



**UMNYANGO WEZEMVELO NEZOKUVAKASHA
IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU**

**IPULANI ELINGAPHELE LE GENERAL POLICY EKWABIWENI ON THE
NOKUPHATHWA KWAMALUNGELO AMADE EKUDOBENI: 2005**

**LOMGOMO KUMELE UFUNDELWE KANYE NOMGOMO WE FISHERY
SPECIFIC (iyatholakala ku www.mcm-deat.gov.za)**

**This document is also available in Afrikaans, isiXhosa and English
Hierdie document is ook in Afrikaans, isiXhosa en Engels beskikbaar
Qaphela ukuba lencwadi iyafumeneka nangolwimi lwesixhosa**

Isixwayiso esibalulekile: Cluster C no Cluster D wabaceli bayanxuswa ukuthi bafunde i General Policy on the Allocation kanye ne Management of Long Term Commercial Fishing Rights: 2004, asikho isidingo sokufunda ikhasi ngekhasi yale General Policy. Kodwa abaku Cluster C no Cluster D bafunde indawo ka B yale General Policy.

Phinde uqaphele , ukuthi lemigomo ayiqondene ne Linefish Traditional. Futhi, izicelo zamalungelo e Handline Hake; West Coast Rock Lobster (near shore); Netfish; Oysters kanye ne White Mussel sectors bayaziswa ukubuka i Fishery specific policy kwemigomo okumele ilandelwe. kulawo ama sectorsKumele abazofaka izicello bafundisise lemigomo ngaphambi kokuthi bafake izicelo zabo..

OKUQUKETHWE

PART A: ISIQALO KANYE NOKWAKUQALA	5
1. ISIQALO	5
2. ISICELO	6
3. IZIZATHU KANYE NENDELA EYA PHAMBILI	6
4. IMAYELANA NANI LOMGOMO	7
4.1 Izimpoqo zamazwe aphesheya mayelana nokuba	7
4.2 Umthetho okwabeleni kwamalungelo	8
5. UMSEBENZI WOMNYANGO NOKUNIKEZA KWEMISEBENZI KWABANYE	9
5.1 Amandla okunikeza umsebenzi	9
5.2 Izinto ezenziwa umnyango ekuncedeni ukukhishwa kwamalungelo.	10
5.2.1 I Fisheries Research	10
5.2.2 Ukuphathwa kwe Fisheries Management	10
5.2.3 I Fisheries kanye nemithetho yangasogwini	11
5.2.4 Ukutholakaka kwe kolwazi	11
PART B: INDLELA YOKWABIWA KWAMALUNGELO	12
6. UKWABIWA KWAMALUNGELO OKUDOBA	12
6.1 Ubuthetho bamalungelo okudoba	12
6.2 Ukwabiwa kanye Nokuphatha	12
6.3 Indlela yokwabiwa	13
6.3.1 Ukuthinteka komphakathi	13
6.3.2 Indlela yokwakhiwakuma Cluster	13
6.3.3 Indlela yokulandelwa ku Cluster A	15
6.3.4 Indlela yokulandelwa ku Cluster B	18
6.3.5 Indlela yokulandelwa ku Cluster C	22
6.3.6 Cluster D izindlela ezilandelwayo	25
6.4 Izingqumo	29
6.4.1 Indlela yokukhetha nokwenza izingqumo	29
PART C: uMGOMO wokunqamulezayo CROSS CUTTING EKWABIWENI KWAMALUNGELOKANYE NE QUANTUM	31
7. IMIGOMO EBUKWAYO	31
7.1 Imigomo elandelwayo ekwabiweni kwamalungelo	31
7.1.1 Ubude bamalungelo kanye nemiqathango yokukhishwa kwamalungelo	31
7.1.2 Uhlobo lomuntu onelungelo	31
7.1.3 Ukushintsha	32
7.1.4 Multi-sector involvement	35
7.1.5 Ukuhlanganiswa	35
7.1.6 Abasha	36
7.1.7 Monopolies	36
7.1.8 Indlela yokusebenza	37
7.1.9 Ama Paper Quotas	38
7.1.10 Ukuchumisa kanye nokuthuthuka kwamabhezini	40
7.1.11 Ukwakheka kwemisebenzi	40
7.1.12 Ukuthembela kanye nokuzibandakanya ngaphesheya	40
7.1.13 Ukuthuthuka komnotho kanye en geographic justice considerations	41
7.1.14 Imikhumbi kanye nokuzama ukudoba	41
7.1.15 Ukuphepha kwabasebenzi	42
7.1.16 By-Catch Mitigation and Reduction Measures and dumping	42

7.1.17	Izindlela zemvelo ezenziwayo _____	43
7.1.18	I Bait Fisheries _____	44
7.2	Imigomi ye Cross-cutting policy yokur Quantum Allocations _____	44
7.2.1	Ama Clusters A kanye no B _____	44
7.2.2	Ama Clusters C no D _____	44
7.2.3	I quantum eningi esele emva kwama appeals _____	44
7.2.4	Ukunyuka kwe TAC/TAE _____	45
7.2.5	Ukuthuthukiswa kwamabhizinisi _____	45
PART D: IZINTO EZIBHEKWAYO EMVA KOKUNIKEZWA AMALUNGELO _____		46
8.	UKUPHATHA KWEZOKUDOBA KANYE NALABO ABATHINTEKAYO (“INDUSTRIAL BODIES”) _	46
9.	IZIMALI KANYE NOKUTHOLWA KWEZIMALI _____	47
10.	IZINHLELO ZOKUBONISA _____	47
11.	UKUDLULISELA KWAMALUNGELO OKUDOBA _____	48
12.	UKUSETSHENZISWA KWEZIMOTO NGASOGWINI _____	49
13.	IZINDAWO EZIVIKELEKILE OLWANDLE KANYE NE ZINDAWO ZEFISHERIES MANAGEMENT _	49
13.1	Izindawo ezivikelekile olwandle _____	49
13.2	Izindawo ze Fisheries Management _____	49
14.	UMTHETHO KANYE NO SECTION 28 WEZAZISO _____	50

PART A: ISIQALO KANYE NOKWAKUQALA

1. ISIQALO

Leli pulani eliyi t **General Policy on the Allocation and Management of Long Term Commercial Fishing Rights** ikhishwe Umnyango wezemvelo nezokuvakasha: Branch Marine and Coastal Management ("uMnyango").

Lomgomo ubizwa ngo kuthi l **General policy** kumele ifundwe kanye nemigomo yakwa **Fishery specific policies, or Sector specific policies** ezothathelwa kwi commercial kanye ne experimental fishing sector. Kule General policy izinto eziningi ezimayelana nokudoba zicaciswa .Lemigomo futhi ayizinto ezilandelwayo kwi Fishery specific policies, eyenziwa umnyango ngokwenza ukuthi bakhiphe amalungelo kubantu okudoba. Labo abafuna ukungenela bayacelwa ukuthi bafunde General policy kanye kanye ne Fishery specific policy.

Umnyango unomsebenzi okubonelela yonke lento ekukhishweni kwamalungu abenza umsebenzi wokudoba kuqala kulabo abanekhona njenge Hake Deep Sea Trawl and South Coast Rock Lobster kuya kula abasebenza ngesidala abasebenzisa l netfishing. Labo abanesandla basuka ezindaweni ezihlukee kanti uMnyango uyakunaka lokho ngoba ngeke bafakwe endaweni eyodwa bonke.. Labo abasenza isidala bangathola kulula ukuthi babe nezwi kulemigo kwindlela abasebenza kuyo.Ngoba kukhona ukuba nokuthinteka komphakathi yikho yenziwe nje . Kulaba abasenza ngesidala, umnyango uzofuna abaphetheyo babe namazwi kuphela kuma public hearings, lapho ukukhuluma kubukwa i Fishery specific policy. Kucoshehelwe kakhulu kulamigomo indlela abekwa ngayo, kusetshenziswe lulimi oluzwakala nokuthi lemigomo itholakale kalula.

Phezu kwalokho umnyango une **Fishery management manuals** eholakala emphakathi ene **Sector management plans** ezochaza indlela yokuphatha kanye neminye imicikilisho kuleyo naleyo ndlela yokudoba.

Amalungu emphakathini kanye nabaphetheyo bavumelekile ukuba nezimvo zabo kule General policy kanye ne Fishery specific policies. Lemigomo izoshintshwa umnyango emva kwalezizimvo zabantu sezibukiwe.Imigomo yokugcina izokhishwa emva kokuba umphakathi usuthintiwe.

2. ISICELO

Lomqulu uphethwe imigomo ejwayelikile ezosetshenziswa ekukhishweni amalungelo amade ekudobeni kulezindawo:: Hake Deep Sea Trawl, Hake Inshore Trawl, Horse Mackerel, Small Pelagics, Patagonian Toothfish, South Coast Rock Lobster, KwaZulu-Natal Prawn Trawl, Hake Long Line, West Coast Rock Lobster (Off Shore), Squid, Tuna Handline, Seaweed, Shark Demersal, Handline Hake, West Coast Rock Lobster (Near Shore), Oysters, White Mussels and Netfishing. Kulokho kuzobukwa izinto eziwu 18 ebhizinisini lokudoba.

I General policy ayihlanganisi kulokhu –

- ❑ Kwi Linefish Traditional. Umgomo ohlukile uzosetshenziswa ozobuka kuphela linefish traditional.
- ❑ ISubsistence fishing. Umgomo ohlukile uzosetshenziswa ozobuka kuphela Isubsistence fishing, ehlanganisa I subsistence fishing of East Coast Rock Lobster kanye Abalone e Eastern Cape;
- ❑ I Recreational fishing. Umgomo ohlukile uzosetshenziswa ozobuka kuphela nge recreational fishing;
- ❑ iForeign fishing;
- ❑ Izindawo zoku proseswa kwezinhlanzi. Umgomo ohlukile uzosetshenziswa ozobuka kuphela ngezindawo zokuproseswa kwezinhlanzi
- ❑ iMariculture. Umgomo ohlukile uzosetshenziswa ozobuka kuphela ngemithetho kanye nokuphatha kwi mariculture eSouth Africa; kanye
- ❑ I Non-consumptive marine activities, ezihlanganisa i boat based cetacean watching, shark cage diving, sport diving kanye ne SCUBA diving. Umgomo ohlukile uyokukhishwa ezobibuka lezi ngokuhluka kwakho.

3. IZIZATHU KANYE NENDELA EYA PHAMBILI

Le General policy, ihlangene ne Fishery specific policies, yenzelwe ukuthi isize ekwabiweni kwamalungelo amade ekudobeni. Futhi i. General policy iphinde ibike izinto zomnyangoephinde ukukhishwa kwamalungelo. Umnyango ubuka zonke, ukuze kuvunywe izinto., ukuze kulandelwe izindlela zokuphatha..

4. IMAYELANA NANI LOMGOMO

IGeneral policy kanye ne Fishery specific policies enziwa I South Africa's ngokwemithetho yaphesheya, kanye nemithetho engeke ibaphoqecele ezweni, kanye nemithetho yokwabela amalungelo .

4.1 Izimpoqo zamazwe aphesheya mayelana nokuba

Ngesikhathi se **World Summit on Sustainable Development** ("WSSD"), eyayibanjelwe e Johannesburg ngo September 2002, amazwe athatha izinqumo zokugcina izinhlazi ezingenza kubekhona ukuthuthuka . Indlela eya phambili manje eyokuthi kuzokwenziwani ngale stock esingasalungile ngomnyaka ka 2015. Amazwe enza ukwenza ama plans okuthi bazokwenze njani.I WSSD lisibonile isidingo sokugcina I productivity ne biodiversity ibalulekile marine kanye ne coastal areas, ngaphezulu kwemithetho ekhona manje. I aim ukuvikela icosystem, ngokususa izinto ezingayiphazamisa ekudobeni, yenze izindawo eziphephike kwi marine, kanye grounds nokuphephisa lezo zindawo. Ngokwe *Reykjavik Declaration* ka 2001 kanye nepulani le Johannesburg ezukela kwi WSSD, I South Africa izimisele ukuqalisa I Ecosystem Approach to Fisheries ("EAF") ngo nyaka ka 2010.

I **Food and Agriculture Organisation's 1995 Code on Responsible Fisheries** indlela yokuzenzela ibonikalisa ukubaluleka kokudoba, kuhlanganiswe nezamanzi , inikeze ukudla , imisebenzi, I recreation ukuthengisa nokuthuthukisa umphakathi kulolonke izwe ngakho kumele iphathwe . I Code ichaza kahle ama principles kanye nezangaphandle izinto okumele zenziwe ukuze kongiwe imvelo, nokuqala izizinda zezin aquatic resources, ukuze kuhlonipheke icosystem kanye ne biodiversity.I Code iyazi nge nutritional, economic, social, environmental kanye ne cultural ukubaluleka kwazo lezizinto. ICode isize yanikela kumapulani amane okuyilawa International Plans of Action ("IPOAs"). I IPOAs ekungeyoku IPOA kwi Capacity; i IPOA ukuvikelat, Ukususa ubugebengu , Unreported kanye ne Unregulated Fishing ("*IUU fishing*"); I IPOA ukunciphisa ukubanjwa koshaka; kanye ne IPOA for the Reduction of the Incidental By-catch of SeabirdsI I South Africa izimisele ukuyifaka le code, lawa amane IPOAs ukuze kube ipulani yezwe eyenziwe I POA ukunciphisa ukubanjwa kwama sea bird kanye nosaka.

Imithetho ye United Nations Convention ngemithetho yasolwandle, 1982 ("UNCLOS") ifuna ukwenza umthetho mayelana ngezilwandle zaphesheya ukuze kube nokukhulumisana okulula namazwe angaphandle.Ifuna ukuqhubezela ukuthula kwezolwandle, kanye kokusetshenziswa kwama marine resources, kanye nokongeka kwezilwane zasolwandle, nokuvikeleka kwe marine environment.

