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Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

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Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

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take note!

With effect from 01 October, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

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Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

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- Single notice, single email – with proof of payment or purchase order.
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- Please submit your notice **ONLY ONCE**.
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- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRANSPORT

NO. R. 604

30 MAY 2016

**SOUTH AFRICAN MARITIME AND AERONAUTICAL SEARCH AND RESCUE
ACT, 2002****(ACT NO. 44 OF 2002, AS AMENDED BY ACT NO.5 OF 2013)****SOUTH AFRICAN MARITIME AND AERONAUTICAL SEARCH AND RESCUE
(SASAR) REGULATIONS, 2016**

The Minister of Transport has, under Section 23 of the South African Maritime and Aeronautical Search and Rescue Act, 2002 (Act No.44 of 2002) , as amended, made the regulations in the Schedule.

**MS DIPUO PETERS, MP****MINISTER OF TRANSPORT**

DATE: 28/04/2016

SCHEDULE

Arrangement of the Regulations

PART 1

INTRODUCTORY

1. Definitions

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

“**aircraft co-ordinator**” (**ACO**) means a person or team who co-ordinates the involvement of multiple aircraft in SAR operations in support of the SAR mission co-ordinator and on scene co-ordinator;

“**alert phase**” means a situation wherein apprehension exists as to the safety of an aircraft or marine vessel and its occupants;

“**alerting post**” means any facility intended to serve as an intermediary between a person reporting an emergency and a rescue co-ordination centre or rescue sub-centre;

“**ARCC**” means aeronautical rescue co-ordination centre;

“**area control centre**” (**ACC**) means an air traffic control facility primarily responsible for providing ATC services to IFR aircraft in controlled areas under its jurisdiction;

“**captain**” means a Master of ship or pilot-in-command of an aircraft, commanding officer of a warship or an operator of any other vessels;

“**coast earth station**” (**CES**) means an Inmarsat shore-based station linking ship earth station with terrestrial communication networks;

“**cospas-sarsat system**” means a satellite system designed to detect distress beacons transmitting on the frequencies 406 MHz;

“**craft**” means any air or sea-surface vehicle, or submersible of any kind or size;

“**director**” means the Director for Civil Aviation;

“**distress phase**” means a situation wherein there is reasonable certainty that a vessel or other craft, including an aircraft or a person, is threatened by grave and imminent danger and require immediate assistance;

“**ditching**” means forced landing of an aircraft on water;

“**emergency Locator Transmitter (ELT)**” means an aeronautical radio distress beacon for alerting and transmitting homing signals;

“**emergency phase**” means a generic term meaning , as the case may be, uncertainty phase, alert phase or distress phase;

“**emergency position indicating radio beacon**” means a device, usually carried aboard marine craft, that transmits a signal that alerts search and rescue authorities and enables rescue units to locate the scene of the distress;

“Flight Information Centre (FIC)” means a unit established for flight information and alerting services;

“flight information region” means airspace of defined dimensions within which flight information service and alerting services are provided;

“global maritime distress and safety system (GMDSS)” means a global communications service based upon automated systems, both satellite-based and terrestrial, to provide distress alerting and promulgation of maritime safety information for mariners;

“harbour master” means a person designated as the official to exercise authority over operations at a port as defined in section 1 of the National Ports Act, 2005 (Act No. 12 of 2005);

“Joint Rescue Co-ordination Centre (JRCC)” means a rescue coordination centre responsible for both aeronautical and maritime search and rescue incidents;

“MRCC” means maritime rescue co-ordination centre;

“national SAR plan” means comprehensive policy guideline on how SAR services will be organized, provided and managed within the search and rescue region;

“on-scene co-ordinator” means a person designated to co-ordinate SAR operations within a specified area;

“operator” means a person, organization or enterprise engaged in or offering to engage in an aircraft operation;

“**personal locator beacon**” means a personal radio distress beacon for alerting and transmitting homing signals;

“**pilot-in-command**” means the pilot designated by the operator or in the case of general aviation, the owner, as being in command and charged with the safe conduct of a flight;

“**RCC**” means Rescue Co-ordination Centre as defined in section 1 of the Act;

“**RCC Chief**” means one or more persons within an administration with overall responsibility for establishing and providing operational SAR services and ensuring that planning for those services is properly co-ordinated;

“**RSC**” means rescue Sub-centre as defined in section 1 of the Act.

“**SAR**” means search and rescue;

“**SAR operational plan**” means a detailed plan formulating the basis of search and rescue operations;

“**search**” means an operation normally coordinated by a rescue coordination centre or rescue sub-centre, using available personnel and facilities to locate persons in distress;

“**search and rescue aircraft**” means an aircraft provided with specialised equipment suitable for the efficient conduct of search and rescue missions;

“**search and rescue facility**” means any mobile resource, including designated search and rescue units, used to conduct search and rescue operations;

“**search and rescue occurrence**” means any event associated with the policy, practices, procedures, training, co-ordination or conduct of SAR operations that could create a hazard to the safety of search and rescue operations or seriously compromise the provision of search and rescue services;

“**search and rescue service**” means the performance of distress monitoring, communication, co-ordination and search and rescue functions, initial medical assistance or medical evacuation, through the use of public and private resources, including cooperating aircraft, vessels and other craft and installations;

“**situation report (SITREP)**” means reports from the OSC to the SMC or the SMC to interested agencies to keep them informed on on-scene conditions and mission progress;

“**SAR mission co-ordinator**” means an official temporarily assigned to co-ordinate response to an actual or apparent distress situation;

“**search and rescue unit**” means a unit composed of trained personnel and provided with equipment suitable for the expeditious conduct of SAR operations;

“**search and rescue region**” means a region as defined in section 1 of the Act.

“**search and rescue sub-region**” means a specified area within an SRR associated with a Rescue Sub-centre;

“**uncertainty phase**” means a situation wherein uncertainty exists as to the safety of an aircraft or marine vessel, and of the persons on board.

2. Preamble

(1) These Regulations-

- (a) establish general provisions governing the rights and obligations of maritime and aeronautical search and rescue service providers and other parties planning for or participating in maritime and aeronautical search and rescue operations.

- (b) are issued pursuant to South Africa's obligations to ensure enforcement of accepted international standards and recommended practices by organisations providing maritime and aeronautical search and rescue services within her designated search and rescue region as amended from time to time and published by the Minister in the Government Gazette in terms of the Act.
 - (c) will determine the type and degree of maritime and aeronautical search and rescue services to be provided within the South African Search and Rescue Region in accordance with its mandate in terms of the Act, SASAR Constitution, SASAR policy manual, relevant international search and rescue Conventions, guidelines and these regulations.
- (2) No person must provide maritime and aeronautical search and rescue services except under the authority of SASAR, and in accordance with the provisions of these regulations.
 - (3) No person must provide search and rescue co-ordination functions unless appropriately designated and certificated by the Minister and Director General respectively.
 - (4) No person must provide on-scene SAR co-ordination function unless appointed in that capacity by RCC or RSC.

3. Application

- (1) These regulations must be applicable to all search and rescue providers as designated by the Minister in terms of the Act and in accordance with the following International Conventions and guidelines:
 - (a) Annex 12 – *Search and Rescue* to the Convention on International Civil Aviation;

- (b) The International Aeronautical and Maritime Search and Rescue (IAMSAR) manual (ICAO Doc.9731-AN/9580);
- (c) ICAO Basic Air Navigation Plan – [region] and Facilities and Services Implementation Document (Doc 9708);
- (d) The International Convention on Safety of Life at Sea, 1974;
- (e) The International Convention on Maritime Search and Rescue, 1979
- (f) Article 98 of the United Nations Convention on the Law of Sea, 1982
- (g) ICAO Safety Oversight Manual (Doc 9734)
- (h) Safety Management System Manual
- (i) SACD Protocol

PART 2

SAR GOVERNANCE, CO-ORDINATION AND OVERSIGHT

4. National SAR Plan

- (1) The Department, in collaboration with SASAR must develop a detailed national SAR plan on the provision of SAR services within the South African search and rescue region.

5. SAR resources and facilities

- (1) The Department and SASAR must ensure the availability of sufficient accommodation, equipment, and resources to coordinate multiple aeronautical and maritime searches and rescue operations at any one time.
- (2) SASAR must establish a contingency plan that includes completed arrangements to secure access to alternative accommodation and resources in order to ensure the ongoing provision of aviation and maritime search and rescue services in the event of primary accommodation or equipment

becoming unavailable for any reason.

- (3) The organizations or institutions designated in terms of Section 11 of the Act must ensure the provision of an RCC or RSC which must be staffed on a 24-hour basis by a complement of personnel who are trained, qualified, proficient and certified to levels of competence relevant to the functions and responsibilities appropriate to a aviation and maritime SAR service and acceptable to the Department.
- (4) The institutions designated as registrars of emergency beacons must ensure that:
 - (a) Provision is made for a 406 MHz emergency beacon register that is updated whenever necessary; and
 - (b) registered emergency beacon information is immediately available to RCCs and RSCs upon request.

6. Collaboration and co-operation with other States and SAR services

- (1) SASAR must, under the direction of the Department, seek to establish formal, documented agreements of cooperation with SAR service providers of all contiguous States with a view to:
 - (a) strengthening SAR cooperation and coordination;
 - (b) specifying the conditions for entry of each others' SAR Units into their respective territories; and
 - (c) expediting entry of such SAR Units.
- (2) The agreements of cooperation with SAR service providers of contiguous

States must include information concerning SAR services and capabilities including details of SAR Units able to assist in the conduct of SAR operations in their respective SRRs.

- (3) The Department must publish and disseminate all information necessary for the entry of SAR Units of other States into its territory or, alternatively, include this information in formal SAR agreements.
- (4) SASAR must coordinate SAR operations that are proximate to contiguous SRRs with SAR providers of those States.
- (5) The Department must encourage, to the fullest extent possible, operators of all aircraft, vessels and appropriate local services and facilities which do not form part of the SAR organization to cooperate fully, as their capacities allow, in the planning and conduct of SAR operations.
- (6) SASAR must establish formal, documented agreements of cooperation, that are acceptable to the Department, with air traffic/maritime service providers that clearly define respective responsibilities in providing emergency response services to aircraft and vessels including the exchange of flight plan and operational data, communication services, temporary attribution of staff and other specialised services as may be deemed necessary from time to time.
- (7) SASAR must cooperate, as far as practicable, with all properly accredited authorities and entities investigating incidents and accidents.
- (8) The Department, in consultation with SASAR must designate a SAR Point of Contact for receipt of distress alert and location messages and associated data from authorities and users of the Cospas-Sarsat system.

- (9) The ARCC must recommend and prepare documentation for declaration of a Restricted Area whenever deemed necessary for safe and efficient SAR operations.
- (10) The Department in conjunction with SASAR must seek to arrange joint training exercises involving their SAR Units and those of other States.
- (11) The Department, in consultation with SASAR must seek to arrange:
 - (a) Periodic liaison visits for RCC and RSC staff to cooperating entities nationally and Air Traffic Service (ATS) and SAR service providers in contiguous States; and
 - (b) Attendance at local, regional and international meetings by designated SAR office bearers.
- (12) SASAR must seek to encourage the closest possible cooperation and coordination with relevant aeronautical, maritime, land based and military emergency response authorities, including the possibility of establishing a JRCC to coordinate aeronautical and maritime search and rescue operations, when feasible and practical.

7. Safety oversight and regulatory system

- (1) The Department must designate a person or body of persons to establish a safety oversight and regulatory system which as a minimum:
 - (a) promote the culture of safety;

- (b) Carry out risk evaluations in the SAR programme/system, identify and record risk factors and any safety findings, causal factors and associated corrective actions; and
- (c) Monitor the continued compliance of regulatory provisions with international standards and practices as contemplated in relevant international conventions and guidelines as amended;

8. Safety management system

- (1) SASAR must implement a safety management system which is acceptable to the Minister and which, as a minimum:
 - (a) Identifies safety hazards;
 - (b) Ensures the implementation of remedial action necessary to maintain agreed safety performance;
 - (c) Provides for continuous monitoring and regular assessment of the safety performance; and
 - (d) Is subject to regular review which has as its objective the improvement in the overall performance of the safety management system.
- (2) The safety management system must clearly define to the satisfaction of the Minister the safety accountability of the senior personnel and office-bearers of SASAR.

