

UHLAKA



**UMNYANGO WEZEMVELO NEZOKUVAKASHA
IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU**

**UMGOMO KA-2005 WOKUNIKA NOKWENGAMELA IZIMVUME
ZOKUDOBELA INZUZO EZINDAWENI ZOKUDOBA
EZISEKUJULENI KOLWANDLE LAPHO KUTHOLAKALA KHONA
IZINHLANZI EZINCANE .
(NJENGALEZI:-AMA-ANCHOVY KANYE NOHLOBO LOSADINSI
OLUDOTSHWA NGAMANETHI)**

**LOLUKHLAKA MGOMO KUMELE LUFUNDWE NOMGOMO
JIKELELE WOKUNIKA NOKWENGAMELA IZIMVUME
ZOKUDOBELA INZUZO ZESIKHATHI ESIDE ZIKA-2005.(itholakala
[kwi- www.mcm-deat.gov.za](http://www.mcm-deat.gov.za))**

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1. Isingeniso

Lolu hlaka-mgomo lokunikezwa nokuphathwa kwezimvume yokudobela inzuzo kwezinhlanzi ezincane ezitholaka ekujuleni kolwandle ezibizwa ngokuthi ama-anchovy nosadinsi, lukhishwe UMN YANGO WEZEMVELO NEZOKUVAKASHA: IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU(“UMnyango”) ukuze umphakathi ubeke izimvo zawo ngalo. Abanezifiso nabathintekayo bayelulekwa ukuba lo mgomo kumelwe ufundwe nomgomo-jikelele ka-2005 wokunika nokwengamela imvume yokudobela inzuzo isikhathi eside (“Umgomo-jikelele Wokudoba).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 izinhlanzi ezincane ezitholakala ekujuleni kolwandle .Iningi lalezi zinhlelo azizintsha.Bezisetshenziswa uMnyango uma unikeza imvume esikhathini esedlule.Lo mgomo uqukethe uhlelo okuzoqhutshwa ngalo , noma kukhona izinguquko ezingatheni kanye nokwengeziwe.

Eminye imiigomo yokuphatha ngemuva kokunikwa imvume yethuliwe.Ibhuku eliphathelene nokuphathwa kokudotshwa kwezinhlanzi ezincane ekujuleni kolwandle liyoqedelwa ngokuhlanganyela nabanezimvume ngonyaka ka-2006. Leli bhuku liyobeka ngokusobala indlela yokuphatha kanye nenqubo yokudoba.

UNgqongqoshe weZemvelo neZokuvakasha uhlose ukunikezela ngamandla kasomqulu- 18 wokunika imvume yokudobela inzuzo izinhlanzi ezincane ezitholakala ekujuleni kolwandle okuqokethwe 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. Ukubukeka kwemboni yokudoba

Ukudotshwa kwezinhlanzi ezincane ezitholakala ekujuleni kolwandle kwaqala ngezikhathi zawo-1940 lapho inqwaba yemikhumbi yokudoba ngamanethi okungeyona ekahulumeni yagxila ekudobeni osadinsi kanye nezinye izinhlanzi ezincane ezibizwa ngokuthi ama-*horse mackerel*. Ngonyaka ka-1953 isilinganiso sesisindo sezinhlanzi ezidotshiwe kwakungamele sibe ngaphezu kwamathani angu- 270 000 kodwa lokhu akuphoqelewanga. Loku kwaholela ekutheni izinhlanzi ezidotshiwe zibe ngaphezu kwesilinganiso esasibekiwe. Ngonyaka ka-1961 isilinganiso sesisindo sezinhlanzi ezidotshiwe sahoxiswa. Kwathi ngo-1962 kwadotshwa amathani osadinsi angu-410 000, lokhu kwaholela ekutheni inani lamathani osadinsi abadotshwa lehle liye liyofinyelela ku-100 000. Lenqwaba yemikhumbi yokudoba ngamanethi yabe isiqala ukugxila kwizinhlanzi ezincane ezibizwa ngokuthi ngama-*anchovy*. Babesebenzisa amanethi anezikhala ezincane. Ngonyaka ka-1987 ukudotshwa kwezinhlanzi ezibizwa ngama-*anchovy* kwakhuphuka kwafinyelela emathanini angu- 600 000. Ngemuva kwalokho izinga lokubanjwa kwalezi zinhlanzi labuye lehla. Ngonyaka ka-1996 angu-40 000 kuphela amathani ezinhlanzi ezibizwa ngama-*anchovy* atholakala. Kamuva nje izinga lokudotshwa kwezinhlanzi ezibizwa ngama-*anchovy* nosadinsi libuye lanyuka. Uhlobo ngalunye lwalezi zinhlanzi luye lwafinyelela kumathani angu- 250 000 kule minyaka emihlanu eyedlule. Okwamanje lomnyango wezokudoba uphethwe ngokohlelo olubizwa ngokuthi i-*Operational Management Procedure* (“OMP”), lolu hlelo lubeka ngokusobala inani losadinsi nezinhlanzi ezibizwa ngokuthi ngama-*anchovy* okumele zidotshwe ngonyaka. Loluhlelo lubizwa ngokuthi i-*Total Allowable Catches* (“TAC”).

