



RTIA

Road Traffic Infringement Agency

Justice in Adjudication

UMQULU WE-PAIA

2025

LoMqulu uhlelwe ngaphansi kweSigaba 14, soMthetho wokukhuthaza ukutholakala kolwazi soMthetho 2 ka-2000, njengoba uchitshiyelwe

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Ikhasi 33

ISANDULELO NGOMBHALISI

UMbhalisi weNhlangotho Yokwephulwa Kwemithetho Yomgwaqo (i-RTIA), ngemuva kwalokhu ebizwa nge-nhlangotho ngokuhambisana noMthetho Wokukhuthaza Ukutholakala koLwazi 20 ka-2000, njengoba uchitshiyelwe (i-PAIA), ulungiselele loMqulu we-PAIA (loMqulu kufanele ufundwe ngokuhlangana nomhlahlandlela wokuthi isetshenziswa kanjani i-PAIA) ukwenza lula ukufinyelela komphakathi olwazini olugcinwe yinhlangano. Enye yezinto ezibalulekile eziyisisekelo kanye nemigomo elawula ukuphathwa komphakathi ukubeka izinto obala. UMthethosisekelo weRiphabhulikhi yaseNingizimu Afrika uMthetho 108 ka-1996 (uMthethosisekelo) ufuna ukuthi kuphakanyiswe ukuvuleleka ngokunikeza umphakathi ulwazi olufika ngesikhathi, olutholakalayo nolunembile.

Indima ye-RTIA iwukwakha ukuxhumana okusondelene, okusebenzayo nokunembile phakathi kokuphoqelelwa kanye nezinqubo zokwahlulela ezizimele. Inhlangotho inikezwe igunya lokuqinisekisa ukuqaliswa kwezinhlelo eziqondile, ezicacile nezilungile ezikhuthaza ukuhambisana nayo yonke imithetho yomgwaqo. Inhlangotho ihlukaniswe nezinye iziInhlangotho zezokuthutha ezibhekele ukuphoqelelwa komthetho ngesisekelo sokuzimela kwayo kanye nendima yokwahlulela.

Kubaluleke kakhulu ukuthi ilungelo lomthethosisekelo lokufinyelela kunoma yiluphi ulwazi olugcinwe nguhulumeni, futhi uma lo lwazi ludingwa ngomunye umuntu ekusebenziseni noma ekuvikeleni noma yiluphi ilungelo, olubekwe eMthethweni we-PAIA futhi inhlangotho njengenhlangotho yomphakathi inesibopho sokunikeza ukufinyelela kulolo lwazi ngokwemibandela ebekwe eMthethweni we-PAIA nakulesi Sigaba 14 soMqulu.

Inhlangotho, uma nje ithuthukisa ukungafihli lutho nokuziphendulela, ibuye ivume ukuthi ukuze kunikezwe amandla ilungelo lokuthola ulwazi oluceliwe, ukuthi izicelo ezinjalo zingabekelwa imingcele efanelekile, kufaka phakathi, kodwa kungagcini lapho, imingcele ehlose ukuvikelwa okunengqondo kobumfihlo, imfihlo yezohwebo kanye nokuphathwa okusebenzayo, okusebenzayo nokulungile. Lokhu kuzodinga ukuzuzwa ngendlela elinganisela ilungelo kanye nanoma yimaphi amanye amalungelo, kubandakanya amalungelo woMqulu Wamalungelo eSahlukweni 2 soMthethosisekelo.

LoMqulu we-PAIA wakhiwa ngokuhambisana nezibopho zenhlangotho zokunikeza uMqulu ochaza ngokucacile imisebenzi kanye nenkomba yemibhalo egcinwe Inhlangotho.



uMnu. Matsemela Moloi
uMbhalisi

1 Izincazelo Nokuchazwa

1.1 Izincazelo

- 1.1.1 I-AARTO** - isho iThimba loMsebenzi lakaZwelonke umthetho 46 ka-1998, njengoba ichtshiyelwe futhi ifaka noma yimuphi umthetho owenziwe futhi osebenzayo ngokusho kwesigaba 34;
- 1.1.2 Inkokhelo Yokufinyelela** - kusho inkokhelo ebekelwe izinhloso zesigaba 22 (6) noma 54 (6), njengoba kungaba njalo;
- 1.1.3 Othintekayo** - kusho umuntu othintwa ulwazi lomuntu siqu;
- 1.1.4 Isekela lesiphathimandla Solwazi**- kusho umuntu oqokiwe esikhungweni somphakathi obhekele ukusiza Isikhulu Sokwaziswa ngezicelo ze-PAIA;
- 1.1.5 Umhlahlandlela** - kusho umhlahlandlela wokusebenzisa i-PAIA yinoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elibhalwe kuMthetho Wokukhuthaza Ukufinyelela Kolwazi 2 ka-2000 (PAIA) kanye noMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 ka-2013, njengoba kucatshangwa esigabeni 10 se-PAIA;
- 1.1.6 iKhomishani yamaLungelo Abantu** - ichaza iKhomishani yamaLungelo Abantu yaseNingizimu Afrika ephawulwe esigabeni 118 (1) (b) soMthethosisekelo;
- 1.1.7 Umphathi Wolwazi** - kusho uMbhalisi Wokubhalisa wenhlangano;
- 1.1.8 Umlawuli woLwazi** - kusho umlawuli woLwazi osungulwe ngokwemigomo yesigaba 39 soMthetho wokuVikelwa koLwazi loBuntu, 2013;
- 1.1.9 Umuntu** - kusho umuntu wemvelo noma umuntu osemthethweni;
- 1.1.10 Ulwazi Lomuntu Siqu** - luchaza ulwazi oluhlobene nomuntu ongokwemvelo okhonjwa, okubandakanya kodwa kungagcini kulokhu-
- (a) Ulwazi olumayelana nohlanga, ubulili, ucansi, ukukhulelwa, isimo somshado, ubuzwe, imvelaphi yobuhlanga, umbala, umumo wobulili, iminyaka yobudala, impilo ngokomzimba nangokwengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, inkolelo, isiko, ulimi kanye nokuzalwa komuntu;
 - (b) Ulwazi olumayelana nemfundo noma ezokwelapha, ezezimali, zobugebengu noma umlando womsebenzi womuntu;
 - (c) Noma iyiphi inombolo yokuhlonza, uphawu, ikheli le-imeyili, ikheli lendawo, inombolo yocingo, ulwazi lwendawo, isihlonzi semgqeni noma olunye ulwazi olukhombisa umuntu;
 - (d) Ulwazi lwe-biometric lomuntu;
 - (e) Umbono womuntu siqu, imibono noma izintandokazi zomuntu;
 - (f) Izincwadi ezithunyelwe umuntu ezingasho lutho noma ezisobala zemfihlo noma okuyimfihlo ngokwemvelo noma izincwadi zokuqhubekayo ezizoveza okuqukethwe izincwadi zangempela;

(g) Imibono eminye, i-anther yomuntu ngamunye ngaloyo muntu; kanye ne

(h) Igama lomuntu malivela nolwazi lomuntu siqu elihlobene nomuntu noma ukudalula kwegama kwalona kuzoveza ulwazi ngomuntu, kodwa ingabandakanyi imininingwane yomuntu ngamunye owashona eminyakeni engu-20 eyadlula.

1.1.11 Inhlangothi yoMphakathi- usho iNhlangothi eyisikhungu sokufundisa ngokujwayela amandla womphakathi ngemibandela yanoma iyiphi imithetho;

1.1.12 IRekhodi - lisho ulwazi olurekhodiwe –

(a) Kungathaliseki ngesithoza noma okungaphakathi;

(b) Phakathi kwempahla noma ngaphansi kwelawulo lomzimba womphakathi; kanye

(c) Noma ngabe idalwe yileyo nhlangano yomphakathi noma cha.

1.1.13 IsiCelo sokuFinyelela - sisho ukuthi –

(a) Isicelo sokufinyelela kwirekhodi lomzimba womphakathi ngemibandela yengxenye 11;

(b) Noma yimuphi umuntu owenza isicelo sokufinyelela kwirekhodi lomzimba womphakathi; Kanye

(c) Umuntu odlala indima egameni lomuntu okukhulunywa ngaye ngaphansi kwesigaba sika-b.

1.1.14 Iqembu elinomthwalo wemfanelo - sisho ukuthi umzimba womphakathi noma oyimfihlo noma imuphi omunye umuntu, oyedwa noma enze isihlanganiso nomuntu umuntu kuncuma inhloso kanye nokuqonda kwenqubo kanye nokuqonda kwenqubo yemininingwane yomuntu siqu.

1.1.15 ILungu langaPhandle - okuhlobene nokufaka isicelo sokufinyelela kwi-

(a) Irekhodi lomzimba womphakathi, lisho ukuthi noma yimuphi umuntu (kuhlanganise, kodwa okungalinganiselwe, kuhlumeni wezwe langaphandle kanye nenhlangothi zamazwe ngamazwe noma uhlaka lukahlumeni noma inhlangothi) ngaphandle kwalokho-

(i) Lona ofake isicelo ; kanye

(ii) Inhlangothi yomphakathi, kodwa ngokwenhloso yesigaba 34 kanye no-63, ukubhekiswa "kumuntu" esigabeni (a) kufanele kuthathwe njengokubhekisa "kumuntu ongokwemvelo".

1.1.16 Umthetho - kusho uMthetho Wokukhuthazwa Kokutholakala Kolwazi ka-2000 njengoba uchitshiyelwe, futhi uhlanganisa noma yimuphi umthetho owenziwe futhi osebenzayo ngokwemigomo yesigaba 92 –

(a) Irekhodi lomzimba womphakathi, lisho noma yimuphi umuntu (kubandakanya, kodwa kungacini, uhulumeni wombuso wangaphandle, nenhlangano yamazwe ngamazwe noma isigungu salowo hulumeni noma Inhlangano) ngaphandle kwalokho-

(i) umfakisiselo othintekayo; kanye

(ii) Inhlangano yomphakathi, kodwa ngokwenhloso yesigaba 34 kanye no-63, ukubhekiswa "kumuntu" esigabeni (a) kufanele kuthathwe njengokubhekisa "kumuntu ongokwemvelo".

