



**IKHOMISHANA YOKUXHUMANISA, UKUXOKA KANYE
NOKUNQANYULWA**

INCWADI YE-PAIA

**Ilungiselelwe ngokwesigaba 14 soMthetho
Wokukhuthazwa Kokufinyelela Olwazini 2 ka-
2000 (njengoba uchitshiyelwe) kanye NoMthetho
Wokuvikelwa Kolwazi Lomuntu Siqu 4 ka-2013.**

OKUQUKETHWE

1.	ISANDULELA SOMQONDISI wakwa-CCMA	3
2.	UHLU LWEZIMFINYEZO KANYE NEZIFUSHANE	4
3.	INHLOSO YE NCWADI YE-PAIA	5
4.	UKUSUNGULWA KWEKHOMISHINI YEKUXHULISANA, UKUXOXA KANYE NE- KULAMULA	5
5.	ISAKHIWO SE-CCMA NEMISEBENZI	6
6.	IMININGWANE YOKUXHUMANA EMQOKA YOKUTHOLA ULWAZI LWE-CCMA.....	11
7.	INCAZelo YAZO ZONKE IZITHATHO EZITHOLAKALAYO MAYELANA NOMTHETHO ESENZO NOMA UKWEHLULEKA UKUTHATHA ISINYATHELO YI-CCMA.....	12
8.	UMHLAHLANDLELA WOKUSEBENZISA I-PAIA NOKUTHOLA UKUTHI KUFINYELELA KANJANI KUMHLAHLANDLELA	13
9.	IZINHLOBO ZAMAREKHODI AGCINWE IMIKHAKHA YAKWA-CCMA.....	14
10.	AMAREKHODI E-CCMA ATHOLAKALA NGAPHANDLE KOMUNTU OKUFANELE ACELE UKUFIKELELA, NGEMIBANDELA YESIGABA 15(2) SOMTHETHO	17
11.	INQUBO YOKUFINYELELA KUMAREKHODI AGCINWE YI-CCMA	19
12.	IZINKONZO EZIKHONA ZAMALUNGU OMPHAKATHI ZASE-CCMA.....	21
13.	UKUBANDAKANYWA KOMPHAKATHI EKWAKHIWENI KWENQUBOMGOMO NOMA EKUSETSHENZWENI KWAMANDLA NOMA UKWENZA IMISEBENZI NGI-CCMA.	23
14.	UKUHAMBISWA KOLWAZI LOMUNTU.....	24
15.	IZIMALI EZIMISIWE	29
16.	UKUTHOLAKALA KWENCWADI	29
17.	UKUBUYEKEZWA KWENCWADI	29
18.	KUKHISHWE NGU.....	29

1. ISANDULELA SOMQONDISI wakwa-CCMA

IKhomishani Yokubuyisana, Ukulamula kanye Nokwahlulela (i-CCMA), ngokuhambisana noMthetho Wokukhuthazwa Kokufinyelela Olwazini wesi-2 wezi-2000, njengoba uchitshiyelwe¹ (i-PAIA), ilungiselele le Manuwali ye-PAIA ukuze kube lula ilungelo lomphakathi lokufinyelela olwazini oluphethwe yi-CCMA. Le manuwali kufanele ifundwe kanye noMhlahlandlela wokuthi isetshenziswa kanjani i-PAIA, njengoba ishicilelwe yi-Isilawuli soLwazi. Imininingwane yokuxhumana ye- Isilawuli soLwazi inikezwe ngezansi ukuze kubhekwe kuyo kanye nolunye usizo.

Isigaba se-32 soMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika, 1996, sisungula ilungelo lawo wonke umuntu lokuthola ulwazi olugcinwe uMbuso kanye nezinhlangano ezizimele lapho lolo lwazi ludingeka khona ukuze kusetshenziswe noma kuvikelwe noma yimaphi amalungelo. I-PAIA yenza leli lungelo lisebenze futhi ikhuthaza isiko lokubeka izinto obala, ukuziphendulela kanye nokuphatha okuhle kuzo zombili izinhlobo zikahulumeni nezizimele. Ngokwenza kanjalo, isekela ukuzibophezela komthethosisekelo wezwe kuntando yeningi evulekile nebambe iqhaza.

Le ncwadi ibeka izinhlobo nezigaba zamarekhodi agcinwe yi-CCMA futhi ibeka izinqubo nezimfuneko zokucela ukufinyelela kuleyo mininingwane. Le manuwali ihloselwe ukusiza noma yimuphi umuntu, kuhlenganisa nabangebona abezizwe, ukuthi baqonde ukuthi bangalisebenzisa kanjani ilungelo labo lokuthola ulwazi ngendlela esemthethweni nenolwazi.

I-CCMA iyavuma ukuthi ilungelo lokuthola ulwazi aliphelele futhi linganqunyelwa ngaphansi kwezimo ezithile. Le mikhawulo² iqashelwa kukho kokubili i-PAIA kanye Nomthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 wezi-2013 (POPIA) futhi isebenza ukulinganisa ilungelo lokufinyelela namanye amalungelo nezintshisakalo, njengokuvikelwa kobumfihlo bomuntu siqu, ubumfihlo, amalungelo angokomthetho, kanye nezinjongo ezisemthethweni ezihlobene nokusebenza kwezinhlangano.

Ngokuhambisana ne-PAIA, i-CCMA ingase idingeke ukuthi inikeze ukufinyelela kumarekhodi ngisho nalapho kunezizathu zokwenqaba, uma ukudalulwa kwerekhodi kuzoveza ubufakazi bokwephulwa okukhulu, noma ukwehluleka ukuhambisana nomthetho, kanye nentshisekelo yomphakathi ekudalulweni kwerekhodi ngokusobala idlula umonakalo ohlongozwe kunoma yiziphi izizathu zokwenqaba ukuthola amarekhodi.

Lencwadi liyinkomba yokuzibophezela kwe-CCMA ekuvulelekeni, ukuthobela izibopho zomthetho, kanye nokugqogquzelwa kwesikhungo sikahulumeni esisobala nesiziphendulelayo.

Imininingwane ye Silawuli:

Ikheli lendawo: Imininingwane ye Silawuli soLwazi (Ningizimu Afrika)

JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001

Ikheli Leposi: PO Box 31533, Braamfontein, Johannesburg 2017

I-imeyili:

enquiries@inforegulator.org.za

PAIACompliance@inforegulator.org.za

Iwebhusayithi:

<https://www.inforegulator.org.za>

UMMELI. CAMERON MORAJANE
UMQONDISI wakwa-CCMA

¹ UMthetho Okukhuthazwa Kokufinyelela olwazini, 2002, Umthetho Wokuvikelwa Kolwazi Lomuntu Siqu, 2013 kanye Nomthetho Ochitshiyelwe Wokuthuthukisa Ukutholakala Kolwazi, wezi-2019.

² Izizathu zokwenqaba ukufinyelela kumarekhodi, izigaba 33-46 ze-PAIA

2. UHLU LWEZIMFINYEZO KANYE NEZIFUSHANE

IPhini lesiKhulu soLwazi	Lokhu kusho abantu abaqokiwe ku-CCMA abanomthwalo wemfanelo wokusiza Isikhulu Solwazi ngokuthobela <i>soMthetho Ochitshiyelwe Wokukhuthazwa Kokufinyelela Olwazini 2</i> wezi-2000 (PAIA) kanye NoMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 wezi-2013 (POPIA), njengoba kuhlangozwe esigabeni 17 se-PAIA kanye nesigaba 55 no-56 se-POPIA.
Umhlahlandlela	Lokhu kusho umhlahlandlela njengoba kuhlangozwe esigabeni se-10 se-PAIA mayelana nendlela yokusebenzisa i-PAIA kunoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elihlangozwe ku-PAIA kanye/noma i-POPIA.
I-ICT	uBuchwepheshe Bokuxhumana ngolwazi
Isikhulu Solwazi	Maqondana ne-CCMA, inhlangano yomphakathi, lokhu kusho uMqondisi we-CCMA, noma umuntu owenza kanjalo.
iSilawuli soLwazi	Lokhu kusho iSilawuli soLwazi esungulwe ngokwesigaba 39 soMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 wezi-2013.
Ulwazi Lomuntu Siqu	Lokhu kusho ulwazi oluhlobene nomuntu wemvelo obonakalayo, okuhlanganisa, kodwa kungacini nje kokuthi— (a) <i>Ulwazi oluhlobene nohlanga, ubulili, ubulili, ukukhulelwa, isimo somshado, ubuzwe, ubuzwe noma imvelaphi yenhlobo, umbala, ukukhetha ubulili, ubudala, impilo yomzimba noma yengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, inkolelo, isiko, ulimi nokuzalwa komuntu;</i> (b) <i>ulwazi oluhlobene nemfundo noma umlando wezokwelapha, wezezimali, wobugebengu noma wokuqashwa komuntu;</i> (c) <i>noma iyiphi inombolo ekhombayo, uphawu, ikheli le-imeyili, ikheli lendawo, inombolo yocingo, imininingwane yendawo, isihlonzi esiku-inthanethi noma okunye okunikezwe umuntu;</i> (d) <i>ulwazi lwebhayomethrikhi yomuntu;</i> (e) <i>imibono yomuntu, imibono noma okuthandwa ngumuntu;</i> (f) <i>izincwadi ezithunyelwa ngumuntu eziyimfihlo noma ngokusobala noma ezinye izincwadi ezingadalula okuqukethwe yincwadi yokuqala;</i> (g) <i>imibono noma imibono yomunye umuntu ngomuntu; futhi</i> (h) <i>igama lomuntu uma livela nolunye ulwazi lomuntu siqu oluphathelele nomuntu noma uma ukudalulwa kwegama ngokwalo kuzoveza ulwazi ngomuntu, kodwa kungafaki ulwazi olumayelana nomuntu oseneminyaka engaphezu kwengama-20 ashona.</i>
I-POPIA	Umthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 we-2013
Inhlangano Yomphakathi	Lokhu kusho – (a) <i>noma yimuphi umnyango wombuso noma wokuphatha ezingeni likazwelonke noma lesifundazwe likahulumeni nanoma yimuphi umasipala esigabeni sikaHulumeni wasekhaya; noma</i> (b) <i>nanoma yisiphi esinye isisebenzi noma isikhungo lapho-</i> (i) <i>ukusebenzisa amandla noma ukwenza umsebenzi ngokoMthethosisekelo noma umthethosisekelo wesifundazwe; noma</i> (ii) <i>ukusebenzisa amandla omphakathi noma enze umsebenzi womphakathi ngokwanoma yimuphi umthetho³.</i>
i-Rekhodi	Lokhu kusho uhlobo lwemibhalo maqondana nenhlangano yomphakathi noma ezimele nanoma yiluphi ulwazi olurekhodiwe oluvikelwe yinhlangano yomphakathi noma ezimele- a) <i>kungakhathalekile ukuthi uluphi uhlobo noma uhlobo;</i> b) <i>ekuphatheni noma ngaphansi kokulawula kwaleyo nhlangano yomphakathi noma ezimele, ngokulandelana; futhi</i> c) <i>noma ngabe yasungulwa yilelo bandla lomphakathi noma elizimele, ngokulandelana</i>
Ilungu elinesibopho semfanelo	Lokhu kusho inhlangano yomphakathi noma yangasese nanoma yimuphi omunye umuntu, eyedwa noma ngokuhlanganyela nabanye, enquma inhloso kanye nezindlela zokucubungula ulwazi lomuntu siqu.
Umthetho	Lokhu kusho u soMthetho Ochitshiyelwe Wokukhuthazwa Kokufinyelela Olwazini wesi-2 wezi-2000 njengoba uchitshiyelwe, futhi kubandakanya noma yimuphi umthethonqubo owenziwe wasebenza ngokwesigaba 92.

