

UMKHANDLU WEZIMAYIMI ENINGIZIMU AFRIKA

IBHUKWANA ELIKHISHIWE NGOKUTHI:

**ISIQEPHU 51 SOMTHETHO WOKUKHUTHAZA UKUTHOLAKALA KOKUFINYELELA KULWAZI 2 KA 2000 (PAIA) FUNDA
NAYO**

UMTHETHO WOKUVIKELWA KOLWAZI LOMUNTU 4 KA-2013 (POPIA)

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1. Isingeniso

Le Manuwali (iManyuwali) ihlanganise ngokuya ngezidingo ze-PAIA, ifundwe nezingxenywe ezifanele ze-POPIA.

UMkhandlu Wezimbiwa eNingizimu Afrika (iNkampani) wumgwamanda ozimele njengoba kuchaziwe kwi-PAIA, futhi le Manuwali Indima ebalulekile yenhlangano ukwenza lula ukuxhumana phakathi kwabaqashi bezimayini ukuhlola izindaba zenqubomgomo nezinye izindaba ezithintekayo ukuze kufinyelelwe futhi kuchazwe izindawo ezifunwa embonini . Kunezinhlelo ezahlukahlukene zokukhuthaza ukusebenzisana phakathi kwamalungu. Ukubonisana nokusebenzisana kungokuzithandela futhi akukaze kuphazamise ukuzimela kwamalungu. UMkhandlu Wezimbiwa futhi usebenza njengommeli oyinhloko wezimayini eNingizimu Afrika kuhulumeni, uxhumana nezinqubomgomo ezinkulu ezivunyelwe amalungu awo

Ikhophi leManuwali lizotholakala ku-Information Regulator, uma liceliwe, kanye nanoma iyiphi inhlangano elawulayo iNkampani eyilungu layo, uma kudingeka, futhi izoshicilelwa kuwebhusayithi yeNkampani.

Ibhukwana lizobuyekezwa njalo ngokuya ngezidingo zesigaba 51 (2) se-PAIA.

2. Imininingwane Yokuxhumana

Isikhulu Esiphezulu seNkampani nguRoger Baxter noJeannette Hofsjer, uyinhloko yeNkampani ngenhloso yePAIA, futhi uyisikhulu sezokwazisa seNkampani ngezinhloso zePOPIA.

Imininingwane yabo ingokulandelayo:

Isikhulu Esibhekele Ulwazi (IO):

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3. Umhlahlandlela wokuthi ungayisebenzisa kanjani i-PAIA

- 3.1 I-PAIA inika umfakisicelo imvume yokuthola amarekhodi ezinhlangotho ezizimele, uma irekhodi liyadingeka ukuze kusetshenziswe noma kuvikelwe noma yimaphi amalungelo. Uma umgwamanda womphakathi ufaka isicelo seminingwane evela eNkampanini, inhlangotho yomphakathi kufanele ibe yenzela umphakathi. Izicelo ngokuya nge-PAIA zizokwenziwa ngokulandela inqubo ebekiwe, ngamanani ahlinzekiwe.
- 3.2 Umlawuli, ngokwesigaba 10 (1) se-PAIA, uvuselele futhi wenza ukuba kutholakale umhlahlandlela obukeziwe wokuthi isetshenziswa kanjani i-PAIA (Umhlahlandlela), ngendlela elula neqondakalayo, njengoba kungadingeka ngumuntu ufisa ukusebenzisa noma yiliphi ilungelo elihlongozwe kwi-PAIA ne-POPIA.
- 3.3 Umhlahlandlela ungatholakala, uma ucelwa, ngolimi ngalunye olusemthethweni nange-braille.
- 3.4 Umhlahlandlela uqukethe incazelo -
- 3.4.1 izinhloso ze-PAIA ne-POPIA;
- 3.4.2 ikheli leposi nelomgwaqo, ifoni, ikheli le-imeyili lika-
- 3.4.2.1 isikhulu solwazi sayo yonke inhlangotho yomphakathi, kanye
- 3.4.3 indlela nesimo sesicelo-
- 3.4.3.1 ukufinyelela kwirekhodi lebandla lomphakathi elihlongozwe esigabeni se-11 se-PAIA; futhi
- 3.4.3.2 ukufinyelela kwirekhodi lebandla elizimele elivezwe esigatsheni sama-50 se-PAIA;
- 3.4.4 usizo olutholakala kumphathi wolwazi webandla lomphakathi ngokwe-PAIA ne-POPIA;
- 3.4.5 usizo olutholakala kuMlawuli ngokwe-PAIA ne-POPIA;
- 3.4.6 onke amakhambi asemthethweni atholakala maqondana nesenzo noma ukwehluleka ukwenza okuthile maqondana nelungelo noma umsebenzi onikezwe noma obekwe yi-PAIA ne-POPIA, kubandakanya indlela yokufaka-

