INTSHAYELELO

IBhodi yeMpuma-Koloni yoNgcakazo nemiBhejo liqumrhu elasekwa ngokwecandelo 3 loMthetho weBhodi yeMpuma-Koloni yoNgcakazo nemiBhejo ka 1997 (uMthetho we 5 ka 1997) (Mpuma-Koloni)(ohlaziyiweyo).

Phambi ko 1997, kumaPhondo ayesakuba yiTranskei neCiskei kwakukho iindawo zokungcakaza ezazizimele. Kwintsalela yePhondo, ukubheja emahashini ibikuphela kwendlela esemthethweni yokungcakaza.

Ngenyanga ka Julayi ku 1997, uMthetho weBhodi yeMpuma-Koloni yoNgcakazo nemiBhejo ka 1997 (uMthetho we 5 ka 1997) (Mpuma-Koloni) (ohlaziyiweyo) (uMthetho) waphunyezwa. LoMthetho wanikeza igunya lokusekwa kweBhodi ukuze kuvunyelwe zonke iintlobo zongcakazo ezikhankanyiweyo kuloMthetho.

IBhodi ilawula ezintlobo zokungcakaza zilandelayo:

- Ukungcakaza eKhasino
- Ukubheja emahashini nakwezemidlalo

KuMthetho kuhlonyelwe nezi zilandelayo:

- Ibhingo
- Imishini yokungcakaza ebhatala kancinci

UMBONO

Umbono we Bhodi kukuba ibe ngumlawuli ohlonitshiweyo kwilizwe jikelele ophucula imo yokuhlala kubantu bePhondo lweMpuma-Koloni ngokuthi inikezele inkonzo ekumgangatho nongenachaphaza.

UNDOQO

Ukudala nokugcina imo elungileyo nehloniphekileyo yequmrhu lokungcakaza kwabo banomdla nabo bachaphazelekayo ngezokungcakaza kwiPhondo leMpuma-Koloni ngokuthi kukhutshwe iilayisenisi, ukulawula ezongcakazo nokucebisa urhulumente, kusetyenziswa abantu abanesakhono nezixhobo ezifanelekileyo.

SINGA SINGAKHANGELEKA KANJANI

Njengabalawuli bezongcakazo abalandela injongo ngokungagungqiyo yokuba uMzantsi Afrika ngokupheleleyo,ngakumbi Iphondo leMpuma-Koloni libe nenkonzo enganachaphaza kwezongcakazo elizweni jikelele.

IMIGAQO YETHU

IBhodi ilandela lemigaqo ilandelayo:

- **Indlela yokuphatha**

  Sizibophelela ekuphuhliseni imo yokusebenzisana nokuziqhuba nalapho wonke umntu anolwazi ngokuqhubekayo kwaye ephuhliswa ngokubandakanywa kwizigqibo ezenziwayo nokuzimela kwizigqibo ezimbabandakanyayo.

- **Imo yokusebenza**

  Ukunika abasebenzi imo ephilileyo, exhasayo, nekhuselekileyo ukuze babenokukwazi ukusebenza ngendlela eyiyo ezokuthi ivuze uphuhliso oluqhubekekayo nokufikelela kwizigqibo ekuvunyelenwe kuzo. Indlela eyiyo yokuziphatha ilindelekile kubasebenzi njengoko bemelwe kukuqhutywa yinjongo nokuncedisana ekufikeleleni kwimigomo ebekiweyo. Nangona ukuqwalaselwa nokuvuzwa kufuneka kuhlonitshiwe kubalulekile kananjalo ukuba ubudlelwane phakathi komqeshi nomqeshwa, ukuhlonitshwa kobuni nokuphathana ngendlela elinganayo kunonotshelwe. Abasebenzi bebonke balindeleke ukuba bakhusele kwaye bakhathalele iimpahla zebhodi.