1.2 Incazelo

1.2.1 noma yikuphi ukubhekiswa kunoma yisiphi isimiso, umthethonqubo noma omunye umthetho kuyakuba ukubhekiswa kuleso simiso, umthethonqubo noma omunye umthetho njengosuku lokusayina, futhi njengoba kuguqulwe noma kufakwe okunye esikhundleni sawo ngezikhathi ezithile;

1.2.2 uma noma yisiphi isinhlinzeko encazelweni esiyinhlinzeko ebambekayo enikeza ilungelo noma ebeka isibopho kunoma iyiphi Inhlangano, khona-ke, yize isencazelweni kuphela, leyo nhlinzeko kufanele inikezwe amandla njengokungathi yinhlinzeko ebalulekile emzimbeni wale mqulu;

1.2.3 lapho noma yimaphi amagama echazwe ngaphakathi kwesigaba esithile ngaphandle kwalokhu, lelo gama lizothatha incazelo enikezwe yona kuleso sigaba lapho lisetshenziswa khona kulo idokhumenti;

1.2.4 lapho noma yiliphi inani lezinsuku libalwe kusukela osukwini oluthile, lelo nani libalwe njengelingafaki usuku lokuqala futhi liqale ngosuku olulandelayo. Uma usuku lokugcina lwenani elinjalo elibalwe ngaleyo ndlela luwela ngosuku olungelona usuku lwebhizinisi, lolo suku lokugcina luyothathwa njengosuku olulandelayo olungelona usuku lwebhizinisi;

1.2.5 noma yikuphi ukubhekisela ezinsukwini (ngaphandle kokubhekisela ezinsukwini zebhizinisi), ezinyangeni noma eminyakeni kufanele kube ukubhekisela ezinsukwini zekhalenda, ezinyangeni noma eminyakeni, njengoba kungenzeka;

1.2.6 uma kunokungqubuzana ekuchazeni noma ekusetshenzisweni kwalesi Siqondiso kanye noMthetho, uMthetho uyophumelela; futhi

1.2.7 loMqulu uhloselwe ukuthi uphelele noma ubhekane ngokugcwele nayo yonke inqubo enikezwe eMthethweni. Umfakisiselo uyalulekwa ukuthi azijwayeze nezinhlizweyo yoMthetho ngaphambi kokufaka noma yisiphi isicelo kwinhlangano.

2 Uhlu Lwezifinyezo

2.1	i-AARTO	Ezokuphatha uKwahlulela kwamaCala wase Mgwaqweni umthetho 46 ka-1998 esiguquliwe
2.2	Inhlangano	Ihlangano yezokuPhulwa koMthetho waseMgwaqweni
2.3	uMthethosisekelo	uMthethosisekelo waseRephabhuliki yaseNingizimu Afrika umthetho 108 ka-1996
2.4	i-DIO	USekela siKhulu woLwazi
2.5	i-GEPP	isiKhwama sabaSebenzi bakaHulumeni seziMali yeMpesheni
2.6	i-IA	Ukunikeza Abaphathi
2.7	i-IO	isiKhulu soLwazi
2.8	i-IR	Mlawuli woLwazi
2.9	uMqulu	uMqulu we-PAIA
2.10	uNgqongqoshe	uNgqongqoshe weZokuthutha
2.11	i-PAIA	Ukukhushulwa koMthetho kwangonyaka ka-2000 sezokuPhatha kobuLungiswa
2.12	i-PAYE	ukuKhokhwa ngokuZuza
2.13	i-PoPIA	Ukuvikelwa koLwazi loMuntu siqu umthetho 4 wangonyaka ka-2013
2.14	uMlawuli	Mlawuli woLwazi
2.15	i-SAHRC	iNkomishini yamaLungelo waBantu yeNingizimu Afrika
2.16	i-UIF	isiKhwama soMshwalense walabo abangaSebenzi

3 Isingeniso

3.1 Lomqulu ushicilelwe ngokwemigomo yeSigaba 14 soMthetho sihlizeka ngemibandela yeSigaba 32 soMthethosisekelo, esihlizeka ngelungelo lokufinyelela olwazini olugcinwe nguHulumeni kanye nolwazi olugcinwe ngomunye umuntu oludingekayo ukuze kusetshenziswe futhi/noma kuvikelwe noma yiliphi ilungelo. Ngaphezu kwalokho, i-PAIA, njengoba ilungiswe yisigaba 110 se-PoPIA, yakhishwa ukuze kusetshenziswe ilungelo lomthethosisekelo lokufinyelela kulwazi oluphethwe nguMbuso, oludingekayo ukuze kusetshenziswe noma kuvikelwe noma yiliphi ilungelo.

3.2 Ukubhekisela kunoma yiluphi ulwazi, ngaphezu kwalolo oludingekayo ngokweSigaba 51 soMthetho akudali noma yiliphi ilungelo (lesivumelwano noma okunye) lokuthola lolu lwazi, ngaphandle kwalokho okushiwo kulo Mthetho.

3.3 Noma yisiphi isicelo ngokwemigomo yoMthetho sizonikezwa kuphela uma lowo ocela lolu lwazi:

- (a) uhambisana nazozonke izidingo zenqubo ezikulo mthetho eziqondene nesicelo sokufinyelela kulolo rekhodi; futhi
- (b) Ukufinyelela kulelo rekhodi akwenqatshelwe ngokwemibandela yanoma yisiphi isizathu sokwenqaba esicatshangwayo eSahlukweni 4 soMthetho.

3.4 Inhlangano izibophezele ekulondolozeni izimiso eziqokethwe kuMthethosisekelo kanye noMthetho we-AARTO, kubandakanya kodwa kungacini ku-PAIA kanye ne-PoPIA.

4 Inhloso yalo Mqulu

Lomqulu ingasetshenziswa ngumuntu ocela ukufinyelela kulwazi olugcinwe yInhlango ukuze:

- 4.1** Ukucacisa uhlobo lwamarekhodi okungenzeka asevele atholakala ku-Inhlango, ngaphandle kwesidingo sokwethula isicelo esisemthethweni se-PAIA;
- 4.2** Aqonde indlela yokwenza isicelo sokufinyelela kumarekhodi enhlango;
- 4.3** Ukufinyelela kuyo yonke imininingwane efanele yokuxhumana yabantu abazosiza umphakathi ngamarekhodi abahlose ukufinyelela kuwo;
- 4.4** Wazi zonke izindlela zokulungisa ezitholakala kwInhlango mayelana nesicelo sokufinyelela kumarekhodi, ngaphambi kokuthinta izinkantolo;
- 4.5** Achaze izinsiza ezitholakala kumalungu omphakathi enhlango nokuthi angafinyelela kanjani kulezo zinsiza;
- 4.6** Uchaze incazelo yesikhombisi sendlela yokusebenzisa i-PAIA. njengoba ivuselelwe ngumlawuli nokuthi ungayifinyelela kanjani;
- 4.7** qonda ukuthi inhlangano izocubungula kanjani ulwazi lomuntu siqu, inhloso yokucubungula ulwazi lomuntu siqu, incazelo yezigaba zesihloko sedatha nezinsiza noma izigaba zolwazi ezihlobene nalokhu;
- 4.8** Thola ukuthi inhlangano ihlele ukufaka noma ukusabalalisa ulwazi lomuntu ngaphandle kweRiphabhulikhi yaseNingizimu Afrika kanye nalabo abazokwamukela noma amakhathalogi wabamukeli lapho ulwazi lomuntu lungase lunikezwe khona; futhi
- 4.9** Thola ukuthi inhlangano inezinyathelo zokuphepha ezifanele yini ukuqinisekisa ukugcina, ubuqotho nokutholakala kolwazi okuzosetshenziswa.

5 Ukusungulwa Nokubuka konke Kwe-RTIA

5.1 Ukusungulwa

- 5.1.1** i-RTIA isungule umthetho ngemigomo yesigaba 3 ezokuphatha ukwahlulelwa kwamacala wasemgwaqweni umthetho 46 saka-1998.
- 5.1.2** Inhlangano isungulwe ngokomthetho njengonomthwalo obhekele ungqongqoshe.
- 5.1.3** Inhlangano ingenza nanoma ngabe yini ukuze ifinyelele imisebenzi ngemigomo yanoma ngabe yimuphi umthetho, noma eyabelwe iyona nguNgcongcoshe.
- 5.1.4** uNgqongqoshe ngesicelo sokunikezwa baphathi, abele noma yimuphi umsebenzi ophathiswe labo abaphethe ngemigomo yalabo abaphathiswe umthetho kwInhlango.
- 5.1.5** Inhlangano inehhovisi elilodwa likazwe lonke futhi ingasungula amahhovisi ezifundaze noma noma kamasipala.

5.2 Ukubuka Konke

- 5.2.1** Inhlango ilawula izinqubo yokudikibala ukwephula komthetho wendlela kanye nemithetho yasendleleni.
- 5.2.2** Inhlango futhi iphethe izincwadi zikazwe lonke zokwephula uMthetho (NCR) lapho iziphuli zomthetho womgwaqo (ukwephula namacala) arekhodwe baphathi bokunikeza.
- 5.2.3** Ngaphezu kwalokho inhlango inenjongo yomthetho yokuqoqa izinhlawulo zokwephula kanye nezimali ezinquniwe ezivela ekukhishweni kwezincwadi zomusa kanye nemiyalelo yokuphoqeleta kulabo abaphula umthetho.
- 5.2.4** Inhlango ingakhipha izincwadi zomusa ngemigomo yesigaba 19 kulabo abahlulwe ukulandela umthetho ngombiko wokuphula umthetho.
- 5.2.5** Inhlango ingakhipha incwadi yokuphoqeleta ngemigomo yesigaba 20 kuloyo ophule umthetho ohluleke ukuthobela izidingo zesaziso.
- 5.2.6** Inhlango nayo iyokhipha isinqumo mayelana nokulethwa ngokuhambisana nemigomo yesigaba 18.
- 5.2.7** Inhlango nayo inquma ngezinhloso zokuhoxiswa ezifakiwe ngokwemigomo yesigaba 20.
- 5.2.8** Inhlango nayo izophatha uhlelo lokuhlekelwa maphuphuzu ngokusho kwesigaba 24.

