Umnikazi Wenqubo: Inhloko Yezomthetho	Ubungozi: Ukuhlinzeka ngokungeyikho ulwazi kanye/noma ukwenqaba ukuhlinzeka ulwazi kuMfakisicelo. Amathuba esinyathelo sezomthetho uma umthetho ungathotshelwa.	Ukubunciphisa: Leli bhukwana kufanele lilandelwe, futhi izicelo zolwazi kufanele zisingathwe ngendlela efanele ngokwezinqubo ezifanele ezisebhukwaneni. Bonke abathintekayo kufanele baziswe ngokuqukethwe yibhukwana. Ukubuyekeza nokuhlola ibhukwana njalo ukuze lihambisane nezinguquko zomkhakha.
Isiginisha:	I-KPI: Akukho ukungathotshelwa komthetho okutholakele maqondana nenqubo yesicelo.	

IBHUKWANA LOKUGQUGQUZELA UKUTHOLAKALA KOLWAZI (PAIA)

NGOKWESIGABA 51 SOMTHETHO KA-2000 WOKUGQUGQUZELA UKUTHOLAKALA KOLWAZINI

Lenziwe / Libuyekezwe:	Lihlolwe:	Ligunyazwe:	Usuku Lokuqala Ukusebenza Kwalo:
NguMeluleki Wezomthetho	Yinhloko Yezomthetho Nezomhlalaphansi	YiKomiti Labaqondisi	
Isiginisha:	Isiginisha:	Isiginisha:	11/03/2024

"Ikhophi ephrintiwe kungenzeka ayisasebenzi. Leli bhukwana lisebenza usuku olulodwa kuphela"

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

TABLE OF CONTENTS

1. UMthetho **3**

2. Imininingwane Yenkampani Neyokuxhumana **3**

3. UMhlahlandlela **3**

4. Umthetho Othintekayo **4**

5. Ukutholaka Amarekhodi **4**

5.1. Izihloko Nezinhlu Zamarekhodi Agciniwe 4

5.2. Inqubo Yesicelo Kanye Nezimali Zezindleko 4

6. Ukwenqatshwa Kokukhishwa Kwerekhodi **5**

6.1. Izizathu Zokwenqaba 5

6.2. Ezinye Izizathu 6

7. Izixazululo **6**

7.1. Izixazululo Zangaphakathi 6

7.2. Izixazululo Zangaphandle 6

8. Izimali Ezinqunyiwe Zezindleko **7**

9. Ukutholakala KweBhukwana **8**

10. Okwenezeliwe **8**

"ISITHASISELO A" **9**

"Ikhophi ephrintiwe kungenzeka ayisasebenzi. Leli bhukwana lisebenza usuku olulodwa kuphela"

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

1. UMthetho

UMthetho Ka-2000 Wokugqugquzela Ukutholakala Kolwazi, i-PAIA uqalisa ukusebenza kwesigaba 32 soMthethosisekelo, esihlinzeka ngokuthi wonke umuntu unelungelo lokuthola ulwazi olugcinwe nguHulumeni, kanye nolwazi olugcinwe ngomunye umuntu (noma inhlangano ezimele) uma lolo lwazi olugcinwe ngokuyimfihlo ludingeka ukuze kusetshenziswe ilungelo noma kuvikelwe ilungelo elithile.

I-PAIA, ihlinzeka ngokuthi umuntu ocela ulwazi kufanele anikezwe noma yiliphi irekhodi lenhlangano ezimele, uma lelo rekhodi lidingeka ukuze asebenzise noma avikele ilungelo. Kodwa, isicelo esinjalo kufanele sihambisane nezimfuneko zenqubo engokoMthetho.

Leli Bhukwana Lokugqugquzela Ukutholakala Kolwazi ("iBhukwana") lenziwe ngokwesigaba 14 soMthetho. Inhloso yaleli Bhukwana iwukwenza lula izicelo zokuthola amarekhodi ase-Balwin njengoba kubekiwe ngaphansi koMthetho.

2. Imininingwane Yenkampani Neyoxhumana

I-Balwin Properties Limited, inombolo yokubhaliswa: 2003/028851/06 ("i-Balwin"), iyinkampani esohlwini lwe-JSE eseyisebenze iminyaka engaphezu kwamashumi amabili emkhakheni yezakhiwo eNingizimu Afrika. Kusukela ngo-1996, i-Balwin ibilokhu iklama, yakha, ikhangisa, futhi ithengisa izindlu eziphephile, ezithengekayo, ezisezingeni eliphezulu, nezibonelela imvelo.

