



South African Maritime Safety Authority

Ref. SM 6/5/2/1
SM 14/2/7/1
SM 9/2/2

Date: 16 March 2020

Marine Notice No. 12 of 2020

Implementation of regulatory provisions for Fishing Vessels and Fishers

TO ALL FISHERS, FISHING VESSEL OPERATORS, SURVEYORS, PRINCIPAL OFFICERS AND EDUCATION AND TRAINING INSTITUTIONS

Summary

This Marine Notice is intended to supplement Marine Notices 35 of 2016, 16 of 2017 and Marine Notice 18 of 2019 with regards to the implementation of the provisions relating to the Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013, as amended, (the Regulations).

1. Marine Notices 35 of 2016 and 16 of 2017 provides for general extension of the implementation dates of the provisions for manning of Fishing Vessels and Certification of Fishers.
2. Having considered the developments since the two Marine Notices were published, SAMSA in consultation with the fishing industry, have revised the requirements for manning of fishing vessels of less than 24 metres.
3. The effect of the revision means that fishing vessels of less than 24 metres in length operating less than 40 nautical miles from shore only, shall not be required to have certificated ratings onboard.
4. The proposed draft amendments to regulations have been amended to provide for this matter. However, SAMSA officers shall, with immediate effect, use the manning scales set out in this Marine Notice when issuing Safe Manning documents for fishing vessels ≥ 25 GT but of less than 24m metres.
5. This marine notice shall constitute an Exemption in accordance with Regulation 114 and a determination in accordance with Regulations 105 of the MS (SMTC) Regulations

Item	Size of vessel	Minimum certification and number to be employed		
		Able seafarer deck (fishing)/ Ordinary Seafarer deck	SCRB	Efficient Cook
1	≥ 25 GT but < 24 m	1 (a)	-	-
2	≥ 24 m but < 45 m (b)	2	1	1(c)
3	≥ 45 m	2	2	1(c)

(a) As a minimum an Ordinary Seafarer Deck is required on vessels operating more than 40NM offshore.
 (b) Vessels ≥ 24 m but < 30 m shall retain the manning levels that applied to that vessel under the Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013, as amended
 (c) For crew of more than 30 (1 cook per 30)
 (d) Where a combination of ratings are required, at least half of the ratings shall hold “Able seafarer deck (fishing)” certificate.

6. Owners, operators and skippers of vessels engaged in fishing and remaining at sea for more than three days (3) shall, whilst complying with the above minimum requirements, ensure that the vessel is sufficiently and efficiently manned for the safe navigation and operation and that Officers in charge of a navigation watch and ratings forming part of a navigation watch are given sufficient periods of rest.
7. Master's and Owners should be aware that *Annex 2 - Watchkeeping Principles and Arrangements for Fishing Vessels* will remain in force and due diligence should be applied by Master, Owners and Principal Officer(s).
8. This Marine Notice does not in any way limit the power of the Proper Officer to issue and determine suitable manning levels as authorised by regulation 91(4) of the Regulations. Regulation 91(4)(c) states:

quote

4(c) The proper officer shall, when determining the adequacy of the crew in accordance with this subregulation, take the following into account:

- (i) the complement normally carried by similar ships employed on similar voyages or operations;*
- (ii) the complement that the ship in question has recently carried on previous voyages or operations;*
- (iii) the complement adequate to ensure compliance with regulations 92 and 93; and*
- (iv) the nature of the service for which the ship is intended.*

unquote

10. This Marine Notice remains valid only until such time as the draft MS (SMTC) regulations have been gazetted.

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