Umthetho wokwenza ukwaziswa kutholakale kalula Umthetho 2 ka-2000

Umkhandlu Wezokucwaning Ngesayensi Yesint (HSRC

200

Izimpawu zokubhlala ezenza umabluk

UHLU LOKUPHAKATHI

1. ISETHULO **1**

2. UMSEBENZI WE-HSRC **1**

3. IZINKONZO EZINIKEZWAYO **1**

4. UKUHLELWA KWENHLANGANO **2**

4.1 Izinhlelo zokucwaninga **3**

4.2 Umnyango We-*Corporate Services* **3**

4.3 Ihhovisi Lika-CEO **3**

5. ISIKHULU ESIPHETHE EZOKWAZISWA **3**

5.1 Iphini lesikhulu esiphethe ezokwaziswa **3**

6. IZIGABA ZAMAREKHODI **4**

7. AMAREKHODI ANIKEZWA IZISEBENZI KUPHELA NOMA ANIKEZWA IZISEBENZI KANYE NOMPHAKATHI **5**

8. AMAREKHODI AGCINIWE NGOKUVUMELANA NOMTHETHO **5**

9. INDLELA YOKUFAKA ISICELO SOKUTHOLA IREKHODI **6**

10. AMATHUBA OKUBA UMPHAKATHI UBAMBE IQHAZA EKUHLELWENI KWENQUBO-MGOMO YE-HSRC NOMA EKUFEZWENI KWEMISEBENZI YAYO **7**

11. ABANYE OKUNGATHINTWANA NABO NGOKUPHATHELENE NALOMTHETHO NOMA LAPHO INHLANGANO IHLULEKA UKWENZA NGOKUVUMELANA NAWO **7**

12. ISIQONDISO SEKHOMISHANA YAMALUNGELO ESINTU MAYELANA NOMTHETHO WOKWENZA UKWAZISWA KUTHOLAKALE KALULA **7**

13. UKUTHOLAKALA KWALENCWAJANA **7**

1. ISETHULO

I-*Human Sciences Research Council (HSRC)* yaseNingizimu Afrika yinhlangano engokomthetho eyamiswa ngokuvumelana noMthetho Wezocwaningo Ngesayensi Yabantu *(Human Sciences Research Act)* (Ongunombolo 23 ka-1968). Ingomunye wemikhandlu engokomthetho enjalo eminingana. Umgomo we-HSRC ukuthuthukisa impilo yazo zonke izakhamuzi zaseNingizimu Afrika ngokusebenzisa nangokugqugquzela isayensi yezenhlalo, egxile ekubhekaneni nezinselele zokuthuthukiswa kwezwe.

Ngokuvumelana noMthetho, i-HSRC inabantu abafinyelela kwabayishumi, abanolwazi lobuchwepheshe noma isithakazelo ekusetshenzisweni kwesayensi yezenhlalo, abaqokwa uNgqongqoshe Wezamakhono, Amasiko, Isayensi Nobuchwephseshe iminyaka emine. Kalula nje leliqembu libizwa ngokuthi uMkhandlu, futhi uma kukhulunywa nge-HSRC kusuke kubhekiselwa kuzo zonke izisebenzi zalenhlangano ezisehhovisi nezicwaningayo ezingaphansi kwabantu abamiswa uMkhandlu njengo-CEO noMongameli we-HSRC.

Ngokuyinhloko i-HSRC yenzela umphakathi ezweni lonke nasezifundeni imisebenzi emikhulu yesayensi yezenhlalo ehambisana nenqubo-mgomo. Imali eyithola ngemisebenzi eyenzayo, neyithola ezinhlanganweni ezixhasa ngezimali kulelizwe nakwamanye, isiyayedlula imali evela ePhalamende eyithola minyaka yonke engaba yizigidi ezingu-65.

