ISIYILO

ISEBE LEZOBUME BENDALO NOKHENKETHO

ULAWULO LWESEBE LEZOLWANDLE NONXWEME

INKQUBO YOKUNIKEZWA NOKULAWULWA KWAMALUNGELO EXESHA ELIDE OKURHWEBA NGOKULOBA

IPATAGONIAN TOOTHFISH : 2005

LE NKQUBO-SIYILO MAYIFUNDWE KUNYE NE NKQUBO-SIYILO JIKELELE NGOKUNIKEZWA NOKULAWULWA KWAMALUNGELO EXESHA ELIDE OKURHWEBA NGOKULOBA: 2005

(iyafumaneka ku- www.mcm-deat.gov.za)

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1. Intshayelelo

Esi sisiyilo-nkqubo malunga nokunikezwa kwamalungelo oshishinino lorhwebo ngokuloba iPatagonian toothfish (*Dissostichus eleginoides*) kwaye ikhutshwe liSebe lezoBume beNdalo nezoKhenketho: UkuLawulwa kweSebe lezoLwandle noNxweme ("iSebe") esenzelwe izimvo zoluntu. Amaqela anomdla nachaphazelekayo acetyiswa ukuba afunde le nkqubo ndawonye ne Siyilo-Nkqubo Jikelele emalunga noLwabiwo nokuLawulwa kwaMalungelo exesha elide orhwebo ngokuloba. : 2005("*iNkqubo Jikelele yamaShishini okuLoba*"). Amaqela anomdla nachaphazelekayo mawangenise izimvo zawo ezibhaliweyo ungagqithanga umhla we4 ku April 2005. Izimvo ezingeniswe emva kwalo mhla azizukuqwalaselwa. Izimvo ziyakungeniswa ngolu hlobo lulandelayo:

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Injongo yale nkqubo kukubhengeza iingcamango eziyakuthi zisetyenziswe kunikezelo lwamalungelo exesha elide orhwebo ngokuloba iPatagonian toothfish. Uninzi lwezingcamango azintshanga. Sele zikhe zasetyenziswa liSebe kunikezelo lwamalungelo kwixesha eligqithileyo. Le nkqubo iziqulathile ezi ngcamango, kodwa ibandakanya iinguqu ezimbalwa kunye nezongezelelo.

Iinkqubo ezithile zokunikezwa kwamalungelo zexesha elidlulileyo zichaziwe kwesi siyilo-nkqubo. IManyuwali yoLawulo loShishino ngokuloba iPatagonian toothfish izakugqityezelwa kunye nabo bonke abanini-malungelo ngonyaka ka 2006. Le manyuwali izakubonisa ngokwenkcukacha ulwazi-nkqubo lolawulo nemigaqo yoshishino lokuloba.

UMphathiswa weSebe lezoBume beNdalo noKhenketho uzimisele ukugunyazisa amandla eCandelo loMthetho 18 ukunikeza amalungelo oshishino lorhwebo ngokuloba iPatagonian toothfish

njengoko kusekiwe kwicandelo 79 loMthetho wezinto zoButyebi beNdalo eziPhilayo zaseLwandle 18 ka 1988("i *MLRA*") kwigosa eliphezulu kwi Sebe.

2. Ibhayoloji neetshukumo zobubutyebi bendalo

iPatagonian toothfish, ekwaziwa njenge Chilean sea bass, luhlobo lwentlanzi oluhlala emazantsi enzulwini yamanzi olufumaneka kwi sub-Antarctic kubunzulu obuyakuma kwiimitha ezingama 3 000. Ngamaqela amazwe anokufaka amabango obunini ngePatagonian toothfish ethi ifumaneke kwiingingqi ezithile ezikhethekileyo ezibizwa ngokuba zii "exclusive economic zones" (EEZs) zase Chile, e-Argentina namanye amazwe anolawulo phezu kweziqithi zolwandlekazi olusemazantsi. I-EEZ yaseMzantsi Afrika engqonge iziqithi zasePrince Edward yeyona ndawo yokuloba iPatagonian toothfish ekudidi lokuqala. Uninzi lohlobo lwe Patagonian toothfish lufumaneka kwiinzonzobila zolwandle.

i Patagonian toothfish iphila ide iye kuma 50 eminyaka ifikelele kubude obungaphezulu kweemitha ezimbini. Iqondo lokuvuthwa ilifikelela xa iphakathi kweminyaka emithandathu nesithoba ubudala, ilingana nobude obuphakathi kwama 70 nama 95 eesentimitha. Ukuzalelwa kwamaqanda kwenzeka koomaleko abakhulu ebusika, kodwa amaqanda wona aqanduselwa kuphela entwasahlobo.