³ Isigaba 1 soMthetho Ochitshiyelwe Wokukhuthazwa Kokufinyelela Olwazini, wezi-2002

3. INHLOSO YE NCWADI YE-PAIA

Le Ncwadi ye-PAIA iwusizo emphakathini ngoku-

- 3.1. hlola uhlobo lwamarekhodi okungenzeka asevele ekhona kwa-CCMA, ngaphandle kwesidingo sokuhambisa isicelo esisemthethweni se-PAIA;
- 3.2. baqonde ukuthi senziwa kanjani isicelo sokuthola irekhodi le-CCMA;
- 3.3. finyelela yonke imininingwane yokuxhumana efanele yabantu abangaphakathi kwa-CCMA abazosiza umphakathi ngamarekhodi abahlose ukuwathola;
- 3.4. azi zonke izisombululo ezitholakala kwa-CCMA mayelana nesicelo sokufinyelela kumarekhodi, ngaphambi kokuya kuMlawuli Wezolwazi noma Ezinkantolo;
- 3.5. finyelela incazelo yezinsizakalo ezihlinzekwa yi-CCMA kumalungu omphakathi kanye nendlela yokuthola lezo zinsizakalo;
- 3.6. qaphela incazelo yomhlahlandlela wokuthi isetshenziswa kanjani i-PAIA, njengoba ibuyekwezwa nguMlawuli Wolwazi, kanye nendlela yokuthola ukufinyelela kuyo;
- 3.7. baqonde izimo lapho i-CCMA izocubungula ulwazi lomuntu siqu;
- 3.8. ukuthola incazelo yezihloko i-CCMA enazo amarekhodi kanye nezigaba zamarekhodi esihlokwini ngasinye;
- 3.9. bazi ukuthi i-CCMA ihlele yini ukudlulisa noma ukucubungula Ulwazi Lomuntu Siqu ngaphandle kweRiphabhulikhi yaseNingizimu Afrika kanye nabamukeli noma izigaba zabamukeli okungase kuhlizekwe kubo Ulwazi Lomuntu Siqu; futhi
- 3.10. bazi ukuthi i-CCMA inazo yini izinyathelo zokuphepha ezifanele zokuqinisekisa ubumfihlo, ubuqotho kanye nokutholakala kolwazi lomuntu siqu okumele lusetshenzwe.

4. UKUSUNGULWA KWEKHOMISHINI YEKUXHULISANA, UKUXOXA KANYE NE-KULAMULA

4.1. Umthetho Wokusungula

- 4.1.1. I-CCMA iwuhlaka olusemthethweni olusungulwe ngokwesigaba 112 soMthetho Wezobudlelwano Babasebenzi, 1995 (uMthetho No. 66 ka-1995), njengoba uchitshiyelwe (LRA).
- 4.1.2. I-CCMA ibuswa Isigungu Esilawulayo esisungulwe ngokwesigaba 116 se-LRA. Isigungu Esilawulayo siqukethe usihlalo namanye amalungu⁴ ayisishiyagalolunye, ngalinye liqokwe yi-NEDLAC futhi liqokwe uNgqongqoshe Wezokuqashwa Nezabasebenzi ukuthi libambe isikhundla iminyaka emithathu, kanye noMqondisi we-CCMA (oyilungu lesigungu esilawulayo kuphela ngenxa yokuthi uqokwe njengomqondisi).
- 4.1.3. Ngokwesigaba 116 se-LRA, isigungu esilawulayo siyisigungu esiphezulu esenza inqubomgomo ye-CCMA.

4.2. Izinjongo/Igunya

- 4.2.1. I-CCMA ithatha igunya layo elisemthethweni ngokuyinhloko esigabeni sama-23 soMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika, 1996 (uMthetho No. 108 ka-1996) kanye ne-LRA.
- 4.2.2. Igunya le-CCMA lisuselwa enjongweni ye-LRA, phakathi kokunye, ukuqhubekisela phambili intuthuko yezomnotho, ubulungiswa bezenhlalakahle, ukuthula kwabasebenzi kanye nokwenza intando yeningi endaweni yokusebenza.
- 4.2.3. Igunya lenhlangano liphinde lithuthukiswe yimithetho ephathelene nomhlaba womsebenzi futhi ikakhulukazi uMthetho Wezimo Eziyisisekelo Zokuqashwa, 1997 (uMthetho No. 75 ka-1997), njengoba uchitshiyelwe ("i-BCEA") kanye noMthetho Wokulingana Kwezokuqashwa,

⁴ Amanye amalungu ayisishiyagalolunye aphiwe amathathu lilinye avela kubasebenzi abahlelekile, amabhizinisi ahlelekile, kanye noHulumeni. Ikhasi 5 lika-28

1998 (“i- EEA” njengoba uchitshiyelwe Nombolo 55).

- 4.2.4. I-CCMA izimele ngaphansi koMbuso, noma yiliphi iqembu lezombusazwe, inyunyana yabasebenzi, umqashi, izinhlangano⁵ zabaqashi, umfelandawonye wezinyunyana noma umfelandawonye wezinhlangano zabaqashi. Ingunya kuzo zonke izifundazwe eziyisishiyagalolunye zeRiphabhulikhi yaseNingizimu Afrika.

4.3. Umbono, Injongo kanye Namagugu e-CCMA

4.3.1. Umbono

I-CCMA iyisikhungo esisezingeni lomhlaba esikhuthaza ukuzinza kwemakethe yezabasebenzi, ubulungiswa bezenhlalakahle kanye nokuphepha kwemisebenzi.

4.3.2. Injongo

Ukwenza kusebenze amalungelo we Mthothesekele nenkululeko yawo wonke umuntu.

4.3.3. Namagugu

Inhlonipho - Siyabazisa labo esibasebenzelayo, labo esisebenza nabo kanye nenhlangano yethu.

Okuhle kakhulu - Siqhubeka senza konke okusemandleni ethu ekufezeni umsebenzi wethu kanye nasezinkonzweni kubantu bakithi.

Ukuziphendulela - Sizibophezela ngezenzo zethu, kanye nemiphumela yomsebenzi wethu.

Ukuhlukahluka - Siyahlonipha, siyakwamukela futhi sibungaza ukuhlukana kwabantu bakithi.

Ubuqotho - Senza into efanele ngisho nalapho kungekho osibhekile.

Ukungafihli - Sisebenza ngendlela evulekile, enobulungiswa nethembekile.

5. ISAKHIWO SE-CCMA NEMISEBENZI

5.1. Isakhiwo se-CCMA

- 5.1.1. I-CCMA ineHhovisi likaZwelonke (eliNhloko) eliseGoli, kanye namahhovisi ezifundazwe nawezifunda kuzo zonke izifundazwe eziyisishiyagalolunye (9) zaseNingizimu Afrika.
- 5.1.2. **Ngokwesigaba 121(1) se-LRA**, iNdikimba Ebusayo ingasungula amakomiti azosiza iKhomishini. Ngokuhambisana nalesi sihlinzekelo, iNdikimba Ebusayo ye-CCMA isungule amakomiti alandelayo:
- 5.1.2.1. IKomidi Lokucwaninga Amabhuku Nezingozi (ARC);
- 5.1.2.2. IKomidi Lokuxazulula Izingxabano (i-DRC);
- 5.1.2.3. IKomidi Lokubusa, Lezenhlalakahle Nezimiso Zokuziphatha (GSEC);
- 5.1.2.4. IKomidi Lezabasebenzi (HRC); futhi
- 5.1.2.5. IKomidi Lokuthenga (PC)
- 5.1.3. **Ngokwesigaba 118(1)(a)–(b) se-LRA**, isigungu esilawulayo kumele siqoke, njengoMqondisi weKhomishana, umuntu—
- 5.1.3.1. unekhono futhi unolwazi ebudlelwani bezabasebenzi nokuxazulula izingxabano; kanye
- 5.1.3.2. akakaze alahlwe yicala lokungathembeki.
- 5.1.4. **Ngokwesigaba 118(1)(a)–(c) se-LRA**, uMqondisi kumele—
- 5.1.4.1. yenza imisebenzi enje nge—
- (i) enikezwe uMqondisi noma ngokwemibandela yoMthetho (LRA) nanoma yimuphi omunye umthetho;

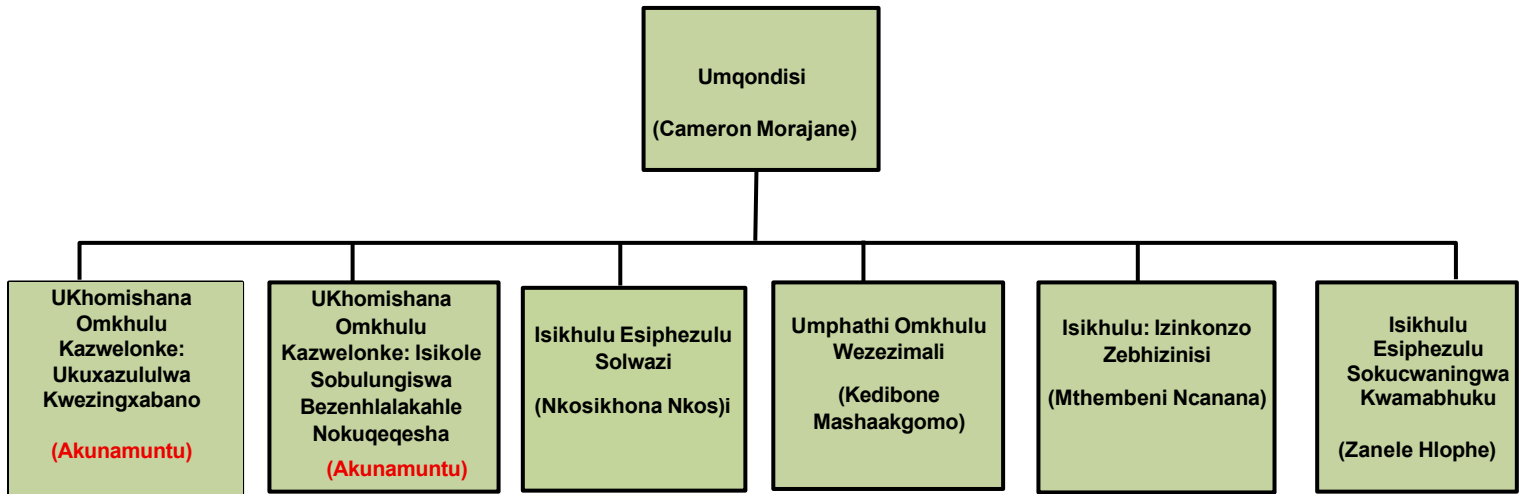
⁵ Bheka iSigaba 113 se-LRA

(ii) elijutshwe kuMqondisi yiNdikimba Ebusayo;

5.1.4.2. ukuphatha kanye nokuqondisa imisebenzi yeKhomishana; kanye

5.1.4.3. lawula abasebenzi beKhomishini.

