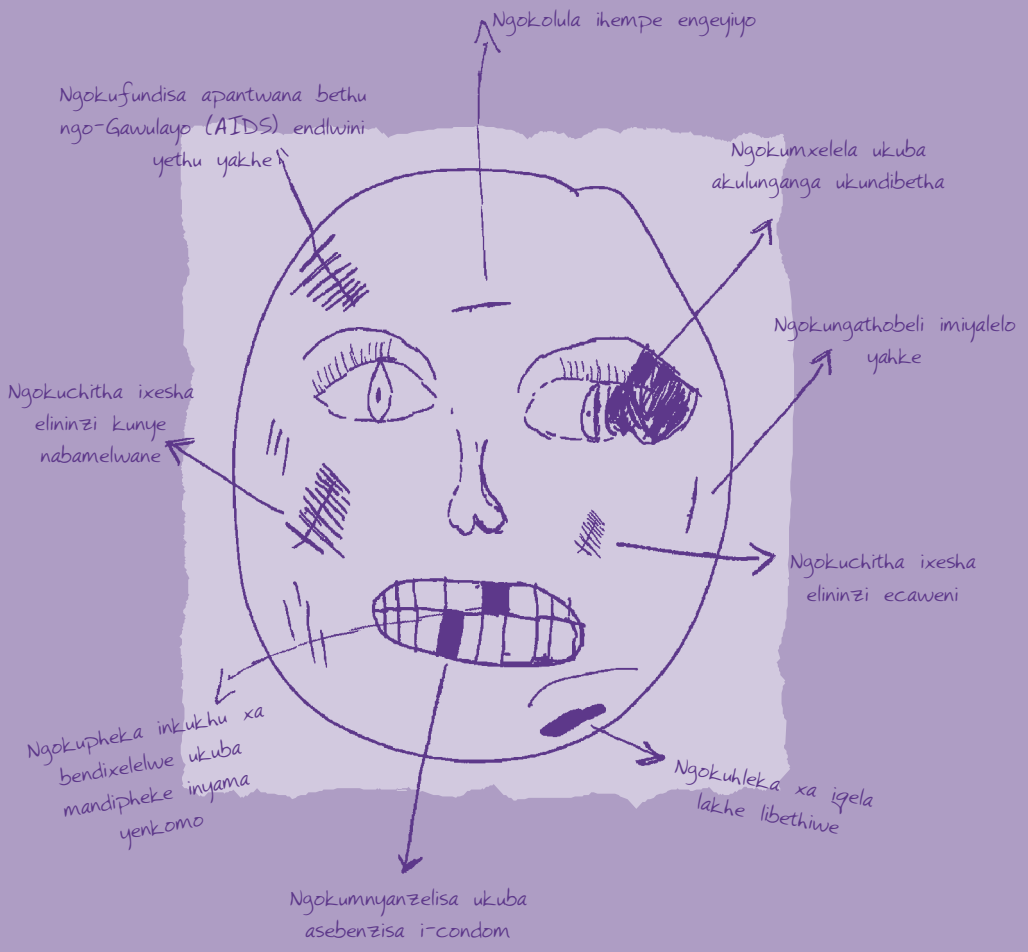
NguMYALELO!

Umkhomba-ndlela ozicaceleyo ngamalungelo wakho

Rolene Miller



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Department:
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REPUBLIC OF SOUTH AFRICA

MOSAIC
TRAINING, SERVICE & HEALING CENTRE FOR WOMEN

ISEBE LOPHUHLISO LOLUNTU
KUNIKWA ULUNTU INKXASO YOKUZIMELA

Isebe Lezobulungisa Nezomthetho Iidibene noMosaic (umbutho ongafumani nkxaso karhulumente nonikezela ngeenkonzo ezingahlawulelwayo kuwo onke amaxhoba axhatshazwa kudushe Iwasekhaya kwiinkundla zikamantyi) ineqhayiya lokuvelisa lencwadana ngenjongo yokufundisa amaxhoba oxhatshazo emakhayeni.

Umgaqo-siseko wase Mzantsi Afrika, Act 108 yango 1996, wazala owona mthetho uphakamileyo kumalungelo enkululeko kwelilizwe. Ilungelo lokulingana nelungelo lokunikwa isidima, ngawona malungelo abalulekileyo nakhuselweyo kuMgaqo Siseko. Lamalungelo akhuselekileyo abeka umgaqo-isiseko phambili kwidabi lokususa neengcambu ubundlobongela obujoliswe koomama nabantwana.

UDushe IwaseKhaya Iwenzeka ekhusini emakhaya kwaye bunemiphumela yokuthi ibulale ixhoba emzimbeni nasemphefumlweni. Ayichaphazeli ubume bomxhatshazwa kuphela, ichaphazela ukuhlala ngokubanzi. Kungoko kubalulekile ukuthi lomthetho wenziwe ngendlela efanelekileyo khonúkze unciphise uphinde unqande uDushe IwasaKhaya. Umthetho woDushe IwaseKhaya wasekwa khonúkuze uxhobise abantu ngakumbi oomama nabantwana, ukululonga amalungelo abo kwintlalontle engenabundlobongela bayo neyiphina imo yokuxhaphaza.

Siyathemba ukuba kuyo leNcwadana, siyakukunceda sixhobise oomama nabantwana ekululongeni nase-kukhuseleni amalungelo abo.

Adv Hishaam Mohamend
Regional Head Western Cape:
Department of Justice and
Constitutional Development

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REPUBLIC OF SOUTH AFRICA

Iguqulelwe esiXhoseni ngu-Bongani Sopam

USHICILELO LUQUQUZELELWE NGU:
Mosaic Training, Service and
Healing Centre for Women
Ishicilelwe okokuqala ngo-2002
Ushicilelo lwesibini ngo-2003
Ushicilelo lwesithathu (olongezelelweyo) ngo- 2007
Ushicilelo lwesine (olongezelelweyo) ngo- 2008

Onke amalungelo mawaqwalaselwe. Akukho nxalenye yolu shicilelo emayivezwe okanye yenziwe ngolunye uhlobo, kubuxhakaxhaka bokugcina izinto okanye idluliswe nangalo naluphi na uhlobo okanye nanjani na, ngobuxhakaxhaka boomatshini, ngokwenza iikopi ngomatshini, ngoshicilelo ngomatshini, okanye nanjani na, ngaphandle kwemvume ebhalwe phantsi yabanini bamalungelo okukopa (copyright).

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NGUMYALELO!

Umkhomba - ndlela ozicaceleyo ngamalungelo akho

IMIYALELO YENKUNDLA EKUKHUSELA KUBUNDLOBONGELA NOKUXHATSHAZWA

UMosaic wenza umbulelo ongazenzisiyo kwi-Sebe leze Ntlalo Ntle Ntshona-Koloni (Department of Social Development), Western Cape nabathe ngenkathalo yabo benza ushicilelo lwale ncwadana enemiyalelo yenkundla yokuzikhusela (Protection Order Booklet) yayimpumelelo.

Engazenzisiyo imibulelo ngolwazi, nenkxaso enkulu esithe sayifumana kwaba bantu balandelayo:

Abasebenzi bakwaMosaic

Unxibelelwano kwiNtshona-Koloni oluchasene nobundlobongela obujoliswe kubafazi: (Western Cape Network)

Oomantyi, Oonobhala beenkundla kwisebe lezobulungisa nezomthetho

Umbulelo ongazenzisiyo kuncedo ngokuhlolwa kokubhalwe kule Ncwadana uya kudadewethu u-Ann Moskow.

Rolene Miller
(TTD. DSE CLIN REM. B SOC SCI. B SOC WK HONS)

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ISIQULATHO

A. ABACINGWAYO NEYENZELWE BONA

Le Ncwadana yenzelwe bonke abo bathe baxhatshazwa, kunye nabo bathi balwele ukuphelisa ubundlobongela. Siyabaqonda kwaye siyabahlonipha abo bathe baxhatshazwa. Abangawo amaxhoba. Ngamaqhawe anenkcubeko akwazileyo ukumelana namanzithi-nzithi abebejongene nawo. Izenzo zabo zibonise inkuthalo namandla abo befuna ukuphila.

Awuwedwanga. Ungalufumana uncedo. Ungazinceda nawe.
Ungabanceda nabanye.
Wanga uMoya woThando noKhanyo lungasirhangqa sonke ubuyisele uXolo noLonwabo kwilizwe lethu elisezingxakini.

B. MALUNGA NESEBE LEZOBULUNGISA NEZOMTHETHO (DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT)

Isebe lezobulungisa nezomthetho livelana nentlungu ethi amakhaya azibone ekuyo ngenxa yobunzima nentshintsho esekuhlaleni. Sibalula uvelwano kakhulu kubantu abathe bachaphazeleka zezintlungu zokuxhwaleka kwamalungu ekuhlaleni, singabalula abafazi, abantwana, abantu abakhubazekileyo nabantu abaselebekhulile. Iinkonzo ezinikelwa yiNkundla yeKhaya zenzelwe ukunceda nokukhusela isidima samakhaya. Isebe lifuna ukuphuhlisa iimeko zabantwana abahlelelekileyo ngokuxhamla imali yesondlo kwakunye nemali ethi ihlawulwe kulowo ugcina umntwana ngokusemthethweni. (Guardian's fund). Xa sidibanisa indlela yokuxhatshazwa ngokwesini kunye nobundlobongela basekhaya zezona zinto zithathelwa ingqalelo leliSebe ekulweni ubundlobongela obujoliswe koomama.

ISebe Lezobulungisa linendlela yayo eyodwa echubekileyo ezisa iinkonzo kuMaqela Axhwalekileyo anje-ngOomama, Abantwana, abantu Abakhubazekileyo nakubantu Abaselebekhulile. ISebe Lezobulungisa liyakuthi liziphumelele ezimbono ngokuthi:

- Liqeqeshe liphinde lijongane nabaSebenzi beSebe Lezobulungisa ekuphatheni ngendlela eyiyo amaqela axhwalekileyo.
- Ukuhlela nokuphatha ngendlela eyiyo izimangalo zamaqela axhwalekileyo
- Ukwenza indibaniselwano nokusebenza kunye kwawo onke aMasebe ekunikeni iinkonzo kuMaqela axhwalekileyo.
- Ukwenza indibano esemthethweni nemibutho yasekuhlaleni efana noMosaic.

Kuni nonke fumanani indlela eyiyo yokusebenzisana nomthetho, nechubekileyo yoncedo lomthetho kumaxhoba axhwalekileyo. ISebe livule longeza iinkundla ekuhlaleni (Family Courts, Sexual Offences courts, Equality Courts, etc), laqeqesha longeza abasebenzi abazakujongana neSondlo sabantwana, Onobhala benkundla Zodushe LwaseKhaya naBaphandi beSondlo sabantwana, kwakhona kubekho uhlengahlengiso kwiinkundla zasekhaya nakwiinkundla ezinkulu kusondezwe iintsuku zokubuyela enkundleni kwisondlo nakubundlobongela basekhayeni

ICANDELO 1: YINTONI EKULE NCWADANA?

Kukho imithetho encedisa ekulweni ukuxhatshazwa nobundlobongela. Imithetho le iyenza loo nto nge 'Miyalelo yeNkundla' eyahlukeneyo, yona engamaphepha asemthethweni 'ayalela' abantu ngeendlela amabaziphathe ngazo.

Sithetha kule Ncwadana ngeziKhuseli eziyiMiyalelo yeNkundla(Protection Orders) kodwa sikwathetha nangoMyalelo woXolelwaniso (Peace Orders). IsiKhuseli esinguMyalelo weNkundla siso kuphela umyalelo osisixhobo soMthetho ojongene nobuNdlobongela baseKhaya ka1998 (Domestic Violence Act of 1998). IsiKhuseli esinguMyalelo weNkundla ebesikade sibizwa ngokuba nguMngeneleli weNkundla (Interdict).

Wonke umntu osebenzisa le Ncwadana ulufuna lonke ulwazi olulapha okanye inxalanye yalo ukuze ancedisane nokupheliswa kokuxhatshazwa. Kodwa ayinguye wonke ubani oya kuthi ayisebenzise ngendlela efanayo.

- ► Ukuba uyaxhatshazwa, ungafuna mhlawumbi inxalenye yolu lwazi.
- ► Ukuba umsebenzi wakho kukunceda abo baxhatshazwayo, mhlawumbi uya kulufuna lonke olu lwazi ngelinye ixesha.
- ► Ukuba usebenzela isebe lezobulungisa, njengonobhala wenkundla, ipolisa, umthunywa wenkundla (sheriff) okanye umantyi, ungayisebenzisa khonúkuze uqonde umgaqo-nkqubo wendlela leyo ava ngayo umntu lowo uxhatshaziweyo.

Ngenxa yokuba ukhangela ulwazi oluthile, sisebenzise uludwe lwemibuzo ekwanazo neempendulo ukubhala le Ncwadana. Sifake imibuzo esicinga ukuba ubungayibuza kwaye sakunika neempendulo esithemba ukuba ziya kukunceda malunga nendlela oceba nocinga ukuyilandela.

1. Kutheni ukuze le Ncwadana ibhalwe?

Sibhale le Ncwadana ukuze sikuxelele ngesiKhuseli esinguMyalelo weNkundla, siyintoni, usenza njani isicelo saso, usisebenzisa nini kwaye yintoni umahluko phakathi kwesiKhuseli esinguMyalelo weNkundla kwakunye neso singuMyalelo Xolelwaniso.

Sifuna:

- ✓ ukukunceda uqonde le Miyalelo yenkundla, iyintoni kwaye isebenza njani;
- ✓ ukukunceda ucinge ngokuhlakaniphileyo kwaye ukhumbule nekufuneka ukwenzile;
- ✓ ukukunceda uzuze kwaye uhlale unenkuthalo yokusebenzisa le Miyalelo yenkundla ukuphelisa ubundlobongela.

2. Ingaba ikhona into eyodwa ngolwimi olusetyenziswe kule Ncwadana?

Sithetha ngemiba yasemthethweni neenkqubo zasenkundleni eziyintsinda-badala nekunganzima ukuzilandela. Ukuyenza ibe lula kangangoko sinako, sizame ukulugcina ulwimi olusetyenzisiweyo lucacile:

► Sibhekise kumxhaphazi njengomntu oyindoda aze lowo uxhatshazwayo abe ngumfazi. Loo nto ayithethi into yokuba sicinga ukuba amadoda wona akafane axhatshazwe, ayithethi ukuba abafazi bona abafane baxhaphaze. Qha kulula kunokusoloko sibhekisa kwisivumelanisi u-'u' obhekisele kubafazi kwaneso singu-'u' obhekisele kumadoda ngalo lonke ixesha. Eyona nyaniso ibuhlungu yile yokuba abona bantu baninzi baxhatshazwayo ngabafazi ze abona baxhaphazi baninzi babe ngootata.

► Siyayazi ukuba kukho oomantyi namapolisa abangabafazi, kunye nonobhala abangamadoda. Nangona kunjalo, sibhekisa koomantyi namapolisa njengabantu abangamadoda baze oonoBhala benkundla abajongene NoDushe LwaseKhaya njengabafazi kuba noko kuphantse kube njalo rhoqo. Siye salifinyeza ke eli gama

► LikanoBhala wenkundla ojongene noDushe LwaseKhaya kule Ncwadana, simbiza nje ngokuba ngu 'nobhala' kuphela ngokuba kulula ukulifunda.

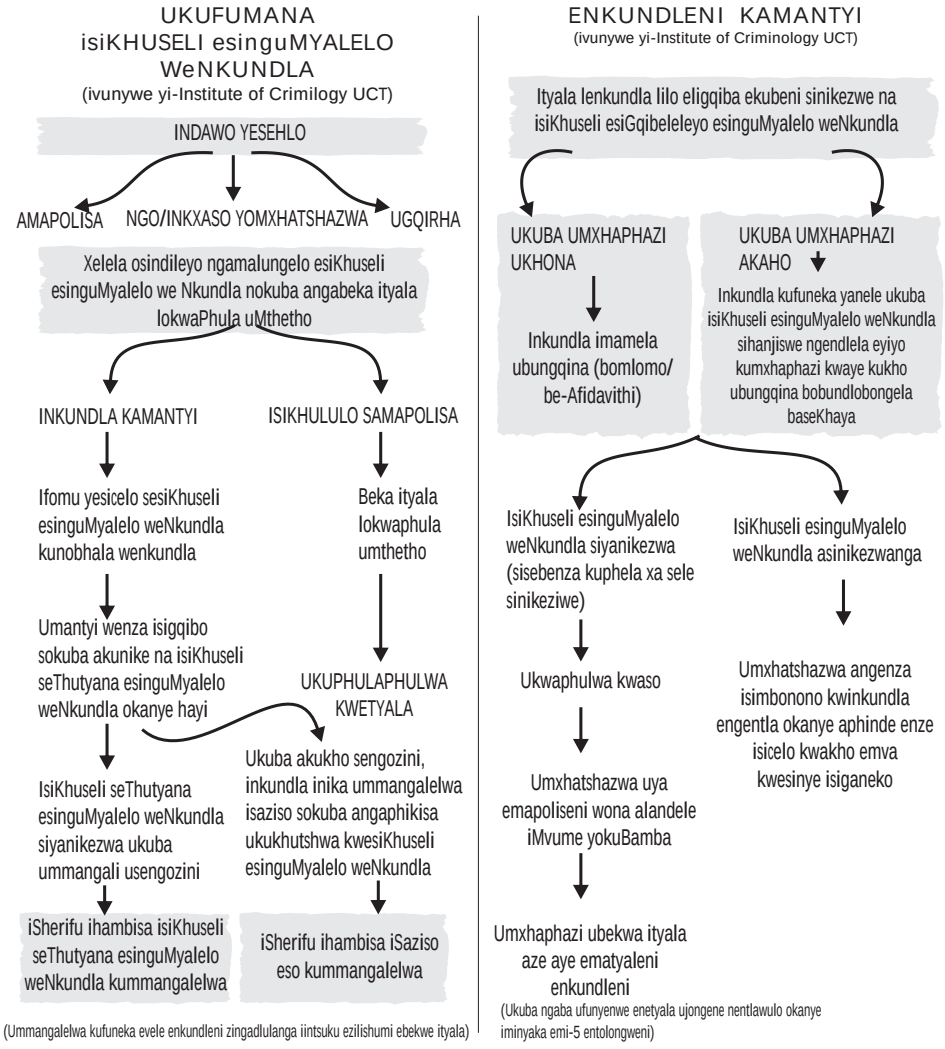
► Xa sibhala sithi sibhekise kuwe, sibhala ngokunga sithetha naye umntu lowo uxhatshaziweyo.

► Xa sithetha ngalo Mgaqo Nkqubo kuxa sibhekisele kuMgaqo Nkqubo woDushe LwaseKhaya, Act 116 of 1998.

► Le Ncwadana imalunga neenkqubo zenkundla. Kwezinye iindawo sisebenzise amagama asemthethweni. Xa sithe senza njalo siye sikunike nenkcazo yegama elo. Sikwabeke noluhlu lwamagama neentsingiselo zawo ekupheleni kwencwadi.

3. *Ndingayisebenzisa njani le Ncwadana?*

Xa ufunda le Ncwadana ungazikrwelela iindawo ezibalulekileyo kuwe nofuna ukuzikhumbula. Ungabhala nemibuzo ukuba ufuna ukubuza inkcukacha engathi ithe vetshe. Ukuba ufuna ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla, ungayisebenzisa njengomkhomba-ndlela. Yithathe uye nayo enkundleni ukwenzela uzikhumbuze malunga nokwenzekayo kwakunye nokuya kuthi kulandele. Ezi tshati-zinxibeleleneyo zilandelayo zishwankathela inkqubo yokuzuza isiKhuseli esinguMyalelo weNkundla, kwaye nokuthi kuye kwenzeke enkundleni yamatyala:



ICANDELO 2: IMIYALELO YENKUNDLA ESEMTHETHWENI

Eli CANDELO likuxelela ngeentlobo ezimbini ezahlukeneyo zeMiyalelo yenkundla esemthethweni ekhusela ukuxhatshazwa nobundlobongela, kwaye ikwachaza nokokuba ngubani obandakanyeka ekunyanzeliseni ukuba isebenze.

4. Zeziphi iintlobo zemiyalelo yenkundla ezixoxwa kule Ncwadana?

Zimbini iintlobo zeMiyalelo yeNkundla esemthethweni ezixoxwa kule Ncwadana nezikhusela ukuxhatshazwa nobundlobongela. Zezi:

- isiKhuseli esinguMyalelo wenkundla (Protection Order)
- uMyalelo woXolelwaniso (Peace Order)

5. Ngoobani abantu ababandakanyeka kwinkqubo yesiKhuseli esinguMyalelo weNkundla?

Xa usenza isicelo sesiKhuseli esinguMyalelo weNkundla uye ubizwe ngokuba ungu-**'menzi-sicelo' (Applicant).** Oko kungenxa yokuba usenza isicelo sesiKhuseli esinguMyalelo weNkundla. Usenokubizwa kwakho njengo-'mmangali' **(complainant)** ngenxa yokuba umangalela ukuxhatshazwa. Kodwa ke udla ngokubizwa ngokuba ungummangali kwimeko neekqubo zenkundla ezijongene nolwaphulo-mthetho.

Loo mntu uthi wena uyakuxhaphaza ubizwa ngokuba **'ngumphenduli' (respondent)** ngoba unalo ilungelo lokuba aphendule kwisimangalo eso. Kule Ncwadana sibhekiselela kuye njengo-'mxhaphazi wakho' kodwa ke enkundleni angabizwa ngokuba ngumphenduli. Usenokubizwa ngokuba **'ngummangalelwa' (accused)** kwimeko neekqubo zenkundla ezijongene nolwaphulo-mthetho ngoba ubekwa isityholo sokwenza ulwaphulo-mthetho.

UnoBhala wenkundla ojongene noDushe LwaseKhaya uyaqinisekisa okokuba onke amaxwebhu azalisiwe, kwaye abantu abangabo bayazifumana ezo nkcukacha bazifunayo, ngelo xesha bazifuna ngalo.

Umantyi uya kwenza isigqibo sokuba ungasifumana na eso siKhuseli esinguMyalelo weNkundla okanye hayi. Nguye umntu oza kusifunda isiCelo sakho sesiKhuseli esinguMyalelo weNkundla kunye ne-Afidavithi yakho. Enkundleni uya kukubuza imibuzo, aphulaphule isikhalazo sakho aze ke aphulaphule nakwicala lakhe umxhaphazi lowo wakho ukuze ajonge ukuba singagqitywa kwangoko na isicelo sakho sesiKhuseli esinguMyalelo weNkundla.

