

NATIONAL HOME BUILDERS

NHBRC
REGISTRATION COUNCIL

Umhlahlandlela we-PAIA kanye ne-POPIA uMbasa 2021

DATA PROTECTION



DATA PROTECTION

	Umhlahlandlela we-PAIA kanye ne-POPI kwe NHBRC Lo mhlahlandlela ubhalwe ngokuhambisana nesigaba 14 soMthetho Wokukhuthaza Ukufinyeleleka Kolwazi, 2000 kanye nokubhekana nezimfuneko zoMthetho Wokuvikela Ulwazi Lomuntu Siqu, 2013.	
	Usuku lokuhlanganisa	1 uMbasa 2021
	Usuku lokuqala	1 uMbasa 2021
	Usuku lokubukeza	1 uMbasa 2023
	Inombolo yenguqulo	0.2

Ukugunyazwa:

	
Mathebe Kumalo: Iphini lesikhulu solwazi	Songezo Boo: Isikhulu Solwazi
Iziqalo nesibongo (Umnikazi womhlahlandlela)	Iziqalo nesibongo (Umpathi Omkhulu)
Usuku: 1 uNtilikazi 2021	Usuku: 1 uNtilikazi 2021

Izincwadi ezihlobene

Lo mhlahlandlela kufanele ufundwe ngokuhambisana nalokhu:

1. The Promotion of Access to Information Act 2 of 2000;
2. The Protection of Personal Information Act 4 of 2003;
3. The South African Human Rights Commission guide;
4. The Promotion of Administrative Justice Act 3 of 2000
5. The Public Service Act 103 of 1994.

ISANDULELA

Njengoba iNingizimu Afrika ingena enkathini entsha mayelana nokulawulwa kolwazi, i-NHBRC yamukela amalungelo omthethosisekelo kukho kokubili, *ukufinyelela olwazini ngakolunye uhlangothi kanye nokuvikelwa kolwazi lomuntu siqu* ngakolunye.

I-PAIA yenza kusebenze ilungelo loMthethosisekelo lokufinyelela kunoma yiluphi ulwazi olugcinwe uMbuso kanye nanoma yiluphi ulwazi olugcinwe omunye umuntu futhi oludingekayo ukuze kusetshenziswe noma kuvikelwe noma yimaphi amalungelo.

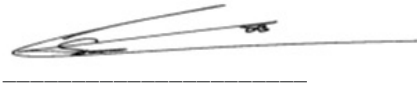
I-POPIA ikhuthaza ukuvikelwa kolwazi lomuntu siqu olucutshungulwa izinhlangano ikahulumeni nezizimele futhi ilawula ukuhamba kolwazi lomuntu siqu ngaphakathi nangaphandle kwemingcele yeRiphabhulikhi.

I-NHBRC idingeka ukuthi icubungule ulwazi ngokuhambisana ne-PAIA kanye ne-POPIA. Ngokuhambisana nezidingo ezingokomthetho ze-PAIA kanye ne-POPI, i-NHBRC ilungise le manuwalini njengendlela yokwenza lula ukufinyelela komphakathi olwazini noma amarekhodi angaphansi kwayo kanye nokulawula ukuhamba kolwazi lomuntu siqu e-NHBRC.

I-NHBRC isekela izifiso zesishayamthetho ezisekela i-PAIA kanye ne-POPIA okuyiziqephu zomthetho ezibalulekile ukuze kufezekwe amalungelo abo bonke, okufinyelela olwazini kanye nokwenza ulwazi lwabo siqu lugcinwe luyimfihlo.

Kuze kube manje i-NHBRC iqoke futhi yabhalisa iPhini Lesikhulu Solwazi ku-Information Regulator.

Zonke izicelo zolwazi ezingatholakali ngokuzenzakalelayo kubafaki-zicelo ngokweManuwali, kufanele zidluliselwe kuSekela Lesikhulu Solwazi se-NHBRC.



Songezo Boo

Isikhulu Solwazi

Ibamba lesiKhulu esiPhezulu

NHBRC

Usuku: 1 uNtilikazi 2021

INGXENYE A

UMHLAHLANDLELA

WE-PAIA



2. IZINCAZELO

Kulo mhlahlandlela, ngaphandle ngokuthi umongo ukhombise okuhlukile –

- 1.1. “imali yokufinyelela”** kusho imali ekhokhwa ngumfakisicelo ukuze kukhiqizwe kabusha amarekhodi aceliwe;
- 1.2. “isihloko sedatha”** kusho umuntu ulwazi lomuntu siqu oluhlobene naye;
- 1.3. “iSekela leSikhulu soLwazi”** kushiwo umuntu oqokwe, ngokubhaliwe, yiSikhulu soLwazi ukuze enze amandla anikezwe iSikhulu soLwazi ngokoMthetho njengoba kudingekile ukuze i-NHBRC ifinyeleleke ngendlela efinyelelekayo kumuntu ocela ukufinyelela kwethu. amarekhodi;
- 1.4. “iKhomishana Yamalungelo Abantu”** ichaza iKhomishana YaseNingizimu Afrika Yamalungelo Abantu okukhulunywe ngayo esigabeni 181(1) (b) soMthethosisekelo;
- 1.5. “ISikhulu Esibhekele Ulwazi”** sichaza isiKhulu esiPhezulu se-NHBRC noma umuntu owenza kanjalo, futhi uma kubhekiselwa kwiSikhulu soLwazi, lapho kufanele khona, kuzobandakanya iPhini lesiKhulu soLwazi;
- 1.6. “IsiLawuli soLwazi”** sichaza isiLawuli soLwazi esisungulwe ngokwesigaba 39 soMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 wezi-2013;
- 1.7. “I-HCPMA”** ichaza uMthetho Wezinyathelo Zokuvikela Abathengi Bezindlu, 95 ka-1998;
- 1.8. “isikhalazo sangaphakathi”** sisho isikhalo esiphikisana nesinqumo seSikhulu soLwazi, esifakwe nesiphathimandla esifanele;
- 1.9. “igunya elifanele”**, maqondana ne-NHBRC, kushiwo uMkhandlu, uNgqongqoshe wezokuHlaliswa kwaBantu noma umuntu oqokwe ngokubhaliwe nguNgqongqoshe;
- 1.10. “umuntu”** kushiwo umuntu wemvelo noma umuntu ngokomthetho;
- 1.11. “imininingwane yomuntu”** isho ulwazi mayelana nomuntu okhonjwayo, okuhlenganisa, kodwa kungagcini ngolwazi oluphathelele, uhlanga, ubulili, ubulili, ukukhulelwa, isimo somshado, ubuzwe, ubuzwe, imvelaphi, umbala, ukukhetha ubulili, ubudala, impilo yomzimba noma yengqondo, inhlalakahle, ukukhubazeka, inkolo, unembeza, inkolelo, isiko, ulimi nokuzalwa komuntu; ulwazi oluhlobene nemfundo noma umlando wezokwelapha, ubugebengu noma wokuqashwa komuntu noma ulwazi oluhlobene nokuthengiselana kwezezimali umuntu aye wabandakanyeka kukho; noma iyiphi inombolo ekhombayo, uphawu noma enye into enikezwe umuntu; ikheli, izigxivizo zeminwe noma uhlobo lwegazi lomuntu; imibono yomuntu siqu ngaphandle uma imayelana nomunye umuntu, izincwadi ezithunyelwa ngumuntu ngokusobala eziyimfihlo noma eziyimfihlo noma ezinye izincwadi ezingadalula okuqukethwe yincwadi yokuqala; igama lomuntu lapho livela khona nolunye ulwazi lomuntu siqu oluhlobene nomuntu noma lapho ukudalulwa kwegama ngokwalo kuzoveza ulwazi ngomuntu;
- 1.12. “ofake isicelo somuntu siqu”** kushiwo umfakisicelo ofuna ukuthola irekhodi eliqukethe ulwazi lomuntu siqu ngaye;
- 1.13. “uhlaka lukahulumeni”** kushiwo noma yimuphi uMnyango WezoMbuso noma wokuphatha kuzwelonke noma ezingeni likahulumeni wesifundazwe nanoma yimuphi umasipala osendimeni yasekhaya uhulumeni; noma yimuphi omunye umsebenzi noma isikhungo lapho senza umsebenzi womphakathi imigomo yanoma yimuphi umthetho;

