

UMHLAHLANDLELA

WE-NSFAS PAIA

OKUQUKETHWE

- 1 Izincazelo
- 2 Isingeniso
- 3 Ukutholakala kwalo Mhlahlandlela
- 4 Isiqondiso Sokusetshenziswa kwe-PAIA
- 5 Uhlaka Nemisebenzi ye-NSFAS
- 6 ISikhulu Solwazi, Amaphini eSikhulu Solwazi, Nemininingwane Yokuxhumana nabo
- 7 Amarekhodi Atholakala Ngokuzenzekelayo
- 8 Amarekhodi aphethwe abakwa-NSFAS
- 9 Izinsizakalo Ezitholakalayo Emphakathini
- 10 Izicelo Zamarekhodi
- 11 Izimali ezikhokhwayo
- 12 Ukuhlangukwa ekukhokheni Izimali Zokuthola Irekhodi
- 13 Izinqumo Ngezicelo Nesaziso sakhona
- 14 Ulwazi oluqondene nomuntu
- 15 Ukuhlelwa Kokuzibandakanya Komphakathi ngokuSungulwa Kwezinqubomgomo
- 16 Izisombululo Nokukhalaza malungana Nezinqumo ezithathiwe

Izithasiselo

- A. Isithasiselo A: Ifomu 2 – Isicelo Sokufinyelela Irekhodi Lesigungu Somphakathi
- B. Isithasiselo B: Izimali ezikhokhelwa Izinhlango Zomphakathi

C. Isithasiselo C: Ifomu 4 – Ukufakwa Kwesicelo Sokufakwa Kwesikhalazo Sangaphakathi

1 **IZINCAZELO**

- 1.1 **Imithetho Esebenzayo** isho yonke imithetho, izimiso okudingeka i-NSFAS iyithobele.
- 1.2 **IsiKhulu esiPhezulu** kusho isikhulu esiphezulu esiqokwe yibhodi ye-NSFAS ngokwesigaba 9 soMthetho we-NSFAS.
- 1.3 **Ulwazi Ngomuntu** sisho umuntu Ulwazi Lomuntu Siqu oluhlobene naye.
- 1.4 **Umhlahlandlela** isho le manuwali yolwazi eshicilelwe ngokwesigaba 14 se-PAIA, ufundwe ne-POPIA.
- 1.5 **UNgqongqoshe** kushiwo uNgqongqoshe Wezemfundo Ephakeme Nokuqeqesha.
- 1.6 **I-NSFAS** isho iSikimu Sikazwelonke Sokusiza Abafundi Ngezimali esasungulwa ngokuhambisana noMthetho we-NSFAS. I-NSFAS iyiSigungu Somphakathi njengoba kuhlangozwe ku-PAIA.
- 1.7 **Umthetho we-NSFAS** usho uMthetho Kazwelonke Wokusiza Abafundi Ngezimali Zonyaka we-1999.
- 1.8 **I-PAIA** isho uMthetho Wokukhuthazwa Kokufinyelela Olwazini wesi-2 wezi-2000.
- 1.9 **Izimiso ze-PAIA** zisho imithethonqubo eshicilelwe ku-GNR.757 yangomhla zingama-27 ku-Agasti 2021 mayelana nokuKhuthaza Ukutholakala Kolwazi, 2021 (iGazethi Kahulumeni enguNombolo. 45057).
- 1.10 **Ulwazi Oluqondene Nomuntu** lusho ulwazi oluhlobene nomuntu ohlonzekayo, ophilayo, wemvelo, kanye (lapho kufanele) ohlonzekayo, okhona ngokomthetho, okuhlanganisa igama, uhlanga, ubulili, isimo somshado, ikheli kanye nenombolo ehlonzayo yomuntu, uphawu, ikheli le-imeyli, ikheli lendawo, inombolo yocingo,

imininingwane yendawo, isihlonzi esiku-inthanethi noma omunye umsebenzi ozokwenziwa umuntu.

1.11 **I-POPIA** isho uMthetho Wokuvikelwa Kolwazi Lomuntu Siqu 4 wezi-2013.

1.12 **Ukucubungula noma Ukusetshenzwa** kusho noma yimuphi umsebenzi obandakanya ukusetshenziswa kolwazi lomuntu siqu. Kubandakanya noma yikuphi ukusebenza noma umsebenzi nanoma yiliphi iqoqo lemisebenzi, noma ngabe ngezindlela ezizenzekelayo, eziphathelele Nomuntu Siqu Ulwazi, okuhlanganisa:

- a) ukuqoqwa, ukutholwa, ukurekhodwa, ukuhlelwa, ukudidiyelwa, ukugcinwa, ukuvuselela noma ukuguqulwa, ukukhishwa, ukuguqulwa, ukufundwa noma ukusetshenziswa;
- b) ukusatshalaliswa ngendlela yokudluliselwa, ukusatshalaliswa noma ukwenza kutholakale nganoma iyiphi enye indlela; noma
- c) ukuhlanganiswa, ukuxhunyaniswa, kanye nokuvinjelwa, ukucekelwa phansi, ukusulwa noma ukushatshalaliswa kolwazi.

1.13 **Isigungu somphakathi** sisho

- a) noma yimuphi umnyango wombuso noma wokuphatha ezingeni likazwelonke noma lesifundazwe likahulumeni nanoma yimuphi umasipala esigabeni sikahulumeni wasekhaya; noma
- b) nanoma yimuphi omunye umsebenzi noma isikhungo lapho
 - i. kusetshenziswa khona amandla noma kwenziwa umsebenzi ngokoMthethosisekelo noma umthethosisekelo wesifundazwe; noma
 - ii. kusetshenziswa amandla omphakathi noma umsebenzi womphakathi ngokwanoma yimuphi umthetho.

