

REPORTING OF OIL SPILLS AND SHIPPING CASUALTIES THREATENING POLLUTION

TO ALL SHIP OWNERS, SHIP OPERATORS, MASTERS, PRINCIPAL OFFICERS, AND OTHER INTERESTED AND AFFECTED PARTIES

ISSUE DATE	03 October 2023	EXPIRY DATE	02 October 2028 or unless withdrawn	REFERENCE	SM6/5/2/1/MN
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Marine Notice's affected

<i>Cancelled or superseded:</i>	MN 55 of 2020	<i>Read in conjunction with:</i>	Not applicable
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SUMMARY

This Marine Notice incorporates MARPOL reporting requirements and updated contact information for oil spill reporting and casualties threatening pollution.

MARINE POLLUTION (CONTROL AND CIVIL LIABILITY) ACT 1981 (Act 6 of 1981)

Reporting of discharge and damage causing discharge or likelihood of discharge

3. (1) When any harmful substance has been discharged from a ship, tanker or offshore installation the master of such ship, tanker or offshore installation, or any member of the crew of such ship or tanker or of the staff employed in connection with such offshore installation, designated by such master, shall forthwith by the quickest means of communication available report the fact that such discharge has taken place to the principal officer at the port in the Republic nearest to where such ship, tanker or offshore installation is.

(2) If, while it is within the prohibited area (E.E.Z), a ship or a tanker sustains any damage, whether to its hull, equipment or machinery, which causes, or creates the likelihood of, a discharge of any harmful substance from such ship or tanker, or having sustained such damage, enters the prohibited area in such damaged condition, the master of such ship or tanker, or any member of its crew designated by the master, shall forthwith by the quickest means of communication available report to the principal officer at the port in the Republic nearest to where such ship or tanker then is the fact that such damage was sustained, the nature and location on the ship or tanker of the damage, the position at sea where the damage was sustained, the name of the ship or tanker, its port of registry, its official number, its position, its course and, if in the Republic, its destination, the quantity and type of harmful substances on board and, in the case of a tanker to which the provisions of section 13 apply, the particulars contained in the certificate.

(3) For the purposes of subsection (2) damage to a ship or a tanker shall be deemed to have created the likelihood of a discharge of a harmful substance from such ship or tanker if it is of such a nature as to detrimentally affect, in any degree, the ship's or tanker's seaworthiness or efficient working.

(4) If the master of a ship or a tanker fails to comply with the provisions of subsection (1) or (2) or if the master of an offshore installation fails to comply with the provisions of subsection (1), such master shall be guilty of an offence.

Offences and penalties

Any person convicted of an offence referred to in Section 30 of the Act, shall be liable to a fine or imprisonment or both as prescribed in the Act.

POLICY

- Since 1 October 1985 the Department of Forestry, Fisheries, and the Environment, hereinafter referred to as the DFFE, has been responsible for matters relating to the combating of oil pollution with the Department of Transport (DOT) retaining responsibility for prevention. This arrangement applied to functions in terms of the Prevention and Combating of Pollution of the Sea by Oil Act 6 of 1981 (as it was originally called).
- With the establishment of the South African Maritime Safety Authority (SAMSA) on 1 April 1998, the administration of this Act [now called the Marine Pollution (Control and Civil Liability) Act 6 of 1981] was transferred to SAMSA in terms of the South African Maritime Safety Authority Act 5 of 1998. However, in terms of section 52 of the latter Act the function for combatting pollution continues to be the responsibility of DFFE.

REPORTING REQUIREMENTS

3 Article 8 and Protocol I of MARPOL 73/78 establishes reporting requirements for pollution incidents.

Reports should contain as much of the following information as possible:

- .1 name of the person reporting the incident;
- .2 telephone number (work/home) or other means of contact;
- .3 date and time of observation;
- .4 details of observation;
- .5 location (e.g., latitude and longitude or the position relative to the coastline or known landmark);
- .6 source and cause of pollution (e.g., name and type of vessel, collision, or grounding);
- .7 type and estimated quantity of oil or pollutant spilled and the potential and probability of further pollution (e.g., amount in litres/cubic metres and area covered in m²)
- .8 weather and sea conditions;
- .9 action taken or intention to respond to the incident.

REPORTING OF OIL SPILLS

4 SAMSA and DFFE are all concerned with the prevention, containment and cleaning up of oil spills at sea. These organisations should be informed as soon as possible whenever there is an oil spill or a threat of an oil spill.

SANPARKS (South African National Parks) is the body responsible for managing South Africa's National Parks - to develop, expand, manage, and promote a system of sustainable National Parks.