INhloko Yezomthetho e-Balwin iqokwe njengePhini Lesikhulu Sezolwazi iqokwa yiSikhulu Esiphezulu, ukuba isebenze njengoyena muntu okumele ziqondiwe kuye izicelo zokuthola ulwazi ngokuhambisa noMthetho.

OBHALELWAYO:	**INhloko Yezomthetho (IPhini Lesikhulu Sezolwazi)**
Ikheli Leposi :	Private Bag x4 Gardenview Johannesburg 2047
Ikheli Lendawo:	105 Corlett Drive Melrose Johannesburg 2196
Ucingo:	(011) 450 2818
Ikheli Le-Imeyili:	information@balwin.co.za
Iwebhusayithi:	www.balwin.co.za

3. Umhlahlandlela

Umhlahlandlela we-PAIA utholakala mahhala ngazo zonke izilimi ezisemthethweni zaseNingizimu Afrika, futhi noma yimuphi umuntu angayicela ikhophi yalo mhlahlandlela.

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

Ikhophi yomhlahlandlela ingatholakala ngokuthintana neKhomishana Yamalungelo Abantu YaseNingizimu Afrika, lapha:

The South African Human Rights Commission
PAIA Unit
The Research and Documentation Department
Private Bag X2700
Houghton
2041

Ucingo: +27 11 877 3600
Iwebhusayithi: www.sahrc.org.za

Noma

The Information Regulator
33 Hoofd Street
Forum III, 3rd Floor Braampark
P.O Box 31533
Braamfontein, Johannesburg, 2017

Ucingo: +27 10 023 5207
Iwebhusayithi: https://www.justice.gov.za/inforeg/index.html

4. Umthetho Othintekayo

Lapho kuthinteka khona imisebenzini ye-Balwin, ulwazi luyatholakala ngokwenqubo yomthetho othintekayo kazwelonke.

5. Ukuthola Amarekhodi

Lapho kuthinteka khona imisebenzi ye-Balwin, ulwazi luyatholakala ngokwenqubo yomthetho othintekayo kazwelonke.

5.1 Izihloko Nezinhlu Zamarekhodi Agciniwe

Ukufakwa kwesihloko esithile noma izinhlu ezithile zamarekhodi akufanele kuthathwe njengenkomba yokuthi amarekhodi angena kulezo zihloko kanye/noma kulezo zinhlu azotholakala ngaphansi koMthetho. Kunamarekhodi angase angakhishwa ngezizathu zokwenqaba ezibekwe eMthethweni.

5.2 Inqubo Yezicelo Nezimali Zezindleko

5.2.1 Umfakisicelo kumele asebenzise ifomu elihlinzekiwe (iSithasiselo A) lapho efaka isicelo sokuthola irekhodi. Ifomu kufanele lithunyelwe kuPhini Lesikhulu Sezolwazi. Lesi sicelo kufanele sithunyelwe ekhelini leposi noma le-imeyili lePhini Lesikhulu Sezolwazi sase-Balwin.

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

5.2.2 Umfakisicelo kumele ahlinzeke ngemininingwane eyanele efomini lesicelo ukuze iPhini Lesikhulu Sezolwazi likwazi ukuhlonza irekhodi kanye nomfakisicelo. Umfakisicelo kufanele abonise nokuthi ufuna ukuluthola ngayiphi indlela ulwazi. Umfakisicelo kufanele futhi asho uma efisa ukwaziswa nganoma iyiphi enye indlela futhi asho nemininingwane edingekayo yaleyo ndlela ukuze aziswe ngayo.

5.2.3 Umfakisicelo kumele asho ilungelo afuna ukulisebenzisa noma afuna ukulivikela futhi anikeze incazelo yokuthi kungani irekhodi alicelayo lidingeka ukuze asebenzise noma avikele lelo lungelo.

5.2.4 Uma isicelo senzelwa omunye umuntu, umfakisicelo kufanele alethe ubufakazi besikhundla asisebenzisayo ekwenzeni leso sicelo, ubufakazi obuzogculisa iPhini Lesikhulu Sezolwazi.

5.2.5 IPhini Lesikhulu Sezolwazi kufanele lazise umfakisicelo (ngaphandle komfakisicelo ofuna ulwazi oluqondene naye ngqo) ngesaziso, esitshela umfakisicelo ukuba akhokhe imali engu-R50 ngaphambi kokuba kuqhutshekwe nokucutshungulwa kwesicelo. Umuntu ofake isicelo solwazi lwakhe siqu akayikhokhi leyo mali.

