



amalungelwami,  
iimbopho zami







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# The Constitution

of the Republic of South Africa, 1996



Act 108 of 1996

# amalungelwami, iimbopho zami



## Uyini umThethosisekelo?

UmThethosisekelo mthetho ophakemeko namkha omkhulu weSewula Afrika. Uveza indlela urhulumende akheke ngayo nendlela inarha ekufanele ilawulwe ngayo. Njengombana umthetho ophakemeko, ayikho eminye imithetho engaphikisa umThethosisekelo. Imithetho ephikisa umThethosisekelo kufanele itjhugululwe begodu kwezinye iinkhathi kwenziwa imithetho emitjha kobana kuzalisekiswe iminqopho ekumThethosisekelo.

IVikelamalungelo ekumThethosisekelo irekhoda woke amalungelo abantu beSewula Afrika abanawo. Amalungelo lawa ngeze atjhugululwa lula mithetho njengobana avikelekile kumThethosisekelo. Kanengi amalungelo akuVikelamalungelo asetjenziswa makhotho kanye nemithetho emayelana namalungelo ukuthatha iinqunto ezimayelana namalungelo wobuntu.



## Iyini iVikelamalungelo?

IVikelamalungelo lirherho lamalungelo wobuntu woke umuntu anawo. Itholakala eSahlukeni sesi- 2 somThethosisekelo wethu. IVikelamalungelo isisekelo somThethosisekelo.



## Ayini amalungelo wobuntu?

Amalungelo wobuntu malungelo asisekelo woke umuntu anawo, kwaphela nje ngoba babantu. Akukafaneli azuzwe begodu awasiwo amalungelo akhethekileko anikelwa mumuntu namkha ngurhulumende. Unawo ukusuka ngomzuzu obelethwa ngawo begodu ngeze asuswa.

Ivikelamalungelo iqintela amalungelo alandelako:

## 1 IsiGaba se- 9 siqintela ilungelo lokulingana

Isigaba lesi siveza bona boke abantu bayalingana ngaphambi komthetho begodu banelungelo lokuvikeleka ngokulinganako nesizo lomthetho. Akekho ekufanele abandlululwe ngokungakafaneli.

Ivikelamalungelo irhemise iinzathu ezithileko zebandlululo begodu iveza nokobana ukubandlululwa kwamalungelo lawa kuthathwa njengokungakalungi ngaphandle kobana kuqinisekiswa bona kulungile.

Iinzathu ezirhenyisiweko zifaka hlanguka: ubuhlanga, ubulili, ukuba sidisi, amathatho, ubuzwe namkha imvelaphi yokuhlala, umbala, ubudlelwano bobulili obuthileko, umnyaka wobudala, ukurholophala, ikolo, unembeza, ikolelo, amasiko, ilimi nokubelethwa komuntu.

Ilungelo lokulingana liragela phambili ngokuvikelwa mThetho wesi- 4 we-2000 wokuThuthukiswa kokuLingana nokuKhandelwa kokuBandlulula ngokungakafaneli (Promotion of Equality and Prevention of Unfair Discrimination (PEPUDA)).

Iinkhundo ezilandelako zingasiza omunye nomunye ocabanga bona ubandlululwe ngokungakafaneli:

### *Amakhotho aphaathelene nokuLingana*

- Iinghonyoyilo zokubandlululwa ngokungakafaneli zingenziwa nanyana ngiyiphi iKhotho ephaathelene nokuLingana. Uthi bewusazi nje? Woke amaKhotho kaMarhastrada nawo ayahlala njengeKhotho ephaathelene nokuLingana!
- Ilwazi elidephileko mayelana neKhotho ephaathelene nokuLingana liyatholakala kuwebhusayidi yomNyango wezobuLungiswa:

[www.justice.gov.za](http://www.justice.gov.za)

## *IKomitjhini yezokuLingana kobuLili (Commision for Gender Equality (CGE))*

I- CGE isikhungo esizijameleko esitlanywe ngokwesiGaba se- 9 somThethosisekelo. NgokomThethosisekelo, isikhungo lesi sigunyazwe bona sithuthukise, sivikele, sitjheje besihlaziye ukulingana kobulili. Ilwazi elidephileko nge- CGE liyatholakala kuwebhusayidi yabo [www.cge.org.za](http://www.cge.org.za)

Bika ngeBandlululo lobuLili nokuThoriswa ku- (0800) 007 709

## *IKomitjhini yamaLungelo wobuNtu yeSewula Afrika*

I- SAHRC isebenza ngokulingana ngoku-:

- thuthukisa ilungelo lokulingana ngefundo, iimfundobandulo, ngematheriyali ukungezelela ilemuko
- vikela ilungelo lokulingana ngokuphenya iinghonyoyilo nokuthatha amagadango wokulungisa lapho ekwenzeke khona ukwephulwa
- tjheja ilungelo lokulingana mayelana nabantu abarholopheleko, izakhamizi zangaphandle, abantu abadala nobuhlanga bese ibika mayelana nobujamo bokulingana eSewula Afrika, ukufaka hlangana neenhlango zeentjhabatjhabeni ezizinikele elungelweni lokulingana njengesiVumelwano seenTjhabatjhaba ngokuQedwa kwayo yoke imiHlobo yokuBandlululwa ngokobuHlanga (International Convention on the Elimination of All Forms of Racial Discrimination(ICERD))
- Imibiko, imiphumela nematheriyali yeKomitjhini zifumaneka nazibawiwako kuKhomitjhini kanye nakuwebhusayidi yayo ku- [www.sahrc.org.za](http://www.sahrc.org.za)

## **2** Isigaba se- 10 sinikela ilungelo lesithunzi sobuntu

Isigaba lesi siveza bona woke umuntu unesithunzi sendabuko kanye nelungelo lokuhlonitjiswa nokuvikelwa kwesithunzi sabo.

Lokhu kutjho bona woke umuntu unelungelo lehlonipho elinganako.

