

## DEPARTMENT OF TRANSPORT

No. R. ....

16 February 2024

### MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951) THE DRAFT MERCHANT SHIPPING (NATIONAL SMALL VESSEL SAFETY) REGULATIONS, 2024

The Minister of Transport intends, in terms of section 356(2)(a) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) and on the recommendation of the South African Maritime Safety Authority to repeal the Merchant Shipping (National Small Vessel Safety) Regulations, 2007 and make the Regulations set out in the Schedule hereunder as set out in the Schedule published on the South African Maritime Safety Authority website at: [Draft Regulations \(samsa.org.za\)](https://www.samsa.org.za)

Electronic copies of the Draft Merchant Shipping (National Small Vessel Safety) Regulations, 2024 are available on the South African Maritime Safety Authority website at [Draft Regulations \(samsa.org.za\)](https://www.samsa.org.za) and may also be requested from Bulelani Ncanywa at [bnanywa@samsa.org.za](mailto:bnanywa@samsa.org.za) or Crispen Camp at [ccamp@samsa.org.za](mailto:ccamp@samsa.org.za)

To facilitate stakeholder engagement on the Draft Merchant Shipping (National Small Vessel Safety) Regulations, 2024, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
27 February 2024	Western Region (Cape Town)	Anew Hotel Greenpoint 181 Main Rd, Green Point, Cape Town
01 March 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban
05 March 2024	Southern Region (Gqeberha)	Garden Court Kings Beach La Roche Drive, Humewood
8 March 2024	Northern Region (Pretoria)	Hotel@Hatfield 1141 Burnett Street, Hatfield, Pretoria

For ease of the stakeholder engagement registration process, the registers are to be found on the SAMSA website, under <https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx>

Interested persons are hereby invited to submit written comments on these Draft Amendment Regulations on or before the **16 March 2024** to the Chief Executive Officer: SAMSA, for the attention of:

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**DEPARTMENT OF TRANSPORT**

**MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)**

**THE DRAFT MERCHANT SHIPPING (NATIONAL SMALL VESSEL SAFETY)  
REGULATIONS, 2024**

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*(The English Text is the official text of the Regulations)*

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I, Lydia Sindisiwe Chikunga, Minister of Transport hereby, in terms of section 356(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), repealed the Merchant Shipping (National Small Vessel Safety) Regulations, 2007 and, make the Regulations set out in the Schedule hereunder.

**Ms. LS Chikunga, MP**  
**Minister of Transport**

**Date:**

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## **SCHEDULE**

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### **MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)**

### **THE DRAFT MERCHANT SHIPPING (NATIONAL SMALL VESSEL SAFETY) REGULATIONS, 2024**

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## Part I General

### Definitions

1. In these Regulations, the expression “the Act” means the Merchant Shipping Act, 1951 (Act No. 57 of 1951), and unless the context otherwise indicates, any word or expression used in these Regulations, to which a meaning has been assigned in the Act, bears the meaning so assigned, and—

“**accommodation spaces**” are those spaces used for public spaces, corridors, sanitary spaces, cabins, offices, mess rooms, pantries containing no cooking appliances and similar spaces;

“**approved**” means approved by the Authority;

“**authorised agency**” means a governing body, club or organisation designated under regulation 30(1);

“**Authority**” means the South African Maritime Safety Authority;

“**Boating Officer**” means an individual who holds a position responsible for enforcing small vessel regulations, ensuring safety and overseeing various aspects of boating activities within a specific region;

“**crew**” for the purposes of these Regulations, means any person except the skipper, employed or engaged in any capacity as a member of the crew of a vessel a seafarer;

“**category**”, in relation to a vessel, means the particular category of vessel determined as follows:

- (i) *Category A*—vessels operating any distance from shore;
- (ii) *Category B*—vessels operating less than 40 nautical miles from shore;
- (iii) *Category C*—vessels operating less than 15 nautical miles from shore;
- (iv) *Category D*—vessels operating less than 5 nautical miles from shore;
- (v) *Category E*—vessels operating not more than 1 nautical mile from shore and 15 miles from an approved launch site;
- (vi) *Category R*—vessels operating solely on sheltered waters;

- (vii) *Category D passenger* - vessel operating not more than 5 nautical miles from shore and 15 miles from the point of departure;
- (viii) *Category R passenger* —vessels operating solely on sheltered waters, limited to area of operation;

“**certificate of competence**” means a certificate, including any relative endorsement, issued by a certifying authority pursuant to regulation 16(1) and entitling its lawful holder to act in the capacity and perform the functions involved on a vessel of the type, category, tonnage or length, power and means of propulsion concerned;

“**certificate of fitness**” means a certificate issued under regulation 37;

“**certifying authority**” means the Authority and, to the extent that the Authority has delegated, pursuant to regulation 44(2), an authorised agency to perform the Authority’s functions;

“**commercial harbour**” means a harbour belonging to the National Ports Authority of South Africa;

“**commercial vessel**” means a vessel that is not a pleasure vessel;

“**contravene**”, in relation to a provision of these regulations, includes failing or refusing to comply with that provision;

“**controlled event**” means a competition, event or regatta organised by a governing body or authorised agency, or a club or an organisation affiliated with a governing body, and includes—

- (a) activities to prepare for the event that take place at the venue for the event and during the times specified by the organiser of the event; and
- (b) practice for the event under the supervision of a coach or an official approved by a governing body or authorised agency, or a club or organisation affiliated with a governing body;

“**decked**”, in relation to a vessel, means fully or partially decked;

“**discharge**”, in relation to a harmful substance, means any release, howsoever caused, from a ship, a tanker or an offshore installation into a part of the sea which is a prohibited area, and includes any escaping,

disposal, spilling, leaking, pumping, emitting or emptying; and "**discharge**", when used as a verb, has a corresponding meaning;

**"dive boat"** means a vessel that is used in diving support activities;

**"enforcement officer"** means a police official, a safety officer, subject to regulation 44(5), and any person designated as an enforcement officer by the Authority;

**"existing vessel"** means a vessel that was built and used solely on inland waters before the commencement of these regulations;

**"External Appointed Surveyor"** (EAS) means an independent professional appointed by the Authority to conduct surveys or inspections of small vessels on behalf of the Authority;

**"External Appointed Examiner"** (EAE) means an independent professional appointed by the Authority to conduct skipper examinations of small vessels on behalf of the Authority;

**"fishing harbour"** has the same meaning as in section 1 of the *Marine Living Resources Act 1998* (Act No. 18 of 1998);

**"freeing ports"** means the openings in the bulwarks on deck to allow water to rapidly drain directly overboard;

**"from shore"**, in relation to—

- (a) a vessel that is, or is to be, operated at sea, means seaward from the low-water line as defined in section 1 of the *Maritime Zones Act 1994* (Act No. 15 of 1994) on the coastline of the Republic, excluding the islands and islets; and
- (b) a vessel that is, or is to be, operated in sheltered waters, means—
  - (i) for sheltered waters referred to in paragraphs (a) and (b) of the definition of "sheltered waters", from the low-water-line referred to in paragraph (a); and
  - (ii) for any other sheltered waters, from the water-line on the adjacent shore;

**"garbage"** means all kinds of food wastes, domestic wastes and operational wastes, all plastics, cargo residues, incinerator ashes, cooking



oil, fishing gear, and animal carcasses generated during the normal operation of the vessel and liable to be disposed of;

**“governing body”** means a national water sport governing body—

- (a) that publishes written rules and criteria in respect of conduct and safety requirements during skill demonstrations, formal training or controlled events; and
- (b) that—
  - (i) certifies coaches and coaching programmes;
  - (ii) certifies officials and programmes for officials; or
  - (iii) recommends training and safety guidelines for certified coaches or officials;

**“harmful substance”** means any substance which, if introduced into the sea, is likely to create a hazard to human health, harm living resources and marine life, damage amenities or interfere with other legitimate uses of the sea, and includes oil and any other substance subject to control by MARPOL 1973/78, and mixtures of such substances and water or any other substance;

**“inflatable”**, in relation to a vessel, means that buoyancy on water depends on separate inflated airtight chambers that are either completely collapsible or fitted with a rigid bottom section;

**“inland waters”** means declared inland waters as specified in a notice under section 3(9) of the Act;

**“inland waters”** means the waters of any dam, lagoon, lake, river or wetland, but does not include a tidal lagoon or tidal river and includes declared inland waters under section 3(9) of the Act;

**“kill switch”** means a mechanism that is attached to the skipper or operator of a vessel and that stops the engines when that person loses his or her footing or becomes otherwise incapacitated;

**“machinery spaces”** means those spaces containing propulsion machinery, fuel oil units, internal combustion engines, generators, steering gear, major electrical machinery, oil filling stations, refrigerating, ventilating and air conditioning machinery and similar spaces, and trunks to such spaces;

**“modification”** means -

- (a) a modification or repair or a series of modifications or repairs that changes the capacity or size of a vessel or the nature of a system on board a vessel, that affects its tonnage, seaworthiness, watertight integrity or its stability,
  - (b) in relation to the hull, equipment, accommodation or machinery of a vessel, includes the renewal of any part thereof,
- and “alteration”, has a corresponding meaning;

**“mooring buoy”** means a buoyant hull that floats on the water's surface and is connected to a heavy anchor or weight on the seabed by a strong, durable line or chain;

**“National Boating Manager”** means an individual or person who holds a leadership or management position at a national level responsible for overseeing small vessel regulations, safety, policy development and enforcement at a national level;

**“night”** means the period of time between sunset and sunrise, in accordance with the Tide Tables as published by the South African Navy Hydrographic Office;

**“operate”**, in relation to a vessel, means that –

- (a) the vessel is not –
  - (i) safely ashore; or
  - (ii) made fast to a jetty, quay or mooring buoy; or
- (b) in the case of a passenger vessel, the vessel has passengers on board;

**“Off Port Limits (OPL) Operation”** means any work conducted by an approved vessel that is transferring any item or person between two vessels or assisting in the bunkering operation inclusive of oil monitoring, searching or clean-up of oil;

**“Off Port Limits (OPL) Vessel”** is any vessel approved to conduct Off Port limit (OPL) operations inclusive of the term, launch;

**“overall length”**, in relation to a vessel, means the horizontal distance measured between perpendiculars erected at the extreme ends of the outside of the hull of the vessel;

**“owner”**, in relation to a vessel, includes—

- (a) a credit receiver or buyer in the case of a credit agreement in terms of the *National Credit Act 2005* (Act No. 34 of 2005); and
- (b) any person entrusted by the owner with the care and control of the vessel;

**“passenger vessel”** means a vessel that carries more than 12 passengers;

**“pleasure vessel”** means a vessel that is used solely for sport or recreation;

**“police official”** means—

- (a) a member of the South African Police Services as defined in section 1 of the *South African Police Service Act 1995* (Act No. 68 of 1995);
- (b) a member of any Municipal Police Service established in terms of the *South African Police Service Act 1995* (Act No. 68 of 1995);
- (c) a person designated by the Authority as a police official under regulation 44(5) of these Regulations; or
- (d) a member of the South African National Defence Force deployed in co-operation with the South African Police Service;

**“power-driven”**, in relation to a vessel, means propelled primarily by mechanical means;

**“projectile flare set”** means a set of flares designed to be propelled upwards by means of a hand-operated triggering device not forming an integral part of the flare;

**“regulating authority”**, in relation to—

- (a) the sea-shore as defined in section 1 of the *Sea-Shore Act, 1935* (Act No. 21 of 1935);
- (b) the shore of any other body of water to which these regulations apply; or
- (c) any sheltered waters,

means the person, body or authority having jurisdiction over the shore or waters concerned;

**“safe haven”** means a harbour or shelter of any kind which affords safe entry and protection;

**“safety officer”** means a person designated under regulation 44(5);

**“sailing vessel”** means a vessel provided with sufficient sail area for navigation under sail alone whether or not fitted with mechanical means of propulsion;

**“sea”** means the water of the sea, as well as the bed of the sea and the subsoil thereof;

**“sea-shore”** means the water and the land between the low-water mark and the high-water mark;

**“sheltered waters”** means any of the following:

- (a) a tidal lagoon or a tidal river;
- (b) the waters within the breakwaters of any port in the Republic; or
- (c) inland waters;

**“service spaces”** means those spaces used for galleys, pantries containing cooking appliances, lockers and storerooms, workshops other than those forming part of the machinery spaces, and similar spaces and trunks to such spaces;

**“skipper”** means the master;

**“specified by the Authority”** means specified by the Authority in a marine notice;

**“suitable”**, in relation to materials or an appliance or item of equipment, means suitable for the service for which it is intended;

**“tender”** means a vessel not exceeding four metres in overall length that is used solely in sheltered waters for the conveyance of persons or stores from the shore to a vessel, or vice versa, or from one vessel to another vessel without financial gain or reward;

**“the Act”** means the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

**“tidal lagoon”** means any lagoon in which a rise and fall of the water-level takes place as a result of the action of the tides;

**“tidal river”** means that part of any river in which a rise and fall of the water-level takes place as a result of the action of the tides;

**“underway”**, in relation to a vessel, means that the vessel is not at anchor or made fast to the shore or aground; and

**“water-skiing”** includes towing a person or persons on any device behind a vessel, and the noun has a corresponding meaning.

(2) Any reference in these regulations to the owner of a vessel is, if there is more than one owner of the vessel, to be read as a reference to each of the owners.

(3) For the purposes of these Regulations, a vessel is taken to be at sea or being operated at any time when it is not securely ashore or moored in a safe berth.

(4)(a) For greater certainty, the Authority may from time to time publish a marine notice setting out the boundaries, or particular boundaries, of any sheltered waters specified in the notice.

(b) Before publishing a marine notice under paragraph (a), the Authority must follow an appropriate consultation process.

## **Application**

2. (1) Subject to this regulation, these Regulations apply to and in relation to—

(a) every commercial vessel, regardless of size that is used on inland waters;

(b) every other commercial vessel, being a small vessel of less than 25 GT—

(i) that is registered as a ship in the Republic in terms of the Ship Registration Act 1998 (Act No. 58 of 1998);

(ii) that is required to be licensed in terms of section 68 of the Act; or

(iii) in respect of which a local general safety certificate is required by virtue of section 203 of the Act,

- (c) every pleasure vessel, regardless of size that is used on inland waters; and
- (d) every other pleasure vessel of less than 100 gross tonnage, being—
  - (i) a vessel that is registered as a ship in the Republic; or
  - (ii) a vessel contemplated in section 68(3)(b) of the Act.

(2) The vessels in subregulation (1) shall be required to comply with these Regulations as follows:

- (a) New vessels - upon promulgation of these Regulations;
- (b) Existing vessels, which undergo alterations, addition or modifications - such alterations, additions or modification, are to comply with these Regulations;
- (c) Equipment and safety management as required by these Regulations become effective one year after promulgation of these Regulations;
- (d) Environmental protection requirements, five years after promulgation;
- (e) Existing vessel, upon registration onto the South African register - after promulgation of these Regulations; and
- (f) Off Port Limit Supply Launch (OPL) vessels –
  - (i) design, construction and stability - four years after promulgation of these Regulations;
  - (ii) Equipment and safety management as required by these Regulations become effective one year after promulgation of these Regulations; and
  - (ii) Manning - upon promulgation of these Regulations.

(3) A provision of these Regulations does not apply to a vessel of South African nationality in the waters of a country other than the Republic where the provision is inconsistent with a law of that country which, by its terms, applies to the vessel when in the waters of that country.

(4) These Regulations apply to vessels under three metres in length except where otherwise stated and subject to regulation 16(4).

## **PART II SAFETY CERTIFICATION**

### **Vessel not to be operated without safety certificates**

**3.** A vessel shall not be operated without having on board a valid Local General Safety Certificate issued by the Authority or relevant authority.

#### **Application for a Local General Safety Certificate or a Local General Safety Exemption Certificate**

4. (1) An application for a new or a renewal of a Local General Safety Certificate or a Local General Safety Exemption Certificate shall be submitted in writing, by making an application, in the form published by the Authority.

(2) The form of the certificate in subregulation (1) shall be in accordance with the form published by the Authority.

(3) Every vessel to which a Local General Safety Certificate has been issued shall conform to these Regulations and any additional measures deemed appropriate by the Authority throughout the period of validity of the certificate.

#### **Issue and Format of Local General Safety Certificate or Local General Safety Exemption Certificate**

5.(1)(a) A Local General Safety Certificate, in a format prescribed by the Authority, shall be issued after the satisfactory survey of a vessel that complies with the applicable requirements of these Regulations.

(b) Whenever an exemption is granted to a vessel under, and in accordance with, the provisions of these Regulations, the exemption shall be reflected in the Local General Safety Exemption Certificate in a format prescribed by the Authority: provided the certificate shall not be issued or deemed as to substitute the certificate required by paragraph (a) of this regulation.

(2) A vessel shall be granted a single certificate in accordance with subregulation (1) or (2), specifying the operations for which it has been surveyed in accordance with these Regulations.

(3) Where the vessel intends to engage in operations for which it has not been surveyed in terms of subregulation (2), the owner shall apply for a new certificate.

(4)(a) During the survey of a vessel, the surveyor shall record the survey in the form published by the Authority.

(b) On completion of the survey the surveyor shall provide the owner with a report of survey, and where there are deficiencies, a list of deficiencies for rectification and a period within which the deficiencies shall be rectified.

- (c) The survey lapses upon failure to comply with the period in paragraph (b) and the owner shall be liable for the fees of the lapsed survey.
- (d) The owner shall provide the Authority with a declaration of rectification of the deficiencies in the form published by the Authority.

### **Display of Local General Safety Certificates, permits and special stability instructions**

6. (1) Immediately after receipt of the certificates issued in accordance with regulation 5, the owner or Master shall cause such certificates, or a copy thereof, to be on board the vessel for the information of all on board and shall cause it to be accessible, either in electronic or physical format, so long as it remains in force and the vessel remains in use.

(2) For passenger vessels, the certificates in subregulation (1), permits and any special stability instructions shall be conspicuously displayed on board.

(3) Where displaying is impracticable, the certificates shall be kept on board in a weathertight container readily available for presentation to passengers and, officials when requested: provided this shall not apply for purposes of subregulation (2).

### **Duration and Validity of Local General Safety Certificates or Local General Safety Exemption Certificate**

7.(1)(a) A Local General Safety Certificate or Local General Safety Exemption Certificate shall be issued for a period not exceeding 12 months beginning on the date of survey.

(b) The validity period of a Local General Safety Exemption Certificate shall not have the effect of extending the validity period of the Local General Safety Certificate.

(2) A Local General Safety Certificate or Local General Safety Exemption Certificate may, on application, be extended by the Authority for a maximum period of six months.

(3) If at the time when the validity of its certificate expires or ceases, a vessel is not in a South African port, the validity of the certificate may be extended by the Authority for a period not longer than five months, but such extension shall be granted only for the purpose of allowing the vessel to complete its voyage to a South African port or to a port in which it can be



surveyed and then only in cases where it appears proper and reasonable to do so: Provided a vessel, to which such extension is granted shall not on its arrival in a South African port, be entitled by virtue of such extension to leave such port without having obtained a new certificate.

(4) A certificate which has not been extended under the provisions of subregulations (2) or (3) of this regulation may be extended by the Authority for a period of up to one month from the original date of expiry stated on it.

(5) The extensions referred to in subregulations (2), (3) and (4) of this regulation shall—

- (a) not extend the requirement for a vessel to be inspected, by a surveyor at intervals not exceeding 12 months in terms of these Regulations;
- (b) be applied for five days before the expiry date indicated on the vessel's safety certificate;
- (c) may not be granted if a safety certificate has ceased to be valid at the time of application for an extension; and
- (d) not extend the validity period of the original Local General Safety Exemption Certificate or the Local General Safety Certificate.

(6) Subject to compliance with subregulation (2) and (3), a certificate that expires while a vessel is at sea remains valid until the next arrival in a port: Provided a vessel shall not proceed to sea where the vessel's safety certificate is due to expire during the course of the intended voyage.

### **Cancellation of Local General Safety Certificates**

8.(1) The Authority may direct that a local general safety certificate be cancelled if by reason of the contents of a report by a surveyor, or for any other reason, the Authority is satisfied that—

- (a) the certificate was obtained fraudulently or on incorrect information;
- (b) since the certificate was issued, the hull, equipment or machinery of the vessel has, by reason of any alteration made thereto, or by reason or any damage sustained by the vessel, or for any other reason, become insufficient; or
- (c) since the certificate was issued, the vessel no longer complies with all the requirements of the applicable regulations or to the same extent to which she complied with the regulations in force when the certificate was issued.

(2) Whenever a direction is issued under subregulation (1) of this regulation for the cancellation of a safety certificate, the Authority shall, in writing,

notify the owner or master of the vessel in respect of which the certificate was issued of the cancellation.

(3) The Authority may direct that the Local General Safety Certificate be cancelled due to failure to comply with the requirement of regulation 6 (1) and (3).

### **PART III**

#### **VESSEL SAFETY REQUIREMENTS**

##### **Submission and approval of plans for first issue of local safety certificate**

9. (1) Subject to subregulation (9), for the purposes of the first issue of a local general safety certificate in respect of a commercial vessel, the builder or owner of a vessel shall submit in duplicate to the Authority the particulars in subregulation (2) by means of plans, fully dimensional and including detailed specifications of the vessel, for approval by the Authority.

(2) The plans in subregulation (1) shall be to a scale of 1:50, except lines plan 1:25, mentioned below:

- (a) freeing port plan which may be part of the stability documents;
- (b) longitudinal elevation showing the position of bulkheads or built-in non-flooding compartments, hatchways, deck houses and crew spaces, shaft, trunks, ventilators, recesses, principal openings and steps in the watertight bulkheads and decks are to be shown in plan and elevation;
- (c) midship section showing hull scantlings, deck, bulwarks, frames, doors, stringers and beams;
- (d) plans showing the means of escape from all accommodation, service and working spaces;
- (e) any deck openings, ventilators and air pipes, and tanks;
- (f) engine room layout and pumping arrangements;
- (g) steering and propeller shaft arrangements;
- (h) bilge pumping arrangements including the type and positions of valves;
- (i) commercial refrigeration arrangements for preservation of catch;
- (j) electrical circuit diagram;
- (k) lines plan of scale 1:25;
- (l) buoyancy certificate;
- (m) anchors and cables;

- (n) lifesaving and firefighting equipment general arrangement plans including details of class sub-divisions and stairway enclosures;
- (o) the means of closure of openings in such divisions and enclosures;
- (p) the arrangement of watertight doors, sprinkler systems and automatic fire detection and alarm systems; and
- (q) navigation lights and sound signals.