5.2.6 Umfakisicelo angafaka isikhalo sangaphakathi noma isicelo enkantolo sokuphikisa ukukhokhwa kwemali yesicelo.

5.2.7 IPhini Lesikhulu Sezolwazi liyobe selithatha isinqumo ngesicelo bese lazisa umfakisicelo ngendlela acele ukwaziwa ngayo.

5.2.8 Uma isicelo samukelwe, kufanele kukhokhwe enye imali yokucinga lelo rekhodi, ukulikhiqiza kabusha, ukulihlela kanye neyanoma yisiphi isikhathi eseqe amahora anqunyiwe okucinga nokuhlela irekhodi ukuze likhishwe.

6. <u>Ukwenqatshwa Kokukhishwa Kwerekhodi</u>

6.1 Izizathu Zokwenqaba Ukukhipha Irekhodi

6.1.1 Zonke izicelo ezihlangabezana nezimfuneko ezishiwo ngenhla zizocutshungulwa ngokwemibandela yesikhathi ebekwe ku-PAIA. Izicelo zinganqatshwa ngokusekelwe kulezi zizathu ezilandelayo, njengoba zibekwe ku-PAIA

- Isibopho sokuvikela ulwazi lwangasese lomuntu wesithathu ongumuntu wemvelo;
- Isibopho sokuvikela ulwazi lwezohwebo lomuntu wesithathu;
- Isibopho sokuvikela ulwazi oluthile oluyimfihlo lomuntu wesithathu;
- Isibopho sokuvikela amarekhodi anomyalelo wenkantolo ovimbela ukukhiqizwa kwawo;
- Ulwazi lwezohwebo lwase-Balwin; noma
- Isibopho sokuvikela ulwazi locwaningo lomuntu wesithathu nolwe-Balwin.

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

6.1.2 Abafakizicelo bazokwaziswa zingakapheli izinsuku ezingu-30 (amashumi amathathu) mayelana nesinqumo sokuthi isicelo sokuthola ulwazi sivunyiwe yini noma senqatshiwe.

6.1.3 Lesi sikhathi sezinsuku ezingu-30 (amashumi amathathu) singanwetshwa ngezinye izinsuku ezingu-30 (amashumi amathathu) uma kudingeka isikhathi esengeziwe sokuqoqa ulwazi oluceliwe. Umfakisicelo uzokwaziswa uma isikhathi sokuqala sesaziso sezinsuku ezingu-30 (amashumi amathathu) sizokwengezwa ngezinye izinsuku ezingu-30 (amashumi amathathu).

6.1.4 Izicelo zolwazi okusobala ukuthi ziwuwangala noma ngezokululaza, ezibandakanya ukuphambukisa ngendlela engafanele kwezinsiza, ziyokwenqatshwa;

6.1.5 Zonke izicelo zolwazi zizocutshungulwa ngokwesicelo ngasinye nangokwenkambiso nemithetho ethinyekayo.

6.2 Ezinye Izizathu

UMthetho Wokugqugquzela Ukutholakala Kolwazi uhlinzeka ngezizathu eziningana lapho isicelo sokuthola ulwazi kumele senqatshwe khona. Lezi zizathu ikakhulukazi zithinta izimo lapho ulwazi oluyimfihlo kanye nezindaba zabanye abantu zivikelwe khona, lapho lawo marekhodi esevele etholakala esidlangalaleni, lapho kungazuzizi khona umphakathi, kunesibopho sokuvukela ulwazi lwezohwebo lomuntu wesithathu, kanye nesibopho sokuvikela ulwazi oluthile oluyimfihlo lomuntu wesithathu.

7. <u>Izixazululo</u>

7.1 Izixazululo Zangaphakathi

I-Balwin ayinazo izinqubo zangaphakathi zokufaka izikhalo. Isinqumo esithathwe yiPhini Lesikhulu Sezolwazi singujuqu. Abafizicelo kuyodingeka basebenzise izixazululo zangaphandle abanazo uma isicelo solwazi senqatshwa nalapho umfakisicelo engagculisekile ngempendulo yePhini Lesikhulu Zezomphathi Wolwazi.

7.2 Izixazululo Zangaphandle

7.2.1 Umfakisicelo ongagculisekile ngezizathu zePhini Lesikhulu Sezolwazi zokwenqaba ukukhipha ulwazi, angakwazi phakathi nezinsuku ezingu-30 (amashumi amathathu) ngemva kokwaziswa ngesinqumo, ukuba afake isicelo soziso eNkantolo.