Ukuba unayo imali ungahlawula **igqwetha** ukuba likumele. Nomxhaphazi wakho lowo angazihlawulela igqwetha. Ukuba igqwetha lakho liyakumela, nguye kuphela ovumelekileyo okokuba akubuzele imibuzo kwaye inkwanguye noya kuphendula imibuzo kamantyi. Uya kuba nethuba lokuthetha xa ume emkhumbini. Kodwa ke, ukuba akumelwanga ligqwetha, uyakuvumeleka ukuba ubuze nayo nayiphi na imibuzo kwaye uphendule imibuzo kamantyi ngokwakho. Loo nto ke iya kuba kwanjalo nakumxhaphazi wakho.

Ukuba ufumana isiKhuseli seThutyana esinguMyalelo weNkundla, **umthunywa wenkundla** (isherifu) **okanye amapolisa** aya kuwasa amaphepha enkundla amnike umxhaphazi lowo wakho, ukuze ayazi okokuba wena wenze isicelo kwaye kufuneka ezile enkundleni aze kuphendula imibuzo malunga noxhatshazo olo. IsiKhuseli seThutyana esinguMyalelo weNkundla kufuneka sisiwe ngohlobo oluvumelekileyo nolufanelekileyo kumxhaphazi lowo wakho ngumthunywa wenkundla okanye amapolisa ukuze sibe sesamkelekileyo.

Ukuba umxhaphazi lowo wakho uyayaphula imiqathango yesiKhuseli esinguMyalelo weNkundla, kwaye wena unexwebhu leMvume yokumBamba (Warrant of Arrest), amapolisa kufuneka embambile. Kodwa ke ngokwalo Mthetho Mtsha wobuNdlobongela baseKhaya, kuxhomekeke kumapolisa lawo ekwenzeni isigqibo sokuba ingaba imeko leyo ixhomisa amehlo kangangokuba angambamba na. Abanakukwazi ukuba banyanzeliswe okokuba bambambe. Qho xa usiya kwisikhululo samapolisa soloko ukhumbula ukucela ipolisa likunike igama lalo ngenxa

yokuba unokulifuna kwakho xa ufuna ukuthetha nalo kwakhona, okanye xa ufuna ukwenza ingxelo ngalo xa lithe alafuna ukukunika uncedo ofanele ukulifumana. Ungawacela namapolisa okokuba akubonise amakhadi awo ezazisi.

6. Yintoni uxhatshazo?

Uyaxhatshazwa ukuba ngaba wena, usapho lwakho okanye izinto zakho zisoloko zigrogriswa, zisenzakaliswa okanye zimoshwa nangayo nayiphi na indlela.

UMthetho omTsha ka 1998 ojongene nobuNdlobongela emaKhaya uya kukukhusela ukuba uthi ugagane nezi ntlobo zilandelayo zokuxhatshazwa:

- ► Ukuxhatshazwa ngokwasemzimbeni - Physical abuse
- ► Ukuxhatshazwa ngokulalwa okanye ngesini - Sexual abuse
- ► Ukuxhatshazwa ngokwasemphemfumlweni - Emotional abuse
- ► Ukuxhatshazwa ngokwasengqondweni - Psychological abuse
- ► Ukuxhatshazwa ngentetho - Verbal abuse
- ► Ukuxhatshazwa ngokwezezimali - Economic abuse
- ► Ukuhlutshwa okudikayo - Harassment
- ► Ugrogriso olukwenza unkwatye - Intimidation which makes you frightened
- ► Ukusoloko erhorhozelana nawe - Stalking
- ► Ukonakaliswa kwezinto zakho - Damage to your property
- ► Ukungena kwindawo ohlala kuyo ngaphandle kwemvume ngethuba ningasahlali kunye nomxhaphazi lowo wakho - Entering the property without your consent when you no longer share the same residence with your abuser.

ICANDELO 3: IziKhuseli ezinguMyalelo weNkundla Protection Order)

7. Yintoni isiKhuseli esinguMyalelo weNkundla?

IsiKhuseli esinguMyalelo weNkundla ngumqulu osemthethweni ohambisana noMthetho ojongene noDushe LwaseKhaya ka1998. IsiKhuseli esinguMyalelo weNkundla **asiphelelwa**.

IsiKhuseli esinguMyalelo weNkundla sasisakubizwa ngokuba **nguMngeneleli weNkundla** (Interdict) (umqulu osemthethweni kuMthetho omdala woDushe LwaseKhaya). Ukuba ngaba ubuthe wafumana loo Mngeneleli weNkundla kwiminyaka edlulileyo kufuneka uwuqwalasele ngoba eminye ibinikwa nje kangangethuba lonyaka, ke ngoko isenokuba iphelelwe lixesha. Kungcono ke xa unokuphinda wenze isicelo kwakho ufumane isiKhuseli esinguMyalelo weNkundla nokuba unaye uMngeneleli weNkundla lowo.

IsiKhuseli esinguMyalelo weNkundla nguMyalelo okhutshwa yinkundla oxelela umxhaphazi ukuba zintoni amakangazenzi (umzekelo, isiKhuseli esinguMyalelo weNkundla singamxelela okokuba makayeke ukukubetha). Isenokumxelela okokuba makenze ntoni na (umzekelo, ingamxelela okokuba makakhuphe imali yeendleko zonyango ekunokufuneka uzihlawule ngenxa yoko kuxhatshazwa nguye).
Kungumbono omhle ukunikezela ikopi yephepha lakho lesiKhuseli esinguMyalelo weNkundla kumntu omthembileyo akugcinele kakuhle xa kunokwenzeka leyo ikuwe ilahleke okanye yonakaliswe. Okanye, ungathatha ikopi leyo uyigcinise kwisikhululo samapolisa esikufutshane ubacele bakuvulele ifayile bakugcinele eso siKhuseli esinguMyalelo weNkundla. **Usenokukwazi ukufumana enye ikopi enkundleni leyo apho wawusifumene khona esokuqala.**

8. Ngubani onokufumana isiKhuseli esinguMyalelo weNkundla?

Asinguye wonke ubani othi axhatshazwe onokufumana isiKhuseli esinguMyalelo weNkundla. Uye ukwazi ukufumana isiKhuseli esinguMyalelo weNkundla ukuba uxhatshaziwenokuba:

- Umxhaphazi wakho uhlobene ngegazi nawe. Loo nto ithetha ukuba umxhaphazi wakho angangumama wakho, utata, umakhulu, utatomkhulu, umntwana, umnakwenu, udadewenu, umakazi, umalume okanye umzala wakho.
- Umxhaphazi wakho ungumntu ohlobene ngegazi nalowo uthandana naye okanye owawusakuthandana naye 'emtshatweni' (abasebukhweni). Oku kuthetha naye nabani na umntu ohlobene ngokwegazi nalowo uthandana naye nokuba kungendlela yomtshato osemthethweni, owesintu okanye owenkolo. Akubandakanyi abo bahlobene ngokwegazi nabthandanayo behlala kunye besini esinye okanye 'abasebukhweni' bomtshato womthetho oqhelekileyo (common law) (emva kweminyaka emi-2).
- Niyathandana nomxhaphazi lowo wakho okanye benithandana kwixa elidlulileyo kwaye umxhaphazi lowo wakho akahlobenanga ngegazi nawe. Akukhathaliseki nokuba into yothando olo lwenu beluludala kangakanani. Inye qha into, yile yokuba wena nomxhaphazi wakho benithandana/niyathandana, beningejene/ningejene, benitshatile/nitshatile, beniqhawule/niqhawule umtshato, benisahlukene/nisahlukene nokuba ibinde okanye ibimfutshane kanganani into yothando lwenu.
- Nihlala kunye nomxhaphazi lowo wakho.
- Ninoxanduva lobuzali. Usenokungabi ngunozala osemthethweni okanye umzali kodwa nibe nincedisana nomxhaphazi wakho lowo ngoxanduva lokukhulisa umntwana 'njengomntu ongumzali'.
- Kukho ukuhlobana nomxhaphazi lowo wakho okusekelezwe ekukhulisweni komntwana omfumene ngokwasemthethweni (adoption).
- Umxhaphazi wakho ucinga (ukholelwa) ekubeni kukho ukuhlobana ngezothando phakathi kwenu nokuba wena awucingi njalo. Akukhathaliseki nokuba yena ubecinga ukuba kukho ukuthandana phakathi kwenu wena ube ungacingi njalo. Kwanele ukuba umxhaphazi wakho acinge kwaye enze ngokungathi niseluthandweni naye, loo nto iya kuba yanele okokuba inkundla ingakunika isiKhuseli esinguMyalelo weNkundla.
- Nihlala endlwini enye nomxhaphazi lowo wakho nokuba anizalani ngokwegazi okanye ngokwasemtshatweni na, okanye nokuba akukho kuthandana na. Umzekelo, ingaliqabane likadadewenu okanye umntu ohlala naye eflethini okanye umntu oqeshileyo ohlala kwakulo 'ndlu' uhlala kuyo.

Ungafumana isiKhuseli esinguMyalelo weNkundla, usifuna ngenxa yomntwana wakho okuxhaphazayo ukuba yena ungaphantsi kweminyaka eli-18 ubudala. Kodwa ke ukuba ngaba umntwana wakho oneminyaka eli-17 ubudala (okanye ongaphantsi koku) uyakuxhaphaza, xa evela phambi komantyi enkundleni, umantyi angenza isigqibo sokuba ityala elo malidluliselwe kwiNkundla yaBantwana. Ungaya kunontlalontle yena onokubhala uMyalelo wokususwa ngokwexeshana kwaloo mntwana, kwaye inkundla ingakuvumela oku ngokuxhomekeka kubuzaza bemeko leyo yetyala, kwaye nendlela olo xhaphazo elibachaphazela ngayo bonke abo basekhayeni.

9. Ndingakwazi ukumfunela omnye omntu isiKhuseli esinguMyalelo weNkundla?

Ungasifuna isiKhuseli esinguMyalelo weNkundla usifunela omnye umntu ukuba ufumana imvume ebhaliweyo kuye ikunikeza imvume yokuba ungamenzela isicelo. **Kunyanzelekile ibeyimvume ebhaliweyo.** Isizathu sokuba umenzela ngokwakho isicelo loo mntu ingakukuba yena akakwazi ukuya enkundleni okanye unoloyiko lokuya enkundleni. Loo mntu ingangumhlobo wakho, ummelwane okanye umntu nje omaziyo ekuhlaleni. Unganobuhlobo nje obuhlanganiswe yinto yimbi naloo mntu, umzekelo, ukuba ungutitshala wakhe, unontlalontle, umthambisi-ntliziyo(counsellor); ilungu lamapolisa okanye umntu ojongene nezempilo (ugqirha okanye umongikazi).

Ukuba loo mntu akakwazi ukubhala unokutyikitya uxwebhu olo ngokunyathelisa ubhontsi wakhe, okanye anikeze imvume leyo nge-Afidavithi yomlomo phambi komantyi okanye ukomishina wokufungisa yena oya kuyibhala phantsi loo nto aze ayityikitye njengesifungo osenzileyo.

Kuloo Afidavithi ibhalwe isenzelwa omnye umntu kufuneka utshilo okokuba kutheni engenakwenza isicelo ngokwakhe. Inkundla kuya kufuneka ivume okokuba sisizathu noko ezivakalayo eso. Ukuba umntu lowo akakwazi ukubhala angaya enkundleni aye kunika imvume ngomlomo okokuba wena ungamenzela ngokwakho isicelo eso.

Kodwa ke, phantsi kwezi meko zilandelayo, inkundla iya kuyamkela imvume engabhalwanga yokuba kwenziwe isiKhuseli esinguMyalelo weNkundla ukuba umntu lowo:

- Usemncinci usaxhomekeke kuwe kwaye akakwazi nokubhala
- Ugula ngengqondo
- Uye wamkelwa ziingqondo okwethutyana (unconscious)
- Okanye ukuba kukho ezinye nje iimeko ezinokwamkelwa yinkundla.

Qaphela:

Khumbula into yokuba akukho mfuneko yakuzihlupha ngemvume ebhaliweyo okanye yomlomo yomntwana wakho ukuze wenzele yena isicelo sesiKhuseli esinguMyalelo weNkundla. Umntwana lowo wakho angaba ngozalwa nguwe okanye ngomfumene ngokwasemthweni (adopted), okanye ngogciniswe kuwe ngokwasemthethweni (foster child).

Umntwana wakho angasenza isicelo sesiKhuseli esinguMyalelo weNkundla, ngaphandle kokufuna uncedo kuwe njengomzali, okanye lowo ahlala phantsi kwakhe, nokuba usemncinci usaxhomekeke kuwe. Kodwa umba lowo ungadluliselwa kwiinkundla zabantwana.

10. Zeziphi ezinye iingxaki endinokuzifumana xa ndinokufuna isiKhuseli esinguMyalelo weNkundla?

Eli candelo alenzelwanga okokuba likoyikise okanye likwenze ukoyike ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla. Ezi ngxaki zidweliswe apha kuba kubalulekile okokuba ube neenkcukacha wazi kananjalo okokuba bukhona obu bunzima onokugagana nabo xa wenza isicelo sesiKhuseli esinguMyalelo weNkundla. Ayithethi loo nto okokuba uya kugagana nazo. Kodwa ke abantu abaninzi babaneengxaki ngenxa yokuba ukufumana isiKhuseli esinguMyalelo weNkundla asiyonto nje elula ukwenziwa.

Kodwa ke khumbula okokuba nokuba kukho ubunzima ukufumana isiKhuseli esinguMyalelo weNkundla, isekwayindlela ebalulekileyo yokunqanda ukuxhatshazwa. Kungcono ngaphezulu kunokuhlala nje ungenzi nto kwaphela, kwaye uvumele ukuxhatshazwa kuqhubekeke.

Ukuba ube nethamsanqa ungancedwa ngoonobhala benkundla, oomantyi kunye namapolisa athe avelana nemeko okuyo nabafuna ukukunceda ngokwenyani bakunike inkxaso ngethuba ukuloo meko. Kodwa ke ngelishwa kukho abanye oonobhala, oomantyi namapolisa abangenakuba navelwano, nto leyo inokwenza kube nzima ukufumana isiKhuseli esinguMyalelo weNkundla. Kodwa ke, ukuba uyawazi amalungelo wakho nento enokuthi ibehlele, kungalula kuwe ukujongana nabantu abanjalo neengxaki abanokukunika zona. Yiloo nto ezi nkcukacha zilandelayo zibandakanyiwe apha ukulungiselela wena.

- **Ukuya enkundleni akuyo nto ilula ngokwasemphefumlweni.** Phantse wonke ubani uziva enoloyiko engonwabanga. Nokuba sele uyazi into eza kwenzeka nekufuneka wena uyenzile, kusuke kuvakale ngathi yinto enkulu oza kuyenza. Kuyinto edaliweyo neqhelekileyo ukuziva ukule meko.
- **Oonobhala benkundla namapolisa bangakucaphukisa ngendlela abathetha ngayo nawe nabanokukuphatha ngayo.** Basenokungabonisi mbeko, okanye babekrwada kuwe, kwaye bangabi namonde. Basenokungaqondi indlela oziva ngayo emphefumlweni. Ungoyika ukubachazela indlela bona abakwenza uzive ngayo.
- **Umantyi wenkundla yamatyala olwaphulo-mthetho angaphulaphula ityala lakho ngendlela enye naleyo aphulaphula ngayo ityala lolwaphulo-mthetho.** Inkundla yobundlobongela basekhaya asiyiyo inkundla yolwaphulo-mthetho, kodwa ngamanye amaxesha basebenzisa oomantyi abavela kwiinkundla zamatyala olwaphulo-mthetho ukuphulaphula amatyala obundlobongela basekhaya. Ungaziva ngathi umantyi ukuthatha ngokungathi wena ungumntu ngoku otyholwa ngokwenza ulwaphulo-mthetho olo.
- **Awunakuxelelwa okokuba kufuneka wenze ntoni ukuze ufumane isiKhuseli esinguMyalelo weNkundla.** Abona bantu bafanele ukukunceda bangangakucaciseli izinto kakuhle, kwaye usenokungaqondi kakuhle okokuba kuza kwenzeka ntoni na.
- **Usenokungakhumbuli into ubuyixelelwe.** Ngenxa yokuba uxhalabile kwaye ubhidekile usenokungakhumbuli ukuba unobhala wenkundla, umantyi okanye ipolisa belikuxelele ntoni na.

- **Kungathatha ixesha elide ukuba yonke into yenzeke.** Ngamanye amaxesha kungafuneka ulinde imini yonke okanye iintsuku ezimbalwa phambi kokuba uve okokuba usifumene na isiKhuseli seThutyana esinguMyalelo weNkundla. Kungafuneka ulinde iiveki ezimbalwa ulindele umhla wokuphinda ubuyele enkundleni uze kuva okokuba isiKhuseli esinguMyalelo weNkundla side sagqitywa na. Iinkqubo zenkundla zikhe zimiselwe omnye omhla, loo nto leyo yenze kuthathe ezinye iiveki phambi kokuba ude wazi okokuba usinikiwe na isiKhuseli esinguMyalelo weNkundla. Oku kumiswa kuba yingxaki ngakumbi xa unomsebenzi kunyanzeleke ke ngoku ukuba ungabikho emsebenzini qho xa loo mini yetyala ithe yamiswa.
- **Use nokungabi nayo imali yokuhlawulela isithuthi sokumana usiya enkundleni.** Kungatya imali eninzi kakhulu, ngakumbi xa ityala lithe lamiswa.
- **Kungafuneka uqalele ekuqaleni kwakho ngenxa yokuba ungafikanga enkundleni ngethuba**. Nangona kusenokuba kukho isizathu esivakalayo sokuba ungafiki ngexesha, igama lakho lingasuswa kuluhlu lwenkqubo yenkundla aze umantyi angaliphula-phuli ityala lakho kwakho ngomhla wokubuyela enkundleni. *Ukuba oku kuyenzeka, kufuneka uye kunobhala wenkundla uphinde umisele omnye umhla naye.*
- **Umantyi usenokukholelwa umxhaphazi lowo wakho.** Le nto isenokwenzeka nokuba wena uthetha inyani ube usazi wena okokuba umxhaphazi lowo wakho akathethi nyani enkundleni.
- **Umantyi angagqiba okokuba uxhatshazo olo alunabuzaza kangako kuba i-Afidavithi yakho ingenankcukacha yaneleyo, ngoko ke akanakunika isiKhuseli esinguMyalelo weNkundla.** Le nto ingenzeka nokuba wena uyayazi okokuba uxhatshazo olo lunobuzaza obugqithisileyo. Ngoko ke qinisekisa okokuba i-Afidavithi yakho iluqilima kwaye iqulethe iinkcukacha ezibalulekileyo.
- **Xa umxhaphazi wakho ewaphula umyalelo wesiKhuseli esinguMyalelo weNkundla kwaye kufuneka evele enkundleni angafumana isigwebo esingenakungavumelani nomxhelo wakho.** Angafumana isigwebo esikhaphukhaphu kakhulu. Ingabeka loo nto ukhuseleko lwakho nabantwana bakho emngciphekweni.
- **Amapolisa angakunikeza iinkcukacha ezingathanga ngqo nezingeyonyani**. Le nto ingenziwa kukuba bengenazo ezona nkcukacha zizizo, okanye bengakunikanga iinkcukacha ezizizo nokuba banazo.
- **Amapolisa angangavumi ukusihambisa isiKhuseli esinguMyalelo weNkundla okanye angavumi ukumbamba umxhaphazi lowo wakho**. Kaloku banelungelo lokukhetha phakathi kokuba bambambe na okanye hayi, konke oko kuxhomekeke kwinkolelo yabo yokuba ingaba imeko leyo ixhomisa amehlo na okanye hayi. Le nto ke ingabeka ubomi bakho emngciphekweni.
- **Ngamanye amaxesha uziva ngathi ungasuke uyiyeke yonke loo nto**. Ungaphelelwa lithemba lokuba ungafumana ubulungisa. Ungaziva udinwe kakhulu ukuba ungenza into kwakho ngoku ngale nto. Maxa wambi ungaziva usoyika kakhulu okanye uzive ngokungathi wanele ngoku. Ungaziva ngolu hlobo noxa usaxhatshazwa nje kwaye uzazi okokuba unelungelo lokhuseleko noxolo ebomini bakho.
- **Ungaya enkundleni ngenjongo yokwenza isicelo sesiKhuseli esinguMyalelo weNkundla kwaye inkundla ingangavumi okokuba ikubone ngaloo mini.** Kukho iinkundla ezimiselwe ukuba zibone inani labantu eliqingqiweyo ngemini nganye (inkqubo yomlinganiselo), kwaye ke ngoko oonogada bangakujikisa xa uthe wafika mva. Ezinye iinkundla zithi zijongane nezicelo zesiKhuseli esinguMyalelo weNkundla kusasa okanye ngeentsuku ezithile zeveki. Ezinye iinkundla azizithathi izicelo zesiKhuseli esinguMyalelo weNkundla emva kwentsimbi yesi-3 emva kwemini, kodwa zingenza inceba xa kunokuthi kanti zingxamisekile. **Ngokwalo Mgaqo Nkqubo ojongene noDushe LwaseKhaya ka-1998, kulilungelo lakho ukufumana isiKhuseli esinguMyalelo weNkundla nangalo naliphi na ixesha ngeeyure inkundla esebenza ngazo kanti nasemva kwexesha lokusebenza kwenkundla.**

11. Ngawaphi amanyathelo anokulandelwa ukufumana isiKhuseli esinguMyalelo eNkundla?

Zininzi izinto ekufuneka zenziwe ukuze ufumane isiKhuseli esinguMyalelo weNkundla. Siyawashwankathela onke la manyathelo kwaye siwacazulule ngokucacileyo kwicandelo lemibuzo elilandelayo. Yonke ingakhangeleka inzima kodwa xa ufunda la manyathelo ngononophelo, uyakufumana owona mongo wokuba lo mgaqo-nkqubo usebenza njani.

Kubalulekile ukwazi okokuba iinkundla zonke ziphantse kusebenza ngokwahlukileyo enye kwenye. Ngoko ke eyona nkqubo ethi ilandelwe ziinkundla ezininzi ishwakathelwe apha ngezantsi.

Amanyathelo kwinkqubo yesiKhuseli esinguMyalelo weNkundla ahamba ngolu hlobo:

A. Ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla. (Applying for a Protection Order)
B. Ukugqityezelwa kwesiKhuseli esinguMyalelo weNkundla. (Finilising a Protection Order)
C. Ukusetyenziswa kwesiKhuseli esinguMyalelo weNkundla. (Using a Protection Order)

A: Amanyathelo endlela yoKWENZIWA KWESICELO sesiKhuseli esinguMyalelo weNkundla:

1. Kwinkundla kamantyi ekufutshane kuwe uzalisa uxwebhu lwesiCelo lwesiKhuseli esinguMyalelo weNkundla, uze ubhale ingxelo (i-Afidavithi) ngoxhatshazo olo.

