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GENERAL NOTICE

Notice 3206 of 2000

DEPARTMENT OF TRANSPORT

SOUTH AFRICAN MARITIME SAFETY AUTHORITY

DRAFT MERCHANT SHIPPING (SMALL VESSEL SAFETY) REGULATIONS: PUBLICATION FOR COMMENT

The South African Maritime Safety Authority gives notice of its intention to recommend to the National Department of Transport the measures set out in the accompanying draft regulations. Interested persons are invited to submit written comment on the regulations not later than 20 November 2000. Submissions should be marked for the attention of Mr C Briesch and may either be mailed to the South African Maritime Safety Authority PO Box 13186 Hatfield 0028 or faxed to (012) 342 3160. Enquiries can be directed to Captain WR Dernier or Mr C Briesch on (021) 402 8986 and (012) 342 3049, respectively.

The draft regulations revise and consolidate the existing safety requirements for (a) commercially operated small vessels and (b) pleasure (sport and recreation) vessels under 100 tons gross tonnage, set forth in the *Standards of Seaworthiness, Manning and Licencing of Vessels Regulations, 1986*, and the *Regulations Regarding Ships or Small Vessels Used Solely for Sport or Recreation, 1985*. The draft regulations take account of the amendments to the Merchant Shipping Act, 1951 (Act No. 57 of 1951), effected by the Ship Registration Act, 1998 (Act No. 58 of 1998), and should be read in the light of those amendments.

SCHEDULE

DRAFT MERCHANT SHIPPING (SMALL VESSEL SAFETY) REGULATIONS

PART 1

PRELIMINARY

Interpretation

1. (1) to these regulations, any word or expression given a meaning in the Act has the meaning so given and, unless the context indicates otherwise-

"approved" means approved in writing by the Authority;

"Authority" means the South African Maritime Safety Authority established by section 2(1) of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998);

"authorized agency" means a governing body, a club or an organization designated under regulation 26(1);

"BIASA Code" means the appropriate code of practice published by the Boating Industry Association of South Africa, as revised or re-issued from time to time, being either-

- a. SBO1-Custom Contact Moulded Glass Fibre Thermosetting Resin (GRP) outboard powered vessels (skiboats) up to 7 metres in length;
- b. SB02-Custom Contact Moulded Glass Fibre Thermosetting Resin (GRP) outboard powered vessels (pleasure craft) up to 7 metres in length, for use on inland and protected waters; or
- c. SB03-Fully inflatable and rigid inflatable boats (RIBs) up to 7,5 metres in length;

"category", in relation to a vessel, means the particular category of vessel determined GIs follows:

- a. *Category A*-vessels proceeding more than 40 nautical miles offshore;
- b. *Category B*-vessels proceeding not more than 40 nautical miles offshore;
- c. *Category C*-vessels proceeding not more than 15 nautical miles offshore;
- d. *Category D*-vessels proceeding not more than 5 nautical miles offshore;
- e. *Category E*-vessels proceeding not more than 1 nautical mile offshore;

"certificate of competence" means a certificate issued and endorsed in accordance with regulation 13(2) and entitling the lawful holder thereof 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 20;

"certifying authority" means the Authority and, to the extent that it has been designated pursuant to regulation 26(1) to perform the functions of a certifying Authority, an authorized agency;

"commercial harbour" means a harbour belonging to Portnet, a division of Transnet limited;

"commercial small vessel" means a small 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 or regatta organized by an authorized agency, 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 organizer of the event; and
- b. practice for the event under the supervision of a coach or an official certified by a governing body;

"dive boat" means a vessel that is used in diving operations;

"fishing harbour" has the same meaning as in section 1 of the Sea Fishery Act, 1988 (Act No. 12 of 1988);

"governing body" means a national water sport governing body-

- a. that publishes written rules and criteria respecting 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;

"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;

"offshore" means seaward from the low-water line as defined in section 1 of the Maritime Zones Act, 1994 (Act No. 15 of 1994);

"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" includes-

- a. a credit receiver (buyer) in the case of a credit agreement in terms of the Credit Agreements Act, 1980 (Act No. 75 of 1980); and
- b. in relation to a pleasure vessel, any person entrusted by an owner with the care and control of the vessel;

"pleasure vessel" means a vessel of 3 metres or more in overall length that is used solely for sport or recreation;

"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;

"safety officer" means a person designated under regulation 26(4);

"sea-shore" has the same meaning as in section 1 of the Sea-shore Act, 1935 (Act No. 21 of 1935);

"skipper" means the master;

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

"tender" means a dinghy that

- a. is used in a harbour or 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; and
- b. does not exceed 4 metres in overall length:

"the Act" means the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

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

(3) In these regulations a reference to a vessel includes a reference to every thing or article belonging to or to be used in connection with, or necessary for the operation and safety of, the vessel.

Application

2. These regulations apply in respect of pleasure vessels of less than 100 tons gross tonnage and commercial small vessels, but not in respect of tenders.

