UHLAKA

UMNYANGO WEZEMVELO NEZOKUVAKASHA

IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU

UMGOMO WOKWABA NOKUPHATHWA KWAMALUNGELO OKUDOBA KWABADIYISI KU HAKE LONGLINE:2005

LOLUHLAKA LOMGOMO KUFANELE LUFUNDWE KANYE NOHLAKA LOMGOMO OJWAYELEKILE WOKWABA NOKUPHATHWA KWAMALUNGELO ESIKHATHI ESIDE SODOBO LWABADAYISI : 2005(itholakala ku www.deat.gov.za)

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1. Isingeniso

Lolu uhlaka lomgomo wokwabiwa nokuphathwa kwamalungelo abadobi abadayisayo, olwenziwe uMnyango wezemvelo nokuvakasha, nokuphathwa nokuphathwa kwamasebe ukuze umphakathi ubeke imibono. Abathintekayo kufanele lolu hlaka balufunde baluhlanganise nohlaka lwemigomo ejwayelekile yokwabiwa nokuphatha amalungelo abadobi abadayisayo.Abathintekayo nabathandayo bayophendula ngokubhalela uMnyanga engakadluli umhlaka 4 Apreli 2005. Abayobhala emuva kwalolu suku abakunakwa. Kuyodingeka kubhalwe kanje:

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Inhloso yalomgomo ukubonelela amalungelo okudoba kwabadayisayo, okwakuvele kukhona. Lomgomo owokugcizelela nje okwakuvele kwenziwa iloMnyango.

Eminye imigomo emisha iyabalwa kulo loluhla lwemigomo.Ibhuku lokuphathwa kwe Hake longline lizoqedwa kunyaka ka 2006. Lelo bhuku liyochaza kabanzi ngezindlela nemigudu yokuphatha ezokudoba.

Ungqongqoshe wezemvelo nokuvakasha uhlose ukunikeza isikhulu sikaHulumeni ilungelo, namandla okuphatha umthetho 18 ngokwemithetho ka Section 79 we MLRA ka 1998.

2. Isakhiwo sokudoba

Uma kuqhathaniswa ukudoba itrawl, ihake longline intsha kakhulu ngoba iqale ngo 1982.Phalathi ko 1985 no 1990 kwakugxilwe kakhulu ekudobeni ikingklip ngoba bedula. Ngokukhalazela isitoko se hake kwase kuvalwa ngo 1990. Kwabuye kwaqalwa ngo 1994, ngenhloso yokuhlola amalungelo okudobela ukudayisa. Amalungelo okudoba ngenhloso yokudayisa ngaphansi kwe MLRA asungulwa phakathi kuka 1999 no 2000. Ukuchuma nokuzinza kwasukela ngo 2001, ngoba kwanikwa ilungelo leminyaka emine.

Ukudoba kwakh imisebenzi engu 3600 yabaqashwe ngokugcwele, kanye nabangamatoho abangu 3200. Baningi ababecindezelwe abasebenzayo. Umkhumbi wabadobi uthola imali efika kuma R38 5000 iholo ngonyaka.

Ukudoba ama hake akunayo imali eningi. Kunomvuzo kakhulu uma isiwa phesheya ko Europe, lapho inani cishe liba u 50%. Inani lofishi lilinganiselwa ku R130 million ngonyaka. Izikebhe zona zilinganiselwa kwinani elingu 750 million.

Umnyango kaHulumeni iwona ophethe ilungelo lokudoba ama hake.Ngokomthetho ka MLRA inani linqunywa uNgqongqoshe wezemvelo nokuvakasha minyaka yonke.
Kuze kube u 2004 amathani angu 1000 ayebekwe eceleni ukuze kudobe izifiki. Lolu hlelo nokho luzovalwa.

Lolu hlobo lokudoba lwenziwa eNtshonalanga naphakathi neNingizimu Mpumalanga yogu. Ukudoba kwenzeka ngaphandle kwama habha ase Port Nolloth nase Port Elizabeth. Kwenzeka osebeni naphakathi nemifula. Phakathi akufanele amahuku adlule u 4000 ulayini uwodwa. Osebeni amanzi kufanele ashone kangango 110 m, amahuku angeqi ku 20 000 ulayini umunye. Izikebhe nemali yokwenza lomsebenzi zehluka ngokuthi kusosebeni noma kuphakathi namanzi.

Izitoko zama hake ziphathwa ngendlela endala. Inani le hake belilokhu lincishiswa kusukela ngo 2003, lokho kuncishiswa kudingeka kuqhubeke.