Isivumelwano se United Nations Fish Stocks, 1995 ibuka I UNCLOS ngokuthi icacise ukuthi ama straddling fish stocks (njenge hake) kanye nabo ofishi abahambayo migratory fish stocks (such njenge tunas) angaphathwa kanjani.

I South Africa iyilunga kwi **Regional Fishery Management Organisations (“RFMO’s”)** inakekela kwezilwane njenge shared fish stocks, i tuna, swordfish kanye ne Patagonian toothfish. Lezi zihlanganisa Ihlanganisa i International Commission for the Conservation of Atlantic Tunas (“ICCAT”), i Commission for the Conservation of Southern Bluefin Tunas (“CCSBT”), I Indian Ocean Tuna Commission (“IOTC”) kanye ne Convention for the Conservation of Antarctic Marine Living Resources (“CCAMLR”),i South East Atlantic Fisheries Organisation (“SEAFO”) kanye nethe Southwest Indian Ocean Fisheries Commission (“SWIOFC”).

Njenge lungu le Southern African Development Community (“SADC”), inemvume yokusayina kwi **SADC Protocol on Fisheries**, iSouth Africa iphoqellekile ekusebenziseni kwe shared fish stocks kanye nomakhelwane be SADC. Lezi shared stocks zihlanganisa I hake, pelagics, prawns, linefish kanye ne horse mackerel.

4.2 Umthetho okwabeleni kwamalungelo

I transformation kwi fishing industry ilungelo kanye umthetho.I Transformation akusiyo nje ye politiki noma ukuzikhethela. Indlela enyuswa ngayo ingendlela ye Marine Living Resources Act 18 of 1998 (the “MLRA”). Isidingo se MLRA is, *inter alia*, tukubuka izindlela okungasetshenziswa ngayo I marine living resources, kanye nokuphatha lawo maresources nggendlela engakhethi ukuze wonke umuntu e South Africa abenento anayo. Ngokuka section 2 ye MLRA, u Minister kanye nabanye bazobanezinto okumele bazanze ngaphansi kwalomthetho.

Yilezi :

- (a) *Isidingo sokuthola kanye nokusebenzisa izindlela ezingeke ziphazamise imvelo yasolwandle.;*
- (b) *Isidingo soku conserve marine living resources manje nakusasa;*
- (c) *isidingo sokubanamacebo okuphatha nokuthuthukisa marine living resources;*
- (d) *isidingo sokuthuthukisa umnotho, , abantu bathuthuke,ukwakeka kwemisebenzi kanye nesound ecological balance*
- (e) *ukuvikela I ecosystem as a whole,kuhlanganise izilwane zakhonatargeted for exploitation;*
- (f) *(f) isidingo soku vikela I marine biodiversity;*
- (g) *ukunciphisa I marine polution*
- (h) *isidingo sokwenza izinqumo kube kuhlangene nabanyethe;*

- (i) *kanye nokunye okuthintekayo lapha kanye nemithetho*
- (j) *isidingo soku restructure i fishing industry okubheka i historical imbalances*

Ukukhishwa kwamalungelo nguhulumeni ukuqhubezela I transffuthi iyasetshenziswa ku section 2 we MLRA. Ukuze ukudayiswa khambe ngendlela , umuntu kumele acele amalungelo ngaphansi kwe MLRA. U Section 18 ufuna lokhu:

- (1) *Akufanele kube khona umuntu azame ukudayisa noma enze subsistence fishing, angene kwi mariculture noma asebenze kwi fish processing establishment ngaphandle uma benelungelo lokwenza njalo unikezwe u Minister*

Ukuze ukwanzi ukuwasebenzisa lamalungelo ngaphansi kuka section 18, umuntu kumele anikezwe ngaphansi kwe section 13 of the MLRA, efuna:

- (1) Kumele umuntu athole imvume ku Minister
- (2) Ngaphandle kwe Constitution ne MLRA, iziGeneral Regulations, njenge GN 1111 in Government Gazette 19205 of 2 September 1998 (as amended) alungele ,, *inter alia ukwenza ama procedure adopted for appeals, ngo rugulatha iindawo ezivalekile. Ama Regulations aphinde abuke I landing, transportation, delivery, receipt, processing kanye ne marketing ka fish , noku controla umthetho,ukushiya kwezinto olwandle, fishing harbour regulations kanye nezinto ezenziwayo.*

IMLRA kanye nama Regulations achazwa enkantolo ibuka ama medium term rights allocation process,kanye neminye imithetho. Lezizinqumo zabukwa ukwenza amalungelo amade okukhishwa kwamalungelo.

i National Environmental Management Act 107 of 1998 (“NEMA”) yenza ama framework ukweinsa I environmental management kanye nemigomo.

5. UMSEBENZI WOMNYANGO NOKUNIKEZA KWEMISEBENZI KWABANYE

5.1 Amandla okunikeza umsebenzi

I MLRA inamandla e Minister of Environmental Affairs and Tourism (“*the Minister*”) kanye no Director-General (“*the DG*”). Ngakho nabo sebekhethe abantu babo ukuthi benze eminye, okuhlanganisa namandla ngaphansi kwe section 13 (ukunikezwa kwamalungelo), section 18 (ukunikezwa kwamalungelo), section 28

(ukukhansela, ukunqaba noma ukuthathwa kwamalungelo kanye nezimvume), section 81 (ukunikeza kanye noku khansela) no section 83 (ukuvunywa kwanye nokuphenywa ngokwesayensi).

Konke lokhu ungakubuka emnyangweni noma ku www.mcm-deat.gov.za.

5.2 Izinto ezenziwa umnyango ekuncedeni ukukhishwa kwamalungelo.

5.2.1 I Fisheries Research

Lomsebenzi wenziwa I Chief Directorate: I Research, Antarctica kanye ne Islands. Umgomo wayo kwale research ukwenza ukuthi kuhlengeke I ecosystem kanye nama seals and sea gulls ahlengeke nawo.

Ekwenzeni I scientific research I Chief Directorate I subscribekwi Principle 15 of the Rio Declaration of the UN Conference on Environment and Development (Rio de Janeiro, 1992), esho ukuthi *“Ukuze ukwazi ukuvikela imvelo ,I approach yenziwe I state ngokwa capabilities abo . Lapho okkhona izinto ezethusayo , namadamage , ngokungabi nobuscienci ngeke kusetshenziswe njesizathu sokungavikeli.*

I precautionary approach kuma fisheries , ngokubuka imithetho, imvelo izo supoortwa.Izinkinga eziningi zenziwa ngokungabi nendlela elungile yokuphatha uma bebhokene ngokukhulu ukungazi. Ngoba bengazi I fishery ithikamezeke

IScientific research ibuka izinldela ezhlukene zama fish stocks yenze iTotal Allowable Catch (“TAC”) noma I Total Applied Effort (“TAE”) noma okuhlangene section 14 of the MLRA.

Ama Scientific working groups okwamanje asebenza ngaphansi kuleyo naleyo fishery sector. Leyo working group yenziwa I departmental scientists kanye nabantu bangaphandle kwezinye izi other marine science institutions, eziphezulu. zokufunda. Amanye ama sector kwi Operational Management Procedure (“OMP”). Amanye aphantwa ngama annual assessments.

5.2.2 Ukuphathwa kwe Fisheries Management

U Chief Directorate: Fisheries and Coastal Management inemisebenzi emibili. Owokuqala uku facilitate kanye noku regulate isustainable nokuthuthuka yokusetshenziswa kwezasolwandle kanye nama lungelo okudoba, izimvume, ama exemptions kanye namalayisense. Okwesibili , ukusebenzisa I South Africa’s coastal resources, iphathe izindawo yasolwandle.

5.2.3 I Fisheries kanye nemithetho yangasogwini

Lomsebenzi wenziwa I Chief Directorate: Fisheries kanye ne Coastal Compliance. Umnyango uqasha ama fishery control officers rabenza ukudoba kwenzeka.

Ukwenza umthetho uhambisane nowokudoba ,i Chief Directorate isebenzisa ama compliance tools enza ukuwenza uku. Ama Compliance tools ilawo :

- ❑ Izinga eliphezulu lama offshore veseli;
- ❑ I Specialised environmental courts;
- ❑ Ama Observer programmes;
- ❑ Ama Marine protected areas;
- ❑ AmaVessel monitoring systems;
- ❑ Ama Public education programmes;
- ❑ Co-management of fish stocks;
- ❑ Ama Honourary fishery control officers;
- ❑ Ama Strategic compliance partnerships with non-governmental organisations, local governments, conservation bodies and other applicable organs of state.

5.2.4 Ukutholakaka kwe kolwazi

Umnyango unezindawo zokuthola ulwazi kuma Chief Director: Research, Antarctica and Islands, the Chief Director: Fisheries and Coastal Management and the Chief Director: Fisheries and Coastal Compliance.

Ulwazi oluningi oluthinta amalungelo,njengemigomo, ama record ezinqumo, general published reasons, kanye nezinqumo ze compliance databases, TAC's and TAE's ayatholakala kumnyango, noma kwi web site ethi (www.mcm-deat.gov.za). Amalungu ayagqugquzelwa ukwenza lokhu

- Inombolo yomnyango yokusiza lthi 0861 123 626;
- Vakashela I Customer Services Centre eForetrust Building, 2nd Floor, Martin Hammerschlag Way, Foreshore, Cape Town; noma
- Vakashela Fisheries Officer ezindaweni zethu noma usebenzise I customer care line

Ama record amaningi azokhishwa.Amakhophi azobanemali yawo ezoshiwo

PART B: INDLELA YOKWABIWA KWAMALUNGELO

6. UKWABIWA KWAMALUNGELO OKUDOBA

6.1 Ubuthetho bamalungelo okudoba

Ngaphambi kokuthi IMLRA ize iqale ngo 1998, umnyango unikeze ama fishing “quotas” ngaphansi kwe Sea Fisheries Act, 12 of 1988. Section 18 of the MLRA usunikeza manje ama fishing “rights”. Umthetho wokuthola amaungelo uyafana ne “quota” ngaphansi kwe Sea Fisheries. Amalungelo ngaphansi kwe MLRA akusiwo amalungelo e property kodwa amayelana nokudoba . Ukukhansela ,akuvumeli expropriation ngaphansi kwe section 25 of the Constitution noma Expropriation Act 63 of 1975.

Lokhu kuchazwa kahle ku section 18(6) of the MLRA, okuchaza ukuthi amalungelo avumeleke isikhathi esingakanani which njengo Minister (noma okhethiwe ukwenza lowomsebenzi)

Ilungilo elomuntu onikiweyo ngeke akwazi ukuli transfeya ngaphandle kwemvume yabaphetheyo. Uma umuntu eshona isinqumo siyokhishwa e executor, noma ama trustee . Uma u transfeyela kumuntu wesithathu uzodinga imvume yomnyango.

6.2 Ukwabiwa kanye Nokuphatha

I General policy kanye ne Fishery specific policies inama core principles awu 5 a gayida ukwabiwa kwamalungu kanye ne management of commercial fishing rights. Yilawa ayisihlanu futhi inikeza ama objectives anombolwe ngaphansi kuka Section 2 of the MLRA. Yilawa:

- (a) **Ukushintsha:** izinga loshintsho kwi fishery kanye nesidingo sokubuka historical imbalances kanye nokuthola ukulingana endaweni yokudoba.
- (b) **Ukubuka kwebhayoloji:** Kumelwe kubukwe target species must be considered. Ngokubukwa kwe Total Allowable Catch (“TAC”) or a Total Allowable Effort (“TAE”), kokubili.
- (c) **Ukubuka kwe Ecological :** I marine ecosystem lapho ama target species avela khona

- (d) **Ibhizinisi kanye ne socio-economic kanye nokubuka umnotho:** Okwamanje I, socio-economic impact ekwabeleni kulabo Bantu kuxhomeke kwi target species are considered
- (e) **Ukwenza noma ukwenza komuntu ocelayo:** Umthetho kanye nokwenza komuntu onesicelo abanezimvume bayobukwa. Kanye nalabo abazamayo ukwenza kahle bayobukwa.

6.3 Indlela yokwabiwa

6.3.1 Ukuthinteka komphakathi

U Minister of Environmental Affairs and Tourism wenze Izimbizo ezi wu 6 kuma coastal communities ngo 2004. Babetshela abantu ngamalungelo nokukhishwa kwawo

Leyo e forma process lapho okuthintwa umphakathi inalokhu. Kwi General policy, tumnyango uzokhipha i draft Fishery specific policy yaleyo naleyo sectorr. Umphakathi uzomenywa ukuthi ube nezwi. Ngaphezu kwalokho umnyango uzokhipha kwi Government Gazette. Umnyango uzophinde ukhiphe ama hearings

6.3.2 Indlela yokwakhawakuma Cluster

Ikuzokhishwa ama sector awu 18nezindawo ezine. Isizathu se clustering fisheries i procedural. Kubukwa ama criteria amaningi. Yilawa:

Cluster A

- Hake Deep Sea Trawl;
- Hake Inshore Trawl;
- Horse Mackerel;
- Small Pelagics;
- Patagonian Toothfish;
- South Coast Rock Lobster;
- KwaZulu-Natal Prawn Trawl.

Cluster B

- Hake Long Line;
- West Coast Rock Lobster (off shore);
- Squid;
- Seaweed
- Tuna Pole
- Demersal Shark

Cluster C

- Handline Hake;
- West Coast Rock Lobster (near shore);

Cluster D

- Net Fish (gillnets; beach seine and KZN beach seining);
- Oysters;
- White Mussels.