PART 2

VESSEL SAFETY REQUIREMENTS

Submission and approvals of plans, etc, for first issue of local safety certificate¹

3. (1) (a) Subject to subregulation (5), for the purposes of the first issue of a local safety certificate, the builder or owner of a vessel must submit in duplicate to the Authority the following particulars by means of plans, fully dimensional and including detailed specifications of the vessel, for approval by the Authority:
 - i. Longitudinal elevation showing the position of bulkheads or built-in non-flooding compartments, hatchways, deck houses and crew spaces;
 - ii. midship section showing hull scantlings, deck, bulwarks, frames, doors, stringers and beams;
 - iii. any deck openings, ventilators and air pipes, and tanks;
 - iv. engine-room layout and pumping arrangements;
 - v. steering and propeller shaft arrangements;
 - vi. electrical circuit diagram;
 - vii. lines plan of scale 1:25.
- (b) The specifications must also reflect details of-
 - i. anchors and cables;
 - ii. life-saving and fire-fighting equipment; and
 - iii. navigation lights and sound signals.

- (c) Any subsequent modifications or additions to the scantlings, arrangements or equipment shown on approved plans must be submitted to the Authority for approval.
- (d) The Authority may direct the submission of additional or more detailed plans or particulars, and may dispense with the requirement to submit certain plans or particulars.
- (2) The Authority may, after approving the plans and specifications submitted in respect of a vessel, direct a surveyor to conduct inspections and tests to ensure that the vessel is constructed in accordance with the approved plans and specifications and the other requirements of these regulations.
- (3) The builder or owner of a vessel being built must in writing notify the Authority at least 7 days before-
 - a. commencing framing;
 - b. commencing planking, plating or laminating;
 - c. completing the fitting of all underwater fittings and rudder gear and propeller shafts;
 - d. launching the vessel; and
 - e. undertaking dock or sea trials.
- (4) No person may undertake sea trials without the prior approval of the Authority and, if the Authority thinks fit, the prior inspection of the vessel by a surveyor.
- (5) The Authority may dispense with any of oral] the requirements of subregulations (1), (2), (3) and (4) if the vessel is less than 7 metres in overall length and is constructed in accordance with the construction standards specified in the relevant BTASA Code, at approved premises

Inspection of vessel for renewal of local safety certificate ²

- 4. For the purposes of the renewal of a local safety certificate. a vessel must. subject to section 197 of the Act, be thoroughly inspected by a surveyor or at intervals not exceeding 12 months: Provided that, at the discretion of the Authority
 - a. sea suction and discharge valves, excluding sea connection fastenings, may be inspected at intervals not exceeding 24 months;
 - b. anchor cables may be ranged for inspection at intervals not exceeding 4 years; and
 - c. propellor shafts may be withdrawn at intervals not exceeding 4 years.

Design and construction of vessels

- 5. (1) Every vessel must be constructed of suitable materials of good quality, with due regard to sound design practice and methods of construction; the design must provide sufficient reserve of positive stability so that the vessel cannot capsize easily if swamped. even when carrying a load.
- (2) On decked vessels, no point of possible ingress of water, except scuppers, may be less than 200 millimetres above the surface of the water. measured when the vessel is afloat in an undamaged condition in calm water.
- (3) The design and construction of a vessel must, in addition, comply with the requirements of Annex 1.

Safety appliances and equipment

- 6. (1) The owner and skipper of a vessel must ensure that-
 - a. items of safety appliances and equipment are provided and maintained on board the vessel in accordance with the requirements of Annex 2; and
 - b. the other requirements of that Annex are complied with in relation to the vessel.
- (2) Whenever a vessel proceeds through the surf, the skipper must ensure that a lifejacket or buoyancy aid, as required by, Annex 2. is, worn by each occupant of the vessel.

Safety of navigation

7. (1) The skipper of a vessel must at all times ensure that the vessel is operated in accordance with-

- a. the collision regulations;
- b. the conditions and limitations specified in the local safety 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 operating, in so far as it is not inconsistent with the Act; and
- f. the load-line regulations, if applicable.

(2) No person may 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; and
- g. any other hazards that could adversely affect the safety of persons or property.

(3) Before proceeding to sea, the skipper of a power-driven vessel must ensure that the vessel carries a sufficient quantity of fuel for its intended operation, plus a reserve of 25 per cent of that quantity.

Colouring of vessels

8. The owner and skipper of a vessel must ensure that either-

- a. as large an area as possible of the interior of an undecked vessel or the deck 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, and capable oil, floating in a spread-out position when attached to it-
 - i. a length of canvas or similar suitable material so painted or pigmented of a size capable of extending the full width of the vessel, but not less than 2 metres by 2 metres; or
 - ii. a rectangular object so painted or pigmented of which the side equals the width of the vessel, but not less than 1 metre in width.

Operational limits

9. (1) No person may operate a vessel beyond the maximum distance offshore applicable to the category of vessel concerned and specified in the local safety certificate or certificate of fitness, as the case may be, issued in respect of the vessel.

(2) No person may operate a vessel after sunset unless the skipper of the vessel holds a certificate of competence endorsed for night operation. This provision takes effect in respect of pleasure vessels 12 months after the commencement of these regulations.