5 The "Telephone List for Oil Spill Reporting" in the Annex, lists the relevant contact persons and their contact details for vessels operating within the South African EEZ, the Annex to MSC-MEPC.6/Circ17 from IMO is for vessels operating outside of the EEZ and is updated in January and July each year.

PROCEDURE

6 Oil spills and threatened spills shall be reported immediately to the Duty Operator at SAMSA MRCC +27(0) 21 938 3300 and the nearest SAMSA Principal Officer, failing which (and in the following order) SAMSA's Regional Managers, SAMSA's Deputy Chief Operations Officer (DCOO), any of the other listed SAMSA officials, the listed DFFE and SANPARKS officials. It is the responsibility of DFFE and SANPARKS to inform their subsidiary organisations, such as SANCCOB (The Southern African Foundation for the Conservation of Coastal Birds), or any relevant Wildlife organisation, etc.

7 For ships at sea, the South African coastal maritime radio stations will connect the responsible ship's officer to the South African Maritime Rescue Coordination Centre (MRCC), which will alert the appropriate Principal Officer.

8 A ship in port can report to the duty officer in the control tower of the Transnet National Ports Authority, who will forward the communication to the SAMSA Principal Officer of the port. Alternatively, the ship, or the ship's agent, can communicate directly with the SAMSA Principal Officer.

9 The SAMSA official receiving the initial report will immediately place the organisation on alert by informing the responsible persons at DFFE. He or she will then inform SAMSA's Regional Manager about the incident and any action taken. The Regional Manager will inform higher authority, as appropriate, and, if necessary, activate the Incident Management Organisation (IMOrg).

- 10 If for any reason the above procedure fails, any person in the organisations mentioned in paragraph 6 should carry forward the procedure by alerting other relevant persons and organisations.
- 11 Changes to the information in the Annex should be reported in writing to SAMSA at the address given below.

Annex 1 - Telephone list for oil spill reporting

Annex 2 - Telephone list of environmental authorities

Annex 3 - Harmful substances reporting form.

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ANNEX 1

TELEPHONE LIST FOR OIL SPILL REPORTING

The Principal Officer stationed closest to the incident should be the first contact.

Organisation/Location	Office	Fax (Office Hours)	After hours	Cell / Mobile
<i>RM = Regional Manager. PO = Principal Officer. TM (Technical Manager) = Technical Manager DCOO = Deputy Chief Operations Officer</i>				
<i>TSU = Technical Support Unit SWR (Seawatch and Response) = Seawatch and Response MRCC = Maritime Rescue Coordinating Centre</i>				
CENTRE FOR SEA WATCH AND RESPONSE – [CAPE TOWN BASED]				
MRCC – Maritime Rescue Coordinating Centre (mrcc.ct@samsa.org.za)	(021) 938 3300	(021) 938 3309		0716413345
Capt. Pretty Molefe (Head - CSWR)	Pmolefe@samsa.org.za	(021) 938 3317	(021) 938 3334	➔
Capt. Ravi Naicker (SWR -Navigation, Security & Environment)	Rnaicker@samsa.org.za	(021) 938 3310	(021) 938 3319	(021) 551 1825

SAMSA EASTERN REGION [Kwa-Zulu Natal]				
Capt. Tobela Gqabu (RM)	tgqabu@samsa.org.za	(031) 307 3006	(031) 307 3086	0827864155
Capt. Winston Lobo (TSU)	wlobo@samsa.org.za	(031) 307 3006	(031) 307 3086	➔
DURBAN OFFICE	DUTY SURVEYOR 076 133 7799			
Capt. Hopewell Mkhize (PO)	hmkhize@samsa.org.za	(031) 307 1501	(031) 306 4983	➔
RICHARD'S BAY OFFICE				
Capt. Philane Mthlane (PO)	pmthlane@samsa.org.za	(035) 788 0068	(035) 788 0067	➔

SAMSA SOUTHERN REGION [EASTERN CAPE]				
Ms. Bongiwe Stofile (RM)	bstofile@samsa.org.za	(041) 582 2138	(041) 582 2130	083 384 9563
Capt. Daron Burgess (TSU)	dburgess@samsa.org.za	(041) 582 2138	(041) 582 2130	➔
PORT ELIZABETH OFFICE	DUTY SURVEYOR 079 537 4276			
Mr Thandi Mehlo (PO)	tmehlo@samsa.org.za	(041) 585 0051	(041) 582 1213	➔
PORT OF NGQURA				
Capt. Ian Renders (PO)	irenders@samsa.org.za	079 512 1017	-	➔
EAST LONDON OFFICE				
Capt. Abongile Makumsha (PO)	amakumsha@samsa.org.za	(043) 722 4120	(043) 722 2264	➔
MOSEL BAY OFFICE				
Mr. Paul Vieira (Act. PO)	pvieira@samsa.org.za	(044) 690 4201	(044) 691 1206	➔

