

No. R. 565

17 June 2005

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

LIFE-SAVING EQUIPMENT (AMENDMENT) REGULATIONS, 2005

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. (1) These regulations are called the Life-saving Equipment (Amendment) Regulations, 2005.

(2) These regulations commence on publication in the *Gazette*.

Interpretation

2. In these regulations, "the Regulations" means the Life-saving Equipment Regulations, 1968, published by Government Notice No. R. 141 of 2 February 1968, as amended by Government Notices Nos. R. 917 of 9 May 1975, R. 2205 of 21 November 1975, R. 516 of 21 March 1980, R. 2422 of 28 November 1980, R. 1022 of 30 May 1986, R. 423 of 17 March 1995, R. 925 of 7 June 1996, and R. 610 of 14 May 1999.

Amendment 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 all vessels of 25 tons or more, and so apply to—

- (a) vessels that are registered or licensed in the Republic wherever they may be; and
- (b) other vessels when in the Republic or its territorial waters.

(2) These regulations do not apply to vessels of less than 100 tons that are used solely for sport or recreation."

Amendment of regulation 30 of Regulations

4. Regulation 30 of the Regulations is amended by the substitution for paragraph (1) of the following paragraph:

"(1) in the case of a lifejacket supplied in the Republic or in a country the government of which is not a contracting government to the Safety Convention, comply with the requirements of part 1 of annex 10 if the lifejacket is intended for a person of a mass of 32 kilograms or more, and with the requirements of part II of that annex if it is intended for a person of a mass of less than 32 kilograms; and".

Amendment of Annex 10 to Regulations

5. Annex 10 to the Regulations is amended—

(a) by the substitution for subparagraph (n) of paragraph (4) of the following subparagraph

"(n) be fitted with a lifejacket light which shall—

- (i) be secured within a pocket or sleeve, or in any other acceptable way, to prevent the light **from** becoming dislodged from the lifejacket when it is being donned or worn or when the wearer has to drop or jump into water;
- (ii) have a luminous intensity of not less than 0,75 candela;
- (iii) have a source of energy capable of providing a luminous intensity of 0,75 candela for a period of at least eight hours;
- (iv) be visible over as great a segment of the upper hemisphere **as** is practicable when attached to the lifejacket;
- (v) be of a white colour; and
- (vi) in the case of a flashing light—
 - (aa) be provided with a manually-operated switch;
 - (bb) be fitted with a lens or curved reflector to concentrate the beam; and
 - (cc) flash at a rate of not less than **50** flashes and not more than 70 flashes per minute with an effective luminous intensity of not less than 0,75 candela."; and

(b) by the substitution for paragraph (5) of the following paragraph

"(5) Lifejackets for use **on** all ships of not more than 100 tons shall comply with the requirements either of paragraphs (2) to (4) inclusive or of paragraphs (4)(n) and (6)."

Transitional arrangements

6. (1) Before the date referred to in subregulation (2), a vessel may, instead of complying with the provisions of Annex 10 of the Regulations, **as** amended by these regulations, continue to comply with the provisions of that Annex in force immediately before the commencement of these regulations.

(2) The date for the purposes of subregulation(1) is the earlier of the following two dates:

- (a) the date after the commencement of these regulations on which the vessel's initial survey or next renewal survey, as the case may be, falls due;
- (b) the date on which the period of 12 months after the commencement of these regulations expires.

(3) In subregulation(2)—

"initial survey" means a survey required by section 190(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), before the appropriate certificate may be issued for the first time;

"renewal survey" means a survey required by section 190(2) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), before a further appropriate certificate may be issued.