UHLAKA

UMNYANGO WEZEMVELO NEZOKUVAKASHA

IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU

UMGOMO KA-2005 WOKUNIKA NOKWENGAMELA IZIMVUME ZOKUDOBELA INZUZO KWIMBONI YOKUDOBA IMIDAMBI (PRAWN) NGAMANETHI KWA-KWAZULU-NATAL

LOLU HLAKA MGOMO KUMELE LUFUNDWE NOMGOMO JIKELELE WOKWENGAMELA IZIMVUME ZOKUDOBELA INZUZO YESIKHATHI ESIDE KA-2005 (itholakala kwi-www.mcm-deat.gov.za)

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1. Isingeniso

Lo mgomo wokunikezwa nokuphathwa kwezimvume zokudoba ngamanethi imidambi yakwa-KwaZulu-Natali (obizwa nge-"*KZN prawn trawl fishery*") ukhishwe uMnyango weZemvelo neZokuvakasha : Igatsha lezasolwandle nokuphathwa kogu ("uMnyango") ukuze umphakathi ubeke izimvo zawo ngawo.Lo mgomo kumele ufundwe nohlaka lomthetho mgomo jikelele wokunika nokwengamela izimvume zokudobela inzuzo ngamanethi imidambi yesikhathi eside ka-2005("umgomo jikelele wokudoba"). Abanezifiso nabathintekayo bangabhala izimvo zabo bazithumele kuMnyango kungakadluli umhla ka-4 ku-Ephreli 2005.Izimvo eziyothunyelwa ngemuva kwalesi sikhathi ziyoshywa indiva.Izimvo kufanele zithunyelwe ngale ndlela :

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Inhloso yalomgomo ukubeka ngokusobala uhlelo okuzoqhutshwa ngalo uma kunikwa imvume yesikhathi eside yokudobela inzuzo ngamanethi imidambi e-KZN .Iningi lalezi zinhlelo azizintsha. Bezisetshenziswa uMnyango uma unikeza imvume esikhathini esedlule. Lo mgomo uqukethe uhlelo okuzoqhutshwa ngalo, noma kukhona izinguquko ezingatheni kanye nokwengeziwe.

Eminye imigomo yokuphatha ngemuva kokunikwa imvume yethuliwe kulolu hlaka-mgomo.Ibhuku eliphathelene nokuphathwa nokudotshwa ngamanethi kwemidambi yase-KZN liyoqedelwa ngokuhlanganyela nabanezimvume ngonyaka ka-2006.Leli bhuku liyobeka ngokusobala indlela yokuphatha kanye nequbo yokudoba.

Ungqongqoshe weZemvelo neZokuvakasha uhlose ukunikezela ngamandla kasomqulu 18 wokunika imvume yokudobela inzuzo ngamanethi imidambi okuqukethwe esigabeni 79

somthetho 18 wezinto eziphila olwandle ka-1998(the Marine Living Resources Act 18 of 1998 obizwa nge-" *MLRA*") onikezelwe kwisikhulu esiphezulu soMnyango.

2. Isayensi yezinto eziphilayo kanye nokuphathelene nenani lokudotshwa kwezinhlanzi

Imidambi emhlophe (*Penaeus indicus*), imidambi ensundu (*Metapenaeus monoceros*) kanye nohlobo lwemidambi ebizwa ngama- *tiger prawns* (*Penaeus monodon*) itholakala emanzini angajulile ngasosebeni endaweni enodaka kugu olusenyakatho-Ntshonalanga.Le midambi ikhula ngamandla futhi iphila isikhathi esingangonyaka kuphela.Uhlobo lwemidambi olubizwa ngama-bamboo prawns (*Penaeus japonicus*) nalo luyadotshwa ngesinye isikhathi ngamanethi e-St Lucia. Amaqanda athwalwa yimidambi yesifazane ngezisu. Izibungu zichamsela ngesigaba sesibili sonyaka, bese zihamba ngamaza ziye ezizalweni zemifula ezigudle ugu lwase-KZN, lapho zifike zihlale khona kuze kuphele ikwata lokuqala lonyaka olandelayo bese zikhula zibe imidambi esemincane.imidambi esemincane iyasuka ezizalweni zemifula bese iya emanzini anodaka osebeni lolwandle lapho ikhula khona ize ibe midala bese iyazalana, ngokwenzenjalo iphothula isiyingi sokukhula.

