UHLAKA

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IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU

UMGOMO KA-2005 WOKUNIKA NOKWENGAMELA IZIMVUME ZOKUDOBELA INZUZO IZINHLANZI ZOHLOBO LWE-*HAKE*.

LOLUHLAKA MGOMO KUMELE LUFUNDWE NOMGOMO JIKELELE WOKUNIKA NOKWENGAMELA IZIMVUME ZOKUDOBELA INZUZO ZESIKHATHI ESIDE ZIKA-2005. (itholakala kwi- www.mcm-deat.gov.za)

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1. Isingeniso

Lolu hlaka-mgomo lokunikezwa nokuphathwa kwezimvume zokudobela inzuzo izinhlanzi zohlobo lwe-*hake,* lukhishwe uMnyango weZemvelo neZokuvakasha: Igatsha lezasolwandle Nokuphathwa koGu.("uMnyango") ukuze umphakathi ubeke izimvo zawo ngalo.Lolu hlakaMgomo kumele lifundwe nomgomo jikelele wokunika nokwengamela izimvume zokudobela inzuzo isikhathi eside ka-2005(uMgomo jikelele Wokudoba).

Njengoba kuchaziwe kumgomo jikelele , uMnyango uyoba nemihlangano ezikhungweni ezigudle ugu ukuze ubinisane nomphakathi , abanezifiso ezithile kulemboni kanye nabathintekayo kulemboni yokudoba mayelana nomgomo wokudoba uhlobo lwezinhlanzi ze-*hake* . Kule mihlangano yomphakathi uvo lwakho mayelana nalomgomo luyothathwa. Ababhale phansi izimvo zabo bangazithumela kuMnyango ungakadluli umhla ka-11 ku-Ephreli 2005.Izimvo eziyothunyelwa ngemuva kwalesi sikhathi ziyoshaywa indiva.Izimvo kumele zithunyelwe ngale ndlela:

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Inhloso yalo mgomo ukubeka ngokusobala uhlelo okuzoqhutshwa ngalo uma kunikwa imvume yesikhathi eside yokudobela inzuzo izinhlanzi zohlobo lwe-*hake* .Iningi lalezi zinhlelo azizintsha.Bezisetshenziswa uMnyango uma unikeza imvume esikhathini esedlule.Lo mgomo uqukethe uhlelo okuzoqhutshwa ngalo, noma kukhona izinguquko ezikhon akanye nokwengeziwe.

Eminye imigomo yokuphatha ngemuva kokunikwa izimvume yethuliwe.Ibhuku eliphathelene nokuphathwa kokudotshwa kwezinhlanzi zohlobo lwe-*hake* liyoqedelwa ngokuhlanganyela nabanezimvume ngonyaka ka-2006.Leli bhuku liyobeke ngokusobala indlela yokuphatha kanye nequbo yokudoba.Umnyango uzimisele ukuphatha lemboni ikakhulukazi emazingeni ezifunda

ngokuhambisana nezimvume zokudobela inzuzo zesikhathi eside.

Ungqongqoshe Wezemvelo neZokuvakasha uhlose ukunikezela kamandla kasomqulu 18 wokunika imvume yokudobela inzuzo izinhlanzi zohlobo lwe- *hake* okuqukethwe esigabeni 79 soMthetho 18 wezinto eziphila olwandle ka-1998("the Marine Living Resources Act 18 of 1998 obizwa nge-"MLRA").onikezelwe isikhulu esiphezulu soMnyango..

2. Ukubukeka kwemboni yokudoba

Imboni yokudoba izinhlanzi zohlobo lwe-*hake* ngokusebenzisa udobo yakhula ngasekupheleni kweminyaka yawo-1980 ngasogwini oluseNingizimu Koloni.Abadobi bendabuko abasebenzisa udobo baqala ukugxila kwizinhlanzi zohlobo lwe-*hake* njengezinhlanzi zekhethelo ezidingekayo(prime quality-"PQ") ngenxa yokukhula kokudingeka kwalolu hlobo lwezinhlanzi ezimakethe zaphesheya kolwandle.