(3) When any alteration or modification is contemplated for a vessel, which is provided for in these Regulations, prior approval shall be obtained from the Authority before any such alteration or modification is commenced.

(4) The Authority may require such further plans and specifications as it deems fit and may dispense with the requirement to submit certain plans or specifications.

(5) The Authority may, after approving the plans and the specifications submitted in respect of a vessel, direct a surveyor to conduct surveys and tests to ensure that the vessel is constructed in accordance with the approved plans, specifications and the other requirements of these Regulations.

(6) The owner shall no later than 30 days before commencement of the construction, notify the Authority of intention to commence construction.

(7) The builder or owner of a vessel being built shall in writing notify the Authority at least seven days before commencement of the following stages—

- (a) commencing planking, plating or laminating;
- (b) completing the fitting of all underwater fittings and rudder gear and propeller shafts;
- (c) launching the vessel; and
- (d) undertaking trials.

(8) It is prohibited for any person to undertake trials without the prior approval of the Authority and, if the Authority thinks fit, the prior inspection of the vessel by a surveyor.

(9) The Authority may dispense with all or any of the requirements of subregulations (1), (2), (3), (5), (6), (7) and (8) if—

- (a) in the case of a vessel being built, the work is carried out in accordance with the relevant construction standards specified by the Authority; or

- (b) in the case of an existing vessel, it is satisfied that the vessel complies with the relevant construction standards specified by the Authority.

(10) The Authority may by way of a marine notice give direction from time to time regarding the precise information required for any particular type of vessel.

### **Modifications and alterations**

**10.** (1) The owner of a vessel and every person who is responsible for making a modification to the vessel shall ensure that any modification is in accordance with the construction requirements of these Regulations.

(2) Any modification to the vessel, except for modification of a pleasure craft of less than 100 GT shall, on application be subject to prior approval by the Authority.

- (3) The application in subregulation (2) shall –
  - (a) be in writing, in the form prescribed by the Authority;
  - (b) submitted no later than 30 days before commencement of the modification; and
  - (c) if requested by the Authority, include the technical data necessary to determine the vessel's compliance with the construction requirements.

### **Design and construction of vessels**

**11.**(1)(a) Every vessel must be constructed of materials of good quality, with due regard to sound design practice and methods of construction and under normal operating conditions the design must provide sufficient reserve of positive stability so that the vessel cannot capsize easily when carrying a load.

- (b) The design and construction of a vessel shall, in addition, comply with the requirements of Annexure 1 and 2 and to the satisfaction of the Authority.

(2) The construction and design of vessels in this regulation does not apply to vessels mentioned in regulation 47(3).

(3) It is an offence to sell a vessel that does not comply with the construction requirements of these Regulations except where accompanied by a letter or certificate detailing the extent to which the vessel does not or cannot comply.

### **Inspection of vessel for renewal of local general safety**

## **certificate**

**12.** For the purposes of the renewal of a local general safety certificate, every vessel must, subject to section 197 of the Act, be thoroughly surveyed, both internally and externally, by a surveyor at intervals not exceeding 12 months: Provided that, at the discretion of the Authority—

- (a) water suction and discharge valves, excluding water connection fastenings, may be surveyed at intervals not exceeding 24 months; and
- (b) propeller shafts shall be withdrawn at intervals prescribed in these Regulations and not exceeding four years.

## **Hull Survey**

**13.(1)(a)** Subject to subregulation (7) and (12) of this regulation, vessels shall every twelve months be subjected to a survey on a dry-dock or on a slipway for inspection by a surveyor to ensure that the structure, equipment, appliances, arrangements and material comply with the requirements of these Regulations: provided the Authority may, on written application by the owner, in the form published by the Authority, accept an underwater inspection for inland water vessels.

- (b) Upon completion of the survey in paragraph (a) the Authority may issue a certificate in the form published by the Authority.

**(2)(a)** For purposes of subregulation (1)(a), the vessel shall be inspected as follows:

- (i) The surveyor shall examine the hull externally and internally after it has been cleaned down but not painted; and
- (ii) All closing appliances for deck openings, and all coamings, ventilators, air pipes and deckhouses shall be thoroughly examined by the surveyor; and

(b) For purposes of subregulation (7)(b)(i), the hull shall be surveyed-

- (i) in accordance with Annex 1 for Construction of Vessels; and
- (ii) based on a report by a person holding a qualification accepted by the Authority; or
- (iii) where the Authority deems appropriate, in accordance with requirements prescribed by the Authority.

(3) Any part which the surveyor requires to be removed in order to ascertain the condition of the hull shall be removed.

(4) Hull thickness test must be carried out—

- (a) ten years after the vessel's construction; and
- (b) every six years after the period in paragraph (a); or
- (c) as required by the Authority.

(5) The test referred to in subregulation (4) shall include any parts or fittings, including spool fittings, permanently connected to the hull.

(6) A record of the tests in subregulations (4) and (5) must be maintained for the life of the vessel.

(7)(a) The owner may apply in writing to the Authority for an extension of the period in subregulation (1), for a maximum period of one year.

(b) (i) The Authority may, on written application and prior to the expiry date of the Hull Certificate, grant an extension of the period in paragraph (a) and subregulation (1), for a period not exceeding three months.

(ii) The application in subparagraph (i) may be accompanied by a hull survey report based on an underwater inspection.

(8) A commercial vessel constructed of wood shall not be granted an extension in terms of subregulation (7).

(9) Written application for an extension referred to in subregulation (7) shall be made to the Authority not later than two days before the survey is carried out, and shall be accompanied by appropriate supporting information demonstrating that the owner has in place a suitable regime to the satisfaction of the Authority, and may include any other applicable information requested by the Authority.

(10) Approval of the one-year extension in subregulation (7) shall be subject to the provision of the information in subregulation (9) and the recommendation of the attending surveyor.

(11) The Authority may, on application by the owner, accept as compliance with the requirements of this regulation an equivalent hull survey report, where—

- (a) such survey is carried out by an approved classification society;
- (b) the survey is carried out in accordance with the classification society rules; and
- (c) the vessel remains in class at all times.

- (12)(a) The hull of a pleasure sailing vessel under 100 GT constructed of glass reinforced plastic, (GRP) shall not be required to comply with the requirements of this regulation: provided the owner shall submit to the Authority a record of a hull inspection declaration.
- (b) The hull of a trailer borne vessel with an outboard engine shall not be required to comply with the requirements of this regulation: provided—
- (i) the vessel shall be surveyed annually;
  - (ii) the underpart of the vessel shall be inspected during the survey for the issuance of the Local General Safety Certificate; and
  - (iii) the vessel's underwater fittings and discharge valves are inspected annually.
- (c) The declaration in paragraph (a) shall be in the form published by the Authority and made available for inspection by the Authority.

### **Hull structure**

**14.** (1) A vessel that has been constructed according to the regulations of another Administration shall be accepted, provided it can be demonstrated that the standard used results in compliance with these Regulations.

(2) An existing vessel shall be considered to be of acceptable construction where the vessel is:

- (a) built to one of the standards described in Annexure 1; or
- (b) the design, materials, and construction of masts, posts, yards, booms, bowsprits, and standing rigging on a sailing vessel shall be for the intended service and in accordance with Annex 1.

(3) The hull structure should be adequately reinforced to ensure strength and resistance to distortion and in accordance standards prescribed by the Authority.

### **Safety appliances and equipment**

**15.** (1) The owner and skipper of any vessel shall ensure that—

- (a) items of safety appliances and equipment are provided and maintained on board the vessel in accordance standards acceptable to the Authority and with the requirements of Annexure 2; and
- (b) the other requirements of Annexure 2 are complied with in relation to the vessel.

(2) The skipper of a vessel shall ensure that an approved buoyancy aid or lifejacket of the kind required by these Regulations is worn by—

- (a) every crew member who works on the vessel's deck at night, if the vessel is a commercial vessel;
- (b) every crew member who performs work on the vessel in circumstances where there is a risk of being lost overboard, if the vessel is a commercial vessel;
- (c) every crew member on the vessel, if the vessel is a commercial vessel of less than seven metres in overall length and is being operated within one nautical mile from shore;
- (d) every child under 12 years of age on deck at all times when the vessel is underway;
- (e) any other person on board a vessel at such times as the skipper may direct; and
- (f) every person on board including the skipper whenever the vessel is launched or operated in the surf, or otherwise operates in rough sea or water conditions.

- (3) On each occasion before any vessel is operated, the skipper shall—
  - (a) ensure that every person on board the vessel has received essential safety information appropriate to that person's functions on board, including—
    - (i) information about the location on board of the safety appliances and equipment required to be carried on the vessel; and
    - (ii) instruction in the use of such appliances and equipment; and
  - (b) ensure the safety appliances and equipment required to be on board the vessel are fit and ready for use and easily and readily accessible to all persons on board.

(4) The skipper or person operating any power-driven vessel of more than 15 horsepower and of nine metres or less in length may not get underway unless there is an operational kill switch attached to the operator.

(5) The kill switch in subregulation (4) need not be attached to the operator in vessels launching or beaching through surf whilst the vessel is transiting the surf zone.

(6) Every person, whilst on board a non-power-driven vessel shall at all times wear an approved buoyancy aid or lifejacket of the kind required by these Regulations.

## **Safety of navigation**



**16.** (1) The skipper of a vessel shall ensure at all times that the vessel is operated in accordance with—

- (a) the collision regulations as defined in the Act;
- (b) the conditions and limitations specified in the local general safety certificate, local general safety exemption certificate or certificate of fitness, as the case may be, issued in respect of the vessel;
- (c) the conditions and limitations specified in the skipper's certificate of competence;
- (d) the instructions and specifications of the manufacturer of the vessel and, if power-driven, of the vessel's propulsion machinery;
- (e) the law in force in the area in which the vessel is being operated, in so far as it is not inconsistent with the Act;
- (f) the load line regulations, if applicable; and
- (g) if the vessel is operating in sheltered waters, the rules, if any, issued by a regulating authority and governing vessel operations in those waters.

(2) It is prohibited for any person to operate a vessel in a careless manner, without reasonable consideration for other persons or without due care and attention, taking into account—

- (a) the weather;
- (b) visibility;
- (c) the presence of persons or vessels in the body of water, including concentrations of persons and vessels in the immediate vicinity of the vessel;
- (d) the speed and manoeuvrability of the vessel, with special reference to stopping distance and turning capability in the prevailing conditions;
- (e) light conditions, including the presence of background light from shore lights or from backscatter of the vessel's own lights;
- (f) water conditions, currents and the proximity of navigational hazards;
- (g) any other hazards that could adversely affect the safety of persons or property; and
- (h) marine aids to navigation.

(3) Before any power-driven vessel is operated, the skipper shall ensure that the vessel carries a sufficient quantity of fuel for its intended voyage together with a reserve of not less than 25 per cent of that quantity.

(4) A vessel under three metres may not go to sea, except in an area designated for that use by a regulating authority, but in any event not more than 1 000 metres offshore.

### **Colouring of vessels**

**17.** (1) The owner and skipper of any vessel going to sea shall ensure that—

- (a) as large an area as possible of—
  - (i) the interior and exterior and the hull of a vessel that is not a decked vessel; or
  - (ii) of the deck and the hull of a decked vessel,

is painted or pigmented in a colour making the vessel readily visible from above in any sea condition; or

- (b) there is readily available on board the vessel, suitably painted or pigmented in a colour making the vessel readily visible from above in any sea condition, material, of not less than 2 metres by 2 metres, capable of floating in a spread-out position, with appropriate fixtures for attachment to the vessel.

### **Operational limits**

**18.** (1) Subject to subregulation (2), no person may operate a vessel beyond the maximum distance from shore applicable to the category of vessel concerned and specified in the local general safety certificate or certificate of fitness, as the case may be, issued in respect of the vessel.

(2) A passenger vessel may not operate more than 5 nautical miles from shore and 15 nautical miles from point of departure.

### **Carrying persons in excess**

**19.** (1) Except in an emergency, neither the owner nor the skipper of a vessel may cause or allow the number of persons, including crew members, on board the vessel to exceed the number determined by the certifying authority and specified in the local safety certificate or certificate of fitness, as the case may be, issued in respect of the vessel.

(2) In determining the maximum number of persons that a particular vessel may safely carry, a certifying authority must take into account—

- (a) the specifications and guidance issued by the manufacturer of the vessel;
- (b) the available deck space;
- (c) the living accommodation, if applicable;

- (d) the weight the vessel can safely carry;
- (e) the lifesaving appliances and safety equipment provided;
- (f) the intended operation of the vessel;
- (g) the reserve buoyancy or stability; and
- (h) the manner of launching the vessel.

### **Voyage information**

**20.** (1) Before a vessel commences a voyage, from a place in the Republic, the owner and skipper shall ensure that there is left ashore particulars, with a responsible contactable party, in respect of—

- (a) the identity of the vessel, including its name if any, official number, and type or make;
- (b) the names of the occupants with their emergency contact details; and
- (c) the intended place or places and expected times of departure and arrival.

(2) Where regulating authorities, authorised agencies or clubs affiliated to a governing body have implemented reporting mechanisms for sheltered waters or at harbours, fishing harbours and approved launch sites, owners and skippers must comply with those mechanisms instead of the requirements under subregulation (1), provided the standards are at least the equivalent of subregulation (1).

(3) Upon completion of the voyage, the owner and skipper of the vessel must ensure that the person with whom information has been left in compliance with subregulation (1) or (2) is notified of the vessel's return.

(4) The owner and skipper of a vessel that goes to sea from a commercial harbour or a fishing harbour must, in addition to meeting the other requirements of this regulation, comply with the reporting requirements in force in that harbour.

### **Duty to report dangers to navigation**

**21.** Section 249 of the Act applies in relation to the skipper of a vessel to which these Regulations apply as if the vessel were a ship to which that section applies otherwise than by virtue of this regulation.

## **PART IV CREWING**

### **Practice Musters and Drills**

**22.** (1) The skipper shall ensure that all crew are—

- (a) competent to don a life jacket;

- (b) aware of the procedures to be followed when abandoning ship;
- (c) familiar with the firefighting facilities on board and actions to be taken in the event of a fire; and
- (d) advised of general safety practices on board.

(2) The skipper shall ensure that new members joining the vessel are familiarised with the above preferably before sailing but at least within 24 hours of the vessel leaving port.

(3) The master shall ensure that a muster of the crew for fire and abandon ship drills is carried out at intervals of not more than 14 days when at sea, provided that these drills shall take place within 24 hours whenever 25 per cent of the crew has been replaced since the last muster.

(4) Every muster shall be carried out under the supervision of one of the vessels officers and shall be so arranged as to ensure that the crew thoroughly understand and are practised in the duties they have to perform including the fighting of fires, donning of life jackets and handling and operation of life rafts and rescue boats.

(5) When holding musters, the life-saving, fire-fighting and other safety equipment shall be examined to ensure that they are ready and fully operational.

### **On Board Training**

**23.** (1) The master shall ensure that all members of the crew are well versed and trained in the applicable provisions of the Code of Safe Working Practices for Fishermen and Fishing Vessels, any other Standard Operating Procedures and General Safety Procedures applicable to the vessels safe operation.

(2) An entry shall be made in the safety officer's record book whenever any training and drills are carried out.

### **Responsibilities of owner and skipper**

**24.** (1) The owner of a vessel must ensure that the vessel is operated by or under the constant guidance of a skipper who is physically able and of sound mental health and who, in the case of—

- (a) a commercial vessel; or
- (b) a pleasure vessel that is either a sailing vessel of nine metres or more in overall length or a power-driven vessel with propulsion power exceeding 15 horsepower,

holds, subject to regulation 28(2), a valid certificate of competence

issued by a certifying authority.

- (2)(a) The owner or skipper shall, in addition to meeting the requirements of subregulation (1), ensure that the vessel is otherwise sufficiently and efficiently manned.
  - (b) For the purposes of paragraph (a), a commercial vessel is taken to be sufficiently and efficiently manned if, in the opinion of the Authority, it has a crew of competent persons to enable it to commence operation with due regard to the requirements of these Regulations and any other safety provisions that may be applicable to the vessel.
  - (c) In general when determining the adequacy of the crew in accordance with this subregulation, the following must be taken into account:
    - (i) the complement normally carried by similar vessels engaged on similar voyages or operations;
    - (ii) the complement that the vessel in question has recently carried on previous voyages or operations;
    - (iii) the nature of the service for which the vessel is intended; and
    - (iv) any other appropriate considerations.
  - (d) For purposes of this subregulation, the owner or skipper shall conduct a risk assessment for approval by the Authority and where applicable, in accordance with Annexure 3.
- (3) For the purposes of subregulation (5)(d) a vessel shall be regarded as not in a seaworthy state if an inspection reveals—
- (a) regular non-compliance with minimum rest hours; and
  - (b) poor maintenance of the ship.
- (4) The owner of a commercial vessel going to sea or sheltered waters must, in addition to meeting the requirements of subregulations (1) and (2), ensure that—
- (a) the skipper and every crew member on the vessel hold documentary evidence of having successfully completed approved safety induction training;
  - (b) documentation and data relevant to the skipper and every crew member on the vessel are maintained and readily available for inspection, including documentation and data in respect of their employment, experience, training, medical fitness and competency in assigned duties;
  - (c) the skipper and every crew member, on being assigned to the vessel, are familiarised with their specific duties and with all vessel arrangements, installations, equipment, procedures and vessel

characteristics that are relevant to their routine and emergency duties;

- (d) the vessel's crew holds the appropriate certification to effectively co-ordinate their activities in an emergency situation and in performing functions vital to safety; and
- (e) the vessel's crew can effectively co-ordinate their activities in performing functions vital to the prevention or mitigation of pollution.

(5) The skipper of a commercial vessel shall, during any period of operation, cause the vessel's emergency procedures and arrangements, including those in respect of fire-fighting, abandon ship and man overboard, to be practised at least once each week.

(6) The manning of any passenger or commercial fishing vessel shall be in accordance with Annexure 3 on manning requirements.

(7) A manning certificate issued in terms of these Regulations shall be for a maximum period of 5 years and shall be subject to any conditions the Authority may impose.

- (8) A manning certificate shall be invalidated where—
  - (a) the ownership or operations of the ship have been changed;
  - (b) the vessel's safety certificates issued in terms of these Regulations have lapsed; and
  - (d) the vessel is not maintained in a seaworthy state.

(9) The owner or skipper of a commercial vessel shall apply to the proper officer at the nearest port for the number of suitably qualified certificated persons to be determined in accordance with these Regulations.

(10) For the purposes of subregulation 8(d) a vessel shall be regarded as not in a seaworthy state if an inspection reveals—

- (a) regular non-compliance with minimum rest hours in regulation 30; and
- (b) poor maintenance of the vessel that would cause the vessel's safety certificate to be invalidated.

(11) A commercial fishing vessel operating over 36 hours shall be required to hold a manning certificate issued by the Authority.

### **Special endorsements for passenger vessels and dive vessels**

**25.** (1) It is prohibited for any person to serve in the capacity as skipper of a commercial vessel that is a passenger vessel unless so authorised in terms of an appropriate endorsement to the person's certificate of competence.

(2) It is prohibited for any person to serve in the capacity as skipper of a commercial vessel that is a dive support vessel or dive charter vessel unless so authorised in terms of an appropriate endorsement to the person's certificate of competence.

### **Certificates of competence**

**26.** (1) A certifying authority shall issue an applicant with a certificate of competence in accordance with its delegation from the Authority, if the certifying authority is satisfied that the applicant is physically able and of sound mental health and—

- (a) in the case of a certificate in respect of a commercial vessel—
  - (i) is not under the age of 18 years; and
  - (ii) satisfies the relevant requirements specified by the Authority; or
- (b) in the case of a certificate in respect of a pleasure vessel—
  - (i) is not under the age of 16 years; and
  - (ii) satisfies the relevant requirements specified by the Authority after consultation with the affected governing body, if any.

(2) A certifying authority may suspend or cancel a certificate of competence if—

- (a) the holder has been convicted of an offence in terms of the Act or an offence of which dishonest conduct is an element and which relates to the obtaining of any license or certificate under the Act;
- (b) the certifying authority believes on reasonable grounds that the holder has conducted himself or herself in a negligent or incompetent manner while serving in any capacity authorised by the certificate; or
- (c) the certifying authority believes on reasonable grounds that the certificate was obtained fraudulently or on wrong information.

(3) A person whose certificate of competence has been suspended or cancelled as contemplated in subregulation (2) shall surrender the certificate to the certifying authority upon demand.

(4) A person whose certificate of competence has been suspended or cancelled may appeal in writing to the Minister against the suspension or cancellation, as the case may be, not later than three months after the date of the decision to suspend or cancel the certificate.

(5) Upon receiving an appeal, the Minister shall designate one or more officials in the Department of Transport to hear any representations made by the appellant and the certifying authority and to report to the Minister, who shall then determine the appeal.

(6) In determining an appeal, the Minister may confirm, vary or set aside the suspension or cancellation of an appellant's certificate, and the certifying authority shall give effect to the Minister's determination.

(7) Any person referred to in subregulation (4) may choose not to appeal to the Minister, in which case the person may appeal to the High court within area of jurisdiction of which the person resides in terms of the applicable rules of the said court.

(8) The holder of a certificate of competence shall keep the original certificate, or a certified copy thereof, available for inspection at all reasonable times.

(9) A skipper of a pleasure vessel who is not permanently resident in the Republic and who holds or carries a certificate of competence or licence issued by or under the authority of a foreign government which, in terms of such government certificate or licence, authorises the skipper to operate the type of vessel is deemed, for three months after arrival in the Republic, to hold a certificate of competence in terms of these Regulations, provided he or she carries such certificate with the skipper.