Ilungelo lesithunzi lihlangeke khulu namanye amalungelo asisekelo, begodu lokha amanye amalungelo afana nelungelo lokufunyanwa kwamanzi nokuhlazeka liphulwa, ilungelo lesithunzi nalo kanengi liyaphulwa.

## **3** Isigaba se- 11 siqintela ilungelo lokuphila

Isigaba lesi siqintela bona woke umuntu unelungelo lokuphila. Akekho ovunyelwe ukuqeda ipilo yomunye umuntu.

Ilungelo lokuphila lithathwa njengelifuna ivikeleko elikhulu lomBuso begodu nabo boke abantu benarheni le.

Ikhotho ayisakwazi ukugweba abantu ngokubabulala ngombana iKhotso yomThethosisekelo yamemezela bona ukujeziswa ngokufa akulandeli umthethosisekelo.

Ukusatjiswa kwelungelo lokuphila kuthathwa njengobulelesi eSewula Afrika, begodu ukusatjiswa okunjalo kufanele kubikwe khonokho eKorweni yesiPholisa seSewula Afrika (South African Police Services (SAPS)).



## 4

## Isigaba se- 12 siqintela ilungelo lokutjhaphuluka nokuvikeleka komuntu

Ilungelo leli liqintela bona woke umuntu unelungelo lokutjhaphuluka nokuvikeleka komuntu okufaka hlanguana:

- Ukungalelwa ngokutjhaphuluka kwakho ngaphandle kwesizathu esizwakalako;
- Ukungavalelwa esikhungweni ngaphandle kokugwetjwa;
- Ukutjhaphuluka kiyo yoke imihlobo yomguruguru;
- Ukungatloriswa nanyana ngayiphi indlela;
- Ukungaphathwa namkha ukujeziswa ngendlela enelunya namkha eyehlisa isithunzi;
- Ukwenza iinqunto ezimayelana nokubeletha;
- Ukuvikela nokulawula umzimbakho begodu
- Nokungakatelelwa ukuhlanganyela eenlingeletweni zokwelapha namkha zesayensi.

Amalungelo eza neembopho, begodu akekho ovunyelwe ukwephula amalungelo wabanye. Kuqakathekile bona sitjheje khulu ukusebenzisa ilemuko mayelana namalungelo wabantu abangatloriseka lula njengabentwana, abantu abarholopheleko nabantu abadala, ngokufaka isandla ekuvikelweni kwamalungelo wabantu laba.

Omunye nomunye otlhorisiweko namkha obone ukutloriswa kothileko kufanele athintane neKoro yesiPholisa seSewula Afrika. Iziko lomGuruguru weKhaya lenye nanye iKhotso kaMarhastrada nalo lingasiza ngemilayo yokuvikeleka.

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## Isigaba se- 13 siqintela ilungelo eliphikisana nokugcilazwa, nokusetjenziwa ngekani

Ilungelo leli liqintela bona akekho ekufanele agcilazwe namkha akatelelwe ukusebenza. Nanyana izehlakalo zokwepulwa okunjalo zizincani eSewula Afrika, abantu abasebujameni bokulimala lula kanengi balemuka ubudisi ekutholeni isizo nabasetjenziwa ngekani. UmNyango wezabaSebenzi, iinhlango ezithileko zomphakathi kanye ne- SAHRC kufanele zilemukiwe ngokwepulwa okutjengisa ukugcilazwa namkha ukusetjenziwa ngekani.

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## Isigaba se- 14 siqintela ilungelo lefihlo

Woke umuntu unelungelo lefihlo elifaka hlangana ilungelo:

- Lokungasetjhwa komzimbakho namkha umzakho;
- Lokungasetjhwa kwepahla yakho;
- Lokungathathwa kwento yakho namkha;
- Lokungaphazanyiswa kokuthintana kwakho kwangeqadi.

## UTHI BEWAZI?

Ngaphandle kobana amapholisa anesisolo esizwisisekako sokobana kwenziwe ubulelesi namkha busazokwenzeka amapholisa awakavunyelwa ukukusetjha namkha ukusetjha umzakho ngaphandle kwemvumo yokusetjha!

Amagcwetha angasiza lokha nakwepfulwe ilungelo leli. Mayelana nelwazi elidephileko ungathintana nomjameli wezomthetho.

Ukwelulekwa ngezomthetho kwasimahla nokujanyelwa ngokomthetho kuyatholakala nge- Legal Aid South Africa

[www.legal-aid.org.za](http://www.legal-aid.org.za) namkha ngama-ofisi ahlukahlukeneko wokwelulekwa basizi bamagcwetha ku-: [www.nadcao.org.za](http://www.nadcao.org.za)

# 7

## Isigaba se- 15 siqintela ilungelo letjhaphuluko yekolo, ikolelo kanye nokubeka umbono

ISewula Afrika imbuso ongakaphathelani nekolo, ofanele uhloniphe zekolo, zamasiko kanye nokwenziwa kwamasiko kiyo. Abantu akukafaneli bazindlekelwe ngebanga lemahluko yemicabango, ikolelo nemibono yabo. Esikhundleni salokho imehluko nokwehlukana kufanele kukhuthazwe kobana iphumelele beyinothise umphakathi.