2. Wenza isifungo esibhaliweyo kunobhala wenkundla sokokuba oko ukubhalileyo kuyinyaniso uze ke utyikitye uxwebhu lwesicelo olo.

3. Unobhala wenkundla uyalutyikitya alugximfize ngesitampu uxwebhu lwesicelo sakho, akuvulele ifayile yakho aze afake amaphepha wakho kuloo fayile.

4. Unobhala wenkundla udlulisa ifayile yakho kumantyi, yena uya kufunda uxwebhu lwesicelo sakho aze enze isigqibo sokuba kufanelekile ufumane (ungasifumana na) isiKhuseli (seThutyana) esinguMyalelo weNkundla.

5. Umantyi uya kuyibuyisela ifayile yakho kunobhala wenkundla yena oya kukuxelela okokuba usifumene na isicelo seThutyana sesiKhuseli esinguMyalelo weNkundla okanye hayi.

6. Ukuba umantyi uya kunika isiKhuseli seThutyana esinguMyalelo weNkundla, unobhala wenkundla uya kukuxelela umhla wokuphinda ubuye uze enkundleni, aze akunike neNombolo yesiCelo sakho.

7. Umantyi uza kukhupha iSaziso sokuVela enkundleni sona esixelela umxhaphazi lowo wakho malunga nesicelo sesiKhuseli esinguMyalelo weNkundla esenziweyo ngaye, kwaye kufuneka eze kuvela ngomhla wakho wokuphinda ubuye aze kuchaza elakhe icala lebali.

8. Unobhala wenkundla ufaka olona qobo lwexwebhu lwesicelo sakho kwakunye nesiKhuseli seThutyana esinguMyalelo weNkundla kwifayile yakho aze akunike ikopi ezintathu. Iikopi ezimbini zezomthunywa wenkundla (isherifu) okanye amapolisa. [Enye yezi kopi yeyomxhaphazi wakho ize enye ibuyiselwe enkundleni xa sele bemnikile umxhaphazi wakho isiKhuseli esinguMyalelo weNkundla]. Enye ikopi yeyakho okokuba uyigcine.

9. Ukuba uyakwazi ukuhlawulela imali yomthunywa wenkundla (isherifu) okokuba asise isiKhuseli esinguMyalelo weNkundla kumxhaphazi wakho, kufuneka uthathe iikopi zibe mbini zesicelo sakho namaxwebhu esiKhuseli seThutyana esinguMyalelo weNkundla uzise kwi-ofisi zesherifu. Ukuba inkundla inemali yokukuhlawulela loo nkonzo yesherifu, baya kukunika iphetshana elikuxelela okokuba inkundla ivumile ukukuhlawulela isherifu ukuze isiKhuseli esinguMyalelo weNkundla sisiwe kumxhaphazi wakho. Akukho mfuneko yokulanda isiQondisi-kwenziwa koMsebenzi (Return of Service form) kwisherifu njengoko enazo iikopi kwi-ofisi yakhe.

10. Ukuba akunakho ukuhlawulela ukuba isiKhuseli esinguMyalelo weNkundla sisiwe kumxhaphazi wakho, kwaye nenkundla ayikwazi ukukuhlawulela ukuba sisiwe, kufuneka uye amapoliseni akusele. Kufuneka uye neekopi ezimbini zamaxwebhu emapoliseni. Unobhala wenkundla uya kukunika isiQondisi-kwenziwa koMsebenzi ukuze usinike amapolisa.

11. Amapolisa okanye isherifu iye ihambe iye kuloo dilesi uyibhalileyo kuxwebhu lwakho ahambise ikopi yesiKhuseli seThutyana esinguMyalelo weNkundla kumxhaphazi wakho. **Kufuneka uqinisekise ngokubhala idilesi yomxhaphazi wakho ngokucacileyo nangokupheleleyo kuxwebhu lwesiCelo sakho, kungenjalo kuya kuthatha ixesha elide ukuba umyalelo wenkundla usiwe, okanye ungangasiwa kwaphela.**

12. Amapolisa okanye isherifu izalisa isiQondisi-kwenziwa koMsebenzi ekufuneka sibuyiselwe enkundleni xa isiKhuseli esinguMyalelo weNkundla sesisiwe kumtyholwa. Esi siQondisi-kwenziwa koMsebenzi basinika unobhala wenkundla yena osifaka kwifayile yakho.

13. Xa isiKhuseli esinguMyalelo weNkundla sesinikwe umxhaphazi wakho unalo ilungelo lokuba ufumane uMyalelo wokuBamba weThutyana, kodwa ke loonto ithetha ukuthi kuyawufuneka ubuyele enkundleni le ubuwenze kuyo ukuze uwufumane., Yiyo loonto ezinye iinkundla zinokukunika kuphela uMyalelo wenkundla wokuBamba ogqibeleleyo xa sele uvele enkundleni kuqukunjelwa isiKhuseli esinguMyalelo weNkundla. **UMthetho ojongene nobuNdlobongela baseKhaya** *(Domestic Violence Act)* **ukubeka ngokucacileyo okokuba kufuneka ufumene uMyalelo weThutyana wokuBamba.** Ukuba unobhala wenkundla akakuniki loo myalelo wethutyana, nyanzelisa okokuba uwunikwe okanye ungaxelela umantyi oyintloko.

Qaphela!
Qaphela!

Inkqubo yokwenza ISICELO icaciswe kwakho ngokuzeleyo.

12. Kufuneka ndiye phi ukuze ndenze isicelo sesiKhuseli esinguMyalelo weNkundla?

UmThetho omTsha ojongene nobudlobongela basekhaya ka-1998 ukubeka ngokucacileyo okokuba kufuneka uye kwiNkundla kaMantyiekufutshane:

- nendawo ohlala okanye osebenza kuyo; okanye
- nendawo umxhaphazi wakho ahlala okanye esebensa kuyo; okanye
- nendawo ekwenzeke kuyo uxhatshazo olo.

Ukuba akuqinisekanga ngenkundla ekufuneka uye kuyo, fowunela unobhala wenkundla ekufuphi kuwe. Uya kukuxelela ukuba yeyiphi inkundla ekufuneka uye kuyo. Kwezinye iindawo zokuhlala, kuyenzeka ukuba bathi abantu bengabamelwane omnye engaphaya kwendlela komnye, ufumanise ukuba kufuneka baye kwiinkundla ezahlukeneyo zomthetho, ngoko ke kungcono ukuba umntu afowune abuze.

Sukuhlala epasejini yenkundla imini yonke uze ufumanise sekukudala okokuba usenkundleni engeyiyo! Kubalulekile okokuba ufowune phambi kokuya enkundleni okanye ubuze unobhala wenkundla kwakamsinya wakuba ufikile enkundleni. Iya kukucaphukisa into yokuba uchithe imali nexesha kuze kufuneke uphinde uye kwenye inkundla engenye ukuze ufumane uncedo.

13. Kufuneka ndiye phi xa ndifika enkundleni?

Kufuneka uye **kwicandelo lenkundla elijongene noDushe LwaseKhaya.** Ukuba akuqinisekanga okokuba ungalifumana phi eli candelo, buza koonogada bakubonise.
Qiniseka okokuba ukwindawo eyiyo enkundleni. Ukuba akuqinisekanga, buza kwi-ofisi kanobhala wenkundla okanye ubuze koonogada bakubonise. Ungachitha ixesha elininzi ukuba uhleli kwicala/kwindawo engeyiyo enkundleni.

14. Zeziphi iintsuku endingaya ngazo enkundleni?

NgokoMgaqo Nkqubo ojongene noDushe LwaseKhaya ka-1998, kulilungelo lakho okokuba uye enkundleni uye kwenza isicelo sesiKhuseli esinguMyalelo weNkundla ukusukela ngoMvulo de kube ngoLwesihlanu. Ungenza isicelo sakho enkundleni ngalo naluphi na usuku lweveki, kodwa ngezicelo zasemva kweyure zomsebenzi kufuneka uye kwisikhululo samapolisa aze amapolisa wona anxibelelane nomantyi okanye unobhala wenkundla ukuze akuncedise kule meko.

Nangona kunjalo, ngokusenyanisweni ayizizo zonke iinkundla ezisebenza ngolu hlobo. Ezinye iinkundla zithi zijongane nezicelo zesiKhuseli esinguMyalelo weNkundla ngeemini ezithile, ezinye zingakubona mihla yonke kodwa kusasa kuphela, kanti ezinye zingasebenza ngomnyinge othile apho zithi zithathe izicelo ezilinani eliqingqiweyo ngemini nganye.

Fowunela unobhala wenkundla umbuze ukuba zeziphi iintsuku kwaye ngawaphi amaxesha onokwenza ngawo isicelo sakho sesiKhuseli esinguMyalelo weNkundla kwinkundla yakhe.

Khumbula ukuba ngokoMgaqo ojongene noDushe LwaseKhaya ka-1998, kulungelo lakho ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla ngeeyure zomsebenzi zenkundla nasemva kweeyure zomsebenzi. Ukuba uyasifuna isiKhuseli esinguMyalelo weNkundla kufuneka unyanzelise usifune.

15. Ndingenza ntoni xa ndiqonda okokuba ndisengozini yokwenyani ngawo lo mzuzu?

Ukuba oku kwenzeka mihla le, khawuleza uhlangane nonobhala wenkundla umxelele okokuba ubomi bakho busemngciphekweni, kwaye ufuna uncedo lwakhe **ngoko nangoko**. Kufanele akuncede ufumane isiKhuseli

esinguMyalelo weNkundla kwangoko. Nangona kunjalo, kufuneka uye nakwisikhululo samapolisa wenze ingxelo yokubeka isityholo sokubethwa. **Amapolisa kufuneka akuvumele okokuba ubeke isityholo lowo ukubethileyo. Sukubavumela bakulandulele oko**. Lilungelo lakho. Ungenza ingxelo yokubeka isityholo lowo ukubethileyo, KWAYE wenze nesicelo sesiKhuseli esinguMyalelo weNkundla kwangaxeshanye.

Ukuba ngaba ubomi bakho busemngciphekweni emva kweeyure zomsebenzi, inkundla KUNYANZELEKILE ikuncede ufumane eso sicelo sesiKhuseli esinguMyalelo weNkundla. Amapolisa kufuneka ekuncedile kule nto ngokuthi anxibelelane nabasebenzi benkundla abafanelekileyo. Isikhululo samapolisa ngasinye sinegama lomantyi osemsebenzini omele izicelo zebheyile kwaye ngulo mantyi ekufuneka akuncede.

Nangona kunjalo, khumbula ukuba amapolisa akunyanzelekanga okokuba ambambe umxhaphazi wakho xa usenza ingxelo yetyala lokubethwa.

16. Kufuneka ndiye enkundleni amatyeli amangaphi?

Uya enkundleni amatyeli amabini. Okokuqala usiya uyela ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla. Okwesibini kukuya ngomhla wokubuyela kwakho enkundleni xa umantyi esenza isigqibo sokuba ungasifumana na isicelo sakho esiGqibeleleyo sesiKhuseli esinguMyalelo weNkundla (Final Protection Order).

Maxa wambi kungafuneka uphinde uye kwakho enkundleni ukuba kuthe ukuviwa kwesicelo sakho kwamiselwa omnye umhla. Kumaxa amaninzi uya nje kube kabini.

Maxa wambi ungangakwazi ukwenza isicelo sakho ngemini yokuqala usiya enkundleni, ngenxa yokuba inkundla leyo isebenza ngohlobo lokuthatha inani eliqingqiweyo (quota system) okanye unobhala wenkundla angangakwazi ukukunceda ngenxa yezinye nje izizathu.

Nangona oku **kungafanelanga** kwenzeke, unobhala wenkundla angakuxelela okokuba ubuyele enkundleni emva kweentsuku ezimbalwa uzokuva okokuba isicelo sakho sesiKhuseli seThutyana esinguMyalelo weNkundla sihambe njani na.

17. Kuya kuthatha ixesha elingakanani ukwenza isicelo?

Iinkundla ezininzi zithatha izicelo ngokuba 'ofike kuqala woncedwa kuqala' (first come, first served basis). Loo nto ithetha okokuba kufuneka uye kwangethuba. Nangona kunjalo, ukuba inkundla ixakeke kakhulu kunganyanzeleka ulinde imini yonke. Kufuneka uziphathele into yokutya neyokusela. Kubalulekile oku, ngakumbi ukuba uhamba nomntwana. Nangoko, uyakuvunyelwa kuphela ukuba utyele ngaphandle kwesakhiwo senkundla.

- Iinkundla ezininzi zivula ngo 7:45 kusasa, zivalele isidlo sasemini phakathi kwentsimbi yokuqala (1pm) neyesibini (2pm) zize zivale ngentsimbi yesine (4pm) emva kwemini. Kodwa ke, amaxesha okusebenza kwenkundla asusela kwintsimbi yesithoba (9am) kusasa ukuya kwintsimbi yesine (4pm) emva kwemini.
- Zama kangangoko okokuba ube usenkundleni ngentsimbi yesi 9 kusasa. Iinkundla ezininzi ziyakuninceda ngokoludwe enifike ngalo, ngoko xa ufike msinya ngethuba uyakuncedeka kwamsinya. Ukuba ungowokugqibela ukufika uya kuba ngowokugqibela nokuncedwa.
- Wakuba nje ubonene nonobhala wenkundla kuya kuthatha malunga nemizuzu eli- 15 ukuya kwengama 30 ukuzalisa uxwebhu lwesicelo nokubhala ingxelo yakho ebizwa ngokuba yi-Afidavithi. Kukwaxhomekeke nasekubeni kungakanani oza kukubhala wena. Okokuba kuya kuthatha ixesha elingakanani kukwaxhomekeke nasekubeni amaxwebhu ne-Afidavithi uwazalisa ngokwakho na okanye ufumana uncedo.
- Unobhala wenkundla kufuneka asise kumantyi isicelo sakho ukuze enze isigqibo sokuba siyavunywa na isicelo sakho. Kungathatha ixesha elide, ngakumbi ukuba akukho mantyi baneleyo abangasijonga.

Khumbula ukuba:

- Oonobhala benkundla basebenza phantsi kocinezelelo, kubalulekile ukuba ube nomonde ukuba kufuneke ulinde ithuba elide de bathethe nawe.
- Baninzi abantu abafuna iziKhuseli ezinguMyalelo weNkundla kwaye ke wonke ubani kufuneka elindele ithuba lakhe.

- Ukuba ufike emva kwexesha, kuya kukuthatha ithuba elide. Kungakuthatha phantse yonke imini ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla.

18. Ngawaphi amaphepha ekufuneka ndiye nawo enkundleni?

Kufuneka:

- ✓ **Ube nesazisi sakho (ID)**. Ukuba akunaso isazisi, kufuneka wazi umhla wokuzalwa kwakho.
- ✓ **Ube nesazisi (ID) somxhaphazi wakho**. Ukuba awunaso isazisi sakhe kufuneka wazi okokuba wayezalwe nini (umhla wokuzalwa) okanye wazi iminyaka yakhe; kwaye
- ✓ **nedilesi** apho ahlala okanye asebenza khona umxhaphazi wakho**. Awunakufumana isiKhuseli esinguMyalelo weNkundla ukuba awuyazi idilesi yomxhaphazi wakho.**

19. Ngawaphi amanye amaphepha anokuba luncedo?

Akunyanzelekanga okokuba uze nazo ezi zinto zilandelayo kodwa kungaluncedo ukuba uze:

- **Nemifanekiso ebonisa ukuxhatshazwa kwakho ngokwasemzimbeni**. Ukuba unakho, kufuneka uzithathe imifanekiso ukuze ubonise okokuba wenzakale njani, nto leyo iya kubonisa umantyi ngokuzeleyo eyona ndlela icacileyo yokwenzakala kwakho.
- **Nomfanekiso womxhaphazi wakho**. Ingayikopi eyenziwe ngomatshini wokukopa (**photocopy**). Oku kubalulekile ukuze umantyi okanye isherifu imazi xa imbona imnikeza isiKhuseli esinguMyalelo weNkundla.
- **Namaphepha abonisa okokuba ngubani othenge izinto ezo** ukuba iimpahla zakho okanye okukokwakho (okunjengefenitshala, impahla yokunxiba okanye indlu) ziye zonakaliswa.
- **Nemifanekiso yobundlobongela obo**. Ukuba izinto ezizezakho ziye zonakaliswa, imifanekiso iyakubonisa umantyi oko kwenzekileyo.
- **Iileta ezixhasa wena ngakumbi kule nto yokuba uxhatshaziwe**. Ungafumana iileta koogqirha, oonontlalontle okanye abanye abantu abakuncedileyo malunga nonyango ngezengqondo nomphemfulo(p sychological treatment).
- **Ingxelo ebhaliweyo** kubantu abalubonileyo olo xhatshazo ngethuba lusenzeka.
- **Uxwebhu lwefomu i-J88 oluzaliswe ngugqirha.** Ugqirha uzalisa uxwebhu lwefomu i-J88 ukuba uthe waxhatshazwa ngokwasemzimbeni (umzekelo, ukuba ugruzukile, unamathambo ophukileyo okanye amanxeba okuhlatywa). Ifomu i-J88 unemizobo yabantu apho ugqirha athi enze imiqondiso ebonisa iindawo apho wenzakele khona. Akunyanzelekanga ube nayo le fomu i-J88 kodwa ke ibubungqina obunamandla kakhulu enkundleni.

Khumbula okokuba ungahambisi uqobo lweleta okanye lwale mifanekiso. Gcina uqobo lwazo kuwe uze uhambise iikopi zazo enkundleni.

20. Ndilufumana njani uxwebhu lwefomu i-J88 ekufuneka luzaliswe ngugqirha?

Ukuze ufumane ifomu i-J88 kufuneka uye esikhululweni samapolisa kuqala. Kufuneka ucele le fomu i-J88 emapoliseni. Amapolisa **KUFUNEKA** ekunikile le fomu i-J88. Ukuba amapolisa athi akanazo ezi fomu i-J88 esikhululweni sawo, kufuneka ucele ukuthetha nokomishina wesikhululo eso. Ungawaxela kanti nakunobhala wenkundla apho uza kuthi ufumane khona isiKhuseli esinguMyalelo weNkundla. Ukuba ngaba sele unesiKhuseli seThutyana esinguMyalelo weNkundla, hamba naso ukuya esikhululweni samapolisa.

Ifomu i-J88 luxwebhu olusemthethweni oluhambisana neenkqubo zamatyala enkundla. Ngoko ke kufuneka wenze ingxelo yokubeka isityholo setyala lokubethwa ngumxhaphazi lowo wakho, okanye ubacele bakuvulele nje unomgogwana wedokethi *(skeleton docket/file)* usenzela le fomu i-J88. Unomgogwana wedokethi yifayile ethi yenziwe xa isityholo setyala singekabekwa bani, kuba sukube kusafuneka kubekho uphando kuqala malunga nomba lowo phambi kokuba kubekwe ubani ityala elo. Sukuwavumela amapolisa akunqande okokuba ubeke ityala. Emveni kokuba uyenzile ingxelo yokubeka ityala, amapolisa kufuneka ekunike inombolo yetyala elo (case number).

Amapolisa kufuneka eyibeke loo nombolo yetyala kwifomu u-J88, aze ayigximfize isitampu ayityikitye aze akunike.

21. Ndiyenzani le fomu i-J88 ekufuneka izaliswe ngugqirha?

- Kufuneka uyithathe le fomu i-J88 emapoliseni uyise kugqirha okwisiBhedlele sePhondo(Provincial Hospital) okanye kugqirha wesithili (district surgeon). Ugqirha uya kuvanya umonzakalo wakho aze akuzalisele loo fomu i-J88.
- Akuba ugqirha eyizalisile le fomu i-J88, kufuneka wenze iikopi zibe mbini.
- Thatha uqobo lwayo ifomu i-J88 uyibuyisele esikhululweni samapolisa ukuze bayifake kwifayile yakho.
- Thatha enye yeekopi zayo uyise kunobhala wenkundla ukuze ayifake kwifayile yakho yasenkundleni, uze wena uzigcinele le kopi yesibini.

Kungakhangeleka ingathi ngumsebenzi ukufumana le fomu i-J88, kodwa kuyinto ebaluleke nangakumbi, yiloo nto ixesha nemizamo yokuyifumana ingeyondlalo nje. Umantyi uza kubona kakuhle apho ubuwenzakele khona kwanobuzaza bomonzakalo lowo okokuba ubungakanani. Oku kukwabalulekile kuba kuvela kugqirha kwaye kuveza ubungqina bebali lakho.

22. Ndisenza njani isicelo sesiKhuseli esinguMyalelo weNkundla?

Okokuqala, unobhala wenkundla kufuneka akuxelele okokuba ukulungele na ukufumana isiKhuseli esinguMyalelo weNkundla, okanye ungazikhangelela kwicandelo elilapha kule Ncwadana apho uchazelwa ngokuba ngubani na onokwenza isicelo sesiKhuseli esinguMyalelo weNkundla.

Ukuba ngaba ukulungele ukusifumana, uxwebhu lwefomu yokuqala ekufuneka uluzalisile lubizwa ngokuba **luXwebhu loKwenza isiCelo** *(Application form).* Ulufumana olu xwebhu lwefomu yesicelo kunobhala wenkundla. Akululanga ukukuqonda okukwezi fomu kungoko kungafuneka ucele uncedo. Ezi fomu zibhalwe ngesiNgesi nangesiBhulu. Ukuba awukwazi ukuthetha okanye ukubhala ezi lwimi, uya kunyanzeleka ufumane umntu oza kukuguqulela akubhalele. Soloko unyanzelisa okokuba loo mntu ukubhalelayo akufundele kwakho okubhaliweyo. Ukuba ngaba kukho into obuyithethile aze abe loo mntu akayibhalanga phantsi kwifomu yesicelo sakho okanye kwi-Afidavithi, kufuneka umxelele loo mntu okokuba makaphinde akufakelele koko kubhaliweyo.

Xa uzalisa uxwebhu lwefomu yesicelo sakho sesiKhuseli esinguMyalelo weNkundla (oku kubandakanya ne-Afidavithi yakho) qinisekisa ngokusebenzisa usiba/ipeni ekwanye. Ukuba akukhange uzalise uxwebhu olo enkundleni, kuya kunyanzeleka okokuba uhambe kwakunye nala peni inye ukuya enkundleni ukwenzela ukuba kuthe kwafuneka utshintshe into okanye wongeze into xa usiya enkundleni. Umantyi akasoze akunike isiKhuseli esinguMyalelo weNkundla ukuba usebenzisa iipeni ezahlukileyo!

Kwezinye iinkundla unobhala wenkundla okanye umncedisi othile uya kukunceda ukuzalisa uxwebhu lwefomu yesicelo olo. Kwezinye iinkundla, kuye kunyanzeleke okokuba uyizalise ngokwakho. Kwinkundla ezininzi eKapa nase Paarl/Wellington, abasebenzi basenkundleni bakwaMosaic bakhona ukuze bakuncede. Buza kunobhala wenkundla okokuba bakhona na abasebenzi basenkundleni bakwaMosaic okanye amavolontiya avela kweminye imibutho abaza kukunceda uzalise ezi fomu.

