IManuwali

YOMNYANGO

WEZEMISEBENZI KAHULUMENI NOLAWULO

ngokwesahluko
se-14
soMthetho Wokuqhutshekiselwa Phambili Ukufinyeleleka Kolwazi, 2000
(uMthetho ongunombolo 2 we-2000)

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1. **Imisebenzi yo**Mnyango Wezemisebenzi Kahulumeni Nolawulo **(i-DPSA)**

I-DPSA yeluleka uNgqongqoshe woMnyango Wezabasebenzi Bakahulumeni Kahulumeni Nolawulo (i-MPSA) ngemidanti yenqubomgomo emayelana nemisebenzi kahulumeni nokunye ukugunyazwa okusemthethweni. Ukwengeza i-DPSA yesekela uNgqongqoshe ekubhekeni i-Ejensi Kahulumeni Yobuchwepheshe Bolwazi kanye nesiKhungo Sezindlela Ezitsha Zemisenzi Kahulumeni (i-CPSI).

UMthethosisekelo nokunye ukugunyazwa okusemthethweni: IsiQephu 10 soMthethosisekelo waseRiphabhlikhi YazeNingizimu Afrika, we-1997 (uMthetho ongunombolo 108 we-1996), ulungiselela imidanti yokuphatha kukahulumeni. Isahluko se-197 siqukethe izidingo ezithile zabasebenzi bakahulumeni, kumbandakanya izidingo

- zemisebenzi kahulumeni okufanele basebenze , futhi bahlelwe, ngokomthetho kazwelonke;
- isimo nemibandela yokuqashwa kwimisebenzi kahulumeni ukuba ilawulwe ngumthetho kazwelonke; kanye
- nohlaka lwenkambiso efanayo namazinga ohulumeni bezifundazwe okufanele benze ngawo imisebenzi kahulumeni.

Ukugunyazwa kukazwelonke kanye nohlaka lwenkambiso namazinga alindelekile kuMthethosiseekelo kusungulwe ngoMthetho Wemisebenzi Kahulumeni we-1994 (owaziswa ngaphansi kweSaziso se-103 se-1994). Lo Mthetho ulungiselela amandla nemisebenzi kaNgqongqoshe wezemiSebenzi Kahulumeni Nolawulo. Ngokufushane, lo Mthethi unikeza uNgqongqoshe amandla nemisebenzi:

- yokusungula izinqubomgomo ngemidanti yemisebenzi, amalungiselelo enhlangano, izindlela zokuqasha, imiholo nezinye izimo zokusebenza, ezabasebenzi, ukuphathwa kolwazi, ubuchwepheshe bolwazi, ushintsho noguquko;
- yokusungula uhlaka lwenkambiso namazinga azokwenza ukuthi inqubomgomo isebenze;
- yokwabela iminyango imisebenzi;
- yokweluleka uMongameli kanye neziphathimandla ezinkulu ngemidanti emayelana nemisebenzi kahulumeni kanye nemigwamanda ethola izimali zayo ezimalini zikahulumeni; futhi
- nokwenza imithetho.

I-Ejensi Kahulumeni Yobuchwepheshe Bolwazi: Ukwengeza emidantini yemisebenzi kahulumeni okukhulunywe ngayo ngenhla, amandla nemisebenzi kaNgqongqoshe yenatshiselwe ku-SITA. I-SITA yasungulwa ngoMthetho we-Ejensi Kahulumeni Yobuchwepheshe Bolwazi we-1998 (uMthetho ongunombolo 88 we-1998). I-SITA ihlinzeka ngobuchwepheshe bolwazi, izinhlelo zolwazi nezinsizo ezihlobene nakho, endaweni yokuvikelwa okulondolozwayo kolwazi, kwimisebenzi kahulumeni nezinye izinhlaka zikahulumeni. Ukuphathwa kwe-SITA kungumsebenzi weBhodi Labaqondisi. IBhodi Labaqondisi lisebenza ngokuhambisana nemigomo eyamukelwe yokuphatha namalungiselelo okubika oMthetho Wokuphatha Ezezimali Zikahulumeni we-1999 (uMthetho ongunombolo 1 we-1999). UMqondisi Jikelele we-DPSA ungoyimele eBhdini le-SITA.