Ilwazi elidephileko ngamalungelo lawa liyatholakala kuKomitjhini yokuThuthukiswa nokuVikelwa kwamaLungelo wemiPhakathi yamaSiko, yezeKolo namaLimi [www.crlcommission.org.za](http://www.crlcommission.org.za)

## 8 Isigaba se- 16 siqintela ilungelo letjhaphuluko yokuveza amazizo

Woke umuntu unelungelo lokuveza amazizo Ilungelo leli lifaka hlanguana:

- Itjhaphuluko yamaphephandaba kanye nezinye iimbikiindaba;
- Itjhaphuluko yokuthola namkha yokudlulisela ilwazi namkha imibono;
- Itjhaphuluko yobutlami bobugwali kanye
- Netjhaphuluko yefundo nekululeko yerhubululo lesayensi

Ilungelo leli litjho bona woke umuntu utjhaphulukile ukubeka imibono yakhe ngokusebenzisa ilwazi nemibono, ngokutjheja ngokukhethekileko nokuvikelwa kwamalungelo wokuvezwa kwamazizo ngerhubhululo lesayensi, leembikiindaba nokuveza amazizo ngokwefundo. Ilungelo leli kufanele livunyelwe ukusetjenziswa khulu begodu alivunyelwa lapho ukuvezwa kwamazizo kukhuthaza khona umguruguru namkha kubanga ukulimala kwabanye. Ikulumo yezondo kujayekele kunghonghoyilwa ngayo eSewula Afrika, kanengi ngeenzathu zobuhlanga, ubuzwe, ubulili namkha ikolo, indabuko yokuhlala, okubangela bona iKomitjhini namakhotho aphantelene nokulingana amemezela ngeenghonyoyilo ezinjalo.

linhlangano ezifana neKomitjhini yeeNghonghoyilo zokuRhatjha yeSewula Afrika, umJameli wamaPhephandaba, i- CCMA nazo zisebenza ngeenghonyoyilo ezimayelana netjhaphuluko yokuveza amazizo.

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## Isigaba se- 17 siqintela ilungelo lokuhlangana, ukutjengisa ukunganeliseki, ukutjhitjhiriza nencwadi yeenlilo

Isigaba lesi siveza bona woke umuntu unelungelo, ngokuthula nangaphandle kweenkhali:

- Lokuhlangana, ukutjengisa ukunganeliseki,
- Ukutjhitjhiriza
- Nokwethula incwadi yeenlilo.

Ilungelo leli linikela abantu ithuba lokuveza ukunganeliseki namkha abakufunako ngendlela ebuthule. Awuyitlhogi imvumo yokunghonghoyila kodwana kufanele unikele iimphathimandla isaziso okungenani samalanga ali-7 ngaphambi kwelanga lokunghonghoyila.

Ilwazi elinengi nelidephileko mayelana nelungelo lokunghonghoyila likhona encwajaneni ye- SAHRC: AmaLungelo wobuNtu nokuNghongoyila komPhakathi kuwebhusayidi yethu [www.sahrc.org.za](http://www.sahrc.org.za).

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## Isigaba se- 18 siqintela ilungelo letjhaphuluko yokuhlanganyela

Isigaba lesi siqintela bona woke umuntu unelungelo letjhaphuluko yokuhlanganyela.

Ngaphandle kobana kufuna umthetho, ukwenza isibonelo, ufuna ubulunga beenhlango ezifuna ukuthuthukisa ibizelo elithileko, namkha likhandela ukubunjwa kweenhlango zobulelesi, abantu bangajoyina bebatlame esinye nesinye isikhungo, isiqhema namkha ihlangano.

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### Isigaba se- 19 siqintela amalungelo wezepolotiki

Woke umuntu unelungelo lokuzikhethele ngokutjhaphuluka zepolotiki, njengelungelo:

- Lokubumba isiqhema sepolotiki kanye
- Nokuhlanganyela emisetjanzaneni yesiqhema sepolotiki.

Esinye nesinye isakhamuzi sinelungelo:

- Lamakhethe atjhaphulukileko nangathathi ihlangothi;
- Lokuvowudela endaweni efihlekileko ngesikhathi samakhethe kanye
- Nokuzama ukukhethwa emakhetweni begodu nangabe ukhethiwe, bese usebenza nge- ofisini yombuso.

Iwebhusayidi nama- ofisi wesitjhaba weKomitjhini yezamaKhethe eziJameleko (Independent Electoral Commission (IEC)) anikela ilwazi elidephileko mayelana nelungelo lokuvowuda, amakhethe nokuhlanganyela.

Iwebhusayidi ye- IEC ithi [www.elections.org.za](http://www.elections.org.za)

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### Isigaba sama- 20 siqintela ilungelo lokungalelwa nobulunga belizwe

Asikho isakhamuzi ekufanele salelwe ubulunga belizwe.

Ilungelo leli litjho ukuthi ubulunga belizwe abukafaneli buthathelwe izakhamizi. UmThetho wama- 88 we- 1995 wobulunga beLizwe weSewula Afrika uqintela ubujamo lapho ubulunga belizwe bungasuswa khona.

UmNyango wezangeKhaya umthhogomeli welungelo leli. Mayelana nelwazi elidephileko vakatjhela ku-: [www.dha.gov.za](http://www.dha.gov.za)

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## Isigaba sama- 21 siqintela ilungelo letjhaphuluko yokukhambakhamba neyendawo yokuhlala

Woke umuntu unelungelo:

- Lokukhamba nanyana kukuphi eSewula Afrika kanye
- Nokuphuma eSewula Afrika nangabe bakhetha ukwenza njalo.

Esinye nesinye isakhamuzi sinelungelo:

- Lokungena, lokuhlala kanye nokuphila nanyana kukuphi eSewula Afrika kanye
- Nokuba nepasipoti.

Ukwenza isibawo sepasipoti thintana ne- ofisi yendaweni yekhenu yomNyangozwe zangeKhaya.

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## Isigaba sama- 22 siqintela ilungelo letjhaphuluko yokurhweba, yomsebenzi nebizelo

Esinye nesinye isakhamuzi sinelungelo lokukhetha irhwebo, umsebenzi namkha ibizelo ngokutjhaphuluka.

Ilungelo leli litjho bona esinye nesinye isakhamuzi sitjhaphulukile ukukhetha omunye nomunye umsebenzi esifuna ukuwenza, namkha ukukhetha ukuthoma ibhizinisi yaso. Ngokomthetho wethu ilungelo leli linomkhawulo womsebenzi osemthethweni begodu kuneminye imibandela ebekwa ebantwini ebangasizo izakhamizi.

