

INGXENYE 3

Indlela yokufaka isicelo sokuthola ulwazi...

Le ngxenye ihlanganisa lokhu okulandelayo:

- 3.1 Izinhlobo zezicelo
- 3.2 Izimali ezihambisana nokufaka 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 izinhlangano zomphakathi kanye nezizimele. Ofaka isicelo waziwa ngokuthi “umuntu ofaka isicelo” (requester). I-PAIA ichaza izindlela ezihlukahlukene zokuthola ulwazi kungaba senhlanganweni yomphakathi noma ezimele. Amafomu aqondile amiswe ngokusemthethweni kumelwe asetshenziswe lapho ufaka isicelo sokuthola ulwazi. Amafomu angatholakala ku-PAIA.

UHLOBO LWENHLANGANO	IFOMU LE-PAIA	ISIGABA SE-PAIA
Inhlangano yomphakathi	I-Form A	Isigaba 18
Inhlangano ezimele	I-Form C	Isigaba 53

Amafomu kufanele atholakale kuma-website akho kokubili ezinkampani zomphakathi kanye nezizimele. Angatholakala futhi nasehhovisi ngalinye lesifunda leKhomishane Yamalungelo Abantu BaseNingizimu Afrika, kanye naku-website ku-www.sahrc.org.za.

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 noma inhlangano

Noma

Umuntu omelele umuntu wemvelo noma wezomthetho

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

Inhlangano yomphakathi ibhekwa njengomuntu wezomthetho futhi ingase ifake isicelo sokuthola amarekhodi asezinhlanganweni ezizimele, *kuphela uma leyo nhlangano yomphakathi (1) imelela izimfuno zomphakathi, futhi (2) uma amarekhodi efunelwa ukugcwalisa noma ukuvikela noma yimaphi amalungelo okungewona enhlangano yomphakathi.*

Kubalulekile ukuphawula ukuthi i-PAIA ayifuni ngokuqondile ukuba iminyango kahulumeni (kuhlanganisa namagatsha kazwelonke, awesifunda nawomasipala), kanye nanoma yimuphi umuntu noma inhlangano enikezwe amandla noma eyenza umsebenzi ngokuvumelana noMthethosisekelo, (njenge-SAHRC kanye neHhovisi LoMvikeli Womphakathi), noma uhlaka oluthile lwesifunda (njenge-Western Cape Liquor Licensing Board), ifake isicelo se-PAIA kwezinye izinhlangano 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 kuyiNhlolo yenhlangano yomphakathi noma ezimele, futhi kumelwe kusetshenziswe imininingwane yokubathinta enembile kanye neyamuva.

Ngaphezu kokunikeza imininingwane ngenhlangano efanele, ifomu lesicelo le-PAIA elisemthethweni lihlanganisa lokhu okulandelayo:

ULWAZI OLUDINGEKAYO	INCAZELO
Imininingwane yomuntu ofaka isicelo	Ulwazi olwanele mayelana nomuntu ofaka isicelo ukuze kwenze kube lula ukumchaza umuntu ofaka isicelo, kuhlanganisa imininingwane yokuthinta umuntu ofaka isicelo: ikheli laseposini, i-imeyili, inombolo yefeksi kanye/noma yocingo eNingizimu Afrika.
Imininingwane yerekhodi elicelwayo	Ulwazi olwanele mayelana nerekhodi ukuze kwenze kube lula ukulibona. Kungase kusetshenziswe iphepha elengeziwe ukuchaza kabanzi ngesicelo, uma nje ikhasi ngalinye elengeziwe lisayiniwe futhi lihambisana nefomu lesicelo.
Indlela yokuthola irekhodi	Incazelo yefomu noma indlela irekhodi okufanele linikezwe ngayo noma lenziwe litholakale ngayo.
Indlela yokutshela umuntu ofake isicelo ngokuthola ulwazi	Indlela yokutshela umuntu ofake isicelo ngesinqumo sokuvumela noma sokunqaba isicelo.
Ukukhetha ulimi	Lapho isicelo senziwa enhlanganweni yomphakathi, kumelwe kunikezwe ulimi olukhethwayo okuzokwamukelwa ngalo irekhodi.
Isikhundla somuntu ogunyaziwe ofaka isicelo	Lapho isicelo senziwa egameni lomunye umuntu, kumelwe kunikezwe ubufakazi besikhundla somuntu ofaka isicelo (owaziwa ngokuthi umuntu ogunyaziwe).
Amalungelo athintekayo	Lapho isicelo sifakwa enhlanganweni ezimele, umuntu ofaka isicelo kumelwe asho ilungelo elithintekayo futhi achaze ukuthi kungani irekhodi lidingeka ukuze kusetshenziswe noma kuvikelwe lelo lungelo elithile.