Ngongwenani lokudotshwa kwezinhlanzi, ukudotshwa kwezinhlanzi ekujuleni kolwandle yikona okusezingeni eliphezulu eNingizimu Afrika. Loluhlelo lulele isibili ngokwezinga lokubaluleka. Loluhlelo lokuphathwa kwezokudoba yilona oluyindinda kakhulu ekudobeleni

inzuzo. Zimbili izinhlobo zezinhlanzi okugxilwe kuzo, osadinsi (*Sardinops saqax*) kanye nalezo ezibizwa ngokuthi ama-anchovy (*Engraulis encrasicolus*). Kunohlobo okuthiwa i-herring (*Etrumeus whiteheadii*), okuluhlobo olunamhelo abomvu ayizimbulunga kanye nolunye uhlobo olubizwa ngokuthi i-Cape horse-mackerel (*Trachurus trachurus capensis*) okuyizinhlobo ezidobekayo kodwa kungaxiliwe kuzo. Osadinsi bagcinwa emathinini ukuze badliwe ngabantu. Ama-anchovy kanye neningi lalezo ezibanjwa kungaxiliwe kuzona zigcina ziwukudla kwezinye izinhlanzi, amafutha okupheka (fish oil) kanye nenhlama yokugcoba isinkwa (fish paste).

Ukudoba kugxilwe kuhlobo oluthile lwezinhlanzi ezincane okwenzeka ekujuleni kolwandle kwenzeka ikakhulukazi ogwini oluseNtshonalanga naseNingizimu yeNtshonalanga Koloni lapho kutholakala khona ama-anchovy nosadinsi, kanti ogwini oluseMpumalanga Koloni kutholakala kulo osadinsi.

Inqwaba yemikhumbi yokudoba ngamanethi ekujuleni kolwandle eyakhiwe ngamapulangwe eminye ngezinsimbi inobude obungamamitha ayi-15 kuya kwangama-30. Le mboni iqasha izisebenzi ezibalelwa ezinkulungwaneni eziyisikhombisa namakhulu ayisishiyagalombili (7 800). Izisebenzi eziyizinkulungwane eziyisihlanu namakhulu amathathu (5 300), ziqashwe ngokugcwele kanti eziyizinkulungwane ezimbili namakhulu amahlanu (2 500), ziqashwa ngesikhathi senala yalezi zinhlanzi. Izisebenzi zasolwandle zihola imali elinganiselwa ku-R94 000 ngonyaka, okuyinani eliphezulu leholo kule mboni. Abasebenzi abangamashumi ayisishiyagalolunye nanhlanu ekhulwini (95%) kule mboni yokudoba bangabantu abanomlando wokudla imbuya ngothi. Njengamanje imalim etholakala ngokudotshwa kwezinhlanzi ilinganiselwa ezigidini ezingamakhulu ayisishiyagalombili (R800 million) ngonyaka. Intengo yemikhumbi yokudoba engama-106 esebenza kule mboni yokudoba, ibalelwa ngaphezu kwezigidini ezingamakhulu ayisithupha zamarandi (R600 million) lokhu kusho ukuthi umkhumbi ngamunye unentengo ebalelwa ezigidini eziyisikhombisa zamarandi (R7 million). Imboni yokudoba idinga imali eningi yokuqala ibhizinisi, abanemvume yokudoba kumele bafake imali eningi ukuze bathenge imikhumbi futhi bathuthukise ingqalasizinda, uma kungenjalo bazibandakanye ngokungena esivulwaneni sokudoba ngokubambisana.

