
No. R. 1068.]

[24 November 1961.

THE MERCHANT SHIPPING LOADING, UNLOADING AND COALING REGULATIONS, 1961.

The Minister of Transport has, under the provisions of sub-section (1) of section *three hundred and fifty-six* of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), as amended, repealed the Merchant Shipping Loading, Unloading and Coaling Regulations 1960 promulgated by Government Notice No. 1899 dated 20 November 1959 and has, in terms of the said sub-section, made the regulations contained in the Schedule hereto, with effect in each case from the date of promulgation hereof.

No. R. 1068.]

[24 November 1961.

DIE HANDELSKEEPVAARTREGULASIES IN VERBAND MET DIE INNEEM VAN STEENKOOL EN DIE LAAI EN AFLAAI VAN SKEPE, 1961.

Die Minister van vervoer het, kragtens die bepalings van subartikel (1) van artikel *driehonderd ses-en-vyftig* van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), soos gewysig, die Handelskeepvaartregulasies in verband met die inneem van Steenkool en die Laai en Aflaai van Skepe, 1960 soos afgekondig by Goewermentskennisgewing No. 1899 van 20 November 1959, herroep en kragtens genoemde subartikel die regulasies in bygaande Bylae vervat uitgevaardig, met ingang in beide gevalle vanaf die datum van afkondiging hiervan.

SCHEDULE.

ARRANGEMENT OF REGULATIONS.

CHAPTER I.—GENERAL.

*Regulation
No.*

1. Title of these regulations.
2. Interpretation.
3. Application.

CHAPTER II.—MEANS OF ACCESS.

4. Responsibility under Chapter II.
5. Access from ship to shore.
6. Access from ship to ship.
7. Access from deck to hold.
8. Lighting.
9. Lifting gear for hatch beams.
10. Marking of hatch coverings.
11. Maintenance of hatch coverings.
12. Hand grips for hatch coverings.
13. Removal and replacement of hatch coverings.

CHAPTER III.—TESTING AND EXAMINATION OF EQUIPMENT.

14. Responsibility under Chapter III.
15. Lifting machinery.
16. Chains, rings, etc., used in hoisting or lowering.
17. Ropes used in hoisting or lowering.
18. Meaning of "qualified person".
19. Certificates.
20. Inferior equipment not to be used.

CHAPTER IV.—SAFETY PRECAUTIONS.

21. Responsibility under Chapter IV.
22. Safe working load of pulley blocks.
23. Safe working load for chains and wire rope slings.
24. Protection of chains.
25. Fencing of motors, cog-wheels, etc.
26. Safe raising or lowering of load by crane or winch.
27. Marking of safe working load on crane and derrick.
28. Controlling of steam from crane or winch.
29. Foot of derrick.
30. Escape of workers.
31. Safety of loads.
32. Driver of crane or winch.
33. Deck-stages and cargo-stages.
34. Fencing or covering of hatches.
35. Loading or unloading of cargo by fall or sling.
36. Hooks used for raising or lowering bales of cotton, etc.
37. Staging in respect of skeleton deck.
38. Stacking, unstacking, stowing or unstowing of cargo.
39. Securing of beams of hatches.
40. Signaller.
41. Transportation to or from a ship.

CHAPTER V.—SAFETY RESTRICTIONS.

42. Responsibility under Chapter V.
43. Removal of or interference with fencing, gangway, etc.
44. Use of means of access.
45. Fore and aft beams and thwartship beams.

ANNEX: Manner of testing and examining before taking lifting machinery and gear into use.

BYLAE.

INHOUDSOPGAWE.

HOOFSTUK I.—ALGEMEEN.

*Regulasie
No.*

1. Titel van hierdie regulasies.
2. Woordomskrywing.
3. Toepassing.

HOOFSTUK II.—TOEGANGSMIDDELE.

4. Verantwoordelikheid kragtens Hoofstuk II.
5. Toegang van skip tot land.
6. Toegang van skip tot skip.
7. Toegang van dek tot ruim.
8. Verligting.
9. Hystocrusting vir luikbalke.
10. Die merk van luikdeksels.
11. Instandhouding van luikdeksels.
12. Grepe aan luikdeksels.
13. Verwydering en terugplasing van luikdeksels.

HOOFSTUK III.—TOETS EN ONDERSOEK VAN TOERUSTING.

14. Verantwoordelikheid kragtens Hoofstuk III.
15. Hysmasjinerie.
16. Kettings, ringe ens. wat by ophysing of neerlating gebruik word.
17. Toue wat by ophysing of neerlating gebruik word.
18. Betekenis van „ gekwalifiseerde persoon ”.
19. Sertifikate.
20. Minderwaardige toerusting mag nie gebruik word nie.

HOOFSTUK IV.—VEILIGHEIDSVOORSORG-MAATREËLS.

21. Verantwoordelikheid kragtens Hoofstuk IV.
22. Veilige werkklas van katrolle.
23. Veilige werkklas vir kettings en draadtoustrappe.
24. Beskerming van kettings.
25. Omrastering van motore, kamratte, ens.
26. Veilige ophysing of neerlating van vrag deur hyskraan of wenas.
27. Die merk van veilige werkklas op hyskraan en laai-boom.
28. Beheer van stoom na en van hyskraan of wenas.
29. Voet van laaiboom.
30. Ontkoming van werkers.
31. Veiligheid van vragte.
32. Bediener van hyskraan of wenas.
33. Deksteiers en vragsteiers.
34. Omrastering of bedekking van luike.
35. Laai of aflaaï van vrag met 'n looper of strop.
36. Hake waarmee katoenbale, ens. gelig of neergelaat word.
37. Steierwerk ten opsigte van skeletdek.
38. Opstapeling, afpakking, opberging of uitlaai van vrag.
39. Vasmaak van luikbalke.
40. Seiner.
41. Vervoer na 'n skip of van 'n skip af.

HOOFSTUK V.—VEILIGHEIDSBEPERKINGS.

42. Verantwoordelikheid kragtens Hoofstuk V.
43. Verwydering van of gepeuter met omrasterings, loop-brûe, ens.
44. Die gebruik van toegangsmiddele.
45. Langmerkels en dwarsskeepse balke.

BYLAE: Wyse waarop hysmasjinerie en -toerusting getoets en ondersoek word voor die ingebruikneming daarvan.

CHAPTER I.—GENERAL.

1. TITLE OF THESE REGULATIONS.

These regulations are called the Merchant Shipping Loading, Unloading and Coaling Regulations, 1961.

2. *INTERPRETATION.

In these regulations the expression "the Act" means the Merchant Shipping Act, 1951 (Act No. 57 of 1951), and unless the context otherwise indicates, any expression used in these regulations to which a meaning has been assigned in the Act, bears the meaning so assigned, and—

- "hatch" means an opening in a deck used for the purpose of the processes or for trimming or for ventilation;
- "hatchway" means the whole space within the square of the hatches, from the top deck to the bottom of the hold;
- "lifting machinery" means cranes, winches, hoists, derrick booms, derrick and mast bands, goose necks, eyebolts and all other permanent attachments to the derricks, masts and decks used in hoisting or lowering in connection with the processes;
- "person employed" means the master of the ship, any member of the crew and any person employed in the processes;
- "processes" means the loading, unloading and coaling of any ship in any port of the Republic or South West Africa;
- "pulley block" means the pulley, block, gin and similar gear, other than a crane block specially constructed for use with a crane to which it is permanently attached.

3. APPLICATION.

(1) Subject to the provisions of paragraphs (2), (3) and (4), these regulations shall apply to every ship in any port of the Republic or of South West Africa, not being a ship belonging to the Railway Administration and used by that Administration in connection with the working of its harbours.

(2) These regulations shall not apply to the unloading of fish from a ship employed in the catching of fish.

(3) Regulations 5 and 6 so far as liability to provide means of access is concerned, regulations 7, 9, 10, 12, 13, paragraph (1) of regulation 19, shall not apply to a barge or lighter.

(4) Paragraph (1) of regulation 15, paragraph (1) of regulation 16, paragraph (1) of regulation 17 and paragraph (1) of regulation 19, shall not apply to machinery, chain or other gear taken into use, or to wire rope purchased, before these regulations came into force.