Okwamanje inabacwaningi abangaba ngu-120 nezisebenzi zasehhovisi eziyikhulu, endlunkulu yayo ePitoli nakwezinye izikhungo ezine. Abacwaningi bathuthukisa amakhono abo ngokubambisana nabalingane babo kweminye imikhandlu yesayensi, ezikhungweni zemfundo ephakeme nasezinhlanganweni ezicwaningayo.

2. UMSEBENZI WE-HSRC

I-HSRC isekela ukuthuthuka ezweni lonke, kuyi-SADC nase-Afrika ngokusungula imisebenzi yokucwaninga ngesayensi yezenhlalo nangokunakekela izinhlelo zokucwaninga ezinkulu, ezenziwa ngokubambisana, ezihambisana nenqubo-mgomo, ezingeyona inkimbinkimbi, futhi ikakhulukazi ezithuthukisa umphakathi.

I-HSRC iqhuba imisebenzi yayo ngokuvumelana nezinkambiso ezisekelwe:

- Ekwandiseni imali yocwaningo etholakala kuzinkontileka nasezinhlanganweni ezixhasa ngemali
- Ekuzameni ngokuphikelelayo ukuthola ukubambisana kwezinye izinhlangano ezicwaningayo
- Ekwenzeni izinhlelo zayo zokucwaninga zigxile ezidingweni zabantu
- Ekuthuthukiseni ukulingana ngokwamathuba nokukhuphula izinga lomsebenzi
- Ekukhishweni kwemifundaze yokucwaninga eminingi

3. IZINKONZO EZINIKEZWAYO

I-HSRC izama ukulinganisela phakathi kokwenza ucwaningo lwezinkontileka nolwabiwe naphakathi kokwenza ucwaningo olusemqoka kakhulu. Iyaqaphela ukuthi ukuze ucwaningo lwayo lwenze umehluko ophawulekayo kubantu ezweni, kumelwe luhlangabezane nezidingo zabantu futhi luthinte izindaba ezisematheni, kuyilapho ngesikhathi esifanayo lubonisa ukuziqonda zonke izici ezakha umphakathi.

Imiphumela yocwaningo lwayo ihlanganisa ukukhishwa kwemibiko, nezihloko zobuchwepheshe komagazini nasezincwadini ezihlolwayo. Kube sekusakazwa amakhophi anyathelisiwe alemibiko futhi ifakwe kuyi-*website* ye-HSRC.

Ngaphezu kwendlunkulu yayo esePitoli, lenhlangano inamahhovisi amakhulu eKapa naseThekwini, kanye nezikhungo eBloemfontein nasePort Elizabeth. Lamahhovisi asezindaweni ezikahle ezenza abacwaningi bakwazi ukwenza uphenyo olungokoqobo ezweni kabanzi

