



UMNYANGO WEZAMAHLATHI, EZOKUDOBA NEZEMVELO

INQUBOMGOMO EWUHLAKA YOKWABIWA NOKUPHATHWA

**KWAMALUNGELO OKUDOBELA UKUHWEDA EMKHAKHENI WEZOKUDOBA IZINHLANZI
NGENTAMBO NJENGASEMANDULO NGENHLOSO YOKUHWEDA: 2021**

**LE NQUBOMGOMO EWUHLAKA KUMELE IFUNDWE NDAWONYE NENQUBOMGOMO
EWUHLAKA EWUJIKHELELE YOKWABIWA KWAMALUNGELO OKUDOBELA UKUHWEDA: 2021
KANYE NENQUBOMGOMO EWUHLAKA YOKUDLULISWA KWAMALUNGELO OKUDOBELA
UKUHWEDA:2021**

(Itholakala ku-www.environment.gov.za)

(In case of any inconsistency, the English text of the Gazetted Draft Policy will prevail).

OKUQUKETHWE

1. ISINGENISO	3
2. IPHROFAYELA YEMBONI YEZOKUDOBA	3
2.1 UMLANDO WOKUDOBA NGODOBO NJENGASEMANDULO	3
2.2 UKUPHATHWA KWEZOKUDOBA IZINHLANZI NGENTAMBO KANYE NEPHROFAYELA YOKUDOBA YAKAMUVA	6
2.3 ULWAZI NGEZINHLOBO ZEZINHLANZI EZIQONDIWE KANYE NOKUHLOLWA KWEZINSIZA	8
3. UMGOMO WOKWABIWA KWAMALUNGELO OKUDOBA	10
4. IZIMPOKOPHELO	11
5. UKUGUNYAZA AMALUNGELO OKUDOBA	12
5.1 UHLOBO LOMNIKAZI WAMALUNGELO	12
5.2 UBUNGAKO BESIKHATHI SELUNGELO	12
5.3 ABANTU ABAHLALA NDAWONYE	12
5.4 ABAFKIZICELO ABASHONILE	13
5.5 UKUDLULISWA KWAMALUNGELO ABIWE NGOKWALE NQUBOMGOMO	13
6. INDLELAKUHLUNGA YOKUHLOLA	13
6.1 INDLELAKUHLUNGA EQONDENE NOKUSHIYA NGAPHANDLE	14
6.2 INDLELAKUHLUNGA EQONDENE NOKULINGANISA	16
7. UKWABIWA KOMZAMO	18
7.1 IZINDAWO ZOKUPHATHA	19
8. ABAQALAYO UKUNGENA (ABAFKIZICELO BESIGABA B NO-C)	20
9. IZIKEBHE EZIFANELE	20
9.1 IMINININGWANE YESIKEBHE	20
9.2 UKUSHINTSHA ISIKEBHE	21
10. UKUKHOKHWA KWEZINDLEKO ZOKUFAKA ISICELO NELUNGELO LOKUGUNYAZA ..	21
11. UHLU LWESIKHASHANA	21
12. UKUMENYEZELWA KWEZINQUMO	22
13. IZINDLELA ZOKULINGANISA ZABAPHATHI	22
13.1 IZINSIZA ZOKULUNGISA UBUNGAKO BOMZAMO	23
13.2 IZINSIZA ZOKUPHATHA ZOHLOBO OLUTHILE LWEZINHLANZI	23
13.3 UKUDLULISWA KWAMALUNGELO OKUDOBELA UKUHWABA	24
13.4 UKUHLANGANISA ABANIKAZI BAMALUNGELO	24
13.5 INDLELA YOKUBHEKANA NEMBONI YEZOKUDOBA YOHLELO LWEMVELO	24
13.6 UKUQAPHA OKWENZEKA OLWANDLE KANYE NOKUQAPHA OKWENZEKA NGAPHANDLE	24
13.7 UKUPHATHA NGOKUBAMBISANA	25
14. IZIMO ZEZIMVUME	25
15. UKUQAPHA NOKUHLOLWA KWENQUBOMGOMO	25
16. UKUPHULA IZIMISO	26

1. ISINGENISO

Le nqubomgomo ewuhlaka lokwabiwa nokuphathwa kwamalungelo okudoba embonini yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba ikhishwe wuNgqongqoshe Wezamahlathi, Ezokudoba Nezemvelo (uNgqongqoshe) futhi iyobizwa ngokuthi "Inqubomgomo Ewuhlaka Yokwabiwa Nokuphathwa Kwamalungelo Okudoba Izinhlanzi Ngentambo Njengasemandulo Ngezinhloso Zokuhweba: 2021". Le nqubomgomo ewuhlaka kumele ifundwe ndawonye neNqubomgomo ewuhlaka Ewujikelele Yokwabiwa Kwamalungelo Okudobela Ukuhweba: 2021 (Inqubomgomo ewuhlaka Ewujikelele:2021). Inqubomgomo Ewuhlaka Yezokudluliswa Kwamalungelo Okudobela Ukuhweba: 2021

UNgqongqoshe, ngokwesigaba 79 soMthetho Wezinsiza Zokuphila Olwandle 18 we-1998 (i-MLRA), wadlulisela amandla okugunyaza amalungelo okudoba aqukethwe kusigaba 18 se-MLRA, Ezikhulwini Ezinkulu zoMnyango Wezamahlathi, Ezokudoba Nezemvelo (uMnyango).

Le nqubomgomo ewuhlaka yendlala izimpokophelo, indlelakuhlunga kanye nokucutshungulwayo okuzoba wumhlahlandlela wokwabiwa kwamalungelo okudoba embonini Yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba. Le nqubomgomo ewuhlaka izosekela Isiphathimandla Esigunyaziwe lapho sithatha izinqumo zokufakwa kwezicelo kule mboni yezokudoba.

2. IPHROFAYELA YEMBONI YEZOKUDOBA

Incazelo yokudoba ngentambo eNingizimu Afrika ingukudoba inhlanzi ngehuku nentambo, kodwa kushiya ngaphandle ukudoba ngezintambo ezinde ezixhume amahhuku amaningi – ukudoba ngentambo kunomkhawulo wamahhuku ayishumi kudobo ngalunye, olubanjwe ngesandla noma ngenduku.

2.1 Umlando Wokudoba Ngodobo Njengasemandulo

Ukuqala kwemboni yokudoba ngentambo kwezikebhe kungasuselwa eminyakeni ye-1500. Ngowe-1652, abaphathi abangama-Dutch baphoqelela izithiyu embonini yezokudoba futhi imboni yezokudoba yabe seyikhula kancane yize izinhlanzi zaziziningi.

Ngowe-1795, zonke izithiyo zasuswa ngaphansi kombuso wamaBhrithani okwadala ukuphumelela kwemboni yokudoba ngentambo ngeminyaka ephakathi ne-1800 kusetshenzwa ngezikebhe ezigwedlwayo nezinoseyili. Imizamo yokudoba eKapa ekuqaleni kwekhuluminyaka lama-20 yaseyiminingi (phakathi kwezikebhe ezingu-0.12 no-0.37 kukhilomitha ngalinye ogwini). Ukunyuka okukhulu kwemizamo yokudoba, ukuthuthuka kobuchwepheshe njengemishini ebanga imisindo eyimpinda, izintambo zanayiloni, izikebhe ezingama-*ski-boats* ezisebenza ngenjini esenqoleni edonswayo, ukwakhiwa kwamachweba ezikebhe ezincane kanye nezindawo ezakhelwe ukungenisa nokukhipha izikebhe, kanye nokuqhubeka kokwanda kokudoba ngentambo kwezinye izikebhe, kuholele ekudotshweni ngokweqile kwalezo zinhlanzi ezidotshwa ngale ndlela ngekota lokugcina lekhuluminyaka lama-20.

Imizamo yokuqala yokulawula umkhakha wokudoba ngentambo ngenhloso yokuhweba ilandwa le eminyakeni ye-1940 ngokwethulwa komkhawulo omncane okungeqiwe kuwo ngoba kubonwa ukuncipha kwezinye izinhlobo zezinhlanzi. Ngaso lesi sikhathi, kwethulwa izikebhe ezingama-*ski boats* adonsekayo futhi umkhakha wezikebhe zokuzijabulisa wakhula ngokushesha. Isidingo sokuphathwa saba sobala futhi uNgqongqoshe obhekele Ezemvelo waqoka iKomidi Lezokudoba Ngentambo Olwandle Likazwelonke (i-NMLC) ngowe-1984 ukuze kwenziwe iziphakamiso zokulawula imboni yezokudoba ngentambo eNingizimu Afrika. Ngowe-1985 imboni yezokudoba yahlonishwa ngokusemthethweni, ukubuya nokudotshiwe kwaphoqeleka kubadobi abadobela ukuhweba futhi kwethulwa imikhawulo yokungadotshwa emisiwe. Kwabandakanywa izithiyo nezindlela zokulawula ezingamalayisense okudobela ukuhweba ohlakeni lokuphatha lowe-1985 (kwabadoba njengomsebenzi abakuwo ngokugcwele - Isigaba A kanye neSigaba B njengomsebenzi abakuwo ngokungagcwele) futhi nemikhawulo yobungako ebuyekeziwe yayilinganiswa nobungakho bokukhula kwezinhlanzi. Uhlaka lokuphatha lwalubandakanya imikhawulo yobungako ebuyekeziwe, imikhawulo yamasaka yosuku, izikhathi zonyaka ezivaliwe, ukungavumeleki ukuba kudotshwe izinhlobo ezithile zezinhlanzi, kanye nokumiswa kwemizamo ethile yokudobela ukuhweba ezingeni lonyaka we-1984. Yize imilando yempilo eyisisekelo yezinhlobo ezithile zezinhlanzi ezibalulekile icwaningiwe, eminingi ayikaziwa. Ngesikhathi sokuqaliswa kwayo, imininingo ecwaningiwe emincane etholakalayo beyisho ukuthi mangakhi amasaka amakhulu kakhulu kanye nemikhawulo yobungako ebeyingafanele futhi ebeyingenakho ukuvikela okuphathekayo. Phezu kwalokho, kwakunolwazi oluncane olukhona ngobungakho kanye nezinga lokukhula kokudoba ngentambo okuningi eNingizimu Afrika.