Abantu abafaka izicelo abangakwazi ukufunda noma ukubhala bangafaka izicelo ezenziwa ngomlomo eSikhulwini Sezolwazi noma 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 noma kuyiPhini LeSikhulu Sezolwazi lenhlangano yomphakathi noma ezimele, noma kuyiNhloko yenhlangano yomphakathi noma ezimele.
- » Ifomu lesicelo le-PAIA kumelwe lidilivwe ngesandla, liposwe, lifekswe noma lithunyelwe nge-imeyili enhlanganweni yomphakathi noma ezimele okufakwe kuyo isicelo.
- » Amarekhodi aceliwe awaxhomekekile ezizathwini zokwenqatshelwa 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 ezimele 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 eshadile noma 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 ezinhlango zomphakathi kanye nezizimele. Le mali ikhava izindleko zokufuna irekhodi nokwenza ikhophi yalo.

Indlela ezakheke ngayo izimali zokuthola amarekhodi ezinhlango zomphakathi imi kanje:

OKWENZIWE	IMALI EKHOKHWAYO
Ikhophi yeKhasi ngalinye eliyi-A4	Amasenti angu-60
Ukuphrinta ikhasi ngalinye eliyi-A4	Amasenti angu-40
Ikhophi eku-CD	R40
I-transcription yemifanekiso ebukwayo ikhasi ngalinye eliyi-A4	R22
Ikhophi yomfanekiso obukwayo	R60
I-transcription yento eqoshiwe elalelwayo ikhasi ngalinye eliyi-A4	R12
Ikhophi yento eqoshiwe elalelwayo	R17
Ukucinga nokulungiselelwa kwerekhodi elizodalulwa	U-R15 ngehora noma ingxenye yalo, ngaphandle kwehora lokuqala, ngokusesilinganisweni elidingekayo ukucinga nokulungiselela

Indlela ezakheke ngayo izimali zokuthola amarekhodi ezinhlango ezimele imi kanje:

ACTIVITY	FEE
Ikhophi yeKhasi ngalinye eliyi-A4	R1.10
Ukuphrinta ikhasi ngalinye eliyi-A4	Amasenti angu-75
Ikhophi eku-CD	R70
I-transcription yemifanekiso ebukwayo ikhasi ngalinye eliyi-A4	R40
Ikhophi yomfanekiso obukwayo	R60
I-transcription yento eqoshiwe elalelwayo ikhasi ngalinye eliyi-A4	R20
Ikhophi yento eqoshiwe elalelwayo	R30
Ukucinga nokulungiselelwa kwerekhodi elizodalulwa	U-R30 ngehora noma ingxenye yalo, ngaphandle kwehora lokuqala, ngokusesilinganisweni elidingekayo ukucinga nokulungiselela.

Phawula ukuthi endabeni yakho kokubili ezinhlangothini zomphakathi kanye nezizimele, izimali zokuposa kudingeka zikhokhwe ngumuntu ofake isicelo ukuze kudilivwe amarekhodi akhe.

Izimo ezihlukile

Uma iSikhulu Sezolwazi, iPhini LeSikhulu Sezolwazi, noma iNhloko yenhlangano yomphakathi/ezimele 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 elicelwe ngaso, imali yokukhokhela ukulithola ebizwe kumuntu ofake isicelo akumelwe yeqe emalini ebizobizwa uma belitholwe ngesimo esiceliwe. Nokho, lo mthetho awusebenzi lapho kufunwa ukuba lenziwe libe kwesinye isimo ngoba ulwazi kudingeka lunqanyulwe kulelo rekhodi.

Uma umuntu ofake isicelo engakwazi ukufunda, ukubona noma ukuzwa irekhodi esimweni elikuso enhlanganweni yomphakathi ngenxa yokukhubazeka, inhlangano yomphakathi kudingeka inikeze lelo rekhodi ngesimo akwazi ukulithola ngaso lowo muntu ofake isicelo. Imali yokulithola ebizwa kumuntu ofake isicelo akumelwe yeqe emalini ebizobizwa ngaphandle kokukhubazeka.

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.

IMISEBENZI YEZIKHULU ZEZOLWAZI	INCAZELO
Ukusiza umuntu ofaka isicelo ukugcwalisa ifomu le-PAIA	Lapho isicelo se-PAIA singalandeli zonke izimfuneko ezimisiwe ezichazwe 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 asiphelele, bese sithi singamsiza umuntu ofake isicelo ukuba enze izinguquko ezidingekayo efomini. Uma umuntu ofake isicelo engaphenduli encwadini noma alungise ifomu esikhathini esisesilinganisweni, khona-ke iSikhulu Sezolwazi singase sisenqabe isicelo.
Sinika umuntu ofake isicelo ulwazi olufanele lapho kungenzeka	Uma kungaba nengqondo futhi kungenzeka ukwenza kanjalo, iSikhulu Sezolwazi kumelwe sinike umuntu ofake isicelo noma yiluphi olunye ulwazi olusenhlangothini yomphakathi nalo oluhambelana nesicelo, ngisho noma amarekhodi ayengeyona ingxenye yesicelo sokuqala.