6.3.2.1

6.3.2.1 Indlela yokukhuluma

Abaphathi ngeke bathinta labobantu ngokwabo.noma ama representative noma ama advisors. . I consultation process icacisiwe kule policy document. Umnyango uzothintana nomphakathi kanye nama stakeholders mayelana General policy kanye ne Fishery specific policies achazwe ngaphezulu. The Department will further assist applicants in the manner described below Ngeke abukwe ama oral appeals.

6.3.2.2 Ulwazi olubukwayo.

Le approach ezothathwa u advisory Committee kanye nabathatha izinqumo nama appellate authority kumelwe kubukwe lokhuuma ku aseswa ama applications:

- (i) **Enye icala le application form elingagcwalisiwe:** Lokho okungagcwalisiwe , kuyothathwa ngokuthi akuqondene nalelo applicant. Uma I positive ngeke afakwe ama score anikezwe. Uma ushiye ikwaba blank ngeke ubukwe futhi ngoba bazocabanga ukuthi uphende=ule ngokuthi cha
- (ii) **Ukuletha I information**Ngeke ibukwe information elethwe sekudlule isikhathi ngaphandle uma icelwe lumnyango.
- (iii) **Information from external sources:** *Ngeke* sibuke I information ephuma kwi third party.
- (iv) **Use of Departmental database:**Umnyango uzosebenzisa I information eyithole kwi database yayo ngaphandle kokuvalwa.
- (v) **Ukuletha I information engamanga noma ama documente nokungasho iqiniso:** Abafaka izicxelo kumele bafunga ngaphambi kwe commissioner ukuthi abaqambi mangamation or amanawo ama criminal records.Kumele basho ukuthi I materialiyiqiniso , futhi benze konke ukukhombisa I transparency.
- (vi) **Amakhophi amadocumente:** *Wonke ama documents ayo forma I I application form.* Kumele a sign I commissioner of oaths.Uma umnyango ufuna I electronic copy bayodinga ne original copy futhi..

6.3.2.3 Ukutholakala kwe information.

Ama applicants bayonikezwa I prescribed fee, kwi score sheet eqediwe u Advisory Committee mayelana ne application yakhe. Kumele kucace ukuthi le sngoke ikhombise I score sokugcina. I score sheet ine assessment ye Advisory Committee, echekhwa wengabantu abenza izinqumo.. Enye I “corrected” score sheet yenziwa abenza izinqumo. Ngaphezu kwama score sheet abanezicelo bazobheka ama Spreadsheet yezinqumo,ene summary yawowonke ama applicants, kunezimali abazikhokhayo ukuthenga leli copy..

6.3.3 Indlela yokulandelwa ku Cluster A

6.3.3.1 Indlela Yokukhuluma:

Ukukhulunywa kwi **Cluster A** izokwenzeka kwi formal channels. Ikwi **Cluster A** ukukhuluma kuzokwenzeka kuma mechanism amathathu. Yilawa ke:

- I Electronic Media (ama policies kanye nokwabiwa kwamlungelo atholakala kwi website , www.mcm-deat.gov.za, ama lists azokhishwa futhi);
- I Government Gazette (ama polices , izimemo kanye ne general notices kuzokhishwa kwi Government Gazette)
- Abantu abaziwayo).

Okunye ke kuyobukwa ngokuthi izikhalo zifakwe ngama email.

6.3.3.2 Ulimi

Ku **Cluster A**, izilimi zonke ziyatholakala nge English, Afrikaans, isiXhosa kanye nesi Zulu.

6.3.3.3 Isimemo sokufuna amalungelo

Izimemo zokufuna amalungelo okudoba kwi Government Gazette.

Kuzokhishwa lokhu:

- Izimemo zizoba nama instruction acacile.
- I Fishery Specific Policy kanye
- I specimen esihambisene ne application form

(Isimemo sihlanganisa I General policy as well. Abanezicelo bazonikezwa ama copies futhi)

Izimemo zama cluster zizobuka ku Cluster A ngo May/ Juni 2005.

6.3.3.4 Ama Application Forms

Ama fishery cluster azoba nama application form ahlukene. Imibuzo nayo iyohlangukiswa futhi..

I Proposed draft application form izokhishwa kwi Departmental website ngokukhipha ukuba nezimvo zabantu.

6.3.3.5 Ukukhishwa kwe application form nendlela yokukhokha:

Ku **Cluster A**, ama electronic application form azokhishwa nge CD format emnyangweni e head office. Ama Applicants azocelwa ukungena kwi website banikeze I mininingwane yabo, nje gama, igama lenkampani , izinombolo nokunye. Ekuqedeni lapho bazonikezwa ulwazi ukuthi bazokhokha kanjani zama application.. Komele bakhokhe ngaphambi kokuthola I application form.Kumele bakhokhe kwi Rights Verification Unit's kwi bank account, uma sebeyitholile leyo mali I applicant izolanda icd kanye ne software ukusebenzisa I fomu.

6.3.3.6 I zimali zokungenela kanye nama nama levi

U Minister,ngokukhuluma no Minister we Finace umsebenzi wabo okusho ukuthi kumele kukhokhwe malini. Kulowo fishi obanjwe.

6.3.3.7 Ukusiza komnyango kanye nokusebenzisa kwabantu:

Umnyango awunankinga yabameli nama consultant, bazokwenza ama fomu abo ukuze bangathembeli kumuntu wesithathu.

6.3.3.8 Ukuzazisa kanye nama Score Sheets

Abaku **Cluster A** fisheries kumele bazibhekele bona ngoku audit ikakhulu uma kubukwa I transformation. Abafake izicelo komele baqikele ukuthi bathi yibo ababhalwe phansi ngaleso sikhathi esishiwo.Indlela yokuqikelela izoba kwi fomu okuthi i standard verification.:

6.3.3.9 Ukutholakala kwama Application Forms

Cluster A applicants kumele bazilethele ama application forms nge hard copy kanye neelectronic form,e kapa .Bonke abaku **Cluster A** fisheries bazolettha ama application forms ngaphezu kwezinsuku ezimbili . Ukiufumaneka kwalamafumu kuzoina kakhulu..

6.3.3.10 Amakhophi

Umnyango ufuna oku **Cluster A** agcwalise ama fomu electronically bawa save kwi compact disc noma I flash disk. Ama Applicants komele bazi printele I hard copy kuhlangele nama annexureKumele baphinde futhi benze I copy.

6.3.3.11 Ukwakhiwa kwe criteria kanye nokukala:

Yonke information izogcinwa kwi database..Izosetshenziselwa uku asesela I application formu.

6.3.3.12 I Oral Hearings, Izincingo kanye nokuphenywa

Umnyango ungamema ama applicants ku **Cluster A** ukwenza ama oral submissions nokuletha obuye ubufakazi. Lapho okunama oral hearings , ama legal representatives azovunyelwa ukwenza izinqumo.

Uma uletha I information engamanga isicelo sakho singanqatshwa.noma uku disclose I material information . Lapho kunokungabaza I Rights Verification Unit ingaphanda ngaphambi kokukhishwa kwesinqumo.. Ama Applicants kumele alethe izincazelo ekuphandweni kwakhe.,baye enhlanganisweni lapho abayobuzwa imibuzo.

6.3.3.13 Ukukhishwa kwesinqumo nabenza izinqumo

Labo abakhipha izinqumo I sector esizana ne “*Advisory Committee*”, Kkanye nama project manager,and also, consultants nama legal practitioners. Umsebenzi we Advisory Committees izoncishiswa kwi mechanical assessment yezicelo. Ama ssesments e Advisory Committee izoshicilelwa phansi ezokwenza i “*score sheet*” njengo ithathwe kwi “*spreadsheet*”.

6.3.3.14 Ukwaziswa kwezinqumo nezizathu:

Uma amalungelo esekhishwe ku **Cluster A** fishery, umnyango uzomemezela nge electronic media kanye ne zindawo ezidumileyo.Abafake izicelo bayokwazisa ngezincwadi kuhlange ne nezizathu zezinqumo..

Labo abangaphumelelanga bona bazothola lezincwadi kanye nezizathu :

- I set yezizathu kwi General Publish kanye ne criteria , ukuthi izinqumo zithathwe kanjani kanye ne quantum . I Appeal Form, okumele igcwaliswe I applicant ukufaka I appeal
- Usuku lokugcina lokufaka ama appeals
- Ikhophi le score sheet ukubuka I application form.

Nalabo abaphumelele bayothola izincwadi mayelana:

I set yezizathu kwi General Publish kanye ne criteria , ukuthi izinqumo zithathwe kanjani kanye ne quantum

- ❑ I set yezizathu kwi General Publish kanye ne criteria , ukuthi izinqumo zithathwe kanjani kanye ne quantum . I Appeal Form, okumele igcwaliswe I applicant ukufaka I appeal
- ❑ Usuku lokugcina lokufaka ama appeals
- ❑ Ikhophi le score sheet ukubuka I application form
- ❑ Iset yezimvume echaza nge fishery
- ❑ Ne pulani lokuziphatha kwi fishery.

Ngaphezu kwalokho bazoba ne access kulokhu:

- ❑ i Summary of Decisions enikeza izizathu kanye ne which provides detailed reasons, together with the criteria ne weighting;
- ❑ Ama Score sheets ababefake izicelo
- ❑ Ilist yabantu abathathe izinqumor.

6.3.3.15 Ama Appeals

Wonke umuntu uzobanemvume yoku appeal .Kumele uyithathe ku Minister ngqol general Policy iyachaza ukuthi uyifake nini.

U Minister uzobuka lezozicelo eziqinisekisa application form. Uyotshelwa ngokubhalwa phansi ngokomthetho we section 5 of the Promotion of Administrative Justice Act, 03 of 2000.

6.3.4 Indlela yokulandelwa ku Cluster B

6.3.4.1 I Indlela yokukhuluma

Ku **Cluster B** izokwenzeka kuma formal channels. Kuzokwenzeka ngezindlela ezintathu nge primary mechanisms. Zifaka lezi:

- ❑ I Electronic Media (ama policies kanye nokunye ukukhishwa kovezwa kwi website www.mcm-deat.gov.za , I Government Gazette (all policies, invitations to apply and general notices will be published in the Government Gazette)

I Recognised industrial bodies (

Kuyosetshenziswa ama e-mail. Tumnyango ufuna ukwenza I system ezonakekela ukukhulumaKonke okuzokkhulunywa umnyango bazaokubhala phansi nakwi Government Gazette.

6.3.4.2 Ulimi

Ku **Cluster B**,ama policies nezincazelo ziyatholakala ngalezilimi English, Afrikaans, isiXhosa nesiZulu.

6.3.4.3 Izimemo zokuthola amalungelo

Izimemo zizokhishwa kwi Government Gazette. T Izokhishwa emaphepheni, ezindabeni.

- ❑ Izimemo zama applications nokufakwa kwezicelo. The Fishery Specific Policy (or policies where the invitation applies to more than one fishery); and
- ❑ I application form.

Isimemo ngeke ifakwe kwi General policy.Abafake izicelo bazonikezwa ama copy e General Policy ngokucela kwabo

Izicelo zizohluka ngokwe cluster. Umnyango uzokwamukela abaku **Cluster B** fisheries ngo July 2005.

6.3.4.4 Amafomu okungenela

Bazobane application form ehlukene ukungeniswa kwalamalungelo okudoba ngoba amafomu ahlukene..

Ama pulani angaphelele azokhishwa kwi website ukuze lowo ofuna izimvo zabo babe nazo. Bayokwaziswa.

6.3.4.5 Ukukhishwa kwama application forms nezimali okumele zikhokhwe:

Ama hard copy azokhishwa ezindaweni ezindaweni eziphakathi e Kapa.Kumele bafake ama deposit kwi bank account eqokwe I Rights Verification Unit's,kanye ne proof yokukhokha (ne original deposit slip / electronic payment confirmation) Komele balethe futhi amagama abo, izinkampani zabo , kanye nezi registration numbers.

6.3.4.5 Izimali zokungenelakanye nama levi:

U Minister,esebenzisana no Minister of Finance, ibo abasho izimali okumelwe zikhokhwe:

6.3.4.7 Departmental support kanye nokusebenzisa ama Consultants:

Umnyango awunankinga nokusetshenziswa kwa co consultants or lawyers, the Department will design its application forms, policies abafuni ukuthembela kubo.

6.3.4.8 Ukuthola kwama Application Forms

Cluster B kumele bazilethele bona amafomu e Cape Town. Bonke abaku **Cluster B** fisheries bangaletha ama application forms ngesikhathi sezinsuku eziwu 2.

6.3.4.9 Amakhophi

Umnyango uzofuna ama applicant aku **Cluster B** ukuthi bagcwalise ama fomu baphinde basayine ngaphambi kuka commissioner of oaths. Ama annexures kumele ahambisane ne photocopied copy ye original kanye ne copy kuhambisane konke.

6.3.4.10 Ukwakhiwa kwe criteria kanye nokukalwa :

I information elethiwe izongena kwi database..

6.3.4.11 Ama Oral Hearings, Izincingo kanye nophando

Umnyango uzomema amalungu aku **Cluster B** ukwenza ama oral submissions balethe ubufakazi mayelana nezinto abazibhalile. I right Verification Unit iyona eyophanda.

6.3.4.12 Ukwenziwa kwezinqumo

Lowo oniezwe imvume yokwenza izinqumo I sector (“abenza izinqumo”) abazobe besebenzisana ne “*Advisory Committee*”, kanye na professional project managers, consultants kanye nama legal practitioners. Umsebenzi we Advisory Committees uzogcina kuphela kwi mechanical assessment yama application nge criteria kanye ne weighting eyenziwe umuntu othatha isinqumo. Ama assessments e Advisory Committee izofakwa kwi template form, okuthiwa I “*score sheet*” eyenziwa electronic kanye ne “*spreadsheet*”.