### **Physical and mental fitness**

**27.** (1) It is prohibited for any person to operate a vessel if the person is not physically able to do so and not of sound mental health.

(2) It is prohibited for any person to operate a vessel or any of a vessel's equipment or machinery while under the influence of intoxicating liquor or a drug having narcotic effect to such an extent that the person's capacity to fulfil his or her responsibility for the vessel or carry out the person's duties relative to the vessel is impaired.

(3) It is prohibited for any person to operate a vessel or any of a vessel's equipment or machinery while the concentration of intoxicating liquor in any specimen of blood taken from any part of the person's body or breath exhaled by such person is equal to or more than the limits prescribed in section 65 of the National Road Traffic Act, 1996 (Act No. 93 of 1996).

(4) For the purposes of subregulation (3), the concentration of intoxicating liquor in any breath specimen is to be ascertained by using the equipment prescribed under section 65(7) of the *National Road Traffic Act 1996* (Act No. 93 of 1996).



(5) It is prohibited for any person to refuse that a specimen of blood, or a specimen of breath, be obtained from the person's body.

(6) Section 65(3), (4) and (6) of the *National Road Traffic Act 1996* applies, with the necessary changes, in relation to any prosecution for contravening a provision of subregulation (3).

(7) Section 65(8) of the *National Road Traffic Act 1996* applies, with the necessary changes, in relation to the detention of any person for an alleged contravention of a provision of subregulation (2) or (3).

### **Age limitations**

**28.** (1) It is prohibited for any person under the age of 18 years to serve in the capacity as skipper of a commercial vessel.

(2) It is prohibited for any person under the age of 16 years to operate a power-driven pleasure vessel having a propulsion power exceeding 15 horsepower, unless—

- (a) that person does so under the guidance and constant supervision of a person who is the holder of a valid certificate of competence;
- (b) in the case of a single-handed vessel, that person does so under the guidance and supervision of an authorised agency or a person referred to in paragraph (a); or
- (c) that person is certified by an authorised agency to be a competent person engaged in training for competitive sport.

### **Unauthorised intoxicating liquor or illicit drugs having narcotic effect**

**29.** (1) It is prohibited for person to, in the Republic or on board a vessel elsewhere—

- (a) take any unauthorised intoxicating liquor or illicit drugs having narcotic effect on board a vessel;
- (b) have any unauthorised intoxicating liquor or illicit drugs having a narcotic effect in the person's possession on board a vessel;
  - (i) allow another person to take on board a vessel, or to have in his or her possession on board a vessel, any unauthorised intoxicating liquor or illicit drugs having narcotic effect; or
  - (ii) intentionally obstruct another person in the exercise of powers conferred on that person by subregulation (2).

(2) Where an enforcement officer has reason to believe that an offence against subregulation (1) has been committed in relation to any vessel, the enforcement officer may, without a warrant—

- (a) go on board the vessel and search it and any property on it; and
  - (b) take possession of any intoxicating liquor or drugs having narcotic effect found on the vessel and believed to be unauthorised intoxicating liquor or illicit drugs having narcotic effect and may detain the intoxicating liquor or drugs having narcotic effect for the period needed to ensure that the intoxicating liquor or drugs having narcotic effect are available as evidence in proceedings for the offence.
- (3) In this regulation—
- (a) **“illicit drug having narcotic effect”** means a drug the use or possession of which is prohibited by law;
  - (b) **“drug having narcotic effect”** has the same meaning as in section 1(1) of the *Drugs and Drug Trafficking Act 1992* (Act No. 140 of 1992);
  - (c) **“intoxicating liquor”** means spirits, wine, beer, cider and any other fermented, distilled or spirituous liquor;
  - (d) **“unauthorised intoxicating liquor”**, in relation to—
    - (i) a fishing boat, means intoxicating liquor of any kind; and
    - (ii) any other vessel, means intoxicating liquor in respect of which permission to take it on board the vessel has been given neither by the skipper or the owner of the vessel nor by a person authorised by the owner of the vessel to give such permission.

(4) Any reference in subregulation (3) to the owner of a vessel is to be read as excluding any member of the crew of the vessel.

### **Hours of work: general duties of owners, masters and others**

**30.** (1) (a) The master and owner shall take account of the danger posed by fatigue of seafarers, especially those whose duties involve the safe and secure operation of that vessel.

- (b) In preventing fatigue, owners shall take into account the guidelines provided by the Authority.

(2) All persons who are on duty on the vessel shall be provided with a rest period of not less than—

- (a) a minimum of 10 hours of rest in any 24-hour period; and
- (b) 77 hours in any 7-day period.

(3) The hours of rest in subregulation (2) may be divided into no more than two periods, one of which shall be at least six hours in length, and the intervals between consecutive periods of rest shall not exceed 14 hours.

(4) The hours of rest in subregulation (3) shall apply to all seafarers on fishing vessels remaining at sea for more than 3 days.

(5) (a) The requirements for rest periods laid down in subregulation (2) need not be maintained in the case of an emergency or in other overriding operational conditions.

(b) Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and Regulations and by international instruments, shall be conducted in a manner that minimises the disturbance of rest periods and does not induce fatigue.

(6) If a seafarer is on call, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed.

(7) (a) The master and owner of a commercial vessel that operates for a continuous period of 16 hours or more out of every 24 hours, shall require that records of daily hours of rest of seafarers be maintained and available for inspection by the Authority, to allow monitoring and verification of compliance with the provisions of this regulation.

(b) The seafarer on a commercial vessel shall upon request, receive a copy of the record pertaining to the seafarer, which shall be endorsed by the master or by a person authorised by the master and the seafarer.

(c) The records in paragraph (a) shall be in the form published by the Authority.

(8) (a) Nothing in this regulation shall be deemed to impair the right of the master of a ship to require a seafarer to perform any hours of work necessary for the immediate safety of the vessel, persons on board or cargo, or for the purpose of giving assistance to other vessels or persons in distress at sea.

(b) Accordingly, the skipper may suspend the schedule of hours of rest and require a seafarer to perform any hours of work necessary until normal operations has been restored.

(c) As soon as practicable after the normal operations has been restored, the skipper shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

(9) The skipper or owners may allow exceptions from the required hours of rest in subregulation (2): Provided that the rest period is not less than 70 hours in any 7-day period.

(10) (a) Exceptions from the weekly rest period provided for in subregulation (2) shall not be allowed for more than two consecutive weeks.

(b) The intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.

(11) (a) For purposes of exceptions in subregulation (9) and (10), the hours of rest provided for in subregulations (2) may, be divided into no more than three periods, one of which shall be at least 6 hours in length and neither of the other two periods shall be less than one hour in length.

(b) The intervals between consecutive periods of rest shall not exceed 14 hours.

(c) Exceptions in subregulations (9) and (10) shall not extend beyond two 24-hour periods in any 7-day period.

(12) The owner or skipper of a commercial vessel shall provide crew with a schedule of duties setting out, amongst others the—

(a) hours of work for each seafarer on watchkeeping or vessel handling duties; and

(b) minimum rest periods in accordance with this regulation.

(13) Records of hours of rest and any deviations from these requirements shall be kept onboard for a minimum period of five years.

(14) Every skipper and seafarer shall ensure that they are properly rested.

(15) Any exceptions that the skipper on a commercial vessel makes against the hours as stated in subregulations (9), (10), (11) and (12) shall be recorded in the form published by the Authority stating the circumstances resulting in such exceptions.

## **PART V TRAINING**

In this Part,

**‘training’** is inclusive of, but not limited to academic education programmes aimed at obtaining certificates of competency; and

**‘conditions of accreditation’** are inclusive of these Regulations and any other

requirements of the Authority as set out in the Quality Standards System.

### **Small vessel training providers**

**31.** (1) The Authority may accredit a training provider to conduct any training required by the Small Vessels Code.

(2) Accreditation shall take place in accordance with these Regulations and the Quality Standards System and—

- (a) shall—
  - (i) be given in writing;
  - (ii) be for a period not exceeding three years for training;
  - (iii) be subjected to intermediate audit conducted during the period of the accreditation; and
  - (iii) under such conditions of accreditation as may be determined by the Authority; and
- (b) may, immediately after an audit or any other cause, be altered, suspended or cancelled: provided that if the accreditation is cancelled, a minimum of 30 days' prior notice of alteration, suspension or cancellation shall be given.

(3) To be accredited, a small vessel training provider shall—

- (a) have a Quality Standards (Management) System in place which meets the requirements set out by the Authority;
- (b) have instructors and assessors who meet the criteria as set out in the Small Vessels Code;
- (c) have facilities and training equipment as specified in the Small Vessels Code for this certificate; and
- (d) provide any documents upon written request by the Authority within two days of such request.

(4) Application for accreditation shall be made in the form and manner specified by the Authority.

(5) A small vessel training provider applying for accreditation shall

allow the Authority—

- (a) to inspect the provider's facilities, training and assessment arrangements, methods and materials; and
- (b) to interview the provider's students, administrative personnel, training instructors and assessors.

(6) An accredited small vessel training provider shall—

- (a) on request, furnish the Authority with any information regarding the training offered by the provider; and
- (b) request approval from the Authority, in writing, not later than 15 days before the proposed implementation date, with regard to any changes regarding the requirements approved in terms of subregulation (3).

(7) Every small vessel training provider authorised to conduct assessments in terms of these Regulations shall—

- (a) make available to the Authority any examination scripts, assessment results, course assignments, progress reports or other training-related reports that the Authority may require;
- (b) for audit purposes, keep the information referred to in paragraph (a) for at least five years; and
- (c) cause the accreditation certificate issued by the Authority to be conspicuously displayed in the training facility.

(8)(a) The Authority may visit an accredited small vessel training provider at any reasonable time to inspect and audit the conduct of any activity covered by the provider's accreditation to ascertain continued compliance and conformance with the conditions of accreditation.

(b) An accredited small vessel training provider shall, for audit purposes, retain records of training and assessment provided, for at least five years from date of creation of the record.

(9) Where an accredited small vessel training provider has admitted to or has been convicted of a contravention of an offence regarding the conditions of accreditation, which in a way which cannot be rectified, the Authority shall refuse to accredit such an institution.

(10) The Authority shall publish details of small vessel training providers and the relevant courses provided by the small vessel training provider.

(11) Where a person employed by an accredited small vessel training provider, has admitted to or been convicted of a contravention of the conditions of accreditation, which in any way cannot be rectified, the Authority shall refuse to accredit any small vessel training provider where the person is involved, for a period of 5 years.

### **Small vessels Code**

**32.** (1) The Authority shall establish the small vessels Code which covers all training required under these Regulations and the Act.

(2) The small vessel Code established under these Regulations shall be published on the Authority's website.

(3) In establishing the small vessel Code, the Authority shall—

- (a) ensure that the small vessel Code covers all the education and training requirements of these Regulations;
- (b) establish written procedures within the Quality Standards System for the development, consultation and publication of the small vessels Code; and
- (c) ensure that the Training Standards Code is subject to continuous improvement.

## **PART VI SPECIAL PROVISIONS FOR UNREGISTERED PLEASURE VESSELS**

### **Application of Part**

**33.** (1) Subject to subregulation (2), this Part applies to—

- (a) pleasure vessels contemplated in section 68(3) of the Act; and
- (b) all pleasure vessels used on inland waters.

(2) This Part does not apply to sailing vessels of less than 9 meters in length, power-driven vessels under 15 horse-power and vessels propelled by human power alone.

### **Recording and marking of vessels**

**34.** (1) Neither the owner nor the skipper of a vessel to which this Part applies may cause or allow the vessel to be operated on any waters within the Republic, unless—

- (a) there is an approved in force marking in respect of that vessel; and
- (b) the vessel has been marked in accordance with subregulation (4) with that marking.

(2)(a) An approved marking is obtained either from an authorised agency or the Authority and applications for an approved marking must be accompanied by the particulars required by the Director-General for recording purposes.

(b) The Authority and the authorised agencies are responsible for ensuring that the Director-General receives the data as required in paragraph (a).

(c) The Director-General is responsible for the database of vessels and ensuring that the information is available to the relevant authorities and organisations.

(3) Subject to subregulation (7), the approval of a marking remains in force until such time as the particulars of the vessels as recorded by the Director-General are no longer valid and during that period the display on the vessel of any other identification marking is prohibited.

(4)(a) The owner of a vessel shall ensure that the marking approved in respect of the vessel is displayed and continued on the vessel in accordance with the directions of the Authority, and that the information recorded with the Director-General is correct.

(b) The owner shall, at least every two years, confirm with the Authority or an authorised agency that the particulars recorded with the Director-General are correct failing which the approved marking will be invalidated by the Director-General.

(5) The owner of a vessel must in writing notify the Authority in the form



published by the Authority or authorised agency of any change of ownership in the vessel and of any change in the particulars of the owner furnished pursuant to subregulation (2), not later than 14 days after the change occurs.

(6) The owner of a vessel shall, within 14 days, in writing notify the Authority in the form published by the Authority or authorised agency if—

- (a) the vessel is permanently withdrawn from service;
- (b) the vessel is removed from his or her possession including as a result of its sale;
- (c) any marking referred to in subregulation (2) ceases to be valid; or
- (d) the vessel has been abandoned, lost or destroyed.

(7) The Authority or authorised agency may revoke the approval of a marking if—

- (a) it believes on reasonable grounds that the approval was obtained fraudulently or on wrong information; or
- (b) being a marking referred to in subregulation (2), it has ceased to be valid.

(8) Whenever the Authority or authorised agency revokes the approval of a marking, it may give the directions the Authority or relevant agency thinks fit regarding the removal of the marking; and the owner of the vessel concerned shall comply with any direction so given and, upon demand, surrender the instrument of approval to the Authority or relevant agency.

(9) The Authority or authorised agency shall, in the absence of a marking referred to in subregulation (2) assign an approved marking to a vessel.

### **Vessel not to be used without certificate of fitness**

**35.** Neither the owner nor the skipper of a vessel to which this Part applies may cause or allow the vessel to be operated anywhere in the Republic, unless there is on board a valid certificate of fitness in respect of that vessel.

### **Initial and renewal inspection for certificate of fitness**

**36.** (1) The structure, equipment, appliances, arrangements and material of a vessel referred to in regulation 35 shall be subjected to the following inspections:

- (a) an initial inspection, before a certificate of fitness is issued for the first time, which must include a complete examination of the vessel's structure, equipment, appliances, arrangements and material in so far as the vessel is covered by these regulations and which must be such as to ensure that the structure, equipment, appliances, arrangements and material comply with the requirements of these

Regulations; and

- (b) a renewal inspection, at intervals not exceeding 12 months, which must be such as to ensure that the structure, equipment, appliances, arrangements and material comply with the requirements of these Regulations.

(2) An inspection contemplated in subregulation (1) must be carried out by a surveyor in the case of the Authority, or a safety officer designated for the purpose by an authorised agency; and any application for such an inspection must be made by or on behalf of the owner of the vessel to the Authority or authorised agency, as the case may be.

### **Issue of certificate of fitness**

**37.** Upon satisfactory completion of an initial or renewal inspection contemplated in regulation 36, the certifying authority must issue in respect of a vessel that complies with the requirements of these regulations a certificate of fitness, stating—

- (a) the name of the vessel;
- (b) the marking assigned to the vessel;
- (c) the name, identity number and address of the owner of the vessel;
- (d) the type and category of vessel;
- (e) the overall length of the vessel and, where available, its gross tonnage;
- (f) the vessel's home port; and
- (g) the maximum number of persons permitted to be carried on the vessel, as determined in accordance with regulation 19(2).

### **Duration of certificate of fitness**

**38.** (1) Subject to subregulation (2) and regulation 39(1), a certificate of fitness remains in force for a period not exceeding 12 months beginning on the date of completion of the inspection in question, but may be extended by the certifying authority for a maximum period of six months.

(2) A certificate of fitness issued in respect of a vessel ceases to be valid if—

- (a) the vessel ceases to be subject to the jurisdiction of the authorised agency ; or
- (b) the vessel ceases to be a vessel to which this Part applies.

### **Cancellation of certificate of fitness**

**39.** (1) The Authority or authorised agency may cancel a certificate of fitness if it believes on reasonable grounds that—

- (a) the certificate was obtained fraudulently or on wrong information;
- (b) since the certificate was issued, the structure, equipment, arrangements or material of the vessel has, by reason of any alteration made thereto, or by reason or any damage sustained by the vessel, or for any other reason, does not comply with the requirements of these Regulations;
- (c) since the certificate was issued, the vessel has for any reason become unseaworthy; or
- (d) the vessel no longer complies with all the requirements of these Regulations, to the same extent to which it complied with the regulations when the certificate was issued.

(2) For the purposes of this regulation, “alteration”, in relation to the structure, equipment, arrangements or material of a vessel, includes the renewal of any part thereof.

(3) Whenever a certificate of fitness is cancelled, the Authority or authorised agency must notify the owner or skipper of the vessel concerned of the cancellation.

#### **Surrender of expired or cancelled certificate of fitness**

40. Upon the expiry of a certificate of fitness and in each of the cases mentioned in regulation 38(2) and 39(1), the owner or skipper of the vessel in respect of which the certificate of fitness was issued shall upon demand by the Authority or authorised agent, surrender the certificate to the Authority or authorised agency.

#### **Custody and production of certificate of fitness**

41. The owner and skipper of a vessel must ensure that the original certificate of fitness issued in respect of the vessel, or a certified copy thereof, is kept available on board the vessel for inspection at all reasonable times.

#### **Maintenance of condition after inspection**

42. The owner and skipper of a vessel must ensure that the condition of the vessel and its equipment, structure, appliances, arrangements and material are maintained so as to comply with the requirements of these regulations.

## **PART VII**

### **SUPPLEMENTAL- DELEGATED POWERS**

#### **Delegation by Authority**

43. (1) The Authority may, by written instrument, delegate all or any of its powers under these Regulations.

(2) The delegation under subregulation (1) is subject to the conditions, which may include provision in respect of periodical inspections or audits, which the Authority may determine and specify in the instrument of delegation.

(3) The Authority may suspend or revoke a delegation under subregulation (1) if it believes on reasonable grounds that the body, club or organisation concerned has failed—

- (a) to comply with these Regulations or any condition imposed thereunder; or
- (b) to perform diligently and faithfully the functions entrusted to it in terms of these Regulations.

### **Authorised agencies**

**44.** (1) Subject to subregulation (2), the Authority may, after consultation with the Director-General and with the concurrence of a governing body, or a club or an organisation affiliated with a governing body, delegate to such, body, club or organisation as an authorised agency, entrusting to it in the instrument of delegation the performance of one or more of the following functions:

- (a) the determination, for the purposes of regulation 19, of the maximum number of persons that a pleasure vessel may safely carry;
- (b) the recording of voyage information for the purposes of regulation 20;
- (c) the determination of whether a pleasure vessel is sufficiently and efficiently manned;
- (d) for the purposes of regulation 26, the issuing, suspension or cancellation of certificates of competence in accordance with its delegation from the Authority, and to demand the surrender of any such certificates that have been suspended or cancelled;
- (e) in respect of pleasure vessels, to require a person to furnish medical evidence for the purposes of regulation 27(1) or (2);
- (f) the certification of persons for the purposes of regulation 26(1);
- (g) the supervision for purposes of regulation 28;
- (h) the conducting of initial and renewal inspections of vessels under regulation 36;
- (i) the issuing and cancellation of certificates of fitness, and to demand the surrender of cancelled certificates, contemplated in regulations 37, 38 and 39, respectively;
- (j) the approval of controlled events; and
- (k) to conduct skipper qualification training.

(2) Delegation under subregulation (1) shall be valid for a specific period as determined by the Authority, may be subject to the conditions, which may include provision in respect of periodical inspections or audits, which the Authority may determine and specify in the instrument of delegation, in the case of the delegation of a club or organisation affiliated with a governing body, after

consultation with that governing body.

(3) Application for delegation in terms of subregulation (1) shall be made in the form and manner specified by the Authority.

(4) The Authority may suspend or revoke a delegation under subregulation (1) if the Authority is of the opinion that the body, club or organisation concerned has failed—

- (a) to comply with these Regulations or any condition imposed thereunder; or
- (b) to perform diligently and faithfully the functions entrusted to the body, club or organisation in terms of these Regulations.

(5)(a) An authorised agency may, in consultation with the Authority, for the purpose of performing its functions under these Regulations, designate as a safety officer any member of the authorised agency who, in the authorised agency's opinion, is qualified to be so designated.

(b) An authorised agency shall furnish every safety officer with a certificate attesting to the safety officer's designation and setting out the provisions of these Regulations that the safety officer is authorised to enforce, and a safety officer must, if so required, produce the certificate in the course of performing functions under these Regulations.

(6) Designation as a safety officer terminates if—

- (a) the designee's membership of the authorised agency is suspended or terminated; or
- (b) the designation is otherwise revoked by the authorised agency,

and the person concerned must upon demand surrender to the authorised agency the certificate issued in terms of subregulation (5)(b).

### **External Appointed Surveyor or Examiner**

**45.** (1) The Authority may, for the purpose of performing its functions under these Regulations, appoint an External Appointed Surveyor who, in the Authority's opinion, is qualified to be so appointed, to conduct surveys or inspections on behalf of the Authority.

(2) The Authority may, for the purpose of performing its functions under these Regulations, appoint an External Appointed Examiner who, in the Authority's opinion, is qualified to be so appointed, to conduct examinations on behalf of the Authority.

(3) Appointment under subregulation (1) or (2) shall be valid for a

specific period as determined by the Authority, and may be subject to the conditions, which may include provision in respect of periodical inspections or audits, which the Authority may determine and specify in the instrument of appointment under subregulation (1) or (2).

(4) The Authority may suspend or revoke the appointment under subregulation (1) or (2) if the Authority believes that the External Appointed Surveyor or External Appointed Examiner concerned has failed—

- (a) to comply with these Regulations or any condition imposed thereunder; or
- (b) to perform diligently and faithfully the functions entrusted to the External Appointed Surveyor or External Appointed Examiner in terms of these Regulations.

