

UHLAKA



UMNYANGO WEZEMVELO NEZOKUVAKASHA

IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU

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

**LOLUHLAKA MGOMO KUMELE LUFUNDWE NOMGOMO JIKELELE
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1. Isingeniso

Lolu hlaka mgomo lokunikezwa nokuphathwa kwezimvume zokudobela inzuzo izimbaza ezimhlophe, likhishwe uMnyango weZemvelo nezokuvakasha:lgatsha lezasolwandle mokuphathwa kogu(“uMnyango”) ukuze umphakathi ukwazi ukubeka izimvo zawo ngalo.Lo mgomo kumelwe ufundwe nomgomo-jikelele ka-2005 wokunika nokwengamela imvume yokudobela inzuzo isikhathi eside(“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-White Mussel. 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. Bezisethshenziswa uMnyango uma unikeza imvume esikhathini esedlule. Lo mgomo uqukethe uhlelo okuzoqhutshwa ngalo, noma kukhona izinguquko ezikhon akanye nokwengeziwe.

Eminye imigomo yokuphatha ngemuva kokunikwa izivume yethuliwe. Ibhuku eliphathelene nokuphathwa kodudotshwa kwezinhlanzi zohlobo lwe-hake liyoqedelwa ngokuhlamlamgamyela 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 1988 obizwa nge –"MLRA"), onikezelwe isihulu esiphezulu soMnyango.

2. iBiology nengebo enamandla.

Izimbaza ezimhlophe (*Donax serra*) zitholaka phakathi kweNyakatho ne-Namibia kanye nendawo yase-Wild Coast. Zitholaka zibe ningi ezindaweni ezingamabhishi ezinesihlabathi esiningi kugu oluseNtshanalanga kanye naseNingizimu yezwe lase-Ningizimu Afrika. Ukusabalala kwezimbaza ezindaweni ezithile kuhambisana nokushintsha phakathi kokungenisa nokubohla kolwandle. Ogwini oluseNtshonalanga kutholakala khona izimbaza ezisencane ziphezulu nebhishi, kanti izimbaza ezindala zitholaka zisabalele ngaphansi konqenqema lokukhuphuka noma ukubohla kolwandle. Ogwini oluseMpumalanga noluseNyakatho izimbaza ezindala zithola endaweni ephakathi kokungenisa nokubohlisa kolwandle.

Izimbaza ezimhlophe yizona ezihamba phambili ekugujweni kwemigodi eminingi emabhishi anesihlabathi, ngoba zithanda usebe. Zidla zikhule phakathi kwegobolondo zize zibe ubude obungama milimitha angama-60 eminyakeni elinganiselwa kwemihlanu. Lezi zimbaza zikhuphuka zehle nogu ngokuhambisana nokushintsha phakathi kokungenisa kanye nokubohlisa kolwandle, izimbaza ezincane zehla zenyuke nogu kaningana kunezindala..

Ukuvunela inzuzo kuningi kakhulu ogwini laseNtshonalanga lapho lezi zimbaza ziningi khona ngenxa yokunotha okuza nomsinga obizwa nge-Benguela Current otholakala kulezi zindawo.

3. Ukubukeka kwemboni yokudoba

Ukuvunela izimbaza inzuzo kutholakala kuphela ezindaweni eziyisikhombisa ezisogwini oluseNtshonalanga. Le mboni yokudoba yaqala ekhupheleni kweminyaka yawo-1960, kodwa ngonyaka ka 1966 yalimala kakhulu ngenxa yokungenisa kolwandle okubizwa nge-red tide okwadala ukufa kwezimbaza ezimhlophe eziningi. Ukwanda nokunonophelwa kwezimbaza ezimhlophe ukuze ziphinde zibe kwizinga elifanele kwathatha ngaphezu kweminyaka eyisishiyagalombili., lokhu kwaphinda kwaba nomthelela ekunciphiseni lezimbaza ezingavunwa,

lolu hlelo lubizwa ngokuthi yi-reduction in catch per unit effort (“CPUE”). Inani lezimbaza ezimhlophe ezivunwa ngonyaka selwehlile kancane kusukela ngonyaka ka-1980. Lokhu kube ngumphumela wokungabi nendlela yokugcina umnotho uphilile yale mboni. Izinhlobo eziqhutshwe ngonyaka ka-1988 nonyaka ka-1989 zikhombiza ngokusobala ukuthi ukuvunwa kwezimbaza ezimhlophe kwehle kwafinyelela ngaphansi kwesilinganiso esinye ekhulwini ngokubhekelela ubukhulu bezimbaza ezindaweni ezitholakala kuzo. Imibiko ekhishwe kungakafiki isikhathi yenhlobo yonyaka ka-2003 kanye no-2004 iyavumelana nale mibiko. Ngakho-ke lesi sivuno sithathwa njengesikhulu.

