwe rekhode arali rekhode dzenedzo dzo no ēi bulwa nga u tou funa na u dzula dzì hone. Kha nyimele nnįzhi, hu ēoţlęa tshelede u īteła uri khumbelo ya tshiofisi i shumǐwe nhonе izwi zwi nga dzhia mańuvha a 30. Izwi zwi nga thivhelewa arali vho thoma nga u vhala ndįvhadzo ya u bula nga u tou funa na u topola arali rekhode ine vha khou i ēọţla i tshi dzula i hone kana hai.

Nahoi zwi tshi tou vha khombekhombe uri dzangano ća tshitshavha ji ganţiše ndįvhadzo ya u bula nga u tou funa, a si nyiyo ya u ‘tou funa’ nga dzangano ća tshitshavha. Ndįvhadzo i vhidzwa u pfi ‘ndįvhadzo ya u bula nga u tou funa’ ngauri i ńshedza ndįvhadzo ya mafhungo ọţhe o a bulwa nga u tou funa, hu si ngauri zwi bva kha muhumbulo wu muofisiri wa zwa mafhungo ća hu a ganţiša mutevhe wa vhukuma kana hai.
2.5 Mafhungo a dzulaho a hone o farwaho nga khamphani ya kana dzangano ła phuraivete

U fana na madzangano a tshitshavha, madzangano a phuraivete a nga fara mafhungo ane vha nga a swikela vha songo ita khumbelo ya tshiofisi. Hu sa athu vha tshi ita khumbelo ya tshiofisi ya mafhungo u ya nga PAIA zwine zwi nga tšo tšelele na tšihipha tsha u linde tsha małuvha a 30, kha vha wanuluse arali mafhungo aya vha tshi nga a wana vha songo ita khumbelo ya tshiofisi.

Thoho ya dzangano ła phuraivete a nga, nga zwiltisi zwa u tou funa na zwi itahvha nga vhuya, bveledza mutevhe wa mafhungo ane a dzula a hone u bva kha dzangano ła phuraivete vhone vha songo thoma vha ita khumbelo ya tshiofisi. Mutevhe uyu u vhidzwa upfi ‘Ndįvhadzo ya khethekanyo ya 52’ kana ‘ndįvhadzo ya u bula nga u tou funa’.

U fhambana na nyimele i itahvha kha dzangano ła tshitshavha hune muofisiri wa zwa mafhungo a tea u gangisandivhundo ya u bula nga u tou funa, muofisiri wa zwa mafhungo wa dzangano ła phuraivete ha kombetshedzi u ita ngaualo. U ya nga PAIA, a “nga, nga u tou funa” gangisandivhundo wo rachho. Hei ndi yone fhambano khulwanesa hukati ha ndįvhadzo ya khethekanyo ya 52 ya madzangano a phuraivete na ndįvhadzo ya khethekanyo ya 15 ya madzangano a tshitshavha.

Ndįvhadzo ya u bula nga u tou funa ya dzangano ła phuraivete i na khethekanyo dza rekho re tšalutshedzo dza rekho re dzine dza dzula dzi hone:

» U itela u jolwa u ya nga mulayo miřwe na miřwe u si wa PAIA;
» U itela u renga kana u kopa u bva kha dzangano ła tshitshavha; na
» U bva kha dzangano ła tshitshavha ndi mahala.

Ndįvhadzo ya u bula nga u tou funa i tea u tšalutshedzo ndįla ya u swikela rekho re dze dza bulwa nga u tou funa na u dzula dzi hone.
Khethekanyo ya iyi i katela zwitevhelaho:

3.1 Tshaka dza khumbelo

3.2 Tshelede dzi tshimbilelanaho na u ita khumbelo

3.3 Mushumo wa Muofisiri wa zwa Mafhungo

3.4 Thandululo ya mulayo
3 Ndi itisa hani khumbelo ya PAIA?

Khumbelo ya u swikela mafhungo i nga itwa kha madzangano a tshitshavha na a phuraiVete. Muthu a itaho khumbelo u vhidzwa u phi ndi "muhumbeli". PAIA i dodombedza njila dzo fhambanaho dza u swikela mafhungo kha dzangano ja tshitshavha kana ja phuraiVete. Fomo dzo khetheaho na u randelwa dzni tea u shumiswa musi hu tshi humbelwa. Fomo dzni nga wanala kha PAIA.

<table>
<thead>
<tr>
<th>LUSHAKA LWA DZANGANO</th>
<th>FOMO YA PAIA</th>
<th>KHETHEKANYO YA PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dzangano ja tshitshavha</td>
<td>Fomo ya A</td>
<td>Khethhekanyo ya 18</td>
</tr>
<tr>
<td>Dzangano ja phuraiVete</td>
<td>Fomo ya C</td>
<td>Khethhekanyo ya 53</td>
</tr>
</tbody>
</table>

Fomo dzni tea u wanala kha webusaithi dza dzangano ja tshitshavha na ja phuraiVete. Dzni nga dovha hafhu dza wanala kha ofisi ya vunē nga phuraiVete ku tshi umbulayo. Dzni dzvi tshi khou arali dzifhio na dzifhio nga nhoni ha dzangano a phuraiVete, (1) arali rekhode dzni khethe dza PAIA kha maṅwe madzangano a tshitshavha.

3.1 Ndi nnyi ane a nga ita khumbelo ya PAIA?

Muthu muṅwe na muṅwe o tendelwa u ita khumbelo nga fhasi ha PAIA. Muhumbeli a nga vha:

Muthu

» muthu ha tou tea u vha mudzulapo wa Afurika Tshipembe kana mudzuli kha ja Afurika Tshipembe

KANA

Muthu tshimulayo

» u fana na bindu kha dzangano

KANA

Muthu o imelaho muthu kana muthu tshimulayo

Muhumbeli u na pfanelo ya u swikela rekhode dzni re na mafhungo a vhunē a muhumbeli ene mūne, kana a muthu ane a khoudi tshi humbelo o imela ene.

Dzangano ja tshitshavha ji dzhīwa sa muthu tshimulayo naSongo ji nga ita khumbelo ya u swikela rekhode dzo farwaho nga madzangano a phuraiVete, fhedzi arali dzangano ja tshitshavha hu (1) ji tshi khou imela madzangalelo a tshitshavha, na (2) arali rekhode dzni tshi khou tshina u swikela kana u tsireledza pfanelo dzifhio na dzifhio nga nhoni ha dzino dzangano ja tshitshavha.

Ndi zwa ndeme u dzhīela nzhele uri PAIA a i shumeli mihasho ya muvhuso (hu tshi katekwa matavhi a lushaka, mavunē na mimasipala), na muthu uhfio na uhfio kana tshiimiswa tshina tsha vha na maanọ a kana u shuma mushumo u ya nga Mulayotewa, (u fana na Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe na Ofisi ya Mutsireledzi wa Tshitshavha), kana Mulayotewa wa vunē (u fana na Bodo ya Zwa Dzlaisentsi dza Zwikambi ya Western Cape), u ita khumbelo dza PAIA kha marwe madzangano a tshitshavha.
### 3.1.1 Ndi ḓadza hani fomo ya khumbelo ya PAIA?

Khumbelo ya u swikela mafungo o farwaho nga dzangano ja tshitshavha kana ja phurayivete i itwa nga u ḓadza fomo ya khumbelo ya PAIA na u i swikisa kha dzangano jo teaho. Khumbelo ya PAIA i tea u livhiswa kha Muofisiri wa zwa Mafungo, Mufarisa Muofisiri wa zwa Mafungo kana Ḽhoho ya dzangano ja tshitshavha kana ja phurayivete, nahone i tea u shumisa zwidodombozwa zwa vhukwamani zwone na u vha zwa zwino.

U engedza kha u ṋetshedza zwidodombozwa zwa dzangano jo teaho, fomo ya khumbelo ya PAIA yo dzudzanywaho i katela zwi tevhelaho:

<table>
<thead>
<tr>
<th><strong>MAFHUNGO A ṢOḒEAHO</strong></th>
<th><strong>_THANUTSHEDZO</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Zwidodombozwa zwa muhumbeli</td>
<td>Mafungo o linganaho nga ha muhumbeli u ita uri zwi leluwe u topola muhumbeli, hu tshi katełwa na zwidodombozwa zwa vhukwamani zwa muhumbeli, ċiresi ya imei, nomboro dza fakisi na/kana dza luĵingo fhano Afurika Tshipembe.</td>
</tr>
<tr>
<td>Zwidodombozwa zwa rekhole yo humbelwaho</td>
<td>Mafungo o linganaho nga rekhole ane a do ita uri zwi leluwe u i topola. Hu nga shumiswa Ċirwe bambilwa u nwa mafungo rekhole zwa khumbelo, tenda siahari Ċirwe na Ċirwe jo engedzwaho jo saunwa na u dzheniswa kha fomo ya khumbelo.</td>
</tr>
<tr>
<td>Ngilwa ya u swikela rekhole</td>
<td>Ṣhalutshedzo ya tshihumbeo kana ngila ine rekhole ya tea u ṋetshedzwa zwi leluwe u i ṭopola. Hu nga shumiswa Ċirwe batho se rekhode ane a ita uri zwi leluwe u i ṭopola.</td>
</tr>
<tr>
<td>Ngilwa ya u ċivhadza muhumbeli nga u swikela</td>
<td>Ngilwa ine vha go ċivhadza muhumbeli nga ha tsheo ya u nea kana u hana khumbelo.</td>
</tr>
<tr>
<td>Khetho ya luambo</td>
<td>Musi khumbelo yo ita kha dzangano ja tshitshavha, luambo lune vha takalela u wana rekhole ngalwo lu tea u ṋetshedzwa.</td>
</tr>
<tr>
<td>Vhukoni ha muthu a itaho khumbelo o tendelwaho</td>
<td>Musi khumbelo yo ita ho imelwa muthu muthu, vhutanzi vhu khwāṉisiertezo muthu ane a khou ita khumbelo vhu tea u ṋetshedzwa (u ċivhe a muthu a re na thendelo).</td>
</tr>
<tr>
<td>Pfanelo dzī kwameaho</td>
<td>Musi khumbelo yo ita kha dzangano ja phurayivete, muhumbeli u tea u sumbedza pfanelo ine ya kwamea na u Ṋalutshedza uri ndi ngandi rekhole i tshi khou tožea u itela u shumisa kana tsireledzo ya pfanelo yeneyo.</td>
</tr>
</tbody>
</table>

Vhahumbeli vha sa koni u vhala kana u nwa vha nga ita khumbelo nga u tou ambana Muofisiri wa zwa Mafungo kana Mufarisa Muofisiri wa zwa Mafungo wa dzangano ja tshitshavha, ane a vha na vhwiifhinduleli ha u ḓadza Fomo ya A o imela muhumbeli.
3.1.2 Naa hu na maitele ane a tea u tevhedzwa musi hu tshi itwa khumbelo ya PAIA?

Muhumbeli u tea u ńewa thendelo ya u swikela rekhode dzo humbelwaho, arali o tevhedza maitele a ḥoḓea dzi tevhelaho:

Khumbelo ya PAIA i tea u itwa kha fomo yone (Fomo ya A kha madzangano a tshitshavha, Fomo ya C kha madzangano a phuraivete), yo livhiswa kha Muofisiri wa zwa Mafhungo kana kha Mufarisa Muofisiri wa zwa Mafhungo wa dzangano ja tshitshavha kana ja phuraivete, kana kha Ḧoho ya dzangano ja tshitshavha kana ja phuraivete.

Fomo ya khumbelo ya PAIA i tea u iswa nga tshanḓa, u posiwa, u fakisiwa kana ya rumelwa nga imeiļi kha dzangano ja tshitshavha kana ja phuraivete he khumbelo ya itwa hone.

Rekhode dzo humbelwaho a dzi tei u ńa na ziiti isi zwa u lambiwa ngazwo zwo ķentshedzwa kha PAIA.

3.2 Ndi vhugai u ita khumbelo ya PAIA?

Vhahumbeli vha tea u badela tshelede musi vha tshi humbela u swikela rekhode u bva kha madzangano a tshitshavha na a phuraivete.

Tshelede ya u humbela rekhode u bva kha dzangano ja tshitshavha ndi R35, ngeno tshelede ya u humbela rekhode u bva kha dzangano ja phuraivete hu R50.

Ndi zwa ndeme u dzhiela nzhele zwa uri vhahumbeli vhane vha khou humbela u swikela mafhungo avho a vhure vha vhofhololwe kha u badela tshelede; fhedziha, vha kha ĵi kombetsshedzea u badela tshelede ya u swikela.

Vhahumbeli vha holaho tshelede ḥukhu kha R14, 712 nga ſwaha (arali vha songo mala) na R27,192 nga ſwaha (arali vho malwa kana vha tshi dzulisana na mufunwa wavho), a VHA tei u badela tshelede ya khumbelo.
3.2.1 Ndi vhagai u swikela rekhode dza PAIA?

Vhahumbeli vha dovha havhu vha kombetshedze u badela tshelede ya u swikela rekhode dza madzangano a tshitshavha na a phuraivete. Tshelede i badela mitengo ya u tšo tšo rekhode na u i kopa.

Tšhelede ya u swikela rekhode dza madzangano a tshitshavha ndi:

<table>
<thead>
<tr>
<th>MUSHUMO</th>
<th>TSHELEDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khophi ya siaṭari ja A4</td>
<td>60 cents</td>
</tr>
<tr>
<td>U ganḍisa kha siaṭari ja A4</td>
<td>40 cents</td>
</tr>
<tr>
<td>U kopa kha CD</td>
<td>R40</td>
</tr>
<tr>
<td>Ĺiṅwalo ja tshifanyiso kha siaṭari ja A4</td>
<td>R22</td>
</tr>
<tr>
<td>Khophi ya tshifanyiso</td>
<td>R60</td>
</tr>
<tr>
<td>Ĺiṅwalo ja mulaedza wo rekhodiwaho kha siaṭari ja A4</td>
<td>R12</td>
</tr>
<tr>
<td>Khophi ya mulaedza wo rekhodiwaho</td>
<td>R17</td>
</tr>
<tr>
<td>U tšo tšo na ndugiselö ya rekhode ine ya ḓo bulwa</td>
<td>R15 nga awara kana tshipidša tsha hone, hu sa katele wawara ya u thoma, i tšo tšo nga ndlila i pfeseseaho u itela u tšo tšo na u lugisela</td>
</tr>
</tbody>
</table>

Tšhelede ya u swikela rekhode dza dzangano ja phuraivete ndi:

<table>
<thead>
<tr>
<th>MUSHUMO</th>
<th>TSHELEDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khophi ya siaṭari ja A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>U ganḍisa kha siaṭari ja A4</td>
<td>75 cents</td>
</tr>
<tr>
<td>U kopa kha CD</td>
<td>R70</td>
</tr>
<tr>
<td>Ĺiṅwalo ja tshifanyiso kha siaṭari ja A4</td>
<td>R40</td>
</tr>
<tr>
<td>Khophi ya tshifanyiso</td>
<td>R60</td>
</tr>
<tr>
<td>Ĺiṅwalo ja tsipitshi kha siaṭari ja A4</td>
<td>R20</td>
</tr>
<tr>
<td>Khophi ya tsipitshi</td>
<td>R30</td>
</tr>
<tr>
<td>U tšo tšo na u lugisela rekhode ya u ḓo bulwa</td>
<td>R30 nga awara kana tshipidša tsha hone, hu sa katele wawara ya u thoma, i tšo tšo nga ndlila i pfeseseaho u itela u tšo tšo na u lugisela</td>
</tr>
</tbody>
</table>

Kha madzangano a tshitshavha na a phuraivete tshelede ya u posa i tea u badelwa nga muhumbeli uri rekhode dzawe dzi ḓo kona u rumelwa.
Phambuwi

Arali Muofisiri wa zwa Mafhungo, Mufarisa Muofisiri wa zwa Mafhungo, kana Šhoho ya dzangano ja tshitshavha/ phuraivete a tshi humbula uri khuvhanganyo na khophi dza manhwal wo zdi dzizhia tshifhinga tshi fhiraho awara dza rathi, u tea u ēvhadza muhumbeli, (nga ndivhadzio ya tshiofisi), uri tsha raru tsha tshelede ya u swikela i badelwa phanḓa sa diphosithi.

Arali rekhode i songo ṋetshedzwa nga tshivhumbeo tshe ya humbelwa ngatsho, tshelede ya u swikela ye ya ŋoŋwa kha muhumbel a i tei u ŋira tshelede ye ye va ya tshi ḇo ŋoŋwa arali u swikela ho ṋetshedzwa nga tshivhumbeo tshe ya humbelwa ngatsho. Fhedziha, mulayo uyu a u shumi arali tshivhumbeo tshiwe tshi tshi ŋoŋwa ngauri mafhungo a vho tea u bviswa u bva kha rekhode.

Arali muhumbeli a sa koni u vhala, u vhona kana u pf rekhode i kha tshivhumbeo tshe farwaho nga dzangano ja tshitshavha nga nthani ha u vha na vhuholefhal, dzangano ja tshitshavha ji kombetshedzea u ṋetshedza rekhode nga tshivhumbeo tshine tsha swikelela nga muhumbeli. Tshelede ya u swikela i ṋoŋwa u bva kha muhumbel a i tei u ŋira tshelede ye ye va ya tshi ḇo ŋoŋwa arali ho vha hu si na vhuholefhal.

3.3 Muofisiri wa zwa Mafhungo a nga nthusa ndi tshi ita khumbelo ya PAIA nää?

Musī khumbelo ya PAIA yo itwa kha dzangano ja tshitshavha, Muofisiri wa zwa Mafhungo kana Mufarisa Muofisiri wa zwa Mafhungo u tea u vha thusa musī vha tshi ḃadza fomo dza PAIA he zwa tea.

Thuso yo raliho i tea u ṋetshedzwa hu si na mbadelo.

<table>
<thead>
<tr>
<th>MISHUMO YA VHAOFISIRI VHA ZWA MAFHUNGO</th>
<th>THALUTSHEDZO</th>
</tr>
</thead>
<tbody>
<tr>
<td>U thusa muhumbeli musī a tshi ḃadza fomo ya PAIA</td>
<td>Musī khumbelo ya PAIA i sa tevhedzi ṭhoďe dzoŋhe dze dza dodombedzwa kha PAIA na kha fomo, Muofisiri wa zwa Mafhungo kana Mufarisa Muofisiri wa zwa Mafhungo a nga SI hane khumbelo. Madzuloni a izwo, Muofisiri wa zwa Mafhungo u tea u ēvhadza muhumbel, nga u tou ŋwala, uri u khou kundelwa u ṭetshedza khumbelo ngauri a yo ngo helela, a dovhe a ṭietshedzele u ḇo thusa muhumbel uri u ate tshanduko dzo teaho kha fomo. Arali muhumbel a sa khou fhindula vhurifhi kana u lulumisa fomo nga tšifhinga tshi ḃanganedzeaho, zwenezwo Muofisiri wa zwa Mafhungo a nga hana khumbelo.</td>
</tr>
<tr>
<td>U ṭetshedza muhumbeli mafhungo one he zwa tea</td>
<td>Arali zwi tshi nga pfesesea na u konadzea u zwi ita, Muofisiri wa zwa Mafhungo u tea u ṭetshedza muhumbeli maṅwe mafhungo o farwaho nga dzangano ja tshitshavha jine na jone jo tea khumbelo, naho hu na uri rekhode dzo vha dzi si tshipidzha tsha khumbelo ya u thoma.</td>
</tr>
<tr>
<td>U ḃhirisa khumbelo</td>
<td>Musī khumbelo ya PAIA yo rumelwa kha dzangano ja tshitshavha ji si jone, Muofisiri wa zwa Mafhungo wa dzangano ijo u tea u ḃhirisa khumbelo kha dzangano ja tshitshavha jone kha tšifhinga tsha maďuva a 14 a musi o ēvanganedza khumbelo nahone u tea u ēvhadza muhumbeli nga ha u ḃhirisela nga u tou ŋwala.</td>
</tr>
</tbody>
</table>
**Maḓuvha a 30 a u fhindula khumbelo**

Khumbelo ya PAIA i tea u fhindulwa nga dzangano ja tshitshavha kana ja phuraivete hu sa athu u fhela maṱlwva a 30 nga murahu ha musi ho ṭanganedziwa khumbelo. Muofisiri wa zwa Mafhungo a nga humbela u engedzelwa tshifhinga tsha maṱlwva a sa fhiiri maṱlwva o engedzwaho a 30, na ńri nga ṭḥani ha zwitiisi zwo tiwaho, zwine zwa katela khumbelo i re na

(1) vuljumu khulwane ya mańwalo, (2) vhuvhudzisi kha mańwe mazangano a tshitshavha kana a phuraivete, (3) kana arali muhumbeli o ṭetsheza thendelo ya u engedza nga u tou ŋwala. Hu tendelwa u engedza luthihi fhedzi kha khumbelo ya PAIA.