izidingo zokuphatha ezahlukene phakathi kwemikhakha Edobela Ukuhweba Nokuzijabulisa zagcina sezidala ukuthi indawo ye-NMLC ithathwe yiNhlangothano esanda kusungulwa ezimele i-South African Marine Linefish Management Association (i-SAMLMA) ngowe-1990. Ngokuhlinzeka ngendlela yokubonisana phakathi kwabamele yonke imikhakha, izindlela zokuphatha eziqalisiwe zaphinda zaba yindlela okuvunyelwane ngazo phakathi kwemibono eshayisanayo emkhakheni. Lokhu kuvame ukuholela ekusabalaleni kokunganeliseki kwabadobi basemikhakheni ehlukeni.

Uhlaka lokuphatha luhlinzekela nokuhlukaniswa kwezinhlobo zezinhlanzi ngezigaba ngokususela ekubeni sengcupheni yokusetshenziswa ngokweqile (njengezinhlanzi ezisengcupheni enkulu ezisematsheni asolwandle kanye nezilwane ezibekezelayo ezibhukuda ndawonye). Yize kunezithiyo ezimisiwe, amazinga okudotshiwe ezinhlobo eziningi zezinhlanzi aqhubekile nokwehla futhi ukuhlolwa kweqoqo lezinhlanzi kuveze ukuthi lolu hlobo lwezinhlanzi okubonakala ukuthi ziyabekezela olufudukayo ludotshwa ngokweqe kakhulu. Ucwangingo luveze ukuthi le mithethonqubo ihlulekile ukuhlinzeka ngezindlela ezisebenzayo zokuvikela izinsiza. Kuphikisanwa ngokuthi kungenzeka ukuthi izithiyo ngokwazo bezingathiyi noma bezingaphoqelelwa ngokwanele. Ngenxa yokuncipha kweqoqo lezinhlanzi nokwanda kwezicelo zokungena embonini yezokudoba, ukubuyekizwa okukhulu kwezinqubo zokuphatha kuye kwabaluleka ukuze kuvikelwe ukuphela kweqoqo lezinhlanzi okungase kube khona. NgoDisemba 2000, uNgqongqoshe Wezemvelo Nezokuvakasha, ngokubheka isimo esibucayi sezinhlanzi ezidotshwa ngentambo, wanquma ukuthi izinhlanzi ezidotshwa ngentambo zizoba Sesimweni Sezimo Eziphuthumayo, njengoba kuhlinzekwe kuMthetho Wezinsiza Eziphila Olwandle, (uMthetho 18 we-1998). Umzamo wancishiswa ngama-70% waba sezikebheni ezingama-455 zamanje kanye nabasebenzi bazo abayizi-3450 ababelwa eNqubweni Yokwabiwa Nokuphathwa Kwamalungelo Esikhathi Eside yezi-2005/2006 (i-LTRAMP 2005). I-*hake ne-tuna* yathuthukiswa yaba yimikhakha ehlukeni futhi izikebhe ezinendawo yokuhlala abantu enkulu ezikwazi ukusebenza nasebusuku zakhishwa embonini yezokudoba. Ukuze kuvuselelwe izinhlanzi ezaphela futhi kufinyelelwe ezingeni eligcinekayo lokusebenzisa, kwamiswa iSimiso Sokuphatha Izinhlanzi Ezidotshwa Ngentambo (i-LMP) ngowe-1999 ukuze kube nemithethonqubo embonini yezokudoba ngentambo ezindaweni ezihlonzekayo ezingabalwa. Kwasungulwa izinhlelo ezididiyele zokuphatha izinhlobo ezithile zezinhlanzi ezimisiwe futhi kwathulwa nemithethonqubo eqondene nezinhlobo ezithile zezinhlanzi ezivame ukudotshwa ngabadobi abadobela ukuzijabulisa. Yize kunalezi zindlela ezinkulu, imboni yezokudoba ngentambo yaqhubeka nokuncipha maqondana nokudotshiwe kanye nababambiqhaza ngokugcwele. Yize ukuhlola izinhlanzi kwakamuva (i-Linefish Scientific Working Group 2017) kuveza ukusekeleka

kwezinhlobo ezithile zezinhlanzi ezidotshwa ngentambo, Ukudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba kuyaqhubeka ukuba nabasebenzi abaningi, imisebenzi eholela kancane esekugcineni ezingeni lomnotho, njengoba abadobi abadoba inhlanzi bencintisana nemikhakha ye-*trawl* ephansi olwandle, yoshaka abadotshwa ngentambo ende, ye-*hake* edotshwa ngentambo yesandla, ye-*squid*, ye-*prawn-trawl* kanye nokudobela ukuziphilisa, uhlelo lokusiza lwesikhathi esimaphakathi kanye nabasebenzi abenza imisebenzi yokuzijabulisa engekho emthethweni lapho bedayisa abakubambile.

2.2 Ukuphathwa kwezokudoba izinhlanzi ngentambo kanye nephrofayela yokudoba yakamuva.

Indawonye, yomithathu imikhakha yezimboni zokudoba ngentambo (Yezokuhweba, Yezokudobela Ukuziphilisa kanye Neyezokuzijabulisa) ifinyelela ezinsizeni zangaphakathi kogu olwandle, ngenye inkathi ezincintisana ngezinhlobo ezifanayo zezinhlanzi.

Imboni Yokudoba Ngentambo Njengasemandulo ngenhloso Yokuhweba isebenza ezindaweni zokufinyelela ogwini lulonke, kusukela ePort Nolloth kuya eRichard's Bay. Izikebhe eziningi zezinhlanzi ezidotshwa ngentambo ngezikebhe ezingama-*ski-boats* ezingenazo izinqola ezidonswayo bese zifakwe ezindaweni zokufinyelela ezehlukene, kusukela ezindaweni zokungenisa nokukhipha izikebhe nasolwandle imbala. Izikebhe zasemandulo ezinesisindo esincane ("*ama-chukkies*") zisasebenza kweminye imiphakathi edobayo njengase-Arniston nase-Kalk-bay. Lezi zikebhe zidinga amachweba futhi zinhlobonhlobo futhi zinesivinini esinamandla sezikebhe ezingama-*ski-boats*.

Umkhakha Wokudobela Ukuziphilisa wakhiwa ngokusemthethweni ukuze kuhlonishwe labo badobi abethembele ezinsizeni eziphila emanzini ukuze bathole ukudla abazokudla – kuvame ukuba yimiphakathi yasogwini ehluphekayo noma labo abasebenzisa izindlela zokudoba ezilula zasemandulo. Abadobi abadobela ukuziphilisa abasebenzayo balinganiselwa kuzi-30 000 ogwini lwaseNingizimu Afrika, ama-85% abo avuna izinhlanzi ezidotshwa ngentambo. Abadobi abadobela ukuziphilisa bahlonishwe ngokusemthethweni bahlelwa ngokwemifelandawonye ezophokophela ezinhlotsheni zokudoba izinhlanzi 'ngobhasikidi' okubandakanya izinhlanzi ezidotshwa ngentambo. Umfelandawonye wabadobi abadobela ukuziphilisa wokuqala wethulwa ePort Nolloth ngoSeptemba 2018. Ingaphezu kwama-300 imiphakathi ezifundazweni ezisogwini ezine ezihlonzwe njengemiphakathi edobela ukuziphilisa. Le mifelandawonye yomphakathi izonikwa Amalungelo okudobela ukuziphilisa eminyaka eyi-15 futhi izokwazi ukufinyelela "kubhaskidi" wezinhlanzi ngokususela ezidingweni zabo kanye nendawo abakuyo ogwini.

Njengoba lezi zinhlanzi kwabelanwa ngazo nezinye izimboni zezokudoba futhi zifana ncamashi nalezo zezimboni zezinhlanzi ezidotshwa ngentambo njengasemandulo zengxenye esuselwa esikebheni semboni nemizamo yabadobi abadobela ukuziphilisa, imizamo yezikebhe kanye nabasebenza esikebheni zemifelandawonye yabadobi abadobela ukuziphilisa inqunywa ngokoMzamo Ovumelekile Ophelele Wezinhlanzi Ezidotshwa Ngentambo.