Imidambi etholakala ekujuleni kolwandle ngeyohlobo lwe-pink (knife) kanye nebomvu (*Haliporoides triarthrus*) kanye ne-(*Aristaeomorpha foliacea)*, uhlobo lwe-*langoustines (Metanephrops mozambicus)* kanye ne (*Nephropsis stewarti)i*, inkalankala ebomvu (*Chaceon macphersoni)*,kanye nama-rock lobster(*Palinurus delagoae)*. Indlela yesiyingi sokukhula sale midambi sehlukene, kodwa eminye efana (nama-rock lobster) ikhula kancane bese iphila isikathi eside, lokhu kuyenze ibe yisisulu sokudotshwa. Kuncane okwaziwa ngesayensi yokuphilayo yemidambi etholakala ekujuleni kolwandle kanye nohlobo lwama-Langoustines.

3. Ukubukeka kwemboni yokudoba

Imboni yokudoba ngamanethi imidambi igxile e-Kwazulu-Natal (KZN) futhi imikhakha mibili: imboni yokudobela ngasosebeni (emamitheni amahlanu kuya kwangamashumi amane ukujula)

onqenqemeni loThukela nase-St Lucia endaweni ethi ayibe isikwele samakhilomitha angamakhulu amane. Umkhakha wesibili imboni yokudobela mangasekujuleni kolwandle (emamitheni ayikhulu kuya kwangamakhulu ayisithupha ukujula), isuka eCape Vidal eNyakatho ukuya e-Amanzimtoti eNingizimu, ize yemboze indawo ethi ayibe amakhilomitha ayinkulungwane agudla unqenqema lwezwekazi.
Ukuyofinyelela eminyakeni yawo-1960, kuudoba ngamanethi kwakuthe gqwa gqwa, kodwa emva kwalokho le mboni yaba nezinkampani eziyi-12 kanye nemikhumbi engama-21, eminingi yayo yayidoba nase-Mozambique.Izibalo zokubonisa ukuma kwemboni zazithathwa ziqoqwe njalo kusukela ngonyaka ka-1998 ukuya phambili.

Izinga lokubanjwa kwezinhlobo zemidambi eyehlukene noma iqoqo lazo liyehlukana kakhulu, ngenxa yendlela yokudoba esetshenzisiwe(ukuqonda uhlobo lwenhlanzi edingelwa ukudotshwa), inani lezinhlanzi ezikhona akunamthelela kulokhu.Ubunala bemidambi etholakala emanzini angajulile kuncike kwindlela okunetha ngayo imvula kanye nokugugulwa kwayi imvula ezizalweni zemifula lapho izibungu kanye nemidambi emincane ikhulela khona.Eminyakeni engamashumi amabili eyedlule lehlile izinga lokudotshwa kwemidambi emihlophe,ephinki , uhlobo okuthiwa yi-langoustines, ama-lobster atholakala ematsheni kanye nezinkalankala ezibomvu .

Le mboni iphethwe ngokohlelo olubizwa nge-*Total Applied Effort ("TAE*") olunciphisa inani lemikhumbi evunyelwe ukudoba mangasosebeni lolwandle kanye namaphakathi kolwandle. Uhlelo lwe-TAE lunezimvume ezi-8 kuphela, okuyinani elingakaze lishintshe eminyakeni eyishumi eyedlule.

Le mboni idinga imali yokuqala ibhizinisi eyanele,ingqalasizinda yayo,ukudayisa , kanye nokusabalaliswa kwemidambi edotshiwe zibuswa izinkampani ezizimele.le mboni idinga imikhumbi yokudoba ngamanethi ekhethekile kanye nezinsiza kusebenza ezisesimweni esifanele ukudobela inzuzo.uku Izikhungo zokudoba zitholakala eNingizimu Afrika, akukho mikhumbi yakwamanye amazwe evumeleke ukudoba. Imikhumbi yokudoba ngamanethi mikhulu futhi iyinsimbi,ingubude obungamamitha angama-24 kuya kwangama-40, anezinjini enamandla angama-500 – 1 000 hp. Isilinganiso samanethi okudoba sisukela kumamitha angama-25 kuya kwangama-60 ubude,anezikhala ezinwebekela kumamilimitha angama-70 emaphikwenikuya kumamilimitha angama-38 ukuya phansi.Ukudoba ngamanethi kwenzeka

emahoreni angama-24, kwisivinini esiyisilinganiselo sesivinini somkhumbisesibili kuya kwesesithathu okungenani kuze kuphele amahora amane. Imikhumbi yokudoba ngamanethi ithwala cishe izisebenzi eziyi-15 , ihlala olwandle isikhathi esingaba amasonto amabili kuya kwamathathu.

