MERCHANT SHIPPING ACT
NO. 57 OF 1951

[View Regulation]

[ASSENTED TO 27 JUNE, 1951]
[DATE OF COMMENCEMENT: 1 JANUARY, 1960]
(Unless otherwise indicated)

(Afrikaans text signed by the Governor-General)

This Act has been updated to Government Gazette 40051 dated 6 June, 2016.

as amended by

Merchant Shipping Amendment Act, No. 30 of 1959

Commonwealth Relations Act, No. 69 of 1962
(with effect from 31 May, 1962, unless otherwise indicated)

Merchant Shipping Amendment Act, No. 40 of 1963
Merchant Shipping Amendment Act, No. 13 of 1965

Unemployment Insurance Act, No. 30 of 1966
(with effect from 1 May, 1967)

Merchant Shipping Amendment Act, No. 42 of 1969

Births, Marriages and Deaths Registration Amendment Act, No. 58 of 1970
(with effect from 1 February, 1972)

Merchant Shipping Amendment Act, No. 24 of 1974
Merchant Shipping Amendment Act, No. 5 of 1976
Merchant Shipping Amendment Act, No. 70 of 1977
Merchant Shipping Amendment Act, No. 62 of 1978
Merchant Shipping Amendment Act, No. 3 of 1981

South African Transport Services Act, No. 65 of 1981
(with effect from 1 October, 1981)

Merchant Shipping Amendment Act, No. 3 of 1982

Admiralty Jurisdiction Regulation Act, No. 105 of 1983
(with effect from 1 November, 1983)

Merchant Shipping Amendment Act, No. 25 of 1985
Carriage of Goods by Sea Act, No. 1 of 1986
Transport Advisory Council Act, No. 58 of 1987
(with effect from 15 October, 1987)

Merchant Shipping Amendment Act, No. 3 of 1989

Population Registration Act Repeal Act, No. 114 of 1991
(with effect from 28 June, 1991)

Merchant Shipping Amendment Act, No. 18 of 1992

Transport General Amendment Act, No. 86 of 1992
(with effect from 1 September, 1992)

Transport General Amendment Act, No. 16 of 1995
To provide for the control of merchant shipping and matters incidental thereto.
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PRELIMINARY

1. Repeal and amendment of laws.—The laws mentioned in the first schedule to this Act are hereby repealed or amended to the extent set out in the fourth column of that Schedule: Provided that until all the provisions of this Act have been brought into operation in terms of section three hundred and fifty-eight, any provision of any such law which corresponds to a provision of this Act which has not yet been so brought into operation shall, in so far as it is not inconsistent with any provision of this Act which has been so brought into operation, continue to apply in relation to the ships in respect of which the provisions of this Act which have been so brought into operation apply, and in relation to the owners, masters and seafarers of such ships as if this section had not been enacted.

[S. 1 amended by s. 2 of Act No. 30 of 1959.]

2. Definitions and interpretation of certain references.—(1) In this Act, unless the context indicates otherwise—

“accident”, in relation to a vessel, includes—

(a) the collapse or overturning of any lift, crane, davit, derrick, mobile powered access platform, access equipment, staging or bosun’s chair or the failure of any load-bearing part thereof;
the explosion, collapse or bursting of any closed container, including a boiler or boiler tube, in which there is any gas (including air), liquid or any vapour at a pressure greater than atmospheric pressure;

any electrical short circuit or overload resulting in fire or explosion;

the sudden, uncontrolled release of flammable liquid or gas from any system, plant or pipeline;

the uncontrolled release or escape of any harmful substance;

either of the following occurrences in respect of any pipeline, valve or any piping system in a vessel—

(i) the bursting, explosion or collapse of a pipeline;

(ii) the accidental ignition of anything in a pipeline or of anything which, immediately before it ignited, was in a pipeline;

any contact of the human body with loose asbestos fibre;

the failure of any lashing-wire, chain or appliance;

any collapse or significant movement of cargo;

the malfunctioning of any hatch cover, hatch cover control wire or other mechanism;

any person falling overboard;

the parting of a tow-rope;

the failure of bilge-pumping arrangements or life-saving or fire-fighting equipment to operate;

“air-cushion vehicle” means any craft of which the whole or a significant part of its weight can be supported, whether at rest or in motion, by a continuously generated cushion of air dependent for its effectiveness on the proximity of the surface over which the craft operates;

“apprentice-officer” . . . . . . .

“Authority” means the South African Maritime Safety Authority established by section 2 of the South African Maritime Safety Authority Act, 1998;

“cadet” means an unindentured apprentice to the sea service;

“cargo ship safety construction certificate” means such a certificate, issued in conformity with the Safety Convention under subparagraph (a) of paragraph (1) or (2) of section 193, or deemed in accordance with the provisions of section 202 (1) (b) to have been so issued;

“cargo ship safety equipment certificate” means such a certificate, issued in conformity with the Safety Convention under subparagraph (b) of paragraph (1) or (2) of section 193, or deemed in accordance with the provisions of section 202 (1) (b) to have been so issued;

“cargo ship safety radio certificate” means such a certificate, issued in conformity with the Safety Convention under subparagraph (b) of paragraph (3) or (4) of section 193, or deemed in accordance with the provisions of section 202 (1) (b) to have been so issued;

“cargo ship safety radiotelegraphy certificate” . . . . . .

“cargo ship safety radiotelephony certificate” . . . . . .

“carrier” includes the owner of the charterer who enters into a contract of carriage with a shipper;

“clearance” includes any clearance or transire referred to in the Customs and Excise Act, 1964 (Act No. 91 of 1964);

“Authority” means the South African Maritime Safety Authority established by section 2 of the South African Maritime Safety Authority Act, 1998;

“cadet” means an unindentured apprentice to the sea service;

“cargo ship safety construction certificate” means such a certificate, issued in conformity with the Safety Convention under subparagraph (a) of paragraph (1) or (2) of section 193, or deemed in accordance with the provisions of section 202 (1) (b) to have been so issued;

“cargo ship safety equipment certificate” means such a certificate, issued in conformity with the Safety Convention under subparagraph (b) of paragraph (1) or (2) of section 193, or deemed in accordance with the provisions of section 202 (1) (b) to have been so issued;

“cargo ship safety radio certificate” means such a certificate, issued in conformity with the Safety Convention under subparagraph (b) of paragraph (3) or (4) of section 193, or deemed in accordance with the provisions of section 202 (1) (b) to have been so issued;

“cargo ship safety radiotelegraphy certificate” . . . . . .

“cargo ship safety radiotelephony certificate” . . . . . .

“carrier” includes the owner of the charterer who enters into a contract of carriage with a shipper;

“clearance” includes any clearance or transire referred to in the Customs and Excise Act, 1964 (Act No. 91 of 1964);
“coasting ship” means a ship employed in plying between ports in the same country, but does not include any fishing, sealing or whaling boat;

[Definition of “coasting ship” amended by s. 3 (b) of Act No. 30 of 1959.]

“collision regulations” means the regulations made under paragraph (b) of subsection (2) of section 356 to give effect to the relative provisions of the International Collision Regulations Convention and Annexures thereto, or such regulations as applied under subsection (3) of that section;

[Definition of “collision regulations” amended by s. 1 (a) of Act No. 40 of 1963 and substituted by s. 1 (a) of Act No. 3 of 1982.]

“Commonwealth ship” . . . .

[Definition of “Commonwealth ship” deleted by s. 31 (a) of Act No. 69 of 1962.]

“conditions of assignment” means such of the load line regulations as are made to give effect to the relative provisions of the Load Line Convention and Annexures thereto, or such regulations as applied under subsection (3) of section three hundred and fifty-six;

[Definition of “conditions of assignment” substituted by s. 1 (b) of Act No. 13 of 1965.]

“construction regulations” means the regulations made under paragraph (a) of subsection (2) of section three hundred and fifty-six to give effect to the relative provisions of the safety Convention, or such regulations as applied under subsection (3) of the said section;

[Definition of “construction regulations” amended by s. 3 (c) of Act No. 30 of 1959 and substituted by s. 1 (c) of Act No. 13 of 1965.]

“contract of carriage” applies only to contracts of carriage covered by a bill of lading or any similar document of title, in so far as such document relates to the carriage of goods by sea, including any bill of lading or any similar document as aforesaid issued under or pursuant to a charter party from the moment at which such bill of lading or similar document of title regulates the relations between a carrier and a holder of the same;

“country to which the Load Line Convention applies” means a country in respect of which the Load Line Convention is for the time being in force, and includes any territory to which the said Convention applies in accordance with the relative Article thereof;

[Definition of “country to which the Load Line Convention applies” substituted by s. 1 (d) of Act No. 13 of 1965 and by s. 1 (d) of Act No. 23 of 1997.]

“country to which the Safety Convention applies” means a country in respect of which the Safety Convention is for the time being in force;

[Definition of “country to which the Safety Convention applies” substituted by s. 1 (e) of Act No. 13 of 1965 and by s. 1 (d) of Act No. 23 of 1997.]

“crew” means all seafarers on board a ship;

[Definition of “crew” inserted by s. 1 (b) of Act No. 18 of 1992.]

“crew accommodation” includes sleeping rooms, store rooms, galleys, mess rooms, sanitary accommodation, hospitals and recreation spaces provided for use by or for the benefit of seafarers;

“dangerous goods” means goods which by reason of their nature, quantity or mode of stowage, are either singly or collectively liable to endanger the lives or health of persons on or near the ship or to imperil the ship, and includes all substances within the meaning of the expression “explosives” as used in the Explosives Act, 1956 (Act No. 26 of 1956), and any other goods specified in the regulations as dangerous goods;

[Definition of “dangerous goods” amended by s. 3 (d) of Act No. 30 of 1959 and substituted by s. 1 (e) of Act No. 23 of 1997.]

“dangerous space” means any enclosed or confined space in which it is reasonably foreseeable that the atmosphere may at some stage contain toxic or flammable gases or vapours or dangerous substances, or be deficient in oxygen, to the extent that it may endanger the life or health of any person entering that space;

[Definition of “dangerous space” inserted by s. 1 (c) of Act No. 18 of 1992.]

“deck line” means a mark on each side of a ship indicating the position of the uppermost complete deck, as defined by the load line regulations;

“Director-General” means the Director-General: Transport;

[Definition of “Director-General” inserted by s. 1 (a) of Act No. 3 of 1981.]

“Director” . . . .

[Definition of “Director” deleted by s. 3 (e) of Act No. 30 of 1959.]

“dynamically supported craft” means any air-cushion vehicle, sidewall craft, hydrofoil boat, or other similar
“employee” means any person on board a vessel, including a member of the crew, who is employed by or working for an employer and receives or is entitled to receive any remuneration, or who works under the direction or supervision of an employer, or any other person who on board a vessel in any manner assists in the carrying on or the conducting of the business of an employer, except as provided otherwise by regulation.

“employer” means any person, including the owner or master of a vessel, who employs any person or provides work for him on a vessel and who remunerates that person or expressly or tacitly undertakes to remunerate him, except as provided otherwise by regulation.

“equipment” includes boats, tackle, pumps, apparel, furniture, life-saving appliances of every description, spars, masts, rigging and sails, fog signals, lights and signals of distress, medicines and medical and surgical stores and appliances, charts, radio apparatus, apparatus for preventing, detecting or extinguishing fires, buckets, compasses, axes, lanterns, loading and discharging gear and apparatus of all kinds, and all other stores or articles belonging to or to be used in connection with, or necessary for, the navigation and safety of a ship.

“exemption certificate” means such a certificate, issued in conformity with the Safety Convention under paragraph (c) of section 192, subparagraph (a) or (b) of paragraph (2) or subparagraph (a) of paragraph (4) of section 193, or deemed in accordance with the provisions of section 202 (1) (a) or (b) to have been so issued.

“fishing boat” means any ship engaged in sea fishing for financial gain or reward, but does not include any sealing boat or whaling boat.

“fishing vessel” means a fishing vessel as defined in the Marine Living Resources Act, 1998 (Act No. 18 of 1998).

“foreign country” means a country which is not a treaty country.

“foreign-going ship” means—
(a) a ship plying between a port in one country and a port in another country; or
(b) . . . . . .
(c) . . . . . .
(d) a whaling boat other than a shore-based whaling boat.

“foreign ship” means a ship other than a treaty ship.

“freight” includes passage money and hire.

“general safety certificate” . . . . . . .

“goods” includes all animals, matter or things, save that in Chapter VIII “goods” does not include animals or cargo which by a contract of carriage it is provided shall be carried on deck and is so carried.

“hazard” means a source of or exposure to danger.

“High Court” means any division of the High Court of the Republic.

“hydrofoil boat” means any craft which is supported above the surface of water in normal operating condition by hydrodynamic forces generated on foils.
“International Collision Regulations Convention” means the Convention on the International Regulations for Preventing Collisions at Sea done at London on 20 October 1972, as modified by any amendment made under Article VI of that Convention that has entered into force for the Republic;
[Definition of “International Collision Regulations” substituted by s. 1 (b) of Act No. 40 of 1963, substituted by definition of “International Collision Regulations Convention” by s. 1 (b) of Act No. 3 of 1982 and substituted by s. 1 (i) of Act No. 23 of 1997.]

“international load line certificate” means such a certificate, issued in conformity with the Load Line Convention under paragraph (i) of section 207, or deemed in accordance with the provisions of section 215 (1) to have been so issued, and includes an international load line exemption certificate;
[Definition of “international load line certificate” inserted by s. 1 (i) of Act No. 13 of 1965 and substituted by s. 1 (a) of the Act No. 42 of 1969 and by s. 1 (j) of Act No. 23 of 1997.]

“international load line exemption certificate” means such a certificate issued in conformity with the Load Line Convention under section 204 (1) (a);
[Definition of “international load line exemption certificate” inserted by s. 1 (b) of Act No. 42 of 1969 and substituted by s. 1 (j) of Act No. 23 of 1997.]

“international load line ship” means a load line ship of 24 metres or more in length, which is engaged on an international voyage;
[Definition of “international load line ship” substituted by s. 1 (c) of Act No. 42 of 1969 and by s. 1 (b) of Act No. 5 of 1976.]

“international voyage”, when used with reference to ships registered in a country to which the Load Line Convention applies, means a voyage from a port in one country to a port in another country, either of those countries being a country to which the Load Line Convention applies, and when used with reference to ships registered in a country to which the Safety Convention applies, means a voyage from a port in one country to a port in another country either of those countries being a country to which the Safety Convention applies; and “short international voyage” means an international voyage in the course of which a ship is not more than two hundred nautical miles from a port in which the passengers and crew could be placed in safety, and which does not exceed six hundred nautical miles in length between the last port of call in the country in which the voyage begins and the final port of destination; and in the application of this definition—

(a) no account shall be taken of any deviation by a ship from her intended voyage due solely to stress of weather or any other circumstances which neither the master nor the owner nor the charterer (if any) of the ship could have prevented or forestalled; and

(b) every colony, overseas territory, protectorate, territory for whose international relations a State that has accepted the Safety Convention is responsible, territory for which the United Nations are the administering authority, and territory administered by a State in whose favour a mandate thereover was issued by the Council of the former League of Nations, shall be deemed to be a separate country;
[Para. (b) amended by s. 1 of Act No. 49 of 1996.]

“licence”, in relation to a ship, means a licence contemplated in section 68; and “licensed” shall be construed accordingly;
[Definition of “licence” inserted by s. 60 (b) of Act No. 58 of 1998.]

“life-saving equipment regulations” means the regulations made under paragraph (a) of subsection (2) of section three hundred and fifty-six to give effect to the relative provisions of the Safety Convention, or such regulations as applied under subsection (3) of the said section;
[Definition of “life-saving equipment regulations” amended by s. 3 (h) of Act No. 30 of 1959 and substituted by s. 1 (j) of Act No. 13 of 1965.]

“load lines” means the marks indicating the several maximum depths to which a ship is entitled to be loaded in various circumstances prescribed by the load line regulations;

“load line certificate” means an international load line certificate or a local load line certificate;
[Definition of “load line certificate” substituted by s. 1 (k) of Act No. 13 of 1965.]

“Load Line Convention” means the International Convention on Load Lines done at London on 5 April 1966, as modified by any amendment made under Article 29 of that Convention that has entered into force for the Republic;
[Definition of “Load Line Convention” substituted by s. 1 (c) of Act No. 40 of 1963 and by s. 1 (k) of Act No. 23 of 1997.]

“load line exemption certificate” means an international load line exemption certificate or a local load line exemption certificate;
[Definition of “load line exemption certificate” inserted by s. 1 (d) of Act No. 42 of 1969.]

“load line convention certificate” . . . . .
“load line regulations” means the regulations made under paragraph (c) of subsection (2) of section three hundred and fifty-six to give effect to the relative provisions of the Load Line Convention and Annexes thereto, or such regulations as applied under subsection (3) of the said section;  
[Definition of “load line regulations” substituted by s. 1 (m) of Act No. 13 of 1965.]

“load line ship” means any ship of 14 metres or more in length, which is not solely engaged in fishing and is not a pleasure yacht;  
[Definition of “load line ship” substituted by s. 1 (e) of Act No. 42 of 1969 and by s. 1 (c) of Act No. 5 of 1976.]

“local general safety certificate” means a certificate issued under section 194 (1) (a) or (b) (ii);  
[Definition of “local general safety certificate” substituted by s. 1 (f) of Act No. 42 of 1969.]

“local load line certificate” means a certificate issued under paragraph 2 of section 207 and includes a local load line exemption certificate;  
[Definition of “local load line certificate” substituted by s. 1 (g) of Act No. 42 of 1969.]

“local load line exemption certificate” means a certificate issued under section 204 (1) (b);  
[Definition of “local load line exemption certificate” inserted by s. 1 (h) of Act No. 42 of 1969.]

“local load line ship” means a load line ship—  
(a) engaged on an international voyage and of less than 24 metres in length; or  
(b) not engaged on an international voyage;  
[Definition of “local load line ship” substituted by s. 1 (i) of Act No. 42 of 1969 and by s. 1 (d) of Act No. 5 of 1976.]

“local safety certificate” means a local general safety certificate or a local safety exemption certificate;  
[Definition of “local safety certificate” substituted by s. 1 (n) of Act No. 13 of 1965.]

“local safety exemption certificate” means a certificate issued under sub-paragraph (i) of paragraph (b) of subsection (1) of section one hundred and ninety-four;  

“machinery” means any appliance or combination of appliances assembled, arranged or connected and which is used or intended to be used for converting any form of energy to perform work, or which is used or intended to be used, whether incidental thereto or not, for generating, receiving, storing, containing, transforming, transmitting, transferring or controlling any form of energy;  
[Definition of “machinery” inserted by s. 1 (e) of Act No. 18 of 1992.]

“marine notice” means a notice described as such and issued by the Authority;  
[Definition of “marine notice” inserted by s. 1 (e) of Act No. 18 of 1992 and amended by s. 2 (2) of Act No. 5 of 1998.]

“Maritime Labour Convention” means the Maritime Labour Convention, 2006, done at Geneva on 7 February 2006, as set forth in the Seventh Schedule, and as modified by any amendment made under Article XIV of that Convention that has entered into force in the Republic;  
[Definition of “Maritime Labour Convention” inserted by s. 1 (c) of Act No. 12 of 2015.]

“master” means, in relation to a ship, any person (other than a pilot) having charge or command of such ship;  

“medical practitioner” means—  
(a) at a place in the Republic, a person registered as such under the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974); or  
(b) at a place outside the Republic, a person who is entitled to practise as such under the law in force in that place;  
[Definition of “medical practitioner” substituted by s. 1 (e) of Act No. 5 of 1976.]

“Minister” means the Minister of Transport;  
[Definition of “Minister” amended by s. 3 (i) of Act No. 30 of 1959 and substituted by s. 1 (b) of Act No. 3 of 1981 and by s. 1 (f) of Act No. 18 of 1992.]

“nautical mile” means a distance of 1 852 metres; and “mile” has a corresponding meaning;  
[Definition of “nautical mile” inserted by s. 1 (c) of Act No. 3 of 1981 and substituted by s. 1 (l) of Act No. 23 of 1997.]

“near relative” in relation to a seafarer means the wife or parent or a grandparent, child, grandchild, brother or sister of the seafarer or the guardian or the person having the custody of a child of the seafarer;
“occupational safety” means the safety of any employee working on or in a ship and whilst boarding or leaving the ship;

[Definition of “occupational safety” inserted by s. 1 (g) of Act No. 18 of 1992 and substituted by s. 1 (m) of Act No. 23 of 1997.]

“officer of customs” means an officer as that expression is defined by section 1 of the Customs and Excise Act, 1964 (Act No. 91 of 1964);

[Definition of “officer of customs” amended by s. 3 (j) of Act No. 30 of 1959 and substituted by s. 1 (f) of Act No. 5 of 1976.]

“owner” means any person to whom a ship or a share in a ship belongs, except as provided otherwise by regulation;

[Definition of “owner” substituted by s. 60 (b) of Act No. 58 of 1998.]

“part of the Commonwealth” ...

[Definition of “part of the Commonwealth” deleted by s. 31 (d) of Act No. 69 of 1962.]

“passenger” means any person carried in a ship, except—

(a) a person employed or engaged in any capacity on board the ship on the business of the ship;

(b) a person on board the ship either in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other persons or by reason of any circumstances that neither the master nor the owner nor the charterer (if any) could have prevented; and

(c) a child under one year of age;

“passenger ship” means a ship which carries more than twelve passengers;

“passenger ship safety certificate” means such a certificate, issued in conformity with the Safety Convention under paragraph (a) or (c) of section 192, or deemed in accordance with the provisions of section 202 (1) (a) to have been so issued;

[Definition of “passenger ship safety certificate” inserted by s. 1 (o) of Act No. 13 of 1965 and substituted by s. 1 (n) of Act No. 23 of 1997.]

“passenger ship’s exemption certificate” ...

[Definition of “passenger ship’s exemption certificate” deleted by s. 1 (p) of Act No. 13 of 1965.]

“port”, in relation to—

(a) a port in a country other than the Republic, means a place, whether proclaimed a public harbour or not, and whether natural or artificial, to which ships may resort for shelter or to ship or unship goods or passengers; and

(b) a port in the Republic, means a harbour of which Transnet Limited has become the owner in terms of section 3 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989), or a fishing harbour as defined in section 1 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), or any place which has under this Act or any other law been designated as a place from or at which any vessel or a vessel of a particular type may be launched, beached, moored or berthed;

[Definition of “port” substituted by s. 1 (a) Act No. 25 of 1985. Para. (b) substituted by s. 1 (h) of Act No. 18 of 1992.]

“port of registry”, in relation to a ship, means its home port as selected or changed in accordance with the Ship Registration Act, 1998;

[Definition of “port of registry” substituted by s. 60 (b) Act No. 58 of 1998.]

“prescribed” means prescribed by this Act;

“principal officer” means the officer in charge of the office of the Authority at a port;

[Definition of “principal officer” inserted by s. 1 (a) of Act No. 24 of 1974 and amended by s. 2 (2) of Act No. 5 of 1998.]

“proper officer” means the officer designated by the Authority to be the proper officer at the place or in respect of the area and in respect of the matter to which reference is made in the provision of this Act in which the expression occurs; or if no such designation has been made—

(a) at a place in the Republic, a principal officer or, where there is no principal officer, the Controller of Customs and Excise; or

[Para. (a) substituted by s. 31 (e) of Act No. 69 of 1962 and by s. 1 (b) of Act No. 24 of 1974.]

(b) at a place outside the Republic but within a treaty country, in the following order:

(i) a career consular representative of the Republic; or
(ii) a diplomatic representative of the Republic; or

(iii) the person who, in terms of the law in force in the treaty country, is entrusted with the function or charged with the duty to which reference is made in the provision of this Act in which the expression occurs; or

(iv) a consular representative of a treaty country (other than the Republic); or

(v) a diplomatic representative of a treaty country (other than the Republic); or

(c) at a place outside any treaty country, the person, and in the order, indicated, in sub-paragraphs (i), (ii), (iv) and (v) of paragraph (b); or

(d) at a place outside the Republic, where there is no proper officer as defined in paragraph (b) or (c), any master of a South African ship who is specially authorized in writing to act as proper officer by the Authority, but only in relation to the functions and duties in respect of which, and subject to the conditions subject to which, he has been so authorized to act;

“proper return port”, in relation to a master or seafarer discharged or left behind, means—

(a) the port at which the master or seafarer was engaged; or

(b) a port in a country in which the master or seafarer is domiciled; or

(c) a port agreed to as such by the master or seafarer, as decided by the proper officer;


“qualified local safety certificate” . . . .

“qualified safety certificate” . . . .

“qualified safety equipment certificate” . . . .

“qualified safety radio exemption certificate” . . . .

“qualified safety radiotelegraphy certificate” . . . .

“qualified safety radiotelephony certificate” . . . .

“radio” includes radiotelegraphy and radiotelephony;

“radio regulations” means the regulations made under paragraph (a) of subsection (2) of section three hundred and fifty-six to give effect to the relative provisions of the Safety Convention, or such regulations as applied under subsection (3) of the said section;

“recognized non-South African”, used in relation to a safety convention certificate or an international load line certificate, signifies that the certificate has been issued by or under the authority of the Government of a country other than the Republic to which the Safety Convention or the Load Line Convention, as the case may be, applies, and that the certificate complies with the regulations made under paragraph (a) of subsection (2) of section three hundred and fifty-six to give effect to the relative provisions of the Safety Convention or with those made under paragraph (c) of that subsection to give effect to the relative provisions of the Load Line Convention, respectively;
"register tons" and "register tonnage" mean, in relation to a South African ship, either the gross or net tonnage of the ship, as the case may be, recorded in the register established by section 33 of the Ship Registration Act, 1998, and in the case of any other ship, the tonnage accepted or determined by the Minister, Authority or proper officer;

[Definition of "register tons" and "register tonnage" amended by s. 2 (2) of Act No. 5 of 1998 and substituted by s. 60 (b) of Act No. 58 of 1998.]

"registered", in relation to a ship (except with reference to the law of another country), means registered or deemed to be or regarded as registered under the Ship Registration Act, 1998;

[Definition of "registered" inserted by s. 60 (b) of Act No. 58 of 1998.]

"regulation" means a regulation made under this Act;

"safe" means free from any threat which may cause bodily injury, illness or death, and free from any hazard as far as practicable;

[Definition of "safe" inserted by s. 1 (i) of Act No. 18 of 1992 and substituted by s. 1 (p) of Act No. 23 of 1997.]

"safety appointee" means any person appointed in terms of section 355A (1) (a);

[Definition of "safety appointee" inserted by s. 1 (i) of Act No. 18 of 1992.]

"safety committee" means a committee appointed in terms of section 355A (1) (a);

[Definition of "safety committee" inserted by s. 1 (i) of Act No. 18 of 1992.]

"Safety Convention" means the International Convention for the Safety of Life at Sea done at London on 1 November 1974, the English text of which is set forth in the Second Schedule as modified by any amendment made under Article VIII of that Convention that has entered into force for the Republic and, after the date on which the Protocol of 1978 relating to the Safety Convention enters into force for the Republic, as also modified by that Protocol;

[Definition of "Safety Convention" substituted by s. 1 (e) of Act No. 40 of 1963 and by s. 1 (q) of Act No. 23 of 1997.]

"safety convention certificate" means a passenger ship safety certificate, a cargo ship safety construction certificate, a cargo ship safety equipment certificate, a cargo ship safety radio certificate or an exemption certificate;

[Definition of "safety convention certificate" substituted by s. 1 (y) of Act No. 13 of 1965 and by s. 1 (r) of Act No. 23 of 1997.]

"safety equipment certificate" . . . . . . . . . .

[Definition of "safety equipment certificate" deleted by s. 1 (z) of Act No. 13 of 1965.]

"safety equipment exemption certificate" . . . . . . . . . .

[Definition of "safety equipment exemption certificate" deleted by s. 1 (aa) of Act No. 13 of 1965.]

"safety officer" means any person appointed in terms of section 355A (1) (a);

[Definition of "safety officer" inserted by s. 1 (j) of Act No. 18 of 1992.]

"safety radio exemption certificate" . . . . . . . . . .

[Definition of "safety radio exemption certificate" deleted by s. 1 (bb) of Act No. 13 of 1965.]

"safety radiotelegraphy certificate" . . . . . . . . . .

[Definition of "safety radiotelegraphy certificate" deleted by s. 1 (cc) of Act No. 13 of 1965.]

"safety radiotelephony certificate" . . . . . . . . . .

[Definition of "safety radiotelephony certificate" deleted by s. 1 (dd) of Act No. 13 of 1965.]

"safety representative" means any person elected in terms of section 355A (1) (b);

[Definition of "safety representative" inserted by s. 1 (j) of Act No. 18 of 1992.]

"safety standard" means any standard, irrespective of whether or not it has the force of law, which, if applied for the purposes of this Act, will in the opinion of the Minister promote the attainment of an object of this Act;

[Definition of "safety standard" inserted by s. 1 (j) of Act No. 18 of 1992.]

"savings bank" means the Post Office Savings Bank, or a bank registered under the Banks Act, 1990 (Act No. 94 of 1990), or, in respect of the allotment of premiums, a person registered or deemed to be registered as an insurer under the Insurance Act, 1943 (Act No. 27 of 1943), or any other body designated by the Authority;

[Definition of "savings bank" substituted by s. 1 (g) of Act No. 5 of 1976, by s. 1 (k) of Act No. 18 of 1992 and by
“seafarer” means any person (except a master, pilot or cadet) employed or engaged in any capacity as a member of the crew of a ship;

“sealing boat” means any ship exclusively employed in seal-catching;

“seaman” . . . . .

“Secretary” . . . . .

“serious injury” includes—

(a) a fracture of the skull, spine or pelvis;
(b) a fracture of any bone other than a bone in the wrist, hand, ankle or foot, or a single rib;
(c) the amputation of a hand or foot;
(d) the loss of sight of an eye;
(e) frost-bite of any bodily extremity which may lead to permanent disfigurement; or
(f) any impairment of a person’s physical condition owing to—

(i) the use of machinery;
(ii) an electrical shock;
(iii) the exposure to hazardous working conditions or hazardous substances or articles; or
(iv) the exposure to natural or artificial environmental extremes,
on board a vessel which results in that person being admitted to hospital as a patient for more than 24 consecutive hours, or would have resulted in his being so admitted had he been within reach of a hospital;

“ship” means any kind of vessel used in navigation by water, however propelled or moved, and includes—

(a) a barge, lighter or other floating vessel;
(b) a structure that is able to float or be floated and is able to move or be moved as an entity from one place to another; and
(c) a dynamically supported craft;

and “vessel” has a corresponding meaning;

“ship’s officer” means a navigating officer or engineer officer, whether certificated or uncertificated, employed as such on board a ship, but does not include a master; and any reference to a ship’s officer shall, in its application to a ship in which a mate, boatswain, marine engineman or assistant marine engineman is employed, be construed as including a reference to a mate, boatswain, marine engineman or assistant marine engineman;

“shore-based whaling boat” means a whaling boat which delivers the whole of its catch to be processed in a factory established ashore in the Republic;

“side wall craft” means any air-cushion vehicle of which the walls extending along the sides are permanently immersed hard structures;

“short voyage safety certificate” . . . . .

“small vessel” means a vessel of less than twenty-five gross tons and of more than three metres in length;

“South African ship” means a ship that is registered or licenced in the Republic;
“special load line certificate” means a certificate issued under subsection (1) of section two hundred and seventeen;

“sport or recreation” means any sporting or recreational activity carried on in, on or under the water, irrespective of whether that activity is of a competitive nature or whether prizes are involved, provided it is not carried on for commercial purposes;

[Definition of “sport or recreation” inserted by s. 1 (b) of Act No. 25 of 1985.]

“standard” means—

(a) any provision occurring in a specification, compulsory specification, code of practice or standard method within the meaning of the Standards Act, 1993 (Act No. 29 of 1993); or

[Para. (a) substituted by s. 1 (v) of Act No. 23 of 1997.]

(b) any provision occurring in any specification, code or any other directive having standardization as its aim and issued by an institution or organization inside or outside the Republic which, whether generally or with respect to any particular article or matter and whether internationally or in any particular country or territory, seeks to promote standardization;

[Definition of “standard” inserted by s. 1 (m) of Act No. 18 of 1992.]

“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers done at London on 7 July 1978, as modified by any amendment made under Article XII of that Convention that has entered into force for the Republic;

[Definition of “STCW Convention” inserted by s. 1 (u) of Act No. 23 of 1997 and substituted by s. 1 of Act No. 57 of 1998.]

“superior court” . . . .

[Definition of “superior court” substituted by s. 1 (h) of Act No. 5 of 1976 and deleted by s. 60 (b) of Act No. 58 of 1998.]

“surveyor” means any person recognized or appointed in terms of section 4 (b);

[Definition of “surveyor” substituted by s. 1 (k) of Act No. 42 of 1969 and by s. 60 (b) of Act No. 58 of 1998.]

“this Act” includes any proclamation, notice, rule or regulation issued or made thereunder;

“timber cargo regulations” means the regulations made under section 356 (2) (a) to give effect to the relative provisions of the Safety Convention, or such regulations as applied under subsection (3) of section 356;

[Definition of “timber cargo regulations” substituted by s. 1 (ff) of Act No. 13 of 1965 and by s. 1 (w) of Act No. 23 of 1997.]

“Tonnage Convention” means the International Convention on Tonnage Measurement of Ships done at London on 23 June 1969, as modified by any amendment made under Article 18 of that Convention that has entered into force for the Republic;

[Definition of “Tonnage Convention” inserted by s. 1 (d) of Act No. 25 of 1985 and substituted by s. 1 (x) of Act No. 23 of 1997.]

“treaty country”, in relation to any provision of this Act, means the Republic and any country, including any colony, protectorate or territory subject to the authority or under suzerainty of such country or any territory over which a mandate or trusteeship is exercised by such country, which is a party to any bilateral treaty or agreement entered into by the Republic in connection with any matter dealt with in such provision;

[Definition of “treaty country” inserted by s. 31 (f) of Act No. 69 of 1962.]

“treaty ship” means a ship registered at any place in a treaty country under the relative laws in force at that place or any ship which by the law of a treaty country is recognized as a ship belonging to that treaty country;

[Definition of “treaty ship” inserted by s. 31 (f) of Act No. 69 of 1962.]

“unseaworthy”, used in relation to a vessel, means that she—

(a) is not in a fit state as to the condition of her hull, equipment or machinery, the stowage of her cargo or ballast, or the number or qualifications of her master or crew, or in any other respect, to encounter the ordinary perils of the voyage upon which she is engaged or is about to enter; or

(b) does not comply with the conditions of assignment to the extent set forth in paragraph (c) of section two hundred and seven; or

(c) is loaded beyond the limits allowed—

(i) by a load line certificate issued in the Republic under this Act; or

(ii) if she is a load line ship, registered in a country in which the Load Line Convention applies, by a recognized non-South African international load line certificate; or

[Sub-para. (ii) amended by s. 1 (f) of Act No. 40 of 1963 and substituted by s. 1 (gg) of Act No. 13 of 1965.]
Provided that a safety convention ship not registered in the Republic, in respect of which a recognized non-South African safety convention certificate is produced, shall not be deemed unseaworthy, as regards the condition of her hull, equipment or machinery, unless it appears, on the report of a surveyor, that she cannot proceed to sea without danger to human life owing to the fact that the actual condition of the hull, equipment or machinery does not correspond substantially with the particulars stated in the certificate;

"user", in relation to machinery, means any person who uses machinery on a vessel for his own benefit;

"vessel" . . . . .

"wages" includes any emoluments;

"whaling boat" means any ship engaged exclusively in whale-catching, or on which any processing takes place of the bodies or any portion of the bodies of the whales caught by other whaling boats;

"Work in Fishing Convention" means the Work in Fishing Convention, 2007, done at Geneva on 30 May 2007, as set forth in the Eighth Schedule, and as modified by any amendment made under article 45 of that Convention that has entered into force in the Republic;

"workplace" means any place on a vessel where an employee performs work in the course of his employment;

"wreck" includes flotsam, jetsam, lagan and derelict found in or on the shores of the sea or of any tidal waters of the Republic, any portion of a ship or aircraft lost, abandoned, stranded or in distress, any portion of the cargo, stores or equipment of such ship or aircraft and any portion of the personal property on board such ship or aircraft when it was lost, abandoned, stranded or in distress and belonged to any person who was on board that ship or aircraft at that time;

(2) . . . . .

(3) Whenever in this Act reference is made to—

(a) an act or omission by or a duty resting upon or a fault committed by a vessel; or

(b) damage or loss suffered by a vessel; or

(c) a liability resting upon a vessel,

such reference shall, unless the context indicates otherwise, be construed as a reference to—

(i) an act or omission by or a duty resting upon or a fault committed by the person responsible for the navigation of the vessel in connection with the navigation thereof; or

(ii) damage or loss suffered by the owner or the person having an interest in the vessel or her cargo or freight, in connection with the vessel or her cargo or freight; or

(iii) a liability resting upon the person in charge of the vessel or upon the person who in law is answerable for the conduct of the person in charge of the vessel, in connection with such conduct, respectively.

(4) (a) In this Act references to a ship built or constructed before or after any date shall be construed as references to a ship the keel of which has been laid or which is at a similar stage of construction before or after that date, as the case may be.

(b) In paragraph (a) 'similar stage of construction' means the stage at which—

(i) construction identifiable with the ship has begun; and

(ii) assembly of the ship has commenced and comprises at least 50 tons or one per cent of the estimated mass of all structural material, whichever is less.

(5) Any reference in this Act to an entry of an occurrence or other fact in the official log-book of a ship shall, in the application of the provision in which the reference occurs to a ship for which no official log-book is kept, be construed as a reference to a record of such occurrence or fact made otherwise than in an official log-book.
(6) Any reference in this Act to any order or entry made or document issued under any provision of this Act shall, unless otherwise indicated, be construed as including a reference to an order or entry made or document issued under the corresponding provision of any law repealed by section one.

“year” means the calendar year, but for the purpose of the inspection of vessels required by this Act it means twelve calendar months from the date of the certificate of inspection or survey.

3. Application of Act.—(1) . . . . . . .
[Sub-s. (1) amended by s. 32 (a) of Act No. 69 of 1962 with effect from 1 January, 1960, substituted by s. 2 (a) of Act No. 18 of 1992 and deleted by s. 1 of Act No. 49 of 1996.]

(2) This Act and any amendment thereof shall apply to Marion Island and Prince Edward Island: Provided that in its application voyages between ports in the Republic and ports in those islands shall be deemed to be voyages between ports in the Republic and ports outside the Republic.

(3) This Act shall bind the State: Provided that the Minister may by notice direct that sections 102 to 109, inclusive, 113, 120 to 124, inclusive, 133, 134, 145, 188 and 323 shall not apply in respect of the master or seafarers of any ship named in the notice and belonging to the Government of the Republic or to Transnet Limited whose conditions of service are governed by laws other than this Act or statutory regulations other than regulations made under this Act.

(4) Unless otherwise indicated, those provisions of this Act which apply to vessels which are registered or licensed in the Republic or which in terms of this Act are required to be so licensed shall so apply wherever such vessels may be.

(5) Unless otherwise indicated, those provisions of this Act which apply to vessels other than those referred to in subsection (4) shall so apply only where such vessels are within the Republic or the territorial waters thereof.

(6) The provisions of this Act shall not apply to ships belonging to the defence forces of the Republic or of any other country.

(7) Except as provided otherwise by regulation, the provisions of this Act shall apply to any vessel contemplated in section 68 (3) (b) as if such vessel were licensed in terms of this Act.

(8) The Minister may by notice in the Gazette declare that any of the provisions of this Act which are by that notice specified, subject to the exemptions, modifications and restrictions so specified, and which do not by virtue of the other provisions of this Act apply to a particular ship or to ships of a particular class, category or tonnage, shall apply to that ship or to ships of that class, category or tonnage: Provided that provisions which in terms of this Act apply only to South African ships shall not by any such notice be applied also to ships not registered in the Republic and vice versa.

(9) The Minister may by notice in the Gazette declare that any of the provisions of this Act which are by that notice specified, subject to the exemptions, modifications and restrictions so specified, shall apply to any dams or other inland waters so specified.

(10) If it has been made to appear to the Minister that the Government of any country other than the Republic is desirous that any of the provisions of this Act, which do not apply to the ships of that country should so apply, and there are no special provisions in this Act for that application, the Minister may by notice in the Gazette declare that such of those provisions as are by that notice specified (subject to the limitations, if any, contained therein) shall apply to the ships of that country and to the owners, masters and seafarers of those ships, when not locally within the jurisdiction of the government of that country, in the same manner in all respects as if those ships were ships registered in the Republic; and thereupon the provisions so specified shall, subject to such limitations, if any, so apply.

(11) If the Minister is satisfied—

(a) that ships registered in any country other than the Republic are required by the law in force in that country to comply with any provisions which are substantially the same as, or equally effective with, any of the provisions of this Act which apply to such ships while they are within the Republic or the territorial waters thereof; and

(b) that that country has made or has undertaken to make provision for the exemption of South African ships while they are within that country or the territorial waters thereof from the corresponding requirements of the law of that country,

he may by notice in the Gazette declare that the said provisions of this Act shall not apply to any ship of that
country, while she is within the Republic or its territorial waters, if it is proved that the ship complies with the corresponding provisions of the law in force in that country; and thereafter upon such proof being furnished, the said provisions of this Act shall not apply to such ship.

[Sub-s. (11) amended by s. 4 of Act No. 30 of 1959 and substituted by s. 2 (b) of Act No. 40 of 1963.]

(12) Unless otherwise indicated, only the provisions of sections 9 (5), 223, 259, 264, 313, 343ter, 355A, 356 and 356ter, read with section 2, shall apply to—

(a) every owner and master of any vessel, and every user, employer and employee;

[Para. (a) substituted by s. 2 of Act No. 57 of 1998.]

(b) all crew on board a vessel who have entered into a contract of employment with the master or with the owner or operator of such vessel, or any person who in the case of a vessel of less than 100 gross register tons can be regarded as crew on board such vessel;

(c) every other person on board a vessel in the execution of his duties, or working on the exterior shell or appurtenances of a vessel, including the equipment used by such person, whether or not the vessel is afloat;

[Para. (c) substituted by s. 2 of Act No. 23 of 1997.]

(d) every working gear, lifting gear, anchor or cable, any machinery, every gangway or accommodation ladder, any equipment or every appurtenance in or on a vessel which forms a part of the construction or equipment of such vessel, including any machinery or equipment brought on board a vessel and which does not form part of the equipment of such vessel.

[Sub-s. (12) added by s. 2 (c) of Act No. 18 of 1992. Para. (d) substituted by s. 2 of Act No. 23 of 1997.]

(13) The provisions referred to in subsection (12) shall not apply to a vessel while being constructed or dismantled.

[Sub-s. (13) added by s. 2 (c) of Act No. 18 of 1992.]

CHAPTER I

ADMINISTRATION

4. Powers of Authority.—The Authority may—

(a) appoint such officers as it considers necessary for the administration of this Act;

(b) recognize or appoint as a ship surveyor, engineer surveyor or radio or other surveyor any qualified person whom it deems fit to act as such for the purposes of this Act;

(c) subject to such conditions as may be determined by it, and with the concurrence of the Minister, exempt any person from any of or all the provisions of the regulations made under section 356.

[S. 4 amended by s. 2 of Act No. 42 of 1969 and by s. 2 of Act No. 5 of 1976 and substituted by s. 60 (b) of Act No. 58 of 1998.]

5. Authority responsible for administration of Act.—(1) The Authority shall be responsible for the administration of this Act, and shall have the control of all matters incidental thereto.

(2) The Authority shall, subject to the provisions of this Act or any other law, have such powers and perform such duties as are assigned to it by the Minister.

(3) All powers conferred and all duties imposed upon the Authority may be exercised or performed by the Authority, or by a person or organization under a delegation from or under the control or direction of the Authority.

[S. 5 substituted by s. 5 of Act No. 30 of 1959 and by s. 2 (2) of Act No. 5 of 1998. Sub-s. (3) substituted by s. 3 of Act No. 25 of 1985 and by s. 3 of Act No. 23 of 1997.]


[Sub-s. (1) substituted by s. 3 (a) of Act No. 5 of 1976 and deleted by s. 15 (a) of Act No. 58 of 1987.]

(2) . . . . . .

[Sub-s. (2) deleted by s. 6 (a) of Act No. 30 of 1959.]

(3) . . . . . .

[Sub-s. (3) amended by s. 6 (b) of Act No. 30 of 1959 and deleted by s. 15 (a) of Act No. 58 of 1987.]

(4) . . . . . .

[Sub-s. (4) substituted by s. 3 (b) of Act No. 5 of 1976 and deleted by s. 15 (a) of Act No. 58 of 1987.]

(5) . . . . . .

[Sub-s. (5) deleted by s. 6 (c) of Act No. 30 of 1959.]
(6) . . . . . .
[Sub-s. (6) amended by s. 3 of Act No. 40 of 1963 and deleted by s. 1 (a) of Act No. 86 of 1992.]

(7) The Minister may from time to time appoint a committee for the purpose of advising him in regard to any particular matter dealt with by this Act and referred to it.

(8) The members of every committee referred to in subsection (7) shall be appointed by the Minister in accordance with the regulations, and the said councils and committees shall perform their functions in accordance with the regulations.
[Sub-s. (8) amended by s. 6 (d) of Act No. 30 of 1959 and by s. 15 (b) of Act No. 58 of 1987 and substituted by s. 1 (b) of Act No. 86 of 1992.]

(9) There shall be paid to members of any committee appointed under subsection (7) such allowances towards subsistence and transport as may be prescribed by the regulations made under this Act, or, if they are members of the public service, such allowances towards subsistence and transport as are prescribed by or under the laws governing the public service.
[Sub-s. (9) amended by s. 6 (e) of Act No. 30 of 1959 and by s. 15 (c) of Act No. 58 of 1987 and substituted by s. 1 (b) of Act No. 86 of 1992.]

(10) . . . . . .
[Sub-s. (10) added by s. 6 (f) of Act No. 30 of 1959 and deleted by s. 1 (c) of Act No. 86 of 1992.]

7. Survey of ship to ascertain whether she complies with the Act.—Subject to the provisions of this Act, a surveyor may inspect any South African ship wherever she may be or any ship not registered in the Republic while she is within the Republic or the territorial waters of the Republic for the purpose of ascertaining whether she complies with the provisions of this Act.

8. Duty of proper officer to ensure compliance with this Act.—If a proper officer has reason to suspect that the provisions of this Act are not being or have not been complied with in respect of any ship within the Republic or the territorial waters of the Republic, which is not registered in the Republic, or in respect of any South African ship wherever she may be, he shall take such steps as in his opinion are necessary to ensure compliance with the said provisions.

9. Powers of officers and courts.—(1) Any—

(a) proper officer or surveyor; or
(b) court of marine enquiry, maritime court or court of survey; or
(c) person appointed in terms of section two hundred and sixty-four or subsection (1) of section two hundred and eighty-one, or to whom an appeal is referred in terms of subsection (1) or (2) of section two hundred and eighty-two; or
(d) other person authorized or required by or under this Act, or generally or specially authorized or required by the Authority, to make any survey or inspection or conduct any investigation,

may, in the execution of his or its duty or the exercise of his or its functions—

(i) board any South African ship wherever she may be, or any ship other than a South African ship while she is within the Republic or the territorial waters of the Republic, and inspect the same or any part thereof, or any equipment thereof, or any articles on board, or any log-books, certificates or other documents relating to the ship or the crew thereof, and muster the crew of the ship and interrogate them, and require the master and crew to demonstrate the related competency at their place or places of duty;
[Para. (i) substituted by s. 3 of Act No. 57 of 1998.]

(ii) enter any premises, including any land, structure, vehicle or vessel, and inspect the same or any articles therein;

(iii) by written notice or otherwise summon any person who in his or its opinion may be able to give information which is likely to assist him or it in the carrying out of such duty, or who he or it suspects or believes has in his possession or custody or under his control any book, document or thing the inspection of which is likely to assist him or it in the carrying out of such duty, to appear before him or it at a time and place specified, to be interrogated or to produce that book, document or thing;

(iv) administer an oath to any person appearing in obedience to any summons or otherwise, and interrogate him and inspect and detain any book, document or thing produced;

(v) require any person interrogated to subscribe to a declaration of the truth of the statement made by him;

(vi) copy any document inspected by or produced to him or it.

(vii) . . . . . .
[Sub-s. (1) amended by s. 7 (a) of Act No. 30 of 1959. Para. (vii) added by s. 3 (b) of Act No. 18 of 1992 and deleted by s. 4 of Act No. 23 of 1997.]
(2) Every person—

(a) shall upon demand assist to the best of his ability any officer or other person or court in the exercise of any of the powers conferred by subsection (1);

(b) summoned under paragraph (iii) of subsection (1) whose reasonable expenses have been paid or offered to him shall attend at the time and place specified, and remain in attendance until excused by the officer or other person or court from further attendance;

[Para. (b) amended by s. 7 (b) of Act No. 30 of 1959.]

(c) shall take the oath administered to him by any officer or other person or court under paragraph (iv) of subsection (1);

(d) shall answer fully and satisfactorily, to the best of his ability, all questions lawfully put to him by any officer or other person or court under paragraph (i) or (iv) of subsection (1), and, upon being required to do so, produce any book, document or thing in his possession or under his control: Provided that in connection with the interrogation of any such person by, or the production of any such book, document or thing to any such officer or other person or court, the law relating to privilege, as applicable to a witness summoned to give evidence or produce any book, document or thing before a court of law shall apply; and

(e) upon being required to do so, shall subscribe to a declaration of the truth of any statement made by him.

(3) Any person who, after being sworn by an officer or other person or court in the exercise of the said powers, gives a false answer to any question put to him, or makes a false statement on any matter, knowing that answer or statement to be false, shall be deemed to be guilty of perjury.

(4) Any person or court referred to in paragraph (a), (b) or (c) of subsection (1) may in the execution of his or its duty or the exercise of his or its functions, if he or it deems it necessary to do so, direct that any South African ship wherever she may be, or any ship other than a South African ship while she is within the Republic or the territorial waters of the Republic, be taken into dock at the owner’s expense, in order that every part of the hull thereof may be inspected.

(5) (a) (i) When an employer performs an act or requires or permits an act to be performed which in the opinion of a proper officer or surveyor threatens or is likely to threaten the safety of any person at a workplace or in the course of his employment, the proper officer or surveyor may by notice in writing prohibit that employer from continuing or commencing with the performance of that act or from requiring or permitting that act to be continued or commenced with, as the case may be.

(ii) When a user uses any machinery or proposes to use it in a manner or in circumstances which in the opinion of a proper officer or surveyor threatens or is likely to threaten the safety of any person who works with such machinery or who is or may come in the vicinity thereof, such proper officer or surveyor may by notice in writing prohibit that user from continuing or commencing with the use of such machinery or the use thereof in that manner or those circumstances, as the case may be.

(iii) A prohibition imposed under subparagraph (i) or (ii) may at any time be revoked in writing by the proper officer or surveyor if arrangements to the satisfaction of such proper officer or surveyor have been made to dispose of the threat which gave rise to the imposition of the prohibition.

(b) When a proper officer or surveyor is of the opinion that the safety of any person at a workplace or in the course of his employment or in connection with the use of machinery is threatened on account of the refusal or failure of an employer or a user, as the case may be, to take reasonable steps in the interest of such person’s safety, such proper officer or surveyor may by notice in writing direct that employer or user to take such steps as are specified in the notice, within a specified period.

(c) When on board a vessel in the vicinity of a workplace there is any nuisance which in the opinion of a proper officer or surveyor threatens or is likely to threaten the safety of an employee performing work at that workplace, such proper officer or surveyor may by notice in writing direct the person responsible for such nuisance or the owner or master of such vessel to remove the nuisance within a specified period.

(d) When a proper officer or surveyor is of the opinion that an employer or a user has failed to comply with a provision of a regulation applying to him, such proper officer or surveyor may by notice in writing direct the person responsible for such nuisance or the owner or master of such vessel to take such steps as are specified in the notice.

(e) The period contemplated in paragraph (b), (c) or (d) may at any time be extended by the proper officer or surveyor by notice in writing to the person concerned.

( f ) (i) A proper officer or surveyor may by notice in writing prohibit an employer from requiring or permitting employees or any employee belonging to a category of employees specified in the notice, to be exposed in the course of their or his employment for a longer period than a period specified in the notice to any article or condition which in the opinion of such proper officer or surveyor threatens or is likely to threaten the safety of such employees or the employee belonging to such category of employees, as the case may be.

(ii) An employer shall forthwith bring the contents of a notice under subparagraph (i) to the attention of the employees or employee concerned.
CHAPTER II
RECORDING, REGISTERING AND LICENSING OF SHIPS

10. Notification of building of vessels.—(1) Every person who at the coming into operation of this section is building, or after such coming into operation intends to build, a vessel which when completed will be registered or licensed in the Republic, shall within sixty days of such coming into operation or before beginning to build the vessel, as the case may be, furnish to the proper officer at the port where the vessel will be registered or licensed or to the Authority such written particulars of the vessel as may be prescribed.

(2) The person on whose account any vessel is built shall for the purposes of subsection (1) be deemed to build that vessel.

11. . . . .

12. . . . .

13. . . . .

14. . . . .

15 and 16. . . . .

17. Tonnage once ascertained to be tonnage of ship.—Whenever the tonnage of a ship has been ascertained and recorded in accordance with this Act, that tonnage shall be the tonnage of the ship unless any alteration is made in the form or capacity of the ship, or unless it is discovered that the tonnage of the ship has been erroneously computed, in either of which cases the ship shall be resurveyed, and her tonnage redetermined in accordance with this Act.

18. Tonnage of ships of other countries.—(1) Whenever the Minister is satisfied that provisions substantially the same as those of this Act relating to the measurement of the tonnage of ships are in force in any other country, he may by notice in the Gazette direct that ships registered in that country shall without being resurveyed in the Republic be presumed to be of the tonnage denoted in their certificates of registry or other national papers, in the same manner, to the same extent, and for the same purposes as the tonnage denoted in the certificate of registry of a South African ship is presumed to be the tonnage of that ship, and that the space shown by the certificate of registry or other national papers of any ship registered in such other country, as deducted from tonnage on account of being occupied by seafarers and appropriated to their use, shall for the purpose of determining her tonnage be presumed to have been certified by a surveyor under subsection (2) of section two hundred and sixty-two to comply with those of the provisions of this Act which apply to such a space in the case of a South African ship.

(2) Whenever the Minister has given any such direction as is mentioned in subsection (1), the presumptions referred to shall apply in respect of any ship registered in the country to which the direction relates.

(3) If any question arises as to whether the tonnage of any ship registered in any country to which any such direction relates, as denoted in her certificate of registry or other national papers, materially differs from that which would be her tonnage if measured under this Act, or as to whether the construction and the equipment of any ship so registered as regards the said space do for the purpose of determining the tonnage of the ship conform to the standards required under this Act, the Authority may direct that a surveyor inspect the ship.

(4) If from the report of a surveyor so directed to inspect a ship it appears to the Authority that the tonnage of that ship, as so denoted, materially differs from that which would be her tonnage if measured under this Act or that her construction and equipment as regards the said space do not, for the purpose of determining her tonnage conform to the said standards, or if for any reason it appears to the Authority that the tonnage of any ship so registered has been erroneously computed, it may order that, notwithstanding any direction for the time being in force under this section, that ship or any ship registered in the country to which the direction relates shall, for all or any of the purposes of this Act or the Ship Registration Act, 1998, be surveyed in accordance with this Act.

[Sub-s. (4) substituted by s. 2 (2) of Act No. 5 of 1998 and by s. 60 (b) of Act No. 58 of 1998.]
19.  
[S. 19 repealed by s. 60 (a) of Act No. 58 of 1998.]

20.  
[S. 20 amended by s. 5 of Act No. 42 of 1969 and by s. 3 of Act No. 16 of 1995 and repealed by s. 60 (a) of Act No. 58 of 1998.]

21 to 28 inclusive.  
[Ss. 21 to 28 inclusive repealed by s. 60 (a) of Act No. 58 of 1998.]

29.  
[S. 29 amended by s. 34 of Act No. 69 of 1962 and by s. 1 of Act No. 70 of 1977 and repealed by s. 60 (a) of Act No. 58 of 1998.]

30.  
[S. 30 amended by s. 7 of Act No. 40 of 1963 and repealed by s. 60 (a) of Act No. 58 of 1998.]

31.  
[S. 31 amended by s. 35 of Act No. 69 of 1962, substituted by s. 2 (2) of Act No. 5 of 1998 and repealed by s. 60 (a) of Act No. 58 of 1998.]

32.  
[S. 32 substituted by s. 8 of Act No. 30 of 1959 and repealed by s. 60 (a) of Act No. 58 of 1998.]

33.  
[S. 33 substituted by s. 9 of Act No. 30 of 1959 and repealed by s. 60 (a) of Act No. 58 of 1998.]

34.  
[S. 34 repealed by s. 60 (a) of Act No. 58 of 1998.]

35.  
[S. 35 amended by s. 10 of Act No. 30 of 1959 and repealed by s. 60 (a) of Act No. 58 of 1998.]

36 to 40 inclusive.  
[Ss. 36 to 40 inclusive repealed by s. 60 (a) of Act No. 58 of 1998.]

41.  
[S. 41 amended by s. 11 of Act No. 30 of 1959 and repealed by s. 60 (a) of Act No. 58 of 1998.]

42.  
[S. 42 amended by s. 12 of Act No. 30 of 1959 and repealed by s. 60 (a) of Act No. 58 of 1998.]

43.  
[S. 43 substituted by s. 2 (2) of Act No. 5 of 1998 and repealed by s. 60 (a) of Act No. 58 of 1998.]

44 to 51 inclusive.  
[Ss. 44 to 51 inclusive repealed by s. 60 (a) of Act No. 58 of 1998.]

51A.  
[S. 51A inserted by s. 2 of Act No. 70 of 1977 and repealed by s. 16 (1) of Act No. 105 of 1983.]

52 to 54 inclusive.  
[Ss. 52 to 54 inclusive repealed by s. 60 (a) of Act No. 58 of 1998.]

55.  
[S. 55 amended by s. 13 of Act No. 30 of 1959 and by s. 3 of Act No. 70 of 1977 and repealed by s. 60 (a) of Act No. 58 of 1998.]
56 to 60 inclusive.  

[Ss. 56 to 60 inclusive repealed by s. 60 (a) of Act No. 58 of 1998.]

61.  

[S. 61 substituted by s. 4 of Act No. 70 of 1977 and repealed by s. 60 (a) of Act No. 58 of 1998.]

62 and 63.  

[Ss. 62 and 63 repealed by s. 60 (a) of Act No. 58 of 1998.]

64.  

[S. 64 amended by s. 8 of Act No. 40 of 1963 and by s. 4 of Act No. 25 of 1985 and repealed by s. 60 (a) of Act No. 58 of 1998.]

65.  

[S. 65 amended by s. 36 of Act No. 69 of 1962 and by s. 9 of Act No. 40 of 1963 and repealed by s. 60 (a) of Act No. 58 of 1998.]

66 and 67.  

[Ss. 66 and 67 repealed by s. 60 (a) of Act No. 58 of 1998.]

68. Certain vessels to be licensed.—(1) The owner or the master of a vessel which is not registered in the Republic or elsewhere and which operates at or from a port in or from anywhere else on the coast of the Republic, shall be in possession of a licence issued to him in terms of this Act by a proper officer.

(2) An application for a licence in terms of subsection (1) shall be made in the prescribed form and the owner or master shall produce to the proper officer a local general safety certificate and, where applicable, a local safety exemption certificate.

(3) The provisions of this section shall not apply in respect of any vessel—

(a) unless the vessel is entitled to be registered in the Republic in terms of section 16 (a) or (b) of the Ship Registration Act, 1998; or

(b) of less than 100 gross tons used solely for sport or recreation.

[S. 68 amended by s. 10 of Act No. 40 of 1963, by s. 3 of Act No. 13 of 1965, by s. 2 of Act No. 3 of 1981 and by s. 5 of Act No. 25 of 1985 and substituted by s. 60 (b) of Act No. 58 of 1998.]

69. Renewal of licences.—(1) The owner or master of any vessel which in terms of section sixty-eight is required to be licensed, and in respect of which a licence has been issued, shall before or at the expiration of the period for which the licence was issued or renewed apply to the proper officer by whose office the licence was issued for a renewal thereof.

(2) The provisions of subsection (2) of section sixty-eight shall apply, mutatis mutandis, to any application for the renewal of a licence (date of commencement 1 November, 1961).

70. Issue and duration of licences.—A licence issued upon an application made under section sixty-eight or sixty-nine shall be in the prescribed form and shall be issued for one year under such conditions as may be prescribed (date of commencement 1 November, 1961).

71. Cancellation of licences.—(1) If the proper officer is satisfied that a licence issued under this Act was obtained fraudulently or on wrong information he may cancel the licence.

(2) If by reason of the contents of a report by a surveyor, or for any other reason, a proper officer is satisfied that—

(a) material alterations which affect the seaworthiness of a vessel which has been licensed under this Act have taken place since the licence was issued; or

(b) the life-saving appliances have not been maintained on such vessel in an effective condition; or

(c) the master of such a vessel is not a fit and proper person to operate the vessel,

he may cause the vessel to be detained and direct that the deficiency or other cause for the detention of the vessel be remedied; and if after due notice the directions of the proper officer are not complied with, the licence shall be cancelled (date of commencement 1 November, 1961).

72. Unlicensed vessels not to be used.—No person shall use a vessel which in terms of section 68 is required to be licensed, for any purpose whatsoever, unless the owner or master of the vessel holds a valid and current licence issued in respect thereof.

[S. 72 substituted by s. 6 of Act No. 42 of 1969.]
72A. Prohibition of use of vessels of less than three metres in length.—(1) No vessel of less than three metres in length shall go to sea from any port in or from anywhere else on the coast of the Republic.

(2) Notwithstanding the provisions of subsection (1) the Minister may by regulation—

(a) prescribe the purpose for and the area in which a vessel of less than three metres in length may be used; and

(b) prescribe the conditions subject to which any such vessel may so be used.

[S. 72A inserted by s. 3 of Act No. 3 of 1981. Para. (b) substituted by s. 60 (b) of Act No. 58 of 1998.]

CHAPTER III CERTIFICATES OF COMPETENCY, SERVICE AND QUALIFICATION

[Heading substituted by s. 4 of Act No. 57 of 1998.]

73. What certificated officers and other persons to be employed on certain ships.—(1) Subject to the provisions of this section, the owner and the master of every South African ship operating at a port in the Republic or going to sea from any port whatsoever shall ensure that there is employed on board that ship, in their appropriate capacities, the number of officers and other persons, duly certificated as prescribed by regulation, or deemed to be so certificated.

[Sub-s. (1) amended by s. 15 (a) of Act No. 30 of 1959 and by s. 11 (a), (b) and (c) of Act No. 40 of 1963 and substituted by s. 4 of Act No. 5 of 1976, by s. 1 of Act No. 3 of 1989 and by s. 5 (a) of Act No. 57 of 1998.]

(2) The Minister may by notice in the Gazette require that more or more highly certificated officers or other persons than are prescribed by subsection (1) shall be employed on board any class of ships of any tonnage or power specified in that notice; and after the publication of any such notice the owner of any ship to which it applies shall ensure that there are employed on board that ship the number of officers or other persons prescribed by that notice, duly certificated or deemed to be so certificated under this Act.

[Sub-s. (2) substituted by s. 4 of Act No. 5 of 1976.]

(3) Whenever the Authority is satisfied from a report by a surveyor that it would be unreasonable to require the owner of a ship built before the coming into operation of this section to provide the accommodation on board that ship necessary to accommodate the numbers of officers or other persons required to be employed in terms of subsection (1), or in terms of a notice issued under subsection (2), it may vary the requirements of subsection (1) or of that notice in respect of that ship as it deems fit.

[Sub-s. (3) substituted by s. 2 (2) of Act No. 5 of 1998.]

(4) (a) Subject to paragraph (b), the owner and the master of every ship other than a South African ship operating at a port in the Republic or going to sea from any such port shall ensure that there is employed on board that ship, in their appropriate capacities, a master and so many ships’ officers and other persons holding certificates of such descriptions as prescribed by the law of the flag of the ship.

(b) Notwithstanding paragraph (a), subsection (1) shall apply in relation to a ship referred to in that paragraph as if it were a South African ship, if—

(i) the matters contemplated in that paragraph are not prescribed by the law of the flag of the ship; or

(ii) having regard to—

(aa) the complement normally carried by similar ships on similar voyages;

(bb) the complement which the ship in question has recently carried on previous voyages; and

(cc) the nature and place of the service for which the ship is intended,

the proper officer has reason to believe that the ship is not sufficiently and efficiently manned.

[Sub-s. (4) amended by s. 37 of Act No. 69 of 1962 and by s. 11 (d) of Act No. 40 of 1963 and substituted by s. 5 (b) of Act No. 57 of 1998.]

(5) No person who has been engaged for the purpose of subsection (1) or (2) as master, ship’s officer or rating shall act as such unless he is duly certificated, or deemed to be so certificated, in terms of this Act.

[Sub-s. (5) substituted by s. 5 (b) of Act No. 57 of 1998.]

(6) No person shall for the purpose of subsection (1) or (2) employ a master, ship’s officer or rating as such without first ascertaining that he is duly certificated, or deemed to be so certificated, in terms of this Act.

[Sub-s. (6) substituted by s. 5 (b) of Act No. 57 of 1998.]

(7) . . . . .

[Sub-s. (7) deleted by s. 15 (b) of Act No. 30 of 1959.]

(8) . . . . .

[Sub-s. (8) deleted by s. 5 (c) of Act No. 57 of 1998.]
74. When ship's officers and other persons deemed to be duly certificated.—(1) Subject to the provisions of sections 83 and 84, a master, ships' officer or rating shall not be deemed to be duly certificated as such for the purposes of this Act, unless he is the holder for the time being in the case of a—

(a) master or ships' officer, of a valid certificate of competency or certificate of service, issued in terms of this Act, of a grade appropriate to the ship in which he is employed and to his station in the ship, or of a higher grade; or

(b) rating, of a valid certificate of qualification, issued or recognised in terms of this Act.

[Sub-s. (1) amended by s. 38 of Act No. 69 of 1962 and substituted by s. 6 of Act No. 57 of 1998.]

(2) Whenever the question arises whether any certificate is of a higher grade than any other certificate, that question shall be determined by the Authority, in accordance with the regulations relative thereto, if any.

75. . . . . . .

[S. 75 amended by s. 12 (1) of Act No. 40 of 1963 and repealed by s. 7 of Act No. 57 of 1998.]

76. . . . . . .

[S. 76 repealed by s. 2 of Act No. 3 of 1989.]

77. Examination for certificates of competency and qualification.—(1) Examinations of applicants for certificates of competency and qualification under this Act shall be held at such places in the Republic and at such times as the Authority may determine and under such conditions as may be prescribed by regulation.

(2) No person shall be admitted to examination for a certificate of competency or qualification unless he possesses the qualifications, and satisfies such other conditions, if any, prescribed by regulation.

(3) . . . . . .

[Sub-s. (3) deleted by s. 4 (b) of Act No. 13 of 1965.]

(4) The Authority may appoint examiners for the conduct of such examinations, and remove any examiner so appointed.

[S. 77 amended by s. 39 of Act No. 69 of 1962, by s. 4 of Act No. 13 of 1965, by s. 2 (2) of Act No. 5 of 1998 and substituted by s. 8 of Act No. 57 of 1998.]

78. Granting of certificates of competency and qualification after examination.—(1) Subject to the provisions of subsection (2), the Authority may grant a certificate of competency or certificate of qualification, as the case may be, to every applicant who passes the examination prescribed for the certificate satisfactorily, and produces satisfactory evidence that he possesses the qualifications and satisfies such other conditions, if any, prescribed by regulation.

(2) The Authority may, at any time before the delivery of a certificate, require a re-examination of the applicant by the examiners who made the examination or by any other examiners, and order a further enquiry into his testimonials or character or both, and if not satisfied with the result may order that a certificate be not granted to him.

[S. 78 substituted by s. 9 of Act No. 57 of 1998.]

79. . . . . . .

[S. 79 amended by s. 40 of Act No. 69 of 1962, by s. 13 of Act No. 40 of 1963, by s. 5 of Act No. 13 of 1965 and by s. 2 (2) of Act No. 5 of 1998 and repealed by s. 10 of Act No. 57 of 1998.]

80. . . . . . .

[S. 80 amended by s. 16 of Act No. 30 of 1959, by s. 14 of Act No. 40 of 1963, by s. 7 of Act No. 42 of 1969 and by s. 5 of Act No. 5 of 1976 and repealed by s. 3 (1) of Act No. 3 of 1989.]

81. Form and record of certificates of competency, service and qualification.—(1) All certificates of competency, service and qualification shall be made in the prescribed form.

(2) A record of certificates of competency, service and qualification granted and of any matter affecting them shall be kept in such manner as the Authority directs.

(3) Any such certificate and any record kept in terms of subsection (2) shall be admissible in evidence.

[S. 81 amended by s. 15 of Act No. 40 of 1963 and substituted by s. 11 of Act No. 57 of 1998.]

82. Loss of certificates of competency, service or qualification.—If any person proves to the satisfaction of the Authority that he has lost or been deprived of a valid certificate of competency, service or qualification granted him under this Act or the Merchant Shipping (Certificates of Competency) Act, 1925 (Act No. 45 of 1925), the Authority may, upon payment of such fee as may be prescribed, issue to that person a certified copy of the said certificate, and such copy shall be regarded as having the same force and effect as the original.
83. Certificates granted by competent foreign authorities.—(1) A master or a ships’ officer who holds a valid certificate of competency or service granted to him by a competent authority in another country shall not be engaged as such on a South African ship, except as authorised under subsection (2) or by regulation; and while any such authorization remains in force, and if the conditions under which it was granted are complied with, the person so engaged shall be deemed to be duly certified under this Act in respect of such ship, provided his certificate is of a grade appropriate to his station in such ship, or of a higher grade.

(2) If the Authority is satisfied that a certificate referred to in subsection (1) is of corresponding value to any certificate of competency or service granted under this Act, it may, with or without conditions, permit the engagement on a South African ship of a person who is the holder of such a certificate, and who possesses a knowledge of an official language of the Republic sufficient to enable him to communicate effectively in the performance of his duties.

[S. 83 amended by s. 41 of Act No. 69 of 1962, by s. 16 of Act No. 40 of 1963, substituted by s. 8 of Act No. 42 of 1969, amended by s. 2 (2) of Act No. 5 of 1998 and substituted by s. 13 of Act No. 57 of 1998.]

84. Certificates granted in Republic prior to commencement of Act.—(1) All uncancelled certificates of competency or service issued under the Merchant Shipping (Certificates of Competency) Act, 1925 (Act No. 45 of 1925), shall continue in force as if issued under this Act, but shall be valid only for the purpose for which, and the extent to which, they would have been valid in accordance with the provisions of the afore-mentioned Act.

[S. 84 amended by s. 42 of Act No. 69 of 1962. Proviso deleted by s. 14 (a) of Act No. 57 of 1998.]

(2) Any such certificate may be dealt with as if issued under this Act.

(3) . . . . .

[Sub-s. (3) deleted by s. 14 (b) of Act No. 57 of 1998.]

85. Authority may vary requirements as to certificates.—Notwithstanding the provisions of section 73 the Authority may, in its discretion and for such periods and under such conditions as it may specify if it is satisfied that no suitable holder of a certificate of the required grade and granted under this Act or referred to in section 83 or 84 is available, permit a South African ship to go to sea from any port whatsoever or a ship other than a South African ship to go to sea from a port in the Republic without the prescribed number of certificated officers or other persons, and while any such permission remains in force any person who acts in terms thereof shall not, if the conditions under which it was granted are complied with, be deemed to have contravened the provisions of section 73.

[S. 85 amended by s. 17 of Act No. 40 of 1963, substituted by s. 2 (2) of Act No. 5 of 1998 and by s. 15 of Act No. 57 of 1998.]

86. Production to proper officer of certificates.—(1) . . . .

[Sub-s. (1) deleted by s. 2 of Act No. 3 of 1982.]

(2) The master—

(a) of a South African ship to which the provisions of subsection (1) of section seventy-three or of a notice issued under subsection (2) of the said section apply, upon going to sea from any port whatsoever; or

(b) of a ship other than a South African ship to which the provisions of subsection (4) of the said section apply, upon going to sea from a port in the Republic,

[Para. (b) amended by s. 18 of Act No. 40 of 1963 and substituted by s. 16 of Act No. 57 of 1998.]

shall produce to the functionary from whom he requests a clearance for the ship the certificates of competency which, by the said provisions, subject to any variation approved by the Authority under subsection (3) of the said section, the master, officers and other persons on board the ship are required to hold.

(3) If the master of a ship fails to comply with the provisions of this section the ship may be detained by the proper officer until the certificates are produced.

87. Holder of certificate incapacitated by ill-health.—(1) If, at any time, it appears to the proper officer that owing to ill-health or mental or physical defect the holder of a certificate of competency, service or qualification is unfit to perform the duties required of him, the proper officer may require him to submit himself to examination by a medical practitioner approved by the Authority.

[Sub-s. (1) substituted by s. 17 of Act No. 57 of 1998.]

(2) If after consideration of the report on the medical examination the Authority is satisfied that the person concerned is owing to continued ill-health or mental or physical defect incapable of performing satisfactorily the duties appertaining to his certificate of competency, service or qualification it may direct that until it is satisfied that the holder of the certificate has again become capable of performing satisfactorily the duties appertaining to the said certificate, the holder shall not be engaged or go to sea in the capacity referred to in the certificate or in any other capacity specified by the Authority.

[Sub-s. (2) substituted by s. 2 (2) of Act No. 5 of 1998 and by s. 17 of Act No. 57 of 1998.]
Any direction by the Authority under subsection (2) shall—

(a) if the certificate was issued in the Republic, be effective everywhere and in respect of all ships; and

(b) if the certificate was issued elsewhere than in the Republic, be effective—

(i) within the Republic and the territorial waters of the Republic in respect of all ships; and

(ii) outside the Republic and the territorial waters of the Republic in respect of South African ships only.

88. Cancellation and suspension of certificates.—Notwithstanding anything contained in this Act, the Authority may cancel or suspend a certificate of competency, service or qualification—

(a) if the holder has been convicted of any offence and sentenced to imprisonment without the option of a fine, or has been convicted of any offence under this Act; or

(b) if the holder obtained the certificate on erroneous information.

[S. 88 amended by s. 18 of Act No. 57 of 1998.]

89. Appeals against cancellation or suspension of certificate.—(1) Any person in respect of whom any direction has been given under section 87 or whose certificate of competency, service or qualification has been cancelled or suspended under section 88 may appeal against the direction, cancellation or suspension to the High Court within the area of jurisdiction of which that person resides, and that court may confirm, set aside or vary the direction, cancellation or suspension.

[Sub-s. (1) substituted by s. 19 of Act No. 57 of 1998.]

(2) An appeal under this section shall be made in the manner and subject to the conditions and in accordance with the provisions laid down in the regulations.

CHAPTER IV
ENGAGEMENT, DISCHARGE, REPATRIATION, PAYMENT, DISCIPLINE AND GENERAL TREATMENT OF SEAFARERS AND CADETS

[Chapter IV heading substituted by s. 2 of Act No. 12 of 2015.]

90. Cadets.—(1) No person shall be employed as a cadet on board any South African ship unless he is a South African citizen or a citizen of a treaty country (other than the Republic) or a citizen of any other country whom the Authority has in its discretion and subject to any conditions which it may have imposed, permitted to be so employed, and has attained the age of sixteen years and the master of the ship undertakes to train him or cause him to be trained in navigation and seamanship or in engineering and in the duties of a ship’s officer.

[Sub-s. (1) amended by s. 43 of Act No. 69 of 1962, substituted by s. 6 of Act No. 13 of 1965 and by s. 2 (2) of Act No. 5 of 1998.]

(2) The owner or master of any such ship shall not permit the agreement with the crew to be signed by any person who is to be employed as a cadet unless he is satisfied that the provisions of subsection (1) are being complied with.

[Sub-s. (2) substituted by s. 3 of Act No. 3 of 1982.]

91. Excessive number of cadets not to be employed.—No person shall engage or permit cadets to serve on board a South African ship in excess of the number of cadets permitted by the regulations.

[S. 91 substituted by s. 3 of Act No. 12 of 2015.]

92. Medical examination of cadets.—No person shall be employed as a cadet on board any South African ship until that person has passed the colour and form vision tests prescribed and has been certified by a medical practitioner approved by the proper officer as physically fit for the sea service.

[S. 92 substituted by s. 4 of Act No. 12 of 2015.]

93. . . . .

[S. 93 amended by s. 44 of Act No. 69 of 1962, by s. 7 of Act No. 13 of 1965, by s. 2 (2) of Act No. 5 of 1998 and repealed by s. 5 of Act No. 12 of 2015.]

94. . . . .

[S. 94 repealed by s. 5 of Act No. 12 of 2015.]

95. . . . .

[S. 95 repealed by s. 5 of Act No. 12 of 2015.]
101. Medical examination of crew prior to engagement.—(1) Subject to the provisions of this section, the master of a South African ship shall not engage a seafarer to serve in that ship unless there has been delivered to the master a certificate, valid in terms of subsection (3), signed by a medical practitioner approved by the Authority from which it appears that the seafarer has been examined in accordance with the regulations and found to comply with the prescribed medical standards.

[Sub-s. (1) substituted by s. 20 (a) of Act No. 57 of 1998.]

(2) . . . . .

[Sub-s. (2) deleted by s. 20 (b) of Act No. 57 of 1998.]

(3) The certificate shall remain in force for the prescribed period.

[Sub-s. (3) amended by s. 17 of Act No. 30 of 1959 and substituted by s. 20 (c) of Act No. 57 of 1998.]

(4) If required to do so by the proper officer, the master shall produce the certificate referred to in subsection (1), and if the master fails to do so, the proper officer may refuse to permit the engagement of the seafarer concerned.

(5) The proper officer may on the ground of urgency authorize the engagement of a seafarer for a single voyage notwithstanding the fact that a certificate has not been delivered to the master as required by subsection (1).

(6) Any medical examination for the purpose of this section shall be at the expense of the owner of the ship concerned.

(7) The provisions of this section shall apply, with the changes required by the context, to the engagement of a master.

[Sub-s. (7) substituted by s. 6 of Act No. 12 of 2015.]

(8) . . . . .

[Sub-s. (8) amended by s. 4 of Act No. 18 of 1992 and deleted by s. 20 (d) of Act No. 57 of 1998.]

102. Agreements with crew.—(1) The master of every South African ship shall enter into an agreement on behalf of the employer (in this Act called the agreement with the crew) with every seafarer whom the master engages to serve in that ship: Provided that the proper officer may refuse to allow the engagement of a seafarer—

(a) who has not completed any period of pre-sea training that may be prescribed; or

(b) who does not possess a knowledge of one of the official languages of the Republic sufficient to enable him to understand fully any necessary orders given him in that language in the performance of his duties.

[Sub-s. (1) amended by s. 7 (a) of Act No. 12 of 2015.]

(2) The agreement with the crew shall be in the prescribed form, dated at the time of the first signature thereof, and shall be signed by the master before any seafarer signs it.

(3) The agreement with the crew shall contain, inter alia, as terms thereof the following particulars:

(a) the nature and, as far as practicable, either the duration of the intended voyage or engagement, or the maximum period of the voyage or engagement and any places or parts of the world to which the voyage or engagement is not to extend;

(b) the particulars as to the position of the deck line and load lines specified in any load line certificate issued in respect of the ship and still in force;

(c) the number and description of the crew;
the time at which each seafarer is to be on board or to begin work;

the capacity in which each seafarer is to serve;

the wages which each seafarer is to receive, and which must include particulars of the basic wages to be paid, payments to be made for overtime, bonuses, allowances paid, paid leave or any other additional payments, or in the case of a fishing vessel, the basic daily rate and commission scales;

[Para. (f) substituted by s. 9 of Act No. 42 of 1969 and by s. 7 (b) of Act No. 12 of 2015.]

a scale of the provisions which are to be furnished to each seafarer;

any regulations approved by the Minister as to conduct on board and as to fines or other lawful punishment for misconduct which the parties agree to adopt.

the amount of a seafarer’s entitlement to annual leave or, where applicable, the formula used for calculating the annual leave and the remuneration payable during that period of leave;

[Para. (i) added by s. 7 (c) of Act No. 12 of 2015.]

the health and social security protection benefits to be provided to the seafarer by the owner of a ship;

[Para. (j) added by s. 7 (c) of Act No. 12 of 2015.]

the seafarer’s entitlement to repatriation;

[Para. (k) added by s. 7 (c) of Act No. 12 of 2015.]

reference to any collective bargaining agreement, where applicable;

[Para. (l) added by s. 7 (c) of Act No. 12 of 2015.]

the minimum notice period that may be given by the seafarer or the owner of a ship, which shall not be less than seven calendar days.

[Para. (m) added by s. 7 (c) of Act No. 12 of 2015.]

(4) If the master of a South African ship engages single seafarers and there is already in existence in respect of that ship an agreement with the crew made in due form, those seafarers may sign that agreement, and the master need not enter into a separate agreement with them.

(5) (a) For the purposes of this section, in respect of all ships, excluding fishing vessels—

“basic wages” means remuneration for normal working hours, eight hours in a day, but does not include payments made for overtime, bonuses, allowances paid, paid leave or any other additional payments;

“overtime” means time worked in excess of the normal working hours, and includes work undertaken on Saturdays and Sundays, and public holidays as defined in section 1 of the Public Holidays Act, 1994 (Act No. 36 of 1994).

(b) If there is an agreement in place onboard a fishing vessel with the employer covering wages and conditions of employment agreed to under a registered bargaining council or statutory council in terms of the Labour Relations Act, 1995 (Act No. 66 of 1995), then the terms of that agreement apply to the employment of the seafarer concerned.

[Sub-s. (5) added by s. 7 (d) of Act No. 12 of 2015.]

103. Special provisions as to agreements with crew of foreign-going ships.—The following provisions shall apply to agreements with the crew of a foreign-going South African ship:

(a) subject to the provisions of this Act as to substitutes, the agreement shall be signed by each seafarer in the presence of a witness;

[Para. (a) substituted by s. 5 (a) of Act No. 3 of 1982.]

(b) the master, owner or authorized agent of the owner shall cause the agreement to be read over and explained to each seafarer, or otherwise ascertain that each seafarer understands the same before he signs it in the presence of a witness, who shall attest each signature;

[Para. (b) substituted by s. 5 (a) of Act No. 3 of 1982.]

(c) when the crew is first engaged the agreement shall be signed in duplicate, and one agreement shall be delivered to the proper officer and the other shall be retained by the master, and shall contain a special place or form for the descriptions and signatures of substitutes or persons engaged subsequent to the first departure of the ship;

[Para. (c) substituted by s. 5 (a) of Act No. 3 of 1982.]

(d) if a substitute is engaged in the place of a seafarer who has duly signed the agreement and whose services are terminated, within twenty-four hours before the ship proceeds to sea, by death, desertion, absence without leave or other unforeseen cause, the engagement of the substitute shall be effected before the master, who shall before the ship proceeds to sea or as soon thereafter as is
practicable, cause the agreement to be read over and explained to the substitute, and the substitute shall thereupon sign the same in the presence of a witness, who shall attest the signature; [Para. (d) substituted by s. 5 (a) of Act No. 3 of 1982.]

(e) the master shall not proceed with the engagement of the crew until he is satisfied that the particulars required by paragraph (b) of subsection (3) of section 102 have been inserted in the agreement; [Para. (e) substituted by s. 5 (a) of Act No. 3 of 1982.]

(f) separate agreements may be made for each single voyage, or an agreement (in this Act referred to as a running agreement) may be made to extend over two or more voyages;

(g) a running agreement shall not be for a longer period than one year, but if the period for which the agreement was entered into expires while the ship is not in a port in the Republic, the agreement shall continue in force until the ship is again in a port in the Republic: Provided that the agreement shall not continue for more than three months after the expiration of the period for which it was entered into unless the seafarers concerned agree thereto in writing; [Para. (g) amended by s. 20 of Act No. 40 of 1963.]

(h) on every return to a port in the Republic before the final termination of a running agreement, the master shall endorse on the agreement particulars of the engagement or discharge of any seafarer, or that no engagement or discharges have been made or are intended to be made before the ship leaves port, and also that any engagements or discharges made have been according to law. [Para. (h) substituted by s. 5 (b) of Act No. 3 of 1982.]

104. Changes in crew to be reported.—(1) Where an agreement has been entered into with the crew of a South African ship, the Master or the owner thereof shall—

(a) before the ship leaves the port where the agreement was entered into, sign and render to the proper officer at that port a full and accurate statement in a form approved by the Authority of every change that has taken place in the crew since the agreement was entered into; and [Para. (a) substituted by s. 6 of Act No. 3 of 1982.]

(b) before the ship leaves any port subsequently entered by her during the currency of the agreement, sign and render to the proper officer at that port a full and accurate statement in a form approved by the Authority of every change that has taken place in the crew since he last rendered a statement in terms of this section. [Sub-s. (1) substituted by s. 10 of Act No. 42 of 1969. Para. (b) substituted by s. 6 of Act No. 3 of 1982.]

(2) Every statement rendered in accordance with the provisions of this section shall be admissible in evidence. [S. 104 substituted by s. 18 of Act No. 30 of 1959.]

105. Certificates as to agreements with crew of foreign-going ships.—(1) In the case of a foreign-going South African ship—

(a) on the due execution of an agreement with the crew; or

(b) where the agreement is a running agreement, on compliance by the master with paragraph (h) of section 103, the master shall issue a certificate to that effect. [Sub-s. (1) substituted by s. 7 of Act No. 3 of 1982.]

(2) The master of every foreign-going South African ship shall before proceeding to sea from a port in the Republic produce to the officer of customs, if that officer should so require, the certificate mentioned in subsection (1), and any such ship may be detained until the certificate is so produced.

(3) The master of every foreign-going South African ship shall, within forty-eight hours after the ship's arrival at her final port of destination for the voyage, or, in the case of a running agreement, within forty-eight hours of her arrival at her final port of destination for the last voyage over which the agreement extends, or upon the discharge of the crew, whichever event first occurs, deliver the agreement with the crew to the proper officer, who shall give the master a certificate of that delivery.

106. Special provisions as to agreements with crew of coasting ships, and fishing, sealing or shore-based whaling boats.—The following provisions shall have effect in respect of agreements with the crew of a coasting ship or a fishing, sealing or shore-based whaling boat registered in the Republic:

(a) agreements may be made either for service in a particular ship or for service in two or more ships belonging to the same owner;

(b) crews or single seafarers shall be engaged in the same manner as they are required to be engaged for foreign-going ships and the provisions of section 103 with regard to substitutes shall apply. [Para. (b) substituted by s. 8 of Act No. 3 of 1982.]
an agreement for service in two or more ships belonging to the same owner may be made by the owner of the ship instead of by the master, and the relative provisions of this Act shall apply mutatis mutandis to such an agreement;

(d) an agreement shall not be for a longer period than two years, but if the period for which the agreement was entered into expires while the ship is not in a port in the Republic, the agreement shall continue in force until the ship is again in a port in the Republic: Provided that the agreement shall not continue for more than three months after the expiration of the period for which it was entered into unless the seafarers concerned agree thereto in writing.

[Para. (d) amended by s. 21 of Act No. 40 of 1963.]

107. Certificate as to agreements with crew of coasting ships, and fishing, sealing or shore-based whaling boats.—When the agreement with the crew of a coasting ship or a fishing, sealing or shore-based whaling boat registered in the Republic has expired, the master or owner of the ship shall deliver such agreement to the proper officer with twenty-one days after such expiry, and the proper officer on receiving such agreement shall give the master or owner a certificate to that effect.

108. Alterations in agreements with crew.—No erasure, interlineation or alteration in any agreement with the crew of a South African ship (except additions made for the purpose of shipping substitutes or persons engaged after the first departure of the ship) shall be of force or effect unless proved by the written attestation of a proper officer to have been made with the consent of the members of the crew interested in such erasure, interlineation or alteration.

109. Copy of agreement to be displayed.—The master of a South African ship shall at the beginning of every voyage or engagement cause a legible copy of the agreement with the crew (omitting the signatures) to be framed and displayed in some conspicuous place on board the ship which is accessible to the crew, and shall cause it to be kept so framed and displayed during its currency.

110. Employment of children on ships prohibited.—The owner or master of a South African ship, or of a ship which is not registered in the Republic and is wholly engaged in plying between ports in the Republic, shall not knowingly take into employment or keep in employment or permit the employment of any person under the age of sixteen years in any capacity on board the ship.

[S. 110 amended by s. 22 of Act No. 40 of 1963 and substituted by s. 8 of Act No. 12 of 2015 ]

111. Employment of young persons.—(1) Subject to the provisions of this section the owner or master of a South African ship shall not permit a young person to work at night: Provided that—

(a) this subsection shall not apply—

(i) to the employment of a young person on such work as aforesaid in a school-ship or training-ship, if the work is of a kind approved by the Authority and is carried on subject to supervision by officers approved or appointed by it;

(ii) if the effective training of the young person concerned would be impaired; or

(iii) if the specific nature of the training requires that the young person must perform duties at night.

[Para. (a) amended by s. 2 (2) of Act No. 5 of 1998 and substituted by s. 9 (c) of Act No. 12 of 2015.]

(b) . . . . .

[Sub-s. (1) amended by s. 9 (b) of Act No. 12 of 2015. Para. (b) deleted by s.9 (d) of Act No. 12 of 2015.]

(2) There shall be included in every agreement with the crew of a South African ship a list of the young persons who are members of the crew.

[Sub-s. (2) substituted by s. 9 (e) of Act No. 12 of 2015.]

(3) There shall be included in every agreement with the crew of a South African ship a short summary of the provisions of this section.

(4) . . . . .

[Sub-s. (4) deleted by s. 9 (f) of Act No. 12 of 2015.]

(5) . . . . .

[Sub-s. (5) deleted by s. 9 (f) of Act No. 12 of 2015.]

(6) The guardian of a young person shall not knowingly cause or permit him to be employed in contravention of the terms of this section.

(7) The master of a South African ship shall on demand by a proper officer produce to that officer for the purpose of inspection the register mentioned in subsection (2) and every certificate delivered to the said master in terms of this section.

(8) In this section—
“night” means a period of at least nine hours, starting no later than midnight ship’s time and ending not earlier
than 05:00 ship’s time; [Definition of “night” inserted by s. 9 (g) of Act No. 12 of 2015.]

“young person” means a person who is under the age of eighteen years;

“ship” means any sea-going ship or boat of any description, and includes a fishingboat, but does not include
any tug, dredger, sludge vessel, barge, or other craft whose navigation does not extend beyond the seaward
limits of the jurisdiction of the harbour authority of the port at which such vessel is regularly employed.
[S. 111 amended by s. 9 (a) of Act No. 12 of 2015.]

111A. Entitlement to leave.—(1) (a) Every seafarer employed or engaged on a South African ship is entitled
to leave accrued at the rate of at least 2.5 days per month of employment, except in the case of a seafarer
employed onboard a fishing vessel.

(b) A seafarer employed on board a fishing vessel is entitled to leave as stipulated in an agreement
concluded with a registered bargaining or statutory Council.

(2) Leave commences when the seafarer arrives at his or her proper return port.

(3) In this section ‘month’ means a period of 30 days, and includes Saturdays, Sundays and public holidays,
as defined in section 1 of the Public Holidays Act, 1994 (Act No. 36 of 1994).
[S. 111A inserted by s. 10 of Act No. 12 of 2015.]

112. . . . .
[S. 112 amended by s. 23 of Act No. 40 of 1963, by s. 4 (a) of Act No. 3 of 1981, by s. 9 of Act No. 3 of 1982, by
s. 2 (2) of Act No. 5 of 1998 and repealed by s. 21 of Act No. 57 of 1998.]

113. Discharge of seafarers.—(1) The master of a South African ship shall not discharge a seafarer who has
signed the agreement with the crew from the ship, except before a proper officer, where the seafarer
does not consent to his discharge, and in accordance with the provisions of this Act.

(2) Upon the discharge of a seafarer the master shall issue to the seafarer a certificate of his discharge in
the prescribed form.

(3) Upon the discharge of a seafarer the master shall return to him any certificate of competency or
qualification belonging to him which may have been in the custody of the master.

(4) When a seafarer is discharged and the master declines to express an opinion on the conduct, character
and ability of the seafarer, the discharge shall be made before a proper officer, to whom he shall furnish a report in
the prescribed form stating that he so declines, and the proper officer shall, if the seafarer so desires, give to him or
endorse on his certificate of discharge a copy of such report. The master shall enter in the official log-book his
reasons for so declining, and shall, upon the request of the seafarer, read out to him, in the presence of the proper
officer, the reason so entered. The proper officer shall, whenever practicable, give the seafarer a reasonable
opportunity to make a statement upon such report.

(5) The proper officer shall transmit the report, together with the seafarer’s statement, if any, furnished to
him in terms of subsection (4) to the proper officer at the port where the agreement with the crew was entered into.
[S. 113 amended by s. 11 of Act No. 42 of 1969 and substituted by s. 10 of Act No. 3 of 1982.]

114. Repatriation of seafarers whose service terminates elsewhere than at proper return port.—(1) When
the service of a seafarer belonging to a South African ship terminates without the consent of the said seafarer at a
place other than a proper return port, and before the expiration of the period for which the seafarer was engaged,
the master or owner of the ship shall, in addition to any other relative obligation imposed on the seafarer by this
Act, make adequate provision for the maintenance of the seafarer according to his or her rank or rating, and for
the return of that seafarer to a proper return port.
[Sub-s. (1) substituted by s. 11 of Act No. 12 of 2015.]

(2) If the master or owner fails without reasonable cause to comply with the provisions of subsection (1), the
expenses of maintenance and of the journey to the proper return port shall, if defrayed by the seafarer, be
recoverable as wages due to him, and if defrayed by the proper office, be regarded as expenses falling within the
provisions of subsections (4) and (5) of section one hundred and fifty-four. Inability to provide the said expenses
shall not, for the purposes of this subsection, be regarded as reasonable cause.

(3) The provisions of this section shall not apply in the case of a seafarer who is not a South African citizen or
a citizen of a treaty country (other than the Republic) and who was engaged at a port out of the Republic and
discharged at a port outside the Republic.
[Sub-s. (3) amended by s. 45 of Act No. 69 of 1962.]

115. Entries and certificates of desertion outside the Republic.—(1) In every case of desertion from a South
African ship at a port outside the Republic, the master shall as soon as possible after the event produce the entry of
the desertion in the official logbook to a proper officer, and shall request that officer to make and certify a copy of
such entry, and the proper officer shall, in the absence of reasonable cause to the contrary, comply with that request.

(2) The certified copy made in terms of subsection (1) shall be transmitted by the master to the proper officer at the port where the agreement was entered into and shall be admissible in evidence.

[Sub-s. (2) substituted by s. 11 of Act No. 3 of 1982.]

116. Discharge of seafarer on change of ownership.—(1) If a South African ship is transferred or disposed of while she is at or on a voyage to any port outside the Republic every seafarer belonging to that ship shall be discharged at that port, unless he or she consents in writing in the presence of a proper officer to complete the voyage in the ship if continued.

(2) If a seafarer is discharged from a South African ship in terms of subsection (1), the provisions of section 114 shall apply as if the service of the seafarer had terminated without his or her consent and before the expiration of the period for which the seafarer was engaged and the provisions of the said section shall, notwithstanding subsection (3) thereof, be applicable whatever may be his or her nationality and wherever may be situated the port where he or she was engaged.

(3) Every seafarer discharged in terms of subsection (1) shall, if the voyage for which he or she was engaged is not continued, be entitled to the wages to which he or she would have been entitled if his or her service had been wrongfully terminated by the owner before the expiration of the period for which the seafarer was engaged.

[S. 116 substituted by s. 12 of Act No. 12 of 2015.]

117. Discharge and leaving of seafarers behind.—(1) The master of a South African ship shall not—

(a) discharge a seafarer before the expiration of the period for which he was engaged, unless the seafarer consents to his discharge; nor

(b) except in circumstances beyond his control, leave a seafarer behind,

without the authority of the proper officer, who shall certify on the agreement with the crew that he or she has granted such authority, and also the reason for the seafarer’s being discharged or being left behind

[Sub-s. (1) amended by s. 13 of Act No. 12 of 2015.]

(2) The proper officer to whom application is made for authority in terms of subsection (1) shall investigate the grounds on which the seafarer is to be discharged or the seafarer left behind and may in his discretion grant or refuse to grant such authority: Provided that he shall not refuse to grant his authority if he is satisfied that the seafarer has without reasonable cause—

(a) failed or refused to join his ship or to proceed to sea therein; or

(b) been absent from his ship without leave, either at the commencement or during the progress of a voyage for a period of more than forty-eight hours.

(3) The proper officer shall keep a record in the prescribed form of all seafarers discharged or left behind in the Republic with his authority; and whenever any charge is made against a seafarer under section one hundred and seventy-five or one hundred and seventy-six the fact that no such authority is so recorded shall be evidence that it was not granted.

118. Leaving seafarers behind.—No person shall cause a seafarer to be wrongfully left behind—

(a) at any place in the Republic, in the case of a ship other than a South African ship;

(b) at any place whatsoever, in the case of a South African ship.

119. Wages and other property of seafarer left behind.—(1) If a seafarer belonging to a South African ship is left behind, the master of the ship shall enter in the official log-book a statement of the amount due to the seafarer in respect of wages at the time when he was left behind and of all property left on board by him, and shall take such property into his charge.

(2) Within forty-eight hours after the arrival of the ship at the port at which the voyage terminates, the master shall deliver to the proper officer—

(a) a statement of the amount due to the seafarer in respect of wages, and of all property left on board by him; and

(b) a statement, with full particulars, of any expenses that may have been caused to the master or owner of the ship by the absence of the seafarer, where the absence is due to a contravention by the seafarer of section one hundred and seventy-five or one hundred and seventy-six,

and if required by the proper officer to do so, shall furnish such vouchers as are reasonably required to verify the statements.

(3) The master shall at the time when he delivers the statements referred to in subsection (2) to the proper officer also deliver to him the amount due to the seafarer in respect of wages and the property that was left on board by him, and the proper officer shall give to the master a receipt therefor in the prescribed form.

(4) The master shall be entitled to be reimbursed out of the wages or property referred to in paragraph (a)
of subsection (2) such expenses shown in the statement referred to in paragraph (b) of that subsection as appear to the proper officer to be properly chargeable.

(5) If the master or owner of the ship is not satisfied with any decision of the proper officer under subsection (4), he or she may appeal therefrom to the Authority.

[Sub-s. (5) substituted by s. 5 (a) of Act No. 88 of 1996.]

(6) The seafarer concerned may within 30 days of his or her first becoming aware of any such decision of the proper officer under subsection (4) appeal therefrom to the Authority. The Authority may on such appeal direct that any money paid to the master in accordance with the decision of the proper officer shall be paid over by the master or the owner of the ship to the seafarer, who may recover the amount as wages.

[Sub-s. (6) substituted by s. 5 (b) of Act No. 88 of 1996.]

120. Payment of wages on discharge of a seafarer of a South African ship.— When a seafarer of a South African ship is discharged, he may or if he has a dispute regarded his wages, he shall be paid his wages, or the balance thereof, in the manner directed by the proper officer, and the owner or master of the ship, as the case may be, shall, in the case of a dispute, not pay the wages of the seafarer, or the balance thereof, in any other manner.

[S. 120 amended by s. 19 of Act No. 30 of 1959 and substituted by s. 12 of Act No. 42 of 1969.]

121. Master to deliver account of wages.—(1) The master or the owner of a South African ship shall cause to be delivered to a seafarer a full and true account of his or her wages in a form approved by the Authority, on a monthly basis or in the case of a seafarer employed on board a fishing vessel, on the day of arrival in port after month end where the total period between delivery of accounts and the preceding account shall not exceed 45 days.

[Sub-s. (1) substituted by s. 13 (a) of Act No. 42 of 1969 and by s. 14 Act No. 12 of 2015.]

(2) . . . . . .

[Sub-s. (2) deleted by s. 13 (b) of Act No. 42 of 1969.]

(3) A deduction from the wages of a seafarer shall not be allowed unless it is included in the account delivered in terms of subsection (1), except in respect of a matter happening after the said delivery.

[Sub-s. (3) substituted by s. 13 (c) of Act No. 42 of 1969.]

(4) The master shall during the voyage enter the various matters in respect of which the deductions are made, with the amount of the respective deductions, as they occur, in a book to be kept for that purpose, and shall, if required, produce the book at the time of the payment of wages, and also upon the hearing before any competent authority of any complaint or question relating to that payment.

[S. 121 amended by s. 19 of Act No. 30 of 1959.]

122. Time of payment of wages for foreign-going ships.—In the case of a foreign-going South African ship (other than a ship employed on voyages for which seafarers by the terms of their agreement are wholly compensated by a share in the profits of the venture)—

(a) the owner or master of a ship shall pay to each seafarer at the time when he lawfully leaves the ship at the end of his engagement, the sum of 50 rand or one-half of the balance of wages due to him, whichever amount is the lesser, and shall pay to him the remainder of his wages within two days after he so leaves the ship: Provided that if the seafarer consents, the settlement of his wages may be left to the proper officer and in that case any relative receipt given by that officer to the owner or master shall operate as if it were a release given by the seafarer in accordance with the provisions of this Act;

[Para. (a) amended by s. 12 of Act No. 3 of 1982.]

(b) if the wages of a seafarer or any part thereof are not paid or settled in terms of this section, the said wages shall continue to run and be payable until the time of final payment or settlement thereof, unless the delay in payment or settlement is due to the act or default of the seafarer, or to any reasonable dispute as to liability, or to any other cause not being the wrongful act or default of the owner or master.

[S. 122 amended by s. 19 of Act No. 30 of 1959.]

123. Time of payment for coasting ships, and fishing, sealing and shore-based whaling boats.—(1) When a seafarer is discharged from a coasting ship or a fishing, sealing or shore-based whaling boat, registered in the Republic, the owner or master shall pay to that seafarer, within two days of his discharge, the balance of wages due to him, and if an owner or master fails without reasonable cause to make such payment he shall pay to the seafarer a sum equal to two days’ pay for each of the days during which payment is delayed beyond the said period of two days, but the additional sum so payable shall not exceed ten days’ double pay.

[Sub-s. (1) amended by s. 19 of Act No. 30 of 1959.]

(2) A sum payable under this section may be recovered as wages.

124. Settlement of wages.—(1) When settlement of the wages of a seafarer of a South African ship is
Whenever a question as to wages is raised between the owner or master of a South African ship and a seafarer, and the parties concerned agree in writing to submit such matter for adjudication to a proper officer, he may hear and decide the question so submitted, and his decision shall be final.

A seafarer may except from the release signed by him under this section any specified claim or demand against the owner or master of the ship, and a note of any claim or demand so excepted shall be entered upon the release. The release shall not operate as a discharge or settlement of any claim or demand so noted, nor shall subsection (3) of this section apply to any payment, receipt, or settlement made with respect to any such claim or demand.

Decision by proper officer on question as to wages.—Whenever a question as to wages is raised between the owner or master of a South African ship and a seafarer, and the parties concerned agree in writing to submit such matter for adjudication to a proper officer, he may hear and decide the question so submitted, and his decision shall be final.

Any agreement for the payment in advance of wages to or on account of any seafarer or his assignee in respect of wages shall not be admitted as evidence of the release or satisfaction of any claim in respect of such wages.

Upon any payment being made by a master before a proper officer, the said officer shall on request sign and give to the master a statement of the whole amount so paid, and that statement shall as between the master and his employer be admissible as evidence that the master has made the payments therein mentioned.

A seafarer may except from the release signed by him under this section any specified claim or demand against the owner or master of the ship, and a note of any claim or demand so excepted shall be entered upon the release. The release shall not operate as a discharge or settlement of any claim or demand so noted, nor shall subsection (3) of this section apply to any payment, receipt, or settlement made with respect to any such claim or demand.

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Decision by proper officer on question as to wages.—Whenever a question as to wages is raised between the owner or master of a South African ship and a seafarer, and the parties concerned agree in writing to submit such matter for adjudication to a proper officer, he may hear and decide the question so submitted, and his decision shall be final.

A seafarer may except from the release signed by him under this section any specified claim or demand against the owner or master of the ship, and a note of any claim or demand so excepted shall be entered upon the release. The release shall not operate as a discharge or settlement of any claim or demand so noted, nor shall subsection (3) of this section apply to any payment, receipt, or settlement made with respect to any such claim or demand.
(3) The stipulations shall be inserted in the agreement with the crew, and shall state the amounts and times of the payments to be made and the names of the persons to whom they are to be made.

(4) All allotment notes shall be in the prescribed form, and shall be signed by the master or owner of the ship or his authorized agent and the seafarer.

(5) The master, owner or authorized agent of the owner before whom a seafarer is engaged shall, after the seafarer has signed the agreement, enquire of the seafarer whether he requires a stipulation for the allotment of part of his wages by means of an allotment note. If the seafarer requires such stipulation, the master, owner or authorized agent of the owner shall insert it in the agreement with the crew, and every such stipulation shall be deemed to have been agreed to by the parties thereto.

(6) The master, owner or authorized agent of the owner shall bear the costs incurred in effecting payment of the allotment of all or part of a seafarer’s wages.