---

**U ṭetsheza kana u hana u swikela**

Ndi vhudifhinduleli ha Muofisiri wa zwa Mafhungo ha u ṭetsheza kana u hana u swikela rekhode. Tsheo iyi i tea u rumelwa kha muhumbeli yo tou ŋwalwa.

---

**Tshivhumbeo tsha u swikela, tshelede ya u swikela na thandululo**

Musi khumbelo ya PAIA yo ṭetshezwa, Muofisiri wa zwa Mafhungo u tea u ṭivhadza muhumbeli nga ha tshivhumbeo tshine u swikela ha do ṭetshezwa ngatsho na nga tshelede ya u swikela, ine ya do badelwa musi u swikela ho no ṭetshezwa. Ndhivhacho i tea hafhu u ṭivhadza muhumbeli uri u na pfanelo ya u ita aphlij ya nga ngomu na khumbelo ya khothe malugana na tshelede ya u swikela kana tshivhumbeo tshine u swikela ha do ṭetshezwa ngatsho. U engedza kha izwo, ndjivhacho i tea hafhu u ṭetshezwa mafhungo a tshifhinga tshine aphiļi kana khumbelo ya khothe ya tea u dzheniswa kha faela khatihi na maitele ane a tea u tevhelwa.

---

**U hana khumbelo**

Arali khumbelo ya PAIA yo ṭiniwa, ndjivhacho i rumelwaho kha muhumbeli i tea u bula zwitiisi zwa u hana, zwine zwa tea u tikedzwa nga mbetshelwa dzo teaho dza PAIA. U fana na tshivhumbeo kana u swikela na tshelede ya u swikela, ndjivhacho i tea u ṭetsheza muhumbeli mafhungo a elanaho na pfanelo yawe ya u aphlij tsheo kana faela khumbelo kha khothe.

---

**U fhirisela phanďa tshifhinga tsha u bvisa rekhode**

Muofisiri wa zwa Mafhungo a nga dzhia tsheo ya u fhirisela phanďa tshifhinga tsha u bvisa rekhode kha muhumbeli u ya nga Khethekanyo ya 24 ya PAIA, arali rekhode iyi yo livhiswa kha u ganjiswa kha maṱlwva a 90 kana arali rekhode i tshikombetshezeka nga mulayo uri i ganjiswe fhedzi i sa athu.

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PAIA i bula kha Khethekanyo dza 23 (ya dzangano ja tshitshavha) na 55 (ya dzangano ja phuraivete) uri arali Muofisiri wa zwa Mafhungo a tshi khou kundelwa u wana rekhode yenyeyo yo humbelwaho, kana hu tshi tendwa uri a iho, Muofisiri wa zwa Mafhungo u tea, nga murahu ha musi o no khwathisедza uri maga oṱhe a pfeseseaho a u wana rekhode o dzhiwa, u rumela afidavitithi kha muhumbeli ya u fha ndjivhacho ya uri rekhode dźi no khou ṭọğiwa a dźiho kana a dźi wanali.
3.4 Ndi thasululo dzifhio dza zwa mulayo dzine ndi nga dzi shumisa musi khumbelo yanga ya PAIA yo haniwa?

Muhumbeli u na pfanelo ya u dzhiya maga a mulayo a tshi dzhielana Muofisiri wa zwa Mafhungo, Mufarisa Muofisiri wa zwa Mafhungo, kana Ñhoho ya dzanganjo ja tshitshavha kana ja phurivate arali Muofisiri wa zwa Mafhungo o dzhiya tsheo ya u:

» Hanela u swikela rekhode
» Engedza tshiphunga tsha u fhindula khumbelo
» Ño đa tshelede ya khumbelo kana tshelede ya u swikela
» A ñetschedza u swikela kha rekhoedza kha tshiphumbone tsho fhambanaho na tshe tsha humbelwa.

Khethekanyo iyi i ño ñalutshedza thasululo dza mulayo dzine muhumbeli ane a tama u hanedza tsheo dza Vhaofisiri vha zwa Mafhungo a nga dzi shumisa.

3.4.1 Tshiko tsha thusokha madzangano a tshitshavha

Musi muhumbeli a songo takalela tsheo ye ya dzhiwa nga Muofisiri wa zwa Mafhungo wa dzanganjo ja tshitshavha, muhumbeli u na pfanelo ya u ita aphiḽi ya nga ngomu. Aphiḽi ya nga ngomu ka kateka muthu wa vhuimo ha n jáha a ño sedzulusa tsheo ya Muofisiri wa zwa Mafhungo a dzhiya tsheo ya u sumbedza u ri tsheo yo dzhiwa ndi yone kana a si yone. Arali muthu o faraho poso khulwane a themendela tsheo ya Muofisiri wa zwa Mafhungo, zwenezwo aphiḽi ya nga ngomu a a haniwa nahone tsheo ya u thoma i elanaho na khumbelo ya PAIA i ka khwathiisedzwa. Arali muthu wa vhuimo ha n jáha a sa themendele tsheo ya Muofisiri wa zwa Mafhungo, zwenezwo aphiḽi i a ñetschedzwa nahone tsheo ya u thoma i elanaho na khumbelo ya PAIA i a humiselwa murahu.

Ndi zwa ndeme u dzhiya nzhelenzhe zwa uri vha nga swikisa aphiḽi ya nga ngomu kha mihasho ya lusakha, vunđu na masipala. A hu na maitele a aphiḽi ya nga ngomu a shumaho kha maṅwe madzangano a tshitshavha.

Doro bo khulwane ya Cape Town ndi tsumbo ya muvhuso wa masipala une khawo aphiḽi ya nga ngomu a nga swikiswa. Vha Tshikwama tsha Khombo dza Badani ndi tsumbo ya dzanganjo ja tshitshavha line ja sa vhe tshipigga tsha muvhuso wa lusakha, vunđu kana wapo, sa afha tsho thomisa nga muvhuso (Mulayo wa Tshikwama tsha Khombo dza Badani), zwenezwoha aphiḽi ya nga ngomu a i koni u nga itwa khatsho.

3.4.1.1 Ndi nnyi ane a nga ita aphiḽi ya nga ngomu?

Muhumbeli a itaiko khumbelo ya PAIA kha dzanganjo ja tshitshavha ja lusakha, vunđu kana masipala a mbo ĩi hanelwa u swikela u na pfanelo ya u ita aphiḽi ya nga ngomu. Iziw zwi itwa nga u ḋadza Fomo ya B ya PAIA na u i ḋadza na dzanganjo ja tshitshavha ja lusakha, vunđu kana masipala. Khophi ya Fomo ya B i nga wanala kha webusaiithi ya madzangano o tehao ya dovha ya wanala kha ofisi iṅwe na iṅwe kha Khomishini ya Pfanelo dza Vhathu ya Afurika Tshipembe.

Arali aphiḽi ya nga ngomu i tshi kateka muthu wa vhuraru, dzanganjo ja muvhuso je ja ḧanganedza aphiḽi ya nga ngomu ĩi na vhugiifornindelela he u kwamva vhathu vha vhuraru vhôthe vho tehao. ḧoðea dza u ḋivhadza na u imela dzi a fana na idzo dzine dza ḧoðea kha khumbelo ya u thoma ya PAIA.

Vhathu vha vhuraru na vhone vha a tendelwa u ita aphiḽi ya nga ngomu kha tsheo yo dzhiwuho nga dzanganjo ja tshitshavha ya u ñetschedza u swikela rekhoedza yo tiwaho.
3.4.1.2 Ndi lini hune vha nga ita aphili ya nga ngomu?
Muhumbeli a nga ita aphili ya nga ngomu kha tsheo ya dzangango ja tsitshavha nga zwiitisi zwi tevhelaho:

- Muhumbeli a songo fushea nga tshelede i ṱoḓelaho ya khumbelo.
- Muhumbeli a songo fushea nga tsheo ya u ṋetshedza maḓuvha a 30 a muengedzo wa phindulo ya khumbelo kha dzangango ja tsitshavha.
- Muhumbeli a songo fushea musi tshivhumbeo tshine rekhole dza ṋetshedzwa ngatsho tshi sa fani na tshivhumbeo tshe tsha humbelwa, nahone muhumbeli a tshi tenda zwa uri zwo vha zwi nga si vhe muhwalo kha dzangango ja tsitshavha u ṋetshedza rekhole nga tshivhumbeo tshine muhumbeli a ṱoḓa tshone.

3.4.1.3 Ndi itisa hani aphiḽi ya nga ngomu?
Aphiḽi ya nga ngomu i tea u itwa nga muhumbeli hu sa athu u fhira maḓuvha a 60 musi o ṭanganedza u haniwa ha khumbelo ya PAIA ya u thoma. Izwi zwi itwa nga u ṭadzwa Fomo ya B na u i swikisa kha muhasho wa mvhuso wa lushaka, vunḓu kana wa masipala wo teaho.

<table>
<thead>
<tr>
<th>Mvhuso wa Lushaka</th>
<th>Arali khumbelo ya PAIA yo itwa kha muhasho wa lushaka, muhumbeli a nga ita aphili ya nga ngomu kha Minisita wa muhasho wonoyo.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mvhuso wa Vunḓu</td>
<td>Arali khumbelo ya PAIA yo itwa kha muhasho wa vunḓu, muhumbeli a nga ita aphili kha Muraḍo wa Khoro Ndaguli ya muhasho wonoyo.</td>
</tr>
<tr>
<td>Mvhuso wa Masipala</td>
<td>Arali khumbelo ya PAIA yo itwa kha muhasho wa masipala, muhumbeli a nga ita aphili kha Meyara wa masipala, kana mulangadzulo wa masipala, kana muṅwe muthu o tiwah o Khoro ya Masipala wo tiwah.</td>
</tr>
</tbody>
</table>

Fomo ya B i swikiswa kha Muofisiri wa zwa Mafhungo/Mufarisa Muofisiri wa zwa Mafhungo onoyo we a hana khumbelo ya u thoma, ane zwa zwino u kombetshedza u i isa kha muthu o faraho poso khulwane kha yawe.

NDI ZWAVHUḒI U ḒIVHA

Arali aphili i tshi ṱoḓa uri ndivhazivo i fhiwe muthu wa vhuraru (zwi amba uri, musi mafhungo a tshi katela mafhungo a vhunge a muṅwe muthu, khatihhi na mafhungo a tshiphiri, mafhungo a zwa vhunindudzi o tiwah, na mafhungo a vhughtesi a muthu wa vhuraru), zwenezwo aphili i tea u itwa hu sa athu u fhela maḓuvha a 30 nga murahu ha musi ndivhazivo yo bviswa.

Muhumbeli u tea u swikisa aphili ya nga ngomu kha Muofisiri wa zwa Mafhungo wa dzangano jo teaho nga poso, fakisi kana imeiši.

Aphili ya nga ngomu i tea u katela theri ya aphili ya nga ngomu, zwiiitisi zwa u tikedza aphili, na maṅwe mafhungo o teaho a ḓivhiwaho nga muthu a itaho aphili.

Arali muhumbeli a takalela u nga ḓivhazidza nga tsheo ya aphili ya nga ngomu nga ndila iṅwe, (nga nṱha ha phindulo yo tou ṭwalwaho), u tea u bula ndila ine a i takalela na u ṋetshedza maṅwe mafhungo o teaho.
3.4.1.4 Hu itea mini musi aphiljya nga ngomu i tshi itiwa nga murahu ha musi tshifhinga tsho randelwaho tsho fhira?

Musi aphiljya ya nga ngomu i tshi itwa nga murahu ha tshifhinga tsha maḏuvha a 60 tsho fhela, dzangano ja tshitshavha jo teaho ji tea u ṭanganedza aphiljya arali zwitisisi zwi pfalaho zwo itaho uri i itwe yo lenga zwa sumbedzwa. Musi dzangano ja tshitshavha jo teaho ji sa ṭanganedzi aphiljya ya nga ngomu yo itwaho u lenga, ji tea u ṭetsshedza njivhadzo kha muthu we a ita aphiljya.

3.4.1.5 Mitengo ya aphiljya dza nga ngomu ndi ifhio?

Muhumbeli ane a ita aphiljya ya nga ngomu u kambetsshedzea u badela ngomu ro randelwaho. Arali tshelele ya aphilj i tshi badelwa zwenezwo musu tshi itwa aphilj, tsheo u elanaho na aphilj ya nga fhiriselwa phando u swika tshelele i tshi badelwa.

**NDI NGA FÆLA KHUMBELO YA TSHEO YA DZANGANO LA TSHITSHAVHA KHOTHE NAA?**

Ee. Arali muhumbeli a songo bvelela kha aphiljya ya nga ngomu yaye na dzangano ja tshitshavha, kana arali dzangano ja tshitshavha jo hana u ṭanganedza aphiljya ya nga ngomu yo ḓaho u lenga, kana arali muhumbeli a na mbilaelo nga nḓilja ifhio na ifhio nga nṱhani ha tsheo yo dzhiwaho nga dzangano ja tshitshavha, muhumbeli a nga ita khumbelo kha khothe ya u thusiwa nga u ṭadza khumbelo hu sa aθhu u fhela maḏuvha a 30 o ṭanganedza tsheo. **Muhumbeli kana muthu waho vhuraru nga ita khumbelo kha khothe nga murahu ha maitele a aphiljya ya nga ngomu o no vhiniwa.**

3.4.2 Tshiko tsha thuso kha madzangano a phuraivete

Musi muhumbeli a songo fushea nga tsheo yo dzhiwaho nga ḓoho ya dzangano ja tshitshavha, sa tsumbo u hanela u swikela, u engedza tshelede ya u swikela, kana u engedza tshifhinga tshe a ḓe phindulo, muhumbeli a nga ita khumbelo ya u ṭhusiwa kha khothe ha sa aθhu u fhela maḏuvha a 180 musi o wana tsheo ye ya vhanga mbilaelo. Tsheo ya dzangano ja phuraivete i ḓo sedzuluswa nga khothe nahone hu ḓo dzhwiwa tsheo nga khothe ya uri u swikela hu u ṭetsshedza kana hai.

**BRUMMER V MINISIṬA WA MVELEDZISO YA MATSHILISANO**

Kha fhungo iji dzikhote dzo bula uri tshifhinga tshe a thoma tshe maḏuvha a 30 tshi re fhasi ha PAIA hune muhumbeli a nga ita khumbelo kha dzikhote arali a songo fushea nga tsheo ya Muofisiri wa zwa Maṱhungo we a sa kone u swikela ḓoṱhcea dza u shumela vhulamukanyi. Zwenezwo ho mbo gi ġi thisiya ja uri tshifhinga tsha maḏuvha a 30 tsho vha tshe si tshone nahone tshe tea u engedza tsha vha maḏuvha a 180. Khathulu iyi yo sumbedzwa kha Mulayo wa Tsireledzo ya Maṱhungo a Vhunu muswa une wa bula uri hu na tshifhinga tshe maḏuvha a 180 tshine vhahumbeli vha nga swikisa mbilaelo kha Mulauli wa zwa Maṱhungo, nga murahu u shumisa maitele a PAIA hu u itela u swikela rekhode ya vhuṅe.

U swikela milandu ya maṱhungo hu ḓo thetsheleswa kha Dzikhothe dza Madzhisiṭarata sa khothe ya u thoma, sa zwe zwa ṭetsshedza nga fhasi ha khethekanyo ya 79 ya PAIA na kha Khothe Khulwane.
3.4.3 Hu ḍo iteani kha mulandu wanga khothe?

Hu na khonadzeo dza mvelelo dzo vhalaho musi vha tshi isa mulandu wa PAIA khothe. Nga murahu ha u thetshelesa masia othe a fhungo, mutshimbizzi a tshimbidzaho mulandu u na maanđa a u ŋetsheza ndaela. Izwi zwi nga katela ndaela ine ya: (1) khwaṱhisedza, shandukisa, kana ya bvisa tsheo ya dzangano ja tshitshavha kana ja phuraivete zwi tshi elana na khumbelo ya PAIA; (2) i ŋoda dzangano ja tshitshavha kana ja phuraivete ji tshi dzhia jiga jo tiwaho kana u jitsha nyito yo tiwaho; (3) ya ŋetsheza ndaela ya u thivhelo, ndaela ya mulevho, thuso yo tiwaho, kana ndiliso; kana (4) ya ita khuwelelo ya mbadelo ya mitengo yeneyo.
Khethekanyo ya 4
Arali u swikela mafhungo hu tshi nga hanelwa

Khethekanyo iyi i katela:

4.1 U linganyisa pfanelo ya u swikela mafhungo na dzińwe pfanelo

4.2 Zwiitisi zwi kombetshedzaho na zwa u tou funa zwa u lamba u swikela

4.3 Zwiitisi zwa u lamba u swikela mafhungo zwo dodombedzwaho kha PAIA

4.4 Ndingo ya dzangalelo la tshitshavha
4.1 Arali u swikela mafhungo hu tshi nga hanelwa

Khethekanyo iyi i pets hedza manweledzo nga ha uri ndi lini hune u swikela mafhungo ha haniwa nga fhasi ha PAIA, na nyendedzi nga ha u shumisa milayo i tendelaho muofisiri wa zwa mafhungo uri a hane khumbelo. PAIA i dodombedza zwiitisi zwa 12 zwine ngazwo u swikela mafhungo hu nga haniwa nga muofisiri wa zwa Mafhungo wa dzangano ja tshitshavha kana ja phuraivete, zwiwwe zwa hone ndi zwa khombekhombe ngeno zwiwwe zwi zwa u tou funa (kha vha sedze khethekanyo ya 4.2. afha fhasi u itela marwe mafhungo). U engedza kha izwo PAIA i sika khethekanyo dza dzangalelo ja tshitshavha ine ya kunda zwiwwe zwiitisi zwa u hana u swikela mafhungo nga ndila i bevedzaho, arali dzangalelo ja tshitshavha kha mafhungo ja fhira nyofho. (kha vha sedze khethekanyo ya 4.4 afha fhasi u itela marwe mafhungo).

<table>
<thead>
<tr>
<th>U VHONA URI PFANELO YA U SWIKELA MAFHUNGO NA DziNWE PFANELO ZWI A LINGANA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MULAYONYANGAREDZI</strong></td>
</tr>
<tr>
<td><strong>PHAMBUWI</strong></td>
</tr>
</tbody>
</table>

42 Zwiitisi zwi kombetshedzaho na zwa u tou funa zwa u hanela u swikela mafhungo

PAIA i bula uri kha nyimele dziwwe mafhungo ha koni u nga bulwa nga muofisiri wa zwa mafhungo. Nga u pfufhiňiňa, zwiitisi zwi ita ho uri mafhungo a sa buliwe zwi elana na uri u buliwa ha mafhungo hu nga vhaisa u fhira u sa bulwa. Zwenezw PAIA yo dodombedza zwiitisi zwa 12 zwine ngazwo u swikela mafhungo hu nga hanelwa nga muofisiri wa zwa mafhungo wa dzangano ja tshitshavha kana ja phuraivete (zwiitisi izwi zwa 12 zwi do bulwa nga vhudalo kha khethekanyo ya 4.3 afha fhasi). Zwiwwe zwa izwi zwiitisi zwa u sa bulwa ndi zwa khombekhombe,zwi ambaho uri muofisiri wa zwa mafhungo ha tei u tendele u swikela mafhungo arali tshiňwe tsha zwiitisi zwa u hanela u swikela mafhungo tsha khombekhombe tshi tshi nga vha hone. Zwiwwe zwiitisi zwa u hanela u swikela mafhungo ndi zwine zwa dvheza sa u tou funa. Izwi zwi ambaho uri muofisiri wa zwa mafhungo a nga kana a sa bulu mafhungo. Zwenezw, muofisiri wa zwa mafhungo u tea u shumisa mihumbulo yawe musi a tshi dzhia tsheo ya bulu kana u sa bulu mafhungo. U tea u ita izwi nga u ŋola arali u bula zwi tshi nga vhaisa dzangano ja tshitshavha kana ja phuraivete u fhira u sa bulwa.
**MAIPFI A PAIA ANE VHA TEA U A DIVHA ...**

U itela u hanelwa ha khombekhombe, PAIA i shumisa ipfi "u tea".

