UMASIPALA WESIFUNDA ILEMBE

UMQULU

Ushicilelwe ngokwesigaba 51

soMthetho uNo. 2 wezi-2000 Okhuthaza Ukufinyelela Olwazini

Njengoba uchitshiyelwe

NGUMTHETHO WOKUVIKELA IMININGWANE YOMUNTU UNO. 4 WEZI-2013 (I-*POPIA*)

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1 Isingeniso

UMasipala weSifunda iLembe (I-“IDM” kumbe “uMasipala”) uyisigaba C sikamasipala futhi wasungulwa ngokwesigaba 12 soMthetho weziNhlaka zikaMasipala, we-1998 (UMthetho uNo. 117 we-1998) ngoZibandlela wezi-2000. UMasipala weSifunda iLembe uhlanganisa omasipala abane bendawo nezinye izinhlangano ezingaphansi kukahulumeni, okunguMasipala KwaDukuza, uMasipala iMandeni, uMasipala iNdwedwe kanye noMasipala wakwaMaphumulo ngokunjalo ne-*Enterprise* iLembe.

Ngokwamandla namagunya, uMasipala weSifunda iLembe unikezwe umsebenzi wokwengamela izinsiza zamanzi nokuthuthwa kwendle kanti futhi unikezwe nomsebenzi wokuhlinzeka ngalezi zinsiza ezindaweni ezingaphansi kolawulo lukaMasipala weSifunda iLembe, owengamele omasipala abane bendawo ababalulwe ngenhla.

Lo Mqulu Okhuthaza Ukufinyelela Olwazini (“uMqulu”) uhlinzeka ngohlaka lwezinhlobo zamarekhodi kanye nemininingwane uMasipala anayo emaqondana nomuntu ngqo, futhi uchaza nokuthi zithunyelwa kanjani izicelo zokufinyelela kulawa amarekhodi ngokoMthetho uNo. 2 wezi-2000 Okhuthaza Ukufinyelela Olwazini (“I-PAIA Act”). Ngaphezu kwalokho, uchaza ukuthi **ufinyelela** kanjani, noma **uphikisana** kanjani nolwazi olukuMasipala olumaqondana nomuntu ngqo kumbe **isicelo sokulungisa** imininingwane emaqondana nomuntu ngqo, ngokwendima 23 kanye nendima 24 yoMthetho uNo. 4 Wokuvikela Imininingwane Yomuntu ngqo, wezi-2013 (“I-*POPI Act*”).

IMithetho i-*PAIA* ne-*POPI* ifezekisa ilungelo lawo wonke umuntu elikumthethosisekelo lokufinyelela olwazini olugcinwe yizikhungo ezizimele kumbe izikhungo zikahulumeni, uma irekhodi noma imininingwane emaqondana nomuntu ngqo idingeka ukuze kusetshenziswe kumbe kuvikelwe nanoma yimaphi amalungelo. Uma isikhungo sikahulumeni sifaka isicelo, kumele sikwenze lokho ngenhloso yokuhlomulisa umphakathi.

Izicelo kumele zifakwe ngokulandela izinqubo ezibekiwe kanye namanani ezimali ahlinzekiwe. Amafomu kanye nezimalo ezikhokhwayo kucaciswe esigabeni 5.

2 Inhloso yalo Mqulu we-PAIA

Inhloso yoMthetho Okhuthaza Ukufinyelela Olwazini (i-PAIA) yilena:

i) ukukhuthaza ilungelo lokufinyelela olwazini, ukuqinisa isiko lokuba sobala nokuzibophezela. UMthetho we-PAIA uvumela abantu ukuba bakwazi ukufinyelela olwazini olugcinwe yizikhungo zikahulumeni kanye nezizimele.

ii) ukuhlinzeka ngemininingwane emaqondana nolwazi olugcinwe nguMasipala kanye nokuthi lungatholakala kanjani lolo lwazi ngokuhambisana ne-PAIA.

3 Imininingwane yokuxhumana noMasipala

Imininingwane kaMasipala yokuxhumana ngokwesigaba 14 se-*PAIA*:

Ikheli lePosi: UMasipala weSifunda iLembe
P. O. Box 1788
KwaDukuza.

Ikheli leNdawo: 59/61 Mahatma Ghandi Street, KwaDukuza

Inombolo yocingo: 032 437 9300

Inombolo yeFeksi: 032 437 9585

Iwebhusayithi : www.ilembe.gov.za

Abantu abagunyazwe ngokusemthethweni:

Isikhulu Esibhekele Ulwazi
UMnu. S.D. Mbhele I-imeyili: Information.Officer@ilembe.gov.za Ucingo: 032 437 9501

Isekela Lesikhulu esibhekele Ulwazi
UNk. TN Mpetsheni I-imeyili: Information.Officer@ilembe.gov.za Ucingo: 032 437 9414