Ukubanjwa kwemidambi ngokwesisindo embonini yokudoba ngamanethi e-KZN iqukethe cishe isilinganiso sama-20 ekhulwini lemidambi okuhloswe ukuthi idotshwe, isilinganiso seshumi ekhulwini lezinhlanzi ezidotshwa zingaqondiwe liyagcinwa, kanti isilinganiso sama-70 ekhulwini lezinhlanzi ezidotshwa zingaqondiwe ziyalahlwa.Ezinye izinhlanzi ezigcinwayo zibe zidotshwe ngokungaqondiwe yilezi, ama-cephalopods (octopus, squid and cuttlefish), molluscs, kanye nenani elikhulu lezinye izinhlobo zezinhlanzi. Izinhlanzi ezidotshwa kungaqondiwe ezilahlwayo (izinhlanzi ezincane, uhlobo lwezinkalankala zezinga eliphansi, ama-elasmobranches kanye nama-molluscs) zinyelela emathanini ayi-1000 kuya kwizi-2000 ngonyaka.

Ukudoba ngamanethi maphakathi nolwandle kwenzeka ngezikhathi ezithile zonyaka, kuba nenala phakathi kukaJanuwari kanye noMashi ogwini oluse-St Lucia,kanti ukusukela ngoMashi kuya ku-September kunqenqema loThukela. Ukudoba ngamanethi maphakathi nolwandle kwenzeka unyaka wonke. Umungcele phakathi kokudoba ngasosebeni kanye namaphakathi nolwandle amamayela ayisi-7 ukusuka osebeni phakathi kwesibubulungu sase-St Lucia lkanye ne-Zinkwazi.

Izinhlanzi ezibanjiwe zihlukaniswa ngobukhulu, izinga, ukupakishwa kanye nokuqandiswa kwazo olwandle. Lincane kabi izinga elengezwa uma sezikhishelwe ngaphandle. Ingqalasizinda elingene engasosebeni, ehlanganisa ukungenisa umkhumbi ethekwini, ukupakisha kabushwa kabusha kwezinhlanzi, iindawo zokubeka izinhlanzi kanye nezokuzidayisa, iseThekwini. Imikhiqiso eqandisiwe idayiselwa ezimakethe zakuleli. Imidambi ebanjwe embonini yokudoba ngamanethi imidambi e-KZN inenani elicishe libe izigidi ezingama-21 ngonyaka.

4. Uhlelo lokunikezelwa kwezimvume zokudoba zesikhathi esimaphakathi

Izimvume zokudoba zanikezelwa isikhathi esimaphakathi (iminyaka emine) ngonyaka ka-2001. Izimvume zanikezelwa izinkampani zokudoba ezinhlanu (ngenani lemikhumbi eyisishiyagalombili), izinkampani ezintathu kulezi zinelungelo lokudoba (ngemikhumbi

emihlanu) ngasosebeni kanye namaphakathi nolwandle, kanti lezi ezinye ezimbili zona (ezinemikhumbi emithathu) zivumeleke ukudoba kuphela maphakathi nolwandle.

Imibiko ebhaliwe yoMnyango ikhombisa ukuthi:

- Isilinganiso sama-22 ekhulwini sabanini zimvume iningi laso singesabamnyama;
- Isilinganiso sama-30 ekhulwini sabaninin zimvume senganyelwe ngabamnyama; futhi
- Le mboni iqashe cishe abantu abayi-150,abayisilinganiselo sama-88 ekhulwini kubona bamnyama.

5. Izinhlosongqangi zemboni yokudoba

Izinhlosongqangi yokunikezelwa kwezimvume zesikhathi eside kule mboni yilezi:

- Ukunyusa ngokubonakalayo izinga lezinguquko ukuze kushintshe ukubukeka kwemboni yokudoba imidambi ngamanethi yases-KZN;
- Ukwenza isimo esizoheha abatshalizimali siphinde sibe nomthelela ekwakhiweni kwamathuba emisebenzi;
- Ukuxhasa ukugcineka kwemboni yokudoba iphilile ngokwezimali;
- Ukusiza ukuba umnotho nemboni yokudoba kugcineke kuphiile nemvelo ingashabalali;
- Ukuqinisekisa ukuthi kuthwa izinyathelo zokunciphisa ukubambeka kwezinhlanzi zohlobo lwe-linefish ezisohliwini oluvikelekile nalezo ezingavunyelwe ukuba zidotshwe kungaqondiwe, kanye
- Nokuqinisekisa ukuthi izinhlanzi ezibanjwa ngephutha azimoswa uma kungenzeka