IMISEBENZI YEZIKHULU Zezolwazi	INGAZELO
Ukudlulisela isicelo	Lapho isicelo se-PAIA sifakwe enhlanganweni yomphakathi okungeyiyo, iSikhulu Sezolwazi saleyo nhlangano kumelwe sidlulisele isicelo enhlanganweni yomphakathi efanele kungakedluli izinsuku ezingu-14 samukele leso sicelo futhi kumelwe sazise umuntu ofake isicelo ngokubhalwe phansi ngalokho kudluliselwa.
Ukuphendula isicelo ezinsukwini ezingu-30	Inhlango yomphakathi noma ezimele kumelwe iphendule isicelo se-PAIA phakathi nezinsuku ezingu-30 ngemva kokwamukela isicelo. ISikhulu Sezolwazi singase sicele ukwelulwa kwenkathi engadluli ezinsukwini ezingu-30 ezengeziwe, futhi ngenxa yezizathu ezithile, okuhlanganisa isicelo esibandakanya (1) izincwadi eziningi, (2) ukuthintana nezinye izinhlangano zomphakathi noma ezizimele, (3) noma uma umuntu ofake isicelo evumile ukunwetshwa kwesikhathi ngencwadi ebhalwe phansi. Kuvunyelwa ukunwetshwa okukodwa kuphela ngesicelo ngasinye se-PAIA.
Ukuvunyelwa noma ukunqatshelwa ukuthola amarekhodi	Kungumsebenzi weSikhulu Sezolwazi ukuvumela noma ukunqabela ukuthola amarekhodi. Lesi sinqumo kumelwe saziswe umuntu ofake isicelo ngencwadi ebhalwe phansi.
Isimo owathola ngaso, imali ekhokhwayo yokuwathola kanye nezinto wena ongazenza	Lapho sivunyelwa isicelo se-PAIA, iSikhulu Sezolwazi kumelwe sazise umuntu ofake isicelo ngesimo esizothola ngaso irekhodi kanye nenani lemali yokuwathola, okumelwe ikhokhwe lapho esevunyelwe ukuwathola. Isaziso kumelwe futhi sazise umuntu ofake isicelo ukuthi unelungelo lokufaka isikhalo sangaphakathi nesicelo enkantolo ngokumelene nemali yokukhokhela ukuwathola noma ngokumelene nesimo azowathola ngaso amarekhodi. Ngaphezu kwalokho, isaziso kumelwe sinikeze ulwazi olumayelana nesikhathi okumelwe kufakwe ngaso isikhalo noma isicelo senkantolo kanye nenqubo okumelwe ilandelwe.
Ukwenqatshwa kwesicelo	Uma isicelo se-PAIA sinqatshwa, isaziso esiya kumuntu ofake isicelo kumelwe sisho izizathu zokunqatshwa, okumelwe zisekelwe ngamalungiselelo afanele e-PAIA. Njengoba kunjalo ngesimo noma ngokuthola irekhodi kanye nenani lemali lokulithola, isaziso kumelwe sinike umuntu ofake isicelo ulwazi mayelana nelungelo lakhe lokufaka isikhalo ngesinqumo noma ukufaka isicelo enkantolo.
Ukulibazisa ukukhulula irekhodi	ISikhulu Sezolwazi singase sinqume ukulibazisa ukukhululela umuntu ofake isicelo irekhodi ngokuvumelana neSigaba 24 se-PAIA, uma lelo rekhodi lihloselwe ukushicilelwa phakathi nezinsuku ezingu-90 noma uma umthetho ufuna ukuba irekhodi lishicilelwe kodwa lokho kuyinto esazokwenzeka.

EziGabeni 23 (nenghlangano yomphakathi) no-55 (nenghlangano ezimele) i-PAIA ithi uma iSikhulu Sezolwazi singakwazi ukuthola amarekhodi athile aceliwe, noma kunenkolelo yokuthi awekho, iSikhulu Sezolwazi kumelwe, ngemva kokuqinisekisa ukuthi zonke izinyathelo ezinengqondo ziye zathathwa ukuze kutholwe irekhodi, sithumele isitatimende esifungelwe kumuntu ofake isicelo simnike isaziso sokuthi irekhodi eliceliwe alikho noma alitholakali.

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

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

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

Le ngxenye izochaza izinyathelo ezingokomthetho abantu abafake izicelo abanazo abafisa ukumangalela izinqumo zeSikhulu Sezolwazi.

3.4.1 Izinyathelo Ongazithatha Ezingokomthetho ngokumelene neziNhlango Zomphakathi

Uma umuntu ofake isicelo engajabulile ngesinqumo esenziwe yiSikhulu Sezolwazi senhlangano yomphakathi, umuntu ofake isicelo unelungelo lokufaka isikhalo sangaphakathi. Isikhalo sangaphakathi sibandakanya umuntu osesikhundleni esingaphezulu ukuba abukeze isinqumo seSikhulu Sezolwazi futhi anqume ukuthi senze isinqumo esifanele yini noma cha. Uma umuntu osesikhundleni esiphezulu evumelana nesinqumo seSikhulu Sezolwazi, khona-ke isikhalo sangaphakathi siyinqatshwa futhi isinqumo sasekuqaleni mayelana nesicelo se-PAIA siyaqinisekiswa. Uma umuntu osesikhundleni esiphezulu engavumelani nesinqumo seSikhulu Sezolwazi, khona-ke isikhalo siyavunywa futhi isinqumo sasekuqaleni mayelana nesicelo se-PAIA siyachithwa.

Kubalulekile ukuphawula ukuthi ungathumela isikhalo sangaphakathi kuphela eminyangweni kahulumeni kazwelonke, yezifunda kanye neyomasipala. Ayikho inqubo yokufaka isikhalo sangaphakathi kwezinye izinhlangano zomphakathi.

