



# IMANYUWALIMANYUWALI YE-PAIA

<b>Isihloko soxwebhu:</b>	I-OPFA: Imanyuwali YE-PAIA
<b>Onoxanduva loluxwebhu:</b>	Igosa loLwazi (Information Officer)/ IsekelaGosa loLwazi (Deputy Information Officer)
<b>Iphononongwe Ngu:</b>	TBA
<b>Iyilwe ngo:</b>	EyoMdumba (Februwari) 2021
<b>Inombolo yeNguqulelo:</b>	V3
<b>INombolo yoNgqinisiso</b>	TBA
<b>Umhla wokuVunywa:</b>	14 May 2024
<b>UMhla wokuQala ukuSebenza:</b>	TBA
<b>Ivunywe Ngu:</b>	TBA

## **IPhepha lokuVunywa loXwebhu**

### **UMnini woXwebhu:**

<b>IGAMA</b>	<b>ISIKHUNDLA</b>
Nondumiso Ntshangase	IsekelaGosa loLwazi

### **Ithuba loQwalaselo Kwakhona eliNyanzelekileyo**

Iza kuqwalaselwa kwakhona qho kunyaka wesibini okanye xa kusenzeka utshintsho olubalulekileyo

## IPhepha loLawulo lweNguqulelo

Eli phepha kufuneka linike imbali yeenguqulelo zangaphambili zomgaqonkqubo kunye notshintsho olwenziweyo:

Inguqulelo	Umhla	Umbhali	Isimo	Uluvo/utshintsho
1	1/7/2021	I-OPFA ManCo	Itshintshiwe	
2	13/12/2022	I-OPFA ManCo	Itshintshiwe	Utshintsho lucetyiswe nguMlawuli oBeka iLiso aze aNyanzele ukuThobela kulandela utyelelo lohlobo.
3	14/05/2024	I-OPFA ManCo Itshintshiwe	Itshintshiwe	Utshintsho oluncinci

## **I-OPFA IMANYUWALI YE-PAIA**

### **1. INKCAZO YOMSEBENZI WE-OPFA / IINKONZO EZINIKIWEYO**

IOfisi yoMgwebi weZkhalazo zeeNgxowamali zoMhlalaphantsi (Office of the Pension Funds Adjudicator) (“OPFA”) nguMgwebi osemthethweni osekwe ngokweCandelo 30B lomThetho weeNgxowamali zoMhlalaphantsi, wesi-24 ka-1956 (Pension Funds Act, 24 of 1956). Injongo engundoqo yoMgwebi kukwenza izigqibo ngezikhhalazo ezinxulumene nengxowamali ezifakwe ngokwecandelo 30A(3) lomThetho weeNgxowamali zoMhlalaphantsi, kunye nezikhhalazo ezo uMgwebi onyulelwe zona ngokwecandelo lesi-211 lomThetho woLawulo lweCandelo lezeMali, 2017 (Financial Sector Regulation Act, 2017), ngendlela ehamba ngenkqubo efanelekileyo ngokomthetho, enoqoqosho kwaye ekhawulezayo. I-OPFA liziko likarhulumente leShedyuli 3A njengoko kubhekiselwe kulo kumThetho woLawulo lweMali kaRhulumente, yoku-1 ka-1999 (Public Finance Management Act, no.1 of 1999).