9. Delegation of Authority (Requisitioning of air and seaborne resources)

- (1) The authority to requisition and deploy suitably equipped and certified aircraft and vessel for purposes of any aeronautical or maritime search and rescue operations on behalf of the Minister is delegated to the following persons-
- (a) The Head of SASAR;
 - (b) Head of Maritime SAR Operations;
 - (c) Head of Aeronautical SAR Operations;
 - (d) ARCC Chief;
 - (e) MRCC Chief;
 - (f) Search Mission Co-ordinators;
 - (g) Harbour Masters; and
 - (h) Deputy Harbour Masters.

PART 3

SAR OPERATIONAL MATTERS, STANDARDS AND PROCEDURES

10. SAR plans of operation

- (1) The Department in collaboration with SASAR must prepare detailed plans with procedures of operation for the safe and effective conduct of SAR operations within the SRR.
- (2) In addition to the plan referred to in (1) above, the authorities designated as RCCs or RSCs must ensure that the RCC Chief or RSC Head develop a comprehensive, detailed and unambiguous SAR plan to ensure that the RCC or RSC functions properly during a search and rescue action.
- (3) The plans of operation must specify, as a minimum:
- (a) the structure of functional responsibilities including authority, delegation and lines of reporting;
 - (b) procedures whereby a search and rescue operation in the RCCs or

- RSCs area of responsibility should be conducted during different phases of an emergency;
- (c) arrangements for the servicing and re-fuelling of aircraft, vessels and vehicles employed in SAR operations;
 - (d) arrangements for expeditious access to weather information and other operational information including NOTAM and navigational warning;
 - (e) the precise area of responsibility pertaining to the RCC or RSC;
 - (f) the responsibilities and accommodation of staff assigned search and rescue operations;
 - (g) methods and procedures whereby information is obtained, stored and retrieved for use in a search and rescue operation;
 - (h) the training and exercising of search and rescue staff; and
 - (i) the facilities available to the RCC or RSC
- (4) In respect of the facilities available to the RCC or RSC, the plan of operation must:
- (a) state precisely which agencies are responsible for activating facilities;
 - (b) detail the methods of communication with the various agencies (communication network);
 - (c) detail the methods of alerting mobile facilities;
 - (d) detail the methods of co-ordination with various facilities ;
 - (e) indicate by whom, and to what extent, any of these facilities can be requested to participate in an operation; and
 - (f) describe the facilities available to the RCC or RSC.
- (5) All search and rescue action must be undertaken according to the national SAR plan.

- (6) SAR plans of operation must include details of actions to be taken with respect to:
- (a) the available communication systems and facilities;
 - (b) alerting en-route aircraft and ships at sea;
 - (c) the duties and prerogatives of all participating personnel;
 - (d) the possible redeployment of personnel and equipment that may be necessitated by meteorological or other dynamic conditions;
 - (e) the particular assistance appropriate to distressed aircraft confronted with the need to ditch, including rendezvous with surface craft; and
 - (f) in-flight diversion to and intercept and escort of aircraft in distress;
- (7) RCCs must ensure that their plans of operation are integrated with aerodrome emergency procedures to provide for optimal, coordinated response to aircraft emergencies that may arise in the vicinity of airports, including, for coastal aerodromes, areas of water.
- (8) RCCs must ensure that plans of operation are integrated with harbour/port emergency procedures to provide for a co-ordinated response to marine emergencies that may arise within a vicinity of harbours, ports and VTS areas of responsibility.
- (9) RCCs must ensure that each SAR unit is cognisant of all parts of the plans of operation necessary for the effective conduct of its tasks or duties.

11. SAR units and facilities

- (1) RCCs must:
- (a) designate and make formal arrangements for cooperative and appropriate use of public and private SAR Units that are suitably

- located, equipped and crewed for search and rescue operations throughout the SRR;
- (b) designate and make formal arrangements for cooperative and appropriate use of craft, vehicles and personnel that do not qualify as SAR Units but which may be able to effectively participate in SAR operations;
 - (c) ensure that arrangements are made for the constant readiness of SAR units and facilities ;and
 - (d) maintain an accurate and complete database of SAR Units and other SAR facilities and resources within the SRR and make arrangements for the timely advice to the RCC of any change in their readiness or capability.
- (2) The Department must provide relevant information on the availability of SAR Units within the SRR to the relevant authority for publication in the *Gazette Aeronautical Information Publication (AIP) and Marine Notice*.
- (3) The Department must ensure the availability of appropriately packed, droppable life support equipment that is securely positioned and maintained at strategic locations throughout the SRR and readily available for rapid loading onto SAR Units.
- (4) RCCs must ensure the availability of trained personnel and necessary personal safety equipment at strategic locations within the SRR for the airborne and surface delivery of life support equipment to accident survivors by SAR Units.

12. Alerting Posts

- (1) A designated alerting post must immediately inform the RCC's or RSCs of an emergency or a potential emergency once it becomes aware of it.
- (2) The following organizations or institutions are designated as dedicated alerting posts and must be staffed 24 hours a day:
 - (a) An air traffic service unit (ATSU);
 - (b) Harbour master's offices;
 - (c) Coastal radio stations;
 - (d) South African police stations;
 - (e) The MRCC; and
 - (f) The ARCC.
- (3) The following procedures must be followed by the alerting post, on becoming aware of an emergency or potential emergency situation:
 - (a) gather as much information about the emergency situation as is possible;
 - (b) report to the nearest maritime RCC or RSC in the event of a maritime distress or to the ARCC or nearest ATSU in the event of an aeronautical emergency;
 - (c) after making the initial report in terms of 5(b) above, the alerting post must make an attempt to check the report for authenticity and accuracy;
 - (d) if there is reason to suspect that the message or signal indicating the emergency is a hoax or false alert, declare the message as such; and
 - (e) keep open the channel of communication between itself and the source of the emergency message until the appropriate RCC declares that it is no longer required.
- (4) A designated alerting post must attempt to gather the following information on the distressed craft for passing on to the RCC or RSC:
 - (a) distressed craft identification (name or type/call sign)
 - (b) position of emergency (latitude/longitude or bearing/distance from known position or last reported position and next reporting position)
 - (c) date or time of position;

- (d) nature of emergency (fire, collision, man overboard, disable, overdue, bail-out, crash);
 - (e) craft description, (size, type, hull colour, cabin colour, deck colour, rigging, fuselage colour, tail colour wingtip colour)
 - (f) persons on board;
 - (g) date, time and point of departure, planned route; speed of advance, estimated time of arrival (ETA) and point of destination;
 - (h) radio frequency in use, monitored or scheduled;
 - (i) emergency radio equipment and frequencies, including emergency position indicating beacons;
 - (j) on-scene weather and sea conditions;
 - (k) assistance desired, if not obvious;
 - (l) assistance being received, if any;
 - (m) heading, speed, altitude and fuel;
 - (n) initial reporter (name, telephone or address of person, name/call signoff craft, parent agency)
 - (o) date and time of initial report;
 - (p) possible route deviations;
 - (q) navigation equipment
 - (r) survival equipment
 - (s) other information, sources (friends, relatives, associates, agents and agencies)
 - (t) car or boat trailer licence, description, location if pertinent, and
 - (u) any other pertinent information.
- (5) A designated alerting post must attempt to gather the following information in relation to a lost person involved in a maritime or aviation incident or emergency:
- (a) Name of the missing person;
 - (b) Location last seen;
 - (c) Date or time last seen;
 - (d) Known intentions or possible actions of missing person;

- (e) Description of missing person;
 - (f) Clothing, footwear and equipment;
 - (g) Physical and mental condition;
 - (h) Knowledge of area;
 - (i) Outdoor experience;
 - (j) Weather conditions;
 - (k) Action being taken;
 - (l) Assistance desired, if not obvious;
 - (m) Initial reporter, (name and telephone number or address);
 - (n) Date and time of initial report;
 - (o) Next of kin (name and telephone number or address);
 - (p) Any other pertinent information.
- (6) A designated alerting post must attempt to gather information on existing weather conditions from the person who reported an occurrence by posing questions on the following:
- (a) Clear skies or cloudy weather and recent changes;
 - (b) Whether rain or snow is falling or has fallen, when the snowfall started and ended;
 - (c) Whether severe weather conditions such as thunderstorms, hail, ice pellets or freezing rain are occurring or have occurred, and at what times it started and stopped;
 - (d) Visibility and any factors affecting it such as fog, smoke, haze, etc. and the time of recent changes;
 - (e) Description of the water or sea conditions
 - (f) Wind direction and velocity and recent changes.

13. Reporting system

- (1) RCCs must establish a reporting system covering documentation of occurrences during the conduct of SAR operations and exercises.

- (2) RCCs must immediately provide evidence of such records to relevant oversight authorities upon request.

14. Document Library

- (1) RCCs and RSCs must ensure the establishment and maintenance of a document library that contains up to date editions of relevant documentation and immediately accessible to its operational and management staff.
- (2) The library must at all times have available for reference current editions of documentations as prescribed by the relevant International Bodies:
- (3) RCCs and RSCs must produce, maintain and update master copies of all manuals required for the safe, effective and timely provision of aviation and maritime SAR services and provide copies upon request, to the authorities responsible for SAR oversight duties.

15. Record-keeping

RCCs must retain all data relating to every SAR action undertaken by itself and its RSCs in an orderly and easily accessed manner for a period of at least for five years.

16. Competence and Training

- (1) SASAR must ensure that initial and recurrent training of all RCC and, as appropriate, RSC operational and immediate supervisory staff is conducted to a syllabus that is acceptable to the Department and oversight authorities:

- (2) SASAR must ensure that RCC and, as appropriate, RSC staff are given regular proficiency training and exercises to maintain skills, knowledge and attitudes as appropriate to the provision of aviation and maritime SAR services

17. Preparatory Information

- (1) The Department and SASAR must ensure that the RCC always has immediate access to comprehensive, accurate and up-to-date data concerning the following assets and facilities in the SRR:
- (a) RSCs;
 - (b) SAR Units;
 - (c) Locations where supplies of droppable emergency and survival equipment are stored;
 - (d) Alerting posts;
 - (e) ATS Units;
 - (f) Means of communication that can be used in SAR operations;
 - (g) Addresses (electronic and postal) and telephone numbers of duly authorised operators' representatives; and
 - (h) Any other public and private resources including medical and transportation facilities that are likely to be useful in SAR operations.
- (2) The Department must publish the information articulated to in (1) above by notice in the Gazette and by means of printed and electronic media as appropriate so as to ensure wide publicity.

18. Information concerning emergencies

- (1) Any member or element of the SAR organization, having reason to believe or has been informed that an aircraft or vessel is experiencing an emergency,

must immediately give all available, relevant information to the relevant RCC.

- (2) An RCC, upon receipt of advice that an aircraft or vessel is experiencing a state of emergency, must immediately evaluate such information and assess the extent of the measures to be taken.
- (3) An RCC must ensure that, on being advised that an aircraft or vessel is undergoing an emergency situation, the required emergency phase is declared and apply procedures applicable to that phase

19. Procedures during emergency phases

- (1) Upon the declaration of an emergency phase, the RCC must comply with all standard procedures as defined in the relevant international and national guidance materials.
- (2) In an aeronautical SAR incident involving an aircraft for which a flight plan has been filed, an uncertainty phase must be declared, when:
 - (a) no communication has been received within a period of 30 minutes after the time it should have been received, or from the time a first unsuccessful attempt was made to establish communication with the aircraft, whichever is earlier;
 - (b) the aircraft fails to arrive within 30 minutes of the ETA last notified or estimated, whichever is the later; or
 - (c) the evaluation of other circumstances, e.g. knowledge that the aircraft is experiencing difficulties, renders it advisable to declare the uncertainty phase;
- (3) In respect of an aircraft for which no flight plan has been filed, an uncertainty phase must be declared by the ATSU when information that the aircraft is

overdue or missing is received from any source, e.g. an ATSU, the aircraft operator, relatives of the pilot, or any other person. In such cases the ARCC will be notified and will monitor the progress.

