USHICILELO

Loku-1

UMNYANGO WEZOBULUNGISWA KANYE NOKUTHUTHUKISWA KOMTHETHOSISEKELO

IMANUWALI YESAHLUKO SE-14: UKUQHUTSHEKISELWA PHAMBILI UKUFINYELELEKA KOLWAZI

Ihlanganiswe ngu-: IHhovisi Likasekela-Mgcinilwazi
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Yafakwa ulwazi olusha mhla zi-31 August 2016

IMANUWALI ILUNGISWE NGOKWESAHLUKO SE-14 SOMTHETHO WOKUQHUTSHEKISELWA PHAMBILI UKUFINYELELEKA KOLWAZI WONYAKA WE-2000

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ISAHLUKO SOKU-1

UMthetho Wokuqhubekisela Phambili Ukufinyeleleka Kolwazi wonyaka we-2000 (uMthetho wesi-2 we-2000) ubeka ukuthi uHlaka Lukahulumeni kufanele luhlinzeke ngemininingwane yamarekhodi agcinwe uhlaka lukahulumeni olufana nalolu ukuze kwazeke ukuthi nanoma isiphi isicelo siphendulwe.

IMININGWANE YAMAREKHODI AGCINWE UHLAKA LUKAHULUMENI IGCINWE EBHUKWINI OKUJWAYELE UKUBA LAZIWE NGOKUTHI IMANUWALI. IMANUWALI NGOKUNJALO IMAYELANA NAMAREKHODI AGCINWE UHLAKA LUKAHULUMENI. AMAREKHODI AGCINIWE AMAYELANA NEBHIZINISI/IMISEBENZI YEYUNITHI NEYUNITHI. UKWEHLUKANISA PHAKATHI KWEMISEBENZI/IBHIZINISI LEYUTHI NGAYINYE, AMAREKHODI EYUNITHI NGAYINYE ANIKWA IZINOMBOLO EZEHLUKILE. IREKHODI NGALINYE LIPHINDE LIBE NOMYALO WOKULISEBENZISA

Ngaphandle kwamarekhodi, abuye abizwe ngamafayela, imanuwali iphinde ibe nolwazi ngekheli leNhloko Yomnyango kanye namakheli aBagcinilwazi boHlaka Lukahulumeni kanye namagama enye nenye iyunithi yoHlaka Lukahulumeni, kanye nomsebenzi wayo omkhulu kanye nohlu lwawo onke amarekhodi agcinwe uHlaka Lukahulumeni.

ISAHLUKO SESI-2

UMHLAHLANDLELA WESAHLUKO SE-10 WAWO ONKE AMAMANUWALI ERIPHABHLIKHI YASENINGIZIMI AFRIKA

IKhomishani Yamalungelo EsiNtu YaseNingizimu Afrika ishicilele umhlahlandlela njengoba kubekwe yiSahluko se-10 soMthetho Wokuqhutshekiselwa Phambili Ukufinyeleleka Kolwazi. Lo mhlahlandlela utholakala emahhovisi eKhomishani Yamalungelo EsiNtu YaseNingizimu Afrika.

IYunithi ye-PAIA (Ukuqhutshekiselwa Phambili Ukufinyeleleka Kolwazi) kuKhomishani Yamalungelo EsiNtu YaseNingizimu Afrika.

UMnyango Wocwaningo Nokugcinwa Kwemibhalo
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HOUGHTON
2014

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I-imeyili	PAIA@sahrc.org.za

ISAHLUKO SESI-3

IMININGINGWANE YOKUXHUMANA NOMGCINILWAZI KANYE NAMASEKELA AKHE KUMNYANGO WEZIBULUNGISWA NOKUTHUTHUKISWA KOMTHETHOSISEKELO

UMGCINILWAZI

UMqondisi-Jikekele e-DOJCD: Mr. V Madonsela
Private Bag X81
PRETORIA
0001

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Ukuchazwa kwemisebenzi

Ngukuhlinzeka ngokuqondiswa kuMnyango Wezobulungiswa Nokuthuthukiswa Komthethosisekelo (i-DOJCD) kanye nokuqinisekisa ubusobala, ukuziphendulela, ukusebenza okunolwazi kanye nokusizwa kwamaklayenti okugcono, okumbandakanya ababophisayo, iPhalamende kanye Nohulumeni.

OSEKELA-MGCINILWAZI:
UNks Marlyn Raswiswi
UMmeli Witness Ndou
UNks Natalie-Dominique Louw

Ukufinyeleleka Kolwazi Nokuphathwa kwamarekhodi
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Ukuchazwa kwemisebenzi

Ukuqhutshwa kokusetshenziswa kwe-PAIA yizo zonke iZinhlaka Zikahulumeni kanye nokuhlelelwa ukuQhutshekiselwa Phambili kwe-PAIA emphakathini kanye nokuqeqeshwa koSekela-Mgcinilwazi ngokusetshenziswa koMthetho.

AMAGATSHA AKUMNYANGO WEZOBULUNGISWA KANYE NOKUTHUTHUKISWA KOMTHETHOSISEKELO

IZINSIZO ZENKANTOLO KANYE NOKUTHUTHUKISWA KWENQUBOMGOMO USekela Mqondisi-Jikelele	Ukuqinisekisa izinsizo zenkantolo ezingabizi kanye nokukhuthaza ukuhlukaniswa kwemisebenzi yokwahlulela, ukushushiswa nokuphatha; ukuxazululwa ngokushesha kwemidanti yomthetho wemindeni Ukwenza ucwaningo; ukuhlelela ukusetshenziswa kweqoqomthetho eligunyazwe ngumthethosisekelo ofana noMthetho Wokukhuthazwa Kokulingana kanye Nokunqandwa Kobandlululo Olwenzelelayo wonyaka we-2000) kanye noMthetho Wobulungiswa Bokuphatha wonyaka we-2000; ukukhuthazwa koMthethosisekelo kanye namagugu awo; kanye nokusiza nokuvikela izikhungo ezizimele ezisekela intando yeningi yomthethosisekelo ukuze kuqinisekiswe ukuzimela kwazo kanye nempumelelo yazo; futhi nokuhlelela, ukukhuthaza nokusungula izinhlelo ekusekeleni ubulungiswa basemphakathini, kanye nentando yeningi okubanjwa kuyo iqhaza. **Uphiko: Ukusebenza Kangcono Kwenkantolo Yesifunda**

