ISIYALO SE LC 1/2018

SIMENYEZELWE	**:**	***NGUNOBHALA WENKAMPANI***
SIQALE UKUSEBENZA	**:**	**10 MBASA 2019**
IMIBUZO	**:**	**UMPHATHI OMKHULU: UMTHETHO NOKUVUMELA**
SIQONDENE	**:**	**NABO BONKE ABASEBENZI BAKWA-ATNS**

INCWADI YOKUCACISA NGOKUVUMELANA NOMTHETHO WOKUKHUTHAZWA KOKUTHOLAKALA KOLWAZI, 2000 (UMTHETHO WESI-2 WEZI-2000) (PAIA)

1. ISINGENISO

1.1. Le ncwadi yokucacisa ("imanuwali") ishicilelwe ngokweSigaba 14 somthetho wokukhuthaza ukufinyelela olwazini unombolo 2 wezi-2000 ("Umthetho"). Umthetho uhlinzeka ngemigomo yeSigaba 32 soMthethosisekelo enikezela ngelungelo lokufinyelela olwazini oluphethwe nguHulumeni kanye nasolwazini oluphethwe ngomunye umuntu oludingekayo emsebenzini kanye/noma nasekuvikelweni kwanoma yiliphi ilungelo.

1.2. Ilungelo lokufinyelela olwazini lincike ekulinganiselweni okufanelekile, okufaka phakathi, kodwa kungagcini ekulinganiselweni okumayelana nokuvikelwa okufanele kobumfihlo, ukugcinwa kwemfihlo yezebhizinisi kanye nokusebenza okuphumelelayo nokubusa okuhle, njengoba kubekiwe eSigabeni 9 (b) (i).

1.3. Inhloso yoMthetho ukugqugquzela ukuba sobala nokuziphendulela emkhakheni womphakathi kanye nozimele ngokunikeza noma yimuphi umuntu ilungelo lokufinyelela olwazini ukuze bakwazi ukulusebenzisa nokuvikela onke amalungelo abo ngendlela efanele

1.4. UMthetho udinga ukuba izinhlangano zomphakathi nezizimele zihlanganise incwadi yokucacisa enolwazi njengoba kubekwe eSigabeni 14 soMthetho.

2. INHLOSO YENCWADI YOKUCACISA

Inhloso yale ncwadi yokucacisa ukubeka izinqubo okufanele zilandelwe kanye nemigomo okufanele isize nanoma ubani ("ocelayo") ukucela ukufinyelela kumarekhodi akhona noma angaphansi kokulawulwa yiNkampani Yemisebenzi Yezokuhamba Kwezindiza Nemikhumbi (ATNS).

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www.atns.com

Directors: S Thobela (Chairman)
T Kgokolo (Interim - Chief Executive Officer),
KN Vundla, LN Ngema, ZG Myeza, JC Trembath
S Badat, KS Boqwana, N Kubheka, CR Burger
Acting - Chief Financial Officer: JM Mohlola
Company Secretary: S Mngomezulu

3. IZINCAZELO

"Umqashi" ubhekise kunoma ubani osebenzela noma ohlinzeka ngezinsizakalo ku- noma egameni lenhlangano, futhi othola noma onelungelo lokuthola umholo nanoma yimuphi omunye umuntu osiza ekwenzeni noma ukuhambisa ibhizinisi lenhlangano, onenkontileka ebhaliwe yomsebenzi ne-ATNS.

"Isikhulu Solwazi" kusho umuntu noma abantu abasebenza egameni le-ATNS onomthwalo wokukhipha imisebenzi kanye nemithwalo yemfanelo eyabelwe iSikhulu EsiPhezulu esiyiPhathimandla noma isikhulu esilingana naso, njengoba kunqunywe ngokwe-PAIA kungafaka iPhini leSikhulu soLwazi.

"Inhlangano" ibhekise kumiSebenzi Yokuhamba Kwezindiza Nemikhumbi ne-SOC Limited (ATNS).

"Omunye Ocelayo" kusho noma ngubani omunye ocelayo ngaphandle kozicelela siqu.

"Ozicelela siqu" kusho ukuthi ocelayo ofuna ukuthola irekhodi equkethe ulwazi ngomuntu ocelayo.

"Ocelayo" kusho noma yimuphi umuntu ofaka isicelo sokufinyelela irekhodi elingaphansi kokulawulwa yi-ATNS.

"Umuntu wesithathu" kusho noma yimuphi umuntu phaqa noma umuntu womthetho ngaphandle kocelayo noma lowo muntu ofaka isicelo egameni locelayo.

