IsiPhathimandla Esizimele Sezokuxhumana SaseNingizimu Afrika
350 Witch-Hazel Avenue, Eco Point Office Park
Eco Park, Centurion
Private Bag X10, Highveld Park 0169

ISIPHATHIMANDLA ESIZIMELE SEZOKUXHUMANA SASENINGIZIMU AFRIKA

ISAZISO SEMANUWALI EKHISHWE NGOKWE-SAHLUKO SE-14 SOMTHETHO WOKUKHUTHAZWA KOKUFINYELELEKA KOLWAZI WONYAKA WE-2000

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IREKHODI LOKWAMUKELWA KWENQUBOMGOMO	
	Igunyazwe ngu:- (Isikhulu Esiphendulayo)
Igama nesikhundla ngokomsebenzi	Tshiamo Maluleke-Disemelo Isikhulu Esikhulu Esiphethe

1. INCAZELO

1.1. "Imali yokufinyeleleka" isho imali emisiwe ngezinhloso zesahluko sama-22(6) noma sama-54(6), soMthetho Wokukhuthazwa Kokufinyeleleka Kolwazi (i-PAIA), njengoba kungenzeka;

1.2. "IsiPhathimandla" Isiphathimandla Esizimele Sezokuxhumana SaseNingizimu Afrika;

1.3. ''Isihloko somniningo'' sisho umuntu ulwazi lobuqu olumayelana naye;

1.4. "uSekela-Mgcinilwazi " usho umuntu oqokiwe isiPhathimandla onomsebenzi wokusiza uMgcinilwazi ngesicelo se-PAIA;

1.5. "uMhlahlandlela" usho umhlahlandlela wokuthi isetshenziswa kanjani i-PAIA yinoma yimuphi umuntu ofisa ukusebenzisa nanoma yiliphi ilungelo elihlongozwe kwi-PAIA kanye noMthetho Wokuvikelwa Kolwazi Lobuqu wesi-4 wonyaka wwe-2013 (i-POPIA), njengoba kuhlongozwe esahlukweni se-10 se-PAIA;

1.6. "iKhomishana Yamalungelo EsiNtu" isho iKhomishana YaseNingizimu Afrika Yamalungelo EsiNtu okukhulunywe ngawo esahlukweni se-181(1)(b) soMthethosisekelo;

1.7. "uMgcinilwazi" usho iSikhulu Esiphethe noma umuntu wenza ngaleyo ndlela;

1.8. "uMlawuli Wolwazi" usho uMlawuli Wolwazi owasungulwa ngokwesahluko sama-39 se-POPIA

1.9. "Isikhalazo sangaphakathi" sisho isikhalo sangaphakathi esiqondiswe kuziphathimandla ezifanele ngokwesahluko sama-74 se-PAIA.

1.10. "uNgqongqoshe" usho ilungu leKhabhinethi elibhekele ukuphathwa kobulungiswa;

1.11. "Umuntu" usho umuntu philayo noma isazimthetho;

1.12. "uLwazi Lobuqu" lusho ulwazi lobuqu oluhlobene nomuntu ohlonzekayo ophilayo kodwa lubandakanya, kodwa alupheleli

(a) olwazini oluphathelene nohlanga, ubulili, umumo ngokocansi, ukukhulelwa, isimo somshado, ubuzwe, uhlanga noma imvelaphi enhlalweni, umbala, ukukhetha ubulili, ubudala ngokweminyaka, impilo yomzimba noma yengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, inkolelo, isiko, ulimi nokuzalwa komuntu;

(b) olwazini oluhlobene nemfundo noma umlando wezokwelapha, wezezimali, ubugebengu noma umlando wokusebenza komuntu;

(c) nanoma iyiphi inombolo ehlonzayo, uphawu, ikheli le-imeyili, ikheli lendawo, inombolo yocingo, imininingwane yendawo, isihlonzi noma omunye umuntu othile;

(d) ulwazi lwebhayomethrikhi lomuntu;

(e) imibono yomuntu, imibono noma okuthandwa ngumuntu;

(f) izincwadi ezithunyelwa ngumuntu eziyimfihlo noma ngokusobala noma ngookufihlekile lobo lwangasese noma oluyimfihlo noma okunye ukuxhumana okungaveza okuqukethwe ukuxhumana kokuqala;

(g) imibono yomunye umuntu ngomuntu; kanye

h) negama lomuntu uma livela nolunye ulwazi lobuqu oluphathelene nomuntu noma uma ukudalulwa kwegama ngokwalo kuzoveza ulwazi ngomuntu,

kodwa kushiya ngaphandle ulwazi lobuqu lomuntu oshonile osedlule isikhathi esingaphezu kweminyaka engama-20;

1.13. "UHlaka lwangasese" lusho-

(a) umuntu ophilayo owenza noma owenze nanoma okunye ukuhweba, ibhizinisi noma ubungcweti, kodwa ngokwalawo mandla;

(b) ubambiswano olwenza noma olwenze ukuhwebelana, ibhizinisi noma ubungcweti; noma

(c) nanoma yimuphi umuntu owayeyisazimthetho noma oyisazimthetho, noma

(d) iqembu lezombusazwe.

kodwa lushiya ngaphandle uhlaka lukahulumeni;

1.14. "Uhlaka lukahulumeni" lusho-

(a) nanoma yimuphi umnyango wombuso noma wokuphatha ezingeni likahulumeni kazwelonke noma wesifundazwe noma nanoma yimuphi umasipala ezingeni lohulumeni wasekhaya; noma

(b) nanoma yimuphi omunye umsebenzi noma isikhungo lapho-

(i) kusetshenziswa amandla noma kwenziwa umsebenzi ngokoMthethosisekelo noma ngokomthethosisekelo wesifundazwe; noma

(ii) kusetshenziswa amandla omphakathi noma kwenziwa umsebenzi womphakathi ngokwanoma yimuphi umthetho;

1.15. "iRekhodi", lohlaka noma elihlobene, nohlaka lukahulumeni noma lwangasese, lisho noma nanoma yiluphi ulwazi oluqoshiwe-

(a) kungakhathaliseki ukuthi lunjani noma linguluphi ulimi;

(b) olugcinwe noma olungaphansi kolawulo lwalolo hlaka lukahulumeni noma oluzimele, ngokulandelana; futhi

(c) noma ngabe lwakhiwa noma alakhiwanga yilolo hlaka lukahulumeni noma oluzimele, ngokulandelana;

1.16. "Isicelo sokufinyeleleka", maqondana-

(a) nohlaka lukahulumeni, sisho isicelo sokufinyeleleka kwirekhodi lohlaka lukahulumeni ngokwesahluko se-11; noma

(b) nohlaka oluzimele, sisho isicelo sokufinyeleleka kwirekhodi lohlaka oluzimele ngokwesahluko sama-50;

1.17. "uMfakisicelo", maqondana –

(a) uhlaka lukahulumeni" lusho-

(i) nanoma yimuphi umuntu (ngaphandle kohlaka lukahulumeni oluhlongozwe endimeni (a) noma (b)(i) yencazelo 'yohlaka lukahulumeni', noma isikhulu ngokunjalo) owenza isicelo sokufinyeleleka kwirekhodi lalolo hlaka lukahulumeni; noma

(ii) umuntu owenza egameni lumunye umuntu okukhulunywe ngaye endinyaneni (i);

(b) uhlaka lwangasese, lusho-

(i) nanoma yimuphi umuntu, kubandakanya kodwa kungagcini, ohlakeni lukahulumeni noma isikhulu ngokunjalo, ofaka isicelo sokufinyeleleka kwirekhodi lwalolo hlaka lwangasese; noma

(ii) umuntu obambe engameni lumunye umuntu okukhulunywe ngaye endinyaneni (i).

1.18. "Ingxenye ethintekayo'' isho uhlaka lukahulumeni noma oluzimele noma nanoma yimuphi omunye umuntu, oyedwa noma ehlangene nabanye, onquma inhloso kanye nezindlela zokucutshungulwa kolwazi lobuqu.

1.19. "Ingxenye yesithathu", maqondana nesicelo sokufinyeleleka-

(a) kwirekhodi lohlaka lukahulumeni, isho nanoma yimuphi umuntu (kubandakanya, kodwa kungapheleli, kuhulumeni wezwe langaphandle, kwinhlangano yamazwe ngamazwe noma uhlaka lwalowo hulumeni noma inhlangano) ngaphandle-

(i) komfaksicelo othintekayo; kanye

(ii) uhlaka lukahulumeni; noma

kwirekhodi lohlaka oluzimele, isho nanoma yimuphi umuntu kwirekhodi lohlaka lukahulumeni, isho nanoma yimuphi umuntu (kubandakanya, kodwa kungapheleli, kuhlaka lukahulumeni) ngaphandle komfakisicelo,

kodwa ngokwezinhloso zesahluko sama-34 nesama-63, kubhekiselwa 'kumuntu' endimeni (a) kanye no-(b) ufanele athathwe njengokubhekisela 'kumuntu ophilayo';

1.20. "UMthetho" usho uMthetho Wokukhuthaza Ukufinyeleleka Kolwazi wesi-2 wonyaka we-2000 njengoba uchitshiyelwe, kubandakanya nanoma yisiphi isimiso esenziwe futhi esisebenzayo ngokwesahluko sama-92.