4 Amarekhodi kaMasipala

4.1 Amarekhodi esewonke

Amarekhodi eMinyango	**Isihloko**
UMNYANGO WEZEMISEBENZI YOMPHAKTHI	

Ezokuxhumana kanye Nokubamba Iqhaza Komphakathi	Amarekhodi Okwethulwa kwezinhlelo kanye Nawemicimbi
	Izitatimende Ezikhishelwa Abezindaba
UMnyango obhekele Ezempilo Kwezemvelo	Inqubomgomo Yezemvelo
	Amarekhodi amaqondana Nezemvelo
	Amarekhodi Ezempilo Nezokuphepha (Abasebenzi, Osonkontileka)
Ubudlelwane phakathi koHulumeni	Amaminithi kanye nama-*agenda* Ezinhlaka ze-DDM
UPHIKO LWEMISEBENZI EDIDIYELE	
UPhiko olubhekele Izindaba Zabasebenzi	Amarekhodi Abasebenzi
	Izinkontileka Zemisebenzi
	Imihlahlandlela, Izinqubomgomo kanye Nezinqubo zeqembu labantu emsebenzini othile
	Amarekhodi abasebenzi amayelana nezempilo kanye/noma Inhlalakahle
	Amarekhodi amaqondana nomshuwalense wokukhubazeka
	Amarekhodi amaqondana Nomhlalaphansi kanye ne-*Provident Fund*
	Amarekhodi emiholo yabasebenzi
	Amarekhodi Okuqasha Abasebenzi
	Amarekhodi Okuqondisa Ubugwegwe
	Amarekhodi amaqondana Nentela Yabasebenzi
I-ICT	Amarekhodi Okucubungula, Ukuhlola kanye Nokuthuthukisa
	Izinqubomgomo kanye Nezinqubo
	Uhlu lwamakhompyutha, ama-*laptop* kanye nama-*tablet*
	Amalayisensi

UMnyango obhekele Ukuphathwa Kwezikhungo	Amarekhodi Ezokuphepha Abhalwe phansi (Izivakashi, Abahlinzekimsebenzi, Osonkontileka, Abasebenzi)
	Amarekhodi Ekhompyutha Okungena Nokuphuma Kwabantu kanye Nawokulawula Ukuhlonzwa Kwabantu Abangenayo Nabaphumayo (Abasebenzi, Osonkontileka)
	Amarekhodi Esikhathi Sokungena Nokuphuma kanye Nokuba khona emsebenzini
Imisebenzi Edidiyele	Izinqubomgomo kanye Nezinqubo
	Imininingwane Yabasebenzi
UPhiko Lwezomthetho	Izinkontileka /ama-*SLA* Abahlinzekimpahla
Ihhovisi Lokuhlela Nokulondoloza Okubhaliwe	Ihhovisi lokuhlela nokulondoloza okubhaliwe/ Amarejista ezincwadi zeposi
Ukulawulwa Kwezimoto zikaMasipala	Amarekhodi Ezimoto zikaMasipala
Ezokuphepha	Amarekhodi e-CCTV
	Ama-*agenda* kanye namaminithi Ezinhlaka Zezokuphatha kanye Nezokubusa kuMasipala
UMNYANGO WEZEZIMALI	
Ezezimali	Izitatimende Ezicwaningiwe Zezimali
	Amarekhodi Entela (kaMasipala kanye Nabasebenzi)
	Irejista lempahla kaMasipala
	Amarekhodi Abahlinzekimpahla
	Ama-akhawunti Ezokuphatha
	Amarekhodi Omshuwalense Wezimoto zikaMasipala
	Izincwadi ezimaqondana Nezinkontileka Ezijwayelekile
	Uhlu lwemininingwane Yabahlwempu
	Izabelomali

	Izimali Ezikhokhwayo Ezigunyaziwe
	Amarejista Ezimali Zezibonelelo
	Imibiko yokucwaningwa kwamabhuku kanye Nemibiko emaqondana Nezokuphatha
UMNYANGO WEHHOVISI LEMENENJA KAMASIPALA (*OMM*)	
IHhovisi leMenenja kaMasipala	Amarekhodi amaqondana Nophenyo
	Amarekhodi Ezikhalo kanye Nophenyo
	Izinhlelo Zokuqhubeka Kwebhizinisi
	Imibiko Yophenyo
	Irejista Lezimo Eziyingcuphe
	Irejista Lokulawula Ukulahleka Kwempahla
	Amarekhodi Omshuwalense
	Imibiko emaqondana Nokulandelwa komthetho
	Imibiko emaqondana nokucwaningwa kwamabhuku kwangaphakathi
	Imibiko ye-PMS
IHhovisi elibhekele Ukuhlelwa Kwedolobha kanye Nezemvelo	Uhlelo Lwentuthuko Edidiyele
	Ukuhlinzekwa Kwezidingo kanye Nokuqalisa Ukusebenza Kwesabelomali
	UHlaka Lwezokuthuthukiswa Kwezindawo
	Imininingwane ye-*GIS*

4.2 Amarekhodi Atholakala Ngaphandle Kokufaka Isicelo

Lawa marekhodi alandelayo avele ayatholakala futhi akudingeki ukuba ufake isicelo esikhethekile:

AMAREKHODI EZEZIMALI	• Isabelomali se-*MTEF* • Umbiko Wonyaka • Imibiko Yokucwaningwa kwamabhuku Kwangaphandle
Ulwazi olumaqondana namathenda	• Izikhangiso Zamathenda • Imininingwane emaqondana Nemikhakha Eqokiwe kanye Nemiqulu • Izinkontileka/Izicelo Zeziphakamiso/ Izicelo zokuthola Ulwazi/ Ukukhombisa Intshisekelo • Ukushicilelwa kwababhidayo • Izinkontileka Eseziphothuliwe • Imininingwane emaqondana Namathenda Asenikezwe labo Abaphumelele Kumabhidi
Ezokuxhumana kanye Nabezindaba	• Izitatimende Ezikhishelwe Abezindaba • Izinkulumo • Izethulo • Uhlelo Lwezinsuku Zemicimbi • Okuxhunyanwa Nabo
Izishicilelo	• Imibiko Yonyaka • Uhlelo Lwentuthuko Edidiyele • Ukuhlinzekwa Kwezidingo kanye Nokuqalisa Ukusebenza Kwesabelomali
Okunye	• Izimali ezikhokhwayo maqondana Nezinsiza

	Ezihlinzekwayo • Izinqubomgomo ezimayelana Nesabelomali • Izinqubomgomo ezimaqondana nabantu Abahlwempu • Amaminithi Emihlangano yoMkhandlu • Imininingwane yamaKhansela kanye Nezinhlaka zaKomidi oMkhandlu. • Isivumelwano sokwenziwa komsebenzi kaMenenja kaMasipala kanye neziMenenja Ezinkulu ezibika ngqo kuye.

