UHLAKA

UMNYANGO WEZEMVELO NEZOKUVAKASHA

IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU

UMGOMO KA-2005 WOKUNIKA NONGWENGAMELA IZIMVUME ZOKUDOBELA INZUZO AMA-ROCK LOBSTER KUGU OLUSENINGIZIMU

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

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1. Isingeniso

Lolu hlaka mgomo lokunikezwa nokuphathwa kwezimvume zokudobela inzuzo kwimboni yama-*south coast rock lobster* (azobizwa nge-"*SCRL*"), lukhishwe uMnyango weZemvelo neZokuvakasha: iGatsha leZasolwandle nokuPhathwa kogu ("uMnyango") ukuze umphakathi ubeke izimvo zawo ngalo. Lo mgomo jikelele ka-2005 wokunika nokwengamela imvume yokudobela inzuzo isikhathi eside kumele ufundwe nohlakamgomo. Abanezifiso nabathintekayo bangabhala izimvo zabo bazithumele kumnyango ungakadluli umhla ka-4 ku-Ephreli 2005. Izimvo eziyothunyelwa ngemuva kwalesi sikhathi ziyoshaywa indiva. Izimvo kufanele zithunyelwe ngale ndlela :

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Inhloso yalo mgomo ukubeka ngokusobala uhlelo okuzoqhutshwa ngalo uma kunikwa imvume yesikhathi eside yokudobela inzuzo ama- *south coast rock lobster* . 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. Ibhuku eliphathelene nokudotshwa kwama-*south coast rock lobster* liyoqedelwa ngokuhlanganyela nabanezimvume ngonyaka ka-2006. Leli bhuku liyobeka ngokusobala indlela yokuphatha kanye nokwengeziwe.

UNgqongqoshe weZemvelo neZokuvakasha uhlose ukunikezela ngamandla kasomqulu 18 wokunika imvume yokudobela imvume ama-*south coast rock lobster* oqukethwe esigabeni 79 somthetho 18 Wezinto eziphila olwandle ka-1998 (the Marine Living Resources Act 18 ka-1998 obizwa nge-" *MLRA*") onikezelwe kwisikhulu esiphezulu somnyango.

2. Isayensi yezinto eziphilayo kanye nokuphathelene nenani lokudotshwa kwezinhlanzi

Ama-*South Coast rock lobster* (*Palinurus gilchristi*) avamile ukutholakala kwithala leningizimu neNingizimu Afrika, ngaphansi kwamadwala ejuleni ngamamitha angama-50 kuya kwangama-200. Ama-SCRL atholakala ngesilinganiso sokudobela inzuzo ezindaweni ezimbili: mamaphakathi nolwandle onqenqemeni lwe-Agulhas endaweni ethi ayibe amakhilomitha angama-200 ukusuka ogwini, bese isondela ngasosebeni ngamakhilomitha ama-2 kuya kwangama-50 phakathi kwase-Mossel Bay nase-East London. Ama-*south coast rock lobster* ayizinhlanzi ezihlala emanzini abandayo ezikhula kancane neziphila isikhathi eside. Indawo emasosebeni phakathi kwase-Danger Point nase-Cape Agulhas indawo ebalulekile ehlala ama-SCRL amancane, ahamba aye ezindaweni zamadala endaweni esonqenqemeni lwe-Agulhas kanye nasendaweni engasosebeni engase-Mossel Bay nase-Port Elizabeth. Ama-*rock lobster* atholakala phakathi kwase-Port Alfred nase-East London avame ukuba mancane, akhule kancane futhi ahlala ndawonye.

3. Ukubukeka kwemboni yokudoba

Imboni yokudotshwa kwama-*south coast rock lobster* iyimboni yokudoba ekujuleni kolwandle kusetshenziswa izindobo ezinonoxhaka eyaqala ngonyaka ka-1974. Ngaleso sikhathi imikhumbi yokudoba yaseNingizimu Afrika kanye neyaphesheya kwezilwandle yadoba ngokweqile ingcebo yasekujuleni kolwandle. Kodwa ngonyaka ka-1976 iNingizimu Afrika yamemezela indawo yayo yodwa yokudoba engamamayela angama-200 (Exclusive Economic Zone), ngale ndlela yakwazi ukuvimbela ukuzibandakanya kwezimboni zaphesheya kwezilwandle. Imikhumbi engama-26 eyasala embonini yokudoba yaseNingizimu Afrika. Leli nani lemikhumbi lehla laye lafinyelela kweyi-15 ngo-1981 ngemuva kweminyaka eminingi yokungalawulwa nokungabhekelelwa kwemvelo okwaholela ekwehleni kwenani lama-SCRL. Ngonyaka ka-1975 kwavunwa amathani ayizi-2 092 ama-*south coast rock lobster* ; kwathi ngonyaka ka-1981 leli nani lase lehle lafinyelela amathanini ayi-176.