3. Uhlelo lokunikezelwa kwezimvume zesikhathi esimaphakathi

Ngonyaka ka 1992 abantu abantu abanomlando wokudla imbuya ngothi babelawula izimbomi zokudoba izinhlanzi ezincane ekujuleni kolwandle cishe eziyisikhombisa ekhulwini (7%) Ukunikwa ithuba kwalabo abafikayo kule mboni kusukela ngo-1992, kube nomphumela wokuncipha kwegebe phakathi kwalabo abanesabelo esikhulu nalabo abanesincane. Ngesikhathi esifanayo kunyuke kakhulu izinga lokuzibandakanya kanye nobunini kwabantu abansundu kule mboni yokudoba. Leli nani likhuphuke lisuka kwisikhombisa ekhulwini layofinyelela emashumini angashumi ayisikhombisa nantathu ekhulwini (7%-73%). Ngonyaka ka-2001 nango-2002, uMnyango wanika izimvume eziyi-113 zesikhathi esimaphakathi (iminyaka emine) zokudobela inzuzo izinhlanzi ezincane ezitholakala ekujuleni kolwandle. Kulezi:

- Amashumi ayisikhombisa nantathu ekhulwini (73%) zanikezelwa kwabansundu;
- Amashumi ayisikhombisa nanhlanu ekhulwini (75%) eTAC alawulwa ngabansundu;
- Amashumi ayisishiyagalombili nanhlanu ekhulwini (85%) yabanikazi bezimvume zokudoba babizwa ngokuthi ngama-*small and medium enterprises* (SME);bese
- Amashumi amahlanu ekhulwini (50%) emikhumbi embonini yokudoba angawabansundu.

4. Izinhlosongqangi zemboni yokudoba

Izinhlosongqangi zokunikezela izimvume zokudoba zesikhathi eside embonini yezokudoba yilena elandelayo:

- Ukugcina noma ukwenza uguquko kwindlela le mboni ebukeya ngayo;

- Ukwenza isimo esizoheha abatshali zimali siphinde sibe nomthelela ekwakhiweni kwamathuba emisebenzi;
- Ukugqugquzela ukutshalwa kwezimali emikhunjini yokudoba(ikakhulukazi ekukhipheni imikhumbi emidala kungene emisha) nasekuthuthukiseni ingqalasizinda;
- Ukugqugquzela ukwengezwa kwentengo ngokuqhamuka kwemikhiqizo emisha, ikakhulukazi leyo mikhiqizo edliwa abantu;
- Ukunciphisa inani lezinhlazi edotshwa kungaxiliwe kuzona; kanye
- Ukusiza ukuba umnotho nembali yokudoba kugcineke kuphilile nemvelo ingashabalali.

UMnyango angeke uvume ukunika imvume yokudobela inzuzo kulabo abafuna ukusebenzisa ukudotshwa kwezinhlanzi ezincane ukuze babambe ezinye.

5. Isikhathi esithathwa yizimvume

Ngokuphathelene –

- Nezinguquko zokubukeka kwembali yokudoba;
- Nemikhumbi yokudoba ngamanethi esetshenziswayo esimidala esidinga ukushintshwa;
- Nenani lemisebenzi esezingeni eliphezulu ekhona ; kanye
- Nesidingo sokugcinwa komnotho usezingeni elifanele okwenzekayo kuyimanje embonini yokudoba,

Umnyango uzonika izimvume zokudobela inzuzo isikhathi esingevile eminyakeni eyi-12 (lokhu kuyoqala mhla ka-1 kuJanuwari 2006 kuze kube umhla ka-31 kuDisemba 2018). Wonke umuntu othole imvume yokudobela inzuzo uyohlala ahlale ahlolwe ngokuhambisana nenqubo ebekiwe.

UMnyango unqume ukuba unganiki imvume yokudobela inzuzo efika eminyakeni eyi-15 ngenxa yokhathazeka ngokudotshwa kwezinhlanzi ngokweqile kanye nokwehla kokudalulwa kwenani lezinhlanzi ezidotshwe yilabo abanezimvume zokudoba. Ukukhathazeka ngalolu daba sekuholele ekutheni kube khona uphenyo olwenziwayo.

6. Abafikayo embonini yokudoba

Ngenxa yobuningi bama-*anchovy* nosadinsi kanye nezinye izinhlobonhlobo zezinhlanzi ezincane ezitholakala ekujuleni kolwandle, kungalindeleka ukuthi inani lalezi zinhlanzi lehle esikhathini esingasingakanani esizayo. Kubonakala kuzoba khona ukwehla okukhulu kwenani lamathani ezinhlanzi ezidotshwayo (TAC). Ukwengeza kulokhu kuyaqapheleka ukuthi maningi amathani ezinhlanzi ezidotshwayo kanti izindawo zokudoba ziyingcosana. Lokhu kuyizinkomba zokuthi izimvume kumele zikhishwe ngokuyimfanelo ukuze kuvikeleke ukushabalala kwezinhlanzi.

