

# **Water Awareness and Charge Certificate Manual**

## **Module 04: South African Small Vessel Regulations**

### **SAMSA Marine Notice 13 of 2011**

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Module 4: South African Small Vessel Regulations	Initial Release	1.0	18 Sept 2009
Module 4: South African Small Vessel Regulations	Revisions from SAMSA	1.1	27 Dec 2015
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## **Outcomes**

After completing this module, the certificate holder will:

- Be able to explain what are Certificate of Competency and Certificate of Fitness
- Be able to define the categories for CoC and CoF
- Identify vessels affected by MN 13 of 2011
- Be able to list the principles applicable to recreational vessels
- Be able to list the steps to be performed before setting out on a voyage

# 1 The Law of South Africa

The promulgation of the *Merchant Shipping (National Small Vessel Safety) Regulations 2007* brought into effect a new regulatory regime for small vessels on inland waters. A small vessel is defined as a commercial vessel under 25 gross tons or a recreational vessel under 100 gross tons. These regulations are governed and enforced by the South African Maritime Safety Authority (SAMSA) as explained in Marine Notice 13 of 2011 and apply as of 1 August 2007.

The regulations define 6 categories for certificate of competency and certificate of fitness:

1. Category A — vessels operating any distance from shore;
2. Category B — vessels operating less than 40 nautical miles from shore;
3. Category C — vessels operating less than 15 nautical miles from shore;
4. Category D — vessels operating less than 5 nautical miles from shore;
5. Category E — vessels operating not more than 1 nautical mile from shore and 15 nautical miles from an approved launch site;
6. Category R — vessels operating solely on inland waters.

This course focuses solely on Category R and specifically excludes dive boat operations and surf launching.

Under the regulations the main principles applying to all recreational vessels are as follows:

- i. All vessels excepting power driven vessels of 15 HP or less, sailing vessels of less than 9 metres in length and vessels propelled by human power alone, must be marked with a single traceable 'approved marking';
- ii. All skippers of motor vessels of more than 15 HP and sailing vessels of 9 metres and more in length must be certificated. Skippers of pleasure vessels being sailing vessels of 9 metres and more in overall length, or power driven vessels of more than 15 HP, require a Small Vessel Certificate of Competence in accordance with the regulations. The CoC, or a certified copy thereof, must be in the skippers possession at all times.
- iii. All vessels excepting power driven vessels of 15 HP or less, sailing vessels of less than 9 metres in length and vessels propelled by human power alone must be inspected and certified as seaworthy annually (i.e. obtain a Certificate of Fitness);
- iv. All vessels (regardless of the fact that some are exempted from skipper's certificates and certificates of fitness) must carry the appropriate and relevant safety equipment according to the vessel category and type;  
  
(Note that vessels described as personal water craft of less than 3 metres (ie. jetskis and other similar vessels), motor vessels of 15 HP or less, sailing vessels under 7 metres, and non-power driven vessels are exempted from certain safety requirements but are still however required to carry the safety equipment required by annex 2 as well as have sufficient buoyancy.)
- v. All vessels must have sufficient buoyancy. In accordance with the regulations, vessel owners are required to be able to prove that their vessels have suitable and adequate buoyancy. This is dealt with fully in section 9.

No person may operate a vessel if he/she is not physically able and of sound mental health, or whilst under the influence of intoxicating liquor or narcotic drugs.

No person under the age of 16 years is allowed to skipper a recreational vessel. Children under the age of 16 may operate a recreational vessel under the guidance of a person who is a holder of a CoC

The Certificate of Fitness is valid for 12 months, provided no structural changes have been made to the vessel, equipment or appliances and that the vessel has not capsized. The CoF, or a certified copy, must be kept on board at all times.

The number of people aboard is limited to the specification set down by the manufacturer or CoF

All vessels must have sufficient buoyancy to keep the vessel afloat while fully loaded and swamped. In accordance with the regulations, vessel owners are required to be able to prove that their vessels have suitable and adequate buoyancy. The volume displaced by the buoyancy (i.e. the foam or bottles) provided inside the vessel must represent a figure of 30% of the gross weight of the vessel.

All vessels must carry the appropriate and relevant safety equipment according to the vessel category and type; (Note that vessels described as personal water craft of less than 3 metres, motor vessel of 15 HP or less, sailing vessels under 7 metres, and non-power driven vessels are exempted from certain safety requirements but are still however required to carry the safety equipment required as well as have sufficient buoyancy.) See Module 9 - Section 1.1

Sufficient fuel must be carried for the voyage, plus an additional 25% reserve amount. When calculating the fuel requirement, the following must be taking into consideration.

- Travelling with or against the wind
- Travelling with or against the current
- Tidal flows
- Weather predictions for wind and sea state

Before proceeding out to sea, the following details of the voyage must be left with the S.A.P.S., club or harbour master, next of kin of the skipper or any other responsible person:

- a. Type, make and ID number of the vessel
- b. The number and names of the crew
- c. The ETD and ETA of the voyage
- d. The location of departure and arrival

The skipper must ensure that the person with whom the details were left is notified of the vessel's return

Any mishap or accident at sea must be reported to the S.A.P.S. and the controlling authorities within 24 hours

All skippers should have a general understanding of the regulations. A full transcript is available from SAMSA at:

<http://www.samsa.org.za/sites/samsa.org.za/files/MN%2013%20of%202011%20Small%20vessels%20Policy.pdf>