SAMSA WESTERN REGION [WESTERN CAPE]				
Capt. Vernon Keller (DCOO)	vkeller@samsa.org.za	(021) 421 6170	(021) 419 0730	➔
CAPE TOWN OFFICE	DUTY SURVEYOR 072 364 4958			
Capt. Antoinette Keller (PO)	akeller@samsa.org.za	(021) 421 6170	066 308 7933 Business cell (No Fax)	➔

SALDANHA BAY OFFICE		DUTY SURVEYOR 076 077 7467			
Capt. Neville Noble (PO)	nnoble@samsa.org.za	(022) 714 1612	N/A	➔	073 608 1377
PORT NOLLOTH OFFICE					
Mr. Justin Coraizin (PO)	jcoraizin@samsa.org.za	(027) 851 7695	(027) 851 7699	➔	082 386 2141
SAMSA HEAD OFFICE [PRETORIA]					
Pretoria Reception		(012) 366 2600	(012) 366 2601		
Capt. Vernon Keller (DCOO)	vkeller@samsa.org.za	(021) 421 6170	(021) 419 0730	➔	066 225 8868
Mr. Imraan Davis (PO)	idavis@samsa.org.za	(012) 266 2634	N/A	➔	082 418 3219

Organisation/Location	Office	Fax (Office Hours)	After hours	Cell / Mobile
DEPARTMENT OF FORESTRY AND FISHERIES AND ENVIRONMENT (DFFE)				
CAPE TOWN.				
Dr. Yazeed Peterson (Director)	(021) 493 7054	(021)- 819 2445	Ypeterson@dfpe.gov.za	083 530 3127
Ms. Feroza Albertus (CEO Gr B)	(021) 493 7057	(021)- 819 2445	Falbertus@dfpe.gov.za	072 173 6234
Ms. Lona Nondaka (EO: SP)	(021) 493 7061	(021)- 819 2445	Lnondaka@dfpe.gov.za	078 218 3500

The above contact details are correct and current at the time of publishing this Marine Notice

Additional information pertaining to OIL SPILL REPORTING.

The South African Navy Hydrographer's Office.

a) Notice to Mariners:

Notice No 5 of each year
Notice No 6 of each year
Notice No 7 of each year
Notice No 26 of each year
Notice No 27 of each year

Web Address: - www.sanho.co.za

Regulations for the Navigation of LADEN TANKERS.
Oil Pollution - Observations and Reporting.
Storm Warnings to Shipping.
Merchant Shipping (Maritime Security) Regulations.
SA Southern Continental Shelf Special Area

IMO (International Maritime Organisation) 

Web Address: - www.imo.org

b) MSC-MEPC.6/Circ.XX ANNEX which is published on the last day of January and July each year.

Link: [Circulars \(imo.org\)](http://Circulars(imo.org))

ANNEX 2
SOUTH AFRICAN NATIONAL PARKS (SANParks)

MPA OR MARINE AREA	CONTACT
Addo Elephant National Park MPA (Eastern Cape)	Duty phone 24 Hours: 081 834 3315
	Snr Section Ranger Anban Padayachee Cell: 083 636 4941 Tel: 044-233 8600 Email: Anban.Padayachee@sanparks.org
	Snr Section Ranger Rob Milne Cell: 082 433 2477 Tel: 042 - 235 1002 Email: rob.milne@sanparks.org
	Snr. Ranger Henvik Visser Cell: 071 342 2262 Tel: 042 233 8600 Email: henvik.visser@sanparks.org
Tsitsikamma MPA: Garden Route National Park (Eastern /Western Cape boundary)	Ms. Cloverly Lawrence Cell: 083 278 2296 Tel: 041 - 508 5411 Email: cloverly.lawrence@sanparks.org
	Duty phone 24 Hours: 072 917 5079 Park Manager Victor Mokoena Victor Mokoena@sanparks.org Cell:0664533238 Snr Section Ranger Euginia Mkhathshwa Euginia.Mkhathshwa@sanparks.org Cell:082 908 3226 042- 2811607/557
Knysna Estuary: Garden Route National Park (Western Cape)	Duty phone 24 Hours: 082 269 5007 Area Manager Megan Taplin megan.taplin@sanparks.org Cell:083 650 8649
	Snr Section Ranger Owen Govender owen.govender@sanparks.org Cell:082 881 7769 044-3025600 /44
Wilderness: Garden Route National Park (Western Cape)	Duty phone 24 Hours: 079 177 1403 Section Ranger Jonathan Britton jonathan.britton@sanparks.org Cell:084 714 7793 044- 877 1197
	Park Manager Dr Sandra Taljaard sandra.taljaard@sanparks.org Cell:082 889 8018
Agulhas National Park (Western Cape)	Section Ranger Carmen Gagiano carmen.gagiano@sanparks.org Cell:082 829 8678 028-435 6078