	Ukuphatha ukuthuthukiswa kwenqubomgomo kanye nokungenelela/nezinhlelo zokusekela uhlelo lokuphathwa kokuhamba kwamacala; Ukuhlola okuqhubekayo kwensebenzo yezinkantolo kanye futhinokuphumelelisa amasu okungenelela ukuze kwehliswe ukusilela kwamacala; Ukuhlinzeka izinsizakalo zokusekela ze-HRP; ukuphawula nokuya kumahhovisi afanele emidanti yezabasebenzi; Ukuphatha izinqubo nezinkambiso zamacala omphakathi nawobugebengu; Ukuqinisekisaukuthuthukiswa nokubandakanywa kwezinhlelo zokusebenza kangcono kwezinkantolo (izinhlelo zokurekhoda, ukuhleliswa kwamavido, izinhlelo ezibandakanyayo zokuphathwa kwamacala); Ukuhlelela kanye nokubuyekeza izinhlaka zikazwelonke zokulawula kuzinsizakalo zezinkantolo ukuze kuthuthukiswe ukusebenza kwezinkantolo; Ukuhlela ukukudidiyelwa kukazwelonke kwemimizamo yabalingani bobulungiswa ngokuphathwa kwamacala kanye nokusetshenziswa kwezihlosongqangi zoqoqo; Ukwenza amazinga ezinsiszakalo futhi nokuphumelelisa izinhlaka ze-SLA ngokuphathwa komsebenzi ezinkantolo kanye nokuqapha ukuhlonishwa kwamazinga ezinsizakalo; Ukuhlelela ulwazi ngezinsizo zezinkantolo kanye nokusebenza ukusekelwa kwezinqumo; Ukweseka amaJaji enkantolo nokusetshenziswana nabo.
<u>ABAPHATHI BENKANTOLO ENKULU</u> UMphathi Omkhulu	Ukuhlinzeka ngokufinyeleleka kuzinsizo ezimayelana nempahla yoshonile kanye nengakwazi ukukhokha izikweletu, ukubhekela namathrasti. Ukugunyazwa kwaBaphathi Bezinkantolo Ezinkulu ngukubheka ukuphathwa kwezimpahla zabashonile nabangakhoni ukukhokha izikweletu kanye nokuba isazimthetho, amathrasti nababhekeli kanye nokwenza ngcono ukufinyeleleka kusiKhwama Sabaqaphi kwabantu abafanele ukufaka ikleyimu kulesi sikhwama.
<u>UKUTHUTHUKISWA KOMTHETHO</u> USekela Mqondisi-Jikelele	Uphenya, alungise aphinde aqhubekisele phambili izichibiyelo kuMthethosisekelo waseRiphabhlikhi YaseNingizimi Afrika wonyaka we-1996. Uphenya, alungise aphinde aqhubekisele phambili umthetho zichibiyelo omusha noma ukuchibiyelwa komthetho oyisisekelo, kumbandakanya nemithetho emncane, woMnyango.
<u>IZINSIZO ZOKWELULEKWA NGOMTHETHO</u> UMeluleki Omkhulu Wombuso Wezomthetho	Uhlinzeka ngezinsizo zomthethetho zolwazi, ezingabizi nezisebenza kangcono kuHulumeni, ngokusekela iyunithi yezomthetho, ngokwakha imithetho nezinqubomgomo ngokushushumbiswa kwemali, ukwenza umthetho uhambelane nesikhathi samanje ngokubhala nokubeka izinsizo zomthetho ndawonye.
<u>EZEZIMALI</u> UMPHATHI OMKHULU WEZEZIMALI	Ukunikeza ngezinsizakalo zokusekela ngemidanti yezezimali nokutholakala kwezinto.
<u>IZINSIZA ZENHLANGANO EZABASEBENZI</u> USekela Mqondisi-jikelele: Izinsizo Zangaphakathi Enhlanganweni	**Igatsh: Ezabasebenzi (i-HR)** Ukuhlinzeka ngosizo oluphendulayo lwezabasebenzi. Lokhu kumbandakanya umhlahlandlela wenqubomgomo, ukweluleka, usizo lokuphatha nokuqeqesha ukuze kube nabasebenzi abazinzile nabakhuthazekile boMnyango Wezibulungiswa Nokuthuthukiswa Komthethosisekelo.
	Igatsha:Ukufundiswa Komphakathi Nokuxhumana (i-PEC) Ukuhlinzeka ngezinsizo zokuxhumana ngokusatshalaliswa kolwazi nangezinsizo zokufundisa umphakathi, ezenziwe zahambisana noHlelo Lukazwelonke Lokuxhumana kanye nokugxilisa ngaphakathi isiqubulo: "ISIZWE EZISEBENZELA IMPILO ENGCONO".

	Igatsha: Ukuphathwa Kwezinhlelo Zolwazi (i-ISM) Ukuqinisekisa ukuthi i-DOJCD isebenzisa ubuchwepheshe obungcono kakhulu ukuze ibe nezinhlelo zokuphatha ezingabizi, iqhubekisela phambili ukuziphendulela futhi ibhekana nezidingo zezinhlelo zolwazi nokuphatha ngendlela eyimpumelelo.
<u>UKUTHUTHUKISWA KOMTHETHOSISEKELO</u> USekela Mqondisi-Jikelele	Ukugxilisa intando yeningi yomthethosisekelo, amagugu nokwengamela ezweni egameni lombuso nohulumeni. **Igatsha: Ubudlelwane Namazwe Omhlaba** Ukubhekana nemidanti yezaphulamthetho zakwamanye amazwe nezasekuhlaleni, amalungelo esintu amazwe omhlaba nomthetho wobudlelwane babantu, usizo lomsebenzi nokuvakasha kufundwa kanye nokuya emihlanganweni phesheya kwezilwandle.

