South African Maritime Safety Authority

Ref: SM6/5/2/1

Date: 12 July 2016

Marine Notice No. 28 of 2016

The Merchant Shipping (Maritime Security) Regulations, 2004

TO MASTERS AND OPERATORS OF INTERNATIONALLY TRADING SHIPS BOUND FOR SOUTH AFRICAN PORTS, THEIR AGENTS, SOUTH AFRICAN ASSOCIATION OF SHIP OPERATORS AND AGENTS, HARBOUR MASTERS, CAPE TOWN RADIO, THE MARITIME RESCUE CO-ORDINATION CENTRE (MRCC) AND OTHER INTERESTED PARTIES

Marine Notice No. 12 of 2008 is cancelled

Summary

This Marine Notice gives guidance to the industry on the application of the *Merchant Shipping (Maritime Security) Regulations, 2004*, and the International Ship and Port Facility Security (ISPS) Code.

1   South Africa has implemented the Maritime Security requirements contained in Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, and the International Ship and Port Facility Security (ISPS) Code through the *Merchant Shipping (Maritime Security) Regulations, 2004*. These regulations apply to South Africa's eight major ports, namely Saldanha Bay, Cape Town, Mossel Bay, Port Elizabeth, Ngqura, East London, Durban, and Richards Bay. They also apply to passenger ships, cargo ships of 500 or more gross tonnage and mobile offshore drilling units (MODUs) on international voyages. However, they do not apply to fishing vessels, vessels used solely for sport or recreation, government ships engaged solely on non-commercial voyages, coasting ships, and ships transiting South Africa's territorial waters.

Certification of South African ships

2   The South African Maritime Safety Authority (SAMSA) is responsible for approving ship security plans for South African ships, for verifying compliance with plans, and for issuing the International Ship Security Certificate (ISSC) and Continuous Synopsis Record (CSR).

Security Level in South African territorial waters

3   Security Level 1 applies in South Africa's territorial waters. Any change of security level or its area of application will be notified by Marine Notice, Navigational Warning and Notices to Mariners.

Port security

4   Security Level 1 is the default security level applying to South Africa's eight major ports (and the port facilities in these ports). Any change of security level will be declared by the Director-General: Transport, who is required to give proper notice of the declaration.

5   In accordance with Regulation XI-2/9 of the International Convention for the Safety of Life at Sea, 1974, and paragraph B/4.39 of the International Ship and Port Facility Security (ISPS) Code the Director-General: Transport has under the *Merchant Shipping (Maritime Security) Regulations, 2004*, determined the requirements for ***pre-arrival*** and ***pre-entry information***. The full official text of the determination is published by Government Notice No. R. 1412 in Government Gazette No. 27048 of 10 December 2004.

6   Pre-arrival information is required from foreign passenger ships, cargo ships of 500 or more gross tonnage and mobile offshore drilling units (MODUs) on international voyages bound for South African ports, including ships calling Outer Port limits (OPL) at a South African port for the transfer of stores, crew, landing an ill crew member, offshore bunkering, and any interaction between shore and ship, etc.

7   These requirements do not apply to fishing vessels, vessels used solely for sport or recreation, government ships engaged solely on non-commercial voyages, coasting ships (not departing South African waters and maintaining ISPS status quo), and ships transiting South Africa's territorial waters.

8   Reports are not required from ships making voyages between South African ports (i.e. coasting). If a ship makes a voyage to a port in another country (e.g. Maputo - Mozambique or Walvis Bay - Namibia), a pre-arrival/pre-entry information report must be made before any subsequent call at a South African port. Also, when a ship is coasting between South African ports and interfaces with another ship between ports, the Master must transmit a pre-arrival/pre-entry information report as soon as possible, but at least 5 hours before the ship's ETA.

9   The **format and content of the pre-arrival/pre-entry information report is given in attached excel document (Annex A).** Masters are advised to exercise care when drafting reports. It should be noted that in the format of the report field "B" is the time of making the report and field "J" is the ETA at the first port of call. There should be at least a 96 hours difference in the times.

 .1   Any vessel that will arrive at the Outer Port limits of the South African Port 12 hours later than its ETA on a Pre-Arrival Notification must submit an amendment to its Pre-Arrival Notification.

 .2   Any vessel that has not arrived at the Outer Port limits of the first South African Port indicated on the Pre-Arrival Notification within 108 hours (4,5 days) of submitting the PAN and has not submitted an amendment, will be required to re-submit a new PAN.

10   **The report must be made at least 96 hours before the ship's expected time of arrival (ETA) at the first South African port.** If the ship is arriving from a foreign port where the voyage time between ports is less than 96 hours, the Master must ensure that the pre-arrival/pre-entry information is sent in compliance with the 96 hour requirement and amended when the ship clears the last foreign port.

11   An amended report must be made if:
 .1   the ETA date for the ship changes; however, a change in time on the same day need not be reported; or
 .2   there has been a ship-to-ship or ship/port interface after the original report was made; or

Example:
 .a   Initial PAN – field "P1"
 HAZIRA, INDIA, 09122015, 1, NIL,Y

 .b   Updated PAN – field "P1" – on departure from Maputo.
 MAPUTO, MOZAMBIQUE, 25122015, 1, NIL, Y

 .3   any other information in the original report changes, excluding those noted in 11.1 and 11.2.

