

IMANUWALI

**NgokwesiGaba 14
soMthetho
wokuThuthukiswa
kokuFinyeleleka koLwazi
(UMthetho wesi-2 wezi-
2000)**



health

Department:
Health
REPUBLIC OF SOUTH AFRICA

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1. ISINGENISO

Le manuwali iqokelelwe ngokuhambisana noMthetho Wokukhuthazwa kokuFinyeleleka Kolwazi, 2000 (UMthetho ongunombolo 2 wezi-2000) (“uMthetho”).

UMthethosisekelo uphinde uhlinzeke ngokubekwa kwemithetho ukuze kube khona ukufinyeleleka kolwazi kanye nokulawula ukusebenza kwayo kanti-ke lokho kwaholela ekusungulweni koMthetho, owaqala ukusebenza ngomhla ziyi-9 kuNdasa wezi-2001.

UMthetho usophe ukufeza lezi zinjongo ezilandelayo:

- (a) ukunikezela ngelungelo loMthethosisekelo lokufinyelela ulwazi olusezandleni zoMbuso; kanye
- (b) ukunikeza amandla ilungelo lokufinyelela olwazini lincike ekuvinjelweni okufanelekile okunobulungiswa, okuhambisana kodwa kungapheleli kulezo zivimbelo okuhloswe ngazo ukuvikela ilungelo langasese, ukuvikela amalungelo emfihlo kwezohwebo, ukunikeza ngokuyikho nokusebenza ngekhono kanye nokuphatha ngobuqotho kanye nangendlela ekhombisa ukulingana kwesisindo phakathi kwalelo lungelo uma liqhathaniswa nanoma yiliphi ilungelo kuhlenganisa namalungelo akuSomqulu wamaLungelo eSintu aseSahlukweni 2 soMthethosisekelo.
- (c) ngokuvamile, ukukhuthaza ukusebenza ngokungafihli lutho, ukuphendula ngokwenziwe kanye nokuphatha ngendlela enempumelelo kuzo zonke izigungu zomphakathi, kubandakanya, kodwa kungakhawulekile kulokho, ukuhlomisa nokufundisa bonke abantu ukuba baqondisise amalungelo abo ngokuhambisana noMthetho ukuze bakwazi ukusebenzisa amalungelo abo ngokuhlobene nezigungu zomphakathi, ukuqonda imisebenzi kanye nokuphathwa kwezigungu zomphakathi, kanye nokucubungula ngokuyimpumelelo, kanye

nokuzibandakanya, ekwenziweni kwezinqumo okuthinta amalungelo abo yizo izigungu zomphakathi

2. IZINCAZELO

Kule manuwali, ngaphandle uma isimo sichaza okunye—

"inhlawulo yokufinyelela irekhodi" ichaza imali ekhokhwa ngumfakisicelo ukuze kushicilelwe amarekhodi aceliwe;

"Iphini Lesikhulu Esibhekelele Ulwazi" lichaza umuntu oqokiwe, ngenchwadi, yisiKhulu Esibhekelele Ulwazi ukuba enze imisebenzi ebekelwe Isikhulu Esibhekelele Ulwazi ngokuhambisana noMthetho njengoba kudingeka ukwenza uMnyango ufinyeleleke ngako konke okunokwenzeka kulowo muntu ofaka isicelo sokufinyelela amarekhodi ethu;

"Ikhomishini Yamalungelo Abantu" ichaza Ikhomishini Yamalungelo Abantu YaseNingizimu Afrika okubhekiswe kuyo kusigaba 181(1) (b) soMthethosisekelo;

"Isikhulu Esibhekelele Ulwazi" sichaza Umqondisi-Jikelele woMnyango noma umuntu owenza lowo msebenzi, futhi ukwengeza kusiKhulu Esibhekelele Ulwazi, lapho kunesidingo, kuyobandakanya nePhini Lesikhulu Esibhekelele Ulwazi;

"ukudluliswa kwesikhalo kwangaphakathi" kuchaza ukudluliswa kwesikhalazo ngesinqumo esenziwe Isikhulu Esibhekelele Ulwazi, esifakwa kuziphathimandla ezifanele;

"umuntu" uchaza umuntu ngokwemvelo noma umuntu ngokomthetho;

"ulwazi oluqondene nomuntu" luchaza ulwazi malungana nomuntu, kungacini nje kuphela ezintweni ezifana nobuhlanga, ubulili, ucansi, ukukhulelwa, isimo somshado, ubuzwe, ubuhlanga noma umsuka ngokomphakathi, ibala, ukuzikhethela ngokocansi, iminyaka, impilo yomzimba noma ingqondo, ukuphila nje, ukukhubazeka, inkolo, unembeza, inkolelo, isiko; ulimi kanye nokuzalwa kwalowo muntu, ulwazi oluhlobene nemfundo noma ukwelashwa, umlando wobugebengu noma ukuqashwa komuntu noma imininingwane ehlobene nomuntu ngayedwana, ezezimali umuntu ake

wabandakanyeka nazo; noma yiyiphi inombolo eyinkomba, uphawu noma okunye okwabelwe umuntu; ikheli, iminyatheliso yezandla noma uhlobo lwegazi; imibono yomuntu ngaphandle uma emayelana nabanye abantu, izincwadi ezithunyelwe ngumuntu eziyimfihlo kakhulu noma ezifihliwe eziqondene naye uqobo noma kokunye ukuxhumana okungasiza ukudalula okuqukethwe encwadini yokuqala; igama lomuntu lapho livela neminye imininingwane ehlobene nomuntu noma lapho ukudalulwa kwegama uqobo kungadalula imininingwane ngomuntu;

"umfakisisicelo uqobo" uchaza umfakisisicelo ocela ukufinyelela kurekhodi eliqukethe imininingwane yomuntu emayelana naye;

"okuklanyiwe" kuchaza okuklanywe ngokwezimiso ngokusho kwesigaba 92 soMthetho;

"inhlango yahlumeni" ichaza noma yimuphi uMnyango wahulumeni noma wombusi kwazwelonke noma isifundazwe; noma-ke noma yisiphi isikhungo esenza imisebenzi yokulandelwa kwemithetho emphakathini;

"irekhodi" eliphethwe, noma elihlobene, noMnyango, lichaza noma yiluphi ulwazi oluqoshiwe, kungakhathaleki indlela, elingaphansi kobunikazi noma ukulawulwa nguMnyango, noma ngabe lasungulwa uMnyango noma cha;

"isiphathimandla esifanele", ngokuhlobene noMnyango, sichaza uNgqongqoshe wezeMpilo noma umuntu ogunyazwe ngencwadi nguNgqongqoshe;

"inhlawulo yokufaka isicelo" ichaza inhlawulo ekhokhwa umfakisisicelo, ngale komfakisisicelo siqu, ukuze kubukwe isicelo sakhe nguMnyango;