Inguquko iyoba umcabango osemqoka uma kunikwa izimvume zesikhathi eside. Inhloso kuyoba ukuqinisekisa ukuthi ukubukeka kwemboni yokudoba ngobubanzi kubonisa izibalo zokumeleleka zonke izinhlanga ngokulinganayo kuleli zwe.Noma kungenzeka ukuba inani lemikhumbi (eyi-8) kule mboni ligcinwe lingako, isidingo sokuqubo siyobe singasho ukuthi

abanini zimvume abafaka izicelo bayozinikwa lezo mvume.Abafaki zicelo abaqalayo abaguqukile kungase kuncanyelwe bona kunalabo asebesembonini.

Izinga lezinhlanzi ezibanjwa ngokungenhloso kanye nomthelela wokudoba imidambi ngamanethi kwezinye izilwane ezitholakala phansi olwandle, uMnyango ukhathazekile ngalesi simo, uyokhipha umklomelo kubafaki zicelo abakhombisa ukuzimisela ukuqala izindlela ezizonciphisa lenkinga. UMnyango uyoqhubeka nokugqugquzela ukuthi izinhlanzi ezibanjiwe ngokungenhloso azibuyiselwa emanzini noma zimoswe nganoma iyiphi indlela, nokuthi abadobi bathole izimakethe lapho bezodayisa khona lezo zinhlanzi ezibanjwe ngokungenhloso. Kodwa ukudayiswa kwalezo zinhlanzi ezibanjwe ngokungenhloso, ezibandakanya uhlobo lwe-linefish, ezisohlwini oluvikelekile nalolo olungavumelekile ukuba lubanjwe, ngeke kuvunyelwe.

6. isikhathi esithathwa yizimvume

ngokuphathelene –

- Nezinguquko zokubukeka kwemboni yokudoba;
- Imali edingekayo yokuqala ibhizinisi lemboni yokudoba, kanye
- Nesidingo sokugcinwa komnotho usezingeni elifanele kanye nokukhuphula ukuqhudelana kule mboni;

Umnyango uzimisele ukunika izimvume zokudobela inzuzo zeminyaka eyi-8 (kusukela ngomhla ka-1 kuJanuwari 2006 kuya kumhla ka-31 kuDisemba 201),ziyobuyekezwa izikhawu ngokuhanbisana nokusebenza ngezinga elilindelekile elibekiwe, kuhlanganiswa namazinga ezinguquko asezuziwe (***bheka isigaba 14 ngezansi***).

7. Abafikayo embonini yokudoba

Abafaka izicelo abafikayo bayoncanyelwa kunalabo asebenazo izimvume ikakhulukazi uma ukubandakanywa kwabo kuyoza nezinguquko embonini yokudoba ngamanethi imidambi e-KZN.

8. Inqubo yokuhlunga

Izicelo zemvume yokudobela inzuzo ziyobukwa ngeso elibukhali ngokuhambisana ne-"*exclusionary criteria*", bese ziyahlolwa ngokwesilinganiso se-"*comparative balancing criteria*". Kuyobekwa amaphuzu okuyiwona ayohlonza labo abazicelo zabo ziphumelele. Kuyonikezwa ngamunye kulabo abazicelo zabo ziphumelele inani lezinhlanzi abavumeleke ukuzibamba.

8.1 Inqubo yokungamukeleki kwabathile

Ngaphandle kwenqubo echazwe kumgomo jikelele okuphathelene nokufakwa kwezicelo kanye nokungabi sesimweni esigculisayo semikhumbi kanye namanethi okudoba, uMnyango ngeke uzamukele izicelo ezihluleka ukuhlangabezana nalezi zidingo

:

(a) **Uhlobo lwabantu abavumeleke ukufaka izicelo***:* Kuyobhekwa kuphela izicelo zalabo abakhona ngaphansi kohlelo lomthetho obizwa ngokuthi yi-Close Corporations Act 69 ka-1984 kanye nobizwa nge- Companies Act 61 ka-1973.ziyoshaywa indiva izicelo zalabo abafaka izicelo ngabodwana bengahambisani nomthetho obekwe ngenhla.