Mayelana nelwazi elidephileko ngamabizelo, ungathintana nesinye nesinye isikhungo sefundo ephakemeko.

Mayelana nelwazi elidephileko ngokuthoma ibhizinisi kanye nokwenza isibawo sesekelo leemali thintana nomNyangozwe wokuThuthukiswa kwamaBhizinisi amaNcani kuwebhusayidi yabo ku-: [www.dsbd.gov.za](http://www.dsbd.gov.za)

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## Isigaba sama- 23 siqintela amalungelo wabasebenzi nabaqhatjhi (ubudlelwano kezemisebenzi)

Woke umuntu unelungelo lekambiso yezemisebenzi engathathi ihlangothi.

Umthetho omkhulu olawula ubudlelwano kezemisebenzi ufaka hlanguka:

- UmThetho wama- 66 we- 1995 wobudlelwano kezemisebenzi kanye
- UmThetho wama- 75 we- 1995 wemiBandela esiSekelo yomsebenzi;

UmNyango wezabasebenzi umthhogomeli welungelo leli. Mayelana nelwazi elidephileko vakatjhela ku-: [www.labour.gov.za](http://www.labour.gov.za)

Ezinye iinkhundo neenhlangozi zisebenza ngerarano elivela ebhodulukweni lezomsebenzi elifana ne- CCMA, namakhotho wezabasebenzi. Imikhandlu yokukhulumisana ekhethekileko ikhona mayelana nomkhakha ngamunye womsebenzi eSewula Afrika. Imikhandlu izibandakanya kumibandela yomsebenzi, kumigomo, kukambiso nemihlahlandlela kanye nakurarano elithinta zemisebenzi.

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## Isigaba sama- 24 siqintela amalungelo webhoduluko

Woke umuntu unelungelo lebhoduluko elinganabungozi epilwenabo namkha kuhlalakuphele yabo. Amalungelo webhoduluko eliphephileko aqakatheke khulu kobana atjhejwe njengobana amabhezini nabanye abahlanganyeli benza umsebenzi ofana nokumayina okungaba nendima kusilaphazo nekonweni kwemithombo yemvelo. Isilaphazo lebhoduluko lingabanga ubujamo obumbi bezamaphilo emiphakathini engakavikeleki kusilaphazo lelo. Njengomphumela ilungelo leli litlamela umbuso umsebenzi wokuqinisekisa bona ibhoduluko liphathwa ngefanelo.

UmNyango wezeBhoduluko mthhogomeli welungelo leli. Mayelana nelwazi elidephileko vakatjhela ku-: [www.environment.gov.za](http://www.environment.gov.za)



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## Isigaba sama- 25 siqintela amalungelo wepahla

Akekho ekufanele athathelwe ipahlakhe ngaphandle kobana kungokwemibandela yomthetho osebenza kiwo woke umuntu, ingasi ebantwini abathileko begodu awukho umthetho ekufanele uvumele ukuthathelwa ngokungasimthetho kwepahla.

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## Isigaba sama- 26 siqintela ilungelo lokufumana izindlu

Woke umuntu unelungelo lokufumana izindlu ezaneleko.

I- SAHRC ithola iinghonyoyilo ezinengi mayelana nelungelo lokufumana izindlu. Zihlukahlukana ukusuka eenghonyoyilweni ezimayelana nokuriyada ekunikelweni kwezindlu, ukukhutjha kanye nekhwalithi yezindlu.

Amakhotho wethu athethe isiqunto ngokudephileko mayelana nelungelo lezindlu begodu ayelela khulu ngokuvikela ilungelo leli khulu khulu lapho abantu abangatjhiyeka khona banganamakhaya ngebanga lokukhutjha ngokomthetho.

Eminye yemithetho eqakathekileko enomphumela kulungelo lokufumana izindlu ngile:

- UmThetho we- 19 we- 1998 wokuKhandela ukuKhutjha ngokungasimThetho kanye nokuHlala ngokungasimThetho eNarheni (Prevention of Illegal Eviction from and Unlawful Occupation (PIE))
- UmThetho wama- 62 we- 1997 wokuNgezelelwa kokuVikeleka kokuHlala (Extension of Security of Tenure Act (ESTA))

UmNyango wezeziNdlu wesifunda ngasinye nakibomasipala abakhulu besifunda ngasinye; nemkhakheni wesitjhaba batlhogomeli belungelo leli.

## 19 Isigaba sama- 27 siqintela ilungelo lokufumana itjhejo lezamaphilo, ukudla, amanzi nesizo lemali lombuso

Woke umuntu unelungelo lokufumana:

- Izenzelwa zetjhejo lezamaphilo, ukufaka hlanguana itjhejo lezamaphilo eliphathelene nokubeletha;
- Ukudla namanzi aneleko kanye
- Nesizo lemali lombuso, ukufaka hlanguana nangabe abakghoni ukuzondla nabentwababo, isizo lemali lombuso elifaneleko.
- Akekho ekufanele alelwe ngezokwelatjhwa ngokurhabako.