Ekuqaleni abadobi abadoba ngezindobo babesebenzisa izikebhe zokudoba ezazinokusebenziseka ebusuku. Ngokukhula kwemboni yokudoba, abanye babadobi baqala ukusebenzisa ama-*skiboats* ngoba lolu hlobo luyakwazi ukuba ngaphandle kolwandle ubusuku bonke kanti futhi kuwuhlobo olukwaziyo ukuthi lufakwe enqoleni bese ludonselwa ezindaweni eziseduze nalapho kutholakala khona kakhulu izinhlanzi zohlobo lwe-*hake* . Izikebhe zokudoba kwakumele zihlale ezikhumulweni zemikhumbi.Ukuqala kokusetshenziswa kwama-*skiboats* kwakhuphula kakhulu izinga lokubanjwa kwezinhlanzi zohlobo lwe-*hake* kule mboni, ikakhulukazi ngoba ukusetshenziswa kwalezi zikebhe zokudoba kwakwenza kube lula ukuba abadobi balandele lolu hlobo lwezinhlanzi ogwini lase Ningizimu Afrika.

Ngeminyaka yawo-1980 no-1990 imboni yokudoba yayingalawulekile futhi ingaphethwe kahle.Ukungabikho kahle kwezindlela zokulawula sekuhlangene nokukhuphuka kwezinga lokudingeka kwezinhlanzi zohlobo lwe-*hake* ngasekupheleni ko-1990 , kwaholela ekutheni iningi lalabo abazidobelayo nje kanye nalabo abadobela inzuzo abakwezinye izimboni zokudoba bangene kule mboni yokudoba ukuze bahlomule kangcono ngaloluhlobo lwezinhlanzi. Ekupheleni kweminyaka yawo-1980 inani lokudotshwa ngezindobo lwezinhlanzi zohlobo lwe-*hake* lalilinganiselwa kumathani ayi-150.Kwathi kuba iminyaka yawo-1990 izinga lase linyukile

sephakathi kwamathani ayi-1 100 nayi-1 400 ngonyaka. Ukufinyelela onyakeni ka-2000 zilinganiselwa emathanini ayi-5000 izinhlanzi ezadotshwa.

In December 2000, the Minister announced a biological emergency in the traditional linefish fishery. Ungqongqoshe wabe esebona kungcono ukuthi ahlukanise ukuphathwa kwezimboni zokudoba zibe izimboni ezintathu ezahlukene, imboni yohlobo lwe-*tuna* , imboni yohlobo lwe-*hake* kanye nemboni yohlobo lwezinhlanzi olubizwa nge-*linefish*..Ngawo lowo nyaka uNgqongqoshe wamisela ngokokuqala imboni yokudoba izinhlanzi zohlobo lwe-*hake* uhlelo olubizwa nge-TAE (total applied effort).Uhlelo lwe-TAE lavimbela ukukhula kwesibalo sezisebenzi kanye nemikhumbi yokudoba engagxila ekudotshweni kwezinhlanzi zohlobo lwe-*hake* kusetshenziswa udobo.lesi sibalo saba yimikhumbi yokudoba eyi-130 kanye nezisebenzi ezingama-785. Ngaphezu kwalokho kwabe sekuqikelelwa ukuthi inani lezinhlanzi ezidotshwayo lingadluli kumathani ayi-5500 avumeleke kumhlaba wonke.Lolu hlelo lubizwa nge- *precautionary maximum catch limit* ("PMCL").

Umnyango wakwakwazi i-hake longline fishery njengomo wokuqokelela l"-hake".Ngokuya ngomthetho we MLRA wo"mhlaba wonke ngokwemvume yokudoba (TAC ")ibekelwe ngonyaka nguNgqonqoshe weMcimbi yeMvelo nokuVakasha : Hake nabadobi bentengiso yesandia noma yokuthengisa ngamashezi ayi 10 % yomhlaba TAC. Udobo olwenzeka emanzi anzulu olwandle yabelwe, 83 % ye TAC ngakhoke eshiyekide ibanjwa ngabathengisi abasogwini Ukufikela ngo 2004, kwabekelw eceleni: 1000 tons yabadobi bangaphandle. Lolulwabelo luzoyekwa.