IsiKhungo Sezindlela Ezintsha Zemisebenzi Kahulumeni: IsiKhungo Sezindlela Ezintsha Zemisebenzi Kahulumeni (i-CPSI) sasungulwa ngaphansi kwenkampani yesahluko sama-21 ukuze sisebenze njengendawo evula, igqugquzele futhi iphathe imiqondo emisha. Lokhu kudinga ukwenziwa kwendawo evumela ukuqhamuka nokuklomelisa imiqondo emisha; ukugqugquzela ukuxoxisana kwabanotho abahlukene, ngenhloso yokusungula ubudlelwano okungapheli nokuzuza ngokubambisana kanye nokuphatha ubugugu nesidingo semiqondo emisha kwemisebenzi kahulumeni. IBhodi Lesikhungo libika kuNgqongqoshe wezemiSebenzi Kahulumeni Nolawulo.

2. ISAKHIWO SE-DPSA

I-DPSA yakhiwe ukuze ifeze ukugunyazwa okuchazwe ngenhla. Kunezigaba ezinkulu ezinhlanu noma amagatsha oMnyango: ukuPhathwa Nokuthuthukiswa Kwemithombo Yabantu, uKuphathwa Kwezinxephezelo, iHhovisi Likahulumeni Lesiphathimandla Esikhulu Solwazi, uKwenza Ngcono Nokwengamela Ukwethulwa Kwezinsizo.

Ukuphathwa Nokuthuthukiswa Kwemithombo Yabantu kwakhiwe yilezi zingxenye ezilandelayo: ukuPhila Kahle Kwabasebenzi, ukuThuthukiswa Kwezabazenzi, ukuPhathwa Kokuhlukana, iziNdlela Zokuqasha Nokuphathwa kwemisebenzi, ukuHlela kwezabasebenzi ne-PSETA.

UkuPhatha Kwezinxephezelo kwakhiwe yilezi zingxenye ezilandelayo: uHlelo Lokuphathwa Kolwazi Lwezezimali kanye Nokuhlolwa Komsebenzi, imiHolo Nezuzo Encane, ukuXozisana Nezabasebenzi, kanye Nomsebenzi Kahulumeni Owodwa.

IHhovisi Lesisebenzi Esikhulu Sikahulumeni lakhiwe yilezi zingxenye ezilandelayo: izingxenye: ze-*e-Government*, ubuChwepheshe Bolwazi Nokuxhumana, ukweNgamela, iziNgqalasizinda Zobuchwepheshe Bolwazi Nokuxhuma kanye Nentuthuko Yomphakathi Nokufinyeleleka.

UKwenza Ngcono UkweThulwa Kwezinsizo kwakhiwe yilezi zingxenye ezilandelayo: umSebenzi Wokuthuthukiswa Komphakathi, ukuVuselelwa Kwe-Batho Pele, ukuGqugquzelwa Kokwethulwa Kwezinsizo neNdlela Yozethula.

UKweNgamela kwakhiwe yilezi zingxenye ezilandelayo: UkuQaphela Nekuhlola Okumbandakanyayo, uCwaningo, iziNdaba Zamazwe Ngamazwe Nezase-Afrika, ukuLwa Nenkohlakalo Emkhakheni Kahulumeni kanye Nendlela Yokubuyekeza Ontanga e-Afrika.

Kunezingxenye ezimbili ezisebenza ngemicimbi yabasebezi ngaphakathi kuMnyango ezibizwa iHhovisi Lomsebenzi Omkhulu Wezezimali kanye nokuPhathwa Komnotho Ongabantu.

IHhovisi Lomsebenzi Omkhulu Wezezimali lakhiwe yila mayunithi alandelayo: iYunithi Yokuphatha Ezokuthenga Nokuvikela kanye neyebuChwepheshe Bolwazi Nokuphathwa Kolwazi.

UkuPhathwa Komnotho Wabantu kwakhiwe yila mayunithi alandelayo: UkuPhathwa Nokuthuthukiswa Kwabantu kanye nobuDlelwano Babasebenzi kanye Noguquko.