1.14 **Irekhodi** lisho noma yiluphi ulwazi olurekhodiwe

- a) kungakhathalekile ukuthi yiluphi uhlobo noma indlela olume ngayo;
- b) oluphethwe noma olulawulwa yi-NSFAS; futhi
- c) noma ngabe lasungulwa yi-NSFAS noma cha.

1.15 **Isicelo**, maqondana ne-NSFAS, sichaza ukufinyelelwa kwerekhodi le-NSFAS ngokuhambisana nesigaba 11 se-PAIA.

1.16 **Umfakisicelo**, maqondana ne-NSFAS, kushiwo noma yimuphi umuntu (ngaphandle kwesigungu somphakathi ehlongozwe endimeni (a) noma (b) (i) yencazelo “yesigungu somphakathi” ku-PAIA, noma isikhulu) efaka isicelo sokufinyelela irekhodi le-NSFAS noma umuntu ommele.

1.17 **IQembu Elinegunya** kushiwo isigungu somphakathi noma esizimele nanoma yimuphi omunye umuntu, sisodwa noma ngokuhlanganyela nabanye, esinquma inhloso kanye nezindlela Zokucubungula Ulwazi Lomuntu Siqu.

1.18 **Ulwazi Lomuntu Siqu Olukhethekile** lusho Ulwazi Lomuntu Siqu olumayelana nezinkolelo zezenkolo noma zefilosofi, uhlanga noma ubuzwe, ubulungu bezinyunyana, ithonya lezombusazwe, ezempilo noma impilo yobulili noma ulwazi lwebhayomethriki lomuntu; noma ukuziphatha kobugebengu komuntu kangangokuthi lolo lwazi luhlobene nezinsolo zokukhomishini ngomuntu lowo nganoma yiliphi icala; noma yiziphi izinyathelo maqondana nanoma yiliphi icala okusolwa ukuthi lenziwe yilowo muntu noma ukuchithwa kwalezi zinqubo.

2 ISINGENISO

2.1 I-NSFAS yisigungu somphakathi esasungulwa futhi esenza imisebenzi yaso yomphakathi ngokuhambisana noMthetho we-NSFAS. Ukuze yenze imisebenzi yayo esemthethweni neyomphakathi, i-NSFAS icubungula ulwazi oluningi, oluhlanganisa Ulwazi Lomuntu Siqu.

2.2 Lo Mhlahlandlela ushicilelwe ngokweSigaba 14 se-PAIA, ufundwa ne-POPIA. Inhloso yayo ukucacisa:

2.2.1 izinqubo okufanele zilandelwe kanye nezindlela okufanele kuHlangatshezwane nazo yinoma yimuphi umuntu ocela ukufinyelela kumarekhodi anawo noma alawulwa yi-NSFAS; futhi

2.2.2 ezinye zezindlela ezikhona zokuqinisekisa ukuthi i-NSFAS Icubungula Ulwazi Lomuntu Siqu ngokusemthethweni, esikhundleni sayo njengeQembu Elibhekene Nezibophezelo, njengoba kuHlongozwe ngaphansi kwe-POPIA, eminye imininingwane ingatholakala kuNqubomgomo Yobumfihlo ye-NSFAS, engatholakala kuwebhusayithi ye-NSFAS, kusetshenziswa isixhumanisi esilandelayo: www.nsfas.org.za noma ngokucela ikhophi Esikhulwini Solwazi se-NSFAS kanye/noma iPhini leSikhulu soLwazi, esinemininingwane evela esigabeni sesi-6 salo Mhlahlandlela.

3 UKUTHOLAKALA KWALO MHLAHLANDLELA

3.1 Lo Mhlahlandlela ungatholakala kuwebhusayithi ye-NSFAS, kusetshenziswa ilinki elandelayo: www.nsfas.org.za noma ngokucela ikhophi Esikhulwini Solwazi se-NSFAS kanye/noma iPhini leSikhulu Esibhekele Ulwazi, imininingwane yalo evela esigatshaneni sesi-6 ngezansi.

3.2 Lo Mhlahlandlela ungase futhi uhlolwe eHhovisi eliNhloko l-NSFAS, elitholakala e-The Halyard Building, 4 Christian Barnard Street, City Centre, Cape Town, 8001.

3.3 Lo Mhlahlandlela uzobukezwa futhi ushicilelwe ngokuhambisana nesigaba 14(2) se-PAIA.

4 ISIQONDISO SOKUSETSHENZISWA KWE-PAIA

- 4.1 Ngokwesigaba 10(1) se-PAIA, uMlawuli Wolwazi kufanele abukeze futhi enze kutholakale isiqondiso esivele sikhona sokuthi isetshenziswa kanjani i-PAIA, isiqondiso esihlanganiswe yiKhomishana Yamalungelo Abantu yaseNingizimu Afrika (i-SAHRC), equkethe lolo lwazi ngendlela eqondakala kalula, njengoba kungase kudingwe umuntu ofisa ukusebenzisa noma yiliphi ilungelo elihlongozwe ku-PAIA kanye ne-POPIA.
- 4.2 Ukuze uthole ulwazi olwengeziwe ngokufinyelela lesi siqondiso, sicela uthinte i-Umlawuli Wolwazi otholakala kwa-JD House, 27 Stiemens Street, Braamfontein, Johannesburg, 2001. P.O Box 31533, Braamfontein, Johannesburg, 2017, noma nge-imeyili ku-enquiries@inforegulator.org.za.

