No. R. 499 **26 April 2002**

MERCHANT SHIPPING ACT, 1951 (ACT No. 57 OF 1951)

AMENDMENT OF TONNAGE REGULATIONS, 1986

The Minister of Transport has, under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made the regulations in the Schedule with effect from the date of commencement of the Ship Registration Act, 1998 (Act No. 58 of 1998).

SCHEDULE

Interpretation

1. In these regulations "the Regulations" means the Tonnage Regulations, 1986, published by Government Notice No. R. 1129 of 6 June 1986, as amended by Government Notices Nos. R.100 of 29 January 1988 and R. 2438 of 19 October 1990.

Amendment of regulation 2 of Regulations

2. Regulation 2 of the Regulations is amended—

(a) by the substitution for the definition of "approved" of the following definition:

" 'approved' means approved by the Authority;";

(b) by the insertion after the definition of "excluded spaces" of the following definition:

" 'existing ship' means a ship that is not a new ship;"; and

No. R. 499 **26 April 2002**

HANDELSKEEPVAARTWET, 1951 (WET No. 57 VAN 1951)

WYSIGING VAN TONNEMAATREGULASIES, 1986

Die Minister van Vervoer het kragtens artikel 356 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), die regulasies in die Bylae uitgevaardig met ingang van die datum van inwerkingtreding van die Wet op Skeepsregistrasie, 1998 (Wet No. 58 van 1998).

BYLAE

Uitleg

1. In hierdie regulasies beteken "die Regulasies" die Tonnemaatregulasies, 1986, afgekondig by Goewermentskennisgewing No. R. 1129 van 6 Junie 1986, soos gewysig by Goewermentskennisgewings Nos. R 100 van 29 Januarie 1988 en R. 2438 van 19 Oktober 1990.

Wysiging van regulasie 2 van Regulasies

2. Regulasie 2 van die Regulasies word gewysig—

(a) deur die volgende omskrywing na die omskrywing van "afmetings" in te voeg:

" 'bestaande skip' 'n skip wat nie 'n nuwe skip is nie;";

(b) deur die omskrywing van "goedgekeur" deur die volgende omskrywing te vervang:

" 'goedgekeur' deur die Owerheid goedgekeur;"; en

(c) by the insertion after the definition of "moulded depth" of the following definition:

" 'new ship' means a ship the keel of which is laid, or which is at a similar stage of construction, on or after the date of commencement of these regulations;".

Substitution of regulation 3 of Regulations

3. The following regulation is substituted for regulation 3 of the Regulations:

"APPLICATION

3. (1) Subject to subregulation (2), these regulations apply to—

(a) every ship that is registered or licensed in the Republic, other than—

(i) a small vessel; or

(ii) a ship of less than 100 gross tonnage that is used solely for sport or recreation;

(b) every ship ordered by the Authority in terms of section 18(4) of the Act to be surveyed;

(c) every ship, other than a ship of South African nationality, that is not provided with a certificate of registry or other national papers denoting the tonnage acceptable to the Authority or proper officer and in respect of which port dues or other charges become payable in terms of a tariff determined by Portnet, a division of Transnet Limited; and

(d) any ship if the owner so requests.

(2) These regulations are without prejudice to the operation of the provisions of the exception in Article 3, paragraph (2)(d) of the Tonnage Convention.".

(c) deur die volgende omskrywing na die omskrywing van "lengte" in te voeg:

" 'nuwe skip' 'n skip waarvan die kiel gelê is, of wat in 'n dergelike stadium van konstruksie is, op of na die datum van inwerkingtreding van hierdie regulasies;".

Vervanging van regulasie 3 van Regulasies

3. Regulasie 3 van die Regulasies word deur die volgende regulasie vervang:

"TOEPASSING

3. (1) Behoudens subregulasie (2) is hierdie regulasies van toepassing op—

(a) elke skip wat in die Republiek geregistreer of gelisensieer is, uitgesonderd—

(i) 'n klein vaartuig; of

(ii) 'n skip van minder as 100 bruto tonnemaat wat uitsluitlik vir sport of ontspanning gebruik word;

(b) elke skip wat deur die Owerheid ingevolge artikel 18(4) van die Wet gelas word om opgeneem te word;

(c) elke skip, uitgesonderd 'n skip van Suid-Afrikaanse nasionaliteit, wat nie voorsien is nie van 'n registrasiesertifikaat of ander nasionale dokumente wat die tonnemaat aandui, wat vir die Owerheid of bevoegde beampte aanneemlik is en ten opsigte waarvan hawegelde of ander gelde betaalbaar word ingevolge 'n tarief wat deur Portnet, 'n divisie van Transnet Beperk, vasgestel word; en

(d) enige skip as die eienaar dit versoek.

(2) Hierdie regulasies benadeel nie die werking van die bepalings van die uitsondering in Artikel 3, paragraaf (2)(d) van die Tonnemaatkonvensie nie.".