"umfakisisicelo" ngokuhlobene noMnyango, uchaza noma yimuphi umuntu (ngaphandle kwenhlango yomphakathi) owenza isicelo sokufinyelela irekhodi loMnyango, noma umuntu osesikhundelni somuntu okukhulunywa ngaye lapha;

"isicelo sokufinyelela ulwazi", ngokuhlobene noMnyango, kuchaza isicelo sokufinyelela irekhodi loMnyango ngokuhambisana nesigaba 11 soMthetho;

UMthetho wokuGqogquzelwa kokuFinyelela oLwazini (UMthetho ongunombolo 2 wezi-2000);

"uMnyango" uchaza uMnyango Kazwelonke wezeMpilo;

"izimiso" zichaza Izimiso zoMthetho, ngokushicilelwa Kusomqulu Wahulumeni Isaziso esinguNombolo R. 187 somhlaka 15 kuNhlolanja wezi-2002; kanye

"nengxenye yesithathu", ngokuhlobene nesicelo sokufinyelela irekhodi loMnyango, ichaza noma yimiphi umuntu, ngaphandle komfakisicelo okukhulunywa ngaye lapha kanye NezeMpilo.

3. UMGOMO, IMISEBENZI NOKUHLELEKA KOMNYANGO WEZEMPILO

3.1. Umgomo woMnyango

- Ukukhuphula Isikhathi Sokuphila
- Ukunciphisa Ukufa Komama Nezingane
- Ukubhekana neGciwane leSandulela-Ngculazi neNgculazi kanye nokunciphisa umthwalo wezifo zeSifo soFuba
- Ukuqinisa Uhlelo Lwezempilo Nokusebenza Kwalo Ngempumelelo

3.2. Imisebenzi yoMnyango

UMnyango njengamanje wakhiwe ngamagatsha ayisithupha. Inhloso emisebenzi yamagatsha yile elandelayo:

IGATSHA LOKU-1: UMSHUWALENSI KAZWELONKE WEZEMPILO (NHI)

Inhloso: Ukuthuthukisa ukusekwa ngezimali kokunakekelwa kwezempilo kanye nokufinyelela ekuhlinzekweni kwabo bonke abantu ngosizo.

Imisebenzi:

1. Ukwenziwa kohlaka lwenqubomgomo ukuze kuxhunyaniswe kuphinde kudidiyelwe ukuhlelwa kwezezimali kanye nezabiyomali zeMnyango yezeMpilo yeziFundazwe.
2. Ukuhlinzeka ngokwesekwa emiNyangweni yezeMpilo yeziFundazwe ekuklameni amanani.
3. Ukulawulwa kohlelo lokucinga abahlinzeki ngezinsiza kanye nokungamela ukusatshalaliswa kuzwelonke kwazo zonke izinto ezibucayi noma ezichithelwe izimali ezinkulu.
4. Ukuhlinzeka ngokwesekwa emiNyangweni yezeMpilo yeziFundazwe ekuklameni imali engenile nezindleko.

IGATSHA LESI-2: IGCIWANE LESANDULELA-NGCULAZI/INGCULAZI, ISIFO SOFUBA, UKUPHILA KOMAMA NABANTWANA

Inhloso: Ukwenziwa kohlala lwenqubomgomo kanye nokubhekelela ukusetshenziswa kwalo ukuze kulawulwe iGciwane leSandulela-Ngculazi neNgculazi, isiFo soFuba, Omama Abakhulelwe kanye Nempilo Yokuzala nokuzalana kanjalo nezinhlelo Zokuphila Komntwana

Imisebenzi:

1. Ukwenziwa kohlaka lwenqubomgomo kanye nokubhekelela ukuqaliswa kokusebenza nokunganyelwa kwezinhlelo zeGciwane leSandulela-Ngculazi neNgculazi
2. Ukwenziwa kohlaka lwenqubomgomo kanye nokubhekelela ukuqaliswa kokusebenza nokunganyelwa koHlelo Lukazwelonke Lokulawulwa kweSifo soFuba.
3. Ukwenziwa kohlaka lwenqubomgomo kanye nokubhekelela ukuqaliswa kokusebenza nokunganyelwa kweziNhlelo zabesiFazane, Omama abakhulelwe neziNhlelo Zempilo Yokuzala Nokuzalana.

IGATSHA LESI-3: UKUNAKEKELWA NGOKWEZEMPILO OKUSEMQOKA

Inhloso: Ukuqinisekisa ukuthi uhlelo lwezempilo lweqophelo lomhlaba ezifundeni, olugxilise ekunakekelweni kwempilo eqavile, lusebenza esifundeni ngasinye saseNingizimu Afrika.

Imisebenzi:

1. Ukwenziwa nokuqhutshezelwa phambili kohlaka lwenqubomgomo yezempilo ukuze kwesekwe futhi kuhlonyiswe izifundazwe ukuba zakhe ziphinde ziqhube izinhlelo zazo zezempilo.
2. Ukwenziwa kohlaka lwenqubomgomo olubhekelela ukuqaliswa kokusebenza nokulawulwa kwezifo ezingathelelani, impilo yengqondo eyomlomo kanye neyamehlo.
3. Ukwenziwa kohlaka lokubhekelela ukuqaliswa kokusebenza nokulawulwa kwezifo ezithelelanayo.
4. Ukusebenzisana kwababambiqhaza ukuze kuthuthukiswe kuphinde kugcinwe uhlaka lwenqubomgomo yokunciphisa, ukulapha kanye nokungamela udlame nokuthuthumela.
5. Ukwenziwa kohlaka lwenqubomgomo yokugqugquzela ukudla okunomsoco kanye nokunciphisa umthwalo ohlelweni lokulapha.

6. Ukwenziwa kohlaka lwenqubomgomo yokudidiyela ukuqaliswa kokusebenza kwezimiso namazinga ezinganhle lezempilo nokuthuthukiswa kwezingane nabantu abasha, lapho bonke bevikelwe, behlonishwa futhi bekhuselwe ukuba baphile izimpilo zabo ngokugcwele, ngenkathi kuqinisekiswa ukuthi izidingo zabo namalungelo kuyafezwa.

IGATSHA LESI-4: UKUTHUTHUKISWA KWEZIBHEDLELA, IZIKHUNGO EZIPHAKEME ZOSIZO LWEZEMPILO KANYE NABASEBENZI BEZEMPILO

Inhloso: Ukwenziwa kohlaka lwenqubomgomo lokungamela izinsiza zezempilo eziphezulu nezilingene ukuze kuqinisekise ukuthi uhlelo lwezempilo lubanzi futhi lunabasebenzi abelaphayo, abemicikilisho kanye nabaphathi ngokwesibalo esidingekayo.