ISAHLUKO SESI-4

AMAREKHODI AGCINWE UMNYANGO, ATHOLAKALA NGOKUZENZAKALELAYO

ISINGENISO

Lesi siqephu sesebenza ngemibandela yesahluko se-14(1) (d) soMthetho Wokuqhubekisela Phambili Ukufinyeleleka Kolwazi, obeka ukuthi uhlaka lukahulumeni lufanele luhlinzeke ngamarekhodu eliwagcinile ukuze lufeze isicelo sokufinyeleleka kolwazi.

Kubalulekile ukuqaphela ukuthi uMnyango Wezobulungiswa Nokuthuthukiswa Komthethosisekelo wehlukaniswe izinhlaka ezimbili mayelana nolwazi/amarekhodi owagcinile:

- Amagatsha enza imisebenzi emkhulu - Abaphathi Bezinkantolo, Izinsizakalo Zezinkatolo, njll.
- Amagatsha enza imisebenzi yokusekela - i-HR, i-PEC, i-ISM, njll.

Okufakiwe futhi kule manuwali izihloko zamafayela. Amafayela ayithuluzi elisetshenziselwa ukugcina amarekhodi kuMnyango. Ifayela ngalinye linenombolo kanye nencazelo emfushane yerekhodi ekhona efayilini kanye nesihloko sefayela. Okubaluleke kakhulu ukuthi – ifayela ngalinye linenombolo yalo, usuku lokuvulwa nokuvalwa kanye nomyalo wokusetshenziswa kwalelo fayela. Ukusetshenziswa komyalo kubalulekile ngenxa yokuthi kunquma ukuthi yini okufanele yenziwe ngefayela ngemuva kokuba isikhathi siphelile, isib. u-A10 usho ukuthi ifayela elifanele lithunyelwe ku-NASA (iNgodlamagugu Kazwelonke YaseNingizimu Afrika) eminyakeni elishumi ngemuva kwesikhathi sokuvalwa esikukhava yefayela. IGatsha Likangqongqoshe loMnyango linohlelo lwalo lokugcina amarekhodi, olufana nalelo loMnyango.

UKUFINYELELA KUMAREKHODI NGOKWESAHLUKO SE-14(1) (e)

UNgqongqoshe, ngokwesahluko se-15(2), ufanele ashicilele kwiGazethi Kahulumeni isaziso samarekhodi atholakala ngokuzenzakalelayo.

Lesi siqephu sichaza jikelele imibandela yamarekhodi atholala ngokuzenzakalelayo. Ulwazi lwekheli luyatholakala futhi ku-website yoMnyango ethi: www.justice.gov.za

UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO NGOKWESAHLUKO SE-15(1) SOMTHETHO WOKUFINYELELEKA KOLWAZI WE-2000 (UMTHETHO WONYAKA WESI-2 WONYAKA WE-2000)

1. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(i)	
<u>Izinsizo Zezinkantolo</u>	• **Igatsha: Ukuma Kwezinsizakalo Zezinkantolo** • Amarekhodi amacala athethwa enkantolo evulelekile (isib. eNkantolo kaMantshi, eNkantolo Yokulingana, eNkantolo Yezikweletu Ezincane, eNkantolo Enkulu, eNkantolo yezikhalazo, eNkantolo Yezabasebenzi, njll) • Ifomu lokufaka isicelo sokuqokwa njengoKhomishani Wezifungo • Izidingo zokufaka isicelo njengoKhomishani Wezifungo

1. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(i)	
	• Ifomu lokufaka isicelo sokuqokwa njengePhoyisa Lenkantolo • Ifomu lokufaka isicelo sokuqokwa njengomahluleli. • Ulwazi jikelele ngeHhovisi Lommeli Wemindeni. • Ulwazi jikelele mayelana nokusetshenziswa kwe-Hague Convention ngeMidanti Yomphakathi Ngokuthunjwa kwezingane Emhlabeni • Izinombolo zokuxhumana zoMmeli Omkhulu Wemindeni kanye nezamahhovisana Ommeli Wemindeni. • UMthetho Wezingane wama-38 wonyaka we-2005 • Izimiso zoMnyango Wezobulungiswa kuMthetho Wezingane • UMthetho Wokulamula Kweminye Yemidanti Yezehlakaniso wama-24 wonyaka we-1987 • Amafomu ahlukahlukene abekwe yiqoqomthetho elisetshenziswayo • Ulwazi jikelele ngeZinkantolo Zokulingana Neqoqomthetho. • Iqoqomthetho ngeZinkantolo Zokulingana. • Amafomu asetshenziswa Ezinkantolo Zokulingana. • Eminye imibhalo, izincwajana, amabhrosha namaphamfulethi, imibhalo jikelele. • Imidanti nemibhalo yeKomidi Lokubukezwa Kokulingana. • Izinombolo zokuxhumana zeziNsizo Zekantolo. • Umhlahlandlela osetshenziswayo – ukuPhathwa kwenkantolo nokugeleza kwamacala eZinkantolo Zobugebengu Zezifunda nezezigodi • **Uphiko: Ukusebenza Kangcono Kwenkantolo Yesifunda** • Izinombolo zokuxhumana zeziNkantolo Ezincane kanye nabaphathi bezinkatolo • Izinombolo zokuxhumana zoMongameli Bezinkantolo. • Uhlu lwezinkantolo lzezifunda – Zobugebengu • Uhlu lwezinkantolo lzezifunda – Zomphakathi • Umhlahlandlela osetshenziswayo – ukuphathwa nokugeleza kwamacala eZinkantolo Zezifunda Nezigodi • Amafomu olwazi eZinkantolo Zezifunda Zobugebengu • Uhlu lwezinkantolo lapho kusetshenziswa i-AVR • Uhlu lwezinkantolo lapho kutholakele ukusilela emuva • Amafomu ahlukahlukene abekwe yiqoqomthetho elisetshenziswayo
Ukuthuthukiswa Komthethosisekelo	• Incwajana Yomthethosisekelo WaseNingizimu Afrika (ngezilimi eziyi-11 ezisemthethweni neNhreyili) • Ulwazi jikelele ngeZinkantolo Zokulingana • Iqoqomthetho Ngezinkantolo Zokulingana. • Amafomu asetshenziswa Ezinkantolo Zokulingana • Izincwajana, amabhrosha namaphamfulethi nge-PAJA, i-PAIA ne-PEPUDA • Izinqumo ngemihlangano yoMakomidi Abuyekeza Ukulingana • Imibhalo esho Izinguquko Zezivumelwano Zamalungelo Esintu esayindwe yiKhabhinethi nePhalamende • Ukwazisa kafushane ngokuxoxisana nemigwamanda yangaphakathi efana ne-UN, i-Hague Convention, Izikhungo Zamazwe Ngamazwe Zokuhlanganiswa Komthetho Wangasese

1. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(i)

Ukuthuthukiswa Komthetho	• Imibiko Yezwe Ngamathuluzi Amalungelo Esintu Amazwe Omhlaba • Ulwazi jiekelele ngokuthuthukisa koHlelo Lukazwelonke lokuzokwenziwa Ukulwa Nobandlululo, Ukucwaswa Kwabokufika Kanye Nokunye uKungabekezelani Okuhlobene Nakhointolerances • INqubomggomongokusebenza Kwezinhlangano Ezingafaki Uhulumeni • Izinhlelo ezamukelwelwe ngoMphumela We-14 Wekhabhinethi • Imibiko ngaMaphrojekhti Akhethekile angaphansi kwe-Foundation for Human Rights kubandakanya uLwazi Jiekelele nemininingwane yokuxhumana • Umbhalo Wenqubomgomo Ngokuhlukunyezwa Ngokocansi, i-LGBTI, i-HIV ne-AIDS kanye Nokushushumbiswa kwabantu • Ulwazi jikelele ngokuThuthuka Komthetho. • Inqubo Yomthetho • Iqoqomthetho elisetshenziswa nguMnyango • Izinombolo Zokuxhumana.
Ukufundiswa Komphathi Nokuxhumana	• Ulwazi Jikelele ngoKufundiswa Komphathi Nokuxhumana. • Ikhalenda yemicimbi • Izinombolo Zokuxhumana.
UkuPhathwa Kwezezimali	• Ulwazi Jikelele ngoKuPhathwa Kwezezimali • Izinombolo Zokuxhumana.
Izinsizo Zokwelulekwa Ngomthetho	• Ulwazi Jikelele ngeZinsizo Zokwelulekwa Ngomthetho • Imibiko yamaqoqomthetho kanye namasheduli okusebenza
Ezabasebenzi	• Ukushicilelwa kwezikhala zemisebenzi ezikuMisebenzi Kahulumeni nakuMnyango Wezibulungiswa Nokuthuthukiswa Komthethosisekelo • Izinqubomgomo ze-HR - Inqubomgomo Yokulingana Emsebenzini - Inqubomgomo Yobudlelwano Babasebenzi - Inqubomgomo Yokuphathwa Kokusebenza - Inqubomgomo Yabantu Abanokukhubazeka - Inqubomgomo Yokusebenza isikhathi Esengeziwe - Inqubomgomo Yohlolwa Komsebenzi - Inqubomgoo ye-HIV ne-AIDS - Inqubomgoo Yezemidlalo Nokuzijabulisa - IManuwali Yenqubomgomo Nenkambiso Esetshenziswayo Ukubutha Nokuqoka Abasebenzi - Inqubomgomo Yokuqoka Amabamba - Umthetho Wokuqoka - Ukuqunywa Kokuqedwa Komsebenzi - Inqubomgomo Yempilo Nenhlalakahle Yabasebenzi - Inqubomgomo Yokunukubeza Ngokocansi - Ilivu - Imithetho Yokuziphatha

1. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(i)	
	- Inqubomgomo Yokusiza Ekufundeni - Inqubomgomo Yokuhlaliswa Kwenye Indawo
<u>Abaphathi Benkantolo Enkulu</u>	• Amafomu (amafomu Empahla Yoshonile, Okudliwa Kwempahla, Amathrasti, Abaqaphi kanye Nabanakeleli) • Amanyuziletha/imibiko • Amaphamfulethi • Amanyuziletha abaphathi • I-ICMS – Isixhunisi namanye ama-website
<u>Ubudlelwane Bezomthetho Namazwe Omhlaba</u>	• Izivumelwano zamazwe omhlaba ezilawulwa nguMnyango • Imibiko yezwe ngamathuluzi amalungelo esintu oMnyango oyiSiphathimandla Esindawonye sayo
2. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(i)	
(a) Uhlu lamarekhodi angenhla	(a) La marekhodi angatholakala ngokufaka isicelo esibhaliwe saqondiswa ekhelini elilandelayo: USekela-Mgcinilwazi, Department of Justice & Constitutional Development; Private Bag X81; Pretoria; 0001.
3. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(ii)	
(a) Uhlu lamarekhodi angenhla	(a) La marekhodi angatholakala ngokufaka isicelo esibhaliwe saqondiswa ekhelini elilandelayo: Department of Justice & Constitutional Development; Private Bag X81; Pretoria; 0001.
4. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(iii)	
(a) (a) Uhlu lamarekhodi angenhla futhi lapho irekhodi elicelwayo litholakala mahhala	(a) La marekhodi angatholakala ngokufaka isicelo esibhaliwe saqondiswa ekhelini elilandelayo: Department of Justice & Constitutional Development; Private Bag X81; Pretoria; 0001. Inombolo yefeksi: 012 – 315 4837; i-imeyili: paia@justice.gov.za.

1. UKUCHAZWA KWEZINHLAKA ZAMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO UKUZE AHLOLWE NGOKWESAHLUKO SE-15(1)(a)(i)	

INDLELA YOKUFINYELELEKA KUMAREKHODI ATHOLAKALA NGOKUZENZAKALELAYO

Isahluko se-15 soMthetho Wokuqhubekisela Phambili Ukufinyeleleka Kolwazi sibeka ukuthi uMnyango ufanele ushicilele kwiGazethi Kahulumeni isheduli (uhlu) lamarekhodi atholakala ngokuzenzakalelayo kuMnyango. Izicelo zalwa marekhodi azenziwa ngokugcwalisa ufomu A obekiwe osetshenziswa ukucela ulwazi. Akukho mali ekhokhelwa lawa marekhodi. Izimali zikhokhwa kuphela lapho amakopi erekhodi kufanele enziwe, kunganakwa ukuthi ikopi yohlobo lwephepha, ikhopekhthi diskhi, isitifi, noma okurekhodwe ekhasethini, njll.