5.1.5. IKomidi Eliphethe (i-EXCO) le-CCMA liqukethe uMqondisi kanye nabaPhathi abayisithupha (6), okuyilaba: UKhomishana Omkhulu Kazwelonke: Ukuxazululwa Kwezingxabano; UKhomishana Omkhulu Kazwelonke: Isikole Sobulungiswa Bezenhlalakahle Nokuqeqesha; Isikhulu Esiphezulu Solwazi (CIO); Isikhulu Esiyinhloko Sezezimali (i-CFO); Isikhulu: Izinkonzo Zebhizinisi; kanye neChief Audit and Risk Executive. Ngezansi umfanekiso wesakhiwo samanje se-CCMA:



5.2. Imisebenzi ye-CCMA

Imisebenzi yeKhomishana, njengoba ichazwe eSigabeni 115 se-LRA, ihlanganisa kokubili amandla ayimpoqo kanye nawokuzikhethela. Lawa mandla ami kanje:

5.2.1. Imisebenzi Eyisibopho

5.2.1.1. Isigaba 115(1) sihlizekela la mandla, imisebenzi kanye nemisebenzi elandelayo:

IKhomishana kufanele—

- (a) *ukuzama ukuxazulula, ngokubuyisana, noma yikuphi ukungaboni ngaso linye okudluliselwe kuyo ngokwalo Mthetho;*
- (b) *uma ingxabano edluliselwe kuyo ihlala ingaxazululiwe ngemva kokubuyisana, lamula ingxabano uma —*
 - (i) *lo Mthetho udinga ukunxeshezela futhi noma iyiphi ingxenye yengxabano icele ukuthi ingxabano ixazululwe ngokulamula ; noma*
 - (ii) *bonke abathintekayo engxabanweni lapho iNkantolo Yezabasebenzi inegunya lokugunyaza ukunxeshezela ngaphansi kweKhomishana;*
- (c) *lisize ekusungulweni kwezinkundla zemisebenzi ngendlela ehlongozwe eSahlukweni V;*
- (d) *lihlanganise futhi lishicilele ulwazi kanye nezibalo mayelana nemisebenzi yalo ; futhi*
- (e) *okungenani njalo ngonyaka wesibili, abuyekeze noma yimiphi imithetho eyenziwe ngokwalesi sigaba.*

5.2.2. Imisebenzi Yokuzikhethela

5.2.2.1. Isigaba 115(1) sihlinzekela la mandla, imisebenzi kanye nemisebenzi elandelayo: **IKhomishana inga—**

(a) uma icelwa, yeluleka uhlangothi olubambene ngenqubo okumele ilandelwe ngokwalo Mthetho;

(b) uma ecelwa, asize ingxenye ephikisanayo ukuze ithole iseluleko sezomthetho, usizo, noma ukumelwa;

(bA) uma eceliwe, ahlinzeke ngosizo lokuphatha kumsebenzi ohola ngaphansi komkhawulo obekwe uNgqongqoshe ngaphansi kwesigaba sesi-6 (3) soMthetho Wezimo Eziyisisekelo Zokuqashwa ukuze anikeze noma yisiphi isaziso noma umqulu maqondana nezinqubo zokubuyisana noma zokulamula lo Mthetho, inqobo nje uma umsebenzi ehlala enesibopho emthethweni nganoma iyiphi leyo nkonzo;

[Isigaba. (bA) ifakwe ngu-s. 18 (b) woMthetho Nombolo 6 wezi-2014.]

(c) ukunikeza ukuxazulula ukungaboni ngaso linye okungakadluliswa kuKhomishana ngokubuyisana; (cA) yenza imithetho—

(i) ukulawula, ngokweyame Kuhlelo 3, ukuqhubeka emihlanganweni yayo kanye nasemihlanganweni yanoma yiliphi ikomidi leKhomishana;

(ii)

[Isigatshana. (ii) sisuswe ngu-s. 18 (c) woMthetho Nombolo. 6 wezi-2014.]

(iii) ukulawula ukwenza kanye nenqubo—

(aa) nganoma iyiphi inqubo yokuxazulula ingxabano ngokubuyisana; (bb) ezinqubweni zokulamula ; futhi

(iv) enquma inani lanoma iyiphi imali uKhomishane engayikhokhisa ngaphansi kwesigaba 147, futhi elawula ukukhokhwa kwaleyo mali ngokuningiliziwe;

[Isigaba. (cA) ifakwe ngu-s. 6 (a) woMthetho No. 127 ka-1998.]

(d) [Isigaba. (d) sisuswe ngu-s. 31 (a) woMthetho Nombolo 42 ka-1996.]

(e) [Isigaba. (e) sisuswe ngu-s. 31 (a) woMthetho Nombolo. 42 ka 1996]

(f) ukuphatha, ukwengamela noma ukucubungulisa noma yiluphi ukhetho noma ivoti lenyunyana yabasebenzi ebhalisiwe noma inhlango yabaqashi ebhalisiwe uma icelwa ukuba yenze njalo leyo nyunyana noma inhlango yabaqashi;

(g) ukushicilela imihlahlandlela maqondana nanoma yiluphi udaba okukhulunywa ngalo kulo Mthetho;

(h) liqhube futhi lishicilele ucwaningo ezindabeni ezihambisana nemisebenzi yalo. (i) . [Isigaba. (i) isuswe ngu- s. 31 (a) woMthetho. 42 ka 1996.]

(2A) IKhomishani ingenza imithetho elawulayo—

(a) ukwenza nenqubo ephathelene nokuxazululwa kwengxabano ngokubuyisana noma ukulamula ;

(b) inqubo ukubuyisana okuqaliswa ngayo, kanye nesimo, okuqukethwe, kanye nokusetshenziswa kwaleyo nqubo;

(c) inqubo okuqalwa ngayo ukulamula noma ukulamula, kanye nefomu, okuqukethwe, kanye nokusetshenziswa kwaleyo nqubo;

(d) umhlanganisi wanoma yimuphi umuntu onentshisekelo engxabanweni kunoma yiziphi izinyathelo zokubuyisana nezokulamula;

(e) ukungenelela kwanoma yimuphi umuntu njengomfakisicelo noma ummangalelwa ezinqubeni zokubuyisana noma zokulamula;

(f) ukuchitshiyelwa kwanoma yikuphi okucashuniwe kanye nokushintshwa kwanoma yiliphi iqembu esikhundleni somunye ezinqubweni zokubuyisana noma zokulamula;

(g) amahora lapho amahhovisi eKhomishana eyovulwa ngawo ukwamukela noma

yiluphi uhlelo;

(h) noma yisiphi isikhathi okungafanele sibalwe ngenhloso yokubala isikhathi noma izikhathi zokulethwa kwanoma iyiphi inqubo noma isaziso esihlobene nanoma yiziphi izigcawu;

(i) amafomu okumele asetshenziswe amaqembu kanye neKhomishini;;

(j) isisekelo lapho ukhomishani angenza noma yimuphi umyalo mayelana nezindleko kunoma yikuphi ukulamula;

(k) ilungelo lanoma yiluphi uhlangothi lokumelwa yinoma yimuphi umuntu noma isigaba sabantu kunoma yiziphi izinyathelo zokubuyisana noma zokulamula, kuhlenganisa nomthethonqubo noma umkhawulo welungelo lokumelwa kulezo zinqubo;

[Isigaba. (k) esikhundleni ngu-s. 18 (d) woMthetho. 6 ka 2014.]

(kA) imiphumela yanoma yiliphi iqembu ekuxoxisaneni noma ezinyathelweni zokungayi kulezo zinqubo;

[Isigaba. (kA) sifakwe ngu-s. 18 (e) woMthetho No. 6 wezi-2014.]

(l) izimo lapho uKhomishane engakhokhisa khona imali maqondana nanoma yikuphi ukubuyisana noma ukuqulwa kwecala noma nganoma yiziphi izinkonzo ezihlinzekwa uKhomishane;

futhi

(m) zonke ezinye izindaba eziphathelele nokwenza imisebenzi yeKhomishana.

[Isigatshana. (2A) ifakwe ngu-s. 22 (a) woMthetho No. 12 ka-2002.]

(3) IKhomishana inganikeza abasebenzi, abaqashi, izinyunyana ezibhalisiwe, izinhlangano zabaqashi ezibhalisiwe, imifelandawonye yezinyunyana, imifelandawonye yezinhlangano zabaqashi noma imikhandlu izeluleko noma ukuqeqeshwa okuphathelele nezinjongo eziyinhloko zalo Mthetho nanoma yimuphi omunye umthetho wokuqashwa, kuhlenganise kodwa kungacini lapho—

(a) ukusungula izinhloko zokuxoxisana ngokuhlanganyela;

(b) ukuklama, ukusungula kanye nokukhetha izithangami zezindawo zokusebenza nokudala izindlela zokunqanda umgqigqo;

(c) ukusebenza kwezithangami zasemsebenzini;

(d) ukuvimbela nokuxazulula izingxabano kanye nezikhhalazo ;

(e) izinqubo zokuqondiswa kwezigwegwe;

(f) izinqubo maqondana nokuxoshwa;

(g) inqubo yokuhlela kabusha indawo yokusebenza;

(h) izinhlelo eziqinisekayo kanye nezinhlelo zamathuba alinganayo; futhi

(i) ukuvimbela ukuhlukunyezwa ngokocansi emsebenzini.

[Izikhonzi. (3) uchitshiyelwe ngu s. 18 (f) woMthetho No. 6 wezi-2014. (i) kufakwe isi- . 31 (b) woMthetho No. 42 ka-1996.]

(4) IKhomishana kufanele yenze noma yimiphi eminye imisebenzi ebekiwe, futhi ingasebenzisa noma yimaphi amandla elinikezwe wona ngokwalo Mthetho noma ngokwalo Mthetho futhi inamandla okwenza noma yimuphi omunye umsebenzi ephathiswe wona ngomunye umthetho

(5) Imithetho yenqubo yesigungu esilawulayo, imigomo yokuqokwa kwamalungu aso kanye nezinye izindaba zokuphatha kudingidwa Ohlelweni 3.

(6) (a) Umthetho owenziwe ngaphansi kwesigatshana (2) (cA) noma (2A) kufanele ushicilelwe kuGazethi Kahulumeni. IKhomishana izoba nesibopho sokuqinisekisa ukuthi ukushicilelwa kuyenzeka.

(b) Umthetho owenziwe kanjalo ngeke ube namandla omthetho noma umphumela ngaphandle kokuthi ushicilelwe.

(c) Umthetho owenziwe kanjalo uqala ukusebenza kusukela ngosuku lokushicilelwa ngaphandle uma kubekiwe usuku lwakamuva.

6. IMININGWANE YOKUXHUMANA EMQOKA YOKUTHOLA ULWAZI LWE-CCMA

6.1. Umphathi Wolwazi (IO)

Ukuqokwa: UMQONDISI wakwa-CCMA
 Ucingo: +2711 377 6633
 I-imeyili: directoroffice@ccma.org.za
executivesupport@ccma.org.za

6.2. Amaphini Eziphathi Zolwazi (DIOs)

AMAHOVISI ESIFUNDAZWE	UKUQOKWA KWE DIO	IMININGWANE YOKUXHUMANA
Ihovisi Elikhulu	Umphathi Omkhulu: Ezokuphatha kanye Namasu	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2711 377-6944
Ihovisi Elikhulu	UKhomishana Omkhulu Kazwelonke: Isikole Sobulungiswa Bezenhlalakahle Nokuqeqesha	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2741 509-1007
Ihovisi Elikhulu	UKhomishana Omkhulu Kazwelonke: Ukuxazululwa Kwezingxabano	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2731 362-2377
Ihovisi Elikhulu	Isikhulu: Izinkonzo Zebhizinisi	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2711 377-6667
Ihovisi Elikhulu	Isikhulu Eskhulu soCwaningomabhuku kanye ne Ingozi	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2711 377-6712
Ihovisi Elikhulu	Isikhulu Esiphezulu Solwazi	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2711 377-6628
eGauteng	Umphathi Omkhulu: Ihovisi likaMqondisi	Ikheli Lendawo: 28 Harrison Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2711 377-6692