3. Amalungelo okwaba esikhashana

Lolu hlobo lokudoba lwaqala ngo 2001, ukusiza osomabhizinisi abasafufusa nababengenalo ilungelo ekuqaleni. Phkathi kuka 2001 kuya ku 2002 uHulumeni wavula amalungelo iminyaka emine. Abantu ababengenalo ilungelo banelungelo elikhulu manje emkhakheni wokudoba. Izifisa zika Hulumeni zokukhuphula izinga lababehlupheka zafezeka ngokuqala lenhlobo yokudoba.

4. Izinhloso zokwandisa abadobi

Izinhlobo zokunikeza amalungelo esikhathi eside, ilana:

- ukugcina nokuthuthukisa uguquko
- Ukugqugquzela nokwandisa izikebhe, imisebenzi, ikakhulukazi kulabo ababengenalungelo.
- Ukunciphisa ukudutshulwa kwezinyoni.
- Ukuqhuba ucwaningo ukubhekelela izitoko zofishi.
- Ukuqhubeka nokubhekelela labo abanamabhizinisi eMpumalanga Koloni.
- Ukugcina izinga lomnotho nendawo yokudoba.

5. Ubude besikhathi samalungelo

Ngokubhekelela:

- Ukwakheka komsebenzi wokudoba
- Inani lemisebenzi yokuqashwa ngokugcwele (nelokuqasha abetoho, babe abaqashwe ngokugcwele)
- Isidingo sokugcina izinga lomnotho elivela ekudobeni.
- Nanendlela okuphethwe ngayo, enhle kekhulu, ethembekile nenolwazi lwanamuhla.

Uhulumeni uzonikeza amalungelo iminyaka engama 15 (kusukela ngo 01/01/2006 kuya ku 31/12/2020). Wonke ke ophethe uyohlale ehlolwa kuqhathaniswa nendlela aqhuba ngayo. (**bheka isigaba 13 ngenzansi**)

6. Abasha

Izitoko eNingizimu Afrika zigcinwe ngendlela endala ngoba kubukeka sengathi kungaba nokwehla kwamazinga okubamba ofishi kodwa kube kunokukhuphuka kobuciko. Ngenxa yobuningi babadobi abasha sekuvele ukungabaza, nanokunxipha kwezidingo zokusebenza.

Kulezi zinombolo ezinkulu zabantu abaphathe amalungelo, uHulumeni usehlele ukuzinciphisa, kanye nezikebhe. Izinga loguquko liyenelisa kanye nezinga losomabhizinisi abasafufusa. Ukuqoka abasha kuyokwenziwa ezikhaleni zabangaphethe kahle amalungelo abo.

7. Indlela yokuhlola

Izicelo ziyohlolwa kusetshenziswa indlela yokuhlunga. Abasha nabadala bayohlingwa ngezindlela ezahlukene. Imiphumela iyona okuyokhethwa ngayo abaphumelele. Iloyo naloyo oyophumelela uyonikezwa ingxenye ye TAC.

7.1 Indlela yokuhlukanisa

Uhlelo lokuhlunga njengoba lushiwo ohlelweni olwejwayelekile labadobi olukhuluma ngokungakheki kahle, nezimpahla ezonakele. Lolu hlelo lokuhlunga luyokwenziwa kwabasha nabadala.

(a) Uhlobo lofaka isicelo: Izicelo eziyokwamukelwa ezivela ezinkampanini, njengoba kuvela kumthetho 69 ka 1984, kanye nomthetho wezinkampani ongu 61 ka 1973. Izicelo ezivela kubantu ngabanye azisobe zamukelwe.

(b) Abafaka izicelo, kuhlanganisa nezikhulu, azisoze zinikwe ilungelo uma ngabe zake zagwetshwa, azangavunyelwa ukukhokha imali. Uma ngabe futhi ilungelo lake lavalwa, lanqunywa ngokwemithetho ka MLRA, abasoze banikwe ilungelo futhi.

(c) Imiqulu yamaphepha: Njengokuchazwa kumqulu womthetho, ayivunyelwe.

(d) Ukufinyelela esikebheni esifanelekile: Abafaka izicelo kufanele bakhombise ukuthi banezikebhe ezifanelekile (**bheka kusigaba 8 ngenzansi)**

(e) Okungasetshenziswa : Labo abayohlulake ukusebenzisa ilungelo labo lesikhashana phakathi kuka 2002 no 2004 angeke balinikwe futhi.

7.2 Indlela yokulinganisa

Noma lolu hlelo luyokwenziwa kwabadala nabasha, kodwa ukwenziwa kwalo kuyohluka ngamazinga.

