UMgaqo-nkqubo oChasene nokuNyoba nobuQhetseba

(Usebenza iintlobo zentengo, amacandelo, indibaniselwano ngomsebenzi, abancedisi, abanikezeli, abalawuli kunye nabasebenzi be-Tsebo Solutions Group)

1. Intshayelelo

I-Tsebo Solutions Group (Proprietary) Limited, iQumrhu elibaPhetheyo kunye nabo bancedisayo (abaziwa ngokudibeneyo njenge-"Group" kunye/okanye i-"Group") bazibophelele kwimigangatho ephezulu kwimisebenzi yasentlalweni noshishino. I-Tsebo inomgaqo-nkqubo ongabunyamezeli konke-konke ubusela, ubuqhetseba nokulukuhlwa.

UMgaqo wethu wokuziPhatha ngokuseSikweni neMisebenzi eFanelekileyo yoShishino ("The Code of Ethics") ubonisa oku kuzibophelela, unikezelo lwezikhokelo ezibanzi nemigangatho echaza indlela esiluqhuba ngayo ushishino lwethu.

UMgaqo-nkqbu oChasene nokuNyoba nobuQhetseba uqwalasela, ngokweenkcukacha ezibanzi imiba ethile esele ifakiwe kuMgaqo wethu wokuziPhatha ngokuseSikweni neMisebenzi eFanelekileyo yoShishino. Injongo yawo kukunceda abasebenzi base-Tsebo ekubeni baphawule futhi balumkele iimeko ezinokuthi zingahloneli imithetho echasene nokunyoba nobuqhetseba kwaye kufuneka ifundwe kunye noMgaqo wokuziPhatha ngokuseSikweni.

Ukuqonda imithetho echasene nokunyoba nobuqhetseba akuhlali kulula. Abasebenzi kufuneka baziqhelanise nemiqathango echazwe kulo mgaqo-nkqubo futhi bahlale njalo behlaziya ulwazi lwabo lwale miqathango. Ukuba lo mgaqo-nkqubo awukuniki sikhokelo soneleyo ngendlela ekufuneka uyithathile kwimeko ethile, qhagamshelana nomanejala wakho okanye iGosa eliyiNtloko lokuThotyelwa kweMithetho.

Ukunyoba akukho mthethweni futhi kungabeka wena kunye neQumrhu kwizohlwayo nezinye izigwebo ukuquka nokuya ejele. Oku kukwachasene neenqobo zethu ezisemgangathweni. Ngenxa yezi zizathu, ukuthobelana nalo mgaqo-nkqubo kugunyaziswe ngokusemthethweni kwiQumrhu kunye nabo bonke abasebenzi beQumrhu.

Ukuba ukhona uMsebenzi othatha inxaxheba kwizenzo zokunyoba, kufuneka ugqithise oko ngaphambili ungalibazisanga xesha kwi-Tip-Offs Anonymous hotline 0800 003317 okanye nge-imeyl: Tsebo@tip-offs.com okanye uthethe nomanejala wabo, iGosa lezoMthetho kwiQumrhu okanye abaPhicothi-zincwadi zangaPhakathi.

I-Tsebo ayiyixhasi ngokungqongo impindezelo ngokuchasene nabanina oveze okanye oncedise ekuqwalaseleni imiba elolu hlobo.

I-Tsebo izibophelele ekuthobeleni imithetho enjalo kuwo onke amazwe esebenzisana nawo okanye apho imveliso yayo ithengiswa okanye ithunyelwa khona. Sonke sabelana ngoxanduva lokuthobela lo mgaqo-nkqubo.

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2. UMnqophiso noMda walo Mgaqo-nkqubo

2.1 UMnqophiso Jikelele woMgaqo-nkqubo

I-Tsebo iya kuqhuba ushishino kuphela ngokuthobelana nomthetho. Oku kuthetha ukuba asisayi kugunyazisa, sihlawule, sithembise okanye sinikezele nantoni na kwigosa likarhulumente ukuze oko kuphembelele ngendlela engafanelekanga lo mntu ekubeni anzelelele i-Tsebo.

Asisayi kucela okanye sigunyazise naliphina iqela elingelinye ekubeni lenze intlawulo, lithembise okanye lenze umnikelo onjalo. Ukuziphatha okunjalo yindlela ethile yokunyoba kwaye oko yindlela yokuqhuba ishishini engavumelekanga naphina apho iQumrhu lisebenza khona okanye apho imveliso yalo ithengisiwe okanye ithunyelwe khona.