Imboni yokudoba ngentambo ngenhloso yokuzijabulisa (ibandakanya umkhakha osogwini) kuze kube manje inesibalo esiphezulu kakhulu sababambiqhaza (>450 000) bakuyo yonke imikhakha yemboni yezokudoba eNingizimu Afrika futhi kunomphumela omuhle kakhulu kwezenhlalomnotho. Lokhu kubaluleke kakhulu ezifundeni zasogwini kuncike ekuwebelaneni nezivakashi, nasezimbonini ezihambisana nokuhweba ngezikebhe ezincane, umshini wangaphandle, impahla yokudoba kanye nobheyithi.

Imboni yokudoba izinhlanzi ngentambo njengasemandulo ngenhloso yokuhweba ihlukaniswe ngokwezindawo ezintathu ezahlukene, indawo A kuya ku-C, ngokwahlukene ePort Nolloth kuya eCape Intanta, eCape Infanta kuya ePort St John's nasePort St. Jones kuya eKosi Bay. Izindawo ezintathu ezinamaphrofayela ezimboni zokudoba ezihlukene ngokwemisebenzi kanye nezinhlobo zezinhlanzi eziqondiwe. Indawondawo A kuze kube yimanje inababambiqhaza abaningi, ngenxa yokutholakala kwe-*Cape snoek*, i-*Thyrites atun*, izinhlobo zezinhlanzi ezakhiwe wokudotshiwe okungaphezu kukahhafu wezinhlanzi ezidotshwa ngentambo kweminye iminyaka. Indawo B neNdawo C athembele ezinhlotsheni eziningi zezinhlanzi. Ingcindezi yokudoba okungeziwe okukhiswe yimboni yezokudoba eminyakeni inciphise ezinye izinhlobo eziningi zezinhlanzi ezidotshwa ngentambo zehlela emazingeni aphansi kakhulu. Ukukhiqiza kanjalo nokudotshwa minyaka yonke kulimaza kakhulu, kube kungenawo amathuba amahle okudala amathuba omsebenzi, ezokuvakasha nokutholakala kokudla. Phezu kwalokho, ingcuphe yokuphela kweqoqo lezinhlanzi, njengoba sekuke kwenzeka kwezinye izinhlobo ezaziyizimpokophelo ezinkulu zemboni yezokudoba endaweni B no-C, njenge-*seventy-four*, i-*dageraad* kanye ne-*steenbras* ebomvu, inkulu. Ukuncipha komzamo nokuhlukaniswa kwemikhakha esebenzisa izikebhe ezinendawo yokuhlala abantu enkulu ezingasebenza ebusuku kuzinzise okudotshwayo futhi okune okudotshwayo okuyisisekelo okuphokophelwe kukho kuveze izimpawu zokwakha kabusha. Nokho, kuyakhathaza ukuthi amazinga aphezulu okusebenza ngokungekho emthethweni (ukudoba ngaphakathi kwama-MPA, ukugcinwa kwemikhawulo yobungakho kanye nemikhawulo yamasaka) kanye nezindlela Zokungenelela Zesikhashana (~1 000 yabadobi abangeziwe) zivinjwe wukuvuseleleka kwenzwaba yamaqoqo ezinhlanzi abalulekile endaweni. Phezu kwalokho, imizamo yokudobela ukuzijabulisa engalawulwa

yabadobi abadobela ukuziphilisa kanye namazinga aphezulu okudotshiwe nokudotshwe ngephutha ngentambo kwezinye izimboni zokudoba kuyaqhubeka nokulimaza ukugcineka kwemboni yezokudoba. Ukugcineka kweMboni Yezokudoba Ngentambo yaseNingizimu Afrika kusemqoka ekuphathweni kwayo, futhi i-Linear Management Protocol (i-LMP) inezimpokophelo ezisobala "*zokuphatha izinsiza zezinhlanzi ezidotshwa ngentambo eNingizimu Afrika ukuze kuqinisekise ukusetshenziswa kwalezi zinsiza ngendlela elinganisayo negcinekayo*". Umgomo ocacisiwe we-LMP oqondene nokunquma ngokudotshwayo ngonyaka kanye namazinga omzamo "*wukulawula ukuvuseleleka kwezinhlanzi ezidotshwa ngentambo ezidotshwe ngokweqile nokugcinwa kwalezo zinhlanzi emazingeni okukhiqiza abonisa impumelelo*".

Imboni yezokudoba ngentambo njengasemandulo ngenhloso yokuhweba njengamanje ilawulwa ngokwabiwa kwemizamo. Nokho, ushintsho ezinhlelweni zemboni yezinhlanzi eminyakeni edlule (okubandakanya umkhakha wokudobela ukuziphilisa, usizo lwesikhashana, ukunyuka kokudotshwa ngephutha ekudobeni ngentambo kwezimboni zokudoba *i-trawl* kanye nokungaqinisekisi ngobungako bokudotshwayo emkhakheni wezokuzijabulisa) kanye noshintsho lwezindlelakwenza zokuhlola ezidingeke ngenxa yokubuyekeza kokunqunywa kwemizamo kanye nokuphathwa kwemizamo embonini yezokudoba. Umzamo oyisisekelo wemboni yezokudoba njengasemandulo unqunywa ngokwesibalo sezikebhe ngokwendawo ephethwe. Ukuze kuchazwe ngomehluko emandleni okudoba phakathi kwezikebhe zezinhlanzi ezidotshwa ngentambo, umzamo uvezwe ngokwezikebhe 'ezijwayelekile'. Isikebhe esikwazi ukuthwala inqubo yokudoba ejwayelekile yoyedwa sichazwe njengesikebhe sokudoba ngentambo esimaphakathi nendawo ngobukhulu esinabasebenzi abayi-7. Izibalo ezingezansi zisuselwa kumininingo yokudotshwayo kwesikhathi eside kanye neminingo ehlinzekwe embhalweni wonyaka Wezincomo Zocwaningo. Phezu kwalokho imikhawulo yemizamo, izinhlobo zezinhlanzi ilawulwa ngesaka, ngobungako kanye nemikhawulo yendawo, kanye nezikhathi zonyaka ezivaliwe, ngokususela ezincomweni zocwaningo ze-Linear Scientific Working Group. Le mikhawulo ewumphumela ibandakanya nomkhakha wabadobela ukuzijabulisa kanye nabadobela ukuziphilisa. Ukubuyekeza kwale mikhawulo sekuphuthuliwe futhi kwabhalwa kugazethi ushintsho kule mikhawulo futhi yasayinwa yisiphathimandla esigunyaziwe, kodwa izikhathi ezinde zokubuyiswa kwezimpundulo lapho kushintsha lezi zindlela zokuphatha beziphazamisa ukusebenza ngempumelelo kwazo phambilini.

2.3 Ulwazi Ngezinhlobo Zezinhlanzi Eziqondiwe kanye Nokuhlolwa Kwezinsiza

Izinhlobo zezinhlanzi eziqondiwe embonini yezokudoba ngentambo ziveza amaqhingasu omlando wempilo oshintshashintshayo odale isibalo sezinhlanzi ezikhona sibe

sengcupheni yokudotshwa ngokweqile noma ukuvuseleleka okuhamba kancane, okubandakanya isikhathi (>seminyaka engama-20), ukwethembela kokuphila emanzini, ukushintsha kobulili kanye nokulawula indlelakuziphatha. Izinhlobo eziningi zezinhlanzi zivamile eNingizimu Afrika futhi akwabelanwa ngazo nesakhelene nabo ngogu. Izinhlanzi eziquondiwe zibandakanya izinhlanzi zasemadwaleni (isib. *i-roman* ne-*slinger*), okuthuthela ogwini (isib. *i-geelbek* ne-*dusky kob*) nezinhlanzi ezingahlali ndawonye (isib. *i-snoek* ne-*yellowtail*). Izinhlanzi ezidotshwa ngentambo zivame ukuba yizilwane ezidla ezinye futhi zibandakanya izilwane ezidla ezinye ezihamba phambili (njengoshaka, ama-*rockcods*, *i-red steenbras*, njll.) Yize okudotshwe embonini yezokudoba kuyizinhlobo ezingaphezu kwama-200, amaphesenti angamashumi ayisishiyagalolunye okudotshwe manje akhiwe yizinhlobo eziyisishiyagalombili kuphela (*i-snoek*, *i-yellowtail*, *i-silver kob*, *i-geelbek*, *i-carpenter*, *i-hottentot*, *i-slinger* ne-*santer*). Izinhlobo zezinhlanzi ezidotshwa ngentambo azibanjwa yimboni yabadoba ngentambo kuphela kodwa kungaba yizingxenyane ezibalulekile zokudotshiwe noma okudotshwe ngephutha kwezinye izimboni zezinhlanzi, okubandakanya *i-tuna pole*, *i-hake* edotshwa ngentambo ebanjwa ngesandla, ushaka ophansi olwandle odotshwa ngentambo ende kanye nezimboni zokudoba *i-trawl*. Ukuhlolwa kwamaqoqo ezinhlanzi okwenziwa phakathi kweminyaka ye-1990 kwaveza ukuthi amaqoqo ezinhlanzi ezidotshwa ngentambo ngenhloso yokuhweba ayesephele kakhulu noma ayeseziphele nya. Okwalimala kakhulu kulokhu kwaba yizinhlanzi ezihlala emadwaleni eziphila isikhathi eside futhi okungasheshi ukufinyeleleka kuzo ukuze zikwazi ukukhula zize zikwazi ukubekela amaqanda njenge-*dageraad* (*i-Chrysolephus cristiceps*), lezo ezihlanganayo ukuze zikhiqize amaqanda zibekela ukukhiqiza ezinye izinhlanzi, njenge-*seventy-four* (*i-Polysteganus undulosus*) kanye nama-*red steenbras* (*i-Petrus rupestris*), kodwa ezifudukela ogwini njenge-*dusky kob* (*i-Argyromus japonicus*) ne-*geelbek* (*i-Atractoscion aequidens*) edala ukukhiqizwa kwamaqanda ngesikhathi sezigaba zomlando wempilo ezisemqoka njengokubeka amaqanda ndawonye, zaphela ngokulinganayo. Umehluko kulokhu kuphela kwaba yizinhlobo ezingahlali ndawonye okubekezela kakhudlwana ezinjenge-*snoek* (*i-Thyrsites atum*) ne-*yellowtail* (*i-Seriola lalandi*) ondawo yayo engaqageleki kwenza ukuphokophela kuzo kube nzinyana, futhi zikhule ngokushesha okwenza kusheshe ukuvuseleleka kweqoqo lezinhlanzi. Izinhlobo eziyisishiyagalombili eziyisisekelo zezimboni zezinhlanzi zasemandulo (zindawonye zakha okungaphezu kwama-70% okudotshiwe endaweni ephethwe ngayinye) zihlolwa ngokunzulu cishe njalo eminyakeni eyisikhombisa. Ukuhlola kwenzelwa lezi zinhlobo njengoba ziyisisekelo sokwabiwa komzamo ngokwendawo. Ukuhlola kwakamuva kwenziwa ngowezi-2017 futhi kuveza ukuthi kunezinhlobo zezinhlanzi eziyisishiyagalombili ezisetshenziswa kakhulu, kube izinhlobo ezimbili, *i-silver kob* ne-*geelbek* idotshwa ngokweqe kakhulu.

