



**mineral resources  
& energy**

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Department:  
Mineral Resources and Energy  
**REPUBLIC OF SOUTH AFRICA**

**IMANUWALI EKHISHWE NGOKUVUMELANA**

**NESIGABA 14**

**SOMTHETHO WOKUKHUTHAZA UKUFINYELELWA**

**KOLWAZI, KA-2000 (UMTHETHO NO 2 KA-2000)**

## Okuqukethwe

1. ISINGENISO .....	3
2. IZINCAZELO .....	3
3. UMHLAHLANDLELA WOMLAWULI WOLWAZI MAYELANA NOMTHETHO .....	5
4. MAYELANA NOMNYANGO .....	5
5. IMINININGWANE YOKUXHUMANA YESIKHULU SOLWAZI NAMAPHINI ESIXHULU SOLWAZI .....	7
6. ISIHLOKO NEZIGABA ZOLWAZI OLUGCINWE UMNAYANGO.....	11
7. UKUDALULA NGOKUZITHANDELA NOLWAZI OLUTHOLAKALA NGOKUZENZEKELAYO .....	14
8. INQUBO YOKUCELA UKUTHOLA AMAREKHODI .....	16
9. ILUNGELO LESIKHALAZO SANGAPHAKATHI NOMA ISICELO SOSIZO ENKANTOLO .....	17
10. IZIKHALAZO EZIYA KUMLAWULI WOLWAZI .....	18
11. AMALUNGISELELO OKUBAMBA IQHAZA KOMPHAKATHI EKWAKHIWENI KWENQUBOMGOMO NJENGOBA KUCHARWE ESIGABENI 14(1)(b) SE-PAIA .....	18
12. ULWAZI MAYELANA NOKUVIKELWA KOLWAZI LOMUNTU SIQU NJENGOBA KUCHARWE ESIGABENI 14(1)(c) SE-PAIA.....	19
13. UKUBUYEKEZWA NOKUTHOLAKALA KWALE MANUWALI NJENGOBA KUCHARWE ESIGABENI 14(2) SE-PAIA.....	24

ISIJOBELELO A: IFOMU LESICELO

ISIJOBELELO B: IFOMU LESIKHALAZO

ISIJOBELELO C: IZINKOKHELO EZITHINTA IZIGUNGU ZIKAHULUMENI

## 1. ISINGENISO

Isigaba 32(1)(a) soMthetho-sisekelo weRiphabhuliki yaseNingizimu Afrika, ka-1996, sithi wonke umuntu unelungelo lokufinyelela noma iluphi ulwazi olugcinwe umbuso kanye nanoma iluphi ulwazi olugcinwe omunye umuntu oludingekayo ukuze kusetshenziswe noma kuvikelwe noma imaphi amalungelo. UMthetho Wokukhuthazwa Kokufinyelelwa Kolwazi, ka-2000 (uMthetho No-2 ka-2000) (ozobizwa ngokuthi i-“PAIA” kusukela lapha kuqhubeke) uwumthetho kazwelonke owashaywa ukuze kuqiniseke ilungelo lomthetho-sisekelo lokufinyelela ulwazi.

I-PAIA inikeza bonke abantu baseNingizimu Afrika ilungelo lokuthola amarekhodi agcinwe umbuso, yizikhungo zikahulumeni nezigungu ezizimele. I-PAIA ifuna ukufinyelela imigomo elandelayo:

- Ukuqinisekisa ukuthi uHulumeni ubamba iqhaza ekukhuthazeni usiko lwamalungelo abantu nobulungiswa emphakathini;
- Ukukhuthaza ukungafihli izinto nokuvela nezindlela noma izinqubo zokuzithandela neziyisibopho eziqinisekisa ilungelo lokuthola ulwazi ngendlela esheshayo, engabizi nengenazingqinamba uma kufanele; kanye
- Nokukhuthaza ukungafihli izinto, isibopho sokuziphendulela nokuphathwa ngempumelelo kwazo zonke izigungu zikahulumeni nezizimele, ngokuqinisekisa ukuhloonyiswa nokufundiswa kwawo wonke umuntu ukuba aqonde amalungelo akhe ngokuvumelana ne-PAIA ukuze akwazi ukusebenzisa amalungelo akhe ngokuphathelene nezigungu zikahulumeni nezizimele, nokuqonda izindima nomsebenzi wezigungu zikahulumeni, kanye nokuphenyisisa, nokubamba iqhaza ekwenziweni kwezinqumo zezigungu zikahulumeni ezithinta amalungelo akhe.

Kodwa-ke, i-PAIA iyaqaphela ukuthi lelo lungelo lokuthola ulwazi lunemigoqo efanele futhi ifuna ukulinganisela phakathi kwelungelo lomthetho-sisekelo lomfakisicelo lokuthola ulwazi kanye nelungelo lesikhulu sezolwazi lokwenqaba ukutholakala kolwazi nganoma iziphi izizathu ezichazwe eNgxenyeni 2, iSahluko 4 se-PAIA. Leyo migoqo iqashelwa ngokuvumelana nale mibandela ye-PAIA kanye noMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 ka-2013 (ozobizwa nge-“POPIA” kusukela lapha kuqhubeke), ngengeba uchaza izimo lapho kuyoba nokutholakala okulinganiselwe noma okunqatshelwe kokutholakala kolwazi olugcinwe uHulumeni.

Ngokuvumelana nesigaba 14 se-PAIA, zonke izigungu zikahulumeni kufanele zibe namamanuwali olwazi okusiza noma imuphi umuntu ofuna ukuthola amarekhodi ezigungu zikahulumeni. Ngenxa yalokho, uMnyango uyajabula ukushicilela le Manuwali ngethemba lokuthi ulwazi eluqukethe luzoba usizo futhi luqinisekise ukuthi zonke izicelo zokuthola ulwazi zisingathwa ngendlela eshelelayo nephumelelayo, kanjalo kukhuthazwe imigomo nezinhloso ze-PAIA.

## 2. IZINCAZELO

Kule manuwali noma iliphi igama noma ibinzana elinikezwe incazelo eMthethweni Wokukhuthazwa Kokufinyelelwa Kolwazi, ka-2000, lizoba nencazelo eyabelwe ngaleyo ndlela, ngaphandle uma umongo ubonisa okuhlukile -

**“Umnikazi wolwazi”** kushiwo umuntu ulwazi lomuntu siqu oluphatelene naye;  
**“uMnyango”** kushiwo uMnyango Wokumbiwa Phansi Namandla futhi kuzohlenganisa amahhovisi awo esifunda;

**“uMhlahlandlela”** kushiwo umhlahlandlela wokuthi isetshenziswa kanjani i-PAIA yinoma ubani ofisa ukusebenzisa noma iliphi ilungelo elichazwe ku-PAIA kanye noMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 04 ka-2013, njengoba kuchazwe esigabeni 10 se-PAIA;

**“isikhulu sezolwazi”** kushiwo uMqondisi-Jikelele woMnyango;

**“Umlawuli Wolwazi”** kushiwo uMlawuli Wolwazi owasekwa ngokuvumelana nesigaba 39 soMthetho Wokuvikelwa Kolwazi Lomuntu Siqu, ka-2013;

**“Imanuwali”** kushiwo le manuwali ehlanganiswe ngokuvumelana nesigaba 14 soMthetho;

**“uMthetho Ohlobene Nokumbiwa Phansi Namandla”** kushiwo umthetho obalwe esigabeni 4.2 sale Manuwali;

**“i-PAIA”** uMthetho Wokukhuthazwa Kokufinyelelwa Kolwazi No. 2 ka-2000;

**“Ulwazi Lomuntu Siqu”** kushiwo ulwazi oluphatelene nomuntu ongagagulwa, ophilayo, ongokwemvelo, oluhlenganisa, kodwa okungelona nje -

- a) ulwazi oluphatelene nohlanga, ubulili, ukukhulelwa, isimo somshado, umsuka wobuzwe, wobuhlanga noma wezenhlalo, ibala, ukuncamela kwezocansi, ubudala, impilo yomzimba noma yengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, izinkolelo, usizo, ulimi nokuzalwa komuntu;
- b) ulwazi oluphatelene nemfundo noma umlando womuntu wezokwelashwa, wezezimali, wobugebengu noma wokusebenza;
- c) noma iyiphi inombolo egagulayo, uphawu, ikheli le-imeyili, ikheli lomgwaqo, inombolo yocingo, ulwazi lwendawo, isihlonzi ku-inthanethi noma enye indlela yokuchazwa komuntu ngokukhethekile;
- d) ulwazi lwezixivizo zeminwe lomuntu;
- e) imibono yomuntu, akucabangayo noma akuncamelayo;
- f) izincwadi ezithunyelwa yilowo muntu ezingasese noma eziyimfihlo ngokuqondile noma ngokucacile noma ezinye izincwadi ezingambula okuqukethwe yizincwadi ezibhaliwe zokuqala;
- g) imibono nezimvo zomunye umuntu mayelana nalowo muntu; kanye
- h) negama lomuntu uma livela kolunye ulwazi lomuntu siqu oluphatelene nomuntu noma uma ukudalula igama ngokwalo kungambula ulwazi ngalowo muntu, kodwa olungafaki ulwazi mayelana nomuntu oseneminyaka engaphezu kwama-20 eshonile.