Okwamanje, abanini bezimvume zokuvunela izimbaza inzuzo bavunyelwe ukuvuna izimbaza ezimhlophe eziyi-2 000. Izimbaza ezimhlophe zivunelwa ukudoba ezinye izinhlanzi, azidliwa ngabantu. Kusazokwenziwa uphenyo ngezimakethe zokudliwa kwalezi zimbaza ngabantu.

Imboni yokuvuna izimbaza ezimhlophe inohlelo olubizwa nge-*catch- and effort-controlled*. Uhlelo olubizwa nge-*A Total Applied Effort* (“TAE”) lwabanini zimvume abayisikhombisa bavumeleke ukuba bavune izimbaza eziyi-2 000 ngenyanga eziziyisilinganiso samamilimitha angama-35. Abanye balaba banini zimvume banezitolo zokuthengisa noma bathengisela izitolo isivuno sabo sezimbaza ezimhlophe, zidayiswa phakathi kwe-R1.00 ne-R1.50 ngayinye.

4. Ukunika izimvume zokudoba isikhathi esiphakathi.

Okwamanje bayisikhombisa abanini zimvume abatholakala ezindaweni ezizisikhombisa ezigudle ugu. Umnini mvume ngamunye uvumeleke ukuvuna izimbaza eziyi-2 000 ngenyanga. Umnini mvume ngamunye uqashe izisebenzi eziphakathi kwezizisithupha kanye nezizisishiyagalombili ezihola phakathi kwe-R0.15 nama-R0.80 ngembaza ngayinye, lokhu kuncike kwinqanaba lezimbada ezivuniwe.

5. Izinhlosongqangi zemboni yokudoba

Izinhlosongqangi zokunika izimvume zokuvunela inzuzo izimbaza ezimhlophe embonini yokudoba yilezi:

- Ukukhuphula kakhulu uguquko lokubukeka kwemboni yokudoba;

- Ukunika izimvume zokuvuna izimbaza ezimhlophe kulabo abathembele kuzo ukuba baphile;
- Ukugqugquzela ukukhuliswa kwemakethe yokudliwa kwezimbaza ezimhlophe ngabantu;
- Ukunika isiqiniseko sokuthi izimvume zinikwe ezindaweni lapho kungavunwa khona izimbaza ezimhlophe;
- Ukugciban imboni yezokudoba iphilile ngokomnotho; kanye
- Ukuqinisekisa ukuthi imboni yezokudoba igcineke iphilile ngokwemvelo.

6. Isikhathi esithathwa yizimvume

Izimvume zokuvunela inzuzo izimbaza ezimhlophe ziyonikelwa isikhathi esingevile eminyakeni emibili. Izimvume zesikhathi eside ziyobhekela kuphela uma sekutholakale imibiko eyanele mayelana nobume benani lezimbaza ezimhlophe elikhona, kanye nokudliwa kwazo ngabantu.

7. Abafikayo embonini yokudoba

Izimbaza azivunwa ngendlela esezingeni eliphezulu ezindaweni ezithile. UMnyango udinga ukuba lezo zindawo zikhuphule izinga lokuvuna ukuze ukwazi ukuthola imibiko ebalulekile ngezimbaza ezimhlophe kulezo zindawo. Ukwengeza lemboni ayikabi nezinguquko.

Ngakho-ke UMnyango uzimisele ukunika izimvume kubafaki zicelo abafikayo kule mboni lapho kusetshenziswa khona uhlelo lwe-TAE, kodwa kungekho zimvume zesikhathi esimaphakathi ezinikeziwe. Ukwengeza kulokho uMnyango uyonika izimvume zokuvuna izimbaza kulabo abayoguqula ukubukeka kwale mboni yokudoba.

8. Inqubu yokuhlunga

Izicelo zemvume yokudobela izuzo ziyobukwa ngeso elibukhali ngokuhambisana “ nenqubo yokungamukeleki kwabathile”. and thereafter weighted in terms of a set of “*balancing criteria*”. Kuyobekwa amaphuzu okuyiwona ayohlonza labo abazicelo zabo ziphumelele. Isilinganso se-

TAE siyonikezwa labo abazicelo zabo ziphumelele ngokulandela “ inqubo yesilinganiso” (“quantum criteria”).