Ukwengeza kulezi zingxenye ezihlanu, kunokuSekelwa Kukangqongqoshe kanye nokuseSekelwa Kwehhovisi Lomqondisi Jikelele. INgxenye Yokusekela Ungqongqoshe Nokuxhumana isebebenzela iHhovisi Likangqongqoshe, ngenkathi iHhovisi Lomqondisi Jikelele lesekela iHhovisi loMqondisi-Jikelele. UkuPhathwa Kohlelo, iziNsizo Zomthetho nezabaCwangi Mabhuku Ngaphakathi nazo zibika kuMqondisi Jiekekel.

Sicela uqaphele ukuthi lapho kunokuphikisana khona phakathi kwalokhu okubhaliwe nokubhaliwe KwesiNgisi, okubhaliwe kwesiNgisi yikho okuzosebenzayo.

3. IMININGWANE YOKUXHUMANA NOMSEBENZI WOLWAZI

UMqondisi-Jikelele we-DPSA unguMsebenzi Omkhulu Wolwazi ngokuQhubekiselwa Phambili Umthetho Wolwazi. Usekela-Msebenzi Omkhulu Wolwazi unguMqondisi Omkhulu: Ezezinsizo Zomthetho.

Ikheli leposi: Private Bag X916
PRETORIA
0001

Ikheli lomgwaqo: Batho Pele House
116 Proes Street (Ekhoneni lika-Proes no-Bosman Streets)
PRETORIA

Ucingo: (011) 336 1218/1010
Ifeksi: (012) 336 1807

Ikheli le-imeyli:empie@dpsa.gov.za noma daniem@dpsa.gov.za

4. UMHLAMHLANDLELA WEKHOMISHANE YAMALUNGELO ESINTU YASENINGIZIMU AFRIKA WOKUTHI USETSHENZISWA KANJANI UMTHETHO

Umhlahlandlela wokuthi ungawusebenzisa kanjani uMthetho Wokuqhubekisela Phambili Ukufinyeleleka Kolwazi we-2000 uyatholakala kuKhomishane Yamalungelo EsiNtu kungakashayi umhla ka-Agasti 2003. Ungathumela imibuzo kuleli kheli:

IKhomishane Yamalungelo EsiNtu YaseNingizimu Afrika:
IYunithi ye-PAIA
Umnyango Wocwaningo Nokugcinwa Kwemibhalo

Ikheli leposi: Private Bag 2700

Houghton
2041

Ucingo: (011) 484 8300
Ifeksi: (011) 484 1360
I-*website*: www.sahrc.org.za
I-imeyli: PAIA@sahrc.org.za

5. AMAREKHODI

5.1 UKUCHAZWA KWEZIHLOKO I-DPSA EGCINE NGAZO AMAREKHODI KANYE NEZINHLA ZAMAREKHODI I-DPSA EWAGCINILE NGESIHLOKO NGASINYE

Ukwenzela inhloso yokugqugquzela isicelo ngokoMthetho, izihloko i-DPSA egcine ngazo amarekhodi kanye nezinhla zamarekhodi agcinwe ngaphansi kwesihloko ngasinye njengoba zihlukanisiwe kumbhalo wesiNgisi we “Manuwali yoMnyango Wezemisebenzi Kahulumeni Nokulawula ” (Isigaba 5.1, sinesihloko esithi – “Incazelo yezihloko i-DPSA egcine ngazo amarekhodi nezinhlaka zamarekhodi ngesihloko ngasinye”). Le manuwali iyatholakala kuleli kheli le-*website* le-DPSA elithi: http://www.dpsa.gov.za/acts&policies.asp

5.2 AMAREKHODI ATHOLAKALA NGOKUZENZAKALELA

Akunasaziso esishicelelwe kuze kube manje mayelana namarekhodi e-DPSA atholakala ngaphandle kokuthi umunthu enze isicelo sokufinyeleleka ngokwezinkambiso zoMthetho Wokuqhutshekiselwa Phambili Ukufinyeleleka Kolwazi. Yize kunjalo, amarekhodi aku-*website* ye-DPSA ethi: www.dpsa.gov.za, ayatholakala ukuze abukwe noma akhishwe ngaphandle kokuthi umuntu afake isicelo ngokoMthetho.