2. ISENDLALO

IManuwali yokuKhuthaza Ukufinyeleleka Kolwazi ("iManuwali") eyakhiwe ngokwesahluko se-14(1) soMthetho Wokukhuthaza Ukufinyeleleka Kolwazi wesi-2 wonyaka we-2000 (i-PAIA) Isiphathimandla Esizimele Sezokuxhumana SaseNingizimu Afrika ("isiPhathimandla noma i-ICASA") siwuhlaka lukahulumeni njengoba luchazwe esahlukweni soku-1 se-PAIA, futhi le Manuwali iqukethe ulwazi olushiwo esikweni se-14(1) se-PAIA, esisebenza kuleyo nhlangano yomphakathi futhi ulwazi lumi kanje:

2.1. incazelo yesakhiwo nemisebenzi yesiPhathimandla;

2.2. ikheli leposi nelomgwaqo, inombolo yocingo kanye nefeksi kanye, uma likhona, ikheli le-imeyili lomgcinilwazi wesiPhathimandla kanye nesekla-mgcinilwazi ngamunye wesiPhathimandla esiqokwe ngokwesahluko se-17(1) soMthetho;

2.3. incazelo yomhlahlandlela okukhulunywe ngawo esahlukweni se-10 soMthetho;

2.4. isaziso sakamuva esishicilelwe nguNgqongqoshe Wezobulungiswa Nokuthuthukiswa Komthethosisekelo ngaphansi kwesahluko se-15(2) soMthetho;

2.5. incazelo yezihloko isiPhathimandla esigcine ngazo amarekhodi, kanye nezigaba zamarekhodi agcinwe esihlokweni ngasinye ngemininingwane eyanele ukuze kube lula ukufaka isicelo sokufinyelela kwirekhodi;

2.6. incazelo yezinsizakalo ezitholwa amalungu omphakathi ezivela kwisiPhathimandla kanye nendlela yokufinyeleleka kulezo zinsizakalo;

2.7. incazelo yanoma iyiphi ilungiselelo noma umbandela okhona yomuntu ngokubonisana, ukwenza izethulo noma ngenye indlela, ukubamba iqhaza noma ukuthonya ukwakhiwa kwenqubomgomo noma ukusetshenziswa kwamandla noma ukwenziwa kwemisebenzi yesiPhathimandla;

2.8. incazelo yazo zonke izixazululo ezikhona maqondana nesenzo noma ukwehluleka ukwenza kwesiPhathimandla; futhi

2.9. nanoma yiluphi olunye ulwazi njengoba kumiswe umthethonqubo.

2.10. Le Manuwali izobuyekezwa njalo ngokuhambisana nezidingo zesahluko se-14(2) se-PAIA.

3. UHLU LWAMA-AKHRONIMI NEZIFINYEZO

3.1. "u-CEO" Isikhulu Esiphethe;

3.2. "uMthethosisekelo" uMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika wonyaka we-1996;

3.3. "u-DIO" uSekela-Mgcinilwazi;

3.4. "i-ICASA" "isiPhathimandla Esizimele Sezokuxhumana SaseNingizimu Afrika;

3.5. "u-IO" uMgcinilwazi Omkhulu

3.6. "Amalungu" aMalungu oMlawuli Wolwazi;;

3.7. "uNgqongqoshe" uNgqongqoshe Wezobulungiswa Nezinsizakalo Zokuhlunyeleliswa Kwezimilo;

3.8. "i-PAIA" uMthetho Wokukhuthaza Ukufinyeleleka Kolwazi wesi-2 wonyaka we-2000, njengoba uchitshiyelwe;

3.9. "i-PFMA" uMthetho Wokuphathwa Kwezimali Zomphakathi woku-1 wonyaka we-1999; njengoba uchitshiyelwe;

3.10. "i-POPIA" uMthetho Wokuvikelwa Kolwazi Lobuqu wesi-4 wonyaka we-2013;

3.11. "uMlawuli Wolwazi" usho uMlawuli Wolwazi owasungulwa ngokwesahluko sama-39 se-POPIA; futhi

3.12. "i-SAHRC" iKhomishana YaseNingizimu Afrika Yamalungelo EsiNtu

4. INHLOSO YEMANUWALI

4.1. Le Manuwali kuhlosewe ngayo, njengoba kuhlongozwe kwi-PAIA, ukwenza kusebenze ilungelo lomthethosisekelo lokufinyeleleka kunanoma yiluphi ulwazi olugcinwe uMbuso kanye nanoma yiluphi ulwazi olugcinwe ngomunye umuntu oludingekayo ukuze kusetshenziswe noma kuvikelwe nanoma yimaphi amalungelo.

4.2. Le Manuwali isiza futhi isiPhathimandla ukugxilisa isiko lobusobala kanye nokuziphendulela ngokwenza kusebenze ilungelo lokufinyeleleka kolwazi kanye nokukhuthaza ngokubonakalayo umphakathi lapho abantu baseNingizimu Afrika bekwazi ukufinyeleleka ngempumelelo olwazini ukuze bakwazi ukuze basebenzisa ngokuphelele futhi bavikele wonke amalungelo abo.

4.3. Le manuwali ingasetshenziswa ngamalungu omphakathi-

4.3.1. ukuthola uhlobo lwamarekhodi okungenzeka ukuthi angatholakala kusiPhathimandla , ngaphandle kwesidingo sokufaka isicelo esisemthethweni se-PAIA;

4.3.2. ukuba nokuqonda ukuthi usenza kanjani isicelo sokufinyeleleka kwirekhodi lesPhathimandla;

4.3.3. ukufinyeleleka kuyo yonke imininingwane yokuxhumana efanele yabantu abazosiza umphakathi ngamarekhodi ohlose ukufinyeleleka kuwo;

4.3.4. ukwazi zonke izixazululo ezitholakala kusiPhathimandla mayelana nesicelo sokufinyeleleka kumarekhodi, ngaphambi kokuya eZinkantolo;

4.3.5. ukuchaza izinsizakalo ezitholakalayo kumalungu omphakathi ezivela kusiPhathimandla nokuthi ungafinyeleleka kanjani kulezo zinsizakalo;

4.3.6. ukuchaza incazelo yomhlahlandlela ngokuthi isetshenziswa kanjani i-PAIA, njengoba ibuyekezwa yisiPhathimandla nokuthi ungakuthola kanjani ukufinyelela kuyo;

4.3.7. ukuqonda ukuthi ingabe isiPhathimandla sizocubungula ulwazi lobuqu, inhloso yokucubungula ulwazi lobuqu kanye nencazelo yezigaba zezihloko zomniningo kanye nazolwazi noma izigaba zolwazi oluhlobene nazo;

4.3.8. ukwazi ukuthi isiPhathimandla sihlele ukudlulisela noma ukucubungula ulwazi lobuqu ngaphandle kwaseRiphabhulikhi yaseNingizimu Afrika kanye nabamukeli noma izigaba zabamukeli ulwazi lobuqu olunganikezwa zona

4.3.9. ukwazi ukuthi isiPhathimandla sinazo yini izinyathelo zokuphepha ezifanele zokuqinisekisa ubumfihlo, ubuqotho nokutholakala kolwazi okufanele lucutshungulwe.

5. UKUSUNGULWA KWE-ICASA

5.1. IsiPhathimandla sisungulwa ngokwesahluko sesi-3 soMthetho Wesiphathimandla Esizimele Sezokuxhumana SaseNingizimu Afrika-we-13 wonyaka we-2000 (uMthetho we-ICASA), oyalela isiPhathimandla ukuthi sizimele futhi singachemi, futhi senze imisebenzi yaso futhi sisebenzise amandla aso ngaphandle kokwesaba, ukuchema noma ukubandlulula. Siziphendulela kusiGungu Sikazwelonke

5.2. IsiPhathimandla sinesibopho salokhu okulandelayo-

(a) ukulawula ukusakazwa ukuze kuzuze umphakathi kanye nokuqinisekisa ukungenzeleli kanye nokuhlukahlukana kwemibono emele umphakathi waseNingizimu Afrika ngobubanzi, njengoba kudingwa isahluko se-192 soMthethosisekelo;
(b) ukulawula ezokuxhumana ukuze kuzuzise umphakathi;
(c) ukulawula imidanti yeposi ukuze kuzuze umphakathi ngokoMthetho Wezinsizakalo Zeposi; futhi
(c) nokufeza izinhloso ezihlongozwe kwimithetho engaphansi.

5.3. IsiPhathimandla siyisikhungo esizimele esingaphansi koMthethosisekelo kuphela kanye nomthetho, futhi izinqumo zaso zingabuyekezwa kuphela yiNkantolo yomthetho.

5.4. Inhlosombono, Insthisekelo Namagugu e-ICASA

5.4.1. Inhlosombono - umphakathi wedijithali obandakanya wonke umuntu.

5.4.2. Intshisekelo - ukulawula ezokuxhumana nge-elekthronikhi, ezokusakaza kanye nezinsizakalo zeposi ukuze kuzuze umphakathi.

5.4.3. Amagugu - yonke okwenziwayo kokulawula kwesiPhathimandla kugxile ezintweni ezinhlanu ezibalulekile:

(a) Ukwakha okusha - ukuzimisela kanye nekhono lokukhiqiza izindlela ezintsha nezisombululo ezisebenzayo; kanye nokuthola izindlela ezintsha nezingcono zokusebenzisa izixazululo ezingcono kakhulu ukuhlangabezana nezidingo zalabo okusetshenziswana nabo;
(b) Ukubambisana - ukuqeda "ukusebenza ngabanye" ngokwakha isimo sengqondo ngokubunakalayo esiqondanisa umsebenzi wethu nenhlosombono namasu ethu enhlangano; nokwakha ukuxhumana ngaphakathi ukuze kusheshiswe ukusebenza kwenhlangano yethu;
(c) Ukuziphendulela - ukwenza umsebenzi wansuku zonke ngendlela esheshayo; kanye nokuzibophezela ngokuphelele ngomsebenzi esiwenza ngokubambisana nabanye;
(d) Ukuqhutshwa Yimiphumela - ukufeza imiphumela yekhwalithi ephezulu ehambisana namazinga ethu enhlangano; kanye nokuqeqesha nokuhlola ukusebenza kwethu ngokumelene nezinhloso, kanye nokuhlonza izindawo zokuthuthuka (ukuqinisekisa ukuthi umsebenzi "awungeni emigodini"); futhi
(e) Ukugxila Kubabambiqhaza - ukwenza imisebenzi yethu sicabangela ababambiqhaza. Ababambiqhaza babalulekile kulokho esikwenzayo, futhi siyazemukela izimpendulo zabo ukuze kube nobudlelwane obungaguquki nobusebenzayo.

6. UKWAKHEKA KWE-ICASA

6.1. IsiPhathimandla sinehhovisi likazwelonke (elikhulu) elise-Gauteng, e-Pretoria, e-Centurion kanye namaHhovisi eziFundazwe ayisishiyagalolunye (9).

6.2. IsiPhathimandla sisebenza ngoMkhandlu njengesigungu esiphezulu esithatha izinqumo sesiPhathimandla. UMkhandlu we-ICASA wakhiwe nguSihlalo kanye namaLungu Omkhandlu ayisishiyagalombili (8) aqokwe nguNgqongqoshe Wezokuxhumana Nobuchwepheshe Bedijithali ekwamukelweni yiSigungu Sikazwelonke, ngokwale migomo elandelayo-

6.2.1. Ukubamba iqhaza komphakathi ohlelweni lokuqoka;

6.2.2. ubusobala nokuvuleleka; futhi

6.2.3. ukushicilelwa kohlu olufushane lwabazoqokwa.