Kule fomu yesicelo kufuneka uzalise oku:

- Iinkcukacha ngawe (umzekelo, igama lakho, nedilesi yakho);
- Iinkcukacha ngomxhaphazi wakho (umzekelo, igama lakhe, nedilesi yakhe);
- Ubugqibele nini ukuxhatshazwa;
- Ngoobani bonke abantu abachatshazelwayo lolu xhatshazo (umzekelo, ukuba abantwana bakho bahlala endlwini nawe kwaye nabo bayaxhatshazwa, okanye ukuba bayachatshazelwa koko umxhaphazi wakho akwenzayo kuwe);
- Singxamiseke kangakanani eso sicelo sakho. **Kufuneka uxelile indlela wena nabantwana bakho eniya**

kungcungcutheka ngayo (bobuphi ubunzima eniya kuhlangabezana nabo) ukuba loo mcimbi awuthanga wasonjululwa, kwaye ukuba akuthanga wasifumana nesiKhuseli esinguMyalelo weNkundla.

- ► Yintoni ofuna umxhaphazi wakho ayeke ukuyenza (umzekelo, ungafuna ayeke ukusoloko ekubetha), okanye into ofuna ukumbona eqalisa ukuyenza (umzekelo, ufuna abhatalele abantwana bakho imali yesikolo);
- ► Ungenza isicelo sokuba amapolisa aye kulanda izinto ezizezakho ukuba uyoyika ukuzilanda ngokwakho.

Ukuba unazo iifoto zoxhatshazo, uxwebhu olusisiqinisekiso sikagqirha, iileta ezikuxhasayo okanye nokuba zeziphi na ezinye iingxelo ezinokwenziwa ngabanye abantu, kufuneka uzinike zonke ezi zinto kunobhala wenkundla kunye noxwebhu lwesicelo sakho sesiKhuseli esinguMyalelo weNkundla. Ezi zinto ziba yinxalenye yesicelo sakho ukwenzela xa uvela enkundleni umantyi abe nembono eyiyo malunga nokuxhatshazwa kwakho.

Kubalulekile okokuba **ungamniki unobhala wenkundla uqobo lweziqinisekiso, neeleta kunye neefoto, kodwa uzigcinele** uqobo lwazo uze yena umnike iikopi. Kukwabalulekile okokuba xa uphinda uvela enkundleni nomxhaphazi lowo wakho, ngomhla wakho wokubuyela enkundleni, uziphathe kwakho ezi kopi ezikwanale nkcukacha ifunekayo. Loo nto
ikukhusela xa kuthe kwakho iinkcukacha ekunokuthi kanti zilahlekile kwifayile yakho kwaye ke umantyi unokufumana ezo kopi uthe waza nazo enkundleni.

23. Ndiyixelela njani inkundla ngoxhatshazo lwam?

Uyixelela inkundla ngoxhatshazo olo ngokuthi ubhale ingxelo ebizwa ngokuba **yi-Afidavithi.** Into oyithethayo ke apha iya kuthi **ibaluleke kakhulu**. Kwi-Afidavithi yakho kufuneka uchaze okwenzekileyo okanye ocinga ukuba kuza kwenzeka. Kufuneka ubhale ngokwenzekayo kuwe kanye ngeli lixa, kwaye nangembali yokuxhatshazwa oko, kwaye nangendlela ibisenzeka ngayo kuwe kwixa elidlulileyo, kwaye nento oyenzileyo ukuzama ukumelana noxhatshazo olo.

I-Afidavithi yakho mayibe nayo yonke inkcukacha ebalulekileyo ngoxhatshazo olo (kufuneka ibe namandla ngokwaneleyo) ukuze umantyi akwazi ukugqiba ngokukunika isiKhuseli seThutyana esinguMyalelo weNkundla. Indlela yokuba umantyi angaqonda ngayo ubuzaza boxhatshazo lwakho, kuxhomekeke koko ukuthethileyo kwi-Afidavithi yakho. Xa uzalise i-Afidavithi yakho aze unobhala wenkundla ayityikitye ayigximfize isitampu, kufuneka ufunge okokuba oko ukubhalileyo kuyinyaniso. Ukuba kukho into oyibhalileyo engeyonyani (ukuba uthe waphosisa ngenjongo) uyakuthi ubekwe isityholo yinkundla.

Kufuneka ubhale phantsi **zonke iindlela** othe waxhatshazwa ngazo, kwaye nokuba ziye zakwenza ntoni na ezoo zinto. Kufuneka ubhale phantsi okokuba uxhatshazo olo lwenzeke kwakanye na okanye amaxa amaninzi.

Ukuba akuzibhali phantsi zonke izinto kwi-Afidavithi uya kuba nengxaki emva kwexesha xa oko kufuneka, sele usenkundleni. Igqwetha lomxhaphazi wakho lingakunyusa likuhlisa phambi kukamantyi ukuba umxelela ngeenkcukacha ezahlukileyo kwaphela kwezo uzibhale kwi-Afidavithi sele usenkundleni.

Qaphela:

Nangona kunjalo kubalulekile oku uvumelekile okokuba wenze into ebizwa ngokuba 'sisixomezelo-ngxelo' (ingxelo esisongezo kuleyo sele uyenzile) enkundleni ngomhla obuyela ngawo enkundleni kanye ngethuba letyala. Ingayingxelo ebhaliweyo okanye eyenziwa ngomlomo. Kulapho uya kucela khona kumantyi okokuba ungongeza na kwi-Afidavithi yakho (ukuba uza kukunika eminye imiyalelo yenkundla), kaloku izinto kungabe zitshintshile phakathi kwexesha owawubhale ngalo i-Afidavithi yakho yokuqala nakwixesha ovela ngalo enkundleni kunye nomxhaphazi wakho.

Amaxwebhu ezicelo anendawana nje encinci yokubhala i-Afidavithi. Ukuba inkundla ikuvumela ukuba usebenzise loo ndawana incinci yokubhala, kufuneka uqinisekisile ukuba uyibeka inkcukacha leyo ngokunyanisekileyo nangokumandla kangangoko. Ezinye iinkundla ziya kukuvumela okokuba ubhale i-Afidavithi ende. Nokuba unalo elinye iphepha olisebenzisileyo, yenza i-Afidavithi yakho ibe mfutshane kangangoko kodwa ibe nazo zonke iinkcukacha ezibalulekileyo.

Kwi-Afidavithi yakho kufuneka utsho okokuba unabo na abantwana okanye hayi, kwaye nokuba bayachatshazelwa na luxhatshazo olo na, kwaye bechatshazelwa njani na.

Kuya kukubiza imali ukuze isiKhuseli esinguMyalelo weNkundla sakho sisiwe kumxhaphazi wakho (jonga kumbuzo 29). **Ukuba akukwazi ukuhlawulela amaphepha lawo okokuba asiwe kumxhaphazi wakho, kufuneka ucele inkundla okokuba urhulumente akanakusela na ngaphandle kwentlawulo, kwaye kufuneka ukubhalile oku kwi-Afidavithi yakho.** Kufuneka utshilo isizathu sokuba ufune ukuselwa ngaphandle kwentlawulo.

24. Ingaba ikhona iindlela eyodwa ekufuneka ndiyibhale ngayo i-Afidavithi yam?

Sikunike uluhlu loludwe lwendidi ngeendidi zoxhatshazo kwicandelo elilandelayo. Lifunde ngocoselelo uthathe zonke iinkcukacha onokuzifuna ukuzalisa uxwebhu lwakho lwe-Afidavithi ngoko kwenzekileyo.

- Kwi-Afidavithi yakho, into yokuqala ekufuneka uyixelele umantyi kokokuba ugqibele nini ukuxhatshazwa nokuba kwenzeke ntoni kuwe ngoko. Mbuze unobhala wenkundla okokuba uyifuna le nkcukacha ekuqaleni okanye ekugqibeleni kwi-Afidavithi yakho na.
- Into elandelayo ekufuneka uyixelele umantyi kokokuba, kwakunini okokuqala ukuqalisa koxhatshazo, kwaye beluqhubekeka ixesha elingakanani na. Kufuneka utshilo okokuba uxhatshazo olo luthi lwenzeke rhoqo kunakuqala.
- Uze ke ngoku uxele okokuba loluphi uhlobo loxhatshazo othe wagagana nalo ukusukela waqalisa ukuxhatshazwa. Kwakhona, kufuneka ufunde eli candelo lilandelayo oluza kunika iinkcukacha ngendlela onokuluchaza ngalo uxhatshazo olo ukusukela waqalisa ukuxhatshazwa.
- Uze uxele okokuba wena nabantwana okanye abantwana bakho bodwa okanye usapho lwakho nithe nachatshazelwa njani luxhatshazo olo (into elwenzileyo kuwe nakwabanye abantu aba). Kufuneka ubhale phantsi nokokuba ngubani olubonileyo olo xhatshazo.
- Uze uxele okokuba umxhaphazi lowo wakho wakhe wabanjelwa ulwaphulo-mthetho na ngaphambili, kwaye kufuneka uchaze okokuba lwalumalunga nantoni na (lwaphulo-mthetho luni olo wayechaphazeleka kulo).
- Uze uchaze nokokuba umxhaphazi lowo wakho usebenzisa iziyobisi okanye usela utywala kakhulu na.
- Kubalulekile uchaze okokuba singxamiseke kangakanani na isicelo eso sakho. Kufuneka ucele inkundla okokuba ikunike isiKhuseli seThutyana esinguMyalelo weNkundla ngokukhawuleza, kwaye utsho okokuba ukholelwa ekubeni kungenzeka ntoni kuwe ukuba akunakusifumana ngokukhawuleza.
- Kwi-Afidavithi uya kufumana isivakalisi esithi makangenzi nanye into enxulumene nobundlobongela basekhaya. Kubaluleke kakhulu ukubeka u-X kwibhokisi esecaleni kwesi sivakalisi njengoko iya kuqinisekisa ukhuseleko lwakho ukuba uthe walibala ukubeka ezinye iindidi zoxhatshazo kwi-Afidavithi yakho.

Qaphela

Ezi zinto zilandelayo zibaluleke kakhulu ukuzibandakanya ukuba kuthe kanti zimalunga nemeko yakho:

- Ufuna okokuba angangeni kwindawo ohlala kuyo okanye enihlala kuyo nobabini okanye nayo nayiphi na inxalenye yalo ndawo ukuba nihlala kunye. Kufuneka unikeze i-dilesi yale ndawo.
- Kwaye ufuna umxhaphazi wakho asuswe endlwini yakho/yenu. Kufuneka uchaze okokuba ukholelwa ekubeni wena nabantwana bakho nisemngciphekweni ukuba ningakunye nonke endlwini.
- Kwaye awufuni angene kwindawo osebenza kuyo uze unikeze nedilesi yaloo ndawo.
- Kwaye ufuna angakuthinteli wena nabantwana bakho ukuba ningangeni kwindawo leyo yokuhlala ngakumbi ukuba nihlala kunye kuyo, kwaye angakhupheli ngaphandle wena okanye abantwana bakho ngaphandle kwindawo leyo nihlala kuyo.
- Kwaye ucele inkundla icele igosa elingumxolelanisi (peace officer) ukuba likukhaphe uye kuqokelela izinto zakho okanye zabantwana bakho.
- Kwaye ucele ukuba ipolisa lithathe zonke izixhobo eziyingozi anazo. Kufuneka uzichaze ezi zixhobo ezingabandakanya ii-screwdriver, ipanga oocelemba okanye amazembe.
- Kwaye angaze enze olunye uhlobo loxhatshazo ongafuni ukuba alwenze ukuba ngaba lwahlukile kuyo nayi phi na into ekwicandelo elilandelayo lale Ncwadana.
- Ukuba ngaba akufuni azi okokuba uhlala phi na (idilesi leyo uyibhalileyo kwi-Afidavithi yakho) kufuneka ubeke u- X kwibhokisi exelela inkundla okokuba ingamvumeli ayibone idilesi leyo yakho.
- Kufuneka ubhale igama lesikhululo samapolisa apho kunokwenzeka uthi wenze ingxelo khona yoxhatshazo olo ukuba ngaba yena waphula imiqathango yesiKhuseli seThutyana esinguMyalelo weNkundla.

Qaphela:

Kungafuneka wenze nezi zicelo zilandelayo kwi-Afidavithi yakho, kodwa unokufumana kuphela izisombululo zexeshana ezitsala iinyanga ezintathu (3 months) ukuya kwezintandathu (6 months). Isizathu soko sesokuba ezi zinto zithi zijongwe ziinkundla zenqila okanye inkundla ephakamileyo, ezinye iinkundla zingazikhaba ezi zicelo kwinkundla ejongene nobuNdlobongela baseKhaya. Ndizibandakanyile ezinye iinkundla kwizibiyeli ukuze wazi ukuba ungasenza phi na isicelo **SIKANOMPHELO**. Ungacela kwi-Afidavithi yakho okokuba:

- Umxhaphazi wakho abhatalele irente okanye imali-mboleko yendlu (mortgage bond) (iMiyalelo yeNkundla engunomphelo malunga noku ingakhutshwa kuphela kwiinkundla zesondlo sabantwana okanye iinkundla zoqhawulo-mtshato ukuba ngaba niqhawula umtshato)
- Umxhaphazi wakho akunike imali yezinto ezingxamisekileyo zethutyana zokuphila (iMiyalelo yeNkundla engunomphelo malunga noku ingakhutshwa kuphela kwiinkundla zesondlo zabantwana)
- Umxhaphazi wakho angavunyelwa okokuba adibane nabantwana bakho okanye anikwe eloo thuba kodwa ngamaxesha athile athe akhethwa nguwe. Okanye ungafuna ukuba kubekho umntu obajongileyo abantwana ngethuba ahlangana nabo (iMiyalelo yeNkundla engunomphelo malunga noku ingakhutshwa kuphela kwiinkundla zabantwana okanye iinkundla zoqhawulo-mtshato ukuba ngaba niqhawula umtshato)

25. Zeziphi iindidi ngeendidi zoxhatshazo endinokubhala ngazo kwi-Afidavithi yam?

Kukho iindidi ngendidi zoxhatshazo ekubhalwe ngazo apha. Ngamanye amaxesha ungathi ugagane nenye okanye ezimbini iindidi kodwa kumaxa amaninzi kungathi kube ziindidi ezingaphezu kwesibini ezithi ubani agagane nazo ngexesha elinye.

- **Ukuxhatshazwa ngokwasemzimbeni** *(Physical abuse)*

Oku kuxa umzimba wakho uthe wafumana ukunkulwa okanye ukwenzakaliswa kaninzi: xa uthe wabethwa, wakrwitshwa, wanqindwa, wahlatywa, wakhatywa okanye wahlaselwa ngayo nayiphi na indlela. Xa ubhala ngolu xhatshazo kufuneka uchaze okokuba luhlobo luni na olo xhatshazo nokokuba kuye kwenzeka ntoni kuwe. Umzekelo, ukuba uye waxhatshazwa ngokwasemzimbeni, ungatsho ukuthi ukukhabile ke ngoko unomonzakalo wangaphakathi emzimbeni. Kuya kufuneka ke ngoku wongeze ezinye iimpawu zokwenzakala zomzimba othe wazifumana ngenxa yolo xhatshazo. Umzekelo kufuneka uchazile okokuba ngaba unobuthongo obuphazamisekayo ngoku, okanye iingxaki zokutya, okanye unesisu esihambisayo, okanye umana ukhupha/ uphalaza.

Kubaluleke kakhulu ukuchaza ukuba ngaba umxhaphazi wakho unompu, imela okanye esinye nje isixhobo esiyingozi anokusisebenzisa esinokubanga umonzakalo onobuzaza okanye obulalayo. Kufuneka uchazile ukuba ngaba ukholelwa ekubeni angasisebenzisa kwaye uchaze noloyiko lwakho lokuba ucinga angasisebenzisa. Kufuneka ubhale phantsi ukuba umxhaphazi wakho sele wakhe wasisebenzisa isixhobo eso ngaphambili, okanye sele wakhe wakoyikisa ngaso ngaphambili. **Kufuneka ucele okokuba umpu lowo okanye izixhobo ezo ziyingozi zithathwe.**

- **Ukuxhatshazwa ngokulalwa okanye ngesini** *(Sexual abuse)*

Kuxa unyanzeliswa okokuba ulalane okanye wenze izinto ezinxamnye nokulalana nomntu ngaphandle kokuthanda kwakho, kwaye umntu lowo uyaqhubekeka ngenjongo ukwenza izinto ezo nawe esebenzisa isinyanzeliso, ukucenga, izoyikiso zokukwenzakalisa (ukuba akuyivumeli loo nto ayifunayo) okanye enze abanye abantu ukuba bayenze loo nto kuwe. Oku kungabandakanya ukungenwa ngesini sobudoda (incanca), okanye nayo nayiphi na enye into engayibhotile, umnwe okanye ikhuni.

Kukho iindidi ngeendidi zoku kuxhatshazwa ngokulalwa okanye ngesini. Zizo ezi:

- **udlwengulo** (kubandakanya udlwengulo nitshatile);
- **izinto ezingaqhelekanga zokulalana** (xa unyanzeliswa okokuba wenze izinto nomnye umntu ongazithandiyo okanye ezikwenza uzive uxhwalekile);
- **ukulalana kwabazalanayo** (xa ozalana naye onjengotata, nobhuti nonyana okanye utatomkhulu elalana nawe);
- **ukungavumi ukulalana** nawe qho, ngakumbi okokuba umxhaphazi unomnye umntu osecaleni athandana naye.

► **Ukuxhatshazwa ngentetho** *(Verbal abuse)*

Kuxa amazwi okanye ulwimi lusetyenziswa ngamaxesha onke ngendlela ekhohlakeleyo ukuze zikuvise ubuhlungu, zikoyikise okanye zikuxhele ngaphakathi. Oku kungabandakanya nezoyikiso.

Kubalulekile ukuba ubhale phantsi kangangoko unako yonke into ethethwe ngumxhaphazi wakho. Ukuba ngaba ukuthukile, bhala phantsi kanye amagama lawo athukayo, ngakumbi ukuba akrwada, kuba umantyi kufuneka ayazi okokuba lunobuzaza kangakanani na olo xhatshazo ngokwentetho. Ukuba ngaba ukuthukile, wakunyelisa, wakutyhola okanye wakungxolisa, bhala phantsi okokuba uye wathini na kanye. Kufuneka ubhale ukuba ngaba uphulukene nokuzithemba ngenxa yokuba ekunye lisa lonke ixhesha.

Ukuba ngaba uye wakwenzela izoyikiso kubalulekile ukuba ubhale phantsi ezo ndidi zezoyikiso azenzileyo. Ezi zingazizoyikiso zokuba uza kukubulala okanye abanye, okanye yena, okanye uya kwenzakalisa abanye abantu abafana namalungu osapho, izilwanyana zasekhaya okanye umntu wena othandana kunye naye ngoku. Kufuneka utshilo okokuba woyikise ngokusebenzisa umpu okanye isixhobo, okanye woyikise ngokukulahlela ngaphandle endlwini okanye woyikise ngokukwenzakalisa xa efika ekhaya. Kufanelekile ubhale okokuba uyoyika kwaye ukhathazekile okokuba angade azenze ezo zoyikiso. Ukuba nayo nayiphi na kwezi yenzeke phambi kwabanye abantu, bhala phantsi ukuba ngubani owayekhona.

► **Ukuxhatshazwa ngokwasengqondweni** *(Psychological abuse)*

Kuxa uxhatshazo olo lumele ukuba luchaphazele ingqondo yakho ngendlela engalunganga, enobungozi: lusetyenziselwa ukudida ingqondo, ukukhathazeka lukoyikise kwaye lukwenze ngokungathi uyaphambana.

Kufuneka uchazile kwakhona okokuba olu xhatshazo ngokwengqondo lukuchaphazele njani na. Kufuneka utshilo okokuba ngaba uye wafumana ukungazinzi ngokwengqondo (nervous breakdown), okanye okokuba akusakwazi nokumisa ingqondo okanye usebenze kakuhle ekhayeni okanye emsebenzini ngenxa yokuba uphila phantsi kwemeko yoloyiko nokuxhalaba. Umzekelo kufuneka ubhalile okokuba kuye kwafuneka utye amayeza okanye ulale esibhedlele ngenxa yoxhatshazo olo.

Kubalulekile kakhulu ukuchaza okokuba ukhe wacinga ngokuzibulala okanye ukhe wazama ngaphambili.

Kufanele ubhale phantsi okokuba ebemana ekurhorhozela (ekulandela, ethene mbende nawe okanye ekunukuneza xa uzikhupha). Kufuneka ubhale phantsi okokuba uxhalabile okanye unoloyiko xa oku kusenzeka kwaye uchaze nokuba oku kwenzeke nini kwaye phi.

► **Ukuxhatshazwa ngokwasemphefumlweni** *(Emotional abuse)*

Oku kuxa uxhatshazo olo lwenzelwe okokuba lukwenze buhlungu ngaphakathi okanye ludlale ngendlela oziva ngayo emphefumlweni ukuze ube phantsi koloyiko, ukudobeleleka umxhelo *(stress)***, ucinezelelo (tension) kunye nokuxhalaba.**

Ukuxhatshazwa ngokwasemphefumlweni kusondele kakhulu kuxhatshazo ngokwasengqondweni, kwaye abanye abantu bayazidibanisa. Siye sazahlukanisa ukwenzela uziqonde ngcono.

Kufuneka ubhale phantsi okokuba umxhaphazi lowo wakho wenze ntoni na ukuphazamisana nendlela oziva ngayo ngokwasemphefumlweni. Kufuneka utshilo okokuba uziva uphantsi kwemeko yokuxhalaba nokukhathazeka (depression) okanye ukuxhalaba, okanye ukuba kufuneka uthathe amayeza ukuze umelane nento ayenzileyo okanye angayenza kuwe okanye kubantwana bakho.

► **Ukuxhatshazwa ngokwezezimali** *(Economic abuse)*

Oku kuxa imali okanye izinto ezizezakhe/ ezakho zisetyenziselwa ukukuxhaphaza. Kufanele utshilo okokuba

ngaba akunikwa mali yezinto ezincinci ezifunekayo kuwe (nakubantwana bakho). Umzekelo, ukuba wena nabantwana bakho niye nalamba, okanye ukuba abantwana abakwazanga ukuya esikolweni kuba engahlawulelanga imali yesikolo. Kufuneka uchazile okokuba wena (nabantwana bakho) nisokola njani ngenxa yoko.

