IMANUWALI NGOKWESAHLUKO SAMA-14
SoMthetho Wokuqhutshekiselwa Phambili Ukufinyeleleka Kolwazi wonyaka we-2000

Lo mbhalo uyatholakala futhi ngezilimi ezilandelayo:
i-Sepedi nesiZulu

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10. 1. ISAKHIWO NEMISEBENZI

IKHomishani Kazwelonke Yelotho (“iKhomishani”) ingumgwamanda osemthethweni, olawulayo owasungulwa ngokoMthetho Welotho wonyaka we-1997 (uMthetho wama-57 wonyaka we-1997) (“uMthetho Welotho”).

Ikhomishini isebenzisa igunya jikelele ezindabeni zehhovisi leKhomishini (i-NLC) kanye neze-National Lottery Distribution Trust Fund ("i-NLDTF") IKhomishini, ngokubambisana noKhomishini, inomthwalo wokuziphatha jikelelele imisebenzi yayo kanye nemisebenzi ye-NLDTF kanye nayama-Ejensi Okusatshalaliswa (Distributing Agencies) ("ama-DA").

Imisebenzi yeKhomishani njengoba ichaziwe eMthethweni Welotho wonyaka we-1997 njengabo ilandela:

- Ukweluleka uNgqongqoshe ngokukhishwa kwezimvume zokuphatha iLotho Kazwelonke;
- UKuqinisekisa ukuthi iLotho Kazwelonke kanye nama-Sports Pools enziwa ngokufaneleka;
- Ukuqinisekisa ukuthi izitshiselo zabo bonke abahlanganyeli kwiLotho Kazwelonke zivikeleke ngokwanele;
- Ukuqinisekisa ukuthi inzuzo yeLotho kazwelonke inkulu
- ngangokunokwenzeka; Ukulawula i-NLDTF kanye nokuyigcina
- ngokuthembeka;
  Ukuqapha, ukulawula kanye nokwengamela amalotho ekudeleweni ekuzijabuliseni, amalotho angasese, amalotho omphakathi kanye nanoma yimiphi imincintiswano elindelwe esahlukweni sama-54 soMthetho Welotho;
- Ukweluleka uNgqongqoshe ngamaphesenti ezimali ezizokwabiwa ngokwesahlukwana sama26(3) soMthetho Welotho;
- Ukweluleka uNgqongqoshe ngokuphumelela kweqoqomthetho eliphathelene namalotho kanye nezinto ezisekelayo;
- Ukweluleka uNgqongqoshe ngokusungula kanye nokuseqaliswa kohlelo lokubhekela umphakathi maqondana namalotho;
- Ukuphatha nokutshala izimali ekhokhelwe iKhomishini ngokuhambisana noMthetho Welotho;
- Ukwenza imisebenzi engeziwe ngokuphathelene namalotho njengoba uNgqongqoshe engayabela iKhomishini;
- Ukwenza amalungiselelo njengoba echazwe kwimvume yokuvikelwa kwezimali zomklomelo nezimali zokusabalalisa; futhi
- Ukweluleka uNgqongqoshe nganoma yiluphi udaba oluphathelene neLotho Kazwelonke kanye namanye amalotho noma nganoma yimuphi omunye umdanti uNgqongqoshe angadinga ngalo iseluleko seKhomishini.

UNgqongqoshe woMnyango Wezohwebo Nezezimboni waqoka ngokusemthethweni iBhodi ukuba lihlinzeke ngokusekela kokwengamela nokuphatha kwama-DA.

Ikhomishini yakhiwe amagatsha alandelayo:

- IHhovisi lezicelo Elikhulu ("i-CAO");
- Ezezimali;
- Ezabasebenzi kanye Nokwengamela;
- Izinsiza zabadlali, Ukuxhumana Nabezokusakaza kanye nokuxhumana

kwangaphandle; kanye

- Namalotho oMphakathi namanye, kanye nezinsizakalo zomthetho.

2. IMININGWANE YOKUXHUMANA

Ikheli lomgwaqo:

Block B, Hatfield Gardens
Corner Hilda & Arcadia Streets
Hatfield
Pretoria
0083

Ikheli leposi

P O Box 1556
Brooklyn
Pretoria
0075

Ucingo: (012) 432 1300
Ifeksi: (012) 432 1387

I-website: www.nlcsa.org.za

UMphathilwazi: UNks. T Mampane
I-imeyili: info@nlcsa.org.za

USekela-Mphathilwazi: Tsietsi Maselwa.
I-imeyili: tsietsi@nlcsa.org.za

3. UMHLAHLANDLELA WEKHOMISHANI YAMALUNGELO ESINTU

Nanoma yimuphi umuntu ofisa ukusebenzisa nanoma yiliphi ilungelo elilindelwe eMthethweni Wokuqhubekisela Phambili Ukufinyeleleka Kolwazi wonyaka we-2000 (uMthetho wesi-2 wonyak we-2000) ("uMthetho Wolwazi"), angathola ikhophi yomhlahlandlela wolwazi okhishwe yiKhomishini Yamalungelo EsiNtu ngezilimi ezisemthethweni ezishiwo ngenhla kuleli kheli:

The Human Rights Commission
Private Bag 2700
Houghton
2041

Ucingo: 011-484 8300

Ifeksi: 011-484 7149

I-website: www.sahrc.org.za

4. INCAZELO YAMAREKHODI AGCINW YIKHOMISHANE

Ulwazi, olungatholakali kalula, njengoba kuboniswe esigabenisesi-5 sale manuwali, lungacelwa ngokulandela inqubo emiswe ngokoMthetho Wolwazi.

Amakhophi amafomu amisiwe afanele agcwaliselwe ukuthumela isicelo atholakala kuMphathilwazi weKhomishini njengoba kuboniswe ngenhla.

Ulwazi olugciniwe:

4.1 IHhovvisi Elikhulu Lezicelo

- Izibonelelo ezinikezwe kule mikhakha elandelayo:
- Ubuciko, Amasiko kanye Nezinhlangano Zamagugu Zikazwelonke
- Okunye nokunye
- Izinhloso Zemidlalo Nokuzijabulisa
- Amaminithi emihlangano efanele ye-DA
- Isimo sezicelo
- Izingcingo zomphakathi zezicelo kanye namafomu afanele

4.2 Ezezimali

- Izabelomali ezedlule nezamanje ezamukelwe
- Izitatimende Zezimali Ezicutshunguliwe
- Imininingwane yabanikezeli bezimpahla nezinsizakalo ezihlukahlukene
- Olunye ulwazi oludinga i-PFMA ekubikeni konyaka kanye nemibhalo yokuhlela
- Izinqubomgomo Ezamukelwe Zezezimali
- Imininingwane yabafaka izimali emabhange
-

4.3 Ezabasebenzi kanye Nokwengamela

- I-oganogramu
- Imininingwane yobuntu siqu yabasebenzi
- Amaholo neimihlomulo ehlelekile ekhokhwayo
- Iphrofayli yokuqondiswa kwezigwegwe yaabasebenzi
- Izinqubomgomo Zezabasebenzi kanye Nokwengamela
- Amathuba Emisebenzi ese-NLC
- Amalisi okusebenza nawezezimali

4.4 Izinsiza zabadlali, Ukuxhumana Nabezokusakaza kanye nokuxhumana kwangaphandle.

- Umbiko yonyaka
- Imininingwane Yamalungu Ebhodi
- Imininingwane Yamalungu Ekomidi
- Iqoqomthetho
- Isikhangiso
- Amabhrosha
- Imibhalo Yabezokusakaza
- Ulwazi Jikelele Labadlali

4.5 Amalotho Omphakathi Namanye Nezinsizakalo Zomthetho

- Amafomu Okufaka
- Izicelo Izitifiketi
- Ezikhishwe
- Ngokomthetho
- Imibono Izimiso
- Imvume Yokuphatha Amaminithi Ebhodi
- Likazwelonke LeLotho
- Izivumelwano Nabaphakeli kanye Nezivumelwano Nabahlinzeki Bezibonelelo

5. IZINQUBO ZOKUFAKA ISICELO SOLWAZI

Umfakisicelo uzonikwa ukufinyeleleka kurekhodi le-NLC uma izimo ezilandelayo zifeziwe:

- Umfakisicelo elandela zonke izidingo zenkambiso eziseMthethweniWolwazi mayelana nesicelo sokufinyeleleka kulelo rekhodi; futhi
- Ukufinyeleleka kulelo rekhodi kungaliwe nganoma kungasiphi isizathi esishiwo eMthethweni Wolwazi.

Uhlobo lwesicelo:

- Umfakisicelo ufanele asebenzise ifomu elishicilelww kuGazethi Kahulumeni, (iSaziso Sikahulumeni esingu-R187 somhla zi-15 Febhuwari 2002 Sicela ubheke isiXhumelo A.)
- Uma umfakisicelo ecela ulwazi elucelela omunye umuntu, isikhundla sokuthi isicelo usenza engubani kufanele asisho[s 18 (2) (f)].
- Uma umfakisicelo engakwazi ukufunda noma ukubhala, noma enokukhubazeka, ngakho angasenza isicelo serekhodi ngomlomo. Umphathilwazi ufanele agcwalise ifomu aligcwalisele umfakisicelo ofana nalona futhi amnikeze ikhophi yefomu eligcwalisiwe [s 18 (3)].