(b) **Ukuhambisana nohlelo***:* Abanikwe izimvume kubandakanya abaqondisi nabamasheya asebeke babekwa icala ngokwenqubo yeMLRA (banganikwa ithuba lokukhokha inhlawulo), ngeke banikwe izimvume zokudoba ngamanethi amadambi e-KZN. Abanini zimvume kubandakanya abaqondisi nabamasheya asebeke baphucwa ilungelo lokudoba ngokohlelo lwe-MLRA, ngeke banikwe ilungelo lokudoba ngamanethi imidambi e-KZN.

Abanikwe imvume kubandakanya abaqondisi kanye nabanamasheya abasaphenywa nabephula inqubo ye-MLRA, kungaba ngobugebengu noma ukuhluleka ukuphatha amabhuku, ngeke besanikezwa ilungelo lokudoba ngamanethi imimdambi e-KZN umauphenyo lwabo lungakaphothulwa.

UMnyango ukuba bonke abanezimvume zokudoba bakhokhe intela yalezo zinhlanzi abebezihlosile abazibambile. Iningi labanezimvume zokudoba abayikhokhi intela noma badalula inani elingaphansi kwenzinhlanzi abazidobile ukuze bagweme ukukhokha intela. Ukungakhokhwa kwentela yoMnyango kuyohlawuliswa kwinqubo yokuhlunga ngokuqhathanisa echazwe ngezansi. Le nqujbo yokuhlunga ngokuqhathanisa iyoshaywa indiva. Kodwa uma ocela imvume esnokuyithola, kodwa angeke ayinikezwe ngaphambi kokuhba akhokhe yonke intela ayikweleta uMnyango sekuhlangene nenzalo yayo.

(c) **Isilinganiso samaphepha***:* Isilinganiso samaphepha njengoba sichaziwe kuMgomo-jikelele, siyoshaywa indiva.

(d) **Ukutholakala komkhumbi wokudoba osesimweni esigculisayo***:* Abafaka izicelo kuyodingeka ukuba bakhombise imvume yokusebenzisa umkhumbi wokudoba osesimweni esigculisayo. (**bheka isigaba 9 ngezansi**).

8.2 Inqubo yokuhlunga ngokuqhathanisa

Abafaka izicelo zemvume yokudoba kanye nalabo abafaka izicelo ezintsha, bayohlungwa ngaphansi kwenqubo yokulinganisa elandelayo ngokubhekela isisindo sesicelo ngasinye:

(a) **Uguquko:**

Njengoba kuchaziwe kumgomo jikelele wezokudoba, abafaki cicelo bayohlungwa banikezwe amaphuzu ngokubhekelela lokhu –

- Inani ekhulwini labamnyama kanye nokumeleleka kwabesifazane abangabanikazi nabaphethe emazingeni aphezulu;
- Uma abasebenzi benamasheya kwinkampani efaka isicelo, kudalulwe nezinga lokuhlomula kwabo;
- Ukunikwa amathuba kwalabo ababecindezelekile ngokomlando;

- Ukumeleleka kwabamnyama nabesifazane emazingeni ahlukene okuqashwa angaphansi kokwengamela inkampani;
- Ukuhambisana nomthetho obizwa nge-Employment Equity Act 55 ka-1998; kanye
- Nokutshalelwa komphakathi izimali izinkampani ezizimele.

(b) Ukutshalwa kwezimali embonini yokudoba

Ngokuphathelene nabanini zimvume abafaka izicelo zokudoba, uMnyango uyokwenza isiqinisekiso sokubhekela lokhu :

- Ukutshalwa kwezimali imikhumbi yokudoba esesimweni esigculisayo ekudobeni ngamanethi imidambi e-KZN. Kulokhu, utshalo zimali ngendlela yokuthenga amasheya kuyobhekelwa,
- Ukutshalwa kwezimali ekuqhubezeleni kanye nasekwenzeni ingqalasizinda yaziwe.

Malungana nabafaka izicelo zezimvume zokudoba, uMnyango uyobhekela utshalo zimali asebelwenzile ngokuphathelene nemikhumbi yokudoba, ekuqhubezeleni kanye nasekwenzeni ingqalasizinda yaziwe. Ngaphezu kwalokhu abafaki zicelo zokudoba ezintsha kuyomele bakhombise ulwazi, ikhono kanye namandla okudoba ngamanethi imidambi e-KZN.

