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PART 3 OF 3

ENGLISH AND XULU



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GENERAL NOTICE

Environmental Affairs and Tourism, Department of

General Notice

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GENERAL NOTICE

NOTICE 398 OF 2005

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

INVITATION TO COMMENT ON THE DRAFT POLICIES CONCERNING THE ALLOCATION AND MANAGEMENT OF LONG TERM FISHING RIGHTS IN THE HAKE HANDLINE AND WEST COAST ROCK LOBSTER (NEARSHORE) FISHERIES, 2005.

The Minister of Environmental Affairs and Tourism hereby issues for notice and comment a draft fisheries policy on the allocation and management of long term commercial fishing rights. Interested and affected parties are invited to submit written comment on these Draft Policies on the Allocation and Management of Long Term Fishing Rights 2005 in the manner provided for in this Notice.

1. Hake Handline (English - Annexure A, isiZulu – Annexure B)
2. West Coast Rock Lobster (Nearshore) (English - Annexure C, isiZulu – Annexure D)

IN THE CASE OF INCONSISTENCY BETWEEN THE ENGLISH AND isiZULU TEXT, THE ENGLISH TEXT PREVAILS

These fishery specific policies must be read with the Draft General Policy on the Allocation and Management of Long Term Fishing Rights, 2005. Interested parties may submit written comments to the Department by 17h00 on Monday 11 April 2005 in the manner described below.

In order to solicit comments from members of communities who may need special assistance in order to participate, a series of public meetings will be held where the applicable policies and their consequences will be explained, questions will be answered, written comments will be invited, oral comments will be recorded and views from member of the audience will be minuted.

Port Nolloth Venue: Port Nolloth City Hall Date: 2 March 2005 Time: 09h00	Hondeklipbaai Venue: Hondeklipbaai Community Centre Date: 2 March 2005 Time: 17h00	Ebenhaeser Venue: Ebenhaeser Community Centre Date: 3 March 2005 Time: 08h30	Doring Bay Venue: Doring Bay Community Hall Date: 3 March 2005 Time: 17h00	Lamberts Bay Venue: Lamberts Bay Recreational Centre Date: 4 March 2005 Time: 09h30	Elands Bay Venue: Elands Bay Community Hall Date: 4 March 2005 Time: 14h00
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Participants will be required to register on arrival at the venue, and are requested to arrive half an hour prior to the start of the meeting.

Interested parties may also submit written comments to the Department by 17h00 on Monday 11 April 2005 in the following manner:

By Fax: Fax Number: (021) 670-1782 Attention: The Deputy Director-General Fishery* Policy Comments	By Mail: Attention: Mr Horst Kleinschmidt The Deputy Director-General The Department of Environmental Affairs and Tourism P.O Box 44963 Claremont 7735 Fishery* Policy Comments	By E-mail: RVU@deloitte.co.za Attention: The Deputy Director-General Fishery* Policy Comments
		By Hand Attention: The Deputy Director-General The Rights Verification Unit 11 Landsdown Road Claremont Fishery* Policy Comments

*Please specify the fishery about which you are commenting.

Copies of all of the draft policies are also available on the Department's official website www.mcm-deat.gov.za. Hard copies may also be collected from the Department's fishery control offices along the coast. More information regarding the Long Term Rights Allocation Process can be obtained from the following helpline: 0861 123 626

Please note that comments received after the closing date may be disregarded.

Telephonic queries regarding the submission of comments may directed to the Rights Verification Unit at (021) 670-3669.

ANNEXURE A

DRAFT



**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
BRANCH MARINE AND COASTAL MANAGEMENT**

**POLICY FOR THE ALLOCATION AND MANAGEMENT OF
COMMERCIAL FISHING RIGHTS IN THE
HAKE HANDLINE FISHERY: 2005**

**THIS DRAFT POLICY MUST BE READ WITH THE DRAFT GENERAL
POLICY ON THE ALLOCATION AND MANAGEMENT OF LONG-TERM
COMMERCIAL FISHING RIGHTS: 2005 (available at [www.mcm-
deat.gov.za](http://www.mcm-deat.gov.za))**

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1. Introduction

This is a draft policy on the allocation and management of commercial fishing rights in the hake handline fishery and is issued by the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management ("the Department") for public comment. This policy must be read with the Draft General Policy on the Allocation and Management of Long-Term Commercial Fishing Rights: 2005 ("the General Policy").

As stated in the General Policy, the Department will hold public meetings at coastal venues in order to consult with the general public and interested and affected parties in particular, with respect to this draft hake handline policy. At these public meetings, comments on this policy will be invited. Written comments may be submitted to the Department by 11 April 2005. Comments submitted after this date will not be considered. Comments shall be submitted as follows:

<p>By Fax: Fax Number: (021) 670-1782 Attention: The Deputy Director-General Hake Handline Policy Comments</p>	<p>By Mail: Attention: Mr Horst Kleinschmidt The Deputy Director-General The Department of Environmental Affairs and Tourism P.O Box 44963 Claremont 7735 Hake Handline Policy Comments</p>	<p>By E-mail: RVU@deloitte.co.za Attention: The Deputy Director-General Hake Handline Policy Comments</p> <p>By Hand Attention: The Deputy Director-General The Rights Verification Unit 11 Landsdown Road Claremont Hake Handline Policy Comments</p>
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The purpose of this policy is to set out the considerations that will apply to the allocation of long-term commercial hake handline fishing rights. Many of these considerations are not new. They have been applied by the Department when allocating rights in the past. This policy documents these considerations, but includes a few changes and additions.

Certain post-rights allocation management policies are also presented in this draft policy. A Hake Handline Fishery Management Manual will be finalised with all right-holders during the course of 2006. This manual will stipulate in detail the management methodology and procedures for the fishery. In particular, the Department intends to manage this fishery on a regional basis subsequent to the allocation of long-term commercial fishing rights.

The Minister of Environmental Affairs and Tourism intends to delegate the section 18 power to allocate hake handline commercial fishing rights in terms section 79 of the Marine Living Resources Act 18 of 1998 (*the MLRA*) to a senior official of the Department.

2. Sector profile

The hake handline fishery developed along the southern Cape coast where, in the late 1980's, traditional linefishers began targeting hake as demand for prime quality ("PQ") hake increased on the international market.

Originally, hake handline fishers used deck boats that were capable of fishing overnight. As the fishery grew, some fishers started using skiboats, which can stay out at sea overnight, and can be winched up onto a trailer and be driven to areas closest to where the hakes are located. The deck boats were harbour bound. This introduction of skiboats significantly increased effort in the hake handline fishery, particularly as use of these vessels allows hake handliners to follow the hake along the South African coastline.

During the 1980's and 1990's the fishery was not properly regulated and managed. The lack of a regulatory framework, coupled with increased demand for PQ hake in the late 1990's, resulted in a number of persons, including recreational and commercial fishers operating in other fisheries, entering this fishery to take advantage of the high prices. During the late 1980's hake handline catches were estimated to be approximately 150 tons. By the 1990's this had increased to between 1 100 tons and 1 400 tons annually. By the year 2000, approximately 5000 tons were landed.

In December 2000, the Minister announced a biological emergency in the traditional linefish fishery. The Minister also decided to split the management of the handline fisheries into three separate fisheries – the tuna pole, the hake handline and the traditional linefish fisheries. In that year, the Minister set a total applied effort ("TAE") for the fishery for the first time in the hake handline fishery. The TAE limited the number of crew and vessels that could target hake using a handline to 130 vessels and 785 crew. In addition, a precautionary maximum catch limit ("PMCL") of 5500 tons

is set aside under the global hake total allowable catch.

The Department manages the hake longline fishery as part of a "hake" collective. In terms of the MLRA, a "global" total allowable catch ("TAC") for hake is set annually by the Minister of Environmental Affairs and Tourism. The hake handline and longline fisheries share 10 percent of the global TAC. The hake deep sea trawl fishery is allocated 83 percent of the TAC and the balance is fished by the hake inshore trawl fishery. Until 2004, 1 000 tons was set aside for foreign fishing. This allocation will be discontinued

The hake handline fishery operates out of small fishing harbours and slipways along the southern Cape and Eastern Cape coasts, as far north as Port Alfred. The handline fishery, like the hake long line fishery, lands PQ hake for export to Europe. The fishery operates in inshore waters targeting shallow water hake, *Merluccius capensis*.

Hake stocks are currently managed in terms of a recovery strategy and the TAC for hake has been reduced each year since 2003. Current catch rates of shallow water hake are unsustainable.

3. The medium-term rights allocation process

In 2003, the Department allocated 86 commercial hake handline fishing rights. The rights authorised 86 vessels and more than 700 crew to target hake using the handline method. This was the first time that commercial fishing rights were allocated in this fishery and the first time that the hake handline fishery was subjected to comprehensive regulation.

The objective of the medium-term allocation process was to allocate commercial hake handline fishing rights to fishers who are reliant on the fishery for their livelihoods. Every effort was made to exclude recreational or part-time fishers who derived income from other fisheries, or who were employed in other sectors of the economy

Of the rights allocated, 26 percent were allocated to blacks. Approximately 25 percent of the skippers in this fishery are black, while 76 percent of crew are black.