- (4) An alert phase must be declared by an ARCC when-
- (a) the attempts made during the uncertainty phase to establish contact with the aircraft or to gain any news from other sources have failed and the aircraft is clearly overdue;
 - (b) an aircraft, which has been cleared to land, has failed to land within 5 minutes of the estimated time of landing and communications have not been re-established with the aircraft;
 - (c) information has been received which indicates that the operating efficiency of the aircraft for which the uncertainty phase was declared or that of another aircraft has become impaired, but not to the extent that a forced landing is likely; and
 - (d) there is reason to believe that the operation of an aircraft is being interfered with. In such cases the ARCC will be informed, who in turn, will continue with the alerting of relevant and related organizations and authorities.
- (5) A distress phase must be declared by an ARCC when -
- (a) the attempts made during the alert phase to establish contact with the aircraft and to gain information through more widespread enquiries have failed and the aircraft is clearly missing and probably distress;
 - (b) the fuel on board is considered exhausted or insufficient for the aircraft to reach safety;
 - (c) information is received which indicates that the operating efficiency of the aircraft has become impaired to the extent that a forced landing is likely;
 - (d) information is received, or it is reasonably certain that the aircraft is about to make or has made a forced landing, or has crashed; and

- (e) a downed aircraft is inadvertently located as the result of a sighting or of homing on an ELT transmission.
- (6) In a maritime incident an uncertainty phase must be declared once an alerting post advises the MRCC that –
- (a) there is doubt regarding the safety of a vessel and/or the persons on board;
 - (b) the vessel is overdue and has failed to make its estimated time of arrival; and
 - (c) the vessel has failed to make an expected position or safety report.
- (7) An alert phase must be declared by an MRCC when -
- (a) there is apprehension regarding the safety of a vessel or the person on board;
 - (b) following the uncertainty phase, attempts to establish contact with the vessel have failed and enquiries addressed to other appropriate sources have been unsuccessful; or
 - (c) Information has been received indicating that the operational efficiency of a vessel is impaired but not to the extent that a distress situation is likely.
- (8) A distress phase must be declared by an MRCC when -
- (a) positive information is received that a vessel or the persons on board are in grave and imminent danger and in need of immediate assistance;
 - (b) following the alert phase, further unsuccessful attempts to establish contact with the vessel and more widespread unsuccessful enquiries point to a probability that the vessel is in distress; or
 - (c) information is received which indicates that the operating efficiency of the vessel has been impaired to the extent that a distress situation is likely.

- (9) An ATSU usually notify its associated RCC when an aircraft is usually or likely in a state of emergency. Such notification to the ARCC must contain the following information, if available, as appropriate to the phase of emergency:
- (a) agency and person calling;
 - (b) nature of emergency;
 - (c) significant information from the flight plan;
 - (d) unit which made last contact, time, and frequency used;
 - (e) last position report and how the position was determined;
 - (f) colour and distinctive marks of the aircraft in difficulty;
 - (g) any action taken by the reporting office;
 - (h) number of persons board (POB);
 - (i) survival equipment carried;
 - (j) relevant radar and voice recordings and
 - (k) other information.
- (10) The notification from a Coastal Radio Station to the MRCC regarding a maritime craft in distress must contain the following information, if available:-
- (a) name and call sign (or ship station identity) of the ship or craft;
 - (b) nature of the emergency;
 - (c) type of assistance needed;
 - (d) time of communication with the ship or craft;
 - (e) position or last known position of the ship or craft;
 - (f) description of the ship or craft;
 - (g) intentions of the ship or craft;
 - (h) number of POB if known; and
 - (i) other information.
- (11) Notification from any other source should contain any abnormal occurrence they have witnessed or heard about.

20. Procedures at the scene of an emergency

- (1) When multiple facilities are engaged in SAR operations on-scene and the RCC designates an On Scene Commander (OSC) or Air Craft Co-ordinator (ACO) to coordinate tactical activity on-scene to improve the safety and efficiency of operations, the OSC or ACO must perform the assigned tasks in full account of the nature of the search target, the type, number and capacity of SAR Units and the environment and keep the RCC fully informed of actions taken and proposed.

- (2) When a pilot-in-command observes, that either another aircraft or a vessel is in distress, the pilot must, if possible and unless considered unreasonable or unnecessary:
 - (a) keep the aircraft or vessel in distress in sight until compelled to leave the scene or advised by the RCC, that it is no longer necessary;
 - (b) determine the position of the aircraft or vessel in distress;
 - (c) as appropriate, report to the RCC or air traffic services unit as much of the following information as possible:
 - i. type of aircraft or vessel in distress, its identification and condition;
 - ii. position of the aircraft or vessel expressed in geographical coordinates or as a bearing and distance from a distinctive landmark or ground radio navigation aid;
 - iii. time of observation expressed in hours and minutes in Coordinated Universal Time (UTC);
 - iv. number of persons on board;
 - v. whether the persons have been seen to abandon the aircraft or vessel in distress;
 - vi. apparent physical condition of the survivors;
 - vii. on-scene weather conditions;
 - viii. apparent best ground access route to the distress site; and
 - (d) act as instructed by the ATS Unit on advice from the RCC.

21. Procedures for authorities in the field

- (1) When cooperating SASAR member organizations, vested with functions and responsibilities under the national SAR plan, engage in the field in SAR-related activity being coordinated by the RCC or RSC, they must keep the RCC or RSC informed of instructions given to the units under their direction and relevant developments.

22. Cancellation of SAR filed during submissions of flight plans

- (1) Owners or operators of aircraft that filed for SAR during submission of their flight plan must upon reaching their destination cancel SAR by informing any ATSU of their safe landing.
- (2) When SAR is cancelled with an ATSU with which the owner or operator did not file his/her SAR action, the owner or operator must disclose his or her original ATSU of SAR action requirement.
- (3) Any owner or operator of an aircraft who by an unlawful act or omission fails to cancel SAR as required by sub-regulation (1), must be guilty of an offence and the Director of Civil Aviation must after considering the facts brought before him or her by the ARCC in conjunction with SASAR, including the type of resources deployed by SASAR as a result of this omission, decide on an appropriate fine for the transgressor.
- (4) Though each and every case must be judged on its own merits, the fine imposed by the Director must not be less than the cost spent on resources deployed.

23. Termination and suspension of operations

- (1) SAR operations must continue, when practicable, until all survivors are

delivered to a place of safety or until all reasonable hope of rescuing survivors has passed.

- (2) The RCC must be responsible for determining when to discontinue SAR operations and in taking that decision will take into full account operational standards and practices as contained in the relevant guiding materials.
- (3) When a SAR operation has been successful or when the RCC considers that an emergency no longer exists, the emergency phase must be cancelled and any authority, facility or service that has been activated or notified must be promptly informed.
- (4) If, for any reason, a SAR operation becomes impracticable and the RCC concludes that there is still some prospect of survivors being found, the RCC must temporarily suspend on-scene activities pending further developments and must promptly inform any authority, facility or service which has been activated or notified.
- (5) Upon evaluation of relevant information that is subsequently received, SAR operations may be resumed when deemed by the RCC to be justified and practicable or instructed by the Minister.

PART 3

SEARCH AND RESCUE COMMUNICATIONS

24. Communication Equipment

- (1) The organization or institution designated pursuant to these regulations to operate an RCC must ensure that the RCC is capable of rapid and reliable two-way communication with:
 - (a) Associated air traffic services;
 - (b) Associated rescue sub-centres;

- (c) Appropriate direction-finding and position-fixing stations in the SRR;
 - (d) The appropriate operations centres of SAR Units in the SRR;
 - (e) The MRCCs in the SRR and all ARCCs, MRCCs and JRCCs in adjacent SRRs;
 - (f) Designated meteorological offices and meteorological watch offices in the SRR;
 - (g) All designated SAR Units;
 - (h) All designated alerting posts;
 - (i) Associated police forces;
 - (j) The Cospas-Sarsat Mission Control Centre servicing the SRR or the relevant Search and Rescue Points of Contact (SPOC), as appropriate;
 - (k) All aviation and maritime security and surveillance centres in the SRR.
 - (l) Hydrographer; and
 - (m) Navarea.
- (2) The organization or institution designated pursuant to these regulations to operate an RSC within the SRR must ensure that the RSC has means of rapid and reliable two-way communication with:
- (a) The RCC;
 - (b) Associated air traffic services;
 - (c) Associated police forces;
 - (d) Adjacent rescue sub-centres;
 - (e) Associated meteorological office or meteorological watch office;
 - (f) Appropriate designated SAR Units;
 - (g) Appropriate designated alerting posts; and
 - (h) Associated aviation and maritime security and surveillance centres in the SRR.

25. Communication frequencies

- (1) Communications must support distress alerting, co-ordination and locating functions by allowing those in distress to alert the SAR system, the SAR system to respond and conduct its mission and survivors to help SAR units respond and conduct a rescue.
- (2) The necessary communication equipment for SAR may include telephones, radio operating on international distress frequencies, long-range terrestrial and satellite system and other equipment depending, upon geography, the capabilities of mobile facilities within an area and other factors affecting the ability of persons to contact each other.
- (3) SAR communication equipment must be reliable i.e. in good working condition at all times and be accessible to all parties involved in a SAR operation.
- (4) Distress messages should always have precedence, that is, they must be processed before all other communications.
- (5) Communications must be able to take place reliably and quickly between units in distress and the SAR system, and between components of the SAR system, nationally and internationally.
- (6) SAR operations are likely to require communication between two or more of the following units and/or authorities:
 - (a) Air Craft Services Units;
 - (b) Search and Rescue aircraft;
 - (c) Other vessels at sea;
 - (d) Search and Rescue vessels;
 - (e) Naval shore authorities;
 - (f) Air Force Bases/Command Post;

- (g) Port authorities;
 - (h) Coastal radio stations;
 - (i) Rescue Co-ordination Centres;
 - (j) Police Station, vessels and vehicles;
 - (k) NSRI land stations, land mobile stations and vessels; and
 - (l) Emergency Medical Services
 - (m) Navarea Co-ordinator
 - (n) Hydrographer
- (7) All who may be involved with SAR must be provided with communication procedures, frequencies and equipment sufficiently compatible to carry out their duties.
- (8) All communications related to SAR are to be conducted in accordance with the various requirements as stipulated by both International Civil Aviation Organization (ICAO), International Maritime Organization (IMO) and also in terms of the Safety of Life at Sea (SOLAS), Chicago and SAR conventions and also as per the ITU regulation on radio frequency usage as amended from time to time or as directed by Government."
- (9) In the event where SAR is taking place in controlled or advisory airspace, the published aeronautical frequency must be or monitored for ATC purposes.
- (10) When a SAR operation is declared, a frequency must be allocated for aircraft/aircraft communication.

PART 4

SPECIAL PROVISIONS AND REQUIREMENTS

- 26. Minimum carriage requirements by search and rescue aircraft**
- (1) Search and Rescue Aircraft must:

- (a) carry equipment for promptly locating the site of an accident, including direction finding equipment with a homing capability for SAR distress frequencies;
 - (b) carry equipment in order to provide adequate and timely assistance to survivors;
 - (c) be equipped to be able to communicate on the aeronautical and maritime distress and on-scene radio frequencies;
 - (d) be equipped to be able to communicate with other SAR Units and facilities engaged in SAR operations; and
 - (e) carry Volume III, "Mobile Facilities", of the International Aeronautical and Maritime Search and Rescue manual.
- (2) Search and Rescue Aircraft designated for SAR operations over maritime areas must:
- (a) be equipped to be able to communicate with vessels and to receive signals from Automatic Identification Systems carried by ships and lifeboats in accordance with the Global Maritime and Distress Safety System administered by the International Maritime Organization;
 - (b) carry a copy of the "International Code of Signals" (IMO Sales Numbers IA994 E) to assist in communication with ships.
- (3) Helicopter SAR Units designated for night time rescue operations must:
- (a) be equipped with night vision enhancement devices; and
 - (b) have at least two pilot crews.
- (4) Helicopter SAR Units must be equipped with a certified rescue winch.