**“umfakisicelo werekhodi lomuntu siqu”** kushiwo umuntu ocela ukuthola irekhodi eliqukethe ulwazi lomuntu siqu mayelana nomfakisicelo;

**“izisebenzi”** kushiwo noma imuphi umuntu osebenzela, noma ohlinzeka izinsiza, egameni loMnyango futhi owamukela noma onelungelo lokwamukela inkokhelo, kuhlenganise zonke izisebenzi eziqashwe unomphela, zesikhashana nezibambe amatoho kanye nezisebenzi zenkontileka;

**“i-PoPIA”** kushiwo uMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 ka-2013;

**“irekhodi”** kushiwo noma iluphi ulwazi olurekhodiwe, kungakhathaliseki indlela noma

isisekelo, olucutshungulwa noma olulawulwa uMnyango, kungakhathaliseki ukuthi lwe-nziwa uMnyango noma cha;

“**isiphathimandla esifanele**” kushiwo uNgqongqoshe Wokumbiwa Phansi Namandla;

“**isicelo**” kushiwo isicelo sokuthola irekhodi loMnyango;

“**ocelayo**” kushiwo noma imuphi umuntu (ngaphandle kwesigungu sikahulumeni esichazwe esigabeni (a) noma (b)(i) sencazelo ‘yesigungu sikahulumeni’ ku-PAIA, noma isikhulu saso) owenza isicelo sokuthola irekhodi loMnyango futhi kufanele noma imuphi umuntu owenza kanjalo egameni lalowo muntu noma ocelayo; kanti

“**i-SAHRC**” kushiwo i-South African Human Rights Commission.

### **3. UMHLAHLANDLELA WOMLAWULI WOLWAZI MAYELANA NOMTHETHO**

Ngokuvumelana nesigaba 10(1) se-**PAIA** esichitshiyelwe, uMlawuli Wolwazi ubuyekeze uMhlahlandlela we-**PAIA**, owaqongelelwa ekuqaleni yi-SAHRC. Inhloso yalo Mhlahlandlela ukunikeza ulwazi oludingwa yinoma imuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elichazwe ku-**PAIA** ne-**POPIA**. Lo Mhlahlandlela ungasiza umuntu ngokugqondile, obizwa ngokuthi umnikazi wolwazi, ngokuthi angaluthola kanjani ulwazi lwakhe siqu ngokuvumelana nesigaba 23 se-**POPIA**.

Lo mhlahlandlela uyatholakala ngazo zonke izilimi ezisemthethweni kuMlawuli Wolwazi. Imininingwane yokuxhumana noMlawuli Wolwazi ithi:

P.O. Box 31533  
BRAAMFONTEIN  
2017

Ucingo: +27 10 023 5200

Iwebhusayithi: [www.inforegulator.org.za](http://www.inforegulator.org.za)

I-imeyili: [infoereg@justice.gov.za](mailto:infoereg@justice.gov.za)

### **4. MAYELANA NOMNYANGO**

#### **4.1 IZIBOPHO, UMGOMO NEZINJONGO ZOMNYANGO**

##### **Izibopho**

Ukuthuthukisa umkhakha wokumbiwa phansi namandla okhuthaza ukukhula komnotho nezentuthuko, ukulingana kwezehlalo nokulondolozwa kwemvelo.

##### **Umgomo**

Ukuba umholi wezinguquko waseNingizimu Afrika ngokukhula kwezomnotho nokuthuthukiswa ngokusimeme kwemikhakha yezimayini namandla

##### **Injongo**

Ukulawula, ukushintsha nokukhuthaza imikhakha yokumbiwa phansi namandla,

ukuhlinzeka amandla asimeme nangambi eqolo okuletha ukukhula nezentuthuko, nokqiniseka ukuthi bonke abantu baseNingizimu Afrika bathola inzuzo ehlala njalo ngomnotho wezwe wokumbiwa phansi.

#### 4.2 UMTHETHO OSHAYWA NGUMNYANGO

<b>Imithetho ngokulandelana kwezikhathi</b>
UMthetho Wezimayini Nemisebenzi, ka-1956 (uMthetho No. 27 ka-1956)
UMthetho Wokubhaliswa Kwamatayitela Ezimayini, ka-1967 (uMthetho No. 16 ka-1967)
UMthetho Wesikhwama Esihlanganyelwe Samandla, ka-1977 (uMthetho No. 38 ka-1977)
UMthetho Wemikhiqizo Kawoyela, ka-1977 (uMthetho No. 120 ka-1977)
UMthetho Wamadayimane, ka-1986 (uMthetho No. 56 ka-1986)
UMthetho Wobuchwepheshe Bokumbiwa Phansi, ka-1989 (uMthetho No. 30 ka-1989)
UMthetho Wokuvalwa Komkhandlu Kazwelonke Wamandla, ka-1991 (uMthetho No. 95 ka-1991)
UMthetho Wezesayensi Yomhlaba, ka-1993 (uMthetho No. 100 ka-1993)
UMthetho Wamandla E nukliya, ka-1993 (uMthetho No. 131 ka-1993)
UMthetho Wezempilo Nokuphepha Kwezimayini, ka-1996 (uMthetho No. 29 ka-1996)
UMthetho Wamandla E nukliya, ka-1999 (uMthetho No. 46 ka-1999)
UMthetho Womlawuli Wenukliya Kazwelonke, ka-1999 (uMthetho No. 47 ka-1999)
UMthetho Wokuvalwa Kwe-Lebowa Mineral Trust, ka-2000 (uMthetho No. 67 ka-2000)
UMthetho Wegesi, ka-2001 (uMthetho No. 48 ka-2001)
UMthetho Wokuthuthukiswa Kwemithombo Yokumbiwa Phansi Nowoyela, ka-2002 (uMthetho No- 28 ka-2002)
UMthetho Wezinhlawulo Zomlawuli Wegesi, ka-2002 (uMthetho No. 75 ka-2002)
UMthetho Wamapayipi Kawoyela, ka-2003 (uMthetho No. 60 ka-2003)

<b>Imithetho ngokulandelana kwezikhathi</b>
UMthetho Wezinhlawulo Zamapayipi Kawoyela, ka-2004 (uMthetho No. 28 ka-2004)
UMthetho Womlawuli Wamandla Kazwelonke, ka-2004 (uMthetho No. 40 ka-2004)
UMthetho Wokubiwa Phansi Okuyigugu, ka-2005 (uMthetho No. 37 ka-2005)
UMthetho Wokulawulwa Kukagesi, ka-2006 (uMthetho No. 4 ka-2006)
UMthetho Wamandla Kazwelonke, ka-2008 (uMthetho No. 34 ka-2008)
UMthetho Wezikhungo Zokulahla Udoti Wemisebe, ka-2008 (uMthetho No. 53 ka-2008)