3. Inkcazo emfutshane ngeli candelo

Ukubanjiswa kwilizwe jikelele kwePatagonian toothfish kuye kwehla kakhulu ukususela kwimvelaphi yoshishino ngokuloba ekuzeni kuphela kweminyaka yoo 1980. Xa kudityaniswa ixabiso layo eliphezulu, ukukhula kwayo kade kunye nokufumaneka kwayo kwiinzonzobila zolwandle ezo zinto zibangele ukuphantsa-kuphanza kweshishini lokuyiloba, nto leyo ethe yanyusa angazange abonwa wona amaqondo okuloba okungekho semthethweni, okungenalawulo nokungachazwayo, (I-IUU fishing) Amanzi oMzantsi Afrika angqonge iziqithi zePrince Edward ebalixhoba ngamandla kolu kuloba, kwaye iCCAMLR iqikelela ukuba kangange 32 000 yeeToni ze toothfish, ezixabisa i US$100 million zalotywa ngokungekho mthethweni kwi PEI-EEZ phakathi kweminyaka ka1996 no 1998. IPatagonian toothfish ibanjiswa ngeminatha emikhulu erhuqwa emazantsi kanye olwandle kunye nangemitya emide yokuloba. Le yamva indlela yokubambisa

ineempembelelo ezitshabalalisayo kwiintaka zolwandle ingakumbi amangabangaba nee petreli.

Ukuvunwa kwePatagonian toothfish kwagunyaziswa eMzantsi Afrika ukususela ngo1996. Kulandela ukubhengezwa koMthetho wezinto zoButyebi eziPhilayo zaseLwandle ka 1988, ushishino ngokuloba lwalawulwa njengeshishini lokuloba elisalingwayo phantsi kweCandelo loMthetho u83.

Ngo 1996, iSebe lezoBume beNdalo noKhenketho lakhupha isihlanu seemvume (phantsi koMthetho wezoshishino ngokuloba eLwandle ka 1988) zokuba kuvlotywe iPatagonian toothfish phakathi kweEEZ yeziqithi zasePrince Edward ("i PEI-EEZ"). Ukususela ngoko, uMphathiswa weSebe lezoBume beNdawo noKhenketho umisele inani elivumelekileyo ngonyaka lokulotywa nokubanjiswa ("I-TACs") kweli shishini lokuloba. i"TAC" yexesha lokuloba kunyaka ka1996/1997 yayimiselwe ukuba ibeyi 2 500 yeetoni. Noko kunjalo, iTAC yeshishini lokuloba itoothfish elisalingwayo lehla ngokwehla yaza yamiselwa kuma 500 eetoni kunyaka ka 2003/2004

Iziqithi zasePrince Edward zime kwingingqi yolawulo lwe Commission for the Conservation of Antarctic Marine Living Resources ("CCAMLR"). Umzantsi Afrika ulilungu elikwangumseki we CCAMLR, engumbutho wommandla wolawulo lweshishini lokuloba omsebenzi wawo ikukujongana nokunikeza amalungelo okuloba iPatagonian toothfish kumanzi e Antarctic. iPatagonian toothfish izungulwa kakhulu ngabalobi abangekho mthethweni kuba itoothfish yeyona ntlanzi imhlophe ifunwayo kwiimakethe zase Asia naseMntla America. iPatagonian toothfish yintlanzi emhlophe enexabiso eliphezulu kakhulu ede ixabise ukuya kutsho kwi US$7 000 ngetoni. Leli xabiso layo likhulu elinegalelo elikhokelele kumaqondo amakhulu okuloba okungekho mthethweni, okungalawulwayo nokungachazwayo (I-"IUU fishing") kushishino lokuloba.

Ukuloba ngokungekho mthethweni kwi PEI-EEZ kuye kwaziswa phantsi kolawulo. Ushishino lokuloba lusagcinakele lunengeniso ngokorhwebo kuphela ukuba lulawulwa ngendlela esebenzayo kunye nabathathi nxaxheba njengoko kusekiwe kwiMigaqo ebekwe yi CCAMLR. Isebe ligqibe ekubeni linikezele ngamalungelo orhwebo exesha elide kolu shishino lokuloba.