U itela u hanelwa ha u tou funa, PAIA i shumisa ipfi "a nga".

Kha vha elelwe: Sa Muofisiri wa zwa Mafhungo vha tea u dzula vha sa khou dzhia sia musi vha tshi khou shumisa tshiitisi tsha u hanelu u swikela mafhungo. Vha songo dzhia sia. Kha vha fare vhathu nga njilja i fanaho!

### 4.3 Zwiiitisi zwa u hanela u swikela mafhungo

Sa zwe zwa ha bulwa afho njha hu na zwiiitisi zwo fhambanaho zwine ngazwo khumbelo ya u swikela mafhungo i nga kana ya tea u haniwa nga Muofisiri wa zwa Mafhungo wa dzangano ja tshitshavha kana ja phuraivete. Zwiiitisi izwi zwo dodombedzwa nga fh ski ha Ndima ya 4 ya Tshipi qa tsha 2 tsha Dzangano ja Tshitshavha, na Ndima ya 4 ya Tshipi qa tsha 3 tsha Dzangano ja Phuraivete kha PAIA.

#### 4.3.1 Tsireledzo ya phuraivesi ya muthu wa vhuraru

Muofisiri wa zwa Mafhungo wa dzangano ja tshitshavha kana ja phuraivete ha tei u tendela u swikela mafhungo a vhune a muthu, hu tshi katele na muthu o lovhaho (*u itela tšalutschedzo ya "muthu" kha vha sedze Maipfi a Vhuthogwa afho njha*). PAIA i bula uri u itela u tsireledza pfanelo ya phuraivesi ya muthu wa vhuraru ane a vha muthu, Muofisiri wa zwa Mafhungo u tea u sedza arali u nea mafhungo muhumbeli hu ambiwaho ngaok ‘zwi tshi də katele u bulwa mafhungo a vhune nga njilja i si ya vhuqdi’ (kha vha sedze khethhekanyo dza 34 na 63 dza PAIA).

Khethhekanyo ya 1 ya PAIA ɭetschedza tšalutschedzo yo tšangavhuwaho ya zwine mafhungo a katela “mafhungo a vhune”. I katela mafhungo a elanaho na vhudzekani, vhuma, na vhurereli, kathhihi na mašwalo a vhune, DNA, gangiso dza minwe, na nyimele hune dzina ja muthu ja vha ji kha rekhode.

Muofisiri wa zwa Mafhungo u tea hafru u sedza arali mafhungo a vhune hu ambiwaho ngaok a tshi wela fhahi ha khethhekanyo dzi tevhelaho dza mafhungo a vhune ane a nga bulwa:

- Mafhungo a vhune a muthu we a ṁe a phendelo ya uri mafhungo aya a bviswe;
- Mafhungo a vhune a muthu we a phendelo ya uri mafhungo aya a bviswe;
- Mafhungo a vhune a muthu we a phendelo ya uri mafhungo aya a bviswe;
- Mafhungo a vhune a muthu we a phendelo ya uri mafhungo aya a bviswe;

PAIA i ɭoɭa uri Vhaoa指引 vha zwa Mafhungo u bva kha vha Tshumelo dza Mbelo ya Afurika Tshipembe (SARS) vha sa bulwe mafhungo a vhune a muthelo na mbuelo, nga nnjani ha musi muhumbeli a tshi khou humbe la u swikela mafhungo awe ene vhune.
4.3.2 Tsireledzo ya mafhungo a vhuvhambadzi a muthu wa vhuraru

Vhaofisiri vha zwa Mafhungo vha madzangano a tshitshavha na a phuraivete vha tea u hana u swikela mafhungo arali u bvisa mafhungo ayo zwi tshi nga tshinyadza madzangalelo a zwa vhubindudzi kana masheleni a bindu. PAIA i vhea kha mutevhe mafhungo a zwa vhubindudzi a tevhelaho ane a nga si bulwe nga Muofisiri wa zwa Mafhungo:

» Zwiphiri zwa vhuvhambadzi;
» Mafhungo a masheleso, zwa vhuvubunduzi, saithifiki, vhutoĝesi kana thekinikala nga muthu wa vhuraru ane, arali o bviswa, a nga vhaïsa muthu wa vhuraru;
» Mafhungo e a ḓo netshedzwa hu na u fulufhela muthu wa vhuraru.

Naho hu na mulayo wo doweleloho wa u tsireledza mafhungo a khamphani, dzangano ja tshitshavha ji kombetschedzea u shuma nga njila i re khagala. Zwo di ralo hu tea u dzhielwa nzhele uri hu na dziriwe nyimele dzine mafhungo a zwa vhubinduzi a khamphani a nga bviswa.

U sa kalwelwa kha PAIA: Rekhode dza muthu wa vhuraru dzinze dza vha na mafhungo a elanaho na tsireledzo ya tshitshavha kana khombo kha mupho dzii tea u bviswa, naho hu na uri u bviswa ha mafhungo o raloho zwi tshi nga vhaïsa muthu wa vhuraru. Izwi zwi ita mafhungo a dzangalelo ja tshitshavha (kha vha sedze khethekanyo ya 4.4 afha fhasi).

4.3.3 Tsireledzo ya mafhungo a tshiphiri

PAIA i netshedza mbetshelwa ya uri muofisiri wa zwa mafhungo u tea u hana u swikela rekhole arali u bviswa ha rekhole zwi tshi ḓo amba u pfukiwa ha vhugifhindeleli ha vhugifulufheli ha muthu wa vhuraru u ya nga thendelano kana khonṱhiraka.

4.3.4 Tsireledzo ya tsireledzo ya muthu na ndaka

Khethekanyo iyi i bula uri muofisiri wa zwa mafhungo u tea u hana u swikela rekhole arali u bulwa ha rekhole hu tshi nga lavhelelwa u isa tsireledzo ya muthu kana ndaka kha tshiimo tshi si tshiphiri. Khethekanyo iyi i na pfanelo ya phuraivesi sa afha i tshi dzhielwa ntña vhutshilo ha muthu na ndaka yaye.

4.3.5 Tsireledzo ya mafhungo kha maitele a zwa mulayo

Ndiviho ya khethekanyo iyi i di u tsireledza mafhungo a tojeaho kha maitele a u kombetschedza zwa mulayo na mulayo. Khethekanyo iyi i dzhielwa nzhele miṅwe mulayo na laulaho khethekanyo dziriwe dzwa mafhungo. Kha nyimele ya khethekanyo iyi Mulayo wa Maitele a Vhutshinyi wa 51 wa 1977 u dzhielwa nzhele sa mulayo u laulaho rekhole dzii elanaho na maitele a beji na maithele a u kombetschedza mulayo. Tshiphiri hafhu, izwi zwi shuma kha rekhole dzinga vha dza tshiphiri u bva kha vhuvbelelizweni. Nga maṅwe maiphiri rekhole dzine dzwi dza wani, yaka mafhungo, nga nnjani ha muthu ane a vha na thendelo ya u swikela rekhole idzo, sa tsumbo ramilayo ane a vha na vhushaka na muthusiwa. Rekhode ifhio na ifhio i na vhushaka vhukati ha ramilayo na muthusiwa wawe yawe yo tsireledzwa fhasi ha khethekanyo ya 40 ya PAIA.

Naho hu na uri PAIA i a tjananedza u vha hone ha miṅwe mulayo na elanaho na ndangulo na u bulwa ha mafhungo na rekhole, kha nyimele hune mulayo wa hanela nga njila i sa pfai ya pfanelo dzwa u swikela mafhungo nahone zwi tshi hanedzana na mulayo ya u vha khagala na vhugifhindeleli, PAIA i ḓo vha nga ntña ha mulayo uyo.
4.3.6 Tsireledzo ya Mafhungo a Vhutoðesi
Muofisiri wa zwa Mafhungo wa dzangano ja tsitshavha kana ja phuraivete u tea u hana u swikela rekhole dzine dza vha na mafhungo a elanaho na vhutoðesi vhune ha vha kana ha dò itwa nga dzangano ja tshitshavha kana ja phuraivete jine ha khou ambwiwa ngalo kana muthu wa vhuraru. U hana uhu ha u swikela mafhungo hu kha nyimele dzine u bulwla ha rekhole zwa dò bvisela khagala vhutoðesi ha muthu wa vhuraru kana dzangano ja tshitshavha kana ja phuraivete, muthu kana tshiimiswa tshi itaho vhutoðesi, kana fhungo ja vhutoðesi kha nyimele i si yavhüdi (kha vha sedze kha khethekanyo ya 43 na ya 69 dza PAIA).

4.3.7 Mafhungo ane a nga hanelwa u swikela khao
Khethekanyo dzi tevhelaho dza mafhungo dzi elana na mafhungo ane Muofisiri wa zwa Mafhungo a nga hana u swikela, arali a tshi nga kona u kwawhisenda uri mafhungo ane ha khou ambwiwa ngao a wela fhasi ha khethekanyo dzi tevhelaho na uri a zwi ho kha dzangalelo ja tshitshavha u a bula (u itela u wana mafhungo manzhi nga ha khethekanyo ya dzangalelo ja tshitshavha kha vha sedze khethekanyo 4.4 afha fhasi).

4.3.7.1 Vhupileli, tsireledzo zwa Afurika Tshipembe na vhushaka na dzitshaka
Khethekanyo ya 41 ya PAIA i thoja muofisiri wa zwa Mafhungo a tshi dzhiela nzhele arali khumbelo ya mafhungo i tshi elana na mafhungo a tsireledzo ya Afurika Tshipembe. Muofisiri wa zwa Mafhungo a nga hana khumbelo arali a tshi nga kwawhisenda uri u bvisa mafhungo zwi dò vhea kha tshiimwo tshi si tshavhuqhi tsireledzo ya Afurika Tshipembe.

4.3.7.2 Dzangalelo ja Afurika Tshipembe kha ikonomi, masheleni na vhuvhambadzi
Khethekanyo ya 42 ya PAIA i thoja tsireledzo ya mafhungo a dzangano ja tshitshavha arali u bulwla hao hu tshi dò vhaisa tshiimo tsha ikonomi na masheleni zwa Riphabuljiki. Tshiitisi tshi tsha u hana ndi tou funa zwine zwa ambu uri Muofisiri wa zwa Mafhungo u dò tea u dzhiela nzhele fhungo ja uri madzangano a tshitshavha o maandaftadzwanga nga Mulayotewa wa Afurika Tshipembe uri a vhe na vhuvhifhenduleli kha Riphabuljiki, na uri ndi kha nyimele dzinwé thedzi hune mafhungo a nga haniwa. Zwiwë hafhu, Muofisiri wa zwa Mafhungo u dò tea u sumbedza uri u bulwla ha mafhungo ane a khou ambwiwa ngao zwi dò vhaisa madzangalelo a masheleni na ikonimi ya Afurika Tshipembe.

4.3.7.3 Mashumele a madzangano a tshitshavha
Khethekanyo ya 44 ya PAIAi pe Afurika Vhoafisiri vha zwa Mafhungo maanga a lamba u swikelwa ha rekhole arali zwi tshi dò tshiithisa mashumele a dzangano ja tshitshavha. Khethekanyo ya 44 yo ŋaunovhuwa, rekhole dzo vhala dzo nwalwaho fhasi ha mashumele dzo katela:

» Minetse ya mtangano;
» Rekhodo dzo re na ngeletshedzo kana mihumbulo;
» Rekhode dzo elanaho na zwu vhuvhudzisi na maňwe madzangano;
» Rekhode dzo elanaho na u vhumbiwa/sikiwa ha mbekanyamaitele kana themendelo.

4.3.7.4 “Khumbelo dzo si dza vhukuma kana dza sinyusaho, kana u isa zwiko kha zwithu zwi sa ri tshithu”
Muofisiri wa zwa mafhungo a nga hana khumbelo ya mafhungo arali a tshi vhona uri u shuma khumbelo zwi nga tshinya tshifhinga na u tambisa zwiko. U engedza kha izwo Muofisiri wa zwa Mafhungo a nga hana u swikela rekhole arali khumbelo i tshi vhonala sa i si na mushumo kana yo itwa nga muhumbeli a tshi itela u sinyusa kana hu u leva.
4.4 Dzangalelo ja Tshitshavha ŋi bva Phanda

Tsireledzo dzotše dzi ńetsixedzwaho mafhungo sa zwe zwa dodombedzwaho afho nthha dzii thudzelwa kule arali u bviswa ha mafhungo hu tshi ġo vhuedza tshitshavha. Nga nthila iyi ndingo ya dzangalelo ja tshitshavha i bva phanda ha zwingwe zwiitisi zwoţhe zwa u hana u swikela mafhungo.

Ndingo i tevhelaho i tea u shumiswa nga Muofisiri wa zwa Mafhungo wa dzangano ja tshitshavha kana ja phuraivete hu sa athu lambiwa u tendela u swikela mafhungo a welaho fhasi ha khethekanyo ya sa bula yo dodombedzwaho afho nthha. Arali nyimele idzi dzo swikelwa, mafhungo a tea u bulwa nga zwiitisi zwa dzangalelo ja tshitshavha.

Mafhungo a a sumbedza u pfukiwa ha mulayo nga maanja naa?

**KANA**

Rekhode hu no khou ambəwa nga hadzo dzii mafhungo a elanaho na khombo kha tsireledzo ya tshitshavha i re tsini na u itea na u vha khulwane kana vhupo naa?

**NA**

Dzangalelo ja tshitshavha musi hu tshi ambululwa mafhungo ji fhira tshinyalelo ine ya nga vha hone nga kule naa?
KHETHEKANYO YA 5

Rifarentsi dza ndeme na manwe mafhungo a vhuthogwa

Khethhekanyo iyi i katela:

5.1 Mutevhe wa rifarentsi dza ndeme dzo shumiswa hu tshi kuvhanganywa Nyendedzi iyi ya PAIA, hu tshi katelwa na milayo

5.2 Mutevhe wa zwiwe zwiko zwa vhuthogwa zwa PAIA
5.1 Rifarentsi dza vhuthogwa

<table>
<thead>
<tr>
<th>TSHIKO</th>
<th>MUṲWALI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Promotion of Access to Information Act 2 of 2000</td>
<td>Vhusimamilayo</td>
</tr>
<tr>
<td>Protection of Personal Information Act 4 of 2013</td>
<td>Vhusimamilayo</td>
</tr>
<tr>
<td>PAIA Unpacked (available at <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>PAIA Resource Kit (available at <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
<td>SAHA</td>
</tr>
<tr>
<td>The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (available at <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Community Tool Guide (available at <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
<tr>
<td>PAIA Frontline Staff Manual (available at <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
<td>SAHRC</td>
</tr>
</tbody>
</table>

5.2 Milayo ya PAIA

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>DATUMU</th>
<th>ŒHOHO NA ŒHALUTSHEDZO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice: No. R. 187</td>
<td>15 Luhuhi 2002</td>
<td>Khwiṋiso kha PAIA malugana na Khethekanyo ya 10 ya Nyendedzi khatihi na u wanalea ha bugupfarwa dza PAIA.</td>
</tr>
<tr>
<td>Government Notice No. R. 466</td>
<td>1 Fulwi2007</td>
<td>I katela fomo dzine Vhaofisiri vha zwa Mafhungo vha tea u tevhedza musi vha tshi ganḓisa nḓivhadzo dza u bula nga u tou funa u ya nga khethekanyo ya 15 na ya 52 dza PAIA.</td>
</tr>
</tbody>
</table>
5.3 Khwiṋiso ya PAIA

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>DATUMU</th>
<th>ŬHOHO NA ŬHALUTSHEDZO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice No. 428</td>
<td>31 Thafamuhwe 20004</td>
<td>Khwiṋiso kha khethekanyo ya 92(4) ya PAIA u itela uri i interophodza mbetshelwa ya Vhutshinyi na Ndaṱiso kha vhathu vhane vha thithisa vho diimisela khumbelo ya muhumbeli wa mafhungo, sa tsumbo, nga u tshinya dzirekhode.</td>
</tr>
<tr>
<td>Government Notice No. 96</td>
<td>15 Phando 2003</td>
<td>Khwiṋiso kha PAIA uri i interophodza vhugudisi ha vhatshimbidzi kha Khothe dza Madzhisijaraṭa u itela uri vha interophodse ka mafhungo a PAIA.</td>
</tr>
<tr>
<td>Government Notice No. R. 187</td>
<td>15 Luhuhi 2002</td>
<td>Khwiṋiso kha PAIAmalugana na Khethekanyo ya 10 ya Nyendedzi iyi khathihi na u wanalela ha bugupfarwa dza PAIA.</td>
</tr>
</tbody>
</table>

5.4 Khwiṋiso kha Milayo ya PAIA

<table>
<thead>
<tr>
<th>GOVERNMENT NOTICE</th>
<th>DATUMU</th>
<th>ŬHOHO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Notice: No. 1263</td>
<td>11 Lambamai 2003</td>
<td>Ngįvhadzo i elanaho na u wanalela ha bugupfarwa dza PAIA dza madzangano a phuraivete.</td>
</tr>
</tbody>
</table>

5.5 Zwiṅwe zwiko zwa ndeme zwa PAIA

1) Using PAIA to Promote Housing Rights, SAHA (i wanala kha www.saha.org).
2) Accessing Information for Your Community, SAHA (i wanala kha www.saha.org).
3) Accessing Information in the LGBTI Sector, SAHA (i wanala kha www.saha.org).
Nyendedzi Ya U Shumisa Mulayo Wa hušhuwedzo Ya U Swikela Mafhungo Wa 2 Wa 2000
XILETELO XA MATIRHISELO YA NAWU WA NKONDLETELO WA MFIKELELO WA VUXOKOXOKO WA 2 WA 2000

Webusayiti: www.sahrc.org.za
Imeyili: info@sahrc.org.za
Thwitara: @SAHRCommission
Feyisibuku: SAhumanrightscommission
Youtube: SAHRC1
Vuxokoxoko bya Vutihlanganisi bya Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga

Tihofisinkulu Joni
Riq: 011 877 3600 • Fekisi: 011 403 0684

Kapa-Vuhumadyambu Port Elizabeth
Riq: 043 722 7828 • Fekisi: 043 722 7830

Free State Bloemfontein
Riq: 052 447 1133 • Fekisi: 051 447 1128

KwaZulu-Natal Durban
Riq: 031 304 7323/4/5 • Fekisi: 031 304 7323

Limpopo Polokwane
Riq: 015 2913500 • Fekisi: 051 291 3505

Mpumalanga Nelspruit
Riq: 013 752 8292 • Fekisi: 013 752 6890

Kapa-N’walungu Upington
Riq: 054 332 3993/4 • Fekisi: 054 332 7750

North West Rustenburg
Riq: 014 592 0694 • Fekisi: 014 594 1089

Kapa-Vupeladyambu Kapa
Riq: 021 426 2277 • Fekisi: 021 426 2875
Ku kuma matwisiselo ya Xiletelo xa PAIA

Xiyenge xa 1
Manghenel eka Xiletelo xa PAIA

Xiyenge xa 2
Laha u nga sungulaka kona ku kuma vuxokoxoko lebyi u byi lavaka

Xiyenge xa 3
Maendlelo ya xikombelo xa mfikelelo wa vuxokoxoko

Xiyenge xa 4
Nkarhi lowu mfikelelo wa vuxokoxoko wu nga /wu nga ha ariwaka

Xiyenge xa 5
Swiyelaniso swa nkoka na swipfuno ku kuma vuxokoxoko byo yisa emahlweni

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<th>MATHEME</th>
<th>NHLAMUSELO</th>
</tr>
</thead>
</table>
| **Hakelo ya mfikelelo** | Leyi i hakelo leyi faneleke ku hakeriwa hi mhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo lowu eka wona u lavaka vuxokoxoko, ku fikelela thakelo ta ku kuma na ku kandziiyisa tirhekodo leti u tilavaka.  
(Ku kuma vuxokoxoko byo tala hi thakelo ta mfikelelo vona Xiyenge xa 3 xa Xiletelo (exi)). |
| **Fomo ya A** | Yi kumeka eka webusayiti ya Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga, na le ka tiwebusayiti ta mhlangano yin’wana yo hambanahambana ya vaaki/mfumo. Fomo leyi yi tirhisiwa ku kumbela mfikelelo lowu wu khomiweke hi mhlangano wa vaaki/mfumo.  
(Ku kuma vuxokoxoko byin’wana eka Fomo ya A na swikombelo swa mfikelelo wa vuxokoxoko eka mhlangano ya vaaki/mfumo vona Xiyenge xa 3 xa Xiletelo (exi)). |
| **Fomo ya C** | Yi kumeka emakumu ka PAIA, eka webusayiti ya Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga, na le ka tiwebusayiti ta tikhamphani tin’wana to hambanahambana leti nga riki ta vaaki/mfumo. Fomo leyi yi tirhisiwa ku kumbela mfikelelo wa vuxokoxoko lebyi byi khomiweke hi mhlangano lowu nga riki wa vaaki/mfumo.  
(Ku kuma vuxokoxoko byin’wana eka Fomo ya C na swikombelo swa mfikelelo wa vuxokoxoko eka mhlangano leyi nga riki ya vaaki/mfumo vona Xiyenge xa 3 xa Xiletelo (exi)). |
| **Xiletelo** | Swi vula Xiletelo lexa PAIA lexi xi hlengeletiweke na ku kandziiyisiwa hi Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga, tanihilaha swi lulamiseriweke hakona eka Xiyenge xa 10 xa PAIA, ku pfuna vanhu hi ku tirhisa na ku twisisa PAIA. |
| **Muofisiri wa Vuxokoxoko na Xandla xa Muofisiri wa Vuxokoxoko** | Muofisiri wa Vuxokoxoko (mikarhi yin’wana loyi a vuriwaka IO) i munhu loyi a pfumeleriweke hi mhlangano lowu khumbekaka ku tirhana na swikombelo swa PAIA. Eka mhlangano wa vaaki/mfumo loyi i munhu loyi a nga murhangeri wa mhlangano kumbe loyi a khomelaka tanhi murhangeri wa mhlangano. Kutan i ka masipala ku ta va mulambisi wa masipala; eka ndzawulo ya rixaka ku ta va Mulawuri-Jenerali; eka mhlangano wo tanhi Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga ku ta va CEO. |
| **Aphili ya le Ndzeni (Fomo ya B)** | Vakomberi va ta tirhisa Fomo ya B ya PAIA ku aphila xiboho lexi xi endliweke ntsena hi swiyenge swa mfumo wa rixaka, wa swifundzankulu na wa timasipala mayelana na mfikelelo wa vuxokoxoko.  
(Ku kuma vuxokoxoko byin’wana eka tiaphili ta le ndzeni vona Xiyenge xa 3 xa Xiletelo (exi)). |
Ntlawa wa vanhu
Khamphani kunbe nhlangano lowu wu voniwaka hi naiwu tanihia ndlala rin’we kunbe ‘munhu’ loyi a nga na timfanelo na vutihlamuleri.