### **4.3 UHLAKA LWENHLANGANO**

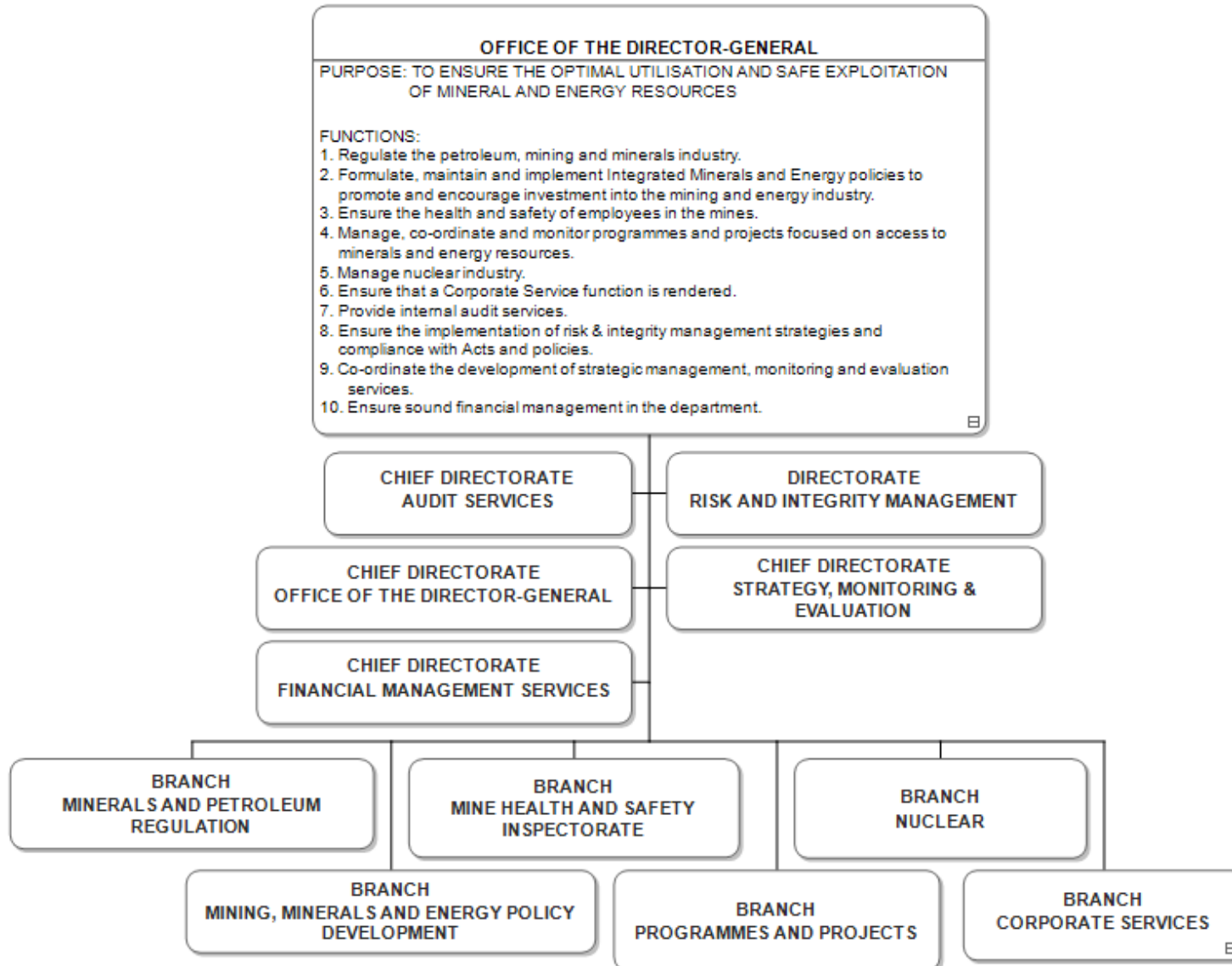
4.3.1 UMnyango unehhovisi likazwelonke eliseSifundazweni saseGauteng kanye namaHhovisi Ezifunda amaningana atholakala eMpumalanga Koloni (eMonti), eFreyistata (e-Welkom), KwaZulu-Natali (eThekwini), eLimpopo (ePolokwane), eMpumalanga (e-Witbank), eNyakatho Koloni (e-Kimberley), eNtshonalanga Koloni (eKapa), eGauteng (ePitoli), eNyakatho-Ntshonalanga (eMafikeng).

4.3.2 Amagama oMnyango ami ngale ndlela:

- (a) Izinsizakalo Zamabhizinisi
- (b) Ukulwawulwa Kokumbiwa Phansi Nowoyela
- (c) Ukuthuthukiswa KweNqubomgomo Yezezimayini, Yokumbiwa Phansi Namandla
- (d) Izinhlelo Namaphrojekthi
- (e) Inukliya
- (f) Uphenyo Lwezempilo Nokuhepha Kwezimali

4.3.3 Uhlaka olucaziwe loMnyango luboniswe ngezansi:

## DEPARTMENT OF MINERAL RESOURCES AND ENERGY



5. **IMININGWANE YOKUXHUMANA YESIKHULU SOLWAZI NAMAPHINI ESIKHULU SOLWAZI**

5.1 ISikhulu Sezolwazi:

Mr Jacob Mbele  
Director-General  
Private Bag X96  
PRETORIA  
0001

Umsizi kaMqondisi-Jikelele  
Ms Mamabefu Modipa  
Mamabefu.Modipa@dmre.gov.za  
Inombolo yocingo: +27 12 444 3880

5.2 **ZONKE** izicelo zokuthola amarekhodi oMnyango, nanoma isiphi isikhalazo sa-ngaphakathi ngokuvumelana nesigaba 74 se-PAIA, zizothunyelwa **kuMqondisi Oyinhloko: weZinsiza Zezomthetho** nganoma iyiphi yezindlela ezilandelayo:

- (a) Ngeposi-  
Department of Mineral Resources and Energy  
Private Bag X96  
PRETORIA  
0001;
- (b) Ngesandla-  
Department of Mineral Resources and Energy:  
Head Office  
2<sup>nd</sup> Floor Block 2B Trevenna Campus,  
Corner Schoeman and Meintjies  
Streets,  
Arcadia,  
Pretoria noma,
- (c) Nge-imeyili: [paia@dmre.gov.za](mailto:paia@dmre.gov.za) nelithi  
[diphoko.modiselle@dmre.gov.za](mailto:diphoko.modiselle@dmre.gov.za)

### 5.3 Amaphini Esikhulu Sezolwazi

Izikhulu ezilandelayo zikhethwe njengamaPhini Esikhulu Sezolwazi ngokuvumelana nesigaba 17(1) se-PAIA:

Mr Pieter Alberts  
Chief Director: Legal Services  
Private Bag X96  
PRETORIA  
0001  
[paia@energy.gov.za](mailto:paia@energy.gov.za)

Ms Saandhri Naidoo  
Director: Legal Services  
Private Bag X96  
PRETORIA  
0001  
Saandhri.Naidoo@dmre.gov.za

Ms Rudessa Harris  
Director: Legal Services  
Private Bag X96  
PRETORIA  
0001  
Rudessa.Harris@dmre.gov.za

Ms Hilda Mhlongo  
Deputy Director-General: Corporate Services  
Private Bag X96  
PRETORIA  
0001  
Hilda.Mhlongo@dmre.gov.za

Mr Tseliso Maqubela  
Deputy Director-General: Minerals and Petroleum Regulation  
Private Bag X96  
PRETORIA  
0001  
Tseliso.Maqubela@dmre.gov.za

Ms Ntokozo Ngcwabe  
Deputy Director-General: Mining, Mineral and Energy Policy Development  
Private Bag X96  
PRETORIA  
0001  
Ntokozo.Ngcwabe@dmre.gov.za

Mr David Msiza  
Chief Inspector of Mines  
Private Bag X96  
PRETORIA  
0001  
David.Msiza@dmre.gov.za  
Mnuz Zizamele Mbambo  
Deputy Director-General: Nuclear  
Private Bag X96  
PRETORIA  
0001  
Zizamele.Mbambo@dmre.gov.za

Acting Deputy Director-General: Programmes and Projects  
Private Bag X96  
PRETORIA  
0001

Ms Yvonne Chetty  
Chief Financial Officer  
Private Bag X96  
PRETORIA  
0001  
Yvonne.Chetty@dmre.gov.za

Project Officer  
Independent Power Producer Programme Office  
Bylsbridge Office Park, Building 9,  
Cnr Jean and Olievenhoutbosch Ave,  
CENTURION

Mr Kwena Makgohlo  
Chief Director: Auxiliary Support and Security Services  
Private Bag X96  
PRETORIA  
0001  
Kwena.Makgohlo@dmre.gov.za

Ms Nthatsi Rapoo  
Chief Director: Human Resources  
Private Bag X96  
PRETORIA  
0001  
Nthatsi.Rapoo@dmre.gov.za

Ms Cathy Leso  
Chief Information Officer  
Private Bag X96  
PRETORIA  
0001  
Cathy.Leso@dmre.gov.za

## 6. ISIHLOKO NEZIGABA ZOLWAZI OLUGCINWE UMNYANGO

Ngezansi uhlu lwezihloko uMnyango onamarekhodi azo kanye nezigaba zamarekhodi agcinwe ngaphansi kwesihloko ngasinye. Lolu hlu aluhlanganisi zonke izinto futhi lungase luchitshiyelwe ngezikhathi ezithile. Amarekhodi agcinwe ngaphansi kwezihloko ezihlukahlukene awatholakali ngokuzenzekelayo futhi ukuthola amarekhodi kuya ngokuthi yinhloboni yolwazi equkethwe yirekhodi.