Carrying persons in excess

10. (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 a 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 mass the vessel can safely carry;
- e. the safety equipment provided;
- f. the intended operation of the vessel; and
- g. the manner of launching the vessel.

Voyage information

11. (1) Before a vessel proceeds to sea from a port in the Republic, the owner and skipper must ensure that there is left behind, in accordance with subregulation (2), particulars respecting-

- a. the identity of the vessel, that is to say its name (if any), official number, and type or make;
- b. the names of the occupants;
- c. the intended place or places and expected times of departure and arrival; and
- d. the intended course, including directions and distances.

(2) The information required by subregulation (1). must be left with either one or more of the following persons or organizations:

- a. A relative of the owner or skipper, or a friend, remaining at the owner's or skipper's place of abode or at the place of departure;
- b. if the owner or skipper resides in a hotel, boarding house, housing complex, caravan park, camping site or similar place, the person in charge of or other responsible person at such place of residence;
- c. the person (if any) in charge of the place of departure or, in the case of a commercial harbour or a fishing harbour, the person in charge of the departure and arrival of vessels at that harbour;
- d. an authorized agency; or
- e. the nearest police station in the Republic.

(3) It is the duty of the persons and organizations referred to in subregulation (2) to report any knowledge or reasonable suspicion of distress or mishap to the nearest police station in the Republic or to the port captain at the nearest commercial harbour.

(4) Upon return to a port in the Republic the owner and skipper of a vessel must ensure that the person or organization with whom information has been left in compliance with subregulation (2) is notified of the vessel's return.

(5) The owner and skipper of a vessel proceeding 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.

Obligation of skipper to report dangers to navigation and to assist vessels in distress

12. The skipper of a vessel to which these regulations apply must comply with the provisions of section 249 of the Act and section 5 of the Wreck and Salvage Act, 1996 (Act No. 94 of 1996), applicable to the master of a South African ship.

PART 3

CREWING

Competence of skippers

13. (1) The owner and skipper of a vessel must at all times ensure that the vessel is operated in a responsible and careful manner by or under the constant guidance of a person who is physically able and of sound mental health and who, in the case of-

- a. a commercial small vessel; and
- b. a pleasure vessel, being either a sailing vessel of 6 metres or more in overall length or a power-driven vessel,

holds a valid certificate of competence issued by a certifying authority. This provision takes effect in respect of pleasure vessels 12 months after the commencement of these regulations.

(2) (a) Subject to paragraph (b), a person is entitled to a certificate of competence, or a particular endorsement thereto, if he or she has achieved the relative standard of competence determined by the Authority.

(b) The standards of competence in respect of the vessels described in subregulation (1)(b) are to be determined after consultation with the governing bodies representing the pleasure vessel sectors concerned.

(3) 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 in respect of dishonest conduct; or
- b. it believes on reasonable grounds that the holder has conducted himself or herself in a negligent or incompetent manner while serving in the capacity specified in the certificate; or
- c. it believes on reasonable grounds that the certificate was obtained fraudulently or on wrong information.

(4) A person whose certificate of competence has been suspended or cancelled must upon demand surrender the certificate to the certifying authority.

(5) (a) 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.

(b) Upon receiving an appeal, the Minister must 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 must then determine the appeal.

(c) 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 must give effect to the Minister's determination.

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

Physical and mental fitness

14. (1) No person may operate a vessel if he or she is not physically able and of sound mental health.

(2) No person may operate a vessel while under the influence of intoxicating liquor or a drug having a narcotic effect.

(3) No person may operate a vessel while-

- a. the concentration of alcohol in any specimen of blood taken from any part of his or her body is not less than 0,05 gram per 100 millilitres; or
- b. the concentration of alcohol in any specimen of breath exhaled by such person is not less than 0,24 milligrams per 1 000 millilitres.

(4) For the purposes of subregulation (3)(b), the concentration of alcohol 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) No person may refuse that a specimen of blood, or a specimen of breath, be taken of him or her.

(6) Section 65(3), (4) and (6) of the National Road Traffic Act, 1996, apply, with the necessary modifications, 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 modifications, in relation to the detention of any person for an alleged contravention of a provision of subregulation (2) or (3).

Age limitation

15. (1) No person younger than 18 years may serve as skipper of a commercial small vessel.
- (2) No person younger than 16 years may operate a power-driven pleasure vessel having a propulsion power exceeding 5 horse power 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 or a valid exemption certificate;
 - b. in the case of a single-handed vessel, that person does so under the guidance and supervision of an authorized agency or a person referred to in paragraph (a); or
 - c. that person is certified by an authorized agency to be a competent person engaged in training for competitive sport.

PART 4

SPECIAL PROVISIONS FOR UNREGISTERED PLEASURE VESSELS ³

Application of Part 4

16. (1) This Part applies to every unregistered pleasure vessel, not being a vessel propelled solely by means of oars, that is entitled to be registered by virtue of section 16(a) or (b) of the Ship Registration Act, 1998 (Act No. 58 of 1998).
- (2) In subregulation (1), "unregistered" means not registered in a ships' registry maintained in the Republic or elsewhere.