Holobyè
Laha ku vulavuriwaka hi Holobyè swi fambelana na Holobyè wu Vulumbi na Nhluvukiso wu Vumbi na Mitirho ya Makhoto.

Munhu wa ntumbuluko
Munhu wa xivirè, ku nga ri munhu wa xinawu kunbe ntlawa wa vanhu wo tanihia khamphani (vona ntlawa wa vanhu laha laha henhla).

Nhlangano lowu nga riki wa vaaki/mfumo
(Nakambe wu vuriwaka khamphanè leyi nga riki ya vaaki/mfumo, nhlangano), Lowu i munhu wa ntumbuluko kunbe ntlawa wa vanhu kunbe xinakulobyè lexi xi khumbekaka kunbe xi khumbekkeke eka vubindzuriyi byihi kunbe byihi, bindzu kunbe ntihiro naswona ku nga ri ntsena eka xiymialo xolelo.

Nhlangano wa vaaki/mfumo
(Nakambe lowu wu vuriwaka khamphanè leyi nga riki ya vaaki/mfumo, ndzawulo), Leyi i ndzawulo yhi kunbe yhi kunbe nhlangano wa swiyenge swa mfumo wu rixaka, wa swifundzankulu na wa miganga. Nakambe wu katsa mihlangano yhi kunbe yhi leyi yi tirhaka ntihiro kunbe vutihlamuleri bya mfumo hi nkarhi lowu rhekodo leyi khumbekaka yi tumbuluxiweke hawona.

Rhekodo
Vuxokoxoko byihi kunbe byihi lebyi kandziyisisweke ku karhi ku nga tekeriwi enhlokweni xivumbeko, ku katsa, tanihia xikombelo, timatheriyali ta vhiidy sw.sw. Rhekodo leyi komberiwaka kusuka eka nhlangano wa vaaki/mfumo kunbe lowu nga riki wu vaaki/mfumo swi ta vula rhekodo leyi a yi ri emavokweni ya nhlangano wawalo ku karhi ku nga tekeriwi enhlokweni loko nhlangano wawalo wu ri wona wu tumbuluxiweke rhekodo leyi.

Hakelo ya xikombelo
Hakelo leyi yi faneleke ku hakeriwa ku endla xikombelo xa mfikelelo wu vuxokoxoko. Eka xikombelo xa vuxokoxoko xo ya eka nhlangano wa vaaki/mfumo ku na hakelo leyi vekweke ya R35; eka xikombelo xa vuxokoxoko xo ya eka nhlangano lowu nga riki wa vaaki/mfumo ku na hakelo leyi vekweke ya R50.
(Ku kuma vuxokoxoko byin’wana eka tihakelo ta xikombelo na mpfumelelo wa ku nga hakeli vona Xyenge xa 3 xa Xiletelo lexi).

Mukomberi
Mukomberi i munhu wa ntumbuluko kunbe ntlawa wa vanhu lowu wu endlaka xikombelo xa mfikelelo wu vuxokoxoko hi ku yimela munhu un’wana wo karhi.

Vandla leri nga riki n’wini
Leswi swi vula munhu wa ntumbuluko kunbe ntlawa wa vanhu lowu nga riki mukomberi wa vuxokoxoko, naswona a hi nhlangano lowu xikombelo xa vuxokoxoko xi endlwaka eka wona
Nxaxamelo wa maritonkomiso

Maritonkomiso lama landzelaka ya kumeka eka Xiletelo lexi na swipfuno swin’wana leswi hakanyingi swi tirhisiwaka swa PAIA:

<table>
<thead>
<tr>
<th>DIO</th>
<th>Xandla xa Muofisiri wa Vuxokoxoko</th>
</tr>
</thead>
<tbody>
<tr>
<td>IO ODAC</td>
<td>Muofisiri wa Vuxokoxoko</td>
</tr>
<tr>
<td></td>
<td>Senthara ya Vutsundzuxi ya Xidemokirasi lexi Pfulekeke</td>
</tr>
<tr>
<td>PAIA</td>
<td>Nawu wa Nkondletelo wa Mfikelelo wa Vuxokoxoko wa 2 wa 2000</td>
</tr>
<tr>
<td>PPIA SAHA</td>
<td>Nawu wa Nsirhelelo wa Vuxokoxoko bya Munhu wa 4 wa 2013 Tiakhayivhi ta Matimu ya Afrika-Dzonga</td>
</tr>
<tr>
<td>SAHRC</td>
<td>Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga</td>
</tr>
</tbody>
</table>
Xiyenge lexi xi katsa:

1.1 Xikongomelo xa Xiletelo lexa PAIA

1.2 Matimu ya PAIA

1.3 Xikongomelo xa PAIA na matirhiselo ya yona

1.4 Ntirho wa Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga
1.1 Xikongomelo xa Xiletelo lexa PAIA

Xiletelo lexi xi nyikaka vuxokoxoko hi Nawu wa Nkondletelo wa Mfikelelo wa Vuxokoxoko wa (PAIA) 2 wa 2000. Xiletelo lexa PAIA xi ta pfuna vanhu eku endla swikombelo swa vuxokoxoko ehansi ka PAIA; na ku nyika swikombiso swa hilaha PAIA yi tirhisiweke hakona eka nkarhi lowu nga hundza ku antswisa timfanelo ta ximunhu. Yi endla leswi hi ku nyika:

» Nyatsakanyo wo olova ku twisisa wa PAIA
» Swithemuphemu swa hilaha PAIA yi nga tirhisiwaka hakona ku antswisa timfanelo tin’wana ta ximunhu
» Nxaxamelo wa mixaka ya vuxokoxoko lebyi byi nga komberiwaka hi ku tirhisa PAIA
» Xiletelo xa goza-hi-goza xa matirhiselo ya PAIA ku endla xikombelo xa vuxokoxoko
» Nyatsakanyo ya tidyondzo leti ti dyondziweke kusuka eka xikombelo xa nkarhi lowu nga hundza xa vuxokoxoko na milandzu ya khoto ya PAIA

1.2 Matimu ya PAIA

Loko Vumbiwa bya Afrika-Dzonga byi pfapfarhutiwile eka nkarhi lowu landzelaka kuwa ka Xihlawuhlawu hiva1990, mihlangano yo hambanahambana na vanhu va lulumisile mapfumba ya ku katsiwa ka mfanelo ya mfikelelo wa vuxokoxoko. A ku languteriwa leswaku ku katsiwa ka mfanelo leyi eka Tsalwa ra Timfanelo – Kavanysa ka 2 ka Vumbiwa – swi ta tiyisisa leswaku mixaniso yo tanhi Xihlawuhlawu yi nga ha tshuki yi ku kosa tanihilesi mfumo na tikhamphani leti nga riki ta vaaki/mfumo a ti ta boheka ku endla himukhuva wa vutihlamuleri na nkavuciva hi ku nyika mfikelelo wa vuxokoxoko, naswona hikokwalaho, a ti nga ta kota ku tumbela hipapa ra xihundla.

Hi 1996 Vumbiwa wa Riphabiluliki ya Afrika-Dzonga byi sungule ku tirha. Xiyenge xa 32 xi hlayisile mfanelo ya mfikelelo wa vuxokoxoko lebyi byi khomiweke hi havumbirhi bya mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo. Leswi, hi nkarhi wa kosa, a swi ri xiphemu xa Nawu emisaveni lexi xi engeteleke mfanelo ya mfikelelo wa vuxokoxoko ku fika eka vuxokoxoko lebyi byi khomiweke hi mihlangano leyi nga riki ya vaaki/mfumo. Xiyenge xa 32 xi tihele xi vula leswaku milawu yi fanele ku pasisiwa leyi nga humelerisa mfanelo ya mfikelelo wa vuxokoxoko ku koxometa tindlela leti hatona voxumeta vuxokoxoko kusuka eka mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo byi nga ta hlahluviwa, na hi ku nyika vuxokoxoko byin’wana hi swivangelo leswi ehansi ka swona mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo yi nga ta kota ku ala mfikelelo wa vuxokoxoko.

Hi 2000 Nawu wa Nkondletelo wa Mfikelelo wa Vuxokoxoko (PAIA) ekuheteleleni wu vile nawu, swi karhi swi humelerisa xipimelo xa Xiyenge xa 32 xa Vumbiwa xa ku pasisiwa ka Nawu wa mfikelelo wa vuxokoxoko.

1.3 Xikongomelo xa PAIA na matirhiselo ya yona

Xikongomelo xa PAIA i ku kondletela mfanelo ya mfikelelo wa vuxokoxoko, ku hlohlotela mfuwo wa nkavuciva na vutihlamuleri eAfrika-Dzonga. Ku yisa emahlweni PAIA yi na xikongomelo xa ku khutaza xidemokirasi lexi pfulekeke laha vanhu kusuka eka sivjimho hinkwaswo swa vutomi na haveixerisikwa matimba ya ku vulavurisana na mfumo na ku nghenelela eka swiboho leswi swi khumbaka vutomi bya vona.

Mfanelo ya mfikelelo wa vuxokoxoko i mfanelo leyi nga faniki na yin’wana tanihilesi yi kotisaka ku humelerisiwa ka timfanelo tin’wana ta ximunhu: leyi ya yin’wana ya tindlela ta nkoka swinene leti PAIA yi nga tirhisiwaka eka tona.
Mphakelo wa vukorhokeri bya mfumo

» PAIA yi nga tirhisiwa ku havezerisa vanhu hi vuxokoxoko lebyi habyona va nga endlaka leswaku mfumo wu tihlamulela eka mphakelo wa wona va vukorhokeri bya masungulo byo tanihi tiyindlu, mati na nkululo.

Timfanelo leti nga eka vumbiwa ta vaaki na ta xipolitiki

» PAIA yi nga tirhisiwa ku hlenegeta vuxokoxoko lebyi vanhu va nga byi tirhisa ku tirhisa timfanelo to tanihi mfanelo ya ku vhota na mfanelo ya ku va na ntshunxeko wa ku hleneletana.

Xihlawuhlawu na Ndzingano

» PAIA yi nga tirhisiwa tanihi xitirho xo seketela ku lwisana na xihlawuhlawu, xo tanihi xihlawuhlawu ku ya hi ngehohe, rimbewu, sw.sw., eka mihlago yo hambanahambana ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo.

I swa nkoka ku tekela enhlokweni leswaku PAIA a yi nge koti ku tirhisiwa ku kuma tirhekodo ku va ti tirhisiwa eka vumangalelani bya xinawu bya mikwetlembetano na bya vugevenga, ku katsa na le ndzhaku ka ku sungula ka vumangalelani byolebyo, na loko nkandziyiso kumbe mfikelelo wa rhekodo leyi hi xikongomelo xo fana wu sirheleriwile hi nawu (Vona Xiyenge xa 7 xa Nawu lowu).

1.4 Ntirho wa Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga

Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga (SAHRC) yi lerisiwile eha ka PAIAku:

» Kondletela mfanelo ya mfikelelo wa vuxokoxoko

» Veka tihlo eka matirhiselo ya PAIA hi mihlango yo hambanahambana ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo

» Endla swibumabumelo ku tiyisa Nawu lowu

» Vikela Palamende lembe na lembe

Nawu wa Nsirhelelo wa Vuxokoxoko bya Munhu

Nawu wa Nsirhelelo wa Vuxokoxoko bya Munhu wa 4 wa 2013 (PPIA) wu cinca PAIA hi tindlela to tala. Yin’wana ya tindlela ta nkoka leti hatona Nawu lowu wu cinca PAIA yi fambelana na ntirho wa SAHRC. Ehansi ka PPIA mitirho ya SAHRC hi ku ya hi PAIA yi ta hundziseriwa eka Mulawuri wa Vuxokoxoko, nhlango lowuntshwa lowu tiyimelaka lowu wu nga ta tumbuluxiwa ku veka tihlo eka havumbirhi bya PPIA na PAIA, na ku tirhana na swivilelo leswi swi fambelanaka na mfikelelo wa vuxokoxoko na nsirhelelo wa vuxokoxoko bya munhu.

Hambiswiritano, SAHRC yi ta tama ya ha ri na vutibohelebyo bya yona lebyi nga eka Vumbiwa bya ku kondletela, ku sirhelela na ku veka tihlo mfanelo ya mfikelelo wa vuxokoxoko tanihileswi swi nga xiswona eka timfanelo hinkwato letin'wana leti hlayisiweke eka Tsalwa ra Timfanelo.
## Xiyenge lexi xi katsa:

| 2.1 | Laha u nga kumaka kona swiletelo na tibukumpfuno leti tirhisekaka ku ku pfuna eka ku endla swikombelo swa vuxokoxoko |
| 2.2 | I mani loyi u nga tihlanganisaka na yena ku kuma ku pfuneka loko u tshuka u lava swihi kumbe swihi |
| 2.3 | Leswi mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo yi lavekaka ku endla swona ku pfuna valavi va vuxokoxoko |
| 2.4 | Vuxokoxoko byin’wana bya kumeka xikan’wekan’we handle ko fanela ku endla xikombelo xa ximfumo, xiyenge lexi xi ta nyika nkatsakanyo wa laha leswi swi nga fikeleriwaka kona |
2.1 Ku tilulamisela ku sungula

Xikongomelo xa PAIA i ku kondletela hindlela ya nkhinkhi rixaka leri vanhu va Afrika-Dzonga va nga na mfikelelo lowu vuysteriska wa vuxokoxoko ku va kotisa ku tirhisa hi vutalo na ku sirhelela hinkwato ta timfanelo ta vona. Kambe mikarihi yin’wana munhu a nga ha kanakana hi laha a faneleke ku sungula kona na hilaha a nga endlaka hakona ku fikelela vuxokoxoko hi ku landza PAIA. PAIA yi vhumba xiphipo lexi naswona hintiyiso yi lerisa leswaku swiletelo swo karhi na tibukumpumo swi kandziyisiswa ku kunguhata maendlelo yo yisa emahlweni ya valavi va vuxokoxoko. Xiyenge lexi xi ta nyika nkatsakanyo wa swiletelo leswi na tibukumpumo, vutihamuleni bya vakandziyisisiwa va swiletelo leswi na timbukumpumo lesti, na, swa nkoka ku tlula hinkwato, laha va nga ti kumaka kona.

Hakunene, xin’wana xa switirho swa matimba swinene leswi munhu a nga swi tirhisaka ku kuma mfikelelo wa vuxokoxoko i xikombelo xa ximfumo xa vuxokoxoko lexi xi endliwaka hi ku landza PAIA, lexile xiletelo lexi xi nga ta ku pfuna hi swona. Kambe tsundzkuka, leyi a hi ndlela yi ri yoxo leyi hayona u nga landzelerisaka vuxokoxoko. Vuxokoxoko byin’wana bya kumeka xikan’wekan’we handle ko endla xikombelo xa ximfumo xa PAIA. Eka swiyimwo swi’wana, nau hintiyiso wu lava havumbirhi bya mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo ku paluxa vuxokoxoko byo karhi eka mani na mani. Xiyenge lexi xi tihele xi nyika nkatsakanyo wa laha vuxokoxoko lebyi byi nga kumeka kona.

Nawu wa Nkondletelo wa Mfikelelo wa Vuxokoxoko wu languteriwa ku va xiphemu xa milawu lexi havekerisa matimba lexi xi pfuna Maafrika-Dzonga hinkwavo. Xi endleriwa ku va nawu lowu wu olakwa ku ku twisisa naswona lowu munhu un’wana na un’wana a nga kotaka ku ku tirhisa. Munhu a nga lavi gqwetha ku endla xikombelo xa vuxokoxoko hi ku landza PAIA. Xile lexi xi kandziyisisiwa ku endlela ku pfuna Maafrika-Dzonga kusuka eka swiyimwo hinkwato wu vutomi ku kondletela mfanelo ya vona leyi hlaisiweke eka vumbiwa ya mfikelelo wa vuxokoxoko.

2.2 Xile lexi xa PAIA

Xiyenge xa 10 xa PAIA xi lava leswaku Khomixini yi hlenelele na ku kandziyisika xiletelo lexi tirhisekaka hi ku olova eka ku fikelela tirhekodo na tidokhumente na ku tirhisa mfanelo ya munhu ku kuma vuxokoxoko. Xiletelo lexi mikarhi yin’wana xi vuriwa ‘Xiletelo xa Xiyenge xa 10’.

Xi ku nyika vuxokoxoko hinkwabyo lebyi u byi lavaka ku fikelela tirhekodo tihi kumbe tihi. Nakambe xi xamameta vuxokoxoko bya vuthilanganani bya tindzawulo ta mfumo na mihlangano leyi hlaisiwa tirhekodo ta mfumo, xikan’we na vuxokoxoko bya vuthilanganani bya tikhamphani leti nga riki ta vaaki/mfumo to hambanahambana.

2.2.1 Laha xiletelo lexi xi nga kumekaka kona

Xiletelo lexi xa kumeka hi tindzimi hinkwato ta ximfumo ta Afrika-Dzonga: Xinghezi, Xi bunu, Xindhevelo, Xiqhobo, Xizulu, Xipedi, Xisuthu, Xiswana, Xiwazi, Xivhenda na Xitsonga. Xikandziyiso ya xiletelo lexi yi nga kumeka eka tihofisinkulu na tihofisi hinkwato ta swifundzankulu ta Khomixini (vuxokoxoko bya vuthilanganani bya tihofisi byi nga kumeka emakumu ka Xiletelo lexi). Hi ku engetela, tikhopi ta xilekitiromiiki ta kumeka eka webusayiti ya Khomixini (www.sahrc.org.za).
2.3 Tibukumpfuno ta PAIA

Hi ku engetela eka Xiletelo xa Xiyenge xa 10 xa PAIA xi fanele ku landzeleriwa hi Khomixini, PAIA yi thi lha yi lava nhlangano wun’wana na wun’wana wa vaaki/mfumo, xikan’we na mihlangano leyi nga riki ya mfumo, ku humesa bukumpfuno leyi yi nga na vuxokoxoko ho matirhiselo ya PAIA ku fikelela tirhekodo ta vona vini.