AMAHOVISI ESIFUNDAZWE	UKUQOKWA KWE DIO	IMININGWANE YOKUXHUMANA
Ihovisi Elikhulu	UKhomishana Omkhulu Wesifundazwe	I-imeyili: johannesburg@ccma.org.za Ikheli Lendawo: CCMA House, 127 Fox Street, Johannesburg, 2001 Ikheli leposi: Private Bag X94, Marshalltown, 2107 Ucingo: +2711 845-9011
e-Free State nase Nyakatho nekapa	UKhomishana Omkhulu Wesifundazwe	I-imeyili: blm@ccma.org.za Ikheli Lendawo: 60 Park Rd, Willows, Bloemfontein, 9301 Ikheli leposi: Private Bag X20705, Bloemfontein, 9300 Ucingo: +2751 411-1702
eMpumalanga Kapa	UKhomishana Omkhulu Wesifundazwe	I-imeyili: pe@ccma.org.za Ikheli Lendawo: CCMA House, 107 Govan Mbeki Avenue, Gqeberha Ikheli leposi: Private Bag X 22500, Port Elizabeth, 6000 Ucingo: +2741 509-1002
KwaZulu-Natal	UKhomishana Omkhulu Wesifundazwe	I-imeyili: kzn@ccma.org.za Ikheli Lendawo: 1 st & 3 rd Floors, Aquasky Building, 275 Anton Lembede Street, Durban, 4001 Ikheli leposi: Private Bag X54363, Durban, 4000 Ucingo: +2731 362-2381
eLimpopo	UKhomishana Omkhulu Wesifundazwe	I-imeyili: ptb@ccma.org.za Ikheli Lendawo: CCMA House, 104 Hans van Rensburg Street, Polokwane, 0699 Ikheli leposi: Private Bag X 9512, Polokwane, 0700 Ucingo: +2715 287-7477
eMpumalanga	UKhomishana Omkhulu Wesifundazwe	I-imeyili: wtb@ccma.org.za Ikheli Lendawo: 25 Samora Machel, Sanlam Centre Building, 7 th Floor Nelspruit Ikheli leposi: Private Bag X 7290, Witbank, 1035 Ucingo: +2713 655-2619
Intshonalanga Esenyakatho	UKhomishana Omkhulu Wesifundazwe	I-imeyili: kdp@ccma.org.za Ikheli Lendawo: CCMA House, 111 Kloppe Street, Klerksdorp, 2570 Ikheli leposi: Private Bag X5004, Klerksdorp, 2571 Ucingo: +2713 655-2619
eNtshonalanga Kapa	UKhomishana Omkhulu Wesifundazwe	I-imeyili: ctn@ccma.org.za Ikheli Lendawo: CCMA House, 78 Darling Street, Cape Town, 8001 Ikheli leposi: Private Bag X9167, Cape Town, 8000 Ucingo: +2721 469-0145

6.3. Ukufinyelela Olwazini Oxhumana nabo Abajwayelekile

I-imeyili: paia@ccma.org.za
popia@ccma.org.za

6.4. Kuzwelonke / Ihovisi Elikhulu

Ikheli leposi: Private Bag X94, Marshalltown, 2107
Ikheli lendawo: 28 Harrison Street, Johannesburg, 2001
Ucingo: +2711 377-6600
I-imeyili: info@ccma.org.za
iWebhusayithi: <https://www.ccma.org.za>

7. INCAZELO YAZO ZONKE IZITHATHO EZITHOLAKALAYO MAYELANA NOMTHETHO ESENZO NOMA UKWEHLULEKA UKUTHATHA ISINYATHELO YI-CCMA.

- 7.1. Uma umfakisiselo noma omunye umuntu onesikhalo ethumele isicelo se-PAIA kwa-CCMA futhi engakayitholi impendulo noma enqatshelwe ukufinyelela olwazini oluceliwe, angafaka isikhalazo kuMlawuli Wolwazi.
- 7.2. Ukuze afake isikhalazo, umfakisiselo kumele:
 - 7.2.1 gcwalisa Ifomu Lezikhalazo Le-PAIA (Ifomu lesi-5), elitholakala kusizindalwazi soMlawuli Wolwazi.
 - 7.2.2 ifomu eligcwalisiwe lingathunyelwa nge-imeyili ku-PAIAComplaints@inforegulator.org.za
 - 7.2.3 ngokusebenzisa ingosi yezikhalo eku-inthanethi kusizindalwazi soMlawuli ku-www.inforegulator.org.za.
- 7.3. NgokweSigaba 82 se-PAIA, umfakisiselo noma umuntu ophatheke kabi, ezinsukwini eziyi-180 zokwazi ngesinqumo noma ukwehluleka ukuphendula, afake isicelo enkantolo ukuze athole usizo olufanele lapho ukufinyelela irekhodi kunqatshiwe noma kungalungiswanga kahle.

8. UMHLAHLANDLELA WOKUSEBENZISA I-PAIA NOKUTHOLA UKUTHI KUFINEYELELA KANJANI KUMHLAHLANDLELA

- 8.1. UMlawuli, ngokwesigaba 10(1) se-PAIA, njengoba kuchitshiyelwe, ubuyekeze uMhlahlandlela we-PAIA, njengoba uhlanganiswe yi-SAHRC ekuqaleni.
- 8.2. Inhloso yalo Mhlahlandlela oshiwo ngenhla ukuhlinzeka ngolwazi oludingwa yinoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elihlongozwe ku-PAIA kanye ne-POPIA.
- 8.3. Umhlahlandlela uzosiza ngokuqondile umuntu, obuye abizwe ngesihloko sedatha, mayelana nendlela yokuthola ulwazi lwakhe lomuntu siqu ngokwesigaba sama-23 se-POPIA.
- 8.4. Amalungu omphakathi angafinyelela kuMhlahlandlela ngale ndlela elandelayo: follows:
 - 8.4.1. Hlola noma wenze amakhophi oMhlahlandlela emahhovisi oMqondisi woLwazi ngezikhathi zokusebenza eziwayelekile;
 - 8.4.2. Hlola noma wenze amakhophi oMhlahlandlela emahhovisi e-CCMA ngezikhathi zokusebenza

ezijwayelekile;

8.4.3. Kusuka kuGazethi kaHulumeni;

8.4.4. Kusuka kusizindalwazi se-CCMA: <https://www.ccma.org.za>; futhi8.4.5. Kusuka kusizindalwazi se-: <https://infoeregulator.org.za>

9

ZINHLOBO ZAMAREKHODI AGCINWE IMIKHAKHA YAKWA-CCMA

- 9.1. I-CCMA, ngokusebenzisa iminyango namayunithi ayo ahlukene, ikhiqiza amarekhodi anhlolobonhlolobo abalulekile nasebenzayo. Lawa marekhodi ahlobene ngqo nemisebenzi ewumgogodla, imiphumela, kanye nemisebenzi yomnyango ngamunye ekwenzeni umsebenzi we-CCMA.
- 9.2. Ngesikhathi isebenza, i-CCMA ithola amarekhodi athile ahambisana nemisebenzi yayo. Ukwengeza, amarekhodi angase ahanjise yizinhlangano zangaphandle, ikakhulukazi mayelana nezinqubo zokuvimbela izingxabano nokuxazulula. Ukuqoqwa, ukugcinwa, kanye nokusetshenziswa kwamarekhodi anjalo kulawulwa yizinhlinzeko ezisebenzayo ze-PAIA ne-POPIA.
- 9.3. I-CCMA inelungelo lokudala izigaba ezintsha zamarekhodi njengoba kudingwa yintuthuko yokusebenza, yezomthetho, noma yokulawula. Noma yiziphi izinguquko ekuhlukaniseni amarekhodi zizobonakala ezibuyekizweni ezizayo zale Ncwadi
- 9.4. ukuze kuqinisekise ukunemba nokuhambisana ne-PAIA kanye ne-POPIA.
- 9.5. Ngezansi kunohlu lwamarekhodi aphethwe yi-CCMA, akhiqizwa ngokusebenza kwayo nemisebenzi yomnyango (NB: Lolu hlu luyimifanekiso futhi lungabuyekizwa ngezikhathi ezithile ngokuhambisana nezinguquko ezidingweni zokusebenza nezomthetho ze-CCMA).

Isigaba	Uhlobo Lwedokhumenti	Itholakala kuwebhusayithi	Itholakala ngesicelo
Ukuxazululwa Kwezingxabano	- Amafomu Okudluliswa Kwezingxabano (LRA) - Imithetho ye-CCMA - Ukugeleza Kwenqubo Yokuphatha Izikhalazo	X	
	- Ukuxhumana okuhlobene necala - Imiklomo ye-CCMA yokukulamula - Izivumelwano Settlement - Ulwazi ngesimo semibuzo ehlobene necala - Imibhalo yokugunyazwa - Izivumelwano ezihlangene phakathi kweMikhandlu Yezingxoxo - Izicelo ze- ejensi yangasese		X
Ukubusa kanye Namasu	- Imibiko Yonyaka Yokusebenza - Isu Lokusebenza - Uhlelo Lokusebenza Lonyaka - Izitatimende zabezindaba	X	
	- Izinqubomgomo Zokubusa - Izivumelwano Zokusebenzisana (i-MoU) kanye Nezivumelwano Zokubambisana - Imibhalo Yomcimbi, kuhlangukise nezethulo		X

Isigaba	Uhlobo Lwedokhumenti	Itholakala kuwebhusayithi	Itholakala ngesicelo
Ikomidi Lezinsiza Ezibalulekile (ESC)	- Izaziso zeGazethi kaHulumeni ye-ESC - Imihlahlandlela Yesivumelwano Sesevisi Esincane (i-MSA). - Umsebenzi we-ESC kanye namalungu eKomidi	X	
	- Ukuqoshwa Kwamacala kweESC		X
Ukucwaninga Kwamabhuku Kwangaphakathi Nengozi	- Umqulu Wokucwaningwa Kwamabhuku Wangaphakathi - Iminyaka Emithathu Nohlelo Lokucwaningwa Kwamabhuku Lonyaka - Imibiko yocwaningomabhuku lwangaphakathi - Acwaninge amaphepha okusebenza / ubufakazi - Imibiko yekota ngayinye yeKomidi lokuCwaninga - Imibhalo Ehlanganisiwe Yokubusa Nemibiko		X
	- Amarejista engcuphe (Amasu & Ayasebenza) - Umkhathi Okuhambisana Nokulawula (CRU) - Amaphepha Okusebenza Okuvumelana - Amaphepha Okusebenza Okuhambisana / Nokulawulwa Kwengozi - Izinhloko Zokulawula Ubungozi Nokuthobelana Nemibhalo Yokubusa - Amamanuwali, izinqubomgomo nezethulo mayelana nokuqeqeshwa kokulawulwa kobungozi kanye nokuhambisana nokuqwashisa. - Izinhlelo Zokuqhubeka Kwebhizinisi (BCPs) kanye Nokuhlaziya Kwemithetha Yebhizinisi (BIAs)		X
Izinkonzo Zebhizinisi	- Amarekhodi okuqashwa - Izincwadi zokuqeqesha - Izakhiwo zamaholo - Uhlelo lokuqashwa ngokulingana - Sebenza ngoMthetho Wokuthuthukiswa Kwamakhono - Izivumelwano Nezinkontileka - Imibhalo Yamacala		X

Isigaba	Uhlobo Lwedokhumenti	Itholakala kuwebhusayithi	Itholakala ngesicelo
Umnyango Wezezimali	- Isabelomali Esigunyaziwe Sonyaka kanye Nesamaphakathi Nesikhathi - Izitatimende Zezimali Zonyaka - Ama-Akhawunti Okuphatha Wanyanga Zonke Nezinyanga. - Ama-RFQ kanye nemibhalo yamabhidi - Imibhalo yabahlinzeki bempahla okungukuthi amaphrofayili eNkampani, i-CSD, i-CIPC, Izitifiketi, Izilinganiso. - Noma yimaphi amanye amarekhodi ezezimali		X
Isikole Sobulungiswa Bezenhlalakahle Nokuqeqesha	- Izincwadi Zokuqeqesha - Ulwazi Amashidi (umthetho wokuqashwa)	X	
	- Amakhodi Wokwenza Kahle - Izincwadi - Amajenali		X
Izifundazwe ze-CCMA	- Amafayela wecala - Izibalo ngezilinganiso zokuhlala - Icala lilayishwa ngesifundazwe - Izingxabano ngomkhakha - Imiklomo		X
UMnyango Wezolwazi Nezokuxhumana	- Imibiko ekhiqizwayo edinga ukuhlenganiswa, isibonelo: - Imibiko yephrojekthi ye-ICT - Umbiko we-Antivirus - Imibiko yesivumelwano sezinga lesevisi - Umbiko wokuthengwa kwe-Hardware/software		X

9.6. Izigaba zamarekhodi angase abe ngaphansi kwezizathu zokwenqatshelwa ukufinyelela kumarekhodi

9.5.1. Amarekhodi asohlwini lwezigaba ezingezansi angacelwa ngokusemthethweni kwa-CCMA ngokwe-PAIA. Nokho, ukufinyelela kuwo wonke noma ingxenye yawo wonke la marekhodi kungase kwenqatshwe ngokusemthethweni ngokusekelwe ezizathwini zokwenqatshwa ezishiwo kuSigaba 33 kuya ku-46 se-PAIA.