6.3.4.13 Ukukhishwa kwama Notification kanye nezizathu:

Uma ngabe amalungelo esekhishiwe ku **Cluster B** fishery, umnyango uyozihipha lezinqumo

Labo abangaphumelelanga bayothola izincwadi ukubatshela ngezizathi:

- ❑ I set yezizathu kwi General Publish kanye ne criteria , ukuthi izinqumo zithathwe kanjani kanye ne quantum . I Appeal Form, okumele igcwaliswe I applicant ukufaka I appeal
- ❑ Usuku lokugcina lokufaka ama appeals
- ❑ Ikhophi le score sheet ukubuka I application form
- ❑ Iset yezimvume echaza nge fishery
- ❑ Ne pulani lokuziphatha kwi fishery.

A copy Nalabo abaphumelele bayothola izincwadi mayelana:

- ❑ I set yezizathu kwi General Publish kanye ne criteria , ukuthi izinqumo zithathwe kanjani kanye ne quantum
- ❑ I set yezizathu kwi General Publish kanye ne criteria , ukuthi izinqumo zithathwe kanjani kanye ne quantum . I Appeal Form, okumele igcwaliswe I applicant ukufaka I appeal
- ❑ Usuku lokugcina lokufaka ama appeals
- ❑ Ikhophi le score sheet ukubuka I application form
- ❑ Iset yezimvume echaza nge fishery
- ❑ Ne pulani lokuziphatha kwi fishery.
- ❑ Kanye ne score sheet used to evaluate their application form;
- ❑ I set yezimvume kwi fishery
- ❑ Kanye nendlela yokuziphatha.

Bazophinde futhi bathole lokhu.

- ❑ Isifingqo sezinqumo enikeza izizathu , kanye ne criteria esetshenzisiwe kanye nokurekhodwa kwezinqumo. ekhona ekubukweni kanye nokuthenga;
- ❑ Ama Score sheets abanye abafake izicelo kanye
- ❑ Nabantu abenze izinqumo

6.3.4.14 Ama Appeals

Lowo ofake izicelo uzobanethuba lokufaka ama appeal. Kumele ifakwe ku Minister yena obuka I application form.

6.3.5 Indlela yokulandelwa ku Cluster C

6.3.5.1 Ukukhuluma

Njengoba kucaciswe kwi General policy, ukukhulunywa kwi **Cluster C** kuzokwenzeka kuma formal channels. Ngokunjalo nayo izokwenzeka kwi primary mechanisms amahlanu..Yilezi:

- Ama Public hearings kanye nama roadshows (umnyango uzokwenza lawo ama roadshows. Kuzoba nama Call Centre (ukusiza ukuphendula imibuzo ezophinde yenze ulwazi lunikeze ama documents;
- Ama Recognised industrial bodies (ama policies kanye namanyeamalungelo
- I Government Gazette (wonke amal policies, izimemo kanye namanotice);
- I Electronic Media (izotholaka kwi website ethi www.environment.gov.za).

6.3.5.2 Ulimi

Ku **Cluster C**, amapolicies kanye nokuchaziwe kwi application forms azotholakal nge English, Afrikaans, isiXhosa kanye ne siZulu.

6.3.5.3 Izimemo zokucela amalungelo

Izimemo ziyokhishwa kwi Government Gazette. Futhi umnyango uzoqokelela ukuthi iyatholakala kwi website, emaphepheni ezwe.

Izimemo ziyokhishwa kwi Gazette:

- Izimemo zizoba nama instruction okugcwalisa nokukhishwa kwezicelo.
- I Fishery Specific Policy (noma amapoliciesuma kulawo ama fishery angaphezu kweyodwa
- Amafomu okungenela (noma amaningi).

Isimemo ngeke sifakwe kwi General policy futhi.

Iaimemo ziyohluka ngokwe fishery cluster.Ezi **Cluster C** fisheries ngo July / August 2005.

6.3.5.4Ama application Forms

Leyo fishery izoba ne application form ehlukile kwenye. Ngokunjalo iyobe iqondene naleyo cluster.

Amapulani akuma fomu okungenela azokhishwa kwi website njengendlela yokukhishwa kwamalungelo.Izimvo zabantu ziyoziswa ngendlela yoku advertisa futhi amafomu abukwe futhi.

6.3.5.5 Ukukhishwa kwama fomu okungenela kanye nendlela yokukhokha.:

Ku **Cluster C**, ama application forms azokhishwa kwizindawo kwi pre-advertised regional venues kanye nalezosogwini. Abantu abathola ama fomu bangawathola kwizi regional venues kumele bafake imali kwi Rights Verification Unit's bank account, alethe isiqiniseko sokukhokha (ioriginal deposit slip / ngokukhokha ngesiqiniseko esi electronic) ezindaweni lapho bebeke khona amafomu okungenela

6.3.5.6 Izimali zokungenela:

U Minister, ngokusebenzisana no Minister of Finance, ibona abasho izimali ngo fishi abadotshiwe iresponsible. Umnyango uyo setha ama application fees kanye nama levy ukuze bathole izimali zokukhishwa amalungelo.

6.3.5.7 Ukusizwa umnyango kanye nama Consultants:

Umnyango awunayo inkinga yokusetshenziswa kwabameli, ama consultant , ngakho ke umnyango uzosebenzisa awayo ama application form kanye namanye ama documente ukuze kungabi nomuntu wesithathu. Umnyango uzosebenzisa izinto eziningi ngaphambi kokusebenzisa ama consultant

6.3.5.8 Ukwemukelwa kwama fomu okungenela

Cluster C komele bazilethele amafomu okungenela abekwe kwi regional receipting points ngase coastline. Nabo bazowaletha ezinsukwini ezimbili.

6.3.5.9 Amakhophi

Umnyango uzofuna ama application aku **Cluster C kumele basayinde ku** commissioner of oaths. Le fomu ihambisana nama annexures kumele a photocopied kanye ne original and copy kumele ilethwe. must be submitted together.

6.3.5.10 Ukwakhiwa kwe criteria kanye nokukalwa :

Yonke I information elethiwe ifakwa kwi database. Leyo information izosetshenziswa kwi weighting yaleyo naleyo I sector uku asesha ama application.

6.3.5.11 Ama Oral Hearings, Izincingo no phando.

Umnyango angaletha izicelo ku **Cluster C** uma kukhona ukungethembi kwe information elethiwe. Bazophanda leyo information. Isinqumo siyokhishwa uma ngabe uphando seluphelile.

6.3.5.12 Ukwenziwa kwezinqumo

Konke kuyafana nakwamanye amacluster umthetho awushintshi.

6.3.5.13 Ukukhishwa kwezinqumo:

Ama **Cluster C** fishery, izokwenza njengo Cluster B C.

Labo abangaphumelelanga , umthetho usafana njengoba bekwenziwa ku CLUSTER A, NO B:

- ❑ I set ye General Published yezizathune quantum;
- ❑ AmaAppeal Form, ehambelana nefomu lokungenela lingasetshenziswa ukuletha I appeal;
- ❑ Isixwayiso sosuku lokuvala lwama appeal
- ❑ Ikhophi le score sheet elisetshenziswa kwi fomu lokungena.

Abaphumelele bayothola incwadi eshoyo mayelana nesinqumo

:

- ❑ I sethi yezizathu ezikhishiwekanye namarekhodi agciniwayo,indlela yokwenza izinqumo kanye nendlela yokuthi kufikelelwe kanjani lapho.;
- ❑ Ifomu loku appeal abaceli abalisebenzisa ukuletha izikhalazo zazo.;
- ❑ Isaziso sosuku okuvalwa ngasoama appeal.;
- ❑ Ikhophi le score sheet elisetshenziswe ukubukwa isicelo;
- ❑ isethi lemiqathango uma ngabe usunikeziwe imvume kleyo fishery; kanye
- ❑ Ipulani elingaphelele lokuziphatha kuleyo fishery.

Ngaphezu kwalokho uyokwazi ukwenza lokhu:

- ❑ Isifingqo sezinqumo enikeza izizathu , kanye ne criteria esetshenzisiwe kanye nokurekhodwa kwezinqumo. ekhona ekubukweni kanye nokuthenga;
- ❑ Ama Score sheets abanye abafake izicelo kanye
- ❑ Nohlu lwalabo abenze izinqumo

6.3.5.14 Uluhla lwama Provisional kanye nokushiwo:

Umntyango uzokhipha uluhla lwabantu abaphumele “provisional lists” ezindaweni ze fisheries. Lezi kuzoba eze West Coast Rock Lobster (Near Shore) sector ku **Cluster C**, kanye no **Cluster D** fisheries. Isizathu ukuthi ngeke kukwazi ukuthi wonke umuntu abe nezwi lakho ngoba lesi naleso sicelo komele kwenziwe uphando ngaso. Lokhu kungenza ukuthi amalungelo angakhishwa ngendlela.

6.3.5.15 Ama appeals

Lelo nalowontu unelungelo lokunqabisana nesinqumo. Lokho kumelwe kuyiswe ku Minister . Izizathu zizichaza ukuthi nini noma kuhi ongafaka lawo ama appeal.

U Minister uyobuka kuphela lezo ezibhalwe phansi futhi kwi fomu lokungenela. Uma isinqumo sesithathiwe,u Minister uyobhala phansi izizathu. Izizathu ziyokhishwa ngesicelo ngokomthetho ka section 5 of the Promotion of Administrative Justice Act, 03 of 2000.

6.3.6 Cluster D izindlela ezilandelwayo

6.3.6.1 Ukukhuluma

Ukukhuluma kuyohamba ngezindlela kuma **Cluster D** formal channels. Kuthiwa ku **Cluster D**, imigomo yokukhuluma yenzelwe ukunikezwa kwamalungelo okuhlanganisa lokhu ngezindlela ezinwu five. Lezi zihlanganisa lokhu:

- ❑ ama Public hearings kanye namaroadshows (umnyango uzokwenzaukunikeza abantu imininingwane mayelana nemigomo Zizokwenziwa kuyoyonke imiphakathi);
- ❑ ICall Centre (umnyango uzokwenza I call centre ezosiza labo abenemibuzo mayelana nokuba namalungelo);
- ❑ ICustomer Services Centre (umnyango uzoyivula e Kapa yenze ama local fisheries advisers batholakale ekuphenduleni imibuzo kanye nokugcwaliswa kwama documents akhona);
- ❑ Ama Recognised industrial bodies (imigomo kanye namalungelo okwabiwa kwamalungelookuzokhulunywa kulawo ama recognised bodies).
- ❑ iGovernment Gazette (yonke imigomo, izimemo zokungenela kanye nokukhishwa kwe Government Gazette)
- ❑ I Electronic Media (imigomo kanye nokukhishwa kwamalungelo kuyokhishwa ku website, www.mcm-deat.gov.za).

6.3.6.2 Ulimi

Ku **Cluster D**, imigomo kanye nezincazelo kumafomu okungenela ayatholakal nge in English, Afrikaans, isiXhosa nangeand isiZulu.

6.3.6.3 Isimemo sokungenela

Izimemo ziyokhishwa kwi Government Gazette. Umnyango uzoqokela ukuthi ibekwa kwi website, emaphepheni kanye nezindawo eziphethe ukudoba.

Izimemo ezikwi Government Gazette izoba nalokhu:

- Isimemo esihambisana nokuqedwa kwokungenela
- I Fishery Specific Policy (noma imigomo lapho izimemo zingaphezu kwesisodwakanye
- Nefomu lokungenela (lelofomu eliqondene naleyo fishery).

Isimemo ngeke sifakwe kwi General policy futhi. Abanezicelo bazonikezwa amakhophi uma becela.

Izimemo zizohluka nge cluster. Ezaku **Cluster D** fisheries zizokhishwa ngo August 2005.

6.3.6.4 Amafomu okungenela

Leyo fisheries cluster izoba nefomu layo lokungenela elihlukile ukuze uthole imininingwane ngalelobhizinisi lokudoba. Amafomu okungenela azokwenziwa ebuka lokhu fishery cluster kanye nemibuzo mayelana nefishery.

Amapulani amafomu okungenela azokhishwa kwi website yomnyango ngokuthi bafake umphakathi ukuba babenezimvo. Izimvo ziyomukelwa ngesikhathi se pre-advertised period, kanye namafomu okungenela asebukisisiwe.

6.3.6.5 Ukukhishwa kwamafomu okungenela kanye nendlela yokukhokha izimali:

Ku**Cluster D**, amafomu okungenela ayokhishwa ezindaweni ezihlukile ngakwi coastline. Labo abazothatha amafomu ezindaweni ezi regional bazocela ukuthi bafake imali yokungena kuma RVUs designated bank account, balethe isiqiniseko sokukhokha (noma i original deposit slip / ukukhokha nge electronic payment) ezindaweni zokulethwa kwamafomu. Abafaka izezicelo komele balethe imininingwane ngabo njenge gama, id number, igama lenkapani, izinombolo abangathinteka kuzo. Ekuqedeni balethe isiqiniseko sokukhokha kanye nefomu lokungena..

6.3.6.6 Izimali zokungenela:

U Minister, ehlangene no Minister of Finance, yibo abasho izimali okumelwe zikhokhwe.

6.3.6.7 Ukusizwa umnyango kanye nokusetshenziswa kwama Consultants:

Yize umnyango ungenayo inkinga kokusetshenziswa kwama consultants noma abamelis, umnyango uzozenzela awabo amafomu, imigomo kanye nezi izi documente ukuze banciphise ukuthembela kubantu besithathu.. Umnyango uncamela ukuthi kusetshenziswe usizo lwabo ngaphambi kokuthi umuntu asebenzise ama consultant.

6.3.6.8 Ukwamukelwa kwama fomu okungenela

Abaceli abaku Cluster D bazofuneka ukuthi bazilethele ngokwabo ama fomu okungena ezindaweni ezi advrtiziwe. ngakwi coastline. Izindawo zokwamukela ziyofana nezindawo zokuthola amafomu.