I- SAHRC iveze umsebenzi omnengi oqakathekileko mayelana namalungelo lawa ngalinye ngemibiko, ngephenyo nangokutjheja kwayo. Ilwazi leli kanye nephepha lelwazi mayelana nelungelo lokufumana ukudla kanye nencwajana emayelana namanzi nokuhlanzeka ziyatholakala kuwebhusayidi ye- SAHRC ku-: [www.sahrc.org.za](http://www.sahrc.org.za)

Iinhlangano ezilandelako zinesibopho sokuvikelwa, sokuzalisekiswa nokuthuthukiswa kwamalungelo lawa:

- UmNyango wezamaPhilo [www.health.gov.za](http://www.health.gov.za)
- UmNyango wemiSebenzi yomPhakathi [www.dsd.gov.za](http://www.dsd.gov.za)
- I- Ejensi yeSewula Afrika yezeHlalakuhle yomPhakathi [www.sassa.gov.za](http://www.sassa.gov.za)

## 20 Isigaba sama- 28 siqintela amalungelo wabentwana

Woke umuntu ongaphasi kweminyaka eli- 18 unelungelo:

- Lebizo nobutjhaba ukusuka ekubelethweni kwabo;
- Letjhejo lomndeni namkha letjhejo lababelethi namkha lelinye itjhejo elifaneleko lokha nabasuswa ebhodulukweni lomndeni;
- Lokudla okusisekelo, ukukhosela, izenzelwa zetjhejo lamaphilo elisisekelo nezenzelwa zomphakathi;

- Lokuvikelwa ekuphathweni kumbi, ekuliselelweni, ekutlhorisweni namkha ekwehlisweni isithunzi;
- Lokuvikelwa ekambisweni yezabasebenzi yokucatj hazwa;
- Lokungenzi umsebenzi ozokuphazamisana nehlalakhule yabo, nefundo, zamaphilo womzimba nomkhumbulo namkha wokommoya, nemikghwa elungileko namkha nokuthuthukiswa komphakathi;
- Lokubanjwa, ngaphandle kwaphela njengegadango lokugcina begodu isikhathi esifitjhani kanye nokubekwa wedwa kunabanye abantu ababanjiweko abangaphezu kweminyaka eli- 18 yobudala;
- Lakagcwetha wasimahla;
- Itjisakalo ehle yomntwana isibopho esiqakathekileko nakuza komunye nomunye umraro othinta umntwana. Lokhu kufaka hlangana iindaba ezifana nokutlhogonyelwa nelungelo lokufumana abentwana.

I- SAHRC ingasetjenziswa bentwana, ineendawo ezingasetjenziswa bentwana begodu inekambiso ekhethekileko yokuthola iinghonyayo ezivela ebantwaneni begodu isebenzela ukwenza ngcono ilemuko lamalungelo wabentwana kanye nokuqinisa ukuvikelwa kwamalungelo wabo.

Ngokweentjhabatjhaba isivumelwano esikhethekileko sivikela abentwana begodu umBuso ne- SAHRC zethula imibiko ehlanganweni le mayelana namalungelo wabentwana eSewula Afrika.

Amaphepha welwazi, iincwajana, amaphosta nezinye iinsetjenziswa zitholakala simahla kuwebhusayidi ye- SAHRC. [www.sahrc.org.za](http://www.sahrc.org.za)

Ezinye iinhlango ezinomqopho wokuzinikela mayelana namalungelo wabentwana ngezilandelako:

- UmNyango wezokuThuthukiswa komPhakathi [www.dsd.gov.za](http://www.dsd.gov.za)
- Iziko lokuVikelwa kwabeNtwana ku- SAPS - thintana nesinye nesinye isitetjhi samapholisa mayelana nesizo.

Munye wemithetho eqakatheke khulu mayelana namalungelo wabentwana mThetho wabeNtwana nemiThetholawulu yomThetho lo.

## 21 Isigaba sama- 29 siqintela ilungelo lefundo

Woke umuntu unelungelo:

- Lefundo, ukufaka hlanguana ifundo esisekelo yabadala kanye
- Nokuragela phambili ngefundo, ekufanele urhulumente ngamagadango azwisisekako ayenze ibe khona beyitholakale ngokukhamba kwesikhathi.

UmNyango wezeFundo esiSekelo nomNyango wezeFundo ePhakemeko nokuBandulwa batlhogomeli bamalungelo lawa. Mayelana nelwazi elidephileko vakatjhela amawebhusayidi alandelako:

- [www.education.gov.za](http://www.education.gov.za)
- [www.dhet.gov.za](http://www.dhet.gov.za)

## 22 Isigaba sama- 30 siqintela ilungelo lamalimi namasiko

Woke umuntu unelungelo lokusebenzisa ilimi kanye nokuhlanganyela emasikweni abawakhethako.

linkhungo ezilandelako zibatlhogomeli bamalungelo lawa. Mayelana nelwazi elidephileko vakatjhela amawebhusayidi alandelako:

- IBhodi yamaLimi woke weSewula Afrika ku-: [www.pansalb.org](http://www.pansalb.org)
- IKhomitjhini ye- CRL [www.crlcommission.org.za](http://www.crlcommission.org.za)

## 23 Isigaba sama- 31 siqintela ilungelo lamasiko, lezekolo nemiphakathi yamalimi

Abantu bamasiko, bezekolo namkha bomphakathi wamasiko akukafaneli balelwe ngelungelo leli:

- Lokuthabela amasiko wabo, lokulandela ikolwabo nokusebenzisa amalimi wabo kanye
- Nokubumba, ukujoyina nokugcina amasiko, ikolo neenhlango zamalimi kanye neminye imikhakha yomphakathi.

Mayelana nelwazi elidephileko ngelungelo leli vakatjhela iKomitjhini ye- CRL ku- [www.crlcommission.org.za](http://www.crlcommission.org.za)

## 24 Isigaba sama- 32 siqintela ilungelo lokufunyanwa kwelwazi

Woke umuntu unelungelo lokufumana:

- Ilwazi eliphethwe ngurhulumende kanye
- Nelwazi eliphethwe ngomunye umuntu elifunekako ekusebenziseni nekuvikelweni kwelinye nelinye lamalungelwabo.

I- SAHRC isebenza nomThetho wokuThuthukiswa kokuFumaneka kwelwazi (Promotion of Access to Ilwazi Act [PAIA]) otjheje ilungelo letjhaphuluko ephathelene nelwazi. Ilungelo leli liqakathekile kuntando yenengi eqinileko ukuletha ubukhanyelo, ukuveza ukukhohlakala kanye nokuqinisekisa bona abantu banikelwa ilwazi elitlhogekako ekulawuleni amaphilo wabo kanye nekuhlanganyeleni ekuthathweni kweenqunto ngendlela ebonisa ukuba nelwazi elinengi.