8.1 Inqubo yokungamukeli okuthile

Ngaphandle kwezinqubo ezichaziwe kumgomo-jikelele ophathelene nokufakwa kwezicelo kanye nokungabi sesimweni esigculisayo sezikebhe zokudoba, uMnyango ngeke uzamukele izicelo ezihluleka ukuhlangabezana nazelzi zidingo:

- (a) Uhlobo lwabantu abavumeleke ukufaka izicelo:** Abantu abangabodwana kuphela abavuleke ukufaka izicelo zokuvuna izimbaza kule mboni. Uma oqashwe umnikazi wemvume yokuvuna izimbaza efisa ukuzifakela isicelo sokuzivunela izimbaza ezimhlophe, kumele enze isiqiniseko sokuthi akekho ohlwini lokufaka isicelo lomqashi wakhe.
- (b) Ukufaka izicelo kwamalungu omndeni:** Umndeni ngamunye uzonikezwa imvume yokuvuna eyodwa. Uma kutholakala ukuthi ungaphezulu koyezwa umuntu emndenini owodwa ofake isicelo bebe behlala ekhaya elilodwa, lezo zicelo ziyobekwa eceleni. Umndeni uyonikwa imvume engaphezulu kweyodwa kuphela uma amalungu alowo mndeni engakhombisa ngokusobala ukuthi anezinkampani zokuvunela izimbaza inzuzo ezincane ezehlukene.
- (c) Ukuhambisana nomgomo:** Abafaki zicelo zemvume abake bathweswa amacala okuphula umthetho-MLRA (isibonelo- okwaholela ekuboshweni benganikwanga ithuba lokukhokha inhlawulo) ngeke banikwe izimvume zokuvuna. Abafaki zicelo abake baphucwa amalungelo abo ngaphansi komthetho we-MLRA nabo ngeke banikwe izimvume. Ezinye izindlela zokuphula umthetho we-MLRA zizoba nomthelela omubi kwizicelo.
- (d) Isilinganiso samaphepha:** Isilinganiso samaphepha (njengoba kuchazwe kumgomo jikelele) siyoshaywa indiva. Iqembu elikhulu elinabantu ababodwa noma abafanayo abaxhaswa abanika amacebo noma ezinye izimboni zokudoba, izicelo zabo ziyoshaywa indiva zithathwe njengalezo zabantu abafaka abantu

abathile ukuze bathole izimvume bebe bengahlomuli ngalokho, kuyoshaywa indiva nokuhle abakwenzile ngabodwana.

- (e) **Ukungasebenziseki kwezimvume:** Labo banini zimvume abahluleka ukuvuna izimbaza esikhathini esimaphakathi ababesinikiwe ekuvuneni izimbaza ezimhlophe phakathi kukanyaka ka-2002 nonyaka ka-2004 ngeke banikwe izimvume.
- (f) **Ukuthembela ekuvuneni izimbaza ezimhlophe:** Abafaka izicelo zokuvuna izimbaza ezimhlophe abangathembele ekuvuneni izimbaza ezimhlophe ukuze bathole isilinganiso esingama-75 ekhulwini seholo lonyaka wonke, ngeke banikwe izimvume. Abanendlela yokwenza imali ngokuzibandakanya nezinye izinhlelo ezingekho kwimboni yokudoba, izicelo zabo ziyoshaywa indiva.

8.2 Inqubo yokulinganisa

Noma inqubo yokulinganisa iyosetshenziswa jikelele kubanini zimvume kanye nalabo abafisa ukungena kule mboni, ukukalwa kwesisindo sesicelo kuyohluka ngokweqoqo lwabafaki bezicelo ngalunye.

- (a) **Uguquko**

Ukuze kubekhona izinguquko ekubukekeni kwemboni yokuvuna izimbaza ezimhlophe, abavuni bayonikwa amaphuzu ngokubhekelela ukuthi bamnyama na. Ubulili bungasetshenziswa ukuze kukhethwe ozonikwa imvume, lokho kuchaza ukuthi uma engaphezu koyedwa umuntu onaphuzu afana nawomunye, owesifazane uyoncanyelwa kunowesilisa onamaphuzu afanayo.
- (b) **Utshalo zimbonini yokuvuna izimbaza**

UMNyango uyobheka ukuthi abafaki zicelo bayitshalile na imali kule mboni uma kukhona.