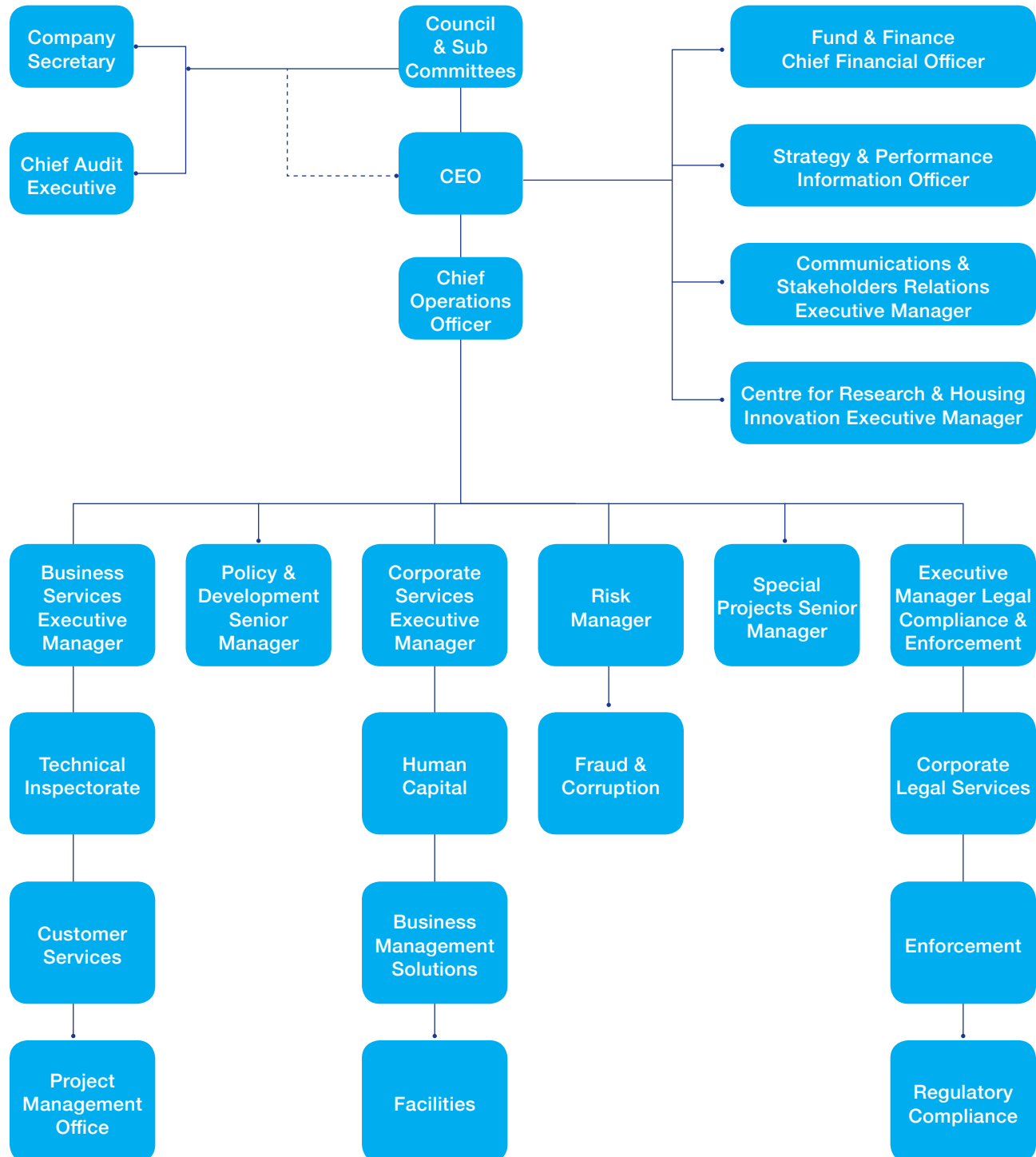
- 1.14. “irekhodi”** lisho noma yiluphi ulwazi olurekhodiwe, kungakhathalekile ukuthi lunjani noma lunjani, encwadini ephethwe noma ingaphansi kokulawulwa yi-NHBRC, nokuthi yadalwa yini noma cha i-NHBRC;
- 1.15. “iqembu elibhekele”** lichaza inhlangano yomphakathi noma ezimele nanoma yimuphi omunye umuntu, iyodwa noma ngokuhlanganyela nabanye, inquma inhloso kanye nezindlela ukucubungula Ulwazi Lomuntu Siqu;
- 1.16. “imali yesicelo”** kushiwo imali ekhokhwa ngumfakisicelo, ngaphandle komfakisicelo siqu sakhe; ukuze kucutshungulwe isicelo sakhe yi-NHBRC;
- 1.17. “umfakisicelo”** kushiwo noma yimuphi umuntu (ngaphandle kwenhlangano yomphakathi) owenza isicelo ukufinyelela kwirekhodi le-NHBRC; noma umuntu omele umuntu okukhulunywe ngaye lapha;
- 1.18. “isicelo sokufinyelela”** sichaza isicelo sokuthola irekhodi le-NHBRC ku ngokwemibandela yesigaba 11 soMthetho;
- 1.19. “i-PAIA”** ichaza uMthetho Wokukhuthazwa Kokufinyelela Olwazini wesi-2 wezi-2000
- 1.20. “i-POPIA”** isho uMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 wezi-2013.
- 1.21. “i-NHBRC”** ichaza uMkhandlu Kazwelonke Wokubhalisa Abakhi Bezindlu;
- 1.22. “umuntu wesithathu”** maqondana nesicelo sokuthola irekhodi le-NHBRC, kusho nanoma yimuphi umuntu, ngaphandle komceli othintekayo.



2. IMINININGWANE NGOKWESIGABA 14 SE-PAIA

2.1. Umsebenzi we-NHBRC ukumela izithakazelo zabathengi bezindlu ngokunikeza isivikelo sewaranti ngokumelene nokukhubazeka kwezindlu ezintsha kanye nokulawula imboni yokwakha izindlu.

2.2. Ukwakheka Kwenhlangano ye-NHBRC:



3. IMINININGWANE YOKUXHUMANA YEHHOVISI LEZOLWAZI KANYE NEPHINI LESIPHATHISI SOKWAZI

Isihloko	Igama kanye nesibongo	nombolo yokuxhumana	Ikheli le-imeyili	Ikheli Lendawo	Ikheli Leposi	Izinombolo Zokuthintana ze-NHBRC
Isikhulu Solwazi	Mr Songezo Boo	+27 11 317 0010	songezob@nhbrc.org.za	27 Leeuwkop Road Joe Slovo Building Sunninghill Johannesburg Gauteng	P.O. Box 461 Randburg, 2125	+27 11 317 0000 www.nhbrc.org.za
IPhini lesiKhulu soLwazi	Ms Mathebe Kumalo	+27 11 317 0428/ 0634599759	mathebek@nhbrc.org.za @ nhbrc.org.za			

4. UMHLAHLANDLELA WEKHOMISHINI YAMALUNGELO ABANTU YASENINGIZIMU AFRIKA ENGATHI ISETSHENZISWA KANJANI I-PAIA

4.1. Umhlahlandlela wokuthi usetshenziswa kanjani uMthetho uyatholakala ngazo zonke izilimi ezisemthethweni kwiKhomishana Yamalungelo Abantu yaseNingizimu Afrika.

4.2. Ikhomishana Yamalungelo Esintu ingathintwa ku:

Contact body:	IKhomishana Yamalungelo Esintu YaseNingizimu Afrika
Ikheli Lendawo	Iyunithi ye-PAIA 29 Princess of Wales Terrace Cnr York and Andrew Streets Parktown
Ikheli Leposi:	Private Bag 2700, Houghton 2041
nombolo yokuxhumana:	+27 11 877 3600
Ikheli le-imeyili:	PAIA@sahrc.org.za
Iwebhusayithi:	www.sahrc.org.za

4.3. Ikhomishani Yamalungelo Esintu kufanele, uma icelwa futhi uma kungenzeka, inikeze usizo kunoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elihlongozwe eMthethweni. Ikhomishana Yamalungelo Abantu, mayelana nalokhu, ingathintwa ngemininingwane yokuxhumana ebalulwe kule ncwajana.

5. AMAREKHODI ATHOLAKALA NGOKUSHESHA AGCINWE YI-NHBRC

5.1. IKhomishani Yamalungelo Esintu kufanele, uma icelwa futhi uma kungenzeka, inikeze usizo kunoma yimuphi umuntu ofisa ukusebenzisa noma yiliphi ilungelo elihlongozwe eMthethweni. IKhomishana Yamalungelo Abantu, mayelana nalokhu, ingathintwa ngemininingwane yokuxhumana ebalulwe kule ncwajana.

5.1.1. Imibuzo ehlobene nenqubo ye-NHBRC yokubhalisa, ukubhaliswa, umnikazi umakhi, ukuhlolwa, ukuqeqeshwa kanye nokufaka izikhalazo.

5.1.2. Ukuqinisekiswa kwesimo sokubhaliswa komakhi wezindlu nesimo sokubhaliswa..

5.1.3. Isicelo samakhophi eMibiko Yonyaka eshicilelwe, Imithethosivivinywa, Imithetho Nemithethonqubo, Amagazethi.

5.1.4. Izincwajana.

5.1.5. Uhlu lwabakhi bezindlu ababhalisiwe elokishini ngalinye.

5.1.6. Izithangami zabezindaba kanye nokukhishwa kwabezindaba..

5.1.7. Izincwadi zezindaba kanye nombiko wabakhi.

5.1.8. Amafomu ngokuya nge-HCPMA.

5.1.9. Izinhlelo Zebhizinisi Ezihlakaniphile Ezigunyazwe kanye Nohlelo Lokusebenza Lonyaka.

5.2. I-NHBRC kufanele igcine futhi inikeze ukufinyelela kusizindalwazi solwazi ngabakhi bezindlu ababhalisiwe, abamisiwe nabayekiswe ukubhaliswa ngokwe-HCPMA.