- **Umgangatho womsebenzi**

  Sizibophelele ukunika inkonzo ephucukileyo nekumgangatho ophezulu. Inkonzo yethu inikwa ngokusekhusini nangendlela eqeqeshekileyo ukuze saneze abo sibanika nayiphina inkonzo. Abasebenzi bakuthi babonakalise ukungabinamkhethe, intlonipho nokwenza izinto ngokuselubala xa besenza umsebenzi wabo. Abaphathi bayakusoloko befumaneka, benentlonipho, bethembekile kwiqumrhu kananjalo bezimisele ekulweni impumelelo engapheziyo ngophando nophuhliso.

- **Unxibelelelwano**

  Lonke unxibelelwano luyakuthi lwenziwe ngendlela nangexesha elifanelekileyo. Unxibelelwano luyakuba loluthembekileyo nolufihlakeleyo.

- **Ukuxhotyiswa**

  Ukuxhotyiswa kwabasebenzi kuyakuthi kufunyanwe ngokuqeqeshwa nokuphuhliswa kwabo ukuze kuphuculwe izakhono zabo kwiingingqi abakuzo. Ukulingana kwezoqoqosho kuyakuthi kukhuthazwe ukunceda abathengisi nabafumene iilayisenisi ababehlelelekile kurhulumente wangaphambili.

UBUME NEMISEBENZI YEBHODI (ISEBE 14(1)(a))

IBhodi

IBhodi inamalungu asibhozo onyulwe lilungu elifanelekileyo lesiGqeba sePhondo leKomiti yezoRhwebo. Amalungu ebhodi ame ngoluhlobo:

- Elinye ilungu ligqwetha
- Elinye ilungu lingumphicothi ziincwadi ogqibeleleyo
- Elinye ilungu lonyulwe ngolwazi nokubandakanyeka kwalo kwezokhenketho
- Elinye ilungu limele Isebe lezoRhwebo, ezeNdalo, nezoKhenketho kwiPhondo leMpuma-Koloni
- Elinye ilungu limele Isebe lezeMali, iNkcitho, neNkonzo yezoPhatho kwiPhondo leMpuma-Koloni
- Elinye ilungu limele Isebe lezoKhuseleko kwiPhondo leMpuma-Koloni
- Elinye ilungu lonyulwe ngolwazi namava kwimibandela yezentlalakahle okanye ukuphuculwa kwabahlali okanye uphihliso lwezokuhlala noqoqosho
- Elinye ilungu limele iimfuno zomphakathi ngokubanzi
- IGosa loLawulo eliyiNtloko lona alinavoti.

Imisebenzi yamalungu eBhodi yile ilandelayo:

- Ukusekwa komgaqo wokusebenza
- Ukujongana nemisebenzi yeBhodi

Ubume

Imigaqo yokusebenza ithi iphunyeziswe ngabasebenzi abazinikeleyo, abahlelwe ngoluhlobo lulandelayo:

- **Iofisi yeGosa loLawulo eliyiNtloko**

  Ilawula imisebenzi yeBhodi

- **Icandelo lemiba yezomthetho**

  Ukwamnkela nokuphicotha izicelo; ukuqinisekisa kokulandelwa kwemithetho ngabo banikwe imvume yezocelo; ukuphicothwa kokophulwa komthetho nokunxibelelana namaqumrhu ezomthetho; nokunika inkonzo yezomthetho nezobume beBhodi.

