

Uhlaka



**UNYANGO WEZEMVELO NEZOKUVAKASHA
IGATSHA LEZOKUPHATHWA NOKUGCINWA KOLWANDLE NOGU LWALO**

**UMGOMO WOKUPHATHA NOKWABIWA KWAMALUNGELO
OKUDOKA KWI TUNA POLE FISHERY: 2005**

**LELIPULANI KUMELE LIFUNDWE KANYE NE GENERAL POLICY
MANAGEMENT OF LONG-TERM COMMERCIAL FISHING RIGHTS:
2005 (itholakala ku www.mcm-deat.gov.za)**

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1. Isiqalo

Lena ipulani elingaphelele ekukhishweni nokuphathwa kwamalungelo okudoba kwi tuna pole fishery kanti ikhishwa Umnyango wezemvelo nezokuvakasha:: Branch Marine and Coastal Management (“UMnyango”) ukuze umphakathi ube nezwi. Lomgomo kumele ufundwe kanye ne Draft General Policy on the Allocation and Management of Long-Term Commercial Fishing Rights: 2005 (“the General Fisheries Policy”). Labo abathandayo nabathintekayo bangaletsa izimvo zabo bezibhale phansi emnyangweni ngo 4 April 2005. Izimvo ezilethwe emva kwalolusuku ngeke zithathwe. Zingalethwa lapha:

| | | |
|---|---|--|
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Isizathu salomqulu ukukhombisa ezibukwayo uma kukhishwa amalungelo okudoba kwi tuna pole. Ezinye zazo azizintsha. Zisetshenziswe umnyango ngesikhathi bekipha amalungelo.Lomgomo unoshintsho oluncane

Amanyane amalungelo aphinde avezwa futhi lapha kulelipulani. I Tuna Pole Fishery Management Manual izoqedelwa kuwowonke amalungu ngo 2006. Lomqulu uzochaza kabanzi I methodology kanye nezindlela ezindelwayo ekudobeni.

U Minister wezemvelo kanye nezokuvakasha ufuna ukunika abawu 18 abazoba namalungelo kwi seaweed ngokuka section 79 ye Marine Living Resources Act 18 of 1998 (“the MLRA”)kumuntu omdala emnyangweni.

2. IBhayoloji kanye nokuhluka kwengcebo

I Albacore (*Thunnus alalunga*) yaziwa njengo tuna yokushisa. Iyashibilika, incane okungaphansi kukamasentimitha angu 90 ngobude futhi ibaningi zihlangane ngaphezu kwamanzi. Ezindala zona zibangaphansana kwamanzi zonaazibi isigungu. Ngakho ke azitholakalwanga ngalaba abazingelayo. Olwandle kunezinhlobo ezimbili ze albacore, ezasenyakatho zehlukene kwezaseningizimu okungu 5N. Ama Albacore ahlala kwintshonalanga ye Atlantic kuwomabili amahesifiye.

I Albacore anendlela kwimvelo avela kuwowonke amalwandle. Amapoling fleet ahlukana kuphela I west coast yoMzansi Afrika, iqonde e southern atlantic albacore. Indian Albacore evela kwi east coast awamaningi. Iningi ama southern albacore atholakala onqemeni lwe Namibia, Brazil kanye ne Argentina. Ama Albacore adotshwa kuphela emanzini asemzansi afrika ngo October nango Juni okwenza I tuna fishery ihambisane nesikhathi sonyaka. Ukutholaka kuphinde kuhambisane nemvelo lokhu okwenza izinhlanzi zize ngasogwini.

Ngenxa kubesolwandle uma luphezulu ama albacore abanjwa izizwe eziningi. Ukuphatheka kahle kwalezilwanyana kuwumsebenzi we regional Fisheries management (RFMO) behlangene ne Indian Tuna Commission (IOTC) RFMO yenza ama assessments ekuboneleni izilwanyana "umphumela we allowable catches" ukwebaleneka kwezwe kanye nokuthuthukisa umthetho kanye nama control measures.