5.3. Isizindalwazi esihlongozwe esigabeni 9(1) se-HCPMA sizobandakanya –

5.3.1. amagama nezinombolo zomazisi zabaqondisi, amalungu, abaphathiswa noma abalingani bezinkampani ezinjalo, ama-close

corporation, ama-trust, ubambiswano noma ama-sole abahwebi;

5.3.2. inani lezindlu ezibhaliswe yilabo abakhi bezindlu

5.3.3. inani lezikhalazo, ezithathwa njengezisemthethweni nguMkhandlu futhi ezidingayo ukubuyisana endaweni, etholwe kubathengi bezindlu;

5.3.4. ukuhlolwa kwalabo bakhi bezindlu; futhi

5.3.5. nanoma yiluphi olunye ulwazi olubona lufanelekile uMkhandlu ukusiza izindlu abathengi ukuhlola irekhodi lomakhi wendlu.

5.4. I-NHBRC izohlinzeka ngokufinyelela ezinsizeni zolwazi olugciniwe okukhulunywe ngazo –

5.4.1. mahala lapho lokhu kufinyelela kungokusebenzisa lokho okuyiqiniso ulwazi ngomthengi wezindlu ukuze azisebenzisele yena okungezona ezohwebo;

5.4.2. mahhala kubabolekisi, abathumeli bempahla kanye nama-MEC ukuze basize ukuthi bahlangabezane nezibopho zabo ngokwesigaba 18 se-HCPMA; futhi ingase inqume izindleko zokuhlinzekwa kwezinsizakalo zolwazi ezisetshenziselwa ukuhweba noma ezinye izinjongo.

5.4.3. Noma yimuphi umuntu angakwazi ukufinyelela iMithetho, Ibhukwana Lokwakhiwa Kwezindlu kanye nawo wonke amasekhula noma amanye amadokhumenti akhishwe yi-NHBRC, ezindaweni nangezikhathi ezinqunywe yi-NHBRC futhi angathola amakhophi anoma yimuphi umbhalo onjalo ngokumelene nokukhokhwa kwemali enqunywe yi-NHBRC. I-NHBRC.

6. IZINHLOBO ZAMAREKHODI KU-NHBRC ANGATHENGWA EMAHHOVISI E-NHBRC

- 6.1. Incwadi Yokwakha Ikhaya kanye Nomhlahlandlela
- 6.2. Izinga Likazwelonke laseNingizimu Afrika (SANS) 10400
- 6.3. Isizindalwazi sabakhi bezindlu esifundazweni ngasinye

7. AMAREKHODI ANGAFINYELELA NGOKULANDELA IZINQUBO NJENGOBA KUBALULEKILE KU-PAIA. SICELA UQAPHELE UKUTHI UKUFINYELELA KWALA MAREKHODI KUNGENZWA NGESISEKELO SEZIGABA 33 UKUYA KU-45 SE-PAIA.

- 7.1. Ulwazi Lwezibalo
- 7.2. Ulwazi oluhlobene noxhaso olunikeziwe
- 7.3. Ulwazi ngemiklomelo kaZwelonke
- 7.4. Imibiko yokuhlolwa kwesakhiwo
- 7.5. Ulwazi lwamakhaya abhalisiwe
- 7.6. Isaziso sokungathobeli
- 7.7. Imibiko yokubuyisana
- 7.8. Imibiko yemisebenzi yokulungisa
- 7.9. Izikweletu zamanani Noma yiluphi olunye ulwazi.

8. INQUBO YOKUCELA ULWAZI

- 8.1. Umfakisiselo kumele anikezwe ukufinyelela kwirekhodi lebandla lomphakathi uma umfakisiselo ethobela lokhu okulandelayo:
 - 8.1.1. Umfakisiselo uthobela zonke izidingo zenqubo kwi-PAIA eziphathelele nesicelo sokufinyelela kulelo rekhodi, futhi
 - 8.1.2. Ukufinyelela kulelo rekhodi akwenqatshwa nganoma yisiphi isizathu sokwenqaba esishiwo ku-PAIA,

9. UNGACELA KANJANI UKUFINYELELA IREKHODI:

- 9.1. Isicelo sokufinyelela kufanele senziwe ngefomu elinqunyiwe kusiphathimandla solwazi webandla lomphakathi elithintekayo ekhelini lakhe noma inombolo yefeksi noma i-imeyili ikheli. Ikhophi **yeFomu A** inanyathiselwe kulo mhlahlandlela.
- 9.2. Ifomu lesicelo sokufinyelela elinqunyiwe lidinga ukuthi umfakisiselo othintekayo anikeze imininingwane eyanele ukuze isikhulu sebandla lomphakathi elithintekayo sikwazi ukuhlonza –
 - 9.2.1. irekhodi noma amarekhodi aceliwe; kanye
 - 9.2.2. umceli;
 - 9.2.3. ukukhombisa ukuthi yiluphi uhlobo lokufinyelela oludingekayo;
 - 9.2.4. ukusho ukuthi irekhodi elithintekayo likhethwa ngolimi oluthile;
 - 9.2.5. ukucacisa ikheli leposi noma inombolo yefeksi yomfakisiselo eRiphabhulikhi;
 - 9.2.6. uma, ngaphezu kwempendulo ebhaliwe, ofake isicelo efisa ukwaziswa ngesinqumo sesicelo nganoma iyiphi enye indlela, asho leyo ndlela futhi imininingwane edingekayo ukuze waziswe; kanye
 - 9.2.7. uma isicelo senziwa egameni lomuntu, ukuhambisa ubufakazi besikhundla umfakisiselo enza isicelo ngendlela egculisayo isikhulu sezolwazi.
- 9.3. umuntu ngenxa yokungakwazi ukufunda nokubhalanoma ukukhubazeka engakwazi ukwenza isicelo ukuthola irekhodi lebandla lomphakathi ngokuhambisana nesigatshana (1), lingakwenza lokho cela ngomlomo.
- 9.4. Isikhulu sezolwazi salowo mgwamanda kufanele sehlise leso sicelo ngomlomo ukuthi sibhale encwadini ifomu elinqunyiwe futhi unikeze umfakisiselo ikhophi yalo.

10. UMSEBENZI WOKUSIZA ABACULI

- 10.1. Uma umfakisisicelo azisa isikhulu sezolwazi sebandla lomphakathi ukuthi ufisa –
 - 10.1.1. ukwenza isicelo sokuthola irekhodi laleyo nhlangano yomphakathi; noma
 - 10.1.2. inhlango yomphakathi (ngaphandle kwenhlango yomphakathi okukhulunywe ngayo endimeni (a) noma (b) (i) yencazelo “yehlango yomphakathi” esigabeni 1 se-PAIA ukuthi ufisa ukwenza isicelo sokuthola irekhodi lenye inhlango yomphakathi, isiphathimandla solwazi kufanele sinikeze lolo sizo olunengqondo, mahhala, njengoba kudingeka ukuze lowo ofake isicelo akwazi ukuthobela isigaba se-18 (1) se-PAIA.
- 10.2. Uma umfakisisicelo enze isicelo sokufinyelela esingahambisani nesigaba se-18 (1), isikhulu sezolwazi esithintekayo angeke senqabe isicelo ngenxa yalokho ukungathobeli ngaphandle uma isikhulu sezolwazi simazisile lowo ofake isicelo inhloso yokwenqaba isicelo futhi eshiwo esazisweni -
 - 10.2.1. izzathu zokwenqaba okucatshangwayo; kanye
 - 10.2.2. ukuthi isikhulu solwazi noma esinye isikhulu esihlonzwe ngolwazi isikhulu sizosiza lowo mfakisisicelo ukuze enze isicelo ngendlela yokuthi izosusa izzathu zokwenqaba;
 - 10.2.3. unikeze umfakisisicelo ithuba elanele lokufuna lolo sizo;
 - 10.2.4. ngokusemandleni, inikeze umfakisisicelo noma yiluphi ulwazi okuhlanganisa ulwazi olumayelana namarekhodi, (ngaphandle kolwazi olusekelwe ekutheni isicelo sokufinyelela singanqatshwa noma sinqatshelwe uphiko)

oluhambisana nesicelo esingasiza ukwenziwa kwesicelo kulelo fomu; kanye

- 10.3. unikeze umfakisisicelo ithuba elanele lokuqinisekisa isicelo noma ukusiguqulela ngokuhambisana nesigaba 18(1).
- 10.4. Lapho kubalwa noma yisiphi isikhathi okukhulunywe ngaso esigabeni 25 (1) se-PAIA, isikhathi kusukela ngosuku isaziso esikhishwe ngalo ngokwesigatshana se-18 (2) sika I-PAIA futhi iphele ngosuku umuntu aqinisekisa ngalo noma aguqulela ngalo isicelo ukufinyelela okuthintekayo kumele kunganakwa uma kubonakala ekutholeni isicelo ukufinyelela okufanele ngabe kwenziwe kwenye inhlango yomphakathi,
- 10.5. Isikhulu solwazi sebandla lomphakathi elithintekayo kufanele -
 - 10.5.1. ukunikeza lolo sizo njengoba ludingeka ukuze umuntu akwazi ukwenza isicelo, kulwazi isikhulu sebandla elifanele lomphakathi; noma
 - 10.5.2. ukudlulisa isicelo ngokuhambisana nesigaba sama-20 kumphathi wolwazi oshiwo ekugcineni,
 - 10.5.3. noma yikuphi okuzoholela ekusingatheni isicelo.