5 UHLAKA NEMISEBENZI YE-NSFAS

- 5.1 I-NSFAS yasungulwa ngokuhambisana noMthetho we-NSFAS.
- 5.2 I-NSFAS ikhona ukuze ihlinzeke ngosizo lwezezimali kubafundi abafanelekile ngokwezimali emakolishi e-TVET nasemanyuvesi kahulumeni. Lokhu ikwenza ngokuhlonza abafundi abafanelekile, ibanike imifundaze futhi iqoqe izinkokhelo zesikhathi esidlule ezibolekiwe ukuze kubuyiselwe izimali ezitholakalayo ezizukulwaneni ezizayo zabafundi. I-NSFAS yeseka ukufinyelela, nempumelelo emfundweni ephakeme kanye nokuqeqeshwa kwabafundi abavela emindenini empofu neyabasebenzi abebengeke bakwazi ukufundisa izingane zabo.
- 5.3 Ngokwesigaba 4 soMthetho we-NSFAS, imisebenzi ye-NSFAS yilena:
- 5.3.1 ukwaba izimali ezibolekiwe kanye nemifundaze kubafundi abafanelekile;
- 5.3.2 ukwakha izinhlaka nemibandela yokunikezwa kwemali mboleko kanye

nemifundaze kubafundi abafanelekile ngokubonisana noNgqongqoshe;

5.3.3 ukuqoqa izimali njengoba kuhlangezwe uMthetho we-NSFAS;

5.3.4 ukulanda izimali ezibolekiwe;

5.3.5 ukugcina kanye nokuhlaziya iwebhusayithi kanye nokwenza ucwaningo ukuze kusetshenziswe kangcono izinsiza zezimali;

5.3.6 ukweluleka uNgqongqoshe ngezindaba eziphathelene nosizo lwezimali lwabafundi; futhi

5.3.7 ukwenza eminye imisebenzi enqunywe uMthetho we-NSFAS noma uNgqongqoshe.

6 ISIKHULU SOLWAZI., AMAPHINI ESIKHULU SOLWAZI, NEMININGWANE YOKUXHUMANA NABO

6.1 Isikhulu esiPhezulu siyisikhulu solwazi esiqokile se-NSFAS. Iminingwane yesikhulu Solwazi imi kanje:

Office of the Chief Executive Officer of NSFAS

Ikheli: The Halyard Building,
4 Christian Barnard Street,
City Centre, Cape Town, 8000

Ucingo: 080 006 7327

I-imeyli: pairequests@nsfas.org.za

6.2 Isikhulu esiPhezulu, ngokuhambisana nesigaba 17(3) se-PAIA, singadlulisela amandla nemisebenzi enikezwe noma ebekwe esikhulwini Solwazi se-PAIA, mayelana nezicelo ze-PAIA, kuPhini Lomphathi Wolwazi we-NSFAS. Iminingwane

yePhini Lomphathi Wolwazi imi kanje:

Office of the Chief Information Officer of NSFAS

Ikheli: The Halyard Building,
4 Christian Barnard Street,
City Centre, Cape Town, 8001

Ucingo: 080 006 7327

I-imeyli: pairequests@nsfas.org.za

7 AMAREKHODI ATHOLAKALA NGOKUZENZEKELAYO

7.1 Ulwazi olulandelayo luyatholakala emphakathini futhi aludingi ukufakelwa isicelo sokuluthola ngaphansi kwe-PAIA:

7.1.1 Noma yiluphi ulwazi oluqukethwe kunoma imaphi amawebhusayithi afinyeleleka kuwo wonke umuntu aphethwe yi-NSFAS.

7.1.2 Noma yiluphi ulwazi olushicilelwe yi-NSFAS kunoma yiziphi izincwadi, amaphephabhuku, izincwajana noma olunye uhlobo lwempahla oluye lwenziwa lwakwazi ukufinyelelwa umphakathi ululethwelwa yi-NSFAS.

7.2 Ulwazi okukhulunywe ngalo esigabeni 7.1 lungabandakanya, kodwa alugcini nje, kokulandelayo:

7.2.1 inhloso kanye nezinjongo ze-NSFAS kanye nazo zonke izingalo zayo ezihlukahlukene;

7.2.2 imithetho, izinkambiso, izimiso kanye nezinqubomgomo ze-NSFAS;

7.2.3 uhla lwezikhundla kanye/noma uhlaka lwe-NSFAS, okuhlanganisa amagama namahhovisi abasebenzi abasezikhundleni;

- 7.2.4 izinhlelo nezifundo ezihlinzekwa yi-NSFAS;
 - 7.2.5 indlela yokufaneleka, amafomu ezicelo kanye nanoma yiluphi olunye ulwazi oludingekayo ukuze kube lula ukuxoxisana nomphakathi ne-NSFAS ekukhuthazeni izinjongo zayo;
 - 7.2.6 ucwaningo oluthile kanye nezinhlelo zemfundo i-NSFAS ebandakanyeka kuzo;
 - 7.2.7 izimali ezikhokhwayo uma ucela ukufinyelela kunoma yimaphi kulawa marekhodi.
- 7.3 Lolu lwazi olulandelayo luyatholakala ngaphandle kosizo lwe-PAIA kuphela uma umfakisisicelo ecela ukuthola imininingwane yakhe siqu, uma kungenjalo, lapho Umfakisisicelo ecelela lolo lwazi egameni lomuntu lowo ofake isicelo enegunya elikhethekile lommeli futhi engakwazi ukuhlinzeka ngekhophi eqinisekisiwe kamazisi womuntu isicelo esenziwa egameni lakhe:
- 7.3.1 amarekhodi emiklomelo yokuqhuba kahle noma ukubalulwa;
 - 7.3.2 amarekhodi emisebenzi eyenziwa ngaphezu kwezifundo;
 - 7.3.3 amarekhodi okulalelwa kokuqondiswa kwezigwegwe kanye/noma izinqumo;
 - 7.3.4 amaphepha amakiwe alethwe uMfakisisicelo ngesikhathi enza izifundo zakhe kwa-NSFAS; futhi
 - 7.3.5 izitatimende zezimali eziphathelele nezibopho zezimali zoMfakisisicelo noma amalungelo ngokumelene ne-NSFAS.