IDolobha LaseKapa liyisibonelo sikahulumeni kamasipala okungase kuthunyelwe isikhalo sangaphakathi ngokumelene nalo. ISikhwama Sezingozi Zomgwaqo siyisibonelo senhlangano yomphakathi engeyona ingxenye kahulumeni kazwelonke, wesifunda noma wendawo, ngoba simiswe ngumthetho (uMthetho Wesikhwama Sezingozi Zomgwaqo), futhi ngenxa yalokho akunakufakwa isikhalo sangaphakathi ngokumelene naso.

3.4.1.1 Ubani ongafaka ukudluliselwa kwesikhalo sangaphakathi?

Umuntu ofake isicelo se-PAIA enhlanganweni yomphakathi kazwelonke, yesifunda noma kamasipala futhi owenqatshelwa ukuthola amarekhodi, unelungelo lokufaka ukudluliselwa kwesikhalo sangaphakathi. Lokhu kwenziwa ngokugcwalisa i-Form B le-PAIA kanye nokuliyisa enhlanganweni yomphakathi kazwelonke, yesifunda noma kamasipala. Ikhophi ye-Form B ingatholakala ku-website yezinhlangano ezifanele kanti futhi ayatholakala ehhovisi ngalinye leKhomishane Yamalungelo Abantu BaseNingizimu Afrika.

Uma ukudluliselwa kwesikhalo sangaphakathi kubandakanya noma 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 kwesikhalo zangaphakathi ngokumelene nesinqumo esenziwe yinhlango yomphakathi yokuvumela ukuthola irekhodi elithile.

3.4.1.2 Ungakufaka nini ukudluliselwa kwesikhalo sangaphakathi?

Umuntu ofake isicelo angase afake ukudluliselwa kwesikhalo sangaphakathi ngokumelene nesinqumo senhlango 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 ngenhlango yomphakathi ukunikeza amarekhodi ngesimo esasikhethwe ngumuntu ofake isicelo.

3.4.1.3 Ngikwenza kanjani ukudluliselwa kwesikhalo sangaphakathi?

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

Uhulumeni Kazwelonke	Uma isicelo se-PAIA sasifakwe emnyangweni kazwelonke, umuntu ofake isicelo angase athumele ukudluliselwa kwesikhalo sangaphakathi kuNgqongqoshe walowo mnyango.
Uhulumeni Wesifunda	Uma isicelo se-PAIA sasifakwe emnyangweni wesifunda, umuntu ofake isicelo angase athumele ukudluliselwa kwesikhalo kuyiLungu loMkhandlu Ophethe (Member of the Executive Council) lalowo mnyango.
Uhulumeni Womasipala	Uma isicelo se-PAIA sasifakwe emnyangweni kamasipala, umuntu ofake isicelo angase athumele ukudluliselwa kwesikhalo kumphathi-dolobha kamasipala, noma kusomlomo kamasipala, noma nanoma ubani omunye umuntu omiswe nguMkhandlu KaMasipala walowo masipala ngokuqondile.

I-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 luqethe imininingwane yomuntu siqu mayelana nomunye umuntu, kanye nolwazi oluyimfihlo, ulwazi oluqondile lwezokuhweba, kanye nolwazi lwezocwaningo mayelana nomunye umuntu [third party]), khona-ke ukudluliselwa kwesikhalo kumelwe kufakwe phakathi nezinsuku ezingu-30 kukhishwe isaziso kulowo muntu.

Umuntu ofake isicelo kumelwe athumele ukudluliselwa kwesikhalo sangaphakathi eSikhulwini Sezolwazi senhlangano efanele ngeposi, ngefeksi noma nge-imeyili.

Ukudluliselwa kwesikhalo sangaphakathi kumelwe kuhlenganise isihloko sokudluliselwa kwesikhalo sangaphakathi, izizathu ezisekela ukudluliselwa kwesikhalo, bese kuhlanganisa noma yiluphi olunye ulwazi olufanele olwaziwa ngumuntu othumela ukudluliselwa kwesikhalo.

Uma umuntu ofake isicelo engase athande ukwaziswa ngesinqumo esimayelana nokudluliselwa kwesikhalo sangaphakathi ngendlela ehlukile (ngaphezu kwempendulo ebhatwe phansi), kumelwe 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 inkathi yezinsuku ezingu-60 isiphelile, inhlango yomphakathi efanele kumelwe ikwamukele ukudluliselwa kwesikhalo uma kuvezwa isizathu esihle sokufakwa kokudluliselwa kwesikhalo sekwephuzile. Lapho inhlango yomphakathi efanele ingakwamukeli ukufakwa kokudluliselwa kwesikhalo sangaphakathi sekwephuzile, kumelwe inike umuntu odlulisele isikhalo isaziso.

3.4.1.5 Yimalini ekhokhwayo ngokudluliswa kwezikhalo zangaphakathi?

Umuntu ofake isicelo odlulisa isikhalo sangaphakathi kudingeka akhokhe imali emiswe ngokomthetho, uma ikhona. Uma imali yokudluliswa kwesikhalo kumelwe ikhokhwe lapho kufakwa, isinqumo ngokudluliswa kwesikhalo singase silibaziswe kuze kube yilapho imali isikhokhiwe.

