

# ***Are you aware of what the National Small Vessel Safety Regulations require of you?***

The *Merchant Shipping (National Small Vessel Safety) Regulations, 2007*, place the onus on the owner and in some cases the master as well, to ENSURE that the vessel and the crew comply with the requirements of the regulations at all times.

The SAMSA surveyors do NOT replace the owners and crew in matters of safety and their main function is to ensure that the owner, master and crew are in fact making reasonable efforts to apply regulations and maintain safety standards.

To assist the vessel's owner, owner's representative or skipper to manage safety aboard, the following checklist (and guideline) has been compiled for your attention.

*Please note that this document only covers the main issues, copies of the regulations and the amendments are published in both English and Afrikaans and may be purchased in Gazette form from the Government Printer, however, electronic copies (i.e. English text and already corrected with the latest amendments) of the regulations may be accessed from the SAMSA website:*

<http://www.samsa.org.za/content/boating>

## **APPLICATION: Regulation 37**

**Pleasure vessels, except passenger vessels, that are:**

**Cat E & R power driven vessels not exceeding 15 horse power; and**

**Cat D, E & R sailing dinghies and non-power driven vessels of less than 7m length**

**Pleasure vessels, listed above, are not required to be inspected or issued with a certificate of fitness, however, owners of these vessels must ensure compliance with the regulations.**

**It is recognised that a large variety of vessels of this category are found on our waters, owners are encouraged to consult with SAMSA where uncertainty in compliance exists.**

### **Definitions:**

<b>Category D:</b>	vessels operating less than 5 nautical miles from shore
<b>Category E:</b>	vessels operating not more than 1 nautical mile from shore and 15 miles from an approved launch site
<b>Category R:</b>	vessels operating solely on sheltered waters
<b>Sheltered waters:</b>	includes: tidal lagoon; tidal river; waters within the breakwaters of a port; and inland waters.
<b>Inland waters:</b>	waters of any dam, lagoon, lake, river or wetland, which are not tidal waters
<b>Pleasure vessel:</b>	a vessel that is used solely for sport or recreation
<b>Commercial vessel:</b>	a vessel that is not a pleasure vessel
<b>Passenger vessel:</b>	a vessel that carries more than 12 passengers
<b>Passenger:</b>	any person carried on a vessel, except persons employed as crew; rescued survivors and infants under one year of age

## **WHO SHOULD SURVEY YOUR VESSEL?**

Pleasure vessels of this category are not required to be inspected or certificated by SAMSA or an Authorised Agency. Owners must ensure compliance with the regulations.

Competent and Responsible Manning		v
Crewing Regulation 14	The owner of a vessel must ensure that the vessel is operated under the constant guidance of a skipper who is physically able and of sound mental health. In addition the owner must ensure that the vessel is sufficiently and efficiently manned for the intended voyage or operation.	
Essential Safety Information Regulation 7	On EVERY occasion and BEFORE the vessel is operated the skipper must; 1. ensure that every person aboard receives essential and appropriate safety information; such as the location of the safety appliances and equipment aboard as well as instruction in the use of such items; and 2. ensure that the safety appliances and equipment are inspected, fit and ready for use.	
Fuel reserve Regulation 8	A reserve of not less than 25% over and above the requirement for the intended voyage	
Operational Limits Regulation 10	No person may operate a vessel beyond the distance from shore for the category it is licensed.	
Carrying persons in excess Regulation 11	Owners must not exceed the number of persons carried onboard their vessels, as specified by the manufacturer, when operating their vessels.	
Voyage information Regulation 12	Before a vessel goes to sea, the particulars of the vessel and the names of the crew are to be left with the harbour master, at the launch site, or in certain cases, relatives, a police station or responsible person. Where local authorities or authorized agents have implemented reporting mechanisms, these shall be complied with. Upon returning from sea or the voyage, the person or authorities with whom the voyage information were left, must be informed accordingly.	
Vessels in distress and reporting dangers Regulation 13	It is the duty of a skipper to report dangers to navigation and assist persons in distress.	
Physical and mental fitness Regulation 17	No person may operate a vessel or vessel's equipment whilst under the influence of alcohol or drugs. (Maximum of 0, 05 gram/100 ml alcohol in blood or 0, 24 mg/1000 ml alcohol in breath). No person may refuse that a specimen of blood or breath be taken. No person may operate a vessel if he/she is not physically able to do so and/or of sound mental health.	
BUOYANCY Regulation 37(3)(a)  Sample buoyancy certificate attached, may be completed by owner, if original certificate is not issued by manufacturer.  <u>Exceptions:</u> <ul style="list-style-type: none"> <li>Vessels participating in an organised event under the auspices of an authorised agency are exempted only for the duration of the event.</li> <li><u>Sailing</u> pleasure vessels are exempted on inland waters and at sea when operating within 15 nautical miles of the shore and within 30 nautical miles of a safe haven, during daylight hours only, provided that lifebuoys are carried (one per 2 persons)</li> </ul>	<p>Vessels are to have sufficient buoyancy to keep the vessel <u>afloat</u> when completely swamped.</p> <p>Definition of <u>afloat</u> for CAT D &amp; E and R:</p> <p><u>CAT D &amp; E:</u> Swamped vessel must provide a level platform able to support the full complement of persons onboard the vessel, whether the vessel is upright or capsized.</p> <p><u>CAT R:</u> Swamped vessel must provide a buoyant section onto which the full complement of persons onboard the vessel can hold, whether the vessel is upright or capsized.</p> <p>Compliance with buoyancy must be proved by calculation or test, showing that the vessel will stay afloat when completely swamped (filled with water). This information is to be presented in a buoyancy certificate.</p> <p><u>NOTE:</u> There is NO requirement for built-in buoyancy if the vessel can survive swamping as described above.</p> <p><u>Built-in buoyancy:</u> Where built-in buoyancy is required to ensure compliance with above it must consist of a material such as closed cell polyurethane foam, or approved plastic bottles that are not affected by oil or oil products to the satisfaction of the authority. Built-in buoyancy arrangements must be such that the provisions and condition thereof can be reasonably inspected at every inspection.</p>	