(c) Ukukalwa kwezinga lokuvuna

Abafaka izicelo zezimvume bayohlungwa ngokubhekelela izinga lokuvuna izimbaza abafinyelele kulo ngesikhathi semvume esiphakathi nendawo kusukela kunyaka ka-2002 kuya kunyaka ka-2004.

Abafaka izicelo zokungena kule mboni bayohlungwa ngokubhekelela ikhono nolwazi lwabo ekuvuneni izimbaza ezimhlophe.

(d) Ukuthemebla esivunweni sezimbaza ezimhlophe

UMnyango uyoncamela abafaki zicelo zabathembele kwisivuno sezimbaza ezimhlophe ukuze bathole isilinganiso sama-75 ekhulwini seholo labo lonyaka. Njengoba kuchaziwe ngenhla abafaki zicelo abanendlela yokuthola amaholo ezindaweni ezingaphandle kwemboni yokudoba, izicelo zabo ziyobekwa eceleni.

(e) Ukuthuthukiswa komnotho wakuleli zwe

UMnyango uyoncamela abafaki zicelo abahlala ezindaweni eziseduze nalapho kuvunwa khona izimbaza ezimhlophe. Abafaka izicelo kuyomele bakhombise ukuthi sebehlale ezindaweni eziseduze nalapho kutholakala khona izimbaza ezimhlophe okungenani iminyaka emine.

(f) Imisebenzi

Abavuni bezimbaza ezimhlophe abaqashwe abanini bezimvume zokuvuna izimbaza ezisasetshenziswa banalo ilungelo lokufaka ezabo izicelo. Abafaki zicelo abazimisele ukuqasha abantu abazobavunela izimbaza ezimhlophe, izicelo zabo ziyobhekelelwa uma benganika abasebenzi lokhu:

- Ukuqasha ngokugcwele abavuni bezimbaza;
- Isibonelelo sohlelo lwezokwelashwa kanye nomhlalaphansi;
- Noma eziphi ezinye izinzuzo, kanye
- Nezimo zokusebenza eziphephile.

(g) Ukungakhokhwa kwemali yentela

UMnyango udinga ukuba wonke umuntu akhokhele isivuno sakhe sezimbaza ezimhlophe.

Uma kukhona lapho intela ingakhokhwanga khona umnini mvume uyothola amaphuzu angemahle. Kodwa-ke uma umnini mvume esenalo ilungelo lokuthola imvume , ngeke ayinikwe imvume engakaqedi ukukhokha leyo mali yentela (nenzuzo yayo) kuMnyango.

(h) Ukuhambisana nomgomo

Abanini zimvume abasaphenywa ngokuphula imithetho yohlelo lwe-MLRA , noma ngobugebengu noma ukuhluleka ukuphatha, ngeke bayinikwe imvume yokuvuna izimbaza ezimhlophe kungakatholakali imiphumela yophenyo.

Ukuphulwa kohlelo lwe-MLRA okungatheni, sekuhlanganiswa nemigomo yalolu hlelo okwenziwe ofake isicelo, kuyoba nomthelela omubi kumaphuzu ayonikwa ofake isicelo.

9. Imali yezicelo

Imali yesicelo salelidabo ngeke ibengaphezu kwe R 500. Umnyango wozemvelo nokuvakasha usahlolisisa intengo okwamanje yengqubo yezabelo yaloludobo ukuze wazise abanamalungelo namaqemba ashisekela ukufaka izicelo.

10. Uhlu lwabangase bathole imvume

Ngaphambi kokuba uMnyango wenze isinqumo esingumnqamlajuqu ngokuphathelene nabazonikwa izimvume zokuvunela inzuzo embonini yezimbaza ezimhlophe, uMnyango uyokhipha uhlu lwesikhashana lwabazicelo ziphumelele. Lolu hlu luyozungeziswa kuzo zonke izindawo lapho kuvunwa khona izimbaza ezimhlophe. Abantu abanezifiso kanye nabathintekayo abakulezo zindawo ezithintekayo kuyomele bazise uMnyango uma kukhona abanomlando wokuvuna izimbaza ezimhlophe abangafakwanga kulolu hlu.

11. Izimo zezimvume

Izimo zezimvume kule mboni yokudoba ziyokhishwa njalo ngonyaka. Izimo zezimvume eziphathelele nesivuno sonyaka ka-2005 sizotholakala **njengesixhumelelo A**. Lezi zimo zingashintshwa ngonyaka ngemuva kokuxoxisana nabanini zimvume kule mboni. Abanini zimvume kanye nabafisa ukuphawula ngezimo zalezi zimvume, bavumelekile.