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IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



DO use the new Adobe Forms for your notice request. These new forms can be found on our website: www.gpwonline.co.za under the Gazette Services page.

DO attach documents separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment)

DO specify your requested publication date.

DO send us the electronic Adobe form. (There is no need to print and scan it).

DON'T submit request as a single PDF containing all other documents, i.e. form, proof of payment & notice content, it will be **FAILED** by our new system.

DON'T print and scan the electronic Adobe form.

DON'T send queries or RFQ's to the submit.egazette mailbox.

DON'T send bad quality documents to GPW. (Check that documents are clear and can be read)



Form Completion Rules

No.	Rule Description	Explanation/example
1.	All forms must be completed in the chosen language.	GPW does not take responsibility for translation of notice content.
2.	All forms must be completed in sentence case, i.e. No fields should be completed in all uppercase.	e.g. "The company is called XYZ Production Works"
3.	No single line text fields should end with any punctuation, unless the last word is an abbreviation.	e.g. "Pty Ltd.", e.g. Do not end an address field, company name, etc. with a period (.) comma (,) etc.
4.	Multi line fields should not have additional hard returns at the end of lines or the field itself.	This causes unwanted line breaks in the final output, e.g. <ul style="list-style-type: none"> Do not type as: 43 Bloubokrand Street Putsonderwater 1923 Text should be entered as: 43 Bloubokrand Street, Putsonderwater, 1923
5.	Grid fields (Used for dates, ID Numbers, Telephone No., etc.)	<ul style="list-style-type: none"> Date fields are verified against format CCYY-MM-DD Time fields are verified against format HH:MM Telephone/Fax Numbers are not verified and allow for any of the following formats limited to 13 characters: including brackets, hyphens, and spaces <ul style="list-style-type: none"> o 0123679089 o (012) 3679089 o (012)367-9089
6.	Copy/Paste from other documents/text editors into the text blocks on forms.	<ul style="list-style-type: none"> Avoid using this option as it carries the original formatting, i.e. font type, size, line spacing, etc. Do not include company letterheads, logos, headers, footers, etc. in text block fields.



No.	Rule Description	Explanation/example
7.	Rich text fields (fields that allow for text formatting)	<ul style="list-style-type: none"> • Font type should remain as Arial • Font size should remain unchanged at 9pt • Line spacing should remain at the default of 1.0 • The following formatting is allowed: <ul style="list-style-type: none"> ○ Bold ○ Italic ○ Underline ○ Superscript ○ Subscript • Do not use tabs and bullets, or repeated spaces in lieu of tabs and indents • Text justification is allowed: <ul style="list-style-type: none"> ○ Left ○ Right ○ Center ○ Full • Do not use additional hard or soft returns at the end of line/paragraphs. The paragraph breaks are automatically applied by the output software <ul style="list-style-type: none"> ○ Allow the text to wrap automatically to the next line only use single hard return to indicate the next paragraph ○ Numbered lists are allowed, but no special formatting is applied. It maintains the standard paragraph styling of the gazette, i.e. first line is indented.
	e.g. 1. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. 2. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river.	



You can find the **new electronic Adobe Forms** on the website www.gpwonline.co.za under the Gazette Services page.

For any **queries or quotations**, please contact the **eGazette Contact Centre** on 012-748 6200 or email info.egazette@gpw.gov.za

Disclaimer

Government Printing Works does not accept responsibility for notice requests submitted through the discontinued channels as well as for the quality and accuracy of information, or incorrectly captured information and will not amend information supplied.

GPW will not be held responsible for notices not published due to non-compliance and/or late submission.

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Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

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For any information, please contact the eGazette Contact Centre on 012-748 6200 or email info.egazette@gpw.gov.za

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Labour, Department of/ Arbeid, Departement van			
913	Occupational Health and Safety Act (85/1993): Driven Machinery Regulations, 2015: Correction Notice	39253	7
914	Labour Relations Act, 1995: Registration of a trade union	39253	9
915	Labour Relations Act, 1995: Bargaining Council for the Fishing Industry: Renewal of period of operation of main collective agreement	39253	9
915	UMthetho Wobudlelwano Kwezabasebenzi ka-1995: Umkhandlu kazwelonke Wokuxoxisana Phakathi Kwabaqashi nabaSebenzi beMboni yokuDoba iziNhlanzi: Ukuvuselelwa kwesikhathi sokusebenza kwesivumelwano esiyinqikithi.....	39253	10
National Treasury/ Nasionale Tesourie			
916	Military Pensions Act (84/1976): Determination of amounts for purposes of the Military Pensions Act, 1976	39253	11
916	Wet op Militêre Pensioene (84/1976): Betaling van bedrae vir doeleindes van die Wet op Militêre Pensioene, 1976	39253	13
Transport, Department of/ Vervoer, Departement van			
917	Merchant Shipping Act (57/1951): Draft Maritime Labour Certificate and Declaration of Compliance Regulations, 2015	39253	15