27. Survival equipment

- (1) No owner or operator of an aircraft must operate the aircraft over areas where search and rescue would be extremely difficult unless the aircraft is equipped with appropriate survival equipment as contemplated in part 91.04.29 of the Civil Aviation Regulations;
- (2) Such equipment must comply with the conditions, rules, requirements, procedures or standards as prescribed in SA-CATS-OPS 91.

28. Search and rescue signals

- (1) Upon observing any of the visual signals given in ICAO documents, aircraft must take action as follows:
 - (a) When a ground signal has been displayed, a searching aircraft must indicate whether the signal has been understood by any of the following means:
 - (i) two-way radio communication on equipment that is to hand,
 - (ii) communications equipment dropped from an aircraft; or
 - (b) In the event when the means alluded to in 1 (a) above are impracticable, a searching aircraft must indicate whether the signal has been understood by any of:
 - (i) during the hours of daylight, by rocking the aircraft's wings;
 - (ii) during the hours of darkness, by flashing the aircraft's lights on and off; or
 - (iii) if not so equipped, by switching its navigation lights on and off.
 - (c) A lack of the above signals must indicate that the ground signal is not understood.
- (2) When it is necessary for an aircraft to direct a SAR facility to the place where

an aircraft or vessel in distress, the aircraft must do so by transmitting precise instructions by any means at its disposal. If no radio communication can be established, the aircraft must in the safe manner:

- (a) circle the distress aircraft or vessel at least once;
- (b) cross the projected course of the distress aircraft or vessel close ahead at low altitude, and
 - (i) rock the wings; or
 - (ii) open and close the throttle; or
 - (iii) change the propeller pitch; and
- (c) head in the direction in which the SAR facility is to be directed.
- (d) a repetition of this procedure must have the same meaning.

29. Carriage of Emergency beacons

- (1) The provisions of part 91.04.26 of the Civil Aviation Regulations pertaining to the carriage of emergency locator transmitters must apply.
- (2) The provisions of the Merchant Shipping Radio Installations Regulations, 2002 as amended relating to the carriage of Emergency Position Indicating Radio Beacons (EPIRB's) must apply.
- (3) Owners and operators of classes of aircraft and vessels that have been exempted from carrying ELT's and EPIRB's referred to in sub-regulations (1) and (2), may, mindful of the limitations of personal locator beacons, at least carry an approved and registered personal locator beacon capable of transmitting on 406 MHz or a form of flight tracking device approved by the relevant SAR authority.

30. Ship reporting system

- (1) A ship reporting system must be established in terms of Chapter 5 of the Maritime SAR Convention with the objective of providing up-to date information on shipping resources in the vicinity of a casualty and to limit the area of

search in the event of a SAR mission at sea having to be conducted or carried out.

- (2) The ship reporting system should provide up to date information on movements of vessels in order, in the event of a distress incident, to:
 - (a) reduce the interval between loss of contact with a vessel and initiation of search and rescue operations in cases where no distress signal has been received;
 - (b) permit rapid identification of vessels which may be called upon to provide assistance;
 - (c) permit delineation of a search area of limited size in case the position of a person, a vessel or other craft in distress is unknown or uncertain; and
 - (d) facilitate the provision of urgent medical assistance or advice.

- (3) The ship reporting system should satisfy the following requirements:
 - (a) provision of information, including sailing plans and position reports, which would make it possible to determine the current and future positions of participating vessels;
 - (b) maintenance of a shipping plot;
 - (c) receipt of reports at appropriate intervals from participating vessels;
 - (d) simplicity in system design and operation; and
 - (e) use of internationally agreed standard ship reporting format and procedures.

- (4) The ship reporting system must as a minimum, incorporate the following types of ship reports:
 - (a) sailing plan;
 - (b) position report;
 - (c) final report; and

(d) dangerous goods report.

31. Short Title and Commencement

These regulations must be called the South African Maritime and Aeronautical Search and Regulations.2016 and must come into operation on a date published in the Gazette.

DEPARTEMENT VAN VERVOER

NO. R. 604

30 MEI 2016

**WET OP SUID-AFRIKAANSE MARITIEME EN LUGVAARTSOEK-EN-REDDING,
2002**

**(WET NO. 44 VAN 2002, SOOS GEWYSIG DEUR WET NO. 5 VAN 2013)
REGULASIES OOR SUID-AFRIKAANSE MARITIEME EN LUGVAARTSOEK-EN-
REDDING (RSAMLIR), 2016**

Die Minister van Vervoer het, kragtens Artikel 23 van die Wet op Suid-Afrikaanse Maritieme en Lugvaartsoek-en-redding, 2002 (Wet No. 44 van 2002), die regulasies in die Bylae uitgereik.

**Me DIPUO PETERS LP
MINISTER VAN TRANSPORT
DATUM:**

BYLAE

Indeling van die Regulasies

*Deel 1**Inleiding***Woordomskrywing**

1. In hierdie regulasies het enige woord of uitdrukking waaraan in hierdie Wet 'n betekenis gegee word, daardie betekenis, tensy die samehang anders aandui—

"ARCC" lugvaartreddingskoördineringsentrum;

"areabeheersentrum" (ACC) 'n lugverkeerbeheersentrum wat hoofsaaklik verantwoordelik is vir die voorsiening van ATC-dienste aan IFR-lugvaartuie in beheerde areas onder sy jurisdiksie;

"cospas-sarsatstelsel" 'n satellietstelsel wat ontwerp is om noodbakens wat op die frekwensie 406 MHz versend, op te tel;

"direkteur" die Direkteur vir Burgerlike Lugvaart;

"gesagvoerder" die vlieënier deur die operateur of in die geval van algemene lugvaart, die eienaar, as in bevel aangewys en belas met die veilige geleide van 'n vlug;

"Gesamentlike Reddingskoördineringsentrum (JRCC)" 'n reddingskoördineringsentrum verantwoordelik vir beide lugvaart en maritieme soek- en reddingsinsidente;

- "**globale maritieme nood- en veiligheidstelsel (GMDSS)**" 'n globale kommunikasiediens gegrond op geoutomatiseerde stelsels, satellietgebaseerd asook aardgebaseerd, om noodwaarskuwing en promulgering van maritieme veiligheidsinligting vir seevaarders te voorsien;
- "**hawemeester**" 'n persoon aangewys as die beampte wat gesag oor bedrywigheede by 'n hawe ("National Ports Act");
- "**kaptein**" 'n gesagvoerder van 'n skip of gesagvoerder van 'n lugvaartuig, bevelvoerende offisier van 'n oorlogskip of 'n operateur van enige ander vaartuie;
- "**kusaardstasie (CES)**" 'n Inmarsat kusgebaseerde stasie wat skeepsaardstasies met terrestriële kommunikasienetwerke skakel;
- "**lugvaartuig koördineerder (ACO)**" 'n persoon of span wat die betrokkenheid van verskeie lugvaartuie in SAR-operasies ter ondersteuning van die SAR-missie en toneelkoördineerder, koördineer;
- "**MRCC**" maritieme-reddingskoördineringsentrum;
- "**nasionale SER-plan**" omvattende beleidsriglyn oor hoe SER-dienste binne die soek-en-reddingstreek georganiseer, voorsien en bestuur sal word;
- "**noodgevalfase**" 'n generiese term wat, na gelang van die geval 'n onsekerheidsfase, waarskuwingsfase of noodfase is;
- "**noodfase**" 'n situasie waarin daar redelike sekerheid bestaan dat 'n boot of ander vaartuig, met inbegrip van 'n lugvaartuig of 'n persoon, deur ernstige en onmiddellike gevaar bedreig word en onmiddellike bystand benodig;
- "**noodlanding op see**" geforseerde landing van 'n lugvaartuig op water;
- "**noodliggingsender (ELT)**" 'n lugvaartradionoodbaken vir waarskuwing en die versending van aanpeilingseine;

"onsekerheidsfase" 'n situasie waarin onsekerheid bestaan oor die veiligheid van 'n lugvaartuig of mariene vaartuig, en van die persone aan boord;

"operateur" 'n persoon, organisasie of onderneming betrokke by of wat aanbied om betrokke te wees in 'n lugvaartuigoperasie;

"persoonlikeopsporingsbaken" 'n persoonlike radionoodbaken vir waarskuwing en uitsending van aanpeilingseine;

"radiobaken vir noodliggingsaanduiding" 'n toestel, wat gewoonlik aan boord van 'n mariene vaartuig is, wat 'n sein uitsaai wat soek-en-reddingsowerhede waarsku en reddingseenhede in staat stel om die toneel van die noodgeval op te spoor;

"RCC" Reddingskoördineringsentrum soos in artikel 1 van die Wet omskryf;

"RCC-hoof" een of meer persone binne 'n administrasie met algehele verantwoordelikheid vir die instelling en voorsiening van operasionele SER-dienste en om te verseker dat beplanning van daardie dienste behoorlik gekoördineer word;

"RCS" reddingskoördineringssubsentrum soos in artikel 1 van die Wet omskryf;

"SER" soek-en-redding;

"SER-missiekoördineerder" 'n beampte wat tydelik aangewys is om reaksie op 'n werklike of klaarblyklike noodsituasie te koördineer;

"SER-operasionele-plan" 'n breedvoerige plan wat die grondslag van soek- en reddingsoperasies formuleer;

"situasieverslag (SITREP)" verslae van die OSC na die SMC of die SMC aan belanghebbende agentskappe om hul ingelig te hou oor toestande op die toneel en vordering met die missie;

"soek" 'n operasie wat gewoonlik deur 'n reddingskoördineringsentrum of reddingssubsentrum gekoördineer word met die beskikbare personeel en fasiliteite om persone in nood op te spoor;

"soek-en-reddingsdiens" die verrigting van noodmonitering, kommunikasie, koördinerings en soek-en-reddingswerkzaamhede, aanvanklike mediese bystand of mediese evacuatie, deur die gebruik van publieke en private hulpbronne, met inbegrip van samewerkende lugvaartuie, bote en skepe en ander vaartuie en installasies;

"soek-en-reddingseenheid" 'n eenheid saamgestel uit opgeleide personeel en voorsien van toerusting geskik vir die vlot uitvoering van SER-operasies;

"soek-en-reddingsfasiliteit" enige mobiele hulpbron, met inbegrip van aangewese soek-en-reddingseenhede, wat gebruik word om soek-en-reddingsoperasies te doen;

"soek-en-reddingslugvaartuig" 'n lugvaartuig met gespesialiseerde toerusting gepas vir die doeltreffende uitvoer van soek-en-reddingsmissies;

"soek-en-reddingssubstreek" 'n bepaalde gebied binne 'n SRR wat met 'n Reddingssubstreek (SRS) vereenselwig word;

"soek-en-reddingsvoorval" enige gebeurtenis wat met die beleid, praktyke, prosedures, opleiding, koördinerings of uitvoering van SER-operasies wat 'n gevaar vir die veiligheid van soek-en-reddingsoperasies kan skep of die voorsiening van soek-en-reddingsdienste ernstig in gevaar kan stel;

"toneelkoördineerder" 'n persoon aangewys om SER-operasies binne 'n spesifieke area te koördineerder;

"vaartuig" enige lug- of see-oppervlakvoertuig, of enige onderwatervaartuig van enige soort of grootte;

"Vluginligtingsentrum (FIC)" 'n eenheid wat ingestel is om vluginligting en waarskuwingsdienste te voorsien;

"**vluginligtingstreek**" lugruimte van omskrewe dimensie waarbinne vluginligtingsdienste en waarskuwingsdienste voorsien word;

"**waarskuwingsfase**" 'n situasie waarin besorgdheid bestaan oor die veiligheid van 'n lugvaartuig of mariene vaartuig en die insittendes daarvan;

"**waarskuwingspos**" enige fasiliteit wat veronderstel is om te dien as 'n tussenganger tussen 'n persoon wat 'n noodgeval aanmeld en 'n reddingskoördineringsentrum of reddingssubsentrum.

