

## IFOM 5 – UKUFAKA ISIKHALAZO

[Isimiso se-10.]

<p><i>Qaphela:</i></p>
<p>1. Leli fomu liklanyelwe ukusiza uMfakisicelo (ozobizwa kamuva ngokuthi “uMfakisikhazo”) ekuceleni ukubuyekezwa kwempendulo yenhlangano yomphakathi noma ezimele noma ukungaphenduli esicelweni sokufinyeleleka kumarekhodi ngokoMthetho Wokukhuthaza Ukufinyeleleka Kolwazi wonyaka we-2000 (uMthetho wesi-2 wonyaka we-2000) (i-“PAIA”).</p> <p>Sicela ugqwalise leli fomu bese ulithumela kuMlawuli Wolwazi noma ugqwalise ifomu lesikhalazo nge-inthanethi elitholakala ku- <a href="https://www.justice.gov.za/infoereg/">https://www.justice.gov.za/infoereg/</a>.</p>
<p>2. I-PAIA inika ilungu lomphakathi ilungelo lokufaka isikhalazo kuMlawuli Wolwazi mayelana nanoma yiluphi uhlobo lwezikhalazo oluchazwe engxenyeni E yaleli fomu lesikhalazo.</p>
<p>3. Kuyinqubomgomo yoMlawuli Wolwazi ukuhlehlisa uphenyo noma ukwenqaba isikhalazo uma uMfakisikhazo engakanikezi inhlango yomphakathi noma ezimele (lapha ngemuva ebizwa ngokuthi “iNhlango”) ithuba lokuphendula nokuzama ukuxazulula udaba. Ukuze usize iNhlango ibhekane nokukhathazayo ngaphambi kokuya kuMlawuli Wolwazi, kudingeka ukuthi ugqwalise ifomu elinqunyiwe le-PAIA bese ulithumela eNhlango.</p>
<p>4. Ikhophi yaleli fomu izonikezwa iNhlango eyisihloko sesikhalazo sakho. Ulwazi olunikezayo kuleli fomu, olufakwe kuleli fomu noma ozolinikeza kamuva, luzosetshenziswa kuphela ukuzama ukuxazulula ingxabano yakho, ngaphandle uma kuboniswe ngenye indlela lapha.</p>
<p>5. Umlawuli Wolwazi akezu kwamukela kuphela isikhalazo sakho uma usuqinisekile ukuthi uthobele lezi zidingo ezingezansi.</p>
<p>6. Sicela unamathisele amakhophi emibhalo elandelayo, uma unawo:</p>

- Ikhophi yefomu eya eNhlanganweni ecela ukufinyeleleka kumarekhodi;
- Impendulo yeNhlango esikhalazweni sakho noma esicelweni sokufinyeleleka;
- Nanoma yikuphi okunye ukuxhumana okuphakathi kwakho neNhlango mayelana nesicelo sakho;
- Ikhophi yefomu lesikhalazo, uma ukuthobela kwakho umthetho kuhlobene nenhlango yomphakathi;
- Impendulo yeNhlango yesicelo sakho;
- Nanoma yikuphi okunye ukuxhumana okuphakathi kwakho neNhlango mayelana nesikhalazo sakho;
- Umbhalo ogunyaza ukuthi wenzela omunye umuntu (uma kufanele);
- Isinqumo senkantolo noma imibhalo yasekantolo ehambisana nesikhalazo sakho, uma ikhona.

7. Uma isikhala esihlinzekwe kuleli Fomu singenele, thumela imininingwane njengesixhumelo saleli fomu futhi usayinde ikhasi ngalinye.

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**AMANDLA OMUNTU/ENGXENYE EFAKA ISIKHALAZO**

(Faka uphawu u- "X")

UMfakisicalazo nguye uqobo

Omele umfakisikhalazo

Ingxenye yesithathu

**OKUDINGEKAYO**

Ingabe usifakile isicelo (ifomu le-PAIA) sokufinyeleleka kwirekhodi lenhlangano yomphakathi/ezimele?	Yebo	Cha
Ingabe izinsuku ezingama-30 seziphelile kusukela ngosuku owathumela ngalo ifomu lakho le-PAIA?	Yebo	Cha
Ingabe uye wasebenzisa yonke inqubo yangaphakathi yesikhalazo ngokumelene nesinqumo seSikhulu Esinolwazi senhlangano yomphakathi?	Yebo	Cha
Ingabe ususifakile isicelo eNkantolo ukuze uthole usizo olufanele mayelana nalolu daba?	Yebo	Cha