11. IZIMALI EZIKHOKHELWA NGESICELO

- 11.1. Kunezinhlalo ezimbili zezimali ezidingekayo ukuze zikhokhwe ngokoMthetho, okuyisicelo kanye nezimali zokufinyelela.
- 11.2. Umfakisisicelo ofuna ukufinyelela kwirekhodi eliqukethe ulwazi lomuntu siqu mayelana nalokho umfakisisicelo akadingeki ukuba akhokhe imali yesicelo. Wonke omunye umceli ongeyena a ofake isicelo somuntu siqu kufanele akhokhe imali edingekayo. Inqubo imi kanje:
 - 11.2.1. Isikhulu solwazi sebandla lomphakathi okukhona isicelo sokufinyelela esenziwe, kumele ngesaziso afune ukuthi ofake

isicelo akhokhe imali enqunyiwe yesicelo (uma ikhona), ngaphambi kokucubungula isicelo. Imali yesicelo ekhokhwa ezinhlakeni zikahulumeni ngu R35.00.

- 11.2.2. Uma kuthungathwa irekhodi lenhlangano yomphakathi maqondana nesicelo sayo ukufinyelela komfakisicelo kwenziwe; kanye
- 11.2.3. Ukulungiswa kwamarekhodi ukuze adalulwe kubandakanya nanoma yiziphi izinhlelo ngokubona kwesikhulu solwazi somzimba, singadinga okwengeziwe kunamahora anqunyelwe le nhloso kubaceli, ulwazi isikhulu kumele ngesaziso sifune ukuthi ofake isicelo akhokhe njengediphazithi ingxenywe enqunyiwe (ingekho ngaphezu kokukodwa kokuthathu) yemali yokufinyelela okungakhokhwa uma isicelo samukelwe.
- 11.2.4. Isaziso okukhulunywe ngaso ngenhla kumele sisho -
 - 11.2.4.1 inani lediphazithi ekhokhwayo, uma ikhona;
 - 11.2.4.2 ukuthi ofake isicelo angafaka isikhalo sangaphakathi, isikhalazo kuso I-Information Regulator noma isicelo enkantolo, njenge icala

lingase libe, ngokumelene nethenda noma ukukhokhwa kwemali yesicelo noma ithenda noma ukukhokhwa kwediphazithi njengoba kungaba njalo;

- 11.2.4.3 Inqubo (kuhlanganise nesikhathi) yokufaka okwangaphakathi isikhalazo, isikhalo ku-Information Regulator noma isicelo, njenge kungase kube.
- 11.2.5. Uma idiphazithi ikhokhiwe mayelana nesicelo sokufinyelela esinqatshiwe, isiphathimandla solwazi kufanele sibuyisele idiphazithi kumfakisicelo.
- 11.2.6. Isikhulu solwazi sebandla lomphakathi kufanele sigodle irekhodi kuze kube yilapho umfakisicelo othintekayo uzikhokhele izimali ezifanele (uma zikhona).
- 11.2.7. Umfakisicelo isicelo sakhe sokuthola irekhodi lebandla lomphakathi kube enikeziwe kumele akhokhe imali yokufinyelela ukuze akhiqize futhi afune futhi ukulungiselela ngokulandelana, nganoma yisiphi isikhathi esidingekayo ngaphezu kwalokhu amahora anqunyelwe ukucinga nokulungiselela (okuhlanganisa nokwenza noma yikuphi uhlela irekhodi ukuze lidalulwe.

12. IZIMALI EZIKHOKHELWAYO MAYELANA NEZINKHIMBA ZIKAHULUMENI

12.1. Ngezinhlalo zesigaba 22(2) soMthetho, okulandelayo kuyasebenza:

UKUCHAZWA		IMALI
Imali yesicelo ekhokhwa yiwo wonke umfakisiselo, ngaphandle komfakisiselo oqondene naye uqobo, okukhulunywe ngayo kumthethonqubo wesi-7(2)		35.00
Ikhophi yebhukwana njengoba kuhlangozwe kumthethonqubo 5(c) (kuyo yonke ikhophi yekhasi elingu-A4 noma ingxenye yalo)		0.60
Izimali zokukhiqiza kabusha okukhulunywe ngazo kumthethonqubo wesi-7(1) zimi kanje:		
1.	Ngayo yonke ikhophi yekhasi elingu-A4 noma ingxenye yalo	0.60
2.	Ikhophi ngayinye ephrintiwe yekhasi elingu-A4 noma ingxenye yalo egcinwe ku-a ikhompuyutha noma ngogesi noma umshini	0.40
3.	Ukuze uthole ikhophi efomini elifundeka ikhompuyutha elivuliwe	5.00
	(a) Idiski eliqinile (b) I-Compact disc (ifomu elifundekayo)	40.00
4.	Okukulotshwa kwezithombe ezibonakalayo	
	(a) Ngekhosi elingusayizi A4 noma ingxenye yalo (b) Ngekhophi yezithombe ezibonakalayo	22.00 60.00
5.	Okukulotshwa kwerekhodi lomsindo	
	(a) Ngekhosi elingusayizi A4 noma ingxenye yalo (b) Ngekhophi yombiko olalelwayo	12.00 17.00
(c) Izimali Zokufinyeleleka ezikhokhwa ngumfakisiselo okukhulunywe ngazo kumthethonqubo wesi-7(3) zimi kanje:		
1.	(d) Ngayo yonke ikhophi yekhasi elingu-A4 noma ingxenye yalo	0.60
2.	(e) Ngayo yonke ikhophi ephrintiwe yekhasi elingu-A4 noma ingxenye yalo ekuKhompyutha noma ngendlela (f) efundeka ngogesi noma efundeka ngomshini.	0.40
3.	Ukuze uthole ikhophi efomini elifundeka ikhompuyutha ku-:	5.00
	(a) Idiski eqinile (b) I-compact disc	40.00
4.	Okukulotshwa kwezithombe ezibonakalayo, zekhasi elingusayizi we-A4=noma ingxenye yalo	22.00
5.	Ukuze uthole ikhophi yesithombe esibukwayo	60.00
6.	Ngokuloba kwerekhodi lomsindo,	
	(a) Ngekhosi elingusayizi A4 noma ingxenye yalo (b) Ngekhophi yerekhodi elilalelwayo	12.00 17.00
Ukusesha nokulungisa irekhodi ukuze lidalulwe, u-R15.00 ngehora ngalinye noma ingxenye yehora, ngaphandle kwehora lokuqala, elidingekayo ngokunengqondo kulokho kusesha nokulungiselela.		
Imali yokuposa iyakhokhwa uma ikhophi yerekhodi kufanele iposelwe kumfakisiselo. Izindleko zokuposa zincike emalini efanele ngokuya ngendawo yokuposa.		

13. IZINKONZO EZITHOLAKALAYO

13.1. Izinkonzo ze-NHBRC zenziwa kuzo zonke izifundazwe eziyisishiyagalolunye, phakathi nezwe nasogwini izifunda ezinamahhovisi esathelayithi ayishumi nanye. Imininingwane yamahhovisi ezifundazwe ingatholakala kusuka kusizindalwazi se-NHBRC: www.nhbrc.org.za