3. Okuphathelele nokudoba

I tuna pole fishery isebenzisa izingubo zokugqoka ukuthola isigungu sama albacore amancane kwi southern atlantic, ukuze ithengisele abazowafaka emathinini. Ezinye izilwane zetuna zihlanganisa I yellowfin, kanye ne bigeye tuna kodwa lezi zenza okungaphansi okungama phesente awu 5obanjwa ngomnyaka. Abanye abanamalungelo okudoba sebeqali ukuzifunela o tuna abazowudayisela imakethe yesashimi e Europe, UK, USA kanye ne JAPAN.

I Southern Atlantic albacore alokhu aqalwa ukudotshwa kusukela ngo 1950. Imiphumela anyuke aba 24000 yamathani phakathi kuka 1965 kanye 1985. Emva kwalokho anyuka okulinganiselwa ku 30 000 amathani, ngaphambi kokuthi ahlike aye ku 6 200 yamathani ngonyaka.

Izizwe ezidobayo ezifuna ama albacore kwi south Atlantic ama Chinese Taipei (alinganiselwa kumathani awu 16 800 phakathi kuka 1998 kanye 2002), South Africa (6 200 amathani).

Brazil (4 000 amathani) kanye ne Namibia (2 300 amathani). Isitoki se South Atlantic albacore ayihlukanyezwa kakhulu, ngisho noma ingedlula ukubanjwa okudlula i global TAC eminyakeni eminingi.

Njengoba I ICCAT ingakakhiphi isinqumo ngokabalana esitoko sama albacore e South Atlantic I South African fishery iphethwe Umnyango we total applied effort (“TAE”) yamaveseli awu 200 iphathe ama crew awu 3 600.

Eminyakeni eminingi amaveseli amathathu enziwe kulomdobo. Awokuqala ayemakhulu anamarefrigerators futhi akwazi ukuhlala olwandle isikhathi eside anama crew awu 20 nomangaphezulu. Awesibili ayemancane apha the ama crew angaphansi kuka 20, kodwa angahlali ngaphezu kobusuku obubodwa. Awesithathu ayemancane kakhulu athwale ama crew angaphansi kuka 10 asebenzise kuphela I “pole gear”

Amaveseli awu 165 anelungelo lokufuna I tuna asebenzise ipali. Ama crew awu 2700 aqashiwe kulamaveseli okudoba akunzima, kodwa ukufuna kanye nokudoba I tuna usebenzise ipali ekubeni kufuna ulwazi oluphezulu.

4. Amalungelo awesikhashana kanye nendlela elandelwayo

Ngo 2002, umnyango wabele amalungelo awu 152 okudobeni I tuna, ngakho yavumemela amaveseli awu 165 nama crew angaphezulu kuka 2 700 azoqondana nokufuna Kumalungelo akhishwa u 20.5 yamaphesenti ayiswa kubantu abansundu noma izindawo abaziphethe. Abantu abansundu abawu 90 phesenti bayadoba.

Kuphela abangamaphesenti awu 29 namalungelo okudoba izinkampani ezisemthethweni . Abane abasele abantu abaphilayo.

5. Izizathu ze Over Arching

Izizathu zokunikezwa amalungelo kwi tuna pole fishery yilawa:

- Ukunyuka kwezivumbululo kwezokudoba
- Ukugqugquzela zoku investa kumavesele , isiqalasizinda,kanye nemisebenzi ikakhulu kulabo abengenawo amathuba kudala.
- Ukuthuthukisa ilekhodi lase Mzansi ekudobeni o tuna.
- Ukunikeza amalungelo kumabhizinisi amancane kanye naphakathi
- Ukufukamalisa ingcebo
- Ukwenza ukudoba kuhambisane nemvelo.

6. Ubude bamalungelo

Kumele kubukisiswe lokhu –

- Ukuvumbulula kwendaba yokudoba kanye
- Isidingo sokunyusa amalungelo abantu ,

Amalungelo azonikezwa okwesikhathi esiyiminyaka eyi 8 kusukela ngo (01 January 2006 kuya ku 31 December 2013). Amalungu athole lamalungelo , bayovivinywa, ngezikhathi ezinqunyelwe kusetshenziswa I criteria yokuthi wenza kanjani (**buka i Paragraph 13 ngaphansi**).