8 AMAREKHODI APHETHWE ABAKWA-NSFAS

I-NSFAS inamarekhodi alandelayo:

- 8.1 Ulwazi lomuntu njengoba luchazwe ku-POPIA yabaphathi behhovisi lokuphatha, abasebenzi be-NSFAS kanye/noma abasebenzi, ababambiqhaza be-NSFAS, abafake izicelo zezibonelelo ze-NSFAS, abahlinzeki bezinsizakalo ze-NSFAS, abaxhasi be-NSFAS nabanikelayo, kanye nanoma yiziphi ezinye izigaba zoMuntu okukhulunywe ngaso esigatshaneni se-13.
- 8.2 Amarekhodi aphaathelene nokuphathwa kwe-NSFAS, okuhlanganisa nesakhiwo sayo sokuphatha, imithetho yangaphakathi, izimiso nezinqubomgomo, amaminithi emihlangano, amarekhodi ezezimali, izinkontileka, ubambiswano, uxhaso lokufunda, imifundaze, izibonelelo neminikelo, amathenda nabahlinzeki bezinsizakalo, idatha yokuqashwa ngokulinganayo, isimo se-BBBEE, idatha ye-PAIA, amalayisensi asemthethweni namanye, namarekhodi ezokukhangisa.
- 8.3 Amarekhodi ahlobene nemisebenzi yocwaningo ngokuvamile, okuhlanganisa izitatimende zamasu, izinkontileka, nokusebenzisana.
- 8.4 Amarekhodi aphaathelene nabafundi okuhlanganisa nedatha yomuntu ongumfundi okuhlanganisa, kodwa kungacini nje ngamarekhodi ezifundo, ukuhanjiswa okuhlobene nezemfundo, amarekhodi okuqondiswa kwezigwegwe, amarekhodi okufanelekela, amarekhodi omfundaze, namarekhodi omsebenzi womphakathi.
- 8.5 Amarekhodi aphaathelene nabasebenzi be-NSFAS kanye nedatha yomuntu siqu ehlanganisa, kodwa engacini nje kuma-CV, umlando wokusebenza, izincazelo zemisebenzi, ukubukezwa komsebenzi, imiklomo emihle kanye nokubalula, ukulalelwa kokuqondiswa kwezigwegwe nezinqumo, izigaba zeholo kanye nokuqhubekela phambili.
- 8.6 Amarekhodi ahlobene nobuciko bengqondo ye-NSFAS ehlanganisa izimpawu zokuthengisa ezibhalisiwe, imiklamo namalungelo obunikazi, ukuhweba,

nokushicilelwe.

- 8.7 Amarekhodi ezobuchwepheshe ahlobene nengqalasizinda ye-ICT ye-NSFAS, ingqalasizinda ebonakalayo, kanye nezinhlelo zokwakha.
- 8.8 Amarekhodi ahlobene nesakhiwo sangempela esiqashisiwe noma esiphethwe yi-NSFAS ngokuphelele noma ingxenye, okuhlanganisa netayitela lezakhiwo, ukuqashisa, ukusetshenziswa, namarekhodi wamalungelo ezinkampani zangaphandle.

Eminye imininingwane mayelana nezinhlobo zolwazi lomuntu olucutshungulwe yi-NSFAS ifakiwe kusigatshana se-13 ngezansi nakuNqubomgomo Yobumfihlo, engatholwa kuwebhusayithi ye-NSFAS, kusetshenziswa ilinki elandelayo: www.nsfas.org.za noma ecela ikhophi Esikhulwini Solwazi sakwa-NSFAS kanye/noma iPhini leSikhulu soLwazi, esineminingwane evela esigabeni sesi-6 salo Mhlahlandlela.

9 IZINSIZAKALO EZITHOLAKALAYO EMPHAKATHINI

Izinsizakalo ezihlinzekwa ngabe-NSFAS zingabukwa ngokuvakashela iwebhusayithi yakwa-NSFAS lapha www.nsfas.org.za.

10 IZICELO ZAMAREKHODI

10.1 Umfakisicelo kufanele avunyelwe ukuthola iRekhodi le-NSFAS, njengesigungu somphakathi, uma umfakisicelo ethobela zonke izidingo zenqubo ye-PAIA eziphathelele nesicelo sokuthola lelo rekhodi (ngaphandle kwalapho irekhodi liqukethe Ulwazi Lomuntu mayelana nomfakisicelo njengoba kuhlangoziwe esigatshaneni 7), futhi ukuthola lelo rekhodi akwenqatshwa nganoma yiziphi izizathu zokwenqatshwa ezishiwo ku-PAIA. I-NSFAS izobophezeleka ukudalula ngokuyimpoqo ngokwezinga elihlongozwe ku-PAIA. Qaphela ukuthi i-PAIA isebenza

kuphela kumaRekhodi akhona ngesikhathi sesicelo.