Aanhel

2. (1) Hierdie Regulasies—

- (a) stel algemene bepalings in wat die regte en verpligtinge van diensverskaffers vir maritieme en lugvaartsoek-en-redding en ander partye wat beplan vir of deelneem aan maritieme en lugvaart-soek-en-reddingsoperasie, beheer;
- (b) word uitgereik ingevolge Suid-Afrika se verbintenisse om afdwinging te verseker van aanvaarde internasionale standaarde en aanbevole praktyke deur organisasies wat maritieme en lugvaartsoek-en-reddingsdienste binne haar aangewese soek-en-reddingstreek voorsien soos van tyd tot tyd gewysig en deur die Minister ingevolge hierdie Wet in die *Staatskoerant* gepubliseer;
- (c) sal die tipe en graad van maritieme en lugvaartsoek-en-reddingsdienste bepaal wat binne die Suid-Afrikaanse soek-en-reddingstreek voorsien staan te word ooreenkomstig sy opdrag en ingevolge die Wet, SASER-grondwet, SASER-beleidshandleiding, tersaaklike internasionale konvensies oor soek-en-redding, riglyne en hierdie regulasies.

(2) Niemand moet maritieme en lugvaartsoek-en-reddingsdienste voorsien behalwe onder gesag van SASER nie, en ooreenkomstig die bepalings van hierdie regulasies.

(3) Niemand moet soek-en-reddingskoördineringswerkzaamhede voorsien nie, tensy gepas deur onderskeidelik die Minister en Direkteur-generaal aangewys en gesertifiseer.

(4) Niemand moet SAR-koördineringswerkzaamhede op die toneel voorsien nie, tensy in daardie hoedanigheid deur RCC of RSC aangestel.

Toepassing

3. (1) Hierdie regulasies moet van toepassing wees op alle voorsieners van soek-en-redding soos deur die Minister ingevolge die Wet aangewys en ooreenkomstig die volgende Internasionale Konvensies en riglyne:
- (a) Aanhangsel 12 – *Search and Rescue* tot die Konvensie oor Internasionale Burgerlike Lugvaart;
 - (b) Die "International Aeronautical and Maritime Search and Rescue" (IAMSAR) - handleiding (ICAO Doc.9731-AN/9580);
 - (c) "ICAO Basic Air Navigation Plan" – [**streek**] en "Facilities and Services Implementation Document" (Doc 9708);
 - (d) Internasionale Konvensie vir die Beveiliging Menselewens op See, 1974;
 - (e) Internasionale Konvensie oor Maritieme Soek en Redding, 1979;
 - (f) Artikel 98 van die "United Nations Convention on the Law of Sea", 1982;
 - (g) "ICAO Safety Oversight Manual" (Doc 9734);
 - (h) "Safety Management System Manual";

- (i) "SACD Protocol".

Deel 2

Ser-beheer, Koördinasie en Oorsig

Nasionale SER-plan

1. Die Departement, in samewerking met SASER, moet 'n breedvoerige nasionale SER-plan ontwikkel oor die voorsiening van SER-dienste binne die Suid-Afrikaanse soek-en-reddingstreek.

SER hulpbronne en fasiliteite

2. (1) Die Departement en SASER moet verseker dat voldoende akkommodasie, toerusting en hulpbronne beskikbaar is om veelvuldige maritieme en lugvaartsoek-en-reddingsoperasies gelyktydig te koördineer.

(2) SASER moet 'n gebeurlikheidsplan instel wat voltooide reëlinsluit om toegang tot alternatiewe akkommodasie en hulpbronne verseker ten einde die voortgesette voorsiening van maritieme en lugvaartsoek-en-reddingsdienste te verseker ingeval primêre akkommodasie of toerusting om enige rede nie beskikbaar is nie.

(3) Die organisasies of instellings ingevolge artikel 11 van die Wet aangewys, moet verseker dat 'n RCC of RSC voorsien word wat op 'n 24-uur-grondslag beman moet word deur personeel wat opgelei, gekwalifiseer, bekwaam en gesertifiseer is tot vlakke van bevoegdheid wat tersaaklik is vir die werksaamhede en

verantwoordelikhede wat op maritieme-en-lugvaart-SER diens en betrekking het en vir die Departement aanvaarbaar is.

(4) Die instellings as registrateurs van noodbakens aangewys, moet verseker dat:

- (a) Voorsiening gemaak word vir 'n 406 MHz-noodbakenregister wat bygewerk word wanneer dit ook al nodig is; en
- (b) geregistreerde noodbakeninligting onmiddellik op versoek aan die RCCS's en RSC's beskikbaar gestel word.

Medewerking en samewerking met ander State en SAR-dienste

3. (1) SASER moet, onder leiding van die Department, poog om formele, gedokumenteerde ooreenkomste van samewerking met SER-diensverskaffers van alle naburige State te vestig met die oog op:

- (a) versterking van SER-samewerking en koördinerings;
- (b) spesifisering van die voorwaardes vir mekaar se SER-eenhede om mekaar se onderskeie grondgebiede te betree; en
- (c) aanhelp van binnekoms deur sodanige SER-eenhede.

(2) Die samewerkingsooreenkomste met SER-diensverskaffers van naburige state moet inligting aangaande SER-dienste en vermoëns insluit, met inbegrip van besonderhede van SER-eenhede wat in die voer van SER-operasies in hul onderskeie SRR'e kan help.

(3) Die Departement moet alle inligting wat vir binnekoms deur SER-eenhede van ander State tot sy grondgebied nodig is publiseer, of alternatiewelik, hierdie inligting in formele SER-ooreenkomste insluit.

- (4) SASER moet SER-operasies wat die naaste aan naburige SRR'e is, met SER-voorsieners van daardie State koördineer.
- (5) Die Departement moet, so ver moontlik, operateurs van alle lugvaartuie, vaartuie en gepaste plaaslike dienste en fasiliteite wat nie deel van die SER-organisasie uitmaak nie, aanmoedig om ten volle saam te werk, soos hul kapasiteit dit toelaat, in die beplanning en uitvoer van SER-operasies.
- (6) SASER moet formele, gedokumenteerde samewerkingsooreenkomste sluit, wat vir die Departement aanvaarbaar is, met lugverkeer/maritieme diensverskaffers wat onderskeie verantwoordelikhede in die voorsiening van noodreaksiedienste aan lugvaartuie en bote duidelik omskryf, met inbegrip van die uitruil van vlugplan en operasionele data, kommunikasiedienste, tydelike toewysing van personeel en ander gespesialiseerde dienste soos van tyd tot tyd nodig geag kan word.
- (7) SASER moet, so ver prakties moontlik, saamwerk met alle behoorlik geakkrediteerde owerhede en entiteite wat insidente en ongelukke ondersoek.
- (8) Die Department, in oorleg met SASER, moet 'n SER-kontakpunt vir ontvangs van noodwaarskuwings en -liggingsboodskappe en verwante data van owerhede en gebruikers van die Cospas-Sarsat-stelsel, aanwys.
- (9) Die ARCC moet dokumentasie vir die verklaring van 'n Beperkte Gebied aanbeveel en voorberei wanneer dit ook al nodig geag word vir veilige en doeltreffende SER-operasies.
- (10) Die Departement, in samewerking met SASER, moet poog om gesamentlike opleidingsoefeninge te reël wat hul SER-eenhede en dié van ander State betrek.

(11) Die Departement, in oorleg met SASER, moet probeer reëlings tref vir:

- (a) Periodieke skakelbesoeke vir RCC- en RSC-personeel aan samewerkende entiteite landswyd en Lugverkeersdiens- (LVD) en SER-diensverskaffers in naburige State; en
- (b) Bywoning van plaaslike, streeks- en internasionale vergaderings deur SER-ampsdraers.

(12) SASER moet poog om die nouste samewerking aan te moedig met tersaaklike lugvaart- maritieme, grondgebaseerde en militêre noodreaksieowerhede, met inbegrip van die moontlikheid om 'n JRCC te stig om maritieme en lugvaartsoek-en-reddingsoperasies te koördineer, wanneer dit haalbaar en prakties is. al.

Veiligheidstoestig- en reguleringstelsel

4. (1) Die Departement moet 'n persoon of liggaam aanwys om 'n veiligheidstoestig- en reguleringstelsel in te stel wat ten minste:

- (a) 'n kultuur van veiligheid bevorder;
- (b) risiko- evaluering in die SER-program/stelsel doen, risikofaktore en enige veiligheidsbevindings, oorsake en gepaardgaande regstellende stappe identifiseer en opteken; en
- (c) voortgesette voldoening van reguleringsbepalings aan internasionale standaarde en praktyke soos in tersaaklike internasionale konvensies en riglyne, soos gewysig, monitor.

Veiligheidsbestuurstelsel

5. (1) SASER moet 'n veiligheidsbestuurstelsel instel wat op die Minister van toepassing is en wat, as 'n minimum:

- (a) Veiligheidsrisiko's identifiseer;
- (b) Die instelling van remediërende stappe wat nodig is om veiligheidsprestasie waarop ooreengekom is, te handhaaf;
- (c) Voorsiening maak vir volgehoue monitering en gereelde assessering van die veiligheidsprestasie; en
- (d) Is onderhewig aan gereelde hersiening met die oogmerk om die algehele prestasie van die veiligheidsbestuurstelsel te verbeter.

(2) Die veiligheidsbestuurstelsel moet die veiligheidsaanspreeklikheid van die senior personeel en ampsdraers van SASER duidel en na wense van die Minister, omskryf.

Delegering van gesag (Kommandering van lug- en seehulpbronne)

6. (1) Die gesag om lugvaartuie en bote wat gepas toegerus is, namens die Minister te kommandeer en te ontplooi vir die doel van enige maritieme of lugvaartsoek-en-redding word aan die volgende persone gedelegeer:

- (a) Die Hoof van SASER;
- (b) Hoof van Maritieme SER-operasies;
- (c) Hoof van Lugvaart-SAR-operasies;
- (d) ARCC-hoof;
- (e) MRCC-hoof;

- (f) Soekmissie-koördineerders;
- (g) Hawemeesters; en
- (h) Adjunkhawemeesters.

Deel 3

Ser Operasionele Aangeleenthede, Standaarde en Prosedures

SER operasionele planne

1. (1) Die Departement, in medewerking met SASER, moet breedvoerige planne voorberei met prosedures vir operasies vir die veilige verrigting van SER-operasies binne die SRR.

(2) Bykomend tot die plan in (1) hierbo bedoel, moet die owerhede wat as RCC's of RSC's aangewys is, moet verseker dat die RCC-hoof of RSC-hoof 'n omvattende, breedvoerige en ondubbelsinnige SER-plan ontwikkel om te verseker dat die RCC of RSC tydens 'n soek-en-reddingsaksie behoorlik werk.

(3) Die operasionele planne moet ten minste die volgende vermeld:

- (a) Die struktuur van funksionele verantwoordelikhede met inbegrip van gesag, delegering en verslagdoeningslyne;
- (b) Prosedures waardeur 'n soek-en-reddingsoperasie in die RCC's- of RSC's-verantwoordelikheidsgebied tydens verskillende fases van 'n noodgeval gedoen moet word;
- (c) Reëlins vir die diens en brandstofinname van lugvaartuie, vaartuie en voertuie wat in SER-operasies gebruik word;
- (d) reëlins vir vinnige toegang tot weerinligting en ander operasionele inligting,

met inbegrip van NOTAM en navigeringswaarskuwings;

- (e) die presiese verantwoordelikhedsgebied van die RCC of RSC;
- (f) die verantwoordelikhede en akkommodasie van personeel wat aan soek-en-reddingsoperasies toegewys word;
- (g) metodes en prosedures waardeur inligting verkry, gestoor en herwin word vir gebruik in 'n soek-en-reddingsoperasie;
- (h) opleiding en oefening vir soek-en-reddingspersoneel; en
- (i) die fasiliteite wat vir die RCC of RSC beskikbaar is.

(4) Ten opsigte van die fasiliteite wat vir die RCC of RSC beskikbaar is, moet die operasionele plan:

- (a) stel presies watter agentskappe verantwoordelik is vir die aktivering van fasiliteite;
- (b) die kommunikasiemetodes met die verskeie agentskappe (kommunikasienetwerk), uiteensit;
- (c) die metodes uiteensit vir die waarskuwing van mobiele fasiliteite;
- (d) die metodes vir koördinerings met verskeie fasiliteite uiteensit;
- (e) aan duie wie, en tot watter mate, enige van hierdie fasiliteite versoek kan word om aan 'n operasie deel te neem; en
- (f) die fasiliteite beskikbaar aan die RCC of RSC beskryf.