Recording and marking of vessels

17. (1) Neither the owner nor the skipper of a vessel to which this Part applies may cause or allow the vessel to proceed to sea from any port in the Republic, or to operate at or from a port in or from anywhere else on the coast of the Republic, unless-
- a. there is in force in respect of that vessel an approved marking; and
 - b. the vessel has been marked in accordance with subregulation (4) with that marking.
- (2) Application for the approval of a marking must be made in writing to the Authority and be accompanied by particulars respecting-
- a. the name, identity number and address of the owner of the vessel;
 - b. the type and category of vessel, sufficient to identify it;
 - c. any current identification marking issued in respect of the vessel; and
 - d. the further matters that the Authority may specify.
- (3) Subject to subregulation (7), the approval of a marking remains in force for the period of the certificate of fitness issued in respect of the same vessel, and during that period the display on the vessel of any other identification marking is prohibited.
- (4) The owner of a vessel must 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.
- (5) The owner of a vessel must in writing notify the Authority 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 must, without delay, in writing notify the Authority if-

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

(7) The Authority 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)(c), it has ceased to be valid.

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

(9) The Authority must, in the absence of a marking referred to in subregulation (2)(c), assign an approved marking to a vessel, and the provisions of this regulation apply, with the necessary changes, in relation to any marking so assigned.

Vessels not to be used without certificate of fitness

18. Neither the owner nor the skipper of a vessel to which this Part applies may cause or allow the vessel to proceed to sea from any port in the Republic, or to operate at or from a port in or from anywhere else on the coast of the Republic, unless there is on board and in force in respect of that vessel a valid certificate of fitness.

Initial and renewal inspection for certificate of fitness

19. (1) The structure, equipment, appliances, arrangements and material of a vessel referred to in regulation 18 must 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; an initial survey 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 under subregulation (1) must be carried out by a surveyor or safety officer designated for the purpose by a certifying authority; and application for such an inspection must be made by or on behalf of the owner of the vessel to the certifying authority.

Issue of certificate of fitness

20. Upon satisfactory completion of an initial or renewal inspection under regulation 19, 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 (if any); and
 - g. the maximum number of persons permitted to be carried on the vessel, as determined in accordance with regulation 10(2).

Duration of certificate of fitness

21. (1) Subject to subregulation (2) and regulation 22(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 for a maximum period of 6 months in special circumstances.

(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 certifying authority; or
- b. the vessel ceases to be a vessel to which this Part applies.

Cancellation of certificate of fitness

22. (1) A certifying authority may cancel a certificate of fitness if it believes on reasonable grounds that-

- a. the certificate was obtained fraudulently or on wrong information; or
- 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, become insufficient; or
- 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 those 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 certifying authority must notify the owner or skipper of the vessel concerned of the cancellation.

Surrender of expired or cancelled certificate of fitness

23. Upon the expiry of a certificate of fitness and in each of the cases mentioned in regulation 21(2) and 22(1), the owner or skipper of the vessel in respect of which the certificate of fitness was issued must upon demand surrender the certificate to the certifying authority.

Custody and production of certificate of fitness

24. 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 conditions after inspection

25. The owner and skipper of a vessel must ensure that the condition of the vessel and its equipment is maintained so as to conform to the requirements of these regulations.

PART 6

SUPPLEMENTAL

Authorized agencies

26. (1) Subject to subregulation (2), the Authority may, with the concurrence of a governing body or a club or an organization affiliated with a governing body, designate such body, club or organization as an authorized agency, entrusting to it in the instrument of designation the performance of one or more of the following functions:

- a. To determine the maximum number of persons that a vessel may safely carry for the purposes of regulation 10(2);
- b. to record voyage details for the purposes of regulation 11;
- c. to issue and cancel certificates of competence, and to demand the surrender of cancelled certificates, under regulation 13;
- d. (i) to require a person to furnish medical evidence for the purposes of regulation 14(l) and (2);

(ii) to take specimens for the purposes of regulation 14(3);

- e. to certify and to supervise persons under the age of 16 years for the purposes of regulation 15;
- f. to conduct initial and renewal inspections of vessels under regulation 19;
- g. to issue and cancel certificates of fitness, and to demand the surrender of cancelled certificates, under regulations 20, 22 and 23, respectively.

(2) Designation under subregulation (1) is subject to the conditions that the Authority may determine and specify in the instrument of designation, after consulting the relevant governing body in the case of the designation of a club or organization affiliated with that governing body.

(3) The Authority may suspend or revoke a designation under subregulation (1) if it believes on reasonable grounds that the body, club or organization 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.

(4) (a) An authorized agency may, for the purpose of performing its functions under these regulations, designate as a safety officer any member of the authorized agency who, in its opinion, is qualified to be so designated.

(b) An authorized agency must furnish every safety officer with an approved certificate attesting to his or her designation as a safety officer setting out the provisions of these regulations that the safety officer is authorized to enforce, and a safety officer must, if so required, produce the certificate in the course of performing functions under these regulations.