Le mboni yokudoba yalawulwa okokuqala ngohlelo lwe-*total allowable catch* ("*TAC*") ngonyaka ka-1984. Uhlelo lwe-TAC lwalumiswe kwinani lamathani angama-450 (isisindo esingasekugcineni komkhumbi). Emva kweminyaka elishumi ucwaningo lukhomba ukuthi ingcebo yasolwandle yayisalokhu yehlile. Indlela yokuphatha le mboni yashintsha kakhulu ngonyaka ka-2000. Kwethulwa ukusebenza ngokuhlanganyela kohlelo lwe-TAC nolwe-*total applied effort* ("*TAE*") , lezi zinhlelo zanciphisa inani lezinjsuku elalingahlalwa imikhumbi yokudoba ama-SCRL. Inani elingahlalwa umkhumbi olwandle libalwa ngokwengxenye yanani lezinhlanzi ezibanjwe ngokohlelo lwe-TAC umkhumbi othile, ngokubhekelela inani elingamumathwa yilowo mkhumbi.

Phakathi konyaka ka-1989 noka-2001, inani lengcebo ye-SCRL lase lehle ngesilionganiso sama-65 ekhulwini, ikakhulukazi ngenxa yokudoba kakhulu kwezimboni zase-Hout Bay [Hout Bay Fishing Industries (Pty) Ltd].

Isu lokuphatha lomnyango kwimboni yokudoba ama-SCRL selithele izithelo. Kwisikhathi sokudoba sonyaka ka-2001/2002, inani elivumelekile lokudoba ama-SCRL ngohlelo lwe-TAC lwamiselwa kumathani angama-340,kuhlanganiswe nohlelo lwe-TAE lwezinsuku zokudoba eziyi-1 922. Ngemuva kweminyaka emithathu, uhlelo lwe-TAC lwakhuphuka lwafinyelela emathanini angama-382, kuhlanganiswe nohlelo lwe-TAE lwezinsuku zokudoba eziyi-2 089.

Ama-s*outh coast rock lobster* abanjiwe akhishelwa kwizikhumulo zemikhumbi zase-Cape Town nase-Port Elizabeth. Ama-SCRL abanjiwe ayaqandiswa olwandle ahlelwa ngokwezinga bese epakishwa kabusha ezindaweni ezihlelelwe lomsebenzi ezisosebeni. Kuthunyelwa cishe wonke ama-SCRL adotshiwe ikakhulukazi eMelika.

Imboni yokudoba yama-SCRL iqashe cishe abantu abangama-400. Kulaba Bantu, abangama-285 bayizisebenzi zasolwandle abaqashwe emikhunjini eyi-9. Isilinganiselo sama-97 ekhulwini salaba basebenzi banomlando wokuncishwa amathuba phambilini. Aamaholo ezisebenzi alinganiselwa kwi-R50 000 ngonyaka, okwenza le mboni ibe ngeholela kangcono kunazo zonke embonini yokudoba. Inani lama-SCRL abanjwayo ngonyaka alinganiselwa kwizigidi eziyi-R100 ngonyaka. Intengo yemikhumbi esebenza kule mboni ilinganiselwa ezigidini ezingama-R70.

Imikhumbi yokudoba iboshelelwa ukudoba ngezindobo ezinonoxhaka eziphoswayo. Onoxhaka beplastiki abamise okomphongolo babekelwa amahora angama-24 kuya ezinsukwini ezimbalwa. Umkhumbi ngamunye udonsa uphinde ushintshe indlela yokuma konoxhaka ababalelwa kwizi-2000 ngosuku kumaqoqo onoxhaka abayi-100 kuya kuma-200. Uhlelo lokudoba ngezindobo ezinonoxhaka eziphoswa kude, kuyindlela edinga kakhulu amandla abasebenzi. Inani lezisebenzi liye liyofinyelela kwezingama-35.Imikhumbi yale mboni mikhulu, imikhumbi edoba mamaphakathi nolwandle inobude obusukela emamitheni angama-30 kuya kwengama-60. le mikhumbi idoba izinsuku eziphakathi kweziyi-180 kuya kwezingama-300 ngonyaka.