### **2. IMANYUWALI YOFIKELELO KULWAZI**

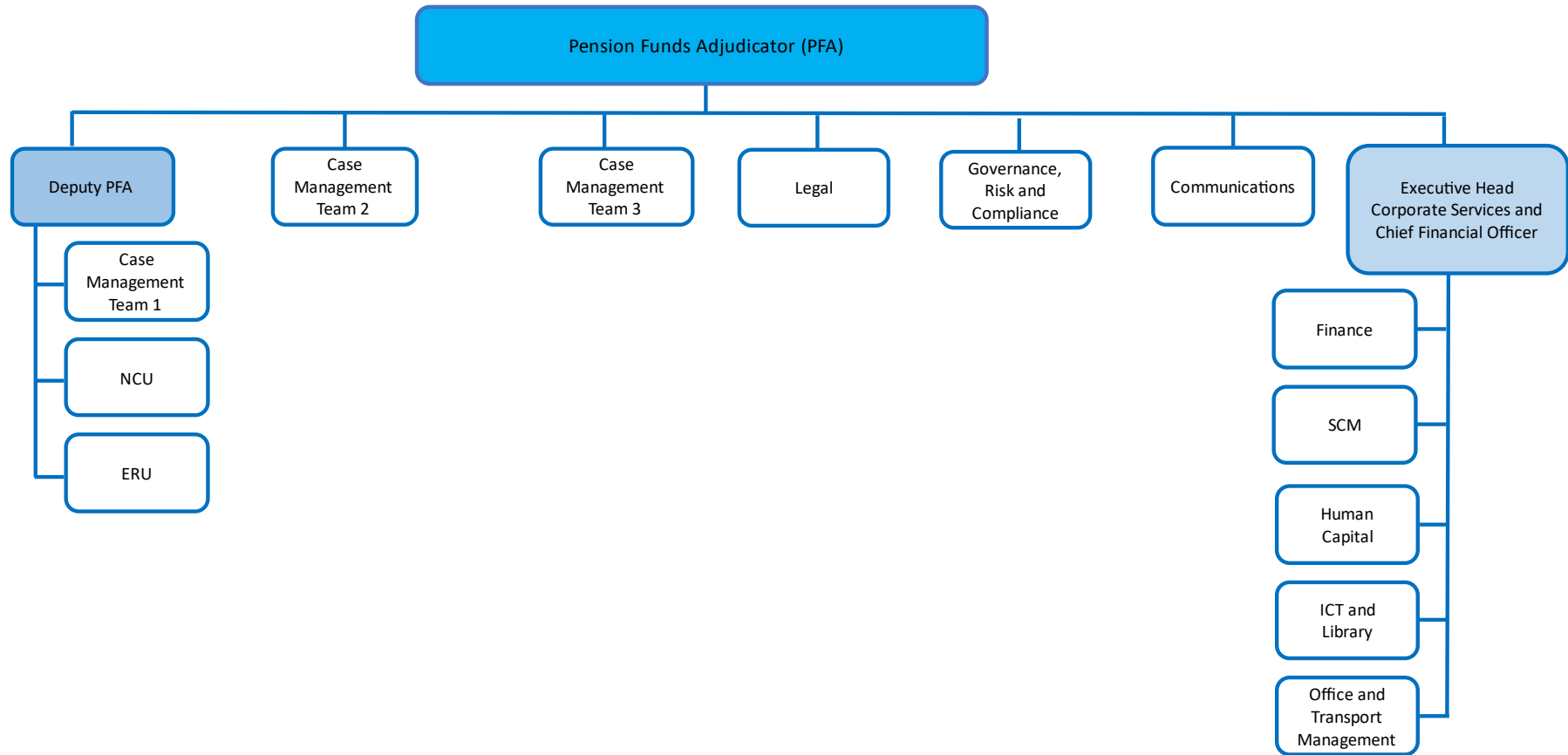
Njengoko kufunwa liCandelo le-14 lomThetho wokuKhuthazwa koFikelelo kuLwazi wesi-2 ka-2000) (Promotion to Access of Information Act No 2 of 2000) (PAIA), injongo zale manyuwali kukunceda uluntu lufikelele kulwazi olukhona noluvela kwi-OPFA.

Le ncwadi iza kukunceda ukuba ufikelele kulwazi enalo i-OPFA ngendlela efanelekileyo. I-OPFA kufuneka ngokomthetho we-PAIA yenze ukuba le ncwadi ifumaneke kuwe ukuze ubone ukuba hlobo luni lolwazi enalo i-OPFA, ngokunjalo nokuba ungacela njani ukuba nofikelelo kulo.

### 3. IINKCUKACHA ZE-OPFA

<b>IGama elisemThethweni</b>	IOfisi yoMgwebi weZkhalazo zeeNgxowamali zoMhlalaphantsi (OPFA)
<b>INombolo yoBhaliso</b>	Akukho nombolo kagunyaziwe osemthethweni ifunekayo
<b>IDilesi yeSitalato</b>	4th Floor Riverwalk Office Park, Block A, 41 Matroosberg Road, Ashlea Gardens, PRETORIA
<b>IDilesi yePosi</b>	P.O. Box 580, MENLYN, 0063
<b>INombolo yomNxeba</b>	012 748 4000 012 346 1738
<b>INombolo yeFeksi</b>	0866937472
<b>Idilesi yeimeyile jikelele</b>	enquiries@pfa.org.za
<b>IGosa loLwazi (Information Officer)</b>	Muvhango Lukhaimane – muvhango.lukhaimane@pfa.org.za
<b>IsekelaGosa loLwazi (Deputy Information Officer)</b>	Nondumiso Ntshangase - nondumiso.ntshangase@pfa.org.za
<b>INombolo yomNxeba</b>	012 748 4000 012 346 1738
<b>Idilesi yewebhusayithi</b>	www.pfa.org.za