(5) Designation as a safety officer terminates if-

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

and the person concerned must upon demand surrender the certificate issued to him or her in terms of subregulation (4)(b) to the authorized agency.

Powers of enforcement officers

27. (1) In this regulation, "enforcement officer" means a person designated under subregulation (2).

(2) The following persons are designated as enforcement officers in respect of pleasure vessels for the purpose of these regulations:

- a. a member of the South African Police;
- b. a member of any municipal police force;
- c. a safety officer; and
- d. any person designated as an enforcement officer for the purposes of these regulations by the Authority.

(3) Subject to subregulation (5), an enforcement officer may, in order to verify and ensure compliance with these regulations-

- a. board and inspect a pleasure 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 document or certificate required by these regulations.

(4) (a) Subject to paragraph (b) and subregulation (5), an enforcement officer may, in order to ensure compliance with these regulations and in the interests of public safety, direct the movement of a pleasure vessel or prohibit the operation of a pleasure vessel.

(b) Except in an emergency, an enforcement officer may not give a direction or prohibition under paragraph (a) in respect of any pleasure 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 a surveyor, who may confirm, vary or set aside the prohibition.

(5) A safety officer may exercise the powers of an enforcement officer under subregulations (3) and (4)(a) only in respect of pleasure vessels entered with the authorized agency whose functions he or she has been designated to perform and may inspect such vessels and their appliances and equipment only when they are at dockside, moored or beached.

(6) Every person must comply with the requirements of an enforcement officer in the course of performing functions under these regulations.

General exemptions, and equivalents

28. (1) The Authority may, with or without conditions, grant exemption from any of or all the provisions of these regulations for cases or classes of cases and may, after reasonable notice, amend or cancel any exemption so granted.

(2) Without limiting the generality of subregulation (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.

Exemption in respect of controlled events

29. (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 not later than 10 days before the intended date of the event 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 may extend a standing approval under subregulation (2) for a period not exceeding 12 months and may at anytime on reasonable grounds revoke such approval.

Offences and penalties

30. (1) A person who contravenes a provision of regulation 3(t), (3) or (4), 6, 7, 8, 9, 10(l), 11(1), (3), (4) or (5), 12, 13 (1), (4) or (6), 14(1), (2), (3) or (5), 15, 17(1), (4), (5), (6) or (8), 18, 23, 24, 25, 26(5) or 27(6) commits an offence and is liable on conviction to a fine or to imprisonment, for a period not exceeding 12 months.

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

Transitional arrangements

31. Every authorized agency that was, immediately before the commencement of these regulations,

an authorized agency under the provisions of the regulations repealed by regulation 32(b) (in this regulation referred to as "the repealed regulations") continues to be an authorized agency under and for the purposes of these regulations as if that authorized agency had been designated under regulation 26(1) for a period expiring 18 months after the commencement of these regulations, and-

- a. any document referring to a provision of the repealed regulations is to be read as referring to the corresponding provision of these regulations; and
- b. any directions, appointments and other acts lawfully made or done under a provision of the repealed regulations and in force immediately before the commencement of these regulations are to be taken to have been made or done under the corresponding provision of these regulations and continue to have effect accordingly.

Repeal of regulations

32. The following regulations are repealed:

- a. the Standards of Seaworthiness, Manning and Licencing of Vessels Regulations, 1986, published by Government Notice No. R. 1025 of 30 May 1986, as amended by Government Notice No. R. 1028 of 18 June 1993; and
- b. the Regulations Regarding Ships or Small Vessels Used Solely for Sport or Recreation, published by Government Notice No. R. 2799 of 20 December 1985.

Title and commencement

33. These regulations are called the Merchant Shipping (Small Vessel Safety) Regulations, 2000, and come into operation on <<date>>.

ANNEX 1

(Regulation 5)

CONSTRUCTION REQUIREMENTS

Built-in buoyancy

1. (1) (a) Subject to item (b) and subparagraphs (3) and (4), every vessel proceeding not more than 40 nautical miles offshore must be provided with built-in buoyancy.

(b) A vessel not proceeding to sea between the hours of dusk and dawn, and proceeding not more than 10 nautical miles offshore, may, in instead of built-in buoyancy, be provided with lifebuoys, in number one for every two persons on board.

(2) Built-in buoyancy must consist of a material, such as foam, that is not affected by oil or oil products. 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 manner as to provide a platform to which the full complement of persons can be secured.

(3) Watertight compartment % and watertight empty cases are not a substitute for built in buoyancy: 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 the largest compartment formed by the bulkheads being flooded, the vessel will remain afloat with positive transverse stability.

(4) An inflatable liferaft is a substitute for built-in buoyancy.

(5) An inflatable vessel, whether fully inflatable or semi-rigid, must have at least three separate buoyancy chambers and have the capacity to stay afloat in the event of two thirds of the chambers being completely deflated. For the purpose of this subparagraph, the hull of a semi-rigid inflatable vessel is not a buoyancy chamber.

