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IMPORTANT NOTICE

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IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for
**GOVERNMENT NOTICES, GENERAL NOTICES,
 REGULATION NOTICES AND PROCLAMATIONS**

2012

The closing time is **15:00** sharp on the following days:

- ▶ **20 September**, Thursday, for the issue of Friday **28 September 2012**
- ▶ **13 December**, Thursday, for the issue of Friday **21 December 2012**
- ▶ **18 December**, Tuesday, for the issue of Friday **28 December 2012**
- ▶ **21 December**, Friday, for the issue of Friday **4 January 2013**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a **SEPARATE Government Gazette** must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye **VOOR VAKANSIEDAE** vir
**GOEWERMENTS-, ALGEMENE- & REGULASIE-
 KENNISGEWINGS ASOOK PROKLAMASIES**

2012

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▶ **20 September**, Donderdag, vir die uitgawe van Vrydag **28 September 2012**
- ▶ **13 Desember**, Donderdag, vir die uitgawe van Vrydag **21 Desember 2012**
- ▶ **18 Desember**, Dinsdag, vir die uitgawe van Vrydag **28 Desember 2012**
- ▶ **21 Desember**, Vrydag, vir die uitgawe van Vrydag **4 Januarie 2013**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n **APARTE Staatskoerant** verlang word moet die kople drie kalenderweke voor publikasie ingedien word

**GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS**

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 774

28 September 2012

LABOUR RELATIONS ACT, 1995

CORRECTION NOTICE

**FURNITURE BARGAINING COUNCIL: EXTENSION TO NON-PARTIES OF THE
COLLECTIVE RE-ENACTING AND AMENDING AGREEMENT**

The following correction to Government Notice No. R. 738 appearing in Government Gazette No. 35668 of 14 September 2012 is hereby published for general information:

Substitute the following English and Zulu notices:

DEPARTMENT OF LABOUR

R. 738

14 September 2012

LABOUR RELATIONS ACT, 1995

CANCELLATION OF GOVERNMENT NOTICE

FURNITURE BARGAINING COUNCIL: COLLECTIVE AGREEMENT

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby, in terms of section 32(7) of the Labour Relations Act, 1995, cancel Government Notice No. R. 966 of 29 October 2010, R. 240 of 25 March 2011, R. 424 of 20 May 2011 and R. 737 of 14 September 2012, with effect from **24 September 2012**.

**MN OLIPHANT
MINISTER OF LABOUR**

UMNYANGO WEZABASEBENZI**R. 738****USUKU: 14 kuMandulo 2012****UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****UKUHOXISWA KWESAZISO ZIKAHULUMENI****UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI BEMBONI****YEFENISHA: ISIVUMELWANO SABAQASHI NABASEBENZI**

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe Wezabasebenzi ngokwesigaba 32(7) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngihoxisa iZaziso zikahulumeni ezinguNombolo R.966 somhlaka 29 kuMfumfu 2010, R. 240 somhlaka 25 kuNdasa 2011, R. 424 somhlaka 20 kuNhlaba 2011 kanye no R 737 somhlaka 14 kuMandulo 2012 kusukela mhla-ka **24 kuMandulo 2012**.

MN OLIPHANT**UNGQONGQOSHE WEZABASEBENZI**

**DEPARTMENT OF TRADE AND INDUSTRY
DEPARTEMENT VAN HANDEL EN NYWERHEID**

No. R. 775

28 September 2012

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act 5 of 2008)**

**THE AMENDMENT OF THE COMPULSORY SPECIFICATION FOR NON-
PRESSURE PARAFFIN STOVES AND HEATERS- VC 9089**

It is hereby made known under section 13(4) of the National Regulator for Compulsory Specifications Act, (Act 5 of 2008), that the Minister of Trade and Industry, Dr. Rob Davies, on the recommendation of the NRCS Board, intends to amend the Compulsory Specification for *Non-pressure Paraffin Stoves and Heaters* – VC 9089, as set out in the attached Schedule.