Ezinye izinhlobo zokudoba ngentambo ezibalulekile endaweni azivamile ukuhlolwa, kodwa ushintsho esibalweni sazo luyaqashwa ngokucubungula ushintsho Kokubanjwayo Ngokweyunithi Yomzamo, Ukuvama kobungakho, okudotshiwe bese kwabekelwa imigomo nezinkomba zocwaningo ngezinhlanzi ezihlala phansi olwandle. Ukuhlola izinhlobo ezimbili zoshaka ezibaluleke kakhulu ezibanjwe embonini yezinhlanzi ezidotshwa ngentambo eNdaweni A no-B, i-*smoothhound* ne-*soupin shark*, okwenziwa ngowezi-2019 kuveza ukuthi lezi zinhlobo zezinhlanzi zidotshwa ngokweqile njengamanje kanjalo nasesimweni se-*soupin shark*. Ukuhlola isibalo zezinhlobo zezinhlanzi ezihambisana namadwala kuveza ukuthi ezinye zazo njenge-*blue hottentot*, ziveza izimpawu zokuvuseleleka, kube ezinye, njenge-*Dageraad*, i-*Red Steenbras* ne-*Seventy-four* zaphela. Ulwazi ngesimo seqoqo lezinhlanzi nensiza yokuphatha uhlobo olulodwa luqokethwe ezincomweni zonyaka ze-Linefish Scientific Working Group.

3. UMGOMO WOKWABIWA KWAMALUNGELO OKUDOBA

Yize ezinye zezinhlanzi ziveze izimpawu zokuvuseleleka, izinsiza Zezinhlanzi Ezidotshwa Ngentambo zizonke zisaphela ngenxa yokudotshwa ngokweqile noma ngenxa yokuqedwa yizimboni zezinhlanzi (i-LSWG TAE 2021). Kanjalo, ukudotshwa kwezinhlanzi ngezintambo kuyaqhubeka nokwehla ngokokudotshwayo kanye nesibalo sababambiqhaza. Kunenqwaba Yabanikazi Bamalungelo baphambilini abangasebenzanga kahle ngalesi sikhathi futhi ngama-67% kuphela Abanikazi Bamalungelo ababonisa ukudoba okuthile. izinhlanzi ezidotshwa ngentambo ziyaqhubeka nokuncipha kusukela kumathani ayizi-12000 kuya esibalweni esiphansi kunazo zonke solokhu kwathi nhlo esingamathani ayizi-5000, okuveza ukuthi imboni yezokudoba esimweni sayo samanje iyahluleka ukuqhubeka nokusebenza kwezomnotho. Umgomo ophezu kwakho konke wokwabiwa kwamalungelo okudoba wukwaba izinsiza zokudoba izinhlanzi ngentambo ezikhona emikhakheni yokuphatha emithathu yabadobi abadoba ngentambo njengasemandulo abancike ngqo kule nsiza futhi abasazisebenzisa njengomthombo wengeniso wabo omkhulu. Imboni yezokudoba ngentambo ingama-60%, kodwa amazinga oququko esewonke aphezulu kakhulu, njengoba isibalo esikhulu sabasebenzi basezikebheni nabasebenzi bengabantu abamnyama. Ukubandakanywa kwabantu besimame (6%) ebunikazini bokudoba bezinhlanzi ezidotshwa ngentambo kumele kuqiniseke futhi imboni yezokudoba, yize kunezindleko ezincane zotshalomali, kunephesenti elincane kakhulu Labanikazi Bamalungelo abancane ngeminyaka (7%).

Ukwabiwa kwamalungelo kowezi-2021 kuzokwakha isimo esizoba namahlandla amabili okwabiwa futhi kuzobheka:

- (a) Ukutholakala, ubungakho kanye nesimo samanje seqoqo lezinhlanzi ezinhlotsheni zezinhlanzi ezidotshwa ngentambo emikhakheni yokuphatha emithathu.
- (b) Ukudoba embonini yezokudoba emikhakheni yezokuphatha emithathu ngesikhathi sokwaba sokugcina.
- (c) Uhlobo, isibalo kanye nobungako bezikebhe ezisebenzayo ngezikhathi zokwaba ezedlule.
- (d) Ukugamanxa kwezinye izimboni zokudoba ngokwempokophelo yezinhlobo zezinhlanzi ezidotshwe ngephutha kanye nokusetshenziswa kwesikebhe.
- (e) Ukusebenza kwezomnotho kwemboni yezokudoba.
- (f) Ukubandakanya okungenelela ezinhlotsheni ezahlukene zemikhakha
- (g) Iphrofayela yokuguquka yemboni yezokudoba, ikakhulukazi maqondana nabantu besimame nabasha.
- (h) Ukuthuthukiswa kwamakhono nokwenza abasebenzi basogwini basebenze ngokusemthethweni, nokapteni kanye nabasebenzi basezikebheni.
- (i) Ukuphakanyiswa kwemiphakathi edoba ngezintambo njengasemandulo.

4. IZIMPOKOPHELO

Izimpokophelo zizonke zokwabiwa kwamalungelo okudoba esikhathi eside emkhakheni wokudoba ngentambo njengasemandulo yilezi:

- (a) Ukusetshenziswa ngempumelelo kwamalungelo abelwe le mboni yezokudoba, ngokwezimiso zempahla nezikebhe kanye nohlaka lokuphatha olwendlalwe kule nqubomgomo.
- (b) Ukusetshenziswa ngempumelelo nangokugcinekayo kwezinhlobo zezinhlanzi ezidotshwa ngentambo kusetshenziswa ulwazi locwaningo olukhona ngokuhambisana ne-Ecosystem Approach to Fisheries (i-EAF).
- (c) Ukuvuselela iqoqo lezinhlanzi ezidotshwa ngentambo ezidotshwe ngokweqile neziphelile ukuze kufinyelelwe esibalweni esiphezulu kwezomnotho.
- (d) Ukwabiwa kwamalungelo okuhweba kubadobi abadoba ngentambo njengasemandulo abathembele ekudobeni izinhlanzi ngentambo njengasemandulo njengomthombo-ngqangi wengeniso.
- (e) Ukwabiwa kwengxenye efanelekile yamalungelo kubafakizicelo ngokususela emachwebeni okudoba ngokomlando ahambisana nokudoba izinhlanzi ngentambo

njengasemandulo.

- (f) Ukukhuthaza ukulandelwa koMthetho Wemigomo Yokusebenza Eyisisekelo 75 ye-1995 kanye noMthetho Wezobudlelwano Nabasebenzi 66 we-1995.
- (g) Ukwenza imboni yezokudoba ibe yimboni esemthethweni ehloniphekile futhi imisebenzi yayo ilandele izimiso, ukuphepha, izingaqophelo lomkhiqizo kanye nokulandelwa kwemithethonqubo. [Ezobudlelwane Nabasebenzi, i-SAMSA njll.]

5. UKUGUNYAZA AMALUNGELO OKUDOBA

Amalungelo okudoba agunyazwa ngokwesigaba 18 se-MLRA. Ngaphandle kwalapho kunqume uNgqongqoshe, ngumuntu waseNingizimu Afrika kuphela oyothola noma oyoba namalungelo ngokwesigaba 18 se-MLRA. Kule mboni yokudoba, uNgqongqoshe akakawasebenzisi amandla akhe okuvumela abantu bakwamanye amazwe bathole amalungelo, okusho ukuthi ngabantu baseNingizimu Afrika kuphela abangathola noma abangaba namalungelo kule mboni yezokudoba.

