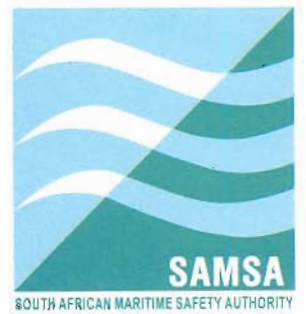


South African Maritime Safety Authority

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MARINE NOTICE No. 26 of 1998

TO ALL SHIPOWNERS, OPERATORS, AGENTS AND MASTERS OF SHIPS THAT INTEND TO TAKE BUNKERS OR SUPPLY BUNKERS TO SHIPS OFF THE COAST OF SOUTH AFRICA

APPLICATION FOR PERMISSION TO CONDUCT A BUNKER TRANSFER OPERATION OUTSIDE A PORT OF THE REPUBLIC OF SOUTH AFRICA

1. Section 21 of the South African Marine Pollution (Control and Civil Liability) Act No. 6 of 1981 (the Act) provides that approval must be obtained from the Authority before oil is transferred from one ship to another if such transfer is to take place outside a harbour but within the prohibited area of the Republic of South Africa. The prohibited area includes *inter alia* the exclusive economic zone referred to in section 7 of the Maritime Zones Act No.15 of 1994.
2. The Act also provides for the Authority to impose any conditions subject to which a transfer shall be performed.
3. A written application requesting permission to undertake a bunker transfer operation (transfer) should be lodged, at least five working days before the transfer is to take place, with the Principal Officer nearest to the proposed place of transfer and such request should contain at least the following particulars:
 - 3.1 The name of the ship supplying the bunkers.
 - 3.2 The name of the receiving ship.
 - 3.3 Their respective ports of registry, official numbers and gross registered tons and drafts.
 - 3.4 Their owners, agents or local operator.
 - 3.5 The type and quantity of oil to be transferred.
 - 3.6 The position, date and estimated duration of transfer.
 - 3.7 Names and local addresses of the P&I Clubs with which the ships are entered.

Safe Ships - Clean Seas

PO Box 13186 Hatfield 0028, c/o Hilda and Schoeman streets Hatfield Pretoria

SAMSA Board

Prof H Staniland (Chair), Ms N N Gobodo (Vice-Chair), Dr P J van Aswegen, Mr T C Dlamini, Capt O Grapow,
Capt B R Watt (Provisional Chief Executive Officer)

- 3.8 Proof that the above-mentioned P&I Clubs cover bunker transfer operations at sea.
 - 3.9 Names of the master or person of the ship supplying the bunkers who is specifically appointed to conduct the approach, docking and undocking (if necessary) of the two ships and to co-ordinate, conduct and supervise the transfer of the bunkers.
 - 3.10 Extracts from the "Shipboard Oil Pollution Emergency Plan" of both ships showing the on board procedures in the case of an accidental spill during a bunker transfer operation at sea.
 - 3.11 Proof that the transfer hoses have been pressure tested in the preceding 12 months.
 - 3.12 The list of equipment on board both ships for combatting and cleaning up an oil spill.
 - 3.13 Details of the procedure to terminate the operation in the event of an emergency.
 - 3.14 A checklist provided by the bunkering ship (to be completed by both ships) showing the checks and procedures required for:
 - a. terminating the operation in the event of an emergency;
 - b. docking;
 - c. commencement of pumping;
 - d. completion of pumping; and
 - e. undocking.
4. Approval for transfer is subject to the following:
- 4.1 The docking of the two ships (if necessary), the connecting of hoses and the commencement of transfer must take place during daylight hours.
 - 4.2 Any emergency resulting in an oil spill or threatening to cause a spill must be brought to the attention of the nearest Principal Officer as soon as possible.
 - 4.3 Both ships' main engines and pollution combatting equipment must be ready for immediate use during the proposed transfer.
5. Approval for transfer is also subject to the Authority 's right to:
- 5.1 Refuse permission for transfer.
 - 5.2 Change the proposed position of the transfer operation.
 - 5.3 Designate a representative officer who shall have access to the bunkering ship for the duration of the transfer.
 - 5.4 Make amendments to the matters mentioned in sub-paragraphs 3.12, 3.13 and 3.14.
 - 5.5 Conduct inspections on both ships to ensure compliance with the Act and the Prevention and Combatting of Pollution of the Sea by Oil Regulations, 1984.

6. Any costs incurred under paragraph 5 are for the account of the applicant.
7. The prescribed procedure and permission, when granted by the Authority, cover only transfer operations within the sea area under the jurisdiction of the Republic of South Africa, it may in no way be construed to cover the sea area under the jurisdiction of another State.
8. Any person conducting a bunker transfer operation without approval from the Authority is guilty of an offence for which the penalty is a maximum fine of R90 000.00 or two years imprisonment or both.
9. Furthermore, it is an offence to discharge oil into the sea area under the jurisdiction of the Republic of South Africa and the penalty for such discharge is a maximum fine of R200 000.00 or five years imprisonment or both.



Capt. B R Watt
CHIEF EXECUTIVE OFFICER