Substitution of regulation 4 of Regulations

4. The following regulation is substituted for regulation 4 of the Regulations:

"MEASUREMENT OF SHIPS

4. The tonnage of a ship to which these regulations apply shall be ascertained in accordance with the tonnage measurement provisions set out in these regulations: Provided that net tonnage shall not be computed in respect of ships of less than 24 metres in length.".

Vervanging van regulasie 4 van Regulasies

4. Regulasie 4 van die Regulasies word deur die volgende regulasie vervang:

"OPMETING VAN SKEPE

4. Die tonnemaat van 'n skip waarop hierdie regulasies van toepassing is, word bepaal in ooreenstemming met die tonnemaatberekeningsbepalings in hierdie regulasies uiteengesit: Metdi en verstande dat die netto tonnemaat ten opsigte van skepe van minder as 24 meter lank nie bereken word nie.".

Amendment of regulation 7 of Regulations

5. Regulation 7 of the Regulations is amended by the substitution for the words "the Director-General" and "he" of the words "the Authority" and "it", respectively.

Wysiging van regulasie 7 van Regulasies

5. Regulasie 7 van die Regulasies word gewysig deur die woorde "die Direkteur-generaal" deur die woorde "die Owerheid" te vervang.

Amendment of regulation 8 of Regulations

6. Regulation 8 of the Regulations is amended by the substitution in paragraph (b) of subregulation (3) for the words "the Director-General" of the words "the Authority".

Wysiging van regulasie 8 van Regulasies

6. Regulasie 8 van die Regulasies word gewysig deur die woorde "die Direkteur-generaal" in paragraaf (b) van subregulasie (3) deur die woorde "die Owerheid" te vervang.

Amendment of regulation 10 of Regulations

7. Regulation 10 of the Regulations is amended by the substitution in subregulation (4) for the words "the Director-General", "his" and "he" of the words "the Authority", "its" and "it", respectively.

Wysiging van regulasie 10 van Regulasies

7. Regulasie 10 van die Regulasies word gewysig deur die woorde "die Direkteur-generaal" in subregulasie (4) deur die woorde "die Owerheid" te vervang.

Amendment of Annex 1 to Regulations

8. The Regulations are amended by the substitution for the form of International Tonnage Certificate set out in Annex 1 to the Regulations of the form set out in Annex 1 to these regulations.

Wysiging van Byvoegsel 1 van Regulasies

8. Die Regulasies word gewysig deur die vorm Internasionale Tonnemaatsertifikaat in Byvoegsel 1 van die Regulasies uiteengesit, te vervang deur die vorm in Byvoegsel 1 van hierdie regulasies uiteengesit.

Amendment of Annex 2 to Regulations

9. The Regulations are amended by the substitution for the form of Local Tonnage Certificate set out in Annex 2 to the Regulations of the form set out in Annex 2 to these regulations.

Wysiging van Byvoegsel 2 van Regulasies

9. Die Regulasies word gewysig deur die vorm Plaaslike Tonnemaatsertifikaat in Byvoegsel 2 van die Regulasies uiteengesit, te vervang deur die vorm in Byvoegsel 2 van hierdie regulasies uiteengesit.

ANNEX / BYVOEGSEL 1

(Regulation / Regulasie 8)

REPUBLIC OF SOUTH AFRICA | **REPUBLIEK VAN SUID-AFRIKA**

SOUTH AFRICAN MARITIME SAFETY AUTHORITY | **SUID-AFRIKAANSE MARITIEME VEILIGHEIDSOWERHEID**

Merchant Shipping Act, 1951 (Act 57 of 1951) | Handelskeepvaartwet, 1951 (Wet 57 van 1951)

INTERNATIONAL TONNAGE CERTIFICATE (1969)
INTERNASIONALE TONNEMAATSERTIFIKAAT (1969)

Issued under the provisions of the International Convention on Tonnage Measurement of Ships, 1969, under the authority of the Government of the Republic of South Africa for which the Convention came into force on 24 FEBRUARY 1983 by the South African Maritime Safety Authority.

Uitgereik ingevolge die bepalings van die Internasionale Konvensie insake die Tonnemaatberekening van Skepe, 1969, op gesag van die Regering van die Republiek van Suid-Afrika waarvoor die Konvensie op 24 FEBRUARIE 1983 in werking getree het deur die Suid-Afrikaanse Maritieme Veiligheidsowerheid.

Name of ship Naam van skip	Official No. Amptelike No.	Home Port Tuishawe	*Date *Datum

*Date on which keel was laid or the ship was at a similar stage of construction [Article 2(6)], or date on which the ship underwent alterations or modifications of a major character [Article 3(2)(b)], as appropriate.

*Datum waarop kiel gelê is of die skip in 'n dergelike stadium van konstruksie was [Artikel 2(6)], of datum waarop die skip verbouings of modifiërings van 'n grootskaalse aard ondergaan het [Artikel 3(2)(b)], na gelang van die geval.

MAIN DIMENSIONS / HOOFAFMETINGS

Length Lengte [Article/Artikel 2(8)]	Breadth Breedte [Regulation/Regulasie 2(3)]	Moulded depth amidships to upper deck Gevormde diepte midskeeps tot bodek [Regulation/Regulasie 2(2)]

The tonnages of the ship are:
Die skip se tonnemate is die volgende:

Gross tonnage/Bruto tonnemaat ....