Kufuneka utshilo okokuba uyayiba okanye unyanzelisa okokuba umnike imali yakho. Ungatsho nokuba uyichitha entweni imali leyo yakho. Kufuneka utshilo okokuba umxhaphazi lowo wakho unika imali abanye abantu (njengentombi athandana nayo okanye usapho lwayo) kwaye niyasokola ngenxa yaloo nto.

Kufuneka utshilo ukokuba ukhona nawuphi na umonakalo awenzileyo endlwini.. Kufuneka utshilo okokuba akayihlawuli imali-mboleko yendlu okanye irente, okanye uyayithengisa okanye uhambisa ngayo indlu yakho/ yenu.

Kufuneka utshilo okokuba ngaba izinto ebe zizezakho okanye ebe nizithengile ziyathathwa kuni, ziyathengiswa, ziyonakaliswa okanye ziyatshatyalaliswa okanye utshise iimpahla zakho.

- **Ukuhlutshwa okudikayo** *(Harassment)*

Oku kuxa ekuhlupha ezenza into engento/ungantweni. Akunyanzelekanga okokuba kube kukuhlutshwa ngokwesini (sexual harassment) kuphela, kungakukusoloko ejongana nawe naphi na apho uya khona; usoloko ekho engumngqandandana kwindawo ohlala kuyo okanye osebenza kuyo esenza ingxaki; usoloko ekufowunela okanye ethumela iileta kuwe ongafuni kuzithunyelelwa. Kufuneka utshilo okokuba ezi zinto ziyakucaphukisa, ziyakukhathaza okanye ziyakoyikisa na. **Kufuneka utshilo okokuba uye angene kwindawo yakho ngaphandle kwemvume ukuba anihlali nobabini.**

26. Ndingenza ntoni ukuba abantwana bam nabo bayaxhatshazwa?

Ukuba abantwana bakho nabo bayaxhatshazwa ungabhala loo nto kwi-Afidavithi yakho okanye ungenza isicelo esisodwa sesiKhuseli esinguMyalelo weNkundla umele abantwana bakho. Ukuba ngaba unolwazi ngqo okokuba uxhatshazo olo lwenza ntoni kubantwana bakho ungalubandakanya kweyakho i-Afidavithi/ isiKhuseli esinguMyalelo weNkundla. Abantwana bangaxhatshazwa kwangeendlela ezifanayo nezakho kwaye bangafumana ukuhlupheka kwakwezo ndidi zoxhatshazo. Xa ubhala ngoxhatshazo lwabo, jonga olu luhlu lungentla ukwenzela okokuba uqiniseke okokuba ubhala ngazo zonke iindidi zendlela abathi baxhatshazwe ngazo. **Ukukubukela nje okanye ukukuva nje uxhatshazwa kungaluxhatshazo ngokomphefumlo/ ngokwengqondo kubo.**

Kufuneka uchazile indlela uxhatshazo olubachaphazela ngayo abantwana. Xa abantwana bexhatshazwa bangathi bachaphazeleke okanye babenemvakalelo ngokwezi ndlela zilandelayo. Abantwana bakho:

- bangaphakuzela, boyike, okanye badobeleleke umxhelo (stressed);
- bangafumana ukuphazamiseka kokulala okanye iingxaki zokutya, ukukhupha okanye izisu ezihambisayo;
- bangafuna ukuzibulala;
- bangangakwazi ukuya esikolweni ngoba imali yesikolo ingahlawulwanga;
- banganengxaki yesimilo esikolweni;
- bangangakwazi ukumisa ingqondo ezifundweni zabo de bangaphumeleli kumabanga abakuwo.;
- bangabandakanyeka kwizinto zolwaphulo-mthetho;
- bangangabantwana abasesitratweni(street kids); okanye
- bangasebenzisa iziyobisi okanye utywala.

27. Ndenza ntoni xa ifomu yesicelo sam ne-Afidavithi yam sele ndizigqibile?

Kufuneka wenze isifungo phambi konobhala wenkundla okokuba oko ukubhalileyo kuyinyaniso kwaye utyikitye isicelo eso. Kufuneka ekucacisele amanqanaba athile ngesifungo eso afana nokokuba siyakubophelela isazela sakho, nto leyo ethetha ukuba uya kuba nesazela ngakumbi ukuba uthi yinyani ibe ingeyiyo.

Unobhala wenkundla uya kuthi ke akuvulele ifayile. Uya kukunikeza inombolo yesicelo sakho eya kuthi ibekho

kwifomu yesicelo sakho nakwifayile yakho. Unobhala uya kutyikitya agximfize iifomu zakho aze azifake kwifayile yakho. Unobhala uya kuthatha ifayile yakho ayise kumantyi.

28. Kwenzeka ntoni xa umantyi sele efunde ifomu yam?

'Uvavanyo' athi umantyi alusebenzise ukuze akunike isiKhuseli esinguMyalelo weNkundla 'loluneentsokolo' nto leyo ethetha ukuthi kukho 'ubungozi nokuhlupheka'. Kufuneka ubonise kumantyi okokuba ukuba ngaba akusifumani esi siKhuseli esinguMyalelo weNkundla uya kuhlupheka okanye ube sengozini. Ngoko ke khumbula ukufaka iinkcukacha ezaneleyo kwi-Afidavithi yakho ukuze umantyi aqonde imeko yobuzaza besicelo sakho.

Qaphela:

Ukuba ngaba umantyi ugqiba ekubeni sikulungele **isiKhuseli seThutyana esinguMyalelo weNkundla (Interim Protection Order)** uya kukunikeza. Kule meko ke 'eseThutyana' kuthetha ukuthi 'ixesha eliphakathi kokwenza kwakho isicelo sesiKhuseli esinguMyalelo weNkundla nelo lokuvela kwakho enkundleni ngomhla wokugqityezelwa kwesicelo sakho sesiKhuseli esinguMyalelo weNkundla'.

Ukuba umantyi ugqibe ekubeni angakuniki isiKhuseli seThutyana esinguMyalelo weNkundla , unobhala wenkundla angangakwazi ukukuchazela okokuba kutheni enze isigqibo esinjalo. Khumbula okokuba nokuba uvumelekile ukufumana isiKhuseli esinguMyalelo weNkundla ngokwasemthethweni, umantyi angagqiba ukuba angakuniki kwaye angangakuniki nezizathu zokuba kutheni unganikwanga. Kwesi sithuba ke, ungathi ukhalaze kumantyi oyintloko. Ngamanye amaxesha umantyi angayalelwa ukuba aliphulaphule kwakhona ityala lakho.

Ukuba umantyi akaqinisekanga ngoxhatshazo olo, angafuna ukuthetha nomxhaphazi wakho kuqala phambi kokuba enze isigqibo sakhe. Ukuze enze oko kufuneka ethumelele umxhaphazi wakho **iSaziso sokuVela enkundleni (Notice to Appear in Court).** Loo nto ixelela umxhaphazi wakho okokuba makahambe aye kuthetha nomantyi.

Khumbula ukuba umantyi ubonana nani nobabini nomxhaphazi wakho, kwaye ujongana nesicelo eso sesiKhuseli esinguMyalelo weNkundla kwi-ofisi yakhe. Kuxa usiza enkundleni ngomhla wakho wokubuya uze kuva ukuba isiKhuseli esinguMyalelo weNkundla siza kwenziwa isigqibo esipheleleyo na, kulapho uthi ke ngoku uvele phambi kwenkundla. Yonke into phambi koko yenzelwa kwi-ofisi kamantyi.

29. Kwenzeka ntoni emva kokuba umantyi enze isigqibo sakhe sokundinika isiKhuseli esinguMyalelo weNkundla seThutyana?

Akuba esenzile isigqibo sakhe, umantyi uya kuyinikela ifayile yakho kunobhala wenkundla. Uya kukufowunela akuxelele okokuba umantyi usenzile igqibo sakhe sokukunika isiKhuseli seThutyana esinguMyalelo weNkundla. Ukuba umantyi uyakunika isiKhuseli seThutyana esinguMyalelo weNkundla, unobhala wenkundla uya kukunikeza umhla wokubuyela kwakho enkundleni, kwaye kufuneka akunike neNombolo yesiCelo sakho.

Unobhala uya kusifaka esona sicelo soqobo sakho kunye namaxwebhu esiKhuseli seThutyana esinguMyalelo weNkundla kwifayile yakho aze akunike iikopi ezintathu. Iikopi ezimbini zezomthunywa wenkundla (isherifu) okanye amapolisa ngoba kufuneka benikeze enye ikopi yesiKhuseli esinguMyalelo weNkundla kumxhaphazi wakho, baze bayibuyisele enye enkundleni. Ikopi yesithathu yeyakho okokuba uyigcine. **Ezinye iinkundla zingakunika iikopi ezimbini kuphela ukuba uzise kwisherifu okanye kumapolisa. Kufuneka ucele okokuba akunakufumana ikopi yesithathu na oza kuzigcinela yona.**

Kukwalicebo ukuba ube neekopi ezimbini zesiKhuseli seThutyana esinguMyalelo weNkundla sakho. Ungafuna ukuyigcina enye, uze enye uyinike umntu omthembileyo. Ingakunceda ngakumbi xa unokulahla le yakho okanye ukuba umxhaphazi wakho uye wayifumana waza wayikrazula. Kanti ungakwazi nokuvula ifayile yethutyana emapoliseni uze ugcine ikopi yesiKhuseli esinguMyalelo weNkundla kuyo usenzela xa unokuyifuna.

Khumbula ukuba usenokufumana enye ikopi yesiKhuseli esinguMyalelo weNkundla kwakho NANINI NA enkundleni. Ukuba unokubhala phantsi umhla owathi wafumana ngawo isiKhuseli seThutyana esinguMyalelo

weNkundla kwaye ugcine nenombolo yetyala (inombolo yesicelo) kungalula kakhulu kwinkundla ukufumana uxwebhu lwakho loqobo baze bakwenzele enye ikopi.

Ukuba ngaba wena okanye urhulumente (inkundla) unakho ukuhlawula isherifu ukuba ise isiKhuseli seThutyana esinguMyalelo weNkundla, thatha zibe mbini iikopi zesiCelo sakho kunye nesiKhuseli seThutyana esinguMyalelo weNkundla uzise kwisherifu. Ukuba ngaba inkundla inemali yokukuhlawulela, uze usele uthatha nephetshana elichaza ukuba inkundla ivumile ukuhlawula isherifu ukuze isiKhuseli esinguMyalelo weNkundla sisiwe kumxhaphazi wakho. Akukho mfuneko yakuthatha isiQondisi-kwenziwa koMsebenzi (Return of Service form) usise kusherifu njengoko enazo iikopi kwi-ofisi yakhe. Unobhala uya kukuyalela ukuba uye kwi-ofisi yesherifu.

Ukuba ngaba wena okanye urhulumente (inkundla) aninakho ukuhlawula iumthunywa wenkundla (sheriff) ukuba isise isiKhuseli seThutyana esinguMyalelo weNkundla amapolisa kufuneka esise ngokwawo isiKhuseli esinguMyalelo weNkundla. Thatha iikopi ezimbini zesiKhuseli esinguMyalelo weNkundla uze uzise emapoliseni. Unobhala wenkundla uya kukunika ifomu yesiQondisi-kwenziwa koMsebenzi (Return of Service form) ukuba uyise emapoliseni.

30. Ingaba umxhaphazi wam uyawukwazi njani ngesi siKhuseli seThutyana singuMyalelo weNkundla?

Isherifu okanye amapolisa aya kumnika umxhaphazi wakho ikopi yesiKhuseli seThutyana esinguMyalelo weNkundla sine-Afidavithi yakho. Uyakusele enikwa nomhla wokuba aze kuvela enkundleni kunye nawe nomantyi. Uya kusele exelelwa okokuba angamelwa naligqwetha. Khumbula ukuba angakwazi ukuwuguqula umhla wenkundla (ukutsho oko awuzise ube kufuphi) angakwenza oko kuphela ngaphakathi kweeyure ezingama-24 emveni kokuba ethe wanikwa isiKhuseli seThutyana esinguMyalelo weNkundla.

31. Ingaba kufuneka ndihlawule ngamaphepha enkundla ekufuneka enikezwe umxhaphazi wam?

Oku kuxhomekeke ekubeni ngubani na ozakusa loo maphepha kwakunye nokuba wena uyakwazi na ukuhlawula.

Ukuba ngaba akunamali, ungabuza unobhala wenkundla okokuba urhulumente uza kukuhlawulela na ukuhambisa isiKhuseli esinguMyalelo weNkundla, kwaye kufuneka ubhale isicelo soko kwi-Afidavithi yakho. Kubalulekile ukuba ubhale kwi-Afidavithi yakho okokuba akunamali okanye awusebenzi.

Ukuba inkundla iya kukuhlawulela ngokwayo isherifu, unobhala wenkundla uya kulugximfiza aze alutyikitye uxwebhu lwesiKhuseli esinguMyalelo weNkundla ukubonisa ukuba urhulumente uya kuhlawula ngokwakhe. Isherifu ithi ke iyifumane imali yayo ngqo enkundleni.

Ukuba uyakwazi ukuhlawula isherifu ngokwakho, idla ngokubiza imali ephakathi kwamashumi amane eerandi (R40) nekhulu leerandi (R100) ngokuxhomekeka okokuba umxhaphazi wakho uhlala okanye usebenza phi na. Ungabuza unobhala wenkundla okokuba ingakubiza malini na kodwa angangayazi. Xa uhambisa amaphepha esiKhuseli esinguMyalelo weNkundla kwisherifu, kufuneka uyiphethe imali kuwe yokumhlawula. i-ofisi kasherifu ingakude enkundleni kungafuneka usebenzise isithuthi.

Akufanelekanga uwabhatale amapolisa ukuba asisa ngokwawo isiKhuseli esinguMyalelo weNkundla.

32. Kufuneka kuthathe ixesha elingakanani ukuze amaphepha enkundla lawo anikezelwe kumxhaphazi wam?

Okokuba kuthatha ixesha elingakanani kuxhomekeka ekubeni yisherifu okanye ngamapolisa aza kuhambisa amaphepha lawo. Ukuba isherifu ihambisa amaphepha kufuneka ithathe usuku olunye nje. Ngamanye amaxesha kuthatha amapolisa malunga neeveki ezimbini.

U *33. Ndiyawukwazi njani okokuba umxhaphazi wam lowo uwanikiwe amaphepha enkundla?*

Nje ukuba amaphepha ahanjiswe, isherifu okanye amapolisa kufuneka azalise ifomu yesiQondisi-kwenziwa koMsebenzi, kwaye kufanele ayibuyisele enkundleni ukubonisa okokuba amaphepha lawo ahanjisiwe. Ifomu yesiQondisi-kwenziwa koMsebenzi bayinika unobhala wenkundla yena oyifaka kwifayile yakho. Umthunywa wenkundla (sheriff) unazo iikopi zale fomu e-ofisini yakhe kodwa wona amapolisa akanazo. Kungoko ke, ukuba amaphepha ahanjiswe ngamapolisa, unobhala wenkundla kufuneka akunike ifomu yesiQondisi-kwenziwa koMsebenzi uyise emapoliseni.

Kubaluleke kakhulu ukuba isherifu okanye amapolisa ayibuyisele ifomu yesiQondisi-kwenziwa koMsebenzi enkundleni. Ukuba akwenzekanga njalo, umantyi akasayi kuliphulaphula ityala lakho kuba ecinga ukuba umxhaphazi wakho akakawanikwa amaphepha enkundla.

U *34. Amapolisa kufuneka endincede njani?*

Ngaphandle kweminye imisebenzi esele ichaziwe kwamanye amacandelo ale Ncwadana, uMthetho ojongene nobuNdlobongela baseKhaya ka1998 *(Domestic Violence Act of 1998)* uchaza eminye imisebenzi nendima amapolisa ekufuneka eyidlalile ukunceda abamangali, kwaye baqinisekise okokuba umgaqo-nkqubo wesiKhuseli esinguMyalelo weNkundla wenziwa uze ulandelwe ngokwendlela eyiyo. Badlala indima ebaluleke kakhulu kuyo yonke le nkqubo.

UMthetho ojongene nobuNdlobongela baseKhaya ka-1998 ukubeka ngokucacileyo okokuba, ukuba uthe waya kwisikhululo samapolisa, amapolisa KUFUNEKA enze oku kulandelayo:

- ✓ ukucacisele yonke into ngolwimi okwaziyo ukuluva okanye afune itoliki ukuze ikucacisele
- ✓ akubuze okokuba uziva njani na emzimbeni nasemphefumlweni (ukuba awenzakalanga na okanye awunaloyiko lokuba umxhaphazi wakho uza kwenzakalisa ngakumbi kuba umxelile emapoliseni)
- ✓ akwazise ngamalungelo akho anjengokuba ungenza isicelo sesiKhuseli esinguMyalelo weNkundla, KWAYE kwangaxesha-linye, umbeke ityala lokukuhlasela.
- ✓ akuncede ufumane indawo yokufihla intloko okanye ufumane uncedo lukagqirha ukuba luyafuneka
- ✓ akuxelele okokuba kufuneka wenze ntoni ukuze uqiniseke ukuba ufumana amalungelo akho ngokomthetho
- ✓ athumele isiKhuseli esinguMyalelo weNkundla kunye neSaziso sokuVela enkundleni kumxhaphazi wakho
- ✓ ambambe umxhaphazi wakho ukuba bafumanisa ubungqina bokuba kukho ubundlobongela obuthe benziwa kuwe
- ✓ ambambe umxhaphazi wakho ukuba bafumanisa ukuba wena ungasengozini kungekudala
- ✓ ambambe umxhaphazi wakho ukuba waphula imiqathango yesiKhuseli esinguMyalelo weNkundla, kwaye ukwanxilile okanye utye iziyobisi ngelo xesha
- ✓ amnike umxhaphazi wakho iSaziso sokuVela enkundleni ngesityholo sokwaphula imiqathango yesiKhuseli esinguMyalelo weNkundla ukuba akukho bungqina baneleyo bokumbamba
- ✓ ahambe nawe ukuya kulanda izinto zakho
- ✓ **asuse imipu nazo naziphi na izixhobo eziyingozi** kumxhaphazi wakho ukuba uye wakoyikisa, okanye ukuxelele ukuba uya kuzisebenzisa ukwenzakalisa okanye abulale wena okanye yena okanye naye nawuphi na umntu kusapho lwakho, okanye ukuba bakholelwa ekubeni usebenzisa utywala okanye iziyobisi, okanye ukuba bakholelwa ekubeni akakho kwimeko okanye imo yengqondo entle, okanye nokuba uyabaxelela okokuba ukubakho kwesixhobo eso/ umpu akukho kwimfuno ezibalulekileyo zakho.

NgokoMthetho oMtsha ojongene nobuNdlobongela emaKhaya ka-1998 amapolisa kufuneka ethathe amanyathelo angawo ukungena kwindawo leyo yokuhlala ukuba ngaba anorhano lokokuba bekukho ubundlobongela, okanye ukuba umxhaphazi wakho ungaphakathi kwindawo leyo yokuhlala kwaye akafuni wena ungene, okanye ukuba amapolisa akholelwa ukuba wena ungaphakathi apho kwaye usengozini.

Ukuba ngaba wenzakele okanye wothuke kakhulu kwaye akonwabanga, amapolisa kufuneka evule idokethi elingunomgogwana de ube unakho ukwenza ingxelo eyiyo nepheleleyo kuwo malunga noko kwenzekileyo.

Qaphela:
Khumbula ukuba, ukuba amapolisa akakwenzi oko othi uMthetho ojongene nobuNdlobongela baseKhaya mawakwenze, kufuneka uwaxelile kuMkomishinala wesiKhululo eso, yena ufanele agcine ezo ngxelo zesikhalazo azifumene ngamapolisa lawo akwisikhululo, aze aqalise inkqubo yoluleko ngakuloo mapolisa athe achaphazeleka. Ukuba umKomishinala wesiKhululo akakholelwa okokuba amapolisa lawo enze into engeyiyo, kufuneka abhalele iSebe eliziMeleyo leziKhalazo (Independent Complaints Directorate) kumapolisa abaxelele okokuba kutheni loo mapolisa enganakululekwa. **Kubalulekile ukugcina okubhaliweyo ngesikhalazo**

35. Zeziphi iingxaki endinokuhlangana nazo xa kuhanjiswa isiKhuseli esinguMyalelo weNkundla?

Ukuba amapolisa asisa ngokwawo isiKhuseli seThutyana esinguMyalelo weNkundla unganeengxaki ezithile:

- ngamanye amaxesha abafuni ukusisa isiKhuseli seThutyana esinguMyalelo weNkundla kwaye bangakunika uthotho lwezizathu zokuba kutheni bengakwazanga ukusisa
- ngamanye amxesha abasayi kuwasa loo amaphepha nokuba wena ucinga okokuba bawasile; kwaye
- **amaxa amaninzi abasityikityi baze basibuyisele enkundleni isiQondisi-kwenziwa koMsebenzi.**

Musa ukuwoyika amapolisa. Ukuba amapolisa akasihambisanga isiKhuseli seThutyana esinguMyalelo weNkundla, unelungelo lokwazi okokuba kutheni bengenzanga njalo. Sukubavumela okokuba bakunike izizathu ezingezizo zokungasihambisi. Ukuba awanelanga yimpendulo yamapolisa, kufuneka uxelele unobhala wenkundla okanye umKomishinala wesiKhululo samapolisa eso.

Soloko ubuza igama/amagama amapolisa akuncedayo. Ngaloo ndlela unawo amagama awo ukuba awakuncedi ngendlela eyiyo. Ingenza loo nto kube lula ukuba ufuna ukwenza isikhalazo.

Ukuba umthunywa wenkundla (sheriff) uyasihambisa isiKhuseli seThutyana esinguMyalelo weNkundla uya kubuyisela isiQondisi-kwenziwa koMsebenzi (Return of Service) enkundleni, kodwa ke asingawo onke amapolisa angathembeka. Kungcono ukuqinisekisa okokuba amapolisa asityikityile aze asibuyisela isiQondisi-kwenziwa koMsebenzi eso enkundleni. **Maxa wambi kungcono okokuba usilande ngokwakho isiQondisi-kwenziwa koMsebenzi emapoliseni usibuyisele enkundleni.**

Ungafowunela unobhala wenkundla umcele okokuba ajonge ifayile yakho ukuqinisekisa okokuba ifomu yesiQondisi-kwenziwa koMsebenzi isenkundleni, kwaye isiKhuseli seThutyana esinguMyalelo weNkundla sisiwe kumxhaphazi wakho.

36. Ingaba bathanda ukwenza ntoni abantu abazibona sebenikwa isiKhuseli seThutyana esinguMyalelo weNkundla?

Xa umxhaphazi wakho enikeziwe isiKhuseli seThutyana esinguMyalelo weNkundla, loo nto ingatshintsha isimo sakhe.