Most of the right-holders are individuals. Legal entities, such as close corporations and companies, make up a small percentage of the right-holders. All the right-holders in the fishery could be described as small- and medium-sized enterprises ("SMEs").

4. Over-arching sectoral objectives

The over-arching objectives of allocating long-term fishing rights in this fishery are to:

- Significantly increase the transformation profile of the hake handline fishery;
- Allocate rights to hake handline fishers who rely on the hake handline fishery for their livelihoods;
- Ensure that applicants based at fishing harbours that are historically associated with hake handline catches are allocated a fair proportion of the rights;
- Support the economic viability of the fishery; and
- Ensure the environmental sustainability of the fishery.

5. Duration of rights

Having regard to the transformation profile of the fishery, the Department intends to allocate commercial rights for a period of eight years (01 January 2006 to 31 December 2013), and subject to a review at regular intervals against predetermined performance criteria, including the attainment of agreed transformation goals (see paragraph 12 below).

6. New entrants

The hake handline fishery is currently over-subscribed. There are many more handline fishers than the resource is able to sustain. However, the poor transformation profile of this fishery, coupled

with the fact that many hake handline fishers, particularly black skippers, did not apply for commercial rights in 2001, mean that rights are likely to be allocated to a substantial number of new entrant applicants.

7. Evaluation criteria

Applications will be screened in terms of a set of "*exclusionary criteria*". Right-holder applicants and new entrant applicants will then be separately assessed in terms of a set of weighted "*comparative balancing criteria*". A cut-off score or rank will then be determined to select the successful applicants. A proportion of the TAE will be allocated to each successful applicant in terms of a set of "*quantum criteria*".

7.1 Exclusionary criteria

Apart from the criteria described in the General Policy pertaining to the lodgement of applications and material defects, the Department will exclude applicants that fail to meet the following requirements:

- (a) **Form of the applicant:** Applications will only be considered from entities incorporated in terms of the Close Corporations Act of 1984 and individuals (i.e. sole proprietors or natural persons). Applications from trusts and companies will not be considered.
- (b) **Compliance:** Compliance with the provisions of the MLRA, including the provisions of its regulations is considered to be of paramount importance. Applicants, including their members, that have been convicted of an offence in terms of the MLRA (without the option of the payment of a fine) will not be allocated a hake handline fishing right. Applicants, including their members, that have had any fishing right cancelled or revoked in terms of the Marine Living Resources Act will also not be allocated a hake handline fishing right. Other breaches of the MLRA will negatively affect the evaluation of applications.
- (c) **Paper quotas:** Paper quotas as defined in the General Policy will be excluded.

Large groups of identical or very similar applications that are sponsored by consultants or commercial fishing companies and other entities, will be excluded as fronts for paper quotas, regardless of the merits of individual applications.

- (d) **Non-utilisation:** Those right-holders that failed to utilise their medium-term commercial hake handline right between 2003 and 2004 will not be re-allocated a right.
- (e) **Personal involvement in harvesting of the resource:** Applicants will have to demonstrate that they are involved on a full-time basis in the hake handline fishery. They will be required to demonstrate that they are active fishers and participate in the operation of the hake handline business.
- (f) **Dependency on the resource:** Right-holder applicants who are not dependent on the hake handline fishery for at least 75 percent of their gross annual income will be excluded. Potential new entrants will be required to demonstrate their historical dependency on the hake handline fishery for their livelihood. Applicants that derive any of their income from sources outside of the fishing industry will be excluded.
- (g) **Vessel access:** Applicants will be required to demonstrate a right of access to a suitable vessel (*see paragraph 8 below*).

7.2 **Balancing criteria**

Right-holder applicants and potential new entrants will be evaluated in terms of the following balancing criteria, which will be weighted in order to assess the strength of each application:

(a) **Transformation**

Currently, only 26 percent of right-holders in this fishery are black-owned. An estimated 25 percent are black-managed.

Applicants that are individuals will be scored on whether or not they are black.

Applicants that are close corporations will be assessed and scored on –

- The percentage black and women representation at ownership and management levels (particularly with regard to skippers);
- Whether employees are members of the applicant and the extent of their benefits;
- Affirmative procurement;
- Compliance with the Skills Development Levies Act 9 of 1999; and
- Corporate social investment.

(b) Investment in the fishery

Applicants will be evaluated having regard to investments made in the hake handline fishery.

Right-holder applicants will be assessed as follows:

- Investment in vessels by 31 December 2004 will be recognised, as long as the investment demonstrates a real commitment to participate in the sector. Right-holder applicants will not be rewarded for having concluded charter agreements or catching or purchasing agreements.
- Investment in marketing initiatives will be considered. The Department will have regard to whether the applicant is capable of marketing hake.

New entrant applicants will have to show whether they have invested in a vessel and in what form. In addition, new entrant applicants will have to show whether they have access to markets.

(c) Fishing performance

Right-holder applicants will be assessed by having regard to their performance in the hake handline fishery during the medium-term rights allocation process. In particular, right-holder applicants that targeted traditional linefish stocks in preference to hake will be penalised.

New entrant applicants will be assessed by having regard to whether they have the ability, knowledge and skills to target hake by the handline method.

(d) Jobs

Right-holder applicants who can demonstrate that they have provided temporary or permanent employment during the medium-term period, will be rewarded.

(e) Local economic development

Investment in a number of South Africa's smaller coastal towns is required for economic growth. The Department will accordingly prefer those applicants that elect to land their catches in the harbours along the Cape south coast and the Eastern Cape coast which have historically been associated with hake handline fishing.

(f) Historical involvement

Right-holder applicants and potential new entrants will be rewarded for historical involvement in the fishing industry. An example of historical involvement would be a skipper or a crewmember who has worked in the handline fishery in the past.

(g) Compliance

Minor infringements of the MLRA, the Regulations and permit conditions will be negatively scored. Right-holder applicants who cannot demonstrate that they

comply with the Skills Development Act 97 of 1998 and the Skills Development Levies Act 9 of 1999 and the Occupational Health and Safety Act 85 1993, will be negatively scored.

7.3 Empowerment of hake handline fishers

The Department will require all fishing crew who are intending to work on hake handline boats to register with the Department on its Hake Handline Crew List. Those applicants who are successful in applying for a hake handline fishing right will be required to select their crew members from among those who are listed on the Hake Handline Crew List.

7.4 Effort allocations

In 2003, one vessel was allocated to each successful applicant. The Department intends revising the allocation of effort in the hake handline fishery.

Firstly, the Department will allocate crew based on the maximum crew complement which is authorised by the South African Maritime Association ("SAMSA"). The Department will reserve a pool of approximately 15 vessels for allocation to successful applicants who are transformed and who have invested in hake handline vessels. The Department will allocate one vessel to each successful applicant. The pool of reserved vessels will be allocated to those applicants that scored highest on transformation criteria and who requested more than one vessel.

Secondly, although this fishery is managed in terms of a TAE (130 vessels and 785 crew), a precautionary maximum TAC of 5 500 tons is also used to manage this fishery. Records reveal that over the duration of the medium-term period, this precautionary maximum catch limit was never reached. Accordingly, the Department may, in the future, allocate slightly more fishing rights, provided that once the fishery lands 5 500 tons, all hake handline fishing will be halted for that season.

8. Suitable vessels

A suitable vessel in the hake handline fishery is a vessel that:

- has a minimum SAMSA certified length of approximately five metres and a maximum SAMSA certified length of approximately 12 metres. Essentially, the Department will allocate rights to skiboats and deck boats;
- has a functioning vessel monitoring system; and
- is certified as being HACCP ("Hazard Analysis and Critical Control Point") compliant.

9. Multi-sector involvement

Right-holders in the hake handline fishery (including their members) will not be allowed to hold commercial fishing rights in any other fishery. Right-holders in the hake handline fishery will, however, be entitled to target snoek.

10. Application fees and levies

The application fee for the hake handline fishery will be set having regard to:

- The cost of the entire rights allocation process, including consultation, receipting, evaluation of applications, verification, appeals and reviews. In this regard the costs incurred during the medium-term process will be used as a guide; and
- The value of the fish being allocated over the duration of the right.

The annual levies payable with effect from 01 January 2006 will be revised, after

consultation with affected and interested parties.

11. Management measures

The management measures discussed below reflect a number of the Department's principal post-right allocation management intentions for this fishery.

11.1 *Ecosystem approach to fisheries management*

This fishery will be managed in accordance with the ecosystem approach to fisheries ("EAF"). An ecosystem approach to fisheries management is a holistic and integrated policy which recognises that fishing and associated land-based activities impact on the broader marine environment. The EAF will be detailed further in the Hake Handline Fishery Management Manual. South Africa remains committed to the target date of 2010 for the implementation of an EAF in the commercial fisheries.

11.2 *Management on a regional basis*

The Department intends changing the management strategy of this fishery subsequent to the allocation of long-term fishing rights. It is the Department's intention to manage this fishery on a regional basis, restricting the movement of vessels within specific regions.

11.3 *Access to traditional linefish stocks*

Hake handline fishers will not be permitted to fish for traditional linefish stocks such as kob (*Argyrosomus* spp.) and geelbek (*Atractoscion aquidens*). Hake handline fishers will, however, be allowed to target snoek when it becomes available.