## 4. ULWAKHEKO LWEQUMRHU



## 5. ISIKHOKELO SOMLAWULI OBEKA ILISO AZE ANYANZELE UKUTHOBELA

Umlawuli oBeka iLiso aze aNyanzele ukuThobela uqulunqe isikhokelo esixelwe kwiCandelo le-10 lomThetho. Esi sikhokelo siqulethe ulwazi olunjalo njengoko lunokufunwa ngokufanelekileyo ngumntu onqwenela ukusebenzisa naliphi ilungelo elixelwe kumThetho ofanelekileyo. Nayiphi na imibuzo ephathelene nesi sikhokelo kufuneka isiwe ku:

### **The Information Regulator (South Africa)**

JD House, 27 Stiemens Street,

Braamfontein,

Johannesburg, 2001.

Umnxeba: 010 023 5200

I-imeyile: [enquiries@info regulator.org.za](mailto:enquiries@info regulator.org.za)

Unokufumana ikopi yesikhokelo kananjalo ngokuqhagamshelana neSekela Gosa eliNika uluNtu uLwazi (DIO) onkcukacha zakhe zivela ngentla.

## 6. IIREKHODI EZIGCINWE YI-OPFA

### **Ulwazi olufumaneka ngaphandle kwesicelo se-PAIA**

ICandelo lama-30L lomThetho weeNgxowamali zoMhlalaphantsi libonelela ngokuba:

**30L. Irekhodi leenkqubo.** —(1) *UMgwebi uya kugcina okanye enze ukuba kugcinwe, nokuba kungokubhaliweyo okanye ngendlela yobuchwepheshe okanye ye-eletroniki, irekhodi elisisigxina leenkqubo ezinxulumene nesigqibo ngesikhalazo kunye nobungqina obunikiweyo.*

(2) *Naliphi na ilungu loluntu linokufumana ikopi efundekayo yerekhodi yentlawulo yemali ehlawulwayo emiselwe nguMgwebi.*

Ngokufanelekileyo, unokucela ikopi efundekayo yerekhodi yeenkqubo ezinxulumene nesigqibo kwisikhalazo ngaphandle kwesicelo se-PAIA.

**Okuchazwe ngezantsi ziirekhodi esizigcinileyo, kwaye ngeke zikhululwe ngaphandle kwesicelo se-PAIA, zohlulwe ngokweendidi ukwenza lula ungqinisiso:**

liRekhodi zoBuqu	Ulwazi lobuqu olunikwe ngabasebenzi. lirekhodi ezinikwa liqela lesithathu ngokunxulumene nabasebenzi. limeko zengqesho kunye nolunye ulwazi lwabasebenzi olunxulumene noko. Uhlolo lwangaphakathi kunye nezinye iirekhodi zangaphakathi. Imbalelwano enxulumene nabasebenzi. Ishedyuli nemathiriyeli yoqeqesho.
liRekhodi zeNkampani	lirekhodi zemali lirekhodi zokusebenza Oovimba beenkcukacha Ubuchwepheshe bonxibelelwano nge-eletroniki Imbalelwano yangaphakathi lirekhodi zomthetho IMigaqonkqubo neenkqubo zangaphakathi lirekhodi ezinxulumene nonoNdyebo lirekhodi ezigcinwe ngamagosa eNkampani
lirekhodi zokufunwa nokukhutshwa kwempahla neenkonzelo	lirekhodi zeqela lesithathu



**UMTHETHO:**

QAPHELA: ImiThetho edwelisiweyo inika imisebenzi kunye namaxanduva athile kwi-OPFA, ukuba yeyiphi imisebenzi namaxanduva anxulumene nokukwazi kwe-OPFA ukusebenzisa igunya layo ngempumelelo. Uluhlu ayiloluhlu lubanzi lwayo yonke imithetho ekunokwenzeka ibe neempembelelo kwi-OPFA kodwa kukholelwa ukuba yimathiriyeli eninzi.