7.2.2 Umuntu wesithathu ongagculisekile ngezizathu zePhini Lesikhulu Sezolwazi zokwenqaba ukukukhipha ulwazi, angakwazi Phakathi kwezinsuku ezingu-30 (amashumi amathathu) ngemva kokwaziswa ngesinqumo, ukuba afake isicelo sosizo eNkantolo.

Ngokuqondene noMthetho, nazi iziNkantolo ezifanele ezinegunya lokusingatha lezo zicelo:

- Inkantolo YoMthethosisekelo;

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

- Inkantolo Ephakeme;
- Enye inkantolo ezingeni elifanayo; noma
- INkantolo Yemantshi eqokwe uNgqongqoshe Wezobulungiswa Nokuthuthukiswa KoMthethosisekelo.

8. **<u>Izimali Ezinqunyiwe Zezindleko</u>**

8.1 Izimali ezikhokhelwa izindleko zinqunywa ngokweMithethonqubo engaphansi koMthetho. Kunezinhlobo ezimbili zezimali zezindleko:

8.1.1 **Imali Yesicelo:** Imali yesicelo engabuyiswa engu-R50 (ingakafakwa i-VAT) ikhokhwa lapho umuntu efaka isicelo sokuthola irekhodi. Lokhu akusebenzi uma isicelo singesamarekhodi omfakisicelo siqu – kuleso simo akukho mali ekhokhwayo.

8.1.2 **Imali Yemvume:** Imali yemvume yokuthola ulwazi ikhokhwa ngaphambi kokukhishwa kwaleyo yokuthola ulwazi ngendlela eceliwe. Lezi zimali zibekwe eNgxenyeni III yeSithasiselo A njengoba kuchazwe kuGazethi yeSaziso esinguNombolo 187, uMthethonqubo 11.

8.2 Lapho isicelo sifika kuPhini Lesikhulu Sezolwazi, leso sikhulu siyocela ngesaziso umfakisicelo ukuba akhokhe imali enqunyiwe ngaphambi kokuqhubeka nokucutshungulwa kwesicelo.

8.3 Uma irekhodi selicingiwe, kodwa ukuhlelelwa ukukhishwa kwalo kanye nokulilungisa ukuze litholakale ngendlela eceliwe, kudinga amahora angaphezu kwalawo abekwe emithethweni yokwenza lo msebenzi, iPhini Lesikhulu Sezolwazi sizokwazisa umfakisicelo ukuthi kumele akhokhe ingxenye yemali azoyikhokhela ukukhishwa kolwazi uma isicelo sakhe sivunyiwe.

8.4 IPhini Lesikhulu Sezolwazi lizogodla irekhodi kuze kube yilapho umfakisicelo eseyikhokhile imali efunekayo.

8.5 Umfakisicelo othole imvume yokuthola irekhodi alicelile, kufanele akhokhe imali yokulithola ebalwe ngendlela yokuba ihlanganise, lapho kufanele khona, imali yesicelo, imali yemisebenzi yokulikhiqiza kabusha, yokulicinga neyokulihlela, kanye nesikhathi esidingekayo ngaphezu kwamahora anqunyiwe okucinga nokulungisa irekhodi ukuze likhishwe, okubandakanya nokwenza izinhlelo zokulenza litholakale ngendlela eliceliwe.

8.6 Uma umfakisicelo ebeseyikhokhile ingxenye yemali yokukhishwa kolwazi, kodwa isicelo sakhe senqatshwa, iPhini Lesikhulu Sezolwazi kufanele limbuyisele imali yakhe umfakisicelo.

8.7 Zonke izimali ezikhokhelwa izindleko zingase zishintshe njengoba uMthetho ukuvumela lokho futhi ngenxa yalokho lokho kwenyuka kwezindleko kungase kwenzeke ngemva kokuba umuntu efake isicelo Abafakizicelo bazokwaziswa nganoma yiziphi izinguquko emalini yezindleko ngaphambi kokukhokha.

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

9. Ukutholakala KweBhukwana

9.1 Kumuntu ofuna ukulibheka leli bhukwana, liyatholakala mahhala emahhovisi ase-Balwin nakuwebhusayithi yabo ethi www.balwin.co.za. Amakhophi ayatholakala nase-SAHRC.