131. Right of suing on allotment notes.—(1) The person in whose favour an allotment note under this Act has been made may, unless the seafarer has forfeited or ceased to be entitled to the wages out of which the allotment is to be paid, recover the sums allotted when and as the same are made payable, with costs, from the owner of the ship in respect of which the seafarer was engaged or from any agent of the owner who has authorized the allotment, and the provisions of section one hundred and thirty-six shall, mutatis mutandis, apply to any proceedings for such recovery: Provided that the wife of a seafarer, if she deserts her children or so misconducts herself as to be undeserving of support from her husband shall forfeit all rights to further payments under any allotment made in her favour.

(2) In any proceedings mentioned in subsection (1) it shall be sufficient for the claimant to prove that he is the person mentioned in the allotment note and that the note was given by the owner or by the master or the authorized agent of the owner or master, and the seafarer shall be presumed to be duly earning his wages unless the contrary is shown to the satisfaction of the court—

(a) in the case of a seafarer serving on a foreign-going ship, by the official statement of the change in the crew caused by the seafarer’s absence, made and signed by the master in terms of section 104; or

(b) by a certified copy of some entry in the official log-book, or by a letter from the master, to the effect that the seafarer has left the ship; or

(c) by such other evidence as the court in its discretion considers sufficient to show that the seafarer has ceased to be entitled to the wages out of which the allotment is to be paid.

132. Time of payment of an allotment note.—(1) Subject to the provisions of subsection (2), payment under an allotment note under this Act shall—

(a) begin at the expiration of one month from the date on which the seafarer was engaged;

(b) be made at the expiration of every subsequent month after the first month; and

(c) be made only in respect of wages earned before the date of payment.

(2) By agreement with the master or owner or the authorized agent of the master or owner of a South African ship an allotment note may be granted to a seafarer providing for payment at a time earlier than one month from the date of his engagement and at intervals more frequent than one month.

133. Rights to wages and provisions and when such are to commence.—The rights of a seafarer or apprentice-officer of a South African ship to wages and provisions shall be deemed to begin either at the time at which he commences work or at the time specified in the agreement or articles of indenture, as the case may be, for his commencement of work or presence on board, whichever first happens.

134. Agreement to forfeit lien for wages is void.—(1) A seafarer of a South African ship shall not by agreement forfeit his or her lien on the ship for his or her wages, or be deprived of any remedy for the recovery of wages to which in the absence of the agreement he or she would be entitled, or abandon his or her right to wages in the case of the loss of the ship and every stipulation in any agreement with the crew inconsistent with the provisions of this section shall be void.

(2) . . . . .

135. Restrictions on assignment of wages and salvage.—(1) The following provisions shall apply to wages due or to become due to a seafarer of a South African ship:

(a) They shall not be liable to attachment or subjected to any form of execution under a judgment or
(b) an assignment or hypothecation thereof shall not bind the person making the same;
(c) a power of attorney or authority for the receipt thereof shall not be irrevocable; and
(d) a payment of wages to a seafarer shall be valid in law, notwithstanding any previous assignment or hypothecation of those wages, or any attachment of or execution upon those wages.

(2) Nothing in this section shall affect the provisions of this Act regarding allotment notes or those of section 326 of this Act or those of sections 99 and 100 of the Income Tax Act, 1962 (Act No. 58 of 1962).

136. Proceedings for wages.—(1) A seafarer, or a person duly authorized by him, may as soon as wages due to him by reason of his engagement in a South African ship become payable sue for the same before any magistrate’s court within whose area of jurisdiction the place at which his service has been terminated is situated, or which by reason of any other fact has jurisdiction in the matter; and no appeal shall lie from any judgment given or order made by the court in the matter.

(2) Nothing in subsection (1) contained shall increase the jurisdiction of any magistrate’s court as regards the amount which may be claimed in any proceeding tried by the court.

137. Wages not recoverable abroad except in certain cases.—If a seafarer is engaged in a South African ship for a voyage or period of service which is to terminate in the Republic he shall not be entitled to sue in any court outside the Republic for wages, unless he has been discharged, or proves such ill-usage on the part of or by the authority of the master as to warrant reasonable apprehension of danger to his life or health if he were to remain on board.

138. Wages not to depend on freight.—The right to wages shall not depend on the earning of freight, and every seafarer of a South African ship who would be entitled to demand and recover wages if the ship in which he has served had earned freight shall, subject to all other laws and conditions applicable to the case, be entitled to recover the same notwithstanding that freight has not been earned.

139. Wages not claimable seafarer who fails to exert himself to save ship.—(1) If it is proved that a seafarer of a South African ship whose ship has been wrecked or actually or constructively lost has not made every reasonable effort to save the ship, cargo and stores, he shall not be entitled to claim any wages that would otherwise be due to him.

(2) For the purposes of this section, a ship shall be deemed to be constructively lost if—

(a) the ship is reasonably abandoned because its actual total loss appears to be unavoidable;
(b) the ship cannot be preserved from actual total loss without an expenditure that would exceed its value when the expenditure has been incurred; or
(c) the ship has been damaged to the extent that the cost of repairing the damage would exceed its value when repaired.

140. Wages on termination of services by illness or injury of seafarers or wreck or loss of ship.—(1) If the service of a seafarer of a South African ship is terminated, before the date contemplated in the agreement, by reason of—

(a) the wreck, loss, abandonment, flooding, stranding, fire on board or collision of the ship;
(b) his being left behind at a place other than a proper return port owing to his incapacity to perform his duty because of illness, hurt or injury, unless it be proved that his illness, hurt or injury was caused by his own wilful act or default or his own misbehaviour, or unless he has unreasonably refused to undergo medical or surgical treatment for such illness, hurt or injury involving no appreciable risk to his life.

he shall be entitled to receive wages at the rate provided in the agreement for the period from the date his services are so terminated until he is returned to and arrives at a proper return port: Provided that the period for which he shall be entitled to receive wages shall not exceed ninety days, nor be less than sixty days or the period from the date his services so terminated until the date contemplated in the agreement, whichever is the shorter period.

(2) Notwithstanding the proviso to subsection (1), a seafarer shall not be entitled to receive wages under that subsection in respect of any particular day if it be proved that he was able to obtain employment on that day in work which he was able to do and which was suitable, having regard to his rank or rating.
(3) If by reason of the wreck, loss, abandonment, flooding, stranding, fire on board or collision of a ship on which a seafarer is employed he sustains the loss of any or all of his property, he shall be entitled, in accordance with the regulations, to compensation from the owner of the ship for such loss.

[Sub-s. (3) substituted by s. 5 (b) of Act No. 3 of 1981.]

(4) A seafarer shall not be entitled to receive compensation under subsection (3) if it be proved that the loss of his property was not due to the wreck, loss, abandonment, flooding, stranding, fire on board or collision of the ship.

[Sub-s. (4) substituted by s. 5 (c) of Act No. 3 of 1981.]

(5) Nothing in this section shall deprive any seafarer of any compensation to which he may be entitled in terms of the Workmen’s Compensation Act, 1941 (Act No. 30 of 1941)—

(a) for temporary partial disablement or temporary total disablement in respect of any period for which he has not been paid wages in terms of this section; or

[Para. (a) amended by s. 21 (c) of Act No. 30 of 1959.]

(b) for permanent disablement.

[Sub-s. (5) amended by s. 21 (c) of Act No. 30 of 1959.]

(6) A seafarer shall not be entitled to receive any compensation under the Workmen’s Compensation Act, 1941, for temporary partial disablement or temporary total disablement in respect of any period for which he has been paid wages in terms of this section; but his employer who has paid such wages to him for that period shall, if he has paid all assessments for the payment of which he is liable under that Act, be entitled to recover from the accident fund established under that Act an amount equal to the compensation that would, but for the provisions of this section, have been payable to the seafarer under that Act in respect of that period.

[Sub-s. (6) amended by s. 21 (d) of Act No. 30 of 1959.]

(7) In this section the expression "seafarer" includes every person employed or engaged in any capacity on board any ship, but in the case of a ship which is a fishing boat, does not include any person who is entitled to be remunerated only by a share in the profits or the gross earnings of the working of the boat.

141. Wages not to accrue during refusal to work or imprisonment or illness caused by own default or drunkenness.—(1) A seafarer of a South African ship shall not be entitled to wages—

(a) for any period during which he is absent without leave from his ship or from his duty; or

(b) for any period during which he unlawfully refuses or neglects to work when required; or

(c) unless the court hearing the case otherwise directs, for any period during which he is lawfully imprisoned; or

(d) for any period during which he is by reason of his being under the influence of liquor or a drug, incapable of performing his duty.

(2) A seafarer shall not be disentitled to claim wages for any period during which he has not performed his duty if he proves that he was incapable of doing so by reason of illness, hurt or injury, unless it be proved that—

(a) his illness, hurt or injury was caused by his own wilful act or default or his own misbehaviour; or

(b) his illness was contracted or his hurt or injury was sustained at a proper return port and was not attributable to his employment; or

(c) he has unreasonably refused to undergo medical or surgical treatment for his illness, hurt or injury involving no appreciable risk to his life.

(3) This section shall be construed as though subsections (5) and (6) of section one hundred and forty were included in this section; and in such construction any reference in the said subsections to the payment of wages in terms of section one hundred and forty shall be deemed to be a reference to the payment of wages in terms of this section.

[Sub-s. (3) amended by s. 22 of Act No. 30 of 1959.]

142. Compensation to a seafarer improperly discharged.—If a seafarer of a South African ship is discharged otherwise than in accordance with the terms of his engagement—

(a) before the commencement of the voyage; or

(b) before one month’s wages are earned,

without fault on his part justifying that discharge and without his consent, he shall be entitled to receive from the owner or master, in addition to any wages which he may have earned, compensation not exceeding one month’s wages for any damage caused to him by the discharge, and may recover that compensation as if it were wages duly earned.

143. Remedies of master for recovery of wages, disbursements, etc.—(1) The master of a South African ship shall, so far as the case permits, have the same rights, liens and remedies for the recovery of his wages as a
The master of a South African ship shall, so far as the case permits, have the same rights, liens and remedies for the recovery of disbursements or liabilities properly made or incurred on account of the ship as a master has for the recovery of his wages.

If in any proceedings in any court touching the claim of a master in respect of wages or of disbursements or liabilities properly made or incurred on account of the ship any right of set-off or counter-claim is set up, the court may enter into and adjudicate upon all questions and settle all accounts then arising or outstanding and may direct payment of any balance found to be due.

144. Unreasonable delay in paying master’s wages.—If a payment of the sum due to the master of a South African ship on account of wages has been delayed, the court trying any proceedings for the recovery of such wages may order the person liable to make the payment of wages to pay to the master, in addition to any sum due on account of wages, such sum as it thinks just as damages in respect of the delay, unless the court finds that the delay is due to the act or default of the master, or to any reasonable dispute as to liability, or to any other cause not being the wrongful act or default of the person liable to make the payment.

145. Power of court to rescind contract between owner or master and seafarer.—When any proceedings are instituted in any court of competent jurisdiction in relation to any dispute between an owner or master of a South African ship and a seafarer, arising out of or incidental to their relation as such, the court may in its discretion rescind any contract between the owner or master and the seafarer upon such terms as the court may think just, and this power shall be in addition to any other jurisdiction which the court may have.

[§ 145 substituted by s. 17 of Act No. 12 of 2015.]

146. Master to take care and make record of property of seafarer who dies.—(1) If a seafarer of a South African ship dies, the master of the ship shall take charge of all money and other property on board the ship belonging to the said seafarer.

(2) The master shall enter in the official log-book the following particulars:

(a) a statement of the amount of the money and a detailed description of the other property; and

(b) a statement of the sum due to the deceased for wages and of the amount of any deductions to be made from the wages.

(3) The said money, balance of wages and other property are in this Chapter referred to as the property of the seafarer.

147. Delivery to proper officer of property of seafarer who dies.—(1) If a seafarer of a South African ship dies during a voyage, the master of the ship shall within forty-eight hours after arrival at the ship’s next port of call where there is a proper officer report all the circumstances of the death to that officer, and shall within the same period deliver the property of the deceased seafarer to the proper officer, unless that officer directs that such delivery be made to the proper officer at some other port, in which case the master shall act accordingly.

(2) If a seafarer of a South African ship dies in the Republic, the master or owner of the ship shall deliver the property of the deceased seafarer to the proper officer at the port where the seafarer was discharged or was to have been discharged.

(3) The master of the ship shall, as soon as is practicable, report the death to the next-of-kin of the seafarer.

148. Account to be rendered of property of seafarer who dies.—(1) In all cases where a seafarer of a South African ship dies during a voyage or engagement, the master shall give to the proper officer to whom the property of the deceased is delivered an account of such property, in such form as that officer may require.

(2) No deductions claimed by the master shall be allowed unless verified by such vouchers as may reasonable be required by the proper officer and, if an official log-book is required to be kept, by an entry in that book made and attested as required by this Act.

(3) When a master has complied with the provisions of this section the proper officer shall grant him a certificate to that effect.

149. Property of deceased seafarer left abroad but not on board ship.—If a seafarer of a South African ship, the voyage of which is to terminate in the Republic, dies at any place out of the Republic, leaving any money or other property not on board the ship to which he belonged at the time of his death, the proper officer at or near that place shall claim and take charge of such money and other property, and such money and other property shall be deemed to be the property of a deceased seafarer within the meaning of this Chapter.

150. Sale of property of deceased seafarer.—(1) Subject to the provisions of subsection (2), the proper officer may, if he thinks fit, sell any of the property of a deceased seafarer delivered to him, or of which he takes charge under this Chapter, and the proceeds of any such sale shall be deemed to form part of the said property.

(2) Before selling any valuables comprised in such property the proper officer shall endeavour to ascertain the reasonable wishes of the next-of-kin of the deceased seafarer as to the disposal of such valuables. He shall, if practicable and lawful, comply with such wishes.

(3) Every such officer shall remit the property or proceeds so acquired to the Authority, and shall render such
151. Property of deceased seafarer may be recovered as wages.—The provisions of section one hundred and thirty-six shall apply, mutatis mutandis, in respect of the property of a deceased seafarer.

152. Disposal of property of deceased seafarer.—If the property of a deceased seafarer is handed over to a proper officer, such property shall be handed over to his next of kin after the necessary author thereto has been obtained from the Master of the Supreme Court or any other authorized person.

[S. 152 amended by s. 25 of Act No. 40 of 1963, repealed by s. 1 (2) of Act No. 114 of 1991 and inserted by s. 7 of Act No. 18 of 1992.]

153. Recovery of wages of seafarer lost with his ship.—(1) If a seafarer of a South African ship is lost with the ship to which he belongs the proper officer may recover the wages due to him from the owner of the ship.

(2) The provisions of sections one hundred and thirty-six and one hundred and fifty-two shall apply, mutatis mutandis, in respect of wages referred to in subsection (1).

(3) If in any proceedings under subsection (1) for the recovery of wages it is shown by the official records or by other evidence that the ship departed from a port twelve months or more before the institution of the proceedings and has not since been heard of, that ship shall be deemed to have been lost with all hands on board, either immediately after the latest time at which she is known to have been still in existence or at such later time as the court hearing the case may think probable.

(4) Any duplicate agreement with the crew delivered to a proper officer in terms of paragraph (c) of section 103 or any statement of a change of the crew transmitted to a proper officer in terms of section 104 at the time of the departure of the ship from the port last visited, and any certificate purporting to be a certificate issued in terms of section 105 (1), stating that certain seafarers joined the ship at the said port shall, if produced by the Authority, be taken in the absence of proof to the contrary as sufficient proof that the seafarers therein named as belonging to the ship were on board at the time of the loss.

[Sub-s. (4) substituted by s. 17 of Act No. 3 of 1982 and by s. 2 (2) of Act No. 5 of 1998.]

154. Relief and maintenance of distressed seafarers.—(1) In this section and in section one hundred and fifty-five—

   (a) “distressed seafarer” includes any master or seafarer—

   (i) who is a South African citizen and who by reason of having been discharged or left behind from or shipwrecked in any ship other than a South African ship at a place outside the Republic, is in distress at that place; or

   (ii) whether he is a South African citizen or not, who, by reason of having been discharged or left behind from or shipwrecked in any South African ship at a place outside the Republic, is in distress at that place;

   (b) “repatriation expenses” means expenses incurred in returning a distressed seafarer to a proper return port and in providing him with necessary clothing and maintenance until his arrival at such port and includes, in the case of a shipwrecked seafarer, the repayment of expenses incurred in conveying him to port after shipwreck and maintaining him while being so conveyed; and

   (c) “excepted expenses” means repatriation expenses incurred in cases where the cause of the seafarer's being left behind is desertion or absence without leave or imprisonment for misconduct or discharge from his ship by a maritime court on the ground of misconduct.

(2) The proper officer shall on application being made to him by a distressed seafarer, provide in terms of the regulations for the return of that seafarer to a proper return port, and also for the said seafarer's necessary clothing and maintenance until his arrival at such port.

(3) A distressed seafarer shall not have any right to be maintained or sent to a proper return port except to the extent and on the conditions provided for in the regulations.

(4) All repatriation expenses, other than excepted expenses, incurred by or on behalf of the State in accordance with the provisions of this Act shall constitute a debt due to the State for which the owner of the ship to which the seafarer in respect of whom they were incurred belonged at the time of his discharge or other event which resulted in his becoming a distressed seafarer shall be liable. The owner shall not be entitled to recover from the seafarer any amount paid by him to the State in settlement or part settlement of such debt.

(5) All excepted expenses incurred by or on behalf of the State in accordance with the provisions of this Act shall constitute a debt due to the State for which the seafarer in respect of whom they were incurred and the owner of the ship to which that seafarer belonged at the time of his discharge or other event which resulted in his becoming a distressed seafarer shall be jointly and severally liable. The owner shall be entitled to recover from the seafarer any amount paid by him to the State in settlement or part settlement of such debt, and may apply to the satisfaction of his claim so much as may be necessary of any wages due to the seafarer.

(6) All excepted expenses incurred in accordance with the provisions of this Act in respect of any distressed seafarer by the owner of the ship to which he belonged at the time of his discharge or other event which resulted in his becoming a distressed seafarer shall constitute a debt due to the owner for which the seafarer shall be liable. The owner may apply to the satisfaction of his claim so much as may be necessary of any wages due to the
155. Receiving distressed seafarers on ships.—(1) The master of a South African ship shall receive on board his ship and afford passage and maintenance to all distressed seafarers whom he is required by a proper officer to take on board his ship, and shall during the passage provide every such distressed seafarer with accommodation equal to that normally provided for the crew of the ship and subsistence, proper to the rank or rating of the said distressed seafarer.

(2) Every distressed seafarer who is taken on board a ship in accordance with the provisions of subsection (1) shall so long as he remains in the ship be deemed to belong to the ship and be subject to the same laws and regulations for preserving discipline as if he were a member of the crew and had signed the agreement with the crew.

(3) The master of a ship shall not be required to receive on board his ship a distressed seafarer in terms of this section, if the proper officer is satisfied that accommodation is not and cannot be made available for such seafarer.

156. Provisions of seafarers.—(1) The master of a South African ship of more than one hundred gross register tons shall furnish provisions to every seafarer (who does not furnish his own provisions) in accordance with the prescribed scale

(2) . . . . .

[Sub-s. (2) amended by s. 26 of Act No. 40 of 1963 and deleted by s. 1 (2) of Act No. 114 of 1991.]

157. Measuring instruments on board.—The master of a South African ship shall keep on board proper measuring instruments for determining the quantities of the several provisions and articles served out, and in the event of any dispute as to the quantities served out, shall cause the quantities to be measured in the presence of a witness by using such measuring instruments.

[S. 157 substituted by s. 6 of Act No. 5 of 1976.]

158. Refrigerating chamber.—(1) Subject to the provisions of subsections (2) and (3), the owner of every foreign-going South African ship shall cause her to be provided with a mechanically cooled refrigerating chamber of such capacity and design as to be capable of preserving in good condition fresh meat and other similar perishable foods prescribed for the consumption of the seafarers between the principal ports of supply on the projected voyage of the ship.

(2) If the Authority is satisfied—

(a) from a report of a surveyor that in the case of a ship built before the coming into operation of this section the provision of a refrigerating chamber is impracticable; or

(b) in the case of a ship built before or after the coming into operation of this section, the purpose of this section will, by reason of the small tonnage of the ship or the nature or conditions of the projected voyage of the ship, be secured by the provision of a refrigerator instead of a refrigerating chamber,

it may direct that a refrigerator of a capacity and design approved by it be provided instead of a refrigerating chamber.

[Sub-s. (2) amended by s. 2 (2) of Act No. 5 of 1998.]

(3) If the Authority is satisfied that because of the nature and conditions of the projected voyage of the ship the provision of a refrigerating chamber or a refrigerator would be unreasonable or unnecessary, it may exempt the ship from the provisions of this section.

[Sub-s. (3) substituted by s. 2 (2) of Act No. 5 of 1998.]

(4) If a proper officer or surveyor finds on inspecting any foreign-going South African ship which has not been exempted under subsection (3), that the provisions of subsection (1) or any direction given in respect of that ship under subsection (2), as the case may be, is not being complied with, he may cause the ship to be detained until the subsection or the direction, as the case may be, is complied with.

158A. Provision of complaints procedure on board ship.—(1) A master or owner of a South African ship shall draw up and keep on board a complaints procedure, not in conflict with the provisions of this Act, and shall make such complaints procedure available to all seafarers.

(2) If a seafarer of a South African ship considers that his or her rights in terms of the Maritime Labour Convention have been breached, he or she may lodge a complaint with the master.

(3) Upon receiving a complaint from a seafarer made in terms of subsection (2), the master shall—

(a) record the complaint in the official log-book;
investigate the complaint or cause it to be investigated;
(c) attempt to resolve the complaint within 24 hours; and
(d) record his or her findings and any action taken in the official log-book.

(4) If the situation remains unresolved or if the breach of the seafarer's rights is still considered to exist, he or she may lodge a complaint with the Authority, who will adjudicate the complaint.

[S. 158A inserted by s. 18 of Act No. 12 of 2015.]

159. . . . . . .

[S. 159 repealed by s. 22 of Act No. 57 of 1998.]

160. Bedding and other articles for seafarers.—The master of a South African ship of more than one hundred gross register tons shall supply every seafarer with such bedding, towels, mess utensils and other articles for personal use as may be prescribed.

161. Crew accommodation.—(1) The owner of a South African ship shall provide crew accommodation to the satisfaction of the proper officer, and in accordance with the regulations.

(2) . . . . . .

[Sub-s. (2) amended by s. 27 of Act No. 40 of 1963 and deleted by s. 1 (2) of Act No. 114 of 1991.]

(3) The master of a South African ship shall ensure that the crew accommodation shall be kept free from goods and stores of any kind (except stores and furniture and other equipment necessary for the proper use of such accommodation) not being the personal property of a seafarer in use during the voyage, and if any part of such accommodation is not so kept free, each seafarer lodged in that part may recover, by way of compensation for the discomfort suffered by him by reason of the fact that such accommodation was not so kept free after complaint had been made to the master by any two or more of the said seafarers, an amount which the court or the proper officer, as the case may be, considers reasonable, having regard to all the circumstances.

(4) Any amount recoverable in terms of subsection (3) may be recovered as wages.

162. Complaints as to provisions or water or accommodation.—(1) If a seafarer of a South African ship considers—

(a) that the provisions or water for the use of the seafarer are at any time of bad quality or deficient in quantity;
(b) that the crew accommodation is unsanitary or is not in accordance with the regulations; or
(c) that in any other respect the conditions under which the seafarer is living on board ship are not of a reasonably good standard,

he or she may complain thereof to the proper officer, who shall investigate the complaint or cause it to be investigated.

[Sub.s (1) substituted by s. 19 (a) of Act No. 12 of 2015.]

(2) If the proper officer or person making the investigation finds—

(a) that the provisions or water are of bad quality, or deficient in quantity; or
(b) that the new accommodation is unsanitary or is not in accordance with the regulations; or
(c) that the living conditions are not of a reasonably good standard,

as the case may be, he or she shall communicate that finding in writing to the master.

[Sub-s. (2) amended by s. 19 (b) of Act No. 12 of 2015.]

(3) Upon the finding being communicated to him or her, the master shall forthwith—

(a) if the finding is in terms of paragraph (a) of subsection (2), provide other provisions or water of good quality or sufficient in quantity, as the case may be, and shall not permit any provisions or water so found to be of bad quality to be used on board the ship; or
(b) if the finding is in terms of paragraph (b) of subsection (2), take steps to the satisfaction of the proper officer to provide crew accommodation that is sanitary and in accordance with the regulations; or
(c) if the finding is in terms of paragraph (c) of subsection (2), take steps to the satisfaction of the proper officer to ensure that the living conditions of the seafarer are of a reasonably good standard;

[Para. (c) substituted by s. 19 (d) of Act No. 12 of 2015.]

and the ship shall be detained until this has been done.

[Sub-s. (3) amended by s. 19 (c) of Act No. 12 of 2015.]
(4) The officer making or causing the investigation shall enter a statement of the result of the examination in the official log-book, and send a report thereof to the Authority, and that report shall be admissible in evidence.

(5) If the said officer certifies in that statement that there was no reasonable ground for the complaint, the complainant shall, if so directed by the officer in the certificate, forfeit to the owner out of his or her wages a sum to be determined by the proper officer, but not exceeding one week's wages.

[Sub-s. (5) substituted by s. 19 (e) of Act No. 12 of 2015.]

**163. Powers of inspection of provisions, water and accommodation.**—(1) A port health officer, district surgeon or other medical officer of the Department of Health in the Republic, or any medical practitioner outside the Republic, or a surveyor may at the request of the proper officer board any South African ship and inspect the provisions and water provided for the use of the seafarers or passengers and the crew accommodation and the accommodation for passengers, for the purpose of ascertaining whether the same are in accordance with the requirements of this Act or any other law.

(2) The provisions of subsections (2), (3) and (4) of section one hundred and sixty-two shall apply, mutatis mutandis, in respect of any investigation under this section.

(3) The provisions of this section shall not in any way derogate from or modify the powers and duties of a port health officer under the provisions of the Health Act, 1977 (Act No. 63 of 1977).

[Sub-s. (3) substituted by s. 8 of Act No. 18 of 1992.]

**164. Inspection of provisions, water and accommodation at sea.**—The master of a South African ship which is at sea shall, at least once in every ten days, cause an inspection to be made of the provisions and water provided for the use of the seafarers and passengers and the crew accommodation and the accommodation for passengers, for the purpose of ascertaining whether the same are being maintained in accordance with the requirements of this Act and all other laws. The person making the inspection shall enter a statement of the result of the inspection in the official log-book.

[S. 164 amended by s. 23 of Act No. 30 of 1959.]

**165. Compensation if short or bad provisions furnished.**—(1) If the allowance of any of the provisions which the master of a South African ship is by section one hundred and fifty-six required to furnish is reduced, or any of those provisions are bad in quality, the seafarer may recover by way of compensation for that reduction or bad quality an amount which the court or the proper officer, as the case may be, considers reasonable, having regard to all the circumstances.

(2) Any amount recoverable in terms of subsection (1) may be recovered as wages.

**166. Provision of board and lodging elsewhere than on board ship.**—Whenever the master or a seafarer of a South African ship who is entitled to be provided with accommodation or provisions, by reason of the fact that the ship is being fumigated, or for any other reason not due to his own wilful act or default or to his own misbehaviour, be provided with accommodation or provisions on board the ship, he shall be provided elsewhere at the expense of the owner of the ship with accommodation or food, as the case may be, proper to his rank or rating.

**167. Medicines to be provided and kept on board certain ships.**—The owner and master of a South African ship of any prescribed class shall ensure that there is on board that ship an adequate supply, according to the prescribed scales, of antiscorbutics and medicines and appliances for the treatment and prevention of diseases and accidents likely to occur at sea and of the prescribed first-aid equipment.

[S. 167 substituted by s. 2 of Act No. 24 of 1974.]

**168. Inspection of medicines and medical appliances.**—(1) A port health officer, district surgeon or other medical officer of the Department of Health in the Republic, or any medical practitioner outside the Republic, may at the request of the proper officer board any South African ship and inspect the medicines, medical appliances and first-aid equipment carried, for the purpose of ascertaining whether the same are in accordance with the requirements of this Act or any other law.

(2) The provisions of subsections (2), (3) and (4) of section one hundred and sixty-two shall apply, mutatis mutandis, in respect of any investigation under this section.

(3) The provisions of this section shall not in any way derogate from or modify the powers and duties of a port health officer under the provisions of the Health Act, 1977 (Act No. 63 of 1977).

[Sub-s. (3) substituted by s. 9 of Act No. 18 of 1992.]

**169. Expenses of medical attendance in cases of injury or illness.**—(1) If the master or a seafarer of a South African ship receives any hurt or injury or suffers from any illness (not being a hurt, injury or illness due to his or her own wilful act or default or to his or her own misbehaviour), resulting in his or her being discharged or left behind at a place other than his or her proper return port, the expense of providing the necessary medical advice, attendance and treatment and medicine, and also the expenses of the maintenance of the said master or seafarer in a manner appropriate to his or her rank or rating, until he or she is cured or dies or is returned to and arrives at a proper return port, and of his or her conveyance to that port, and in case of death the expense of his or her burial, shall be defrayed by the owner of the ship, without any relative deduction from the wages of the master or seafarer concerned.
(2) If the master or seafarer is on account of any illness or injury temporarily removed from his or her ship, at a port other than his or her proper return port, for the purpose of preventing infection, or otherwise for the convenience of the ship, and subsequently returns to duty, the expenses of removal, medical attendance and treatment, and of maintenance while the master or seafarer is away from the ship, shall be defrayed in like manner.

(3) The expenses of all medical attendance and treatment given to a master or seafarer whilst on board his or her ship shall be defrayed in like manner.

(4) In all other cases any reasonable expenses duly incurred by the owner for any master or seafarer in respect of illness, and also any reasonable expenses duly incurred by the owner in respect of the burial of any master or seafarer who dies whilst on service, shall, if proved to the satisfaction of the proper officer, be deducted from the salary or wages of the master or seafarer.

(5) Nothing contained in this section shall deprive any person of any benefit to which he may be entitled under Chapter VIII of the Workmen’s Compensation Act, 1941 (Act No. 30 of 1941), and to which this section does not entitle him.

(6) A seafarer shall not be entitled to receive the same benefit under this section and also under the Workmen’s Compensation Act, 1941; but his employer who has incurred any expense under this section which the Workmen’s Compensation Commissioner would, but for the provisions of this section, have been liable to defray, shall, if he has paid all assessments for the payment of which he is liable under that Act, be entitled to recover that expense from the Workmen’s Compensation Commissioner.

(7) In this section the expression “seafarer” includes every person employed or engaged in any capacity on board any ship, but in the case of a ship which is a fishing boat, does not include any person who is entitled to be remunerated only by a share in the profits or the gross earnings of the working of the boat.

170. Recovery of expenses from owner.—If any expenses payable by the master or owner of a South African ship in respect of illness, hurt or injury of the master or of a seafarer of that ship are paid by any other person, those expenses shall be repaid to that person by the said master or owner, and if not so repaid shall constitute a debt recoverable in any competent court from the master or owner by whom they are payable.

171. Facilities for making complaints.—(1) If a seafarer whilst on board a South African ship states to the master of the ship his desire to make a complaint to a proper officer against the master or any of the crew or concerning the unseaworthiness of the ship, the master shall—

(a) if the ship is then at a place where there is a proper officer, as soon after such statement as the service of the ship will permit; or

(b) if the ship is not then at such a place, as soon after her first arrival at such place as the service of the ship will permit,

allow the complainant to go ashore or, if he is in custody, send him ashore in proper custody, so that he may make his complaint.

(2) This section shall not apply in respect of a seafarer on board a vessel belonging to Transnet Limited and used by that authority in connection with the working of its harbours.

172. Seafarers’ property not to be detained.—Any person who receives or takes into his possession or under his control any money or other property of a seafarer who belongs or has recently belonged to any ship wherever registered shall return the same or pay the value thereof when required by the seafarer subject to such deductions as may be justly due to him from the seafarer in respect of board or lodging.

173. Soliciting seafarers.—No person shall within twenty-four hours after the arrival of any ship (wherever registered) at a port in the Republic, or within twenty-four hours before the projected departure therefrom—

(a) solicit a seafarer belonging to the ship to become a lodger at any house; or

(b) take out of the ship any property of a seafarer except under the direction of the seafarer and with the permission of the master.

174. Misconduct by seafarers endangering ship or life, and general offences against discipline.—(1) No master of or seafarer engaged on or belonging to any ship wherever registered shall knowingly—

(a) do anything tending to the immediate loss, destruction or serious damage of the ship, or tending to endanger the life of or to cause injury to any person belonging to or on board the ship; or
(b) refuse or omit to do any lawful act proper and requisite to be done by him for preserving the ship from immediate loss, destruction or serious damage, or for preserving any person belonging to or on board the ship from danger to life or from injury.

(2) Subject to the provisions of subsection (4) of section three hundred and fifty-five, no seafarer engaged on or belonging to a South African ship shall—

(a) report for duty on the ship in a drunken condition or be drunk on board the ship; or

(b) wilfully disobey any lawful command or neglect his duty; or

(c) be guilty of continued wilful disobedience to lawful commands or continued wilful neglect of duty; or

(d) combine with any of the crew to disobey lawful commands, or to neglect duty, or to impede the navigation of the ship or retard the progress of the voyage; or

(e) assault the master or any ship’s officer of the ship; or

(f) prevent or hinder or retard the loading or unloading or departure of the ship; or

(g) wilfully damage the ship, or misappropriate, or make any improper use of, or wilfully damage, any of the ship’s stores, equipment or cargo.

(3) No seafarer on or before being engaged to serve on a South African ship shall knowingly make a false statement of the name of his last ship or alleged last ship, or knowingly make a false statement of his own name.

175. Desertion.—(1) Subject to the provisions of subsection (4) of section three hundred and fifty-five, no seafarer engaged on or belonging to a treaty ship shall without reasonable cause—

(a) at a port in the Republic, in the case of a treaty ship other than a South African ship; or

(b) at any place whatsoever, in the case of a South African ship,

absent himself from his ship with the intention of not returning thereto.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of desertion.

(3) No person shall knowingly harbour or secrete a seafarer who has contravened or is contravening the provisions of subsection (1).

176. Absence without leave.—(1) Subject to the provisions of subsection (4) of section three hundred and fifty-five, no seafarer engaged on or belonging to a treaty ship shall without reasonable cause—

(a) at a port in the Republic, in the case of a treaty ship other than a South African ship; or

(b) at any place whatsoever, in the case of a South African ship,

fail or refuse to join his ship or to proceed to sea therein, or be absent without leave from his ship or from his duty, either at the commencement or during the progress of a voyage.

(2) Any person who contravenes the provisions of subsection (1) shall, if his conduct does not amount to desertion, as defined in section one hundred and seventeen and sections one hundred and seventy-five and one hundred and seventy-six the fact that the ship on which a seafarer is engaged or to which he belongs is seaworthy shall be deemed to be reasonable cause: Provided the seafarer has, before absenting himself or being absent from, or failing or refusing to join, or to proceed to sea in, his ship, as the case may be, complained to
the master or proper officer that the ship is unseaworthy.

(2) The provisions of section two hundred and forty-three shall apply in respect of any complaint to the proper officer referred to in subsection (1).

(3) Whenever in any proceedings against any seafarer on a charge of desertion or absence without leave, the defence referred to in subsection (1) is raised, the court may, if it think fit, order the ship to be inspected by a surveyor.

(4) If it is not proved that the ship was an unseaworthy ship, the expenses incurred in connection with any such inspection shall be paid to the Authority by the seafarer by whom the said defence has been raised, and upon demand by the Authority the unpaid amount of such expenses shall be deducted from the wages due or to become due to the paid over to the Authority.

(5) If it is proved that the ship was an unseaworthy ship, the expenses incurred in connection with the inspection shall be paid to the Authority by the master or owner of the ship, who shall also pay to the seafarer charged such compensation for the damage suffered by him by reason of the charge having been made against him as the court may award.

179. Deserter’s certificates of discharge may be withheld.—If it is shown to the satisfaction of a proper officer that a seafarer engaged or belonging to a South African ship has been guilty of desertion or absence without leave, as defined by sections one hundred and seventy-five and one hundred and seventy-six respectively, the Authority may direct that the seafarer’s certificates of discharge shall be withheld for such period as the Authority may direct, and while such a direction is in force the proper officer or any other person may, notwithstanding anything to the contrary contained in this Act, refuse to furnish copies of any of the seafarer’s certificates of discharge or certified extracts of any particulars of his service or character.

180. Deserters from foreign ships.—(1) If the Minister is satisfied that due facilities are or will be given by the Government of any foreign country for apprehending seafarers who desert or are absent without leave from South African ships in that country, he may by notice in the Gazette declare that the provisions of subsection (2) shall apply to seafarers belonging to ships of that country.

[Sub-s. (1) amended by s. 24 (a) of Act No. 30 of 1959.]

(2) (a) If the provisions of this subsection have in terms of subsection (1) been applied to seafarers belonging to ships of a foreign country, any magistrate may, on application by the master of a ship of that country, if he is satisfied from information taken on oath that reasonable grounds exist for suspecting that any seafarer has deserted or is absent without leave from that ship, issue a warrant for the apprehension of that seafarer and for bringing him before a judicial officer, and such warrant shall be executed in the same manner as a warrant issued under section 43 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

(b) A judicial officer before whom the seafarer is brought in terms of paragraph (a) may, on proof that he has deserted or is absent without leave from that ship, order that he be conveyed on board that ship or delivered to the master or a ship’s officer or the owner of that ship, to be so conveyed, and any such order shall be duly executed.

[Sub-s. (2) amended by s. 24 (b) of Act No. 30 of 1959 and substituted by s. 11 of Act No. 18 of 1992.]

(3) No person shall knowingly harbour or secrete any person liable to be apprehended under the provisions of this section.

181. Entry of offences in official log.—If in or in respect of any South African ship any offence within the meaning of this Act of desertion or absence without leave or against discipline is committed, or if any act of misconduct is committed for which the offender’s agreement imposes a fine and for which it is intended to enforce the fine—

(a) an entry of the offence or act shall be made by the master in the official log-book, and signed by him and also by a ship’s officer or one of the crew;

(b) the offender, if still in the ship, shall, before the next subsequent arrival of the ship at any port, or, if the ship is at the time in port, before her departure therefrom, either be furnished by the master with a copy of the entry or have the same read over distinctly and audibly to him in one of the official languages selected by the offender, and he may thereupon make such reply thereto as he thinks fit;

(c) a statement that a copy of the entry has been so furnished or, as the case may be, that the entry has been so read over, and of the offender’s reply (if any) shall be entered and signed in manner aforesaid;

(d) in any subsequent legal proceedings the entries required by this section shall, if practicable, be produced or proved, and in default of that production or proof the court hearing the case may in its discretion refuse to receive evidence of the offence or act of misconduct.

182. Official log-books to be kept.—(1) The master of every South African ship of more than one hundred gross register tons, and the master of every South African ship of one hundred gross register tons or less who has entered into an agreement with the crew of the ship, shall keep an official log-book in the prescribed form and in one of the official languages of the Republic.

(2) The official log-book may, at the discretion of the master, be kept distinct from or united with the ordinary
ship's log-book. In all cases the spaces in the official log-book shall be duly filled up.

(3) An entry required by this Act in an official log-book shall be made as soon as possible after the occurrence to which it relates, and if not made on the same day as that occurrence shall be so made and dated as to show the dates of the occurrence and of the entry respecting it.

(4) Every entry in the official log-book shall be signed by the master, and by a ship's officer or some other member of the crew, and also—

(a) if it is an entry in respect of illness, hurt, injury or death, by the surgeon or medical practitioner, if any, on board; and

(b) if it is an entry in respect of wages due to, or of the property of, a seafarer who dies, by some other member of the crew.

(5) Every entry made in an official log-book in the manner provided by this Act shall be admissible in evidence.

183. Entries in official log-books.—The master of a ship on board of which an official log-book is required to be kept in terms of this Act shall enter or cause to be entered in that book the following matters;

(a) every conviction by a legal tribunal of a member of his crew, and the punishment inflicted;

(b) every offence for which punishment is inflicted on board, and the nature of the punishment inflicted;

(c) a statement of the conduct, character and qualifications of each member of the crew, or a statement that he declines to express an opinion thereon, with a statement of his reasons for so declining;

(d) every case of illness, hurt or injury happening to a member of the crew, with the nature thereof, and the medical treatment adopted, if any;

(e) every case of death happening on board, and the cause thereof, together with such particulars as may be prescribed;

(f) every birth happening on board, with the sex of the infant and names of the parents, together with such particulars as may be prescribed;

(g) every marriage taking place on board, with the names and the ages of the parties;

(h) the name of every seafarer who ceases to be a member of the crew, otherwise than by death, with the place, time, manner and cause thereof;

(i) the wages due to any seafarer who dies during the voyage, and the gross amount of all deductions to be made therefrom;

(j) every collision with any other ship, and the circumstances under which the same occurred;

(k) every casualty or accident of which a report is required to be made under this Act;

(l) every meeting with any other ship at sea, when persons or goods are transhipped; and

(m) any other matter directed by this Act to be entered.

184. Unlawful entries or alterations in official log-books.—(1) No person shall twenty-four hours after the arrival of a South African ship at its final port of destination of a voyage make any entry in the official log-book of that ship respecting an occurrence prior to the arrival of the ship at that port.

(2) No person shall wilfully destroy or mutilate or render illegible an entry in an official log book, or wilfully make a false entry in such book, or wilfully fail to make any entry which it is his duty to make in such book.

185. Delivery of official log-books to proper officer.—The master of every ship on board of which an official log-book is required to be kept in terms of this Act shall within forty-eight hours after the ship's arrival at its final port of destination in the Republic or upon the discharge of the crew, whichever first happens, deliver the official log-book of the voyage to the proper officer at the port where the crew is discharged.

[S. 185 substituted by s. 18 of Act No. 3 of 1982.]

186. Transmission of official log-books to proper officer.—(1) If for any reason the official log-book ceases to be required in respect of a South African ship, the master or owner of the ship, shall, if the ship is then in the Republic, within one month, and if it is elsewhere, within six months, after the cessation, deliver or transmit to the proper officer at the port to which the ship belonged the official log-book duly completed up to the time of the cessation.

(2) If a ship is lost or abandoned the master or owner thereof shall, if practicable, and as soon as possible, deliver or transmit to the proper officer at the port to which the ship belonged the official log-book duly completed up to the time of the loss or abandonment.

187. Documents to be handed to successor on change of master.—If, at any time before or during the progress of a voyage, the master of a South African ship is removed or superseded, or, for any other reason, quits the ship and is succeeded in the command by some other person, he shall deliver to his successor the various
The master of a foreign-going South African ship who has entered into an agreement with the crew of the ship, and the master or the owner of a coasting ship or a fishing, sealing or shore-based whaling boat registered in the Republic who has entered into an agreement with the crew of the ship, shall, upon the discharge of the crew, whether within or outside the Republic, make out and sign a list (in this Act referred to as the list of the crew) which may be combined in one document with the agreement with the crew, in the prescribed form, containing the following particulars:

(i) the number and date of the ship’s register, and her register tonnage;

(ii) the length and general nature of the voyage or employment;

(iii) the names, ages, and places of birth of all the crew, including the master; their ratings on board, their last ships or other employments and the dates and places of their joining the ship; and

[Para. (iii) substituted by s. 22 of Act No. 12 of 2015.]

(iv) the names of any of the crew who have ceased to belong to the ship, with the times, places, causes and circumstances thereof.

[Sub-s. (1) substituted by s. 25 of Act No. 30 of 1959.]

(2) The list of the crew shall be delivered to the proper officer—

(a) in the case of a foreign-going ship, by the master, within forty-eight hours after the ship’s arrival at her final port of destination for the voyage, or, if the agreement entered into with the crew was a running agreement, within forty-eight hours after her arrival at her final port of destination for the last voyage over which the agreement extends, or upon the discharge of the crew, whichever event first occurs; and

(b) in the case of a coasting ship or a fishing, sealing or shore-based whaling boat, by the master or the owner, as the case may be, who entered into the agreement with crew, within twenty-one days after the expiry of the agreement,

and the proper officer shall give to the master or owner from whom he has received the list a certificate of such delivery and any such ship may be detained until the certificate is produced.

[Sub-s. (2) substituted by s. 25 of Act No. 30 of 1959.]

(3) If a South African ship is lost or abandoned, the master or owner thereof shall, if practicable, and as soon as possible, deliver or transmit to the proper officer at the port to which the ship belonged the list of the crew, duly made out to the time of the loss or abandonment.

189. Returns of births and deaths.—(1) Within forty-eight hours after the arrival of any ship at any port in the Republic, the master shall deliver or transmit to the proper officer in the prescribed form a return of such particulars as may be prescribed—

(a) in the case of a South African ship, of every birth of a child and every death of a person on board the ship which has occurred after the last preceding occasion on which the ship left a port in the Republic; or

(b) in the case of a ship other than a South African ship, of every birth of a child on board the ship whose parents reside or intend to reside in the Republic, and of every death of a person on board the ship who at the time of his death was residing in the Republic, which has occurred during the voyage.

(2) The proper officer shall transmit every such return received by him to the registrar or assistant registrar of births and deaths within whose area the port is situated.

[Sub-s. (2) substituted by s. 49 of Act No. 58 of 1970.]

CHAPTER V
SAFETY OF SHIPS AND LIFE AT SEA
PART I
Construction of Ships, Provision of Life-saving Appliances and Installation of Radio

190. Initial and subsequent surveys of vessels in respect of safety provisions.—(1) If the owner of any vessel which is or is to be registered or licensed in the Republic desires that a safety convention certificate or a local safety certificate be issued in respect of the vessel, he shall, before he applies for the issue of the certificate, cause her to be inspected by a surveyor.

[Sub-s. (1) substituted by s. 60 (b) of Act No. 58 of 1998.]

(2) The owner of every vessel in respect of which a safety convention certificate or a local safety certificate has been issued shall cause her to be inspected by a surveyor at intervals, calculated from the date of the initial survey referred to in subsection (1), as follows:
in the case of a passenger ship, at intervals not exceeding twelve months in accordance with the construction regulations, the life-saving equipment regulations, the collision regulations, the radio regulations and any other applicable regulations which may have been made;

[Para. (a) substituted by s. 8 of Act No. 13 of 1965.]

in the case of a vessel (other than a passenger ship) plying on international voyages, at intervals not exceeding twenty-four months in accordance with the construction regulations, the life-saving equipment regulations, the collision regulations and any other applicable regulations which may have been made: Provided that inspections in accordance with such of the said regulations which are solely applicable to the issue of a cargo ship safety construction certificate shall be at intervals not exceeding five years;

[Para. (b) substituted by s. 8 of Act No. 13 of 1965.]

in the case of a vessel (other than a passenger ship) which does not ply on international voyages, at intervals not exceeding twelve months in accordance with the construction regulations, the life-saving equipment regulations the collision regulations and any other applicable regulations which may have been made;

[Para. (c) substituted by s. 8 of Act No. 13 of 1965.]

in the case of a vessel (other than a passenger ship), which by the radio regulations is required to be fitted with a radio installation, at intervals not exceeding twelve months in accordance with the radio regulations applicable to her.

(3) On the inspection of a vessel in terms of subsection (1) or (2) there shall be paid by the owner of the vessel such fee as may be prescribed.

191. Surveyor’s report on inspection under safety regulations.—(1) Every surveyor who inspects a vessel in pursuance of section one hundred and ninety or any provision of the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations, or any other applicable regulations which may have been made, shall draw up a report of his inspection in the prescribed form.

[Sub-s. (1) substituted by s. 9 of Act No. 13 of 1965.]

(2) The report shall contain full and clear statements as to the extent to which, in the case of an inspection of a ship referred to in paragraph (a), (b), (c) or (d) of subsection (2) of the said section, the vessel is constructed and equipped in accordance with the regulations referred to in those paragraphs, respectively, and as to all matters on which the form indicates that a report is required.

(3) The surveyor shall forward the report to the proper officer.

192. Issue of safety convention certificates in respect of passenger ships.—If, after consideration of the report of a surveyor, the Authority is satisfied—

(a) that a passenger ship which is or is to be registered in the Republic is constructed and equipped in accordance with all the requirements of the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations and any other regulations which may have been made, which are applicable to the ship when plying on international voyages or on short international voyages, it shall cause to be issued in respect of the ship a passenger ship safety certificate for an international voyage or a short international voyage, as the case may be;

[Para. (a) substituted by s. 60 (b) of Act No. 58 of 1998.]

(b) . . . . .

(c) that a passenger ship which is or is to be registered in the Republic is exempt, by virtue of the exercise by it of a power conferred on it by the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations or any other regulations which may have been made, from any of the requirements of the said regulations applicable to the ship when plying on international voyages, or on short international voyages, or when engaged in any special passenger trade on such voyages, and that she is constructed and equipped in accordance with the remaining requirements, it shall cause to be issued in respect of the ship an exemption certificate and a passenger ship safety certificate.

[S. 192 amended by s. 10 of Act No. 13 of 1963 and substituted by s. 2 (2) of Act No. 5 of 1998. Para. (c) substituted by s. 60 (b) of Act No. 58 of 1998.]

193. Issue of safety convention certificates in respect of ships other than passenger ships.—If, after consideration of the report of a surveyor, the Authority is satisfied—

(1) that a ship (other than a passenger ship) to which the Safety Convention applies and which is or is to be registered in the Republic is constructed and equipped in accordance with all the requirements of the construction regulations, the life-saving equipment regulations, the collision regulations and any other regulations which may have been made, which are applicable to the ship when plying on international voyages, it shall cause to be issued in respect of that ship—

(a) a cargo ship safety construction certificate relating to the matters applicable to the issue of
such a certificate; and

(a) a cargo ship safety equipment certificate relating to the matters applicable to the issue of such a certificate;

[Sub-s. (1) amended by s. 60 (b) of Act No. 58 of 1998.]

(2) that a ship (other than a passenger ship) to which the Safety Convention applies and which is or is to be registered in the Republic is exempt, by virtue of the exercise by it of a power conferred on it by the construction regulations, the life-saving equipment regulations, the collision regulations or any other regulations which may have been made, from any of the requirements of the said regulations applicable to the ship when plying on international voyages, and that she is constructed and equipped in accordance with the remaining requirements, it shall cause to be issued in respect of the ship—

(a) an exemption certificate and a cargo ship safety construction certificate if the matters from which the ship is exempt relate to such latter certificate; and

(b) an exemption certificate and a cargo ship safety equipment certificate, if the matters from which the ship is exempt relate to such latter certificate;

[Sub-s. (2) amended by s. 60 (b) of Act No. 58 of 1998.]

(3) that a ship (other than a passenger ship) to which the Safety Convention applies and which is or is to be registered in the Republic is equipped in accordance with all the requirements of the radio regulations applicable to the ship when plying on international voyages, it shall cause to be issued in respect of the ship a cargo ship safety radio certificate;

[Sub-s. (3) substituted by s. 60 (b) of Act No. 58 of 1998.]

(4) that a ship (other than a passenger ship) to which the Safety Convention applies and which is or is to be registered in the Republic is exempt, by virtue of the exercise by it of a power conferred on it by the radio regulations, from any or all of the requirements of the said regulations applicable to the ship when plying on international voyages, and that she is equipped in accordance with the remaining requirements (if any), it shall cause to be issued in respect of the ship—

(a) an exemption certificate; and

(b) in the case of a ship which is not exempt from all the said requirements, a cargo ship safety radio certificate.

[S. 193 amended by s. 11 of Act No. 13 of 1965, by s. 5 of Act No. 23 of 1997 and substituted by s. 2 (2) of Act No. 5 of 1998. Sub-s. (4) amended by s. 60 (b) of Act No. 58 of 1998.]

194. Issue of local safety certificates.—(1) If, after consideration of the report of a surveyor, the Authority is satisfied that a vessel referred to in subsection (2)—

(a) is constructed and equipped in accordance with all the requirements of the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations and any other regulations which may have been made, which are applicable to the vessel when engaged in the voyages or the operations in which it is intended that she shall be engaged, it shall cause to be issued in respect of the vessel a local general safety certificate stating that she is so constructed and equipped, and specifying the voyages or the operations in which the vessel is by the certificate authorized to be engaged;

[Para. (a) substituted by s. 12 (a) of Act No. 13 of 1965 and by s. 2 (2) of Act No. 5 of 1998.]

(b) is exempt, by virtue of the exercise by it of a power conferred on it by the regulations referred to in paragraph (a), from any of the requirements of the said regulations and is constructed and equipped in accordance with the remaining requirements, it shall cause to be issued in respect of the vessel—

(i) a local safety exemption certificate stating which of the said requirements the vessel is exempt from, and that the exemption is conditional on her being engaged only in the voyages or operations and complying with the other conditions (if any) specified in the certificates; and

(ii) a local general safety certificate stating that the vessel is constructed and equipped in accordance with the remaining requirements.

[Para. (b) amended by s. 2 (2) of Act No. 5 of 1998. Sub-para. (ii) substituted by s. 12 (b) of Act No. 13 of 1965.]

(2) The provisions of subsection (1) shall apply in respect of all—

(a) passenger ships of whatever size which are not intended to be engaged in international voyages; or

(b) ships (other than passenger ships)—

(i) to which the Safety Convention does not apply and which are intended to be engaged in international voyages; or

[Sub-para. (i) substituted by s. 12 (c) of Act No. 13 of 1965.]

(ii) of whatever size which are not intended to be engaged in international voyages,
and which are or are to be registered or licensed in the Republic.

[Sub-s. (2) amended by s. 60 (b) of Act No. 58 of 1998.]

195. Form of safety certificate.—(1) Every safety convention certificate and every local safety certificate shall be in the form prescribed.

(2) Every passenger ship safety certificate, cargo ship safety equipment certificate or local general safety certificate shall state the maximum number of persons which the vessel is fit to carry, distinguishing, if necessary, between the respective numbers to be carried on the deck and in the cabins and in different parts of the deck and cabins, and any conditions and variations to which those numbers shall be subject, according to the time of the year, the nature of the voyage, the cargo carried, or other circumstances, as the case requires.

[Sub-s. (2) substituted by s. 13 of Act No. 13 of 1965.]

(3) Every local general safety certificate shall state the limits, if any, beyond which the vessel is not fit to proceed, and such other particulars as may be prescribed.

[Sub-s. (3) substituted by s. 13 of Act No. 13 of 1965.]

196. Modification of safety convention certificates as respects life-saving appliances.—(1) If, on any international voyage, a passenger ship registered in the Republic, in respect of which a safety convention certificate is in force, has on board a total number of persons less than the number stated in that certificate to be the number for which the life-saving appliances on the ship provides, the Authority may, at the request of the master of the ship, issue a memorandum stating the total number of persons carried on the ship on that voyage, and the consequent modification which may be made for the purpose of that voyage in the particulars with respect to life-saving appliances stated in the certificate, and that memorandum shall be annexed to the certificate.

[Sub-s. (1) substituted by s. 2 (2) of Act No. 5 of 1998.]

(2) The master of the ship in respect of which any such memorandum has been issued shall return it to the Authority at the end of the voyage to which it relates.

(3) If a recognized non-South African safety convention certificate is produced in respect of a passenger ship not registered in the Republic, and there is attached to the certificate a memorandum which—

(a) has been issued by or under the authority of the Government of the country in which the ship is registered; and

(b) modifies for the purpose of any particular voyage, in view of the number of persons actually carried on that voyage, the particulars stated in the certificate with respect to life-saving appliances,

the certificate shall have effect for the purpose of that voyage as if were modified in accordance with the memorandum.

[Sub-s. (3) amended by s. 30 of Act No. 40 of 1963.]

197. Duration of safety certificates.—(1) Subject to the provisions of this section, a safety convention certificate or a local safety certificate shall expire at the end of such period, not exceeding two years, in the case of a cargo ship safety equipment certificate or five years, in the case of a cargo ship safety construction certificate, or one year, in the case of any other certificate, from the date of its issue, as may be specified therein, or upon the giving of notice by the Authority to the owner or master of the vessel that it has been cancelled.

[Sub-s. (1) substituted by s. 14 of Act No. 13 of 1965.]

(2) An exemption certificate shall not remain in force for a period longer than the period of the passenger ship safety certificate, the cargo ship safety construction certificate, the cargo ship safety equipment certificate or the cargo ship safety radio certificate, and a local safety exemption certificate shall not remain in force for a period longer than the period of the local general safety certificate, issued in respect of the same vessel.

[Sub-s. (2) substituted by s. 14 of Act No. 13 of 1965 and by s. 6 of Act No. 23 of 1997.]

(3) (a) The Authority may grant an extension of—

(i) any safety convention certificate, except a cargo ship safety construction certificate; or

(ii) any local safety certificate,

issued in respect of any vessel registered or licensed in the Republic, for a period not exceeding one month from the date when the certificate would, but for the extension, have expired, or, if the vessel is absent from the Republic on that date, for a period not exceeding five months from that date.

[Para. (a) substituted by s. 2 (2) of Act No. 5 of 1998 and by s. 60 (b) of Act No. 58 of 1998.]

(b) If any safety convention certificate, except a cargo ship safety construction certificate, issued in respect of a ship not registered in the Republic, expires while such ship is in any port in the Republic, the Authority may, for sound reasons, extend such certificate for any period not exceeding five months, which extension shall be granted only for the purpose of allowing such ship to complete its voyage to the country in which it is registered or to be inspected.

[Para. (b) substituted by s. 2 (2) of Act No. 5 of 1998.]
(c) Notwithstanding the provisions of this section the validity of a certificate shall expire upon transfer of any ship to the flag of another country.

[Sub-s. (3) substituted by s. 6 of Act No. 3 of 1981.]

198. Cancellation of safety convention certificates and local safety certificates.—(1) The Authority may direct that a safety convention certificate or a local safety certificate be cancelled, if, by reason of the contents of a report by a surveyor, or for any other reason, it is satisfied that—

(a) it was obtained fraudulently or on wrong information; or
(b) since it was issued, the hull, equipment or machinery of the vessel has, by reason of any alteration made thereto, or by reason or any injury sustained by the vessel, or for any other reason, become insufficient; or
(c) since it was issued, the vessel has for any reason become unseaworthy; or
(d) the vessel no longer complies with all the requirements of the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations and any other applicable regulations which may have been made, to the same extent to which she complied with those regulations when the certificate was issued.

[Sub-s. (1) amended by s. 2 (2) of Act No. 5 of 1998. Para. (d) substituted by s. 15 of Act No. 13 of 1965.]

(2) For the purposes of this section the word "alteration", in relation to the hull, equipment or machinery of a vessel, includes the renewal of any part thereof.

(3) Whenever a direction is issued under subsection (1) for the cancellation of a certificate, the Authority shall notify the owner or master of the vessel in respect of which the certificate was issued of the cancellation.

199. Surrender of expired or cancelled safety convention certificate or local safety certificate.—(1) A safety convention certificate or a local safety certificate which has expired or has been cancelled shall on demand be surrendered by the owner or master of the ship to the Authority.

(2) If any certificate required to be surrendered under sub­section (1) is not surrendered, the Authority may cause the ship to be detained until the certificate is surrendered.

[S. 199 substituted by s. 2 (2) of Act No. 5 of 1998.]

200. South African ships not to be taken to sea without safety certificates.—(1) Neither the owner nor the master of a South African ship shall cause or permit her to proceed to sea from any port within or outside the Republic, or cause or permit her to operate at or from a port in or from anywhere else on the coast of the Republic, unless there is on board and in force in respect of that ship—

(a) if she is a passenger ship engaged in an international voyage, a passenger ship safety certificate appropriate to the voyage in which she is engaged and if an exemption certificate has been issued, such exemption certificate; or

[Para. (a) substituted by s. 16 (a) of Act No. 13 of 1965.]

(b) if she is a passenger ship not engaged in an international voyage, a local general safety certificate appropriate to the voyage in which she is engaged, and if a local safety exemption certificate has been issued, such local safety exemption certificate; or

[Para. (b) substituted by s. 16 (a) of Act No. 13 of 1965.]

(c) if she is a ship (other than a passenger ship) to which the Safety Convention applies and engaged in an international voyage—

(i) a cargo ship safety construction certificate and if an exemption certificate has been issued, such exemption certificate; and

(ii) a cargo ship safety equipment certificate and if an exemption certificate has been issued, such exemption certificate; and

(iii) a cargo ship safety radio certificate and if an exemption certificate has been issued, such exemption certificate; or

[Sub-para. (iii) substituted by s. 7 (a) of Act No. 23 of 1997.]

(iv) . . . . .

[Sub-para. (iv) deleted by s. 7 (b) of Act No. 23 of 1997.]

(v) an exemption certificate, if the ship is exempt from all the requirements of the radio regulations; or

[Para. (c) substituted by s. 16 (a) of Act No. 13 of 1965.]

(d) if she is a ship (other than a passenger ship) not engaged in an international voyage or a ship (other than a passenger ship) to which the Safety Convention does not apply and engaged in an
international voyage, a local general safety certificate appropriate to the voyage in which she is engaged, and if a local safety exemption certificate has been issued, such local safety exemption certificate.

[Sub-s. (1) amended by s. 60 (b) of Act No. 58 of 1998. Para. (d) substituted by s. 16 (a) of Act No. 13 of 1965.]

(2) Subsection (1) shall not prohibit the owner or master of a ship from causing or permitting her to proceed to sea—

(a) on a voyage other than an international voyage, if there are on board and in force in respect of the ship such certificates as would be required if she were engaged in an international voyage; or

(b) if she is not a passenger ship, and if there are on board and in force in respect of the ship such certificates as would be required if she were a passenger ship.

(3) The Authority may authorize the owner or master of a passenger ship registered in the Republic to cause the ship to proceed to sea from a port in the Republic on an international voyage not exceeding twelve hundred nautical miles in length between the last port of call in the Republic and the final port of destination, provided there is on board and in force in respect of that ship a passenger ship safety certificate for a short international voyage and if an exemption certificate has been issued, such exemption certificate: and upon such authority being granted, the certificate or certificates referred to shall for the purposes of this section be deemed to be appropriate to such voyage, notwithstanding the fact that the distance between the said ports exceeds six hundred nautical miles.

[Sub-s. (3) amended by s. 31 of Act No. 40 of 1963 and substituted by s. 16 (b) of Act No. 13 of 1965.]

201. Carrying persons in excess.—No master or owner of any vessel registered or licensed in the Republic shall anywhere, and no master or master of any vessel not registered or licensed in the Republic shall in the Republic or the territorial waters thereof, permit persons to be on board or on or in any part of the vessel in excess of the number permitted by the vessel’s safety convention certificate, local safety certificate, memorandum referred to in section one hundred and ninety-six or certificate referred to in subsection (4) or (5) of section two hundred and three:

Provided that the Authority may, for the purpose of enabling persons to be moved from any place in consequence of a threat to their lives, authorize more persons to be carried on board a ship than are permitted by the said certificate or memorandum; and the carriage of persons in accordance with such authority shall not constitute a contravention of the provisions of this section.

202. Issue of safety convention certificate by one Government at request of another.—(1) The Authority may request the Government of a country to which the Safety Convention applies to issue an appropriate safety convention certificate in respect of a ship registered in the Republic; and a certificate issued in pursuance of such a request shall contain a statement that it has been so issued, and shall be deemed to have been issued—

(a) in the case of a passenger ship, under section one hundred and ninety-two; or

(b) in the case of a ship other than a passenger ship, under section one hundred and ninety-three.

(2) The Authority may, at the request of the Government of a country to which the Safety Convention applies, cause an appropriate safety convention certificate to be issued in respect of a ship registered in that country, if it is satisfied in like manner as in the case of a ship registered in the Republic, that the certificate can properly be issued: Provided that it may cause the certificate to be issued if it is satisfied that the ship is constructed and equipped in accordance with all the requirements of the construction regulations, the life-saving equipment regulations, the radio regulations and any other regulations which may have been made and which are applicable to the ship and to the voyages on which she is to be engaged, in so far as those requirements are requirements of the Safety Convention applicable as aforesaid, notwithstanding the fact (if it be so) that she is not constructed or equipped in accordance with any requirements of the said regulations that are not applicable requirements of the Safety Convention, and that she is equipped in accordance with the requirements of the collision regulations. A certificate issued in pursuance of such a request shall contain a statement that it has been so issued and shall have effect as if it had been issued by the Government of the country in which the ship is registered.

[Sub-s. (2) substituted by s. 17 of Act No. 13 of 1965 and amended by s. 2 (2) of Act No. 5 of 1998.]

203. Application of this Part to ships not registered or licensed in the Republic while in the Republic.—(1) Subject to the provisions of this section, the provisions of this Part shall, mutatis mutandis, apply in respect of all ships not registered or licensed in the Republic while they are within the Republic or the territorial waters thereof.

(2) A recognized non-South African safety convention certificate issued in respect of any such ship by the Government of the country in which the ship is registered shall, subject to the provisions of subsection (3), have the same effect as a corresponding certificate issued by the Authority under section one hundred and ninety-two or one hundred and ninety-three.

[Sub-s. (2) amended by s. 32 (a) of Act No. 40 of 1963.]

(3) If a recognized non-South African safety convention certificate is produced which has been issued in respect of any such ship by or under the authority of the Government of the country in which the ship is registered, and which corresponds with the safety convention certificate which, in accordance with the provisions of this Part, the ship would be required to carry if she were registered in the Republic, the ship shall not be required to be inspected by a surveyor except—

(a) for the purpose of determining the maximum number of persons that the ship is fit to carry; or
(b) if the proper officer so directs, for the purpose of verifying that the ship is in the condition of seaworthiness indicated in the non-South African safety convention certificate produced.

[Sub-s. (3) amended by s. 32 (a) of Act No. 40 of 1963. Para. (b) amended by s. 32 (a) of Act No. 40 of 1963.]

(4) On receipt of the report of a surveyor of an inspection made under paragraph (a) of subsection (3), the Authority shall cause to be issued in respect of the ship a certificate stating the maximum number of persons which the ship is fit to carry.

(5) Notwithstanding the provisions of subsection (3) (a), if the non-South African safety convention certificate produced in respect of any such ship states the maximum number of persons that the ship is fit to carry, or if in addition to the non-South African safety convention certificate there is produced a certificate issued by or under the authority of the Government of the country in which the ship is registered stating the maximum number of persons that the ship is fit to carry, and the Authority is satisfied that that number has been determined substantially in the same manner as it would have been determined in the case of a ship registered in the Republic, it may, if it thinks fit, dispense with any inspection of the ship for the purpose of determining the maximum number of persons that she is fit to carry.

[Sub-s. (5) amended by s. 32 (a) of Act No. 40 of 1963 and substituted by s. 2 (2) of Act No. 5 of 1998.]

(6) If after consideration of the report of a surveyor of an inspection made under subsection (3) (b), the Authority is satisfied that a ship in respect of which a non-South African safety convention certificate has been produced is unseaworthy, it may direct that the said certificate be not recognized in the Republic, and thereafter the said certificate shall have no effect in the Republic.

[Sub-s. (6) amended by s. 32 (a) of Act No. 40 of 1963 and substituted by s. 2 (2) of Act No. 5 of 1998.]

(7) A safety certificate issued in respect of a ship to which the Safety Convention does not apply by or under the authority of the Government of the country to which the ship belongs, being a country other than the Republic, shall have the same effect as a certificate, issued under section one hundred and ninety-four: Provided that, if, after consideration of the report of a surveyor on an inspection of such ship, the Authority is satisfied that she is not in the condition of seaworthiness indicated in such certificate, it may direct that the certificate be not recognized in the Republic, and thereafter the said certificate shall have no effect in the Republic.

[Sub-s. (7) added by s. 18 of Act No. 13 of 1965 and amended by s. 2 (2) of Act No. 5 of 1998.]

(8) Notwithstanding the provisions of this section, every ship not registered or licensed in the Republic, plying regularly between ports in the Republic or operating from a port in the Republic, and which is not in possession of any safety convention certificate issued by or under the authority of the government of the country of origin of the ship, shall be in possession of a local general safety certificate.

[Sub-s. (8) added by s. 12 of Act No. 18 of 1992.]

(9) No person, including the owner or master of a ship referred to in subsection (8), shall cause or permit that ship to proceed to sea from any port in the Republic, unless there is on board and in respect of that ship a local general safety certificate.

[Sub-s. (9) added by s. 12 of Act No. 18 of 1992.]

PART II

Load Lines

204. Exemption from this Part and issue of load line exemption certificates.—(1) If, after consideration of the report of a surveyor of his inspection of a load line ship registered in the Republic, the Authority is satisfied that the ship is exempt by virtue of the exercise by it of a power conferred on it by the load line regulations, from any or all of the requirements of the said regulations and that the ship complies with the remaining requirements (if any), the Authority shall cause to be issued in respect of that ship—

(a) if she is an international load line ship, an international load line exemption certificate; or

(b) if she is a local load line ship, a local load line exemption certificate.

[Sub-s. (1) amended by s. 33 (a) of Act No. 40 of 1963, substituted by s. 14 (a) of Act No. 42 of 1969 and amended by s. 2 (2) of Act No. 5 of 1998.]

(2) Every load line exemption certificate shall be in the prescribed form.

[Sub-s. (2) amended by s. 33 (b) of Act No. 40 of 1963 and substituted by s. 14 (a) of Act No. 42 of 1969.]

(3) The owner and the master of a ship in respect of which a load line exemption certificate has been issued shall observe the terms and conditions specified therein.

(4) . . . . .

[Sub-s. (4) amended by s. 33 (c) of Act No. 40 of 1963 and substituted by s. 14 (b) of Act No. 42 of 1969.]

205. Initial and subsequent surveys of ships in respect of load line provisions.—(1) If the owner of any load line ship which is or is to be registered in the Republic desires that a load line certificate be issued in respect of the ship, he shall, before he applies for the issue of the certificate, cause her to be inspected by a surveyor.

[Sub-s. (1) substituted by s. 60 (b) of Act No. 58 of 1998.]
(2) The owner of every ship in respect of which a load line certificate has been issued, shall cause her to be inspected by a surveyor in accordance with the load line regulations, at the intervals specified in the said regulations, calculated from the date of the initial survey referred to in subsection (1).

[Sub-s. (2) substituted by s. 15 of Act No. 42 of 1969.]

(3) On the inspection of any ship in terms of subsection (1) or (2) there shall be paid by the owner of the ship such fee as may be prescribed.

206. Surveyor's inspection report on load line ship.—(1) Every surveyor who inspects a ship in pursuance of section two hundred and five or of any provision of the load line regulations shall draw up a report of his inspection in the prescribed form.

(2) The report of the inspection of a load line ship in respect of which no load line certificate is in force, or in respect of which a load line certificate is in force which is due to expire within a period of twelve months after the date on which the inspection takes place, shall deal fully with the matters mentioned in section two hundred and seven and with such other matters as may be prescribed.

(3) The report of the inspection of a load line ship in respect of which a load line certificate is in force which is due to expire at a date later than twelve months after the date on which the inspection takes place, shall deal in detail with the question whether the certificate ought to remain in force during the period of twelve months following the inspection, with the matters mentioned in section two hundred and seven and with such other matters as may be prescribed.

(4) The surveyor shall forward his report to the proper officer.

207. Issue of load line certificates other than load line exemption certificates.—If, after consideration of the report of a surveyor of his inspection of a load line ship registered in the Republic, the Authority is satisfied that—

(a) the ship is marked with deck lines and load lines of the description and number required by the load line regulations; and

(b) the ship's load lines are in the position required by the load line regulations; and

(c) the ship complies with the conditions of assignment,

the Authority shall cause to be issued in respect of that ship—

(i) if she is an international load line ship, an international load line certificate other than an international load line exemption certificate; or

(ii) if she is a local load line ship, a local load line certificate other than a local load line exemption certificate,

which shall be in the form prescribed.

[S. 207 amended by s. 26 of Act No. 30 of 1959 and by s. 19 of Act No. 13 of 1965, substituted by s. 16 of Act No. 42 of 1969 and amended by s. 2 (2) of Act No. 5 of 1998.]

208. Entry of load line particulars in official log-book.—(1) When a load line certificate has been issued in terms of this Act in respect of a load line ship registered in the Republic, the master, before making any other entry in the official log-book shall enter therein the particulars as to the position of the deck line and load lines specified in the certificate.

(2) Before any load line ship registered in the Republic leaves any port within or outside the Republic, or before any passenger ship not registered in the Union and plying between ports in the Republic or between a port in the Republic and any other port leaves any port in the Republic, for the purpose of proceeding to sea the master shall—

(a) enter in the official log-book the prescribed particulars relating to the depth to which the ship is for the time being loaded; and

(b) cause a notice in the prescribed form, and containing such of the said particulars as may be prescribed, to be displayed in some conspicuous place on board the ship and to be kept so displayed and legible until the ship arrives at some other port.

[Sub-s. (2) amended by s. 34 of Act No. 40 of 1963.]

209. Duration of load line certificates.—(1) A load line certificate issued under the provisions of this Act shall expire at the end of such period, not exceeding five years from the date of its issue, as may be specified therein, or upon the giving of notice by the Authority to the owner or master of the ship that it has been cancelled.

(2) The Authority may grant an extension of any international load line certificate or of any local load line certificate issued in respect of any ship registered in the Republic, for a period not exceeding one month from the date when the certificate would, but for the extension, have expired, or, if the ship is absent from the Republic on that date, for a period not exceeding five months from that date.

[Sub-s. (2) substituted by s. 20 of Act No. 13 of 1965, by s. 2 (2) of Act No. 5 of 1998 and by s. 60 (b) of Act No.
210. Cancellation of load line certificates.—(1) The Authority may direct that an international load line certificate or a local load line certificate be cancelled, if it is satisfied that—

(a) it was obtained fraudulently or on wrong information; or

(b) since it was issued, structural alterations, which affect the position of the load lines, have taken place in the hull or superstructures of the ship; or

(c) the fittings and appliances for the protection of openings, the guard rails, the freeing ports or the means of access to the crew accommodation have not been maintained on the ship in as effective a condition as that in which they were when the certificate was issued; or

(d) the owner of the ship has failed to cause her to be inspected in accordance with the provisions of section two hundred and five; or

(e) the marking of the deck lines and load lines on the ship have not been properly maintained.

[Sub-s. (1) amended by s. 21 of Act No. 13 of 1965 and by s. 2 (2) of Act No. 5 of 1998.]

(2) For the purposes of this section the word “alteration” in relation to the hull or superstructures of a ship, includes the renewal of any part thereof.

(3) Whenever a direction is issued under subsection (1) for the cancellation of a load line certificate, the Authority shall notify the owner or master of the ship in respect of which the certificate was issued of the cancellation.

211. Surrender of expired or cancelled load line certificate.—(1) A load line certificate which has expired or has cancelled, shall on demand be surrendered by the owner or master of the ship to the Authority.

(2) If any certificate required to be surrendered under sub-section (1) is not surrendered, the Authority may cause the ship to be detained until the certificate is surrendered.

[S. 211 amended by s. 17 of Act No. 42 of 1969 and substituted by s. 2 (2) of Act No. 5 of 1998.]

212. South African ships not to be taken to sea without load line certificates.—Neither the owner nor the master of a load line ship registered in the Republic shall cause or permit her to proceed to sea from a port within or outside the Republic unless there is on board and in force in respect of that ship—

(a) if the voyage which she is undertaking is an international voyage—

(i) in the case of an international load line ship, an international load line certificate other than an international load line exemption certificate, and if an international load line exemption certificate has been issued, such international load line exemption certificate, or an international load line exemption certificate if the ship is exempt from all the requirements of the load line regulations; or

(ii) in the case of a local load line ship, a local load line certificate other than a local load line exemption certificate, and if a local load line exemption certificate has been issued, such local load line exemption certificate, or a local load line exemption certificate if the ship is exempt from all the requirements of the load line regulations;

[Para. (a) substituted by s. 27 of Act No. 30 of 1959, by s. 22 of Act No. 13 of 1965 and by s. 18 of Act No. 42 of 1969.]

(b) if the voyage which she is undertaking is not an international voyage—

(i) an international load line certificate other than an international load line exemption certificate, and if an international load line exemption certificate has been issued, such international load line exemption certificate, or an international load line exemption certificate if the ship is exempt from all the requirements of the load line regulations; or

(ii) a local load line certificate other than a local load line exemption certificate, and if a local load line exemption certificate has been issued, such local load line exemption certificate, or a local load line exemption certificate if the ship is exempt from all the requirements of the load line regulations.

[Para. (b) substituted by s. 27 of Act No. 30 of 1959, amended by s. 35 of Act No. 40 of 1963 and substituted by s. 22 of Act No. 13 of 1965 and by s. 18 of Act No. 42 of 1969.]

213. Maintenance of load lines and deck lines.—(1) The owner and the master of a load line ship registered in the Republic shall maintain the marking of her deck lines and load lines in the position specified in the load line certificate in force in respect of that ship or in the position approved by a person entitled under the load line regulations to approve the alteration of the position of the said deck lines or load lines.

(2) No person shall conceal, remove, alter, deface or obliterate, or suffer any person under his control to conceal, remove, alter, deface or obliterate any mark placed on any ship in accordance with the provisions of this Act, except with the authority of a person entitled under the load line regulations to authorize the alteration of the
mark, or except for the purpose of escaping capture by an enemy or by a foreign ship in the exercise of some belligerent right.

### 214. Submersion of load line on South African ships.—

(1) The master of a load line ship registered in the Republic shall—

(a) so load the ship; or

(b) suffer the ship to be so loaded; or

(c) bring the ship into any port in the Republic so loaded,

as to submerge in salt water, when the ship has no list, the load line on each side of the ship appropriate to the circumstances then existing.  

[Sub-s. (1) substituted by s. 28 of Act No. 30 of 1959.]

(2) Any surveyor who finds upon inspection that the ship is loaded in contravention of subsection (1) shall give notice in writing to that effect to the master, pointing out the extent of the overloading, and requiring that the matter be rectified.

(3) A copy of every notice so given shall be transmitted by the surveyor to the proper officer at any port at which a clearance for that ship may be requested, and a clearance shall not be granted, and the ship shall be detained, until a certificate under the hand of a surveyor is produced stating that the deficiency has been made good.

### 215. Issue of international load line certificate by one Government at request of another.—

(1) The Authority may request the Government of a country to which the Load Line Convention applies to issue an international load line certificate in respect of a load line ship registered in the Republic; and a certificate issued in pursuance of such a request shall contain a statement that it has been so issued, and shall be deemed to have been issued under paragraph (i) of section two hundred and seven.

[Sub-s. (1) amended by s. 8 of Act No. 23 of 1997.]

(2) The Authority may, at the request of the Government of a country to which the Load Line Convention applies, cause an international load line convention certificate to be issued in respect of a load line ship registered in that country, if it is satisfied, in like manner as in the case of a ship registered in the Republic, that the certificate can properly be issued: Provided that it may cause the certificate to be issued if it is satisfied that the ship is marked with deck lines and load lines in accordance with the requirements of the load line regulations in so far as those requirements are requirements of the Load Line Convention, notwithstanding the fact (if it be so) that she is not marked with deck lines and load lines in accordance with any requirements of the said regulations that are not requirements of the Load Line Convention. A certificate issued in pursuance of such a request shall contain a statement that it has been so issued, and shall have effect as if it had been issued by the Government of the country in which the ship is registered.

[S. 215 substituted by s. 23 of Act No. 13 of 1965. Sub-s. (2) amended by s. 2 (2) of Act No. 5 of 1998.]

### 216. Inspection and control of load line convention ships not registered in the Republic.—

(1) If a recognized non-South African international load line certificate is produced in respect of a load line ship which is registered in a country (other than the Republic) to which the Load Line Convention applies and is at a place within the Republic or the territorial waters thereof, a surveyor’s powers of inspecting the ship with respect to load line shall be limited to ascertaining—

(a) whether the ship is loaded beyond the limits allowed by the certificate;

(b) whether the position of the load lines on the ship corresponds with the position specified in the certificate;

(c) whether since the certificate was issued any structural alterations have taken place in the hull or superstructures of the ship which affect the position of the load lines; and

(d) whether the fittings and appliances for the protection of openings, the guard rails, the freeing ports and the means of access to the crew accommodation have been maintained on the ship in as effective a condition as they were in when the certificate was issued.  

[Sub-s. (1) amended by s. 36 of Act No. 40 of 1963 and by s. 24 (a) of Act No. 13 of 1965.]

(2) If a surveyor finds on inspection that the ship is loaded beyond the limits allowed by the certificate, he shall give notice in writing to that effect to the master, pointing out the extent of the overloading and requiring that the matter be rectified.

(3) If a surveyor finds on inspection that the load lines of the ship are not in the position specified in the certificate, he shall give notice in writing to that effect to the owner or master, pointing out the defects and requiring the same to be made good.

(4) A copy of every notice given under subsection (2) or (3) shall be transmitted by the surveyor to the proper officer at any port at which a clearance for that ship may be requested, and a clearance shall not be granted, and the ship shall be detained, until a certificate under the hand of a surveyor is produced stating that the matter has been rectified or the deficiency made good, as the case may be.

(5) If a recognized non-South African international load line certificate is not produced to the surveyor on
such demand as aforesaid, the surveyor shall have the same power of inspecting the ship, for the purpose of seeing that the provisions of this Part have been complied with, as if the ship were a ship registered in the Republic.

[Sub-s. (5) amended by s. 36 of Act No. 40 of 1963 and substituted by s. 24 (b) of Act No. 13 of 1965.]

(6) For the purposes of this section a ship shall be deemed to be loaded beyond the limits allowed by the certificate if she is so loaded as to submerge in salt water, when the ship has no list, the appropriate load line on each side of the ship, that is to say, the load line appearing by the certificate to indicate the maximum depth to which the ship is for the time being entitled under the Load Line Convention to loaded.

217. Issue of load line certificates in respect of ships not registered in the Republic.—(1) The Authority may cause a special load line certificate to be issued in respect of any load line ship not registered in the Republic.

(2) The provisions of this Chapter relating to the issue, effect, duration, renewal and cancellation of local load line certificates shall apply, mutatis mutandis, in relation to special load line certificates: Provided that—

(a) if a special load line certificate is issued in respect of a load line ship registered in a country to which the Load Line Convention does not apply, it shall be available in respect of international voyages as well as other voyages, but if issued in respect of a load line ship registered in a country to which the Load Line Convention applies, shall only be valid so long as the ship is not plying on international voyages, and shall be endorsed with a statement to that effect, and may be cancelled by the Authority if it is satisfied that the ship is so plying; and

[Par. (a) substituted by s. 2 (2) of Act No. 5 of 1998.]

(b) a survey for the purpose of ascertaining whether the certificate should remain in force shall take place whenever the Authority so requires.

218. Recognition of certificates as to load lines issued in other countries.—If the Minister is satisfied—

(a) either—

(i) that, by the law in force in any treaty country (other than the Republic) provision has been made for the fixing, marking and certifying of load lines on ships (or any class or description of ships) registered in that treaty country; or

(ii) that such provision has been made by the law in force in any foreign country with respect to ships (or any class or description of ships) registered in that country, and has also been so made (or it has been agreed that provision shall be so made) for recognizing load line certificates issued in the Republic as having the same effect in ports of that country as certificates issued under the said provision; and

(b) that the provision for the fixing, marking and certifying of load lines is based on the same principles as the corresponding provisions of this Chapter and of the load line regulations and is equally effective, he may, by notice in the Gazette, direct that certificates issued in pursuance of that provision in respect of ships (or that class or description of ships) registered in that treaty country or in respect of ships (or that class or description of ships) registered in that foreign country, as the case may be, shall have the same effect, for the purposes of this Chapter as special load line certificates.

[Act 7 of 1962.
S. 218 amended by s. 29 of Act No. 30 of 1959 and by s. 48 of Act No. 69 of 1962.]

219. Load line ships not registered in the Republic not to be taken to sea without load line certificates.—The master of a load line ship not registered in the Republic shall not cause or permit her to proceed to sea from a port in the Republic unless there is on board and in force in respect of that ship—

(a) if she is registered in a country to which the Load Line Convention applies, and—

(i) is engaged in an international voyage, a recognized non-South African international load line certificate or a certificate issued under subsection (2) of section two hundred and fifteen; or

[Sub-para. (i) amended by s. 38 (a) of Act No. 40 of 1963 and substituted by s. 25 of Act No. 13 of 1965.]

(ii) is not engaged in an international voyage, a certificate referred to in paragraph (i) or a special load line certificate or a certificate which in terms of a notice issued under section two hundred and eighteen has the same effect as a special load line certificate; or

[Sub-para. (ii) amended by s. 38 (b) of Act No. 40 of 1963.]

(b) if she is not registered in a country to which the Load Line Convention applies a special load line certificate or a certificate which in terms of a notice issued under section two hundred and eighteen has the same effect as a special load line certificate.

[Para. (b) amended by s. 38 (b) of Act No. 40 of 1963.]

220. Submersion of load line on ships not registered in the Republic.—The provisions of section two hundred and fourteen shall apply to load line ships not registered in the Republic, while they are at any port in the Republic, as they apply to load ships registered in the Republic: Provided that in the application of the said
provisions the expression “the load line” shall mean—

(a) in the case of a ship in respect of which there is produced a recognized Non-South African international load line certificate, the load line appearing by the certificate to indicate the maximum depth to which the ship is for the time being entitled under the Load Line Convention to be loaded; or [Para. (a) amended by s. 39 (a) of Act No. 40 of 1963 and substituted by s. 26 of Act No. 13 of 1965.]

(b) in the case of a ship in respect of which there is produced a certificate which, in terms of a notice issued under section two hundred and eighteen, has the same effect for the purposes of this Chapter as a special load line certificate, the load line appearing by the certificate to indicate the maximum depth to which the ship is for the time being entitled, under the law in force in the country in which the ship is registered, to be loaded; or [Para. (b) amended by s. 39 (b) of Act No. 40 of 1963.]

(c) in any other case, the load line which corresponds with the load line indicating the maximum depth to which the ship is for the time being entitled under the load line regulations to be loaded, or if no load line on the ship corresponds as aforesaid, the lowest load line thereon.

PART III
Safety of Navigation

221. Ship’s complement.—(1) The owner and the master of every South African ship operating at a port in the Republic or going to sea from any port whatsoever shall ensure that, in addition to the ships’ officers and other persons which in terms of section 73 must be employed on board that ship, there are employed as crew the number and description of persons prescribed. [Sub-s. (1) substituted by s. 23 (a) of Act No. 57 of 1998.]

(2) (a) Subject to paragraph (b), the owner and the master of every ship other than a South African ship operating at a port in the Republic or going to sea from any such port shall ensure that, in addition to the ships’ officers and other persons which in terms of section 73 (4) must be employed on board that ship, there are employed as crew the number and descriptions of persons prescribed by the law of the flag of the ship. (b) Notwithstanding paragraph (a), subsection (1) shall apply to a ship referred to in that paragraph, as if it were a South African ship, if—

(i) the matters contemplated in that paragraph are not prescribed by the law of the flag of the ship; or (ii) having regard to—

(aa) the complement normally carried by similar ships on similar voyages; (bb) the complement which the ship in question has recently carried on previous voyages; and (cc) the nature and place of the service for which the ship is intended, the proper officer has reason to believe that the ship is not sufficiently and efficiently manned. [Sub-s. (2) amended by s. 49 of Act No. 69 of 1962, by s. 40 of Act No. 40 of 1963 and substituted by s. 23 (a) of Act No. 57 of 1998.]

(3) . . . . . . [Sub-s. (3) substituted by s. 13 of Act No. 18 of 1992 and deleted by s. 23 (b) of Act No. 57 of 1998.]

222. Employment of radio officers and operators.—(1) No person shall be employed as a radio officer or operator of a radio installation on any South African ship unless he holds an appropriate certificate of proficiency issued or approved in accordance with the regulations. [Sub-s. (1) amended by s. 50 of Act No. 69 of 1962 and substituted by s. 24 of Act No. 57 of 1998.]

(2) A person employed as a radio officer or operator on board a South African ship shall subscribe to a declaration of secrecy, which shall be in the approved form; and no person, having made the declaration, shall, either directly or indirectly, divulge to any other person unless lawfully authorized to do so, any information which he has acquired by virtue of his employment.

223. Surveyor may direct that defects be made good.—(1) If upon the inspection of a vessel a surveyor finds that the provisions of section 73 or 221 or of the maritime occupational safety regulations are not being complied with, or that the vessel is not equipped as required by the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations or any other applicable regulations which may have been made or not marked as required by the load line regulations, or that the equipment is not in good condition, or that the deck lines or load lines are not being properly maintained, or that the master and crew cannot demonstrate the related competency at their place or places of duty, he shall give notice in writing to that effect to the owner or master, pointing out the deficiencies or defects and requiring that they be made good. [Sub-s. (1) substituted by s. 27 of Act No. 13 of 1965, by s. 14 of Act No. 18 of 1992 and by s. 25 of Act No. 57 of 1998.]
(2) A copy or every notice so given shall be transmitted by the surveyor to the proper officer at any port at which a clearance for that vessel may be requested, and a clearance shall not be granted, and the vessel shall be detained, until a certificate under the hand of a surveyor is produced stating that the deficiencies or defects have been supplied or made good.

224. Display of safety convention certificate, local safety certificate or load line certificate.—Immediately after receipt of a safety convention certificate, a local safety certificate or a load line certificate, the owner or master shall cause it to be framed and displayed in some conspicuous place on board the vessel for the information of all on board, and shall cause it to be kept so framed and displayed so long as it remains in force and the vessel is in use: Provided that this section shall not apply in respect of any vessel of less than one hundred gross tons, if the Authority has exempted her from its provisions.

[S. 224 substituted by s. 19 of Act No. 42 of 1969.]

225. Printed notices and diagrams as to location of lifeboats, etc.—(1) The master of every passenger ship, wherever registered, plying between ports in the Republic or between a port in the Republic and any other port shall cause ample provision to be made, to the satisfaction of a surveyor, by printed notices, and by diagrams where necessary, to enable the passengers to ascertain the position of lifeboats, life-jackets and other life-saving appliances, fire-buckets, axes and fire-extinguishers. He shall also cause to be kept exhibited in each cabin, and throughout the ship to the satisfaction of a surveyor, notices showing the method of adjusting life-jackets to the body.

[Sub-s. (1) amended by s. 41 of Act No. 40 of 1963.]

(2) The master of every passenger ship registered in the Republic shall cause to be kept in some conspicuous place accessible to all the passengers a printed copy of this Part.

226. Information about stability of ship.—(1) The owner of every South African ship of the class or tonnage prescribed by regulation built after the coming into operation of this section shall cause to be kept on board the ship such information in writing about the stability of the ship as is necessary for the guidance of the master in loading and ballasting the ship.

[Sub-s. (1) substituted by s. 20 of Act No. 42 of 1969.]

(2) The information required in terms of subsection (1) shall be as determined by regulation, and shall be based upon the determination of the stability of the ship by means of an inclining test of the ship: Provided that the Authority may allow the information to be based on a similar determination of the stability of a sister ship.

[Sub-s. (2) substituted by s. 20 of Act No. 42 of 1969.]

(3) When any such information is provided concerning any ship, the owner of the ship shall send a copy thereof to the Authority: Provided that the owner shall not be required to send a copy of any information to the Authority if a copy of the same information has been previously sent to him.

(4) For the purposes of section one hundred and eighty-seven every document containing such information as is referred to in this section shall be deemed to be a document relating to the navigation of the ship.

227. Production of certificates to officers of customs.—(1) The master of any ship which is at any port in the Republic shall produce to the officer of customs from whom a clearance for that ship is requested—

(a) if she is a ship to which section two hundred or two hundred and three applies, the certificate or certificates which in terms of those sections must be on board that ship; or

(b) if she is a load line ship registered in the Republic, the certificate which in terms of section two hundred and twelve must be on board that ship; or

(c) if she is a load line ship not registered in the Republic, the certificate which in terms of section two hundred and nineteen must be on board that ship; or

(d) if she is a load line ship carrying a deck cargo of timber, a certificate issued under subsection (1) of section two hundred and thirty-seven.

(2) If the certificate or certificates required to be produced by or under subsection (1) are not produced, the ship shall be detained until such certificate or certificates are produced.

228. Compasses to be adjusted.—(1) The master of every ship plying between ports in the Republic or between a port in the Republic and any other port, wherever she may be registered, shall ensure that the compasses on board that ship are properly adjusted from time to time, in accordance with the regulations.

[Sub-s. (1) amended by s. 41 of Act No. 40 of 1963.]

(2) Any person thereto authorized by the Authority may at any time inspect the compasses of any ship referred to in subsection (1) and shall report to the Authority the result of his inspection; and the Authority may upon such report direct that the compasses of the ship shall be adjusted in accordance with the regulations by an adjuster of compasses licensed under the regulations; and the master of the ship shall ensure that such direction is carried out.

229. Signalling lamps.—The master or owner of a South African ship of one hundred or more gross register
tons (or of such lower tonnage gross register as may be prescribed) shall not cause or permit the ship to proceed to sea unless she is provided with a signalling lamp in accordance with the regulations.

230. ..........................
[S. 230 repealed by s. 30 of Act No. 30 of 1959.]

231. Registration of private code or signals.—(1) If the owner of a ship, wherever registered, desires to use any signals for the purpose of a private code he may register them with the Authority, who may from time to time publish a list of the signals so registered.

(2) The Authority may refuse to register any signals which, in its opinion, cannot easily be distinguished from signals generally used as signals of distress, signals for pilots, signals of urgency, signals prescribed for indicating that a message is about to be sent relating to a danger, or from signals registered in the name of any other person.

[Sub-s. (2) substituted by s. 2 (2) of Act No. 5 of 1998.]

(3) The Authority may, if it thinks fit, cancel the registration of any signal at any time.

[Sub-s. (3) substituted by s. 2 (2) of Act No. 5 of 1998.]

(4) No person shall—

(a) use any signal so registered, except by the authority of the person in whose name it is registered; or

(b) use any signal the registration of which has been cancelled by the Authority.

232. Signals of distress.—(1) The master of a vessel which is registered or licensed in the Republic or which, in terms of this Act, is required to be so licensed shall not, within or outside the Republic, and the master of any other vessel shall not, within the Republic or the territorial waters thereof, use or display or cause or permit any person under his authority to use or display, and no person shall use or display at a place on land within the Republic from which it can be seen from the sea—

(a) any signal which by regulation is declared to be a signal of distress, except in the circumstances and for the purpose prescribed; or

(b) any private signal, whether registered or not, which is likely to be mistaken for any such signal of distress.

[Sub-s. (1) substituted by s. 3 of Act No. 24 of 1974 and amended by s. 60 (b) of Act No. 58 of 1998.]

(2) Any person convicted of contravening subsection (1) shall be liable, in addition to any penalty imposed under section three hundred and thirteen, to pay compensation for any labour undertaken, risk incurred or loss sustained in consequence of the signal used or displayed having been taken to be a signal of distress. Such compensation may, without prejudice to any other remedy, be recovered in the same manner in which salvage is recoverable in terms of this Act.

233. Boat and fire drills and inspection of life-saving appliances.—(1) The master of every—

(a) passenger ship; or

(b) ship (other than a passenger ship) of not less than five hundred gross register tons (or of such lower tonnage gross register as may be prescribed),

which is registered in the Republic, shall, if it be practicable to do so, cause—

(i) boat drill and fire drill to be practised, in the case of a passenger ship, at least once in every week, and, in the case of a ship other than a passenger ship, at least once in every month; and

(ii) the life-saving appliances on board the ship to be inspected to ascertain whether they are fit and ready for use, at least once in every such period as may be prescribed.

(2) The master of every such ship shall cause an entry to be made in the official log-book of every occasion on which boat drill and fire drill are practised or the said appliances are inspected; and if,—

(a) in the case of a passenger ship, boat drill or fire drill is not practised in any week; or

(b) in the case of a ship other than a passenger ship, boat drill or fire drill is not practised in any month; or

(c) in the case of any ship, the said appliances are not inspected in any such period as is prescribed,

the master shall cause a statement to be entered in the official log-book of the reasons why the drill was not practised or the appliances were not inspected in that week, month or period.

234. ..........................
[S. 234 repealed by s. 28 of Act No. 94 of 1996.]
235. Dangerous goods not to be carried.—(1) No person shall send by or carry in any ship, except in accordance with the prescribed regulations, as cargo or ballast, any dangerous goods.

(2) No person shall send by any ship, or, if he be not the master or owner of a ship carry in that ship, any dangerous goods without distinctly marking, in one of the official languages of the Republic, their nature on the outside of the package containing the same, in accordance with the prescribed regulations, and without giving written notice of the nature of such goods and of the name and address of the sender thereof to the master or owner of a ship at or before the time of sending the same to be taken on board the ship.

(3) The master or owner of any ship may refuse to take on board any package or parcel which he suspects to contain dangerous goods, and may require such package or parcel to be opened to ascertain the fact.

(4) The provisions of this section shall not apply to ships’ distress signals, or to the carriage of naval or military stores for the public service under conditions authorized by the Authority.

(5) This section shall apply—

(a) to South African ships wherever they may be; and

(b) to all other ships while they are within any port in the Republic, or are embarking or disembarking passengers within the territorial waters of the Republic, or are loading or discharging cargo or fuel within those waters.

[Para. (b) amended by s. 42 of Act No. 40 of 1963.]

236. Carriage of grain.—(1) Whenever grain is loaded in any port in the Republic on board any ship, wherever she may be registered, or is loaded on board a South African ship in any port outside the Republic, the owner or the master of the ship, or any agent of the owner who is charged with the loading or with sending the ship to sea laden with grain, shall take all precautions prescribed by regulation to prevent the grain from shifting and in addition shall take all other precautions to prevent the grain from shifting which in the circumstances are necessary and reasonable; and if all such precautions are not taken, the ship shall be deemed to be unseaworthy.

[Sub-s. (1) amended by s. 43 of Act No. 40 of 1963.]

(2) Whenever any ship, wherever she may be registered, having been loaded with grain outside the Republic without the taking of all such precautions as are referred to in subsection (1), enters any port in the Republic so laden, the owner or master of the ship shall be guilty of an offence and the ship shall be deemed to be unseaworthy: Provided that this subsection shall not have effect if the ship would not have entered any such port but for stress of weather or any other circumstances that neither the master nor the owner nor the charterer (if any) could have prevented or forestalled.

[Sub-s. (2) amended by s. 43 of Act No. 40 of 1963.]

(3) Subsections (1) and (2) shall not apply in respect of a ship loaded in all respects in accordance with any provisions approved by the Authority in the special case.

(4) On the arrival at a port in the Republic from a port outside the Republic of any ship, wherever she may be registered, carrying a cargo of grain, the master shall cause to be delivered to the proper officer a notice stating—

(a) the draught of water and freeboard of the said ship after the loading of her cargo was completed at the final port of loading; and

(b) the following particulars of the grain carried, namely,—

(i) the kind of grain and the quantity thereof, stated in cubic feet, bushels, or tons weight;

(ii) the mode in which the grain is stowed; and

(iii) the precautions taken to prevent the grain from shifting.

[Sub-s. (4) amended by s. 43 of Act No. 40 of 1963.]

(5) In this section the word “grain” includes wheat, maize, oats, rye, barley, rice, pulses, seeds and processed forms thereof, whose behaviour during transport in bulk is similar to that of grain in its natural state, and in subsection (4) the expression “ship carrying a cargo of grain” means a ship carrying a quantity of grain exceeding one-third of the ship’s net register tonnage, reckoning 2,83 cubic metres or two tonne mass of grain as equivalent to one ton of net register tonnage.

[Sub-s. (5) substituted by s. 7 of Act No. 3 of 1981.]

237. Carriage of timber deck cargo.—(1) Whenever a deck cargo of timber is loaded on a load line ship at a port in the Republic the owner or master shall cause the ship to be inspected by a surveyor who, if satisfied that the ship is suitable for the carriage of deck cargoes of timber and that such cargo is properly stowed and secured in accordance with the timber cargo regulations, shall issue a certificate to that effect.

[Sub-s. (1) amended by s. 31 of Act No. 30 of 1959 and by s. 44 of Act No. 40 of 1963.]

(2) Neither the owner nor the master of any such ship shall cause or permit her to proceed to sea from a port in the Republic unless there is on board a certificate issued under subsection (1) in force in respect of that ship.

(3) In any proceedings against an owner or master in respect of a contravention of the timber cargo regulations, it shall be a good defence to prove that the contravention was due solely to deviation or delay, being
deviation or delay caused solely by stress of weather or other circumstances which neither the master nor the owner nor the charterer (if any) could have prevented or forestalled.

(4) This section shall apply to all ships wherever they may be registered.

238. Marking of heavy packages or objects.—No person shall in the Republic consign to be loaded on any ship, and no owner or master of any ship in the Republic, wherever she may be registered, shall cause or permit to be loaded on that ship any package or object of a gross weight of one thousand kilograms or more, unless its weight is plainly and durably marked on the outside of the package or object: Provided that in the case of a package or object of such a character that its exact weight would be difficult to ascertain an approximate weight may be so marked accompanied by the word “approximate” or “ongeveer” or any reasonable abbreviation thereof.

[S. 238 amended by s. 9 of Act No. 23 of 1997.]

239. Report of alteration or damage affecting seaworthiness, efficiency or compliance with regulations.—

(1) If any alteration has been made in, or any damage has been sustained by, a South African ship so material as to affect her seaworthiness or her efficiency, whether in her hull, equipment or machinery, or her compliance with such of the construction regulations, the life-saving equipment regulations, the radio regulations, the collision regulations, the load line regulations or any other regulations which may have been made, as apply to her, the owner or master shall, as soon as possible, forward a report to the Authority, giving full particulars of the alteration or damage.

[Sub-s. (1) substituted by s. 28 of Act No. 13 of 1965.

(2) If, by reason of the contents of a report made in terms of subsection (1), or for any other reason, the Authority is of the opinion or suspects—

(a) that a South African ship is unseaworthy; or

(b) that the hull, equipment or machinery of a South African ship is insufficient; or

(c) that a South African ship does not comply with such of the regulations referred to in subsection (1) as apply to her,

it may give special directions for the inspection of the ship by a surveyor, notwithstanding the fact that a safety convention certificate, a local safety certificate or a load line certificate is still in force in respect of that ship.

[Sub-s. (2) amended by s. 2 (2) of Act No. 5 of 1998.]

(3) Any ship in respect of which any such directions as are referred to in subsection (2) have been given may be detained by the proper officer.

(4) If any such directions are not complied with, the Authority may cancel any certificates issued in respect of that ship under this Chapter.

(5) For the purpose of this section the expression “alteration” in relation to the hull, equipment or machinery of a ship includes the renewal of any part thereof.

240. Unseaworthy ships not permitted to leave port.—No person, including the owner or master, shall cause or permit—

(a) any ship (other than a ship of South African nationality) to be navigated away from any port in the Republic;

(b) any ship of South African nationality to be navigated away from any port whatsoever, in an unseaworthy state.

[S. 240 substituted by s. 6 of Act No. 25 of 1985.]

241. Obligation to secure seaworthiness of ship.—(1) In every contract of service, express or implied, between the owner of a ship and the master or an apprentice-officer and in every agreement between the master and the crew there shall be implied, notwithstanding any agreement to the contrary, an obligation on the owner of the ship that he and the master and every agent charged with the loading, preparing for sea or sending to sea of the ship shall use all reasonable means to ensure the seaworthiness of the ship for the voyage at the time when the voyage commences, and to keep her in a seaworthy condition for the voyage and during the voyage.

(2) This section shall apply in respect of every contract to serve on a South African ship, wherever the contract be entered into, and in respect of every contract to serve on a ship not registered in the Republic, if the contract is entered into in the Republic.

242. Sending unseaworthy ship to sea in special circumstances.—Nothing in sections two hundred and forty and two hundred and forty-one contained shall subject the owner or master of any ship to any liability, civil or criminal, by reason of the ship being sent or taken to sea in an unseaworthy state, if it be proved—

(a) that he used all reasonable means to ensure the seaworthiness of the ship; and

(b) that, owing to special circumstances, the sending or taking of the ship to sea in such an unseaworthy state was reasonable and justifiable.
243. Unseaworthy ships to be detained.—If on complaint made to him in accordance with the provisions hereinafter contained, or without any complaint, a proper officer has reason to believe that a ship at any port in the Republic is unseaworthy, he shall, whether or not she is registered in the Republic, detain her until he is satisfied that she is in a seaworthy state.

244. Ships may be inspected.—(1) If any ship is detained in terms of section two hundred and forty-three, the proper officer may, before releasing it, require those defects or deficiencies which are believed or alleged to exist to be inspected by a surveyor.

(2) The surveyor who makes the inspection under this section, shall report fully to the proper officer who detained the ship on such supposed or alleged defects or deficiencies.

(3) The proper officer shall transmit a copy of the surveyors’ report to the Authority and to the master of the ship.

245. Complaint as to seaworthiness to be in writing.—Every complaint in respect of the seaworthiness of a ship shall be in writing, stating the name and address of the complainant, and if the ship be detained, a copy of the complaint, including the name and address of the complainant, shall be served on the master of the ship together with the notice of detention issued under section three hundred and thirty-five.

246. Complainant as to unseaworthiness may be required to give security.—Before a ship is detained by a proper officer under the provisions of section two hundred and forty-three in consequence of a complaint, he shall assure himself by all means at his disposal that the complaint is not vexatious, frivolous or unreasonable, and if he thinks fit so to do, he may, except where the complaint is made by three or more of the members of the crew of the ship, require the complainant to give security to his satisfaction for the expenses of the inspection and any loss which may be sustained by the owner on account of the detention of the ship.

247. Complainant to pay costs if not successful.—(1) If, on inspection, it is determined that any ship detained under the provisions of section 243 was not an unseaworthy ship, the expenses incurred in connection with the inspection shall be paid to the Authority by the person making the complaint, and if it be proved that there was not reasonable cause, by reason of the condition of the ship or the act or default of the owner or master, for the detention of the ship, the Authority shall pay to the owner compensation for any damage suffered by him by reason of the detention.

