

**NOTICE 1281 OF 2003****SOUTH AFRICAN MARITIME SAFETY AUTHORITY****DRAFT MERCHANT SHIPPING (SEAFARER COMPENSATION)  
(AMENDMENT) REGULATIONS: PUBLICATION FOR COMMENT**

The South African Maritime Safety Authority (SAMSA), acting on the authority of the Minister of Transport, publishes for public comment the proposed regulations set out in the accompanying Schedule. Interested persons are invited to submit written comment to SAMSA on or before 30 May 2003 (Note: late submissions may be disregarded). Submissions should be addressed to the Chief Executive Officer, for the attention of Mr C Briesch, and may be either:

- hand-delivered to SAMSA, Block E Hatfield Gardens, 333 Grosvenor Street, Hatfield; or
- mailed to SAMSA, PO Box 13186 Hatfield 0028; or
- faxed to (012) 342 3160; or
- e-mailed to [cbriesch@samsa.org.za](mailto:cbriesch@samsa.org.za).

Telephonic enquiries should be directed to Mr C Briesch at (012) 342 3049. Attention is invited to the explanatory note following the regulations.

**SCHEDULE****DRAFT MERCHANT SHIPPING (SEAFARER COMPENSATION)  
(AMENDMENT) REGULATIONS, 2003****Title and commencement**

1. These regulations are called the Merchant Shipping (Seafarer Compensation) (Amendment) Regulations, 2003, and come into operation on <<date>>.

**Interpretation**

2. In these regulations "the Regulations" means the Merchant Shipping (Seafarer Compensation) Regulations, 1998, published by Government Notice No. R. 1654 of 18 December 1998.

**Substitution of Annex to Regulations**

3. The following Annex is substituted for the Annex to the Regulations:

**"ANNEX****TABLE OF MAXIMUM COMPENSATION FOR LOSS OF PERSONAL EFFECTS, INSTRUMENTS, TECHNICAL BOOKS AND TOOLS**

**Note 1**—For the purposes of this annex, the following ranks or ratings on ships of 100 gross tonnage or more are taken to be equivalent:

***Ratings***

Trainee (any department)	Assistant Steward, Catering Assistant, Galley Boy
General Purpose (GP) Rating	Spare hand, Factory hand, Utility Steward, 3rd Cook, Sailor, Greaser, Ordinary Seaman, Wiper
Quartermaster	Deckhand, Efficient Deck Rating, Efficient Engine Room Rating, Watchkeeper, Steward, 2nd Cook, Lasher, Able Seaman, Oiler

***Petty Officers***

Bosun	Chef, Cook, Crane Driver, Pumpman, Donkeyman, Engine Room Leading Hand, Senior Steward, Handyman, Carpenter, Forklift Driver
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***Officers***

Junior Engineer Officer	5th Engineer Officer, 4th Deck Officer, Apprentice Officer, Cadet Officer, Junior Radio Officer
3rd Deck Officer	4th Engineer Officer
2nd Deck Officer	3rd Engineer Officer, Purser, Electrical Officer, Electrician, Refrigerating Engineer, Radio Officer
Chief Deck Officer	1st Deck Officer, 2nd Engineer Officer, Senior Radio Officer, Senior Electrical Officer, Ship's Doctor, Ship's Surgeon, Factory Manager
Master	Chief Engineer Officer

**Note 1A**—The ranks of Electronics Electrical Officer and Maintenance Assistant have no equivalent.

**Note 2**—For the purposes of this annex, the following ranks or ratings on ships of less than 100 gross tonnage are taken to be equivalent:

Crewman	2nd Driver
Mate	Driver

**Note 2A**—The ranks of Skipper and Galley Boy have no equivalent.

## SCALE OF COMPENSATION

**(A) Ships of 1 500 gross tonnage or more**

<i>Rank/Rating</i>	<i>Personal effects</i>	<i>Instruments, technical books, and tools</i>
	R	R
Trainee	1 950	1 050
General Purpose Rating	2 550	1 110
Quartermaster	3 150	1 650
Bosun	3 900	1 650
Maintenance Assistant	5 100	2 550
Junior Engineer Officer	5 550	2 850
3rd Deck Officer	5 850	3 000
2nd Deck Officer	6 300	3 150
Electronics Electrical Officer	6 450	3 180
Chief Deck Officer	6 600	3 300
Master	7 800	3 900

**(B) Ships of 100 gross tonnage or more but less than 1 500 gross tonnage**

<i>Rank/Rating</i>	<i>Personal effects</i>	<i>Instruments, technical books, and tools</i>
	R	R
Trainee	1 650	780
General Purpose Rating	1 950	970
Quartermaster	2 340	1 170
Bosun	2 910	1 440
3rd Deck Officer	4 380	2 160
2nd Deck Officer	4 680	2 340
Chief Deck Officer	4 950	2 470
Master	5 850	2 910

**(C) Ships of 50 gross tonnage or more but less than 100 gross tonnage**

<i>Rank/Rating</i>	<i>Personal effects</i>	<i>Instruments, technical books, and tools</i>
	R	R
Galley Boy	1 350	—
Crewman	1 650	—
Mate	3 150	780
Skipper	3 900	1 170

**(D) Ships of less than 50 gross tonnage**

<i>Rank/Rating</i>	<i>Personal effects</i>	<i>Instruments, technical books and tools</i>
	R	R
Crewman	780	—
Mate	1 650	—
Skipper	1 950	750".

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations amend the Merchant Shipping (Seafarer Compensation) Regulations, 1998, by increasing the amount of compensation available to a seafarer in the event of loss of or damage to property resulting from the wreck, loss, abandonment, flooding, stranding, fire on board or collision of a ship on which the seafarer is employed. The regulations also do away with the distinction between fishing and other vessels. The owner's duty to pay this compensation is established by section 140(3) of the Merchant Shipping Act, 1951.

The regulations double the amount of compensation payable to take account of the significant devaluation in the value of money since the last increase in December 1998.