Isalathiso: 20211125 - 8227
Inombolo yefayili.: 8/5/8/P
Imibuzo: LM Coleridge-Zils

Isetyhula: 0002/2022
Umhla wokuphelelwa: Awukho

Iya: KumaSekela Balawuli-Jikelele, kuBalawuli aBaziiNtloko, kuBalawuli, (kwaNdlunkulu nakwii-ofisi zezithili), kumaSekela Balawuli, kwiiNgcali zeMfundo eziziiNtloko, kwiiNtloko zoKunika iNkxaso kwiKharityhulam, kwiiNtloko zoLawulo noKuphathwa kwamaZiko, kuBaphathi beeSekethe, kumaSekela eeNgcali zeMfundo eziziiNtloko, kuBacebisi ngeZifundo, kwiiNqununu zezikolo zikarhulumente nakooSihlalo bamabhunga lolawulo

Isishwankathelo esifutshane: *Ithemplethi yoMgaqo-nkqubo woKuba yiMfihlo kweeNkcukacha* zoMNtu *wezikolo zikarhulumente ngokungqinelana noMthetho we-Protection of Personal Information Act, 2013 (Act 4 of 2013)*.

Isihloko: Ithemplethi yoMgaqo-nkqubo woKuba yiMfihlo kweeNkcukacha zoMntu wezikolo zikarhulumente ngokungqinelana noMthetho we-*Protection of Personal Information Act, 2013 (Act 4 of 2013)*.

1. UMthetho we-*Protection of Personal Information Act (POPIA), 2013 (Act 4 of 2013),* waqala ukusebenza ngowe-01 Julayi 2021 yaye ithuba lonyaka omnye elalimiselwe ngaphambili lokuxoleleka kokuphunyezwa kwawo laphela ngomhla we-30 kuJuni 2021.

2. Injongo yoMthetho we-*POPIA*—

2.1 kukusebenzisa ilungelo lomgaqo-siseko lokuba yimfihlo kweenkcukacha, ngokukhusela iinkcukacha zakho xa ziqwalaselwa ngumntu owenza loo msebenzi ngokuxhomekeke kwimiqathango ebekwe ngezizathu ezithile ngenjongo—

a) yokulungelelanisa ilungelo lokuba yimfihlo kweenkcukacha zomntu namanye amalungelo, ngakumbi ilungelo lokufikelela kwingcaciso; kunye

b) nokukhusela imiba echaphazela iinkcukacha ebalulekileyo, kuqukwa nokuhanjiswa ngokukhululekileyo kwengcaciso ngaphakathi kwiRiphablikhi yoMzantsi Afrika nakwimida yamazwe aphesheya;

2.2 ukulawula indlela ekunokusetyenziswa ngayo iinkcukacha zomntu, ngokumisela imiqathango, ngokungqinelana nemigangatho, emisela inqanaba leemfuno ezimiselweyo ezizezona zincinci zokusingathwa ngokusemthethweni kweenkcukacha zomntu;

2.3 ukunika abantu, amalungelo kunye nezisombululo, ukukhuselwa kweenkcukacha zabo; kunye

2.4 nokuseka amanyathelo okuzithandela kunye nasisinyanzelo, kubandakanywa ukusekwa kwe-*Information Regulator,* ukuqinisekisa intlonipho nokukhuthaza, ukunyanzelisa nokuzalisekisa amalungelo akhuselwe ngulo Mthetho.

3. Amaqela anoxanduva lokwenza lo msebenzi njengeenqununu, ezingamagosa engcaciso, kwizikolo zikarhulumente ngoku kufuneka ngokomthetho akhusele iinkcukacha zabantu eziyidatha enxulemene nabo ekubeni ziqokelelwe, zigcinwe, zihanjiswe,yaye zisetyenziswe ngokungekhomthethweni.

4. ISebe leMfundo leNtshona Koloni liyile ithempleyithi yoMgaqo-nkqubo woKuba yiMfihlo kweeNkcukacha zoMntu eqhotyoshelweyo ukunceda iinqununu zezikolo zikarhulumente xa zisenza uMgaqo-nkqubo weSikolo woKuba yiMfihlo kweeNkcukacha zoMntu, ukuqinisekisa ukuba isikolo:

4.1 Siyawuthobela uMthetho we-*POPIA*;

4.2 sikhusela amalungelo abantu idatha eziinkcukacha enxulumene nabo njengoko kuchaziwe;

4.3 asiyifihli indlela esigcina nesisebenzisa ngayo idatha eziinkcukacha enxulumene nabo; yaye

4.4 sikhusela amalungelo esikolo kunye nawabantu idatha eziinkcukacha enxulumene nabo kwiingozi *(risks*) zokophulwa kwemigaqo yokhuseleko.

5. Kucelwa niqinisekise ukuba okubhalwe kule setyhula kwaziswa bonke abachaphazelekayo ukuze bakuthathele ingqalelo.

ISAYINWE: NGU-B WALTERS
INTLOKO YESEBE LEMFUNDO
UMHLA: 2021-12-21