Imboni yokudoba izinhlanzi zohlobo lwe-*hake* kusetshenziswa udobo isebenzela ezikhumulweni zemikhumbi ezincane kanye nakumathambeka agudle ugu lwaseNingizimu naseMpumalanga Koloni,kukhuphukele njalo ukuya enyakatho kuze kuyofinyelela e-Port Alfred.Imboni yokudoba ngodobo, njengemboni yokudoba izinhlanzi zohlobo lwe-*hake* ngentambo eboshelwe esikebheni zibamba izinhlanzi zekhethelo ukuze zithunyelwe emazweni ase-Yurophu.Izimboni zokudoba zisebenzela ngasosebeni ukuze zibambe izinhlanzi zohlobo lwe-*hake* olutholakala emanzini angajulile (lolu hlobo lubizwa i- *Merluccius capensis)*.

Inani lezinhlanzi zohlobo lwe-*hake* lenganyelwe uhlelo lokuzama ukuzandisa, kusetshenziswa uhlelo lwe-TAC ukwehlisa inani lokudotshwa kwalezi zinhlanzi minyaka yonke kusukela ngo-

2003.Izinga lokubanjwa kwezinhlanzi zohlobo lwe-*hake* ezingatholakali ekujuleni kolwandle kunzima ukuligcina linganciphi.

3. Ukunika izimvume zokudoba isikhathi esimaphakathi

Ngonyaka ka-2003 uMnyango wanika izimvume zokudobela inzuzo izinhlanzi zohlobo lwe-*hake* ezingama-86.Lezi zimvume zagunyaza ukuthi izikebhe zokudoba ezingama-86 kanye nabasebenzi abangaphezulu kwama-700 bagxile ekudobeni ngodobo izinhlanzi zohlobo lwe-*hake.* Kwakungokokuqala ukuba izimvume zokudobela inzuzo zinikwe kule mboni futhi kungokokuqala ukuba lemboni ime nemigomo eqinile eyilawulayo.

Inhloso yokunika izimvume ezimaphakathi zokudobela inzuzo izinhlanzi zohlobo lwe-*hake* yayenzelwe abadobi abathembele ekudobeni ukuze baziphilise.Kwenziwe yonke imizamo ukuze kushiwe abadobi abazidobela nje noma labo abathola imali nakwezinye izimboni zokudoba, noma abaqashiwe kwezinye izimboni zomnotho.

Ezimvumeni ezinikiwe, amashumi amabili nesithupha ekhulwini anikwa abamnyama.Kuqikelelwa ekutheni bangamashumi amabili nesihlanu ekhulwini okaputeni bemikhumbi yokudoba abamnyama kule mboni yokudoba,ngakolunye uhlangothi ngamakhulu ayisikhombisa nesithupha ekhulwini abasebenzi basemkhunjini bamnyama.

Iningi labanini zimvume basebenza ngabodwana. Izinkampani zomthetho ezifana nama-close corporations kanye nembumba yabanini zimvume, ziyiqoqobana elincane ekhulwini labanini zimvume.Bonke abanini zimvume kulemboni yokudoba bangabizwa ngezinkampani ezincane kanye nezimaphakathi (small-and-medium-sized enterprises ezibizwa ngama-“SMEs”).

4. Izinhlosongqangi zemboni yokudoba

Inhlosongqangi yokunikezela ngezimvume zokudoba zesikhathi eside embonini yokudoba yilezi ezilandelayo:

- Ukwenza izinguquko ezibonakalayo ekubukekeni kwemboni yokudoba ngezindobo izinhlanzi zohlobo lwe-*hake*;
- Ukunika izimvume zokudoba ngezindobo abadobi abathembele kule mboni ekuziphiliseni;
- Ukuqinisekisa abafake izicelo zemvume zokudoba abasebenzela ezikhumulweni zemikhumbi ezinomlando wokweyamaniswa nokudoba ngezindobo uhlobo lwezinhlanzi ze-*hake* ukuthi banikwe isabelo esifanele sezimvume;
- Ukugcina imboni yezokudoba iphilile ngokomnotho; kanye
- Ukuqinisekisa ukuthi imboni yezokudoba igcineke iphilile ngokwemvelo.