(5) Alle soek-en-reddingsaksies moet ooreenkomstig die nasionale SER-plan onderneem word.

(6) SER operasionele planne moet besonderhede insluit van stappe wat gedoen moet word ten opsigte van:

- (a) die beskikbare kommunikasiestelsels en -fasiliteite;
- (b) waarskuwings aan lugvaartuie onderweg en skepe ter see;

- (c) die pligte en voorregte van alle deelnemende personeel;
- (d) die moontlike herontplooiing van personeel en toerusting wat deur meteorologiese of ander dinamiese toestande genoop kan word;
- (e) die besondere bystand gepas tot lugvaartuie in nood wat in die water moet land, met inbegrip van rendezvous met oppervlakvaartuie; en
- (f) invlugwegwending na en onderskepping en begeleiding van lugvaartuie in nood.

(7) RCC's moet verseker dat hul operasionele planne met vliegveldnoodprosedures geïntegreer is om voorsiening te maak vir optimale, gekoördineerde reaksie op lugvaartuignoodgevalle wat in die omtrek van lughawens kan ontstaan, met inbegrip, vir vliegvelde aan die kus, areas van water.

(8) RCC's moet verseker dat operasionele planne met hawenoodprosedures geïntegreer is om voorsiening te maak vir 'n gekoördineerde reaksie op mariene noodgevalle wat in die omtrek van hawens, hawestede en VTS-gebiede van verantwoordelikheid kan voorkom.

(9) RCC's moet verseker dat elke SER-eenheid ingelig is van alle dele van die operasionele planne wat nodig is vir die doeltreffende verrigting van sy take of pligte.

SER-eenhede en fasiliteite

2. (1) RCC's moet:
- (a) openbare en private SER-eenhede met geskikte ligging, toerusting en bemanning vir soek-en-reddingsoperasies regdeur die SRR aanwys en reëlings tref vir die samewerkende en gepaste gebruik daarvan;

- (b) formele reëlings aanwys en tref vir samewerkende gebruik van vaartuie, voertuie en personeel wat nie as SER-eenhede kwalifiseer nie, maar wat doeltreffend aan SER-operasies kan deelneem;
- (c) verseker dat reëlings getref word vir die konstante gereedheid van SER-eenhede en fasiliteite; en
- (d) 'n akkurate en volledige databasis van SER-eenhede en ander SER-fasiliteite en hulpbronne binne die SRR onderhou en reëlings tref dat die RCC betyds ingelig word indien hul gereedheid of vermoë verander.

(2) Die Departement moet tersaaklike inligting oor die beskikbaarheid van SER-eenhede in die SRR aan die tersaaklike owerheid voorsien vir publikasie in die *Staatskoerant "Aeronautical Information Publication (AIP) and Marine Notice"*.

(3) Die Departement moet die beskikbaarheid verseker van gepas verpakte, neerlaatbare lewensondersteuningstoerusting wat veilig geposisioneer is en onderhou word by strategiese liggings regdeur die SRR en geredelik beskikbaar is om in SER-eenhede gelaai te word.

(4) RCC's moet die beskikbaarheid verseker van opgeleide personeel en nodige persoonlike veiligheidstoerusting by strategiese liggings binne die SRR verseker vir die lug- en oppervlakaflewering deur SER-eenhede van lewensondersteuningstoerusting aan oorlewendes van ongelukke.

Waarskuwingsposte

3. (1) 'n Aangewese waarskuwingspos moet die RCC's of RSC's onmiddellik inlig van 'n noodgeval of potensiele noodgeval sodra dit daarvan bewus word.

(2) Die volgende organisasies of instelling is aangewys as toegewyde waarskuwingsposte en moet 24-uur per dag beman wees:

- (a) 'n Lugverkeerdienseenheid (LVDE);
- (b) Hawemeester se kantore;
- (c) Kusradiostasies;
- (d) Suid-Afrikaanse polisiestasies;
- (e) Die MRCC; en
- (f) Die ARCC.

(3) Die waarskuwingspos moet die volgende prosedures volg by bewuswording van 'n noodsituasie of potensiele noodsituasie:

- (a) soveel inligting moontlik oor die noodsituasie inwin;
- (b) by die naaste maritieme RCC of RSC aanmeld in die geval van 'n maritieme nood of aan die ARCC of naaste ATSU in die geval van 'n lugvaart noodgeval;
- (c) nadat die aanvanklike verslag ingevolge 5(b) hierbo gedoen is, moet die waarskuwingspos poog om die verslag vir betroubaarheid en akkuraatheid na te gaan;
- (d) indien daar rede is om te vermoed dat die boodskap of sein wat die noodgeval aandui 'n poets of valse waarskuwing is, die boodskap as sodanig verklaar; en

(e) die kommunikasiekanaal tussen homself en die bron van die noodboodskap oop hou totdat die gepaste RCC verklaar dat dit nie meer nodig is nie.

(4) 'n Aangewese waarskuwingspos moet poog om die volgende inligting oor die vaartuig in nood in te win om dit aan die RCC of RSC oor te dra:

- (a) identifikasie van vaartuig in nood (naam of tipe/roepsein);
- (b) posisie van noodgeval (breedtegraad/lengtegraad of rigting/afstand vanaf laaste aangemelde posisie en volgende aangemelde posisie);
- (c) datum of tyd van posisie;
- (d) aard van noodgeval (vuur, ongeluk, persoon oorboord, buite werking, laat uitspring, botsing);
- (e) beskrywing van vaartuig (grootte, tipe, kleur van: romp, kajuit, dek, takelwerk, romp van vliegtuig, stert, vlerkpunt);
- (f) persone aan boord;
- (g) datum, tyd en punt van vertrek, beplande roete, spoed van nadering, geraamde tyd van aankoms (ETA) en bestemming;
- (h) radiofrekwensie wat gebruik, gemonitor word of geskeduleer is;
- (i) noodradiotoerusting en -frekwensies, met inbegrip van bakens wat noodposisie aandui;
- (j) weerstoestande en seetoestande op die toneel;
- (k) bystand verlang, indien nie ooglopend nie;
- (l) bystand wat ontvang word, indien enige;
- (m) rigting, spoed, hoogte en brandstof;
- (n) aanvanklike aanmelder (naam, telefoon of adres van persoon, naam/roepsein van vaartuig, oueragentskap);
- (o) datum en tyd van aanvanklike aanmelding;

- (p) moontlike roete-afwykings;
- (q) navigeringstoerusting;
- (r) oorlewingstoerusting;
- (s) ander inligting, bronne (vriende, familielede, medewerkers, agente en agentskappe);
- (t) motorlisensie of bootsleepwalisensie, beskrywing, ligging indien dit toepaslik is; en
- (u) enige ander tersaaklike inligting.

(5) 'n Aangewese waarskuwingspos moet probeer om die volgende inligting te kry oor 'n vermiste persoon wat in 'n maritieme of lugvaart insident of noodgeval betrokke was:

- (a) Naam van die vermiste persoon;
- (b) Ligging waar hy of sy laas gesien is;
- (c) Datum of tyd toe hy of sy laas gesien is;
- (d) Bekende voornemens of moontlike handeling van vermiste persoon;
- (e) Beskrywing van vermiste persoon;
- (f) Klere, skoene en toerusting;
- (g) Fisieke en verstandelike toestand;
- (h) Kennis van area;
- (i) Buitelug ervaring;
- (j) Weersomstandighede;
- (k) Stappe wat gedoen word;
- (l) Bystand wat verlang word, indien nie ooglopend nie;
- (m) Aanvanklike aanmelder, (naam en telefoonnommer of adres);
- (n) Datum en tyd van aanvanklike aanmelding;

- (o) Naasbestaandes (naam en telefoonnommer of adres);
- (p) Enige ander pertinente inligting.

(6) 'n Aangewese waarskuwingspos moet probeer om inligting oor bestaande weersomstandighede van die persoon wat 'n voorval aangemeld het te verkry deur vrae oor die volgende te stel:

- (a) Skoon lug of bewolk en onlangse veranderinge.
- (b) Hetsy dit reën of sneeu of gereën of gesneeu het, wanneer die sneeu begin en opgehou het.
- (c) Hetsy strawwe weersomstandighede soos donderstorms, hael, yskorrels of ysreën voorkom of voorgekom het, en die tye waarop dit begin en opgehou het.
- (d) Sigbaarheid en enige faktore wat dit affekteer, soos mis, rook, dynserigheid, ens. en die tyd van onlangse veranderinge.
- (e) Beskrywing van die omstandighede op die water of op see.
- (f) Windrigting en spoed en onlangse veranderinge.

Verlagstelsel

4. (1) RCC's moet 'n verlagstelsel instel wat die dokumentasie van gebeure tydens die voer van SAR-operasies en oefeninge dek.

(2) RCC's moet onmiddellik by versoek bewyse van sodanige rekords aan die tersaaklike toesigowerhede verstrek.

Dokumentbiblioteek

5. (1) RCC's en RSC's moet die instelling en onderhoud van 'n dokumentbiblioteek verseker wat bygewerkte uitgawes van tersaaklike dokumente bevat en waartoe sy operasionele en bestuurspersoneel onmiddellik toegang kan kry.

(2) Die biblioteek moet te alle tye huidige uitgawes van dokumentasie soos deur die tersaaklike Internasionale Liggame voorgeskryf, vir verwysing beskikbaar hê.

(3) RCC's en RSC's moet meesterafskrifte van alle handleidings wat vir die veilige, doeltreffende en tydige voorsiening van maritieme en lugvaart-SER-dienste benodig word en afskrifte op versoek aan die owerhede verantwoordelik vir SER-toets pligte, voorsien.

Rekordhouding

6. RCC's moet alle data aangaande elke SER-aksie deur daardie RCC en sy RSC'e onderneem, vir ten minste vyf jaar op 'n ordelike en maklik toeganklike wyse hou.

Bevoegdheid en opleiding

7. (1) SASER moet verseker dat die aanvanklike en herhaalde opleiding van alle RCC's en, waar gepas, RSC-bedryfs- en direkte toesighoudende

personeel, volgens 'n sillabus gedoen word wat aanvaarbaar vir die Departement en toesighoudende owerhede is.

(2) SASER moet verseker dat RCC en, waar gepas, RSC-personeel gereelde bedrewendheidsopleiding en oefeninge gegee word om vaardighede, kennis en gesindheid te behou soos gepas is vir die voorsiening van maritieme en lugvaart-SER-dienste.

Vorbereidende inligting

8. (1) Die Departement en SASER moet verseker dat die RCC altyd onmiddellik toegang het tot omvattende, akkurate en bygewerkte data aangaan die volgende bates en fasiliteite in die SRR:

- (a) RSC's;
- (b) SER-eenhede;
- (c) Liggings waar voorrade van neerlaatbare nood- en oorlewingstoerusting gestoor word;
- (d) Waarskuwingsposte;
- (e) ATS-eenhede;
- (f) Kommunikasie-middele wat in SER-operasies gebruik kan word;
- (g) Adresse (elektronies en pos) en telefoonnommers van gepas gemagtigde operateurs se verteenwoordigers; en
- (h) Enige ander openbare en private hulpbronne met inbegrip van mediese en vervoerfasiliteite wat waarskynlik nuttig kan wees in SER-operasies;
- (i) Die Departement moet die inligting in (1) hierbo genoem by kennisgewing in die *Staatskoerant* en by wyse van gedrukte en elektroniese media, soos

gepas, publiseer ten einde wye publisiteit te verseker.

Inligting aangaande noodgevalle

9. (1) Enige lid of element van die SER-organisasie, indien inligting ontvang is of vermoedens bestaan dat 'n lugvaartuig of vaartuig 'n noodgeval ervaar, moet onmiddellik alle beskikbare, tersaaklike inligting aan die tersaaklike RCC gee.

(2) 'n RCC, by ontvangs van advies dat 'n lugvaartuig of vaartuig 'n staat van nood ervaar, moet onmiddellik sodanige inligting evalueer en die omvang van die stappe wat gedoen moet word, assesseer.

(3) 'n RCC moet verseker dat, wanneer hy ingelig word dat 'n lugvaartuig of vaartuig in 'n noodsituasie is, die vereiste noodfase verklaar word en prosedures van toepassing op daardie fase toepas.