Imisebenzi:

1. Ukwenziwa kohlaka lwenqubomgomo olweseka futhi olwenza izifundazwe zikwazi ukwakha nokungamela izibhedlela zazo.
2. Ukuqinisekisa ukuthi kunengqalasizinda eyanele ohlelweni lwezempilo.
3. UMthetho unjengengxusa lezamazakho ezobuhlengikazi namandla aqhuba uhlelo ukuze kuqinisekise ukuthi abahlengikazi basetshenziswa ngempumelelo nangendlela.
4. Ukuqinisekisa ukuthi uhlelo lwezempilo lubanzi futhi lunezinganhle labasebenzi bezokulapha, abemicikilisho kanye nabaphathi ngokwesibalo esidingekayo.
5. Ukuqinisekisa ukuthi kunezinqubomgomo zezemithi ezifanele kanye nezobuchwepheshe bezempilo ezanele ohlelweni lwezempilo.

IGATSHA LESI-5: IZIMISO ZEZEMPILO NOKUTHOTSHELWA KWAZO

Inhloso: Ukwenziwa kohlaka lwezempilo oluqinisekisa ukuthi umphakathi neziguli zivikelekile ngezimiso zezinganhle eliphakeme neziqhutshwa ngendlela.

Imisebenzi:

1. Ukwenziwa kwezimiso ezibhekelele Ukudla, Imithi, Uhwebo kanye Nemikhiqizo yokuqinisekisa ukuthotshelwa kwaleyo nqobomgomo.
2. Ukuqinisekisa ukuthi amabhizinisi ezempilo yomphakathi asebenza ngokuhambisana kwemigomo yawo yezokusebenza neyezimali.

3. Ukugqugquzelwa kwendawo yokusebenza enempilo, ephiphile negculisayo kanjalo nomsebenzi onempilo, oshabashekayo kanye noletha izinguquko.
4. Incazelo yamazanga ezinganhle lohlelo lwezempilo kanye nokuthuthukiswa kokukwazi ukuba izikhungo nabantu ngabodwana bakwazi ukuhlangabezana nalo.

IGATSHA LESI-6: IsiKhulu esiPhezulu sezeziMali

Inhloso: Ukungamela nokudidiyela ukuhlinzeka izinsiza zokunganyelwa kwezimali.

Imisebenzi: Ukungamela nokuhlinzeka:

1. Ukunganyelwa kwezinsiza zokuphendula ngokwenzekile,
2. Ukuphathwa kwezimali nezinsiza zokuphendula ngokwenzekile,
3. Izinsiza zokuhanjiswa kwengqalasisinda kanye nokuphathwa kwempahla, kanjalo
4. Ukubhekelela Izibonelelo Zokusebenza

IMITHETHO ENGENA NGAPHANSI KOMNYANGO WANGQONGQOSHE

Okulandelayo yimisebenzi yoMnyango njengoba kubaluliwe emigomweni equkethwe ezingxenyeni ezahlukene zemithetho eyenganyelwe uMnyango.

Imithetho elandelayo ingena ngaphansi komnyango waNgqongqoshe wezeMpilo.

- **UMthetho Kazwelonke Wezempilo, 2003 (uMthetho onguNombolo 61 wezi-2003)**

Uhlinzeka ukuba kube nohlelo lwezempilo lukazwelonke oluguqukile kulo lonke izwe laseNingizimu Afrika.

- **UMthetho Kazwelonke WeziKimu Zezokwelapha, 1998 (uMthetho onguNombolo 131 we-1998)**

Uhlinzeka ukuba kulawulwe imboni yezikimu zokwelapha ukuze kuqinisekise ukuhambisana kwezinjongo zikazwelonke zempilo.

- **UMthetho weMithi Nokuhlobene Nayo, 1965 (uMthetho onguNombolo 101 we-1965)**

Uhlinzeka ukuba kubhaliswe imithi kanye neminye imikhiqizo yokwelapha ukuze kuqinisekiswa ukuphepha, izinganhle kanye nokusebenza ngempumelelo. UMthetho uphinde uhlinzeke ukuba kube nokusebenza ngokungafihli lutho ekuklanyweni kwamanani emithi.

- **UMthetho Kazwelonke Wezokunakekelwa Kwempilo Yengqondo, 2002 (uMthetho onguNombolo 17 wezi-2002)**

Uhlinzeka uhlaka lwezomthetho wezempilo yengqondo ezweni laseNingizimu Afrika kanye namalungana nokulaliswa nokudedelwa esibhedlela kweziguli eziphazamisekile engqondweni ezikhungweni zokuphazamiseka ngokwengqondo ngokugcila emalungelweni eziguli eziphazamisekile engqondweni.

- **UMthetho Wokuzikhethela Ukukhipha Isisu, 1996 (uMthetho onguNombolo 92 we-1996)**

Uhlinzeka uhlaka lwezomthetho wokukhishwa kwezisu kuncike ekuzikhetheleni komuntu ngaphansi kwezimo ezithile.

- **UMthetho Wokuvalwa Inzalo, 1998 (uMthetho onguNombolo 44 we-1998)**

Uhlinzeka uhlaka lwezomthetho wokuvalwa kwenzalo, kanye nakubantu abanezinkinga zokugula ngengqondo.

- **UMthetho Womkhandlu Wocwaningo Lwezokwelapha eNingizimu Afrika, 1991 (uMthetho onguNombolo 58 we-1991)**

Uhlinzeka ukuba kusungulwe Umkhandlu Wocwaningo Lwezokwelapha eNingizimu Afrika kanye nendima yawo malungana nocwaningo lwezempilo.

- **UMthetho Wokulawula Imikhiqizo Yagwayi, 1993, (uMthetho onguNombolo 83 we-1993)**

Uhlinzeka ukuba kulawulwe imikhiqizo yagwayi, ukuvinjelwa kokubhema ezindaweni zomphakathi kanye nokukhangiswa kwemikhiqizo yagwayi kanjalo nokuxhaswa kwemicimbi yimboni yagwayi.