### 6.1 Uhlala Lwezomthetho Nokuqondisa

- Izingqobomgomo Zokumbiwa Phansi Namandla
- Imithetho Yokumbiwa Phansi Namandla
- Imithetho eshayiwe mayelana noMthetho Wokumbiwa Phansi Namandla;
- Imithetho-sivivinywa
- Eminye imithetho nezimiso

### 6.2 Inhlangotho Nokulawula

- Izingqobomgomo Zangaphakathi
- Imisebenzi
- Ukudluliswa kwegunya
- Ukwesekwa kwezigaba namahhovisi amasha
- Ukuhlela
- Izinsiza Zokuhlola Amabhuku
- Imihlangano
- Ukuphathwa Kwezokuvikeleka
- Izinhlelo Namaphrojekthi
- Ezokuphatha Nokuhlaziya
- Amasu Nokusingatha Izingcuphe
- Irejista Yezingcuphe
- Umqulu Wekomidi Lokusingatha Izingcuphe
- Amaminithi Ekomidi Lokusingatha Izingcuphe
- Inqubomgomo Yokusingatha Izingcuphe
- Isu Lokusingatha Izingcuphe
- Uhlelo Lokusebenzisa Ukuphathwa Kwezingcuphe
- Ukuhlaziya Izingcuphe Nendlela Yokuzihlukanisa
- Uhlaka Lokusingatha Izingcuphe
- Izincwadi Zokuqokwa Kwamalungu Ekomidi Lokusingatha Izingcuphe
- Izingqobo Zokusebenza Okuvamile Kokusingatha Izingcuphe
- Incwajana Yokuhlaziya Izingcuphe
- Imithetho Yokuziphatha YoMnyango
- Uhlelo/Amasu Okunqanda Ukukhwabanisa
- Uhlelo Lokusebenza Ngokukhwabanisa
- Inqubomgomo Yokunqanda Ukukhwabanisa
- Inqubomgomo Yezinhlabamkhosi
- Uhlelo Lwamacebo

- Uhlelo Lwemisebenzi Lwaminyaka Yonke
- Imibiko

### 6.3 Ubuphathi Bezezindaba Zabasebenzi

- Izingqubomgomo Zobuphathi Bezezindaba Zabasebenzi
- Ukugqugquzela Ukushelela Kokuthuthukiswa Kwenhlangano
- Ukuhlaziya Komsebenzi
- Amaphrofayela/Incazelo Yomsebenzi
- Ukuphathwa Kwezinguquko/Usiko Lwenhlangano Nezinyathelo Zezimiso
- Idizayini Yefomu LoMnyango
- Ukwesekwa Kwezisebenzi
- Ukuphathwa Kwezomsebenzi
- Ukuhlukaniswa Kwezisebenzi, kufake izikhangiso, ukuqokwa, ukwesekwa nokudluliswa
- Imigomo Yokusebenza
- Ukunqanyulwa Komsebenzi
- Ukuphathwa Komsebenzi
- Ubuhlobo Bokuqashwa/Bezomsebenzi
- Ukuthuthukiswa Kwezezindaba Zabasebenzi
- Uhlelo Lwabasebenzi Lwezenhlalakahle
- Impilo Nokuphepha Emsebenzini
- Ukulingana Emsebenzini

### 6.4 Ukuphathwa Kwezimali

- Ukuhlelwa Kwezezimali Nezingqubomgomo Zokuphathwa Kwezimali
- Ukuphathwa kwenzuzo
- Ulwazi lwemali etholakalayo
- Izabelo ze-MTEF, AENE, ne-ENE
- Ukusingathwa Kwezindleko
- Imibiko yokuqapha isimo onyakeni kanye nemibiko yebhajethi nokulawula izindleko

### 6.5 Ukuphathwa Kokuphakelwa Kwezinsizakalo

- Okufunekayo Nokutholiwe
- Ukuphathwa Kwamathenda
- Ukuphathwa Kwezingqubo
- Ukuphathwa Kwezimpahla

### 6.6 Ukuphathwa Kwezakhiwo

- Izingqubomgomo Zokuphathwa Kwezakhiwo
- Ukusetshenziswa Kwamahhovisi

- Izinsizakalo

#### 6.7 Ukuphathwa Kwezohambo Nezokuthutha

- Izinqubomgomo Zezohambo Nezokuthutha
- Ukuphathwa Kwezohambo

#### 6.8 Izinsizakalo Zezolzazi

- Ukuphathwa Kolwazi
- Ukuphathwa Kwamarekhodi
- Ukuphathwa Kwemininingwane
- I-PAIA
- Ilabhulali
- Izinhlelo, Izinqubomgomo Nezinqubo ze-ICT

#### 6.9 Ezokuxhumana

- Izinqubomgomo Zezokuxhumana
- Izinsizakalo Zokuhlela Nokukhishwa Kwezincwadi
- Izinsizakalo Zokuxhumana Nokwesekwa
- Ezomkhiqizo
- Ezokukhangisa
- Ukukhishwa kwemibiko yezindaba, izingxoxo, ukwengamela nemibiko
- Imibiko yezindaba
- Izinkulumo

#### 6.10 Ukuxhumanisa Ezamazwe Angaphandle

- Inqubomgomo Yokuxhumanisa Ezamazwe Angaphandle
- Uhambo Lwaphesheya, Izinkomfa Nezingqungquthela
- Izivumelwano Zamazwe Angaphandle

#### 6.11 Izinsizakalo Zezomthetho

- Imithetho Yokumbiwa Phansi Namandla: Ukubhalwa Nokuchitshiyelwa
- Amacala asenkantolo
- Izikhalazo
- Imibono Yezomthetho Nezincazelo
- Izinkontileka Nezinkambiso Zezokuvumelana

#### 6.12 Ukusungulwa Kwezinqubomgomo

- Inqubomgomo Kagesi
- Inqubomgomo Yokuphakelwa Kukagesi
- Inqubomgomo Yamalahle Negesi
- Inqubomgomo Kawoyela Nengqalasizinda Kawoyela

- Inqubomgomo Yenukliya

#### 6.13 Uhlelo Lwamandla Oluhlanganisiwe

- Inqubomgomo Yokuhlelwa Kwamandla
- Ukuhlelwa Kwezindlela Zokuphakelwa
- Ukuthuthukiswa Kwengqalasizinda
- Ukucaza Okufuneka Emikhakheni Yezimakethe
- Ukuphathwa Kolwazi Lwamandla, Ukwenziwa Kwezinqubo Nokushicilelwa
- Umnotho Wezamandla
- Ukuhlaziywa Kwezomnotho Omncane

#### 6.14 Amandla Enukliya

- Inqubomgomo Yamandla Enukliya
- Ukuphepha Kwenukliya, Izithiyo Nokusingathwa Kwezimo Eziphuthumayo
- Ubuchwepheshe Benukliya
- Ukuvalwa Kwenukliya
- Ubuchwepheshe Bokukhishwa Kwemisebe
- Ukugcizelelwa Nokuthotshelwa Komthetho Wenukliya
- Ukuvikeleka Kwenukliya Nokukhishwa Kwemisebe

