Isalathiso: 20170116-7289
3/3/2/4/12
Imibuzo: IZiko leeFoni

INgcaciso eMfutshane yeCandelo loLawulo lwaBasebenzi ngoBuchule: 0001/2017

Iya: KumaSekela Balawuli-Jikelele, kuBalawuli abaziiNtloko, kuBalawuli, kumaSekela Balawuli, kuBaphathi beeSekethe, kuBaphathi bezeNgcaciso, uKuphathwa noLawulo lwaBasebenzi ngoBuchule, kwiiNtloko eZinika iNkxaso yeKharityhulam kwiZithili; kwiiNtloko eZinika iNkxaso kuBafundi kwiZithili; kwiiNqununu zeZikolo nakubo bonke aBasebenzi beNkonzo kaRhulumente

Isihloko: Ukubaluleka kokuba ootitshala nabasebenzi benkonzo karhulumente benze isicelo sokwenza umsebenzi ohlawulelwayo (*remunerative work*) owenziwa ngaphandle kwenkonzo karhulumente nokuqhuba ushishino nequmrhu likarhulumente (*organ of state)*

1. Isiqendu 33 soMthetho wezeNgqesho yooTitshala, 1998 (uMthetho 76 ka-1998), isiqendu 30 (b) soMthetho weNkonzo kaRhulumente, 1994, (uMthetho 103 ka-1994) nesiqendu 13(c) seMimiselo yeNkonzo kaRhulumente, zasisa bonke abaqeshwa ngembopheleleko yabo (*their obligation*) yokwenza isicelo semvume kwiNtloko yeSebe ukuba banqwenela ukwenza umsebenzi ohlawulelwayo ngaphandle kwenkonzo karhulumente.

2. Abaqeshwa abangekayifuni nangoku imvume yokwenza umsebenzi ohlawulelwayo ngaphandle kwenkonzo karhulumente, kwakunye nabo banenjongo yokwenza umsebenzi ohlawulelwayo ngaphandle kwenkonzo karhulumente, mabangenise ngokukhawuleza izicelo zabo zokwenza umsebenzi ololu hlobo. Izicelo zivunywa ngonyaka-mali ngamnye (01 Apreli ukuya kwi-31 Matshi yonyaka olandelayo) yaye ke ngoko abaqeshwa mabafake izicelo kwangaphambili qho ngonyaka.

3. Ukufumana imvume, makuzaliswe le fom iqhotyoshelweyo (ihlaziyiweyo) ize ingeniswe kule dilesi ilandelayo:

Head: Education
For attention: Director: Strategic People Management
Western Cape Education Department
Private Bag X9114
Cape Town
8000

4. Umhlathi 13(c) weCandelo 1, kwiSahluko 2 seMimiselo yeNkonzo kaRhulumente, 2016 (*Public Service Regulations, 2016),* eqale ukusebenza ukususela nge-01 Agasti 2016 ucacisa ukuba umqeshwa:

   "akayi kuqhuba ushishino kunye nequmrhu likarhulumente nokuba leliphi na okanye abe ngumlawuli wenkampani karhulumente okanye eyabucala eqhuba ushishino nequmrhu likarhulumente, ngaphandle kokuba umqeshwa ololu hlobo ungumlawuli osesikhundleni wenkampani ekuluhlu lweshedyuli *2 no-3 zoMthetho woLawulo lweMali kaRhulumente (Public Finance Management Act*".

   Lo mqathando unokuguqulwa apho kuyimfuneko (*mutatis mutandis),* usebenza kubaqeshwa abaqeshwe ngokoMthetho weNgqesho yooTitshala, 1998 (uMthetho 76 ka-1998) (*Employment of Educators Act, 1998 (Act 76 of 1998)*.

5. ISebe leNkonzo kaRhulumente noLawulo (*Public Service and Administration*) lakhupha amalungiselelo eenguqu (*transitional arrangements*) ukwenzela ukuphunyezwa komhlathi 13(c) ochazwe apha ngentla, nochaza ukuba: Umqeshwa oqhuba ushishino nequmrhu likarhulumente okanye ongumlawuli wenkampani eqhuba ushishino nequmrhu likarhulumente, makakuxele ukuchaphazeleka kwakhe *(declare)* ungadlulanga owe-31 Januwari 2017 kwifom yokuxela ukuchaphazeleka kwakhe *(disclosure form*) eqhotyoshelweyo.

6. Iqumrhu likarhulumente licaciswa phakathi kwezinye izinto, njengawo onke amasebe karhulumente, oorhulumente beengingqi *(local governments*) neenkampani zikarhulumente.

7. Umqeshwa oqhuba ushishino nequmrhu likarhulumente okanye ongumlawuli wenkampani eqhuba ushishino nequmrhu likarhulumente:

   (i) uya kuyeka ukuqhuba ushishino nequmrhu likarhulumente ungadlulanga owe-31 Januwari 2017 okanye uya kuyeka emsebenzini njengomqeshwa;
   (ii) uya kuyeka emsebenzini njengomlawuli wenkampani eqhuba ushishino nequmrhu likarhulumente ungadlulanga owe-31 Januwari 2017 okanye uya kuyeka emsebenzini njengomqeshwa.

8. Ukuba umqeshwa akayeki emsebenzini ngalo mhla sele ukhankanyiwe, umqeshwa makangenise ubungqina bokuba umqeshwa ukuyekile ukuqhuba ushishino okanye uyekile emsebenzini njengomlawuli wenkampani eqhuba ushishino nequmrhu likarhulumente ungadlulanga owe-28 Februwari 2017.
9. Abaqeshwa abaneenkcukacha zabo zobuqu ezikwinkampani yabucala kwi-*Companies and Intellectual Property Commission's Register* nabangasathathi

nxaxheba kumsebenzi ohlawulelwayo ngaphandle kwenkonzo karhulumente, bayacelwa ukuba baqinisekise ukuba amagama abo akhutshiwe kwirejista ngokufanelekileyo.

10. Ukungaphumeleli ukulandela le miqathango icaciswe kule ngcaciso imfutshane kunokubangela ukuba kuthathwe amanyathelo oluleko ngakumqeshwa.

11. Abaqeshwa ababonelelwa ngentlawulo eyongezelelweyo liSebe leMfundo leNtshona Koloni (WCED), abanokubandakanya abamakishi beemviwo zematriki, abaqeqeshi/abaququzeleli, ootitshala abenza imisebenzi yokusuphavayiza ezihostele, akumele bawuthobele umyalelo okumhlathi 5 njengoko iintlawulo ezongezelelweyo zigunyaziswa ngokwemigqaliselo yezomthetho esebenzayo.

12. Kucelwa wazise ngokuqulethwe yile ngcaciso imfutshane kubo bonke abasebenzi abaphantsi kolawulo lwakho ukuze bayithathele ingqalelo.

ISAYINWE: NGU- BK SCHREUDER
INTLOKO: YESEBE LEMFUNDO
UMHLA: 2017-01-21