(5)(a) The Authority shall furnish the appointed External Appointed Surveyor or External Appointed Examiner with a certificate attesting to the External Appointed Surveyor or External Appointed Examiner's appointment and setting out the provisions of these Regulations that the External Appointed Surveyor or External Appointed Examiner is authorised to enforce, or perform.

(b) The External Appointed Surveyor or External Appointed Examiner shall, if so required, produce the certificate in the course of performing functions under these Regulations.

## **PART VIII ADDITIONAL SPECIAL PROVISIONS SUPPLEMENTARY REQUIREMENTS FOR WATER-SKIING**

### **Water-skiing**

**46.** (1) It is prohibited for any person to water-ski—

- (a) in any waters other than those contemplated in subregulation (1);
- (b) between the hours of dusk and dawn;
- (c) while under the influence of intoxicating liquor or any substance having a narcotic effect.

(2) A water-skier—

- (a) must wear a suitable flotation aid of the type and quality prescribed in Annexure 2;
- (b) must have knowledge of the standard hand signals as published by the Authority;
- (c) may not purposefully let go of the rope in a congested area; and
- (d) not create a nuisance or danger for other water users.

(3) The owner or skipper of the towing vessel may not use a steel or other metallic rope or wire to tow a water-skier.

(4) The skipper of the towing vessel shall ensure that there is a competent person in the vessel to observe the water-skier.

(5) The skipper of the towing vessel must carry a 500 millimetre square red flag in the vessel and cause it to be clearly exhibited when the vessel is engaged in picking up a water-skier or dragging a tow.

(6) As soon as the tow is dropped by a water-skier, the skipper of the towing vessel shall either move to the nearest safe place, stop and pull in the tow, or if the tow was accidentally dropped, reduce speed and return immediately to pick up the water-skier.

(7) The skipper of a vessel may not follow closer than 100 metres in the wake of another vessel towing a person, water-skier or a towable aquatic or airborne device.

**Supplementary requirements for personal watercraft, power-driven vessels not exceeding 15 horsepower, sailing vessels of less than seven metres in overall length, and rowing or paddling vessels**

47. (1) In sheltered waters a vessel may only enter the water from those areas or places permitted by the regulating authority, except that vessels contemplated in this Part may, subject to subregulation (2), operate as directed in any areas under the jurisdiction of a regulating authority.

(2) Personal watercraft or jet-skis under three metres may only operate in demarcated areas specifically set aside for that purpose by the regulating authority and in addition must not proceed further than 1 000 metres offshore.

(3) Power-driven vessels not exceeding 15 horsepower, sailing dinghies and non-power driven vessels, of less than seven metres in overall length including a tender vessel, need not comply with regulations 11, 17, Part VI and Annexure 1, but —

- (a) shall have sufficient buoyancy to keep the vessel afloat when completely swamped;
- (b) shall carry the safety equipment provided for in the applicable table in Annexure 2; and
- (c) in the case of non-power driven vessels-
  - (i) all persons on board shall at all times wear a suitable flotation aid of the type and quality prescribed in Annexure 2; or
  - (ii) fitted with a power engine not exceeding 15 horsepower, all

persons on board shall at all times wear a suitable flotation aid of the type and quality prescribed in Annexure 2.

## **PART IX ADMINISTRATIVE ARRANGEMENTS**

### **Advisory committees**

**48.** (1) For the purpose of promoting the efficient administration of these regulations, the Director-General may, in writing—

- (a) establish any co-ordinating structures the Director-General thinks fit; and
- (b) determine the membership and functions of any established structure.

(2) Before establishing a structure contemplated in subregulation (1), the Director-General may consult—

- (a) the Authority; and
- (b) any other organ of state or person the Director-General thinks fit.

(3) A structure contemplated in subregulation (1) is to hold the meetings that are necessary for the efficient performance of its functions, but must meet at least once each year.

(4) The Director-General may consider any recommendations made by such structures.

### **Powers and functions of Director-General**

**49.**(1) The Director-General may, in writing, authorise an SMS employee, or acting SMS employee, in the Department of Transport to exercise any of the Director-General's powers and functions in terms of these regulations.

(2) The Director-General may at any time, in writing, vary or revoke an authorisation.

(3) An authorisation does not prevent the exercise of a power or function by the Director-General personally.

### **National Boating Manager and Boating Officers**

**50.**(1) The Authority may designate members of its staff to ensure the implementation of these Regulations as the National Boating Manager and Boating Officers.



- (2) In addition to the functions bestowed by any other regulations, the functions of the National Boating Manager and Boating Officers are-
- (a) Implementing these Regulations in a clear and transparent manner;
  - (b) Developing small vessel policies and maintaining the quality assurance system for matters relating to small vessels;
  - (c) Delegation of authorised agencies;
  - (d) Promoting safe and responsible boating;
  - (d) Providing leadership in matters of interpretation of these Regulations; and
  - (e) Participating in, as well as providing support to any structure established by the Director-General in terms of regulation 48.

## **PART X**

### **EQUIVALENTS, EXEMPTIONS, ENFORCEMENT AND OFFENCES**

#### **Equivalents and exemptions**

**51.(1)** Where these Regulations require that a particular fitting, material, appliance, apparatus, item of equipment or type thereof be fitted or carried in a vessel, or that any particular provision be made, or any procedure or arrangement be complied with, the Authority may allow any other fitting, material, appliance, apparatus, item of equipment or type thereof to be fitted or carried, or any other provision, procedure or arrangement to be made in the vessel, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance, apparatus, item of equipment or type thereof, or that any particular provision, procedure or arrangement is at least as effective as that required by the Regulations.

(2) The Authority may grant exemptions, on such terms, if any, as it may specify, from any of the provisions of these regulations for individual cases or classes of cases and may, after reasonable notice, alter or cancel any such exemption.

(3) Any approval given pursuant to these Regulations is to be given in writing and must specify the date when the approval is to come into force and the conditions if any to which it is subject.

#### **Exemption in respect of controlled events**

**52. (1)** Subject to subregulation (2), the owner and skipper of a vessel that participates in an approved controlled event in the Republic or in the territorial waters of the Republic are, in respect of such vessel and for the duration of the event, exempt from these Regulations.

(2) Application for the approval of a controlled event must be lodged

with the Authority or the relevant authorised agency not later than 30 days before the intended date of the event, unless waived by the Authority or authorised agency and must be accompanied by full details of the event and of the rules and manner of supervision, including safety measures, to be applied and by the other particulars that the Authority may require.

(3) The Authority or authorised agency may extend a standing approval under subregulation (2) for any controlled event subject to such conditions as are considered appropriate by the Authority or authorised agency and may at any time on reasonable grounds revoke such approval.

### **Appointment and powers of enforcement officers**

**53.** (1) The Authority may, in writing appoint an enforcement officer.

(2) Subject to subregulation (4), an enforcement officer may, in order to verify and ensure compliance with these Regulations—

- (a) board and inspect a small vessel and its appliances and equipment, ask any pertinent questions of, and demand all reasonable assistance from, the owner or skipper, or any person who is in charge or appears to be in charge, of the vessel; and
- (b) require the owner or skipper or other person who is in charge or appears to be in charge of the vessel to produce—
  - (i) personal identification; and
  - (ii) any documents or certificates required by these Regulations.

(3)(a) Subject to paragraph (b) and subregulation (4), an enforcement officer may, in order to ensure compliance with these Regulations and in the interests of public safety, direct the movement of a vessel or prohibit the operation of a vessel.

(b) Except in an emergency, an enforcement officer may not give a direction or prohibition under paragraph (a) in respect of any vessel in a public harbour for which a harbour master is appointed without the prior consent of the harbour master.

(c) The owner or skipper of a vessel whose operation has been prohibited under paragraph (a) may, at own expense, submit the vessel to inspection by the Authority, who may confirm, vary or set aside the prohibition.

(4) An enforcement officer who is a safety officer may exercise the powers of an enforcement officer under subregulations (2) and (3).

(5) Every person must comply with the valid instructions of an enforcement officer in the course of performing functions under these Regulations.

(6) Where the particulars of any vessel, including a commercial vessel, are not recorded with the Director-General or are found to differ substantively from the particulars that are so recorded, an enforcement officer may prohibit the operation of the vessel under subregulation (3) until the vessel's ownership or the deficiency is satisfactorily explained or rectified.

(7) The Authority shall furnish every enforcement officer with a certificate attesting to the enforcement officer's appointment and setting out the provisions of these Regulations that the enforcement officer is authorised to enforce, and an enforcement officer must, if so required, produce the certificate in the course of performing functions under these Regulations.

### **Offences, penalties and defences**

**54.(1)** Every person commits an offence who contravenes regulation 3; 6(2); 9(1), (3) or (8); 11(1)(b), (3); 15; 16; 17; 18(1) or (2); 19(1); 20(1) or (3); 21; 24(1), (2)(a); 26(3) or (8); 27(1), (2), (3) or (5); 28; 29(1); 30(2); 34(1), (4), (5), (6) or (8); 35; 40; 41; 42; 46; or 47.

(2) A person who commits an offence in terms of subregulation (1) is liable on conviction to a fine or to imprisonment for a period not exceeding 12 months.

(3) In proceedings for an offence in terms of subregulation (1) it is a defence to prove that the accused took reasonable precautions and exercised due diligence to avoid committing the offence.

(4) In proceedings for an offence in terms of subregulation (1) in relation to regulation 27(2) it is an additional defence to prove that, at the time of the conduct alleged against the accused, he or she was under the influence of a drug taken by him or her for medicinal purposes and either that he or she took it on medical advice and complied with any directions given as part of that advice or that he or she had no reason to believe that the drug might have the influence it had.

### **Offences due to fault of another person**

**55.** Where the commission by any person of an offence in terms of regulation 54(1) is due to the act or omission of some other person, that other person also commits the offence and may be charged with and convicted of the offence by virtue of this regulation, whether or not proceedings are taken against the first-mentioned person.

## **PART XI FINAL PROVISIONS**

### **Transitional arrangements**

**56.** (1) A certificate of competence issued under the *Merchant Shipping (Small Vessel Safety) Regulations 2007* will remain valid under these Regulations.

(4) A certificate of fitness issued under the *Merchant Shipping (Small Vessel Safety) Regulations 2007* will remain valid under these Regulations until its expiry date, unless cancelled prior to that date.

(5) A local general safety certificate issued under the *Merchant Shipping (Small Vessel Safety) Regulations 2007* will remain valid under these Regulations until its expiry date, unless cancelled prior to that date.

### **Repeal of regulations**

**57.** The Merchant Shipping (National Small Vessel Safety) Regulations, 2007, published by Government Notice No. GN R. 705 in Government Gazette 30151 of 08 August 2007 in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), are hereby repealed.

### **Short title and commencement**

**58.** These Regulations are called Merchant Shipping (National Small Vessel Safety) Regulations, 2024 and are published for public comments

**ANNEXURE 1  
CONSTRUCTION REQUIREMENTS (Regulation 11)**

**1. APPLICABLE LEGISLATION**

Applicable Legislation	Passenger Vessels				Commercial Vessels				Pleasure Vessels	
	Going to Sea U 25 GT		Inland / Sheltered <sup>(1)</sup> waters		Going to Sea	Sheltered <sup>(1)</sup> waters	Inland waters		Going to Sea	Inland / Sheltered <sup>(1)</sup> waters
	<20 Persons	>20 Persons	<30 Persons	>30 Persons	<25 GT	< 25 GT	< 25 GT	> 25 GT	< 100 GT	All
Merchant Shipping Act, Act 57 of 1951	X	X	X	X	X	X	X	X	X	X
Ship Registration Act, 1998	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(1)(2)</sup>	X <sup>(1)(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	-	-	X <sup>(2)</sup>	X <sup>(1)(2)</sup>
Ship Registration Regulations, 2002	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(1)(2)</sup>	X <sup>(1)(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	-	-	X <sup>(2)</sup>	X <sup>(1)(2)</sup>
Licensing of Vessels Regulations, 2002	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	-	-

Load Line Regulations, 1968	X <sup>(4)</sup>	X <sup>(4)</sup>	-	-	X <sup>(4)</sup> & <sup>(5)</sup>	X <sup>(4)</sup> & <sup>(5)</sup>	-	-	-	-
NSVS Reg – Freeboard Marking*	-	-	X	X	-	-	X	X	-	-
Tonnage Regulations, 1986	X <sup>(4)</sup>	X <sup>(4)</sup>	-	-	X <sup>(4)</sup>	X <sup>(4)</sup>	-	-	X <sup>(6)</sup>	-
Collision Regulations, 2005	X	X	X	X	X	X	X	X	X	X
Construction Regulations, 1968	-	-	-	-	-	-	-	-	-	-
Safety of Navigation Regulations, 1968 (CHP T II - Stability)	-	X <sup>(9)</sup>	-	X <sup>(9)</sup>	X <sup>(7)</sup>	X <sup>(7)</sup>	X <sup>(7)</sup>	X <sup>(7)</sup>	-	-
MS (Radio Installation) Regulations, 2002	X	X	X <sup>(11)</sup>	X <sup>(11)</sup>	X	X	-	-	X	-
*MS	X	X	X	X	X	X	X	X	X	X

(National Small Vessel Safety) Regulations, 2007											
Maritime Occupational Safety Regulations, 1994	X	X	X	X	X	X		X	X	X	X

Notes

- (1) Limited to vessels < 25 GT on tidal lagoons and tidal rivers.
- (2) For vessels required to be registered.
- (3) For vessels that are not registered and operate in South African waters.
- (4) Excluding commercial vessels with tonnage length < 14m
- (5) Excluding fishing vessels
- (6) Excluding pleasure vessels less than 100 GT with tonnage length < 24m
- (7) SAMSA may require the provision of stability information for vessels of “novel” or “complex” design or operation or both design and operation
- (8) Samsa may require the provision of stability information for vessels
- (9) Vessels must comply with intact and damage criteria
- (10) SAMSA shall require the provision of manning information SOLAS V/14
- (11) Category R inland waters passenger vessels are to make alternative distress communications arrangements.

## 2. CONSTRUCTION DOCUMENTATION

Documentation required	Passenger Vessels				Commercial Vessels			
	Going to Sea U 25 GT		Inland Sheltered <sup>(1)</sup> / waters		Going to Sea U 25 GT			Inland Sheltered <sup>(1)</sup> / waters
	≤20 Persons	>20 Persons	≤30 Persons	>30 Persons	< 9 m	≥9 < 12 m	≥ 12 m	All
Photos	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>	X <sup>(2)</sup>
Buoyancy Certificate	X <sup>(3)</sup>	-	X <sup>(3)</sup>	-	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>
Built-in buoyancy to meet damage stability - diagram	X	X	X	X	-	-	-	-
Stability Book	-	X <sup>(13)</sup>	-	X <sup>(13)</sup>	-	-(14)	X <sup>(12)(13(14)</sup>	-
Practical Stability Statement *	X <sup>(13)</sup>	-	X <sup>(13)</sup>	-	-(14)	-	X <sup>(9) (13)</sup>	X <sup>(9) (11) &amp; (13)</sup>
Safety Plan	X	X	X	X	-	X <sup>(9)</sup>	X <sup>(9)</sup>	X <sup>(9)</sup>
General Arrangement Drawing	X <sup>(8)</sup>	X <sup>(8)</sup>	X <sup>(8)</sup>	X <sup>(8)</sup>	-	X	X <sup>(8)</sup>	X <sup>(7)&amp;(8)</sup>
Lines Plan	X <sup>(4)&amp;(8)</sup>	X <sup>(8)</sup>	X <sup>(4)&amp;(8)</sup>	X <sup>(8)</sup>	-	-	X <sup>(8)</sup>	X <sup>(7)&amp;(8)</sup>
Tonnage Computation	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>	X <sup>(10)</sup>
Passenger Seating Plan	X	X	X	X	-	-	-	-
Construction Plans as directed by the attending surveyor	X	X	X	X	-	X	X	X <sup>(11)</sup>
Bilge System Schematic	X	X	X	X	-	-	X	X <sup>(7)</sup>
Cooling Water System Schematic	X	X	X	X	-	-	X	X <sup>(7)</sup>
Particulars (loa, make, engines, color, draft, etc.)	X <sup>(6)</sup>	X <sup>(6)</sup>	X <sup>(6)</sup>	X <sup>(6)</sup>	-	X <sup>(6)</sup>	X <sup>(6)</sup>	X <sup>(6)&amp;(7)</sup>

### Notes

(x= document required)



- (1) All Inland vessels and sheltered waters limited to vessels < 25 GT on tidal lagoons and tidal rivers.
  - (2) Must be updated from time to time when changes are made.
  - (3) A Buoyancy certificate is not required if a vessel carries a SAMSA-approved life raft.
  - (4) Only required on passenger vessels over 12 m overall length or where a tonnage computation is necessary and the owner does not accept the short method of computation.
  - (5) The sea water system schematic may be incorporated in the bilge system schematic.
  - (6) Not required if additional drawings are provided that entirely satisfy the requirements for "particulars" contained in the small vessel safety and construction regulations.
  - (7) Excluding commercial vessels < 14m in length overall.
  - (8) Drawings to scale of 1:50 except lines plan can be scale 1:25.
  - (9) As determined by the Authority.
  - (10) Tonnage computation shall be required in the event that the vessel is considered to be more than 25 GT, except vessels operating solely on inland waters.
  - (11) Only for vessels greater than 9m in length.
  - (12) Commercial fishing vessels only (Non-charter).
  - (13) Freeing port plan to be included.
  - (14) All vessels that carry on deck cargo shall have a stability book.
- \*Vessels required to conduct a heeling test witnessed and recorded by a SAMSA surveyor

### **3. Built-in buoyancy**

- (1) The vessels described below may in lieu of carrying the liferafts contemplated in Annexure 2, be fitted or constructed with built-in buoyancy or comply with other arrangements as follows:
  - (a) Any category B, C, D and E vessel, other than a passenger vessel, may operate in an unrestricted manner if it has buoyancy built into the vessel which complies with subitems (2) and (3).
  - (b) Sailing pleasure vessels are exempt from built-in buoyancy on sheltered waters and at sea when operating within 15 miles from shore and within 30 miles from a safe haven, provided such vessels do not operate at night except for the period within two hours after sunset within the designated limits of a commercial harbour.
  - (c) Inflatable vessels of any category intending to go to sea, whether fully inflatable or semi-rigid, may in lieu of fitted buoyancy be constructed with at least three separate buoyancy chambers and have the capacity to stay afloat despite the largest two of the chambers being completely deflated. For the purpose of this paragraph, the hull of a semi-rigid inflatable vessel is not considered to be one of the three buoyancy chambers required.

- (d) Category R vessels may make any suitable and reasonable provisions to ensure that the vessel retains positive buoyancy when fully flooded, swamped or capsized.
  - (e) Vessels participating in an organised event are exempted from these requirements for the duration of the event and whilst practising for an event under the auspices of an authorised agency or affiliated club.
- (2) Watertight compartments and watertight empty cases are not a substitute for built-in buoyancy referred to in subitem (1): Provided that a decked vessel may, instead of built-in buoyancy, be provided with at least two watertight bulkheads so positioned and of sufficient strength that, in the event of flooding of the largest compartment formed by the bulkheads, the vessel will remain afloat in its worst envisaged load condition with positive transverse stability.
- (3) Built-in buoyancy must consist of a material, such as foam, or approved plastic bottles that are not affected by oil or oil products.
- (4) Built-in buoyancy must be capable of keeping the vessel afloat when fully flooded, swamped or capsized. It must be capable of floating the vessel, when capsized, in such a manner as to provide a level platform onto which the full complement of the vessel can be secured. In passenger vessels, built-in buoyancy must be such that the vessel will remain afloat with positive transverse stability when fully flooded in its worst envisaged load condition.
- (5) It is the duty of the owner of a vessel to show, by certification, calculation or test, that—
- (a) a vessel with watertight bulkheads complies with subitem (2);
  - (b) a vessel with built-in buoyancy complies with subitem (3); and
  - (c) an inflatable vessel with buoyancy chambers complies with subitem (1)(c).

#### **4. Hatches and hatch coamings**

- (1) A hatchway, which gives access to spaces below the weather deck shall be of effective construction and be provided with efficient means of watertight closure, in accordance with the applicable SAN Standard or equivalent, to the satisfaction of the Authority.

- (2) A cover to a hatchway shall be hinged, sliding, or permanently secured by other equivalent means to the structure of the vessel and be provided with devices to enable it to be positively secured in both the open and closed positions.
- (3) A hatchway with a hinged cover which is located in the forward portion of the vessel shall have the hinges fitted to the forward side of the hatch, as protection of the opening from boarding sea.
- (4) Hatches which are identified as forming part of a means of escape shall be capable of being opened from both sides. Escape hatches shall be painted red and marked in white "EMERGENCY ESCAPE, KEEP CLEAR AT ALL TIMES".
- (5) Hatches which are required to be kept closed for safety or stability requirements when the vessel is at sea shall have prominent "WATERTIGHT HATCH-KEEP CLOSED" warning notices attached to the vessel structure on both sides.
- (6) Subject to subitem (9), hatches on the open deck must be provided with hatch covers that are watertight when dogged down. Special care is to be given to the dogging down arrangements of flush deck hatches.
- (7) Where a fishing vessel is designed so that the hatch containing the catch can be opened to the sea, the cover of the hatch need not have securing devices making it watertight, but the cover must be capable of being secured in an emergency.
- (8)
  - (a) All watertight hatches must be capable of withstanding a hose pressure test.
  - (b) Hose pressure tests are to be carried out with the pressure in the hose nozzle maintained at least at  $210^5$  Pa during the test.
  - (c) The nozzle is to have a minimum inside diameter of 12 mm and be at a perpendicular distance from the joint not exceeding 1.5 m.
  - (d) The water jet is to impinge directly upon weld.
  - (e) Where a hose pressure test is not practical because of possible damage to machinery, electrical equipment insulation or outfitting items, it may be replaced by a careful visual examination of welded connections, supported where necessary by means such as a dye penetrant test or ultrasonic leak test or the equivalent.