Ukungaphumeleli ekuthobeleni nawaphina amalungiselelo alo mgaqo-nkqubo kukungahloneli okukhulu, futhi oko kungabangela ukuthathwa kwamanyathelo oluleko, ukuya nokuquka ukupheliswa komsebenzi, kwakunye nentlawuliso yoluntu okanye ulwaphulo-mthetho.

Ukongeza, iQumrhu, abalawuli balo, abasebenzi kunye nee-arhente zalo abavumelekanga ukunika, ukwenza umnikelo okanye ukuthembisa nangantoni na yexabiso kwigosa likarhulumente ngenjongo yokufumana okanye yokugcina naluphina ushishino okanye ekufumaneni nokuba yintonina.

Esi sithintelo kufuneka sibonwe ngeendlela ezininzi. Le ngqiqo ilandelayo ibalulekile ekuqondeni umda wesithintelo esichasene nokunyoba amagosa karhulumente.

Ukunika – ukuba awuvumelekanga ukuba uhlawule, unikezele isipho okanye isithembiso esithe ngqo, awuvumelekanga kwakhona ekubeni usenze ngokungathanga ngqo.

Nayiphina into yexabiso – akuquki ikheshi kuphela okanye okulingana nekheshi koko nezipho, ukonwabisa, indawo yokuhlala kunye nayiphina into engenye enexabiso eliphathekayo okanye elingaphathekiyo eligciniweyo, ngokwemiqathango yoMgaqo-nkqubo weZipho wase-Tsebo.

Ngokungafanelekanga – Injongo engafanelekanga ikhona xa nantonina inikezelwe kwigosa ngeenjongo zokuphembelela izenzo okanye izigqibo zegosa elo, ekukhuthazeni igosa ekubeni lingahloneli imisebenzi yalo okanye ekufumaneni nayiphina into engahambi ngendlela efanelekileyo.

Ishishini okanye uncedo – nayiphina intlawulo engafanelekanga enxulumene neshishini leQumrhu ayivumelekanga, ukuquka iintlawulo zokufumana ushishino lukarhulumente okanye ukufumana nayiphina into eluncedo.

2.2 UMda woMgaqo-nkqubo

Lo mgaqo-nkqubo uchaza imigangatho engephi ekufuneka iqwalaselwe ngabo bonke abasebenzi beQumrhu ekukhuseleni ukungahloneli imithetho echasene nokunyoba, imigaqo nemiqathango. Ukuba ukwimeko enokuvelisa ukuxhalaba okuchasene nokunyoba okanye ukuba awuqinisekanga malunga nendlela yokuqhubekeka, qhagamshelana nomanejala wakho, iGosa lezoMthetho kwiQumrhu okanye abaPhicothi-zincwadi zangaPhakathi ngaphambi kokuba uthathe inyathelo.

Ukongeza, ukuba uyakrokra okanye unesizathu sokukrokrela ukuba omnye wabasebenzi okanye umahlulelane kushishino usebenzisa ingxowa-mali eyeyakhe ekwenzeni iintlawulo ezinjalo, kufuneka ugqithise ngaphambili oko ukukrokrelayo kumanejala wakho, iGosa lezoMthetho kwiQumrhu okanye abaPhicothi-zincwadi zangaPhakathi.

3. Ngubani iGosa likaRhulumente?

Igosa likarhulumente liquka nabanina, nokuba ukwesiphina isikhundla:

- Oligosa okanye umntu osebenzela nawuphina urhulumente wengingqi, wephondo okanye kazwelonke; (umzekelo, amalungu epalamente, amapolisa, abacimi-mlilo, amalungu asemkhosini, iziphatha-mandla zerhafu, abahloli berhafu okanye abezempilo, njl-njl.)
- Nawuphina umntu onesikhundla sobugosa okanye osebenza egameni lakhe nawuphina urhulumente okanye umbutho kawonke-wonke wezizwe zangaphandle (umzekelo, umcebisi karhulumente);
- Naliphina igosa okanye uMsebenzi weqela lezopolitiko;
- Nawuphina umgqatswa osuka kwi-ofisi yezopolitiko; kunye
- Nesizalwane esisondeleleneyo (umzekelo, umzali, izalamane, iqabane okanye umntwana) womnye kwaba bangasentla;
- Umlawuli, igosa, ummeli, i-arhente okanye umqeshwa weshishini likarhulumente okanye elilawulwa ngurhulumente okanye iQumrhu (nokuthetha ukuba urhulumente unezabelo ezithile kwisitokhwe okanye kwishishini, okanye unezabelo ezikhulu kunabo bonke, okanye ulawula isibonelelo eso kulawulo lwaso, ubulungu bebhodi okanye ezinye iindlela);
- Igosa okanye uMsebenzi wombutho kawonke-wonke wezizwe ngezizwe (umzekelo, weZizwe eziManyaneyo (UN), iKomiti ye-Olimpiki yeZizwe ngeZizwe, umbutho woMnqamlezo oBomvu weZizwe ngeZizwe, iMibutho yeHlabathi, njl-njl.).

4. Izipho

I-Tsebo inoMgaqo-nkqubo weZipho owahlukileyo. Lo mgaqo-nkqubo kufuneka ufundwe kunye nalowo umgaqo-nkqubo. Ukuba kukho ukubhideka okukhoyo okanye awuqinisekanga ngokuchaneka kwesipho, kufuneka kengoko ufunde umgaqo-nkqubo weZipho uze uqhagamshelane nomanejala wakho, iGosa lezoMthetho kwiQumrhu okanye abaPhicothi-zincwadi zangaPhakathi.

Abasebenzi kunye nabalawuli akufunekanga banikezele okanye bamkele izipho, izinto zolonwabo, okanye nayiphina into eyinzuzo emntwini okanye isibonelelo esisodwa esinokuthi nangayiphina indlela, sibe nempembelelo okanye sibonakale sinempembelelo kwisigqibo sabo kwimisebenzi yabo njengoko kuchaziwe kuwiso-mthetho oluchasene nokunyoba kunye nobuqhetseba.

Apho kunikezelwe okuthile kuMsebenzi okanye umlawuli kunye/okanye ilungu loMsebenzi okanye omnye wamalungu osapho omlawuli kungaphantsi kwexabiso lorhwebo, izikhokelo ekumiseni ungqquzulwano lwezinto umntu achaphazeleka kuzo okanye anomdla kuzo zingazezi:

- Ixabiso okanye ukuphinda-phindwa kwalo mnikelo wenziweyo lugqithisile xa kuqwalaselwa imigangatho yoshishino ekhoyo nokujonga iimeko zomntu uqobo onguMsebenzi okanye umlawuli ochaphazelekayo;
- Xa ukufunyanwa komnikelo onjalo kuba yimeko eqwalaselwe luluntu jikelele, ulwamkelo lomnikelo onjalo kungafaka emngciphekweni intembeko umthathi-nxaxheba ebenayo kwiQumrhu okanye kungachaphazela ngendlela embi isidima seQumrhu; futhi
- Ingaba lo mnikelo uluhlobo apho iQumrhu, kuko konke ekufuneka kwenziwe, lingawubuyiseli?

  Kumatyeli apho kubonakala kungafanelekanga ukwamkela okuthile, uMsebenzi kunye/okanye umlawuli ucetyiswa ukuba:

- Ngobuchule obukhulu alandule lo mnikelo; okanye
- Kwiimeko ezizodwa, ukuba ukulandula umnikelo onjalo kungabangela ukuhlazeka okanye ukukhathazeka emntwini lowo ogqithisa umnikelo, uMsebenzi angawamkela umnikelo egameni

- leQumrhu aze azise umanejala wakhe kunye noMlawuli woRhwebo ukuze kuthatyathwe inyathelo elifanelekileyo;
- Athobelane noMgaqo-nkqubo weZipho okhoyo weQumrhu kwiimeko zokuxela okwenzekileyo kwakunye nendlela eyamkelekileyo yokwenza oku;
- Awuchaze lo mnikelo kwirejista yezipho esemthethweni yeQumrhu negcinwe nguMlawuli woRhwebo.