(2) The provisions of this section in respect of payment of the cost of the inspection shall not have effect where the complaint is made by members of the crew of the ship complained of, unless, in the opinion of the Authority, such complaint was frivolous or vexatious.

248. Expenses to be paid by owner if complaint founded.—If, on inspection, it is found that any complaint in respect of a ship detained under section two hundred and forty-three was well-founded, all expenses incurred in connection with the inspection shall be paid by the owner, and the ship shall not be released until they are paid.

249. Reports of dangers to navigation.—(1) The master of a South African ship on meeting with dangerous ice, a dangerous derelict, dangerous storm or any other direct danger to navigation, shall forthwith send information accordingly by all means of communication at his disposal and in accordance with the regulations, to ships in the vicinity and to such authorities on shore as may be prescribed.

(2) Any person in charge of a radio station which is under the control of the Postmaster-General or which is carried on under licence issued by the Postmaster-General, shall on receiving the prescribed signal that a message is about to be sent under this section, refrain from sending messages for a time sufficient to allow other stations to receive the message, and shall transmit the message in such manner as may be required by the Authority. Compliance with this subsection shall be deemed to be a condition of every licence granted by the Postmaster-General under the Radio Act, 1952 (Act No. 3 of 1952), or any amendment thereto. Nothing in this subsection shall interfere with the transmission by radio of any signal which by regulation has been declared to be a signal of distress.

(3) For the purpose of this section, the expression “dangerous storm” means a hurricane, typhoon, cyclone, or other storm of a similar nature and the master of a ship shall be deemed to have met with a dangerous storm if he has reason to believe that there is such a storm in his vicinity.

250. Careful navigation near ice.—The master of a South African ship, when ice is reported on or near his course, shall at night either proceed at a moderate speed or change course so as to keep well clear of the ice reported and of the area of danger.

251. Safety certificates and memoranda issued before commencement of this Act.—Any certificate or memorandum issued under the authority of the Government of the Republic before the coming into operation of this section, and being of a similar nature to any certificate or memorandum for the issue of which provision is made by this Chapter, shall, during the period for which it is expressed to be valid, be deemed to have been issued under this Act.

[S. 251 amended by s. 45 of Act No. 40 of 1963.]
252. Period of grace for compliance with certain provisions.—(1) Nothing contained in section two hundred, two hundred and three, two hundred and twelve or two hundred and nineteen shall prohibit a ship from going to sea without the certificates referred to in those sections until after the expiration of one year from the date on which, in terms of a proclamation issued under section three hundred and fifty-eight, those sections are put into operation.

(2) Nothing contained in section two hundred and twenty-seven shall require the master of any ship to produce any certificate referred to in that section until after the expiration of one year from the date on which, in terms of a proclamation issued under section three hundred and fifty-eight, the first-mentioned section is put into operation.

253. Provisions of this chapter not to be applied to ships not registered in the Republic driven into Republic ports by stress of weather.—Notwithstanding the fact that any provision of this Chapter is expressed to apply to ships not registered in the Republic while they are within the Republic or within the territorial waters thereof, that provision shall not be applied to a ship not registered in the Republic if she would not have been within the Republic or within the territorial waters thereof but for stress of weather or any other circumstances that neither the master nor the owner nor the charterer (if any) of the ship could have prevented or forestalled.

254. Admissibility in evidence of safety and load line certificates and surveyors’ reports.—Every safety convention certificate, local safety certificate, and load line certificate and every report made by a surveyor in terms of any provision of this Act shall be admissible in evidence.

PART IV

Collisions, Accidents at Sea, and Limitation of Liability

255. Division of loss in case of collision.—(1) Whenever by the fault of two or more ships damage or loss is caused to one or more of them or to the cargo or freight of one or more of them or to any property on board one or more of them, the liability to make good the damage or loss shall be in proportion to the degree in which each ship was at fault: Provided that—

(a) if, having regard to all the circumstances of the case, it is not possible to establish different degrees of fault, the liability shall be apportioned equally; and

(b) nothing in this section shall operate so as to render any ship liable for any loss or damage to which her fault has not contributed; and

(c) nothing in this section shall affect the liability of any person under any contract, or shall be construed as imposing any liability upon any person from which he is exempted by any contract or by any provision of law, or as affecting the right of any person to limit his liability in the manner provided by law.

(2) For the purposes of this chapter, references to damage or loss caused by the fault of a ship shall be construed as including references to any salvage or other expenses, consequent upon that fault, recoverable at law by way of damages.

256. Damages for personal injury.—(1) Whenever loss of life or personal injuries are suffered by any person on board a ship owing to the fault of that ship and of any other ship or ships, the liability of the owners of the ships concerned shall be joint and several.

(2) Nothing in this section shall be construed as depriving any person of any right of defence on which, independently of this section, he might have relied in an action brought against him by the person injured, or any person entitled to sue in respect of such loss of life, or shall affect the right of any person to limit his liability in cases to which this section relates in the manner provided by law.

257. Right of contribution.—(1) Whenever loss of life or personal injuries are suffered by a person on board a ship owing to the fault of that ship and of any other ship or ships, and a proportion of the damages is recovered against the owner of one of the ships which exceeds the proportion in which she was in fault, the said owner may recover by way of contribution the amount of the excess from the owners of the other ships to the extent to which those ships were respectively in fault: Provided that no amount shall be so recovered which could not, by reason of any statutory or contractual limitation of, or exemption from, liability, or which could not for any other reason, have been recovered in the first instance as damages by the persons entitled to sue therefor.

(2) In addition to any other remedy provided by law, the person entitled to any contributions under subsection (1) shall, for the purpose of recovering the contribution, have, subject to the provisions of this Act, the same rights and powers as the persons entitled to sue for damages in the first instance.

258. [S. 258 repealed by s. 28 of Act No. 94 of 1996.]

259. Report to proper officer of accidents to and on board ships.—(1) The owner or master of any ship—
shall within 24 hours after the ship has arrived in a port or, if the event occurred in a port, within 24 hours after the event occurred, but before the ship departs from that port, report the event to the nearest proper officer in the form prescribed, stating the nature of the event and of the probable cause thereof, the name of the ship, her official number, the port to which she belongs, the place where the event occurred and the place where the ship then is, and giving all other available relevant information: Provided that any event resulting in loss of life or serious injury shall forthwith be so reported by the fastest means of communication available.

(1A) (a) Whenever a stevedore, a shore contractor or incidental persons are involved in a casualty resulting in loss of life or serious injury to any person, or in an accident, their employer shall, in the form and stating the particulars referred to in subsection (1), forthwith report the event to the nearest proper officer by the fastest means of communication available.

(b) In paragraph (a)—

“incidental persons” means persons other than the master and crew, and stevedores and shore contractors on board a vessel in the course and scope of their duties;

“shore contractor” means a person temporarily employed to effect general or specific repairs, alterations, renovations, improvements, painting, maintenance of vessel or machinery, tank or hatch cleaning and related tasks on or in a vessel;

“stevedore” means a person employed in the loading or unloading of a vessel or in related activities.

(2) Subsection (1) shall, subject to subsection (3), apply to every ship which is registered or licensed in the Republic or which is in terms of this Act required to be so licensed and to or in respect of or on board of which any such event as is referred to in subsection (1) has occurred anywhere, and it shall apply to a ship registered in a country other than the Republic only while she is within the Republic or the territorial waters thereof and if any such event has occurred to or in respect of or on board of the ship during a voyage to a port in the Republic or within the Republic or the territorial waters thereof.

[Sub-s. (2) substituted by s. 10 (b) of Act No. 23 of 1997 and by s. 60 (b) of Act No. 58 of 1998.]

(3) Subsection (1) (f) shall not apply to any vessel belonging to Transnet Limited and used by that authority in connection with the working of its harbours.

(4) (a) Any employee, employer or user who learns about an event referred to in subsection (1), shall forthwith notify the owner or master concerned of such event.

(b) The owner or master of any ship concerned and any employee or user who learns about an event referred to in subsection (1A), shall forthwith notify the employer concerned of such event.

[Para. (b) added by s. 10 (c) of Act No. 23 of 1997.]

(5) No person shall disturb or remove anything from the scene of an accident required to be reported in terms of this section unless permitted by the proper officer, or if a person has been appointed under section 264 to hold a preliminary enquiry into the accident, by that person.

[S. 259 amended by s. 21 of Act No. 42 of 1969 and substituted by s. 15 of Act No. 18 of 1992. Sub-s. (5) added by s. 10 (d) of Act No. 23 of 1997.]

260. Notice to Authority of loss of ship.—If the owner or the agent of the owner of a South African ship or of a ship plying between ports in the Republic or between a port in the Republic and any other port has reason, owing to the non-appearance of the ship or to any other circumstances, to believe or to fear that the ship has been wholly lost, he shall as soon as conveniently may be notify the Authority in writing of the loss or the feared loss and of the probable occasion thereof, stating the name of the ship, her official number, the port to which she belongs, and giving all other available relevant information.

[S. 260 amended by s. 46 of Act No. 40 of 1963.]

261. When owner not liable for whole damage.—(1) The owner of a ship, whether registered in the Republic or not, shall not, if any loss of life or personal injury to any person, or any loss of or damage to any property or rights of any kind, whether movable or immovable, is caused without his actual fault or privy—

(a) if no claim for damages in respect of loss of or damage to property or rights arises, be liable for
(a) if no claim for damages in respect of loss of life or personal injury arises, be liable for damages in respect of loss of or damage to property or rights to an aggregate amount exceeding 66,67 special drawing rights for each ton of the ship’s tonnage; or

(b) if claims for damages in respect of loss of life or personal injury and also claims for damages in respect of loss of or damage to property or rights arise, be liable for damages to an aggregate amount exceeding 206,67 special drawing rights for each ton of the ship’s tonnage: Provided that in such a case claims for damages in respect of loss of life or personal injury shall, to the extent of an aggregate amount equivalent to 140 special drawing rights for each ton of the ship’s tonnage, have priority over claims for damages in respect of loss of or damage to property or rights, and, as regards the balance of the aggregate amount equivalent to 206,67 special drawing rights for each ton of the ship’s tonnage, the unsatisfied portion of the first-mentioned claims shall rank pari passu with the last-mentioned claims.

(2) The provisions of this section shall extend and apply to the owners, builders or other persons interested in any ship built at any port or place in the Republic, from and including the launching of such ship until the registration thereof under the provisions of this Act.

(3) The provisions of this section shall apply in respect of claims for damages in respect of loss of life, personal injury and loss of or damage to property or rights arising on any single occasion, and in the application of the said provisions claims for damages in respect of loss, injury or damage arising out of two or more distinct occasions shall not be combined.

(4) (a) The amounts mentioned in subsection (1) shall be converted into South African currency on the basis of the value of such currency on the date of the judgment or the date agreed upon by the parties.

(b) For the purpose of converting from special drawing rights into South African currency the amounts mentioned in subsection (1) in respect of which a judgment is given, one special drawing right shall be treated as equal to such a sum in South African currency as the International Monetary Fund have fixed as being the equivalent of one special drawing right for—

(i) the day on which the judgment is given; or

(ii) if no sum has been so fixed for that day, the last day before that day for which a sum has been so fixed.

(c) A certificate given by or on behalf of the Treasury stating—

(i) that a particular sum in South African currency has been so fixed for a particular day; or

(ii) that no sum has been so fixed for that day and that a particular sum in South African currency has been so fixed for a day which is the last day for which a sum has been so fixed before the particular day,

shall be prima facie proof of those matters for the purposes of subsection (1); and a document purporting to be such a certificate shall, in any proceedings, be admissible in evidence and, in the absence of evidence to the contrary, be deemed to be such a certificate.

(5) . . . . .

262. Tonnage how calculated.—(1) For the purpose of section two hundred and sixty-one, the tonnage of a ship shall be her gross register tonnage.

(2) There shall not be included in such tonnage any space occupied by seafarers and appropriated to their use which has been certified by a surveyor to comply in all respects with the requirements of this Act.

(3) The measurement of such tonnage shall be—

(a) in the case of a South African ship, according to the law of the Republic;

(b) in the case of a treaty ship registered elsewhere than in the Republic, according to the law of the treaty country where the ship is registered;
(c) in the case of a foreign ship, according to the law of the Republic, if capable of being so measured.

(4) In the case of any foreign ship, which is incapable of being measured under the law of the Republic, the Authority shall, after consideration of the available evidence concerning the dimensions of the ship, give a certificate stating what would, in its opinion, have been the tonnage of the ship if she had been duly measured according to the law of the Republic; and the tonnage so stated in such certificate shall, for the purpose of section 261, be deemed to be the tonnage of the ship.

[Sub-s. (4) substituted by s. 2 (2) of Act No. 5 of 1998.]

263. Application of this Part to persons other than the owners.—(1) Any obligation imposed by this Part upon any owner of a ship shall be imposed also upon any person (other than the owner) who is responsible for the fault of the ship; and in any case where, by virtue of any charter or lease, or for any other reason, the owner is not responsible for the navigation and management of the ship, this Part shall be construed to impose any such obligation upon the charterer or other person for the time being so responsible, and not upon the owner.

(2) For the purposes of section 261 the word “owner” in relation to a ship shall include any charterer, any person interested in or in possession of such ship, and a manager or operator of such ship.

[Sub-s. (2) added by s. 8 of Act No. 3 of 1981.]

CHAPTER VI
SPECIAL SHIPPING ENQUIRIES AND COURTS OF ENQUIRY AND COURTS OF SURVEY

264. Preliminary enquiry into shipping casualties.—(1) The Authority may in its discretion appoint any competent person to hold a preliminary enquiry—

(a) in the case of a ship which is registered or licensed in the Republic or which is in terms of this Act required to be so licensed, whenever—

(i) an allegation of incompetency or misconduct is made against the owner, the master or any member of the crew of such ship; or

(ii) such ship has been lost, abandoned or stranded;

(bb) an accident has occurred on board such ship or such ship has been damaged or has caused damage to any other ship; or

(cc) loss of life or serious injury to any person on board such ship has occurred;

at any place whatsoever;

[Para. (a) amended by s. 60 (b) of Act No. 58 of 1998.]

(b) in the case of a ship registered or required to be so registered in a country other than the Republic, whenever, in a port of or within the territorial waters of the Republic, any event referred to in paragraph (a) (ii) has occurred;

(c) in the case of any ship, wherever registered or required to be so registered, whenever an allegation referred to in paragraph (a) (i) is made against an employer or any person on board the ship while such ship is in a port of or within the territorial waters of the Republic;

(d) in the case of a ship registered in a foreign country, whenever any event referred to in paragraph (a) (ii) has occurred elsewhere than in a port of or within the territorial waters of the Republic, and—

(i) such ship subsequently arrives at a port in the Republic and an enquiry into the casualty has not been held by any competent court or other investigatory body in any other treaty country; or

(ii) in the case of a treaty ship, evidence is obtainable in the Republic as to the circumstances in which such ship proceeded to sea, or was last heard of, or any event referred to in paragraph (a) (ii) has occurred.

[Sub-s. (1) amended by s. 2 (2) of Act No. 5 of 1998.]

(2) The Authority may request the Director-General of Labour to assign a person designated as an inspector under section 28 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), to assist a person appointed under subsection (1) to hold a preliminary enquiry.

[Sub-s. (2) substituted by s. 12 (a) of Act No. 23 of 1997 and by s. 2 (2) of Act No. 5 of 1998.]

(3) A ship referred to in subsection (1) (a), (b) or (d) on board of which loss of life or serious injury to any person has occurred may be detained for purposes in relation to the holding of a preliminary enquiry thereunder, provided the ship is not thereby unduly delayed.

[S. 264 amended by s. 52 of Act No. 69 of 1962 and by s. 47 of Act No. 40 of 1963 and substituted by s. 22 of Act No. 42 of 1969 and by s. 16 of Act No. 18 of 1992. Sub-s. (3) added by s. 12 (b) of Act No. 23 of 1997.]

265. Report to Authority by person who has held preliminary enquiry.—(1) Upon the conclusion of an
266. Convening of court of marine enquiry in the Republic.—(1) The Minister may, in his discretion, and whether or not a preliminary enquiry has been made under section two hundred and sixty-four, convene a court (hereinafter referred to as a court of marine enquiry) to hold a formal investigation into any such allegation or event as is referred to in that section.

(2) A formal investigation shall not be held into any allegation against the master or a member of the crew of a ship registered in any treaty country other than the Republic, or into any event that has occurred in respect of or on board any such ship, save at the request or with the consent of the government of that treaty country: Provided that this restriction shall not apply if—

(a) the allegation relates to the master or a member of the crew of a ship which is wholly engaged in plying between ports in the Republic, or the event has occurred at any place whatsoever in respect of or on board any such ship; or

(b) the event has occurred in a port in the Republic or within the territorial waters of the Republic in respect of or on board a ship referred to in paragraph (a).

[Sub-s. (2) amended by s. 53 of Act No. 69 of 1962 and by s. 48 of Act No. 40 of 1963 and substituted by s. 18 of Act No. 18 of 1992.]

267. Constitution of court of marine enquiry.—(1) A court of marine enquiry shall consist of a judge or ex-judge of the Supreme Court, magistrate, ex-magistrate, advocate or attorney, who shall be the presiding officer, and either two or four other members.

[Sub-s. (1) substituted by s. 9 of Act No. 3 of 1981.]

(2) The members of the court shall be appointed by the Minister, and all members other than the presiding officer shall be persons of suitable nautical, engineering or other special skill, knowledge or experience, and, whenever possible, at least one member shall be in active sea-going service.

(3) The members of the court other than the presiding officer shall be selected from a list of persons approved by the Minister from time to time in accordance with the regulations: Provided that the Minister may appoint as a member of the court a person whose name does not appear on the said list, if it appears to him expedient to do so by reason of the special nature of the investigation.

(4) If by death, resignation or any other cause the number of members of the court is reduced, the remaining members shall, if they consist of the presiding officer and at least one other member, constitute the court.

(5) If the court, as originally constituted or as reduced for any reason referred to in subsection (4), consists of the presiding officer and two other members, the presiding officer and one other member shall form a quorum; and if it consists of the presiding officer and more than two other members, the presiding officer and two other members shall form a quorum.

268. How decisions of court of marine enquiry are reached and announced.—(1) Any matter of law arising for decision at any investigation held by a court of marine enquiry, and any question arising thereat as to whether a matter for decision is a matter of fact or a matter of law, shall be decided by the presiding officer, and no other member shall have a voice in any such decision.

(2) The presiding officer may adjourn the argument upon any such matter or question as is mentioned in subsection (1), and may sit alone for the hearing of such argument and the decision of such matter or question.

(3) Whenever the presiding officer gives a decision in terms of subsection (1), he shall give his reasons for that decision.

(4) Upon all matters of fact the decision of the majority of the members of the court shall be the decision of the court.

(5) The decision of the court upon any matter in terms of subsection (4) shall be declared by one of the members concurring in that decision, and the reasons therefor shall be stated by at least one such member. Any member who dissents from the decision of the court may declare his dissent and his reasons therefor.

(6) If for any reason a majority of the members of the court (of, if the court consists of only two members, both members) are not agreed upon any matter of fact upon which a decision is necessary in order that the investigation may be completed, the presiding officer shall report that fact to the Authority, and thereupon the Minister may refer the matter back to the court for reconsideration or may discharge the members of the court and, if he thinks fit, appoint another court of marine enquiry to hold the formal investigation.

269. Powers of court of marine enquiry in respect of master or member of crew.—(1) If a court of marine enquiry finds that any master or member of the crew is incompetent or has been guilty of any act of misconduct, or that loss, abandonment or stranding of or serious damage to any ship or loss of life or serious injury to any person has been caused by the wrongful act or default of any master or member of the crew, it may, subject to the
provisions of section 283, cancel the certificate of competency or service of the master or member of the crew or
suspend it for a stated period or, whether or not the master or member of the crew holds a certificate of
competency or service, prohibit his employment in any stated capacity in a ship for a stated period or impose a fine
not exceeding R2 000 upon him or reprimand him.

(2) Subsection (1) shall apply in respect of masters or members of the crew of all ships which are registered
or licensed in the Republic or which are in terms of this Act required to be so licensed, and in respect of masters or
members of the crew of ships registered in a country other than the Republic only if those ships are wholly engaged
in plying between ports in the Republic.

[S. 269 amended by s. 49 of Act No. 40 of 1963, substituted by s. 23 of Act No. 42 of 1969, amended by s. 4 of Act
No. 24 of 1974 and substituted by s. 19 of Act No. 18 of 1992 and by s. 60 (b) of Act No. 58 of 1998.]

270. Convening of maritime courts outside the Republic.—Whenever—

(a) a complaint which appears to a proper officer outside the Republic to require immediate investigation
is made to him by the master or any member of the crew of a South African ship; or

(b) the interest of the owner of a South African ship or of the cargo thereof appears to such an officer to
require it; or

(c) an allegation of incompetency or misconduct is made to him against the master or any of the ship’s
officers of a South African ship; or

(d) any South African ship is lost, abandoned or stranded at or near the place where such an officer may
be, or whenever the crew or part of the crew of any South African ship which has been lost,
abandoned or stranded arrives at that place; or

(e) any loss of life or any serious injury to any person has occurred on board a South African ship at or
near that place,

he may, in his discretion, convene a court (hereinafter referred to as a maritime court) to investigate the said
complaint or allegation or the matter affecting the said interest or the cause of the loss, abandonment or stranding
of the ship or of the loss of life or of the injury to the person.

271. Constitution of maritime courts.—(1) A maritime court shall consist of the proper officer who convenes it
and either two or four other members.

(2) The other members of the court shall be appointed by the proper officer who convenes it, and shall be
persons of suitable nautical, engineering or other special skill, knowledge or experience, and, whenever possible, at
least one member shall be in active sea-going service.

(3) If by death, resignation or any other cause the number of members of the court is reduced to not less
than two, the remaining members shall constitute the court.

(4) If the court, as originally constituted, or as reduced for any reason referred to in subsection (3), consists
of three members, two members shall form a quorum; and if it consists of more than three members, three
members shall form a quorum.

(5) The proper officer who convened the court shall be the prescribing officer unless for any reason referred
to in subsection (3) he ceases to be a member of the court, in which event the proper officer (or his successor) shall
appoint one of the other members of the court to be the presiding officer.

272. How decisions of maritime courts are reached and announced.—(1) The decision of the majority of the
members of a maritime court shall, subject to the provisions of paragraphs (a) and (b) of subsection (1) of section
two hundred and seventy-three, be the decision of the court.

(2) The decision of the court shall be declared by one of the members concurring in that decision, and the
reasons therefor shall be stated by at least one such member. Any member who dissents from the decision of the
court may declare his dissent and his reasons therefor.

(3) If for any reason a majority of the members of the court (or, if the court consists of only two members,
both members) are not agreed upon any matter upon which a decision is necessary in order that the investigation
may be completed, the presiding officer, if he is the proper officer, shall discharge the members of the court, and, if
he thinks fit, he may summon another maritime court to hold the investigation, or, if he is not the proper officer, he
shall report the fact to the proper officer, and thereupon the proper officer may refer the matter back to the court
for reconsideration or may discharge the members of the court, and, if he thinks fit, summon another maritime court
to hold the investigation.

273. Powers of maritime courts.—(1) A maritime court may, after hearing and investigating the case, and
subject to the provisions of section two hundred and eighty-three—

(a) if unanimous that the safety of a South African ship or her cargo or crew or the interest of the owner
of a South African ship or of the cargo thereof requires it, remove the master and appoint another
qualified person to act in his stead;

(b) if unanimous that any master or ship’s officer of a South African ship is incompetent or has been guilty
of any act of misconduct, or that loss, abandonment or stranding of or serious damage to any ship or
loss of life or serious injury to any person has been caused by the wrongful act or default of any
master or ship’s officer of a South African ship, suspend the certificate of competency or service of that master or ship’s officer for a stated period, or, whether or not the master or ship’s officer holds a certificate of competency or service, prohibit his employment in any stated capacity in a ship for a stated period or reprimand him.

[Para. (b) substituted by s. 24 of Act No. 42 of 1969 and by s. 5 of Act No. 24 of 1974.]

(c) discharge a seafarer from a South African ship and order the wages of any seafarer so discharged or any part of those wages to be forfeited;

(d) decide any questions as to wages or fines or forfeitures arising between any of the parties to the proceedings;

(e) direct that any or all of the costs incurred by the master or owner of a South African ship in procuring the imprisonment of any seafarer in a port outside the Republic, or in his maintenance while so imprisoned, shall be paid out of and deducted from the wages of that seafarer, whether then or subsequently earned;

(f) exercise the same powers with regard to persons charged before it with the commission of offences at sea or abroad as consular representatives can in terms of section three hundred and forty-one;

(g) punish any master or member of the crew of a South African ship respecting whose conduct a complaint is brought before it for any offence under this Act of which he has been found guilty by the court and shall for that purpose have the same powers as a magistrate’s court would have if the case were tried in the Republic: Provided that where an offender is sentenced to imprisonment, the proper officer shall approve the place of imprisonment, whether on land or on board ship: Provided further, that the court may direct that any fine imposed upon an offender shall be paid out of and deducted from his wages and paid over to the proper officer, who shall transmit it to the Authority;

(h) if it considers such a step expedient, order a survey to be made of any South African ship which is the subject of investigation.

(i) ........... [Para. (i) deleted by s. 34 of Act No. 30 of 1959.]

(2) All orders made by a maritime court shall, whenever practicable, be entered in the official log-book of the ship which forms the subject of investigation or on board which the casualty or occurrence or conduct investigated took place, and be signed by the presiding officer of the court.

274. Appeal from surveyor to court of survey.—(1) If a surveyor who has inspected a vessel—

(a) makes a statement in his report of his inspection with which the owner (or his agent) or the master of the vessel is dissatisfied; or

(b) gives notice under subsection (2) of section two hundred and fourteen, subsection (2) or (3) of section two hundred and sixteen or subsection (1) of section two hundred and twenty-three; or

(c) declines to give the certificate referred to in subsection (3) of section two hundred and fourteen, subsection (4) of section two hundred and sixteen or subsection (2) of section two hundred and twenty-three,

the owner (or his agent) or the master, as the case may be, may, subject to the provisions of subsection (2) of this section and section two hundred and eighty-two, appeal to a court of survey.

(2) Whenever a surveyor inspects any vessel, he shall, if the owner (or his agent) or the master of the vessel so requires, be accompanied on the inspection by some person nominated by the owner (or his agent) or the master, as the case may be, and if the person so nominated agrees with the surveyor as to the statement made or the notice given by the surveyor or the refusal by the surveyor to give a certificate there shall be no appeal to a court of survey from that statement, notice or refusal.

[Sub-s. (2) amended by s. 35 of Act No. 30 of 1959.]

275. Convening of court of survey.—Whenever an appeal to a court of survey lies in terms of section two hundred and seventy-four and has been duly noted, the Minister shall, subject to the provisions of section two hundred and eighty-two, convene a court (hereinafter referred to as a court of survey) to hear the appeal.

276. Constitution of court of survey.—(1) A court of survey shall consist of a magistrate and either two or four members.

(2) The members of the court shall be appointed by the Minister, and all members other than the presiding officer shall be persons of suitable nautical, engineering or other special skill, knowledge or experience.

(3) Whenever a foreign ship is the subject of an appeal the Minister may consult a diplomatic or consular representative of the country in which that ship is registered before nominating the members.

(4) The members of the court other than the presiding officer shall be selected from a list of persons approved by the Minister from time to time in accordance with the regulations: Provided that the Minister may appoint as a member of the court a person whose name does not appear on the said list, if it appears to him expedient to do so by reason of the special nature of the questions involved in the appeal.
277. How decisions of courts of survey are reached and announced.—(1) The decision of the majority of the members of a court of survey shall be the decision of the court.

(2) The decision of the court shall be declared by one of the members concurring in that decision, and the reason therefor shall be stated by at least one such member. Any member who dissents from the decision of the court may declare his dissent and his reasons therefor.

(3) If for any reason a majority of the members of the court (or, if the court consists of only two members, both members) are not agreed upon the question what the decision upon the appeal should be, the presiding officer shall report the fact to the Authority, and thereupon the Minister may refer the appeal back to the court for reconsideration, or may discharge the members of the court and appoint another court of survey to hear the appeal.

(4) Notwithstanding the provisions of this section, if a ship has been detained or it is proposed to detain a ship by reason of a report made or a notice given by a surveyor, or by reason of a refusal by a surveyor to grant a certificate, and appeal is made against the making of the report or the giving of the notice or the refusal to grant the certificate, the ship shall, if she has been detained, be released, and if she has not yet been detained, shall not be detained after the first meeting of the court, unless a majority of the members of the court are in favour of her being detained.

278. Powers of court of survey.—A court of survey or, if an appeal has been referred to an expert or experts under section two hundred and eighty-two, that expert or those experts, may, if the appeal is against—

(a) any statement in a report by a surveyor, dismiss the appeal, in which event the statement shall stand, or uphold the appeal and cancel or vary the statement; or

(b) any notice given by a surveyor, dismiss the appeal and confirm that notice or uphold the appeal and set aside the notice; or

(c) the refusal by a surveyor to grant a certificate, dismiss the appeal and confirm that refusal or uphold the appeal and grant the certificate.

279. Interested persons not to serve on courts of marine enquiry, maritime courts or courts of survey.—(1) No person who is connected, directly or indirectly, with the ship which forms the subject of investigation by a court of maritime enquiry or a maritime court, or which forms the subject of an appeal to a court of survey, or on board which the casualty or occurrence or conduct to be investigated by a court of marine enquiry or a maritime court took place, or with the owners of that ship, shall be appointed as a member of that court or under section two hundred and eighty-two.

(2) Nothing in subsection (1) contained shall prohibit the appointment as a member of a court of marine enquiry or a maritime court or a court of survey under section two hundred and eighty-two of any person who is in the employ of or entitled to receive a pension from the Government of the Republic, merely on the ground that the said Government is the owner of the ship referred to in subsection (1).

[Sub-s. (2) amended by s. 50 of Act No. 40 of 1963.]

280. Procedure at court of marine enquiry or maritime court or court of survey.—(1) A court of marine enquiry, a maritime court or a court of survey, or an expert or experts to whom an appeal has been referred under section two hundred and eighty-two may, subject to the provisions of this Act, determine the procedure to be followed at the investigation or the hearing of the appeal.

(2) Every such investigation shall, unless the court decide otherwise, be held in open court, and the hearing of every such appeal shall be held in open court; and the decision or finding shall, at the conclusion of the investigation or hearing, or as soon afterwards as possible, be delivered in open court.

281. Court of survey may cause ship to be surveyed.—(1) A court of survey may appoint a surveyor to inspect the ship which is the subject of appeal and report thereon to the court.

(2) The owner and master of the ship and any person, appointed by the owner or master, and also any person appointed by the Authority, may attend at any inspection made in terms of this section.

282. Reference in difficult cases to scientific persons.—(1) If the Authority is of opinion that an appeal to a court of survey involves a question of construction or design or of scientific difficulty or an important principle, it may refer the appeal to one or more experts approved by the Minister and selected by agreement between the Authority and the appellant, or, in default of any such agreement, by the Minister, and thereupon the appeal shall be determined by such experts instead of by the court.
(2) The Authority, if the appellant in any appeal so requests and gives security to the satisfaction of the Authority to pay any relative costs, shall refer the appeal to one or more experts selected in terms of subsection (1).

(3) An expert or experts to whom an appeal is referred in terms of subsection (1) or (2) shall have the same powers as a court of survey.

(4) If an appeal is referred to more than one expert, the provisions of section two hundred and seventy-seven shall apply, *mutatis mutandis*, to the hearing of the appeal.

(5) If an appeal is referred under subsection (1) to more experts than one, the Authority shall appoint one of them as presiding officer.

283. **Opportunity of making a defence.**—(1) If at an investigation by a court of marine enquiry or a maritime court it is alleged or suggested that the conduct of any person has amounted to a punishable act or omission, that person shall be given a reasonable opportunity for making a defence.

(2) A court of marine enquiry shall not cancel or suspend a certificate or prohibit the employment of a person or impose a fine upon him or reprimand him, and a maritime court shall not suspend a certificate or prohibit the employment of a person or reprimand him—

(a) unless the holder of the certificate or other person has been present at the hearing of any evidence on which the decision of the court to cancel or suspend his certificate or to prohibit his employment or to impose a fine upon him or to reprimand him is based, or, if he has not been so present, unless a transcript of the notes of such evidence has been furnished to him at least 48 hours before he is called upon to make his defence; and

[Para. (a) substituted by s. 25 (b) of Act No. 42 of 1969 and by s. 20 of Act No. 18 of 1992.]

(b) unless copies of any written depositions or reports upon which such decision is based have been furnished to him and a copy of the charges laid against him has been served upon him in the manner prescribed, at least forty-eight hours before he is called upon to make his defence, and if after a copy of a charge laid against him has been served upon him the charge is amended, he has been given a reasonable opportunity of making a defence to the amended charge.

[Sub-s. (2) amended by s. 25 (a) of Act No. 42 of 1969 and by s. 20 of Act No. 18 of 1992.]

(3) If the holder of the certificate concerned or other person has been summoned to attend before the court and has not done so, or if upon being asked in writing or otherwise whether he wishes to make a defence he has not replied that he wishes to do so, it shall not be necessary to furnish to him the notes, depositions or reports referred to in subsection (2).

[Sub-s. (3) substituted by s. 25 (c) of Act No. 42 of 1969.]

284. **Court may require delivery of certificate during course of investigation.**—A court of marine enquiry may at any time during the progress of the investigation order any master or member of the crew affected by the investigation, and a marine court may at any time during the progress of the investigation order any master or ship’s officer affected by the investigation, to deliver his certificate to the court forthwith.

[S. 284 substituted by s. 21 of Act No. 18 of 1992.]

285. **Witnesses to be allowed expenses.**—Every witness summoned by a person appointed under section two hundred and sixty-four to make a preliminary enquiry or by a court of marine enquiry, a maritime court or a court of survey or an expert or experts to whom an appeal has been referred upon section two hundred and eighty-two shall be paid such expenses as would be allowed to any witness attending or subpoenaed to give evidence in a civil case before a magistrate’s court.

286. **Transmission to Authority of record and decision of court of marine enquiry, maritime court, or court of survey.**—(1) The presiding officer of a court of marine enquiry, maritime court of court of survey or body of experts to whom an appeal has been referred under section two hundred and eighty-two, or, if an appeal has been referred to only one expert that expert shall, at the conclusion of the investigation or hearing transmit to the Authority the notes of evidence and as many copies of the Authority may require of the record of the proceedings and the report and decisions; and any member of the court or any one of the experts who dissents from any decision may attach to the record his written reasons for so dissenting, and the presiding officer shall transmit such written reasons with the record.

(2) When the investigation affects a master or member of the crew of a ship other than a South African ship the Authority shall transmit a copy of the court’s finding or decision, together with the notes of the evidence, to the proper authority in the country where the ship is registered.

[Sub-s. (2) substituted by s. 22 of Act No. 18 of 1992.]

287. **Effect of cancellation or suspension of certificate or prohibition of employment.**—The cancellation or suspension of a certificate by the Authority or a court of marine enquiry, or the suspension of a certificate by a maritime court, or the prohibition of employment by a court of marine enquiry or a maritime court, shall—
288. Delivery of Republic certificate which has been cancelled or suspended.—A master or member of the crew who is the holder of a certificate issued in the Republic shall, if such certificate has been cancelled or suspended by the Authority or a court of marine enquiry or suspended by a maritime court, deliver his certificate to the court on demand, or if it is not demanded by the court, to the Authority.

[S. 288 substituted by s. 23 of Act No. 18 of 1992 and by s. 2 (2) of Act No. 5 of 1998.]

289. Certificate not be endorsed.—If the certificate of a master or member of the crew is suspended by the Authority or a court of marine enquiry or a maritime court, or if the employment of a master or member of the crew is prohibited or if a fine is imposed upon him or he is reprimanded by a court of marine enquiry or if he is reprimanded by a maritime court, or if a direction is given by the Authority under section 87 (2) in respect of the holder of a certificate, no person shall make any endorsement to that effect on the certificate of the master or member of the crew.

[S. 289 substituted by s. 27 of Act No. 42 of 1969 and by s. 24 of Act No. 18 of 1992.]

290. Powers of Minister in respect of cancelled or suspended certificates.—The Minister may, if he thinks the justice of the case requires it—

(a) set aside the suspension of a certificate suspended by a court of marine enquiry or a maritime court, or shorten or lengthen the period of suspension of, or cancel, a certificate so suspended; or

(b) grant a new certificate of the same grade or any lower grade in the place of a certificate cancelled by any such court or grant a new certificate of any lower grade in the place of a certificate suspended by any such court, if the certificate was issued in the Republic, or return any certificate so cancelled or suspended, if it was issued elsewhere than in the Republic; or

[Para. (b) substituted by s. 28 (a) of Act No. 42 of 1969.]

(c) set aside the prohibition of employment by a court of marine enquiry or a maritime court or shorten or lengthen the period of the prohibition, or set aside the fine imposed or the reprimand by any such court.

[Para. (c) added by s. 28 (b) of Act No. 42 of 1969 and substituted by s. 25 of Act No. 18 of 1992.]

291. Rehearing.—(1) Whenever an investigation has been held by a court of marine enquiry or a maritime court, the Minister may order the case to be reheard, either generally or as to any part thereof, and shall so order—

(a) if new and important evidence which could not be produced at the investigation has been discovered; or

(b) if for any other reason there has been in his opinion ground for suspicion that a miscarriage of justice has occurred.

(2) The Minister may order the case to be reheard by the court of marine enquiry or the maritime court, as the case may be, consisting (if such is practicable) of the same members who, or other members than, constituted the court when it held the investigation in the first instance; and may, if the investigation was held by a maritime court, order the case to be reheard by a court of marine enquiry.

292. Appeals against decisions of courts of marine enquiry and maritime courts.—(1) Any person aggrieved by any decision of a court of marine enquiry or a maritime court may appeal to the High Court within the area of jurisdiction of which—

(a) in the case of a court of marine enquiry, the court was held; or

(b) in the case of a maritime court, the ship which formed the subject of investigation, or on board which the casualty or occurrence investigated by the court took place, is registered.

(2) An appeal to a High Court shall, if the appeal is made merely on a point of law, be heard by a judge of that court, and in every other case by a judge of that court assisted by at least one assessor acting in an advisory capacity, who shall be a person of suitable nautical, engineering or other special skill, knowledge or experience summoned by the judge for the purpose.

(3) The court to which the appeal is made may confirm or quash or vary the decision appealed from, or remit the case for rehearing either generally or as to any part thereof by the court from whose decision the appeal is brought, consisting (if such is practicable) of the same members who, or other members than, constituted that court
when it held the investigation in the first instance.

(4) An appeal under this section shall be made in the manner and subject to the conditions and in accordance with the provisions laid down in the regulations.

CHAPTER VII
WRECKS AND SALVAGE

293. . . . . . . .

[S. 293 repealed by s. 28 of Act No. 94 of 1996.]

294. . . . . . .

[S. 294 amended by s. 7 of Act No. 5 of 1976 and repealed by s. 28 of Act No. 94 of 1996.]

295 to 297 inclusive. . . . . . .

[Ss. 295 to 297 inclusive repealed by s. 28 of Act No. 94 of 1996.]

298. . . . . . .

[S. 298 amended by s. 36 of Act No. 30 of 1959, by s. 51 of Act No. 40 of 1963 and by s. 26 of Act No. 18 of 1992 and repealed by s. 28 of Act No. 94 of 1996.]

299 and 300. . . . . . .

[Ss. 299 and 300 inclusive repealed by s. 28 of Act No. 94 of 1996.]

301. . . . . . .

[S. 301 amended by s. 37 of Act No. 30 of 1959, substituted by s. 8 of Act No. 5 of 1976 and repealed by s. 28 of Act No. 94 of 1996.]

302 to 304 inclusive. . . . . . .

[Ss. 302 to 304 inclusive repealed by s. 28 of Act No. 94 of 1996.]

304A. . . . . . .

[S. 304A inserted by s. 9 of Act No. 5 of 1976, amended by s. 1 of Act No. 62 of 1978 and repealed by s. 28 of Act No. 94 of 1996.]

305 and 306. . . . . . .

[Ss. 305 and 306 repealed by s. 28 of Act No. 94 of 1996.]

CHAPTER VIII
CARRIAGE OF GOODS BY SEA

307 to 310 inclusive. . . . . . .

[Ss. 307 to 310 inclusive repealed by s. 5 of Act No. 1 of 1986.]

311. . . . . . .

[S. 311 amended by s. 52 of Act No. 40 of 1963 and repealed by s. 5 of Act No. 1 of 1986.]

CHAPTER IX
OFFENCES, PENAL PROVISIONS AND LEGAL PROCEDURE

312. **Offences not expressly mentioned.**—Any person who contravenes any provision of this Act or who fails to comply with any provision thereof with which it was his duty to comply shall be guilty of an offence.

313. **Penalties for offences.**—(1) Every person who is guilty of an offence under this Act for which no penalty is specially provided in subsection (2) or (3) of this section or section 323 (4) or under section 356 (5) shall on conviction be liable to a fine, or to imprisonment for a period not exceeding three months.

   (2) Every person who is guilty of an offence under this Act mentioned in Column 1 hereunder shall on conviction be liable to a penalty not exceeding the penalty mentioned in Column 2 hereunder opposite the offence:

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<th>Column 1</th>
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<tr>
<td>Section</td>
<td>Contravening or failing to comply with the following provisions</td>
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<td>Section 201</td>
<td>Fine, or imprisonment for a period not exceeding three months, and, in addition, for every passenger in excess of the number permitted by the certificate or memorandum, a fine of double the highest fare payable by any passenger on board.</td>
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<td>Section 9 (2), 16, 19 (2), 36 (2), 65 (2), 68, 72, 117 (1), 118, 172, 174 (2) (c) or (e), 200 (1) (c) or (d), 203 (9), 212 (b), 213, 219 (a) (ii), 228 (1), 232 (1), 250 or 303 (1).</td>
<td>Fine, or imprisonment for a period not exceeding six months.</td>
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<td>Section 32 (2)</td>
<td>Fine, or imprisonment for a period not exceeding six months, and, in addition, a fine not exceeding R100 for every day during which the offence continues after conviction.</td>
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<td>Section 73 (1), 174 (2) (d), (f) or (g), 200 (1) (a) or (b), 212 (a), 219 (a) (i) or (b), 221 (1), 235 (1) or (2), 236 (1), 237 (1) or (2), 316 (a), (b), (e), (f), (g) or (h) or 320.</td>
<td>Fine, or imprisonment for a period not exceeding one year.</td>
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<td>Section 9 (3), 11 (2), 25, 65 (3), 66, 67, 174 (1) 204 (3), 234 (1) or (2), 296, 299 (2), 314, 315 or 316 (c).</td>
<td>Fine, or imprisonment for a period not exceeding two years.</td>
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<td>Section 214 (1).</td>
<td>Fine, or imprisonment for a period not exceeding two years, and in addition, a fine of R4 000 for every 25 mm or fraction thereof by which the appropriate load line on each side of the ship was submerged or would have been submerged if the ship had no list.</td>
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<td>Section 240.</td>
<td>For vessels of less than 25 gross tons, a fine, or imprisonment for a period not exceeding six months.</td>
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<td>For vessels of 25 gross tons and over but less than 100 gross tons, a fine, or imprisonment for a period not exceeding one year.</td>
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<td>For vessels of 100 gross tons and over but less than 500 gross tons, a fine, or imprisonment for a period not exceeding two years.</td>
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<td>For vessels of 500 gross tons and over but less than 1 000 gross tons, a fine, or imprisonment for a period not exceeding three years.</td>
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<td>For vessels of over 1 000 gross tons, a fine, or imprisonment for a period not exceeding four years.</td>
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<td>Section 259 (1) (c).</td>
<td>Fine, or imprisonment for a period not exceeding three years.</td>
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<td>Fine, of treble the value of the ship or goods received or had in possession, or R12 000, whichever is the greater, or imprisonment for a period not exceeding three years.</td>
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(3) Every person who, being the master of a ship involved in a collision, fails to comply with the provisions of section 258 (1) or who, being the master of a ship to which any provision of the collision regulations applies, without reasonable cause contravenes or fails to comply with that provision, shall on conviction be liable to a fine, or imprisonment for a period not exceeding two years.

[S. 313 substituted by s. 10 of Act No. 5 of 1976 and by s. 27 of Act No. 18 of 1992.]

314. Bribery.—No person shall, in respect of a matter relating to this Act—
(a) not being authorized so to do, give or promise to give, directly or indirectly, any reward to an officer or a person who is employed by the Government, or upon whom any duty is imposed or to whom any function is entrusted by or under this Act, in respect of the performance or non-performance, by any
such officer or person, of his employment, duty or function; or

(b) agree with or propose to any such officer or person to do, or permit anything in contravention or evasion of this Act; or

(c) being an officer or a person referred to in paragraph (a)—

(i) demand or receive except from or through the Government or in accordance with the provisions of this Act, any reward in respect of the performance or non-performance of his employment, duty or function; or

(ii) by any wilful act, neglect or default do or permit or agree to do or permit anything in contravention or evasion of this Act.

315. Forgery and other fraudulent acts.—No person shall—

(a) forge any document issued under this Act; or

(b) make any false representation for the purpose of procuring the issue of any document under this Act, or for the purpose of inducing any person to do any act which by this Act he is authorized to do; or

(c) produce or otherwise put off any forged document purporting to be a document issued under this Act, which he knows to be forged; or

(d) knowingly produce or otherwise use any document issued under this Act which has been cancelled or suspended or which has expired or to which he is not entitled; or

(e) make in any document, produced or delivered to any person authorized to receive it under this Act, any statement which he knows is untrue in any particular; or

(f) produce or deliver any document which contains any statement which he knows is untrue in any particular to any person authorized to receive it under this Act; or

(g) lend to any person who he knows is not entitled thereto a document issued under this Act or allow any such document to be used by any such person.

316. Obstructing administration of Act.—No person shall—

(a) damage, destroy, conceal or dispose of any vessel or goods to prevent the detention, forfeiture or seizure thereof under this Act; or

(b) rescue, damage or destroy any vessel or goods detained, forfeited or seized under this Act; or

(c) being the owner or master of a vessel which has been detained under this Act, or any other person under the control of either of them, cause or permit the vessel to proceed to sea without the permission of the proper officer; or

(d) knowingly receive or have in his possession any vessel or goods forfeited under this Act; or

(e) being the master of a vessel proceeding to sea, wrongfully take to sea any officer authorized to detain the vessel or any surveyor or other officer when on board the vessel in the execution of his duty; or

(f) insult, resist, hinder or mislead any person or court upon whom any duty is imposed or any power is conferred or to whom any function is entrusted by or under this Act, in the discharge of that duty or the exercise of that power or the performance of that function, or refuse or fail to give all reasonable assistance, when called upon to do so, to any such person or court in such discharge, exercise or performance, or hinder or prevent any other person from assisting any such person or court in such discharge, exercise or performance; or

(g) hinder or prevent any witness from attending in obedience to any summons issued under this Act; or

(h) hinder or prevent the service of any document under this Act.

317. Stowaways.—(1) No person shall go to sea in a ship without the consent of the owner, master, a ship’s officer or some other person entitled to give that consent, or secrete himself for the purpose of going to sea without that consent.

(2) Every person who goes to sea in a ship without the consent mentioned in subsection (1) shall so long as he remains in the ship be deemed to belong to the ship and be subject to the same laws and regulations for preserving discipline as if he were a member of the crew and had signed the agreement with the crew.

(3) Subsections (1) and (2) shall apply to any person who goes to sea or secrete himself for the purpose of going to sea—

(a) in a South African ship going to sea from any port whatsoever; or

(b) in a ship (other than a South African ship) going to sea from a port in the Republic; or

[Para. (b) amended by s. 53 (a) of Act No. 40 of 1963.]
(C) in a ship (other than a South African ship) going to sea from a port outside the Republic and bound for a port in the Republic.  
[Para. (c) amended by s. 53 (a) of Act No. 40 of 1963.]

(4) The master of any South African ship arriving at any port within or outside the Republic, and the master of any ship other than a South African ship arriving at a port in the Republic, shall, if any person has gone to sea in that ship without the consent mentioned in subsection (1), report the fact in writing to the proper officer as soon as practicable after the arrival of the ship.  
[Sub-s. (4) amended by s. 53 (b) of Act No. 40 of 1963.]

318. Ships not to be boarded without authority. — No person not being duly authorized by or under this Act or any other law shall—

(a) without the permission of the owner or master, go on board any ship, whether registered in the Republic or not, which is about to arrive, is arriving or has arrived in the Republic; or

(b) remain on board any such ship at a port in the Republic, after being required to leave by the owner or master or by a police officer, an officer of customs or proper officer.

319. Offences in connection with passenger ships. — (1) No person shall—

(a) if, on account of his being drunk or disorderly, he has been refused admission to a passenger ship by the owner thereof or any person in his employ, and if he has received or been tendered a refund of his fare (if he has paid it), go on board the ship; or

(b) if, on account of his being drunk or disorderly on board any passenger ship, he has been requested by the master or any other person employed in the ship to leave the ship at any place in the Republic at which he can conveniently do so, and if he has received or been tendered a refund of his fare (if he has paid it), refuse or fail to comply with the request; or

(c) after warning by the master of or any other person employed in a passenger ship, molest or continue to molest any passenger on the ship; or

(d) after having been refused admission to a passenger ship by the owner thereof or any person in his employ on account of the ship being full, and having received or been tendered a refund of his fare (if he has paid it), go on board the ship; or

(e) if, having gone on board a passenger ship at any place in the Republic, he has been requested, on account of the ship being full, by the master or of any other person employed in the ship to quit the ship, before it has left that place, and has received or been tendered a refund of his fare (if he has paid it), refuse or fail to comply with the request; or

(f) travel in any passenger ship without first paying his fare, and with intent to evade payment thereof; or

(g) if he has paid his fare for a certain distance, knowingly proceed in a passenger ship beyond that distance without first paying the additional fare for the additional distance, and with intent to evade payment thereof; or

(h) if he has arrived in a passenger ship at a place to which he has paid his fare, knowingly refuse or fail to quit the ship; or

(i) being on board a passenger ship, and being requested by the master of or any other person employed in the ship, either to pay his fare or exhibit his ticket or other document showing payment of his fare, refuse or fail to comply with the request; or

(j) being on board a passenger ship, and being requested by the master or any other person employed in the ship to furnish his name and address, refuse or fail to comply with the request or furnish a false name or address.

(2) The provisions of subsection (1) shall apply in respect of all passenger ships wherever registered while they are in the Republic or the territorial waters thereof.

320. Obstruction of navigation of ship. — No person shall without reasonable excuse do anything to obstruct or injure any of the equipment of any ship wherever registered, or obstruct, impede or molest any of the crew in the navigation and management of the ship or otherwise in the execution of their duties about the ship.

321. Conveyance of deserter on board ship. — Whenever any seafarer of a South African ship or other treaty ship is convicted by any court of the Republic, or any seafarer of a South African ship is convicted by a court of a treaty country other than the Republic, of desertion or absence without leave or other breach of discipline, the court shall, if the voyage has not yet been completed, and if the master or any ship’s officer or the owner or his agent so requires, instead of imposing upon him any fine or sentence of imprisonment, cause him to be conveyed on board for the purpose of proceeding on the voyage: Provided that the court may decline to exercise this power in any particular case, if for any reason it thinks it advisable so to decline.  
[S. 321 amended by s. 54 of Act No. 69 of 1962.]
322. Imprisoned seafarers may be sent back on board.—If a seafarer of a South African ship or other treaty ship is undergoing a sentence of imprisonment in the Republic, or if a seafarer of a South African ship is undergoing a sentence of imprisonment in a treaty country other than the Republic, for the offence desertion or absence without leave or other breach of discipline, any person who is a judicial officer of a court within whose area of jurisdiction the place of imprisonment is situated may, during his imprisonment, and before his engagement is at an end, and on the application of the master or owner or agent of the ship, and notwithstanding that the period of imprisonment has not concluded, cause the seafarer to be conveyed on board his ship for the purpose of proceeding on the voyage, and the seafarer shall not thereafter be required to serve the remaining portion of the period of imprisonment.

[S. 322 amended by s. 54 of Act No. 69 of 1962.]

323. Deduction from wages and payment to proper officers, etc. of fines.—(1) Every fine imposed on a seafarer belonging to a South African ship for any act of misconduct for which his agreement prescribes a fine in accordance with the regulations shall be deducted as follows:

(a) if the seafarer is discharged in the Republic, and the act of misconduct and the entry in the log-book required by this Act in respect thereof are proved to the satisfaction of the proper officer before whom the discharge takes place, the master or owner shall deduct the fine from the wages of the seafarer concerned;

(b) if the seafarer is discharged outside the Republic, and the act of misconduct and the entry as aforesaid are proved to the satisfaction of the proper officer by whose sanction he is discharged, the master or owner shall deduct the fine as aforesaid,

and an entry shall be made in the official log-book of the ship and signed by the proper officer referred to, and the master or owner shall pay over the amount of the fine deducted to that proper officer.

(2) A proper officer shall remit any amounts received by him under this section to the Authority and render such accounts in respect thereof, as the Authority requires.

(3) The Authority, if it is satisfied that any such act of misconduct was committed and that the deduction of a fine was properly made, shall cause the amount of the fine to be paid into the Maritime Fund established by section 38 of the South African Maritime Safety Authority Act, 1998; and if the Authority is not so satisfied, it shall cause the amount deducted to be refunded to the seafarer.

[Sub-s. (3) substituted by s. 2 (2) of Act No. 5 of 1998.]

(4) If a master or owner fails without reasonable cause to pay over to the proper officer any fine as required by this section, he shall be guilty of an offence and liable on conviction to a fine not exceeding six times the amount of the unpaid fine.

(5) An act of misconduct for which a fine has been imposed and deducted from the wages of the seafarer, shall not be otherwise punished under this Act.

324. Authority may impose penalty upon admission of guilt.—(1) If any person—

(a) admits to the Authority that he has contravened any provision of this Act, or that he has failed to comply with any such provision with which it was his duty to comply; and

(b) agrees to abide by the decision of the Authority; and

(c) deposits with the Authority such sum as may be required of him, but not exceeding the maximum fine which may be imposed upon a conviction for the contravention or failure in question,

the Authority may, after such enquiry as it deems necessary, determine the matter summarily and may, without legal proceedings, order by way of penalty the whole or any part of the said deposit to be forfeited.

[Sub-s. (1) substituted by s. 2 (2) of Act No. 5 of 1998.]

(2) There shall be a right of appeal to the Minister from a determination or order by the Authority under subsection (1) whereby a penalty exceeding R2 000 is imposed, provided such right is exercised within a period of three months from the date of such determination or order.

[Sub-s. (2) substituted by s. 6 of Act No. 16 of 1995, by s. 6 of Act No. 88 of 1996 and by s. 2 (2) of Act No. 5 of 1998.]

(3) The imposition of a penalty under subsection (1) shall not be deemed to be a conviction of a criminal offence, but no prosecution for the relative offence shall thereafter be competent.

(4) Nothing in this section shall in any way affect liability to forfeiture of ships, shares therein or goods.

325. Release from forfeiture or mitigation of penalties.—The Authority may—

(a) direct that any ship or any share in a ship or any goods detained, seized or forfeited under this Act be released or delivered to the owner thereof; or

(b) mitigate or remit any penalty incurred under this Act, not being a sentence imposed after conviction by a court of law,

on such conditions as to it appear proper: Provided that if the owner of any ship, share or goods referred to in
326. Appropriation of wages to satisfy award of compensation in offences against discipline.—When a seafarer has been convicted of desertion as defined by section 175 or of absence without leave as defined by section 176 or of contravening any of the provisions of section 174 (1), (2) or (3), and the court trying the case has made an award of compensation under section 300 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), any wages that have accrued or that may thereafter accrue to him may be applied to the satisfaction of the award.

[S. 326 amended by s. 39 of Act No. 30 of 1959 and substituted by s. 28 of 1992.]

327. Jurisdiction in respect of offences committed outside the Republic.—(1) If any person—

(a) being a South African citizen, is charged with having committed an offence on board a South African ship on the high seas, or on board a South African ship in any port outside the Republic, or on board any ship (other than a South African ship) irrespective of whether he belongs to that ship or not; or

[Para. (a) substituted by s. 10 of Act No. 3 of 1981.]

(b) not being a South African citizen is charged with having committed an offence on board a South African ship on the high seas,

and that person is found within the area of jurisdiction of any court in the Republic which would have had jurisdiction to try the offence if it had been committed within the said area, that court shall have jurisdiction to try the offence.

(2) If any South African citizen—

(a) is charged with having committed an offence on board a South African ship during a voyage to a port in any treaty country (other than the Republic), or on board a South African ship in a port in any treaty country (other than the Republic); or

[Para. (a) amended by s. 55 (a) of Act No. 69 of 1962.]

(b) who is a seafarer belonging to a South African ship which is in a port in any treaty country (other than the Republic), is charged with having committed an offence in that treaty country,

[Para. (b) amended by s. 55 (a) of Act No. 69 of 1962.]

and he is found within the area of jurisdiction of any court in that treaty country which, according to the laws in force in that treaty country, would have had jurisdiction to try the offence if the act or omission which under the laws in force in the Republic constitutes the offence were also punishable under the criminal law in force in that treaty country, and if the act had been committed or the omission had occurred on board a ship registered in that treaty country or within the said area, that court shall have jurisdiction to try the offence, provided the Minister has generally or in the particular case requested that the courts of that treaty country shall exercise such jurisdiction.

[Sub-s. (2) amended by s. 55 (a) of Act No. 69 of 1962.]

(3) The Minister may by notice in the Gazette declare that the provisions of subsection (2) shall apply in respect of the courts of any foreign country mentioned in that notice as if that foreign country were a treaty country; and thereupon the said provisions shall apply in respect of the courts of that foreign country as if it were a treaty country.

[Sub-s. (3) amended by s. 40 of Act No. 30 of 1959 and by s. 55 (b) of Act No. 69 of 1962.]

(4) In this section the expression "offence" means any act or omission which is punishable under the criminal law in force in the Republic.

328. Jurisdiction of magistrates’ courts to impose punishment.—Notwithstanding anything to the contrary contained in any other law, a magistrate’s court shall have jurisdiction to impose any punishment prescribed by this Act: Provided that this section shall not apply in respect of any compensation referred to in subsection (2) of section two hundred and thirty-two or to any forfeiture under section three hundred and thirty-four.

329. . . . . .

[S. 329 repealed by s. 16 (1) of Act No. 105 of 1983.]

330. . . . . .

[S. 330 repealed by s. 28 of Act No. 94 of 1996.]

331. . . . . .

[S. 331 repealed by s. 28 of Act No. 94 of 1996.]

332. . . . . .

[S. 332 substituted by s. 54 of Act No. 40 of 1963 and repealed by s. 16 (1) of Act No. 105 of 1983.]
333. Inquiry into cause of death on board ship.—(1) If any person dies on board any foreign-going South African ship the proper officer at the port where the crew of the ship is discharged, or the proper officer at any earlier port of call in the Republic, shall, on the arrival of the ship at that port, inquire into the cause of the death, and shall make in the official log-book an endorsement to the effect, either that the statement of the cause of death in the book is in his opinion true, or the contrary, according to the result of the inquiry.

[Sub-s. (1) amended by s. 55 of Act No. 40 of 1963.]

(2) If in the course of an inquiry it appears to the proper officer that a death has been caused on board the ship by violence or other improper means, he shall either report the matter to the Authority, or if the emergency of the case so requires, take immediate steps for bringing the offender or offenders to justice.

334. Forfeiture of ships, shares in ships and goods.—All ships, shares or interests in ships of goods which are dealt with contrary to the provisions of this Act, or by means of which any offence under this Act is committed, or in connection with which or concerning which any false statement is made or any forged document or any document containing any false statement is produced or used for any purpose of this Act, or in connection with which an offence is committed under subsection (2) of section eleven, section twenty-five, subsection (3) of section sixty-five, section sixty-six, section sixty-seven, section two hundred and forty or paragraph (c) of section three hundred and sixteen, read with section three hundred and twelve, shall be liable for forfeiture.

335. Method of detaining a vessel or a share in a ship or goods.—(1) A proper officer may cause a vessel or share in a ship or any goods which by this Act is declared to be liable to detention, to be detained.

[Sub-s. (1) substituted by s. 14 of Act No. 23 of 1997.]

(2) The detention shall be effected by the service of a notice of detention in accordance with the provisions of this section.

(3) A notice of detention shall be in the prescribed form, shall be signed by the proper officer, shall declare that the vessel or share or goods are thereby detained, and shall set forth the grounds of detention.

(4) A notice of detention of a vessel or share in a ship shall be served upon the master of the vessel, and a notice of detention of goods shall be served upon the person in whose physical possession they are, and thereupon the vessel or share or goods shall be deemed to be detained for the purposes of this Act.

(5) A copy of every notice of detention shall forthwith be transmitted by the officer who issued it to the Authority.

(6) Whenever the Authority directs the proper officer to release a detained vessel or share in a ship or any detained goods, the proper officer shall issue a notice declaring that that vessel or share or those goods are released.

(7) A notice of release shall be in the prescribed form and shall be signed by the proper officer.

(8) A notice of release of a vessel or a share in a ship shall be served upon the master of the vessel, and a notice of release of goods shall be served upon the person in whose possession they are, and thereupon the vessel or share or goods shall be deemed to be released.

336. Procedure in forfeiture of a ship, a share in a ship or goods.—(1) Whenever under subsection (2) of section twelve, subsection (9) of section forty-three or section three hundred and thirty-four a ship or a share in a ship is or any goods are liable to forfeiture, the Authority may direct the proper officer to issue a notice of forfeiture of that ship or share or those goods in pursuance of that provision.

(2) A notice of forfeiture shall—

(a) be in the prescribed form;

(b) be signed by the proper officer;

(c) set forth the grounds on which, and refer to the provisions of this Act under which, the forfeiture is claimed; and

(d) state that unless the ship or share is or the goods are released in accordance with the provisions of subsection (8) or under an order of court, the ship, share or goods will be forfeited;

(e) be served, in the case of a ship or share in a ship, upon the master of the ship, and, in the case of goods, upon the owner or if he is not within the Republic or his address is not known, upon the person in whose physical possession they are.

(3) The owner or any other person interested in any ship, share in a ship or goods in respect of which a notice of forfeiture has been issued, who objects to the forfeiture thereof, shall, within the period of thirty days from the date upon which the notice of forfeiture was served, or within such further period as may be fixed by the court under subsection (7), give notice in writing to the Authority or to the proper officer who issued the notice, that he claims the release of the ship, share or goods, as the case may be.

(4) If notice is not given by the owner or interested person in terms of subsection (3), no legal proceedings shall thereafter be instituted by him against the State, the Minister, the Authority, the Authority or any other officer for the release of the ship, share or goods or based merely upon the detention, seizure or forfeiture thereof.

[Sub-s. (4) substituted by s. 2 (2) of Act No. 5 of 1998.]
(5) When notice has been given in terms of subsection (3), the person giving such notice may, within the period of ninety days from the date on which it was delivered to the Authority, or within such further period as may be fixed by the court under subsection (7), but not earlier than thirty days from the date upon which the said notice was so delivered, institute proceedings in a court of competent jurisdiction for the release of the ship, share or goods.

(6) If—

(a) notice is not given in terms of subsection (3); or

(b) such notice having been given, proceedings are not instituted in terms of subsection (5); or

(c) such proceedings having been instituted, the court dismisses the claim for release,

the ship, share or goods shall be forfeited and become the property of the State—

(i) upon expiry of the period of thirty days from the date upon which the notice of forfeiture was served, or upon expiry of such further period as may be fixed by the court under subsection (7); or

(ii) upon expiry of the period of ninety days from the said date, or upon expiry of such further period as may be fixed by the court under subsection (7); or

(iii) upon dismissal by the court of the claim for release, respectively.

(7) A court having jurisdiction to try a claim for the release of the ship, share or goods, may, before or after the expiry of the period referred to in subsection (3) or (5), extend such period, if it thinks that the interests of justice so require.

(8) The Authority may at any time before the forfeiture has become effective in terms of subsection (6) direct that a notice of forfeiture be withdrawn, and thereupon the provisions of subsections (6), (7) and (8) of section three hundred and thirty-five shall, mutatis mutandis, apply.

337. Seizure of a ship, a share in a ship or goods detained or liable to forfeiture.—(1) The Authority or proper officer may, if it or he deems it expedient to do so, in order that any ship, share in a ship or goods in respect of which a notice of detention or of forfeiture has been served in terms of section 335 or 336, or in respect of which it is intended to cause such a notice to be so served, may be secured against damage, destruction, concealment, removal or rescue, cause that ship or share or those goods, as the case may be, to be seized by a person thereto authorized for the purpose.

[Sub-s. (1) substituted by s. 2 (2) of Act No. 5 of 1998.]

(2) The seizure of a ship or goods shall be effected by the physical taking possession thereof, and the seizure of a share in a ship shall be effected by the physical taking possession of that ship.

(3) The person effecting seizure of any ship, share in a ship or goods shall, upon demand, exhibit his written authority to do so, and, if at the time of seizure a notice of detention or forfeiture has not yet been served, shall serve upon the person in whose possession the ship or goods are seized a notice setting forth that it is intended to cause a notice of detention or forfeiture to be served and the grounds on which that intention is based.

338. No clearance to be granted to detained ship.—Whenever in terms of this Act a ship must be or has been detained an officer of customs shall, and whenever in terms of this Act a ship may be detained an officer of customs may, refuse to grant a clearance to that ship.

339. Detention of foreign ship that has occasioned damage.—(1) Whenever injury has in any part of the world been caused to property belonging to the Government of the Republic or the Government of any other treaty country or to a South African citizen or a citizen of any treaty country (other than the Republic) by a foreign ship, and at any time thereafter that ship is found within the Republic or the territorial waters thereof, a High Court may, upon the application of any person who alleges that the injury was caused by the misconduct or want of skill of the master or any member of the crew of the ship, issue an order directed to any proper officer or other officer named, requiring that officer to detain the ship until such time as the owner, master or consignee thereof has satisfied any claim in respect of the injury, or has given security to the satisfaction of the court, to pay all costs and damages that may be awarded in any legal proceedings that may be instituted in respect of the injury. Any proper officer or other officer to whom the order is directed shall detain the ship accordingly.

[Sub-s. (1) amended by s. 56 of Act No. 69 of 1962 and by s. 56 of Act No. 40 of 1963.]

(2) Whenever it appears that, before an application can be made under this section, the ship in respect of which the application is to be made will have departed from the Republic or the territorial waters thereof, any proper officer may detain the ship for such time as will allow the application to be made and the result thereof to be communicated to the officer detaining the ship, and that officer shall not be liable for any costs or damages in respect of the detention unless the same is proved to have been made without reasonable grounds.

(3) In any legal proceedings in relation to any such injury aforesaid, the person giving security shall be made defendant and shall be stated to be the owner of the ship that has occasioned the damage.

340. Notice to be given to consular representative of proceedings taken in respect of foreign ships.—If any foreign ship is detained under this Act, or if any proceedings are taken under this Act against the master or owner of any foreign ship, notice shall forthwith be served on the consular representative of the country in which the ship is registered at or nearest to the port where the ship is for the time being, and such notice shall specify the
341. Conveyance of accused persons and witnesses to the Republic.—(1) Whenever any complaint is made to any consular representative of the Republic or of any other treaty country—

(a) that any offence against property or person has been committed at any place, either ashore or afloat, outside any treaty country by any master or seafarer who at the time when the offence was committed, or within three months before that time, was employed in any South African ship; or

(b) that any offence on the high seas has been committed by any master or seafarer belonging to any South African ship,

that consular representative may inquire into the case and may, if in his or her opinion reasonable grounds of suspicion exist against the alleged offender, take any steps in his or her power for the purpose of placing the master or seafarer under the necessary restraint and of sending him or her as soon as practicable in safe custody to the Republic.

[Sub-s. (1) amended by s. 57 of Act No. 69 of 1962 and substituted by s. 23 of Act No. 12 of 2015.]

(2) The consular representative may order the master of any ship registered in and bound to the Republic to receive and afford a passage and subsistence during the voyage to any such alleged offender as aforesaid and also to any persons who in the opinion of the consular representative are material witnesses to the offence. The master shall comply with any such order. The consular representative may endorse upon the agreement with the crew such particulars with respect to any alleged offenders or witnesses sent in the ship as he considers advisable.

(3) The master of a ship to whose charge an alleged offender has been so committed shall, on his ship’s arrival in the Republic hand the alleged offender over to a member of the police who shall take him to a police station or charge office. The alleged offender shall thereafter be detained until a warrant is obtained for his further detention upon a charge of an offence or until he is released by reason that no charge is to be brought against him, and unless so released he shall as soon as possible be brought before a judicial officer upon a charge of an offence: Provided that he shall not be so detained for a longer period than forty-eight hours unless a warrant for his further detention is obtained.

(4) The expense of imprisoning any such alleged offender and of conveying him and the witnesses to a port in the Republic in any manner other than in the ship to which they respectively belong, shall be paid out of moneys provided by Parliament for that purpose.

342. Service of documents.—Where for the purposes of this Act any document is to be served on any person, that document may be served—

(a) in any case by delivering a copy thereof personally to the person on whom the document is to be served; or by sending such copy to him, in accordance with the regulations, by registered post, enclosed in an envelope upon which is written his name and address; or by leaving such copy for him with a member of his household at his dwelling; or, if no person belonging to his household can be found there, then by affixing such copy to the principal outer door of the said dwelling or of any place where he actually resides or was last known to reside; or

(b) if the document is to be served on the master of a ship or on a person belonging to a ship, by leaving a copy thereof for him on board that ship with the person being or appearing to be in command or charge of the ship; and

(c) if the document is to be served on the master of a ship, and there is no master, and the ship is within the Republic or the territorial waters thereof, by serving it on the owner of the ship, if he is within the Republic, or on an agent of the owner residing in the Republic, or if no such agent is known or can be found, by affixing a copy thereof to the mast of the ship.

343. . . . . .

[S. 343 substituted by s. 2 (2) of Act No. 5 of 1998 and repealed by s. 2 (1) of Act No. 40 of 2002.]

343bis. Indemnification of State and Authority and certain persons in employ of State and Authority.—Notwithstanding anything to the contrary in any law contained, the State and the Authority and their officers and employees acting in the performance of their duties shall not be liable for—

(a) any loss or damage caused by the death of, or injury to, any person while conveyed in any vessel owned, operated or chartered by the State through its Department of Transport or by the Authority, or while entering or embarking upon or being in such vessel for the purpose of being conveyed in it, or while being in or alighting from such vessel after having been conveyed in it, if that person was so conveyed or to be so conveyed otherwise than in the performance of his duties as an officer or employee of the State or the Authority and otherwise than for reward; or

(b) any loss of or damage to any goods conveyed in such a vessel otherwise than in the interests of the State or the Authority and otherwise than for reward.

[S. 343bis inserted by s. 29 of Act No. 13 of 1965 and substituted by s. 2 (2) of Act No. 5 of 1998.]

343ter. Exemption from liability.—A safety officer, a safety appointee, a safety representative or a safety committee or any member thereof, as referred to in section 355A, shall not incur any civil liability by reason of the
fact that he failed to do anything which he should have done in terms of the provisions of sections 3, 9 (5), 223, 259, 264, 313, 343ter, 355A, 356 and 356ter, read with section 2.

[S. 343ter inserted by s. 29 of Act No. 19 of 1992.]

344. Prescription.—(1) The period of extinctive prescription in respect of legal proceedings to enforce any claim or lien against a ship or its owners in respect of any damage to or loss of another ship, its cargo or freight, or any goods on board such other ship, caused by the fault of the former ship, whether such ship be wholly or partly in fault, shall be two years and shall begin to run on the date when the damage or loss or injury was caused.

[Sub-s. (1) substituted by s. 29 of Act No. 94 of 1996.]

(2) The period of extinctive prescription in respect of legal proceedings under this Act to enforce any contribution in respect of an overpaid proportion of any damages for loss of life or personal injury shall be one year and shall begin to run on the date of payment.

(3) Any court having jurisdiction to try proceedings referred to in subsection (1) or (2) shall, before or after the expiry of such period, if it satisfied that owing to the absence of the defendant ship from the Republic and its territorial waters and from the country to which the plaintiff's ship belongs or in which the plaintiff resides or carries on business and its territorial waters, the plaintiff has not during such period had a reasonable opportunity of arresting the defendant ship, extend such period sufficiently to give him such reasonable opportunity.

(4) . . . . .

[Sub-s. (4) substituted by s. 2 (2) of Act No. 5 of 1998 and deleted by s. 2 (1) of Act No. 40 of 2002.]

345. Payment of allowances to persons appointed to make preliminary inquiries into shipping casualties, to members of courts of marine enquiry, maritime courts or courts of survey and assessors.—Any person appointed under section two hundred and sixty-four, any member of a court of marine enquiry, maritime court or court of survey, any expert to whom an appeal has been referred under section two hundred and eighty two or any assessors summoned under subsection (2) of section two hundred and ninety two shall, if he or she is in the employ of the Government of the Republic, be paid such allowances towards subsistence and transport as may be prescribed (otherwise than under this Act) for Government employees of his or her class, and if he or she is not in the employ of the Government of the Republic, or if no such allowances have been prescribed for Government employees of his or her class, he or she shall be paid such allowances towards subsistence and transport as may be prescribed by the regulations made under this Act.

[S. 345 amended by s. 57 of Act No. 40 of 1963 and substituted by s. 30 of Act No. 94 of 1996.].]

346. Presumption of knowledge.—Whenever at the trial of any person charged under this Act the question arises whether the accused knew at any particular time that a statement referred to in the indictment, summons or charge was untrue, and it is proved or admitted that that statement was untrue, the accused shall be presumed to have known at the particular time referred to that the statement was untrue, unless the contrary is proved, and unless it is proved also that his ignorance was not due to negligence on his part.

347. Presumption in case of collision.—If any damage to person or property arises from the non-observance by any ship of any of the collision regulations, the damage shall be deemed to have been caused by the wilful default of the person in charge of the deck of the ship at the time, unless it is proved that the circumstances of the case made a departure from the regulations necessary.

348. Mode of making declaration.—Declarations required by this Act shall be made in the Republic before a proper officer or commissioner of oaths, and outside the Republic before a proper officer or any person who by the law of the place where it is made is authorized to administer an oath, and may be made on behalf of a corporate body by the secretary or any other officer of that body authorized by it for the purpose.

349. Power to dispense with declarations and other evidence.—When in terms of this Act any person is required to make a declaration, or any documentary or oral evidence is required to be produced to the proper officer, and it is shown to the satisfaction of that officer that for reasonable cause that person is unable to make the declaration, or that the evidence cannot be produced, the said officer may, with the approval of the Authority and on the production of such other evidence, subject to such terms as he may think fit, dispense with the declaration or evidence.

350. Admissibility of documents in evidence.—(1) Any document which is by this Act declared to be admissible in evidence shall on production from the proper custodian be admissible in evidence, and shall be prima facie evidence of the particulars stated therein in pursuance of this Act or in pursuance of any duty under this Act.

(2) A copy of or extract from any such document shall also be admissible in evidence and be prima facie evidence of the particulars stated in such copy or extract, if it purports to be signed and certified as a true copy or extract by the officer to whose custody the original document has been entrusted; and that officer shall, upon payment of the prescribed fee furnish a copy or extract so certified to any person applying for it.

351. Evidence as to agreement with crew.—In any legal or other proceedings a seafarer may bring forward evidence to prove the contents of any agreement with the crew, without producing or giving notice to produce the agreement or any copy thereof.
352. Acts done by courts and functionaries of the Republic in relation to treaty ships other than South African ships.—Whenever any law enacted before or after the coming into operation of this section and in force in any treaty country (other than the Republic) provides that any court or functionary of the Republic may or shall exercise any authority or perform any act in relation to ships registered or entitled to be registered in that treaty country, their owners, masters, seafarers, such court or functionary may exercise any such authority or perform any such act, and all things done by such court or functionary under this section shall have the same effect as if that law had been enacted in the Republic.

[S. 352 substituted by s. 58 of Act No. 69 of 1962 and by s. 24 of Act No. 12 of 2015.]

353. Acts done by courts and functionaries of other treaty countries in relation to South African ships.—(1) Every provision of this Act which purports to require any court or functionary of any treaty country (other than the Republic) or any person other than a South African citizen to exercise any authority or perform any act outside the Republic in relation to South African ships, their owners, masters or seafarers shall be construed as being permissive only and to mean that any such court or functionary or person is thereby empowered so to exercise such authority or perform such act

[Sub-s. (1) substituted by s. 25 of Act No. 12 of 2015.]

(2) If any court or functionary of any treaty country (other than the Republic) exercises any authority or performs any act in relation to any ship registered or entitled to be registered in the Republic, her owner, master or seafarer, which by any statutory enactment in force in that treaty country such court or functionary is empowered to exercise or perform, all things done outside the Republic by such court or functionary in accordance with the said enactment shall have the same effect as if they had been done in accordance with an Act of the Parliament of the Republic, provided the Minister has generally or in the particular case requested that the courts or functionaries of that treaty country shall exercise such authority or perform such act or has in manner prescribed by regulation recognized the exercise of the authority or the performance of the act or adopted any decision made in the exercise of the authority.

[S. 353 substituted by s. 59 of Act No. 69 of 1962.]

CHAPTER X
GENERAL

354. . . . . .

[S. 354 substituted by s. 60 of Act No. 69 of 1962 and repealed by s. 26 of Act No. 57 of 1998.]

355. Application of certain labour laws to seafarers.—(1) Nothing in this Act contained shall affect the application of the provisions of the Labour Relations Act, 1956 (Act No. 28 of 1956), or of the Wage Act, 1957 (Act No. 5 of 1957), to seafarers in respect of their employment as such.

(2) To the extent to which any provisions of this Act which, but for the provisions of this section, would apply to any seafarers are inconsistent with any agreement or award under the Labour Relations Act, 1956, or any determination under the Wage Act, 1957, which is binding in respect of those seafarers, the provisions of this Act referred to shall not apply in respect of those seafarers.

(3) Any agreement or award under the Labour Relations Act, 1995 (Act No. 66 of 1995), or any determination under the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), which is binding in respect of any seafarers employed on board any South African ship or on board any ship which is not registered in the Republic and is wholly engaged in plying between ports in the Republic, while the ship is in the Republic, shall be binding in respect of such seafarers while the ship is outside the Republic.

[Sub-s. (3) substituted by s. 26 of Act No. 12 of 2015.]

(4) No seafarer who is an employee, as defined in section 1 of the Labour Relations Act, 1956, who is not a person referred to in section 2 (2) of that Act, and who is engaged on or belongs to any South African ship, shall be guilty of an offence under section 174 (2) (b), (c), (d) or (f), section 175 or section 176 merely by reason of the fact that he has taken part in a strike or in the continuance of a strike, as defined in section 1 of that Act, in such circumstances that the act or omission by which he has taken part therein does not constitute an offence under section 65 of that Act: Provided that this subsection shall not apply in respect of any act which is committed or any omission which occurs while the ship is at sea.

(5) In this section the expression “seafarers” includes all persons employed or engaged in any capacity on board any ship.

[S. 355 amended by s. 41 of Act No. 30 of 1959 and by s. 58 of Act No. 40 of 1963 and substituted by s. 30 of Act No. 18 of 1992.]

355A. Appointment of safety officers, safety appointees and safety committees and election of safety representatives.—(1) For the purposes of safety on board vessels—

(a) an employer may appoint a safety officer, a safety appointee and a safety committee in the manner prescribed by regulation;

(b) a group of employees may from their number elect a safety representative in the manner prescribed by regulation.
(2) A safety officer, safety appointee and safety committee shall, subject to the provisions of section 343ter, perform such functions as may be prescribed by regulation.

(3) A safety representative may in the manner prescribed by regulation, and subject to the provisions of section 343ter, on behalf of the employees which he represents make representations and submit requests to and consult with any employer, safety officer, safety appointee or safety committee.

(4) An employer shall comply with the requirements prescribed by regulation to enable a safety officer, safety appointee, safety committee and safety representative to perform their duties.

(5) Nothing in this section shall be construed as conferring a right upon any person to inspect any place, article, substance or document which is subject to restrictions on the grounds of national security, unless he satisfies any test or complies with any requirement imposed on account of such restrictions by or on behalf of the State.

[S. 355A inserted by s. 31 of Act No. 18 of 1992.]

356. Regulations.—(1) The Minister may make regulations—

(i) for and in connection with, including the approval of, the books, forms and other documents to be used for the convenient and effective carrying out of the provisions of this Act, and of the particulars which shall be contained therein;

[Para. (i) substituted by s. 15 (a) of Act No. 23 of 1997.]

(ii) prescribing the powers and duties of officers or other persons employed in the administration of this Act;

(iii) prescribing the services rendered or work done in pursuance of this Act for which fees shall be paid, the amount of such fees, and when and by whom such fees shall be paid;

(iv) . . . . .

[Para. (iv) deleted by s. 60 (b) of Act No. 58 of 1998.]

(v) . . . . .

[Para. (v) deleted by s. 60 (b) of Act No. 58 of 1998.]

(vi) as to the procedure to be followed in the event of a certificate issued under this Act being mislaid, lost or destroyed;

(vii) . . . . .

[Para. (vii) deleted by s. 60 (b) of Act No. 58 of 1998.]

(viii) . . . . .

[Para. (viii) deleted by s. 60 (b) of Act No. 58 of 1998.]

(ix) prescribing the manner in which a ship shall be inspected, surveyed and measured for any purpose under this Act, and the particulars and statements which shall be contained in the report or certificate of a surveyor;

(x) prescribing the minimum numbers of the several classes of seafarers required to be engaged as part of the crew of a ship;

(xi) prescribing what proportion of any of the several classes of seafarers comprising the crew of a South African ship shall be South African citizens;

(xii) prescribing the qualifications which any person employed on board a ship in a particular capacity is required to hold;

(xiii) prescribing—

(a) the scope and conduct of examinations to be passed by a person desiring the grant under this Act of a certificate of competency or qualification of any description testifying to his ability to perform work or duties of a particular kind on board a ship, and the standards required for passing;

[Sub-para. (a) substituted by s. 27 (a) of Act No. 57 of 1998.]

(b) the age and qualifications of the candidates, including the service at sea and other service which they must have performed and the training which they must have undergone;

(c) the fees to be paid by candidates for examination; and

(d) the qualifications of examiners and the conditions under which they are appointed, including the remuneration to be paid to them;

(xiiiA) regulating the recognition of certificates of competency or service granted by other competent authorities;

[Para. (xiiiA) inserted by s. 27 (b) of Act No. 57 of 1998.]
(xiiiB) as to the approval by specified persons of seafarer training institutions and training courses;  
[Para. (xiiiB) inserted by s. 27 (b) of Act No. 57 of 1998.]

(xiv) as to the inspection of certificates which in terms of this Act any person employed on board a ship in any particular capacity is required to hold;

(xv) prescribing the classes of South African ships on which cadets may be employed as such, the maximum number of cadets which may be employed as such on different classes of South African ships;  
[Para. (xv) substituted by s. 27 (a) of Act No. 12 of 2015.]

(xvi) regulating the manner and extent to which a ship shall be manned;

(xvii) as to the medical examination of persons engaged to serve in ships, including the particulars to be contained in medical certificates;

(xviii) as to the relief, maintenance and return to a proper return port of shipwrecked seafarers and seafarers found otherwise in distress in any place outside the Republic;

(xix) prescribing the crew accommodation and the accommodation for passengers to be provided on board a South African ship;

(xx) prescribing the class or classes of ships on which qualified and approved medical practitioners shall be employed as such;

(xxi) as to the licensing and conduct and inspection of houses in which seafarers are lodged, the charges that may be made in such houses for food and lodging, and the payment of fees for such licences;

(xxii) providing for the care and treatment of sick seafarers (including masters) in hospitals, and for the recovery of expenses in connection therewith;  
[Para. (xxii) substituted by s. 27 (b) of Act No. 12 of 2015.]

(xxiii) providing for the maintenance by the master in respect of every seafarer on his ship of a card on which shall be made a copy of every entry made in respect of the seafarer in the official log-book in terms of paragraph (d) of section one hundred and eighty-three;

(xxiv) providing for the vaccination against smallpox and the inoculation against yellow fever and typhoid fever of seafarers (including masters) at the expense of the owner of the ship on which they serve;  
[Para. (xxiv) substituted by s. 27 (c) of Act No. 12 of 2015.]

(xxv) providing for the vaccination against smallpox and the inoculation against yellow fever and typhoid fever of seamen (including masters and apprentice-officers) at the expense of the owner of the ship on which they serve;

(xxvi) prescribing the precautions to be taken in connection with the design and construction of ships and in respect of other matters to prevent the entrance of rats into ships;

(xxvii) as to the ventilation to be provided when coal is loaded or carried in a ship as cargo or ballast;

(xxviii) as to the dissemination of information concerning dangers to navigation;

(xxix) prescribing what signals are to be regarded as signals of distress, and the circumstances in and the purposes for which such signals are to be used;

(XXX) as to the examination and licensing of adjusters of compasses;

(XXX) prescribing the class or quantity of goods which may be carried in ships, and the manner in which such goods may be so carried;

(XXXI) as to the carriage of ballast and the precautions to be taken to prevent shifting thereof;

(XXXII) as to the conditions governing the installation, working and use of any anchors, chains, cables, and loading and discharging gear and any other machinery whatsoever on board or in connection with ships, and the strength and quality thereof, and the precautions to be taken to prevent persons being injured thereby or by falling articles;

(XXXIII) prescribing with what radio and other navigational aids ships must be provided;

(XXXIV) as to the inspection of equipment on ships;

(XXXV) prescribing rules to be followed in respect of—

(a) the convening of courts of marine enquiry, maritime courts and courts of survey;

(b) the appointment of the members of such courts and of the experts to whom appeals are to be referred under section two hundred and eighty-two; and

(c) the noting and prosecution of appeals from courts of marine enquiry of maritime courts to High
Courts, and prescribing the procedure to be followed by courts of marine enquiry, maritime courts, courts of survey and experts to whom appeals are referred under section two hundred and eighty-two;

Para. (xxxv) substituted by s. 42 (b) of Act No. 30 of 1959.

(xxxv)bis empowering courts of marine enquiry or maritime courts to order the payment of compensation by persons who have made frivolous or unjustified complaints, and empowering such courts, courts of survey or experts to whom appeals have been referred under section two hundred and eighty-two to make orders as to costs, including the costs incurred by the State in connection with the convening of such courts, the appointment of the members of such courts or of the experts and in connection with any investigation made by such courts or experts, and the costs incurred by the parties;

Para. (xxxv)bis inserted by s. 42 (b) of Act No. 30 of 1959.

(xxxv)ter prescribing the scales according to which costs shall be calculated, and providing for the taxation or assessment of costs;

Para. (xxxv)ter inserted by s. 42 (b) of Act No. 30 of 1959.

(xxxv)quat as to—

(a) the enforcement of judgements pronounced by High Courts on appeals from courts of marine enquiry or maritime courts; and

Para. (xxxv)quat inserted by s. 42 (b) of Act No. 30 of 1959.

(b) the enforcement of orders for the payment of compensation made by courts of marine enquiry or maritime courts and for the payment of costs made by such courts, courts of survey or experts to whom appeals have been referred under section two hundred and eighty-two;

Para. (xxxv)quat inserted by s. 42 (b) of Act No. 30 of 1959.

(xxxvi) prescribing the standards of seaworthiness to be observed in respect of vessels to which the Safety Convention does not apply, and regarding the marking and inspection of such vessels and the life-saving appliances and first-aid apparatus with which such vessels shall be equipped;

Para. (xxxvi) substituted by s. 11 (a) of Act No. 5 of 1976.

(xxxviA) (a) requiring such life-saving appliances to comply with specifications determined by the South African Bureau of Standards mentioned in the Standards Act, 1993 (Act No. 29 of 1993);

Sub-para. (a) substituted by s. 32 (A) of Act No. 18 of 1992 and by s. 15 (b) of Act No. 23 of 1997.

(b) determining the circumstances under which such life-saving appliances shall for the purposes of this Act be deemed to comply with such specifications;

Para. (xxxviA) inserted by s. 11 (b) of Act No. 5 of 1976.

(xxxvii) prescribing the period of pre-sea training required of seafarers;

Para. (xxxvii) substituted by s. 27 (d) of Act No. 12 of 2015.

(xxxviii) requiring ships, vessels or other craft which are not by this Act required to comply with any of its provisions, to comply with such of the said provisions as may be specified, subject to such exemptions, restrictions or modifications as may be prescribed;

(xxxix) prescribing the class or classes of ships on which supplies of antiscorbutics, medicines and appliances for the treatment and prevention of diseases and accidents likely to occur at sea and of first-aid equipment are to be carried;

Para. (xxxix) substituted by s. 6 (b) of Act No. 24 of 1974 and by s. 11 (c) of Act No. 5 of 1976.

(xl) prescribing scales according to which supplies of antiscorbutics, medicines and appliances for the treatment and prevention of diseases and accidents likely to occur at sea and of first-aid equipment are to be carried on board a ship of a prescribed class;

Para. (xl) added by s. 6 (b) of Act No. 24 of 1974 and substituted by s. 11 (c) of Act No. 5 of 1976.

(xlA) as to the design, construction, operation, use and maintenance of dynamically supported craft and any other matter which may be reasonably necessary for the safe and orderly operation of such craft;

Para. (xlA) added by s. 7 (a) of Act No. 16 of 1995 and substituted by s. 15 (c) of Act No. 23 of 1997.

(xli) as to the design, manufacture, construction, installation, operation, use, handling, alteration, repair, maintenance and conveyance of machinery and safety equipment on vessels;

Para. (xli) added by s. 6 (b) of Act No. 24 of 1974 and substituted by s. 11 (c) of Act No. 5 of 1976 and by s. 32 (b) of Act No. 18 of 1992.

(xliA) as to the safety equipment and other facilities to be provided or installed on vessels by employers, owners and users, the persons to whom they are to be provided and the circumstances in which they are to be provided or installed and the application thereof;

Para. (xliA) inserted by s. 32 (b) of Act No. 18 of 1992.
(xliB) as to the safety measures to be taken in relation to vessels by employers, employees, owners and users;
[Para. (xliB) inserted by s. 32 (b) of Act No. 18 of 1992 and substituted by s. 15 (d) of Act No. 23 of 1997.]

(xliC) as to the performance of work on vessels in hazardous or potentially hazardous conditions or circumstances;
[Para. (xliC) inserted by s. 32 (b) of Act No. 18 of 1992.]

(xliD) as to the first-aid and medical equipment to be kept available on vessels by owners, employers and users, the places where such equipment are to be kept, the requirements with which such equipment shall comply, the inspection of such equipment, the application of first-aid and the qualifications which persons applying first-aid shall possess;
[Para. (xliD) inserted by s. 32 of Act No. 18 of 1992.]

(xliE) as to the compilation by employers of safety directives in respect of vessels, the matters to be dealt with in such directives and the manner in which such directives shall be brought to the attention of employees and other persons at a workplace;
[Para. (xliE) inserted by s. 32 (b) of Act No. 18 of 1992.]

(xliF) as to the appointment and functions of safety officers, safety appointees and safety committees and the election, training and functions of safety representatives;
[Para. (xliF) inserted by s. 32 (b) of Act No. 18 of 1992.]

(xliG) as to the duties of owners, masters and employers;
[Para. (xliG) inserted by s. 32 (b) of Act No. 18 of 1992.]

(xli)bis . . . . . . .
[Para. (xli)bis inserted by s. 9 (a) of Act No. 25 of 1985 and deleted by s. 60 (b) of Act No. 58 of 1998.]

(xlii) prescribing such other matters as are necessary or useful to be prescribed for carrying out the purposes of this Act.
[Sub-s. (1) amended by s. 42 (a) of Act No. 30 of 1959. Para. (xlii) added by s. 6 (b) of Act No. 24 of 1974.]

(2) The Minister may make such notifications, declarations and regulations as may be reasonably necessary to give effect, subject to such exemptions, restrictions and modifications as may be desirable, to the provisions of—

(a) the Safety Convention;

(b) the International Collision Regulations Convention;

(c) the Load Line Convention;

(d) the Tonnage Convention;
[Para. (d) amended by s. 27 (e) of Act No. 12 of 2015.]

(e) the STCW Convention;
[Para. (e) amended by s. 27 (e) of Act No. 12 of 2015.]

(f) the Maritime Labour Convention; and
[Para. (f) added by s. 27 (e) of Act No. 12 of 2015.]

(g) the Work in Fishing Convention.
[Para. (g) added by s. 27 (e) of Act No. 12 of 2015.]

The regulations made under this subsection may include other and more extensive provisions than those contained in the said conventions, provided they relate to the same or similar matters as are dealt with in the said conventions.
[Sub-s. (2) amended by s. 42 (a) of Act No. 30 of 1959, by ss. 19 (a) and 19 (c) of Act No. 3 of 1982 and by ss. 2 (c) and 7 (b) of Act No. 16 of 1995 and substituted by s. 15 (e) of Act No. 23 of 1997.]

(3) The Minister may by regulation apply, subject to such exemptions, restrictions and modifications as may be desirable, any of the regulations made under subsection (2), to ships to which and in circumstances in which the provisions of the conventions mentioned in that subsection do not apply.
[Sub-s. (3) amended by s. 42 (a) of Act No. 30 of 1959 and by s. 59 (a) of Act No. 40 of 1963 and substituted by s. 19 (d) of Act No. 3 of 1982, by s. 7 (d) of Act No. 16 of 1995 and by s. 15 (e) of Act No. 23 of 1997.]

(4) (a) Any regulation made under subsection (1) or (2) may make provision in terms of any document which the Minister or any person considers relevant from time to time, without stating the text thereof, by mere reference to the number, title and year of issue of that document or to any other particulars by which that document is sufficiently identified.

(b) References in the regulations to any such document shall, unless expressly stated otherwise, be
(c) A copy of the complete text of each such document, as revised or re-issued from time to time, shall be kept at such places in the Republic as the Authority directs and shall be available for public inspection.

(d) The provisions of section 31 of the Standards Act, 1993 (Act No. 29 of 1993), shall not affect the operation of this section.

(5) Any regulations made under subsections (1) and (2) may prescribe penalties for contravention thereof or failure to comply therewith, of a fine, or imprisonment for a period not exceeding one year: Provided that if by any such regulation a penalty is prescribed for any act or omission for which a different penalty is prescribed by section three hundred and thirteen or three hundred and twenty-three, the provisions of the said sections shall prevail.

(6) Different regulations may be made under subsections (1) and (2) in respect of ships falling within different classes or categories or of different tonnage or in respect of ships built before or after a date stated in the regulations.

(7) . . . . . .

Sub-s. (7) amended by s. 42 (c) of Act No. 30 of 1959, deleted by s. 19 (f) of Act No. 3 of 1982, added by s. 9 (b) of Act No. 25 of 1985 and deleted by s. 60 (b) of Act No. 58 of 1998.

356bis. Conventions in Schedules to have force of law.—(1) The provisions of the Safety Convention shall, subject to the provisions of this Act, have the force of law in the Republic.

(1A) The Maritime Labour Convention and the Work in Fishing Convention shall, subject to the provisions of this Act and from the date on which the Merchant Shipping Amendment Act, 2015, takes effect, have the force of law in the Republic.

(2) The Minister shall, as soon as practicable after the entry into force for the Republic of any amendment to the Safety Convention, Maritime Labour Convention or Work in Fishing Convention by notice in the Gazette amend the Second, Seventh or Eighth Schedule, as the case may be, to reflect such amendment.

(3) In interpreting the Safety Convention—

(a) references to the Administration shall, in relation to ships of South African nationality, be construed as a reference to the Authority or any officer or organization acting on his authority; and

(b) the English text shall prevail in the event of conflict between the English and Afrikaans texts.

356ter. . . . .

Sub-s. (3) amended by s. 60 of Act No. 40 of 1963, substituted by s. 20 of Act No. 3 of 1982, amended by s. 33 of Act No. 18 of 1992 and substituted by s. 8 of Act No. 16 of 1995 and by s. 16 of Act No. 23 of 1997. Sub-s. (3) amended by s. 28 (b) of Act No. 57 of 1998.

356quart. . . . .

Sub-s. (3) inserted by s. 34 of Act No. 18 of 1992, substituted by s. 17 of Act No. 23 of 1997 and repealed by s. 29 (1) of Act No. 57 of 1998.

357. Exemption from stamp duty.—Notwithstanding anything to the contrary in any law in force relating to stamp duty, an affidavit, certificate, receipt or other document required or issued under any provisions of this Act except a bill of lading, shall be exempt from stamp duty.

Sub-s. (3) amended by s. 61 (1)(b) of Act No. 40 of 1963.

358. Short title and commencement.—This Act shall be called the Merchant Shipping Act, 1951, and shall come into operation on a date to be fixed by the State President by proclamation in the Gazette: Provided that the State President may from time to time by proclamation in the Gazette bring into operation only such portions of this Act as he may specify in such proclamation.

First Schedule

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<td></td>
<td>and the insertion after subsection (3) of section seventeen of the following new subsection:—</td>
</tr>
</tbody>
</table>
“(3)bis Upon the receipt by any officer referred to in subparagraph (ii)bis of paragraph (b) of subsection (1) of a sequestration order he shall enter a caveat against the transfer of every ship or share in a ship or the cancellation or cessation of every deed of mortgage of a ship or share in a ship registered in the name of or belonging to the insolvent or his or her spouse”.

<table>
<thead>
<tr>
<th>South-West Africa</th>
<th>Merchant Shipping (Walvis Bay) Proclamation, 1929</th>
<th>The repeal of the whole.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act No. 17 of 1938</td>
<td>Finance Act, 1938</td>
<td>The repeal of sections sixteen and seventeen</td>
</tr>
</tbody>
</table>

**Second Schedule**

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974


**ARTICLE I**

General obligations under the Convention

(a) The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annex thereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annex.

(b) The Contracting Governments undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the present Convention full and complete effect, so as to ensure that, from the point of view of safety of life, a ship is fit for the services for which it is intended.

**ARTICLE II**

Application

Convention shall apply to ships entitled to fly the flag of States the Governments of which are Contracting Governments.

**ARTICLE III**

Laws, regulations

The contracting Governments undertake to communicate to and deposit with the Secretary-General of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as “the Organization”)—

(a) a list of non-governmental agencies which are authorized to act in their behalf in the administration of measures for safety of life at sea for circulation to the Contracting Governments for the information of their officers;

(b) the text of laws, decrees, orders and regulations which shall have been promulgated on the various matters within the scope of the present Convention;

(c) a sufficient number of specimens of their Certificates issued under the provisions of the present Convention for circulation to the Contracting Governments for the information of their officers.

**ARTICLE IV**

Cases of force majeure

(a) A ship, which is not subject to the provisions of the present Convention at the time of its departure on any voyage, shall not become subject to the provisions of the present Convention on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.

(b) Persons who are on board a ship by reason of force majeure or in consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into account for the purpose of ascertaining the application to a ship of any provisions of the present Convention.

**ARTICLE V**
(a) For the purpose of evacuating persons in order to avoid a threat to the security of their lives a Contracting Government may permit the carriage of a larger number of persons in its ships than is otherwise permissible under the present Convention.

(b) Such permission shall not deprive other Contracting Governments of any right of control under the present Convention over such ships which come within their ports.

(c) Notice of any such permission, together with a statement of the circumstances, shall be sent to the secretary-general of the Organization by the Contracting Government granting such permission.

ARTICLE VI
Prior treaties and conventions

(a) As between the Contracting Governments, the present Convention replaces and abrogates the International Convention for the Safety of Life at Sea which was signed in London on 17 June 1960.

(b) All other treaties, conventions and arrangements relating to safety of life at sea, or matters appertaining thereto, at present in force between Governments parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards—

(i) ships to which the present Convention does not apply;

(ii) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.

(c) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

(d) All matters which are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

ARTICLE VII
Special rules drawn up by agreement

When in accordance with the present Convention special rules are drawn up by agreement between all or some of the Contracting Governments, such rules shall be communicated to the Secretary-General of the Organization for circulation to all Contracting Governments.

ARTICLE VIII
Amendments

(a) The present Convention may be amended by either of the procedures specified in the following paragraphs.

(b) Amendments after consideration within the Organization:

(i) Any amendment proposed by a Contracting Government shall be submitted to the Secretary-General of the Organization, who shall then circulate it to all Members of the Organization and all Contracting Governments at least six months prior to its consideration.

(ii) Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.

(iii) Contracting Governments of States, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.

(iv) Amendments shall be adopted by a two-third majority of the Contracting Governments present and voting in the Maritime Safety Committee expanded as provided for in subparagraph (III) of this paragraph (hereinafter referred to as “the expanded Maritime Safety Committee”) on condition that at least one-third of the Contracting Governments shall be present at the time of voting.

(v) Amendments adopted in accordance with subparagraph (iv) of this paragraph shall be communicated by the Secretary-General of the Organization to all Contracting Governments for acceptance.

(vi) (1) An amendment to an Article of the Convention or to Chapter I of the Annex shall be deemed to have been accepted on the date on which it is accepted by two-thirds of the Contracting Governments.

(2) An amendment to the Annex other than Chapter I shall be deemed to have been accepted—

(aa) at the end of two years from the date on which it is communicated to Contracting Governments for acceptance; or

(bb) at the end of a different period, which shall not be less than one year, if so determined at
the time of its adoption by a two-thirds majority of the Contracting Governments present and voting in the expanded Maritime Safety Committee.

However, if within the specified period either more than one-third of Contracting Governments, or Contracting Governments the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, notify the Secretary-General of the Organization that they object to the amendment, it shall be deemed not to have been accepted.

(vii) (1) An amendment to an Article of the Convention or to Chapter I of the Annex shall enter into force with respect of those Contracting Governments which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Contracting Government which accepts it after that date, six months after the date of that Contracting Government's acceptance.

(2) An amendment to the Annex other than Chapter I shall enter into force with respect to all Contracting Governments, except those which have objected to the amendment under subparagraph (vi) (2) of this paragraph and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Contracting Government may give notice to the Secretary-General of the Organization that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Contracting Governments present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.

(c) Amendment by a Conference:

(i) Upon the request of a Contracting Government concurred in by at least one-third of the Contracting Governments, the Organization shall convene a Conference of Contracting Governments to consider amendments to the present Convention.

(ii) Every amendment adopted by such a Conference by a two-thirds majority of the Contracting Governments present and voting shall be communicated by the Secretary-General of the Organization to all Contracting Governments for acceptance.

(iii) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in subparagraphs (b) (vi) and (b) (vii) respectively of this Article, provided that references in these paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.

(d) (i) A Contracting Government which has accepted an amendment to the Annex which has entered into force shall not be obliged to extend the benefit of the present Convention in respect of the certificates issued to a ship entitled to fly the flag of a State the Government of which, pursuant to the provisions of subparagraph (b) (vi) (2) of this Article, has objected to the amendment and has not withdrawn such an objection, but only to the extent that such certificates relate to matters covered by the amendment in question.

(ii) A Contracting Government which has accepted and amendment to the Annex which has entered into force shall extend the benefit of the present Convention in respect of the certificates issued to a ship entitled to fly the flag of a State the Government of which, pursuant to the provisions of subparagraph (b) (vii) (2) of this Article, has notified the Secretary-General of the Organization that it exempts itself from giving effect to the amendment.

(e) Unless expressly provided otherwise, any amendment to the present Convention made under this Article, which relates to the structure of a ship, shall apply only to ships the keels of which are laid or which are at a similar stage of construction, on or after the date on which the amendment enters into force.

(f) Any declaration of acceptance of, or objection to, an amendment or any notice given under subparagraph (b) (vii) (2) of this Article shall be submitted in writing to the Secretary-General of the Organization, who shall inform all Contracting Governments of any such submission and the date of its receipt.

(g) The Secretary-General of the Organization shall inform all Contracting Governments of any amendments which enter into force under this Article, together with the date on which each such amendment enters into force.

ARTICLE IX

Signature, ratification, acceptance, approval and accession

(a) The present Convention shall remain open for signature at the Headquarters of the Organization from 1 November 1974 until 1 July 1975 and shall thereafter remain open for accession. States may become parties to the present Convention by—

(i) signature without reservation as to ratification, acceptance or approval; or

(ii) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(iii) accession.

(b) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that
(c) The Secretary-General of the Organization shall inform the Governments of all States which have signed the present Convention or acceded to it of any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its deposit.

ARTICLE X
Entry into force

(a) The present Convention shall enter into force 12 months after the date on which not less than 25 States, the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world’s merchant shipping, have become parties to it in accordance with Article IX.

(b) Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Convention enters into force shall take effect three months after the date of deposit.

(c) After the date on which an amendment to the present Convention is deemed to have been accepted under Article VIII, any instrument of ratification, acceptance, approval or accession deposited shall apply to the Convention as amended.

ARTICLE XI
Denunciation

(a) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention enters into force for that Government.

(b) Denunciation shall be effected by the deposit of an instrument of denunciation with the secretary-general of the Organization who shall notify all the other Contracting Governments of any instrument of denunciation received and of the date of its receipt as well as the date on which such denunciation takes effect.

(c) A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

ARTICLE XII
Deposit and registration

(a) The present Convention shall be deposited with the Secretary-General of the Organization who shall transmit certified true copies thereof to the Governments of all States which have signed the present Convention or acceded to it.

(b) As soon as the present Convention enters into force, the text shall be transmitted by the secretary-general of the Organization to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

ARTICLE XIII
Languages

The present Convention is established in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German and Italian languages shall be prepared and deposited with the signed original.

In witness whereof the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Convention.

Done at London this First day of November One thousand Nine hundred and Seventy-four.

N.B.—Names of signatories not printed.

PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

ARTICLE I
General Obligations

The Parties to the present Protocol undertake to give effect to the provisions of the present Protocol and the Annex hereto which shall constitute an integral part of the present Protocol. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.