- 3.4.6.1 isikhalazo sangaphakathi;
- 3.4.6.2 isikhalazo kuMlawuli; futhi
- 3.4.6.3 isicelo nenkantolo esiphikisana nesinqumo sesiphathimandla solwazi segatsha lomphakathi, isinqumo ngesikhalazo sangaphakathi noma isinqumo soMlawuli noma isinqumo senhloko yenkampani ezimele;
- 3.4.7 izinhlinzeko zesigaba 14 no-51 se-PAIA ezidinga uhlaka lukahulumeni nezindikimba ezizimele, ngokulandelana, ukuba zenze ibhukwana, nokuthi lutholakala kanjani lelo bhukwana;
- 3.4.8 izinhlinzeko zesigaba 15 no-52 se-PAIA ezihlinzekela ukudalulwa ngokuzithandela kwezigaba zamarekhodi ngumgwamanda womphakathi kanye negatsha elizimele, ngokulandelana;
- 3.4.9 izaziso ezikhishwe ngokwesigaba 22 no-54 se-PAIA mayelana nezimali okufanele zikhokhwe maqondana nezicelo zokufinyelela; futhi
- 3.4.10 imithethonqubo eyenziwe ngokwesigaba 92 se-PAIA.
- 3.5 Amalungu omphakathi angahlola noma enze amakhophi woMhlahlandlela emahhovisi ezinhlangotho zomphakathi nezizimele, kubandakanya nehhovisi loMlawuli, ngezikhathi ezijwayelekile zokusebenza.
- 3.6 Umhlahlandlela ungatholwa-
- 3.6.1 uma ucela isikhulu Esibhekele Ulwazi seNkampani.
- 3.7 Ikhophi yalo mhlahlandlela iyatholakala nangesiNgisi kanti njengamanje isendleleni yokuhumushelwa esiZulwini. Izilimi ezimbili ezilandelayo ezisemthethweni, ukuze zihlolwe ngumphakathi ekhasini lethu lewebhu.
- 3.8 Imininingwane yokuxhumana yoMlawuli Wolwazi (njengamanje) yile elandelayo:

Umlawuli Wezokwaziswa (South Africa)

I-JD House, 27 Stiemens Street, eBraamfontein, eGoli, ngo-2001
 Ikheli Leposi: PO Box 31533, Braamfontein, Johannesburg, 2017
 Inombolo yocingo: +27 (0) 10 023-5200 / +27 (0) 82 746-4173
 Iwebhusayithi: <https://www.justice.gov.za/inforeg/index.html>
 I-imeyili: inforeg@justice.gov.za / izikhalazo.IR@justice.gov.za

4. Amarekhodi atholakala ngokulandela noma yimuphi omunye umthetho

- 4.1 Inkampani inemininingwane yokubhaliswa kwayo, kanye nezitatimende zayo zezezimali, imininingwane ephathelene nabaqondisi bayo kanye nabaninimasheya neminye imininingwane yenkampani edinga ukugcinwa ngokoMthetho Wezinkampani, 2008.

4.2 Iphethe imininingwane ephathelene nezindaba zayo zentela ngokoMthetho Wentela yeNgeniso, 1962 (i-ITA), uMthetho Wokuphathwa Kwentela, 2011, i-Value Added Tax Act, 1991 kanye noMthetho Wokunikela Ngemishuwalense Wabangasebenzi, 2002 kanye Nokuthuthukiswa Kwamakhono Umthetho wama-Levies, 1999.

4.3 Inkampani iphethe imininingwane ephathelene nabasebenzi bayo njengoba kudingeka ngokuya ngemisebenzi efanele kanye neminye imithetho efanele.

5. **Ukutholakala kwamarekhodi**

5.1 Ngenhloso yokwenza lula isicelo ngokwe-PAIA, imininingwane engezansi ifaka incazelo yezihloko iNkampani ephethe amarekhodi kuzo kanye nezigaba lezi eziwela kuzo. Lolu lwazi aluphelele futhi lungashintshwa ngezikhathi ezithile.

5.2 Ngokuya ngemibandela ye-PAIA, ulwazi lungahlolwa, luqoqwe, luthengwe noma lukopishwe emahhovisi eNkampani futhi, ngaphandle uma amarekhodi etholakala kuwebhusayithi yeNkampani, kufanele kubekwe isikhathi sokubuka amarekhodi nesiphathimandla solwazi noma iphini lesikhulu sezokwazisa. Uhlelo lwezimali zokukhiqiza kabusha maqondana nesigaba solwazi 52 solwazi lubekwe esigabeni 6.2.1 ngezansi.

5.3 Izigaba zerekhodi leNkampani ezitholakala kumuntu ngaphandle kokucela ukufinyeleleka ngokwe-PAIA:

| Isigaba | Incazelo | Ifomethi | Kugcinwa ngu | Kugcinwe ku- | Isikhathi sokugcinwa |
|--|---|-----------------------|--------------|------------------------|----------------------|
| Imininingwane kusizinda somphakathi | Imibhalo yokufaka | Ikhophi elekthronikhi | IO | Mineralscouncil.org.za | Akupheli |
| | Imibiko yonyaka | Ikhophi elekthronikhi | IO | Mineralscouncil.org.za | Iminyaka engu-7 |
| | Izitatimende zezimali ezicwangingiwe | Ikhophi elekthronikhi | IO | Mineralscouncil.org.za | Iminyaka engu-7 |
| | Izitatimende zomphakathi nezokuxhumana | Ikhophi elekthronikhi | IO | Mineralscouncil.org.za | Akupheli |
| | Imininingwane ejwayelekile ephathelene neNkampani kanye nemininingwane ephathelene nezinsizakalo ezinikezwayo | Ikhophi elekthronikhi | IO | Mineralscouncil.org.za | Akupheli |

5.4 Amarekhodi abhalwe ngezansi, adinga ukucelwa ngokwe-PAIA kanye / noma i-POPIA, ngeke anikezwe umceli kuzo zonke izimo. Ngamanye amagama, amarekhodi agcinwe ngaphansi kwezihloko ezahlukahlukene awatholakali ngokuzenzekelayo futhi ukufinyelela kuwo kungaphansi kohlobo lwemininingwane equkethwe yirekhodi, kanye nezizathu zokwenqaba njengoba kubekiwe ku-PAIA ezingasebenza ku isicelo samarekhodi anjalo. (Bheka nesigaba 6.1.6 Inqubo okungacelwa ngayo lawo marekhodi eNkampanini ibekiwe endimeni 6.1 ngezansi.