LE NGXENYE ISETSHENZISWA NGUMLAWULI WOLWAZI KUPHELA			
Sitholwe ngu-: (Amagama aphelele)			
Isikhundla:			
Signature:			
Isikhalazo samukelwe:	Yebo		Cha
Inombolo Yereferensi:			
<i>Isitembu sosuku</i>			

Ikheli leposi	Ifeksimile:	Okunye ukuxhumana nge- elekhthronikhi (Sicela uyicacise)

<b>INGXENYE A</b> <b>ULWAZI LOBUNTU SIQU LOMFAKISIKHALAZO</b>				
Amagama aphelele:				
Inombolo kamazisi:				
Ikheli Leposi:				
Ikheli Lomgwaqo:				
Ikheli Le-imeyili:				
Izinombolo zokuxhumana:	Ucingo: (B):		Ifeksimile:	
	Iselula			
<b>INGXENYE B</b> <b>ULWAZI LOMMELELI</b> (Gcwalisa le ngxenye kuphela uma uzomelwa. Amandla Obumeli afanele afakwe uma umfakisikhalazo emelwe, uma kungenjalo isikhalazo siyonqatshwa)				
Amagama aphelele oqokelwe ukumela omunye:				
Uhlobo lokumelwa				
Inombolo kamazisi/Inombolo yokubhalisa:				
Ikheli Leposi:				
Ikheli Lomgwaqo:				
Ikheli Le-imeyili:				
Izinombolo zokuxhumana:	Ucingo: (B):		Ifeksimile:	
	Iselula			
<b>INGXENYE C</b> <b>IMININGWANE YENGXENYE YESITHATHU</b> (sicela ufake incwadi egunyazayo)				
Uhlobo lwenhlanho:	Eyangasese		Ekahulumeni	
Igama lenhlangano kahulumeni/yangasese:				
Inombolo yokubhalisa uma ikhona):				
Igama, isibongo nesibizo somuntu ogunyazwe ukuba afake isikhalazo:				
Ikheli Leposi:				
Ikheli Lomgwaqo:				
Ikheli Le-imeyili:				

Izinombolo zokuxhumana:	Ucingo: (B):		Ifeksimile:	
	Iselula			
<b>INGXENYE D INHLANGANO ELISWAYO EFAKELWE ISIKHALAZO</b>				
Uhlobo lwenhlanno:	Eyangasese		Ekahulumeni	
Igama lenhlangano kahulumeni/yangasese:				
Inombolo yokubhalisa uma ikhona):				
Igama, isibongo kanye nesibizo somuntu osebenzizane naye enhlanganweni kahulumeni noma ezimele ukuzama ukuxazulula isikhalazo sakho noma isicelo sakho sokufinyeleleka kolwazi:				
Ikheli Leposi:				
Ikheli Lomgwaqo:				
Ikheli Le-imeyili:				
Izinombolo zokuxhumana:	Ucingo: (B):		Ifeksimile:	
	Iselula			
Inombolo yereferensi (uma ikhona):				
<b>INGXENYE E ISIKHALAZO</b>				
<i>Sitshela ngezinyathelo ozithathile ukuzama ukuxazulula isikhalazo sakho (Izikhhalazo zifanele ziqale zithunyelwe ngqo enhlanganweni kahulumeni ukuze ziphenduleke futhi zixazululwe; kukhona okuhlukile okulinganiselwe)</i>				
Usuku isicelo sokufinyeleleka kumarekhodi esithunyelwe ngalo:				
Sicela ucacise uhlobo lwe(lama)lungelo okufanele li(a)setshenziswe noma li(a)vikelwe, uma ukuthobela umthetho kuphikisana nenhlangano yangasese:				

