

South African Maritime Safety Authority



Marine Notice No. 11 of 2005

Procedure for registering a pleasure yacht of less than 25 gross tonnage through South African Sailing

TO THE OWNERS OF SOUTH AFRICAN YACHTS, THE SECRETARY OF SOUTH AFRICAN SAILING, THE REGISTRAR OF SHIPS AND PRINCIPAL OFFICERS

Summary

This marine notice sets out a procedure for registering a pleasure yacht through South African Sailing.

1 In terms of section 44 of the *Ship Registration Act, 1998*, a vessel entitled to be registered that makes a voyage to a place outside the Republic must be registered in the South African Register of Ships and have a registration certificate. In other cases registration is voluntary, for example where a financial institution involved in financing the vessel requires registration as a matter of commercial practice or the owner, for whatever reason, wishes the vessel be to registered.

2 For registrations of pleasure yachts (i.e. yachts used solely for sport or recreation) of less than 25 gross tonnage, SAMSA has agreed an arrangement with South African Sailing (SAS) that allows the owner of a yacht to apply for registration through SAS.

3 The application must be in accordance with the form given in Annex 1 and be accompanied by the following:

- .1 Declaration of ownership and nationality;
- .2 Proof of ownership (including builders certificate);
- .3 Drawings;
- .4 ICASA radio station licence, if applicable;
- .5 A report of survey for the issue of a local safety certificate;
- .6 The prescribed fee.

4 The application may be submitted through SAS, who will screen it and offer any necessary assistance. If in order, SAS will submit the application to the Ship Registration Office (SRO) for processing. If the Registrar of Ships grants the application, he/she will issue a carving and marking note for the vessel and forward it to SAS. A SAS-appointed surveyor will ensure that the vessel is marked in accordance with the note and, if satisfied, sign off the note. SAS will submit the signed-off note to the SRO, which will then proceed with the vessel's registration. The vessel's registration certificate will be sent to SAS for delivery, in turn, to the vessel's owner.

5 The following additional guidance is offered and should be taken into account:

.1 **Application for registration**

This form starts the registration process. It requires important information about the vessel and its ownership and operation. Three proposed names, in order of preference, are required. The prescribed characteristics required by the form appear in the register and on the registration certificate and are there to assist in identifying the vessel. They describe the vessel and list some specific details prescribed by the regulations such as overall length, maximum breadth, type of stem and stern, details of the engine, number of masts, decks etc. The information on this form must be accurate. The form is given in Annex 1.

.2 **Declaration of ownership and nationality**

Form OP1106/3 "Declaration of Ownership and Nationality" must be completed and supported by certified copies of original documents attesting nationality. The form is given in Annex 2.

Proof of nationality is given in the following ways:

- if the vessel is owned by an individual, by a copy of the owner's identity document;
- if the vessel is owned by a company, by:
 - a copy of the company's memorandum and articles of association;
 - a copy of the certificate of incorporation; and
 - a director's resolution giving authority to the person to act on behalf of the company;
- if the vessel is owned by a closed corporation, by a copy of the founding statement;
- if the vessel is owned by a trust, by:
 - a copy of the trust deed; and
 - a statement of nationality of each beneficiary and of each person's beneficial interest in the trust.

A vessel that is foreign owned may be registered if it is operated solely by South African residents or nationals. Further information can be obtained from the Registrar.

.3 **Proof of ownership**

Proof of ownership is generally established by a builder's certificate (the form is given in Annex 3) or a bill of sale or by some other document evidencing title to the vessel. In the case of a new building where no change of ownership has occurred, the builder's certificate is sufficient proof of ownership. If ownership cannot be proved (e.g. because of the unavailability of documents), a procedure for advertising in the *Gazette* is available. Further information can be obtained from the Registrar.