Imboni yokudoba ama-*south coast rock lobster* idinga imali eningi, kudingeka imikhumbi emikhulu efakelwe umshuwalense wemali ephakathi kwezigi ezine kuya kwizigidi eziyishumi zamarandi, izisebenzi eziningi, ukufinyeleleka kwezimakethe zaphesheya kanye nezinto okumele zikhokhelwe ezihlanganisa okokuhambisa injini yomkhumbi (fuel), ukugcinwa komkhumbi usesimweni kanye namaholo.

4. Uhlelo lokunikezelwa kwezimvume zesikhathi esimaphakathi

Izimvume zokudobela inzuzo zesikhathi esimaphakathi nendawo zanikezelwa kubanini zimvume abayi-18. Abanini zimvume baphethe okubili kuya kokuyishumi ekhulwini kwe-TAC, ngaphandle kwemboni eyodwa yona ephethe cishe ama-41.1 ekhulwini. Imikhumbiyokudoba eyisishiyagalombili isetshenziselwa ukudoba sonke isabelo se-TAC.
Kubanini zimvume abayi-18:

- Amashumi ayisikhombisa nambili ekhulwini abamnyama;
- Amashumi angamashumi amane nesikhombisa ekhulwini enganyelwe abamnyama;
- Amashumi ayisithupha nesihlanu ekhulwini ayizimboni ezincane nalezo eziphakathi nendawo ezibizwa ngokuthi ama-("*SMEs*").

5. Inhlosongqangi yemboni yokudoba

Inhlosongqangi yokunikezelwa kwezimvume zesikhathi eside zokudobela inzuza kule mboni yilezi:

- Ukukhuphula kakhulu uguquko lokubuka kwale mboni yokudoba ye-SCRL;
- Ukwenza isimo esizoheha abatshali mali ukuze kudaleke amathuba emisebenzi;
- Ukuxhaswa kwale mboni ngakwezezimali
- Ukuqinisekisa ukuthi imboni yokudoba ihlala iphilile nwzinhlanzi zingashalalali; kanye
- Nokuthi kuphinde kunikezelwe ngezimvume ngokohlelo lwe-TAC kubanini zimvume ngokuhambisana nohlelo lwezinnguquko nangendlela ehlose ekuhlomuliseni ama-SMEs adobe ngokuhambisana nezimo zezinmvu zawo.

6. Isikhathi esithathwa izimvume

Ngokuphathelene –

- Nezingujquko zokubukeka kwemboni yokudoba;
- Nenani lemisebenzi ekhethekile okuqashwa kuyo abantu ngokugcwele (nokukhuthaza ukuguqulwa kokusebenza kwabantu kwesikhaahna basenze ngokugcwele);
- Isidingo sokugcina imboni yokudoba iphilile; kanye
- Nokuthi , ngokwesayensi yemibiko eqoqiwe, inani lama-SCRL liyenyuka,

uMnyango uyonikeza izimvume zokudobeal inzuzo isikhati esiyiminyaka eyi-15 (kusukela ngomhla ka-1 kuJanuwari 2006 kuya kumhla ka-31 kuDisemba 2020). Kuyinjongo yoMnyango ukuthi bonke abanini zimvume bahlolwe izikhawu ngokuhambisana nazinga lokudoba izinhlanzi elinqunyiwe ***(bheka isigaba 13 ngezansi***).

7. Abafikayo embonini yokudoba

Inani le-SCRL njengamanje liphethwe ngendlela yokulondoloza nokwandisa stocks are currently managed in terms of a conservative recovery strategy. Ngonyaka ka-1981, inani lezinhlanzi lase lehlile, kwakubangelwe iminyaka eminingi yokudotshwa kwazo ngokweqile phakathi kokuphela kweminyaka yo-1980 kuya kunyaka ka-2001. Ngonyaka ka-1992 inani

elalivumeleke ukuba lidotshwe kwakungamathani angama-75; amathani ayi-14 iwona ayeyisabelo esincane kakhulu kumunu oyedwa. Ngonyaka ka-2002 inani lehla layofinyelela emathanini ayi-17 kuphela; amathani ayi-7 ayeyisablo somuntu oyedwa.

