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

**MERCHANT SHIPPING (NAVIGATION BRIDGE VISIBILITY)
REGULATIONS, 2004**

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.

SCHEDULE**Title and commencement**

1. These regulations are called the Merchant Shipping (Navigation Bridge Visibility) Regulations, 2004, and come into operation on 1 November 2004.

Interpretation

2. In these regulations any word or expression given a meaning in the Act has the meaning so given and, unless the context indicates otherwise

"Administration", in relation to—

- (a) a South African ship, means the Authority; and
- (b) any other ship, means the government of the State in which the ship is registered or, if unregistered, whose flag it is entitled to fly, or a person or organisation recognised by that government;

"length" has the same meaning as in regulation 2 of the Tonnage Regulations, 1986;

"South African ship" includes an unregistered ship having South African nationality;

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

Application

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

- (a) South African ships anywhere; and
- (b) other ships when in the Republic or its territorial waters.

(2) A provision of these regulations does not apply to a South African ship in the waters of another State where the provision is inconsistent with a law of that State that, by its terms, applies to the ship when in the waters of that State.

Navigation bridge visibility

4. (1) Every ship of 45 metres or more in length constructed on or after 1 July 1998 must meet the following requirements:

- (a) The view of the sea surface from the conning position may not be obscured by more than two ship lengths, or 500 metres, whichever is the less, forward of the bow to 10 degrees on either side under all conditions of draught, trim and deck cargo.
- (b) No blind sector that is caused by cargo, cargo gear or other obstructions outside the wheelhouse forward of the beam and that obstructs the view of the sea surface as seen from the conning position may exceed 10 degrees. The total arc of blind sectors may not exceed 20 degrees. The clear sectors between blind sectors must be at least 5 degrees. However, in the view described in paragraph (a), each individual blind sector may not exceed 5 degrees.
- (c) The horizontal field of vision from the conning position must extend over an arc of not less than 225 degrees, from right ahead to not less than 22,5 degrees abaft the beam on either side of the ship.
- (d) From each bridge wing, the horizontal field of vision must extend over an arc of at least 225 degrees, from at least 45 degrees on the opposite bow through right ahead and then from right ahead to right astern through 180 degrees on the same side of the ship.
- (e) From the main steering position, the horizontal field of vision must extend over an arc from right ahead to at least 60 degrees on each side of the ship.
- (f) The ship's side must be visible from the bridge wing.
- (g) The height of the lower edge of the navigation bridge front windows above the bridge deck must be kept as low as possible. In no case may the lower edge obstruct the forward view as described in this subregulation.
- (h) The upper edge of the navigation bridge front windows must allow a forward view of the horizon, for a person with a height of eye of 1800 millimetres above the bridge deck at the conning position, when the ship is pitching in heavy seas. The Administration, if satisfied that a 1800 millimetre height of eye is unreasonable or impracticable, may allow reduction of the height of eye but not to less than 1600 millimetres.
- (i) Windows must meet the following requirements:
 - (i) framing between navigation bridge windows must be kept to a minimum and may not be installed immediately forward of any workstation;
 - (ii) to help avoid reflections, the navigation bridge front windows must be inclined from the vertical plane top out, at an angle of not less than 10 degrees and not more than 25 degrees;
 - (iii) polarised and tinted navigation bridge windows may not be fitted; and
 - (iv) at all times, regardless of weather conditions, at least two of the navigation bridge front windows and, depending on the bridge configuration, additional windows, must provide a clear view.

(2) (a) Subject to paragraph (b), every ship of 45 metres or more in length constructed before 1 July 1998 must, where practicable, meet the requirements of subregulation (1)(a) and (b).

(b) Paragraph (a) is not to be construed to require any structural alterations or additional equipment.

Exemptions

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

Offence and penalty

6. If, without complying with the requirements of these regulations, a ship proceeds or attempts to proceed to sea—

- (a) in the case of a South African ship, from any port within or outside the Republic; or
- (b) in the case of any other ship, from any port within the Republic,

the owner and the master each commits an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding 12 months.