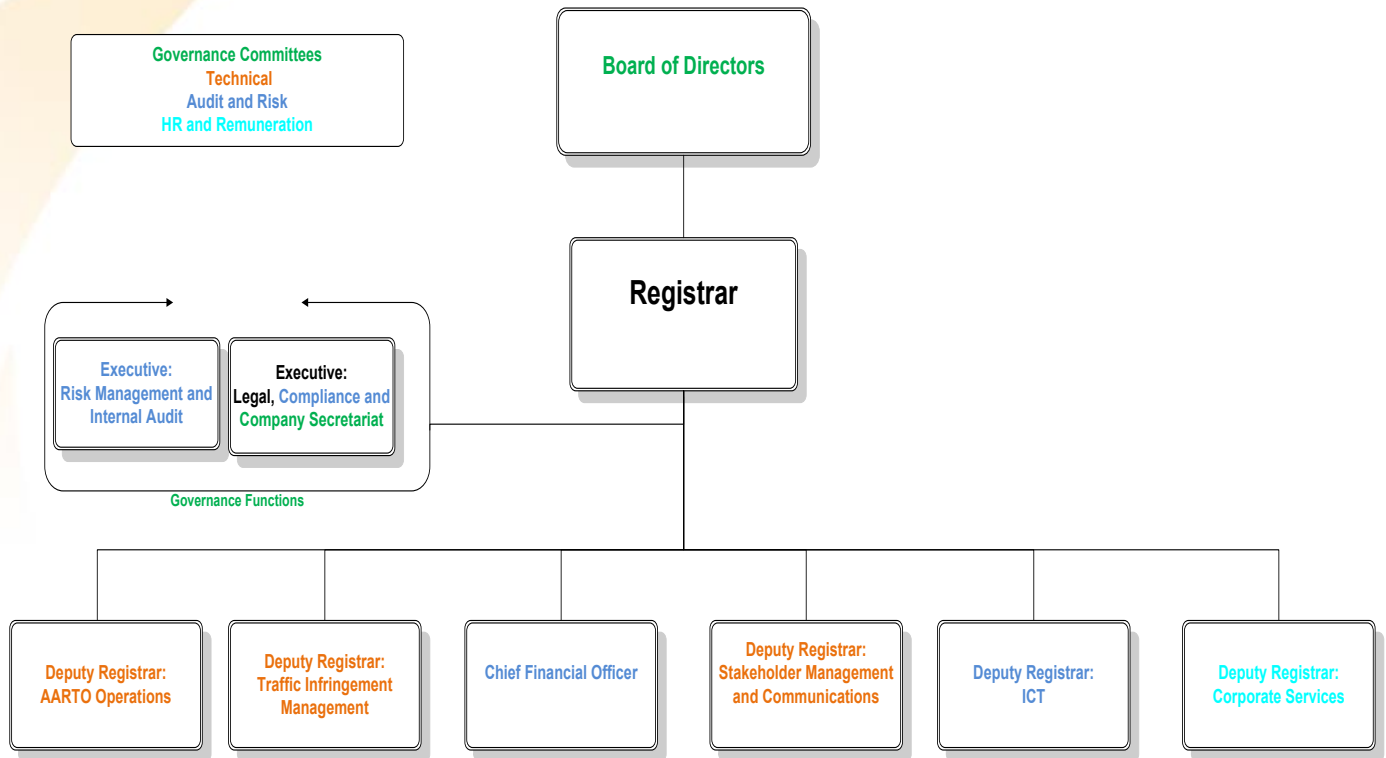
6 Isakhiwo seNhlango

- 6.1** Inhlango iqukethe ihhovisi likazwelonke (iNhloko) eliseMidrand futhi maduze nje nangokuvunyelwa yiBhodi, izosungula amaHhovisi eziFunda kuzo zonke iziFundazwe eziyisishiyagalolunye (9).
- 6.2** Ibhodi yakhiwe ngabantu abathathu abangasebenzi kuHulumeni, abaqokwe nguNgqongqoshe ngenxa yobungcweti babo kwezentengiselwano nakwezobuchwepheshe; uMqondisi Wezokushushiswa Komphakathi, oqokwe nguMqondisi Kazwelonke Wezokushushiswa Komphakathi, ngokubonisana nabaqondisi Bezokushushiswa Komphakathi; kanye Nombhalisi We-inhlango.
- 6.3** IKomidi Eliphethe lenhlango liqukethe uMbhalisi, uMsizi kaMbhalisi, Umbhalisi oPhethe wezeziMali, Umbhalisi oPhethe wezokuphathwa kwengozi kanye noMphathi oPhethe Zocwaningo lwangaphakathi kanye noMphathi oPhethe wokuthobela komthetho kanye noMbhalisi weNkampani.
- 6.4** Ngokwesigaba 8, uMbhalisi kufanele abhekelele imisebenzi yenhlango ngokuhambisana nohlelo lwebhizinisi olulungiselelwe ngumbhalisi futhi olwamukelwa yibhodi, futhi ikakhulukazi:
 - (a)** ukusebenza kahle kokuqoqwa kwenhlawulo kanye nezinqubo zokuphatha ezisekelayo;
 - (b)** ukusebenza kwenhlango nokusebenza kwayo; futhi
 - (c)** ukwethula ukuthuthukiswa kokuphatha nokusebenza ukuze kube lula ukuqaliswa kwalo Mthetho.

6.5 Umbhalisi anganikeza ngokubhaliwe umsebenzi ohlongozwe kusigatshana (2) kumsizi wombhalisi noma kubasizi bakhe.

6.6 Umbhalisi kufanele anikeze iBhodi umbiko wonyaka mayelana nemisebenzi kanye nokusebenza kwenhlangano.

6.7 Ngezansi kunencazelo esezingeni eliphezulu yesakhiwo senhlangano yenhlangano:



6.8 I-RTIA iqukethe izakhiwo zokuphatha zangaphakathi ezilandelayo:

1. iKomiti Yokuphatha Ebusayo (i-EXCO);
2. iKomiti Eliphethe (i-MANCO);
3. iKomiti Yendawo Yonke Yokuhambisana;
4. iKomiti Yezempilo Nokuphepha Emsebenzini (OHS);
5. Ukucwaninga Ngaphakathi, AmaKomiti Okucwaninga Nezibalo; kanye
6. iKomiti Yemihlo Nezimo Zokuqashwa (i-REMC).

6.9 I-RTIA inesibopho sokuxhumanisa izindaba ze-AARTO ezingeni likaZwelonke ngakhoke yasungula i-AARTO Ithimba Likazwelonke Eliqokiwe ukufeza indima yekomidi elibhekele ukulungiswa nokuqaliswa kwe-AARTO ezweni lonke. Le komiti ihlangana njalo ngekota noma uma kudingeka. Leli qembu elisebenza ngokuzikhandla labuye lasungula ikomiti elincane elibizwa ngokuthi i-AARTO ikomidi likazwelonke lobuchwepheshe.

6.10 Ngaphezu kwalokho, sekusungulwe amaKomidi okusebenza ahlukahlukene ukuxhumanisa izindaba ezihlobene ne-AARTO phakathi kweziphathimandla ezikhishwayo kanye nabathile ababambe iqhaza ababalulekile. La makomiti ahlangu njalo ngenyanga:

- Umhlangano wokusebenza we-AARTO;
- Umhlangano we-RTIA / IA's Kanye nehovisi Leposi leNingizimu Afrika; kanye
- Umhlangano we-RTIA/IA's kanye nehovisi likahulumeni lokunyathelisa

6.11 I-RTIA futhi incike ku-Road Traffic Management Corporation (RTMC) njengomlingani wethu wezobuchwepheshe ekuthuthukiseni i-NCR ngakho-ke ulwazi oluceliwe ngokusebenza kohlelo lwe-NCR kanye nezindaba ezihlobene lungadinga ukuvunywa yibo bobabili amaqembu. Kulokhu kungase kudingeke ukuba kufakwe i-FORM A kuzo zombili izInhlango ukuze zibhekwe. I-RTMC ingatholakala ku- www.rtmc.co.za .

7 Ukutholakala kwalesi Siqondiso

7.1 LoMqulu wenhlangano wenziwa utholakale okungenani ngezilimi ezisemthethweni ezintathu. Amakhophi ayatholakala -

- kusizindalwazi senhlangano ku- <https://rtia.co.za>;
- ehhovisi elikhulu lenhlangano ukuze ihlolwe ngumphakathi ngezikhathi zomsebenzi ezijwayelekile; kanye
- nakunoma yimuphi umuntu ngesicelo nangemva kokukhokhwa kwenani elifanele.

7.2 Imali yekhophi yoMqulu, njengoba kuhlangozwe kusithasiselo B, izokhokhwa ngekhophi ngayinye kasayizi A4 eyenziwe.

8 Isakhiwo Senhlangano

8.1 Izicelo zokufinyelela kumarekhodi aphethwe yiRTIA kumele zenziwe kwifomu lesicelo elitholakala kuwebhusayithi yayo, noma kuwebhusayithi ye-IR (www.inforegulator.org.za) yoMnyango Wezobulungiswa Nokuthuthukiswa Komthethosisekelo - (www.doj.gov.za).

8.2 Sicela uqaphele ukuthi izicelo akudingeki zihambisane nenkokhelo ebekiwe kusukela ekuqaleni, kodwa kuzokhokhiswa kuphela ukucubungula isicelo esinjalo.

8.3 Izicelo zokufinyelela kumarekhodi kufanele zenziwe kuMbhalisi ekhelini, ngefeksi, kanye ne-imeyili enikezwe ngezansi.

8.4 Lowo ocelayo kufanele ngaso sonke isikhathi anikeze imininingwane eyanele efomini lesicelo ukuze uMbhalisi akwazi ukukhomba ngokuqinisekile irekhodi eliceliwe kanye nalowo ocelayo. Eminye imininingwane ebalulekile, phakathi kokunye, okumele inikezwe ifaka:

- (a) amagama aphelele nekheli lalowo ocelayo;
- (b) uma isicelo senziwa egameni lomuntu othile, igama nekheli lomuntu lowo ocelayo egameni lakhe kanye nobufakazi begunya okungase kube ngesimo se-afidavithi noma isitatimende esifungelwe;
- (c) imininingwane ephathelene nolwazi oluceliwe kubandakanya nenhloso lolo lwazi oluceliwe ngayo;
- (d) ulimi angathanda ukucela ngalo ulwazi lapho kufanele lunikezwe khona; futhi
- (e) uma lowo ocelayo efisa ukwaziswa ngesinqumo esiphathelene nesicelo nganoma iyiphi indlela ethile, ukusho indlela isinqumo esinjalo okumele sidluliswe ngayo.

- 8.5** Umfakisisicelo ofuna ukwenza izicelo zomlomo zokufinyelela olwazini ngenxa yokungafundi, ukukhubazeka noma yisiphi esinye isizathu, uvunyelwe ukwenza kanjalo. Umbhalisi uyoqinisekisa ukuthi isicelo esenziwe ngomlomo sidluliselwa kumqulu obekiwe bese kunikezwa umfakisisicelo ikhophi yawo.
- 8.6** Ifomu eliyisibonelo okumele lisetshenziswe ekwenzeni isicelo linamathiselwe njenge-FOMU A. Ukungasebenzisi ifomu lesicelo elijwayelekile kungabangela ukuthi isicelo sakho senqatshwe noma sibekelwe isikhathi, lokhu kuzokwenzeka futhi uma unganikezi ulwazi olwanele.
- 8.7** Sicela uqaphele ukuthi zonke izicelo zizohlolwa futhi zicatshangelwe ngokuvumelana noMthetho. Ukushicilelwa kwalomqulu kanye nokuchazwa kwezigaba zolwazi noma amarekhodi aphethwe yi-RTIA akunikezi amalungelo (ngokwesivumelwano noma ngenye indlela) okufinyelela kulolo lwazi noma amarekhodi, ngaphandle kokuya ngomthetho.

9 Amakhambi Atholakalayo uma Amalungiselelo e-PAIA engalandelwa noma ngokuqondene nesenzo noma ukwehluleka ukwenza okuthile yinhlangano

- 9.1** Uma Inhlangano yehluleka ukuhambisana nemibandela ye-PAIA, umfakisisicelo noma noma yimuphi umuntu ohlukumezekile, ngokuhambisana nesigaba 78 se-PAIA kanye noMthetho wokukhuthaza ubulungiswa kwezokuphatha 3 ka-2000 (PAJA), angathintana neNkantolo enengunya lokunikeza usizo olufanele.
- 9.2** Uma lowo ocelayo noma umuntu wesithathu ehlukenyenzwa yisinqumo seSikhulu soLwazi, yena, ngesicelo futhi zingakapheli izinsuku ezingu-180, angafaka isicelo enkantolo ukuze athole usizo olufanele ngokwemigomo yesigaba 82 soMthetho.
- 9.3** Inhlangano ayivunyelwe ukunikeza noma yikuphi ukulungiswa kwangaphakathi ngokusho kwesigaba 74 se-PAIA ngakho-ke isinqumo esenziwe Isekela Lesikhulu Solwazi singesokugcina futhi umfakisisicelo kumele alandele inqubo echazwe esigabeni 9.2 ngenhla.