Any person, who wishes to comment on the intention of the Minister to thus amend the Compulsory Specification concerned, must submit their comments, in writing, to the Chief Executive Officer, National Regulator for Compulsory Specifications, Private Bag X25, Brooklyn, 0075, on or before the date two (2) months after the publication of this notice.

A handwritten signature in black ink, appearing to read 'R. Davies', with a long horizontal flourish extending to the right.

Dr Rob Davies, MP
Minister of Trade and Industry

SCHEDULE**VC 9089****THE COMPULSORY SPECIFICATION FOR NON-PRESSURE PARAFFIN STOVES AND HEATERS****1. SCOPE**

This compulsory specification covers the requirements for the construction, operation and safe use of non-pressure paraffin stoves and heaters primarily intended for domestic use with a gauge pressure close to the burner < 2 kPa.gauge and with a maximum heat rating of 4,5 kW for a single burner.

2. DEFINITIONS

2.1 For the purposes of this compulsory specification, the definitions in SANS 1906 for Non-pressure paraffin stoves and heaters shall apply.

2.2 In addition, the following definitions shall apply:

2.2.1 NRCS: the National Regulator for Compulsory Specifications as established by the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).

2.2.2 applicant: the manufacturer or importer of a type of a non-pressure paraffin stove or heater. The manufacturer or importer shall be an established legal entity within the Republic of South Africa.

2.2.3 approval: confirmation by the NRCS that a type of a non-pressure paraffin stove or heater satisfies the requirements of this Compulsory Specification.

2.2.4 appliance type: A category of a non-pressure paraffin stove or heater that is similar in essential characteristics such as design, materials, dimensions, manufacturing processes or methods of assembly.

2.2.5 "sell" includes—

(i) display, offer or advertise for sale; or

(ii) export from the Republic for or in pursuance of a sale; 30

(iii) having in possession for the purposes of sale, trade, manufacture or export

from the Republic;

(iv) exchange, donate, lease or offer or display for leasing;

(as defined in section 1 of the NRCS Act, 5 of 2008.)

2.2.6 the Letter of Authority certificate: means a letter of authority issued to a manufacturer or importer in terms of section 5(2)(f);(As defined in section 1 of the NRCS Act, 5 of 2008.)

3. SPECIFIC REQUIREMENTS

3.1 Non-pressure Paraffin Stoves and Heaters shall comply with the requirements of SANS 1906 for Non-pressure paraffin stoves and heaters

3.2 Each type of Non-pressure paraffin stove and heater (herein after referred to as appliance type) shall be approved in accordance with the requirements of Annexure A of this compulsory specification before it is imported, sold or supplied in the Republic of South Africa.

3.3 The NRCS approval number shall be legibly marked on every appliance conforming to a type that has been approved under the specification or its packaging, so as to be visible at the point of sale and supply, in the following format:

“NRCS Approval XXXXX.”

3.4 The applicant shall inform the NRCS of any change(s) in the design, appliance type, and controls of conformity of production, packaging or construction materials, instruction or markings of an approved appliance type affecting any mandatory requirements of this compulsory specification. In the event of such change(s) the NRCS may, at its discretion, demand the submission of new evidence of conformity or a new application for approval.

4. CONFORMITY TO REFERENCED STANDARDS

4.1 For the purposes of this compulsory specification, a new edition of a referenced standard shall become effective for new product approval twelve (12) months from the date of publication as a South African National Standard.

4.2 Products resubmitted for approval because of a change(s) in the design, appliance type, controls of conformity of production, packaging or construction materials, instruction or markings, shall in all cases be evaluated against the requirements of the latest edition of the referenced standard after it becomes effective.

4.3 When a new edition of a referenced standard is published, products originally approved in accordance with the previous edition of that standard may have their approval extended for up to two years from the date of publication of the new standard, subject to the requirements of Annex A, unless declared otherwise by the Minister.