5.3 INDLELA YOKUFAKA ISICELO

(a) *Ukuvunywa noma ukwaliwa kwesicelo:* Ofaka isicelo kufanele athole ukufinyeleleka kwirekhodi lohlaka lukahulumeni uma ofaka isicelo anelisa lokhu okulandelayo:

- Ofaka isicelo anelisa zonke izidingo zokwenziwayo okukuMthetho mayelana nokufaka isicelo sokufinyelela kwirekhodi; futhi
- Ukufinyeleleka kulelo rekhodi kungekwaliwa nganoma ngasiphi isizathu sokwala esishiwo eMthethweni.

(b) Ngisifaka kanjani isicelo sokufinyeleleka kurekhodi:

- Umfakisicelo kufanele asebenzise ifomu (uFomu A) elashicilelwa kwiGazethi kaHulumeni (ISaziso sikaHulumeni R187 somhla we-15 Febhuwari 2002).
- Umfakisicelo kufanele asho uma ofakisicelo edinga ikopi yerekhodi noma uma ofakisicelo efuna ukuzizela ezobheka irekhodi emahhovisi ohlaka lukahulumeni. Okunye, uma irekhodi lingatholakali ngohlobo lwephepha, lingabonwa ngohlobo oluceliwe, uma kukhonakala.

- Uma umuntu ecela ukufinyelela ohlotsheni oluthile (isib: ikopi yephepha, ikopi etholakala kwikhompiyutha, njll.) ngakho ofakisicelo kufanele athole ukufinyeleleka ngaleyo ndlela, ngaphandle uma ukwenze njalo kuzothikameza ukusebenza kohlaka lukahulumeni oluthintekayo, noma kuzolimaza, noma kuzonyathela ilungelo lobumnini likahumeni. Uma kungenzeka ngezizathu ezikhona ukufinyeleleka ngohlobo oludingekayo kungetholakala ngolunye uhlobo, ngakho kufanele kubalwe umali ngokwendlela umfakisicelo aqale walicela ngalo.
- Uma, ukungeza empendulweni ebhalwe phansi ephendula isicelo serekhodi, umfakisicelo edinga ukutshelwa ngesinqumo nganoma iyiphi enye indlela, isib: ucingo, lokhu kufanele kushiwo.
- Uma umfakisicelo ecela ulwazi elucelela omunye umuntu, ukuthi isicelo usenza njengobani/engubani kufanele kushiwo.
- Uma umfakisicelo engakwazi ukufunda noma ukubhala, noma enokukhubazeka, ngakho isicelo singafakwa ngokukhuluma/ngomlomo. Umsebenzi wolwazi kufanele agcwalise ifomu eligcwalisela umfakisicelo ofana nalona futhi amnike ikopi yefomu eseyigcwalisiwe.

(c) *Izimali ezikhokhwayo zokufaka isicelo kanye nokwazisa ngesinqumo sokufinyelelaka*

- Umfakisicelo odinga ukufinyeleleka kwirekhodi eliqukethe ulwazi ngaye lowo mfakisicelo akudingeki akhokhe imali yokufaka isicelo. Wonke omunye umfakisicelo kufanele akhokhe imali engama-R35.00.
- Umsebenzi wolwazi kufanele azise umfakisicelo (ngaphandle komuntu ofuna ulwazi ngaye) ngesaziso, edinga ukuba umfakisicelo akhokhe imali ebekiwe (uma ikhona) kanye nediphozi (uma ikhona) ngaphambu kokuba kusetshenzwe isicelo.
- Umfakisicelo angafaka isikhalazo ngakaphathi, lapho kufanele, noma afake isicelo enkantolo sokuphikisa ithenda noma ukukhokhwa kwemali ekhokwayo.
- Ngemuva kokuba uMsebenzi Wolwazi esethathe isinqumo ngesicelo umfakisicelo kufanele aziswe ngesinqumo esifana nalesi ngendlela umfakisicelo afune ukwaziswa ngayo.
- Uma umfakisicelo evunyelwe, ngakho-ke kufanele kukhokhwe imali yokufinyeleleka enye ukuzwe kukhiqizwe, futhi kufunwe kuphinde kulungiswe isikhathi noma ngabe yisiphi esingeziwe kumahora abekiwe okufuna futhi kulungiselelwe ukudalulwa kwerekhodi.
- Ukufinyeleleka kwirekhodi kuzomiswa kuze kube umfakisicelo usekhokhe izimali ezikhokhwayo.