Ngomthetho omutjha ovikela ilwazi lomuntu mathupha, iSewula Afrika ibeke umLawuli weLwazi. UmLawuli weLwazi uzokutjheja ukuthotjelwa komthetho we- PAIA bekanikele nesizo lokha nakwaliwa ngelungelo lokufumana ilwazi baphathi belwazi.

## 25 Isigaba sama- 33 siqintela ilungelo lezenzo ezilungileko zokulawula

Woke umuntu unelungelo lezenzo ezilungileko zokulawula. Lokhu kutjho bona woke umuntu unelungelo:

- Lezenzo ezilungileko nezizwisisekako zokulawula ezivunyelwa mthetho kanye
- Nokunikelwa iinzathu zezenzo zokulawula ezibathinta ngendlela engasiyihle.

Ipalamende iphasise umthetho obizwa ngomThetho wesi- 3 we- 2000 wokuThuthukiswa kobuLungiswa bokuLawula (Promotion of Administrative Justice (PAJA)). UmThetho lo uveza amarherho weenkhati iinhlango ezithatha iinqunto ekufanele ziwanikele abantu, kanye neenzathu zeenqunto zazo. Iinqunto zokulawula ezifana nokwala ukunikela amalayisensi zingaphikiswa emakhotho ngekambiso yokubuyekeza.

## 26 Isigaba sama- 34 siqintela ilungelo lokusebenzisa amakhotho

Woke umuntu unelungelo lokurarululwa kwerarano eliphathelene nomthetho ekhotho namkha lapho ekufanele khona ebandleni namkha kuforamu ezijameleko nengathathi ihlangothi.

Mayelana nelwazi elidephileko ngelungelo leli vakatjhela umNyango wezobuLungiswa. Iinhlango ezinengi zineendlela zokusombulula irarano ngendlela yamabandla wokusombulula imilandu kanye neenkulu eziphenya ngeenghonyoyilo. Iinhlango lezi zinqotjhiswe ukunikela isisombululo esimsinyazana serarano ukuvikela amalungelo. Iinqunto zeenhlango lezi zingabuyekezwa emakhotho. Iimbonelo zeenhlango lezi libandla ku- Competition Tribunal, i- Housing Rental Tribunal and the Consumer Tribunal.

## 27 Isigaba sama- 36 siqintela umkhawulo wamalungelo

Amalungelo angakuVikelamalungelo anganikelwa umkhawulo mthetho osebenza kiwo woke umuntu, ingasi ebantwini abathileko nangabe kuyazwisiseka emphakathini wentando yenengi ngokususelwa kusithunzi sobuntu, ekulinganeni nakutjhaphuluko.

Lokhu kutjho bona amalungelo angakuVikelamalungelo awakapheleli. Abantu banamalungelo wokuphalisana namalungelo wokungazwani. Ukwenza isibonelo isithunzi somuntu munye singatjhayisana netjhaphuluko yomunye umuntu yokuveza amaziso wabo begodu njengomphumela walokho umThethosisekelo uqintela indinyana yomkhawulo. Indinyana le ibeka phasi isihlahlubo sokobana omunye nomunye umkhawulo kufanele uhlangane ngaphambi kobana amalungelo asisekelo anikelwe umkhawulo ngokomthetho.



## Indlela amalungelo wobuntu angavikelwa ngayo

Kobana kuvikelwe bekutjhejwe ukuzalisekiswa okuragela phambili kwamalungelo akuVikelamalungelo, iSahluko se- 9 somThethosisekelo siqintela ukusungulwa kweenkhungo ezizijameleko nezilawulwa mThethosisekelo nomthetho. Iinkhungo lezi azithathi ihlangothi begodu zisebenzisa igunya lazo bezenze nemisebenzazo ngaphandle kokwesaba, ukuthanda ihlangothi namkha ukuzindlekela.



## IKomitjhini yamaLungelo wobuntu yeSewula Afrika

I- SAHRC isikhungo esizijameleko sakarhulumente, esitlanywe mthethosisekelo ukuthuthukisa ihlonipho yamasiko wamalungelo wobuntu eSewula Afrika. IKomitjhini inobujamo obukhethekileko baka- “A” bokusebenza neenhlangothi zamalungelo wobuntu zeentjhabatjhabeni ukuvikela amalungelo.

Ngalokho- ke iKomitjhini kufanele yeluleke urhulumente mayelana nemigomo nekambiso, isebenze nabanye abahlangayeli ukuthuthukisa ukuzwisiswa ngcono kwamalungelo wobuntu kanye nokuthatha amagadango lapho ekuphulwe khona amalungelo, ngaphandle kokwesaba namkha kokuthanda ihlangothi namkha kokuzindlekela ngokwetjisakalo yabo boke abantu eSewula Afrika.



## Umsebenzi we- SAHRC

NgokwesiGaba se- 184 somThethosisekelo, i- SAHRC kufanele:

- Ithuthikise ukhlonitjiswa kwamalungelo wobuntu nesiko lamalungelo wobuntu;
- Ithuthukise ukuvikelwa, ukuthuthukiswa nokuzalisekiswa kwamalungelo wobuntu;
- Itjheje beyihlole ukutjhejwa kwamalungelo wobuntu eRiphabhliki.