7. Abantu abasebasha

I tuna pole fishery okwamanje ayinabo abantu abaningi futhi kungangena abantu abaningi ngaphezulu. Phezu kwalokho , itransformation profile ye fishery ayikakagculisi. Ngakho ke kuyabonakala ukuthi abantu abaningi basazonikezwa amalungelo okudoba.

8. Izindlela zokukhetha

Abafuna ukungenala bazovivinywa kusetshenziswe I “*exclusionary criteria*”. Amalungu amasha kanye namadala bazovivinywa ngokuhlukile kusetshenziswe I “*comparative balancing criteria*”.

Kuyobukwa lezindlela ezimbili bese kukhethwa abaphumeleleyo. Ingxenye ye TAE izonikezwa labo abaphumelele ngokwe “*quantum criteria*”.

8.1 I Exclusionary criteria

Ngaphandle kwalendlela echazwe kumqulu ojwalekile emayelana nokufaka izicelo , umnyango uyowakhipha lawo amalungu angazenzi lezi izinto ::

(a) **Uhlobo lomceli:** licelo eziyobheka ilezo eziphuma ezinkampanini ngokomthetho we Close Corporations Act 69 ka 1984 kanye ne Companies Act 61 of 1973 kanye nabantu (isibonelo abaziphathayo noma abantu abaphilayo). Izicelo eziphuma kuma trusts ngeke aze abukwe.

(b) **Ukwethembeka:** Izicelo , okuhlanganisa o director noma abanasheya ,abanecala elinzulu ngokwe MLRA (without the option of the payment of a fine) ngeke baze bathathwe. Izicelo ezihlanganisa director noma abannamasheya ,amalungelo abo okudoba athathwa noma amiswa ngenxa Emlranabo futhi ngeke bathathwe, futhi labo abanamlungelo kodwa behluleke ukuletha I 50% yezinto abazidobile nabo bazokhishwa.

Ukunqamula umthetho okuncane nge MLRA kushiwo :

(c) **Paper quotas:** Paper quotas, njengoba lchazwa kumgomo ojwayelekile nakho ngeke kuthathwe.

(d) **Ukubanesandla ekutholeni I veseli efaneleyo:** Abaceli komele bakhombise ukuba nemvume yokuba neveseli efaneleyo (**buka ku *paragraph 9 ngaphansi***).

(e) **Ukungasetshenziswa:** Abanamlungelo abangakwazanga ukusebenzisa amalungelo abo kwi medium -term commercial tuna pole kusekela ku 2002 kanye no 2004 ngeke banikezwe amalungelo e tuna futhi.

8.2 Ukubhalansisa

Yize le criteria elandelayo izosetshenziswa kuphela kulabo abanamalungelo kanye nalabo abasha, yize ukubukwa :

(a) Ukuvumbulula

Okwamanje kunamalunga angamaphesenti awu 20 aphehwe abantu abansundu. Kuthi awu 10 phesenti abantu abamnyama ezinkampanini abaziphethe ngo kwabo.

Ngokunjalo ke abazongena kuzo aseswa kanjena –

- Kuzobukwa amaphesenti abantu abamnyama nabesifazane abaphethe kanye nakwi executive ;
- Ukuthi abasebenzi banawo amasheya nobubanzi bamabhenefithi;
- I Affirmative procurement;
- Ukubakhona kwabantu abamnyama ezindaweni ezihlukene
- Ukulandela umthetho we Employment Equity Act 55 of 1998; and
- Uku investa emphakathini.

(b) Uku investa ekudobeni

Abafake izicelo bayobukwa ngokuthi ba investe kwi tuna pole fishery.

Umnyango uyobuka lokhu ke:

- Uku investa kuma veseli afaneleyo. Ngakho ke ngo investa ngokuthi ube namasheya nakho futhi. Amalungu ngeke aze aklomele ngokuqeda ukudayisa, izivumelwano ze charter noma ngezivumelwano zokudoba.

- Uku investa ezindleleni zokumaketha iziqala zizinda. Umnyango ke uyobaklomelisa labo abathathe iqhaza ekumaketheni o tuna.