Ezimweni lapho amarekhodi afana nalawa evele egcinwe kwiNdawo Yokugcina Amagugu kazwelonke YaseNingizimu Afrika, amarekhodi azokwenziwa ngokuhambelana nemithetho esetshenziswayo yokufunda amarekhodi afana nalawa:

- UMthetho Wokuqhutshekiselwa Phambili Ukufinyeleleka Kolwazi wonyka we-2000 (uMthetho wesi-2 wonyaka we-2000)
- UMthetho wokuvikelwa Kolwazi wonyaka we-1982 (uMthetho wama-84 wonyaka we-1982)
- UMthetho Wezindawo ZaseNingizimu Afrika Ezigcina Amagugu Namarekhodi wonyaka we-1996 (uMthetho wama-43 wonyaka we-1996)

ISAHLUKO SESI-5

UKUFINYELELA KUMAREKHODI NGOKWESAHLUKO SE-14(1) (d)

Amarekhodi akuMnyango agcinwe ngokuba afakwe kwifayela. Onke amarekhodi anikwa igama futhi ngaphambu kwegama lerekhodi kunezinombolo, okuyizinombolo zefayela. Ukuchaza – uma umuntu engafuna ukufinyeleleka kumarekhodi akuMnyango amayelana noMnyango njengenhlangano, inombolo yefayela elikhulu kuzoba ngu-1 kuqhubeke ukusukela lapho.

1.

Izinkundla ezithintwa amarekhodi: ulwazi olumayelana nawo onke amagatsha oMnyango kumbandakanya amagatsha ngawodwana, angekho ngaphakathi kuMnyango, amarekhi oMnyango, ambandakanya izinkantolo , isiphathimandla sokushishisa kanye nehhovisi leziza. Imidanti equkethwe kula mafayela imbandakanya imidanti yenqubomgomo, izinyathelo zokuphepha ezimayelana nabantu kanye nempahla yezakhiwo zamagatsha oMnyango, ukubekwa kolwazi lokuphepha kanye nezinqubomgomo zokuxhumana ngaphakathi nangaphandle.

Amarekhodi ezinye izikhungo zikahulumeni neminyango - ulwazi oluqukethwe lumbandakanya inqubomgomo engenhla.

Izinyathelo zokuphepha
Lokhu kumbandakanya ukuphepha kwezakhiwo nabasebenzi, izitatanyiswa, uNgqongqoshe, ukwamukelwa okuvela kweminye iMinyango neminye imidanti engahlinzekelwanga.

2. **INDAWO;**

La mafayela achaza inqubomgomo yendawo yamahhovisi, indawo yokuhlala esemthethweni, ezofaka phakathi izinkantolo, ukuphepha kwezakhiwo zezinantolo, ukulungiswa, izindawo zokuhlala zezikhulu ezisekelayonezinhlelo zokwakha ezikhona kodwa kushiywa ngaphandle uhlelo lwezezindlu labasebenzi bakahumeni.

3. **IZINDAWO ZOKUGCINA IMPAHALA NAMATHULUZI KANYE NOKUSHICILELWE**

Amafayela/amarekhodi amayelana nezakhiwo namahhovisi, ukuhlinzekwa kokuphathwa, okushiya ngaphandle inqubobomgomo yokuthola izinsizo. Lokhu kufaka phakathi inqubomgomo ngokuhlinzeka, ukulawula, ukulahlwa kwamathuluzi onga ukusebenza, izinto zokubhala kanye nezinto zokugaya, ukushicilela okumbandakanya imibiko yomthetho, imithombo yomtapozincwadi, ukulondolozwa kwezincwadi zomtapo, ukupakishwa nokulahlwayo, ukusetshenziiswa kwemishini kanye nokusetshenzwa kwedatha, ukutholakala kwefenisha nokunye okufakwayo.

4.

La mafayela/amarekhodi asebenza ngezinqubomgomo zamathuluzi okuxhumana ngezincingo, izinsizo zeposi nezokuthutha, ukuthenga, ukusetshenziswa kanye neminye imidanti ehlobene nakho.

5.

Amafayela/amarekhodi amayelana nenqubomgomo yezyezimali zoMnyango ezimayelana nezinqumo zezinhlaka, ama-akawunti amavoti, ukulawulwa kwezezimali, ukuqokelelwa kwezikweletu, izimali ezingabuyiseki, amaresidi nezinkokhelo ezahlukahlukene, iZimiso Zomthetho Wokuphathwa Kwezezimali Zomphakathi. Amafayela aqukethe ulwazi nge-akhawunti yevoti lezobulungiswa kanye ne-akahawunti yokufaka kwezimali kwezobulungiswa.

6.

Ukuxhumana okumayelana nabasebenzi ngabanye kuzosetshenza ngokwamafayela elungu labasebenzi ngalinye. Amanye amafayela awokuxhumana jikelele ngezihloko ezinamagama. Imithetho yabasebenzi isebenzwa kuchungechungwane le-7/2. Uchungechungwane le-7/2 lusebenza ngeKhomishani Yezimantshi Namajaji Enkantolo Yezemihlaba.

Yize amanye amagatsha oMnyango ezimele njengoba echaziwe ngenhla ezoba namamanuwali awo eceleni, iHhovisi Likazwelonke lisawagcina amarekhodi futhi lihlele ukuqokwa, imiholo futhi imidanti efana nalena izophinde ivele njengamarekhodi agcinwe nguMnyango.

La mafayela anamarekhodi abasebenzi, izimo zabo zokusebenza, ukubukezwa kwabasebenzi, ukuqeqeshwa, imiholo nokuzuza, imiklomelo, imithetho emayelana nezindawo zokuhlala zabasbenzi, umfaniselwano kanye nemithetho yokugqoka, imidanti yokukhuluma ngezabasebenzi nabaqashi, izinhlaka nezindlela zokuxazulula izinkinga, ukubhaliswa futhi kanye nobulungu kweminye imigwamanda, ukuzijabulisa nokudla, ziznqubomgomo zezindawo zokupaka izimoto namagalaji.

La mafayela futhi afaka abasebenzi abakumakhomishane nasezinkantolo, izinqubomgomo ngokuqashwa ngokulingana nokulingana bobulili.