9.2 Leli Bhukwana le-PAIA lenziwe latholakala ngokweNombolo Yomthethonqubo R.187 yangomhla ka-15 kuFebhruwari 2002. Leli bhukwana lizobuyekezwa njalo lapho kunesidingo.

10. Okwenezeliwe

ISithasiselo A: *IFomu Lesicelo Solwazi*

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

"ISITHASISELO A"

ISICELO SOKUTHOLA IREKHODI LENHLANGANO EZIMELE
(Isigaba 53(1) SoMthetho Wokugqugqzela Ukutholakala Kolwazi, 2000 (UMthetho Ongunombolo 2 Ka- 2000))

[UMthethonqubo 10]

1. **IMININININGWANE YOMUNTU OCELA UKUTHOLA ULWAZI**

Amagama Nesibongo: ______________________
Inombolo Kamazisi: ______________________
Inombolo Yocingo: ______________________
Inombolo Yefeksi: ______________________
Ikheli Le-Imeyili: ______________________
Ikheli Lendawo: ______________________
______________________ Ikhodi: __________
Isikhundla esenziwa ngawo isicelo, uma senzelwa omunye umuntu:
____
____
____
____
____
____

2. **IMININININGWANE YOMUNTU OWENZELWA ISICELO**

Gcwalisa le ngxenye kuphela uma isicelo solwazi senzelwa omunye umuntu.
Amagama Nesibongo: ______________________
Inombolo Kamazisi / Inombolo Yenkampani: ______________________

3. **IMININININGWANE YOLWAZI OLUCELWAYO**

Yisho imininingwane egcwele yolwazi olucelayo. Uma isikhala esinikeziwe singanele, sicela uqhubekele ekhasini elihlukile bese ulihlanganisa naleli fomu. Wonke amakhasi engeziwe ozowathumela kufanele afakwe amanishiyali futhi asayinwe.

____
____
____
____
____
____
____
____
____

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

4. INDLELA YOKUTHOLA ULWAZI OLUCELAYO

Yisho indlela ofuna ukulithola ngayo ulwazi olucelayo. Sicela uqaphele ukuthi isicelo sokuthola ulwazi ngendlela oyishilo singancika endleleni irekhodi elitholakala ngayo nokuthi ingase yenqatshwe indlela ocele ukulithola ngayo ngaphansi kwezimo ezithile.

____
____
____
____
____
____
____
____

5. ILUNGELO ELIZOSETSHENZISWA NOMA ELIZOVIKELWA

Yisho ilungelo ozolisebenzisa kanye/noma ozolivikela nokuthi kungani ulwazi ludingeka ukuze uvikele futhi/noma usebenzise leli lungelo.

____
____
____
____
____
____
____
____
____
____
____
____
____
____
____

6. IZIMALI ZEZINDLEKO

(a) Isicelo sokuthola irekhodi, ngaphandle kwerekhodi eliqukethe ulwazi lwakho siqu, sizocutshungulwa kuphela ngemva kokukhokhwa kwemali yesicelo.

(b) Uzokwaziswa ukuthi iyimalini imali yesicelo okudingeka ukuba uyikhokhe.

(c) Imali ekhokhelwa izindleko zokukhishwa kwerekhodi incike ohlotsheni lwendlela olifuna ngayo nasesikhathini esidingekayo sokulicinga nokulihlela.

(d) Uma ufaneleka ukukhululwa ekukhokheni imali yezindleko, sicela usho isizathu salokkho kukhululwa.

____
____
____

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.

7. ISAZISO SOKUVUNYWA / SOKWENQATSHWA KWESICELO

Uzokwaziswa nge-imeyili kanye/noma ngeposi ukuthi isicelo sakho sivunyiwe noma sinqatshiwe yini. Uma ufisa ukwaziswa ngenye indlela, sicela uyisho futhi unikeze imininingwane edingekayo:

Kusayinelwe e-:________________________ mhla ka-_________ngenyanga ka- _____________20_____

_______________________________________ Isiginisha yomuntu ofaka isicelo

_______________________________________ Umuntu owenzelwa isicelo

"Ikhophi ephrintiwe kungenzeka ayisasebenzi. Leli bhukwana lisebenza usuku olulodwa kuphela"

I-Copyright © Balwin Properties Limited 2024. Wonke Amalungelo Agodliwe – Leli bhukwana alinakukhiqizwa kabusha noma lisetshenziswe nganoma iyiphi indlela ngaphandle kwemvume ebhaliwe ye-Balwin Properties Limited.