- **Iofisi yeZemali nezoLawulo**

  Inika inkonzo yezemali neyezolawulo

- **Iofisi yezomPhicothi Zincwadi wangaPhakathi**

  Inika inkonzo yophicotho zincwadi lwangaphakathi lweBhodi

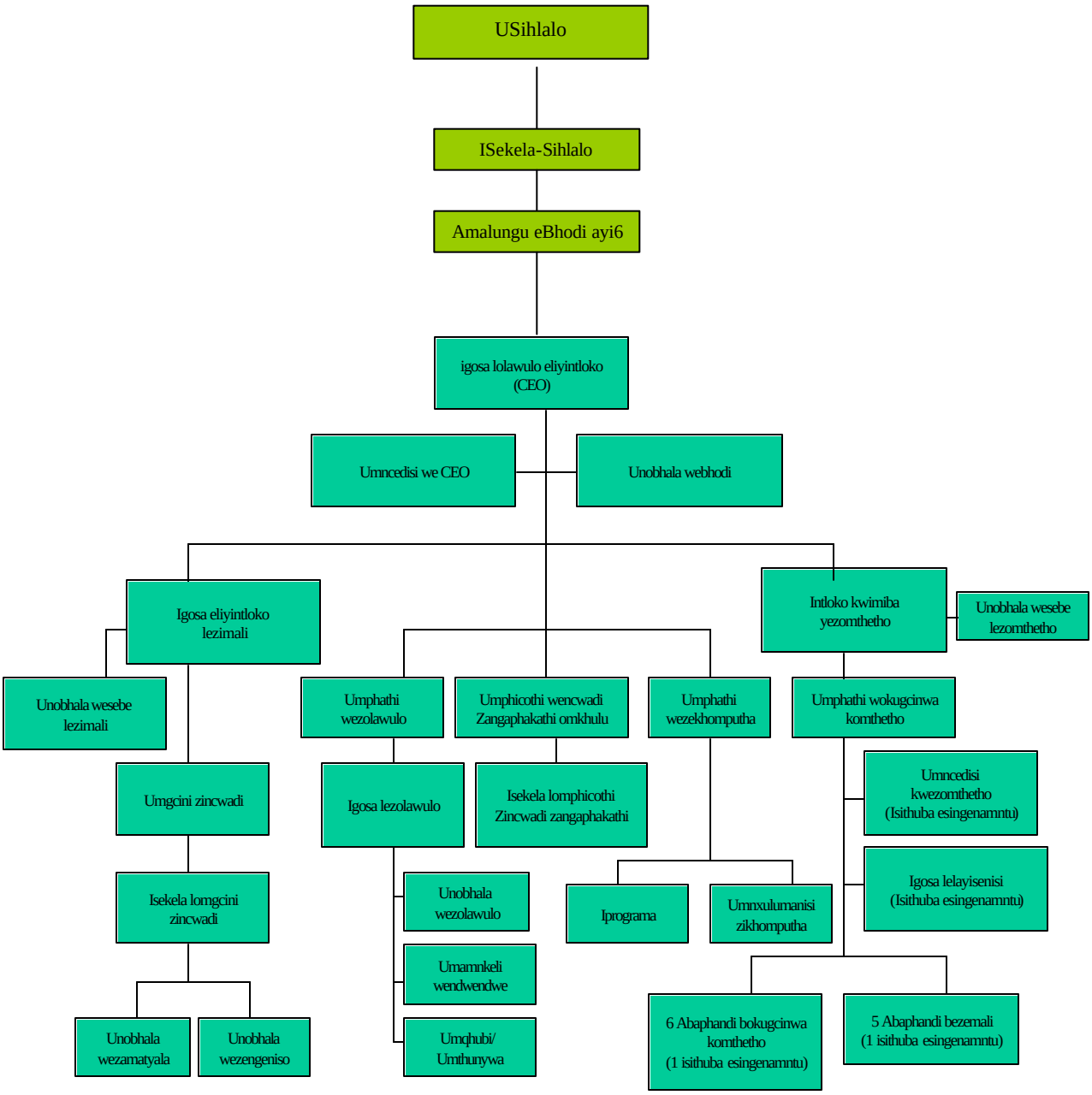
- **Iofisi yezoLawulo lwaBantu**

  Ukukhuthaza nokungcinwa konxibelelwana oluhle phakathi komqeshi nabasebenzi.