10 Imininingwane Eyisihluthulelo yokuxhumana nokufinyelela kulwazi lwenhlangano

10.1 Isikhulu Sokwaziswa

Igama : uMnu. Matsemela Moloi
Ikheli le-imeyili : Matsemela.Moloi@rtia.co.za

10.2 Isekela Lomphathi Wolwazi

Igama : Ummeli Mncedisi Bilikwana
Ikheli le-imeyili : Mncedisi.Bilikwana@rtia.co.za

10.3 Isekela Lomphathi Wolwazi

Igama : Umnu. Hentie Joubert
Ikheli le-imeyili : Hentie.Joubert@rtia.co.za

10.4 Isekela Lomphathi Wolwazi

Igama : Dokotela Peter Baloyi
Ikheli le-imeyili : Peter.Baloyi@rtia.co.za

10.5 Ukufinyelela kulwazi jikelele ungathinta:

Ikheli le-iMeyili : paiarequest@rtia.co.za

10.6 Ihhovisi Eliyinhloko Likazwelonke

Ikheli Leposi : P O Box 6341
Halfway House
Midrand
1685

Ikheli lendawo : New Road Corner Office Park
10 Matuka Close
Midrand
1685

Ikheli le-iMeyili : paiarequest@rtia.co.za

Inombolo yocingo : 087 285 0500

Inombolo yefeksi : 011 207 3210

Iwebusayithi : www.rtia.co.za

11 Isiqondiso Sendlela Yokusebenzisa i-PAIA Nendlela Yokuthola Isiqondiso

11.1 Umlawuli, ngokusho kwesigaba 10 (1) se-PAIA, njengoba sishintshiwe, uvuselele Umhlahlandlela we-PAIA, njengoba wawuhlanganiswe ekuqaleni yi-SAHRC.

11.2 Inhloso yalesi siqondisi esishiwo ngenhla ukuhlinzeka ngolwazi oludingwa yinoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo eliqukethwe ku-PAIA naku-PoPIA.

11.3 Umhlahlandlela uzosiza umuntu, obizwa nangokuthi umuntu onemininingwane, ukuthi angafinyelela kanjani kulwazi lwakhe lomuntu siqu ngokusho kwesigaba 23 se-PoPIA. Isiqondiso esishiwo ngenhla siqukethe incazelo ye-

(a) Izinhloso ze-PAIA kanye ne-PoPIA;

(b) Ikheli leposi, ikheli lomgwaqo, inombolo yocingo neyefeksi, uma ikhona, ikheli le-imeyili -

- Isikhulu sezokwazisa somphakathi ngamunye; and
- Isekela leSikhulu soLwazi lazo zonke izinhloso zomphakathi nezizimele eziqokwe ngokwemigomo yesigaba 17 (1) se-PAIA kanye nesigaba.

(c) Indlela kanye namafomu ezicelo zoku -

- finyelela kumarekhodi wenhlangano yomphakathi ohlongozwe esigabeni 11 se-PAIA; kanye
- nokufinyelela kumarekhodi omzimba wangasese ohlongozwe esigabeni 50 se-PAIA.

(d) Usizo olutholakalayo oluvela kuMbhali Wezokwaziswa weNhlango kaHulumeni ngokuqondene ne-PAIA ne-PoPIA.

(e) Usizo olutholakalayo oluvela kuMlawuli ngokuqondene ne-PAIA ne-PoPIA.

(f) Zonke izindlela zokulungisa ezikhona emthethweni mayelana nesenzo noma ukwehluleka ukwenza okuthile mayelana nelungelo noma umsebenzi onikezwe noma obekwe yi-PAIA ne-PoPIA, kubandakanya nendlela yokufaka -

(a) isikhalazo kuMlawuli; kanye

(b) isicelo senkantolo ngokumelene nesinqumo sesikhulu solwazi somphakathi, isinqumo sokudlulisa isikhalo sangaphakathi noma isinqumo somlawuli noma isinqumo somholi womphakathi.

(g) Nemibandela yezigaba 14 no-51 edinga ukuthi inhlango yomphakathi kanye nenhlango yangasese, ngokulandelana, ihlanganise Umqulu, nokuthi ingafinyelelwa kanjani uMqulu;

(h) Nemibandela yezigaba 15 no-52 ze-PAIA ezihlinzekela ukudalulwa ngokuzithandela kwezigaba zemibhalo ngumzimba womphakathi nomzimba wangasese, ngokulandelana;

(i) izaziso ezikhishwe ngaphansi kwesigaba 22 kanye no-54 we-PAIA mayelana nezindleko okufanele zikhokhwe ngokwezimfuno zokufinyelela;

(j) Nemithethonqubo eyenziwe ngokwemigomo yesigaba 92 se-PAIA.

11.4 Umphakathi ungahlola noma wenze amakhophi alomhlahlandlela, ngezikhathi zokusebenza eziwayelekile, emahhovisi ezinhlangano zomphakathi nezangasese (ngokungenani ngezilimi ezimbili ezisemthethweni), kufaka phakathi ihhovisi loMlawuli (ngolimi ngalunye olusemthethweni). umhlahlandlela, kuzo zonke izilimi ezisemthethweni, nayo ingatholakala -

(a) kusukela kuGazethi kaHulumeni;

(b) ngesicelo esivela kuMlawuli, yisikhulu solwazi kwifomu elihambisana ngokuyisisekelo neFomu 1 leSithasiselo somthethongubo;

(c) ngesicelo soMlawuli, yinoma yimuphi umuntu, ngaphandle kwesikhulu sezokwaziswa esibhekiswe esigabeni (b) ngenhla, kwifomu elihambisana ngokuyisisekelo neFomu 1 leSithasiselo A seMithethonqubo ye-PAIA. Imali ekhokhelwa ikhophi yoMhlahlandlela njengoba kubekiwe ephuzwini 1 leSithasiselo B ingasebenza kumuntu oshiwo ngenhla; futhi

(d) kusuka kuwebhusayithi yoMlawuli <https://www.justice.gov.za/infoleg/> nakunoma iyiphi Inhlango yomphakathi noma yangasese.

11.5 Noma yisiphi isicelo somhlahlandlela esivela kuMlawuli kufanele senziwe ngokubhala, ngokugcwalisa i-FOMU 1 njengoba kunqunywe.

12 Izigaba Zamarekhodi Agcinwe Isikhulu Solwazi

- 12.1** Amarekhodi aphethwe yinhlangano akhiqizwa ngokusebenzisa iyunithi ngayinye yebhizinisi layo, inqubo yokusebenza eyinhloko ngaphansi kwe-PAIA ne-PoPIA kanye nezinqumo ezithathwe ngabahluleli bayo.
- 12.2** Iyunithi ngayinye yebhizinisi yenhlangano ikhiqiza amarekhodi abalulekile ahlobene nebhizinisi yenhlangano kanye namarekhodi okusebenza ngesikhathi sokusebenza kwenhlangano.
- 12.3** Izigaba zamarekhodi akhiqizwa inhlangano ahlukaniwa ngendlela elandelayo -
 - 12.3.1** Ngokusho kwefayela uhlelo lwezincwadi, amafayela asekela amasu, imisebenzi esemqoka, kanye nezinqubo zokusebenza kwenhlangano.
 - 12.3.2** Uhlelo Lokulawulwa Kwamarekhodi kwamanye amarekhodi kubandakanya izincwadi kanye namarekhodi okulalelwayo nokubukwayo kanye nezinhlelo zolwazi lwe-elektronikhi zenhlangano.
- 12.4** Amanye amarekhodi enhlangano atholakala ngesikhathi somsebenzi wenhlangano futhi kwezinye izimo amarekhodi atholakala kwezinye izinhlangano zomphakathi nezangasese ngokuhambisana ne-PAIA ne-PoPIA.
- 12.5** Inhlangano inelungelo lokudlulisela izicelo zamarekhodi ezinhlanganweni ezifanele uma zingabanikazi noma abakhiqizi bokuqala bolwazi oluceliwe, noma lapho inhlangano ingasenalok irekhodi elinjalo.
- 12.6** Inhlangano igodla nelungelo lokwakha izinhlobo ezintsha zemibhalo lapho lokhu kudingekile. LoMqulu izobuyekwezwa ukuze ibonise izinguquko ezigabeni zemibhalo ngokufanele.

13 Ukudalula Ngokuzithandela

Inhlangano izoshicilela isaziso ngemigomo yesigaba 52 (2) yomthetho mayelana nalokhu, nokho kufanelwe kuphawuliwe ukuthi ulwazi oluhlobene ne-RTIA kanye nama sevisi iyatholakala ngokungakhokhelwa kwiwebhusayithi ye-RTIA (www.rtia.co.za / www.aarto.gov.za). Ulwazi oluthile oluhlobene ne-RTIA luyathokala futhi embikweni yangonyaka eshicilelwe kwisabelomali saminyaka yonke. Lemibiko yaminyaka yonke iyatholaka kumitapo yolwazi yomphakathi futhi ingafinyelelwa kwiwebhusayithi elandelayo (www.rtia.co.za).

14 Incazelo Yezihloko Inhlanano Egcina Ngazo Amarekhodi Kanye Nezigaba Zamarekhodi Agcinwe Ngesihloko Ngasinye

- 14.1** Inhlangano igcina amarekhodi alandelayo, atholakala kunhlangano futhi angafunwa ngenqubo yesicelo se-PAIA echazwe ngezansi. Ngokuvamile amarekhodi anjalo awanalo ulwazi okungathiwa luyimfihlo ngokwemvelo.
- 14.2** Iningi lemibhalo ewela kulesi sigaba iyatholakala kwinhlangano ehhovisi layo likazwelonke noma kuwebhusayithi yenhlangano – <https://www.rtia.co.za>.

14.3 Lapha ngezansi kunohlu lwamarekhodi nolwazi olungacelwa ngokusemthethweni ngokwemigomo ye-PAIA noma olungalayishwa kusuka kuwebhusayithi yenhlango eshiwo ngenhla-

IziHloko	Amarekhodi ngokwezigaba	Isicelo Sokufinyelela	Landa kuWebhusayithi
Izinhlelo Zezincwadi Zamasu	Imibiko Yonyaka, Uhlelo Lwecebo, Uhlelo Lokusebenza Lonyaka	Yebo	Yebo
Icebo LamaDokhumenthi	ICebo lokuSebenza lemiNyaka Yonke.	Yebo	Cha
Izinsiza Zabasebenzi	Izinqubomgomo ze-HR, amarekhodi, Ukufunda nokuthuthukiswa okubandakanya, Izinhlelo Zokuqeqesha Amakhono, uhlelo lokulingana emsebenzini kanye nezibalo.	Yebo	Cha
Izinhlelo zokusebenza, izinhlelo noma izinqubomgomo	Izinhlelo zokuthengwa kwempahla, amaThenda athize nezinkontileka, iminikelo, izimali zoxhaso, imininingwane yabahlinzeki, ukuphathwa kobungozi, ukucwaningwa kwamabhuku kwangaphakathi, ezezimali, izinsiza zabantu, abahlinzeki bempahla, ukumaketha kohlobo lwempahla, ezezimoto Kanye nokuphathwa kwamarekhodi ezokuphepha	Yebo	Cha
Inqubomgomo Kanye noCwaningo	ICebo laMasu noCwaningo.	Yebo	Cha
UkuBusa kweziKampani	Izinhlelo zezinhlango nezebhizinisi, imibhalo yokwazisa, izinqubomgomo nezindlela zenhlango, Uhlobo lwezempilo nokuphepha emsebenzini, Irekhodi lokulawula ulaka nemigomo yokuphuma ngokushesha.	Yebo	Cha
Umqulu noMhlahlandlela	Umqulu wenhlango kanye noMhlahlandlela.	Yebo	Cha
Ulwazi lwezobuchwepheshe	IziGameko neziCelo zamsevisi, ukuKhiswa kweMpahla noMgcini, iziNgodo zeHlelo loMcimbi, imiBiko yamaHlelo wokuSebenza, uhlu lokuHlola uHlelo lokuNakekela, imiBiko yeNyanga yokuSebenza, izGaba zeziVumelwano zamaSevisi, amaUmqulu weziNqubomgomo nezinqubo, ukuNakekelwa kweNethiwekhi kanye neHlelo lokuThuthukiswa kwamaDokhumenthi woMjikelezo wokuPhila.	Yebo	Cha