4. UKUTHOLAKALA KWENCWADI YOLWAZI

Le ncwadi yokucacisa ingatholakala kusizindalwazi sethu ku-www.atns.co.za noma ngokucela ikhophi nge-imeyli kuPhini leSikhulu Solwazi esifanele njengoba kubekiwe esigabeni sesi-6 ngezansi. Incwadi yokucacisa ingatholakala nakuKhomishini Yamalungelo Abantu baseNingizimu Afrika.

5. UMSEBENZI NOKWAKHEKA KWE-ATNS

5.1. I-ATNS yasungulwa ngokweSigaba sesi-2 soMthetho weNkampani Yemisebenzi Yezokuhamba Kwezindiza Nemikhumbi, unombolo 45 we-1993. Yihlelo lesi-2 Lenhlangano yoMphakathi ngokwemigomo yoMthetho Wokuphathwa Kwezimali Zomphakathi, inombolo 1 we-1999.

5.2. Inhloso ye-ATNS ukutholwa, ukusungulwa, ukuthuthukiswa, ukuhlinzekwa, ukugcinwa, ukuphathwa, ukulawula noma ukusebenza kwengqalasizinda yezokuhamba emoyeni, izinsizakalo zokuhamba emoyeni noma imisebenzi yokuqondiswa kwezindiza.

5.3. I-ATNS iyona kuphela ehlinzeka ngokuphathwa kokuhamba kwezindiza, ukuxhumana, ukubhekwa, ukuqondiswa, ukuqeqeshwa kanye nenkonzo ehambisana nokuseNingizimu Afrika. I-ATNS ilawula amaphesenti ayishumi endawo emhlabeni. I-ATNS izama ukuqhubeka nokuhlinzeka ngemisebenzi yokuphathwa kokuhamba kwezindiza endaweni ephephile, ehlelekile, esheshayo nephumelelayo. Inkampani isebenza ngamagceke amabhanoyi angama-21 ezweni lonke, kuhlanganise ne-OR Tambo, nezikhumulo zezindiza eziseKapa naseThekwini.

5.4. Kulo lonke izwekazi lase-Afrika, i-ATNS inikeza nokunye, isathelayithi emayelana nokundiza emoyeni, inethiwekhi yezokuxhumana eyaziwa ngokuthi i-VSAT, nokuhlola okuyi-WGS 84, imibhalo, umklamo wendawo, imisebenzi yokukhangisa imiqulu ye-AIP kanye nezinsizakalo zokweluleka.

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5.5. Izinsizakalo ezinikezwayo zisuka eKapa ukuya e-Cairo zihlanganisa amazwe angaphezu kwama-33 ase-Afrika naseMpumalanga Maphakathi. Isikole se-ATNS siqeqesha abafundi abavela eNingizimu Afrika nakwamanye amazwe ase-Afrika ngezinsizakalo zolwazi ngezimayelana nokundiza *Aeronautical information services* (AIS).

5.6. I-ATNS ineBhodi elilawula izindaba ze-ATNS, nesebenza nangokulawula ukusebenza kwemisebenzi yayo, ukusebenzisa amandla ayo kanye nokwenziwa kwemisebenzi yayo. IBhodi inikeze amandla athile kuSikhulu esiyiSiphathimandla esiyiNhloko esiphethe ukuphathwa jikelele kwe-ATNS.

5.7. I-ATNS yakhiwe ngeZigaba ezilandelayo:

- Usizo lwezobunjiniyela nobuchwepheshe
- Imisebenzi
- Ukuphathwa Kwezokuthutha Emoyeni
- Izinkonzo Zokuhweba
- Izingozi Nokuvumelana
- Amakhono Wabantu
- Ezezimali

6. ISIKHULU SOLWAZI NEZIKHULU EZINGAMAPHINI OLWAZI

6.1. NgokoMthetho, iSikhulu esiyiSiphathimandla EsiyiNhloko sehlangano yomphakathi sithathwa ngokuzenzekelayo njengeSikhulu Solwazi EsiyiNhloko.

6.2 Isikhulu Solwazi sesikhethe:

Iphini leSikhulu Solwazi: Iseluleko ngezoMthetho
ikheli le-imeyili: legalrequest@atns.co.za

UNobhala weNkampani

Isikhulu Solwazi esiyiNhloko

Umphathi Ophezulu: Ukumaketha Nokuxhumana

Noma kunjalo, ukuqinisekisa ukubhekwa kahle kwezicelo, zonke izicelo zolwazi kufanele zibhekiswe kuMeluleki wezomthetho.

