UYILO

ISEBE LEMICIMBI YEZENDALO NOKHENKETHO

ICANDELO LOLAWULO LOLWANDLE NONXWEME

UMGAQO NKQUBO WOLWABIWO KUNYE NOLAWULO LOSHISHINO LWAMALUNGELO OKULOBA KWINDAWO ZOKULOBA IIMBAZA : 2005`

UMGAQO NKQUBO OSAYINIWEYO MAYIFUNDWE KUNYE NOMGAQO NKQUBO WOLAWULO OSETYENZISIWEYO KULWABIWO KUNYE NOLAWULO LOSHISHINO LWAMALUNGEL OKULOBA www.mcm-deat.gov.za)

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1. Intshayelelo

Lo mgaqo nkqubo wolwabiwo kushishino lokuloba iiMbaza ukutshwe licandelo lezendalo okusingqongileyo kunye nokhenketho :ISebe eliLawula iMarine and coastal (“Icandelo”) izimvo zoluntu.Lo mngaqo nkqubo mawufundwe kunye nedrafti yomgaqo nkqubo wajikelele wolwabiwo kunye nolawulo lwamalungelo okushishina ngokuloba lowama:2005.

Njengoko kutshiwo kumgaqo nkqubo wajikelele, ngokukhawuleza okukhulu iSebe liyakubamba usasazo lwezimvo kuluntu nemiboniso endleleni ukwenzela bakwazi ukuhlangana noluntu jikelele, ingakumbi amaqela anomdla nachaphazelekayo ngokubhekiselele kulo mgaqo nkqubo.Izimvo ezibhaliweyo okanye ezingabhalwanga phantsi ziyakwamkeleka kwezintlanganiso kwaye uncedo luyakufumaneka xa kuyimfuneko. 2005.Izimvo ezobhaliweyo mazisiwe kwiSebe ngowe-11 kuTshaziimpunzi koma-2005.Izimvo ezifakwe emva kwalo mhla aziyi kwamkeleka . Izimvo mazifakwe ngoluhlobo lulandelayo:

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Injongo yalenkqubo kukwenza imiba eyakuthi isebenze kulwabiwo loshishino ngeembaza nelungelo lokuzivuna. Eminye imiba ayimitshanga apha. Ibisele isetyenzisiwe liSebe kwixesha elidlulileyo xa kwakusabiwa amalungelo kunye nolawulo lweli shishini kwaye ubukhulu bale nkqubo bubonisa ukubhalwa kwemithetho ngokulandelelanayo kwale miba .

Amanye amalungelo asele edlulile olwabiwo nolawulo lwemiba yenkqubo icaciswe ngokubanzi kulo mgaqo nkqubo.Ulawulo lwesikhokelo Nnkqubo yoShishino ngeeMaza iyakuqukunjelwa ngawo onke amalungu anelungelo ngexesha lalenkqubo ngowama-2006.Esi sikhokelo siyakunika inkcazelo emisa ulawulo lolwazi lwenkqubo kunye nenkqubo yendawo ekulotywa kuyo.

Umphathiswa wezeNdalo okusiMgqongileyo noKhenketho uzimisele ukonyula icandelo le-18 elinamandla lokwaba ushishino lokuloba iimbaza ngokwemiqathango yecandelo 79 yoMthetho we-18 ka-1998 weMarine (“MLRA”) ezibubutyebi bendalo obuphilayo. `

2. Imvelaphi yeembaza

Imbaza icape Rock, ekujoliswe kuyo kwindawo ekulotywa kuzo,isasazeke ngokubanzi iyafumaneka kumatye angaphandle ukusuka kulwandle icape Agulhas ukuya eMozambique. Ezi mbaza zifumaneka kwindawo ebizwa ngokuba inamanzi amancinci okanye amaninzi anobunzulu obuqikelelwa kubunzulu obuyi-6m.

Olu hlobo lwembaza lolwendalo kodwa kwindawo zokutya eMzantsi Afrika ithengiswa njengeyona nto yakha yanexabiso elikhulu.Eyona mbaza inexabiso eliphantsi yimbaza efumaneka kunxweme iPacific ize ithunyelwe kwamanye amazwe ize isetyenziswe njengezona zityo zaselwandle zithandwayo.