- UMthetho Wazwelonke Wezinsiza Zamalabhorethri, 2000 (uMthetho onguNombolo 37 wezi-2000)**

Uhlinzeka ukuba kube nesigungu esisemthethweni esihlinzeka ngezinsiza zamalabhorethri embonini yezempilo yahulumeni.
- UMthetho Wabasebenzi Bezempilo, 1974 (uMthetho onguNombolo 56 we-1974)**

Uhlinzeka ukuba kulawulwe abasebenzi bezempilo, ikakhulukazi, odokotela, odokotela bamazinyo, odokotela bengqondo kanye neminye imisebenzi ehlobene, kubandakanya ukusebenzela umphakathi kwalaba basebenzi.
- UMthetho Wamakhemisi, 1974 (uMthetho onguNombolo 53 we-1974)**

Uhlinzeka ukuba kulawulwe umkhakha womsebenzi wobukhemisi kubandakanya ukusebenzela umphakathi kosokhemisi.
- UMthetho Wabahlengikazi, 2005 (uMthetho onguNombolo 33 wezi-2005)**

Uhlinzeka ukuba kulawulwe umkhakha wezobuhlengikazi.
- UMthetho Wenhlangano Yabasebenzi Bezempilo 1982 (uMthetho onguNombolo 63 we-1982)**

Uhlinzeka ukuba kulawulwe abasebenzi bezempilo abafana nodokotela bomgogodla (chiropractors), odokotela be-homeopathy kanye nabanye, kanye nokusungulwa komkhandlu wokulawula lo mkhakha.
- UMthetho Wabasebenzi Bamazinyo, (uMthetho onguNombolo 19 we-1979)**

Uhlinzeka ukuba kulawulwe abasebenzi bezempilo bamazinyo, kanye nokusungulwa komkhandlu wokulawula lo mkhakha.
- UMthetho Wezinto Eziyingozi, 1973 (uMthetho onguNombolo 15 we-1973)**

Uhlinzeka ukuba kulawulwe izinto eziyingozi, ikakhulukazi lezo ezikhipha imisebe yokushisa.
- UMthetho Wezidlo, Izinto Zokugcoba kanye Nezibulalimagciwane, 1972 (uMthetho onguNombolo 54 we-1972)**

Uhlinzeka ngokuba kulawulwe izidlo, izinto zokugcoba kanye nezibulalimagciwane, ikakhulukazi, ukuklanywa kwamazinga ezinganhle noma ikhwalithi nawokuphepha kokudayiswayo, okukhiqizwayo kanye nokuthengiswa emazweni angaphandle.

- **UMthetho Wezifo Ezitholakala Emsebenzini kanye Nasezimayini, 1973 (uMthetho onguNombolo 78 we-1973)**

Uhlinzekela ukuxilongwa kwabantu okusoleka ukuba batheleleke ngezifo emsebenzini ikakhululazi ezimayini kanye nokunxeshelwa ngokuqondene nalezo zifo.

- **UMthetho Wezicubu Zomzimba Zabantu, 1983 (uMthetho onguNombolo 65 we-1983)**

Uhlinzekela ukuphathwa kwezindaba eziqondene nezicubu zomzimba zabantu.

Amabhizinisi Angaphansi kukaNgqongqoshe

Amabhizinisi Amathathu Omphakathi, uMkhandlu Wocwaningo Lwezokwelapha waseNingizimu Afrika; Izinsiza Zamalabhorethri Ezempilo Kuzwelonke kanye noMkhandlu Wezikimu Zezokwelapha zingaphansi kukaNgqongqoshe wezeMpilo. Imikhandlu emine yezomthetho, uMkhandlu Wabasebenzi Bezempilo baseNingizimu Afrika; uMkhandlu Wabahlengikazi WaseNingizimu Afrika, uMkhandlu Wamakhemisi eNingizimu Afrika, kanye noMkhandlu Wabasebenzi Bamazinyo nayo ingaphansi kukaNgqongqoshe.

Igama Lebhizinisi	Umthetho	Uhlobo Lwebhizinisi
Isigungu Sezikimu Zezokwelapha	UMthetho Kazwelonke WeziKimu Zezokwelapha, 1998 (uMthetho onguNombolo 131 we-1998)	Ilawula Imboni Ezimele Yezikimu Zezokwelapha.
Isigungu Socwaningo Lwezokwelapha eNingizimu Afrika	UMthetho Wesigungu Socwaningo Lwezokwelapha eNingizimu Afrikazi, 1991 (uMthetho onguNombolo 58 we-1991)	Izinjongo zomkhandlu ukugqugquzela ukuthuthukiswa kwezempilo nezinganhle lempilo ngocwaningo, intuthuko kanye nokudluliswa kwezobuchwepheshe.
Izinsiza Zikazwelonke Zamalabhorethri Ezempilo (NHLS)	UMthetho Kazwelonke Wamalabhorethri Ezempilo, 2000 (uMthetho onguNombolo 37 we-2000);	Usizo lweseka uMnyango ekutheni uhlinzeke usizo lwamalabhorethri ngenani elifinyelelekayo kuyo yonke imitholampilo nezibhedlela zikahulumeni.
UMkhandlu Wabasebenzi Bezempilo waseNingizimu Afrika	UMthetho Wabasebenzi Bezempilo, 1974 (uMthetho onguNombolo 65 we-1974)	Ulawula imikhakha yezokwelapha, yezamazinyo neminye ehlobene.
UMkhandlu Wabahlengikazi	UMthetho Wabahlengikazi, 2005 (uMthetho	Ulawula umkhakha wobuhlengikazi.

waseNingizimu Afrika	onguNombolo 33 wezi-2005)	
UMkhandlu Wamakhemisi aseNingizimu Afrika	UMthetho Wamakhemisi, 1974 (uMthetho onguNombolo 53 we-1974)	Ulawula umkhakha wosokhemisi.
UMkhandlu Wabasebenzi Bamazinyo	UMthetho Wabasebenzi Bamazinyo, 1979 (uMthetho onguNombolo 19 we-1979)	Ulawula umkhakha wabasebenzi bamazinyo.

3.3. Ukuhleleka koMnyango wezeMpilo

IHOVISI / IGATSHA	ABAQONDISI ABAYIZINHLOKO / ABAQONDISI
Ihhovisi Lomqondisi-Jikelele	<ul style="list-style-type: none"> • Isikhulu Esiphezulu Ukuhlenganiswa Kwenqubomgobo kanye nokuHlela Okudidiyelwe Ukwesekwa Kokuphathwa Kwezimali ZesiFundazwe; Imininingwane Yezempilo, Ucwangingo kanye Kokumonitha kanjalo NokuHlolwa • Esezokwelekelwa ezokuphathwa kokwethulwa kwezidingo EzokuPhathwa koLwazi ngobuChwepheshe Izinsiza Zokuvikela; Umqondisi Oyinhloko: Ukuphathwa Nokuthuthukiswa Kwabasebenzi Umqondisi Oyinhloko: Izindaba zePhalamende Nezinsiza Zomthetho; Umqondisi Oyinhloko: Ukuphathwa Kwezokuxhumana Nababambiqhaza; kanjalo Nezinsiza Zokweseka. • Ukuthuthukiswa Kwezempilo Yomhlaka kanye