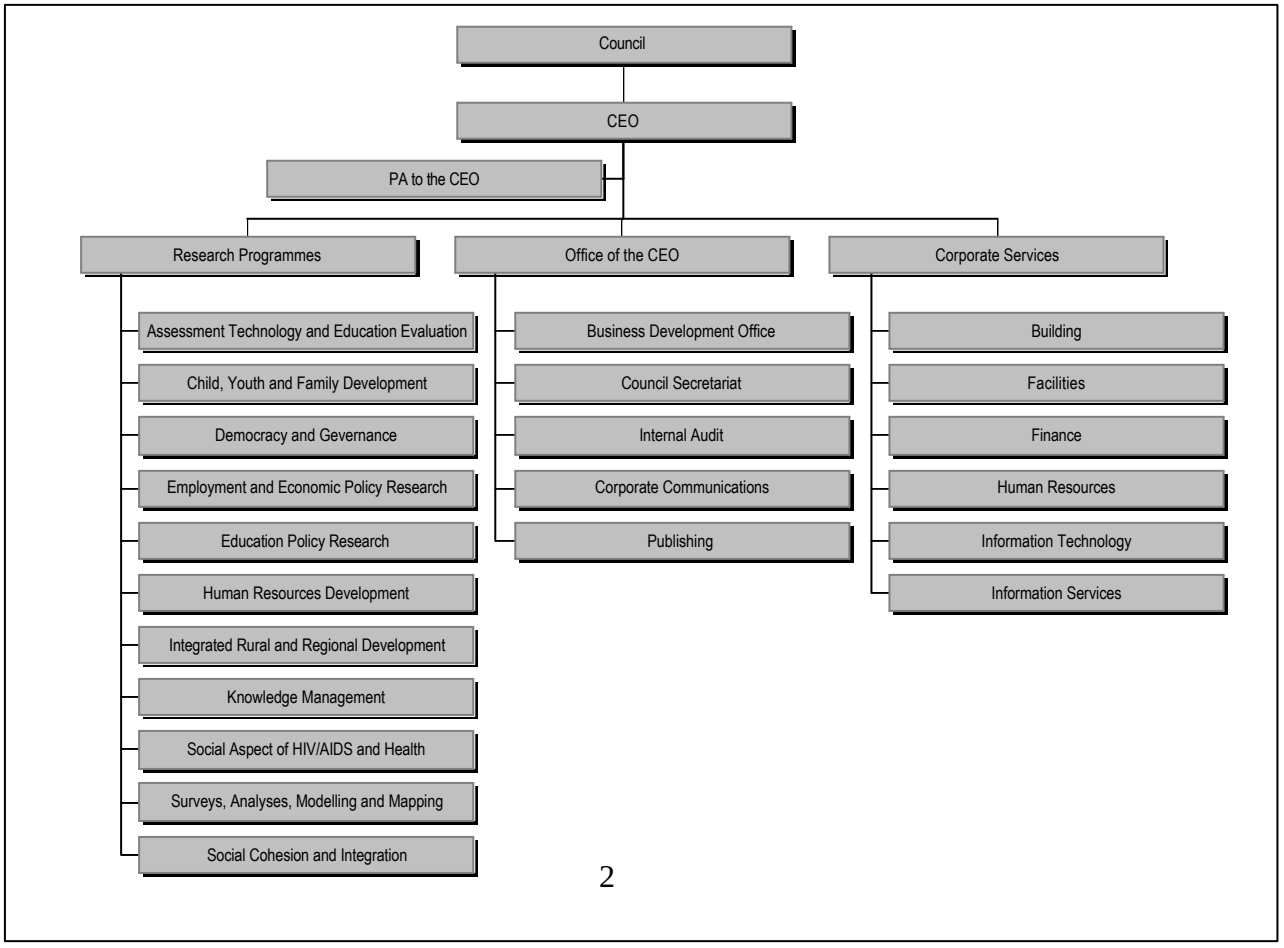
I-HSRC iye yabumba iKomiti Yenkambiso Yokuziphatha Yocwaningo *(Research Ethics Committee),* okufanele inikeze imvume ngohlobo locwaningo olwenziwayo nangendlela okufanele luqhutshwe ngayo ngokuvumelana nenkambiso yokuziphatha yocwaningo. Lokhu kuhlanganisa ukungadalulwa kwemininingwane yabantu abaye bahlolwa emakhaya noma ngenye indlela uma bethenjiswe kanjalo; nokungadalulwa kwemininingwane nemibiko yocwaningo okuvunyelenwe ngakho.

4. UKUHLELWA KWENHLANGANO

Umkhandlu we-HSRC, usihlalo wawo okunguProfesa Jakes Gerwel, wengamela imisebenzi yalenhlangano. Umkhandlu umiswa isikhathi esiyiminyaka emine nguNgqongqoshe weZamakhono, Amasiko, Isayensi Nobuchwepheshe, futhi uthola isamba semali saminyaka yonke esivela ePhalamende eMnyangweni Wezesayensi Nobuchwepheshe. Lenhlangano inoMongameli neSikhulu Esiphethe *(Chief Executive Officer) (CEO)* abaqokwa uMkhandlu, okwamanje lesikhulu nguDkt. Mark Orkin.