13.2. I-NHBRC iletha imikhiqizo namasevisi alandelayo kubabambiqhaza bayo:

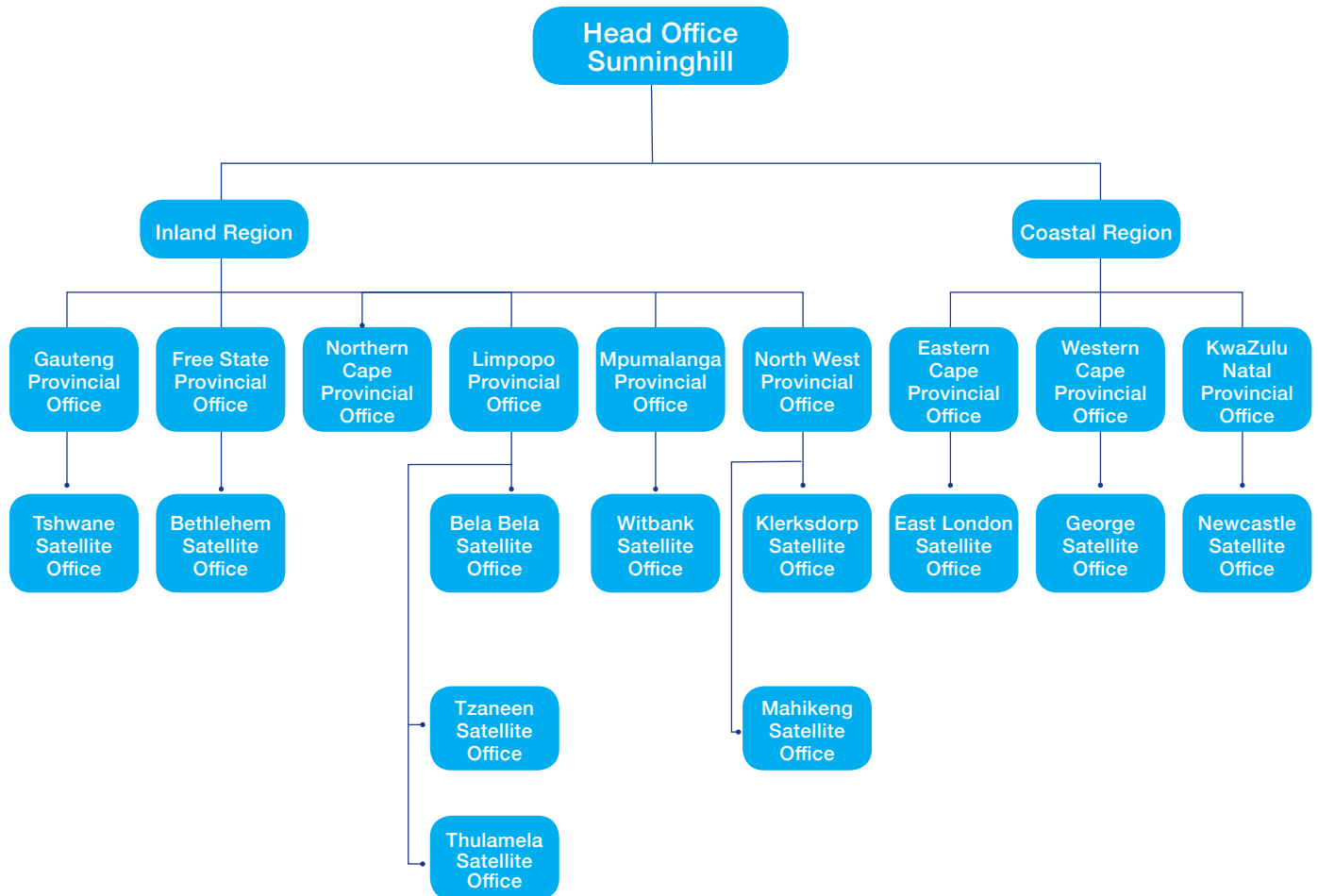
- 13.2.1. Ukubhaliswa kwezindlu ezintsha;
- 13.2.2. Ukubhaliswa sekwephuzile kwezindlu;
- 13.2.3. Ukubhaliswa nokuvuselelwa kwabakhi bezindlu;
- 13.2.4. Ukuhlolwa kwemizi;
- 13.2.5. Ukuqeqeshwa nokuthuthukiswa kwezigaba ezahlukene (abakhi bezindlu, intsha, abesifazane, izingcweti, omakadebona bezempi; abantu abakhubazekile kanye nezobuchwephesheochwepheshe).

13.3. Ukuxazululwa kwezikhalazo;

13.4. Izinqumo zokubuyisana

13.5. Izinsizakalo zokuqulwa kwecala kanye nokwelulekwa kwezomthetho.

14. ISIKHUNGO SAMAKHASIMENDE SE-NHBRC



15. AMALUNGISELELO AVUMELA UKUBANDAKANYA KOMPHAKATHI EKWAKHIWENI KWE IMIGOMO, IZINQUBO ZOMTHETHO KANYE NOKUSETSHENZISWA KWAMANDLA

- 15.1. I-NHBRC inamakomiti ahlukene oMkhandlu namalungu avela izikhungo ezahlukene ezisebenza emakomitini ahlukene ukuze ziqondise uMkhandlu kanye noku ukuvikela izintshisekelo zomphakathi, kanye nokuqinisekisa ukubusa ngokubambisana.

16. ISINQUMO SOKUNIKEZA NOMA UNQABA UKUFIKELELA KANYE NESAZISO KUMOMCULI

- 16.1. Ngokuhambisana ne-PAIA futhi ukuze kusebenze ilungelo lokufinyelela ku Ulwazi, Isikhulu Esibhekele Ulwazi kumele ngokushesha ngangokunokwenzeka, kodwa kunoma yikuphi umcimbi zingakapheli izinsuku ezingama-30 ngemuva kokuthola isicelo sokufinyelela, cabangela isicelo futhi yenze isinqumo ngemibandela yoMthetho ukuthi iyakuvumela yini noma cha ukufinyelela ulwazi oluceliwe.

- 16.2. Ekucubunguleni isicelo, Isikhulu Esibhekele Ulwazi kumele sizenlise okulandelayo:

- 16.2.1. Izidingo zenqubo ezibekwe ngokwesigaba 18 soMthetho kufanele kuthotshelwe (ifomu elinqunyiwe kufanele ligcwaliswe ngokugcwele imininingwane eyanele ukuze kutholakale amarekhodi aceliwe futhi umfakisicelo kumele, uma isicelo sifakelwe omunye umuntu, alethe amandla ommeli noma incwadi yegunya mayelana nokufaka isicelo); futhi

- 16.2.2. ukunikeza ukufinyelela olwazini oluceliwe akumele kwenqatshelwe ngokwemibandela yanoma yiziphi izizathu zokwenqatshwa ezishiwo.

- 16.3. Uma konke lokhu okungenhla sekwanliseka, isikhulu solwazi kufanele saze ocelayo ukuthi ulwazi luzovunywa noma cha futhi ocelayo, ngaphandle komfakisicelo siqu sakhe, kufanele acelwe ukuthi akhokhe imali yesicelo ngaphambi kokuba kuqhutshekwe nokusetshenzwa kwesicelo.

17. UKUDALULWA OKUYIMPHO NGEZINHLOSO ZOMPHAKATHI

- 17.1. Isicelo sokutholai irekhodiebelingangatshwa ngokwemibandela ye izizathu zokwenqaba kufanele zinikezwe uma –
 - 17.1.1. ukudalulwa kwerekhodi kuzuzisa umphakathi; futhi
 - 17.1.2. intshisekelo yomphakathi ekudalulweni kwerekhodi idlula ngokusobala umonakalo ocatshangelwe emhlabathini wokwenqatshwa.

18. UKUSEBENZA KWE-PAIA

- 18.1. Umthetho usebenza kwirekhodi le-NHBRC, kungakhathaliseki ukuthi irekhodi laba khona nini.
- 18.2. Umthetho usebenza ekukhishweni kweminye imithetho evimbela ukudalulwa kwe-a irekhodi uma lowo mthetho ungahambisani nezinjongo zoMthetho.
- 18.3. Umthetho awukuvimbela ukusetshenziswa komunye umthetho ohlinzeka ngokufinyelela olwazini.
- 18.4. Umthetho awusebenzi kwirekhodi le-NHBRC uma irekhodi licelelwaizinjongo zamacala obugebengu noma amademeshe ngemva kokuqala kokuqulwa kwamacala.

19. ISAZISO EQEQENI LESITHATHU

- 19.1. Uma isikhulu sezolwazi sithola isicelo sokuthola irekhodi eliphethwe yi-NHBRC okuqukethe –
 - 19.1.1. ulwazi lomuntu siqu lomuntu wesithathu;
 - 19.1.2. ulwazi olwatholwa ngenhloso yokuphoqelesa ukuqoqwa kwemali engenayo;
 - 19.1.3. izimfihlo zohwebo zomunye umuntu;
 - 19.1.4. ulwazi oluhlinzekwe ngokuyimfihlo ngumuntu wesithathu; futhi
 - 19.1.5. ulwazi locwaningo lomuntu wesithathu, kufanele athathe zonke izinyathelo ezifanele ukwazisa umuntu wesithathu othintekayo mayelana isicelo ukuze kunikezwe lowo muntu wesithathu ithuba lokwenza izethulo mayelana nokuthi ulwazi lungadalulwa noma cha.

20. ISAZISO KUMOMCULI

- 20.1. Isikhulu solwazi kufanele sazise umfakisisicelo ngesinqumo esithathiwe

ngaye isicelo sokufinyelela zingakapheli izinsuku ezingama-30 kutholwe isicelo.

- 20.2. Isaziso esiya kumceli uma ukufinyeleleka kuvunyiwe kufanele sikhombise uhlobo lokufinyelela izonikezwa kanye nemali ekhokhwayo
- 20.3. Isaziso kumceli uma ukufinyelela kwenqatshiwe –
 - 20.3.1. kumele ikhombise izizathu zokwenqaba, okuhlanganisa nezizathu zokwenqaba, ku I-PAIA, ithembele ekwenqabeni isicelo; futhi
 - 20.3.2. kumele azise umfakisisicelo ngelungelo lakhe lokufaka isikhalo ngesinqumo.
- 20.4. Isikhulu sezolwazi singanweba isikhathi sezinsuku ezingu 30 sokubhekana nesicelo ukufinyelela kanye isikhathi esingeqile kwezinsuku ezingu 30 –
 - 20.4.1. uma izinqubo ezibandakanyekayo ekusesheni nasekulungiseni irekhodi zingase ngokufanelekile kulindeleke ukuthi kuthathe isikhathi eside kunesikhathi sezinsuku ezingama-30; futhi
 - 20.4.2. kufanele azise umfakisisicelo ngesandiso esishiwo (ngezizathu ezanele).

21. KUBONWA NGENXA YESICELO

- 21.1. Uma isikhulu sezolwazi sehluleka ukuthatha isinqumo ngesicelo ngaphakathi kwesisebenzayo umkhawulo wesikhathi, uzothathwa njengosenqabile isicelo kanye no ofake isicelo angafaka isikhalo mayelana nokwaliwa.