7. IMININGWANE YOKUXHUMANA

7.1. Ihhovisi le-ATNS lise-Eastgate Office Park, e-Bruma, eGoli. Ihhovisi Eliphezulu libhekene nokusingatha zonke izicelo zokufinyelela olwazini oluphathelene nawo wonke amahhovisi namagatsha we-ATNS.

Ikheli lendawo: Eastgate Office Park
Block C
South Boulevard-weg
Bruma, 2198, Gauteng, Suid-Afrika

Ikheli leposi: Privaat Sak X15
Kempton Park
1620

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Ikheli lesizindalwazi: www.atns.co.za

8. IKHOMISHANA YAMALUNGELO ABANTU BASENINGIZIMU AFRIKA ("ISAHRC") ISIQONDISO NGOMTHETHO

NgokweSigaba se-10 soMthetho Wokukhuthaza Ukufinyeleleka kolwazi kuMthetho wesi-2 wezi-2000, iKhomishini Yamalungelo Abantu iqoqele isiqondiso sokusetshenziswa kwe-PAIA. Imibuzo mayelana neSiqondiso kufanele iqondiswe kuKhomishini Yamalungelo Abantu yaseNingizimu Afrika, nayi imininingwane yokuxhumana nayo:

Ikheli leposi:	South Africa Human Rights Commission Promotion of Access to Information Act Unit Research and Documentation Department Private Bag 2700 Houghton 2041
Ucingo:	+27 11 484 8300
Ifeksi:	+27 11 484 0582
Isizindalwazi:	www.sahrc.org.za
I-imeyili:	paia@sahrc.org.za

9. INDLELA YOKUFAKA ISICELO

9.1. I-ATNS ingabhekwa njengeBhodi Yomphakathi kanye neZimele lokho kuzoncika kurekhodi elifunwayo.

9.2. I-ATNS izobhekwa njengeNhlangano Yomphakathi lapho amarekhodi ephathelene noma efanela ukusetshenziswa kwamandla noma ukwenziwa komsebenzi ngokwemithetho noma uMthetho wokusungula. Zonke izinsizakalo ezilawulwayo zizowela ngaphansi kwalesi sigaba.

9.3. I-ATNS izobhekwa njengeNhlangano Ezimele uma irekhodi eliceliwe, liphathelene nokusetshenziswa kwamandla noma ukwenziwa komsebenzi weNhlangano Ezimele. Izindaba eziphathelene nesisebenzi zizowela ngaphansi kwalesi sigaba.

9.4. Zonke izicelo zokufinyelelwa kolwazi oluphathelene ne-ATNS njengeNhlangano yoMphakathi zizobhekwa ngokweSigaba 11 soMthetho. Noma ngabe yimiphi eminye imisebenzi engalawulwa izobhekwa ngokweSigaba 50 soMthetho njengoba lokhu kuphathelene nerekhodi lakwa-ATNS njengamandla eNhlangano Ezimele.

10. INQUBO YOKUCELA UKUFINYELELWA KOLWAZI

10.1. Ocelayo kufanele agcwalise ifomu elibekiwe (Ifomu A) futhi athumele isicelo kuSikhulu Solwazi. Ocelayo kufanele akhombise ukuthi ngabe isicelo esekhophi lerekhodi yini noma esokuhlolwa kwerekhodi elifanele na.

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10.2. Uma ocelayo ecela imvume yokufinyelela ulwazi ngefomu elithize, uzonikezwa imvume ngendlela isicelo esenziwe ngayo, ngaphandle uma ukwenza njalo kungaphazamisa ngokungafanelekile ukusebenza kweNhlangano yoMphakathi, uma kuzophulwa umthetho we-copyright engeyona yenhlangano yoMphakathi noma uma kungabangela ukulimala kwerekhodi.

10.3. Uma, ngaphezu kwempendulo ebhaliwe yokucela irekhodi, ocelayo ufuna ukwaziswa ngocingo, lokhu kumele kukhonjiswe efomini lokufaka isicelo.

10.4. Uma ocelayo ecela imvume yokufinyelela olwazini enzela omunye umuntu, igunya elisetshenziswa ocelayo ukufaka isicelo kufanele livezwe.

10.5. Uma ocelayo engakwazi ukufunda noma ukubhala, noma enokukhubazeka, isicelo singenziwa ngomlomo. Isikhulu Solwazi sizosiza onjalo ukuba simgcwalisele ifomu bese simnikeza ikhophi

11. **UKUCABANGA NGESICELO**

11.1. Ngokuhambisana nemibandela yoMthetho, ukufinyelela kumarekhodi acelwe ku-ATNS kuzonikezwa kuphela ngaphansi kwezimo ezilandelayo:

- Zonke izidingo zenqubo ezibekiwe eMthethweni eziphathelene nesicelo zenziwe; futhi.
- Ukufinyelela irekhodi/amarekhodi aceliwe akunqatshelwa ngemibandela yokwenqaba ebekwe eMthethweni.