6.3. Ngokwesahluko se-14 soMthetho we-ICASA, uMkhandlu ufanele usungule le ngxenye yabasebenzi njengoba iyidinga ukuze yeseke ukuphathwa kwawo kanye nokusiza isigungu sesiPhathimandla ekwenzeni imisebenzi yaso, futhi kuze kube manje, uMkhandlu kufanele uqoke.—

6.3.1. Umuntu oqeqeshwe ngokufanele futhi onolwazi njengomphathi omkhulu wesiPhathimandla ngenhloso yokusiza isiPhathimandla, kuncike ekuqondisweni nasekuqashelweni koMkhandlu, ekwenzeni yonke imisebenzi yezezimali neyokuphatha ngokoMthetho we-ICASA kanye nezimo ezikhona, umsebenzi ovela ekusetshenzisweni koMthetho we-ICASA kanye nemithetho eyisisekelo nokusebenzisa nanoma yimaphi amandla awanikezwe uMkhandlu; futhi

6.3.2. abanye abasebenzi ngendlela uMkhandlu obona kufanele ngayo ukusiza isiPhathimandla kanye nesikhulu esiphezulu, njengoba kunokwenzeka, ngawo wonke lowo msebenzi ongavela ngokwenza imisebenzi yawo, kubandakanya ucwaningo, ukuhlola umthelela olawulayo, imibiko, ukunikezwa kwezizathu, ukulungisa imibhalo yokubonisana nomphakathi kanye nokulungisa izincomo eziphathelene noMthetho we-ICASA, izimiso eziyisisekelo kanye noMthetho Wamathransekhshini e-Elekhthronikhi.

6.4. IKomidi Eliphethe lesiPhathimandla lakhiwe u-CEO kanye nabaPhathi abayishumi (10), okuyilaba: uMphathi: Izinkonzo Zenhlangano; uMphathi: Ezabasebenzi; uMphathi: Ezomthetho, Ingozi ne-CCC; Isikhulu Esiphezulu Socwaningomabhuku; uMphathi: Imidanti Yezifunda Nabathengi; Umphathi Omkhulu Wezezimali; uMphathi: Ukukhishwa kwezimvume Nokuthotshelwa Komthetho; uMphathi: Inqubomgomo, Ucwaningo Nokuhlaziya; uMgcinilwazi; kanye noMphathi: Ubunjiniyela Nobuchwepheshe.

6.5. UMkhandlu, ngokwesahluko se-17 soMthetho we-ICASA, ungasungula amaKomidi amisiwe noma amaKomidi akhethekile ngezinhloso uMkhandlu ongawabona edingeka ngombono wokuwusiza ekusebenziseni ngempumelelo nasekwenzeni amandla nemisebenzi yawo. Lawa maKomidi alandelayo asungulwe uMkhandlu-

6.5.1. IKomidi Locwaningomabhuku, Ingozi, Izimiso Zokuziphatha Nokudalula (i-AREDC);

6.5.2. IKomidi Lezabasebenzi Nemiholo (i-HR ne-REMCO);

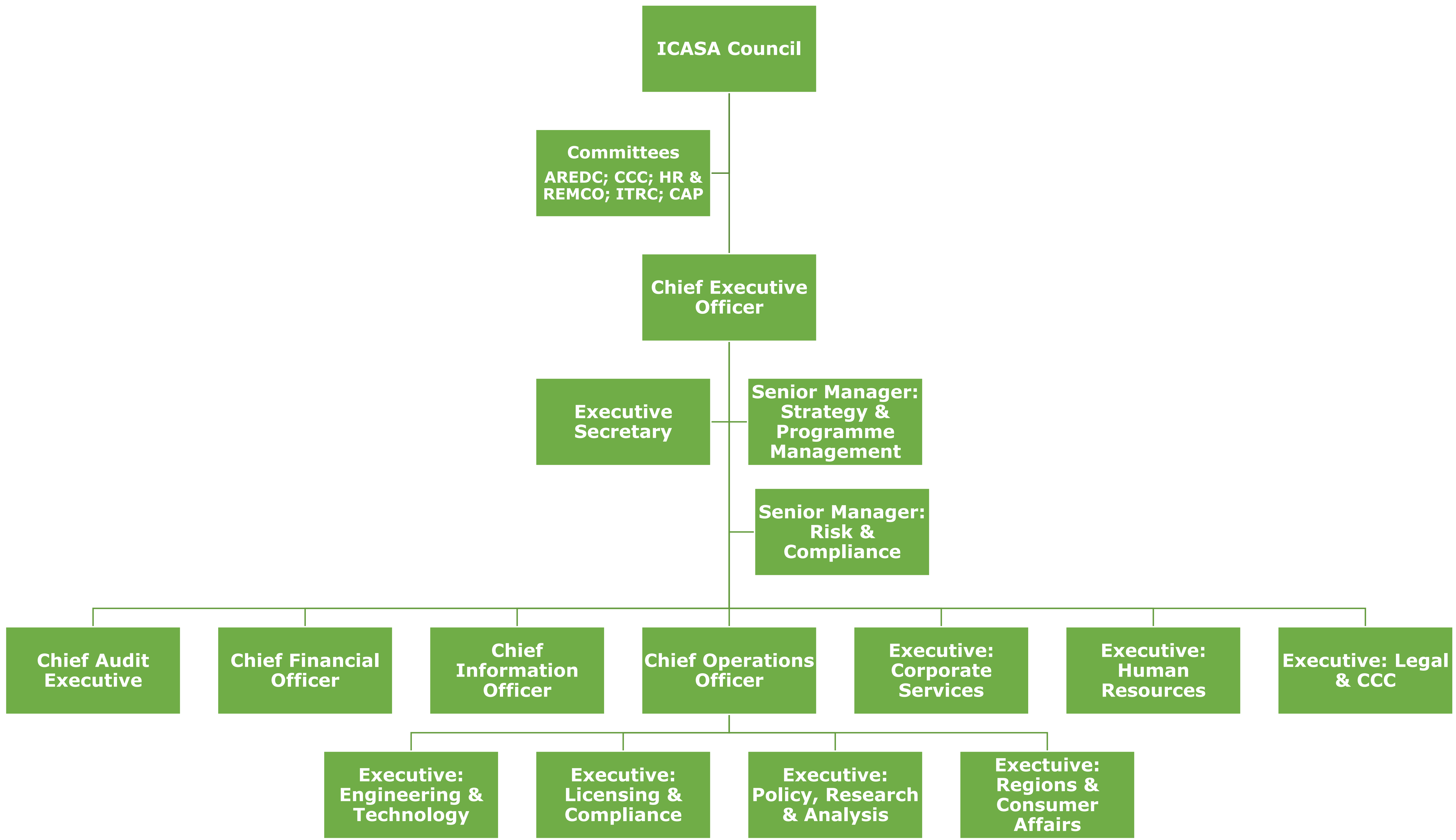
6.5.3. IKomidi Lokubuyekeza i-IT (i-ITRC);

6.5.4. IKomidi Lezikhalazo Nokuthotshelwa Komthetho (i-CCC); and

6.5.5. Iphaneli yokweluleka abathengi (i-CAP)

6.6. Uhlaka oluphelele lwesiPhathimandla njengoba lukhona njengamanje, lufakiwe lapha.

6.7. Ngezansi incazelo yohlaka lwenhlangano lwesiPhathimandla



Umfanekiso woku-1 - Ukwakheka kwe-ICASA Structure1

7. AMANDLA, IZIBOPHO KANYE NEMISEBENZI YESIPHATHIMANDLA

7.1. Isahluko se-192 soMthethosisekelo sigunyaza iPhalamende "ukuba lisungule isiphathimandla esizimele sokulawula ukusakaza ngokwezintshisekelo zomphakathi, kanye nokuqinisekisa ukungenzeleli kanye nokwehlukahlukana kwemibono emele umphakathi waseNingizimu Afrika ngokubanzi". IPhalamende likubone kufanelekile ukwengeza isimiso sezokuxhumana nge-elekhthronikhi, izinsizakalo zeposi kanye nemisebenzi ye-elekthronikhi ekugunyazweni kwesiPhathimandla njengesikhungo sokulawula esisungulwe ngokulandela isahluko se-192 soMthethosisekelo.

7.2. I-ICASA iyisikhungo sesiQephu sesi-9 (isikhungo eseseka intando yeningi) ngokoMthethosisekelo waseNingizimu Afrika futhi iyinhlangano yephothifoliyo yoMnyango Wezokuxhumana Nobuchwepheshe Bedijithali.

7.3. Ukugunyazwa kwesiPhathimandla ukulawula ezokusakaza, izinsizakalo zeposi kanye nokuxhumana nge-elekhthronikhi eNingizimu Afrika futhi kuqukethwe kulo mthetho olandelayo -

7.3.1. UMthetho we-ICASA;

7.3.2. Umthetho Wezokuxhumana Nge-elekhthronikhi (uMthetho wama-35 wonyaka we-2005), njengoba uchitshiyelwe("uMthetho we-EC");

7.3.3. Umthetho Wezokusakaza (uMthetho wesi-4 wonyaka we-1999) ("uMthetho Wezokusakaza"); kanye

7.3.4. Umthetho Wezinsizakalo Zeposi (uMthetho wama-24 wonyaka we-1998) ("uMthetho Wezinsizakalo Zeposi"),

7.4. Ukwengeza, i-ICASA iwela ngaphansi kwesheduli yoku-1 yoMthetho Wokuphathwa Kwezimali Zomphakathi (uMthetho woku-1 wonyaka we-1999) ("i-PFMA") futhi iwuhlaka lombuso, oluboshezelwe uMqulu Wamalungelo.

7.5. IsiPhathimandla sinomthwalo wemfanelo wokulawula ukuze kuzuze umphakathi kanye nokuqinisekisa izinsizakalo ezithengekayo zekhwalithi ephezulu kubo bonke abantu baseNingizimu Afrika. IsiPhathimandla siphinde sikhiphe izimvume zabahlinzeki bezinsizakalo zezokuxhumana ngocingo nokusakaza, siphoqelele ukuthotshelwa kwemithetho nezimiso, sivikele abathengi emikhubeni yebhizinisi eyenzelelayo kanye nakwizinsizakalo ezisezingeni eliphansi, silalele futhi sinqume ngezingxabano nezikhalazo ezilethwa ngabanikazi bezimvume futhi silawula futhi siphathe ukusetshenziswa ngempumelelo kwe-spectrum somsakazo.