Kunezinhlobo ezimbili zezimali okudingeka ukuba zikhokhwe ngokoMthetho Wolwazi, okuyimali yesicelo kanye nemali yokufinyeleleka [s 22:]

Umfakisicelo ofuna ukufinyeleleka kurekhodi eliphethe ulwazi ngaye akudingekile ukuba lowo mfakisicelo akhokhe imali yesicelo. Wonke umfakisicelo, ongeyena umfakisicelo esifakela yena uqobo, ufanele akhokhe imali yesicelo edingekayo:

- UMphathilwazi ufanele azise umfakisicelo (ngaphandle uma ezicelela ulwazi ngaye uqobo) ngesaziso, esidinga ukuba umfakisicelo akhokhe imali emisiwe (uma ikhona) ngaphambu kokuba kusetshenzwe isicelo sakhe.
- Umfakisicelo ufanele akhokhe imali engama-R35 ekhokhwa kumgwamanda womphakathi. Umfakisicelo angafaka isikhalazo sangaphakathi, lapho kufanele, noma afake isicelo enkantolo aphikise ukunikeza noma ukukhokha imali yesicelo.

- Ngemuva kokuba uMphathilwazi esethathe isinqumo ngesicelo, umfakisicelo ufanele aziswe ngesinqumo esinjengalesi ngendlela umfakisicelo angathanda ukwaziswa ngayo.
- Uma isicelo sivunyiwe, imali yokufinyeleleka ifanele ikhokhelwe ukucingwa, ukulingiswa, ukukhiqizwa kanye nanoma isiphi isikhathi esingaphezulu kwaleso samahora abekiwe okufuna nokulungiselela ukudalulwa kwerekhodi.

6. Izimali Ezimisiwe Ezikhokhwayo

Ulwazi, ngaphandle kwalolo olutholakala kalula kuwebhusayithi ye-NLC, luyatholakala ngokhophi eyiphepha ngokukhokha kuphela imali u-R0.60 ngekhasi ngalinye ne-VAT kanye nemali yokuposa.

Ukuphela kokudedelwa okweMvume yokuphatha iLotho Kazwelonke okutholakala ngama-R500.00 ne-VAT kanye nemali yokuposa futhi kushiya ngapandle amashejuli.

7. INDLELA YOKUTHOLA UKUFINYELELEKA KULEZI ZINSIZISAKALO

Ukuze kufinyeleke izinsizakalo kwiKhomishani Kazwelonke Yelotho, zonke izicelo zifanele zenziwe kuKomishani ngamafomu amisiwe ezicelo njengemininingwane yokuxhumana esesahlukweni sesi-2 salo Mbhalo.

8. UKUBAMBA IQHAZA EKWAKHIWENI KWENQUBOMGOMO/UKUSEBENZISA AMANDLA

IKhomishani inquma inqubomgomo kanye nokusetshenziswa kwamandla eliwanikezwe uMthetho Welotho futhi isizwa ngamakomidi amancane ahlukene, ngenkathi izinqumo zenziwa ngu-CEO kanye nabanye abasebenzi.

9. Incazelo yeZixazululo Ezitholakalayo Ngokomthetho noma uKwehluleka Ukwenza kwe-NLB

Uma isicelo sokwaziswa ngokoMthetho Wolwazie senziwa yi-NLC, umfakisicelo, kungakapheli izinsuku ezingama-60 nangefomu elimisiwe kanye nokuphisa kokukhokhwa kwemali emisiwe angafaka isikhalazo sangaphakathi, aphikise isinqumo sompmhathilwazi ngokuhambisana kanye nemibandela yesahluko sama-75 soMthetho Wolwazi. Uma isikhalazo sangaphakathi sifakwe ngemuva kwesikhathi esimisiwe, i-NLC, ngenxa yezizathu ezizwakalayo, ingavumela ukufakwa kwesikhalazo esinjengalesi ngemuva kwesikhathi.

IFOMU A
ISICELO SOKUFINYELELEKA KUREKHODI LOMGWAMANDA WOMPHAKATHI

ISahluko se-18 (1) soMthetho Wokufinyeleleka Kolwazi we-2000 (uMthetho wesi-2 we-2000) [iSimiso sesi-2]

LE NGXENYE ISETSHENZISWA NGUMNYANGO:

Inombolo yerefrensi:…..……
Isicelo samukelwe ngu- (shono isikhundla ngokomsebenzi, igama nesibongo somphathilwazi/usekela-mphathilwazi) mhla zi- (usuku) e-/o-/kwa- (indawo).