- (9) On sailing vessels aft-facing companionway hatches that are closed by washboards need not be watertight but must be constructed so that the ingress of water is substantially retarded in the event of the vessel being capsized or pooped.

## **5. Hatches which are open at sea**

- (1) Where operational needs exist for specified hatches to be open at sea for lengthy periods, these hatches shall be-
  - (a) kept as small as practicable;
  - (b) located at the centre line of the vessel or as close thereto as practicable and compatible with the proper working of the vessel; and
  - (c) fitted such that the access opening is at least 300 mm above the top of the adjacent weather deck at the side of the vessel.
- (2) Spaces fitted with hatches which are likely to be exposed to ingress of water that could affect the stability of the vessel, and due to operations of the vessel, open at sea for lengthy periods shall be provided with means for pumping out the affected space.

## **6. Companion hatch openings**

- (1) A companion hatch opening from a cockpit or recess, which gives access to spaces below the weather deck shall be fitted with a coaming, the top of which is at least 300 mm above the sole of the cockpit or recess.
- (2) When washboards are used to close a vertical opening the washboards shall be so arranged and fitted that the washboards will not become accidentally dislodged.
- (3) The breadth of the opening of a companion hatch shall not exceed 1 m.
- (4) Companionways shall be situated as close as practicable to the centerline of the vessel.

## **7. Watertight Doors and Closing Arrangements (Doorways located above the weather deck)**

- (1) The number of openings in watertight bulkheads shall-

- (a) be kept to the minimum, compatible with the general arrangements and operational needs of the vessel; and
  - (b) such openings shall be fitted with watertight closing appliances to the satisfaction of the Authority, which shall be of an equivalent strength to the adjacent unpierced structure.
- (2) Watertight doors shall be capable of being operated locally from each side of the door and shall normally be kept closed at sea.
  - (3) Each side of the door shall be clearly marked "KEEP CLOSED AT SEA".
  - (4) Prior approval for the location, design and installation of watertight doors shall be obtained from the Authority.

#### **8. Watertight Integrity**

- (1) Openings through which water can enter the vessel shall be provided with closing devices in accordance with the applicable provisions of these Regulations and to the satisfaction of the Authority.
- (2) Deck openings which may be open during fishing operations shall normally be arranged near to the vessel's centreline, however, the Authority may approve alternative arrangements if satisfied that the safety of the vessel will not be impaired.
- (3) All outside watertight doors shall open outwards.

#### **9. Weathertight Doors and Hatch Covers**

- (1) All access openings in bulkheads of enclosed superstructures and other outer structures through which water could enter and endanger the vessel, shall be fitted with doors permanently attached to the bulkhead, framed and stiffened so that the whole structure is of equivalent strength to the unpierced structure, and weathertight when closed.
- (2) The means for securing these doors weathertight shall consist of gaskets and clamping devices or other equivalent means and shall be permanently attached to the bulkhead or to the doors themselves, and shall be so arranged that they can be operated from each side of the bulkhead.

- (3) All outside weathertight doors shall open outwards.
- (4) Doors situated on top of any superstructure deck house, or raised forecastle, may have sills of not less than 180mm in height.
- (5) The height above deck of sills in doorways, in companionways, erections and machinery casings which give direct access to parts of the deck exposed to the weather and sea on the working deck shall be at least 300 millimetres: Provided the Authority may approve that these heights be reduced, where operating experience has shown justification, and in the doorways giving direct access to machinery spaces, to not less than 150 millimetres.
- (6) On the approval of the Authority the height of the sills may be reduced, or the sills omitted entirely, provided that the safety of vessels is not thereby impaired, the hatchway openings shall be kept as small as practicable, and the covers be permanently attached by hinges or equivalent means and be capable of being rapidly closed and battened down.
- (7) Each side of the door shall be clearly marked "KEEP CLOSED AT SEA".

#### **10. Hatchway Covers**

- (1) In the event where operating experience has shown justification and On the approval of the Authority the height of the coamings may be reduced, or the coamings omitted entirely, provided that the safety of vessels is not thereby impaired, the hatchway openings shall be kept as small as practicable, and the covers be permanently attached by hinges or equivalent means and be capable of being rapidly closed and battened down.
- (2) Covers made of materials other than mild steel shall be at least of equivalent strength to those made of mild steel, and their construction shall be of sufficient stiffness ensuring weathertightness.
- (3) Covers shall be fitted with clamping devices and gaskets sufficient to ensure weathertightness, or other equivalent arrangements to the satisfaction of the Authority.

#### **11. Openings and Enclosed Volumes**

- (1) Any opening into an enclosed volume of a vessel shall be provided with efficient and readily accessible means for preventing the accidental admission of water.
- (2) Subject to item (1), scuppers shall be able to be closed weather tight and as a minimum, a non-return arrangement shall be fitted with a positive means of closing at the local position.

## **12. Machinery Space Openings**

- (1) Machinery space openings shall be framed and enclosed by casings of a strength equivalent to the adjacent superstructure.
- (2) Openings other than access openings shall be fitted with covers of equivalent strength to the unpierced structure, permanently attached thereto and capable of being closed weathertight.

## **13. Testing of Watertight and Weathertight Compartments**

- (1) The bulkheads of a wooden or fibre reinforced plastic vessel, which are required to be watertight, shall before the vessel is launched, be tested to the satisfaction of the Authority, by hose pressure test or other suitable means.
- (2) Before a steel vessel is launched, the compartments within the main hull shall be subjected to pressure tests as follows—
  - (a) double bottoms which are not to be used for the carrying of oil, shall be tested to a head of water equal to the maximum head which can be expected in service;
  - (b) deep tanks and peak tanks used for carrying water, and deep tanks and double bottom tanks arranged for carrying oil fuel, shall be tested to a head of water equal to the maximum head to which the tanks can be subjected in service, but not less than 2.4 m above the crowns of the tanks; and
  - (e) watertight bulkheads, including recesses and watertight flats, watertight tunnels, weather decks and waterways, shall either visually inspected, non-destructive tested or hose pressure tested to the satisfaction of the Authority.
- (3) The correct operation of watertight and weathertight doors, and hatches shall be proven on all vessels at the time of construction and at

subsequent surveys.

**14. Visibility at steering position**

- (1) The design and construction of windows and their frames situated at the steering position, shall meet the requirements of the applicable SAN Standard.
- (2) Alternative, equivalent or higher standards for installations may be accepted by the Authority.
- (3) Where a steering position is not situated in the open, visibility from 112,5 degrees to port and starboard of the centerline and must be through safety-toughened clear glass or a South African Bureau of Standards approved alternative.
- (4) Protection from the glare of the sun may be afforded by means of portable tinted screens.
- (5) **NSVR CATEGORY VS SANS DESIGN CATEGORY**

For application of SANS 12216:2008, NSVR vessel “categories” are equated to the SANS “Design Categories” as follows:

<b>NSVR Category</b>	<b>Description</b>	<b>SANS Category</b>	<b>Description</b>
A	Vessels operating any distance from shore	A	Boat designed for extended voyages where conditions experienced may exceed wind force 8 (Beaufort scale) and significant wave heights of 4m and above, but excluding abnormal conditions (eg. Hurricane)
B	Vessels operating less than 40 nautical miles from	B	Boat designed for offshore voyages where conditions up to and including wind force 8 (Beaufort



	shore		scale) and significant wave heights up to and including 4m may be experienced
C	Vessels operating less than 15 nautical miles from shore	C	Boat designed for voyages in coastal waters, large bays, estuaries, lakes and rivers where conditions up to and including wind force 6 (Beaufort scale) and significant wave heights up to and including 2m may be experienced
D	Vessels operating less than 5 nautical miles from shore. Passenger vessels restricted to 5 nautical miles from shore and 15 nautical miles from point of departure.		
E	Vessels operating not more than 1 nautical miles from shore and 15 miles from an approved launch site. Passenger vessels restricted		

	to 1 nautical mile from shore and 15 nautical miles from point of departure.		
R	Vessels operating solely on sheltered waters.  Passenger vessels restricted to sheltered waters.	D	Boat designed for voyages in sheltered waters, small bays, estuaries, lakes, rivers and canals where conditions up to and including wind force 4 (Beaufort scale) and significant wave heights up to and including 0.5m may be experienced

- (6) Vessels which are intended to be launched through the surf are required to be provided with SANS Category A windows, irrespective of their National Small Vessel Regulations category.

### 15. Skylights

- (1) The height above deck of skylights coamings on the deck exposed to the weather and sea on the working deck, allowing direct access to spaces below the deck shall be at least 300 millimetres: Provided the Authority may approve that these heights be reduced, where operating experience has shown justification and that the safety of vessels is not thereby impaired, further provided that the coaming of skylight giving direct access to machinery spaces, shall not be less than 150 millimetres.
- (2) The skylight shall be kept as small as practicable, and the covers be permanently attached by hinges or equivalent means and be capable of being rapidly closed and battened down.
- (3) A skylight shall be of efficient weathertight construction and shall be located on the centre line of the vessel, or as near thereto as practicable. It may be further offset where necessary to provide a means of escape from a compartment below deck.

- (4) When a skylight is an opening type, it shall be provided with efficient means whereby it can be secured in the closed position from both sides.
- (5) A skylight with a hinged cover shall have the hinges fitted to the forward side of the hatch, as protection of the opening in the event of a boarding sea.
- (6) Unless the glazing material and its method of fixing in the frame is equivalent in strength to that required for the structure in which it is fitted, a portable "blank" shall be provided which can be efficiently secured in place in event of breakage of the glazing. The blank shall be permanently located close to the skylight that it serves and shall be of suitable material and strength to the satisfaction of the Authority.

#### **16. Portlights, side scuttles and windows**

- (1) Portlights, side scuttles and windows on all vessels regulated by these Regulations shall be constructed in accordance with the applicable SAN Standard or equivalent, to the satisfaction of the Authority.
- (2) A portlight or window to a space below the weather deck or in a step, recess, raised deck structure, deckhouse or superstructure protecting openings leading below the weather deck shall be constructed to provide weathertight integrity, and be of strength compatible with size of the portlight or window, and the intended area of operation of the vessel.
- (3) Glass and other glazing material used in windows shall be of a material that will not break into dangerous fragments if fractured. Glasses prone to be damaged by fishing gear shall be suitably protected.
- (4) Each window, port hole and its means of attachment to the hull or deck house shall be capable of withstanding the maximum load from wave and wind conditions expected due to its location on the vessel and the authorised operating area of the vessel, shall be constructed in accordance with the applicable SAN Standard or equivalent, to the satisfaction of the Authority.
- (5) In determining the required thickness for windows of a certain material and edge connection type, the information and calculation methods provided in the applicable SAN Standard must be used or equivalent, to the satisfaction of the Authority. Where there is doubt regarding the type of material used or where a material is proposed to be used for which the

required characteristics are not provided in the applicable SAN Standard, it is the responsibility of the owner or builder to provide the required information to the satisfaction of the Authority.

- (6) Where vessels are constructed under SAMSA survey, window specifications must be submitted as part of the plan approval process. Where vessels are not subject to SAMSA survey during construction, builders are to ensure that window specifications are provided in the owner's manual.
- (7) A portlight, side scuttles or window shall not be fitted in the main hull below the weather deck, unless the glazing material and its method of fixing in the frame are equivalent in strength to that required for the structure in which it is fitted and be fitted with hinged deadlights capable of being closed watertight.
- (8) An opening portlight shall not be provided to a space situated below the weather deck.
- (9) In an existing vessel where a portlight or window is replaced, portlights, windows and their frames shall be constructed in accordance with the applicable SAN Standard or equivalent, to the satisfaction of the Authority.
- (10) In a sea going vessel, a portlight, fitted below the weather deck and not provided with an attached deadlight shall be provided with a "blank", the number of blanks, shall be sufficient for at least half of the number of such portlights of each different size in the vessel, which can be efficiently secured in place in the event of breakage of the portlight. The blank shall be of suitable material and strength to the satisfaction of the Authority.
- (11) An opening portlight shall not exceed 250 mm in diameter or equivalent area.
- (12) For the wheelhouse-
  - (a) windows and other openings at the operating station shall be of sufficient size and properly located to provide an adequate view for safe navigation, in all operating conditions;
  - (b) windows and their frames shall meet the requirements of the applicable SAN Standard or equivalent standard, having due regard to the increased thickness of windows comprising one or more laminations in order to achieve equivalent strength;

- (c) polarised or tinted glass shall not be used in windows provided for navigational visibility, although portable tinted screens may be provided for these windows; and
- (d) when a vessel is expected to operate in severe weather, relative to the size of the vessel, efficient storm shutters shall be provided for all front and side facing windows.

## 17. Ventilators

- (1) In this item-

**“accommodation spaces”** are those spaces used for public spaces, corridors, sanitary spaces, cabins, offices, mess rooms, pantries containing no cooking appliances and similar spaces;

**“machinery spaces”** means those spaces containing propulsion machinery, fuel oil units, internal combustion engines, generators, steering gear, major electrical machinery, oil filling stations, refrigerating, ventilating and air conditioning machinery and similar spaces, and trunks to such spaces; and

**“service spaces”** means those spaces used for galleys, pantries containing cooking appliances, lockers and storerooms, workshops other than those forming part of the machinery spaces, and similar spaces and trunks to such spaces.

- (2) In a vessel, ventilators shall be sufficient in number and size to provide adequate ventilation for all spaces which, in the opinion of the surveyor, require ventilation.
- (3) Ventilators that are fitted to provide ventilation to spaces below the weather deck shall be positioned as far inboard as possible and at a height above the weather deck sufficient to prevent the entry of water at any foreseeable angle of heel in service.
- (4) Ventilators serving compartments must be provided with proper closing devices or water traps to prevent the ingress of water into the compartment. Provided that such water traps may be omitted if the Authority is satisfied that it is unlikely that water will enter the vessel through the ventilator.
- (5) Coamings of ventilators shall be of equivalent strength to the adjacent structure.

- (6) Ventilators must be capable of being closed weathertight by closing appliances permanently attached to the ventilator or adjacent structure.
- (7) At least two ventilators shall be provided to the engine room, or the number of ventilators may be reduced to the satisfaction of the Authority.
- (8) Ventilators serving only an engine compartment must be provided with a means of shutting off the air flow in the event of fire in the engine compartment.
- (9) Ventilation systems serving machinery spaces of category A shall be independent of systems serving other spaces.
- (10) Crew Accommodation spaces shall be provided with inlet and exhaust ventilators sufficient to provide adequate ventilation.
- (11) Where accommodation spaces are situated below decks and adjoining the machinery spaces, means shall be provided to prevent fumes from the machinery spaces from infiltrating into the accommodation spaces.
- (12) The coaming of any ventilator should be specially supported to reduce vibration of the coaming.
- (13) Ventilation shall comply with the applicable SAN Standard or equivalent for ventilation of compartments, to the satisfaction of the Authority.

**18. Air pipes**

- (1) When located on the weather deck, air pipes shall be kept as far inboard as possible and shall be fitted and at a height above the weather deck sufficient to prevent the entry of water at any foreseeable angle of heel in service.
- (2) Air pipes shall be arranged so that they have protection against water ingress from rain or spray.
- (3) Air pipes shall be fitted with a means to automatically prevent water ingress while permitting the air pipe to continue to function.

**19. Bulwarks and Guard Rails – Crew Protection**

- (1) Subject to subitems (2) and (3)—
  - (a) every power-driven vessel which goes to sea and has an open deck

on which persons can walk must be provided with efficient guard rails, or an equivalent arrangement, around the outboard edge of the deck to a height of at least—

- (i) 600 millimetres above the deck on vessels of nine metres or more in overall length; and
  - (ii) 450 millimetres above the deck on vessels less than nine metres in overall length: Provided that category D and E motor vessels of less than nine metres in overall length are exempt from this requirement if—
    - (aa) every occupant of the vessel wears a flotation aid when underway; and
    - (bb) the vessel does not go to sea at night.
- (b) every commercial sailing vessel going to sea and having an open deck on which persons can walk must be provided with efficient guard rails, or an equivalent arrangement, around the outboard edge of the deck to a height of at least—
- (i) millimetres above the deck on vessels of nine metres or more in overall length; and
  - (ii) 410 millimetres above the deck on vessels less than nine metres in overall length: Provided that category D and E sailing vessels are exempt from this requirement if—
    - (aa) every occupant of the vessel wears a flotation aid when on deck and underway; and
    - (bb) the vessel does not go to sea at night.
- (c) every sailing pleasure vessel having an open deck on which persons can walk must be provided with efficient guard rails, or an equivalent arrangement, around the outboard edge of the deck to a height of at least—
- (i) 560 millimetres above the deck on vessels of nine metres or more in overall length; and
  - (ii) 410 millimetres above the deck on vessels less than nine metres in overall length: Provided that category C, D, E and R sailing pleasure vessels are exempt from this requirement if—
    - (aa) such vessel is within 30 miles of a safe haven; and
    - (bb) every occupant of the vessel wears an approved flotation aid in rough weather when on deck.
- (2) Power-driven vessels operating through the surf are exempt from subitem (1) if fitted with bulwarks having a height of at least 450

millimetres forward and 300 millimetres aft.

- (3) Power-driven vessels constructed so that the cabin-top extends nearly to the vessel's side, with a crew-only access forward, are exempt from subitem (1) if provided with a substantial, secure handrail on each side of the cabin and with a toe rail of at least 50 millimetres in height along the outer edge of the deck.
- (4) Guard rail clearance below the lowest course of rails shall not exceed 230 millimetres.
- (5) Other courses shall not be more than 380 millimetres apart, and the distance between stanchions shall not be more than 1.5 metres.
- (6) In a vessel with rounded gunwales, guard rail supports shall be placed on the flat of the deck. Rails shall be free from sharp points, edges and corners and shall be constructed of steel or material of equivalent strength to the gunwales.
- (7) Guard rails, lifelines, gangways, underdeck passages or other means, shall, to the satisfaction of the Authority, be provided to protect the crew when moving between accommodation, machinery and other working spaces.
- (8) In a vessel fitted with a cockpit, which opens aft to the sea, guard-rails shall be fitted between vertical "members," greater than 500 mm in width so that there is no unprotected vertical opening.
- (9) In an inflatable boat or a rigid inflatable boat, handgrips, toeholds, grabline and handrails shall be provided as necessary to ensure the safety of all persons on board during transit and the worst weather conditions likely to be encountered in the intended area of operation.
- (10) Storm rails or hand grabs or rails shall be fitted as necessary to the outside of all deckhouses, ladders and casings to secure safety of passage or work for the crew.
- (11) For the safety of the crew, stairways and ladders of adequate size and strength with handrails and non-slip treads shall be provided to the



satisfaction of the Authority.

- (12) On a vessel authorised to carry one or more vehicles, suitable fastening and securing devices, chains, cables or other barriers shall be installed at both ends of each vehicle lane. Temporary rails or equivalent protection shall be installed where necessary in the way of each vehicle ramp when the vessel is in operation as determined by the Authority.

## **20. Anchors, Cables, and Towing arrangements**

- (1) Every vessel shall be provided with an anchor and chain, with a suitable length of rope, and sufficient in number, weight and strength, having regard to the vessel size, intended area of operation and category of the vessel.
- (2) Every twelve months, the anchors and cables, windlass and steering chains if any, of a vessel, shall be given a general examination or may be operationally tested by a surveyor, who may request any opening up deemed necessary.
- (3) A surveyor may inspect and request anchor cables or chains to be measured and where anchor cables or chains are worn to such an extent that the mean diameter of any part is reduced by more than 12% of the minimum size detailed in the table below, then such part shall be renewed.
- (4) The vessel's anchors, cables shall be ranged during the hull survey.
- (5) Anchor wire ropes, if used, shall be run out annually for inspection by a surveyor.
- (6) An anchor wire rope shall not be used if in any length of 8 diameters the total number of visible broken wires exceeds 10 per cent of the total number of wires, or the rope shows signs of excessive wear, corrosion, or other defect which, in the opinion of the surveyor, renders it unfit for use.
- (7) An anchor of more than 75kg in weight shall be provided with a Mechanical means for working to be demonstrated to the satisfaction of the Authority.

- (8) Mooring bollards, cleats and fairleads shall be securely installed taking into account the likely loads to which they will be exposed.
- (9) All the equipment mentioned in this section should be regularly inspected and adequately maintained to ensure its safe usage.
- (10) Chains and ropes shall be as prescribed in the table below:
- Length of chain-
- Vessels of 6 m or more in overall length—at least 5 m.
- Vessels less than 6 m in overall length—at least 3 m.
- Length of rope
- Cat A, B, C & D at least 100 m
- Cat E at least 50 m
- Cat R - 50 m or may be reduced to not less than 3x the maximum depth for area of operation

Anchors and Cables Table

<b>LOA + LWL</b> <b>2</b> <b>(m)</b>	<b>Proper patent anchor</b> <b>mass</b> <b>(kg)</b>	<b>Cables</b>	
		<b>Chain</b> <b>(mm)</b>	<b>*Rope</b>
6	8	6	12
7	9	8	12
8	10	8	12
9	11	8	12
10	13	8	12
11	15	8	12
12	18	8	14
13	21	10	14
14	24	10	14
15	27	10	—
16	30	10	—
17	34	10	—
18	38	10	—
19	42	10	—
20	47	12	—
21	52	12	—
22	57	12	—
23	62	12	—
24	68	12	—

**Note:**

- 1) Chain cable diameter given is for a short link chain. Chain cable should be sized in accordance with applicable SAN Standard(s) or equivalent to the satisfaction of the Authority.
- 2) The rope diameter given is for nylon construction. When the rope of another construction is proposed, the breaking load should not be less than the nylon rope specified\* in the table.
- 3) \*3-strand Nylon rope to SAN Standard(s) or equivalent to the satisfaction of the Authority.  
12 mm O/D – nominal breaking load 3000(kg)  
14 mm O/D – nominal breaking load 4100 (kg)
- 4) When anchors and cables are manufactured to imperial sizes, the metric the equivalent of the anchor mass and cable diameter should not be less than in the table value.
- 5) Length of chain:
  - a. Vessels of 6m or more in LOA at least 5m
  - b. Vessels less than 6m in LOA at least 3m
- 6) Length of rope:
  - a. Cat R - 50 m or may be reduced to not less than 3x the maximum depth for area of operation
  - b. Cat E at least 50m
  - c. Cat A, B, C & D at least 100m
- 7) The connections between the anchor, chain, and rope shall be to the patent anchor manufactures guidance.