Ngakho-ke uMnyango ubona kunesidingo sokuthi ungabe usazikhipha izimvume zokudoba ngaphezu kwalezi ezikhona eziyi-113 ezizetshenziselwa imikhumbi yokudoba eyi-106. Labo abanezimvume bangakhishwa kungene abanye ezindaweni zabo. Abafake izicelo zokungena kule mboni banganikwa imvume uma –

- Kukhona inguquko ebonakalayo ekuphathweni nasebunikazini benkampani eyenza isicelo;
- Abantu bezinye izinhlanga bengasetshenziselwa ukuthola imvume yokudobela inzuzo
- Benawo umkhumbi wokudoba osesimweni esifanele nemali edingekayo yokuqala ibhizinisi lokudoba izinhlanzi ezincane ezithokala ekujuleni kolwandle.

7. Inqubo yokuhlunga

Izicelo zemvume yokudobela inzuzo ziyobukwa ngeso elibukhali ngokuhambisana “nenqubo yokungamukeleki kwabathile”, bese ziyahlolwa ngokwesilinganiso “senqubo yokuhlunga ngokuqhathanisa” okwenziwa phakathi kabanezimvume kanye nabafaka izicelo. Kuyobekwa amaphuzu okuyiwona ayohlonza labo abazicelo zabo ziphumelele. Izimvume ziyonikezwa ngokwahlukana ekudotshweni kwama-*anchovy* nosadinsi. Abafaka izicelo zemvume bangazifakela uhlobo ngalunye. Isilinganiso ekhulwini (%)se-TAC siyonikezwa labo abazicelo zabo ziphumelele ngokulandela “inqubo yesilinganiso” (“*quantum criteria*”).

7.1 Inqubo yokungamukeleki kwabathile

Ngaphandle kwezinqubo ezichazwe kumgomo-jikelele ophathelene nokufakwa kwezicelo 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 olubizwa ngokuthi yi-*Close Corporations Act 69 ka-1984* kanye nobizwa ngokuthi yi-*Companies Act 61 ka-1973*. Ziyoshaywa indiva izicelo zalabo abafaka izicelo ngabodwana 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 izinhlanzi ezincane ekujuleni kolwandle. Abanikwe izimvume kubandakanywa abaqondisi nabanamasheya asebeke baphucwa ilungelo lokudoba ngokohlelo lwe-MLRA, ngeke besanikwa futhi elinye ilungelo lokudoba izinhlanzi ezincane ekujuleni kolwandle.

Abanikwe imvume kubandakanywa abaqondisi kanye nabanamasheya abasaphenywa nabephule inqubo ye-MLRA, kungaba ngobugebengu noma ukuhluleka ukuphatha amabhuku, ngeke besanikezwa futhi imvume yokudoba izinhlanzi ekujuleni kolwandle uma uphenyo lungakaphothulwa.

UMnyango udinga ukuba bonke abanezimvume zokudoba bakhokhe intela yalezo zinhlanzi abebezinqondile abazibambile. Iningi labanezimvume zokudoba abayikhokhi intela noma badalula inani elingaphansi kwezinhlanzi abazidobile ukuze bagweme ukukhokha intela. Ukungakhokhwa kwentela yoMnyango kuyohlawuliswa kwinqubo yokuhlunga ngokuqhathanisa echazwe ngezansi.

Le nqubo yokuhlunga ngokuqhathanisa iyoshaywa indiva. Kodwa uma ocela imvume esenokuyithola, kodwa angeke ayinikezwe ngaphambi kokuba akhokhe yonke intela ayikweleta uMnyango sekuhlangene nenzalo yayo.

- (c) **Isilinganiso samaphepha** : Isilinganiso samaphepha njengoba sichazwe kumgomo-jikelele siyoshaywa indiva.
- (d) **Ukutholakala komkhumbi wokudoba osesimweni esigculisayo:** Abafaka izicelo kuyomele bakhombise imvume yokusebenzisa umkhumbi wokudoba osesimweni esigculisayo. (***bheka incazelo yomkhumbi osesimweni esigculisayo esigabeni sesi-8 ngezansi***)..

7.2 Inqubo yokuhlunga ngokuqhathanisa

Abanezimvume zokudoba kanye nalabo abafaka izicelo ezintsha, bayohlungwa ngaphansi kwenqubo yokulinganisa elandelayo ngokubhekelela isisindo sesicelo ngasinye:

(a) Uguquko:

Okwamanje abanezimvume zokudoba abangamashumi ayisikhombisa nantathu ekhulwini (73%) bamnyama kule mboni yokudoba. Laba banini zimvume uma sebehlangene balawula amashumi ayisikhombisa nesihlanu ekhulwini (75%) e-TAC. Izinkampani ezincane nezimaphakathi nendawo zenza inani labanini zimvume zokudoba ezingamashumi ayisishiyagalombili nanhlanu ekhulwini (85%).