5.1 Uhlobo Lomnikazi Wamalungelo

Ngokubheka uhlobo lwemisebenzi kanye nokutholakala kwezinsiza kubantu baseNingizimu Afrika kuphela kuzobhekwa udaba lokwabelwa kwabantu ilungelo Embonini Yezokudoba Ngentambo Ngenhloso Yokuhweba Njengasemandulo.

5.2 Ubungako Besikhathi Selungelo

Njengoba kubhekwa ukwehla kwezinsiza ezidotshwe kule mboni yezokudoba kanye nesidingo sokwabela lokhu kanye nemboni yabadobi abadobela ukuziphilisa, Amalungelo okudoba Embonini Yezokudoba Ngentambo Njengasemandulo ngenhloso Yokuhweba azogunyazelwa isikhathi seminyaka eyisikhombisa bese emuva kwalokho ayonqanyulwa ngokuzenzekela bese abuyele kuHulumeni. Ukushintsha okukhulu okuya phezulu kuyinsiza engaklala ngokwethembeka ngaleso sikhathi kuphela.

5.3 Abantu abahlala ndawonye

Abantu abahlala ndawonye abanakunika ilungelo elingaphezu kwelilodwa embonini yezokudoba abafake isicelo kuyo, ukugwema ukukhohlisa ngobunikazi nokuhlomula kwamabhezini awodwa kanye nokwandiswa kokutholakala. Abafakizicelo kudingeka badalule ubudlelwano babo kwabanye abafakizicelo kweminye imikhakha yezokudobela

ukuhweba. Uma kunomuntu ongaphezu koyedwa ofake isicelo selungelo emzini owodwa, uMnyango ungabonisana nabafakizicelo bese unqume ukuthi ngubani phakathi kwabo ozoba ngumfakizicelo onesicelo esiphumelele. Isiphathimandla Esigunyaziwe singabheka ukuhlukanisa ilungelo lokudoba elilodwa phakathi kwabafakizicelo abaphumelele uma befaneleke ukuthola ilungelo lezokudoba embonini yezokudoba elifakelwe isicelo.

5.4 Abafakizicelo abashonile

Izicelo ezivela kumuntu ngamunye oshone ngesikhathi senqubo yokuhlolwa kwezicelo kanye nalapho/noma ngaphambi kwelungelo lokubonisana emsebenzini wokudobela ukuhweba embonini yezokudoba kuthathwa isinqumo sokuhlolwa ngokwendlelakuhlunga emisiwe. Uma umfakizicelo eshona emuva kokugunyazwa kwelungelo yilowo oMele Umkhiphimafa noma u-Master, okuqashwa kwakhe kuyoqinisekiswa wu-Master weNkantolo Enkulu, angase abhekane nempahla kanye nezikweletu zefa likamufi.

Amalungu omndeni kamfakizicelo oshonile ayokwazisa uMnyango ngaleso sikhathi, ngokubhaliwe, emuva kokuba lowo mfakizicelo eseshonile. Lapho kutholakala isaziso somfakizicelo oshonile, Isiphathimandla Esigunyaziwe, singase ngokwesigaba 82 se-MLRA sikhipe umyalelo wokuba kwenziwe uphenyo ngalolo daba.

5.5 Ukudluliswa Kwamalungelo Abiwe Ngokwale Nqubomgomo

Ngokwesigaba 21 se-MLRA uNgqongqoshe angase agunyaze ukudluliswa kwengxenywe noma ngokuphelele kwamalungelo okudoba. Nokho, amalungelo agunyazelwe imboni yezokudoba ngokwe-MLRA akazukudluliswa eminyakeni yokuqala emithathu egunyaziwe.

6. INDLELAKUHLUNGA YOKUHLOLA

Abafakizicelo bayokwehlukaniwa ngokwezigaba ezintathu (Isigaba A, B no-C), ngokususela ekuzibandakanyeni kwangaphambilini ezimbonini zokudobela ukuhweba, ngokohlaka lweNqubomgomo Ewujikelele: 2021. Izicelo ziyohlolwa "ngokwendlekuhlunga emisiwe". Bonke abafakizicelo emuva kwalokho bayonikwa amaphuzu ngokwahlukana "ngokwendlelakuhlunga yokulinganisa ngokuqhathanisa" emisiwe. Kuyobe sekunqunywa umnqamula-juqu ukuze kukhethwe abafakizicelo abaphumelele futhi umzamo uyokwabelwa umfakizicelo ophumelele.

6.1 Indlelakuhlunga Eqondene Nokushiya Ngaphandle

Ngaphandle kwendlelakuhlunga echazwe kuNqubomgomo ewuhlaka Ewujikelele: 2021 eqondene nokufaka kwezicelo kanye namaphutha amakhulu, Isiphathimandla Esigunyaziwe sizoshiya ngaphandle abafakizicelo abahluleka ukuhlangabezana nezidingo ezilandelayo:

(a) Ukulandelwa kwezimiso

Abafakizicelo, okubandakanya amalungu abo, abaqondisi, abaninimasheya abalawulayo, abameleli nokapteni bezikebhe abahlwe ngamacala ngokwe-MLRA, imithethonqubo yayo noma imigomo yemvume, angeke babelwe ilungelo Lokudoba Izinhlanzi Ngentambo Njengasemandulo Ngenhloso Yokuhweba. Lokhu akubandakanyi ukukhokhwa kwenhlawulo yokuvuma icala.

Abafakizicelo, okubandakanya amalungu abo, abaqondisi, abaninimasheya abalawulayo, abameleli nokapteni bezikebhe abanelungelo lokudoba, ilayisense noma imvume, abaliphuciwe noma elisuliwe ngokwe-MLRA, imithethonqubo yayo noma imigomo yezimvume, impahla edliwe ngaphansi koMthetho Wokuvikela Ubugebengu Obuhleliwe 121 we-1998 noma i-MLRA, abazukwabelwa ilungelo Lokudoba Izinhlanzi Ngentambo Njengasemandulo Ngenhloso Yokuhweba.

(b) Ubunikazi Bemvume Ngokwamaphepha

Izicelo ezivela kubafakizicelo bobunikazi bezimvume ngokwamaphepha, njengoba kuchazwe kuhlaka lweNqubomgomo Ewujikelele: 2021, azizukubandakanywa.

(c) Ukukhohlisa Ngobunikazi

Abafakizicelo okutholakala ukuthi babandakanyeka Ebunikazi Ngokwamaphepha njengoba kuchazwe kuNqubomgomo ewuhlaka Ewujikelele: 2021, abazukubandakanywa.

(d) Ukuthola Isikebhe Esifanele (Kusebenza Kubafakizicelo Besigaba A, B no-C)

Abafakizicelo kuzodingeka ukuba baveze ubunikazi ngqo, ubunikazi obuyingxenywe ngqo, noma ukusebenzisa ngqo isikebhe esifanele bengasibo abanikazi baso noma abangasibo abanikazi ngokwengxenywe abafakizicelo. Abafakizicelo abangakwazi ukuveza ukubandakanyeka kwabo ngqo ekudobeni okuhleliwe emisebenzini Yokudoba Nentambo Njengasemandulo Ngenhloso Yokuhweba okuvela esikebheni esifanele abangasibo abanikazi noma abangasibo abanikazi ngokwengxenywe abafakizicelo bayoshiywa ngaphandle. Ubufakazi bobunikazi noma bobunikazi ngokwengxenywe, kundawonye nesitifiketi sokubhaliswa se-South African Maritime Safety Authority (i-SAMSA), futhi nezithombe zesikebhe kumele zifakwe esicelweni. Uma umfakizicelo engene esivumelwaneni sokuthenga ukuze athole isikebhe esifanele uma kuphumelela isicelo, kumele ahlinzeke ngobufakazi benkontileka. Esimweni sesikebhe esakhiwe kabusha, uhlelokwakhiwa lwesikebhe, izindleko ezibhalwe zachazwa yinkampani eyakha isikebhe futhi nobufakazi bezezimali kumele buhlinzekwe. Izivumelwano zokudotshiwe lapho umnikazi wesikebhe edoba egameni lomnikazi welungelo angeke zamukelwe kule mboni yezokudoba. Abafakizicelo abangakwazi ukuveza ukuthi bazoba nesikebhe esifanele bazoshiywa ngaphandle.

(e) Ukungasebenzisi

Abafakizicelo Besigaba A abahluleka ukusebenzisa ilungelo Lokudoba Ngentambo Njengasemandulo ngenhloso Yokuhweba phakathi kwesikhathi sowezi-2013 nowezi-2020 kanye/noma ongayilandanga imvume yokudoba iminyaka emithathu noma ngaphezulu uyoshiywa ngaphandle. Ukusebenzisa ngempumelelo kuyosho ukuqalisa nokukhishelwa imvume ukuze kuqale ukudoba izinhlanzi ngentambo ngenhloso yokudoba, ukubuya nokudotshiwe kanye nokuthunyelwa okulandelayo kwemininingwane yokudotshiwe iminyaka eyisithupha ngesikhathi seminyaka yezi-2013-2020. Phezu kwalokho, ngaso lesi sikhathi, Abanikazi Belungelo Lokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba kuzolindeleka ukuba bathumelele amafomu okudotshiwe aqinisekisa abakudobile okungenani okunamathani angama-20 ezinhlobo zezinhlanzi ezidotshwa ngentambo ngesikhathi esifanele.