.4 **Pre-registration survey**

The Registrar has to be satisfied that the vessel is fit for use in terms of safety or any risk of pollution, hence the pre-registration survey. This survey will be carried out by a SAMSA-recognised SAS surveyor. The surveyor will issue a report of survey, which must accompany the application for registration. The local safety certificate will be issued by the local Principal Officer once the Registrar notifies the officer that the vessel has been registered.

.5 **Drawings**

For a new vessel a general arrangement is required. The drawing(s) must be to a scale of 1:50 and show a side elevation, a plan view of every deck and a transverse section through amidships.

For existing vessels where drawings do not exist, SAMSA will accept colour photographs showing a side view and bow and stern views. The photographs should show the largest possible view of the vessel and may not be less than 150 mm x 100 mm.

.6 **Radio station licence**

If the vessel has a radio station licence issued by ICASA, a copy must accompany the application for registration.

.7 **Prescribed fee**

The prescribed fee is determined in the current Determination of Charges, which is published in the *Gazette*. The charges are revised from time to time and the current (VAT inclusive) fees are as follows:

Registration—R1 533.30

Issue of local safety certificate—R74.10

If SAMSA conducts the pre-registration survey and the inspection of the carving and marking, the following fees are payable:

Pre-registration survey (non-passenger vessels under 50 GT)—R763.80

Issue and inspection of carving and marking—R763.80

.8 **Carving and marking**

All registered vessels are required to be carved and marked. This requires the vessel's name to be inscribed in a highly visible part on both sides of the vessel; the home port to be inscribed on the transom; and the official number and length overall to be inscribed on a visible part of the inside of the transom or, in the case of a decked vessel, in a visible part on a bulkhead nearest amidships. These are the home ports:

Cape Town;

Saldanha;

Mossel Bay;

Port Elizabeth;

East London;

Durban;

Richards Bay.

(Marine Notice No. 3 of 2003 gives additional guidance on the carving and marking of vessels.)

.9 **Approval of vessel name**

No two vessels on the register may have the same name. The application for registration must therefore list 3 proposed names in order of preference. The Registrar will usually approve the first name, unless it is already in use or is otherwise inappropriate. The approved name will appear on the carving and marking note.

.10 **Registered agent**

A registered vessel is required to have a registered agent, whose information will appear in the register. The vessel's owner or operator is usually the agent. The application form requires the details of the person who is to be the vessel's registered agent.

.11 **Overall length**

The overall length of the vessel must be confirmed. This can be done by the SAS surveyor who conducts the survey for the issue of the local safety certificate. The overall length can usually be found on the builder's certificate. The length may be expressed in millimetres or in metres to 3 decimal places (e.g 14650mm or 14.650m).

.12 **Gross tonnage**

Gross tonnage (GT) is not a measurement of mass; it is a number derived from the formula $GT = V(0.2 + 0.02 \log_{10} V)$, where V is the enclosed volume of the vessel in cubic metres.

.13 **Breadth**

This is the maximum breadth of the vessel.

.14 **Depth**

This is the maximum depth of the vessel from the top of the main or continuous deck to the top of the keel. It excludes the depth of the keel.

.15 **Period of registration**

A vessel's registration is valid for 5 years. Before expiry, the Registrar will send the registered agent a renewal notice. If the agent does not respond, the vessel's registration automatically expires and will be closed.

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SM6/5/2/1

SM11/1/1

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REPUBLIC OF SOUTH AFRICA

ANNEX 1

OP-1109/1

SOUTH AFRICAN MARITIME
SAFETY AUTHORITY



REPUBLIEK VAN SUID-AFRIKA

SUID-AFRIKAANSE MARITIEME
VEILIGHEIDSOWERHEID

Ship Registration Act, 1998 (Act No. 58 of 1998)

Wet op Skeepsregistrasie, 1998 (Wet No. 58 van 1998)

**APPLICATION FOR REGISTRATION/
RENEWAL OF REGISTRATION**
[mark whichever is applicable]
INCLUDING PRESCRIBED CHARACTERISTICS

NOTE:
This form is to be completed in full and all information supplied is to be a true reflection of the vessel's details.
Blocks where information is requested that is not applicable to your vessel is to be completed with N/A.
The information required may be typed or entered neatly by hand.
No form will be accepted that is illegible or incomplete.