Inhloso yoMnyango ngesikhathi sokunikezwa kwezimvume zesikhathi eside sokudoba kulemboni yokudoba, ukuba kugcinwe kuphinde kwenziwe ngcono amazinga ezinguquko ezikhona kumanje. Njengoba kubekiwe kumgomo-jikelele wokudoba, abafaka izicelo bayohlungwa banikwe amaphuzu ngokubhekelela lokhu-

- Inani ekhulwini (percentage) 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 yizinkampani ezizimele.

(b) Ukutshalwa kwezimali embonini yokudoba

Ngokuphathelele nabanini zimvume abafaka izicelo zokudoba, uMnyango uyowenza isiqinisekiso sokubhekela lokhu:

- Ukutshalwa kwezimali emikhunjini yokudoba esesimweni esigculisayo ekudobeni izinhlanzi ezincane ekujuleni kolwandle. Kulokhu, utshalo zimali ngendlela yokuthenga amasheya kuyobhekela
- Ukutshalwa kwezimali ekuqhubezeleni nasekwenzeni ingqalasizinda yaziwe.

Malungana nabafake izicelo zezimvume zokudoba, uMnyango uyobhekela utshalo zimali asebelwenzile ngokuphathelene nemikhumbi yokudoba, ekuqhubezeleni kanye nasekwenzeni ingqalasizinda yaziwe. Ngaphezu kwalokhu abafaka izicelo zokudoba ezintsha kuyomele bakhombise ulwazi, ikhono kanye namandla okudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle.

(c) Ukusebenza kahle kwenkampani

Abafake izicelo zezimvume zokudoba abatholakale bebambe inani lezinhlazi ezincane kakhulu noma ezingaphezulu kakhulu kwesilinganiso esibekiwe, bangabi ngaphansi noma ngaphezulu ngesilinganiso seshumi ekhulwini. Abatholakele beqe lo mgomo bayohlawuliswa. Isilinganiso ngokusebenza kahle ngokwezimali siyobhekwa ngokuhambisana nomgomo-jikelele wezokudoba.

(d) Ukudobeka kwezinhlanzi okungagxiliwe kuzona kanye nokulahlwa kwazo

UMnyango ukhathazekile ngokudoba ngokungemthetho ngamanethi izinhlanzi ezibizawa ngokuthi ama-*linfish* (ikakhulukazi lezi zinhlobo ezilandelayo: *yellowtail*, *white steenbras* kanye *ne-kob*). UMnyango ukhathazekile futhi nangokudoba kweqiwe esilinganisweni kwezinhlanzi esisencane zohlobo lwe-*horse-mackerel*. Ukudobeka kwezinja zasolwandle kuveza okunye

ukukhathazeka.Ukubanjwa kwamahlengethwa ngamanethi kungaqondiwe kufanele kugwenywe.

UMnyango uyoklomelisa abanini zimvume zokudoba abafake imali nabasebenzise izindlela zokunciphisa ukubambeka kwezinhlanzi ekungaxiliwe kuzona,kanye nalabo abayonciphisa ukuthikamezeka kwezilwane zasolwandle ezincelisayo.

Ulahlwa kwezinhlanzi ezidotshiwe akuvumelekile, abanini zimvume abayotholakala benza lokhu bangase bangabe besanikezwa izimvume.Ngakolunye uhlangothi uma benikeziwe izimvume, imvube ingase ibuye ithathwe ngokulandisa kwesigaba-28 se-MLRA.

(e) Ukukhushulwa kwezinga lezinhlazi

UMnyango ungase ukubhekele ikhono labafaka izicelo lokukhuphula izinga lezinhlazi ezincane ezitholakala ekujuleni kolwandle ukuze zithengiswe ezimakethe zakuleli nezangaphesheya kwezilwandle.UMnyango uyobheka ukuthi abafaka izicelo bazitshalile yini izimali ekhuphuleni izinga lemikhiqizo wezinhlazi zohlobo lwe-*anchovy* nosadinsi ukuze zidliwe abantu.

(e) Ukukhushulwa kwezinga lomnotho wakuleli zwe

Kunesidingo sokutshalwa kwezimali nokwakiwa kwamathuba omsebenzi kwiningi lezindawo ezingamadobhana akhele ugu eNingizimu Afrika.UMnyango uyoncamela abafaka izicelo abakhetha ukukhiphela izinhlanzi abazidobile baphinde bazilungisele kwezinye izikumulo zemikhumbi ngaphandle kwesaseKapa nesaseSaldanha.Kodwa-ke iningi lalabo abanemvume abasembonini yokudoba izinhlanzi ezincane ezitholakala

ekujuleni kolwandle, abatshale izimali kwizikhumulo zemikhumbi zaseKapa naseSaldanha ngeke bahlawuliswe.