Abafakizicelo besigaba B no-C angeke bakalwe ngokomsebenzi wokudotshiwe.

6.2 Indlelakuhlunga Eqondene Nokulinganisa

Abafakizicelo bazohlolwa ngokwendlelakuhlunga yokulinganisa eyendlalwe kuNqubomgomo ewuhlaka Ewujikelele: 2021. Phezu kwalokho, indlelakuhlunga elandelayo Embonini Yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba izocutshungulwa, bese iklalwa ukuze kuhlolwe futhi kucutshungulwe izicelo:

(a) Indlela Okudotshwa Ngayo

Indlela okudotshwa ngayo izinhlobo ezithile zezinhlanzi ezidotshwa ngentambo (Kusebenza Kubafakizicelo Besigaba A kuphela) ezikalwa ngokomzamo nokudotshwa ngesikhathi sokwabiwa kwamalungelo esidlule.

(b) Ukuthunyelwa Kwemininingo

Ukuthunyelwa kohlu oluphelele lwamafomu okubanjwe ngesikhathi sonke sokwabelwa amalungelo esidlule (Kusebenza Kubafakizicelo Besigaba A).

(c) Ukwenza kubaluleke

Ukwenza imboni yezokudoba ibaluleke futhi ithuthuke njengalapho, kodwa kungagcini lapho, kugcinwa izinhlanzi eqhweni nokwethula izimiso zokuthuthukisa izingaqophelo (Kusebenza Kubafakizicelo Besigaba A kuphela)

(d) Uguquko

(i) Ukwenziwa ngcono kwephrofayela yoguquko yenqwaba yabafakizicelo basehlandleni elidlule lokwaba kuzobhekwa (Kusebenza Kubafakizicelo Besigaba A). Okulandelayo kuzobhekwa njengokuhle: Ukwanda kobunikazi belungelo, ukubonakala kokwanda kwabasebenzi abaqeqeshiwe (njengokapteni wesikebhe, abasebenzi basesikebheni abaqeqeshokile) bamaqoqo ahlukene, ikakhulukazi ubunikazi kanye nokubandanyeka ngqo kwabantu ababencishwe amathuba phambilini (ama-HDI), ikakhulukazi abesimame, intsha kanye nabantu abaphila nokukhubazeka.

(ii) Uguquko lulonke (Kusebenza Kubafakizicelo Besigaba A). Olulandelayo luzobhekwa njengokuhle: Amazinga oguquko aqondene nobunikazi, abasebenzi abaqeqeshiwe (njengokapteni wesikebhe, abasebenzi basesikebheni abaqeqeshekile) bamaqoqo ahlukene, ikakhulukazi abesimame, intsha kanye nabantu abaphila nokukhubazeka.

(iii) Uguquko lulonke (Kusebenza Kubafakizicelo Besigaba C) maqondana namaqoqo athile, ikakhulukazi, abesimame, intsha kanye nabantu abaphila nokukhubazeka.

(e) Ukubandakanya imikhakha eminingi

Abafakizicelo Embonini Yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba (kubandakanya abaninimasheya abalawulayo kanye namalungu ethimba labo eliphezulu eliphethe) angeke banqandwe ekutholeni amalungelo okudobela ukuhweba kweminye imikhakha yezokudoba (Kusebenza Kubafakizicelo Bezigaba A, B no-C). Abafakizicelo kuzodingeka ukuba bafake isicelo eceleni maqondana nelungelo lwakweminye imikhakha yezokudoba. Abafakizicelo abahlose ukufaka isicelo ezimbonini zokudoba ezinhlobonhlobo kumele babheke imininingwane yezikebhe kanye nezithiyo eziqondene nomkhakha wezokudoba. Izikebhe zivumeleke ukudoba ngokwelungelo elilodwa kuphela ngesikhathi. Abafakizicelo abathembele Ekudobeni Ngentambo Njengasemandulo Ngenhloso Yokuhweba njengomthombongqangi wengeniso yibo abazobhekelelwa kuqala.

(f) Ukwethembela

Bonke abafakizicelo bayozuza uma beveza umlando wokubandakanyeka kwabo embonini yokudoba ngentambo njengasemandulo ukuze baziphilise njengokuba ngukapteni wesikebhe, ilungu labasebenzi noma umsebenzi wasogwini embonini. Kuzobekwa phambili labo bafakizicelo abazibandakanya kakhulu embonini yezokudoba futhi abathembele ekufuneni Izinhlanzi Ezidotshwa Ngentambo Njengasemandulo Ngenhloso Yokuhweba maqondana nengxenye enkulu >50% engeniso yonyaka iyonke ngaphezu kwabafakizicelo abathola ingeniso kweminye imithombo engaphandle kwemboni yezokudoba.

(g) Ukuthuthukiswa Komnotho Wasendaweni

Ukukhuthaza ukuthuthuka komnotho wasendaweni emadolobheni okudotshwa kuwo axakekile kwezomnotho, kuzobekwa phambili abafakizicelo abakhetha ukukhipha nokusebenza abakudobile emachwebeni angaphandle kwamadolobha amakhulu (Kusebenza Kubafakizicelo Besigaba A, B no-C).

(h) Ukulandelwa kwezimiso

Abafakizicelo abake badoba ngokwe-MLRA, imithethonqubo yayo noma imigomo yezimvume iyokhethwa kunabafakizicelo, okubandakanya amalungu ayo, abaqondisi, abanimasheya abalawulayo, abameleli kanye nokapteni bezikebhe abakhokhe izinhlawulo zokuvuma icala ngamacala enziwe ngaphansi kwe-MLRA, imithethonqubo yayo noma imigomo yemvume.

7. UKWABIWA KOMZAMO

Ukwabiwa komzamo Embonini Yokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba kuyobhekwa maqondana nesibalo sezikebhe nesimo seqoqo lezinhlanzi ezinhlobonhlobo eziqondiwe ngokwendawo ephethwe ngayinye. Uma kubukwa ukwehla kokudotshwayo nokwehla kokusetshenziswa ngempumelelo kwamalungelo angaphambilini okusebenza, mancane amathuba okwanda k umzamo kule mboni yezokudoba. Kanjalo, uMnyango uhlose ukuwusebenzisa kakhulu umzamo weqoqo lezinhlanzi ezitholakalayo ngokulandela indima 4.2 yeNqubomgomo Ewujikelele Yokwabiwa Kwamalungelo Okudobela Ukuhweba 2021 kanye nokwaba ngokwe-TAE yamanje izikebhe ezijwayelekile ezingama-433, ezihlukaniswa phakathi kwezifunda kanye nangendlela ebhalwe ngezansi. I-TAE ngokwendawo izohlukaniswa phakathi Kwabadobi Abadobela Ukuziphilisa kanye nomkhakha wabadobi abadoba ngentambo njengasemandulo ngenhloso yokuhweba ngokwephesenti elinqunywe yiSiphathimandla Esigunyaziwe. Isikebhe esijwayelekile sichazwe njengesikebhe ezingathwala abasebenzi abayisi-7. Izikebhe obude bazo bubonke obungamamitha ayishumi kanye nesibalo esikhulu sabasebenzi esiyi-14, okubandakanya ukapteni wesikebhe, zizobhekwa, inqobo uma kungeqiwanga amandla okudoba ngokwendawo. Amandla okudoba angeqiwe, anqunywa ngokokusebenza kwaphambilini kwezikebhe (isincomo se-LSWG TAE sowezi-2021) angagcinwa endaweni yokuphatha ngayinye ami kanje:

Ukwabiwa kwesikebhe esijwayelekile okungeqiwe kukho Kwezindawo Zokuphatha ezintathu:

A	E-Port Nolloth kuya e-Cape Infanta	340
B	E-Cape Infanta kuya e-Port St Johns	64
C	KwaZulu-Natali	51

Izithombe ezilapha zimele isibalo esiphelele somzamo otholakala endaweni ngayinye. Ukwabiwa kwephesenti embonini yezokudoba ngentambo kumele kunqunywe emuva kokubhekwa kwamathuba okwabiwa kwesabelo Sokudobela Ukuziphilisa endaweni.

7.1 Izindawo Zokuphatha

Amazinga Omzamo Ovumelekile Uwonke kanye nezindlela zokulinganisa embonini yezokudoba ngentambo azonqunywa ngokwahlukana ezindaweni zokuphatha ngazinye. Abafakizicelo kumele baqoke indawo ezophathwa abafisa ukudoba kuyo. Abanikazi bamalungelo bangakwazi ukudlulisela ilungelo labo kwenye indawo ephethwe ngokubhala isicelo salokho futhi kuncike ekugunyazweni yiSiphathimandla Esigunyaziwe. Izicelo zokudlulisa zizobhekwa inqobo uma indawo yokuphathwa eqondiwe inomzamo ongatholakala mahhala.

Umfakizicelo ophumelele ngamunye uyonikwa ilungelo lokusebenzisa isikebhe esisodwa kuphela. Uma zonke izikebhe ezingama-445 zingabiwanga, isiphathimandla esigunyaziwe singaba ilungelo lezikebhe ezisele kubafakizicelo abathole isibalo esiphezulu kakhulu samaphuzu enqubweni yokulinganisa ngokuqhathanisa esifundeni futhi oqoke isikebhe esingaphezu kwesisodwa esifanelekile sokudoba izinhlanzi ngentambo. Isibalo sabasebenzi abangadoba izinhlanzi kunoma esiphi isikebhe sizoba nomkhawulo wesibalo esivelayo esitifiketini sezokuphepha se-SAMSA sesikebhe esiqokiwe.