ARTICLE II
1. The provisions of Articles II, III (other than paragraph (a)), IV VI (b), (c) and (d), VII and VIII of the International Convention for the Safety of Life at Sea, 1974 (hereinafter referred to as "the Convention") are incorporated in the present Protocol, provided that references in those Articles to the Convention and to Contracting Governments shall be taken to mean references to the present Protocol and to the Parties to the present Protocol, respectively.

2. Any ship to which the present Protocol applies shall comply with the provisions of the Convention, subject to the modifications and additions set out in the present Protocol.

3. With respect to the ships of non-parties to the Convention and the present Protocol, the Parties to the present Protocol shall apply the requirements of the Convention and the present Protocol as may be necessary to ensure that no more favourable treatment is given to such ships.

ARTICLE III
Communication of information

The Parties to the present Protocol undertake to communicate to, and deposit with, the Secretary-General of the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as "the Organization"), a list of nominated surveyors or recognised organisations which are authorized to act on their behalf in the administration of measures for safety of life at sea for circulation to the Parties for information of their officers. The Administration shall therefore notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognised organisations.

ARTICLE IV
Signature, ratification, acceptance, approval and accession

1. The present Protocol shall be open for signature at the headquarters of the Organization from 1 June 1978 to 1 March 1979 and shall thereafter remain open for accession. Subject to the provisions of paragraph 3 of this Article, States may become Parties to the present Protocol by—

(a) a signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

2. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organization.

3. The present Protocol may be signed without reservation, ratified, accepted, approved or acceded to only by States which have signed without reservation, ratified, accepted, approved or acceded to the Convention.

ARTICLE V
Entry into force

1. The present Protocol shall enter into force six months after the date on which not less than 15 States, the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world’s merchant shipping, have become Parties to it in accordance with Article IV of the present Protocol, provided however that the present Protocol shall not enter into force before the Convention has entered into force.

2. Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

3. After the date of which an amendment to the present Protocol is deemed to have been accepted under Article VIII of the Convention, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

ARTICLE VI
Denunciation

1. The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that Party.

2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3. A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

4. A denunciation of the Convention by a Party shall be deemed to be a denunciation of the present Protocol.
ARTICLE VII
Depositary

1. The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the Depositary").

2. The Depositary shall—
   (a) inform all States which have signed the present Protocol or acceded thereto of—
       (i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
       (ii) the date of entry into force of the present Protocol;
       (iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;
   (b) transmit certified true copies of the present Protocol to all States which have signed the present Protocol or acceded thereto.

3. As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE VIII
Languages

The present Protocol is established in a single original in the Chinese, English, French, Russian and Spanish Languages, each text being equally authentic. Official translations in the Arabic, German and Italian languages shall be prepared and deposited with the signed original.

In witness whereof the undersigned being duly authorised by their respective Governments for that purpose have signed the present Protocol.

Done at London this Seventeenth day of February One thousand Nine hundred and Seventy-eight.

N.B.—Names of signatories not printed.

ANNEX
CHAPTER 1 — GENERAL PROVISIONS
PART A — APPLICATION, DEFINITIONS, ETC.

REGULATION 1
Application

(a) Unless expressly provided otherwise, the present Regulations apply only to ships engaged on international voyages.

(b) The classes of ships to which each Chapter applies are more precisely defined, and the extent of the application is shown, in each Chapter.

REGULATION 2
Definitions

For the purpose of the present Regulations, unless expressly provided otherwise:

(a) "Regulations" means the Regulations contained in the Annex to the present Convention.

(b) "Administration" means the Government of the State whose flag the ship is entitled to fly.

(c) "Approved" means approved by the Administration.

(d) "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely.

(e) A passenger is every person other than—
    (i) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
A child under one year of age.

A passenger ship is a ship which carries more than 12 passengers.

A cargo ship is any ship which is not a passenger ship.

A tanker is a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable* nature.

A fishing vessel is a vessel used for catching fish, whales, seals, walrus or other living resources of the sea.

A nuclear ship is a ship provided with a nuclear power plant.

"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 coming into force of the present Convention.

"Existing ship" means a ship which is not a new ship.

A mile is 1 852 metres or 6 080 feet.

"Age of a ship" means the elapsed period of time determined from the year of build as indicated on the ship's registry papers.

[Para. (n) added by Proclamation No. R.168 of 1982.]

REGULATION 3

Exceptions

(a) The present Regulations, unless expressly provided otherwise, do not apply to—

(i) ships of war and troopships;

(ii) cargo ships of less than 500 tons gross tonnage;

(iii) ships not propelled by mechanical means;

(iv) wooden ships of primitive build;

(v) pleasure yachts not engaged in trade;

(vi) fishing vessels.

(b) Except as expressly provided in Chapter V, nothing herein shall apply to ships solely navigating the Great Lakes of North America and the River St Lawrence as far east as a straight line drawn from Cape des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian.

REGULATION 4

Exemptions

(a) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Regulations provided that it complies with safety requirements which are adequate in the opinion of the Administration for the voyage which is to be undertaken by the ship.

(b) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of Chapters II-1, II-2, III and IV of these Regulations the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship. The Administration which allows any such exemption shall communicate to the Organization particulars of same and the reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

REGULATION 5

Equivalents

(a) Where the present Regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular provision shall be made, the Administration may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in that ship, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the present Regulations.

(b) Any Administration which so allows, in substitution, a fitting, material, appliance or apparatus, or type thereof, or provision, shall communicate to the Organization particulars thereof together with a report on any trials made and the Organization shall circulate such particulars to other Contracting Governments for the information of their officers.
**PART B — SURVEYS AND CERTIFICATES**

**REGULATION 6**

*Inspection and survey*

(a) The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Regulations and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organisations recognised by it.

(b) The Administration shall institute arrangements for unscheduled inspections to be carried out during the period of validity of the certificate. Such inspections shall ensure that the ship and its equipment remain in all respects satisfactory for the service for which the ship is intended. These inspections may be carried out by the Administration’s own inspection services, or by nominated surveyors, or by recognised organisations, or by other Parties upon request of the Administration. Where the Administration, under the provisions of Regulations 8 and 10 of this Chapter, establishes mandatory annual surveys, the above unscheduled inspections shall not be obligatory.

(c) An Administration nominating surveyors or recognising organisations to conduct inspections and surveys as set forth in paragraphs (a) and (b) of this Regulation shall as a minimum empower any nominated surveyor or recognised organisation to—

(i) require repairs to a ship; and

(ii) carry out inspections and surveys if requested by the appropriate authorities of a Port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognised organisations.

(d) When a nominated surveyor or recognised organisation determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without danger to the ship, or persons on board, such surveyor or organisation shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the relevant certificate should be withdrawn and the Administration shall be notified immediately; and, if the ship is in the port of another Party, the appropriate authorities of the Port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or recognised organisation has notified the appropriate authorities of the Port State, the Government of the Port State concerned shall give such officer, surveyor or organisation any necessary assistance to carry out their obligations under this Regulation. Where applicable, the Government of the Port State concerned shall ensure that the ship shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the ship or persons on board.

(e) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.

[Reg. 6 substituted by Proclamation No. R.168 of 1982.]

**REGULATION 7**

*Surveys of passenger ships*

(a) A passenger ship shall be subjected to the surveys specified below:

(i) A survey before the ship is put in service.

(ii) A periodical survey once every 12 months.

(iii) Additional surveys, as occasion arises.

(b) The surveys referred to above shall be carried out as follows:

(i) The survey before the ship is put in service shall include a complete inspection of its structure, machinery and equipment, including the outside of the ship’s bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, material, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installation, radiotelegraph installations in motor lifeboats, portable radio apparatus for survival craft, life-saving appliances, fire protection, fire detecting and extinguishing appliances, radar, echo-sounding device, gyro-compass, pilot ladders, mechanical pilot hoists and other equipment, fully comply with the requirements of the present Convention, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipment is in all respects satisfactory, and that the ship is provided with the lights, shapes, means of making sound signals and distress signals as required by the provisions of the present Convention and the International Regulations for Preventing Collisions at Sea in force.

(ii) The periodical survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the ship’s bottom. The survey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure vessels and their
appurtenances, main and auxiliary machinery, electrical installation, radio installation, radiotelegraph installations in motor lifeboats, portable radio apparatus for survival craft, fire protection, fire detecting and extinguishing appliances, radar, echo-sounding device, gyro-compass, pilot ladders, mechanical pilot hoists and other equipment, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the requirements of the present Convention, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration. The lights, shaped and means of making sound signals and the distress signals carried by the ship shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present Convention and of the International Regulations for Preventing Collisions at Sea in force.

(iii) A survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in Regulation 11 of this Chapter, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the Convention and the present Protocol and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.

[Sub-para. (iii) substituted by Proclamation No. R.168 of 1982.]

(c) (i) The laws, decrees, orders and regulations referred to in paragraph (b) of this Regulation shall be in all respects such as to ensure that, from the point of view of safety of life, the ship is fit for the service for which it is intended.

(ii) They shall among other things prescribe the requirements to be observed as to the initial and subsequent hydraulic or other acceptable alternative tests to which the main and auxiliary boilers, connections, steam pipes, high pressure receivers, and fuel tanks for internal combustion engines are to be submitted including the test procedures to be followed and the intervals between two consecutive tests.

REGULATION 8

Surveys of life-saving appliances and other equipment of cargo ships

(a) The life-saving appliances, except a radiotelegraph installation in a motor lifeboat or a portable radio apparatus for survival craft, the echo-sounding device, the gyro-compass, and the fire-extinguishing appliances and the inert gas system of cargo ships to which Chapters II­1, II­2, III and V of the Convention and the present Protocol apply, shall be subject to initial and subsequent surveys as prescribed for passenger ships in Regulation 7 of Chapter I of the Convention and the present Protocol with the substitution of 24 months for 12 months in subparagraph (a) (ii) of that Regulation. The fire control plans in new ships and the pilot ladders, mechanical pilot hoists, lights, shapes and means of making sound signals carried by new and existing ships shall be included in the surveys for the purpose of ensuring that they comply fully with the requirements of the Convention and the present Protocol and, where applicable, the International Regulations for Preventing Collisions at Sea in force.

(b) Intermediate surveys shall be made for tankers of 10 years of age and over, within three months before or after the anniversary date of the Cargo Ship Safety Equipment Certificate, to ensure that equipment specified in paragraph (a) of this Regulation has been maintained in accordance with Regulation 11 of this Chapter and that it is in good working condition. Such intermediate surveys shall be endorsed on the Cargo Ship Safety Equipment Certificate issued in accordance with Regulation 12 (a) (iii) of Chapter I of the Convention.

[Reg. 8 substituted by Proclamation No. R.168 of 1982.]

REGULATION 9

Surveys of radio and radar installations of cargo ships

The radio and radar installations of cargo ships to which Chapters IV and V apply and any radiotelegraph installation in a motor lifeboat or portable radio apparatus for survival craft which is carried in compliance with the requirements of Chapter III shall be subject to initial and subsequent surveys as provided for passenger ships in Regulation 7 of this Chapter.

REGULATION 10

Surveys of hull, machinery and equipment of cargo ships

(a) The hull, machinery and equipment (other than items in respect of which Cargo Ship Safety Equipment Certificates, Cargo Ship Safety Radiotelegraphy Certificates or Cargo Ship Safety Radiotelephony Certificates are issued) of a cargo ship shall be surveyed on completion and thereafter in such a manner as the Administration may consider necessary in order to ensure that their condition is in all respects satisfactory and at the following intervals:

(i) At intervals specified by the Administration but not exceeding five years (periodical surveys);

(ii) in addition to such periodical surveys a tanker of 10 years of age and over shall undergo a minimum of one intermediate survey during the period of validity of its Cargo Ship Safety Construction Certificate. In cases where only one such intermediate survey is carried out in any one certificate validity period, it shall be held not before six months prior to, nor later than six months after, the half-
(b) The initial and periodical survey shall be such as to ensure that the arrangements, material and scantlings of the structure, boilers and other pressure vessels, their appurtenances, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment are in all respects satisfactory for the service for which the ship is intended. Such surveys shall in the case of tankers, also include inspection of the outside of the ship’s bottom, pump rooms, cargo and bunker piping systems, vent piping, pressure vacuum valves and flame screens.

(c) The intermediate survey of tankers of 10 years of age and over shall include inspection of steering gear and associated control systems, pump rooms, cargo and bunker piping systems on deck and in pump rooms, vent piping, pressure vacuum valves and flame screens, the electrical installations in dangerous zones, and the outside of the ship’s bottom. In addition to the visual inspection of the electrical installation, the insulation resistance of the electrical equipment in dangerous zones is to be tested. If, upon examination, there should be any doubt as to the condition of the piping, extra measures, such as pressure tests and thickness determination, shall be taken as necessary. Such intermediate surveys shall be endorsed on the Cargo Ship Safety Construction Certificate issued in accordance with Regulation 12 (a) (ii) of Chapter I of the Convention.

(d) A survey, either general or partial according to the circumstances, shall be made when required after an investigation prescribed in Regulation 11 of this Chapter, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship is fit to proceed to sea without danger to the ship or persons on board.

[Reg. 10 substituted by Proclamation No. R.168 of 1982.]

REGULATION 11

Maintenance of conditions after survey

(a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the Convention and the present Protocol to ensure that the ship in all respects will remain fit to proceed to sea without danger to the ship or persons on board.

(b) After any survey of the ship under Regulations 6, 7, 8, 9, 10 of Chapter I of the Convention and the present Protocol has been completed, no change shall be made in the structural arrangement, machinery, equipment and other items covered by the survey, without the sanction of the Administration.

(c) Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognised organisation responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by Regulations 6, 7, 8, 9 or 10 of Chapter I of the Convention and the present Protocol, is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the Port State and the nominated surveyor or recognised organisation shall ascertain that such a report has been made.

[Reg. 11 substituted by Proclamation No. R.168 of 1982.]

REGULATION 12

Issue of certificates

(a) (i) A certificate called a Passenger Ship Safety Certificate shall be issued after inspection and survey to a passenger ship which complies with the requirements of Chapters II-1, II-2, III and IV and any other relevant requirements of the present Regulations.

(ii) A certificate called a Cargo Ship Safety Construction Certificate shall be issued after survey to a cargo ship which satisfies the requirements for cargo ships on survey set out in Regulation 10 of this Chapter and complies with the applicable requirements of Chapters II-1 and II-2 other than those relating to fire-extinguishing appliances and fire control plans.

(iii) A certificate called a Cargo Ship Safety Equipment Certificate shall be issued after inspection to a cargo ship which complies with the relevant requirements of Chapters II-1, II-2 and III, and any other relevant requirements of the present Regulations.

(iv) A certificate called a Cargo Ship Safety Radiotelegraphy Certificate shall be issued after inspection to a cargo ship, fitted with a radio-telegraph installation, which complies with the requirements of Chapter IV and any other relevant requirements of the present Regulations.

(v) A certificate called a Cargo Ship Safety Radiotelephony Certificate shall be issued after inspection to a cargo ship, fitted with a radiotelephone installation, which complies with the requirements of Chapter IV and any other relevant requirements of the present Regulations.

(vi) When an exemption is granted to a ship under and in accordance with the provisions of the present Regulations, a certificate called an Exemption Certificate shall be issued in addition to the certificates prescribed in this paragraph.
(ii) Passenger Ship Safety Certificates, Cargo Ship Safety Construction Certificates, Cargo Ship Safety Equipment Certificates, Cargo Ship Safety Radiotelegraphy Certificates, Cargo Ship Safety Radiotelephony Certificates and Exemption Certificates shall be issued either by the Administration or by any person or organization duly authorized by it. In every case, that Administration assumes full responsibility for the Certificate.

(b) Notwithstanding any other provision of the present Convention any certificate issued under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, which is current when the present Convention comes into force in respect of the Administration by which the certificate is issued, shall remain valid until it expires under the terms of Regulation 14 of Chapter I of that Convention.

(c) A Contracting Government shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, 1948 or 1929, after the date on which acceptance of the present Convention by the Government takes effect.

REGULATION 13

Issue of certificate by another Government

A Contracting Government may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the requirements of the present Regulations are complied with, shall issue certificates to the ship in accordance with the present Regulations. Any certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the country in which the ship is or will be registered, and it shall have the same force and receive the same recognition as a certificate issued under Regulation 12 of this Chapter.

REGULATION 14

Duration and validity of certificates

(a) Certificates other than the Cargo Ship Safety Construction Certificate, the Cargo Ship Safety Equipment Certificate and any Exemption Certificate shall be issued for a period of not more than 12 months. The Cargo Ship Safety Construction Certificate shall be issued for a period not exceeding five years. The Cargo Ship Safety Equipment Certificate shall be issued for a period not exceeding 24 months. Exemption Certificates shall not be valid for longer than the period of the certificates to which they refer.

(b) No extension of the five-year period of validity of the Cargo Ship Safety Construction Certificate shall be permitted.

(c) If a survey takes place within two months before the end of the period for which a Cargo Ship Safety Radiotelegraphy Certificate or a Cargo Ship Safety Radiotelephony Certificate issued in respect of cargo ships of 300 tons gross tonnage and upwards, but less than 500 tons gross tonnage, was originally issued, that certificate may be withdrawn, and a new certificate may be issued which shall expire 12 months after the end of the said period.

(d) If the ship at the time when a certificate, other than that referred to in paragraph (b) of this Regulation, expires is not in a port of the country in which it is registered or is to be surveyed, the Administration may extend the certificate, but such extension shall be granted only for the purpose of allowing the ship to complete its voyage to the country in which it is registered or is to be surveyed, and then only in cases where it appears proper and reasonable to do so.

(e) No certificate shall be extended under the provisions of paragraph (d) of this Regulation for a longer period than five months, and the ship to which an extension is granted shall not, on its arrival in the country in which it is registered or the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or country without having obtained a new certificate.

(f) A certificate, other than that referred to in paragraph (b) of this Regulation, which has not been extended under the foregoing provisions of this Regulation, may be extended by the Administration for a period of grace up to one month from the date of expiry stated on it.

(g) A certificate shall cease to be valid—

(i) if the inspections and surveys are not carried out within the periods specified under Regulations 7 (a), 8, 9 and 10 (a) of Chapter I of the Convention and the present Protocol or as they may have been extended in accordance with paragraphs (d), (e) or (f) of this Regulation; or

(ii) upon transfer of the ship to the flag of another Government. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of Regulation 11 (a) and (b) of this Chapter. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports.

[Reg. 14 substituted by Proclamation No. R.168 of 1982.]

REGULATION 15

Form of certificates

(a) All certificates shall be drawn up in the official language or languages of the country by which they are
(b) The form of the certificates shall be that of the models given in the Appendix to the present Regulations. The arrangement of the printed part of the model certificates shall be exactly reproduced in the certificates issued, or in certified copies thereof, and the particulars inserted in the certificates issued, or in certified copies thereof, shall be in Roman characters and Arabic figures.

REGULATION 16
Posting up of certificates

All certificates or certified copies thereof issued under the present Regulations shall be posted up in a prominent and accessible place in the ship.

REGULATION 17
Acceptance of certificates

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by the present Convention. They shall be regarded by the other Contracting Governments as having the same force as certificates issued by them.

REGULATION 18 Qualification of certificates

(a) If in the course of a particular voyage a ship has on board a number of persons less than the total number stated in the Passenger Ship Safety Certificate and is in consequence, in accordance with the provisions of the present Regulations, free to carry a smaller number of lifeboats and other life-saving appliances than that stated in the Certificate, an annex may be issued by the Government, person or organization referred to in Regulation 12 or 13 of this Chapter.

(b) This Annex shall state that in the circumstances there is no infringement of the provisions of the present Regulations. It shall be annexed to the Certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage for which it is issued.

REGULATION 19
Control

(a) Every ship when in a port of another Party is subject to control by officers duly authorised by such Government in so far as this control is directed towards verifying that the certificates issued under Regulation 12 or Regulation 13 of Chapter 1 of the Convention are valid.

(b) Such certificates, if valid, shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of any of the certificates or that the ship and its equipment are not in compliance with the provisions of Regulation 11 (a) and (b) of this Chapter.

(c) In the circumstances given in paragraph (b) of this Regulation or where a certificate has expired or ceased to be valid, the officer carrying out the control shall take steps to ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the appropriate repair yard without danger to the ship or persons on board.

(d) In the event of this control giving rise to an intervention of any kind, the officer carrying out the control shall forthwith inform, in writing, the Consul or, in his absence, the nearest diplomatic representative of the State whose flag the ship is entitled to fly of all the circumstances in which intervention was deemed necessary. In addition, nominated surveyors or recognised organisations responsible for the issue of the certificates shall also be notified. The facts concerning the intervention shall be reported to the Organization.

(e) The Port State Authority concerned shall notify all relevant information about the ship to the authorities of the next port of call, in addition to parties mentioned in paragraph (d) of this Regulation or if the ship has been allowed to proceed to the next port of call.

(f) When exercising control under this Regulation all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained or delayed it shall be entitled to compensation for any loss or damage suffered.

[Reg. 19 substituted by Proclamation No. R.168 of 1982.]

REGULATION 20
Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds appropriate valid certificates.

PART C — CASUALTIES
(a) Each Administration undertakes to conduct an investigation of any casualty occurring to any of its ships subject to the provisions of the present convention when it judges that such an investigation may assist in determining what changes in the present Regulations might be desirable.

(b) Each Contracting Government undertakes to supply the Organization with pertinent information concerning the findings of such investigations. No reports or recommendations of the Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.

CHAPTER II–1
CONSTRUCTION — SUBDIVISION AND STABILITY, MACHINERY AND ELECTRICAL INSTALLATIONS
PART A — GENERAL

REGULATION 1
Application

(a) (i) Unless expressly provided otherwise, this Chapter applies to new ships.

(ii) Existing passenger ships and cargo ships shall comply with the following:

(1) For ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to new ships as defined in that Chapter are complied with;

(2) for ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, but before the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of the 1948 Convention to new ships as defined in that Chapter are complied with;

(3) for ships the keels of which were laid or which were at a similar stage of construction before the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to existing ships as defined in that Chapter are complied with;

(4) as regards the requirements of Chapter II-1 of the present Convention which are not contained in Chapter II of the 1960 and 1948 Conventions, the Administration shall decide which of these requirements shall be applied to existing ships as defined in the present Convention.

(iii) A ship which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the ship. An existing ship in such a case shall not, as a rule, comply to a lesser extent with the requirements for a new ship than it did before. Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so far as the Administration deems reasonable and practicable.

(b) For the purpose of this Chapter—

(i) a new passenger ship is a passenger ship the keel of which is laid or which is at a similar stage of construction on or after the date of coming into force of the present Convention, or a cargo ship which is converted to a passenger ship on or after that date, all other passenger ships being described as existing passenger ships;

(ii) a new cargo ship is a cargo ship the keel of which is laid or which is at a similar stage of construction after the date of coming into force of the present Convention.

(iii) Notwithstanding the provisions of subparagraph (ii) of this paragraph and subparagraph (a) (iii) of this Regulation, for the purposes of paragraph (d) of Regulation 29 of this Chapter, a new tanker means a tanker—

(1) for which the building contract is placed after 1 June 1979; or

(2) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction after 1 January 1980; or

(3) the delivery of which is after 1 June 1982; or

(4) which has undergone an alteration or modification of a major character—

(a) for which the contract is placed after 1 June 1979; or

(b) in the absence of a contract, the construction work of which is begun after 1 January...
(c) The Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of any specific requirements of this Chapter unreasonable or unnecessary, exempt from those requirements individual ships or classes of ships belonging to its country which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(d) In the case of a passenger ship which is permitted under paragraph (c) of Regulation 27 of Chapter III to carry a number of persons on board in excess of the lifeboat capacity provided, it shall comply with the special standards of subdivision set out in paragraph (e) of Regulation 5 of this Chapter, and the associated special provisions regarding permeability in paragraph (d) of Regulation 4 of this Chapter, unless the Administration is satisfied that, having regard to the nature and conditions of the voyage, compliance with the other provisions of the Regulations of this Chapter and Chapter II-2 of the present Convention is sufficient.

(e) In the case of passenger ships which are employed in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements, provided that they comply fully with the provisions of—

(i) the Rules annexed to the Special Trade Passenger Ships Agreement, 1971; and

(ii) the Rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973, when it enters into force.

REGULATION 2

Definitions

For the purpose of this Chapter, unless expressly provided otherwise—

(a) (i) a subdivision load line is a water-line used in determining the subdivision of the ship;

(ii) the deepest subdivision load line is the waterline which corresponds to the greatest draught permitted by the subdivision requirements which are applicable;

(b) the length of the ship is the length measured between perpendiculars taken at the extremities of the deepest subdivision load line;

(c) the breadth of the ship is the extreme width from outside of frame to outside of frame at or below the deepest subdivision load line;

(d) the draught is the vertical distance from the moulded base line amidships to the subdivision load line in question;

(e) the bulkhead deck is the uppermost deck up to which the transverse watertight bulkheads are carried;

(f) the margin line is a line drawn at least 76 millimetres (3 inches) below the upper surface of the bulkhead deck at side;

(g) the permeability of a space is the percentage of that space which can be occupied by water;

The volume of space which extends above the margin line shall be measured only to the height of that line;

(h) the machinery space is to be taken as extending from the moulded base line to the margin line and between the extreme main transverse watertight bulkheads bounding the spaces containing the main and auxiliary propelling machinery, boilers serving the needs of propulsion, and all permanent coal bunkers;

(In the case of unusual arrangements, the Administration may define the limits of the machinery spaces.);

(i) passenger spaces are those which are provided for the accommodation and use of passengers, excluding baggage, store, provision and mail rooms;

For the purposes of Regulations 4 and 5 of this Chapter, spaces provided below the margin line for the
accommodation and use of the crew shall be regarded as passenger spaces;

(j) in all cases volumes and areas shall be calculated to moulded lines.

(k) The remote steering gear control system is the means by which required rudder movements are transmitted from the navigating bridge to the steering gear power unit controls.

[Para. (k) added by Proclamation No. R.168 of 1982.]

(l) The main steering gear is the machinery, the steering gear power units, if any, and ancillary equipment and the means of applying torque to the rudder stock (e.g. tiller or quadrant) necessary for effecting movement of the rudder for the purpose of steering the ship under normal service conditions.

[Para. (l) added by Proclamation No. R.168 of 1982.]

(m) The steering gear power unit is—

(i) in the case of electric steering gear, an electric motor and its associated electrical equipment;

(ii) in the case of electro-hydraulic steering gear, an electric motor and its associated electrical equipment and connected pump;

(iii) in the case of other hydraulic steering gear, a driving engine and connected pump.

[Para. (m) added by Proclamation No. R.168 of 1982.]

(n) The auxiliary steering gear is that equipment which is provided for effecting movement of the rudder for the purpose of steering the ship in the event of failure of the main steering gear.

[Para. (n) added by Proclamation No. R.168 of 1982.]

PART B — SUBDIVISION AND STABILITY*

(Part B applies to passenger ships only, except that Regulation 19 also applies to cargo ships).

REGULATION 3

Floodable length

(a) The floodable length at any point of the length of a ship shall be determined by a method of calculation which takes into consideration the form, draught and other characteristics of the ship in question.

(b) In a ship with a continuous bulkhead deck, the floodable length at a given point is the maximum portion of the length of the ship, having its centre at the point in question, which can be flooded under the definite assumptions set forth in Regulation 4 of this Chapter without the ship being submerged beyond the margin line.

(c) (i) In the case of a ship not having a continuous bulkhead deck, the floodable length at any point may be determined to an assumed continuous margin line which at no point is less than 76 millimetres (3 inches) below the top of the deck (at side) to which the bulkheads concerned and the shell are carried watertight.

(ii) Where a portion of an assumed margin line is appreciably below the deck to which bulkheads are carried, the Administration may permit a limited relaxation in the watertightness of those portions of the bulkheads which are above the margin line and immediately under the higher deck.

REGULATION 4

Permeability

(a) The definite assumptions referred to in Regulation 3 of this Chapter relate to the permeabilities of the spaces below the margin line.

In determining the floodable length, a uniform average permeability shall be used throughout the whole length of each of the following portions of the ship below the margin line:

(i) The machinery space as defined in Regulation 2 of this Chapter;

(ii) the portion forward of the machinery space; and

(iii) the portion abaft the machinery space.

(b) (i) The uniform average permeability throughout the machinery space shall be determined from the formula:

\[
E_5 + 10 \left( \frac{a - c}{v} \right)
\]

where—

\( a \) = volume of the passenger spaces, as defined in Regulation 2 of this Chapter, which are situated below the margin line within the limits of the machinery space;
\[ c = \text{volume of between deck spaces below the margin line within the limits of the machinery space which are appropriated to cargo, coal or stores;} \]
\[ v = \text{whole volume of the machinery space below the margin line.} \]

(ii) Where it is shown to the satisfaction of the Administration that the average permeability as determined by detailed calculation is less than that given by the formula, the detailed calculated value may be used. For the purpose of such calculation, the permeabilities of passenger spaces, as defined in Regulation 2 of this Chapter, shall be taken as 95, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks at such values as may be approved in each case.

(c) Except as provided in paragraph (d) of this Regulation, the uniform average permeability throughout the portion of the ship before (or abaft) the machinery space shall be determined from the formula:
\[ \frac{63 + 25 \cdot \frac{a}{v}}{v} \]
where—
\[ a = \text{volume of the passenger spaces, as defined in Regulation 2 of this Chapter, which are situated below the margin line, before (or abaft) the machinery space, and} \]
\[ v = \text{whole volume of the portion of the ship below the margin line before (or abaft) the machinery space.} \]

(d) In the case of a ship which is permitted under paragraph (c) of Regulation 27 of Chapter III to carry a number of persons on board in excess of the lifeboat capacity provided, and is required under paragraph (d) of Regulation 1 of this Chapter to comply with special provisions, the uniform average permeability throughout the portion of the ship before (or abaft) the machinery space shall be determined from the formula:
\[ \frac{95 - 25 \cdot \frac{b}{v}}{v} \]
\[ b = \text{the volume of the spaces below the margin line and above the tops of floors, inner bottom, or peak tanks, as the case may be, which are appropriated to and used as cargo spaces, coal or oil fuel bunkers, store-rooms, baggage and mail rooms, chain lockers and fresh water tanks, before (or abaft) the machinery space; and} \]
\[ v = \text{whole volume of the portion of the ship below the margin line before (or abaft) the machinery space.} \]

In the case of ships engaged on services where the cargo holds are not generally occupied by any substantial quantities of cargo, no part of the cargo spaces is to be included in calculating “b”.

(e) In the case of unusual arrangements the Administration may allow, or require, a detailed calculation of average permeability for the portions before or abaft the machinery space. For the purpose of such calculation, the permeability of passenger spaces as defined in Regulation 2 of this Chapter shall be taken as 95, that of spaces containing machinery as 85, that of all cargo, coal and store spaces as 60, and that of double bottom, oil fuel and other tanks at such value as may be approved in each case.

(f) Where a between deck compartment between two watertight transverse bulkheads contains any passenger or crew space, the whole of that compartment, less any space completely enclosed within permanent steel bulkheads and appropriated to other purposes, shall be regarded as passenger space. Where, however, the passenger or crew space in question is completely enclosed within permanent steel bulkheads, only the space so enclosed need be considered as passenger space.

**REGULATION 5**

**Permissible length of compartments**

(a) Ships shall be as efficiently subdivided as is possible having regard to the nature of the service for which they are intended. The degree of subdivision shall vary with the length of the ship and with the service, in such manner that the highest degree of subdivision corresponds with the ships of greatest length, primarily engaged in the carriage of passengers.

(b) **Factor of subdivision.**—The maximum permissible length of a compartment having its centre at any point in the ship’s length is obtained from the floodable length by multiplying the latter by an appropriate factor called the factor of subdivision.

The factor of subdivision shall depend on the length of the ship, and for a given length shall vary according to the nature of the service for which the ship is intended. It shall decrease in a regular and continuous manner—

(i) as the length of the ship increases; and

(ii) from a factor A, applicable to ships primarily engaged in the carriage of cargo, to a factor B, applicable to ships primarily engaged in the carriage of passengers.

The variations of the factors A and B shall be expressed by the following formulae (I) and (II) where \( L \) is the length of the ship as defined in Regulation 2 of this Chapter:
L in metres

\[ A = \frac{38.2}{L - 60} + 0.18 \text{ (L = 13 - 1 and upwards)} \]

L in feet

\[ A = \frac{190}{L - 198} + 0.18 \text{ (L = 60 and upwards)} \]

L in metres

\[ B = \frac{150}{L - 198} + 0.18 \text{ (L = 79 and upwards)} \]

L in feet

\[ B = \frac{100}{L - 198} + 0.18 \text{ (L = 260 and upwards)} \]

(c) Criterion of service. — For a ship of given length the appropriate factor of subdivision shall be determined by the Criterion of Service Numeral (hereinafter called the Criterion Numeral) as given by the following formulae (III) and (IV) where—

\[ C_s = \text{the Criterion Numeral;} \]

\[ L = \text{length of the ship, as defined in Regulation 2 of this Chapter;} \]

\[ M = \text{the volume of the machinery space, as defined in Regulation 2 of this Chapter; with the addition thereto of the volume of any permanent oil fuel bunkers which may be situated above the inner bottom and before or abaft the machinery space;} \]

\[ P = \text{the whole volume of the passenger spaces below the margin line, as defined in Regulation 2 of this Chapter;} \]

\[ V = \text{the whole volume of the ship below the margin line;} \]

\[ P_1 = \text{KN where:} \]

\[ N = \text{number of passengers for which the ship is to be certified, and} \]

\[ K \text{ has the following values:} \]

<table>
<thead>
<tr>
<th>Value of K</th>
<th>Length in metres and volumes in cubic metres</th>
<th>Length in feet and volumes in cubic feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.056L</td>
<td>0,056L</td>
<td>0.6L</td>
</tr>
<tr>
<td>0.6L</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Where the value of KN is greater than the sum of P and the whole volume of the actual passenger spaces above the margin line, the figure to be taken as P is that sum or two-thirds KN, whichever is the greater.

When \( P_1 \) is greater than P—

\[ C_s - 72 \frac{M}{V} = \frac{2P_1}{P_1 - P} \]

and in other cases—

\[ C_s - 72 \frac{M}{V} \]

For ships not having a continuous bulkhead deck the volumes are to be taken up to the actual margin lines used in determining the floodable lengths.

(d) Rules for subdivision of ships other than those covered by paragraph (e) of this Regulation.—(i) The subdivision aft of the forepeak of ships 131 metres (430 feet) in length and upwards having a criterion numeral of 23 or less shall be governed by the factor A given by formula (I); of those having a criterion numeral of 123 or more by the factor B given by formula (II); and of those having a criterion numeral between 23 and 123 by the factor F obtained by linear interpolation between the factors A and B, using the formula:

\[ F = A - \frac{(A - B)(C_s - 23)}{100} \]

Nevertheless, where the criterion numeral is equal to 45 or more and simultaneously the computed factor of
subdivision as given by formula (V) is 0.65 or less, but more than 0.50, the subdivision abaft the forepeak shall be
governed by the factor 0.50.

Where the factor F is less than 0.40 and it is shown to the satisfaction of the Administration to be impracticable
to comply with the factor F in a machinery compartment of the ship, the subdivision of such compartment may be
governed by an increased factor, which, however, shall not exceed 0.40.

(ii) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 79 metres
(260 feet) in length having a criterion numeral equal to S, where—

\[ S = \frac{3.574 - 25L}{13} \text{ (in metres)} = \frac{9.332 - 201L}{34} \text{ (in feet)} \]

shall be governed by the factor unity; of those having a criterion numeral of 123 or more by the factor B given by
the formula (II); of those having a criterion numeral between S and 123 by the factor F obtained by linear
interpolation between unity and the factor B using the formula:

\[ F = 1 - \frac{1 - B^{cS}}{123 - 3} \]

(iii) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 79
metres (260 feet) in length and having a criterion numeral less than S, and of all ships less than 79 metres (260
feet) in length shall be governed by the factor unity, unless, in either case, it is shown to the satisfaction of the
Administration to be impracticable to comply with this factor in any part of the ship, in which case the Administration
may allow such relaxation as may appear to be justified, having regard to all the circumstances.

(iv) The provisions of subparagraph (III) of this paragraph shall apply also to ships of whatever length,
which are to be certified to carry a number of passengers exceeding 12 but not exceeding—

\[ \frac{L^2}{650} \text{ (in metres)} \leq \frac{L^2}{7000} \text{ (in feet)} \text{ or } 30, \text{ whichever is the less.} \]

(e) Special standards of subdivision for ships which are permitted under paragraph (c) of Regulation 27 of Chapter
III to carry a number of persons on board in excess of the lifeboat capacity provided and are required under paragraph
(d) of Regulation 1 of this Chapter to comply with special provisions.—(i) (1) In the case of ships primarily engaged
in the carriage of passengers, the subdivision abaft the forepeak shall be governed by a factor of 0.50 or by the factor
determined according to paragraphs (c) and (d) of this Regulation, if less than 0.50.

(2) In the case of such ships less than 91.5 metres (300 feet) in length, if the Administration is satisfied
that compliance with such factor would be impracticable in a compartment, it may allow the length of that
compartment to be governed by a higher factor provided the factor used is the lowest that is practicable and
reasonable in the circumstances.

(ii) Where, in the case of any ship whether less than 91.5 metres (300 feet) or not, the necessity of carrying
appreciable quantities of cargo makes it impracticable to require the subdivision abaft the forepeak to be governed
by a factor not exceeding 0.50 the standard of subdivision to be applied shall be determined in accordance with the
following subparagraphs (1) to (5), subject to the condition that where the Administration is satisfied that
insistence on strict compliance in any respect would be unreasonable, it may allow such alternative arrangement of
the watertight bulkheads as appears to be justified on merits and will not diminish the general effectiveness of the
subdivision.

(1) The provisions of paragraph (c) of this Regulation relating to the criterion numeral shall apply with the
exception that in calculating the value of P for berthed passengers K is to have the value defined in paragraph (c) of
this Regulation, or 3.55 cubic metres (125 cubic feet), whichever is the greater, and for unberthed passengers K is
to have the value 3.55 cubic metres (125 cubic feet).

(2) The factor B in paragraph (b) of this Regulation shall be replaced by the factor BB determined by the
following formula:

L in metres

\[ BB = \frac{17.6}{L - 30} + 0.20 (L = 55 \text{ and upward}) \]

L in feet

\[ BB = \frac{57.6}{L - 108} + 0.20 (L = 130 \text{ and upward}) \]

(3) The subdivision abaft the forepeak of ships 131 metres (430 feet) in length and upwards having a
criterion numeral of 23 or less shall be governed by the factor A given by formula (I) in paragraph (b) of this
Regulation; of those having a criterion numeral of 123 or more by the factor BB given by the formula in
subparagraph (ii) (2) of this paragraph; and of those having a criterion numeral between 23 and 123 by the factor F
obtained by linear interpolation between the factors A and BB, using the formula:
except that if the factor \( F \) so obtained is less than 0.50 the factor to be used shall be either 0.50 or the factor calculated according to the provisions of subparagraph (d) (i) of this Regulation, whichever is the smaller.

(4) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 55 metres (180 feet) in length having a criterion numeral equal to \( S_1 \) where—

\[
S_1 = \frac{3712 - 25L}{19} \quad (L \text{ in metres})
\]

\[
S_1 = \frac{192 - 4L}{10} \quad (L \text{ in feet})
\]

shall be governed by the factor unity; of those having a criterion numeral of 123 or more by the factor \( BB \) given by the formula in subparagraph (ii) (2) of this paragraph; of those having a criterion numeral between 80 and 123 by the factor \( F \) obtained by linear interpolation between unity and the factor \( BB \) using the formula:

\[
F = 1 - \frac{(1 - \frac{5 - S_1}{5 - 23})}{100} \]

except that in either of the two latter cases if the factor so obtained is less than 0.50 the subdivision may be governed by a factor not exceeding 0.50.

(5) The subdivision abaft the forepeak of ships less than 131 metres (430 feet) but not less than 55 metres (180 feet) in length and having a criterion numeral less than \( S \) and of all ships less than 55 metres (180 feet) in length shall be governed by the factor unity, unless it is shown to the satisfaction of the Administration to be impracticable to comply with this factor in particular compartments, in which event the Administration may allow such relaxations in respect of those compartments as appear to be justified, having regard to all the circumstances, provided that the aftermost compartment and as many as possible of the forward compartments (between the forepeak and the after end of the machinery space) shall be kept within the floodable length.

REGULATION 6

Special rules concerning subdivision

(a) Where in a portion or portions of a ship the watertight bulkheads are carried to a higher deck than in the remainder of the ship and it is desired to take advantage of this higher extension of the bulkheads in calculating the floodable length, separate margin lines may be used for each such portion of the ship provided that—

(i) the sides of the ship are extended throughout the ship's length to the deck corresponding to the upper margin line and all openings in the shell plating below this deck throughout the length of the ship are treated as being below a margin line, for the purposes of Regulation 14 of this Chapter; and

(ii) the two compartments adjacent to the "step" in the bulkhead deck are each within the permissible length corresponding to their respective margin lines, and, in addition, their combined length does not exceed twice the permissible length based on the lower margin line.

(b) (i) A compartment may exceed the permissible length determined by the rules of Regulation 5 of this Chapter provided the combined length of each pair of adjacent compartments to which the compartment in question is common does not exceed either the floodable length or twice the permissible length, whichever is the less.

(ii) If one of the two adjacent compartments is situated inside the machinery space, and the second is situated outside the machinery space, and the average permeability of the portion of the ship in which the second is situated differs from that of the machinery space, the combined length of the two compartments shall be adjusted to the mean average permeability of the two portions of the ship in which the compartments are situated.

(iii) Where the two adjacent compartments have different factors of subdivision, the combined length of the two compartments shall be determined proportionately.

(c) In ships 100 metres (330 feet) in length and upwards, one of the main transverse bulkheads abaft the forepeak shall be fitted at a distance from forward perpendicular which is not greater than the permissible length.

(d) A main transverse bulkhead may be recessed provided that all parts of the recess lie inboard of vertical surfaces on both sides of the ship, situated at a distance from the shell plating equal to one-fifth the breadth of the ship, as defined in Regulation 2 of this Chapter, and measured at right angles to the centre line at the level of the deepest subdivision load line.

Any part of a recess which lies outside these limits shall be dealt with as a step in accordance with paragraph (e) of this Regulation.

(e) A main transverse bulkhead may be stepped provided that it meets one of the following conditions:

(i) The combined length of the two compartments, separated by the bulkhead in question, does not
exceed either 90 per cent of the floodable length or twice the permissible length, except that in ships having a factor of subdivision greater than 0.9, the combined length of the two compartments in question shall not exceed the permissible length;

(ii) additional subdivision is provided in way of the step to maintain the same measure of safety as that secured by a plane bulkhead;

(iii) the compartment over which the step extends does not exceed the permissible length corresponding to a margin line taken 76 millimetres (3 inches) below the step.

(f) Where a main transverse bulkhead is recessed or stepped, an equivalent plane bulkhead shall be used in determining the subdivision.

(g) If the distance between two adjacent main transverse bulkheads, or their equivalent plane bulkheads, or the distance between the transverse planes passing through the nearest stepped portions of the bulkheads, is less than 3,05 metres (10 feet) plus 3 per cent of the length of the ship, or 10,67 metres (35 feet) whichever is the less, only one of these bulkheads shall be regarded as forming part of the subdivision of the ship in accordance with the provisions of Regulation 5 of this Chapter.

(h) Where a main transverse watertight compartment contains local subdivision and it can be shown to the satisfaction of the Administration that, after any assumed side damage extending over a length of 3,05 metres (10 feet) plus 3 per cent of the length of the ship, or 10,67 metres (35 feet) whichever is the less, the whole volume of the main compartment will not be flooded, a proportionate allowance may be made in the permissible length otherwise required for such compartment. In such a case the volume of effective buoyancy assumed on the undamaged side shall not be greater than that assumed on the damaged side.

(i) Where the required factor of subdivision is 0.50 or less, the combined length of any two adjacent compartments shall not exceed the floodable length.

REGULATION 7

Stability of ships in damaged condition

(a) Sufficient intact stability shall be provided in all service conditions so as to enable the ship to withstand the final stage of flooding of any one main compartment which is required to be within the floodable length.

Where two adjacent main compartments are separated by a bulkhead which is stepped under the conditions of subparagraph (e) (i) of Regulation 6 of this Chapter the intact stability shall be adequate to withstand the flooding of those two adjacent main compartments.

Where the required factor of subdivision is 0.50 or less but more than 0.33 intact stability shall be adequate to withstand the flooding of any two adjacent main compartments.

Where the required factor of subdivision is 0.33 or less the intact stability shall be adequate to withstand the flooding of any three adjacent main compartments.

(b) (i) The requirements of paragraph (a) of this Regulation shall be determined by calculations which are in accordance with paragraphs (c), (d) and (f) of this Regulation and which take into consideration the proportions and design characteristics of the ship and the arrangement and configuration of the damaged compartments. In making these calculations the ship is to be assumed in the worst anticipated service condition as regards stability.

(ii) Where it is proposed to fit decks, inner skins or longitudinal bulkheads of sufficient tightness to seriously restrict the flow of water, the Administration shall be satisfied that proper consideration is given to such restrictions in the calculations.

(iii) In cases where the Administration considers the range of stability in the damaged condition to be doubtful, it may require investigation thereof.

(c) For the purpose of making damage stability calculations the volume and surface permeabilities shall be in general as follows:

<table>
<thead>
<tr>
<th>Spaces</th>
<th>Permeability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriated to Cargo, Coal or Stores</td>
<td>60</td>
</tr>
<tr>
<td>Occupied by Accommodation</td>
<td>95</td>
</tr>
<tr>
<td>Occupied by Machinery</td>
<td>85</td>
</tr>
<tr>
<td>Intended for Liquids</td>
<td>0 or 95*</td>
</tr>
</tbody>
</table>

Higher surface permeabilities are to be assumed in respect of spaces which, in the vicinity of the damage waterplane, contain no substantial quantity of accommodation or machinery and spaces which are not generally occupied by any substantial quantity of cargo or stores.

(d) Assumed extent of damage shall be as follows:

(i) Longitudinal extent: 3,05 metres (10 feet) plus 3 per cent of the length of the ship, or 10,67 metres (35 feet) whichever is the less. Where the required factor of subdivision is 0.33 or less the assumed longitudinal extent of damage shall be increased as necessary so as to include any two consecutive main transverse watertight bulkheads;
(ii) transverse extent (measured inboard from the ship’s side, at right angles to the centre line at the level of the deepest subdivision load line): a distance of one-fifth of the breadth of the ship, as defined in Regulation 2 of this Chapter; and

(iii) vertical extent: from the base line upwards without limit.

(iv) If any damage of lesser extent than that indicated in subparagraphs (i), (ii) and (iii) of this paragraph would result in a more severe condition regarding heel or loss of metacentric height, such damage shall be assumed in the calculations.

(e) Unsymmetrical flooding is to be kept to a minimum consistent with efficient arrangements. Where it is necessary to correct large angles of heel, the means adopted shall, where practicable, be self-acting, but in any case where controls to cross-flooding fittings are provided they shall be operable from above the bulkhead deck. These fittings together with their controls as well as the maximum heel before equalization shall be acceptable to the Administration. Where crossflooding fittings are required the time for equalization shall not exceed 15 minutes. Suitable information concerning the use of cross-flooding fittings shall be supplied to the master of the ship.

(f) The final conditions of the ship after damage and in the case of unsymmetrical flooding, after equalization measures have been taken shall be as follows:

(i) In the case of symmetrical flooding there shall be a positive residual metacentric height of at least 50 millimetres (2 inches) as calculated by the constant displacement method;

(ii) in the case of unsymmetrical flooding the total heel shall not exceed seven degrees, except that, in special cases, the Administration may allow additional heel due to the unsymmetrical moment, but in no case shall the final heel exceed fifteen degrees;

(iii) in no case shall the margin line be submerged in the final stage of flooding. If it is considered that the margin line may become submerged during an intermediate stage of flooding, the Administration may require such investigations and arrangements as it considers necessary for the safety of the ship.

(g) The master of the ship shall be supplied with the data necessary to maintain sufficient intact stability under service conditions to enable the ship to withstand the critical damage. In the case of ships requiring crossflooding the master of the ship shall be informed of the conditions of stability on which the calculations of heel are based and be warned that excessive heeling might result should the ship sustain damage when in a less favourable condition.

(h) (i) No relaxation from the requirements for damage stability may be considered by the Administration unless it is shown that the intact metacentric height in any service condition necessary to meet these requirements is excessive for the service intended.

(ii) Relaxations from the requirements for damage stability shall be permitted only in exceptional cases and subject to the condition that the Administration is to be satisfied that the proportions, arrangements and other characteristics of the ship are the most favourable to stability after damage which can practically and reasonably be adopted in the particular circumstances.

REGULATION 8

Ballasting

When ballasting with water is necessary, the water ballast should not in general be carried in tanks intended for oil fuel. In ships in which it is not practicable to avoid putting water in oil fuel tanks, oily-water separator equipment to the satisfaction of the Administration shall be fitted, or other alternative means acceptable to the Administration shall be provided for disposing of the oily-water ballast.

REGULATION 9

Peak and machinery space bulkheads, shaft tunnels, etc.

(a) (i) A ship shall have a forepeak or collision bulkhead, which shall be watertight up to the bulkhead deck. This bulkhead shall be fitted not less than 5 per cent of the length of the ship, and not more than 3,05 metres (10 feet) plus 5 per cent of the length of the ship from the forward perpendicular.

(ii) If the ship has a long forward superstructure, the forepeak bulkhead shall be extended weathertight to the deck next above the bulkhead deck. The extension need not be fitted directly over the bulkhead below, provided it is at least 5 per cent of the length of the ship from the forward perpendicular, and the part of the bulkhead deck which forms the step is made effectively weathertight.

(b) An afterpeak bulkhead, and bulkheads dividing the machinery space, as defined in Regulation 2 of this Chapter, from the cargo and passenger spaces forward and after, shall also be fitted and made watertight up to the bulkhead deck. The afterpeak bulkhead may, however, be stepped below the bulkhead deck, provided the degree of safety of the ship as regards subdivision is not thereby diminished.

(c) In all cases stern tubes shall be enclosed in watertight spaces of moderate volume. The stern gland shall be situated in a watertight shaft tunnel or other watertight space separate from the stern tube compartment and of such volume that, if flooded by leakage through the stern gland, the margin line will not be submerged.
REGULATION 10

**Double bottoms**

(a) A double bottom shall be fitted extending from the forepeak bulkhead to the afterpeak bulkhead as far as this is practicable and compatible with the design and proper working of the ship.

(i) In ships 50 metres (165 feet) and under 61 metres (200 feet) in length a double bottom shall be fitted at least from the machinery space to the forepeak bulkhead, or as near thereto as practicable.

(ii) In ships 61 metres (200 feet) and under 76 metres (249 feet) in length a double bottom shall be fitted at least outside the machinery space, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(iii) In ships 76 metres (249 feet) in length and upwards, a double bottom shall be fitted amidships, and shall extend to the fore and after peak bulkheads, or as near thereto as practicable.

(b) Where a double bottom is required to be fitted its depth shall be to the satisfaction of the Administration and the inner bottom shall be continued out to the ship’s side in such a manner as to protect the bottom to the turn of the bilge. Such protection will be deemed satisfactory if the line of intersection of the outer edge of the margin plate with the bilge plating is not lower at any part than a horizontal plane passing through the point of intersection with the frame line amidships of a transverse diagonal line inclined at 25 degrees to the base line and cutting it at a point one-half the ship’s moulded breadth from the middle line.

(c) Small wells constructed in the double bottom in connection with drainage arrangements of holds, etc., shall not extend downwards more than necessary. The depth of the well shall in no case be more than the depth less 457 millimetres (18 inches) of the double bottom at the centreline, nor shall the well extend below the horizontal plane referred to in paragraph (b) of this Regulation. A well extending to the outer bottom is, however, permitted at the after end of the shaft tunnel of screw-ships. Other wells (e.g., for lubricating oil under main engines) may be permitted by the Administration if satisfied that the arrangements give protection equivalent to that afforded by a double bottom complying with this Regulation.

(d) A double bottom need not be fitted in way of watertight compartments of moderate size used exclusively for the carriage of liquids, provided the safety of the ship, in the event of bottom or side damage, is not, in the opinion of the Administration, thereby impaired.

(e) In the case of ships to which the provisions of paragraph (d) of Regulation 1 of this Chapter apply and which are engaged on regular service within the limits of a short international voyage as defined in Regulation 2 of Chapter III, the Administration may permit a double bottom to be dispensed with in any part of the ship which is subdivided by a factor not exceeding 0,50, if satisfied that the fitting of a double bottom in that part would not be compatible with the design and proper working of the ship.

REGULATION 11

**Assigning, marking and recording of subdivision load lines**

(a) In order that the required degree of subdivision shall be maintained, a load line corresponding to the approved subdivision draught shall be assigned and marked on the ship’s sides. A ship having spaces which are specially adapted for the accommodation of passengers and the carriage of cargo alternatively may, if the owners desire, have one or more additional load lines assigned and marked to correspond with the subdivision draughts which the Administration may approve for the alternative service conditions.

(b) The subdivision load lines assigned and marked shall be recorded in the Passenger Ship Safety Certificate, and shall be distinguished by the notation C.1 for the principal passenger condition, and C.2, C.3, etc., for the alternative conditions.

(c) The freeboard corresponding to each of these load lines shall be measured at the same position and from the same deck line as the freeboards determined in accordance with the International Convention respecting Load Lines in force.

(d) The freeboard corresponding to each approved subdivision load line and the conditions of service for which it is approved, shall be clearly indicated on the Passenger Ship Safety Certificate.

(e) In no case shall any subdivision load line mark be placed above the deepest load line in salt water as determined by the strength of the ship and/or the International Convention respecting Load Lines in force.

(f) Whatever may be the position of the subdivision load line marks, a ship shall in no case be loaded so as to submerge the load line mark appropriate to the season and locality as determined in accordance with the International Convention respecting Load Lines in force.

(g) A ship shall in no case be so loaded that when she is in salt water the subdivision load line mark appropriate to the particular voyage and condition of service is submerged.

REGULATION 12

**Construction and initial testing of watertight bulkheads, etc.**

(a) Each watertight subdivision bulkhead, whether transverse or longitudinal, shall be constructed in such a
manner that it shall be capable of supporting, with a proper margin of resistance, the pressure due to the maximum head of water which it might have to sustain in the event of damage to the ship but at least the pressure due to a head of water up to the margin line. The construction of these bulkheads shall be to the satisfaction of the Administration.

(b) (i) Steps and recesses in bulkheads shall be watertight and as strong as the bulkhead at the place where each occurs.

(ii) Where frames or beams pass through a watertight deck or bulkhead, such deck or bulkhead shall be made structurally watertight without the use of wood or cement.

(c) Testing main compartments by filling them with water is not compulsory. When testing by filling with water is not carried out, a hose test is compulsory; this test shall be carried out in the most advanced stage of the fitting out of the ship. In any case, a thorough inspection of the watertight bulkheads shall be carried out.

(d) The forepeak, double bottoms (including duct keels) and inner skins shall be tested with water to a head corresponding to the requirements of paragraph (a) of this Regulation.

(e) Tanks which are intended to hold liquids, and which form part of the subdivision of the ship, shall be tested for tightness with water to a head up to the deepest subdivision load line or to a head corresponding to two-thirds of the depth from the top of keel to the margin line in way of the tanks, whichever is the greater; provided that in no case shall the test head be less than 0,92 metres (3 feet) above the top of the tank.

(f) The tests referred to in paragraphs (d) and (e) of this Regulation are for the purpose of ensuring that the subdivision structural arrangements are watertight and are not to be regarded as a test of the fitness of any compartment for the storage of oil fuel or for other special purposes for which a test of a superior character may be required depending on the height to which the liquid has access in the tank or its connections.

REGULATION 13
Openings in watertight bulkheads

(a) The number of openings in watertight bulkheads shall be reduced to the minimum compatible with the design and proper working of the ship; satisfactory means shall be provided for closing these openings.

(b) (i) Where pipes, scuppers, electric cables, etc. are carried through watertight subdivision bulkheads, arrangements shall be made to ensure the integrity of the watertightness of the bulkheads.

(ii) Valves and cocks not forming part of a piping system shall not be permitted in watertight subdivision bulkheads.

(iii) Lead or other heat sensitive materials shall not be used in systems which penetrate watertight subdivision bulkheads, where deterioration of such systems in the event of fire would impair the watertight integrity of the bulkheads.

(c) (i) No doors, manholes, or access openings are permitted—

(1) in the collision bulkhead below the margin line;

(2) in watertight transverse bulkheads dividing a cargo space from an adjoining cargo space or from a permanent or reserve bunker, except as provided in paragraph (1) of this Regulation.

(ii) Except as provided in sub-paragraph (iii) of this paragraph, the collision bulkhead may be pierced below the margin line by not more than one pipe for dealing with fluid in the forepeak tank, provided that the pipe is fitted with a screwdown valve capable of being operated from above the bulkhead deck, the valve chest being secured inside the forepeak to the collision bulkhead.

(iii) If the forepeak is divided to hold two different kinds of liquids the Administration may allow the collision bulkhead to be pierced below the margin line by two pipes, each of which is fitted as required by subparagraph (ii) of this paragraph, provided the Administration is satisfied that there is no practical alternative to the fitting of such a second pipe and that, having regard to the additional subdivision provided in the forepeak, the safety of the ship is maintained.

(d) (i) Watertight doors fitted in bulkheads between permanent and reserve bunkers shall be always accessible, except as provided in subparagraph (ii) of paragraph (k) of this Regulation for between deck bunker doors.

(ii) Satisfactory arrangements shall be made by means of screens or otherwise to prevent the coal from interfering with the closing of watertight bunker doors.

(e) Within spaces containing the main and auxiliary propelling machinery including boilers serving the needs of propulsion and all permanent bunkers, not more than one door apart from the doors to bunkers and shaft tunnels may be fitted in each main transverse bulkhead. Where two or more shafts are fitted the tunnels shall be connected by an inter-communicating passage. There shall be only one door between the machinery space and the tunnel spaces where two shafts are fitted and only two doors where there are more than two shafts. All these doors shall be of the sliding type and shall be located so as to have their sills as high as practicable. The hand gear for operating these doors from above the bulkhead deck shall be situated outside the spaces containing the machinery if this is consistent with a satisfactory arrangement of the necessary gearing.
(f) (i) Watertight doors shall be sliding doors or hinged doors or doors of an equivalent type. Plate doors secured only by bolts and doors required to be closed by dropping or by the action of a dropping weight are not permitted.

(ii) sliding doors may be either—

- hand-operated only; or
- power-operated as well as hand-operated.

(iii) Authorized watertight doors may therefore be divided into three Classes:

Class 1 — hinged doors;

Class 2 — hand-operated sliding doors;

Class 3 — sliding doors which are power-operated as well as hand-operated.

(iv) The means of operation of any watertight door whether power-operated or not shall be capable of closing the door with the ship listed to 15 degrees either way.

(v) In all classes of watertight doors indicators shall be fitted which show, at all operating stations from which the doors are not visible, whether the doors are open or closed. If any of the watertight doors, of whatever Class, is not fitted so as to enable it to be closed from a central control station, it shall be provided with a mechanical, electrical, telephonic, or any other suitable direct means of communication, enabling the officer of the watch promptly to contact the person who is responsible for closing the door in question, under previous orders.

(g) Hinged doors (Class 1) shall be fitted with quick action closing devices, such as catches, workable from each side of the bulkhead.

(h) Hand-operated sliding doors (Class 2) may have a horizontal or vertical motion. It shall be possible to operate the mechanism at the door itself from either side, and in addition, from an accessible position above the bulkhead deck, with an all round crank motion, or some other movement providing the same guarantee of safety and of an approved type. Departures from the requirement of operation on both sides may be allowed, if this requirement is impossible owing to the layout of the spaces. When operating a hand gear the time necessary for the complete closure of the door with the vessel upright, shall not exceed 90 seconds.

(i) (i) Power-operated sliding doors (Class 3) may have a vertical or horizontal motion. If a door is required to be power-operated from a central control, the gearing shall be so arranged that the door can be operated by power also at the door itself from both sides. The arrangement shall be such that the door will close automatically if opened by local control after being closed from the central control, and also such that any door can be kept closed by local systems which will prevent the door from being opened from the upper control. Local control handles in connection with the power gear shall be provided each side of the bulkhead and shall be so arranged as to enable persons passing through the doorway to hold both handles in the open position without being able to set the closing mechanism in operation accidentally. Power-operated sliding doors shall be provided with hand gear workable at the door itself on either side and from an accessible position above the bulkhead deck, with an all round crank motion or some other movement providing the same guarantee of safety and of an approved type. Provision shall be made to give warnings by sound signal that the door has begun to close and will continue to move until it is completely closed. The door shall take a sufficient time to close to ensure safety.

(ii) There shall be at least two independent power sources capable of opening and closing all the doors under control, each of them capable of operating all the doors simultaneously. The two power sources shall be controlled from the central station on the bridge provided with all the necessary indicators for checking that each of the two power sources is capable of giving the required service satisfactorily.

(iii) In the case of hydравic operation, each power source shall consist of a pump capable of closing all doors in not more than 60 seconds. In addition, there shall be for the whole installation hydraulic accumulators of sufficient capacity to operate all the doors at least three times, i.e., closed-open-closed. The fluid used shall be one which does not freeze at any of the temperatures liable to be encountered by the ship during its service.

(j) (i) Hinged watertight doors (Class 1) in passenger, crew and working spaces are only permitted above a deck the underside of which, at its lowest point at side, is at least 2,13 metres (7 feet) above the deepest subdivision load line.

(ii) Watertight doors, the sills of which are above the deepest load line and below the line specified in the preceding subparagraph shall be sliding doors and may be hand-operated (Class 2), except in vessels engaged on short international voyages and required to have a factor of subdivision of 0,50 or less in which all such doors shall be power operated. When trunkways in connection with refrigerated cargo and ventilation or forced draught ducts are carried through more than one main watertight subdivision bulkhead, the doors at such openings shall be operated by power.

(k) (i) Watertight doors which may sometimes be opened at sea, and the sills of which are below the deepest subdivision load line shall be sliding doors. The following rules shall apply:

(1) When the number of such doors (excluding doors at entrances to shaft tunnels) exceeds five, all of these doors and those at the entrance to shaft tunnels or ventilation or forced draught ducts, shall be power-operated (Class 3) and shall be capable of being simultaneously closed from a central station situated on the bridge;
(2) when the number of such doors (excluding doors at entrances to shaft tunnels) is greater than one, but does not exceed five—

(a) where the ship has no passenger spaces below the bulkhead deck, all the above-mentioned doors may be hand-operated (Class 2);

(b) where the ship has passenger spaces below the bulkhead deck all the above-mentioned doors shall be power-operated (Class 3) and shall be capable of being simultaneously closed from a central station situated on the bridge;

(3) in any ship where there are only two such watertight doors and they are into or within the space containing machinery, the Administration may allow these two doors to be hand-operated only (Class 2).

(ii) If sliding watertight doors which have sometimes to be opened at sea for the purpose of trimming coal are fitted between bunkers in the between decks below the bulkhead deck, these doors shall be operated by power. The opening and closing of these doors shall be recorded in such log book as may be prescribed by the Administration.

(j) (i) If the Administration is satisfied that such doors are essential, watertight doors of satisfactory construction may be fitted in watertight bulkheads dividing cargo between deck spaces. Such doors may be hinged, rolling or sliding doors but shall not be remotely controlled. They shall be fitted at the highest level and as far from the shell plating as practicable, but in no case shall the outboard vertical edges be situated at a distance from the shell plating which is less than one-fifth of the breadth of the ship, as defined in Regulation 2 of this Chapter, such distance being measured at right angles to the centre line of the ship at the level of the deepest subdivision load line.

(ii) Such doors shall be closed before the voyage commences and shall be kept closed during navigation; and the time of opening such doors in port and of closing them before the ship leaves port shall be entered in the log book. Should any of the doors be accessible during the voyage, they shall be fitted with a device which prevents unauthorized opening. When it is proposed to fit such doors, the number and arrangements shall receive the special consideration of the Administration.

(m) Portable plates on bulkheads shall not be permitted except in machinery spaces. Such plates shall always be in place before the ship leaves port, and shall not be removed during navigation except in case of urgent necessity. The necessary precautions shall be taken in replacing them to ensure that the joints shall be watertight.

(n) All watertight doors shall be kept closed during navigation except when necessarily opened for the working of the ship, and shall always be ready to be immediately closed.

(o) (i) Where trunkways or tunnels for access from crew accommodation to the stokehold, for piping, or for any other purpose are carried through main transverse watertight bulkheads, they shall be watertight and in accordance with the requirements of Regulation 16 of this Chapter. The access to at least one end of each such tunnel or trunkway, if used as a passage at sea, shall be through a trunk extending watertight to a height sufficient to permit access above the margin line. The access to the other end of the trunkway or tunnel may be through a watertight door of the type required by its location in the ship. Such trunkways or tunnels shall not extend through the first subdivision bulkhead abaft the collision bulkhead.

(ii) Where it is proposed to fit tunnels or trunkways for forced draught, piercing main transverse watertight bulkheads, these shall receive the special consideration of the Administration.

REGULATION 14

Openings in the shell plating below the margin line

(a) The number of openings in the shell plating shall be reduced to the minimum compatible with the design and proper working of the ship.

(b) The arrangement and efficiency of the means for closing any opening in the shell plating shall be consistent with its intended purpose and the position in which it is fitted and generally to the satisfaction of the Administration.

(c) (i) If in a between decks, the sills of any sidescuttles are below a line drawn parallel to the bulkhead deck at side and having its lowest point 2/6 per cent of the breadth of the ship above the deepest subdivision load line, all sidescuttles in that between deck shall be of the non-opening type.

(ii) All sidescuttles the sills of which are below the margin line, other than those required to be of a non-opening type by subparagraph (I) of this paragraph, shall be of such construction as will effectively prevent any person opening them without the consent of the master of the ship.

(iii) (1) Where in a between decks, the sills of any of the sidescuttles referred to in subparagraph (II) of this paragraph are below a line drawn parallel to the bulkhead deck at side and having its lowest point 1,37 metres (4/6 feet) plus 2/6 per cent of the breadth of the ship above the water when the ship departs from any port, all the sidescuttles in that between decks shall be closed watertight and locked before the ship leaves port, and they shall not be opened before the ship arrives at the next port. In the application of this subparagraph the appropriate allowance for fresh water may be made when applicable.

(2) The time of opening such sidescuttles in port and of closing and locking them before the ship leaves port shall be entered in such log book as may be prescribed by the Administration.
For any ship that has one or more sidescuttles so placed that the requirements of clause (1) of this sub-paragraph would apply when she was floating at her deepest subdivision load line, the Administration may indicate the limiting means draught at which these sidescuttles will have their sills above the line drawn parallel to the bulkhead deck at side, and having its lowest point 1.37 metres (4½ feet) plus 2½ per cent of the breadth of the ship above the water-line corresponding to the limiting mean draught, and at which it will therefore be permissible to depart from port without previously closing and locking them and to open them at sea on the responsibility of the master during the voyage to the next port. In tropical zones as defined in the international Convention respecting Load Lines in force, this limiting draught may be increased by 0.305 metres (1 foot).

Efficient hinged inside deadlights arranged so that they can be easily and effectively closed and secured watertight shall be fitted to all sidescuttles except that abaft one-eighth of the ship’s length from the forward perpendicular and above a line drawn parallel to the bulkhead deck at side and having its lowest point at a height of 3.66 metres (12 feet) plus 2/6 per cent of the breadth of the ship above the deepest subdivision load line, the deadlights may be portable in passenger accommodation other than that for steerage passengers, unless the deadlights are required by the International Convention respecting Load Lines in force to be permanently attached in their proper positions. Such portable deadlights shall be stowed adjacent to the sidescuttles they serve.

Sidescuttles and their deadlights which will not be accessible during navigation, shall be closed and secured before the ship leaves port.

(i) No sidescuttles shall be fitted in any spaces which are appropriated exclusively to the carriage of cargo or coal.

(ii) Sidescuttles may, however, be fitted in spaces appropriated alternatively to the carriage of cargo or passengers, but they shall be of such construction as will effectively prevent any person opening them or their deadlights without the consent of the master of the ship.

(iii) Such ports shall be in no case fitted so as to have their lowest point below the deepest subdivision load line. When the shoot is not in use both the cover and the valve shall be kept closed and secured.

Automatic ventilating sidescuttles shall not be fitted in the shell plating below the margin line without the special sanction of the Administration.

The number of scuppers, sanitary discharges and other similar openings in the shell plating shall be reduced to the minimum either by making each discharge serve for as many as possible for the sanitary and other pipes, or in any other satisfactory manner.

(ii) All inlets and discharges in the shell plating shall be fitted with efficient and accessible arrangements for preventing the accidental admission of water into the ship. Lead or other heat sensitive materials shall not be used for pipes fitted outboard of shell valves in inlets or discharges, or any other application where the deterioration of such pipes in the event of fire would give rise to danger of flooding.

(ii) Except as provided in subparagraph (iii) of this paragraph, each separate discharge led through the shell plating from spaces below the margin line shall be provided either with one automatic non-return valve fitted with a positive means of closing it from above the bulkhead deck, or, alternatively, with two automatic non-return valves without such means, the upper of which is so situated above the deepest subdivision load line as to be always accessible for examination under service conditions, and is of a type which is normally closed.

Where a valve with positive means of closing is fitted, the operating position above the bulkhead deck shall always be readily accessible, and means shall be provided for indicating whether the valve is open or closed.

Main and auxiliary sea inlets and discharges in connection with machinery shall be fitted with readily accessible cocks or valves between the pipes and shell plating or between the pipes and fabricated boxes attached to the shell plating.

Gangway, cargo and coaling ports fitted below the margin line shall be of sufficient strength. They shall be effectively closed and secured watertight before the ship leaves port, and shall be kept closed during navigation.

(i) The inboard opening of each ash-shoot, rubbish-shoot, etc. shall be fitted with an efficient cover.

(ii) If the inboard opening is situated below the margin line, the cover shall be watertight, and in addition an automatic non-return valve shall be fitted in the shoot in an easily accessible position above the deepest subdivision load line. When the shoot is not in use both the cover and the valve shall be kept closed and secured.

REGULATION 15

Construction and initial tests of watertight doors, sidescuttles, etc.

The design, materials and construction of all watertight doors, sidescuttles, gangway, cargo and coaling ports, valves, pipes, ash-shoots and rubbish-shoots referred to in these Regulations shall be to the satisfaction of the Administration.

The frames of vertical watertight doors shall have no groove at the bottom in which dirt might lodge and prevent the door closing properly.
(iii) All cocks and valves for sea inlets and discharges below the bulkhead deck and all fittings outboard of such cocks and valves shall be made of steel, bronze or other approved ductile material. Ordinary cast iron or similar materials shall not be used.

(b) Each watertight door shall be tested by water pressure to a head up to the bulkhead deck. The test shall be made before the ship is put in service, either before or after the door is fitted.

REGULATION 16

Construction and initial tests of watertight decks, trunks, etc.

(a) Watertight decks, trunks, tunnels, duct keels and ventilators shall be of the same strength as watertight bulkheads at corresponding levels. The means used for making them watertight, and the arrangements adopted for closing openings in them, shall be to the satisfaction of the Administration. Watertight ventilators and trunks shall be carried at least up to the bulkhead deck.

(b) After completion, a hose or flooding test shall be applied to watertight decks and a hose test to watertight trunks, tunnels and ventilators.

REGULATION 17

Watertight integrity above the margin line

(a) The Administration may require that all reasonable and practicable measures shall be taken to limit the entry and spread of water above the bulkhead deck. Such measures may include partial bulkheads or webs. When partial watertight bulkheads and webs are fitted on the bulkhead deck, above or in the immediate vicinity of main subdivision bulkheads, they shall have watertight shell and bulkhead deck connections so as to restrict the flow of water along the deck when the ship is in heeled damaged condition. Where the partial watertight bulkhead does not line up with the bulkhead below, the bulkhead deck between shall be made effectively watertight.

(b) The bulkhead deck or a deck above it shall be weathertight in the sense that in ordinary sea conditions water will not penetrate in a downward direction. All openings in the exposed weather deck shall have coamings of ample height and strength and shall be provided with efficient means for expeditiously closing them weathertight. Freeing ports, open rails and/or scuppers shall be fitted as necessary for rapidly clearing the weather deck of water under all weather conditions.

(c) Sidescuttles, gangway, cargo and coaling ports and other means for closing openings in the shell plating above the margin line shall be of efficient design and construction and of sufficient strength having regard to the spaces in which they are fitted and their positions relative to the deepest subdivision load line.

(d) Efficient inside deadlights, arranged so that they can be easily and effectively closed and secured watertight, shall be provided for all sidescuttles to spaces below the first deck above the bulkhead deck.

REGULATION 18

Bilge pumping arrangements in passenger ships

(a) Ships shall be provided with an efficient bilge plant capable of pumping from and draining any watertight compartment which is neither a permanent oil compartment nor a permanent water compartment under all practicable conditions after a casualty whether the ship is upright or listed. For this purpose wing suction will generally be necessary except in narrow compartments at the ends of the ship, where one suction may be sufficient. In compartments of unusual form, additional suction may be required. Arrangements shall be made whereby water in the compartment may find its way to the suction pipes. Where in relation to particular compartments the Administration is satisfied that the provision of drainage may be undesirable, it may allow such provision to be dispensed with if calculations made in accordance with the conditions laid down in paragraph (b) of Regulation 7 of this Chapter show that the safety of the ship will not be impaired. Efficient means shall be provided for draining water from insulated holds.

(b) (i) Ships shall have at least three power pumps connected to the bilge main, one of which may be attached to the propelling unit. Where the criterion numeral is 30 or more, one additional independent power pump shall be provided.

(ii) The requirements are summarized in the following table:

<table>
<thead>
<tr>
<th>Criterion numeral</th>
<th>Less than 30</th>
<th>30 and over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main engine (may be replaced by one independent pump) .</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Independent pumps .</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

(iii) Sanitary, ballast and general service pumps may be accepted as independent power bilge pumps if fitted with the necessary connections to the bilge pumping system.

(c) Where practicable, the power bilge pumps shall be placed in separate watertight compartments so arranged or situated that these compartments will not readily be flooded by the same damage. If the engines and boilers are in two or more watertight compartments, the pumps available for bilge service shall be distributed
(d) On ships 91.5 metres (300 feet) or more in length or having a criterion numeral of 30 or more, the arrangements shall be such that at least one power pump shall be available for use in all ordinary circumstances in which a ship may be flooded at sea. This requirement will be satisfied if—

(i) one of the required pumps is an emergency pump of a reliable submersible type having a source of power situated above the bulkhead deck; or

(ii) the pumps and their sources of power are so disposed throughout the length of the ship that under any condition of flooding which the ship is required to withstand, at least one pump in an undamaged compartment will be available.

(e) With the exception of additional pumps which may be provided for peak compartments only, each required bilge pump shall be arranged to draw water from any space required to be drained by paragraph (a) of this Regulation.

(f) (i) Each power bilge pump shall be capable of giving a speed of water through the required main bilge pipe of not less than 122 metres (400 feet) per minute. Independent power bilge pumps situated in machinery spaces shall have direct suctions from these spaces, except that not more than two such suctions shall be required in any one space. Where two or more such suctions are provided there shall be at least one on the port side and one on the starboard side. The Administration may require independent power bilge pumps situated in other spaces to have separate direct suctions. Direct suctions shall be suitably arranged and those in a machinery space shall be of a diameter not less than that required for the bilge main.

(ii) In coal-burning ships there shall be provided in the stokehold, in addition to the other suctions required by this Regulation, a flexible suction hose of suitable diameter and sufficient length, capable of being connected to the suction side of an independent power pump.

(g) (i) In addition to the direct bilge suction or suctions required by paragraph (f) of this Regulation there shall be in the machinery space a direct suction from the main circulating pump leading to the drainage level of the machinery space and fitted with a non-return valve. The diameter of this direct suction pipe shall be at least two-thirds of the diameter of the pump inlet in the case of steamships, and of the same diameter as the pump inlet in the case of motorships.

(ii) Where in the opinion of the Administration the main circulating pump is not suitable for this purpose, a direct emergency bilge suction shall be led from the largest available independent power driven pump to the drainage level of the machinery space; the suction shall be of the same diameter as the main inlet of the pump used. The capacity of the pump so connected shall exceed that of a required bilge pump by an amount satisfactory to the Administration.

(iii) The spindles of the sea inlet and direct suction valves shall extend well above the engine room platform.

(iv) Where the fuel is, or may be, coal and there is no watertight bulkhead between the engines and the boilers, a direct discharge overboard or alternatively a by-pass to the circulating pump discharge, shall be fitted from any circulating pump used in compliance with subparagraph (i) of this paragraph.

(h) (i) All pipes from the pumps which are required for draining cargo or machinery spaces shall be entirely distinct from pipes which may be used for filling or emptying spaces where water or oil is carried.

(ii) All bilge pipes used in or under coal bunkers or fuel storage tanks or in boiler or machinery spaces, including spaces in which oil-settling tanks or oil fuel pumping units are situated, shall be of steel or other approved material.

(i) The diameter of the bilge main shall be calculated according to the following formulae provided that the actual internal diameter of the bilge main may be of the nearest standard size acceptable to the Administration:

$$d = 1.68 \sqrt{L (B + D) + 25}$$

where—

- $d =$ internal diameter of the bilge main in millimetres;
- $L$ and $B$ are the length and the breadth of the ship in metres, as defined in Regulation 2 of this Chapter; and
- $D =$ moulded depth of the ship to bulkhead deck in metres; or

$$d = \frac{L (B + D)}{2.5} + 1$$

where—

- $d =$ internal diameter of the bilge main in inches;
- $L$ and $B$ are the length and the breadth of the ship in feet, as defined in Regulation 2 of this Chapter; and
- $D =$ moulded depth of the ship to bulkhead deck in feet.
The diameter of the bilge branch pipes shall be determined by rules to be made by the Administration.

(j) The arrangement of the bilge and ballast pumping system shall be such as to prevent the possibility of water passing from the sea and from water ballast spaces into the cargo and machinery spaces, or from one compartment to another. Special provision shall be made to prevent any deep tank having bilge and ballast connections being inadvertently run up from the sea when containing cargo, or pumped out through a bilge pipe when containing water ballast.

(k) Provision shall be made to prevent the compartment served by any bilge suction pipe being flooded in the event of the pipe being severed, or otherwise damaged by collision or grounding in any other compartment. For this purpose, where the pipe is at any part situated nearer the side of the ship than one-fifth the breadth of the ship (measured at right angles to the centre line at the level of the deepest subdivision load line), or in a duct keel, a non-return valve shall be fitted to the pipe in the compartment containing the open end.

(l) All the distribution boxes, cocks and valves in connection with the bilge pumping arrangements shall be in position which are accessible at all times under ordinary circumstances. They shall be so arranged that, in the event of flooding, one of the bilge pumps may be operative on any compartment; in addition, damage to a pump or its pipe connecting to the bilge main outboard of a line drawn at one-fifth of the breadth of the ship shall not put the bilge system out of action. If there is only one system of pipes common to all the pumps, the necessary cocks or valves for controlling the bilge suctions must be capable of being operated from above the bulkhead deck. Where in addition to the main bilge pumping system an emergency bilge pumping system is provided, it shall be independent of the main system and so arranged that a pump is capable of operating on any compartment under flooding conditions; in that case only the cocks and valves necessary for the operation of the emergency system need be capable of being operated from above the bulkhead deck.

(m) All cocks and valves mentioned in paragraph (l) of this Regulation which can be operated from above the bulkhead deck shall have their controls at their place of operation clearly marked and provided with means to indicate whether they are open or closed.

REGULATION 19

Stability information for passenger ships and cargo ships*

(a) Every passenger ship and cargo ship shall be inclined upon its completion and the elements of its stability determined. The master shall be supplied with such reliable information as is necessary to enable him by rapid and simple processes to obtain accurate guidance as to the stability of the ship under varying conditions of service, and a copy shall be furnished to the Administration.

(b) Where any alterations are made to a ship so as to materially affect the stability information supplied to the master, amended stability information shall be provided. If necessary the ship shall be re-inclined.

(c) The Administration may allow the inclining test of an individual ship to be dispensed with provided basic stability data are available from the inclining test of a sister ship and it is shown to the satisfaction of the Administration that reliable stability information for the exempted ship can be obtained from such basic data.

(d) The Administration may also allow the inclining test of an individual ship or class of ships, especially designed for the carriage of liquids or ore in bulk, to be dispensed with when reference to existing data for similar ships clearly indicates that due to the ship’s proportions and arrangements more than sufficient metacentric height will be available in all probable loading conditions.

REGULATION 20

Damage control plans

There shall be permanently exhibited, for the guidance of the officer in charge of the ship, plans showing clearly for each deck and hold the boundaries of the watertight compartments, the openings therein with the means of closure and position of any controls thereof, and the arrangements for the correction of any list due to flooding. In addition, booklets containing the aforementioned information shall be made available to the officers of the ship.

REGULATION 21

Marking, periodical operation and inspection of watertight doors, etc.

(a) This Regulation applies to new and existing ships.

(b) Drills for the operating of watertight doors, sidescuttles, valves and closing mechanisms of scuppers, ash­shoots and rubbish­shoots shall take place weekly. In ships in which the voyage exceeds one week in duration a complete drill shall be held before leaving port, and others thereafter at least once a week during the voyage. In all ships all watertight power doors and hinged doors, in main transverse bulkheads, in use at sea, shall be operated daily.

(c) (i) The watertight doors and all mechanisms and indicators connected therewith, all valves the closing of which is necessary to make a compartment watertight, and all valves the operation of which is necessary for damage control cross connections shall be periodically inspected at sea at least once a week.

(ii) Such valves, doors and mechanisms shall be suitably marked to ensure that they may be properly used to provide maximum safety.
REGULATION 22

Entries in log

(a) This Regulation applies to new and existing ships.

(b) Hinged doors, portable plates, sidescuttles, gangway, cargo and coaling ports and other openings, which are required by these Regulations to be kept closed during navigation, shall be closed before the ship leaves port. The time of closing and the time of opening (if permissible under these Regulations) shall be recorded in such log book as may be prescribed by the Administration.

(c) A record of all drills and inspections required by Regulation 21 of this Chapter shall be entered in the log book with an explicit record of any defects which may be disclosed.

PART C—MACHINERY AND ELECTRICAL INSTALLATIONS‡

(Part C applies to passenger ships and cargo ships)

REGULATION 23

General

(a) Electrical installations in passenger ships shall be such that—

(i) services essential for safety will be maintained under various emergency conditions; and

(ii) the safety of passengers, crew and ship from electrical hazards will be assured.

(b) Cargo ships shall comply with Regulations 26, 27, 28, 29, 30 and 32 of this Chapter.

REGULATION 24

Main source of electrical power in passenger ships

(a) Every passenger ship, the electrical power of which constitutes the only means of maintaining the auxiliary services indispensable for the propulsion and the safety of the ship, shall be provided with at least two main generating sets. The power of these sets shall be such that it shall still be possible to ensure the functioning of the services referred to in sub-paragraph (a) (i) of Regulation 23 of this Chapter in the event of any one of these generating sets being stopped.

(b) In a passenger ship where there is only one main generating station, the main switchboard shall be located in the same main fire zone. Where there is more than one main generating station, it is permissible to have only one main switchboard.

REGULATION 25

Emergency source of electrical power in passenger ships

(a) There shall be above the bulkhead deck and outside the machinery casings a self-contained emergency source of electrical power. Its location in relation to the main source or sources of electrical power shall be such as to ensure to the satisfaction of the Administration that a fire or other casualty to the machinery space as defined in paragraph (h) of Regulation 2 of this Chapter will not interfere with the supply or distribution of emergency power. It shall not be forward of the collision bulkhead.

(b) The power available shall be sufficient to supply all those services that are, in the opinion of the Administration, necessary for the safety of the passengers and the crew in an emergency, due regard being paid to such services as may have to be operated simultaneously. Special consideration shall be given to emergency lighting at every boat station on deck and oversides, in all alleyways stairways and exits, in the machinery spaces and in the control stations as defined in paragraph (r) of Regulation 3 of Chapter II-2, to the sprinkler pump to navigation lights, and to the daylight signalling lamp if operated from the main source of power. The power shall be adequate for a period of 36 hours, except that, in the case of ships engaged regularly on voyages of short duration, the Administration may accept a lesser supply if satisfied that the same standard of safety would be attained.

(c) The emergency source of power may be either—

(i) a generator driven by a suitable prime-mover with an independent fuel supply and with approved starting arrangements; the fuel used shall have a flashpoint of not less than 43°C (110°F); or

(ii) an accumulator (storage) battery capable of carrying the emergency load without recharging or excessive voltage drop.

(d) (i) Where the emergency source of power is a generator there shall be provided a temporary source of emergency power consisting of an accumulator battery of sufficient capacity—

(1) to supply emergency lighting continuously for half an hour;

(2) to close the watertight doors (if electrically operated) but not necessarily to close them all
(3) to operate the indicators (if electrically operated) which show whether power-operated watertight doors are open or closed; and

(4) to operate the sound signals (if electrically operated) which give warning that power-operated watertight doors are about to close.

The arrangements shall be such that the temporary source of emergency power will come into operation automatically in the event of failure of the main electrical supply.

(ii) Where the emergency source of power is an accumulator battery, arrangements shall be made to ensure that emergency lighting will automatically come into operation in the event of failure of the main lighting supply.

(e) An indicator shall be mounted in the machinery space, preferably on the main switchboard, to indicate when any accumulator battery fitted in accordance with this Regulation is being discharged.

( f ) (i) The emergency switchboard shall be installed as near as is practicable to the emergency source of power.

(ii) Where the emergency source of power is a generator, the emergency switchboard shall be located in the same space as the emergency source of power, unless the operation of the emergency switchboard would thereby be impaired.

(iii) No accumulator battery fitted in accordance with this Regulation shall be installed in the same space as the emergency switchboard.

(iv) The Administration may permit the emergency switchboard to be supplied from the main switchboard in normal operation.

Arrangements shall be such that the complete emergency installation will function when the ship is inclined 22½ degrees and/or when the trim of the ship is 10 degrees.

Regulation 26 Emergency source of electrical power in cargo ships

(a) Cargo ships of 5 000 tons gross tonnage and upwards.

(i) In cargo ships of 5 000 tons gross tonnage and upwards there shall be a self-contained emergency source of power, located to the satisfaction of the Administration above the uppermost continuous deck and outside the machinery casings, to ensure its functioning in the event of fire or other casualty causing failure to the main electrical installation.

(ii) The power available shall be sufficient to supply all those services which are, in the opinion of the Administration, necessary for the safety of all on board in an emergency, due regard being paid to such services as may have to be operated simultaneously. Special consideration shall be given to—

(1) emergency lighting at every boat station on deck and oversides, in all alleyways, stairways and exits, in the main machinery space and main generating set space, on the navigating bridge and in the chartroom;

(2) the general alarm; and

(3) navigation lights if solely electric, and the daylight signalling lamp if operated by the main source of electrical power. The power shall be adequate for a period of six hours.

(iii) The emergency source of power may be either—

(1) an accumulator (storage) battery capable of carrying the emergency load without recharging or excessive voltage drop; or

(2) a generator driven by a suitable prime-mover with an independent fuel supply and with starting arrangements to the satisfaction of the Administration. The fuel used shall have a flashpoint of not less than 43°C (110°F).

(iv) Arrangements shall be such that the complete emergency installation will function when the ship is inclined 22½ degrees and/or when the trim of the ship is 10 degrees.

(v) Provision shall be made for the periodic testing of the complete emergency installation.

(b) Cargo ships of less than 5 000 tons gross tonnage.

(i) In cargo ships of less than 5 000 tons gross tonnage there shall be a self-contained emergency source of power located to the satisfaction of the Administration, and capable of supplying the illumination at launching stations and stowage positions of survival craft prescribed in subparagraphs (a) (ii), (b) (ii) and (b) (iii) of Regulation 19 of Chapter III, and in addition such other services as the
(ii) The power available shall be adequate for a period of at least three hours.

(iii) These ships shall also be subject to subparagraphs (iii), (iv), and (v) of paragraph (a) of this Regulation.

REGULATION 27

Precautions against shock, fire and other hazards of electrical origin

(a) Passenger ships and cargo ships.

(i) (1) All exposed metal parts of electrical machines or equipment which are not intended to be "live" but are liable to become "live" under fault conditions, shall be earthed (grounded); and all electrical apparatus shall be so constructed and so installed that danger of injury in ordinary handling shall not exist.

(2) Metal frames of all portable electric lamps, tools and similar apparatus, supplied as ship’s equipment and rated in excess of a safety voltage to be prescribed by the Administration shall be earthed (grounded) through a suitable conductor, unless equivalent provisions are made such as by double insulation or by an isolating transformer. The Administration may require additional special precautions for electric lamps, tools or similar apparatus for use in damp spaces.

(ii) Main and emergency switchboards shall be so arranged as to give easy access back and front, without danger to attendants. The sides and backs and, where necessary, the fronts of switchboards shall be suitably guarded. There shall be non-conducting mats or gratings front and rear where necessary. Exposed current-carrying parts at voltages to earth (ground) exceeding a voltage to be specified by the Administration shall not be installed on the face of any switchboard or control panel.

(iii) (1) Where the hull return system of distribution is used, special precautions shall be taken to the satisfaction of the Administration.

(2) Hull return shall not be used in tankers.

(iv) (1) All metal sheaths and armour of cables shall be electrically continuous and shall be earthed (grounded).

(2) Where the cables are neither sheathed nor amoured and there might be a risk of fire in the event of an electrical fault, precautions shall be required by the Administration.

(v) Lighting fittings shall be arranged to prevent temperature rises that would be injurious to the wiring, and to prevent surrounding material from becoming excessively hot.

(vi) Wiring shall be supported in such a manner as to avoid chafing or other injury.

(vii) Each separate circuit shall be protected against short circuit. Each separate circuit shall also be protected against overload, except in accordance with Regulation 30 of this Chapter or where the Administration grants an exemption. The current-carrying capacity of each circuit shall be permanently indicated, together with the rating or setting of the appropriate overload protective device.

(viii) Accumulator batteries shall be suitably housed, and compartments used primarily for their accommodation shall be properly constructed and efficiently ventilated.

(b) Passenger ships only.

(i) Distribution systems shall be so arranged that fire in any main fire zone will not interfere with essential services in any other main fire zone. This requirement will be met if main and emergency feeders passing through any zone are separated both vertically and horizontally as widely as is practicable.

(ii) Electric cables shall be of a flame retarding type to the satisfaction of the Administration. The Administration may require additional safeguards for electric cables in particular spaces of the ship with a view to the prevention of fire or explosion.

(iii) In spaces where inflammable mixtures are liable to collect, no electrical equipment shall be installed unless it is of a type which will not ignite the mixture concerned, such as flameproof (explosion proof) equipment.

(iv) A lighting circuit in a bunker or hold shall be provided with an isolating switch outside the space.

(v) Joints in all conductors except for low voltage communication circuits shall be made only in junction or outlet boxes. All such boxes or wiring devices shall be so constructed as to prevent the spread of fire from the box or device. Where splicing is employed it shall only be by an approved method such that it retains the original mechanical and electrical properties of the cable.

(vi) Wiring systems for interior communications essential for safety and for emergency alarm systems shall be arranged to avoid galleys, machinery spaces and other enclosed spaces having a high risk of fire except in so far as it is necessary to provide communication or to give alarm within those spaces. In the case of ships the construction and small size of which do not permit of compliance with these requirements, measures satisfactory to the Administration shall be taken to ensure efficient protection for these wiring systems where they pass through galleys, machinery spaces and other enclosed spaces having a high risk of fire.
(c) Cargo ships only.

Devices liable to arc shall not be installed in any compartment assigned principally to accumulator batteries unless the devices are flameproof (explosion proof).

REGULATION 28
Means of going astern

(a) Passenger ships and cargo ships.

Ships shall have sufficient power for going astern to secure proper control of the ship in all normal circumstances.

(b) Passenger ships only.

The ability of the machinery to reverse the direction of thrust of the propeller in sufficient time, under normal manoeuvring conditions, and so to bring the ship to rest from maximum ahead service speed shall be demonstrated at the initial survey.

REGULATION 29
Steering gear*

(a) Passenger ships and cargo ships.

(i) Ships shall be provided with a main steering gear and an auxiliary steering gear to the satisfaction of the Administration.

(ii) The main steering gear shall be of adequate strength and sufficient to steer the ship at maximum service speed. The main steering gear and rudder stock shall be so designed that they are not damaged at maximum astern speed.

(iii) The auxiliary steering gear shall be of adequate strength and sufficient to steer the ship at navigable speed and capable of being brought speedily into action in an emergency.

(iv) The exact position of the rudder, if power operated, shall be indicated at the principal steering station.

(b) Passenger ships only.

(i) The main steering gear shall be capable of putting the rudder over from 35 degrees on one side to 35 degrees on the other side with the ship running ahead at maximum service speed. The rudder shall be capable of being put over from 35 degrees on either side to 30 degrees on the other side in 28 seconds at maximum service speed.

(ii) The auxiliary steering gear shall be operated by power in any case in which the Administration would require a rudder stock of over 228.6 millimetres (9 inches) diameter in way of the tiller.

(iii) Where main steering gear power units and their connections are fitted in duplicate to the satisfaction of the Administration, and each power unit enables the steering gear to meet the requirements of subparagraph (i) of this paragraph, no auxiliary steering gear need be required.

(iv) Where the Administration would require a rudder stock with a diameter in way of the tiller exceeding 228.6 millimetres (9 inches) there shall be provided an alternative steering station located to the satisfaction of the Administration. The remote steering control systems from the principal and alternative steering stations shall be so arranged to the satisfaction of the Administration that failure of either system would not result in inability to steer the ship by means of the other system.(v) Means satisfactory to the Administration shall be provided to enable orders to be transmitted from the bridge to the alternative steering station.

(c) Cargo ships only.

(i) The auxiliary steering gear shall be operated by power in any case in which the Administration would require a rudder stock of over 355.6 millimetres (14 inches) diameter in way of the tiller.

(ii) Where power-operated steering gear units and connections are fitted in duplicate to the satisfaction of the Administration, and each unit complies with subparagraph (iii) of paragraph (a) of this Regulation, no auxiliary steering gear need be required, provided that the duplicate units and connections operating together comply with subparagraph (ii) of paragraph (a) of this Regulation.

(d) Tankers only.

(i) The following shall apply to every new tanker of 10,000 tons gross tonnage and upwards and, not later than two years from the date of entry into force of the present Protocol, to every existing tanker of 10,000 tons gross tonnage and upwards:

(1) Two remote steering gear control systems shall be provided, each of which shall be operable separately from the navigating bridge. This does not require duplication of the steering wheel or steering lever. In the event of failure of the remote steering gear control system in operation, the
other system shall be capable of being brought into immediate operation from a position on the navigating bridge. Each remote steering gear control system, if electric, shall be served by its own separate circuit supplied from the steering gear power circuit from a point within the steering gear compartment. In the event of failure of electrical power supply to a remote steering gear control system an alarm shall be given on the navigating bridge. The alarms required in this subparagraph shall be both audible and visual and situated in a position on the navigating bridge where they can be readily observed.

(2) Control of the main steering gear shall also be provided in the steering gear compartment.

(3) Means shall be provided in the steering gear compartment to disconnect the remote steering gear control system from the power circuit.

(4) A means of communication shall be provided between the navigating bridge and the steering gear compartment.

(5) The exact angular position of the rudder shall be indicated on the navigating bridge. The rudder angle indication shall be independent of the remote steering gear control system.

(6) The angular position of the rudder shall be recognisable in the steering gear compartment.

(ii) In every new tanker of 10 000 tons gross tonnage and upwards, in addition to the requirements of paragraph (a) and subparagraph (d) (i) of this Regulation, the following shall apply:

(1) The main steering gear shall comprise two or more identical power units and it shall be capable of operating the rudder as required by subparagraph (d) (ii) (2) of this Regulation while operating with one or more power units. As far as reasonable and practicable, the main steering gear shall be so arranged that a single failure in its piping or in one of the power units will not impair the integrity of the remaining part of the steering gear. All mechanical couplings which are part of the steering gear and the mechanical connection with any remote steering gear control system, if any, shall be of sound and reliable construction to the satisfaction of the Administration.

(2) The main steering gear shall, with the ship at its deepest sea-going draught, be capable of putting the rudder over from 35 degrees on one side to 35 degrees on the other side with the ship running ahead at maximum service speed. The rudder shall be capable of being put over from 35 degrees on either side to 30 degrees on the other side in not more than 28 seconds, under the same conditions.

(3) The main steering gear shall be operated by power where necessary to fulfil the requirements of subparagraph (d) (ii) (2) of this Regulation.

(4) The main steering gear power units shall be arranged to start automatically when power is restored after a power failure.

(5) In the event of failure of any of the steering gear power units an alarm shall be given on the navigating bridge. Every steering gear power unit shall be capable of being brought into operation either automatically or manually from a position on the navigating bridge.

(6) An alternative power supply, at least sufficient to supply a steering gear power unit so as to enable it to move the rudder as specified below, and also to supply its associated remote steering gear control system and the rudder angle indicator, shall be provided, automatically, within 45 seconds, either from the emergency source of electrical power, or from another independent source of power located in the steering gear compartment. This independent source of power shall be used only for this purpose and shall have a capacity sufficient for half an hour of continuous operation. The steering gear power unit, when being supplied by the alternative power supply, shall at least be capable of putting the rudder over from 15 degrees on one side to 15 degrees on the other side in not more than 60 seconds with the ship at its deepest sea-going draught while running at one half of its maximum service speed ahead or seven knots, whichever is the greater.

[Para. (d) added by Proclamation No. R.168 of 1982.]

REGULATION 30

(a) Passenger ships and cargo ships.

Indicators for running indication of the motors of electric and electrohydraulic steering gear shall be installed in a suitable location to the satisfaction of the Administration.

(b) All passenger ships (irrespective of tonnage) and cargo ships of 5 000 tons gross tonnage and upwards.

(i) Electric and electrohydraulic steering gear shall be served by two circuits fed from the main switchboard. One of the circuits may pass through the emergency switchboard, if provided. Each circuit shall have adequate capacity for supplying all the motors which are normally connected to it and which operate simultaneously. If transfer arrangements are provided in the steering gear room to permit either circuit to supply any motor or combination of motors, the capacity of each circuit shall be adequate for the most severe load conditions. The circuits shall be separated throughout their length as widely as is practicable.

(ii) Short circuit protection only shall be provided for these circuits and motors.
(c) Cargo ships of less than 5 000 tons gross tonnage.

(i) Cargo ships in which electrical power is the sole source of power for both main and auxiliary steering gear shall comply with subparagraphs (i) and (ii) of paragraph (b) of this Regulation, except that if the auxiliary steering gear is powered by a motor primarily intended for other services, paragraph (b) (II) may be waived, provided that the Administration is satisfied with the protection arrangements.

(ii) Short circuit protection only shall be provided for motors and power circuits of electrically or electrohydraulically operated main steering gear.

REGULATION 31

Location of emergency installations in passenger ships

The emergency source of electrical power, emergency fire pumps, emergency bilge pumps, batteries of carbon dioxide bottles for the fire extinguishing purposes and other emergency installations which are essential for the safety of the ship shall not be installed in a passenger ship forward of the collision bulkhead.

REGULATION 32

Communication between bridge and engine room

Ship shall be fitted with two means of communicating orders from the bridge to the engine room. One means shall be an engine room telegraph.

CHAPTER II-2

CONSTRUCTION—FIRE PROTECTION, FIRE DETECTION AND FIRE EXTINCTION

PART A—GENERAL*

REGULATION 1

Application

(a) For the purpose of this Chapter—

(i) a new passenger ship is a passenger ship the keel of which is laid or which is at a similar stage of construction on or after the date of coming into force of the present Convention, or a cargo ship which is converted to a passenger ship on or after that date, all other passenger ships being considered as existing ships;

(ii) a new cargo ship is a cargo ship the keel of which is laid or which is at a similar stage of construction on or after the date of coming into force of the present Convention;

(iii) a ship which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the ship. An existing ship in such a case shall not as a rule comply to a lesser extent with the requirements for a new ship than it did before. Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so far as the Administration deems reasonable and practicable.

(iv) Notwithstanding the provisions of subparagraphs (ii) and (iii) of this paragraph, for the purposes of paragraph (a) (ii) of Regulation 55 and of Regulation 60 of this Chapter, a new tanker means a tanker—

(1) for which the building contract is placed after 1 June 1979; or

(2) in the absence of a building contract, the keel of which is laid, or which is at a similar stage of construction after 1 January 1980; or

(3) the delivery of which is after 1 June 1982; or

(4) which has undergone an alteration or modification of a major character—

(a) for which the contract is placed after 1 June 1979; or

(b) in the absence of a contract, the construction work of which is begun after 1 January 1980; or

(c) which is completed after 1 June 1982.

[Sub-para. (iv) added by Proclamation No. R.168 of 1982.]

(v) For the purpose of paragraph (a) (ii) of Regulation 55 and of Regulation 60 of this Chapter, an existing tanker is a tanker which is not a new tanker as defined in subparagraph (iv) of this paragraph.

[Sub-para. (v) added by Proclamation No. R.168 of 1982.]
(vi) For the purposes of subparagraph (iv) of this paragraph, conversion of an existing tanker of 20,000 metric tons deadweight and upwards to meet the requirements of the present Protocol or the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, shall not be deemed to constitute an alteration or modification of a major character.

[Sub-para. (vi) added by Proclamation No. R.168 of 1982.]

(b) Unless expressly provided otherwise—

(i) Regulations 4 to 16 of Part A of this Chapter apply to new ships;

(ii) Part B of this Chapter applies to new passenger ships carrying more than 36 passengers;

(iii) Part C of this Chapter applies to new passenger ships carrying not more than 36 passengers;

(iv) Part D of this Chapter applies to new cargo ships;

(v) Part E of this Chapter applies to new tankers.

(c) (i) Part F of this Chapter applies to existing passenger ships carrying more than 36 passengers.

(ii) Existing passenger ships carrying not more than 36 passengers and existing cargo ships shall comply with the following:

(1) For ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to new ships as defined in that Chapter are complied with;

(2) for ships the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, but before the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the Administration shall ensure that the requirements which were applied under Chapter II of the 1948 Convention to new ships as defined in that Chapter are complied with;

(3) for ships the keels of which were laid or which were at a similar stage of construction before the date of coming into force of the International Convention for the Safety of Life at Sea, 1948, the Administration shall ensure that the requirements which were applied under Chapter II of that Convention to existing ships as defined in that Chapter are complied with.

(d) For any existing ship as defined in the present Convention the Administration, in addition to applying the requirements of subparagraph (c) (i) of this Regulation, shall decide which of the requirements of this Chapter not contained in Chapter II of the 1948 and 1960 Conventions shall be applied.

(e) The Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of any specific requirements of this Chapter unreasonable or unnecessary, exempt from those requirements individual ships or classes of ships belonging to its country which, in the course of their voyage, do not proceed more than 20 miles from the nearest land.

(f) In the case of passenger ships which are employed in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements, provided that they comply fully with the provisions of—

(i) the Rules annexed to the Special Trade Passenger Ships Agreement, 1971; and

(ii) the Rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973, when it comes into force.

REGULATION 2

Basic principles

The purpose of this Chapter is to require the fullest practicable degree of fire protection, fire detection and fire extinction in ships. The following basic principles underlie the Regulations in this Chapter and are embodied in the Regulations as appropriate, having regard to the type of ship and the potential fire hazard involved:

(a) Division of ship into main vertical zones by thermal and structural boundaries;

(b) separation of accommodation spaces from the remainder of the ship by thermal and structural boundaries;

(c) restricted use of combustible materials;

(d) detection of any fire in the zone of origin;

(e) containment and extinction of any fire in the space of origin;

(f) protection of means of escape or access for fire fighting;

(g) ready availability of fire-extinguishing appliances;
For the purpose of this Chapter, unless expressly provided otherwise—

(a) “non-combustible material” means a material which neither burns nor gives off inflammable vapours in sufficient quantity for self-ignition when heated to approximately 750°C (1382°F) this being determined to the satisfaction of the Administration by an established test procedure† Any other material is combustible material.

(b) “A Standard Fire Test” is one in which specimens of the relevant bulkheads or decks are exposed in a test furnace to temperatures corresponding approximately to the standard time-temperature curve. The specimen shall have an exposed surface of not less than 4.65 square metres (50 square feet) and height (or length of deck of 2.44 metres (8 feet) resembling as closely as possible the intended construction and including where appropriate at least one joint. The standard time-temperature curve is defined by a smooth curve drawn through the following points:

1. At the end of the first 5 minutes — 538°C (1000°F).
2. At the end of the first 10 minutes — 704°C (1300°F).
3. At the end of the first 30 minutes — 843°C (1550°F).
4. At the end of the first 60 minutes — 927°C (1700°F).

(c) “A’ Class Divisions” are those divisions formed by bulkheads and decks which comply with the following:

(i) They shall be constructed of steel or other equivalent material;
(ii) they shall be suitably stiffened;
(iii) they shall be so constructed as to be capable of preventing the passage of smoke and flame to the end of the one-hour standard fire test;
(iv) they shall be insulated with approved non-combustible materials such that the average temperature of the unexposed side will not rise more than 139°C (250°F) above the original temperature, nor will the temperature, at any one point, including any joint, rise more than 180°C (325°F) above the original temperature, within the time listed below:

- Class “A-60” — 60 minutes.
- Class “A-30” — 30 minutes.
- Class “A-15” — 15 minutes.
- Class “A-0” — 0 minutes.