CHAPTER II.—MEANS OF ACCESS.

4. RESPONSIBILITY UNDER CHAPTER II.

It shall be the duty of the owner, master or officer in charge of the ship to comply the provisions of Chapter II: Provided that if such owner, master or officer fails to comply with regulation 5, 6 or 8, it shall also be the duty of the employers of the persons employed for whose use the means of access and the lights are required, to comply with the said regulations within the shortest time reasonably practicable after such failure.

* For the purposes of these regulations, the Minister has designated the following officers as "proper officers" in the Republic:—

At Cape Town, Durban, Port Elizabeth and Walvis Bay: The Principal Officer of the Marine Division;

At East London, Mossel Bay, Port Nolloth and Lüderitz: The Shipping Master.

HOOFSTUK I.—ALGEMEEN.

1. TITEL VAN HIERDIE REGULASIES.

Hierdie regulasies word genoem die Handelskeepvaart-regulasies in verband met die Inneem van Steenkool en die Laai en Aflaai van Skepe, 1961.

2. *WOORDOMSKRYWING.

In hierdie regulasies word met „die Wet” die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), bedoel, en tensy uit die samehang anders blyk, het enige uitdrukking wat in hierdie regulasies voorkom en waaraan 'n betekenis in die Wet geheg word, dié betekenis, en beteken—

- „luik” 'n opening in 'n dek wat vir die uitvoering van die prosesse of vir trim of vir ventilasie gebruik word;
- „luikopening” die hele ruimte binne die vierkant van die luik van die boonste dek af tot op die bodem van die ruim;
- „hysmasjinerie” hyskrane, wenasse, hystoestelle, laaibome, laaiboom- en masbande, gansnekke, oogboute en alle ander permanente hegstukke aan die laaibome, maste en dekke wat by ophysing of neerlating in verband met die prosesse gebruik word;
- „persoon in diens” die gesagvoerder van die skip, 'n lid van die bemanning en enige persoon wat by die prosesse werksaam gestel word;
- „prosesse” die inneem van steenkool en die laai en aflaai van 'n skip in enige hawe van die Republiek of Suidwes-Afrika;
- „katrolblok” die katrol, blok, gymblok en soortgelyke toerusting, uitgesonderd 'n hyskraanblok wat spesiaal gebou is vir gebruik tesame met 'n hyskraan waaraan dit permanent vasgeheg is.

3. TOEPASSING.

(1) Behoudens die bepalings van paragrafe (2), (3) en (4), is hierdie regulasies van toepassing op elke skip in enige hawe van die Republiek of van Suidwes-Afrika, wat nie 'n skip is wat aan die Spoorwegadministrasie behoort en wat deur daardie Administrasie in verband met sy hawebedryf gebruik word nie.

(2) Hierdie regulasies is nie van toepassing op die aflaai van vis van 'n skip wat vir vissery gebruik word nie.

(3) Regulasies 5 en 6 vir sover hulle betrekking het op die verpligting om toegangsmiddele te voorsien, regulasies 7, 9, 10, 12 en 13, paragraaf (1) van regulasie 34, en regulasie 45 is nie op 'n trekskuit of ligter van toepassing nie.

(4) Paragraaf (1) van regulasie 15, paragraaf (1) van regulasie 16, paragraaf (1) van regulasie 17 en paragraaf (1) van regulasie 19 is nie van toepassing ten opsigte van masjinerie, ketting- en ander toerusting wat in gebruik geneem is of ten opsigte van draadtu wat aangeskaf is voordat hierdie regulasies in werking getree het nie.

HOOFSTUK II.—TOEGANGSMIDDELE.

4. VERANTWOORDELIKHEID KRAGTENS HOOFSTUK II.

Dit is die plig van die eienaar, gesagvoerder of verantwoordelike beampte van die skip om aan die bepalings van Hoofstuk II te voldoen: Met dien verstande dat indien die eienaar, gesagvoerder of beampte versuim om aan regulasie 5, 6 of 8 te voldoen, dit ook die plig is van die werkgewers van die persone in diens vir wie se gebruik die toegangsmiddele en die ligte aangebring moet word, om so gou redelik doenlik ná die versuim die vereistes van genoemde regulasies na te kom.

* Vir die toepassing van hierdie regulasies het die Minister die volgende amptenare as "bevoegde beamptes" in die Republiek aangewys:—

Te Kaapstad, Durban, Port Elizabeth en Walvisbaai: Die Eerste-beampte van die Marine-afdeling;

Te Oos-Londen, Mosselbaai, Port Nolloth en Lüderitz: Die Koopvaardymeester.

5. ACCESS FROM SHIP TO SHORE.

(1) Subject to the provisions of paragraphs (2) and (3), when any ship is lying at a wharf or quay for the purpose of loading or unloading or coaling, safe means of access shall be provided for the use of persons employed at such times as they have to pass from the ship to the shore or from the shore to the ship. Such means of access shall consist of—

(a) where reasonably practicable, the ship's accommodation ladder or a gangway or a similar construction not less than 22 inches wide, which shall be properly secured and fenced throughout on each side to a clear height of 2 feet 9 inches by means of upper and lower rails, taut ropes or chains or by other equally safe means, except that in the case of the ship's accommodation ladder such fencing shall be necessary on one side only if the other side is properly protected by the ship's side; or

(b) in other cases, a ladder of sound material and adequate length which shall be properly secured to prevent slipping.

(2) Paragraph (1) shall not apply to cargo stages or cargo gangways if other proper means of access are provided in conformity with these regulations.

(3) This regulation shall not apply to any sailing ship of 250 net register tons or less or to any steam ship of 150 gross register tons or less, if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

6. ACCESS FROM SHIP TO SHIP.

(1) If a ship is alongside any other vessel, and persons employed have to pass from one to the other, safe means of access shall be provided for their use, unless the conditions are such that it is possible to pass from one to the other without undue risk without the aid of any special appliance.

(2) If one of such ships or vessels is a barge, lighter or other similar vessel of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

7. ACCESS FROM DECK TO HOLD.

(1) If the depth from the level of the deck to the bottom of the hold exceeds 5 feet, safe means of access shall be maintained from the deck to the hold in which work is being performed.

(2) Save as hereinafter provided, such access shall be afforded by ladder, and by ladder cleats or cups on the coamings, and shall not be deemed to be safe—

(a) unless the ladders between the lower decks are in the same line as the ladder from the top deck, if such is practicable having regard to the position of the lower hatch or hatches;

(b) unless the ladders provide a foothold of a depth including any space behind the ladder of not less than 4½ inches for a width of 10 inches, and a firm handhold;

(c) unless the cleats or cups provided on coamings (i) provide a foothold of a depth including any space behind the cleats or cups of not less than 4½ inches for a width of 10 inches and a firm handhold; (ii) are so constructed as to prevent a man's foot slipping off the side; (iii) are placed vertically one above the other and in the same line as the ladders to which they give access;

(d) unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder a foothold of a depth including any space behind the ladder of not less than 4½ inches for a width of 10 inches and a firm handhold;

5. TOEGANG VAN SKIP TOT LAND.

(1) Wanneer 'n skip by 'n kaai lê om gelaai, afgelaai of van steenkool voorsien te word, moet, behoudens die bepalings van paragrawe (2) en (3), veilige toegangsmiddele voorsien word vir persone in diens om te gebruik wanneer hulle van die skip af aan land of van die land af aan boord moet gaan. Hierdie toegangsmiddele bestaan—

(a) waar redelik doenlik uit die skeepsvalrepleer of 'n loopbrug of soortgelyke inrigtings minstens 22 duim wyd, behoorlik vasgemaak en aaneenlopend aan die kante tot 'n vry hoogte van 2 voet 9 duim omraster met be- en onderrelings, stygespanne toue of kettings, of met 'n ander middel wat ewe doeltreffend is, maar in die geval van die skeepsvalrepleer is die relingwerk slegs aan die een kant nodig indien die ander kant behoorlik deur die skeepsboord beveilig is, of

(b) in ander gevalle uit 'n leer wat uit stewige materiaal gemaak is, wat lank genoeg is en wat behoorlik vasgemaak is sodat dit nie kan gly nie.