Amaphesenti ayishumi (10%) e-TAE ngokwendawo yokuphatha ngayinye, ngokwezikebhe ezijwayelekile, abekwe eceleni ukuze ahlinzekele ukudluliswa kwezinqumo kukaNgqongqoshe. Ingxenye engabiwanga yama-10%, uma ikhona, emuva kokudluliswa kwezinqumo iyokwabelwa Abaqalayo Ukungena bese iye kubafakizicelo abaphumelele.

8. ABAQALAYO UKUNGENA (Abafakizicelo Besigaba B no-C)

Yize zaziwa izinkinga ezikhona emkhakheni osungulwe ngaphansi kwamalungelo esikhathi eside angaphambilini maqondana notshalomali, ukwenziwa komsebenzi, uzinzo kwezomnotho kanye nokukhula kwebhizinisi, uMnyango uzocubungula ukubandakanya abaqalayo ukungena ukuze kulandelwe Izimpokophelo Nemigomo ngokwesigaba 2, kanye nesigaba 18(5) se-MLRA yoMnyango. Mayelana nabafakizicelo abaqalayo ukungena, Isiphathimandla Esigunyaziwe sizocubungula izicelo ezifake utshalomali ekutholeni isikebhe, impahla enjengezakhiwo nezithuthi kanye nengqalasizinda yezokwazisa. Phezu kwalokho, izicelo zabafakizicelo abasha kuzodingeka ukuthi ziveze ukuthi banolwazi, amakhona kanye namandla (okuthola isikebhe esifanele) okudoba ngokweMboni Yokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba. Abaqalayo ukungena abangaveza umlando wokubandakanyeka embonini yezokudoba njengokapteni wesikebhe, abasebenzi basesikebheni noma abasebenzi basogwini yibo abazobekwa phambili.

9. IZIKEBHE EZIFANELE

9.1 Imininingwane yesikebhe

Isikebhe esifanele Embonini Yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba yisikebhe esingadonseka "esiya-ski-boat" noma isikebhe esakhiwe sakudala "i-chuckie" esinokulandelayo:

- (a) Esinobude be-SAMSA bubonke obukhulu (i-LOA) obungengaphezu kwamamitha ayi-10 futhi ezibhaliselwe ukugibela abantu abangengaphezu kwe-14. Izikebhe zemithwalo emikhudlwana (ezinendawo yokuhlala abantu) ezingasebenza ebusuku kanye nendawo yokulala angeke kubhekwe noma ngabe kuke kwasetshenziselwa ukudoba izinhlanzi ngentambo phambilini.
- (b) Kuqinisekiswa ngokwe-SAMSA ukuthi singasebenza endaweni engedlule kuma-40 *nautical miles*.
- (c) Sinohlelo lokuqapha ukusebenza kwesikebhe noma kohlelo lwe-AIS ngesikhathi sokufaka isicelo selayisense yesikebhe uma isicelo siphumelela.
- (d) Sinezindawo ezineqhwa.
- (e) Kuyisikebhe sokudoba ngentambo ngenhloso yokuhweba kunesikebhe esiwubukhazikhazi, isikebhe sokuzijabulisa noma isikebhe sokungebeleka.
- (f) Ngakho, uma singena embonini yezokudoba okokuqala, sikhishelwe Ukudoba Ngentambo Ngokwasemandulo Ngenhloso Yokuhweba.

9.2 Ukushintsha isikebhe

Ukugwema ukunyusa umzamo kule mboni yezokudoba, abafakizicelo kuzodingeka basebenzise izikebhe eziqokiwe esicelweni esifanele okungenani iminyaka emithathu ngaphambi kokusithuthukisa ngokobungako kanjalo nabasebenzi bakuso uma kungenzeka. Isiphathimandla Esigunyaziwe sizobheka udaba lokuthuthukiswa kwezikebhe uma kunyuswe amandla okudoba ngokwemikhawulo emisiwe eminingwaneni yesikebhe inqobo uma kunemizamo ewukusebenzisa ngokungaphansi kokulindelekile ngaphansi kwendawo ephethwe umnikazi welungelo aqokwe kuyo. Ukunyuka kunomkhawulo wobude obungama-2 m kukonke kanye nabasebenzi abangamalungu ababili bokwengezela. Uma isikebhe esiqokiwe singasabi khona, abafakizicelo bangaqoka isikebhe sokuthatha indawo yaleso esilingayo (esinomehluko ongaphansi kwama-5% ngokobude nesisindo, izinga labasebenzi kanye namandla enjini).

10. UKUKHOKHWA KWEZINDLEKO ZOKUFAKA ISICELO NELUNGELO LOKUGUNYAZA

Izindleko zizoshicilelwa eceleni maqondana nesigaba 25 se-MLRA futhi zizotholakala ngesikhathi sokufaka isicelo.!

Izindleko zale mboni yezokudoba zizonqunywa ngokubheka okulandelayo:

- (a) Izindleko zayo yonke inqubo yokwabiwa kwamalungelo okudoba, okubandakanya ukubonisana, ukukhipha amarisidi, ukuhlolwa kwezicelo, ukuqinisekisa, ukudluliswa kwezinqumo kanye nokubuyekeza kwasezinkantolo zamajaji, kanye
- (b) Nobungako bezinhlanzi ezabiwayo ngesikhathi selungelo.

Izindleko zokugunyazwa kwelungelo ziyokhokhwa ngabafakizicelo abaphumelele lapho benikwa amalungelo.

11. UHLU LWESIKHASHANA

Isiphathimandla Esigunyaziwe singase sikiphe uhlu lwesikhashana lwabafakizicelo abaphumelele ukuze kuphawulwe nganoma yini eqondene nezicelo kule mboni yezokudoba.

Isiphathimandla Esigunyaziwe singacela kuphawulwe nganoma oluphi ulwazi oluhlinzekwe ngumfakisicelo bese kuthathwe isinqumo ngokwalokho kuphawula okutholakele.

Isiphathimandla Esigunyaziwe singamema abantu bazokwenza izethulo maqondana nokuhlolwa kwezicelo ngaphambi kokuthathwa kwesinqumo sokugcina.

12. UKUMENYEZELWA KWEZINQUMO

Isiphathimandla Esigunyaziwe, emuva kokuthatha isinqumo sokugcina ngezicelo, siyokwazisa bonke abafakizicelo ngemiphumela yezicelo zabo ngabodwana futhi sichaze izizathu zaleso sinqumo.

Izizathu Eziwujikelele zezinqumo ngemboni yezokudoba ethile zizoshicilelwa kwaziswe bonke abafakizicelo ngokuthi izinqumo zadidiyelwa kanjani nokuthi kwafinyelelwa kanjani kuzo. Izizathu Eziwujikelele ziyobandakanya kusithasiselo esendlala imiphumela yabo bonke abafakizicelo Embonini Yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba.

13. IZINDLELA ZOKULINGANISA ZABAPHATHI

Ngezansi kubhalwe ezinye zezindlela ezisemqoka zoMnyango, ezisetshenziwa emuva kokuphathwa kokwabiwa kwelungelo leMboni Yezokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba. Imithetho yokuphatha edidiyele, ngokususela emigomweni eyendlalwe lapha iyobhalwa uma sekuqedwe ukwabiwa kwamalungelo. Amazinga emizamo Embonini Yezokudoba Ngentambo Ngenhloso Yokuhweba ayophathwa ngokomzamo ovumelekile uwonke ngokwendawo yezokuphatha ngayodwana. Umzamo oyisisekelo ngokwesikebhe sokwabiwa kwamalungelo okudoba esikhathi eside wabiwa kubhekwa isimo sobungako beqoqo lezinhlanzi ezidotshwa ngentambo eziyisisekelo endaweni ngayinye. Umzamo wesikebhe ngokwendawo yokuphatha unqunywa ngokomkhiqizo wesibalo sezikebhe, okubandakanya ukudobela ukuhweba nokudobela ukuziphilisa, kanye nesakhi sokulinganisa ngokususela emandleni okudoba esikebhe ngasinye. Isikebhe 'esijwayelekile', esisetshenziswa njengenkomba sinephuzu elilodwa, sichazwe

njengesikebhe esiyi-*ski-boat* obude baso buyisi-7 esingebe namalungu agibele angengaphezu kwesi-7 okubandakanya ukapteni wesikebhe (Isithasiselo I). Isibalo esingeqiwe sabasebenzi kanye nobude besikebhe obungebe ngaphezu kwama-12 nama-10 m, ngokwahlukana. Isibalo esivumelekile ngesikhathi olwandle ngamahora angama-24. Umzamo omkhulu ngokwemigomo yamayunithi esikebhe ngokwendawo yokuphatha ngayinye umiselwe ukwabiwa kwamalungelo kwesikhathi eside.