I-HSRC inezingxenye ezintathu eziyinhloko (bheka iPhuzu 1), okungukuthi:

- Izinhlelo zokucwaninga
- Ihhovisi lika-CEO
- Ne-*Corporate Services*



Iphuzu 1. Ukuhlelwa Kwenhlangano Ye-HSRC

4.1 Izinhlelo zokucwaninga

Lenhlangano iye yakuhlomela ukuba ivumelane nezimo futhi icubungulisise lapho isabela ezidingweni zezwe, ngokuhlukanisa uphiko lwayo lokucwaninga lube izigatshana ezincane eziyishumi nanye ezigxila enkingeni eyodwa, njengoba kuboniswe ePhuzwini 1 ngenhla. Isigaba ngasinye singaphansi komqondisi omkhulu ofanelekayo, othola iziqondiso ku-CEO ngokuphathelene nocwaningo, izisebenzi, ukuthuthukiswa kohlelo, nokutholakala kwezinkontileka ezidingekile kanye nezimali ezivela kubaxhasi ukuze kunezelwe emalini esetshenziselwa loluhlelo ekhishwa esabelweni semali esivela ePhalamende.

4.2 I-*Corporate Services*

I-*Corporate Services* isekela izinhlelo zokucwaninga ze-HSRC. Lokhu kuhlanganisa ukuqashwa kwezisebenzi, ukunakekela izimiso zobuchwepheshe, ukukhishwa kwezimali, izinkonzo zokwaziswa, ukutholakala kwezakhiwo zokusebenza kanye nokunakekelwa kwazo.

4.3 Ihhovisi Lika-CEO

Ihhovisi lika-CEO lisekela u-CEO nayo yonke inhlangano. Licaba indlela okufanele kusetshenzwe ngayo bese libheka ukuthi uyenziwa yini umsebenzi, bese lidlulisela umbiko eMkhandlwini, kuNgqongqoshe nakwabanye abahilelekile, futhi linakekele ihhovisi lokuthuthukiswa komsebenzi we-HSRC, ihhovisi lokuthuthukiswa kobudlelwane namanye amazwe, ukuhlolwa kwamabhuku, ezokukhulumisana, nokukhishwa kwezincwadi.

5. IZIKHULU ZEZOKWAZISWA

5.1 Isikhulu Sezokwaziswa	**5.2 Iphini Lesikhulu Sezokwaziswa**
UDkt. Mark Orkin Isikhulu Esiphethe Ezokwasizwa Human Sciences Research Council HSRC Building 134 Pretorius Street Pretoria 0002 Private Bag X41 Pretoria 0001 Ucingo: 012 302-2000 I-fax: 012 302-2828 I-e-mail: fmorkin@hsrc.ac.za I-website: www.hsrc.ac.za	Unkosazane Faye Reagon Umphathi: Izinkonzo Zokwaziswa Human Sciences Research Council HSRC Building 134 Pretorius Street Pretoria 0002 Private Bag X41 Pretoria 0001 Ucingo: 012 302-2913 I-fax: 012 302- 2933 I-e-mail: freagon@hsrc.ac.za I-website: www.hsrc.ac.za

6. IZIGABA ZAMAREKHODI

I-HRSC inamarekhodi ezingxenye zayo ezintathu, okuyizinhlelo zokucwaninga eziyishumi nanye, iHhovisi Lika-CEO, ne-*Corporate Services.* Izigaba zalamarekhodi ziboniswe kuyiThebula 1, okuyisigaba samarekhodi anyathelisiwe, amarekhodi omlando nangokomthetho, namarekhodi esikhashana. Amarekhodi e-HSRC asingathwa ngokuvumelana nemibandela yoMthetho Wezwe Lonke Wokugcinwa Kwamafayili eNingizimu Afrika *(National Archives Act of South Africa)* onikeza imvume yokuba amarekhodi esikhashana alahlwe ngezikhathi ezithile ngokuvumelana nenqubo-mgomo ebekiwe.