(6) It is the duty of the owner of a vessel to show, by calculation or test, that-

- a. a vessel with built-in buoyancy complies with subparagraph (2);
- b. a vessel with watertight bulkheads complies with subparagraph (3); and
- c. an inflatable vessel with buoyancy chambers complies with subparagraph (5).

Hatches and hatch coamings

2. (1) 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.

(2) Where a 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.

(3) All watertight hatches must be capable of withstanding a hose test.

Guard rails, etc

3. (1) Subject to subparagraphs (2) to (4)-

a. every power-driven 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. 600 millimetres above the deck on vessels of 9 metres or more in overall length; and
- ii. 450 millimetres above the deck on vessels less than 9 metres in overall length; and

b. every sailing vessel having an open deck on which persons can walk must be provided with efficient guardrails, 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 9 metres or more in overall length; and
- ii. 410 millimetres above the deck on vessels less than 9 metres in overall length: Provided that a pleasure sailing vessel of less than 9 metres in overall length is exempt from this requirement if-
 - aa. the vessel does not proceed to sea between the hours of dusk and dawn;
 - 54. the vessel proceeds not more than 5 nautical miles offshore; and
 - 81. every occupant of the vessel wears a flotation aid.

(2) Vessels that proceed to sea through the surf are exempt from subparagraph (1) if provided with bulwarks having a height of at least 450 millimetres forward and 300 millimetres aft.

(3) Subparagraph (1) does not apply to power-driven dinghies or to sailing dinghies.

(4) Vessels constructed so that the cabin-top extends nearly to the vessel's side, with a crew-only access forward, are exempt from subparagraph (1) if provided with a substantial, secure hand rail 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.

Towing bollards

4. Every vessel must be provided with an efficient means of securing a tow rope or anchor cable.

Underwater hull fittings

5. 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.

Ventilators

6. (1) Ventilators serving engine or accommodation compartments must be provided with proper closing devices or water traps to prevent the ingress of water into the compartment
- (2) 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.

Engine power

7. (1) Subject to subparagraph (?). every vessel must be provided with an engine capable of propelling the vessel at a speed of 5 knots in smooth water when fully loaded or at a safe speed when operating through the surf or turbulent waters.
- (2) Subparagraph (1) does not apply to sailing vessels, not being passenger sailing vessel, or to dinghies under oars.
- (3) When proceeding more than 5 nautical miles offshore, vessels propelled by outboard engines must have at least two engines of equal power.
- (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 sea 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 vessels of category A, B or C fitted with a single inboard petrol engine, an auxiliary outboard engine must be provided.
- (5) Exhaust pipes and silencers must be water cooled or lagged.

Fuel tanks

8. (1) Fuel tanks must be of adequate capacity and properly secured and must be constructed of steel or other material providing equivalent strength and which is corrosion resistant and does not re-act chemically with the fuel.
- (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
- (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) Gauge glasses must be fitted with self-closing valves.

Electrical installations

9. (1) (a) Subject to item (b), every power-driven vessel proceeding more than 5 nautical miles offshore 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.
- (2) Every power-driven vessel proceeding not more than 5 nautical miles offshore must be provided with at least one bank of batteries, unless the vessel is fitted only with hand-start engines.
- (3) Every sailing vessel 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.
- (4) Vessels required to be equipped with one or more banks of batteries must be provided with an adequate 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.
- (5) 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.
- (6) 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 radios (if not hand held).

Emergency steering arrangements

10. A means of emergency steering must be provided in every vessel that is not steered by means of a tiller, including a tiller control arm of an outboard engine. The emergency steering must be capable of operation at all angles and when an outboard engine is fitted and tilted. The emergency steering may be portable, in which case it must be stored in a readily accessible position for rapid attachment in an emergency.

Bilge pumping arrangements

11. (1) This paragraph does not apply to-

- a. ski-boats having self-draining decks;
- b. inflatable or semi-inflatable vessels having self-draining decks; or
- c. sailing or rowing dinghies,

but such vessels must be provided with an efficient bailing device.

(2) Every decked power-driven vessel proceeding more than 40 nautical miles offshore must be provided with two power-driven bilge pumps. Each bilge pump must have its own prime mover and may be driven off the main engines if more than one main engine is installed. Otherwise, the configuration must be such that one pump is driven off the main engine and the other by a standby engine. The pump driven off the standby engine may be electrically powered.

(3) Every sailing vessel proceeding more than 40 nautical miles offshore must be provided with at least two hand-operated bilge pumps.

(4) Every power-driven vessel over 5 metres in overall length fitted with an inboard main engine and proceeding not more than 40 nautical miles offshore must be provided with a power-driven bilge pump having as its prime mover the main engine. Where the configuration of the inboard engine is such that it cannot act as the prime mover, the bilge pump may be electrically powered. In addition, such vessel must be provided with a hand operated bilge pump situated above the main deck. All other vessels over 5 metres in overall length proceeding not more than 40 nautical miles offshore 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.

(5) 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.