IMPORTANT ANNOUNCEMENT

Closing times **PRIORTOPUBLICHOLIDAYS** for GOVERNMENT NOTICES, GENERAL NOTICES, REGULATION NOTICES AND PROCLAMATIONS

2015

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

- **26 March**, Thursday, for the issue of Thursday **2 April 2015**
- **31 March**, Tuesday, for the issue of Friday **10 April 2015**
- **22 April**, Wednesday, for the issue of Thursday **30 April 2015**
- **30 April**, Thursday, for the issue of Friday **8 May 2015**
- **11 June**, Thursday, for the issue of Friday **19 June 2015**
- **6 August**, Thursday, for the issue of Friday **14 August 2015**
- **17 September**, Thursday, for the issue of Friday **25 September 2015**
- **10 December**, Thursday, for the issue of Friday **18 December 2015**
- **15 December**, Tuesday, for the issue of Thursday **24 December 2015**
- **22 December**, Tuesday, for the issue of Thursday **31 December 2015**
- **30 December**, Wednesday, for the issue of Friday **8 January 2016**

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

2015

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

- **26 Maart**, Donderdag, vir die uitgawe van Donderdag **2 April 2015**
- **31 Maart**, Dinsdag, vir die uitgawe van Vrydag **10 April 2015**
- **22 April**, Wednesday, vir die uitgawe van Donderdag **30 April 2015**
- **30 April**, Donderdag, vir die uitgawe van Vrydag **8 Mei 2015**
- **11 Junie**, Donderdag, vir die uitgawe van Vrydag **19 Junie 2015**
- **6 Augustus**, Donderdag, vir die uitgawe van Vrydag **14 Augustus 2015**
- **17 September**, Donderdag, vir die uitgawe van Vrydag **25 September 2015**
- **10 Desember**, Donderdag, vir die uitgawe van Vrydag **18 Desember 2015**
- **15 Desember**, Dinsdag, vir die uitgawe van Donderdag **24 Desember 2015**
- **22 Desember**, Dinsdag, vir die uitgawe van Donderdag **31 Desember 2015**
- **30 Desember**, Wednesday, vir die uitgawe van Vrydag **8 Januarie 2016**

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 kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 913

02 OCTOBER 2015

**OCCUPATIONAL HEALTH AND SAFETY ACT, ACT
85 OF 1993****DRIVEN MACHINERY REGULATIONS, 2015****CORRECTION NOTICE**

Notice is hereby given regarding the following regulations published on 24 June 2015 in Government Notice No. R 540, gazette No. 38905.

Definitions

"competent person" means a person who has the knowledge, training, experience and qualifications specific to the work performed: provided that where appropriate qualifications and training are registered in terms of the provisions of the South African Qualifications Authority Act, 1995, those qualifications and that training shall be deemed to be the required qualifications and training;

"safe working load" means the mass load applicable to a piece of equipment or system as determined by a competent person taking into account the environment and operating conditions;

21.(4) Any holder adversely affected by a decision of the chief inspector may appeal in writing to the Director-General: Labour against such decision.

The regulations mentioned above are corrected as follows:

"competent person" means a person who-


(a) has in respect of the work or task to be performed, the required knowledge, training and experience and, where applicable, qualifications, specific to that work or task: Provided that where appropriate qualifications and training are registered in terms of the provisions of the National Qualification Framework Act, 2008 (Act No. 67 of 2008), those qualifications and that training must be regarded as the required qualifications and training: and

(b) is familiar with the Act and with the applicable regulations made under the Act:

"safe working load" means the mass load applicable to a piece of equipment or system as determined by a competent person taking into account the environment and operating conditions;

"Working Load Limit" has a corresponding meaning;

21.(4) Any holder adversely affected by a decision of the chief inspector may appeal in writing to the Labour Court against such decision.



Mr. T Szana
Chief Inspector

DEPARTMENT OF LABOUR

NO. R. 914

02 OCTOBER 2015

LABOUR RELATIONS ACT, 1995

REGISTRATION OF A TRADE UNION

I, Malixole Ntleki, the Acting Registrar of Labour Relations, hereby notify, in terms of Judgment (Case No: C 261/15) delivered on 1 September 2015 read with section 109(2) of the Labour Relations Act, 1995, that **Municipal and Allied Trade Union of South Africa (MATUSA) (LR2/6/2/2322)** has been registered as a trade union with effect from 18/09/2015

The name of the trade union is entered into the register of trade unions.