2.3.1 Tibukumpfuno ta PAIA ta mihlangano ya vaaki/mfumo

Xiyenge xa 14 xa PAIA xi lava leswaku mihlangano hinkwayo ya vaaki/mfumo ya kandziyisa bukumpfuno hi mpimo wa le hansí hi tindzimi tinharhu ta ximfumo leyi ti pfunedza valavi va vuxokoxoko ku endla swikombelo ku endla swikombelo swa vuxokoxoko kusuka eka nhlangano lowu khumbe kaka. Hi mpimo lowutsongo swinene, bukumpfuno leyi yi fanele ku wa na vuxokoxoko byo tirhiseka lebyi landzelaka:

<table>
<thead>
<tr>
<th>XILAVEKO</th>
<th>NHLAMUSELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Xileriso</td>
<td>Xivumbeko na mitirho ya nhlangano wa vaaki/mfumo.</td>
</tr>
<tr>
<td>Vuxokoxoko bya vuthlhanganisi</td>
<td>Adirese ya poso na ya xitarata, nomboro ya riqingho na ya fekisi na, loko yi ri kona, adirese ya imelyili ya muofisiri wa vuxokoxoko wa nhlangano wa vaaki/mfumo, xikan’we na ya xandla xa muofisiri wa vuxokoxoko xa nhlangano lowu wa vaaki/mfumo</td>
</tr>
<tr>
<td>Xiletelo xa Xiyenge xa 10 xa PAIA</td>
<td>Nhlamuselo ya Xiletelo lami xihlengeletiweke hi Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga na mafikelelo xa xona.</td>
</tr>
<tr>
<td>Mikhetekanyo ya tirhekodo leti khomiwake</td>
<td>Vuxokoxoko lebyi eneleke ku pfunedza eka ku humelerisa mfikelelo wa rhekodo leyi ya khomiwake he nhlangano ya vaaki/mfumo. Nhlangano wa vaaki/mfumo hikokwalaho wu fanele wu hlamusela timhaka leti wu khomaka tirhekodo hi tona, na mikhetekanyo ya tirhekodo leti khomiwake eka mhaka yin’wana na yin’wana.</td>
</tr>
<tr>
<td>Vuxokoxoko lebyi kumekaka xikan’wekan’we</td>
<td>Vuxokoxoko byin’wana byi kumekaka xikan’wekan’we handle ka ku va munhu a fanele ku kombela mfikelelo hi ku ya hi PAIA. Bukumpfuno ya nhlangano wa vaaki/mfumo yi fanele ku kombisa vuxokoxoko lebyi byi kumekaka xikan’wekan’we.</td>
</tr>
<tr>
<td>Vukorhokeri bya nhlangano wa vaaki/mfumo</td>
<td>Nhlamuselo ya vukorhokeri lebyi kumekaka eka vaaki kusuka eka nhlangano wa vaaki/mfumo, na makumelo ya mfikelelo va vukorhokeri byolebyo.</td>
</tr>
<tr>
<td>Ku nghenelela ka vaaki</td>
<td>Nhlamuselo ya malulamiselo wahi kumbe wahi kumbe xipimelo xa ku va u lava switsundzuxo, u nyika nhlamuselo kumbe u ngenelela eka kumbe u hloholotela ku tumbulusiwa ka pholi; kumbe ku tirhiswa ka matimba kumbe ku tirhiwa ka mitirho hi nhlangano lowu wa vaaki/mfumo.</td>
</tr>
<tr>
<td>Ndlela yin’wana yo pfuna</td>
<td>Goza leri u nga ri tekaka loko muofisiri wa vuxokoxoko wa nhlangano wa vaaki/mfumo a ku alela mfikelelo wa vuxokoxoko.</td>
</tr>
</tbody>
</table>
2.3.2 Laha u nga kumaka kona bukumpfuno ya nhlangano wa vaaki/mfumo

Mihlangano ya vaaki/mfumo yi fanele ku endla bukumpfuno leyi u yu kuma hi ku olova. Hi mpimo lowutsongo, yi nga endla tano hi tindlela leti landzelaka:

» Hi ku endla khopi yi kumeka eka hofisi yin’wana na yin’wana ya nhlangano walowo wa vaaki/mfumo hi nkarhi wa ntimbo;

» Hi ku endla bukumpfuno leyi yi kumeka eka webusayiti, loko yi ri kona, ya nhlangano wa vaaki/mfumo

Tanihilaha swi vuriweke hakona laha henhlha, Nawu wa Nsirhelelo wa Vuxokoxoko bya Munhu wa 4 wa 2013 (PPIA) wu cinca PAIA hi tindlela to tala. Yin’wana ya leti yi hi mayelana na tikumbufuno ta Xiyenge xa 14 ta mihlangano ya vaaki/mfumo. Ehansi ka PPIA, tikumbufuno leti a ta ha fanelangi ku yisiwa eka Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga, kambe ti fanele ku kumeka ekhu ku tirhisa Inthanete na ku endliwa ti kumeka eka munhu un’wana na un’wana loyi a kambelaka khopi.

2.3.3 Tibukumpuno ta PAIA eka mihlangano leyi nga riki ya vaaki/mfumo

Mihlangano leyi nga riki ya vaaki/mfumo na yona ya yaveka ku hlengeleta bukumpfuno. Leswi swi fambisana na Xiyenge xa 51 xa PAIA. Eka nkarhi wa sweswi, a hi mihlangano hinkwayo leyi nga riki ya vaaki/mfumo leyi hintiyiso yi yaveka ku landzelela xiyenge lexi. Hikokwalaho, u ta kuma leswaku nhlangano lowu u tsakelaka ku kambela vuxokoxoko eka wona wu hava bukumpfuno ku ku nyika. Leswi a swi vuli leswaku nhlangano lowu a wu fanelangi ku landzelela PAIA hi ku angarhela. U nga tama wa ha endla xikombelo xa vuxokoxoko ekha nhlangano lowu naswona va tama va ha yaveka hi nawu ku tirha xikombelo xa wena. Endlelo ra ku endla xikombelo xa vuxokoxoko hi ku landza PAIA ri tama ra ha fana, hambiloko vandla leri komberiweke ri tshunxiwile ku va ri nga hlengeleti bukumpfuno.

XANA HI YIHI MIHLANGANO LEYI NGA RIKI YA VAAKI/MFUMO LEYI NGA FANELANGIKI KU KANDZIYISA BUKUMPFUNO YA VUXOKOXOKO?

Ndlela leyi marito ya Nawu lowu ya veketeriweke hayona yi vula leswaku mihlangano HINKWAYO leyi nga riki ya vaaki/mfumo yi hlengeleta bukumpfuno. Hambiswiritano, Holobye a nga ha tshunxa mihlangano yo karhi leyi nga riki ya vaaki/mfumo kumbe mikhetekanyo ya mihlangano ku va yi nga kandziyise bukumpfuno. Eka nkarhi wa sweswi, Holobye u tshunxile mihlangano HINKWAYO leyi nga riki ya vaaki/mfumo ku va yi nga hlengeleti tibukumpuno ku fikela hi siku ra 1 Sunguti 2016 HANDLE KA LOKO nhlangano wa kona wu wela eka mikhetekanyo leyi kokomberiweke laha hansi.

1 Leswi swi ta cinca hi siku ra 31 N’wendzamhala 2015, loko mihlangano hinkwayo ya vaaki/mfumo yi ta va yi fanele ku va na bukumpfuno hi ku landza xiyenge xa 51 xa PAIA.
Tikhamphani leti landzelaka leti nga riki ta vaaki/mfumo ti fanele ku hlengeleta bukumpfuno ya PAIA loko ti thola ku tlula 50 wa vatrihhi ekhi tiindasitiri leti landzelaka kumbe ti ri na mpindzulo wa lembe na lembe lowu wu tlulaaka ntsengo lowu wu xaxametiweke:

<table>
<thead>
<tr>
<th>INDASITIRI/VUMAKI</th>
<th>MPINDZULO WA LEMBE NA LEMBE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vurimi</td>
<td>R2 wa timiliyoni</td>
</tr>
<tr>
<td>Migodi na Ku Cela Mihoncho</td>
<td>R7 wa timiliyoni</td>
</tr>
<tr>
<td>Vuendli hi Michini</td>
<td>R10 wa timiliyoni</td>
</tr>
<tr>
<td>Gezi, Gasi na Mati</td>
<td>R10 wa timiliyoni</td>
</tr>
<tr>
<td>Vumaki bya Miako</td>
<td>R5 wa timiliyoni</td>
</tr>
<tr>
<td>Vuxavisi na Mabindzu yo Xavisa ya Mimovha na Vukorhokeri bya Vulunghisi</td>
<td>R15 wa timiliyoni</td>
</tr>
<tr>
<td>Mabindzu ya Holiseli, Vayimeri na Vukorhokeri bya Tirhisanaka</td>
<td>R25 wa timiliyoni</td>
</tr>
<tr>
<td>Vuphameri, Byetlelo na Mabindzu Man’wana</td>
<td>R5 wa timiliyoni</td>
</tr>
<tr>
<td>Vuhlayiselo na Vuhlanganisi</td>
<td>R10 wa timiliyoni</td>
</tr>
<tr>
<td>Vukorhokeri bya Timali na Mabindzu</td>
<td>R10 wa timiliyoni</td>
</tr>
<tr>
<td>Vukorhokeri bya Muganga, byo Hlawuleka na bya Munhu</td>
<td>R5 wa timiliyoni</td>
</tr>
</tbody>
</table>

Holoby e tlhele a vula leswaku tikhamphani hinkwato leti ti nga hlamuseriwangiki tanihi ‘tikhamphani leti nga riki ta vaaki/mfumo’ ekhi ka Xiyenge xa 1 xa Nawu wa Tikhamphani wa 71 wa 2008 ti laveka ku va ti hlengeleta bukumpfuno ya Xiyenge xa 51.

2.3.4 Laha u nga kumaka kona bukumpfuno ya nhlangano lowu nga riki wa vaaki/mfumo

Mhlangano hinkwayo leyi nga riki ya vaaki/mfumo leyi yi lavekaka ku hlengeleta bukumpfuno yi fanele ku endla bukumpfuno leyi u yi kuma hi ku olova. Eka mpimo wa le hansi, yi laveka ku endla tano hino tindlela leti landzelaka:

- Hi ku endla khopi yi kumeka ku va yi kamberiwa eka hofisi yin’wana na yin’wana ya nhlangano wolowo lowu nga riki wa vaaki/mfumo. Nhlangano lowu nga riki wa mfumo wu nga ka wu nga koxi hakelo ya ku kamberiwa;
- Hi ku endla bukumpfuno leyi yi kumeka eka webusayiti ya vona.

2.3.5 Mahlengeletelo loko u ri khamphani leyi nga riki ya vaaki/mfumo

Ku na ndzetelo wo pfuna wa Vaofisiri va Vuxokoxoko va tikhamphani leti nga riki ta vaaki/mfumo leti ti lavaka ku landzelela Xiyenge xa 51 xa PAIA eka webusayiti ya Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga (www.sahrc.org.za). Leswi swi katsa thempuleti leyi chichakaka leyi Vaofisiri va Vuxokoxoko va nga yi tirhisaka tanihi kungo ro fikelela xikongomelo.
Hi ku ya hi Xiyenge xa 51, murhangeri wa nhlangano lowu nga riki wa vaaki/mfumo u fanele ku:

» Pfuxeta ku cinca kwihi kumbe kwihi ka matheriyali lowu nga eka bukumpfuno leyi nkarhi na nkarhi;

» Endla bukumpfuno leyi yi kumeka tanihilaha swi lawuleriweke hakona hi Nawu lowu eka tihofisi ta khamphani na le ka webusayiti ya vona;

» U fanele ku khomanisa fomo ya xikombelo (Fomo ya C ya PAIA) eka bukumpfuno na ku thela a endla tifomo ta xikombelo ti kumeka eka webusayiti na le ka miako hinkwayo ya khamphani.

Bukumpfuno leyi yi fanele hi mpimo wa le hansi yi va na vuxokoxoko lebyi landzelaka:

<table>
<thead>
<tr>
<th>XILAVEKO</th>
<th>NHLAMUSELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vuxokoxoko bya vutihlanganisi</td>
<td>Adirese ya poso na ya xitarata, nomboro ya riqingho na ya fekisi na loko yi ri kona, adirese ya imeyili ya Muofisiri wa Vuxokoxoko wa nhlangano wa khamphani leyi nga riki ya mfumo.</td>
</tr>
<tr>
<td>Vuxokoxoko lebyi kumekaka xikan’wekan’we</td>
<td>Vuxokoxoko byin’wana byi kumeza xikan’wekan’we handle ka ku va munhu a fanele ku kombela mfikelelo hi ku landza PAIA. Bukumpfuno ya khamphani leyi nga riki ya vaaki/mfumo yi fanele ku kombisa vuxokoxoko lebyi kumekaka. xikan’wekan’we.</td>
</tr>
<tr>
<td>Tirhekodo leti kumekaka hi ku komberiwa</td>
<td>Bukumpfuno ya Xiyenge xa 51 yi fanele ku xaxameta mikhethekanyo ya tirhekodo leti ti kumekaka hi ku komberiwa.</td>
</tr>
<tr>
<td>Endlelo ra PAIA</td>
<td>Katsakanya endlelo ra PAIA leri faneleke ku landzeleriwa ku kombela mfikelelo wa vuxokoxoko kusuka eka khamphani leyi nga riki ya vaaki/mfumo (h.l. Fomo ya C).</td>
</tr>
<tr>
<td>Vuxokoxoko bya Khamphani</td>
<td>Ku katsa na vuxokoxoko bya murhangeri wa khamphani kumbe CEO wa khamphani (tanihleswi swi nga xiswona hi ku landza PAIA Muofisiri wa Vuxokoxoko wa khamphani leyi nga riki ya vaaki/mfumo hi ntolovelulo i CEO kumbe murhangeri).</td>
</tr>
<tr>
<td>Tihakelo</td>
<td>Vula mukomberi na thakalo ta mfikelelo leti kumbekaka hi ku landza PAIA (vona Xiyenge xa 3 ku kuma vuxokooko byo yisa emahlweni).</td>
</tr>
<tr>
<td>Ndlela yin’wana yo pfuna</td>
<td>Xana i maololoxelo wahi lama kumeza eka vakomberi loko xikombelo xa vona xa vona xa vuxokoxoko xi ariwile?</td>
</tr>
<tr>
<td>Vuxokoxoko byi Yisa Emahlweni</td>
<td>Vuxokoxoko byihi kumbe byihi byo yisa emahlweni lebyi byi yambelanaka na swikombelo swa mfikelelo wa tirhekodo.</td>
</tr>
</tbody>
</table>
2.4 Vuxokoxoko lebyi kumekaka xikan’wekan’we lebyi byi khomiweke hi nhlangano wa vaaki/mfumo

A hi vuxokoxoko hinkwabyo lebyi lavaka xikombelo xa ximfumo ku va byi fikeleriwa. Mihlangano yo hambanahambana ya vaaki/mfumo ya laveka himukhuva wa milawu yo hambanahambana ku endla vuxokoxoko byo karhi byi kumeka eka mani na mani. Hambi ku ri eka ku hundza leswi, mihlangano yo tala yi ta paluxa vuxokoxoko byo yisa emahlweni hi ku swi tshunxekela hikwalaho ka swivangelo swa nkavuciva, vutihlamuleri na ku olovisela vaaki. Ku kondletela mpaluxo hi ku swi shuxekela wa vuxokoxoko na ku humelerisa mfikelelo lowukulu wa vuxokoxoko lebyi, Xiyenge xa 15 xa PAIA xi lava mihlangano hinkwayo ya vaaki/mfumo ku va yi kandziyiisa nxaxamelo, lowu wu tivekaka tanihi ‘xitiviso xa Xiyenge xa 15’ kumbe ‘xitiviso xa mpaluxo hi ku swi tshunxekela’, wa hinkwabyo vuxokoxoko lebyi khumbaka nhlangano wolowo lebyi byi kumekaka xikan’wekan’we eka munhu un’wana na un’wana.

Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo u laveka ku va a tumbuluxa xitiviso xa mpaluxo hi ku swi tshunxekela xa nhlangano wa vaaki/mfumo na ku xi endla xi kumeka eka tihofisi ta nhlangano lowu wa vaaki/mfumo xikan’we na ku xi kandziyiisa eka Gazete ya Mfumo. Xitiviso xa mpaluxo hi ku swi tshunxekela xi fanele ku pfuxetiwa lembe rin’wana na rin’wana.

Xitiviso xa mpaluxo hi ku swi tshunxekela xi na mikhetekanyo ya tirhekodo na nhlamuselo ya tirhekodo toleto leti ti kumekaka xikan’wekan’we:

  » Ku va ti kamberiwa hi ku landza nawu wihi kumbe wihi handle ka PAIA;
  » Ku va ti xaviwa kumbe ti khopiwa kusuka eka nhlangano wa vaaki/mfumo; na
  » Kusuka eka nhlangano wa vaaki/mfumo mahala.

Xitiviso xa mpaluxo hi ku swi tshunxekela xi fanele ku slamuselo mafikelelo ya tirhekodo leti ti paluxiwaka hi ku swi tshunxekela na ku va ti kumeka xikan’wekan’we. Ku hava xivangelo xe ku endla xikombelo xa ximfumo ku va tirhekodo to karhi loko tirhekodo toleto seti ti paluxiwile hi ku swi tshunxekela naswona ti kumeka xikan’wekan’we. Eka swiyimo swo tala, hakelo ya laveka hi xikongomelo xa lesiwako xikombelo xa ximfumo xi tirhiwa naswona leswi swi nga tekuka kufika eka 30 wa masiku. Leswi swi nga ha papalatiwa loko u rhanga u kamba xitiviso xa mpaluxo hi ku swi tshunxekela na ku kumisisa loko rhekodo leyi u yi laveka yi kumeka xikan’wekan’we kumbe swi nga ri tano.

Hambileswi swi bohaka ku va nhlangano wa vaaki/mfumo wu kandziyiisa xitiviso xa mpaluxo hi ku swi tshunxekela, a hi xiendlo lexi ‘tshunxekeriwa’ hi nhlangano wa vaaki/mfumo. Xitiviso xi vuriwa ‘xitiviso xa mpaluxo hi ku swi tshunxekela’ hikuva xi nyika xitiviso xa hinkwabyo vuxokoxoko lebyi byi paluxiweke hi ku swi tshunxekela, ku nga ri hikwalaho ka ku swi ya hi mavonelo ya Muofisiri wa Vuxokoxoko loko swi fanerile ku kandziyiisa nxaxamelo wa xiviri kumbe swi nga ri tano.
2.5 Vuxokoxoko lebyi kumekaka xikan’wekan’we lebyi byi khomiweke hi khamphani kumbe nhlangano lowu nga riki wa vaaki/mfumo

Tanihilaha swi nga hi xiswona hi mihlangano ya vaaki/mfumo, mihlangano leyi nga riki ya vaaki/mfumo na yona yi nga ha khoma vuxokoxoko lebyi u nga kotaka ku byi fikelela handle ka ku endla xikombelo xa ximfumo. Ku nga si endliwa xikombelo xa ximfumo xa vuxokoxoko hi ku landza PAIA lexi xi tikombaka xi ta khumba hakelo na 30 wa masiku ya nkarhi wo rindzela, kumisisa loko vuxokoxoko lebyi byi kumeka xikan’wekan’we handle ka ku endla xikombelo xa ximfumo.

Murhangeri wa nhlangano lowu nga riki wa vaaki/mfumo, hi ku va a swi tshunxekela na ku va hi nkarhi wo karhi, a nga ha tumbuluxa nxaxamelo wa vuxokoxoko lebyi kumekaka xikan’wekan’we kusuka eka nhlangano lowu nga riki wa vaaki/mfumo handle ka ku va u endla xikombelo xa ximfumo. Nvxamelo lowu wu vuriwa ‘xitiviso xa Xiyenge xa 52’ kumbe ‘xitiviso xa mpaluxo hi ku swi tshunxekela.’

Swi karhi swi hambana na mihlangano leyi nga riki ya vaaki/mfumo laha vaofisiri va vuxokoxoko wa nhlangano wa vaaki/mfumo va faneleke ku kandziyiwa xitiviso xa mpaluxo hi ku swi tshunxekela, muofisiri wa vuxokoxoko wa nhlangano lowu nga riki wa vaaki/mfumo a nga boheki ku endla tano. Hi ku landza PAIA yi vulaka hakona, “hi ku va a swi tshuxekela a nga ha” kandziyiwa nxaxamelo wo tano. Loku i ku hambana lokukulu exikarhi ka xitiviso xa xiyenge xa 52 xa mihlangano leyi nga riki ya vaaki/mfumo na xitiviso xa xiyenge xa 15 xa mihlangano ya vaaki/mfumo.