ANNEXURE A**(Normative)****THE APPROVAL OF NON-PRESURE PARAFFIN STOVES AND HEATERS****A1: APPLICATION FOR APPROVAL**

A1.1 The applicant shall apply to the NRCS for approval of every appliance type

A1.2 An application for approval shall be submitted by the applicant to the NRCS and shall include the following:

A1.2.1 Drawings to scale of all component parts and materials including the assembly of the appliance in sufficient detail to permit identification. The drawings shall show the markings of the appliance type as required by the specification;

A1.2.2 Test report/s issued by an appropriately recognised conformity assessment body in a format acceptable to the NRCS and in accordance with the NRCS's conformity assessment policy.

A1.2.3 One specimen of the appliance type for the verification of compliance with the requirements of the Specification. The specimen shall include all the accessories that are supplied with the appliance type, within the packaging, as it is placed on the market, whether or not those accessories have actually been fitted to the appliance;

A1.2.4 Details of the marking on the packaging or appliance for the appliance type in accordance with paragraph 3.3.

A1.2.5 Information for users that shall accompany the appliance type when placed on the market as required by the specification.

A1.2.6 The NRCS shall verify the existence of satisfactory arrangements in order to ensure effective control of the conformity of production in accordance with the provisions of paragraph A3 before approval is granted.

A1.2.7 Any additional information relevant to the application as may be requested by the NRCS.

A2: THE ISSUANCE OF APPROVAL

- A2.1** The NRCS shall grant approval where appliance type submitted in accordance with paragraph A.1 meets the requirements of this compulsory specification.
- A2.2** The NRCS shall assign a unique approval number to each appliance type approved.
- A2.3** The NRCS shall confirm with the applicant that approval has been granted by issuing a Letter of Authority certificate bearing the approval number referred to in paragraph A2.2.

A3 CONFORMITY OF PRODUCTION AND ROUTINE TESTS

- A3.1** Ongoing proof of compliance (COP) shall be made available to the NRCS; to ensure conformity to the requirements of this specification.
- A3.2** Documentation related to COP shall be kept for a minimum period of three (3) years.

A4 WITHDRAWAL OF APPROVAL

- A4.1** The approval granted to an appliance type in the administration of this compulsory specification may be withdrawn by the NRCS, at any time, after the applicant has been notified in writing, if the requirements of this specification have not been met or maintained.

No. R. 776

28 September 2012

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act 5 of 2008)**

**PROPOSED AMENDMENT OF THE COMPULSORY SPECIFICATION FOR
PLASTIC CARRIER BAGS AND FLAT BAGS- VC 8087.**

It is hereby made known under section 13(4) of the National Regulator for Compulsory Specifications Act, (Act 5 of 2008), that Dr. Rob Davies the Minister of Trade and Industry, on the recommendation of the NRCS Board, intends to amend the Compulsory Specification for *Plastic Bags and Flat Bags* – VC 8087, as set out in the attached Schedule.

Any person, who wishes to comment on the intention of the Minister to thus amend the Compulsory Specification concerned, shall submit their comments, in writing, to the Chief Executive Officer, National Regulator for Compulsory Specifications, Private Bag X25, Brooklyn, 0075, on or before the date two (2) months after the publication of this notice.



Dr Rob Davjes, MP

Minister of Trade and Industry

SCHEDULE**VC 8087****PROPOSED AMENDMENT OF THE COMPULSORY SPECIFICATION
FOR PLASTIC CARRIER BAGS AND FLAT BAGS****1. SCOPE**

1.1 This compulsory specification covers the requirements for plastic carrier bags and flat bags that are made from virgin thermoplastics material or any percentage of recycled thermoplastics or filler materials that are intended for use to carry products from a point of sale to use.

1.2 The compulsory specification does not apply to such as refuse bags, barrier bags, bin liners, household plastic bags or carrier bags made from materials other than those specified in 1.1.

2. DEFINITIONS

2.1 For the purposes of this compulsory specification, the definitions in SANS 695 *Plastic carrier bags and Flat bags* shall apply.

2.2 In addition, the following definitions shall apply:

2.2.1 Applicant:

The manufacturer or importer of a type of bag. The manufacturer or importer shall be an established legal entity within the Republic of South Africa.