ACTING REGISTRAR OF LABOUR RELATIONS

DATE: 18/09/2015

DEPARTMENT OF LABOUR

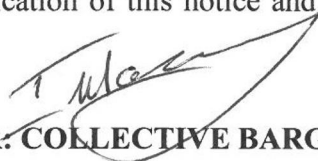
NO. R. 915

02 OCTOBER 2015

LABOUR RELATIONS ACT, 1995

BARGAINING COUNCIL FOR THE FISHING INDUSTRY: RENEWAL OF PERIOD OF OPERATION OF MAIN COLLECTIVE AGREEMENT

I, IAN ANTHONY MACUN, Director: Collective Bargaining, duly authorized by the Minister of Labour, hereby, in terms of section 32(6) (a) (ii), of the Labour Relations Act, 1995, declare the provisions Government Notices No R.587 of 27 July 2012, R.55 of 1 February 2013, R.445 of 28 June 2013, R.935 and R.936 of 6 December 2013, R.479 of 20 June 2014, R.995 of 12 December 2014, R.245 of 27 March 2015, R.564 and R. 565 of 3 July 2015, to be effective from the date of publication of this notice and for the period ending 29 February 2016.



DIRECTOR: COLLECTIVE BARGAINING

DEPARTEMENT VAN ARBEID

NO. R. 915

02 OKTOBER 2015

UMNYANGO WEZABASEBENZI

**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995
UMKHANDLU KAZWELONKE WOKUXOXISANA PHAKATHI
KWABAQASHI NABASEBENZI BEMBONI YOKUDOBA IZINHLANZI:
UKUVUSELELWA KWESIKHATHI SOKUSEBENZA
KWESIVUMELWANO ESIYINQIKITHI.**

Mina, **IAN ANTHONY MACUN** umQondisi Wezokuxoxisana Phakathi Kwabaqashi nabaSebenzi, ngegunya likaNgqongqoshe Wezabasebenzi, lapha ngokwesigaba 32(6)(a)(ii) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngimemezela ukuthi izihlinzeko zeZaziso zikaHulumeni ezinguNombolo R.587 somhlaka 27 kuNtulikazi 2012, R.55 somhlaka 1 kuNhlojana 2013, R.445 somhlaka 28 kuNhlangulana 2013, R.935 kanye nesingu R.936 zomhlaka 6 kuZibandlela 2013, R.479 somhlaka 20 kuNhlangulana 2014, R.995 somhlaka 12 kuZibandlela 2014, R.245 somhlaka 27 kuNdasa 2015, R.564 kanye no R.565 zomhlaka 3 kuNtulikazi 2015, ziyasebenza kusukela ngosuku lokushicilelwa kwalesiSaziso kuze kube isikhathi esiphela mhlaka 29 kuNhlojana 2016.

**UMQONDISI WEZOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI**



NATIONAL TREASURY

NO. R. 916

02 OCTOBER 2015

**DETERMINATION OF AMOUNTS FOR PURPOSES OF THE MILITARY
PENSIONS ACT, 1976 (ACT 84 OF 1976)**

1. The Minister of Finance has, in terms of the provisions of sections 1 and 5 of the Military Pensions Act, 1976 (Act 84 of 1976), read with section 3 (2) of the Act, determined that, with effect from 1 April 2014—
 - (a) for the purposes of formula I as defined in section 1 of the said Act, factor A of the said formula shall represent an amount—
 - (i) mentioned in the Schedule; or
 - (ii) the amount as determined by the Director-General to a minimum
of **R69 602.64** according to which one of the said amounts is the most advantageous to the member:
 - (b) for the purposes of formula II, as defined in section 1 of the said Act, factor C of the said formula shall represent the amount of **R11 553.60** and
 - (c) the gratuity payable to the member who suffers from a pensionable disability which has in terms of the said Act been determined at 10 per cent or less shall be **R 7 704.00**;
 - (d) the gratuity payable to a member who suffers from a pensionable disability which has in terms of the said Act been determined at more than 10 per cent but less than 20 per cent shall be **R 15 405.00**.
2. All members who are in possession of a three-year bachelor's degree or a matriculation certificate and who have, immediately prior to 1 April 1998, received an amount as contemplated in paragraph 1 (a) of Government Notice No. R.1280 of 3 October 1997 shall receive an amount as set out in the Schedule.
3. Government Notice **No. R 667 of 5 September 2014** is hereby withdrawn.