#### 6.15 Imisebenzi

- Imisebenzi Yama-hydrocarbon Efaka Nentengo Kawoyela
- Imithetho Yezimayini Nokumbiwa Phansi Kanye Namalaysense
- Uphenyo Nemibiko Yempilo Nokuphepha Kwezimayini
- Amalaysense Kawoyela
- Ukuthotshelwa, Ukubekwa Iso Nokugcizelelwa Komthetho Ohlobene Nokumbiwa Phansi Namandla
- Uhlelo Nohlaka Oluhlanganisiwe Lokuphakelwa Kukagesi Kuzwelonke
- Amandla Ahlanzekile
- Igunya Likazwelonke Eliqokiwe
- Amandla Amasha Navuselelekayo
- Ukusetshenziswa Kwamandla Ngokonga Kanye Nemvelo

### **7. UKUDALULA NGOKUZITHANDELA NOLWAZI OLUTHOLAKALA NGOKUZENZEKELAYO**

- 7.1 Ngokwesigaba 14(1)(e) soMthetho, uMnyango unezigaba ezilandelayo zamarekhodi atholakala ngokuzenzekelayo ukuze akopishwe noma ahlolwe ngaphandle kokuba umuntu acele ukuwathola ngokwemibandela ye-PAIA:
- (a) Imithetho, Imithetho-sivivinywa Nezimiso ezishicilelwa uMnyango;
  - (b) izinqubomgomo nemihlahlandlela eshicilelwe;
  - (c) amafomu esicelo;

- (d) ulwazi lwezokuxhumana;
- (e) ama-e-publication
- (f) amabhukwana nezincwajana ezishicilelwe
- (g) izincwadi zezokukhangisa ezishicilelwe, ezifaka izincwajana zezikhangiso zomnyango
- (h) izindaba-ncwadi ezishicilelwe
- (i) amaphosta nezincwajana ezishicilelwe
- (j) imibiko eshicilelwe
- (k) izinhlelo zamacebo;
- (l) izinhlelo zomsebenzi zaminyaka yonke;
- (m) imibiko yaminyaka yonke;
- (n) izinkulumo zemali-sabelo;
- (o) ukushicilelwa kwezikhundla ezivulekile;
- (p) izivumelwano zezingxoxo ezihlanganyelwe;
- (q) Ucwangingo olusesiZindenani Somphakathi

## **7.2 Zitholakala mahhala ngokuvumelana neSigaba 15(1) (a) (iii):**

- 7.2.1 Iwebhusayithi yoMnyango ku-[www.dmre.gov.za](http://www.dmre.gov.za) iqukethe oluningi lolwazi olushiwo esigabeni 7.1 ngenhla, olutholakala ngokuqondile ku-inthanethi. Sicela ubheke futhi usebenzise iwebhusayithi ngaphambi kokuthumela izicelo ngoba lokhu kungaba yindlela elula yokuthola amarekhodi omnyango. Futhi unga-xhumana noMnyango ukuthola ukuthi ingabe ulwazi odinga ukulufinyelela lutholakala ngokuzenzekelayo noma ukuthi ingabe kufanele kulandelwe inqubo yokutholakala kolwazi ukuze ukwazi ukuthola lawo madokhumenti.
- 7.2.2 Olunye ulwazi olutholakala ngokuzenzekelayo olungafakiwe kuwebhusayithi yoMnyango lungacelwa eMnyangweni ngaphandle kokuthumela isicelo ngokuvumelana ne-PAIA. Alikho ifomu lesicelo lokuthola ulwazi ngokwe-PAIA okufanele ligcwalise ngamarekhodi atholakala ngokuzenzekelayo ngokuvumelana nalesi sigaba. Kodwa-ke, ungase ukhokhiswe inkokhelo yokukopisha, uma kufanele.
- 7.2.3 Amarekhodi ashiwo ngezansi mayelana nezicelo zamalungelo asaqedelwa noma aseqedelwe ngokuvumelana noMthetho Wokuthuthukiswa Kokumbiwa Phansi Nowoyela 28 ka-2002 ochitshiyelwe, azokwenziwa atholakale ngokuzithandela kubaPhathi Bezifunda: Bemithetho Yokumbiwa Phansi. Imininingwane yokuxhu-

mana nabaPhathi Bezifunda. Ukutholakala ngokuzithandela kwala marekhodi kulinganiselwe uma ulwazi oluyimfihlo kanye **no lwazi lomuntu siqu** lwabafakisicelo noma abanikazi bamalungelo ngokoMthetho Wokuthuthukiswa Kokumbiwa Phansi Nowoyela oludalulwe kulezi zicelo ngeke lutholakale ngaphandle kwemvume yangaphambilini yomfakisicelo noma umnikazi wolwazi othintekayo.

- Ifomu Lesicelo Eligcwalisiwe lamalungelo ngokuvumelana noMthetho Wokuthuthukiswa Kokumbiwa Phansi Nowoyela 28 ka-2002
- Uhlelo njengoba luchazwe eSimisweni 2(2)
- Amatayitela noma amakhophi afakazelwe/amakhophi omhlaba othintekayo
- Uhlelo Lwezenhlalo Nezemisebenzi, ngaphandle kolwazi oluyimfihlo lwezengiso nezezimali
- Ubufakazi Bokuxhumana nabantu Abanentshisekelo Nabathintekayo
- Ubufakazi Bokuxhumana neminye iMinyango kaHulumeni, ngaphandle kwemiphumela yokuxhumana, obungase butholwe eMnyangweni ofanele
- Isimo somhlaba okhonjiwe
- Amagama abanikazi bomsebenzi wokuvukuza, wokumba noma amanye amalungelo ngokoMthetho Wokuthuthukiswa Kokumbiwa Phansi Nowoyela 28 ka-2002 ngokuphathelene nalowo mhlaba okhethekile
- Imininingwane yamalungelo akhona ngaphakathi kwelaseNingizimu Afrika;
- Amalungelo asetshenzisiwe okuvukuza nokumba
- Izinhlelo Zokuvukuza Nokumba, ngaphandle kobufakazi bomthwalo wezezimali
- Izinhlelo Zokuphathwa Kwemvelo, Izinhlelo
- Zokuphathwa Kwemvelo Nezigunyazo Zezemvelo
- Amalungiselelo Ezimali Okuvuselelwa Kwemvelo

#### 7.2.4 **Amarekhodi Okubhaliswa eHhovisi Lokubhalisa Amatayitela Ezimayini**

Amarekhodi Amalungelo Abhalisiwe aphethwe yiHhovisi Lokubhaliswa Kwamatayitela Ezimayini ayatholakala uma ecelwa ngokuqondile ehhovisi elishiwo. Lawa amadokhumenti omphakathi.

7.2.5 Amafomu esicelo amalayisensi ngokoMthetho Wemikhiqizo Kawoyela, ka-1977 (uMthetho No. 120 ka-1977) ayokwenziwa atholakale ngokuzithandela futhi mahhala kuBaqondisi Bezifunda. Izicelo ezigcwalisiwe ezithunyelwa Abafakisicelo kuMlawuli ayatholakala ukuze ahlolwe emaHhovisi Esifunda oMnyango isikhathi esibekiwe lapho kungase kufakwe khona izikhalazo eziphikisayo; kodwa ke, ukutholakala ngokuzithandela kwala marekhodi kulinganiselwe uma lawo marekhodi engaqukethe ulwazi oluyimfihlo lwabantu bangaphandle noma Abafakisicelo okuthola amalayisense ngokuvumelana noMthetho Wemikhiqizo Kawoyela, ka-1977. Noma imuphi umuntu ocela ukuthola isicelo esifakwe kuMlawuli ngaphandle kwesikhathi esivunyelwe sokuhlola kufanele acele ukuthola lelo rekhodi ngokuvumelana nesigaba 8 ngezansi.

## **8. INQUBO YOKUCELA UKUTHOLA AMAREKHODI**

8.1 Zonke izicelo zokuthola amarekhodi ngokwe-PAIA kufanele zithunyelwe ngokugcwalisa **iFomu A kuSijobelelo A** bese ulithumela kuMqondisi Oyinhloko: Legal Services ngeposi, nge-imeyili noma ngesandla njengoba kuchazwe esigabeni 5.2 ngenhla. Noma imuphi umuntu odinga usizo lokugcwalisa iFomu A, angaxhumana noMqondisi Oyinhloko: Legal Services ngocingo ku-012 4443814.