(v) the Administration may require a test of prototype bulkhead or deck to ensure that it meets the above requirements for integrity and temperature rise.§

(d) “B’ Class Divisions” are those divisions formed by bulkheads, decks, ceilings or linings which comply with the following:

(i) They shall be so constructed as to be capable of preventing the passage of flame to the end of the first one-half hour of the standard fire test;
(ii) they shall have an insulation value such that the average temperature of the unexposed side will not rise more than 139°C (250°F) above the original temperature, nor will the temperature, at any one point, including any joint, rise more than 225°C (405°F) above the original temperature, within the time listed below:

- Class “B-15” — 15 minutes;
- Class “B-0” — 0 minutes;

(iii) they shall be constructed of approved non-combustible materials and all materials entering into the construction and erection of “B” Class divisions shall be non-combustible, except where in accordance with Parts C and D of this Chapter the use of combustible material is not precluded, in which case it shall comply with the temperature rise limitation specified in subparagraph (ii) of this paragraph up to the end of the first one-half hour of the standard fire test;

(iv) the Administration may require a test of a prototype division to ensure that it meets the above requirements for integrity and temperature rise.★

(e) “C’ Class Divisions” shall be constructed of approved non-combustible materials. They need meet no requirements relative to the passage of smoke and flame nor the limiting of temperature rise.
Continuous 'B' Class Ceilings or Linings are those "B" Class ceilings or linings which terminate only
at an "A" or "B" Class division.

Steel or Other Equivalent Material. Where the word "steel or other equivalent material" occur,
"equivalent material" means any material which, by itself or due to insulation provided, has structural
and integrity properties equivalent to steel at the end of the applicable fire exposure to the standard
fire test (e.g. aluminium alloy with appropriate insulation).

Low Flame Spread means that the surface thus described will adequately restrict the spread of
flame, this being determined to the satisfaction of the Administration by an established test
procedure.

Main Vertical Zones are those sections into which the hull, superstructure, and deckhouses are
divided by "A" Class Divisions, the mean length of which on any one deck does not in general exceed
40 metres (131 feet).

Accommodation Spaces are those used for public spaces, corridors, lavatories, cabins, offices, crew
quarters, barber shops, isolated pantries and lockers and similar spaces.

Public Spaces are those portions of the accommodation which are used for halls, dining rooms,
lounges and similar permanently enclosed spaces.

Service Spaces are those used for galleys, main pantries, stores (except isolated pantries and
lockers), mail and specie rooms, workshops other than those forming part of machinery spaces, and
similar spaces and trunks to such spaces.

Cargo Spaces are all spaces used for cargo (including cargo oil tanks) and trunks to such spaces.

Special Category Spaces are those enclosed spaces above or below the bulkhead deck intended for
the carriage of motor vehicles with fuel in their tanks for their own propulsion, into and from which
such vehicles can be driven and to which passengers have access.

Machinery Spaces of Category A are all spaces which contain—

(i) internal combustion type machinery used either for main propulsion purposes, or for other
purposes where such machinery has in the aggregate a total power output of not less than 373
kW; or

(ii) any oil-fired boiler or oil fuel unit; and trunks to such spaces.

Machinery Spaces are all machinery spaces of Category A and all other spaces containing propelling
machinery, boilers, oil fuel units, steam and internal combustion engines, generators and major
electrical machinery, oil filling stations, refrigerating, stabilizing, ventilation and air conditioning
machinery, and similar spaces; and trunks to such spaces.

Oil Unit means the equipment used for the preparation of oil fuel for delivery to an oilfired
boiler, or equipment used for the preparation for delivery of heated oil to an internal combustion
engine, and includes any oil pressure pumps, filters and heaters dealing with oil at a pressure more
than 1,8 kilogrammes per square centimetre (25 pounds per square inch) gauge.

Control Stations are those spaces in which the ship’s radio or main navigating equipment or the
emergency source of power is located or where the fire recording or fire control equipment is
centralized.

Rooms containing Furniture and Furnishings of Restricted Fire Risk are, for the purpose of
Regulation 20 of this Chapter, those rooms containing furniture and furnishings of restricted fire risk
(whether cabins, public spaces, offices or other types of accommodation) in which—

(i) all case furniture such as desks, wardrobes, dressing tables, bureaux, dressers, is constructed
entirely of approved non-combustible materials, except that a combustible veneer not exceeding
2 millimetres (1/12 inch) may be used on the working surface of such articles;

(ii) all free-standing furniture such as chairs, sofas, tables, is constructed with frames of non-
combustible materials;

(iii) draperies, curtains and other suspended textile materials have, to the satisfaction of the
Administration, qualities of resistance to the propagation of flame not inferior to those of wool
weighing 0,8 kilogrammes per square metre (24 ounces per square yard);

(iv) all floor coverings have, to the satisfaction of the Administration, qualities of resistance to the
propagation of flame not inferior to those of an equivalent woollen material used for the same
purpose; and

(v) all exposed surfaces of bulkheads, lining and ceilings have low flamespread characteristics.

Bulkhead deck is the uppermost deck up to which the transverse watertight bulkheads are carried.

Deadweight is the difference in metric tons between the displacement of a ship in water of a
specific gravity of 1,025 at the load water line corresponding to the assigned summer freeboard and
the lightweight of the ship.
Lightweight” means the displacement of a ship in metric tons without cargo, fuel, lubricating oil, ballast water, fresh water and feed water in tanks, consumable stores, and passengers and crew and their effects.

[Para. (v) substituted by Proclamation No. R.168 of 1982.]

“Combination carrier” is a tanker designed to carry oil or alternatively solid cargoes in bulk.

“Crude oil” means any oil occurring naturally in the earth whether or not treated to render it suitable for transportation and includes—

(i) crude oil from which certain distillate fractions may have been removed; and

(ii) crude oil to which certain distillate fractions may have been added.

[Para. (x) added by Proclamation No. R.168 of 1982.]

REGULATION 4

Fire control plans

There shall be permanently exhibited in all new and existing ships for the guidance of the ship’s officers general arrangement plans showing clearly for each deck the control stations, the various fire sections enclosed by “A” Class divisions, the sections enclosed by “B” Class divisions (if any), together with particulars of the fire alarms, detecting systems, the sprinkler installation (if any), the fire-extinguishing appliances, means of access to different compartments, decks, etc. and the ventilating system including particulars of the fan control positions, the position of dampers and identification numbers of the ventilating fans serving each section. Alternatively, at the discretion of the Administration, the aforementioned details may be set out in a booklet, a copy of which shall be supplied to each officer, and one copy at all times shall be available on board in an accessible position. Plans and booklets shall be kept up to date, any alterations being recorded thereon as soon as practicable. Description in such plans and booklets shall be in the national language. If the language is neither English nor French, a translation into one of those languages shall be included. In addition, instructions concerning the maintenance and operation of all the equipment and installations on board for the fighting and containment of fire shall be kept under one cover, readily available in an accessible position.

REGULATION 5

Fire pumps, fire mains, hydrants and hoses

(a) Total capacity of fire pumps.

(i) In a passenger ship, the required fire pumps shall be capable of delivering for fire-fighting purposes a quantity of water, at the appropriate pressure prescribed below, not less than two-thirds of the quantity required to be dealt with by the bilge pumps when employed for bilge pumping.

(ii) In a cargo ship, the required fire pumps, other than the emergency pump (if any), shall be capable of delivering for fire-fighting purposes a quantity of water, at the appropriate pressure prescribed, not less than four-thirds of the quantity required under Regulation 18 of Chapter II-1 to be dealt with by each of the independent bilge pumps in a passenger ship of the same dimensions when employed on bilge pumping, provided that in no cargo ship need the total required capacity of the fire pumps exceed 180 cubic metres per hour.

(b) Fire pumps.

(i) The fire pumps shall be independently driven. Sanitary, ballast, bilge or general service pumps may be accepted as fire pumps, provided that they are not normally used for pumping oil and that if they are subject to occasional duty for the transfer or pumping of fuel oil, suitable change-over arrangements are fitted.

(ii) (1) In passenger ships carrying more than 36 passengers, each of the required fire pumps shall have a capacity not less than 80 per cent of the total required capacity divided by the minimum number of required fire pumps and each such pump shall in any event be capable of delivering at least the two required jets of water. These fire pumps shall be capable of supplying the fire main system under the required conditions.

Where more pumps than the minimum of required pumps are installed the capacity of such additional pumps shall be to the satisfaction of the Administration.

(2) In all other types of ships, each of the required fire pumps (other than any emergency pump required by Regulation 52 of this Chapter) shall have a capacity not less than 80 per cent of the total required capacity divided by the number of required fire pumps, and shall in any event be capable of supplying the fire main system under the required conditions.

Where more pumps than required are installed their capacity shall be to the satisfaction of the Administration.

(iii) Relief valves shall be provided in conjunction with all fire pumps if the pumps are capable of developing a pressure exceeding the design pressure of the water service pipes, hydrants and hoses. These valves shall be so placed and adjusted as to prevent excessive pressure in any part of the fire main system.

(c) Pressure in the fire main.
(i) The diameter of the fire main and water service pipes shall be sufficient for the effective distribution of the maximum required discharge from two fire pumps operating simultaneously, except that in the case of cargo ships the diameter need only be sufficient for the discharge of 140 cubic metres per hour.

(ii) With the two pumps simultaneously delivering through nozzles specified in paragraph (g) of this Regulation the quantity of water specified in subparagraph (i) of this paragraph, through any adjacent hydrants, the following minimum pressures shall be maintained at all hydrants:

**Passenger ships:**
- 4 000 tons gross tonnage and upwards: 3.2 kilogrammes per square centimetre (45 pounds per square inch)
- 1 000 tons gross tonnage and upwards but under 4 000 tons gross tonnage: 2.8 kilogrammes per square centimetre (40 pounds per square inch)
- Under 1 000 tons gross tonnage: To the satisfaction of the Administration

**Cargo ships:**
- 6 000 tons gross tonnage and upwards: 2.8 kilogrammes per square centimetre (40 pounds per square inch)
- 1 000 tons gross tonnage and upwards but under 6 000 tons gross tonnage: 2.6 kilogrammes per square centimetre (37 pounds per square inch)
- Under 1 000 tons gross tonnage: To the satisfaction of the Administration

(d) **Number and position of hydrants.**

The number and position of the hydrants shall be such that at least two jets of water not emanating from the same hydrant, one of which shall be from a single length of hose, may reach any part of the ship normally accessible to the passengers or crew while the ship is being navigated.

(e) **Pipes and hydrants.**

(i) Materials readily rendered ineffective by heat shall not be used for fire mains and hydrants unless adequately tested. The pipes and hydrants shall be so placed that the fire hoses may be easily coupled to them. In ships where deck cargo may be carried, the positions of the hydrants shall be such that they are always readily accessible and the pipes shall be arranged as far as practicable to avoid risk of damage by such cargo. Unless there is provided one hose and nozzle for each hydrant in the ship, there shall be complete interchangeability of hose couplings and nozzles.

(ii) A cock or valve shall be fitted to serve each fire hose so that any fire hose may be removed while the fire pumps are at work.

(f) **Fire hoses.**

Fire hoses shall be of material approved by the Administration and sufficient in length to project a jet of water to any of the spaces in which they may be required to be used. Their maximum length shall be to the satisfaction of the Administration. Each hose shall be provided with a nozzle and the necessary couplings. Hoses specified in this Chapter as “fire hoses” shall together with any necessary fittings and tools be kept ready for use in conspicuous positions near the water service hydrants or connections. Additionally in interior locations in passenger ships carrying more than 36 passengers, fire hoses shall be connected to the hydrants at all times.

(g) **Nozzles.**

(i) For the purpose of this Chapter, standard nozzle sizes shall be 12 millimetres (1/2 inch), 16 millimetres (5/8 inch) and 19 millimetres (3/4 inch) or as near thereto as possible. Larger diameter nozzles may be permitted at the discretion of the Administration.

(ii) For accommodation and service spaces, a nozzle size greater than 12 millimetres (/6 inch) need not be used.

(iii) For machinery spaces and exterior locations, the nozzle size shall be such as to obtain the maximum discharge possible from two jets at the pressure mentioned in paragraph (c) of this Regulation from the smallest pump, provided that a nozzle size greater than 19 millimetres (/7 inch) need not be used.

(iv) For machinery spaces or in similar spaces where the risk of spillage of oil exists, the nozzles shall be suitable for spraying water on oil or alternatively shall be of a dual purpose type.

(h) **International shore connection.**

Standard dimensions of flanges for the international shore connection required in this Chapter to be installed in the ship shall be in accordance with the following table:

<table>
<thead>
<tr>
<th>Description</th>
<th>Dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outside diameter</td>
<td>178 millimetres (7 inches)</td>
</tr>
<tr>
<td>Inner diameter</td>
<td>64 millimetres (2½ inches)</td>
</tr>
<tr>
<td>Bolt circle diameter</td>
<td>132 millimetres (5¼ inches)</td>
</tr>
<tr>
<td>Slots in flange</td>
<td>4 holes 19 millimetres (¾ inch) in diameter equidistantly placed on a bolt circle of the above diameter, slotted to the flange periphery</td>
</tr>
<tr>
<td>----------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Flange thickness</td>
<td>14.5 millimetres (5/16 inch) minimum</td>
</tr>
<tr>
<td>Bolts and nuts</td>
<td>4, each of 16 millimetres (5/8 inch) diameter, 50 millimetres (2 inches) in length</td>
</tr>
</tbody>
</table>

The connection shall be constructed of material suitable for 10.5 kilogrammes per square centimetre (150 pounds per square inch) service. The flange shall have a flat face on one side and the other shall have permanently attached thereto a coupling that will fit the ship’s hydrant and hose. The connection shall be kept aboard the ship together with a gasket of any material suitable for 10.5 kilogrammes per square centimetre (150 pounds per square inch) service, together with four 16 millimetre (5/8 inch) bolts, 50 millimetres (2 inches) in length and eight washers.

REGULATION 6

Miscellaneous items

(a) Electric radiators, if used, shall be fixed in position and so constructed as to reduce fire risks to a minimum. No such radiators shall be fitted with an element so exposed that clothing, curtains, or other similar materials can be scorched or set on fire by heat from the element.

(b) Cellulose-nitrate based films shall not be used for cinematograph installations.

REGULATION 7

Fire extinguishers

(a) All fire extinguishers shall be of approved types and designs.

   (i) The capacity of required portable fluid extinguishers shall be not more than 13.5 litres (3 gallons) and not less than 9 litres (2 gallons). Other extinguishers shall not be in excess of the equivalent portability of the 13.5 litre (3 gallons) fluid extinguisher and shall not be less than the fire-extinguishing equivalent of a 9 litre (2 gallons) fluid extinguisher.

   (ii) The Administration shall determine the equivalents of fire extinguishers.

(b) Spare charges shall be provided in accordance with requirements to be specified by the Administration.

(c) Fire extinguishers containing an extinguishing medium which, in the opinion of the Administration, either by itself or under expected conditions of use gives off toxic gases in such quantities as to endanger persons shall not be permitted.

(d) A portable froth applicator unit shall consist of an inductor type of airfroth nozzle capable of being connected to the fire main by a fire hose, together with a portable tank containing at least 20 litres (4/6 gallons) of froth-making liquid and one spare tank. The nozzle shall be capable of producing effective froth suitable for extinguishing an oil fire, at the rate of at least 1.5 cubic metres (53 cubic feet) per minute.

(e) Fire extinguishers shall be periodically examined and subjected to such tests as the Administration may require.

   (f) One of the portable fire extinguishers intended for use in any space shall be stowed near the entrance to that space.

REGULATION 8

Fixed gas fire-extinguishing systems

(a) The use of a fire-extinguishing medium which, in the opinion of the Administration, either by itself or under expected conditions of use gives off toxic gases in such quantities as to endanger persons shall not be permitted.

(b) Where provision is made for the injection of gas for fire-extinguishing purposes, the necessary pipes for conveying the gas shall be provided with control valves or cocks so marked as to indicate clearly the compartments to which the pipes are led. Suitable provision shall be made to prevent inadvertent admission of the gas to any compartment. Where cargo spaces fitted with such a system for fire protection are used as passenger spaces the gas connection shall be blanked during such use.

(c) The piping shall be arranged so as to provide effective distribution of fire-extinguishing gas.

(d) (i) When carbon dioxide is used as the extinguishing medium in cargo spaces, the quantity of gas available shall be sufficient to give a minimum volume of free gas equal to 30 per cent of the gross volume of the largest cargo compartment in the ship which is capable of being sealed.

   (ii) When carbon dioxide is used as an extinguishing medium for machinery spaces of Category A the quantity of gas carried shall be sufficient to give a minimum quantity of free gas equal to the larger of the following quantities, either—
(1) 40 per cent of the gross volume of the largest space, the volume to include the casing up to the level at which the horizontal area of the casing is 40 per cent or less of the horizontal area of the space concerned taken midway between the tank top and the lowest part of the casing; or

(2) 35 per cent of the entire volume of the largest space including the casing:

Provided that the above-mentioned percentages may be reduced to 35 per cent and 30 per cent respectively for cargo ships of less than 2 000 tons gross tonnage; provided also that if two or more machinery spaces of Category A are not entirely separate they shall be considered as forming one compartment.

(iii) Where the volume of free air contained in air receivers in any machinery space of Category A is such that, if released in such space in the event of fire, such release of air within that space would seriously affect the efficiency of the fixed fire extinguishing installation, the Administration shall require the provision of an additional quantity of carbon dioxide.

(iv) When carbon dioxide is used as an extinguishing medium both for cargo spaces and for machinery spaces of Category A the quantity of gas need not be more than the maximum required either for the largest cargo compartment or machinery space.

(v) For the purpose of this paragraph the volume of carbon dioxide shall be calculated at 0,56 cubic metres to the kilogramme (9 cubic feet to the pound).

(vi) When carbon dioxide is used as the extinguishing medium for machinery spaces of Category A the fixed piping system shall be such that 85 per cent of the gas can be discharged into the space within 2 minutes.

(vii) Carbon dioxide bottle storage rooms shall be situated at a safe and readily accessible position and shall be effectively ventilated to the satisfaction of the Administration. Any entrance to such storage rooms shall preferably be from the open deck, and in any case shall be independent of the protected space. Access doors shall be gastight and bulkheads and decks which form the boundaries of such rooms shall be gastight and adequately insulated.

(e) (i) Where gas other than carbon dioxide or steam as permitted by paragraph (f) of this Regulation is produced on the ship and is used as an extinguishing medium, it shall be a gaseous product of fuel combustion in which the oxygen content, the carbon monoxide content, the corrosive elements and any solid combustible elements have been reduced to a permissible minimum.

(ii) Where such gas is used as the extinguishing medium in a fixed fire-extinguishing system for the protection of machinery spaces of Category A it shall afford protection equivalent to that provided by a fixed carbon dioxide system.

(iii) Where such gas is used as the extinguishing medium in a fixed fire-extinguishing system for the protection of cargo spaces a sufficient quantity of such gas shall be available to supply hourly a volume of free gas at least equal to 25 per cent of the gross volume of the largest compartment protected in this way for a period of 72 hours.

(f) In general, the Administration shall not permit the use of steam as a fire-extinguishing medium in fixed fire-extinguishing systems of new ships. Where the use of steam is permitted by the Administration it shall be used only in restricted areas as an addition to the required fire-extinguishing medium and with the proviso that the boiler or boilers available for supplying steam shall have an evaporation of at least 1 kilogramme of steam per hour for each 0,75 cubic metres (1 pound of steam per hour per 12 cubic feet) of the gross volume of the largest space so protected. In addition to complying with the foregoing requirements the systems in all respects shall be as determined by, and to the satisfaction of the Administration.

(g) Means shall be provided for automatically giving audible warning of the release of fire-extinguishing gas into any space to which personnel normally have access. The alarm shall operate for a suitable period before the gas is released.

(h) The means of control of any such fixed gas fire-extinguishing system shall be readily accessible and simple to operate and shall be grouped together in as few locations as possible at positions not likely to be cut off by a fire in the protected space.

REGULATION 9

Fixed froth fire-extinguishing systems in machinery spaces

(a) Any required fixed froth fire-extinguishing system in machinery spaces shall be capable of discharging through fixed discharge outlets in not more than five minutes, a quantity of froth sufficient to cover to a depth of 150 millimetres (6 inches) the largest single area over which oil fuel is liable to spread. The system shall be capable of generating froth suitable for extinguishing oil fires. Means shall be provided for effective distribution of the froth through a permanent system of piping and control valves or cocks to suitable discharge outlets, and for the froth to be effectively directed by fixed sprayers on other main fire hazards in the protected space. The expansion ratio of the froth shall not exceed 12 to 1.

(b) The means of control of any such systems shall be readily accessible and simple to operate and shall be grouped together in as few locations as possible at positions not likely to be cut off by a fire in the protected space.

REGULATION 10
Fixed high expansion froth fire-extinguishing systems in machinery spaces

(a) (i) Any required fixed high expansion froth system in machinery spaces shall be capable of rapidly discharging through fixed discharge outlets a quantity of froth sufficient to fill the greatest space to be protected at a rate of at least 1 metre (3.3 feet) in depth per minute. The quantity of froth-forming liquid available shall be sufficient to produce a volume of froth equal to five times the volume of the largest space to be protected. The expansion ratio of the froth shall not exceed 1 000 to 1.

(ii) The Administration may permit alternative arrangements and discharge rates provided that it is satisfied that equivalent protection is achieved.

(b) Supply ducts for delivering froth, air intakes to the froth generator and the number of froth-producing units shall be such as will provide effective froth production and distribution.

(c) The arrangement of the froth generator delivery ducting shall be such that a fire in the protected space will not affect the froth-generating equipment.

(d) The froth generator, its sources of power supply, froth-forming liquid and means of controlling the system shall be readily accessible and simple to operate and shall be grouped in as few locations as possible at positions not likely to be cut off by fire in the protected space.

REGULATION 11
Fixed pressure water-spraying fire-extinguishing systems in machinery spaces

(a) Any required fixed pressure water-spraying system in machinery spaces shall be provided with spraying nozzles of an approved type.

(b) The number and arrangement of the nozzles shall be to the satisfaction of the Administration and be such as to ensure an effective average distribution of water of at least 5 litres per square metre (0.1 gallon per square foot) per minute in the spaces to be protected. Where increased application rates are considered necessary, these shall be to the satisfaction of the Administration. Nozzles shall be fitted above bilges, tank tops and other areas over which oil fuel is liable to spread and also above other specific fire hazards in the machinery spaces.

(c) The system may be divided into sections, the distribution valves of which shall be operated from easily accessible positions outside the spaces to be protected and which will not be readily cut off by an outbreak of fire.

(d) The system shall be kept charged at the necessary pressure and the pump supplying the water for the system shall be put automatically into action by a pressure drop in the system.

(e) The pump shall be capable of simultaneously supplying at the necessary pressure all sections of the system in any one compartment to be protected. The pump and its controls shall be installed outside the space or spaces to be protected. It shall not be possible for a fire in the space or spaces protected by the water-spraying system to put the system out of action.

( f ) The pump may be driven by independent internal combustion type machinery but if it is dependent upon power being supplied from the emergency generator fitted in compliance with the provisions of Regulation 25 or Regulation 26 as appropriate of Chapter II-1 of the present Convention that generator shall be arranged to start automatically in case of main power failure so that power for the pump required by paragraph (e) of this Regulation is immediately available. When the pump is driven by independent internal combustion type machinery it shall be so situated that a fire in the protected space will not affect the air supply to the machinery.

(g) Precautions shall be taken to prevent the nozzles from becoming clogged by impurities in the water or corrosion of piping, nozzles, valves and pump.

REGULATION 12
Automatic sprinkler and fire alarm and fire detection systems

(a) (i) Any required automatic sprinkler and fire alarm and fire detection system shall be capable of immediate operation at all times and no action by the crew shall be necessary to set it in operation. It shall be of the wet pipe type but small exposed sections may be of the dry pipe type where in the opinion of the Administration this is a necessary precaution. Any parts of the system which may be subjected to freezing temperatures in service shall be suitably protected against freezing. It shall be kept charged at the necessary pressure and shall have provision for a continuous supply of water as required in this Regulation.

(ii) Each section of sprinklers shall include means for giving a visual and audible alarm signal automatically at one or more indicating units whenever any sprinkler comes into operation. Such units shall give an indication of any fire and its location in any space served by the system and shall be centralized on the navigating bridge or in the main fire control station, which shall be so manned or equipped as to ensure that any alarm from the system is immediately received by a responsible member of the crew. Such alarm systems shall be constructed so as to indicate if any fault occurs in the system.

(b) (i) Sprinklers shall be grouped into separate sections, each of which shall contain not more than 200 sprinklers. Any section of sprinklers shall not serve more than two decks and shall not be situated in more than one main vertical zone, except that an Administration, if it is satisfied that the protection of the ship against fire will not thereby be reduced, may permit such a section of sprinklers to serve more than two decks or to be situated in more
(ii) Each section of sprinklers shall be capable of being isolated by one stop valve only. The stop valve in each section shall be readily accessible and its location shall be clearly and permanently indicated. Means shall be provided to prevent the operation of the stop valves by any unauthorized person.

(iii) A gauge indicating the pressure in the system shall be provided at each section stop valve and at a central station.

(iv) The sprinklers shall be resistant to corrosion by marine atmospheres. In accommodation and service spaces the sprinklers shall come into operation within the temperature range of 68°C (155°F) and 79°C (175°F), except that in locations such as drying rooms, where high ambient temperatures might be expected, the operating temperature may be increased by not more than 30°C (54°F) above the maximum deck head temperature.

(v) A list or plan shall be displayed at each indicating unit showing the spaces covered and the location of the zone in respect of each section. Suitable instructions for testing and maintenance shall be available.

(c) Sprinklers shall be placed in an overhead position and spaced in a suitable pattern to maintain an average application rate of not less than 5 litres per square metre (0.1 gallon per square foot) per minute over the nominal area covered by the sprinklers. Alternatively, the Administration may permit the use of sprinklers providing such other amount of water suitably distributed as has been shown to the satisfaction of the Administration to be not less effective.

(d) (i) A pressure tank having a volume equal to at least twice that of the charge of water specified in this subparagraph shall be provided. The tank shall contain a standing charge of fresh water, equivalent to the amount of water which would be discharged in one minute by the pump referred to in subparagraph (e) (ii) of this Regulation, and the arrangements shall provide for maintaining such air pressure in the tank to ensure that where the standing charge of fresh water in the tank has been maintained the pressure will be not less than the working pressure of the sprinkler, plus the pressure due to a head of water measured from the bottom of the tank to the highest sprinkler in the system. Suitable means of replenishing the air under pressure and of replenishing the fresh water charge in the tank shall be provided. A glass gauge shall be provided to indicate the correct level of the water in the tank.

(ii) Means shall be provided to prevent the passage of sea water into the tank.

(e) (i) An independent power pump shall be provided solely for the purpose of continuing automatically the discharge of water from the sprinklers. The pump shall be brought into action automatically by the pressure drop in the system before the standing fresh water charge in the pressure tank is completely exhausted.

(ii) The pump and the piping system shall be capable of maintaining the necessary pressure at the level of the highest sprinkler to ensure a continuous output of water sufficient for the simultaneous coverage of a minimum area of 280 square metres (3 000 square feet) at the application rate specified in paragraph (c) of this Regulation.

(iii) The pump shall have fitted on the delivery side a test valve with a short open-ended discharge pipe. The effective area through the valve and pipe shall be adequate to permit the release of the required pump output while maintaining the pressure in the system specified in subparagraph (d) (i) of this Regulation.

(iv) The sea inlet to the pump shall wherever possible be in the space containing the pump and shall be so arranged that when the ship is afloat it will not be necessary to shut off the supply of sea water to the pump for any purpose other than the inspection or repair of the pump.

(f) The sprinkler pump and tank shall be situated in a position reasonably remote from any machinery space of Category A and shall not be situated in any space required to be protected by the sprinkler system.

(g) There shall be not less than two sources of power supply for the sea water pump and automatic alarm and detection system. Where the sources of power for the pump are electrical, these shall be a main generator and an emergency source of power. One supply for the pump shall be taken from the main switchboard, and one from the emergency switchboard by separate feeders reserved solely for that purpose.

The feeders shall be arranged so as to avoid galleys, machinery spaces and other enclosed spaces of high fire risk except in so far as it is necessary to reach the appropriate switchboards, and shall be run to an automatic change-over switch situated near the sprinkler pump. This switch shall permit the supply of power from the main switchboard so long as a supply is available therefrom and be so designed that upon failure of that supply it will automatically change over to the supply from the emergency switchboard. The switches on the main switchboard and the emergency switchboard shall be clearly labelled and normally kept closed. No other switch shall be permitted in the feeders concerned. One of the sources of power supply for the alarm and detection system shall be an emergency source. Where one of the sources of power for the pump is an internal combustion-type engine it shall, in addition to complying with the provisions of paragraph (f) of this Regulation, be so situated that a fire in any protected space will not affect the air supply to the machinery.

(h) The sprinkler system shall have a connection from the ship’s fire main by way of a lockable screwdown non-return valve at the connection which will prevent a backflow from the sprinkler system to the fire main.

(i) (i) A test valve shall be provided for testing the automatic alarm for each section of sprinklers by a discharge of water equivalent to the operation of one sprinkler. The test valve for each section shall be situated near the stop valve for that section.

(ii) Means shall be provided for testing the automatic operation of the pump, on reduction of pressure in the
(j) Spare sprinkler heads shall be provided for each section of sprinklers to the satisfaction of the Administration.

REGULATION 13

Automatic fire alarm and fire detection systems

Requirements for passenger ships carrying more than 36 passengers

(a) (i) Any required automatic fire alarm and fire detection system shall be capable of immediate operation at all times and no action of the crew shall be necessary to set it in operation.

(ii) Each section of detectors shall include means for giving a visual and audible alarm signal automatically at one or more indicating units whenever any detector comes into operation. Such units shall give an indication of any fire and its location in any space served by the system and shall be centralized on the navigating bridge or in the main fire control station which shall be so manned or equipped as to ensure that any alarm from the system is immediately received by a responsible member of the crew. Such alarm system shall be constructed so as to indicate if any fault occurs in the system.

(b) Detectors shall be grouped into separate sections each covering not more than 50 rooms served by such a system and containing not more than 100 detectors. A section of detectors shall not serve spaces on both the port and starboard sides of the ship nor on more than one deck and neither shall it be situated in more than one main vertical zone except that the Administration, if it is satisfied that the protection of the ship against fire will not thereby be reduced, may permit such a section of detectors to serve both the port and starboard sides of the ship and more than one deck.

(c) The system shall be operated by an abnormal air temperature, by an abnormal concentration of smoke or by other factors indicative of incipient fire in any one of the spaces to be protected. Systems which are sensitive to air temperature shall not operate at less than 57°C (135°F) and shall operate at a temperature not greater than 74°C (165°F) when the temperature increase to those levels is not more than 1°C (1.8°F) per minute. At the discretion of the Administration the permissible temperature of operation may be increased to 30°C (86°F) above the maximum deckhead temperature in drying rooms and similar places of a normally high ambient temperature. Systems which are sensitive to smoke concentration shall operate on the reduction of the intensity of a transmitted light beam by an amount to be determined by the Administration. Other equally effective methods of operation may be accepted at the discretion of the Administration. The detection system shall not be used for any purpose other than fire detection.

(d) The detectors may be arranged to operate the alarm by the opening or closing of contacts or by other appropriate methods. They shall be fitted in an overhead position and shall be suitably protected against impact and physical damage. They shall be suitable for use in a marine atmosphere. They shall be placed in an open position clear of beams and other objects likely to obstruct the flow of hot gases or smoke to the sensitive element. Detectors operated by the closing of contacts shall be of the sealed contact type and the circuit shall be continuously monitored to indicate fault conditions.

(e) At least one detector shall be installed in each space where detection facilities are required and there shall be not less than one detector for each 37 square metres (400 square feet) of deck area. In large spaces the detectors shall be arranged in a regular pattern so that no detector is more than 9 metres (30 feet) from another detector or more than 4.5 metres (15 feet) from a bulkhead.

(f) There shall be not less than two sources of power supply for the electrical equipment used in the operation of the fire alarm and fire detection system, one of which shall be an emergency source. The supply shall be provided by separate feeders reserved solely for that purpose. Such feeders shall run to a change-over switch situated in the control station for the fire detection system. The wiring system shall be so arranged to avoid galleys, machinery spaces and other enclosed spaces having a high fire risk except in so far as it is necessary to provide for fire detection in such spaces or to reach the appropriate switchboard.

(g) (i) A list or plan shall be displayed adjacent to each indicating unit showing the spaces covered and the location of the zone in respect of each section. Suitable instructions for testing and maintenance shall be available.

(ii) Provision shall be made for testing the correct operation of the detectors and the indicating units by supplying means for applying hot air or smoke at detector positions.

(h) Spare detector heads shall be provided for each section of detectors to the satisfaction of the Administration.

Requirements for all other types of ships

(i) All required fire detection systems shall be capable of automatically indicating the presence or indication of fire and also its location. Indicators shall be centralized either on the navigating bridge or in other control stations which are provided with a direct communication with the bridge. The Administration may permit the indicators to be distributed among several stations.

(j) In passenger ships electrical equipment used in the operation of required fire detection systems shall have
two separate sources of power, one of which shall be an emergency source. \((k)\) The alarm system shall operate both audible and visible signals at the main stations referred to in paragraph (i) of this Regulation. Detection systems for cargo spaces need not have audible alarms.

REGULATION 14

Fireman’s outfit

A fireman’s outfit shall consist of—

\((a)\) personal equipment comprising—

\((i)\) protective clothing of material to protect the skin from the heat radiating from the fire and from burns and scalding by steam. The outer surface shall be water-resistant;

\((ii)\) boots and gloves of rubber or other electrically non-conducting material;

\((iii)\) a rigid helmet providing effective protection against impact;

\((iv)\) an electric safety lamp (hand lantern) of an approved type with a minimum burning period of three hours;

\((v)\) an axe to the satisfaction of the Administration;

\((b)\) a breathing apparatus of an approved type which may be either—

\((i)\) a smoke helmet or smoke mask which shall be provided with a suitable air pump and a length of air hose sufficient to reach from the open deck, well clear of hatch or doorway, to any part of the holds or machinery spaces. If, in order to comply with this subparagraph, an air hose exceeding 36 metres (120 feet) in length would be necessary, a self-contained breathing apparatus shall be substituted or provided in addition as determined by the Administration; or

\((ii)\) a self-contained breathing apparatus which shall be capable of functioning for a period of time to be determined by the Administration.

For each breathing apparatus a fireproof lifeline of sufficient length and strength shall be provided capable of being attached by means of a snap hook to the harness of the apparatus or to a separate belt in order to prevent the breathing apparatus becoming detached when the lifeline is operated.

REGULATION 15

Ready availability of fire-extinguishing appliances

In all new and existing ships, fire-extinguishing appliances shall be kept in good order and available for immediate use at all times during the voyage.

REGULATION 16

Acceptance of substitutes

Where in this Chapter any special type of appliance, apparatus, extinguishing medium or arrangement is specified in any new and existing ships, any other type of appliance etc., may be allowed, provided the Administration is satisfied that it is not less effective.

PART B — FIRE SAFETY MEASURES FOR PASSENGER SHIPS CARRYING MORE THAN 36 PASSENGERS

REGULATION 17

Structure

The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel or other equivalent material. For the purpose of applying the definition of steel or other equivalent material as given in Regulation 3 \((g)\) of this Chapter the “applicable fire exposure” shall be according to the integrity and insulation standards given in the tables of Regulation 20 of this Chapter. An example where divisions such as decks or sides and ends of deckhouses are permitted to have “B-0” fire integrity, the “applicable fire exposure” shall be one half-hour.

Provided that in cases where any part of the structure is of aluminium alloy, the following requirements shall apply:

\((a)\) The insulation of aluminium alloy components of “A” or “B” Class divisions, except structure which in the opinion of the Administration is non-load-bearing, shall be such that the temperature of the structural core does not rise more than 200° (360°F) above the ambient temperature at any time during the applicable fire exposure to the standard fire test.

\((b)\) Special attention shall be given to the insulation of aluminium alloy components of columns, stanchions and other structural members required to support lifeboat and liferaft stowage, launching and embarkation areas, and “A” and “B” Class divisions to ensure—
(i) that for such members supporting lifeboat and liferaft areas and “A” Class divisions the temperature rise limitation specified in paragraph (a) of this Regulation shall apply at the end of one hour; and

(ii) that for such members required to support “B” Class divisions, the temperature rise limitation specified in paragraph (a) of this Regulation shall apply at the end of one half-hour.

(c) Crowns and casings of machinery spaces of Category A shall be of steel construction adequately insulated and openings therein, if any, shall be suitably arranged and protected to prevent the spread of fire.

REGULATION 18

Main vertical zones and horizontal zones

(a) The hull, superstructure and deckhouses shall be subdivided into main vertical zones by “A” Class divisions. Steps and recesses shall be kept to a minimum, but where they are necessary, they shall also be “A” Class divisions. These divisions shall have insulation values in accordance with the applicable tables in Regulation 20 of this Chapter.

(b) As far as practicable, the bulkheads forming the boundaries of the main vertical zones above the bulkhead deck shall be in line with watertight subdivision bulkheads situated immediately below the bulkhead deck.

(c) Such bulkheads shall extend from deck to deck and to the shell or other boundaries.

(d) Where a main vertical zone is subdivided by horizontal “A” Class divisions into horizontal zones for the purpose of providing an appropriate barrier between sprinklered and non-sprinklered zones of the ship the divisions shall extend between adjacent main vertical zone bulkheads and to the shell or exterior boundaries of the ship and shall be insulated in accordance with the fire insulation and integrity values given in Table 3 of Regulation 20 of this Chapter.

(e) On ships designed for special purposes, such as automobile or railroad car ferries, where the provision of main vertical zone bulkheads would defeat the purpose for which the ship is intended, equivalent means for controlling and limiting a fire shall be substituted and specifically approved by the Administration.

Provided that in a ship with special category spaces, any such space shall comply with the applicable provisions of Regulation 30 of this Chapter, and in so far as such compliance would be inconsistent with compliance with other requirements of this Part of this Chapter, the requirements of Regulation 30 shall prevail.

REGULATION 19

Bulkheads within a main vertical zone

(a) All bulkheads which are not required to be “A” Class divisions shall be at least “B” Class or “C” Class divisions as prescribed in the tables in Regulation 20 of this Chapter. All such divisions may be faced with combustible materials in accordance with the provisions of Regulation 27 of this Chapter.

(b) All corridor bulkheads where not required to be “A” Class shall be “B” Class divisions which shall extend from deck to deck except—

(i) when continuous “B” Class ceilings and/or linings are fitted on both sides of the bulkhead, the portion of the bulkhead behind the continuous ceiling or lining shall be of material which in thickness and composition is acceptable in the construction of “B” Class divisions but which shall be required to meet “B” Class integrity standards only in so far as is reasonable and practicable in the opinion of the Administration;

(ii) in the case of a ship protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter, the corridor bulkheads of “B” Class materials may terminate at a ceiling in the corridor provided such a ceiling is of material which in thickness and composition is acceptable in the construction of “B” Class divisions. Notwithstanding the requirements of Regulation 20 of this Chapter, such bulkheads and ceilings shall be required to meet “B” Class integrity standards only in so far as is reasonable and practicable in the opinion of the Administration. All doors and frames in such bulkheads shall be of incombustible materials and shall be constructed and erected so as to provide substantial fire resistance to the satisfaction of the Administration.

(c) All bulkheads required to be “B” Class divisions, except corridor bulkheads, shall extend from deck to deck and to the shell or other boundaries unless continuous “B” Class ceilings and/or linings are fitted on both sides of the bulkhead in which case the bulkhead may terminate at the continuous ceiling or lining.

REGULATION 20

Fire integrity of bulkheads and decks

(a) In addition to complying with the specific provisions for fire integrity of bulkheads and decks mentioned elsewhere in the Regulations of this Part, the minimum fire integrity of all bulkheads and decks shall be as prescribed in Tables 1 to 4 in this Regulation. Where, due to any particular structural arrangements in the ship, difficulty is experienced in determining from the tables the minimum fire integrity value of any divisions, such values
shall be determined to the satisfaction of the Administration.

(b) The following requirements shall govern application of the tables:

(i) Table 1 shall apply to bulkheads bounding main vertical zones or horizontal zones.
    Table 2 shall apply to bulkheads not bounding either main vertical zones or horizontal zones.
    Table 3 shall apply to decks forming steps in main vertical zones or bounding horizontal zones.
    Table 4 shall apply to decks not forming steps in main vertical zones nor bounding horizontal zones.

(ii) For the purpose of determining the appropriate fire integrity standards to be applied to boundaries between adjacent spaces, such spaces are classified according to their fire risk as shown in Categories (1) to (14) below. Where the contents and use of a space are such that there is a doubt as to its classification for the purpose of this Regulation, it shall be treated as a space within the relevant category having the most stringent boundary requirements. The title of each category is intended to be typical rather than restrictive. The number in parentheses preceding each category refers to the applicable column or row number in the tables.

(1) Control stations.
    Spaces containing emergency sources of power and lighting.
    Wheelhouse and chartroom. Spaces containing the ship’s radio equipment.
    Fire control and recording stations.
    Control room for propelling machinery when located outside the propelling machinery space.
    Spaces containing centralized fire alarm equipment.
    Spaces containing centralized emergency public address system stations and equipment.

(2) Stairways.
    Interior stairways, lifts and escalators (other than those wholly contained within the machinery spaces) for passengers and crew and enclosures thereto.

    In this connection, a stairway which is enclosed at only one level shall be regarded as part of the space from which it is not separated by a fire door.

(3) Corridors.
    Passenger and crew corridors.

(4) Lifeboat and liferaft handling and embarkation stations.
    Open deck spaces and enclosed promenades forming lifeboat and liferaft embarkation and lowering stations.

(5) Open deck spaces.
    Open deck spaces and enclosed promenades clear of lifeboat and liferaft embarkation and lowering stations.
    Air space (the space outside superstructures and deckhouses.)

(6) Accommodation spaces of minor fire risk.
    Cabins containing furniture and furnishings of restricted fire risk.
    Public spaces containing furniture and furnishings of restricted fire risk.
    Public spaces containing furniture and furnishings of restricted fire risk and having a deck area of less than 50 square metres (540 square feet).
    Officers and dispensaries containing furniture and furnishings of restricted fire risk.

(7) Accommodation spaces of moderate fire risk.
    Same as (6) above but containing furniture and furnishings of other than restricted fire risk.
    Public spaces containing furniture and furnishings of restricted fire risk and having a deck area of 50 square metres (540 square feet) and greater.
    isolated lockers and small store-rooms in accommodation spaces. Sale shops.
    Motion picture projection and film stowage rooms.
    Diet kitchens (containing no open flame).
    Cleaning gear lockers (in which inflammable liquids are not stowed).
Laboratories (in which inflammable liquids are not stowed). Pharmacies.
Small drying rooms [having a deck area of 4 square metres (43 square feet) or less].
Specie rooms.

(8) Accommodation spaces of greater fire risk.

Public spaces containing furniture and furnishings of other than restricted fire risk and having a deck area of 50 square metres (540 square feet) and greater.
Barber shops and beauty parlours.

(9) Sanitary and similar spaces.

Communal sanitary facilities, showers, baths, water closets, etc.
Small laundry rooms.
Indoor swimming pool area.
Operating rooms.
Isolated serving pantries in accommodation spaces.
Private sanitary facilities shall be considered a portion of the space in which they are located.

(10) Tanks, voids and auxiliary machinery spaces having little or no fire risk.

Water tanks forming part of the ship’s structure.
Voids and cofferdams.
Auxiliary machinery spaces which do not contain machinery having a pressure lubrication system and where storage of combustibles is prohibited, such as—
ventilation and air-conditioning rooms; windlass room; steering gear room; stabilizer equipment room; electrical propulsion motor room; rooms, containing section switchboards and purely electrical equipment other than oil-filled electrical transformers (above 10 kVA); shaft alleys and pipe tunnels; spaces for pumps and refrigeration machinery (not handling or using inflammable liquids).

Closed trunks serving the spaces listed above.
Other closed trunks such as pipe and cable trunks.

(11) Auxiliary machinery spaces, cargo spaces, special category spaces, cargo and other oil tanks and other similar spaces of moderate fire risk.

Cargo oil tanks.
Cargo holds, trunkways and hatchways.
Refrigerated chambers.
Oil fuel tanks (where installed in a separate space with no machinery).
Shaft alleys and pipe tunnels allowing storage of combustibles.
Auxiliary machinery spaces as in Category (10) which contain machinery having a pressure lubrication system or where storage of combustibles is permitted.
Oil fuel filling stations.
Spaces containing oil-filled electrical transformers (above 10 kVA).
Spaces containing turbine and reciprocating steam engine driven auxiliary generators and small internal combustion engines of power output up to 112 kW driving emergency generators, sprinkler, drencher or fire pumps, bilge pumps, etc.
Special category spaces (Tables 1 and 3 only apply).
Closed trunks serving the spaces listed above.

(12) Machinery spaces and main galleys.

Main propelling machinery rooms (other than electric propulsion motor rooms) and boiler rooms.
Auxiliary machinery spaces other than those in Categories (10) and (11) which contain internal combustion machinery or other oil-burning, heating or pumping units.
Main galleys and annexes.
Trunks and casings to the spaces listed above.

(13) *Store-rooms, workshops, pantries, etc.*

Main pantries not annexed to galleys.

Main laundry.

Large drying rooms [having a deck area of more than 4 square metres (43 square feet)].

Miscellaneous stores. Mail and baggage rooms.

Garbage rooms.

Workshops (not part of machinery spaces, galleys, etc.).

(14) *Other spaces in which inflammable liquids are stowed.*

Lamp rooms.

Paint rooms.

Store-rooms containing inflammable liquids (including dyes, medicines, etc.).

Laboratories (in which inflammable liquids are stowed).

(iii) Where a single value is shown for the fire integrity of a boundary between two spaces, that value shall apply in all cases.

(iv) In determining the applicable fire integrity standard of a boundary between two spaces within a main vertical zone or horizontal zone which is not protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter or between such zones neither of which is so protected, the higher of the two values given in the tables shall apply.

(v) In determining the applicable fire integrity standard of a boundary between two spaces within a main vertical zone or horizontal zone which is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter or between such zones both of which are so protected, the lesser of the two values given in the tables shall apply. In instances where a sprinklered zone and a non-sprinklered zone meet within accommodation and service spaces, the higher of the two values given in the tables shall apply to the division between the zones.

(vi) Where adjacent spaces are in the same numerical category and the superscript “1” appears in the tables, a bulkhead or deck between such spaces need not be fitted if deemed unnecessary by the Administration. For example, in Category (12) a bulkhead need not be required between a galley and its annexed pantries provided the pantry bulkheads and decks maintain the integrity of the galley boundaries. A bulkhead is, however, required between a galley and a machinery space even though both spaces are in Category (12).

(vii) Where the superscript “2” appears in the tables, the lesser insulation value may be permitted only if at least one of the adjoining spaces is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter.

(viii) Notwithstanding the provisions of Regulation 19 of this Chapter, there are no special requirements for material or integrity of boundaries where only a dash appears in the tables.

(ix) The Administration shall determine in respect of Category (5) spaces whether the insulation values in Table 1 or 2 shall apply to ends of deckhouses and superstructures, and whether the insulation values in Table 3 or 4 shall apply to weather decks. In no case shall the requirements of Category (5) of Tables 1 to 4 necessitate enclosure of spaces which in the opinion of the Administration need not be enclosed.

(c) Continuous “B” Class ceilings or linings, in association with the relevant decks or bulkheads, may be accepted as contributing wholly or in part, to the required insulation and integrity of a division.

(d) In approving structural fire protection details, the Administration shall have regard to the risk of heat transmission at intersections and terminal points of required thermal barriers.

| TABLE 1.—BULKHEADS BOUNDING MAIN VERTICAL ZONES OR HORIZONTAL ZONES |
|-------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Spaces      | (1)    | (2)    | (3)    | (4)    | (5)    | (6)    | (7)    | (8)    | (9)    | (10)   | (11)   | (12)   | (13)   | (14)   |
| Control stations | A-60   | A-30   | A-30   | A-0    | A-0    | A-60   | A-60   | A-60   | A-0    | A-0    | A-60   | A-60   | A-60   | A-60   |
|             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
Lifeboat and liferaft handling and embarkation stations | (4) | — | A-0 | A-0 | A-0 | A-0 | A-0 | A-60 | A-0 | A-60
---|---|---|---|---|---|---|---|---|---|---
Open deck spaces | (5) | — | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | A-0
---|---|---|---|---|---|---|---|---|---|---
---|---|---|---|---|---|---|---|---|---|---
Accommodation spaces of moderate fire risk | (7) | — | A-0 | A-30 | A-0 | A-0 | A-60 | A-30 | A-60 | —
---|---|---|---|---|---|---|---|---|---|---
Accommodation spaces of greater fire risk | (8) | — | A-60 | A-0 | A-0 | A-60 | A-60 | A-30 | A-60 | —
---|---|---|---|---|---|---|---|---|---|---
Sanitary and similar spaces | (9) | — | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | —
---|---|---|---|---|---|---|---|---|---|---
Tanks, voids and auxiliary machinery spaces having little or no fire risk | (10) | — | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | —
---|---|---|---|---|---|---|---|---|---|---
Auxiliary machinery spaces, cargo spaces, special category spaces, cargo and other oil tanks and other similar spaces of moderate fire risk | (11) | — | A-60 | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | A-60
---|---|---|---|---|---|---|---|---|---|---
Machinery spaces and main galleys | (12) | — | A-60 | A-30 2 | A-30 | — | — | — | — | —
---|---|---|---|---|---|---|---|---|---|---
Store-rooms, workshops, pantries, etc. | (13) | — | A-0 | A-30 | — | — | — | — | — | —
---|---|---|---|---|---|---|---|---|---|---
Other spaces in which inflammable liquids are stowed | (14) | — | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | A-0 | —
---|---|---|---|---|---|---|---|---|---|---

TABLE 2.—BULKHEADS NOT BOUNDING EITHER MAIN VERTICAL ZONES OR HORIZONTAL ZONES

<table>
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<tr>
<th>Spaces</th>
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### TABLE 4.—DECKS NOT FORMING STEPS IN MAIN VERTICAL ZONES NOR BOUNDING HORIZONTAL ZONES

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<td>Lifeboat and liferaft handling and embarkation stations</td>
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<td>Accommodation spaces of greater fire risk</td>
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<td>Tanks, voids and auxiliary machinery spaces having little or no fire risk</td>
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<tr>
<td>Auxiliary machinery spaces, cargo spaces, special category spaces, cargo and other oil tanks and other similar spaces of moderate fire risk</td>
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REGULATION 21

Means of escape

(a) In and from all passenger and crew spaces and in spaces in which the crew is normally employed, other than machinery spaces, stairways and ladders shall be arranged to provide ready means of escape to the lifeboat and liferaft embarkation deck. In particular the following provisions shall be complied with:

(i) Below the bulkhead deck, two means of escape, at least one of which shall be independent of watertight doors, shall be provided from each watertight compartment or similarly restricted space or group of spaces. Exceptionally, the Administration may dispense with one of the means of escape, due regard being paid to the nature and location of spaces and to the number of persons who normally might be quartered or employed there.

(ii) Above the bulkhead deck, there shall be at least two means of escape from each main vertical zone or similarly restricted space or group of spaces at least one of which shall give access to a stairway forming a vertical escape.

(iii) At least one of the means of escape required by subparagraphs (a) (i) and (ii) of this Regulation shall be by means of a readily accessible enclosed stairway, which shall provide continuous fire shelter from the level of its origin to the appropriate lifeboat and liferaft embarkation decks or the highest level served by the stairway, whichever level is the highest. However, where an Administration has granted dispensation under the provisions of subparagraph (a) (i) of this Regulation the sole means of escape shall provide safe escape to the satisfaction of the Administration. The width, number and continuity of the stairways shall be to the satisfaction of the Administration.

(iv) Protection of access from the stairway enclosures to the lifeboat and liferaft embarkation areas shall be to the satisfaction of the Administration.

(v) Lifts shall not be considered as forming one of the required means of escape.

(vi) Stairways serving only a space and a balcony in that space shall not be considered as forming one of the required means of escape.

(vii) If a radiotelegraph station has no direct access to the weather deck, two means of escape shall be provided from such station.

(viii) Access corridors exceeding 13 metres (43 feet) shall not be permitted.

(b) (i) In special category spaces the number and disposition of the means of escape both below and above the bulkhead deck shall be to the satisfaction of the Administration, and in general the safety of access to the embarkation deck shall be at least equivalent to that provided for under subparagraphs (a) (i), (ii), (iii), (iv) and (v) of this Regulation.

(ii) One of the escape routes from the machinery spaces where the crew is normally employed shall avoid direct access to any special category space.

(c) Two means of escape shall be provided from each machinery space. In particular, the following provisions shall be complied with:

(i) Where the space is below the bulkhead deck the two means of escape shall consist of either—

1. two sets of steel ladders as widely separated as possible, leading to doors in the upper part of the space similarly separated and from which access is provided to the appropriate lifeboat and liferaft embarkation decks. One of these ladders shall provide continuous fire shelter from the lower part of the space to a safe position outside the space; or

2. one steel ladder leading to a door in the upper part of the space from which access is provided to the embarkation deck and a steel door capable of being operated from each side and which provides a safe escape route to the embarkation deck.

(ii) Where the space is above the bulkhead deck, two means of escape shall be as widely separated as possible and the doors leading from such means of escape shall be in a position from which access is provided to the appropriate lifeboat and liferaft embarkation decks. Where such escapes require the use of ladders these shall be of steel.

Provided that in a ship of less than 1000 tons gross tonnage, the Administration may dispense with one of the means of escape due regard being paid to the width and disposition of the upper part of the space; and in a ship of 1000 tons gross tonnage and above, the Administration may dispense with one means of escape from any such
space so long as either a door or a steel ladder provides a safe escape route to the embarkation deck due regard being paid to the nature and location of the space and whether persons are normally employed in that space.

REGULATION 22

Protection of stairways and lifts in accommodation and service spaces

(a) All stairways shall be of steel frame construction except where the Administration sanctions the use of other equivalent material, and shall be within enclosures formed of “A” Class divisions, with positive means of closure at all openings, except that—

(i) a stairway connecting only two decks need not be enclosed, provided the integrity of the deck is maintained by proper bulkheads or doors at one between deck space. When a stairway is closed at one between deck space, the stairway enclosure shall be protected in accordance with the tables for decks in Regulation 20 of this Chapter;

(ii) stairways may be fitted in the open in a public space, provided they lie wholly within such public space.

(b) Stairway enclosures shall have direct communication with the corridors and be of sufficient area to prevent congestion, having in view the number of persons likely to use them in an emergency. In so far as practicable, stairway enclosures shall not give direct access to cabins, service lockers, or other enclosed spaces containing combustibles in which a fire is likely to originate.

(c) Lift trunks shall be so fitted as to prevent the passage of smoke and flame from one between deck to another and shall be provided with means of closing so as to permit the control of draught and smoke.

REGULATION 23

Openings in “A” Class divisions

(a) Where “A” Class divisions are pierced for the passage of electric cables, pipes, trunks, ducts, etc., for girders, beams or other structures, arrangements shall be made to ensure that the fire resistance is not impaired, subject to the provisions of paragraph (g) of this Regulation.

(b) Where of necessity, a ventilation duct passes through a main vertical zone bulkhead, a fail-safe automatic closing fire damper shall be fitted adjacent to the bulkhead. The damper shall also be capable of being manually closed from each side of the bulkhead. The operating position shall be readily accessible and be marked in red light-reflecting colour. The duct between the bulkhead and the damper shall be of steel or other equivalent material and, if necessary, to an insulating standard such as to comply with paragraph (a) of this Regulation. The damper shall be fitted on at least one side of the bulkhead with a visible indicator showing if the damper is in the open position.

(c) Except for hatches between cargo, special category, store, and baggage spaces, and between such spaces and the weather decks, all openings shall be provided with permanently attached means of closing which shall be at least as effective for resisting fires as the divisions in which they are fitted.

(d) The construction of all doors and door frames in “A” Class divisions, with the means of securing them when closed, shall provide resistance to fire as well as to the passage of smoke and flame, as far as practicable, equivalent to that of the bulkheads in which the doors are situated. Such doors and door frames shall be constructed of steel or other equivalent material. Watertight doors need not be insulated.

(e) It shall be possible for each door to be opened and closed from each side of the bulkhead by one person only.

(f) Fire doors in main vertical zone bulkheads and stairway enclosures, other than power-operated watertight doors and those which are normally locked, shall be of the self-closing type capable of closing against an inclination of 3° degrees opposing closure. The speed of door closure shall, if necessary, be controlled so as to prevent undue danger to personnel. All such doors, except those that are normally closed, shall be capable of release from a control station, either simultaneously or in groups, and also individually from a position at the door. The release mechanism shall be so designed that the door will automatically close in the event of disruption of the control system; however, approved power-operated watertight doors will be considered acceptable for this purpose. Holdback hooks, not subject to control station release, will not be permitted. When double swing doors are permitted, they shall have a latch arrangement which is automatically engaged by the operation of the door release system.

(g) Where a space is protected by an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter or fitted with a continuous “B” Class ceiling, openings in decks not forming steps in main vertical zones nor bounding horizontal zones shall be closed reasonably tight and such decks shall meet the “A” Class integrity requirements in so far as is reasonable and practicable in the opinion of the Administration.

(h) The requirements for “A” Class integrity of the outer boundaries of a ship shall not apply to glass partitions, windows and sidescuttles. Similarly, the requirements for “A” Class integrity shall not apply to exterior doors in superstructures and deckhouses.

REGULATION 24

Openings in “B” Class divisions

(a) Where “B” Class divisions are penetrated for the passage of electrical cables, pipes, trunks, ducts, etc., or
for the fitting of ventilation terminals, lighting fixtures and similar devices, arrangements shall be made to ensure that the fire resistance is not impaired.

(b) Doors and door frames in "B" Class divisions and means of securing them shall provide a method of closure which shall have resistance to fire as far as practicable equivalent to the divisions except that ventilation openings may be permitted in the lower portion of such doors. Where such opening is in or under a door the total net area of any such opening or openings shall not exceed 0.05 square metres (78 square inches). When such opening is cut in a door it shall be fitted with a grill made of non-combustible material. Doors shall be non-combustible.

(c) The requirements for "B" Class integrity of the outer boundaries of a ship shall not apply to glass partitions, windows and sidescuttles. Similarly, the requirements for "B" Class integrity shall not apply to exterior doors in superstructures and deckhouses.

(d) Where an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter is fitted—

(i) openings in decks not forming steps in main vertical zones nor bounding horizontal zones shall be closed reasonably tight and such decks shall meet the "B" Class integrity requirements in so far as is reasonable and practicable in the opinion of the Administration; and

(ii) openings in corridor bulkheads of "B" Class materials shall be protected in accordance with the provisions of Regulation 19 of this Chapter.

**REGULATION 25**

**Ventilation systems**

(a) In general, the ventilation fans shall be so disposed that the ducts reaching the various spaces remain within the main vertical zone.

(b) Where ventilation systems penetrate decks, precautions shall be taken, in addition to those relating to the fire integrity of the deck required by Regulation 23 of this Chapter, to reduce the likelihood of smoke and hot gases passing from one between deck space to another through the system. In addition to insulation requirements contained in this Regulation, vertical ducts shall, if necessary, be insulated as required by the appropriate tables in Regulation 20 of this Chapter.

(c) The main inlets and outlets of all ventilation systems shall be capable of being closed from outside the space being ventilated.

(d) Except in cargo spaces, ventilation ducts shall be constructed of the following materials:

(i) Ducts not less than 0.075 square metres (116 square inches) in sectional area and all vertical ducts serving more than a single between deck space shall be constructed of steel or other equivalent material.

(ii) Ducts less than 0.075 square metres (116 square inches) in sectional area shall be constructed of non-combustible materials. Where such ducts penetrate "A" or "B" Class divisions due regard shall be given to ensuring the fire integrity of the division.

(iii) Short lengths of duct, not in general exceeding 0.02 square metres (31 square inches) in sectional area nor 2 metres (79 inches) in length, need not be incombustible provided that all of the following conditions are met:

1. The duct is constructed of a material of restricted fire risk to the satisfaction of the Administration;
2. the duct is used only at the terminal end of the ventilation system; and
3. the duct is not located closer than 0.6 metres (24 inches) measured along its length to a penetration of an "A" or "B" Class division, including continuous "B" Class ceilings.

(e) Where a stairway enclosure is ventilated, the duct or ducts (if any) shall be taken from the fan room independently of other ducts in the ventilation system and shall not serve any other space.

(f) All power ventilation, except machinery and cargo space ventilation and any alternative system which may be required under paragraph (h) of this Regulation, shall be fitted with controls so grouped that all fans may be stopped from either of two separate positions which shall be situated as far apart as practicable. Controls provided for the power ventilation serving machinery spaces shall also be grouped so as to be operable from two positions, one of which shall be outside such spaces. Fans serving power ventilation systems to cargo spaces shall be capable of being stopped from a safe position outside such spaces.

(g) Where they pass through accommodation spaces or spaces containing combustible materials, the exhaust ducts from galley ranges shall be constructed of "A" Class divisions. Each exhaust duct shall be fitted with—

(i) a grease trap readily removable for cleaning;
(ii) a fire damper located in the lower end of the duct;
(iii) arrangements, operable from within the galley, for shutting off the exhaust fan; and
(iv) fixed means for extinguishing a fire within the duct.
(h) Such measures as are practicable shall be taken in respect of control stations outside machinery spaces in order to ensure that ventilation, visibility and freedom from smoke are maintained, so that in the event of fire the machinery and equipment contained therein may be supervised and continue to function effectively. Alternative and separate means of air supply shall be provided; air inlets of the two sources of supply shall be so disposed that the risk of both inlets drawing in smoke simultaneously is minimized. At the discretion of the Administration, such requirements need not apply to control stations situated on, and opening on to, an open deck, or where local closing arrangements would be equally effective.

(i) Ducts provided for ventilation of machinery spaces of Category A shall not in general pass through accommodation, service spaces or control stations, except that the Administration may permit relaxation from this requirement, provided that—

   (i) the ducts are constructed of steel, and are insulated to "A-60" standard; or

   (ii) the ducts are constructed of steel and are fitted with an automatic fire damper close to the boundary penetrated and are insulated to "A-60" standard from the machinery space to a point at least 5 metres (16 feet) beyond the fire damper.

(j) Ducts provided for ventilation of accommodation, service spaces, or control stations shall not in general pass through machinery spaces of Category A, except that the Administration may permit relaxation from this requirement provided that the ducts are constructed of steel and automatic fire dampers are fitted close to the boundaries penetrated.

**REGULATION 26**

*Windows and sidescuttles*

(a) All windows and sidescuttles in bulkheads within accommodation and service spaces and control stations other than those to which the provisions of paragraph (h) of Regulation 23 and paragraph (c) of Regulation 24 of this Chapter apply, shall be constructed so as to preserve the integrity required of the type of bulkheads in which they are fitted.

(b) Notwithstanding the requirements of the tables in Regulation 20 of this Chapter—

   (i) all windows and sidescuttles in bulkheads separating accommodation and service spaces and control stations from weather shall be constructed with frames of steel or other suitable material. The glass shall be retained by a metal glazing bead or angle;

   (ii) special attention shall be given to the fire integrity of windows facing open or enclosed lifeboat and liferaft embarkation areas and to windows situated below such areas in such a position that their failure during a fire would impede the launching of, or embarkation into, lifeboats or liferafts.

**REGULATION 27**

*Restriction of combustible materials*

(a) Except in cargo spaces, mail rooms, baggage rooms, or refrigerated compartments of service spaces, all linings, grounds, ceilings and insulations shall be of non-combustible material. Partial bulkheads or decks used to subdivide a space for utility or artistic treatment shall also be of non-combustible material.

(b) Vapour barriers and adhesives used in conjunction with insulation, as well as insulation of pipe fittings, for cold service systems need not be non-combustible, but they shall be kept to the minimum quantity practicable and their exposed surfaces shall have qualities of resistance to the propagation of flame to the satisfaction of the Administration.

(c) Bulkheads, linings and ceilings in all accommodation and service spaces may have combustible veneer, provided that such veneer shall not exceed 2 millimetres (1/12 inch) within any such spaces except corridors, stairway enclosures and control stations where it shall not exceed 1.5 millimetres (1/17 inch).

(d) The total volume of combustible facings, mouldings, decorations and veneers in any accommodation and service space shall not exceed a volume equivalent to 2,5 millimetres (1/10 inch) veneer on the combined area of the walls and ceilings. In the case of ships fitted with an automatic sprinkler system complying with the provisions of Regulation 12 of this Chapter, the above volume may include some combustible material used for erection of "C" Class divisions.

(e) All exposed surfaces in corridors or stairway enclosures and surfaces in concealed or inaccessible spaces in accommodation and service spaces and control stations shall have low flame-spread characteristics.*

( f ) Furniture in the passages and stairway enclosures shall be kept to a minimum.

(g) Paints, varnishes and other finishes used on exposed interior surfaces shall not be of a nature to offer an undue fire hazard in the judgment of the Administration and shall not be capable of producing excessive quantities of smoke or other toxic properties.

(h) Primary deck coverings, if applied, within accommodation and service spaces and control stations, shall be of approved material which will not readily ignite, or give rise to toxic or explosive hazards at elevated temperatures.†
Waste-paper receptacles shall be constructed of non-combustible materials and with solid sides and bottoms.

REGULATION 28

Miscellaneous items

Requirements applicable to all portions of the ship

(a) Pipes penetrating "A" or "B" Class divisions shall be of a material approved by the Administration having regard to the temperature such divisions are required to withstand. Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

Requirements applicable to accommodation and service spaces, control stations, corridors and stairways

(b) (i) Air spaces enclosed behind ceilings, panelling or linings shall be suitably divided by close-fitting draught stops not more than 14 metres (46 feet) apart.

(ii) In the vertical direction, such spaces, including those behind linings of stairways, trunks, etc., shall be closed at each deck.

(c) The construction of ceiling and bulkheading shall be such that it will be possible, without impairing the efficiency of the fire protection, for the fire patrols to detect any smoke originating in concealed and inaccessible places, except where in the opinion of the Administration there is no risk of fire originating in such places.

REGULATION 29

Automatic sprinkler and fire alarm and fire detection systems or automatic fire alarm and fire detection systems

In any ship to which this Part applies there shall be installed throughout each separate zone, whether vertical or horizontal, in all accommodation and service spaces and, where it is considered necessary by the Administration, in control stations, except spaces which afford no substantial fire risk (such as void spaces, sanitary spaces, etc.) either—

(i) an automatic sprinkler and fire alarm and fire detection system of an approved type, complying with the provisions of Regulation 12 of this Chapter and installed and so arranged as to protect such spaces; or

(ii) an automatic fire alarm and fire detection system of an approved type, complying with the provisions of Regulation 13 of this Chapter, and installed and so arranged as to detect the presence of fire in such spaces.

REGULATION 30

Protection of special category spaces

Provisions applicable to special category spaces whether above or below the bulkhead deck

(a) General.

(i) The basic principle underlying the provisions in this Regulation is that as normal main vertical zoning may not be practicable in special category spaces, equivalent protection must be obtained in such spaces on the basis of a horizontal zone concept and the provision of an efficient fixed fire-extinguishing system. Under this concept a horizontal zone for the purpose of this Regulation may include special category spaces on more than one deck provided that the overall height of the zone does not exceed 10 metres (33 feet).

(ii) All requirements laid down in Regulations 23 and 25 of this Chapter for maintaining the integrity of vertical zones shall be applied equally to decks and bulkheads forming the boundaries separating horizontal zones from each other and from the remainder of the ship.

(b) Structural protection.

(i) Boundary bulkheads of special category spaces shall be insulated as required for Category (11) spaces in Table 1 of Regulation 20 of this Chapter and the horizontal boundaries as required for Category (11) spaces in Table 3 of that Regulation.

(ii) Indicators shall be provided on the navigating bridge which shall indicate when any fire door leading to or from the special category spaces is closed.

(c) Fixed fire-extinguishing system.*

Each special category space shall be fitted with an approved fixed pressure water-spraying system for manual operation which shall protect all parts of any deck and vehicle platform, if any, in such space, provided that the Administration may permit the use of any other fixed fire-extinguishing system that has been shown by full-scale test in conditions simulating a flowing petrol fire in a special category space to be not less effective in controlling fires likely to occur in such a space.
(d) Patrols and detection.

(i) An efficient patrol system shall be maintained in special category spaces. In any such space in which the patrol is not maintained by a continuous fire watch at all times during the voyage there shall be provided in that space an automatic fire detection system of an approved type. (ii) Manual fire alarms shall be provided as necessary throughout the special category spaces and one shall be placed close to each exit from such spaces.

(e) Fire-extinguishing equipment.

There shall be provided in each special category space—

(i) a number of hydrants with hoses and dual-purpose nozzles of an approved type so arranged that at least two jets of water each from a single length of hose not emanating from the same hydrant may reach any part of such space;
(ii) at least three water fog applicators;
(iii) one portable applicator unit complying with the provisions of Regulation 7 (d) of this Chapter, provided that at least two such units are available in the ship for use in such spaces; and
(iv) such number of portable fire extinguishers of an approved type as the Administration may deem sufficient.

(f) Ventilation system.

(i) There shall be provided an effective power ventilation system for the special category spaces sufficient to give at least 10 air changes per hour. The system for such spaces shall be entirely separated from other ventilation systems and shall be operating at all times when vehicles are in such spaces. The Administration may require an increased number of air changes when vehicles are being loaded and unloaded.

(ii) The ventilation shall be such as to prevent air stratification and the formation of air pockets.

(iii) Means shall be provided to indicate on the navigating bridge any loss or reduction of the required ventilating capacity.

Additional provisions applicable only to special category spaces above the bulkhead deck

(g) Scuppers.

In view of the serious loss of stability which could arise due to large quantities of water accumulating on the deck or decks consequent on the operation of the fixed pressure water-spraying system, scuppers shall be fitted so as to ensure that such water is rapidly discharged directly overboard.

(h) Precautions against ignition of inflammable vapours.

(i) Equipment which may constitute a source of ignition of inflammable vapours and in particular electrical equipment and wiring, shall be installed at least 450 millimetres (18 inches) above the deck, provided that if the Administration is satisfied that the installation of such electrical equipment and wiring below this level is necessary for the safe operation of the ship, such electrical equipment and wiring shall be of a type approved for use in an explosive petrol and air mixture. Electrical equipment installed at more than 450 millimetres (18 inches) above the deck shall be of a type so enclosed and protected as to prevent the escape of sparks. The reference to a level of 450 millimetres (18 inches) above the deck shall be construed to mean each deck on which vehicles are carried and on which explosive vapours might be expected to accumulate.

(ii) Electrical equipment and wiring, if installed in an exhaust ventilation duct, shall be of a type approved for use in explosive petrol and air mixtures and the outlet from any exhaust duct shall be sited in a safe position, having regard to other possible sources of ignition.

Additional provisions applicable only to special category spaces below the bulkhead deck.

(i) Bilge pumping and drainage.

In view of the serious loss of stability which could arise due to large quantities of water accumulating on the deck or tank top consequent on the operation of the fixed pressure water-spraying system, the Administration may require pumping and drainage facilities to be provided additional to the requirements of Regulation 18 of Chapter II-1 of the present Convention.

(j) Precautions against ignition of inflammable vapours.

(i) Electrical equipment and wiring, if fitted, shall be of a type suitable for use in explosive petrol and air mixtures. Other equipment which may constitute a source of ignition of inflammable vapours shall not be permitted.

(ii) Electrical equipment and wiring, if installed in an exhaust ventilation duct, shall be of a type approved for use in explosive petrol and air mixtures and the outlet from any exhaust duct shall be sited in a safe position, having regard to other possible sources of ignition
In any cargo space (other than special category spaces) containing motor vehicles with fuel in their tanks for their own propulsion, the following provisions shall be complied with:

(a) Fire detection.

There shall be provided an approved fire detection and fire alarm system.

(b) Fire-extinguishing arrangements.

(i) There shall be fitted a fixed gas fire-extinguishing system which shall comply with the provisions of Regulation 8 of this Chapter, except that if a carbon dioxide system is fitted, the quantity of gas available shall be at least sufficient to give a minimum volume of free gas equal to 45 per cent of the gross volume of the largest of such cargo spaces which is capable of being sealed, and the arrangements shall be such as to ensure that the gas is introduced rapidly and effectively into the space. Any other fixed gas fire-extinguishing system or fixed high expansion froth fire-extinguishing system may be fitted provided it gives equivalent protection.

(ii) There shall be provided for use in any such space such number of portable fire extinguishers of an approved type as the Administration may deem sufficient.

(c) Ventilation system.

(i) In any such cargo space there shall be provided an effective power ventilation system sufficient to give at least 10 air changes per hour. The system for such cargo spaces shall be entirely separated from other ventilation systems and shall be operating at all times when vehicles are in such spaces.

(ii) The ventilation shall be such as to prevent air stratification and the formation of air pockets.

(iii) Means shall be provided to indicate on the navigating bridge any loss or reduction of the required ventilating capacity.

(d) Precautions against ignition of inflammable vapours.

(i) Electrical equipment and wiring, if fitted, shall be of a type suitable for use in explosive petrol and air mixtures. Other equipment which may constitute a source of ignition of inflammable vapours shall not be permitted.

(ii) Electrical equipment and wiring, if installed in an exhaust ventilation duct, shall be of a type approved for use in explosive petrol and air mixtures and the outlet from any exhaust duct shall be sited in a safe position, having regard to other possible sources of ignition.

REGULATION 32

Maintenance of fire patrols, etc., and provision for fire-extinguishing equipment

(a) Fire patrols and detection, alarms and public address systems.

(i) An efficient patrol system shall be maintained so that an outbreak of fire may be promptly detected. Each member of the fire patrol shall be trained to be familiar with the arrangements of the ship as well as the location and operation of any equipment he may be called upon to use.

(ii) Manual alarms shall be fitted throughout the accommodation and service spaces to enable the fire patrol to give an alarm immediately to the navigating bridge or main fire control station.

(iii) An approved fire alarm or fire detecting system shall be provided which will automatically indicate at one or more suitable points or stations the presence or indication of fire and its location in any cargo space which, in the opinion of the Administration, is not accessible to the patrol system, except where it is shown to the satisfaction of the Administration that the ship is engaged on voyages of such short duration that it would be unreasonable to apply this requirement.

(iv) The ship shall at all times when at sea, or in port (except when out of service), be so manned or equipped as to ensure that any initial fire alarm is immediately received by a responsible member of the crew.

(v) A special alarm, operated from the navigating bridge or fire control station, shall be fitted to summon the crew. This alarm may be part of the ship’s general alarm system but it shall be capable of being sounded independently of the alarm to the passenger spaces.

(vi) A public address system or other effective means of communication shall be available throughout the accommodation and service spaces and control stations.

(b) Fire pumps and fire main system.

The ship shall be provided with fire pumps, fire main system, hydrants and hoses complying with the provisions of Regulation 5 of this Chapter and shall comply with the following requirements:

(i) In a ship of 4000 tons gross tonnage and upwards, there shall be provided at least three independently-driven fire pumps and, in a ship of less than 4000 tons gross tonnage, at least two such fire pumps.

(ii) In a ship of 1000 tons gross tonnage and upwards, the arrangement of sea connections, fire pumps and sources of power for operating them shall be such as to ensure that a fire in any one
compartment will not put all the fire pumps out of action.

(iii) In a ship of 1000 tons gross tonnage and upwards, the arrangement of fire pumps, fire mains and hydrants shall be such that at least one effective jet of water as stipulated in paragraph (c) of Regulation 5 of this Chapter is immediately available from any one hydrant in an interior location. Arrangements shall also be made to ensure the continuation of the output of water by the automatic starting of a required fire pump.

(iv) In a ship of less than 1000 tons gross tonnage the arrangements shall be to the satisfaction of the Administration.

(c) Fire hydrants, hoses and nozzles.

(i) The ship shall be provided with fire hoses the number and diameter of which shall be to the satisfaction of the Administration. There shall be at least one fire hose for each of the hydrants required by paragraph (d) of Regulation 5 of this Chapter and these hoses shall be used only for the purposes of extinguishing fires or testing the fire-extinguishing apparatus at fire drills and surveys.

(ii) In accommodation and service spaces and in machinery spaces, the number and position of hydrants shall be such that the requirements of paragraph (d) of Regulation 5 of this Chapter may be complied with when all watertight doors and all doors in main vertical zone bulkheads are closed.

(iii) The arrangements shall be such that at least two jets of water can reach any part of any cargo space when empty.

(iv) All required hydrants in machinery spaces shall be fitted with hoses having in addition to the nozzles required in paragraph (g) of Regulation 5 of this Chapter nozzles suitable for spraying water on oil or alternatively dual-purpose nozzles. Additionally, each machinery space of Category A shall be provided with at least two suitable water fog applicators.*

(v) Water spray nozzles or dual-purpose nozzles shall be provided for at least one quarter of the number of hoses required in parts of the ship other than machinery spaces.

(vi) For each pair of breathing apparatus there shall be provided one water fog applicator which shall be stored adjacent to such apparatus.

(vii) Where, in any machinery space of Category A, access is provided at a low level from an adjacent shaft tunnel, two hydrants fitted with hoses with dual-purpose nozzles shall be provided external to, but near the entrance to that machinery space. Where such access is not provided from a tunnel but is provided from other space or spaces there shall be provided in one of those spaces two hydrants fitted with hoses with dual-purpose nozzles near the entrance to the machinery space of Category A. Such provision need not be made when the tunnel or adjacent spaces are not part of an escape route.

(d) International shore connection.

(i) A ship of 1000 tons gross tonnage and upwards shall be provided with at least one international shore connection, complying with the provisions of paragraph (h) of Regulation 5 of this Chapter.

(ii) Facilities shall be available enabling such a connection to be used on either side of the ship.

(e) Portable fire extinguishers in accommodation and service spaces and control stations.

The ship shall be provided in accommodation and service spaces and control stations with such approved portable fire extinguishers as the Administration may deem to be appropriate and sufficient.

(f) Fixed fire-extinguishing arrangements in cargo spaces.

(i) The cargo spaces of ships of 1000 tons gross tonnage and upwards shall be protected by a fixed gas fire-extinguishing system complying with the provisions of Regulation 8 of this Chapter, or by a fixed high expansion froth fire-extinguishing system which gives equivalent protection.

(ii) Where it is shown to the satisfaction of the Administration that a ship is engaged on voyages of such short duration that it would be unreasonable to apply the requirements of subparagraph (i) of this paragraph and also in ships of less than 1000 tons gross tonnage, the arrangements in cargo spaces shall be to the satisfaction of the Administration.

(g) Fire-extinguishing appliances in boiler rooms, etc.

Spaces containing oil-fired boilers or oil fuel units shall be provided with the following arrangements:

(i) There shall be at least one of the following fixed fire-extinguishing systems:

1. A pressure water-spraying system complying with the provisions of Regulation 11 of this Chapter.
2. A gas system complying with the provisions of Regulation 8 of this Chapter.
3. A froth system complying with the provisions of Regulation 9 of this Chapter.
4. A high expansion froth system complying with the provisions of Regulation 10 of this Chapter.
In each case if the engine and boiler rooms are not entirely separate, or if fuel oil can drain from the boiler room into the engine room, the combined engine and boiler rooms shall be considered as one compartment.

(ii) There shall be in each boiler room at least one set of portable air-froth equipment complying with the provisions of paragraph (d) of Regulation 7 of this Chapter.

(iii) There shall be at least two approved portable extinguishers discharging froth or equivalent in each firing space in each boiler room and each space in which a part of the oil fuel installation is situated. There shall be not less than one approved froth-type extinguisher of at least 136 litres (30 gallons) capacity or equivalent in each boiler room. These extinguishers shall be provided with hoses on reels suitable for reaching any part of the boiler room.

(iv) In each firing space there shall be a receptacle containing sand, sawdust impregnated with soda or other approved dry material, in such quantity as may be required by the Administration. Alternatively an approved portable extinguisher may be substituted therefor.

(h) Fire-extinguishing appliances in spaces containing internal combustion type machinery.

Spaces containing internal combustion machinery used either for main propulsion, or for other purposes when such machinery has in the aggregate a total power output of not less than 373 kW, shall be provided with the following arrangements:

(i) There shall be one of the fire-extinguishing systems required by subparagraph (g) (i) of this Regulation.

(ii) There shall be at least one set of portable air-froth equipment complying with the provisions of paragraph (d) of Regulation 7 of this Chapter.

(iii) There shall be in each such space approved froth-type fire extinguishers each of at least 45 litres (10 gallons) capacity or equivalent sufficient in number to enable froth or its equivalent to be directed on to any part of the fuel and lubricating oil pressure systems, gearing and other fire hazards. In addition, there shall be provided a sufficient number of portable froth extinguishers or equivalent which shall be so located that an extinguisher is not more than 10 metres (33 feet) walking distance from any point in the space; provided that there shall be at least two such extinguishers in each such space.

(i) Fire-extinguishing arrangements in spaces containing steam turbines or enclosed steam engines.

In spaces containing steam turbines or enclosed steam engines used either for main propulsion or for other purposes when such machinery has in the aggregate a total power output of not less than 373 kW—

(i) there shall be provided froth fire extinguishers each of at least 45 litres (10 gallons) capacity or equivalent sufficient in number to enable froth or its equivalent to be directed on to any part of the pressure lubrication system, on to any part of the casings enclosing pressure lubricated parts of the turbines, engines or associated gearing, and any other fire hazards. Provided that such extinguishers shall not be required if protection at least equivalent to this subparagraph is provided in such spaces by a fixed fire-extinguishing system fitted in compliance with subparagraph (g) (i) of this Regulation;

(ii) there shall be provided a sufficient number of portable froth extinguishers or equivalent which shall be so located that an extinguisher is not more than 10 metres (33 feet) walking distance from any point in the space; provided that there shall be at least two such extinguishers in each such space, and such extinguishers shall not be required in addition to any provided in compliance with subparagraph (h) (iii) of this Regulation.

(j) Fire-extinguishing appliances in other machinery spaces.

Where, in the opinion of the Administration, a fire hazard exists in any machinery space for which no specific provisions for fire-extinguishing appliances are prescribed in paragraphs (g), (h) and (i) of this Regulation there shall be provided in, or adjacent to, that space such number of approved portable fire extinguishers or other means of fire extinction as the Administration may deem sufficient.

(k) Fixed fire-extinguishing appliances not required by this part.

Where a fixed fire-extinguishing system not required by this Part of this Chapter is installed, such a system shall be to the satisfaction of the Administration.

(l) Special requirements for machinery spaces.

(i) For any machinery space of Category A to which access is provided at a low level from an adjacent shaft tunnel there shall be provided in addition to any watertight door and on the side remote from that machinery space a light steel fire-screen door which shall be operable from each side.

(ii) An automatic fire detection and alarm system shall be fitted when the Administration considers such special precautions warranted in any machinery space in which the installation of automatic and remote control systems and equipment have been approved in lieu of continuous manning of the space.

(m) Fireman’s outfits and personal equipment.
(i) The minimum number of fireman’s outfits complying with the requirements of Regulation 14 of this Chapter, and of additional sets of personal equipment, each such set comprising the items stipulated in subparagraphs (a) (i), (ii) and (iii) of that Regulation, to be carried shall be as follows:

(1) Two fireman’s outfits; and in addition

(2) for every 80 metres (262 feet) or part thereof, of the aggregate of the lengths of all passenger spaces and service spaces on the deck which carries such spaces or, if there is more than one such deck, on the deck which has the largest aggregate of such lengths, two fireman’s outfits and two sets of personal equipment, each such set comprising the items stipulated in Regulation 14 (a) (i), (ii) and (iii) of this Chapter.

(ii) For each fireman’s outfit which includes a self-contained breathing apparatus as provided in paragraph (b) of Regulation 14 of this Chapter, spare charges shall be carried on a scale approved by the Administration.

(iii) Fireman’s outfits and sets of personal equipment shall be stored in widely separated positions ready for use. At least two fireman’s outfits and one set of personal equipment shall be available at any one position.

REGULATION 33

Arrangements for oil fuel, lubricating oil and other inflammable oils

(a) Oil fuel arrangements.

In a ship in which oil fuel is used, the arrangements for the storage, distribution and utilization of the oil fuel shall be such as to ensure the safety of the ship and persons on board and shall at least comply with the following provisions:

(i) No oil fuel which has a flashpoint of less than 60°C (140°F) (closed cup test) as determined by an approved flashpoint apparatus shall be used as fuel, except in emergency generators, in which case the flashpoint shall be not less than 43°C (110°F):

Provided that the Administration may permit the general use of fuel oil having a flashpoint of not less than 43°C (110°F) subject to such additional precautions as it may consider necessary and on condition that the temperature of the space in which such fuel is stored or used shall not be allowed to rise within 10°C (18°F) below the flashpoint of the fuel.

(ii) As far as practicable, no part of the oil fuel system contain heated oil under pressure exceeding 1,8 kilogrammes per square centimetre (25 pounds per square inch) gauge shall be so concealed that defects and leakage cannot readily be observed. In way of such parts of the oil fuel system the machinery space shall be adequately illuminated.

(iii) The ventilation of machinery spaces shall be sufficient under all normal conditions to prevent accumulation of oil vapour.

(iv) (1) As far as practicable, oil fuel tanks shall be part of the ship’s structure and shall be located outside machinery spaces of Category A. When oil fuel tanks, except double bottom tanks, are necessarily located adjacent to machinery spaces of Category A, they shall preferably have a common boundary with the double bottom tanks, and the area of the tank boundary common with the machinery space shall be kept to a minimum. In general, the use of free-standing oil fuel tanks shall be avoided but when such tanks are employed they shall not be situated in machinery spaces of Category A.

(2) No oil tank shall be situated where spillage or leakage therefrom can constitute a hazard by falling on heated surfaces. Precautions shall be taken to prevent any oil that may escape under pressure from any pump, filter or heater from coming into contact with heated surfaces.

(v) Every oil fuel pipe which if damaged would allow oil to escape from a storage, settling or daily service tank situated above the double bottom shall be fitted with a cock or valve on the tank capable of being closed from a safe position outside the space concerned in the event of a fire arising in the space in which such tanks are situated. In the special case of deep tanks situated in any shaft or pipe tunnel or similar space, valves on the tanks shall be fitted but control in event of fire may be effected by means of an additional valve on the pipe or pipes outside the tunnel or similar space.

(vi) Safe and efficient means of ascertaining the amount of oil fuel contained in any oil tank shall be provided. Sounding pipes with suitable means of closure may be permitted if their upper ends terminate in safe positions. Other means of ascertaining the amount of oil fuel contained in any oil fuel tank may be permitted if they do not require penetration below the top of the tank, and providing their failure or overfilling of the tanks will not permit release of fuel thereby.

(vii) Provision shall be made to prevent over-pressure in any oil tank or in any part of the oil fuel system, including the filling pipes. Any relief valves and air or overflow pipes shall discharge to a position which, in the opinion of the Administration, is safe.

(viii) Oil fuel pipes shall be of steel or other approved material, provided that restricted use of flexible pipes shall be permissible in positions where the Administration is satisfied that they are necessary. Such flexible pipes and end attachments shall be of approved fire-resisting materials of adequate strength and shall be constructed to the satisfaction of the Administration.
(b) Lubricating oil arrangements.

The arrangements for the storage, distribution and utilization of oil used in pressure lubrication systems shall be such as to ensure the safety of the ships and persons on board, and such arrangements in machinery spaces of Category A and, whenever practicable, in other machinery spaces shall at least comply with the provisions of subparagraphs (ii), (iv) (2), (v), (vi) and (vii) of paragraph (a) of this Regulation.

(c) Arrangements for other inflammable oils.

The arrangements for the storage, distribution and utilization of other inflammable oils employed under pressure in power transmission systems, control and activating systems and heating systems shall be such as to ensure the safety of the ship and persons on board. In locations where means of ignition are present such arrangements shall at least comply with the provisions of subparagraphs (a) (iv) (2) and (a) (vi), and with the provisions of subparagraph (a) (viii) in respect of strength and construction, of this Regulation.

REGULATION 34

Special arrangements in machinery spaces

(a) The provisions of this Regulation shall apply to machinery spaces of Category A and, where the Administration considers it desirable, to other machinery spaces.

(b) (i) The number of skylights, doors, ventilators, openings in funnels to permit exhaust ventilation and other openings to machinery spaces shall be reduced to a minimum consistent with the needs of ventilation and the proper and safe working of the ship.

(ii) The flaps of such skylights where fitted shall be of steel. Suitable arrangements shall be made to permit the release of smoke in the event of fire, from the space to be protected.

(iii) Such doors other than power-operated watertight doors shall be arranged so that positive closure is assured in case of fire in the space, by power-operated closing arrangements or by the provision of self-closing doors capable of closing against an inclination of 3½ degrees opposing closure and having a fail-safe hook-back facility, provided with a remotely operated release device.

(c) Windows shall not be fitted in machinery space casings.

(d) Means of control shall be provided for—

   (i) opening and closure of skylights, closure of openings in funnels which normally allow exhaust ventilation, and closure of ventilator dampers;

   (ii) permitting the release of smoke;

   (iii) closure of power-operated doors or release mechanism on doors other than power-operated watertight doors;

   (iv) stopping ventilating fans; and

   (v) stopping forced and induced draught fans, oil fuel transfer pumps, oil fuel unit pumps and other similar fuel pumps.

(e) The controls required for ventilating fans shall comply with the provisions of paragraph (f) of Regulation 25 of this Chapter. The controls for any required fixed fire-extinguishing system and those required by subparagraphs (d) (i), (ii), (iii) and (v) of this Regulation and of subparagraph (a) (v) of Regulation 33 of this Chapter shall be situated at one control position, or grouped in as few positions as possible to the satisfaction of the Administration. Such position or positions shall be located where they will not be cut off in the event of fire in the space they serve, and shall have a safe access from the open deck.

PART C — FIRE SAFETY MEASURES FOR PASSENGER SHIPS CARRYING NOT MORE THAN 36 PASSENGERS

REGULATION 35

Structure

(a) The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel or other equivalent material.

(b) Where fire protection in accordance with paragraph (b) of Regulation 40 of this Chapter is employed, the superstructure may be constructed of, for example, aluminium alloy, provided that—

   (i) for the temperature rise of the metallic cores of “A” Class divisions when exposed to the standard fire test, due regard is given to the mechanical properties of the material;

   (ii) the Administration is satisfied that the amount of combustible materials used in the relevant part of the ship is suitably reduced; the ceilings (i.e. linings of deck heads) are non-combustible;

   (iii) adequate provision is made to ensure that in the event of fire, arrangements for stowage, launching and embarkation into survival craft remain as effective as if the superstructure were constructed of steel;
crowns and casings of boiler and machinery spaces are of steel construction adequately insulated, and the openings therein, if any, are suitably arranged and protected to prevent spread of fire.

REGULATION 36

Main vertical zones

(a) The hull, superstructure and deckhouses shall be subdivided into main vertical zones. Steps and recesses shall be kept to a minimum, but where they are necessary, they shall be of “A” Class divisions.

(b) As far as practicable, the bulkheads forming the boundaries of the main vertical zones above the bulkhead deck shall be in line with watertight subdivision bulkheads situated immediately below the bulkhead deck.

(c) Such bulkheads shall extend from deck to deck and to the shell or other boundaries.

(d) On ships designed for special purposes, such as automobile or railroad car ferriers, where installation of such bulkheads would defeat the purpose for which the ship is intended, equivalent means for controlling and limiting a fire shall be substituted and specifically approved by the Administration.

REGULATION 37

Openings in “A” Class divisions

(a) Where “A” Class divisions are pierced for the passage of electric cables, pipes, trunks, ducts, etc., for girders, beams or other structures, arrangements shall be made to ensure that the fire resistance is not impaired.

(b) Where of necessity, a duct passes through a main vertical zone bulkhead, a fail-safe automatic closing fire damper shall be fitted adjacent to the bulkhead. The damper shall also be capable of being manually closed from both sides of the bulkhead. The operating position shall be readily accessible and be marked in red light-reflecting colour. The duct between the bulkhead and the damper shall be of steel or other equivalent material and, if necessary, to an insulating standard such as to comply with paragraph (a) of this Regulation. The damper shall be fitted on at least one side of the bulkhead with a visible indicator showing if the damper is in the open position.

(c) Except for hatches between cargo, store, and baggage spaces, and between such spaces and the weather decks, all openings shall be provided with permanently attached means of closing which shall be at least as effective for resisting fires as the divisions in which they are fitted.

(d) The construction of all doors and door frames in “A” Class divisions, with the means of securing them when closed, shall provide resistance to fire as well as to the passage of smoke and flame as far as practicable equivalent to that of the bulkheads in which the doors are situated. Watertight doors need not be insulated.

(e) It shall be possible for each door to be opened from either side of the bulkhead by one person only.

(f) Fire doors in main vertical zone bulkheads and stairway enclosures, other than power-operated watertight doors and those which are normally locked, shall be of the self-closing type capable of closing against an inclination of 3½ degrees opposing closure. All such doors, except those that are normally closed, shall be capable of release from a control station, either simultaneously or in groups, and also individually from a position at the door. The release mechanism shall be so designed that the door will automatically close in the event of disruption of the control system; however, approved power-operated watertight doors will be considered acceptable for this purpose. Hold-back hooks, not subject to control station release, will not be permitted. When double swing doors are permitted, they shall have a latch arrangement which is automatically engaged by the operation of the door release system.

REGULATION 38

Fire integrity of “A” Class divisions

Where “A” Class divisions are required under this Part, the Administration, in deciding the amount of insulation to be provided, shall be guided by the provisions of Part B of this Chapter, but may accept a reduction of the amount of insulation below that stipulated by that Part.

REGULATION 39

Separation of accommodation spaces from machinery, cargo and service spaces

The boundary bulkheads and decks separating accommodation spaces from machinery, cargo and service spaces shall be constructed of “A” Class divisions, and these bulkheads and decks shall have an insulation value to the satisfaction of the Administration having regard to the nature of the adjacent spaces.

REGULATION 40

Protection of accommodation and service spaces

The accommodation and service spaces shall be protected in accordance with the provisions of either paragraph (a) or (b) of this Regulation.

(a) (i) Within the accommodation spaces, all enclosure bulkheads other than those required to be of “A” Class divisions, shall be constructed of “B” Class divisions of non-combustible materials, which may, however, be faced...
with combustible materials in accordance with subparagraph (iii) of this paragraph.

(ii) All corridor bulkheads shall extend from deck to deck. Ventilation openings may be permitted in the doors in “B” Class bulkheads, preferably in the lower portion. All other enclosure bulkheads shall extend from deck to deck vertically, and to the shell or other boundaries transversely, unless non-combustible ceilings or linings such as will ensure fire integrity are fitted, in which case the bulkheads may terminate at the ceilings or linings.

(iii) Except in cargo spaces, mail rooms, baggage rooms, or refrigerated compartments of service spaces, all linings, grounds, ceilings and insulations shall be of non-combustible materials. The total volume of combustible facings, mouldings, decorations and veneers in any accommodation or public space shall not exceed a volume equivalent to 2.54 millimetres (1/10 inch) veneer on the combined area of the walls and ceilings. All exposed surfaces in corridors or stairway enclosures and in concealed or inaccessible spaces shall have low flamespread characteristics.*

(b) (i) All corridor bulkheads in accommodation spaces shall be of steel or be constructed of “B” Class panels.

(ii) A fire detecting system of an approved type shall be installed and so arranged as to detect the presence of fire in all enclosed spaces appropriated to the use or service of passengers or crew (except spaces which afford no substantial fire hazard) and automatically to indicate at one or more points or stations where it can be most quickly observed by officers and crew, the presence or indication of fire and also its location.

REGULATION 41

Deck coverings*

Primary deck coverings within accommodation spaces, control stations, stairways and corridors shall be of approved material which will not readily ignite.

REGULATION 42

Protection of stairways and lifts in accommodation and service spaces

(a) All stairways and means of escape in accommodation and service spaces shall be of steel or other suitable materials.

(b) Passenger and service lift trunks, vertical trunks for light and air to passenger spaces, etc., shall be of “A” Class divisions. Doors shall be of steel or other equivalent material and when closed shall provide fire resistance at least as effective as the trunks in which they are fitted.

REGULATION 43

Protection of control stations and store-rooms

(a) Control stations shall be separated from the remainder of the ship by “A” Class bulkheads and decks.

(b) The boundary bulkheads of baggage rooms, mail rooms, store-rooms, paint and lamp lockers, galleys and similar spaces shall be of “A” Class divisions. Spaces containing highly inflammable stores shall be so situated as to minimize the danger to passengers or crew in the event of fire.

REGULATION 44

Windows and sidescuttles

(a) All windows and sidescuttles in bulkheads separating accommodation spaces from weather shall be constructed with frames of steel or other suitable material. The glass shall be retained by a metal glazing bead.

(b) All windows and sidescuttles in bulkheads within accommodation spaces shall be constructed so as to preserve the integrity requirements of the type of bulkhead in which they are fitted.

REGULATION 45

Ventilation systems

Power ventilation of machinery spaces shall be capable of being stopped from an easily accessible position outside the machinery spaces.

REGULATION 46

Details of construction

(a) Paints, varnishes and similar preparations having a nitro-cellulose or other highly inflammable base shall not be used in any part of the ship.

(b) Pipes penetrating “A” or “B” Class divisions shall be of a material approved by the Administration having regard to the temperature such divisions are required to withstand. Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.
(c) In spaces containing main propulsion machinery, or oil-fired boilers, or auxiliary internal combustion type machinery of total power output of 746 kW or over, the following measures shall be taken:

(i) Skylights shall be capable of being closed from outside the space;
(ii) skylights containing glass panels shall be fitted with external shutters of steel or other equivalent material permanently attached;
(iii) any window permitted by the Administration in casings of such spaces shall be of the non-opening type, and shall be fitted with an external shutter of steel or other equivalent material permanently attached; and
(iv) in the windows and skylights referred to in subparagraphs (i), (ii) and (iii) of this paragraph, wire reinforced glass shall be used.

REGULATION 47

Fire detection systems and fire-extinguishing equipment

(a) Patrols and detection.

(i) An efficient patrol system shall be maintained in all ships so that any outbreak of fire may be promptly detected. Manual fire alarms shall be fitted throughout the passenger and crew accommodation to enable the fire patrol to give an alarm immediately to the navigating bridge or fire control station.

(ii) An approved fire alarm or fire detecting system shall be provided which will automatically indicate at one or more suitable points or stations the presence or indication of fire and its location in any part of the ship which, in the opinion of the Administration, is not accessible to the patrol system, except where it is shown to the satisfaction of the Administration that the ship is engaged on voyages of such short duration that it would be unreasonable to apply this requirement.

(iii) The ship, whether new or existing, shall at all times when at sea, or in port (except when out of service), be so manned or equipped as to ensure that any initial fire alarm is immediately received by a responsible member of the crew.

(b) Fire pumps and fire main system.

The ship shall be provided with fire pumps, fire main system, hydrants and hoses complying with Regulation 5 of this Chapter and with the following requirements:

(i) A Ship of 4 000 tons gross tonnage and upwards shall be provided with at least three independently driven fire pumps and every ship of less than 4 000 tons gross tonnage with at least two such fire pumps.

(ii) In a ship of 1 000 tons gross tonnage and upwards, the arrangement of sea connections, pumps and sources of power for operating them shall be such as to ensure that a fire in any one compartment will not put all the fire pumps out of action.

(iii) In a ship of less than 1 000 tons gross tonnage the arrangements shall be to the satisfaction of the Administration.

(c) Fire hydrants, hoses and nozzles.

(i) The ship shall be provided with such number of fire hoses as the Administration may deem sufficient. There shall be at least one fire hose for each of the hydrants required by paragraph (d) of Regulation 5 of this Chapter and these hoses shall be used only for the purposes of extinguishing fires or testing the fire-extinguishing apparatus at fire drills and surveys.

(ii) In accommodation, service and machinery spaces, the number and position of hydrants shall be such that the requirements of paragraph (d) of Regulation 5 of this Chapter may be complied with when all watertight doors and all doors in main vertical zone bulkheads are closed.

(iii) The arrangements shall be such that at least two jets of water can reach any part of any cargo space when empty.

(iv) All required hydrants in the machinery spaces of ships with oil-fired boilers or internal combustion type propelling machinery shall be fitted with hoses having nozzles as required in paragraph (g) of Regulation 5 of this Chapter.

(d) International shore connection.

(i) A ship of 1 000 tons gross tonnage and upwards shall be provided with at least one international shore connection, complying with paragraph (h) of Regulation 5 of this Chapter.

(ii) Facilities shall be available enabling such a connection to be used on either side of the ship.

(e) Portable fire extinguishers in accommodation and service spaces.

The ship shall be provided in accommodation and service spaces with such approved portable fire extinguishers as the Administration may deem to be appropriate and sufficient.

(f) Fixed fire-extinguishing arrangements in cargo spaces.
(i) The cargo spaces of ships of 1 000 tons gross tonnage and upwards shall be protected by a fixed gas fire-extinguishing system complying with Regulation 8 of this Chapter.

(ii) Where it is shown to the satisfaction of the Administration that a ship is engaged on voyages of such short duration that it would be unreasonable to apply the requirements of subparagraph (i) of this paragraph and also in ships of less than 1 000 tons gross tonnage, the arrangements in cargo spaces shall be to the satisfaction of the Administration.

(g) Fire-extinguishing appliances in boiler rooms, etc.

Where main or auxiliary oil-fired boilers are situated, or in spaces containing oil fuel units or settling tanks, a ship shall be provided with the following arrangements:

(i) There shall be any one of the following fixed fire-extinguishing installations:

(1) A pressure water-spraying system complying with Regulation 11 of this Chapter;

(2) a gas fire-extinguishing installation complying with Regulation 8 of this Chapter;

(3) a fixed froth installation complying with regulation 9 of this Chapter. (The Administration may require fixed or mobile arrangements by pressure water or froth spraying to fight fire above the floor plates.)

In each case if the engine and boiler rooms are not entirely separate, or if fuel oil can drain from the boiler room into the engine room bilges, the combined engine and boiler rooms shall be considered as one compartment.

(ii) There shall be at least two approved portable extinguishers discharging froth or other approved medium suitable for extinguishing oil fires, in each firing space in each boiler room and each space in which a part of the oil fuel installation is situated. There shall be not less than one approved froth type extinguisher of at least 136 litres (30 gallons) capacity or equivalent in each boiler room. These extinguishers shall be provided with hoses on reels suitable for reaching any part of the boiler room and spaces containing any part of the oil fuel installation.

(iii) In each firing space there shall be a receptacle containing sand, sawdust impregnated with soda or other approved dry material, in such quantity as may be required by the Administration. Alternatively an approved portable extinguisher may be substituted therefor.

(h) Fire-fighting appliances in spaces containing internal combustion type machinery.

Where internal combustion type engines are used, either for main propulsion or for auxiliary purposes associated with a total power output of not less than 746 kW, a ship shall be provided with the following arrangements:

(i) There shall be one of the fixed arrangements required by subparagraph (g) (i) of this Regulation;

(ii) there shall be in each engine space one approved froth-type extinguisher of not less than 45 litres (10 gallons) capacity or equivalent and also one approved portable froth-type extinguisher for each 746 kW of engine power output or part thereof; but the total number of portable extinguishers so supplied shall be not less than two and need not exceed six.

(i) Fire-fighting arrangements in spaces containing steam turbines and not requiring any fixed installation.

The Administration shall give special consideration to the fire-extinguishing arrangements to be provided in spaces containing steam turbines which are separated from boiler rooms by watertight bulkheads.

(j) Fireman’s outfits and personal equipment.

(i) The minimum number of fireman’s outfits complying with the requirements of Regulation 14 of this Chapter, and of additional sets of personal equipment, each such set comprising the items stipulated in subparagraphs (a) (i), (ii) and (iii) of that Regulation, to be carried, shall be as follows:

(1) Two fireman’s outfits; and in addition

(2) for every 80 metres (262 feet) or part thereof, of the aggregate of the lengths of all passenger spaces and service spaces on the deck which carries such spaces or, if there is more than one such deck, on the deck which has the largest aggregate of such lengths, two fireman’s outfits and two sets of personal equipment, each such set comprising the items stipulated in Regulation 14 (a) (i), (ii) and (iii) of this Chapter.

(ii) For each fireman’s outfit which includes a self-contained breathing apparatus as provided in paragraph (b) of Regulation 14 of this Chapter, spare charges shall be carried on a scale approved by the Administration.

(iii) Fireman’s outfits and sets of personal equipment shall be stored in widely separated positions ready for use. At least two fireman’s outfits and one set of personal equipment shall be available at any one position.

REGULATION 48

Means of escape
(a) In and from all passenger and crew spaces and spaces in which crew are normally employed, other than machinery spaces, stairways and ladderways shall be arranged so as to provide ready means of escape to the lifeboat embarkation deck. In particular the following precautions shall be complied with:

(i) Below the bulkhead deck, two means of escape, at least one of which shall be independent of watertight doors, shall be provided for each watertight compartment or similarly restricted space or group of spaces. One of these means of escape may be dispensed with by the Administration, due regard being paid to the nature and the location of spaces concerned, and to the number of persons who normally might be quartered or employed there;

(ii) above the bulkhead deck, there shall be at least two practical means of escape from each main vertical zone or similarly restricted space or group of spaces at least one of which shall give access to a stairway forming a vertical escape; and

(iii) at least one of the means of escape shall be by means of a readily accessible enclosed stairway, which shall provide as far as practicable continuous fire shelter from the level of its origin to the lifeboat embarkation deck. The width, number and continuity of the stairways shall be to the satisfaction of the Administration.