Ithebula 1. Izigaba zamarekhodi agcinwe yi-HSRC

Isigaba samarekhodi	**Uhlobo lwamarekhodi**
Amarekhodi anyathelisiwe	Izincwadi ze-HSRC zokucwaninga: • Imibiko yocwaningo: izihloko zomagazini, imibiko yangezikhathi ezithile, amaqoqo ezincwadi njll.: • Amaphepha omhlangano • Izincwadi ezikuma-*computer* • Izincwajana Amarekhodi okwaziswa: • Umbiko waminyaka yonke • Izaziso eziya kwabezindaba • Izinhlaka zezinkulumo • Namaphepha emishini
Amarekhodi omlando nangokomthetho	Amaphepha enqubo-mgomo: • Izinqubo nezimiso zokusebenza • Amashadi okuhlelwa kwenhlangano Amarekhodi akhuluma ngokuthuthukiswa kwe-HSRC: • Amaphuzu emihlangano yoMkhandlu namakomiti kanye nezithasiselo • Uhlaka lwaminyaka yonke lokuqhutshwa kwebhizinisi nesiphakamiso seminyaka emithathu sikaNgqongqoshe • Amanye amarekhodi akhuluma ngomsuka, isimo, nokuthuthukiswa kwenhlangano noma izingxenye zayo Amarekhodi aqukethe imiphumela yocwaningo: • Amakhophi esikhathi esidlule ezincwadi ze-HSRC • Amakhophi adlule okwaziswa • Imibiko yamakhasimende eyimfihlo nezinkulumo • Imiphumela eyimfihlo yokuhlolwa kwabantu nemikhaya Amarekhodi obufakazi: • Amakhophi ezinkontileka, nezivumelwano • Amaphepha okuvikelwa kwempahla ngokomthetho
Amarekhodi esikhashana	• Amarekhodi asehhovisi, akhuluma ngemisebenzi evamile yasehhovisi • Amarekhodi ezinto eziseceleni, akhuluma ngezindawo zokuhlala nezinto ezisetshenziswayo • Amarekhodi ezimali, ahlanganisa izitatimende nama-*invoice* • Amarekhodi abaphathi, ahlanganisa izaziso ngezinqumo zabaphethe neziqondiso

7. AMAREKHODI ANIKEZWA IZISEBENZI KUPHELA NOMA ANIKEZWA IZISEBENZI KANYE NOMPHAKATHI

Amarekhodi alandelayo anikezwa zonke izisebenzi futhi akudingekile ukuba acelwe ngokuvumelana nenqubo evezwe esigabeni 10 soMthetho:

- Isisebenzi ngasinye sinikezwa irekhodi laso.
- Amarekhodi okuqulwa kwamacala nokunye okuhambisana nakho anikezwa isisebenzi esithintekayo.
- Amakhophi ezimiso nezinqubo zenhlangano anikezwa zonke izisebenzi.

Amarekhodi alandelayo anikezwa zonke izisebenzi kanye nomphakathi futhi akudingekile ukuba acelwe ngokuvumelana nenqubo evezwe esigabeni 10 soMthetho:

- Umthetho owengamele inhlangano.
- Inkambiso yenhlangano yokunikeza amathuba omsebenzi ngokulinganayo.
- Inkambiso yenhlangano yokuthuthukisa amakhono ezisebenzi.

Ngezikhathi ezithile lenhlangano izokhipha isaziso ngokwengxenye 15(2) yoMthetho, ngezinye izigaba zamarekhodi angase atholakale ngaphandle kokuba kudingeke ufake isicelo ngokuvumelana nesigaba 10 soMthetho (nakuba kufanele kuphawulwe ukuthi ezinye zalezi zigaba zamarekhodi zingase zikhokhelwe). Loluhlu luhlanganisa:

- Izincwadi zokucwaninga ze-HSRC
- Amarekhodi okwaziswa

njengoba kuboniswe kuThebula 1 ngenhla.