Iimbaza kunxweme laseThekwini kufumaniseke ukubea zithatha iinyanga ezingama-33 (iminyaka emithathu)ukuze zibe kwixabiso lokuthengiswa (zibe bubukhulu obuyi-60 mm bubude obufanelekileyo).Iimbaza zisasaza amaqanda. Iimbaza kunxweme laseThekwini zizala unyaka wonke zizale ngakumbi entwasahlobo nasehlotyeni.

Zivunwa ngexesha apho amanzi akwiqondo elisezantsi kwaye ngokwesiko bezinomda ngokwendawo enamanzi okanye engenawo nangona kunjalo kwiminyaka esandula ukudlula bekusoloko kunyuka ubunzulu bokuvuna ngakumda okwindawo apho amanzi abamaninzi okanye abemancinci. Yenziwa kuphela kokuxinana kwembaza kwindawo esenokuba namanzi amaninzi okanye amancinci kunye nokunyuka okukhawulezileyo kwindlela yokuqhubela phambili (inzame ezicothayo) `Iimbaza ziyasuswa ematyeni ngosebenzisa ngolugxa.

3. Amacandelo ahlukeneyo

Ushishino lwembaza lwangaphambili lwalusebenza njengeendawo ezimbini zokuthengisa ezahlukeneyo zinxulumene ngokwezo ndawo unxweme oluseThekwini kunye nonxweme olukumazantsi Kapa. Ukususela kowama-2002 ushishino lolawulo lweembaza

lwabanjengentengiso yesizwe. Phantsi kwenkqubo yolawulo entsha amaziko ama-4 oshishino ngeembaza neendawo zokuvuna zavunya ngokusemthethweni, kunxweme ulosemantla nolusemazantsi eTheku, oluseBhayi kunye nolusemazantsi eKapa. Umahluko phakathi kwemiqathango kunye neendlela zokuvuna kwiziphaluka iyaqhubeka iyasebenza.

EThekwini (kunxweme olusemantla nolusemazantsi), indlela yolawulo lwangaphambili yasetyenziswa yaze yagcinwa nguRhulumente wePhondo waseThekwini.Oku kwenzelwa ukuzama ukukhusela iinzame zokunqanda apho amanani abakhi zimbaza banomlinganiselo wengxowa enye enembaza aziyi-190 ngosuku lonto inyanzelakile. Unxweme olusemantla nolusemazantsi eThekwini lohlulwe lwaba yimimandla emihlanu unxweme lulunye, athi avunwe ngamaxesha ohlukeneyo. Lento yenza ukuba ezinye indawo zibe zizikhulela indalo yazo ngexesha kusavunwa ezinye iindawo ixesha elingangeminyaka emithathu (ingaba lixesha elifanelekileyo lokukhula de zifikelele kwixabiso lokuthengiswa) kungoko kufuneka kunikwe ixesha lokukhula kwezikhondo zeembaza. This system applies to both the commercial and recreational sectors.le nkqubo isebenza macala omabini elentengiso nakwi candelo lolwakheko ngokutsha.

Unxweme olukumazantsi ekapa alilawulwa ngendlela yokuvuna ejikelezayo akukho namlinganiselo wosuku kodwa zikhona iindlela zokunqanda abakhi beembaza, ngaphezulu lemizamo inwenwele nakwezinye iindawo lonto yandisa ukutyeba kwendawo ekhula iimbaza. Indawo yokuloba ekunxweme elikumzantsi weKapa lilawulwa lixesha lokonwaba ukususela ngowe-15 kweyoMnga ukuya kowe-5 kuJanyuwari. Olu valo lelixesha lonyaka lwanyanzeliswa ukunqanda ingxabano phakathi kwabachongi beeholide kunye necandelo loshishino ngeembaza. Ebhayi, iimbaza azivunwa zisekomandlalo kuqokelelwa ezo zisuswe ngamanzi kuphela.