7.6. I-ICASA igunyazwe ukufeza le misebenzi elandelayo-

7.6.1. Ukunikeza izimvume abasakazi, abasabalalisi beziteshi, abahlinzeki bezinsizakalo zokuxhumana ngocingo kanye nezinsizakalo zeposi;

7.6.2. Ukwakha izimiso;

7.6.3. Ukubeka imibandela yezimvume;

7.6.4. Ukuhlela, ukwaba, ukulawula, ukuphoqelela nokuphatha i-spectrum samafrikhwensi;

7.6.5. Ukuqinisekisa ukubambisana kwamazwe ngamazwe kanye nokwezifunda;

7.6.6. Ukuqinisekisa ukwabiwa kahle kwezinombolo;

7.6.7. Ukuqinisekisa ukusebenzisana kwamanethiwekhi;

7.6.8. Ukwamukela nokuxazulula izikhalazo ezivela emphakathini;

7.6.9. Ukudala ukuncintisana embonini yezokuxhumana, ezokusakaza kanye neposi;

7.6.10. Ukukhuthaza ukutholwa kosizo jikelele kanye nokufinyelela.

7.7. Kungaxhunyanwa noMgcinilwazi Wesiphathimandla noma neHhovisi Lesiphathimandla ukuze kufinyelelwe kulezi zinsizakalo ezishiwo ngenhla. Iwebhusayithi yesiPhathimandla, https://www.icasa.org.za, ingathintwa mayelana nalokhu.

8. IMININGWANE YOKUXHUMANA ESEMQOKA YOKUFIKELELEKA KOLWAZI LWE-ICASA

8.1. IsiKhulu Esiphethe, ngokufanelekile, uMgcinilwazi wesiPhathimandla ngezinhloso zoMthetho futhi sidlulisele amandla nemisebenzi yaso, ngokwesahluko sesi-17(3) soMthetho, kumaSekela-Mgcinilwazi asohlwini lwesigaba sesi-8.2.2.

8.2. Lapho ufaka isicelo solwazi ngokoMthetho, sicela usiqondise isicelo kuSekela-Mgcinilwazi oqokiwe njengoba kubekwe ngezansi ezigabeni se-8.2.1 kanye nese-8.2.2, ngokulandelana. Imininingwane yokuxhumana efanele injengoba ilandela-

8.2.1. UPhiko loMgcinilwazi

	Ucingo	I-imeyili
IHhovisi lika-CEO	+27 (12) 568 3963	PAIA@icasa.org.za

8.2.2. **AmaSekela-Mgcinilwazi Aqokiwe**

	Ucingo	I-imeyili
UMphathi: Izinsizo Zangaphakathi Enhlanganweni	+27 (12) 568 3585	PAIA@icasa.org.za
UMgcinilwazi Omkhulu: uLwazi Nobuchwepheshe	+27 (12) 568 3602	PAIA@icasa.org.za
Isikhulu Esiphethe Ezezimali: Ezezimali	+27 (12) 568 3607	PAIA@icasa.org.za
UMphathi: Ezabasebenzi	+27 (12) 568 3745	PAIA@icasa.org.za
UMphathi Omkhulu Wocwaningomabhuku: Ucwaningo-Mabhuku Lwangaphakathi	+27 (12) 568 3608	PAIA@icasa.org.za
UMphathi: Umthetho, Ingozi ne-CCC;	+27 (12) 568 3563	PAIA@icasa.org.za
UMphathi:Ukukhishwa Kwezimvume Nokuthoselwa Komthetho	+27 (12) 568 3197	PAIA@icasa.org.za
UMphathi: Inqubomgomo, Ucwaningo Nokuhlaziya	+27 (12) 568 3183	PAIA@icasa.org.za
UMphathi: Ubunjiniyela Nobuchwepheshe	+27 (12) 568 3285	PAIA@icasa.org.za
UMphathi: Imidanti Yezifunda Nabathengi	+27 (12) 568 3984	PAIA@icasa.org.za
IHhovisi Likanobhala: UMkhandlu Nehhovisi Likanobhala	+27 (12) 568 3584	PAIA@icasa.org.za

8.3. Izicelo zolwazi zingenziwa ku-inthanethi noma, ngenye indlela, ngale ndlela elandelayo -

8.3.1. ukuphrinta ifomu lesicelo elisemthethweni (iFomu 02) elitholakala kuwebhusayithi yesiPhathimandla, https://www.icasa.org.za/legislation-and-regulations/forms, noma elingacelwa kunoma yimuphi uSekela-Mgcinilwazi;

8.3.2. ukugcwalisa zonke izinkundla ezidingekayo efomini lesicelo, noma ukubhala kabusha imininingwane kwenye i-imeyili; futhi

8.3.3. nangokuthumela isicelo esigcwalisiwe solwazi kwelinye lamakheli abhalwe ngezansi -

Ikheli Leposi	**Ikheli Lendawo**
Isiphathimandla Esizimele Sezokuxhumana SaseNingizimu Afrika Private Bag X10 Highveld Park 0169	Eco-Point Office Park, Block B 350 Witch-Hazel Avenue Eco Park Centurion 0144
I-imeyili	**Ucingo**
PAIA@icasa.org.za	+27 (12) 568 3000/3001

8.4. IsiPhathimandla, ngokwesigaba sesi-8.6, sizophendula ezinsukwini ezingama-30 maqondana nokuthi ulwazi oluceliwe –

8.4.1. luyafinyeleleka: futhi

8.4.2. umfakisicelo angaluthola kanjani futhi kuphi.

8.5. Isikhathi okumele isiPhathimandla siphendule ngaso esicelweni solwazi singadiswa kanye ngesikhathi esingeqi izinsuku ezingama-30 uma lokhu kuthathwa njengesidingo ngokuhambelana nemibandela esesahlukweni sama-26 soMthetho.

8.6. Uma isiPhathimandla singandisa isikhathi sokuphendula ngokuhambelana nesahluko sama-26 soMthetho, ngokushesha ngangokunokwenzeka, kodwa kungakedluli izinsuku ezingama-30 kulandela isicelo, siyokwazisa umfakisicelo –

8.6.1. ngesikhathi sokwandiswa okunjengalokhu;

8.6.2. izizathu ezanele zokwandiswa kwesikhathi; futhi

8.6.3. ilungelo lomfakisicelo lokufaka isikhalazo sangaphakathi noma isicelo enkantolo, ngokumelene nokwandiswa kwesikhathi, kanye nenqubo yokufaka leso sikhalazo sangaphakathi noma isicelo.

8.7. Ezimweni ezithile, umfakisicelo kungadingeka ukuthi akhokhe imali kusiPhathimandla, ngaphambi kokuba ulwazi oluceliwe lwenziwe lutholwe umfakisicelo, njengoba kubekwe endimeni ye-13 yale Manuwali.

9. IZIXAZULULO EZIKHONA UMA IMIBANDELA YE-PAIA INGATHOSTHELWANGA NOMA MAQONDANA NOKWENZA NOMA UKWEHLULEKA UKUTHATHA ISINYATHELO YISIPHATHIMANDLA.

9.1. IsiPhathimandla asilona uhlobo lohlaka lukahulumeni lapho kunenqubo yangaphakathi yokukhalaza, njengoba kushiwo endimeni (a) yencazelo "yohlaka lukahulumeni" esahlukweni soku-1 soMthetho.

9.2. Uma umfakisicelo noma ingxenye yesithathu ingeneme ngesinqumo soMgcinilwazi, ingafaka isikhalazo kuMlawuli Wolwazi ngendlela emisiwe kungakapheli izinsuku eziyi-180 zesinqumo.

10. UMHLANDLELA NGOKUTHI ISETSHENZISWA KANJANI I-PAIA FUTHI KUFINYELELEKA KANJANI KULO MHLAHLANDLELA

10.1. Isahluko se-10 se-PAIA sidinga umhlahlandlela ukuba ushicilelwe nguMhlawuli Wolwazi (eNingizimu Afrika) mayelana nezicelo ezifanele zomuntu ofisa ukusebenzisa noma ukuvikela noma yimaphi amalungelo ngokoMthetho. Imibuzo maqondana nalokhu ingabhekiswa kule mininingwane yokuxhumana elandelayo yoMlawuli Wolwazi:

Ikheli Leposi: P.O. Box 31533
Braamfontein
Johannesburg
2017

Ikheli Lebhizinisi: UMlawuli Wolwazi (Ningizimi Afrika)
JD House
27 Stiemens Street
Braamfontein
Johannesburg
2001

I-imeyili: enquiries@inforegulator.org.za
Iwebhusayithi: ku-www.inforegulator.org.za

10.2. Lo mhlahlandlela ungatholakala kuMlawuli Wolwazi (eNingizimu Afrika) ngemininingwane yokuxhumana ehlinzekwe ngaphansi kwendima ye-10.1 ngenhla.

11. UNGACELA KANJANI UKUFINYELELA OLWAZINI OLUGCINWE YISIPTHAIMANDLA

Izinyathelo ezilandelayo zifanele zibhekwe ngaphambi kokufaka isicelo -

11.1. **Isinyathelo soku-1: Ingabe umfakisicelo unelungelo lokusebenzisa uMthetho ukuze acele ukufinyeleleka?**

11.1.1. Izicelo zamarekhodi ngenhloso yokuqulwa kwamacala obugebengu noma omphakathi

Isahluko sesi-7(1) soMthetho sibeka ukuthi -

"UMthetho awusebenzi kumarekhodi ohlaka lukahulumenii noma ohlaka oluzimele uma -

(a) Irekhodi licelwa ngenhloso yokuqulwa kwamacala obugebengu noma omphakathi;

(b) Ngakho-ke licelwe ngemuva kokuqala kwalelo cala lobugebengu noma lomphakathi, njengoba kungenzeka;

(c) Ukukhiqizwa noma ukufinyeleleka kulelo rekhodi ngenhloso eshiwo endimeni (a) kuhlinzekwe ngokomthetho."

(a) Uma kusebenza isahluko sesi-7(1), umfakisicelo angeke afake isicelo ngokoMthetho futhi kufanele asebenzise imithetho nezinqubo zokutholwa kolwazi lwezinqubo zomthetho ezifanele umfakisicelo abandakanyeka kuzo.