5. Isikhathi esithathwa yizimvume

Ngokubhekelela isimo senguquko embonini yezokudoba, uMnyango ufuna ukunikezela ngezimvume zokudobela inzuzo zesikhathi seminyaka eyisishiyagalombili(ukusuka mhlaka-1 Januwari 2006 kuya kumhla ka-31 Disemba 2013),kuyophinde kube khona ukuhlaziywa kwezimvume okuyokwenziwa izikhawu ngokuhambisana nohlelo lokusebenza olubekiwe, kubandakanya nokuzuzwa kwezinhloso zezinguquko okuvunyelwene ngazo.(**bheka isigaba 12 ngezansi).**

6. Abafikayo embonini yokudoba

Okwamanje imboni yokudoba kusetshenziswa izindobo igcwele iyachichima. Abadoba ngezindobo baningi kunenani imvelo engakwazi ukumelana nalo.Kodwa-ke ukungabikhona kwengiquko ebonakalayo kulemboni yokudoba kuhlangene nokuthi iningi labadobi abadoba ngezindobo izinhlanzi zohlobo lwe-*hake,* ikakhulukazi okaputeni abamnyama, abazange bafake izicelo zezimvume zokudobela inzuzo ngonyaka ka-2001.lokhu-ke kusho ukuthi izimvume zingase zinikezwe labo abafaka izicelo okokuqala.

7. Inqubo yokuhlunga

Izicelo zemvume yokudobela inzuzo ziyobukwa ngeso elibukhali ngokuhambisana “nenqubo

yokungamukeleki kwabathile". Izicelo ziyohlolwa ngokwesilinganiso "senqubo yokuhlunga ngokuqhathanisa" okwenziwa phakathi kwabanezimvume kanye nabafaka izicelo. Kuyobekwa amaphuzu okuyiwona ayohlonza labo abazicelo zabo ziphumelele. Isilinganiso se-TAE siyonikezwa labo abazicelo zabo ziphumelele ngokulandela "inqubo yesilinganiso"("*quantum criteria*").

7.1 Inqubo yokungamukeleki kwabathile

Ngaphandle kwezinqubo ezichaziwe kumgomo-jikelele ophathelene nokufakwa kwezicelo kanye nokungabi sesimweni esigculisayo sezikebhe zokudoba, 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 coporation Act* ka-1984 kanye nabafaka izicelo bengekho ngaphansi kwenkampani ethile.Izicelo ezivela kulabo abahlangene baba yimbumba kanye nabayinkampani, ziyoshaywa indiva.

(b) Ukuhambisana nohlelo: Ukuhambisana nezimiso zenqubo ye-MLRA kubandakanya nezimiso zemigomo yayo, kuthathwa njengokubaluleke kakhulu.Izinkampani ezifake izicelo sekuhlanganiswe namalungu azo aseke athweswa amacala ngokwenqubo ye-MLRA (benganikwanga ithuba lokukhokha inhlawulo) ,ngeke banikwe izimvume zokudoba izinhlanzi zohlobo lwe-*hake.* Izinkampani ezifake izicelo zemvume yokudoba sekuhlanganiswe namalungu azo asebeke baphucwa ilungelo lokudoba ngokwenqubo ye-MLRA ngeke banikwe enye imvume yokudoba izinhlanzi zohlobo lwe-*hake*.Okunye ukwephulwa kwenqubo ye-MLRA kuyoba nomthelela ekuhlungeni izicelo.

(c) Isilinganiso samaphepha: Isilinganiso samaphepha njengoba sichaziwe kumgomo jikelele siyoshaywa indiva.Amaqembu amakhulu afaka izicelo ezifana ncimishi noma ezithi azifane ebe exhaswe abantu abanikana amasu (consultants) noma imboni yokudobela inzuzo kanye nezinye izinkampani, ziyokhishelwa

eceleni zithathwe njengezifaka abantu ukuze zizuze izimvume bebe bengahlomuli ngalokhu, kunganakwa ngisho ukufaneleka kwesicelo somuntu ngamunye.