6. IZINSIZO EZITHOLWA NGUMPHAKATHI

Imisebenzi ye-DPSA, njengoba ibekiwe kusigaba 1, ingokuthi amaklayenti ayo angeminye iminyango kahulumeni futhi ayethuli noma ngabe yiluphi usizo emphakathini. Yize kunjalo, olunye ulwazi ngamanani abantu emisebenzini kahulumeni (isibonelo, ubukhulu bemisebenzi kahulumeni kanye nenani labasebenzi bomnyango ngamunye) kungatholakala kwiYunithi Yolwazi Lemisebenzi Kahulumeni ye-DPSA kuleli kheli le- emeyli elithi: M&E@dpsa.gov.za.

7. AMALUNGISELELO AVUMELA UKUBAMBA IQHAZA EKWAKHIWENI KWENQUBOMGOMO NOKWENZIWA KWEMISEBENZI

Inqubomgomo nomthetho: Uma i-DPSA iphakamisa inqubomgomo entsha noma umthetho ibonisana nabo bonke abanotho ngokumema imibono kumaphephandaba ashicelelwe kanye/noma kumihlangano yokucobelelana ngolwazi/izinkomfa. Inqubo yokubamba iqhaza iyehluka ngokohlobo lwephrojekhthi futhi ivame ukwaziswa ngaphambi kokuqalwa kwephrojekhthi noma emuva kwaloko.

Ukwenza kokuphatha: Ezimweni lapho ukwenza kokuphatha kuthinta imphahla futhi kunomthelela ongemuhle-

- amalungelo noma okulindelwe okuyimfanelo kanoma yimuphi umuntu; noma
- amalungelo omphakarthi,

imibhalo ngokwenkamiso yokulawula okungenzeleli okuchaziwe kwimibandela yoMthetho Wokuqhubekisela Phambili Ubulungiswa Bokuphatha we-2000 (uMthetho ongunombolo 3 we-2000), izolandelwa (ikakhulukazi isahluko sesi-4 nesesi-5).

Iziimo zokusebenza zabasebenzi bemisebenzi kahulumeni: Izimo zokusebenza neminye imidanti yokuzuza ngokufana kwabasebenzi bakahulumeni zixoxiswana emkhandlwini wokubonisana owakhiwe ngoMthetho Wezabasebenzi we-1995 (Umthetho ongunombolo 66 we-1995). Izinyunyana zabasebenzi ezimele inani elithile labasebenzi bakahulumeni zingaba yingxenye kumkhandlu wokubonisana ofana nalona. Umkhandlu Wokubonisana Wabasebenzi Bakahulumeni ungumgwamanda, lapho konkunye, izimo zokusebenza ezisebenza kubasebenzi bakahulumeni kuxoxiswana ngazo khona. Kukhona le miKhandlu Yemikhakha Yokubonisana elandelayo :

- UmKhandlu Wemikhakha Jikelele Wokubonisana Wabasebenzi Bakahulumeni
- UmKhandlu Wezabasenzi Bezemfundo
- UmKhandlu Wemikhakha Yezempilo Nezenhlalakahle
- UmKhandlu Womkhakha Wezokuphepha Nokuvikela

8. IZIXAZULULO EZIKHONA MAYELANA NEMITHETHO NOMA UKUHLULEKA KOMTHETHO

Lezi zinkambiso ezilandelayo zitholwa abantu ukuze babike noma baxazulule izenzo ezingafanele, ezingalungile noma ezingekho emthethweni zabasebenzi noma ukungenzi kwe-DPSA noma kwanoma yimuphi umsebenzi wayo.

(a) *Izindlela zokubika noma zokuxazula:*

(i) Izixazululo mayelana nezenzo noma ukwehluleka ukwenza ngokoMthetho Wokuqhubekisela phambili Ukufinyeleka Kolwazi: Isiphathimandla sezikhalazo zangaphakathi ukwenzela izinhloso zalo Mthetho nguNgqongqoshe woMnyango Wezabasebenzi Bakahulumeni Kahulumeni Nolawulo (isahluko sama-74-77). Ngemuva kokuzama

isixazululo sesikhalazo sangaphakathi, kungafakwa isicelo sokukhalaza enkantolo (isahluko sama-78-82).