Olu shishino lokuloba lunobungozi obukhulu, lidinga inkunzi yokuqala ishishini enkulu, elifuna

abanini-malungelo ukuba batyale imali eninzi kwiinqanawa zokuloba, izixhobo, uphando-nzulu kunye nokuzithengisa. Iindleko zokuqala ishishini zingadinga utyalo-mali oluyinkunzi oluzizigidi ngezigidi zeerandi kwaye iindleko zokuqhuba ishishini zinkulu kakhulu.

4. Ukunikezwa kweemvume okusalingwayo

Amalungelo okurhweba ngokuloba awazange akhe anikezelwa kolu shishino. Ngo 1996, iimvume ezisalingwayo ezintlanu zakhutshelwa ukuloba iPatagonian toothfish. Ngenxa yokuhla okuthe gqolo kwi TAC, ababanini zimvume ezisalingwayo abahlanu badibanisa iindleko zabo neenzame ngokuthi banciphise inani leenqanawa kolushishino ukusukela kwisithathu zabambini. Abane kubo bagqibezela isivumelwano sokudibanisa amashishini abo ze basebenzise inqanawa enye baze ngempumelelo badibanisa zonke izixhobo zabo ekulobeni iPatagonian toothfish kwi PEI-EEZ. Lo wesihlanu umnini-mvume usebenza kuzo zombini i PEI-EEZ nakumalwandle aphakamileyo akwimida yengingqi ye CCAMLR Convention.

5. Iinjongo zecandelo eziqukayo

Iinjongo eziqukayo zokunikezelwa kwamalungelo exesha elide okuloba kushishino lokuloba iPatagonian toothfish kuku:

- Qinisekisa ukuqhubeka kokubakho kweenqanawa zoMzantsi Afrika kwi PEI-EEZ nakumalwandle aphakamileyo akwimida yengingqi yeCCAMLR Convention, ukuthibaza ukuloba okungekho semthethweni, okungalawulwayo nokungachazwayo (i-IUU fishing);
- Ukuphucula inkcazo ngotshintsho kolushishino lokuloba;
- Ukukhuthaza ukutyalwa kwezimali kwiinqanawa zaseMzantsi Afrika, unxibelelwano kunye nemisebenzi;
- Ukwehlisa ukubambisa ecaleni okusenokunqandwa nokulahleka kokubanjisiweyo okunxulunyaniswa nokusetyenziswa kwemitya emide yokuloba ngokukhangela ezinye iindlela zokuloba ;
- Ukuxhasa ukuqhubeka ngezemali koshishino lokuloba; kunye nokugcinakala kobume boshishino.

Iingcamango ezithile malunga nokwenzeka emva kolawulo lokunikezelwa kwamalungelo acaciswe ngokubanzi apha ngezantsi:

6. Ubude bexesha lamalungelo nemida yeenzame

Kunikwa ingqwalaselo –

- Imeko exengayo yendalo nobutyebi obu;
- Inyaniso yokuba ushishino lokuloba lidinga utyalo-mali nenkunzi yokuqala ishishini eninzi;
- Inyaniso yokuba kudingeka ulwazi olunzulu malunga nenzululwazi yokuphila kwePatagonian toothfish;
- Isidingo sokugcina inani lemisebenzi kolu shishino lokuloba; kunye
- Neenjongo ze CCAMLR,

ISebe liyakunikezela amalungelo okurhweba exesha elingagqithanga kwiminyaka eli 10 (ukusuka 01 Januwari 2006 ukuya ku 31 December 2015). Noxa kunjalo, wonke umnini lungelo uya kuvavanywa umsebenzi wakhe rhoqo ngamaxesha athile ngeenqobo ezithile esele zibekiwe.

Ngenxa yemigudu eya kuthi yenziwe kolu shishino lokuloba, iSebe lizimisele ukucutha inani leenqanawa zibembini.