Identification of vessel

Existing name of vessel <i>[Vessel previously registered in the Republic or elsewhere]</i>		Three proposed names in order of preference <i>[To complete if a first registration & three names must be listed]</i>				
IMO No. <i>[This number is not applicable to fishing vessels, sailing vessels or pleasure yachts]</i>						
Call sign <i>[Issued by ICASA & a copy of the radio station licence to be attached]</i>		Type of vessel <i>[Indicate whether fishing, yacht, cargo, tanker etc]</i>				
Home port <i>[Mark with an X of the following ports as a home port]</i>						
Cape Town	Saldanha	Mossel Bay	Port Elizabeth	East London	Durban	Richards Bay

To be completed where the ship has previously been registered (whether in the Republic or elsewhere).

Name of ship	
Official No.	
Nationality	
Port of registry	

Builders particulars

Name and address of builder	Hull ID allocated by builder	Principal material of construction of hull
Place built	Year built	Proposed date of completion <i>[Only applicable to new buildings]</i>

Owners particulars *[The person or entity in whose name the vessel is to be registered]*

Full names			
Physical address			
Postal address			
Telephone No.	Fax No.	Cell No.	E-mail address

Builders dimensions

Gross tonnage <i>[small vessel insert u/25GT)</i>		Number of decks			
Net tonnage		Number of masts <i>[total number of single masts, derrick posts & twin derrick posts]</i>			
Registered length <i>[Not applicable to u/25 GT vessels]</i>		Rigged <i>[Only to be completed if fitted with sails]</i>	Yes	No	
Overall length		Stem <i>[description of bow above load waterline]</i>	Straight	Curved	Other
			Raked	Clipper	
Breadth		Stern <i>[description of form of the aftermost part of the hull above the load waterline]</i>	Counter	Transom	Other
			Cruiser		
Depth		Build <i>[Is relative to the construction of the shell plating or planking.]</i>	Clinker	Carvel	Both
Method of propulsion		Number of watertight bulkheads <i>[No. of complete transverse bulkheads bounding main compartments up to the tonnage deck]</i>			

Engine particulars *[Details of main engines]*

Make	Manufacturer's name and address				
Model of engines					
Year manufactured		No. of cylinders			
No. of engines		Bore			
No. of shafts		Length of stroke			
Estimated speed		Knots	Power per engine: <i>[complete whichever is applicable]</i>		
Means of power transmission <i>[Including number of screws, paddles, or jets]</i>	No of screws	_____	_____	KW each	
	No of paddles	_____	_____	BHP each	
	No of jets	_____	_____	IP each	
			_____	SP each	

Boilers *[To be completed only if the vessel is steam driven]*

Make and description				
Address of manufacturer				
Year built	No. of boilers	Burners/boiler	Working pressure	Use of boiler

Registered agent's particulars

Name				
Physical address				
Postal address				
Telephone No.	Cell No.	Fax No.	E-mail address	

I, as owner/acting on behalf of
(Name in print)

the owner declare the above information to be true and correct.