(b) IsiPhathimandla sigodla ilungelo lokufuna zonke izindleko kanye nomunye umonakalo owenziwe ngenxa yomfakisicelo ofake isicelo solwazi esingena ngaphansi kwesahluko sesi-7(1).

11.1.2. <u>Ukudlala ngokusobala noma ukucasuka, noma okuphambukisa izinsiza kakhulu noma ngokungenangqondo</u>

Isahluko sesi-7(1) soMthetho sibeka ukuthi–

"uMgcinilwazi angasenqaba isicelo sokufinyeleka kwirekhodi [lesiPhathimandla] uma -

(a) isicelo sibonakala siwubala noma siyakhathaza; noma

(b) umsebenzi oobandanyekayo ekucubunguleni isicelo uzophambukisa izinsiza [zesiPhathimandla] kakhulu nangokungenangqondo."

11.2. **Isinyathelo sesi-2: Ingabe ulwazi oluceliwe lutatholakala ngohlobo lwerekhodi?**

11.2.1. UMthetho usebenza kuphela kumarekhodi akhona ngesikhathi isiPhathimandla sithola isicelo.

11.2.2. UMthetho awuphoqi muntu ukuthi akhe irekhodi elingakabi khona ngesikhathi kwenziwa isicelo. Isibonelo, uMthetho ngeke usetshenziselwe ukuthola izizathu zesinqumo esithathwe yisiPhathimandla uma lezo zizathu zingekho ngohlobo lwerekhodi.

11.2.3. Uma umfakisicelo engenasiqinisekiso sokuthi lelo rekhodi likhona, umfakisicelo ufanele akuveze efomini lesicelo elifanele.

11.3. **Isinyathelo sesi-3: Ingabe irekhodi ligcinwe noma lilawulwa yi-ICASA?**

11.3.1. Isahluko sesi-4 soMthetho sihlinzekela ukuthi irekhodi eliceliwe lifanele libe sezandleni noma libe ngaphansi kolawulo lwesiPhathimandla.

11.3.2. Ngezinhloso zoMthetho, irekhodi eligcinwe noma elilawulwa –

(a) isikhulu sesiPhathimandla ngokwesikhundla saso kanjalo; noma

(b) usonkontileka ozimele osebenzisana nesiPhathimandla esikhundleni salowo sonkontileka, lithathwa njengerekhodi lalolo hlaka lukahulumeni.

11.4. **Isinyathelo sesi-4: Ubani ongafaka isicelo ngokwesiQephu sesi-2 noma sesi-3 soMthetho?**

11.4.1. Noma yimuphi umuntu ngaphandle kohlaka lukahulumeni noma isikhulu salo angenza isicelo sokufinyeleleka kwirekhodi lesiPhathimandla.

11.5. **Isinyathelo sesi-5: Ifomu Lesicelo Elimisiwe**

11.5.1. Ngokwesahluko se-18 soMthetho, umfakisicelo ufanele enze isicelo sokufinyeleka kwirekhodi ngefomu elimisiwe eliqukethwe kwiZimiso Mayelana Nokukhuthaza Kokufinyeleleka tholakala Kolwazi (uFomu 02 otholakala kuwebhusayithi yoMlawuli Wolwazi lapha) okufanele lihanjiswe kuMgcinilwazi noma koSekela-Mgcinilwazi ngesandla, ngeposi noma nge-imeyili, njengoba kuchazwe ngenhla endimeni 8.3.

11.5.2. Umfakisicelo ufanele ahlinzeke ngemininingwane eyanele efomini elimisiwe ukuze isiPhathimandla sihlonze irekhodi noma amarekhodi aceliwe kanye nomazisi womfakisicelo.

11.5.3. Nanoma yimuphi umuntu ongathanda ukuhambisa ulwazi esebenzisa inguqulelo ye-MS Word yefomu lesicelo, angathumela i-imeyili kuMgcinilwazi noma koSekala-Mgcinilwazi ecela ukuba ikhophi ithunyelwe kumfakisicelo nge-imeyili.

11.5.4. Uma isicelo senziwa egameni lomunye umuntu, umfakisicelo ufanele alethe ubufakazi besikhundla ngokwesikhundla umfakisicelo enza ngaso isicelo, kuze kugculiseke uMgcinilwazi noma u(o)Sekela-Mgcinilwazi. Umfakisicelo kudingeka futhi ukuthi ash uhlobo lokufinyeleleka kumarekhodi afanele adingekayo, futhi anikeze imininingwane yakhe yokuxhumana eNingizimu Afrika.

11.5.5. Ngezinhloso zeFomu 02, umfakisicelo ufanele afeze zonke izidingo zenkambiso eziseMthethweni ezimayelana nesicelo sokufinyeleleka kulelo rekhodi elifanele.

11.5.6. Isicelo somlomo sokufinyeleleka kwi(kuma)rekhodi singenziwa uma umfakisicelo engafundile noma enokukhubazeka. UMgcinilwazi noma oSekela-Mgcinilwazi bazosiza umfakisicelo ukuthi agcwalise ifomu elimisiwe egameni lalowo mfakisicelo futhi amnikeze ikhophi yefomu eligcwalisiwe.

12. UKUCATSHANGELWA KWESICELO

12.1. Ngokuya ngemibandela yoMthetho, ukufinyeleleka kumarekhodi acelwe kusiPhathimandla kuyonikezwa kuphela uma -

12.1.1. zonke izidingo zenkambiso eziseMthethweni ezimayelana nesicelo sokufinyeleleka kulelo rekhodi zifeziwe; futhi

12.1.2. ukufinyeleleka kul(awo)elo (ma)rekhodi akwenqatshiwe ngokwanoma yisiphi isizathu sokwenqaba esihlongozwe eMthethweni.

12.2. IsiPhathimandla, kwezinye izimo, singahle senqabele ukufinyeleleka kumarekhodi nganoma yiziphi izizathu ezibekwe esiQeshini sesi-4 seNgxenye yesi-2 yoMthetho. Lezi zizathu zibandakanya lokhu –

12.2.1. ukufinyeleleka kungaholela ekudalulweni okungenangqondo kolwazi lobuqu mayelana nengxenye yesithathu;

12.2.2. irekhodi liqukethe ulwazi olwatholwa noma olugcinwe uPhiko Lwezentela lwaseNingizimu Afrika ngezinhloso zokuphoqelela umthetho;

12.2.3. liyadingeka ukuvikela ulwazi lwezohwebo lengxenye yesithathu;

12.2.4. liyadingeka ukuvikela ulwazi oluyimfihlo lengxenye yesithathu;

12.2.5. liyadingeka ukuvikela ukuphepha kwabantu noma impahla;

12.2.6. irekhodi liqukethe ulwazi oluyilungelo ngenhloso yamadokodo amaphoyisa ezinqutsheni zebheyili, ekuqinisekiseni ukuthotshelwa komthetho nasezinkantolo zomthetho;

12.2.7. irekhodi lingahle lilindeleke ngokufanele ukuthi lilimaze ukuvikela, ukuphepha noma ubudlelwano bamazwe ngamazwe beNingizimu Afrika;

12.2.8. irekhodi lingabeka engozini izitshisekelo zezomnotho noma inhlalakahle yezezimali yeNingizimu Afrika;

12.2.9. lidingeka ukuvikela imininingwane yocwaningo lengxenye yesithathu noma yesiPhathimandla ngokwaso; futhi

12.2.10. isicelo sokufinyeleleka kwirekhodi siwubuwula ngokusobala noma siyacasula noma siwukuphambukisa izinsiza ngendlela enkulu futhi engafanele.

12.3. Ukufinyeleleka kwimibhalo kungahle kwenqatshwe ngenxa yelungelo lomsebenzi.

12.4. Uma zonke izinyathelo ezifanele zithathiwe ukuze kutholwe irekhodi elicelwe ngumfakisicelo, futhi kunezizathu ezizwakalayo zokukholelwa ukuthi irekhodi lisesandleni zesiPhathimandla kodwa alitholakali, noma alikho, uMgcinilwazi noma oSekela-Mgcinilwazi bazokwazisa umfakisicelo ukuthi akwenzeki ukufinyeleleka kulelo rekhodi ngendlela ye-afidavithi noma isiqinisekiso.

12.5. IsiPhathimandla sidingeka ukuthi sazise umfakisicelo ngokumbhalela ngesinqumo saso maqondana nesicelo. Uma umfakisicelo efisa ukwaziswa ngesinqumo sesiPhathimandla ngenye indlela futhi, lokhu kufanele kubekwe esicelweni kanye nemininingwane efanele ifakwe, ukuze kuvunyelwe isiPhathimandla ukuba sazise umfakisicelo ngendlela ethandwayo.

12.6. Isiphathimandla sizothatha isinqumo maqondana nesicelo samarekhodi kungakapheli izinsuku ezingama-30 sisitholile, ngaphandle uma kudingeka ukuba kwaziswe ingxenye yesithathu ngesicelo, noma isikhathi esiyizinsuku ezingama-30 seluliwe njengoba kuhlinzekelwe eMthethweni. IsiPhathimandla sizokwazisa umfakisicelo uma isikhathi sezinsuku ezingama-30 sokucubungula isicelo sizokwandiswa.

13. UKUKHOKHWA KWEZIMALI

13.1. Emibandeleni elandelayo yalesi sigaba se-13, ukubhekisela 'kumfakisicelo' akubandakanyi 'umfakisicelo ozicelela yena siqu' njengoba kuchazwe eMthethweni "njengomfakisicelo ofuna ukufinyeleleka kwirekhodi eliqukethe ulwazi lobuqu olumayelana nomfakisicelo".

13.2. Umfakisicelo ufanele akhokhe imali yesicelo njengoba ibekwe nguMlawuli Wolwazi. Le mali yesicelo ingakhokhwa ngesikhathi kufakwa isicelo, noma umuntu ogunyazwe ukwenza i zicelo ezinjengalezi egameni lesiPhathimandla angazisa umfakisicelo ukuthi umfakisicelo ufanele akhokhe imali yesicelo ngaphambi kokuba kusetshenzwe isicelo.