(a) <u>Uguquko</u>

Njengamanje amazinga abaphathi abamnyama aphezulu angu 98%. Laba Bantu baphethe u 90% we TAC. Osomabhizinis abasafufusa baphethe u 80% walamabhizinisi.

Inhloso kaHulumeni uma evulela amalungelo esikhathi eside, ukugcina nokuthuthukisa amazinga amanje. Ngokwamukelekile, abafaka izicelo bayohlolwa ngalokhu:

- Inani labamnyama besifazane abaohethe noma abanezikhundla, abangamamenenja.
- Abasebenzi banawo yini amalungelo okuba namasheya, nanokuthi banawo yini amalungelo
- Bonke abantu baqashwe njengoba umthetho usho na.
- Ingabe bakhona yini abamnyama besifazane ezingeni elilandela leli lamamenenja.

- Iyahambisana yini nomthetho wokulingana kaHulumeni.
- Wonke umuntu uyakwazi yini ukubhekelela ukuthuthuka komnotho.

(b) Izinga lomnotho ekudobeni

Abafaki zicelo bayohlolwa ngokubhekelela umnotho osekudobeni.

Kulabo abaphethe amalungelo uHulumeni uyogxila :

- ukwakhelwa komnotho ezikebheni, umnotho obhekele ukuthi umuntu unawo yini ama sheya. Abafaka izicelo angeke bakhokhelwe ngokusayina izivumelwano zokuthenga noma izivumelwano zokubamba izinhlanzi.

- Ukwakha umnotho kwezokudayisa. Uhulumeni uyobakhokhela labo abayobhekekela umnotho ezikhungweni zokudayisa.

Labo abasha kudingeka bakhombise ukuthi babheke kuphi umnotho, ezikebheni yini, nanokuthi kanjani futhi. Bayodingeka bakhombise ukuthi babheke ekudayiseni noma banazo yini izindlela zokudayisa.

(c) Izinga lokudoba

Abafaki zicelo bayobhekwa ukusebenza kwabo, nanokuphatha kwabo amalungelo esikhashana.

Abasha bayohlolwa ukuthi banawo yinin amandla, ulwazi nobiciko bokudoba besebenzisa lenhlobo yodobo.

(d) Ukubamba nokulahla

Inani lama kingklip ikakhulukazi elidotshwa abadobi liyamkhathaza uHulumeni. Izindlela zokunciphisa ukubanjwa kwama kingklip zidingekile ngoba loluhlobo lwezinhlanzi luyathandwa abadobi.Izinga lokuzibamba likhomba ukuthi likhulu.Sezinciphile, ikakhulukazi eNingizimu nogu.

Uhulumeni usebeke umthetho wokuthi ngonyaka kumele ezibanjwayo zibe amathani awu 3 000. Lendlela izolandelwa kuko konke ukudoba. Abadobi kumele bakhombise ukuthi ndlelani abayenzayo nabazoyenza ukuze ukudoba kube sezingeni elamukelekile, elingenhla.

Ukulahla kwezinhlanzi akuvumelekile. Laba abayotholakala bezilahla, angeke besanikwa amalungelo, uma bese banikwa amalungelo, bayophucwa ngokomthetho ka 28 ka MLRA.

(e) Ukwakha umnotho wendawo

Ukukhuphula izinga lomnotho kubalulekile emadolobheni asosebeni lolwandle. Uhulumeni uncamela labo badobi abanquma ukuthi abakubambile bayokucubungulela ngaphandle kwamadolobha amakhulu awo Port Elizabeth ne Kapa. Kodwa labo asebezenzele amabhizinisi amakhulu eKapa nase Port Elizabeth angeke bajeziswe.

Uhulumeni uyocabangela kakhulu labo abafuna ukwandisa umnotho nokudoba kumahabha amancane ikakhulukazi ePort Nolloth nase Mossel Bay.

(f) Imisebenzi

Lomsebanzi wokudoba usuwenze izikhala zomsebenzi ezingu 6 800. Ngokujwayelekile isilinganiso sabaya olwandle siba u 38 500 ngonyaka.Okusho ukuthi ukusebenza kuyagculisa kulomkhakha.

Uhulumeni uyobhekelela labo badobi abanikeza abasebenzi babo:

- ukuqashwa ngokugcwele
- uxhaso kwezempilo kanye nezimpesheni
- noma iliphi igunya emsebenzini
- indawo ephephile yokusebenza

Mayelana nabadobi imisebenzi evela ngomsebenzi wamathani kafishi, ngokwamalungelo esikhashana, uyohlolwa ubuyekezwe kahle. Uhulumeni uyobhekisisa nomehluko womholo phakathi kwabahola kakhulu nabahola kancane.