7.

Amafayela okuphatha aqukethe amarekhodi ngezinsizo zePhalamende, imiyalo kaNgqongqoshe kanye noyonhloko yezokuphatha, ukuhlolwa kosizo loMnyango, ukulawula kwamarekhodi, ukuqokwa kwabasebenzi, izibalo, okushicilelwe kukahulumeni, ukulawula, izinhlelo zokusiza abasebenzi, ukuhamba kwamalungu ekhabhinethi, izinsizo zomtapomabhuku, amazinga nezikhundla, izinsizo zokupha, ukuxhumana ngezenhlalo kanye nemidanti yezilimi.

8.

IMidanti emayelana noMthetho Ojwayelekile, uMthetho Wokumisa Imithetho, uMthetho Wokudluliswa Kwempahla Yoshoonile, uMthetho Wamazwe Omhlaba kanye namacala anqunywe ngemidantii engenhla.

9.

Amakhomishane, imibono yezomthetho, ukumelwa kwezomthetho, ibhodi lemithetho, ukwenziwa kokuqinisekiswa kwemibhalo, ilungelo elinikwa umuntu omncane ngezizathu ezithile, ukuphathwa kwezinkantolo, izinsizo zokusekela ukushushisa, inkambiso yezobugebengu kanye nabantu ababoshiwe, ibheyili, ukugwetshwa, ubufakazi, izikhalazo, ukubukezwa kanye neminye imidanti ehlobene nakho.

10.

Imibiko, izinqubomgomo nezinhlelo ngophiko locwaningomabhuku lwangaphathi, usomqulu wocwaningomabhuku, umbiko wephrofayili, isiqinisekiso sokuphepha, imanuwali yezemfundo, imihlangano yokuphawula ubngozi emabhizinisini, umbiko okhethekile woMmeli Jikelele womhla zi-31 Mashi 1988, imibiko ehlukahlukene, umbiko ka-King ngokwengamelwa kwenhlangano, izitatimende zonyaka zezezimali, imibiko yonyaka, imibhalo yokuhlelwa kwezabelozimali.

11.

12.

Amarekhodi angahlobene ngqo nomsebenzi omkhulu woMnyango.

13.

La mafayela afaka phakathi imidanti emayelana nombutho wezokuvikela, izikhali nengodla yezikhali.

14.

Imininingwane yomphakathi neyabantu, ukhetho, ukuzalwa, imishado nokufa, ukuphatha kwempahla, ukuvikelwa kwezilwane kanye nokulondolozwa kwendalo, imidanti kazwelonke yokonga, ukuzijabulisa, imidlalo, okushicilelwe komphakathi, imidanti yesayensi, ukubekwa ngezinhla zobuhlanga, uHlelo Lokwakha Kabusha Nentuthuko.

15.

Usizo olubonakalayo, inhlalakahle yezingane, isondlo, imidanti yezempilo, ukuhlukane kokuziphatha kokungasebenzi kahle kwengqondo, ukusungulwa kanye nokuphathwa kwezinhlangano nezikhungo.

16.

OkungokweBhange Lomhlaba nokuphethwe yilo, ukubhaliswa kwamatayitela, ukufudukela kwamanye amazwe nakuleli, ubuzwe kanye nokwenziwa isakhamizi sezwe, ukufudukiswa ngenkani, izincwadi zokuvakashela amanye amazwe, izimvume nemidanti ehlobene nazo, ikomidi eleluleka ngemidanti okungeyona eyobuhlanga.

17.

Ukuhlaliswa kuzwelonke, izinyathelo zokulawula irenti

18.

19.

20.

21.

22.

23.

IZinqubomgomo eziphethiwe, amasu kanye nezinhlelo:

- Ukuthuthukiswa Kwezabasebenzi kanye Nokuphathwa Kwezinkantolo
- Ngezabesimame nezingane
- Ngeqoqomthetho nokukubhalwa

OKUNYE UKUSHICILELWA

- Indlela ebheke ebulungisweni obuyimpumelelo

- Uguquko lohlelo lwezobulungiswa
- Itafula lokwelulekwa kwezakhamuzi
- Umhlahlandlela ngamacala ezocansi
- Isitatimende senqubomgomo yezobulili
- Usomqulu osasetshenzwa wamakhasimende abasebenzisi bezinkantolo
- Isiphathimandla Sikazwelonke Sezoshushiso
- Imibhalo Yokusungula Amayuntithi akhethekile
- Uhelelo Lamalungelo EsiNtu
- Ohlelo Olumbandakanyayo lobulungiswa
- Uhlelo i-E-justice
- Imibhalo yomthethosisekelo yezinkantolo neNkantolo Yomthethosisekelo
- Ikolishi Lobulungiswa
- Ihhovisi loMmeli Wemindeni
- Usizo Lezomthetho lase-SA
- IHhovisi Lomshushisi Wophakathi
- IKhomishani Yokulingana Ngokobulili
- IKhomishane Yamaqiniso Nokubuyisana
- IHhovisi Lomphathi – isabelozimali sehhovisi ngalinye
- Ipheshana lolwazi ngosizo loMmeli Wemindeni

AMAREKHODI AGCINWE YIHHOVISI LIKANQGONGQOSHE

1.

1/P	INQUBOMGOMO
1/1	INDAWO;
1/1/2	AMAHHOVISI
1/1/3	INDAWO YOKUHLALA ESEMTHETHWENI
1/ 2	IZISETSHENZISWA NEZINSIZO
1/3	EZOKUHAMBA NEZOKUTHUTHA
1/ 4	AMALUNGISELELO ENDAWO YOKUHLALA
1/5	UKUXHUMANA
1/6	INKOMFA YABAMAPHEPHANDABA, IZETHULO NEZITATIMENDE ZABAMAPHEPHANDABA
1/7	UKUPHATHWA KWEHHOVISI

2. IMIDANTI YEPHALAMENDE, IKHABHINETHI NAMAKOMIDI

2/1	IPHALAMENDE
2/2	IKHABINETHI
2/3	AMAKOMIDI EKHABHINETHI

Lawa afaka phakathi umkhakha wezenhlakahle, umkhakha wezomnotho, ukungo nokuqhashwa kwabasebenzi, ubudlelwane namazwe omhlaba, uxolo nezokuphepha, ubuungiswa, ukunqandwa kobugebengu kanye neklasta yokuvikela, ukwengamela nokuphatha.