Labo abasha komele bakhombise ukuthi ba investe kuyiphi iveseli . Labo abasha kumele bakhombise ukuthi bamakethe kanjani

(c) Ukwenza kokudoba

Amalungu ayobukwa ngokwenza kwe tuna pole fishery kwi medium term. Ikakhulu labo abafuna ama traditional line fish stocks ngaphezu kwe tuna bayogwetshwa

Abasha bayobukwa ngokuthi bayakwazi yini ukwenza , banalo yini ulwazi kanye nobuchule bokudoba o tuna na..

(d) Ukuthembela ku tuna

Umnyango uncamela ukuthi abanezicelo bathembele ku tuna amaphesenti awu 50 ngaphezu kwamaholo abo. Bayogwetshwa labo abathola imali eceleni kokudoba

(e) Ukuba nesandla

Umnyango uyobuka indlela l tuna emakethwe ngayo nokuthi yenze kanjani

Labo abasha komele bakhombise ukuthi bazowudaisa kanjani u tuna Bazobukwa ngalezi zinto:

(f) Ukuthuthukiswa komnotho

Umnyago uncamele lezo zicelo abazozibambela kodwa bese eletha ezindaweni ezingaphandle ukuze u proseswe njenge Kapa.

Futhi uMnyango uyofuna labo abaletha asebekubambile ezikhungwini ezincane

njenge Port Nolloth.

(g) Imisebenzi

I tuna pole fishery ibukelela abasebenzi , Iqasha abantu abangango 2 700.Iyakwazi nokuqasha abangango 3 600 ngaphansi kwe TAE. Yize uMnyango ukwazi ukuthi I tuna inezikhathi kodwa bagqugquzela ukuqashwa kwabantu ngokuphele ukuze abantu bakhuseleke. Ngakho uMnyango uyoklomelisa labo abenze lokhu:

-Ukuqashwa ngokuphelele

- I Medical aid kanye nempesheni;
- Namanye ke ama bhenefithi okusebenza
- Ukusebenza ngokuphephile.

Umnyango uzoba nesandla ekuhlukeni kwamaholo labo abahola kancane kanye nalabo abahola kakhulu

(h) Ukungakhokhwa kwemali yokudoba

Umnyango alindele ukuthi amalungu akhokhe imali yokudoba kulokho asebekubambile.Amalungu amaningi abakhokhi noma basho izinombolo eziphansi ukuze bangakhokhi inhlawulo

Lawo amalungu atholwe engakhokhi ngeke banikezwe ilungelo lokudoba, noma uma enikiwe izophucwa kuyena. Emacaleni adlule (ukungakhokhi izimali emnyangweni), abanamalungelo bayopanishwa. Uma ngabe ilungu linayo ilungelo futhi evumeleka , ilungelo lokudoba ngeke anikezwe lona kuze kuba ukhokha lezo zikweletu emnyangweni

(i) Ukwethembeka

Lawo amalungu ahlanganisa o director noma abanamasheya abaphenywayo

ngokuphula imithetho ye MLRA ngeke banikezwe amalungelo e tuna pole fishing kuze kube kuhuma isinquma sokuphenywa.

Amaphutha amancane e MLRA, okuhlanganisa umthetho wayo kubaceli kanye nalabo abanamasheya kuyoba nomphumela ongemuhle.

8.3 Ukuzama ukunikeza

Ngenxa yokuthi umsebenzi wokudoba ubungadumile esikhathi esingaphambili, uMnyango wkwazi ukunika lowo ofake isicelo amaveseli awacelile. Uma lokhu iqhubeka ingenabo abantu abaningi izoqhubeka inikeza amaveseli. Kodwa uma ngabe lawo amaveseli engaphezu kwenamba yabantu, ngakho uMnyango uyonika I veseli eyodwa kulabo abaphumelele, bese kuthi asele anikezwe labo abashaye amaphuzu aphezulu.

9. Amaveseli afaneleyo

Iveseli efaneleyo yileyo enalokhu:

- Okungenani ibeneshicilelwe I SAMSA ngobude obuwunga mamitha awu 10. Nalawo amancane asangabukwa kodwa kumele akhombisa ukuthi ayakwazi ukubamba kwi pole fishery.
- Iyasebenza I monitoring system; kanti futhi
- Inayo I freezer noma indawo yamaqhwa.