12. Performance measuring

The Department will institute a number of formal performance measuring exercises for the duration of the commercial fishing rights. It is envisaged that the first performance

measuring exercise will take place after a year, and thereafter every three years.

Although the Department will finalise the precise criteria against which right-holders will be measured after the allocation of commercial fishing rights, and after consulting with right-holders, the following broad performance-related criteria may be used:

- transformation;
- investment in vessels, marketing and gear;
- compliance with applicable laws and regulations.

13. Observer and monitoring programme

The Department's current monitoring programme will be expanded to this fishery. Right-holders will be required to bear the costs of the observer and monitoring programmes.

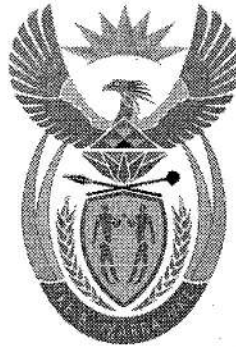
14. Provisional lists

Before the Department makes a final decision on who will be allocated rights to participate in the hake handline fishery, it will issue a provisional list of successful applicants. The provisional list will be circulated to each fishing area. Interested and affected parties in these areas may then inform the Department if any persons who historically fished for hake using the handline method have been excluded from the provisional list.

15. Permit conditions

Permit conditions for this fishery will be issued annually. The permit conditions applicable to this fishery for the 2005 season are attached as **Annexure A**. Interested and affected parties are invited to comment on these permit conditions.

UHLAKA



**UMNYANGO WEZEMVELO NEZOKUVAKASHA
IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU**

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

**LOLUHLAKA MGOMO KUMELE LUFUNDWE NOMGOMO JIKELELE
WOKUNIKA NOKWENGAMELA IZIMVUME ZOKUDOBELA INZUZO
ZESIKHATHI ESIDE ZIKA-2005. (itholakala kwi- [www.mcm-
deat.gov.za](http://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:

<p>NgeFax: Quaphela: (021) 670-1732 Quaphela: The Deputy Director-General Fishery (Please specify which fishery) Policy Comments</p>	<p>Nge Mail: Quaphela: Mr. Horst Kleinschmidt The Deputy Director-General The Department of Environmental Affairs and Tourism P.O Box 44963 Claremont 7735 Fishery (Please specify which fishery) Policy Comments</p>	<p>Nge E-mail: RVU@deloitte.co.za Quaphela: The Deputy Director-General Fishery (please specify which fishery) Policy Comments</p> <p>Nge Hand Quaphela: The Deputy Director-General The Rights Verification Unit 11 Landsdown Road Claremont Fishery (please specify which fishery) Policy Comments</p>
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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 zekhethele 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 ngalolu hlobo 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.

Ungqongqoshe wabe esebona kungcono ukuthi ahlukane ukuphathwa kwezimboni zokudoba zibe izimboni ezintathu ezahlukene, imboni yohlobo lwe-*tuna*, imboni yohlobo lwe-*hake* kanye nembali yohlobo lwezinhlanzi olubizwa nge-*linefish*. Ngawo lowo nyaka uNgqongqoshe wamisa ngokokuqala imboni yokudoba izinhlanzi zohlobo lwe-*hake* uhlelo olubizwa nge-TAE (total applied effort). Uhlelo lwe-TAE lavimbela ukukhula kwesibalo sezisebenzi kanye nemikhumbi yokudoba engaxila ekudotshweni kwezinhlanzi zohlobo lwe-*hake* kusetshenziswa udobo. Iesi sibalo saba yimikhumbi yokudoba eyi-130 kanye nezisebenzi ezingama-785. Ngaphezu kwalokho kwabe sekusikelelwa 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 i-*hake*. Ngokuya ngomthetho we MLRA wo-mhlaba wonke ngokwemvume yokudoba (TAC) ibekelwe ngonyaka nguNgqongqoshe weMzimba yeMvelo nokuVakasha: Hake nabadobi bentengiso yesandla 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 kuyofinyelele e-Port Alfred. Imboni yokudoba ngodobo, njengembali yokudoba izinhlanzi zohlobo lwe-*hake* ngentambo eboshelwe esikebheni zibamba izinhlanzi zekhethelelo 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 uhlangathi 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 kuhlangele nokuthi iningi labadobi abadoba ngezindobo izinhlanzi zohlobo lwe-*hake*, ikakhulukazi okaputeni abamnyama, abazange bafake izicelo zezimvume zokudobela inzuzo ngonyaka ka-2001.Iokhu-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 zinhlanzi 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-130 kanye 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 esiqinisekisiweni 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 ezahlukeni 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 kokubuyekizwa kwezinqumo ezithathwekanye nokubuyekizwa kohlelo jikelele. Inani elibizwe uhlelo ngesikhathi esimaphakathi salolu hlelo liyothathwa njengomhlahlandlela, kanye
- Nenani ngakwezimali lezinhlazi ovumeleke ukuzidoba ngokwesikhathi esinqunyelwe imvume.

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

11. Izindlela ezizosethenziselwa ukuphatha

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

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

Lemboni yokudoba izophathwa ngokuhambisana nohlelo olubizwa ngokuthi *l-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 aqoidens*). 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.

ANNEXURE C

DRAFT



**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
BRANCH MARINE AND COASTAL MANAGEMENT**

**POLICY FOR THE ALLOCATION AND MANAGEMENT OF COMMERCIAL FISHING
RIGHTS IN THE WEST COAST ROCK LOBSTER LIMITED COMMERCIAL (NEARSHORE)
FISHERY: 2005**

**THIS DRAFT POLICY MUST BE READ WITH THE DRAFT
GENERAL POLICY ON THE ALLOCATION AND MANAGEMENT OF
LONG-TERM COMMERCIAL FISHING RIGHTS: 2005 (available at
www.mcm-deat.gov.za)**

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1. Introduction

This policy on the allocation and management of fishing rights in the west coast rock lobster limited commercial (nearshore) fishery is issued by the Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management ("the Department") for public comment. This sector will also be referred to as "WCRL (nearshore)". This policy must be read with the Draft General Policy on the Allocation and Management of Long-term Commercial Fishing Rights: 2005 (*"the General Policy"*).

As stated in the General Policy, the Department will hold public meetings at coastal venues in order to consult with the general public, and interested and affected parties in particular, with respect to this draft WCRL (nearshore) policy. At these public meetings, comments on this policy will be invited. Written comments must be submitted to the Department by 11 April 2005. Comments submitted after this date will not be considered. Comments shall be submitted as follows:

<p>By Fax: Fax Number: (021) 670-1782 Attention: The Deputy Director-General WCRL (Nearshore) Policy Comments</p>	<p>By Mail: Attention: Mr Horst Kleinschmidt The Deputy Director-General The Department of Environmental Affairs and Tourism P.O Box 44963 Claremont 7735 WCRL (Nearshore) Policy Comments</p>	<p>By E-mail: RVU@deloitte.co.za Attention: The Deputy Director-General WCRL (Nearshore) Policy Comments</p> <hr/> <p>By Hand Attention: The Deputy Director-General The Rights Verification Unit 11 Landsdown Road Claremont WCRL (Nearshore) Policy Comments</p>
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The purpose of this policy is to set out the considerations that will apply to the allocation of long-term commercial WCRL (nearshore) fishing rights. Many of these considerations are not new. They have been applied by the Department when allocating rights in the past. This policy documents these considerations, but includes a few changes and additions.

Certain post-rights allocation management policies are also presented in this draft policy. A West Coast Rock Lobster (Nearshore) Fishery Management Manual will be finalised with all right-holders during the course of 2006. This manual will stipulate in detail the management methodology and procedures for the fishery.

The Minister of Environmental Affairs and Tourism intends to delegate the section 18 power to allocate commercial WCRL (nearshore) fishing rights in terms section 79 of the Marine Living Resources Act 18 of 1998 ("the MLRA") to a senior official of the Department.

2. Biology and resource dynamics

West coast rock lobster (*Jasus lalandii*) are slow-growing long-lived animals. Female size at maturity varies and ranges from 57 millimetres carapace length (CL) to 66 millimetres CL. Male lobsters attain a larger size and grow faster than females. As a result of the size limit of 75 mm CL that is imposed on commercial fishers, male lobsters make up 90 to 99 percent of the catch.

West Coast rock lobster occur inshore (<200m depth) from just north of Walvis Bay in Namibia to East London. Commercial exploitation occurs from about 25°S in Namibia to Gansbaai. However, recreational fishing extends further eastwards to Mossel Bay.

3. Sector profile

The current harvestable biomass is estimated at around eight percent of the pre-exploitation levels and spawning biomass at approximately 21 percent. This decline is largely a result of two effects: large unsustainable catches taken particularly during the first half of the 20th century and a substantial reduction in the somatic growth rate during the 1990's.

Commercial fishing began in the 1880's. The commercial fishery expanded rapidly in the early part of the 20th century. Although catch records prior to 1940 are sparse, catches appear to have peaked in the period 1950 to 1965, when between 13 000 and 16 000 tons were landed annually.

Prior to 1946, the commercial fishery was unregulated. In that year, a tail-mass production quota was imposed to control exports. This formed the basis of the "output-controlled" management philosophy that is still employed in the management of the west coast rock lobster resource today.