3. IMIDANTI YEPHALAMENDE

3/1	IHHOVISI LIKAZWELONKE
3/2	IHHOVISI EZIFUNDA
3/3	INKANTOLO YOMTHETHOSISEKELO
3/4	INKANTOLO EPHAKEME YEZIKHALAZA
3/5	INKANTOLO ENKULU
3/6	INKONTOLO KWAMAJAJI
3/7	IZINKANTOLO ZEZIFUNDA
3/8	IZINKANTOLO ZOMANTSHI
3/9	IZinkanto Zemindeni
3/10	IZINKANTOLO ZABASEBENZI
3/11	INANTOLO YEZEMIHLABA
3/12	IZINKANTOLO ZAMACALA AMANCANE
3/13	IZINKANTOLO ZOKHETHO
3/14	OREJISTRA

3/15 ABAPHATHI
3/16 NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS
3/17 UMQONDISI WEMISEBENZI EKHETHEKILE
3/18 AMAGATSHA OPHENYO
3/19 UPHIKO LEZOKUSHUSHISA KOMPHAKATHI
3/20 ABASHUSHISI BOMPHAKATHI
3/21 ABAMELI BOMBUSO
3/22 ABAMMELI BEMINDENI
3/23 ABAMELI
3/24 ABAMMELI EZIKANTOLO EZINKULU
3/25 OKUNYE UKUQOKWA KWEZOMTHETHO, UKUQOKWA NEZIMISO ZAMAPHOYISA ENKANTOLO, ABAHLOLI BABASEBENZI, AMAJAJI OXOLO, OKHOMISHANE BEZIFUNGO
3/26 IZIKHUNGO ZEZOMTHETHO ISIB. IKHOMISHANE YASENINGIZIMU AFRIKA YEZINGUQUKO ZOMTHETHO, NJLL.
3/27 IZINYATHELO ZOMTHETHO EZILWA NOMBUSO
3/28 UKUBUYISWA KWABANTU ABAKWAMANYE AMAZWE UKUBA BAZOBHEKANA NAMACALO ABO
3/29 IQOQOMTHETHO
3/30 IMIDANTI YEZOBUGEBENGU
3/31 IMIDANTI YEZAKHAMIZI
3/32 UKUHAMBA KUYIWE PHESHEYA
3/33 AMALUNGELO ESINTU
3/34 UBUDLELWANE NAMAZWE OMHLABA
3/35 INKUNDLA YOKUXOXISANA OKUPHAKATHI KOHULUMENI
3/36 IMIDANTI OKUKHULUNYWE NGAYO/ETHOLWE IVELA KWEZINYE IZIKHUNGO

4. IMIDANTI YAMAQEMBU EZOMBUSAZWE

5. IMIDANTI YANGASESE YEHHOVISI LIKANGQONGQOSHE

Lokhu kubandakanya imiklomelo yokwaziswa, ubulungu benhlangano, imidanti yasenhlalweni, ukwemukela kanye nemidanti yebhizinisi

ISAHLUKO SESI-6

INKAMBISO YOKWENZA ISICELO

Izicelo zocingo

Izicelo (zocingo) ezingekho emthethweni azivinjelwe nguMthetho. Nanoma isiphi isicelo esifana nalesi esiya kuMgcinilwazi/kuSekela-Mgcilwazi kwinombolo yocingo enikezwe lapha kule manuwali sizosetshenzwa ngaphandle uma uMgcinilwazi/uSekela-Mgcinilwazi esho ukuthi imibandela yoMthetho ifanele isetshenziswe – kulesi simo, uFomu A kufanele agcwaliswe.

Ukufinyelela ngokuzithandela

Ulwazi olutholakala ngokuzenzakalelayo luzokwenziwa ukuba lutholakale emahhovisi oMnyango noma ngendlela noma ngohlobo olucelwe ngalo, uma lokhu kufanele futhi kunokwenzeka. Indlela yokufinyeleleka izofaka: ukubukwa nanye nokopishwa kwento uma idingeka futhi ngokukhokhwa kwemali emisiwe yamakopi. Ukufinyeleleka kuzinto ezibukelwa zibukwe ezibhalwa phansi (transcription, ukudabha kanye futhi/noma akopishe lokho okukhona uma kudingeka.

Isahluko se-14(1) (d) isicelo

- Umfakisicelo kufanele agcwalise ifomu elifana nalelo eligaywe kuGazethi Kahulumeni(iSaziso Sikahulumeni esingu-R187 – somhla zi-15 Febhuwari 2002 – uFomu A).
- Umfakisicelo ufanele asho uhlobo noma indela ukufinyeleleka okudingekanjengoba kubekiwe kusahluko sama-29.
- UMnyango uzozama ukunikeza ukufinyeleleka ngohlobo oluceliwe ngaphandle uma lokhu kuzothikameza ukusebenza kahle koMnyango.

- Ukunikeza ukufinyeleleka uMnyango uzicubungula into elondoloziwe, ukwephulwa kwamalungelo empahla engubuhlakani, izimali ezikhokhwayo njengoba zibekiwe zizokhikhwa ngaphambu kokuba usicelo sosetshenzwe futhi nangaphambu kokuba ukufinyeleleka kunikezwe.
- Umfakisicelo omele omunye umuntu ufanele anikeze imininingwane yesikhundala enza ngaso isicelo.
- Umfakisicelo ongakwazi ukufunda noma ukubhala angenza isicelo ngomlomo futhi uMgcinilwazi/uSekela-Mgcinilwazi uboshezelwe ukuba asize umfakisicelo.

ISAHLUKO SESI-7

UKUKHOKHWA KWEZIMALI EZIKHOKHWAYO NGOKOMTHETHO

"Ozicelela yena"

Nanoma ubani ofuna ulwazi olumayelana naye ubizwa umfakisicelo osifakela yena futhi udedelwe ekubeni akhokhe imali yesicelo.