- **Angayeka ukukuxhaphaza.** Oku kungabangwa kukuba eqonda okokuba ukuba akaluyeki uxhatshazo olo uza kubanjwa okanye abe sengxakini nomthetho.
- **Angatshintsha indlela akuxhaphaza ngayo.** Umzekelo, angayeka ukukuxhaphaza emzimbeni aze endaweni yoko aqalise ukukuxhaphaza ngokuthetha. *Khumbula ukuba ukuze uqinisekise okokuba ukhuselekile kuzo zonke iindidi ngeendidi zoxhatshazo qiniseka ngokubeka u-X kwibhokisi ekwifomu yesicelo leyo ethi 'angaze enze nazo naziphi na izenzo zobundlobongela basekhaya'.*
- **Angaqhubekeka nokukuxhaphaza okanye abenobundlongo-ndlongo obugqithileyo kunakuqala.** Ukuba oku kuyenzeka, umxhaphazi lowo wakho waphula imiqathango yesiKhuseli esinguMyalelo weNkundla. Inkundla ikuthatha oku njengento enobuzaza kakhulu kwaye kuya kufuneka aye kuvela kwiNkundla yeZaphuli-mthetho. Umxhaphazi wakho angagwetywa iminyaka eya kutsho kwemihlanu entolongweni nangona kungafane kude kwenzeke oko.

Khumbula ke ukuba nokuba wenze njani na, unelungelo elisemthethweni lokusebenzisa isiKhuseli seThutyana esinguMyalelo weNkundla ukuzama ukuphelisa uxhatshazo lwakhe emva kokuba esinikwe isikhuseli sethutyana ngamapolisa okanye umthunywa wenkundla (sheriff).

37. Ingaba ndingenza ntoni xa umxhaphazi wam esaphula imiqathango yesiKhuseli esinguMyalelo weNkundla?

Ukuba ngaba umxhaphazi wakho waphula imiqathango yesiKhuseli seThutyana esinguMyalelo weNkundla ungambambisa. Nangona kunjalo, phambi kokuba amapolisa ambambe umxhaphazi wakho kufuneka bafumane iMvume yokuBamba *(Warrant of Arrest).* Kufuneka uthathe isiKhuseli esinguMyalelo weNkundla esigqibeleleyo okanye eseThutyana kunye neMvume yokuBamba egqibeleleyo okanye eyeThutyana uyise esikhululweni samapolisa uze ubacele bambambe umxhaphazi wakho. Kodwa khumbula okokuba amapolisa anelungelo elixhomekeke kwimeko leyo okokuba asenze na isigqibo sokumbamba okanye angasenzi, konke oko kuxhomekeka ekubeni bakholelwa ekubeni usengozini eyiyo nyhani na, kwaye uya kube ujongene nokwenzakala na ngelo xesha. Nokuba ubanjiwe ebanjwe ngenxa yokwaphula imiqathango yesiKhuseli esinguMyalelo weNkundla okanye kungenjalo, usenokumbambisela ukukuhlasela okanye ukuba neenjongo (ukuceba) zokukuhlasela.

Nayo nayiphi na into enxamnye nokwaphulwa kwemiqathango yesiKhuseli seThutyana esinguMyalelo weNkundla ikwanxamnye nokwaphulwa kwesiKhuseli esinguMyalelo weNkundla esigqibeleleyo.

Ngethuba ngalinye amapolisa embamba umxhaphazi wakho aya kulithatha iphepha leMvume yokuBamba kuwe. Ukuba ngaba uye waxhatshazwa kwakho, kufuneka uye enkundleni kwakho, uxelele unobhala wenkundla uze ufumane elinye iphepha leMvume yokuBamba kwakho.

Khumbula ukuba ngokoMthetho ojongene nobuNdlobongela emaKhaya ka-1998 unelungelo lokufumana iMvume yokuBamba yeThutyana emveni kokuba isiKhuseli seThutyana esinguMyalelo weNkundla sinikeziwe kumxhaphazi lowo wakho.

Ukuba ngaba unobhala wenkundla ukuxelela okokuba ungayifumana kuphela iMvume yokuBamba xa uyele ukugqibezela isiKhuseli esinguMyalelo weNkundla enkundleni, kungafuneka umxelele ngamalungelo wakho uze wenze ingxelo yaloo nto kumantyi oyintloko.

38. **Kwenzeka ntoni xa umxhaphazi wam engavumelani noko kubhalwe *kwi-Afidavithi yam?***

Xa umxhaphazi wakho esifumana isiKhuseli seThutyana esinguMyalelo weNkundla, angangavumelani noko ukubhalwe kwifomu yesiCelo sakho/ kwi-Afidavithi. Angatsho oku xa wena ubuyele enkundleni ngomhla wokubuyela kwakho.

Qaphela:

Kwezinye iimeko abaxhaphazi baye benze ezabo izicelo zesiKhuseli esinguMyalelo weNkundla njengempindezelo koko kunikwa kwabo iphepha lakho lesiKhuseli esinguMyalelo weNkundla. Emva koko ke uya kunikwa nawe iSaziso sokuVela enkundleni. Nangona kunjalo kufuneka umchazele umantyi okokuba sele unesiKhuseli esinguMyalelo weNkundla ngakuye, kwaye ukholelwa ekubeni lo uMyalelo awenzayo kuwe yimpindezelo kuba uthe wenza isicelo sesiKhuseli esinguMyalelo weNkundla ngakuye. Umantyi uya kuzijonga ngeliso elibukhali iimeko athe umxhaphazi wakho wenza isicelo sakhe phantsi kwazo. Ukuba umantyi uye wayazi okokuba le nto sisicelo nje esiyimbuyekezo kweso sakho, uya kuyithathela ingqalelo naleyo into.

Khumbula, ukuba ngaba kukho into ongavumelani nayo ethethwa ngumxhaphazi wakho enkundleni, kwakunyanzeleka ukuba uzimele umxelele umantyi. Malunga nesicelo sakho sesiKhuseli esinguMyalelo weNkundla kwakufuneka uqokelele ubungqina kangangoko unakho (ingxelo ezibhaliweyo ezinokuvela kumalungu osapho, amaphepha aziziqinisekiso zikagqirha) ukuxhasa imizamo yakho.

39. Kuya kuthatha ixesha elingakanani kwakhona phambi kokuba ndibuyele enkundleni?

Umhla wakho wokubuyela enkundleni awunakuba ngaphantsi kwentsuku ezili-10 emveni kokuba isiKhuseli esinguMyalelo weNkundla sihanjisiwe kumxhaphazi wakho, kodwa ke akukho mmiselo wokokuba umhla

wokubuyela enkundleni ungakude kangakanani na ukuya kuphulaphula isigqibo sesicelo sakho. Nangona kunjalo, ukuba ngaba kusemva kweeveki ezithile emveni kokuba wenze isicelo, usenokubuza unobhala wenkundla ukuba kutheni na kuthatha ixesha elide okokuba ude uvele enkundleni.

B: Amanqanaba endlela yokuGQIBEZELA isiKhuseli esinguMyalelo weNkundla:

1. IsiKhuseli seThutyana esinguMyalelo weNkundla sisebenza kude kube lithuba apho ubuyela khona enkundleni ngomhla wakho wokubuyela uve ukuba ungasifumana na isiKhuseli esinguMyalelo weNkundla esigqibeleleyo.
2. Xa nivela enkundleni ngomhla wokubuyela kwakho, umantyi uya kunibuza imibuzo, wena nomxhaphazi wakho, enkundleni. Ukuba ngaba umxhaphazi wakho unegqwetha naye usenokukubuza imibuzo. Ukuba ngaba nawe unegqwetha nalo liyakuyibuza imibuzo.
3. Umantyi uya kuthatha isigqibo sokokuba wena ufumana isiKhuseli esinguMyalelo weNkundla ngokusekelezelwe kwiinkcukacha ezikwi-Afidavithi yakho kunye/okanye ngokuthe kwathethwa enkundleni nguwe okanye ngumxhaphazi wakho.
4. Kwangaxeshanye nesiKhuseli esinguMyalelo weNkundla esigqibeleleyo, uyakusele ufumana neMvume yokuBamba egqibeleleyo.
5. Unobhala wenkundla uya kufaka iikopi zala maphepha kwifayile yakho.
6. Ukuba ngaba isiKhuseli esinguMyalelo weNkundla sakho silahlekile okanye sitshabalele, usenokuphinda usikhutshelwe xa unokuya enkundleni ucele enye ikopi.

UGQITYEZELO lwesiKhuseli esinguMyalelo weNkundla lucaciswe ngokuphangaleleyo

40. Ndiyakukwazi njani ukuba kufuneka ndibuyele nini kwakhona enkundleni?

Xa sele unikiwe isiKhuseli seThutyana esinguMyalelo weNkundla unobhala wenkundla uya kukuxelela ixesha nomhla ekufanele ubuyele ngawo enkundleni, kwaye uya kukubhala oku kwisiKhuseli seThutyana esinguMyalelo weNkundla. Uya kukuxelela nokokuba yeyiphi na inkundla ekufuneke uye kuyo. Buza unobhala wenkundla okokuba kufuneka udibene nabani na enkundleni ngemini oza kube uvela ngayo enkundleni.

Qiniseka okokuba ufika enkundleni ngethuba kwaye wazi ukuba leliphi icala lenkundla ekufuneka ukulo. Zilungiselele ngemali yokukhwela kwangemini engaphambi kokuba uye enkundleni, kwaye umke kwangethuba. Xa ufika khona jonga uqinisekise ukuba igama lakho likuluhlu lwenkundla *(court roll).* Kwezinye iinkundla bavele balibize igama xa sekulithuba lokuba ungene enkundleni, lilonke ke phulaphula ngenyameko. Ukuba uphose ukuva igama lakho kuyafana nokungathi ufike emva kwexesha enkundleni: kungafuneka uqale phantsi yonke into kwakho.

Ukuba ufika emva kwexesha okanye awufikanga kwaphela labe igama lakho libizwa ngumantyi, maninzi amathuba okuba ungakhutshwa kuluhlu lwenkundla kwaye nemvume yokubamba umxhaphazi wakho ichithwe., Lonto ithetha ukuthi kungafuneka uqale ekuqaleni ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla, ukususela phantsi. Lonto ingaphinda ithethe ukuthi Isikhuseli sethutyana isinguMyalelo weNkundla sakho singabekwa ecaleni okanye sichithwe nguMantyi. Okuqhelekileyo kokokuba ukuba ngaba akufikanga uya kuyivala ngokusesikweni ifayile yakho.

41. Ingaba kukhona endinokwenza ukulungiselela ithuba lengxoxo enkundleni?

Akunakuvela enkundleni uvelela isiKhuseli esinguMyalelo weNkundla esigqibeleleyo ukuba ngaba ifomu yesiQondisi-kwenziwa koMsebenzi ayibuyiselwanga enkundleni. Iintsuku ezimbalwa nje phambi komhla wenkundla, fowunela unobhala wenkundla umbuze okokuba isiQondisi-kwenziwa koMsebenzi sithunyelwe na enkundleni. Ukuba ngaba asithunyelwanga, kufuneka uye kwisikhululo samapolisa okanye kumthunywa wenkundla (sheriff) uqonde okokuba kwenzeke ntoni na.

Kufuneka uyifundile i-Afidavithi yakho kwakho phambi kokuba ungene enkundleni. Loo nto iya kukunceda ekukhumbuleni into owawuyibhalile ngethuba usenza isicelo sesiKhuseli esinguMyalelo weNkundla. Khumbula ukuchazela umantyi kanye ezoo zinto uzibhale kwi-Afidavithi yakho. Ukuba ngaba ufuna ukongeza iinkcukacha ezithile, buza umantyi okokuba ungakwenza na oko. Ibizwa ngokuba **yiNgxelo eyoNgezelelweyo (Supplementary Statement).**

42. Ndiya kuba senkundleni ixesha elingakanani ngethuba letyala?

Kungafuneka ulinde ixesha elide phambi kokuba ityala lakho liphulaphulwe ngomhla wakho wokubuyela enkundleni. Nokuba ubunikwe ixesha ekufuneka ubelapho ngalo, kungafuneka ulindile ngoba umantyi angangabikho okanye kungakho amatyala amaninzi ekufuneka ephulaphulwe.

Kukwaxhomekeke nasekubeni linzima kangakanani ityala lakho na, kwaye kungathatha ithuba elide ngakumbi ukuba wena okanye umxhaphazi lowo wakho unegqwetha.

43. Yintoni enokwenza ingxoxo yenkundla imiselwe omnye umhla?

Ukumanyelwa kwetyala yinkundla kungamiswa ukuba:

- umxhaphazi lowo wakho ufuna ukuzifunela igqwetha;
- igqwetha lakhe lithi alikhange libe nethuba lokuthetha nalowo limmelayo;
- ifomu yesiQondisi-kwenziwa koMsebenzi ayithanga yabuyiselwa enkundleni.

Kungakho ukumiselwa kwetyala okungapha kwesihlandlo esinye, kudla ngokuba kabini. Ukuba oku kuyenzeka, iiveki neenyanga zingadlula phambi kokuba ufumane ukumanyelwa kwetyala lakho. Ngethuba ngalinye kukho ukumiswa kwetyala kufuneka usoloko usiya kwakho enkundleni.

Ukuba ngaba uyaqonda ukuba kuninzi oko kumiswa kwetyala ungacela umantyi okokuba ukumiswa kwetyala okulandelayo kube kokokugqibela. Ungakuphikisa ukumiswa kwetyala ukuze oku kubhalwe phantsi, ukwenzela ukuba kungaphindi kumiswe kwakho. Nangona kunjalo, ukuba umantyi ukholelwa ekubeni ukumana kumiswa kwetyala kungezizathu ezinesihlahla, angakuvumela okokuba okulandelayo kungabi kokokugqibela. Unelungelo lokujonga ngokunokokwakhe okokuba kube kokokugqibela na okanye hayi. Nangona kunjalo, kuyanceda ukukuphikisa oko kwaye ufune ukuphikisa kwakho kubhalwe phantsi.

Ezi zinkcukacha ezibalulekileyo: Ukuba ngaba kukho ukumiswa kwetyala kufuneka UBUZE UMANTYI OKOKUBA AKANAKHO UKUWUTSHINTSHA NA UMHLA OKWIPHEPHA LESIKHUSELI SETHUTYANA ESINGUMYALELO WENKUNDLA ukuze ube usenakho ukusisebenzisa isiKhuseli seThutyana esinguMyalelo weNkundla de kube ngumhla omiselwe ukubuyela ngawo enkundleni kwakho.

44. Kungandichaphazela njani ukumiswa kwetyala?

Ungaziva ngathi oku kunomkhethe ngakuwe, ngakumbi okokuba oku kumiswa nokulityaziswa kwetyala kwenziwa ngumxhaphazi lowo wakho. Ngaxesha ngalinye usiya enkundleni, loo nto ikutya imali kwaye kungafuneka ungabikho nasemsebenzini.

Ukuba ngaba ucinga okokuba oku kumiswa kukubeka kwingozi engakumbi, phindela kunobhala wenkundla ngoko nangoko umxelele isizathu sokuba unoloyiko. Qiniseka okokuba uyiphethe ikopi yakho yesiKhuseli seThutyana esinguMyalelo weNkundla kwakunye nephepha leMvume yokuBamba leThutyana (Interim Warrant of Arrest).

Ungaziva ngathi inkundla iyamxhasa umxhaphazi lowo wakho hayi wena. Le ingayiyo nendlela yomxhaphazi lowo wakho okanye igqwetha lakhe yokwenza ubomi nezinto zibe nzima kuwe. Sukubavumela bakwenze uncame. Kufuneka ube nomonde nje ithutyana elide.

45. Kwenzeka ntoni xa ngemini yokuxoxa kufika abe mnye kuphela phakathi kwethu?

Ukuba akukwazi nakanjani na ukuvela enkundleni ngomhla ekufanele ubuyele ngawo, nceda ufowunele unobhala wenkundla umcele alimisele omnye umhla ityala. Ungakwazi ukukwenza oku ngefowuni.

Ukuba ukhona wena kodwa umxhaphazi wakho akakho enkundleni ngemini yokubuyela kwakho enkundleni, unelungelo lokusifumana isiKhuseli esinguMyalelo weNkundla. Umantyi angasenza isigqibo esipheleleyo sesiKhuseli esinguMyalelo weNkundla ukuba ngaba wanelisekile okokuba iSaziso sokuVela enkundleni siye sahanjiswa kumxhaphazi lowo wakho ngendlela efanelekileyo, kwaye kukho ubungqina kwifomu yesicelo sakho bokuba bekukho ubundlobongela basekhaya.

Ukuba ngaba akufiki enkundleni kwaye umxhaphazi lowo wakho usenkundleni kodwa akavumelani noko ukuthethileyo kumaphepha wakho, umantyi

- angakumisela omnye umhla ukugqityezelwa kwesicelo sakho, okanye
- angatshintsha ezinye iinkcukacha zesicelo ukulungiselela umxhaphazi lowo wakho okanye
- angawubekela ecaleni uMyalelo weNkundla nto leyo ethetha okokuba kwakufuneka wenze isicelo ngokutsha uqalele phantsi ekuqaleni.

Nokuba omnye wenu akakho enkundleni abanye oomantyi bayasigqibezela isiKhuseli esinguMyalelo weNkundla kwangoko, ngakumbi ukuba bafumanisa ukuba kukho ubundlongela basekhaya obuqhubekileyo, kwaye banele okokuba isiKhuseli seThutyana esinguMyalelo weNkundla kwakunye neSaziso sokuVela enkundleni ziye zasiwa ngendlela efanelekileyo kummangalelwa.

46. Kwenzeka ntoni xa mna nomxhaphazi wam siphumelela sobabini enkundleni?

Izinto ezibalulekileyo onokuzenza:

- Phendula yonke imibuzo ngokunyanisekileyo.
- Zola womelele
- Zimele ngokwakho ngokundilisekileyo
- Ukuba akuvumelani noko kuthethwa ngumxhaphazi wakho enkundleni, thetha
- inyaniso yakho.

Ukuba ngaba wena nomxhaphazi lowo wakho nisenkundleni nobabini, umantyi uzakukwazi ukuva amacala omabini ebali lenu, kwaye angakwazi ukunibuza imibuzo nobabini.

Igqwetha lingakumela ukuba uyakwazi ukulihlawula okanye ungenza isicelo soncedo lamagqwetha enkundla. Umxhaphazi lowo wakho naye anganegqwetha. Ukuba ngaba umxhaphazi wakho unegqwetha, liyakuzama kangangoko ukwenza ngathi umxhaphazi lowo wakho ngumntu olungileyo, azame ukukubeka amabala ukwenzela kube ngathi wena ungoyena mntu wenza ingxaki. Kubalulekile ke ngoko ukumxelela umantyi xa uphikisana nayo nayiphi na into ethethwa ngumxhaphazi lowo wakho okanye ligqwetha lakhe. Ukuba uthule, umantyi uya kuyithatha ngokungathi yinyani leyo asukube eyithetha umxhaphazi lowo wakho okanye igqwetha lakhe.

Umntu owenza isicelo ngamnye uvunyelwa okokuba angakhatshwa ngabantu abathathu kuphela ukungena enkundleni. Aba bantu abanakuthetha enkundleni, koko bangakho njengabaze kuxhasa wena. Unganawo amangqina, abantu abanolwazi lokuba uye waxhatshazwa njani, umntu ovela kumbutho okuxhasayo enkundleni, kodwa bonke bangahlala nje phantsi abavumelekanga babhekise nto kumantyi.

Ukuba uye walibala ukufakela into kwi-Afidavithi yakho kufuneka uxelele umantyi okokuba uye walibala. Le nto ibizwa ngokuba 'yingxelo eyongezelelweyo'.

Xa umantyi sele ephulaphule kuni nobabini, uya kwenza isigqibo sokuba uyasifumana na isiKhuseli esinguMyalelo weNkundla esigqibeleleyo okanye hayi.

U *47. Ndingenza ntoni xa umantyi engade asigqibe isicelo sam sesiKhuseli esinguMyalelo weNkundla?*

Ukuba ngomhla wakho wokubuyela enkundleni, umantyi akakholelwa okokuba uxhatshazo olo lunobuzaza kangangokuba ungade unikwe isiKhuseli esinguMyalelo weNkundla, ungabuyela emapoliseni ufike ubeke ityala lokuhlaselwa ukuba ubungekakwenzi oko. Usenokwenza nesicelo soMyalelo wenkundla Xolelwaniso (Peace Order). Ungazama kwakho ukwenza isicelo sesiKhuseli esinguMyalelo weNkundla njengoko kusenokwenzeka okokuba i-Afidavithi yakho ibe ibingenamongo ngokwaneleyo.

U *48. Yintoni enye anakuyenza umantyi ngomhla wokubuyela ukuthethwa kwetyala?*

Xa umantyi sele ewavile amacala omabini ebali lenu, angasinika isiKhuseli esinguMyalelo weNkundla esigqibeleleyo, kodwa angagqiba ekubeni ayitshintshe eminye imiqathango yoMyalelo. Umzekelo, ukuba ubuwenze isicelo sokuba umxhaphazi lowo wakho angakwazi ukubonana nabantwana, umantyi angayitshintsha loo nto athi mhlawumbi angababona ngeentsuku ezithile.

Umantyi angayitshintsha kwakho imiqathango yesiKhuseli esinguMyalelo weNkundla kuba ikokokuqala esiva omabini amacala ebalini lenu. Angafuna okokuba ezinye zezinto ozibhalileyo kwi-Afidavithi yakho zifune ukucaciswa kwakho ngokuzeleyo phambi kokuba enze isigqibo sakhe. Ngoko ke, yazi okokuba asiyiyo yonke into oyicelileyo kwi-Afidavithi yakho onokuyinikezwa. Kulapho anokuwuhlenga-hlengisa khona uMyalelo weNkundla.

U *49. Ndingawutshintsha na umqondo wam ndirhoxise isicelo sam sesiKhuseli esinguMyalelo weNkundla?*

Ungawutshintsha umqondo ugqibe ekubeni awusifuni isiKhuseli esinguMyalelo weNkundla. **Ukuba ngaba ufuna urhoxisa isicelo sakho sesiKhuseli seThutyana esinguMyalelo weNkundla, okanye ufuna eso sigqibeleleyo sibekwe bucala (sinqunyanyiswe) kufuneka wenze isicelo soko enkundleni nge-Afidavithi.**

Inkundla ingasiqwalasela isicelo sakho sokunqunyanyiswa koMyalelo weNkundla ize ikuvumele. Nangona kunjalo, iyakwazi ukungasivumi isicelo sakho phantsi kweemeko zokuba ikholelwa ukuba wena okanye usapho lwakho lusafuna ukhuseleko olungenasiphelo kuxhatshazo. Inkundla ingakucela okokuba uze phambi komantyi uchaze izizathu zokuba ufuna unqunyanyiswe uMyalelo weNkundla.