7. Abangeneleli abatsha

Amalungelo ePatagonian toothfish phantsi kwecandelo loMthetho 18 we Marine Living Resources akazange anikezelwa ngaphambili. Ngenxa yoko, abekho abanini malungelo bangaphambili. ISebe liyakwamkela izicelo kubaceli nokuba babekhe bazifumana iimvume ezisalingwayo kolu shishino lokuloba. Ngenxa yemeko exengayo yobu butyebi, akunakungeniswa ngaphezu kwesihlanu sabanini- malungelo. Ngaphezu koko, nangona iSebe lingayikhupheli ngaphandle into yokuba kusenokwenzeka ukuba kudingeke ithathwe ngabanye indawo yabanini-malungelo asalingwayo kolu shishino lokuloba, kuyathandabuzeka ukuba abanye abaceli bayakungeniswa.

8. Inqobo yokulinganisa yokuvavanya

Izicelo zokunikwa amalungelo okurhweba ngokuloba iPatagonian toothfish ziyakuvavanywa ngeenqobo zokulinganisa eziliqela zokukhetha nokungqamanisa.

8.1 Inqobo yokulinganisa yokukhetha

Ngaphandle kwenqobo yokulinganisa echazwe kwinkqubo jikelele engqamnene nokungeniswa kwezicelo neziphene ekwenziweni kwazo, iSebe liyakubakhuphela ngaphandle abafaki zicelo bathe abaziphumelela ezi mfuneko zilandelayo:

(a) **Uhlobo loMfaki-sicelo**: Izicelo ziyakuqwalaselwa xa zisuka kwiimbumba ezidibeneyo njengoko kusekiwe kuMthetho 69 weeClose Corporations ka 1984 kunye noMthetho 61 wee Companies ka 1973. Izicelo ezivela ebantwini (abazimeleyo okanye abanini mashishini abazimeleyo) azisayi kuqwalaselwa.

(b) **Ukuthobela**: Abanini malungelo, kubandakanywa abongameli okanye abanini zabelo abalawulayo, abakhe bagwetywelwa ityala njengoko kuchaziwe kwi MLRA (ngaphandle kokukhethiswa ukuhlawula isohlwayo), uMthetho woLwandle, iConvention, isibhengezo okanye isivumelwano seCCAMLR, okanye amagatya omthetho wezolwandle alo naliphi na elinye ilizwe ne/okanye imithetho yoshishino lokuloba, abasayi kunikezelwa amalungelo okuloba iPatagonian toothfish. Abafaki zicelo abangabanini malungelo, kubandakanya abongameli okanye abanini zabelo, abakhe barhoxiselwa okanye baxuthelwa naliphi na ilungelo lokuloba njengoko kuchaziwe kwi MLRA nabo abasayi kunikwa malungelo okuloba iPatagonian toothfish.

Abanini malungelo, kubandakanya abongameli babo okanye abanini zabelo abalawulayo, abasaphandwayo ngolwaphulo lwawo nawuphi na umthetho okanye ezi zixhobo zomthetho zichaziweyo apha ngentla, nokuba zezolwaphulo-mthetho okanye zezolawulo, abasayi kunikwa malungelo okuloba iPatagonian toothfish de uphando lube lugqityiwe.

(c) **Isimiselo sobungakanani bamaphepha** : Isimiselo sobungakanani bamaphepha njengoko sichaziwe kwi Nkqubo Jikelele aziyi kufakwa.

(d) **Ilungelo lokusebenzisa inqanawa efanelekileyo**: Abafaki zicelo bayakunyanzeleka

babonise ilungelo lokusebenzisa inqanawa efanelekileyo (***bona umhlathi we 9 ngezantsi***).

8.2 Inqobo yokulinganisa yokuthelekisa

Abafaki zicelo zobunini malungelo nabanye abangeneleli abatsha abasenokubakho bayakuvavanywa ngokwezinqobo zokulinganisa ukuthelekisa, eziya kuthi ziweyishwe ukuvavanya amandla esicelo ngasinye:

(a) Inguqu

Injongo yeSebe ngethuba lale nkqubo yokunikezelwa kwamalungelo exesha elide kolu shishino lokuloba kukugcina okanye ukuphucula la maqondo akhoyo ngoku eenguqu. Njengoko kuchaziwe kwiGeneral Fisheries Policy, abafaki zicelo bayakuvavanywa banikwe amanqaku –

- Ngepesenti yabamnyama nabafazi abamele ubunini okanye abakwiqondo lesebe labalawuli;
- Ngokuba ingaba abaqeshwa bangabanini zabelo kumfaki sicelo kunye nobungakanani kwamalungelo abo okuxhamla;
- I- Affirmative procurement;
- Ukumelwa kwabamnyama nabafazi kumaqondo ngamaqondo angezantsi kwesebe lolawulo;
- Ukuthobela uMthetho weEmployment Equity, kwakunye nomthetho omalunga nokuphuhliswa kwezakhono neerhafu zokuloba. Abafaki zicelo abangayithobeliyo le mithetho basenokwalelwa ilungelo lokurhweba; kunye
- Notyalo zimali lwamashishini ekuhlaleni.