13.1 Izinsiza zokulungisa ubungako bomzamo

Ukuqinisekisa uzinzo nokugcineka komzamo wokudoba ongeqiwe ngokwethani, njengoba kuchazwe ngezansi, kuzolungiswa ngokobufakazi bocwaningo bokushintsha kwensiza. Umzamo angeke umiselwe isikhathi sokwabiwa ngaphandle kwesizimweni ezikhethekile emuva kokuba yonke imizamo yokuphatha seyehlulekile. Izimo ezihlukile zichazwe ngokwehla okukhulu kwenqubo yoMzamo Wokudotshwayo Ngokweyunithi Ngayinye njengoba kumisiwe maqondana nohlobo oluthile lwezinhlanzi esikhathini seminyaka emithathu, ngokohlobo lwezinhlanzi ezehle zaba ngaphansi kwama-10% Esisindo semvelo esidingekayo ukuze kufinyelelwe Esibalweni Esingagcineka Okungeqiwe Kuso.

Izindlela zokuncipha komzamo zizoqaliswa ngokomyalelo olandelayo, kuncike ebucayini besimo:

- (a) Imikhawulo yezinhlanzi ezidotshwe ngentambo ngephutha kwezinye izimboni zokudoba ezidoba izinhlobo ezithile zezinhlanzi njengasembonini yezokudobela ukuzijabulisa, imboni yokudoba i-*trawl*, imboni yokudoba i-*squid*, imboni yokudoba i-*tuna-pole* kanye nembali yokudoba i-*hake* ngentambo ebanjwa ngesandla
- (b) Izithiyo ngesibalo sezinsuku zokuya olwandle zaminyaka yonke
- (c) Ukunciphisa umzamo ngokunciphisa isibalo sezikebhe ngokwendawo

13.2 Izinsiza zokuphatha zohlobo oluthile lwezinhlanzi

Izinhlobo zezinhlanzi ezingangeni ngaphansi kohlobo oluqondiwe oluyisisekeko ziphathwa ngokwemikhawulo yobungako kokuchibiyela konyaka, umkhawulo wesaka, izikhathi zonyaka ezivaliwe kanye nemikhawulo yendawo, okubandakanya Izindawo Ezivikelwe Zasolwandle kanye Nezindawo Zezimboni Zezokudoba Ezishiywe Ngaphandle kanye nezindawo ezinezithiyo, uma kunesidingo. Ukulungiswa kwaminyaka yonke kwezinhlobo zezinhlanzi kuzonqunywa yi-Linefish Scientific Working Group ngokokuhlola, uchungechunge lwesikhathi lwe-CPUE, ukutholakala

kochungechunge lwezikhathi, okwenzeka lapho kudotshwa, kanye nokukhathaza ababambiqhaza. Imininingwane yezincomo izotholakala emibhalweni emisiwe yokwesekela (inombolo yombhalo we-LSWG), eyendlala ukuthi kungani kunconywa insiza ethile yokuphatha.

13.3 Ukudluliswa Kwamalungelo Okudobela Ukuhweba

Kuncike kundima 5.4 ngenhla, Abanikazi Bamalungelo kulo mkhakha bayolandela iNqubomgomo Yokudluliswa Kwamalungelo Okudobela Ukuhweba noma Amalungelo noma Izingxenye zakhona (iNqubomgomo Yokudluliswa) uma kudluliswa amalungelo okudoba abo.

13.4 Ukuhlanganisa Abanikazi Bamalungelo

Emuva kokwabiwa kwamalungelo okudobela ukuhweba kule mboni yezokudoba, uMnyango uzolawula ukuhlanganiswa kwesibalo Sabanikazi Bamalungelo asebenza embonini yezokudoba.

13.5 Indlela Yokubhekana Nemboni Yezokudoba Yohlelo Lwemvelo

Le mboni izophathwa ngokwe-EAF. I-EAF iyindlela ephelele egcina noma ethuthukisa isimo sempilo sohlelo lwemvelo futhi elinganisa ukuhlukahlukana kwezidingo kanye nokubalulekile emphakathini. Le ndlela ichazwe ngokohlelo lwemvelo ngokobubanzi bayo futhi ibandakanya izinhlelo zezemvelo, zezehlalakahle, zezomnotho nezokubusa.

13.6 Ukuqapha okwenzeka Olwandle kanye Nokuqapha Okwenzeka Ngaphandle

UMnyango ubheka ukuthi izinhlelo zokuqapha zasogwini njengamanje zilulungele kakhulu uhlelo ukuze kuqoqwe eminye imininingo yasembonini yezokudoba. Ukuqapha ngendlela yezobuchwepheshe (i-EM) kungase kuphoqeleke futhi abafakizicelo abaphumelele babe nomsebenzi wokubhekana nezindleko ezihambisana nakho. UMnyango uzosebenza nabanikazi bamalungelo kanye nezinhlangano zasezimbonini ukuthuthukisa nokuzama ukwenza ukuqapha olwandle kwenzeke ngendlela yokuzenzekela, ukuthulula (ukubonakala kwezinhlobo zezinhlanzi ezidotshiwe) kanye nokubhalwa kwemininingo ngokusetshenziswa kobuchwepheshe (amakhamera) ezindaweni zokungena nasezikebheni.

13.7 Ukuphatha ngokubambisana

UMnyango ukhuthaza abanikazi bamalungelo ukuba bazihlele babe yizinhlangano ezaziswayo embonini. UMnyango uzosebenza nezinhlango ezaziswayo embonini futhi uhlinzeke ngezimo zakamuva zesimo semboni yezokudoba kanye nezinsiza zayo.

14. IZIMO ZEZIMVUME

Izimo zezimvume zale mboni yezokudoba zizokhishwa minyaka yonke. Imibandela yemvume izonqunywa emuva kokubonisana nabafakizicelo abaphumelele kule mboni yezokudoba futhi izobuyekwezwa lapho nangesikhathi kudingeka. Imibandela yezimvume ezihambisana nemikhawulo yezinhlobo zezinhlanzi, isikhathi, indawo kanye nezimpahla kuzobuyekwezwa minyaka yonke kuncike ebufakazini bocwaningo obukhona obuphuma phambili. [Kubandakanya Ezokuphatha kanye nama-SWG]

15. UKUQAPHA NOKUHLOLWA KWENQUBOMGOMO

UMnyango uzoqapha futhi uhlole inqubomgomo ngokuqalisa inqwaba yezindlela zokusebenza ngokugcwele kukalwa imisebenzi yokulinganisa yesikhathi seminyaka eyisikhombisa (7). Kulindeleke ukuthi imisebenzi yokuqala yokuklala uhlelo lokusebenza izokwenzeka njalo emuva kweminyaka emithathu (3).

Yize uMnyango uzophothula uhlelo ngqo oluqondene nendlelakuhlunga abanikazi bamalungelo abazolinganiswa ngayo emuva kokwabiwa kwamalungelo okudobela ukuhweba, kanye nangemuva kokubonisana nabanikazi bamalungelo, kungase kusetshenziswa izinhlelo ezihambisana nokusebenza ezibanzi:

- (a) ukuthuthukiswa nokufukulwa kwabasebenzi basesikebheni
- (b) ukudalwa kwamathuba omsebenzi
- (c) Utshalomali enqubweni nasekunyuseni izinga lokubaluleka kwezinhlanzi ezidotshiwe;
- (d) Utshalomali ezikebheni, izakhiweni ezisogwini kanye nempahla.
- (e) Indlela yokusebenza kokudotshiwe
- (f) Ukulandelwa kwemikhawulo yobungakho ngobukhulu, isaka, indawo, isikhathi kanye nempahla
- (g) Ukubika ngokudotshiwe ngesikhathi nangokugcwele kanye nolunye ulwazi olusebenzayo.

Inhloso yokulinganisa ukusebenza kuzoba wukuqinisekisa ukuthi izimpokophelo zale nqubomgomo yokugcina ziyafezwa.

16. UKUPHULA IZIMISO

Ukuphula izimiso ngezindlela ezilandelayo:

- (a) Umfakisiselo ophumelele ohluleka ukusebenzisa ilungelo Lokudoba Ngentambo Njengasemandulo Ngenhloso Yokuhweba nganoma esiphi isikhathi sokudoba esisodwa ngesikhathi ilungelo lakhe ligunyaziwe ngaphandle kwenencazelo ezwakalayo:
- (b) Ukuphulwa kwezinhlinzeko ze-MLRA, iMithethonqubo ye-MLRA, Imigomo Yezimvume, iNqubomgomo Yokudluliswa Kwamalungelo kanye neminye iMithetho ehambisana nayo emigomweni yeMvume kaMnikazi Welungelo, noma abasebenzi bayo (okungaba ngabasebenza ngokugcwele, okungaba ngokuphelele noma ngezikhathi ezithile), osonkontileka bayo, ama-ejenti noma abeluleki kanye nokapteni wesikebhe;
- (c) Ngesikhathi somsebenzi wokuklala umsebenzi, noma omuphi Umnikazi Welungelo okutholakale ukuthi uphule noma omuphi umgomo ogunyazelwe Ilungelo;

kungadala ukuba kuqaliswe inqubo yezomthetho (engase ibandakanye ukuqaliswa kwenqubo yesigaba 28 se-MLRA kanye/ nenqubo yamacala ezobugebengu).

ISIGINESHA YOKUGUNYAZA

(As English version Gazetted)

IGAMA: (Nksz.) B CREECY, MP

ISIKHUNDLA: UNGQONGQOSHE WEZAMAHLATHI, EZOKUDOBA NEZEMVELO