<b>IYUNITHI YOLAWULO LWEMICIMBI</b>	
1.	Pension Funds Act, 24 of 1956
2.	Financial Sector Regulation Act, 7 of 2017
3.	Protection of Personal Information Act, 4 of 2013
4.	Promotion of Access to Information Act, 2 of 2002
5.	Promotion of Administrative Justice Act, 3 of 2002
6.	The Use of Official Languages Act, 12 of 2012
<b>IYUNITHI ENXULUMENE NEMICIMBI YABASEBENZI</b>	
7	Labour Relations Act, 66 of 1995
8	Occupational Health and Safety Act, 85 of 1993
9	Employment Equity Act, 55 of 1998
10	Skills Development Act, 97 of 1998
11	Basic Conditions of Employment Act, 75 of 1997
12	Compensation for Occupational Injuries and Diseases Act, 130 of 1993
13	Unemployment Insurance Act, 63 of 2001
14	Protected Disclosures Act, 26 of 2000
<b>IYUNITHI YEZEMALI</b>	
15	Public Finance Management Act, 1 of 1999
16	Preferential Procurement Policy Framework Act, 5 of 200
17	Prevention and Combating of Corrupt Activities Act, 12 of 2004
18	Broad Based Black Economic Empowerment Act, 53 of 2003
19	Income Tax Act, 58 of 1963
20	Prevention of Organised Crime Act, 121 of 1998

	<b>IYUNITHI YOBUCHWEPHESHE BOLWAZI NONXIBELELWANO</b>
21	Electronic Communications and Transactions Act, 25 of 2002

## **OLUNYE ULWAZI NJENGOKO LUNOKUMISELWA:**

I-OPFA iza kwenza kufumaneka naluphi na olunye ulwazi njengoko kumiselwe nguMphathiswa wezobuLungisa noPhuhliso loMgaqo-siseko ngokwemimiselo ngokomThetho.

## **7. INDLELA YOKUCELA UFIKELELO KULWAZI**

Ukuthobela izibophelelo zethu ngokwe-PAIA, i-OPFA igunyazise kwaye yonyula IGosa eliNika uluNtu uLwazi lwe-OPFA ukuba lijongane nemicimbi enxulumene ne-PAIA kunye ne-POPIA. Ukucela ufikelelo kwirekhodi nceda ugcwalise iFom yeSicelo soFikelelo ehlonyelwe ekupheleni kwale ncwadi efumaneka kananjalo ku-<https://info regulator.org.za/> uze uyingenise kwinkampani kwidilesi yayo yesitalato, okanye kwidilesi yeimeyile yoqhagamshelwano jikelele enikwe ngentla.

*I-OPFA inokulwala ufikelelo ukukhusela abanye*

Ngokwe-PAIA i-OPFA ivumelekile ukuba ilwale ufikelelo kumaxwebhu athile. Imihlaba yokwala kukukhusela –

- ubucala bomnye umntu;
- ulwazi lorhwebo lwenye inkampani;
- ulwazi oluyimfihlo lomnye umntu;
- ukhuselo lomntu kunye nepropati;
- iirekhodi ezivela ekuveliseni kwiinkqubo zomthetho; kunye
- nolwazi lophando.

Uya kwaziswa ngokubhalwe phantsi ukuba ingaba isicelo sakho sivunyiwe okanye sikhatywe na kwiintsuku ezingama-30 zekhalenda emva kokuba sifumene iFom yeSicelo soFikelelo egcwalisiweyo. Ukuba ngaba naliphi irekhodi le-OPFA elicelwe nguwe alifumaneki okanye alikho, i-OPFA, ngendlela yengxelo efungelweyo, iza kukwazisa ukuba ngeke kwenzeka ukufikelela kwelo rekhodi.

*Loluphi uhlobo eza kukunika ngalo ufikelelo i-OPFA*

Ukuba ngaba sivunyiwe isicelo sakho sofikelelo kwirekhodi ze-OPFA, i-OPFA iza kumisela ukuba iza kukunika njani ufikelelo, ngaphandle kokuba ucele ufikelelo ngohlobo oluthile.

## **8. IINDLEKO ZOKUFUMANA ULWAZI**

Icandelo le-15(3) lixela ukuba imali ehlawulwayo yofikelelo kwiirekhodi kufuneka imiselwe. Imali ehlawulwayo emiselweyo ibekwe kwiShedyuli yeMali eHlawulwayo efumaneka ku-<https://inforegulator.org.za/>.