Ukongeza koku, nawuphina uMsebenzi okanye umlawuli weQumrhu ogcinela okuthile, njengoko kuvunyelwe oko phantsi koMgaqo-nkqubo weZipho:

- Onika/ovumela ngokuthe ngqo okanye ngokungathanga ngqo ukunika umbulelo kuye nawuphina umntu ukuze lo mntu enze okuthile okungekho mthethweni okanye osebenzisa kakubi isikhundla sakhe okanye omiselwe ukufezekisa isiphumo esingalunganga;
- Onika okanye ofumana ngokuthe ngqo okanye ngokungathanga ngqo umbulelo ngempembelelo engafanelekanga ekunyuseni umgangatho, ukwenziwa okanye ukufunyanwa kwekhontrakthi; futhi
- Onika okanye owamkela ngokuthe ngqo okanye ngokungathanga ngqo umbulelo ukuze afake impembelelo kunikezelo okanye ekurhoxisweni kwethenda unetyala lokwenza ubuqhetseba phantsi komthetho owaziwa njenge-Prevention and Combating of Corrupt Activities Act nalapho iQumrhu liya kufuneka likuchaze oku emapoliseni.

5. IMisebenzi yezoPolitiko, eyeSisa kunye neminye iMisebenzi yoLuntu Jikelele

Kwiimeko eziqhelekileyo, asinokulindela ukuba ungquzulwano lwezinto umntu achaphazeleka kuzo okanye anomdla kuzo lungavela kumlawuli okanye ukubandakanywa komsebenzi nemibutho yeengcali zangaphandle, eyezopolitiko, eyoluntu okanye eyesisa okanye (ngokuxhomekeka kwimvume ebhalwe liQumrhu kwakudala) esuka kubongameli okanye isikhundla sobuphathiswa sezibonelelo zoshishino ezingakhuphisaniyo zingarhwebi neQumrhu.

Nasiphina isicelo solwamkelo olunjalo kufuneka sigqithiswe sibhalwe phantsi ku-CEO. UMsebenzi kufuneka axelele u-CEO nayiphina imisebenzi apho uMsebenzi lowo enesizathu sokukholelwa ukuba isimemo sokusebenza kuwo nawuphina umbutho onjalo sinikezelwe okokuqala ngenxa yokuqeshwa komntu lowo kwiQumrhu okanye apho kukho khona ukubandakanywa kweQumrhu okanye uxanduva lwalo.

Ukuze ungadibani nentelekelelo enjalo, ngaphandle kokuba oko kuvunywe yi-CEO ngokubhala phantsi, uMsebenzi kufuneka ohlukane nokusebenzisa iQumrhu okanye amaziko alo kwiinjongo zemisebenzi yesisa, eyozopolitiko okanye ezinye iinjongo ezingekho kwimisebenzi eqhelekileyo yoMsebenzi noxanduva lwakhe.

6. IMinikelo yeSisa

Ukuqinisekisa ukuba akukho mnikelo osetyenziswe ekufihleni isinyobo futhi akukho mnikelo unokuqondwa kakubi njengesinyobo, nawuphina umnikelo onikezelwe egameni le-Tsebo wenziwe kwi-Tsebo Foundation kwaye uthobelane nezi zikhokelo zilandelayo:

- Nasiphina isicelo somnikelo kufuneka sibhalwe phantsi futhi sichaze ngokwaneleyo injongo yesisa kwisiphiwo eso, nasiphina isizathu kushishino salo mnikelo, nazo zonke iinkcukacha malunga nomntu oza kufumana umnikelo.
- Umntu ozakufumana umnikelo kufuneka aqwalaselwe ekumiseni ukuba ngenene ngumbutho wesisa osemthethweni.

- Umntu ozakufumana umnikelo kufuneka aqwalaselwe ekumiseni ukuba oko akuhlangananga negosa likarhulumente elikwisikhundla sokuthatha inyathelo okanye ukwenza isigqibo esenzela i-Tsebo.
- Xa kukhona ukuthandabuza okukhoyo, isebe lezomthetho kufuneka lingqine ukuba umnikelo usemthethweni phantsi kwemithetho nemigaqo yelizwe apho umnikelo wenziwa khona.
- Umnikelo kufuneka wamkelwe ngokubhala phantsi futhi kwangaphambili yi-Tsebo Foundation ngokuhambelana nephepha layo lamalungelo (itshatha) kunye neenkqubo.
- Umnikelo kufuneka ubhalwe okanye ushicilelwe ngokucacileyo ngokuhambelana nephepha lamalungelo ase-Tsebo Foundation.