(d) **Ukungasebenziseki kwezimvume:** Labo banini zimvume abahlulekile ukusebenzisa izimvume zabo zokudobela inzuzo zesikhathi esimaphakathi nendawo, behluleke ukuzisebenzisa phakathi konyaka ka-2003 nonyaka ka-2004, bangeke besanikezwa lezo zimvume futhi.

(e) **Ukuzibandakanya komuntu ngamunye ekudotshweni kwezinhlanzi:** Abafake izicelo zemvume yokudoba kuyofanele bakhombise ukuzibandakanya ngokugcwele nemboni yokudoba izinhlanzi ngodobo. Kuyodingeka ukuba bakhombise ukuthi bangabadobi abaphapheme futhi bayazibandakanya nebhizinisi yokudoba izinhlanzi zohlobo lwe-*hake* ngodobo.

(f) **Ukuthembela ekudotshweni kwezinhlanzi:** Abafaka izicelo zezimvume zokudoba abangathembele kwimboni yokudoba izinhlanzi zohlobo lwe-*hake* okungenani ngesilinganiso esingama-75 ekhulwini lomholo wonyaka ngeke baze babandakanywe. Abangase babe sethubeni lokungena embonini yokudoba kuyodingeka ukuba bakhombise umlando wabo wokuthembela ekudotshweni kwezinhlanzi zohlobo lwe-*hake* ukuze baziphilise. Abafaka izicelo bebe benayo indlela yokungenisa imali ngaphandle kokuba sembonini yezokudoba, ngeke babandakanywe.

(g) **Imvume yokusebenzisa umkhumbi wokudoba:** Abafaka izicelo zokuthola izimvume zokudoba kuyomele bakhombise ukuthi banayo imvume yokusebenzisa umkhumbi wokudoba osesimweni esigculisayo. **(bheka isigaba 8 ngezansi).**

7.2 Inqubo yokulinganisa

Abafaka izicelo zokuthola izimvume zokudoba nalabo abangase bangene kwimboni yokudoba bayohlungwa ngaphansi kwenqubo yokuhlunga elandelayo ngokubheka isisindo sesicelo ngasinye:

(a) Uguquko

Okwamanje izinkampani zabamnyama ezinemvume yokudoba zingama-26 ekhulwini kule mboni yokudoba. Zilinganiselwa kuma-25 ekhulwini izinkampani ezilawulwa abamnyama.

Abafaka izicelo ngabodwana bayonikwa amaphuzu ngokuthi bamnyama noma cha.Abafaka izicelo bengamalungu e-*close corporations* bayovivinywa banikwe amaphuzu ngalokhu –

- Inani ekhulwini labamnyama kanye nokumeleleka kwabesifazane abangabanikazi nabaphethe emazingeni aphezulu (ikakhulukazi naqondana nokaputeni);
- Uma abasebenzi bengamalungu enkampani efake isicelo semvume yokudoba, kuphinde kudalulwe indlela abahlomula ngayo;
- Ukunikwa kwamathuba kwalabo ababecindezelekile ngokomlando;
- Ukuhambisana nomthetho obizwa nge-Skills Development Levies Act 9 ka-1999; kanye
- Nokutshalelwa komphakathi izimali yizinkampani ezizimele

(b) Ukutshalwa kwezimali embonini yokudoba

Abafaka izicelo bayohlungwa ngokubhekela utshalwa kwezimali okwenzekile embonini yokudoba izinhlanzi zohlobo lwe-*hake.*

Abafaka izicelo zezimvume zokudoba bazohlungwa ngale ndlela:

- Ukutshalwa kwezimali emikhunjini yokudoba okwenzeke kungakashayi umhla ka-31 kuDisemba 2004 kuyobhekelelwa kuphela uma utshalo zimali lutshengisa ukuzinikela ngokuyiko kule mboni.Abafake izicelo zezimvume zokudoba ngeke baklonyeliswre

uma bephothule , babamba noma bathenga izivumelwano.

- Imizamo yotshalo zimali ekukhangiseni lemboni iyobhekelelwa.UMnyango uyobhekela ukuthi ofake isicelo angakwazi yini ukukhangisa inhlanzi yohlobo lwe-*hake*.