(ii) Umsebenzi kahulumeni angafaka ukunganeliseki noma isikhalazo ukuba siphenywe yiKhomishane Lemisebenzi Kahulumeni mayelana nokwenza okusemthethweni noma ukungenzi (isahluko sama-35 soMthetho Wezabasebenzi Bakahulumeni we-1994).

(iii) Umuntu angasebenzisa izixazululo zomsebenzi mayelana nezenzo ezisemthethweni noma ukungenzi okungokomsebenzi, okubizwa ukulwisa ilungelo (uMthetho Wemisebenzi Kahulumeni we-1994, noMthetho Wobudlelwano Emsebenzi we-1995);

(iv) Umuntu angafaka isikhalazo kumphenyi wezemisebenzi mayelana nokungalandeli uMthetho Wezimo Eziyisisekelo Zokusebenza we-1997 (uMthetho wama-75 we-1997 - isahluko 78(1)(a)), noma uMthetho Wokulingana Emsebenzini we-1998 (uMthetho wama-55 we-1998 - isahluko 34(1)(e)).

(v) Umuntu angafaka isikhalazo kuMvikeli Womphakathi mayelana nezinsolo nezinsolo zesenzo esingekho emthethweni noma esingafanele somsebenzi noma ukungenzi (uMthethosisekelo noMthetho Wokuvikela Umphakathi we-1994 - (uMthetho wama-23 we-1994)).

(vi) Umuntu angafaka isikhalazo kwiKhomishani Yamalungelo EsiNtu YaseNingizimu Afrika mayelana nezinsolo zesenzo somsebenzi noma ukungenzi okwenza ukunyathela noma ukuba sengozini kwanoma iliphi ilungelo (uMthetho Wekhomishani Yamalungelo EsiNtu we-1994 - (uMthetho wama-54 we-1994)).

(vii) Ukuze uvikeleke ekuzweni ubuhlungu ngoba udalule ulwazi mayelana nokuziphatha okungafanele komqashi noma komlingani enisebenza naye, umuntu okukhulunywa ngaye angalandela izindlela zokudalula ezitholakala kuMthetho Wokudalula Okuvikelekile we-2000 (uMthetho wama-26 we-2000)

(viii) Ukusetshenziswa kwezinye izixazululo zomthetho njengesikhungo sokuqhubekayo zokubukezwa kobulungiswa besenzo sokuphatha ngokoMthetho Wokuqhubekisela Phambili Ubulungiswa Bokuphatha we-2000 (uMthetho wesi-3 we-2000).

(b) *Ezinye izixazululo zokusekela*

(i) Umuntu angacela izizathu zokuthathwa kwezinyathelo zokuphatha ngokoMthetho Wokuqhubekisela Phambili Ubulungiswa Bokuphatha we-2000 (isahluko sesi-5).

(ii) Umuntu angacela ukufinyeleleka kumarekhodi omnyango kahulumeni noma omgwamanda womphakathi ngokoMthetho Wokuqhubekisela Phambili Ukufinyeleka Kolwazi we-2000 (Isahluko se-11).

(c) *Umsebenzi wokubika*

(i) Umsebenzi kahulumeni, ngesikhathi somsebenzi wakhe osemthethweni, uboshelelwe ngokweNdlela Yokuziphatha kwabasebenzi bakahulumeni ukuba abike kuziphathimandla ezifanele ngenkohliso, inkohlakalo, ukungaphathwa ngendlela futhi nanoma yikuphi okwenza icala noma okufanele ukunakwa ngumthetho ukuze kuzuze mphakathi. Umsebenzi ohluleka ukuhambiisana nalokhu,

unecala lokungaziphathi kahle. (uMtheshwana B.3 no-C.4.10 we-siQhephu sesi-2 semiTheshwana Yokulawula Ezabasebenzi Bakahulumeni ye-2001).

(ii) Isibopho sokuthi wonke umqashi nomqashwa adalule ukuziphatha kobugengu futhi nanoma yikuphi ukungafanele emsebenzini kusiza ekuphumeleliseni uMthetho Wokudalula Okufihlekile we-2000(ISendlalo).