10.2 Ukuze wenze isicelo:

10.2.1 Abafake izicelo kufanele baqale bacabangele ukuthi ulwazi noma irekhodi abalidingayo lingaphansi kokulawula kwe-NSFAS. Izicelo zamarekhodi noma ulwazi okungenzeka kakhulu lugcinwe noma lube ngaphansi kokulawulwa omunye umgwamanda kufanele ziqondiswe kulowo mgwamanda. Izicelo eziya ku-NSFAS zamarekhodi okungenzeka adluliselwe kuwo noma agcinwe enye inhlango, zingase zibambezele impendulo esicelweni sakho. Ulwazi lungabuye lubukwe kuwebhusayithi ye-NSFAS ku-www.nsfas.org.za ukuqinisekisa ukuthi ulwazi oluceliwe alutholakali emphakathini.

10.2.2 Isicelo kufanele senziwe ngefomu elinqunyiwe (Ifomu 2 ngaphansi kwesiThasiselo B seziMiso, elijobelwe kulo Mhlahlandlela njengesiThasiselo A) kuSikhulu Solwazi se-NSFAS ekhelini lendawo, inombolo yefeksi, noma ikheli le-imeyili elisoahlwini lwesigaba sesi-6 salo Mhlahlandlela.

10.2.3 Isicelo kufanele sifake ulwazi olulandelayo:

10.2.3.1. Iminingwane eyanele ukuze isikhulu se-NSFAS sikwazi ukuhlonza i(ama)rekhodi aceliwe kanye nomfakisisicelo, kuhlenganisa nekhophi eqinisekisiwe kamazisi woMfakisisicelo.

10.2.3.2. Ifomu lesicelo sokuthola iRekhodi eliceliwe.

10.2.3.3. Ukuthi irekhodi lelo licelwa ngolimi oluthile yini.

10.2.3.4. Ikheli le-imeyili, ikheli leposi laseNingizimu Afrika noma inombolo yefeksi yoMfakisisicelo.

10.2.3.5. Uma, ngaphezu kwempendulo ebhaliwe, uMfakisisicelo efisa

ukwaziswa ngesinqumo sesicelo nganoma iyiphi enye indlela (isibonelo, ngocingo), ukusho leyo ndlela kanye neminingwane edingekayo ukuze aziswe kanjalo.

10.2.3.6. Uma isicelo senziwa egameni lomuntu, ukuhambisa ubufakazi besikhundla umfakisisicelo enza ngaso isicelo, ngendlela egculisa Isikhulu Solwazi. Endabeni ye-NSFAS, amandla akhethekile ommeli kanye nekhophi eqinisekisiwe kamazisi yomuntu ofake isicelo enzela yena isicelo kuyodingeka.

10.2.4 Uma, ngenxa yokungakwazi ukufunda nokubhala noma ukukhubazeka, umfakisisicelo engakwazi ukwenza isicelo sokuthola irekhodi lesigungu somphakathi ngokuhambisana nalokhu okungenhla, umfakisisicelo angasenza leso sicelo ngomlomo. Isikhulu Solwazi se-NSFAS kufanele-ke sehlise leso sicelo ngomlomo ukuba sisibhale efomini elinqunyiwe bese sinikeza ikhophi yaso kuMfakisisicelo.

10.2.5 Umfakisisicelo kufanele akhokhe imali yesicelo, esohlwini lwesiThasiselo B seziMiso ze-PAIA, ngaphambi kokuthi isicelo sicutshungulwe.

11 **IZIMALI EZIKHOKHWAYO**

Kungase kudingeke ukuthi ukhokhe izimali zokufinyelela kumarekhodi ngokwe-PAIA. Lezi zimali ziqukethwe kuSithasiselo B seziMiso ze-PAIA, esifakwe kulo Mhlahlandlela njengeSithasiselo B.

Qaphela ukuthi kuzoba yisibopho soMfakisisicelo ukuqinisekisa ukuthi ujoyelene nenguqulo yakamuva yezimali ezikhokhwa kulezi zimo futhi, uma umfakisisicelo efuna ukucaciselwa ngalezo zimali, umfakisisicelo angacela lokho kucaciselwa. Isikhulu Solwazi ngendlela ehlinzekwe kwenye indawo kulo Mhlahlandlela.

12 UKUHLANGULWA EKUKHOKHENI IZIMALI ZOKUTHOLA IREKHODI

12.1 Laba bantu abalandelayo bakhululekile ekukhokheni imali yokuthola irekhodi ehlongozwe esigatshaneni 11:

12.1.1 Umuntu ongashadile umholo wakhe wonyaka, ngemva kokubanjwa kwemali okuvunyelwe, ongeqi ku-R14 712.00 ngonyaka..

12.1.2 Abantu abashadile noma umuntu kanye nomlingani wakhe wokuphila umholo wabo wonyaka, ngemva kokubanjwa kwemali okuvunyelwe, ungeqi ku-R27 192, 00 ngonyaka.

12.2 Imali yokuthola irekhodi ngeke isebenze:

12.2.1 Ipho izindleko zokuqoqa noma yiziphi izimali ezikhokhwayo ezihlongozwe kwisigatshana se-11 zidlula inani elikhokhisiwe;;

12.2.2 erekhodini loMfakisicelo; futhi

12.2.3 erekhodini elicelwe yisiphathimandla kwezesondlo noma umphenyi wezesondlo ngenhloso yophenyo lwesondlo noma uphenyo ngalo ngokwemibandela yoMthetho Wesondlo, 1998 (uMthetho No. 99 we-1998) noma izimiso ezenziwe ngaphansi kwesigaba sama-44 salowo Mthetho.