6.3.6.9 Amakhophi

Umnyango uzofuna abantui abaku **Cluster D** ukuba basayinde amafomu abo phambi kuka commissioner of oaths. Leli fomu, lihambisana nama annexures kumele lenziwe ikhophi kodwa lilethwe ne original

6.3.6.10 Ukwakhiwa kwe criteria kanye nokukalwa:

Yonke imininingwane ifakwa kwi database. Lemigomo kanye neizosetshenziswa ekwenzeni I criteria kanye nokukala ukuze kubukwe izicelo lezo. Izizathu zoku asesa izicelo.

6.3.6.11 Ama Oral Hearings, Izincingo kanye nemininingwane yoluphando

Umnyango uzomema izicelo ku **Cluster D** ukunikeza izizathu lapho kukhonaukungazi khona bazibhale phansi.. I Rights Verification Unit izophanda uma ngabe ibona ukuthi lowo ofake isicelo uqambe amanga.

6.3.6.12 Support for decision-makers and the information that will be considered:

The delegated authority responsible for the decisions on the application in a sector (*“the decision-maker”*) will be supported in each sector by an *“Advisory Committee”*, and also by professional project managers, consultants and legal practitioners. The role of the Advisory Committees will be limited to a mechanical assessment of the applications under the supervision of the decision-maker and in accordance with the criteria and weighting developed by the decision-maker. The assessments of the Advisory Committee will be recorded on a template form, which will be referred to as the *“score sheet”* and captured electronically on a

“*spreadsheet*”. Where a matter is not capable of mechanical assessment but calls for the exercise of discretion, it will not be dealt with by the Advisory Committee.

6.3.6.13 Ukwaziswa kwezinqumo:

Uma ngabe amalungelo ka **Cluster D** fishery, umnyango uzokhipha izinqumon ngendlela ye electronic media kanye nama recognised industrial bodies. Ngaphezu kwalokho abaceli bayotshelwa ngokubhalwa phansi kanye nezizathu.

Labo abangaphumelanga bayothola incwadi eshoyo

:

- ❑ Isethi yama General Published kanye nendlela yokukhetha, isinqumo kufikwe kanjani kusov kanye ne quantum nokuzama;
- ❑ I Appeal Form, okuyifomu okumele uyilethe
- ❑ Isaziso ngosuku lokugcina lokufaka
- ❑ Ikhophi le score sheet elisetshenzisiwe..

Labo abaphumelele bayothola incwadi mayelana nesinqumo:

- ❑ Isethi lezizathu, isinqumo kanye nendlela yokwenza;
- ❑ I Appeal Form, okuyifomu ehambisana ne appeal;
- ❑ Isaziso sokugcina ekuletheni ama appeal;
- ❑ ikhophi le score sheet elisetshenzisiwe kwi fomu lokungenela.
- ❑ isethi lezimvume mayelana ne fishery
- ❑ Indlela yokuziphatha kuleyo fishery.

Ngaphezu kwalokho, abaceli bazothola nalokhu:

- ❑ Isifingqezo zezizathu kanye nama criteria kanye neweighting kanye nama rekhodi ezizathu;
- ❑ Ama Score sheets amanye ama applicants;
- ❑ Uhla lwabantu abenze izinqumo.

6.3.6.14 Uluhla lwe Provisional kanye nokungasho:

Ummnyango uzokhipha uluhla lwe “provisional lists” yabantu abenze kahle kwamanye ama fishery. Lawo azohlenganisa u **Cluster D** sectors..

6.4 Izinqumo

Zonke izinqumo zizobe zibuka imthetho ekhona. Amaa policies kanye ne database enziwe emva kokubukwa kwama applications ayosetshenziswa ukubuka I criteria yoku asesama applications. hese criteria are Lokhu kokhishwa emva kwama lungelo

6.4.1 Indlela yokukhetha nokwenza izinqumo

Umnyango ulindele izicelo eziningi ukucela amalungelo. Abanye bayonqatshwa. Indlela yokukhetha kuzobukwa labo abanam score amaningi.. Lokhu akusho ukuthi labo abazonatshwa ingoba bengafanele. Ngakho kufuneka abantu abanama score aphezulu.

Ama criteria amane:

Izicelo Zibukwa ngale criteria ngokwe “*exclusionary criteria*”, aemva kwalokho nge weighted ngokwe criteriaa yeokubhalnsisangaphezu kwalokho ama sector iwona enza izinqumo bangaqasha abantu oyedwa noma abaningiLapho futh kubukwa I “*quantum criteria*”.

6.4.1.1 Izindlela zokukhishwa yilezi

Zintathu ezizosetshenziswa.

okokuqala isicelo sizobukwa ngokuthi sifakwe ngendlela yini.. Uma sitholakale sekudlule isikhathi, uma umuntu engayikhokhanga imali noma alhokhe kungeneli, noma ifakwe ngendlela engafanele njengokuyifaka nge faxnoma nge fomu elingafanele. Lowo owenza isinqumo ngeke akuvumele lokho ngokungafaki ngendlela.

Okwesibili, ofake isicelo uzobukwa indlela I material ilungile yini na. Isicelo sisuke singafanele uma ingasayindwanga umuntu osifakile lesicelonoma engasayindanga ngaphambi kwe Commissioner of Oaths, noma uma ngabe kutholakale isicelo selungelo kumuntu oyedwa kwi sector efanayo; noma umuntu engasiyo walapha emzansi; kuhlenganisa I partnership noma inkampani noma umuntu anikeze imininingwane engasiyo iqiniso noma umuntu anikeze ama documente angasilo iqiniso; noma akhulume nomnyango ukuzincengela ngendlela engafanele. Ngakho labo benza izinqumo ngeke baze basibuke lesosicelo.

Okwesithathu kuzobukwa ukuthi umceli uyakwazi yini ukungena ezidingweni zokungena ukuba abe kluleyo sector. Izidingo ziyahluka nge sector ne sector. Umzekelo kwi sector yalaba abadambayo, abaceli kwakumele bakhombise amakhono abo, noma uyindambi yangempela ababekwa ku class 1 that he or she is I (abane surface supply), II noma III Commercial Diver ngaphansi komthetho 14 of the Regulations promulgated ngaphansi kwe Occupational Health ne Safety Act, 1993 (GN Regulation 10 of 11 January 2002). Ngokunjalo abenza izinqumo ngeke bakubuke uma ungangeni kulezidingo ezincane.

6.4.1.2 Ukubhalansisa : abangeni abasha kanye nalabo abasekhona

Izicelo ezafakwa kahle , zingenankinga futhi izidingo ezincane zifanele ziyo skorishwa ngokwe criteria yokubhalansisa (“I *bhalansing criteria*”). Iyoweyiwa ngesiko. Izi criteria ezinjenge transformation, eyosetshenziswa kuwowonke ama sector.

Izicelo zalobo asebebadala ngeke ziqhathaniswe nalabo abafuna ukuba amalungu. Abasekhona bayoku skorishwa ngokufanayo kodwa kungasetshenziswa I criteria efanayo njengalaba abasha..Ukunqanyulwa kuyobukwa ngokwahlukile futhi kulabo abasha. Bonke abanamaphuzu aphezulu yibo abayophumelela.

6.4.1.3 Ama Tie-breaking factors

Uma kunezicelo eziningi , abenza izinqumo bayokwenza ngokwe non-scoring criteria, ngokuthi tie-breaking criteria, ukuze bakwazi ukukhetha.

6.4.1.4 I Quantum criteria

Izinqumo ziyonikezwa I quantum kulabo abaphumelele ngokuchazwa kuka section 7.2 ngaphansi.

PART C: UMGOMO WOKUNQAMULEZAYO CROSS CUTTING EKWABIWENI KWAMALUNGELOKANYE NE QUANTUM

7. IMIGOMO EBUKWAYO

Le General policy kumele ifundwe ihambisana ne Fishery specific policies enziwelwe leyo naleyo fishery. Uma kukhona izinto ezivelayo kwi General policy kanye ne fishery policy ngakhoke I imigomo ye fishery iyosetshenziswa.

7.1 Imigomo elandelwayo ekwabiweni kwamalungelo

7.1.1 Ubude bamalungelo kanye nemiqathango yokukhishwa kwamalungelo

Kwamanye amalungelo okudayisa, amalungelo ayonikezwa izikhathi esingangweminyaka e 15 , lokho kume ezintweni eziningi, izinga le transformation kwezasolwandle, ulwazi lwe bhayoloji; kanye nokuthuthuka kwezokudobakanye nokugqugquzela kwi investment nokuthuthukisa umnotho ; kanye nokwenza kukafishi ikakhulu kwezomthetho.

Kwamanye ama sector, abanye kungadingeka kubukisiswe izicelo zabo nendlela ezakhethwa ngazo emva kokuba amalungelo asakhishwa. Labo abangaphumelelanga bayo feyila. Ukuqhubeka kwesikhathi sokuba namalungelo kuphethwe kwi fishery policies..

7.1.2 Uhlobo lomuntu onelungelo

U Section 18 we MLRA uyasho ukuthi kumele kube umuntu ohlala e South Afrika okumele babe namalungelo. Abakhiphi abantu bangaphandle. Ngomthetho we MLRA ngeke banikeze iziinkampani ezinganaye umuntu osemthethweni,njenge partnerships noma umphakatih. Umnyango awuwa funi ama trust.Indawo yakuqala ikhombisile ukuthi ama trust awasizi abantu abaafanelwe ukuba babe zindlaakufa zayo..

Abantu kuphela abazovunyelwa ukuba kuma Cluster C no D fwokudoba. Nabantu abakwi Close Corporations Act, 69 of 1984, ne Companies Act , 61 ka 1973, bazovunyelwa ukufaka izicelo ku Cluster A kanye no B wamalungelo. Labo asebevele bekhona, abangama trust balindeleke ukuba bashintshela kuma close corporation noma inkampani ngaphambi kokwabiwa.Leyo I close corporation noma inkampani iyobonwa njengelungu elinamanlungelo.

Abantu abanamalungelo bazomele bafaka izicelo zabo njenkampani ezimele noma I close corporation. Kumele lelo lungu libe namasheya okuphatha yenkampani noma I close corporation. komele angabi namasheya ezinye zinkampani noma I close corporation.

In some fisheries applicants will be encouraged to merge and to share resources after the allocation process. Further details are provided in Fishery specific policies.

7.1.3 Ukushintsha

I MLRA ifuna abenza izinqumo babukisise ukwakhek a kwebhizinizi lokudoba ukuze ikwazi ukubuka ukungabhalansi kwezinto kudala anti futhi nokuthola ukulingana kuwowonke amagatsha kwezokudoba. Njengoba bese kushiwo I transformation iyilungelo lomuntu wasemzansi. I Broad-Based Black Economic Empowerment Act 53 of 2003 enye yezindlela ezibuka amalungelo abantu. Lomthetho uthi zonke izinto azibhalansiswe “balanced scorecard” ukukala ubuzwe kanye nokuthatha I transformation charter, lapho okudingeke khona, kulabo abadlala indima enkulu yokuthuthukiswa komnotho. Ngokunjalo umnyango awuwakhiphanga amalungelo kokudala ngaphansi kwalawo ama charter. Uma kukhishwa amalungelo, isinqumo kuqhathaniswa bafake izicelo ngaphandle kokuthi kubukwe I benchmark yabo. Ngakho ke I Transformation ibalulekile ekuqhathaniseni ngendlela yokubhalansisa. Lendlela igcwele ukuqhathelanakanti ayikho “benchmark” eyenziwe ekuqaleni. Labo abane transformation ephezulu, yibo abasethubeni elihle lokunikezwa amalungelo noma ingxenye ye TAC noma I TAE. Umnyango uma ubuka lomqhudelwano ophezulu kangaka, ama charter abukwa njengendlela engasiyokuqhubezela i transformation. Ingase yenze abafaka izicelo baphele amandla, ikakhulu kulawo ama sector angenele kahle. noma anzima ukuthi ashintshe.

Umnyango uzoqhubeka I transformation, ifuna ukwenza lokhu okutholakala kwi medium-term. Lawo abafake izicelo bangase bangabukwa labo abadala.. Kwisikhathi eside sokunika amalungelo, umnyango ufuna ukuthi kubekhona ukulingana, banikeze labo ababengenawo amathuba.

Labo abaphuma ezindaweni ababengenawo amathuba uma futhi kubukwa uhlanga lwabo bayonikezwa amalungelo ngokunjalo.. Abanye babulawa I Group Areas Act eyayibavimba ukuhi bangakwazi ukudoba. Kuzomele kubukwe labo ababengenathuba kuqala. Kufanele ukuthi kubukwe ukungabhalansi kwakuqala ikakhulu abantu besifazane, njengoba babenganakiwe. Ekwabiweni ngokubuka uhlanga lomuntu, izicelo zabo ziyobukwa kanye nalabo abasemabhizinisini asemthethweni, labo abanamasheya, ne executive management team, kanye ne workforce, lokho kuyabukwa achazwe ngaphansi.

Abakhipha izinqumo bazobuka ababuka I data yenkampani.I information ngeke bakubuke.

Kwi cluster A, ama score card ayosetshenziwa,okungukuthi abafaka izicelo kumele bazi kore ngokwabo.Ama auditor bazobuka izicelo.

7.1.3.1 Ihlanga

Labobantu ababizwa ngokuthi “*African*”, “*Coloured*” kanye nama Ndiya (“*izinhlobo zezinhlanga* ”) ngaphambi kuka 1994 bayobukwa njengabantu abangawatholanga amathuba.

Ku Cluster C no D, amaphuzu amile ayonikezwa abaphuma ezindaweni ezahlukeni, ubuhlanga, ukuphatha, I affirmative procurement kanye ne social investment bayothathwa..

