



# South African Maritime Safety Authority

Ref: SM6/5/2/1

Date: 21 January 2016

## Marine Notice No. 3 of 2016

### Application for Permission to Conduct a Bunker or Fuel Transfer Operation Outside a Port of the Republic of South Africa.

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

*Marine Notice No. 26 of 1998 is cancelled*

#### *Summary*

Application for permission to conduct the following Ship to Ship (STS) transfer operation:

1. A Bunker transfer operation outside a Harbour or Fishing Harbour of the Republic of South Africa

**OR**

2. An Oil Cargo Transfer Outside or inside a Harbour or Fishing Harbour of the Republic of South Africa

#### 1. Introduction

It is illegal for any person to conduct bunker or oil cargo transfer operations outside a harbour or fishing harbour of the Republic of South Africa.

#### 2. MARPOL and SOLAS Requirements

Resolution MEPC.186 (59) was adopted at MEPC 59 and contains a new Chapter 8 to MARPOL Annex I on the prevention of pollution during the transfer of oil cargo between oil tankers at sea. The new regulation applies to any oil tanker of 150 GT and above engaged in the **transfer of oil cargo between oil tankers at sea (STS operations – Ship-To-Ship)**. Bunker operations and oil transfer operations associated with fixed or floating platforms are excluded.

Affected oil tankers involved in STS operations will need to carry on board an approved STS operations Plan describing how STS operations are to be conducted.

The STS operations Plan shall be developed in accordance with the requirements in IMO's "Manual on Oil Pollution, Section 1, Prevention" as amended, and the ICS and OCIMF "Ship to Ship Transfer Guide, Petroleum, fourth edition, 2005 (or latest edition). STS Operations must be in accordance with the approved plan. Records of STS operations shall be recorded in the Oil Record Book and are to be retained on board for a period of not less than three years since the transfer occurred.

#### 3. Regulatory – Republic of South Africa

3.1 All vessels to comply with the requirements of Section 2.

3.2 *Authority's permission required for transfer of certain harmful substances or for certain other acts in respect of ships or tankers*

3.2.1 According to Section 21 of the South African Marine Pollution (Control and Civil Liability) Act No. 6 of 1981, no person shall outside a harbour or a fishing harbour and within the prohibited area, transfer any oil or other prescribed harmful substance from any ship or tanker to any other ship or tanker or to an offshore installation or from such offshore installation to any ship or tanker, except with the permission of the Authority and in accordance with the provisions of this Act.

3.2.2 In giving its permission for the performance of any act referred to in subsection 2. the Authority may impose any conditions subject to which such act shall be performed, and such conditions may include the obligation to obtain the services of one or more tugs, spray boats or other vessels to stand by during a period determined by the Authority.

#### 4. Classification Societies and P&I Clubs

SAMSA will only accept at face value, classification societies that are members of **IACS** and P&I Clubs that are members of the **International Group**. P&I Clubs which are **fixed premium clubs** will not be accepted at face value and will have to be investigated first, before being approved or accepted.

##### Definitions

**“exclusive economic zone”** means the exclusive economic zone referred to in section 7 of the Maritime Zones Act 15 of 1994;

**“harbour”** means a harbour of which Transnet Limited has become the owner in terms of section 3 of the Legal Succession to the South African Transport Services Act 9 of 1989;

**“harmful substance”** means any substance which, if introduced into the sea, is likely to create a hazard to human health, harm living resources and marine life, damage amenities or interfere with other legitimate uses of the sea, and includes oil and any other substance subject to control by MARPOL 1973/78 as amended, and mixtures of such substances and water or any other substance;

**“internal waters”** excludes those waters in respect of which the right of innocent passage exists by virtue of section 3(3) of the Maritime Zones Act 15 of 1994;

**“owner”**, in relation to a ship or a tanker, means the person or persons registered as the owner of such ship or tanker or, in the absence of registration, the person or persons to whom such ship or tanker belongs, but, in relation to a ship or tanker belonging to a state which is operated by a person registered as the ship's or tanker's operator, **“owner”** means the person so registered;

**“prohibited area”** means the internal waters, the territorial waters and the exclusive economic zone and, in relation to an offshore installation, includes the sea within the limits of the continental shelf;

#### 5. SAMSA Requirements

A written application requesting permission to undertake a ship to ship transfer outside a port should be lodged, at least five working days **before the transfer** is to take place, with the Principle Officer at the port nearest to the proposed place of transfer.

