



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

REGULASIEKOERANT No. 3397

REGULATION GAZETTE No. 3397

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GOEWERMENSKENNISGEWING

SUID-AFRIKAANSE VERVOERDIENSTE

No. R. 562

26 Maart 1982

REGULASIES VIR DIE HAWENS VAN DIE REPUBLIEK VAN SUID-AFRIKA EN VAN SUIDWES-AFRIKA

Die Staatspresident het goedkeuring verleen aan die intrekking van die Regulasies vir die Hawens van die Republiek van Suid-Afrika en van Suidwes-Afrika, afgekondig by Goewermenskennisgewing R. 290 van 2 Maart 1962, soos van tyd tot tyd gewysig.

Die Minister van Vervoerwese het, kragtens die bevoegdheid hom verleen by artikel 73 (1) van die Suid-Afrikaanse Vervoerdienstewet, 1981 (Wet 65 van 1981), goedkeuring verleen aan die uitvaardiging van die volgende Regulasies vir die Hawens van die Republiek van Suid-Afrika en van Suidwes-Afrika.

REGULASIES VIR DIE HAWENS VAN DIE REPUBLIEK VAN SUID-AFRIKA EN VAN SUIDWES-AFRIKA

1. Vertolking van terme.

(1) In hierdie regulasies beteken die uitdrukking "die Wet" die Suid-Afrikaanse Vervoerdienstewet, 1981, en tensy dit uit die samehang anders blyk, het 'n uitdrukking wat in hierdie regulasies gebruik word die betekenis wat in die Wet daaraan gegee is.

(2) Die beheer oor en bestuur van die hawens berus geheel en al by die Hoofbestuurder van die Vervoerdienste, maar vir die doel van hierdie regulasies word sodanige magte gedelegeer aan die—

(i) "hawebestuurder" of die amptenaar wat deur die Suid-Afrikaanse Vervoerdienste aangestel is om sodanige funksies aan die landkant van 'n hawe uit te oefen, of die amptenaar wat tydelik as sodanig optree, en

(ii) "hawekaptein" of die amptenaar wat deur die Suid-Afrikaanse Vervoerdienste aangestel is om sodanige funksies aan die marinekant van 'n hawe uit te oefen, of die amptenaar wat tydelik as sodanig optree.

GOVERNMENT NOTICE

SOUTH AFRICAN TRANSPORT SERVICES

No. R. 562

26 March 1982

REGULATIONS FOR THE HARBOURS OF THE REPUBLIC OF SOUTH AFRICA AND OF SOUTH WEST AFRICA

The State President has approved of the repeal of the Regulations for the Harbours of the Republic of South Africa and of South West Africa published under Government Notice R. 290 of 2 March 1962, as amended from time to time.

The Minister of Transport Affairs has, under the powers vested in him by section 73 (1) of The South African Transport Services Act, 1981 (Act 65 of 1981), approved of the promulgation of the following Regulations for the Harbours of the Republic of South Africa and of South West Africa.

REGULATIONS FOR THE HARBOURS OF THE REPUBLIC OF SOUTH AFRICA AND OF SOUTH WEST AFRICA

1. Interpretation of terms.

(1) In these regulations the expression "the Act" means the South African Transport Services Act, 1981, and unless the context indicates otherwise any expression used in these regulations shall bear the meaning assigned in the Act.

(2) The control over and management of the harbours rest entirely with the General Manager of the Transport Services, but for the purpose of these regulations, the said authority is delegated to the—

(i) "port manager" or the officer appointed by the South African Transport Services to effect such functions on the shore side of a harbour, or the officer acting as such for the time being, and

(ii) "port captain" or the officer appointed by the South African Transport Services to effect such functions on the marine side of a harbour, or the officer acting as such for the time being.

(3) Daarbenewens beteken—

- (a) "houerkaaikraan" 'n kraan wat verskaf is uitsluitend vir die hantering van ISO-houers;
- (b) "droogdok" enige droogdok, dryfdok, skeepshelling, syncrolift of herstelponton;
- (c) "brandweerman" enige brandweerman wat voldoen aan die vereistes soos gestel deur die hawekaptein;
- (d) "ISO-houer" 'n houer soos deur die Internasionale Standaardorganisasie (ISO) gespesifiseer;
- (e) "pleisiervaartui" 'n klein vaartui wat deur sy eienaar(s) uitsluitlik vir plesierdoeleindes gebruik word en nie te huur aangebied of verhuur word of andersins vir gewin of vir hengel of handelsdoeleindes van watter aard ook al, gebruik word nie;
- (f) "skeepstonnemaat" die tonnemaat van 'n skip soos bepaal volgens die Handelskeepvaartwet, 1951;
- (g) "klein vaartui" 'n sleepboot, vissersboot, walvisvaarder, barkas, barg, ligter, roeiboot, skiboot, seilboot, jag of soortgelyke vaartui, of 'n romp van enigeen van die genoemde vaartuie;
- (h) "spreier" die hystoestel wat aan 'n ISO-houer geheg moet word sodat dit deur 'n houerkaaikraan gehys kan word;
- (i) "Vervoerdienste" die Suid-Afrikaanse Vervoerdienste.

