

DEPARTMENT OF TRANSPORT**No. R. 777****28 September 2012**

MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)
DRAFT MERCHANT SHIPPING (RADIO INSTALLATIONS) AMENDMENT
REGULATIONS, 2012

The Minister of Transport intends, in terms of section 356 (1) (xxxiii) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) makes the regulations in the Schedule.

Interested persons are invited to submit their written comments on these draft Merchant Shipping (Radio Installations) Amendment Regulations, 2012 to the Director – General, Department of Transport for the attention of T. H. M. Mphahlele within 30 days from publication thereof at:

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SCHEDULE

In these regulations, “**the Regulations**” means The Merchant Shipping (Radio Installations) Regulations (2002) published by Government Notice No. R 506 on 26th April 2002, as amended.

Amendment of the heading in Part 2 under GENERAL of Regulations

1. Heading of Part 2 in the Regulations is amended by the substitution for the expression “GMDSS REQUIREMENTS” of the expression “SOLAS REQUIREMENTS”.

Amendment of the heading in Part 3 under GENERAL of Regulations

2. Heading of Part 3 in the Regulations is amended by the substitution for the expression “NON-GMDSS REQUIREMENTS” of the expression “NON-SOLAS REQUIREMENTS”.

Amendment of regulation 2 of Regulations

3. Regulation 2 of the Regulations is amended—

- (a) by the substitution in sub regulation (1) for the definition of “COSPAS-SARSAT satellite service” of the following definition:

“**‘COSPAS-SARSAT satellite service’** means a satellite aided search and rescue system designed to locate distress beacons transmitting in the 406 MHz band;”;

- (b) by the substitution in sub regulation (1) for the definition of “DSC watch” of the following definition:

“**‘DSC watch’** means an electronic device that receives and decodes an alert sent from a ship’s DSC equipment, on a continuous basis on VHF (channel 70), MF (2187.5 kHz) or HF (8414.5 kHz), and on at least one of the distress and safety DSC frequencies 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz;”;

- (c) by the substitution in sub regulation (1) for the definition of “enhanced group calling (EGC)” of the following definition:

“**‘enhanced group calling (EGC)’** means a system providing a simple and automated means of receiving marine safety information via satellite on board ships;”;

- (d) by the substitution in sub regulation (1) for the definitions of “GMDSS general operator's certificate”, ‘GMDSS restricted operator's Certificate’, ‘Long Range Certificate’, ‘Short Range Certificate’, ‘First-Class Radio Electronic’ and ‘Second-Class Radio Electronic’ of the following definition:

“ ‘**GMDSS general operator's certificate**’, ‘**GMDSS restricted operator's Certificate**’, ‘**Long Range Certificate**’, ‘**Short Range Certificate**’, ‘**First-Class Radio Electronic**’ and ‘**Second-Class Radio Electronic**’ means the certificates respectively so entitled, issued by the South African Maritime Safety Authority in accordance with article 47 of the latest International Telecommunication Union Radio Regulations;”;

- (e) by the substitution in sub regulation (1) for the definition of " international NAVTEX service " of the following definition:

“‘**international NAVTEX service**’ means the co-ordinated broadcast and automatic reception on 518, 490, 4209 kHz of maritime safety information by means of narrow-band direct-printing telegraphy;”;

- (f) by the substitution in sub regulation (1) for the definition of “non-Convention ship” of the following definition:

“‘**non-Convention ship**’ means—

- (a) a passenger ship that is not foreign-going;
 - (b) a cargo ship of 300 tons or more that is not foreign-going;
 - (c) a cargo ship of less than 300 tons;
 - (d) a fishing vessel; or
 - (e) a pleasure vessel;”;
- (g) by the deletion of the definition of “silent period”.

Insertion in regulation 3 in Regulations

4. Sub regulation (5A) is inserted in the Regulations after sub regulation (5):

“(5A) A pleasure vessel of 100 tons or more.”.

Amendment of the heading in Part 2 of Regulations

5. Heading of Part 2 in the Regulations is amended by the substitution for the expression “GMDSS REQUIREMENTS” of the expression “SOLAS REQUIREMENTS”.

Substitution of regulation 12 of Regulations

6. The following subparagraph is substituted for subparagraph on 12(1) (c) (ii) of the Regulations:

“(ii) on HF using DSC on at least 8414,5 kHz and one other DSC watch frequency; or ”.

Amendment of regulation 18 of Regulations

7. Regulation 18 of the Regulations is amended—

- (a) by the substitution for sub regulation 18(1) of the following sub regulation:

“18. (1) Subject to section 73(4) of the Act, every ship to which this Part applies must carry the number of radio operators required by regulation 16 of the Merchant Shipping (Safe Manning) Regulations, 1999 as amended, each of whom must be a person who is qualified for distress and safety radio communications purposes, as specified in sub regulation (2).”.