**21. Towing arrangements**

- (1) Every vessel must be provided with an efficient means of securing a tow rope or anchor cable.
- (2) A vessel, when engaged in towing operations, except in an emergency, should not carry deck cargo, except that a limited amount, properly secured, which would neither endanger stability of the vessel, the safe working of the crew on deck nor impede the proper functioning of the towing equipment, may be accepted.
- (3) Openings in superstructures, deckhouses, and exposed machinery casings, including skylights, situated on the weather deck, should be kept closed during towing operations.

**22. Underwater hull fittings and Through-Hull Penetrations**

- (1) Inlet and discharge pipes attached to the underwater part of the hull must be properly flanged to the hull and be provided with a valve or shut-off

cock inserted in the line as close as possible to the hull.

- (2) Every valve shall be of a strength and design to maintain watertight integrity and be in accordance with the applicable SAN Standard.
- (3) Means shall be provided for positively shutting off underwater penetrations, except for wet exhaust systems and where fitted in a fire risk area, the means of shut-off shall be made of material that is not susceptible to fire damage.
- (4) Through-hull penetrations shall:
  - (a) be kept to the minimum necessary to be consistent with the operational needs of the vessel; and
  - (b) have adequate local strength compensation equivalent to the unpierced structure in which it is located and be of such construction that it will maintain watertight integrity.
- (5) Fittings, inlet and discharge pipes and through hull penetrations shall be in accordance with the applicable SAN Standard.

### **23. Engine power**

- (1) Every motorised vessel going to sea must be provided with an engine capable of propelling the vessel, in its full load condition, at a speed in calm water of at least 5 knots. Additionally, if the vessel is to be operated in the surf, the engine must be capable of propelling the vessel at a safe speed when operating in surf conditions.
- (2) Subitem (1) does not apply to sailing vessels, not being sailing passenger vessels, or to dinghies under oars.
- (3) Every category A, B and C power-driven vessel that employs outboard engine propulsion must be provided with at least two engines either of which must be capable of propelling the vessel, in its full load condition, at a speed in calm water of at least 5 knots. Additionally, if the vessel is to be operated in the surf, either engine must be capable of propelling the vessel at a safe speed when operating in surf conditions.
- (4) Vessels fitted with inboard petrol engines must comply with the following:
  - (a) the engine must be installed in a compartment that is protected from water spray and flooding and is adequately ventilated;

- (b) a manual bilge pump must be fitted in the engine compartment;
- (c) batteries must be stowed in a separate compartment that is protected from sea spray and flooding and is adequately ventilated;
- (d) a marinised carburettor with flash arrester must be fitted;
- (e) a spark-less alternator with starter must be fitted;
- (f) a flameproof extractor fan set to operate for a minimum of 30 seconds before the engine starts must be fitted in the engine compartment;
- (g) a remote controlled fire extinguishing system must be fitted in the engine compartment;
- (h) in the case of category A, B and C vessels fitted with a single inboard petrol engine, an auxiliary outboard engine must be provided; and
- (i) Exhaust pipes and silencers must be water cooled or lagged.

#### **24. Fuel tanks**

- (1) Fuel tanks must be efficiently secured and of adequate capacity and must be constructed of suitable material.
- (2) Outlets of built-in fuel tanks must be fitted with shut-off valves or approved automatic shut-off and anti-syphoning devices. Shut-off valves that cannot readily and safely be accessed must be capable of remote operation.
- (3) Fuel filler pipes to built-in fuel tanks must be adequate for the purpose and must be provided with adequate sealing threaded plugs or caps. Only non-corrosive materials may be used.
- (4) All fuel tanks must be fitted with adequate breathers or breather pipes led to a height allowing the vessel to heel to 50 degrees without fuel escaping through them. The breathers or breather pipes must be led to the outside of the hull and must be constructed so as to prevent the ingress of water into the tank in all operating conditions.
- (5) All fuel tanks must be provided with a suitable means for determining the amount of fuel in the tank.
- (6) All fuel tanks holding petrol must be fitted or stored outside engine and battery compartments.

- (7) Where gauge glasses are provided, they must be fitted with self-closing valves.

## **25. Electrical installations**

- (1) (a) Subject to paragraph (b), every category A, B and C power-driven vessel must be provided with an electrical installation that includes at least two identical banks of batteries. Each bank of batteries must be capable of providing sufficient power in accordance with the engine manufacturer's recommendations and have facilities for parallel connection.
- (b) Vessels fitted with hand-start engines may be provided with one bank of batteries.
- (c) Every category D, E and R power-driven vessel must be provided with at least one bank of batteries, unless the vessel is fitted only with hand-start engines.
- (d) Every sailing vessel fitted with an inboard auxiliary engine must be provided with at least one bank of batteries, unless the vessel is fitted only with hand-start engines.
- (e) Vessels required to be provided with one or more banks of batteries must be provided with a suitable battery charging appliance, and if more than one engine is fitted each engine must be provided with a battery charging appliance capable of charging both banks of batteries.
- (f) All electrical installations must conform to good, established marine practice and all electrical equipment must be constructed so that there will be no danger of injury to any person handling the installation in the proper manner.
- (g) A single bank of batteries must be capable of providing at least 12 hours' auxiliary power for navigation lights, electric bilge pumps, if provided, and fixed radio equipment.

## **26. STEERING SYSTEMS**

### **26.1 Main steering gear**

- (1) The steering gear and emergency steering arrangements shall be constructed in accordance with the applicable SAN Standard or equivalent to the satisfaction of the Authority.
- (2) The steering gear and emergency steering arrangements shall be examined every twelve months and operationally demonstrated to the satisfaction of the Authority.

- (3) A vessel shall be provided with main steering gear that is-
  - (a) of strength adequate for the vessel operation and capable of steering the vessel at all service speeds;
  - (b) designed to operate at maximum astern speed without being damaged or jammed;
  - (c) capable of moving the rudder from 35° on one side to 30° on the other side in not more than 28 seconds with the vessel moving ahead at maximum service speed; and
  - (d) operated within compliance of the manufacturer's specifications with regards to withstanding relief pressure, minimum bursting pressure and ultra-violet protection characteristics.
- (4) Control of the main steering gear, including control of any necessary associated devices, motor, pump, valve, etc., shall be provided from the operating station.
- (5) The vessel's operating station shall be arranged to permit the person steering to have the best possible all around vision.
- (6) The main steering gear shall be designed so that transfer of control from the main steering gear to the emergency means of steering required by this regulation can be achieved rapidly.
- (7) The emergency steering may be portable, in which case it must be stored in a readily accessible position for rapid attachment in an emergency.
- (8) Any tools or equipment necessary to make the transfer shall be readily available and dedicated for the purpose.
- (9) Where fitted, strong and effective rudder stops shall be provided to prevent jamming and damage to the rudder and its associated fittings. These stops may be structural or internal to the main steering gear to the satisfaction of the Authority.
- (10) In addition to meeting the requirements of IV/10.1 to 10.5, a commercial vessel with a power driven main steering gear shall be provided with the following:

- (a) An independent rudder angle indicator at the operating station for-
  - (i) steering systems which utilize a rudder;
  - (ii) Azimuth Thruster (Z-drive), as the steering direction is not visible or apparent.

## 26.2 Emergency Steering Systems

- (1) Except as provided in **IV/11.3**, a vessel shall be provided with an emergency means of steering that is-
  - (a) of adequate strength for the vessel operation;
  - (b) practical and demonstrable;
  - (c) fitted with valves, properly labelled and the instructions for operating that system clearly posted where the arrangements are located;
  - (d) capable of moving the rudder from 15° on one side to 15° on the other side in not more than 60 seconds with the vessel at one-half its maximum service speed ahead, or 7 knots, whichever is greater; and
  - (e) controlled from a location that permits safe maneuvering of the vessel and does not expose the person operating the emergency means of steering to personnel hazards during normal or heavy weather operation.
- (2) If when controlling from a location as described in subitem (1)(e) above where all round vision cannot be achieved, an effective means of communication between the emergency steering position and the operating station shall be in place.
- (3) A suitable hand tiller may be used as the emergency means of steering.
- (4) An emergency means of steering need not be provided where-
  - (a) the main steering gear and its controls are provided in duplicate and the steering systems are completely independent from each other; or
  - (b) multiple propeller propulsion for -
    - (i) A For Inboard engines -
      - (aa) with independent control from the operating position, for each screw is provided and the vessel is capable of being steered from the control station; or
      - (bb) a manual means to centre and steady the rudders (amidships) and provide emergency steering utilizing the multiple propeller propulsion.



- (c) no regular rudder is fitted and steering action is obtained by a change of setting of the propelling unit; or
- (d) multiple propeller propulsion; outboard engines -
  - (i) a manual means to centre and steady the outboard motors (amidships) and provide emergency steering utilizing the multiple propeller propulsion; or
- (e) where a rudder and hand tiller are the main steering gear.

## **27. Bilge pumping arrangements**

- (1) This item does not apply to—
  - (a) ski-boats having self-draining decks;
  - (b) inflatable or semi-rigid inflatable vessels having self-draining decks; or
  - (c) sailing or rowing dinghies, provided such vessels shall be provided with an efficient bailing device.
- (2) Every Category A power-driven decked vessel must be provided with two power-driven bilge pumps.
- (3) Each bilge pump must have its own prime mover and may be driven off the vessel's main engines if more than one main engine is installed; otherwise, the configuration shall be such that one pump is driven off the main engine and the other by a standby engine.
- (4) The pump driven off the standby engine may be electrically powered.
- (5)
  - (a) Every category B, C, D and E power-driven decked vessel of seven metres or more in overall length fitted with an inboard main engine must be provided with a power-driven bilge pump having as its prime mover the vessel's main engine.
  - (b) Where the configuration of the inboard engine is such that it cannot act as the prime mover, the bilge pump may be electrically powered.
  - (c) In addition, every such vessel must be provided with a hand-operated bilge pump situated above the main deck.
  - (d) All other category B, C, D and E power-driven decked vessels of seven metres or more in overall length must be provided with two hand-operated bilge pumps, one of which may be installed below the main deck, the other above the main deck.
- (6) Every category B, C, D and E power-driven decked vessel of less than seven metres in overall length must be provided with at least one hand-

operated bilge pump.

- (7) Every category A decked sailing vessel must be provided with two hand-operated bilge pumps, and every category B, C, D, E and R decked sailing vessel over seven metres in length must be provided with one hand-operated bilge pump.
- (8) Every category R power driven vessel which does not have a self-draining arrangement must be fitted with at least one efficient pump as described in subitem (9) below. Where the fitting of such arrangements is clearly impracticable, an efficient bailer should be provided. However, no vessel over seven metres may be exempted from fitting a suitable pump.
- (9) All power-driven and hand-operated bilge pumps must have a minimum pumping capacity of 3 000 litres and 2 000 litres per hour, respectively.
- (10) All bilge pumps must be fitted, where necessary, with piping arrangements, valves, suctions and strainers to pump out every compartment in a vessel, other than a compartment used exclusively for catches of fish and which can be flooded without adversely affecting the vessel's buoyancy or stability.
- (11) Every bilge pumping arrangement discharging, in any operating condition, below the waterline must be fitted with a sufficient number of non-return valves to prevent back-flooding.
- (12) Portable pump levers for hand-operated bilge pumps must be kept in a readily accessible space as near to the pump as possible and, in the case of pumps above the main deck, in a readily accessible space or locker above the main deck.

## **28. Maintenance of propulsion and steering machinery**

- (1)
  - (a) The propulsion and steering machinery of a vessel must be periodically serviced, maintained and, if necessary, repaired in accordance with the manufacturer's instructions and specifications so as to ensure at all times its effective functioning.
  - (b) The period between servicing may not exceed the period recommended by the manufacturer.
  - (c) All servicing, maintenance and repair work on the propulsion and steering machinery of power-driven vessels fitted with a propulsion engine of more than 15 horsepower must be performed by competent persons.

## **29. Crew accommodation in commercial vessels**

- (1) Every commercial vessel that goes to sea for a continuous period of 16 hours or more out of every 24 hours and on which a person is to live while the vessel is in port must be provided with crew accommodation, as follows:
  - (a) not more than 10 persons may be accommodated in a space that has only one access;
  - (b)
    - (i) bunks must be single and have clear access from one side.
    - (ii) A bunk may not be less than 1,8 metres in length and, in the forecabin space, a bunk may taper in width along its length but may not be less than 600 millimetres at its head and 460 millimetres at its foot.
    - (iii) Where bunks are stacked one on top of the other, the height between bunks may not be less than 500 millimetres between the base of the lower bunk and the base of the bunk above.
    - (iv) Bunks must be so positioned to avoid water drips from access ladders and ventilators.
    - (v) Protection boards encasing the back of an access ladder or drip traps are acceptable when there is no other option but to install a bunk under a ladder or ventilator.
    - (vi) Each bunk must have a cubby hole for the storage of personal items.
    - (vii) Bunks butting onto each other must be separated with a board having a minimum height of 500 millimetres;
  - (c)
    - (i) sleeping arrangements are not permitted in engine room or galley spaces.
    - (ii) Sleeping arrangements are permitted in the steering space provided the steering gear is enclosed, has a separate escape hatch to the deck and the bulkhead between the steering and engine room spaces is made gas tight.
    - (ii) Exhaust pipes passing through the steering space must be boxed in and ventilated to the outside;
  - (d)
    - (i) galleys fitted with gas stoves may not have an access to the engine room.
    - (ii) Where this cannot be avoided, there must be installed a gas-tight access between the engine room and galley.
    - (iii) The immediate area about the stove must be insulated to inhibit the spread of fire;
  - (e)
    - (i) at least one toilet and shower must be provided on vessels carrying up to ten persons and at least two toilets and showers must be provided on vessels carrying not more than 19 persons.

- (ii) An additional toilet and shower must be provided for every additional 10 persons, or part of that number, carried.
- (iii) Toilets and showers must be located outside, but adjacent to, sleeping spaces;
- (f) all accommodation spaces must be provided with adequate ventilation with closing devices to prevent water ingress from spray or rain and air ingress in the event of a fire in the space;
- (g) all accommodation spaces must be provided with adequate electrical lighting; and
- (h) all accommodation spaces must provide a minimum head height of at least 1,8 metres; this may be reduced in way of bunks, cupboards and other spaces where persons would not normally need to stand or walk in the upright position.

### **30. Gas appliances**

- (1) (a) Every gas operated cooker or refrigerator installed in a commercial vessel must be fitted with a safety device capable of preventing the build up of an explosive atmosphere in the event of a flame-out.
- (b) The device must be maintained in good working order at all times.

### **31. Freeing Ports - Drainage of weather decks**

- (1) (a) The weather deck on all vessels shall be watertight or fitted with closures to ensure watertight integrity.
- (b) The drainage from the weather deck shall be such that the watertight integrity is not compromised.
- (2) (a) Where a non-return shutter or flap is fitted to a freeing port it shall have sufficient clearance to prevent jamming and any hinges shall have pins or bearings of non-corrodible material.
- (b) Hinges shall be along the upper edge of the non-return shutter or flap.
- (c) Shutters shall not be fitted with securing appliances.
- (3) Structures and spaces considered non-weathertight shall be provided with efficient drainage overboard arrangements.
- (4) Where cargo, gear or equipment is carried on deck, the stowage arrangement shall be such as to not impede the free flow of water from the deck.
- (5) The number of freeing ports is a ratio of minimum freeing port area relative to the bulwark length and height, to ensure the most effective drainage of water from the weather deck, suitably spaced over the

length of the bulwark.

- (6) The freeing ports shall be distributed along the deck, in accordance with the freeing port calculations determined by the Authority, in such a way that the locations are concentrated to the areas where the collection of water on deck will be the greatest having regard to sheer and probable trim and to be kept to a minimum to ensure compliance with these Regulations.
- (7) Freeing Ports should be placed in such a manner that the lowest edge of the freeing port is as close as practical to the weather deck.
- (8) Freeing ports over 230 millimetres in height shall be fitted with safety bars, for crew protection, spaced not more than 230 millimetres apart or provided with other suitable protective arrangements.
- (9) Any freeing ports insert into a bulwarks should be constructed with round corners in order to prevent any undue stress at the freeing port corners.
- (10) Where freeing ports are fitted, the immediate area around the freeing ports should be provided with additional strengthening to ensure the bulwark is not compromised due to the size and number of the freeing ports.
- (11) The owner shall, when building or designing a vessel shall demonstrate that the vessel meets the requirements for minimum freeing port area.
- (12) On vessels with partially or fully exposed weather decks, no bilge or dill pumps shall be permitted as a replacement for freeing ports.
- (13) The Authority may exempt any vessel which if satisfied that compliance with this regulation is unreasonable or impracticable in the circumstances, provided other efficient means of clearing trapped water from the vessel shall be provided to the satisfaction of SAMSA on a case-by-case basis.
- (14) In a vessel in which freeing ports cannot be fitted, other efficient means of clearing trapped water from the vessel shall be provided to the satisfaction of the Authority.
- (15) (a) The Authority may permit some, vessels to have drain holes or scuppers or both, in addition to freeing ports.

- (b) Scupper discharges below the weather deck, shall be fitted with an approved non-return valve as close as possible to the hull, with an indicator whether to show whether the valve is open or closed.
- (c) All valves shall be of steel, bronze or other approved ductile material.
- (d) Valves of ordinary cast iron or similar material are not acceptable.

(16) Freeing port areas shall be calculated using the following formulae:

1.11.1 Total Bulwark Area:  $A_T = (B_L \times B_H)$

1.11.2 Number of Freeing Ports for Bulwark Length:  $F_T = (B_L \div FP_I)$

1.11.3 Freeing Port Size for Height of Bulwark:  $B_H B_S = x F_S$

1.11.4 Total Minimum Freeing Port Area required for Total Bulwark Area:  $F_A = (F_T \times x)$

<b>Description</b>	<b>Imperial</b>	<b>Metric</b>	<b>Acronym</b>	<b>Description</b>	<b>Acronym</b>
Freeing Port Standard Size	1ft <sup>2</sup>	0.092903m <sup>2</sup>	F <sub>S</sub>	Minimum Freeing Port Area	F <sub>A</sub>
Bulwark Height Standard	30 inches	0.762mm	B <sub>S</sub>	Number of Freeing Ports	F <sub>T</sub>
Freeing Port Interval	6ft	1.8288m	FP <sub>I</sub>	Total Bulwark Area	A <sub>T</sub>
				Bulwark Length	B <sub>L</sub>
				Bulwark Height	B <sub>H</sub>
				Freeing Port Size required	x

(17) Where bulwarks on weather parts of the upper deck form wells, the minimum freeing port area (A) in square metres, on each side of the vessel for each well on the working deck shall be determined in relation to the length (l) and height of bulwark in the well as follows:

- (a)  $A = K \times l$  where  $K = 0.07$  for vessels to which these regulations apply;

(l need not be taken as greater than 70% of the vessels length)

- (b) (i) Where the bulwark is more than 1200 millimetres in average height the required area shall be increased by 0.004 square metres per metre of length of well for each 100 millimetres difference in height;
- (ii) Where the bulwark is less than 900 millimetres in average height, the required area may be decreased by 0.004 square metres per metre of length of well for each 100 millimetres difference in height.

### **32. Fishing Vessels Specific - Drainage of weather decks**

- (1)
  - (a) The catch must be properly secured against shifting which could cause dangerous trim or heel of the vessel.
  - (b) The scantlings of portable fish-hold divisions, if fitted, shall be to the satisfaction of SAMSA.
- (2)
  - (a) Poundboards (Laaitjies) and means for stowage of the fishing gear shall be arranged so that the effectiveness of freeing ports will not be impaired.
  - (b) Poundboards shall be so constructed that they can be locked in position when in use and shall not hamper the discharge of shipped water.
- (3) On fishing vessels, freeing ports are to be completely free of any obstructions such as pots, nets or debris of any kind.

### **33. Means of escape**

- (1) Every vessel shall be provided with such doorways, stairways, ladderways and other means of escape as will provide readily accessible means of escape to the open deck, or as specified by the Authority.
- (2) The means of escape shall be so designed and constructed as to be capable of being easily used by the persons for whom they are intended.
- (3) The number and width of such means of escape shall be sufficient, having regard to the number of persons by whom they may be used.
- (4) Signs of an adequate number and distribution shall be displayed in corridors and stairways indicating the direction of escape routes as specified by the Authority and in accordance with the applicable SAN Standard.
- (5) Enclosures on a vessel must be configured so that persons can easily escape from the vessel while wearing personal floatation devices or life jackets. Such arrangements may be in the form of permanent openings or emergency escape openings which are clearly marked and able to be easily opened to allow persons to escape any enclosure formed by the vessel structure, in the event of capsizing.
- (6) The width and continuity of the means of escape provided shall be to the satisfaction of the Authority.

- (7) If the accommodation consists of more than one level, at least two widely separate means of escape shall be provided or as determined by the Authority.
- (8) Two means of escape shall be provided from every machinery space which shall be as widely separated as possible or as determined by the Authority.
- (9) Means of escape – Pontoon Vessels:
  - (a) At least two adjacent openings, approximately midships Port/Starboard or Forward/Aft, shall be provided on vessels of less than 9 meters overall length and at least four adjacent openings, approximately midships Port/Starboard and Forward/Aft on vessels of 9 meters or more overall length, or as determined by the Authority.
  - (b) Means of Escape, enclosures on pontoon boats must accordingly be configured so that persons can easily escape from the vessel in the event of capsize while wearing personal floatation devices or life jackets.
  - (c) Such arrangements may be in the form of permanent openings or emergency escape openings which are clearly marked and able to be easily opened to allow persons to escape any enclosure formed by the vessel structure, in the event of capsize.
  - (d) The area of each emergency escape must be at least 2m X 2m or to the satisfaction of the Authority.

