ULAWULO LWEPHONDO LENTSHONA KOLONI

UMGAQO WOKUSETSHA

INGXELO NGALE NKQUBO

1. Nawuphi na umqeshi kufanelekile ukuba athabathe amanyathelo afanelekileyo okukhusela impahla yakhe, ngoko ke unelungelo lokusetsha abasebenzi kwaneempahla zabo.
2. Iziphatha-mandla zoLawulo lwePhondo leNtshona Koloni (WCPA) zonoxanduva lokugada impahla yorhulumente ikhuseleke. Oku kuya kwenziwa ngokwemiqathango yoMgaqo-siseko woMzantsi Afrika (Act 108 of 1996), lingalityalwanga ilungelo elilodwa labucala lomntu ngamnye. ICandelo 36 loMgaqo-siseko ke ngoko, likhankanya ukuba eli lungelo liya kuba nemida ethile ngeenjongo zomthetho, ekufuneka zijongiwe, kwaye loo mida yenziwe ngokufanelekileyo ngaphezulu inezizathu.

INKQUBO

1. Ngenxa yomonakalo, ukwanda okukhulu kweziganeko zokulahlekelwa, zithe iziphatha-mandla emva kokuba ziye zacingisisa zenza nophando ngokupheleleyo, zagqiba ekubeni ukusetsha yeyona ndlela ifanelekileyo ukugatya ubusela.
2. Kuya kusetshwa kusetyenziswa iindlela ezimbini kugatywa kukwanqandwa ubusela.

   (a) Luya kwenziwa ugqogqo maxesha onke kwiindawo ezinesantya esiphezulu zesi senzo. Ezo ndawo zinjalo zichazwa njengeendawo, umzekelo, apho izinto ezincinci nezizezexabiso zinokubeka lula.

   (b) Kuya kuvele kusetshwe kungalindelwanga kwiindawo ezinesizathu esibambekayo nenkolo yokuba ziyabiwa kuzo iimpahla iziphatha-mandla, ngenxa yokufumana isilumkiso esithile, kungenjalo amanyathelo okukhawulelana nokugatya ubusela. Zininzi iindlela zokuthatha isigqibo sokuba ngubani na omakasetshwe, umzekelo xa imabhile zili-10 engxoweni kukho nenombala owahlukileyo, umntu ke othe wafumana leyo yahlukileyo kwezinye uya kusetshwa.

   (c) Kuya kuxhomekeka mayela nemfuneko yokuba kufakelwe izixhobo zokuchupha, oko kusenziwa ngokwezigaba ezahlukeneyo ngaphandle kwesilumkiso.

NGOKUBANZI

1. Abasebenzi abathe bafunyanwa benempahla yakwaPAWC ngokungekho mthethweni, baya kujongana nenkqubo yoluleko yesebe elichaphazelekayo kwanobutyala bolwaphulo-mthetho. Ityala ngalinye liya kugqithiselwa kwabeNkonzo yaMapolisa yoMzantsi Afrika (SAPS) ngokuhambelanayo noMgaqo-nkqubo woBuqhetseba noBusela.

2. Ukuba ngaba uye wakrokrela msebenzi uthile unogada ukuba uneempahla zorhulumente ngokungekho mthethweni, aze umntu lowo ale ukusetshwa, kuya

kubizwa abeNkonzo yaMapolisa oMzantsi Afrika ukuba bamsetshe ngokwabo. Ukungavumi ukuthobela inkqubo yosetsho, loo nto iya kukhokelela ekubeni umntui lowo athatyathelwe amanyathelo oluleko.

3. Bonke abasebenzi kwanabandwendweleyo, bayacelwa ukuba bancedisane noonogada ekwenzeni umsebenzi wabo ongelula, ngokuthi bavumelane neenkqubo zokusetshwa.

4. Bonke abasebenzi kufuneka bazazi iziphumo ezingancumisiyo xa benokufunyaniswa benobutyala bobusela, okanye ukuba neempahla zeWCPA ngaphandle komthetho.

5. Nawuphi na unogada we-WCPA okanye unogada wabucala olisebenzisa ngokungafanelekanga igunya analo ngokwemiqathango yale nkqubo, uya kuthathelwa amanyathelo angqingqwa oluleko. Izikhalazo ezibekho ngenxa yezenzo ezinjalo mazithunyelwe ngokwencwadi ebhaliweyo kwiNtloko yoLawulo loThintelo-ngozi yeSebe/yeziko.

6. Ugqogqo oluya kwenziwa ekhaya luya kwenziwa ngaMapolia eNkonzo yoMzantsi Afrika, kuphela emva kwengxelo efungelweyo nguloo mntu uthe weza nengxelo ngento ekrokrisayo. AbeSAPS baya kufumana ilungelo (warrant) lokugqogqa ze bakwenze oko behamba noonogada be-WCPA okanye unogada wabucala.