Izizathu zokwenqaba zichazwe eNgxenyeni yesi- 2 yeSahluko sesi-4 naseNgxenyeni yesi- 3 yeSahluko sesi- 4 futhi kufaka nokuvikelwa okugunyaziwe:

- kolwazi lohwebo lomuntu wesithathu;
- kolwazi oluthile oluyimfihlo;
- kokuphepha kwabantu ngabanye, nokuvikelwa kwempahla;
- kwamarekhodi anelungelo lokukhiqizwa ezinkambisweni zomthetho;
- kwezintshisekelo zomnotho nenhlalakahle kwezezimali zeRiphabhuliki nemisebenzi yezohwebo yeziNhlangano zoMphakathi;
- kolwazi lokucwaninga lomuntu wesithathu, nokuvikelwa kolwazi locwaningo leNhlangano yoMphakathi ; noma
- kolwazi oluthile mayelana nokusebenza kweziNhlangano zoMphakathi.

11.2. I-ATNS ingabuye inqabe nezicelo ezibonakala zingenangqondo noma ezikhathazayo noma ezizoholela ekuncishisweni okukhulu kwezinsiza.

11.3. NgokweNhlangano Yamazwe Ngamazwe ye-Civil Aviation ("ICAO") Isihlomelo 13, isigaba 8.3, amarekhodi athile angeke adalulwe kanti i-ATNS izokubhela lokho uma kufakwa isicelo. I-ICAO Isihlomelo 13 Isigaba 8.3, sibeka kanje:

- Izwe elenza uphenyo ngengozi noma isigameko angeke liphane ngamarekhodi alandelayo ngezinye izinhloso ngaphandle kwengozi noma ukucwaningwa kwesigameko, ngaphandle uma kugunyazwe ngokufanele ukwenza ubulungiswa kulelo zwe okuveza ukuthi ukudalula kwabo kudlula umthelela wobubi basekhaya nasemhlabeni jikelele, isenzo esinjalo singase sibe nomthelela kulokho noma kolunye uphenyo olulandelayo;

- zonke izitatimende ezithathwe kubantu yiziphathimandla zophenyo phakathi nophenyo lwabo;

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- konke ukuxhumana phakathi kwabantu ababandakanyekile ekusebenzeni kwendiza;
- ukuqoshwa kwezwi endaweni ehlala umshayeli wendizamshini kanye nokubhala okususelwa kulokho okuqoshiwe;
- ukuqoshwa nokubhalwa kokuqoshiwe kumayunithi okulawula izithuthi zomoya; kanye
- nemibono evezwe ekuhlaziyweni kolwazi, kufaka phakathi nolwazi lokuqopha endizeni

12. **IMALI EKHOKHWAYO**

12.1. UMthetho uhlinzekela izinhlobo ezimbili zemali, okuyimali yokucela kanye nemali yokufinyelela olwazini, okufanele ikhokhwe ku-ATNS ukuze kutholakale irekhodi.

12.2. Umuntu ocelayo, (ocela ukuthola irekhodi eliqukethe ulwazi lomuntu siqu) akudingeki akhokhe imali yokucela.

12.3. Imali edingekayo ebekiwe ikhokhwa nganoma yisiphi isicelo uma ocelayo engaceli irekhodi eliqukethe imininingwane yakhe. Isikhulu Solwazi sizokwazisa ocelayo ngaphambi kokubheka isicelo ukuba akhokhe imali emisiwe.

12.4. Imali yesicelo ekhokhwa ezinhlanganweni zomphakathi ihlelwe kwiSithasiselo A, ekhokhwa uma kufakwa isicelo ngasinye. Le mali ayibuyiselwa emuva. "Isithasiselo A" singatholakala kuSaziso sikaHulumeni R187 somhla we-15 kuNhlolanja 2002 INGXENYE II (Imali mayelana nezinhlangano zoMphakathi).

12.5. Ngemva kokuba iSikhulu soLwazi senze isinqumo ngesicelo, ocelayo uzokwaziswa ngaleso sicelo futhi imali eyengeziwe yokuthola ulwazi kufanele ikhokhelwe ukucinga, ukulungiselela, ukuphinda kukhiqizwe nanganoma yisiphi isikhathi esedlulile amahora anqunyiwe okucinga nokulungisa irekhodi.