5.5 Izihlobo zamarekhodi ezingacelwa ngokwe-PAIA kanye / noma i-POPIA:

| Izihloko umzimba ophethe kuzo amarekhodi | Isigaba / incazelo yerekhodi | Ifomethi | Kugcinwa ngu | Isikhathi sokugcinwa |
|--|--|-----------------------|--------------|---|
| Ezezimali kanye nokuphathwa | Amarekhodi okubhaliswa kweNkampani; Amarekhodi e-akhawunti yasebhange; Izincwadi namarekhodi e-akhawunti nezitatimende zezezimali; Isabelomali sonyaka; Amarekhodi e-VAT, SITE ne-PAYE; Amarejista amafa; Imininingwane yabacwaningi mabhuku; Imibiko yomcwaningi mabhuku wangaphandle; Imininingwane ephathelene namakhasimende njengoba kudingeka ngokoMthetho Wezikhungo Zobunhloli Kwezezimali; Amaminithi emihlangano yeNkampani (izingxenye ezingeyona imfihlo); Amaminithi emihlangano yamakomidi / amakomidi amancane; Amaminithi emihlangano | Ikhophi elekthronikhi | IO | njengoba kudingekile ngokomthetho osebenzayo / njengoba kudingekile ngokwezivumelwa no ezisebenzayo |

| Izihloko umzimba ophethe kuzo amarekhodi | Isigaba / incazelo yerekhodi | Ifomethi | Kugcinwa ngu | Isikhathi sokugcinwa |
|--|---|-----------------------|--------------|--|
| | yabasebenzi kanye / noma imihlangano yabaphathi. | | | |
| Ukuphathwa | <p>Amaminithi emihlangano yeKomidi eliPhethe kanye namakomidi amancane;</p> <p>Ukuxhumana kwangaphakathi;</p> <p>Izinqumo kanye nemiyalo; imibiko yophenyo lwangaphakathi;</p> <p>Izinqubomgomo, izinqubo, namakhodi;</p> <p>Ukuphathwa kokuhamba namalungiselelo.</p> | Ikhophi elekthronikhi | IO | Njengoba kudingeka ngokuya komthetho osebenzayo / njengoba kudingeka ngokwesivumelwa no esisebenzayo |
| Umnyango Wabasebenzi | <p>Imininingwane yenhlangano (isakhiwo senhlangano, njll.);</p> <p>Amafayela Abasebenzi;</p> <p>Izinkontileka, izimo zokusebenza kanye nezinye izivumelwano;</p> <p>Amarekhodi ezisebenzi ezisemthethweni;</p> <p>Amarekhodi amasheke angemuva (kufaka phakathi iziqu, isikweletu nokuhlolwa kwamarekhodi obugebengu);</p> <p>Imibhalo yabokufika;</p> <p>Amarekhodi esikhwama somhlalaphansi;</p> <p>Amarekhodi e-Medical aid;</p> <p>Ukuqagela kwesabelomali maqondana nabasebenzi;</p> <p>Amarekhodi ekhefu labasebenzi;</p> | Ikhophi elekthronikhi | IO | Njengoba kudingeka ngokwemithetho esebenzayo / izivumelwano zokuqashwa |

| Izihloko umzimba ophethe kuzo amarekhodi | Isigaba / incazelo yerekhodi | Ifomethi | Kugcinwa ngu | Isikhathi sokugcinwa |
|--|---|-----------------------|--------------|---|
| | <p>Izinkokhelo zabasebenzi kanye nezinzuzo (zomthetho nezenkontileka);</p> <p>Ukuxhumana nabasebenzi noma mayelana nabasebenzi;</p> <p>Amarekhodi okuphathwa kokusebenza;</p> <p>Amarekhodi okulalelwa nokuqondiswa kwezigwegwe;</p> <p>Amarekhodi wamacala wokungakwazi ukusebenza, kufaka phakathi imininingwane yezokwelapha;</p> <p>Amarekhodi okulimala nezifo emsebenzini;</p> <p>Izimemezelo zabasebenzi ngokwe-EEA.</p> | | | |
| Ubudlelwano nabantu besithathu | <p>Izivumelwano nababambiqhaza;</p> <p>Izivumelwano zezinga lomsebenzi kanye nabaphakeli;</p> <p>Imininingwane yokuxhumana nabaphakeli;</p> <p>Izivumelwano zezinga lomsebenzi;</p> <p>Imininingwane yamakhasimende / amaklayenti kufaka imininingwane yokuxhumana, imininingwane ephathelene nokuthengiselana, izinhlelo zokwethembeka, njll .;</p> <p>Amalaysense nemibandela ejwayelekile yokwenza ibhizinisi.</p> | Ikhophi elekthronikhi | IO | njengoba kudingekile ngokomthetho osebenzayo / njengoba kudingekile ngokwezivumelwa no ezisebenzayo |