5 Inhloso yokucubungula ulwazi olumaqondana nomuntu ngqo

I-IDM icubungula ulwazi olumaqondana nomuntu ngqo ngokwalezi zizathu ezilandelayo:

i. Ukuqalisa uhlelo lokuqashwa kwabasebenzi.
ii. Ukulandela imithethonqubo efanele emaqondana nokuphathwa kwabasebenzi
iii. Ukuhlinzeka ngezidingongqangi zamanzi kanye nokuthuthwa kwendle
iv. Ukucubungula ama-akhawunti kanye nokukhokha kwamakhasimende
v. Ukungena ezinkontilekeni nabahlinzekimpahla
vi. Ukukhokhela ama- akhawunti Abahlinzekimpahla

6 Abanikazi Bolwazi kanye nemininingwane yabo

Izinhlobo Zabanikazi Bolwazi	**Ulwazi Lomuntu Ngqo Olucutshunguliwe**
Abasebenzi	Imininingwane emaqondana nabasebenzi abakhubazekile
	Imininingwane emaqondana Nempesheni kanye ne-*Provident Fund* yabasebenzi
	Izinkontileka Zabasebenzi
	Amarekhodi emininingwane yabasebenzi
	Amarekhodi Emiholo Yabasebenzi
	Amarekhodi agcinwe kumakhompyutha
	Amarekhodi Abhalwe Emabhukwini
	Amarekhodi Okuqapha
	Amarekhodi Ezempilo Nezokuphepha

	Amarekhodi Oqeqesho
	Amarekhodi Omlando Wokuqashwa
	Amarekhodi Esikhathi Sokungena Nokuphuma kanye Nokuba Khona Emsebenzini
Abafake Izicelo Zomsebenzi	Amafomu e-*Curriculum Vitae* nanye Nawokufaka Izicelo
	Ukuhlola ukuthi umuntu wake wathintekla yini ezenzweni zobugebengu phambilini
	Amakhophi Ezitifiketi Neziqu Zemfundo
	Omazisi
	Ukuqinisekiswa Kweziqu Zemfundo
Izingane	Amagama kanye Nezinombolo Zikamazisi
	Imininingwane yezikole ofunde kuzo
Izivakashi	Amarekhodi abhalwe emabhukwini okungena nokuphuma kwezivakashi
	Amarekhodi Okuqapha ukungena nokuphuma kwezivakashio aqoshwe ngemishini yobuchwepheshe besimanje

7 Labo abathola ulwazi ngendlela ehleliwe kumbe izigaba zalabo abathola ulwazi okunikezelwe ngemininingwane yabo

i. Ukuphoqelelwa Komthetho
ii. Iziphathimandla zezentela
iii. Izikhungo Zezimali
iv. Ama-Medical scheme
v. Izimali zempesheni kanye ne-provident fund yabasebenzi
vi. Omasipala Bendawo
vii. Izinhlangano eziqinisekisa okuthile
viii. Iminyango yemikhakha eyehlukahlukene

8 Ukwedluliselwa kolwazi ngendlela ehlelekile luyiswa kwamanye amazwe

I-IDM ingadlulisela imininingwane iyiyise kwelinye izwe ukuze leyo mininingwane igcinwe wuhlangothi lwesithathu; nokuyilapho imininingwane igcinwa kumakhomputha angaphandle kwe-Rephabhlikhi yaseNingizimu Afrika.

I-IDM izodlulisela imininingwane yomuntu kwamanye amazwe angaphandle kwaseNingizmu Afrika uma kuthunyelwa izimali zebhizinisi kumbe ezimweni lapho kudingeka ukuba kucutshungulwe lokho okudluliselwa kwelinye izwe, futhi izokwenza

lokho kuphela ngokuhambisana nezidingo zemithetho eshayiwe yaseNingizimu Afrika; kumbe uma umnikazi wolwazi evumelana nokwedluliselwa kweminingwane yakhe inikezwe uhlangothi lwesithathu kwelinye izwe.

I-IDM izothatha izinyathelo ukuze kuqinisekiswe ukuthi abasebenzisi baphoqwa ngumthetho, imithetho ebophezela izinhlangano noma izivumelwano ezibophezelayo ezihlinzeka ngamazinga alingene okuvikela futhi asekela imigomo efanele futhi ezisemthethweni yokucubungula imininingwane yomuntu, ngokoMthetho i-POPI.

I-IDM izothatha izinyatheko zokuqinisekisa ukuthi labo abacubungula imininingwane yabantu abasezindaweni ezingekho ngaphansi kolawulo lwaseNingzimu Afrika, basebenzisa izindlela ezifanele zokuzivikela leyo minininingwane.