(b) Utyalo-zimali kushishino lokuloba

Abafaki zicelo bayakuvavanywa koku:

- Kutyalo zimali kwiinqanawa ezifanelekileyo. Malunga noku, utyalo zimali olukwimo yobunini zabelo okanye izivumelwano zokuthengiselana ziyakuqwalaselwa. Abafaki zicelo basenokuvuzwa ngokuba bequkumbele izivumelwano zeelayisenisi okanye izivumelwano zokubambisa; kunye
- Notyalo zimali namalungelo okungena kwiimakethe zePatagonian toothfish.

(c) Ulwazi ngoshishino lokuloba

Abafaki zicelo baza kufuneka babonise ukuba batyalile ngezimali kwaye banalo ulwazi olungqamene nokuloba i Patagonian toothfish.

(d) Ukuthatha inxaxheba kulingo loshishino lokuloba

Abafaki zicelo abathabathe inxaxheba ngempumelelo kulingo loshishino lokuloba iPatagonian toothfish bayakukhetheka. Ngokunxulumene noku, iSebe liyakuqwalasela, *phakathi kwezinye izinto*, intsebenzo ekubambeni, ukunika ingxelo nokuthobela imiqathango yemvume kunye nemimiselo yolondolozo lwendalo ye CCAMLR.

(e) Ukubambisa ecaleni nokulahla

Abafaki zicelo bazakufuneka babonise ukuba zeziphi indlela zokuthibaza nokunciphisa ukubambisa ecaleni abatyale imali kuzo, okanye abaseza kutyala kuzo, ukuqinisekisa ukuba ukufa kweentaka zolwandle kuyanqandwa okanye kuyancitshiswa.

Ukulahlwa kweentlanzi akuvumelekanga kwaye abanini malungelo abafunyenwe belahla iintlanzi abasayi kunikwa lungelo okanye ukuba sebenikiwe ilungelo. Elo lungelo lisenokurhoxiswa nanjengoko kuchaziwe kwicandelo 68 loMthetho

(f) Ukukwazi ukuqalisa nemisebenzi yokuloba

Ingqalelo iyakunikwa abafaki zicelo abanakho ukubonakalisa ukuba bangaqalisa ngemisebenzi yokuloba nje emva kokunikwa ilungelo.

(g) Imisebenzi

Nangona olu shishino lokuloba ilushishino oluncinci, ukuqasha inani elincinci labantu, ukubonelela ngemisebenzi yexabiso kuya kuthathelwa ingqalelo. ISebe liya kukhetha kwa abo bafaki zicelo babonelela abasebenzi babo ngoku –

- Umsebenzi osisigxina;
- iMedical aid kunye nomhlalaphantsi;
- Nazo naziphina ezinye izibonelelo zomsebenzi; kunye
- Neemeko zomsebenzi ezikhuselekileyo.

Imisebenzi edaliweyo ngetoni nganye yentlanzi anelungelo layo ngexesha lokulingwa isenokuvavanywa kwaye ithathelwe ingqalelo. ISebe lizakuphonononga nomahluko

kwimirholo phakathi kwabahlawulwa eyona mali iphezulu nabahlawulwa eyona incinci.

(h) Ukuthobela

Ukungathobeli umthetho we MLRA okungabheke ndawo, kubandakanya nemiyalelo yawo, ngumfaki sicelo okanye abongameli okanye abanini zabelo abalawulayo kuya kukhokelela ekubeni umfaki sicelo afumane isohlwayo.