| Izihloko umzimba ophethe kuzo amarekhodi | Isigaba / incazelo yerekhodi | Ifomethi | Kugcinwa ngu | Isikhathi sokugcinwa |
|--|---|-----------------------|--------------|---|
| Ukwaziswa kwesimanje | Isoftware yekhomyutha; I-SaaS Izivumelwano zokusekela nokunakekela; Izivumelwano zokulayisensa; Amarekhodi aphantselane nezinhlelo zamakhomyutha nezinhlelo. | Ikhophi elekthronikhi | IO | njengoba kudingekile ngokomthetho osebenzayo / njengoba kudingekile ngokwezivumelwa no ezisebenzayo |
| Impahla | Amarejista amafa; Izivumelwano zokuqashisa maqondana nempahla engashintshi; Amarekhodi aphantselane nomshuwalense maqondana nempahla egudlukayo noma engenakugudluka. | Ikhophi elekthronikhi | IO | njengoba kudingekile ngokomthetho osebenzayo / njengoba kudingekile ngokwezivumelwa no ezisebenzayo |
| Kwezomthetho | Ukuqulwa kwamacala; Ukudluliswa kwamacala; Izinkontileka nememoranda yokuqonda; Izimvume zokulawula, amalayisense, kanye / noma ukukhululwa. | Ikhophi elekthronikhi | IO | njengoba kudingekile ngokomthetho osebenzayo / njengoba kudingekile ngokwezivumelwa no ezisebenzayo |

5.6 Ngezinhloso ze-POPIA:

- 5.6.1 Ngenhloso yokwenza lula isicelo solwazi lomuntu siqu, imininingwane engezansi ifaka imininingwane yenhloso yokucubungula imininingwane yomuntu yiNkampani, incazelo yezigaba zezihloko zedatha kanye nemininingwane noma imikhakha yolwazi ephantselane nezihloko zedatha eziphethwe yiNkampani, abamukeli noma imikhakha yabamukeli abanganikezwa imininingwane yabo, ukugeleza okuhleliwe kwemininingwane yomuntu, kanye nencazelo ejwayelekile evumela ukuhlolwa kokuqala kokufaneleka kwezinyathelo zokuphepha kolwazi ezizosetshenziswa yiNkampani ukuqinisekisa ukuthi imfihlo, ubuqotho kanye nokutholakala kolwazi oluzocutshungulwa.

5.6.2 Ngokwe-POPIA, ofake isicelo imininingwane ethile ephathelene naye angacela iNkampani ukuthi iqinisekise, mahhala, noma ngabe inemininingwane yomuntu mayelana nalowo ofake isicelo.

5.6.3 Umfakisicelo angenza isicelo sokuthi iNkampani inikeze irekhodi noma incazelo yemininingwane yomuntu mayelana nomfakisicelo ephethwe yilo, kufaka phakathi imininingwane mayelana nobunikazi bezinkampani zangaphandle, noma izigaba zabantu besithathu, abake, noma ababenakho, ukufinyelela olwazini. Lesi sicelo kumele senziwe ngesikhathi esifanele, ngendlela enesimo, nefomethi, ngemali ekhokhwayo, nangendlela ezwakala kahle.

5.6.4 Izigaba zezihloko zedatha nezigaba zemininingwane yomuntu ephathelene nalokho:

| Izihloko zedatha | Izigaba zolwazi |
|-----------------------------|--|
| Abasebenzi | Imininingwane yezabasebenzi (bheka ngenhla) |
| Abafaka izicelo zokuqashwa | Imininingwane Yokuxhumana Amarekhodi okuqashwa |
| Ofakazi | Imininingwane Yokuxhumana Imibono noma imibono enikeziwe mayelana nabafakizicelo bomsebenzi |
| Abasebenzi bangaphambilini | Imininingwane Yokuxhumana Imininingwane yabasebenzi, njengoba kudingeka ukuthi igcinwe ngemuva kokuphela kokuqashwa (bheka ngenhla) |
| Amaklayenti | Imininingwane yokubhaliswa kwenkampani Imininingwane Yokuxhumana Imininingwane yokuthatha ngokuya nge-Financial Intelligence Center Act, 2001 Imininingwane yezinsizakalo ezinikeziwe nezimali ezikhokhisiwe Imininingwane yabantu |
| Osonkontileka / abahlinzeki | Imininingwane yokubhaliswa kwenkampani Imininingwane yokuxhumana nemininingwane yasebhange Imininingwane yezinsizakalo ezinikeziwe nezimali ezikhokhelwe Imininingwane yabantu |

5.6.5 Izinhloso zokucubungula:

| Isigaba sesihloko sedatha | Incazelo ebanzi yezinhloso zokucubungula |
|--|---|
| Ukufakwa kwezicelo zokuqashwa; | Ukwenza izenzo zokucutshungulwa kwesicelo sokuqashwa; Ukwenza izenzo ezidingekayo ekuphetheni inkontileka yomsebenzi; Ukuqinisekisa ukuhambisana nesibopho esibekwe ngumthetho eNkampanini; Ukuphishekela izintshisekelo ezisemthethweni zeNkampani. |
| Abasebenzi | Ukwenza izenzo ezidingekayo ekusebenzeni kwesivumelwano sokuqashwa; Ukuqinisekisa ukuhambisana nesibopho esibekwe ngumthetho eNkampanini; Ukulandela izintshisekelo ezisemthethweni zeNkampani noma umuntu wesithathu onikezwa imininingwane. |
| Abasebenzi bangaphambilini | Ukuqinisekisa ukuhambisana nesibopho esibekwe ngumthetho eNkampanini; Ukulandela izintshisekelo ezisemthethweni zeNkampani noma umuntu wesithathu onikezwa imininingwane. |
| Onompempe | Ukwenza izenzo zokucutshungulwa kwesicelo sokuqashwa. |
| Amaklayenti | Ukwenza izenzo ezidingekayo ekusebenzeni kwenkontileka yezinsizakalo; Ukuqinisekisa ukuhambisana nesibopho esibekwe ngumthetho eNkampanini; Ukulandela izintshisekelo ezisemthethweni zeNkampani noma umuntu wesithathu onikezwa imininingwane. |
| Osonkontileka / abahlinzeka ngemisebenzi | Ukwenza izenzo ezidingekayo ekusebenzeni kwenkontileka yezinsizakalo; Ukuqinisekisa ukuhambisana nesibopho esibekwe ngumthetho eNkampanini; Ukulandela izintshisekelo ezisemthethweni zeNkampani noma umuntu wesithathu onikezwa imininingwane. |