Abafaka izicelo zezimvume zokudoba kuyomele babonise ukuthi bazitshalile yini izimali emikhunjini yokudoba, bachaze nohlobo abatshale ngalo imali.Ukwengeza kulokhu , abafaka izicelo zezimvume zokudoba kuzomele babonise ukuthi banako na ukuxhumana nezimakethe.

(c) Ukudoba kahle kwenkampani

Abafaka izicelo zezimvume zokudobela izinhlanzi ezidotshwa ngezindobo zohlobo lwe-*hake* bayokalwa izinga lokusebenza kwabo ngokubheka ngesikhathi bethole izimvume zesikhathi esimaphakathi. Abanini zimvume abakhethe ukugxila ikakhulukazi kwinhlanzi zohlobo *lwe-linefish* kunokuba badobe uhlobo lwe-*hake* bayohlawuliswa.

Abafaka izicelo okokuqala embonini yokudoba bayohlungwa ngokubhekelela ikhono, ulwazi kanye nokukwazi ukudoba ngezindobo uhlobo lwenhlanzi ye-*hake*.

(d) Imisebenzi

Abafaka izicelo zezimvume abakhombisa ukuthi sebeke badala amathuba omsebenzi wesikhashana noma ukuqashwa ngokugcwele bayovuzwa.

(e) Ukukhushulwa kwezinga lomnotho wakuleli zwe

Ukutshalwa kwezimali kwiningi lezindawo ezingamadolobhana akhele ugu eNingizimu Afrika kuyadingeka ukuze kuthuthukiswe umnotho.UMnyango uyoncamela abafaka izicelo zezimvume zokudoba abakhetha ukukhiphela izinhlanzi asebezidobile ezikhumulweni ezisogwini oluse Ningizimu Koloni kanye naseMpumalanga Koloni ezinomlando wokudoba nizinhlanzi zohlobo lwe-*hake* .

(f) Umlando wokuzibandakanya embonini yokudoba

Abafaka izicelo zezimvume kanye nabasethubeni lokuba abanini zimvume bayoklonyeliswa ngokomlando weqhaza abake balibamba ngaphambili embonini yokudoba. Isibonelo sabanomlando wokubamba iqhaza embonini yokudoba kungaba okaputeni bemikhumbi noma umsebenzi wasolwandle oke wasebenza embonini yokudoba ngezindobo esikhathini esedlulile.

(g) Ukuhambisana nomgomo

Ukuphula umthetho okungatheni ngaphansi kohlelo lwe-MLRA nemigomo kanye nezimo zezimvume kuyowehlisa amaphuzu.Abafaki zicelo abahlulekayo ukuhambisana nezibopho zomthetho obizwa nge-Skills Development Act 97 ka 1998 nanomthetho obizwa nge-Skills Development Levies Act 9 ka-1999 kanjalo futhi nomthetho owaziwa nge-Occupational Health and Safety Act 85 ka-1993,bayokwehliselwa amaphuzu.

7.3 Ukunikwa amandla engeziwe kwabadobi.

UMnyango uzodinga ukuba bonke abasebenzi basolwandle abazimisele ukusebenza embonini yezikebhe zokudoba ngezindobo izinhlanzi zohlobo lwe-*hake* , ukuba babhalise kuhlu lwabasenzi abasebenza kwimboni yokudoba izinhlanzi zohlobo lwe-*hake* .Abafake izicelo zabo zaphumelela ekutholeni izimvume zokudobela inzuzo izinhlanzi zohlobo lwe-*hake* kuyodingeka ukuba bakhethe izisebenzi zabo kuhlu loMnyango lwezisebenzi zasolwandle.

7.4 Ukwabiwa kwenani lezikebhe zokudoba

Ngonyaka ka-2003, osicelo sakhe sokudoba siphumelele ngamunye wayesebenza ngesikebhe esisodwa. UMnyango uzimisele ukubuye ukwabiwa kwezikebhe zokudoba embonini yokudoba izinhlanzi zohlobo lwe-*hake* kumuntu ngamunye osicelo sakhe siphumelele.