- (b) by the substitution for paragraph 18(2) (a) of the following paragraph:

“(a) in the case of an area A1 ship, he or she holds a GMDSS restricted operator's Certificate, a GMDSS general operator's certificate, issued in accordance with Article 47 of the ITU Radio Regulations;”;

- (c) by the substitution for paragraph 18(2) (b) of the following paragraph:

“(b) in the case of an area A2, area A3 or area A4 ship, he or she holds a GMDSS general operator's certificate issued in accordance with Article 47 of the ITU Radio Regulations.”.

Amendment of the heading in Part 3 of Regulations

8. Heading of Part 3 in the Regulations is amended by the substitution for the expression “NON-GMDSS REQUIREMENTS” of the expression NON-SOLAS REQUIREMENTS”.

Amendment of regulation 22 of Regulations

9. Regulation 22 of the Regulations is amended—

(a) by the substitution for sub regulation 22(1) of the following sub regulation:

“(1) Every ship to which this Part applies must be provided with a VHF radiotelephone installation that includes a transmitter and a receiver, capable of transmitting and receiving DSC alerts on Channel 70.”.

(b) by insertion of paragraph 22(2) (e) after paragraph 22(2) (d):

“(e) a pleasure vessel of 100 tons or more.”.

(c) by the substitution for the expression after paragraph 22(2) (e); and by substitution of subparagraphs (i), (ii), (iii), (A), (B), (bb), and sub regulation (3) of the following expression and subparagraphs:

“must be provided with—

(i) a radiotelephone installation capable of transmitting and receiving DSC alerts on the distress and safety DSC

- frequencies 2187.5 kHz, 4207.5 kHz, 6312 kHz, 8414.5, 12577 and 16804.5 kHz;
- (ii) a receiver capable of receiving international NAVTEX services broadcast;
- (iii) a satellite EPIRB of the kind referred to in regulation 10(1)(f)".

Insertion of regulation 22 in Regulations

10. The following sub regulation is inserted in the Regulations after subparagraph (iii):

"(3) If radio equipment required by this Part is capable of automatically providing the ship's position when transmitting a distress alert, the ship's position and the time the ship was at that position must be made available for transmission by the radio equipment—

- (a) from a navigation receiver, if one is fitted; or
- (b) manually, at intervals not exceeding four hours, while the ship is at sea."

Substitution of regulation 29 of Regulations

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

"29. Every radiotelephone operator using the VHF DSC radiotelephone installation must have practical knowledge of operating the VHF DSC equipment and general knowledge of the ITU Radio Regulations applying to VHF DSC radiotelephone communications and specifically that part of those Regulations relating to distress, urgency and safety procedures."

Amendment of regulation 31 of Regulations

12. Regulation 31 of the Regulations is amended—

- (a) by the substitution for sub regulation 31(3) of the following sub regulation:

“(3) A reliable clock must be securely mounted in such a position that the entire dial can easily be observed from the radiotelephone operating position.”;

- (b) by deletion of sub regulation (7), and paragraphs (7) (a) and (7) (b).

Amendment of regulation 32 of Regulations

13. sub regulation 32(2) of the Regulations is deleted.

Substitution of regulation 35 of Regulations

14. The following regulation is substituted for the following sub regulations of the Regulations:

“(1) Every ship to which this Part applies, while at sea, must maintain a DSC watch—

(a) on VHF DSC channel 70,

(b) on the distress and safety DSC frequencies 2187.5 kHz and 8414.5 kHz and on at least one of the distress and safety DSC frequencies 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz,

(2) Every ship to which this Part applies, while at sea, must maintain a radio watch for broadcasts of maritime safety information on the appropriate frequency or frequencies on which such information is broadcast for the area in which the ship is being navigated.

(3) every ship to which this Part applies, while at sea, must maintain, when practicable, a continuous watch on VHF channel 16; this watch must be kept at the position from which the ship is normally navigated.”.

Substitution of regulation 36 of Regulations

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

“36. Subject to section 73(4) of the Act, every ship to which this Part applies must carry the number of appropriately qualified radiotelephone operators as specified in Regulation 16 of the Safe Manning Regulations 1999 as amended.”

Insertion of regulation 38 in Regulations

16. The following subparagraph is inserted in the Regulations after subparagraph 38 (3) (b):

“(c) a pleasure vessel of 100 tons or more.”.