Ngakho-ke uMnyango ubona inani labanini zimvume abayi-18 kanye nemihkumbi eyi-8 kuyinani elikhulu elingedlulwe lemboni engakwazi ukumelana nalo okwamanje. Le mboni inamazinga amukelekile enguquko kanye nenani elikhulu lezinkampani ezinkulu kanye nezimaphakathi. Nakuba uMnyango ungaphikisani nokuthi kungenzeka kufakwe abanini zimvume abasha ezikhaleni zabadala, lithanda ukungabibikho ithemba lokuthi kukhona abasha abazongena kule mboni.

8. Inqubo yokuhlunga

Izicelo zemvume ziyobukwa nseso elibukhali ngokuhambisana “nenqubo yokungamukeleki kwabathile”, bese ziyahlolwa ngokwesilinganiso “senqubo yokuhlunga ngokuqhathanisa”. Kuyobekwa amaphuzu okuyiwona ayohlonza labo abazicelo zabo ziphumelele.Inqubo ye-TAC iyosetshenziselwa labo abazicelo zabo ziphumelele ngokulandela “inqubo yesilinganiso” (“*quantum criteria*”).

8.1 Inqubo yokungamukeleki kwabathile

Ngaphandle kwezinqubo ezichaziwe kumgomo jikelele ngokuphathelene nokufakwa kwezicvelo kanye nokungabi sesimweni esigculisayo semikhumbi 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-f 1984 kanye nobizwa ngokuthi yi- *Companies Act* 61 ka-1973.ziyoshwaywa indiva izicelo zalabo abafaka izicelo ngabojwana bengahambisani nomthetho obekwe ngenhla.

(b) **Ukuhambisana nohlelo***:* Abanikwe izimvume kubandakanywa abaqondisi nabanamasheya asebeke babekwa icala ngokwenqubo ye-MLRA (

banganikwa ithuba lokukhokha inhlawulo) ngeke banikwe izimvume zokudoba ama-SCRL.Abanikwe izimvume kubandakanywa abaqondisi nabanamasheya asebeke baphucwa ilungelo lokudoba ngokohlelo lwe-MLRA, ngeke besanikwa futhi elinye ilungelo lokudoba ama-SCRL. .

Abanikwe izimvume kubandakanywa abaqondisi kanye nabanamasheya abasaphenywa nabaphule inqubo ye-MLRA, kungaba ngobugebengu noma ukuhluleka ukuphatha amabhuku, ngeke besanikezwa futhi imvume yokudoba ama-SCRL.

Umnyango udinga ukuba bonke abanezimvume zokudoba bakhokhe intela yalezo zinhlanzi abebeziqondile abazibambile.Iningi labanezimvume zokudoba abayikhokhi intela noma badalula inani elingaphansi kwelezinhlanzi abazidobile ukuze bagweme ukukhokha intela. Ukungakhokhwa kwentela yoMnyango kuyohlawuliswa kwinqubo yokuhlunga ngokuqhathanisa echazwe ngezansi.Le nqubo yokuhlunga ngokuqhathannisa iyoshaywa indiva. Kodwa uma ocela imvume esenokuyithola, kodwa angeke ayinikezwe ngaphambi kokuba akhokhe intela ayikweleta uMnyango sekuhlangene nenzalo yayo.

(c) **Isilinganiso samaphepha*:*** Isilinganiso samaphepha njengoba sichazwe kumgomoim jikelele siyoshaywa indiva.

(d) **Ukutholakala komkhumbi wokudoba osesimweni esigculisayo*:*** Abafaka izicelo kuyomele bakhombise imvume yokusebenzisa umkhumbiwokudoba osesimweni esigculisayo. (***bheka isigaba- 9 ngezansi)***.

8.2 Inqubo yokuhlunga ngokuqhathanisa.

Abanezimvume zokudpoba kanye nalabo abafaka izicelo ezintsha, bayohlungwa ngaphansi kwenqubo yokulinganisa elandelayo ngokubhekela isisindo sesicelo ngasinye.

(a) **Uguquko:**

Okwamanje abanini zimvume zokudoba abayisilinganiso sama-72 ekhulwini bamnyama kule mboni yokudoba.Laba banini zimvue uma sebehlangene balawula iisilinganiso sama-77 ekhulwini ngokohlelo lwe-TAC.Ngaphezu kwalokho ama-SMEs enza lifinyelele esilinganisweni sama-65 ekhulwini inani labanini zimvume, isilinganiselo sama-78 ekhulwini semikhumbi esetshenziswa kule mboni singesabamnyama..