(g) Ukuthembela ekudobeni

Uhulumeni uncamela abadobi abathembele ekudobeni okungu 50% nangaphezulu okubaphilisayo ngonyaka. Uma umdobi noma omphathele amasheya, etholakala enenye indlela yokuthola imali uyojeziswa.

(h) Ukungakhokhwa kwezinhlawulo

Uhulumeni udinga wonke umdobi akhokhe inhlawulo kulezo zinhlanzi azibambayo. Iningi labadobi alikhokhi, elinye libika inamba encane eliyibambile ukuze linakhokhi. Ukungakhokhwa kwenhlawulo kuHulumeni kuyojeziswa ngalendlela elandelayo.

Uma umdobi esenalo ilungelo lokudoba, iphemithi angeke ayinikwe aze akhokhe inhlawulo isihlangene nenzalo kuHulumeni.

(i) Ukuvumelana

Uma izikhulu noma abaphathi bamasheya, besahlolelwa amacala athile, aphikisana nemithetho ka MLRA, angeke banikwe amalungelo okudoba kuze kusonjululwe amacala lawo.

Noma kungaba kuncane kangakanani okuphikisana ne MLRA, noma imithetho yayo, noma uyisikhulu noma ofaka isicelo, lelo cala liyokwenza imiphumela engemihle.

7.3 Indlela yokuhlukanisa

Mayelana nabanamalungelo, uHulumeni uyosebenzisa indlela ebekiwe nganyaka ka 2005, abuye angeze labo abanagaphumelelanga, nalabo abangafakanga izicelo.
Loluhlelo luyolandelwa kanje:

- **Abanini bezikebhe** : U 10% we hake TAC uyobekwa nganxanye ukusiza osomabhizinisi abasafufusa abafake wonke umnotho wabo (100%) ngaphambi kuka 30/01/2005.
- U 40% uyohlukaniswa kusetshenziswa amamaki umdibo awatholile kanye noguquko ke.

Abaphumelele abasha bayonikwa ingxenye elingana nalena eyolingana neyomdobi omdala kodwa osezingeni eliphansi.

8. Izikebhe ezifanelekile

Izikebhe ezifanelekile ilezo ezi :

- ezinobude obulinganiselwa ku 30 metres, kulabo abadoba osebeni, bese ziba u 15 metres kulezo ezidoba maphakathi namanzi.
- Ezinezinsimbi ezisebenza kahle lezi zokukhomba indawo lapho zikhona
- Ezinolayini abavumelekile abasetshenziswa uma sekudotshwa. Uma kusetshenziswa ababili, babe nxazombili zesikebhe.
- Ezesikhathi samanje, lapho uma kulahlwa udoti, uye nganxanye, hhayi ngalapho kudotshwa khona.

9. Ukuhlangana kweningi

Abaphathi malungelo okudoba, abavinjelwe ukuba namanye amalungelo okudoba ko sigungu A no B. Kodwa ke labo badobi, abaphathi bamasheya abo, kanye namamenenja, abavunyelwe ukuba namalungelo amanye aku sigungu C no D.

10. Izimali zokufaka izicelo nezinhlawulo

Izimali zokufaka izicelo ziyocatshangwa kunakiwe nokuthi :

- Kunezimali ezikhokhwa kufunwa amalungelo, ukuhlala udinga usizo, ukwamukelwa, ukuhlolwa kwezicelo, ukuqiniseka,ukubuyekezwa. Ngalendla ke imali iyobekwa kube kubhekwe ukuthi izimali zisebenze kanjani ngokwamalungelo esikhashana.
- Kuyobhekwa nanenani lofishi liqhathaniswa nesikhathi esibekiwe.

Izinhlawula zonyaka kuqala ku 01/01/2006 ziyobuyekezwa, emva kokuxoxisana nalabo abathintekayo kanye nabazimisele.

11. Amazinga okuphatha

Lamazinga njengokuchazwa ngezansi, zikhomba ukwabiwa okuvela kuHulumeni ukuthi angathanda kuphathwe kanjani.

11.1 Imvelo yenzani ngokuphatheka kofishi

Ukudoba kuyophathwa kubhekelwe imvelo (EAF).Lokhu kuveza ukuthi ukudoba kubalulekile futhi kuxhumene kangakanani nemvelo.Loluhlelo lwezokudoba ama hake aluzami ukudlulisela imigomo yalo kwabanye.Uhlelo lolu lemvelo ihlangene nokudoba, kuzochazwa kabanzi encwadini yakhona.

INingizimu Afrika ilokhu ihleli ngokukhulu ukuzimisela ngokuthi ngonyaka ka 2010 iyobe iqala ukuhlaziya ukuphathwa kofishi, kubandakanya I hake.