8.3 Inqobo yokulinganisa umyinge ofunekayo

Umyinge ofunekayo uyakuxhomekeka ekubeni unokubambisa kangakanani na kwaye, apho kunakho, intsebenzo yangaphambili yomfaki sicelo. Iinkcukacha ziya kuba ngumongo wokucebisana phakathi kwabafaki zicelo abaphumeleleyo neSebe phambi kokuba iimvume zikhutshwe

9. Iinqanawa ezifanelekileyo

Inqanawa efanelekileyo kushishino lokuloba i Patagonian toothfish yinqanawa :

- enobude obumalunga nama 40 eemitha ubuncikane obuqinisekiswe yi SAMSA;
- efakelwe ubuchwepheshe obusebenzayo bokujongana nenqanawa;
- elungiselelwe ukuloba ngemitya emide kwaye ibenakho ukuthwala iimbiza zokuloba;
- iqiniselwe ukumelana nomkhenkce (ukuba umfaki sicelo uzimisele ukuloba ngezantsi kwe 60° emaZantsi);
- ayikho kuluhlu lweenqanawa ezingavumelekanga nakowuphi na umbutho wezoshishino lokuloba wezizwe okanye wommandla; kwaye
- ibeneflegi yoMzantsi Afrika. ISebe liyakuqwalasela inqanawa eneflegi yelinye ilizwe njengefanelekileyo ukuba inqanawa leyo iyayithobela yonke le mithetho ingentla kwaye umnikazi wayo wenza isibhambathiso esibhaliweyo sokuba inqanawa yakhe iyakufakwa kwakhona iflegi njengeyoMzantsi Afrika zingagqithanga iinyanga ezili 12 emva kokuba enikiwe ilungelo lokuloba.

10. Ukubandakanyeka kumaCandelo ngamacandelo

Abanini malungelo kushishino lokuloba iPatagonian toothfish abalelwanga ukuba abangebinawo amalungelo kwamanye amashishini okuloba akuCluster A noCluster B. Abanini malungelo okuloba kolu shishino lokuloba iPatagonian toothfish (ndawonye nabanini zabelo abalawulayo kunye neqela lamalungu esebe lolawulo) awasayi kuvunyelwa ukubamba amalungelo okurhweba ngokuloba kumashishini okuloba akuCluster C noCluster D.

11. Imirhumo yokufaka izicelo kunye neerhafu

Umrhumo wokufaka isicelo soshishino ngokuloba iPatagonian toothfish uyakubekwa kuthathelwa ingqalelo oku:

- Ixabiso layo yonke inkqubo yokunikezwa kwamalungelo, kuquka neengcebiso, iirisithi, ukuvavanywa kwezicelo, izibheno nezigxeko-ncomo. Ngokubhekiselele koku iindleko ezenziwe ngeli xeshana ziyakusetyenziswa njengesikhokelo; kunye
- Nexabiso lentlanzi elisikelweyo ngexesha lelungelo

Iirhafu zonyaka ngamnye ezibhatalwa ukususela ngomhla we 01 Januwari 2006 ziya kuhlaziywa, emva kokucebisana namaqela anomdla nachaphazelekayo.

12. Amanyathelo okuphatha

La manyathelo okuphatha axoxwa ngezantsi abonisa iqela leenjongo zeSebe zasemva kokunikezwa kwamalungelo kolu shishino lokuloba.

12.1 Ukuphathwa ngendlela yonakekelo lwendalo kwamashishini okuloba

Olu shishino lokuloba luyakuphathwa ngokungqamene nendlela yonakekelo lwendalo (i"EAF"). Indlela yonakekelo lwendalo kushishino lokuloba yinkqubo engumdibaniso equka konke eyaziyo ukuba ukuloba nentshukumo zasemhlabeni ezingqamene nako zinefuthe kubume nemeko jikelele yezolwandle. Le ndima kwinkqubo yokulotywa kwePatagonian toothfish ayizami kunika nkcazelo yenkqubo yeEAF kushishino lokuloba iPatagonian toothfish. I- EAF kushishino lokuloba iPatagonian toothfish iyakuchazwa ngokuthe xhaxhe kwi Fishery Management Manual. UMzantsi Afrika usahleli uzinikele kumhla okujoliswe

kuwo ka 2010 wokusetyenziswa kwe EAF kushishino lorhwebo ngokuloba.

12.2 lingingqi zezolwandle ezikhuselweyo

UMphathiswa wezoBume beNdawo nezoKhenketho ubonakalise ukuzimisela kwakhe ukubhengeza njengengingqi yezolwandle ekhuselweyo ingingqi engqonge iziQithi zePrince Edward. Ngokwenjenjalo, iSebe lithemba ukuba kuyakulondolozwa indalo ngokwahlukana kwayo kwezi ziqithi ze sub-Antarctic kunye namanzi azingqongileyo. Injongo kwesisigaba kukungavumeli nakuphina ukuloba kula manzi akhuselweyo (okt. ngaphakathi kwingingqi yeemayile zamanzi olwandle ezili 12) kodwa kuvunyelwe ukuloba okulawulwayo emanzini angaphaya kwale mida yeemayile ezili 12. UMphathiswa uya kuthi, noxa kunjalo, adlane indlebe nawo onke amaqela anomdla nachaphazelekayo ngalo mba ngokuhamba kwexesha.