From 1946 onwards, annual quotas were granted, based primarily on the performance of the fishery in the preceding season. Until the mid-1960's, catches were directly controlled by these quotas. In the 1967/68 fishing season, catch rates began to decline and quotas could not be filled. Decreases in the Total Allowable Catch ("TAC") to between 4 000 and 6 000 tons restored some balance in the period 1970/71 to 1989/90.

The tail-mass production quota was replaced by a whole lobster (landed mass) quota, and management by means of a TAC was introduced in the early 1980's. Area or zonal allocations were introduced at the same time. Other management measures that were enforced early on were size limits and a closed season. Catches of berried or soft-shelled lobsters were banned. The 1990/91 season again saw the catch rates drop and, in the ensuing years, the commercial TAC was gradually reduced, reaching 1 500 tons in the 1995/96 season. Since then, there has been a slow recovery, with the commercial TAC being set at 3 527 tons for the 2004/2005 season.

Prior to the introduction of lobster traps in the 1960's, the commercial fishery depended almost exclusively on hand-hauled, hoopnets, which are light and easy to deploy from small boats in shallow waters. Hoopnets are seldom used at depths exceeding 30 metres. Hoopnet dinghies may either operate independently from the shore by means of an outboard motor or oars, or be transported to the fishing grounds by means of a motorized mother vessel (deckboat).

The west coast rock lobster fishery is made up of two distinct sectors: a commercial fishery and a recreational fishery. Recreational users may only fish using hoopnets from a boat or the shore, or practice breath-hold diving or poling from the shore. Recreational fishers may not sell their catch.

The commercial sector consists of large-scale offshore operators (right allocations of more than 1.5 tons) and a more limited nearshore component (right allocations of less than 1.5 tons). In the nearshore sector, right-holders may only use hoopnets and may not move between areas.

The nearshore commercial sector (or limited commercial fishery) replaced the subsistence fishery in 2001 as a result of the findings and recommendations of an independent review of

subsistence fishing in South Africa. The review recommended that high-value subsistence fisheries such as west coast rock lobster, traditional linefish and abalone should be commercialised. The commercialisation of these fisheries has permitted fishers to sell and market their products.

The Department allocates 20 percent of the west coast rock lobster TAC to the nearshore fishery and 80 percent to the offshore fishery. The reason for this split is that approximately 20 percent of the resource is located in the inshore region, while 80 percent is located offshore in deeper waters.

The offshore fishery supports some 5 500 employees, 95 percent of whom are black. Of these, more than 2 500 are sea-going personnel, with the remainder employed in processing and marketing operations on land. West coast rock lobster fishing takes place between November and July and the average annual income over this period is R26 500. The annual value of west coast rock lobster catches is approximately R200 million. The approximate value of vessels in this fishery is R130 million.

4. The medium-term rights allocation process

In 2001, the Department allocated 234 full commercial west coast rock lobster fishing rights. An additional 511 limited commercial fishing rights were allocated to former subsistence fishers. Of the rights allocated in the full commercial fishery, 66 percent were granted to blacks and black-owned entities. The representation of blacks at senior management level in the full commercial fishery is, however, only 34 percent.

Of the rights allocated in the limited commercial fishery, 91.5 percent were allocated to blacks; predominantly black-owned micro enterprises. This means that approximately 70 percent of the west coast rock lobster fishery is controlled by blacks.

In 2003, the Department allocated a further 230 tons of west coast rock lobster to 274 limited commercial right-holders in the area east of Cape Hangklip. Of the rights allocated, more than 90 percent were allocated to blacks.

In 1992, 39 predominantly white right-holders controlled the west coast rock lobster TAC. In contrast, by the end of 2003, the Department had allocated 1 019 commercial rock lobster fishing rights. Of these, more than 785 were allocated to former subsistence fishers. To accommodate the larger number of right-holders, the average allocation in 2002 was 6.8 tons, compared with an average allocation of 56 tons in 1992. However, the difference between largest and smallest right-holders also decreased substantially over the past 10 years. In 1992, there was a 200-fold difference between the highest (199 tons) and the lowest (one ton) allocations; in 2002, there was a 66-fold difference between the highest (95.6 tons) and the lowest (1.5 tons) allocations.

5. Over-arching sectoral objectives

The objectives of allocating long-term fishing rights in the WCRL (nearshore) fishery are to:

- Maintain the transformation profile of this fishery;
- Allocate commercial fishing rights to fishers who depend on the WCRL resource for their livelihoods;
- Ensure that applicants based at fishing villages that are historically associated with WCRL catches are allocated a fair proportion of rights;
- Encourage investment in vessels, marketing and processing infrastructure, and the creation of secure jobs;
- Sustain the economic viability of the fishery; and
- Ensure the environmental sustainability of the fishery.

6. Duration of rights

Having regard to –

- the transformation profile of the fishery;
- the need to encourage further investments in this fishery by micro enterprises;
- the need to encourage creation of permanent jobs;

- the need to maintain the economic stability that currently prevails in the fishery; and
- the fact that the west coast rock lobster resource is well managed with reliable and current data,

The Department will allocate commercial rights for a period of 10 years (01 January 2006 to 31 December 2015 and subject to regular review against predetermined performance criteria, including the attainment of agreed transformation goals (*see paragraph 12 below*).

7. New entrants

Although the west coast rock lobster fishery is optimally exploited and there is no room for additional participants, new entrant applicants will be considered and may be preferred over existing right-holders who have failed to transform at all, or who have failed to implement transformation plans as stipulated in their medium-term right applications. In addition, those right-holders that did not utilise their rights, or did not utilise them effectively, will not be re-allocated a right and may be replaced by new entrants.

8. Evaluation criteria

Applications will be screened in terms of a set of "*exclusionary criteria*", and thereafter weighted in terms of a set of "*comparative balancing criteria*". A cut-off score or rank will then be determined to select the successful applicants. A proportion of the TAC will be allocated to each successful applicant in terms of a set of "*quantum criteria*".

8.1 Exclusionary criteria

Apart from the criteria described in the General Policy pertaining to the lodgement of the applications and material defects, the Department will exclude applicants that fail to meet the following requirements:

- (a) **Form of the applicant:** Only natural persons will be considered. Right-holders who previously operated in the form of juristic persons (i.e. close corporations, trusts or companies) will have to apply in their individual capacities, but will be considered to be "right-holders" for purposes of the allocation process.

A nuclear family (comprising a couple, their parents and their children) may not be granted more than one right so as to avoid monopolies and to broaden access to the west coast rock lobster resource. Applicants may be required to disclose their relationship to applicants in other commercial fisheries. If more than one member of a household applies for a right, all the applications from the family may be excluded, unless the applicants clearly and convincingly demonstrate that they have established separate small commercial operations.

- (b) **Compliance:** Applicants that committed a serious infringement of the MLRA will be excluded.
- (c) **Paper quotas:** Paper quotas (as defined in the General Policy) will be excluded. Large groups of identical, or very similar applications, that are sponsored by consultants or commercial fishing companies and other entities, will be excluded as fronts for paper quotas, regardless of the merits of individual applications.
- (d) **Non-utilisation:** Those right-holders that failed to utilise their medium-term commercial west coast rock lobster right between 2002 and 2004 will not be re-allocated a commercial right.
- (e) **Multi-sector involvement:** Applicants who hold rights in a commercial fishery other than the abalone fishery, or have interests - including shares and membership interests - in right-holders in other commercial fisheries will be excluded. Applicants who are the beneficiaries of right-holder trusts will be excluded.
- (f) **Personal involvement in harvesting of the resource:** Applicants will have to demonstrate that, during the fishing season, they are involved on a full-time basis in

fishing for WCRL. They should be active on fishing vessels and participate in the operation of the business.

- (g) **Dependence on the resource:** Right-holder applicants who are not dependent on the harvesting of WCRL for at least 75 percent of their annual gross income will be excluded. Potential new entrants will be required to demonstrate their historical dependence on WCRL fishing for their livelihood. Applicants that derive any of their income from sources outside the fishing industry will be excluded.
- (h) **Resident in fishing zone:** Applicants who do not live adjacent to the fishing zone where they have applied for rights will be excluded. Applicants will be required to demonstrate that they have lived adjacent to the fishing zone for at least four years. WCRL (nearshore) fishing rights will only be granted to residents who live adjacent to a fishing zone or area. Successful right-holders in the WCRL (nearshore) fishery will be restricted to designated fishing zones or areas.
- (i) **Vessel access:** Applicants will have to demonstrate a right of access to a suitable vessel (*see paragraph 9 below*).

8.2 Comparative balancing criteria

Right-holder applicants and potential new entrants will be evaluated in terms of the following balancing criteria which will be weighted to assess the strength of each application:

(a) Transformation

To maintain the transformation profile of the WCRL (nearshore) fishery, applicants will be scored positively if they are black. Gender may be used as a tie-breaking factor, i.e. where more than one applicant scores the same, a female applicant will be preferred over a male applicant.

Applicants will also be assessed and scored on –

- Affirmative procurement; and
- Corporate social investment.

(b) Investment

Investment in vessels by 31 December 2004 will be recognised, as long as the investment demonstrates a real commitment to participate in the fishery.