2.2.2 Approval:

Confirmation by the NRCS that a type of bag satisfies the requirements of this compulsory specification.

2.2.3 Conformity assessment body:

As referred to in the Conformity Assessment Policy of the NRCS.

2.2.4 NRCS:

The National Regulator for Compulsory specifications as established by the National Regulator for Compulsory specifications Act, 2008 (Act No. 5 of 2008).

2.2.4 Sell:

As defined in section 1 of the NRCS Act, 5 of 2008.

2.2.6 The letter of Authority certificate:

As defined in section 1 of the NRCS Act, 5 of 2008.

2.2.7 Type of bag

A category of plastic carrier bag and/or flat bag of the same construction (textured or non-textured), irrespective of size, colour, material and/or decorative patterns or printing

3. SPECIFIC REQUIREMENTS

3.1 Plastic carrier bags and flat bags shall comply with SANS 695, *Plastic carrier bags and Flat bags*. For the purposes of this compulsory specification, the marking requirements in SANS 695 shall be excluded.

3.2 Each type of bag shall be approved in accordance with the requirements of Annexure A of this compulsory specification before it is imported, sold or supplied in the Republic of South Africa.

3.3 Plastic carrier bags and flat bags shall be so manufactured as to conform to the type of bag approved under this Compulsory specification. Manufacturers and importers shall control production and/or conduct routine testing in accordance with Annexure B, to continuously verify that this condition is met.

3.4 The applicant shall inform the NRCS of any change(s) in the construction material affecting any mandatory requirement of this compulsory specification. In the event of such change(s) the NRCS may, at its discretion, demand the submission of new evidence of conformity or a new application for approval.

4. Marking

The NRCS approval number shall appear prominently on all plastic carrier bags and Flat bags in the following format:

"NRCS Approval XXXXX."

5. CONFORMITY TO REFERENCED STANDARDS

5.1 For the purposes of this compulsory specification, a new edition of a referenced standard shall become effective six months from the date of publication as a South African National Standard.

5.2 When a new edition of a referenced standard is published, products originally approved in accordance with the previous edition of that standard may have their approval extended for up to two years from the effective date of the new standard, subject to the requirements of Annexure A, unless declared otherwise by the Minister.

**ANNEXURE A
(Normative)**

THE APPROVAL OF PLASTIC CARRIER BAGS AND FLAT BAGS

A.1: APPLICATION FOR APPROVAL

The applicant shall apply to the NRCS for approval of every type of bag. The application shall be accompanied by the following:

A.1.1 Information on the construction (textured or non-textured) and material of the type of bag.

A1.2 Details of the manufacturing plant(s) where the type of bag is produced and/or the physical address where the imported products are received, stored or distributed from.

A1.3 Evidence of conformity, including test reports issued less than 12 months before the date of submission to the NRCS, by a conformity assessment body recognised in terms of the NRCS Conformity Assessment Policy, to prove compliance with all the relevant requirements of this compulsory specification.

A1.4 The intended position of the approval number as set out in Section no. 4 of this compulsory specification.

A1.5 Information with regards to the body that will carry out the routine tests during the control of production.

A1.6 Any additional information relevant to the application for clarification purposes as may be requested by the NRCS

A2: THE ISSUANCE OF APPROVAL

A2.1 Where the type of bag submitted in accordance with paragraph A.1 meets the requirements of this compulsory specification, approval shall be granted.

A2.2 The NRCS shall assign a unique approval number to each type of bag approved.

A2.3 The NRCS shall confirm with the applicant that approval has been granted by means of a Letter of Authority certificate bearing the approval number referred to in paragraph A2.2.

A2.4 The approval granted with respect to the type of bag pursuant to this compulsory specification may be withdrawn by the NRCS, at any time, after the applicant has been notified in writing, if the requirements have not been met or maintained.

A2.5 The NRCS shall verify the existence of satisfactory arrangements in order to ensure effective control of the conformity of production in accordance with the provisions of Annexure B before approval is granted.