**SAFETY APPLIANCES AND EQUIPMENT: Category R (LGSC/COF)**  
**Annexure 2(1)(2) of National Small Vessel Safety Regulations, 2007.**

Safety Item No	Description	Remarks	V
1	<p>Approved Buoyancy aid</p> <p>To be fitted with the following:</p> <ul style="list-style-type: none"> <li>a) Whistle</li> <li>b) Lifting loop</li> <li>c) Retro-reflective material</li> </ul> <p>These devices provide for continuous wear and provide lift, without significant face-up turning ability</p> <p>Where the people onboard the vessel are NOT competent swimmers, SAMSA strongly recommends that sufficient level 100 lifejackets be provided.</p>	<p>SANS 12402-5 Level 50</p> <p><u>Commercial Vessels:</u>            PFD's to be worn:</p> <ul style="list-style-type: none"> <li>a) When performing any work on deck at night.</li> <li>b) When carrying out any other work where there is a risk of being lost overboard</li> </ul> <p><u>Pleasure &amp; Commercial Vessels</u>            PFD's to be worn by:</p> <ul style="list-style-type: none"> <li>a) every child under 12 (twelve) years of age on deck whilst the vessel is underway</li> <li>b) when directed by the skipper</li> <li>c) persons engaged in water skiing activity</li> </ul> <p>The limitations of a buoyancy aid must be taken into account by the skipper and the use of such buoyancy aid in lieu of a lifejacket should only be allowed when circumstances dictate as determined by a proper risk assessment by the skipper.</p> <p>SAMSA advises recreational vessels to consider the wisdom of wearing a comfortable buoyancy aid at all times whilst on the water.</p> <p>SAMSA strongly recommends an approved light; if operating at night.</p>	
2	750 ml of drinking water	<u>ONLY</u> for vessel operating at sea, not required for sail boards.	
3	Unexpired approved projectile flare set	Minimum of 6 flares. Not required for cat R vessels, who should carry any alternative means of communication.	
4	Suitable tow line	Not less than 10m in length, not required for sail board.	
5	Bailing device	Only on vessels that are not self draining	
6	Capsize or righting line	ONLY for multi-hull vessels.	
Annex 2(1)(3)(1)	Marking of equipment	Equipment carried on commercial vessels must be marked with the vessels number and/or name.	
Annex 2(1)(3)(2)	Trailer to be marked	IF vessel is trailer borne the following markings must be carried: Vessels Name Owners Name Emergency contact details.	
Annex 2(1)(4)	EPIRB/PLB Emergency Position Indicating Radio Beacon Personal Location Beacon	NOT required by regulation.  Where any EPIRB/PLB is carried, the EPRIB/PLB must be registered with the South African Search and Rescue Organisation.	

# REGULATION 37(3)(a) BUOYANCY CERTIFICATE

CAT E&R Power driven vessels not exceeding 15HP and CAT D,E&R sailing dinghies and non-power driven vessel of less than 7m.

Vessel Description and Category:

Construction:

Propulsion:

Buoyancy Requirement (Regulation 37(3)(a)): [See reg 37 checklist for clarity and requirements for cat D,E and R.]

Vessels are to have sufficient buoyancy to keep the vessel afloat when completely swamped.

Compliance

Insert details of theoretical calculation or photograph of practical test that shows compliance.

If built-in buoyancy is carried, photographic evidence must be inserted here.

This vessel is suitable for use in the following categories (Delete the categories that are not applicable).

<b><u>Category R:</u></b> Tidal lagoons; Tidal Rivers; Waters within the breakwaters of a port and Inland waters.	<b><u>Category E:</u></b> Within 1 nautical mile from shore and 15 nautical miles from an approved launch site.	<b><u>Category D:</u></b> Within 5 nautical miles from shore.
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Owner Signature

\_\_\_\_\_  
Date

This buoyancy certificate (or a copy of it) must be kept on board the vessel when it proceeds to sea and must be presented to a enforcement officer when demanded.