10. Ukubandakanyeka kokunye

Abanamalungelo kwi tuna pole fishery (kuhlanganisa o director kanye nabanamasheya kanye nabakwi management) ngeke banganikezwa amalungelo ku Cluster A kanye no Cluster B. Kodwa labo abanamalungelo e tuna ngeke banikezwe ama lungelo e commercia ku Cluster C kanye no Cluster D fisheries.

11. Izimali zokungenela kanye nezinhlawulo

Imali yokungenela kwi tuna pole fishery izokwenziwa ibuka lokhu:

- Ukubiza kwamalungelo kuhlange ne consultation, ukuthola, ukucunungula, ama apeeals kanye nokubukezwa. Ngokunjal ke nokubiza kwi medium term izosetshenziswa njenge guide.
- Nokubaluleka kwafishi onikezelwe ngesikhathi uthola ilungelo.

Lezizimali kumele zikhokhwe ngo 1 January 2006 zophinde zibukezwe, nalabo abathandayo

12. Ukukalwa kokuphatha

Ukukalwa kokuphatha kucaciswa lapha ngaphansi umnyango

12.1 Indlela ye ecosystem ekuphatheni

Le fishery izophathwa ngokulandela I ecosystem approach to fisheries (“EAF”).

Iecosystem approach ku fisheries ibuka yonke into kanye nomgomo olandela ukuthi nanoma yini eyenziwayo kodwa imvelo yasolwandle ingaphazamiseki. I EAF kwi tuna fisheries izochazwa kabanzi emqulwini we Pole Fishery Management Manual. I South Africa ilokhu izimisele ngonyaka ka 2010 ukwenza isebenze I EAF in the commercial fisheries.

12.2 Ukuhlanganiswa kwamalungu

Ngaphezu kweminyaka ewu 8 yamalungelo okudoba kwi tuna pole fishery umnyango uzosiza ngokuthi uhlanganise wonke amalungu asebenzayo. Abanamalungelo kungenzeka bahlanganise amabhizinisi abo nabanye.

Lapho amalungu afuna ukuhlanganisa ukuze banyuse I transformation profile yefishery.

Ukuhlanganiswa kwamalungu kudinga imvume emnyangweni kuma monopolies (**buka i paragraph 12.4 ngaphansi**). Ngaphezu kwalokho umnyango ngeke ubenesandla uma

ngabe I transformation profile yetuna pole fishery izokwehluka

12.3 Amaveseli kanye nokuzama ukudoba

Kuyimanje kunama veseli awu 140 emsebenzini wokudoba. I fishery ikwazi ukugcina awu 200 kanye namacrew awu 3 600. Ngakho ke I fishery ayihlukunyezwa kakhulu.

12.4 I Monopolisation

Lapho umnyango uzama ukuhlanganisa amalungu , futhi ayifuni I monopolies izokwenza kube nalungelo amancane.

13. Ukukalwa kokusebenza

Umnyango uzokwenza izinto eziningi eziyosetshenziswa ukukala umsenbenzi ngesikhathi usanamalungelo. Isikalo sokuqala siyokwenzeka kokuphela konyaka wokuqala emva kwalokho emva kweminyaka emithathu.

Yise umnyango uyokhipha isinqumo sokugcina ukuthi imaphi amalungu ayofunwa nazi izinto eziyolandelwa:

- I transformation;
- Uku investa kuma veseli kanye nezingubo
- Ubuchule ekudobeni;
- Ukuthobela imithetho ebhaliweyo

14. Uhlelo lokubuka

Umnyango uphinde futhi ubuke ukuthi uyawuthobela yini umthetho. Ngaphezu kwalokho umnyango uzobe uqhubeka unyusa uhlelo lwe fishery. Amalungu ayozibonela ezindlekweni zohlelo lokubuka.

15. Ukuvunyelwa ukudoba

Izimvume zikhishwa njalo ngonyaka. Lawo athinta unyaka 2005 atholakala ku **Annexure A**. Labo abathandayo kanye nabathintekayo bavumelekile ukuba novo lwabo.