## Yenzani i- SAHRC?

- I- SAHRC iphenya iinghonyoyilo zokwepulwa kwamalungelo wobuntu beyitjheje neenghonyoyilo zamalungelo wobuntu;
- Itjheja beyibikele iPalamende qobe ngomnyaka mayelana neragelo phambili lomBuso ekuletheni amalungelo wezomnotho nehlahakuhle yawo woke amaSewula Afrika;
- Ihlela isekelo nelemukiso lokufikelela emiphakathi ukufundisa umphakathi wokana ngamalungelo wobuntu nangomThethosisekelo;
- Itjheja ituthuko yomthetho omutjha ukuqinisekisa bona umthetho lowo utjheja ikambisolawulo yamalungelo wobuntu;
- Isebenzisana neembikiindaba kobana zinikele ilwazi elilisizo kumalungelo wobuntu nokusabalalisa ilemuko ngamalungelo wobuntu begodu
- Yenza iphenyo lomphakathi mayelana nokwepulwa kwanjalo njalo kwamalungelo wobuntu.
- Itlama iindawo zabosiyazi nabanye abahlanganyeli abazokucocisana ngemiraro yamalungelo wobuntu, ngeendingo nangamatjhuguluko
- Isebenzisana neenghema ezihlukahlukeneko zabahlanganyeli kobana bathole ukulungiswa okufaneleko lapho amalungelo aphulwe khona namkha ukuthuthukisa ikambisolawulo, imigomo nemithetho engcono ekuzuzeni amalungelo wobuntu.



## Iinghonyoyilo eziphenywe yi-SAHRC

I- SAHRC inegunya lokwenza iphenyo ngokuthola isinghonyoyilo senye nenye izwangobatjho yokwepulwa kwelungelo lobuntu elisisekelo. I- SAHRC inegunya lokuphenya ngokuzithandela ngokwepulwa namkha ukuthuselwa kwelungelo elisisekelo.



## Lapho ekungenziwa khona iinghonyayo

Isinghonyayo singenziwa kwenye nenye i- ofisi yesifunda ye- SAHRC esifundeni lapho izwangobatjho yokwepulwa kwelungelo elisisekelo eyenzeke kiso.



## Ngubani ongenza isinghonyayo?

- Nanyana ngubani osenza ngokwetjisakalo yakhe;
- Nanyana ngubani osenzela omunye umuntu ongakghoni ukuzenzela sona ngelakhe ibizo;
- Nanyana ngubani osenza ngokwetjisakalo yesiqhema namkha isigaba sabantu;
- Nanyana ngubani osenza ngokwetjisakalo yomphakathi namkha;
- Nanyana ngiyiphi ihlangano esenza ngokwetjisakalo yamalunga wayo.



## Iinghonyayo zingenziwa njani?

- Isinghonyayo esenziwa ngomlomo emuntwini namkha ngomhala.
- Isinghonyayo singethulwa ngokutlolwa.
- Abanghonyayo bangazalisa neforomu lesinghonyayo elikuthungelelwano elitholakala ku: [www.sahrc.org.za](http://www.sahrc.org.za)



## Ezinye iinkhungo zeSahluko se- 9 ezitjheja ukuvikelwa nokuzalisekiswa kwamalungelo wobuntu:

### IKomitjhini yokuThuthukiswa nokuVikelwa kwamaLungelo wemiPhakathi yamaSiko, yezeKolo namaLimi (IKhomitjhini ye- CRL)

Iminqopho eqakathekileko yeKomitjhini ye- CRL ngile:

- Ukuthuthukiswa kokuhlonitjha nokuvikelwa kwamalungelo wemiphakathi yamasiko, yezekolo namalimi;
- Ukuphakamisa nokuthuthukisa ukuthula, ubungani, ubuntu, ukubekezelelana, ukubumbana kwesitjhaba phakathi kwemiphakathi yamasiko, yezekolo namalimi ngesizathu sokulingana, sokungabandlululi nokuhlangana okutjaphulukileko kanye
- Nokuphakamisa ukusungulwa namkha ukwamukelwa ngokukhambisana nomthetho wesitjhaba, kwamasiko namkha komunye umkhandlu namkha imikhandlu yomphakathi namkha yemiphakathi yeSewula Afrika.

IKomitjhini ye- CRL inegunya lokutjheja, lokuphenya, lokurhubhulula, lokufundisa, lokuheha, lokwaluleka nokubika ngemiraro ephathelene namalungelo wemiphakathi yamasiko, yezekolo namalimi.

IKomitjhini ye- CRL ingathintwa eminingwaneni elandelako:

**Forum 4, Braampark Office Park**

**33 Hoofd Street Braamfontein**

**Jwanisbhege**

**Isiphande se- imeyila: [info@crlcommission.org.za](mailto:info@crlcommission.org.za)**

**Inomboro yomrhala: (011) 358 9100**

## **IKomitjhini yezokuLingana kobuLili (Commision for Gender Equality (CGE))**

NgokomThethosisekelo i- CGE inegunya lokuthuthukisa ukuhlonitjiswa kokulingana kobulili nokuvikelwa, ukuthuthukiswa nokuzalisekiswa kokulingana kobulili.

NgokomThethosisekelo i- CGE inegunya lokutjheja, lokuphenya, lokurhubhulula, lokufundisa, lokuheha, lokwaluleka nokubika ngemiraro ephathelene nokulingana kobulili.

I- CGE ingathintwa eminingwaneni elandelako:

**2 Kotze Street, Women's Jail  
East Wing, Constitutional Hill  
Braamfontein 2017  
Inomboro yomrhala: (011) 403 7182**

## **UmVikeli womPhakathi**

UmVikeli womPhakathi unegunya loku-:

- Phenya ngananyana ngikuphi ukuziphatha ezehlakalweni zombuso namkha ekulawulweni kombuso kunanyana ngiwuphi umkhakha karhulumende okunezwangobatjho namkha osolwa ngokungabi ngefanelo namkha onomphumela wokungathembeki namkha ngokuzindlekela,
- Bika ngokuziphatha lokho begodu
- Thatha amagadango afaneleko wokulungisa.

UmVikeli womPhakathi angathintwa eminingwaneni elandelako:

**175 Lunnon Street  
Hillcrest Office Park, Hatfield, Pretoria,0083  
Inomboro yomrhala: (0800) 11 20 40**

## **IKomitjhini yezamaKhetho eziJameleko (Independent Electoral Commission (IEC))**

I- IEC igunyazwe ngokomThethosisekelo uku:-

- Lawula amakhetho wesitjhaba, weemfunda neweenhlangano ezenza imithetho zakamasipala ngokukhambisana nomthetho wesitjhaba kanye
- Nokuqinisekisa bona amakhetho lawo atjaphulukile begodu awathathi ihlangothi.