The above contact details are correct and current at the time of publishing this Marine Notice

Annex 3

HARMFUL SUBSTANCES REPORTING FORM

Harmful substances report (HS) - When an incident takes place involving the discharge or probable discharge of oil (Annex I of MARPOL 73/78) or noxious liquid substances in bulk (Annex II of MARPOL 73/78).

Probability of discharge

1. The probability of a discharge resulting from damage to the ship or its equipment is a reason for making a report. In judging whether there is such a probability and whether the report should be made, the following factors, among others, should be taken into account:
 - 1.1 the nature of the damage, failure or breakdown of the ship, machinery or equipment; and
 - 1.2 sea and wind state and also traffic density in the area at the time and place of the incident.
2. It is recognized that it would be impracticable to lay down precise definitions of all types of incidents involving probable discharge which would warrant an obligation to report. Nevertheless, as a general guideline the master of the ship should make reports in cases of:
 - 2.1 damage, failure or breakdown which affects the safety of ships; examples of such incidents are collision, grounding, fire, explosion, structural failure, flooding, cargo shifting; and
 - 2.2 failure or breakdown of machinery or equipment which results in impairment of the safety of navigation; examples of such incidents are failure or breakdown of steering gear, propulsion plant, electrical generating system, essential shipborne navigational aids.

These items of the standard reporting format are referred to in IMO Resolution A.851(20)), as amended by Resolution MEPC.138(53). If any of the following items of the reporting form are inappropriate, they should be omitted from the report.

In the case of actual discharge, primary HS reports should contain items A, B, C (or D), E, F, L, M, N, Q, R, S, T, U, X of the standard reporting format. In the case of probable discharge, item P should also be included.

Classification of report

(i) doubtful	<input type="checkbox"/>	(ii) probable	<input type="checkbox"/>	(iii) confirmed	<input type="checkbox"/>
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A	Name of vessel	Call sign	Flag
B	Date and time of event (A 6-digit group giving day of month (first two digits), hours and minutes (last four digits) (time in Coordinated Universal Time (UTC)		
C	Position: latitude and longitude (A 4-digit group giving latitude in degrees and minutes suffixed with N (north) or S (south) and a 5-digit group giving longitude in degrees and minutes suffixed with E (east) or W (west): or		
or			
D	Position: true bearing and distance (True bearing (first 3 digits) and distance (state distance) in nautical miles from a clearly identified landmark (state landmark)		
E	True course (A 3-digit group)		
F	Speed (in knots and tenths of a knot as a 3-digit group)		
L	Route information (details of intended track)		
M	Full names and details of radio stations/frequencies guarded		
N	Next report (A 6-digit group giving day of month (first two digits), hours and minutes (last four digits) (time in Coordinated Universal Time (UTC)		
P	Type of oil or the correct technical name of the noxious liquid substances on board.	UN number or numbers	
	Pollution category (X, Y or Z), for each noxious liquid substance	Names of manufacturers of substances or consignee or consignor	
	Quantity		

Q	Condition of the ship as relevant (brief details of defects, damage, deficiencies, or other limitations)			
	Is the vessel able to transfer cargo, ballast and fuel			
R	Type of oil or the correct technical name of the noxious liquid discharged into the sea		UN number or numbers.	
	Pollution category (X, Y or Z), for each noxious liquid substance		Names of manufacturers of substances or consignee or consignor	
	An estimate of the quantity of the substances		Whether lost substances floated or sank	
	Whether loss is continuing		Cause of loss	
	Estimate of the movement of the discharge or lost substances, giving current conditions if known		Estimate of the surface area of the spill if possible	
S	Weather and sea conditions, including wind force and direction and relevant tidal or current details			
T	Name, address, telephone and facsimile numbers of the vessel's owner and representative (manager or operator of the vessel, or their agents)			
	Owner/operator		Agent/representative	
	Telephone	Facsimile	Telephone	Facsimile
U	Type of vessel	Length	Breadth	Tonnage
X	Action being taken about the discharge and to the movement of the vessel			
	Assistance or salvage efforts which have been requested or which have been provided by others.			
	The master of an assisting or salvaging ship should report the particulars of the action undertaken or planned.			

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