SKEPE—VERSLAE EN BEWEGINGS**2. Toestemming om 'n have binne te vaar.**

(1) Die eienaar, kaptein of agent van 'n skip waat voornemens is om 'n hawe aan te doen, moet die hawekaptein en die hawebestuurder by sodanige hawe nie later nie as 72 uur (Sondae en openbare vakansiedae uitgesonder) voor die aankoms van die skip skriftelik in kennis stel op watter datum en hoe laat die skip na verwagting sal aankom. Hy moet in sodanige kennisgewing besonderhede verstrek van—

- (a) die skip se diepgang (voor en agter), lengte en vryboord;
- (b) ontplofbare stowwe, vlambare vloeistowwe en alle ander gevaarlike vrag aan boord;
- (c) die aard en hoeveelheid vrag wat ingeskeep, ontskeep of oorgeskeep moet word;
- (d) bunker- of ander benodigdhede;
- (e) ander sake van belang wat die veilige binnevaart en aanle van die skip kan beïnvloed;
- (f) of die skip besig is met 'n sleep- of bergingsdiens; en
- (g) of die skip een of meer skepe op sleeptou het, in welke geval daar vermeld moet word—
- (i) hoeveel skepe op sleeptou is en die totale lengte van die sleep (afstand van die voorstewe van die sleepskip af tot die agterstewe van die laaste skip op sleeptou);
- (ii) watter metode vir die sleepdiens gebruik word;
- (iii) of die sleepskip of enige skip op sleeptou in enige opsig onseewaardig of defek is;
- (iv) of hulpkrag op enige skip op sleeptou beskikbaar is; indien wel, of die krag genoegsaam is vir die nêrlaat en lig van ankers en om die hoofaandrywing, stuurinrigting of dekmasjinerie te bedien (die omvang van die krag moet gespesifiseer word);
- (v) wat die getalsterkte van die bemanning aan boord van die sleepskip is;
- (vi) of enige skip op sleeptou beman is en, indien wel, wat die getalsterkte van die bemanning is of, indien nie, watter reëlins getref kan word om te voldoen aan die hawevereistes [met inbegrip van die vereiste aangaande 'n loodsleer soos bepaal in regulasie 97 (2)] by aankoms;

(3) In addition the following shall mean:

- (a) "container wharf crane" a crane provided exclusively for handling ISO containers;
- (b) "drydock" any graving dock, drydock, floating dock, slipway, syncrolift or repair pontoon;
- (c) "fireman" any fireman complying with the requirements set by the port captain;
- (d) "ISO container" a container specified by the International Organization for Standardization (ISO);
- (e) "pleasure craft" a small craft which is used by its owner(s) solely for pleasure purposes and not plying for hire, or let for hire, or otherwise used for gain or engaged in fishing or for commercial purposes of whatever description;
- (f) "ship's tonnage" the tonnage of a ship as determined under the provisions of the Merchant Shipping Act, 1951;
- (g) "small craft" a tug, fishing craft, whale catcher, launch, barge, lighter, rowing boat, skiboat, sailing boat, yacht or similar craft or a hulk of any of the craft enumerated;
- (h) "spreader" the lifting device required to be attached to an ISO container preparatory to being hoisted by means of a container wharf crane;
- (i) "Transport Services" the South African Transport Services.

SHIPS—REPORTS AND MOVEMENTS**2. Permission to enter a harbour.**

(1) The owner, master or agent of a ship that intends to call at a harbour shall, not later than 72 hours (excluding Sundays and public holidays) before the arrival of the ship, give notice in writing to the port captain and to the port manager at such harbour of the expected date and time of arrival of the ship and shall give particulars in such notice of—

- (a) the ship's draught (fore and aft), length and freeboard;
- (b) explosives, flammable liquids and all other dangerous cargo on board;
- (c) the nature and quantity of cargo to be shipped, landed or transhipped;
- (d) bunker or other requirements;
- (e) other matters of importance which may affect the safe entry into port and berthing of the ship;
- (f) whether the ship is engaged in a towage or salvage service; and
- (g) whether the ship has one or more ships in tow, in which event it shall be stated—
- (i) how many ships are being towed and the extreme total length of the tow (distance from the forepart of the towing ship to the rearpart of the last ship in tow);
- (ii) what method of towing is employed in the operations;
- (iii) whether the towing ship or any ship in tow is in any respect unseaworthy or defective;
- (iv) whether auxiliary power is available on any ship in tow; if so, whether the power is sufficient for lowering or heaving anchors, working main propulsion, steering gear or deck machinery (the extent of the power shall be specified);
- (v) what the crew complement is on board the towing ship;
- (vi) whether any ship being towed is manned and, if so, what the crew complement is or, if not, what arrangements will be made to comply with port requirements [including the requirement as to a pilot ladder as stipulated in regulation 97 (2)] upon arrival;

- (vii) of die sleepskip of enige skip op sleeptou vry van gas is;
- (viii) hoeveel brandstof en smeerolie aan boord van die sleepskip is;
- (ix) hoeveel en watter soort brandstof en smeerolie aan boord van enige skip op sleeptou is en waar dit geleë is;
- (x) of die kaptein van die sleepskip vertrou is met die hawe;
- (xi) watter wyse van radiokommunikasie vir die kaptein van die sleepskip beskikbaar is;
- (xii) of die kaptein van die sleepskip in staat is om met die hawekaptein in Afrikaans of Engels te kommunikeer;
- (xiii) of die skip op sleeptou losgemaak en aan 'n ander sleepboot oorhandig kan word terwyl dit op see is; en
- (xiv) enige ander besonderhede wat die veilige binnevaart in 'n hawe en vasmeer van die vaartuie kan beïnvloed.