(c) Imisebenzi

UMnyango uyohlomulisa labo bafaki zicelo abanikeze izisebenzi zabo lokhu okulandelayo –

- Ukuqashwa ngokugcwele;
- Umhlomulo wezokulashwa kanye nowomhlalaphansi;
- Nanoma iluphi olunye uhlelo; kanye
- Nezimo zokusebaznza ezihpephile.

Umnyango uyophinde ubheke ukuhluka kwesilinganiso samaholo phakathi kwabahola kakhulu nabahola.

(d) Ukusebenza kahle ngokwezimali

Ukusebenza kahle kwezimali kuyokalwa njengoba kutshengisiwe kuMgomo-jikelele. Ukkwengeza, uMnyango uyobheka izinga lokudoba lalabo abafake izicelo, ikakhulukazi ngokuphathelene nenani lezinsuku abazichithe bedoba eNingizimu Afrika uma kuqhathaniswa nokudoba e-Mozambique noma e-Tanzania.

(e) Ukukhokhwa kwentela yokudoba yezinhlanzi

Abanini zimvume abafaka izicelo bayohlawuliswa uma kukhona imali yentela esasilele ngezinsuku ezingaphezulu kwama-60.

(f) Ukuhambisana nomgomo

Abafaki zicelo abahlulekayo ukuhambisana nezibopho zomthetho obizwa nge-*Skills Development Act, 97* ka-1998, nanomthetho obizwa nge-Skills Development Levies Act, 9 ka-1999, kanye nalabo abaphule kancane umthetho we-MLRA (uma ukuphuhla kwabo umthetho kungavumeli ukuba baphucwe izimvume) bayohlawuliswa.

(g) Izinhlanzi ezidotshwayo kube kungagxiliwe kuzona

uMnyango uyozama ukuklomelisa abanini zimvume abafake izicelo abatshale izimali babuye basungula izindlela zokwehlisa izinga lokudotshwa kwezinhlanzi ekungaqondiwe kuzo. UMnyango uyonika amaphuzu akahle kulabo badobi ababamba izinhlanzi okungagxiliwe kuzona babuye bazitholele izimakethe (ngaphandle kwezinhlanzi zohlobo lwe-linefish ezisohlwini lwezinhlanzi ezivikelekile kanye nokungavunyelwe ukuba zidotshwe)

8.3 Inqubo yokulinganisa izicelo ezinikiwe

Ulhelo lwe-TAE luyohlukanisa phakathi kwabadoba ngasosebeni nalabo abadoba maphakathi nolwandle. Abafaki zicelo zemvume bayovunyelwa ukuba bafake izicelo zokudoba ngasosedbeni kanye namaphakathi nolwandle emkhunjini wokudoba owodwa noma kwemibili eyahlukene. Kumele kuqapheleke ukuthi imikhumbi edoba maphakathi nolwandle ngeke ivumeleke ukuba idobe ngasosebeni. Kodwa imikhumbi edoba ngasosebeni ingadoba maphakathi nolwandle.

9. Imikhumbi yokudoba esesimweni esigculisayo

Imboni yokudoba ngamanethi imidambi eKZN iyimboni ekhethekile. Abafaki zicelo kumele bakwazi ukuthola imikhumbi emikhulu ekulungele ukungena olwandle nelungiselwe ukudonsa amanethi okudoba imidambi. Kumele kudotshwe ngokudonsa amanethi kusetshenziswa ingemuva lomkhumbi, noma kusetshenziswa ugodo oludonswa umkhumbi kube kuboshelwe amanethi ambili noma amathathu kulo. Amanethi adonswayo kufanele abe nobude obungadluli emamitheni angama-60 beswe eba nezikhala ezingamamilimitha angama-70 kumaphiko kanye namamilimitha angama-50 kwi-*cod-end*. Imikhumbi kumele ibe nemishini yokuyibheka isolwandle.

10. Ukubandakanyeka kwezikhungo ezahlukene embonini yokudoba

Abanini zimvume zokudoba ngamanethi imidambi abanqatshelwe ukuba bathole imvume kunoma iyiphi imboni yezokudoba kwiSixha A nakwiSixha B. Abanini zimvume zokudoba ngamanethi imidambi (sekuhlanganiswe nabanini masheya kanye namalungu ethimba eliphethe ezikhundleni eziphezulu) ngeke bavumeleke ukuba babe nezimvume zokudobela inzuzo kwimboni yeSixha C neSixha D.