IziHloko	Amarekhodi ngokwezigaba	Isicelo Sokufinyelela	Landa kuWebhusayithi
IziNcwadi zokuBhalisa	Indlela yokuziPhatha, iFayela yeCebo, amaRekhodi wokuLawula uHlelo.	Yebo	Cha
Imibiko, Imizuzu Kanye neziNqumo	IThimba loMsebenzi lakaZwelonke le-AARTO, imiHlangano yengeNyanga yamaYunithi wamabhizinisi, iBhodi, isiKhulu, izeThulo, iziBalo, iNhlolovo, ukuQapha nokuHlola.	Yebo	Cha
Izindaba Ezimayelana Nokuhlinzekwa kwempahla	AmaDokhumenthi we-BID, Izinkontileka i-oda yokuThenga, amaKhotheyishini, amaThenda, imiGomo yamaReferensi, ukuQashisa, uHlu lwalabo abaFake iziCelo zamaThenda, uHlu lwamaThenda akhishiwe.	Yebo	Cha
Umsebenzi Wokubhaliswa Kwezinqumo Zamasiko Kazwelonke	Imibiko, Izimo Zebhizinisi, Izinhlelo Zokusebenza Ezijwayelekile, Izincwadi Zokusebenza, Izinhlelo Zokuqeqesha nezibalo	Yebo	Cha
EzeziMali	UkuBalwa kweziMali, uMbiko weziMali, Izinkontileka namathenda, ukuPhatha, ukuPhathwa kweMpahla, ukuBhaliswa kweMpahla, Izitatimende, iSabelomali, imiBiko, Izitatimende zeMali engenayo Imibiko neziMbuyiselo.	Yebo	Cha
Okuqoshiwe okuBonakalayo nokuZwakalayo	Amaslayidi, iziThombe, amaFilimu namavidiyo.	Yebo	Cha

14.4 Izigaba zamarekhodi ezingabekelwa izizathu zokwenqatshelwa ukufinyelela kumarekhodi:

- 14.4.1** Amarekhodi alandelwa ngezansi angacelwa ngokusemthethweni, kodwa ukufinyelela ezingxenyeni zalawa marekhodi noma kulo lonke irekhodi kunganqatshwa ngezizathu zomthetho ezibalwe ezigabeni 33 kuya ku-46 nasezigabeni 62-70 ze-PAIA. Sicela ubheke umhlahlandlela we-PAIA ngendlela yokusebenzisa i-PAIA.
- 14.4.2** Inhlangothi iyalingodla ilungelo lokwenqaba ukufinyelela kumarekhodi lapho ukucutshungulwa kwamarekhodi kuzoholela ekusetshenzisweni kwemithombo yayo ngendlela enkulu futhi engenangqondo.
- 14.4.3** Ukufinyelela kuzonqatshelwa futhi lapho izicelo zibonakala zingenangqondo futhi/noma zikhathaza.
- 14.4.4** Kodwa-ke, Isikhulu Solwazi noma iSekela Lesikhulu Solwazi lenhlangothi linganikeza isicelo sokufinyelela kwirekhodi lenhlangothi, uma:
- 14.4.4.1** ukudalulwa kwamarekhodi kuzoveza ubufakazi bokwephulwa okukhulu komthetho noma ukwehluleka ukuhambisana nomthetho; Kanye

14.4.4.2 Inzuzo yomphakathi ekudaluleni irekhodi ngokusobala idlula ukulimala kunoma yiziphi izizathu zokwenqaba ukufinyelela kumarekhodi.

Isigaba Serekhodi	Efomini lesiCelo kuphela
Ulwazi lwenhlangano elihambisana nokulawula nokuhlola	Yebo
Ulwazi oluhlobene nezokuphepha.	Yebo
Inhlangano yezokuxhumana yezangaphakathi	Yebo
Amarekhodi aphethwe uphiko lwezomthetho	Yebo
Amarekhodi angaphakathi abaphathi abakhulu	Yebo
Ucwaningo olwenziwe egameni lwenhlangano ngumhlinzeki wesevisi	Yebo
Ukukhululwa ezikontilekeni zomhlinzeki wesevisi nokudalulwa	Yebo
Ukuxhumana kwamakhasimende okuyimfihlo	Yebo
Ulwazi olukhethekile olutholwe ngesikhathi sophenyo, ukubuyisana kwe-CCMA kanye nokugcinwa kwemfihlo kweklayenti lomeli	Yebo
Ulwazi oluthile lwabasebenzi, kufaka Phakathi kodwa kungagcini kumafayela ahlobebene nenqubo yokuqondiswa kwezigwegwe, kanye namarekhodi, ulwazi lwezokwelapha kanye nolwazi lomuntu siqu	Yebo
Ukudalulwa kwempahla kanye nezinqubo zokuvikela	Yebo
Izivumelwano zezinga lomsebenzi ezisayinwe nababambe iqhaza nabahlinzeki bezinsizakalo	Yebo
Imemorandamu yokusebenzisana esayiniwe nababambiqhaza nabahlinzeki bezinsizakalo	Yebo
Imibhalo yamathenda atholwe yinhlangano	Yebo
I-ajenda nemizuzu yemihlangano yangaphakathi neyangaphandle eyenziwe yinhlangano	Yebo
Ubhala izinqubomgomo zembiko kanye nemibhalo yezingxoxo	Yebo
Amaphepha ocwaningo kanye nemibono yezomthetho – - Izingubo ze-AARTO - Ukuchazwa kwesenzo nemithethonqubo ye-AARTO	Yebo
Ama-invoyisi nobufakazi bezinkokhelo	Yebo
Amarekhodi okuphathwa kwempahla okuhlanganisa nezaziso zokwephulwa komthetho ezikhishiwe	Yebo
Amarekhodi ahlobene nezinqubo zebhisinisi zencwadi yokwephula kazwelonke kanye nokusebenza kokuthengiselana	Yebo
Ukumukelwa nokuhoxiswa kwezinhla zokwahlulela	Yebo

15 Amarekhodi eSikhungo Atholakala Ngaphandle Kokuthi Umuntu Acele Ukufinyelela, ngokwe Sigaba 15 (2) soMthetho

IsiGaba Samarekhodi	IsiCelo sokuFinyelela esiDengekayo
Umthetho	• Umthetho nomthethonqubo we-AARTO. • UMthetho We-AARTO kanye Nezichibiyelo Zokulawula. • Imithethosivivinywa ye-AARTO. • Amashejuli e-AARTO eMithethonqubo.
Izazizo zikaHulumeni	• Umthetho we-AARTO, GN No. 19257, 11 uMandulo 1998. • I-AARTO ukuchitshiyelwa Act, GN No.19972, 25 Umbasa 1999. • I-AARTO ukuchitshiyelwa Act, GN No. 24577, 20 uNhlolaya 2003. • Umthetho Wokuchibiyela we-AARTO, GN No. 21428, 3 Agasti 2000. • Imithetho ye-AARTO, GN No. 31242, 16 uNtulikazi 2008. • I-AARTO Ukulungiswa Komthethonqubo, GN No. 33039, 19 uNdosa 2010. • Uhlaka Lomthethosivivinywa Wokuchibiyela we-AARTO, GN No. 36613, 28 uNhlangulana 2013. • I-AARTO Ukuchitshiyelwa Komthethonqubo, GN No. 39482, 7 uZibandlela 2015. • Umthetho Wokuchibiyela we-AARTO, GN No. 42648, 19 uNcwaba 2019. • Izimiso Zokuchibiyela ze-AARTO, GN No. 1319, 11 uMfumfu 2019. • Izimiso Zokuchibiyela ze-AARTO, GN No. 437758, 2 uMfumfu 2020.
Imiyalelo yeNkantolo	• Ukukhishwa kwesinqumo secala elingu nombolo. 32097/2020, iNkantolo Ephakeme yasePitoli, 13 kuMasingana 2022
Isinqumo seNkantolo	• Isinqumo se-AARTO, inombolo yecala, 32097/2020 sango 13 kuMasingana 2022.
Amafomu	• UmPhakeli weDatha siSekeli nokuBhaliswa. • IsiCelo soLwazi ye-PAIA. • AmaFomu wesiCelo wokuKhetha iNketho.
Amakomidi eNhlangano	• Imigomo Yokubhekisela. • Izindima nemisebenzi yalamalunga wamakomidi.
Umhlahladlela Wezinqubomgomo	• UMhlahladlela we-PAIA. • Umqulu we-PAIA. • Inqubomgomo kweminqubomgomo. yokwakheka

	• UMhlahlandlela we-PAIA
Amadokhumenti Wamasu	• IPhofayili yeNhlango (ukubuka konke, iziNjongo, iShadi lokuShemela). • ImiBiko yamiNyaka Yonke. • Isu Lesu. • ICebo lokuSebenza lamiNyaka Yonke. • IziNjongo ze-RTIA.
Mayelana ne-AARTO	• iBhodi labaQondisi. • IziKhulu eziPhethe.
OkweziNdaba	• IziTatimende. • IziNkulumo. • Igalavi yemiCimbi. • ImPahla zokuXhuma.
AmaThenda	• AmaBhidi wamaNje. • AmaBhidi aFakwe kungobo yoMlando.

16 Inqubo Yokufinyelela Kumarekhodi Aphethwe iNhlango

16.1 Isigaba 18 se-PAIA sichaza inqubo okumele ilandelwe uma kwenziwa isicelo sokufinyelela kulwazi olugcinwe yinhlangano. Isigaba 23 (a) (1) se-PoPIA sibuye sinikeze inqubo yokufinyelela kulwazi lomuntu siqu. Indlela yokufinyelela kulwazi lomuntu siqu ngokusho kwesigaba 23 se-PoPIA kufanele ihambisane nesigaba 18 se-PAIA.

16.2 Umceli noma umuntu onolwazi kufanele asebenzise iFOMU 2 ebekiwe lapho ecela ukufinyelela kwirekhodi noma ulwazi lomuntu siqu. Ifomu 2 lifakwe lapha.

16.3 Ocelayo yinoma yimuphi umuntu owenza isicelo sokufinyelela kwirekhodi lenhlango futhi kulokhu, i-PAIA ihlukanisa phakathi kwezinhlobo ezimbili zabacela ukufinyelela kulwazi, okungukuthi: Isicelo Somuntu Siqu, (isihloko sedatha) nesinye Isicelo.