7. IiNtlawulo zokuBhexesha Facilitation Payments

Ingangumsebenzi wasekhaya wamashishini ukwenza iintlawulo zeemalana ezingephi kumagosa akwizikhundla eziphantsi ukuze kukhawuleziswe okanye kubhexeshwe amanyathelo esiqhelo karhulumente nalapho amagosa anjalo angenabulumko okanye ingqiqo. Imizekelo yemisebenzi yesiqhelo, amanyathelo angenabulumko aquka ukunikezela ukhuseleko emapoliseni, ukunikezela ii-visa okanye iinkonzo eziluncedo kuluntu, okanye ukubhatala iirhafu.

Iintlawulo ezinjalo zaziwa njenge-"ntlawolo ezibhexeshayo". Iintlawulo zokubhexesha azivunyelwanga phantsi kwalo mgaqo-nkqubo njengoko ziyimisebenzi yobuqhetseba.

8. UCwangciso-zimali oluFanelekileyo

Iincwadi zeQumrhu, iingxelo eziselugcinweni nee-akhawunti kufuneka zibonise konke ngokucacileyo nangendlela enobulungisa iinkcukacha zentengiselwano iyonke nee-aseti ezifunyenweyo namalungiselelo azo ngokuhambelana neyona migangatho iphezulu yobulungisa nemithetho-siseko yophicotho-zincwadi zemali eyamkelweyo jikelele.

Akukho mlawuli okanye msebenzi oyakuthi enze iingxelo zobuxoki okanye ezilahlekisayo kubaphicothi-zincwadi bangaphakathi okanye bangaphandle beQumrhu ngokunxulumene namalungiselelo, uphicotho-zincwadi okanye uvavanyo lwazo naziphina iingxelo zemali okanye ngenye indlela.

Akukho ntlawulo eyenziwe okanye eya kwenziwa eyakuthi yamkelwe ngaphandle kwamaxwebhu awoneleyo axhasa oko okanye ngeenjongo zokuba okanye ukuqonda ukuba intlawulo enjalo inenjongo ethile ngaphandle kwaleyo ichazwe kumaxwebhu axhasa oku.

9. Ukungabongozi mntu ekwenzeni izenzo ezingekho mthethweni okanye esikweni (Non-Solicitation)

IQumrhu alikwamkeli ukwenziwa kwayo nayiphina intlawulo yalo naluphina uhlobo (izipho, ukwenzelelela, njl-njl.) kwimpembelelo yaso nasiphina isenzo okanye isigqibo esinxulumene noshishino kwiQumrhu.

Akukho mlawuli, mnikezeli, mthengi, mntu owenze isivumelwano, umahlulelane kwindibaniselwano ngomsebenzi okanye uMsebenzi weQumrhu ozakwenza, anikezele, athembise okanye agunyazise intlawulo engekho mthethweni okanye engafanelekanga yalo naluphina uhlobo, ngexa esazi ukuba intlawulo enjalo injongo yayo kukunyoba, ukuhlawula ityala okanye isaphulelo semali kwiinzame zokunyanzelisa nawuphina umntu ekunikezeleni amathuba oshishino kwiQumrhu okanye ukuthintela naluphina ithuba loshishino ekubeni lingavunywa / lirhoxiswe kwiQumrhu.

Umntu ngamnye uyalunyukiswa ekubeni indlela yokuziphatha enjalo inganeziphumo ezibi kakhulu kwiQumrhu nomntu lowo wenze oko, ukuquka nokumangalelwa ulwaphulo-mthetho nemithetho yoluntu, kwaye iQumrhu liya kuphanda fundi lizilandele izityholo ezinjalo ngokusemthethweni ngokupheleleyo.

Iimbono zeQumrhu malunga nokwenziwa kwezenzo ezingekho mthethweni okanye esikweni kufuneka kuthethwe ngazo ngokucacileyo kubo bonke abantu abaqhuba ushishino kunye neQumrhu.