(c) Jobs

Right-holder applicants who can demonstrate that they have provided temporary or permanent employment during the medium-term period, will be rewarded.

(d) Processing and marketing

Right-holder applicants will be required to submit processing and marketing records and may be assessed on their performance in this regard.

(e) Fishing performance

Right-holder applicants will be assessed by having regard to their performance in the WCRL fishery during the medium-term period.

New entrant applicants will be assessed by having regard to whether they have the ability, knowledge and skills to fish for WCRL.

(f) Historical involvement

Right-holder applicants and potential new entrants may be rewarded for historical involvement in the fishing industry. Such involvement might include being a crewmember in the limited commercial WCRL fishery, or being a crew member in any other commercial fishery.

(g) Compliance

Minor infringements of MLRA, the regulations and permit conditions, such as over-fishing or the landing of under-sized WCRL, will be negatively scored. Right-holder applicants who cannot demonstrate that they comply with the Skills Development Act 97 of 1998 and the Skills Development Levies Act, 9 of 1999, and the Occupational Health and Safety Act, 85 of 1993, will be negatively scored.

8.3 Quantum criteria

Allocations to successful right-holders in the WCRL (nearshore) fishery will be fixed at between 750 kilograms and 1.5 tons. Regard will be had to the abundance of the resource in the area or zone applied for, as well as investment in the fishery and job creation.

9. Suitable vessels and gear limitations

A suitable vessel in the WCRL (nearshore) fishery is a vessel that:

- has a maximum SAMSA certified length of eight metres;
- is fitted with a vessel monitoring system; and
- is geared to fish for WCRL using hoop nets only.

10. Management measures

The WCRL fishery will be managed in accordance with the ecosystem approach to fisheries ("EAF"). An ecosystem approach to fisheries management is a holistic and integrated policy which recognises that fishing and associated land-based activities impacts on the broader marine environment. This part of the WCRL (nearshore) fishing policy does not attempt to provide a policy statement on EAF in the WCRL fishery. The EAF in the WCRL fishery will be detailed in the West Coast Rock Lobster (Nearshore) Fishery Management Manual. South Africa remains committed to the target date of 2010 for the implementation of an EAF in the commercial fisheries.

The WCRL (nearshore) fishery will be managed using a number of controls, including minimum size limits, closed seasons, gear restrictions, area and time restrictions, marine protected areas and limitations on retention of berried females and soft-shelled lobster. These restrictions are contained in the permit conditions.

11. Application fees and levies

The application fee for the WCRL (nearshore) fishery will be set having regard to:

- The cost of the entire rights allocation process, including consultation, receipting, evaluation, verification and appeals and reviews. In this regard, the costs incurred during the medium-term process will be used as a guide; and
- The value of the fish being allocated over the duration of the right.

The annual levies payable with effect from 01 January 2006 will be revised, after consultation with interested and affected parties.

12. Performance reviews

The Department will institute a number of performance measuring exercises for the duration of the commercial fishing rights. It is envisaged that the first performance measuring exercise will take place after a year, and thereafter every three years. Failure to perform as stipulated may result in the right being suspended, cancelled or revoked.

13. Observers

The vessels used in the WCRL (nearshore) fishery are not able to accommodate observers. Right-holders will, however, be expected to cooperate fully with land-based observers or those transported to the fishing grounds in other vessels.

14. Provisional lists

Before the Department makes a final decision on who will be allocated rights to participate in the WCRL (nearshore) fishery, it will issue a provisional list of successful applicants. The provisional list will be circulated to each fishing area. Interested and affected parties in these areas may then inform the Department if any persons who historically fished for WCRL in the nearshore area have been excluded from the provisional list.

15. Permit conditions

Permit conditions for this fishery will be issued annually. The permit conditions applicable to this fishery for the 2005 season are attached as **Annexure A**. Interested and affected parties are invited to comment on these permit conditions.

ANNEXURE D

UHLAKA



**UMNYANGO WEZEMVELO NEZOKUVAKASHA
IGATSHA LEZASOLWANDLE NOKUPHATHWA KOGU**

**UMGOMO KA-2005 WOKUNIKA NONGWENGAMELA IZIMVUME
ZOKUDOBELA INZUZO AMA-ROCK LOBSTER KUGU
OLUSENTSHONLALANGA**

LOLU HLAKA MGOMO KUMELE LUFUNDWE NOMGOMO JIKELELE
WOKUNIKA NOKWENGAMELA IZIMVUME ZOKUDOBELA INZUZO
ESIKHATHI ESIDE KA-2005.(itholakala kwi- www.mcm-deat.gov.za)

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1. Isingeniso

Lo mgomo wokunikezwa nokuphathwa kwezimvume zokudobela inzuzo embonini engandile yama-*west coast rock lobster* (ngasosebeni) ikhishwe uMnyango weZemvelo neZokuvakasha: Igatsha lezasolwandle nokuphathwa kogu (uMnyango) ukuze umphakathi ubeke izimvo zawo ngalo. Le mboni iyobizwa nge-“WCRL (ngasosebeni)”. Lo mgomo kumele ufundwe nomgomo jikelele ka-2005 wokunika kanye nokwengamela izimvume zokudobela inzuzo zesikhathi eside (“umgomo jikelele wokudoba”).

Njengoba kuchaziwe kumgomo jikelele, uMnyango uyobamba imihlangano yemiphakathi ezindaweni ezigudle ugu ukuze uxoxisane nomphakathi jikelele, nalabo abanezifiso nabathintekayo mayelana nalolu hlaka mgomo lwe-WCRL (ngasosebeni). Kule mihlangano yomphakathi izimvo mayelana nalo mgomo ziyokwamukelwa. Izimvo ezibhalwe phansi kumele zithunyelwe kuMnyango ungakadluli umhla ka-11 ku-Ephreli 2005. izimvo eziyothunyelwa ngemuva kwalesi sikhathi ziyoshaywa indiva. Izimvo kufanele zithunyelwe ngale ndlela.

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Inhloso yalo mgomo ukubeka ngokusobala uhlelo okuzoqhutshwa ngalo uma kunikwa imvume yesikhathi eside ama-WCRL (ngasosebeni). Iningi la lezi zinhlelo azizintsha. Bezisetshenziswa uMnyango uma unikeza imvume esikhathini esedlule .Lo mgomo uqukethe uhlelo okuzoqhutshwa ngalo noma kukhona izinguquko ezingatheni kanye nokwengeziwe

Eminye imigomo yokuphatha ngemuva kokunikwa imvume yethuliwe. Ibhuku eliphathelene nokuphatha kokudotshwa kwama-*West Coast Rock Lobster* (Ngasosebeni) liyoqedelwa ngokuhlanganyela nabanezimvume ngonyaka ka-2006. Leli bhuku liyobeka ngokusobala indlela yokuphatha kanye nenqubo yokudoba.

UNgqongqoshe weZemvelo neZokuvakasha uhlose ukunikezela ngamandla kasomqulu 18 wokunika imvume yokudobela inzuzo ama-WCRL (ngasosebeni) oqukethwe esigabeni 79 soMthetho 18 wezinto eziphila olwandle ka-1998 (the Marine Living Resources Act 18 ka-1998 obizwa nge-“MLRA”) unikezelwe kwisikhulu esiphezulu somnyango.

2. Isayensi yezinto eziphilayo kanye nokuphathelene nenai lokudotshwa kwezinhlanzi

Ama-*west coast rock lobster* (*Jasus lalandii*) ayizilwane ezikhula kancane ziphile isikhathi eside. Ubukhulu bama-WCRL esifazane ayahluka kakhulu ekhuleni kwawo, asukela kumamilimitha angama-57 ubude begobolondo [carapace length (CL)] kuya kumamilimitha angama-66. Awesilisa aba made akhule mawala kunawesifazane. Ngenxa yesilinganiso sobude obungamamilimitha angama-75 samagobolongo esigidlabezwe abadobi abadobela inzuzo, awesilisa aba yisilinganiso sama-90 kuya kwangama-99 ekhulwini sama-WCRL abanjwayo.

Ama-*west coast rock lobster* atholakala mangasosebeni (ekujuleni kwamamitha angamaphansi kwama-200) ukusuka ngaseNyakatho yase-Walvis Bay e-Namibia kuya e-East London. Ukudoba ngaphezu kwenani kudotshelwa inzuzo kwenzeka kumazinga okushisa asukela ku-25°S e-Namibia ukuya e-Gansbaai. Kodwa ukuzidobela nje kuqhubekela mangasempumalanga kuya e-Mossel Bay.

3. Ukubukeka kwemboni yokudoba

Isisindo esivunekayo kuyimanje silinganiselwa kwisilinganiselo sesi-8 ekhulwini uma kuthathwa isilinganiselo sokudoba ngokweqile esedlule, isisindo samaqanda silinganiselwa kwisilinganiselo esingama-21 ekhulwini. Loku kwehla kwezinga kuwumphumela walezi zinto ezimbil: inani elikhulu

lokuvuna isivuno esingaphezulu kwesingamelwa yimvelo ikakhulukazi ngesigamu sokuqala sekhulunyaka lama-20 (20th century) kanye nokwehla kwezinga lokukhula ngeminyaka yawo-1990.