Imali yesicelo (uma ikhona): R

…….. Idiphozi (uma ikhona):

R …….. Imali

yokufinyeleleka: R ……..

A. Imininingwane yomuntu ofaka isicelo sokufinyeleleka kwirekhodi

(a) Imininingwane yomuntu ocela ukufinyeleleka kwirekhodi kufanele inikezwe ngezansi.

(b) Nikeza ngekheli futhi/noma inombolo yefeksi yaseRiphabhlikhi lapho kufanele ulwazi luthunyelwe khona.

(c) Ubufakazi bokuthi isicelo senziwa njengobani ngokwesikhundla, uma bukhona, bufanele bufakwe.

Amagama aphelele nesibongo:……

Inombolo kamazisi: …….....

Ikheli leposi: …….....…

Inombolo yefeksi:…….....…

Inombolo yocingo: …….....…

Ikheli le-imeyiyili :…….……

Isikhundla sokuthi isicelo senziwa njengobani senziwela omunye umuntu:

…….

B. Imininingwane yomuntu ofakelwa isicelo

Lesi sahluko kufanele sigcwaliswe kuphela uma isicelo solwazi senzelwa omunye umuntu.

Amagama aphelele nesibongo:……

Inombolo kamazisi: .....

C. Imininingwane yerekhodi

(a) Nikeza ngemininingwane ephelele yerekhodi okucelwa ukufinyeleleka kulo, kubandakanya inombolo yerefrensi uma uyazi, ukwenzela ukuthi litholakale irekhodi.

(b) Uma isikhala osinikiwe sisincane, sicela uqhubeklee ekhasini elehlukile bese ulinamathisela kuleli fomu. Umfakisicelo kufanele asayinde onke amaphepha angeziwe.

1. Ukuchazwa kwerekhodi noma izingxenye ezifanele zerekhodi:

2. Inombolo yerefrensi, uma ikhona:

3. Nanoma ngabe imiphi eminye imininingwane yerekhodi:

D. Izimali ezikhokhwayo

(a) Isicelo sokufinyeleleka kwirekhodi, ngaphandle kwerekhodi eliphethe ulwazi lomuntu uqobo olumayelana nawe, sizosetshenzwa kuphela ngemuva kokuba imali yesicelo isikhokhiwe.

(b) Uzokwaziswa ngesamba semali edingeka ukuba ikhokhwe njengemali ekhokhwayo yesicelo.

(c) Imali ekhokhwayo yokufinyelelka kwirekhodi ilele ohlotsheni ukufinyeleleka okudingeka ngalo futhi nasesikhathini esidingekayo ukucinga nokulungisa irekhodi.

(d) Uma ufanele ukuba udedelwa ukuba ukhokhe nanoma ngabe iyiphi imali ekhokhwayo, sicela usho isizathu sokudedelwa.

Isizathu sokudedelwa ukuba ukhokhe izimali:

……

……

Imininingwane Yerekhodi

Nikeza imininingwane ephelele yerekhodi okucelwa ukufinyeleleka kulo, kubandakanya inombolo yerefrensi/inombolo yefayela/inombolo yephrojekhthi, ukwenzela ukuthi litholakale irekhodi. Uma isikhala osinikiwe sisincane, sicela uqhubeklee ekhasini elehlukile bese ulinamathisela kuleli fomu.

Inombolo yerefrensi, uma ikhona: .....

Nanoma ngabe imiphi eminye imininingwane yerekhodi:

……

Isaziso Ngesinqumo Mayelana Nesicelo Sokufinyeleleka

Uzokwaziswa ngokubhaliwe ukuthi isicelo sakho sivunyiwe/senqatshiwe.

Uma ufisa ukwaziswa ngananoma iyiphi enye indlela, sicela uyisho leyo ndlela futhi uhlinzeke ngemininingwane evumela ukuhambisana nesicelo sakho.

……

……

……

……

Ukubekwa Ngezinhla Kolwazi Oluthakalwa Ngumphakathi

Ngemuva kokuthola ulwazi, aBasebenzi Berejitri bafanele babukeze noma yimaphi amakleyimu obumfihlo. Yonke imibhalo, eyimfihlo, ifanele icaciswe ngokufakwa isitembu esino-inki obomvu (isitembu semfihlo) lapho kufayilwa imibhalo, amakhasi ayimfihlo azohlanganganiswa ndawonye kanye nefomu le-CC7. Ukuhleleka noma ukulandelana kwamakhasi akufanele kushintshwe, esikhundleni sokuba kusetshenziswe ibhande lerabha noma amakliphu ukwenza ukuba ulwazi utholakale uma lucelwa.