Ngaphezu koko, abasebenzi abavumelekanga nokuba kungexesha lengqesho yabo okanye kwixesha leenyanga ezili-12 emva kokuba benze izenzo ezingekho mthethweni okanye behende abasebenzi base-Tsebo ekubeni bayishiye ingqesho yabo e-Tsebo. Oku kuzibophelela kuyaqhubekeka futhi kugqithela ekupheleni kwengqesho ngaso nasiphina isizathu kwixesha leenyanga ezili-12 ukususela kwixesha lokupheliswa kwengqesho. Abasebenzi bayazi ukuba i-Tsebo inelungelo lokunyanzelisa esi sibonelelo emva kokuba uMsebenzi eyishiyile ingqesho, ize ibange nawuphina umonakalo ethe yanawo ngenxa yoku.

10. Ulwalamano nooRhulumente

IQumrhu lihlonipha iziphatha-mandla zikarhulumente kumazwe apho liqhuba khona ushishino lwalo. Kengoko kuyimfuneko ukuba abalawuli nabasebenzi bagcine ulwalamano olunyanisekileyo, olungenazimfihlo futhi lusesikweni kunye norhulumente, ii-arhente zakhe, amagosa kunye nabasebenzi.

Abalawuli nabasebenzi kufuneka baqinisekise ukuba xa benikezela ulwazi malunga neQumrhu kubameli bakarhulumente luchanekile, lubanzi kwaye luthobelana nemithetho nemimiselo esebenzayo nenxulumene nokuthatha inxaxheba koshishino kwimicimbi karhulumente.

11. AmaQela angaManye

AmaQela angaManye: Ngobani aba futhi Kutheni Kufuneka sibe neNkathalo?

Iingxaki zokunyoba kwixesha elininzi zibandakanya amaqela angamanye ngaphandle kwala mabini adibeneyo. Nawuphina umntu okanye isibonelelo esisebenza egameni le-Tsebo okanye phantsi kolawulo lwe-Tsebo, njengee-arhente, umabeli, abacebisi okanye oomahlulelane kwindibaniselwano ngomsebenzi ("Third Parties") nabo kufuneka bathobelane nalo mgaqo-nkqubo.

Ngenxa yokuba iimithetho echasene nokunyoba ithintela iintlawulo "ezingathanga ngqo" nezithe ngqo nonikezelo, i-Tsebo kunye nawe ninganoxanduva oluphathalene nendlela yokuziphatha kwamaQela angaManye xa sisazi okanye bekufanele ukuba siyazi ngendlela yokuziphatha engekho mthethweni. "Ukwenza ngathi awuboni" okanye ukungahoyi "iiflegi ezibomvu" ezichaza ukuba kungakho into engalunganga akusayi kukhupha etyaleni i-Tsebo okanye wena kulwaphulo-mthetho.

Ukugunyazisa iQela elingeLinye ekubeni lenze okuthile ongenako ukwenza ngokuthe ngqo, oko lulwaphulo lwalo mgaqo-nkqubo.

UPhando ngeNkuthalo (Due Diligence)

Ngaphambi ngokuba ungene kuso nasiphina isivumelwano okanye ikhontrakthi neQela elingeLinye, kufuneka kuqala wenze uphando olufanelekileyo ngemvelaphi yalo, udumo lwalo

okanye indlela eliziphethe ngayo kunye nolwazi ngoshishino. Olu phando lwaziwa njengophando lwenkuthalo futhi kufuneka lufakwe emaxwebhini.

Ikopi yefayili yophando lwenkuthalo kufuneka igcinwe kunye nesebe ekwenziwe nalo isivumelwano kwiqela/isibonelelo ngasinye athe u-Tsebo ekugqibeleni wangena kwisivumelwano naso.

Imbuyekezo neNtlawulo kumaQela angaManye

Imbuyekezo kumaQela angaManye kufuneka ifanelekile ngokwezorhwebo futhi ilingane nemisebenzi ethe yenziwa. Izivumelwano okanye iikhontrakthi kufuneka zinikezele imbuyekezo esisigxina kwimisebenzi ethile ephawuliweyo futhi zilumkele iikhomishini ezisekelwe kwipesenti enkulu nemirhumo yempumelelo.