INzame eziSetyenziswayo ziPhelele ("TAE") yokuloba iimbaza okwangoku ayikaziswa ngabe zinzululwazi yemiba okanye iwonga lobutyebi, libhekiselele kumngangatho womzamo ophambi kowama-2002. Inkqubela kuphando kunye nokunikwa kwamaxabiso kwembaza, kuyimfuneko ukwenzela ukumisa uphuhliso lomgangatho wokuvuna. I(TAE) ekhoyo kowama-2005 yenzelwe abakhi bembaza abangama-145 kwaye babelwe ngoluhlobo lulandelayo:

- KZN North (25 abavini);
- Umntla weThekwini (bayi-25 abakha iimbaza)
- KZN South (15 abavuni);
- UMzantsi weThekwini (bayi-15 abakha iimbaza)
- Mzantsi Ntshona (102 abavuni); ne
- Port Elizabeth (3) abavuni.
- Umzantsi weKapa (bali-102 abakha iimbaza) kunye
- NeBhayi ba-3 abakha iimbaza

I-TAE kunxweme olusemazantsi eKapa iqhubela phambili ngokwahlula phakathi imimandla,ibhekiselele kubukhulu bokufikelelwa kwendawo ezifanelekileyo zeembaza kunye nezindawo zilandelayo

- Heidelberg ("Witsand"): 10 abavuni;
- eHeidelberg ("Witsand"): bali-10 abakha iimbaza
- Riversdale/Mossel Bay: 58 abavuni; and
- eRiversdale/Entla kwebhayi:bali-58 abakha iimbaza
- George/Knysna: 34 abavuni.
- eGeoge/eKnysna:bali-34 abakha iimbaza

Amathuba ambalwa oshishino abiwa ngowama-2002 kunikwe igunya iqaqobana labalobi bakudala abangazange bavunyelwe ukuthengisa izivuno ukuze baziphilise.

4. Inkqubo yolwabiwo ephakathi yegunya lamalungelo

Ngowe-2002 amalungelo oshishino okuvuna iimbaza anikezelwa kubaceli mvume abangama-34 baqesha abavuni abali-114. Ezi zipesenti ezingama-88 zabelwa amathuba ambalwa oshishino.

Amalungelo anikezelwa kubantu abathile.Abantu abafumana iipesenti ezingama-91 zeclose corporation iipesenti ezi-3 kunye nenkampani iipesenti ezi-6 zamalungelo.

Abantu abamnyama banepesenti ezingama-25,8 kuphela zamalungelo,bubuhlwempu obugqithileyo kwishishini lokuloba elifikeleleka lula,kwaye ke kucelwa ubuncinane bezixhobo kunye nemali yendleko. Nangona iTAE yayenzelwe abantu abali-45 abangabakhi beembaza, bali-114 kuphela abantu abavuna iimbaza.

5. Injongo zelicandelo loluntu ziqulathe konke

Funda ngenkqubo yabalobi jikelele, injongo yalenkqubo kukumisa indlela esisigqibo samalungelo okuloba ezakunikezelwa. Injongo zokwabiwa kwamalungelo okushishina kule ndawo yokuloba.

- Okubalulekileyo kukuphucula inguqulelo zembali yale ndawo yokushishina;
- Ukunikezelwa kwamagunya kwabo baxhomekeke ekuvuneni iimbaza ukuze baphile;
- Ukunika abavuni bembaza amagunya
- Uqinisekisa ukuba amalungelo abelwe zonke iindawo apho iimbaza zingafumaneka khona ;kunye
- Nokuxhasa ukubakho koqoqosho kunye nobume bemeko yendalo yokuphuhlisa lendawo.

iSebe liyawuqonda kwaye liyazikhathaza ngomkha wabantu abaxhamla bodwa kwelicandelo (**khangela istanza 9 ngasezantsi**)

6. Ubude bexesha ekuvunyelenwe ngalo

Amalungelo okuloba abiwa kwixesha elingadluliyo kwiminyaka emithathu. Ilungelo lexesha elide liyakujongwa xa kukho ulwazi olwaneleyo kwiwonga lobutyebi kunye nenguqulelo yembali yeli candela iphuculwe ngokucacileyo. ISebe lizakuqalisa izifundo ezingemiba enxulumene noluntu

kunye noqoqosho kwixesha leminyaka emiyhathu yorhwebo yokuzama ukulungisa ukungalingani kwelicandelo.

7. Abangeneleli abatsha

Nangona olushishino lulonke luxhatshazwa,indawo ezimbalwa zesivuno azizange zaqaliswa ukuxhatshazwa. ICandelo licela ukuba ezindawo mazixhatshazwele ukufumana ulwazi olubalulekileyo ngembaza. Ukongeza icandelo alinazinguqu kwaye zivelelwa ngabantu abambalwa ukonakalisa kwezinye indawo ezisebenzayo.