(b) In machinery spaces, two means of escape, one of which may be a watertight door, shall be provided from each engine room, shaft tunnel and boiler room. In machinery spaces, where no watertight door is available, the two means of escape shall be formed by two sets of steel ladders as widely separated as possible leading to doors in the casing similarly separated and from which access is provided to the embarkation deck. In the case of ships of less than 2 000 tons gross tonnage, the Administration may dispense with this requirement, due regard being paid to the width and the disposition of the casing.

REGULATION 49

Oil fuel used for internal combustion engines

No internal combustion engine shall be used for any fixed installation in a ship if its fuel has a flashpoint of 43°C (110°F) or less (closed cup test) as determined by an approved flashpoint apparatus.

REGULATION 50

Special arrangements in machinery spaces

(a) Means shall be provided for stopping ventilating fans serving machinery and cargo spaces and for closing all doorways, ventilators, annular spaces around funnels and other openings to such spaces. These means shall be capable of being operated from outside such spaces in case of fire.

(b) Machinery driving forced and induced draught fans, oil fuel transfer pumps, oil fuel unit pumps and other similar fuel pumps shall be fitted with remote controls situated outside the space concerned so that they may be stopped in the event of a fire arising in the space in which they are located.

(c) Every oil fuel suction pipe from a storage, settling or daily service tank situated above the double bottom shall be fitted with a cock or valve capable of being closed from outside the space concerned in the event of a fire arising in the space in which such tanks are situated. In the special case of deep tanks situated in any shaft or pipe tunnel, valves on the tanks shall be fitted but control in event of fire may be effected by means of an additional valve on the pipeline or lines outside the tunnel or tunnels.

PART D — FIRE SAFETY MEASURES FOR CARGO SHIPS*

REGULATION 51

General requirements for cargo ships of 4 000 tons gross tonnage and upwards other than tankers covered by Part E of this Chapter

(a) The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel, except where the Administration may sanction the use of other suitable material in special cases, having in mind the risk of fire.

(b) In accommodation spaces, the corridor bulkheads shall be of steel or be constructed of "B" Class panels.

(c) Deck coverings within accommodation spaces on the decks forming the crown of machinery and cargo spaces shall be of a type which will not readily ignite.§

(d) Interior stairways below the weather deck shall be of steel or other suitable material. Crew lift trunks within accommodation shall be of steel or equivalent material.

(e) Bulkheads of galleys, paint stores, lamp rooms, boatswain's stores when adjacent to accommodation spaces and emergency generator rooms if any, shall be of steel or equivalent material.

(f) In accommodation and machinery spaces, paints, varnishes and similar preparations having a nitro-cellulose or other highly inflammable base shall not be used.

(g) Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having
regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

(h) Power ventilation of machinery spaces shall be capable of being stopped from an easily accessible position outside the machinery spaces.

REGULATION 52

Fire-extinguishing systems and equipment

(a) Application.

Where ships have a lower gross tonnage than those quoted in this Regulation, the arrangements for the items covered in this Regulation shall be to the satisfaction of the Administration.

(b) Fire pumps and fire main system.

The ship shall be provided with fire pumps, fire main system, hydrants and hoses complying with Regulation 5 of this Chapter and with the following requirements:

(i) A ship of 1 000 tons gross tonnage and upwards shall be provided with two independently driven power pumps.

(ii) In a ship of 1 000 tons gross tonnage and upwards if a fire in any one compartment could put all the pumps out of action, there must be an alternative means of providing water for fire fighting. In a ship of 2 000 tons gross tonnage and upwards this alternative means shall be a fixed emergency pump independently driven. This emergency pump shall be capable of supplying two jets of water to the satisfaction of the Administration.

(c) Fire hydrants, hoses and nozzles.

(i) In a ship of 1 000 tons gross tonnage and upwards the number of fire hoses to be provided, each complete with couplings and nozzles, shall be one for each 30 metres (100 feet) length of the ship and one spare but in no case less than five in all. This number does not include any hoses required in any engine or boiler room. The Administration may increase the number of the hoses required so as to ensure that hoses in sufficient number are available and accessible at all times, having regard to the type of the ship and the nature of the trade on which the ship is employed.

(ii) In accommodation, service and machinery spaces, the number and position of hydrants shall be such as to comply with the requirements of paragraph (d) of Regulation 5 of this Chapter.

(iii) In a ship the arrangements shall be such that at least two jets of water can reach any part of any cargo space when empty.

(iv) All required hydrants in the machinery spaces of ships with oil-fired boilers or internal combustion type propelling machinery shall be fitted with hoses having nozzles as required in paragraph (g) of Regulation 5 of this Chapter.

(d) International shore connection.

(i) A ship of 1 000 tons gross tonnage and upwards shall be provided with at least one international shore connection, complying with paragraph (h) of Regulation 5 of this Chapter.

(ii) Facilities shall be available enabling such a connection to be used on either side of the ship.

(e) Portable fire extinguishers in accommodation and service spaces.

The ship shall be provided in accommodation and service spaces with such approved portable fire extinguishers as the Administration may deem to be appropriate and sufficient; in any case, their number shall not be less than five for ships of 1000 tons gross tonnage and upwards.

(f) Fixed fire-extinguishing arrangements in cargo spaces.

(i) Cargo spaces of ships of 2 000 tons gross tonnage and upwards shall be protected by a fixed fire extinguishing system complying with Regulation 8 of this Chapter.

(ii) The Administration may exempt from the requirements of subparagraph (i) of this paragraph the cargo holds of any ship (other than the tanks of a tanker)—

1. if they are provided with steel hatch covers and effective means of closing all ventilators and other openings leading to the holds;

2. if the ship is constructed and intended solely for carrying such cargo as ore, coal or grain; or

3. where it is shown to the satisfaction of the Administration that the ship is engaged on voyages of such short duration that it would be unreasonable to apply the requirement.

(iii) Every ship in addition to complying with the requirements of this Regulation shall, while carrying explosives of such nature or in such quantity as are not permitted to be carried in passenger ships under Regulation 7 of
Chapter VII of this Convention comply with the following requirements:

(1) Steam shall not be used in any compartment containing explosives. For the purpose of this subparagraph, “compartment” means all spaces contained between two adjacent permanent bulkheads and includes the lower hold and all cargo spaces above it.

(2) In addition, in each compartment containing explosives and in adjacent cargo compartments, there shall be provided a smoke- or fire-detection system in each cargo space.

(g) Fire-extinguishing appliances in boiler rooms, etc.

Where main or auxiliary oil-fired boilers are situated, or in spaces containing oil fuel units or settling tanks, a ship of 1 000 tons gross tonnage and upwards shall be provided with the following arrangements:

(i) There shall be any one of the following fixed fire-extinguishing installations:

(1) A pressure water-spraying system complying with Regulation 11 of this Chapter.

(2) A fire-extinguishing installation complying with Regulation 8 of this Chapter.

(3) A fixed froth installation complying with Regulation 9 of this Chapter. (The Administration may require fixed or mobile arrangements by pressure water or froth spraying to fight fire above the floor plates.)

In each case if the engine and boiler rooms are not entirely separate, or if fuel oil can drain from the boiler room into the engine room bilges, the combined engine and boiler rooms shall be considered as one compartment.

(ii) There shall be at least two approved portable extinguishers discharging froth or other approved medium suitable for extinguishing oil fires in each firing space in each boiler room and each space in which a part of the oil fuel installation is situated. In addition, there shall be at least one extinguisher of the same description with a capacity of 9 litres (2 gallons) for each burner, provided that the total capacity of the additional extinguisher or extinguishers need not exceed 45 litres (10 gallons) for any one boiler room.

(iii) In each firing space there shall be a receptacle containing sand, sawdust impregnated with soda, or other approved dry material in such quantity as may be required by the Administration. Alternatively an approved portable extinguisher may be substituted therefor. (h) Fire-fighting appliances in spaces containing internal combustion type machinery.

Where internal combustion type engines are used, either for main propulsion machinery, or for auxiliary purposes associated with a total power output of not less than 746 kW, a ship of 1 000 tons gross tonnage and upwards shall be provided with the following arrangements:

(i) There shall be one of the fixed arrangements required by subparagraph (g) (i) of this Regulation.

(ii) There shall be in each engine space one approved froth-type extinguisher of not less than 45 litres (10 gallons) capacity or equivalent and also one approved portable froth extinguisher for each 746 kW of engine power output or part thereof; but the total number of portable extinguishers so supplied shall be not less than two and need not exceed six.

(i) Fire-fighting arrangements in spaces containing steam turbines and not requiring any fixed installation.

The Administration shall give special consideration to the fire-extinguishing arrangements to be provided in spaces containing steam turbines which are separated from boiler rooms by watertight bulkheads.

(j) Fireman’s outfits and personal equipment.

(i) The ship, whether new or existing, shall carry at least two fireman’s outfits complying with the requirements of Regulation 14 of this Chapter. Furthermore, Administrations may require in large ships additional sets of personal equipment and in tankers and special ships such as factory ships additional firemen’s outfits.

(ii) For each fireman’s outfit which includes a self-contained breathing apparatus as provided in paragraph (b) of Regulation 14 of this Chapter, spare charges shall be carried on a scale approved by the Administration.

(iii) The fireman’s outfits and personal equipment shall be stored so as to be easily accessible and ready for use and, where more than one fireman’s outfit and set of personal equipment are carried, they shall be stored in widely separated positions.

REGULATION 53

Means of escape

(a) In and from all crew and passenger spaces and spaces in which crew are normally employed, other than machinery spaces, stairways and ladders shall be arranged so as to provide ready means of escape to the lifeboat embarkation deck.

(b) In machinery spaces, two means of escape, one of which may be a watertight door, shall be provided from each engine room, shaft tunnel and boiler room. In machinery spaces, where no watertight door is available, the two means of escape shall be formed by two sets of steel ladders as widely separated as possible leading to doors
in the casing similarly separated and from which access is provided to the embarkation deck. In the case of ships of
less than 200 tons gross tonnage, the Administration may dispense with this requirement, due regard being paid to
the width and the disposition of the casing.

REGULATION 54

Special arrangements in machinery spaces

(a) Means shall be provided for stopping ventilating fans serving machinery and cargo spaces and for closing all
doorways, ventilators, annular spaces around funnels and other openings to such spaces. These means shall be
capable of being operated from outside such spaces in case of fire.

(b) Machinery driving forced and induced draught fans, oil fuel transfer pumps, oil fuel unit pumps and other
similar fuel pumps shall be fitted with remote controls situated outside the space concerned so that they may be
stopped in the event of a fire arising in the space in which they are located.

(c) Every oil fuel suction pipe from a storage, settling or daily service tank situated above the double bottom
shall be fitted with a cock or valve capable of being closed from outside the space concerned in the event of a fire
arising in the space in which such tanks are situated. In the special case of deep tanks situated in any shaft or pipe
tunnel, valves on the tanks shall be fitted but control in event of fire may be effected by means of an additional
valve on the pipeline or lines outside the tunnel or tunnels.

PART E — FIRE SAFETY MEASURES FOR TANKERS

REGULATION 55

Application

(a) Unless expressly provided otherwise—

(ii) this Part shall apply to all new tankers carrying crude oil and petroleum products having a flashpoint
not exceeding 60°C (140°F) (closed cup test) as determined by an approved flashpoint apparatus
and a Reid vapour pressure which is below that of atmospheric pressure, and other liquid products
having a similar fire hazard; and

(ii) in addition, all ships covered by this Part shall comply with the requirements of Regulations 52, 53
and 54 of Chapter II–2 of the Convention except that fixed gas fire-extinguishing systems for cargo
spaces shall not be used for new tankers and for those existing tankers complying with Regulation 60
of this Chapter. For existing tankers not required to comply with Regulation 60, the Administration, in
applying the requirements of paragraph (f) of Regulation 52, may accept a froth system capable of
discharging froth internally or externally to the tanks. The details of the installation shall be to the
satisfaction of the Administration.

(b) Where cargoes other than those referred to in subparagraph (a) (i) of this Regulation which introduce
additional fire hazards are intended to be carried, additional safety measures shall be required to the satisfaction of
the Administration.

(c) Combination carriers shall not carry solid cargoes unless all cargo tanks are empty of oil and gas freed or
unless, in each case, the Administration is satisfied with the arrangements provided.

[Reg. 55 substituted by Proclamation No. R.168 of 1982.]

REGULATION 56

Location and separation of spaces

(a) Machinery spaces of Category A shall be positioned aft of cargo tanks and slop tanks and shall be isolated
from them by a cofferdam, cargo pump room or oil bunker tank; they shall also be situated aft of such cargo pump
rooms and cofferdams, but not necessarily aft of the oil fuel bunker tanks. However, the lower portion of the pump
room may be recessed into such spaces to accommodate pumps provided the deck head of the recess is in general
not more than one-third of the moulded depth above the keel except that in the case of ships of not more than
25 000 metric tons deadweight, where it can be demonstrated that for reasons of access and satisfactory piping
arrangements this is impracticable, the Administration may permit a recess in excess of such height, but not
exceeding one half of the moulded depth above the keel.

(b) Accommodation spaces, main cargo control stations, control stations and service spaces shall be positioned
aft of all cargo tanks, slop tanks, cargo pump rooms and cofferdams which isolate cargo or slop tanks from
machinery spaces of Category A. Any common bulkhead separating a cargo pump room, including the pump room
entrance, from accommodation and service spaces and control stations shall be constructed to “A-60” Class. Where
deemed necessary, accommodation spaces, control stations, machinery spaces other than those of Category A and
service spaces may be permitted forward of all cargo tanks, slop tanks, cargo pump rooms and cofferdams subject
to an equivalent standard of safety and appropriate availability of fire-extinguishing arrangements being provided
to the satisfaction of the Administration.

(c) Where the fitting of a navigation position above the cargo tank area is shown to be necessary it shall be for
navigation purposes only and it shall be separated from the cargo tank deck by means of an open space with a
height of at least 2 metres. The fire protection of such navigation position shall in addition be as required for control
spaces as set forth in paragraphs (a) and (b) of Regulation 57 and other provisions as applicable of this Part.
(d) Means shall be provided to keep deck spills away from the accommodation and service areas. This may be accomplished by provision of a permanent continuous coaming of a suitable height extending from side to side. Special consideration shall be given to the arrangements associated with stern loading.

(e) Exterior boundaries of superstructures and deckhouses enclosing accommodation and service spaces and including any overhanging decks which support such accommodation, shall be insulated to “A-60” Class for the whole of the portions which face cargo oil tanks and for 3 metres aft of the front boundary. In the case of the sides of these superstructures and deckhouses, such insulation shall be carried as high as is deemed necessary by the Administration.

(f) In boundaries, facing cargo tanks, of superstructures and deckhouses containing accommodation and service spaces the following provisions shall apply:

(i) No doors shall be permitted in such boundaries, except that doors to those spaces not having access to accommodation and service spaces, such as cargo control stations, provision rooms, and store-rooms may be permitted by the Administration. Where such doors are fitted, the boundaries of the space shall be insulated to “A-60” Class. Bolted plates for removal of machinery may be fitted in such boundaries.

(ii) Portlights in such boundaries shall be of a fixed (non-opening) type. Pilot house windows may be non-fixed (opening).

(iii) Portlights in the first tier on the main deck shall be fitted with inside covers of steel or equivalent material.

The requirements of this paragraph, where applicable, except in the case of access to the navigating bridge spaces, shall also be applied to the boundaries of the superstructures and deckhouses for a distance of 5 metres measured longitudinally from the forward end of such structures.

REGULATION 57

Construction

(a) (i) The hull, superstructure, structural bulkheads, decks and deckhouses shall be constructed of steel or other equivalent material.

(ii) Bulkheads between cargo pump rooms, including their trunks and machinery spaces of Category A shall be "A" Class and shall have no penetrations which are less than "A-0" Class or equivalent in all respects, other than the cargo pump shaft glands and similar glanded penetrations.

(iii) Bulkheads and decks forming divisions separating machinery spaces of Category A and cargo pump rooms, including their trunks, respectively, from the accommodation and service spaces shall be of "A-60" Class. Such bulkheads and decks and any boundaries of machinery spaces of Category A and cargo pump rooms shall not be pierced for windows or portlights.

(iv) The requirements of subparagraphs (ii) and (iii) of this paragraph, however, do not preclude the installation of permanent approved gas-tight lighting enclosures for illuminating the pump rooms provided that they are of adequate strength and maintain the integrity and gas-tightness of the bulkhead as “A” Class. Further, it does not preclude the use of windows in a control room located entirely within a machinery space.

(v) Control stations shall be separated from adjacent enclosed spaces by means of “A” Class bulkheads and decks. The insulation of these control station boundaries shall be to the satisfaction of the Administration having in mind the risk of fire in adjacent spaces.

(vi) Casing doors in machinery spaces of Category A shall be selfclosing and comply with the related provisions of sub-paragraph (b) (vii) of this Regulation.

(vii) The surface of the insulation on interior boundaries of machinery spaces of Category A shall be impervious to oil and oil vapours.

(viii) Primary deck coverings, if applied, shall be of approved materials which will not readily ignite.*

(ix) Interior stairways shall be of steel or other suitable material.

(x) When adjacent to accommodation spaces, bulkheads of galleys, paint stores, lamp rooms and boatswain’s stores shall be of steel or equivalent material.

(xi) Paints, varnishes and other finishes used on exposed interior surfaces shall not be of a nature to offer an undue fire hazard in the judgment of the Administration and shall not be capable of producing excessive quantities of smoke or other toxic properties.

(xii) Pipes conveying oil or combustible liquids shall be of a material approved by the Administration having regard to the fire risk. Materials readily rendered ineffective by heat shall not be used for overboard scuppers, sanitary discharges, and other outlets which are close to the water-line and where the failure of the material in the event of fire would give rise to danger of flooding.

(xiii) Power ventilation of machinery spaces shall be capable of being stopped from an easily accessible position outside the machinery spaces.
Corridor bulkheads including doors shall be of “A” or “B” Class divisions extending from deck to deck.

Stairways which penetrate only a single deck shall be protected at least at one level by “A” or “B” Air spaces enclosed behind ceilings, panellings, or linings shall be divided by close fitting draught stops spaced not more than 14 metres apart.

Ceilings, linings, bulkheads and insulation except for insulation in refrigerated compartments shall be of non-combustible material. Vapour barriers and adhesives used in conjunction with insulation, as well as insulation of pipe fittings for cold service systems need not be non-combustible, but they shall be kept to the minimum quantity practicable and their exposed surfaces shall have resistance to propagation of flame to the satisfaction of the Administration.

The framing, including grounds and the joint pieces of bulkheads, linings, ceilings and draughts stops, if fitted, shall be of non-combustible material.

Air spaces in corridors and stairway enclosures and surfaces in concealed or inaccessible spaces shall have low flame-spread characteristics.*

Bulkheads, linings and ceilings may have combustible veneer, provided that such veneer shall not exceed 2 millimetres within any such space except corridors, stairway enclosures and control stations where it shall not exceed 1.5 millimetres.

The arrangement and positioning of openings in the cargo tank deck from which gas emission can occur shall be such as to minimize the possibility of gas being admitted to enclosed spaces containing a source of ignition, or collecting in the vicinity of deck machinery and equipment which may constitute an ignition hazard. In every case the height of the outlet above the deck and the discharge velocity of the gas shall be considered in conjunction with the distance of any outlet from any deckhouse opening or source of ignition.

The arrangement of ventilation inlets and outlets and other deckhouse and superstructure boundary space openings shall be such as to complement the provisions of paragraph (a) of this Regulation. Such vents especially for machinery spaces shall be situated as far aft as practicable. Due consideration in this regard should be given when the ship is equipped to load or discharge at the stern. Sources of ignition such as electrical equipment shall be so arranged as to avoid an explosion hazard.

Cargo pump rooms shall be mechanically ventilated and discharges from the exhaust fans shall be led to a safe place on the open deck. The ventilation of these rooms shall have sufficient capacity to minimize the possibility of accumulation of inflammable vapours. The number of changes of air shall be at least 20 times per hour, based upon the gross volume of the space. The air ducts shall be arranged so that all of the space is effectively ventilated. The ventilation shall be of the suction type.

REGULATION 58

Ventilation

In addition to the requirements of paragraph (a) of Regulation 53 of this Chapter, consideration shall be given
REGULATION 60

Cargo tank protection

(a) For new tankers of 20 000 metric tons deadweight and upwards, the protection of the cargo tanks deck area and cargo tanks shall be achieved by a fixed deck froth system and a fixed inert gas system in accordance with the requirements of Regulations 61 and 62 of Chapter II–2 of the Convention except that in lieu of the above installations the Administration, after having given consideration to the ship’s arrangement and equipment, may accept other combinations of fixed installations if they afford protection equivalent to the above, in accordance with Regulation 5 of Chapter I of the Convention.

(b) To be considered equivalent, the system proposed in lieu of the deck froth system shall—

(i) be capable of extinguishing spill fires and also preclude ignition of spilled oil not yet ignited; and
(ii) be capable of combating fires in ruptured tanks.

(c) To be considered equivalent, the system proposed in lieu of the fixed inert gas system shall—

(i) be capable of preventing dangerous accumulations of explosive mixtures in intact cargo tanks during normal service throughout the ballast voyage and necessary in-tank operations; and
(ii) be so designed as to minimize the risk of ignition from the generation of static electricity by the system itself.

(d) Any existing tanker of 20 000 metric tons deadweight and upwards engaged in the trade of carrying crude oil shall be fitted with an inert gas system, complying with the requirements of paragraph (a) of this Regulation, not later than a date—

(i) for a tanker of 70 000 metric tons deadweight and upwards, two years after the date of entry into force of the present Protocol; and
(ii) for a tanker of less than 70 000 metric tons deadweight, four years after the date of entry into force of the present Protocol, except that for tankers less than 40 000 tons deadweight not fitted with tank washing machines having an individual throughput of greater than 60 cubic metres per hour, the Administration may exempt existing tankers from the requirements of this paragraph, if it would be unreasonable and impracticable to apply these requirements, taking into account the ship’s design characteristics.

(e) Any existing tanker of 40 000 metric tons deadweight and upwards engaged in the trade of carrying oil other than crude oil and any such tanker of 20 000 metric tons deadweight and upwards engaged in the trade of carrying oil other than crude oil fitted with tank washing machines having an individual throughput of greater than 60 cubic metres per hour shall be fitted with an inert gas system, complying with the requirements of paragraph (a) of this Regulation, not later than a date—

(i) for a tanker of 70 000 metric tons deadweight and upwards, two years after the date of entry into force of the present Protocol; and
(ii) for a tanker of less than 70 000 metric tons deadweight, four years after the date of entry into force of the present Protocol.

(f) Any tanker operating with a cargo tank cleaning procedure using crude oil washing shall be fitted with an inert gas system complying with the requirements of Regulation 62 of Chapter II/n2 of the Convention and with fixed tank washing machines.

(g) All tankers fitted with a fixed inert gas system shall be provided with a closed ullage system.

(h) Any new tanker of 2 000 tons gross tonnage and upwards not covered by paragraph (a) of this Regulation shall be provided with a froth system, capable of discharging froth internally or externally, to the tanks. The details of such installation shall be to the satisfaction of the Administration.

[Reg. 60 substituted by Proclamation No. R.168 of 1982.]

REGULATION 61

Fixed deck froth system

The fixed deck froth system referred to in paragraph (a) of Regulation 60 of this Chapter shall be designed as follows:

(a) The arrangements for providing froth shall be capable of delivering froth to the entire cargo tank area as well as into any cargo tank, the deck of which has been ruptured.

(b) The system shall be capable of simple and rapid operation. The main control station for the system shall be suitably located outside of the cargo tank area, adjacent to the accommodation spaces and readily accessible and operable in the event of fire in the areas protected.

(c) The rate of supply of froth solution shall be not less than the greater of the following:
(i) 0.6 litres per minute per square metre of the cargo deck area, where cargo deck area means the maximum breadth of the ship times the total longitudinal extent of the cargo tank spaces, or
(ii) 6 litres per minute per square metre of the horizontal sectional area of the single tank having the largest such area.

Sufficient froth concentrate shall be supplied to ensure at least 20 minutes of froth generation when using solution rates stipulated in subparagraph (i) or (ii) of this paragraph, whichever is the greater. The froth expansion ratio (i.e. the ratio of the volume of froth produced to the volume of the mixture of water and frothmaking concentrate supplied) shall not generally exceed 12 to 1. Where systems essentially produce low expansion froth but at an expansion ratio slightly in excess of 12 to 1, the quantity of froth solution available shall be calculated as for 12 to 1 expansion ratio systems. When medium expansion ratio froth (between 50 to 1 and 150 to 1 expansion ratio) is employed the application rate of the froth and the capacity of a monitor installation shall be to the satisfaction of the Administration.

(d) Froth from the fixed froth system shall be supplied by means of monitors and froth applicators. At least 50 per cent of the required froth rate shall be delivered from each monitor.

(e) (i) The number and position of monitors shall be such as to comply with paragraph (a) of this Regulation. The capacity of any monitor in litres per minute of froth solution shall be at least three times the deck area in square metres protected by that monitor, such area being entirely forward of the monitor.

(ii) The distance from the monitor to the farthest extremity of the protected area forward of that monitor shall not be more than 75 per cent of the monitor throw in still air conditions.

(f) A monitor and hose connection for a froth applicator shall be situated both port and starboard at the poop front or accommodation spaces facing the cargo deck. Applicators shall be provided for flexibility of action during fire-fighting operations and to cover areas screened from the monitors.

(g) Valves shall be provided in both the froth main and the fire main immediately forward of every monitor position to isolate damaged sections of these mains.

(h) Operation of a deck froth system at its required output shall permit the simultaneous use of the minimum required number of jets of water at the required pressure from the fire main.

REGULATION 62

Inert gas system

The inert gas system referred to in paragraph (a) of Regulation 60 of this Chapter shall be capable of providing on demand a gas or mixture of gases to the cargo tanks so deficient in oxygen that the atmosphere within a tank may be rendered inert, i.e. incapable of propagating flame. Such a system shall satisfy the following conditions:

(a) The need for fresh air to enter a tank during normal operations shall be eliminated, except when preparing a tank for entry by personnel.

(b) Empty tanks shall be capable of being purged with inert gas to reduce the hydrocarbon content of a tank after discharge of cargo.

(c) The washing of tanks shall be capable of being carried out in an inert atmosphere.

(d) During cargo discharge, the system shall be such as to ensure that the volume of gas referred to in paragraph (f) of this Regulation is available. At other times sufficient gas to ensure compliance with paragraph (g) of this Regulation shall be continuously available.

(e) Suitable means for purging the tanks with fresh air as well as with inert gas shall be provided.

(f) The system shall be capable of supplying inert gas at a rate of at least 125 per cent of the maximum rated capacity of the cargo pumps.

(g) Under normal running conditions, when tanks are being filled or have been filled with inert gas, a positive pressure shall be capable of being maintained at the tank.

(h) Exhaust gas outlets for purging shall be suitably located in the open air and shall be to the same general requirements as prescribed for ventilating outlets of tanks, referred to in paragraph (a) of Regulation 58 of this Chapter.

(i) A scrubber shall be provided which will effectively cool the gas and remove solids and sulphur combustion products.

(j) At least two fans (blowers) shall be provided which together shall be capable of delivering at least the amount of gas stipulated in paragraph (f) of this Regulation.

(k) The oxygen content in the inert gas supply shall not normally exceed 5 per cent by volume.

(l) Means shall be provided to prevent the return of hydrocarbon gases or vapours from the tanks to the machinery spaces and uptakes and prevent the development of excessive pressure or vacuum. In addition, an effective water lock shall be installed at the scrubber or on deck. Branch piping for inert
gas shall be fitted with stop valves or equivalent means of control at every tank. The system shall be so designed as to minimize the risk of ignition from the generation of static electricity.

\( m \) Instrumentation shall be fitted for continuously indicating and permanently recording at all times when inert gas is being supplied the pressure and oxygen content of the gas in the inert gas supply main on the discharge side of the fan. Such instrumentation should preferably be placed in the cargo control room if fitted but in any case shall be easily accessible to the officer in charge of cargo operations. Portable instruments suitable for measuring oxygen and hydrocarbon gases or vapour and the necessary tank fittings shall be provided for monitoring the tank contents.

\( n \) Means for indicating the temperature and pressure of the inert gas main shall be provided.

\( o \) Alarms shall be provided to indicate—

(i) high oxygen content of gas in the inert gas main;

(ii) low gas pressure in the inert gas main;

(iii) low pressure in the supply to the deck water seal, if such equipment is installed;

(iv) high temperature of gas in the inert gas main; and

(v) low water pressure to the scrubber;

and automatic shut-down of the system shall be arranged on predetermined limits being reached in respect of subparagraphs (iii), (iv) and (v) of this paragraph.

\( p \) The master of any ship equipped with an inert gas system shall be provided with an instruction manual covering operational, safety and occupational health requirements relevant to the system.

REGULATION 63

Cargo pump room

Each cargo pump room shall be provided with a fixed fire-fighting system operated from a readily accessible position outside the pump room. The system shall use water-spray or another suitable medium satisfactory to the Administration.

REGULATION 64

Hose nozzles

All hose water nozzles provided shall be of an approved dual purpose type (i.e. spray/jet type) incorporating a shut-off.

PART F — SPECIAL FIRE SAFETY MEASURES FOR EXISTING PASSENGER SHIPS

[For the purposes of this Part of this Chapter, all reference to Regulation ... (1948) means references to Regulations of Chapter II of the International Convention for the Safety of Life at Sea, 1948, and all references to Regulation ... (1960) means, unless otherwise stated, references to Regulations of Chapter II of the International Convention for the Safety of Life at Sea, 1960.]

REGULATION 65

Application

Any passenger ship carrying more than 36 passengers shall at least comply as follows:

\( a \) A ship, the keel of which was laid before 19 November 1952, shall comply with the provisions of Regulations 66 to 85 inclusive of this Part.

\( b \) A ship, the keel of which was laid on or after 19 November 1952 but before 26 May 1965, shall comply with the provisions of the International Convention for the Safety of Life at Sea, 1948, relating to the fire safety measures applicable in that Convention to new ships and shall also comply with the provisions of Regulations 68\( (b) \) and \( (c) \), 75, 77\( (b) \), 78, 80\( (b) \), 81\( (b) \) to \( (g) \), 84 and 85 of this Part.

\( c \) A ship, the keel of which was laid on or after 26 May 1965, but before the present Convention comes into force, shall, unless it complies with Parts A and B of this Chapter, comply with the provisions of the International Convention for the Safety of Life at Sea, 1960 relating to the fire safety measures applicable in that Convention to new ships and shall also comply with Regulations 68\( (b) \) and \( (c) \), 80\( (b) \), 81\( (b) \), \( (c) \) and \( (d) \) and 85 of this Part.

REGULATION 66

Structure

The structural components shall be of steel or other suitable material in compliance with Regulation 27 (1948), except that isolated deckhouses containing no accommodation and decks exposed to the weather may be of wood if structural fire protection measures are taken to the satisfaction of the Administration.
REGULATION 67

Main vertical zones

The ship shall be subdivided by “A” Class divisions into main vertical zones in compliance with Regulation 28 (1948). Such divisions shall have as far as practicable adequate insulating value, taking into account the nature of the adjacent spaces as provided for in Regulation 26 (c) (iv) (1948).

REGULATION 68

Openings in main vertical zone bulkheads

(a) The ship shall comply substantially with Regulation 29 (1948).

(b) Fire doors shall be of steel or equivalent material with or without non-combustible insulation.

(c) In the case of ventilation trunks and ducts having a cross-sectional area of 0,02 square metres (31 square inches) or more which pass through main zone divisions, the following additional provisions shall apply:

(i) For trunks and ducts having cross-sectional areas between 0,02 square metres (31 square inches) and 0,075 square metres (116 square inches) inclusive, fire dampers shall be of a fail-safe automatic closing type, or such trunks and ducts shall be insulated for at least 457 millimetres (18 inches) on each side of the division to meet the applicable bulkhead requirements;

(ii) for trunks and ducts having a cross-sectional area exceeding 0,075 square metres (116 square inches), fire dampers shall be of a fail-safe automatic closing type.

REGULATION 69

Separation of accommodation spaces from machinery, cargo and service spaces

The ship shall comply with Regulation 31 (1948).

REGULATION 70

Application relative to Methods I, II and III

Each accommodation space and service space in a ship shall comply with all the provisions stipulated in one of the paragraphs (a), (b), (c) or (d) of this Regulation:

(a) When a ship is being considered for acceptance in the context of Method I, a network of non-combustible “B” Class bulkheads shall be provided in substantial compliance with Regulation 30 (a) (1948) together with maximum use of non-combustible materials in compliance with Regulation 39 (a) (1948).

(b) When a ship is being considered for acceptance in the context of Method II—

(i) an automatic sprinkler and fire alarm system shall be provided which shall be in substantial compliance with Regulations 42 and 48 (1948); and

(ii) the use of combustible materials of all kinds shall be reduced as far as is reasonable and practicable.

(c) When a ship is being considered for acceptance in the context of Method III, a network of fire-retarding bulkheads shall be fitted from deck to deck in substantial compliance with Regulation 30 (b) (1948), together with an automatic fire detection system in substantial compliance with Regulation 43 (1948). The use of combustible and highly inflammable materials shall be restricted as prescribed in Regulation 39 (b) and 40 (g) (1948). Departure from the requirements of Regulations 39 (b) and 40 (g) (1948) may be permitted if a fire patrol is provided at intervals not exceeding 20 minutes.

(d) when a ship is being considered for acceptance in the context of Method III—

(i) additional “A” Class divisions shall be provided within the accommodation spaces in order to reduce in these spaces the mean length of the main vertical zones to about 20 metres (65,5 feet); and

(ii) an automatic fire detection system shall be provided in substantial compliance with Regulation 43 (1948); and

(iii) all exposed surfaces, and their coatings, of corridor and cabin bulkheads in accommodation spaces shall be of limited flame-spreading power; and

(iv) the use of combustible materials shall be restricted as prescribed in Regulation 39 (b) (1948). Departure from the requirements of Regulation 39 (b) (1948) may be permitted if a fire patrol is provided at intervals not exceeding 20 minutes; and

(v) additional non-combustible “B” Class divisions shall be fitted from deck to deck forming a network of fire-retarding bulkheads within which the area of any compartment, except public spaces, will in general not exceed 300 square metres (3 200 square feet).
REGULATION 71
Protection of vertical stairways

The stairways shall comply with Regulation 33 (1948) except that, in cases of exceptional difficulty, the Administration may permit the use of non-combustible "B" Class divisions and doors instead of "A" Class divisions and doors for stairway enclosures. Moreover, the Administration may permit exceptionally the retention of a wooden stairway subject to its being sprinkler-protected and satisfactorily enclosed.

REGULATION 72
Protection of lifts (passenger and service), vertical trunks for light and air, etc.

The ship shall comply with Regulation 34 (1948).

REGULATION 73
Protection of control stations

The ship shall comply with Regulation 35 (1948), except however that in cases where the disposition or construction of control stations is such as to preclude full compliance, e.g. timber construction of wheelhouse, the Administration may permit the use of free-standing non-combustible "B" Class divisions to protect the boundaries of such control stations. In such cases, where spaces immediately below such control stations constitute a significant fire hazard, the deck between shall be fully insulated as an "A" Class division.

REGULATION 74
Protection of store-rooms, etc.

The ship shall comply with Regulation 36 (1948).

REGULATION 75
Windows and sidescuttles

Skylights of engine and boiler spaces shall be capable of being closed from outside such spaces.

REGULATION 76
Ventilation systems

(a) All power ventilation, except cargo and machinery space ventilation, shall be fitted with master controls so located outside the machinery space and in readily accessible positions, that it shall not be necessary to go to more than three stations in order to stop all the ventilation fans to spaces other than machinery and cargo spaces. Machinery space ventilation shall be provided with a master control operable from a position outside the machinery space.

(b) Efficient insulation shall be provided for exhaust ducts from galley ranges where the ducts pass through accommodation spaces.

REGULATION 77
Miscellaneous items

(a) The ship shall comply with Regulation 40 (a), (b) and (f) (1948), except that in Regulation 40 (a) (i) (1948), 20 metres (65.5 feet) may be substituted for 13.73 metres (45 feet).

(b) Fuel pumps shall be fitted with remote controls situated outside the space concerned so that they may be stopped in the event of a fire arising in the space in which they are located.

REGULATION 78
Cinematograph film

Cellulose-nitrate-based film shall not be used in cinematograph installations on board ship.

REGULATION 79
Plans

Plans shall be provided in compliance with Regulation 44 (1948).

REGULATION 80
Pumps, fire main systems, hydrants and hoses

(a) The provisions of Regulation 45 (1948) shall be complied with. (b) Water from the fire main shall, as far as practicable, be immediately available, such as by maintenance of pressure or by remote control of fire pumps, which
REGULATION 81

Fire detection and extinction requirements—General

(a) The requirements of Regulation 50 (a) to (o) (1948) inclusive shall be complied with, subject to further provisions of this Regulation.

Patrols, detection and communication system

(b) Each member of any fire patrol required by this Part shall be trained to be familiar with the arrangements of the ship as well as the location and operation of any equipment he may be called upon to use.

(c) A special alarm to summon the crew shall be fitted which may be part of the ship’s general alarm system.

(d) A public address system or other effective means of communication shall also be available throughout the accommodation, public and service spaces.

Machinery and boiler spaces

(e) The number, type and distribution of fire extinguishers shall comply with paragraphs (g) (ii), (g) (iii) and (h) (ii) of Regulation 64 (1960).

International shore connection

(f) The provisions of Regulation 64 (d) (1960) shall be complied with.

Fireman’s outfits

(g) The provisions of Regulation 64 (j) (1960) shall be complied with.

REGULATION 82

Ready availability of fire-fighting appliances

The provisions of Regulation 66 (1960) shall be complied with.

REGULATION 83

Means of escape

The provisions of Regulation 54 (1948) shall be complied with.

REGULATION 84

Emergency source of electrical power

The provisions of Regulation 22 (a), (b) and (c) (1948) shall be complied with except that the location of the emergency source of electrical power shall be in accordance with the requirements of Regulation 25 (a) (1960).

REGULATION 85

Practice musters and drills

At the fire drills mentioned in Regulation 26 of Chapter III of the International Convention for the Safety of Life at Sea, 1960 each member of the crew shall be required to demonstrate his familiarity with the arrangements and facilities of the ship, his duties, and any equipment he may be called upon to use. Masters shall be required to familiarize and instruct the crews in this regard.

CHAPTER III

LIVE-SAVING APPLIANCES, ETC.

REGULATION 1

Application

(a) This Chapter, except where it is otherwise expressly provided, applies as follows to new ships engaged on international voyages:

Part A—Passenger ships and cargo ships.

Part B—Passenger ships.

Part C—Cargo ships.

(b) In the case of existing ships engaged on international voyages, the keels of which were laid or which were at a similar stage of construction on or after the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, the requirements of Chapter III of that Convention applicable to new ships as defined in
that Convention shall apply.

(c) In the case of existing ships engaged on international voyages, the keels of which were laid or which were at a similar stage of construction before the date of coming into force of the International Convention for the Safety of Life at Sea, 1960, and which do not already comply with the provisions of Chapter III of that Convention relating to new ships, the arrangements in each ship shall be considered by the Administration with a view to securing, so far as this is practicable and reasonable, and as early as possible, substantial compliance with the requirements of Chapter III of that Convention. The proviso to subparagraph (b) (i) of Regulation 27 of this Chapter may, however, be applied to existing ships referred to in this paragraph only if—

(i) the provisions of Regulations 4, 8, 14, 18 and 19 and paragraphs (a) and (b) of Regulation 27 of this Chapter are complied with;

(ii) the liferafts carried in accordance with the provisions of paragraph (b) of Regulation 27 comply with the requirements of either Regulation 15 or Regulation 16, and of Regulation 17 of this Chapter; and

(iii) the total number of persons on board shall not be increased as the result of the provision of liferafts unless the ship fully complies with the provisions of—

(1) Part B of Chapter II-1;

(2) subparagraphs (a) (iii) and (iv) of Regulation 21 or subparagraph (a) (iii) of Regulation 48 of Chapter II-2, as applicable; and

(3) paragraphs (a), (b), (e) and (f) of Regulation 29 of this Chapter.

PART A — GENERAL

(Part A applies to both passenger ships and cargo ships)

REGULATION 2

Definitions

For the purpose of this Chapter:

(a) “Short international voyage” means an international voyage in the course of which a ship is not more than 200 miles from a port or place in which the passengers and crew could be placed in safety, and which does not exceed 600 miles in length between the last port of call in the country in which the voyage begins and the final port of destination.

(b) “Liferaft” means a liferaft complying with either Regulation 15 or Regulation 16 of this Chapter.

(c) “Approved launching device” means a device approved by the Administration, capable of launching from the embarkation position a liferaft fully loaded with the number of persons it is permitted to carry and with its equipment.

(d) “Certificated lifeboatman” means any member of the crew who holds a certificate of efficiency issued under the provisions of Regulation 32 of this Chapter.

(e) “Buoyant apparatus” means flotation equipment (other than lifeboats, liferafts, lifebuoys and life-jackets) designed to support a specified number of persons who are in the water and of such construction that it retains its shape and properties.

REGULATION 3

Exemptions

(a) The administration, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of the full requirements of this Chapter unreasonable or unnecessary, may to that extent exempt from the requirements of this Chapter individual ships or classes of ships which, in the course of their voyage, do not go more than 20 miles from the nearest land.

(b) In the case of passenger ships which are employed in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this Chapter, may exempt such ships, when they belong to its country, from those requirements, provided that they comply fully with the provisions of—

(i) the Rules annexed to the Special Trade Passenger Ships Agreement, 1971; and

(ii) the Rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973, when it enters into force.

REGULATION 4

Ready availability of lifeboats, liferafts and buoyant apparatus

(a) The general principle governing the provision of lifeboats, liferafts and buoyant apparatus in a ship to which this Chapter applies is that they shall be readily available in case of emergency.
(b) To be readily available, the lifeboats, liferafts and buoyant apparatus shall comply with the following conditions:

(i) They shall be capable of being put into the water safely and rapidly even under unfavourable conditions of trim and of 15 degree of list;

(ii) it shall be possible to effect embarkation into the lifeboats and liferafts rapidly and in good order;

(iii) the arrangement of each lifeboat, liferaft and article of buoyant apparatus shall be such that it will not interfere with the operation of other boats, liferafts and buoyant apparatus.

(c) All the life-saving appliances shall be kept in working order and available for immediate use before the ship leaves port and at all times during the voyage.

REGULATION 5
Construction of lifeboats

(a) All lifeboats shall be properly constructed and shall be of such form and proportions that they shall have ample stability in a seaway, and sufficient freeboard when loaded with their full complement of persons and equipment. All lifeboats shall be capable of maintaining positive stability when open to the sea and loaded with their full complement of persons and equipment.

(b) (i) All lifeboats shall have rigid sides and internal buoyancy only. The Administration may approve lifeboats with a rigid shelter, provided that it may be readily opened from both inside and outside, and does not impede rapid embarkation and disembarkation or the launching and handling of the lifeboat.

(ii) Motor lifeboats may be fitted to the satisfaction of the Administration with a means for preventing the entry of water at the fore end.

(iii) All lifeboats shall be not less than 7,3 metres (24 feet) in length except where owing to the size of the ship, or for other reasons, the Administration considers the carriage of such lifeboats unreasonable or impracticable. In no ship shall the lifeboats be less than 4,9 metres (16 feet) in length.

(c) No lifeboat may be approved the weight of which when fully laden with persons and equipment exceed 20 300 kilograms (20 tons) or which has a carrying capacity calculated in accordance with Regulation 7 of this Chapter of more than 150 persons.

(d) All lifeboats permitted to carry more than 60 persons but not more than 100 persons shall be either motor lifeboats complying with the requirements of Regulation 9 of this Chapter or be lifeboats fitted with an approved means of mechanical propulsion complying with Regulation 10 of this Chapter. All lifeboats permitted to carry more than 100 persons shall be motor lifeboats complying with the requirements of Regulation 9 of this Chapter.

(e) All lifeboats shall be of sufficient strength to enable them to be safely lowered into the water when loaded with their full complement of persons and equipment. All lifeboats shall be of such strength that they will not suffer residual deflection if subjected to an overload of 25 per cent.

(f) All lifeboats shall have a mean sheer at least equal to 4 per cent of their length. The sheer shall be approximately parabolic in form.

(g) In lifeboats permitted to carry 100 or more persons the volume of the buoyancy shall be increased to the satisfaction of the Administration.

(h) All lifeboats shall have inherent buoyancy, or shall be fitted with watertight air cases or other equivalent non-corrodirable buoyant material which shall not be adversely affected by oil or oil products, sufficient to float the boat and its equipment when the boat is flooded and open to the sea. An additional volume of watertight air cases or other equivalent non-corrodirable buoyant material, which shall not be adversely affected by oil or oil products, equal to at least one-tenth of the cubic capacity of the boat shall also be provided. The Administration may permit the watertight air cases to be filled with a non-corrodirable buoyant material which shall not be adversely affected by oil or oil products.

(i) All thwarts and side-seats shall be fitted as low in the lifeboat as practicable.

(j) The block coefficient of the cubic capacity as determined in accordance with Regulation 6 of this Chapter of all lifeboats, except wooden lifeboats made of planks, shall be not less than 0,64 provided that any such lifeboat may have a block coefficient of less than 0,64 if the Administration is satisfied with the sufficiency of the metacentric height and freeboard when the lifeboat is loaded with its full complement of persons and equipment.

REGULATION 6
Cubic capacity of lifeboats

(a) The cubic capacity of a lifeboat shall be determined by Simpson’s (Stirling’s) Rule or by any other method giving the same degree of accuracy. The capacity of a square-sterned lifeboat shall be calculated as if the lifeboat had a pointed stern.

(b) For example, the capacity in cubic metres (or cubic feet) of a lifeboat, calculated by the aid of Simpson’s Rule, may be considered as given by the following formula:
L being the length of the lifeboat in metres (or feet) from the inside of the planking or plating at the stem to the corresponding point at the stern post: in the case of a lifeboat with a square stern, the length is measured to the inside of the transom.

A, B, C denote respectively the areas of the cross-sections at the quarter-length forward, amidships, and the quarter-length aft, which correspond to the three points obtained by dividing L into four equal parts. (The areas corresponding to the two ends of the lifeboat are considered negligible.)

The areas A, B, C shall be deemed to be given in square metres (or square feet) by the successive application of the following formula to each of the three cross-sections:

\[ \text{Area} = \frac{h}{12} (a + 4b + 2c + 4d + e) \]

h being the depth measured in metres (or in feet) inside the planking or plating from the keel to the level of the gunwale, or, in certain cases, to a lower level as determined hereafter.

a, b, c, d, e denote the horizontal breadths of the lifeboat measured in metres (or in feet) at the upper and lower points of the depth and at the three points obtained by dividing h into four equal parts (a and e being the breadths at the extreme point, and c at the middle point of h).

(c) If the sheer of the gunwale, measured at the two points situated at a quarter of the length of the lifeboat from the ends, exceeds 1 per cent of the length of the lifeboat the depth employed in calculating the area of the cross-section A or C shall be deemed to be the depth amidships plus 1 per cent of the length of the lifeboat.

(d) If the depth of the lifeboat amidships exceeds 45 per cent of the breadth, the depth employed in calculating the area of the amidship cross-section B shall be deemed to be equal to 45 per cent of the breadth, and the depth employed in calculating the areas of the quarter-length sections A and C is obtained by increasing this last figure by an amount equal to 1 per cent of the length of the lifeboat, provided that in no case shall the depths employed in the calculation exceed the actual depths at these points.

(e) If the depth of the lifeboat is greater than 1,22 metres (4 feet) the number of persons given by the application of this Rule shall be reduced in proportion to the ratio of 1,22 metres (4 feet) to the actual depth, until the lifeboat has been satisfactorily tested afloat with that number of persons on board, all wearing life-jackets.

(f) The Administration shall impose, by suitable formulae, a limit for the number of persons allowed in lifeboats with very fine ends and in lifeboats very full in form.

(g) The Administration may assign to a lifeboat constructed of wooden planks capacity equal to the product of the length, the breadth and the depth multiplied by 0,6 if it is evident that this formula does not give a greater capacity than that obtained by the above method. The dimensions shall then be measured in the following manner:

Length—From the intersection of the outside of the planking with the stem to the corresponding point at the stern post or, in the case of a square-sterned boat, to the after side of the transom.

Breadth—From the outside of the planking at the point where the breadth of the boat is greatest.

Depth—Amidships inside the planking from the keel to the level of the gunwale, but the depth used in calculating the cubic capacity may not in any case exceed 45 per cent of the breadth.

In all cases the shipowner has the right to require that the cubic capacity of the lifeboat shall be determined by exact measurement.

(h) The cubic capacity of a motor lifeboat or a lifeboat fitted with other propelling gear shall be obtained from the gross capacity by deducting a volume equal to that occupied by the motor and its accessories or the gearbox of the other propelling gear, and, when carried, the radiotelegraph installation and searchlight with their accessories.

REGULATION 7

Carrying capacity of lifeboats

The number of persons which a lifeboat shall be permitted to accommodate shall be equal to the greatest whole number obtained by dividing the capacity in cubic metres by—

in the case of a lifeboat of 7,3 metres (24 feet) in length or over 0,283 (or where the capacity is measured in cubic feet 10);

in the case of lifeboats of 4,9 metres (16 feet) in length 0,396 (or where the capacity is measured in cubic feet 14); and

in the case of lifeboats of 4,9 metres (16 feet) in length or over but under 7,3 metres (24 feet) a number between 0,396 and 0,283 (or where the capacity is measured in cubic feet between 14 and 10), to be obtained by interpolation;
Provided that the number shall in no case exceed the number of adult persons wearing life-jackets which can be seated without in any way interfering with the use of oars or the operation of other propulsion equipment.

REGULATION 8

Number of motor lifeboats to be carried

(a) In every passenger ship there shall be carried on each side of the ship at least one motor lifeboat complying with the requirements of Regulation 9 of this Chapter.

Provided that the number shall in no case exceed the number of persons which the ship is certified to carry, together with the crew, does not exceed 30, only one such motor lifeboat shall be required.

(b) In every cargo ship of 1 600 tons gross tonnage and upwards, except tankers, ships employed as whale factory ships, ships employed as fish processing or canning factory ships, and ships engaged in the carriage of persons in the whaling, fish processing or canning industries, there shall be carried at least one motor lifeboat complying with the requirements of Regulation 9 of this Chapter.

(c) In every tanker of 1 600 tons gross tonnage and upwards, in every ship employed as a whale factory ship, in every ship employed as a fish processing or canning factory ship and in every ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries, there shall be carried on each side at least one motor lifeboat complying with the requirements of Regulation 9 of this Chapter.

REGULATION 9

Specification of motor lifeboats

(a) A motor lifeboat shall comply with the following conditions:

(i) It shall be fitted with a compression ignition engine and kept so as to be at all times ready for use; it shall be capable of being readily started in all conditions and sufficient fuel for 24 hours continuous operation at the speed specified in subparagraph (iii) of this paragraph shall be provided.

(ii) The engine and its accessories shall be suitably enclosed to ensure operation under adverse weather conditions, and the engine casing shall be fire-resisting. Provision shall be made for going astern.

(iii) The speed ahead in smooth water when loaded with its full complement of persons and equipment shall be—

1. in the case of motor lifeboats required by Regulation 8 of this Chapter to be carried in passenger ships, tankers, ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, at least six knots;

2. in the case of any other motor lifeboats, at least four knots.

(b) The volume of the internal buoyancy appliances of a motor lifeboat shall be increased above that required by Regulation 5 of this Chapter by the amount, if any, by which the volume of the internal buoyancy appliances required to support the engine and its accessories, and, if fitted, the searchlight and radiotelegraph installation and their accessories, exceeds the volume of the internal buoyancy appliances required, at the rate of 0.0283 cubic metres (one cubic foot) per person, to support the additional persons which the lifeboat could accommodate if the motor and its accessories, and, if fitted, the searchlight and radiotelegraph installation and their accessories, were removed.

REGULATION 10

Specification of mechanically propelled lifeboats other than motor lifeboats

A mechanically propelled lifeboat, other than a motor lifeboat, shall comply with the following conditions:

(a) The propelling gear shall be of an approved type and shall have sufficient power to enable the lifeboat to be readily cleared from the ship's side when launched and to be able to hold course under adverse weather conditions. If the gear is manually operated it shall be capable of being worked by persons untrained in its use and shall be capable of being operated when the lifeboat is flooded.

(b) A device shall be fitted by means of which the helmsman can cause the lifeboat to go astern at any time when the propelling gear is in operation.

(c) The volume of the internal buoyancy of a mechanically propelled lifeboat, other than a motor lifeboat, shall be increased to compensate for the weight of the propelling gear.

REGULATION 11

Equipment of lifeboats

(a) The normal equipment of every lifeboat shall consist of—

(i) a single banked complement of buoyant oars, two spare buoyant oars, and a buoyant steering oar; one set and a half of those pins or crutches, attached to the lifeboat by lanyard or chain; a boat
(a) In the case of ships engaged on voyages of such duration that in the opinion of the Administration the items specified in subparagraphs (vi), (xii), (xix), (xx) and (xxv) of paragraph (a) of this Regulation are unnecessary, the Administration may allow them to be dispensed with.

(b) In the case of ships engaged on voyages of such duration that in the opinion of the Administration the items specified in subparagraphs (vi), (xii), (xiii), (xvi), (xxi), (xxii), (xxiii) and (xxiv) of paragraph (a) of this Regulation are unnecessary, the Administration may allow them to be dispensed with.

(c) Notwithstanding the provisions of paragraph (a) of this Regulation, motor lifeboats or other approved mechanically propelled lifeboats need not carry a mast or sails or more than half the complement of oars, but they shall carry two boat hooks.

(d) All lifeboats shall be fitted with suitable means to enable persons in the water to climb into the lifeboat.

(e) Every motor lifeboat shall carry portable fire-extinguishing equipment of an approved type capable of discharging froth or other suitable substance for extinguishing oil fires.
REGULATION 12

Security of lifeboat equipment

All items of lifeboat equipment, with the exception of the boat hook which shall be kept free for fending off purposes, shall be suitably secured within the lifeboat. The lashing shall be carried out in such a manner as to ensure the security of the equipment and so as not to interfere with the lifting hooks or to prevent ready embarkation. All items of lifeboat equipment shall be as small and light in weight as possible and shall be packed in suitable and compact form.

REGULATION 13

Portable radio apparatus for survival craft

(a) An approved portable radio apparatus for survival craft complying with the requirements set out in Regulation 14 of Chapter IV shall be carried in all ships except those on which there is carried on each side of the ship a motor lifeboat fitted with a radiotelegraph installation complying with the provisions of Regulation 14 of this Chapter and of Regulation 13 of Chapter IV. All this equipment shall be kept together in the chartroom or other suitable place ready to be moved to one or other of the lifeboats in the event of an emergency. However, in tankers of 3 000 tons gross tonnage and upwards in which lifeboats are fitted amidships and aft this equipment shall be kept in a suitable place in the vicinity of those lifeboats which are furthest away from the ship's main transmitter.

(b) In the case of ships engaged on voyages of such duration that in the opinion of the Administration portable radio apparatus for survival craft is unnecessary, the Administration may allow such equipment to be dispensed with.

REGULATION 14

Radio apparatus and searchlights in motor lifeboats

(a) (i) Where the total number of persons on board a passenger ship engaged on international voyages which are not short international voyages, a ship employed as a whale factory ship, a ship employed as a fish processing or canning factory ship or a ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries, is more than 199 but less than 1 500, a radiotelegraph apparatus complying with the requirements set out in this Regulation and in Regulation 13 of Chapter IV shall be fitted in at least one of the motor lifeboats required under Regulation 8 of this Chapter to be carried in that ship.

(ii) Where the total number of persons on board such a ship is 1 500 or more, such a radiotelegraph apparatus shall be fitted in every motor lifeboat required under Regulation 8 of this Chapter to be carried in that ship.

(b) The radio apparatus shall be installed in a cabin large enough to accommodate both the equipment and the person using it.

(c) The arrangements shall be such that the efficient operation of the transmitter and receiver shall not be interfered with by the engine while it is running whether a battery is on charge or not.

(d) The radio battery shall not be used to supply power to any engine starting motor or ignition system.

(e) The motor lifeboat engine shall be fitted with a dynamo for recharging the radio battery, and for other services.

(f) A searchlight shall be fitted in each motor lifeboat required to be carried under paragraph (a) of Regulation 8 of this Chapter in passenger ships and under paragraph (c) of that Regulation in ships employed as whale factory ships, fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries.

(g) The searchlight shall include a lamp of at least 80 watts, an efficient reflector and a source of power which will give effective illumination of a light-coloured object having a width of about 18 metres (60 feet) at a distance of 180 metres (200 yards) for a total period of six hours and shall be capable of working for at least three hours continuously.

REGULATION 15

Requirements for inflatable liferafts

(a) Every inflatable liferaft shall be so constructed that, when fully inflated and floating with the cover uppermost, it shall be stable in a seaway.

(b) The liferaft shall be so constructed that if it is dropped into the water from a height of 18 metres (60 feet) neither the liferaft nor its equipment will be damaged. If the raft is to be stowed on the ship at a height above the water of more than 18 metres (60 feet), it shall be of a type which has been satisfactorily drop-tested from a height at least equal to the height at which it is to be towed.

(c) The construction of the liferaft shall include a cover which shall automatically be set in place when the liferaft is inflated. This cover shall be capable of protecting the occupants against injury from exposure, and means shall be provided for collecting rain. The top of the cover shall be fitted with a lamp which derives its luminosity from a sea-activated cell and a similar lamp shall also be fitted inside the liferaft. The cover of the liferaft shall be of a highly
visible colour.

(d) The liferaft shall be fitted with a painter and shall have a line securely becketed round the outside. A lifeline shall also be fitted around the inside of the liferaft.

(e) The liferaft shall be capable of being readily righted by one person if it inflates in an inverted position.

(f) The liferaft shall be fitted at each opening with efficient means to enable persons in the water to climb on board.

(g) The liferaft shall be contained in a valise or other container so constructed as to be capable of withstanding hard wear under conditions met with at sea. The liferaft in its valise or other container shall be inherently buoyant.

(h) The buoyancy of the liferaft shall be so arranged as to ensure by a division into an even number of separate compartments, half of which shall be capable of supporting out of the water the number of persons which the liferaft is permitted to accommodate, or by some other equally efficient means, that there is a reasonable margin of buoyancy if the raft is damaged or partially fails to inflate.

(i) The total weight of the liferaft, its valise or other container and its equipment shall not exceed 180 kilogrammes (400 lbs.).

(j) The number of persons which an inflatable liferaft shall be permitted to accommodate shall be equal to—

(i) the greatest whole number obtained by dividing by 96 the volume, measured in cubic decimetres (or by 3,4 the volume, measured in cubic feet) of the main buoyancy tubes (which for this purpose shall include neither the arches nor the thwart or thaws if fitted) when inflated; or

(ii) the greatest whole number obtained by dividing by 3,720 the area measured in square centimetres (or by 4 the area, measured in square feet) of the floor (which for this purpose may include the thwart or thaws if fitted) of the liferaft when inflated whichever number shall be the less.

(k) The floor of the liferaft shall be waterproof and shall be capable of being sufficiently insulated against cold.

(l) The liferaft shall be inflated by a gas which is not injurious to the occupants and the inflation shall take place automatically either on the pulling of a line or by some other equally simple and efficient method. Means shall be provided whereby the topping-up pump or bellows required by Regulation 17 of this Chapter may be used to maintain pressure.

(m) The liferaft shall be of approved material and construction, and shall be so constructed as to be capable of withstanding exposure for 30 days afloat in all sea conditions.

(n) No liferaft shall be approved which has a carrying capacity calculated in accordance with paragraph (j) of this Regulation of less than six persons. The maximum number of persons calculated in accordance with that paragraph for which an inflatable liferaft may be approved shall be at the discretion of the Administration, but shall in no case exceed 25.

(o) The liferaft shall be capable of operating throughout a temperature range of 66°C to minus 30°C (150°F to minus 22°F).

(p) (i) The liferaft shall be so stowed as to be readily available in case of emergency. It shall be stowed in such a manner as to permit it to float free from its stowage, inflate and break free from the vessel in the event of sinking.

(ii) If used, lashings shall be fitted with an automatic release system of a hydrostatic or equivalent nature approved by the Administration.

(iii) The liferaft required by paragraph (c) of Regulation 35 of this Chapter may be securely fastened.

(q) The liferaft shall be fitted with arrangements enabling it to be readily towed.

REGULATION 16

Requirements for rigid liferafts

(a) Every rigid liferaft shall be so constructed that if it is dropped into the water from its stowed position neither the liferaft nor its equipment will be damaged.

(b) The deck area of the liferaft shall be situated within that part of the liferaft which affords protection to its occupants. The area of that deck shall be at least 0,3720 square metres (4 square feet) for every person the liferaft is permitted to carry. The nature of the deck shall be such as to prevent so far as practicable the ingress of water and it shall effectively support the occupants out of the water.

(c) The liferaft shall be fitted with a cover or equivalent arrangement of a highly visible colour, which shall be capable of protecting the occupants against injury from exposure whichever way up the liferaft is floating.

(d) The equipment of the liferaft shall be so stowed as to be readily available whichever way up the liferaft is floating.

(e) The total weight of a liferaft and its equipment carried in passenger ships shall not exceed 180 kilogrammes (400 lbs.). Liferafts carried in cargo ships may exceed 180 kilogrammes (400 lbs.) in weight if they are capable of...
being launched from both sides of the ship or if they are provided means for putting them into the water mechanically.

(f) The liferaft must at all times be effective and stable when floating either way up.

(g) The liferaft shall have at least 96 cubic decimetres (3.4 cubic feet) of air cases or equivalent buoyancy for each person it is permitted to carry which must be placed as near as possible to the sides of the raft.

(h) The liferaft shall have a painter attached and a lifeline securely becketed around the outside. A lifeline shall also be fitted around the inside of the raft.

(i) The liferaft shall be fitted at each opening with efficient means to enable persons in the water to climb on board.

(j) The liferaft shall be so constructed as not to be effected by oil or oil products.

(k) A buoyant light of the electric battery type shall be attached to the liferaft by a lanyard.

(l) The liferaft shall be fitted with arrangements enabling it to be readily towed.

(m) Liferafts shall be so stowed as to float free in the event of the ship sinking.

REGULATION 17  

Equipment of inflatable and rigid liferafts

(a) The normal equipment of every liferaft shall consist of—

(i) one buoyant rescue quoit, attached to at least 30 metres (100 feet) of buoyant line;

(ii) for liferafts which are permitted to accommodate not more than 12 persons: one knife and one baler, for liferafts which are permitted to accommodate 13 persons or more: two knives and two balers;

(iii) two sponges;

(iv) two sea-anchors, one permanently attached to the liferaft and one spare;

(v) two paddles;

(vi) one repair outfit capable of repairing punctures in buoyancy compartments.

(vii) one topping-up pump or bellows, unless the liferaft complies with Regulation 16 of this Chapter;

(viii) three tin-openers;

(ix) one approved first-aid outfit in a waterproof case;

(x) one rustproof graduated drinking vessel;

(xi) one waterproof electric torch suitable for signalling in the Morse Code, together with one spare set of batteries and one spare bulb in a waterproof container;

(xii) one daylight-signalling mirror and one signalling whistle;

(xiii) two parachute distress signals of an approved type, capable of giving a bright red light at a high altitude;

(xiv) six hand flares of an approved type, capable of giving a bright red light;

(xv) one set of fishing tackle;

(xvi) a food ration, determined by the Administration, for each person the liferaft is permitted to accommodate;

(xvii) watertight receptacles containing 1½ litres (3 pints) of fresh water for each person the liferaft is permitted to accommodate, of which ½ litre (1 pint) per person may be replaced by a suitable de-salting apparatus capable of producing an equal amount of fresh water;

(xviii) six anti-seasickness tablets for each person the liferaft is deemed fit to accommodate;

(xix) instructions on how to survive in the liferaft; and

(xx) one copy of the illustrated table of life-saving signals referred to in Regulation 16 of Chapter V.

(b) In the case of passenger ships engaged on short international voyages of such duration that in the opinion of the Administration all the items specified in paragraph (a) of this Regulation are unnecessary, the Administration may allow one or more liferafts, not being less than one-sixth of the number of liferafts carried in any such ship, to be provided with the equipment specified in subparagraphs (i) to (vii) inclusive, (xi) and (xix) of paragraph (a) of this Regulation, and with one-half of the equipment specified in subparagraphs (xiii) and (xiv) of that paragraph and the remainder of the liferafts carried to be provided with the equipment specified in subparagraphs (i) to (vii) inclusive and (xix) of that paragraph.
REGULATION 18

Training in the use of liferafts

The Administration shall so far as is practicable and reasonable take steps with a view to ensuring that crews of ships in which liferafts are carried are trained in their launching and use.

REGULATION 19

Embarkation into lifeboats and liferafts

(a) Suitable arrangements shall be made for embarkation into the lifeboats, which shall include—

(i) a ladder at each set of davits to afford access to the lifeboats when waterborne, except that in passengerships, ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, the Administration may permit such ladders to be replaced by approved devices provided that there shall not be less than one ladder on each side of the ship;

(ii) means for illuminating the lifeboats and their launching gear during preparation for and the process of launching, and also for illuminating the water into which the lifeboats are launched until the process of launching is completed;

(iii) arrangements for warning the passengers and crew that the ship is about to be abandoned; and

(iv) means for preventing any discharge of water into the lifeboats.

(b) Suitable arrangements shall also be made for embarkation into the liferafts, which shall include—

(i) sufficient ladders to facilitate embarkation into the liferafts when waterborne except that in passenger ships, ships employed as whale factory ships, ships employed as fish processing or canning factory ships, and ships engaged in the carriage of persons employed in the whaling, fish processing or fish canning industries, the Administration may permit the replacement of some or all of such ladders by approved devices;

(ii) where there are carried liferafts for which approved launching devices are provided, means for illuminating those liferafts and launching devices during the preparation for and the process of launching, and also for illuminating the water into which those liferafts are launched until the process of launching is completed;

(iii) means for illuminating the stowage position of liferafts for which approved launching devices are not provided;

(iv) arrangements for warning the passengers and crew that the ship is about to be abandoned; and

(v) means for preventing any discharge of water into the liferafts at fixed launching positions, including those under approved launching devices.

REGULATION 20

Marking of lifeboats, liferafts and buoyant apparatus

(a) The dimensions of a lifeboat and the number of persons which it is permitted to carry shall be marked on it in clear permanent characters. The name and port of registry of the ship to which the lifeboat belongs shall be painted on each side of the bow.

(b) Buoyant apparatus shall be marked with the number of persons in the same manner.

(c) The number of persons shall be marked in the same manner on inflatable liferafts and also on the valise or container in which the inflatable liferaft is contained. Every inflatable liferaft shall also bear a serial number and the manufacturer’s name so that the owner of the liferaft can be ascertained.

(d) Every rigid liferaft shall be marked with the name and port of registry of the ship in which it is carried, and with the number of persons it is permitted to carry.

(e) No lifeboat, liferaft or buoyant apparatus shall be marked for a greater number of persons than that obtained in the manner specified in this Chapter.

REGULATION 21

Specification of a lifebuoy

(a) A lifebuoy shall satisfy the following requirements:

(i) It shall be of solid cork or any other equivalent material;

(ii) it shall be capable of supporting in fresh water for 24 hours at least 14.5 kilogrammes (32 lbs.) of iron;

(iii) it shall not be adversely affected by oil or oil products;
(iv) it shall be of a highly visible colour;
(v) it shall be marked in block letters with the name and port of registry of the ship in which it is carried.

(b) Lifebuoys filled with rushes, cork shavings or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

c) Lifebuoys made of plastic or other synthetic compounds shall be capable of retaining their buoyant properties and durability in contact with sea water or oil products, or under variations of temperature or climatic changes prevailing in open sea voyages.

d) Lifebuoys shall be fitted with beackets securely seized. At least one lifebuoy on each side of the ship shall be fitted with a buoyant lifeline of at least 27,5 metres (15 fathoms) in length.

(e) In passenger ships not less than one-half of the total number of lifebuoys, and in no case less than six, and in cargo ships at least one-half of the total number of lifebuoys, shall be provided with efficient self-igniting lights.

(f) The self-igniting lights required by paragraph (e) of this Regulation shall be such that they cannot be extinguished by water. They shall be capable of burning for not less than 45 minutes and shall have a luminous intensity of not less than 2 candelas in all directions of the upper hemisphere. The lights shall be kept near the lifebuoys to which they belong, with the necessary means of attachment. Self-igniting lights used in tankers shall be of an approved electric battery type.*

g) All lifebuoys shall be so placed as to be readily accessible to the persons on board, and at least two of the lifebuoys provided with self-igniting lights in accordance with paragraph (e) of this Regulation shall also be provided with an efficient self-activating smoke signal capable of producing smoke of a highly visible colour for at least 15 minutes, and shall be capable of quick release from the navigating bridge.

(h) Lifebuoys shall always be capable of being rapidly cast loose and shall not be permanently secured in any way.

REGULATION 22

Life-jackets

(a) Ships shall carry for every person on board a life-jacket of an approved type and, in addition, unless these life-jackets can be adapted for use by children, a sufficient number of life-jackets suitable for children. Each life-jacket shall be suitably marked showing that it has been approved by the Administration.

(b) In addition to the life-jackets required by paragraph (a) of this Regulation there shall be carried on passenger ships life-jackets for 5 per cent of the total number of persons on board. These life-jackets shall be stowed in a conspicuous place on deck.

c) An approved life-jacket shall comply with the following requirements:

(i) It shall be constructed with proper workmanship and materials;

(ii) it shall be so constructed as to eliminate so far as possible all risk of its being put on incorrectly, except that it shall be capable of being worn inside out;

(iii) it shall be capable of lifting the face of an exhausted or unconscious person out of the water and holding it above the water with the body inclined backwards from its vertical position;

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(iv) it shall be capable of turning the body in the water from any position to a safe floating position with the body inclined backwards from its vertical position;

(v) it shall not be adversely affected by oil or oil products;

(vi) it shall be a highly visible colour;

(vii) it shall be fitted with an approved whistle, firmly secured by a cord;

(viii) the buoyancy of the life-jacket required to provide the foregoing performance shall not be reduced by more than 5 per cent after 24 hours’ submergence in fresh water.
A life-jacket, the buoyancy of which depends on inflation, may be permitted for use by the crews of all ships except passenger ships and tankers provided that—

(i) it has two separate inflatable compartments;
(ii) it is capable of being inflated both mechanically and by mouth; and
(iii) it complies with the requirements of paragraph (c) of this Regulation with either compartment inflated separately.

(e) Life-jackets shall be so placed as to be readily accessible and their position shall be plainly indicated.

REGULATION 23

Line-throwing appliances

(a) Ships shall carry a line-throwing appliance of an approved type.

(b) The appliance shall be capable of carrying a line not less than 230 metres (250 yards) with reasonable accuracy, and shall include not less than four projectiles and four lines.

REGULATION 24

Ships’ distress signals

Ships shall be provided, to the satisfaction of the Administration, with means of making effective distress signals by day and by night, including at least twelve parachute signals capable of giving a bright red light at a high altitude.

REGULATION 25

Muster list and emergency procedure

(a) Special duties to be undertaken in the event of an emergency shall be allotted to each member of the crew.

(b) The muster list shall show all the special duties and shall indicate, in particular, the station to which each member must go, and the duties that he has to perform.

(c) The muster list for each passenger ship shall be in a form approved by the Administration.

(d) Before the vessel sails, the muster list shall be completed. Copies shall be posted in several parts of the ship, and in particular in the crew’s quarters.

(e) The muster list shall show the duties assigned to the different members of the crew in connection with—

(i) the closing of the watertight doors, valves and closing mechanisms of scuppers, ash-shoots and fire doors;
(ii) the equipping of the lifeboats (including the portable radio apparatus for survival craft) and the other life-saving appliances;
(iii) the launching of the lifeboat;
(iv) the general preparation of the other life-saving appliances;
(v) the muster of the passengers; and
(vi) the extinction of fire, having regard to the ship’s fire control plans.

(f) The muster list shall show the several duties assigned to the members of the stewards’ department in relation to the passengers in case of emergency. These duties shall include—

(i) warning the passengers;
(ii) seeing that they are suitably clad and have put on their life-jackets in a proper manner;
(iii) assembling the passengers at muster stations;
(iv) keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers; and
(v) ensuring that a supply of blankets is taken to the lifeboats.

(g) The duties shown by the muster list in relation to the extinction of fire pursuant to subparagraph (e) (vi) of this Regulation shall include particulars of—

(i) the manning of the fire parties assigned to deal with fires;
(ii) the special duties assigned in respect of the operation of fire-fighting equipment and installations.

(h) The muster list shall specify definite signals for calling all the crew to their boat, liferaft and fire stations, and shall give full particulars of these signals. These signals shall be made on the whistle or siren and, except on passenger ships on short international voyages and on cargo ships of less than 45.7 metres (150 feet) in length, they shall be supplemented by other signals which shall be electrically operated. All these signals shall be operable
(a) (i) In passenger ships, musters of the crew for boat drill and fire drill shall take place weekly when practicable and there shall be such a muster when a passenger ship leaves the final port of departure on an international voyage which is not a short international voyage.

(ii) In cargo ships, a muster of the crew for boat drill and fire drill shall take place at intervals of not more than one month, provided that a muster of the crew for boat drill and fire drill shall take place within 24 hours of leaving a port if more than 25 per cent of the crew have been replaced at that port.

(iii) On the occasion of the monthly muster in cargo ships the boat’s equipment shall be examined to ensure that it is complete.

(iv) The date upon which musters are held, and details of any training and drills in fire fighting which are carried out on board shall be recorded in such log book as may be prescribed by the Administration. If in any week (for passenger ships) or month (for cargo ships) no muster or a part muster only is held, an entry shall be made stating the circumstances and extent of the muster held. A report of the examination of the boat’s equipment on cargo ships shall be entered in the log book, which shall also record the occasions on which the lifeboats are swung out and lowered in compliance with paragraph (c) of this Regulation.

(b) In passenger ships, except those engaged on short international voyages, a muster of the passengers shall be held within 24 hours after leaving port.

(c) Different groups of lifeboats shall be used in turn at successive boat drills and every lifeboat shall be swung out and, if practicable and reasonable, lowered at least once every four months. The musters and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, including instructions in the handling and operation of lifeboats where these are carried.

(d) The emergency signal for summoning passengers to muster stations shall be a succession of seven or more short blasts followed by one long blast on the whistle or siren. This shall be supplemented in passenger ships, except those engaged on short international voyages, by other signals, which shall be electrically operated, throughout the ship operable from the bridge. The meaning of all signals affecting passengers, with precise instructions on what they are to do in an emergency, shall be clearly stated in appropriate languages on cards posted in their cabins and in conspicuous places in other passenger quarters.

**PART B — PASSENGER SHIPS ONLY**

**REGULATION 27**

*Lifeboats, liferafts and buoyant apparatus*

(a) Passenger ships shall carry two boats attached to davits—one on each side of the ship—for use in an emergency. These boats shall be of an approved type and shall be not more than 8,5 metres (28 feet) in length. They may be counted for the purposes of paragraphs (b) and (c) of this Regulation, provided that they comply fully with the requirements for lifeboats of this Chapter, and for the purposes of Regulation 8 provided that in addition they comply fully with the requirements of Regulation 9 and where appropriate Regulation 14 of this Chapter. They shall be kept ready for immediate use while the ship is at sea. In ships in which the requirements of paragraph (h) of Regulation 29 are met by means of appliances fitted to the sides of the lifeboats, such appliances shall not be required to be fitted to the two boats provided to meet the requirements of this Regulation.

(b) Passenger ships engaged on international voyages which are not short international voyages shall carry—

(i) lifeboats on each side of such aggregate capacity as will accommodate half the total number of persons on board: Provided that the Administration may permit the substitution of lifeboats by liferafts of the same total capacity as however that there shall never be less than sufficient lifeboats on each side of the ship to accommodate 37½ per cent of all on board;

(ii) liferafts of sufficient aggregate capacity to accommodate 25 percent of the total number of persons on board, together with buoyant apparatus for 3 per cent of that number: Provided that ships which have a factor of subdivision of 0,33 or less shall be permitted to carry, in lieu of liferafts for 25 per cent of all on board and buoyant apparatus for 3 per cent of all on board, buoyant apparatus for 25 per cent of that number.

(c) (i) A passenger ship engaged on short international voyages shall be provided with sets of davits in accordance with its length as specified in Column A of the Table in Regulation 28 of this Chapter. Each set of davits shall have a lifeboat attached to it and these lifeboats shall provide at least the minimum capacity required by Column C of the Table or the capacity required to provide accommodation for all on board if this is less.

Provided that when in the opinion of the Administration it is impracticable or unreasonable to place on a ship engaged on short international voyages the number of sets of davits required by Column A of the Table in Regulation 28, the Administration may authorize, under exceptional conditions, a smaller number of davits, except that this number shall never be less than the minimum number fixed by Column B of the Table, and that the total capacity of the lifeboats on the ship will be at least equal to the minimum capacity required by Column C or the capacity required to provide for all persons on board if this is less.
(ii) If the lifeboats so provided are not sufficient to accommodate all on board, additional lifeboats under davits or liferafts shall be provided so that the accommodation provided in the lifeboats and the liferafts in the ship shall be sufficient for all on board.

(iii) Notwithstanding the provisions of subparagraph (ii) of this paragraph in any ship engaged on short international voyages the number of persons carried shall not exceed the total capacity of the lifeboats provided in accordance with subparagraphs (i) and (ii) of this paragraph unless the Administration considers that this is necessitated by the volume of traffic and then only if the ship complies with the provisions of paragraph (d) of Regulation 1 of Chapter II-1.

(iv) Where under the provisions of subparagraph (iii) of this paragraph the Administration has permitted the carriage of persons in excess of the lifeboat capacity and is satisfied that it is impracticable in that ship to stow the liferafts carried in accordance with subparagraph (ii) of this paragraph it may permit a reduction in the number of lifeboats.

Provided that—

(1) the number of lifeboats shall, in the case of ships of 58 metres (190 feet) in length and over, never be less than four, two of which shall be carried on each side of the ship, and in the case of ships of less than 58 metres (190 feet) in length, shall never be less than two, one of which shall be carried on each side of the ship; and

(2) the number of lifeboats and liferafts shall always be sufficient to accommodate the total number of persons on board.

(v) Every passenger ship engaged on short international voyages shall carry in addition to the lifeboats and liferafts required by the provisions of this paragraph, liferafts sufficient to accommodate 10 per cent of the total number of persons for whom there is accommodation in the lifeboats carried in that ship.

(vi) Every passenger ship engaged on short international voyages shall also carry buoyant apparatus for at least 5 per cent of the total number of persons on board.

(vii) The Administration may permit individual ships or classes of ships with short international voyage certificates to proceed on voyages in excess of 600 miles but not exceeding 1200 miles if such ships comply with the provisions of paragraph (d) of Regulation 1 of Chapter II-1, if they carry lifeboats which provide for 75 per cent of the persons on board and otherwise comply with the provisions of this paragraph.

REGULATION 28

Table relating to davits and lifeboat capacity for ships on short international voyages

The following table fixes according to the length of the ship:

(A) The minimum number of sets of davits to be provided on a ship engaged on short international voyages to each of which must be attached a lifeboat in accordance with Regulation 27 of this Chapter;

(B) the smaller number of sets of davits which may be authorized exceptionally on a ship engaged on short international voyages under Regulation 27 of this Chapter; and

(C) the minimum lifeboat capacity required for a ship engaged on short international voyages.

<table>
<thead>
<tr>
<th>Registered length of ship</th>
<th>(A) Minimum number of sets of davits</th>
<th>(B) Smaller number of Sets of davits authorized exceptionally</th>
<th>(C)* Minimum capacity of lifeboats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metres</td>
<td>Feet</td>
<td>Cubic metres</td>
<td>Cubic feet</td>
</tr>
<tr>
<td>31 and under 37</td>
<td>100 and under 120</td>
<td>2</td>
<td>11</td>
</tr>
<tr>
<td>37 ,, 43</td>
<td>120 , 140</td>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>43 ,, 49</td>
<td>140 ,, 160</td>
<td>2</td>
<td>26</td>
</tr>
<tr>
<td>49 ,, 53</td>
<td>160 ,, 175</td>
<td>3</td>
<td>33</td>
</tr>
<tr>
<td>53 ,, 58</td>
<td>175 ,, 190</td>
<td>3</td>
<td>38</td>
</tr>
<tr>
<td>58 ,, 63</td>
<td>190 ,, 205</td>
<td>4</td>
<td>44</td>
</tr>
<tr>
<td>63 ,, 67</td>
<td>205 ,, 220</td>
<td>4</td>
<td>50</td>
</tr>
<tr>
<td>67 ,, 70</td>
<td>220 ,, 230</td>
<td>5</td>
<td>52</td>
</tr>
<tr>
<td>70 ,, 75</td>
<td>230 ,, 245</td>
<td>5</td>
<td>61</td>
</tr>
<tr>
<td>75 ,, 78</td>
<td>245 ,, 255</td>
<td>6</td>
<td>68</td>
</tr>
<tr>
<td>78 ,, 82</td>
<td>255 ,, 270</td>
<td>6</td>
<td>76</td>
</tr>
</tbody>
</table>
REGULATION 29

Stowage and handling of lifeboats, liferafts and buoyant apparatus

(a) Lifeboats and liferafts shall be stowed to the satisfaction of the Administration in such a way that—

(i) they can all be launched in the shortest possible time and in not more than 30 minutes;

(ii) they will not impede in any way the prompt handling of any of the other lifeboats, liferafts or buoyant apparatus or the marshalling of the persons on board at the launching stations, or their embarkation;

(iii) the lifeboats, and the liferafts for which approved launching devices are required to be carried, shall be capable of being put into the water loaded with their full complement of persons and equipment even in unfavourable conditions of trim and of 15 degrees of list either way; and

(iv) the liferafts for which approved launching devices are not required to be carried, and the buoyant apparatus, shall be capable of being put into the water even in unfavourable conditions of trim and of 15 degrees of list either way.

(b) Every lifeboat shall be attached to a separate set of davits.

(c) Lifeboats may only be stowed on more than one deck if proper measures are taken to prevent lifeboats on a lower deck being fouled by those stowed on a deck above.

(d) Lifeboats, and liferafts for which approved launching devices are required to be carried, shall not be placed in the bow of the ship. They shall be stowed in such positions as to ensure safe launching having particular regard to clearance from the propeller and steeply overhanging portions of the hull aft.

(e) Davits shall be of approved design and shall be suitably placed to the satisfaction of the Administration. They shall be so disposed on one or more decks that the lifeboats placed under them can be safely lowered without interference from the operation of any other davits.

(f) Davits shall be as follows:

(i) Luffing or gravity type for operating lifeboats weighing not more than 2300 kilogrammes (2 1/4 tons) in their turning out condition;

(ii) gravity type for operating lifeboats weighing more than 2300 kilogrammes (2 1/4 tons) in their turning out condition.

(g) Davits, falls, blocks and all other gear shall be of such strength that the lifeboats can be turned out manned by a launching crew and then safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way and with a 10 degrees trim.

(h) Skates or other suitable means shall be provided to facilitate launching the lifeboats against a list of 15 degrees.

(i) Means shall be provided for bringing the lifeboats against the ship’s side and there holding them so that persons may be safely embarked.

(j) Lifeboats, together with the emergency boats required by Regulation 27 of this Chapter, shall be served by wire rope falls, together with winches of an approved type which, in the case of the emergency boats, shall be capable of quick recovery of those boats. Exceptionally, the Administration may allow manila rope falls or falls of another approved material with or without winches (except that the emergency boats shall be required to be served by winches which are capable of quick recovery of those boats) where they are satisfied that manila rope falls or falls of another approved material are adequate.
At least two lifelines shall be fitted to the davit span, and the falls and lifelines shall be long enough to reach the water with the ship at its lightest seagoing draught and listed to 15 degrees either way. Lower fall blocks shall be fitted with a suitable ring or long link for attaching to the sling hooks unless an approved type of disengaging gear is fitted.

Where mechanically-powered appliances are fitted for the recovery of the lifeboats, efficient hand gear shall also be provided. Where davits are recovered by action of the falls by power, safety devices shall be fitted which will automatically cut off the power before the davits come against the stops in order to avoid overstressing the wire rope falls or davits.

Lifeboats attached to davits shall have the falls ready for service and arrangements shall be made for speedily, but not necessarily simultaneously, detaching the lifeboats from the falls. The point of attachment of the lifeboats to the falls shall be at such height above the gunwale as to ensure stability when lowering the lifeboats.

In passenger ships engaged on international voyages which are not short international voyages in which there are carried lifeboats and liferafts in accordance with subparagraph (b) (i) of Regulation 27 of this Chapter, there shall be provided approved launching devices sufficient in number in the opinion of the Administration to enable that number of liferafts which, together with the lifeboats, is required in accordance with that subparagraph to provide accommodation for all on board, to be put into the water loaded with the number of persons they are permitted to accommodate, in not more than 30 minutes in calm conditions. Approved launching devices so provided shall, so far as practicable, be distributed equally on each side of the ship and there shall never be less than one such device on each side. No such devices need, however, be provided for the additional liferafts required to be carried by subparagraph (b) (ii) of Regulation 27 of this Chapter for 25 per cent of all on board, but every liferaft carried in accordance with that subparagraph shall, where an approved launching device is provided in the ship, be of a type which is capable of being launched from such a device.

In passenger ships engaged on short international voyages, the number of approved launching devices to be provided shall be at the discretion of the Administration. The number of liferafts allocated to each such device carried shall not be more than the number which, in the opinion of the Administration, can be put into the water fully loaded with the number of persons they are permitted to carry by that device in not more than 30 minutes in calm conditions.

REGULATION 30

Lighting for decks, lifeboats, liferafts, etc.

(a) Provision shall be made for an electric or equivalent system of lighting sufficient for all the requirements of safety in the different parts of a passenger ship, and particularly for decks on which the lifeboats and liferafts are stowed. The self-contained emergency source of electrical power required by Regulation 25 of Chapter II-1 shall be capable of supplying where necessary this lighting system and also the lighting required by subparagraphs (a) (ii), (b) (ii) and (b) (iii) of Regulation 19 of this Chapter.

(b) The exit from every main compartment occupied by passengers or crew shall be continuously lighted by an emergency lamp. The power for these emergency lamps shall be so arranged that they will be supplied from the emergency source of power referred to in paragraph (a) of this Regulation in the event of failure of the main generating plant.

REGULATION 31

Manning of lifeboats and liferafts

(a) A deck officer or certified lifeboatman shall be placed in charge of each lifeboat and a second-in-command shall also be nominated. The person in charge shall have a list of the lifeboat’s crew, and shall see that the men placed under his orders are acquainted with their several duties.

(b) A man capable of working the motor shall be assigned to each motor lifeboat.

(c) A man capable of working the radio and searchlight installations shall be assigned to each lifeboat carrying this equipment.

(d) A man practised in the handling and operation of liferafts shall be assigned to each liferaft carried, except where in ships engaged on short international voyages the Administration is satisfied that this is not practicable.

REGULATION 32

Certificated lifeboatmen

(a) In passenger ships there shall be, for every lifeboat carried in order to comply with this Chapter, a number of lifeboatmen at least equal to that specified in the following table:

<table>
<thead>
<tr>
<th>Prescribed complement of lifeboat</th>
<th>The minimum number of certificated lifeboatmen shall be</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 41 persons</td>
<td>2</td>
</tr>
<tr>
<td>From 41 to 61 persons</td>
<td>3</td>
</tr>
<tr>
<td>From 62 to 85 persons</td>
<td>4</td>
</tr>
</tbody>
</table>
(b) The allocation of the certificated lifeboatmen to each lifeboat remains within the discretion of the master.

(c) Certificates of efficiency shall be issued under the authority of the Administration. In order to obtain such a certificate an applicant shall prove that he has been trained in all the operations connected with launching lifeboats and other life-saving appliances and in the use of oars and propelling gear; that he is acquainted with the practical handling of lifeboats and of other life-saving equipment, and further, that he is capable of understanding and answering the orders relative to all kinds of life-saving appliances.

REGULATION 33

Buoyant apparatus

(a) No type of buoyant apparatus shall be approved unless it satisfies the following conditions:

(i) It shall be of such size and strength that it can be thrown from the place where it is stowed into the water without being damaged.

(ii) It shall not exceed 180 kilogrammes (400 lbs.) in weight unless suitable means to the satisfaction of the Administration are provided to enable it to be launched without lifting by hand.

(iii) It shall be of approved material and construction.

(iv) It shall be effective and stable when floating either way up.

(v) The air cases or equivalent buoyancy shall be placed as near as possible to the sides of the apparatus, and such buoyancy shall not be dependent upon inflation.

(vi) It shall be fitted with a painter and have a line securely becketed round the outside.

(b) The number of persons for which buoyant apparatus is certified shall be the number—

(i) ascertained by dividing the number of kilogrammes of iron which it is capable of supporting in fresh water by 14.5 (or the number of pounds divided by 32); or

(ii) equal to the number of millimetres in the perimeter divided by 305 (or the number of feet in the perimeter), whichever is the less.

REGULATION 34

Number of lifebuoys to be provided

The minimum number of lifebuoys with which passenger ships are provided shall be fixed by the following table:

<table>
<thead>
<tr>
<th>Length of ship</th>
<th>Minimum number of buoys</th>
</tr>
</thead>
<tbody>
<tr>
<td>in metres</td>
<td>in feet</td>
</tr>
<tr>
<td>Under 16</td>
<td>Under 200</td>
</tr>
<tr>
<td>61 and under 122</td>
<td>200 and under 400</td>
</tr>
<tr>
<td>122 and under 183</td>
<td>400 and under 600</td>
</tr>
<tr>
<td>183 and under 244</td>
<td>600 and under 800</td>
</tr>
<tr>
<td>244 and over</td>
<td>800 and over</td>
</tr>
</tbody>
</table>

PART C — CARGO SHIPS ONLY

REGULATION 35

Number and capacity of lifeboats and liferafts

(a) (i) Every cargo ship, except ships employed as whale factory ships, fish processing or canning factory ships, and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, shall carry lifeboats on each side of the ship of such aggregate capacity as will accommodate all persons on board, and in addition shall carry liferafts sufficient to accommodate half that number.

Provided that, in the case of such cargo ships engaged on international voyages between near neighbouring countries, the Administration, if it is satisfied that the conditions of the voyage are such as to render the compulsory carriage of liferafts unreasonable or unnecessary, may to that extent exempt individual ships or classes of ships from this requirement.

(ii) (1) Subject to the provisions of subparagraph (ii) (2) of this paragraph, every tanker of 3000 tons gross tonnage and upwards shall carry not less than four lifeboats, two of which shall be carried aft and two amidships, except that in tankers which have no amidships superstructure all lifeboats shall be carried aft.

(2) A tanker of 3000 tons gross tonnage and upwards which has no amidships superstructure may be
one lifeboat is carried aft on each side of the ship;

(b) each such lifeboat shall not exceed 8.5 metres (28 feet) in length;

(c) each such lifeboat shall be stowed as far forward as practicable, but at least so far forward that the afterend of the lifeboat is one-and-a-half times the length of the lifeboat forward of the propeller; and

(dd) each such lifeboat shall be stowed as near sea level as is safe and practicable.

(b) (i) Every ship employed as a whale factory ship, every ship employed as a fish processing or canning factory ship and every ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries shall carry—

(1) lifeboats on each side of such aggregate capacity as will accommodate half the total number of persons on board; provided that the Administration may permit the substitution of lifeboats by liferafts of the same total capacity so however that here shall never be less than sufficient lifeboats on each side of the ship to accommodate 37½ per cent of all on board;

(2) liferafts of sufficient aggregate capacity to accommodate half the total number of persons on board; provided that, if in ships employed as fish processing or canning factory ships, it is impracticable to carry lifeboats which comply fully with the requirements of this Chapter, the Administration may permit instead the carriage of other boats, which shall however provide not less than the accommodation required by this Regulation and shall have at least the buoyancy and equipment required by this Chapter for lifeboats.

(ii) Every ship employed as a whale factory ship, every ship employed as a fish processing or canning factory ship and every ship engaged in the carriage of persons employed in the whaling, fish processing or canning industries shall carry two boats—one on each side—for use in an emergency. These boats shall be of an approved type and shall be not more than 8.5 metres (28 feet) in length. They may be counted for the purposes of this paragraph provided that they comply fully with the requirements for lifeboats of this Chapter and for the purposes of Regulation 8 provided that in addition they comply with the requirements of Regulation 9, and where appropriate, Regulation 14 of this Chapter. They shall be kept ready for immediate use while the ship is at sea. In ships in which the requirements of paragraph (g) of Regulation 36 of this Chapter are met by means of appliances fitted to the sides of the lifeboats, such appliances shall not be required to be fitted to the two boats provided to meet the requirements of this Regulation.

(c) Every cargo ship with no amidships superstructure having a registered length of 150 metres (492 feet) and upwards shall carry, in addition to the liferafts required under subparagraph (a)(i) of this Regulation, a liferaft capable of accommodating at least six persons which shall be stowed as far forward as is reasonable and practicable.

REGULATION 36

Davits and launching arrangements

(a) In cargo ships lifeboats and liferafts shall be stowed to the satisfaction of the Administration.

(b) Every lifeboat shall be attached to a separate set of davits.

(c) Lifeboats and liferafts for which approved launching devices are required to be carried shall preferably be positioned as close to accommodation and service spaces as possible. They shall be stowed in such positions as to ensure safe launching, having particular regard to clearance from the propeller and steeply overhanging portions of the hull, with the object of ensuring so far as practicable that they can be launched down the straight side of the ship. If positioned forward they shall be stowed abaft the collision bulkhead in a sheltered position and in this respect the Administration shall give special consideration to the strength of the davits.

(d) Davits shall be of approved design and shall be suitably placed to the satisfaction of the Administration.

(e) In tankers of 1600 tons gross tonnage and upwards, ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, all davits shall be of the gravity type. In other ships, davits shall be as follows:

(i) Luffing or gravity type for operating lifeboats weighing not more than 2300 kilogrammes (21¼ tons) in their turning out condition;

(ii) gravity type for operating lifeboats weighing more than 2300 kilogrammes (21¼ tons) in their turning out condition.

(f) Davits, falls, blocks and all other gear shall be of such strength that the lifeboats, can be turned out manned by a launching crew and then safely lowered with the full complement of persons and equipment, with the ship listed to 15 degrees either way, and with a 10 degree trim.

(g) Skates or other suitable means shall be provided to facilitate launching the lifeboats against a list of 15 degrees.
(h) Means shall be provided for bringing the lifeboats against the ship’s side and there holding them so that persons may be safely embarked.

(i) Lifeboats, together with the emergency boats required by subparagraph (b) (ii) of Regulation 35 of this Chapter, shall be served by wire rope falls, together with winches of an approved type which, in the case of the emergency boats, shall be capable of quick recovery of those boats. Exceptionally, the Administration may allow Manila rope falls or falls of another approved material with or without winches (except that the emergency boats shall be required to be served by winches which are capable of quick recovery of those boats) where they are satisfied that Manila rope falls or falls of another approved material are adequate.

(j) At least two lifelines shall be fitted to the davit spans, and the falls and lifelines shall be long enough to reach the water with the ship at its lightest seagoing draught and listed to 15 degrees either way. Lower fall blocks shall be fitted with a suitable ring or long link for attaching to the sling hooks unless an approved type of disengaging gear is fitted.

(k) Where mechanically powered appliances are fitted for the recovery of the lifeboats, efficient hand gear shall also be provided. Where davits are recovered by action of the falls by power, safety devices shall be fitted which will automatically cut off the power before the davits come against the stops in order to avoid overstressing the wire rope falls or davits.

(l) Lifeboats shall have the falls ready for service, and arrangements shall be made for speedily, but not necessarily simultaneously, detaching the lifeboats from the falls. The point of attachment of the lifeboats to the falls shall be at such height above the gunwale as to ensure stability when lowering the lifeboats.

(m) In ships employed as whale factory ships, ships employed as fish processing or canning factory ships and ships engaged in the carriage of persons employed in the whaling, fish processing or canning industries, in which there are carried lifeboats and liferafts in accordance with subparagraph (b) (i) (2) of Regulation 35 no approved launching devices need be provided for the liferafts, but there shall be provided such devices sufficient in number, in the opinion of the Administration, to enable the liferafts carried in accordance with subparagraph (b) (i) (1) of that Regulation to be put into the water loaded with the number of persons they are permitted to accommodate, in not more than 30 minutes in calm conditions. Approved launching devices so provided shall, so far as practicable, be distributed equally on each side of the ship. Every liferaft carried on ships in which an approved launching device is required to be provided shall be of a type which is capable of being launched by such a device.

REGULATION 37
Number of lifebuoys to be provided

At least eight lifebuoys of a type which satisfies the requirements of Regulation 21 of this Chapter shall be carried.

REGULATION 38
Emergency lighting

The lighting required by subparagraphs (a) (ii), (b) (ii) and (b) (iii) of Regulation 19 of this Chapter shall be capable of being supplied for at least three hours by the emergency source of power required by Regulation 26 of Chapter II-1. In cargo ships of 1600 tons gross tonnage and upwards the Administration shall ensure that the lighting of the alleyways, stairways and exits is such that the access of all persons on board to the launching stations and stowage positions of lifeboats and liferafts is not impeded.

CHAPTER IV
RADIOTELEGRAPHY AND RADIOTELEPHONY

PART A — APPLICATION AND DEFINITIONS

REGULATION 1
Application

(a) Unless expressly provided otherwise, this Chapter applies to all ships to which the present Regulations apply.

(b) This Chapter does not apply to ships to which present Regulations would otherwise apply while such ships are being navigated within the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the St Lambert Lock at Montreal in the Province of Quebec, Canada.*

(c) No provision in this Chapter shall prevent the use by a ship or survival craft in distress of any means at its disposal to attract attention, make known its position and obtain help.

REGULATION 2
Terms and definitions

For the purpose of this Chapter the following terms shall have the meanings defined below. All other terms which are used in this Chapter and which are also defined in the Radio Regulations shall have the same meanings as defined in those Regulations:
“Radio Regulations” means the Radio Regulations annexed to, or regarded as being annexed to, the most recent International Telecommunication Convention which may be in force at any time.

“Radiotelegraph auto alarm” means an automatic alarm receiving apparatus which responds to the radiotelegraph alarm signal and has been approved.

“Radiotelephone auto alarm” means an automatic alarm receiving apparatus which responds to the radiotelephone alarm signal and has been approved.

“Radiotelephone station”, “Radiotelephone installation” and “ Watches—radiotelephone” shall be considered as relating to the medium frequency band, unless expressly provided otherwise.

“Radio Officer” means a person holding at least a first or second class radiotelegraph operator’s certificate, or a radiocommunication operator’s general certificate for the maritime mobile service, complying with the provisions of the Radio Regulations, who is employed in the radiotelegraph station of a ship which is provided with such a station in compliance with the provisions of Regulation 3 or Regulation 4 of this Chapter.

“Radiotelephone operator” means a person holding an appropriate certificate complying with the provisions of the Radio Regulations.

“Existing installation” means—

(i) an installation wholly installed on board a ship before the date on which the present Convention enters into force irrespective of the date on which acceptance by the respective Administration takes effect; and

(ii) an installation part of which was installed on board a ship before the date of entry into force of the present Convention and the rest of which consists either of parts installed in replacement of identical parts, or parts which comply with the requirements of this Chapter.

“New installation” means any installation which is not an existing installation.

REGULATION 3

Radiotelegraph station

Passenger ships irrespective of size and cargo ships of 1600 tons gross tonnage and upwards, unless exempted under Regulation 5 of this Chapter, shall be fitted with a radiotelegraph station complying with the provisions of Regulations 9 and 10 of this Chapter.

REGULATION 4

Radiotelephone station

Cargo ships of 300 tons gross tonnage and upwards but less than 1600 tons gross tonnage, unless fitted with a radiotelegraph station complying with the provisions of Regulations 9 and 10 of this Chapter shall, provided they are not exempted under Regulation 5 of this Chapter, be fitted with a radiotelephone station complying with the provisions of Regulations 15 and 16 of this Chapter.

REGULATION 5

Exemptions from Regulations 3 and 4

(a) The Contracting Governments consider it highly desirable not to deviate from the application of Regulations 3 and 4 of this Chapter; nevertheless the Administration may grant to individual passenger or cargo ships exemptions of a partial and/or conditional nature, or complete exemption from the requirements of Regulation 3 or Regulation 4 of this Chapter.

(b) The exemptions permitted under paragraph (a) of this Regulation shall be granted only to a ship engaged on a voyage where the maximum distance of the ship from the shore, the length of the voyage, the absence of general navigational hazards, and other conditions affecting safety are such as to render the full application of Regulation 3 or Regulation 4 of this Chapter unreasonable or unnecessary. When deciding whether or not to grant exemptions to individual ships, Administrations shall have regard to the effect that exemptions may have upon the general efficiency of the distress service for the safety of all ships. Administrations should bear in mind the desirability of requiring ships which are exempted from the requirement of Regulation 3 of this Chapter to be fitted with a radiotelephone station which complies with the provisions of Regulations 15 and 16 of this Chapter as a condition of exemption.

(c) Each Administration shall submit to the Organization as soon as possible after the first of January in each year a report showing all exemptions granted under paragraphs (a) and (b) of this Regulation during the previous calendar year and giving the reasons for granting such exemptions.

PART B — WATCHES

REGULATION 6

Watches — Radiotelegraph
(a) Each ship which in accordance with Regulation 3 or Regulation 4 of this Chapter is fitted with a radiotelegraph station shall, while at sea, carry at least one radio officer and, if not fitted with a radiotelegraph auto alarm shall, subject to the provisions of paragraph (d) of this Regulation, listen continuously on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker.

(b) Each passenger ship which in accordance with Regulation 3 of this Chapter is fitted with a radiotelegraph station, if fitted with a radiotelegraph auto alarm, shall, subject to the provisions of paragraph (d) of this Regulation, and while at sea, listen on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker, as follows:

(i) If carrying or certificated to carry 250 passengers or less, at least 8 hours listening a day in the aggregate:

(ii) if carrying or certificated to carry more than 250 passengers and engaged on a voyage exceeding 16 hours' duration between two consecutive ports, at least 16 hours' listening a day in the aggregate. In this case the ship shall carry at least two radio officers;

(iii) if carrying or certificated to carry more than 250 passengers and engaged on a voyage of less than 16 hours' duration between two consecutive ports, at least 8 hours' listening a day in the aggregate.

(c) (i) Each cargo ship which in accordance with Regulation 3 of this Chapter is fitted with a radiotelegraph station, if fitted with a radiotelegraph auto alarm, shall, subject to the provisions of paragraph (d) of this Regulation, and while at sea, listen on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker, for at least 8 hours a day in the aggregate.

(ii) Each cargo ship of 300 tons gross tonnage and upwards but less than 1600 tons gross tonnage which is fitted with a radiotelegraph station as a consequence of Regulation 4 of this Chapter, if fitted with a radiotelegraph auto alarm shall, subject to the provisions of paragraph (d) of this Regulation, and while at sea, listen on the radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker, during such periods as may be determined by the Administration. Administrations shall, however, have regard to the desirability of requiring, whenever practicable, a listening watch of at least 8 hours a day in the aggregate.

(d) (i) During the period when a radio officer is required by this Regulation to listen on the radiotelegraph distress frequency, the radio officer may discontinue such listening during the time when he is handling traffic on other frequencies, or performing other essential radio duties, but only if it is impracticable to listen by split headphones or loudspeaker. The listening watch shall always be maintained by a radio officer using headphones or a loudspeaker during the silence periods provided for by the Radio Regulations.

The term "essential radio duties" in this paragraph includes urgent repairs of—

(1) equipment for radiocommunication used for safety;

(2) radio navigational equipment by order of the master.

(ii) In addition to the provisions of subparagraph (i) of this paragraph, on ships other than multi-radio officer passenger ships, the radio officer may, in exceptional cases, i.e. when it is impractical to listen by split headphones or loudspeaker, discontinue listening by order of the master in order to carry out maintenance required to prevent imminent malfunction of—

- equipment for radiocommunication use for safety;
- radio navigational equipment;
- other electronic navigational equipment including its repair:

Provided that—

(1) the radio officer, at the discretion of the Administration concerned, is appropriately qualified to perform these duties; and

(2) the ship is fitted with a receiving selector which meets the requirements of the Radio Regulations;

(3) the listening watch is always maintained by a radio officer using headphones or loudspeaker during the silence periods provided for by the Radio Regulations.

(e) In all ships fitted with a radiotelegraph auto alarm this radiotelegraph auto alarm shall, while the ship is at sea, be in operation whenever there is no listening being kept under paragraphs (b), (c) or (d) of this Regulation and, whenever practicable, during direction-finding operations.

(f) The listening periods provided for by this Regulation, including those which are determined by the Administration, should be maintained preferably during periods prescribed for the radiotelegraph service by the Radio Regulations.

