

OFFICE OF THE FAMILY ADVOCATE

TIMFUNO LETINHLE
TEMNTFWANA
TIBALULEKE KUNDLULA
KONKHE

the doj & cd

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REPUBLIC OF SOUTH AFRICA

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NGUBANI UMMELI WEMNDENI?

Ummeli Wemndeni siphatsimandla lesifanelekile ngekweksetfo lesikhetfwe Litiko Letebungiswa Nekutfufukiswa Kwemntsetfosisekelo kwenyusa nekuvikela timfuno letinhle tebantfwana kumibango yemishado macondzana netibopho nemalungelo ebatali.

Ummeli Wemndeni, ngekweksetfo, angakhetsa Umeluleki Wemndeni lobhaliswe njengesisebenti setenhlalakahle nobe songcondvo kutewubasita ngengebungcweti lobutsite eluphenyweni.

YINI LETENTIWA NGUMMELI WEMNDENI?

Ummeli Wemndeni usita emacembu kufi nyelela esivumelwaneni ngemibango macondzana nekunakekela kanye nekutsintsa ebantfwana, ngekulamula. Eshlakalweni lapho khona kulamula kungabi yimphumelelo, emacembu angachubeka acatulule inkinga enkantolo. Etinzabeni tasekantolo Ummeli Wemndeni wenta luphenyo, afake umbiko wasenkantolo futsi angavela enkantolo kutewuniketa lobunye bufakazi futsi/nobe afake bofakazi imibuto.

Imisebenti Yemmelu Wemndeni ikhuliswe nguMntsetfo Webantfwana, 2005 (Umtsetfo 38 wanga-2005) lomusha kantsi seyifaka loku lokulandzelako:

- Kusita emacembu kudvweba tibopho tebatali netivumelwano temalungelo kanye netinhlelo tebutali.
- Kubhalisa tihlelo tebutali, kanye netibopho tebatali netivumelwano temalungelo.
- Kugucula nobe kuphelisa tibopho tebutali kanye netivumelwano temalungelo labhaliswe neMmeli Wemndeni.
- Kugucula nobe kuphelisa tihlelo tebutali letibhaliswe neMmeli Wemndeni.
- Ummeli Wemndeni uphindze asite ngekulamula lapho khona kunembango kutsi ngabe babe longakashadi unato tibopho tebutali kanye nemalungelo nobe cha.
- Kwenta luphenyo nekwenta tincomo enkantolo kutsi yini into lenhle lefanele umntfwana.

- Kuphenya emacaleni ekondla newebudlova basemakhaya landluliselwe enkantolo.
- LoMntsetfo uphindze wahlanganisa Ikhoniveshini ye-Hague neKutfumba Kwemhlabawonkhe futsi ngakoke wayenta incenye yemntsetfo waseNingizimu Afrika. Lihhovisi leMmeli Wemndeni lomkhulu likhetfwe njengeMtimba Losemkhatsini ekusetjentiswa kwalekhoniveshini.

Khumbula: Tibopho tebatali netivumelwano temalungelo kanye netinhlelo tebutali tisebenta kuphela uma tibhaliswe neMmeli Wemndeni nobe tentiwe umyalo enkantolo.

YINI TIBOPHO NEMALUNGELO EBUTALI?

Tibopho nemalungelo ebutali afaka ekhatsi, kunakekelwa kwemntfwana, kubonana nemntfwana, kulondvolotwa

kwemntfwana nekodliwa kwemntfwana.

NGABE UMMELI WEMNDENI UKWENTA NJANI LOKU?

Ngemuva kwekufaka sicelo kwanobe nguliphi kulamacembu nobe ngemyalelo wenkantolo uMmeli Wemndeni ufaka lamacembu imibuto uma bakhona bonkhe nobe ngekwehlukana lapho kudzingeke khona, kucinisekisa timeko tabo neminingwane yabo kulenzaba.

Ummeli Wemndeni uphindze afake umntfwana imibuto - ngelusito Lwemeluleki Wemndeni kutsi kutfolwe futsi kundluliselwe imibono yemntfwana ngalenzaba enkantolo, futsi nekuvikela umntfwana kwekutsi afakaze esimeni sasenkantolo lesingajabulisi.

Ummeli Wemndeni usita emacembu kwekutsi afi nyelele kuisombululo lesifanele ngendlela yekulamula lesesebentisa bungcweti bemntsetfo babo nemakhono ekucatulula umbango endzabeni. Uma emacembu afi nyelela kusivumelwano uMmeli Wemndeni utabasita kudvweba luhlelo lwebutali nobe sivumelwano setibopho nemalungelo lesingabhaliswa neLihhovisi leMmeli Wemndeni nobe sentiwe umyalo wenkantolo.