NGINGASIFAKA YINI ISICELO ENKANTOLO NGOKUMELENE NESINQUMO SENHLANGANO YOMPHAKATHI?

Yebo. Uma umuntu ofake isicelo engaphumelelanga ngokudlulisela kwakhe isikhalo ngokumelene nenhlangano yomphakathi, noma uma inhlango yomphakathi inqaba ukwamukela ukufakwa kokudluliselwa kwesikhalo sangaphakathi sekwephuzile, noma uma umuntu ofake isicelo eye waphathwa ngokungalungile ngandlela-thile ngenxa yesinqumo esenziwe yinhlangano yomphakathi, umuntu ofake isicelo angase acele ukuba inkantolo imnike impumuzo ngokufaka isicelo phakathi nezinsuku ezingu-180 ethole lesi sinqumo. Umuntu ofake isicelo noma omunye umuntu (third party) angase afake isicelo ezinkantolo kuphela ngemva kokuba inqubo yokudluliselwa kwesikhalo sangaphakathi isiphethiwe.

3.4.2. Izinyathelo Ongazithatha Ezingokomthetho ngokumelene neziNhlangotho Ezizimele

Lapho umuntu ofake isicelo enganelisekile ngesinqumo esenziwe yinhloko yenkampani ezimele, isibonelo, ngokunqaba ukuba athole irekhodi, ngokufuna imali yokulithola, noma ngokwelula inkathi okufuneka ngayo impendulo, umuntu ofake isicelo angase acele ukuba inkantolo imnike impumuzo phakathi nezinsuku ezingu-180 ethole lesi sinqumo esidale ukuba afake isikhalo. Isinqumo senhlangano ezimele sizobuyekezwa yinkantolo futhi isinqumo sizokwenziwa yizinkantolo ukuthi avunyelwe yini ukuthola irekhodi noma cha.

ECALANI LIKABRUMMER V UNGQONGQOSHE WEZOKUTHUTHUKISWA KWEZENHLALO

Kuleli cala izinkantolo zathi inkathi yezinsuku ezingu-30 yokuqala ngaphansi kwe-PAIA lapho umuntu ofake isicelo engase acele khona izinkantolo uma enganelisekile ngesinqumo seSikhulu Sezolwazi, yayinganele ukufeza injongo yokubonisa ubulungisa. Ngakho-ke kwanqunywa ukuthi inkathi yezinsuku ezingu-30 yayingasebenzi futhi kwadingeka inwetshwe ibe yinkathi yezinsuku ezingu-180. Lesi sahlulelo siye savezwa eMthethweni Wokuvikelwa Kwemininingwane Yomuntu Siqu omusha othi kunenkathi yezinsuku ezingu-180 yokuba umuntu ofake isicelo athumele isikhalo kuMqondisi Wolwazi (Information Regulator), ngemva kokulandela yonke inqubo ye-PAIA yokuba athole irekhodi lomuntu siqu.

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

3.4.3. Yini ezokwenzeka ecaleni lami enkantolo?

Kunemiphumela eminingana engase yenzeke lapho uyisa icala le-PAIA enkantolo. Ngemva kokulalelwa kwazo zombili izinhlangothi zendaba, isikhulu esengamele icala sinamandla okukhipha umyalo oyikho kokubili olungile nolinganayo. Lokhu kungase kuhlenganise umyalo: (1) oqinisekisa, oshintsha, noma 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 lilingane kahle namanye amalungelo
- 4.2 Izizathu eziwumyalo 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 nomhlahlandlela wokuthi ungayisebenzisa kanjani imithetho evumela iSikhulu sezolwazi ukuba siqabe isicelo. I-PAIA inohlu lwezizathu 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 imininingwane eyengeziwe). Ngaphezu kwalokho i-PAIA yenza umushwana wezinto ezingezenzuzo yomphakathi owenza noma yisiphi ezizathwini zokwenqabela ukuthola ulwazi singasebenzi, uma nje inzuzo yomphakathi kulolo lwazi kuyiyonanto enkulu. (bheka ingxenye 4.4. ngezansi ukuze uthole imininingwane eyengeziwe).

UKWENZA ILUNGelo LOKUTHOLA ULWAZI | UKWANE KATLE KAWINTLE AMALUNGELLO

UMTHETHO OVAMILE

Ilungelo lokuthola ulwazi litholakala ngaphakathi koMthetho-sivivinywa Wamalungelo woMthethosisekelo WaseNingizimu Afrika futhi, ukuze kwenziwe leli lungelo lisebenze, ukuthola ulwazi kufanele kuvunyelwe kaningi kangangokunokwenzeka.

ISIMO ESIHLUKILE

Njengamanye amalungelo amaningi akuMthetho-sivivinywa Wamalungelo, ilungelo lokuthola ulwazi lingaba ngelilinganiselwe noma lenqatshelwe ezimweni ezithile. I-PAIA yasungulelwa ngokuyinhloko ukucacisa izizathu lapho izicelo zolwazi zingase zinqatshwe khona, futhi ngenxa yalokho ilungelo lokuthola ulwazi lilinganiselwe.