9.5.2. Bonke abafake izicelo bayakhuthazwa ukuthi babheke Umhlahlandlela we-PAIA oshicilelwe Umlawuli Olwazi kwisizindalwazi sabo (<https://www.inforegulator.org.za>) ukuze bathole ukucaciseleka okwengeziwe mayelana nendlela yokuhambisa isicelo futhi baqonde izizathu zokwenqatshwa okungenzeka.

Isigaba Serekhodi	Efomini Lesicelo Kuphela
- Ukuhlinzekwa kolwazi oluhlobene namacala, okuhlanganisa kodwa okungagcini nje ngokubhalelana nokuqoshiwe, kubantu abangewona amaqembu ekuvimbeleni izingxabano noma ekuxazululeni izingxabano	X
- Amarekhodi aphethwe yi-Legal Services Unit	X
- Ukuxhumana okuyimfihlo kwabaphathi abaphezulu	X
- Imibhalo yokugunyazwa	X
- Izivumelwano ezihlangene phakathi kweMikhandlu Yezingxoxo	X
- Izicelo ze-ejensi ezizimele	X
- Ukuqoshwa Kwamacala kweESC	X
- Ulwazi olukhethekile olugcinwe ngesikhathi sophenyo (okubandakanya uphenyo lwe-forensic), ukubuyisana, ukulamula, ukuxoxisana, ukulalelwa kwecala, ukuxhumana kommeli-namakhosimende, izindaba ezibandakanya ukuphepha kwezwe, noma imininingwane ephathelene nabantu besithathu.	X
- Ulwazi oluqondile lwezabasebenzi, okuhlanganisa kodwa okungagcini nje kumafayela okuqondiswa kwezigwegwe namarekhodi, ulwazi lwezokwelapha, kanye neminye imininingwane yomuntu	X
- Imibhalo Yethenda ethile	X
- Ukudalulwa kwempahla nezinqubo zokuvikela impahla	X
- Ama-ajenda namaminithi amakomiti okuphatha, amakomiti abaphathi, nemihlangano yokusebenza, kuhlanganisa nezincwadi ezihlobene	X
- Izinqubomgomo, amaphepha ekomidi lokuphatha, amakhodi okuziphatha ezinhloko zokuphatha, kanye nolwazi oluhlobene	X
- Uhlaka lwemibiko, izinqubomgomo nemibhalo yezingxoxo	X
- Izivumelwano ezithile zezinga lesevisi, izivumelwano zobambiswano, nezinkontileka zomthetho	X
- Izaziso zokuphoqeleta, izivumelwano zokukhokhelana phakathi kwezinhlangathi, ama-subpoena, kanye nemibhalo ehlobene	X
- Izincwadi zokuqeqesha, imihlahlandlela kanye nezinhloko ezihloselwe ukusetshenziswa ngaphakathi ngaphakathi kwa-CCMA	X
- Ama-invoyisi nobufakazi bezinkokhelo	X

10 AMAREKHODI E-CCMA ATHOLAKALA NGAPHANDLE KOMUNTU OKUFANELE ACELE UKUFIKELELA, NGEMIBANDELA YESIGABA 15(2) SOMTHETHO.

Isigaba	Uhlobo Lwedokhumenti	Iwebhusayithi
Umthetho/Imithethonqu bo	- Amafomu Okudluliswa Kwezingxabano (LRA) - Imithetho ye-CCMA - Amaqephe Olwazi (umthetho wokuqashwa) - AmaGazethi eKomidi Lezinsizakalo Ezibalulekile	X
Amamanuwali/Imihlahl andlela	- I-CCMA PAIA Manual (isiNgisi, isiZulu nesiBhunu) - Umhlahlandlela we-PAIA njengoba uthuthukiswe nguMlawuli Wolwazi - Izincwadi Zokuqeqesha - Imihlahlandlela Yesivumelwano Sesevisi Esincane (i-MSA). - Ikomidi Lezinsizakalo Ezibalulekile Imibuzo Evame Ukubuzwa & Incwajana	X
Ukuphatha Ukuhlinzeka	- Amathenda Ashicilelwe - Amathenda Aklonyelisiwe - Amathenda Akhanseliwe - Amathenda Atholiwe	X
Imibhalo Yamasu (Izinhlelo Nombiko)	- Iphrofayili yenhlangano (Ukubuka konke, Imigomo, Injongo, Umbono, Amanani) - Umsebenzi weKomidi Lezinsizakalo Ezibalulekile kanye Namalungu Ekomidi - Uhlu Lokuqokwa Kwesevisi Ebalulekile - Imibiko Yonyaka Yokusebenza - Isu Lokusebenza - Uhlelo Lokusebenza Lonyaka	X
Umnyango Wabasebenzi	- Isikhangiso Somsebenzi	X
Isikhungo Sezindaba	- Imicimbi - Izitatimende zabezindaba - Izincwadi zezindaba - Izethulo Zenkomfa - Amabhulogi Omthetho Wezabasebenzi	X

- 11.1. Umceli noma isihloko sedatha kufanele asebenzise IFOMU 2 elinqunyiwe lapho ecela ukufinyelela kwirekhodi noma ulwazi lomuntu siqu. Leli fomu liyatholakala ukuze ulidawunilode kusizindalwazi Somlawuli Wolwazi ku- <https://info regulator.org.za/paia/> . Ukuze ulifinyelele kalula, leli fomu liyatholakala nakusizindalwazi se-CCMA ku- <https://www.ccma.org.za> , enesihloko esithi **IFOMU LE- PAIA – ISICELO SOKUFINELELA UKUREKHODI**.
- 11.2. Umfakisicelo angaphrinta IFOMU 2 futhi kufanele agcwalise zonke izinkambu ezidingekayo. Ifomu eligcwalisiwe kufanele lihanjisiwe kuSikhulu Esibhekele Ulwazi se-CCMA noma kuSekela Lesikhulu Esibhekele Ulwazi esifundazweni lapho ofake isicelo ehlala khona. Kungenjalo, isicelo singathunyelwa nge-imeyili ekhelini le-imeyili elijwayelekile le-PAIA: paia@ccma.org.za.
- 11.3. Umfakisicelo kumele anikeze ulwazi olwanele lwerekhodi/amarekhodi aceliwe ukuze iSikhulu Esibhekele Ulwazi noma iPhini Lesikhulu Solwazi, uma likhona, lihlonze i(amarekhodi). Ifomu elinqunyiwe kufanele ligcwaliswe imininingwane eyanele ukuze okungenani iSikhulu Esibhekele Ulwazi sikwazi ukubona:
 - 11.3.1. umazisi womfakisicelo;
 - 11.3.2. imininingwane yerekhodi eceliwe;
 - 11.3.3. uhlobo lwerekhodi;
 - 11.3.4. indlela yokufinyelela; futhi
 - 11.3.5. indlela yokufinyelela.access.
- 11.4. Amanye amaphuzu abalulekile okufanele uwakhumbule lapho ugcwalisa ifomu lesicelo:
 - 11.4.1. isigaba ngasinye sefomu siqukethe imiyalelo okufanele ilandelwe ukuze kuthuthukiswe amathuba okuba isicelo samukelwe futhi kuncishiswe ukubambezeka okungaba khona ekucutshungulweni;
 - 11.4.2. uma amarekhodi ecelelwa omunye umuntu, kufanele kuhlinzekwe ikhophi yegunya noma isigunyazo esibhaliwe esinikeza imvume yokuwamela;
 - 11.4.3. Incazelo eningiliziwe yamarekhodi acelwayo kufanele ihlinzekwe ukuze iSikhulu Esibhekele Ulwazi noma iPhini Lesikhulu Esibhekele Ulwazi sikwazi ukuhlonza amarekhodi ngokunembayo kanye nokucubungula isicelo ngempumelelo.
- 11.5. Umfakisicelo kufanele aveze uhlobo alukhethayo lokufinyelela irekhodi, njengoba kudingwa ngaphansi kwesigaba 29(2) se-PAIA⁶.
- 11.6. Uma umfakisicelo esho indlela ethile yokufinyelela, ukufinyelela kufanele kunikezwe ngaleyo ndlela, ngaphandle uma ukwenza kanjalo kuzophazamisa ngokungenangqondo ukusebenza kwe-CCMA, kudale umonakalo erekhodini, noma kwephule ilungelo lobunikazi okungeyona eye-CCMA. Uma kungenzeki ngendlela enengqondo ukunikeza ukufinyelela ngendlela eceliwe kodwa ukufinyelela kunikezwa ngenye indlela, imali ekhokhwayo kusafanele ibalwe ngokusekelwe ohlotsheni lokufinyelela olucelwe ekuqaleni.
- 11.7. I-CCMA izovuma ukuthi isitholile isicelo ngokubhalwe phansi zingakapheli izinsuku ezintathu (3) isitholile. Isinqumo mayelana nokutholakala kolwazi oluceliwe sizokwaziswa zingakapheli izinsuku ezingamashumi amathathu (30), kanye nemininingwane yokuthi umfakisicelo angaluthola noma aluqoqe kanjani futhi kuphi ulwazi. Uma incwadi yokuvuma ukuthi uyitholile ingatholwa zingakapheli izinsuku ezintathu (3), umfakisicelo uyelulekwa ukuthi axhumane neSikhulu Esibhekele Ulwazi noma iPhini Lesikhulu Esibhekele Ulwazi ukuze aqinisekise ukuthi isicelo sitholakele.
- 11.8. Uma umfakisicelo efisa ukwaziswa ngesinqumo esiphathelene nesicelo sakhe nganoma iyiphi indlela ngaphezu kwempendulo ebhaliwe, isb., ngocingo, lokhu okukhethayo kufanele kukhunjisiwe ngokucacile.
- 11.9. Uma umfakisicelo engakwazi ukufunda noma ukubhala, noma enokukhubazeka, angasenza isicelo serekhodi ngomlomo. Isikhulu solwazi noma iPhini leSikhulu soLwazi noma umuntu ogunyaziwe

⁶ Isigaba sama-29(2)(a) se-PAIA sihlinzeka ngokuthi "irekhodi kufanele lihlinzekwe ngefomu elibhaliwe noma eliphrintiwe noma izithombe ezibonakalayo noma okulotshiweyo okuphrintiwe, ngokuhlinzeka ngekhophi yerekhodi noma ngokwenza amalungiselelo okuhlolwa kwerekhodi.

kufanele agcwalise ifomu egameni lalowo mfakisiselo bese emnika ikhophi.