12   The Maritime Rescue Coordination Centre (MRCC) in Cape Town is the first point of contact for pre-arrival/pre-entry information. **The pre-arrival/pre-entry information report must be in English and in writing, and is to be transmitted to the MRCC Cape Town, (the first point of contact).** The MRCC will only accept reports directly from the ship; no reports by voice communication will be accepted. The role of the MRCC is to scrutinise reports for correctness and completeness.

13   The MRCC does not security-clear ships. Its function is to check pre-arrival/pre-entry information reports to ensure relevance and completeness. If MRCC has any queries regarding the ship's report, it will communicate with the ship via email. The MRCC forwards reports to the Department of Transport's Maritime Security Co-ordination Centre (MSCC) in Pretoria, which is responsible for informing Port Security Officers (PSO) about ships' security clearance status. **Ships' agents are not allowed to contact MSCC directly, they should obtain security clearance information from the relevant PSO**.

14   The preferred means of ship-to-shore communication for pre-arrival/pre-entry information reports must be by email and sent as an attachment (excel format) to the MRCC – Cape Town, the official email address is **pan@samsa.org.za**. The email's subject line to indicate the vessel's name.
This change in PAN communication process comes into effect as of 01 August 2016.

15   Pre-arrival/pre-entry information required by this notice for maritime security purposes is similar to port entry information required by the Transnet National Ports Authority (TNPA) for berth planning purposes. However, the format and use of this information differs considerably. Masters and agents are advised to ensure that information for the MRCC is not confused with that required by the TNPA.

16   **Masters are cautioned that failure to timeously transmit complete and correctly formatted pre-arrival/pre-entry information may result in delays and, in appropriate cases, denial of port entry. Ships whose Masters refuse to give pre-arrival/pre-entry information will be denied port entry**.

17   The following table provides information about Port Security Officers (PSOs) at the eight major ports. The contact number in **bold print** in the table is the 24-hour contact number for the PSO.

PORTS	NAME	TELEPHONE	FAX	MOBILE-PHONE	EMAILS
DURBAN	Mdu Ndlovu	031 361 3771	031 361 8393	**078 582 3030**	Mdu.Ndlovu@transnet.net
SALDANHA	Sonwabo Gaika	022 703 5478	022 703 5484	**083 418 3484**	Sonwabolincoln.Gaika@transnet.net
CAPE TOWN	Arshaad Ferster	021 449 5326	021 449 2274	**071 889 6370**	Arshaad.ferster@transnet.net
RICHARDS BAY	Dering Joyce	035 905 3146	086 648 7739	**072 708 4378**	Dering.Joyce@transnet.net
EAST LONDON	Graham Kingsley-Wilkins	043 700 2421	043 700 2070	**083 417 3920**	Graham.Kingsley-Wilkins@transnet.net
MOSSEL BAY	Shadrack Tshikalange	044 604 6213	086 674 1355	**060 569 3961**	Shadrack.Tshikalange@transnet.net
PORT ELIZABETH	Nelson Masophi	041 507 1773	086 500 7478	**086 500 7478**	Nelson.Masophi@transnet.net
NGQURA	Sicelo Tiyo	041 507 8234 /041 507 1729	041 507 8232	**083 293 1474**	Sicelo.Tiyo@transnet.net

Information regarding Port Facility Security Officers (PFSOs) can be obtained from the relevant PSO, the Port Facility Operator or the local ship's Agent.

18   The MRCC is also the contact point for ships seeking information on maritime security within South Africa's territorial waters. A ship under threat in the territorial waters can communicate with the MRCC, who will forward the alert to the appropriate authorities. The MRCC's Duty Officer can be contacted as follows:

Telephone : +27 (021) 938 3300
Facsimile : +27 (021) 938 3309
E-mail : mrcc.ct@samsa.org.za

In the event a vessel has email/telephone communication problems, Cape Town Radio can be contacted by radio.

19   A ship under threat at a South African port can communicate with the local VTS Centre/Port Control, the PSO, PFSO or the MRCC.

20   A ship security alert signal (SSAS) from a foreign flagged ship will go to the ship owner or flag State and will only be received by the MRCC if the flag State or owner forwards the alert to the MRCC.

SAFREP

21   In the interests of safety all ships are encouraged to participate in the South African Ship Reporting System (SAFREP). This system assists in search and rescue by providing up-to-date information on shipping in the event of a maritime casualty. It is modelled on IMO Resolution A.851(20) regarding general principles for ship reporting requirements. It makes use of movement reports submitted to Cape Town Radio by ships within the South African search and rescue region. Participation in the system is voluntary. Information regarding SAFREP may be found in the Admiralty List of Radio Signals.

Anchoring outside port limits

22   Masters, owners and operators are reminded that it is an offence in terms of the Marine Traffic Act, 1981, to anchor or stop a ship (for repairs or otherwise) in South Africa's territorial or internal waters outside port limits without permission from SAMSA. Permission to anchor or stop may be obtained by submitting to the MRCC a pre-arrival information report together with a request to anchor or stop. The MRCC will forward the request to the local SAMSA Principal Officer for a decision.

23   A ship that has to anchor or stop in an emergency must inform SAMSA as soon as possible, but at least within one hour after anchoring or stopping. Masters are reminded that SAMSA has the authority, even in an emergency, to set conditions for anchoring or stopping.

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