Ku Clusters A no B, amaphuzu ayobuka ukuphatha komceli kulendlela elandelayo:

(a) Ekuphatheni

Ama Beneficial ownership yomceli wezinhlanga ezishiwo bayobukwa nabo.Ngaphezu kwalokho amaphuzu amanye ngaphezulu ayobukwa kulabo abafuna ukuthuthukisa abantu ababasebenzelayo kulezo zinhlanga abukumaskimu, abakhombisa ukuthi abasebenzi bathole imivuzo ngendlela yama dividends kulesoskimu.Ngeke kunikezwe amasheya aphethwe ama noma amasheya anamalungelo.

Labo abanamasheya , uhlanga luyobukwa. Isibonelo uma inkampani ine 20% kunkampani B kanye nenkampani ku A u 10%iphethwe uhlanga oluthile , isheya layo liletha u 2% ekuphatheni inkampani B.

Uma ngabe amalungu avele esekhona, ukukalwa kwawo kuzobukwa esikhathini samanje kanye ne transformation eyenziwe kumalungelo a mediumagcine esegcine kumalungelo amade. Labo abathole amaphuzu aphezulu, kuleyo sector, bayothola amaphuzu aphezulu futhio kuhlobo lwezinhlanga ngisho noma bashintshe kancane. Abanye ke bona bayoklonyeliswa ngokwenza kahle noma bapanishwe ngokungabonakali kwemisebenzi yabo.

(b) I Executive Management

Omdala noma osezingeni lokubaba I executive yalowo ofake isicelo ngokohlelo lohlanga lwakhe uyoklonyeliswa. Abangamasiniya noma ama executive kusho abantu abanomsebenzi wwokubuka indlela inkampani leyo yenza izinto aphinde kuzozonke izinto azishoyo azotshela u managing director noma ibhodi. Lendlela yokuphatha yenziwa I “*the executive team*”, bona aba riphatha kwibhodi yabo director. Isidingo samalungelo amade, labo abane 1.7% yomholo yibo abazoba kwi executive management.

7.1.3.2 Ubulili

Ku Clusters A no B, abantu besifazane abaphethe bayoklonyeliswa ngendlela yobuhlanga , kodwa ukukalwa ngobulili ngeke kusetshenziswe kakhulu.

Ubulili buyosethsensiswa njenge tie-breaking factor ku Clusters C no D.

7.1.3.3 Ukulingana ngokwemisebenzi

Labo abafake izicelo abebefunwa umthetho wokuthi balandele umthetho Employment Equity Act 55 of 1998 wbazodingeka ukuba bawulandele lowomthetho.

Abantu abaningi obohlanga oluthile kanye nabesifazane abaqashwe yilowo ofake isicelo kungasethsensiswa I balancing criterion. Amaphuzu amaningi ayonikezwa labo abaqashe izinhlanga ezithile kanye nabesifazane abasezikhundleni eziphezulu namaholo abo ephezulu ngokunjalo. Isibonelo abaceli komele bachaze abantu besifazane abaku 10% phesenti kulabo abaholayo, phakathi kuka 10% kanti ophezulu oku 30% kanti ngokunjalo abaku 50% nabangaphansi kuka 50%. Kuyonikezwa amaphuzu amaningi uma ngabe abantu bohlanga kanye nabesifazane beholo phezulu kunalokho obekwenzeka.

7.1.3.4 Skills Development

Labo abangathobeli I Development Act 97 of 1998 kanye Skills Development Levies Act 9 of 1999 bangase benganikezwa amaphuzu. Labo klomele bakhombise ukuthi bayawuthobela lomthetho.. Uma ngabe umceli lona ezinikeza isikhathi esiningi sokuqeqesha abasebenzi bakhengokohlanga kanye nabantu besifazane , lokhu nakho kuyobukwa..

7.1.3.5 Affirmative Procurement

Amaphesenti atholakele kokuthi uchithe isikhathi kwi affirmative procurement (ikakhulu ezinkamoanini zabantu abamnyama) nakho kuyosetshenziswa.

7.1.3.6 Ukubandakana kumphakathi

Labo abachithe ngaphezu kuka 1% yomvuzo abawenzile ekuhuthukiseni umphakathi ngesikhathi kwamalungelo amadala , nabo bayoklonyeliswa.Ukubandakanya nomphakathi akusho ukuthi unikeze ama sponsorship kwezemidlalo noma umfundazwe kubaqashi bakho noma imindenei yabo..

7.1.3.7 Ukuhluka kwamaholo

Umehluko ekuholeni phakathi kwalabo abahola kakhulu kanye nalabo abahola kancane nakho kuyoba nomthelela..

7.1.4 Multi-sector involvement

Okwempela akusiwo umsebenzi womnyango wokuthi uyekise abantu ukuthi babe namalungelo angaphezu kwelilodwa kwezokudoba.Umzekelo, kulabo ababenza nge traditional linefish stocks , eseyasetshenziswa kakhulu esingase ivalwe nanini, lawo amalungu ngeke avunyelwe ukuba namalungelo ngisho nayininoma iyiphi indawo yokudoba.

Amalungu aku Cluster A no B wezokudoba (kuhlanganiswa nalabo abanamasheya noma amalungu noma amalungu akwi executive management team) ngeke bavunyelwe ukuba namalungelo ku cluster C no D kwezokudoba , lawo abekelwe labo abancane kanye nabasemabhizinisini aphakathi nendawo kanye nabantu abathembele kufishi. Amalungu aku Clusters C kanye noD bafuna ukuthola amasheya noma imvume ku Cluster A kanye B emva kokukhipha amalungelo ngo Cluster C no D kubantu uma ivunywa umnyango.

7.1.5 Ukuhlanganiswa

Phakathi kuka 1994 kanye no 2004, abantu bakhulile ngempela.Ukunyuka kwenze laba abantu ukuze bangene kulendawo ukuze bashintshe. Umnyango uyabona futhi kwesinye isikhathi amalungelo benikeza

izinto zokuzifisha. Isizathu sokuthi kukhishwe amalungelo amade ukuthi kubekhona ukuthuthuka kwebhizinisi kanti futhi umnyango uthanda ukusebenza ngokuhlangana. kuma sector amaningi.

Ukuhlanganisa kusho ukuthi ama sector azonyuka , ikakhulu labo abasezindaweni ezizodwa noma amashey a noma kwi executive management team efanayo noma behlala endaweni eyodwa ikakhulu kwezokudoba. Amabhizinisi amaningi angehlisa i administration kanye nezimali zomnyango kulawo amalungu afanayo. Amalungu ngeke ankezwe imvume yokuthi bafake izingeliso zamanye amalungelo ngaphansi kwenye i sector. Labo abanamalungelo ngeke baze babenayo amasheya kulabo abasha abangenayo..

Ngaphandle uma kuchazwa i Fishery specific policy, ngeke ukwazi uku transfeya amalungelo ngaphambi kokuthi akhishwe lawomalungelo. Okusho ukuthi ukuhlanganiswa ekukhishweni kwamalungelo, isikhathi sokulinda ayovulwa umuva kokukhishwa kwamalungelo. Ipho u minisiter eyobuka izindlela zokuhlangana angabukeli phansi i transformation.

7.1.6 Abasha

Indaba abasha kwi Fishery specific ibukwa kwi kwimigomo ye fishery specific. Umnyango uthatha abantua abasha abaningi.

Abantu abasha bangakhipha laba abadala labo abangenzi kahle. Lokhu kuzokwenzeka kulabo abadala abangakwazanga ukuphumelela ngokwe transformation.;

Kwamanye ama sectors, labo abangenele bazonciphisa ngokungabaniki amalungelo kulabo abathole amaphuzu amancane, ngokuthi ama sector amancane, izinombolo eziningi ukunikeza amalungelo.

Ngokomthetho , umnyango ngeke uvumele amalungu abadayise noma abangenele kweokudoba bangene kwenye indawo yokudoba bengazikhombisi ububona Lokho kuzosebenziswa kubantu abanameshaya noma abama close corporation abadayise ngaphezu kuka 10%.

7.1.7 Monopolies

Umnyango awufuni ukwakhiwa kwama monopolies. Amalungu amadala kuqala asebenzise izindlela abakuzo ngezindlela ezingafanele.. Umnyango awufuni ukuthi amalungu asayinde ezinye izivumelwano namanye amalungu (amancane noma akaliwe) ngoba lokhu kwenza kuqhubeka indlela (“voorskot”) noma nalabo

abanamancane ukudayisa ngendlela. Abanamaphesenti amakhulu kwiTAC/TAE abanamalungelo kwezinye izindawo bangase bangavum\nyelwa ilomgomo..

7.1.8 Indlela yokusebenza

Uma kunomthelela, ukwenza kwamalungu amadala kuyobhekwa ngalezindlela::

7.1.8.1 Ukwenza ngokwezimali kanye noku investa

Ukwenza ngokwezimali kungaba nomthelela kulowo ofaka isicelo ngokusetshenziswa kwama financial ratios eze ibenze babekwi benchmarking esizwa ngokuthi benze ama audited financial statements. Labo abanezinkinga zezimali ngeke baze banikezwe amaphuzu .Ukwenza ngezimali kwalabo abasebadala nawo anemithelela ukubona ukuthi obani abazozuza ngalokhu. ngokwe (“follow-the-buck principle) nokubuka ukuthi ilungu seli investile yini kulombhizinisi.

Uku investa kwi veseli ukuvuna kuzobukwa uma ngabe bezothatha izi risk ebhizinisini lokudoba ukungena kuleyo sector.Amasheya kwi veseli noma kungekho imali ekhokwa ilungu, ngeke ize ibhekwe..

7.1.8.2 Ukukhokhwa kwezimali.

abafaka izicelo komele bakhombise ukuthi bakhokhe izimali ngokufanele ezinhlanzini ezibanjiwe (ngakho kumele balethe lokho abakubambile uma benze kangcono) ngesikhathi se medium term. Lapho izimali bezingakhokhwa isikhathi esingaphezu kwezinsuku eziwu 60,ofake isicelo uyopanishwa.Uma ngabe ungatholi ukunikezwa kwamalungelo, umnyango ngeke unikeze amalungelo aphelele kuze kukhokhwe izimali lezo.

Ngaphezu kwalokho umnyango uzofuna wonke umuntu onelungelo akhokhe zonke izimali ngonyaka ka 2006, ezobalwa kwi *quantum enikeziwe*, ekuqaleni kokudoba nangaphambi kokuthola imvume yokudoba

7.1.8.3 Ukuthobela umthetho

Labo abatholakale ukuthi banezinto ezinobugebengu kwi MLRA kanye ne Zomthetho ngesikhathi se medium term angakhishwa. Lomuntu ube nobugebengu noma wake waya ejele ngeke bakwazi ukuthola amalungelo. Labo abasholo ngokwabo nabo ngeke bathathwe..

Ukuphula umthetho omncane kwe MLRA kanye ne Regulations kanye nemvume yokudobanjengokubukwa kube ne (negative) scoring criteria.

Uma wenza lokhu emthethweni ,amalungu enza isiphosiso kwa skipper kanye namatilos. Labo abanangamalungu abanamaphuzu amabi ngabo aqoshwe kwi Regional Fisheries Management Organisation bazokhishwa ukuthi bafake izicelo. Amaveseli afakwe afakwe ema listini okunqaba ngeke bavunyelwe ukuvuma izinhlanzi. Abantu abaneziveseli (ngokuphele noma inngqenye) umkhumbi ngeke uvunyelwe ukudoba izinhlanzi. Abantu abasebenzisa lemikhumbi ukudayisa ngeke banikezwe imvume yokudayisa.

Ngaphezu kokuchitha ngaphansi kwe section 28 ye MLRA, tumnyango uzophenya izindlela zama quata lapho abenze isiphosisokwi MLRA.

Umnyango unama rekhodi ezinto eziphula umthetho we MLRA uzonikezwa ukuthi ubhekwe ngaphambi kokunikeza amalungelo. Labo abasha nalaba abasekhona bayacelwa ukuthi bazazise ngendlela umnyango oqaphela ngakho, ukuphatha, kanye nokufaka izipopolo nangendlela amabhizinisi amele ahambe ngayo..

7.1.8.4 Ukwenza kokudoba

Ukwenza kwalungu asemadala kuzobukwa ukuze kutholwe ukuthi bavune ngokwanele yini kwi medium term.

Lawo amalungu angavuni izinhlanzi ngesikhathi saso noma engatholanga imvume kusosonke isikhathi baziovele bakhishwe. Ukubamba ngaphansi kungasetshenziswa ngendlela embi.

Umnyango uzokhipha izinombolo zokuthi kubanjwe kangakanani kuzokhishwa ngaphambi kokukhishwa kwezimvume,.

7.1.9 Ama Paper Quotas

Umnyango izozama ukuvikela ama paper quotas ukungenela lebhizinisi basuse ama paper quotas kulabo abanamalungelo manje. Ama Paper quotas abukela phansi nezindlela zokwabiwa kwamalungelo. Amalungelo emva kuka 2005 uma kubonakala ukuthi ilungu liyi paper quota.

7.1.9.1 Abantu abasha

Umnnyango ngeke uvumele abantu abasha ababonakala sengathi bangase babe ingozi ye paper quotas. Ngalokho umceli lowo uba l “paper quota risk” uma engafuni ukungena engozini kuleyo sector. ikakhulu uma ingozi ibonakala ukuthi uyi paper quotas , izimpahla zomceli kanye nezimali zakhe zingase zibukwe nazo.

Umnnyango uyokhipha futhi abantu abamile nje “ngaphambili” ukuze bazuze ngezinye izinto. Ukuba phambili kwenziwa uma ngabe umceli l transformation yenzeka kwezinye izindawo noma abantu abangu HDP.

7.1.9.2 Amalungu amadala

Umnnyango uyokhipha labo abaku medium-term abazikhombakalisile ukuba paper quotas. Ngalesizathu umnyango ubuka ama paper quotas, abanamalungelo ku medium-term bengenakho okutheni abangwakenza noma bangenzi ngendlela kuhlangele noku investa nokuzibandakanya.