13.3. Umfakisicelo uyakhululwa ekukhokheni imali yesicelo kusiPhathimandla uma: -

13.3.1. umfakisicelo ngumuntu ongashadile ongenisomali yakhe yonyaka, ngemuva kokudonselwa imali okuvumelekile, njenge-PAYE ne-UIF, ingaphansi kwama-R14 712 ngonyaka, noma

13.3.2. umfakisicelo ushadile futhi ingenisomali yakhe nashade naye, ngemuva kokudonselwa imali okuvumelekile, njenge-PAYE ne-UIF, ingaphansi kwama-R27 192 ngonyaka.

13.4. Lapho isicelo sokufinyeleleka kwirekhodi noma amarekhodi agcinwe yisiPhathimandla sivunyiwe, umfakisicelo ufanele akhokhe imali yokufinyeleleka ukuze kukhiqizwe kabusha irekhodi noma amarekhodi, kanye neyokucinga nokulungisa amarekhodi ukuze adalulwe. IsiPhathimandla sinelungelo lokugodla irekhodi kuze kube imali yesicelo ikhokhiwe. Izimali zokufinyelela ezikhokhwayo eziqukethwe uMthetho Wokukhuthaza

Ukufinyeleleka Kolwazi: Isimiso: Ukukhuthazwa Kokufinyeleleka Kolwazi (27 Agasti 2021), okuyiZimiso ezitholakala kuwebhusayithi yoMlawuli Wolwazi.

13.5. Ukwengeza, uma ukufunwa kanye nokulungiswa kwerekhodi noma kwamarekhodi aceliwe kuthatha amahora angaphezu kwayisithupha, isiPhathimandla singakhokhisa enye imali ngehora ngalinye noma ingxenye yalo njengoba kumisiwe kwiZimiso, elidingekayo ekufuneni nasekulungiseni amarekhodi.

13.6. Uma isiPhathimandla sinombono wokuthi ukufunwa kanye nokulungiswa kwamarekhodi aceliwe kuzodinga amahora angaphezu kwayisithupha, isiPhathimandla sinelungelo lokucela idiphozithi yokukodwa kokuthathu yemali yokufinyeleleka, ezokhokhwa maqondana namarekhodi acelwe ngumfakisicelo. Umfakisicelo angafaka isicelo eNkantolo Ephakeme ukuze akhululwe esimisweni sokukhokha le diphozithi. Uma idiphozi isikhokhiwe futhi ukufinyeleleka kumarekhodi aceliwe kwenqatshwa, idiphozithi izobuyiselwa kumfakisicelo.

13.7. Zonke izinkokhelo zifanele zenziwe ngendlela Yokudluliswa Kwezimali nge-Elekhthronikhi eMnyangweni Wezezimali Wesiphathimandla noma ngokufakwa kwemali engukheshi kwi-akhawunti yasebhange yesiPhathimandla enikezwe ngezansi.

Ibhange:	Nedbank
Inombolo ye-akhawunti:	1462001300
Ikhodi Yegatsha:	146245 (Corporate Client Services)
Igatsha:	Pretoria
Uhlobo lwe-akhawunti:	Current
Ireferensi:	Njengoba kuhlinzekelwe yisiPhathimandla;

13.8. Ubufakazi bokukhokha bufanele buthunyelwe kuSekela-Mgcinilwazi emininingwaneni yokuxhumana engenhla.

14. UKUFINYELELA KUMAREKHODI

Ngezinhloso zokwenza isicelo ngokoMthetho, imininingwane engezansi ibandakanya incazelo yezihloko isiPhathimandla esigcine amarekhodi ngazo kanye nezigaba awela kuzo. Lolu lwazi aluphelele futhi lungashintshwa ngezikhathi ezithile. Amarekhodi abhalwe ngezansi angeke, kuzo zonke izimo, anikezwe umfakisicelo owacela ngokoMthetho. Ngamanye amazwi, amarekhodi agcinwe ngaphansi kwezihloko ezihlukahlukene awatholakali ngokuzenzakalelayo, futhi ukufinyelela kulawo marekhodi kuncike ohlotsheni lolwazi oluqukethwe kwirekhodi.

14.1. Amarekhodi Agcinwe YisiPhathimandla, atholakala ngokuzenzakalelayo ngokwesahluko se-15(1)(a) soMthetho:

14.1.1. Amanye amarekhodi atholakala ngokuzenzakalelayo ngaphandle kokudinga ukuba acelwe ngokwenqubo yesicelo ebekwe eMthethweni futhi ashiwo ngezansi. Lolu lwazi lungahle luhlolwe, luqoqwe, luthengwe, noma lukopishwe (ngemali emisiwe ukuze lukhiqizwe kabusha) emahhovisi esiPhathimandla, futhi ukubekelwa isikhathi sokubona amarekhodi kuzodingeka kwenziwe nguMgcinilwazi noma oSekela-Mgcinilwazi. Ulwazi oluthile luyatholakala kwiwebusayithi yesiPhathimandla ethi: www.icasa.org.za.

(a) Ulwazi olufakwe kwiwebhusayithi ye-ICASA lubandakanya –
- umthetho ophathelene nemboni yezokusakaza, yezokuxhumana kanye neposi,
- izinqumo ezithathwe yisiPhathimandla,
- izizathu zezinqumo ezithathwe yisiPhathimandla, kanye
- nemibhalo ngamathenda atholakalayo kanye nemibhalo yamabhidi;

(b) Izincwajana zokwazisa;
(c) Amapheshana okusakaza ulwazi;
(d) Amaphosta;
(e) Amanyuziletha;
(f) Amafomu;
(g) Ezinye izinto zentengiso kanye nolwazi olumayelana nemisebenzi kanye nezinkonzo zesiPhathimandla;
(h) Izahlulelo ze-CCC;
(i) Izinhlelo zokusebenza zonyaka;
(j) Amasu Abalulekile;
(k) Imibiko yonyaka.

14.2. Amarekhodi angacelwa ngokwesahluko se-14(1) (b) (iii) soMthetho

14.2.1. IsiPhathimandla sigcine ulwazi oluphathelene nalezi zihloko nezigaba ezilandelayo, okufaele lucelwe ngokusemthethweni ngokoMthetho.

14.2.2. Ukufakwa kwanoma yisiphi isihloko noma isigaba akufanele kuthathwe njengenkomba yokuthi amarekhodi angena kulezo zihloko kanye/noma izigaba azotholakala ngokoMthetho. Ikakhulukazi, izizathu ezithile zokwenqaba njengoba zishiwo eMthethweni zingahle zisebenze esicelweni salawo marekhodi.

14.2.3. Okulandelayo yizigaba okufanele isicelo sifakwe ngazo kusiPhathimandla, kanye nalezo ezitholakala kalula kwiwebhusayithi ye-ICASA -

Izigaba zolwazi	Incazelo yamarekhodi agciniwe	Incazelo yamarekhodi atholakala kalula
IHhovisi Lesikhulu Esiphethe	• Izinqubomgomo nezinqubo zenhlangano • Ukudluliswa Kwamandla • Ulwazi oluhlobene nephrojekhthi	• Imibiko yonyaka ye-ICASA kanye nezethulo zasephalamende • Izinhlelo zamasu ze-ICASA kanye nezinhlelo zokusebenza zonyaka
Ihhovisi Likanobhala	• Ulwazi Lokuphathwa Kwenhlangano • Amaminithi Amakomidi Okwengamela - i-ARE, i-ITRC, i-HR kanye REMCO • Uhlelo lokusebenza lonyaka lwamaKomidi Omkhandlu • Imigomo Okuvunyelwene Ngayo Ymakomidi • Amarejista Okuba Khona Emihlanganweni Yamakomidi • Amarejista Okumenyezelwa Kwentshisekelo Emihlanganweni Yamakomidi	• Izinqumo Zomkhandlu • Imibiko ephathelene nomthetho
Uphiko Lwezinsizakalo Zangaphakathi Zenhlangano	• Ibhuku lwezehlakalo • Irejista yokulawulwa kokufinyeleleka • Ifomu lesicelo sekhadi likamazisi/sokubhaliswa • Ukuvuma isikweletu samakhadi noma sokhiye • Ifomu lesicelo sokufinyeleleka kwigumb lezikhulu • Irejista yokulawula okhiye • Irejista yokulawula impahla ebalulekile; • Isheduli Yomsebenzi • Ukuhlolwa kwamathuluzi omlilo • Inqubomgomo yokuphepha • Inqubo yokulawula ukungena • Inqubomgomo yokuphathwa Kwamarekhodi • Inqubomgomo yoMthetho Wezempilo Nokuphepha Emsebenzini • Inqubo yokulawulwa kwezibhamu • Inqubo yikucishwa komlilo nokuwunqanda • Inqubo yamalokhi nokulawula • Uhlelo lwezimo eziphuthumayo • Inqubo yokuphepha kokuxhumana • Uhlelo oluphuthumayo lokusebenza • Inqubomgomo Yokuphatha Abasebenzi • Mgcinilwazi Umbhala Wamazinga Ajwayelekile Okuphepha)	• Isivumelwano Sokusebenzisana nezinhlangano zamazwe ngamazwe • Amanyuziletha • Ukukhangisa, abezindaba, ukushicilela, nokumaketha • Imicimbi nemisebenzi
Ubuchwepheshe Bolwazi	• Ifomu lesicelo sokufinyelela ekamelweni leseva • Isu le-ICT • Usomqulu Wokuphathwa Kwephrojekhthi • Inqubo Yokuphathwa Kwephrojekhthi • Inqubomgomo Yezokwakha • Usomqulu Wezokwakha • Uhlelo Olukhulu Lohlelo • Imibhalo Yomklamo Wezinhlelo • Izinqubomgomo, izinqubo, namazinga e-ICT • Amarekhodi ezicingo zangaphakathi • Inqubo ngaphakathi koKusekelwa Kwebhizinisi • Amazinga amathuluzi (uHlaka Lwezakhiwo)	•