5.6.6

Cishe abamukeli:

| Izihloko zedatha | Cishe abamukeli |
|-------------------------|------------------------|
|-------------------------|------------------------|

| | |
|---|---|
| Izicelo zokuqashwa; Abasebenzi; Abasebenzi bangaphambilini. | Umnyango wezabasebenzi UMnyango Wezezimali Ukuphathwa kolayini Amaphoyisa aseNingizimu Afrika (ngenhloso yokuhlolwa kokuqashwa kwamarekhodi) |
| Ofakazi | Umnyango wezabasebenzi Ukuphathwa kolayini |
| Amalungu | Abasebenzi abasebenza ngokwegunya lamalungu |
| Osonkontileka / abahlinzeka ngemisebenzi | UMnyango Wezezimali Umnyango wokuphathwa kwezinsiza Izinsizakalo ze-IT Noma yibaphi abanye osonkontileka |

5.6.7 Ukuhamba kwe-transborder ehleliwe yolwazi lomuntu siqu:

| Yebo (Yes) | Qha (No) X |
|---|------------|
| Uma ukhethe u "Yebo": iziphi izigaba zolwazi lomuntu siqu ezizodluliselwa, kubani nakweziphi iziphathimandla: | |

6. **Inqubo yokufaka isicelo**

6.1 Ifomu lesicelo

6.1.1 Isicelo sokufinyelela kumarekhodi agcinwe yiNkampani ngokwesigaba 53 se-PAIA kufanele senziwe kwifomu elihambisana kakhulu neFomu 2 leSithasiselo A kwimithethonqubo ehlobene nokuThuthukiswa kokuFinyelela kuLwazi, 2021. Ikhophi ifomu linamathiselwe njengoHlelo A lweManuwali. Isicelo kumele senziwe kwisikhulu sezokwazisa seNkampani ekhelini, noma ekhelini le-imeyili elichazwe endimeni2 ngenhla.

- 6.1.2 Umfakisiselo kumele anikeze imininingwane eyanele efomini elinqunyiwe ukuze umphathi wezokwazisa weNkampani akwazi ukubona irekhodi nokuthi ungubani lowo ofaka isicelo. Umfakisiselo kumele afake imininingwane yesikhundla umenzi wesicelo enza ngaso isicelo futhi akhombise ukuthi ngabe isicelo senziwa egameni lakhe noma egameni lomunye umuntu. Ubufakazi bokuthi umfakisiselo ungubani kumele bunamathiselwe esicelweni uma kusegameni labo. Uma isicelo senzela omunye umuntu noma ibhizinisi, umfakisiselo kufanele afake ubufakazi bokugunyazwa ukwenza isicelo.
- 6.1.3 Umfakisiselo kudingeka futhi ukuthi akhombise ukuthi ulufuna luphi uhlobo lwamarekhodi nokuthi yiluphi uhlobo lokufinyelela kumarekhodi afanele oludingekayo. Ngokwengeziwe, umfakisiselo kumele anikeze imininingwane yakhe yokuxhumana futhi akhombise ukuthi iyiphi indlela yokufinyelela eceliwe.
- 6.1.4 Umfakisiselo kufanele anikeze imininingwane yelungelo elizosetshenziswa noma lokuvikelwa futhi achaze ukuthi kungani irekhodi eliceliwe lidingeka ekusetshenzisweni nasekuvikelweni kwelungelo elishiwo ngenhla.
- 6.1.5 Ngokwezinhloso zeFomu 2, umfakisiselo kufanele ahambisane nazo zonke izidingo zenqubo eku-PAIA eziphathelele nesicelo sokufinyelela kumarekhodi afanele.
- 6.1.6 Inkampani kungenzeka, futhi ezimweni ezithile, yenqabe ukufinyelela kumarekhodi nganoma yiziphi izizathu ezibekwe eSahlukweni 4 seNgxenywe 3 ye-PAIA. Lezi zizathu zifaka phakathi: ukufinyelela lokho kungaholela ekudalweni okungenangqondo kwemininingwane yomuntu ngomuntu wesithathu, ukuthi kuyadingeka ukuvikela imininingwane yezentengiso yomuntu wesithathu noma yeNkampani uqobo, ukuthi kuyadingeka ukuvikela imininingwane eyimfihlo yomuntu wesithathu iqembu, ukuthi kuyadingeka ukuvikela ukuphepha kwabantu noma kwempahla, ukuthi irekhodi lakha imininingwane eyinhle yezinqubo zomthetho, noma ukuthi kuyadingeka ukuvikela imininingwane yocwaningo yomuntu wesithathu noma weNkampani uqobo.
- 6.1.7 Uma zonke izinyathelo ezizwakalayo zithathiwe ukuthola irekhodi umfakisiselo alicelile, futhi kunezizathu ezizwakalayo zokukholelwa ukuthi lelo rekhodi liphethwe yiNkampani kodwa alitholakali, noma alikho, khona-ke [isikhulu solwazi noma iphini isikhulu sezokwazisa], ngendlela efungelwe noma ngokuvuma, sizokwazisa umfakisiselo ukuthi ngeke akwazi ukuthola lelo rekhodi.
- 6.1.8 Isikhulu solwazi kumele, uma isicelo sokufinyelela kurekhodi sinikezwe noma senqatshwe, sazise umfakisiselo ngesinqumo sakhe nangezimali okumele zikhokhwe. Lokhu kufanele kwenziwe ngefomu elihambisana kakhulu neFomu 3 yeSithasiselo A neMithethonqubo. Isicelo sekhophi yoMhlahlandlela angeke senqatshwe. Uma ofake isicelo efisa ukwaziswa ngesinqumo seNkampani ngenye indlela futhi, lokhu kufanele kuchazwe esicelweni kanye nemininingwane efanele ifakiwe ukuze ivumele iNkampani ukuba yazise umfakisiselo ngendlela ayithandayo.
- 6.1.9 Inkampani izothatha isinqumo maqondana nesicelo samarekhodi zingakapheli izinsuku ezingama-30 zokutholwa kwawo, ngaphandle uma kusebenza isaziso somuntu wesithathu kanye