(6) Every decked vessel of less than 5 metres in overall length must be provided with at least one hand-operated bilge pump.

(7) 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.

(8) 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.

(9) 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.

Visibility at steering position

12. Where a steering position is not situated in the open, visibility from two points abaft the beam on one side through ahead and to two points abaft the beam on the other side must be through safety toughened clear glass. Protection from the glare of the sun may be afforded by means of portable tinted screens.

Maintenance of propulsion and steering machinery

13. 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 its effective functioning at all times. The period between servicing may not exceed the period recommended by the manufacturer. All servicing, maintenance and repair work on the propulsion and steering machinery of power-driven vessels having a propulsion engine of more than 5 horse power must be performed by competent persons.

Crew accommodation in commercial small vessels

14. Every commercial small vessel that proceeds 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. bunks must be single and have clear access from one side. A bunk may not be less than 1,8 metres in length and, in the forecastle 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. Where bunks are stacked one on top of the other, the height between bunks may not be less 500 millimetres between the top of the mattress and the base of the bunk above the mattress. Bunks must be so positioned to avoid water drips from access ladders and ventilators. 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. Each bunk must have a cubby hole for the storage of personal items. Bunks butting onto each other must be separated with a board having a minimum height of 500 millimetres;
 - c. sleeping arrangements are not permitted in engine room or galley spaces. Sleeping arrangements are permitted in the steering space provided the steering gear is enclosed and the bulkhead between the steering and engine room spaces is made gas tight. Exhaust pipes passing through the steering space must be boxed in and ventilated to the outside;
 - d. galleys with gas stoves may not have an access to the engine room. Where this cannot be avoided, there must be installed a gas-tight access between the engine room and galley. The immediate area about the stove must be insulated to inhibit the spread of fire;
 - e. where a forecastle and whale back have sleeping arrangements for up to 19

persons, there must be installed adjacent to that space a toilet and a shower. For a vessel carrying 20 persons or more, there must be at least two toilets in addition to the shower. These facilities do not include the officers' toilet and shower situated in the wheelhouse;

- f. all accommodation spaces must be provided with adequate ventilation with closing off 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.

Gas appliances

- 15. Every gas operated cooker or refrigerator carried in a commercial small 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. The device must be serviced annually by a competent person.

Additional requirements for passenger vessels

- 16. Every passenger vessel must comply with the following additional requirements:
 - a. Inboard engines must use diesel fuel;
 - b. petrol outboard engines must be provided with portable steel fuel tanks;
 - c. inboard engine compartments must 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. a bilge alarm must be fitted in every compartment having a hull fitting open to the sea;
 - e. built-in buoyancy or watertight subdivisions must be provided so as to ensure that the vessel is able to remain afloat with positive transverse stability in the event of the largest compartment within the hull being opened to the sea;
 - f. seating arrangements must be adequate for the number of persons authorized to be carried by the vessel's local safety certificate or certificate of fitness, as the case may be.

Additional requirements for dive boats

- 17. Every dive boat must comply with the following additional requirements:
 - a. On vessels proceeding through the surf, adequate seating with grab points must be provided for all divers on board; such seating may not be located on the gunwale, unless the gunwale is formed by the outside buoyancy tube of an inflatable or semi-inflatable vessel;
 - b. adequately secured racks capable of accommodating all air tanks on board must be provided.

ANNEX 2

(Regulation 6)

SAFETY APPLIANCES AND EQUIPMENT

Provision of safety appliances and equipment

- 1. The following items of safety appliances and equipment are prescribed, as a minimum, for each of the categories of vessels, to be available on board in good working condition:

Item No.	Description of safety appliances and equipment	Category of vessel	Additional remarks
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1	Approved life jacket ⁴	A	B	C	D	E	One life jacket to be provided for each person on board. Vessels operating within 1 nautical mile offshore may instead be provided with SABS (1417-1987) Group 4 approved buoyancy aids.
2	Life-buoy	X	X	X	X	X	Required only on non-planing vessels.
3	Dan buoy	X	X	X	X	-	Required only on trawling vessels and on sailing vessels of 9 metres or more in overall length.
4	Unexpired approved projectile flare set	-	-	-	-	X	
5	Unexpired approved hand-held red distress flares	X4	X4	X2	X2	-	
6	Unexpired approved red rocket parachute flares	X4	X4	X2	X2	-	
7	Unexpired approved floating orange smoke marker	X	X	X	X	-	
8	Unexpired approved hand held smoke marker	-	-	-	-	X	
9	Waterproof torch including in a full set of spare batteries and a spare bulb	X	X	X	X	X	Spare bulb and batteries to be kept watertight container. Not required on vessels proceeding to sea only in daylight hours.
10	Hand-held spotlight with own 12 volt battery	X	X	X	X	X	Required only for night operations on dive boats.
11	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 kilometre over water in still conditions. Required only on vessels operating to the west of Port Alfred.
12	Ships bell or sound signalling device capable of making the signal "R"	X	X	X	X	X	Required only on vessels of 12 metres or more in overall length.
13	Code Flags "N" and "C"	X	-	-	-	-	Required only on vessels proceeding more than 40 nautical miles offshore.
14	Code Flag "A" (rigid)	X	X	X	X	X	Required only on dive boats.
15	2 Black balls or shapes of at least 400 millimetres in diameter	X	X	X	X	X	Not required in vessels of less than 12 metres in overall length.
16	Radar reflector of at least 400 millimetres in diameter or patent type of equivalent echoing capability	X	X	X	X	-	Required to be fitted permanently on power-driven vessels of 9 metres or more in overall length operating to the west of Port Alfred.
17	Marine VHF or 29 MHz radio	X	X	X	X	-	As appropriate to the area of operation. A VHF radio must, as a minimum, be capable of operating on channel 16 and on one other working channel. A 29 MHz radio must be capable of operating on local marine channels A, B and C.
18	HF radio	X	-	-	-	-	Required only on vessels operating more than 40 nautical miles offshore, except pleasure sailing vessels.
19	Depth-sounding device or hand lead line	X	X	X	X	X	Required only on dive boats.