(2) (a) Wanneer slegs een skip op sleeptou is, moet die sleepskip en die sleep nie nader as vyf seemyl seewaarts van die hawe-ingang af kom nie, tensy die hawekaptein anders gelas;

(b) wanneer meer as een skip op sleeptou is, moet die sleepskip en die sleep nie nader as 12 seemyl seewaarts van die hawe-ingang af kom nie, tensy die hawekaptein anders gelas; en

(c) die hawekaptein kan in die belang van veilige, orde- like en doeltreffende hawebedryf toestemming verleen of weier of toestemming wat reeds verleen is, terugtrek of wysig vir enige skip om die hawe te nader of binne te vaar.

3. Skip se seine wanneer dit 'n hawe binnevaar.

Voordat 'n skip 'n hawe binnevaar, moet dit—

- (i) sy nasionale vlag vertoon;
- (ii) 'n sein vertoon wat aandui dat daar 'n loods aan boord is (internasionale kodevlag "H") of plaaslike sein soos meegedeel;
- (iii) 'n kwarantynvlag (internasionale kodevlag "Q") vertoon indien 'n hawegesondheidsklaring benodig word; en
- (iv) 'n vlag (internasionale kodevlag "I") vertoon indien immigrasiebeamptes nodig is.

4. Skepe moet op seine wag voordat hulle 'n hawe binnevaar.

Geen skip mag 'n hawe, met inbegrip van die buiteankerplek by Saldanhabaai, binnevaar voordat die gepaste sein by die hawebeheertoring of seinstasie gehys is as magtiging om binne te vaar nie. Hierdie regulasie is nie van toepassing op 'n skip wat die buiteankerplek van enige ander hawe binnevaar nie.

5. Toewysing van aanlêplekke.

Die hawekaptein of 'n gemagtigde wat hy vir dié doel aanstel moet so gou moontlik nadat die skip in die hawe aangekom het, en indien moontlik voordat dit geanker word, 'n geskikte aanlêplek vir die kaptein van die skip aanwys. Indien dit nodig geag word, kan die hawekaptein of sy gemagtigde aan boord van sodanige skip gaan.

6. Kaptein moet skeepsdokumente toon en besonderhede van skip verstrek.

Die kaptein van elke skip wat in 'n hawe aankom, moet op aanvraag en ooreenkomstig artikel 30 van die Wet die skeepsregister en skeepsdokumente aan die hawekaptein of 'n ander gemagtigde amptenaar ter insae voorlê. Daarbenewens moet die kaptein sy skip se diepgang (voor en agter) op die voorgeskrewe vorm invul asook sodanige verdere besonderhede van sy skip en die vrag verstrek as wat die hawekaptein mag vereis.

(vii) whether the towing ship or any ship in tow is gas-free;

(viii) what quantity of fuel and lubricating oil is on board the towing ship;

(ix) what quantity and type of fuel and lubricating oil is on board any ship in tow and where it is located;

(x) whether the master of the towing ship is familiar with the port;

(xi) what means of radio communication is available to the master of the towing ship;

(xii) whether the master of the towing ship is able to communicate with the port captain in English or Afrikaans;

(xiii) whether the towed craft can be disconnected and handed over to another tug at sea; and

(xiv) any other details which may affect the safe entry into port and berthing of the vessels.

(2) (a) When only one ship is being towed, the towing ship and the tow shall not approach the port entrance closer than five sea miles to seaward unless otherwise ordered by the port captain;

(b) when more than one ship is being towed the towing ship and tows, shall not approach the port entrance closer than 12 sea miles to seaward unless otherwise ordered by the port captain; and

(c) the port captain shall in the interests of safe, orderly and efficient harbour working, grant or refuse permission or withdraw or vary permission previously granted for any ship to approach or enter the harbour.

3. Ship's signals on entering.

Before entering a harbour every ship shall display—

- (i) her national colours;
- (ii) a signal indicating that a pilot is on board (international code flag "H") or local signal as advised;
- (iii) Quarantine flag (international code flag "Q")—if port health clearance required; and
- (iv) Immigration Officials required (international code flag "I").

4. Ships to enter harbour on signal.

No ship shall enter a harbour including the outer anchorage at Saldanha Bay until the proper signal has been displayed at the port control or signal station authorising such entry. This regulation shall not apply to a ship entering the outer anchorage of any other harbour.

5. Assignment of berths.

The port captain or any deputy appointed by him for the purpose shall point out to the master of a ship arriving in the harbour as soon as practicable after the ship's arrival and, if possible, before the ship comes to anchor, a proper berth for such ship and, if considered necessary, the port captain or his deputy may board such ship.

6. Master to produce ship's papers and declare particulars of ship.

The master of every ship arriving in a harbour shall, upon demand and in compliance with section 30 of the Act produce and show the ship's register and ship's papers to the port captain or other authorised officer for inspection. In addition the master shall declare in the prescription form his ship's draught (fore and aft) and furnish such further particulars in regard to his ship and its cargo as may be required by the port captain.

7. Kaptein aanspreeklik vir akkuraatheid van verklaring.

Die kaptein is aanspreeklik vir alle skade of ander gevolge wat voortspruit uit 'n verkeerde verklaring of weglating uit 'n verklaring wat deur hom of sy verteenwoordiger gedoen is met betrekking tot die skip of sy vrug.