nokungenelela, njengoba kuhlangozwe eSahlukweni 5 se-PAIA. Lesi sikhathi singanwetshwa ezimeni ezifanele, ngokuya kwesigaba 57 se-PAIA.

6.2 Imali

6.2.1 Izimali zokutholakala kokukhiqizwa kabusha kolwazi ezitholakala ngokuzenzakalela kwiNkampani (isicelo sesigaba 52), zingokulandelayo:

| | | |
|-----|---|---|
| (a) | Ngekhophi ngayinye / ikhophi ephrintiwe emnyama namhlophe yekhasi elingu-A4 noma ingxenye yalo. | R2,00 |
| (b) | Ngekhophi ngalinye eliphrintiwe lekhasi elingu-A4 noma ingxenye yalo | R2,00 |
| (c) | Ngekhophi ngendlela efundeka ngekhompyutha ku: (i) i-flash drive (ezohlinzekwa ngumceli) (ii) i-compact disc - Uma kuhlinzekwe ngumceli - Uma kunikezwe ofake isicelo | R40,00 R40,00 R60,00 |
| (d) | Ngokuloba kwezithombe ezibukwayo, zekhasi elingu-A4 noma ingxenye yalo | Insizakalo ukuba ibe yimithombo yangaphandle, kuzoya ngesilinganiso esivela kumhlinzeki wesevisi. |
| (e) | Ngekhophi yezithombe ezibukwayo | Insizakalo ukuba ibe yimithombo yangaphandle, kuzoya ngesilinganiso esivela kumhlinzeki wesevisi. |
| (f) | Ngokuloba kwerekhodi lomsindo, lekhasi elingu-A4 | R24,00 |
| (g) | Ikhophi yerekhodi elilalelwayo, ekhasini ngalinye elilingana no-A4 (i) i-flash drive (ezohlinzekwa ngumceli) (ii) i-compact disc - Uma kuhlinzekwe ngumceli - Uma kunikezwa njengomceli | R40,00 R40,00 R60,00 |

6.2.2

Imali yokucela kanye nemali yokuthola imininingwane edinga ukucelwa ngokwe-PAIA kanye / noma nge-POPIA (isicelo sesigaba 53) imi kanje:

| | | |
|-----|---|---|
| (a) | Imali ekhokhwayo ekhokhwa yilowo nalowo ofaka isicelo | R140.00 |
| (b) | Ngekhophi ngayinye / ikhophi ephrintiwe emnyama namhlophe yekhasi elingu-A4 noma ingxenye yalo | R2,00 |
| (c) | Ngekhophi ngalinye eliphrintiwe lekhasi elingu-A4 noma ingxenye yalo | R2,00 |
| (d) | Ngekhophi ngendlela efundeka ngekhompyutha ku: (i) i-flash drive (ezohlinzekwa ngumceli) (ii) i-compact disc - Uma kuhlinzekwe ngumceli - Uma kunikezwe ofake isicelo | R40,00 R40,00 R60,00 |
| (e) | Ngokuloba kwezithombe ezibukwayo, zekhasi elingu-A4 noma ingxenye yalo | Insizakalo ukuba ibe yimithombo yangaphandle, kuzoya ngesilinganiso esivela kumhlinzeki wesevisi. |
| (f) | Ngekhophi yezithombe ezibukwayo | Insizakalo ukuba ibe yimithombo yangaphandle, kuzoya ngesilinganiso esivela kumhlinzeki wesevisi. |
| (g) | Ngokuloba kwerekhodi lomsindo, lekhasi elingu-A4 | R24,00 |
| (h) | Ngekhophi yerekhodi elilalelwayo (i) I-Flash drive (izonikezwa ngumceli) (ii) I-compact disc - Uma kuhlinzekwe ngumceli - Uma kunikezwe ofake isicelo | R40,00 R40,00 R60,00 |
| (i) | Ukucinga nokulungiselela ukurekhodwa kwerekhodi ngalinye noma ingxenye yehora, ngaphandle kwehora lokuqala, ngokufanele. Ukungadluli izindleko eziphelele ze: | R145,00 R435,00 |

| | | |
|-----|--|--|
| (j) | Idiphozithi: uma ukusesha kweqa amahora ayisithupha | Ingxenye eyodwa kwezintathu yemali ngesicelo ngasinye ebalwe ngokwezinto (b) kuye ku- (h). |
| (k) | Ukuposa, i-imeyili noma okunye ukudluliswa kwe-elektroniki | Izindleko zangempela, uma zikhona. |

6.2.3 Imali yesicelo kumele ikhokhwe ngaphambi kokuba isicelo sibhekwe.

6.2.4 Lapho isicelo sokufinyelela kwirekhodi noma amarekhodi agcinwe yiNkampani sinikezwa, umfakisicelo futhi kufanele akhokhe imali yokufinyelela ekwakhiweni kabusha kwirekhodi noma amarekhodi kanye nokusesha nokulungiswa kwamarekhodi ukuze adalulwe. Inani lemali yokuthola ukufinyelela lincike ohlotsheni okudingeka ngalo ukufinyelela kanye nesikhathi esifanele esidingekayo ukusesha nokulungisa irekhodi. Umfakisicelo uzokwaziswa ngenani lemali yokuthola ulwazi. Inkampani inelungelo lokugodla irekhodi kuze kukhokhwe imali edingekayo yokufinyelela.