16.3.1 Umuntu othintekayo ngumuntu ocelayo, onikeze ubufakazi obanele bokuthi ungubani, ofuna ukufinyelela kwirekhodi eliqukethe ulwazi lomuntu siqu mayelana nalowo othintekayo. Ngaphansi kwemibandela ye-PAIA ne-PoPIA, inhlangano izonikeza ulwazi oluceliwe, noma inikeze ukufinyelela kunoma yiluphi ulwazi oluphathelele nolwazi lomuntu siqu lwedatha ngaphakathi kwesikhathi esifanele, (ngentengo ebekiwe, uma ikhona) ngendlela efanele kanye nefomethi futhi ngendlela eqondakalayo. Imali ebekiwe yokwenziwa kabusha kwesicelo solwazi lomuntu siqu ingakhokhiswa yenhlangano.

16.3.2 Umuntu owela ngaphansi kwesigaba somunye umceli unelungelo lokucela ukufinyelela olwazini olumayelana nabantu besithathu. Kodwa ke, inhlangano ayiphoqelekele ukuthi inikeze ukufinyelela ngaphambi kokuba umfakisicelo ahlangebezane nezidingo zokufinyelela kulwazi ngokwemigomo ye-PAIA ne-PoPIA.

16.4 IFOMU 2 kufanele ithunyelwe futhi ihanjisiwe kumbhalisi wezokwaziswa ngesandla, ngeposi, ngefeksi noma nge-imeyili, imininingwane yayo ebekwe esigabeni 8 ngenhla.

16.5 Ofaka isicelo kufanele anikeze ulwazi olwanele lwerekhodi eliceliwe ukuze isikhulu solwazi noma isekela sikhulu solwazi, uma likhona, likwazi ukukhomba irekhodi (ama) eliceliwe. Imininingwane ebekiwe kufanele ifakwe ngokucacile ngokwanele ukuze okungenani ivumele Umbhalisi Wezokwaziswa ukuthi akhombe-

16.5.1 Umazisi womfakisicelo;

16.5.2 Imininingwane yerekhodi eliceliwe;

16.5.3 Uhlobo lwerekhodi;

16.5.4 Ukusuka endaweni yokufinyelela; Kanye

16.5.5 Indlela yokufinyelela.

16.6 Amanye amaphuzu abalulekile lapho kugcwaliswa ifomu lesicelo:

16.6.1 Ingxenye ngayinye yefomu iqukethe imiyalelo okufanele ilandelwe ukuze kwenziwe ngcono amathuba okuthi isicelo samukelwe ngokulibaziseka okuncane;

16.6.2 Uma amarekhodi eceliwe egameni lomunye umuntu, sicela unikeze ikhophi yegunya elikugunyazayo ukuba wenze egameni lomunye umuntu; kanye

16.6.3 Incazelo eningiliziwe yamarekhodi acelwayo kufanele inikezwe ukuze kunikezwe amandla Isikhulu Solwazi noma iSekela Lesikhulu Solwazi ukuba likwazi ukukhomba ngokunembile.

16.7 Ocelayo kufanele asho, njengoba kushiwo esigabeni 29 (2) se-PAIA, uhlobo lokufinyelela oludingekayo.

16.8 Ofaka isicelo kufanele asho ukuthi irekhodi eliceliwe liyathandeka yini kunoma yiluphi ulimi oluthile.

16.9 Ofaka isicelo kufanele asho indlela afuna ukwaziswa ngayo ngesinqumo esiphathelene nesicelo kanye neminingwane edingekayo ukuze aziswe ngokufanele.

16.10 Ofaka isicelo uzothola ulwazi ngendlela enqunyiwe. Isigaba 29 (3) se-PAIA, sikhombisa ukuthi ukuhlinzekwa kolwazi kuzoncika ekutheni isicelo ngeke yini siphazamise ngokungafanele ekuphathweni okusebenzayo kwenhlangano, kube yingozi ekulondolozweni kwamarekhodi (s) noma kwephule noma yimaphi amalungelo obunikazi okungewona awombuso.

16.11 Ocelayo kufanele asho ngokusho kwesigaba 29 (2) se-PAIA, uhlobo lokufinyelela oludingekayo.

16.12 Ofaka isicelo kufanele asho ukuthi irekhodi noma amarekhodi aceliwe akhethwa kunoma yiluphi ulimi oluthile.

16.13 Ofaka isicelo kufanele asho indlela afuna ukwaziswa ngayo ngesinqumo esiphathelene nesicelo kanye neminingwane edingekayo ukuze aziswe ngokufanele.

16.14 Isicelo somlomo sokufinyelela kumarekhodi singenziwa, uma ofake isicelo engenayo imfundo esemthethweni noma enokukhubazeka. Isikhulu soLwazi noma iSekela leSikhulu soLwazi lizosiza umceli ukuba agcwalise ifomu elibekiwe egameni lalowo ofake isicelo futhi limnikeze ikhophi yefomu eligcwalisiwe.

16.15 Umfakisicelo uzokwaziswa ngemali ebekiwe ekhokhwayo, uma ikhona, indlela yokukhokha kanye nehhovisi lapho angenza khona inkokhelo enjalo noma alethe ubufakazi bokukhokha ngaphambi kokuba isicelo solwazi sicutshungulwe ngokuqhubekayo. Sicela uqaphele ukuthi umfakisicelo akakhokhi imali yokufinyelela kwinhlangano uma -

- 16.15.1** Umfakisicelo ungumuntu ongashadile onemali engenayo yonyaka, ngemuva kokuncishiswa okuvumelekile, okufana ne-PAYE ne-UIF, engaphansi kuka-R 14 712 ngonyaka; noma
- 16.15.2** Umfakisicelo ushadile futhi umholo wakhe ohlanganyelwe, ngemuva kokuncishiswa okuvumelekile, okufana ne-PAYE ne-UIF, engaphansi kuka-R 27 192 ngonyaka.
- 16.16** Ngokwesigaba 25 se-PAIA, isicelo sokuthola ulwazi sizocutshungulwa yisikhulu solwazi zingakapheli izinsuku ezingu-30 ngemuva kokuthola isicelo noma ngokushesha ngangokunokwenzeka, lapho ngemuva kokuthi isikhulu solwazi izokwazisa umceli ngesinqumo sayo, noma inikeze noma yenqabe isicelo sokufinyelela kumarekhodi. Isinqumo kufanele, uma kungenzeka, sidluliswe ngendlela eceliwe ngumenzi wesicelo.
- 16.17** Isigaba 26 se-PAIA sinqume izimo lapho isikhathi sezinsuku ezimashumi amathathu okukhulunywa ngaso esigabeni 25 se-PAIA, singanwetshwa kanye ezinsukwini ezimashumi amathathu ezengeziwe. Isikhathi esiyizinsuku ezimashumi amathathu singanwetshwa ngesinye isikhathi esingeqile ezinsukwini ezimashumi amathathu uma
- 16.17.1** Isicelo siqondene nenani elikhulu lemibhalo noma sidinga ukuseshwa kwenani elikhulu lemibhalo futhi ukuhambisana nesikhathi sokuqala kungaphazamisa ngokungadingekile imisebenzi yenhlango;
- 16.17.2** Isicelo sidinga ukuseshwa kwamarekhodi, noma ukuqoqwa kwawo, ehhovisi lenhlango elingekho edolobheni noma edolobheni elifanayo nehhovisi lesikhulu solwazi futhi angeke kuqedwe ngokufanele ngaphakathi kwesikhathi sokuqala;
- 16.17.3** Ukubonisana phakathi kweminyango yenhlango noma nomunye umgwamanda womphakathi kuyadingeka noma kuyathandeka ukunquma ngesicelo futhi inqubo enjalo yokuthatha izinqumo ayikwazi ukuqedelwa kahle ngaphakathi kwesikhathi sokuqala;
- 16.17.4** Kunezimo ezingaphezu kweyodwa ezicatshangwa kuzindima 15.7.1 kuya ku15.7.3 ezihambisana nesicelo ezenza ukuthi ukuhambisana nesikhathi sokuqala kungenzeki ngokufanele; kanye
- 16.17.5** umfakisicelo uvuma ngokubhala ukuthi ukunwetshwa okunjalo.
- 16.18** Uma isikhathi seluliwe, Isikhulu Solwazi kufanele ngokushesha ngangokunokwenzeka futhi zingakapheli izinsuku ezi-30 sithole isicelo okokuqala, sazise ofake isicelo ngalokhu kwelulwa.
- 16.19** Isicelo sokufinyelela kwirekhodi sinqatshelwe, sibekelwe isikhathi noma sinikezwe ngaphansi kwemali engenangqondo sinikezwe ngendlela engamukeleki, ofake isicelo angafaka futhi afake isikhalazo njengokusho kwesigaba 74 se-PAIA kwinhlango.
- 16.20** Isigaba 74 se-PAIA sivumela ukuthi kufakwe izikhalazo ngesinqumo sesikhulu solwazi senhlango futhi izinqubo zokudlulisa izikhalazo (ezingezona eziphoqelekile) zichazwe ngokuningiliziwe esigabeni 9.2.
- 16.21** Ngokwesigaba 78 soMthetho we-PAIA, umceli noma umuntu wesithathu okukhulunywa ngaye esigabeni 74, angafaka isicelo enkantolo ukuze athole usizo olufanele ngokusho kwesigaba 82 soMthetho, ngemuva kokuthi eseqedile inqubo yangaphakathi yokudlulisa isikhalo

ngokumelene nesinqumo seSikhulu solwazi. Njengoba kukhonjisiwe esigabeni 9 ngenhla, izinqubo zokudlulisa amacala aziphoqelekile futhi umfakisicelo noma umuntu wesithathu, nganoma yisiphi isikhathi, kungakapheli isikhathi esibekiwe sezinsuku ezingu-180, angaya enkantolo ukuze athole usizo olufanele.

- 16.22** Ocelayo, ohlukunyezwe yisinqumo sesikhulu solwazi senhlangano ngaphansi kwe-PAIA, akakwazi ukufaka isikhalazo kwinhlangano futhi kufanele aqhubeke ngokwemigomo yesigaba 9 ngenhla.

17 AmaSevisi Atholakala Kumalunga Womphakathi Abuya eNhlanganweni, Nokuthi Atholakala Kanjani

17.1 Ukuhlola kokuphulwa komthetho / nokukhokha

- 17.1.1** Ukuhlolwa kokuphulwa komthetho wesihloko sedatha angatholwa ngesihloko sedatha kwinhlangano zokuxhumana ku-inthanethi -

(a) Ngokuzibhalisa okumahhala @ www.aarto.gov.za;

(b) Ngokulanda mahhala i-app ye-AARTO Application kwi-Google Play Store.

- 17.1.2** Ukwepulwa komthetho ongenziwa ngokufunda kuphela kwizinhlangano kumahhovisi kazwelonke ekhelini elibhalwe ngaphansi kwesigaba sika 10.6 ngaphezulu.

- 17.1.3** Ukuhlolwa kokuphula umthetho kuyenziwa futhi ngesihloko sedatha ngokuvakashela izindawo zokuphuma zezinhlangano zamasevisi ezitholakala kulolonke izwe nohlwini kwiwebhusayithi yenhlangano www.rtia.co.za.