8. Wapens, ontplofbare stowwe en vuurwerkseine moet nie gebruik word nie.

Die kaptein en elke bevelvoerende offisier van 'n oorlogskip wat 'n hawe binnevaar, moet alle wapens aan boord laat ontwapen voordat die skip by die hawe aankom, en moet nie toelaat dat hulle weer bewapen word solank die skip in die hawe is nie. Onderwyl 'n skip in die hawe is, mag geen wapens afgevuur en geen ontplofbare stowwe of vuurwerkseine gebruik word sonder die toestemming van die hawekaptein nie, behalwe wanneer so 'n skip werklik in nood verkeer of hulp nodig het.

9. Kaptein moet kennis gee van ontplofbare stowwe en ander gevaarlike vrug aan boord.

(1) Die eienaar, kaptein of agent van 'n skip moet ontplofbare stowwe, vlambare vloeistowwe, radioaktiewe materiaal of ander gevaarlike goedere aan boord, moet minstens 72 uur (Sondae en openbare vakansiedae uitgesonder) voor die aankoms van die skip die hawekaptein en die hawebestuurder of hulle gemagtigde verteenwoordigers skriftelik daarvan in kennis stel en volledige besonderhede, die juiste tegniese benaming, die VV-nommer indien beskikbaar, die getal pakke, asook die massa en klas verstrekk van sodanige gevaarlike goedere wat onder enige van die kategorieë vermeld in die volgende publikasies ressorteer:

(a) "The Carriage of Dangerous Goods in Ships" (algemeen bekend as die "Blou Boek"); of

(b) "The International Maritime Dangerous Goods Code" [uitgegee deur "The Intergovernmental Maritime Consultative Organization" (IMCO)]

(2) (a) Geen gevaarlike goedere mag ontskep word voordat ontskepings-, aflewings- en afsendingsorders of houereindpuntorders daarvoor deur die Vervoerdienste aangeneem is nie. As sodanige goedere ontskep word voordat daar aan hierdie vereiste voldoen is, kan die hawebestuurder beveel dat dit teruggelaai word in die skip waaruit dit ontskep is, of kan hy na sy goeddunke anders daarmee handel of dit vernietig op koste van die eienaar van die skip, en daarbenewens kan die kaptein die strawwe opgelê word wat kragtens wet voorgeskryf is.

(b) Ondanks die bepalings in paragraaf 2 (a) van hierdie regulasie kan sekere uitgesoekte onbehouerde gevaarlike goedere in spesiale omstandighede, onderworpe aan die vooraf goedkeuring van die hawekaptein en aan sodanige voorwaardes as wat hy in belang van veilige, ordelike en doeltreffende hawebedryf mag stel, ontskep en op spesiaal afgebakende terreine in die hawe op koste van die eienaar of kaptein van die skip opgeberg word voordat ontskepings-, aflewings- en afsendingsorders daarvoor deur die Vervoerdienste aanvaar is.

(3) Indien die hawebestuurder dit vereis, moet gevaarlike goedere op so 'n tyd ontskep word dat dit gedurende die werkure van dieselfde dag van die hawe af verwyder of andersins oor beskik kan word.

(4) Wanneer 'n skip met gevaarlike goedere aan boord langs 'n kaai of hawehoof aanlê, moet daar 'n brandweerman teenwoordig wees as die hawekaptein dit gelas, en die koste in dié verband moet deur die eienaar van die skip gedra word. Daarbenewens moet die kaptein van so 'n skip op koste van die eienaar van die skip sodanige ander voorsorgmaatreëls tref as wat die hawekaptein redelikerwys nodig ag vir die veiligheid van die hawe, die skip of die vrug.

7. Master responsible for accuracy of declaration.

The master is responsible for all damage or other consequences resulting from any errors or omission in a declaration made by him or his representative as to his ship or its cargo.

8. Weapons, explosives and pyrotechnic signals not to be used.

Every master and every commanding officer of a warship entering a harbour shall, prior to arrival of his ship, cause all weapons on board to be disarmed, and shall not permit them to be re-armed while the ship is in the harbour, and no weapons may be fired, explosives or pyrotechnic signals used while the ship is in the harbour without the permission of the port captain, except when such ship is in actual distress or in want of assistance.

9. Master to give notice of explosives and other dangerous cargo on board.

(1) The owner, master or agent of a ship having on board explosives, flammable liquids, radio active materials or other dangerous goods shall at least 72 hours (excluding Sundays and public holidays) before arrival of the ship give written notice thereof to the port captain and to the port manager or their authorised representatives and give full particulars, correct technical name, UN number if available, number of packages, mass and the class of such dangerous goods that fall within any of the categories listed in the following publications:

(a) The Carriage of Dangerous Goods in Ships (Commonly known as the "Blue Book"); or

(b) The International Maritime Dangerous Goods Code [Published by the Intergovernmental Maritime Consultative Organisation (IMCO)].

(2) (a) No dangerous goods may be landed before landing, delivery and forwarding orders or container terminal orders in respect thereof have been accepted by the Transport Services. If any such goods are landed before this requirement is met, the port manager may order such goods to be returned on board the ship from which they were landed, or may otherwise deal with them or destroy them as he considers necessary, at the expense of the owner of the ship; in addition, the master shall be liable to such penalties as are provided for by law.

(b) Notwithstanding the provisions of paragraph 2 (a) of this regulation certain selected uncontainerised dangerous goods may, in special circumstances, subject to prior approval by the port captain and to such conditions as he may prescribe in the interests of safe, orderly and efficient harbour working, be discharged and stored at specially demarcated areas in the harbour at the expense of the owner or master of the ship before landing, delivery and forwarding orders in respect thereof have been accepted by the Transport Services.