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

I-PAIA ithi ezimweni ezithile iSikhulu sezolwazi asinakuludalula ulwazi. Ngamafushane, izizathu zokuthi kungathi ulwazi lungenakudalulwa zimayelana nokuthi ukudalulwa kolwazi kuzodala umonakalo omkhulu yini kunokungadalulwa kwalo. Ngakho-ke i-PAIA inohlu lwezizathu eziyishumi nambili (12) iSikhulu sezolwazi senhlangano yomphakathi noma ezimele esingakwenqabela kuzo ukuthola ulwazi (lezi zizathu ezingu-12 zizochazwakabanziengxenyeni 4.3 ngezansi). Ezinye zalezi zizathu zokungadaluli ziyimiyalo eSikhulwini sezolwazi, okusho ukuthi iSikhulu sezolwazi akumelwe sivumele ukutholwa kolwazi uma kungase kube nobufakazi besinye sezizathu eziyimiyalo zokwenqabela ukutholwa kolwazi. Ezinye izizathu zokwenqabela ukutholwa kolwazi ziyisinqumo esiya ngokubona komuntu. Lokhu kusho ukuthi iSikhulu sezolwazi singase sidalule noma singadaluli ulwazi. Ngakho-ke iSikhulu sezolwazi kumelwe sisebenzise ukubona kwaso lapho siquma ukuthi siludalule yini ulwazi noma cha. Lokhu kumele sikwenze ngokuhlola ukuthi ukudalula kuzobangela umonakalo omkhulu yini enhlanganweni yomphakathi noma ezimele kunokungaludaluli.

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 uhlale unenjongo lapho 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 noma okumelwe senqatshwe kuzo yiSikhulu Sezolwazi senhlangano yomphakathi noma ezimele. Lezi zizathu zisohlwini oluku-PAIA ngaphansi kweSahluko 4 seNgxenye 2 yeNhlangotho Yomphakathi, nakuSahluko 4 seNgxenye 3 yeNhlangotho Ezimele.

4.3.1 Ukuvikelwa kokugcinwa kwezindaba zangasese zomunye umuntu (third party)

ISikhulu Sezolwazi senhlangano yomphakathi noma ezimele kumelwe singavumeli ukutholwa kolwazi lomuntu siqu lomuntu wemvelo, kuhlanganisa nomuntu oshonile (*mayelana nencazelo yegama elithi “umuntu wemvelo” bheka isihloko esithi Amagama Awusizo ngenhla*). I-PAIA ithi ukuze kuvikelwe ilungelo lokuvikelwa kwezindaba zangasese lomunye umuntu (third party) ongumuntu wemvelo, iSikhulu Sezolwazi kumelwe sihlale ukuthi ukukhipha ulwazi okukhulunywa ngalo kumuntu ofake isicelo ‘kuzobandakanya yini ukudalulwa okungenangqondo kwemininingwane yomuntu siqu’ (bheka izigaba 34 no-63 ze-PAIA).

Isigaba 1 se-PAIA sinikeza incazelo ebanzi yalokho okwakha “imininingwane yomuntu siqu”. Kuhlanganisa ulwazi olumayelana nobulili, ukukhulelwa, nenkolo, kanye nezincwadi zokubhalelana kwakhe nabanye, 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 ezingase zidalulwe:

- » Ulwazi lomuntu siqu lomuntu onikeze imvume yokuba lolu lwazi lukhululwe
- » Ulwazi lomuntu siqu oluye lwasakazwa emphakathini kakade
- » Ulwazi lomuntu siqu olumayelana nengane eneminyaka yobudala engaphansi kuka-18 lapho ukudalulwa kolwazi olunjalo kungokwenzuzo yengane, futhi umuntu ofake isicelo engumnakekeli wengane (okusho ukuthi, umzali noma umnakekeli)
- » Ulwazi lomuntu siqu lomuntu oshonile oluya kumuntu ofake isicelo oyisihlobo salowo muntu, noma ogunyazwe (imvume ebhalwe phansi) yisihlobo sakhe
- » Ulwazi lomuntu siqu lomuntu oshonile osekuphele iminyaka engaphezu kwengu-20 ashona
- » Ulwazi lomuntu siqu lomuntu oyisikhulu noma owayeyisikhulu senhlangano yomphakathi noma ezimele futhi lapho lolu lwazi luphathele nesikhundla sakhe njengesikhulu.

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)

IZikhulu Zezolwazi zezinhlango zomphakathi kanye nezizimele kumelwe zinqabe ukunika ulwazi uma ukukhululwa kwalolo lwazi kuzodala umonakalo ezinzuzweni zezohwebo noma zezezimali zebhizinisi. I-PAIA inohlu olulandelayo lolwazi lwezohwebo olungenakudalulwa yiSikhulu Sezolwazi:

- » Izimfihlo zezohwebo;
- » Ucwangingo lwezimali, lwezohwebo, lwesayensi noma ulwazi lwezobuchwepheshe olumayelana nabanye abantu (third party), okungathi uma lukhululiwe, kudaleke umonakalo kulabo bantu;
- » Ulwazi oluyisifuba olunikezwe omunye umuntu (third party) ngoba ethenjwa.