8.2 Ngaphandle uma isicelo senziwa ngumfakisicelo werekhodi lomuntu siqu noma umuntu othi akanasibopho, inkokhelo yesicelo ka-R100.00 kufanele ikhokhwe eKomkhulu noma ku-akhawunti yasebange yoMnyango futhi ubufakazi balokho buthunyelwe eMnyangweni. Ukuze ukhululwe enkokhelweni nguNgqongqoshe ngokuvumelana nesigaba 22(8) se-PAIA, sicela ugcwalise iNgxenye E yeFomu A.

8.3 Imininingwane yasebange yoMnyango ithi:

Ibhangwe: ABSA

Ikhodi Yegatsha: 632005

Igama Le-akhawunti: Department of Mineral Resources and Energy

Inombolo Ye-akhawunti: 4061769154

Inombolo Yereferensi: Isibongo se-PAIA namanishiyali oMfakisicelo

8.3 Uma isicelo esigcwalisiwe samukelwa, uMqondisi Oyinhloko: Legal Services uzothumela isicelo kuPhini Lesikhulu Sezolwazi esifanele ukuze kwenziwe isinqumo singakapheli isikhathi esibekiwe. Kuzokwenziwa isinqumo zingakapheli izinsuku ezingama-30 kwamukelwe isicelo esigcwalisiwe, kodwa lesi sikhathi singase sinwetshwe ezinye izinsuku ezingama-30 yiPhini LeSikhulu Sezolwazi ezimweni ezithile.

8.4 Uma evunyelwa ukuba athole amarekhodi oMnyango, umfakisicelo uzokwaziswa futhi kudingeke akhokhe inkokhelo ebekiwe njengoba kuchazwe **kuSijobelelo C** ngaphambi kokuba anikezwe amarekhodi. Uma kucelwa irekhodi ngefomu elithile, khona-ke umfakisicelo, ngokuvumelana nesigaba 28 se-PAIA, uzonikezwa irekhodi ngalelo fomu ngaphandle uma ukwenza kanjalo kuphazamisana noku-phatha okufanele koMnyango, kulimaza irekhodi, noma kuphula ilungelo lokukuphisa okungelona elikahulumeni noma loMnyango.

8.5 Uma isicelo sinqatshiwe, umfakisicelo uzokwaziswa ngalokho kanye nezizathu zesinqumo.

## **9. ILUNGELO LESIKHALAZO SANGAPHAKATHI NOMA ISICELO SOSIZO ENKANTOLO**

- 9.1 Uma isicelo sokuthola irekhodi loMnyango sinqatshiwe nganoma isiphi isizathu, umfakisicelo unelungelo lokufaka isikhalazo sangaphakathi kusiphathimandla esifanele, okuwuNgqongqoshe Wokumbiwa Phansi Namandla, ngokugcwalisa ifomu **kuSijobelelo B** bese elithumela kuMqondisi Oyinhloko: Legal Services ngendlela echazwe esigabeni 5.2. Umuntu oseceleni angafaka isikhalazo sanga-phakathi kusiphathimandla esifanele ngenxa yesinqumo sesikhulu sezolwazi sokugunyaza isicelo sokuthola irekhodi. Okulandelayo ezinye zezizathu umfakisicelo angafaka ngazo isikhalazo sangaphakathi kuNgqongqoshe Wamandla, ngenxa yesinqumo esenziwe yisikhulu sezolwazi:
- Uma umfakisicelo enganelisekile ngenkokhelo okufanele ikhokhwe ngenxa yesicelo.
  - Uma umfakisicelo enganelisekile ngokunwetshwa kwesikhathi sokusingatha isicelo.
  - Uma ifomu lokuthola ulwazi elinikeza amarekhodi lingavumelani nefomu elikhethekile ebelincanyelwa umfakisicelo.
- 9.2 Isikhalo sangaphakathi kufanele sifakwe zingakapheli izinsuku ezingama-60; noma uma kudingeka isaziso esiya kumuntu wangaphandle ngokwesigaba 49(1)(b), zingakapheli izinsuku ezingama-30 ngemuva kokukhishwa kwesaziso esiya kumuntu wangaphandle sesinqumo esifakelwe isikhalazo. Kodwa-ke uNgqongqoshe Wokumbiwa Phansi Namandla angase avumele isikhalazo esifike ngemuva kwesikhathi uma kuvezwa isizathu esihle.
- 9.3 Uma umfakisicelo engaphumelelanga esikhalazweni sangaphakathi esiya ku-Ngqongqoshe Wokumbiwa Phansi Namandla, umfakisicelo angafaka isikhalazo zingakapheli izinsuku eziyi-180 kuMlawuli Wolwazi ngokuvumelana neSahluko 1A se-PAIA njengoba kuchazwe esigabeni 10 ngezansi, noma afake isicelo enkantolo ngokuvumelana nesigaba 78 se-PAIA ukuze athole usizo olufanele.

## **10. IZIKHALAZO EZIYA KUMLAWULI WOLWAZI**

- 10.1 Umfakisicelo noma umuntu ongaphandle angafaka isikhalazo kuMlawuli kuphela ngokuvumelana neSahluko 1A se-PAIA ngemuva kokuba umfakisicelo noma umuntu ongaphandle esesebenzise inqubo yesikhalazo sangaphakathi sokuphikisa isinqumo seSikhulu Sezolwazi.
- 10.2 Okhalaza kuMlawuli kufanele akwenze ngokubhala incwadi futhi kufanele kugcwaliswe ifomu lesikhalazo, ngokoqobo noma ku-inthanethi. Ifomu lesikhalazo lingadawunilodwa kuwebhusayithi yoMlawuli ku-[www.inforegulator.org.za](http://www.inforegulator.org.za)

## **11. AMALUNGISELELO OKUBAMBA IQHAZA KOMPHAKATHI EKWAKHIWENI KWENQUBOMGOMO NJENGOBA KUHAZWE ESIGABENI 14(1)(b) SE-PAIA**

- 11.1 Ngezikhathi esithile, uMnyango ungase ufune izimvo zomphakathi ngomthetho-sisivinywa othile, (Imithetho-sivivinyo Nezimiso) nezinye izinkinga futhi umphakathi umenywa ukuba uveze uvo nemibono yawo uma kuvela la mathuba.
- 11.2 UMnyango uyingxenye yophiko oluphethe lukahulumeni. Nakuba kungase kungabi nezinhlaka ezikhethekile zokubamba iqhaza komphakathi uma kwenziwa izinqubomgomo, amalungu omphakathi angaba nomthelela ngandlela-thile ekwenziweni kwezinqubomgomo ngokuthi -
- (a) abambe iqhaza okhethweni lukazwelonke;
  - (b) axhumane nabameleli bawo abaqokiwe;
  - (c) angene ezinqubweni zomthetho nezinye zokubamba iqhaza komphakathi zePhalamende laseNingizimu Afrika namakomidi alo;
  - (d) abe khona emihlanganweni yePhalamende; futhi
  - (e) abezindaba bangene ePhalamende nakumakomidi alo.