REGULATION 7

Watches — Radiotelephone

(a) Each ship which is fitted with a radiotelephone station in accordance with Regulation 4 of this Chapter shall, for safety purposes, carry at least one radiotelephone operator (who may be the master, an officer or a member of the crew holding a certificate for radiotelephony) and shall, while at sea, maintain continuous watch on the radiotelephone distress frequency in the place on board from which the ship is usually navigated, by use of a
Each ship which in accordance with Regulation 3 or Regulation 4 of this Chapter is fitted with a radiotelegraph station shall, while at sea, maintain continuous watch on the radiotelephone distress frequency in a place to be determined by the Administration, by use of a radiotelephone distress frequency watch receiver, using a loudspeaker, a filtered loudspeaker or radiotelephone auto alarm.

REGULATION 8

Watches — VHF radiotelephone

Each ship provided with a Very High Frequency (VHF) radiotelephone station, in accordance with Regulation 18 of Chapter V, shall maintain a listening watch on the bridge for such periods and on such channels as may be required by the Contracting Government referred to in that Regulation.

PART C — TECHNICAL REQUIREMENTS

REGULATION 9

Radiotelegraph stations

(a) The radiotelegraph station shall be so located that no harmful interference from extraneous mechanical or other noise will be caused to the proper reception of radio signals. The station shall be placed as high in the ship as is practicable, so that the greatest possible degree of safety may be secured.

(b) The radiotelegraph operating room shall be of sufficient size and of adequate ventilation to enable the main and reserve radiotelegraph installations to be operated efficiently, and shall not be used for any purpose which will interfere with the operation of the radiotelegraph station.

(c) The sleeping accommodation of at least one radio officer shall be situated as near as practicable to the radiotelegraph operating room. In new ships, this sleeping accommodation shall not be within the radiotelegraph operating room.

(d) There shall be provided between the radiotelegraph operating room and the bridge and one other place, if any, from which the ship is navigated, an efficient two-way system for calling and voice communication which shall be independent of the main communication system on the ship.

(e) The radiotelegraph installation shall be installed in such a position that it will be protected against the harmful effects of water or extremes of temperature. It shall be readily accessible both for immediate use in case of distress and for repair.

(f) A reliable clock with a dial not less than 12.5 centimetres (5 inches) in diameter and a concentric seconds hand, the face of which is marked to indicate the silence periods prescribed for the radiotelegraph service by the Radio Regulations, shall be provided. It shall be securely mounted in the radiotelegraph operating room in such a position that the entire dial can be easily and accurately observed by the radio officer from the radiotelegraph operating position and from the position for testing the radiotelegraph auto alarm receiver.

(g) A reliable emergency light shall be provided in the radiotelegraph operating room, consisting of an electric lamp permanently arranged so as to provide satisfactory illumination of the operating controls of the main and reserve radiotelegraph installations and of the clock required by paragraph (f) of this Regulation. In new installations, this lamp shall, if supplied from the reserve source of energy required by subparagraph (a) (iii) of Regulation 10 of this Chapter, be controlled by two-way switches placed near the main entrance to the radiotelegraph operating room and at the radiotelegraph operating position, unless the layout of the radiotelegraph operating room does not warrant it. These switches shall be clearly labelled to indicate their purpose.

(h) Either an electric inspection lamp, operated from the reserve source of energy required by subparagraph (a) (iii) of Regulation 10 of this Chapter and provided with a flexible lead of adequate length, or a flashlight shall be provided and kept in the radiotelegraph operating room.

(i) The radiotelegraph station shall be provided with such spare parts, tools and testing equipment as will enable the radiotelegraph installation to be maintained in efficient working condition while at sea. The testing equipment shall include an instrument or instruments for measuring A.C. volts, D.C. volts and ohms.

(j) If a separate emergency radiotelegraph operating room is provided the requirements of paragraphs (d), (e), (f), (g) and (h) of this Regulation shall apply to it.

REGULATION 10

Radiotelegraph installations

(a) Except as otherwise expressly provided in this Regulation—

(i) the radiotelegraph station shall include a main installation and reserve installation, electrically separate and electrically independent of each other;

(ii) the main installation shall include a main transmitter, main receiver, radiotelephone distress
frequency watch receiver, and main source of energy;

(iii) the reserve installation shall include a reserve transmitter, reserve receiver and reserve source of energy;

(iv) a main and a reserve antenna shall be provided and installed, provided that the Administration may exempt any ship from the provision of a reserve antenna if it is satisfied that the fitting of such an antenna is impracticable or unreasonable, but in such case a suitable spare antenna completely assembled for immediate installation shall be carried. In addition, sufficient antenna wire and insulators shall in all cases be provided to enable a suitable antenna to be erected. The main antenna, if suspended between supports liable to whipping, shall be suitably protected against breakage.

(b) In installations on cargo ships (except those on cargo ships of 1600 tons gross tonnage and upwards installed on or after 19 November 1952), if the main transmitter complies with all the requirements for the reserve transmitter, the latter is not obligatory.

(c) (i) The main and reserve transmitters shall be capable of being quickly connected with and tuned to the main antenna, and the reserve antenna if one is fitted.

(ii) The main and reserve receivers shall be capable of being quickly connected with any antenna with which they are required to be used.

(d) All parts of the reserve installation shall be placed as high in the ship as is practicable, so that the greatest possible degree of safety may be secured.

(e) The main and reserve transmitters shall be capable of transmitting on the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations for that frequency. In addition, the main transmitter shall be capable of transmitting on at least two working frequencies in the authorized bands between 405 kHz and 535 kHz, using classes of emission assigned by the Radio Regulations for these frequencies. The reserve transmitter may consist of a ship’s emergency transmitter, as defined in and limited in use by the Radio Regulations.

(f) The main and reserve transmitters shall, when connected to the main antenna, have a minimum normal range as specified below, that is to say, they must be capable of transmitting clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over the specified ranges.* (Clearly perceptible signals will normally be received if the R. M. S. value of the field strength at the receiver is at least 50 microvolts per metre.

<table>
<thead>
<tr>
<th>Minimum normal range in miles</th>
<th>Main transmitter</th>
<th>Reserve transmitter</th>
</tr>
</thead>
<tbody>
<tr>
<td>All passenger ships, and cargo ships of 1600 tons gross tonnage and upwards</td>
<td>150</td>
<td>100</td>
</tr>
<tr>
<td>Cargo ships below 1600 tons gross tonnage</td>
<td>100</td>
<td>75</td>
</tr>
</tbody>
</table>

(g) The main and reserve transmitters shall, when connected to the main antenna, have a minimum normal range as specified below, that is to say, they must be capable of transmitting clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over the specified ranges.* (Clearly perceptible signals will normally be received if the R. M. S. value of the field strength at the receiver is at least 50 microvolts per metre.

(h) (i) The main and reserve receivers shall be capable of receiving the radiotelegraph distress frequency and the classes of emission assigned by the Radio Regulations for that frequency.

(ii) In addition, the main receiver shall permit the reception of such of the frequencies and classes of emission used for the transmission of time signals, meteorological messages and such other communications relating to safety of navigation as may be considered necessary by the Administration.

(iii) The radiotelephone distress frequency watch receiver shall be preset to this frequency. It shall be provided with a filtering unit or a device to silence the loudspeaker if on the bridge in the absence of a radiotelephone alarm signal. The device shall be capable of being easily switched in and out and may be used when, in the opinion of the master, conditions are such that maintenance of the listening watch would interfere with the safe navigation of the ship.

(iv) (1) A radiotelephone transmitter, if provided, shall be fitted with an automatic device for generating the radiotelephone alarm signal, so designed as to prevent actuation by mistake, and complying with the requirements of paragraph (e) of Regulation 16 of this Chapter. The device shall be capable of being taken out of operation at any time in order to permit the immediate transmission of a distress message.

(2) Arrangements shall be made to check periodically the proper functioning of the automatic device for generating the radiotelephone alarm signal on frequencies other than the radiotelephone distress frequency using a suitable artificial antenna.

<table>
<thead>
<tr>
<th>Normal range in miles</th>
<th>Metre-amperes</th>
<th>Total antenna power (watts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>200</td>
<td>128</td>
<td>200</td>
</tr>
<tr>
<td>175</td>
<td>102</td>
<td>125</td>
</tr>
</tbody>
</table>
This figure represents the product of the maximum height of the antenna above the deepest load water-line in metres and the antenna current in amperes (R.M.S. value).

The values given in the second column of the table correspond to an average value of the ratio

$$\frac{\text{Effective antenna height}}{\text{maximum antenna height}} = 0.47$$

This ratio varies with local conditions of the antenna and may vary between about 0.3 and 0.7.

The values given in the third column of the table correspond to an average value of the ratio

$$\frac{\text{radiated antenna power}}{\text{total antenna power}} = 0.08$$

This ratio varies considerably according to the values of effective antenna height and antenna resistance.

(i) The main receiver shall have sufficient sensitivity to produce signals in headphones or by means of a loudspeaker when the receiver input is as low as 50 microvolts. The reserve receiver shall have sufficient sensitivity to produce such signals when the receiver input is as low as 100 microvolts.

(j) There shall be available at all times, while the ship is at sea, a supply of electrical energy sufficient to operate the main installation over the normal range required by paragraph (g) of this Regulation as well as for the purpose of charging any batteries forming part of the radiotelegraph station. The voltage of the supply for the main installation shall, in the case of new ships, be maintained within plus-minus 10 percent of the rated voltage. In the case of existing ships, it shall be maintained as near the rated voltage as possible and, if practicable, within plus-minus 10 percent.

(k) The reserve installation shall be provided with a source of energy independent of the propelling power of the ship and of the ship’s electrical system.

(l) (i) The reserve source of energy shall preferably consist of accumulator batteries, which may be charged from the ship’s electrical system, and shall under all circumstances be capable of being put into operation rapidly and of operating the reserve transmitter and receiver for at least six hours continuously under normal working conditions besides any of the additional loads mentioned in paragraphs (m) and (n) of this Regulation.*

(ii) The reserve source of energy is required to be of a capacity sufficient to operate simultaneously the reserve transmitter and the VHF installation, when fitted, for at least six hours unless a switching device is fitted to ensure alternate operation only. VHF usage of the reserve source of energy shall be limited to distress, urgency and safety communications. Alternatively, a separate reserve source of energy may be provided for the VHF installation.

(m) The reserve source of energy shall be used to supply the reserve installation and the automatic alarm signal keying device specified in paragraph (r) of this Regulation if it is electrically operated.

The reserve source of energy may also be used to supply—

(i) the radiotelegraph auto alarm;

(ii) the emergency light specified in paragraph (g) of Regulation 9 of this Chapter;

(iii) the direction-finder;

(iv) the VHF installation;

(v) the device for generating the radiotelephone alarm signal, if provided;

(vi) any device, prescribed by the Radio Regulations, to permit changeover from transmission to reception and vice versa.

Subject to the provisions of paragraph (n) of this Regulation, the reserve source of energy shall not be used other than for the purposes specified in this paragraph.

(n) Notwithstanding the provisions of paragraph (m) of this Regulation, the Administration may authorize the use in cargo ships of the reserve source of energy for a small number of low-power emergency circuits which are wholly confined to the upper part of the ship, such as emergency lighting on the boat deck, on condition that these can be readily disconnected if necessary, and that the source of energy is of sufficient capacity to carry the additional load or loads.

(o) The reserve source of energy and its switchboard shall be as high as practicable in the ship and readily accessible to the radio officer. The switchboard shall, wherever possible, be situated in a radio room; if it is not, it shall be capable of being illuminated.
(p) While the ship is at sea, accumulator batteries, whether forming part of the main installation or reserve installation, shall be brought up to the normal fully charged condition daily.

(q) All steps shall be taken to eliminate so far as is possible the causes of, and to suppress, radio interference from electrical and other apparatus on board. If necessary, steps shall be taken to ensure that the antenna attached to broadcast receivers do not cause interference to the efficient or correct working of the radiotelegraph installation. Particular attention shall be paid to this requirement in the design of new ships.

(r) In addition to a means for manually transmitting the radiotelegraph alarm signal, an automatic radiotelegraph alarm signal keying device shall be provided, capable of keying the main and the reserve transmitters so as to transmit the radiotelegraph alarm signal. The device shall be capable of being taken out of operation at anytime in order to permit immediate manual operation of the transmitter. If electrically operated, this keying device shall be capable of operation from the reserve source of energy.

(s) At sea, the reserve transmitter, if not used for communications, shall be tested daily using a suitable artificial antenna, and at least once during each voyage using the reserve antenna if installed. The reserve source of energy shall also be tested daily.

(t) All equipment forming part of the radiotelegraph installation shall be reliable, and shall be so constructed that it is readily accessible for maintenance purposes.

(u) Notwithstanding the provision of Regulation 4 of this Chapter, the Administration may, in the case of cargo ships of less than 1600 tons gross tonnage, relax the full requirements of Regulation 9 of this Chapter and the present Regulation, provided that the standard of the radiotelegraph station shall in no case fall below the equivalent of that prescribed under Regulation 15 and Regulation 16 of this Chapter for radiotelephone stations, so far as applicable. In particular, in the case of cargo ships of 300 tons gross tonnage and upwards but less than 500 tons gross tonnage, the Administration need not require—

(i) a reserve receiver;
(ii) a reserve source of energy in existing installations;
(iii) protection of the main antenna against breakage by whipping;
(iv) the means of communication between the radiotelegraph station and the bridge to be independent of the main communication system;
(v) the range of the transmitter to be greater than 75 miles.

REGULATION 11
Radiotelegraph auto alarms

(a) Any radiotelegraph auto alarm installed after 26 May 1965 shall comply with the following minimum requirements:

(i) In the absence of interference of any kind it shall be capable of being actuated, without manual adjustment, by any radiotelegraph alarm signal transmitted on the radiotelegraph distress frequency by any coast station, ship’s emergency or survival craft transmitter operating in accordance with the Radio Regulations, provided that the strength of the signal at the receiver input is greater than 100 microvolts and less than 1 volt.

(ii) In the absence of interference of any kind, it shall be actuated by either three or four consecutive dashes when the dashes vary in length from 3.5 to as near 6 seconds as possible and the spaces vary in length between 1.5 seconds and the lowest practicable value, preferably not greater than 10 milliseconds.

(iii) It shall not be actuated by atmospherics or by any signal other than the radiotelegraph alarm signal, provided that the received signals do not in fact constitute a signal falling within the tolerance limits indicated in subparagraph (ii) above.

(iv) The selectivity of the radiotelegraph auto alarm shall be such as to provide a practically uniform sensitivity over a band extending not less than 4 kHz and not more than 8 kHz on each side of the radiotelegraph distress frequency and to provide outside this band a sensitivity which decreases as rapidly as possible in conformity with the best engineering practice.

(v) If practicable, the radiotelegraph auto alarm shall, in the presence of atmospherics or interfering signals, automatically adjust itself so that within a reasonably short time it approaches the condition in which it can most readily distinguish the radiotelegraph alarm signal.

(vi) When actuated by a radiotelegraph alarm signal, or in the event of failure of the apparatus, the radiotelegraph auto alarm shall cause a continuous audible warning to be given in the radiotelegraph operating room, in the radio officer’s sleeping accommodation and on the bridge. If practicable, warning shall also be given in the case of failure of any part of the whole alarm receiving system. Only one switch for stopping the warning shall be provided and this shall be situated in the radiotelegraph operating room. For the purpose of regularly testing the radiotelegraph auto alarm, the apparatus shall include a generator pre-tuned to the radiotelegraph distress frequency and a keying device by means of which a radiotelegraph alarm signal of the minimum strength indicated in

(vii)
(vii) The radiotelegraph auto alarm shall be capable of withstanding vibration, humidity and changes of temperature, equivalent to severe conditions experienced on board ships at sea, and shall continue to operate under such conditions.

(b) Before a new type of radiotelegraph auto alarm is approved, the Administration concerned shall be satisfied, by practical tests made under operating conditions equivalent to those obtaining in practice, that the apparatus complies with paragraph (a) of this Regulation.

(c) In ships fitted with a radiotelegraph auto alarm, its efficiency shall be tested by a radio officer at least once every 24 hours while at sea. If it is not in working order, the radio officer shall report that fact to the master or officer on watch on the bridge.

(d) A radio officer shall periodically check the proper functioning of the radiotelegraph auto alarm receiver, with its normal antenna connected, by listening to signals and by comparing them with similar signals received on the radiotelegraph distress frequency of the main installation.

(e) As far as practicable, the radiotelegraph auto alarm, when connected to an antenna shall not affect the accuracy of the direction-finder.

REGULATION 12

Direction-finders

(a) (i) The direction-finding apparatus required by Regulation 12 of Chapter V shall be efficient and capable of receiving signals with the minimum of receiver noise and of taking bearings from which the true bearing and direction may be determined.

(ii) It shall be capable of receiving signals on the radiotelegraph frequencies assigned by the Radio Regulations for the purposes of distress and direction-finding and for maritime radio beacons.

(iii) In the absence of interference the direction-finding apparatus shall have a sensitivity sufficient to permit accurate bearings being taken on a signal having a field strength as low as 50 microvolts per metre.

(iv) As far as is practicable, the direction-finding apparatus shall be so located that as little interference as possible from mechanical or other noise will be caused to the efficient determination of bearings.

(v) As far as is practicable, the direction-finding antenna system shall be erected in such a manner that the efficient determination of bearings will be hindered as little as possible by the close proximity of other antennae, derricks, wire halyards or other large metal objects.

(vi) An efficient two-way means of calling and voice communication shall be provided between the direction-finder and the bridge.

(vii) All direction-finders shall be calibrated to the satisfaction of the Administration on first installation. The calibration shall be verified by check bearings or by a further calibration whenever any changes are made in the position of any antennae or of any structures on deck which might affect appreciably the accuracy of the direction-finder. The calibration particulars shall be checked at yearly intervals, or as near thereto as possible. A record shall be kept of the calibrations and of any checks made of their accuracy.

(b) (i) Radio equipment for homing on the radiotelephone distress frequency shall be capable of taking direction-finding bearings on that frequency without ambiguity of sense within an arc of 30 degrees on either side of the bow.

(ii) When installing and testing the equipment referred to in this paragraph due regard shall be given to the relevant recommendation of the International Radio Consultative Committee (CCIR).

(iii) All reasonable steps shall be taken to ensure the homing capability required by this paragraph. In cases where due to technical difficulties the homing capability cannot be achieved, Administrations may grant to individual ships exemptions from the requirements of this paragraph.

REGULATION 13

Radiotelegraph installation for fitting in motor lifeboats

(a) The radiotelegraph installation required by Regulation 14 of Chapter III shall include a transmitter, a receiver and a source of energy. It shall be so designed that it can be used in an emergency by an unskilled person.

(b) The transmitter shall be capable of transmitting on the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations for that frequency. The transmitter shall also be capable of transmitting on the frequency, and of using a class of emission, assigned by the Radio Regulations for use by survival craft in the bands between 4000 kHz and 27500 kHz.

(c) The transmitter shall, if modulated emission is prescribed by the Radio Regulations, have a depth of modulation of not less than 70 per cent and a note frequency between 450 and 1350 Hz.

(d) In addition to a key for manual transmissions, the transmitter shall be fitted with an automatic keying
device for the transmission of the radiotelegraph alarm and distress signals.

(e) On the radiotelegraph distress frequency the transmitter shall have a minimum normal range [as specified in paragraph (g) of Regulation 10 of this Chapter] of 25 miles using the fixed antenna.*

(f) The receiver shall be capable of receiving the radiotelegraph distress frequency and the classes of emission assigned by the Radio Regulations for that frequency.

(g) The source of energy shall consist of an accumulator battery with sufficient capacity to supply the transmitter for four hours continuously under normal working conditions. If the battery is of a type that requires charging, means shall be available for charging it from the ship’s power supply. In addition there shall be a means for charging it after the lifeboat has been launched.

(h) When the power for the radiotelegraph installation and the searchlight required by Regulation 14 of Chapter III are drawn from the same battery, it shall have sufficient capacity to provide for the additional load of the searchlight.

(i) A fixed-type antenna will be provided together with means for supporting it at the maximum practicable height. In addition an antenna supported by a kite or balloon shall be provided if practicable.

(j) At sea a radio officer shall at weekly intervals test the transmitter using a suitable artificial antenna, and shall bring the battery up to full charge if it is of a type which requires charging.

REGULATION 14

Portable radio apparatus for survival craft

(a) The apparatus required by Regulation 13 of Chapter III shall include a transmitter, a receiver, an antenna and a source of energy. It shall be so designed that it can be used in an emergency by an unskilled person.

(b) The apparatus shall be readily portable, watertight, capable of floating in sea water and capable of being dropped into the sea without damage. New equipment shall be as light-weight and compact as practicable and shall preferably be capable of use in both lifeboats and liferafts.

(c) The transmitter shall be capable of transmitting on the radiotelegraph distress frequency using a class of emission assigned by the Radio Regulations for that frequency, and, in the bands between 4000 kHz and 27500 kHz, of transmitting on the radiotelegraph frequency, and of using a class of emission assigned by the Radio Regulations for survival craft. However, the Administration may permit the transmitter to be capable of transmitting on the radiotelephone distress frequency, and of using a class of emission assigned by the Radio Regulations for that frequency, as an alternative or in addition to transmission on the radiotelegraph frequency assigned by the Radio Regulations for survival craft in the bands between 4000 kHz and 27500 kHz.

(d) The transmitter shall, if modulated emission is prescribed by the Radio Regulations, have a depth of modulation of not less than 70 per cent and in the case of radiotelegraph emission have a note frequency between 450 and 1350 Hz.

(e) In addition to a key for manual transmissions, the transmitter shall be fitted with an automatic keying device for the transmission of the radiotelegraph alarm and distress signals. If the transmitter is capable of transmitting on the radiotelegraph distress frequency, it shall be fitted with an automatic device, complying with the requirements of paragraph (e) of Regulation 16 of this Chapter, for transmitting the radiotelephone alarm signal.

(f) The receiver shall be capable of receiving the radiotelegraph distress frequency and the classes of emission assigned by the Radio Regulations for that frequency. If the transmitter is capable of transmitting on the radiotelephone distress frequency the receiver shall also be capable of receiving that frequency and a class of emission assigned by the Radio Regulations for that frequency.

(g) The antenna shall be either self-supporting or capable of being supported by the mast of a lifeboat at the maximum practicable height. In addition it is desirable that an antenna supported by a kite or balloon shall be provided if practicable.

(h) The transmitter shall supply an adequate radio frequency power* to the antenna required by paragraph (a) of this Regulation and shall preferably derive its supply from a hand generator. If operated from a battery, the battery shall comply with conditions laid down by the Administration to ensure that it is of a durable type and is of adequate capacity.

(i) At sea a radio officer or a radiotelephone operator, as appropriate, shall at weekly intervals test the transmitter, using a suitable artificial antenna and shall bring the battery up to full charge if it is of a type which requires charging.

(j) For the purpose of this Regulation, new equipment means equipment supplied to a ship after the date of entry into force of the present Convention.

REGULATION 15

Radiotelephone stations

(a) The radiotelephone station shall be in the upper part of the ship and so located that it is sheltered to the greatest possible extent from noise which might impair the correct reception of messages and signals.
(b) There shall be efficient communication between the radiotelephone station and the bridge.

(c) A reliable clock shall be securely mounted in such a position that the entire dial can be easily observed from the radiotelephone operating position.

(d) A reliable emergency light shall be provided, independent of the system which supplies the normal lighting of the radiotelephone installation, and permanently arranged so as to be capable of providing adequate illumination of the operating controls of the radiotelephone installation, of the clock required by paragraph (c) of this Regulation and of the card of instructions required by paragraph (f).

(e) Where a source of energy consists of a battery or batteries, the radiotelephone station shall be provided with means of assessing the charge condition.

(f) A card of instructions giving a clear summary of the radiotelephone distress procedure shall be displayed in full view of the radiotelephone operating position.

REGULATION 16

Radiotelephone installations

(a) The radiotelephone installation shall include transmitting and receiving equipment, and appropriate sources of energy (referred to in the following paragraphs as "the transmitter", "the receiver", "the radiotelephone distress frequency watch receiver", and "the source of energy" respectively).

(b) The transmitter shall be capable of transmitting on the radiotelephone distress frequency and on at least one other frequency in the bands between 1,605 kHz and 2,850 kHz, using the classes of emission assigned by the Radio Regulations for these frequencies. In normal operation a double sideband transmission or a single sideband transmission with full carrier (i.e., A3H) shall have a depth of modulation of at least 70 per cent at peak intensity. Modulation of a single sideband transmission with reduced or suppressed carrier (A3A, A3J) shall be such that the intermodulation products shall not exceed the values given in the Radio Regulations.

(c) (i) In the case of cargo ships of 500 tons gross tonnage and upwards but less than 1,600 tons gross tonnage the transmitter shall have a minimum normal range of 150 miles, i.e., it shall be capable of transmitting clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over this range.* (Clearly perceptible signals will normally be received if the R.M.S. value of the field strength produced at the receiver by the unmodulated carrier is at least 25 microvolts per metre.)

(ii) In the case of cargo ships of 300 tons gross tonnage and upwards but less than 500 tons gross tonnage —

(1) for existing installations the transmitter shall have a minimum normal range of at least 75 miles; and

(2) for new installations the transmitter shall produce a power in the antenna of at least 15 watts (unmodulated carrier).

(d) The transmitter shall be fitted with a device for generating the radiotelephone alarm signal by automatic means so designed as to prevent actuation by mistake. The device shall be capable of being taken out of operation at any time in order to permit the immediate transmission of a distress message. Arrangements shall be made to check periodically the proper functioning of the device on frequencies other than the radiotelephone distress frequency using a suitable artificial antenna.

(e) The device required by paragraph (d) of this Regulation shall comply with the following requirements:

(i) The tolerance of the frequency of each tone shall be ±1,5 per cent.

(ii) The tolerance on the duration of each tone shall be ± 50 milliseconds.

(iii) The interval between successive tones shall not exceed 50 milliseconds.

(iv) The ratio of the amplitude of the stronger tone to that of the weaker shall be within the range 1 to 1,2.

(f) The receiver required by paragraph (a) of this Regulation shall be capable of receiving the radiotelephone distress frequency and at least one other frequency available for maritime radiotelephone stations in the bands between 1,605 kHz and 2,850 kHz, using the classes of emission assigned by the Radio Regulations for these frequencies. In addition the receiver shall permit the reception of such other frequencies, using the classes of emission assigned by the Radio Regulations, as are used for the transmission by radiotelephony of meteorological messages and such other communications relating to the safety of navigation as may be considered necessary by the Administration. The receiver shall have sufficient sensitivity to produce signals by means of a speaker when the receiver input is as low as 50 microvolts.

(g) The radiotelephone distress frequency watch receiver shall be preset to this frequency. It shall be provided with a filtering unit or a device to silence the loudspeaker in the absence of a radiotelephone alarm signal. The device shall be capable of being easily switched in and out and may be used when, in the opinion of the master, conditions are such that maintenance of the listening watch would interfere with the safe navigation of the ship.

(h) To permit rapid change-over from transmission to reception when manual switching is used, the control for the switching device shall, where practicable, be located on the microphone or the telephone handset.
(i) While the ship is at sea, there shall be available at all times a main source of energy sufficient to operate the installation over the normal range required by paragraph (c) of this Regulation. If batteries are provided they shall under all circumstances have sufficient capacity to operate the transmitter and receiver for at least six hours continuously under normal working conditions.† In installations in cargo ships of 500 tons gross tonnage and upwards but less than 1 600 tons gross tonnage made on or after 19 November 1952, a reserve source of energy shall be provided in the upper part of the ship unless the main source of energy is so situated.

(j) The reserve source of energy, if provided, may be used only to supply—

(i) the radiotelephone installation;

(ii) the emergency light required by paragraph (d) of Regulation 15 of this Chapter;

(iii) the device required by paragraph (d) of this Regulation, for generating the radiotelephone alarm signal; and

(iv) the VHF installation.

(k) Notwithstanding the provisions of paragraph (j) of this Regulation, the Administration may authorize the use of the reserve source of energy, if provided, for a direction finder, if fitted, and for a number of low-power emergency circuits which are wholly confined to the upper part of the ship, such as emergency lighting on the boat deck, on condition that the additional loads can be readily disconnected, and that the source of energy is of sufficient capacity to carry them.

(l) While at sea, any battery provided shall be kept charged so as to meet the requirements of paragraph (i) of this Regulation.

(m) An antenna shall be provided and installed and, if suspended between supports liable to whipping, shall in the case of cargo ships of 500 tons gross tonnage and upwards but less than 1 600 tons gross tonnage be protected against breakage. In addition, there shall be a spare antenna completely assembled for immediate replacement or, where this is not practicable, sufficient antenna wire and insulators to enable a spare antenna to be erected. The necessary tools to erect an antenna shall also be provided.

REGULATION 17

VHF radiotelephone stations

(a) When a VHF radiotelephone station is provided in accordance with Regulation 18 of Chapter V, it shall be in the upper part of the ship and include a VHF radiotelephone installation complying with the provisions of this Regulation and comprising a transmitter and receiver, a source of power capable of actuating them at their rated power levels, and an antenna suitable for efficient radiating and receiving signals at the operating frequencies.

(b) Such a VHF installation shall conform to the requirements laid down in the Radio Regulations for equipment used in the VHF Maritime Mobile Radiotelephone Service and shall be capable of operation on those channels specified by the Radio Regulations and as may be required by the Contracting Government referred to in Regulation 18 of Chapter V.

(c) The Contracting Government shall not require the transmitter R.F. carrier power output to be greater than 10 watts. The antenna shall, in so far as is practicable, have an unobstructed view in all directions.*

(d) Control of the VHF channels required for navigational safety shall be immediately available on the bridge convenient to the conning position and, where necessary, facilities should also be available to permit radiocommunications from the wings of the bridge.

REGULATION 18

Radiotelephone auto alarms

(a) The radiotelephone auto alarm shall comply with the following minimum requirements:

(i) The frequencies of maximum response of the tuned circuits, and other tone selecting devices, shall be subject to a tolerance of ; pm 1,5 per cent in each instance; and the response shall not fall below 50 per cent of the maximum response for frequencies within 3 per cent of the frequency of maximum response;

(ii) in the absence of noise and interference, the automatic receiving equipment shall be capable of operating from the alarm signal in a period of not less than four and not more than six seconds;

(iii) the automatic receiving equipment shall respond to the alarm signal, under conditions of intermittent interference caused by atmospherics and powerful signals other than the alarm signal, preferably without any manual adjustment being required during any period of watch maintained by the equipment.

(iv) the automatic receiving equipment shall not be actuated by atmospherics or by strong signals other than the alarm signal;

(v) the automatic receiving equipment shall be effective beyond the range at which speech transmission is satisfactory;
(vi) the automatic receiving equipment shall be capable of withstanding vibration, humidity, changes of temperature and variations in power supply voltage equivalent to the severe conditions experienced on board ships at sea, and shall continue to operate under such conditions;

(vii) the automatic receiving equipment should, as far as practicable, give warning of faults that would prevent the apparatus from performing its normal functions during watch hours.

(b) Before a new type of radiotelephone auto alarm is approved, the Administration concerned shall be satisfied by practical tests, made under operating conditions equivalent to those obtained in practice, that the apparatus complies with paragraph (a) of this Regulation.

PART D — RADIO Logs

REGULATION 19

Radio logs

(a) The radio log (diary of the radio service) required by the Radio Regulations for a ship which is fitted with a radiotelegraph station in accordance with Regulation 3 or Regulation 4 of this Chapter shall be kept in the radiotelegraph operating room during the voyage. Every radio officer shall enter in the log his name, the times at which he goes on and off watch, and all incidents connected with the radio service which occur during his watch which may appear to be of importance to safety of life at sea. In addition, there shall be entered in the log—

(i) the entries required by the Radio Regulations;

(ii) details of the maintenance, including a record of the charging of the batteries in such form as may be prescribed by the Administration;

(iii) a daily statement that the requirement of paragraph (p) of Regulation 10 of this Chapter has been fulfilled;

(iv) details of the tests of the reserve transmitter and reserve source of energy made under paragraph (s) of Regulation 10 of this Chapter;

(v) in ships fitted with a radiotelegraph auto alarm details of tests made under paragraph (c) of Regulation 11 of this Chapter;

(vi) details of the maintenance of the batteries, including a record of the charging (if applicable) required by paragraph (j) of Regulation 13 of this Chapter, and details of the tests required by that paragraph in respect of the transmitters fitted in motor lifeboats;

(vii) details of the maintenance of the batteries, including a record of the charging (if applicable) required by paragraph (i) of Regulation 14 of this Chapter, and details of the tests required by that paragraph in respect of portable radio apparatus for survival craft;

(viii) the time at which the listening watch was discontinued in accordance with paragraph (d) of Regulation 6 of this Chapter, together with the reason and the time at which the listening watch was resumed.

(b) The radio log (diary of the radio service) required by the Radio Regulations for a ship which is fitted with a radiotelephone station in accordance with Regulation 4 of this Chapter shall be kept at the place where listening watch is maintained. Every qualified operator, and every master, officer or crew member carrying out a listening watch in accordance with Regulation 7 of this Chapter, shall enter in the log, with his name, the details of all incidents connected with the radio service which occur during his watch which may appear to be of importance to safety of life at sea. In addition, there shall be entered in the log—

(i) the details required by the Radio Regulations;

(ii) the time at which listening watch begins when the ship leaves port, and the time at which it ends when the ship reaches port;

(iii) the time at which listening watch is for any reason discontinued, together with the reason, and the time at which listening watch is resumed;

(iv) details of the maintenance of the batteries (if provided), including a record of the charging required by paragraph (i) of Regulation 16 of this Chapter;

(v) details of the maintenance of the batteries, including a record of the charging (if applicable) required by paragraph (i) of Regulation 14 of this Chapter, and details of the tests required by that paragraph in respect of portable radio apparatus for survival craft.

(c) Radio logs shall be available for inspection by the officers authorized by the Administration to make such inspection.

CHAPTER V

SAFETY NAVIGATION

(Editorial Note: GN 10 of 8 January, 2009 amends Chapter V by inserting paragraphs 6 and 7 after paragraph 5. Since paragraph 5 is not in existence within Chapter V the amendment cannot be effected. The Department of
REGULATION

Application

This Chapter, unless otherwise expressly provided in this Chapter, applies to all ships on all voyages, except ships of war and ships solely navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada.

REGULATION 2

Danger messages

(a) The master of every ship which meets with dangerous ice, a dangerous derelict, or any other direct danger to navigation, or a tropical storm, or encounters sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures, or winds of force 10 or above on the Beaufort scale for which no storm warning has been received, is bound to communicate the information by all the means at his disposal to ships in the vicinity, and also to the competent authorities at the first point on the coast with which he can communicate. The form in which the information is sent is not obligatory. It may be transmitted either in plain language (preferably English) or by means of International Code of Signals. It should be broadcast to all ships in the vicinity and sent to the first point on the coast to which communication can be made, with a request that it be transmitted to the appropriate authorities.

(b) Each Contracting Government will take all steps necessary to ensure that when intelligence of any of the dangers specified in paragraph (a) of this Regulation is received, it will be promptly brought to the knowledge of those concerned and communicated to other interested Governments.

(c) The transmission of messages respecting the dangers specified is free of cost to the ships concerned.

(d) All radio messages issued under paragraph (a) of this Regulation shall be preceded by the Safety Signal, using the procedure as prescribed by the Radio Regulations as defined in Regulation 2 of Chapter IV.

REGULATION 3

Information required in danger messages

The following information is required in danger messages:

(a) Ice, derelicts and other direct dangers to navigation.
   (i) The kind of ice, derelict or danger observed.
   (ii) The position of the ice, derelict or danger when last observed.
   (iii) The time and date (Greenwich Mean Time) when danger last observed.

(b) Tropical storms (hurricanes in the West Indies, typhoons in the China Sea, cyclones in Indian waters, and storms of a similar nature in other regions).

   (i) A statement that a tropical storm has been encountered. This obligation should be interpreted in a broad spirit, and information transmitted whenever the master has good reason to believe that a tropical storm is developing or exists in his neighbourhood.

   (ii) Time, date (Greenwich Mean Time) and position of ship when the observation was taken.

   (iii) As much of the following information as is practicable should be included in the message:

   Barometric pressure, preferably corrected (stating millibars, millimetres, or inches, and whether corrected or uncorrected); barometric tendency (the change in barometric pressure during the past three hours); true wind direction; wind force (Beaufort scale); state of the sea (smooth, moderate, rough, high); swell (slight, moderate, heavy) and the true direction from which it comes. Period or length of swell (short, average, long) would also be of value; true course and speed of ship.

(c) Subsequent observations.

   When a master has reported a tropical or other dangerous storm, it is desirable, but not obligatory, that further observations be made and transmitted hourly, if practicable, but in any case at intervals of not more than three hours, so long as the ship remains under the influence of the storm.

(d) Winds of force 10 or above on the Beaufort scale for which no storm warning has been received.

   This is intended to deal with storms other than the tropical storms referred to in paragraph (b) of this Regulation; when such a storm is encountered, the message should contain similar information to that listed under that paragraph but excluding the details concerning sea and swell.

(e) Sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures.
(i) Time and date (Greenwich Mean Time).
(ii) Air temperature.
(iii) Sea temperature (if practicable).
(iv) Wind force and direction.

Examples

Ice

TTT Ice. Large berg sighted in 4605 N., 4410 W., at 0800 GMT. May 15.

Derelicts

TTT Derelict. Observed derelict almost submerged in 4006 N., 1243 W., at 1630 GMT. April 21.

Danger to navigation


Tropical storm

TTT Storm. 0030 GMT. August 18. 2004 N., 11354 E. Barometer corrected 994 millibars, tendency down 6 millibars. Wind NW., force 9, heavy squalls. Heavy easterly swell. Course 067,5 knots.

TTT Storm. Appearances indicate approach of hurricane. 1300 GMT. September 14. 2200 N., 7236 W. Barometer corrected 29,64 inches, tendency down 0,015 inches. Wind NE., force 8, frequent rain squalls. Course 035,9 knots.

TTT Storm. Conditions indicate intense cyclone has formed. 0200 GMT. May 4. 1620 N., 9203 E. Barometer uncorrected 753 millimetres, tendency down 5 millimetres. Wind S. by W., force 5. Course 300, 8 knots.

TTT Storm. Typhoon to south-east 0300 GMT. June 12. 1812 N., 12605 E. Barometer falling rapidly. Wind increasing from N.


REGULATION 4

Meteorological services

(a) The Contracting Governments undertake to encourage the collection of meteorological data by ships at sea and to arrange for their examination, dissemination and exchange in the manner most suitable for the purpose of aiding navigation. Administrations shall encourage the use of instruments of a high degree of accuracy, and shall facilitate the checking of such instruments upon request.

(b) In particular, the Contracting Governments undertake to co-operate in carrying out, as far as practicable, the following meteorological arrangements:

(i) To warn ships of gales, storms and tropical storms, both by the issue of radio messages and by the display of appropriate signals at coastal points.

(ii) To issue daily, by radio, weather bulletins suitable for shipping, containing data of existing weather, waves and ice, forecasts and, when practicable, sufficient additional information to enable simple weather charts to be prepared at sea and also to encourage the transmission of suitable facsimile weather charts.

(iii) To prepare and issue such publications as may be necessary for the efficient conduct of meteorological work at sea and to arrange, if practicable, for the publication and making available of daily weather charts for the information of departing ships.

(iv) To arrange for selected ships to be equipped with tested instruments (such as a barometer, a barograph, a psychrometer, and suitable apparatus for measuring sea temperature) for use in this service, and to take meteorological observations at main standard times for surface synoptic observations (at least four times daily, whenever circumstances permit) and to encourage other ships to take observations in a modified form, particularly when in areas where shipping is sparse; these ships to transmit their observations by radio for the benefit of the various official meteorological services, repeating the information for the benefit of ships in the vicinity. When in the vicinity of a tropical storm, or of a suspected tropical storm, ships should be encouraged to take and transmit their observations at more frequent intervals whenever practicable, bearing in mind navigational preoccupations of ships’ officers during storm conditions.

(v) To arrange for the reception and transmission by coast radio stations of weather messages from and to ships. Ships which are unable to communicate direct with shore shall be encouraged to relay their weather messages through ocean weather ships or through other ships which are in contact with shore.
(vi) To encourage all masters to inform ships in the vicinity and also shore stations whenever they experience a wind speed of 50 knots or more (force 10 on the Beaufort scale).

(vii) To endeavour to obtain a uniform procedure in regard to the international meteorological services already specified, and, as far as is practicable, to conform to the Technical Regulations and recommendations made by the World Meteorological Organisation, to which the Contracting Governments may refer for study and advice any meteorological question which may arise in carrying out the present Convention.

(c) The information provided for in this Regulation shall be furnished in form for transmission and transmitted in the order of priority prescribed by the Radio Regulations, and during transmission “to all stations” of meteorological information, forecasts and warnings, all ship stations must conform to the provisions of the Radio Regulations.

(d) Forecasts, warnings, synoptic and other meteorological reports intended for ships shall be issued and disseminated by the national service in the best position to serve various zones and areas, in accordance with mutual arrangements made by the Contracting Governments concerned.

REGULATION 5

Ice patrol service

(a) The Contracting Governments undertake to continue an ice patrol and a service for study and observation of ice conditions in the North Atlantic. During the whole of the ice season the south-eastern, southern and south-western limits of the regions of icebergs in the vicinity of the Grand Banks of Newfoundland shall be guarded for the purpose of informing passing ships of the extent of this dangerous region; for the study of ice conditions in general; and for the purpose of affording assistance to ships and crews requiring aid within the limits of operation of the patrol ships. During the rest of the year the study and observation of ice conditions shall be maintained as advisable.

(b) Ships and aircraft used for the ice patrol service and the study and observation of ice conditions may be assigned other duties by the managing Government, provided that such other duties do not interfere with their primary purpose or increase the cost of this service.

REGULATION 6

Ice patrol, management and cost

(a) The Government of the United States of America agrees to continue the management of the ice patrol service and the study and observation of ice conditions, including the dissemination of information received therefrom. The Contracting Governments specially interested in these services undertake to contribute to the expense of maintaining and operating these services; each contribution to be based upon the total gross tonnage of the vessels of each contributing Government passing through the regions of icebergs guarded by the Ice Patrol; in particular, each Contracting Government specially interested undertakes to contribute annually to the expense of maintaining and operating these services a sum determined by the ratio which the total gross tonnage of that Contracting Government’s vessels passing during the ice season through the regions of icebergs guarded by the Ice Patrol bears to the combined total gross tonnage of the vessels of all contributing Governments passing during the ice season through the regions of icebergs guarded by the Ice Patrol. Non-contracting Governments specially interested may contribute to the expense of maintaining and operating these services on the same basis. The managing Government will furnish annually to each contributing Government a statement of the total cost of maintaining and operating the Ice Patrol and of the proportionate share of each contributing Government.

(b) Each of the contributing Governments has the right to alter or discontinue its contribution, and other interested Governments may undertake to contribute to the expense. The contributing Government which avails itself of this right will continue responsible for its current contribution up to 1 September following the date of giving notice of intention to alter or discontinue its contribution. To take advantage of the said right it must give notice to the managing Government at least six months before the said 1 September.

(c) If, at any time, the United States Government should desire to discontinue these services, or if one of the contributing Governments should express a wish to relinquish responsibility for its pecuniary contribution, or to have its contribution altered, or another Contracting Government should desire to undertake to contribute to the expense, the contributing Governments shall settle the question in accordance with their mutual interests.

(d) The contributing Governments shall have the right by common consent to make from time to time such alterations in the provisions of this Regulation and of Regulation 5 of this Chapter as appear desirable.

(e) Where this Regulation provides that a measure may be taken after agreement among the contributing Governments, proposals made by any Contracting Government for effecting such a measure shall be communicated to the managing Government which shall approach the other contributing Governments with a view to ascertaining whether they accept such proposals, and the results of the enquiries thus made shall be sent to the other contributing Governments and the Contracting Government making the proposals. In particular, the arrangements relating to contributions to the cost of the services shall be reviewed by the contributing Governments at intervals not exceeding three years. The managing Government shall initiate the action necessary to this end.

REGULATION 7

Speed near ice
When ice is reported on or near his course the master of every ship at night is bound to proceed at a moderate speed or to alter his course so as to go well clear of the danger zone.

REGULATION 8

Routing

(a) The practice of following, particularly in converging areas, routes adopted for the purpose of separation of traffic including avoidance of passage through areas designated as areas to be avoided by ships or certain classes of ships or for the purpose of avoiding unsafe conditions, has contributed to the safety of navigation and is recommended for use by all ships concerned.

(b) The Organization is recognized as the only international body for establishing and adopting measures on an international level concerning routing and areas to be avoided by ships or certain classes of ships. It will collate and disseminate to Contracting Governments all relevant information.

(c) The selection of the routes and the initiation of action with regard to them, and the delineation of what constitutes converging areas, will be primarily the responsibility of the Governments concerned. In the development of routing schemes which impinge upon international waters, or such other schemes they may wish adopted by the Organization, they will give due consideration to relevant information published by the Organization.

(d) Contracting Governments will use their influence to secure the appropriate use of adopted routes and will do everything in their power to ensure adherence to the measures adopted by the Organization in connection with routing of ships.

(e) Contracting Governments will also induce all ships proceeding on voyages in the vicinity of the Grand Banks of Newfoundland to avoid, as far as practicable, the fishing banks of Newfoundland north of latitude 43° N and to pass outside regions known or believed to be endangered by ice.

REGULATION 9

Misuse of distress signals

The use of an international distress signal, except for the purpose of indicating that a ship or aircraft is in distress, and the use of any signal which may be confused with an international distress signal, are prohibited on every ship or aircraft.

REGULATION 10

Distress messages — Obligations and procedures

(a) The master of a ship at sea, on receiving a signal from any source that a ship or aircraft or survival craft thereof is in distress, is bound to proceed with all speed to the assistance of the persons in distress informing them if possible that he is doing so. If he is unable or, in the special circumstances of the case, considers it unreasonable or unnecessary to proceed to their assistance, he must enter in the logbook the reason for failing to proceed to the assistance of the persons in distress.

(b) The master of a ship in distress, after consultation, so far as may be possible, with the masters of the ships which answer his call for assistance, has the right to requisition such one or more of those ships as he considers best able to render assistance, and it shall be the duty of the master or masters of the ship or ships requisitioned to comply with the requisition by continuing to proceed with all speed to the assistance of persons in distress.

(c) The master of a ship shall be released from the obligation imposed by paragraph (a) of this Regulation when he learns that one or more ships other than his own have been requisitioned and are complying with the requisition.

(d) The master of a ship shall be released from the obligation imposed by paragraph (a) of this Regulation, and, if his ship has been requisitioned, from the obligation imposed by paragraph (b) of this Regulation, if he is informed by the persons in distress or by the master of another ship which has reached such persons that assistance is no longer necessary.

(e) The provisions of this Regulation do not prejudice the International Convention for the unification of certain rules with regard to Assistance and Salvage at Sea, signed at Brussels on 23 September 1910, particularly the obligation to render assistance imposed by Article 11 of that Convention.

REGULATION 11

Signalling lamps

All ships of over 150 tons gross tonnage, when engaged on international voyages, shall have on board an efficient daylight signalling lamp which shall not be solely dependent upon the ship’s main source of electrical power.

REGULATION 12

Shipborne navigational equipment

(a) All ships of 1 600 tons gross tonnage and upwards but less than 10 000 tons gross tonnage shall be fitted
with at least one radar. All ships of 10 000 tons gross tonnage and upwards shall be fitted with at least two radars, each capable of operating independently of the other. All radars fitted in compliance with this Regulation shall be of type approved by the Administration and shall conform to operational standards not inferior to those adopted by the Organization. Facilities for plotting radar readings shall be provided on the bridge in those ships.

[Para. (a) substituted by Proclamation No. R.168 of 1982.]

(b) All ships of 1 600 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with radio direction-finding apparatus complying with the provisions of Regulation 12 of Chapter IV. The Administration may, in areas where it considers it unreasonable or unnecessary for such apparatus to be carried, exempt any ship of less than 5 000 tons gross tonnage from this requirement, due regard being had to the fact that radio direction-finding apparatus is of value both as a navigational instrument and as an aid to locating ships, aircraft or survival craft.

(c) All ships of 1 600 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with a gyro-compass in addition to the magnetic compass. The Administration, if it considers it unreasonable or unnecessary to require a gyro-compass, may exempt any ship of less than 5 000 tons gross tonnage from this requirement.

(d) All new ships of 500 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with an echo-sounding device.

(e) Whilst all reasonable steps shall be taken to maintain the apparatus in an efficient condition, malfunction of the radar equipment, the gyro-compass or the echo-sounding device shall not be considered as making the ship unseaworthy or as a reason for delaying the ship in ports where repair facilities are not readily available.

(f) All new ships of 1 600 tons gross tonnage and upwards, when engaged on international voyages, shall be fitted with radio equipment for homing on the radiotelephone distress frequency complying with the relevant provisions of paragraph (b) of Regulation 12 of Chapter IV.

REGULATION 13
Manning

The Contracting Governments undertake, each for its national ships, to maintain, or, if it is necessary, to adopt, measures for the purpose of ensuring that, from the point of view of safety of life at sea, all ships shall be sufficiently and efficiently manned.

REGULATION 14
Aids to navigation

The Contracting Governments undertake to arrange for the establishment and maintenance of such aids to navigation, including radio beacons and electronic aids as, in their opinion, the volume of traffic justifies and the degree of risk requires, and to arrange for information relating to these aids to be made available to all concerned.

REGULATION 15
Search and rescue

(a) Each Contracting Government undertakes to ensure that any necessary arrangements are made for coast watching and for the rescue of persons in distress at sea round its coasts. These arrangements should include the establishment, operation and maintenance of such maritime safety facilities as are deemed practicable and necessary having regard to the density of the seagoing traffic and the navigational dangers and should, so far as possible, afford adequate means of locating and rescuing such persons.

(b) Each Contracting Government undertakes to make available information concerning its existing rescue facilities and the plans for changes therein, if any.

REGULATION 16
Life-saving signals

The following signals shall be used by life-saving stations and maritime rescue units when communicating with ships or persons in distress and by ships or persons in distress when communicating with life-saving stations and maritime rescue units. The signals used by aircraft engaged in search and rescue operations to direct ships are indicated in paragraph (d) below. An illustrated table describing the signals listed below shall be readily available to the officer of the watch of every ship to which this Chapter applies.

(a) Replies from life-saving stations or maritime rescue units to distress signals made by a ship or person:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td>By day.—Orange smoke signal or combined light and sound signal (thunderlight) consisting of three single signals which are fired at intervals of approximately one minute.</td>
<td>“You are seen—assistance will be given as soon as possible.”</td>
</tr>
<tr>
<td>By night.—White star rocket consisting of three single</td>
<td>(Repetition of such signals</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
If necessary the day signals may be given at night or the night signals by day.

(b) Landing signals for the guidance of small boats with crews or persons in distress:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>By day.</strong>—Vertical motion of a white flag or the arms or firing of a green star-signal or signalling the code letter “K” (—.—) given by light or sound-signal apparatus</td>
<td>&quot;This is the best place to land.&quot;</td>
</tr>
<tr>
<td><strong>By night.</strong>—Vertical motion of a white light or flare, or firing of a green star-signal or signalling the code letter &quot;K&quot; (—.—) given by light or sound-signal apparatus. A range (indication of direction) may be given by placing a steady white light or flare at a lower level and in line with the observer.</td>
<td>&quot;Landing here highly dangerous.&quot;</td>
</tr>
<tr>
<td><strong>By day.</strong>—Horizontal motion of a white flag or arms extended horizontally or firing of a red star-signal or signalling the code letter &quot;S&quot; (...) given by light or sound-signal apparatus.</td>
<td>&quot;Landing here highly dangerous. A more favourable location for landing is in the direction indicated.&quot;</td>
</tr>
<tr>
<td><strong>By night.</strong>—Horizontal motion of a white light or flare or firing of a red star-signal or signalling the code letter &quot;S&quot; (...) given by light or sound-signal apparatus.</td>
<td>&quot;Landing here highly dangerous. A more favourable location for landing is in the direction indicated.&quot;</td>
</tr>
<tr>
<td><strong>By day.</strong>—Horizontal motion of a white flag, followed by the placing of the white flag in the ground and the carrying of another white flag in the direction to be indicated or firing of a red star-signal vertically and a white star-signal in the direction towards the better landing place or signalling the code letter &quot;L&quot; (.—..) if a better landing place for the craft in distress is located more to the right in the direction of approach or the code letter &quot;L&quot; (.—..) if a better landing place for the craft in distress is located more to the left in the direction of approach.</td>
<td>&quot;Landing here highly dangerous. A more favourable location for landing is in the direction indicated.&quot;</td>
</tr>
<tr>
<td><strong>By night.</strong>—Horizontal motion of a white light or flare, followed by the placing of the white light or flare on the ground and the carrying of another white light or flare in the direction to be indicated or firing a red star-signal vertically and a white star-signal in the direction towards the better landing place or signalling the code letter &quot;L&quot; (.—..) if a better landing place for the craft in distress is located more to the right in the direction of approach or the code letter &quot;L&quot; (.—..) if a better landing place for the craft in distress is located more to the left in the direction of approach.</td>
<td>&quot;Landing here highly dangerous. A more favourable location for landing is in the direction indicated.&quot;</td>
</tr>
</tbody>
</table>

(c) Signals to be employed in connection with the use of shore life-saving apparatus:

<table>
<thead>
<tr>
<th>Signal</th>
<th>Signification</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>By day.</strong>— Vertical motion of a white flag or the arms or firing of a green star-signal.</td>
<td>In general — &quot;Affirmative.&quot;</td>
</tr>
<tr>
<td><strong>By night.</strong>—Vertical motion of a white light or flare or firing of a green star signal</td>
<td>Specifically:</td>
</tr>
<tr>
<td></td>
<td>&quot;Rocket line is held.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Tail block is made fast.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Hawser is made fast.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Man is in the breeches buoy.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Haul away.&quot;</td>
</tr>
<tr>
<td><strong>By day.</strong>— Horizontal motion of a white flag or arms extended horizontally or firing of a red star-signal.</td>
<td>In general — &quot;Negative.&quot;</td>
</tr>
<tr>
<td><strong>By night.</strong>— Horizontal motion of a white light or flare or firing of a red star-signal.</td>
<td>Specifically:</td>
</tr>
<tr>
<td></td>
<td>&quot;Slack away.&quot;</td>
</tr>
<tr>
<td></td>
<td>&quot;Avast hauling.&quot;</td>
</tr>
</tbody>
</table>

(d) Signals used by aircraft engaged on search and rescue operations to direct ships towards an aircraft, ship or person in distress (see explanatory Note below):
The following procedures performed in sequence by an aircraft mean that the aircraft is directing a surface craft towards an aircraft or a surface craft in distress:

1. Circling the surface craft at least once;
2. crossing the projected course of the surface craft close ahead at a low altitude, opening and closing the throttle or changing the propeller pitch;
3. heading in the direction in which the surface craft is to be directed. Repetition of such procedures has the same meaning.

The following procedure performed by an aircraft means that the assistance of the surface craft to which the signal is directed is no longer required:

Crossing the wake of the surface craft close astern at a low altitude, opening and closing the throttle or changing the propeller pitch.

Note.—Advance notification of changes in these signals will be given by the Organization as necessary.

REGULATION 17

Pilot ladders and mechanical pilot hoists

Ships engaged on voyages in the course of which pilots are likely to be employed shall comply with the following requirements:

(a) Pilot ladders.

(i) The ladder shall be efficient for the purpose of enabling pilots to embark and disembark safely, kept clean and in good order and may be used by officials and other persons while a ship is arriving at or leaving a port.

(ii) The ladder shall be secured in a position so that it is clear from any possible discharges from the ship, that each step rests firmly against the ship’s side, that it is clear so far as is practicable of the finer lines of the ship and that the pilot can gain safe and convenient access to the ship after climbing not less than 1.5 metres (5 feet) and not more than 9 metres (30 feet). A single length of ladder shall be used capable of reaching the water from the point of access to the ship; in providing for this due allowance shall be made for all conditions of loading and trim of the ship and for an adverse list of 15 degrees. Whenever the distance from sea level to the point of access to the ship is more than 9 metres (30 feet), access from the pilot ladder to the ship shall be by means of an accommodation ladder or other equally safe and convenient means.

(iii) The steps of the pilot ladder shall be—

1. of hardwood, or other material of equivalent properties, made in one piece free of knots, having an efficient non-slip surface; the four lowest steps may be made of rubber of sufficient strength and stiffness or of other suitable material of equivalent characteristics;
2. not less than 480 millimetres (19 inches) long, 115 millimetres (4½ inches) wide, and 25 millimetres (1 inch) in depth, excluding any non-slip device;
3. equally spaced not less than 300 millimetres (12 inches) nor more than 380 millimetres (15 inches) apart and be secured in such a manner that they will remain horizontal.

(iv) No pilot ladder shall have more than two replacement steps which are secured in position by a method different from that used in the original construction of the ladder and any steps so secured shall be replaced as soon as reasonably practicable by steps secured in position by the method used in the original construction of the ladder. When any replacement step is secured to the side ropes of the ladder by means of grooves in the sides of the step, such grooves shall be in the longer sides of the step.

(v) The side ropes of the ladder shall consist of two uncovered manila ropes not less than 60 millimetres (2¼ inches) in circumference on each side. Each rope shall be continuous with no joints below the top step. Two manropes properly secured to the ship and not less than 65 millimetres (2½) in circumference and a safety line shall be kept at hand ready for use if required.

(vi) Battens made of hardwood, or other material of equivalent properties, in one piece and not less than 1.80 metres (5 feet 10 inches) long shall be provided at such intervals as will prevent the pilot ladder from twisting. The lowest batten shall be on the fifth step from the bottom of the ladder and the interval between any batten and the next shall not exceed 9 steps.

(vii) Means shall be provided to ensure safe and convenient passage on to or into and off the ship between the head of the pilot ladder or of any accommodation ladder or other appliance provided. Where such passage is by means of a gateway in the rails or bulwark, adequate handholds shall be provided. Where such passage is by means of a bulwark ladder, such ladder shall be securely attached to the bulwark rail or platform and two handhold stanchions shall be fitted at the point of boarding or leaving the ship not less than 0.70 metres (2 feet 3 inches) nor more than 0.80 metre (2 feet 7 inches) apart. Each stanchion shall be rigidly secured to the ship’s structure at or near its base and also at a higher point, shall be not less than 40 millimetres (1½ inches) in diameter and shall extend not less than 1.20 metres (3 feet 11 inches) above the top of the bulwark.

(viii) Lighting shall be provided at night such that both the pilot ladder overside and also the position where the pilot boards the ship shall be adequately lit. A lifebuoy equipped with a self-igniting light shall be kept at hand.
ready for use. A heaving line shall be kept at hand ready for use if required.

(ix) Means shall be provided to enable the pilot ladder to be used on either side of the ship.

(x) The rigging of the ladder and the embarkation and disembarkation of a pilot shall be supervised by a responsible officer of the ship.

(xi) Where on any ship constructional features such as rubbing bands would prevent the implementation of any of these provisions, special arrangements shall be made to the satisfaction of the Administration to ensure that persons are able to embark and disembark safely.

(b) Mechanical pilot hoists

(i) A mechanical pilot hoist, if provided, and its ancillary equipment shall be of a type approved by the Administration. It shall be of such design and construction as to ensure that the pilot can be embarked and disembarked in a safe manner including a safe access from the hoist to the deck and vice versa.

(ii) A pilot ladder complying with the provisions of paragraph (a) of this Regulation shall be kept on deck adjacent to the hoist and available for immediate use.

REGULATION 18

VHF radiotelephone stations

When a Contracting Government requires ships navigating in an area under its sovereignty to be provided with a Very High Frequency (VHF) radiotelephone station to be used in conjunction with a system which it has established in order to promote safety of navigation, such station shall comply with the provisions of Regulation 17 of Chapter IV and shall be operated in accordance with Regulation 8 of Chapter IV.

REGULATION 19

Use of the automatic pilot

(a) In areas of high traffic density, in conditions of restricted visibility and in all other hazardous navigational situations where the automatic pilot is used, it shall be possible to establish human control of the ship’s steering immediately.

(b) In circumstances as above, it shall be possible for the officer of the watch to have available without delay the services of a qualified helmsman who shall be ready at all times to take over steering control.

(c) The change-over from automatic to manual steering and vice versa shall be made by or under the supervision of a responsible officer.

(d) The manual steering shall be tested after prolonged use of the automatic pilot, and before entering areas where navigation demands special caution.

[Para. (d) added by Proclamation No. R.168 of 1982.]

REGULATION 19–1

Operation of steering gear

In areas where navigation demands special caution, ships shall have more than one steering gear power unit in operation when such units are capable of simultaneous operation.

[Reg. 19/n1 inserted by Proclamation No. R.168 of 1982.]

REGULATION 19–2

Steering gear—testing and drills

(a) Within 12 hours before departure, the ship’s steering gear shall be checked and tested by the ship’s crew. The test procedure shall include, where applicable, the operation of the following:

(i) The main steering gear;

(ii) the auxiliary steering gear;

(iii) the remote steering gear control systems;

(iv) the steering positions located on the navigating bridge;

(v) the emergency power supply;

(vi) the rudder angle indicators in relation to the actual position of the rudder;

(vii) the remote steering gear control system power failure alarms; and

(viii) the steering gear power unit failure alarms.

(b) The checks and tests shall include—
(i) the full movement of the rudder according to the required capabilities of the steering gear;
(ii) a visual inspection of the steering gear and its connecting linkage; and
(iii) the operation of the means of communication between the navigating bridge and steering gear compartment.

(c) (i) Simple operating instructions with a block diagram showing the change-over procedures for remote steering gear control systems and steering gear power units shall be permanently displayed on the navigating bridge and in the steering gear compartment.

(ii) All officers concerned with the operation and or maintenance of steering gear shall be familiar with the operation of the steering systems fitted on the ship and with the procedures for changing from one system to another.

(d) In addition to the routine checks and tests prescribed in paragraphs (a) and (b) of this Regulation, emergency steering drills shall take place at least once every three months in order to practise emergency steering procedures. These drills shall include direct control from within the steering gear compartment, the communications procedure with the navigating bridge and, where applicable, the operation of alternative power supplies.

(e) The Administration may waive the requirement to carry out the checks and tests prescribed in paragraphs (a) and (b) of this Regulation for ships which regularly ply on voyages of short duration. Such ships shall carry out these checks and tests once every week.

(f) The date upon which the checks and tests prescribed in paragraphs (a) and (b) of this Regulation are carried out and the date and details of emergency steering drills carried out under paragraph (d) of this Regulation, shall be recorded in the log book as may be prescribed by the Administration.

[Reg. 19–2 inserted by Proclamation No. R.168 of 1982.]

REGULATION 19–3

Long-range identification and tracking of ships

(a) Nothing in this Regulation or the provisions of the performance standards and functional requirements adopted by the Organization in relation to the long-range identification and tracking of ships shall prejudice the rights, jurisdiction or obligations of States under international law, in particular, the legal regimes of the high seas, the exclusive economic zone, the contiguous zone, the territorial seas or the straits used for international navigation and archipelagic sea lanes.

(b) Subject to the provisions of paragraphs (e) and (f), this Regulation shall apply to the following types of ships engaged in international voyages:

(i) Passenger ships, including high-speed passenger craft;
(ii) cargo ships, including high-speed craft, of 300 gross tonnage, and upwards, as determined under the provision of the Tonnage Convention; and
(iii) mobile offshore drilling units.

(c) The term “ship”, when used in paragraphs (d) to (q), includes passenger and cargo ships, high-speed craft and mobile offshore drilling units which are subject to the provisions of this Regulation.

(d) This Regulation establishes provisions to enable Contracting Governments to undertake the long-range identification and tracking of ships.

(e) Ships shall be fitted with a system to automatically transmit the information specified in paragraph (g) as follows:

(i) Ships constructed on or after 31 December 2008;
(ii) Ships constructed before 31 December 2008 and certified for operations—
   (aa) in sea areas A1 and A2, as defined in Regulations IV/2.1.12 and IV/2.1.13; or
   (bb) in sea areas A1, A2 and A3, as defined in Regulations IV/2.1.12, IV/2.1.13 and IV/2.1.14;
   not later than the first survey of the radio installation after 31 December 2008;
(iii) ships constructed before 31 December 2008 and certified for operations in sea areas A1, A2, A3 and A4, as defined in Regulations IV/2.1.12, IV/2.1.13, IV/2.1.14 and IV/2.1.15, not later than the first survey of the radio installation after 1 July 2009. However, these ships shall comply with the provisions of subparagraphs (bb) whilst they operate within sea areas A1, A2 and A3.

(f) Ships, irrespective of the date of construction, fitted with an automatic identification system (AIS), as defined in regulation 19.2.4, and operated exclusively within sea area A1, as defined in regulation IV/2.1.12, shall not be required to comply with the provisions of this Regulation.

(g) Subject to the provisions of paragraph (e), ships shall automatically transmit the following long-range identification and tracking information:
(i) the identity of the ship;
(ii) the latitude and longitude positions of the ship; and
(iii) the date and time of the positions provided.

(h) Systems and equipment used to meet the requirements of this Regulation shall conform to performance standards and functional requirements not inferior to those adopted by the Organization. Any shipboard equipment shall be of a type approved by the Administration.

(i) Systems and equipment used to meet the requirements of this Regulation shall be capable of being switched off on board or be capable of ceasing the distribution of long-range identification and tracking information—

(i) where international agreements, rules or standards provide for the protection of navigational information; or

(ii) in exceptional circumstances and for the shortest duration possible, where the operation is considered by the master to compromise the safety or security of the ship concerned. In such a case, the master shall inform the Administration thereof without undue delay and make an entry in the record of navigational activities and incidents maintained in accordance with regulation 28 setting out the reasons for the decision and indicating the period during which the system or equipment was switched off.

(j) Subject to the provisions of paragraphs (k) to (q), Contracting Governments shall be able to receive long-range identification and tracking information about ships, for security and other purposes as agreed upon by the Organization, as follows:

(i) The Administration shall be entitled to receive such information about ships entitled to fly its flag irrespective of where such ships may be located;

(ii) a Contracting Government shall be entitled to receive such information about ships which have indicated their intention to enter a port facility, as defined in regulation XI-2/1.1.9, or a place under the jurisdiction of that Contracting Government, irrespective of where such ships may be located provided they are not located within the waters landward of the baselines, established in accordance with international law, of another Contracting Government;

(iii) a Contracting Government shall be entitled to receive such information about ships entitled to fly the flag of other Contracting Governments, not intending to enter a port facility or a place under the jurisdiction of that Contracting Government, navigating within a distance not exceeding 1,000 nautical miles of its coast provided such ships are not located within the waters landward of the baselines, established in accordance with international law, of another Contracting Government; and

(iv) a Contracting Government shall not be entitled to receive, pursuant to subparagraph (iii), such information about a ship located within the territorial sea of the Contracting Government whose flag the ship is entitled to fly.

(k) Contracting Governments shall specify and communicate to the Organization relevant details, taking into account the performance standards and functional requirements adopted by the Organization, to enable long-range identification and tracking information to be made available pursuant to the provisions of paragraph (j). Upon receipt thereof, the Organization shall inform all Contracting Governments of such communication, as well as the particulars thereof. The Contracting Government concerned may, at any time thereafter, amend or withdraw such communication.

(l) Notwithstanding the provisions of paragraph (j) (iii), the Administration shall be entitled, in order to meet security or other concerns, at any time, to decide that long-range identification and tracking information about ships entitled to fly its flag shall not be provided pursuant to the provisions of paragraph (j) (iii) to Contracting Governments. The Administration concerned may, at any time thereafter, amend, suspend or annul such decisions.

(m) The Administration concerned shall communicate, pursuant to paragraph (l), such decisions to the Organization. Upon receipt thereof, the Organization shall inform all Contracting Governments of such communication, as well as the particulars thereof.

(n) The rights, duties and obligations under international law of the ships whose Administration invoked the provisions of paragraph (l) shall not be prejudiced as a result of such decisions.

(o) Contracting Governments shall, at all times—

(i) recognize the importance of long-range identification and tracking information;

(ii) recognize and respect the commercial confidentiality and sensitivity of any long-range identification and tracking information they may receive;

(iii) protect the information they may receive against unauthorized access or disclosure; and

(iv) use the information they may receive in a manner consistent with international law.

(p) Contracting Governments shall bear all costs associated with any long-range identification and tracking information they request and receive. Notwithstanding the provisions of paragraph (q), Contracting Governments
shall not impose any charges on ships in relation to the long-range identification and tracking information they may seek to receive.

(q) Unless the national legislation of the Administration provides otherwise, ships entitled to fly its flag shall not incur any charges for transmitting long-range identification and tracking information in compliance with the provisions of this Regulation.

(r) Notwithstanding the provisions of paragraph (j), the search and rescue services of Contracting Governments shall be entitled to receive, free of any charges, long-range identification and tracking information in relation to the search and rescue of persons in distress at sea.

(s) Contracting Governments may report to the Organization any case where they consider that provisions of this Regulation or of any other related requirements established by the Organization have not been or are not being observed or adhered to.

(t) The Maritime Safety Committee of the Organization shall determine the criteria, procedures and arrangements for the establishment, review and audit of the provision of long-range identification and tracking information to Contracting Governments pursuant to the provisions of this Regulation.

[Reg. 19–3 inserted by GN 10 in Government Gazette 31770 of 8 January, 2009 with effect from 8 January, 2009.]

REGULATION 20

Nautical publications

All ships shall carry adequate and up-to-date charts, sailing directions, lists of lights, notices to mariners, tide tables and all other nautical publications necessary for the intended voyage.

REGULATION 21

International code of signals

All ships which in accordance with the present Convention are required to carry a radiotelegraph or a radiotelephone installation shall carry the International Code of Signals. This publication shall also be carried by any other ship which in the opinion of the Administration has a need to use it.

CHAPTER VI

CARRIAGE OF GRAIN

PART A — GENERAL PROVISIONS

REGULATION 1

Application

Unless expressly provided otherwise, this Chapter, including Parts A, B and C, applies to the carriage of grain in all ships to which the present Regulations apply.

REGULATION 2

Definitions

(a) The term “grain” includes wheat, maize (corn), oats, rye, barley, rice, pulses, seeds and processed forms thereof, whose behaviour is similar to that of grain in its natural state.

(b) The term “filled compartment” refers to any compartment in which, after loading and trimming as required under Regulation 3, the bulk grain is at its highest possible level.

(c) The term “partly filled compartment” refers to any compartment wherein bulk grain is not loaded in the manner prescribed in paragraph (b) of this Regulation.

(d) The term “angle of flooding” (v) means an angle of heel at which openings in the hull, superstructures or deckhouses, which cannot be closed weathertight, immerse. In applying this definition, small openings through which progressive flooding cannot take place need not be considered as open.

REGULATION 3

Trimming of grain

All necessary and reasonable trimming shall be performed to level all free grain surfaces and to minimize the effect of grain shifting.

(a) In any “filled compartment”, the bulk grain shall be trimmed so as to fill all the spaces under the decks and hatch covers to the maximum extent possible.

(b) After loading, all free grain surfaces in “partly filled compartments” shall be level.
(c) The Administration issuing the document of authorization may, under Regulation 9 of this Chapter, grant dispensation from trimming in those cases where the underdeck void geometry resulting from free flowing grain into a compartment, which may be provided with feeding ducts, perforated decks or other similar means, is taken into account to its satisfaction when calculating the void depths.

REGULATION 4

Intact stability requirements

(a) The calculations required by this Regulation shall be based upon the stability information provided in accordance with Regulation 19 of Chapter II-1, of the present Convention, or with the requirements of the Administration issuing the document of authorization under Regulation 10 of this Chapter.

(b) The intact stability characteristics of any ship carrying bulk grain shall be shown to meet, throughout the voyage, at least the following criteria after taking into account in the manner described in Part B, the heeling moments due to grain shift:

(i) The angle of heel due to the shift of grain shall be not greater than 12 degrees except that an Administration giving authorization in accordance with Regulation 10 of this Chapter may require a lesser angle of heel if it considers that experience shows this to be necessary*;

(ii) in the statical stability diagram, the net or residual area between the heeling arm curve and the righting arm curve up to the angle of heel of maximum difference between the ordinates of the two curves, or 40 degrees or the „angle of flooding“ (\( \theta_f \)), whichever is the least, shall in all conditions of loading be not less than 0.075 metre-radians; and

(iii) the initial metacentric height, after correction for the free surface effects of liquids in tanks, shall be not less than 0.30 metre.

(c) Before loading bulk grain the master shall, if so required by the Contracting Government of the country of the port of loading, demonstrate the ability of the ship at all stages of any voyage to comply with the stability criteria required by paragraph (b) of this Regulation using the information approved and issued under Regulations 10 and 11 of this Chapter.

(d) After loading, the master shall ensure that the ship shall be upright before proceeding to sea.

REGULATION 5

Longitudinal divisions and saucers

(a) In both “filled compartments” and “partly filled compartments”, longitudinal divisions may be provided as a device either to reduce the adverse heeling effect of grain shift or to limit the depth of cargo used for securing the grain surface. Such divisions shall be fitted grain-tight and constructed in accordance with the provisions of Section I of Part C of this Chapter.

(b) In a “filled compartment”, a division, if fitted to reduce the adverse effects of grain shift, shall—

(i) in a twin-deck compartment extend from deck to deck; and

(ii) in a hold extend downwards from the underside of the deck or hatch covers as described in Section II of Part B of this Chapter.

Except in the case of linseed and other seeds having similar properties, a longitudinal division beneath a hatchway may be replaced by a saucer formed in the manner described in Section I of Part C of this Chapter.

(c) In a “partly filled compartment”, a division, if fitted, shall extend from one-eighth of the maximum breadth of the compartment above the level of the grain surface and to the same distance below the grain surface. When used to limit the depth of overstowing, the height of the centreline division shall be at least 0.6 metre above the level grain surface.

(d) Furthermore, the adverse heeling effects of grain shift may be reduced by tightly stowing the wings and ends of a compartment with bagged grain or other suitable cargo adequately restrained from shifting.

REGULATION 6

Securing

(a) Unless account is taken of the adverse heeling effect due to grain shift in accordance with these Regulations, the surface of the bulk grain in any “partly filled compartment” shall be level and topped off with bagged grain tightly stowed and extending to a height of not less than one-sixteenth of the maximum breadth of the free grain surface or 1.2 metres, whichever is the greater. Instead of bagged grain, other suitable cargo exerting at least the same pressure may be used.

(b) The bagged grain or such other suitable cargo shall be supported in the manner described in Section II of Part C of this Chapter. Alternatively, the bulk grain surface may be secured by strapping or lashing as described in that Section.

REGULATION 7
If feeders or trunks are fitted, proper account shall be taken of the effects thereof when calculating the heeling moments as described in Section III of Part B of this Chapter. The strength of the divisions forming the boundaries of such feeders shall conform with the provisions of Section I of Part C of this Chapter.

REGULATION 8

Combination arrangements

Lower holds and 'tween-deck spaces in way thereof may be loaded as one compartment provided that, in calculating transverse heeling moments, proper account is taken of the flow of grain into the lower spaces.

REGULATION 9

Application of Parts B and C

An Administration or a Contracting Government on behalf of an Administration may authorize departure from the assumptions contained in Parts B and C of this Chapter in those cases where it considers this to be justified having regard to the provisions for loading or the structural arrangements, provided the stability criteria in paragraph (b) of Regulation 4 of this Chapter are met. Where such authorization is granted under this Regulation, particulars shall be included in the document of authorization or grain loading data.

REGULATION 10

Authorization

(a) A document of authorization shall be issued for every ship loaded in accordance with the Regulations of this Chapter either by the Administration or an organization recognized by it or by a Contracting Government on behalf of the Administration. It shall be accepted as evidence that the ship is capable of complying with the requirements of these Regulations.

(b) The document shall accompany and refer to the grain loading stability booklet provided to enable the master to meet the requirements of paragraph (c) of Regulation 4 of this Chapter. This booklet shall meet the requirements of Regulation 11 of this Chapter.

(c) Such a document, grain loading stability data and associated plans may be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(d) A copy of such a document, grain loading stability data and associated plans shall be placed on board in order that the master, if so required, shall produce them for the inspection of the Contracting Government of the country of the port of loading.

(e) A ship without such a document of authorization shall not load grain until the master demonstrates to the satisfaction of the Administration or the Contracting Government of the port of loading that the ship in its proposed loaded condition will comply with the requirements of these Regulations.

REGULATION 11

Grain loading information

This information shall be sufficient to allow the master to determine in all reasonable loading conditions the heeling moments due to grain shift calculated in accordance with Part B of this Chapter. It shall include the following:

(a) Information which shall be approved by the Administration or by a Contracting Government on behalf of the Administration:

   (i) Curves or tables of grain heeling moments for every compartment, filled or partly filled, or combination thereof, including the effects of temporary fittings;

   (ii) tables of maximum permissible heeling moments or other information sufficient to allow the master to demonstrate compliance with the requirements of paragraph (c) of Regulation 4 of this Chapter;

   (iii) details of the scantlings of any temporary fittings and where applicable the provisions necessary to meet the requirements of Section I(E) of Part C of this Chapter;

   (iv) typical loaded service departure and arrival conditions and where necessary, intermediate worst service conditions;

   (v) a worked example for the guidance of the master;

   (vi) loading instructions in the form of notes summarizing the requirements of this Chapter.

(b) Information which shall be acceptable to the Administration or to a Contracting Government on behalf of the Administration:
(i) Ship’s particulars;
(ii) lightship displacement and the vertical distance from the intersection of the moulded base line and midship section to the centre of gravity (KG);
(iii) table of free surface corrections;
(iv) capacities and centres of gravity.

REGULATION 12

Equivalents

Where an equivalent accepted by the Administration in accordance with Regulation 5 of Chapter I of this Convention is applied, particulars shall be included in the document of authorization or grain loading data.

REGULATION 13

Exemptions for certain voyages

The Administration, or a Contracting Government on behalf of the Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of any of the requirements of Regulations 3 to 12 of this Chapter unreasonable or unnecessary, exempt from those particular requirements individual ships or classes of ships.

PART B — CALCULATION OF ASSUMED HEELING MOMENTS

SECTION I — DESCRIPTION OF THE ASSUMED Voids AND METHOD OF CALCULATING INTACT STABILITY.

SECTION II — ASSUMED VOLUMETRIC HEELING MOMENT OF A FILLED COMPARTMENT.

SECTION III — ASSUMED VOLUMETRIC HEELING MOMENT OF FEEDERS AND TRUNKS.

SECTION IV — ASSUMED VOLUMETRIC HEELING MOMENT OF PARTLY FILLED COMPARTMENTS.

SECTION V — ALTERNATIVE LOADING ARRANGEMENTS FOR EXISTING SHIPS.

SECTION I — DESCRIPTION OF THE ASSUMED Voids AND METHOD OF CALCULATING INTACT STABILITY

(A) GENERAL

(a) For the purpose of calculating the adverse heeling moment due to a shift of cargo surface in ships carrying bulk grain it shall be assumed that—

(i) in “filled compartments” which have been trimmed in accordance with Regulation 3 of this Chapter a void exists under all boundary surfaces having an inclination to the horizontal less than 30 degrees and that the void is parallel to the boundary surface having an average depth calculated according to the formula:

\[
V_d = V_{d1} + 0.75d - 0\text{mm}
\]

Where—

\(V_d\) = Average void depth in mm;
\(V_{d1}\) = Standard void depth from table I below;
\(d\) = Actual girder depth in mm

In no case shall \(V_d\) be assumed to be less than 100 mm.

<table>
<thead>
<tr>
<th>Distance from hatchend or hatchside to boundary of compartment</th>
<th>Standard void depth (V_{d1})</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meter</strong></td>
<td><strong>mm</strong></td>
</tr>
<tr>
<td>0.5</td>
<td>570</td>
</tr>
<tr>
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<td>530</td>
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<td>2.5</td>
<td>450</td>
</tr>
<tr>
<td>3.0</td>
<td>440</td>
</tr>
<tr>
<td>3.5</td>
<td>430</td>
</tr>
</tbody>
</table>
Notes on Table I:
For distances greater than 8,0 metres the standard void depth \( V_d \) shall be linearly extrapolated at 80 mm increase for each 1,0 metre increase in distance. Where there is a difference in depth between the hatchside girder or its continuation and the hatchend beam the greater the depth shall be used except that:

(1) When the hatchside girder or its continuation is shallower than the hatchend beam the voids abreast the hatchway may be calculated using the lesser depth; and

(2) when the hatchend beam is shallower than the hatchside girder or its continuation the voids fore and aft of the hatchway inboard of the continuation of the hatchside girder may be calculated using the lesser depth;

(3) where there is a raised deck clear of a hatchway the average void depth measured from the underside of the raised deck shall be calculated using the standard void depth in association with a girder depth of the hatchend beam plus the height of the raised deck.

(ii) In “filled compartments” which are not trimmed in accordance with Regulation 3 of this Chapter and where the boundary surface has an inclination to the horizontal which is less than 30 degrees, the cargo surface has an inclination of 30 degrees to the horizontal after loading;

(iii) within filled hatchways and in addition to any open void within the hatch cover there is a void of average depth of 150 mm measured down to the grain surface from the lowest part of the hatch cover or the top of the hatchside coaming, whichever is the lower.

(b) The description of the pattern of grain surface behaviour to be assumed in “partly filled compartments” is shown in Section IV of this Part.

(c) For the purpose of demonstrating compliance with the stability criteria in paragraph (b) of Regulation 4 of this Chapter (see Figure 1), the ship’s stability calculations shall be normally based upon the assumption that the centre of gravity of cargo in a “filled compartment” is at the volumetric centre of the whole cargo space. In those cases where the Administration authorises account to be taken of the effect of assumed underdeck voids on the vertical position of the centre of gravity of the cargo in “filled compartments” it will be necessary to compensate for the adverse effect of the vertical shift of grain surfaces by increasing the assumed healing moment due to the transverse shift of grain as follows:

\[ \text{total heeling moment} = 1.06 \times \text{calculated transverse heeling moment}. \]

In all cases the weight of cargo in a “filled compartment” shall be the volume of the whole cargo space divided by the stowage factor.
Notes on Figure 1.

(1) Where:

\[ \lambda = \frac{\text{Assumed Volumetric Heeling Moment due to Transverse Shift}}{\text{Stowage Factor} \times \text{Displacement}} \]

\[ \lambda = 0.8 \times \lambda_0 \]

Stowage factor = Volume per unit weight of grain cargo;
Displacement = Weight of ship, fuel, fresh water, stores etc. and cargo.

(2) The righting arm curve shall be derived from cross-curves which are sufficient in number to accurately define the curve for the purpose of these requirements and shall include cross-curves at 12 degrees and 40 degrees.

(d) In "partly filled compartments" the adverse effect of the vertical shift of grain surfaces shall be taken into account as follows:

\[ \text{total heeling moment} = 1.12 \times \text{calculated transverse heeling moment} \]

(e) Any other equally effective method may be adopted to make the compensation required in paragraphs (c) and (d) above.

SECTION II — ASSUMED VOLUMETRIC HEELING MOMENT OF A FILLED COMPARTMENT

(A) GENERAL

(a) The pattern of grain surface movement relates to a transverse section across the portion of the compartment being considered and the resultant heeling moment should be multiplied by the length to obtain the total moment for that portion.

(b) The assumed transverse heeling moment due to grain shifting is a consequence of final changes of shape and position of voids after grain has moved from the high side to the low side.

(c) The resulting grain surface after shifting shall be assumed to be at 15 degrees to the horizontal.

(d) In calculating the maximum void area that can be formed against a longitudinal structural member, the effects of any horizontal surfaces, e.g. flanges or face bars, shall be ignored.

(e) The total areas of the initial and final voids shall be equal.

(f) A discontinuous longitudinal division shall be considered effective over its full length.

(B) ASSUMPTIONS

In the following paragraphs it is assumed that the total heeling moment for a compartment is obtained by adding the results of separate considerations of the following portions:

(a) Before and abaft hatchways:

(i) If a compartment has two or more main hatchways through which loading may take place the depth of the underdeck void for the portion(s) between such hatchways shall be determined using the fore and aft distance to the midpoint between the hatchways.

(ii) After the assumed shift of grain the final void pattern shall be as shown in Figure 2 below:

Notes on Figure 2.

(1) If the maximum void area which can be formed against the girder at B is less than the initial area of the void under AB, i.e. AB x Vd, the excess area shall be assumed to transfer to the final void on the high side.

(2) If the longitudinal division at C is one which has been provided in accordance with subparagraph (b) (ii) of Regulation 5 of this Chapter it shall extend to at least 0.6 metre below D or E whichever gives the greater depth.
(b) In and abreast hatchways:

After the assumed shift of grain the final void pattern shall be as shown in the following Figure 3 or Figure 4.

![Figure 3](image1)

**Notes on Figure 3.**

1. **AB.**—Any area in excess of that which can be formed against the girder at B shall transfer to the final void area in the hatchway.
2. **CD.**—Any area in excess of that which can be formed against the girder at E shall transfer to the final void area on the high side.

![Figure 4](image2)

**Notes on Figure 4.**

1. **(1)** If the centreline division is one which has been provided in accordance with subparagraph (b) (ii) of Regulation 5 of this Chapter it shall extend to at least 0.6 metre below H or J whichever gives the greater depth.
2. The excess void area from AB shall transfer to the low side half of the hatchway in which two separate final void areas will be formed viz. one against the centreline division and the other against the hatchside coaming and girder on the high side.
3. **(3)** If a bagged saucer or bulk bundle is formed in a hatchway it shall be assumed, for the purpose of calculating transverse heel ing moment, that such a device is at least equivalent to the centreline division.

(C) **COMPARTMENTS LOADED IN COMBINATION**

The following paragraphs describe the pattern of void behaviour which shall be assumed when compartments are loaded in combination:

(a) **Without effective centreline divisions:**

(i) Under the upper deck—as for the single deck arrangement described in Section II (B) of this Part.

(ii) Under the second deck—the area of void available for transfer from the low side, i.e. original void area less area against the hatchside girder, shall be assumed to transfer as follows:

One-half to the upper deck hatchway and one-quarter each to the high side under the upper and second deck.

(iii) Under the third and lower decks—the void areas available for transfer from the low side of each of these decks shall be assumed to transfer in equal quantities to all the voids under the decks on the high side and the void in the upper deck hatchway.

(b) **With effective centreline divisions which extend into the upper deck hatchway:**

(i) At all deck levels abreast the division the void areas available for transfer from the low side shall be assumed to transfer to the void under the low side half of the upper deck hatchway.
(ii) At the deck level immediately below the bottom of the division the void area available for transfer from the low side shall be assumed to transfer as follows:

One-half to the void under the low side half of the upper deck hatchway and the remainder in equal quantities to the voids under the decks on the high side.

(iii) At deck levels lower than those described in subparagraphs (i) and (ii) of this paragraph the void area available for transfer from the low side of each of those decks shall be assumed to transfer in equal quantities to the voids in each of the two halves of the upper deck hatchway on each side of the division and the voids under the decks on the high side.

(c) With effective centreline divisions which do not extend into the upper deck hatchway:

Since no horizontal transfer of voids may be assumed to take place at the same deck level as the division the void area available for transfer from the low side at this level shall be assumed to transfer above the division to voids on the high sides in accordance with the principles of paragraphs (a) and (b) above.

SECTION III — ASSUMED VOLUMETRIC HEELING MOMENT OF FEEDERS AND TRUNKS

(A) SUITABLY PLACED WING FEEDERS (See Figure 5)

It may be assumed that under the influence of ship motion underdeck voids will be substantially filled by the flow of grain from a pair of longitudinal feeders provided that—

(a) the feeders extend for the full length of the deck and that the perforations therein are adequately spaced;

(b) the volume of each feeder is equal to the volume of the underdeck void outboard of the hatchside girder and its continuation.

![Figure 5](image-url)

(B) TRUNKS SITUATED OVER MAIN HATCHWAYS

After the assumed shift of grain the final void pattern shall be as shown in Figure 6.

![Figure 6](image-url)

Note on Figure 6:

If the wing spaces in way of the trunk cannot be properly trimmed in accordance with Regulation 3 of this
Chapter it shall be assumed that a 25 degree surface shift takes place.

SECTION IV — ASSUMED VOLUMETRIC HEELING MOMENT OF PARTLY FILLED COMPARTMENTS

(A) GENERAL

When the free surface of the bulk grain has not been secured in accordance with Regulation 6 of this Chapter it shall be assumed that the grain surface after shifting shall be at 25 degrees to the horizontal.

(B) DISCONTINUOUS LONGITUDINAL DIVISIONS

In a compartment in which the longitudinal divisions are not continuous between the transverse boundaries, the length over which any such divisions are effective as devices to prevent full width shifts of grain surfaces shall be taken to be the actual length of the portion of the division under consideration less two-sevenths of the greater of the transverse distances between the division and its adjacent division or ship’s side.

This correction does not apply in the lower compartments of any combination loading in which the upper compartment is either a “filled compartment” or a “partly filled compartment”.

SECTION V — ALTERNATIVE LOADING ARRANGEMENTS FOR EXISTING SHIPS

(A) GENERAL

A ship loaded in accordance with either Subsection (B) or Subsection (C) below shall be considered to have intact stability characteristics at least equivalent to the requirements of paragraph (b) of Regulation 4 of this Chapter. Documents of authorization permitting such loadings shall be accepted under the provisions of paragraph (e) of Regulation 10 of this Chapter.

For the purpose of this Part, the term “Existing Ship” means a ship, the keel of which is laid before the date of coming into force of this Chapter.

(B) STOWAGE OF SPECIALLY SUITABLE SHIPS

(a) Notwithstanding anything contained in Part B of this Chapter, bulk grain may be carried without regard to the requirements specified therein in ships which are constructed with two or more vertical of sloping grain-tight longitudinal divisions suitably disposed to limit the effect of any transverse shift of grain under the following conditions:

(i) As many holds and compartments as possible shall be full and trimmed full;

(ii) for any specified arrangement of stowage the ship will not list to an angle greater than 5 degrees at any stage of the voyage where—

(1) in holds or compartments which have been trimmed full the grain surface settled 2 per cent by volume from the original surface and shifts to an angle of 12 degrees with that surface under all boundaries of these holds and compartments which have an inclination of less than 30 degrees to the horizontal;

(2) in “partly filled compartments or holds” free grain surfaces settle and shift as in subparagraph (ii) (1) of this paragraph or to such larger angle as may be deemed necessary by the Administration, or by a Contracting Government on behalf of the Administration, and grain surfaces if overstowed in accordance with Regulation 5 of this Chapter shift to an angle of 8 degrees with the original levelled surfaces. For the purpose of subparagraph (ii) of this paragraph shifting boards, if fitted, will be considered to limit the transverse shift of the surface of the grain;

(iii) the master is provided with a grain loading plan covering the stowage arrangements to be adopted and a stability booklet, both approved by the Administration, or by a Contracting Government on behalf of the Administration, showing the stability conditions upon which the calculations given in subparagraph (ii) of this paragraph are based.

(b) The Administration, or a Contracting Government on behalf of the Administration, shall prescribe the precautions to be taken against shifting in all other conditions of loading of ships designed in accordance with paragraph (B) (a) of this Section which meet the requirements of subparagraphs (ii) and (iii) of that paragraph.

(C) SHIPS WITHOUT DOCUMENTS OF AUTHORIZATION

A ship not having on board documents of authorization issued in accordance with Regulations 4 and 10 of this Chapter may be permitted to load bulk grain under the requirements of Subsection (B) of this Section or provided that—

(a) all “filled compartments” shall be fitted with centreline divisions extending for the full length of such compartments which extend downwards from the underside of the deck or hatch covers to a distance below the deck line of at least one-eighth of the maximum breadth of the compartment or 2.4 metres, whichever is the greater except that saucers constructed in accordance with Section II of Part C may be accepted in lieu of a centreline division in and beneath a hatchway;

(b) all hatches to “filled compartments” shall be closed and covers secured in place;

(c) all free grain surfaces in “partly filled compartments” shall be trimmed level and secured in accordance with Section II of Part C;
(d) Throughout the voyage the metacentric height after correction for the free surface effects of liquids in tanks shall be 0.3 metre or that given by the following formula, whichever is the greater:

\[ Q_{MR} = \frac{\text{L} \times \text{Vd} \times (0.125 - 0.065 \sqrt{\frac{\text{B}}{\Delta}})}{\text{SF} \times \Delta \times 0.0875} \]

Where—
- \( L \) = total combined length of all full compartments;
- \( B \) = moulded breadth of vessel;
- \( \text{SF} \) = stowage factor;
- \( \text{Vd} \) = calculated average void depth as per paragraph (a) (i) of Section I (A) of this Part; and
- \( \Delta \) = displacement.

PART C — GRAIN FITTINGS AND SECURING

SECTION I — STRENGTH OF GRAIN FITTINGS:

(A) General (including working stresses).

(B) Divisions loaded on both sides.

(C) Divisions loaded on one side only.

(D) Saucers.

(E) Bundling of bulk.

( f ) Securing hatch covers of filled compartments.

SECTION II — SECURING OF PARTLY FILLED COMPARTMENTS:

(A) Strapping or lashing.

(B) Overstowing arrangements.

(C) Bagged grain.

SECTION I — STRENGTH OF GRAIN FITTINGS

(A) GENERAL

(a) Timber.

All timber used for grain fittings shall be of good sound quality and of a type and grade which has been proved to be satisfactory for this purpose. The actual finished dimensions of the timber shall be in accordance with the dimensions hereinafter specified in this Part. Plywood of an exterior type bonded with waterproof glue and fitted so that the direction of the grain in the face plies is perpendicular to the supporting uprights or binder may be used provided that its strength is equivalent to that of solid timber of the appropriate scantlings.

(b) Working stresses.

When calculating the dimensions of divisions loaded on one side, using the Tables in paragraphs (a) and (b) and Subsection (C) of this Section, the following working stresses should be adopted:

- For divisions of steel 2 000 kg per square cm
- For divisions of wood 160 kg per square cm

(c) Other materials.

Materials other than wood or steel may be approved for such divisions provided that proper regard has been paid to their mechanical properties.

(d) Uprights.

(i) Unless means are provided to prevent the ends of uprights being dislodged from their sockets, the depth of housing at each end of each upright shall be not less than 75 mm. If an upright is not secured at the top, the uppermost shore or stay shall be fitted as near thereto as is practicable.

(ii) The arrangements provided for inserting shifting boards by removing a part of the cross-section of an upright shall be such that the local level of stresses is not unduly high.

(iii) The maximum bending moment imposed upon an upright supporting a division loaded on one side shall normally be calculated assuming that the ends of the uprights are freely supported. However, if an Administration is satisfied that any degree of fixity assumed will be achieved in practice, account may be taken of any reduction in the maximum bending moment arising from any degree of fixity provided at the ends of the upright.
(e) Composite section.

Where uprights, binders or any other strength members are formed by two separate sections, one fitted on each side of a division and inter-connected by through bolts at adequate spacing, the effective section modules shall be taken as the sum of the two moduli of the separate sections.

(f) Partial division.

Where divisions do not extend to the full depth of the hold such divisions and their uprights shall be supported or stayed so as to be as efficient as those which do extend to the full depth of the hold.

(B) DIVISIONS LOADED ON BOTH SIDES

(a) Shifting boards.

(i) Shifting boards shall have a thickness of not less than 50 mm and shall be fitted grain-tight and where necessary supported by uprights.

(ii) The maximum unsupported span for shifting boards of various thicknesses shall be as follows:

<table>
<thead>
<tr>
<th>Thickness</th>
<th>Maximum unsupported span</th>
</tr>
</thead>
<tbody>
<tr>
<td>mm</td>
<td>metres</td>
</tr>
<tr>
<td>50</td>
<td>2.5</td>
</tr>
<tr>
<td>60</td>
<td>3.0</td>
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<tr>
<td>70</td>
<td>3.5</td>
</tr>
<tr>
<td>80</td>
<td>4.0</td>
</tr>
</tbody>
</table>

If thicknesses greater than these are provided the maximum unsupported span will vary directly with the increase in thickness.

(iii) The ends of all shifting boards shall be securely housed with 75 mm minimum bearing length.

(b) Other materials.

Divisions formed by using materials other than wood shall have a strength equivalent to the shifting boards required in paragraph (a) of this subsection.

(c) Uprights.

(i) Steel uprights used to support divisions loaded on both sides shall have a section modulus given by:

\[ W = a \times W_1 \]

Where—

\( W \) = section modulus in cm^3

\( a \) = horizontal span between uprights in metres.

The Section modulus per metre span \( W_1 \) shall not be less than that given by the formula:

\[ W_1 = 14.8 \times (h_1 - 1.2) \text{ cm}^3 \text{ per metre}; \]

Where—

\( h_1 \) is the vertical unsupported span in metres and shall be taken as the maximum value of the distance between any two adjacent stays or between the stay or either end of the upright. Where this distance is less than 2.4 metres the respective modulus shall be calculated as if the actual value was 2.4 metres.

(ii) The moduli of wood uprights shall be determined by multiplying by 12.5 the corresponding moduli for steel uprights. If other materials are used their moduli shall be at least that required for steel increased in proportion to the ratio of the permissible stresses for steel to that of the material used. In such cases attention shall be paid also to the relative rigidity of each upright to ensure that the deflection is not excessive.

(iii) The horizontal distance between uprights shall be such that the unsupported spans of the shifting boards do not exceed the maximum span specified in subparagraph (ii) of paragraph (a) of this Subsection.

(d) Shores.

(i) Wood shores, when used, shall be in a single piece and shall be securely fixed at each end and heeled against the permanent structure of the ship except that they shall not bear directly against the side plating of the ship.

(ii) Subject to the provisions of subparagraphs (iii) and (iv) below, the minimum size of wood shores shall be as follows:
Shores of 7 metres or more in length shall be securely bridged at approximately mid-length.

(iii) When the horizontal distance between the uprights differs significantly from 4 metres, the moments of inertia of the shores may be changed in direct proportion.

(iv) Where the angle of the shore to the horizontal exceeds 10 degrees the next larger shore to that required by subparagraph (ii) of this paragraph shall be fitted provided that in no case shall the angle between any shore and the horizontal exceed 45 degrees.

(e) Stays.

Where stays are used to support divisions loaded on both sides, they shall be fitted horizontally or as near thereto as practicable, well secured at each end and formed of steempune sizes of the wire rope shall be determined assuming that the divisions and upright which the stay supports are uniformly loaded at 500 kg/m². The working load so assumed in the stay shall not exceed one-third of its breaking load.

(C) DIVISIONS LOADED ON ONE SIDE ONLY

(a) Longitudinal divisions.

The load in kg per metre length of the division shall be taken to be as follows:

<table>
<thead>
<tr>
<th>B (m)</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>10</th>
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</thead>
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<td>2 430</td>
<td>2 740</td>
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<td>3 800</td>
<td>4 535</td>
</tr>
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<td>3 885</td>
<td>4 270</td>
<td>4 670</td>
<td>5 480</td>
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<td>3 525</td>
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<td>4 255</td>
<td>4 680</td>
<td>5 100</td>
<td>5 540</td>
<td>6 425</td>
</tr>
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<td>4 210</td>
<td>4 590</td>
<td>5 015</td>
<td>5 475</td>
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<td>11 150</td>
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<td>14 105</td>
<td>15 015</td>
<td>15 925</td>
<td>16 850</td>
<td>18 710</td>
</tr>
</tbody>
</table>

\[ B = \text{transverse extent of the bulk grain in metres.} \]
\[ h = \text{height of grain in metres from the bottom of the division}^{+} \]

For other values of \( h \) or \( B \) the loads shall be determined by linear interpolation or extrapolation as necessary.

(b) Transverse divisions.

The load in kg per metre length of the division shall be taken to be as follows:

<table>
<thead>
<tr>
<th>L (m)</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
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</tr>
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<tbody>
<tr>
<td>1.5</td>
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<tr>
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<td>15 925</td>
<td>16 850</td>
<td>18 710</td>
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</tbody>
</table>
For other values of \( h \) or \( L \) the loads shall be determined by linear interpolation or extrapolation as necessary.

(c) Vertical distribution of the loads.

The total load per unit length of divisions shown in the Tables I and II above may, if considered necessary, be assumed to have a trapezoidal distribution with height. In such cases, the reaction loads at the upper and lower ends of a vertical member or upright are not equal. The reaction loads at the upper end expressed as percentages of the total load supported by the vertical member or upright shall be taken to be those shown in Tables III and IV below.

**TABLE III**

_LONGITUDINAL DIVISIONS LOADED ON ONE SIDE ONLY_

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table I)

<table>
<thead>
<tr>
<th>( B ) (m)</th>
<th>2</th>
<th>3</th>
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</table>

For other values of \( h \) or \( L \) the loads shall be determined by linear interpolation or extrapolation as necessary.

**TABLE IV**

_TRANSVERSE DIVISIONS LOADED ON ONE SIDE ONLY_

Bearing Reaction at the Upper End of Upright as Percentage of Load (Table II)

<table>
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<th>( h ) (m)</th>
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</table>

\( B \) = transverse extent of the bulk grain in metres.

\( h \) = height of grain in metres from the bottom of the division†.
L = longitudinal extent of the bulk grain in metres.

For other values of h or L the reaction loads shall be determined by linear interpolation or extrapolation as necessary.

The strength of the end connections of such vertical members or uprights may be calculated on the basis of the maximum load likely to be imposed at either end. These loads are as follows:

Longitudinal Divisions:
- Maximum load at the top: 50 per cent of the appropriate total load from Table I
- Maximum load at the bottom: 55 per cent of the appropriate total load from Table I

Transverse Divisions:
- Maximum load at the top: 45 per cent of the appropriate total load from Table II
- Maximum load at the bottom: 45 per cent of the appropriate total load from Table II

The thickness of horizontal wooden boards may also be determined having regard to the vertical distribution of the loading represented by Tables III and IV above and in such cases

\[
t = \frac{\sqrt{p \times k}}{h \times 2133}
\]

Where—
- \( t \) = thickness of board in mm;
- \( a \) = horizontal span of the board i.e. distance between uprights in metres;
- \( h \) = head of grain to the bottom of the division in metres;
- \( p \) = total load per unit length derived from Table I or II in kilogrammes;
- \( k \) = factor dependent upon vertical distribution of the loading.

When the vertical distribution of the loading is assumed to be uniform, i.e. rectangular, \( k \) shall be taken as equal to 1.0. For a trapezoidal distribution

\[
k = 1.0 + 0.5 \left( \frac{R}{h} \right)
\]

Where—
- \( R \) is the upper end bearing reaction taken from Table III or IV.

(d) Stays or shores.

The sizes of stays and shores shall be so determined that the loads derived from Tables I and II in the preceding paragraphs (a) and (b) shall not exceed one-third of the breaking loads.

(D) SAUCERS

When a saucer is used to reduce the heeling moments in a “filled compartment”, its depth, measured from the bottom of the saucer to the deck line, shall be as follows:
For ships with a moulded breadth of up to 9.1 metres, not less than 1.2 metres. For ships with a moulded breadth of 18.3 metres or more, not less than 1.8 metres.

For ships with a moulded breadth between 9.1 metres and 18.3 metres, the minimum depth of the saucer shall be calculated by interpolation.

The top (mouth) of the saucer shall be formed by the underdeck structure in the way of the hatchway, i.e. hatchside girders or coamings and hatchend beams. The saucer and hatchway above shall be completely filled with bagged grain or other suitable cargo laid down on a separation cloth or its equivalent and stowed tightly against adjacent structures and the portable hatchway beams if the latter are in place.

(E) BUNDLING OF BULK

As an alternative to filling the saucer with bagged grain or other suitable cargo a bundle of bulk grain may be used provided that—

(a) the saucer is lined with a material acceptable to the Administration having a tensile strength of not less than 274 kg per 5 cm strip and which is provided with suitable means for securing at the top;

(b) as an alternative to paragraph (a) above a material acceptable to the Administration having a tensile strength of not less than 137 kg per 5 cm strip may be used if the saucer is constructed as follows:

- Athwartship lashings acceptable to the Administration shall be placed inside the saucer formed in the bulk grain at intervals of not more than 2.4 metres. These lashings shall be of sufficient length to permit being drawn up tight and secured at the top of the saucer;
- Dunnage not less than 25 mm in thickness or other suitable material of equal strength and between 150 to 300 mm in width shall be placed fore and aft over these lashings to prevent the cutting or chafing of the material which shall be placed thereon to line the saucer;

(c) the saucer shall be filled with bulk grain and secured at the top except that when using material approved under paragraph (b) above further dunnage shall be laid on top after lapping the material before the saucer is secured by setting up the lashings;

(d) if more than one sheet of material is used to line the saucer they shall be joined at the bottom either by sewing or a double lap;

(e) the top of the saucer shall be coincidental with the bottom of the beams when these are in place and suitable general cargo or bulk grain may be placed between the beams on top of the saucer.

(f) SECURING HATCH COVERS OF FILLED COMPARTMENTS

If there is no bulk grain or other cargo above a “filled compartment” the hatch covers shall be secured in an approved manner having regard to the weight and permanent arrangements provided for securing such covers.

The documents of authorization issued under Regulation 10 of this Chapter shall include reference to the manner of securing considered necessary by the Administration issuing such documents.

SECTION II—SECURING OF PARTLY FILLED COMPARTMENTS

(A) STRAPPING OR LASHING

(a) When, in order to eliminate heeling moments in “partly filled compartments”, strapping or lashing is utilized, the securing shall be accomplished as follows:

(i) The grain shall be trimmed and levelled to the extent that it is very slightly crowned and covered with burlap separation cloths, tarpaulins or the equivalent.

(ii) The separation cloths and/or tarpaulins shall overlap at least 1.8 metres.

(iii) Two solid floors of rough 25 mm by 150 mm to 300 mm lumber shall be laid with the top floor running longitudinally and nailed to an athwartships bottom floor. Alternatively, one solid floor of 50 mm lumber, running longitudinally and nailed over the top of a 50 mm bottom bearer not less than 150 mm wide, may be used. The bottom bearers shall extend the full breadth of the compartment and shall be spaced not more than 2.4 metres apart. Arrangements utilizing other materials and deemed by an Administration to be equivalent to the foregoing may be accepted.

