

## **ISITHASISELO H – ISAZISO ESIBHEKISWE KUMALUNGU EZINHLAKA EZIBHEKELE UKUPHEPHA KOMPHAKATHI**

### **UMTHETHO OMAQONDANA NOKUVIKELWA KWEMININGWANE YOMUNTU, WEZI-2013**

#### **ISAZISO ESIBHEKISWE KUMALUNGU EZINHLAKA EZIBHEKELE UKUPHEPHA KOMPHAKATHI**

*UMnyango Wezokuphepha kanye Nokuxhumanisa Umphakathi (lapha obizwa “ngomnyango”) kanye nabasebenzi bawo uyaye uqoqe uphinde ucubungule imininingwane yamalungu ezinhlaka ezibhekele ukuphepha komphakathi ukuze ufezekise igunya lawo langokoMthethosisekelo lokukhuthaza ubudlelwane obuhle phakathi kwamaphoyisa nomphakathi, kubandakanya nalokhu olulandelayo, –*

- 1. Ukwesekwa kwezokuhlela nokuphatha ezinhlakeni ezibhekele ukuphepha komphakathi;*
- 2. ukuhlola ukusebenza kwezinhlaka ezibhekele ukuphepha komphakathi;*
- 3. ukuphenya maqondana nezikhalo ezithinta ubudlelwane obungebuhle phakathi komphakathi namaphoyisa;*
- 4. ukuxhumana namaphoyisa kanye nezinye izinhlaka okusetshenziswana nazo maqondana nobudlelwane phakathi kwamaphoyisa nomphakathi;*
- 5. ukubhala imibiko; kanye*
- 6. nokwazisa umphakathi maqondana nenqubekela phambili esiyenzekile.*

*Imininingwane yomuntu ingaphinda futhi idalulwe kumbe icutshungulwe uma –*

- umnyango kufanele kumbe unelungelo lokudalula leyo mininingwane ngokwananoma yimuphi umthetho; noma*
- kunesidingo sokuvikela ilungelo lomnyango.*

*Uma Lowo Ohlinzeka Imininingwane (Data Subject) ehlinzeka abe-DCSL (umnyango) ngemininingwane egameni lomunye, abe-DCSL angeke bekwazi ukucubungula isikhalo kumbe isicelo ngaphandle uma leso sikhalo kumbe isicelo sihambisane nemvume kanye negunya lalowo ongunikazi wemininingwane.*

*Uma Lowo Ohlinzeka Imininingwane (Data Subject) eneminyaka engaphansi kweyi-18, imininingwane yakhe iyocutshungulwa kuphela uma umzali kumbe umbheki wakhe enikeza imvume noma igunya lokuba kucutshungulwe leyo mininingwane enikeziwe.*

*Imininingwane yomuntu eqoqiwe inganikezwa iphinde futhi icutshungulwe yilezi zinhlaka –*

- 1. abasebenzi boMnyango;*
- 2. Amaphoyisa aseNingizimu Afrika / Amaphoyisa e-Metro;*

3. Ezinye izinhloko okusetshenziswa nazo kweZobulungiswa;
4. Isikhungo esibhekele ulwazi lwezobuchwepheshe kuHulumeni (i-State Information Technology Agency);
5. UMcwangingi-Mabhuku Jikelele;
6. Inqolobane Yokulondolozwa Kwemibhalo Eyigugu Yesifundazwe (i-Provincial Archives) ;kumbe
7. Nanoma yiluphi olunye uHloko lukaHulumeni ngenhloso yokuthi lukwazi ukuqhuba umsebenzi walo kumbe wophiko lwayo.

Ngokunikeza imininingwane yomuntu emnyangweni, Lowo Ohlinzeka Ngemininingwane uyakuqonda ukuthi nanoma iyiphi imininingwane iyogcinwa isikhathi esiyiminyaka .... ngaphambi kokuba ishatshalaliswe yiNqolobane Yokulondolozwa Kwemibhalo Eyigugu Yesifundazwe (i-Provincial Archives). Ngiyakwamukela ukuthi ukucutshungulwa kwemininingwane yomuntu kuyokwenziwa ngokulandela uMthetho omaqondana Nokuvikelwa Kwemininingwane Yomuntu wezi-2013 kanye nokuthi futhi iyosetshenziselwa lokhu okulandelayo:

- a) ukucutshungulwa okudingekayo okumaqondana nokukhuthaza ubudlelwane obuhle phakathi kwamaphoyisa nomphakathi kumbe ukunqandwa kobugebengu;
- b) ukucutshungulwa kokuthi aMaphoyisa ngabe asebenza ngokulandela imithetho ebekiwe yini kweZemisebenzi kaHulumeni;
- c) ukuvikela ilungelo lami elisemthethweni noma ilungelo lenhlangano engiyimele;
- d) ukucutshungulwa kokuthi izinhloko zikaHulumeni kungabe zisebenza ngokulandela imithetho ebekiwe yini; noma
- e) ukucutshungulwa kokuthi kungabe zibhekeleleke ngokufanele yini izintshisekelo zohlaka lukaHulumeni kumbe uhlangothi lwesithathu olunikezelwe imininingwane eceliwe.

Ngokunikeza imininingwane yomuntu emnyangweni, Lowo Ohlinzeka Ngemininingwane lapha unikeza imvume yokuthi kucutshungulwe imininingwane yomuntu ngokulandela uMthetho omaqondana Nokuvikelwa Kwemininingwane Yomuntu wezi-2013 futhi uyaliqonda ilungelo –

- i. lokufinyelela olwazini oluqoqiwe kanye nelungelo lokulungisa lolo lwazi;
- ii. lokuvimbela ukucutshungulwa kwemininingwane yomuntu ukuze kuvikele intshisekelo yangokomthetho, uma kunezizathu ezizwakalayo neziqinile, maqondana nokusebenza ngendlela efanele kwesikhungo sikaHulumeni, ngaphandle uma umthetho oshayiwe ukuvumela lokho kucutshungulwa kwemininingwane; kanye
- iii. nelokufaka isikhalo kuMlawuli (i-Regulator) ([complaints.IR@justice.gov.za](mailto:complaints.IR@justice.gov.za)).