Inhloso yoMnyango ngesikhathi sokunikezwa kwezimvume zesikhathi eside sokudoba kule mboni, ukuba kugcinwe kuphinde kwenziwe ngcono amazinga ezinguquko ezikhona kumanje. Njengoba kubekiwe kumgomo jikelele wokudoba, abafaka izicelo bayohlungwa banikwe amaphuzu ngokubhekela lokhu –

- Inani ekhulwini labamnyama kanye nokumeleleka kwabesifazane nabaphethe emazingeni aphezulu;
- Uma abasebenzi benamasheya kwinkampani efaka izicelo, kuydalulwe nezinga lokuhlomula kwabo;
- Ukunikwa kwamathuba kulabo ababecindezelekile ngokomlando;
- Ukumeleleka kwabamnyama kanye nabesifazane emazingeni ahlukene okuqashwa angaphansi kokwengamela inkampani;
- Ukuhambisana nomtheho obizwa nge-Employment Equity Act 55 ka-1998; kanye
- Nokutshalelwa komphakathi izimali yizinkampani ezizimele.

(b) Ukutshalwa kwezimali embonini yokudoba

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

- Ukutshalwa kwezimali emikhunjini yokudoba sesimweni esigculisayo ekudobeni ama-SCRL. Kulokhu, utshalo zimali ngendlela yokuthenga amasheya kuyobhekelwa.
- Ukutshalwa kwezimali ekuqhubezeleni nasekwenzeni igqalasizinda yaziwe.

(c) Imisebenzi

Imboni yama-SCRL inikeza amathuba angama-400 omssebenzi. Amaholo ezisebenzi zasolwandle alinganiselwa kwi-R50 000 ngonyaka.

UMnyango uyoklomelisa labo bafaki zicelo abanike izisebenzi zabo lokhu o kulandelayo –

- Ukuqshwa ngokugcwele;
- Umhlomulo wezokulashwa nokomhlaphansi;
- Nanoma iluphi uhlelo lokuhlomula kwezisebenzi; kanye
- Nezimo zokusebenza eziphephile.

Kulabo afaka izicelo zemvume yokudoba, uma bedala amathuba omsebenzi ngethani nethani lezinhlanzi ezidotshiwe ngesikhathi esimaphakathji semvume yokudoba, izicelo zabo ziyocutshungulwa bese ziyabhekelelwa.UMnyango uyophinda ubheke ukwehluka kwesilinganiso samaholo phakathi kwabahola kakhulu nabahola kancane.

(d) Ukusebenza kahle kwenkampani

Abafake izicelo zezimvume zokudoba abatholakale bebambe iani lezinhlanzi ezincane kakhuolu noma ezingaphezu kakhulu kwesilinganiso esibekiwe, bangabi ngaphansi noma ngaphezulu ngesilinganiso seshumi ekhulwini. Abatholakale beqe lo mgomo bayohlawuliswa.Isilinganisos ngokusebenza kahle kwezimali siyobhekwa ngokuhambisana nomgomo jikelele wezokudoba.

(e) Ukukhokhwa kwentela yokudoba izinhlanzi

Abanini zimvume abafake izicelo bayohlawuliswa uma imali yentela isilele ngesikhathi esingaphezu kwezinsuku ezingama-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 abephule kancane

umthetho we-MLRA (uma ukuphula kwabo umthetho kungavumi ukuba baphucwe izimvume) bayohlawuliswa.

8.3 Inqubo yokulinganisa

Nokuphathelene nabanini zimvume abafaka isicelo, uMnyango uyosebenzisa isilinganiso esinikwe abanini zimvume ngesikhathi sika-2005. Kuleli nani kuyokwengezwa isilinganiselo ngokohleo lwe-TAC esithathelwe kubanini zimvume abazicelo zabo zingaphumelelanga noma labo abangazange bafake izicelo zemvume yesikhathi eside. Yilezi zindlela zokulinganisa eziyotshenziswa ukuze kwabiwe nohlelo lwe-TAC :

(a) Uhlelo lulonke lwenguquko:

Ishumi nesihlanu ekhulwini lama-SCRL ngokohlelo lwe-TAC liyobekelwa eceleni ukuqinisekisa inani labafake izicelo abamnyama abalawula nabanezinkampani abaphumelele. Bonke abafaki zicelo abaphumelele bayonikezwa okwekhulu ngokohlelo kwe-TAC olubekelwe uguquko, okuncike emaphuzwini oguquko atholakele.