11.2 Izindawo ezibekelwe ukudoba

Abadobi bagxile kakhulu ezindaweni ezisosebeni. Okwamanje ukudoba osebeni naphakathi nendawo kusavumelekile naseNingizimu. Ukubhekelela indawo la bedoba khona kuqhathaniswa nokuthi ababambi lutho kangako, kenza bonke abadobi bahlangane, badobe ndawonye, lokhu okudala eziningi izinkinga futhi.

Umthetho ongu nombolo 15 we MLRA ubhekele izindawo eziklanyiwe zokudoba. Lokhu uMnyango uzokubhekisisa ngoba kudala ukuthi izitoko zama hake nama kingklip zinciphe kakhulu, lokho konciphisa nanengxabano.

11.3 Ukuhlangana kwabathintekayo

Noma kwabelwe iminyaka engama 15 ukudobela ukudayisa, kodwa uMnyango uzophinde ubhekesise ukuthi bangaki abadobi abadobayo ngempela. Kungenzeka abadobi bafune ukuhlanganisa amabhizinisi abo:

- ngoba abadobi baphathelwe amasheya abantu abaodwa, noma basebenzisa amahovisi awodwa, noma banamamenenja awodwa.
- Noma ke labo abangosomabhizinisi abancane bafuna ukuhlangana benze into eyodwa enkulu.

Kodwa ke ukuhlanganisa, kuncike ekuthini uMnyango uthini ngabantu asebezoba namalungelo amaningi yonke indawo**.(bheka isigaba 11.5 ngenzansi**)

11.4 Izikebhe namandla okudoba

Kumanje eNingizimu Afrika kunezikebhe zokudoba ezibalelwa ku 104. Njengoba abadobi bengenazo ezabo izikebhe, uMnyango ubona ukuthi uma sekuqalwe izimvume zesikhathi eside, ziningi izikebhe ezizokwanda. Kumanje izitoko zikafishi sezifike emazingeni amakhulu.

Ngakhoke uHulumeni uzozama ukubhekisisa imibandela engaba khona uma kwanda izikebhe, kulezi ezikhona vele. Abadobi angeke bavunyelwe ukuthi badise izikebhe eziyoba ngaphezulu kwezindawo ababelwe zona. Uhulumeni uyosebenzisana nomnyango obhekele ukudayiswa kofishi kuzo zonke izicelo zokufaka izikebhe ezintsha.

11.5 Ukuphatha konke

Noma ngabe uMnyango uyokuvumela ukuthi abadobi bahlanganise izinkapani zabo, kodwa angeke akuvumele uma kuzodala ukuthi osomabhizinisi abancane bacindezeleke.Njengamanje uMnyango kaHulumeni angeke ubeke imigomo yokuthi kuhlanganiswe kanjani, kodwa ngokuqhubeka kokuhlanganisa uyobheke ukuthi ukuncintisana kubenelisa bonke yini abathintekayo.

11.6 Izigaba ze TAC-trawl

Njengamanje izigaba phakathi kwe trawl ne longline zizohlala zinjalo. Ziyohlaziywa uma sekutholakale ulwazi olunye olusha.

12. Izinga lokuhlola umsebenzi

Uhulumeni uyohlola ngokusemthethweni ukusebenza, kuphela nje uma kusaqhubeka amalungelo okudobela ukudayisa. Kubonakala ukuthi loluhlelo lokuhlola luyoqala ngeminyaka emibili emva kokunikwa kwamalungelo, bese kwenziwa njalo emva kweminyaka emine.

Noma ke uHulumeni esazozama ukubona ukuthi obani abazohlolwa emva kokuhlangana nabo, kodwa okwamanje kungasetshenziswa lezindlela ezilandelayo :

- kuyobhekwa uguquko
- izimali ezifakwe ezikebheni nozo zonke izinto ezisetshenziswayo
- ubude besikhathi somsebenzi, nakho konke okuthintekayo ngalomsebenzi
- ukuvumelana nokulandela imithetho ebekiwe.

13. Indlela yokuhlola

Umnyango kaHulumeni uzokwandisa uhlelo lokuhlola afake nokubheka ukuvumelana. Uhulumeni uyophinde aqhubeke andise loluhlelo lokuhlola. Abadobi ibona abayokhokhela loluhlelo lokuhlola.

14. Imibandela yamaphemithi

Amaphemithi ayokhishwa minyaka yonke. Imibandela yokukhishwa kwamaphemithi ka 2005 inanyekwe ku Hlelo A. Abathintekayo nanabathandayo bavumelekile ukuphendula ngalemibandela yamaphemithi.