13 IZINQUMO NGEZICELO NESAZIZO SAKHONA

13.1 Isikhulu Solwazi se-NSFAS kufanele, ngokushesha ngangokunokwenzeka, kodwa ezinsukwini ezingama-30 ngemva kokutholwa kwesicelo, sinqume ukuthi siyasivuma yini isicelo noma cha futhi sazise Umfakisicelo ngalesi sinqumo (“**Isaziso**”). Isikhathi sokubhekana nesicelo singanwetshwa ngokuhambisana nesigaba sama-26 se-PAIA. Kodwa-ke, uma Isikhulu Solwazi sehluleka ukunikeza isinqumo Sesisicelo phakathi

nesikhathi esinqunyiwe (kuhlanganise nanoma yisiphi isikhathi eseluliwe), sizothathwa ngokuthi senqabile isicelo..

13.2 Lapho umfakisicelo efisa ukwaziswa ngesinqumo ngendlela ethile, umfakisicelo kufanele aziswe futhi Isaziso sihlinzekwe ngaleyo ndlela, uma kungenzeka ukwenza kanjalo.

13.3 Uma isicelo samukelwe, ofake isicelo kungase kudingeke ukuthi akhokhe izimali ezithile kwa-NSFAS ngaphambi kokuthola irekhodi eliceliwe. Umfakisicelo uzokwaziswa ngalokhu yi-NSFAS, ezobe isikhokhisa lezo zimali njengoba zibekwe ngaphansi kwesigaba sama-22 se-PAIA kanye nesiThasiselo B seziMiso ze-PAIA. I-NSFAS ingase ibambe i(ama)rekhodi aceliwe kuze kube yileso sikhathi lapho izimali ezinqunyiwe sezikhokhiwe.

13.4 Umfakisicelo angafaka isikhalo sangaphakathi eKomidini Eliphethe leBhodi ye-NSFAS, ephikisana nemali yokuthola irekhodi okufanele ikhokhwe noma uhlobo lokufinyelela olunikeziwe.

13.5 Isicelo singanqatshwa uma kunezizathu zokwenqaba

13.5.1 Izizathu zokwenqaba njengoba zivezwe eSahlukweni 4 se-PAIA, zifaka phakathi ukuvikelwa okuyimpoqo noma kokuzikhethela:

13.5.1.1. ubumfihlo bomuntu wesithathu ongumuntu wemvelo;

13.5.1.2. ulwazi lwezohwebo lomuntu wesithathu;

13.5.1.3. ulwazi oluthile oluyimfihlo lomuntu wesithathu;

13.5.1.4. ukuphepha kwabantu ngabanye, kanye nokuvikelwa kwempahla;

13.5.1.5. amarekhodi anikezwe ilungelo lokukhiqizwa ezinkantolo;

13.5.1.6. izintshisekelo zezomnotho kanye nenhlalakahle yezezimali yeRiphabhulikhi kanye nemisebenzi yezohwebo yezinhlango zomphakathi;

13.5.1.7. ulwazi lwezohwebo lwenhlango yangasese eseceleni;

13.5.1.8. ulwazi locwaningo lomuntu oseceleni, kanye nokuvikelwa kolwazi locwaningo lwenhlango elizimele; futhi

13.5.1.9. imisebenzi yezinhlango zomphakathi;

13.5.2 Isicelo singanqatshwa futhi uma kuyisicelo esingaphusile noma esiphula amalungelo, noma ukuphambukiswa kwezinsiza ezinkulu futhi okungenangqondo, njengoba kuchazwe esigabeni sama-45 se-PAIA, noma uma ukwamukela isicelo kungqubuzana nanoma yimuphi omunye umthetho, kuhlangoisa i-POPIA.

13.6 Uma zonke izinyathelo ezifanele zithathiwe ukuze kutholakale irekhodi futhi kunesizathu sokukholelwa ukuthi irekhodi likwa-NSFAS kodwa alitholakali, noma alikho, khona-ke Isikhulu Solwazi kufanele sazise Umfakisicelo ngendlela ebekwe esigabeni 23 ye-PAIA.

13.7 Uma isicelo senqatshwa, iSaziso kufanele phakathi kokunye sisho izizathu ezanele zokwenqaba, kuhlangoise nemibandela ye-PAIA okuthenjelwe kuyo. Esimweni esinjalo, ofake isicelo angafaka isikhalo sangaphakathi eKomidini Eliphethe leBhodi ye-NSFAS..

14 **ULWAZI LOMUNTU SIQU**

14.1 **Amaqoqo Ezihloko Zolwazi**

Izinqubo ze-NSFAS (noma esezicutshungulwe esikhathini esidlule esizayo) Ulwazi Lomuntu mayelana nalezi zigaba ezilandelayo zabantu Ulwazi Olumayelana nabo:

14.1.1 Abafundi abafanelekayo

14.1.2 Abafake izicelo zokukuxhaswa ngezimali yi-NSFAS

14.1.3 Abaxhasi be-NSFAS

14.1.4 Abantu besithathu i-NSFAS esebenzisana nabo njengosonkontileka abazimele

14.1.5 Abasebenzi be-NSFAS nabaqeqeshwayo

14.1.6 Abavakashele emagcekeni e-NSFAS

14.1.7 Noma yimaphi amaqembu asebenzisa i-NSFAS nganoma iyiphi indlela

14.2 Izinhlolo Zolwazi Oluqondene Nomuntu Oluqoqiwe

I-NSFAS Icubungula izinhlobo ezilandelayo zolwazi lomuntu siqu:

14.2.1 Imininingwane yokuhlonza: igama nenombolo yokubhalisa yanoma iyiphi inkampani noma ibhizinisi uma Umuntu Olumayelana naye ulwazi ungumuntu osemthethweni, igama nesibongo kanye nenombolo kamazisi uma Umuntu Olumayelana naye ulwazi ungumuntu wemvelo noma ummeleli womuntu wemvelo.