9 Izindlela Zokuvikela Imininingwane emaqondana Nomuntu Ngqo

I-IDM inezindlela eziningi zokuvikela imininingwane emaqondana nomuntu ngqo ecutshungulwe yi-IDM njengeHlangothi Oluqondene ngokoMthetho i-POPI, uNo. 4 wezi-2013:

a. Izindlela zokuphepha ezibonakalayo
b. Imininingwane emaqondana noqeqesho kwezokuphepha
c. Izinqubomgomo ezimaqondana nemininingwane, yezokuphepha
d. Ukucwaningwa kwamabhuku maqondana nemininingwane yezokuphepha

10 Ukutholakala kwalo Mqulu i-PAIA

Lo mqulu ushicilelwa kuwebhusayithi kaMasipala ethi-www.ilembe.gov.za noma umuntu acele ikhophi emaHhovisi kaMasipala kanye naseHhovisini Lokuhlela Nokulondoloza Okubhaliwe elise-iLembe House, 59/61 Mahatma Ghandi Street, KwaDukuza.

Lokhu okulandelayo kuphathelene nezicelo (okungezona ezifakwe ngumuntu siqu):

i. Kudingeka lowo ocelayo akhokhe imali enqunyiwe (engama-R500) ngaphambi kokuba isicelo sicutshungulwe.
ii. Uma ukulungisa irekhodi eliceliwe kuzothatha amahora angaphezulu kwalawo abekiwe (ayisithupha), kumele kukhokwe idiphozi (engeke ibe ngaphezu kwengxenye eyisithathu semali ekhokhwayo yokuthola lolo lwazi uma isicelo sesamukeliwe).
iii. Lowo ocelayo angafaka isicelo enkantolo uma ephikisana nethenda/imali ekhokhwayo yesicelo kanye/noma idiphozi.
iv. Amarekhodi angabanjwa kuze kube izimali ezinqunyiwe sezikhokhiwe.

v. Umumo Wezimali Ezinqunyiwe uyatholakala kuwebhusayithi kaMasipala, kuleli kheli elilandelayo: www.ilembe.gov.za .

11 Izindlela Zokulungisa

UMasipala akanazo izinqubo zangaphakathi zezicelo zokwedlulisa izikhalo ezimaqondana noMthetho i-PAIA kanye ne-POPI. Ngalokho -ke, isinqumo esithathwe ngumuntu ogunyaziwe ngokusemthethweni esigabeni 2, yiso esingujuqu. Uma isicelo singamukelwanga, lowo ofake isicelo angadlulisa isikhalo eMnyangweni Wezokubuza Ngokubambisana kanye Nezindaba Zomdabu. Uma kwenzeka nabakwa-COGTA besichitha isicelo, futhi lowo ofake isicelo engenelisekile, unelungelo lokufaka isicelo enkantolo kulowo ogunyazwe ngokusemthethweni, kumbe i-*Information Regulator* ukuze athole usizo.

12 Amafomu kanye nezimali ezinqunyiwe ezikhokhwayo

Amafomu kanye nezimali ezinqunyiwe ezikhokhwayo zishicilelwe kuwebhusayithi kaMasipala kumbe, kokunye, kucelwe amakhophi Esikhulwini Esibhekele Ulwazi noma Lowo Oyisekela (bheka imininingwane yokuxhumana esigabeni 2). Amafomu kanye nezimali ezinqunyiwe zingatholakala kuwebhusayithi kaMasipala njengoba kuchaziwe lapha ngezansi:

Izimali Ezikhokhwayo Ezinqunyiwe:

FEES		COST (R/C)
1. The fee for a copy of the manual as contemplated in regulation 5(c) for every photocopy of an A4 size page or part thereof.		0.60
2. The fees for reproduction referred to in regulation 7(1) are as follows:		0.60
(a)	For every photocopy of an A4 size paper or part thereof	
(b)	For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form	0.40
(c)	For a copy in a computer readable form on -	
	(i) stiffy disc	5.00
	(ii) compact disc	40.00
(d)	(i) For a transcription of visual images, for an A4 size page or part thereof	22.00
	(ii) For a copy of visual images	60.00
(e)	(i) For a transcription of an audio record, for an A4 size or part thereof	12.00
	(ii) For a copy of an audio record	17.00
(f)	To search for and prepare the record for disclosure, R15.00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	15.00/hr
(g)	For purposes of section 22(2) of the Act, the following applies: (i) six hours as the hours to be exceeded before a deposit is payable; (ii) one third of the access fee is payable as a deposit by the requester. (h) The actual postage is payable when a copy of a record must be posted to a requester.	

13 Amatemu kanye Nezincazelo

Amatemu	Izincazelo
Ukulawula Ukufinyelela	Ukulawula ukufinyelela olwazini kuyindlela yokuvimbela ukuba kufinyelelwe emininingwaneni ebucayi. Yilabo kuphela omazisi babo asebeqinisekisiwe abangakwazi ukuba bathole imininingwane yenkampani ngokusebenzisa indlela esetshenziswayo okungenwa ngayo elawula ukufinyelela olwazini.
Ukuphendula Ngokwenziwe	Kumele lowo oqondene aqinisekise ukuthi izimo kanye nazo zonke izindlela ezibalulwe eMthethweni ezifezekisa leyo mibandela ziyalandelwa ngesikhathi sokunquma ngenhloso kanye nezindlela zokucubungula.
I-*biometrics*	Kuchaza isu lokuhlonza umuntu elincike kubunjalo bomuntu ngokwenyama, ngokusebenza izitho zomzimba kumbe indlela yokuziphatha kubandakanya uhlobo lwegazi, umnyatheliso weminwe, ukuhlaziywa kwe-DNA, i-*retinal scanning* kanye nokwaziwa kwephimbo;
Ukwephula umthetho omaqondana nokudalula	Kudingeka ukuthi uMasipala azise umlawuli kanye/noma abagilwa ngezigameko ezithinta ubumfihlo kanye nokuvikeleka kwemininingwane emaqondana nomuntu ngqo