(3) If so required by the port manager, dangerous goods shall be discharged at such time as will enable them to be removed from the harbour or be otherwise disposed of during working hours of the same day.

(4) When berthed alongside a wharf or jetty, a ship having dangerous goods on board shall, if the port captain so directs, have a fireman in attendance, the cost whereof shall be borne by the owner of the ship, and the master of any such ship shall also, at the expense of the owner of the ship, adopt such other precautionary measures as the port captain may reasonably consider necessary for ensuring the safety of the harbour, the ship or the cargo.

(5) Die bepalings van hierdie regulasie onthef nie 'n kaptein van die behoorlike nakoming van ander regulasies wat kragtens die Wet opgestel is ten opsigte van gevaarlike of aanstootlike goedere of vlambare vloeistowwe in massa of in houer in hoeveelhede van meer as 10 kℓ per besending, of van die bepalings van die Wet op Ontploffbare Stowwe, 1956, en die regulasies wat daarkragtens uitgevaardig is nie.

(6) Die korrekte soort ontskeppings-, aflewering- en afsendings- of houreindpuntorder genoem in paragraaf (2) (a) van hierdie regulasie word bepaal deur die klassifikasie van die betrokke kommoditeite in Byvoegsel 6 by die *Offisiële Spoorwegtariefboek* of, as die kommoditeit nie daarin aangegee word nie, deur die omskrywing van gevaarlike goedere in daardie publikasie.

(7) Diverse gevaarlike stowwe (klas 9) van "The International Maritime Dangerous Goods Code" wat nie geëtiketteer hoef te word nie, is vrygestel van die bepalings van paragrawe (2), (3) en (4) van hierdie regulasie, tensy dit ooreenkomstig die bepalings van Byvoegsel 6 by die *Offisiële Spoorwegtariefboek* geëtiketteer moet word.

(8) (a) 'n Persoon wat voornemens is om gevaarlike goedere van die aard genoem in paragraaf (1) van hierdie regulasie te verskep moet aan die eienaar of die kaptein van die skip 'n sertifikaat of skriftelike verklaring verstrek dat die goedere wat vir verskeping aangebied word, behoorlik ooreenkomstig die vereistes van die betrokke regulasies wat kragtens die Handelskeepvaartwet, 1951, opgestel is, gemerk en geëtiketteer is.

(b) Die betrokke sertifikaat of verklaring moet die juiste tegniese benaming en 'n beskrywing van die goedere aantoon asook die klas waaronder die goedere ressorteer. 'n Afskrif van die sertifikaat of verklaring moet aan die order wat die verskeping daarvan dek, geheg word, by versuim waarvan verskeping van die goedere geweier kan word en alle koste voortspruitend uit die nie-nakoming van hierdie vereiste, met inbegrip van koste aangegaan in verband met die terugsending van die goedere, vir die verskeper se rekening is.

(9) Die betrokke order genoem in paragraaf (8) van hierdie regulasie wat betrekking het op goedere ingesluit in die klassifikasie van kommoditeite in Byvoegsel 6 by die *Offisiële Spoorwegtariefboek* of, as die kommoditeit nie daarin aangegee word nie, in die woordbepaling van gevaarlike goedere in daardie publikasie, moet op pienk papier gedruk word.

(10) Die etikette moet die waarsku-etikette wees wat in Byvoegsel 6 by die *Offisiële Spoorwegtariefboek* vir die betrokke klasse gevaarlike goedere voorgeskryf word.

(11) Wanneer gevaarlike goedere in ISO-houers ontskep word, moet 'n verpakkingsverklaring voor die ontskeping van die houer aan die hawebestuurder of sy gemagtigde verteenwoordiger verstrek word waarin die juiste tegniese benaming, massa, VV-nommer, indien beskikbaar, en IMCO-klas waaronder elke vrag ressorteer, aangedui moet word, tesame met 'n verklaring dat die houer geskik is vir die vervoer van sodanige gevaarlike goedere, dat die vrag stewig genoeg in die houer verpak is en dat daar in die houer geen ander vrag geplaas is wat daarvoor bekend is dat dit nie met die gevaarlike goedere saamvoegbaar is nie. Hierdie verpakkingsverklaring moet die houer vergesel tot by sy eindbestemming.

(12) Wanneer gevaarlike goedere in ISO-houers verskep word, moet 'n verpakkingsverklaring soos bepaal in subparagraaf (11) by die verpakkingsstasie saam met die gelaai houer aangebied word. Hierdie verpakkingsverklaring moet die houer ten alle tye vergesel en moet aan die skip besorg word wanneer die houer aan boord gelaai word.

(5) The provisions of this regulation shall not exempt a master from due observance of other regulations made under the Act, relating to dangerous or offensive goods or flammable liquids in bulk or in containers in quantities exceeding 10 kℓ per shipment, or of the provisions of the Explosives Act, 1956, and the regulations promulgated thereunder.

(6) The correct type of landing, delivery and forwarding order or container terminal order referred to in paragraph (2) (a) of this regulation is governed by the classification of the commodities concerned in Supplement 6 to the *Official Railway Tariff Book* or, if the commodity is not listed therein, by the definition of dangerous goods contained in that publication.