Prosedures tydens noodfases

10. (1) By die verklaring van 'n noodfase, moet die RCC voldoen aan alle standaardprosedures soos omskryf in die tersaaklike internasionale en nasionale gidsmateriale.

(2) In 'n lugvaart-SER-insident wat 'n lugvaartuig behels waarvoor 'n vlugplan ingedien is, moet 'n onsekerheidsfase verklaar word wanneer:

(a) geen kommunikasie binne 30 minute na die tyd waarop dit ontvang moes word, ontvang is nie, of vandat die eerste onsuksesvolle poging gemaak is om met die lugvaartuig in verbinding te tree, watter ook al die vroegste is;

- (b) die lugvaartuig binne 30 minute na die laaste ETA wat gekommunikeer of geskat is, watter ook al later is, nog nie gearriveer het nie; of
- (c) die evaluasie van ander omstandighede, bv. kennis dat die lugvaartuig probleme ervaar, dit raadsaam maak om die onsekerheidsfase te verklaar;

(3) Ten opsigte van 'n lugvaartuig waarvoor geen vlugplan ingedien is nie, moet 'n onsekerheidsfase deur die ATSU verklaar word wanneer inligting dat die lugvaartuig laat of vermis is, van enige bron ontvang word, soos 'n ATSU, die lugvaartuigoperateur, die naasbestaandes van die vlieënier, of enige ander persoon. In sulke gevalle sal die ARCC in kennis gestel word en die vordering monitor.

(4) 'n Waarskuwingsfase moet deur 'n ARCC verklaar word wanneer—

- (a) die pogings wat tydens die onsekerheidsfase gemaak is om met die lugvaartuig in verbinding te tree of om enige nuus van ander bronne te kry, misluk het en die lugvaartuig duidelik laat is;
- (b) 'n lugvaartuig, wat klaring gekry het om te land, versuim het om binne 5 minute vanaf die geskatte landingstyd te land en verbinding nie met die lugvaartuig herstel is nie;
- (c) inligting ontvang is wat aandui dat die operasionele doeltreffendheid van die lugvaartuig waarvoor die onsekerheidsfase verklaar is of dié van 'n ander lugvaartuig, belemmer is, maar nie tot die mate dat 'n gedwonge landing waarskynlik is nie; en
- (d) daar rede is om te glo dat die operasie van 'n lugvaartuig mee ingemeng word. In sulke gevalle sal die ARCC ingelig word, wat die tersaaklike en verwante organisasies en owerhede sal verwittig.

(5) 'n Noodfase moet deur 'n ARCC verklaar word wanneer—

- (a) die pogings tydens die waarskuwingsfase gemaak om met die lugvaartuig in verbinding te tree, misluk het en die lugvaartuig duidelik vermis is en waarskynlik in nood verkeer;
- (b) die brandstof aan boord geag word uitgeput of onvoldoende te wees vir die lugvaartuig om veiligheid te bereik;
- (c) inligting ontvang word wat aandui dat die operasionele doeltreffendheid van die lugvaartuig soveel so aangetas is dat 'n geforseerde landing waarskynlik is;
- (d) inligting ontvang word, of dit redelik seker is dat die lugvaartuig 'n gedwonge landing gaan maak of gemaak het, of geval het; en
- (e) 'n vliegtuig onbedoeld op die grond onbedoeld gevind is as gevolg van 'n waarneming of as gevolg van aanpeiling op 'n ELT-transmissie.

(6) In 'n maritieme insident moet 'n onsekerheidsfase verklaar word sodra 'n waarskuwingspos die MRCC verwittig dat—

- (a) daar twyfel bestaan oor die veiligheid van 'n vaartuig en/of die persone aan boord;
- (b) die vaartuig laat is en versuim het om teen sy geskatte tyd van aankoms te arriveer; en
- (c) die vaartuig versuim het om 'n verwagte posisie of veiligheidsaanmelding te doen.

(7) 'n Waarskuwingsfase moet deur 'n MRCC verklaar word wanneer—

- (a) daar besorgdheid is oor die veiligheid van 'n vaartuig of die persoon aan boord;

- (b) na die onsekerheidsfase, pogings om met die vaartuig in verbinding te tree misluk het en navrae wat aan ander gepaste bronne gerig is, onsuksesvol was; of
- (c) inligting ontvang is wat aangedui het dat die operasionele doeltreffendheid van 'n vaartuig belemmer is maar nie tot die mate dat nood waarskynlik is nie.

(8) 'n Noodfase moet deur 'n MRCC verklaar word wanneer—

- (a) positiewe inligting ontvang word dat 'n vaartuig of die persone aan boord in ernstige en dreigende gevaar is en onmiddellik bystand nodig;
- (b) na die waarskuwingsfase, verder onsuksesvolle pogings om met die vaartuig in verbinding te tree en wyer, onsuksesvolle navrae daarop wys dat die vaartuig in nood verkeer; of
- (c) inligting ontvang word wat aandui dat die operasionele doeltreffendheid van die vaartuig belemmer is tot die mate dat 'n noodsituasie 'n waarskynlikheid is.

(9) 'n ATSU stel gewoonlik sy verwante RCC in kennis wanneer 'n lugvaartuig gewoonlik of waarskynlik in 'n staat van nood verkeer. Sodanige kennisgewing aan die ARCC moet die volgende inligting, indien beskikbaar, bevat soos van toepassing op die fase van noodgeval:

- (a) agentskap en persoon wat skakel;
- (b) aard van noodgeval;
- (c) belangrike inligting uit die vlugplan;
- (d) eenheid wat laaste in verbinding was, tyd, en frekwensie gebruik;
- (e) laaste posisieaanmelding en hoe die posisie vasgestel is;
- (f) kleur en onderskeidende merke van die lugvaartuig in nood;
- (g) enige stappe deur die aanmeldingskantoor gedoen;

- (h) getal persone aan boord (PAB);
- (i) oorlewingstoerusting aan boord;
- (j) tersaaklike radar- en stemopnames; en
- (k) ander inligting.

(10) Die kennisgewing van 'n Kusradiostasie aan die MRCC aangaande 'n maritieme vaartuig wat in nood verkeer, moet die volgende inligting bevat, indien beskikbaar:—

- (a) naam en roepsein (of skipstasie-identiteit) van die skip of boot;
- (b) aard van die noodgeval;
- (c) tipe bystand benodig;
- (d) tyd van kommunikasie met die skip of boot;
- (e) laaste bekende posisie van die skip of boot;
- (f) beskrywing van die skip of vaartuig;
- (g) voornemens van die skip of vaartuig;
- (h) getal PAB, indien bekend; en
- (i) ander inligting.

(11) Kennisgewings van enige ander bron moet enige abnormale gebeurtenis wat hulle gesien of van gehoor het, insluit.

Prosedures op toneel van noodgeval

11. (1) Wanneer veelvuldige fasiliteite op die toneel betrokke is in SER-operasies en die RCC 'n Toneelbevelvoerder (OSC) of Lugvaartkoördineerder (ACO) aanwys om taktiese aktiwiteite op die toneel te koördineer om die veiligheid en doeltreffendheid van operasies te verseker, moet die OSC of ACO die

aangewese take met volle inagneming van die aard van die soekteiken, die tipe, getal en kapasiteit van SER-eenhede en die omgewing verrig en die RCC ten volle ingelig hou van stappe gedoen en voorgestel.

(2) Wanneer 'n gesagvoerder waarneem dat 'n ander lugvaartuig of vaartuig in nood verkeer, moet die gesagvoerder, indien moontlik en tensy dit onredelik of onnodig geag word:

- (a) die lugvaartuig of vaartuig in sig hou totdat die toneel verlaat moet word of die RCC laat weet dat dit nie meer nodig is nie;
- (b) die posisie van die lugvaartuig of vaartuig in nood bepaal;
- (c) soos gepas, aan die RCC of lugverkeerdienseenheid soveel as moontlik van die volgende inligting aanmeld:
 - (i) tipe lugvaartuig of vaartuig in nood, die identifikasie en toestand daarvan;
 - (ii) posisie van die lugvaartuig of vaartuig uitgedruk in geografiese koördinate of as 'n rigting en afstand van 'n duidelik sigbare landmerk of grondradio navigeringshulpmiddel;
 - (iii) tyd van observasie uitgedruk in ure en minute in Gekoördineerde Universele Tyd (UTC);
 - (iv) getal persone aan boord;
 - (v) of gesien is dat die persone die lugvaart of vaartuig in nood verlaat;
 - (vi) klaarblyklike fisieke toestand van die oorlewendes;
 - (vii) weersomstandighede op die toneel;
 - (viii) klaarblyklike beste toegangsroete op land tot die noodtoneel; en
- (d) handel volgens die opdragte van die ATS-eenheid na aanleiding van advies van die RCC.

Prosedures vir owerhede in die veld

12. (1) Wanneer samewerkende SASER-lidorganisasies, beklee met werksaamhede en verantwoordelikhede kragtens die nasionale SER-plan, in die veld betrokke raak in SER-verwante aktiwiteite wat deur die RCC of RSC gekoördineer word, moet hulle die RCC of RSC ingelig hou van instruksies kragtens hul opdrag en relevante ontwikkelinge gegee.

Kansellasië van SER geliasseer tydens inhandiging van vlugplanne

13. (1) Eienaars of operateurs van lugvaartuie wat vir SER ingedien het tydens die inhandiging van hul vlugplan, moet SER kanselleer wanneer hulle hul bestemming bereik deur enige ATSU van hul veilige landing in te lig.

(2) Wanneer SER by 'n ATSU waarby die eienaar of operateur nie sy/haar SER-aksie ingehandig het nie, gekanselleer word, moet die eienaar of operateur sy of haar oorspronklike ATSU of SER-aksievereiste bekendmaak.

(3) Enige eienaar of operateur van 'n lugvaartuig wat deur 'n onwettige handeling of uitlating versuim om SER te kanselleer soos deur subregulasie (1) vereis, moet skuldig aan 'n misdryf wees en die Direkteur van Burgerlike Lugvaart moet, na oorweging van die feite deur die ARCC in samewerking met die SASER aan hom of haar voorgelê, met inbegrip van die tipe hulpbronne deur SASER ontplooi as gevolg van hierdie uitlating, besluit op 'n gepaste boete vir die oortreder.

(4) Alhoewel elke saak volgens meriete beoordeel moet word, moet die boete deur die Direkter opgelê, nie minder wees nie as die kostes uitgegee op hulpbronne wat ontplooi is.

Beëindiging en opskorting van operasies

14. (1) SER-operasies moet voortgaan, waar prakties moontlik, totdat alle oorlewendes na 'n veilige plek gebring is of totdat gee redelike hoop meer bestaan dat oorlewendes gered kan word nie.

(2) Die RCC moet verantwoordelik wees om te bepaal wanneer SER-operasies gestop moet word en in die neem van daardie besluit moet hulle operasionele standarde en praktyke soos in die tersaaklike leidende materiale vevat, volledig in ag neem.

(3) Wanneer 'n SER-operasie suksesvol was of wanneer die RCC van oordeel is dat 'n noodgeval nie meer bestaan nie, moet die noodfase gekanselleer word en enige owerheid, fasiliteit of diens wat geaktiveer of in kennis gestel is, onverwyld verwittig word.

(4) Indien 'n SER-operasie om enige rede onuitvoerbaar word en die RCC tot die gevolgtrekking kom dat daar steeds 'n moontlikheid is dat oorlewendes gevind kan word, moet die RCC aktiwiteite op die toneel hangende verdere ontwikkelinge tydelik opskort en moet enige owerheid, fasiliteit of diens wat geaktiveer of in kennis gestel is, onverwyld in kennis stel.

(5) By die evaluasie van tersaaklike inligting wat daarna ontvang word, kan SER-operasies hervat word wanneer die RCC dit geregverdig of uitvoerbaar ag of as die Minister die opdrag daarvoor gee.