- **Iofisi yezekhomputha**

  Ukuphuhlisa, ukugcina nokuxhasa ulawulo lwezekhomputha

IBHODI YEMPUMA-KOLONI YONGCAKAZO NEMIDYARHO IME NGOLUHLOBO LULANDELAYO:



IINKCUKACHA ZOQHAKAMSHELWANO (NGOKWECANDELO 14(1)(b)):

Igosa lezengcaciso:

Mnu. Gonza Mati: IGosa loLawulo eliyiNtloko — gonzam@ecgbb.co.za

Amasekela egosa lezengcaciso:

Igqwetha leJaji Keith Harvey: Intloko KwiMiba yezoMthetho — keithh@ecgbb.co.za

Mnu. Chris Guest: Igosa eliyiNtloko lezeMali — chrisg@ecgbb.co.za

Ingcaciso jikelele:

Idilesi yendawo:
Quenera Park
Quenera Drive
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5211

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Ifeksi: +27 (43) 743-3012
I-Website www.ecgbb.co.za

ISIKHOKHELO SEKOMISHONI YAMALUNGELO ABANTU BASEMZANTSI AFRIKA (NGOKWECANDELO 4(1)(c))

IKomishoni yamaLungelo aBantu iqulunqe isikhokhelo ngokweelwimi zonke ezisemthethweni. Esi sikhokhelo siqulathe phakathi kweento ezininzi:iinjongo zoMthetho weGunya lwezeNgcaciso, iindlela zoqhakamshelwano namaqumrhu asecaleni nawomphakathi, uncedo olufumaneka kwiKomishoni yaMalungelo aBantu nakumagosa ezengcaciso kumaqumrhu omphakathi, amachiza akhoyo asemthethweni malunga nokungagcinwa koMthetho weGunya lwezeNgcaciso.

Esi sikhokhelo siyafumaneka kuledilesi ilandelayo:

IKomishoni yamaLungelo aBantu baseMzantsi Afrika

Idilesi yeposi
Private Bag X2700
HOUGHTON
2041

Ifowuni:	+27 (11) 484-8300
Ifeksi	+27 (11) 484-1360
I-website	www.sahrc.org.za

IINCWADI EZIGCINWA YIBHODI (KUDIBANISA NEENCWADI EZIFIHLAKELEYO) (ICANDELO 14(1)(a))

- Izicelo zeelayisenisi nobhaliso
- Ingxelo yezophando zeBhodi
- Iincwadi zengxoxo zeBhodi, Imizuzu nezigqibo neencwadi zentlanganiso
- Ingxelo yezemali yabanikwe iilayisenisi
- Ingxelo yezemali yeBhodi
- Ingxelo yezasemthethweni nenkcazelo enikezelwe ngabanikwe ilayisenisi
- Ingxelo yezentlola
- Izimvo kwimithetho esacetywayo
- Imbalelwano ngemiba ethile:
  - ❖ NoMphathiswa wePhondo oBekekileyo
  - ❖ Nabaneelayisenisi
  - ❖ Nababhalisiweyo
  - ❖ Namaqumrhu karhulumente
  - ❖ Nabahlali
  - ❖ Norhulumente wephondo nokazwelonke
- Ingcebiso yezomthetho efuniweyo nefunyenweyo kumagqwetha nakwigqwetha elikhulu
- Iincwadi zophando kwimiba yezongcakazo
- Umthetho, imiMiselo nemiGaqo
- Uluhlu lwabantu abathathelwe ilungelo lokungcakaza
- Iilayisenisi zokungcakaza
- Iinkcukacha zababhaliselwe nabanemvume yokungcakaza
- Iinkcukacha zezixhobo ezibhalisiweyo
- Izicelo neziphunyezo ngokoMthetho okanye kokwemiqathango yeelayisenisi
- Nezinye iingcaciso zoluhlobo ezigcinwe ngumlawuli wezongcakazo okanye ezikhankanywe kuMthetho, ImiMiselo okanye kwimiGaqo
- Nezinye iingcaciso zolawulo jikelele

IZINTO EKUFUNEKA ZICHAZIWE (ICANDELO 14(1)(e))

- Iikopi zelayisenisi yokungcakaza ezikhutshwe yiBhodi
- Uluhlu lwamashishini onke anikwe iilayisenisi zokungcakaza
- Uluhlu lwendawo ezinikwe iilayisenisi zokungcakaza
- Irhafu eqokelelweyo (kwiqumrhu lezokungcakaza ngokubanzi)
- Iikopi zokubonisa umphakathi iibhidi nezicelo

UMGAQO WOKUFUMANA IINKCUKACHA

- Umceli wenkcukacha kufuneka esebenzise ifomu kwiGazethi kaRhulumente (iSaziso sikaRhulumente R187-15 Februwari 2002).