Ungamana usenza isicelo sesiKhuseli esinguMyalelo weNkundla kangangoko ufuna, kodwa iinkundla aziyithandi loo nto kangangokuba zingayenza inkqubo yesicelo ibe nzima kakhulu kuwe.

U *50. Ndingasirhoxisa njani isiKhuseli esinguMyalelo weNkundla?*

Ukuba ufana Ukusimisa isiKhuseli esinguMyalelo weNkundla (ukusirhoxisa), kufuneka ubhale i-Afidavithi entsha utsho okokuba ufuna sinqunyanyiswe. Le Afidavithi intsha iya kungena kwifayile yakho yenkundla. Unobhala wenkundla uyakubhala kwifayile yakho okokuba usinqumamisile (usiyekisile) isiKhuseli esinguMyalelo weNkundla. Nangona kunjalo, khumbula ukuba umantyi nguye owenza isigqibo esipheleleyo ngaloo nto hayi unobhala wenkundla.

Qiniseka ngokwenyani okokuba uyasifuna nyani isiKhuseli esinguMyalelo weNkundla phambi kokuba wenze isicelo soko. Sirhoxise kuphela xa uqinisekile okokuba awusayi kusifuna kwakho kwixa elizayo. Phambi kokurhoxisa isicelo sakho, zibuze okokuba ungamthemba ngokugqibeleleyo na umxhaphazi lowo wakho, kwaye uqinisekile okokuba uxhatshazo olo alusayi kuphinda lwenzeke na. Kufuneka ukhumbule okokuba umxhaphazi lowo wakho kukangaphi ekuthembisa ngokuguqula isimo sakhe emveni kokukuxhaphaza, kwaye zibuze okokuba ukhe wasigcina na eso sithembiso.

Kulumkele ukuzibeka kwimeko yokuphinda uhlaselwe kwakho. Abafazi abaninzi bafumanise ukuba kwakamsinya

nje ekubeni benqumamise isiKhuseli esinguMyalelo weNkundla, uxhatshazo luqala phantsi kwakho, kwaye lusoloko lunochatha kunakuqala. Abaxhaphazi abaninzi bakubona ukunqunyanyiswa kwesiKhuseli esinguMyalelo weNkundla njengophawu lokuphumelela kwabo, kwaye bacinga okokuba banamandla nangaphezulu kwaye lowo bamxhaphazayo ubhetyebhetye kwaye angajikwa-jikwa umqondo lula.

51. Yintoni enokwenza ndifune ukusirhoxisa isiKhuseli esinguMyalelo weNkundla?

Ungafuna ukusirhoxisa ngoba:

- **Ucinga okokuba isiKhuseli esinguMyalelo weNkundla siyakumfaka umxhaphazi lowo wakho entolongweni** - kodwa oku akuyonyani. Uya kubanjwa kuphela ukuba akayeki ukukuxhaphaza.
- **Umxhaphazi wakho nguye kuphela osebenzayo kwaye akufuni aphelelwe ngumsebenzi wakhe**. Khumbula ukuba oku akunakufane kwenzeke. Ukuba yena uziphatha kakuhle, akasayi kubanjwa.
- **Uyoyikeka/uyakoyikisa; uzama ukunyanzelisa** okokuba usinqumamise isiKhuseli esinguMyalelo weNkundla. Kunzima ukomelela ukhaliphe xa oku kusenzeka. Maxa wambi kuvakala kulula ukuyekelela ngenxa yokoyika kwaye uphantsi kocinezelelo lwakhe. Khumbula okokuba, ukuba uyayekelela, angakubona oku njengobungqina bokuba angakwenza wenze nantoni na, okanye angaphinda enze nantoni na kuwe kwakhona.
- **Uyamkholelwa xa athi ucela uxolo, kwaye akayi kuphinda akwenze oko kwakho, kwaye uyakuthanda ngoko ke uya kucela umxolele**. Qiniseka okokuba unyanisekile kwaye akazenzi ngathi ulungile kuba ngoku inguwe onamandla nokhuseleko. Umxhaphazi wakho angazama
- ukukudlala ingqondo ngokungathi ngumntu lo olunge ukufa nje ukuba afumane amaphepha enkundla. Xa oku kunokwenzeka ungasuka ukholelwe okokuba uxolo nolonwabo luya kuhlala unaphakade.
- **Usenokungaqiniseki okokuba ufuna isiKhuseli esinguMyalelo weNkundla ngokwenyani na, ube ubuzama nje ukumfundisa isifundo okanye umoyikisa.** Ngumdlalo oyingozi kakhulu ke lo, kwaye akufunekanga uwudlale. Ukuba umantyi angabonisa ukuba ubuphosisa ngoxhatshazo olo uya kube uzibizela ukubekwa ityala. Kwaye umantyi angakwenza uhlawulele neendleko zomxhaphazi lowo wakho ezifana negqwetha lakhe.

52. Zintoni ekufuneka ndizithathele ingqalelo xa ndirhoxisa isicelo sam sesiKhuseli esinguMyalelo weNkundla?

Phambi kokuba usinqumamise isiKhuseli esinguMyalelo weNkundla, khumbula okokuba akukho siqinisekiso sokuba uxhatshazo olo luyaphela kwaye ukuba luyaqalisa kwakho:

- ✓ kwakufuneka wenze isicelo sakho sesiKhuseli seThutyana esinguMyalelo weNkundla ngokokutsha, oku komntu oqalayo;.
- ✓ kunganzima ukuba nawo amandla nomonde wokuqhubeka xa uphinda kwakho kuba uzakube uhamba indlela ubusele uyihambile
- ✓ uxhatshazo lungaqatsela endaweni luthothe.

Yicingisise **uyiqiqe** into yokungaqhubekeki nesicelo sakho sesiKhuseli esinguMyalelo weNkundla. Khumbula isizathu sokuba wenze eso sicelo.

Mhlawumbi akunaze kubekho mfuneko yakusisebenzisa isiKhuseli esinguMyalelo weNkundla, kodwa siza kube sikho xa ufuna ukhuseleko. Unelungelo lokhuseleko, isidima, nentlonipho. Unelungelo lokuphila ngaphandle koloyiko. Ukuba ngaba uqinisekile ngokuba akasayi kukuxhaphaza kwakho isiKhuseli seThutyana esinguMyalelo weNkundla asinakuba sisoyikiso ngoba awunakuba nasizathu sokusisebenzisa.

53. Kwenzeka ntoni xa umxhaphazi wam esiphelisa (engavumelani) isiKhuseli esinguMyalelo weNkundla?

Ukuba ngaba isiKhuseli esinguMyalelo weNkundla siye sagqityezelwa (hayi ngaphambi koku), umxhaphazi wakho angenza isicelo **sokuBekwa buCala (esiphelisa)** kwesiKhuseli esinguMyalelo weNkundla. Ukuze akwenze oku kufuneka aye kwakulaa nkundla inye wawuye kuyo aze azalise ifomu **yokuBekwa buCala (yokupheliswa)**. Ifomu leyo iya kufakwa kwifayile yakho.

Amaphepha okuBekwa buCala *(Setting Aside)* aya kuhanjiswa kuwe njengale ndlela nesiKhuseli seThutyana esinguMyalelo weNkundla sasihanjiswe ngayo kuye. Uyakunikwa usuku nomhla ekufanele uvele ngawo enkundleni ukuze uve okokuba umantyi uya kusibeka bucala na isiKhuseli esinguMyalelo weNkundla (uyakusiphelisa kwaye ungabinakho ukusisebenzisa). Nangona kunjalo, xa umxhaphazi wakho esenza isicelo sokuBekwa buCala ayithethi loo nto okokuba uya kuvunyelwa. Umantyi uya kujonga kuxhatshazo olo luthe lwenziwa kuwe. Kumaxa amaninzi ukuBekwa buCala akufane kuvunyelwe.

Umxhaphazi wakho angasebenzisa igqwetha xa ezama ukuBeka buCala isiKhuseli esinguMyalelo weNkundla, kanti nawe ungenza njalo. Ukuba akunalo igqwetha kwakufuneka uzithembe uzimele, kwaye uchaze ngononophelo kumantyi enkundleni okokuba iya kukwenza ntoni loo nto (kwaye mhlawumbi nabantwana bakho nabo),
ukuba ngaba ubeka bucala isiKhuseli esinguMyalelo weNkundla ukuze wena ungabi naso isiKhuseli esinguMyalelo weNkundla sokuzikhusela.

Enye into onokuyenza xa amaphepha okuBekwa buCala ehanjiswa kuwe, ungaya enkundleni ubhale i-Afidavithi uphendule zonke ezo zinto akutyhola ngokuthi uzenzile. Le nto ibizwa ngokuba **'yi-Afidavithi yeMpendulo'** *(Answering Affidavit)*. Kule Afidavithi yeMpendulo ungatsho okokuba kutheni ezinye iintetho zakhe kumaphepha akhe okuBekwa buCala kwesiKhuseli esinguMyalelo weNkundla zingeyonyani. Ungasele usongeza nazo naziphi na iinkcukacha xa uphendula amaphepha okuBekwa buCala athe ahanjiswa kuwe.

Ukuba ngaba kukho abanye abantu abakubonileyo uxhatshazwa kwaye bangakuqinisekisa oko (bakungqine) okokuba oko ukuthethayo kuyinyani, nabo bangazalisa loo nto ibizwa ngokuba **'yi-Afidavithi yokuQinisekisa'** *(Confirmatory Affidavit)*. Baza kube beqinisekisa (bevuma) ingxelo yakho. Ukuze bakwazi ukukwenza oku kufanele babhale i-Afidavithi yokuQinisekisa nokuba bayibhale enkundleni okanye esikhululweni samapolisa. I-Afidavithi yabo evuma ukuQinisekisa kufuneka idityaniswe kule yakho i-Afidavithi yeMpendulo ngenxa yokuba eyabo i-Afidavithi yokuvuma ukuQinisekisa iba yinxalenye yale yakho iAfidavithi yeMpendulo. Zombini (zidityaniswe enye kwenye) kufuneka zisiwe kwisikhululo samapolisa ukuze zifungiswe zityikitywe ngamapolisa zize zisiwe enkundleni.

C: Amanyathelo endlela yokuSEBENZISA isiKhuseli esinguMyalelo weNkundla.

1. Ukuba ngaba uye waxhatshazwa emveni kokuba ufumene eseThutyana okanye esigqibeleleyo isiKhuseli esinguMyalelo weNkundla, kufuneka uthathe kunye nawe iMvume yokuBamba *(Warrant of Arrest)* okanye eyeThutyana **kwakunye** nekopi yesiKhuseli esinguMyalelo weNkundla okanye eseThutyana usise kumapolisa ukuze ambambe umxhaphazi wakho.
2. Kwakufuneka usoloko ubuyela enkundleni ukuya kufuna enye iMvume yokuBamba xa amapolisa eyithathile leyo ubunayo xa ebebamba umxhaphazi lowo wakho. Iya kufuneka kwakho xa umxhaphazi lowo wakho kufuneka ebanjiwe kwakho.
3. Ukuba ngaba akunayo iMvume yokuBamba yeThutyana kwakufuneka uthathe isiKhuseli seThutyana esinguMyalelo weNkundla uye naso kwisikhululo samapolisa uze ubeke isityholo sokuhlaselwa ngakumxhaphazi wakho.

UkuSETYENZISWA kwesiKhuseli esinguMyalelo weNkundla kucaciswe ngokuzeleyo.

54. Kwenzeka ntoni xa ndisifumene isiKhuseli esinguMyalelo weNkundla (Protection Order)?

Xa sele usifumene isiKhuseli esinguMyalelo weNkundla, kukuwe ukuba ugqibe ukuba ungasisebenzisa nini na. Ngoku into onayo ngamandla wokulunqanda uxhatshazo ukuba lwenzeke.

55. Ndingalifumana njani iphepha-Mvume lokuBamba (Warrant of Arrest)?

Iinkundla ezininzi zingayikhupha kuphela iMvume yokuBamba xa sele usifumene isiKhuseli esinguMyalelo

weNkundla esigqibeleleyo. Kodwa yazi okokuba uMthetho ojongene nobuNdlobongela emaKhaya uyayibeka into yokuba unalo ilungelo lokufumana iMvume yokuBamba yeThutyana ngaxeshanye nesiKhuseli seThutyana esinguMyalelo weNkundla.

Ukuba ucinga okokuba umxhaphazi lowo wakho uza kuyikrazula loo Mvume yokuBamba, yinikeze komnye umntu omthembileyo ukuba akugcinele. Ungawacela namapolisa okokuba akuvulele nje ifayile apho unokuyigcina khona esikhululweni samapolisa. Ukuba ngaba ayigcinwanga esikhululweni samapolisa, kuya kufuneka uyiphathe kunye nesiKhuseli esinguMyalelo weNkundla xa usiya kwisikhululo samapolisa ukuya kumbambisa. Kodwa ke, ukuba ngaba iMvume yokuBamba yakho ilahlekile okanye yonakele usenokufumana enye kwakho enkundleni.

56. Ndingenza ntoni ukuba ndiye ndaxhatshazwa kwakho?

Ukuba ngaba uye waxhatshazwa kwakhona emveni kokufumana kwakho isiKhuseli esinguMyalelo weNkundla, kufuneka uye emapoliseni kunye neMvume yokuBamba yakho nesiKhuseli esinguMyalelo weNkundla. Waxelele amapolisa okokuba usengozini. Kuya kufuneka ubhale i-Afidavithi esikhululweni samapolisa ngento eyenzekileyo kuwe.

Musa ukoyika ukuyisebenzisa iphepha-Mvume lokuBamba. Sisikhuselo sakho esisemthethweni. Musa ukuwavumela amapolisa okokuba akunqande ekubeni umbambise umxhaphazi wakho ukuba uye waphula imiqathango yesiKhuseli esinguMyalelo weNkundla. Uxwebhu lweMvume yokuBamba liphepha lasemthethweni kwaye kufanele balihloniphe.

Amapolisa aya kuligcina iphepha-Mvume lokuBamba xa embamba umxhaphazi lowo wakho. Kwakamsinya emveni kokuba ulisebenzisile iphepha lakho leMvume yokuBamba, kufuneka uphindele enkundleni kwakho ukuya kufuna elinye ukuba kunokwenzeka ukuba uxhatshazwe kwakho. Nangona kunjalo, khumbula ukuba nokuba yena ubanjiwe umxhaphazi wakho, usenokukhululwa kwaye abuye akuxhaphaze kwakhona. Ukuba oku kuyenzeka, buyela kwasesikhululweni samapolisa kwakhona. Qiniseka uzimisele kwaye uqinise isibindi sokuba uzimisele ukukuphelisa ukuxhatshazwa kwakho.

57. Ndingenza ntoni ukuba amapolisa akafuni ukundinceda?

Kufuneka usoloko uwabuza amagama amapolisa othetha nawo.Ukuba athe akuphatha kakubi okanye akakuncedi, xa uwaxela kwakufuneka uwazi amagama awo.

Kufuneka uwaxele amapolisa kumKomishinala wesiKhululo ukuba **akafuni kukuvumela** ubeke ityala lokuhlaselwa, okanye ukuba awambambi umxhaphazi lowo wakho. Nangona kunjalo, khumbula okokuba amapolisa ayakumbamba umxhaphazi lowo wakho ukuba akholelwa ekubeni uza kukwenzakalisa kwakhona. Le nto ibizwa ngokuba 'kukwenzakala okungathi kungenzeka'. Ngoko ke cacisa kakuhle kumapolisa okokuba unoloyiko lokuba uza kukwenzakalisa kwakho. **Ukuba abambambi umxhaphazi lowo wakho kufuneka bemkhuphele (bamnikeze) iSaziso sokuba avela enkundleni aye kuphendula isikhalazo sokuba usithi waphule imiqathango yesiKhuseli esinguMyalelo weNkundla.**

Ukuba amapolisa akambambi umxhaphazi wakho okanye akamnikezi isaziso sokuba aye enkundleni, kufuneka uwaxele kumKomishinala wawo wesiKhululo **kwaye** nakunobhala wenkundla. Ukuba ngaba useneengxaki, ungawaxela **kwiSebe eliziMeleyo leziKhalazo (ICD)** lamapolisa. Ungafumana inombolo yefowuni yabo kuluhlu olusekupheleni kwale ncwadana. Ukuba akunakuya kwii-ofisi ze-ICD, kufuneka ubafowunele ubabhalele okanye ubathumelele ifeksi (fax) ubaxelele ngendlela amapolisa angavumanga ngayo ukukukhusela. Soloko uthumela ikopi yesikhalazo sakho (nokuba yileta okanye yifeksi) nakwisikhululo samapolisa. Gcina ikopi yeleta okanye isiliphu sefeksi ukuba uthumele ifeksi ukubonisa ukuba unxibelelene ne-ICD kwaye wenze isikhalazo.

Khumbula ukuba unelungelo lokuwaxela amapolisa kumKomishinala wesiKhululo ukuba amapolisa akakuvumeli ukuba umbeke ityala lokuhlaselwa okanye ukuba abambambi umxhaphazi lowo wakho.

U *58. Ndingenza ntoni ukuba kukho utshintsho (indlela eyahlukileyo) kwindlela endixhatshazwa ngayo?*

Xa umxhaphazi wakho efumana iphepha lesiKhuseli esinguMyalelo weNkundla, angaye aqonde ukuba akanakwazi kwakhona ukukuxhaphaza ngeendlela ochaze ngazo kwiphepha le-Afidavithi yakho yokuqala, njengoko leyo iyimiqathango yesiKhuseli esinguMyalelo weNkundla ekungafanele ayaphule. Lilonke angaqalisa ukukuxhaphaza ngezinye iindlela. Ukuba oku kuyenzeka, kufuneka ubuyele enkundleni ubhale enye i-Afidavithi. Le nto ibizwa ngokuba **'ZiinguQu kwisiKhuseli esinguMyalelo weNkundla**' ngenxa yokuba luyayitshintsha (luyayongeza). I**nguQu kwisiKhuseli esinguMyalelo weNkundla yayisakubizwa ngokuba Sisixomezelelo (Amendment).** Ungatshintsha kuphela (wongeze) isiKhuseli esinguMyalelo weNkundla sakho emveni kokuba senziwe esigqibeleleyo. Kodwa umantyi angenza inguqu ngemini yakho yokubuyela enkundleni.

KwiinguQu zesiKhuseli esinguMyalelo weNkundla kufuneka uchazile okokuba zeziphi indlela ezintsha ezahlukileyo oxhatshazwa ngazo. Kufuneka utshilo okokuba akufuni umxhaphazi lowo wakho akuxhaphaze ngale ndlela kwakho. Le nguQu kwisiKhuseli esinguMyalelo weNkundla ingatshintsha imiqathango ye-Afidavithi yokuqala yakho, kuxhomekeka ekubeni ubucele ntoni kuqala.

InguQu le kufuneka ihanjiswe kumxhaphazi wakho (njengapha kwisiKhuseli seThutyana esinguMyalelo weNkundla), lilonke kuya kufuneka ubuyele kwakho kwisherifu okanye amapolisa ukuze ubacele bayihambise kumxhaphazi lowo wakho.

U *59. IziKhuseli ezinguMyalelo weNkundla zihlala zisebenza ixesha elingakanani?*

IziKhuseli ezinguMyalelo weNkundla aziphelelwa lixesha. Nokuba wafumana isiKhuseli esinguMyalelo weNkundla kudala kakhulu, usenokusisebenzisa. Ukuba silahlekile okanye umxhaphazi lowo wakho usikrazule, ungaya enkundleni apho wawusifumene khona ucele enye ikopi. Kwakufuneka umxelele unobhala wenkundla okokuba wawusifumene nini kwaye ithini inombolo yetyala laso. Ukuba awuwazi owona mhla wawusifumene ngawo, mxelele elona xesha lisondele kakhulu kwelo wawusifumene ngawo. Nangona kunjalo, khumbula okokuba laa Mngeneleli weNkundla (Interdict) mdala (owaye uwunikwe phambi kowe- 15 Disemba 1999) wona uyaphelelwa, ke ukuba unoMngeneleli weNkundla kungcono wenze isicelo sesiKhuseli esinguMyalelo weNkundla (sona singaphelelwayo).

U *60. Kufuneka ndisisebenzise njani isiKhuseli esinguMyalelo weNkundla sam?*

Sisebenzise isiKhuseli esinguMyalelo weNkundla sakho ukuzisa uxolo ebomini bakho. IsiKhuseli esinguMyalelo weNkundla siya kukunikeza amandla okuphelisa uxhatshazo apho ngaphambili ubungenamandla okanye emancinci. Sukumqhula umxhaphazi wakho ngaso okanye usebenzise isiKhuseli esinguMyalelo weNkundla njengesoyikiso okanye isizathu esingesiso sokumbambisa. Ngokuba nesikhuseli isinguMyalelo weNkundla isisemthethweni, sisohlwayo sisodwa eso ngakumxhaphazi.

Khumbula okokuba ukuba udlalisa ngaso isiKhuseli esinguMyalelo weNkundla uyafana nomntu ojikeleza ndawonye, kodwa ube ufuna ukubuphelisa ubundlobongela endlwini yakho uzise uxolo. Ukuba usifumene isiKhuseli esinguMyalelo weNkundla, kufuneka usihloniphe. **Sukudlalisa ngaso**. Sisebenzise **kuphela** ukuzikhusela wena, abantwana bakho nezinto zakho.

ICANDELO 4: IMIYALELO YOXOLELWANISO

Ungaya enkundleni unethemba lokwenza isicelo sesiKhuseli esinguMyalelo weNkundla kodwa ke uya kuthi xa ufika enkundleni unobhala wenkundla angakuxelela okokuba awulungelanga ukusifumana. Ukuba akulungelanga ukusifumana isiKhuseli esinguMyalelo weNkundla, unobhala wenkundla angakucebisa ukuba wenze isicelo soMyalelo weNkundla Xolelwaniso.

U *61. Ngubani onokufumana uMyalelo woXolelwaniso?*

Ungafumana **uMyalelo woXolelwaniso** ukuba uxhatshaziwe kodwa umxhaphazi wakho:
- akazalani nawe ngokwegazi okanye ngomtshato; okanye
- akuzange uthandane naye, kunye nokuba/okanye
- anikhange nihlale kunye kwindlu enye.

Umxhaphazi wakho:
- ingangumntu othandana nomnye kubazali (step-parent) bakho ongahlali naye kwindlu enye.
- ingangumntu ohlobene nosapho lwakho kodwa engazalani nawe (umzekelo, ubhuti wasemzini kasisi wakho)
- ummelwane;
- umhlobo wakho;
- umntu ozalana nomhlobo wakho;
- umntu omqhelileyo;
- umntu ongamaziyo; okanye
- nokuba ngubani umntu ohlala kwikhaya/kwindawo yakho KODWA hayi kwindlu enye nawe (umzekelo, kwityotyombe elingemva, kwiflethi engaphandle, igumbi elingaphandle okanye kwiyadi yenu)

U *62. Ndingawufumana njani uMyalelo woXolelwaniso?*

Ungawufumana kuphela uMyalelo woXolelwaniso kwinkundla ekufuphi nalapho wena okanye umxhaphazi lowo wakho ahlala/uhlala khona, HAYI apho wena okanye yena asebenza khona.