(2) Paragraaf (1) is nie van toepassing op steiers of loopbrûe vir vrage nie mits ander behoorlike toegangsmiddele in ooreenstemming met hierdie regulasies aangebring is.

(3) Hierdie regulasie is nie van toepassing op enige seilskip van 250 netto registerton of minder of op enige stoomskip van 150 bruto registerton of minder nie, mits en terwyl die omstandighede sodanig is dat daar sonder buitensporige gevaar en sonder hulp van spesiale toerusting na en van die skip gegaan kan word.

6. TOEGANG VAN SKIP TOT SKIP.

(1) Indien 'n skip langs enige ander vaartuig is en persone in diens van die een na die ander moet gaan, moet veilige toegangsmiddele vir hul gebruik voorsien word, tensy die omstandighede van so 'n aard is dat dit moontlik is om van die een na die ander te gaan sonder buitensporige gevaar en sonder hulp van enige spesiale toerusting.

(2) Indien een van hierdie skepe of vaartuie 'n trekskuit, 'n ligter of 'n ander soortgelyke vaartuig met 'n betreklik lae vryboord is, word die toegangsmiddele deur die skip met die hoogste vryboord voorsien.

7. TOEGANG VAN DEK TOT RUIM.

(1) Indien die diepte tussen die dekvlak en die bodem van die ruim meer as 5 voet is, moet veilige toegangsmiddele instandgehou word vanaf die dek tot in die ruim waarin gewerk word.

(2) Behoudens soos later hierin bepaal, word sodanige toegang verleen deur 'n leer en leerklampe of klempotte op die luikhoofde, en die toegang word nie veilig geag nie—

(a) tensy die lere tussen die onderste dekke in 'n lyn is met die lere van die boonste dek af, indien hierdie voorskrif prakties uitvoerbaar is met inagneming van die plek van die onderste luik of luike;

(b) tensy elke leer, tesame met die ruimte agter die leer, 'n vastrapplek van minstens 4½ duim diep oor 'n wydte van 10 duim en 'n stewige vashouplek het;

(c) tensy die klampe of klempotte wat aan luikhoofde aangebring is, (i) tesame met die ruimte agter die klampe of klempotte, 'n vastrapplek van minstens 4½ duim diep oor 'n wydte van 10 duim en 'n stewige vashouplek het; (ii) van so 'n aard is dat 'n mens se voet nie aan die kant sal afgly nie; (iii) vertikaal bokant mekaar geplaas is in 'n lyn met die lere waartoe hulle toegang verleen;

(d) tensy die vrag so ver van die leer af gestu is dat by elke sport van die leer met inbegrip van die ruimte agter die leer 'n vastrapplek van minstens 4½ duim diep oor 'n wydte van 10 duim en 'n stewige vashouplek gelaat is;

(e) unless there is room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the deck;

(f) if the ladder is recessed under the deck more than is reasonably necessary to keep the ladder clear of the hatchway.

Provided that such access may be afforded—

(i) where the provision of a ladder on a bulkhead or in a trunk hatchway can be shown to be reasonably impracticable, by cleats or cups complying with the requirements of sub-paragraph (c);

(ii) by ladders or steps, separate from any hatchway or sloping from deck to deck, if such ladders or steps comply with the requirements of sub-paragraphs (b), (d) and (e).

(3) Shaft tunnels shall be equipped with adequate handhold and foothold on each side.

8. LIGHTING.

When processes are being conducted—

(a) the places in the hold and on the decks where work is being performed;

(b) the means of access provided in accordance with regulations 5 and 6; and

(c) all parts of the ship to which persons employed may be required to proceed in the course of their employment,

shall be adequately lighted, due regard being had to the safety of the ship and cargo, to all persons employed and to the navigation of other vessels and to the harbour regulations made under section *three* of the Railways and Harbours Control and Management (Consolidation) Act, 1957 (Act No. 70 of 1957).

9. LIFTING GEAR FOR HATCH BEAMS.

All fore and aft beams and thwartship beams used for hatch covering shall be provided with suitable gear for lifting them on and off without it being necessary for any person to go upon them to adjust such gear.

10. MARKING OF HATCH COVERINGS.

(1) All hatch coverings shall be kept plainly marked to indicate the deck and hatch to which they belong and their position therein; provided that this regulation shall not apply in cases where all the hatch coverings of a ship are interchangeable or, in respect of marking of position, where all hatch coverings of a hatch are interchangeable.

(2) Paragraph (1) shall apply to fore and aft beams and to thwartship beams as it applies to hatch coverings.

11. MAINTENANCE OF HATCH COVERINGS.

All fore and aft beams, and thwartship beams used for hatch covering and all hatch coverings shall be maintained in good condition.

12. HAND GRIPS FOR HATCH COVERINGS.

Adequate hand grips shall be provided on all hatch coverings, having regard to their size and weight, unless the construction of the hatch or the hatch coverings is of a character rendering the provision of hand grips unnecessary.

13. REMOVAL AND REPLACEMENT OF HATCH COVERINGS.

Where the working space around a hatch is less than two feet wide, such provision shall be made as will enable persons employed to remove and replace in safety all fore and aft beams and thwartship beams used for hatch covering and all hatch coverings.

CHAPTER III.—TESTING AND EXAMINATION OF EQUIPMENT.

14. RESPONSIBILITY UNDER CHAPTER III.

It shall be the duty of the owner of the machinery or plant used in the processes, and, in the case of machinery or plant carried on board a ship not being a ship registered

(e) tensy daar 'n deurgangplek is tussen 'n wenas of ander versperrende voorwerp en die luikhoofde by die plek waar die leer van die dek af strek;

(f) indien die leer dieper onder die dek ingelaat is as wat redelik nodig is om die leer vry van die luikopening te hou.

Met dien verstande dat sodanige toegang verleen kan word—

(i) waar aangetoon word dat dit nie redelik uitvoerbaar is om 'n leer op 'n beskot of in 'n luikskag te voorsien nie, deur klampe of klempotte wat aan die vereistes van subparagraaf (c) voldoen;

(ii) deur 'n leer of 'n trap weg van enige luikopening of wat skuins van dek tot dek strek, as so 'n leer of trap aan die vereistes van subparagrafe (b), (d) en (e) voldoen.

(3) Skagtonnels moet met doeltreffende vashou- en vas-trapplekke aan elke kant toegerus wees.

8. VERLICHTING.

Wanneer prosesse uitgevoer word, moet—

(a) al die plekke in die ruim en op die dekke waar gewerk word;

(b) die toegangsmiddele wat ingevolge regulasies 5 en 6 aangebring is; en

(c) alle dele van die skip waarheen persone in diens in die loop van hul werksaamhede moet gaan,

doeltreffend verlig wees, met behoorlike inagneming van die veiligheid van die skip en sy vrag, van hulle persone in diens, van die navigasie van ander vaartuie, en van die haweregulasies uitgevaardig kragtens artikel *drie* van die Konsolidasiewet op die Beheer en Bestuur van Spoorweë en Hawens, 1957 (Wet No. 70 van 1957).

9. HYSTOERUSTING VIR LUIKBALKE.

Alle langsmarkels en dwarsskeepse balke wat as luikbedekking gebruik word, moet voorsien word van geskikte toerusting waarmee hulle gelig en neergelaat kan word sonder dat dit vir enigeen nodig is om op hulle te klim om die toerusting te skik.

10. DIE MERK VAN LUIKDEKSELS.

(1) Alle luikdeksels moet duidelik gemerk wees om aan te toon tot watter dek en luik hulle behoort en waar hulle plek daarop is; met dien verstande dat hierdie regulasie nie van toepassing is in gevalle waar al die luikdeksels van 'n skip verwisselbaar is of, ten opsigte van die aanduiding van plek, waar al die luikdeksels van 'n luik verwisselbaar is nie.

(2) Paragraaf (1) is van toepassing op langsmarkels en op dwarsskeepse balke net soos dit op luikdeksels van toepassing is.

11. INSTANDHOUDING VAN LUIKDEKSELS.

Alle langsmarkels, asook dwarsskeepse balke wat as luikbedekking gebruik word, en alle luikdeksels moet in 'n goeie toestand gehou word.

12. GREPE AAN LUIKDEKSELS.

Doeltreffende grepe moet aan alle luikdeksels, met inagneming van hul grootte en gewig, aangebring word, tensy die bou van die luik of die luikdeksels van so 'n aard is dat die aanbring van grepe onnodig is.