- Umceli kufuneka etshilo ukuba ufuna ikopi yenkcukacha okanye ufuna nje ukuzijonga (icandelo 29(2)).

- Ukuba umntu ufuna imvume yokufumana ifomu ethile, uyakunikwa lomvume ngokwendlela ayicele ngayo, ngaphandle kokuba lomvume iyakuphazamisana nokuqhutywa kwemisebenzi yeBhodi, okanye imoshe inkcukacha, okanye iphazamisane nelungelo lobunini elingelolikaRhulumente. Ukuba ngezizathu ezithile imvume ayikwazi kunikwa kule fomu isemthethweni kodwa ingakwazi ukunikwa ngolunye uhlobo, umceli uyakuthi ahlawuliswe ngokwendlela athe wayicela ngayo kuqala.

- Ukuba umceli ufuna ukuxelelwa ngeziphumo zesicelo sakhe ngaphandle kwembalelwano, umzekelo ngefowuni, lento kufuneka ikhankanyiwe (icandelo 18(2)(e)).

- Ukuba umceli ucelela ingcaciso omnye umntu, kufuneka ecacisile ukuba uyifuna ngabuni lengcaciso (icandelo 18(2)(f)).

- Ukuba abaceli abakwazi kufunda okanye ukubhala, okanye bakhubazekile, bangakwazi ukusenza isicelo sabo ngomlomo. Igosa lezengcaciso kufuneka libagcwalisele ifomu, lakugqiba libanike ikopi (icandelo 18(3)).

- Umceli uyakwaziswa ngentlawulo ekufanele ibhatalwe phambi kokuba isicelo sengcaciso eso siqhubeke.

- Umceli angafaka isibheno sangaphakathi okanye amangale enkundleni ukuba akanelisekanga ngentlawulo efunwayo.

- Umceli uyakuthi aziswe malunga nokuba uyakuyinikwa na imvume kwingcaciso ayicelileyo.

IINKONZO EZIFUMANEKAYO (ICANDELO 14(1)(f))

Ukhuselo lomphakathi

Ukhuselo lomphakathi ngumsebenzi ongundoqo weBhodi. Lomsebenzi uphunyezwa ngezintlobo zilandelayo:

Ukuqinisekisa kokuhlonipheka kweendlela zongcakazo

- Ukunika iilayisenisi zokungcakaza kumashishini ahlonophekileyo

- Ukubeka nokulawula umgangatho wezixhobo zokungcakaza

- Ukuphunyezwa nokubhaliswa kwezixhobo zokungcakaza
- Ukubhaliswa kwabantu abafanelekileyo ukuzibandakanya nezongcakazo
- Ukuqinisekisa kokuthotyelwa komthetho ngabaneelayisinesi zokungcakaza
- Ubhaliso lwabathengisa izixhobo zokungcakaza

Ukususwa kwendlela zokungcakaza ezingekho semthethweni

Lento yenzelwa ukukhusela umphakathi kwiindlela zokushishina ezingalunganga, njengokuba lamashishini engekho semthethweni angalawulwayo ukuqinisekisa ushishino olulungileyo.

Ukusonjululwa kwembambano nokuncedwa kwabangcakazi

IBhodi ifumana iphinde icombulule izikhalazo ezisuka emphakathini ezisukela kwimbambano zokungcakaza okanye kwezinye iindlela ezisondele ekungcakazeni.

Uqokelelo lwerhafu

IBhodi iqokelelela uRhulumente wePhondo leMpuma-Koloni nabanye abaxhamli irhafu yezokungcakaza etsalwe kwiindlela ezahlukeneyo zokungcakaza.