Nhlanhla Nene, MP
Minister of Finance

SCHEDULE OF ANNUAL PENSIONS

Percentage disablement	Basic pension	Matriculation certificate	Three- year bachelor's degree
100	69 602.64	72 554.28	81 865.56
90	62 642.16	65 298.96	73 678.80
80	55 682.52	58 043.76	65 492.88
70	48 721.68	50 787.96	57 305.88
60	41 761.68	43 532.88	49 119.60
50	34 801.56	36 277.44	40 933.20
40	27 841.08	29 021.64	32 746.20
30	20 880.96	21 766.44	24 559.56
20	13 920.36	14 510.76	16 373.04

NASIONALE TESOURIE

NO. R. 916

02 OKTOBER 2015

BETALING VAN BEDRAE VIR DOELEINDES VAN DIE WET OP MILITÊRE PENSIOENE, 1976 (WET 84 VAN 1976)

1. Die Minister van Finansies het kragtens die bepalings van artikels 1 en 5 van die Wet op Militêre Pensioene, 1976 (Wet 84 van 1976), saamgelees met artikel 3 (2) van die Wet, met ingang van 1 April 2014—
 - (a) vir die doeleindes van formule I, soos omskryf in artikel 1 van vermelde Wet, faktor A van bedoelde formule I, 'n bedrag voorstel—
 - (i) die toepaslike bedrag volgens die Bylae; of
 - (ii) die bedrag soos deur die Direkteur-generaal bepaal tot 'n minimum van **R 69 602.64** na gelang van watter een van sodanige bedrae vir die lid die voordeligste is;
 - (b) vir die doeleindes van formule II, soos omskryf in artikel 1 van vermelde Wet, faktor C van bedoelde formule die bedrag van **R11 553.60** voorgestel; en
 - (c) die gratifikasie betaalbaar aan 'n lid wat ly aan 'n pensioengewende ongeskiktheid wat ingevolge vermelde Wet op 10 persent of minder vasgestel is, bedra **R 7704.00**;
 - (d) die gratifikasie betaalbaar aan 'n lid wat ly aan 'n pensioengewende ongeskiktheid wat ingevolge vermelde Wet op meer as 10 persent en minder as 20 persent vasgestel is, bedra **R 15 405.00**
2. Alle lede wat in besit van 'n driejarige baccalaureusgraad of 'n matrikulasie sertifikaat is en wat onmiddellik voor 1 April 1998 'n bedrag bedoel in paragraaf 1 (a) van Goewermentskennisgewing No. R.1280 van 3 Oktober 1997 ontvang het, moet 'n bedrag soos uiteengesit in die Bylae ontvang.
3. Goewermentskennisgewing **No. R 667** of **5 September 2014** word hierby herroep.

Nhlanhla Nene, LV
Minister van Finansies

BYLAE VAN JAARLIKSE PENSIOENE

Persentasie ongeskiktheid	Basiese pensioen	Matrikulasie-sertifikaat	Driejarige baccalaureus-graad
100	69 602.64	72 554.28	81 865.56
90	62 642.16	65 298.96	73 678.80
80	55 682.52	58 043.76	65 492.88
70	48 721.68	50 787.96	57 305.88
60	41 761.68	43 532.88	49 119.60
50	34 801.56	36 277.44	40 933.20
40	27 841.08	29 021.64	32 746.20
30	20 880.96	21 766.44	24 559.56
20	13 920.36	14 510.76	16 373.04

DEPARTMENT OF TRANSPORT

NO. R. 917

02 OCTOBER 2015

MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)

Draft Maritime Labour Certificate and Declaration of Compliance Regulations, 2015

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

Interested persons are invited to submit their written comments on the drafts listed below to the Director-General, Department of Transport for the attention of MR. P Mbeki or Mr. T Matlala within 30 days from publication thereof at :