The request should contain as least the following particulars:

- 5.1 Letter of application must contain compelling reasons of why the bunker transfer cannot take place inside the port;
- 5.2 Details of the ship supplying and the ship receiving the bunkers or oil cargo e.g. names, ports of registry, IMO number, official number, classification society, gross registered tons and drafts;
- 5.3 Their owners, agents or local operator with full contact details;
- 5.4 The type and quantity of oil to be transferred;

- 5.5 The quantity of oil to supply must be locally procured in case of bunker transfers;
- 5.6 Levies will be charged for both ships unless proof of payment to TNPA is submitted;
- 5.7 The position, date and estimated duration of transfer;
- 5.8 Names and local addresses of the P&I Clubs with which the ships are entered, with full contact details;
- 5.9 Proof that the P&I Clubs cover ship to ship transfer operations at sea and wreck removal;
- 5.10 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 co-ordinate, conduct and supervise the transfer;
- 5.11 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 transfer operation.
- 5.12 The list of equipment on board both ships for combating and cleaning up an oil spill;
- 5.13 Proof that the transfer hoses have been pressure tested in the preceding 12 months;
- 5.14 No crew changes, loading /discharging of spares, victualing are allowed during a STS transfer;
- 5.15 Details of the procedure to terminate the operation in the event of an emergency;
- 5.16 The docking of the two ships (if necessary), the connecting of hoses and the commencement of transfer must take place during daylight hours;
- 5.17 Any emergency resulting in a spill or threatening to cause a spill must be brought to the attention of the nearest Principal Officer as soon as possible;
- 5.18 Both ship’s main engines ready for immediate use during the proposed transfer;

**6. Approval for transfer is also subject to the Authority’s right to:**

- 6.1 Refuse permission for transfer;
- 6.2 Change the proposed position of the transfer operation;
- 6.3 Designate representative officer who may board the bunkering ship for the duration of the transfer;
- 6.4 Conduct inspections on both ships to ensure compliance with the Act and the Prevention and Combating of Pollution of the sea by Oil regulations, 1984.

**7. Costs and expenses**

Any costs or expenses incurred under paragraph 8 are for the account of the applicant.

**8. Jurisdiction**

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.

**9. Offenses and penalties**

- 9.1 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 (ninety thousand rands) or two years imprisonment or both. – See Marine Pollution (Control and Civil Liability) Act No. 6 of 1981.

9.2 It is an offence to discharge oil or any harmful substance into the sea area under the jurisdiction of the Republic of South Africa and the penalty for such discharge is a maximum fine of R500 000.00 (five hundred thousand rands) or five years imprisonment or both - See Marine Pollution (Prevention of Pollution from Ships) Act No.2 of 1986.

10. **Annex 1:** TRANSFER PARTICULARS.  
**Annex 2:** BERTHING Checklist.  
**Annex 3:** GENERAL Checklist.  
**Annex 4.** BEFORE UNMOORING Checklist.

**21 January 2016**

**SM6/5/2/1**

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# ANNEX 1

## SHIP TO SHIP TRANSFER TRANSFER PARTICULARS

<b>VESSEL / STATION INFORMATION</b>			Location:	
	<b>Supplier</b>	<b>Recipient</b>	Position:	
Vessel name			Start Date:	
Officer in Charge			Finish Date:	
Rank			Stoppage time:	
<b>OPERATIONS</b>				
Transfer Type:		Connection Type (2/4Bands):		
Total Length of Hose (m):		Number of hose sections:		
Diameter (m):		Test Pressure (kPa):		
Purge Method: Nitrogen / Air		Pig used: Yes / No		
MAX. Delivery <b>FLOW RATE</b> :		<b>Requested</b> Flow Rate: (Receiver):		
Boom deployed before transfer: Yes / No		Work Boat used: Yes / No		Hose Strain Relief System used: Yes / No
<b>PRODUCT INFORMATION</b>			<b>WEATHER CONDITIONS</b>	
Type	Supplier Tank (from) / Quantity / Time	Receiver Tank (into) / Quantity / Time	Wind Force (knots):	Wind Direction:
			Sea State:	Visibility:
<b>COMMUNICATIONS</b>				
<b>SUPPLIER</b> <i>(Circle Applicable)</i>		<b>RECEIVER</b> <i>(Circle Applicable)</i>		
Primary Method:	(VHF /UHF )	(VHF /UHF )	CHANNEL:	FREQUENCY:
Backup Method:	( PHONE, RADIO, OTHER)	( PHONE, RADIO, OTHER)		
Language Used:				

## ANNEX 2.

### SHIP TO SHIP BUNKER TRANSFER BERTHING CHECKLIST

SHIP to SHIP PRECEEDURE	CHECK	SUPPLIER		RECIPIENT		COMMENTS.
	YES	INIT	DATE	INIT	DATE	
1. Has the General Checklist for All Transfers been completed?						
2. Are the primary and secondary fenders in place						
3. Have the tanks, pipeline and valves been set and inspected to accept transfer?						
4. Opposite (unused) bunker connection been checked as CLOSED & BLANKED.						Inspected by: .....
5. Are all other tank valves closed and set for normal operation?						Inspected by: .....
6. Are valves not being used, shut and blanked on the manifold?						Inspected by: .....
7. Transfer hoses adequately supported & properly connected?						
8. Are all connections checked for leaks?						Pressure .....
9. Are regular checks of the water around vessels for evidence of leakage, being made?						Frequency: .....
10. Are regular checks on the hose pressure being made to ensure that the recommended pressure is not exceeded?						Frequency: .....
11. Tank monitoring measurement procedures in place?						Ullages or soundings
12. Agreed criteria to shut down if the vessels' movements become excessive? <i>Slow down / Shut down time:</i>						
13. Are vessels' engines on Standby?						