Ukudobela inzuzo kwaqala ngeminyaka yawo-1880. imboni yokudobela inzuzo yakhula ngesivinini ekuqaleni kwekhulunyaka lama-20. Nakuba imibiko ebhalwe phansi yokudotshwa kwezinhlanzi ngonyaka ka-1940 ikhomba ukuthi zincane izinhlanzi ezabanjwa , inani lezinhlanzi ezabanjwa lakhuphuka kakhulu phakathi konyaka ka-1950 no-1965, lapho kwatholakala khona amathani aphakathi kwezi-13 000 nezi-16 000 ngonyaka.

Ngaphambi konyaka ka-1946 imboni yokudobela inzuzo yayingalulwa ngamthetho. Kulowo nyaka isisindo esasingathwaleka emuva nomkhumbi sagidlabezwa kulawuleke izimpahla eziphumayo. Lokhu kwacha indlela yokuphatha ebheka okutholakalayo("output controlled") esasetshenziswa namanje ekuphathweni kwama-*west coast rock lobster* .

Ukusukela ngonyaka ka-1946 kuya phambili, kwanikezwa izilinganiso sonyaka, esasigxile ekusebenzeni kwemboni esikhathini sokudoba esedlule. Kuze phakathi neminyaka yawo-1960, inani lezinhlanzi ezibanjiwe zazilawulwa ngqo ngesilinganiso esinqunyiwe. Ngesikhathi sokudoba eminyakeni yawo-1967/68 izinga lokubanjwa kwezinhlanzi lehla okwabangela ukuthi isilinganiso esinqunyiwe singabe sisagcwaliseka. Ukwehla kwenani lezinhlanzi ezibanjiwe (Total Allowable Catch ebizwa nge-"TAC") liyofinyelela phakathi kwamathani ayi-4 000 nayi-6 000 kwabuyiselo ukuzinza phakathi kwale minyaka 1970/71 kuya ku-1989/90.

Isilinganiso sesindo somsila we-*lobster* lathathelwa isikhala inani lwama-*lobster* aphelele , lase lenganyelwa ngokohlelo lwe-TAC olwaqalwa ekuqaleni ko-1980. Isabelo sezimvume ngokwezindawo samiselwa ngesikhathi esifanayo. Ezinye izindlela zokuphatha ezaziphoqeleliwe maphambilini zazihambisana nesivimbelo ngokobukhulu kanye nokuvalwa kwesikhathi sokudoba. Ukudotshwa kwama-*lobster* anamaqanda noma anamagobolondo athambile kwavulwa. Ngesikhathi sokudoba seminyaka yawo-1990/1991 labonakala lehla futhi inani lezinhlanzi ezibanjwayo, lokho okwaholeda ekutheni eminyakeni elandelayo uhlelo lwenzuzo lwe-TAC lwehle, liyofinyelela emathanini ayi-1 500 kwisikhathi sokudoba seminyaka yawo-1995/96. Ukusukela

ngaleso sikhathi beku lokhu kukhona ukululama kule mboni, uhlelo lokudobela inzuzo lwe-TAC lubekwe emathanini ayi-3 527 kwisikhathi sokudoba seminyaka yawo-2004/2005.

Ngaphambi kokuthulwa konoxhaka bokudoba ama-*lobster* ngeminyaka yawo-1960, imboni yokudobela inzuzo yayethembele kuphela ekudobeni ngamanethi ayindilinga abanjwa ngezandla ayelula, kulula nokuwaphonsa uwasusa emikhunjini emincane uwaphose emanzini angashoni. Akuvamile ukusetshenziswa kwamanethi okudoba ayindilinga ekujuleni okwedlula amamitha angama-30. izikejana ezincane ezigwedlwayo ezidoba ngamanethi ayindilinga, angasebenza ngokuzimela ukusukela ogwini esebenzisa injini noma izigwedlo, noma ziyiswe endaweni yokudobela zidonswa isikebhe sokudoba.

Imboni yokudoba ama-*west coast rock lobster* ihlukaniswe izimboni ezimbili: imboni yokudobela inzuzo kanye nembali yokuzidobela nje. Laba abazidobela nje, bangadoba besebenzisa amanethi ayizindilinga besesikebheni sokudoba noma besosebeni, noma batshuze bebambe umoya noma badobe begxumeke izindobo osebeni. Abazidobela nje abavumelekile ukuba badayise izinhlanzi abazibambile.

Imboni yabadobela inzuzo iqukethe kakhulu abadoba maphakathi nolwandle (abanemvume yokudoba ngaphezulu kwethani nenxenye) kanye nenani elingandile labadobela ngasosebeni abanemvume yokudoba ngaphansi kwethani nengxenye. Kwimboni yokudoba ngasosebeni abanini zimvume basebenzisa amanethi ayindilinga futhi abavunyelwe ukusuka kwenye indawo baye kwenye.

Imboni yokudobela inzuzo ngasosebeni (noma imboni engandile yokudobela inzuzo) yathatha indawo yembali yokudobela iholo ngonyaka ka-2001 ngenxa yokwatholakala kwimibiko nezincomo okuzimele okubhalwe phansi okudobela amaholo eNingizimu Afrika. Le mibiko yenza izincomo zokuthi abadobela amaholo bezinga eliphezulu njengabe-*west coast rock lobster*, abama-*traditional linefish* kanye nabe-abalone kumele badobele inzuzo. Ukudobela inzuzo kwalezi zinkampani sekuvumele abadobi ukuba badayise imikhiqizo yabo.

UMnyango unikezela ngama-20 ekhulwini inani lohlelo lwe-TAC lwama-*west coast rock lobster* kwimboni yokudobela ngasosebeni kanye nesilinganiso ekhulwini sama-80 kwimboni edobela

maphakathi nolwandle. TAC to the nearshore fishery and 80 percent to the offshore fishery. Isizathu salokhu kwehlukaniwa ukuthi kulinganiselwa kwisilinganiso esingama-20 ekhulwini ingcebo etholakala ngasosebeni, kanti ilinganiselwa kwisilinganiso sama-80 ekhulwini ingcebo etholakala maphakathi nolwandle ekujuleni kolwandle.

Imboni yokudoba maphakathi nolwandle yondla izisebenzi eziyi-5 500, isilinganiso sama-95 ekhulwini sazo, ngezimnyama. Kuleli nani bangaphezulu kwezi-2 500 abayizisebenzi zasolwandle, abasala lapho baqashwe kwingxenywe yokuhlunga bathengise izinhlanzi ezweni. Ukuvunwa kwama-west coast rock lobster kwenzeka phakathi kukaNovemba noJulayi, kanti isilinganiselo seholo lonyaka kulesi sikhathi sokudoba yizi-R26 500. Imali engeniswa ukudotshwa kwama-west coast rock lobster ilinganiselwa kwizigidi ezingama-R200. isilinganiso sentengo yomkhumbi ngamunye kule mboni siyizigidi eziyi-R130.

4. Uhlelo lokunikezelwa kwezimvume zokudoba zesikhathi esimaphakathi

Ngonyaka ka-2001, uMnyango wanikezela izimvume zokudobela inzuzo ama-west coast rock lobster ezingama-234. Kwabuye kwengezwa ngokjuba kunikezelwe izimvume zokudobela inzuzo ezingama-511 kubadobi abakhokhelwayo. Kulezo zimvume ezanikezelwa ukudobela inzuzo ngokugcwele, isilinganiso sama-66 ekhulwini sanikezelwa kwabamnyama nasezinkampanini ezilawulwa abamnyama. Ukumeleleka kwabamnyama ezikhundleni eziphezulu kule mboni yokudobela inzuzo ngokugcwele, kuyisilinganiso sama-34 ekhulwini.

Kwizimvume ezanikezelwa embonini yokudobela inzuzo engandile, isilinganiselo sama-91,5 ekhulwini sanikezelwa kwabamnyama, ikakhulukazi izinkampani ezincane eziphethwe abamnyama. Lokho kusho ukuthi cishe isilinganiselo sama-70 ekhulwini semboni yama-west coast rock lobster silawulwa abamnyama.

Ngonyaka ka-2003, uMnyango waphinde wakhipha amathani angama-230 ama-west coast rock lobster ewanikezela izimboni ezingandile zokudobela inzuzo ezingama-274 endaweni esempumalanga nase-Cape Hangklip. Kulezi zimvume ezakhishwa zingaphezu kwesilinganiselo sama-90 ekhulwini ezanikezelwa abamnyama.