Uphiko Lwezezimali	• Izinqubomgomo Zezezimali • Irekhodi ezinkokhelo zokuKhokhwa Kwemiholo (Ezezimali: Ukukhokhwa kwemiholo/Izinkokhelo) yabasebenzi ababalulekile kusukela kuMphathi Jikelele ukuya phezulu • Izabelozimali (Ezezimali: Izabelomali Nokuhlela) • Izitatimende Zezimali (Ezezimali: Ukugcinwa Kwamabhuku Ezimali) ngaphandle kweZitatimende Zocwaningo Lamabhuku Ezimali Zonyaka • Imibiko yekota yezezimali • Izitatimende zabakweletayo nama-invoyisi (Ezezimali: Ukugcinwa Kwamabhuku Ezimali) • Amarekhodi ezinkokhelo kwabakweletwayo (Ezezimali: Accounting) kanye namakleyimu (Umnyango Wezezimali Ehhovisi Lomgcinimafa) • Amafayela amakleyimu omshwalense (Ezezimali: Abahlaziyi bezibalo kanye nomshwalense) • Izinqubomgomo Zeketanga Lokuthenga • Isizindalwazi Sezinkontileka • Isizindalwazi Sabaphakeli • Izivumelwano Zezinga Lokusebenza, nezinye izivumelwano nezinkontileka	•
Uphiko Lwezabasebenzi	• Izinqubomgomo nezinqubo zezabasebenzi • Amafayela abasebenzi • Izivumelwano zomsebenzi • Imibiko ye-REMCO kanye nemibiko yokulinganiswa kwamaholo • Amarekhodi e-CCMA naweNkantolo Yezabasebenzi aphathelene nezingxabano zabasebenzi	•
Ucwaningo Lwenqubomgomo kanye noPhiko Lokuhlaziya	• Ukuhanjiswa kwamaphephambuzo agcwalisiwe kwi-ITU, kwi-CRASA nakwezinye izinhlangano zesifunda nezamazwe ngamazwe (Imibiko Yomkhakha we-ICT) • Inqubomgomo, Izinqubomgomo Nezinqubo Zocwaningo Nokuhlaziya	• Imibiko yokubikezela komkhakha • Imibiko yentela yokudayisa • Amamodeli ezindleko • Imibhalo yezingxoxiswano, imibhalo yokutholakele namaphepha esikhundla • IZimiso ze-ICT nemidanti yeposi
Uphiko Locwaningomabhuku Lwangaphakathi	• Imibiko Yocwaningomabhuku Lwangaphakathi • Izinqubomgomo nezinqubo zoCwaningombhuku Lwangaphakathi • Imanuwali Yocwaningomabhuku Lwangaphakathi • Izivumelwano Zezinga Lokusebenza Zokucwaningwa Kwamabhuku Kwangaphakathi • Isivumelwano Socwangomabhuku Lwangaphakathi Lokwethulwa Emsebenziniwa • Ucwaningombhuku Lwangaphakathi Lwemithetho Yokuziphatha • Usomqulu Wocwangomabhuku Langaphakathi	•
Uphiko Lwezomthetho, IKomidi Lengozi Nokuthotshelwa Komthetho (i-CCC)	• Imibiko yamacala • Imibiko yokuthosthelwa komthetho • Imibiko ye-PAIA • Izinqubomgomo nezinqubo • Amarejista engozi • Izikhalazo kanye Nezikhalazo Zokhetho • Uhlelo Lokulawulwa Kwezinhlekelele • Izinqumo Zokugcina ze-CCC • Imibiko Yokudalulwa Kwezimali	• Umthetho onomthelela kwi-ICASA • Imibiko Yokuthobela Imithetho Yokuziphatha

Uphiko Lokukhishwa Kwezimvume Nokuthoselwa Komthetho	• Izinqubo Nezinkambiso Zokukhishwa Kwezimvume • Izinhlelo Zokusakaza Kwezomoya Emhlabeni • Izaziso zokuhlukaniswa kabusha kweziteshi zokusakaza • Ulwazi oluhlobene Nemali Yezimvume • Izinqubomgomo, izinkambiso, nezinqubo • Ukugeleza komsebenzi	• Izimiso • Izimemo Zokufaka Isicelo • Izicelo Ezishicilelwe • Izethulo Ezishicilelwe • Izimpendulo Ezishicilelwe • Izimvume • Imibhalo Yesizathu • Ukulalelwa komphakathi-okulotshiweyo nezethulo • Imibiko yokuthotshelwa kwemitho abanezimvume • Izimali zezimvume, ukuvuselelwa kwezimvume, ukudluliswa kwazo, nezichibiyelo • Uhlobo l amafomu okugunyaza, Izinhlaka, isizindalwazi samathuluzi kanye nezimali ezikhokhwayo
Uphiko Lobunjiniyela Nobuchwepheshe	• Ulwazi olumayelana nemidanti yobuchwepheshe bezimvume zespekhthramu se-elekhthronikhi nasinye • Abanikazi bezimvume Zosizo Lwenethiwekhi Yokuxhumana • Ulwazi ngezindlela zokuphatha ispekhthramu ezisetshenziswa ekusakazeni nokunye ukuxhumana kwemisakazo	• Izimiso ezihlobene nokusakaza Komoya • Ikhwalithi yemibiko yosizo • Uhlelo Lukazwelonke Lwemisakazo Yomoya
Amagatsha Ezifunda Nophiko Lwemidanti Zabathengi	• Amarekhodi ezempilo nokuphepha • Amarekhodi ohlelo lokusebenza anikezwe ngaphambilini • Amarekhodi okubeka uphawu kanye nokuthathwa • Amacala abikwe kwa-SAPS ngabasebenzisi abangekho emthethweni • Abanikazi bezimvume abagunyazwe yi-ICASA • Ulwazi lwezimoto • Amarekhodi omhlangano womphakathi • Abasebenzisi bamabhendi omoya namarekhodi abasebenzisi • Ifomu Lemanuwali Yezikhalazo • Izincwajana namapheshana olwazini • Imithetho yabathengi • Imibiko yesiZinda Sokubonisana Sabapjila Nokukhubazeka nemigomo okuvunyelwene ngayo	•

15. ULWAZI LOBUQU

15.1. Ngezinhloso zokwenza lula isicelo solwazi lobuqu, ulwazi olungezansi lubandakanya - (i) imininingwane yenhloso yokucubungula ulwazi lobuqu yisiPhathimandla, (ii) incazelo yezigaba zezihloko zomniningo kanye nolwazi noma izigaba zolwazi oluhlobene nezihloko zomniningo egcinwe yisiPhathimandla, (iii) abemukeli noma izigaba zabamukeli okungahle kuhanjiswe kubo ulwazi lobuqu, (iv) ukugeleza kolwazi lobuqu okuphakathi kwemingcele, (v) incazelo ejwayelekile ukuvumela ukuhlolwa kokuqala kokufaneleka kwezinyathelo zokuphepha kolwazi okufanele zisetshenziswe yisiPhathimandla ukuze kuqinisekiswe ubumfihlo, ubuqotho kanye nokutholakala kolwazi okufanele lucutshungulwe.

15.2. NgokoMthetho Wokuvikelwa Kolwazi Lobuqu wesi-4 wonyak we-2013, umfakisicelo ulwazi oluthile lobuqu oluphathelene naye angacela isiPhathimandla ukuthi siqinisekise, mahhala, ukuthi ngabe isiPhathimandla sigcine ulwazi lobuqu ngalowo mfakisicelo.

15.3. Umfakisicelo uyakwazi ukwenza isicelo sokuthi isiPhathimandla sinikeze irekhodi noma incazelo yolwazi lobuqu mayelana nomfakisicelo, olugcinwe yisiPhathimandla, olubandakanya ulwazi mayelana nokuhlonzwa bazo zonke izingxenye zesithathu, noma izigaba zezingxeye zesithathu, ezifinyekelekile, noma ezake zafinyeleleka, noma ezake zathola ulwazi. Lesi sicelo sifanele senziwe –

15.3.1. ngesikhathi esifanele,

15.3.2. ngendlela nohlobo olufanele,

15.3.3. ngemali ekhokhwayo, futhi nangohlobo oluqondakalayo.

15.4. Inhloso yokucutshungulwa kolwazi lobuqu:

15.4.1. Ukucatshangelwa kwezicelo zezimvume;

15.4.2. Imininingwane yokuxhumana yabanikazi bezimvume;

15.4.3. Izinqubo zokuthola amakhono;

15.4.4. Izinqubo zokuthengwa kwempahla kanye nokuphathwa kwezinkontileka;

15.4.5. Amarekhodi ezabasebenzi kubandakanya nezidingo zesikhwama somhlalaphansi;

15.4.6. Ukwahlulelwa kwemidanti eKomidini Lezikhalazo Nokuthotshelwa Komthetho;

15.4.7. Nanoma iiyiphi enye inhloso ukuze kuhlangatshezwane nokugunyazwa kwesiPhathimandla.

15.5. Izigaba zezihloko zomniingo nolwazi:

15.5.1. Incazelo yezigaba zezihloko zomniningo kanye nolwazi lwazo lobuqu esiluqoqayo, silugcine futhi inqubo ichazwe kwithebula elingezansi:

Izigaba zeZihloko Zomniningo	Ulwazi Lobuqu esiluqoqayo, silugcine futhi silucubungule
Abasebenzi namakhasimende	• Amagama Nezibongo, Imininingwane Yokuxhumana, Izinombolo Zomazisi, Ubulili, Uhlanga, Imininingwane Yasebhange, Imininingwane Yemihlomulo Yabasebenzi njengoSizo Lokulashwa, Izikhwama Zempesheni, njll., Isimo Sokuphila Nokukhubazeka,
	• Amagama Nezibongo Zabanikazi Bezimvume, Igama Lenkampani (lapho likhona), Igama Lenhlangano/Umbutho (lapho kufanele), Igama Nesibongo Somuntu Othintwayo, Imininingwane Yokuxhumana, Amakheli Eposi/Endawo Yokuhlala/Okufakwayo, Izinombolo Zomazisi, Izinombolo Zencwadi Yokuvakasha, Imibhalo Yezinombolo Zokubhaliswa Kwenkampani, Inombolo Yenkampani Ye-VAT, Inombolo Yentela Yenkampani, Inombolo Yentela Yenkampani, Ikheli Le-imeyili, I-invoyisi Yezimali Ezikhokhwayo Izimali Ezikhokhiwe.
Izikhalazo	• Amagama Nezibongo, Izinombolo Zomazisi, Izinombolo Zokuxhumana, Ikheli Leposi Nelendawo, Amakheli E-imeyili, Izifundazwe, Izinombolo Ze-akhawunti Yomhlinzeki Wosizo, Amagama Abahlinzeki Bosizo Lwenethiwekhi, Izinombolo Zereferensi Nezokulandelela Ezivela Kubahlinzeki Bosizo, Izitatimende Zasebhange.
Abahlinzekizinsizo	• Amagama Enkampani, Izinombolo Zokubhaliswa Kwenkampani, Amagama Abaqondisi Nemininingwane Yokuxhumana, Ulwazi Lwentela Yengenisomali kanye ne-VAT, imininingwane ye-BEE, Imininingwane Yasebhange.