Uke wazama ukuxazulula lolu daba nenhlangano?	Yebo		Cha
Uma kunjalo, uluthole nini? (Sicela unamathisele incwadi kulesi sicelo.)			
Ingabe usidlulisele phambili isicelo ngesinqumo somgcinilwazi wenhlangano kahulumeni?	Yebo		Cha
Uma kungenjalo, usifake nini isikhalazo?			
Ingabe ususifakile isicelo eNkantolo ukuze uthole usizo olufanele mayelana nalolu daba?	Yebo		Cha
Uma kunjalo, sicela usho ukuthi udaba lwahlulelwa nini yiNkantolo? Sicela unamathisele uMyalelo Wenkantolo, uma ukhona.			
<b>INGXENYE F</b> <b>UKUCHAZWA KOHLOBO LOKUFINYELELEKA KUMAREKHODI</b> (Sicela ukhethe okukodwa noma ngaphezulu kokulandelayo ukuze uchaze isikhalazo sakho kuMlawuli Wolwazi)			
Isikhalazo esingaphumelelanga: (Isahluko sama-77A(2) (a) noma isahluko sama-77A(3)(a) se-PAIA)	<i>Ngifake isikhalazo ngesinqumo senhlangano yomphakathi futhi ukukhalazo asiphumelelanga.</i>		
Isicelo esingaphumelelanga sokuxolelwa: (Isahluko sama-77A(2)(b) kanye nesama-75 (2) ze-PAIA)	<i>Ngifake isikhalazo sami sokuphikisa isinqumo senhlangano yomphakathi emuva kwesikhathi futhi ngafaka isicelo sokuxolelwa. Isicelo sokuxolelwa sachithwa.</i>		
Ukwenqatshwa kwesicelo sokufinyeleleka: (Isahluko sama-77A(2)(c)(i) noma sama-77A(2)(d)(i) noma sama-77A(3)(b) se-PAIA)	<i>Ngicele ukufinyeleleka kolwazi olugcinwe inhlangano futhi lesi sicelo sanqatshwa noma sanqatshwa kancane.</i>		
Inhlangano idinga ukuthi ngikhokhe imali futhi nginomuzwa wokuthi iningi kakhulu: (Isahluko sama-22 noma sama-54 ze-PAIA)	<i>Ithenda noma ukukhokhwa kwemali emisiwe.</i>		
	<i>Ithenda noma ukukhokhwa kwediphozithi.</i>		
Ukukhokhwa kwediphozithi: (Isahluko sama-22(4) se-PAIA).	<i>UMgcinilwazi unqabile ukukhokhwa kabusha kwediphozithi ekhokhwe mayelana nesicelo sokufinyeleleka esinqatshiwe.</i>		
Ukungavumelani nokwelulwa kwesikhathi: (Isahluko sama-26 noma sama-57 se-PAIA)	<i>Inhlangano inqume ukwelula umkhawulo wesikhathi sokuphendula isicelo sami, futhi angivumelani nokwelulwa komkhawulo okuceliwe noma ukwelulwa kwesikhathi esithathiwe ukuphendula isicelo sami sokufinyeleleka.</i>		
Indlela yokufinyeleleka inqatshiwe: (Isahluko sama-29(3) noma sama-60(a) se-PAIA)	<i>Ngicele ukufinyeleleka ngendlela ethile nefanele futhi lolu hlobo lokufinyelela lwanqatshwa.</i>		
Ukunqatshelwa okubhekiwe: (Isahluko sama-27 noma sama-58 se-PAIA)	<i>Sekudlule izinsuku ezingaphezu kwezingama-30 ngenze isicelo sami futhi angikasitholi isinqumo.</i>		

	<i>Ukwelulwa kwesikhathi kuphelelwe yisikhathi futhi akukho mpendulo etholiwe.</i>	
Ukudalulwa okungafanele kwerekhodi: (Izizathu eziyisibopho zokwenqatshwa kokufinyeleleka kwirekhodi)	<i>Amarekhodi (anezizathu zokwenqatshelwa ukufinyeleleka) adalulwe ngokungafanele/okungacabangeli.</i>	
Azikhho izizathu ezanele zokwenqatshwa kokufinyeleleka: (Isahluko sama-56(3)(a) se-PAIA)	<i>Isicelo sami sokufinyeleleka senqatshiwe, futhi azikhho izizathu ezizwakalayo noma ezanele zokwenqatshelwa, ezanikezwayo, kubandakanya nemibandela yalo Mthetho obekuthenjelwe kuyo ukuze kwenqatshwe.</i>	
Ukufinyeleleka okuncane kwirekhodi: (Isahluko sama-28(2) noma sama-59(2) se-PAIA)	<i>Ukufinyeleleka kwingxenye kuphela yamarekhodi aceliwe kwavunywa futhi ngikholelwa ukuthi maningi amarekhodi obekufanele adalulwe.</i>	
Ukuyekwa kwenkokhelo: (Isahluko sama-22(8) noma sama-54(8) se-PAIA)	<i>Ngikhululiwe ekukhokheni nanoma iyiphi imali futhi isicelo sami sokuhoxisa izimali sanqatshiwe.</i>	
Amarekhodi angatholakali noma angekho: (Isahluko sama-23 noma sama-55 se-PAIA)	<i>Inhlangano iveze ukuthi amanye noma wonke amarekhodi aceliwe awekho futhi ngikholwa ukuthi amanye amarekhodi akhona.</i>	
Ukuhluleka ukudalula amarekhodi:	<i>Inhlangano inqume ukunginika ukufinyeleleka kumarekhodi aceliwe, kodwa angikakawatholi.</i>	
Awekho amandla (ukusetshenziswa noma ukuvikela nanoma imaphi amalungelo): (Isahluko sama-50(1)(a) se-PAIA)	<i>Inhlangano iveze ukuthi amarekhodi aceliwe awabandakanyiwe kwi-PAIA futhi angivumi.</i>	
Isicelo esingenangqondo noma esicasulayo: (Isahluko sama-45 se-PAIA)	<i>Inhlangano ibonise ukuthi isicelo sami siwubuwula ngokusobala noma siyakhathaza futhi angivumi.</i>	
Okunye: (Sicela uchaze):		
<b>INGXENYE G</b>		
<b>UMPHUMELA OLINDELEKILE</b>		
Ucabanga ukuthi uMlamuli Wolwazi angakusiza kanjani? Chaza umphumela noma isiphetho osifunayo.		