Ngonyaka ka-1992, bayisilinganiselo sama-39 abanini zimvume abamhlophe abalawula uhlelo lwe-TAC lwama-west coast rock lobster. Ngakolunye uhlangothi, kwathi kuphela unyaka ka-2003, uMnyango wabe usunikezele ngezimvume zokudobela izinzuzo ama-rock lobster eziyi-1 019. Kuleli nani zingaphezulu kwama-785 izimvume ezanikezelwa kubadobi abakhokhelwayo. Ukuhlangabezana nenani elikhulu lwabanini zimvume, lilinganiselwa kumathani angu-6.8 inani lezinhlazi ezazingabanjwa ngonyaka ka-2002, uma kuqhathaniswa namathani angama-56 enani lezinhlazi elalingabanjwa langonyaka ka-1992. Noma kunjalo umehluko phakathi kwabanezimvume abanesabelo esikhulu kanye nalabo abanesincane wehle kakhulu kuleminyaka eyishumi eyedlule. Ngonyaka ka-1992 kwakunomahluko olinganiselwe phakathi kwa-200 phakathi kwabanezabelo ezinkulu (amathani ayi-199) nalabo abanezabelo ezincane: ngonyaka ka-2002 kwakunomahluko olinganiselwa kuma-66 phakathi kwalabo abanezabelo ezinkulu (amathani angama-95.6) kanye nabanezabelo ezincane (amathani ayi-1.5

5. Inhlolongangi yemboni yokudoba

Izinhlolo yokunikezelwa ngemvume yokudobela isikhathi eside embonini yokudoba izinhlanzi ngokohelo lwe-WCRL (ngasosebeni lolwandle) yilezi ezilandelayo:

- Ukugcina nokwenza uguquko kwindlela le mboni ebueka ngayo;
- Ukunikezelwa kwezivume zokudobela inzuzo kulabo badobi abathembele ekudobeni ama-WCRL ukuze baphile;
- Ukuqinisekisa ukuthi abafaki zicelo zemvume yokudoba bahlala kumadolobhana anomlando wokudoba ama-WCRL, banikezwaizimvume ezifanelekile;
- Ukugququzela ukutshalwa wezimali emikhunjini yokudoba, kwingqalasizinda yokuthengisa nokulungiswa kwezinhlanzi kanye ukukwakha amathuba omsebenzi avikelekile;
- Ukugcina imboni yezokudoba iphilile ngokomnotho;kanye
- Ukuqinisekisa ukuthi imboni yokudoba igcineka iphilile nemvelo ingashabalali.

6. Isikhathi esithathwa yizimvume

Ngokuphathelele –

- Nezinguquko zokubukeka kwemboni yokudoba;
- Nesidingo sokugqugquzela ukuthi kuphinde kutshalwe izimali ezinkampanini ezincane zale mboni yokudoba;
- Nesidingo sokwakha amathuba emisebenzi okusebenza ngokugcwele;
- Nesidingo sokucina umnotho usesimweni esifanelekile esikhona kumanje kule mboni yokudoba; kanye
- Nokuthi imboni yokudoba ama-*west coast rock lobster* yenganyelwe kahle ngokwemibiko yamanje ethembekile,

UMnyango uyonikezela ngezimvume zokudobela inzuzo zeminyaka eyi-10 (kusukela ngomhla ka-1 kuJanuwari 2006 kuya kumhla ka-31 kuDisemba 2015). Wonke umuntu othole imvume yokubela inzuzo uyohlala ahlale ahlolwe ngokuhambisana nenqubo ebekiwe, kuhlangukanya nemigomo yenguquko ekuvumelwene ngayo ezuziwe. (**bheka isigaba 12 ngezansi**).

7. Abafikayo embonini yokudoba

Ngenxa yokuthi imboni yokudoba ama-*west coast rock lobster* ivune ngokweqile futhi ayisekho indawo yokufaka abanye abantu ngaphezu kwaleli nani esalikhona, abafaki zicelo ezinthsazezimvume bayobhekelelwa futhi bangase bancanyelwe kunalabo banini zimvume abakhona abahlulekile ukwenza izinguquko noma abahlulekile ukusebenzisa amasu ezinguquko njengoba kuchaziwe ezicelweni zabo zezimvume. Ngaphezu kwalokho, labo banini zimvume abangazisebenzisanga izimvume noma abangazisebenzisanga izimvume ngendlelaokuyiyo, ngeke zisavuselelwa izimvume zabo futhi bangase bakhishwe kufakwe abasha ezikhaleni zabo.

8. Inqubo yokuhlunga

Izicelo zemvume yokudobela inzuzo ziyobukwa ngeso elibukhali ngokuhambisana "nenqubo yokungamukeleki kwabathile", bese ziyahlolwa ngokwesilinganiso " senqubo yokuhlunga ngokuqhathanisa" okwenziwa phakathi kwabanezimvume kanye nabafaka izicelo. Kuyobhekwa amaphuzu okuyiwona ayohlonza labo abazicelo zabo ziphumelele. Ingxenye yohlelo lwe-TAC iyonikezelwa labo abazicelo zabo ziphumelele ngokulandela " inqubo yesilinganiso" *quantum criteria*".

8.1 Inqubo yokungamukeleki kwabathile

Ngaphandle kwezinqubo ezichazwe kumgomo jikelele ophathelene nokufakwa kwezicelo kanye nokungabi sesimweni esigculisayo semikhumbi kanye namanethi okudoba, uMnyanngo ngeke uzamukele izicelo ezihluleka ukuhlangabezana nalezi zidingo:

- (a) **Uhlobo lwabantu abavumeleke ukufaka izicelo:** Abantu abangabodwana kuphela abayobhekwa. Abanini zimvume asebeke basebenza beyimbumba (njenge-close corporations, trusts noma beyinkampani) kuyodingeka ukuba bafake izicelo ngabojwana, kodwa bayothathwa "njengabanini zimvume" kwenzelwa uhlelo lokunikezwa izimvume.

Umndeni (sekuhlanganiswe abashadikazi, abazali kanye nezingane zabo) ngeke banikwe imvume angaphezu kweyodwa ukuze kugwenywe ukuthathwa kwamandla onke ngabathile, kanye nokuvulela ukufinyeleleka kwingcebo kwama-*west coast rock lobster* ngokubanzi. Abafaka zizicelo bangadingeka ukuba badalule ubudlelwane abanabo nabanye abantu abakwezinye izimboni zokudobela inzuzo. Uma kufake izicelo zemvume amalunga angaphezu kwelilodwa umndeni owodwa, zonke izicelo zemvume zalowo mndeni zingakhishelwa eceleni, ngaphandle uma abafake izicelo bengakhombisa ngokungangabazisi ukuthi banezinkampani ezincane ezizimele zokudobela inzuzo.

- (b) **Ukuhambisana nohlelo:** Abafake izicelo abuphule kakhulu umthetho ngokohlelo lwe-MLRA izicelo zabo ziyobekwa eceleni.
- (c) **Isilinganiso samaphepha:** Isilinganiso samaphepha (njengoba kuchazwe kumgomo jikelele) siyoshaywa indiva. Amaqembu amakhulu afake izicelo ezifana ncimishi, noma ezithi azifane, bebe bexhaswe 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.
- (d) **Ukungasebenziseki kwezimvume:** Labo banini zimvume abahluleka ukusebenzisa izimvume zokudobela inzuzo ama-*west coast rock lobster* phakathi konyaka ka-2002 kanye nonyaka ka-2004 ngeke banikwe izimvume.
- (e) **Ukubandakanyeka kwezimboni ezahlukene:** Abafaki zicelo abanemvume yokudobela inzuzo embonini yokudoba okungeyona eyohlobo lwe-abalone, noma abanezifiso sekuhlanganisa abanamasheya, nabafisa ukuba nobulungu kubanini zimvume abekwezinye izimboni zokudobela inzuzo, bayoshaywa indiva. Abafaki zicelo abahlomula emafeni abanini zimvume bayoshaywa indiva.
- (f) **Ukuzibandakanya komuntu ngamunye ekuvuneni ingcebo:** Abafaki zicelo kuyomele batshengise ukuthi, ngesikhathi senala yokudoba, bazindakanya ngokugcwele ekudobeni ama-WCRL. Kumele babe nendima ebonakalayo abayidlalo emikhunjini yokudoba baphinde bazibandakanye ekuphathweni kwebhizinisi.
- (g) **Ukuthembela ekudotshweni kwezinhlanzi:** Abafaki zicelo zobunini zimvume abangathembele ekuvuneni ama-WCRL okungenani ngesilinganiso sama-75 ekhulwini samaholo abo onyaka, izicelo zabo ziyoshaywa indiva. Labo abasethubeni lokuba babe abafikayo kule mboni, kuyodingeka ukuba batshengise

ukuthi banomlando wokuthembela kuma-WCRL ekuziphiliseni. Abafaki zicelo abathola amaholo abo ezimbonini okungezona zokudoba, izicelo zabo ziyoshaywa indiva.

- (h) **Abahlala eduze nezindawo zokudoba:** abafaki zicelo abangahlali eduze nezindawo abafake izicelo zokudoba kuzo, bayoshiywa ngaphandle. Abafaki zicelo kuyomele bakhombise ukuthi sebehlele endaweni eseduze nendawo abadoba kuyona okungenani iminyaka emine. Izimvume zokudoba ama-WCRL (ngasosebeni) ziyonikezelwa kwabahlala eduze nezindawo zokudoba. Abafaki zicelo abazicelo ziphumelele ekudobeni ama-WCRL (ngasosebeni), bayodobela ezindaweni izimvume zabo ezibakhomba kuzona.
- (i) **Imvume yokusebenzisa umkhumbi:** abafaki zicelo kumele bakhombise ukuthi banayo imvume yokusebenzisa umkhumbi osesimweni esigculisayo (*bheka isigama-9 ngezansi*).