- 17.1.4** Imibuzo yokuphulwa komthetho jikelele ingabhekiswa kwisikhungu senhlangano ye-AARTO ngokushayela inombolo 0861 227 861 noma ngekheli le imeyili ku aartoenquiries@rtia.co.za.

- 17.1.5** Ukwanyukela kokukhokha kwezinhlawulo kanye nezimali ezikholekayo ngemigomo yezaziso ikhishiwe. Izinkokhelo zamukelwa ezindaweni thizeni zokukhokha ezingakhangisiwe ku- www.aarto.gov.za / www.rtia.co.za futhi izaziso zibekiwe zakhishwelwa labo abaphule umthetho. Ngokwengeza, inhlangano yenze ezinye izindawo zokukhokha emaGatsheni aPhethe kanye nezindawenizokuphuma zamasevisi we-AARTO ezikhethiwe ezitholakala ezweni lonke.

17.2 Ukuhanjiswa kokukhetha inketho yokufaka amafomu wesiCelo se-AARTO

Laba abaphule umthetho bangahambisa amafomu wokufaka isicelo sokukhetha inketho kwinhlangano ngezindlela ezilandelayo -

- (a) Ikheli elibhalisiwe ku: Private Bag X112, Midrand , 1685

- (b) Nge-imeyili:

- Representations@rtia.co.za

- Nominations@rtia.co.za
- Court@rtia.co.za
- Revocation@rtia.co.za
- Refund@rtia.co.za

- (c) Ingaletswa ngesandla emahhoveisini wenhlangano kazwelonke ekhelini okubhekeselwe kulo ngaphansi kwesigaba-10.6 ngaphezulu, noma ezindaweni zokuphuma zamasevisi ohlwini lewebhusayithi yenhlangano ku-www.rtia.co.za.

18 Ukuzibandakanya Komphakathi Ekwakheni Komthetho kanye Nokusebenzisa Amandla noma Imisibenzi Yokusebenza Yenhlangano

- 18.1** Ukusebenzisa Amandla noma imisebenzi yemisebenzi ngemigomo ye-AARTO kanye nemithethonqubo, nokuchitshiyelwa kwalawo mandla nemisebenzi, izokwenziwa ngesishayamthetho sesifundazwe ngenqubo yokuzwa komphakathi.
- 18.2** Ngesikhathi sokulalelwa komphakathi, amalungu womphakathi angahlinzeka okokufaka futhi baveze nokukhathazeka ngezichibiyelo eziphakanyiswe kwumthetho nemithethonqubo ye-AARTO.
- 18.3** Noma yiziphi izankathazo zingaphakanyiswa ekulalelweni kwayo noma yokusebenzisa ukuhambisa imibhalo ebhaliswe emnyangweni wezokuhamba.
- 18.4** Amalunga wokulalelwa komphakathi azokhishwa ngaphakathi kwimidiya yokusakaza enkulu ngaphambili ngenhlangano noma izishayamthetho zezifundazwe ezihlukahlukene ezibandakanyeka kulenqubo.
- 18.5** Inqubo yezikhathazo ezivezwe ekulalelweni komphakathi, zizodokhumenthwa futhi mangabe kufanele, zicatshangelwe ngomyango wezokuthutha kuze zifakwe esenzweni nakumthethonqubo okokugcina wezichibiyelo.

19 Inqubo Yolwazi Lomuntu Siqu

19.1 Inhlalo yokucutshungulwa kolwazi lomuntu onolwazi ngaphansi kokunakekelwa kwalo ngezindlela ezilandelayo

- 19.1.1** Ukugcwalisa noma ukwenza izibopho zomthetho ngaphansi koMthetho we-AARTO kanye neMigomo yawo, ngokusebenzisa -
- 19.1.1.1** Ukwamukela nokucubungula amafomu ezicelo ze-AARTO eziqukethe imininingwane yomuntu siqu yomfakisiselo kanye nokuhlunga nokulayisha le mibhalo ku-NCR;
 - 19.1.1.2** Ukulahlwa (ukuhlikihla) kwamafomu ezicelo zokhetho lwe-AARTO atholakele, ngemuva kokuthi leyo mibhalo isetshenziswe nge-dijithali ku-NCR;

19.1.1.3 Ukulungiselela nokuthumela izaziso ezisemthethweni ze-NCR kwabasolwa ngokwephula umthetho ngeposi eliqinisekisiwe noma ngeposi elijwayelekile; kanye

19.1.1.4 Ukulungiselela nokuthumela kubafakizicelo ngeposi elijwayelekile ama-NCR aqaphela amafomu ezicelo atholiwe.

19.1.2 Ukugcwalisa izibopho zomthetho ngokwemigomo ye-PFMA/Imithetho Yengcebo mayelana nezindaba zokuhlinzekwa, ukukhishwa kwama-oda, ama-akhawunti kanye nemibhalo.

19.1.3 Ukugcwalisa isibopho somthetho maqondana nokuphathwa kwabasebenzi kanye nezicelo zomsebenzi.

19.1.4 Izivakashi ezivamile zibhalisa ehovisi likazwelonke lenhlangano nasezikhungweni zezinsizakalo.

19.1.5 Ukuhambisana neminye imithetho efanele, efana ne-PFMA, Imithethonqubo ngaphansi Kwamanothi Wokufundisa Kazwelonke.

19.2 Izigaba zezinhloko zedatha Kanye nolwazi lomunti siqu

Inhlangano ingase icubungule amarekhodi ahlobene nabaphula umthetho, abahlinzeki, amalungu webhodi, osonkontileka, abalinzeki bezinsizakalo, abasebenzi kanye namaklayenti:

IziGaba zeziNhloko zeDatha	Ulwazi Lomuntu Siqu Olungase Luphathwe
Abaphule uMthetho	AmaGama, iziBongo, ubuLili, iNombolo kaMazisi, imiNiningwane yokuThintana (inombolo yocingo, ikheli lendawo, ikheli leposi, ikheli le-imeyili), imininingwane yemoto, ikhadi lokukhokhisa, incazelo yokukhathisa isikhathi, ilanga nendawo yecala kanye nemininingwane yomcashi.
AbaHlinzeki/AbaHlinzeki beziNsizakalo	Amagama wabantu abangathintwa, igama lenhlangano, ikheli lendawo kanye nekheli leposi kanye nemininingwane yokuthintana (inombolo yocingo, ikheli lefekisi, ikheli lkanyee-imeyili), inombolo yekampani ebhaliswe ngayo, isimo se-BBB-EE, imininingwane ehambisana nentela kanye nemininingwane enaphakathi yedatha sisekelo.
AbaSebenzi/AmaLunga weBhodi	Ubulili, ukukhulelwa, isimo somshado, uhlanga, iminyaka, ulimi, imininingwane yemfundo, imininingwane yezimali, umlando womsebenzi, izinombolo zakamazisi, ikheli lendawo kanye nekheli leposi, imininingwane yokuthintana (inombolo yocingo), irekhodi lobugebengu, inhlalakahle, amalungu wendawo, ubulungu bezokwelapha, ubuzwe, kobuhlanga noma imvelaphi yokuhlanganisana kwabantu, impilo ngokomzimba nangokwengqondo, ukukhubazeka, umlando wokuphula umthetho, imininingwane ye-biometric,

	ukuzihlanganisa komsebenzi okhokhelwayo wobungcweti kanye nezinkomba.
IziPhathimandla eziKhiphayo	Idatha lokusebenza ngemigomo ye-AARTO.

19.3 Abamukeli noma izigaba zabamukeli ulwazi lomuntu siqu olunganikezwa yinhlangano

- 19.3.1** Inhlangano ingadlulisela ulwazi lomuntu siqu oluhlobene nomuntu onolwazi kubasebenzi benhlangano, njengengxenywe yokufeza igunya layo elisemthethweni.
- 19.3.2** Inhlangano inganikeza ulwazi lomuntu siqu lomuntu onolwazi kubanikezeli bezinsizakalo / abahlinzeki abahlinzeka ngezinsizakalo ezilandelayo-
- 19.3.2.1** Ukuthumba nokuhlola kolwazi lomuntu siqu;
 - 19.3.2.2** Ukugcina kolwazi lomuntu siqu;
 - 19.3.2.3** Ukuthumela kwama-imeyili nezinye izincwadi;
 - 19.3.2.4** Eqhuba ngenxa yokukhuthala nokuhlola;
 - 19.3.2.5** Ukuqhuba kokuhlola ubugebengu;
 - 19.3.2.6** Uphenyo lwe-forensic kanye namanye amaphenyo ahlobene nemisebenzi yenhlangano;
 - 19.3.2.7** Ukuhlola;
 - 19.3.2.8** Ukuphathwa kwesikhwama se-GEPF;
 - 19.3.2.9** Ukuphathwa kwesizo lezempilo; kanye
 - 19.3.2.10** Ingcalasizinda ye-ICT.
- 19.3.3** Inhlangano inganikeza futhi enye i-IA idatha ephathelene nokusebenza kwama-IA's ngenhloso yokubika ngemisebenzi eyenziwa ngama-IAs afanele ngezikhathi ezithile.
- 19.3.4** Inhlangano inganikeza futhi imininingwane yomuntu siqu yababandakanyeka kudatha ezinkantolo, mayelana nanoma yiluphi udaba oluthathwe ekubuyekazweni kwezomthetho.
- 19.3.5** Inhlangano inganikeza futhi imininingwane yomuntu siqu ku-Road Traffic Management Corporation (RTMC) njengomlingani wezobuchwepheshe we-NCR ngenhloso yokugcwalisa i-NCR ngemininingwane ephula umthetho.
- 19.3.6** Inhlangano, ngokusebenzisa umlingani wayo wezobuchwepheshe we-NCR, ingadlulisela nemininingwane yomuntu siqu ePosini laseNingizimu Afrika, ngenhloso yokuletha isaziso ku-AARTO kanye nemibhalo yokwamukela mayelana nomuntu okusolwa ukuthi wephule umthetho ngokusho kwesigaba 30 se-AARTO.

20 Ukudlulela Kwemininingwane Yomuntu Ngokuhlelwe Ngokwe Mingcele

20.1 Inhlango ayihlelanga ukugeleza kolwazi lomuntu siqu oludlula emingceleni. Kodwa-ke, inhlango, uma kunesidingo sokudlulisela ulwazi lomuntu siqu kwelinye izwe ngezinhloso ezisemthethweni, iqinisekisa ukuthi noma ngubani odlulisa ulwazi lomuntu siqu ungaphansi komthetho, imithetho ebophezelayo yenkampani noma isivumelwano esibophezelayo esinikeze izinga elifanele lokuvikelwa futhi umuntu wesithathu uyavuma ukuthi lolo lwazi lomuntu siqu lube nezinga elifanayo lokuvikelwa njengoba inhlango ibophezelekile ngaphansi kwe-PoPIA.