**12. ULWAZI MAYELANA NOKUVIKELWA KOLWAZI LOMUNTU SIQU NJENGOBA KUCHAZWE ESIGABENI 14(1)(c) SE-PAIA**

- 12.1 UMnyango icubungula ulwazi lomuntu siqu lwabanikazi bolwazi abashiwo esigabeni 12.2 ngezinjongo ezichazwe esigabeni 12.3.
- 12.2 **Incazelo yezigaba Zabanikazi Bolwazi kanye nolwazi noma izigaba zolwazi ehlobene nabo**

<b>Izigaba Zabanikazi Bolwazi</b>	<b>Ulwazi lomuntu siqu olungase lucutshungulwe</b>
Abasebenzi noma abafakisicelo bomsebenzi	Ubulili, ukukhulelwa; isimo somshado; uhlanga; ubudala, ulimi, ulwazi lwezemfundo (iziqu); ulwazi lwezimali; umlando wokuqashwa; inombolo kama-zisi; ikheli lomgwaqo neleposi; imininingwane yokuxhumana (izinombolo zokuxhumana), inombolo yefeksi, ikheli le-imeyili); ukuziphatha kobugebengu; inhlalakahle nezinhlabo zabo (amalungu omndeni) uhlanga, ezokwelapha, ubulili, ucansi, ubuzwe, ubuhlanga noma umsuka wezenhlalo, okuncamelayo kwezocansi, ubudala, impilo yomzimba noma yengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, izinkolelo, usiko, ulimi, ulwazi lwezixivizo zeminwe lomuntu, umlando wokusebenza nabantu okungaxhunyanwa nabo, imininingwane yasebhange neyezimali, imininingwane yezinkokhelo zaba-

<b>Izigaba Zabanikazi Bolwazi</b>	<b>Ulwazi lomuntu siqu olungase lucutshungulwe</b>
	ntu bangaphandle (imali edonswe emholweni), izinkontileka zomsebenzi, amarekhodi e-medical aid, amarekhodi eSikhwama Sempesheni, amarekhodi esinxephezelo/omholo, ukuhlaziywa komsebenzi, amarekhodi okuqondiswa kwezigwegwe, amarekhodi elivu emsebenzini, amarekhodi okuqeqeshwa,
Abafaki bamabhidi, Abadayisi, Abahlinzeki Nabaphakeli Besevisi	Ubuwena kanye/noma ulwazi lwenkampani nolwazi lwabaqondisi, amagama abantu okuxhunanwa nabo; ikheli lomgwaqo neleposi; imininingwane yokuxhumana (izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili); inombolo yokubhaliswa; ulwazi lwezezimali, lwezentengiso, lwesayensi noma lobuchwepheshe kanye nezimfihlo zohwebo; ulwazi lwasebhange nolwezimali, ulwazi mayelana nemikhiqizo noma izinsizakalo, ulwazi oluphathelele nesimo sezentela nesimo sokufukulwa ngokomnotho kwabantu abansundu, kanye nolunye ulwazi olungashiwongo ngokuqondile kodwa oludingeka lucutshungulwe ngezinjongo zokusebenza kwebhizinisi
Abantu abafaka isicelo ngokwe-PAIA, i-POPIA kanye nomthetho Ohlobene Nokumbiwa Phansi Namandla njengoba kuchazwe esigabeni 4.2 sale Manuwali, kuhlangukane nolwazi nemininingwane ethathwe kulabo bantu ngokuvumelana nalowo mthetho oshaywe uMnyango.	Ubuwena kanye/noma ulwazi lwenkampani nolwazi lwabaqondisi, abanini-masheya, amagama abantu okuxhunanwa nabo; ikheli lomgwaqo neleposi; imininingwane yokuxhumana (izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili); inombolo yokubhaliswa; ulwazi lwezezimali, lwezentengiso, lwesayensi noma lobuchwepheshe kanye nezimfihlo zohwebo; ulwazi lwasebhange nolwezimali, ulwazi mayelana nemikhiqizo noma izinsizakalo, ulwazi ngokufukulwa ngokomnotho kwabantu abansundu noMqulu, kanye nolunye ulwazi olungashiwongo ngokuqondile kodwa oludingeka lucutshungulwe ngokomthetho Ohlobene Nokumbiwa Phansi Namandla

### **12.3 Izinjongo zokucubungula ulwazi kanye nabamukeli noma izigaba zabamukeli ezinganikezwa lolu lwazi lomuntu siqu**

(a) Okwabasebenzi nabafakisicelo somsebenzi:

- (i) Ukuqinisekiswa nokuhlaziywa kolwazi lomfakisicelo ngesikhathi so-kuqashwa kuhlanguanise nokucabangela amathuba alinganayo omsebenzi.
- (ii) Ukuqinisekiswa kokwenza ibhizinisi kwesisebenzi noHulumeni.
- (iii) Izindaba ezivamile ezihlobene nezisebenzi ezinjengalezi:
  - o Imihlomulo evamile
  - o Impesheni
  - o I-Medical Aid
  - o Imininingwane yamaholo
  - o Ukuqondiswa kwezigwegwe
  - o Ukusingatha ilivu
  - o Ukuphathwa komsebenzi
  - o Ukuqeqesha
  - o Ukuhlolwa Kwamarekhodi Okuvikeleka.
- (iv) Noma iyiphi enye injongo efuneka kufanele ephathelene nokusebenza noma ubuhlobo bokusebenza obungase bube khona.

<b>Isigaba solwazi lomuntu siqu</b>	<b>Abamukeli noma Izigaba Zabamukeli</b>
Izinombolo zomazisi namagama, isimo somshado sokuhlola izenzo zobugebengu nokusingathwa kwempesheni	I-South African Police Services, i-State Security Agency ne-Government Employee's Pension Fund
Iziqu, zokuqinisekiswa kweziqu nokuhlolwa kwamabhuku	i-South African Qualifications Authority noma izigungu zokuqinisekisa
Umlando wezikweletu nokukhokha, ukuze kutholwe ulwazi lwezezikweletu	Izinhlangotho Zezezikweletu nezinye izigungu zokuqinisekisa

(b) Abafaki bamabhidi, Abadayisi, Abahlinzeki Nabaphakeli Besevisi:

- (i) Ukuqinisekisa ulwazi nokuhlola amareferensi nokunye ukuhlola okudingekayo.
- (ii) Izinjongo ezihlobene nesivumelwano noma ubuhlobo bebhizinisi noma amathuba esivumelwano noma ubuhlobo bebhizinisi phakathi kwabantu abathintekayo.
- (iii) Ukukhokhelwa kwama-invoyisi.
- (iv) Kuhambisane nezibopho zoMnyango zomthetho nezinye izibopho.
- (v) Noma iyiphi enye injongo efuneka kufanele ephathelene nomsebenzi woMnyango.

<b>Isigaba solwazi lomuntu siqu</b>	<b>Abamukeli noma Izigaba Zabamukeli</b>
<p>Ubuwena kanye/noma ulwazi lwenkampani nolwazi lwabaqondisi, amagama abantu okuxhunanwa nabo; ikheli lomgwaqo neleposi; imininingwane yokuxhumana (izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili); inombolo yokubhaliswa; ulwazi lwezezimali, lwezentsingiso, lwesayensi noma lobuchwepheshe kanye nezimfihlo zohwebo; ulwazi lwasebhange nolwezimali, ulwazi mayelana nemikhiqizo noma izinsizakalo, ulwazi oluphathelele nesimo sezentela nesimo sokufukulwa ngokomnotho kwabantu abansundu, kanye nolunye ulwazi olungashiwongo ngokuqondile kodwa oludingeka lucutshungulwe ngezinjongo zokusebenza kwebhizinisi</p>	<p>UMnyango ungase uthathe ulwazi lomuntu siqu lomnikazi wolwazi ulunikeze Izisebenzi zoMnyango, njengengxenyeye yokufeza izibopho zawo ngokuphathelele nezinqubo zokutholwa kwabasebenzi kanye nokuhlinzeka izinsizakalo kanye nakuMhloli Wamabhuku Omkhulu ukuze kuhlolwe futhi kwenganyelwe umsebenzi.</p>

(c) Abantu abafaka isicelo ngokwe-PAIA, i-POPIA kanye nomthetho Ohlobene Nokumbiwa Phansi Namandla, kuhlanganise nolwazi nemininingwane ethathwe kulabo bantu ngokuvumelana nalowo mthetho oshaywe uMnyango

- (i) Ulwazi lokuqinisekisa nokuhlaziya ukuze ufeze izibopho zawo zomthetho ngaphansi komthetho ofanele.
- (ii) Ukuhambisana nezibopho zoMnyango zomthetho nezinye izibopho.
- (iii) Ukubeka iso nokugcezelela umthetho ngokwezibopho zomthetho.
- (iv) Ukubeka iso nokugcizelela imibandela ebekiwe.
- (v) Noma iyiphi enye injongo efuneka kufanele ephathelene nomsebenzi woMnyango.