"Ucelayo"

Imali yesicelo ekhokhwelwa nanoma ngabe yimmuphi umgwamanda womphakathi ngama-35 njengoba ibekwe yiZimiso zoMthetho. Ukwengeza uma nanoma imaphi amakopi ecelwa, lawo azokubizwa imali ngokuhambelana nohlaka lwezimali ezikhokhwayo njengoba zibekwe iZimiso futhi uMgcinilwazi/uSekela-Mgcinilwazi angabiza imali yesikhathi esisetshenziswe kusetshenzwa isicelo.

ISAHLUKO SESI-8

INDLELA YOKUKHOKHA

Yonke inkokhelo iyokhokhwa ngendlela engukheshi kunoma iyiphi iNkantolo Kamantshi futhi/ noma iHhovisi Lesifunda noma ngokuba ifakwe ku-akhawunti yasebhange loMnyango.

Imininingwane yasebhangi yoMnyango injenga ilandela:

Standard Bank
Inombolo ye-akhawunti: 010147136
Ikhodi yasebhangi: 010045
Uhlobo Lwe-akhawunti: Department of Justice and Constitutional Development Vote Account Deposits

Ireferensi: 7/6/9 Isibongo Nezifinyezo zaBacelayo (Umfakisicelo)

OKUBALULEKILE: Asikho isicelo esiyosetshenzwa ngaphandle uma imaliyesicelo, lapho ikhona, isikhokhiwe – isahluko sama-22(1) soMthetho.

ISAHLUKO SESI-9

IZIXAZULULO EZIKHONA UMA IMIBANDELA YOMTHETHO INGALANDELWA

UMthetho uhlinzekela inkambiso yokukhalaza yangaphakathi ngokwesahluko sama-74 nesama-75. UNgqongqoshe uyisiphathimandla esifanele sokubukeza nanoma isiphi isinqumo ngesikhalazo.

Ingxenye engeneme isenalo ithuba lokuya enkantolo uma inganeliswa isinqumo sesiphathimandla esifanele.

ISAHLUKO SE-10

UKUFAKWA KOLWAZI OLUSHA KUMANUWALI

Imanuwali yifakwa ulwazi olusha kungakapheli izinyanga eziyishumi nambili ngemuva kokushicilelwa kwale manuwali yokuqala.

IManuwali yoMnyango Wezobulungiswa Nokuthuthukuswa Komthethosisekelo ngokwesahluko se-14 soMthetho Wokufinyeleleka Kolwazi wonyaka we-2000 (Umthethwe we- 2 wonyaka wesi-2000) ushicilelwe ngazo zonke izilimi eziyishumi nanye ezisemthweni.

ISAHLUKO SE-11

UKUTHOLAKALA KWEMANUWALI

Le manuwalai izotholakala ezindaweni ezibekwe nguMthetho Wokugcina Ezomthetho, kanye nasemahhovisi eKhomishani Yamalungelo EsiNtu YaseNingizimu Afrika njengoba ishiwo kuSAHLUKO SESI-3 ngenhla.

IZIMALI EZIKHOKHELWA AMAREKHODI OHLAKA LUKAHULUMENI NJENGOBA ZIBEKWE IZIMISO ZAMANJE EMTHETHWENI

Izimali zokukhiqiza, okukhulunywe ngazo kusahluko se-11(3) zinjengoba zilandela:

(a) Onke amafothokopi obukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo 0-60

(b) Onke amakopi agayiwe obukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo 0-40

(c) ngokunjalo agcinwe kwikhompyutha noma ngohlobo lukagesi noma olufundeka ngomshini ikopi enguhlobo olufundekayo lwekhompyutha ku-
- (i) isitifi diskhi 5-00
- (ii) ikhompekhthi diskhi 40-00

(d)
- (i) Ukubhalwa phansi kwemifanekiso ebukwayo, yobukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo 22-00
- (ii) Ikopi yezinto ezibukwayo 60-00

(e)
- (i) Ukubhalwa phansi kwemisindo erekhodiwe yobukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo 12-00
- (ii) Ikopi yemisindo erekhodiwe 17-00

Imali yesicelo ekhokhwa yiwo wonke umfakisicelo, ngaphandle kozifakela yena okukhulunywe ngaye kusahluko sama- 22(1) soMthetho 35-00

Izimali zokufinyeleleka ezikhokhwa ngumfakisicelo okukhulunywe ngaye kusahluko sama-22(7) soMthetho, ngaphandle uma ededelwa ngokwesahluko sama-22(8) soMthetho, zinjengoba zilandela:

(a) Onke amafothokopi obukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo
0-60

(b) Onke amakopi agayiwe obukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo
0-40
agcinwe kwikhompyutha noma ngohlobo lukagesi noma olufundeka ngomshini
(i) isitifi diskhi 5-00
(ii) ikhompekhthi diskhi 40-00

(c) (i) Ukubhalwa phansi kwemifanekiso ebukwayo,
yobukhulu bekhasi obungu-A4 noma ingxenye ngokunjalo
22-00
(ii) Ikopi yezinto ezibukwayo 60-00

(d) (i) Ukubhalwa phansi kwemisindo erekhodiwe, yobukhulu obungu-A4
ikhasi noma ingxenye ngokunjalo
12-00
(ii) Ikopi yemisindo erekhodiwe 17-00

Ukucinga irekhodi uku ze lidalulwe, ama-R15.00 ihora ngalinye noma ingxenye yehora, kushiya ngaphandle ihora lokuqala, ngokwemfanelo elingekayo ekucingeni.

Imali yokuposa okuyiyona ekhokhwayo uma ikopi yekhodi kufanele ithunyelwe ngeposi kumfakisicelo.

Ukwenzela isahluko sama-22 (2) soMthetho, okulandelayo kuyasetshenziswa:

(a) amahora ayisithupha njengamahora azodlulwa ngaphambu kokuba kukhokhwe idiphozi; kanye

(b) nesithathu sokukodwa semali yokufinyeleleka njengediphozi ekhokhwa ngumfakisicelo.

Ifomu lesicelo

Isicelo sokufinyeleleka kurekhodi, njengoba kucatshangwa kusahluko sama-53(1) soMthetho kufanele senziwe ngohlobo lweFomu eliseSixhumelweni.