Umnnyango uzowakhimba lawo ama “fronts” akodwa basebenzise ama “follow the buck” ukuthola ukuthi abantu bayisebenzisile yini l transformation nezinye izindawo. Labo bantu ngeke banikezwe amalungelo futhi..

Umthetho obizwa l general rule, umnyango ngeke uvumele abantu abanamalungelo abadayise noma bashiye ukudoba ukuthi baphinde banikezwe amalungelo futhi.

7.1.9.3 Clusters C kanye D

Ku Clusters C no D sectors, izingungu eziningi noma ezifanayo eyenziwe ama consultants kanye nezinkampani zokudoba nezinye ke , bazokhishwa kwi paper quota fronts. Ngeke kunikezwe ilungelo elingaphezu kwelilodwa kulowomndeni. Labo abafaka izingungu komele bazazise ukuthi bahlobene kanjani kwamanye ama sector. Uma umuntu oyedwa emndenini owodwa efuna ilungelo bonke abanye abasemndenini ngeke bakwazi ukungenele., ngaphandle uma umuntu echazisisa kahle ukuthi basezindaweni ezincane zokwenza ukudoba.

7.1.9.4 Amalungelo akusasa

Emva kokwabiwa kwamalungelo amade, umnyango uzokuyekisa abanamalungelo kwi paper quota ngokusebenzisa section 28 of the Act noma emva koku revuwishwa. Ngokomthetho, umnyango uyoyekisa amalungelo aphethe abantu.

7.1.10 Ukuchumisa kanye nokuthuthuka kwamabhizinisi

Umnyango ufuna ukuchunyiswa kokuvuna izinhlanzi ngoba yenza imisebenzi..Ukuchumisa kungathathwa uma ithuba livela. Umnyango wazi uchumiso enza ukuthi kube nokuthuthuka kwizinhlanzi ezitholakele the fish ngaphandle kokubuka ukuthi kuphuma emazweni angaphandle. Uku investa ezintweni ezichumisa ku Cluster A no Cluster B wezezinhlanzi.

Abaceli kungamele bakhombise ukuthi nabo bazimisele ukuchumisa lebhizinisi.

Phezu kwalokho I phesenti ka TAC ingabekwa eceleni ukuze kuthuthuke ukuhluka kanye nebhizinisi. Lokhu kuzokwenziwa kwi sector specific policies.

7.1.11 Ukwakheka kwemisebenzi

Isizathu esibalulekile kakhulu sokukhipha amalungelo amade ukuzre kwakheke imisebenzi.Kumele kwakheke imisebenzi enesigqi ukuze kwakheke imisebenzi eminingi.

Imisebenzi enikezwe amalungu amadala, aphinde anyuse nemisebenzi kwi medium term rights, azoklonyeliswa ku clusters A no B. Umnyango ufuna ukwakha imisebenzi e permanent ngesikhathi sokudoba nanokuthi kungabiu nabvasebenza ngezi contract.

Amaphuzu ayonkezwa kulabo abakhombise ukuthi ku Clusters C D baqashe abantu abangakanani.Ngakho ke ku sector C no D azofunwa ukuthi baye emnothweni wesibili ngokuthi basebenze kweyokuqala.

7.1.12 Ukuthembela kanye nokuzibandakanya ngaphesheya

Isizathu sokukhishwa kwamalungelo aku Cluster C no D fisheries wenzela abantu abasemabhizinisini amancane bazimele ngokwemisebenzi. Kumele ke ukuthi umuntu athembele kwizinhlanzi ezidotshiwe ku Cluster C no Cluster D,empilweni, kanye nasekuvuneni.Ikakhulu , I “on-board participation” kwamalungelo aku Cluster C no Cluster D fisheries. Labo abanenkinga emzimbeni ngenxa be disabled ngeke bathathwe. Abasifazane ngeke bengangeniswa kwi bhodi.

Labo abanamalungelo kuyodingeka ukuthi bakhipe iziqiniseko ama statimente ezimali zabo.. Labo abafuna ukungena komele baveze ukuzibandakanya kwabo kwi sector esikhathini esidlule.

7.1.13 Ukuthuthuka komnotho kanye en geographic justice considerations

Umnango uma ukhipha amalungelo kuma sectors ukugqugquzela ukubanjwa kokungabambi izinhlazi emkhunjini endaweni engaphandle kwe metropolitan ukuthuthukisa umnotho. Lokhu ngeke ukwazi ukukwenza kwamanye ama sectors. Indlela yokugqugquzela umnotho ukuthi uye phambili izobukwa kwi Fishery specific policies. Ukuze uvikeleke umhlaba wokudoba ekwabiweni kwamalungelo, umnyango ungasebenzisa I site yokwehla njengokuthi kubukwe I tie-breaking criteria. Ngaphezu kwalokho umnyango ingenza imigomo kanye nama system mayelana nokukhokhwa kwezimali eyenza ukuthi amalungu anamalungu alethe asebekubambile ezindaweni lapho ezizo proseswa.

Lapho kufanele umnyango uzofuna ukukhipha amalungelo ngendlela efanele wonke umutu alingane ukuze basebenze ngasogwini lwe south africa.

7.1.14 Imikhumbi kanye nokuzama ukudoba

7.1.14.1 Imikhumbi

Bonke abafake izicelo ku Cluster A, Cluster B naku Cluster C kwezokudoba komele bakhombise ukuthi banemvume noma imikhumbi yabo iyiyona na yokuthi ingavuna izinhlazi. Yonke imikhumbi komele iqale lbhaliswe emnyangweni ngesikhathi umuntu etcela amalungelo ukuze lowomkhumbi wokuthi ungakwazi ukubamba..

Umkhumbi ofanele uzochazwa emqulwini we Fishery specific policy, izidingo ezincane yilezi

Kumele ibe ne fulegi laseMzansi Afrika (ngaphandle uma kubenento ehlukile eshiwe kwi Fishery policy);

- ❑ Kumele ifakwe monitoring system esebenzayo emkhunjini (“VMS”);
- ❑ Kumele ibhaliswe I South African Maritime Safety Association okukhombisa ukuthi imelwe ukudoba
- ❑ Kumele ingabhaliswa kabi kwezinye izindawo noma emazweni aphesheya.

Ikakhulu, amalungu abanemikhumbi yabo (ngokwanele noma ingxenye) afakwe ohlweni olungeluhle ngeke banikezwe imvume yokudoba. Abantu futhi abasebenzisa lemikhumbi ukudayisa nabo bazokhishwa

Abanamalungelo manje abangenawo ama I monitoring systems bayanxuswa ukuthi bakwenze lokho ngaphandle kokuthandabuza.

Umnyango uzofuna wonke amalungu abanamalungelo okudayisa ukuba basebenzise imikhumbi leyo abayifunele ukuba bathole imvume ngayo. Ukushintsha kwemikhumbi kuyovunyelw kwezinye izikhathi..

7.1.14.2 Ukuzama ukudoba

Umnyango uphoqekile ukuthi wonke umhlaba wasolwandle marine living resources ngokomthetho weMLRA usebenzise izindlela ezingcono okuhlonipha abaphathi kanye nokusetshenziswa kwezinto. Into ehamba phambili ekuphatheni kanye nokonga umhlaba wasolwandle ukuthi izizinda zisebenziseke ngendlela.

Umnyango awufuni ukunyusa imikhumbi.. uKuba nemikhumbi eminingi kubonwa njengento ethusayo emzansi. Futhi yenza kubenzima emnyangweni, endleleni yokubuka kanye nokufaka kwemithethokanye nokuphathwa. Ngaphandle kweo Fishery specific policies, imikhumbi ehlangene kanye nokusetshenziswa kwawo I cross-sectoral yokusebenzisa iyagqugquzelwa, ngoba izokwenza kusebenzeke kahle izikhathi eside ngesikhathi sokudoba.

Kwesinye isandla, imikhumbi emidala ingase isuswe kuthengwe emisha ngenxa yokungaphephi kwayo.. Isimanjemanje iyasiza ukuthi ukwazi ukubamba kakhulu. Lapho okudingeke khona ukunciphisa ukuzama kuzobukwa nakho..

7.1.15 Ukuphepha kwabasebenzi

Ukuphepha kwamatilosi kuyinto umnyango okhathazeka ngayo. Ngokunjalo labo abangenelayo bangasebakhombise ukuthi bawulandela yini umthetho ngaphansi South African Maritime Safety Association, ikakhulu i Miscellaneous Amendment Regulations of 2004 promulgated in terms of the Merchant Shipping Act, 57 of 1951.

Ngaphezu kwalokho, abantu kumele balandele umthetho we Occupational Health and Safety Act, 1993 and the Compensation for Occupational Injuries and Diseases Act, 1993. Abafaka izicelo kumele bakhumbuke ukuthi umnyango ulindele ukuthi bazolandela imigomo ye HIV/AIDS kumele lemigomo bayihambisane nezicelo zabo ku 2005.

7.1.16 By-Catch Mitigation and Reduction Measures and dumping

Ngaphandle kwemigomo ekhishwe kwi Fishery specific policies, umnyango uyosiza labo abnikezwe ukuthi badobe kangakanani. Kuyaziwa ukuthi kwezinye izi fishery I by-catch awukwazi ukungayenzi futhi ithathwe

njengendlela yokubamba evumelekile. Umnyango uzokuqhubeka ukwenza imigomo okwenza ukubamba kube ngcono. Lapho kubonakala kungcono ukwenza imithetho emisha kwezokudoba eyenziwa njenge by-catch, umnyango uzokubheka ngehlo elibomvu (isibonelo ihlo elibomvu).

Umnyango ubona ukuncipha kwe mitigation ekubambheni kuyiyona ndlela. Umnyango awuthandi ukubanjwa nge by-catch yezilwanyana zasolwandle. I By-catch kumele incishiswe ngasosonke isiskhathi. Amalungu atholakale echitha bangabhekana no section 2 yokungahambelani kwezindlela.

Umnyango usendleleni yokuthuthukisa indlela yokuphatha mayelana ne by-catch. Ekutholeni okulungileyo ye f by-catch mitigation kanye nokuncishiswa kwama devices umnyango uzobona kudingekile ukuthi ibuke indlela okudotshwa ngayo.; ukubiza okuyoba khona ukusebenzisa kwalama device kanye nedlela yokuxazulula izinkinga.; okufunyanwa ekhaya kanye naphesheya ; kanti nendlela yokuthuthukisa (uma kunezidingo).

Kuze kube lezizinqumo ziyathathwa , umnyango ugqugquzela ukungabanjwa kwama seabirds, sharks, marine mammals, izinhlanzi ezincane kanye nezinto ezisencupheni noma ezokwesabisa. I South Africa isiyenze iNational Plan of Action (NPOA) yokwehlisa ukubanjwa ngengozi kwama seabirds kanye ne NPOA yokunciphisa ezinye izilwane ezincane zasolwandle oshaka. Ngokunjalo umnyango uyanxusa abantu ukuthi basebenzise I ori-line (bird bycatch mitigation yama longliners), ukuphuncuka noma ukukhishwa kwezi trawl sector (ukuphunyuka kwezinhlanzi ezincane nezinye izilwane zasolwandle) kanye ye mesh sizes ukunciphisa kwezinhlanzi ezincane kuma trawl nets. Ngaphezu kwalokho, umnyango ukuthi kungasetshenziswe I high grading kanye nokulahlwa kwezinhlanzi kanti nokufuna kwe bycatch kwezilwanyana. Umnyango uzofuna ukuvalelwa kwezinhlanzi lapho ebona khona kungcono ukwenza njalo kanye nokuvikela imvelo..

7.1.17 Izindlela zemvelo ezenziwayo

Kwezokudoba idumile naphesheya iphinde ibe nezitifikethi njenge Marine Stewardship Council, ngokuthi imvelo iyahambisana nayo. ngokukhishwa kwamalungelo amade.

Umnyango uzobuka izindawo ezisebenzayo, za investa noma zisize uku research izinto ezifanele ezenza imvulo ingathikamezeki. Ikakhulu umnyango ubheke lezizinto ezidinga ukubhekelelwa:

- Ukuqaliswa kwamandla kanye nokuncishiswa kwamafutha;
- Ukuncishiswa kwezinto ezibanjwayo kanye nokuphila kwezinyoni;
- Ukunciphisa komoya ongcolile.;
- Ukunciphisa kwamanzi kanye nokuncola kwasolwandle.

7.1.18 I Bait Fisheries

Umnyango ngeke unikeze amalungelo okudoba ngezizathu zokuthi baqokelele uku bait.. Umehluko kulomgomo uzoba kwi white mussel sector, yona esafufusa ukudliwa abantu.

7.2 Imigomi ye Cross-cutting policy yokur Quantum Allocations

Ngokwaziwayo, izinqumo zithathwa ngokwahlukile ekwabiweni kwamalungelo. Ngokunjalo ke amalungelo anikeziwe azophinde asetshenziswe kwizinqumo ze quantum. Kulomgomo imithetho ashiwo.

7.2.1 Ama Clusters A kanye no B

Ku Clusters A ne B abaphumele bayonikezwa ingxenye ye TAC (hayi ngmathani) no TAE (ukuzama)

Kulabo asebevele benamalungelo, ukuqala ukulethwa kwamalungelo azoba kwi quantum bazonikezwa kwi medium-term. Iphesenti lalamalungelo akhishiwe ngendlela y quantum points system, engeke isebenzise I ukukalwa ngokwamaphuzu. Isibonelo, into efunekayo i transformation, ukutholakal kanye nendlela eyenza ngayo , kanye nezinqumo ze quantum , ngaphezu kokukhishwa kwamalungelo.

Abasha bazonikezwa kwi TAC/TAE.