Xitiviso xa mpaluxo hi ku swi tshunxekela xa nhlangano lowu nga riki wa vaaki/mfumo xi na mikhetekekyo ya tirhekodo na nhlamuselo ya tirhekodo letiya ti kumekaka xikan’wekan’we:

» Ku va ti kamberiwa hi ku landza nawu wihi kumbe wihi handle ka PAIA;
» Ku va ti xaviwa kumbe ku kandziyiwa kusuka eka nhlangano wa vaaki/mfumo; na
» Kusuka eka nhlangano wa vaaki/mfumo mahala.

Xitiviso xa mpaluxo hi ku swi tshunxekela xi fanele xi tlhela xi hlamusela mafikelelo ya tirhekodo leti ti paluxiwaka hi ku swi tshunxekela na ku va tikumeka xikan’wekan’we.
Xiyenge lexi xi katsa leswi landzelaka:

3.1 Mixaka ya swikombelo

3.2 Tihakelo leti fambelanaka na ku endla swikombelo

3.3 Ntirho wa Muofisiri wa Vuxokoxoko

3.4 Ndlela yin’wana yo pfuna ya xinawu
3 Xana ndzi endlisa ku yini xikombelo xa PAIA?

Xikombelo xa mfikelelo wa vuxokoxoko xi nga endliwa eka havumbirhi bya mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo. Munhu loyi a endlaka xikombelo u tiveka tanihi “mukomberi”. PAIA yi koxometa tindlela to hambanahambana ta ku fikelela xikombelo ku nga va kusuka eka mihlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo. Tifomo to karhi leti lawuleriweke ti fanele ku tirhisiwa loko ku komberiwa xikombelo vuxokoxoko. Tifomo leti yi kumeka eka PAIA.

<table>
<thead>
<tr>
<th>MUXAKA WA NHLANGANO</th>
<th>FOMO YA PAIA</th>
<th>XIYENGE XA PAIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nhlangano wa vaaki/mfumo</td>
<td>Fomo ya A</td>
<td>Xiyange xa 18</td>
</tr>
<tr>
<td>Nhlangano lowu nga riki wa vaaki/mfumo</td>
<td>Fomo ya C</td>
<td>Xiyange xa 53</td>
</tr>
</tbody>
</table>

Tifomo ti fanele ku kumeka eka tiwebusayiti ta havumbirhi bya mavandla ya vaaki/mfumo na lama nga riki ya vaaki/mfumo. Ti nga tihela ti kumeka eka hofisi yin’wana na yin’wana ya xifundzankulu ya Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga, xikan’we na le ka webusayiti eka www.sahrc.org.za.

3.1 Xana i mani a nga endlaka xikombelo xa PAIA?

Munhu wihi kumbe wihi wa pfumeleriwa ku endla xikombelo ehansi ka PAIA. Mukomberi a nga ha va:

**Munhu wa ntumbuluko**

» munhu loyi a nga boheki ku va a ri muakatiko wa Afrika-Dzonga kumbe mutshami wa Afrika-Dzonga,

Kumba

**Ntlawa wa vanhu**

» wo tanihi bindzu kumbe nhlangano,

Kumba

**Munhu loyi a endlaka hi ku yimela munhu wa ntumbuluko kumbe ntlawa wa vanhu**

Mukomberi u na mfanelo ya ku fikelela tirhekodo leti ti nga na xikombelo bya munhu hi mayelana na munkomberi hi yexe, kumbe hi mayelana na munhu loyi xikombelo xi endliwaka hi kumbe yimela yena.

Nhlangano wa vaaki/mfumo wu tekwiwa tanihi ntlawa wa vanhu naswona wu nga ha endla xikombelo xa mfikelelo wa tirhekodo leti ti khomiweke hi mihlangano leyi nga riki ya vaaki/mfumo, *ntsena loko* nhlangano lowa vaaki/mfumo (1) wu endla hindlela leyi vuyerisaka vaaki, na (2) loko tirhekodo leti ti lavekaka ku humelerisa kumbe ku sirhelela timfanelo tihi kumbe tihi handle ka letiya ta nhlangano wa vaaki/mfumo.

I swa nkoka ku tekela enhlokweni leswaku PAIA a yi lulumiseli ngopfungopfu tindzawulo ta mfumo (ku katsa na marhavi ya rixaka, ya xifundzankulu na ya masipala), na munhu wihi kumbe wihi kumbe nhlangano lowu wu tirhisa kumbe kumbe wu ntlawa ntimba kumbe wu endlaka ntirho hi ku landza Yumbiwa, (wo tanihi Khomixini ya Timfanelo ta Ximunhu ya Afrika-Dzonga na Hofisi ya Musirheleri wa Vaaki), kumbe vumbiwa bya xifundzankulu (byo tanihi Huvo yo Nyika Tilayisense ta Byalwa ya Kapa-Vupeladyambu), ku endla swikombelo swa PAIA eka mavandla man’wana ma vaaki/mfumo.
3.1.1 Xana ndzi yi tatisa njhani fomo ya xikombelo xa PAIA?

Xikombelo xa mfikelelo wa vuxokoxoko lebyi byi khomiweke hi nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo xi endliwa hi ku tatisa fomo ya xikombelo xa PAIA na ku yi yisa eka nhlangano lowu faneleke. Xikombelo xa PAIA xi fanele xi kongomisiwa eka Muofisiri wa Vuxokoxoko, Xandla xa Muofisiri wa Vuxokoxoko kumbe murhangeri wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo, naswona u fanele ku tirhisa vuxokoxoko bya vuthlhanganisi bya nkhaqato na ku va lebyi pfuxetiweke.

Hi ku engetela eka ku nyika vuxokoxoko hi mayelana na nhlangano lowu faneleke, fomo ya xikombelo ya PAIA leyi lawuleleke ye katsa leswi landzelaka:

<table>
<thead>
<tr>
<th>VUXOKOXOKO LEBYI LAVEKAKA</th>
<th>NHLAMUSELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vuxokoxoko bya mukomberi</td>
<td>Vuxokoxoko byo ringanela hi mayelana na mukomberi ku endla swi olova hindlela yo tivikana ku tiva mukomberi, ku katsa na vuxokoxoko bya vuthlhanganisi bya mukomberi: adirese ya poso, adirese ya imeyili, nomboro ya fekisi na/kumbe ya riqingho ya le Afrika-Dzonga.</td>
</tr>
<tr>
<td>Vuxokoxoko bya rhekodo leyi komberiwaka</td>
<td>Vuxokoxoko byo ringanela hi mayelana na rhekodo leyi ku yi endla yi olova ku yu tiva. Phepha ro engetela ri nga ha tirhisiwa ku koxometa xikombelo lexi, ntsena loko pheji yin’wana na yin’wana yo engetela yi sayiniwile na ku khomanisiwa eka fomo ya xikombelo.</td>
</tr>
<tr>
<td>Mukhuva wa mfikelelo wa rhekodo</td>
<td>Nhlamuselo ya muxaka kumbe mukhuva lowu rhekodo yi faneleke ku nyikiwa hawona kumbe ku endliwa yi fikeleleka hawona.</td>
</tr>
<tr>
<td>Mukhuva lowu mukomberi wa mfikelelo a nga ta tivisiwa hawona</td>
<td>Mukhuva lowu mukomberi a nga ta tivisiwa hawona hi mayelana na xiboho xa ku nyika kumbe ku ala xikombelo.</td>
</tr>
<tr>
<td>Ririmi lerisilwariwaka</td>
<td>Loko xikombelo xi endliwa eka nhlangano wa vaaki/mfumo, ririmi lerisakeriwa lerisialo harona u nga ta kuma rhekodo leyi ri fanele ku nyikiwa.</td>
</tr>
<tr>
<td>Xiyimo xa munhu loyi a pfumeleriweke ku endla xikombelo</td>
<td>Loko xikombelo xi endliwa hi ku yimela munhu un’wana wo karhi, vumbhoni bya xiyimo lexu munhu loyi a endlaka xikombelo lexi eka xona byi fanele ku nyikiwa (loyi a tivekaka tanihi munhu loyi a pfumeleriweke).</td>
</tr>
<tr>
<td>Timfanelo leti khumbekeka</td>
<td>Loko xikombelo xi endliwa eka nhlangano lowu nga riki wa vaaki/mfumo, mukomberi u fanele ku vula mfanelo leyi yo kumbisiweke na ku hlumusela ku hikwalaho ka yini rhekodo leyi yi lava eka ku tirhisiwa kumbe ku sirheleriwa ka mfanelo yaleyo yong’onga.</td>
</tr>
</tbody>
</table>
Vakomberi lava va nga kotiki ku hlanyo kụtsa la nga endla swikombelo swa nomu eka Muofisiri wa Vuxokoxoko kụmba Xandla xa Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo, loyi yena a nga ta va na vutihlamuleri bya ku tatisa Fomo ya A hi ku yimela mukomberi.

3.1.2 Xana ku na endlelo leri ri faneleke ku landzeleriwa loko ku endliwa xikombelo xa PAIA?

Mukomberi u fanele ku nyikiwa mfikelelo wa tirhekodo leti ti komberiweke loko a landzelerile swilaveko leswi landzelaka swa maendlelo:

» Xikombelo xa PAIA xi fanele ku endliwa eka fomo leyi lulameke (Fomo ya A ya mihlangano ya vaaki/mfumo, Fomo ya C ya mihlangano leyi nga riki ya vaaki/mfumo), naswona yi kongomisiwa eka Muofisiri wa Vuxokoxoko kụmba Xandla xa Muofisiri ja Vuxokoxoko wa nhlangano wa vaaki/mfumo kụmba lowu nga riki wa vaaki/mfumo, kümbe eka Murhangeri wa nhlangano wa vaaki/mfumo kụmba lowu nga riki wa vaaki/mfumo.

» Fomo ya xikombelo xa PAIA yi fanele ku yisiwa hi voko, yi posiwa, yi fekisiwa kümbe yi rhumeriwa hi imeyili eka nhlangano wa vaaki/mfumo kümbe lowu nga riki wa vaaki/mfumo lowu xikombelo xi endliweke eka wona.

» Tirhekodo leti ti komberiweke a ti fanelangi ku lawuriwa hi swivangelo swa ku ariwa leswi lulamiseriweke ehansi ka PAIA.

3.2 Xana hi tihi tihakelo ta ku endla xikombelo xa PAIA?

Vakomberi va laveka ku hakelo hakelo loko va kombela mfikelelo wa tirhekodo ta kusuka eka havumbirhi bya mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo.

Hakelo ya ku kombela tirhekodo kusuka eka nhlangano wa vaaki/mfumo i R35, loko hakelo ya ku kombela tirhekodo kusuka eka nhlangano lowu nga riki wa vaaki/mfumo yi ri R50.

I swa nkoka ku tekela enhlokweni leswaku vakomberi lava va kombelaka mfikelelo wa vuxokoxoko bya vona vini va tshunxiwile eka ku hakala hakelo, hambiswiritano va tama va ha laveka ku hakala tihakelo ta mfikelelo. Vakomberi lava va holaka ehansi ka R14, 712 hi lembe (loko va nga ri na yukati) na R27,192 hi lembe (loko va tekile/tekiwile kumbe va eli eka vutomi bya xinakulobye), a VA FANELANGI ku hakala tihakelo ta xikombelo.
### 3.2.1 Xana hi tihi tihakelo ta ku fikelela tirhekodo ehansi ka PAIA?

Vakomberi va tlhela va laveka ku hakela tihakelo ta **ku fikelela** tirhekodo ta mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo. Hakelo leyi yi angarhela tihakelo ta ku hangunuxiwa ka rhekodo leyi na ku yi kandziyisa. Swiphemuphemu swa tihakelo ta ku fikelela tirhekodo ta mihlangano ya vaaki/mfumo hi leswi:

<table>
<thead>
<tr>
<th>NGHINGIRIKO</th>
<th>HAKELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khopi hi pheji ya A4</td>
<td>60 wa tisente</td>
</tr>
<tr>
<td>Ku pirinta hi pheji ya A4</td>
<td>40 wa tisente</td>
</tr>
<tr>
<td>Khopi ya CD</td>
<td>R40</td>
</tr>
<tr>
<td>Ku thayipiwa ka swifaniso swo voniwa hi pheji ya A4</td>
<td>R22</td>
</tr>
<tr>
<td>Khopi ya xifaniso xo voniwa</td>
<td>R60</td>
</tr>
<tr>
<td>Ku thayipiwa ka nkandziyiso wo yingiseriwa hi pheji ya A4</td>
<td>R12</td>
</tr>
<tr>
<td>Khopi ya nkandziyiso wo yingiseriwa</td>
<td>R17</td>
</tr>
<tr>
<td>Ku hangunuxiwa na ku lulamisiwa ka rhekodo leyi ku ya yi paluxiwa</td>
<td>R15 hi awara kumbe xiphemu xa yona, ku karhi ku nga katsiwi awara yo sungula, leyi lavekaka hindlela yo tivikana eka ku hangunuxiwa na ku lulamisiwa</td>
</tr>
</tbody>
</table>

Swiphemuphemu swa tihakelo ta ku fikelela tirhekodo ta nhlangano lowu nga riki wa vaaki/mfumo hi leswi:

<table>
<thead>
<tr>
<th>NGHINGIRIKO</th>
<th>HAKELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Khopi hi pheji ya A4</td>
<td>R1.10</td>
</tr>
<tr>
<td>Ku pirinta hi pheji ya A4</td>
<td>75 wa tisente</td>
</tr>
<tr>
<td>Khopi ya CD</td>
<td>R70</td>
</tr>
<tr>
<td>Ku thayipiwa ka xifaniso xo voniwa hi pheji ya A4</td>
<td>R40</td>
</tr>
<tr>
<td>Khopi ya xifaniso xo voniwa</td>
<td>R60</td>
</tr>
<tr>
<td>Ku thayipiwa ka nkandziyiso wo yingiseriwa hi pheji ya A4</td>
<td>R20</td>
</tr>
<tr>
<td>Khopi ya nkandziyiso wo yingiseriwa</td>
<td>R30</td>
</tr>
<tr>
<td>Ku hangunuxiwa na ku lulamisiwa ka rhekodo ku ya yi paluxiwa</td>
<td>R30 hi awara kumbe xiphemu xa yona, ku karhi ku nga katsiwi awara yo sungula, leyi lavekaka hindlela yo tivikana eka ku hangunuxiwa na ku lulamisiwa.</td>
</tr>
</tbody>
</table>

Tihakelo to posa ti fanele ku hakeriwa hi mukomberi ku va ku fikisiwa tirhekodo ta yena eka xiyimo xa havumbirhi bya mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo.
**Ku tshunxiwa ku nga humesihakelo**

Loko Muofisiri wa Vuxokoxoko, Xandla xa Muofisiri wa Vuxokoxoko, Murhangeri wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo a ehleketi leswaku ku hlengeletiwa ka ku kandziyisiwa ka tidokhumente swi ta teka nkarhi wo leha ku tiula tsevu wa tiawara, u fanele ku tivisa mukomberi, (hi xitiviso xa ximfumo) leswaku n’wexanhanhurhu xa hakelo ya mfikelelo yile fanele ku hakeriwa tanihi dipozisi.

Loko rhekodo leyi yi nga nyikwi hi xivumbeko lexi komberiwaka, hakelo ya mfikelelo leyi yo koxiwaka mukomberi a yi fanelangi ku hundza hakelo leyi a yi ta va yi koxiwile loko mfikelelo a wu nyikwa hi xivumbeko lexi komberiwaka. Hambiswirタン, nauw lowu a wu tirhi loko xivumbeko xin’wana xi laveka hikuva vuxokoxoko byi fanele byi tsemiwa kusuka eka rhekodo leyi.

Loko mukomberi a nga swi koti ku hlaya, ku vona kumbe ku twa rhekodo leyi hi xivumbeko lexi yo khomiweke haxona hi nhlangano wa vaaki/mfumo hikwalaho ka vutsoniwa, nhlangano wa vaaki/mfumo wu laveka ku nyika rhekodo leyi hi xivumbeko lexi xi fikelelekaka hi mukomberi. Hakelo ya mfikelelo leyi koxiwaka mukomberi a yi fanelangi ku hundza hakelo leyi a yi ta va yi koxiwile eka vutsoniwa.

### 3.3 Xana Muofisiri wa Vuxokoxoko a nga ndzi pfuna ku endla xikombelo xa PAIA?

Loko xikombelo xa PAIA xi endliwa eka nhlangano wa vaaki/mfumo, Muofisiri wa Vuxokoxoko kumbe Xandla xa Muofisiri wa Vuxokoxoko u fanele a ku pfuna laha swi lavekaka ku tatisa tifomo ta PAIA.

Mpfuneto wo tano wu fanele ku nyikiwa mahala.

<table>
<thead>
<tr>
<th>MITIRHO YA VAOFISIRI VA VUXOKOXOKO</th>
<th>NHLAMUSELO</th>
</tr>
</thead>
<tbody>
<tr>
<td>U pfuna mukomberi hi ku tatisa fomo ya PAIA</td>
<td>Loko xikombelo xa PAIA xi nga landzeleli hinkwaswo swa swilaveko leswi vekiweke leswi koxometiweke eka PAIA na le ka fomo, Muofisiri wa Vuxokoxoko kumbe Xandla xa Muofisiri wa Vuxokoxoko a NGA KA NGA ali xikombelo lexi. Ematshan’weni, Muofisiri wa Vuxokoxoko u fanele ku tivisa mukomberi, hi ku tsala, leswaku a nga swi koti ku nyika xikombelo lexi hikuva a xi helelangi, naswona a tinyikela ku pfuna mukomberi ku endla ku cinca loku lavekaka eka fomo. Loko mukomberi a nga hlamuli papila kumbe a lulamisa fomo leyi hi mpimo lowu tivikanaka wa nkarhi, kutani Muofisiri wa Vuxokoxoko a nga ha ala xikombelo lexi.</td>
</tr>
<tr>
<td>U nyika mukomberi vuxokoxoko lebyi faneleke laha swi kotekaka</td>
<td>Loko swi ta va swi tivikanaka na ku va swi ta koteka ku endla tano, Muofisiri wa Vuxokoxoko u fanele ku nyika mukomberi vuxokoxoko byihi kumbe byihi byin’wana lebyi byi khomiweke hi nhlangano wa vaaki/mfumo lebyi nakambe byi fambelanaka na xikombelo, hambiloko tirhekodo a ti nga ri xiphemu xa xikombelo xa masungulo.</td>
</tr>
</tbody>
</table>
XILETELO XA MATIRHISELO YA NAWU WA NKONDLETELO WA MFIKELELO WA VUXOKOXOKO WA 2 WA 2000

Xikombelo xo hundzisela

Loko xikombelo xa PAIA xi endliwa eka nhlangano wa vaaki/mfumo lowu hoekeke, Muofisiri wa Vuxokoxoko u fanele ku hundzisela xikombelo lexi eka nhlangano wa vaaki/mfumo lowu lulameke ku nga si hela 14 wa masiku ya ku kuma xikombelo lexi naswona u fanele ku tivisa mukomberi hi ku hundziseriwa loku hi ku tsala.

30 wa masiku ku hlamula xikombelo

Xikombelo xa PAIA xi fanele ku hlamuriwa hi nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo ku nga si hela 30 wa masiku endzhaku ka ku kuma xikombelo. Muofisiri wa Vuxokoxoko a nga ha kombela ku engeteriwa ka nkarhi lowu wu nga riki ku tula 30 wa masiku yo engetela, na hi swivangelo swo kongoma, leswi swi catsaka ku va xikombelo xi khumba
(1) ntsengo lowukulu wa tidokhumente, (2) ku tihanganisa na mavandla man’wana ya vaaki/mfumo kumbe lama nga riki ya vaaki/mfumo, (3) kumbe loko mukomberi a nyikile engetelo hi ku tsala. Ko va engetelo wun’we ntsena wu pfumeleriwaka hi xikombelo xa PAIA.

Ku nyika kumbe ku ala mfikelelo

I vutihlamuleri bya Muofisiri wa Vuxokoxoko ku nyika kumbe ku ala mfikelelo wa tirhekodo leti. Xiboho lexi xi fanele xi nyikiwa mukomberi hi ku tsala.