## **9. UKUSEBENZA NGOLWAZI LOBUQU**

Ngokwe-POPIA i-OPFA kufuneka ichaze ngokweenkcukacha ukuba iza kusebenza kwaye iloluphi ulwazi eza kusebenza ngalo. Iinkcukacha zoku zifumaneka kwiwebhusayithi ye-OPFA phantsi koMgaqonkqubo wewebhusayithi ye-POPIA.

I-OPFA ayicebi kudlulisela lwazi lobuqu ngaphaya kwemida yase-SA, kodwa inokukwenza oko ukufumana kunye nokuxhasa idatha, okanye ngezizathu zobuchwepheshe. Uhlobo lwe-cloud computing luthetha ukuba idatha ethile inokudluliselwa ngaphaya kwemida. Apho kukulawulo lwe-OPFA, iza kudlulisela kuphela idatha kwamanye amazwe anemithetho yobucala nokhuselo lwedatha efanayo neyawo.

### **Ilukhusela njani ulwazi lobuqu i-OPFA?**

I-OPFA izibophelele ekuqinisekiseni ukuba ulwazi lwakho lukhuselwe kwaye yamkele imigaqonkqubo ngokubhekisele ekuhlangabezaneni nale njongo. Ukuthintela

ufikelelo okanye ukuxelwa okungagunyaziswanga siye senza kwasebenza iinkqubo ngqo, eze-eletroniki nezolawulo ukukhusela kunye nokugcina ulwazi esiluoqokelelayo.

linkonzo ezisebenzisayo i-OPFA zisebenzisa ubuchwepheshe obukhuselekileyo bokuhanjiswa kunye nokugcinwa kwedatha ukukhusela ngokufanelekileyo ulwazi lwakho lobuqu ekubeni luxelwe ngokungagunyaziswanga kunye nokugcina ingqibelelo yolwazi lwakho lobuqu.

## **10. UNCEDO OLUFUMANEKAYO XA I-OPFA ISALA ISICELO SOLWAZI**

### **10.1 UNCEDO LWANGAPHAKATHI**

I-OPFA ayinazo iinkqubo zesibheni sangaphakathi. Ke ngoko, isigqibo esenziwe ngumNtu oNika uluNtu uLwazi sesokugqibela, kwaye abantu abacela ulwazi okanye amaqela esithathu kuza kufuneka basebenzise uncedo lwangaphandle olunjalo abanalo ukuba ngaba salawe isicelo solwazi, kwaye umntu ocela ulwazi okanye iqela lesithathu alonelisekanga yimpendulo enikwe ngumNtu oNika uluNtu uLwazi.

### **10.2 UNCEDO LWANGAPHANDLE**

Ngokwecandelo lama-77A(2) le-PAIA, umntu ocela ulwazi okanye nawuphi umntu onesikhalazo unokufaka isikhalazo ngokubhekisele kwisigqibo somNtu oNika uluNtu uLwazi kuMlawuli oBeka iLiso aze aNyanzele ukuThobela kwiintsuku ezili-180 zokufumana isigqibo ngendlela nohlobo olumiselweyo ngoncedo olufanelekileyo.

Ukuba ngaba i-OPFA iyasilela ukuthobela amagatya e-PAIA, umntu ocela ulwazi okanye nawuphi umntu onesikhalazo, ngokungqinelana necandelo lama-78 le-PAIA kunye nomThetho woKhuthazo lokuGcina imiThetho wesi-3 ka-2000 (PAJA), unokuya eNkundleni enolawulo ngoncedo olufanelekileyo.

Ukuba umceli wolwazi okanye iqela lesithathu alonwabanga ngesigqibo soMlawuli oBeka iLiso aze aNyanzele ukuThobela ngendlela yokufaka isicelo kunye nakwintsuku ezili-180, linokufaka isicelo enkundleni ngoncedo olufanelekileyo ngokwecandelo lama-82 le-PAIA.

## **11. AMAZWE ESEBENZA KUWO**

I-OPFA isebenza eMzantsi Afrika.

## **12. UKUFUMANEKA KWENCWADI**

Le Ncwadi yenziwe yafumaneka ngokoMmiselo oyiNombolo R. 187 wowe-15 kweyoMdumba (Februwari) 2002.

Imanyuwali ye-OPFA iza kufumaneka kananjalo kwiwebhusayithi yayo ku-[www.pfa.org.za](http://www.pfa.org.za), nakwiiofisi ze-OPFA ngokwazo.