.....
Signature of owner

.....
Date

REPUBLIC OF SOUTH AFRICA

ANNEX 2

OP-1108/3

**SOUTH AFRICAN
MARITIME SAFETY AUTHORITY**



REPUBLIEK VAN SUID-AFRIKA

**SUID-AFRIKAANSE MARITIEME
VEILIGHEIDSOWERHEID**

Ship Registration Act, 1998 (Act No. 58 of 1998)

Wet op Skeepsregistrasie, 1998 (Wet No. 58 van 1998)

DECLARATION OF OWNERSHIP AND NATIONALITY

Entered in the Register this _____ day of
 _____ 2 _____ at _____
 _____ Registrar

Official No.	IMO No.	Name of vessel	No., date of registration and home port	Gross tonnage	Net tonnage

DETAILS OF OWNERSHIP AND NATIONALITY

I (full names)

Representing

Address in full

Nationality

DECLARE AS FOLLOWS:

- The above general description of the ship is correct. (This ship is described more fully in the tonnage certificate (if any) and the Register.)
- In the case of ownership of registered owner's interest as:

(A) INDIVIDUAL

I am a South African citizen within the meaning of Chapter 2 of the South African Citizenship Act, 1995 (Act 88 of 1995); OR
 *a South African resident within the meaning of paragraph (a) or (b) of the definition of "South African resident" in section 1(1) of the Act
 and I am entitled to be registered as:

A Insert owner, executor, administrator, trustee, charterer as appropriate of

--

 Shares ^H
 Insert joint owner, joint executor, joint administrator or joint trustee, joint charterer as appropriate of

--

 Shares ^H

(B) CORPORATION

- A corporation to which paragraph (b), (c), or (d) of the definition of "South African National" in section 1(1) of the Act applies; OR
- * A corporation to which paragraph (c) or (d) of the definition of "South African resident" in section 1(1) of the Act applies; OR
- ** A corporation to which paragraph (c) of the definition of "local fishing vessel" in section 1 of the Marine Living Resources Act, 1998 (Act 18 of 1998), applies; OR
- ** A corporation to which paragraph (b) or (c) of the definition of "South African person" in section 1 of the Marine Living Resources Act, 1998 (Act 18 of 1998), applies

The Corporation is entitled to be registered as

A Insert owner, executor, administrator, trustee, charterer as appropriate of

--

 Shares ^H
 Insert joint owner, joint executor, joint administrator, joint trustee, joint charterer as appropriate of

--

 Shares ^H

3. The ownership of the shares in the ship described above have become vested in me by Bill of Sale signed at _____
 on the _____ day of _____ 2_____.

^H 64 shares represent 100% ownership of a South African ship
 • Only applicable to registered small vessels
 ** Only applicable to registered fishing vessels

Note: Paragraphs 2(A) or 2(B) and 3 have to be completed.

DECLARED BEFORE ME at _____	INDIVIDUAL
on this _____ day of _____ 2 _____	CORPORATION
Signature	Signature
Name and title (please print)	Name of Corporation (please print)
Address	Signature
	Name and designation of signatory (please print)

Notes:

1. If there is more than one owner, whether individual or joint, a separate Declaration must be completed by each owner.
2. Declarations must be made before the Registrar, a Commissioner of Oaths or any other person authorized by law to administer oaths in the territory of the Republic or the country where the declaration is made.
3. In the case of a corporation, this declaration must be made on behalf of the corporation by a duly authorized officer of the corporation.

ANNEX 3

REPUBLIC OF SOUTH AFRICA
SOUTH AFRICAN MARITIME
SAFETY AUTHORITY



REPUBLIEK VAN SUID-AFRIKA
SUID-AFRIKAANSE MARITIEME
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BUILDER'S CERTIFICATE

Name of builder	Address of builder	Tel No.
		Fax No.
		E-mail address

PHASE OF CONSTRUCTION COVERED BY CERTIFICATE

	Entire construction	Year phase of construction	
	Hull only	Year completed	
	Completion only (Hull built by another)		

VESSEL DATA

Hull identification No./ Yard No.		Name of vessel (if known)		Place of build (City and country)	
Equipped with engine(s)	Yes	No	Equipped with an outboard	Yes	No
No. of engines		Description of engines			
Hull material	Wood	Steel	GRP	Aluminium	Concrete
Other (Specify)					

OWNER'S PARTICULARS

Name of owner(s)	Address of owner(s)