#### **34. Sewage**

- (1) All passenger vessels and all other vessels with toilet facilities capable of discharging waste to the sea shall be fitted with -
  - (a) a holding tank of suitable size to accommodate waste from the total number of persons on board for the duration of the voyage, of which waste shall be safely discharged ashore;
  - (b) chemical toilets, or a portable toilet of which the waste shall be safely discharged ashore; or
  - (c) a sewage treatment system in accordance to Marpol Annex IV, as approved by the Authority.
- (2) A toilet fitted on a ship shall be secured in a manner that ensures its safe operation in any environmental conditions likely to be encountered.
- (3) Holding tanks referred to in item 1(a) shall -



- (a) be constructed in a manner such that it does not compromise the integrity of the hull;
- (b) be constructed of structurally sound material that prevents the tank contents from leaking;
- (c) be constructed such that the potable water system or other systems cannot become contaminated;
- (d) be resistant to corrosion by sewage;
- (e) have an adequate volume for the vessel's human-rated capacity on a normal voyage;
- (f) be provided with a discharge connection and piping system for the removal of the tank contents at a sewage reception facility;
- (g) be designed so that the level of sewage in the tank may be determined without the tank being opened; and
- (h) be equipped with ventilation device that has its outlet located on the exterior of the ship and in a safe location away from ignition sources and areas usually occupied by people.
- (i) be fitted with a vent outlet with a flame screen of non-corrosive material fitted.

**35. Additional requirements for passenger vessels**

- (1) Every passenger vessel shall, in addition to the requirements contemplated in Part 2 of these Regulations, comply with the following the requirements:
  - (a) Two outboard engines, complying with item 23(3), or an inboard diesel engine shall be fitted.
  - (b) Petrol outboard engines shall be provided with either approved portable petrol tanks or inboard tanks compliant with the appropriate ISO standards; and
    - (i) Portable petrol tanks containing a maximum combined total of 50 litres per engine, up to a maximum of 200 litres in total: provided the total amount of petrol carried for propulsion in the vessel shall not exceed 200 litres; or
    - (ii) Inboard tanks for both petrol outboard and inboard engines shall be built and fitted to the appropriate ISO standards containing a combined maximum of 400 litres of petrol in total at any time, provided the total amount of petrol carried in the vessel shall not exceed 400 litres,
    - (iii) The amount of fuel in item (i) and (ii) excludes the amount of petrol carried for a portable generator.
  - (c) Inboard engine and fixed generator compartments shall be protected by—
    - (i) smoke and heat sensors linked to an alarm generating device located at the conning position; and
    - (ii) a manual fire smothering system capable of remote operation.

- (d) The bulkheads and deckhead of the engine compartments in vessels not constructed of steel or aluminium, shall be lined with non-combustible insulation materials that is equivalent to A-60 fire rating, to ensure that flame spread does not occur.
  - (e) A bilge alarm shall be fitted in every compartment having a hull fitting open to the sea; and
  - (f)
    - (i) Seating arrangements shall be adequate for the number of persons authorised to be carried, as determined by the vessel's local safety certificate;
    - (ii) The seats and the seating arrangements shall be constructed to minimise the possibility of injury and avoid obstructions to occupants in the event of an emergency.
    - (iii) Seats identified in the determination of the maximum number of passengers permitted shall be secured by effective permanent or temporary means, as approved by the Authority.
- (2) Every passenger vessel shall have 100% liferaft capacity, except for a vessel operating in sheltered waters and no more than 3 nautical miles from starting point and in daylight hours only.
- (3) Every passenger vessel certified to carry a maximum of 20 persons shall comply with the stability criteria as determined by the Authority and with following requirements in addition to the requirements contemplated in item (1):
- (a) with the vessel in the worst anticipated intact condition and, as far as is practicable, with 75 per cent of the passengers congregated on one side of the vessel and 25 per cent on the other side, the angle of heel may not exceed seven degrees and may not result in deck-edge immersion of the vessel;
  - (b) with the vessel in the worst anticipated intact condition and, as far as is practicable, with all of the passengers congregated on one side, neither may a capsizing moment be introduced nor may the resultant angle of heel result in a down-flooding point being reached; and
  - (c) with the vessel in its fully loaded condition including passengers, crew and fuel, the freeboard at the lowest point may not be less than 381 millimetres for vessels not exceeding 6,1 metres in length and 762 millimetres for vessels of 18,3 metres in length; for vessels of intermediate length, the freeboard is to be obtained by linear interpolation.
- (4) Compliance with the requirements as contemplated in subitem (3) may be demonstrated theoretically or practically.

- (5) Every passenger vessel certified to carry more than 20 persons must comply with the stability criteria applicable to ships classified as class VI passenger ships in terms of the Safety of Navigation Regulations.
- (6) Every passenger vessel certified to carry more than 30 persons on inland waters shall comply with the stability criteria applicable to ships classified as class VI passenger ships in terms of the Safety of Navigation Regulations or the certificate of fitness, as the case may be, issued in respect of the vessel.
- (7) It is prohibited for any person to operate a passenger vessel more than 5 nautical miles from shore and 15 nautical miles from the point of departure.

### **36. Additional requirements for diveboats**

- (1) Every dive boat must comply with the following requirements in addition to the requirements contemplated in Part II of these Regulations:
  - (a) on vessels operating through the surf, adequate seating arrangements with grab points must be provided for all divers on board; such arrangements must not be located on the gunwale unless the gunwale is formed by the outside buoyancy tube of an inflatable or semi-rigid inflatable vessel;
  - (b) adequately secured racks capable of accommodating all air tanks on board must be provided; and
  - (c) the propellers of every dive boat with outboard or inboard motors shall be fitted with propeller guards on all sides on which a person is likely to be exposed, to protect persons in the water.

### **37. Additional Requirements for Off Port Limit Supply Launches (OPL's)**

- (1) Every vessel must be constructed of suitable materials of good quality to a standard determined by the Authority, with due regard to sound design practice and methods of construction and under normal operating conditions the design must provide a sufficient reserve of positive stability so that the vessel cannot capsize easily when carrying a load.
- (2) The design and construction of a vessel shall, in addition, comply with passenger vessel stability criteria determined by the Authority.
- (3) The owner of a vessel shall ensure that the vessel is operated by or under the constant guidance of a Skipper who holds a valid certificate of competence issued by the Authority.

- (4) The owner shall, in addition to meeting the requirements of sub-regulation (a), ensure that the vessel is otherwise sufficiently and efficiently manned as determined by the Authority.
- (5) The design and construction shall comply with requirements determined by the Authority, including the following:
  - (a) Radio requirements;
  - (b) Cabin requirements;
  - (c) Passenger transfer platform and walkways requirements;
  - (d) Cargo Area requirements;
  - (e) Conning position or positions;
  - (f) Stability requirements; and
  - (g) Transportation of Harmful substances.
- (6) The Safety Management System shall comply with requirements determined by the Authority, including the following:
  - (a) Type of operations;
  - (b) Standard Operating Procedures (SOP's);
  - (c) Risk assessments;
  - (d) Safe weather limits;
  - (e) Stop Work Policy;
  - (f) Logbooks;
  - (g) Transportation of Harmful substances;
  - (h) Training requirements; and
  - (i) Course - Rigging / OPL operations (COSWOP) requirements.

### **38. Additional Requirements for Pontoon Vessels**

- (1) Every pontoon vessel shall comply with requirements as determined by the Authority.

### **39. Portable generators and portable power sources**

- (1) A vessel may only carry one portable generator.
- (2) Any portable generator or power source provided on board powered by a petrol engine stored on the weather deck shall be properly secured to prevent movement, provided the generator is secured in a manner that it can easily be jettisoned.
- (3) The portable generator or power source shall be provided with a drip tray.

- (4) A compartment in which the portable generator or power source is fitted shall comply with engine compartment requirements.
- (5) The portable generator or power source shall be installed in a location that complies with the manufacturer's guidelines and local regulations.
- (6) A protective enclosure for the portable generator or power source shall be adequately ventilated and drained, and exhaust system should be directed away from the boat's occupied areas.
- (7) Fuel for the generator shall be stored in fuel containers and spare fuel shall be stored in a safe, well-ventilated area away from the portable generator or power source and any sources of heat or direct sunlight or sparks and in accordance with the manufacturer's instructions.
- (8) One approved portable fuel container may be provided for refilling the portable generator or power source and shall be of 27 litres or less in capacity complying with the requirements of the applicable SAN Standard.
- (9) The fuel type for a portable generator or any power source shall comply with the manufacturer's instructions.

#### **40. REQUIREMENTS FOR UNDERWATER HULL INSPECTION**

- (1) The following technical considerations shall be included as a minimum, before approval for an in-water survey can be granted:
  - (a) For inland water vessels, large vessels powered by outboard motors and which have no hull penetrations, a diver's report will be accepted after due consideration by the Authority where there are no facilities for slipping;
  - (b) The report must include photographs of the underwater sections of the vessels;
  - (c) This is to be undertaken every two years; and
  - (d) Means of inspecting the internal condition of the pontoons or hull must be provided.
- (2) Where applicable -
  - (a) (i) Hull Coating and other Hull Protection Systems - The hull coating system and other hull protection systems including sacrificial anodes and cathodic protection systems, shall be

sufficient to perform the functions of corrosion protection and anti-fouling over the anticipated in-water period.

- (ii) The percentage and location of bio-fouling (growth) shall be recorded.
- (b) (i) Shafting, Stern Tube and Bearing clearances - Clearance, wear down measurements are not normally required to be taken in-water: provided that records of stern tube lube oil analysis and consumption are maintained and made available for evaluation at the time of survey and further provided that this only applies to systems that require stern lube oil or grease.
- (ii) If satisfactory records are not available or visual or both available and visual inspection indicates an apparent defect, the surveyor may require clearance or wear down records to be taken or the vessel to be dry docked.
- (c) Bow Thrusters, Stern Thrusters and Podded Propulsion Units - Oil analysis of lubricating oil must be taken to confirm the satisfactory condition of seals.
- (d) (i) Rudders - Rudder and rudder bearing clearances are not normally required to be measured in-water.
- (ii) If visual inspection indicates an apparent defect, the surveyor may require clearance measurements to be taken or the vessel to be dry docked.
- (e) (i) Sea Chests - Satisfactory inspection of sea chests must be able to be carried out to confirm the condition of external sides of through-hull connections.
- (ii) The provision of hinged gratings or grating sections may be considered to facilitate this.
- (f) (i) Sea Valves - Sea valves that are found to require replacement at the in-water survey must be able to be replaced without delay.
- (ii) An external inspection of sea valves in the engine room and other compartments must be carried out as the in-water survey.
- (g) (i) In all cases, the design life of components, manufacturers recommended maintenance, company's implemented ship's maintenance system and classification society requirements should not be in conflict with the in-water survey.

- (ii) In the event of such conflict being identified then it must be required that the vessel be dry docked.
  
- (3) The following conditions are required to be complied with for the conduct of In-water surveys:
  - (a) The in-water survey must be carried out by a person holding qualifications accepted by the Authority;
  - (b) All safety considerations for the conduct of the in-water survey shall be the responsibility of the vessel and the person conducting the inspection; and
  - (c) The report shall contain details of the conditions under which the in-water survey was conducted.
  
- (4) The Authority may cause the in-water survey to be witnessed by a surveyor.
  
- (5) The diver conducting the in-water inspection shall be equipped with video recording equipment relaying visual recording of the in-water inspection to the surveyor and recording the in-water inspection.
  
- (6) The attending surveyor must be satisfied that the hull marking and mapping, pictorial presentation and water visibility are satisfactory to facilitate an efficient survey.
  
- (7) In the event that the in-water survey reveals fouling of the hull bottom to a point where reliable inspection cannot be carried out in-water then either the bottom shall be cleaned in-water or the vessel shall be required to be dry-docked so that the hull can be cleaned and requisite bottom survey carried out.
  
- (8) Requisite permissions shall be obtained prior to bottom cleaning in-water being carried out.
  
- (9) In the event that the in-water survey reveals damage, deterioration or any other conditions that require early attention or can only be assessed reliably out of water, the surveyor may require that the vessel be dry docked in order that a fuller survey be undertaken and the necessary work carried out.
  
- (10) If the condition of the hull and appendages is such that corrosion damage may result affecting the hull integrity and strength before the next planned

bottom survey in dry dock then the surveyor may require that the vessel be docked in order that the necessary repair or maintenance work be carried out.

- (11) If the fouling of the sea chests is such that cooling water flow to the ship will be affected which may result in mechanical damage to the ships machinery, the surveyor must require that cleaning of the sea chests be carried out in-water and port rules, etc. for cleaning to be observed, or require that the vessel be docked in order that the necessary repair or maintenance work be carried out.
- (12) Reports of the results of in-water surveys must be forwarded to the Authority as soon as possible after the conduct of the in-water survey. In cases where the PSSC is issued by the Authority, the results of the in-water survey must be provided to the Authority prior to completion of the PSSC survey.



**Annexure 2**  
**Safety appliances and equipment**  
*(Regulation 15)*

**1 Provision of safety appliances and equipment**

- (1) Subject to subitem (2), the following items of safety appliances and equipment are prescribed, as a minimum, for each of the specified categories of vessel, to be available on board in good working condition:

Safety item No.	Description of safety appliances and equipment	Category of vessel					Additional remarks
		A	B	C	D	E&R	
1	Approved lifejacket*	X	X	X	X	—	One lifejacket of appropriate size to be provided for each person on board. * Lifejackets carried on all category A vessels as well as passenger vessels operating at night to be fitted with a light and all lifejackets to be tested to the compulsory performance standard and comply with quality standard specification SABS 146/1979, or the equivalent CE or ISO standard.

2	Approved buoyancy aid*	X†	X†	X†	X†	X‡	<p>† One buoyancy aid of appropriate size to be provided—</p> <p>(a) for the skipper and each member of the crew of a commercial vessel, where required in terms of regulation 15(2)</p> <p>(b) in lieu of an approved lifejacket on category D vessels.</p> <p>‡ One buoyancy aid of appropriate size to be provided for each person on board.</p> <p>* Buoyancy aid to be tested to the compulsory performance standard and comply with quality standard specification SABS 1417/1987, or the equivalent CE or ISO standard.</p>
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Safety item No.	Description of safety appliances and equipment	Category of vessel					Additional remarks
		A	B	C	D	E&R	
3	Lifebuoy	X	X	X	X	—	Required only for non-planing vessels.
4	Dan buoy	X	X	X	X	—	Required only for trawling vessels and for sailing vessels of 9 m or more in overall length.
5	Unexpired approved projectile flare set	—	—	—	—	X	Minimum of 6 flares. Not required for category R vessels.
6	Unexpired approved hand-held red distress flares	X4	X4	X2	X2	—	
7	Unexpired approved red rocket parachute flares	X4	X4	X2	X2	—	
8	Unexpired approved floating orange smoke marker	X	X	X	X	—	
9	Unexpired approved hand-held smoke marker	—	—	—	—	X	Not required for category R vessels.
10	Waterproof torch including full set of spare batteries and a spare bulb	X	X	X	X	X	Spare bulb and batteries to be kept in a watertight container. Required only for vessels operating at night.
11	Hand-held	X	X	X	X	X	Required only for

	spotlight with own 12 V battery						dive boats operating at night.
12	Sound signalling device (other than a lifejacket whistle)	X	X	X	X	—	Fundamental frequency range 250 Hz – 700 Hz. Range of audibility not less than 1 km over water in still conditions. Required only for vessels operating to the west of Port Alfred.
13	Ships bell or sound signalling device capable of making the signal "R"	X	X	X	X	X	Not required for category R vessels. Required only for vessels of 20 m or more in overall length.
14	Code Flags "N" and "C"	X	—	—	—	—	
15	Code Flag "A" (rigid)	X	X	X	X	X	Required only for dive boats.
16	2 Black balls or shapes of at least 400 mm in diameter	X	X	X	X	X	Not required for category R vessels or for vessels of less than 12 m in overall length.
17	Radar reflector of at least 400 mm in diameter or patent type of equivalent echoing capability	X	X	X	X	—	Required for all vessel indicated Categories, and shall be permanently fitted on power-driven vessels of 9 m or more in overall length operating to the west of Port Alfred.

Safety item No.	Description of safety appliances and equipment	Category of vessel					Additional remarks
		A	B	C	D	E&R	
18	Depth-sounding device or hand lead line	X	X	X	X	X	Required only for dive boats.
19	Suitable steering magnetic compass	X	X	X	X	—	
20	Suitable navigation charts for the voyage or area of operation	X	X	—	—	—	Up-to-date charts, corrected in accordance with the South African Notices to Mariners, or renewed every six years.
21	Suitable fire extinguisher	X	X	X	X	X	One per engine and, in decked vessels of 9 m or more in overall length, one in each of the following compartments where formed by complete transverse bulkheads: sleeping accommodation, galley and wheelhouse.

Safety item No.	Description of safety appliances and equipment	Category of vessel					Additional remarks
		A	B	C	D	E&R	
22	Power-driven or hand-operated fire-pump with hose.	—	—	—	X	X	Required only for passenger vessels of 9 m or more in overall length. The hose must be capable of reaching all parts of the vessel and of delivering a jet of water of at least 3 m in length, through an adjustable jet or spray nozzle of no less than 5 mm in diameter.
23	2 oars or paddles	—	—	—	X	X	Required only for power-driven vessels fitted with a single outboard petrol engine.
24	Grab-line fitted to outside of gunwale	X	X	X	X	X	Required only for dive boats. Not required for vessels equipped with a boarding ladder extending into the water.
25	Capsize rope for use when vessel is inverted in water	X	X	X	X	X	Required only for inflatable vessels and for ski-boats of less than 9 m in overall length.
26	Full set of sails, including suitable storm sails where appropriate	X	X	X	X	X	Required only on sailing vessels.

27	Suitable means of cutting standing rigging	X	X	X	X	—	Required only for sailing vessels.
28	Suitable sea anchor fitted with hawser and tripping line (rigged and ready for use)	X	X	X	X	X	Required only for surf-launched vessels of less than 9 m in overall length.
29	Proper patent anchor and chain with suitable length of rope of suitable strength for the area of operation	X	X	X	X	X	<i>Length of chain</i> Vessels of 6 m or more in overall length—at least 5 m. Vessels less than 6 m in overall length—at least 3 m. <i>Length of rope</i> At least 50 m for category E vessels, and at least 100 m for vessels of the other categories.
30	Watertight capsize bottle attached to vessel with rope readily accessible in event of vessel capsizing	X	X	X	X	X	To contain flares and other survival and emergency equipment. Not required for category R vessels.
31	Space blankets	X2	X2	X2	X2	—	
32	1 ℓ drinking water per person	X	X	X	X	—	

Safety item No.	Description of safety appliances and equipment	Category of vessel					Additional remarks
		A	B	C	D	E&R	
33	First-aid kit	X	X	X	X*	X*	Suitable for the vessel's size, complement and intended operation, to the satisfaction of the surveyor or safety officer. First-aid kit to include elementary first-aid manual, such as the publication entitled <i>First on the Scene</i> , published by St Johns Ambulance. * Only power-driven vessels exceeding 15 HP.
34	Suitable air bellows	X	X	X	X	X	Required only on inflatable vessels.
35	Approved self-inflating liferaft capable of carrying all persons on board and stowed on deck or in a readily accessible position	X	X*	X*	X*	X*	* Not required on vessels, other than passenger vessels, provided the vessel complies with the built-in buoyancy in accordance with Annexure 1, item 1. Not required for passenger vessels operating solely within the confines of the breakwaters of a port. Not required for category R vessels.



36	Spares	X	X	X	X	X	Adequate for the purpose of carrying out emergency repairs to machinery and essential equipment on board.
37	Tools	X	X	X	X	X	Adequate for the purpose of carrying out emergency repairs to machinery and essential equipment on board.
38	2 m x 2 m canvas, as provided for in regulation 17	X	X	X	X	—	Only applies to vessels which are not painted in visible colours.
39	Kill Switch	X	X	X	X		Two Kill Switches and as required in regulation 15(4) and (5)

(2) For –

(a) category E and R power-driven vessels not exceeding 15 horsepower and category D, E and R sailing dinghies and non power-driven vessels of less than seven meters in overall length; and

(b) vessels referred to in regulation 47(3),

the following items of safety appliances and equipment are prescribed, as a minimum, for each of the specified categories of vessel, to be available on board in good working condition:

Safety item No.	Description of safety appliances and equipment	Category of vessel					Additional remarks
		A	B	C	D	E & R	
1	Approved buoyancy aid*	—	—	—	X	X	One buoyancy aid of appropriate size to be provided for each person on board. * Buoyancy aid to be tested to the compulsory performance standard and comply with quality standard specification SABS 1417/1987, or the equivalent CE or ISO standard.
2	750 ml drinking water	—	—	—	X	X <sub>(1)</sub>	Only required for vessels operating at sea. Not required for sailboards.
3	Unexpired approved projectile flare set	—	—	—	X	X <sub>(1)</sub>	Minimum of 6 flares. Not required for category R vessels, which should carry any alternative means of communication.

4	Suitable tow line	—	—	—	X	X <sub>(1)</sub>	Not less than 10 m in length. Not required for sailboards.
5	Bailing device	—	—	—	X	X	Only on vessels that are not self draining.
6	Capsize or righting line	—	—	—	X	X	Only for multi-hulls.

Note: (1) Tender vessels not required to comply

## 2 Maintenance requirements

- (1) Self-inflating liferafts, when carried on commercial vessels, must be serviced annually by an approved liferaft servicing agent and, when carried on pleasure vessels, must be serviced in accordance with the manufacturer's instructions.
- (2) Fire extinguishers must be serviced annually by an approved fire appliance servicing agent or, in the case of inland areas, by a SABS accredited service station.
- (3) Each emergency position-indicating radio beacon must be examined at least once a month to check—
  - (a) its capability to operate properly, particularly its ability to float free (where required) in the event of the vessel sinking;
  - (b) how secure it is in its mounting; and for signs of damage.