ICandlo liyakuzama ukwaba amalungelo abantu abatsha apho kungekho mthetho wolawulo ophakathi kwamalungelo amashishini awayenikezelwe(kwaye TAEyayenzelwe ezi ndawo)kwaye kulapho intshayelelo yabantu abatsha iyakuphucula inguqulelo yembali yelicandelo

8. Indlela zokuhlola

Izicelo mvume zoshishino ngeembaza ziyakuhlolwa ngokwendlela zokukhetha nokulingana kohlobo.

8.1 Imiqathangoyo yokukhutshelwa ngaphandle

Ukwangeza kwimiqathango yokukhutshelwa ngaphandle icaciswe kwinkqubo yorhwebo jikelele ngokubhkiselele kwindawo zokuhlala ezingafanelekanga kunye nokulahla kwento engaluncedo kwenye into,lemiqathango ilandelayo yokukhutshelwa ngaphandle iyakusebenza kubo bobabini abaceli mvume abanelungelo nabaqalayo.

(a) Uhlobo lomntu omakenze isicelo: ngabantu nje (umntu oyedwa) angenza isicelo semvume samalungelo .

(b) Izicelo ezivela kwintsapho: Linye ilungelo eliyakuthi linikwe usapho. Ukuba kuthe kwafunyanwa izicelo ezingaphezulu kwesinye zivela kumalungu osapho

ahlala emzini omnye, zonke ezo zicelo aziyikwamkeleka. Xa kuthe kwabelwa amalungu osapho olunye ngaphezu kwesinye kufuneka abaceli mvume babonakalise ngokucacileyo ukuba banamashishini asakhulayo awohlukeneyo .

(c) **Ukuthobela:** abacelimvume abafumaniseke benamatyala anobuzaza eMLRA (isikhokelo,somzekelo,isigwebo sangaphakathi entolongweni unganikwa lungelo lakuzikhulula)abanakunikwa lungelo.

Okunye okophulwa kwemithetho yeMrine Living Resources Act kuyakuchaphazela ngakumbi ukuhlolwa kwezicelo,ziyakufumaneka zingafanelekanga njengoko kubonisiwe ezantsi

(d) **Iphepha lesabelo:** Iphepha lesabelo njengoko lichaziweyo inkqubo yomgaqo jikelelebayakukhutshelwa ngaphandle .

(e) **ukungasetyenziswa kwamalungelo**: abantu abanelungelo abangakwazanga ukusebenzisa lomthetho woshishino phakathi kowama-2002 kunye nowama-2004abayi kunikwa lungelo.

(f) . **Abanengeniso eyenye:** Abantu (abanjengamaqhwetha ,ootitshala amapolisa abancwabi kunye nezinye) ezithi zifumane ingeniso engenye ngaphandle koshishino lokuloba bayakukhutshelwa ecaleni.

(g) **Ukuzibandakanya ngokupheleleyo**: Umntu ofake isicelo kufuneka azibandakanye ngokupheleleyo kuvuno lweembaza.

8.2 Imiqathango yomiselo kungelelwaniso

t holder applicants and new entrant applicants, the weighting that will be applied to each category will differ.Nangona imiqathango emiselweyo iyakuthi isetyenziswe ngofanayo kumalungu afanelekileyo kunye nabo bangenela okokuqala ,ubunzima obuyakusetyenziswa kwicala ngalinye buyakwahluka.

(a) Inguqulelo

ICandelo liyakuvumela izicelo zabantu abamnyama njengengotshintsho lembali yelicandelo ebisoloko incinane. Ukongeza isebe lifuna ukunika abafazi imvume ngokubenzela isicelo ngokokwesini njengomvula-ndlela wenani elithile.

(b) Ingeniso yeshishini

Isebe liyakuqwalasela ukuba hlobo luni lwengeniso, umntu owenza isicelo ayakulwenza kwelicandelo, mhlawumbi ngendlela yokuqhubekeka okanye indlela yokuthengisa apha nakuzwe lonke.

(c) Indlela yokuvuna

Abacelimalungelo bayakuvavanywa ngokwendlela abavunangayo i oyster nenkqubo kwixesha eliphakathi lokunikezelwa kwamalungelo.