- 11.10. Uma isicelo samukelwe, kuzomele kukhokhwe enye imali yokufinyelela ekusesheni, ekulungiseni, ekukhiqizweni kabusha kanye nanoma yisiphi isikhathi eseqe amahora anqunyiwe okucinga nokulungisa irekhodi ukuze lidalulwe.
- 11.11. ISikhulu Esibhekele Ulwazi okwenziwa kuso isicelo sokufinyelela noma esidluliselwe kuso, singanweba isikhathi esiyizinsuku ezingama-30 okukhulunywe ngaso esigabeni 25(1) se-PAIA kanye isikhathi esingeqile kwezinsuku ezingama-30, uma-
 - 11.11.1. isicelo ngesenani elikhulu lamarekhodi noma sidinga ukuseshwa ngenani elikhulu lamarekhodi futhi ukuhambisana nesikhathi sokuqala kungaphazamisa ngokungenasizathu imisebenzi ye-CCMA;
 - 11.11.2. isicelo sidinga ukuseshwa kwamarekhodi, noma ukuqoqwa kwawo, ehhovisi le-CCMA elingekho edolobheni elilodwa noma idolobha njengehovisi lesiphathimandla solwazi elithola isicelo, futhi angeke ligcwaliswe ngokufanelekile ngesikhathi sokuqala;
 - 11.11.3. ukubonisana phakathi kweminyango engaphakathi kwa-CCMA noma nomunye uhlaka lukahulumeni kuyadingeka ukuze kwenziwe isinqumo ngesicelo, futhi lokho kuxoxisana akukwazi ukuphothulwa ngesikhathi sokuqala;
 - 11.11.4. ngaphezu kwesisodwa sezimo ezibalulwe ngenhla sisebenza esicelweni, okwenza kube okungenangqondo ukuthobela phakathi nesikhathi sokuqala; noma lapho ofake isicelo enikeze imvume ebhaliwe yokwelulwa kwesikhathi.
- 11.12. Lapho isicelo senziwe sokufinyelela kumarekhodi aqukethe ulwazi olunganqatshwa noma okufanele lwenqatshwe, noma iyiphi ingxenye yerekhodi engaqukethe lolo lwazi futhi engasuswa ngokufanelekile ezingxenyeni ezikhululiwe kufanele idalulwe, ngokuhambisana nesigaba sama-28 se-PAIA.
- 11.13. Umfakisiselo osicelo sakhe sokuthola irekhodi le-CCMA sivunyiwe kufanele anikezwe ukufinyelela ngolimi alukhethayo, uma irekhodi likhona ngalolo limi. Uma irekhodi lingatholakali ngolimi olukhethwayo, kufanele lihlinzekwe nganoma yiluphi ulimi elitholakala ngalo, ngokuhambisana nesigaba sama-31 se-PAIA.
- 11.14. Uma isicelo sokuthola irekhodi sinqatshiwe, sibambezelekile noma sivunyiwe kuncike ezindlekweni ezingafanele noma sinikezwe ngendlela engamukelekile, umfakisiselo angafaka isikhalo ngokweSigaba 74 se-PAIA.
- 11.15. Isigaba sama-74 se-PAIA sivumela ukudluliswa kwezikhalazo ngesinqumo seSikhulu Sezokwazisa SoMlawuli kanye nezinqubo zokudlulisa amacala (okungeyona impoqo) zichazwe esigabeni 7 ngenhla.

12 IZINKONZO EZIKHONA ZAMALUNGU OMPHAKATHI ZASE-CCMA

12.1. UHLOBO LWEZINKONZO EZITHOLAKALA EMPHAKATHINI

Izinkonzo ze-CCMA zivezwe ngohlelo kulelithebula elingezansi:

ISIXAZULULO SEMIBANGO	ISIKOLE SOBULUNGISWA BEZENHLALAKAHLE NOKUQEQA	IZIMALI	UCWANINGO LWANGANGAPHAKATHI NENGOZI	I-ICT	IZINKONZO ZEBIZINISI	UKUBUSA KANYE NAMASU
- Izivumelwano - Ukulamula - Ukusiza - Izingxabano zangaphambi kokuxoshwa - Izingqubo ze-Con/Arb - Ukuphathwa Kwesistimu Yokulawulwa Kwamacala (CMS) - Isikhungo Sokuxhumana se-CCMA - Izinsizakalo Zokuxoxisana Ngokuhlanganyela kanye Nokulamula - Izingqungquthela zangaphambi kokuxoxisana - Izingqubo zokusekela Ukuxoxisana Ngokuhlanganyela - Ukuqapha imakethe yezabasebenzi isiyonke - Isu Lokulondoloza Umsebenzi - Inqubo yokugunyazwa kwemikhandlu yokuxoxisana, imikhandlu esemthethweni kanye	- Ukwakhiwa kwamakhono, ukuqwashisa, nokwabelana ngolwazi kanye nezinsizakalo zokweseka ababambiqhaza bangaphandle - Ukungenelela koshintsho endaweni yokusebenza nokuqoko - Ukukhuthaza kanye nokugqungquzela inkhulumomphendvulwano yezehlalo ngokusebenzisa izingqungquthela zemikhakha, imihlangano yeforamu yabasebenzi nemikhakha, njll. - Ukuhlanganiswa Kwezincwadi Zocwaningo/Izihloko - Ukuthuthukiswa kwama-Amadeshibhodi Ezomnotho nama-Barometer - Izinsiza Zemtapowolwazi - Ukuklama nokuthuthukiswa kwezinto zokuqeqesha kanye nokuhlola kwababambe iqhaza bangaphakathi nabangaphandle - Ukuthuthukiswa kwezinhlelo zamakhono ezigunyaziwe - Ukuthuthukiswa nokwethulwa	- Ukuphathwa kwezindleko kanye nesabelomali - Ukubika Okuhlukile - Ama-akhawunti okumele akhokhwe - Uhlaka Lwezindleko Zesikhathi Esimaphakathi (MTEF) - Izilinganiso Zezindleko Zikazwelonke (ENE) - I-General Ledger - Ama-akhawunti atholakalayo - Izinkonzo Zamabangi - Iholo - Ukuphathwa kwempahla kanye nempahla - Ukubika	- Izinkonzo Zokucwaninga: Ukuhlolwa Kwe-ICT, Ukubuyezwa Kwebhidi, Ukubonisana, Ukuhlaziywa Kwedatha, Landela I-IBTC, Izicelo Zokuphatha, Isiqiniseko Esihlanganisiwe, Ukuhlola Okusekelwe Engozini, Ukukhwebanisa Nokungalungi, Ukuthobela - Isiqinisekiso kanye nemisebenzi yokweluleka - Amarejista ezingozi zamasu - Amarejista ezingozi zokusebenza - Ukuhlolwa Kwengozi Yokukhwebanisa - Izingozi ezivelayo - Ukuqapha isifiso sokudla esiyingozi kanye nokubekezelelana - Ukuqapha ukuhambisana nokuhlolwa kokuhambisana - Ukuhlaziywa Kwemthelela Yebhizinisi - Uhlelo Lokulawulwa Kwezinhlekelele - Uhlelo	- Amaphrojekthi okuvuselela ubuchwepheshe ahlanganisa kodwa angagcini nje kumasevisi wamafu, Uhlelo Lokulawulwa Kwezingxabano njengengxenywe Yenqubo Yokukhokhelwa Kwecala Elingenaphepha, i-ChatBot njengengxenywe ye-AI, ukuqaliswa kwe-ERP kanye nokuhlaziywa kwedatha enkulu. - Ukusungula nokugcina inethiwekhi, okuhlanganisa ukukhishwa kwe-Wi-Fi kanye nezinkundla zengqalasizinda zokuxhumana zedatha ezidingekayo ukuze usingathe izinhlelo zokusebenza zebhizinisi. - Sungula futhi ulondoloze	- Ukwesekwa kokusebenza kanye nobudlelwano nabasebenzi - Ukuthobela kanye nokubika emthethweni ofanele wokuqashwa - Ukuqashwa kanye nokumiswa - Ukuthuthukiswa nokukhuthazwa kwethalente langaphakathi - Ukuqinisekisa impilo nokuphepha emsebenzini emagcekeni e-CCMA ngokususa izingozi nobungozi obungaba khona - Impilo Yabasebenzi - Ukuphathwa kokuqashisa - Ukuphathwa Kwezokuvakasha - Ukuphathwa kwamarekhodi - Ukuvikela, ukumelwa	- UKUBUSA KANYE NAMASU - Imisebenzi kaNobhala eya kumaKomidi okuBusa nokuPhatha - Ukwelulekwa ngokuBusa kumaKomidi okuBusa nokuPhatha - Ukuqaliswa Kokubusa Ngokubambisana - Ukuqaliswa Kwezindlela Zokuziphatha Nokuvimbela Ukukhwebanisa kanye nezindlela zokuLwa nenkohlakalo - Uhlaka Lokuphatha Ukusebenza - Ukubuyezwa nokuthuthukiswa Kwamasu kanye Nezinhlelo Zokusebenza Zonyaka - Ukwethulwa koHlelo Lwesu kanye ne-APP

nezinhlaka ezizimele - Ukuqinisekiswa kwemiklomo yokulamula emikhandlwini yokuxoxisana, imikhandlu esemthethweni kanye Nezikhungo Ezizimele (LRA s143) - Ukukhokhwa koxhaso emikhandlwini egunyaziwe	koHlelo Lokuxazulula Izingxabano Zezabasebenzi (LDRP) ngokubambisana namanyuvesi omphakathi ayisikhombisa. - Ukungenelela kokwakhiwa kwamakhono kokhomishana, otolika, abaphathi kanye nabasebenzi abasekelayo	Kwezezimali - Ukuhlinzekwa kokwesekwa kwamasu e-SCM ekwenzeni uhlelo lokuthengwa kwempahla, okuhlanganisa isidingo, ukufunwa nokuphathwa kwenkontileka	Lokubuyisela izinhlekelele (IT)	ubuchwepheshe benggalasizinda yesikhungo sedatha - Ikhophi yaseqolobaneni kanye nokubuyiselwa kwenhlekelele ukuze kuqinisekise ukuqhubeka kwebhizinisi - Ukubusa kwe-ICT, Ukuhambisana Nokuphepha	kanye nokuvikela izintshisekelo zeKhomishana mayelana nezindaba ezithinta amacala - Iseluleko sezomthetho nesiqondiso	ePhalamende - Ukuphathwa kobudlelwano bababambe iqhaza - Ukuphathwa Kwezokuxhumana Nokuxhumana Kwabezindaba
--	---	---	---	---	--	---

12.2. UMSEBENZI WOKUSIZA ABACULI NGOKUDLULISELA IZICELO

Ngokuhambisana neSigaba 19 kanye neSigaba 20 se-PAIA, i-CCMA izoqinisekisa ukuthi izicelo ezingenayo zamarekhodi noma ulwazi lwezinye izinhloko zikahulumeni zidluliselwa esikhungweni esifanelekile noma emgwaqeni kahulumeni. Ukwengeza kulokhu, isaziso sizothunyelwa kumceli esimazisa ngokuqondisa kabusha.