IHOVISI / IGATSHA	ABAQONDISI ABAYIZINHLOKO / ABAQONDISI
	<p>Nokwesekwa.</p> <ul style="list-style-type: none"> • Ukucwaningwa Kwamabhuku Kwangaphakathi kanye Nokunganyelwa Kwezingcuphe • Ukuxoxisana Kwemboni Yezempilo.
<p>IGATSHA LOKU-1: UMSHUWALENSI KAZWELONKE WEZEMPILO (NHI)</p>	<p>Umqondisi Oyinhloko: Ukukhokhelwa Kwezempilo Kanye Nokuklanywa Kwamanani. Umqondisi Oyinhloko: Ukusatshalaliswa Kwezinsiza Embonini Yonkana. Umqondisi Oyinhloko: Ukuqoqwa Kwenzuzo.</p>
<p>IGATSHA LESI-2: IGCIWANE LESANDULELA- NGCULAZI/INGCULAZI, ISIFO SOFUBA, UKUPHILA KOMAMA NABANTWANA</p>	<p>Igciwane leSandulela-Ngculazi/INGculazi Isifo Sofuba Impilo Kamama Impilo Yengane, Intsha Nasesikoleni.</p>
<p>IGATSHA LESI-3: UKUNAKEKELWA NGOKWEZEMPILO OKUSEMQOKA</p>	<p>Usizo Lwezempilo Esifundeni kanye Nempilo Yendawo Izifo Ezingathelelani Kanye Nempilo Yendawo Izifo Ezithathelanayo Udlame, Ukuthuthumela kanye Nezinsiza Zokwelapha Eziphuthumayo. Ukukhuthazwa Kwezempilo kanye Nokudla Okunomsoco.</p>
<p>IGATSHA LESI-4: UKUTHUTHUKISWA KWEZIBHEDLELA, IZIKHUNGO EZIPHAKEME ZOSIZO LWEZEMPILO KANYE NABASEBENZI BEZEMPILO</p>	<p>Umqondisi Oyinhloko: Ukuhlelwa Nokunakekelwa Kwezempilo Okuphakeme kanye Nenqubomgomo; Ihovisi Lezinsiza Zobuhlengikazi; Abasebenzi Bezokuhlelwa Kwezempilo, Ukuthuthukiswa kanye Nokunganyelwa, kanye Inqubomgomo Yezemithi kanye Nobuchwepheshe Bezempilo.</p>
<p>IGATSHA LESI-5: IZIMISO ZEZEMPILO NOKUTHOTSHELWA KWAZO</p>	<p>Ukulawulwa Kokudla, Imithi, Ukuhweba kanye Nezimiso Zekhimiyo; Ukuphathwa Kwamabhezini Ahulumeni; Ezempilo Zasemsebenzini Nokhomishani</p>

IHOVISI / IGATSHA	ABAQONDISI ABAYIZINHLOKO / ABAQONDISI
	Wezokunxeshazelwa Ngokutheleleka Ngezifo Usemsebenzini; kanye Ihhovisi Lezamazinga Nokuthobela IMithetho.
IGATSHA LESI-6: IsiKhulu esiPhezulu sezeziMali	Umqondisi Oyinhloko: Ukuphathwa Kokuphendula Ngokwenzekile kanye Nokuphathwa Kwezibonelelo Zokusebenza Umqondisi Oyinhloko: Ukuphathwa kwezimali Nokuphendula Ngokwenziwe, kanye Umqondisi Oyinhloko: Ukutholwa Kwabahlizeki Ngezinsiza kanye Nokuphathwa Kwempahla

4. IMININGWANE YOKUXHUMANA NESIKHULU ESIBHEKELELE ULWAZI KANYE NESEKELA LASO EMNYANGWENI

4.1. ISIKHULU ESIBHEKELE ULWAZI

Umqondisi-Jikelele Ezempilo	IKHELI LEPOSI:	UCINGO	Inombolo yeFeksi
	Private Bag X828 PRETORIA, 0001	012 – 395 9150	012 395 8422

4.2. ISEKELA LESIKHULU SOLWAZI

Mnu G J Wissing: Abaqondisi: Usizo Lwezomthetho	IKHELI LEPOSI:	UCINGO	Inombolo yeFeksi
	Private Bag X828 Pretoria 0001 I-meyili: wissing@health.gov.za	012 395-8457	086 632 8511

Ulwazi olujwayelekile

Ikheli lomgwaqo:

Civitas Building
Cnr Thabo Sehume and Struben Streets
Pretoria
0001

Iwebhusayithi: www.doh.gov.za

Umsebenzi Wephini Lesikhulu Esibhekelele Ulwazi kuMnyango ukuqinisekisa ukuthi konke kusobala, kuyaphendulwa ngokwenziwe, ukuqeqesheka nokusebenza ngobunyoinco lapho kuphethwe izicelo zokufinyelela ulwazi njengoba kuqoshiwe ku-PAIA kanye nokuhlinzeka ngemihlahlandlela malungana nokufinyeleleka kwamarekhodi agcinwe uMnyango ngokuhambisana ne-PAIA.

5. UMHLAHLANDLELA WEKHOMISHANI YAMALUNGELO ABANTU EKUTHENI UMTHETHO USETSHENZISWA KANJANI

Umhlahlandlela wokuthi usetshenziswa kanjani uMthetho uyatholakala kuKhomishani Yamalungelo Abantu YaseNingizimu Afrika ngazo zonke izilimi ezisemthethweni.

Imibuzo emayelana nalo mhlahlandlela kufanele ibhekiswe ku:

Khomishani Yamalungelo Abantu YaseNingizimu Afrika:
Uphiko Lokukhuthaza Kokufinyeleleka Kolwazi

Ikheli leposi:

Isikhwama seposi -2700
Houghton
2041

Ucingo: 011-877 3600

Iwebhusayithi: www.sahrc.org.za

I-imeyli: PAIA@sahrc.org.za

6. UKUFINYELELA AMAREKHODI APHETHWE NGUMNYANGO

6.1. Amarekhodi atholakala ngaphandle kwesicelo

Amarekhodi asohlwini olungezansi ayatholakala kunoma ngubani onentshisekelo ngokuba afake isicelo asibhekise kuPhini Lesikhulu Esibhekelele Ulwazi, kungenjalo ngokuba aye kuwebhusayithi yoMnyango lapha www.doh.gov.za:

- Imibiko Yonyaka;
- Imibiko Yocwaningomabhuku;
- Imithetho, Imithethosivivinywa Nezimiso ezihlobene noMnyango;
- Imibhalo yezinqubomgomo;
- Imihlahlandlela
- Izibalo zamanje ngokugcinwa kwazo;
- Amafomu;
- Ucwaningo emphakathini; kanye
- Nezindaba Ezishicilelwe Umphakathi.