15.6. Abamukeli abangahlinzekwa uLwazi Lobuqu:

15.6.1. Ezabasebenzi;

15.6.2. Ukukhishwa Kwezimvume Nokuthoselwa Komthetho

15.6.3. Ihhovisi Kanobhala;

15.6.4. Izinsizo Zangaphakathi Enhlanganweni;

15.6.5. Umthetho, Ingozi ne-CCC;

15.6.6. Ubunjiniyela Nobuchwepheshe;

15.6.7. IKomidi Lezikhalazo Nokuthotshelwa Komthetho;

15.6.8. Ucwangomabhuku Lwangaphakathi;

15.6.9. Abahlinzeki Bosizo be-ICASA abadinga ulwazi lobuqu ukuze banikeze izinsizakalo ezithengiwe;

15.6.10. Abalawuli, Izinkantolo, Izinkantolo kanye nama-Ejensi Okuphoqelelwa Komthetho;

15.6.11. Ababambiqhaza ababandanyeka ezinhlelweni ezihlinzekwa yinhlangano yethu;

15.6.12. Izikhungo Zikahulumeni waseNingizimu Afrika Ezifanele; kanye

15.6.13. UMncwaningi Mabhuku waseNingizimi Afrika.

15.7. Ukugeleza kolwazi lobuqu okuhleliwe okuphakathi kwemingcele yamazwe

15.7.1. Kungase kube nezimo lapho i-ICASA ingahle idingeke ukuthi idlulisele ulwazi lobuqu kwizingxenye zesithathu ezihlala ezweni elingaphandle kweNingizimu Afrika nganoma iyiphi inhloso esemthethweni ekwenzeni igunya lesiPhathimandla.

15.7.2. Ezimweni ezinjengalezi, isiPhathimandla sizoqinisekisa ukuthi noma ubani esidlulisela kuye ulwazi lobuqu ungaphansi komthetho, imithetho ebophezelayo yenhlangano noma isivumelwano esibophezelayo esihlinzeka ngezinga elanele lokuvikela, futhi ingxenye yesithathu iyavuma ukuphatha lolo lwazi lobuqu ngezinga elifanayo lokuvikela njengoba isiOhathimandla sibophezelekile ngokwe-POPIA.

15.8. Incazelo evamile yezinyathelo zokuphepha kolwazi:

15.8.1. Njengamanje kuneNqubomgomo Yezokuphepha kwe-IT elawula ukuthi kufinyelelwa kanjani ohlelweni ngalunye kulawulwa .

15.8.2. Izinqubomgomo eziqinile zamaphasiwedi zikhona, eziqinisekisa ukuthi amaphasiwedi okufinyelela ohlelweni ngalunye afanele ashintshwe njalo ezinsukwini ezingama-30. Ngaphezu kwalokho, uma iphasiwedi kunoma yiluphi uhlelo ifakwe ngokungalungile izikhathi ezintathu, i-akhawunti yomsebenzisi iyacishwa.

15.8.3. Amalungelo okufinyelela zinhlelweni ezibalulekile ayacwaningwa njalo ngekota ukuze kuqinisekiswe ukuthi abantu banezimvume ezifanele ezisebenza emsebenzini wabo.

15.8.4. Sithatha izinyathelo ezifanele nezizwakalayo zobuchwepheshe nezenhlangano ukuvimbela nanoma yikuphi ukufinyelela okungagunyaziwe noma okungekho emthethweni, ukulahlekelwa, ukulinyazwa, noma ukucekelwa phansi okungagunyaziwe kolwazi lobuqu.

15.8.5. Sihlala siqinisekisa ukuthi izivikelo zisetshenziswa ngempumelelo futhi siqinisekisa ukuthi zibuyekezwa njalo.

16. IZINSIZAKALO EZITHOLAKALAYO

<u>Uhlobo lwezinsizakalo</u>

16.1. IsiPhathimandla sihlinzeka ngezinsizalo ngokwegunya laso ezibandakanya –

16.1.1. Ukunikeza, ukuvuselela, ukuchibiyela, ukudlulisa kanye nokuhoxisa izimvume;

16.1.2. Ukuthuthukisa, ukuqapha, kanye nokuphoqelela ukuthotshelwa kwemibandela nezimiso zezimvume;

16.1.3. Ngesaziso esibhalwe phansi, siyala umnikazi wemvume ngokwemithetho eyisisekelo ukuthi akhiqize noma anikeze isiPhathimandla, ngesikhathi nasendaweni ebalulwe esazisweni, nganoma yimiphi imibhalo nolwazi olubalulwe kuleso saziso futhi oluhlobene nanoma yiluphi udaba lapho kubekwe umsebenzi noma isibopho kulowo mnikazi wemvume ngomthetho ofanele;

16.1.4. Ukwenza ucwaningo ngayo yonke imidanti ethinta imboni yezokusakaza, yezentengiselwano mge-elekhthronikhi, yeposi neyezokuxhumana ukuze sisebenzise amandla aso futhi senze imisebenzi aso;

16.1.5. Ukwenza izimiso ngemidanti ehambisana nezinhloso zomthetho ofanele;

16.1.6. Ukuhlola izisetshenziswa zokuxhumana nge-elekhthronikhi ezisetshenziselwa ukuxhumana nge-elekhthronikhi;

16.1.7. Ukubuza nganoma yiluphi udaba olungaphansi kwamandla aso;

16.1.8. Ukuphenya futhi sahlulele izikhalazo ezilethwe kusiPhathimandla ngokwemithetho efanele kanye nemibandela yelayisensi;

16.1.9. Ukusebenzisa amandla kanye nokwenza imisebenzi yesiPhathimandla ngokwemithetho efanele.

<u>Ungafinyeleleka kanjani kulezi zinsizakalo</u>

16.2. Izinsizakalo zingafinyelelwa yinoma yimuphi umuntu onentshisekelo, ilungu lomphakathi, ongahle abe ngumnikazi wemvume, umnikazi wemvume, inhlangano noma isikhungo kuye ngolwazi oludingekayo, futhi inqobo nje uma ulwazi oluzofinyelelwa belungathunyelwanga futhi kunqunywe ukuthi luyimfihlo isiPhathimandla ngokwesahluko sesi-4D soMthetho we-ICASA, ngalezi zindlela ezilandelayo:

16.2.1. Ukuhambisa isicelo sanoma yikuphi okwenziwayo okulawulwa yisiPhathimandla;

16.2.2. Ukubamba iqhaza ezingxoxweni zomphakathi kanye nokuthumela imibono ebhaliwe lapho unikezwe leso saziso;

16.2.3. Ukufaka izikhalazo kusiPhathimandla noma kwi-CCC.

16.3. Ulwazi oluthe xaxa mayelana nesiPhathimandla kanye nezinsizakalo ezitholakalayo kungafinyelelwa ngale ndlela elandelayo:

16.3.1. Ukuvakashela iwebhusayithi yesiPhathimandla ethi: www.icasa.org.za;

16.3.2. Ukuvakashela umtapo wolwazi wesiPhathimandla okomkhulu e:-

Eco-Point Office Park
350 Witch-Hazel Avenue
Eco Park, Centurion
0169; or

16.3.3. Ukuxhumana ngocingo kumtapo wolwazi wesiPhathimandla ngemibuzo kule nombolo +(12) 568 3000.

16.4. Amalungiselelo okuvumela ukubamba iqhaza komphakathi ekufezeni ukugunyazwa kwesiPhathimandla:

16.4.1. IsiPhathimandla silandela izinqubo ezisobala nezokuxoxisana mayelana nokufeza ukugunyazwa kwaso, futhi nanoma yibaphi abanentshisekelo bangabamba iqhaza ngokulandela imiyalelo ebekwe kwiGazethi Kahulumeni efanele.

17. IZIXAZULULO ZOKUNQATSHWA KWESICELO SOLWAZI

17.1. Isiphathimandla asinayo inqubo yangaphakathi yokukhalaza. Abafakizicelo bayodingeka basebenzise lezo zixazululo zangaphandle abanazo uma izicelo zolwazi zenqatshwa futhi umfakisicelo enganelisekile ngempendulo ayinikwe nguMgcinilwazi.

17.2. Lapho isicelo senqatshwa, umfakisicelo ongeneme angahambisa isikhalazo kuMlawuli Wolwazi, lapho sitholakala, noma angafaka isicelo eNkantolo Ephakeme kungakapheli izinsuku eziyi-180 azisiwe ngokwenqatshwa kwesicelo, ukuze kukhishwe umyalelo ophoqelela irekhodi noma amarekhodi aceliwe ukuba atholwe umfakisicelo noma omunye umyalelo ofanele. Ngokufanayo, ingxenye yesithathu engagculisekile ngesinqumo soMgcinilwazi sokuvuma isicelo solwazi, ingafaka isicelo eNkantolo Ephakeme ukuze ithole usixazululo kungakapheli izinsuku eziyi-180 yazisiwe ngesinqumo.

17.3. INkantolo izonquma ukuthi amarekhodi afanele atholakale noma cha.

17.4. Umfakisicelo (noma ingxenye yesithathu, lapho kufanele), ngaphezu kwalokho, angakwazi ukufuna isixazululo kunoma iyiphi inkantolo enegunya elifanele maqondana nalezi zinqumo ezilandelayo zoMgcinilwazi –

17.4.1. inani lemali edingeka ukuba ikhokhwe; kanye/noma

17.4.2. ukululwa kwesikhathi lapho ulwazi oluzonikezwa ngaso.

17.5. Yonke inqubo yezomthetho kufanele ihanjiswe ehhovisi loMphathi: Umthetho, Ingozi ne-CCC.

18. UKUBUYEKEZWA KWEMANUWALI

Le manuwali izobuyekezwa njalo ngonyaka noma uma kunesidingo.

19. UKUTHOLAKALA KWEMANUWALI

19.1. Le Manuwali izokwenziwa ukuba itholakale ezindaweni ezilandelayo –

19.1.1. Kwiwebhusayithi yesiPhathimandla; futhi

19.1.2. Nasemtatshweni wolwazi wesiphathimandla ngezikhathi zokusebenza ezijwayelekile.

19.2. Le Manuwali izophinde yenziwe ukuba itholakale kunoma yimuphi umuntu ngesicelo, futhi lapho kukhokhwa inani lemali elifanele.