I- IEC ingathintwa eminingwaneni elandelako:

**Election House**

**Riverside Office Park**

**1303 Heuwel Avenue**

**Centurion**

**0157**

**Inomboro yomrhala: (011) 622 57 00**

**I- imeyila: [info@elections.org.za](mailto:info@elections.org.za)**

## Amalungelo wobuntu avikelwa njani godu?

Ngaphezu kweVikelamalungelo, ngasosoke isikhathi iinhlango zeentjhabatjhaba nezeemfunda zitlamba ikambiso nemihlahlandlela mayelana namalungelo athileko evezela labo abavumelana nawo, bawahloniphe eenarheni zabo. Ikambiso nemihlahlandlela le zithatha indlela yeemvumelwano. Iimbonelo zeentsetjenziswa ezinjalo siMemezelo sePhasi loke samaLungelo wobuNtu, isiVumelwano ngokuQedwa kwayo yoke imihlobo yeBandlululo mayelana nabaFazi kanye nesiVumelwano ngamaLungelo wabeNtwana.

ITjhatha ye- Afrika yamaLungelo wobuNtu nabaNtu sisetjenziswa seemfunda esifana neVikelamalungelo yesifunda soke se- Afrika. Lokha inarha nayivuma ukutlikitla nanyana ngiwuphi wemitlolo le, ivuma ukuvikela amalungelo avezwe kiyo. Bekube njenganje, iSewula Afrika itlikitile koke okubalwe ngehla kanye neememezelo ezivikela abaphalali nokwenziwa kwebandlululo ngokobuhlanga ubulelesi. Iwebhusayidi yeentjhaba eziBumbeneko inikela ilwazi mayelana neemvumelwano, iindlelakambiso neMemezelo iSewula Afrika ezitlikitlileko ku- [www.un.org](http://www.un.org)

### Indlela yokuthintana ne- SAHRC

Forum 3, Braampark Office Park, Braamfontein

Jwanisbhege

Inomboro yomrahala: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

I- imeyila: [info@sahrc.org.za](mailto:info@sahrc.org.za)

[complaints@sahrc.org.za](mailto:complaints@sahrc.org.za)

Twitter: @SAHRCommission

Facebook: SA Human Rights Commission

# Iminingwana yokuthintana

## AMA- OFISI WEEMFUNDA

### Pumalanga Kapa

Isiphande: 4th Floor Oxford house,  
86 Oxford street, East London, 5200  
Umrhala: 043 722 7828/21/25 | Ifeksi: 043 722  
7830

#### UmPhathi wesiFunda

##### **Nom. Abongile Sipondo**

Thintana no-: Yolokazi Mvovo  
I- imeyila: ymvovo@sahrc.org.za

### Free State

18 Keller Street, Bloemfontein  
Umrhala: 051 447 1130 | Ifeksi: 051 447 1128

#### UmPhathi wesiFunda

##### **Mr. Thabang Kheswa**

Thintana no-: Alinah Khompeli  
I- imeyila: akhompeli@sahrc.org.za

### Limpopo

First Floor, Office 102, Library Garden Square,  
Corner of Schoeman and  
Grobler Streets, Polokwane  
Umrhala: 015 291 3500 | Ifeksi: 015 291 3505

#### UmPhathi wesiFunda

##### **Mr Victor Mavhidula**

Thintana no-: Mahlatse Ngobeni  
I- imeyila: mngobeni@sahrc.org.za

### Northern Cape

45 Mark and Scot Road,  
Ancorley Building, Upington  
Umrhala: 054 332 3993/4 | Ifeksi: 054 332  
7750

#### UmPhathi wesiFunda

##### **Ms Chantelle Williams**

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I- imeyila: zlouw@sahrc.org.za

### Western Cape

7th Floor ABSA building,  
132 Adderley Street, Cape Town  
Umrhala: 021 426 2277 | Ifeksi: 021 426 2875

#### UmPhathi wesiFunda

##### **Adv Lloyd Lotz**

Thintana no-: Shafeeqah Salie  
I- imeyila: ssalie@sahrc.org.za

### I- Ofisi yeRhawuteni

2nd Floor, Braampark Forum 3,  
33 Hoofd Street, Braamfontein  
Umrhala: 011 877 3750 | Ifeksi 011 403 0668

#### UmPhathi wesiFunda

##### **Nom Buang Jones**

Thintana no-: Nthabiseng Kwaza  
I- imeyila: nvkwaza@sahrc.org.za

### KwaZulu-Natal

First Floor, 136 Margaret Mncadi, Durban  
Umrhala: 031 304 7323/4/5 | Ifeksi: 031 304  
7323

#### UmPhathi wesiFunda

##### **Ms Tanuja Munnoo**

Thintana no-: Kathleen Boyce  
I- imeyila: kathleenboyce@sahrc.org.za

### Mpumalanga

4th Floor Carltext Building,  
32 Bell Street, Nelspruit  
Umrhala: 013 752 8292 | Ifeksi: 013 752 6890

#### UmPhathi wesiFunda

##### **Mr Eric Mokonyama**

Thintana no-: Carol Ngwenyama  
I- imeyila: cngwenyama@sahrc.org.za

### North West

25 Heystek Street, Rustenburg  
Umrhala: 014 592 0694 | Ifeksi: 014 594  
1069

#### UmPhathi wesiFunda

##### **Ms Mpho Boikanyo**

Thintana no-: Poppy Mochadibane  
I- imeyila: pmochadibane@sahrc.org.za

## **Indlela yokuthintana ne- SAHRC**

Forum 3, Braampark Office Park, Braamfontein  
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Inomboro yomrahala: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

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