Ukuba ufuna uMyalelo woXolelwaniso, buza oonogada bakuxelele okokuba ungaya phi na ukuze uwufumane. Kwezinye iinkundla uwufumana kwicala lenkundla elijongene noDushe LwaseKhaya. Kwezinye iinkundla kufuneka ukwenze kwelinye icala lenkundla. Ukuba uwufumana kwisikhululo samapolisa kufuneka ubhale iAffidavithi uze ke ngoku uye enkundleni.

Inkqubo yokwenza isicelo soMyalelo woXolelwaniso ibandakanya ukubhalwa kweAffidavithi yona ethi ithunyelwe kumxhaphazi lowo wakho. Ayifani nenkqubo elandelwayo xa usenza isicelo sesiKhuseli esinguMyalelo weNkudla. Umantyi uya kwenza isigqibo sokuba uyawufumana na uMyalelo woXolelwaniso okanye hayi.

U *63. Ndingazama njani ukuba ndenze uMyalelo woXolelwaniso undisebenzele?*

Umyalelo woXolelwaniso awunalwamvila njengesiKhuseli esinguMyalelo weNkundla. Kukho iingxaki ezininzi ekufumaneni uMyalelo woXolelwaniso, kodwa zikhona izinto onokuzenza xa ufuna ukusebenzele.

Ngalo lonke ixesha umxhaphazi wakho engayilandeli imiqathango yoMyalelo woXolelwaniso, kufuneka wenze ingxelo yoko kwinkundla apho ufumene khona uMyalelo woXolelwaniso. Zalisa enye ifomu ye-Afidavithi yakho, umantyi uya kwenza isigqio kwakhona sokuba uyawufumana omnye uMyalelo woXolelwaniso okanye hayi.

Lena into ngumsina-ndozele, kwaye kufuneka uhlawule ngethuba ngalinye uMyalelo woXolelwaniso uhanjiswa kumxhaphazi lowo wakho. Kodwa ukuba usoloko ubuyela enkundleni rhoqo xa umxhaphazi lowo wakho esaphula imiqathango yoMyalelo woXolelwaniso, umantyi angatsho ayibone okokuba imeko inkenenkene kwaye

noxhatshazo olo lusaqhubeka. Angagqiba ekubeni imeko imbi kangangokuba angambizela enkundleni emxhaphazi wakho. Kwezinye iinkundla le nto ingenzeka ukuba umxhaphazi lowo wakho waphula imiqathango yoMyalelo woXolelwaniso kabini okanye kathathu.

Nalapho umxhaphazi wakho ungambeka ityala emapoliseni lokukuhlasela okanye ukukoyikisa ngokukuhlasela, kwaye ufune noMyalelo woXolelwaniso. Le nto ikunikeza amandla omthetho wokuba ukuphelise ukuxhatshazwa ukuba ngaba ukulungele ukufumana uMyalelo woXolelwaniso. Nangona kunjalo, khumbula ke kodwa ukuba ayizizo zonke izithyolo ezingazizithyolo zolwaphulo-mthetho, umzekelo, ukuhlutshwa (harassment) ngummelwane asikuko ukwaphula umthetho,, kwaye amapolisa akasayi kukuvumela ukuba ubeke ityala ngaloo nto.

ICANDELO 5: ELOKUVALA

Nangona kukho ezi ngxaki zinxulumene neziKhuseli ezinguMyalelo weNkundla kunye neMiyalelo yoXolelwaniso, siyakukhuthaza ukuba uyisebenzise imithetho ukuzikhuseli kangangoko unakho.

Ukuba uyazimisela ngokumandla, ungazinceda kwaye ungababonisa abanye abafazi abaxhatshazwayo okokuba kuyasebenza oko. Baya besiba baninzi abafazi abawathathele ezandleni zabo amandla ukuzama ukuphelisa ubundlobongela basekhaya kunye noxhatshazo.

Ungayinxalenye yeli qela likhulayo 'labasindileyo abaxhotyisiweyo'abathi ngoku 'kwanele'kwaye 'maluphele uxhatshazo!'

Kunganzima kodwa akukho nto inika ulonwabo njengokuphuma kwimeko yakho yokuxhatshazwa uphume ngemisebenzi yakho enzima, ukuzingisa nokukhalipha.

Khumbula ukuba isiKhuseli esinguMyalelo weNkundla sisebenza ukuba uyasisebenzisa! Kodwa ke kufuneka womelele ngaphakathi kuwe ungajongani nobundlongo-ndlongo ngobunye ubundlongo-ndlongo, okanye unongane nobundlongo-ndlongo ngobubhetye-bhetye. Kufuneka ufunde ukuzimela ngendlela umxhaphazi wakho anokuyiqonda ngayo into ozama ukuyitsho, okokuba ufuna ukusombulula ingaxabano ubuyise uxolo kwikhaya lenu. Yinto ke le ebizwa ngokuba kukuzimela ngendlela elungileyo" Kwicandelo elilandelayo elingoMosaic uyakufumanisa ukuba imihlangano yemfundiso yoxhatshazo/yokuzimela soloko zibanjwa qho kuluntu ukulungiselela abafazi. Siyakukhuthaza okokuba uyihambe le mihlangano yemfundiso ngokudibana noMosaic uzokuzibekela indawo.

Usikeleleke ube nethamsanqa! Siyathemba okokuba le Ncwadana iya kuba luncedo kuwe ukuzuza uqondo oluphangaleleyo loxhatshazo nomgaqo-nkqubo wesiKhuseli esinguMyalelo weNkundla. Xa sele uyisebenzisile nceda uyidlulisele komnye umntu okholelwa okokuba angabe uyayifuna naye!

ICANDELO 6: MALUNGA NOMOSAIC

Ngubani okanye Yintoni uMosaic?

U*Mosaic* ngumbutho onceda abantu neentsapho ezixhatshazwayo, ngakumbi abantwana nabafazi nolutsha abazifumana bekwimeko yobuNdlobongela baseKhaya. U*Mosaic* unombono woluntu oluphila ngaphandle kobundlobongela noxhatshazo.

U*Mosaic* yi-NGO, umbutho óngadibaniselanga norhulumente', kwaye yinkampani kaSection 21. Loo nto ithetha ukuthi asiyiyo inxalenye karhulumente kwaye ingeloshishini lokwenza imali. U*Mosaic* kufuneka ezinyusele ngokwakhe imali kwizipho neminikelo ngakumbi xa zonke iinkonzo zakhe zabantu abaxhatshaziweyo izezafelefele. Iinkonzo zika*Mosaic* zifelefele ngenxa yokuba bonke abantu abancedwayo ngabafazi nolutsha abangenakukwazi ukuhlawulela iinkonzo.

I*Mosaic* ngumfanekiso okanye into ebunjiweyo entle eyenziwe kumaqhekeza eethayile, amaphepha okanye iiglasi oku kweefestile zecawe, ezenziwe zayi*mosaic* ebunjwe ngamaqhekeza eglasi. Eli game u*Mosaic"* likhethwe ngokuba umsebenzi ka*Mosaic* ikukunceda abantu bahlanganise amaqhekeza obomi babo obuqhekekileyo ukuze bazibumbele amakamva amahle.

U*Mosaic* ufundisa uluntu ngoxhatshazo, uthetha nabantu ubathambise iintliziyo (counsels) zabo, uqhuba amaqela okuxhasana, imihlangano enemfundiso (workshops) kwakunye nezifundo zoqeqesho malunga noxhatshazo/ukuzithemba/izakhono zokulawula ingxwabangxwaba nezakhono zokuthambisa iintliziyo zabantu kwakunye nemigaqo-nkqubo yokwenza isiKhuseli esinguMyalelo weNkundla. U*Mosaic* ufikelela kubantu abangaphaya kwama- 100 000 ngonyaka ngamnye ngezinkonzo.

U*Mosaic* usebenza kumaziko ahlukileyo kwiindawo ezihlala abantu ezininzi iKapa nakwiindawo ezingqonge iKapa, Paarl nase Stellenbosch. Ngonyaka ka 2002 u*Mosaic* wangena kwi-ofisi okanye kwiziko lakhe lokuqala elahlawulelwa ngumntu njengomnikelo eWynberg, eKapa waza waqalisa amane amaziko okusebenzela abantu bakwa*Mosaic* avuleleka ekuhlaleni apho basebenza khona kwinkundla yase Phillipi, eKhayelitsha, Mitchellsplain day hospital nasesikolweni eTafelsig, eMitchellsplain.

Ndingamfumana njani uMosaic?

Ukuba ufuna ukufunda kakhulu ngoMosaic, okanye ukuba ufuna uncedo lwethu, dibana nathi:

Ifowuni:	(021) 761 7585 (phakathi ko 08h30 am no 04h00 pm) uMvulo ukuya kuLwesihlanu
Ifeksi:	(021) 761 7584 okanye 086 651 8662
Idilesi:	66 Ottery Road, c/r Mortlake road, Wynberg 7800
Idilesi yeposi:	P O Box 18460 Wynberg, 7824, okanye
e-Email:	admin@mosaic.org.za

Ukuba ungathanda iikopi zale Ncwadana, nceda uthumele ileta yesiCelo kunye nemvulophu engu-A5 enegama, idilesi yakho nesitampu, siya kuthi sikuthumelele iikopi zafele-fele ngemvulophu leyo uyithumeleyo, okanye ungasindwendwela kwii-ofisi zethu eWynberg okanye kuMaziko asekuhlaleni kaMosaic (Mosaic Outreach Centres) kunye neenkundla ezidweliswe apha ngezantsi.

Zeziphi iinkundla asebenza kuzo uMosaic?

Atlantis	(021) 572 1008	Ngomvulo ukuya Ngolwesihlanu, 08h30am – 03h30pm
Bellvile	(021) 950 7700/12	Ngomvulo ukuya Ngolwesihlanu, 08h30am – 03h30pm
Bishop Lavis	(021) 934 1021	Ngomvulo ukuya Ngolwesihlanu, 08h30am – 03h30pm
Bluedowns	(021) 909 9000	Ngomvulo, ngoLwesithathu nangoLwesihlanu, 08h30am – 03h30pm
Cape Town	(021) 461 1204	Ngomvulo ukuya ngoLwesihlanu, 08h30am – 03h30pm
Khayelitsha	(021) 360 1455	Ngomvulo ukuya ngoLwesihlanu, 08h30am – 03h30pm
Kuilsrivier	(021) 903 1166	Ngomvulo nangoLwesihlanu, 08h30am – 03h30pm
Mitchellsplain	(021) 370 4296	Ngomvulo ukuya ngoLwesine, 08h30am – 03h30pm
Muizenberg	(021) 788 9742/40	Ngomvulo nangoLwesibini, 08h30am – 03h30pm
Paarl	(021) 872 3127	Ngomvulo ukuya ngoLwesithathu, 08h30am – 03h30pm
Phillipi	(021) 372 0901	Ngomvulo ukuya ngoLwesihlanu, 0830am – 03h30pm
Simon's Town	(021) 786 1561	Ngomvulo nangoLwesithathu, 08h30am – 03h30pm
Stellenbosch	(021) 887 0114	Ngomvulo ukuya ngoLwesihlanu, 08h30am – 03h30pm
Strand	(021) 854 7217	Ngomvulo ukuya ngoLwesine, 08h30am – 03h30pm
Wellington	(021) 873 6768	Ngomvulo ukuya ngoLwesihlanu, 08h30am – 03h30pm
Wynberg	(021) 799 1902/1800	Ngomvulo ukuya ngoLwesihlanu, 08h30am – 03h30pm

Uthethathethwano luyenzeka eWynberg nakulamaziko alandelayo

Amaziko akwa Mosaic asekuhlaleni (Mosaic's Outreach Centres)

- Dunoon Clinic, Dunoon
- Philippi Court, Philippi
- Khayelitsha Day Hospital, Site B, Khayelitsha (Simelela Rape Crisis Centre)
- Mitchellsplain Magistrate Court,
- Delft South, Library Premises
- Masiphumle Residence for the Aged, Mfuleni
- Sisonke Educare, Bloekombos
- Nyanga Job Centre Premises, Nyanga
- Khayelitsha Magistrate Court
- Harare, Khayelitsha (Opposite Score Supermarker in Harare)
- Esangweni High School, Harare, Khayelitsha
- Ntlanganiso High School (ii-ofisi PDP eSite C)

ICANDELO 7: UGCINO LWENKCUKACHA ZAM

Ungafuna ukugcina zonke inkcukacha zakho kweli phepha. Yizalise njengoko uhamba ukwenzela zisoloko zonke inkcukacha zikho. Ungafuna kugcina ikopi yalo kwindawo efihlakeleyo.

Inombolo yesicelo sam:

Umhla wokwenza isicelo:

Umhla wokubuyela enkundleni:	**Usuku**	**Umhla**	**Ixesha**
Inkundla endiya kuyo			
Idilesi yenkundla leyo			
Igama likaNobhala wenkundla			
Inombolo yefowuni kaNobhala wenkundla			
Ndingenza isicelo kwezi ntsuku			
Inkundla ivule ngezi ntsuku			
Idilesi yomthunywa wenkundla (sheriff)			
Isikhululo samapolisa emandiye kuso			
Idilesi yesikhululo samapolisa eso			
Igama/amagama amapolisa andincedileyo			

Iinombolo zemfonomfono zeSebe eliziMeleyo lenziKhalazo lamapolisa (ICD):

Bloemfontein	(051) 406 6800
Cape Town	(021) 480 2000
Durban	(031) 310 1300
Kimberley	(053) 807 5100
King William's Town	(043) 604 3500
Mafikeng	(018) 397 2500
Marshall Town	(011) 220 1500
Nelspruit	(013) 754 1000
Polokwane	(015) 291 9800
Pretoria	(012) 392 0400

IsiQondisi kwenziwa komsebenzi masibuyele ngalo mhla we:

Xa ndibuyela enkundleni, kufuneka ndiye e:

Izinto emandiye nazo enkundleni (bona/jonga iphepha 15)I :

Ityala lam limiselwe umhla we:	**Usuku**	**Umhla**	**Ixesha**

ICANDELO 8: AMAGAMA KUNYE NEENTSINGISELO ZAWO

Uxhatshazo: Iuxhatshazo ukuba wena, abantwana bakho okanye izinto zakho niyoyikiswa, nenzakaliswe okanye zonakaliswe nango nayiphi na indlela.
Umxhaphazi: Ie ncwadi ibhekisa kumntu otyholwa ngokuxhaphaza 'njengomxhaphazi'. Kukwenza nje le Ncwadana ifundeke lula.
Ummangalelwa: umntu otyholwa ngokwaphula umthetho kwityala lolwaphulo-mthetho. Isekwalilo negama elisetyenziswa kumphenduli wesiKhuseli esinguMyalelo weNkundla.
Uxwebhu olusisifungo(i-Afidavithi): Ingxelo ebhaliweyo esisifungo esetyenziswa enkundleni. Maxa wambi ibizwa ngokuba 'yingxelo' okanye 'yingxelo esisifungo'.
isiXokomezelelo: igama elidala lenguQu kwisiKhuseli esinguMyalelo weNkundla.
i-Afidavithi eyiMpendulo: Yi-Afidavithi oyibhala njengempendulo kwezo zinto umxhaphazi wakho akutyhola ngazo xa sele unikwe amaphepha okuBekwa buCala kwesiKhuseli esinguMyalelo weNkundla.
Umenzi-sicelo: ngumntu owenza isicelo sesiKhuseli esinguMyalelo weNkundla. Yinto enye nommangali.
Inombolo yesicelo: yinombolo enikwa umenzi-sicelo eya nakwifayile yakhe nakwamanye amaphepha ayinxalenye yetyala.
Ukuzalana ngokwegazi: umntu ozalana ngqo nomenzi-sicelo. Kuthetha umama, utata, udade, ubhuti, umntwana, utamkhulu okanye umakhulu.
Ukwaphula (uMyalelo wenkundla): kuxa umntu esaphula imiqathango (umnye okanye yonke) yesiKhuseli esinguMyalelo weNkundla. Ukwaphula isiKhuseli esinguMyalelo weNkundla kukwaphula umthetho kwaye umntu angavalelwa entolongweni ukuba ufunyaniswe enetyala.
Ukubekwa ityala: kuthetha ukuba umntu utyholwa ngokwenza into engalunganga enokumfakisa entolongweni.
Umntwana: ngokoMthetho ojongene nobuNdlobongela baseKhaya umntwana ngumntu ongaphantsi kweminyaka ngama-21. Lo ingangumntwana ongowakho menzi-sicelo, omgcinileyo okanye omfumene ngokwasemthethweni.
Unobhala wenkundla: Kule Ncwadana sibhekisa kunobhala njengakunobhala weNkundla ejongene nobuNdlobongela emaKhaya.
Ummangali: Kubhekisa kwinkqubo zolwaphulo-mthetho kwaye kumntu okhalaza ngakuthile enziwa kona. Nangona kunjalo, nomenzi-sicelo wesiKhuseli esinguMyalelo weNkundla ukwabizwa kwangolu hlobo.
i-Afidavithi yokuQinisekisa: Ibhalwa njengephendula leyo ibhalwe ngumxhaphazi wakho yokuBekwa buCala kwesiKhuseli esinguMyalelo weNkundla eziswe kuwe. Idityaniswa ne-Afidavithi eyiMpendulo yakho. Ibhalwa ngabantu abakubonileyo ukuxhatshazwa kwakho kwaye bayakungqina okokuba oko ukuthethayo kwi-Afidavithi eyiMpendulo yakho kuyinyani.
iDokethi: Le yifayile evulwa ngamapolisa xa kuthe kwakho ubani obekwa ityala. Inganeenkukacha malunga nolwaphulo-mthetho olo kubandakanya nengxelo yakho kwakunye nabo nabuphi na ubungqina obunika amapolisa.
uMngeneleli weNkundla: Eli ligama elidala lesiKhuseli esinguMyalelo weNkundla.
eye/eseThutyana: Kuthetha ixesha eliphakathi kokunikwa komntu isiKhuseli seThutyana esinguMyalelo weNkundla naxa bephinda bevela enkundleni ukugqityezelwa kwesiKhuseli esinguMyalelo weNkundla. Kukho iziKhuseli zeThutyana ezinguMyalelo weNkundla kunye neeMvume zeThutyana zokuBamba.
ifomu uJ88: Ifomu ezaliswa ngugqirha kwisibhedlele sephondo okanye ugqirha wengingqi ebonisa ukwenzakala emzimbeni okubangwe luxhatshazo olo.
iSaziso sokuVela eNkundleni: Ngumyalelo ovela kumantyi oya kummangali okanye ummangalelwa okokuba avele enkundleni. Ukhutshwa xa umantyi efuna ukubuza umxhaphazi lowo wakho phambi kokwenza isigqibo sokuba umenzi-sicelo ukulungele na ukufumana isiKhuseli esinguMyalelo weNkundla. Ikwangumqaqo okhoyo naxa kuphulaphulwa nje ingxoxo hayi kuphela xa umantyi efuna ukubiza umphenduli.
iMi-/uMyalelo: Ngamaxwebhu asemthethweni axelela ubani amakakwenze okanye angakwenzi. Le Ncwadana ijongana neziKhuseli ezinguMyalelo weNkundla kunye noMyalelo weNkundla woXolelaniso.
uMyalelo weNkundla woXolelaniso: Ngumyalelo wenkundla okhusela kubundlobongela/kuxhatshazo xa umenzi-sicelo engakulungelanga ukufumana isiKhuseli esinguMyalelo weNkundla.
isiKhuseli esinguMyalelo weNkundla: Sisixhobo salo Mthetho Mtsha ojongene nobuNdlobongela emaKhaya ka 1998. Ngumyalelo wenkundla okhusela kubundlobongela basekhaya okanye uxhatshazo.
Umphenduli: Ngumntu ophendula kwisityholo sokuba wenze uxhatshazo. Lelinye nje igama elibhekisa kummangalelwa.
IsiQondisi-kwenziwa koMsebenzi: yifomu ezaliswa yisherifu okanye amapolisa ekufuneka ibuyiselwe enkundleni ukubonisa ukuba balihambisile iphepha lesiKhuseli seThutyana esinguMyalelo weNkundla okanye isiKhuseli esinguMyalelo weNkundla esigqibeleleyo kumphenduli.
Ukuhambisa/ukusa (amaphepha): Kuthetha ukuhambisa amaphepha enkundla ngokusesikweni kulowo kufuneka eye kuye.
uBeko-buCala lwesiKhuseli esinguMyalelo weNkundla: Ifomu ezaliswa ngummangali okanye umxhaphazi kuxhomekeke okokuba ngubani ofuna lo myalelo wenkundla ugqibeleleyo upheliswe. Wenziwe xa omnye wabo baphikisanayo engavumelani nemiqathango ebekwe kwisiKhuseli esinguMyalelo weNkundla.
Unomgogwana wedokethi: Yifayile yamapolisa evulwayo eba neenkcukacha zolwaphulo-mthetho. Akukho ngxelo yalwaphulo-mthetho ekufuneka ide yenziwe ukuze le fayile ivulwe. Ivulwa nje de kubekho ityala ize ke emva koko ibe luxwebhu olusesikweni lwamapolisa olufuna kubekho uphando lolo lwaphulo-mthetho luxeliweyo.
Ingxelo (efungisiweyo): Elinye igama le-Afidavithi
Ingxelo eyoNgezelelweyo: Yi-Afidavithi enokubhalwa okanye yenziwe ngomlomo. Ziinkcukacha othi uzongeze kwi-Afidavithi yakho yokuqala ecela umantyi ukuba akunike eminye iMiyalelo yeNkundla kuba imeko zakho zingabe zitshintshile phakathi kwethuba wawubhale i-Afidavithi yakho yokuqala nexesha apho wena nomxhaphazi lowo wakho nithi nivele enkundleni.
InguQu kwisiKhuseli esinguMyalelo weNkundla: Le yifomu ene-Afidavithi ebhalwe emveni kokuba isiKhuseli esinguMyalelo weNkundla sinikeziwe yinkundla, xa umxhaphazi eqalisa ukuxhaphaza umenzi-sicelo ngeendlela ezintsha nezahlukileyo ezingekhoyo kwi-Afidavithi yokuqala yesiKhuseli esinguMyalelo weNkundla. Umenzi-sicelo angenza isicelo seenguqu

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MOSAIC
TRAINING, SERVICE &
HEALING CENTRE FOR
WOMEN

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lucandelo lwe:

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Western Cape
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