Iintlawulo kumaQela angaManye kufuneka zenziwe ngokuhambelana nemigaqo yezivumelwano yazo; ngokukodwa, lulwaphulo lwalo mgaqo-nkqubo ukuhlawula izicelo zamaQela angaManye ekutshintsheni imigaqo yezivumelwano:

- Ngokunyusa okanye ukuthoba amaxabiso ekuvunyelwene ngawo kulo naluphina uluhlu lwezinto ezithengisiweyo namaxabiso azo (invoysi) xa kungekho siseko esinyanisekileyo safakwa nasemaxwebhini; okanye
- Ukugqithisa izintlu ezininzi zezinto ezithengisiweyo namaxabiso azo xa ukrokrela ukuba ii-invoysi ezinjalo zingasetyenziswa ngendlela echasene ne-Tsebo, iinkqubo okanye imithetho esebenzayo okanye ethe yasetyenziswa ngendlela engalunganga.

Izivumelwano ezinikeza iintlawulo kumaqela angengawo lawo anezivumelwano, okanye iintlawulo kwizizwe ingeyiyo indawo apho isibonelelo eso esinesivumelwano esisebenza kuyo kufuneka samkelwe kwangaphambili nguManejala oLawulayo.

IiMfanelo zeKhontrakthi kwaBanye aBantu Contractual Obligations of Third Parties

Izivumelwano okanye iikhontrakthi kufuneka ziqulathe iingxelo neewaranti ezinxulumene nokuthobelana nalo mgaqo-nkqubo kunye noMgaqo wokuziPhatha ngokuseSikweni.

12. Abacebisi, ii-Arhente noMabeli

Akukho Msebenzi weQumrhu oyakugcina umcebisi, i-arhente okanye umabeli de uphando ngenkuthalo olwaneleyo lwenziwe ekwenzeni lula ukuba uMsebenzi aququmbele ngokuqinisekileyo ukuba umcebisi, i-arhente okanye unozakuzaku okanye umlamleli uyakuqonda oku futhi uyakuthobela ngokupheleleyo imigaqo-nkqubo yeQumrhu. Nakuphina ukuqeshwa kwabacebisi kufuneka kwamkelwe ngokuhambelana noxwebhu lweMida yeziPhatha-mandla (Limits of Authority).

Isibonelelo sase-Tsebo kufuneka sibe nesivumelwano esibhaliweyo nomcebisi waso ngamnye, ii-arhente nomabeli kwaye isivumelwano eso kufuneka sibophelele ngokukodwa iqela elinjalo ekubeni lithobelane nowiso-mthetho olusetyenziswano eluChasene nokuNyoba nobuQhetseba kucace ukuba lusetyenziswa kubo ngokuthe ngqo.

Ekuvavanyeni abacebisi abanokubakho, ii-arhente nomabeli nangexesha lwalo naluphina ulwalamano olulandela oko namaqela anjalo, abasebenzi base-Tsebo kufuneka baqonde naziphina ‘iiflegi ezibomvu’ ezinokubakho okanye ezinokuvela. ‘Iflegi ebomvu’ ngumba okanye yimeko esebenza njengomqondiso wesilumkiso ekubeni unozakuzaku okanye umlamleli angasebenza ngobuqhetseba. Luxanduva loMsebenzi oqaphele iflegi ebomvu ukusombulula lo flegi ibomvu ngokwenza uphando olongeziweyo okanye agqithisele umba onjalo kwigosa elifanelekileyo lase-Tsebo.

13. Ululeko

Xa ethe umntu apho lo mgaqo-nkqubo oChasene nokuNyoba nobuQhetseba usebenza kuye, ophule lo mgaqo-nkqubo, i-Tsebo inelungelo lokululeka okanye iphelise ingqesho kuye nawuphina umntu onjalo okanye iphelise olo rhwebo okanye iikhontrakthi okanye izivumelwano ebinazo kunye nelo qela lichasana umgaqo-nkqubo. Bonke abantu apho lo mgaqo-nkqubo usebenza kubo kengoko bakhusela baze bafumanise iQumrhu lingenatyala kulo naliphina inyathelo elinokuthathwa liQumrhu ngokuchasene neqela elo lwaphule umgaqo-nkqubo futhi nawuphina umonakalo ovelayo, iindleko, amabango okanye ilahleko evela ngenxa yoko.

I-Tsebo ikwabophelelekile ngokusemthethweni ekubeni ikhethe ngokuzithandela kwayo ukuzisa ngaphambili ulwaphulo okanye ukuchasana nalo mgaqo-nkqubo kwaye/okanye uMgaqo wokuziPhatha ngokuseSikweni kwiiNkonzo zamaPolisa oMzantsi Afrika kwaye iqela elichasene noku lamkele la malungelo neemfanelo futhi lifumanise iQumrhu lingenatyala kuwo nawuphina umonakalo ovelayo, iindleko okanye ilahleko evela ngenxa yoko.