22. AMAFOMU OKUFINYELELA

- 22.1. Ukuthola irekhodi kunganikezwa ngala mafomu alandelayo:
 - 22.1.1. uma irekhodi libhalwe phansi: ikhophi ephrintiwe noma ukuhlolwa kwerekhodi;
 - 22.1.2. uma irekhodi liwuhlobo lwezithombe ezibukwayo: izinhlelo zokubuka izithombe noma ikhophi yokulotshwa kwerekhodi;
 - 22.1.3. uma irekhodi liwuhlobo lomsindo: izinhlelo zokuzwa imisindo noma ukukopisha yokulotshwa kwerekhodi; noma
 - 22.1.4. uma irekhodi likukhompuyutha, i-electronic noma ifomu elifundeka ngomshini: liphrintiwe ikhophi yerekhodi

23. IZIXAZULULO EZIKHONA UMA IZINHLELO ZALO MTHETHO INGAHLANGANISWA NAZO

- 23.1. Umfakisicelo ongagculisi ngesinqumo seSikhulu soLwazi angakwazi afake isikhalo sangaphakathi, afake isikhalazo kuMlawuli Wezolwazi noma afake isicelo nenkantolo, njengoba kungaba njalo, ngokumelene nemali yokufinyelela okufanele ikhokhwe noma uhlobo lwe ukufinyelela okunikiwe, kanye nenqubo (kuhlanganise nesikhathi) sokufaka okwangaphakathi sikhalaze ku-Information Regulator noma isicelo, njengoba kungaba njalo Isiphathimandla sezikhalo sangaphakathi ngezinhloso zalo Mthetho singuSihlalo we I-NHBRC.

24. INDELELA YOKUFAKA ISIKHALAZO KANYE NEZINKOKHELO ZEZIKHALO

- 24.1. Isikhalazo kufanele sifakwe **kwiFomu B** elinqunyiwe elinamathiselwe lapha futhi ngaphakathi kwezinsuku ziwu 60 ofake isicelo azisiwe ngesinqumo esithathiwe ngesicelo sakhe;
- 24.2. Uma kudingeka isaziso esiya kumuntu wesithathu, zingakapheli izinsuku eziwu 30 ngemuva kokunikezelwa kwesaziso ngesinqumo waphikisa; noma
- 24.3. Uma isaziso kummangali singadingeki, ngemuva kokuthathwa kwesinqumo kufanele kube zilethwe noma zithunyelwe kumphathi wolwazi we-NHBRC ekhelini laso, inombolo yefeksi noma ikheli le-imeyili konke okuvela kule manuwali;
- 24.4. Isikhalazo kufanele siveze isihloko sesikhalazo futhi sisho isizathu saso isikhalo sangaphakathi futhi singafaka noma yiluphi olunye ulwazi olubalulekile olwaziwayo ngumfakisili;
- 24.5. Uma ngaphezu kwempendulo ebhaliwe, ummangali efisa ukwaziswa ngesinqumo isikhalo nganoma iyiphi enye indlela, kufanele basho leyo ndlela futhi bahlinzekele imininingwane edingekayo ukuze waziswe;
- 24.6. Uma kufanele isikhalazo kufanele sihambisane nemali enqunyiwe yesikhalazo, futhi kufanele cacisa ikheli leposi lofake isikhalo noma inombolo yefeksi.
- 24.7. Uma isikhalo sifakwe ngemuva kwesikhathi okukhulunywe ngaso, isiphathimandla sokudlulisa amacala kumele, emva kwalokho isizathu esihle esibonisiwe, vumela ukufakwa sekwephuzile kwesikhalazo.

- 24.8. Uma isiphathimandla sezikhalo singakuvumeli ukufakwa sekwephuzile kwesikhalazo, kufanele anikeze isaziso leso sinqumo kummangali.
- 24.9. Zingakapheli izinsuku eziyishumi (10) zokusebenza ngemuva kokuthola isikhalo, noma ngokushesha ngokufanelekile kungenzeka ukuthi isikhulu sezolwazi kufanele sithumele kuziphathimandla ezifanele;
- 24.10. Isikhalazo kanye nezizathu zabo zesinqumo.
- 24.11. Uma isikhalazo siphikisana nokwenqatshwa kwesicelo sokufinyelela olwazini, igama, ikheli leposi, inombolo yocingo kanye nefeksi kanye nekheli le-imeyili, noma ngabe yikuphi etholakalayo, yanoma yimuphi umuntu wesithathu okufanele aziswe ngesicelo.

25. IZIMALI ZOKUDLALELA

- 25.1. Umfakisicelo ofaka isikhalo sangaphakathi ephikisana nokwenqatshwa kwesicelo sokufinyelela kufanele khokha imali enqunyiwe yesikhalazo ngaphambi kokuthi isikhalazo sicutshungulwe ngabafanelekile igunya.

26. ISICELO ENKANTOLO

- 26.1. Umfakisicelo ongaphumelelanga esicelweni sakhe sangaphakathi angakwazi, zingakapheli izinsuku eziwu 30 ukwamukela isaziso sesinqumo ngesikhalazo sakhe, afake isicelo enkantolo ukuze afanele impumuzo.
- 26.2. Uma isikhalazo sangaphakathi, isikhalazo ku-Information Regulator noma isicelo ku-a Inkantolo, njengoba kungaba njalo, ifakwe ngokumelene nokuvunywa kwesicelo sokufinyelela ku-a irekhodi, ukufinyelela kwirekhodi kunganikezwa kuphela uma isinqumo sokunikeza irekhodi isicelo ekugcineni siqinisekisiwe.

27. UKUTHOLAKALA KWENCWADI

- 27.1. Ngokushesha ngemva kokuba ibhukwana selihlanganiswe ngokwesigaba 14(1) soMthetho noma olusha ngokwesigaba 14(2), isikhulu sezolwazi se-NHBRC kufanele sense etholakalayo ikhophi yale manuwali ngolimi ngalunye kwezintathu ezisemthethweni lapho I manyuwali ihlanganiselwa kuKhomishani Yamalungelo Abantu;
- 27.1.1. ehhovisi elikhulu le-NHBRC;
- 27.1.2. kusizindalwazi se-NHBRC; futhi
- 27.1.3. ingashicilela imanyuwali kuGazethi.

ISIQEPHU B

UMHLAHLANDLELA

WE-POPIA



1. UKUVIKELWA KOLWAZI LOMUNTU SIQU OKUCUTSHUNGULWA YI-NHBRC

- 1.1. ChapterIsahluko sesi-3 se-POPIA sihlizenzeka ubuncane bemibandela yokucutshungulwa okusemthethweni kolwazi lomuntu siqu ngumuntu onesibopho. Lezi zimo angeke zehliswe ngaphandle kwalapho okungafakwanga okuthile kuyasebenza njengoba kuchaziwe ku-POPIA.
- 1.2. I-NHBRC idinga ulwazi lomuntu siqu oluphathelele nomuntu ngamunye kanye nabantu bomthetho ukuze yenze umsebenzi wayo wenhlangano negunya layo. Indlela lolu lwazi olucutshungulwa ngayo kanye nenjongo olucutshungulwa ngayo inqunywa yi-NHBRC.
- 1.3. Ngakho-ke, i-NHBRC Iyingxenye Ebophezelekile ngezinjongo ze-POPIA futhi izoqinisekisa ukuthi Ulwazi Lomuntu Siqu Lwesihloko Sedatha:
 - 1.3.1. kusetshenzwa ngokusemthethweni, ngokungenzeleli nangokusobala. Lokhu kubandakanya ukuhlizenzeka kwe ulwazi olufanele Ezifundweni Zedatha lapho idatha yazo iyoqwa ngu I-NHBRC, ngendlela yezaziso zobumfihlo noma zokuqoqwa kwedatha. Izaziso ezinjalo zinjalo vele iyatholakala kuwebhusayithi ye-NHBRC nasezivumelwaneni zenkontileka.
 - 1.3.2. icutshungulwa kuphela ngezinjongo eqoqwe ngazo;
 - 1.3.3. ngeke kusetshenzwe ngenjongo yesibili ngaphandle uma lokho kucutshungulwa iyahambisana nenhloso yokuqala.
 - 1.3.4. yanele, ifanelekile futhi ayidluleli ngokwezinjongo ebikade izenzele yona kuqoqwe;
 - 1.3.5. inembile futhi igcinwa isesikhathini samanje;
 - 1.3.6. ngeke igcinwe isikhathi eside kunesidingo;
 - 1.3.7. kusetshenzwa ngokuhambisana nobuqotho kanye nemigomo yokugcinwa kwemfihlo; lokhu kuhlenganisa nezinyathelo ezingokwenyama nezenhlangano zokuqinisekisa lokho Okomuntu siqu Ulwazi, kokubili ngokomzimba nangokwe-elektroniki, lungaphansi kwe-izinga elifanele lokuvikeleka lapho ligcinwe, lisetshenziswa futhi kukhulunywa ngalo I-NHBRC, ukuze kuvikelwe ekufinyeleleni nasekutholweni ngokungagunyaziwe abantu kanye nokulahlekelwa ngengozi, ukucekelwa phansi noma ukulimala;
 - 1.3.7.1. icutshungulwa ngokuhambisana namalungelo ezihloko zedatha, lapho esebenzayo.