**INGXENYE H  
IZIVUMELWANO**

**Isisekelo ngokomthetho sezivumelwano ezilandelayo sichazwe kwiSaziso Sobumfihlo sendlela yokufaka umbhalo wesikhalazo sakho. Ukuze uMlawuli Wolwazi acubungule isikhalazo sakho, udinga ukuhlola elinye nelinye lamabhokisi okuhlola ngezansi ukuze ubonise isivumelwano sakho:**

- Ngiyavuma ukuthi uMlawuli Wolwazi angasebenzisa ulwazi oluhlinzekwe esikhalazweni sami ukuze asisize ekucwaningeni imidanti ephathelene nokukhuthazwa kwelungelo lokufinyeleleka kolwazi kanye nokuvikelwa kwelungelo lobumfihlo eNingizimu Afrika. Nginyaqonda ukuthi uMlawuli Wolwazi angeke afake imininingwane yami yobuntu siqu noma olunye olungihlonzayo kunoma yimuphi umbiko womphakathi, nokuthi umininingwane wami wobuntu siqu usavikelwa uMthetho Wokuvikela Ulwazi Lobuntu Siqu, 2013 (uMthetho wesi-4 wonyaka we-2013). Nginyaqonda ukuthi uma ngingavumi, uMlawuli Wolwazi usazocubungula isikhalazo sami.*
- Imininingwane ekukuleli Fomu Lokukhalazo luyiqiniso ngokwazi kwami konke kanye nezinkolelo zami.*
- Ngigunyaza uMlawuli Wolwazi ukuthi aqoqe imininingwane yesikhalazo sami (njengolwazi olumayelana nami kuleli fomu lesikhalazo) futhi alusebenzise ukucubungula isikhalazo sami samalungelo esiNtu ahlobene nelungelo lokufinyeleleka kolwazi kanye/noma nokuvikelwa kwelungelo lobumfihlo.*
- Ngigunyaza nanoma ubani (njengomqashi, umhlinzeki wezinsizo, ufakazi) onolwazi oludingekayo ukuze kucutshungulwe isikhalazo sami ukuze abelane ngaso noMlawuli Wolwazi. Umlawuli Wolwazi angathola lolu lwazi ngokukhuluma nofakazi noma ngokucela amarekhodi abhaliwe. Kuye ngohlobo lwesikhalazo, lawa marekhodi angahle abandakanye amafayela ezisebenzi noma idatha yomqashi, amarekhodi okwelashwa noma asesibhedlela, kanye nolwazi lwezezimali noma lomkhokhintela.*
- Uma nanoma yiluphi ulwazi lwami lokuxhumana lushintsha ngesikhathi senqubo yezikhalazo, kuyisibopho sami ukwazisa uMlawuli Wolwazi; uma kungenjalo isikhalazo sami singase sibambezeleke noma sivalwe.*

Sisayinwe e-/o-/kwa-..... ngalolu suku lwesi-/lama..... luka- ..... 20  
.....

.....  
*Umfakisikhalazo/uMmeli/uMuntu Ogunyaziwe Wengxenywe Yesithathu*