Imikhumbi eqashelwe ukusetshenziswa embonini yokudoba imidambi e-KZN ngeke isetshenziswe kwezinye izimboni.

11. izindawo okukhishelwa kuzona izinhlanzi

Izikhumulo zemikhumbi zaseNingizimu Afrika eziseThekwini kanye nase-Richards Bay okumele zisetshenziswe ukukhipha izinhlanzi. Azikho ezinye izikhumulo ezinokusetshenziswa

12. Imali yokufa izicelo zokudobela inzuzo kanye nemali yentela

Okuphila olwandle kuyavuseleleka, umgomo wabasebenzisa okuphila olwandle uyosetshenzisswa. Imali yokufa izicelo zokudoba ngamanethi imidambi yase-KZN iyoklanywa kubhekelelwa lokhu okulandelayo:

- Inani elibizwa uhlelo lonke lokwabiwa kwezimvume sekuhlanganiswa nokubonisana, ukukhishwa kwesiqinisseko sokukhokha, ukuhlhunga ,ukwenza isiqiniseko, ukufakwa kokubuyekezwa kwezinqumo esezithathiwe kanye nokubuyekezwa kohlelo-jikelele. Inani elibizwe uhlelo ngesikhathi esimaphakathi salolu hlelo liyothathwa njengomhlahlandlela; kanye
- Nenani ngakwezezimali lezinhlanzi ovumeleke ukuzidoba ngokwesikhathi esinqunywe imvume.

Imali yentela yonyaka kumele ikhokhwe kusukela ngomhla ka-01 kuJanuwari 2006, iyobuyekezwa ngemuva kokubonisana nabo bonke abathintekayo nabanezifiso ezithile kule mboni.

13. Izindlela ezizosetshenziselwa ukuphatha

Izindlela ezizosetshenziselwa ukuphatha ezivezwe lapha ngezansi zingezinye zeziningi ezisemqoka ezizosetshenziswa uMnyango ngenhloso yokuphatha uhlelo ngemuva kokukhipha izimvume kule mboni.

13.1 Indlela yokuphatha imboni yokudoba ngokuphathelene nohlelo lokuphilisana kwezitshalo nezilwane zasolwandle

Le mboni yokudoba izophathwa ngokuhambisana nohlelo olubizwa ngokuthi yi-*ecosystem approach to fisheries* (“EAF”). Indlela yokuphatha le mboni yokudoba ithathelwe kuhlelo lokuphilisana kwezitshalo kanye nezilwane zasolwandle, iwuhlelo olubhekele zonke izinhlangothi lubuye luhlanganise imigomo eyasiza ukuthi ukudoba

kanye nezinye izinhlobo zemisebenzi eyenziwa ngaphandle kolwandle kunomthelela ngokubanzi kulokho okwenzeka olwandle. Le ngxenye yokudotshwa kwemidambi yase-KZN ayizami ukunika umgomo embonini yokudoba kwi-EAF. I-EAF yemboni yokudotshwa kwemidambi yase-KZN izochazwa kabanzi kwibhuku elichaza ngokuphathwa kwemboni yokudoba. iNingizimu Afrika isalokhu izinikeze umnqamulajuqu wonyaka ka-2010 wokuqala ukusebenzisa uhlelo lwe-EAF ekudobeleni inzuzo.

13.2 Ukudotshwa kwezinhlanzi okungagxiliwe kuzo

Ukudotshwa kwezinhlanzi okungagxiliwe kuzo kwimboni yokudoba ngamanethi imidambi e-KZN, iyona ndikimba okulokhu kucwaningwe ngayo kubhekwe kakhulu inani lezinhlanzi ezidotshwayo kungagxiliwe kuzona kanye nomthelela walokhu kwizinhlanzi zohlobo lwe-linefish kanye nasebudlelwaneni phakathi kwezitshalo nezilwane; umthelela wemishini eshiya ngaphandle izinhlanzi ezidotshwa kungagxiliwe kuzo enanini lazo, nomthelela ekupheleni kwenala yezinhlanzi embonini yokudoba ngasosebeni lwandle. Zonke izinhlanzi ezibanjiwe kube kungagxiliwe kuzona (zingalahlwanga), okaputeni bemikhumbi kumele badalule inani lazo. Ayikho nayinye inhlanzi yohlobo lwe-*spotted grunter* (*Pomadasys commersonii*) ebanjiwe embonini yokudoba ngamanethi imidambi yase-KZN ekuvumeleke ukuthi idayiswe. Imigomo yemboni yokudoba maqondana nokulahlwa kwezinhlanzi ezidobeke kungaqondiwe iyolandela ngemuva kokuphothulwa kocwaningo.