The Department of Transport

Private Bag x193

Pretoria

0001

Email address: MbekiP@dot.gov.za

Tel: (012) 309 3066

Fax: (012) 309 3590/3673

Email address: MatlalaTM@dot.gov.za

Tel: (012) 309 3799

Fax: (012) 309 3590/3673

Schedule

Arrangement of regulations

Part 1 **Introductory**

- 1 Objects of regulation
- 2 Definition
- 3 Application

PART 2 **DUTY TO HOLD AND HAVE ONBOARD DOCUMENTATION**

- 4 Duty to hold certificates
- 5 Duty to carry documents

PART 3 **ISSUE OF DOCUMENTATION**

- 6 Declaration of Maritime Labour Compliance and issuance of Maritime Labour Certificate
- 7 Interim Maritime Labour Certificate
- 8 Intermediate Audit
- 9 Renewal of Certificate
- 10 Powers of audit, inspection, suspension of service and detention
- 11 Suspension or cancellation of Documents of Compliance and Safety Management Certificates
- 12 Issue of Certificate on behalf of other governments
13. Title and commencement

PART 4 **OFFENCES**

- 14 Offences

PART 5 **ANNEXURE I**

Maritime Labour Certificate

ANNEXURE II

Declaration of Maritime Compliance

Part 1 Introduction

1. Objects of regulations

These regulations give effect to Maritime Labour Convention, 2006.

2. Definition

In these regulations any word or expression given a meaning in the Act has the meaning so given and, unless the context indicates otherwise—

“**Authority**” means Authority as defined in the Act ;

“**authorized person**” means a person authorized by the Authority to perform some or all functions and duties of the Authority;

“**Declaration of Maritime Labour Compliance**” means the Declaration of Maritime Labour Compliance referred to in regulation 5.1.3 of the Convention;

“**Maritime Labour Certificate**” means the Maritime Labour Certificate referred to in regulation 5.1.3 of the Convention;

“**Maritime Labour Convention**” means the Convention as defined in the Act ; below MLC.

“**seafarer**” means seafarer as defined in the Act ;

“**ship**” means a ship as defined in the Act ;

“**shipowner**” means the owner of the ship or any organization or person, such as a manager or bareboat charterer who has assumed the responsibility for the operation of the ship;

“**the Act**” means the Merchant Shipping Act 1951 (Act No. 57 of 1951);

“**tons**” has the same corresponding meaning of registered tonnage as defined under the Act.

3. Application

(1) Subject to subregulation (2) these regulations apply to all South African ships of 500 tons or more, engaged in international voyages, wherever they may be;

(2) These regulations do not apply to—

(a) fishing vessels; and

(b) vessels operating solely within port limits.

PART 2 DUTY TO HOLD AND HAVE ONBOARD DOCUMENTATION

4. Duty to hold certificates

(1) No person may operate a ship unless—

- (a) the ship has been issued with a valid Maritime Labour Certificate by the Authority; and
- (b) the ship has been issued with a valid Declaration of Maritime Labour Compliance by the Authority.

(2) For the purpose of this regulation a Maritime Labour Certificate is not valid if between the second and third anniversary of the issue of the certificate, it has not been endorsed.

5. Duty to carry documentation

Every shipowner must ensure that—

- (a) the original Maritime Labour Certificate is onboard;
- (b) the original Declaration of Labour Compliance is onboard and attached to the Maritime Labour Certificate;
- (c) the Maritime Labour Convention is on board; and
- (d) a procedure for the masters to deal with onboard complaints relating to matters dealt with by the Convention is on board.

PART 3 ISSUE OF DOCUMENTATION

6. Declaration of Maritime Labour Compliance and issuance of Maritime Labour Certificate

(1) The shipowner shall make application to the Authority, for the issuance of a Maritime Labour Certificate, by completing Part II of the Declaration of Maritime Labour Compliance;

(2) Upon receipt of the completed Part II, the Authority will conduct inspection of the ship and audit of the shipowner;

(3) If the Authority is satisfied with the inspection of the ship and audit of the shipowner as stated in (2), it will complete Part I of the Declaration of Maritime Labour Compliance and issue the ship with a Maritime Labour Certificate valid for a period not exceeding five years; and

(4) The Authority must attach Part I and II of the Declaration of Maritime Labour Compliance to the issued Maritime Labour Certificate.

7. Interim Maritime Labour Certificate

- (1) The Authority may, on request and subject to (3), issue an interim Certificate of Labour Compliance when—
- (a) a ship is on a delivery voyage;
 - (b) a ship is transferred to the South African register; and
 - (c) a shipowner assumes responsibility for the operation of a ship from another shipowner.
- (2) A certificate issued in terms of this regulation is valid for a period not exceeding six months.
- (3) An interim Maritime Labour Certificate may only be issued following verification that:
- (a) the ship has been inspected, as far as reasonable and practicable, for the matters listed in Appendix A5- I of the Convention, taking into account verification of items under subparagraphs (b), (c) and (d);
 - (b) the shipowner has demonstrated to the Authority that the ship has adequate procedures to comply with Convention;
 - (c) the master is familiar with the requirements of Convention and the responsibilities for implementation; and
 - (d) relevant information has been submitted to the Authority to produce a interim Declaration of Maritime Labour Compliance Certificate.
- (4) A full inspection in accordance with regulation 7 shall be carried out prior to expiry of the interim Declaration of Maritime Labour Certificate to enable issue of the Declaration of Maritime Labour Certificate.
- (5) The Maritime Labour Certificate, the interim Declaration of Maritime Labour Certificate and Declaration of Maritime Labour Compliance Part 1 or 2 shall be drawn up in the form corresponding to the models given in Appendix A5- II of the Convention.