6.2. Izingubo zezicelo

- ***Ukuvunyelwa noma ukwenqatshwa kwesicelo:*** Umfakisicelo kufanele anikezwe ilungelo lokufinyelela irekhodi lesigungu sikahulumeni uma umfakisicelo ehambisana nalokhu okulandelayo:
 - Umfakisicelo uthobela izidingo zezinqubo zoMthetho ngokuhlobene nesicelo sokufinyelela lelo rekhodi; futhi
 - Ukufinyelela lelo rekhodi akunqatshwa nganoma yisiphi isizathu sokunqaba esibalulwe kuMthetho.
- ***Ngicela kanjani ukufinyelela irekhodi:***
 - Umfakisicelo kufanele asebenzise ifomu (Ifomu A) elashicilelwa Kusomqulu Wahulumeni (Isaziso Sikahulumeni R187 somhlaka 15 kuNhlolanja wezi-2002).

- Umfakisicelo kufanele aphinde asho uma efuna ikhophi yerekhodi noma uma umfakisicelo efuna ukuphinda abuye azobuka irekhodi lelo ehhovisi lalolo phiko lukahulumeni. Kungenjalo ke uma irekhodi lingekho kudokhumenti eyiphepha liyobe-ke selibukwa ngendlela eceliwe, lapho kungenzeka.
- Uma umuntu ecela ukufinyelela kuhlobo oluthile (isib. iphophi eyiphepha, ikhophi ekukhompuyutha, njll) umfakisicelo-ke uyobe esethola ukufinyelela ngalolo hlobo. Lokhu kuyilapho uma ukwenza njalo kungaphazamisa ngokungenasidingo ukuqhutshwa kwalolo phiko, noma kulimaze irekhodi, noma kuphazamise ubunikazi obungebona obombuso. Uma ngezizathu eziphathekayo igunya lokufinyelala olwazini olugciniwe lingeke lanikezwa ngendlela elicelwe ngayo kodwa kuphela ngenye indlela, imali ekhokhelwe ukufinyelela kulolo lwazi iyobe isibalwa ngokulandela leyo ndlela ocele ulwazi abe elucele ngayo.
- Uma, phezu kwempendulo ebhaliwe ebhekiswe esicelweni serekhodi, umfakisicelo ufuna ukutshelwa mayelana nesinqumo ngenye indlela, isib. ucingo, lokhu kufanele kushiwo.
- Uma umfakisicelo ecelela omunye umuntu ulwazi, kumele kushiwo ukuthi leso sicelo usifaka ngoba ewubani kulowo muntu.
- Uma umfakisicelo engakwazi ukufunda noma ukubhala, noma enokukhubazeka, kusho ukuthi isicelo singenziwa ngomlomo. Isikhulu Esibhekelele Ulwazi kufanele sigcwalise ifomu sigcwalisele lowo mfakisicelo bese simnikeza ikhophi yefomu eligcwalisiwe.

- **Imininingwane edingekayo kulelo fomu elinikeziwe**

Umfakisicelo kufanele okungenani, kulelo fomu elinikeziwe, ahlinzeke imininingwane elandelayo:

- (a) imininingwane yenele ukuba Isikhulu Esibhekelele Imininingwane sikwazi ukuqagula irekhodi noma amarekhodi adingekayo;

- (b) asho kuleli fomu ukuthi angathanda ukutshelwa kanjani imininingwane (ifeksi, iposi noma i-imeyli);
- (c) anikeze ikheli lakhe leposi noma inombolo yefeksi yaseNingizimu Afrika
- (d) uma isicelo senzelve omunye umuntu, ukuba kulethwe ubufakazi bokuthi lowo omfakela isicelo uyini naye, ngokuzogculisa isikhulu esibhekelele ulwazi.

• ***Izinkokhelo ezikhokhelwa isicelo kanye nokwaziswa ngesinqumo malungana nokufinyeleleka kolwazi***

- Umfakisisicelo ocela ulwazi lokufinyelela irekhodi eliqukethe imininingwane eqondene naye akudingekile ukuthi akhokhe imali yokufaka isicelo. Bonke abanye abafakizicelo kufanele bakhokhe inkokhelo engama-R35.
- Isikhulu Esibhekelele Ulwazi kufanele sazise umfakisisicelo (ngaphandle komfakisisicelo uqobo) ngesaziso, emazisa umfakisisicelo ukuba akhokhe inkokhelo yokufaka isicelo enqunyiwe (uma ikhona) kanye nediphozithi (uma ikhona) ngaphambi kokuba kuqhutshekwe nesicelo.
- Umfakisisicelo angafaka isicelo sokudlulisa udaba lwakhe ngaphakathi, uma kufanelekile, noma isicelo sakhe asiyise enkantolo uma engenelisekile ngokukhokha imali efunekayo.
- Emva kokuba Isikhulu Esibhekelele Ulwazi sesenze isinqumo ngesicelo umfakisisicelo kufanele aziswe ngalesi sinqumo ngendlela umfakisisicelo afune ukwaziswa ngayo.
- Uma isicelo sivunyiwe lapho-ke kunenye inkokhelo okufanele ikhokhwe ukuze kwenziwe futhi kucingwe bese kulungiselelwa isikhathi esidingekayo esingale kwamahora abekelwe ukucinga nokulungiselela ukuvezwa kwerekhodi.
- Ukufinyelela irekhodi kuzogodlwa kuze kube inkokhelo edingekayo seyikhokhiwe.

- **Usizo oluvela Esikhulwini Esibhekelele Ulwazi**

Isikhulu Esibhekelele Ulwazi kufanele sihlizwe ngosizo oludingekayo kumfakisicelo omazisa ukuthi ufisa ukwenza isicelo sokufinyelela irekhodi loMnyango, mahhala njengoba kudingeka ukuze umfakisicelo akwazi ukuthobela izidingo zenqubo yokufaka isicelo sokufinyelela.

Umuntu okuthi ngenxa yokungakwazi ukufunda nokubhala noma ukukhubazeka angakwazi ukwenza isicelo sokufinyelela irekhodi loMnyango angenza isicelo sakhe ngomlomo. Isikhulu Esibhekelele Ezolwazi kufanele aqophe lesi sicelo esenziwe ngomlomo phansi bese ehlinzeka ngekhophi kumfakisicelo.

Uma Isikhulu Esibhekelele Ezolwazi ethola isicelo sokufinyelela irekhodi esisezandleni zesinye isikhungo, kufanele adlulise lesi sicelo kuleso sigungu azise umfakisicelo ngekwinqubo.

- **Usizo oluvela kuKhomishini yamaLungelo Abantu**

Ikhomishani Yamalungelo Abantu kufanele ukuthi, uma kufika isicelo futhi uma kungenzeka, inikeze ngosizo kunoma yimuphi umuntu ofisa ukusebenzisa loma yiliphi ilungelo elibalulwe kuMthetho. Ikhomishani Yamalungelo Abantu iyakwazi, mayelana nalokhu, ukuthintwa ngemininingwane yokuxhumana ebalulwe kule manuwali.