Abangeneleli abatsha bayakugocwagocwa malunga nesakhono sabo, ulwazi kwakunye nobugcisa ekuvuneni ioysters.

(d) Ukuxhomekeka kwi Oysters

Icandelo liyakukhetha abafaki zicelo abaxhomekeke ekuvuneni ioyster kangange 75% nangaphezulu kwinzuzo yabo yonyaka. Njengoko sekutshiwo apha ngasentla, abafaki zicelo abanenzuzo kwindawo ezingaphandle koshishino lokuloba bayakukhutshelwa ecaleni

(e) phuhliso loqoqosho ekuhlaleni

ICandelo likhetha ukwabela amalungelo abo bacela imvume behlala ecaleni lendawo ezivunwa kuzo iimbaza.Ngokwale meko yokuqwalasela iCandelo liyakufuna ukuba abaceli mvume babe nexesha elingangeminyaka emine behlala kwezo ndawo.

(f) Ukuthobela

.Amalungu afanelekileyo,asephantsi kophando lokwaphula umthetho wemarine Living Resources Act abayi kwabelwa lungelo de kubuye iziphumo zophando.

Utshabalaliso olungephi loMthetho weMarine Living Resources, odibanisa imiqathango,

9. Abaxhamli wedwa nokuBhaliswa kwabaThengi

ICandelo linezimvo zokuba injongo zelicandelo azikafumaneki ngenxa yokuxhamla kwamanye amacandelo elinye okanye ibe ngamaqela amabini.

Elicandelo aliphazanyiswanga kuphela ngabantu abaxhamla bodwa , kodwa abavuni basetyenzisiwe. Ubukho bokuxhamla wedwa kwelicandelo ayamkelekanga kwaphela kungasayi kuze kuvumeleke iqhubekeke.

Ngako oko, bonke abantu abafuna ukuthenga imbaza kubagcinimalungelo (pickers) bayakucelwa ukuba babhalise kwiCandelo. Icandelo alisayi kubabhalisa abathengi ababekhe banamalungelo okanye abaxuthelwa imvume zabo phantshi kwe Marine Living Resources Act okanye babekwa ityala phantshi kwe Marine Living Resources Act. Ukuba iSebe licenge ukuba abathengi ababhaliseweyo bophula umthetho wokuthengiswa kwe mbaza, iCandelo liyakungenelela.

10. Ukuvunwa kwe Oysters

Abanini malungelo nabavuni bayakuvunyelwa ukuba bavune ioysters basebenzise:

- impahla zamanzi ;
- Ibhanti ebangela ubunzima
- masks; ne

- Isigqumathelo sobuso
- snorkels.
- umbhobho wokuphefumla xa uphantsi kwamanzi

Amalungu kunye nabavuni abavumelekanga ukusebenzisa:

- amaphiko okudada;
- izixhobo zokuphefumla
- nezixhobo zokudada.

11. Imali ebhatalwayo xa ucela imvume

Imali yesicelo ayibi ngaphantsi kwama-500 eranti. ICandelo okwangoku yenza isigqibo ngexabiso lenkqubo yokwabiwa okwenzekayo kwelicandelo. ICandelo liyakwazisa amalungu afanelekileyo kunye namaqela anomdla xa sele kuvunyelwene ngemali yesicelo yemvume

12. Uluhlu lwethutyana

Phambi kokuba icandelo lenze isigqibo ngalowo uzakunikwa imvume kuyakukhutshwa uluhlu lwabaceli mvume abaphumeleleyo kwindawo esisiseko kwenye indawo. Abantu kwezindawo bayakwazisa iCandele ukuba kukho ubani obekade engumvuni weembaza ongafakwanga kolu luhlu lolungiselelo.

13. Iimeko zokuvumelana

Imeko zemvumelwano kule ndawo yokuloba ziyakukhutshwa qho ngonyaka limeko zovumelwano ziyafumaneka kolu shishino lomnyaka wama-2005zincanyathelisiwe njenge **Sihlomelo A.** kufanele ukuba zingeniswe qho ngonyaka emva kokuhlangana namalungu

afanelekileyo kushishino lokuloba. Amalungu kunye namaqela anomdla bayamenywa ukuba avakalise izimvo zawo kwezi meko zovumelwano.