Ukuzifikela Nowakho umshini (BYOD)	Kushiwo ukwanda kwezindlela lapho abasebenzi besebenzisa imishini yabo yezobuchwepheshe ukuba baxhume kwezobuchwepheshe basezinkampanini zabo ukuze bathola izinhlelo ezimayelana noUNk.ebenzi futhi okungenzeke bathole imininingwane ebucayi noma eyimfihlo. Imishini yabo yezobuchwepheshe ingabandakanya ama-*smartphones,* amakhompyutha abo, ama-*tablet*, noma ama- *USB drive*.
I-*Cloud Computing*	I-*Cloud computing* iwuhlelo lwekhompyutha olukhona oludingeka kakhulu, ikakhulukazi ekugcineni imininingwane futhi inikeza ikhompyutha amandla, ngale kokuba ilawulwe ngqo yilowo oyisebenzisayo.
Inqubo Yokuziphatha	Kushiwo inqubo yokuziphatha ekhishwe ngokweSahluka 7 se-*POPIA*
Ukuba nemfihlo	Ukugcina imininingwane yomuntu noma yenkampani yakho iyimfihlo. Umthetho ulindele ukuba eminye imikhakha yomsebenzi iyigcine iyimfihlo imininingwane eyithola emakhasimendeni kumbe ezigulini, ngale kokuyidalula, noma ngabe kuphoqelelwa ngumthetho, ngaphandle uma kungenxa yezizathu ezithile.
Imvume	Kushiwo nanoma iyiphi indlela yokukhuluma ngokuzithandela, ngendlela ethile futhi ekhombisa ukuba nolwazi lokuba nesifiso ngokunikezwa imvume yokucubungula imininingwane emaqondana nomuntu ngqo
Ukwedluliselwa kwemininingwane kwelinye izwe	Kushiwo ukudluliswa kwemininingwane emaqondana nomuntu iyiswe kwelinye izwe.
I-*Cyber Security*	I-*Cyber security* yisimo noma inqubo yokuvikela kanye nokuthola ukuxhumana, imishini yezobuchwepheshe kanye nezinhlelo ezivela kunanoma yiluphi uhlobo lwe-*cyber attack*.
Ukwenza Imininingwane Ingaziwa Ukuthi Ngekabani	Uhlobo lokususwa kwemininingwane ebucayi onhloso yakho ukuvikela ubumfihlo. Kuyinqubo yokususa imininingwane ebonakalayo ukuthi ngekabani lapho kugcinwe khona imininingwane, ukuze labo bantu abachazwayo kuleyo minininingwane bangaziwa ukuthi bangobani
Ukwephula umthetho omaqondana nemininingwane	Ukwephula umthetho omaqondana nemininingwane kuyisimo lapho kuntshontshwa khona imininingwane noma ithathwe ekhompyutheni ngale kolwazi noma ukugunyazwa ngumnikazi wekhompyutha
Umlawuli Wemininingwane	Omuntu we-*GDPR* okunguye noma osemthethweni, isikhulu sikahulumeni, inhlangano kumbe omunye umgwamanda, okuzokuthi wodwa noma ubambisane nabantu, uthathe isinqumo ngenhloso nendlela yokucubungula imininingwane yomuntu ngqo.

Umcubunguli Wemininingwane	Omuntu we-*GDPR* okunguye noma osemthethweni, isikhulu sikahulumeni, inhlangano kumbe omunye umgwamanda ocubungula imininingwane yomuntu egameni lalowo olawulayo
Umnikazi Wolwazi	Kushiwo umuntu okunguyena ongumnikazi wolwazi.
Ukubamba Iqhaza Komnikazi Wolwazi	Labo abanganikazi bolwazi bangacela ukuthi imininingwane emaqondana nabo ngqo ukuba igcinwe, iphinde futhi ilungiswe kanye/noma icishwe.
Ukususa Imininingwane yomuntu	maqondana nemimininingwane yomuntu ngqo yomnikazi wolwazi, kuchaza ukususa nanoma yimiphi imininingwane— a) ehlonza umnikazi wolwazi; b) engasetshenziswa kumbe isetshenziswe ngendlela ezobonakala iyinkohliso ukuze kuhlonzwe umnikazi wolwazi; kumbe c) oluhlanganiswa nezindlela ezifanele ezibonakalayo kweminye imininingwane ehlonza umnikazi wolwazi, kanti futhi d) ‘‘ukususa imininingwane yomuntu’’ kunencazelo ehambisanayo
Ukudalula	Isinyathelo sokwenza imininingwane emisha noma eyimfihlo yaziwe.
Umtapo Wolwazi Ogcina Imiqulu	Uhlobo lomtapo wolwazi okhethekile, olusetshenziselwa ukugcina amafayela afanelekile noma imiqulu ehlangene nama-*meta data* ayo.
Izivimbelo Zokuqhubeka Nokucubungula	Imininingwane emaqondana nomuntu ngqo ingacutshungulelwa izizathu ezifika kamuva ngaphandle uma lokhu kucubungula kufana nenjongo yasekuqaleni.
I-GDPR	Umthethonqubo wokuvikelwa kolwazi obizwa nge-*General Data Protection Regulation*. Umthethonqubo omaqondana nobumfihlo obizwa nge-*European Union Privacy Regulation*
Isikhulu esibhekele Ulwazi	Maqondana – a) nesikhungo sikahulumeni kushiwo Isikhulu esibhekele Ulwazi kumbe Isekela Lesikhulu esibhekele Ulwazi njengoba kushiwo esigabeni 1 noma 17; kumbe b) isikhungo esizimele kushiwo inhloko yesikhungo esizimele njengoba kushiwo esigabeni 1, soMthetho Okhuthaza Ukufinyelela Olwazini
Ukulawulwa kwamarekhodi asendaweni ethile	Lokhu ukulawulwa kwamarekhodi okukhethekile kusetshenziswa uma umbhalo ushiywe endaweni ohlala kuyo, kodwa uthathwa njengerekhodi elingeke lisalungiswa umbhalo. Ngamanye amazwi, irekhodi angeke lisaguqulwa.
Izingabunjalo Lolwazi	Kumele lowo othintekayo athathe izinyathelo ezifanele ukuze aqinisekise ukuthi imininingwane emaqondana nomuntu eqoqiwe iphelele, iyiqiniso, ayidukisi futhi iphelelisiwe lapho kunesidingo khona.