Nakuba kunomthetho ovamile wokuvikela ulwazi lwenkampani, inhlango yomphakathi kudingeka 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) aqukethe ulwazi oluphatelene nokuphepha komphakathi noma izingozi kwezemvelo kumelwe akhululwe, ngisho noma ukukhululwa kolwazi olunjalo cishe kuzodala umonakalo kulabo bantu (third party). Lokhu kuyingxenywe yolwazi lwezuzo yomphakathi (*bheka ingxenye 4.4 ngezansi*).

4.3.3 Ukuvikelwa kolwazi oluyimfihlo

I-PAIA ithi iSikhulu sezolwazi kumelwe singakuvumeli ukutholwa kwerekhodi uma ukukhululwa kwalelo rekhodi kuzoba njengokuphulwa kwesibopho sokugcinwa kwemfihlo okuvunyelenwe ngakho nomunye umuntu (third party) ngokwesivumelwano noma inkonkolela.

4.3.4 Ukuvikelwa kokuphepha komuntu kanye nempahla

Le ngxenye ithi iSikhulu sezolwazi kumelwe singakuvumeli ukutholwa kwerekhodi uma ukudalulwa kwalelo rekhodi kungalindelwa ngokunengqondo ukuba kubeke engozini ukuphepha komuntu noma impahla. Le ngxenye inesici selungelo lokugcinwa kwemfihlo ngoba icabangela ukuphila komuntu siqu nempahla yakhe.

4.3.5 Ukuvikelwa kolwazi ekuqulweni kwamacala ezomthetho

Injongo yale ngxenye wukuvikela ulwazi olufuneka ezinqubweni zezomthetho nezokuphoqelwa komthetho. Le ngxenye iqaphela eminye imithetho elawula izigaba ezithile zolwazi. Endabeni yale ngxenye umthetho 51 ka-1977 weNqubo Yobugebengu (Criminal Procedure Act) uqashelwa njengomthetho olawula amarekhodi aphaathelene nokuqulwa kwamacala ebheyili kanye nezinye izinqubo zokuphoqelwa komthetho. Lokhu kuyasebenza nakumarekhodi ayimfihlo kusukela ekwenziweni kwawo. Ngamanye amazwi amarekhodi angatholakali

kunoma ubani omunye, ngaphandle komuntu onelungelo lokubona lawo marekhodi, isibonelo, ummeli onezimfihlo zekhasimende. Noma yimaphi amarekhodi obudlelwano phakathi kommeli kanye nekhasimende lakhe avikelwe ngaphansi kwesigaba 40 se-PAIA.

Nakuba i-PAIA ikuqaphela ukuba khona kweminye imithetho ephathelene nokuphathwa nokudalulwa kolwazi namarekhodi, esimweni lapho imithetho ilinganisela khona ngokungafanele ilungelo lokuthola ulwazi futhi kube kuphambene nezimiso zokwenza izinto obala nokuba nokulandisa, i-PAIA izothatha indawo yomthetho.

4.3.6 Ukuvikelwa Kolwazi Locwaningo

iSikhulu Sezolwazi senhlangano yomphakathi noma ezimele kumelwe singakuvumeli ukutholwa kwamarekhodi aqukethe ulwazi oluphathelene nocwaningo olwenziwa noma oluzokwenziwa yinhlangano yomphakathi noma ezimele okukhulunywa ngayo noma abanye (third party). Lokhu kwenqaba ukutholwa kolwazi kusezimweni lapho ukudalulwa kwerekhodi kuzochaya ucwaningo lwabanye abantu (third party) noma lwenhlangano yomphakathi noma ezimele, lomuntu ngamunye noma lwenhlangano eyenza ucwaningo, noma konakalise kabi into ecwaningwayo (bheka izingxenye 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 luwela ezigabeni ezilandelayo futhi angeke kube ngokwenzuzo yomphakathi ukuludalula (*ukuze uthole imininingwane eyengeziwe ngomushwana wezinto ezingokwenzuzo yomphakathi, bheka ingxenye 4.4 ngezansi*).

4.3.7.1 Ezokuvikela zaseNingizimu Afrika, ezokuphepha nezokusebenzelana kwamazwe omhlaba

Isigaba 41 se-PAIA sifuna ukuba iSikhulu sezolwazi sicabangele ukuthi isicelo solwazi sithintene yini nolwazi olumayelana nezokuphepha zaseNingizimu Afrika. ISikhulu sezolwazi singase sisenqabe isicelo uma singanikeza ubufakazi bokuthi kuzobeka esimweni esibucayi ukuphepha kweNingizimu Afrika ukukhulula lolo lwazi.