ISIHLOMELO KUMGAQO-NKQUBO – ISIKHOKELO ESONGEZIWEYO

Imizekelo yokuNyoba–Ukufaka impembelelo kwiGosa likaRhulumente kunye namaNyathelo angaFanelekanga okanye iNdlela yokuziPhatha kuseNzelelelwa i-Tsebo

Oku kulandelayo yimizeko yezinto zexabiso ezithi xa zinikezelwe ngenjongo engafanelekanga okanye phantsi kweemeko ezingafanelekanga, zingangabikho mthethweni:

- Ikheshi, okulingana nekheshi (umz. iitshekhi zezipho) okanye imali-mboleko kumagosa karhulumente, amalungu eentsapho zawo okanye abasebenzisana nabo (abasebenzisana nabo baquka nawuphina umntu ochazwe ngasentla);
- Iintlawulo zokuhamba okanye zokonwabisa amagosa karhulumente, amalungu eentsapho zawo okanye abo basebenzisana nabo;
- Ukwenzelelela kuquka unikezelo lwengqesho okanye uqeqesho olusemsebenzini (internships) kumagosa karhulumente, amalungu eentsapho zawo okanye abo basebenzisana nabo;
- Izipho (umz. iziqholo zomzimba, ubucwebecwebe okanye ijuwelari, ukusebenzisa ubulungu eziklabhini) perfume, jewellery, use of club membership) kumagosa karhulumente, amalungu eentsapho zawo okanye abo basebenzisana nabo;
- Iminikelo kwindawo yesisa esebenzisana okanye ebonelelwa ligosa likarhulumente, amalungu osapho lwalo, okanye abo asebenzisana nabo; kwakunye
- Negalelo kwezopolitiko kumaqela opolitiko okanye abameli bawo.

Imizekelo yokufaka impembelelo engafanelekanga kwigosa likarhululmente

- ukwenzelelela abakwa-Tsebo kubandakanya kodwa kungekho mda, unikezelo lwezipho okanye nayiphina into enexabiso, nokuba incinci kangakanani na ngokwexabiso apho:

- Igosa likarhulumente lingasayi kuthatha inyathelo ukuba awusikhuphanga isipho, kwaye unikezela isipho ekwandiseni amathuba okuba igosa likarhulumente lithathe inyathelo elinjalo; kwaye
- Igosa likarhulumente lisenokukhetha ukuthatha inyathelo okanye lingenzi nto lize lenze isigqibo esisekelwe kwisipho

Imizekelo engeminye yoncedo olungafanelekanga kushishino

Ibandakanya, kungekho mda, ekubeni xa igosa likarhulumente:

- Lingahoyanga ulwaphulo okanye linyamezele ukungathobelani nemithetho ekhoyo (umz. imithetho yendalo esingqongileyo okanye ukhuseleko lwabasebenzi);
- Lingawenzi umsebenzi ekufuneka wenziwe (umz. lingalwenzi uhlolo olufunekayo ngaphambi kokuba linikezele ipemethe);
- Linciphise imisebenzi yerhafu futhi linikezele irhafu eyenzelelayo.

Khumbula:

- Ukubonakala nje kwempembelelo ekhoyo kwigosa likarhulumente kungonela ekuvuseleleni isityholo sokuba ukunyoba kwenzekile.
- Nokuba yinzame yokunyoba igosa likarhulumente oko akuvumelekanga. Akukho mthethweni nokuba unikezelo olunjalo alwamkelwanga okanye intlawulo ayifezekisanga isiphumo esifunekayo.
- Nokuba akukho njongo yokuphembelela ngokungafanelekanga igosa likarhulumente, kusekho ingozi ukuba umntu ofumana oko uphembelelwe ngokungafanelekanga, okanye umntu ofumana oku ubona isibona isipho njengenzame kwimpembelelo yokuba enzelelele abakwa-Tsebo.
- Nokuba ingqiqo yokungafanelekanga ingabangela ukuhlazeka kwe-Tsebo, konakalise igama layo futhi oko kunyanzelise ukuba umbutho uhlawule imirhumo egqithisileyo yesimangalo izama ukuzikhusela.