Ukulandelela Indawo	Ukulandelela indawo kushiwo ezobuchwepheshe ezithola into qobo bese irekhoda ekhompyutheni bese ilandelela ukuhamba komuntu noma izimpahla. Ezobuchwepheshe ezilandelela indawo zisebenzisa i-*GPS navigation* nsuku zonke, izindawo ezitholakele ngezithombe ngokusebenzisa izinombolo kanye nokufuna amabhizinisi aseduze ngokusebenzisa ama-*app* ajwayelekile.
I-*Metadata* (Amakholomu)	I-*Metadata* isetshenziselwa ukuchaza okuqukethwe kanye namafayela agcinwe futhi alawulwa nge-*SharePoint site*. Uma ihlelwe kahle, i-*metadata* ingasetshenziselwa ukuba iqondise kahle, ukuhamba komsebenzi kanye nokulawula okuqukethwe. Ku-*SharePoint*, kusetshenziswa amakholomu ukwengeza kanye nokulawula i-*metadata*.
Ikhompyutha Ephathwayo	Ikhompyutha ephathwayo yikhompyutha encane ngokwanele ukuba ungayibamba futhi uyisebenzise uyiphethe ngesandla. Uhlobo lwananoma iyiphi ikhompyutha ephathwa ngesandla izokuba ne-*LCD* noma i- *OLED* nengaphambili eliyisicaba, okwazi ukuyisebenzisa ngokuba uthinte ngomunwe kanye ne-*keyboard* noma izinkinobho ezichofozwayo ezihambisana ne-*keyboard.* Imishini eminingi efana naleyo ingaxhunywa ku-inthanethi futhi ixhunywe kanye neminye imishini njengeradiyo yemoto noma ama- *headset* ngokusebenzisa i- *Wi-Fi*, *Bluetooth*, uhleloxhumano lweselula kumbe i-*near field communication* (i-*NFC*).
Ukuqinisekiswa Kwezinto Eziningi i-*Multi-factor authentification (MFA*)	Ukuqinisekiswa kwezinto eziningi yindlela yokuqinisekisa esebenza ngogesi lapho lowo osebenzisa ikhompyutha ekwazi ukunikezwa imvume yokufinyelela kuwebhusayithi noma ukuyisebenzisa kuphela uma ephumelele ekwethula ubufakazi obubili kumbe ngaphezulu bendlela eqinisekisiwe: ulwazi, into onayo kanye nokuthola imvelaphi
Ukuhlahla Indlela	Ukuhlahla indlela kusiza umsebenzisi ukuba afunde ngamafuphi isiza bese ethola ulwazi. Zimbili izinhlobo zokuhlahla indlela ku-*SharePoint*: • Ukuhlahla indlela kwamanje (okubuye kubizwe ngokuthi yi-*Quick Launch*), okusetshenziselwa ukuhlahla indlela kulokho okuqukethwe esakhiweni. • Ukuhlahla indlela okusezingeni eliphezulu (okubuye kubizwe ngokuthi ukuhlahla indlela komhlaba wonke noma i-*navigation bar*), esetshenziselwa ukuhlahla indlela phakathi neziza.
Ukuvuleleka	Umnikazi wolwazi oluqoqwayo kumele aziswe ukuthi kuqoqwa imininingwane yakhe nokuthi futhi izosetshenziselwani.
Lowo owenza umsebenzi wokucubungula	Umuntu osebenzisa i-*POPIA* (kumbe Isikhungo) ocubungula ulwazi lomuntu ngqo egameni lohlangothi oluthintekayo ngokwenkontileka kumbe igunya, ngale kokugunyazwa ngqo yilolo hlangothi oluthintekayo.