13 UKUBANDAKANYWA KOMPHAKATHI EKWAKHIWENI KWENQUBOMGOMO NOMA EKUSETSHENZWENI KWAMANDLA NOMA UKWENZA IMISEBENZI NGI-CCMA

- 13.1. Ekwenzeni imisebenzi yayo kanye nasekusebenziseni amandla ayo ngokwe-LRA, i-CCMA igqogqezela ngenkuthalo ukuzibandakanya komphakathi nokubamba iqhaza ekuthuthukisweni nasekubuyekizweni kwemithetho, kanye nezinqubo eziqondisa ukusebenza kwayo.
- 13.2. Ukubamba iqhaza komphakathi kwa-CCMA kuqhutshwa ngokuyinhloko ngale migudu elandelayo:
 - 13.2.1. **Izinkundla Zabasebenzisi Nemikhakha:**
Lezi zinkundla zenza ababambiqhaza ababalulekile ukuthi baxoxisane ngqo ne-CCMA ngokunikeza imibono mayelana nokuthuthukiswa kwezinqubo kanye nokuveza izinselele ezihlobene nemithetho nezinqubo ezilawula ukusebenza kwe-CCMA.
 - 13.2.2. **Ukubamba iqhaza Emakomitini:**
Ababambiqhaza bangamenywa ukuba basebenze emakomitini afana neKomidi Lemithetho, elinesibopho sokubuyekiza nokuchibiyela Imithetho ye-CCMA ukuze ihambisane nezidingo zomthetho kanye namaqiniso okusebenza.
 - 13.2.3. **Ukuxoxisana Nababambe iqhaza Nezinkomfa:**
I-CCMA ihlela ukuxoxisana nababambiqhaza (kokubili nge-inthanethi nangomuntu siqu, kanye nezingqungquthela zokukhuthaza inkhulumomphendvulwano, ukwabelana ngentuthuko, kanye nokuqoqa imibono evela ezinhloko eziningi ezinentshisekelo.
- 13.3. I-CCMA ikhuthaza amalungu omphakathi, okuhlanganisa ababambisene nabo kwezenhlalo, izikhulu zezomthetho, abamele abasebenzi, nababambiqhaza bamabhizinisi, ukuthi babambe iqhaza kulezi zinkundla ukuze basize ekulolongeni ukusebenza kahle, ukulunga, kanye nokufinyeleleka kwezinqubo zayo zokuxazulula izingxabano.
- 13.4. Ukubamba iqhaza kungase kuthathe uhlobo lokuhambela imihlangano ehleliwe, noma ukufaka isandla ezingxoxweni ezihlelekile ezisingathwa yi-CCMA.
- 13.5. Imibono etholwe emphakathini icutshungulwa ngokucophelela futhi laphe kufanele khona, ibe yisisekelo sezinguquko zokulawula, zenqubo, noma zokusebenza ezithuthukisa ukulethwa kwezinsizakalo ze-CCMA nokusabela.
- 13.6. I-CCMA ixhumana namathuba okuhlanganyela komphakathi futhi isabalalisa ulwazi oluhlobene ngale ndlela:
 - 13.6.1. iwebhusayithi yayo esemthethweni (www.ccma.org.za);
 - 13.6.2. izimemo ze-imeyili kanye nemininingwane yababambe iqhaza;
 - 13.6.3. izinkundla zokuxhumana ezisemthethweni; futhi
 - 13.6.4. izingqungquthela kanye nemicimbi yokuxhumana nabantu.

14 UKUHAMBISWA KOLWAZI LOMUNTU**14.1. Inhloso Yokucubungula**

Ngokwe-POPIA, Ulwazi Lomuntu Siqu kufanele lucutshungulwe ngenjongo ethile. Inhloso Ulwazi Lomuntu Siqu olucutshungulwa ngayo yi-CCMA izoncika ohlotsheni Lolwazi Lomuntu Siqu kanye nesihloko sedatha ethile. Le njongo ivamise ukudalulwa, ngokusobala noma ngokungagunci, ngesikhathi kuqoqwa idatha. Ulwazi lomuntu siqu lucutshungulwa kakhulu ngezinjongo zokudluliselwa kwezingxabano ngabasebenzisi, ukugibela amakhasimende nabaphakeli, isevisi noma ukulethwa komkhqizo, ukuphathwa kwamarekhodi, ukuphepha, ukuqashwa kanye nezindaba ezihlobene.

I-CCMA idinga ulwazi lomuntu siqu oluphathelele nabantu bemvelo kanye nabasemthethweni ukuze yenze imisebenzi yayo kanye nomsebenzi wayo osemthethweni. I-CCMA ngakho-ke inenjongo esemthethweni yokuqoqa ulwazi lomuntu siqu futhi ngokuvamile imvume ayidingeki. Indlela Ulwazi Lomuntu Siqu olucutshungulwa ngayo kanye nenjongo olucutshungulwa ngayo inqunywa i-CCMA. Ngokunjalo, i-CCMA iyiQembu Elizibophezele ngezinhlalo ze-POPIA.

14.2. Incazelo yezigaba Zezihloko Zedatha kanye nolwazi noma izigaba zolwazi oluhlobene nakho

- 14.2.1. Abasebenzi/abasebenzi bakwa-CCMA;
- 14.2.2. Imindeni noma izihlobo zabasebenzi;
- 14.2.3. Ababambe iqhaza / abasebenzisi be-CCMA;
- 14.2.4. Noma yimuphi umuntu wesithathu i-CCMA eqhuba naye imisebenzi yebhizinisi;
- 14.2.5. Osonkontileka be-CCMA.

Izigaba Zabantu	Ulwazi Lomuntu Siqu olungase Lucutshungulwe
Abantu Bemvelo – Abasebenzisi	Amagama nesibongo; imininingwane yokuxhumana (izinombolo zokuxhumana), inombolo yefeksi, ikheli le-imeyili); Ikheli lendawo yokuhlala, leposi noma lebhizinisi; Isikhombi esihlukile/Inombolo kamazisi kanye nezincwadi eziyimfihlo
Abantu Abangokomthetho – ababambiqhaza bamaqhinga, Osonkontileka, Abahlinzeki/ Abasebenzisi	Amagama abantu okuxhanyanwa nabo; Igama lebhizinisi elisemthethweni; ikheli lendawo kanye neleposi; imininingwane yokuxhumana (izinombolo zokuxhumana), inombolo yefeksi, ikheli le-imeyili); inombolo yokubhalisa; ulwazi lwezezimali, lwezohwebo, lwesayensi noma lobuchwepheshe kanye

Izigaba Zabantu	Ulwazi Lomuntu Siqu olungase Lucutshungulwe
Izisebenzi, iNdikimba Ebusayo	Ubulili, ukukhulelwa; isimo sakho somshado; Iminyaka yohlanga, ulimi, ulwazi lwezemfundo (iziqu); ulwazi lwezezimali; Umlando Wokusebenza; inombolo kamazisi; ikheli lendawo kanye neleposi; imininingwane yokuxhumana(izinombolo zokuxhumana), inombolo yefeksi, ikheli le-imeyili; ukuziphatha kobugebengu; inhlalakahle kanye nezihlobo zabo (amalungu omndeni) uhlanga, ukwelashwa, ubulili, ubuzwe, imvelaphi yobuhlanga noma yezenhlalo, ukukhetha ubulili, ubudala, impilo yomzimba noma yengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, inkolelo, isiko, ulimi, ulwazi lwe-biometric yomuntu.

14.3. Abamukeli noma izigaba zabamukeli ulwazi lomuntu siqu olunganikezwa kubo

Kuya ngohlobo lwedatha, i-CCMA ingahlinzeka ngolwazi noma amarekhodi kulezi zigaba ezilandelayo zabamukeli:

- 14.3.1. Izinhlobo zokwengamela ezisemthethweni, abalawuli noma amakhomishana amajaji ophenyo enza isicelo sedatha;
- 14.3.2. Noma iyiphi inkantolo, inkundla yokuphatha noma yokwahlulela, indikimba yabaxazululi, ikhomishini esemthethweni, noma umxazululi owenza isicelo sedatha noma ukutholwa ngokwemithetho esebenzayo (isb., uMvikeli Womphakathi);
- 14.3.3. Uphiko Lwezentela LwaseNingizimu Afrika (i-SARS) nanoma yisiphi esinye isiphathimandla esisemthethweni esifanayo;
- 14.3.4. Noma yimuphi umuntu owenze ngempumelelo isicelo sokufinyelela olwazini ngokwe-PAIA;
- 14.3.5. Noma yimuphi umuntu noma inhlangothi eqhuba ibhizinisi ne-CCMA ngesikhathi sokusebenza okujwayelekile, njengosonkontileka, abahlinzeki bemisebenzi, noma Abasebenzisi;
- 14.3.6. Uhlangothi lwesithathu oluthola ulwazi ngesicelo sokuthola ulwazi ngaphandle kwemibandela yesigaba 71(1)- (a) lwenza izethulo ezibhaliwe noma ngomlomo kuSekela-Mphathi Wolwazi noma (b) linikeze imvume ebhaliwe yokudalulwa kwerekhodi kumfakisicelo.

14.4. Ukugeleza kwemngceleni okuhleliwe kolwazi lomuntu siqu

- 14.4.1. Ezimweni lapho i-CCMA ingase idinge ukudlulisa ulwazi lwesihloko sedatha kwabanye abantu emazweni angaphandle kweNingizimu Afrika, i-CCMA izohambisana ngokugcwele nomthetho osebenzayo wokuvikela idatha njengoba la mazwe engase angabi nayo imithetho yokuvikela idatha efana naleyo yaseNingizimu Afrika.
- 14.4.2. Lapho kunesidingo sokudlulisa Ulwazi Lomuntu Siqu, i-CCMA izolwela ukukhuthaza ukufinyelela kudatha nolwazi kanye nezinsizakalo ezihlobene futhi igweme ukwakhiwa kwezithiyo ezingenabulungiswa ekuhwebeni kwamazwe ngamazwe kwedatha nolwazi.
- 14.4.3. Ngokuhambisana nemithethonqubo kanye nezinqubomgomo, i-CCMA izozama ukuqinisekisa ukuba sobala kolwazi, izinsiza zekhompyutha kanye nezokuxhumana

ezithinta ukuhamba kwedatha ewela imingcele.

14.4.4. I-CCMA izozama ukuqinisekisa ukuthi Abahlinzeki bayo Bensizakalo kanye nezinkampani zangaphandle bazokwenza yonke imizamo enengqondo yokuvikela idatha kanye Nolvazi Lomuntu Siqu ngokusebenzisa izigaba zenkontileka noma izaziso ezivumelwaneni nokunye.

14.4.5. Ngaphezu kwalokho, i-CCMA izosebenzisa isethi yezinyathelo ezihloselwe ukuvikela abantu (izihloko zedatha) ekulimaleni, okubangelwa ukucutshungulwa kolwazi lwabo ngekhompuyutha noma okwenziwa ngesandla ngabalawuli bedatha.

14.4.6. I-CCMA ngeke idlulise Ulwazi Lomuntu Siqu mayelana nedatha engaphansi komunye umuntu ovela kwelinye izwe ngaphandle uma—

(a) Umuntu wesithathu ongumamukeli wolwazi ungaphansi komthetho, imithetho ebophayo yebhizinisi noma isivumelwano esibophezelayo esihlinzeka ngezinga elanele lokuvikela—

10.2.1.1 Isekela ngokuphumelelayo izimiso zokucutshungulwa okunengqondo kolwazi olufana kakhulu nezimo zokucutshungulwa okusemthethweni Kolwazi Lomuntu Siqu oluhlobene nesihloko sedatha okungumuntu wemvelo futhi, lapho kufanele, umuntu ongokomthetho; futhi

10.2.1.2 Kubandakanya izinhlinzeko ezicishe zifane nalesi sigaba, eziphathelele nokudluliswa okuqhubekayo kolwazi lomuntu siqu lusuka kumamukeli luye kubantu besithathu abakwelinye izwe; noma

10.2.1.3 Umuntu uvuma ukudluliswa; noma

10.2.1.4 Ukudluliselwa kuyadingeka ekusebenzeni kwenkontileka phakathi kwesihloko sedatha nohlangothi olunesibopho, noma ukuze kusetshenziswe izinyathelo zangaphambi kwenkontileka ezithathwe ukuphendula isicelo sesihloko sedatha; noma

10.2.1.5 Ukudluliselwa kuyadingeka ukuze kuphuthulwe noma kwenziwe inkontileka ephethwe ngokuzuzisa isihloko sedatha phakathi kohlangothi oluthintekayo kanye nomuntu wesithathu; noma ukudluliselwa kungokwenzuzo yomuntu, futhi

10.2.1.6 Akwenzeki ngendlela ephusile ukuthola imvume yedatha kuncike kulokho kudluliselwa; futhi

10.2.1.7 Uma bekungenzeka ngokuphusile ukuthola leyo mvume, isihloko sedatha kungenzeka siyinikeze.

14.5. Incazelo Ejwayelekile Yezinyathelo Zokuvikeleka Kolwazi okufanele zisetshenziswe yinhlangano ebophezelekile ukuze kuqinisekiswa ubumfihlo, ubuqotho kanye nokutholakala kolwazi.