ANNEXURE B (Normative)

CONFORMITY OF PRODUCTION AND ROUTINE TESTS

B.1 The responsibilities of the applicant, particularly to the conformity of production:

B.1.1 In agreement with the NRCS, the applicant or a conformity assessment body shall undertake the control of conformity of production.

B.1.2 Ensure that the routine test results are recorded and that the records remain available for a time period of 3 years after test.

B.1.3 Analyse the routine test results of each type of test in order to verify and ensure the conformity of production of the type of bag, making allowances for the variations of industrial production.

B.1.4 Ensure that at least the tests prescribed in paragraph B.3 are carried out routinely for each type of bag.

B.1.5 Ensure that when any samples show non-conformity with the test concerned, further samples are taken and tested. All the necessary steps must be taken to restore conformity of the corresponding production and prevent the sale of non-compliant products.

B.1.6 The applicant shall ensure that the body as agreed to by the NRCS in paragraph B.1.1 carries out conformity control on a statistical basis and by random sampling.

B.2 The duties of the NRCS, particularly to the assessment of conformity of production:

B.2.1 The NRCS may at any time assess the effectiveness of the conformity of production.

B.2.2 The NRCS inspector may select samples to be sent to a conformity assessment body, when non-conformance is suspected in terms of control of production.

B.3 Requirements for sampling:

B.3.1 Samples shall be taken in accordance with Table 1 in B.3.3

B.3.2 Samples should be selected by some rationalized criteria to ensure that they are truly representative of the lot, i.e. taken at random, evenly and throughout.

B.3.3 For the production to be considered to conform, the routine tests shall meet the following requirements:

Table 1: Sampling requirements:

Tests to be conducted	Lot size	Select* and test	Rejection Criteria
Determination of film thickness in accordance with SANS 695.	1 000 plastic carrier bags/ flat bags	Type A Bags - 1 Bag	One or more items with non-conformity evident.
		Type B Bags - 2 Bags	

**DEPARTMENT OF TRANSPORT
DEPARTEMENT VAN VERVOER**

No. R. 777

28 September 2012

**MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)
DRAFT MERCHANT SHIPPING (RADIO INSTALLATIONS) AMENDMENT
REGULATIONS, 2012**

The Minister of Transport intends, in terms of section 356 (1) (xxxiii) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) makes the regulations in the Schedule.

Interested persons are invited to submit their written comments on these draft Merchant Shipping (Radio Installations) Amendment Regulations, 2012 to the Director – General, Department of Transport for the attention of T. H. M. Mphahlele within 30 days from publication thereof at:

The Department of Transport

Private Bag x193

Pretoria

0001

Email address: Mphahlet@dot.gov.za

Tel: (012) 309 3481

Fax: (012) 309 3431

SCHEDULE

In these regulations, “**the Regulations**” means The Merchant Shipping (Radio Installations) Regulations (2002) published by Government Notice No. R 506 on 26th April 2002, as amended.

Amendment of the heading in Part 2 under GENERAL of Regulations

1. Heading of Part 2 in the Regulations is amended by the substitution for the expression “GMDSS REQUIREMENTS” of the expression “SOLAS REQUIREMENTS”.

Amendment of the heading in Part 3 under GENERAL of Regulations

2. Heading of Part 3 in the Regulations is amended by the substitution for the expression "NON-GMDSS REQUIREMENTS" of the expression "NON-SOLAS REQUIREMENTS".