Okokuqala nje uMnyango uyonika inani labantu abavumeleke ukusebenza ngokuhambisana nomthetho we-South African Maritime Association ("SAMSA").Umnyango uyobeka eceleni izikebhe zokudoba eziyi-15, ezizobekelwa abazicelo zabo ziphumelele abatshale izimali ezikebheni zokudoba ngezindobo izinhlanzi zohlobo lwe-*hake*. The Umnyango uyonika imvume yezikebhe sokudoba esisodwa kubafaki zicelo abaphumelele.Izikebhe zokudoba ezibekwe eceleni ziyonikwa labo abazicelo zabo ziphumelele abathole amaphuzu amaningi ngenxa, yezimguquko ezenzeke kwizinkampani zabo abadinga ukusebenzisa izikebhe ezingaphezulu kwesisodwa.

Okwesibili, noma imboni yokudoba iphethwe ngaphansi kohlelo lwe-TAE (izikebhe zokudoba eziyi-130kanye nabasebenzi abayi-785), kanti futhi inani elicoshelelwe elingedlulwe lamathani ayi-5 500 liyasetshenziswa ukuphatha lemboni yokudoba. Uphenyo olubhalwe phansi lukhomba ukuthi ngesikhathi sezimvume zokudoba ezimaphakathi izinga lokucoshelelwa kwamathani ezinhlanzi okungamele kudotshwe kweve kuwo, akufinyelelwanga kuwo.UMnyango ngokuzayo kungenzeka wengeze kancane izimvume zokudoba kunalezo ezinikiwe, uma isibalo sifinyelela kumathani ayi-5 500 lokhu kungadala ukuba ukudotshwa kwalezi zinhlanzi zohlobo lwe-*hake* kumiswe ngaleso sikhathi sokudoba.

8. Imikhumbi yokudoba esesimweni esigculisayo

Umkhumbi wokudoba othathwa njengosesimweni esigculisayo embonini yokudotshwa kwezinhlanzi zohlobo lwe-*hake* yilowo :

- Ngokwesilinganiso se-SAMSA onobude obuqinisekisiwe obungengaphansi kwamamitha amahlanu kanye nongevile esiqinisekisweni samamitha ayi-12.Kuyodingeka ukuba uMnyango unikeze izimvume zokudoba kwizikebhe zohlobo lwama-skiboats nama-deck boats;
- Onomshini osebenzayo wokugada umkhumbi olwandle,kanye
- Oqinisekisiwe ukuthi uhambisana nohlelo lwe- HACCP ("Hazard Analysis and Critical Control Point").

9. Ukubandakanyeka kwezikhungo ezahlukene embonini yokudoba

Abanini zimvume ezimbonini zokudoba izinhlanzi zohlobo lwe-*hake* ngeke bavunyelwe ukuthola imvume yokudobela inzuzo kwezinye izimboni zokudoba.Abanini zimvume embonini yokudoba izinhlanzi zohlobo lwe-*hake* bazovumeleka ukuthi badobe izinhlanzi zohlobo lwe-snoek.

10. Imali yokufaka izicelo zemvume yokudobela inzuzo kanye nemali yentela

Imali yokufaka izicelo kwimboni yokudoba izinhlanzi zohlobo lwe-*hake* iyokanywa kubhekwe lokhu:

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

Imali yentela yonyaka kumele ikhokhwe kusukela ngomhla ka-1 kuJanuwari 2006, iyobuyekezwa ngemuva kokubonisana nabo bonke abathintekayo nabanezifiso kule mboni.

11. Izindlela ezizosethsenziselwa ukuphatha

Izindlela ezizosetshenziselwa ukuphatha ezivezwe lapha ngezansi zingezinye zeziningi ezisemqoka ezizosetshenziswa uMnyango ngenhloso yokuphatha uhlelo ngemuva kokukhipha izimvume zokudoba.