13. VERWYDERING EN TERUGPLASING VAN LUIKDEKSELS.

Waar die werkruimte rondom 'n luik minder as twee voet wyd is, moet middele verskaf word wat persone in diens in staat sal stel om met veiligheid alle langsmarkels en dwarsskeepse balke wat as bedekking vir luike gebruik word, asook alle luikdeksels te verwyder en terug te plaas.

HOOFSTUK III.—TOETS EN ONDERSOEK VAN TOERUSTING.

14. VERANTWOORDELIKHEID KRAGTENS HOOFSTUK III.

Dit is die plig van die eienaar van die masjinerie of installasie wat by die prosesse gebruik word, en in die geval van masjinerie of installasie aan boord van 'n skip

or licenced in the Republic, it shall also be the duty of the master of such ship, to comply with the provisions of Chapter III.

15. LIFTING MACHINERY.

(1) All lifting machinery shall, before being taken into use, be tested and examined by a qualified person in the manner set forth in the Annex.

(2) (a) All derricks and permanent attachments, including bridle chains, to the derrick, mast and deck, used in hoisting or lowering shall be inspected annually and be thoroughly examined every four years.

(b) All other lifting machinery shall be thoroughly examined at least every twelve months.

(c) For the purposes of this regulation, a thorough examination means a visual examination, supplemented if necessary by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined; and if necessary for the purpose, parts of the machines and gear shall be dismantled.

16. CHAINS, RINGS, ETC., USED IN HOISTING OR LOWERING.

(1) Every chain, ring, hook, shackle, swivel or pulley block shall, before being taken into use for purposes of hoisting or lowering, be tested and examined by a qualified person in the manner set forth in the Annex.

(2) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels used in hoisting or lowering shall, unless they have been subjected to such other treatment as may be prescribed, be effectually annealed under the supervision of a qualified person and at the following intervals:—

(a) Half inch and smaller chains, rings, hooks, shackles and swivels in general use—at least every six months;

(b) all other chains, rings, hooks, shackles and swivels in general use—at least every twelve months.

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in subparagraph (a), and two years for twelve months in subparagraph (b).

Provided further that where the proper officer is of the opinion that, owing to the size, design, material or infrequency of use of any such gear or class of such gear, the requirement of this regulation as to annealing is not necessary for the protection of persons employed, he may issue a certificate exempting such gear or class of such gear from such requirement subject to such conditions as he may specify in such certificate. The proper officer may revoke such certificate as and when he deems it necessary.

(3) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles, swivels and pulley blocks shall be inspected by a qualified person immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding three months.

(4) All chains, rings, hooks, shackles or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall before being again taken into use be adequately tested and re-examined.

17. ROPES USED IN HOISTING OR LOWERING.

(1) No rope shall be taken into use for purposes of hoisting or lowering unless—

(a) it is of suitable quality and free from patent defect; and

gehou wat nie in die Republiek gelisensieer is nie, ook die plig van die gesagvoerder van die skip om aan die vereistes van Hoofstuk III te voldoen.

15. HYSMASJINERIE.

(1) Voor die ingebruikneming daarvan moet alle hysmasjinerie deur 'n gekwalifiseerde persoon getoets en ondersoek word op die wyse wat in die Bylae uiteengesit word.

(2) (a) Alle laaibome en permanente hegstukke, met inbegrip van kettingspruite, aan die laaiboom, mas en dek, wat by ophysing of neerlating gebruik word, moet jaarliks geïnspekteer en vierjaarliks deeglik ondersoek word.

(b) Alle ander hysmasjinerie moet minstens elke twaalf maande deeglik ondersoek word.

(c) Vir die toepassing van hierdie regulasie beteken 'n deeglike ondersoek 'n visuele ondersoek, indien nodig aangevul deur ander middele soos 'n hamertoets, so stiptelik uitgevoer as wat onder die omstandighede moontlik is, om tot 'n betroubare gevolgtrekking te geraak in verband met die veiligheid van die ondersoekte dele; en indien hiervoor nodig, kan dele van die masjinerie en toerusting uitmekaargehaal word.

16. KETTINGS, RINGE, ENS. WAT BY OPHYSING OF NEERLATING GEBRUIK WORD.

(1) Voor ingebruikneming vir ophysing of neerlating moet alle kettings, ringe, hake, sluitskakels, draai- of katrolblokke deur 'n gekwalifiseerde persoon getoets en ondersoek word op die wyse wat in die Bylae uiteengesit word.

(2) Alle kettings, uitgesonderd kettingspruite geheg aan laaibome en maste; en alle ringe, hake, sluitskakels en draaiblokke wat by ophysing of neerlating gebruik word, moet, tensy hulle aan sodanige ander behandeling onderwerp is as wat voorgeskryf mag word, onder die toesig van 'n gekwalifiseerde persoon en met die volgende tussenpose doeltreffend uitgegloeï word:—

(a) Kettinge, ringe hake, sluitskakels en draaiblokke van 'n halfduim en kleiner wat algemeen gebruik word—minstens elke ses maande;

(b) alle ander kettings, ringe, hake, sluitskakels en draaiblokke wat algemeen gebruik word—minstens elke twaalf maande.

Met dien verstande dat in die geval van sodanige toerusting wat uitsluitlik gebruik word by hyskrane en ander hystoestelle wat met die hand bedien word, ses maande in subparagraaf (a) deur twaalf maande vervang word, en twaalf maande in subparagraaf (b) deur twee jaar vervang word.

Met dien verstande verder dat waar die bevoegde beampte van oordeel is dat weens die grootte, ontwerp, materiaal of seldsame gebruik van enige sodanige toerusting of toerustingsoort die uitgloeïingsvereiste van hierdie regulasie nie vir die beskerming van persone in diens nodig is nie, hy 'n sertifikaat kan uitreik om sodanige toerusting of toerustingsoort van hierdie vereiste vry te stel onderworpe aan sodanige voorwaardes as wat hy in genoemde sertifikaat mag aandui. Die bevoegde beampte kan die sertifikaat terugtrek wanneer hy dit nodig ag.

(3) Alle kettings, uitgesonderd kettingspruite geheg aan laaibome of maste, en alle ringe, hake, sluitskakels, draai- en katrolblokke moet elke keer deur 'n gekwalifiseerde persoon geïnspekteer word onmiddellik voordat hulle vir ophysing of neerlating gebruik word, tensy hulle gedurende die voorafgaande drie maande geïnspekteer is.

(4) Alle kettings, ringe, hake, sluitskakels of draaiblokke wat by ophysing of neerlating gebruik word en wat deur sweising verleng, verander of herstel is, moet doeltreffend getoets en herondersoek word voordat dit weer gebruik word.

17. TOU WAT BY OPHYSING OF NEERLATING GEBRUIK WORD.

(1) Geen tou word vir ophysing of neerlating in gebruik geneem nie tensy—

(a) dit van geskikte kwaliteit en klaarblyklik vry van defekte is; en

(b) in the case of wire rope, it has been examined and tested by a qualified person in the manner set forth in the Annex.

(2) Every wire rope in general use for hoisting or lowering shall be inspected by a qualified person at least every three months, provided that when any wire has broken in such rope it shall be inspected at least monthly.

(3) No wire rope shall be used in hoisting or lowering if in any length of eight diameters the total number of visible broken wires exceeds ten per cent of the total number of wires, or the rope shows signs of excessive wear, corrosion or other defect which, in the opinion of the person who inspects it, renders it unfit for use.

(4) A thimble or loop splice made in any wire rope shall have at least three tucks with a whole strand of the rope and two tucks with one half of the wires cut out of each strand. The strands in all cases shall be tucked against the lay of the rope: Provided that the provisions of this paragraph shall not prevent the use of another form of splice which can be shown to be as effective as that laid down in this paragraph.

18. MEANING OF "QUALIFIED PERSON".

For the purposes of regulations 15, 16 and 17, a person shall not be deemed to be a qualified person if and in so far as the proper officer has given notice in writing declaring that such person is in his opinion not technically qualified to carry out the tests, examinations or annealing required by these regulations: Provided that any person whom the proper officer may thus declare not to be qualified, shall have the right to appeal against such declaration to the Secretary whose decision shall be final.