14.2.2 Imininingwane yokuxhumana: ikheli, ikheli le-imeyli, inombolo yokuxhumana

14.2.3 Imininingwane yezezimali: i-akhawunti yasebhange, iphrofayela yezokweleta, nomlando wokukweleta

14.2.4 Imininingwane yezokwelashwa neyebhayomethriki: umlando wokwelashwa,

imininingwane yebhayomethrikhi, neminingwane ehlobene

- 14.2.5 Imininingwane yezemfundo neyasemsebenzini: ehlobene nemfundo nomlando wokuqashwa, kubandakanya imininingwane yemiphumela yemfundo
- 14.2.6 Imininingwane yokuncanyelwayo: imibono yomuntu uqobo, imibono nokuncanyelwayo
- 14.2.7 Imininingwane yokwenziwe: imininingwane mayelana nokukhokha nokusaqhutshwa ne-NSFAS
- 14.2.8 Ulwazi olungumlando: ulwazi mayelana nezindawo zokuhlala zangaphambilini, umlando wokuqashwa, nolwazi oluhlobene
- 14.2.9 Imininingwane yezobuchwepheshe: ihlanganisa zonke izinhlobo zamakhukhi, ikheli le-IP, idatha yokungena, uhlobo lwesiphequluli nenguqulo, ukulungiselelwa kwendawo yesikhathi nendawo, izinhlobo nezinguqulo zesiphequluli, uhlelo lokusebenza nenkundla nobunye ubuchwepheshe kumadivayisi asetshenziswa ukungena kule Webhusayithi, kanye nolwazi mayelana nokuvakasha kwabasebenzisi, okuhlanganisa ama-URL agcwele, chofoza ukusakaza ngokusebenzisa nokusuka kuwebhusayithi ye-NSFAS (kuhlanganise nosuku nesikhathi), imikhiqizo ebukiwe noma ecingiwe, izikhathi zokuphendulwa kwekhasi, amaphutha, ubude bokuvakashela amakhasi athile, ulwazi lokusebenzisana kwamakhasi (njengokuskrola, ukuchofoza, nokudluliswa kwe-mouse) nezindlela ezisetshenzisiwe ukusuka ekhasini
- 14.2.10 Idatha yephrofayela: igama lomsebenzisi nephasiwedi, izinhlelo zokusebenza ezenziwe, izintshisekelo Zomuntu olumayelana naye ulwazi, okuncanyelwayo, impendulo kanye nezimpendulo zenhlolovo

14.2.11 Ukusetshenziswa kolwazi: Imininingwane mayelana nokuthi Umuntu Olumayelana naye ulwazi uyisebenzisa kanjani iwebhusayithi yakwa-NSFAS

14.2.12 Imininingwane yezokukhangisa nokuxhumana: okuncamelayo malungana nokukhangisa okuvela kwa-NSFAS nokukhethayo mayelana nokuxhumana

14.2.13 Ukubhalelana: konke ukubhalelana lapho kuxhunyanwa ne-NSFAS

14.2.14 Ulwazi Olukhethekile Lomuntu: oluhlobene nobuhlanga, ubulili, ucansi, ukukhulelwa, isimo somshado, ubuzwe, ubuzwe noma imvelaphi yomphakathi, ibala, ukukhetha ubulili, ubudala, impilo yomzimba noma yengqondo, ukuphila kahle, ukukhubazeka, inkolo, unembeza, inkolelo, isiko, ulimi kanye ukuzalwa..

14.2.15 Umlando wobugebengu

14.3 Indlela Yokuqoqwa Kolwazi Oluqondene Nomuntu

I-NSFAS iqoqa Ulwazi Lomuntu ngokuqondile ngokulubuza kuyena noma ngokungaqondile lapho kudingeka khona ukwenza kanjalo ukuze yenze imisebenzi yayo yomphakathi noma igunyazwe ukwenza kanjalo ngokwe-POPIA nanoma yimiphi Imithetho Esebenzayo.

14.4 Inhloso Yokusetshenziswa Kolwazi Oluqondene Nomuntu

Lonke Ulwazi Lomuntu Olucutshungulwe yi-NSFAS izolucubulungela injongo yokwenza imisebenzi yayo, njengoba kubhalwe kuNqubomgomo Yobumfihlo ye-NSFAS futhi njengoba kugunyazwe ngaphansi koMthetho we-NSFAS nanganoma yimiphi Imithetho Esebenzayo. Ukuze kugwenywe noma yikuphi ukungabaza, lokhu kuhlenganisa Ukucubungula ngazo zonke izindlela ezihlongozwe ngaphansi kwe-POPIA, okuhlenganisa ukuqoqwa, ukusetshenziswa, ukugcinwa, nokudalulwa

kwezinkampani zangaphandle Zolwazi Lomuntu.

14.5 Izicelo Zolwazi Oluqondene Nomuntu

A Umuntu unelungelo lokwazi ukuthi ngabe i-NSFAS Iyalucubungula Ulwazi Lwakhe noma Ulwazi Lomuntu abagunyazwe ngokufanelekile ukummela futhi, uma kunjalo, izinga lalokho kucutshungulwa okuvunyelwe. Isicelo salolu lwazi kufanele sithunyelwe ngokuhambisana nalo Mhlahlandlela.

14.6 Ukunqatshwa Kokusetshenziswa Kolwazi Oluqondene Nomuntu

Umuntu olumayena naye ulwazi unelungelo lokuphikisa indlela i-NSFAS Ecubungula ngayo Ulwazi Lwabo ngaye. Lokho kuphikisa kufanele kuqondiswe kuSekela-Sikhulu Solwazi ekhelini elishiwo kusigatshana sesi-6.

