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## GOVERNMENT NOTICE

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### DEPARTMENT OF TRANSPORT

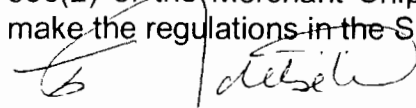
No. R. 901

9 September 2009

### MERCHANT SHIPPING ACT, 1951

### MERCHANT SHIPPING LONG-RANGE IDENTIFICATION AND TRACKING OF SHIPS REGULATIONS, 2009

I, Sibusiso Joel Ndebele, Minister of Transport acting in terms of section 356(2) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), herewith make the regulations in the Schedule.



**S J NDEBELE**  
**MINISTER OF TRANSPORT**

### SCHEDULE

#### Purpose

(1) These regulations give effect to Chapter V regulation 19-3 (Long-range identification and tracking of ships) of the Second Schedule of the Act which require certain ships engaged on an international voyage to transmit ship identification and position information electronically.

(2) The regulation referred to in subregulation (1) has been published in Government Gazette No. 10 of 8 January 2009.

#### Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

**"administration"** means —

- (a) in relation to ships of South African nationality, the Authority;  
and
- (b) in relation to a foreign ship, the Government of the State whose flag the ship is entitled to fly;

**"baseline"** means baseline as defined in section 1 of the Maritime Zones Act, 1994 (Act No. 15 of 1994);

**"cargo ship"** means any ship, including a high speed craft, that is not a passenger ship;

**"foreign ship"** means a treaty ship that is not a South African ship;

**"gross tonnage"** means the gross tonnage of a ship calculated in accordance with the Tonnage Convention;

**"high speed craft"** means a craft capable of a maximum speed in metres per second equal to or exceeding  $3.7 \times \text{displ}^{0.1667}$ , where "displ" is the displacement corresponding to the design waterline in cubic metres;

**"IMO"** means the International Maritime Organisation;

**"LRIT report"** means a long-range identification and tracking report containing the following information:

- (a) the identity of the ship;
- (b) the position of the ship (latitude and longitude); and
- (c) the date and time of the position provided;

**"LRIT data centre"** means a centre established by one or more contracting Governments to the Safety Convention or, in the case of the International Data Centre, established by IMO, to request, receive, process, and archive LRIT reports;

**"mobile offshore drilling unit"** means a self-propelled vessel capable of engaging in drilling operations for the exploration or exploitation of subsea resources;

**"passenger ship"** includes a high speed craft carrying more than 12 passengers;

**"sea area A1", "sea area A2", "sea area A3" and "sea area A4"** each has the meaning it has in regulation 2(1) of the Merchant Shipping (Radio Installations) Regulations, 2002;

**"the Act"** means the Merchant Shipping Act, 1951 (Act No. 57 of 1951).

## Application

3. These regulations do not apply to—

- (a) ships used solely for sport or recreational purposes;
- (b) fishing, sealing or whaling boats;
- (c) ships not propelled by mechanical means; and
- (d) wooden ships of primitive build.

## Transmission of LRIT reports

4. (1) A South African ship shall transmit LRIT reports from wherever it is.

(2) A foreign ship shall transmit LRIT reports after the ship has announced its intention to enter a port in the Republic as required under—

- (a) the Merchant Shipping (Maritime Security) Regulations, 2004; and
- (b) the National Ports Act, 2005 (Act No. 12 of 2005), if the ship is a cargo ship of less than 500 gross tonnage.

(3) A foreign ship must otherwise transmit LRIT reports while the ship is within 1 000 nautical miles of the baseline of the Republic.

(4) Subregulations (1), (2) and (3) shall apply subject to any restrictions on the transmission or receipt of LRIT reports in accordance with regulations V/19-1.8.1 and V/19-1.9.1 of the Safety Convention.

(5) LRIT reports shall be transmitted at 6-hour intervals or at more frequent intervals as may be requested by a LRIT data centre.

## LRIT equipment

5. (1) A ship shall transmit LRIT reports using long-range ship identification and tracking equipment that has been type-approved by the ship's administration.

(2) The Authority may approve LRIT equipment if the equipment conforms to performance standards and functional requirements not inferior to