11.1 Indlela yokuphatha imboni yokudoba ngokuphathelene nohlelo lokuphilisana kwezitshalo nezilwane zasolwandle.

Lemboni yokudoba izophathwa ngokuhambisana nohlelo olubizwa ngokuthi I-*ecosystem approach to fisheries* (“EAF”). Indlela yokuphatha le mboni yokudoba ithathelwe kuhlelo lokuphilisana kwezitshalo kanye nezilwane zasolwandle, uhlelo olubhekele zonke izinhlangothi lubuye luhlanganise imigomo eyazisa ukuthi ukudoba kanye nezinye izinhlobo zemisebenzi eyenziwa ngaphandle kolwandle kunomthelela ngokubanzi kulokho okwenzeka olwandle.I-EAF iyochazwa kabanzi kwibhuku eliphathelene nokuphathwa kwemboni yokudotshwa kwezinhlanzi zohlobo lwe-*hake.*INingizimu Afrika isalokhu izinikele kumnqamlajuqu wonyaka ka-2010 wokuqala ukusebenzisa uhlelo lwe-EAF ekudobeleni inzuzo.

11.2 Ukuphathwa kwemboni yokudoba ngokwezifunda

UMnyango ucabanga ukushintsha izindlela zokuphatha kule mboni yokudoba ngemuva kokukhishwa kwezimvume zokudoba zesikhathi eside.Kuyinhloso yoMnyango ukuba le mboni iphathwe ngokwezifunda, ukuze kuvinjwe ukuhamba kwemikhumbi yokudoba kwizifunda ezithile.

11.3 Imvume yokudoba izinhlanzi zohlobo lwe-linefish

Abadobi abadoba ngodobo izinhlanzi zohlobo lwe-*hake* ngeke bavunyelwe ukudoba ezinye izinhlobo zezinhlanzi ezaziwa ngokuthi ama-kob (*Argyrosomus* spp.) kanye nama-geelbek (*Atractoscion aquidens*). Kodwa abadobi abadoba izinhlanzi zohlobo lwe-*hake* ngodobo, bayovunyelwa ukuba badobe izinhlanzi zohlobo lwe-snoek uma kwenzeka ziba khona.

12. Izindlela zokukala izinga okuyilo

UMnyango uzoveza izindlela eziningana zokukala izinga okuyilo keze kuphele isikhathi esabelwe imvume yokudoba. Kuyacabangeka ukuthi lezi zinhlelo zokukala izinga okuyilo liyokwenzeka ngemuva konyaka, bese kuba njalo ngemuva kweminyaka emithathu.

Nakuba uMnyango uzoqedela izindlela okuyizonazona zokukala izinga abanini zimvume

abazohlungwa ngazo ngemuva kokunikwa izimvume zokudobela inzuzo nangemuva kokuxoxisana nabanini zimvume, lezi zindlela zokukala izinga zingasetshenziswa:

- uguquko;
- ukutshalwa kwezimali emikhunjini nasezimpahleni ezigqokelwa ukudoba kanye nokukhangisa;
- ukuhambisana nemithetho kanye nemigomo.

13. Uhlelo lwabakhimkhanya

Uhlelo lwabakhimkhanya boMnyango luzonwetshelwa nakule mboni yokudoba. Abanini zimvume bayolindeleka ukukhohka izindleko zohlelo lwabakhimkhanya.

14. Uhla lwabangase bathole izimvume

Ngaphambi kokuba uMnyango ukhiphe isinqumo esingujuqu sokuthi ngobani abazonikwa izimvume zokudoba kule mboni kule mboni yokudoba izinhlanzi zohlobo lwe-*hake,* uMnyango uyoqale ukhiphe uhla lwalabo abangase bathole izimvume.Loluhla lwabangase bathole izimvume luyozungeziswa kuleyo naleyo ndawo yokudoba. Abanezifiso kanye nabathintekayo kulezi zindawo bangathintana noMnyango uma bengabandakanywanga kuhla lwalabo abangase bathole imvume yokudoba labo abanomlando wokudoba ngezindobo izinhlanzi zohlobo lwe-*hake.*

15. Izimo zezimvume

Izimo zezimvume kule mboni yokudoba zizokhishwa minyaka yonke.Izimo zezimvume eziphathele nalo nyaka ka-2005 zitholakala **NjengesiXhumelelo A (Annexure A)**.Abanezifiso kanye nabathintekayo bayamenywa ukuba baphefumule mayelana nezimo zezimvume.