Umuntu	Kushiwo umuntu ngokwemvelo noma inkampani emela umuntu ngokomthetho i-*juristic person*.
Ulwazi olumaqondana nomuntu ngqo	Kushiwo ulwazi oluphathelene nomuntu ongahlonzeka, ophilayo, umuntu ngokwemvelo, inkampani emela umuntu ngokomthetho ekhona njengamanje, kubandakanya, kodwa kungashiywa ngaphandle— a) imininingwane ephathelene nobuhlanga, ubulili, ubuzwe noma imvelaphi yomuntu, ulimi, iminyaka yobudala ukukhubazeka; b) imininingwane ephathelene nezemfundo kumbe umlando womuntu omaqondana nezempilo noma ezezimali; c) nanoma iyiphi inombolo ehlonziwe, uphawu, ikheli le-imeyili, ikheli lendawo, inombolo yocingo, imininingwane emaqondana nendawo, isihlonzi esiku-inthanethi kumbe okunye okwabelwe umuntu; d) imininingwane emaqondana nomuntu ebizwa nge-*biometric*; e) umbono womuntu, imibono kumbe lokho okukhethwa ngumuntu; f) izincwadi ezibhaliwe ezithunyelwe ngumuntu okuqondiwe kumbe okucacisiwe ukuthi kufihliwe noma kuyimfihlo kumbe ezinye izincwadi ezibhaliwe ezizoveza okuqukethwe yileyo ncwadi yokuqala ebhaliwe; g) iziphakamiso noma imibono yomunye umuntu emaqondana nomuntu; kanye h) negama lomuntu uma livela kweminye imininingwane ehlobene nomuntu kumbe uma ukudalulwa kwegama uqobo kuzoveza imininingwane emaqondana nomuntu.
I-*POPIA*	UMthetho Wokuvikela Imininingwane Yomuntu. Umthetho wezobumfihlo i-*South African Privacy law*
Ubumfihlo	Ubumfihlo ukukwazi ukukhiphela eceleni imininingwane yomuntu noma yeqembu kumbe imininingwane emaqondana nabo futhi ngaleyo ndlela baziveze ngendlela ehlukile. Uma kukhona okuyimfihlo okumaqondana nomuntu, kuvamise ukusho ukuthi kukhona okukhethekile ngalowo muntu noma okulumelayo kulowo muntu
Ubumfihlo Ngokwakheka i-*Privacy by Design*	Kushiwo ubumfihlo obumaqondana nomfanekiso ngokwakheka kwebhilidi, ukusebenza kanye nokuphathwa okumaqondana nalolo hlelo, inqubo yebhizinisi, kumbe incasiselomcikilisho yesifanekiso; kususelwa ekulandeleni Imigomo Yobumfihlo Eyisisekelo eyisikhombisa (7) emaqondana Nobumfihlo Ngokwakheka i-*Privacy by Design*
Isikhungo Esizimele	a) Umuntu ngokwemvelo ohwebayo kumbe oseke waqhuba nanoma yiluphi uhwebo, ibhizinisi noma umsebenzi awufundele, kodwa kuleso sikhundla kuphela. b) Umfelandawonye ohwebayo noma osuke waqhuba nanoma yiluphi uhwebo, ibhizinisi noma umsebenzi ofundelwe; kumbe

	c) Nanoma iyiphi inkampani i-*juristic person* eseyake yamela umuntu kumbe emele umuntu njengamanje.
Ukucubungula	Nanoma yimuphi umsebenzi noma okwenziwayo kumbe nanoma yikuphi okuhlelwe ukuba kwenziwe, noma ngabe kwenziwa kungacatshangangwa noma kucatshangiwe, maqondana nolwazi lomuntu ngqo, kubandakanya— a) Ukuqoqa, ukwamukela, ukurekhoda, ukuhlela, ukuhlanganisa, ukugcina, ukuqedela noma ukulungisa, ukubuyisa, ukuguqula, ukuxhumana kumbe ukusebenzisa; b) Ukusabalalisa ngokuthumela noma ukwenza kutholakale ngananoma iyiphi enye indlela; noma c) Ukuhlanganisa, ukuxhumanisa ngokunjalo nokuvimbela, ukucozulula, ukwesula noma ukucekelwa phansi kolwazi.
Izivimbelo Ekucutshungulweni Kolwazi	a) Ulwazi lomuntu ngqo lungacutshungulwa kuphela ngendlela efanele nesemthethweni futhi kuphela ngemvume yomnikazi wolwazi.
Isikhungo sikaHulumeni	b) nanoma yimuphi umnyango kahulumeni kumbe abaphathi bomkhakha kahulumeni kuzwelonke noma esifundazweni kumbe nanoma yimuphi umasipala wendawo; kumbe c) nanoma yiluphi olunye uphiko kumbe isikhungo uma i. sisebenzisa amandla noma senza umsebenzi ngokoMthethosisekelo kumbe umthethosisekelo wesifundazwe; noma ii. sisebenzisa amandla kahulumeni kumbe senza umsebenzi kahulumeni ngokwananoma yimuphi umthetho oshayiwe.
Ngokwenhloso ethile	Ulwazi lomuntu ngqo lungacutshungulwa kuphela ngezizathu ezithile, ezichazwe ngokucacile futhi ezisemthethweni.
Irekhodi	Kushiwo nanoma yiluphi ulwazi olurekhodiwe— a) kungakhathalekile ukuthi lurekhodwe ngayiphi indlela noma ngani, kubandakanya nanoma yikuphi kulokhu okulandelayo: i. ukubhala kunanoma iyiphi into; ii. ulwazi olukhiqizwe, lwarekhodwa noma lwagcinwa kunanoma iyiphi i-*tape-recorder*, ikhompyutha, okungaba yi-*hardware* noma i-*software* kumbe kokubili, noma omunye umshini kanye nanoma iyiphi enye into egcine itholakale olwazini olutholakale kanjalo, lwarekhodwa kumbe lwagcinwa; iii. umfanekiso, uphawu kumbe okunye okubhaliwe okuhlonza noma okuchaza nanoma yini eyingxenye yayo, kumbe ehlanganiswe nayo nganananoma iyiphi indlela; iv. incwadi, ibalazwe, igrafu noma umdwebo;