<b>Isigaba solwazi lomuntu siqu</b>	<b>Abamukeli noma Izigaba Zabamukeli</b>
<p>Ubuwena kanye/noma ulwazi lwenkampani nolwazi lwabaqondisi, abanini-masheya, amagama abantu okuxhunya nabo; ikheli lomgwaqo neleposi; imininingwane yokuxhumana (izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili); inombolo yokubhaliswa; ulwazi lwezezimali, lwezente ngiso, lwesayensi noma lobuchwepheshe kanye nezimfihlo zohwebo; ulwazi lwasebhange nolwezimali, ulwazi mayelana nemikhiqizo noma izinsizakalo, ulwazi ngokufukulwa ngokomnotho kwabantu abansundu noMqulu, kanye nolunye ulwazi olungashiwongo ngokuqondile kodwa oludingeka lucutshungulwe ngokomthetho Ohlobene Nokumbiwa Phansi Namandla</p>	<p>UMnyango ungase uthathe ulwazi lomuntu siqu lomnikazi wolwazi ulunikeze abasebenzi boMnyango, ukuze ufeze izibopho zawo njengoba kufuneka ngaphansi komthetho osebenzayo.</p>
<p>Ubuwena kanye/noma ulwazi lwenkampani nolwazi lwabaqondisi, abanini-masheya, amagama abantu okuxhunya nabo; ikheli leposi nelomgwaqo; imininingwane yokuxhumana (izinombolo zokuxhumana, inombolo yefeksi, ikheli le-imeyili); inombolo yokubhaliswa;</p>	<p>i-South African Police Services uma kukhona ukungathobeli umthetho futhi kunamacala omthetho</p>
<p>Ulwazi lokufukulwa ngokomnotho kwabantu abansundu noMqulu</p>	<p>Izigungu eziqinisekisayo kanye naBahlinzeki Bezinsizakalo ngezinjongo zokuhlola kwamabhuku</p>
<p>Ulwazi lwezezimali nezentela</p>	<p>i-South African Revenue Services</p>

#### 12.4 Abamukeli noma izigaba zabamukeli ezinganikezwa lolu lwazi lomuntu siqu

UMnyango ungase uthathe ulwazi lomuntu siqu lwabanikazi bolwazi ulunikeze -

- (a) noma imuphi umuntu onelungelo lokuluthola ngokuvumelana nomthetho;
- (b) noma isiphi isigungu noma inkantolo yomthetho, ngokuphathelene na-noma iluphi udaba noma ingxenye yalo, ewela ngaphansikwegunya layo;
- (c) izigungu zomthetho, njenge-National Prosecuting Authority noma
- (d) i-South African Police Service, ukuze kuphenywe ubugebengu; kanye
- (e) neziNkantolo, uma kunodaba oludinga ukuhlaziywa ngokomthetho.

### **12.5 Ukudluliselwa ngaphandle okuhleliwe kolwazi lomuntu siqu**

UMnyango awulindele ukuthi kudluliselwe ulwazi lomuntu siqu phesheya kwemi-ngecele ngaphandle uma ulwazi olunjalo ludingeka ngezinjongo zokufeza izibopho zakwamanye amazwe. Uma kunjalo, uMnyango uzoqinisekisa ukuthi -

- (a) izwe elamukela ulwazi lunesivikelo esanele esicishe sifane ne-POPIA; noma
- (b) umnikazi wolwazi unikeza imvume yokudluliswa kolwazi lwakhe lomuntu siqu.

### **12.6 Izinyathelo Zokuvikeleka Kolwazi**

UMnyango uzobeka imigoqo yokuvikeleka ukuze uvikele ulwazi lomuntu siqu lungatholakali ngokungemthetho futhi kuyothuthukiswa izinqubo ezilandelayo -

- (a) ukuqinisekisa ukuthi kufakwa isigaba esifanele solwazi ngoba ulwazi lwa-basebenzi kuzodingeka luchazwe ngokuthi 'ulwazi lomuntu siqu' noma 'ulwazi olukhethekile lomuntu siqu';
- (b) ukuqinisekisa ukuthi imigomo yezokuvikeleka ithuthukisiwe ukuze kuqashwe ukutholakala kolwazi okungagunyaziwe ngokufaka izinto zokuphepha zamakhompuyutha nenethiwekhi ezinjengamaphasiwedi, ama-firewall, kufakwe izivikelo ezigade amagciwane ekhompuyutha, kuqinisekiswa ukuvikelwa kwedatha nge-encryption nokufihlwa kolwazi lomuntu siqu, kuvikelwe amalephuthophu namakhompuyutha ngamaphasiwedi noma ngezixivizo zeminwe futhi kuvikelwe i-Virtual Private Network (i-VPN);
- (c) imigoqo yokwazisa izisebenzi noma abanye abantu uma ulwazi lwabo lomuntu siqu lusengcupheni noma uma kuphulwe ubumfihlo izobekwa; futhi
- (d) ukuqinisekisa ukuthi kusetshenziswa imigoqo yokuvikeleka eqinile ukuze kunqandwe ukungena kwabantu bangaphandle emahhovisi, kunethiwekhi yamakhompuyutha, kusistimu, kusofthiwe yezinhlelo, ulwazi noma kwezinye izinsiza.

## **13. UKUBUYEKEZWA NOKUTHOLAKALA KWALE MANUWALI NJENGOBA KUCHAZWE ESIGABENI 14(2) SOMTHETHO.**

Isigaba 14(2) soMthetho sinquma ukuthi le Manuwali, uma kudingeka, kufanele ibuyezwe futhi ishicilelwe ngezikhathi ezithile ezingeqi onyakeni owodwa.

IManuwali izoshicilelwa kuwebhusayithi yoMnyango esemthethweni, ku-[www.dmre.gov.za](http://www.dmre.gov.za) futhi izotholakala eKomkhulu loMnyango nasemaHhovisi Esifunda. Sizozama ukuhumushela le Manuwali kuzo zonke izilimi ezisemthethweni.

Ifomu lesicelo namafomu esikhalazo akuSijobelelo A no-B ayatholakala ngazo zonke izilimi ezisemthethweni kuMlawuli Wolwazi. Imininingwane yokuxhumana yoMlawuli Wolwazi ibhalwe esigabeni 3 ngenhla.

**ISIJOBELELO**

**A**

***Ifomu Lesicelo  
(lifakiwe)***

**ISIJOBELELO B**

**ISAZISO SESIKHALAZO SANGAPHAKATHI  
(lifakiwe)**

## ISIJOBELELO C

### Izinkokhelo ezithinta izigungu zikahulumeni

Into	Incazelo	Inani
1	Inkokhelo yesicelo ekhokhwa yibo bonke abafakisicelo	R100.00
2	Ikhophi yekhasi elingu-A4	R1.50 ikhasi ngalinye noma ingxenye yalo.
3	Ikhophi ephrintiwe yekhasi elingu-A4	R1.50 ikhasi ngalinye noma ingxenye yalo.
4	Ikhophi efundeka ngekhompuyutha ku-:	
	(i) Flash drive (elethwa umfakisicelo) (i) Compact disc	R40.00
	• Uma ilethwa ngumfakisicelo	R40.00
	• Uma umfakisicelo eyinikezwa	R60.00
5	Umbhalo wezithombe ekhasini ngalinye elingu-A4	Le nsizakalo yenziwa ngaphandle. Iyoncika kukhotheshini yomhlinzeki wensizakalo.
6	Ikhophi yezithombe	
7	Umbhalo womsindo oqoshiwe, ikhasi ngalinye elingu-A4	R24.00
8	Ikhophi yomsindo oqoshiwe ku-:	
	(i) Flash drive (elethwa umfakisicelo) (i) Compact disc	R40.00
	• Uma ilethwa ngumfakisicelo	R40.00
	• Uma umfakisicelo eyinikezwa	R60.00
9	Ukufuna nokulungiselela irekhodi elizodalulwa ihora ngalinye noma ingxenye yehora, ngaphandle kwehora lokuqala, elidingekayo ukuze kwenziwa lokhu kucinga nokulungiselela.	R100.00
	Ngeke kweqe isamba sezindleko esingu-	R300.00
10	Idiphozi: Uma ukufuna kungaphezu kwamahora ayi-6	Ingxenye yesithathu yenani lesicelo ngasinye elibalwe ngokuvumelana nezinto 2 kuya ku-8
11	Imali yeposi, i-imeyili noma okunye ukudluliswa kwama-elektronikhi	Izindleko zoqobo, uma zikhona.