Umnyango ufuna ukunyusa I quantum ephansi, ngaphandle kokuthi ibuke indlela yamaphuzu okwabiwa kwamalungeloukuze inyuse amabhizinisi.

7.2.2 Ama Clusters C no D

Abaphumemele kuma sectors bazonikezwa amakhilogramu amile e Total Allowable Catch (“TAC”) noma ingxenye ye Total Applied Effort (“TAE”). Lemali ngeke ifane nabe TURF, kodwa wonke umuntu osendaweni efanayo noma I TURF uzonikezwa amalungelo afanele..

7.2.3 I quantum eningi esele emva kwama appeals

I quantum esele emva kwama appeals ngeke ikhishwa ngokufanayo. Okunye kuma sectors, okuningi izonikezwa kwi advance transformation, ukutholakala kanye nokuhlanganisa.

7.2.4 Ukunyuka kwe TAC/TAE

Ukunyuka kwe TAC ngeke inikezwe ngendlela efanayo. Kumele kwazeke ukuthi ngesikhathi sokukhishwa kwamalungelo, iphesenti eliphezulu liyonikezwa kumalungu abane quantum encane. ikakhulu kuma sector abancane beletha kakhulu kwi transformation.

Mayelana ne TAE enyukayo (umkhumbi noma kumatilosi), umnyango kumele ukhethe amanye amalungu.

7.2.5 Ukuthuthukiswa kwamabhizinisi

Njengoba sekushiwe, kwamanye ama sectors, izinga le TAC ingabekwa eceleni ukuhlukiswa kokuhluka.

PART D: IZINTO EZIBHEKWAYO EMVA KOKUNIKEZWA KWAMALUNGELO

Kulokhu, , iinto eziningi ezibukwayo emva kokunikezwa kwamalungelozibhekwa kwi general terms. Yize lemigomo ngeke isetshenziswe esikhathini eside ekukhishweni kwamalungelo, kunesidingo sokuhlenganisa lokhu kwi General policy ukuze labo abafuna ukungena batshele umnyango emva kwamalungelo eseqediwe.

8. UKUPHATHA KWEZOKUDOBA KANYE NALABO ABATHINTEKAYO (“INDUSTRIAL BODIES”)

Umnyango ushintsha indlela yokuphatha ngokuthi babanike amalungelo , kubantu bendawo kanye nalabo abanamashesha.

Ngalendlela yokwenza, ukuphathwa kokudoba ngeke kugcine kuwumsebenzi womnyango nje kuphela. Umsebenzi ukwabelana namalungu anamalungelo, lapho kuvuma khona, nabantu abangasogwini abathembele ekudayiseni izinhlanzi ukuze bathole imali . Indlela ye, TURF (Territorial User Rights Fishery) yayisetshenziswa kwi abalone fishery, umnyango ulindele lindlela efanayo kwamanye ama fishery, enjenge Handline Hake, West Coast Rock Lobster (Near Shore), Oysters, White Mussels kanye Netfishing.

Ukudayisa kwezinhlanzi , umnyango uzobuka izindlela ezisebenzayo nalabo abasemazingeni aphezulu ngelamabizini ukuze kusizakale uku investa kwi fisheries research, ukuphatha kanye nokulandela imithetho.

Ukuze kusizakale ukuphatha, i Fishery specific **Management Working Groups** aseqaliwe ezindaweni eziningi. Abantu abaningi kanye nama associations abekiwe kulama Working Groups. Umsebenzi we Management Working Groups ukukhuluma mgazozonke izinto ezithintana nokuphatha ikakhulu izizinda kuhangene izimvume , izikhathi ezivaliwe, izindawo okungangenwa kuzo, izindawo eziqaliwe. kanye nemithetho kanye nemikhumbi. Ngendlela ukudoba okuphezulu kwenzeka manje, umnyango ufuna ukwabelana ngebhayoloji kanye nowe scientific research kwi fish stocks kanye ne ecosystems kwi sectors yama Working Groups kanye nezinye izinto.

U Section 8. (1) we MLRA uthi “u Minister angase kwi *Gazette akhiphe isaziso*, esibuka labo ababalulekile noma abathintekayo we Minister.” Umnyango ungasebenzisa u section ukuze enze izinto zihambisane nobungane emsebenzinikwibhizinisi lezinhlazi. Ipulani le Recognised Industrial Bodies (*RIB's*), equkethe ukubonwa ukuze umohakathi ube nezwi Umhlangano uyoba phakathi kuka Minister kanye nama Industrial

Bodies. Kulomhlangothi u Minister uyothintana nama Industrial Bodies mayelana nedlela okumele ilandelwe yokuthi ubonwe.. Lendlela iyobe ke iyasethsenziswa bese iyakhishwa.. Labo abahambelani nalenqubo ngeke babonwe umnyango.

Kusasa, umnyango uyokhuluma nabanamasheya kweokudoba ngezindlela yama formal channels. Lezizihlanganisa zibuka umgomo obhaliwe, i, consultation nemiphakathi yokudobakaye nalabo ababalulekile kwezokudoba (ngokwe section 8 of the Act). Lapho evela khona, umnyango ungakhetha ukukhuluma via industrial body kuphela. Umnyango ufuna ukuthi uma amalungu efuna ukuthintanan nomnyango bakwenze lokho ngokuqala kuma industrial body aziwayo.

9. IZIMALI KANYE NOKUTHOLWA KWEZIMALI

Izimali zimile lezi ezikhokhwa amalungu athole amalungelo kwizinhlanzi ezibanjiwe. Izimali zihambisana ne section 29 of the Sea Fishery Act 12 of 1988.

Imali isiza ekuphindeneni ayithole imali e managing kwi resources (kuhlanganise nemithetho kanye nama research). Ukucela, izimvume zokudoba, izilayisense kwesinye isandla ukuthi ikhokhele I administration ekwenzeni kokukhishwa kwamalungelo..

Emva kikukhishwa kwamalungelo , umnyango uzophenya ukubalula kwendlela yokukhokha ngaphambili izimali inyanga nenyanga ngokwe Total Allowable Catch enikeziwe (hhayi ebekiwe)). Umnyango uphinde wamema imicabango ukuqeda ukuphatha kwebhizinisi lokudoba.

10. IZINHLELO ZOKUBONISA

Imikhumbi yasolwandle kanye nama programu okubonisa abalulekile ukwenza ukuvuna kwezinhlanzi njengoba umthetho usho, imigomo kanye nemvumo. I programu yokubuka manje ibuke kakhulu kwimikhumbi yasolwandle neyangasogwini. *ngokwesayensi kanye nokubika*. Umnyango uzokunyusa ama programu amanje afake nomthetho futhi. Ifuna ukunyusa ukubukisa kwibhizinisi lokudoba kakhulu. Futhi kuyindlela entsha yokungenisa umthetho nokuthotshelwa kwao. njengama on-board camera.

Umyango uyodlulisela ukubiza kwakho konke lokhu kulabo abangamalungu.. Kuyochazwaulu kwi migomo yeFishery. Eminye imininingwane mayelana nama programu okubuka azokhishwa kwi Government Gazette uma kunesidingo.

Umyango uzofuna yonke imikhumbi ukuthi uthathe ababukisisi olwandle, uma kuceliwe.

11. UKUDLULISELA KWAMALUNGELO OKUDOBA

Izicelo zokudlulisela amalungelo kubukwa ku section 21(2) we MLRA ethi amalungelo angadlulisela ngaphandle uma ngabe kuvunywa u Minister ekuthumeni kwakhe umuntu ongenza lowomsebenzi.

Lomsebenzi wokudlulisa amalungelo esikhashana medium term njengoba ebekwe kwi Government Notice 1771 ka 27 July 2001. Lomgomo uzosetshenziswa emva kokukhishwa kwamalungelo amade. Kuqala ukudlulisa kwamalungelo kwakuvunyelwa ngokulandela lokhu:

- ❑ Ngokufa, ukuqedwa, ukungenzi kahle kwebhizinisi noma ukubasezikweletini zelungu elinamalungelo.;
- ❑ Ukuqhubezela ushintsho;
- ❑ Ngokuhlanganisa ababenamalungelo basebenze ndawonye;
- ❑ Ukunyusa ukudoba okuhle..

Uma ngabe amalungelo amade esekhishiwe, umnyango ubukwazi ke ukuvuma ukuthi amalungelo adlulielwe phambili.kwesikhathi sokuqala , kuhlangene lezizizathu ezingaphezulu. “Kunesikhathi esibekelwe sokuthi kungadluliswa amalungelo ngendlela eyiyona yona.ukuze ushitsho nokuhlanganiswa, abantu abasha bavunyelwe ukuhlangana nabanye..

Isicelo sokudlulisa amalungelo kumele kulethwe ngaphambi kokubukwa kwalezizathu. Lowo amalungu afisa ukudlulisa amalungelo noma efuna ukushiya ukudoba ngezizathu ezithile njengoshintshwa kwezinkampani yehliswe kwama activities, kanye nabantu, nokudayiswa kwamalungelo noma ukufa..Kodwa kumele ufake isicelo sokudlulisa amalungelo.

Kokunye labo abangamalungu e close corporation noma abanamasheya bashiya noma aban enxaxheba kodwa amalungelo ahlala kubo, ukudlulisa kwamalungelo kumele amalungelo ahlale enkampanini eyodwa ukuvunywa akudumile kakhulu.. Kuwumbono womnyango ukuthi ukudluliswa kwamashweya noma ubulungu kungashintsha ekwangeleni komuntu (noma I trust) ephethe amalungelo , lokho kudinga imvume. Lokho

kufuna ukuphephisa ukungalandelwa kuka section 21 (2) we MLRA. Endabeni yenkampani ebhaliwe phansi , ukudayisa okungaphezu kuka 35% kwamasheya kudinga ukunikezwa imvume..

Njengoba kuchazwe kwi General policy, umnyango ufuna ukukhipha ama “paper quotas”.Amalungelo ayokhishwa kusasa, abaceli bayobhekisiswa ukuze kubonakale ukuthi bake bafaka yini izicelo zabo zokuthola amalungelo ukuthi adluliswe..Lokhu kuzokwenza ukuthi kunganikezwa amalungelo kulabo abake banikezwa kuqala base bewadlulisela kwabanye..

12. UKUSETSHENZISWA KWEZIMOTO NGASOGWINI

Amalungu afuna ukusebenzisa izimoto ngasogwini ukuze bawenze kahle umsebenzi kumele bacele imvume koMthetho we Regulations.. Abanamalungelo bayacelwa ukuthi babuke i Guidelines on the Implementation of Regulations Pertaining ekuphatheni kwe Control of Vehicles in the Coastal Zone: 2004. Imithetho kanye ne Guidelines ayatholakal emnyangweni (Chief Directorate: Fisheries Compliance) noma ku www.mcm-deat.gov.za. Ukuthola imvume Imvume kumele ukhokhe u R500.

13. IZINDAWO EZIVIKELEKILE OLWANDLE KANYE NE ZINDAWO ZEFISHERIES MANAGEMENT

13.1 Izindawo ezivikelekile olwandle

U Minister yezemvelo kanye nabazokuvakasha inezindawo ezivikelekile, okungango 20% ye South Africa's coastline. Kuwumsebenzi ka Minister kanye nomnyango ukunyusa izindawo , kodwa kuno 1% kwezaphesheya u 20% ngo 2015.

Umnayngo uyazi futhi izindawo lezi ezivikelekile ziyizindawo zokucasha zezinhlanzi. Kumanje ama fish stocks ahlanganisa angaphezu kuka 50 wezilwanyana zasolwandlei linefish kanye ne abalone.

Izindawo ezivikelekile zizosiza ukuthi abantu bangadiobi ngokungemthetho.

13.2 Izindawo ze Fisheries Management

u Section 15 WE Marine Living Resources Act yenzela ukthi kubekhona indlela yokuphatha , ukonga , nokuthuthukisa I fishery. Umnyango uyakubona lokhu ukuthi ukuphatha izindawo zokudoba kuyoba isikhali ukwenza kahle kwe fisheries kwehlise nezingxabano.

14. UMTHETHO KANYE NO SECTION 28 WEZAZISO

Ngaphezu kwalokhu, umnyango usefake imali eku monitheni , ukongela kanye kwe surveillance (“MCS”) izi equipment, kuhlunganisa imikhumbi enama monitha. Umnyango usuthole amanye ama service yabacwaninga forensic auditing kanye nabagwebi kwezokudoba.

Eminyakeni emithsthu ezayo, umnyango uzobhekana kakhulu kokuvikela kweziphosiso kanye nokuziphatha. Lomzamo uzobe uphelekezana nendlela yokuziphatha, kanye nama audit angalindelwe, kanye nokuzwana nabaphethe umthetho. njenge South African Revenue Service kanye ne South African Bureau of Standards, kanye nemiqathathango eqinile., okuhlunganisa i revocation noma ukuthathwa kwamalungelo ngokomthetho ka section 28 we MLRA. Umnyango usuvele usukhiphe i memorandaezahlukene ngemithetho yalapha kanye neyaphesheya, nokwahlulelana kwemininingwana kanye nokubhekisa lokho okungenayo nemoahla ekhishwayo kwelangaphandle.

Umnyango isazokhipha izaziso ngaphansi kuka section 28(1) we Act kuzozonke izindawo kanye nokuphula izindlela ze MLRA, imiththeo, kanye nezimvume, kuze kubaluleke. Ngokuka section 28(4) we Act, ukukhansela nokunqaba amalungelo izimvume zziyolandelwa kuzozonke izindawo ezingasezithuse ukuthula kwezokudoba..

Lapho ilungelo lokudoba selinikiwe umuntu, bese umuntu engakwazi ukukhokha izimali noma I levy , umnyango ngeke unanaze ukukhipha umthetho ngaphansi kuka section 28 we MLRA.