

# DEPARTMENT OF TRANSPORT

No. R. 505

GG 23345 (RG 7336)

26 April 2002

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

## MERCHANT SHIPPING (EPIRB REGISTRATION) REGULATIONS, 2002\*

The Minister of Transport has, under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made the regulations in the Schedule.

### SCHEDULE

#### Title and commencement

1. These regulations are called the Merchant Shipping (EPIRB Registration) Regulations, 2002, and come into operation on 1 June 2002.

#### Interpretation

2. In these regulations any word or expression given a meaning in the Act has the meaning so given and, unless the context indicates otherwise—

"**contravene**", in relation to a provision of these regulations, includes failing or refusing to comply with that provision;

"**COSPAS-SARSAT satellite service**" means a satellite aided search and rescue system designed to locate distress beacons transmitting in the 406 MHz band and on other frequencies;

"**INMARSAT**" means the Organization established by the Convention on the International Maritime Satellite Organization adopted on 3 September 1976;

"**MID**" means Maritime Identification Digits, being the three digits within the MMSI that identify the country where the ship is registered;

"**MMSI**" means Maritime Mobile Service Identity, being, in the case of an EPIRB, a nine-digit identification number made up of the three-digit MID followed by a six-digit identification number;

"**operator**", in relation to a ship, includes the owner and any charterer, manager or agent of the ship;

"**radio installation**" means any radio installation fitted on board a ship, including its associated antennas, interconnecting circuits and, where appropriate, sources of energy;

"**satellite EPIRB**" means an emergency position-indicating radio beacon capable of transmitting a distress alert either through the COSPAS-SARSAT satellite service

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\* This is an office consolidation incorporating amendments up to 15 October 2004. Compiled by SAMSA Legal Office, 19 October 2004.

operating in the 406 MHz band or through the INMARSAT geostationary satellites operating in the 1.6 GHz band;

**"survival craft"** means a craft capable of sustaining the lives of persons in distress from the time of abandoning ship;

**"the Act"** means the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

### **Application**

3. These regulations apply to ships of South African nationality wherever they may be.

### **Competent authority**

4. (1) For the purposes of these regulations, the Maritime Rescue Co-ordination Centre (the *MRCC*) is designated as the competent authority for the Republic.

(2) The Annex sets out the MRCC's contact information.

[Reg 4 substituted by reg 3, GN1198/26878, 15Oct2004]

### **Requirement to register EPIRBs**

5. (1) The operator and the master of every ship to which these regulations apply must ensure that every EPIRB carried on the ship (whether or not carried in compliance with statutory requirements) is registered with the competent authority and that the registered particulars are correct.

(2) The registered particulars referred to in subregulation (1) are the following:

- (a) the name (if any) and official number of the ship;
- (b) the home port or port of registry of the ship;
- (c) the ship's call sign;
- (d) the EPIRB MMSI;
- (e) the make and model of the EPIRB;
- (f) the EPIRB unique identification code, being a 15-digit hex number;
- (g) the type of radio installation(s) carried on board the ship and survival craft;
- (h) a brief description of the ship, including its type (in terms of its purpose), gross tonnage or length, ship superstructure, deck colours and identifying marks;
- (i) the name of the operator of the ship;
- (j) the name, address, telephone and (if applicable) telefax number of an emergency contact person ashore;
- (k) an alternative 24-hour emergency telephone number (alternative contact ashore);
- (l) the capacity of the ship for carrying persons on board, both passengers and crew;

- (m) the type and number of survival craft;
- (n) the date of last modification of registered particulars.

(3) Evidence that every EPIRB carried on the ship is registered in accordance with subregulation (1) must be kept available on board the ship for inspection at all reasonable times by a surveyor.

### **Change in registered particulars**

6. Where in respect of an EPIRB registered with the competent authority there is any change in the particulars registered with that competent authority, the operator and the master of the ship to which those particulars relate must ensure, as soon as is reasonably practicable after the change, that written notice of the change is given to the competent authority.

### **Offences and penalties**

7. Any contravention of regulation 5(1) or (3), or 6 is an offence on the part of the operator and master of the ship and is punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.

### **Defence**

8. It is a defence for a person charged under regulation 7 to show that he or she took reasonable precautions and exercised due diligence to avoid the commission of the offence.

## ANNEX

[Annex added by reg 4, GN1198/26878,15Oct2004]

(Regulation 4(2))

### CONTACT INFORMATION FOR MARITIME RESCUE CO-ORDINATION CENTRE (MRCC)

Physical address: MRCC Cape Town  
163 Tygerberg Park  
Hendrik Verwoerd Drive  
Platteklouf  
Cape Town

Postal address: MRCC Cape Town  
PO Box 532  
Parow  
7499

Telephone: (021) 938 3300 (**24 hour service**)  
Facsimile: (021) 938 3309