19. CERTIFICATES.

(1) The qualified person shall upon completion of the test, examination, inspection, annealing or other treatment required by regulation 15, paragraphs (1) and (2) of regulation 16 and paragraphs (1) and (2) of regulation 17, issue a certificate setting forth the results of such test, examination, inspection, annealing or other treatment. Such results shall be entered in or the certificate attached to a record of equipment, before the machinery, chain, rope or other gear to which the certificate relates is subsequently taken into use in connection with the processes.

(2) The record of equipment with the results recorded in the certificate entered therein or the certificate attached thereto as required by paragraph (1), shall be kept on the ship unless some other place has been approved in writing by the proper officer.

(3) The record of equipment together with the certificate of the ship's register, shall on application by the surveyor, be produced by the person for the time being in charge of the ship.

20. INFERIOR EQUIPMENT NOT TO BE USED.

No employer shall allow any person to use machinery or gear which does not comply with Chapter III.

CHAPTER IV.—SAFETY PRECAUTIONS.

21. RESPONSIBILITY UNDER CHAPTER IV.

(1) Subject to the provisions of paragraph (2), it shall be the duty of every person who is engaged in the processes, and of any of his agents and other persons employed by him to engage in the processes, to comply with the provisions of Chapter IV.

(b) in die geval van draadrou, dit deur 'n gekwalifiseerde persoon ondersoek en getoets is op die wyse wat in die Bylae uiteengesit is.

(2) Elke draadrou wat algemeen gebruik word vir ophysing of neerlating moet minstens elke drie maande deur 'n gekwalifiseerde persoon geïnspekteer word, maar as daar 'n draad in so 'n tou gebreek het, moet dit minstens elke maand geïnspekteer word.

(3) Geen draadrou word by ophysing of neerlating gebruik as die totale getal sigbare gebreekte drade in 'n lengte van agt maal die omtrek meer as tien persent van die totale getal drade is, of as die tou tekens toon van buitensporige slytasie, korrosie of ander defek wat dit volgens die oordeel van die persoon wat dit inspekteer, ongeskik vir gebruik maak.

(4) Om 'n kous- of oogsplitsing in enige draadrou te maak, moet 'n hele string minstens drie maal en die tou met die helfte van die drade van elke string weggesny, tweemaal deurgesteek word. In elke geval word die stringe teen die slag van die tou deurgesteek: Met dien verstande dat die bepalings van hierdie paragraaf nie verhinder dat 'n ander vorm van splitsing uitgevoer word nie as aangetoon kan word dat dit net so doeltreffend is as die metode wat in hierdie paragraaf voorgeskryf word.

18. BETEKENIS VAN „GEKWALIFISEERDE PERSOON”.

Vir die toepassing van regulasies 15, 16 en 17 word 'n persoon nie 'n gekwalifiseerde persoon geag nie indien die bevoegde beampte skriftelik kennis gegee het dat sodanige persoon volgens sy oordeel nie tegnies gekwalifiseerd is om die toetse, ondersoek of uitgloeijing wat deur hierdie regulasie vereis word, uit te voer nie: Met dien verstande dat 'n persoon wat aldus deur die bevoegde beampte nie-gekwalfiseerd verklaar is, die reg van appél teen sodanige verklaring het by die Sekretaris wie se besluit finaal is.

19. SERTIFIKATE.

(1) Na uitvoering van die toets, ondersoek, inspeksie, uitgloeijing of ander behandeling deur regulasie 15, paragrafe (1) en (2) van regulasie 16 en paragrafe (1) en (2) van regulasie 17 vereis, reik die gekwalifiseerde persoon 'n sertifikaat uit waarin die resultate van sodanige toets, ondersoek, inspeksie, uitgloeijing of ander behandeling uiteengesit is. Hierdie resultate word ingeskryf in, of die sertifikaat geheg aan, 'n opgawe van toerusting voordat die masjinerie, ketting-, tou- of ander toerusting waarop die sertifikaat betrekking het, in verband met die prosesse in gebruik geneem word.

(2) Die opgawe van toerusting met die resultate wat in die sertifikaat aangeteken is, daarin ingeskryf of met die sertifikaat daarby aangeheg soos deur paragraaf (1) vereis, word op die skip gehou tensy 'n ander plek skriftelik deur die bevoegde beampte goedgekeur is.

(3) Die opgawe van toerusting tesame met die sertifikaat van die skip se register moet op aanvraag van die opnemer deur die persoon wat as dan vir die skip verantwoordelik is, getoon word.

20. MINDERWAARDIGE TOERUSTING MAG NIE GEBRUIK WORD NIE.

Geen werknemer mag enige persoon toelaat om masjinerie of toerusting te gebruik wat nie aan die vereistes van Hoofstuk III voldoen nie.

HOOFSTUK IV.—VEILIGHEIDSVOORSORG- MAATREËLS.

21. VERANTWOORDELIKHEID KRAGTENS HOOFSTUK IV.

(1) Behoudens die bepalings van paragraaf (2) is dit die plig van elke persoon wat by die prosesse werksaam is, en van enigiemand van sy agente en ander persone wat deur hom in diens geneem is om by die prosesse werksaam te wees, om aan die bepalings van Hoofstuk IV te voldoen.

(2) Where the processes are carried out by a stevedore or other person not being the owner of the ship, it shall be the duty of the owner, master or officer in charge of the ship to comply with regulation 34, so far as it concerns—

- (a) any hatch not taken over by the said stevedore or other person for the purpose of the processes; and
- (b) any hatch which, after having been taken over by the said stevedore or other person for the purpose of the processes—
 - (i) has been reported by written notice to the owner, master or officer in charge of the ship by and on behalf of the said stevedore or other person, as being a hatch at which the processes have been completed or completed for the time being; and
 - (ii) has either been left fenced or covered by the said stevedore or other person as required by regulation 34, or has been taken into use by or on behalf of the owner of the ship, and in either case has been so reported by such written notice as aforesaid.

(3) It shall be the duty of the owner, master or officer in charge of the ship to immediately acknowledge in writing the receipt of the notice referred to in paragraph (2).

22. SAFE WORKING LOAD OF PULLEY BLOCKS.

No pulley block shall be used in hoisting or lowering unless the safe working load is clearly stamped thereon.

23. SAFE WORKING LOAD FOR CHAINS AND WIRE ROPE SLINGS.

Means shall be provided to enable any person using a chain or wire rope sling to ascertain the safe working load for such chain or sling for the conditions under which it may be used. Such means shall consist—

- (a) in the case of chain slings, of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto;
- (b) in the case of wire rope slings, of either the means specified in sub-paragraph (a) or of a notice or notices, so exhibited as to be easily read by any person concerned and stating the safe working loads for the various sizes of wire rope slings used.

24. PROTECTION OF CHAINS.

Chains shall not be shortened by tying knots in them; and suitable packing shall be provided to prevent the links coming into contact with sharp edges of loads of hard material.

25. FENCING OF MOTORS, COG-WHEELS, ETC.

All motors, cog-wheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall so far as is practicable without impeding the safe working of the ship and without infringing any other requirement of the Secretary be securely fenced, unless it can be shown that by their position and construction they are equally safe to every person employed as they would be if so fenced.

26. SAFE RAISING OR LOWERING OF LOAD BY CRANE OR WINCH.

Cranes and winches shall be provided with such means as will reduce to a minimum the risk of the accidental descent of a load while being raised or lowered; in particular, the lever controlling the link motion reversing gear of a crane or winch shall be provided with a suitable spring or other locking arrangement.

(2) Waar die prosesse deur 'n stuwadoor of ander persoon uitgevoer word wat nie die eienaar van die skip is nie, is dit die plig van die eienaar, gesagvoerder of verantwoordelike beampte van die skip om aan regulasie 34 te voldoen, vir sover dit betrekking het op—

- (a) enige luik wat nie deur die genoemde stuwadoor of ander persoon oorgeneem is vir die uitvoering van die prosesse nie; en
- (b) enige luik wat, nadat dit deur die genoemde stuwadoor of ander persoon vir die uitvoering van die prosesse oorgeneem is—
 - (i) deur skriftelike kennisgewing aan die eienaar, gesagvoerder of verantwoordelike beampte van die skip deur en ten behoeve van die genoemde stuwadoor of ander persoon aangegee is as 'n luik waarby die prosesse uitgevoer is of voorlopig uitgevoer is; en
 - (ii) of omraster gelaat of bedek is deur die genoemde stuwadoor of ander persoon soos deur regulasie 34 vereis, of deur die eienaar of ten behoeve van die eienaar van die skip in gebruik geneem is, en in enigeen van die gevalle aldus deur skriftelike kennisgewing aangegee is soos hierbo vermeld.