- 1.3.8. Izihloko zedatha zinelungelo:
 - 1.3.8.1. ukuze baziswe ukuthi Ulwazi lwabo lomuntu siqu luqoqwa yi-NHBRC.
 - 1.3.8.2. ukwaziswa uma kwenzeka kwephulwa idatha;
 - 1.3.8.3. ukwazi ukuthi i-NHBRC inalo yini Ulwazi Lomuntu Siqu ngabo, futhifinyelela lolu lwazi. Noma yisiphi isicelo solwazi kumele sisingathwe ngokuhambisana nezinhlinzeko zale Manuwali;
 - 1.3.8.4. cela ukulungiswa noma ukususwa kokungalungile, okungabalulekile, okweqile, ngaphandle;
 - 1.3.8.5. iphikisana nokusetshenziswa kwe-NHBRC kolwazi lwayo lomuntu siqu futhi icele ukususwa Lolu lwazi lomuntu siqu (ukususwa kuzoba ngaphansi kwe-NHBRCizidingo zokugcina amarekhodi);;
- 1.3.9. phikisana nokucutshungulwa kolwazi lomuntu siqu ngezinjongo zokuqondisa ngqokumaketha ngokusebenzisa ukuxhumana ngogesi okungaceliwe; futhi
- 1.3.10. khalaza ku-Information Regulator mayelana nezinsolo zokwephulwa kwe noma yimaphi amalungelo avikelwe ngaphansi kwe-POPI kanye nokuqala ukuqulwa kwecala mayelana nezinsolo zokungathobeli ukuvikelwa kwakhe ulwazi lomuntu siqu.

2. INHLOSO YOKUSEBENZA KOLWAZI LOMUNTU YI-NHBRC.

- 2.1. Njengoba kushiwo ngenhla, Ulwazi Lomuntu Siqu lungase lucutshungulwe genjongo ethile kuphela. Izinjongo i-NHBRC ecubungula ngazo noma ezocubungula Ulwazi Lomuntu Siqu zibekwe ngezansi
- 2.2. **Izibopho zabakhi bezindlu:**
 - 2.2.1. Ukuqinisekisa ukubhaliswa kwa bakhi bezindlu ne-NHBRC, kanye nokuvuselela nezinqumo zezikweletu;
 - 2.2.2. Ukuqinisekisa ukucutshungulwa kwezicelo zokubhaliswa kwemizi;
 - 2.2.3. Ukubheka izinyathelo zomthetho ezibhekene nabakhi bezindlu;
 - 2.2.4. Ukubamba iqhaza emizamweni yokubuyisana phakathi kwabathengi bezindlu nabakhi bezindlu;
 - 2.2.5. Ukwenza ucwaningo lwemakethe, ibhizinisi kanye nokuhlaziya kwezibalo;

- 2.2.6. Ukuthola noma yiziphi izikweletu Abakhi Bezindlu abangase bazikweleta i-NHBRC;
- 2.2.7. Ukuthobela izibopho zokulawula ze-NHBRC;
- 2.2.8. Noma iyiphi enye injongo edingekayo ngokunengqondo.

2.3. Kubathengi Bezindlu:

- 2.3.1. Ukwamukela izikhalazo kanye nezicelo eziphikisana nesikhwama sewaranti ye-NHBRC;
- 2.3.2. Ukuba khona emizamweni yokubuyisana phakathi kwabathengi bezindlu nabakhi bezindlu;
- 2.3.3. Ukuthobela izibopho zokulawula ze-NHBRC;
- 2.3.4. Noma iyiphi enye injongo edingekayo ephathelene negunya le-NHBRC.

2.4. Abasebenzi:

- 2.4.1. Ukuqinisekiswa kolwazi lwabasebenzi abafake isicelo ngesikhathi sokuqashwa.
- 2.4.2. Izindaba ezijwayelekile eziphathelene nabasebenzi kubandakanya:
 - 2.4.2.1 Izimali zempesheni;
 - 2.4.2.2 Usizo lwezokwelapha;
 - 2.4.2.3 Iholo;
 - 2.4.2.4 Ukuqondiswa kwezigwegwe; futhi
 - 2.4.2.5 Ukuqeqeshwa.
- 2.4.3. Noma iyiphi enye inhloso edingekayo ehlobene nomsebenzi noma okungenzeka.

2.5. Kwabahlinzeki besevisi kanye nezinkampani zangaphandle:

- 2.5.1. Ukuqinisekisa ulwazi nokwenza amasheke okuhlanganisa ezezimali, isimo sentela, ulwazi oludlule;
- 2.5.2. Izinjongo eziphathelene nesivumelwano noma ubudlelwano bebhizinisi noma okungenzekaisivumelwano noma ubudlelwano bebhizinisi phakathi kwabathintekayo kubandakanyaukucubungula amabhidi okuthengwa kwempahla kanye namakhotheshini;;
- 2.5.3. Ukukhokhwa kwama-invoyisi;
- 2.5.4. Ukuthobela izibopho zokulawula ze-NHBRC; futhi
- 2.5.5. Noma iyiphi enye injongo edingekayo ephathelene nokusebenza kwe-NHBRC.

3. IZIKHATHI ZENHLOKO YEDATHA KANYE NOLWAZI LOMUNTU/OKUKHETHEKILE ULWAZI LOMUNTU ESIPHATHELENE NAKHO

- 3.1. Ngokweisigaba sokuqala se-POPIA, isihloko se-data kungaba ngumuntu wemvelo noma umthetho. Izigaba ezehlukene zedatha izihloko lokho I-NHBRC icubungula imininingwane yomuntu siqu kanye nezinhlobo zolwazi lomuntu oluhlobene zibekwe ngezansi.

3.2. Abakhi bezindlu

- 3.2.1. ikheli leposi kanye/noma lomgwaqo, ibhizinisi kanye nendawo yokuhlala;
- 3.2.2. isihloko negama;
- 3.2.3. izinombolo zokuxhumana kanye/ noma ikheli le-imeyli;
- 3.2.3.1 iqembu lobuhlanga;
- 3.2.3.2 iminyaka yobudala;
- 3.2.3.3 ubulili;
- 3.2.3.4 ubuzwe;
- 3.2.3.5 ulimi;;
- 3.2.3.6 ulwazi lwezezimali kanye nokuhlolwa;
- 3.2.3.7 inombolo kamazisi noma ipasipoti;
- 3.2.3.8 izinkomba;
- 3.2.3.9 ulwazi ngezinqumo zenkantolo;
- 3.2.3.10 imikhuba yokuphequlula bese uchofoza amaphethini kumawebhusayithi e-NHBRC;
- 3.2.3.11 Imibiko yokuhlola izakhiwo;
- 3.2.3.12 nolunye ulwazi oludingekayo ukuze uhambisane nemithetho ye-NHBRC izibopho

3.3. Abathengi bezindlu

- 3.3.1. ikheli leposi kanye/noma lomgwaqo, ibhizinisi kanye nendawo yokuhlala
- 3.3.2. isihloko negama;
- 3.3.3. izinombolo zokuxhumana kanye/ noma ikheli le-imeyli;
- 3.3.3.1 iqembu lobuhlanga;
- 3.3.3.2 iminyaka yobudala;
- 3.3.3.3 ubulili;
- 3.3.3.4 ubuzwe;
- 3.3.3.5 ulimi;
- 3.3.3.6 ulwazi lwezezimali;
- 3.3.3.7 inombolo kamazisi noma ipasipoti;
- 3.3.3.8 imininingwane yobunikazi bezakhiwo kubandakanya namatayitela, amapulani ezakhiwo kanye izivumelwano nabakhi bezindlu.
- 3.3.3.9 imikhuba yokuphequlula bese uchofoza amaphethini kumawebhusayithi e-NHBRC.
- 3.3.3.10 Olunye ulwazi oludingekayo ukuze uhambisane nemithetho ye-NHBRC izibopho

3.4. Abahlinzeki besevisi kanye nezinkampani zangaphandle:

- 3.4.1. Igama neminingwane yokuxhumana;
- 3.4.2. Umazisi kanye/noma ulwazi lwenkampani kanye nolwazi lwabaqondisi;
- 3.4.2.1 Ulwazi mayelana namabhange kanye nezezimali;
- 3.4.2.2 Izinkomba;
- 3.4.2.3 Isimo Sentela;
- 3.4.2.4 Olunye ulwazi oludingekayo ukuze uhambisane nemithetho ya kwa-NHBRC izibopho.

3.5. Abasebenzi

- 3.5.1. Igama neminingwane yokuxhumana;
- 3.5.2. Inombolo kamazisi kanye nemibhalo kamazisi kubandakanya namaphasipoti;
- 3.5.3. Umlando wokuqashwa kanye nezinkomba;
- 3.5.4. Imininingwane yebhange kanye nezezimali;
- 3.5.5. Imininingwane yezinkokhelo kubantu besithathu (imali ebanjwa emholweni);
- 3.5.6. Izinkontileka zokuqashwa;
- 3.5.7. Izinhlelo zokuqasha ngokulingana;
- 3.5.8. Amarekhodi osizo lwezokwelapha;
- 3.5.9. Amarekhodi eSikhwama Sempesheni;
- 3.5.10. Amarekhodi omholo noma amaholo;
- 3.5.11. Ukuhlolwa kokusebenza;
- 3.5.12. Amarekhodi okuqondiswa kwezigwegwe;
- 3.5.13. Shiya amarekhodi; futhi
- 3.5.14. Amarekhodi okuqeqesha.
- 3.6. Olunye ulwazi olungacacisiwe, oludingekayo ukuze lucutshungulwe ibhizinisi imisebenzi.