8. Intermediate audit

- (1) The Authority must carry out an intermediate audit of each ship to ensure compliance with the conditions for the continued validity of the Maritime Labour Certificate.
- (2) The audit must be undertaken between the second and third anniversary of the date of issue of the certificate.
- (3) The Authority may undertake inspections at any time that it deems fit.

9. Renewal of certificate

(1) Before the renewal of the Maritime Labour Certificate the Authority must carry out a renewal audit of the shipowner and inspection of the ship during the six month period exceeding the expiry date of the certificate.

(2) When the renewal inspection of the ship has been completed within three months before the expiry of the existing maritime labour certificate, the new maritime labour certificate shall be valid from the date of completion of the renewal inspection of the ship for a period not exceeding five years from the date of expiry of the existing certificate.

(3) When the renewal inspection of the ship is completed more than three months before the expiry date of the existing maritime labour certificate, the new maritime labour certificate shall be valid for period not exceeding five years starting from the date of completion of the renewal inspection of the ship.

10. Powers of audit, inspection, suspension of service and detention

(1) For the purpose of ensuring compliance with these regulations—

(a) The Authority may instruct an authorized person to conduct an audit to a shipowner or inspection of any ship regarding compliance with the Regulations

(b) The Authority may, after considering the report of an authorized person and is satisfied that a shipowner or ship, despite holding a Declaration of Maritime Compliance or a Maritime Labour Certificate, operates a vessel in contravention of the Regulations, the Authority may suspend both the certificate and declaration until such time as the Convention is complied with.

(c) Where a service is to be suspended under paragraph (b), the Authority must serve on the shipowner or ship a notice stating that the operation of the service specified in the notice must be suspended and giving reasons for the suspension.

(2) For the purpose of ensuring compliance with these regulations—

(a) The Authority may instruct an authorized person to audit any shipowner or inspect any ship regarding compliance with the Regulation.

(b) The Authority may, after considering the report of an authorized person, and is satisfied that there is a failure to comply with the Regulations, the Authority may cause the ship to be detained.

(3) An authorized person performing functions in terms of this regulation, who is not a surveyor, has all the powers conferred upon a surveyor by section 9 of the Act.

11. Suspension or cancellation of Declaration of Maritime Labour Compliance and Maritime Labour Certificates.

(1) (a) The Authority may, by notice in writing, suspend or cancel any Declaration of Maritime Compliance and Maritime Labour Certificates issued by it or at its request under these regulations where any audit of a shipowner or inspection of a ship has revealed or where it believes on reasonable grounds that—

- (i) the Maritime Labour Certificates or Declaration of Maritime Compliance was issued on false or erroneous information; or
- (ii) since any audit or inspection required by these regulations, the ownership of the ship has changed without notification to the Authority.

(b) A notice must set out the grounds for suspending or cancelling the Maritime Labour Certificates.

(c) A notice must not be given unless the holder of the Declaration of Maritime Labour Compliance and Maritime Labour Certificates have been given the opportunity to make representations.

(2) The Authority may require that any Declaration of Maritime Labour Compliance and Maritime Labour Certificates issued by it or at its request under these regulations that has expired or has been suspended or cancelled, be surrendered as directed.

(3) No person may—

- (a) alter a Declaration of Maritime Labour Compliance or a Maritime Labour Certificate;
- (b) in connection with any audit or inspection conducted pursuant to these regulations, knowingly or recklessly furnish false information;
- (c) with intent to deceive, use, lend or allow to be used by another the Declaration of Maritime Labour Compliance and Maritime Labour Certificate;
- (d) fail to surrender a Declaration of Maritime Labour Compliance and Maritime Labour Certificate required to be surrendered under subregulation (2); or
- (e) forge any Declaration of Maritime Compliance and Maritime Labour Certificate.