12.3 Ukumanywa kwabathathi- nxaxheba

Njengoko kubhaliwe ngentla apha, abathathi nxacheba abahlanu babesele benikiwe iimvume ezisalingwayo zokuloba iPatagonian toothfish. Abane kwaba banini zimvume bayidibanisile imisebenzi yabo. Ngokwangoku, zimbini iinqanawa ezisebenzayo kolu shishino lokuloba lusalingwayo. Ukumanyana ke ngoko akunanto yakwenza kolu shishisno lokuloba.

12.4 linqanawa nemigudu yokuloba

Njengoko kuchaziwe **kumhlathi we *6*** apha ngentla, iSebe lijonge ukugunyazisa iinqanawa ezimbini kuphela ukuba zisebenze kolu shishino lokuloba. Iinqanawa mazilungiselelwe ukuloba ngemitya yokuloba emide, zisebenzisa izixhobo zokuthibaza ukubanjiswa okusecaleni kweentaka. Ukongeza apho, iinqanawa ziyakuvunyelwa ukuba zithwale iimbiza zokuloba.

12.5 Ukunika ingxelo

Bonke abanini malungelo kolu shishino lokuloba bazakunyanzeleka bathobele imimiselo engqongqo yokunika ingxelo ukuqinisekisa ukuba bona kunye noMzantsi Afrika

bayahambelana nemiqathango yezizwe zonke kolu shishino lokuloba. Okungakumbi, abanini malungelo kufuneka bethobele nemiqathango ye *Dissostichus* Catch Document (I-*DCD*) eyakhutshwa yiCCAMLR, ize inike ingxelo ngendlela yeVessel Monitoring Systems (i VMS).

Ukothulwa emhlabeni ngakunye kwePatagonian toothfish makukhatshwe yi DCD kwaye iPort State kufuneka iqinisekise imeko yolobambiso ngokuxilonga iploti ye VMS eyakube inikezwe yinqanawa leyo.

13. Ukulinganiswa kwamandla okwenza

ISebe lizakuqalisa iqela lemisebenzi yokulinganiswa kwamandla okwenza de liphele ixesha elisikelwe amalungelo orhwebo ngokuloba. Kulindeleke ukuba owokuqala umsebenzi wokulinganiswa kwamandla okwenza uyakuthi wenziwe emva kweminyaka emibini ze emva koko wenziwe rhoqo emva kweminyaka emithathu

.

Nangona iSebe lizakuqukumbela ezona nqobo zokulinganisa abazakuthi bavavanywe ngazo abanini- zimvume , ezi nqobo zilandelayo zinxulumene namandla okwenza zisenokusetyenziswa:

- inguqu;
- utyalo zimali kwiinqanawa nezixhobo;
- ukusetyenziswa okuqhubekayo, kunye nangakumbi ifuthe lokuloba ngemitya yokuloba emide neembiza zokuloba kwi bhayoloji nenzululwazi ngendalo
- ukuthotyelwa kwemithetho elawulayo nemiqathango (zombini ezelizwe nezamazwe).

14. Inkqubo yabakhi-mkhanyo

Inkqubo yangoku yeSebe yabakhi-mkhanyo iza kwandiswa ukuquka ndawonye ukujonga ukuthotyelwa. Abanini malungelo bazakufuneka bathwale umakhi-mkhanyo ngohambo ngalunye Abanini malungelo balindeleke ukuba ibe ngabo abathwala iindleko zenkqubo yabakhi-mkhanyo.

15. Imiqathango yemvume

Imiqathango yemvume yolu shishino iza kukhutshwa rhoqo ngonyaka. Imiqathango yemvume esebenzayo kushishino lokuloba olusalingwayo yonyaka ka 2005 incanyathiselwe njenge **Annexure A**. Amaqela anomdla nachaphazelekayo ayamenywa ukuba aveze ezawo izimvo kule miqathango yemvume.