7. Zonke izithuthi (kuqukwa nozorhulumente) ziya kugqogqwa. Abasebenzi kuya kufuneka babavumele abe-WCPA, kungenjalo unogada wabucala ukuba asetshe isithuthi ngaphakathi nakwiindawo ezitshixwayo ezinjengeebhuti ezi.

8. Kwiimeko kaxakeka ilokhari/isefu (locker) engaphawulwanga okanye mhlawumbi akafumaneki umniniyo, iya kuvulwa emva kokuba sele ekhangelwe nkalwana zonke. Kwiimeko ezingxhalabisiyo ilokhari/isefu kufuneka ivalwe ize ibe selugcinweni loonogada. Xa ngaba lo lokhari/ isefu ayide ilandwe emva kweentsuku ezisixhenxe iselugcinweni, oonogada baya kuyivula phambi kweNtloko yeSebe/ yeziko.

ULAWULO LWEPHONDO LENTSHONA KOLONI

UMGAQO WOKUSETSHA

INGXELO NGALE NKQUBO

3. Nawuphi na umqeshi kufanelekile ukuba athabathe amanyathelo afanelekileyo okukhusela impahla yakhe, ngoko ke unelungelo lokusetsha abasebenzi kwaneempahla zabo.

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INKQUBO

3. Ngenxa yomonakalo, ukwanda okukhulu kweziganeko zokulahlekelwa, zithe iziphatha-mandla emva kokuba ziye zacingisisa zenza nophando ngokupheleleyo, zagqiba ekubeni ukusetsha yeyona ndlela ifanelekileyo ukugatya ubusela.

4. Kuya kusetshwa kusetyenziswa iindlela ezimbini kugatywa kukwanqandwa ubusela.

   (a) Luya kwenziwa ugqogqo maxesha onke kwiindawo ezinesantya esiphezulu zesi senzo. Ezo ndawo zinjalo zichazwa njengeendawo, umzekelo, apho izinto ezincinci nezizezexabiso zinokubeka lula.

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zokuthatha isigqibo sokuba ngubani na omakasetshwe, umzekelo xa imabhile zili-10 engxoweni kukho nenombala owahlukileyo, umntu ke othe wafumana leyo yahlukileyo kwezinye uya kusetshwa.

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NGOKUBANZI

9. Abasebenzi abathe bafunyanwa benempahla yakwaPAWC ngokungekho mthethweni, baya kujongana nenkqubo yoluleko yesebe elichaphazelekayo kwanobutyala bolwaphulo-mthetho. Ityala ngalinye liya kugqithiselwa kwabeNkonzo yaMapolisa yoMzantsi Afrika (SAPS) ngokuhambelanayo noMgaqo-nkqubo woBuqhetseba noBusela.

10. Ukuba ngaba uye wakrokrela msebenzi uthile unogada ukuba uneempahla zorhulumente ngokungekho mthethweni, aze umntu lowo ale ukusetshwa, kuya kubizwa abeNkonzo yaMapolisa oMzantsi Afrika ukuba bamsetshe ngokwabo. Ukungavumi ukuthobela inkqubo yosetsho, loo nto iya kukhokelela ekubeni umntui lowo athatyathelwe amanyathelo oluleko.

11. Bonke abasebenzi kwanabandwendweleyo, bayacelwa ukuba bancedisane noonogada ekwenzeni umsebenzi wabo ongelula, ngokuthi bavumelane neenkqubo zokusetshwa.

12. Bonke abasebenzi kufuneka bazazi iziphumo ezingancumisiyo xa benokufunyaniswa benobutyala bobusela, okanye ukuba neempahla zeWCPA ngaphandle komthetho.

13. Nawuphi na unogada we-WCPA okanye unogada wabucala olisebenzisa ngokungafanelekanga igunya analo ngokwemiqathango yale nkqubo, uya kuthathelwa amanyathelo angqingqwa oluleko. Izikhalazo ezibekho ngenxa yezenzo ezinjalo mazithunyelwe ngokwencwadi ebhaliweyo kwiNtloko yoLawulo loThintelo-ngozi yeSebe/yeziko.

14. Ugqogqo oluya kwenziwa ekhaya luya kwenziwa ngaMapolia eNkonzo yoMzantsi Afrika, kuphela emva kwengxelo efungelweyo nguloo mntu uthe weza nengxelo ngento ekrokrisayo. AbeSAPS baya kufumana ilungelo (warrant) lokugqogqa ze bakwenze oko behamba noonogada be-WCPA okanye unogada wabucala.

15. Zonke izithuthi (kuqukwa nozorhulumente) ziya kugqogqwa. Abasebenzi kuya kufuneka babavumele abe-WCPA, kungenjalo unogada wabucala ukuba asetshe isithuthi ngaphakathi nakwiindawo ezitshixwayo ezinjengeebhuti ezi.