4.3.7.2 Izinto ezingokwenzuzo yeNingizimu Afrika ngokomnotho, ngokwezimali nangokohwebo

Isigaba 42 se-PAIA sifuna kube nokuvikelwa kolwazi lwenhlangano yomphakathi uma ukudalulwa kwalo kuzolimaza isimo sezomnotho nezezimali sale Riphahuliki. Lesi sizathu sokwenqatshelwa senziwa ngokuya kokubona komuntu okusho ukuthi iSikhulu Sezolwazi kuzodingeka sicabangele ukuthi izinhlangano zomphakathi zinikwe umyalo ngaphansi koMthethosisekelo waseNingizimu Afrika ukuba zilandise emphakathini, nokuthi ngenxa yalokho ulwazi lungase lunqatshelwe ezimweni ezithile kuphela. Ngaphezu kwalokho, iSikhulu Sezolwazi kuzodingeka sibonise ukuthi ukudalulwa kolwazi okukhulunywa ngalo kuzodala umonakalo ezintweni eziyinzuzo eNingizimu Afrika ngokwezimali nangokomnotho.

4.3.7.3 Imisebenzi yezinhlango zomphakathi

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

- » Amaphuzu akhulunywe emihlanganweni;
- » Amarekhodi aqukethe izeluleko noma imibono;
- » Amarekhodi aphaathelene nezingxoxo ezenziwe nezinye izinhlango;
- » Amarekhodi aphaathelene 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 ukusebenza lezo zicelo kuzodla isikhathi ngokungenangqondo futhi kuholele ekumosheni imali. Ngaphezu kwalokho, iSikhulu Sezolwazi singase senqabe ukutholwa 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 ezingenzuzo yomphakathi kuza kuqala kunazo zonke ezinye izizathu zokwenqatshwa kokutholwa kolwazi.

ISikhulu Sezolwazi senhlango yomphakathi noma ezimele kumelwe sisebenzise ukuhlola okulandelayo ngaphambi kokunqaba ukuvumela ukutholwa kolwazi olungaphansi kwezigaba ezingenakudalulwa eziboniswe ngenhla. Uma kuhlangatshwana nale mibandela, khona-ke lolo lwazi kumelwe ludalulwe ngezizathu zokuthi kungokwenzuzo yomphakathi.

Ingabe ulwazi lubonisa ukwepulwa okukhulu komthetho?

NOMA

Ingabe amarekhodi okukhulunywa ngawo aqukethe ulwazi oluphatelene nento ezokwenzeka ngokushesha ethinta ukuphepha komphakathi ngezinga elikhulu noma ingozi kwezemvelo?

FUTHI

Ingabe inzuzo yomphakathi ekudaluleni 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, kuhlanganisa nomthetho
- 5.2 Uhlu lweminye imithombo ye-PAIA ewusizo

5.1. Izikhombo eziyinhloko

UMTHOMBO	UMLOBI
Promotion of Access to Information Act 2 of 2000	Abezomthetho
Protection of Personal Information Act 4 of 2013	Abezomthetho
PAIA Unpacked (itholakala ku- www.saha.org.za)	SAHA
PAIA Resource Kit (itholakala ku- www.saha.org.za)	SAHA
The Guide on How to Use the Promotion of Access to Information Act 2 of 2000 (itholakala ku- www.sahrc.org.za)	SAHRC
PAIA Community Tool Guide (itholakala ku- www.sahrc.org.za)	SAHRC
PAIA Frontline Staff Manual (itholakala ku- www.sahrc.org.za)	SAHRC

5.2 Imithetho ye-PAIA

ISAZISO SIKAHULUMENI	USUKU	ISIHLOKO NENCAZELO
Government Notice: No. R. 1244	22 September 2003	Isichibiyelo esiphathelene nokutholakala kwezincwadi ze-PAIA zezinhlango zomphakathi nezizimele.
Government Notice: No. R. 187	15 February 2002	Isichibiyelo ku-PAIA mayelana nale Section 10 Guide kanye nokutholakala kwezincwadi ze-PAIA.
Government Notice: No. R. 233	9 March 2001	Lo Mthetho uphathelene nezimali ezikhokhwayo ukuze uthole amarekhodi ezinhlango zomphakathi nezizimele.
Government Notice No. R. 466	1 June 2007	Ifaka namafomu eSikhulu Sezolwazi okumelwe siwasebenzise lapho sishicilela izaziso zokudalula ngokuzithandela ngokwezigaba 15 no-52 be-PAIA.

5.3 Izichibiyelo ze-PAIA

ISAZISO SIKAHULUMENI	USUKU	ISIHLOKO NENCAZELO
Government Notice No. 428	31 March 2004	Isichibiyelo kusigaba 92(4) se-PAIA ukubhekelela amaCala neziJeziso zabantu abavimbela ngamabomu nangokungafanele isicelo somuntu ofake isicelo sokuthola ulwazi, isibonelo ngokushabalalisa amarekhodi.
Government Notice No. 96	15 January 2003	Isichibiyelo ku-PAIA ukubhekelela ukuqeqetshwa kwezikhulu ezengamele eziNkantolo zoMantshi ukuba zilalele amacala e-PAIA.
Government Notice No. R. 187	15 February 2002	Isichibiyelo ku-PAIA mayelana nale Section 10 Guide kanye nokutholakala kwezincwadi ze-PAIA

5.4 Izichibiyelo zeMithetho ye-PAIA

ISAZISO SIKAHULUMENI	USUKU	ISIHLOKO
Government Notice: No. 1263	11 April 2003	Isaziso esiphathelene nokutholakala kwezincwadi ze-PAIA zezinhlango ezizimele.

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).