(f) Imisebenzi

Imboni yezinhlanzi ezincane ezitholakala ekujuleni kolwandle inikeza amathuba omsebenzi ebantwini ababalelwa ezinkulungwaneni eziyisikhombisa namakhulu ayisishiyagalombili. Amaholo ezisebenzi zasolwandle alinganiselwa ku-R94 000 ngonyaka, okuyinani eliphakeme kakhulu embonini yokudoba. Ingxenye enkulu yalezi zisebenzi iqashwe ngokugcwele, abanye bahlomula ngokubhekelwelwa kwezokulashwa kanye nomhlaphansi.

Umnyango uyoncamela abafaki zicelo abanike izisebenzi zabo lokhu okulandelayo –

- Ukuqashwa ngokugcwele;
- Umhlomulo wezokulashwa nokomhlalaphansi;
- Nanoma oluphi olunye uhlelo lokuhlomula kwezisebenzi; kanye
- Nezimo zokusebenza eziphephile.

Kulabo abafake izicelo zemvume yokudoba, uma bedale amathuba emisebenzi ngethani nethani lezinhlazi ezidotshiwe ngesikhathi esimaphakathi semvume yokudoba (iminyaka emine), izicelo zabo ziyocutshungulwa bese ziyabhekelwa. Umnyango uyophinde ubheke ukuhluka kwesilinganiso samaholo phakathi kwabahola kakhulu nabahola kancane.

(g) Ukungakhokhwa kwentela yokudotshwa kwezinhlanzi

Abafake izicelo zemvume yokudoba bayohlawuliswa uma bengakhokhanga intela esilele esikhathini esingaphezulu kwezinsuku ezingama-60.

(h) Ukuhambisana nomgomo

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

7.3. Inqubo yokulinganisa

Imboni yokudoba ilawulwa ngaphansi komthetho we-TAC. Isinqumo esisanda kuthathwa yinkantolo ephakeme yokudluliswa kwamacala ukuthi indlela esetshenziswayo ukwakha isilinganiso sokudotshwa kosadinsi nama-*anchovy* kulabo abanemvume yokudoba kumele sibuyekwezwe. Le ndlela yesilinganiso yayibuyekwezwe isikhathi sokudoba sonyaka ka-2005. UMnyango uyonikeza imvume yesikhathi eside yokudotshwa kwezinhlanzi ezincane ezitholakala ekujuleni kolwane ngokwahlukana. Lokhu kusho ukuthi abafaka izicelo zemvume kumele bazifakele uhlobo lwezinhlanzi ngalunye abafisa ukuzidoba. Lokhu kusho ukuthi abafaka izicelo zokudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle kuyomele bacacise uhlo lwezinhlanzi abafisa ukuzidoba phakathi kwama-*anchovy* kanye nosadinsi, noma bafake izicelo zezinhlobo zombili zezinhlanzi. Inani lokudotshwa kohlobo ngalunye lwalezi zinhlanzi luyobekwa ngokwehlukana kusetshenziswe isilinganiso sokwekhulu se-TAC.

Kulabo abanezimvume zokudoba, uMnyango uyosebenzisa isilinganiso sonyaka ka-2005, kuyobe sekungezelelwa ngengxenywe ye-TAC yalabo abanezimvume ezingavuselelwanga kanye nalabo abangazifakanga izicelo. Ngokusebenzisa lezi zindlela, kuyobe sekwabiwa kabusha izimvume.

(a) **Uhlelo lulonke lwenguqoko:** Ishumi ekhulwini lezinhlanzi ezincane ezitholakala ekujuleni kolwandle ngokwesilinganiso se-TAC kuhlobo ngalunye, liyokwabiwa kabusha ngokuhambisana nesilinganiso soguqoko;

(b) **Izinkampani ezincane kanye neziphakathi nendawo:** Ishumi ekhulwini lezinhlanzi ezincane ezitholakala ekujuleni kolwandle ngokwesilinganiso se-TAC kuhlobo ngalunye lwezinhlanzi, luyobekelwa ukhulukaniselwa labo abanezicelo zemvume yokudoba eziphumelele abanezinkampani ezincane kanye nezimaphakathi nendawo. Izinkampani ezincane kanye nalezo ezimaphakathi nendawo yilezo zinkampani ezingenzi imali engaphezulu kwezigidi ezinhlanu zamarandi uma kuyinkampani emaphakathi, kungabi ngaphezulu kwezigidi ezintathu uma kuyinkampani encane;