(7) Miscellaneous dangerous substances (class 9) of the International Maritime Dangerous Goods Code which are not required to be labelled are exempted from the requirements of paragraphs (2), (3) and (4) of this regulation, unless required to be labelled in terms of Supplement 6 to the *Official Railway Tariff Book*.

(8) (a) A person intending to ship dangerous goods of the nature mentioned in paragraph (1) of this regulation, shall furnish the owner or master of the ship with a certificate or a declaration in writing that the shipment offered for carriage is properly marked and labelled in accordance with the requirements in the relevant regulations framed under the Merchant Shipping Act, 1951.

(b) The certificate or declaration in question shall reflect the correct technical name and a description of the goods as well as the class to which the goods belong. A copy of the certificate or declaration shall be attached to the order covering the shipment thereof failing which the shipment may be refused and all costs arising from the non-compliance with this requirement, including costs incurred in connection with the return of the goods, shall be for the account of the shipper.

(9) The relevant order referred to in paragraph (8) of this regulation relating to goods included in the classification of commodities in Supplement 6 to the *Official Railway Tariff Book*, or, if the commodity is not listed therein, in the definition of dangerous goods contained in that publication, shall be printed on pink paper.

(10) The labels shall be the cautionary labels prescribed in Supplement 6 to the *Official Railway Tariff Book* for the appropriate classes of dangerous goods.

(11) Where dangerous goods are being landed in ISO containers a packing declaration reflecting the correct technical name, mass, UN number if available and IMCO class of each consignment in the container together with a declaration that the container is fit to transport such dangerous goods, the cargo is adequately secured in the container and no other cargo known to be incompatible with the dangerous goods has been placed in the container shall be presented to the port manager or his authorised representative before the container is landed. This packing declaration will accompany the container to its final destination.

(12) Where dangerous goods are being shipped in ISO containers a packing declaration as stipulated in subparagraph (11) shall be tendered at the packing station with the loaded container. This packing declaration will accompany the container at all times and will be provided to the ship when the container is loaded on board.

(13) Alle ISO-houers met IMCO-etiket daaraan geheg, moet gehanteer word asof dit gevaarlike goedere bevat. Dit is die verantwoordelikheid van die houeroperator/-agent om te verseker dat ou IMCO-etiket deurgehaal of verwyder word.

(14) Die bepalings van paragrafe (4) en (5) van hierdie regulasie is *mutatis mutandis* van toepassing op die verskeping van gevaarlike goedere.

10. Aanlêplek van skip.

(1) Elke skip moet die aanlêplek inneem wat die hawekaptein daaraan toewys, hetsy by 'n kaai of elders, en moet na enige ander aanlêplek verskuif soos wat hy mag beveel. Die toewysing van 'n aanlêplek deur die hawekaptein moet wees soos deur die hawebestuurder beveel en is onderworpe aan die bepalings van regulasie 24.

(2) Geen skip mag vasmag word aan enige kanaal-merkboei, ligboei of navigasiehulpmiddel of -merk wat vir die veiligheid van skepe voorsien is nie, en die kaptein van 'n skip wat sodanige boei of navigasiehulpmiddel versper of verskuif, moet die voorval onmiddellik aan die hawekaptein rapporteer en moet in elk geval binne 24 uur na die voorval 'n volledige skriftelike verslag oor die voorval by die hawekaptein indien waarin die onderhawige omstandighede uiteengesit word.

11. Ongemagtige verskuiwing na 'n ander aanlêplek.

Geen kaptein mag sy skip verskuif van die aanlêplek wat daaraan toegewys is nie of toelaat dat sy skip so verskuif word sonder die toestemming van die hawekaptein nie.

12. Bewegings van skepe.

Geen skip mag 'n hawe binnevaar, daaruit vertrek of van een aanlêplek na 'n ander binne die hawe verskuif nie, tensy die hawekaptein toestemming daartoe gegee het en die voorgeskrewe bykomende koste betaal is.

13. Ankers moet beboei en verlies daarvan gerapporteer word.

Die kaptein van 'n skip moet verseker dat sy skip se ankers beboei is, en as 'n anker, ketting of kabel van 'n skip binne die hawe breek of slip, moet die kaptein van sodanige skip dit onverwyld aan die hawekaptein rapporteer, hom die ligging gee van die plek waar sodanige anker, ketting of kabel gebreek of geslip het, en hom meedeel van sodanige anker, ketting of kabel beboei was toe dit aldus gebreek of geslip het, en sodanige anker, ketting of kabel moet onmiddellik deur die kaptein uitgehaal word as dit redelikerwyse vir hom moontlik is, of anders, indien doenlik, deur die Vervoerdienste op koste van die eienaar van die skip.

14. Skeepstoebehore moet vasmag en gestou word.

Wanneer skepe 'n hawe binnevaar, daarin lê of daaruit vertrek, moet die kante vry wees, die bote binneboords geswaai en alle soorte uitsteeksel na binne gebring wees. Voordat die werk 'n aanvang neem, moet die kaptein van 'n skip alle radioantennes, ankerdrade of ander hindernisse laat verwyder wat die veilige bediening van 'n kraan of 'n meganiese toestel wat gebruik word vir die verskeping, ontskeping en/of hantering van vrug/goedere kan belemmer, of as sodanige toebehore nie verwyder kan word nie, reël vir die beskerming daarvan teen beskadiging. Hierdie regulasie is nie van toepassing op die buiteankerplek van 'n hawe nie.