Xivumbeko xa mfikelelo, hakelo ya mfikelelo na ndlela yinwana yo pfuna

Loko xikombelo xa PAIA xi nyikiwa, Muofisiri wa Vuxokoxoko u fanele ku tivisa mukomberi hi xivumbeko lexi mfikelelo wu nga ta nyikiwa haxona na hi ntsengo wa hakelo ya mfikelelo, leyi yi faneleke ku hakeriwa xikan’wekan’we loko mfikelelo wu nyikiwile. Xitiviso xi fanele ku tihela xi tivisa mukomberi leswaku u na mfanelo ya ku nghenisa aphihi ya le ndzeni na xikombelo ekhoto ehenhla ka hakelo ya mfikelelo kumbe ehenhla ka xivumbeko lexi mfikelelo wu nga ta nyikiwa haxona. Hi ku engetela, xitiviso xi fanele ku tihela xi nyika vuxokoxoko hi mayelana na nkarhi lowu aphihi kumbe xikombelo xa haxona xi faneleke ku nghenisiwa hawona xikan’we na endlelo leri ri faneleke ku landzelereiwa.

Ku arĩwa ka xikombelo

Loko xikombelo xa PAIA xi arĩwa, xitiviso xo ya eka mukomberi xi fanele ku vula swivangelo swa ku arĩwa, leswi swi faneleke ku seketeriwa hi swipimelo leswi fambelanaka swa PAIA. Tanihilesi swi nga xiswona eka xivumbeko kumbe mfikelelo na ntsengo wa hakelo ya mfikelelo, xitiviso xi fanele ku nyika mukomberi vuxokoxoko mayelana na mfanelo ya yena ya ku aphihi xiboho lexi kumbe ku nghenisa xikombelo ekhoto.

Ku hlwerisa ku humesiwa ka rhekodo

Muofisiri wa Vuxokoxoko a nga ha hlwerisa ku humesiwa ka rhekodo eka mukomberi hi ku ya hi Xiyenge xa 24 xa PAIA, loko rhekodo yaleyo yi kunguhatiwile ku va ya kandziyisiwa ku nga si hela 90 wa masiku kumbe loko rhekodo leyi yi laviwa hi nawu ku kandziyisiwa kambe yi nga se endliwa tano.
PAIA yi vula eka Swiyenge swa 23 (nhlangano wa vaaki/mfumo) na 55 (nhlangano lowu nga riki wa vaaki/mfumo) leswaku loko Muofisiri wa Vuxokoxoko xa nga koti ku kuma tirhekodo to karhi leti komberiweke, kumbe ku tshembiwa leswaku a ti kona, Muofisiri wa Vuxokoxoko, endzhaku ka ku tiyisisa leswaku magoza hinkwawo yo tivikana ya kumiwile ku kuma rhekodo leyi, u fanele ku yisa afidavhiti eka mukomberi a nyika xitiviso leswaku tirhekodo leti ku vulaviriwaka hatona a ti kona kumbe a ti kumeki.

### 3.4 Xana hi wahi maololoxelo ya xinawu lama ndzi nga na wona loko xikombelo xa mina xa PAIA xi ariwa?

Mukomberi u na mfanelo ya ku teka magoza ya xinawu ehenhla ka Muofisiri wa Vuxokoxoko, Xandla xa Muofisiri wa Vuxokoxoko, kumbe Murhangeri wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo loko Muofisiri wa Vuxokoxoko a tekile xiboho xa ku:

- Ala mfikelelo wa rhekodo
- Engetela nkarhi wa ku hlamula xikombelo
- Koxa hakelo ya xikombelo kumbe hakelo ya mfikelelo
- Nyika mfikelelo wa rhekodo hi xivumbeko xo hambana eka lexi a xi komberiwele emasungulweni.

Xiyenge lexi xi ta hlamusela maololoxelo ya xinawu lama nga kona eka vakomberi lava tsakelaka ku kaneta swiboho swa Vaofisiri va Vuxokoxoko.

#### 3.4.1 Ndlela yin’wana yo Pfuna ya Xinawu ehenhla ka Mihlangano ya Vaaki/Mfumo

Loko mukomberi a nga tsakangi hi xiboho lexi tekiweke hi Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo, mukomberi loyi u na mfanelo ya ku nghenisa aphili ya le ndzeni. Aphili ya le ndzeni yi khumba munhu loyi a nga eka xiyimo xa le henhla loyi a kambisisaka xiboho xa Muofisiri wa Vuxokoxoko na ku teka xiboho loko a tekile xiboho lexi lulameke. Loko munhu loyi a nga eka xiyimo xa le henhla a pasisa xiboho xa Muofisiri wa Vuxokoxoko, kutani aphili ya le ndzeni yi ariva kutani xiboho xa masungulo hi mayelana na xikombelo xa PAIA ya tiyisisiwa. Loko munhu loyi a nga eka xiyimo xa le henhla a nga pasisi xiboho xa Muofisiri wa Vuxokoxoko, kutani aphili ya nyikwa naswona xiboho xa masungulo mayelana na xikombelo xa PAIA ya ciniwa.

I swa nkoka ku tekela enhlukweni leswaku u nga yisa ntsena aphili ya le ndzeni eka tindzawulo ta mfumo wa rixaka, wa xifundzankulu na wa masipala. Ku hava endelelo ra aphili ya le ndzeni eka mihlangano yin’wana ya vaaki/mfumo.

Dorobankulu ra Kapa i xikombiso xa mfumo wa masipala lexi ehenhla ka rona aphili ya le ndzeni yi nga yisiwaka. Nkwama wa Tinghozi ta le Magondzweni i xikombiso xa nhlangano wa vaaki/mfumo lowu wu nga riki xiphemu xa mfumo wa rixaka, xifundzankulu kumbe miganga, tanihlaha swi lulumisweke hakona hi nau (Nawu wa Nkwama wa Tinghozi ta le Magondzweni), naswona hikokwala ho aphili ya le ndzeni yi nge ngenhesiwi ehenhla ka wona.

#### 3.4.1.1 Xana i mani a nga ha nghenisaka aphili ya le ndzeni?

Mukomberi loyi a endlaka xikombelo xa PAIA eka nhlangano wa vaaki/mfumo wa rixaka, wa xifundzankulu kumbe wa masipala naswona a aleriwa mfikelelo u na mfanelo ya ku nghenisa aphili ya le ndzeni. Leswi swi endliwa hi
ku tatisa Fomo ya B ya PAIA na ku va yi tatische hi nhlangano wa vaaki/mfumo wa rixaka, wa xifundzankulu kumbe wa masipala. Khopi ya Fomo ya B yi nga kumeka eka webusayiti ya mhlangano leyi faneleke naswona ya kumeka eka hofisi yin’wana na yin’wana ya Khomixini ya Timfanelo ya Ximunhu ya Afrika-Dzonga.

Loko aphili ya le ndzeni yi khumba vandla rii kumbe rihi n’ini, nhlangano wa vaaki/ mfumo lowu wu kumeke aphili ya le ndzeni wu na vutihlamuleri bya ku tihlanganisa na hinkwawo ya mavandla lama faneleke lama nga rihi vini. Swilaveko swa ku tivisiwa na ku nyikwa ka nhlamuselo swa fana tanihileswi swi lavekaka eka xikombelo xa masungulo xa PAIA.

Mavandla lama nga ri vini na wona ya pfumeleriwa ku ngenisaka tiaphili ya le ndzeni ehenhla ka swiboho leswi swi endliwehehi nhlangano wa vaaki/ mfumo ku nyika mfikelelo wa rhekodo yo kongoma.

3.4.1.2 Xana i nkarhi wihi nga ngenisaka aphili ya le ndzeni?

Mukomberi a nga ha ngenisaka aphili ya le ndzeni ehenhla ka xiboho xa nhlangano wa vaaki/ mfumo hi swivangelo leswi landzelaka:

» A nga enerisekangi hi tihakelo leti lavekaka ta xikombelo.
» Mukomberi a nga enerisekangi hi xiboho xa ku nyika 30 wa masiku ya engetelo eka nhlangano wa vaaki/ mfumo ku va wu hlamula xikombelo.
» Mukomberi a nga enerisekangi loko xivumbeko lexi tirhekodo ti nyikwahe xaxona xi nga fani na xivumbeko lexi xi komberiweke, kutani mukomberi ta tshemba leswakhu, leswi ta va swi nga vangi ndzhiwalo wo tivikana eka nhlangano wa vaaki/ mfumo ku va wu nyika tirhekodo leti hi xivumbeko lexi tsakeriwa eka mukomberi.

3.4.1.3 Xana ndzi yi endla njhani aphili ya le ndzeni?

Aphili ya le ndzeni yi fanele ku ngenisisa hi mukomberi ku nga si hela 60 wa masiku ya ku kuma ku ariwa ka xikombelo xa masungulo xa PAIA. Leswi swi endliwa hi ku tatisa Fomo ya B kutani u yi yisa eka ndzawulo leyi faneleke ya mfumo wa rixaka, wa xifundzankulu kumbe wa miganga.

<table>
<thead>
<tr>
<th>Mfumo wa Rixaka</th>
<th>Loko xikombelo xa PAIA a xi endliwile eka ndzawulo ya rixaka, mukomberi a nga ha ngenisisa aphili ya le ndzeni eka Holobye wa ndzawulo yaleyo.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mfumo wa Xifundzankulu</td>
<td>Loko xikombelo xa PAIA a xi endliwile eka ndzawulo ya xifundzankulu, mukomberi a nga ha ngenisisa aphili eka Xirho xa Huvonkulu ya ndzawulo yaleyo.</td>
</tr>
<tr>
<td>Mfumo wa Masipala</td>
<td>Loko xikombelo xa PAIA a xi endliwile eka ndzawulo ya masipala, mukomberi a nga ha ngenisisa aphili eka meyara wa masipala, kumbe xipikara xa masipala, kumbe munhu wihi kumbe un’wana loyi a thoriiweke hi Huvo ya Masipala ya masipala wolowo.</td>
</tr>
</tbody>
</table>

Fomo ya B yi yisiwa eka Muofisiri ya Vuxokoxoko yaloyle/Xandla xa Muofisiri wa Vuxokoxoko xolexo xi aleke xikombelo xa masungulo, lexi se xi nga ta laveka ku yi yisa eka Muofisiri wa Vuxokoxoko.

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TEKELA ENHLOKWINI:

Loko aphili yi lava leswaku xitiviso lexi nyikwaka vandla leri nga riki n’wini (h.l., loko vuxokoxoko byi ri na vuxokoxoko bya munhu hi mayelana na munhu un’wana, xikan’we na vuxokoxoko bya xihundla, vuxokoxoko byo karhi bya xibindzu, na vuxokoxoko bya ndzavisiso hi mayelana na vandla leri nga riki n’wini), kutani aphili yi fanele ku ngwenisiwa ku nga si hela 30 wa masiku ya ku va xitiviso xi ya xi nyikwa.

Mukomberi u fanele ku yisa aphili ya le ndzeni eka Muofisiri wa Vuxokoxoko wa nhlangano lowu faneleke hi poso, fekisi kumbe imeyili.

Aphili ya le ndzeni yi fanele ku katsa mhaka leyi aphili ya le ndzeni yiva vulavulaka hayona, swivangelo leswi seketelaka aphili leyi, naswona yi katsa vuxokoxoko byihi kumbe byihi byin’wana lebyi fambelanaka lebyi tiviwaka hi munhu loyi a endlaka aphili leyi.

Loko mukomberi a tsakela ku tivisiwa hi xiboho mayelana na aphili ya le ndzeni himukhuwa wo hambana, (hi ku engetela eka nhlamulo yo tsariwa), u fanele ku vula mukhuwa lowu tsakeriwaka na ku nyika vuxokoxoko byihi kumbe byihi lebyi lavekaka.

3.4.1.4 Xana ku humelela yini loko aphili ya le ndzeni yi ngwenisiwa endzhaku ka siku ra ku hundzeriwa hi nkarhi lowu lawuleriweke?

Loko a phili ya le ndzeni yi ngwenisiwa endzhaku ka loko nkarhi wa 60 wa masiku wu hundzile, nhlangano wa vaaki/mfumo lowu fambelanaka wu fanele ku amukela aphili leyi loko xivangela xa kahle xi kombisiwa xi ngwenisiwa nkarhi wu hundzile. Loko nhlangano wa vaaki/mfumo lowu faneleke wu nga amukeli ku ngwenisiwa nkarhi wu hundzile ka aphili ya le ndzeni, wu fanele ku nyika munhu loyi a endlaka aphili leyi xitiviso.

3.4.1.5 Xana hi tihi tihakelo ta tiaphili ta le ndzeni?

Mukomberi loyi a endlaka aphili ya le ndzeni u lavaeka ku hakela hakelo leyi lawuleriweke, loko yi ri kona. Loko hakelo ya aphili yi fanele ku hakeriwa hi nkarhi wa ku ngwenisiwa xikombelo, xiboho hi mayelana na aphili xi nga ha hwerisiwa ku fikela loko hakelo leyi yi hakeriwi.

XANA NDZI NGA NGHENISA XIKOMBELO EKHOTO EHENHLA KA XIBOHO XA NHLANGANO WA VAADI/MFUMO?

Ina. Loko mukomberi a nga humelelangi hi aphili ya yena ya le ndzeni ehenhla ka nhlangano wa vaaki/ mfumo, kumbe loko nhlangano wa vaaki/mfumo wu arle ku amukela ku ngwenisiwa loku nga hlwela ka aphili ya le ndzeni, kumbe loko mukomberi a vilerisiwihe hi ndlela yihi kumbe yihi hikwalaho ka xiboho xa nhlangano wa vaaki/mfumo, mukomberi a nga ha endla xikombelo ekhoto ku rhuliwa ndzwhwalo hi ku ngwenisa xikombelo ku nga si hela 30 wa masiku ya ku kuma xiboho lexi. Mukomberi kumbe vandla leri nga riki n’wini ri nga ha endla xikombelo eka tikhoto endzhaku ka loko endlelo ra aphili ya le ndzeni ri gimetiwile.
3.4.2 Ndlela yin’wana yo Pfuna ya Xinawu ehenhla
Mihlangano leyi nga riki ya Vaaki/Mfumo

Loko mukomberi a nga enerisekangi hi xiboho lexi tekwiwe hi murhangeri wa vandla leri nga riki ra vaaki/mfumo, tanihi xikombiso eka ku ala mfikelelo, eka ku rhexwa tihakelo ta mfikelelo, kumbe eka ku engetela nkarhi lowu eka wona nhlamulo yi faneleke ku nyikiwa, mukomberi a nga ha edla xikombelo ekhoto ku rhuliwa ndzhwalo ku nga si hela 180 wa masiku ya ku kuma xiboho lexi xi vangeke xivilelo lexi. Xiboho xa nhlangano lowu nga riki wa vaaki/mfumo xi ta kambisisiwa hi khoto kutani xiboho xi ta endliwa hi tikhoto loko mfikelelo wu fanele ku nyikwa kumbe wu nga fanelangni ku nyikiwa.

**BRUMMER V HOLOBYE WA NHLUVUKISO WA VAAKI**

Eka mhaka leyi tikhoto ti vurile leswaku nkarhi wa masungulo wa 30 wa masiku ehansi ka PAIA lowu eka wona mukomberi a nga ha endlaka xikombelo eka tikhoto loko a nga enerisekangi hi xiboho xa Muofisiri wa Vuxokoxoko a wu nga enelangi ku tisa mhaka ya vululami. Hikokwalaho ku tiyisisiwile leswaku nkarhi wa 30 wa masiku a wu nga ri enawini naswona wu engeriwiwi ku fika eka 180 wa masiku. Vuahluri lebyi byi kombiswiwi eka Nawu wa lowuntuXhwa wa Nsirhelelo wa Vuxokoxoko bya Munhu lowu wu vulaka leswaku ku na nkarhi wa 180 wa masiku ku va vakomberi va yisa xivilelo eka Mulawuri wa Vuxokoxoko, endzhaku ka ku heta maenlelelo hinkwawo ya PAIA ya ku kuma mfikelelo wa rhekodo ya munhu.

Milandzu ya mfikelelo wa vuxokoxoko yi nga yingiseriwa emahlweni ka Tikhoto ta Majisitarata tanihi khoto ya xiyimo xo sungula, tanihilaha swi lulamiseriweke hakona ehansi ka Xiyenge xa 79 xa PAIA na le ka Tikhoto ta le Henhla.

3.4.3 Xana ku ta humelela yini hi nandzu wa mina lowu nga ekhoto?

Ku na mivuyelo yo hlayanyana leyi nga endlekaka loko nandzu wa PAIA wu yisiwa ekhoto. Endzhaku ka ku yingiseriwa ka matlhelo hinkwawo ya mhaka leyi, muavanyisi loyi a fambisaka nandzu lowu u na matimba ya ku nyika xileriso. Leswi swi nga ha katsa xileriso lexi: (1) xi tiyisisaka, xi cincaka, kumbe xi susaka xiboho xa nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo hi mayelana na xikombelo xa PAIA; (2) xi lava xeswaku nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo wu teka goza ro karhi kumbe ku tshika goza ro karhi; (3) xi nyikaka xileriso, xileriso xo tivisa, ku rhuliwa ko karhi ka ndzhwalo, kumbe ndziriso; kumbe (4) xi lava ku hakeriwa ka tihakelo to karhi.
Xiyenge lexi xi katsa:

4.1 Ku ringanisa mfanelo ya ku kuma mfikelelo wa vuxokoxoko na timfanelo letin’wana

4.2 Swivangelo leswi bohaka swi hambanisiwa na leswi yaka hi mavonelo swa ku ariwa ka mfikelelo

4.3 Swivangelo swa ku ariwa ka mfikelelo wa vuxokoxoko leswi xaxametiweke eka PAIA

4.4 Xikambelo xa ku tsakela ka vaaki
4.1 Nkarhi lowu Mfikelelo wa Vuxokoxoko wu nga ha ariwaka

Xiyenge lexi xi ta nyikwa nktaksanyo wa nkarhi lowu mfikelelo wa vuxokoxoko wu nga ha ariwaka ehansi ka PAIA, na xilelelo xa matirhiselo ya milawu leyi pfumelelaka Muofisiri wa Vuxokoxoko ku ala xikombelo. PAIA yi xaxameta 12 wa swivangelo leswi hikwalaho ka swona mfikelelo wa vuxokoxoko wu nga ha ariwaka hi Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo, leswi swin’wana swa swona swi bohaka naswona swin’wana swa swona swi yaka hi mavenelo (Vona Xiyenge xa 4.2 laha hasi ku kuma vuxokoxoko byo yisa emahlweni). Hi ku engetela PAIA yi tumbuluxa xinawana xa ntsakelo wa vaaki lexi xi bakanyakha hindlela leyi xiverisaka xih Cumbe xhi xi xa swivangelo swa ku ariwa ka mfikelelo wa vuxokoxoko laha ntsakelo wa vaaki wu nga mhaka yo vilerisa. (Vona Xiyenge xa 4.4 laha hansi ku kuma vuxokoxoko byo yisa emahlweni).

<table>
<thead>
<tr>
<th>KU RINGANISA MFANELO YA MIKHELELO WA VUXOKOXOKO NA TIMFANELO TIN’WANA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TANIHI NTOLOVELO</strong></td>
</tr>
<tr>
<td><strong>LETI NGA FANIKI NA TIN’WANA</strong></td>
</tr>
</tbody>
</table>

4.2 Swivangelo leswi Bohaka swi hambanisiwa na leswi Yaka hi Mavonelo swa ku ala mfikelelo wa vuxokoxoko

PAIA yi vula leswaku eka swiyimo swo karhi vuxokoxoko byi nga ka byi nga paluxwi hi Muofisiri wa Vuxokoxoko. Hi ku komisa, swivangelo leswi endlaka leswaku vuxokoxoko byi nga koti ku paluxwi swi fambelenana loko ku paluxwi ka vuxokoxoko lebyi swi ta vanga ku vaviseka lokukulu kutlula loko byi nga paluxwiwangi. Hikokwalaho, PAIA yi xaxameta khumembirhi wa swivangelo leswi eka swona mfikelelo wa vuxokoxoko wu nga ariwaka hi Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo (swivangelo leswa 12 swi ta kokometiwa eka Xiyenge xa 4.3 laha hansi). Hi tlhelo rin’wana, swin’wana swa swivangelo swa ku nga paluxwi swi boha ehenhla ka Muofisiri wa Vuxokoxoko leswi swi vulaka leswaku Muofisiri wa Vuxokoxoko a nga fanelangi ku pfumelela mfikelelo wa vuxokoxoko koko xin’wana xa swivangelo leswi bohaka swa ku ariwa ka mfikelelo swa ku nga kota ku tyisisiswa hi vumhloni. Hi tlhelo lerin’wana, swivangelo leswin’wana swa ku ariwa ka mfikelelo wa vuxokoxoko hi leswi swi vuriwaka leswi yaka hi mavenelo. Leswi swi vula leswaku Muofisiri wa Vuxokoxoko a nga ha paluxwa kumbe a nga ka paluxi vuxokoxoko lebyi. Hikokwalaho, Muofisiri wa Vuxokoxoko u fanele ku tirhisa mavenelo ya yena eku hu hlahluva loko ku paluxa vuxokoxoko lebyi swi ta vanga ku vaviseka lokukulu eka nhlangano wa vaaki/mfumo kumbe lowu nga riki wa vaaki/mfumo ku tlula loko byi nga paluxwi.
MATHEME YA PAIA LAMA FANELEKE KU TEKERIWA ENHLOKWENI...