(c) **Abanikazi bemikhumbi yokudoba:** Ishumi nesihlanu ekhulwini lezinhlanzi ezincane ezitholakala ekujuleni kolwandle ngokwe-TAC kuhlobo ngalunye luyobekelwa ukwahlukaniselwa izinkampani ezincane kanye nalezo ezimaphakathi nendawo ezitshale imali ngokugcwele zabe sezikhokhela imikhumbi yazo yokudoba ngaphezulu kwamashumi amahlanu ekhulwini yemali yomkhumbi ngaphambi komhla ka-30 kuJanuwari 2005;

(d) **Ukukhushulwa kwezinga lezinhlanzi:** Ishumi nesihlanu ekhulwini lezinhlanzi ezincane ezitholakala ekujuleni kolwandle ngokwe-TAC kuhlobo ngalunye, luyobekelwa ukwahlukaniselwa abazicelo zabo ziphumelele bebe betshale izimali ekukhuphuleni izinga lezinhlanzi ezizodliwa abantu ngokwe-TAC. Isilinganiso sabacele imvume baphumelela abazibandakanye nohlelo lokukhuphula izinga lezinhlanzi, siyosetshenziselwa ukwaba kabusha ngokwe-TAC.

Noma ngabe imuphi ofaka isicelo semvume yokudoba esisha uyonikwa imvume eyisilinganiselo esifana nesalowo owayethole isilinganiso esincane phambilini. Lapho isilinganiso esincane semvume yalowo siyiqanda (zero) kosadinsi noma ama-*anchovy*, uMnyango uyobe usumnika inani elilele isibili emazingeni aphantsi.

8. Imikhumbi yokudoba esesimweni esigculisayo

Umkhumbi wokudoba othathwa njengosesimweni esigculisayo embonini yokudoba yilowo:

- Onobude obungevile emamitheni angama-30 ngokuka-SAMSA;
- Onomshini osebenzayo wokugada umkhumbi olwandle;
- Owakhelwe ukudoba ngamanethi; kanye
- Ongakaboshiwe noma umnikazi wawo engakaphucwa wona ngokwe-MLRA.

9. Ukubandakanyeka kwezikhungo ezehlukene embonini yokudoba

Abanini zimvume ezimbonini zokudoba izinhlanzi ezincane ekujuleni kolwandle abanqatshelwe ukuba bathole imvume kumoma iyiphi imboni yezokudoba kwiSixha D nakwiSixha C sale mboni. Abanini zimvume zokudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle sekuhlanganiswa nabanamasheya kanye nabaphethe ezikhundleni eziphezulu ngeke bavunyelwe ukuthola izimvume zokudobela inzuzo kwiSixha C neSixha D sale mboni.

10. Imali yokufaka izicelo zemvume yokudobela inzuzo kanye nemali yentela

Imali yokufaka izicelo kwimboni yokudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle iyokanywa kubhekelwa lokhu:

- Inani elibizwa wuhlelo lonke lokwabiwa kwezimvume sekuhlanganisa nokubonisana, ukukhishwa kwesiqiniseko sokukhokha, ukuhlunga, ukwenza isiqiniseko, ukufakwa kokubuyekenza kwezinqumo esezithathiwe kanye nokubuyekenza kohlelo jikelele. Inani elibizwe uhlelo ngesikhathi esimaphakathi salolu hlelo liyothathwa njengomhlahlandlela, kanye
- Nenani ngakwezemali lezinhlazi ovumeleke ukuzidoba ngokwesikhathi esinqunyelwe imvume.

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

11. Izindlela ezizosetshenziselwa ukuphatha

Izindlela ezizosetshenziselwa ukuphatha ezivezwe lapha ngezansi zingezinye zeziningi ezisemqoka ezizosetshenziswa uMnyango ngenhloso yokuphatha uhlelo ngemuva ngokukhipha izimvume zokudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle.

11.1 *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 ethathelwe 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 kwezinhlanzi ezincane ezitholakala ekujuleni kolwandle ayizami ukunika umgomo embonini yokudoba kwi-EAF. I-EAF yemboni yokudotshwa kwezinhlanzi ezincane ezitholakala ekujuleni kolwandle izochazwa kabanzi kwibhuku elichaza ngokuphathwa kwemboni yokudoba. INingizimu Afrika isalokhu izinikele kumnqamulajuqu wonyaka ka-2010 wokuqala ukusebenzisa uhlelo lwe-EAF ekudobeleni inzuzo.