## ANNEX 3

### SHIP TO SHIP TRANSFER GENERAL CHECK LIST.

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GENERAL PROCEDURES	CHECK	SUPPLIER		RECIPIENT		COMMENTS
	YES	INITIAL	DATE	INITIAL	DATE	
1. Pre-transfer Public Address (PA) Announcement made?						
2. All OVER-SIDE protrusions of the vessel have been retracted. Eg. Stores crane, gantries etc.						
3. All personnel involved with the bunker transfer are informed & adequately trained? A designated person is on duty at all times during the bunker transfer operation?						Designated Person: .....
4. <b>Language</b> agreed to for the transfer duration.						LANGUAGE: .....
5. All communications including Backup System tested? Refer to TRANSFER PARTICULARS.						
6. Fire fighting gear tested, available & fire screens in place?						
7. All regulations for the transfer understood and observed. <b>"NO SMOKING, NAKED LIGHTS or FLAMES"</b> signs posted						
8. Are window type Air Conditioning. units switched <b>OFF</b> ?						
9. Are exterior doors and ports leading to main deck closed?						
10. Are <b>flashlights</b> "intrinsically safe" and approved?						
11. Equipment and materials required for transfer available?						
12. Containment kit & material (SOPEP) available?						

GENERAL PROCEDURES	CHECK	SUPPLIER		RECIPIENT		COMMENTS
	YES	INITIAL	DATE	INITIAL	DATE	
13. Are all deck scupper plugs in place?						
14. Are drip cans and <b>save-alls</b> in place, empty and plugged?						
15. Are main decks free of <b>standing water</b> ?						
16. Is the bunker OVERFLOW system operational as per the original design specifications.						CAPACITY of Overflow tank:.....m <sup>3</sup> .
17. Has Transfer Emergency Shutdown been tested?						Number of STOP points:
18. Are hose test certificates available for inspection?						Last pressure test within 12 months.
19. <b>HOSES</b> to be used have been checked for:						
a) correct diameter & length to reach other station,						
b) chafing, cracks or other deformation,						
c) damaged fittings,						
d) blanking of hoses,						
e) continuity.						
f) joints or gaskets new.						
20. Are pressure gauges operational and correctly calibrated?						
21. Are all SAMPLING valves closed and fitted with steel gooseneck pipe fittings?						
22. All repair work at either station stopped.						
23. Inert gas system is fully operational (if fitted).						
24. Are all tank vents open and free of blockage?						



GENERAL PROCEDURES	CHECK	SUPPLIER		RECIPIENT		COMMENTS
	YES	INITIAL	DATE	INITIAL	DATE	
25. Main transmitting aerials and radar scanners are used with due care.						
26. All craft alongside are authorised and following hazard warnings, etc.						
27. Have weather reports been determined?						
28. Are gas concentration accumulations in still air conditions monitored?						
29. Is lighting adequate for all transfer requirements?						
30. Is a mooring watch being maintained and moorings monitored?						
31. Are spill reporting procedures understood?						
32. Have Pressure/Vacuum Relief (PVR) valves been checked?						
33. Are International signals being displayed? (if required)						
34. Has a written procedure and the sequence of the transfer been agreed upon?						
35. Is there a clear understanding of the watch arrangement?						
36. Will there be sufficient personnel available at all times to monitor the transfer operation, tend cargo hose and mooring lines and take appropriate action in an emergency?						Number of personnel: .....
37. Has a post-transfer PA announcement been made?						
<i>Commence completion of UNMOORING Check List.</i>						

## ANNEX 4

### SHIP TO SHIP TRANSFER BEFORE UNMOORING.

GENERAL PROCEDURES	CHECK	SUPPLIER		RECIPIENT		COMMENTS
	YES	INITIAL	DATE	INITIAL	DATE	
1. Cargo hoses are properly drained prior to hose disconnection?						
2. Cargo hoses or manifolds are blanked?						
3. The transfer side of the ship is clear of obstructions.						
4. Secondary fenders are correctly positioned and secured?						
5. Method of unberthing has been agreed with the other ship?						
6. Fenders, including fender pennants, are in good order?						
7. Power is on winches and windlass??						
8. Rope messengers and rope stoppers at all mooring stations?						
10. Communications are established with mooring personnel and with the other ship?						
11. Shipping traffic in the area has been checked?						
12. Main engine(s) and steering gear have been tested and are in a state of readiness for departure?						
13. Mooring personnel have been instructed to let go only as requested by the manoeuvring ship?						
14. Navigational warnings have been cancelled (when clear of other ship)?						
15. The other ship has been advised that Check-List is satisfactorily completed?						