Net tonnage/netto tonnemaat ....

This is to certify that the tonnages of this ship have been determined in accordance with the provisions of the International Convention on Tonnage Measurement of ships, 1969.

Hiermee word gesertifiseer dat die skip se tonnemate bereken is ooreenkomstig die bepalings van die Internasionale Konvensie insake die Tonnemaatberekening van Skepe, 1969.

Issued at
Uitgereik te .... on
op ....

....
Principal Officer
Eerste Beampte

SPACES INCLUDED IN TONNAGE
RUIMTES BY TONNEMAAT INGESLUIT

Gross tonnage Bruto tonnemaat			Net Tonnage Netto tonnemaat		
*Name of space *Naam van ruimte	Location Ligging	Length Lengte	*Name of space *Naam van ruimte	Location Ligging	Length Lengte
Underdeck Onderdeks					
			NUMBER OF PASSENGERS GETAL PASSASIERS [Regulation/Regulasie 4(1)]		
EXCLUDED SPACES UITGESLOTE RUIMTES [Regulation/Regulasie 2(5)]			No. of passengers in cabins with not more than 8 berths Getal passasiers in kajuite met hoogstens 8 slaapbanke .... No. of other passangers Getal ander passasiers		
			MOULDED DRAUGHT GEVORMDE DIEPGANG [Regulation/Regulasie 4(2)]		

Date and place of original measurement
Datum en plek van aanvanklike opmeting

Date and place of last remeasurement
Datum en plek van jongste heropmeting

Remarks:
Opmerkings:

*Indicate spaces which comprise of both enclosed and excluded spaces.
*Dui ruimtes aan wat uit ingeslote sowel as uitgeslote ruimtes bestaan.

ANNEX / BYVOEGSEL 2

(Regulation / Regulasie 9)

REPUBLIC OF SOUTH AFRICA | **REPUBLIEK VAN SUID-AFRIKA**

SOUTH AFRICAN MARITIME SAFETY AUTHORITY | **SUID-AFRIKAANSE MARITIEME VEILIGHEIDSOWERHEID**

Merchant Shipping Act, 1951 (Act 57 of 1951) | Handelskeepvaartwet, 1951 (Wet 57 van 1951)

LOCAL TONNAGE CERTIFICATE (1969)
PLAASLIKE TONNEMAATSERTIFIKAAT (1969)

Name of ship Naam van skip	Official No. Amptelike No.	Home Port Tuishawe	*Date *Datum

*Date on which keel was laid or the ship was at a similar stage of construction, or date on which the ship underwent alterations or modifications of a major character.

*Datum waarop kiel gelê is of die skip in 'n dergelike stadium van konstruksie was, of datum waarop die skip verbouings of modifiërings van 'n grootskaalse aard ondergaan het.

MAIN DIMENSIONS / HOOFAFMETINGS

Registered length Geregistreerde lengte	Moulded breadth Gevormed breedte	Moulded depth amidships to upper deck Gevormde diepte midskeeps tot bodek

	Tonnage Tonnemaat	Cubic metres Kubieke meter
Gross Bruto		
Net Netto		

I, the undersigned surveyor, duly authorized by the South African Maritime Safety Authority, hereby certify that the abovenamed ship has been measured in accordance with the provisions of the Tonnage Regulations, 1986, and that the tonnages are as stated above.

Ek, die ondergetekende opnemer, behoorlike daartoe gematig deur die Suid-Afrikaanse Maritieme Veiligheidsowerheid, sertifiseer hierby dat bogenoemde skip opgemeet is ooreenkomstig die bepalings van die Tonnemaatreglasies, 1986, en dat die tonnemate is soos hierbo vermeld.

Issued at
Uitgereik te .... Date
Datum ....

....
Signature
Handtekening

SPACES INCLUDED IN TONNAGE
RUIMTES BY TONNEMAAT INGESLUIT

Gross tonnage Bruto tonnemaat			Net Tonnage Netto tonnemaat		
*Name of space *Naam van ruimte	Location Ligging	Length Lengte	*Name of space *Naam van ruimte	Location Ligging	Length Lengte
Underdeck Onderdeks					
			NUMBER OF PASSENGERS GETAL PASSASIERS		
EXCLUDED SPACES UITGESLOTE RUIMTES			No. of passengers in cabins with not more than 8 berths Getal passasiers in kajuite met hoogstens 8 slaapbanke		
			No. of other passangers Getal ander passasiers		
			MOULDED DRAUGHT GEVORMDE DIEPGANG		

Date and place of original measurement
Datum en plek van aanvanklike opmeting

Date and place of last remeasurement
Datum en plek van jongste heropmeting

Remarks:
Opmerkings:

*Indicate spaces which comprise of both enclosed and excluded spaces.
*Dui ruimtes aan wat uit ingeslote sowel as uitgeslote ruimtes bestaan.