	v. isithombe, ifilimu, i-*negative, i-tape* kumbe omunye umshini okuhlanganiswe kuwo isithombe esisodwa noma eziningi ukuze kukwazi ukuthi kuphinde kukhiqizwe, ngokusizwa noma ngaphandle kokusizwa ngeminye imishini; b) olugcinwe noma olulawulwa yilowo ogunyaziwe; c) kungakhathalekile ukuthi ngabe lukhiqizwe yilowo ogunyaziwe noma cha; futhi d) kungakhathazeleki ukuthi lubekhona nini;
Isikhungo samarekhodi	Isikhungo samarekhodi sakhiwe ngokusebenzisa umfanekiso wesiza futhi sinezinto ezakhelwe kuso (okuwuhlobo lwesikhungo, ukucwaningwa kwamabhuku, ukuphathwa kwe-*metadata* kanye ne-*record routing*) ukuze kulawulwe inqubo yokuphathwa kwamarekhodi. Isikhungo samarekhodi siyingxenye ezimele ye-*SharePoint site*.
Ukuhlonza kabusha	maqondana nolwazi lomuntu ngqo ongumnikazi wolwzi, kusho ukuvuselela nanoma yiluphi ulwazi oluhlonzwe kabusha— a) oluhlonza umnikazi wolwazi; b) olungasetshenziswa noma lusetshenziswe ngendlela ebonakala ifanele ukuze kuhlonzwe umnikazi wolwazi; noma c) olungalumbaniswa nolunye ulwazi oluhlonza umnikazi wolwazi, kanti ‘‘ukuhlonza kabusha ’’ kunencazelo efanayo
Uhlangothi Oluqondene	Isikhungo sikahulumeni esibhekele ukusebenza kwe-*POPIA* noma isikhungo esizimele kumbe nanoma yimuphi omunye umuntu ngubani othatha izinqumo maqondana nenhloso kanye nendlela yokucutshungulwa kolwazi lomuntu ngqo.
Isivimbelo	Kuchaza ukuvimbela ukutshalaliswa kolwazi, ukusebenzisa noma ukushicilela nanoma yiluphi ulwazi lomuntu ngqo oluyingxenye yohlelo lokufayela, kodwa kungasuswa noma kucekelwe phansi lolo lwazi
Ocelayo	maqondana- a) nesikhungo sikahulumeni, kushiwo- i. nanoma ngubani (ngaphandle kwesikhungo sikahulumeni noma waso) ofaka ii. isicelo sokufinyelela kumarekhodi aleso sikhungo sikahulumeni; noma iii. umuntu obambele umuntu okukhulunywa ngaye endimaneni engenhla; b) isikhungo esizimele, kushiwo- i. nanoma ngubani, kubandakanya, kodwa kungashiwo kuphela, isikhungo sikahulumeni kumbe osebenza kuso,

	ii. ukufaka isicelo sokufinyelela kumarekhodi aleso sikhungo esizimele; noma iii. umuntu omele umuntu okukhulunywa ngaye endimaneni engenhla;
Ilungelo Lokuthi Kususwe Imininingwane Yomuntu Ilitshalwe (I-*RTBF*)	Ilungelo lokuthi imininingwaneyomuntu ngqo isuswe, ikakhulukazi esizindenilwazi somhlaba jikelele. Umthetho waseNingizimu awcacisi ngokusobala ngelungelo lokuthi kukhohlwe ngolwazi lomuntu
Ezokuphepha	Izinhlelo zezokuvikela zilawula ukuthi ngubani ongangena ezakhiweni, yikuphi okuqukethwe abangakubona nokuthi bangenze njani ngalokho okuqukethwe. Ezokuvikela zingahlelwa esizeni, ezingxenyeni zezizindalwazi, kumafayeli okugcina izincwadi kanye nasezincwadini/ezingxenyeni ezithile. Labo abayisebenzisayo kufanele bafakwe emaqenjini ezokuphepha futhi imvume kufanele inikezwe iqembu labantu, inganikezwa umuntu oyedwa.
Izinyathelo Zezokuphepha	Ulwazi lomuntu ngqo kumele lugcinwe luvikelekile ukuze lungalahleki, kungafinyeleleki ngokungemthetho kulona, kungabi lula ukuxambukela kulona, lungaguqulwa, lungacekelwa phansi futhi lungadalulwa ngokungagunyaziwe.
UMthetho	kushiwo uMthetho Okhuthaza Ukufinyelela Olwazini uNo. 2 wezi-2000
Uhlangothi Lwesithathu	kushiwo nanoma ngubani ongumuntu ngokwemvelo noma inkampani emela umuntu (i-*juristic person*) okungeyena Ocelayo, uhlangothi olufaka isicelo egameni lalowo Ocelayo
Imibukiso	Imibukiso ilawula ukuthi yiluphi ulwazi olukhonjiswa ohlwini kanye nasemitapweni yolwazi, kodwa ingasetshenziswa ngokugcwele uma i-*metadata* ihlelwe kahle futhi yasetshenziswa. Imibukiso iyona eqagula ukuthi yimaphi amakholomu akhonjiswayo, ulwazi luhlelwa kanjani, ludidiyelwa kanjani nokuthi luhluzwa kanjani. Kungenzeka ukuthi kwenziwe imibukiso eminingi yolwazi olufanayo ngezindlela ezahlukene, kuye ngokuthi ihluzwe kanjani, yalungiswa futhi yahlelwa kanjani. Umbukiso womphakathi uvueleleke kuwo wonke umuntu osesizeni, kanti – ke umbukiso wangasese wona uvuleleke kuphela kumuntu okunguyena owuhlelile.

IFomu A- Isicelo sokuthola imininingwane