11.2 *ukuqinisekiswa kwababambe iqhaza*

Ngemuva kokunikeza izimvume zokudobela inzuzo zeminyaka eyi-12 kule mboni yokudoba, uMngano uyoziibandakanya kuhlelo lokuqinisekisa inani labanemvume yokudoba abasayisebenzisa embonini yokudoba, ikakhulukazi lapho:

- Abanini zimvume zokudoba benabanini masheya, amahovisi kanye nethimba lokuphatha elifanayo ezinkampanini ezehlukene;noma
- Abanini zimvume abanezinkampani ezincane bekhetha ukuhlanganisa ukusebenza kwezinkampani zabo.

11.3 Imboni yokudoba eqondene nohlobo lwezinhlanzi okuthiwa ama- Red-eye round herring

Nakuba imboni yokudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle iqondene nokusetshenziswa kwama-*anchovy* nosadinsi, nama-*red-eye round herring* kugxiliwe kulona ikakhulukazi ekuqaleni konyaka.Kunobufakazi bokuthi liphansi izinga lokusetshenziswa kwama-*round herring*.UMnyango ufisa ukuthola imali eningi bese wakha amathuba omsebenzi ngokuthi ukhuthaze ukusetshenziswa ngokuyikho kwalolu hlobo lwezinhlanzi.Kuyimanje uMnyango ufuna izindlela zokudoba lolu hlobo lwezinhlanzi eziphathekayo.Umnyango ugodle ilungelo lokuqalisa uhlobo lokuphatha imboni yokudoba olungenhla.Umnyango unegunya lokuqalisa lo mthetho noma ingasiphi isikhathi esikhathini esizayo ngemuva kokuxoxisana nabanikazi zimvume kanye nalabo abanezifiso zokuzibandakanya kule mboni.

11.4 Imikhumbi kanye nemizamo yokudoba

Okwamanje ingama-106 imikhumbi yokudoba izinhlanzi ezincane ezitholakala ekujuleni kolwandle ezisebenza emanzini eNingizimu 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 ukuba linezezele ngeminye imikhumbi noma lifake imikhumbi yokudoba emisha ngemuva kokunikwa kwezimvume zokudoba zesikhathi eside.Umnyango ibona izinga lemizamo kule mboni yokudoba liphezulu. Abanini zimvume ngeke bavunyelwe ukuba bafake imikhumbi engathatha inani elingaphezulu kwalelo elichazwe kwizimvume abazinikiwe. Ukwengeza lapho uMnyango ungase ube nokuxoxisana nesigungu sokudoba esibizwa ngokuthi yi-

Fishery Industrial Body uma kunesicelo sokwengeza eminye imikhumbi embonini yokudoba.

11.5 Ukuthathwa kwawo wonke amandla

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

11.6 Ukwethulwa kwe-TAE

Ukudalulwa okuphansi kwenani lezinhlanzi ezibanjiwe kunalelo eliyilo sekube nomthelela omkhulu ekuphathweni nasesimweni sezimali zoMnyango, okungadala ingozi ekuphathweni ngendlela kwemboni. UMnyango ungabuye ubhekelele ukubandakanywa izinhlelo ezivimbayo ze-TAE njengezinsiza kusebenza zokuphatha imboni yokudoba, futhi uyoxoxisana nabanini zimvume ngesikhathi esizayo ekuthulweni kwalezi zindlela zokuphatha.

12. Izindlela zokukala izinga okuyilo

UMnyango uzoveza izindlela eziningana zokukala izinga eliyilo lokudotshwa kwezinhlanzi, lokhu kuyokwenziwa kuze kuphele iminyaka eyi-12. Kuyacabangeka ukuthi lezi zinhlelo zokukala izinga ekuyilo lokudotshwa kwezinhlanzi liyokwenzeka ngemuva kweminyaka emibili kusukela manje, bese kuba njalo ngemuva kweminyaka emibili.

Noma Umnyango uzoqedela izindlela ekuyizonazona zokukala izinga lokudoba abanini zimvume abazokalwa ngalo uma kunikwa izimvume zokudobela inzuzo, nangemuva kokuxoxisana nabanini zimvume, lezi zindlela zokukala izinga lokudoba zingasetshenziswa:

- Uguquko;
- Ukutshalwa kwezimali emikhunjini nasezimpahleni ezigqokelwa ukudoba;

- Ukusetshenziswa ngendlela eyamukelekile kanye nokunciphisa izinga lezinhlanzi ezidobeka kungaqondiwe kanye nomthelela ukudoba ngamanethi okunawo kwimvelo;
- Ukuhambisana nemithetho kanye nemigomo.

13. 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.

14. Izimo zezimvume

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