- Imininingwane Yasebhange ngokufaka isicelo

<i>Igama le-akhawunti</i>	UMnyango wezeMpilo
<i>Ibhange</i>	ABSA
<i>Inombolo ye-akhawunti</i>	4053643510
<i>Ikhodi yegatsha</i>	632005
<i>Ireferensi:</i>	I-PAIA/ kanye negama lomfakisicelo
	<i>Uyacelwa ufake / uthumele i-imeyli yobufakazi bokukhokha lapha: INOMBOLO YEFEKSI 086 632 8511</i>

7. IZINSIZA EZITHOLWA UMPHAKATHI

UMnyango wenza izinqubomgomo zokulawula umkhakha wezempilo yomphakathi ukuze uqinisekise ukuthi iNingizimu Afrika ihlinzeka ngosizo lwezempilo olusezingeni lomhlaba.

UMnyango uphinde uhlinzeke ngosizo lwamalabhorethri emphakathini ngamalabhorethri awo okuhlaziya. UPhiko Olulawula Ukushisa lunomsebenzi wokuhlola imishini yokushisa ukuze iqinisekise ukuthi imboni iyahambisana namazinga aklanyiwe.

8. UKUZIBANDAKANYA KOMPHAKATHI KUNQUBOMGOMO KANYE NEZINQUBO ZOMTHETHO KANJALO NOKWENZIWA KWEMISEBENZI YOMNYANGO

8.1. Ukuzibandakanya komphakathi kunqubomgomo kanye nezinqubo zomthetho kanjalo nokwenziwa kwemisebenzi yomnyango

Imithetho eminingi kwezempilo inquma ukuthi umhlangano wokubonisana kufanele wenziwe nabantu abaziwayo noma izinhlangano kanti futhi kwezinye izimo izinqubo zokubonisana ziyaklanywa. EMnyangweni, inqubomgomo esewuhlaka izoshicilelwa Kusomqulu Wahulumeni ukuze bonke ababambiqhaza kanye nomphakathi ukwazi ukuletha imibono yabo ngokubanzi. Kwezinye izinjongo zezinqubomgomo, inqubomgomo izoxoxwa emihlanganweni kanye nababambiqhaza noma izigcawu zomphakathi. Isaziso sale mihlangano noma izigcawu zizonikezwa ngaphambi kokuba ibe khona.

8.2. Izimemo zemibono yemithetho esewuhlaka

UMnyango wengamele imithetho eminingana eyazisa ngomongo wemisebenzi yoMnyango nanoma yisiphi isikhathi lapho kunomthetho obhalwayo noma ochitshiyelwayo, izimemo zinikezwa amalungu omphakathi ngoSomqulu Wahulumeni ukuze ulethe imibono yawo noma abafisa kucutshungulwe ngaphambi kokuba umthetho uqedwe ukubhalwa. Lokhu kuyafana nasezimisweni.

9. ISINQUMO SOKUVUMELA NOMA UKUNQABELA UKUFINYELELA KOKUTHILE KANYE NESAZISO KUMFAKISICELO

- **Ilungelo lokufinyelela amarekhodi oMnyango**

Umfakisicelo kufanele anikezwe ukufinyelela ulwazi oluphethwe uMnyango, uma isicelo sakhe sihambelana nazo zonke izidingo zezinqubo zoMthetho, kanjalo futhi uma ukunikeza ukufinyelela lolo lwazi kungavinjelwe ngokwanoma yimiphi imibandela yoMthetho.

- **Isinqumo sesiKhulu Esibhekelele Ulwazi**

Ngokuthobela uMthetho kanye futhi nokuthi kunikezelwe ngelungelo lokufinyelela ulwazi, Isikhulu Esibhekelele Ulwazi kufanele ngokushesha, kodwa noma nini emva kwezinsuku ezingama-30 emva kokwamukelwa kwesicelo sokufinyelela irekhodi, sicubungule isicelo bese sithatha isinqumo ngokuhambisana noMthetho sokuba kwamukelwe isicelo solwazi oluceliwe noma cha.

Ekucubunguleni isicelo, Isikhulu Esibhekelele Ulwazi kufanele sizenelise ngalokhu okulandelayo:

- (a) Izidingo zenqubo ezimiswe ngokuhambisana nesigaba 18 soMthetho zilandeliwe (ifomu elinikeziwe kufanele ligcwaliswe ngokugcwele ngemininingo eyanele ukuze kwazeke ukuthola irekhodi elicelwe nomfakisicelo kufanele, uma umfakisicelo efake isicelo esikhundleni somunye umuntu, aithe ilungelo lokumnikeza amandla noma incwadi yokumqoka ukuba afake isicelo); futhi

- (b) ukunikeza ukufinyelela ulwazi oluceliwe akufanele kuvinjelwe ngokwanoma yiziphi izizathu zokwenqabela ezibaluliwe.

Uma konke okungenhla sekugculisekile ngako, isikhulu esibhekelele ulwazi kufanele sazise umfakisicelo ukuthi uyalithola na ilungelo lokufinyelela noma cha bese umfakisicelo, ngale komfakisicelo siqu, kufanele acelwe ukuba akhokhe inhlawulo ngaphambi kokuba kuqhutshekwe phambili nesicelo.

- **Izindleko**

UMthetho uhlinzekela izinhlobo ezimbili zezindleko, okokuqala, umfakisicelo, ngale komfakisicelo siqu, kufanele akhokhe izindleko zokucela ukuze kucingwe kuphinde kulungiswe irekhodi, okwesibili umfakisicelo kufanele akhokhe izindleko zokufinyelela eziqondene nokulungiswa kolwazi alucelile (kubizwa ikhophi ngayinye noma kungenjalo, buka ithebhula lezindleko elibhalwe kusiThasiselo **C**).

- (i) angenza kuphela ukuba axhaphaze **ngokungaphusile** izinsiza zoMnyango

- **Ukudalula okuphoqiwe entshisekelweni yomphakathi**

Isicelo sokufinyelela ulwazi lwerekhodi okungenzeka senqatshwe ngenxa yezizathu zokunqaba kuyofanela nokho ukuba sivunyelwe uma—

- (i) ukudalulwa kwerekhori kungasiza umphakathi; futhi
- (ii) intshisekelo yomphakathi kulokho kudalulwa kwerekhodi kwedlula ngokusobala umonakalo ongalwa ukunqatshelwa kokudalulwa kwerekhodi.

- **Ukusebenza koMthetho**

- (a) UMthetho ubhekise kurekhodi loMnyango, kungakhathaleki ukuthi irekhodi laba khona nini.

- (b) UMthetho ubhekise ekukhishelwa nganxanye kwayiphi eminye imithetho evimbela ukudalulwa kwerekhodi uma lowo mthetho uphambana nezinjongo zoMthetho.
- (c) UMthetho **awunqabeli** ukusetshenziswa komunye umthetho ohlinzeka ukufinyeleleka kolwazi.
- (d) UMthetho awubhekisanga kurekhodi lomnyango uma irekhodi licelelwa izizathu zobugebengu noma izinqubo zezomphakathi emva kokuqala kwezinqubo.