13. **AMAREKHODI APHETHWE NGU-ATNS**

13.1. Amarekhodi atholakala ku-ATNS ngaphandle kokuba umuntu awacele ngokwe-PAIA (Ukudalula ngokuzithandela kanye nerekhodi elizitholakalelayo)

Umbiko Wonyaka we-ATNS (Umbiko wonyaka ungalandwa kusuka kusizindalwazi se-ATNS ku-www.atns.co.za).

13.2. Incazelo yezihloko kanye nezigaba zamarekhodi agcinwe yi-ATNS

Amarekhodi alandelayo ayatholakala, kodwa ukudalulwa kwawo akuzenzakaleli futhi kuncike eSahlukweni sesi-3 se-PAIA. Isicelo ngasinye sizohlolwa ngecala ngalinye ngokuhambisana nemibandela yoMthetho.

- Amarekhodi ezimali;
- Amerekhodi okusebenza;
- Amarekhodi Okuphathwa Kwezithuthi Zomoya;
- Amarekhodi wobunjiniyela;
- Ukuxhumana kwangaphakathi;
- Izinqubomgomo zangaphathi, iziqondiso nezinqubo;

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- Amarekhodi asemthethweni;
- Amarekhodi okuphathwa kwabasebenzi

13.3. **Izinsizakalo nolwazi olutholakala emphakathini ngenkokhelo**

- Ukuphathwa kwendawo Engenhla;
- I-VSAT/NAFISAT;
- Ucwaningo lwe WGS-84;
- Imiqulu Yezinsiza Zokwazisa Okumayelana nokundiza;
- Idatha esenkabeni yokumayelana nokundiza (CAD);
- Izinsizakalo Zokukhokha;
- Umklamo wenqubo Yendiza;
- Umklamo wendawo;
- Imisebenzi yobunjiniyela; kanye
- Nokuqeqeshwa

14. INQUBO YOKUKHALAZA

14.1. Ngokwe-PAIA noMthethosisekelo weRiphabhuliki yaseNingizimu, wonke umuntu unelungelo lokuthola ulwazi olungcinwe yiNhlangano uma nje lawo marekhodi angekho ngaphansi kwesigaba samarekhodi angavunyelwe ngokwesahluko sesi-3.

14.2. Uma lowo ofake isicelo ezwa ukuthi ukwenqaba ukunikeza ukufinyelelwa kwerekhodi akunabulungiswa, angafaka isikhalazo neSikhulu Solwazi. Isikhalazo sangaphakathi kufanele sifakwe kwifomu ebekiwe, ezinsukwini ezingama-60 (izinsuku) zesinqumo. Isikhalazo kufanele siveze ulwazi ngesinqumo okukhalazwa ngaso, izizathu zokukhalaza kanye nanoma yiluphi olunye ulwazi olwaziwa ngocelayo oluphathelene nesikhalazo.

14.3. Ngemuva kokuzama zonke izixazululo zangaphakathi zezikhalazo, isicelo singafakwa enkantolo yomthetho.

15. UKUBUYEKEZWA KWENCWADI YOKUCACICA Isigaba 14(3)

Le ncwadi izobuyekezwa njalo ngonyaka futhi uma nje incwadi ebuyekeziwe isitholakala, izotholakala emphakathini ngendlela ekhonjiswe ngezansi.

16. Uwekutholakala kwencwadi yokucacisa

Le ncwadi izotholakala ngendlela elandelayo:

- Ezincwadini ngayinge ezilethiwe njengoba kuchazwe esigabeni 6 soMthetho wokulethwa kwezincwadi 1997;
- Incwadi yesiNgisi izoshicilelwa kwiGazethi;
- Incwadi yokucacisa izotholakala, kusizindalwazi se-ATNS;
- IKhomishini Yamalungelo Abantu baseNingizimu Afrika.
-

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17. **ISIPHETHO**

Inhloso yencwadi ukuthukthukiswa kokuba sobala nokuziphendulela futhi nokunikeza amalungu omphakathi ithuba lokusebenzisa ilungelo labo ngokoMthethosisekelo ukuthola ulwazi. I-ATNS izohambisa umbiko wonyaka kuKhomishane Yamalungelo Abantu nokwenza njengoba kunqunyiwe nge-PAIA.

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Directors: S Thobela (Chairman)
T Kgokolo (Interim - Chief Executive Officer),
KN Vundla, LN Ngema, ZG Myeza, JC Trembath
S Badat, KS Boqwana, N Kubheka, CR Burger
Acting - Chief Financial Officer: JM Mohlola
Company Secretary: S Mngomezulu