12. Issue of certificates on behalf of other governments

(1) The Authority may, at the request of the government of a State, other than the Republic, to which the Convention applies—

- (a) Audit and inspect the systems of shipowners and ships registered in that State; and
- (b) If satisfied that the requirements of the Convention are complied with

and that the audit and inspection has been satisfactorily completed in accordance with these regulations, issue to the ship a Maritime Labour Certificate or endorse such certificates after an intermediate audit.

- (2) A Maritime Labour Certificate issued under subregulation (1) must—
- (a) contain a statement that it has been so issued; and
 - (b) correspond to the appropriate form of certificate set out in the Appendix A5-II 1 of the Conventions
- (3) A Maritime Labour Certificate issued under this regulation has the same effect as if it were issued by the relevant government and not by the Authority.

PART 4 OFFENCES

13 Offences and penalties

(1) A shipowner and/or a ship that contravenes regulations 5 and 6 shall be guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding 12 months.

(2) A master who contravenes regulations 5 and 6 commits an offence and liable on conviction to a fine or imprisonment for a period not exceeding 12 months.

(3) Any person who contravenes regulation 12 (3) (a), (b), (c), (d) or (e) commits an offence and liable on conviction to a fine or imprisonment for a period not exceeding 12 months.

14. Title and commencement

These regulations are called the Maritime Labour Certificate and Declaration of Compliance Regulations *Merchant Shipping (Maritime Labour Convention) Regulations, 2015* and are published for comments.

APPENDIX A5-I

The working and living conditions of seafarers that must be inspected and approved by the flag State before certifying a ship in accordance with Standard A5.1.3, paragraph 1

Minimum age

Medical certification

Qualifications of seafarers

APPENDIX A5-II

Maritime Labour Certificate

(Note: This Certificate shall have a Declaration of Maritime Labour Compliance attached)

Issued under the provisions of Article V and Title 5 of the *Maritime Labour Convention, 2006* (referred to below as "the Convention") under the authority of the Government of:

.....
(full designation of the State whose flag the ship is entitled to fly)

by

(full designation and address of the competent person or organization duly authorized under the provisions of the Convention)

Particulars of the ship

Name of ship

.....

Distinctive number or letters

.....

Port of registry

.....

Date of registry

.....

Gross tonnage *

.....

IMO number

.....

Type of ship

.....

Name and address of the shipowner (as defined in Article II, paragraph 1(j), of the Convention)

.....

.....

This is to certify:

1. That this ship has been inspected and verified to be in compliance with the requirements of the Convention, and the provisions of the attached Declaration of Maritime Labour Compliance.

2. That the seafarers' working and living conditions specified in Appendix A5-I of the Regulations were found to correspond to the abovementioned country's national requirements implementing the Convention. These national requirements are summarized in the Declaration of Maritime Labour Compliance, Part I.
This Certificate is valid until subject to inspections in accordance with Standards A5.1.3 and A5.1.4 of the Regulations.

This Certificate is valid only when the Declaration of Maritime Labour Compliance issued at on is attached.

Completion date of the inspection on which this Certificate is based was

.....
Issued at on

Signature of the duly authorized official issuing the Certificate
(Seal or stamp of issuing authority, as appropriate)
Endorsements for mandatory intermediate inspection and any additional inspection (if required)

This is to certify that the ship was inspected in accordance with Standards A5.1.3 and A5.1.4 of the Convention and that the seafarers' working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the abovementioned country's national requirements implementing the Convention.

Intermediate inspection: Signed
(to be completed between the second and third anniversary dates)
(signature of authorized official)

.....
Place
Date
(Seal or stamp of the authority, as appropriate)
Additional endorsements (if required)

This is to certify that the ship was the subject of an additional inspection for the purpose of verifying that the ship continued to be in compliance with the national requirements implementing the Convention, as required by Standard A3.1, paragraph 3, of the Convention (re-registration or substantial alteration of accommodation) or for other reasons.

Additional inspection: Signed
(if required) (signature of authorized official)

.....
Place
Date
(Seal or stamp of the authority, as appropriate)
Additional inspection: Signed
(if required) (signature of authorized official)

.....