6.2.5 Isikhulu sezokwazisa singazisa umfakisicelo ukuthi akhokhe, njengediphozithi, ingxenye yemali yokufinyelela (engeqi ingxenye eyodwa kwezintathu yemali ekhokhwayo) uma isicelo sivunyiwe futhi uma ukufunwa kwirekhodi nokulungiswa kwirekhodi ukudalulwa ngokombono wesikhulu solwazi kungadinga amahora angaphezu kwayisithupha.

6.2.6 Uma isicelo samukelwa, idiphosi (uma ikhona), iyakhokhwa ngaphambi kokuba isicelo sicutshungulwe futhi irekhodi eliceliwe noma ingxenye yalo izokhishwa kuphela uma sekutholwe ubufakazi bokukhokha okuphelele.

6.3 Amakhambi okwenqaba ukucela imininingwane

6.3.1 *Ikhambi langaphakathi*

Inkampani ayinayo inqubo yangaphakathi yokudlulisa amacala. Ngakho-ke, isinqumo esenziwe isikhulu sezokwazisa noma iphini lesikhulu sezokwazisa asinakuphela, futhi abafaki sicelo kuzodingeka basebenzise amakhambi angaphandle anawo uma isicelo semininingwane senqatshwa, futhi umfakisicelo engagculisekanga ngempendulo enikezwe ulwazi isikhulu noma iphini lesikhulu sezokwazisa.

6.3.2 *Ikhambi langaphandle*

Lapho ofake isicelo engagculiseki ngesinqumo esenziwe isikhulu solwazi noma iphini lesikhulu sezokwazisa seNkampani, angaletha isikhalazo kuMlawuli Wezolwazi, noma afake isicelo enkantolo sokuthola usizo, kungakapheli izinsuku eziyi-180 etholile isinqumo kubangele isikhalazo. Isicelo senkantolo singenziwa eNkantolo yeMantshi noma eNkantolo eNkulu.

7. **Olunye ulwazi olungabekwa**

Imithethonqubo echitshiyelwe eshicilelwe ngokwe-PAIA, ngaphansi kweSaziso sikaHulumeni R757 kuGazethi kaHulumeni 45057 yangomhla zingama-27 kuNcwaba 2021, ibeke, phakathi kokunye, izimali ezingakhokhiswa yizinhlangano ezizimele ukukhiqizwa kwamarekhodi (ahlinzekwe kuthebula elingehla)

8. **Ukutholakala kweManuwali**

Le manuwali iyatholakala emahhovisi eNkampani kukheli elibekwe endimeni 2 ngenhla, nakuwebhusayithi yeNkampani ethi www.mineralscouncil.org.za.

9. **Ukuvuma**

Le manuwali isuselwe esibonelweni sokuqala esinikezwe yiSAHRC futhi ichitshiyelwe ngokufanele ngokuya ngesifanekiso esinikezwe uMlawuli Wezolwazi.

ISHEDULI A

IFOMU 2

ISICELO SOKUTHOLA IREKHODI

(Isigaba 53 (1) soMthetho Wokukhuthaza Ukutholakala Kolwazi, 2000)

[Umthethonqubo 7]

Qaphela:

1. *Ubufakazi bokuthi ungubani kufanele bufakwe ngumfakisicelo.*
2. *Uma izicelo ezenziwe egameni lomunye umuntu, ubufakazi bokugunyazwa okunjalo, kufanele zinanyathiselwe kuleli fomu.*

KUYA: Isikhulu solwazi

(Ikheli)

Ikheli le-imeyili: _____

Maka ngo "X"

Isicelo senziwa ngegama lami

Isicelo senziwa egameni lomunye umuntu

| ULWAZI LOMUNTU SIQU | | | |
|--|--------------|--|--------------|
| Amagama aphelele: | | | |
| Inombolo kamazisi: | | | |
| Amandla okufakwa ngawo isicelo (uma wenziwa egameni lomunye umuntu): | | | |
| Ikheli leposi: | | | |
| Ikheli lesitaladi: | | | |
| Ikheli le-imeyili: | | | |
| Izinombolo zokuxhumana: | Ucingo. (B): | | I-Facsimile: |
| | Iselula: | | |
| Amagama aphelele omuntu owenzelwa isicelo (uma kudingeka): | | | |
| Inombolo kamazisi: | | | |
| Ikheli leposi: | | | |
| Ikheli lesitaladi: | | | |
| Ikheli le-imeyili: | | | |
| Izinombolo zokuxhumana: | Ucingo. (B): | | I-Facsimile: |
| | Iselula: | | |