14.5.1. I-CCMA kumele iqinisekise ukuthi kunezinqubo ezikhona zokuqondisa isikhulu solwazi ekubikeni kwaso kuMlawuli noma yikuphi ukutholakala okusolisayo nokungagunyaziwe olwazini lomuntu siqu.

14.5.2. I-CCMA izoqinisekisa ukuvikeleka, ubuqotho kanye nemfihlo yolwazi lomuntu siqu olukuyo noma ngaphansi kolawulo lwayo ngokuthatha izinyathelo ezifanele, ezifanele zobuchwepheshe kanye nenhlangano ukuvimbela—

(a) ukulahlekelwa, ukulimala noma ukucekelwa phansi okungagunyaziwe kolwazi lomuntu siqu;

(b) ukufinyelela ngokungemthetho noma ukucutshungulwa kolwazi lomuntu siqu;

(c) ukucekelwa phansi okungagunyaziwe kwabantu, imininingwane yabo siqu, kanye

noma impahla.

- 14.5.3. Ukuze kufezuke imfuneko ebekwe ngenhla futhi ikakhulukazi ngaphansi koMgomo 7 (Izivikelo Zokuvikeleka) we-POPIA, i-CCMA izothatha izinyathelo ezifanele ukuze—
- (a) ukuhlonza zonke izingozi zangaphakathi nezangaphandle ezingase zibonakale kulwazi lomuntu siqu olukulo noma olulawulwa yilo;
 - (b) ukusungula nokugcina izivikelo ezifanele ezingozini ezihlonziwe;
 - (c) aqinisekise njalo ukuthi izivikelo zisetshenziswa ngempumelelo; futhi
 - (d) aqinisekise ukuthi izivikelo zivuselelwa ngokuqhubekayo mayelana nezingozi ezintsha noma ukushiyeka kwezivikelo ezisetshenziswe ngaphambilini.
- 14.5.4. Ngaphezu kwalokho, ngokuhambisana ne-POPIA i-CCMA izobheka izinqubo nezinqubo zokuphepha zolwazi ezamukelwa ngokuvamile ezingase zisebenze kuyo ngokuvamile noma zidingeke ngokwemibandela yemboni ethile noma imithetho neziqondiso zobungcweti.
- 14.5.5. I-CCMA inesethi yamathuluzi nezinqubo ezisetshenziselwa ukuqinisekisa ukuthi idatha ebucayi ayilahleki, ayisetshenziswa kabi, noma ayifinyelelwanga abasebenzisi abangagunyaziwe. Amathuluzi aqapha futhi alawule imisebenzi yendawo yokugcina, ahlunge ukusakazwa kwedatha kunethiwekhi, futhi aqaphe idatha ukuze avikele idatha lapho iphumula, inyakaza futhi isetshenziswa okufaka okulandelayo:
- (a) **Ukubuyezwa Kokufinyelela Komsebenzisi:** Amalungelo okufinyelela okuphatha abuyezwa ngokuqhubekayo.
 - (b) **Ukuqwashisa:** Ukufundisa kwabasebenzi ngokungangabazeki kunomthelela omkhulu ekuvikeleni idatha kanye nokuvikeleka kwezinhlelo zolwazi ngaphakathi, i-ICT inikeza ngamathiphu okuphepha e-IT wekota afundisa abasebenzisi
 - (c) **Ukuhlana i-AD Nokupheliswa Kwe-akhawunti Yomsebenzisi:** Ukubuyezwa kwanyanga zonke kokunqanyulwa kwe-akhawunti yomsebenzisi
 - (d) **Isixazululo Sokuvikela Okuhlosiwe-** I-ICT isebenzise izici noma amamojula aqondiswe ekuvikeleni izinsongo, ukuze kuvikelwe i-CCMA ezinsongweni ezihlosiwe ezifana nobugebengu bokweba imininingwane ebucayi.
 - (e) **Ukubekwa kwemininingo Yomsebenzisi:** Imininingo igcinwa ku-SharePoint namafolda anokufinyelela okunomkhawulo.
 - (f) **I-firewall:** iqapha ithrafikhi yenethiwekhi engenayo naphumayo futhi inqume ukuthi iyayivumela noma ivimbe ithrafikhi ethile ngokusekelwe kusethe ecacisiwe yemithetho yokuphepha;
 - (g) **Ukuhlola ukungena:** Ukuhlola okusebenzayo kwezinkampani zangaphandle kwenziwa kanye ngonyaka ukuze kunqunywe izinga umhlaseli ononyangathola ngalo ukufinyelela okungagunyaziwe ezimpahleni zethu;
 - (h) **Ukuvikelwa kohlelo olungayilungele ikhompyutha:** I-antivirus enokuvikelwa kwesongo oluguququkayo;
 - (i) **Ukuhlolwa kokuba sengcupheni:** Ukubuyezwa kwanyanga zonke kwezobuchwepheshe kwengqalasizinda ukuze kuhlolwe ukuthi amasistimu ayakwazi yini ukuba sengozini okwaziwayo futhi incoma ukulungiswa noma ukuncishiswa;;
 - (j) **Ukulawula amagama ayimfihlo:** Abasebenzi bakwa-CCMA kudingeka ukuthi balungise kabusha noma bashintshe igama-mfihlo njalo;
 - (k) **Ukubuyezwa kwepheshi:** I-CCMA ICT iqinisekisa ukuthi isofthiwe nezinhlelo zokusebenza zinamathiselwe ngokuvikeleka kwakamuva kanye neziqephu zokusebenza ezivela kubathengisi. Lezi zibuyezwa ziqukethe amapeshi axazulula izenzo zakamuva ezaziwayo nokuba sengozini.
 - (l) **I-BitLocker:** Ihlinzeka ngokubethela ukuze kuvikelwe imininingo emishinini yasendaweni, esimweni lapho ikhompyutha ephathekayo yebiwa.
 - (m) **Ukuvikelwa Kwemininingo Yekhasimende:** Imininingo yeklayenti (i-CCMA ne-BC) ivikelwe ngaphakathi kwesizindalwazi esivikelekile.
 - (n) **Izibuyezwa Zakamuva Zokuvikela Amagciwane:** Kufakwe ukuze kuqinisekiswa ukuthi amasistimu aphephe ngangokunokwenzeka ekuqubukeni kwegciwane.
 - (o) **Isipele sokugcinwa:** I-CCMA ICT yenza izipele zansuku zonke zemininingo.
 - (p) **Ukuhlola Ukungenelela:** Imibiko ye-Firewall ihlolwa nyanga zonke, ukuze kutholwe izinsongo ezingaba khona zokuphepha kwenethiwekhi.
 - (q) **Ukuvikela Ingqalasizinda ye-CCMA:** I-CCMA ICT iqapha ingqalasizinda futhi

icuphe izexwayiso lapho kutholwa izinto ezixakile. Imibiko yokuhlaziywa kwethrendi iyenziwa, ithrafikhi yenethiwekhi iyagadwa, ukusebenza kwesistimu kuyabikwa futhi kulandelelwa amasistimu.

- (r) **Izinqubomgomo nezinqubo zokuphepha:** Lezi ziyasebenza futhi zisebenza ukuchaza nokulawula ukusetshenziswa okwamukelekayo kolwazi ngabasebenzi, osonkontileka abazimele kanye nabanye abasebenzi.
- (s) **Izilawuli zokungena okuphathekayo:** Izilawuli zokungena zikhona futhi zinika amandla i-CCMA ukuthi ilandelele ukuthi ubani ongene emakamelweni amaseva.
- (t) **Ukwabelana ngefayela:** Ukuthumela ulwazi oluyimfihlo noma lomuntu siqu ku-inthanethi kungase kukhathaze. I-ICT iqalise i-OneDrive, lapho umsebenzisi kufanele athole iphasiwedi ukuze afinyelele isixhumanisi esabiwe. Lokhu kuvimbela ukufinyelela okungagunyaziwe kumafayela uma umamukeli edlulisela phambili noma abelana ngesixhumanisi.
- (u) **Ukuvikelwa kwe-imeyili kolwazi olubucayi:** Isixazululo se-Microsoft Office 365 sokubethela ama-imeyili, silinganisele ukufinyelela kuma-imeyili avikelwe ngokungavumeli umamukeli we-imeyili ukuthi abelane nge-imeyili noma adlulisele phambili.

11 IZIMALI EZIMISIWE

- 15.1. Isigaba sama-22(1) se-PAIA sihlizeka ngokuthi izimali ezikhokhwayo zokufinyelela kumarekhodi e-CCMA kufanele zinqunywe. Lezi zimali ezinqunyiwe zichazwe kuSithasiselo B seMithetho ye-PAIA, etholakala kusizindalwazi soMlawuli Wolwazi ku-<https://www.inforegulator.org.za>.
- 15.2. Umfakisicelo ofuna ukufinyelela kunoma yiliphi irekhodi kungase kudingeke ukuthi akhokhe imali, ngaphandle uma ekhululiwe, njengoba kushiwo endimeni 15.3 ngezansi.
- 15.3. Umfakisicelo akadingi ukuthi akhokhe imali⁷ yokufinyelela enhlanganweni yomphakathi uma:-
 - 15.3.1. Ungumuntu ongashadile umholo wakhe wonyaka, ngemva kokubanjwa kwemali okuvumelekile, njenge-PAYE kanye ne-UIF, ibe ngaphansi kuka-R14 712 ngonyaka, noma
 - 15.3.2. Ushadile futhi imali engenayo ehlangene nomlingani wakhe, ngemva kokubanjwa kwemali okuvunyelwe, njenge-PAYE ne-UIF, ingaphansi kuka-R27 192 ngonyaka.

12 UKUTHOLAKALA KWENCWADI

- 16.1. Le Ncwadi itholakala ngezilimi ezintathu ezisemthethweni ezilandelayo-
 - 16.1.1. IsiNgisi;
 - 16.1.2. IsiZulu; kanye ne
 - 16.1.3. IsiBhunu
- 16.2. Ikhophi yale Ncwadi noma inguqulo yalo ebuyekeziwe, iyatholakala futhi ngale ndlela elandelayo-
 - 16.2.1. kwiwebhusayithi ye-CCMA ku <https://www.ccma.org.za>;
 - 16.2.2. eHhovisi Likazwelonke (iHhovisi Elikhulu) le-CCMA ukuze lihlolwe umphakathi ngezikhathi zomsebenzi ezijwayelekile;
 - 16.2.3. kunoma yimuphi umuntu ngesicelo nangemva kokukhokhwa kwemali enqunyiwe efanele; futhi
 - 16.2.4. ku-Mlawuli wo Lwazi uma ucela.
- 16.3. Imali yekhophi yeManuwali, njengoba kuhlongozwe kuSithasiselo B seMithethonqubo, izokhokhwa ngekhophi ngayinye yosayizi ongu-A4 eyenziwe. Isijobelelo B siyabuyiswa kusizindalwazi soMlawuli Wemininingwane kokuthi <https://www.inforegulator.org.za>.

13 UKUBUYEKEZWA KWENCWADI

- 17.1. I-CCMA, uma kunesidingo, izobuyekeza futhi ishicilele le Manuwali minyaka yonke.

KUKHISHWE NGU

uMMELI.CAMERON MORAJANE
UMQONDISI wakwa-CCMA

⁷ ngokweSaziso sikaHulumeni esingu-R991 somhla ziyi-14 kuMfumfu we-2005
 Ikhasi 28 lika-28