Amendment of regulation 2 of Regulations

3. Regulation 2 of the Regulations is amended—

- (a) by the substitution in sub regulation (1) for the definition of "COSPAS-SARSAT satellite service" of the following definition:

"COSPAS-SARSAT satellite service" means a satellite aided search and rescue system designed to locate distress beacons transmitting in the 406 MHz band;"

- (b) by the substitution in sub regulation (1) for the definition of "DSC watch" of the following definition:

"DSC watch" means an electronic device that receives and decodes an alert sent from a ship's DSC equipment, on a continuous basis on VHF (channel 70), MF (2187.5 kHz) or HF (8414.5 kHz), and on at least one of the distress and safety DSC frequencies 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz;"

- (c) by the substitution in sub regulation (1) for the definition of "enhanced group calling (EGC)" of the following definition:

"enhanced group calling (EGC)" means a system providing a simple and automated means of receiving marine safety information via satellite on board ships;"

- (d) by the substitution in sub regulation (1) for the definitions of "GMDSS general operator's certificate", 'GMDSS restricted operator's Certificate', 'Long Range Certificate', 'Short Range Certificate', 'First-Class Radio Electronic' and 'Second-Class Radio Electronic' of the following definition:

" 'GMDSS general operator's certificate', 'GMDSS restricted operator's Certificate', 'Long Range Certificate', 'Short Range Certificate', 'First-Class Radio Electronic' and 'Second-Class Radio Electronic' means the certificates respectively so entitled, issued by the South African Maritime Safety Authority in accordance with article 47 of the latest International Telecommunication Union Radio Regulations;"

- (e) by the substitution in sub regulation (1) for the definition of " international NAVTEX service " of the following definition:

"'international NAVTEX service' means the co-ordinated broadcast and automatic reception on 518, 490, 4209 kHz of maritime safety information by means of narrow-band direct-printing telegraphy;"

- (f) by the substitution in sub regulation (1) for the definition of "non-Convention ship" of the following definition:

"'non-Convention ship' means—

- (a) a passenger ship that is not foreign-going;
- (b) a cargo ship of 300 tons or more that is not foreign-going;
- (c) a cargo ship of less than 300 tons;
- (d) a fishing vessel; or
- (e) a pleasure vessel;"

- (g) by the deletion of the definition of "silent period".

Insertion in regulation 3 In Regulations

4. Sub regulation (5A) is inserted in the Regulations after sub regulation (5):

“(5A) A pleasure vessel of 100 tons or more.”.

Amendment of the heading in Part 2 of Regulations

5. Heading of Part 2 in the Regulations is amended by the substitution for the expression “GMDSS REQUIREMENTS” of the expression “SOLAS REQUIREMENTS”.

Substitution of regulation 12 of Regulations

6. The following subparagraph is substituted for subparagraph on 12(1) (c) (ii) of the Regulations:

“(ii) on HF using DSC on at least 8414,5 kHz and one other DSC watch frequency; or ”.

Amendment of regulation 18 of Regulations

7. Regulation 18 of the Regulations is amended—

- (a) by the substitution for sub regulation 18(1) of the following sub regulation:

“18. (1) Subject to section 73(4) of the Act, every ship to which this Part applies must carry the number of radio operators required by regulation 16 of the Merchant Shipping (Safe Manning) Regulations, 1999 as amended, each of whom must be a person who is qualified for distress and safety radio communications purposes, as specified in sub regulation (2).”.

- (b) by the substitution for paragraph 18(2) (a) of the following paragraph:

“(a) in the case of an area A1 ship, he or she holds a GMDSS restricted operator's Certificate, a GMDSS general operator's certificate, issued in accordance with Article 47 of the ITU Radio Regulations;”;

- (c) by the substitution for paragraph 18(2) (b) of the following paragraph:

“(b) in the case of an area A2, area A3 or area A4 ship, he or she holds a GMDSS general operator’s certificate issued in accordance with Article 47 of the ITU Radio Regulations.”.

Amendment of the heading in Part 3 of Regulations

8. Heading of Part 3 in the Regulations is amended by the substitution for the expression “NON-GMDSS REQUIREMENTS” of the expression NON-SOLAS REQUIREMENTS”.

Amendment of regulation 22 of Regulations

9. Regulation 22 of the Regulations is amended—

(a) by the substitution for sub regulation 22(1) of the following sub regulation:

“(1) Every ship to which this Part applies must be provided with a VHF radiotelephone installation that includes a transmitter and a receiver, capable of transmitting and receiving DSC alerts on Channel 70.”.