(iv) Steel wire rope (19 mm diameter or equivalent), doubled steel strapping (50 mm x 1.3 mm and having a breaking load of at least 5 000 kg), or chain of equivalent strength, each of which shall be set tight by means of a 32 mm turnbuckle, may be used for lashings. A winch tightener, used in conjunction with a locking arm, may be substituted for the 32 mm turnbuckle when steel strapping is used, provided suitable wrenches are available for setting up as necessary. When steel strapping is used, not less than three crimp seals shall be used for securing the ends. When wire is used, not less than four clips shall be used for forming eyes in the lashings.

(v) Prior to the completion of loading the lashing shall be positively attached to the framing at a point approximately 450 mm below the anticipated final grain surface by means of either a 25 mm shackle or beam clamp of equivalent strength.

(vi) The lashings shall be spaced not more than 2.4 metres apart and each shall be supported by a
bearer nailed over the top of the fore and aft floor. This bearer shall consist of not less than 25 mm by 150 mm lumber or its equivalent and shall extend the full breadth of the compartment.

(vii) During the voyage the strapping shall be regularly inspected and set up where necessary.

(B) OVERSTOWING ARRANGEMENTS

Where bagged grain or other suitable cargo is utilized for the purpose of securing “partly filled compartments”, the free grain surface shall be covered with a separation cloth or equivalent or by a suitable platform. Such platforms shall consist of bearers spaced not more than 1,2 metres apart and 25 mm boards laid thereon spaced not more than 100 mm apart. Platforms may be constructed of other materials provided they are deemed by the Administration to be equivalent.

(C) BAGGED GRAIN

Bagged grain shall be carried in sound bags which shall be well filled and securely closed.

CHAPTER VII

CARRIAGE OF DANGEROUS GOODS

REGULATION 1

Application

(a) Unless expressly provided otherwise, this Chapter applies to the carriage of dangerous goods in all ships to which the present Regulations apply.

(b) The provisions of this Chapter do not apply to ship’s stores and equipment or to particular cargoes carried in ships specially built or converted as a whole for that purpose, such as tankers.

(c) The carriage of dangerous goods is prohibited except in accordance with the provisions of this Chapter.

(d) To supplement the provisions of this Chapter each Contracting Government shall issue, or cause to be issued, detailed instructions on the safe packing and stowage of specific dangerous goods or categories of dangerous goods which shall include any precautions necessary in their relation to other cargo.

REGULATION 2

Classification

Dangerous goods shall be divided into the following classes:

Class 1—Explosives.
Class 2—Gases: compressed, liquefied or dissolved under pressure.
Class 3—Inflammable* liquids.
Class 4.1—Inflammable solids.
Class 4.2—Inflammable solids, or substances, liable to spontaneous combustion.
Class 4.3—Inflammable solids, or substances, which in contact with water emit inflammable gases.
Class 5.1—Oxidizing substances.
Class 5.2—Organic peroxides.
Class 6.1—Poisonous (toxic) substances.
Class 6.2—Infectious substances.
Class 7—Radioactive substances.
Class 8—Corrosives.
Class 9—Miscellaneous dangerous substances, that is any other substance which experience has shown, or may show, to be of such a dangerous character that the provisions of this Chapter should apply to it.

REGULATION 3

Packing

(a) The packing of dangerous goods shall be—

(i) well made and in good condition;

(ii) of such a character that any interior surface with which the contents may come in contact is not dangerously affected by the substance being conveyed; and
capable of withstanding the ordinary risks of handling and carriage by sea.

(b) Where the use of absorbent or cushioning material is customary in the packing of liquids in receptacles that material shall be—

(i) capable of minimizing the dangers to which the liquid may give rise;
(ii) so disposed as to prevent movement and ensure that the receptacle remains surrounded; and
(iii) where reasonably possible of sufficient quantity to absorb the liquid in the event of breakage of the receptacle.

(c) Receptacles containing dangerous liquids shall have an ullage at the filling temperature sufficient to allow for the highest temperature during the course of normal carriage.

(d) Cylinders or receptacles of gases under pressure shall be adequately constructed, tested, maintained and correctly filled.

(e) Empty receptacles which have been used previously for the carriage of dangerous goods shall themselves be treated as dangerous goods unless they have been cleaned and dried or, when the nature of the former contents permit with safety, have been closed securely.

REGULATION 4
Marking and labelling

Each receptacle containing dangerous goods shall be marked with the correct technical name (trade names shall not be used) and identified with a distinctive label or stencil of the label so as to make clear the dangerous character. Each receptacle shall be so labelled except receptacles containing chemicals packed in limited quantities and large shipments which can be stowed, handled and identified as a unit.

REGULATION 5
Documents

(a) In all documents relating to the carriage of dangerous goods by sea where the goods are named the correct technical name of the goods shall be used (trade names shall not be used) and the correct description given in accordance with the classification set out in Regulation 2 of this Chapter.

(b) The shipping documents prepared by the shipper shall include, or be accompanied by, a certificate or declaration that the shipment offered for carriage is properly packed, marked and labelled and in proper condition for carriage.

(c) Each ship carrying dangerous goods shall have a special list or manifest setting forth, in accordance with Regulation 2 of this Chapter, the dangerous goods on board and the location thereof. A detailed stowage plan which identifies by class and sets out the location of all dangerous goods on board may be used in place of such special list or manifest.

REGULATION 6
Stowage requirements

(a) Dangerous goods shall be stowed safely and appropriately according to the nature of the goods. Incompatible goods shall be segregated from one another.

(b) Explosives (except ammunition) which present a serious risk shall be stowed in a magazine which shall be kept securely closed while at sea. Such explosives shall be segregated from detonators. Electrical apparatus and cables in any compartment in which explosives are carried shall be designed and used so as to minimize the risk of fire or explosion.

(c) Goods which give off dangerous vapours shall be stowed in a well ventilated space or on deck.

(d) In ships carrying inflammable liquids or gases special precautions shall be taken where necessary against fire or explosion.

(e) Substances which are liable to spontaneous heating or combustion shall not be carried unless adequate precautions have been taken to prevent the outbreak of fire.

REGULATION 7
Explosives in passenger ships

(a) In passenger ships the following explosives only may be carried:

(i) Safety cartridges and safety fuses;
(ii) small quantities of explosives not exceeding 9 kilogrammes (20 pounds) total net weight;
(iii) distress signals for use in ships or aircraft, if the total weight of such signals does not exceed 1 016 kilogrammes (2 240 pounds);
(iv) except in ships carrying unberthed passengers, fireworks which are unlikely to explode violently.

(b) Notwithstanding the provisions of paragraph (a) of this Regulation additional quantities or types of explosives may be carried in passenger ships in which there are special safety measures approved by the Administration.

CHAPTER VIII
NUCLEAR SHIPS
REGULATION 1
Application

This Chapter applies to all nuclear ships except ships of war.

REGULATION 2
Application of other Chapters

The Regulations contained in the other Chapters of the present Convention apply to nuclear ships except as modified by this Chapter.

REGULATION 3
Exemptions

A nuclear ship shall not, in any circumstances, be exempted from compliance with any Regulations of this Convention.

REGULATION 4
Approval of reactor installation

The design, construction and standards of inspection and assembly of the reactor installation shall be subject to the approval and satisfaction of the Administration and shall take account of the limitations which will be imposed on surveys by the presence of radiation.

REGULATION 5
Suitability of reactor installation for service on board ship

The reactor installation shall be designed having regard to the special conditions of service on board ship both in normal and exceptional circumstances of navigation.

REGULATION 6
Radiation safety

The Administration shall take measures to ensure that there are no unreasonable radiation or other nuclear hazards, at sea or in port, to the crew, passengers or public, or to the waterways or food or water resources.

REGULATION 7
Safety assessment

(a) A Safety Assessment shall be prepared to permit evaluation of the nuclear power plant and safety of the ship to ensure that there are no unreasonable radiation or other hazards, at sea or in port, to the crew, passengers or public, or to the waterways or food or water resources. The Administration, when satisfied, shall approve such Safety Assessment which shall always be kept up-to-date.

(b) The Safety Assessment shall be made available sufficiently in advance to the Contracting Governments of the countries which a nuclear ship intends to visit so that they may evaluate the safety of the ship.

REGULATION 8
Operating manual

A fully detailed Operating Manual shall be prepared for the information and guidance of the operating personnel in their duties on all matters relating to the operation of the nuclear power plant and having an important bearing on safety. The Administration, when satisfied, shall approve such Operating Manual and a copy shall be kept on board the ship. The Operating Manual shall always be kept up-to-date.

REGULATION 9
Surveys
Survey of nuclear ships shall include the applicable requirements of Regulation 7 of Chapter I, or of Regulations 8, 9 and 10 of Chapter I, except in so far as surveys are limited by the presence of radiation. In addition, the surveys shall include any special requirements of the Safety Assessment. They shall in all cases, notwithstanding the provisions of Regulations 8 and 10 of Chapter I, be carried out not less frequently than once a year.

REGULATION 10

Certificates

(a) The provisions of paragraph (a) of Regulation 12 of Chapter I and of Regulation 14 of Chapter I shall not apply to nuclear ships.

(b) A Certificate, called a Nuclear Passenger Ship Safety Certificate shall be issued after inspection and survey to a nuclear passenger ship which complies with the requirements of Chapters II-1, II-2, III, IV and VIII, and any other relevant requirements of the present Regulations.

(c) A Certificate, called a Nuclear Cargo Ship Safety Certificate shall be issued after inspection and survey to a nuclear cargo ship which satisfies the requirements for cargo ships on survey set out in Regulation 10 of Chapter I, and complies with the requirements of Chapter II-1, II-2, III, IV and VIII and any other relevant requirements of the present Regulations.

(d) Nuclear Passenger Ship Safety Certificates and Nuclear Cargo Ship Safety Certificates shall state: "That the ship, being a nuclear ship, complied with all requirements of Chapter VIII of the Convention and conformed to the Safety Assessment approved for the ship".

(e) Nuclear Passenger Ship Safety Certificates and Nuclear Cargo Ship Safety Certificates shall be valid for a period of not more than 12 months.

(f) Nuclear Passenger Ship Safety Certificates and Nuclear Cargo Ship Safety Certificates shall be issued either by the Administration or by any person or organization duly authorized by it. In every case, that Administration assumes full responsibility for the certificate.

REGULATION 11

Special control

In addition to the control established by Regulation 19 of Chapter I, nuclear ships shall be subject to special control before entering the ports and in the ports of Contracting Governments, directed towards verifying that there is on board a valid Nuclear Ship Safety Certificate and that there are no unreasonable radiation or other hazards at sea or in port, to the crew, passengers or public, or to the waterways or food or water resources.

REGULATION 12

Casualties

In the event of any accident likely to lead to an environmental hazard the master of a nuclear ship shall immediately inform the Administration. The master shall also immediately inform the competent Governmental authority of the country in whose waters the ship may be, or whose waters the ship approaches in a damaged condition.

APPENDIX

Form of Safety Certificate for Passenger Ships

PASSENGER SHIP SAFETY CERTIFICATE

(Official Seal)

for ___ a short international voyage.

Issued under the provisions of the

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Particulars of voyages, if any sanctioned under Regulation 27 (c) (vii) of Chapter III</th>
<th>Date on which keel was laid (see Note below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Government certifies
I, the undersigned

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the Convention referred to above.

II. That the survey showed that the ship complied with the requirements of the Regulations annexed to the said Convention as regards—

1. the structure, main and auxiliary boilers and other pressure vessels and machinery;
2. the watertight subdivision arrangements and details;
3. the following subdivision load lines:

<table>
<thead>
<tr>
<th>Subdivision load lines assigned and marked on the ship’s side at amidships (Regulation 11 of Chapter II–1)</th>
<th>Freeboard</th>
<th>To apply when the spaces in which passengers are carried include the following alternative spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

III. That the life-saving appliances provide for a total number ofpersons and no more, viz.:

- lifeboats (including motor lifeboats) capable of accommodatingpersons, and motor lifeboats fitted with radiotelegraph installation and searchlight (included in the total lifeboats shown above) and motor lifeboats fitted with searchlight only (also included in the total lifeboats shown above), requiringcertificated lifeboatmen;
- liferafts, for which approved launching devices are required, capable of accommodatingpersons; and
- liferafts, for which approved launching devices are not required, capable of accommodatingpersons;
- buoyant apparatus capable of supportingpersons;
- lifebuoys;
- life-jackets.

IV. That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations.

V. That the ship was provided with a line-throwing appliance and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

VI. That the ship complied with the requirements of the Regulations as regards radiotelegraph installations, viz.:

<table>
<thead>
<tr>
<th>Requirements of Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of listening by operator</td>
<td></td>
</tr>
<tr>
<td>Number of operators</td>
<td></td>
</tr>
<tr>
<td>Whether auto alarm fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether reserve installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main and reserve transmitters electrically separated or combined</td>
<td></td>
</tr>
<tr>
<td>Whether direction-finder fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radio equipment for homing on the radiotelephone distress frequency fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td></td>
</tr>
<tr>
<td>Number of passengers for which certificated</td>
<td></td>
</tr>
</tbody>
</table>

VII. That the functioning of the radiotelegraph installations for motor lifeboats and/or the portable radio apparatus for survival craft, if provided, complied with the provisions of the Regulations.
VIII. That the ship complied with the requirements of the Regulations as regards fire-detecting and fire-extinguishing appliances, radar, echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals, and distress signals in accordance with the provisions of the Regulations and also the International Regulations for Preventing Collisions at Sea in force.

IX. That in all other respects the ship complied with the requirements of the Regulations, so far as these requirements apply thereto.

This certificate is issued under the authority of the Government. It will remain in force until

Issued at................................................................. the........................................day

Here follows the seal or signature of the authority entitled to issue the certificate.

........................................................

Seal

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................

Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

In the case of a ship which is converted as provided in Regulation 1 (b) (i) of Chapter II-1 or Regulations 1 (a) (i) of Chapter II-2 of the Convention, the date on which the work of conversion was begun should be given.

Form of Safety Construction Certificate for Cargo Ships

CARGO SHIP SAFETY CONSTRUCTION CERTIFICATE

(Official Seal)

Country

Issued under the provisions of the

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive number or Letters</th>
<th>Port of registry</th>
<th>Gross tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

The ____________________________________________________

(Name) Government certifies

I, the undersigned(Name) certify

That the above-mentioned ship has been duly surveyed in accordance with the provisions of Regulation 10 of Chapter I of the Convention referred to above, and that the survey showed that the condition of the hull, machinery and equipment, as defined in the above Regulation, was in all respects satisfactory and that the ship complied with the applicable requirements of Chapter II-1 and Chapter II-2 (other than that relating to fire-extinguishing appliances and fire control plans).

This certificate is issued under the authority of the Government. It will remain in force until

Issued at................................................................. the........................................day

Here follows the seal or signature of the authority entitled to issue the certificate.

........................................................

Seal
If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................
Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

SUPPLEMENT TO THE CARGO SHIP SAFETY CONSTRUCTION FOR THE SAFETY OF LIFE AT SEA, 1974
(Official Seal) (Country)

Issued under the provisions of the

PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive number or letters</th>
<th>Port of registry</th>
<th>Deadweight of ship (metric tons)</th>
<th>Year of build</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

Type of ship:

Tanker engaged in the trade of carrying crude oil*
Tanker engaged in the trade of carrying oil other than crude oil*
Tanker engaged in the trade of carrying crude/other oil*
Cargo ship other than a tanker engaged in the trade of carrying oil*

Date of contract for building or alteration or modification of a major character

Date on which keel was laid or ship was at a similar stage of construction or on which an alteration or modification of a major character was commenced

Date of delivery or completion of an alteration or modification of a major character

This Supplement shall be permanently attached to the Cargo Ship Safety Construction Certificate.

THIS IS TO CERTIFY—

That the ship has been surveyed in accordance with Regulation 10 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974; and

that the survey showed that the condition of the hull, machinery and equipment as defined in the above Regulation was in all respects satisfactory and that the ship complied with the requirements of that Protocol.

This certificate is valid until

subject to intermediate survey(s) at intervals of

Issued at

(Place of issue of certificate)

........................................................
(Signature of duly authorised official issuing the certificate)

(Seal or stamp of the issuing authority, as appropriate)

INTERMEDIATE SURVEY

This is to certify that an intermediate survey required by Regulation 10 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974, this ship was found to comply with the relevant provisions of that Protocol.

Signed

(Signature of duly authorised official)
The \( (Name) \) Government certifies

I, the undersigned \( (Name) \) certify.

I. That the above-mentioned ship has been duly inspected in accordance with the provisions of the Convention referred to above.

II. That the inspection showed that the life-saving appliances provided for a total number of \( .................................................. \) persons and no more, viz.:

- Lifeboats on port side capable of accommodating \( .......................... \) persons,
- Lifeboats on starboard side capable of accommodating \( .......................... \) persons,

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of registry</th>
<th>Gross tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>
motor lifeboats (included in the total lifeboats shown above), including motor lifeboats fitted with radiotelegraph installation and searchlight, and motor lifeboats fitted with searchlight only;

lifeboats, for which approved launching devices are required, capable of accommodating persons; and

lifeboats, for which approved launching devices are not required, capable of accommodating persons;

lifebuoys;

life-jackets.

III. That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations annexed to the Convention.

IV. That the ship was provided with a line-throwing apparatus and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

V. That the inspection showed that the ship complied with the requirements of the said Convention as regards fire-extinguishing appliances and fire control plans, echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals and distress signals, in accordance with the provisions of the Regulations and the International Regulations for Preventing Collisions at Sea in force.

VI. That in all other respects the ship complied with the requirements of the Regulations so far as these requirements apply thereto.

This certificate is issued under the authority of the Government. It will remain in force until

Issued at................................................................. the........................................day
of................................................................. 19...........

Here follows the seal or signature of the authority entitled to issue the certificate.

Seal

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

SUPPLEMENT TO THE CARGO SHIP SAFETY CONSTRUCTION FOR THE SAFETY OF LIFE AT SEA, 1974

(Official Seal)

(Country)

Issued under the provisions of the

PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive number or letters</th>
<th>Port of registry</th>
<th>Deadweight of ship (metric tons)</th>
<th>Year of build</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Type of ship:

Tanker engaged in the trade of carrying crude oil*

Tanker engaged in the trade of carrying oil other than crude oil*

Tanker engaged in the trade of carrying crude/other oil*

Cargo ship other than a tanker engaged in the trade of carrying oil*

Date of contract for building or alteration or modification of a major character..................................................................................................................
Date on which keel was laid or ship was at a similar stage of construction or on which an alteration or modification of a major character was commenced

Date of delivery or completion of an alteration or modification of a major character

This Supplement shall be permanently attached to the Cargo Ship Safety Construction Certificate.

THIS IS TO CERTIFY—

That the ship has been surveyed in accordance with Regulation 10 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974; and

that the survey showed that the condition of the hull, machinery and equipment as defined in the above Regulation was in all respects satisfactory and that the ship complied with the requirements of that Protocol.

This certificate is valid until

subject to intermediate survey(s) at intervals of

Issued at .

(Place of issue of certificate)

....................................19....

(Signature of duly authorised official issuing the certificate)

(Seal or stamp of the issuing authority, as appropriate)

INTERMEDIATE SURVEY

This is to certify that an intermediate survey required by Regulation 10 of Chapter I of the Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea, 1974, this ship was found to comply with the relevant provisions of that Protocol.

Signed

(Signature of duly authorised official)

Place

Date

Next intermediate survey due

(Seal or stamp of the authority, as appropriate)

Signed

(Signature of duly authorised official)

Place

Date

Next intermediate survey due

(Seal or stamp of the authority, as appropriate)

Under the provisions of Regulation 14 of Chapter I of the Protocol the validity of this Certificate is extended until

Signed

(Signature of duly authorised official)

Place

Date

(Seal or stamp of the authority, as appropriate)

Form of Safety Construction Certificate for Cargo Ships

CARGO SHIP SAFETY RADIOTELEGRAPHY CERTIFICATE

(Official Seal)
Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive number or Letters</th>
<th>Port of registry</th>
<th>Gross tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The (Name) Government certifies

I, the undersigned (Name) certify

I. That the above-mentioned ship complies with the provisions of the Regulations annexed to the Convention referred to above as regards radiotelegraphy and radar:

<table>
<thead>
<tr>
<th>Requirements or Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of listening by operator</td>
<td></td>
</tr>
<tr>
<td>Number of operators</td>
<td></td>
</tr>
<tr>
<td>Whether auto alarm fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether reserve installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main and reserve transmitters electrically separated or combined</td>
<td></td>
</tr>
<tr>
<td>Whether direction-finder fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radio equipment for homing on the radiotelephone distress frequency fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td></td>
</tr>
</tbody>
</table>

II. That the functioning of the radiotelegraphy installations for motor lifeboats and/or the portable radio apparatus for survival craft, if provided, complies with the provisions of the said Regulations.

This certificate is issued under the authority of the

Government. It will remain in force until

Issued at................................................................. the........................................day of.................................................. 19........

Here follows the seal or signature of the authority entitled to issue the certificate.

........................................................................

Seal

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................................

Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

Form of Safety Radiotelephony Certificate for Cargo Ships

CARGO SHIP SAFETY RADIOTELEPHONY CERTIFICATE

(Official Seal)
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

The (Name) Government certifies

I, the (Name) certify

I. That the above-mentioned ship complies with the provisions of the Regulations annexed to the Convention referred to above as regards radiotelephony:

<table>
<thead>
<tr>
<th>Hours of listening by operator</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of operators</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

II. That the functioning of the portable radio apparatus for survival craft, if provided, complies with the provisions of the said Regulations.

This certificate is issued under the authority of the

Government. It will remain in force until

Entered at........................................................................................................................................ the............................day
of.................................................................................. 19...........

Here follows the seal or signature of the authority entitled to issue the certificate.

........................................................................................................

Seal

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................................................................

Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

Form of Exemption Certificate

EXEMPTION CERTIFICATE

(Official Seal)

Country

Issued under the provisions of the

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive number or Letters</th>
<th>Port of registry</th>
<th>Gross tonnage</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The (Name) Government certifies

I, the undersigned (Name) certify

That the above-mentioned ship is, under the authority conferred by Regulation..................of
This certificate is issued under the authority of the
Government. It will remain in force until

Issued at………………………………………………………………………………………………………day
of……………………………... 19………

Here follows the seal or signature of the authority entitled to issue the certificate.

…………………………………………………………………………………………………………………………….. Seal

If signed, the following paragraph is to be added:
The undersigned declares that he is duly authorized by the said Government to issue this certificate.

…………………………………………………………………………………………………………………………….. Signature

Form of Safety Certificate for Nuclear Passenger Ships

NUCLEAR PASSENGER SHIP SAFETY CERTIFICATE

(Official Seal)

Country

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross Tonnage</th>
<th>Particulars of voyages, if any sanctioned under Regulation 27 (c) (vii) of Chapter III</th>
<th>Date on which keel was laid (see Note below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The (Name) Government certifies

I, the undersigned (Name) certify.

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the Convention referred to above.

II. That the ship, being a nuclear ship, complied with all requirements of the Chapter VIII of the Convention and conformed to the Safety Assessment approved for the ship.

III. That the survey showed that the ship complied with the requirements of the Regulations annexed to the said Convention as regards—

(1) the structure, main and auxiliary boilers and other pressure vessels and machinery;

(2) the watertight subdivision arrangements and details;

(3) the following subdivision load lines:

<table>
<thead>
<tr>
<th>Subdivision load lines assigned and marked on the ship’s side at amidships (Regulation 11 of Chapter II–1)</th>
<th>Freeboard</th>
<th>To apply when the spaces in which passengers are carried include the following alternative spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

IV. That the life-saving appliances provide for a total number of…………….persons and no more, viz.:

lifeboats (including…………….motor lifeboats) capable of accommodating…………….persons,
and ................motor lifeboats fitted with radiotelegraph installation and searchlight (included in the total lifeboats shown above) and ................motor lifeboats fitted with searchlight only (also included in the total lifeboats shown above), requiring................certificated lifeboatmen;

liferafts, for which approved launching devices are required, capable of accommodating................persons; and

liferafts, for which approved launching devices are not required, capable of accommodating .................persons;

buoyant apparatus capable of supporting ..................persons;

lifebuoys;

life-jackets.

V. That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations.

VI. That the ship was provided with a line-throwing appliance and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

VII. That the ship complied with the requirements of the Regulations as regards radiotelegraph installations, viz.:

<table>
<thead>
<tr>
<th>Requirements or Regulations</th>
<th>Actual provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hours of listening by operator</td>
<td></td>
</tr>
<tr>
<td>Number of operators</td>
<td></td>
</tr>
<tr>
<td>Whether auto alarm fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether reserve installation fitted</td>
<td></td>
</tr>
<tr>
<td>Whether main and reserve transmitters electrically separated or combined</td>
<td></td>
</tr>
<tr>
<td>Whether direction-finder fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radio equipment for homing on the radiotelephone distress frequency fitted</td>
<td></td>
</tr>
<tr>
<td>Whether radar fitted</td>
<td></td>
</tr>
<tr>
<td>Number of passengers for which certificated</td>
<td></td>
</tr>
</tbody>
</table>

VIII. That the functioning of the radiotelegraph installations for motor lifeboats and/or the portable radio apparatus for survival craft, if provided, complied with the provisions of the Regulations.

IX. That the ship complied with the requirements of the Regulations as regards fire-detecting and fire-extinguishing appliances, radar, echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals, and distress signals in accordance with the provisions of the Regulations and also the International Regulations for Preventing Collisions at Sea in force.

X. That in all other respects the ship complied with the requirements of the Regulations, so far as these requirements apply thereto.

This certificate is issued under the authority of the

Government. It will remain in force until

Issued at................................................................. the........................................day
of.................................................. 19........

Here follows the seal or signature of the authority entitled to issue the certificate.

........................................................

Seal

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................

Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.
In the case of a ship which is converted as provided in Regulation 1 (b) (i) of Chapter II-1 or Regulations 1 (a) (i) of Chapter II-2 of the Convention, the date on which the work of conversion was begun should be given.

Form of Safety Certificate for Nuclear Cargo Ships

NUCLEAR CARGO SHIP SAFETY CERTIFICATE

(Official Seal)

Country
Issued under the provisions of the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

<table>
<thead>
<tr>
<th>Name of ship</th>
<th>Distinctive Number or Letters</th>
<th>Port of Registry</th>
<th>Gross tonnage</th>
<th>Date on which keel was laid (see NOTE below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The (Name) Government certifies

I, the undersigned (Name) certify

I. That the above-mentioned ship has been duly surveyed in accordance with the provisions of the Convention referred to above.

II. That the ship, being a nuclear ship, complied with all requirements of the Chapter VIII of the Convention and conformed to the Safety Assessment approved for the ship.

III. That the survey showed that the ship satisfied the requirements set out in Regulation 10 of Chapter I of the Convention as to hull, machinery and equipment, and complied with the relevant requirements of Chapter II-I and Chapter II-2.

IV. That the life-saving appliances provide for a total number of .................persons and no more, viz.:

- lifeboats on port side capable of accommodating .................persons;
- lifeboats on starboard side capable of accommodating .................persons;
- motor lifeboats (included in the total lifeboats shown above), including .................motor lifeboats fitted with radiotelegraph installation and searchlight, and .................motor lifeboats fitted with searchlight only;

- liferafts, for which approved launching devices are required, capable of accommodating .................persons; and
- liferafts, for which approved launching devices are not required, capable of accommodating .................persons;

- lifebuoys;

- life-jackets.

V. That the lifeboats and liferafts were equipped in accordance with the provisions of the Regulations.

VI. That the ship was provided with a line-throwing appliance and portable radio apparatus for survival craft in accordance with the provisions of the Regulations.

VII. That the ship complied with the requirements of the Regulations as regards radiotelegraph installations, viz.:

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Whether main and reserve transmitters electrically separated or combined
Whether direction-finder fitted
Whether radio equipment for homing on the radiotelephone distress frequency fitted
Whether radar fitted

VIII. That the functioning of the radiotelegraph installations for motor lifeboats and/or the portable radio apparatus for survival craft, if provided, complied with the provisions of the Regulations.

IX. That the ship complied with the requirements of the Regulations as regards fire-detecting and fire-extinguishing appliances, radar, echo-sounding device and gyro-compass and was provided with navigation lights and shapes, pilot ladder, and means of making sound signals, and distress signals in accordance with the provisions of the Regulations and also the International Regulations for Preventing Collisions at Sea in force.

X. That in all other respects the ship complied with the requirements of the Regulations, so far as these requirements apply thereto.

This certificate is issued under the authority of the Government. It will remain in force until

Issued at ................................................. the ........................................... day of ................................................................. 19 ......

Here follows the seal or signature of the authority entitled to issue the certificate.

........................................................
Seal

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................
Signature

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

........................................................
Signature

Note.—It will be sufficient to indicate the year in which the keel was laid or when the ship was at a similar stage of construction except for 1952, 1965 and the year of the coming into force of the International Convention for the Safety of Life at Sea, 1974, in which cases the actual date should be given.

Third Schedule

Fourth Schedule

Fifth Schedule
[Fifth Schedule added by Proclamation No. R.71 of 1984, amended by s. 10 of Act No. 16 of 1995 and repealed by s. 31 of Act No. 57 of 1998.]

Sixth Schedule
[Sixth Schedule added by Proclamation No. R.162 of 1985 and repealed by s. 18 of Act No. 23 of 1997.]

Seventh Schedule
[Seventh Schedule added by s. 30 of Act No. 12 of 2015.]

MARITIME LABOUR CONVENTION, 2006

PREAMBLE
The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Ninety-fourth Session on 7 February 2006, and

Desiring to create a single, coherent instrument embodying as far as possible all up-to-date standards of existing international maritime labour Conventions and Recommendations, as well as the fundamental principles to be found in other international labour Conventions, in particular—

- the Forced Labour Convention, 1930 (No. 29);
- the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);
- the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);
- the Equal Remuneration Convention, 1951 (No. 100);
- the Abolition of Forced Labour Convention, 1957 (No. 105);
- the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
- the Minimum Age Convention, 1973 (No. 138);
- the Worst Forms of Child Labour Convention, 1999 (No. 182); and

Mindful of the core mandate of the Organization, which is to promote decent conditions of work, and

Recalling the ILO Declaration on Fundamental Principles and Rights at Work, 1998, and

Mindful also that seafarers are covered by the provisions of other ILO instruments and have other rights which are established as fundamental rights and freedoms applicable to all persons, and

Considering that, given the global nature of the shipping industry, seafarers need special protection, and

Mindful also of the international standards on ship safety, human security and quality ship management in the International Convention for the Safety of Life at Sea, 1974, as amended, the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended, and the seafarer training and competency requirements in the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978, as amended, and

Recalling that the United Nations Convention on the Law of the Sea, 1982, sets out a general legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, and

Recalling that Article 94 of the United Nations Convention on the Law of the Sea, 1982, establishes the duties and obligations of a flag State with regard to, inter alia, labour conditions, crewing and social matters on ships that fly its flag, and

Recalling paragraph 8 of article 19 of the Constitution of the International Labour Organisation which provides that in no case shall the adoption of any Convention or Recommendation by the Conference or the ratification of any Convention by any Member be deemed to affect any law, award, custom or agreement which ensures more favourable conditions to the workers concerned than those provided for in the Convention or Recommendation, and

Determined that this new instrument should be designed to secure the widest possible acceptability among governments, shipowners and seafarers committed to the principles of decent work, that it should be readily updateable and that it should lend itself to effective implementation and enforcement, and

Having decided upon the adoption of certain proposals for the realization of such an instrument, which is the only item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this twenty-third day of February of the year two thousand and six the following Convention, which may be cited as the Maritime Labour Convention, 2006.

GENERAL OBLIGATIONS

Article I

1. Each Member which ratifies this Convention undertakes to give complete effect to its provisions in the manner set out in Article VI in order to secure the right of all seafarers to decent employment.

2. Members shall cooperate with each other for the purpose of ensuring the effective implementation and enforcement of this Convention.

DEFINITIONS AND SCOPE OF APPLICATION

Article II
1. For the purpose of this Convention and unless provided otherwise in particular provisions, the term—

(a) competent authority means the minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned;

(b) declaration of maritime labour compliance means the declaration referred to in Regulation 5.1.3;

(c) gross tonnage means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any successor Convention; for ships covered by the tonnage measurement interim scheme adopted by the International Maritime Organization, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969);

(d) maritime labour certificate means the certificate referred to in Regulation 5.1.3;

(e) requirements of this Convention refers to the requirements in these Articles and in the Regulations and Part A of the Code of this Convention;

(f) seafarer means any person who is employed or engaged or works in any capacity on board a ship to which this Convention applies;

(g) seafarers’ employment agreement includes both a contract of employment and articles of agreement;

(h) seafarer recruitment and placement service means any person, company, institution, agency or other organization, in the public or the private sector, which is engaged in recruiting seafarers on behalf of shipowners or placing seafarers with shipowners;

(i) ship means a ship other than one which navigates exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply;

(j) shipowner means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organization or persons fulfil certain of the duties or responsibilities on behalf of the shipowner.

2. Except as expressly provided otherwise, this Convention applies to all seafarers.

3. In the event of doubt as to whether any categories of persons are to be regarded as seafarers for the purpose of this Convention, the question shall be determined by the competent authority in each Member after consultation with the shipowners’ and seafarers’ organizations concerned with this question.

4. Except as expressly provided otherwise, this Convention applies to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and ships of traditional build such as dhows and junks. This Convention does not apply to warships or naval auxiliaries.

5. In the event of doubt as to whether this Convention applies to a ship or particular category of ships, the question shall be determined by the competent authority in each Member after consultation with the shipowners’ and seafarers’ organizations concerned.

6. Where the competent authority determines that it would not be reasonable or practicable at the present time to apply certain details of the Code referred to in Article VI, paragraph 1, to a ship or particular categories of ships flying the flag of the Member, the relevant provisions of the Code shall not apply to the extent that the subject matter is dealt with differently by national laws or regulations or collective bargaining agreements or other measures. Such a determination may only be made in consultation with the shipowners’ and seafarers’ organizations concerned and may only be made with respect to ships of less than 200 gross tonnage not engaged in international voyages.

7. Any determinations made by a Member under paragraph 3 or 5 or 6 of this Article shall be communicated to the Director-General of the International Labour Office, who shall notify the Members of the Organization.

8. Unless expressly provided otherwise, a reference to this Convention constitutes at the same time a reference to the Regulations and the Code.

FUNDAMENTAL RIGHTS AND PRINCIPLES

Article III

Each Member shall satisfy itself that the provisions of its law and regulations respect, in the context of this Convention, the fundamental rights to—

(a) freedom of association and the effective recognition of the right to collective bargaining;

(b) the elimination of all forms of forced or compulsory labour;

(c) the effective abolition of child labour; and
(d) the elimination of discrimination in respect of employment and occupation.

SEAFARERS’ EMPLOYMENT AND SOCIAL RIGHTS

Article IV
1. Every seafarer has the right to a safe and secure workplace that complies with safety standards.
2. Every seafarer has a right to fair terms of employment.
3. Every seafarer has a right to decent working and living conditions on board ship.
4. Every seafarer has a right to health protection, medical care, welfare measures and other forms of social protection.
5. Each Member shall ensure, within the limits of its jurisdiction, that the seafarers’ employment and social rights set out in the preceding paragraphs of this Article are fully implemented in accordance with the requirements of this Convention. Unless specified otherwise in the Convention, such implementation may be achieved through national laws or regulations, through applicable collective bargaining agreements or through other measures or in practice.

IMPLEMENTATION AND ENFORCEMENT RESPONSIBILITIES

Article V
1. Each Member shall implement and enforce laws or regulations or other measures that it has adopted to fulfil its commitments under this Convention with respect to ships and seafarers under its jurisdiction.
2. Each Member shall effectively exercise its jurisdiction and control over ships that fly its flag by establishing a system for ensuring compliance with the requirements of this Convention, including regular inspections, reporting, monitoring and legal proceedings under the applicable laws.
3. Each Member shall ensure that ships that fly its flag carry a maritime labour certificate and a declaration of maritime labour compliance as required by this Convention.
4. A ship to which this Convention applies may, in accordance with international law, be inspected by a Member other than the flag State, when the ship is in one of its ports, to determine whether the ship is in compliance with the requirements of this Convention.
5. Each Member shall effectively exercise its jurisdiction and control over seafarer recruitment and placement services, if these are established in its territory.
6. Each Member shall prohibit violations of the requirements of this Convention and shall, in accordance with international law, establish sanctions or require the adoption of corrective measures under its laws which are adequate to discourage such violations.
7. Each Member shall implement its responsibilities under this Convention in such a way as to ensure that the ships that fly the flag of any State that has not ratified this Convention do not receive more favourable treatment than the ships that fly the flag of any State that has ratified it.

REGULATIONS AND PARTS A AND B OF THE CODE

Article VI
1. The Regulations and the provisions of Part A of the Code are mandatory. The provisions of Part B of the Code are not mandatory.
2. Each Member undertakes to respect the rights and principles set out in the Regulations and to implement each Regulation in the manner set out in the corresponding provisions of Part A of the Code. In addition, the Member shall give due consideration to implementing its responsibilities in the manner provided for in Part B of the Code.
3. A Member which is not in a position to implement the rights and principles in the manner set out in Part A of the Code may, unless expressly provided otherwise in this Convention, implement Part A through provisions in its laws and regulations or other measures which are substantially equivalent to the provisions of Part A.
4. For the sole purpose of paragraph 3 of this Article, any law, regulation, collective agreement or other implementing measure shall be considered to be substantially equivalent, in the context of this Convention, if the Member satisfies itself that—
   (a) it is conducive to the full achievement of the general object and purpose of the provision or provisions of Part A of the Code concerned; and
   (b) it gives effect to the provision or provisions of Part A of the Code concerned.

CONSULTATION WITH SHIPOWNERS’ AND SEAFARERS’ ORGANIZATIONS

Article VII
Any derogation, exemption or other flexible application of this Convention for which the Convention requires consultation with shipowners’ and seafarers’ organizations may, in cases where representative organizations of shipowners or of seafarers do not exist within a Member, only be decided by that Member through consultation with the Committee referred to in Article XIII.

ENTRY INTO FORCE

Article VIII

1. The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

2. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered by the Director-General.

3. This Convention shall come into force 12 months after the date on which there have been registered ratifications by at least 30 Members with a total share in the world gross tonnage of ships of at least 33 per cent.

4. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

DENUNCIATION

Article IX

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which does not, within the year following the expiration of the period of ten years mentioned in paragraph 1 of this Article, exercise the right of denunciation provided for in this Article, shall be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each new period of ten years under the terms provided for in this Article.

EFFECT OF ENTRY INTO FORCE

Article X

This Convention revises the following Conventions:

Minimum Age (Sea) Convention, 1920 (No. 7)
Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)
Placing of Seamen Convention, 1920 (No. 9)
Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)
Seamen's Articles of Agreement Convention, 1926 (No. 22)
Repatriation of Seamen Convention, 1926 (No. 23)
Officers’ Competency Certificates Convention, 1936 (No. 53)
Holidays with Pay (Sea) Convention, 1936 (No. 54)
Shipowners’ Liability (Sick and Injured Seamen) Convention, 1936 (No. 55)
Sickness Insurance (Sea) Convention, 1936 (No. 56)
Hours of Work and Manning (Sea) Convention, 1936 (No. 57)
Minimum Age (Sea) Convention (Revised), 1936 (No. 58)
Food and Catering (Ships’ Crews) Convention, 1946 (No. 68)
Certification of Ships’ Cooks Convention, 1946 (No. 69)
Social Security (Seafarers) Convention, 1946 (No. 70)
Paid Vacations (Seafarers) Convention, 1946 (No. 72)
Medical Examination (Seafarers) Convention, 1946 (No. 73)
Certification of Able Seamen Convention, 1946 (No. 74)
Accommodation of Crews Convention, 1946 (No. 75)
Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76)
Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)
Accommodation of Crews Convention (Revised), 1949 (No. 92)
Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)
Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109)
Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)
Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)
Continuity of Employment (Seafarers) Convention, 1976 (No. 145)
Seafarers’ Annual Leave with Pay Convention, 1976 (No. 146)
Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)
Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)
Seafarers’ Welfare Convention, 1987 (No. 163)
Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)
Social Security (Seafarers) Convention (Revised), 1987 (No. 165)
Repatriation of Seafarers Convention (Revised), 1987 (No. 166)
Labour Inspection (Seafarers) Convention, 1996 (No. 178)
Recruitment and Placement of Seafarers Convention, 1996 (No. 179)
Seafarers’ Hours of Work and the Manning of Ships Convention, 1996 (No. 180).

DEPOSITARY FUNCTIONS

Article XI

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications, acceptances and denunciations under this Convention.

2. When the conditions provided for in paragraph 3 of Article VIII have been fulfilled, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article XII

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, acceptances and denunciations registered under this Convention.

SPECIAL TRIPARTITE COMMITTEE

Article XIII

1. The Governing Body of the International Labour Office shall keep the working of this Convention under continuous review through a committee established by it with special competence in the area of maritime labour standards.

2. For matters dealt with in accordance with this Convention, the Committee shall consist of two representatives nominated by the Government of each Member which has ratified this Convention, and the representatives of Shipowners and Seafarers appointed by the Governing Body after consultation with the Joint Maritime Commission.

3. The Government representatives of Members which have not yet ratified this Convention may participate in the Committee but shall have no right to vote on any matter dealt with in accordance with this Convention. The Governing Body may invite other organizations or entities to be represented on the Committee by observers.

4. The votes of each Shipowner and Seafarer representative in the Committee shall be weighted so as to ensure that the Shipowners’ group and the Seafarers’ group each have half the voting power of the total number of governments which are represented at the meeting concerned and entitled to vote.

AMENDMENT OF THIS CONVENTION

Article XIV

1. Amendments to any of the provisions of this Convention may be adopted by the General Conference of the International Labour Organization in the framework of article 19 of the Constitution of the International Labour
Organisation and the rules and procedures of the Organization for the adoption of Conventions. Amendments to
the Code may also be adopted following the procedures in Article XV.

2. In the case of Members whose ratifications of this Convention were registered before the adoption of the amendment, the text of the amendment shall be communicated to them for ratification.

3. In the case of other Members of the Organization, the text of the Convention as amended shall be communicated to them for ratification in accordance with article 19 of the Constitution.

4. An amendment shall be deemed to have been accepted on the date when there have been registered ratifications, of the amendment or of the Convention as amended, as the case may be, by at least 30 Members with a total share in the world gross tonnage of ships of at least 33 per cent.

5. An amendment adopted in the framework of article 19 of the Constitution shall be binding only upon those Members of the Organization whose ratifications have been registered by the Director-General of the International Labour Office.

6. For any Member referred to in paragraph 2 of this Article, an amendment shall come into force 12 months after the date of acceptance referred to in paragraph 4 of this Article or 12 months after the date on which its ratification of the amendment has been registered, whichever date is later.

7. Subject to paragraph 9 of this Article, for Members referred to in paragraph 3 of this Article, the Convention as amended shall come into force 12 months after the date of acceptance referred to in paragraph 4 of this Article or 12 months after the date on which their ratifications of the Convention have been registered, whichever date is later.

8. For those Members whose ratification of this Convention was registered before the adoption of an amendment but which have not ratified the amendment, this Convention shall remain in force without the amendment concerned.

9. Any Member whose ratification of this Convention is registered after the adoption of the amendment but before the date referred to in paragraph 4 of this Article may, in a declaration accompanying the instrument of ratification, specify that its ratification relates to the Convention without the amendment concerned. In the case of a ratification with such a declaration, the Convention shall come into force for the Member concerned 12 months after the date on which the ratification was registered. Where an instrument of ratification is not accompanied by such a declaration, or where the ratification is registered on or after the date referred to in paragraph 4, the Convention shall come into force for the Member concerned 12 months after the date on which the ratification was registered and, upon its entry into force in accordance with paragraph 7 of this Article, the amendment shall be binding on the Member concerned unless the amendment provides otherwise.

**AMENDMENTS TO THE CODE**

**Article XV**

1. The Code may be amended either by the procedure set out in Article XIV or, unless expressly provided otherwise, in accordance with the procedure set out in the present Article.

2. An amendment to the Code may be proposed to the Director-General of the International Labour Office by the government of any Member of the Organization or by the group of Shipowner representatives or the group of Seafarer representatives who have been appointed to the Committee referred to in Article XIII. An amendment proposed by a government must have been proposed by, or be supported by, at least five governments of Members that have ratified the Convention or by the group of Shipowner or Seafarer representatives referred to in this paragraph.

3. Having verified that the proposal for amendment meets the requirements of paragraph 2 of this Article, the Director-General shall promptly communicate the proposal, accompanied by any comments or suggestions deemed appropriate, to all Members of the Organization, with an invitation to them to transmit their observations or suggestions concerning the proposal within a period of six months or such other period (which shall not be less than three months nor more than nine months) prescribed by the Governing Body.

4. At the end of the period referred to in paragraph 3 of this Article, the proposal, accompanied by a summary of any observations or suggestions made under that paragraph, shall be transmitted to the Committee for consideration at a meeting. An amendment shall be considered adopted by the Committee if—

   (a) at least half the governments of Members that have ratified this Convention are represented in the meeting at which the proposal is considered; and
   
   (b) a majority of at least two-thirds of the Committee members vote in favour of the amendment; and
   
   (c) this majority comprises the votes in favour of at least half the government voting power, half the Shipowner voting power and half the Seafarer voting power of the Committee members registered at the meeting when the proposal is put to the vote.

5. Amendments adopted in accordance with paragraph 4 of this Article shall be submitted to the next session of the Conference for approval. Such approval shall require a majority of two-thirds of the votes cast by the delegates present. If such majority is not obtained, the proposed amendment shall be referred back to the Committee for reconsideration should the Committee so wish.
6. Amendments approved by the Conference shall be notified by the Director-General to each of the Members whose ratifications of this Convention were registered before the date of such approval by the Conference. These Members are referred to below as "the ratifying Members". The notification shall contain a reference to the present Article and shall prescribe the period for the communication of any formal disagreement. This period shall be two years from the date of the notification unless, at the time of approval, the Conference has set a different period, which shall be a period of at least one year. A copy of the notification shall be communicated to the other Members of the Organization for their information.

7. An amendment approved by the Conference shall be deemed to have been accepted unless, by the end of the prescribed period, formal expressions of disagreement have been received by the Director-General from more than 40 per cent of the Members which have ratified the Convention and which represent not less than 40 per cent of the gross tonnage of the ships of the Members which have ratified the Convention.

8. An amendment deemed to have been accepted shall come into force six months after the end of the prescribed period for all the ratifying Members except those which had formally expressed their disagreement in accordance with paragraph 7 of this Article and have not withdrawn such disagreement in accordance with paragraph 11. However—

(a) before the end of the prescribed period, any ratifying Member may give notice to the Director-General that it shall be bound by the amendment only after a subsequent express notification of its acceptance; and

(b) before the date of entry into force of the amendment, any ratifying Member may give notice to the Director-General that it will not give effect to that amendment for a specified period.

9. An amendment which is the subject of a notice referred to in paragraph 8 (a) of this Article shall enter into force for the Member giving such notice six months after the Member has notified the Director-General of its acceptance of the amendment or on the date on which the amendment first comes into force, whichever date is later.

10. The period referred to in paragraph 8 (b) of this Article shall not go beyond one year from the date of entry into force of the amendment or beyond any longer period determined by the Conference at the time of approval of the amendment.

11. A Member that has formally expressed disagreement with an amendment may withdraw its disagreement at any time. If notice of such withdrawal is received by the Director-General after the amendment has entered into force, the amendment shall enter into force for the Member six months after the date on which the notice was registered.

12. After entry into force of an amendment, the Convention may only be ratified in its amended form.

13. To the extent that a maritime labour certificate relates to matters covered by an amendment to the Convention which has entered into force—

(a) a Member that has accepted that amendment shall not be obliged to extend the benefit of the Convention in respect of the maritime labour certificates issued to ships flying the flag of another Member which—

(i) pursuant to paragraph 7 of this Article, has formally expressed disagreement to the amendment and has not withdrawn such disagreement; or

(ii) pursuant to paragraph 8 (a) of this Article, has given notice that its acceptance is subject to its subsequent express notification and has not accepted the amendment; and

(b) a Member that has accepted the amendment shall extend the benefit of the Convention in respect of the maritime labour certificates issued to ships flying the flag of another Member that has given notice, pursuant to paragraph 8 (b) of this Article, that it will not give effect to that amendment for the period specified in accordance with paragraph 10 of this Article.

AUTHORITATIVE LANGUAGES

Article XVI

The English and French versions of the text of this Convention are equally authoritative.

Eighth Schedule

[ Eighth Schedule added by s. 30 of Act No. 12 of 2015. ]

WORK IN FISHING CONVENTION, 2007

PREAMBLE

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its ninety-sixth Session on 30 May 2007, and

Recognizing that globalization has a profound impact on the fishing sector, and
Noting the ILO Declaration on Fundamental Principles and Rights at Work, 1998, and
Taking into consideration the fundamental rights to be found in the following international labour Conventions: the Forced Labour Convention, 1930 (No. 29), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Equal Remuneration Convention, 1951 (No. 100), the Abolition of Forced Labour Convention, 1957 (No. 105), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and
Noting the relevant instruments of the International Labour Organization, in particular the Occupational Safety and Health Convention (No. 155) and Recommendation (No. 164), 1981, and the Occupational Health Services Convention (No. 161) and Recommendation (No. 171), 1985, and
Noting, in addition, the Social Security (Minimum Standards) Convention, 1952 (No. 102), and considering that the provisions of Article 77 of that Convention should not be an obstacle to protection extended by Members to fishers under social security schemes, and
Recognizing that the International Labour Organization considers fishing as a hazardous occupation when compared to other occupations, and
Noting also Article 1, paragraph 3, of the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185), and
Mindful of the core mandate of the Organization, which is to promote decent conditions of work, and
Recognizing that the International Labour Organization considers fishing as a hazardous occupation when compared to other occupations, and
Having decided upon the adoption of certain proposals with regard to work in the fishing sector, which is the fourth item on the agenda of the session, and
Having determined that these proposals shall take the form of an international Convention;
adopts this fourteenth day of June of the year two thousand and seven the following Convention, which may be cited as the Work in Fishing Convention, 2007.

DEFINITIONS AND SCOPE

PART I

Definitions

ARTICLE 1

For the purposes of the Convention—

(a) commercial fishing means all fishing operations, including fishing operations on rivers, lakes or canals, with the exception of subsistence fishing and recreational fishing;

(b) competent authority means the minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned;

(c) consultation means consultation by the competent authority with the representative organizations of employers and workers concerned, and in particular the representative organizations of fishing vessel owners and fishers, where they exist;

(d) fishing vessel owner means the owner of the fishing vessel or any other organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the vessel from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on fishing vessel owners in accordance with the Convention, regardless of whether any other organization or person fulfils certain of the duties or responsibilities on behalf of the fishing vessel owner;

(e) fisher means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of...
the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers;

(f) fisher’s work agreement means a contract of employment, articles of agreement or other similar arrangements, or any other contract governing a fisher’s living and working conditions on board a vessel;

(g) fishing vessel or vessel means any ship or boat, of any nature whatsoever, irrespective of the form of ownership, used or intended to be used for the purpose of commercial fishing;

(h) gross tonnage means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any instrument amending or replacing it;

(i) length (L) shall be taken as 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the keel line, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In vessels designed with rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline;

(j) length overall (LOA) shall be taken as the distance in a straight line parallel to the designed waterline between the foremost point of the bow and the aftermost point of the stern;

(k) recruitment and placement service means any person, company, institution, agency or other organization, in the public or the private sector, which is engaged in recruiting fishers on behalf of, or placing fishers with, fishing vessel owners;

(l) skipper means the fisher having command of a fishing vessel.

SCOPe

ARTICLE 2

1. Except as otherwise provided herein, this Convention applies to all fishers and all fishing vessels engaged in commercial fishing operations.

2. In the event of doubt as to whether a vessel is engaged in commercial fishing, the question shall be determined by the competent authority after consultation.

3. Any Member, after consultation, may extend, in whole or in part, to fishers working on smaller vessels the protection provided in this Convention for fishers working on vessels of 24 metres in length and over.

ARTICLE 3

1. Where the application of the Convention raises special problems of a substantial nature in the light of the particular conditions of service of the fishers or of the fishing vessels’ operations concerned, a Member may, after consultation, exclude from the requirements of this Convention, or from certain of its provisions—

(a) fishing vessels engaged in fishing operations in rivers, lakes or canals;

(b) limited categories of fishers or fishing vessels.

2. In case of exclusions under the preceding paragraph, and where practicable, the competent authority shall take measures, as appropriate, to extend progressively the requirements under this Convention to the categories of fishers and fishing vessels concerned.

3. Each Member which ratifies this Convention shall—

(a) in its first report on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation—

(i) list any categories of fishers or fishing vessels excluded under paragraph 1;

(ii) give the reasons for any such exclusions, stating the respective positions of the representative organizations of employers and workers concerned, in particular the representative organizations of fishing vessel owners and fishers, where they exist; and

(iii) describe any measures taken to provide equivalent protection to the excluded categories; and

(b) in subsequent reports on the application of the Convention, describe any measures taken in accordance with paragraph 2.

ARTICLE 4

1. Where it is not immediately possible for a Member to implement all of the measures provided for in this Convention owing to special problems of a substantial nature in the light of insufficiently developed infrastructure or institutions, the Member may, in accordance with a plan drawn up in consultation, progressively implement all or some of the following provisions—

(a) Article 10, paragraph 1;
Article 10, paragraph 3, in so far as it applies to vessels remaining at sea for more than three days;
(c) Article 15;
(d) Article 20;
(e) Article 33; and
(f) Article 38.

2. Paragraph 1 does not apply to fishing vessels which—
(a) are 24 metres in length and over; or
(b) remain at sea for more than seven days; or
(c) normally navigate at a distance exceeding 200 nautical miles from the coastline of the flag State or navigate beyond the outer edge of its continental shelf, whichever distance from the coastline is greater; or
(d) are subject to port State control as provided for in Article 43 of this Convention, except where port State control arises through a situation of force majeure, nor to fishers working on such vessels.

3. Each Member which avails itself of the possibility afforded in paragraph 1 shall—
(a) in its first report on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation—
   (i) indicate the provisions of the Convention to be progressively implemented;
   (ii) explain the reasons and state the respective positions of representative organizations of employers and workers concerned, and in particular the representative organizations of fishing vessel owners and fishers, where they exist; and
   (iii) describe the plan for progressive implementation; and
(b) in subsequent reports on the application of this Convention, describe measures taken with a view to giving effect to all of the provisions of the Convention.

ARTICLE 5

1. For the purpose of this Convention, the competent authority, after consultation, may decide to use length overall (LOA) in place of length (L) as the basis for measurement, in accordance with the equivalence set out in Annex I. In addition, for the purpose of the paragraphs specified in Annex III of this Convention, the competent authority, after consultation, may decide to use gross tonnage in place of length (L) or length overall (LOA) as the basis for measurement in accordance with the equivalence set out in Annex III.

2. In the reports submitted under article 22 of the Constitution, the Member shall communicate the reasons for the decision taken under this Article and any comments arising from the consultation.

GENERAL PRINCIPLES

PART II

IMPLEMENTATION

ARTICLE 6

1. Each Member shall implement and enforce laws, regulations or other measures that it has adopted to fulfil its commitments under this Convention with respect to fishers and fishing vessels under its jurisdiction. Other measures may include collective agreements, court decisions, arbitration awards, or other means consistent with national law and practice.

2. Nothing in this Convention shall affect any law, award or custom, or any agreement between fishing vessel owners and fishers, which ensures more favourable conditions than those provided for in this Convention.

COMPETENT AUTHORITY AND COORDINATION

ARTICLE 7

Each Member shall—
(a) designate the competent authority or authorities; and
(b) establish mechanisms for coordination among relevant authorities for the fishing sector at the national and local levels, as appropriate, and define their functions and responsibilities, taking into account their complementarities and national conditions and practice.

RESPONSIBILITIES OF FISHING VESSEL OWNERS, SKIPPERS AND FISHERS
ARTICLE 8

1. The fishing vessel owner has the overall responsibility to ensure that the skipper is provided with the necessary resources and facilities to comply with the obligations of this Convention.

2. The skipper has the responsibility for the safety of the fishers on board and the safe operation of the vessel, including but not limited to the following areas—
   (a) providing such supervision as will ensure that, as far as possible, fishers perform their work in the best conditions of safety and health;
   (b) managing the fishers in a manner which respects safety and health, including prevention of fatigue;
   (c) facilitating on-board occupational safety and health awareness training; and
   (d) ensuring compliance with safety of navigation, watchkeeping and associated good seamanship standards.

3. The skipper shall not be constrained by the fishing vessel owner from taking any decision which, in the professional judgement of the skipper, is necessary for the safety of the vessel and its safe navigation and safe operation, or the safety of the fishers on board.

4. Fishers shall comply with the lawful orders of the skipper and applicable safety and health measures.

MINIMUM REQUIREMENTS FOR WORK ON BOARD FISHING VESSELS

PART III

MINIMUM AGE

ARTICLE 9

1. The minimum age for work on board a fishing vessel shall be 16 years. However, the competent authority may authorize a minimum age of 15 for persons who are no longer subject to compulsory schooling as provided by national legislation, and who are engaged in vocational training in fishing.

2. The competent authority, in accordance with national laws and practice, may authorize persons of the age of 15 to perform light work during school holidays. In such cases, it shall determine, after consultation, the kinds of work permitted and shall prescribe the conditions in which such work shall be undertaken and the periods of rest required.

3. The minimum age for assignment to activities on board fishing vessels, which by their nature or the circumstances in which they are carried out are likely to jeopardize the health, safety or morals of young persons, shall not be less than 18 years.

4. The types of activities to which paragraph 3 of this Article applies shall be determined by national laws or regulations, or by the competent authority, after consultation, taking into account the risks concerned and the applicable international standards.

5. The performance of the activities referred to in paragraph 3 of this Article as from the age of 16 may be authorized by national laws or regulations, or by decision of the competent authority, after consultation, on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons concerned have received adequate specific instruction or vocational training and have completed basic pre-sea safety training.

6. The engagement of fishers under the age of 18 for work at night shall be prohibited. For the purpose of this Article, “night” shall be defined in accordance with national law and practice. It shall cover a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m. An exception to strict compliance with the night work restriction may be made by the competent authority when—
   (a) the effective training of the fishers concerned, in accordance with established programmes and schedules, would be impaired; or
   (b) the specific nature of the duty or a recognized training programme requires that fishers covered by the exception perform duties at night and the authority determines, after consultation, that the work will not have a detrimental impact on their health or well-being.

7. Nothing in this Article shall affect any obligations assumed by the Member arising from the ratification of any other international labour Convention.

MEDICAL EXAMINATION

ARTICLE 10

1. No fishers shall work on board a fishing vessel without a valid medical certificate attesting to fitness to perform their duties.

2. The competent authority, after consultation, may grant exemptions from the application of paragraph 1 of
this Article, taking into account the safety and health of fishers, size of the vessel, availability of medical assistance and evacuation, duration of the voyage, area of operation, and type of fishing operation.

3. The exemptions in paragraph 2 of this Article shall not apply to a fisher working on a fishing vessel of 24 metres in length and over or which normally remains at sea for more than three days. In urgent cases, the competent authority may permit a fisher to work on such a vessel for a period of a limited and specified duration until a medical certificate can be obtained, provided that the fisher is in possession of an expired medical certificate of a recent date.

ARTICLE 11

Each Member shall adopt laws, regulations or other measures providing for—

(a) the nature of medical examinations;

(b) the form and content of medical certificates;

(c) the issue of a medical certificate by a duly qualified medical practitioner or, in the case of a certificate solely concerning eyesight, by a person recognized by the competent authority as qualified to issue such a certificate; these persons shall enjoy full independence in exercising their professional judgement;

(d) the frequency of medical examinations and the period of validity of medical certificates;

(e) the right to a further examination by a second independent medical practitioner in the event that a person has been refused a certificate or has had limitations imposed on the work he or she may perform; and

(f) other relevant requirements.

ARTICLE 12

In addition to the requirements set out in Article 10 and Article 11, on a fishing vessel of 24 metres in length and over, or on a vessel which normally remains at sea for more than three days—

1. The medical certificate of a fisher shall state, at a minimum, that—

(a) the hearing and sight of the fisher concerned are satisfactory for the fisher’s duties on the vessel; and

(b) the fisher is not suffering from any medical condition likely to be aggravated by service at sea or to render the fisher unfit for such service or to endanger the safety or health of other persons on board.

2. The medical certificate shall be valid for a maximum period of two years unless the fisher is under the age of 18, in which case the maximum period of validity shall be one year.

3. If the period of validity of a certificate expires in the course of a voyage, the certificate shall remain in force until the end of that voyage.

CONDITIONS OF SERVICE

PART IV

MANNING AND HOURS OF REST

ARTICLE 13

Each Member shall adopt laws, regulations or other measures requiring that owners of fishing vessels flying its flag ensure that—

(a) their vessels are sufficiently and safely manned for the safe navigation and operation of the vessel and under the control of a competent skipper; and

(b) fishers are given regular periods of rest of sufficient length to ensure safety and health.

ARTICLE 14

1. In addition to the requirements set out in Article 13, the competent authority shall—

(a) for vessels of 24 metres in length and over, establish a minimum level of manning for the safe navigation of the vessel, specifying the number and the qualifications of the fishers required;

(b) for fishing vessels regardless of size remaining at sea for more than three days, after consultation and for the purpose of limiting fatigue, establish the minimum hours of rest to be provided to fishers. Minimum hours of rest shall not be less than—

(i) ten hours in any 24-hour period; and

(ii) 77 hours in any seven-day period.
2. The competent authority may permit, for limited and specified reasons, temporary exceptions to the limits established in paragraph 1 (b) of this Article. However, in such circumstances, it shall require that fishers receive compensatory periods of rest as soon as practicable.

3. The competent authority, after consultation, may establish alternative requirements to those in paragraphs 1 and 2 of this Article. However, such alternative requirements shall be substantially equivalent and shall not jeopardize the safety and health of the fishers.

4. Nothing in this Article shall be deemed to impair the right of the skipper of a vessel to require a fisher to perform any hours of work necessary for the immediate safety of the vessel, the persons on board or the catch, or for the purpose of giving assistance to other boats or ships or persons in distress at sea. Accordingly, the skipper may suspend the schedule of hours of rest and require a fisher to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the skipper shall ensure that any fishers who have performed work in a scheduled rest period are provided with an adequate period of rest.

**CREW LIST**

**ARTICLE 15**

Every fishing vessel shall carry a crew list, a copy of which shall be provided to authorized persons ashore prior to departure of the vessel, or communicated ashore immediately after departure of the vessel. The competent authority shall determine to whom and when such information shall be provided and for what purpose or purposes.

**FISHER’S WORK AGREEMENT**

**ARTICLE 16**

Each Member shall adopt laws, regulations or other measures—

(a) requiring that fishers working on vessels flying its flag have the protection of a fisher’s work agreement that is comprehensible to them and is consistent with the provisions of this Convention; and

(b) specifying the minimum particulars to be included in fishers’ work agreements in accordance with the provisions contained in Annex II.

**ARTICLE 17**

Each Member shall adopt laws, regulations or other measures regarding—

(a) procedures for ensuring that a fisher has an opportunity to review and seek advice on the terms of the fisher’s work agreement before it is concluded; and

(b) where applicable, the maintenance of records concerning the fisher’s work under such an agreement; and

(c) the means of settling disputes in connection with a fisher’s work agreement.

**ARTICLE 18**

The fisher’s work agreement, a copy of which shall be provided to the fisher, shall be carried on board and be available to the fisher and, in accordance with national law and practice, to other concerned parties on request.

**ARTICLE 19**

Articles 16 to 18 and Annex II do not apply to a fishing vessel owner who is also single-handedly operating the vessel.

**ARTICLE 20**

It shall be the responsibility of the fishing vessel owner to ensure that each fisher has a written fisher’s work agreement signed by both the fisher and the fishing vessel owner or by an authorized representative of the fishing vessel owner (or, where fishers are not employed or engaged by the fishing vessel owner, the fishing vessel owner shall have evidence of contractual or similar arrangements) providing decent work and living conditions on board the vessel as required by this Convention.

**REPATRIATION**

**ARTICLE 21**

1. Members shall ensure that fishers on a fishing vessel that flies their flag and that enters a foreign port are entitled to repatriation in the event that the fisher’s work agreement has expired or has been terminated for justified reasons by the fisher or by the fishing vessel owner, or the fisher is no longer able to carry out the duties required under the work agreement or cannot be expected to carry them out in the specific circumstances. This also applies to fishers from that vessel who are transferred for the same reasons from the vessel to the foreign port.
2. The cost of the repatriation referred to in paragraph 1 of this Article shall be borne by the fishing vessel owner, except where the fisher has been found, in accordance with national laws, regulations or other measures, to be in serious default of his or her work agreement obligations.

3. Members shall prescribe, by means of laws, regulations or other measures, the precise circumstances entitling a fisher covered by paragraph 1 of this Article to repatriation, the maximum duration of service periods on board following which a fisher is entitled to repatriation, and the destinations to which fishers may be repatriated.

4. If a fishing vessel owner fails to provide for the repatriation referred to in this Article, the Member whose flag the vessel flies shall arrange for the repatriation of the fisher concerned and shall be entitled to recover the cost from the fishing vessel owner.

5. National laws and regulations shall not prejudice any right of the fishing vessel owner to recover the cost of repatriation under third party contractual agreements.

RECRUITMENT AND PLACEMENT

ARTICLE 22

Recruitment and placement of fishers—

1. Each Member that operates a public service providing recruitment and placement for fishers shall ensure that the service forms part of, or is coordinated with, a public employment service for all workers and employers.

2. Any private service providing recruitment and placement for fishers which operates in the territory of a Member shall do so in conformity with a standardized system of licensing or certification or other form of regulation, which shall be established, maintained or modified only after consultation.

3. Each Member shall, by means of laws, regulations or other measures—
   (a) prohibit recruitment and placement services from using means, mechanisms or lists intended to prevent or deter fishers from engaging for work;
   (b) require that no fees or other charges for recruitment or placement of fishers be borne directly or indirectly, in whole or in part, by the fisher; and
   (c) determine the conditions under which any licence, certificate or similar authorization of a private recruitment or placement service may be suspended or withdrawn in case of violation of relevant laws or regulations; and specify the conditions under which private recruitment and placement services can operate.

PRIVATE EMPLOYMENT AGENCIES

4. A Member which has ratified the Private Employment Agencies Convention, 1997 (No. 181), may allocate certain responsibilities under this Convention to private employment agencies that provide the services referred to in paragraph 1 (b) of Article 1 of that Convention. The respective responsibilities of any such private employment agencies and of the fishing vessel owners, who shall be the “user enterprise” for the purpose of that Convention, shall be determined and allocated, as provided for in Article 12 of that Convention. Such a Member shall adopt laws, regulations or other measures to ensure that no allocation of the respective responsibilities or obligations to the private employment agencies providing the service and to the “user enterprise” pursuant to this Convention shall preclude the fisher from asserting a right to a lien arising against the fishing vessel.

5. Notwithstanding the provisions of paragraph 4, the fishing vessel owner shall be liable in the event that the private employment agency defaults on its obligations to a fisher for whom, in the context of the Private Employment Agencies Convention, 1997 (No. 181), the fishing vessel owner is the “user enterprise”.

6. Nothing in this Convention shall be deemed to impose on a Member the obligation to allow the operation in its fishing sector of private employment agencies as referred to in paragraph 4 of this Article.

PAYMENT OF FISHERS

ARTICLE 23

Each Member, after consultation, shall adopt laws, regulations or other measures providing that fishers who are paid a wage are ensured a monthly or other regular payment.

ARTICLE 24

Each Member shall require that all fishers working on board fishing vessels shall be given a means to transmit all or part of their payments received, including advances, to their families at no cost.

ACCOMMODATION AND FOOD

PART V

ARTICLE 25
Each Member shall adopt laws, regulations or other measures for fishing vessels that fly its flag with respect to accommodation, food and potable water on board.

**ARTICLE 26**

Each Member shall adopt laws, regulations or other measures requiring that accommodation on board fishing vessels that fly its flag shall be of sufficient size and quality and appropriately equipped for the service of the vessel and the length of time fishers live on board. In particular, such measures shall address, as appropriate, the following issues—

(a) approval of plans for the construction or modification of fishing vessels in respect of accommodation;

(b) maintenance of accommodation and galley spaces with due regard to hygiene and overall safe, healthy and comfortable conditions;

(c) ventilation, heating, cooling and lighting;

(d) mitigation of excessive noise and vibration;

(e) location, size, construction materials, furnishing and equipping of sleeping rooms, mess rooms and other accommodation spaces;

(f) sanitary facilities, including toilets and washing facilities, and supply of sufficient hot and cold water; and

(g) procedures for responding to complaints concerning accommodation that does not meet the requirements of this Convention.

**ARTICLE 27**

Each Member shall adopt laws, regulations or other measures requiring that—

(a) the food carried and served on board be of a sufficient nutritional value, quality and quantity;

(b) potable water be of sufficient quality and quantity; and

(c) the food and water shall be provided by the fishing vessel owner at no cost to the fisher. However, in accordance with national laws and regulations, the cost can be recovered as an operational cost if the collective agreement governing a share system or a fisher’s work agreement so provides.

**ARTICLE 28**

1. The laws, regulations or other measures to be adopted by the Member in accordance with Articles 25 to 27 shall give full effect to Annex III concerning fishing vessel accommodation. Annex III may be amended in the manner provided for in Article 45.

2. A Member which is not in a position to implement the provisions of Annex III may, after consultation, adopt provisions in its laws and regulations or other measures which are substantially equivalent to the provisions set out in Annex III, with the exception of provisions related to Article 27.

**MEDICAL CARE, HEALTH PROTECTION AND SOCIAL SECURITY**

**PART VI**

**MEDICAL CARE**

**ARTICLE 29**

Each Member shall adopt laws, regulations or other measures requiring that—

(a) fishing vessels carry appropriate medical equipment and medical supplies for the service of the vessel, taking into account the number of fishers on board, the area of operation and the length of the voyage;

(b) fishing vessels have at least one fisher on board who is qualified or trained in first aid and other forms of medical care and who has the necessary knowledge to use the medical equipment and supplies for the vessel concerned, taking into account the number of fishers on board, the area of operation and the length of the voyage;

(c) medical equipment and supplies carried on board be accompanied by instructions or other information in a language and format understood by the fisher or fishers referred to in subparagraph (b);

(d) fishing vessels be equipped for radio or satellite communication with persons or services ashore that can provide medical advice, taking into account the area of operation and the length of the voyage; and

(e) fishers have the right to medical treatment ashore and the right to be taken ashore in a timely manner for treatment in the event of serious injury or illness.
ARTICLE 30

For fishing vessels of 24 metres in length and over, taking into account the number of fishers on board, the area of operation and the duration of the voyage, each Member shall adopt laws, regulations or other measures requiring that—

(a) the competent authority prescribe the medical equipment and medical supplies to be carried on board;

(b) the medical equipment and medical supplies carried on board be properly maintained and inspected at regular intervals established by the competent authority by responsible persons designated or approved by the competent authority;

(c) the vessels carry a medical guide adopted or approved by the competent authority, or the latest edition of the International Medical Guide for Ships;

(d) the vessels have access to a prearranged system of medical advice to vessels at sea by radio or satellite communication, including specialist advice, which shall be available at all times;

(e) the vessels carry on board a list of radio or satellite stations through which medical advice can be obtained; and

(f) to the extent consistent with the Member’s national law and practice, medical care while the fisher is on board or landed in a foreign port be provided free of charge to the fisher.

OCCUPATIONAL SAFETY AND HEALTH AND ACCIDENT PREVENTION

ARTICLE 31

Each Member shall adopt laws, regulations or other measures concerning—

(a) the prevention of occupational accidents, occupational diseases and work-related risks on board fishing vessels, including risk evaluation and management, training and on-board instruction of fishers;

(b) training for fishers in the handling of types of fishing gear they will use and in the knowledge of the fishing operations in which they will be engaged;

(c) the obligations of fishing vessel owners, fishers and others concerned, due account being taken of the safety and health of fishers under the age of 18;

(d) the reporting and investigation of accidents on board fishing vessels flying its flag; and

(e) the setting up of joint committees on occupational safety and health or, after consultation, of other appropriate bodies.

ARTICLE 32

1. The requirements of this Article shall apply to fishing vessels of 24 metres in length and over normally remaining at sea for more than three days and, after consultation, to other vessels, taking into account the number of fishers on board, the area of operation, and the duration of the voyage.

2. The competent authority shall—

(a) after consultation, require that the fishing vessel owner, in accordance with national laws, regulations, collective bargaining agreements and practice, establish on-board procedures for the prevention of occupational accidents, injuries and diseases, taking into account the specific hazards and risks on the fishing vessel concerned; and

(b) require that fishing vessel owners, skippers, fishers and other relevant persons be provided with sufficient and suitable guidance, training material, or other appropriate information on how to evaluate and manage risks to safety and health on board fishing vessels.

Fishing vessel owners shall—

(a) ensure that every fisher on board is provided with appropriate personal protective clothing and equipment;

(b) ensure that every fisher on board has received basic safety training approved by the competent authority; the competent authority may grant written exemptions from this requirement for fishers who have demonstrated equivalent knowledge and experience; and

(c) ensure that fishers are sufficiently and reasonably familiarized with equipment and its methods of operation, including relevant safety measures, prior to using the equipment or participating in the operations concerned.

ARTICLE 33

Risk evaluation in relation to fishing shall be conducted, as appropriate, with the participation of fishers or their representatives.
SOCIAL SECURITY

ARTICLE 34

Each Member shall ensure that fishers ordinarily resident in its territory, and their dependants to the extent provided in national law, are entitled to benefit from social security protection under conditions no less favourable than those applicable to other workers, including employed and self-employed persons, ordinarily resident in its territory.

ARTICLE 35

Each Member shall undertake to take steps, according to national circumstances, to achieve progressively comprehensive social security protection for all fishers who are ordinarily resident in its territory.

ARTICLE 36

Members shall cooperate through bilateral or multilateral agreements or other arrangements, in accordance with national laws, regulations or practice—

(a) to achieve progressively comprehensive social security protection for fishers, taking into account the principle of equality of treatment irrespective of nationality; and

(b) to ensure the maintenance of social security rights which have been acquired or are in the course of acquisition by all fishers regardless of residence.

ARTICLE 37

Notwithstanding the attribution of responsibilities in Articles 34, 35 and 36, Members may determine, through bilateral and multilateral agreements and through provisions adopted in the framework of regional economic integration organizations, other rules concerning the social security legislation to which fishers are subject.

PROTECTION IN THE CASE OF WORK-RELATED SICKNESS, INJURY OR DEATH

ARTICLE 38

1. Each Member shall take measures to provide fishers with protection, in accordance with national laws, regulations or practice, for work-related sickness, injury or death.

2. In the event of injury due to occupational accident or disease, the fisher shall have access to—

(a) appropriate medical care; and

(b) the corresponding compensation in accordance with national laws and regulations.

3. Taking into account the characteristics within the fishing sector, the protection referred to in paragraph 1 of this Article may be ensured through—

(a) a system for fishing vessel owners’ liability; or

(b) compulsory insurance, workers’ compensation or other schemes.

ARTICLE 39

1. In the absence of national provisions for fishers, each Member shall adopt laws, regulations or other measures to ensure that fishing vessel owners are responsible for the provision to fishers on vessels flying its flag, of health protection and medical care while employed or engaged or working on a vessel at sea or in a foreign port. Such laws, regulations or other measures shall ensure that fishing vessel owners are responsible for defraying the expenses of medical care, including related material assistance and support, during medical treatment in a foreign country, until the fisher has been repatriated.

2. National laws or regulations may permit the exclusion of the liability of the fishing vessel owner if the injury occurred otherwise than in the service of the vessel or the sickness or infirmity was concealed during engagement, or the injury or sickness was due to wilful misconduct of the fisher.

COMPLIANCE AND ENFORCEMENT

PART VII

ARTICLE 40

Each Member shall effectively exercise its jurisdiction and control over vessels that fly its flag by establishing a system for ensuring compliance with the requirements of this Convention including, as appropriate, inspections, reporting, monitoring, complaint procedures, appropriate penalties and corrective measures, in accordance with national laws or regulations.

ARTICLE 41
1. Members shall require that fishing vessels remaining at sea for more than three days, which—
   (a) are 24 metres in length and over; or
   (b) normally navigate at a distance exceeding 200 nautical miles from the coastline of the flag State or
       navigate beyond the outer edge of its continental shelf, whichever distance from the coastline is
       greater, carry a valid document issued by the competent authority stating that the vessel has been
       inspected by the competent authority or on its behalf, for compliance with the provisions of this
       Convention concerning living and working conditions.

2. The period of validity of such document may coincide with the period of validity of a national or an
   international fishing vessel safety certificate, but in no case shall such period of validity exceed five years.

**ARTICLE 42**

1. The competent authority shall appoint a sufficient number of qualified inspectors to fulfil its responsibilities
   under Article 41.

2. In establishing an effective system for the inspection of living and working conditions on board fishing
   vessels, a Member, where appropriate, may authorize public institutions or other organizations that it recognizes as
   competent and independent to carry out inspections and issue documents. In all cases, the Member shall remain
   fully responsible for the inspection and issuance of the related documents concerning the living and working
   conditions of the fishers on fishing vessels that fly its flag.

**ARTICLE 43**

1. A Member which receives a complaint or obtains evidence that a fishing vessel that flies its flag does not
   conform to the requirements of this Convention shall take the steps necessary to investigate the matter and ensure
   that action is taken to remedy any deficiencies found.

2. If a Member, in whose port a fishing vessel calls in the normal course of its business or for operational
   reasons, receives a complaint or obtains evidence that such vessel does not conform to the requirements of this
   Convention, it may prepare a report addressed to the government of the flag State of the vessel, with a copy to the
   Director-General of the International Labour Office, and may take measures necessary to rectify any conditions on
   board which are clearly hazardous to safety or health.

3. In taking the measures referred to in paragraph 2 of this Article, the Member shall notify forthwith the
   nearest representative of the flag State and, if possible, shall have such representative present. The Member shall
   not unreasonably detain or delay the vessel.

4. For the purpose of this Article, the complaint may be submitted by a fisher, a professional body, an
   association, a trade union or, generally, any person with an interest in the safety of the vessel, including an interest
   in safety or health hazards to the fishers on board.

5. This Article does not apply to complaints which a Member considers to be manifestly unfounded.

**ARTICLE 44**

Each Member shall apply this Convention in such a way as to ensure that the fishing vessels flying the flag of
any State that has not ratified this Convention do not receive more favourable treatment than fishing vessels that
fly the flag of any Member that has ratified it.

**AMENDMENT OF ANNEXES I, II AND III**

**PART VIII**

**ARTICLE 45**

1. Subject to the relevant provisions of this Convention, the International Labour Conference may amend
   Annexes I, II and III. The Governing Body of the International Labour Office may place an item on the agenda of the
   Conference regarding proposals for such amendments established by a tripartite meeting of experts. The decision
   to adopt the proposals shall require a majority of two-thirds of the votes cast by the delegates present at the
   Conference, including at least half the Members that have ratified this Convention.

2. Any amendment adopted in accordance with paragraph 1 of this Article shall enter into force six months
   after the date of its adoption for any Member that has ratified this Convention, unless such Member has given
   written notice to the Director-General of the International Labour Office that it shall not enter into force for that
   Member, or shall only enter into force at a later date upon subsequent written notification.

**FINAL PROVISIONS**

**PART IX**

**ARTICLE 46**

This Convention revises the Minimum Age (Fishermen) Convention, 1959 (No. 112), the Medical Examination
(Fishermen) Convention, 1959 (No. 113), the Fishermen’s Articles of Agreement Convention, 1959 (No. 114), and
ARTICLE 47

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

ARTICLE 48

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.

2. It shall come into force 12 months after the date on which the ratifications of ten Members, eight of which are coastal States, have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification is registered.

ARTICLE 49

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

ARTICLE 50

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications, declarations and denunciations that have been communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the last of the ratifications required to bring the Convention into force, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

ARTICLE 51

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications, declarations and denunciations registered by the Director-General.

ARTICLE 52

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part, taking into account also the provisions of Article 45.

ARTICLE 53

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides—

   (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 49 above, if and when the new revising Convention shall have come into force;

   (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

ARTICLE 54

The English and French versions of the text of this Convention are equally authoritative.

ANNEX I

EQUIVALENCE IN MEASUREMENT

For the purpose of this Convention, where the competent authority, after consultation, decides to use length
overall (LOA) rather than length (L) as the basis of measurement—

(a) a length overall (LOA) of 16.5 metres shall be considered equivalent to a length (L) of 15 metres;
(b) a length overall (LOA) of 26.5 metres shall be considered equivalent to a length (L) of 24 metres;
(c) a length overall (LOA) of 50 metres shall be considered equivalent to a length (L) of 45 metres.

ANNEX II

FISHER’S WORK AGREEMENT

The fisher’s work agreement shall contain the following particulars, except in so far as the inclusion of one or more of them is rendered unnecessary by the fact that the matter is regulated in another manner by national laws or regulations, or a collective bargaining agreement where applicable—

(a) the fisher’s family name and other names, date of birth or age, and birthplace;
(b) the place at which and date on which the agreement was concluded;
(c) the name of the fishing vessel or vessels and the registration number of the vessel or vessels on board which the fisher undertakes to work;
(d) the name of the employer, or fishing vessel owner, or other party to the agreement with the fisher;
(e) the voyage or voyages to be undertaken, if this can be determined at the time of making the agreement;
(f) the capacity in which the fisher is to be employed or engaged;
(g) if possible, the place at which and date on which the fisher is required to report on board for service;
(h) the provisions to be supplied to the fisher, unless some alternative system is provided for by national law or regulation;
(i) the amount of wages, or the amount of the share and the method of calculating such share if remuneration is to be on a share basis, or the amount of the wage and share and the method of calculating the latter if remuneration is to be on a combined basis, and any agreed minimum wage;
(j) the termination of the agreement and the conditions thereof, namely—
   (i) if the agreement has been made for a definite period, the date fixed for its expiry;
   (ii) if the agreement has been made for a voyage, the port of destination and the time which has to expire after arrival before the fisher shall be discharged;
   (iii) if the agreement has been made for an indefinite period, the conditions which shall entitle either party to rescind it, as well as the required period of notice for rescission, provided that such period shall not be less for the employer, or fishing vessel owner or other party to the agreement with the fisher;
(k) the protection that will cover the fisher in the event of sickness, injury or death in connection with service;
(l) the amount of paid annual leave or the formula used for calculating leave, where applicable;
(m) the health and social security coverage and benefits to be provided to the fisher by the employer, fishing vessel owner, or other party or parties to the fisher’s work agreement, as applicable;
(n) the fisher’s entitlement to repatriation;
(o) a reference to the collective bargaining agreement, where applicable;
(p) the minimum periods of rest, in accordance with national laws, regulations or other measures; and
(q) any other particulars which national law or regulation may require.

ANNEX III

FISHING VESSEL ACCOMMODATION

GENERAL PROVISIONS

1. For the purposes of this Annex—

(a) “new fishing vessel” means a vessel for which—
   (i) the building or major conversion contract has been placed on or after the date of the entry into force of the Convention for the Member concerned; or
   (ii) the building or major conversion contract has been placed before the date of the entry into force of the Convention for the Member concerned, and which is delivered three years or more after
(iii) in the absence of a building contract, on or after the date of the entry into force of the Convention for the Member concerned—

- the keel is laid;
- construction identifiable with a specific vessel begins; or
- assembly has commenced comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is less;

(b) “existing vessel” means a vessel that is not a new fishing vessel.

2. The following shall apply to all new, decked fishing vessels, subject to any exclusions provided for in accordance with Article 3 of the Convention. The competent authority may, after consultation, also apply the requirements of this Annex to existing vessels, when and in so far as it determines that this is reasonable and practicable.

3. The competent authority, after consultation, may permit variations to the provisions of this Annex for fishing vessels normally remaining at sea for less than 24 hours where the fishers do not live on board the vessel in port. In the case of such vessels, the competent authority shall ensure that the fishers concerned have adequate facilities for resting, eating and sanitation purposes.

4. Any variations made by a Member under paragraph 3 of this Annex shall be reported to the International Labour Office under article 22 of the Constitution of the International Labour Organisation.

5. The requirements for vessels of 24 metres in length and over may be applied to vessels between 15 and 24 metres in length where the competent authority determines, after consultation, that this is reasonable and practicable.

6. Fishers working on board feeder vessels which do not have appropriate accommodation and sanitary facilities shall be provided with such accommodation and facilities on board the mother vessel.

7. Members may extend the requirements of this Annex regarding noise and vibration, ventilation, heating and air conditioning, and lighting to enclosed working spaces and spaces used for storage if, after consultation, such application is considered appropriate and will not have a negative influence on the function of the process or working conditions or the quality of the catches.

8. The use of gross tonnage as referred to in Article 5 of the Convention is limited to the following specified paragraphs of this Annex: 14, 37, 38, 41, 43, 46, 49, 53, 55, 61, 64, 65 and 67. For these purposes, where the competent authority, after consultation, decides to use gross tonnage (gt) as the basis of measurement—

(a) a gross tonnage of 75 gt shall be considered equivalent to a length (L) of 15 metres or a length overall (LOA) of 16.5 metres;

(b) a gross tonnage of 300 gt shall be considered equivalent to a length (L) of 24 metres or a length overall (LOA) of 26.5 metres;

(c) a gross tonnage of 950 gt shall be considered equivalent to a length (L) of 45 metres or a length overall (LOA) of 50 metres.

**PLANNING AND CONTROL**

1. The competent authority shall satisfy itself that, on every occasion when a vessel is newly constructed or the crew accommodation of a vessel has been reconstructed, such vessel complies with the requirements of this Annex. The competent authority shall, to the extent practicable, require compliance with this Annex when the crew accommodation of a vessel is substantially altered and, for a vessel that changes the flag it flies to the flag of the Member, require compliance with those requirements of this Annex that are applicable in accordance with paragraph 2 of this Annex.

2. For the occasions noted in paragraph 9 of this Annex, for vessels of 24 metres in length and over, detailed plans and information concerning accommodation shall be required to be submitted for approval to the competent authority, or an entity authorized by it.

3. For vessels of 24 metres in length and over, on every occasion when the crew accommodation of the fishing vessel has been reconstructed or substantially altered, the competent authority shall inspect the accommodation for compliance with the requirements of the Convention, and when the vessel changes the flag it flies to the flag of the Member, for compliance with those requirements of this Annex that are applicable in accordance with paragraph 2 of this Annex. The competent authority may carry out additional inspections of crew accommodation at its discretion.

4. When a vessel changes flag, any alternative requirements which the competent authority of the Member whose flag the ship was formerly flying may have adopted in accordance with paragraphs 15, 39, 47 or 62 of this Annex cease to apply to the vessel.

**DESIGN AND CONSTRUCTION**

**HEADROOM**
1. There shall be adequate headroom in all accommodation spaces. For spaces where fishers are expected to stand for prolonged periods, the minimum headroom shall be prescribed by the competent authority.

2. For vessels of 24 metres in length and over, the minimum permitted headroom in all accommodation where full and free movement is necessary shall not be less than 200 centimetres.

3. Notwithstanding the provisions of paragraph 14, the competent authority may, after consultation, decide that the minimum permitted headroom shall not be less than 190 centimetres in any space—or part of any space—in such accommodation, where it is satisfied that this is reasonable and will not result in discomfort to the fishers.

OPENINGS INTO AND BETWEEN ACCOMMODATION SPACES

1. There shall be no direct openings into sleeping rooms from fish rooms and machinery spaces, except for the purpose of emergency escape. Where reasonable and practicable, direct openings from galleys, storerooms, drying rooms or communal sanitary areas shall be avoided unless expressly provided otherwise.

2. For vessels of 24 metres in length and over, there shall be no direct openings, except for the purpose of emergency escape, into sleeping rooms from fish rooms and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas; that part of the bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or another approved material and shall be watertight and gas-tight. This provision does not exclude the possibility of sanitary areas being shared between two cabins.

INSULATION

1. Accommodation spaces shall be adequately insulated; the materials used to construct internal bulkheads, panelling and sheeting, and floors and joinings shall be suitable for the purpose and shall be conducive to ensuring a healthy environment. Sufficient drainage shall be provided in all accommodation spaces.

OTHER

1. All practicable measures shall be taken to protect fishing vessels’ crew accommodation against flies and other insects, particularly when vessels are operating in mosquito-infested areas.

2. Emergency escapes from all crew accommodation spaces shall be provided as necessary.

NOISE AND VIBRATION

1. The competent authority shall take measures to limit excessive noise and vibration in accommodation spaces and, as far as practicable, in accordance with relevant international standards.

2. For vessels of 24 metres in length and over, the competent authority shall adopt standards for noise and vibration in accommodation spaces which shall ensure adequate protection to fishers from the effects of such noise and vibration, including the effects of noise- and vibration-induced fatigue.

VENTILATION

1. Accommodation spaces shall be ventilated, taking into account climatic conditions. The system of ventilation shall supply air in a satisfactory condition whenever fishers are on board.

2. Ventilation arrangements or other measures shall be such as to protect non-smokers from tobacco smoke.

3. Vessels of 24 metres in length and over shall be equipped with a system of ventilation for accommodation, which shall be controlled so as to maintain the air in a satisfactory condition and to ensure sufficiency of air movement in all weather conditions and climates. Ventilation systems shall be in operation at all times when fishers are on board.

HEATING AND AIR CONDITIONING

1. Accommodation spaces shall be adequately heated, taking into account climatic conditions.

2. For vessels of 24 metres in length and over, adequate heat shall be provided, through an appropriate heating system, except in fishing vessels operating exclusively in tropical climates. The system of heating shall provide heat in all conditions, as necessary, and shall be in operation when fishers are living or working on board, and when conditions so require.

3. For vessels of 24 metres in length and over, with the exception of those regularly engaged in areas where temperate climatic conditions do not require it, air conditioning shall be provided in accommodation spaces, the bridge, the radio room and any centralized machinery control room.

LIGHTING

1. All accommodation spaces shall be provided with adequate light.

2. Wherever practicable, accommodation spaces shall be lit with natural light in addition to artificial light. Where sleeping spaces have natural light, a means of blocking the light shall be provided.

3. Adequate reading light shall be provided for every berth in addition to the normal lighting of the sleeping
4. Emergency lighting shall be provided in sleeping rooms.

5. Where a vessel is not fitted with emergency lighting in mess rooms, passageways, and any other spaces that are or may be used for emergency escape, permanent night lighting shall be provided in such spaces.

6. For vessels of 24 metres in length and over, lighting in accommodation spaces shall meet a standard established by the competent authority. In any part of the accommodation space available for free movement, the minimum standard for such lighting shall be such as to permit a person with normal vision to read an ordinary printed newspaper on a clear day.

SLEEPING ROOMS

GENERAL

1. Where the design, dimensions or purpose of the vessel allow, the sleeping accommodation shall be located so as to minimize the effects of motion and acceleration but shall in no case be located forward of the collision bulkhead.

FLOOR AREA

2. The number of persons per sleeping room and the floor area per person, excluding space occupied by berths and lockers, shall be such as to provide adequate space and comfort for the fishers on board, taking into account the service of the vessel.

3. For vessels of 24 metres in length and over but which are less than 45 metres in length, the floor area per person of sleeping rooms, excluding space occupied by berths and lockers, shall not be less than 1.5 square metres.

4. For vessels of 45 metres in length and over, the floor area per person of sleeping rooms, excluding space occupied by berths and lockers, shall not be less than 2 square metres.

5. Notwithstanding the provisions of paragraphs 37 and 38, the competent authority may, after consultation, decide that the minimum permitted floor area per person of sleeping rooms, excluding space occupied by berths and lockers, shall not be less than 1.0 and 1.5 square metres respectively, where the competent authority is satisfied that this is reasonable and will not result in discomfort to the fishers.

PERSONS PER SLEEPING ROOM

1. To the extent not expressly provided otherwise, the number of persons allowed to occupy each sleeping room shall not be more than six.

2. For vessels of 24 metres in length and over, the number of persons allowed to occupy each sleeping room shall not be more than four. The competent authority may permit exceptions to this requirement in particular cases if the size, type or intended service of the vessel makes the requirement unreasonable or impracticable.

3. To the extent not expressly provided otherwise, a separate sleeping room or sleeping rooms shall be provided for officers, wherever practicable.

4. For vessels of 24 metres in length and over, sleeping rooms for officers shall be for one person wherever possible and in no case shall the sleeping room contain more than two berths. The competent authority may permit exceptions to the requirements of this paragraph in particular cases if the size, type or intended service of the vessel makes the requirements unreasonable or impracticable.

OTHER

1. The maximum number of persons to be accommodated in any sleeping room shall be legibly and indelibly marked in a place in the room where it can be conveniently seen.

2. Individual berths of appropriate dimensions shall be provided. Mattresses shall be of a suitable material.

3. For vessels of 24 metres in length and over, the minimum inside dimensions of the berths shall not be less than 198 by 80 centimetres.

4. Notwithstanding the provisions of paragraph 46, the competent authority may, after consultation, decide that the minimum inside dimensions of the berths shall not be less than 190 by 70 centimetres, where it is satisfied that this is reasonable and will not result in discomfort to the fishers.

5. Sleeping rooms shall be so planned and equipped so as to ensure reasonable comfort for the occupants and to facilitate tidiness. Equipment provided shall include berths, individual lockers sufficient for clothing and other personal effects, and a suitable writing surface.

6. For vessels of 24 metres in length and over, a desk suitable for writing, with a chair, shall be provided.

7. Sleeping accommodation shall be situated or equipped, as practicable, so as to provide appropriate levels of privacy for men and for women.
MESS ROOMS

1. Mess rooms shall be as close as possible to the galley, but in no case shall be located forward of the collision bulkhead.

2. Vessels shall be provided with mess-room accommodation suitable for their service. To the extent not expressly provided otherwise, mess-room accommodation shall be separate from sleeping quarters, where practicable.

3. For vessels of 24 metres in length and over, mess-room accommodation shall be separate from sleeping quarters.

4. The dimensions and equipment of each mess room shall be sufficient for the number of persons likely to use it at any one time.

5. For vessels of 24 metres in length and over, a refrigerator of sufficient capacity and facilities for making hot and cold drinks shall be available and accessible to fishers at all times.

TUBS OR SHOWERS, TOILETS AND WASHBASINS

1. Sanitary facilities, which include toilets, washbasins, and tubs or showers, shall be provided for all persons on board, as appropriate for the service of the vessel. These facilities shall meet at least minimum standards of health and hygiene and reasonable standards of quality.

2. The sanitary accommodation shall be such as to eliminate contamination of other spaces as far as practicable. The sanitary facilities shall allow for reasonable privacy.

3. Cold fresh water and hot fresh water shall be available to all fishers and other persons on board, in sufficient quantities to allow for proper hygiene. The competent authority may establish, after consultation, the minimum amount of water to be provided.

4. Where sanitary facilities are provided, they shall be fitted with ventilation to the open air, independent of any other part of the accommodation.

5. All surfaces in sanitary accommodation shall be such as to facilitate easy and effective cleaning. Floors shall have a non-slip deck covering.

6. On vessels of 24 metres in length and over, for all fishers who do not occupy rooms to which sanitary facilities are attached, there shall be provided at least one tub or shower or both, one toilet, and one washbasin for every four persons or fewer.

7. Notwithstanding the provisions of paragraph 61, the competent authority may, after consultation, decide that there shall be provided at least one tub or shower or both and one washbasin for every six persons or fewer, and at least one toilet for every eight persons or fewer, where the competent authority is satisfied that this is reasonable and will not result in discomfort to the fishers.

LAUNDRY FACILITIES

1. Amenities for washing and drying clothes shall be provided as necessary, taking into account the service of the vessel, to the extent not expressly provided otherwise.

2. For vessels of 24 metres in length and over, adequate facilities for washing, drying and ironing clothes shall be provided.

3. For vessels of 45 metres in length and over, adequate facilities for washing, drying and ironing clothes shall be provided in a compartment separate from sleeping rooms, mess rooms and toilets, and shall be adequately ventilated, heated and equipped with lines or other means for drying clothes.

FACILITIES FOR SICK AND INJURED FISHERS

1. Whenever necessary, a cabin shall be made available for a fisher who suffers illness or injury.

2. For vessels of 45 metres in length and over, there shall be a separate sick bay. The space shall be properly equipped and shall be maintained in a hygienic state.

OTHER FACILITIES

A place for hanging foul-weather gear and other personal protective equipment shall be provided outside of, but convenient to, sleeping rooms.

BEDDING, MESS UTENSILS AND MISCELLANEOUS PROVISIONS

Appropriate eating utensils, and bedding and other linen shall be provided to all fishers on board. However, the cost of the linen can be recovered as an operational cost if the collective agreement or the fisher’s work agreement so provides.

RECREATIONAL FACILITIES
For vessels of 24 metres in length and over, appropriate recreational facilities, amenities and services shall be provided for allfishers on board. Where appropriate, mess rooms may be used for recreational activities.

**COMMUNICATION FACILITIES**

All fishers on board shall be given reasonable access to communication facilities, to the extent practicable, at a reasonable cost and not exceeding the full cost to the fishing vessel owner.

**ALLEY AND FOOD STORAGE FACILITIES**

1. Cooking equipment shall be provided on board. To the extent not expressly provided otherwise, this equipment shall be fitted, where practicable, in a separate galley.

2. The galley, or cooking area where a separate galley is not provided, shall be of adequate size for the purpose, well lit and ventilated, and properly equipped and maintained.

3. For vessels of 24 metres in length and over, there shall be a separate galley.

4. The containers of butane or propane gas used for cooking purposes in a galley shall be kept on the open deck and in a shelter which is designed to protect them from external heat sources and external impact.

5. A suitable place for provisions of adequate capacity shall be provided which can be kept dry, cool and well ventilated in order to avoid deterioration of the stores and, to the extent not expressly provided otherwise, refrigerators or other low-temperature storage shall be used, where possible.

6. For vessels of 24 metres in length and over, a provisions storeroom and refrigerator and other low-temperature storage shall be used.

**FOOD AND POTABLE WATER**

1. Food and potable water shall be sufficient, having regard to the number of fishers, and the duration and nature of the voyage. In addition, they shall be suitable in respect of nutritional value, quality, quantity and variety, having regard as well to the fishers’ religious requirements and cultural practices in relation to food.

2. The competent authority may establish requirements for the minimum standards and quantity of food and water to be carried on board.

**CLEAN AND HABITABLE CONDITIONS**

1. Accommodation shall be maintained in a clean and habitable condition and shall be kept free of goods and stores which are not the personal property of the occupants or for their safety or rescue.

2. Galley and food storage facilities shall be maintained in a hygienic condition.

3. Waste shall be kept in closed, well-sealed containers and removed from foodhandling areas whenever necessary.

**INSPECTIONS BY THE SKIPPER OR UNDER THE AUTHORITY OF THE SKIPPER**

For vessels of 24 metres in length and over, the competent authority shall require frequent inspections to be carried out, by or under the authority of the skipper, to ensure that—

(a) accommodation is clean, decently habitable and safe, and is maintained in a good state of repair;

(b) food and water supplies are sufficient; and

(c) galley and food storage spaces and equipment are hygienic and in a proper state of repair.

The results of such inspections, and the actions taken to address any deficiencies found, shall be recorded and available for review.

**VARIATIONS**

The competent authority, after consultation, may permit derogations from the provisions in this Annex to take into account, without discrimination, the interests of fishers having differing and distinctive religious and social practices, on condition that such derogations do not result in overall conditions less favourable than those which would result from the application of this Annex.

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**Footnotes**

* Inflammable” has the same meaning as “flammable”.

* Instead of the requirements in this Part, the Regulations on Subdivision and Stability of Passenger Ships as an Equivalent to Part B of Chapter II of the International Convention for the Safety of Life at Sea, 1960, adopted by the Organization by Resolution A.265 (VIII), may be used, if applied, in their entirety.

* Whichever results in the more severe requirements.
† Reference is made to the Recommendation on a Standard Method for Establishing Compliance with the Requirements for Cross-Flooding Arrangements in Passenger Ships, adopted by the organization by Resolution A.266 (VIII).

* Reference is made to the Recommendation on Intact Stability for Passenger and Cargo Ships under 100 metres in length, adopted by the Organization by Resolution A.167 (ES.IV) and Amendments to this Recommendation, adopted by the Organization by Resolution A.206 (VII).

† Reference is made to the Recommendation on Safety Measures for Periodically Unattended Machinery Spaces of Cargo Ships additional to those normally considered necessary for an Attended Machinery Space, adopted by the Organization by Resolution A.211 (VII).

† Reference is made to the Recommendation on Steering Gear for Large Ships, adopted by the Organization by Resolution A.210 (VII).

* Reference is made to the Recommendation on Safety Measures for Periodically Unattended Machinery Spaces of Cargo Ships additional to those normally considered necessary for an Attended Machinery Space, adopted by the Organization by Resolution A.211 (VII).

* Inflammable” has the same meaning as “flammable”.

† Reference is made to Recommendation on Test Method for Qualifying Marine Construction Materials as Non-Combustible, adopted by the Organization by Resolution A.270 (VIII).

§ Reference is made to Recommendation for Fire Test Procedures for “A” and “B” Class Divisions, adopted by the Organization by Resolutions A.163 (ES.IV) and A.215 (VII).

* Reference is made to Recommendation for Fire Test Procedures for “A” and “B” Class Divisions, adopted by the Organization by Resolutions A.163 (ES.IV) and A.215 (VII).


† Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).

* Reference is made to Recommendation on Fixed Fire Extinguishing Systems for Special Category Spaces, adopted by the Organization by Resolution A.123 (V).

* A water fog applicator might consist of a metal “L”-shaped pipe, the long limb being about 2 metres (6 feet) in length capable of being fitted to a fire hose and the short limb being about 250 millimetres (10 inches) in length fitted with a fixed water fog nozzle or capable of being fitted with a water spray nozzle.


* Reference is made to Improved Provisional Guidelines on Tek Coverings, adopted by the Organization by Resolution A.214 (VII).

* Reference is made to Recommendation on Safety Measures for Periodically Unattended Machinery Spaces of Cargo Ships additional to those normally considered necessary for an Attended Machinery Space, adopted by the Organization by Resolution A.211 (VII).

§ Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).

* Reference is made to Improved Provisional Guidelines on Test Procedures for Primary Deck Coverings, adopted by the Organization by Resolution A.214 (VII).


* The following ranges of visibilities of the light might be expected in given atmospheric conditions.

* Note on (C): Where the length of the ship is under 31 metres (100 feet) or over 168 metres (550 feet) the minimum number of sets of davits and the cubic capacity of the lifeboats shall be prescribed by the Administration.

* Such ships are subject to special requirements relative to radio for safety purposes, as contained in the relevant agreement between Canada and the United States of America.

* In the absence of a direct measurement of the field strength the following data may be used as a guide for approximately determining the normal range.

* For the purpose of determining the electrical load to be supplied by the reserve source of energy, the following formula is recommended as a guide:

\[
\frac{1}{2} \text{ of the transmitter current consumption with the key down (mark)} \]

\[+\frac{1}{2} \text{ of the transmitter current consumption with the key up (space)} \]

* current consumption of receiver and additional circuits connected to the reserve source of energy.

* In the absence of a measurement of the field strength, it may be assumed that this range will be obtained if the product of the height of the antenna above the water-line and the antenna current (R.M.S. value) is 10 metre-amperes.

* It may be assumed that the purposes of this Regulation will be satisfied by the following performance:

At least 10 watts input to the anode of the final stage or a radiofrequency output of at least 2,0 watts (A2 emission) at 500 kHz into an artificial antenna having an effective resistance of 15 ohms and 100 x 10 farads capacitance in series. The depth of modulation shall be at least 70 per cent.
In the absence of field strength measurements, it may be assumed that this range will be obtained by a power in the antenna of 15 watt (unmodulated carrier) with an antenna efficiency of 27 per cent.

† For the purpose of determining the electrical load to be supplied by batteries required to have six hours reserve capacity, the following formula is recommended as a guide:

\[
\frac{1}{2} \text{ of the current consumption necessary for speech transmission} + \text{current consumption of receiver} + \text{current consumption of all additional loads to which the batteries may supply energy in time of distress or emergency}
\]

* For guidance purposes, it is assumed that each ship would be fitted with a vertically polarized unity gain antenna at a nominal height of 9,15 metres (30 feet) above water, a transmitter R.F. power output of 10 watts, and a receiver sensitivity of two microvolts across the input terminals for 20 db signal-to-noise ratio.

1 Refer to the performance standards and functional requirements for the long-range identification and tracking of ships, adopted by the Maritime Safety Committee of the Organization by resolution MSC.210 (81).

* For example, the permissible angle of heel might be limited to the angle of heel at which the edge of the weather deck would be immersed in still water.

* For the purpose of converting the above loads into British units (ton/ft) 1 kg per metre length shall be taken to be equivalent to 0,0003 ton per foot length.

† Where the distance from a division to a feeder or hatchway is 1 metre or less, the height—h—shall be taken to the level of the grain within that hatchway or feeder. In all cases the height shall be taken to the overhead deck in way of the division.

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* "Inflammable" has the same meaning as "flammable".

* Delete as appropriate

* Delete as appropriate

† Insert here references to Chapters and Regulations, specifying particular paragraphs.

* Insert here the conditions, if any, on which the exemption certificate is granted.