Insertion of regulation 39 in Regulations

17. The following sub regulation is inserted in the Regulations after sub regulation 39 (3):

“(4) A vessel that is equipped with free-fall lifeboats should have a SART permanently and securely mounted therein.”.

Amendment of of Part 6

18. The Merchant Shipping (Radio Installations) Regulations, 2002, published by Government Notice No. R.506 of 26 April 2002, are herewith repealed.

Substitution of Annexure 1 of Regulations

19. The following Annexure is substituted for the following:

“Annexure 1

(Regulation 10(1) (f))

SATELLITE EPIRBS

Every satellite EPIRB required by these regulations must be—

- (a) capable of transmitting a disaster alert through the COSPAS-SARSAT satellite service operating in the 406 MHz band.
- (b) installed in an easily accessible position;
- (c) ready to be manually released and capable of being carried by one person into a survival craft;
- (d) capable of floating free if the ship sinks;
- (e) capable of being activated manually; and
- (f) automatically activated when afloat.”.

Substitution of Annexure 2 of Regulations

20. The following is substituted for Regulation 3 (a) (i):

- “(i) Its capability to operate properly as per the manufacturer’s specification, the expiry date of the battery, checking of the built-in magnet and particularly its ability to float free (where required) in the event of the ship sinking.”.

Substitution of Annexure 4 of Regulations

21. The following Annexure is substituted for the following:

“Annexure 4

(Regulation 25(4))

TOOLS, TESTING EQUIPMENT AND SPARE PARTS

Tools

1 smooth file of 15 cm length

1 jointing knife

1 pair 18 cm insulated wireman’s pliers with side cutters

1 set of screwdrivers (flat-head and/or phillips) suitable for use on the radiotelephone

equipment

- 1 adjustable spanner with 25 mm gap
- 1 hacksaw and spare blades to suit
- 1 lockable tool box or compartment (for containing the above-mentioned tools)

Measuring instruments

- 1 hydrometer, not required if vessels are fitted with non-maintenance batteries
- Spare parts and miscellaneous items
- 5 fuses for each type and rating of fuse in use
- 1 spare bulb for the emergency light required by regulation 31(4)
- 250 g petroleum jelly or general purpose grease

Where special nuts or screws are used for fastening, suitable tools must be provided in addition to those specified above.”.

Substitution of Annexure 5 of Regulations

22. The following Annexure is substituted for the following:

“Annexure 5

(Regulation 25(7))

**NON-SOLAS EQUIPMENT TESTS AND BATTERY AND RESERVE
ENERGY CHECKS AS FOLLOWS—**

(1) Daily

- (a) Batteries providing a source of energy for any part of the radiotelephone installation or the VHF radiotelephone installation must be tested daily and, where necessary, brought up to the fully charged condition.
- (b) Each printer must be checked at least once each day to ensure its serviceability.

2. Weekly

- (a) Survival craft fixed radio equipment, if provided, must be tested at least once every week using suitable artificial antennas.

- (b) Batteries forming part of survival craft fixed radio equipment, if provided, and the two-way radiotelephone apparatus for survival craft must be tested weekly and, where necessary, brought up to a fully charged condition. Where non-rechargeable batteries are provided as a source of energy, the expiry date of the batteries must be checked and the batteries replaced if necessary
- (c) Each item of survival craft two-way VHF radio equipment must be tested at least once a week on a frequency other than 156.8 MHz (VHF channel 16), unless the equipment is of a sealed type where such testing is not practical.

3. Monthly

- (a) Each EPIRB must be examined at least once a month to check—
 - (i) its capability to operate properly as per manufacturer instructions and by checking the battery expiry date and the fitted magnet and in particular, its ability to float free in the event of the ship sinking;
 - (ii) how secure it is in its mounting; and
 - (iii) for signs of damage.
- (b) Each radar transponder must be examined at least once a month to check how secure it is in its mounting, for signs of damage and the battery expiry date.
- (c) A check must be made at least once a month on the condition of all batteries providing a source of energy for any part of a radio installation and on how secure they are in their mountings. The battery connections and compartment must also be checked.
- (d) Survival craft fixed radio equipment must be tested at least once a month using an antenna provided with the equipment.

4. Annually

Survival craft radar transponders must be inspected tested and, if necessary, have their source of energy replaced at least once every twelve months. The Authority may extend this interval to a maximum of 17 months to permit the inspection to take place concurrently with a radio survey.

5. Recording of results

Results of the tests and checks required by this Annexure must be entered in the radio log."

Short title and commencement

23. These regulations are called The Merchant Shipping Radio Installations Regulations 2012 and will come in operation on the day they are published in the Government Gazette.
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