(b) by insertion of paragraph 22(2) (e) after paragraph 22(2) (d):

“(e) a pleasure vessel of 100 tons or more.”.

(c) by the substitution for the expression after paragraph 22(2) (e); and by substitution of subparagraphs (i), (ii), (iii), (A), (B), (bb), and sub regulation (3) of the following expression and subparagraphs:

“must be provided with—

- (i) a radiotelephone installation capable of transmitting and receiving DSC alerts on the distress and safety DSC

frequencies 2187.5 kHz, 4207.5 kHz, 6312 kHz, 8414.5, 12577 and 16804.5 kHz;

(ii) a receiver capable of receiving international NAVTEX services broadcast;

(iii) a satellite EPIRB of the kind referred to in regulation 10(1)(f)".

Insertion of regulation 22 In Regulations

10. The following sub regulation is inserted in the Regulations after subparagraph (iii):

"(3) If radio equipment required by this Part is capable of automatically providing the ship's position when transmitting a distress alert, the ship's position and the time the ship was at that position must be made available for transmission by the radio equipment—

(a) from a navigation receiver, if one is fitted; or

(b) manually, at intervals not exceeding four hours, while the ship is at sea."

Substitution of regulation 29 of Regulations

11. The following regulation is substituted for the following regulation of the Regulations:

"29. Every radiotelephone operator using the VHF DSC radiotelephone installation must have practical knowledge of operating the VHF DSC equipment and general knowledge of the ITU Radio Regulations applying to VHF DSC radiotelephone communications and specifically that part of those Regulations relating to distress, urgency and safety procedures."

Amendment of regulation 31 of Regulations

12. Regulation 31 of the Regulations is amended—

- (a) by the substitution for sub regulation 31(3) of the following sub regulation:

“(3) A reliable clock must be securely mounted in such a position that the entire dial can easily be observed from the radiotelephone operating position.”;

- (b) by deletion of sub regulation (7), and paragraphs (7) (a) and (7) (b).

Amendment of regulation 32 of Regulations

13. sub regulation 32(2) of the Regulations is deleted.

Substitution of regulation 35 of Regulations

14. The following regulation is substituted for the following sub regulations of the Regulations:

“(1) Every ship to which this Part applies, while at sea, must maintain a DSC watch—

(a) on VHF DSC channel 70,

(b) on the distress and safety DSC frequencies 2187.5 kHz and 8414.5 kHz and on at least one of the distress and safety DSC frequencies 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz,

(2) Every ship to which this Part applies, while at sea, must maintain a radio watch for broadcasts of maritime safety information on the appropriate frequency or frequencies on which such information is broadcast for the area in which the ship is being navigated.

(3) every ship to which this Part applies, while at sea, must maintain, when practicable, a continuous watch on VHF channel 16; this watch must be kept at the position from which the ship is normally navigated.”.

Substitution of regulation 36 of Regulations

15. The following regulation is substituted for the following regulation of the Regulations:

“36. Subject to section 73(4) of the Act, every ship to which this Part applies must carry the number of appropriately qualified radiotelephone operators as specified in Regulation 16 of the Safe Manning Regulations 1999 as amended.”

Insertion of regulation 38 In Regulations

16. The following subparagraph is inserted in the Regulations after subparagraph 38 (3) (b):

“(c) a pleasure vessel of 100 tons or more.”.

Insertion of regulation 39 In Regulations

17. The following sub regulation is inserted in the Regulations after sub regulation 39 (3):

“(4) A vessel that is equipped with free-fall lifeboats should have a SART permanently and securely mounted therein.”.

Amendment of of Part 6

18. The Merchant Shipping (Radio Installations) Regulations, 2002, published by Government Notice No. R.506 of 26 April 2002, are herewith repealed.