(3) Dit is die plig van die eienaar, gesagvoerder of verantwoordelike beampte van die skip om onmiddellik die ontvangs van die kennisgewing in paragraaf (2) genoem, skriftelik te erken.

22. VEILIGE WERKLAS VAN KATROLLE.

Geen katrol moet by ophysing of neerlating gebruik word nie tensy die veilige werkklas duidelik daarop gestempel is.

23. VEILIGE WERKLAS VIR KETTINGS EN DRAADTOUSTROPPE.

Maatreëls moet getref word sodat enige persoon wat 'n ketting of draadtoustrap gebruik, die veilige werkklas vir so 'n ketting of strop vir die toestande waaronder dit gebruik kan word, kan vasstel. Hierdie maatreëls bestaan—

- (a) in die geval van kettingstroppe, uit die merk van die veilige werkklas in duidelike syfers of letters op die strop of op 'n beskrywingsplaat of ring van duursame materiaal wat stewig aan die strop vasgeheg is;
- (b) in die geval van draadtoustrappe, of uit die maatreël in subparagraaf (a) uiteengesit, of uit die vertoning van 'n kennisgewing of van kennisgewings op so 'n wyse dat dit maklik deur enige betrokke persoon gelees kan word en waarop die veilige werkklas vir die verskillende groottes draadtoustrappe wat gebruik word, aangegee is.

24. BESKERMING VAN KETTINGS.

Kettings moet nie verkort word deur knope in hulle te bind nie; en geskikte verpakkingsmiddele moet voorsien word om te verhoed dat die skakels in aanraking kom met skerp kante van vragte harde materiaal.

25. OMRASTERING VAN MOTORE, KAMRATTE, ENS.

Alle motore, kamratte, ketting- en wrywingstoerusting, skagwerk, lewendige elektriese geleiers en stoompype moet sover prakties uitvoerbaar sonder om die veilige bediening van die skip te belemmer en sonder om inbreuk te maak op enige ander vereiste van die Sekretaris, stewig omraster word, tensy daar aangetoon kan word dat hulle vanweë hul posisie en bou vir alle persone in diens net so veilig sonder as met omrastering is.

26. VEILIGE OPHYSING OF NEERLATING VAN VRAG DEUR HYSKRAAN OF WENAS.

Hyskrane en wenasse moet van middele voorsien word wat die gevaar dat 'n vrag per ongeluk kan neerstort terwyl dit gelig of neergelaat word, tot 'n minimum beperk; in die besonder moet die hefboom wat die hyskraan of wenasse se trurat met skakelbeweging beheer, voorsien word van 'n geskikte veer- of ander afsluitingsreëling.

27. MARKING OF SAFE WORKING LOAD ON CRANE AND DERRICK.

Every crane and derrick shall have the safe working load plainly marked on it.

28. CONTROLLING OF STEAM FROM CRANE OR WINCH.

Adequate measures shall be taken to prevent exhaust steam from, and, so far as is practicable, live steam to any crane or winch obscuring any part of the decks, gangways or stages where any person is employed in the processes.

29. FOOT OF DERRICK.

Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

30. ESCAPE OF WORKERS.

Precautions shall be taken to facilitate the escape of workers who are employed in a hold or on 'tween decks in dealing with coal or other bulk cargo.

31. SAFETY OF LOADS.

(1) No lifting machinery, chains or other lifting appliance shall be loaded beyond the safe working load.

(2) No load shall be left suspended from a crane, winch, or other machine unless there is a competent person actually in charge of the machine while the load is so left.

32. DRIVER OF CRANE OR WINCH.

No person under the age of sixteen years and no person who is not sufficiently competent and reliable shall be employed as driver of a crane or winch, whether driven by mechanical power or otherwise, or to give signals to a driver or to attend to cargo falls on winch-ends or winch-bodies.

33. DECK-STAGES AND CARGO-STAGES.

(1) No deck-stage or cargo-stage shall be used in the processes unless it is substantially and firmly constructed and adequately supported and, where necessary securely fastened.

(2) Any stage which is slippery shall be made safe by the use of sand or some other method.

34. FENCING OR COVERING OF HATCHES.

(1) If any hatch of a hold accessible to any person employed and exceeding five feet in depth, measured from the level of the deck in which the hatch is situated to the bottom of the hold, is not in use for the passage of cargo or other material, or for trimming, and the coamings are less than two feet six inches in height, such hatch shall either be fenced to a height of three feet or be securely covered: Provided that this requirement shall not apply (a) to any ship of 200 net register tons or less which has only one hatchway, or (b) to any ship during meal times or other short interruptions of work during the period of employment.

(2) Hatch coverings shall not be used in the construction of deck or cargo stages, or for any other purpose which may expose them to damage.

(3) Hatch coverings shall be replaced on the hatches in the positions indicated by the markings made thereon in accordance with regulation 10.

35. LOADING OR UNLOADING OF CARGO BY FALL OR SLING.

No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the hatch at that deck is securely covered or a secure landing platform of a width not less than that of one section of hatch coverings has been placed across it: Provided that this regulation shall not apply to any process of unloading the whole of which will be completed within a period of half an hour.

36. HOOKS USED FOR RAISING OR LOWERING BALES OF COTTON, ETC.

(1) Subject to the provisions of paragraph (2), when the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods, nor shall can hooks be used for

27. DIE MERK VAN VEILIGE WERKLAS OP HYSKRAAN EN LAAIBOOM.

Die veilige werklas moet duidelik op elke hyskraan en laaiboom gemerk wees.

28. BEHEER VAN STOOM NA EN VAN HYSKRAAN OF WENAS.

Doeltreffende maatreëls moet getref word om te verhoed dat uitlaatstoom vanaf 'n hyskraan of wenas en, sover doenlik, lewendige stoom na 'n hyskraan of wenas, enige deel van die dekke, loopbrûe of steiers waar enige persoon by die prosesse werksaam is, onduidelik maak.

29. VOET VAN LAAIBOOM.

Gepaste maatreëls moet getref word om te verhoed dat die voet van 'n laaiboom per ongeluk uit sy klempot of steunstuk gelig word.

30. ONTKOMING VAN WERKERS.

Voorsorgmaatreëls moet getref word om die ontkoming van werkers te vergemaklik wat in 'n ruim of tussendecks besig is met die hanteer van steenkool of ander grootmaatvrage.

31. VEILIGHEID VAN VRAGTE.

(1) Geen hysmasjinerie, kettings of ander hysinrigting moet bo die veilige werklas belaaï word nie.

(2) Geen vrag moet aan 'n hyskraan, wenas of ander hystoestel laat hang word nie tensy 'n bevoegde persoon op die plek vir die toestel verantwoordelik is onderwyl die vrag aldus gelaat is.

32. BEDIENER VAN HYSKRAAN OF WENAS.

Niemand onder die leeftyd van sestien jaar en niemand wat nie bekwaam en betroubaar genoeg is nie moet in diens geneem word as 'n bediener van 'n hyskraan of 'n wenas, hetsy met meganiese krag of op 'n ander wyse aangedrewe, of om seine aan 'n bediener te gee of om vraglopers aan die kop of huis van wenasse te bedien.

33. DEKSTEIERS EN VRAGSTEIERS.

(1) Geen deksteiers of vragsteiers moet by die prosesse gebruik word nie tensy dit sterk en stewig gebou en doeltreffend gesteun is en waar nodig stewig vasgemaak is.

(2) Enige steier wat glibberig is, moet veilig gemaak word deur die gebruik van sand of op 'n ander wyse.