Place
 Date
 (Seal or stamp of the authority, as appropriate)
 Additional inspection: Signed
 (if required) (signature of authorized official)

 Place
 Date
 (Seal or stamp of the authority, as appropriate)

Maritime Labour Convention, 2006

Declaration of Maritime Labour Compliance – Part I

(Note: This must be attached to the ship's Maritime Labour Certificate)

Issued under the authority of: (insert name of competent authority as defined in Article II, paragraph 1(a), of the Convention)

In respect to the provisions of the Maritime Labour Convention, 2006, the following referenced ship:

Name of ship	IMO number	Gross tonnage

is maintained in accordance with Standard A5.1.3 of the Convention.
 The undersigned declares, on behalf of the abovementioned competent authority, that:

1. The provisions of the Maritime Labour Convention are fully embodied in the national requirements referred to below;
2. These national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions are provided where necessary;
3. The details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided *<under the corresponding national requirement listed below> <in the section provided for this purpose below> <strike out the statement which is not applicable>*; and

4. Any ship-type specific requirements under national legislation are also referenced under the requirements concerned.

- (a) Minimum age (Regulation 1.1)
- (b) Medical certification (Regulation 1.2)
- (c) Qualifications of seafarers (Regulation 1.3)

- (d) Seafarer employment agreements (Regulation 2.1)
- (e) Use of a licensed or certified or regulated private recruitment and placement service (Regulation 1.4)
- (f) Hours of work or rest (Regulation 2.3)
- (g) Manning levels for the ship (Regulation 2.7)
- (h) Accommodation (Regulation 3.1)
- (i) On-board recreational facilities (Regulation 3.1)
- (j) Food and catering (Regulation 3.2)
- (k) Health and safety and accident prevention (Regulation 4.3)
- (l) On-board medical care (Regulation 4.1)
- (m) On-board complaint procedures (Regulation 5.1.5)
- (n) Payment of wages (Regulation 2.2)

Name:

Title:

Signature:

Place:

Date:

Substantial equivalencies

(Note: Strike out the statement which is not applicable)

The following substantial equivalencies, as provided under the Convention, Article VI, paragraphs 3 and 4, except where stated above, are noted: [insert description if applicable]

.....

...

.....

...

No equivalencies have been granted

Name:

Title:

Signature:

Place:

Date:

Declaration of Maritime Labour Compliance – Part II

Measures adopted to ensure ongoing compliance between inspections

The following measures have been drawn up by the shipowner, named in the Maritime Labour Certificate to which this Declaration is attached, to ensure ongoing compliance between inspections:

<State below the measures drawn up by the shipowner to ensure compliance with each of the items in Part I>

1. Minimum age (Regulation 1.1)

2. Medical certification (Regulation 1.2)

3. Qualifications of seafarers (Regulation 1.3)

4. Seafarer employment agreements (Regulation 2.1)

5. Use of a licensed or certified or regulated private recruitment and placement service (Regulation 1.4)

6. Hours of work or rest (Regulation 2.3)

7. Manning levels for the ship (Regulation 2.7)

8. Accommodation (Regulation 3.1)

9. On-board recreational facilities (Regulation 3.1)

10. Food and catering (Regulation 3.2)

11. Health and safety and accident prevention (Regulation 4.3)

12. On-board medical care (Regulation 4.1)

13. On-board complaint procedures (Regulation 5.1.5)

14. Payment of wages (Regulation 2.2)

The above measures have been reviewed by <insert name of competent authority or duly recognized organization> and, following inspection of the ship, have been determined as meeting the purposes set out under (b) of paragraph 10 of Standard A5.1.3, regarding measures to ensure initial and ongoing compliance with the requirements set out in Part I of this Declaration.

Name:

Title:

Company address:

.....

.....

Signature:

Place:

(Seal or stamp of the competent authority)

EXPLANATORY NOTE

(This note is not part of the regulations)

The purpose of these regulations is to introduce the Maritime Labour Convention into domestic legislation.

These regulations seek to implement particularly the provisions of Regulation 5.1.3 of the Convention as follows:

Clauses under the proposed regulations—

Clause 1: Objects of regulation

Clause 2: Definition

Clause 3: Application of the Regulations

Clause 4: Duty of the shipowner to hold certificates

Clause 5: Duty of the shipowner to carry documents

Clause 6: Declaration of Maritime Labour Compliance by the shipowner and issuance of Maritime Labour Certificate by the Authority

Clause 7: Interim Maritime Labour Certificate issued to the shipowner by the Authority

Clause 8: Intermediate Audit and inspection conducted by the Authority

Clause 9: Renewal of Declaration of Maritime Labour Compliance Maritime Labour Certificate

Clause 10: Powers of audit, inspection, suspension of service and detention by the Authority or duly appointed person

Clause 11: Suspension or cancellation of Documents of Compliance and Safety Management Certificates by the Authority

Clause 12: Issue of Certificate by the Authority on behalf of other governments

Clause 13: Offences for the contravention of the provisions of the regulations

Clause 14: Title and commencement

IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