*Deel 4**Soek en Reddingskommunikasies***Kommunikasietoerusting**

1. (1) Die organisasie of instelling ingevolge hierdie regulasies aangewys om 'n RCC te bedryf, moet verseker dat die RCC tot snelle en betroubare tweerigtingkommunikasie in staat is met:

- (a) Verwante lugverkeerdienste;
- (b) Verwante reddingssubsentrum;
- (c) Gepaste stasies om rigting te vind en posisies vas te stel in die SRR;
- (d) Die gepaste operasionele sentrum van SER-eenhede in die SRR;
- (e) Die MRCCs in die SRR en alle ARCC's, MRCC's en JRCC's in naburige SRR'e;
- (f) Aangewese meteorologiese kantore en meteorologiese waarnemingskantoor in die SRR;
- (g) Alle aangewese SER-eenhede;
- (h) Alle aangewese waarnemingsposte;
- (i) Verwante polisiemagte;
- (j) Die Cospas-Sarsat missiebeheersentrum wat die SRR of die tersaaklike Soek-en-redding Punte van Kontak (SPOC), soos gepas, bedien;
- (k) Alle lugvaart en maritieme veiligheids- en waarnemingsentrums in die SRR;
- (l) Hidrograaf; en
- (m) Navarea.

(2) Die organisasie of instelling ingevolge hierdie regulasies aangewys om 'n RSC binne die SRR te bedryf, moet verseker dat die RSC middele van snelle en betroubare tweerigtingkommunikasie het met:

- (a) Die RCC;
- (b) Verwante lugverkeerdienste;
- (c) Verwante polisiemagte;
- (d) Aangrensende reddingssubsentrum;
- (e) Verwante meteorologiese kantoor of meteorologiese waarnemingskantoor;
- (f) Gepaste aangewese SAR-eenhede;
- (g) Gepaste aangewese waarskuwingsposte; en
- (h) Verwante lugvaart- en maritiemeveiligheids en -waarnemingsentrums in die SRR.

Kommunikasiefrekwensies

2. (1) Kommunikasie moet noodwaarskuwings-, koördinerings- en opsporingsfunksies ondersteun deur diegene in nood in staat te stel om die SER-stelsel te waarsku, die SER-stelsel om te antwoord en sy missie uit te voer en oorlewendes om SER-eenhede te help om te reageer en 'n redding uit te voer.

(2) Die nodige kommunikasietoerusting vir SER kan telefone, radio's wat op internasionale noodfrekwensies werk, langafstand aards- en satellietstelsel en ander toerusting, afhangende van geografie, die vermoëns van mobiele fasiliteite binne 'n gebied en ander faktore wat persone se vermoë om met mekaar in verbinding te tree, affekteer.

(3) SER-kommunikasietoerusting moet betroubaar wees, i.e. te alle tye in goeie werkende toestand en moet toeganklik wees vir alle partye wat by 'n SER-operasie betrokke is.

(4) Noodboodskappe moet altyd voorkeur geniet, met ander woorde, hulle moet voor alle ander kommunikasie verwerk word.

(5) Kommunikasie moet betroubaar en vinnig tussen eenhede in nood en die SER-stelsel kan plaasvind, en tussen komponente van die SER-stelsel, nasionaal en internasionaal.

(6) SER-operasies sal waarskynlik kommunikasie tussen twee of meer van die volgende eenhede en/of owerhede vereis:

- (a) Lugvaartuigdienste-eenhede;
- (b) Soek-en-reddingslugvaartuie;
- (c) Ander vaartuie op see;
- (d) Soek-en-reddingsvaartuie;
- (e) Vlootowerhede aan land;
- (f) Lugmagbasisse/Bevelposte;
- (g) Hawe-owerhede;
- (h) Kusradiostasies;
- (i) Reddingskoördineringsentrums;
- (j) Polisiestasie, -vaartuie en -voertuie;
- (k) NSRI-landstasies, landmobielestasies en vaartuie;
- (l) Nood Mediese Dienste;
- (m) Navareakoördineerder; en
- (n) Hidrograaf;

(7) Almal wat by 'n SER betrokke kan wees, moet voorsien word van kommunikasieprosedures, frekwensies en toerusting wat genoegsaam verbindbaar is om hul pligte te verrig.

(8) Alle kommunikasie wat met SER verband hou, moet ooreenkomstig die verskeie vereistes soos bepaal deur die Internasionale Burgerlike Lugvaartorganisasie (ICAO), Internasionale Maritieme Organisasie (IMO en ook ingevolge die konvensies oor Veiligheid van Lewe op See (SOLAS, Chacog en SER) en ook volgens die ITU-regulasie oor radiofrekwensie gebruik soos van tyd tot tyd gewysig of soos deur die Regering gelas.

(9) Waar SER in beheerde of adviserende lugruim plaasvind, moet die gepubliseerde lugvaartfrekwensie vir ATC-doeleindes gemonitor word.

(10) Wanneer 'n SER-operasie verklaar word, moet 'n frekwensie vir lugvaartuig/lugvaartuig-kommunikasie toegewys word.

Deel 5

Spesiale Bepalings en Vereistes

Minimumvragvereistes vir soek-en-reddingslugvaartuie

1. (1) Soek-en-reddingslugvaartuie moet:
 - (a) toerusting aan boord hê om 'n ongelukstoneel onverwyld op te spoor, met inbegrip van rigtingvindingstoerusting met 'n afpeilvermoë vir SER-noodfrekwensies;
 - (b) toerusting aan boord hê om genoegsame en tydige bystand aan oorlewendes te voorsien;

- (c) toegerus wees om in staat te wees om op die maritieme en lugvaartnood en -toneel radiofrekwensies te kommunikeer;
- (d) toegerus wees om met ander SER-eenhede en fasiliteite wat by SER-operasies betrokke is, te kan kommunikeer; en
- (e) Volume III "Mobile Facilities", van die "International Aeronautical and Maritime Search and Rescue" handleiding aan boord hê.

(2) Soek-en-reddingslugvaartuie aangewys vir SER-operasie oor maritieme gebiede moet:

- (a) toegerus wees om met vaartuie te kommunikeer en om seine van outomatiese identifikaasiesistels aan boord van skepe en reddingsbote te ontvang ingevolge die "Global Maritime and Distress Safety System" gadministreer deur die "International Maritime Organization";
- (b) 'n afskrif van die "International Code of Signals" (IMO-verkoopsnommer IA994 E) vir bystand met kommunikasie met skepe.

(3) Helikopter-SER-eenhede wat vir nagreddingsoperasies aangewys is, moet:

- (a) toegerus wees met toestelle wat nagvisie verbeter; en
- (b) ten minste twee vlieëniersbemanning hê.

(4) Helikopter-SER-eenhede moet met 'n gesertifiseerde reddingskatrol toegerus wees.

Oorlewingsstoerusting

2. (1) Geen operateur van 'n lugvaartuig moet die lugvaartuig bedryf oor areas waar soek-en-redding uiters moeilik sal wees nie, tensy die lugvaartuig

toegerus is met gepaste oorlewings-toerusting soos beoog in deel 91.04.29 van die Regulasies op Burgerlugvaart.

(2) Sodanige toerusting moet voldoen aan die voorwaardes, reëls, vereistes, prosedures of standarde soos voorgeskryf in SA-CATS-OPS 91.

Soek-en-reddingseine

3. (1) By die waarneming van enige van die visuele seine in die ICAO-dokumente gegee, moet lugvaartuie soos volg optree:

(a) Wanneer 'n grondsein vertoon is, moet 'n soeklugvaartuig op enige van die volgende wyse aandui of die sein verstaan is:

- (i) tweerigtingradiokommunikasie op toerusting wat beskikbaar is;
- (ii) kommunikasietoerusting wat uit 'n lugvaartuig laat val word; of

(b) Wanneer die aksies in 1(a) hierbo genoem onuitvoerbaar is, moet 'n soeklugvaartuig op een van die volgende wyses aandui of die sein verstaan is:

- (i) bedags, deur die lugvaartuig se vlerke te wieg;
- (ii) snags, wanneer dit donker is, deur die lugvaartuig se ligte aan en af te flikker; of
- (iii) indien die lugvaartuig nie aldus toegerus is nie, deur sy navigeringsligte aan en af te skakel.

(c) Indien die bogenoemde seine nie gebruik word nie, dui dit aan dat die grondsein nie begryp is nie.

(2) Wanneer 'n lugvaartuig 'n SER-fasiliteit moet lei na die plek

waar 'n lugvaartuig of vaartuig in nood is, moet die lugvaartuig dit doen deur presiese instruksies deur enige middele tot sy beskikking te versend. Indien geen radiokontak gemaak kan word nie, moet die lugvaartuig op 'n veilige wyse:

- (a) ten minste een keer oor die lugvaartuig of vaartuig sirkel;
- (b) die geprojekteerde roete van die lugvaartuig of vaartuig in nood net voor dit en teen lae hoogte, kruis, en
- (c) die vlerke wieg; of
 - (i) die versneller oop en toe maak; of
 - (ii) die propeller se toonhoogte verander; en
- (d) vlieg in die rigting waarin die SER-fasiliteit gestuur moet word;
- (e) 'n herhaling van hierdie prosedure moet dieselfde betekenis hé.

Noodliggingsbakens

4. (1) Die bepalings van deel 91.04.26 van die Burgerlugvaart-regulasies aangaande die dra van noodliggingsversenders moet van toepassing wees.

(2) Alle liggingsaanduidende radiobakens wat deur vaartuie van Suid-Afrikaanse nasionaliteit verkry word, moet ingevolge en ooreenkomstig die vereistes soos voorgeskryf deur die Handelskeepsvaartregulasies (EPIRB-registrasie), 2002, geregistreer word.

(3) Eienaars en operateurs van klasse van lugvaartuig wat vrygestel is van die dra van noodliggingsversenders ingevolge die Burgerlugvaart-regulasies in subregulasie (1) bedoel kan, met inagneming van die beperkings van persoonlike opsporingsbakens, ten minste 'n goedgekeurde en geregistreerde persoonlike

opsporingsbaken dra wat op 406 MHz kan versend of 'n vorm van vlugsporingstoestel wat deur die tersaaklike SER-owerheid goedgekeur is.

Skeepsaanmeldingstelsel

5. (1) 'n Skeepsaanmeldingstelsel moet ingevolge Hoofstuk 5 van die Maritieme-SER-konvensie ingestel word met die oogmerk om bygewerkte inligting te voorsien oor skeepshulpbronne in die omtrek van 'n ongeval en om die soekarea te beperk indien 'n SER-missie ter see uitgevoer of gedoen moet word.

(2) Die skeepsrapporteringstelsel moet bygewerkte inligting verstrek oor die bewegings van vaartuie ten einde in die geval van 'n noodgeval:

- (a) die tyd te verminder wat verloop vandat kontak met 'n vaartuig verloor is en die aanvang van soek-en-reddingsoperasies in gevalle waar geen noodsein ontvang is nie;
- (b) vinnige identifisering van vaartuie wat ingeroep kan word om bystand te verleen, moontlik te maak;
- (c) afbakening van 'n soekarea van beperkte grootte moontlik te maak indien die posisie van 'n persoon, vaartuig of ander voertuig onbekend of onseker is; en
- (d) die voorsiening van dringende mediese bystand of advies te fasiliteer.

(3) Die skeepsrapporteringstelsel moet aan die volgende vereistes voldoen:

- (a) voorsiening van inligting, met inbegrip van seilplanne en posisieverslae, wat dit moontlik sal maak om die huidige en toekomstige posisie van deelnemende vaartuie vas te stel;
- (b) onderhoud van 'n skeepsplan;

- (c) ontvangs van verslae van deelnemende vaartuie teen gepaste intervalle;
- (d) eenvoud in stelselontwerp en bedryf; en
- (e) gebruik van skeepsaanmeldingsformaat en prosedures waarop internasionaal ooreengekom is.

(4) Die skeepsaanmeldingstelsel moet ten minste, die volgende tipes skeepsverslae incorporeer:

- (a) seilplan;
- (b) posisieverslag;
- (c) finale verslag; en
- (d) gevaarlikegoedereverslag.

Kort titel en inwerkingtreding

6. Hierdie regulasie moet die Suid-Afrikaanse Maritieme en Lugvaartsoek-en-reddingsregulasies, 2016 heet en moet in werking tree op 'n datum in die *Staatskoerant* gepubliseer.

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