20.2 Noma yikuphi ukudluliswa kolwazi lomuntu siqu ngaphesheya kwemingcele kufanele kwenzeke ngemvume yomuntu othintekayo, nokho uma kungeke kwenzeke ngokunengqondo ukuthola imvume yomuntu othintekayo, Inhlango izodlulisa ulwazi lomuntu siqu uma-

20.2.1 Kuzoba ngenzuzo yomuntu okuqondene naye; kanye

20.2.2 Umuntu obhekene nedatha ngabe wanikeza imvume ukube bekungenzeka ukuthi athole imvume enjalo.

21 Incazelo Ejwayekelile Yezinyathelo Zokuphepha Kolwazi

21.1 Inhlango izokwakha njalo futhi igcine izinyathelo ezifanele, ezinengqondo zobuchwepheshe nezokuhlela ngokuthatha izinyathelo ezifanele, ezinengqondo zobuchwepheshe nezokuhlela ukuvimbela -

21.1.1 ukulahleka, ukulimala noma ukubhujiswa okungagunyaziwe kolwazi lomuntu siqu; kanye

21.1.2 ukufinyelela okungekho emthethweni noma ukucubungula imininingwane yomuntu siqu.

21.2 Inhlango ithathe izinyathelo ezifanele, njengoba ziqukethwe esigabeni esingezansi 21.3, ukuze -

21.2.1 Khomba zonke izingozi zangaphakathi nezangaphandle ezingabonwa kusengaphambili mayelana nolwazi lomuntu siqu olusezandleni zalo noma olungaphansi kokulawula kwalo;

21.2.2 Ukusungula nokugcina izivikelo ezifanele ngokumelene nobungozi obubonwe;

21.2.3 Ukuhlola njalo ukuthi izivikelo ziyasetshenziswa yini ngempumelelo; kanye

21.2.4 Ukuqinisekisa ukuthi izivikelo zivuselelwa njalo ukuze kubhekanwe nezingozi ezintsha noma ukushiyeka kwezivikelo ezisetshenziswe ngaphambilini.

21.3 Izinyathelo ezithathwe yinhlango zihlanganisa, phakathi kokunye -

21.3.1 Ukulawulwa kokungena kwe-biometric ngaphakathi kwezindawo ezahlukene eGatsheni Eliphethe;

- 21.3.2** Ukuvikelwa ngokwenyama kuwo wonke amasango okungena eGatsheni Eliphethe;
- 21.3.3** Ukugcinwa kwedatha;
- 21.3.4** Izixazululo ze-Anti-virus ne-Anti-malware;
- 21.3.5** Ukufinyelela kokuthengiselana kwe-NCR ngenqubo yokufaka isicelo ngokucindezela, kufaka phakathi amagama abasebenzisi namaphasiwedi enziwe ngezifiso;
- 21.3.6** Ukuqwashisa nokuqapha phakathi kwabo bonke abasebenzi; kanye
- 21.3.7** Amandla okuhlola nokubika.

22 Izimali Ezibekiwe

- 22.1** Isigaba 22 (1) se-PAIA sithi izimali ezikhokhwayo zokufinyelela kumarekhodi esikhungo kufanele zinqunywe.
- 22.2** Izimali ezinqunyiwe zibekwe kusithasiselo A, esinanyathiselwe lapha.
- 22.3** Ofuna ukufinyelela kunoma yiliphi irekhodi kungase kudingeke ukuthi akhokhe imali, ngaphandle uma ekhululiwe, njengoba kushiwo endimeni 21.4 ngenzansi.
- 22.4** Umfakisicelo akadingi ukuthi akhokhe imali yokufinyelela enhlanganweni yomphakathi uma –
 - 22.4.1** Ungumuntu ongashadile umholo wakhe wonyaka, emva kokubanjwa kwemali okuvumelekile, njenge-PAYE ne-UIF, ungaphansi kuka-R 14 712 ngonyaka; noma
 - 22.4.2** Ushadile futhi imali engenayo ehlangene nomlingani wakhe, ngemva kokubanjwa kwemali okuvunyelwe, njenge-PAYE ne-UIF, ingaphansi kuka-R 27 192 ngonyaka.

23 Amarekhodi Angatholakali noma Angekho

- 23.1** Abafake izicelo banelungelo lokuthola impendulo ngendlela yencwadi efungelwe noma isiqinisekiso lapho amarekhodi engeke atholakale khona ngokufanelekile, kodwa lowo ofake isicelo ubeyokwazi ukufinyelela kuyo ukuba irekhodi belitholakala.
- 23.2** Abafake izicelo futhi banelungelo lokuthola impendulo ngendlela yencwadi efungelwe noma isiqinisekiso lapho amarekhodi aceliwe engekho.

24 Ukulahlwa Kwamarekhodi

- 24.1** IsiKhungo siyaligodla ilungelo lokulahlwa ngokusemthethweni amarekhodi athile ngokwemibandela yeziphathimandla ezitholwe oPhikweni Lwezinqolobane Kazwelonke kanye Nezinsizakalo Zokurekhoda.

24.2 Abafake izicelo bazokwaziswa ukuthi ngabe irekhodi elithile lilahliwe lapho lokhu kuhambisana namarekhodi aceliwe.

24.3 Ngokuhambisana nesigaba 24 (1) se-PoPIA, inhlango, lapho ithola isicelo esivela kwisihloko sedatha-

24.3.1 Lungisa noma susa ulwazi lomuntu siqu mayelana nesihloko sedatha ekusona noma esingaphansi kolawulo lwakhe olunembile, olungabalulekile, oludlulele, oluphelelwe isikhathi, olungaphelele, oludukisayo noma olutholwe ngokungekho emthethweni.

24.3.2 Ukucekela phansi noma susa irekhodi lolwazi lomuntu siqu mayelana nesihloko sedatha iSikhungo esingasagunyazwa ngaso ngokwesigaba 14 se-PoPIA.

25 Ukubuyekezwa kwaloMqulu

Inhlango, uma kunesidingo, izobuyekeza futhi ishicilele le Umqulu uma kudingeka ngenxa yezinguquko emthethweni noma endaweni yokusebenza kweSikhungo.

***Kukhishwe ngu -
Isikhungo se Road Traffic Infringement Agency***

Isithasiselo A

Amafomu wesenzo se-PAIA wokukhushulwa kokutholakala kolwazi

iFomu 1- Isicelo somhlahlandlela esibuya kumlalwuli [umthethonqubo2]

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form01-Reg2.pdf>

iFomu 1- Isicelo sesifanekiso somhlahlandlela esivela kwisikhulusolwazi [umthethonqubo3]

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form01-Reg3.pdf>

iFomu 2 – Isicelo sokufinyelelwa kwamanerkhodi [umthethonqubo 7]

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-Reg7.pdf>

iFomu 3 – Umphumela wesicelo kanye nemali engakhokhwa [umthethonqubo 8]

<https://inforegulator.org.za/wp-content/uploads/2020/07/Form-3-PAIA.pdf>

iFomu 4 – iFomu lesikhalazo sangaphakhati [umthethonqubo 9]

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form04-Reg9.pdf>

iFomu 5 – iFomu Lesikhalazo [umthethonqubo 10]

<https://inforegulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form05-Reg10-1.pdf>

iFomu 13 – ifomu lokuhlaba kokuthoba lesiCelo le-PAIA [umthethonqubo 14(1)]

<https://inforegulator.org.za/wp-content/uploads/2020/07/PAIA-Request-for-Compliance-Assessment-Form-13.pdf>

Amafomu wesenzo sokukhushulwa kolwazi komuntu siqu

iFomu 1 – Ukuphikisana kokucubungela kolwazi lomuntu siqu

<https://inforegulator.org.za/wp-content/uploads/2020/07/FORM-1-OBJECTION-TO-THE-PROCESSING-OF-PERSONAL-INFORMATION.pdf>

iFomu 2 – Isicelo sokulungiswa noma sokusulwa kwelwazi lomuntu siqu noma ukubhubhisa kwerekhodi lomuntu siqu

<https://inforegulator.org.za/wp-content/uploads/2020/07/FORM-2-REQUEST-FOR-CORRECTION-OR-DELETION-OF-PERSONAL-INFORMATION-OR.pdf>

iFomu 3 – ukufaka isicelo sokukhishwa kwendlela yokuziphata

<https://inforegulator.org.za/wp-content/uploads/2020/07/FORM-3-APPLICATION-FOR-THE-ISSUE-OF-A-CODE-OF-CONDUCT.pdf>

iFomu 4 – ukufaka isicelo sokuthola imvume yenhloko yedatha ngokucubungela kolwazi lomuntu siqu ngenhloso yokumaketha ngqo

<https://inforegulator.org.za/wp-content/uploads/2020/07/FORM-4-APPLICATION-FOR-THE-CONSENT-OF-A-DATA-SUBJECT-FOR-THE-PROCESSING-OF.pdf>

iFomu 5 – Ukukhalaza mayelana nokuphazamiseka ngokukhushulwa kolwazi lomuntu siqu/ukukhalaza mayelana nokuzimisela kwakamhluleli

<https://inforegulator.org.za/wp-content/uploads/2020/07/FORM-5-COMPLAINT-REGARDING-INTERFERENCE-WITH-THE-PROTECTION-OF-AN-ADJUDICATOR.pdf>

iFomu 20 – Isicelo sokubuyekeza sangaphakathi ngomthetho wenqubo ohambelana nendlela ekufanele iskhaziso sithunyelwe ngakhona futhi iphathwe ngakhona ngumlawuliwolwazi

<https://inforegulator.org.za/wp-content/uploads/2020/07/20211012-InfoReg-RulesOfProcedure-HandlingPOPIAcomplaints-1.pdf>

Isithasiselo B

Imali Emisiwe Ezodingeka

	Incazelo	Inani
1.	Imali yesicelo okufanele ikhokhwe yilowo nalowo ofaka isicelo	Imali engu-R 100.00

2.	Ikhophi yekhasi elingu-A4	R 1.50 ekhasini ngalinye noma ingxenywe yalo.
3.	Ikhophi ephrintiwe yekhasi elingu-A4	R 1.50 ekhasini ngalinye noma ingxenywe yalo.
4.	Ukuze uthole ikhophi efundeka ngekhompyutha ku: (i) i-Flash drive (kufanele inikezwe ngumceli) (ii) i-Compact disc • Uma inikezwe ngumfakisicelo • Uma ilethwe ngumfakisicelo	R 40.00 R 40.00 R 60.00
5.	Ukuze kubhalwe izithombe ezibonwayo ekhasini elingu-A4	Amasevisi azokhishwa. Izoncika ngokucaphua ukusho ngalabo abaphakela amasevisi
6.	Ikhophi yezithombe ezibukwayo	
7.	Ukuloba okuqoshiwe kwe-audio, ekhasini ngalinye elingu-A4	R 24.00
8.	Ikhophi yerekhodi lomsindo ku: (i) i-Flash drive (kufanele inikezwe ngumceli) (ii) i-Compact disc • Uma inikezwe ngumfakisicelo • Uma inikezelwe kumfakisicelo	R 40.00 R 40.00 R 60.00
9.	Ukufuna nokulungiselela irekhodi ukuze lidalulwe ngehora ngalinye noma ingxenywe yehora, ngaphandle kwehora lokuqala, okudingeka ngokufanelekile kulolo cwaningo nokulungiselela. Ukungadluli izindleko eziphelele	R 100.00 R 300.00
10.	Idiphazithi: Uma usesho ludlula amahora angu-6	Ingxenywe eyodwa kwezintathu yenani ngesicelo ngasinye ibalwe ngokwemibandela 2 kuya ku-8.
11.	Ukuthumela ngeposi, nge-imeyili noma nganoma iyiphi enye indlela yokudlulisa nge-elektronikhi	Izindleko zangempela, uma zikhona.