15. Skepe moet altyd gereed wees om verskuif te word.

(a) Skepe wat 'n hawe binnevaar, daaruit vertrek of na 'n ander aanlêplek binne die hawe verskuif word, moet genoeg bemanningslede vir dié doel aan boord hê, en alle skepe in 'n hawe moet te alle tye geskik wees om verskuif te word. As dit nie die geval is nie, voer die Vervoerdienste hierdie werk uit op koste van die eienaar van die skip.

(13) All ISO containers with IMCO labels attached will be treated as though they contain dangerous goods. It is the Container Operator/Agent's responsibility to ensure the old IMCO labels are defaced or removed.

(14) The provisions of paragraphs (4) and (5) of this regulation shall *mutatis mutandis* apply to the shipment of dangerous goods.

10. Berth of ship.

(1) Every ship shall occupy the berth assigned to her by the port captain, whether at a quay or elsewhere, and shall remove to any other berth as he may direct. The assignment of a berth by the port captain shall be as directed by the port manager and shall be subject to the provisions of regulation 24.

(2) No ship shall be made fast to any channel marking buoy, light buoy or any navigational aid or mark provided for the safety of ships, and the master of any ship that fouls or displaces any such buoy or navigational aid, shall immediately report the occurrence to the port captain and shall in any event within 24 hours after the occurrence submit to the port captain, a full report in writing setting forth the circumstances attending the occurrence.

11. Shifting berth without authority.

No master shall shift his ship from the berth assigned to her, nor shall he permit his ship to be so shifted without the permission of the port captain.

12. Movements of ships.

No ship may enter or leave a harbour or shift from one berth to another therein without the permission of the port captain and upon payment of the prescribed additional charges.

13. Anchors to be buoyed and loss thereof to be reported.

The master of a ship shall ensure that his ship's anchors are buoyed and should an anchor, a chain or cable belonging to a ship have parted or have been slipped within a harbour, the master of such ship shall forthwith report the fact to the port captain, shall give to him the bearings of the position where such anchor, chain or cable parted or was slipped, and shall inform him whether such anchor, chain or cable was buoyed when such parting or slipping took place, and such anchor, chain or cable shall be immediately recovered by the master if it is reasonably possible for him to do so, or failing that, and if practicable, by the Transport Services at the expense of the owner of the ship.

14. Ships to rig and stow gear.

Ships entering, lying in, or passing out of a harbour shall have their sides clear, their boats swung inboard and projections of any kinds rigged inboard. The master of a ship shall, before work is commenced, remove all wireless aerials, stays or any other obstacle likely to obstruct the safe working of a crane, including any mechanical appliance used for the loading, discharging and/or handling of cargo/goods, or if not removable protect such appurtenances to safeguard them against damage. This regulation shall not apply to the outer anchorage of a harbour.

15. Ships to be kept fit to be moved.

(a) Ships entering, leaving, or shifting berth within a harbour shall be provided with sufficient hands for the purpose, and all ships within a harbour shall at all times be kept in fit condition for removal, in default of which the work may be performed by the Transport Services at the expense of the owner of the ship.

(b) Skepe moet ook goeie en genoeg verskuiftou hê en daarmee gemeer word. Geen verskuiftou mag om enige rede losgegooi word nie, tensy die hawekaptein dit gelas of magtig. As skepe nie genoeg van die nodige toebehore het nie, kan verskuiftou op las van die hawekaptein deur die Vervoerdienste verskaf word op koste van die eienaar van die skip.

(c) Geen skip mag, terwyl dit in die hawe verkeer, onbeveeglik gemaak word sonder die vooraf verkreeë skriftelike toestemming van die hawekaptein nie.

Die hawekaptein mag toestemming verleen vir die onbeveeglikmaking van 'n skip onderworpe aan sodanige voorwaardes as wat hy wenslik ag in die belang van veilige, ordelike en doeltreffende hawebedryf.

16. Meertuie en verbindings met wal.

(a) 'n Skip binne 'n hawe moet genoeg bemanningslede aan boord hê om sy meertuie, loopplanke en ander verbindings met die wal te hanteer en om dit te laat skiet of in te trek na gelang van vereistes.

(b) Toue moet net aan die meerstoele, boeie, meerpale en bolders vasgemaak word wat vir dié doel verskaf is, en geen draadtoue moet gebruik word nie tensy die bolders en die muurkappe van die kaai of hawehoof teen skawing beskerm is tot bevrediging van die hawekaptein. Ankerkettings moet nie gebruik word om skepe mee te meer nie behalwe met die spesiale toestemming van die hawekaptein.

17. Kennisgewing van vertrek uit 'n hawe.

Die kaptein moet minstens drie uur kennis gee in die voorgeskrewe vorm by die kantoor van die hawekaptein hoe laat sy skip gereed sal wees om uit die hawe te vertrek. As hy wil hê dat sy skip buite gewone werkeure moet vertrek, moet hy sodanige kennisgewing voor 17h00 op die vertrekdag of voor 17h00 op die dag voor die vertrekdag, na gelang van die geval, by die kantoor van die hawekaptein indien.

18. Toestemming om 'n hawe te verlaat.

Geen skip mag uit 'n hawe vertrek nie tensy alle regte en koste betaal is wat deur of ten behoeve van die eienaar van daardie skip verskuldig is, of tensy sekuriteit tot bevrediging van die Vervoerdienste verskaf en 'n sertifikaat te dien effekte verkry en aan die hawekaptein oorhandig is, waarna die hawekaptein die kaptein van die skip die nodige toestemming kan verleen om die hawe te verlaat.