4. ABAMUKELE ULWAZI LOBUQU

- 4.1. Abamukeli i-NHBRC engase ibanikeze Ulwazi Lomuntu Siqu Lwezifundo Zedatha babekwe ngezansi.
 - 4.1.1. Noma iyiphi ifemu, inhlango noma umuntu i-NHBRC emsebenzisela ukuqoqa izinkokhelo kanye nokubuyisela izikweletu noma ukunikeza isevisi egameni layo;
 - 4.1.2. Noma iyiphi inkampani, inhlango noma umuntu ohlinzeka i-NHBRC ngaye imikhiqizo noma amasevisi;
 - 4.1.3. Noma yiluphi uhlelo lokukhokha olusetshenziswa yi-NHBRC;
 - 4.1.4. Iziphathimandla ezilawulayo nezikahulumeni noma ombudsmen,

noma okunye iziphathimandla, okuhlanganisa neziphathimandla zentela, lapho i-NHBRC inomsebenzi wokwenza kanjalo ukwabelana ngolwazi;

- 4.1.5. Abantu besithathu okukhokhelwa bona egameni labasebenzi;
- 4.1.6. Izikhungo zezezimali okuvela kuzo izinkokhelo egameni lazo izihloko zedatha;
- 4.1.7. Noma yimuphi omunye umqhubi ongashiwongo;
- 4.1.8. Abasebenzi, osonkontileka nabasebenzi betoho; futhi
- 4.1.9. Ama-ejenti.

5. UKUGUBHA OKUNGEMPELA IMIBANDELA YOLWAZI LOMUNTU

- 5.1. Isigaba 72 se-POPIA sihlinzeka ngokuthi ulwazi lomuntu siqu lungadluliselwa ngaphandle kweRiphabhulikhi yaseNingizimu Afrika kuphela uma –
 - 5.1.1. izwe elamukelayo linganikeza idatha enjalo “izinga elanele” lokuvikela. Lokhu kusho ukuthi imithetho yayo yobumfihlo bedatha kufanele ifane kakhulu ne izimo zokucutshungulwa okusemthethweni njengoba kuqokethwe ku-POPI; noma
 - 5.1.2. Isihloko sedatha sivuma ukudluliselwa kolwazi lwabo lomuntu siqu; noma
 - 5.1.3. ukudlulisa kuyadingeka ukuze kwenziwe isibopho senkontileka phakathi isihloko sedatha kanye neqembu elinesibopho; noma
 - 5.1.4. ukudlulisa kuyadingeka ukuze kwenziwe isibopho senkontileka phakathi
 - 5.1.5. Uhlangothi olunomthwalo wemfanelo kanye nengxenywe yesithathu, ngokwentshisekelo yesihloko sedatha; noma ukudluliselwa kungokwenzuzo yesihloko sedatha, futhi akukhona ngokunengqondo kungenzeka ukuthola imvume yesihloko sedatha, futhi uma.
- 5.2. Imininingwane yomuntu siqu ingase idluliselwe kwamanye amazwe kubahlinzeki be-NHBRC bakwamanye amazwe, futhi ulwazi lomuntu siqu lungase lugcinwe kumaseva edatha asingathwe ngaphandle kweNingizimu Afrika, okungenzeka angenayo imithetho eyanele yokuvikela idatha. I-NHBRC izozama ukuqinisekisa ukuthi abahlinzeki bayo besevisi kanye nezinkampani zangaphandle bazokwenza yonke imizamo enengqondo ukuze bavikele

idatha eshiwo kanye nolwazi lomuntu siqu ngokusebenzisa izigaba zenkontileka noma izaziso ezivumelwaneni nokunye.

6. INCAZELO YEZINDLELA ZOKUVIKELA ULWAZI EZINGASETSHENZISWA I-NHBRC

6.1. Izinhlobo zezinyathelo zokuphepha ezisetshenziswayo nezizosetshenziswa yi-NHBRC ukuze kuqinisekiswa ukuthi ulwazi lomuntu siqu luyahlonishwa futhi luyavikelwa zibekwe ngezansi.

6.2. I-NHBRC ithembisa ukusungula nokugcina izinyathelo zokuvikela idatha ukuze kufezwe lezi zinhloso ezilandelayo ezichazwe ngezansi. Imininingwane enikeziwe kufanele ihunyushwe njengezibonelo zendlela yokufinyelela izinga elanele lokuvikela idatha kunhloso ngayinye. I-NHBRC ingase isebenzise ezinye izindlela futhi izivumelanise nokuthuthukiswa kokuphepha kwezobuchwepheshe, njengoba kudingeka, inqobo nje uma izinjongo ziyafezwa.

6.3. Ukulawulwa kokufinyelela kwabantu

6.3.1. I-NHBRC izosebenzisa izinyathelo ezifanele ukuze kuvinjwe ukungagunyaziwe abantu ekutholeni ukufinyelela kumishini yokucubungula idatha lapho idatha ikhona kusetshenziwe.

6.4. Ukulawulwa Kwememori Yedatha

6.4.1. I-NHBRC ithembisa ukusebenzisa ukuxhumana nokusebenzisa ugunya amandla kwemidiya, okuhlanganisa, ukushintsha ukukupisha, noma noma ukulawulwa kwemidiya yedatha ezisetshenziswa yi-NHBRC futhi ifakwe okomuntu siqu ulwazi.

6.5. Ukulawulwa Kwememori Yedatha

6.5.1. I-NHBRC ithembisa ukusebenzisa imali ozoyisebenzisa ukunikwa igunya okokufaka kwimemori yedatha kanye negunya igunya, ukuguqulwa noma u igunya kwe indaba egciniwe.

6.6. Ukulawulwa komsebenzisi

6.6.1. I-NHBRC izosebenzisa izinyathelo ezifanele zokuvimbela ukucutshungulwa kwayo kwedatha amasistimu ukuthi asetshenziswe abantu abangagunyaziwe ngokusebenzisa idatha imishini yokudlulisela.

6.7. Ukulawula Ukufinyelela kudatha

6.7.1. I-NHBRC izosebenzisa izinyathelo ezifanele zokuqinisekisa ukuthi abantu abanelungelo lokusebenzisa isistimu yokucubungula idatha ye-NHBRC bakwazi ukufinyelela kuphela idatha ngaphakathi kwesikophu kanye nangezinga elimbozwe ukufinyelela kwazo ngokufanele izimvume noma ukugunyazwa.

6.8. Ukulawula Ukudlulisela

6.8.1. I-NHBRC izophoqeleka ukuthi ivumele ukuqinisekiswa nokulandelwa kwezindawo/ izindawo lapho Ulwazi Lomuntu Siqu ludluliselwa khona ngokusetshenziswa kwelamishini yokuxhumana yedatha ye-NHBRC.

6.9. Ukulawulwa Kwezokuthutha

6.9.1. I-NHBRC izosebenzisa izinyathelo ezifanele zokuvimbela Ulwazi Lomuntu Siqu zingafundwa, zikopishwe, zishintshwe noma zisuswe abantu abangagunyaziwe ngesikhathi ukudluliswa kwakho noma ngesikhathi sokuthutha imidiya yedatha.

6.10. Ukulawulwa Kwenhlangano

6.10.1. I-NHBRC izogcina inhlangano yayo yangaphakathi ngendlela ehlangabezana noku izidingo zale Manuwali.

7. UKUPHIKISANA KOKUQUQUZWA KOLWAZI LOBUQU LO MNIKAZI

7.1. Isigaba 11 (3) se-POPI kanye nomthethonqubo wesi-2 we-POPIA Regulations uhlinzeka ngokuthi isihloko sedatha nganoma yisiphi isikhathi singaphikisana nokusetshenzwa kolwazi lwaso lomuntu siqu ngendlela enqunyiwe.

7.2. Okunamathiselwe kwifomu elinqunyiwe elimakwe njengeFomu **loku-1** okufanele lisetshenziswe ukurekhoda lokho kuphikisana.

8. ISICELO SOKULUNGISWA NOMA UKUSUSWA KOLWAZI LOMUNTU

8.1. Isigaba saga-24 se-POPI kanye nomthethonqubo wesi-3 we-POPI Regulations uhlinzeka ngokuthi isihloko sedatha singacela ukuthi Ulwazi Lwaso Lomuntu Siqu lulungiswe noma lususwe ngendlela enqunyiwe enamathiselwe kule Manuwali njengeFomu **lesi-2**.

8.2. Okunamathiselwe ikhophi **ye Fomu 2** ngokwale njongo.



DATA PROTECTION

NATIONAL HOME BUILDERS

NHBRC

REGISTRATION COUNCIL

www.nhbrc.org.za