8. AMAREKHODI AGCINIWE NGOKUVUMELANA NOMTHETHO

I-HSRC inesibopho sokugcina amarekhodi athile ngokuvumelana neMithetho ethile (elungisiwe, lapho kudingekile), abaluleke kakhulu kuwo ahlanganisa:

- Umthetho Wezimo Zokusebenza Eziyisisekelo *(Basic Conditions of Employment Act)* (No. 75 ka-1997)
- Umthetho Ngemihlomulo Yokulimala Nokugula Kwasemsebenzini *(Occupational Injuries and Diseases Act)* (No. 130 ka-1993)
- Umthetho Wamathuba Alinganayo Omsebenzi *(Employment Equity Act)* (No. 55 ka-1998)
- *Guidance and Placement Act* (No. 61 ka- 1981)
- Umthetho Wentela Yeholo *(Income Tax Act)* (No. 58 ka-1962)
- Umthetho Wezemisebenzi *(Labour Relations Act)* (No. 66 ka-1995)
- UMthetho Wezwe Lonke Wokugcinwa Kwamafayili eNingizimu Afrika *(National Archives of South Africa Act)* (No. 43 of 1996)
- Umthetho Wokuphepha Nokulondeka Emsebenzini *(Occupational Health and Safety Act)* (No. 85 of 1993)
- Umthetho Wempesheni *(Pension Fund Act)* (No. 24 ka-1956)
- *Prescription Act* (No. 68 ka-1969)
- Umthetho Wokuthuthukiswa Kwempatho Kwezobulungisa *(Promotion of Administrative Justice Act)* (No. 3 ka-2000)
- Umthetho Wokunakekelwa Kwemali Yomphakathi *(Public Finance Management Act)* (No. 1 ka-1999)

- Umthetho Wokubika Kwezinhlangano Zomphakathi *(Reporting by Public Entities Act)* (No. 93 ka-1992)
- Umthetho Wempahla Esetshenzisiwe *(Second Hand Goods Act)* (No. 23 ka-1955)
- Umthetho Wokuthuthukiswa Kwamakhono *(Skills Development Act)* (No. 97 ka-1998)
- *Skills Development Levy Act* (No. 9 ka- 1999)
- Umthetho Ngemishuwalense Yokungasebenzi *(Unemployment Insurance Act)* (No. 30 ka-1966)
- Umthetho Wentela *(Value-added Tax Act)* (No. 89 ka-1991)