34. OMRASTERING OF BLEDKING VAN LUIKE.

(1) Indien enige luik van 'n ruim wat vir enige persoon in diens toeganklik is en waarvan die diepte meer as vyf voet is, gemeet vanaf die dekvak waarin die luik geleë is tot by die bodem van die ruim, nie in gebruik is vir die deurloping van vrag of ander materiaal of vir trim nie, en die luikhoof minder as twee voet ses duim hoog is, moet so 'n luik of drie voet hoog omraster word of stewig toegemaak word: Met dien verstande dat hierdie vereiste nie van toepassing is nie (a) op enige skip van 200 netto registerton of minder wat slegs een luikopening het; of (b) op enige skip tydens etenstye of ander kort werkpouses gedurende die dienstydperk.

(2) Luikdeksels moet nie by die oprigting van dek- of vragsteiers of vir enige ander doel wat hulle aan beskadiging kan blootstel, gebruik word nie.

(3) Luikdeksels moet teruggeplaas word op die luike in die posisies wat ingevolge regulasie 10 deur merke daarop aangedui is.

35. LAAI OF AFLAAI VAN VRAG MET 'N LOPER OF STROP.

Geen vrag moet met 'n loper of strop by enige tussendeck gelaai of afgelaai word nie tensy of die luik by daardie dek stewig toegemaak is of 'n stewige landingsplatform wat minstens so breed is soos een seksie luikbedekking daaroor geplaas is: Met dien verstande dat hierdie regulasie nie van toepassing is op enige aflaaiproces waarvoor die hele proses binne 'n halfuur uitgevoer sal wees nie.

36. HAKE WAARMEE KATOENBALE, FNS, GELIG OF NEER-GELAAT WORD.

(1) Behoudens die bepalinge van paragraaf (2), moet hake nie vasgemaak word in die bande of toemakmiddels van bale katoen, wol, kurk, goingsak of ander soortgelyke goedere wanneer die werkruimte in 'n ruim beperk is tot die vierkant van die luik nie, en ook moet

raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe.

(2) This regulation shall not apply to breaking out or making up of slings.

37. STAGING IN RESPECT OF SKELETON DECK.

When work is proceeding on any skeleton deck, adequate staging shall be provided unless the space beneath the deck is filled with cargo to within a distance of two feet of such deck.

38. STACKING, UNSTACKING, STOWING OR UNSTOWING OF CARGO.

Where stacking, unstacking, stowing or unstowing of cargo or handling in connection therewith cannot be safely carried out without it collapsing, reasonable measures to guard against accident shall be taken by shoring or otherwise.

39. SECURING OF BEAMS OF HATCHES.

The beams of any hatch in use for the process shall, if not removed, be adequately secured to prevent their displacement.

40. SIGNALLER.

When cargo is being loaded or unloaded by a fall at a hatchway, a signaller shall be employed, and where more than one fall is being worked at a hatchway, a separate signaller shall be employed to attend to each fall: Provided that—

- (a) this regulation shall not apply in cases where a barge, lighter or other similar vessel is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being performed;
- (b) where the proper officer is of the opinion that, owing to the nature of the crane or winch or other appliance in use or by reason of any special arrangements, the requirements of this regulation are not necessary for the safety of persons employed, he may issue a certificate suspending such requirements subject to such conditions as he may specify in such certificate. The proper officer may revoke such certificate as and when he deems it necessary.

41. TRANSPORTATION TO OR FROM A SHIP.

When any person employed has to proceed to or from a ship by water for the purpose of carrying on the processes, proper measures shall be taken to provide for his safe transport. Vessels used for this purpose shall be in charge of a competent person, shall not be overcrowded, and shall be properly equipped for safe navigation and maintained in good condition.

CHAPTER V.—SAFETY RESTRICTIONS.

42. RESPONSIBILITY UNDER CHAPTER V.

It shall be the duty of all persons, whether owners, occupiers or persons employed, to comply with the provisions of Chapter V.

43. REMOVAL OF OR INTERFERENCE WITH FENCING, GANGWAY, ETC.

No person shall, unless duly authorised to do so or in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, hatch covering, life-saving means or appliances, lights, marks, stages or other things whatsoever required by these regulations to be provided. If removed, such things shall be restored at the end of the period during which their removal was necessary by the persons last engaged in the work that necessitated such removal.

skinkelhake nie gebruik word om 'n vat te lig of neer te laat nie wanneer hul gebruik onveilig sal wees vanweë die bou of toestand van die vat of die hake.

(2) Hierdie regulasie is nie van toepassing op die uitbreek of opmaak van stroppe nie.

37. STEIERWERK TEN OPSIGTE VAN SKELETDEK.

Wanneer werk op enige skeletdek uitgevoer word, moet doeltreffender steierwerk voorsien word tensy die ruimte onder die dek met vrag opgevul is tot twee voet van sodanige dek af.

38. OPSTAPELING, AFPAKKING, OPBERGING OF UITLAAI VAN VRAG.

Waar opstapeling, afpakking, opberging of uitlaai van vrag of hanteerwerk in verband daarmee nie met veiligheid uitgevoer kan word sonder dat dit inmekaarstort nie, moet redelike voorsorgmaatreëls teen ongelukke deur middel van stut- of ander werk getref word.

39. VASMAAK VAN LUIKBALKE.

Die balke van enige luik wat by die proses in gebruik is, moet indien hulle nie verwyder word nie, doeltreffend vasgemaak word om te verhoed dat hulle skuif.

40. SEINER.

Wanneer vrag by 'n loopbrug met 'n looper gelaai of afgelaai word, moet 'n seiner gebruik word, en as meer as een looper by 'n loopbrug in werking is, moet 'n afsonderlike seiner gebruik word om elke looper te bedien: Met dien verstande dat—

- (a) hierdie regulasie nie van toepassing is waar 'n trek-skuit, ligter of ander soortgelyke vaartuig gelaai of afgelaai word nie, indien die hyskraan- of wenas-bediener wat die looper bedien 'n duidelike en onbelemmerde uitsig het op daardie dele van die ruim waar werk verrig word;
- (b) waar die bevoegde beampte van oordeel is dat, vanweë die aard van die hyskraan of wenas of ander toerusting in gebruik, of as gevolg van enige spesiale reëlins, die voorskrifte van hierdie regulasie nie nodig is vir die veiligheid van persone in diens nie, hy 'n sertifikaat kan uitreik waarvolgens die vereistes opgeskort word onderworpe aan enige voorwaardes wat hy in die sertifikaat mag aandui. Die bevoegde beampte kan so 'n sertifikaat intrek wanneer hy dit nodig ag.

41. VERVOER NA 'N SKIP OF VAN 'N SKIP AF.

Wanneer enige persoon in diens oor water na of van 'n skip moet gaan om die prosesse uit te voer, moet behoorlike maatreëls getref word om vir sy veilige vervoer voorsiening te maak. Vaartuie wat vir hierdie doel gebruik word, moet in bevel van 'n bevoegde persoon wees, moet nie oorlaai word nie en moet behoorlik vir veilige vaart toegerus wees en in 'n goeie toestand gehou word.

HOOFSTUK V.—VEILIGHEIDSBEPERKINGS.

42. VERANTWOORDELIKHEID KRAGTENS HOOFSTUK V.

Dit is die plig van alle persone, hetsy eienaars, okkupeerders of persone in diens, om aan die voorskrifte van Hoofstuk V te voldoen.

43. VERWYDERING VAN OF GEPEUTER MET OMRASTERINGS, LOOPBRÔE, ENS.

Niemand mag, tensy hy behoorlik daartoe gemagtig of daartoe genoodsaak is, enige omrastering, loopbrug, toerusting, leer, luikdeksel, reddingsmiddele of -uitrusting, ligte, merke, steiers of enigiets anders hoegenaamd wat kragtens hierdie regulasies voorsien moet word, verwyder of daarmee peuter nie. Indien enigiets verwyder word, moet dit teruggeplaas word aan die einde van die tydperk waartydens die verwydering nodig was deur die persone wat die laaste met die werk besig was wat hul verwydering nodig gemaak het.

44. USE OF MEANS OF ACCESS.

Every person employed, shall use the means of access provided in accordance with regulations 5, 6 and 7, and no person shall authorise or order another to use means of access other than those provided in accordance therewith:

45. FORE AND AFT BEAMS AND THWARTSHIP BEAMS.

No person shall go upon the fore and aft beams or thwartship beams for the purpose of adjusting the gear for lifting them on and off, nor shall any person authorise or order another to do so.