15 UKUHLELWA KOKUZIBANDAKANYA KOMPHAKATHI NGOKUSUNGULWA KWEZINQUBOMGOMO

15.1 Abafundi nabasebenzi bangabamba iqhaza ezinhlelweni zenqubomgomo kanye nokuthathwa kwezinqumo ze-NSFAS ngokuhambisana nemibandela yoMthetho we-NSFAS, kanye nangokwe-PAIA kanye nalezo zinqubo zangaphakathi njengoba kuvunyelwene nezigungu ezimele abafundi nabasebenzi ngezikhathi ezithile.

15.2 Abanye abantu abanentshisekelo bangathumela imibono noma iziphakamiso zabo ngokubhalela iPhini Lesikhulu Solwazi ekhelini elishiwo esigabeni sesi-6.

16 IZISOMBULULO NOKUKHALAZA MALUNGANA NEZINQUBO EZITHATHIWE

16.1 Umfakisicelo onesikhalo ngesinqumo seSikhulu soLwazi angafaka isikhalo sangaphakathi eKomidini Eliphethe lebhodi ye-NSFAS.

16.2 Inqubo yokudlulisa icala yangaphakathi ye-NSFAS yaziswa yiNgxenye yesi-4 ye-PAIA.

- 16.2.1 IKomidi Eliphethe lebhodi ye-NSFAS, elisungulwe ngokwesigaba 10 soMthetho we-NSFAS “Iyisiphathimandla esifanele” okumele kuhanjiswa kuso izikhalo zangaphakathi ukuze zibuyekezwe..
- 16.2.2 Lezo zikhazazo ezinjalo kufanele zibhekiswe Esikhulwini Solwazi, ekhelini lendawo, inombolo yefeksi, noma ikheli le-imeyili elisohlwini lwesigatshana sesi-6 salo Mhlahlandlela.
- 16.2.3 Isikhazazo kumele sifakwe zingakapheli izinsuku ezingama-30 kusukela osukwini uMfakisicelo aziswe ngalo ngomphumela wesinqumo, noma zingakapheli izinsuku ezingama-30 kusukela osukwini okucatshangwa ngalo ukuthi isicelo siqatshiwe. Uma isikhalo sangaphakathi sifakwe ngemuva kokuphela kwalesi sikhathi, iKomidi Eliphethe, lapho kunesizathu esihle esibonisiwe, lingavumela ukufakwa kwesikhazazo sangaphakathi sekudlule isikhathi. Uma iKomidi eliPhezulu lingakuvumeli ukufakwa kwesikhalo sangaphakathi sekudlule isikhathi, liyonikeza isaziso saleso siqumo kumfakisikhazazo.
- 16.2.4 Isikhazazo kufanele sifakwe ngefomu elinqunyiwe (Ifomu 4 ngaphansi kwesiThasiselo B seziMiso ze-PAIA, elinanyathielwe njengeSithasiselo C salo Mhlahlandlela). Isikhazazo kufanele siveze isihloko sesikhazazo sangaphakathi futhi sibeke izizathu zesikhazazo sangaphakathi, futhi singafaka nanoma yiluphi olunye ulwazi olufanele. Ummangali kufanele futhi acacise ikheli le-imeyili, ikheli leposi noma inombolo yefeksi. Uma, ngaphezu kwempendulo ebhaliwe, ofake isikhazazo efisa ukwaziswa ngesinqumo sesikhazazo sangaphakathi nganoma iyiphi enye indlela, kufanele asho indlela afisa ukwaziswa ngayo futhi anikeze neminingwane edingekayo ukuze aziswe kanjalo.

- 16.2.5 Ummangali kufanele futhi akhokhe imali enqunyiwe. IKomidi Eliphethe lingahlehlisa isinqumo salo ngesikhalazo sangaphakathi kuze kube yileso sikhathi lapho kukhokhwa khona imali enqunyiwe. Izimali ezinqunyiwe maqondana nezinhlangano zikahulumeni zibalwe ngaphansi kweSithasiselo B seMithetho ye-PAIA.
- 16.3 Uma umfakisicelo ephatheke kabi ngesinqumo seKomidi eliPhezulu ngomphumela wesikhalazo sangaphakathi, umfakisicelo angafaka isicelo eNkantolo ukuze athole usizo olufanele noma afake isikhalazo kuMlawuli woLwazi.
- 16.4 Umfakisicelo angafaka isicelo eNkantolo noma afake isikhalo kuMlawuli Wolwazi kuphela ngemva kokuhambisana nenqubo yokudlulisa icala yangaphakathi ehlinzekwe kulo Mhlahlandlela.
- 16.5 Isikhalazo esiya kuMlawuli woLwazi kufanele sifakwe ngefomu elinqunyiwe (iFomu 5 ngaphansi kwesiThasiselo B seziMiso ze-PAIA) ngokugcwalisa ifomu lesikhalazo nge-inthanethi elitholakala ku-<https://www.justice.gov.za/inforeg/> noma ngokuthumela imeyili kuMlawuli Wolwazi ku-PAIAComplaints@infoeregulator.org.za.
- 16.6 Esimeni lapho kufakwa isikhalo sangaphakathi, isikhalazo esiya kuMlawuli Wezolwazi, noma isicelo enkantolo, noma ngabe yikuphi okwenzekayo, sifakwa ngokumelene nokuvunywa kwesicelo sokuthola irekhodi, ukufinyelela kulelo rekhodi kuyovunyelwa kuphela uma isinqumo sokwamukelwa kwesicelo ekugcineni kuqinisekiswa ngokuvumelana nesikhalazo sangaphakathi, isikhalo soMlawuli Wolwazi, noma isicelo senkantolo.