(b) Uhlelo lulonke lwezinkampani ezincane kanye neziphakathi nendawo

Ishumi nesihlanu ekhulwini lama-SCRL ngokohlelo lwe- TAC lobekelwa eceleni ukuqinisekisa abafaki zicelo bezinkampani ezincane kanye nezimaphakathi nendawo abadobe ngezinga elilindelekile ngesikhathi sezimvume zabo esimaphakathi. Izinkampani ezincane kanye nezimaphakathi nendawo ezifaka izicelo yilezo ezingenzi imali engaphezulu kwezigidi ezinhlanu uma kutinkampani epmaphakathi, kungabi ngaphezu kwezigidi ezintathu uma kuyinkampani encane.

9. Imikhumbi yokudoba esesimweni esigculisayo

Umkhumbi wokudoba othathwa njengosesimweni esigculisayo embonini yokudoba ama-SCRL yilowo :

- Onobude obungevile emamitheni angama-30 ngokuka-SAMSA ;

- Onomshini osebenzayo wpkugada umkhumbi olwandle ;
- Okwazi ukuphonsa izindobo ewubude bamamayela amabili zibe zinonoxhaka abangama-200;
- Okwazi ukugcina okungenani onoxhaka abayizi- 2 000 ;
- Okwazi ukuthwala umshini odingekayo okwazi ukukhuphula nokudonsa izinhlanzi esezidotshiwe; kanye
- Okwazi ukuthwala izisebenzi cishe ezingama-30 nangaphezulu.

10. Ukubandakanyeka kwezimbioni ezahlukene

Abanini zimvume ezimbonini zokudoba ama-SCRL abanqatshelwe ukuba bathole imvume kunoma iyiphi imboni yezokudoba kwiSixha A nakwiSixha B sale mboni.Abanini zimvume zokudoba ama-SCRL sekuhlanganise nabamasheya kanye naphethe ezikhundleni eziphezulu ngeke bavunyelwe ukuba bathole izimvume zokudobela inzuzo kwiSixha C neSixha D sale mboni.

11. Imali yokufaka izicelo zemvume yokudobela inzuzo kanye nemali yentela

Ingcebo yasolwandle iyingcebo evuselelekayo,umgomo wokuthi “osebenzisayo makakhokhe” uyosetshenziswa.Imali yokufaka izicelo zemvume kwimboni yama-SCRL iyokanywa kubhekelelwa lokhu:

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

Imali yentela yonyaka ekumele ikhokhwe ukusukela mhla ka-1 kuJanuwari 2006, iyobuyekezwa ngemuva kokubonisana nabo bonke abathintekayo nabanezifiso ezithile kule mboni.

12. Izindlela ezizosetshenziselwa ukuphatha

Izindlela ezizosetshenziselwa ukuphatha ezivezwe lapha ngezansi zingezinye zeziningi ezisemqoka ezizosetshenziswa uMnyango ngenhloso yokuphatha uhlelo ngemuiva kokukhipha izinvume zokudoba ama-SCRL.

12.1 Indlela yokuphatha imboni yokudoba ngokuphathelene nohlelo lokuphilisana kwezitshalo kanye nezilwane zasolwandle

Le mboni yokudoba izophathwa nokuhambisana nohlelo olubizwa ngokuthi yi-*ecosystem approach to fisheries* ("EAF"). Indlela yokuphatha le mboni yokudoba ithathelkwe kuhlelo lokuphilisana kwezitshalo kanye nezilwane zasolwandle, iwuhlelo olubhekele zonke izinhlangothi lubuye luhlanganise imigomo eyazisa ukuthi ukudoba kanye nezinye izinhlobo zemisebenzi eyenziwa ngaphandle kolwandle kunomthelela ngokubanzi kulokho okwenzeka olwandle. Le ngxenye yomgomo wokudotshwa kwa-SCRL ayizami ukunika umgomo embonini yokudoba kwi-EAF embonini yokudoba ama-SCRL. I-EAF yemboni yokudotshwa kwama-SCRL izochazwa kabanzi kwibhuku elichaza ngokuphathwa kwale mboni yokudoba. INingizimu Afrika isalokhu izinikele kumnqamulajuqu wonyaka ka-2010 wokuqala ukusebenzisa uhlelo lwe-EAF ekudobeleni inzuzo.