20	Suitable magnetic compass with which bearings can be taken	X	X	X	X	-	Table of residual deviations to be provided on vessels of 9 metres or more in overall length. If proceeding to sea at night, compass must be illuminated.
21	Suitable navigation charts for the voyage or area of operation	X	X	X	-	-	Up-to-date charts, corrected in accordance with the South African Notices to Mariners, or renewed every six years.
22	Suitable approved fire extinguisher	X	X	X	X	X	One per engine. Not required on rowing boats. Vessels with sleeping compartments, engine rooms, galleys or a wheelhouse must have one for each compartment.
23	Power-driven or hand-operated fire-pump with hose.	X	X	X	X	X	Required only on passenger vessel; of 9 metres 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 metres in length, through an adjustable jet or spray nozzle of no less than 5 millimetres in diameter.
24	2 oars or paddles	-	-	-	-	X	Required only on rowing boats.
25	Grab-line fitted to outside of gunwale	X	X	X	X	X	Required only on dive boats. Not required on vessels equipped with a boarding ladder extending into the water.
26	Capsize rope for use when vessel is inverted in water	X	X	X	X	X	Required only on dinghies, semi rigid vessels and on ski-boats of less than 9 metres in overall length.
27	Full set of sails, including suitable storm sails	X	X	X	X	X	Required only on sailing vessels.
28	Suitable means of cutting standing rigging	X	X	X	X	-	Required only on sailing vessels.
29	Suitable sea anchor fitted with hawser and tripping line (rigged and ready for use)	X	X	X	X	X	Required only on surf-launched vessels of less than 9 metres in overall length.
30	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 metres or more in overall length-At least 5 metres. Vessels less than 6 metres in overall length-At least 3 metres. <i>Length of rope:</i> At least 50 metres for vessels operating within 1 nautical mile offshore, and at least 100 metres for vessels operating beyond that distance. Not required on sailing dinghies.
31	Watertight capsize bottle attached to vessel with rope readily accessible in event of capsize	X	X	X	X	X	Containing flares, survival and emergency equipment. Required only on ski-boats, power-driven dinghies and rowing dinghies, unless an inflatable liferaft is carried.
32	Space blankets	X2	X2	X2	X2	-	
33	One litre of drinking water per person	X	X	X	X	-	
34	First-aid kit	X	X	X	X		

35	Suitable air bellows and repair kit	X	X	X	X	X	Required only on inflatable vessels.
36	Approved self-inflating liferaft capable of carrying all 36 persons on board and stowed on deck or in a readily accessible position	X	X	X	X	-	Required on vessels not having built-in buoyancy and on all vessels proceeding more than 40 nautical miles offshore.
37	Spares	X	X	X	X	X	Adequate for the purpose of carrying out emergency repairs to machinery and essential equipment on board.
38	Tools	X	X	X	X	X	Adequate for the purpose of carrying out emergency repairs to machinery and essential equipment on board.

Maintenance requirements

2. (1) Self-inflating liferafts, when carried on commercial small vessels. must be serviced annually by an approved liferaft servicing agent and, when carried on pleasure vessels, must be serviced in accordance with the manufacturers specifications.
- (2) Fire extinguishers must be serviced annually by an approved fire appliance servicing agent

Marking of equipment, appliances and trailers

3. All life jackets, buoyancy aids, lifebuoys, Dan buoys, Hares, oars, paddles and liferafts belonging to a vessel must be permanently marked with the vessel's name or approved marking.
4. Where a vessel is launched from a trailer, the trailer bearing the vessel must be marked, in a conspicuous position, with the vessel's name or approved marking and with the owner's name and telephone number.

Footnotes

¹ Regulations 3 and 4 apply only to vessels required to hold a local safety certificate in terms of section 69 or 200 of the Act, ie vessels that are licensed or registered.

² See note 1.

³Part 4 can take effect only once the Ship Registration Act, 1998, has been put into operation.

⁴ Lifejackets complying with South African Bureau of Standards 146 Working lifejackets for fishermen and small boatmen.