16. Kwiimeko kaxakeka ilokhari/isefu (locker) engaphawulwanga okanye mhlawumbi akafumaneki umniniyo, iya kuvulwa emva kokuba sele ekhangelwe nkalwana zonke. Kwiimeko ezingxhalabisiyo ilokhari/isefu kufuneka ivalwe ize ibe selugcinweni loonogada. Xa ngaba lo lokhari/ isefu ayide ilandwe emva kweentsuku ezisixhenxe iselugcinweni, oonogada baya kuyivula phambi kweNtloko yeSebe/ yeziko.

A
INKQUBO YOKUSETSHA

INDLELA EZA KULANDELWA

1. Kuya kuqhutywa ugqogqo kuye nawuphi na umntu ongenayo okanye ophumayo kwizakhiwo zeWCPA (akuyi kusetshwa basebenzi kuphela).

2. Ukugqogqwa kweepasela zabasebenzi, izithuthi kwanezinto zabo kuya kwenziwa ngoonogada ukukhusela uWCPA. Oku kuyakwezniwa bphambi kwegosa elo okanye phambi kwentloko yeSebe/yeZiko.

3. Ukusetshwa kwabantu emzimbeni kuya kwenziwa ngaMapolisa eNkonzo yoMzantsi Afrika ndawonye noonogada be-WCPA, okanye oonogada babucala, kwaye oku kuya kusoloko kusenziwa kukho amangqina. Iya kuba ngoonogada ababhinqileyo kuphela amabasetshe abantu ababhinqileyo.

4. iimpahla zabasebenzi ziya kuhlolwa ngobulumko yi-WCPA okanye oonogada babucala.

5. Abasebenzi bawo onke amanqanaba, kuqukwa noonogada baya kusetshwa ngalo lonke ixesha kuzo zonke iindawo. Kwiimeko zokugqogqwa kwendawo zokungena kufuneka icace into yokuba nawuphi na umntu uya kusetshwa kwizakhiwo ze-WCPA, nokuba ukweliphi inqanaba nesikhundla ngokomsebenzi. Lo mmiselo usebenza nakwabo bahambeleyo nokuba nguwuphi na umntu ofuna ukungena/ ukuphuma kwezi zakhiwo.

6. Ukuthathwa kwazo naziphi na iimpahla ze-WCPA kwizakhiwo zayo kufuneka kucaciswe ngencwadi egunyazisa ukuthathwa kwaloo mpahla, oko kusenziwa ngumntu osemagunyeni njengomntu onika imiyalelo welo sebe lichaphazelekayo.

7. Nangona ezi zikhokelo zilandelayo neziphathelelene nolu gqogqo zinyanzelekile nje, bonke abantu abaza kusetshwa kufuneka kuqale kwadityanwa nabo kuhlonitshwe isidima somntu lowo.

8. ukuthintela ukukrokreleka, abatu abafuna ukungena kwizakhiwo ze-WCPA bayacetyiswa ukuba bazise koonogada iimpahla zabo ukuze zijongwe phambi kokuba bangene. Iimpahla zabucala eziquka nayiphi na into yomntu angena nayo kwizakhiwo ze-WCPA, ingakumbi izinto ezinxulumene nomsebenzi ezifana neleptophu, iikhompyutha neekhakyuleyitha, njl,njl.

B
UGQOGQO OLUNGALINDEL WANGA

IINDLELA EZILANDELWAYO

1. Kuya kuqhutywa ugqogqo kuye nawuphi na umntu ongenayo okanye ophumayo kwizakhiwo zeWCPA (akuyi kusetshwa basebenzi kuphela).

2. Ukugqogqwa kweepasela zabasebenzi, izithuthi kwanezinto zabo kuya kwenziwa ngoonogada ukukhusela uWCPA. Oku kuyakwezniwa bphambi kwegosa elo okanye phambi kwentloko yeSebe/yeZiko.

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6. Amagumbi okutshintshela asetyenziswa ngabasebenzi besini esithile, aya kugqogqwa nawo, oko kusenziwa ngengentlonelo ukunika umntu ngamnye imbeko kwizinto zakhe zasekhusini. Apho kunzima ukuba amagosa esinye isini angakwazi ukugqogqa, oonogada baya kuqala benze isilumkiso xa beza kusebenza kwindawo leyo.

7. Ukuthathwa kwazo naziphi na iimpahla ze-WCPA kwizakhiwo zayo kufuneka kucaciswe ngencwadi egunyazisa ukuthathwa kwaloo mpahla, oko kusenziwa ngumntu osemagunyeni njengomntu onika imiyalelo welo sebe lichaphazelekayo.

8. Nangona ezi zikhokelo zilandelayo neziphathelelene nolu gqogqo zinyanzelekile nje, bonke abantu abaza kusetshwa kufuneka kuqale kwadityanwa nabo kuhlonitshwe isidima somntu lowo.

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