Eka ku ariwa loku bohaka, PAIA yi tirhisa rito "fanele".

Eka ku ariwa loku yaka hi mavonelo, PAIA yi tirhisa "nga ha".

Tsundzuka: tanihi Muofisiri wa Vuxokoxoko, u fanele ku tshama u karhi u languta swilo tanihileswi swi nga xiswona loko u tirhisa xivangelo xa ku ariwa ka mfikelelo wa vuxokoxoko. U nga teki matlhelo, u nga voyameli eka tlhelo ro karhi hi mirarhi hinkwayo!

4.3 Swivangelo swa ku ariwa ka mfikelelo wa vuxokoxoko

Tanihilaha swi vuriweke hakona laha henhla ku na swivangelo swo hambanahambana leswi ehansi ka swona xikombelo xa mfikelelo wa vuxokoxoko xi nga ha ariwaka kumbe xi faneleke ku ariwa hi Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wi vaaki/mfumo. Swivangelo leswi swi xaxametiwi eka PAIA ehansi ka Kavanyisa ka 4 ka Xiphemu xa 2 xa Nhlangano wa Vaaki/Mfumo, na Kavanyisa ka 4 ka Xiphemu xa 3 xa Nhlangano lowu nga riki wi Vaaki/Mfumo.

4.3.1 Nsirhelelo wa xihundla xa nhlangano lowu nga riki wi vaaki/mfumo

Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo kumbe lowu nga riki wi vaaki/mfumo a nga fanelangi ku pfumelela mfikelelo wa vuxokoxoko bya munhu bya munhu wa ntumbuluku, ku katsa na munhu loyi a nga lova (eka nhlamuselo ya "munhu wa ntumbuluko" vona Matheme yo Pfuna laha henhla). PAIA yi vula leswaku hi xikongomelo xa ku sirhelela mfanelo ya ku na xihundla ya vandla leyi nga riki n’wini leyi nga munhu wa ntumbuluku, Muofisiri wa Vuxokoxoko u fanele ku hlalhuva loko ku humesiwa vuxokoxoko lebyi ku vulavuriwaka habyona eka mukomberi ‘swi ta khumba mpaluxo lowu nga tivikaniki wa vuxokoxoko bya munhu’ (vona Swiyenge swa 34 na 63 swa PAIA).

Xiyenge xa 1 xa PAIA xi nyika nhlamuselo yo anama ya leswaku i vuxokoxoko byilhi byi vumbaka “vuxokoxoko bya munhu”. Byi katsa vuxokoxoko lebyi fambelanaka na rimbewu, vuyimani, na vukhongeri/vugandzeri, xikan’we na mapapila ya munhu, DNA, migandlu ya tintiho, na swiyimo laha vito ra munhu ri vonakalaka eka tirhekodo. Muofisiri wa Vuxokoxoko u fanele ku tlhela a langutisisa loko vuxokoxoko bya munhu lebyi ku vulavuriwaka habyona byi wela kumbe byi nga weli eka mikheteke kanye leyi landzelaka ya vuxokoxoko bya munhu lebyi byi nga ha paluxiwaka:

» Vuxokoxoko bya munhu bya munhu loyi a nga nyika mpfumelelo wa vuxokoxoko lebyi ku va byi humesiwa;
» Vuxokoxoko bya munhu lebyi se byi nga eka mani na mani;
» Vuxokoxoko bya munhu hi mayelana na n’wana loyi a nga ehansi ka vukhale bya malembe ya 18 laha ku paluxiwa ka vuxokoxoko byolebyo swi nga ta vuyerisa swinene n’wana loyi, naswona mukomberi ku nga mhlaysiwa wa n’wana (h.l. mutswari kumbe mhlumela mhlaysi);
» Vuxokoxoko bya munhu bya munhu loyi a nga lova loyi eka mukomberi a nga xaka ra le kusuhi ra munhu loyi, kumbe loyi a pfumelaniweke (hi mpfumelelo wo tsariwa) hi xaka ra le kusuhi;
» Vuxokoxoko bya munhu bya munhu loyi a nga lova loyi a nga va a lovile eka nkarhi ra kutlula 20 wa malembe;
» Vuxokoxoko bya munhu bya munhu loyi a nga ofixiyali a nga xaka ra le kusuhi eka nhlangano wa vaaki/mfumo kumbe lowu nga riki wi vaaki/mfumo na laha vuxokoxoko lebyi byi fambelanaka na xiyimo xa yena tanihi ofixiyali.
PAIA yi lava leswaku Vaofisiri va Vuxokoxoko kusuka eka Vukorhokeri bya Xibalo bya Afrika-Dzonga (SARS) va nga paluxi vuxokoxoko bya xibalo xa munhu na bya timali leti a ti kumaka, handle ka loko mukomberi a kombela mfikelelo wa vuxokoxoko bya yena n’wini.

4.3.2 Nsirhelelo wa vuxokoxoko bya vandla leri nga riki n’wini

Vaofisiri va Vuxokoxoko va mhihangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo va fanele ku ala mfikelelo wa vuxokoxoko loko ku humesiwa ka vuxokoxoko byolebyo swi ta vanga ku vaviseka eka ntsakelo wa xibindzu kumbe wa swa timali ka bindzu. PAIA yi xaxameta vuxokoxoko lebyi landzelaka bya xibindzu lebyi nga ta ka byi nga paluxiwi hi Muofisiri wa Vuxokoxoko:

- Swihundla swa bindzu;
- Vuxokoxoko bya swa timali, swa xibindzu, swa xsayense, swa ndziriso na swa xithokiniki hi mayelana na vandla leri nga riki n’wini lebyi, loko byi humesiwa, byi nga ta vanga ku vaviseka eka vandla leri nga riki n’wini;
- Vuxokoxoko lebyi lebyi byi nyikiweke vandla leri nga riki n’wini hi ku ri tshemba.

Hambileswi ku nga na endlelo ra ntolovelo ku sirhelela vuxokoxoko bya khamphani, nhlangano wa vaaki/mfumo wu lava ku tirha himukhuva wa nkvuciva. Ku na swiyimo swo karhi laha vuxokoxoko bya xibindzu bya khamphani byi nga humesiwaka.

Ku siyiwa ehandle ka PAIA: Tirhekodo ta vandla leri nga riki n’wini leti fambelanaka na vuhlayiseki bya vaaki kumbe mixungeto ya mbangu ti fanele ku humesiwa, hambilo ko ku humesiwa vuxokoxoko byolebyo ku tikomba ku ta vanga ku vaviseka eka vandla leri nga riki n’wini. Leswi swi vumba vuxokoxoko bya ntsakelo wa vaaki (vona xiyenge xa 4.4 laha hansi).

4.3.3 Nsirhelelo wa vuxokoxoko bya xihundla

PAIA yi vula leswaku Muofisiri wa Vuxokoxoko u fanele ku ala mfikelelo wa rhekodo loko ku humesiwa ka rhekodo leyi swi ta vanga ku onhiwa ka vutihlamuleri bya byi nga humesiwaka lebyi, loko byi humesiwa, byi nga ta vanga ku vaviseka eka vandla leri nga riki n’wini hi ku landza ntwanano kumbe kontiraka.

4.3.4 Nsirhelelo wa vuhlayiseki bya munhu na nhundzu

Xiyenge lexi xi vula leswaku Muofisiri wa Vuxokoxoko u fanele ku ala mfikelelo wa rhekodo loko mpaluxo wa rhekodo leyi hindlela yo tivikana wu nga languteriwa ku vevukisa vuhlayiseki bya munhu kumbe nhundzu. Xiyenge lexi xi na mfanelo ya ku vuka xihundla eka xona tanihileswi xi xiphemu xa xihundla eka xona tanihileswi xi xiphemu xa xihundla eka xona tanihileswi xi tekela enandzwini swa nhundzu ya yena.

4.3.5 Nsirhelelo wa vuxokoxoko eka vumangalelani bya xinawu

Xikongomelo xa xiyenge lexi i ku sirhelela vuxokoxoko lebyi byi lavaekaka eka tiphurose lexa xinawu na ta ku sindzisiwa ka nawu. Xiyenge lexi xi tekela enhlokweni milawu yin’wana leyi lawulaka mikhetekanyo yin’wana ya vuxokoxoko. Eka xiyimo xa xiyenge lexi, Nawu wa Mafambiselo ya Vugevenga wa 51 wa 1977 xi tekwa tanihi nawu lowu wu lawulaka tirhekodo leti fambelanaka na maendlelo yo humesa enandzwini swa nkarhinyana na maendlelo man’wana ya ku sindzisiwa ka nawu. Nakambe, leswi swi tirha eka tirhekodo leti yirisweke ku va ti
kandziyisiwa. Hi marito man’wana i tirhekodo leti ti nga kumekiki eka munhu wihhi kumbe wihhi un’wana, handle ka munhu loyi a nga na mfanelo yo hlwuleka ya ku fikelela tirhekodo toleto, tanihi xikombosi muyimeri wa swa nawu loyi a nga na mfanelo leyi nga na tilayente. Tirhekodo tihi kumbe tihi leti ti yaka hi vuxaka lebyi byi nga kona exikarhi ka muyimeri wa swa nawu na tilayente ya yena ti sirheleriwire ehansi ka Xiyenge xa 40 xa PAIA.

Hambleswi PAIA yi amukelaka vukona bya milawu yin’wana leyi fambelanaka na malawulelo na mpaluxo wa vuxokoxoko na tirhekodo, eka xiyimo laha milawu leyi yisongahataka mfikelelo wa vuxokoxoko ku ri hava xivangelo xo tivikana naswona yi kanetana na maendlelo ya nkavuciva na vutihlamuleri, PAIA yi ta siva nawu wolowo.

4.3.6 Nsirhelelo wa Vuxokoxoko bya Ndzavisiso

Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo na lowu nga riki wa vaaki/mfumo u fanele ku a la mfikelelo wa tirhekodo leti nga na vuxokoxoko lebyi fambelanaka na ndzavisiso lowu wu endliwa kumbe lowu wu nga ta endliwa hi nhlangano wa vaaki/mfumo na lowu nga riki wa vaaki/mfumo lowu ku vulavurwaka hawona kumbe vandla leyi nga ri ‘ni wini. Ku ariwa loku ka mfikelelo wa vuxokoxoko ku le ka swiyo laha ku paluxiwa ka rhekodo leyi swi nga ta paluxa ndzavisiso wa vandla leyi nga ri ‘ni wini kumbe nhlangano wa vaaki/mfumo na lowu nga riki wa vaaki/mfumo, munhu kumbe nhlangano lowu endlaka ndzavisiso lowu, kumbe mhaka leyi ndzavisiso wu tirhanaka na yona eka xiyimo lexi nga riki kahle hindlela yo tivikana. (vona Swiyenge swa 43 na 69 swa PAIA).

4.3.7 Vuxokoxoko lebyi byi nga ha aleriwaka mfikelelo

Mikhetekekyo leyi landzelaka ya vuxokoxoko yi fambelana na vuxokoxoko lebyi Muofisiri wa Vuxokoxoko a nga ha byi alelaka mfikelelo, ntsena loko a nga kota ku nyika nhlamuselo yo tivikana leswaku vuxokoxoko lebyi ku vulavurwaka habonya byi wela mikhetekekyo leyi landzelaka naswona a swi nga ta vuyerisa vaaki ku byi paluxa (ku kuma vuxokoxoko byin’wana eka xinawana xa ntsakelo wa vaaki vona Xiyenge xa 4.4 laha hansi).

4.3.7.1 Vusirheleri, nhlayiseko na vuxaka bya matiko ya matiko ya misava bya Afrika-Dzonga

Xiyenge xa 41 of PAIA xi lava leswaku muofisiri wa vuxokoxoko a langutisisa loko xikombelo xa vuxokoxoko xi fambelana na vuxokoxoko hi mayelana nhlayiseko wa Afrika-Dzonga. Muofisiri wa vuxokoxoko a nga ha a la xikombelo loko a nga nyika vumbhoni bya leswaku swi ta veka enxungetweni vuhlayiseki bya Afrika-Dzonga ku humesa vuxokoxoko lebyi.

4.3.7.2 Ntsakelo wa ikhonomi, wa timali na wa mabindzu wa Afrika-Dzonga

Xiyenge xa 42 xa PAIA xi lava nsirhelelo wa vuxokoxoko bya nhlangano wa vaaki/mfumo loko ku paluxiwa ka byona swi ta vavisa xiyimo xa ikhonomi na xa timali xa Rhiphabuliki. Xivangelo lexi xa ku ariwa xi ya hi mavonelo lesi vulaka leswaku Muofisiri wa Vuxokoxoko u ta fanele ku tekela enhlokweni ntiyiso wa leswaku mihlangano ya vaaki/mfumo yi Jerisiwile ehansi ka Vumbiwa bya Afrika-Dzonga ku va na vutihlamuleri eka vaaki, na leswaku hikokwalaho ko va ntsena eka swiyo swo karhi laha vuxokoxoko byi nga ha ariwa. Ku yisa emahlweni, Muofisiri wa Vuxokoxoko u ta fanele ku kombisa leswaku mpaluxo wa vuxokoxoko lebyi ku vulavurwaka habonya wu ta vanga ku vaviseka eka mitsakelo wa swa timali ya na ikhonomi ya Afrika-Dzonga.
4.3.7.3 Matirhelo ya mihlangano ya vaaki/mfumo

Xiyenge xa 44 xa PAIA xi nyika Vaofisiri va Vuxokoxoko vuvukotyi bya ku ala mfikelelo wa rhekodo loko yi ta kavanyeta matirhelo ya nhlango no vaaki/mfumo. Xiyenge xa 44 xi anamile, tirhekodo to tala leti xaxametiweke ehansi ka matirhelo ti katsa:

» Makanelwa ya tinhlengeletano;
» Tirhekodo leti nga na switsundzuxo kumbe mavonelo;
» Tirhekodo leti ti khumbaka vutihlanganisi byo kuma switsundzuxo na mihlangano yin’wana;
» Tirhekodo leti ti khumbaka ku tumbuluxiwa ka tipholisimbe kumbe swibumabumelo.

4.3.7.4 “Swikombelo leswi nga tivikaniki hindlela leyi erivaleni kumbe leswi nga na vutswaka, kumbe kuhambukisiwa ka nkoka na ku va loku tivikanaka ka swipfuno”

Muofisiri wa Vuxokoxoko a nga ha ala xikombelo xa vuxokoxoko loko a vona onge ku tirha swikombelo swi ta dya nkarhi mahala naswona swi ta vanga ku tlängisiwa ka swipfuno. Hi ku engetela, Muofisiri wa Vuxokoxoko a nga ha ala mfikelelo wa rhekodo loko xikombelo xi voniwa xi nga nyawuli kumbe xe ndliwa hi mukomberi ku karhata swi nga fanelangi kumbe ku vanga vutswaka.

4.4 Ku Bakanyiwa ka Ntsakelo wa Vaaki

Misirhelelo hinkwayo leyi nyikiwaka vuxokoxoko tanihilaha yi koxometiweke hakona laha hansi ya tshikiwa loko ku humesiwa ka vuxokoxoko ku ri ka ntsakelo wa vaaki. Hindlela leyi, xikambelo xa ntsakelo wa vaaki xi bakanya hinkwaswo swivangelo swa ka ariwa ka mfikelelo wa vuxokoxoko.

Xikambelo lex! landzelaka xi fanele ku tirhisiwa hi Muofisiri wa Vuxokoxoko wa nhlangano wa vaaki/mfumo kumbe lwu nga riki wa vaaki/mfumo ku nga si ariwa ku pfumelela mfikelelo wa vuxokoxoko lwu wu welaka ehansi ka mikheteke kumbe ku nga paluxiwa lox xametiweke laha henhu. Loko swipimelo leswi swi fikeleriwa, kutani vuxoxoxoko byi fanele ku paluxiwa hi swivangelo swa ntsakelo wa vaaki.

Xana vuxokoxoko lebyi byi kombisa ku onhiwa ko tivikanaka ka nawu?

Kumbe

Xana tirhekodo leti ku vulavuriwaka hatona ti na vuxokoxoko lebyi fambelanaka na vuha yiseki bya vaaki kumbe nxungeto wa mbangu lwu nga ekusui na ku humelela kumbe lwu tivikanaka?

Na

Xana ntsakelo wa vaaki eka ku paluxiwa ka vuxokoxoko lebyi wu na ntikelo lwu nga erivaleni lwu hundzaka ku vaviseka loko nga tshukaka ku va kona?
XIYENGE XA 5

Swiyelaniso swa nkoka na vuxokoxoko byin’wana bya nkoka

Xiyenge lexi xi katsa:

5.1 Nxabakilo wa swiyelaniso swa nkoka leswi swi tirhisweke ku hlenelela Xiletelo lexa PAIA, ku katsa na milawu

5.2 Nxbakilo wa swipfuno swin’wana swo tirhisika swa PAIA
5.1 Swiyeslaniso swa nkoka

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<td>PAIA Unpacked (xa kumeka eka <a href="http://www.saha.org.za">www.saha.org.za</a>)</td>
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<td>PAIA Community Tool Guide (xa kumeka eka <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>)</td>
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5.2 Swinawana swa PAIA

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<td>22 Ndzati 2003</td>
<td>Xihundzulo lexi fambelanaka na vukona bya tibukumpfuno ta PAIA ta tihuvo ta vaaki/mfumo na leti nga riki na vaaki/mfumo.</td>
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<tr>
<td>Xitiviso xa Mfumo: No. R. 187</td>
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<td>Xihundzulo xa PAIA lexi nga hi mayelana na Xiyenge lexa Xiyenge na vukona bya tibukumpfuno ta PAIA.</td>
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<td>Xitiviso xa Mfumo: No. R. 233</td>
<td>9 Nyenyankulu 2001</td>
<td>Xinawana lexi xi fambelana na tihakelo leti faneleke ku hakeriwa ku kuma mfikelelo wa tirhekodo ta mihlangano ya vaaki/mfumo na leyi nga riki ya vaaki/mfumo.</td>
</tr>
<tr>
<td>Xitiviso xa Mfumo xa No. R. 466</td>
<td>1 Khotavuxika 2007</td>
<td>Tifomo leti katsiweke ta Muofisiri wa Vuxokoxoko ta landzela loko ku kandziyisiwa switiviso swa mpaluxo hi ku swi tshunxekela hi ku landza swiyenge swa 15 na 52 swa PAIA.</td>
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5.3 Swihundzulo swa PAIA

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<td>Xitiviso xa Mfumo xa No. 428</td>
<td>31 Nyenyankulu 20004</td>
<td>Xihundzulo xa xiyenge xa 92(4) xa PAIA ku lulamisela Milandzu na Mixupulo ya vanhu lava sivela hi vomu na hindla leyi hosekeke xikombelo xa xa xukokoxoko xa mukomberi, tanihi xikombiso hi ku onha tirhekodo.</td>
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<td>Xitiviso xa Mfumo xa No. 96</td>
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<td>Xihundzulo xa PAIA ku lulamisela vuleteri bya vaofisiri vo fambisa eka Tikhoto ta Vamajisitarata ku yingisela milandzu ya PAIA.</td>
</tr>
<tr>
<td>Xitiviso xa Mfumo xa No. R. 187</td>
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<td>Xihundzulo xa PAIA hi mayelana na Xilelelo xa Xiyenge xa 10 na vukena bya tibukumpfuno ta PAIA.</td>
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5.4 Swihundzulo swa swinawana swa PAIA

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5.5 Swipfuno swin’wana swo tirhiseka swa PAIA

1) Using PAIA to Promote Housing Rights, SAHA (xa kumeka eka www.saha.org).
2) Accessing Information for Your Community, SAHA (xa kumeka eka www.saha.org).
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**Ehlanzeni District Municipality**

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**Emalahleni Local Municipality**

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WESTERN CAPE

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