## 3 Marking of equipment, appliances and trailers

- (1) All lifejackets, lifebuoys, Dan buoys, flares, and liferafts belonging to a vessel, other than a vessel contemplated in regulation 47(3), shall be permanently marked with the vessel's name or approved marking.
- (2) Where any vessel is launched from a trailer, other than a dolly used at a private launching site, the trailer bearing the vessel must be marked in a conspicuous position with the vessel's name or approved marking, where applicable, and with the owner's contact details and an alternative contact number of a person not on board the vessel.

## 4 Emergency position-indicating radio beacon to be registered

Emergency position-indicating radio beacons of the kind required by these regulations shall be registered with the South African Search and Rescue Organisation, in accordance with the *Merchant Shipping (EPIRB Registration) Regulations 2002*.

## Annexure 2 - Radio Requirements

5 Radio requirements shall be as follows:

Safety Item No.	Description of safety appliances and equipment	Cat. A (unlimited)	Cat. B (<40NM)	Cat. C (<15NM)	Cat. D (<5NM)	Cat. E (<1NM/15NM) & Cat. R	Additional remarks
17	Fixed VHF DSC radiotelephone installation*	X	X	X	X**	X - ***	<p>All vessels except Category R (inland waters) shall be fitted with a VHF DSC radiotelephone installation capable of</p> <p>(i) Transmitting and receiving :                      (a) DSC on the frequency 156.525 MHz (CH 70);                      (b) Radiotelephony on the frequencies 156.300; MHz (CH 06), 156.650 MHz (CH 13) and 156.800 MHz (CH 16);</p> <p>(ii) Capable of maintaining a DSC watch on CH 70.</p> <p>(iii) Position-updating automatically from an internal or external GPS</p> <p>* All radio equipment must -</p>

						<p>(i)comply with the performance standards as specified by the Authority in a Marine Notice;</p> <p>(ii)be type-approved by ICASA,</p> <p>(iii)be licenced (ICASA Ship Station Licence) and</p> <p>(iv)be programmed with a Maritime Mobile Service Identity (MMSI) number issued by the Independent Communications Authority of South Africa (ICASA).</p> <p>** In the case of Category D vessels where no console is fitted this requirement may be met by carrying a waterproof portable two-way VHF DSC radiotelephone apparatus with 2 x rechargeable batteries.</p> <p>*** Category R inland waters passenger vessels are to make alternative</p>
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							<p>distress communications arrangements.</p> <p>All other passenger vessels, regardless of the area of operation, must carry a fixed VHF DSC radiotelephone installation.</p>
18(a)	<b>Fixed MF/HF DSC radiotelephone installation *</b>	X**	–	–	–	–	<p>All Category A vessels except pleasure sailing vessels shall be fitted with a MF/HF DSC radiotelephone installation capable of –</p> <p>(i) Transmitting and receiving, for distress and safety purposes, on all distress and safety frequencies in the bands 1605 kHz and 4000 KHz and between 4000 kHz and 27500 kHz using –</p> <p>(a) DSC;</p> <p>(b) Radiotelephony;</p> <p>(ii) Equipment capable of maintaining a DSC watch on the frequencies 2187.5 kHz, 8414.5 kHz and at least one of the distress and safety frequencies</p>
18(b)	<b>NAVTEX*</b>	X	–	–	–	–	
18(c)	<b>Automatic Identification System (AIS)*</b>	X	X	–	–	–	

							<p>4207.5 kHz, 6312 kHz, 12577 kHz or 16804 kHz.</p> <p>(iii) Position-updating automatically from an internal or external GPS</p> <p>All Category A vessels shall be fitted with a receiver capable of receiving international NAVTEX broadcast.</p> <p>All Category A and Category B vessels and all passenger vessels (except Category R passenger vessels) shall be fitted with an AIS.</p> <p>* All radio equipment must</p> <p>(i) comply with the performance standards as specified by the Authority in a Marine Notice;</p> <p>(ii) be type-approved by ICASA,</p> <p>(iii) be licenced (ICASA Ship Station Licence) and</p>
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							(iv) be programmed with a Maritime Mobile Service Identity (MMSI) number issued by the Independent Communications Authority of South Africa (ICASA). (If applicable)  ** Sailing pleasure vessels are to make alternative long range communications arrangements i.e. satellite phone, etc
19(a)	<b>406 MHz Emergency Position Indicating Radio Beacon (EPIRB) *</b>	X	X	–	–	–	All Category A and Category B vessels are to carry an EPIRB. Every EPIRB must be - (a) Installed in an easily accessible position; (b) Ready to be manually released and capable of being carried into a survival craft; (c) Capable of floating free if the
19(b)	<b>Search and Rescue locating device*</b>	X	X	–	–	– ***	
19(c)	<b>Portable two-way VHF radiotelepho</b>	X	X	–	–	–	

	<p>ne apparatus*</p>					<p>vessel sinks **;</p> <p>(d) Capable of being activated manually; and</p> <p>(e) Automatically activated when afloat.</p> <p>All Category A and Category B vessels are to carry a SART or AIS-SART</p> <p>All Category A vessels and Category B vessels and all passenger vessels (except Category R) must carry a portable two-way VHF radiotelephone apparatus.</p> <p>* All radio equipment must -</p> <p>(i) comply with the performance standards as specified by the Authority in a Marine Notice;</p> <p>(ii) be type-approved by ICASA,</p> <p>(iii) be licenced (ICASA Ship Station Licence) and</p>
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							<p>(iv)be programmed with a Maritime Mobile Service Identity (MMSI) number issued by the Independent Communications Authority of South Africa (ICASA). (If applicable)</p> <ol style="list-style-type: none"> <li>1. All vessels are to be fitted with a GMDSS Distress Guidance Chart at each radio telephone installation.</li> <li>2. Persons operating marine radio equipment need to be in possession of the relevant marine radio operator's certificate (SRC/LRC) issued by ICASA/SAMS A.</li> </ol>
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### ANNEXURE 3

The safe manning requirements for the considered types of vessels have been determined through a risk assessment in Annex D below. The manning requirements outlined tables in Annex A to E meet the requirements of Regulation 26 of Part III of these Regulations

#### Annex A – Commercial Fishing Vessels U/25 GT

Item	Area of Operation	Duration of Operation	Grade of Certificates <sup>(4)</sup>
1	NEAR COASTAL CATEGORY C-E  Less than 15nm offshore	≥ 36 hours (day & night)	Skipper - Day Skipper Cat C < 9m <sup>(1)</sup> or - Day Skipper Cat C Commercial ≥ 9m <sup>(1)</sup> Watchkeeper- Day Skipper Cat C < 9m or <sup>(1)</sup> Engineer - <750kW – Not Required <sup>(5)</sup> - ≥750kW Shore based maintenance contract required or STCW III/3 Crew - 1 x Basic Training <sup>(6)</sup> + Result of matrix <sup>(7)</sup>
2	COASTAL CATEGORY B  Less than 40nm offshore	≥ 36 hours (day & night)	Skipper - Coastal Skipper Commercial ≥ 9m Watchkeeper- Coastal Skipper < 9m or - Day Skipper Cat C < 9m <sup>(1)</sup> Engineer - <750kW – Not Required <sup>(5)</sup> - ≥750kW Shore based maintenance contract required or STCW III/3 Crew - 1 x Basic Training + Result of matrix <sup>(6)</sup>
3	LIMITED WATERS CATEGORY A  Less than 200nm offshore	≥ 36 hours (day & night)	Skipper - Skipper Offshore < 9m - Skipper Offshore Commercial ≥ 9m Watchkeeper- Coastal Skipper < 9m Engineer - <750kW - Not Required <sup>(5)</sup> - ≥750kW Shore based maintenance contract required or STCW III/3 Crew - 1 x Basic Training + Result of matrix <sup>(6)</sup>
4	UNLIMITED WATERS CATEGORY A  Any distance from shore	≥ 36 hours (day & night)	Skipper - Skipper Offshore < 9m - Skipper Offshore Commercial ≥ 9m Watchkeeper - Coastal Skipper < 9m Engineer - <750kW - Not Required <sup>(5)</sup> - ≥750kW - STCW III/3 Crew - 1 x Basic Training <sup>(6)</sup> + Result of matrix <sup>(7)</sup>
<b>Certificate Endorsements</b>			
Endorsements for Sailing Vessel, Diving or Surf launch operation(s)		Skipper Certificate of Competency to be appropriately endorsed as per National Certification Regime.	
<b>Notes</b>			
<ol style="list-style-type: none"> <li>1. Day Skipper Category C with a Night Operation Endorsement for commercial fishermen</li> <li>2. “Limited Waters” means waters under South African jurisdiction (SA EEZ) and adjoining waters under the jurisdiction of another administration with which a near coastal voyage limit agreement has been entered into.</li> <li>3. “Unlimited Voyage” means a voyage other than one contemplated in the definition of coastal or near-coastal voyage.</li> </ol>			

4. The skipper, mate, engineer, and crew are required to maintain all elements of their applicable training certification and basic training certification (STCW if require\*d) in date when operating; viz,
  - a. Medical fitness\*
  - b. First aid training\*
  - c. Personal safety training\*
  - d. Firefighting training\*
  - e. Radio Telephone Operator training
5. SAMSA Small Vessel Code includes appropriate “power plant modules” (module 1 to 3). only required on vessels fitted with an inboard engine.
6. If an STCW III/3 engineer is required, then one crew member can be substituted by the engineer as determined by the matrix.
7. Number of crew as identified in the Risk Assessment in Annex D

### Annex B – Passenger Vessels U/25 GT

Item	Area of Operation / Voyage		Duration of Operation	Grade of Certificates <sup>(4)</sup>	
1	SHELTERED WATERS CATEGORY R	Inland waters only (non-tidal)	< 14 hours (daylight)	Skipper - Crew -	Skipper Inland Waters <sup>(1)(2)</sup> 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			≥ 14 hours (day & night)	Skipper - Watchkeeper - Crew -	Skipper Inland Waters <sup>(1)(2)</sup> Skipper Inland Waters <sup>(2)</sup> 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
		Sheltered waters (tidal) on vessel less than 25 GT	< 14 hours (daylight)	Skipper - Crew -	Skipper Inland Waters <sup>(1)(2)</sup> 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			≥ 14 hours (day & night)	Skipper - Watchkeeper - Crew -	Skipper Inland Waters <sup>(1)(2)</sup> Skipper Inland Waters <sup>(2)</sup> 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
2	NEAR COASTAL CATEGORY E-D	Less than 1nm offshore and 15 nm from point of departure	< 14 hours (daylight)	Skipper - Engineer - - Crew -	Day Skipper Category E <9m or ≥ 9m <sup>(1)(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			≥ 14 hours (day & night)	Skipper - Watchkeeper - Engineer - - Crew -	Coastal Skipper <9m or ≥ 9m <sup>(1)(2)</sup> Coastal Skipper <9m <sup>(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			< 14 hours (daylight)	Skipper - Engineer - - Crew -	Day Skipper Category C <9m or ≥ 9m <sup>(1)(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			≥ 14 hours (day & night)	Skipper - Watchkeeper - Engineer - - Crew -	Coastal Skipper <9m or ≥ 9m <sup>(1)(2)</sup> Coastal Skipper <9m <sup>(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training+ Result of matrix <sup>(2)(7)</sup>
		Less than 5nm from shore and 15 nm from point of departure	< 14 hours (daylight)	Skipper - Engineer - - Crew -	Day Skipper Category C <9m or ≥ 9m <sup>(1)(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			≥ 14 hours (day & night)	Skipper - Watchkeeper - Engineer - - Crew -	Coastal Skipper <9m or ≥ 9m <sup>(1)(2)</sup> Coastal Skipper <9m <sup>(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training+ Result of matrix <sup>(2)(7)</sup>
			< 14 hours (daylight)	Skipper - Engineer - - Crew -	Day Skipper Category C <9m or ≥ 9m <sup>(1)(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training + Result of matrix <sup>(2)(7)</sup>
			≥ 14 hours (day & night)	Skipper - Watchkeeper - Engineer - - Crew -	Coastal Skipper <9m or ≥ 9m <sup>(1)(2)</sup> Coastal Skipper <9m <sup>(2)</sup> <750kW – <b>Not Required</b> <sup>(5)</sup> ≥750kW Shore based maintenance contract required <b>OR</b> STCW III/3 1 x Basic Training+ Result of matrix <sup>(2)(7)</sup>
<b>Certificate Endorsements</b>					

Endorsements for Sailing Vessel, Diving or Surf launch operation(s)	Skipper Certificate of Competency to be appropriately endorsed as per National Certification Regime.
<p><b>Notes</b></p> <ol style="list-style-type: none"> <li>1. Skipper to have Passenger Endorsement Restricted or Unrestricted</li> <li>2. Small Vessel Crowd Management Certificate or Crew holding a STCW Code A-V/2-1 are deemed to have met the requirements of small vessel crowd management for Inland or Seagoing passenger vessels.</li> <li>3. The Skipper, Watchkeeper and Crew* are required to maintain all elements of their applicable training certification and basic training certification in date when operating; viz, <ol style="list-style-type: none"> <li>a. Medical fitness*</li> <li>b. First aid training* **</li> <li>c. Firefighting training* **</li> <li>d. Personal safety training*</li> <li>e. Radio Telephone Operator training</li> </ol> <p>**Or any equivalent Department of Labour training</p> </li> <li>4. SAMSA Small Vessel Code includes appropriate "power plant modules" (module 1 to 3) only required on vessels fitted with an inboard engine.</li> <li>5. If an STCW III/3 engineer is required, then one crew member can be substituted by the engineer as determined by the matrix.</li> <li>6. Catering staff or event staff will not be classified as crew unless they hold the relevant requirements in the table above. However, the Local General Safety Certificate will include the total number of approved crew and catering or event staff as part of the allowable complement limited by stability.</li> </ol> <p>Number of crew as identified in the Risk Assessment in Annex D</p>	

### Annex C – Off Port Limits (OPL) Vessels U/25 GT

Item	Area of Operation		Duration of Operation	Grade of Certificates <sup>(4)</sup>	
1	NEAR COASTAL CATEGORY C	Less than 15nm offshore	< 14 hours (daylight)	Skipper - - Engineer - - Crew -	Day Skipper Cat C < 9m or Day Skipper Cat C Commercial ≥ 9m <750kW – Not Required <sup>(5)</sup> ≥750kW Shore based maintenance contract required or STCW III/3 1 x Basic + Result of matrix <sup>(6)</sup>
			≥ 14 hours (day & night)	Skipper - - Watchkeeper- Engineer - - Crew -	Day Skipper Cat C < 9m <sup>(1)</sup> or Day Skipper Cat C Commercial ≥ 9m <sup>(1)</sup> Day Skipper Cat C < 9m or <sup>(1)</sup> <750kW – Not Required <sup>(5)</sup> ≥750kW Shore based maintenance contract required or STCW III/3 1 x Basic + Result of matrix <sup>(6)</sup>
2	COASTAL CATEGORY B	Less than 40nm offshore	< 14 hours (daylight)	Skipper - - Engineer - - Crew -	Day Skipper Cat B < 9m or Day Skipper Cat B Commercial ≥ 9m <750kW – Not Required <sup>(5)</sup> ≥750kW Shore based maintenance contract required or STCW III/3 1 x Basic + Result of matrix <sup>(6)</sup>
			≥ 14 hours (day & night)	Skipper - - Watchkeeper- Engineer - - Crew -	Coastal Skipper Cat B < 9m <sup>(1)</sup> or Coastal Skipper Commercial ≥ 9m Coastal Skipper < 9m or Day Skipper Cat C < 9m <sup>(1)</sup> <750kW – Not Required <sup>(5)</sup> ≥750kW Shore based maintenance contract required or STCW III/3 1 x Basic + Result of matrix <sup>(6)</sup>
<b>Certificate Endorsements</b>					
Endorsements for Sailing Vessel, Diving, Surf launches or OPL operation(s)			Skipper Certificate of Competency to be appropriately endorsed as per National Certification Regime.		
<b>Notes</b>					
<ol style="list-style-type: none"> <li>1. Day Skipper Category C or B with a Endorsement for vessels other than fishing</li> <li>2. Skipper for OPL vessel operations to have OPL operations endorsement.</li> <li>3. “Coastal Waters” means waters under South African jurisdiction and adjoining waters under the jurisdiction of another administration with which a near coastal voyage limit agreement has been entered into.</li> <li>4. The skipper, watchkeeper and crew are required to maintain all elements of their applicable training certification and basic training certification (STCW if required) in date when operating; viz, <ol style="list-style-type: none"> <li>a. Medical fitness *</li> <li>b. First aid training * **</li> <li>c. Personal safety training *</li> <li>d. Firefighting training * **</li> <li>e. Radio Telephone Operator training</li> <li>f. Rigging and sling course</li> <li>g. OPL operations</li> </ol> </li> <li>5. SAMSA Small Vessel Code includes appropriate “power plant modules” (module 1 to 3). only required on vessels fitted with an inboard engine.</li> <li>6. If an STCW III/3 engineer is required, then one crew member can be substituted by the engineer as determined by the matrix.</li> <li>7. Number of crew as identified in the Risk Assessment in Annex D</li> </ol>					

## Annex D – Safe Manning Document Risk Criteria & Matrix

**Table 1 - SAMSA Small Vessel Manning Risk Criteria**

<b>POB / Passenger numbers</b>	<i>Number of passengers to inform, instruct and control.</i>
<b>Survivability standard</b>	<i>Passenger perception of problem; likelihood of need to evacuate in event of emergency such as fire and flooding; time available for evacuation where necessary.</i>
<b>Night operation and maximum duration of voyage</b>	<i>Communication with passengers over distance, visibility, greater scope for confusion; availability of, and response time, from other vessels.</i>
<b>Number of accommodation levels spaces</b>	<i>Are enclosed spaces, or, open spaces including an upper or lower deck enabling passengers to hear/see instructions and reassurance from crew, and instructions from rescue services, ensuring the vessel is cleared.</i>
<b>Operation – Pax + Functions</b> <ul style="list-style-type: none"> <li>- <b>Fishing</b></li> <li>- <b>OPL</b></li> <li>- <b>Charter</b></li> <li>- <b>Commercial</b></li> </ul>	<i>An event at which passengers are not seated in an orderly fashion. Having regard for the ability to attract and keep attention of passengers, effects of noise and <b>alcohol</b>.  Method of fishing operation: Tuna Pole, Crayfish traps, Octopus traps, Handline  Crew change, Stores and spares, Service personnel, Receiving backloads (garbage)  Fishing, Cruising, Whale watching, Shark cage, Snorkelling / Diving  Law enforcement, Rescue vessels, Pollution control, small tugs / workboats</i>
<b>Fixed fire extinguishing system in enclosed engine spaces</b>	<i>Increases time available for evacuation; availability of rescue services; availability of assistance from other vessels.</i>
<b>Area of operation</b>	<b>Area 1</b> – <i>Inland Waters (non-tidal).</i> <b>Area 2</b> – <i>Sheltered Waters (tidal) – other than Inland Waters.</i> <b>Area 3</b> – <i>Sea going – Less than 15 hours from a port in the Republic.</i> <b>Area 4</b> – <i>Sea going – More than 15 hours from a port in the Republic.</i>



**Table 2 - SAMSA Small Fishing / Commercial / Passenger Vessels Manning Matrix**

VARIABLE	WEIGHTING						Score
<b>No of Passengers</b> <small>*Over 301 will increase weighting by ten points for every 50 persons in addition to 24.</small>	1-12 pax	13-30 pax	31-100 pax	101-200 pax	201-300 pax	301-over pax	-
	4	8	12	16	24	*	
<b>Survivability</b> <small>In the event of a collision, this will determine the likelihood of having to evacuate the vessel and the time available for evacuation.</small>	<b>(a) Watertight</b>		<b>(b) Built in buoyancy</b>	<b>(c) Liferaft</b>	<b>(a) Any Combination of (a), (b) &amp; (c)</b>		-
	6		4	4	2		
<b>Day/Night Operation</b>	<b>Day</b>		<b>Night</b>				-18
	6		12				
<b>Operations</b>	<b>Lifting loads</b>		<b>Functions</b>	<b>Overboard</b>	<b>Delivery</b>	<b>Receiving</b>	-30
	5		10	10	5	10	
<b>Accommodation spaces</b>	<b>1) Main deck only</b>		<b>2) 2<sup>nd</sup> Deck</b>	<b>3) 3<sup>rd</sup> Deck</b>			-
	4		6	8			
<b>Construction Material</b> <small>If it is a combination of materials the more hazardous material takes precedence.</small>	<b>1) Steel /Aluminium</b>		<b>2) GRP / Wood</b>				-
	2		6				
<b>Safety Considerations in Comparing Petrol and Diesel Fuels</b>			<b>Outboard</b>	<b>Inboard</b>			-
	<b>Diesel</b>		6	4			
	<b>Petrol</b>		8	12			
<b>Means of Fire Extinguishing</b>	<b>Inboard Engines</b> <b>Manual</b> 6 <b>Automatic</b> 3						-
<b>Duration of voyage</b>	<b>Less than 2 Hrs</b>	<b>2Hrs – 6 Hrs</b>	<b>6 Hrs – 14 Hrs</b>	<b>14 Hrs – 36 Hrs</b>	<b>&gt;36 Hrs</b>		-
	2	4	6	8	12		
<b>Area of operation</b>	<b>Area 1</b>	<b>Area 2</b>	<b>Area 3</b>	<b>Area 4</b>			-
	2	4	8	16			
<b>Total Weighting (Example)</b>							-

**Table 3 – Weighting calculated from Table 2 to determine number of crew required in addition to the Skipper & Watchkeeper.**

Table 3 – Total	Commercial	Fishing	OPL U/25 GT	Charter	Passenger
Less than 31	0	0	1	0	0
31 – 60	0	0	1	0	1
61 – 80	1	1	2	1	2
81 – 100	1	1	2	1	3
101 – 150	1	2	3	2	4
151 and over	2	2	3	2	5

**NB: The minimum crew determined by the matrix in table 3 does not include the Skipper, Watchkeeper (night operations), Engineer or 1 X Basic Training.**