IMININGWANE YEREKHODI ESICELWE

| | |
|--|--|
| <p>Nikeza imininingwane ephelele yerekhodi okucelwa ukufinyelela kulo, kufaka phakathi inombolo yereferensi uma uyazi, ukuze lelo rekhodi litholakale. (Uma isikhala esinikeziwe singanele, sicela uqhubeke ekhasini elihlukile bese ulinamathisela kuleli fomu. Wonke amakhasi angeziwe kufanele asayinwe.)</p> | |
| Incazelo yerekhodi lengxenye efanele yerekhodi: | |
| Inombolo yereferensi, uma ikhona: | |
| Eminye imininingwane yerekhodi: | |
| <p>UHLOBO LWEREKHODI (Maka ibhokisi elifanele ngo "X".)</p> | |
| Irekhodi libhaliwe noma liphrintiwe. | |
| Irekhodi liqukethe izithombe ezibonakalayo (lokhu kufaka izithombe, amaslayidi, ukuqoshwa kwevidiyo, izithombe ezenziwe ngekhompyutha, imidwebo njll.) | |
| Irekhodi liqukethe amagama aqoshiwe noma ulwazi olungakhiqizwa ngomsindo. | |
| Irekhodi ligcinwe kwikhompyutha noma nge-elektroniki, noma ngendlela efundeka ngomshini. | |
| <p>IFOMU LOKUTHOLAKALA (Maka ibhokisi elifanele ngo "X")</p> | |
| Ikhophi ephrintiwe yerekhodi (kufaka phakathi amakhophi wanoma yiziphi izithombe ezibonakalayo, okubhaliwe kanye nolwazi olugcinwe kukhompyutha noma ngendlela efundeka ngogesi noma ngomshini). | |
| Ukubhalwa okubhaliwe noma okuphrintiwe kwezithombe ezibonakalayo (lokhu kufaka izithombe, amaslayidi, ukuqoshwa kwevidiyo, izithombe ezenziwe ngekhompyutha, imidwebo, njll.). | |
| Ukulotshwa kwengoma (idokhumenti ebhaliwe noma ephrintiwe). | |
| Ikhophi yerekhodi ku-flash drive (kufaka phakathi izithombe ezibonakalayo nezingoma zomculo). | |
| Ikhophi yerekhodi ku-compact disk drive (kufaka phakathi izithombe ezibonakalayo nezingoma zomsindo). | |
| Ikhophi yerekhodi elondolozwe kuseva yesitoreji samafu. | |

| INDLELA YOKUFINYELELA <i>(Maka ibhokisi elifanele ngo "X.")</i> | |
|--|--|
| Ukuzihlolela komuntu irekhodi ekhelini elibhalisiwe lomgwamanda womphakathi / wangasese (kufaka phakathi ukulalela amagama aqoshiwe, imininingwane engakhishwa kabusha ngomsindo, noma imininingwane egcinwe kukhompuyutha noma ngendlela efundeka ngogesi noma ngomshini). | |
| Imisebenzi yeposi ekhelini leposi. | |
| Izinsizakalo zeposi ekhelini lomgwaqo. | |
| Insizakalo ye-Courier ekhelini lomgwaqo. | |
| I-Facsimile yolwazi ngefomethi ebhaliwe noma ephrintiwe (kufaka phakathi okulotshiwe). | |
| I-imeyili yolwazi (kufaka phakathi izingoma uma kungenzeka). | |
| Ukudluliswa kwesabelo / ifayili. | |
| Ulimi oluncamelayo: <i>(Qaphela ukuthi uma irekhodi lingatholakali ngolimi olithandayo, ukufinyelela kungavunyelwa ngolimi lelo rekhodi elitholakala ngalo.</i> | |
| IMININGWANE YELUNGELO LOKUSEBENZISA NOMA UKUVIKELWA <i>(Uma isikhala esinikeziwe singenele, sicela uqhubeke ekhasini elihlukile bese ulinamathisela kuleli Fomu. Umfakisicelo kufanele asayine wonke amakhasi angeziwe.)</i> | |
| Khombisa ukuthi yiliphi ilungelo okufanele lisetshenziswe noma livikelwe: | |
| Chaza ukuthi kungani irekhodi eliceliwe lidingeka ekusetshenzisweni noma ekuvikelweni kwelungelo elishiwo ngenhla: | |
| IZIMALI | |
| <p>a) Imali yesicelo kumele ikhokhwe ngaphambi kokuba isicelo sibhekwe.</p> <p>b) Uzokwaziswa ngenani lemali yokuthola ulwazi okufanele ikhokhwe.</p> <p>c) Imali ekhokhelwa ukufinyelela kwirekhodi incike ohlotsheni lokutholakala kwalo okudingekayo kanye nesikhathi esifanele esidingekayo ukusesha nokulungisa irekhodi.</p> <p>d) Uma ufanelekela ukukhululwa ekukhokheni noma iyiphi imali, sicela usho isizathu sokukhululwa.</p> | |
| Isizathu: | |

| | |
|--|--|
| | |
|--|--|

Uzokwaziswa ngokubhalwe phansi ukuthi ngabe isicelo sakho samukelwe noma senqatshiwe nokuthi uma kuvunyelwa izindleko eziphathelele nesicelo sakho, uma zikhona. Sicela ukhombise indlela oyithandayo yokuxhumana.

| Ikheli leposi | Ubuso | Ukuxhumana nge-elektroniki (Sicela usho) |
|---------------|-------|--|
| | | |

Isayinwe ku _____ lolu _____ usuku lwango _____ 20 _____.

Isignesha yomceli / yomuntu isicelo esenzelwa yena

YOKUSETSHENZISWA NGOKOMTHETHO

| | |
|---|--|
| Inombolo eyireferensi: | |
| Isicelo samukelwe (yisho isikhundla, igama nesibongo seminingwane). | |
| Idethi okwamukelwe ngayo: | |
| Imali yokufinyelela: | |
| Idiphozithi (uma ikhona): | |

Isignesha yesikhulu solwazi