12.2 Ukuqinisekiswa kwababambe iqhaza

Ngemuva kokunikeza izimvume zokudobela inzuzo zeminyaka eyi-15 kule mboni yokudoba, uMnyango uyozibandakanya kuhlelo lokuqinisekisa inani labanemvume yokudoba abasayisebenzisa embonini yokudoba, ikakhulukazi lapho:

- Abanini zimvume zokudoba benamanini masheya, amahovisi kanye nethimba lokuphatha elifanayo ezinkampanini ezahlukene; noma

- Abanini zimvume abanezinkampani ezincane bekhetha ukuhlanganisa ukusebenza kwezinkampani zabo.

Ukuhlangana kwabanini zimvume kumele kuhambisane nezindlela zoMnyango zokugwema ukuthathwa kwamandla onke yizinkampani ezithile. (***bheka isigaba 12.4 ngezansi)***.

12.3 Imikhumbi kanye nemizamo yokudoba

Okwamanje iyi-8 imikhumbi yokudoba ama-SCRL esebenza emanzini aNingizimu Afrika.Leli nani libangelwa ukuthi abanini zimvume abaningi abanayo imikhumbi yokudoba abayisebenzisayo okungeyabo, futhi imikhumbi eminingi kungadingeka ukuba ishintshwe.Umnyango uyakwazisa ukuthi iningi labanini zimvume lizozama ukuthi linezezele ngeminye imikhumbi noma lifake lifake eminye imiikhumbi yokudoba emisha ngemuva kokunikwa kwezimvume zokudoba zesikhathi eside. Umnyango uyolinganisa umphumela wokwengezwa kanye nokufakwa kweminye imikhumbi kuleliviyo lemikhumbi esikhona. Abanini zimvume ngeke bavunyelwe ukuba bafake imikhumbi engathatha inani elingaphezulu kwalelo elichazwe kwizimvume abazinikiwe. Ukwengeza lapho uMnyango ungase nokuxoxisana nesigungu sokudoba esibizwa ngokuthi yi-*Fishery Industrial Body* uma kunesicelo sokwengeza eminye imikhumbi embonini yokudoba.

12.4 Ukuthathwa kwawo wonke amandla

Nakuba uMnyango ugqugquzela ukuhlangana kwabanini zimvume embonini yokudoba, uyaphikisana nokuthathwa kwawo wonke amandla bese kulimala abanini zinkampani ezincane.

Okwamanje uMnyango ngeke ukwazi ukuhlonza izinga elingedlulwe ngokohlelo lwe – TAC umnini mvume oyedwa angalibamba noma alilawule, kodwa kuyobhekwa ukuthi noma iyiphi inkampani enkulu enemvume iziphatha ngendlela ephambene nokuqhudelana okwamukelekile

13. Izindlela zokukala izinga okuyilo

UMnyango uzoveza izindlela eziningana zokukala izinga eliyilo lokudotshwa kwezinhlanzi, lokhu kuyokwenziwa kuze kuphele iminyaka eyi-15.Kuyacabangeka ukuthi lezi zinhlelo zokukala izinga okuyilo lokudotshwa kwezinhlanzi liyokwenzeka ngemuva kweminyaka emibili kusukela manje, bese kuba njalo ngemuva kweminyaka emine.

Nakuba uMnyango uzoqedela izindlela ekuyizonazona zokukala izinga lokudoba abanini zimvume abazokalwa ngazo uma kunikwa izimvume zokudobela inzuzo, nangemuva kokuxoxisana nabanini zimvume, lezi ndlela zokukala izinga lokudoba zingasetshenziswa:

- Uguquko;
- Ukutshalwa kwezimali emikhunjini kasezimpahleni ezisetshenziselwa ukudoba;
- Ukusetshenziswa ngendlela eyamukelekile kanye nomthelela wokudoba ngezindobo ezinonoxhaka ekuphilisaneni kwezitshalo kanye nezilwane zasolwandle;
- Ukuhambisana nemithetho kanye nemigomo.

14. Uhlelo lwabakhimkhanya

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

15. Izimo zezimvume

Izimo zezimvume kule mboni yokudoba zizokhishwa minyaka yonke. Izimo zezimvume eziphathelene nalo nyaka ka-2005 zitholakala **njengesiXhumelelo A.** (**Annexure A**).