- **Isaziso kungxenye yesithathu**

Uma isikhulu esibhekelele ulwazi sithola isicelo sokufinyelela irekhodi elisezandleni zoMnyango eliqukethe -

- (a) imininingwane edalula isiqu sengxenye yesithathu;
- (b) imininingwane eyayiqokelelwe izizathu zokuqinisa ukukolekwa kwempahla yombuso;
- (c) izimfihlo zokuhweba kwengxenye yesithathu;
- (d) imininingwane enikezwe ngokuyimfihlo yingxenye yesithathu; kanye
- (e) imininingwane yocwaningo lwengxenye yesithathu;

kufanele athathe zonke izinyathelo ezinokwenzeka ukuze azise ingxenye yesithathu ethintekayo mayelana nesicelo ukuze anikeze ingxenye yesithathu ithuba lokubeka imibono mayelana nokuthi imininingwane idalulwe noma cha.

- **Isaziso esiya kumfakisicelo**

Isikhulu esibhekelele ulwazi kufanele sazise umfakisicelo mayelana nesinqumo esithathiwe malungana nesicelo sakhe sokufinyelela esikhathini sezinsuku ezingama-30 sokuthola isicelo.

- (a) Isaziso esiya kumfakisicelo uma ukufinyelela **samukelwe**—

(i) kufanele siveze indlela ukufinyelelwa kwerekhodi okuzokwenzeka ngayo; kanye

(ii) nezimali ezikhokhwayo

(b) Isaziso esiya kumfakisicelo uma ukufinyelela **sinqatshiwe**—

(i) kufanele kubekwe izizathu zokunqaba, kubandakanya nemibandela (umbandela) wokunqaba, kuMthetho, nokwesekwe kuzo izizathu zokwenqatshwa; futhi

(ii) kufanele kwaziswe umfakisicelo ilungelo lakhe lokufaka isik.halo ngokunqatshwa kwesicelo

- **Ukwelulwa kwesikhathi sokubhekana nesicelo sokufinyelela**

Isikhulu esibhekelele ulwazi singelula isikhathi sezinsuku ezingama-30 sokubhekana nesicelo sokufinyelela kanye ngesikhathi sezinsuku ezingevile kwezingama-30—

(a) uma izinqubo ezihlobene nokucinga nokulungisa irekhodi kungenzeka kulindeleke ukuthi kuthathe isikhathi esingaphezu kwezinsuku ezingama-30; futhi

(b) kufanele azise umfakisicelo ngalokhu kwelulwa (nezizathu ezenele).

- **Ukwenqatshwa kwesicelo okunikezwayo**

Uma isikhulu esibhekelele ulwazi sihluleka ukuthatha isinqumo esikhathini esikhawuliwe, kuyothathwa ngokuthi usenqabile isicelo kanti-ke umfakisicelo angakwazi ukudlulisela phambili ukukhalaza kwakhe.

- **Izindlela zokuthola ukufinyelela**

Ukufinyelela irekhodi kunganikezwa ngalezi zindlela ezilandelayo:

- (a) uma irekhodi libhalwe phansi: ikhophi ephrintiwe noma ukuhlolwa kwerekhodi;
- (b) uma irekhodi liyizithombe ezibukwayo: izinhlelo ezingamalungiselelo okubuka izithombe noma ukuqoshwa phansi kwerekhodi kube yimibhalo;
- (c) uma irekhodi lingumsindo oqoshiwe: izinhlelo ezingamalungiselelo okulalela imisindo noma ukuqoshwa phansi kwerekhodi kube yimibhalo; noma
- (d) uma irekhodi likukhompyutha, uhlobo lwekhompyutha noma olufundwa ngumshini: ikhophi ephrintiswe yerekhodi.

10. IZISOMBULULO EZIKHONA UMA OKUSHIWO UMTHETHO KUNGATHOTSHELVANGA

10.1. Ukufaka isicelo sokudluliselwa phambili kwangaphakathi

- **Ilungelo lokwedlulisa ukungeneliseki ngesinqumo ngaphakathi**

Umfakisisicelo ongaphathekanga kahle ngesinqumo seSikhulu Esibhekelele Ulwazi angafaka isikhalazo kuleso sikhulu esikhiphe lesi sinqumo.

- **Indlela yokufaka isikhalazo sangaphakathi**

Isikhalazo sangaphakathi kufanele sifakwe ngale ndlela elandelayo (buka Isithasiselo B)

—

- (a) esikhathini sezinsuku ezingama-60 emva kokuba umfakisisicelo azisiwe ngesinqumo esithathwe malungana nesicelo sakhe;
- (b) kufanele kucaciswe isihloko sesikhalazo sangaphakathi, kuphinde futhi kuhlinzekwe izizathu zokufaka isikhalo sokungeneliseki; kanye
- (c) kufanele silethwe Esikhulwini Esibhekelele Ulwazi okufanele asidlulisele phambili, esikhathini sezinsuku eziyi-10, kuleso sikhulu esifanele.

- **Isaziso esibhekiswe kungxenywe yesithathu mayelana nesikhalazo**

Uma isicelo sokufinyelela irekhodi siqondene nerekhodi lengxenywe yesithathu, leyo ngxenywe thathu kufanele yaziswe ngesikhalazo.

- **Izinhlawulo zokufaka isikhalazo**

Umfakisicelo ofaka isikhalazo sokudlulisela isikhalo sokuphikisana nesinqumo sesicelo sokufinyelela irekhodi kufanele akhokhe inhlawulo ebaluliwe ngaphambi kokuba isikhalo sicutshungulwe yisikhulu esifanele.

10.2. Isicelo esibhekiswe enkantolo

Umfakisicelo obe nempumelelo ekufakeni isicelo sokudlulisela phambili icala ngaphakathi, ezinsukwini ezingama-30 zokuthola isaziso sesinqumo sakhe, ufaka isicelo enkantolo sokuthola usizo olufanele.

11. OKUYINGXUBEVANGE

- **Ukutholakala kwemanuwali**

Masishane emva nje kokuhlanganiswa kwemanuwali ngokuhambisana nesigaba 14(1) soMthetho noma ukuvuselelwa ngokuhambisana nesigaba 14(2), isikhulu esibhekene nolwazi kwezeMpilo kufanele aqinisekise ukutholakala kwekhophi yemanuwali ngazo zontathu izilimi ezisemethethweni imanuwali ebhalwe ngazo—

- (a) kuKhomishini yamaLungelo Abantu;
- (b) kuMnyango;
- (c) kuwebhusayithi, uma ikhona, yoMnyango; futhi
- (d) kungashicilelwa imanuwali *kuSomqulu Wahulumeni, iGazethi*.