8.2 Inquko yokuhlunga ngokuqhathanisa

Abanini zimvume abafaka izicelo kanye nalabo abasethubeni lokuba babe ngabafikayo embonini yokudoba, bayohlomula phansi kwenqubo yokulinganisa elandelayo ngokubhekela isisindo sesicelo ngasinye:

(a) Uguquko

Ukuze kugcinwe ukubukeka kwesimo soguquko embonini yokudoba ama-WCRL (ngasosebeni), abafake izicelo bayothola amaphuzu amahle uma bemnyama. Ubulili bungasetshenziswa ukuhlonza ozophumelela uma bengaphezu koyedwa abantu abanamaphuzu alinganayo, kuyoncanyelwa umfaki sicelo wesifazane kunowesilisa.

Abafaki zicelo bayohlungwa abanikwe amaphuzu ngalokhu –

- Ukunikwa kwamathuba kwalabo ababecindezelekile ngokomlando; kanye
- Nokutshalelwa komphakathi izimali izinkampani ezizimele.

(b) Ukutshalwa kwezimali embonini yokudoba

Kuyobhekela ukutshalwa kwezimali emikhunjini yokudoba okuyokwenzeka kungakadluli umhla ka-31 kuDisemba 2004, uma utshalo zimali lukhombisa ukuzibophezela ekuzibandakanyeni ngokweqiniso kule mboni yokudoba.

(c) Imisebenzi

Abanini zimvume abafaka izicelo abakhombisa ukuthi banike abantu umsebenzi wesikhashana noma baqasha ngokugcwele abantu ngesikhathi sezimvume ezimaphakathi, bayoklonyeliswa.

(d) Ukuhlungwa nokuthengiswa kwezinhlanzi

Abanini zimvume abafaka izicelo kungadingeka ukuba balethe okubhalwe phansi okukhombisa ukuhlulwa nokuthengisa kwabo ama-WCRL, bangahlungwa ngokusebenza kwabo kulokhu.

(e) Ukudoba ngezinga elifanele

Abanini zimvume abafake izicelo bayohlungwa ngokubhekela izinga abadobe ngalo ama-WCRL ngesikhathi sokudoba esimaphakathi.

Abafaki zicelo abafikayo kule mboni yokudoba bayohlungwa ngokubhekela ukuthi banawo yini amandla, ikhono kanye nolwazi lokudoba ama-WCRL.

(f) Umlando wokuzibandakanya embonini yokudoba

Abanini zimvume abafake izicelo kanye nalabo abanethuba lokuba babe abaqalayo bangahlomula ngenxa yomlando wokuzibandakanya kwabo kule mboni yokudoba. Loku kuzibandakanya kwabo kungahlanganisa ukuba ngabasebenzi embonini engandile yokudobela inzuzo ama-WCRL, noma ukuba yisisebenzi kunoma iyiphi imboni yokudobela inzuzo.

(g) Ukuhambisana nomgomo

Ukuphulwa komthetho wohlelo-MLRA okungatheni, imigomo nezimo zezimvume, njenganokudoba ngokweqile noma ukubamba ama-WCRL asemancane, kuyobangela ukunikezwa kwamaphuzu angemahle. Abanini zimvume abafake izicelo abangakwazi ukukhombisa ukuthi bayahambisana nomthetho obizwa nge-*Skills Development Act 97 ka-1998*, i-*Skills Development Levies Act, ka-1999*, i-*Occupational Health* kanye nobizwa nge-*Safety Act, 85 ka-1993*, bayothola amaphuzu angemahle.

8.3 Inqubo yokulinganisa

Ukunikezelwa kwezimvume kubafaki zicelo abaphumelele kwimboni yokudoba ama-WCRL (ngasosebeni) iyoba isilinganiso esiphakathi kwamakhilogremu angama-750 kanye nethani nengxenywe yalo (1.5 tons). Kuyobhekela ubuningi bezinhlanzi ezikhona kuleyo ndawo ekufakwe kuyona izicelo, utshalo zimali olwenziwe kule mboni kanye nokudaleka kwamathuba omsebenzi

9. Imikhumbi esesimweni esigculisayo

Umkhumbi osesimweni esigculisayo kwimboni yokudoba ama-WCRL (ngasosebeni) yilowo:

- Onobude bamamitha angevile kwayi-8 ngokuka-SAMSA;
- Onomshini osebenzayo wokugada umkhumbi olwandle; kanye
- Olungiselwe ukuba udobele ama-WCRL kusetshenziswa amanethi ayindilinga kuphela.

10. Izindlela zokuphatha

Le mboni yokudoba ama-WCRL izophathwa ngokuhambisana nohlelo okuthiwa i-ecosystem approach to fisheries ("EAF"). Le ndlela yokuphatha le mboni iwuhlelo olubhekele zonke izinhlangothi lubuye luhlanganise imigomo eyazisa ukuthi ukudoba kanye nezinye izinhlobo zemisebenzi eyenziwa ngaphandle kolwandle kunomthelela ngokubanzi kulokho okwenzeka olwandle. Le ngxenye yomgomo wokudotshwa kwama- WCRL (ngasosebeni) ayizami ukunika umgomo embonini yokudoba kwi-EAF. I-EAF yemboni yokudotshwa kwama-WCRL (ngasosebeni) izochazwa kabanzi kwibhuku elichaza ngokuphathwa kwemboni yokudoba. INingizimu Afrika isalokhu izinikele kumqamajuqu wonyaka ka-2010 wokuqala ukusebenzisa ukusebenzisa uhlelo lwe-EAF ekudobeleni inzuzo.

Imboni yokudotshwa kwama-WCRL (ngasosebeni) izophathwa kusetshenziswa izindlela zokuphatha, ezihlanganisa nezinga okungamale kudotshwe ngaphansi kwalo, isikhathi sokuphela kwenala yezinhlanzi, ukungalungeli kahle komkhumbi ukudoba ngendlela yale mboni, izivimbelo ngesikhathi noma ukudoba endaweni ethile, izindawo zasolwandle ezivikelekile kanye nama-lobster anamaqanda kanye nalawo anamagobolondo athambile. Lezi zivimbelo ziqukethwe kwizimo zezimvume.

11. Imali yokufaka izicelo zemvume yokudobela inzuzo kanye nemali yentela

Imali yokufaka izicelo embonini yokudoba ama-WCRL (ngasosebeni) iyokanywa kubhekiswa lokhu:

- Inani elibizwa uhlelo lonke lokwabiwa kwezimvume sekuhlanganiswa nokubonisana, ukukhishwa kwesiqinisekiso sokukhokha, ukuhlunga, nokwenza isiqiniseko, ukufakwa kokubuyekwezwa kwezinqumo esezithathiwe kanye nokubuyekwezwa kohlelo jikelele. Inani elibizwe uhlelo ngesikhathi esimaphakathi salolu hlelo luyothatwa njengomhlahlandlela; kanye
- Nenani ngakwezimali lezinhlazi ovumeleke ukuzidoba ngokwesikhathi esinqunyelwe imvume.

Imali yentela yonyaka ekumele ikhokhwe kusukela mhla-1 kuJanuwari 2006, iyoibuyekwezwa ngemuva kokubonisana nabo bonke abathintekayo nabanezifiso ezithile kule mboni.

12. Izinga lokubuyekeza izinga lokusebenza okuyilo

UMnyango uzosebenzisa izindlela eziningi zokukala izinga ekuyilo lokusebenza kuze kuphele isikhathi sokudobela inzuzo esinqunyiwe. Kuyacabangeka ukuthi lezi zinhlelo zokukala izinga ekuyilo lokudotshwa kwezinhlanzi kuyokwenzeka ngemuva konyaka kusukela manje bese kuba njalo ngemuva kweminyaka emithathu. Ukuhluleka ukusebenza ngokwezinga elilindelekile kuyohlela ekumisweni okwesikhashana noma zihoxiswe.

13. Abakhimkhanya

Imikhumbi esetshenziswa embonini yokudoba ama-WCRL (ngasoseeni) ayikwazi ukubandakanya nabakhimkhanya. Abanini zimvume bayolindeleka ukuba babambisane ngokugcwele nabakhimkhanya abangekho emanzini kanye nalabo abathuthelwa ezindaweni zokudoba ngeminye imikhumbi.

14. Provisional lists

Ngaphambi kokuba uMnyango wenze isinqumo esingumnqamulajuqu wokuthi obani abazonikezwa izimvume zokuba bazibandakanye nemboni yama-WCRL (ngasosebeni), uMnyango uyokhipha uhlu lwesikhashana lwaba faki zicelo zezimvume abaphumelele. Uhlu lwesikhashana luyozungeziswa kuzo zonke izindawo zokudoba. Abanezifiso nabathintekayo kulezi zindawo bangazisa uMnyango uma kukhona onomlando wokudoba ama-WCRL (ngasosebeni) abangabandakanywanga kulolu hlu.

15. Izimo zezimvume

Izimvo zezimvume kule mboni yokudoba zizokhishwa minyaka yonke. Izimo zezimvume eziphathelene nalo nyaka ka-2005 zitholakala **njengesixhumelelo A (Annexure A)**. Abanezifiso kanye nabathintekayo bavumelekile ukuba bangabeka izimvo zabo ngalezi zimo zezimvume.

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