Uma emacembu angeke afi nyelele kusivumelwano, uMmeli Wemndeni utawuhlanganisa umbiko wenkantolo futsi ente tincomo ngekuya ngeluphenyo lolwentiwe.

YINI TINZUZO TEKUBANDZAKANYA UMMELI WEMNDENI?

- Uma emacembu afinyelela kusivumelwano ngetindzaba letibangwako lendzaba ayichubeki iye enkantolo, ngakoke kongiwa tindleko temntsetfo nesikhatsi.
- Tibopho tebutali netivumelwano letibhaliswe neMmeli Wemndeni tisebenta ngalokufanako ngemntsetfo njengaleti letentiwe umyalo wenkantolo. Tihlelo tebutali nato tingabhaliswa neMmeli Wemndeni.
- Ummeli Wemndeni angagucula nobe kuphelisa tibopho tebutali kanye netivumelwano temalungelo labhaliswe lihhovisi leMmeli Wemndeni. Loku kusho kutsi emacembu akumelanga kwekutsi aye enkantolo uma afuna kugucula sivumelwano uma kuba nesidzingo.
- Ummeli Wemndeni usebentisa bungcweti betemntsetfo nemakhono ekucatulula umbano kusita batali kufinyelela kuisombululo lesifanele kumbango wabo lesemukelekile enkantolo.
- Tinkantolo tidzingwa ngumntsetfo kutsi tibuke umbiko futsi/nobe tincomo teMmeli Wemndeni uma benta tincomo kwekutsi yini lekahle lekumele yentiwe ngemntfwana lomncane.
- Inkinga ingacatululwa masinyane ngaphandle kwekuyi umntfwana etinzaweni letesabisako letifana nenkantolo.
- Ummeli Wemndeni usebentisa indlela lengakhetsi akukhatsaleki kutsi ngubani lofake sicelo futsi ivikela timfuno letinhle temntfwana.

NGABE UMBONA NINI UMMELI WEMNDENI?

Emacembu angatsintsa neMmeli Wemndeni uma ngabe kunembango macondzana netimfuno letinhle temntfwana lomncane sib.-

- ✓ Uma kunembango macondzana nebumodli, kubona nobe kunakekela umntfwana
- ✓ Uma bafuna kudvweba tibopho tebatali netivumelwano temalungelo nobe tihlelo tebutali.
- ✓ Uma bafuna kubhalisa tibopho tebatali netivumelwano temalungelo nobe tihlelo tebutali.

- ✓ Uma bafuna kugucula nobe kuphelisa tibopho tebutali kanye netivumelwano temalungelo nobe tihlelo tebutali neMmeli Wemndeni.
- ✓ Uma kunembango wekutsi ngabe babe longakashadi wemntfwana lolawe ngaphandle kwemshado utenetsile tidzingo letimenta kwekutsi afaneleke kutfolwa tibopho nemalungelo ebutali lagcwele ngekulandzela uMntsetfo
- ✓ Etehlakalweni tekutfunjwa temhlabawonkhe kwebantfwana kuya nekusuka kulamave lanenkontileka neNingizimu Afrika ngaphandle kweKhoniveshini yase-Hague ngeTinhlangotsi Temshado Tekutfunjwa Kwebantfwana Emhlabeniwonkhe
- ✓ Tinkantolo tiphindze tente imiyalo leyalela uMmeli Wemndeni kwekutsi ente luphenyo futsi ente tincomo kwekutsi yini lenhle lefanele umntfwana.

NGUBANI LOBHADALA UMMELI WEMNDENI?

Ummeli Wemndeni ucashwa Litiko Letebungiswa Nekutfufukiswa Kwemntsetfosisekelo futsi usebentela sive mahhala hha ngetindleko teMbuso. Emacembu lanembango wemntsetfo angadzingakala kwekutsi abhadale imibiko yebungcweti leyengetiwe, sib. kuhlolwa kwengcondvo, kanye neletinye tivivinyo letisemntsetfweni letibalulekile ekuncumeni timfuno letinhle temntfwana.

NGABE UTFOLAKALA KUPHI UMMELI WEMNDENI?

Kwanyalo kunemahhovisi etigodzi langu-16 eMmeli Wemndeni lapho khona sifundza ngasinye sineli(ma)hhovisi laso. Bona iminingwane yekutsintsa yelihhovisi lelisedvute lakho ngemuva kwalencwajana.

Kutfolwa umningwane lomnyenti vakashela iwebhusayithi yetfu – www.justice.gov.za



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