13.3 Imikhumbi yokudoba

Okwamanje kugunyazwe imikhumbi yokudoba eyisishiyagalombili ukuba idobe kule mboni. Inani lamanje le-TAE (ngokuphathelene nemikhumbi kanye nabazibandakanyayo) igcinwe iyinani elifanayo iminyaka eyishumi. Kodwa-ke iyisilinganiselo sama-50 kuya kuma-60 ekhulwini inani lemikhumbi esebenzela e-KZN, leyo ngcosana esele ayisetshenziswa. Eminye imikhumbi isebenzela eMozambique isikhathi esiningi sonyaka. Ngeke kuvunyelwe imikhumbi engaphezulu kwesishiyagalombili ukuba isebenze kule mboni.

13.4 Ubuzwe bezinhlanzi ezidotshiwe

Izinhlanzi ezidotshwe e-Mozambique zingakhishelwa eThekwini noma e-Richards Bay, kodwa kumele ziphelekezelwe izincwadi ezikhomba lapho zadotshwa khona kanye nenani lazo.

13.5 Umgomo wokuqikelela kanye nokugcina le mboni iphilile

Le mboni yokudoba ikhethekile ivuleleke ukudobela inzuzo kuphela izimakethe zakuleli zwe. Le mboni incane kakhulu , akukabibikho uhlelo lokubheka inani lalezi zinhlanzi ezikhona oselwenziwe. Izindawo zokudoba ngamanethi zase-KZN zincane kakhulu futhi alikho ithuba lokuthi zingakhula.Umgomo wokuqikelela ekuphatheni ukudoba kule mboni yokudoba uyosebenza kuze kutholakale izindlela ezigculisayo zokubala inani lezinhlanzi kanye nomthelela wokudoba ngamanethi ekuphilisaneni kwezitshalo kanye nezilwane olwandle.

Umnyango uyakubona ukuthi ukwahlukana kanye nokungazeki kwezinhlanzi kwehliza izinga lokwenza inzuzo kule mboni. Ukuqhuba kahle kwale mboni kuyoqashelwa ngeso elibukhali, inhloso yalokhu ukuphatha ngokuyikho kanye nokugcineka kwale mboni iphilile.

14. Izindlela zokukala izinga okuyilo

UMnyango uyoveza izindlela eziningana zokuveza izinga ekuyilo lokudotshwa kwezinhlanzi ngesikathi esinikezwe izimvume.Kuyacabangeka ukuthi lezi zinhlelo zokukala izinga ekuyilo lokudotshwa kweizinhlanzi liyokwenzeka ngemuva kweminyaka emibili kusukela manje, bese kuba njalo ngemuva kweminyaka emine.

Noma uMnyango uzoqedela izindlela okuyizonazon zokukala izinga lokudoba abanini zimvume abazokalwa ngalo uma kunikwa izimvume zokudobela inzuzo, nangemuva kokuxosana nabanini zimvume, lezi zindlela zokukala izinga lokudoba zingasetshenziswa:

- Uguquko;
- Ukutshalwa kwezimali emikhunjini nasezimpahleni ezigqokelwa ukudoba;
- Ukusebenzisa ngendlela eyamukelekile kanye nokunciphisa izinga lezinhlanzi ezidobeka kungaqondiwe kanye nomthelela ukudoba ngamanethi okunawo kwimvelo;
- Ukuhambisana nemithetho kanye nemigomo.

15. Uhlelo lwabakhimkhanya

Uhlelo olukhona loMnyango lwabakhimkhanya, luzokwengezelelwa ukuze lubandakanye ukubheka ukuhambisana nemigomo kubanini zimvume. Ngaphezu kwalokho uMnyango uyobe ulokhu uqhubekile nokwengeza ukubheka ukuhambisana nemigomo kule mboni yokudoba.Abanini zimvume bayolindeleka ukuba bakhokhele lolu hlelo

16. Izimo zezimvume

Izimvume zokudoba kule mboni yokudoba zizokhishwa minyaka yonke.Izimo zezimvume eziphathelene nalo nyaka ka-2005 zithola **njengesiXhumelelo A** (**Annexure A)**. Abanini zimvume kanye nabafisa ukuphawula mgezimo zalezi zimvume, bavumelekile.