9. INDLELA YOKUFAKA ISICELO SOKUTHOLA IREKHODI

- Kufanele kugcwaliswe ifomu elifanele. Uma ofaka isicelo efuna ukwazi ukuthi angalitholaphi ifomu, noma kukhona okunye afuna ukukwazi, kufanele athintane nephini lesikhulu sezokwaziswa (bheka imininingwane esengxenyeni 4).
- Ofaka isicelo kufanele abhale imininingwane eyanele efomini lesicelo ukuze iphini libone ukuthi yimaphi amarekhodi acelwayo nokuthi ubani owacelayo. Ofaka isicelo kufanele asho ukuthi ufuna ukulithola kanjani lelo rekhodi, nokuthi yiluphi ulimi athanda ukulithola ngalo. Ofaka isicelo kufanele abhale ikheli leposi noma inombolo ye-*fax.* Uma ofaka isicelo efisa ukwaziswa isinqumo ngesicelo sakhe ngenye indlela ngaphandle kwencwadi, kufanele ayisho leyondlela bese ebhala imininingwane edingekile.
- Uma isicelo senziwa egameni lomunye umuntu, lowo ofaka isicelo kufanele acacise ubudlelwane bakhe nalowo muntu ngendlela egculisayo esikhulwini sezokwaziswa.
- Ifomu lesicelo eligcwalisiwe kufanele lithunyelwe kuyiphini lesikhulu sezokwaziswa (bheka imininingwane engxenyeni 4).
- Ofaka isicelo kufanele athumele imali engu-R35 kanye nefomu lakhe lesicelo, ngaphandle uma efuna irekhodi lakhe elinemininingwane eqondene naye kuphela.
- Ifomu lesicelo lizohlolwa, bese ofake isicelo aziswa ngemali eyengeziwe okufanele ikhokhwe (uma kudingekile).
- Ofaka isicelo kufanele azi ukuthi uMthetho uveza izimo ezithile lapho isikhulu sezokwaziswa sibophekile ukuba sitshele omunye umuntu ngesicelo serekhodi lomuntu siqu.
- Isikhulu sezokwaziswa sizonquma ukusamukela noma ukungasamukeli isicelo. Lesi sinqumo sizokwenziwa ngokushesha ngangokunokwenzeka, kodwa phakathi nesikhathi esishiwo uMthetho. Phawula ukuthi izicelo zokuthola amarekhodi athile zingase zenqatshwe ngenxa yezizathu ezibekwe uMthetho.
- Uma isicelo samukeliwe, ukwaziswa okuceliwe kuzokhishwa ngokuvumelana noMthetho.
- Uma isicelo senqatshwa, isikhulu sezokwaziswa sizobhalela ofake isicelo incwadi simazise ngezizathu zokwenqatshwa kwesicelo sokuthola irekhodi.
- Owenze isicelo angase afake isikhalo enkantolo yomthetho uma isicelo sakhe singamukelwa.

10. AMATHUBA OKUBA UMPHAKATHI UBAMBE IQHAZA EKUHLELWENI KWENQUBO-MGOMO YE-HSRC NOMA EKUFEZWENI KOMSEBENZI WAYO

Izimiso zocwaningo lwe-HSRC zibekwa ngokuyinhloko uMkhandlu wayo bese zilandelwa ngu-CEO nabaqondisi abakhulu bezinhlelo zokucwaninga. Umphakathi ungathintana nabo ngokuxhuman nesikhulu sezokwaziswa.

11. OKUNGATHINTWANA NABO NGOKUPHATHELENE NALOMTHETHO NOMA LAPHO INHLANGANO IHLULEKA UKWENZA NGOKUVUMELANA NAWO

Abanye abantu umphakathi ongathintana nabo ngokuphathelene nalomthetho noma lapho inhlangano ihluleka ukwenza ngokuvumelana nawo yilaba, ngokulandelana kwabo:

U-CEO we-HSRC	UDkt. Mark Orkin.
Usihlalo Womkhandlu We-HSRC	UDkt. Jakes Gerwel
Umqondisi: Umnyango Wesayensi Nobuchwepheshe	UDkt. Rob Adam
Ungqongqoshe Wamasiko, Isayensi Nobuchwepheshe	UDkt. Ben Ngubane, MP

12. ISIQONDISO SEKHOMISHANE YAMALUNGELO ESINTU MAYELANA NOMTHETHO WOKWENZA UKWAZISWA KUTHOLAKALE KALULA

Isiqondiso Sekhomishane Yamalungelo Esintu sendlela yokusebenzisa uMthetho Wokwenza Ukwaziswa Kutholakale Kalula sizotholakala ngo-August 2003. Yonke imibuzo ngokuphathelene nalokhu kufanele iqondiswe lapha:

South African Human Rights Commission
PAIA Unit
The Research and Development Department
Private Bag 2700
Houghton 2041

Ucingo 011- 484-8300

I-*email:* PAIA@sahrc.org.za
I-*website:* www.sahrc.org.za

13. UKUTHOLAKALA KWALENCWAJANA

Lencwajana itholakala ngesiNgisi, ngesiZulu nangesiTswana.

Amakhophi ayo ayatholakala kuwo wonke amahhovisi e-HSRC, kuyi-*website* ye-HSRC, e-*South African Human Rights Commission* naku-*Government Gazette.* Lencwajana ibukezwa minyaka yonke.