[Regulations 15 (1), 16 (1) and 17 (1.)]
ANNEX.

MANNER OF TESTING AND EXAMINING BEFORE TAKING LIFTING MACHINERY AND GEAR INTO USE.

(1) Every winch with the whole of the gear accessory thereto (including derricks, goose necks, eye-plates, eye-bolts or other attachments) shall be tested with a proof load which shall exceed the safe working load as follows:—

<i>Safe Working Load.</i>	<i>Proof Load.</i>
Up to and including 20 tons	25 per cent in excess.
Over 20 tons up to and including 50 tons	5 tons in excess.
Over 50 tons	10 per cent in excess.

The proof load shall be applied either (i) by hoisting movable weights or (ii) by means of a spring or hydraulic balance or similar appliance, with the derrick at an angle to the horizontal which shall be stated in the certificate of the test. In the former case, after the movable weights have been hoisted, the derrick shall be swung as far as possible in both directions. In the latter case, the proof load shall be applied with the derrick swung as far as practicable first in one direction and then in the other.

(2) Every crane and other hoisting machine with its accessory gear shall be tested with a proof load which shall exceed the safe working load as follows:—

<i>Safe Working Load.</i>	<i>Proof Load.</i>
Up to and including 20 tons	25 per cent in excess.
Over 20 tons up to and including 50 tons	5 tons in excess.
Over 50 tons	10 per cent in excess.

The said proof load shall be hoisted and swung as far as possible in both directions. In the case of a jib-crane, if the jib has a variable radius, it shall be tested with a proof load as set out above at the maximum and minimum radii of the jib. In the case of hydraulic cranes or hoists, where, owing to the limitation of pressure, it is impossible to hoist a load 25 per cent in excess of the safe working load, it shall be sufficient to hoist the greatest possible load.

(3) Every article of loose gear (whether it is an accessory to a machine or not) shall be tested with a proof load at least equal to that shown against the article in the following table:—

<i>Article of Gear.</i>	<i>Proof Load.</i>
Chain.....	Twice the safe working load.
Ring.....	
Hook.....	
Shackle.....	
Swivel.....	
Pulley blocks—	
Single sheave block.....	Four times the safe working load.
Multiple sheave block with safe working load up to and including 20 tons.....	Twice the safe working load.
Multiple sheave block with safe working load over 20 tons up to and including 40 tons.....	Twenty tons in excess of the safe working load.
Multiple sheave block with safe working load over 40 tons.....	One and a half times the safe working load.

44. DIE GEBRUIK VAN TOEGANGSMIDDELE

Elke persoon in diens moet gebruik maak van die toegangsmiddele wat ooreenkomstig regulasies 5, 6 en 7 voorsien is, en niemand mag 'n persoon magtig of beveel om ander toegangsmiddele te gebruik as dié wat ingevolgd daarvan voorsien is.

45. LANGSMERKELS EN DWARSSKEEPSE BALKE.

Niemand mag op die langsmerkels of dwarsskeepse balke klim om die toerusting waarmee hulle op- en afgelig word, te skik nie, en ook mag niemand 'n ander persoon magtig of beveel om dit te doen nie.

[Regulasies 15 (1), 16 (1) en 17 (1.)]
BYLAE.

WYSE WAAROP HYSMASJINERIE EN -TOERUSTING GETOETS EN ONDERSOEK WORD VOOR DIE INGEBRUIKNEMING DAARVAN.

(1) Elke wenas tesame met al die toerusting wat daarby behoort (met inbegrip van laaibome, gansnekke, oogplate, oogboute of ander hegstukke) moet getoets word met 'n proefflas wat die veilige werkklas soos volg oorskry:—

<i>Veilige werkklas.</i>	<i>Proefflas.</i>
Tot en met 20 ton	25 persent meer.
Meer as 20 ton tot en met 50 ton	5 ton meer.
Meer as 50 ton	10 persent meer.

Die proefflas moet toegepas word (i) deur beweegbare gewigte te lig, of (ii) deur middel van 'n veer- of hidrouliese balans of soortgelyke toestel, met die laaiboom op 'n hoek bo die horisontaal wat in die toetsertifikaat aangegee moet word. In eersgengemde geval moet die laaiboom so ver moontlik in albei rigtings geswaai word nadat die beweegbare gewigte opgehys is. In die tweede geval moet die proefflas toegepas word met die laaiboom sover prakties moontlik eers in die een rigting en dan in die ander geswaai.

(2) Elke hyskraan en ander hysmasjien tesame met die toerusting wat daarby behoort moet getoets word met 'n proefflas wat die veilige werkklas soos volg oorskry:—

<i>Veilige werkklas.</i>	<i>Proefflas.</i>
Tot en met 20 ton	25 persent meer.
Meer as 20 ton tot en met 50 ton	5 ton meer.
Meer as 50 ton	10 persent meer.

Die genoemde proefflas moet opgehys en so ver as moontlik in albei rigtings geswaai word. In die geval van 'n boomhyskraan, indien die boom 'n reëlbaare straal het, moet dit getoets word met 'n proefflas soos hierbo aangedui by die maksimum en minimum strale van die boom. In die geval van hidrouliese hyskrane of hystoestelle waar dit weens beperkte druk nie moontlik is om 'n gewig wat 25 persent meer as die veilige werkklas is op te hys nie, is dit voldoende om die grootste moontlike gewig te hys.

(3) Elke los stuk toerusting (of dit 'n bybehore by die masjien is al dan nie) moet met 'n proefflas getoets word minstens gelyk aan dié wat teenoor die stuk toerusting in onderstaande tabel aaggeec is:—

<i>Toerusting.</i>	<i>Proefflas</i>
Ketting.....	Dubbel die veilige werkklas.
Ring.....	
Haak.....	
Sluitskakel.....	
Draaiblok.....	
Katrolblokke—	
Enkelskyfblok.....	Viermaal die veilige werkklas.
Meervoudige skyfblok met veilige werkklas tot en met 20 ton.....	Dubbel die veilige werkklas.
Meervoudige skyfblok met veilige werkklas meer as 20 ton tot en met 40 ton.....	Twintig ton meer as die veilige werkklas.
Meervoudige skyfblok met veilige werkklas meer as 40 ton.....	Een en 'n half keer die veilige werkklas.

Provided that where the proper officer is of the opinion that, owing to the size, design, construction, material or use of any such loose gear or class of such gear, any of the above requirements are not necessary for the protection of persons employed, he may issue a certificate exempting such gear or class of such gear from such requirements, subject to such conditions as he may specify in such certificate. The proper officer may revoke such certificate as and when he deems it necessary.

(4) After being tested as set forth in this Annex, all machines with the whole of the gear accessory thereto and all loose gear shall be examined, the sheaves and the pins of the pulley blocks being removed for the purpose, to see that no part is injured or permanently deformed by the test.

(5) In the case of wire ropes, a sample shall be tested to destruction and the safe working load shall not exceed one-fifth of the breaking load of the sample tested.

Met dien verstande dat waar die bevoegde beampte van oordeel is dat, vanweë die grootte, ontwerp, bou, materiaal of gebruik van enige sodanige los toerusting of toerustingsoort, enigeen van die bogenoemde vereistes nie nodig is vir die beskerming van persone in diens nie, hy 'n sertifikaat kan uitreik om sodanige toerusting of toerustingsoort van die vereistes vry te stel, onderworpe aan enige voorwaardes wat hy in die sertifikaat mag aandui. Die bevoegde beampte kan so 'n sertifikaat intrek wanneer hy dit nodig ag.

(4) Nadat hulle onderwerp is aan 'n toets soos in hierdie Bylae uiteengesit, moet alle masjiene met al die toerusting wat daarby behoort en alle los toerusting ondersoek word om vas te stel of enige deel beskadig of blywend deur die toets verwring is. Die skywe en penne van die katrolblokke word vir dié doel verwyder.

(5) In die geval van draadtoue moet 'n monster tot breekpunt getoets word en die veilige werkklas moet dan nie meer wees as een-vyfde van die breekpuntlas van die getoetste monster nie.