Iindlela zokukhulisa ungcakazo olufanelekileyo nokunciphisa iziganeko zongcakazo olungafanelekanga

Abangcakazi abangafanelekanga bachazwa ngokubanzi njengabantu abangakwazi kuyilawula imo yabo yokungcakaza ethi idodobalise ubomi babo kunye neentsapho zabo ndawonye nabo baxhomekeke kubo. Akukho lula ukuqaphela abo banengxaki yezokungcakaza, njengokuba besoloko beyifihla lengxaki.

IBhodi iqaphele ukuba amathuba okungcakaza asenokuzisa iingozi kubantu bePhondo lweMpuma-Koloni. Ibhodi isebenza kwiindlela zokunceda abantu abathi babengamaxhoba engxaki yezokungcakaza.

Ezi ndlela zilandelayo zezokunceda noba ngubanina onengxaki yezokungcakaza:

- **Ukuzikhupha-ngokwakho**

  Amashishini ezokungcakaza kweliPhondo anendlela yokuba umntu angazikhupha ngokuzithandela kwakhe ngokuthi acele ukuba angavunyelwa kwindawo yokungcakazela. Okanye, abantu abafuna ukuzikhupha ngokwabo kwezokungcakaza bayakwazi ukufaka isicelo sokwenza njalo ebhodini ukuze afakwe kuluhlu lwabantu abangavunyelwayo ukungcakaza ukuze lunikwe amashishini okungcakaza akwazi ukungabavumeli ukuba bangene ezindaweni zabo.

- **Uncedo oluqeqeshekileyo**

  Ugqirha angakwazi ukuthumela abantu kwiiklinikhi ezinyanga abantu abanesifo sokungakwazi ukuzilawula. Akhona amaqumrhu amaninzi angandwendwelwayo ukufuna uncedo lwasimahla.

  Inkqubo yeSizwe yoNgcakazo oluneNgqiqo inefowuni yokunceda enganyanga iphinde incede abo banengxaki yokungcakaza. Inkqubo yeSizwe yoNgcakazo oluneNgqiqo ingafowunelwa simahla ku 0800 006 008.

Igunya kwiinkonzo

Imibuzo okanye uncedo malunga neenkonzo zeBhodi yezoNgcakazo nezokuBheja yaseMpuma-Koloni ingabhekiswa kwiGosa loLawulo eliyiNtloko okanye kwiintloko zamasebe ahlukeneyo.

INXAXHEBA YOLUNTU KUQULUNQO LWEMIGAQO-NKQUBO NOKUSETYENZISWA LWAMAGUNYA

IBhodi ibandakanya uluntu kwinkqubo yokuqwalasela nokukhupha iilayisenisi ngoluhlobo lulandelayo:

- Kubanjwa umhlangano woluntu jikelele phambi kokuba kuhluzwe izicelo zeelayisenisi
- Izicelo zeelayisenisi zibhengezwa kwiGazethi yePhondo nakwiphephandaba elijikelezayo kwisithili apho isiza sesicelo sikhona, ibe kulwimi naluphi ulusemthethweni elithi iphephandaba lipapashwe ngalo.
- Abantu abanomdla bathi bamenywe ukuba bafake izimvo zabo ezibhaliweyo eBhodini, babonise ukuba banawo kusini na umdla wokuba banganika ngomlomo izimvo zabo ngemini yentlangano yoluntu jikelele.

Amalungu oluntu anako nangeliphi ixesha ukuba afake izimvo zawo malunga neendlela umthetho wezokungcakaza ongaphuculwa ngazo. Ezi zimvo ziyakuthi ziqwalaselwe yiBhodi, engathi icebise oHloniphekileyo iLungu lesiGqeba sePhondo malunga nokuhlonyelwa komthetho.

AMANYATHELO ANOKUTHATHWA XA UMTHETHO WOPHULIWE (ICANDELO 14(1)(h))

Umceli wengcaciso angathi:

- Afake isibheno eBhodini ngakwisigqibo segosa lezengcaciso.
- Ukuba akanelisekanga sisigqibo seBhodi acele inkundla ukuba imvele.