Substitution of Annexure 1 of Regulations

19. The following Annexure is substituted for the following:

“Annexure 1

(Regulation 10(1) (f))

SATELLITE EPIRBS

Every satellite EPIRB required by these regulations must be—

- (a) capable of transmitting a disaster alert through the COSPAS-SARSAT satellite service operating in the 406 MHz band.
- (b) installed in an easily accessible position;
- (c) ready to be manually released and capable of being carried by one person into a survival craft;
- (d) capable of floating free if the ship sinks;
- (e) capable of being activated manually; and
- (f) automatically activated when afloat."

Substitution of Annexure 2 of Regulations

20. The following is substituted for Regulation 3 (a) (i):

- "(i) Its capability to operate properly as per the manufacturer's specification, the expiry date of the battery, checking of the built-in magnet and particularly its ability to float free (where required) in the event of the ship sinking."

Substitution of Annexure 4 of Regulations

21. The following Annexure is substituted for the following:

"Annexure 4

(Regulation 25(4))

TOOLS, TESTING EQUIPMENT AND SPARE PARTS

Tools

1 smooth file of 15 cm length

1 jointing knife

1 pair 18 cm insulated wireman's pliers with side cutters

1 set of screwdrivers (flat-head and/or phillips) suitable for use on the radiotelephone

equipment

- 1 adjustable spanner with 25 mm gap
- 1 hacksaw and spare blades to suit
- 1 lockable tool box or compartment (for containing the above-mentioned tools)

Measuring instruments

- 1 hydrometer, not required if vessels are fitted with non-maintenance batteries

Spare parts and miscellaneous items

- 5 fuses for each type and rating of fuse in use
- 1 spare bulb for the emergency light required by regulation 31(4)
- 250 g petroleum jelly or general purpose grease

Where special nuts or screws are used for fastening, suitable tools must be provided in addition to those specified above.”.

Substitution of Annexure 5 of Regulations

22. The following Annexure is substituted for the following:

“Annexure 5

(Regulation 25(7))

NON-SOLAS EQUIPMENT TESTS AND BATTERY AND RESERVE ENERGY CHECKS AS FOLLOWS—

(1) Daily

- (a) Batteries providing a source of energy for any part of the radiotelephone installation or the VHF radiotelephone installation must be tested daily and, where necessary, brought up to the fully charged condition.

- (b) Each printer must be checked at least once each day to ensure its serviceability.

2. Weekly

- (a) Survival craft fixed radio equipment, if provided, must be tested at least once every week using suitable artificial antennas.

- (b) Batteries forming part of survival craft fixed radio equipment, if provided, and the two-way radiotelephone apparatus for survival craft must be tested weekly and, where necessary, brought up to a fully charged condition. Where non-rechargeable batteries are provided as a source of energy, the expiry date of the batteries must be checked and the batteries replaced if necessary
- (c) Each item of survival craft two-way VHF radio equipment must be tested at least once a week on a frequency other than 156.8 MHz (VHF channel 16), unless the equipment is of a sealed type where such testing is not practical.

3. Monthly

- (a) Each EPIRB must be examined at least once a month to check—
 - (i) its capability to operate properly as per manufacturer instructions and by checking the battery expiry date and the fitted magnet and in particular, its ability to float free in the event of the ship sinking;
 - (ii) how secure it is in its mounting; and
 - (iii) for signs of damage.
- (b) Each radar transponder must be examined at least once a month to check how secure it is in its mounting, for signs of damage and the battery expiry date.
- (c) A check must be made at least once a month on the condition of all batteries providing a source of energy for any part of a radio installation and on how secure they are in their mountings. The battery connections and compartment must also be checked.
- (d) Survival craft fixed radio equipment must be tested at least once a month using an antenna provided with the equipment.

4. Annually

Survival craft radar transponders must be inspected tested and, if necessary, have their source of energy replaced at least once every twelve months. The Authority may extend this interval to a maximum of 17 months to permit the inspection to take place concurrently with a radio survey.

5. Recording of results

Results of the tests and checks required by this Annexure must be entered in the radio log."

Short title and commencement

23. These regulations are called The Merchant Shipping Radio Installations Regulations 2012 and will come in operation on the day they are published in the Government Gazette.
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