19. Oorlaaide of onseewaardige skepe.

(1) Onderworpe aan die bepalings van die Handelskeepvaartwet, 1951, kan die hawekaptein alle maatreëls tref wat hy nodig ag om 'n skip te belet om uit 'n hawe te vertrek as dit oorlaai of onbehoorlik gelaai is, of nie genoeg bemanningslede het nie, of geen bevoegde offisiere of masjiniste het nie, meer passasiers aan boord het as wat met redelike veiligheid vervoer kan word, of as dit ontoereikend of onseewaardig bevind word. In al sulke gevalle kan die hawekaptein die skip by wyse van skriftelike bevel aanhou tot tyd en wyl die aangeleentheid waaroor hy kla tot sy bevrediging verhelp is. Alle koste wat aangegaan is as gevolg van 'n ondersoek deur of op versoek van die hawekaptein ingevolge hierdie regulasie moet deur die eienaar van die skip gedra word.

(2) Geen skip wat in 'n hawe van die Republiek van Suid-Afrika of van Suidwes-Afrika geregistreer is, word toegelaat om van 'n hawe onder die jurisdiksie van die Vervoerdienste te vertrek voordat die eienaar van die skip aan die bepalings van die Handelskeepvaartwet, 1951, voldoen het nie.

(b) Ships shall also be provided with good and sufficient warps and shall be moored by such warps, and no warp may be cast off for any reason unless so ordered or authorised by the port captain. In the case of ships not being suitably found with the necessary gear, warps may, when so ordered by the port captain, be supplied by the Transport Services at the expense of the owner of the ship.

(c) No ship, while within a harbour may without the prior written consent of the port captain, be immobilised.

The port captain may grant permission for the immobilisation of a ship subject to whatever conditions he deems desirable in the interests of safe, orderly and efficient harbour working.

16. Ship's moorings and shore connections.

(a) A ship within a harbour shall have sufficient hands on board to attend to her moorings, gangways and other shore connections and to cause them to be slackened or hove in, as may be necessary.

(b) No rope shall be made fast except to the dolphins, buoys, mooring posts and bollards placed for the purpose, and no wire rope may be used, unless the bollards and the edging of the coping of the wharf or jetty are protected from chafe to the satisfaction of the port captain. Chain cables shall not be used for mooring except with the special permission of the port captain.

17. Notice to leave a harbour.

The master shall give at least three hours notice in the prescribed form to the port captain at his office of the time his ship will be ready to leave the harbour. If he intends that his ship should leave outside ordinary working hours, such notice shall be handed in at the office of the port captain before 17h00 on the day of departure, or before 17h00 on the preceding day, as the case may be.

18. Permission to leave a harbour.

No ship may leave a harbour until all dues and charges due by or on account of the owner of such ship have been paid or security to the satisfaction of the Transport Services has been furnished, and a certificate to that effect has been obtained and presented to the port captain, whereupon the port captain may grant the master of the ship the necessary permission to leave the harbour.

19. Overloaded or unseaworthy ships.

(1) Subject to the provisions of the Merchant Shipping Act, 1951, the port captain may adopt such measures as he may think necessary for preventing a ship from leaving a harbour overloaded or improperly loaded, or insufficiently manned or without duly qualified officers or engineers, or with a number of passengers on board in excess of the number that can be carried with reasonable safety, or if improperly found or otherwise unseaworthy, and in any such case the port captain may by written order detain such ship until the matter complained of by him has been remedied to his satisfaction. All expenses incurred as a result of any investigation performed by or at the instance of the port captain under this regulation shall be borne by the owner of the ship.

(2) No ship registered in any harbour of the Republic of South Africa or of South West Africa shall be permitted to sail from any harbour under the jurisdiction of the Transport Services until the owner of the ship has complied with the provisions of the Merchant Shipping Act, 1951.

20. Ligte en seine op skepe.

Die ligte voorgeskryf in die Botsing- en Noodseineregulasies, 1977, afgekondig by Goewermenskennisgewing R. 1111 van 1 Julie 1977 (welke regulasies van toepassing is op en gevolg gee aan die Internasionale Regulasies vir die Voorkoming van Botsings ter See, 1972), moet tussen sonder en sonop op 'n skip vertoon word, hetsy dit varende of voor anker is. Wanneer 'n skip langs 'n kaai of hawehoof lê moet dit die ligte vertoon wat deur die hawekaptein voorgeskryf is.

21. Skade deur skepe aan hawe-eiendom veroorsaak en ongelukke in hawens.

Die eienaar, kaptein of persoon in bevel van 'n skip wat in 'n ongeluk van enige aard binne die hawegebied betrokke geraak het, hetsy skade aan die Vervoerdienste se eiendom berokken is al dan nie, moet die voorval onmiddellik aan die hawekaptein rapporteer en moet binne 24 uur na die voorval 'n volledige skriftelike verslag aan die hawekaptein verstrek waarin die omstandighede aangaande die voorval uiteengesit word.

22. Sleepboot- en ander vaartuigdienste.

Op aansoek of wanneer dit nodig geag word, onderneem die Vervoerdienste na goeddunke van die hawekaptein en onderworpe aan enige voorwaardes wat hy in die belang van veilige, ordelike en doeltreffende hawebedryf mag stel alle sleep- en sleepboot- of ander vaartuigdienste by die hawens wat onder die jurisdiksie van die Vervoerdienste is en waar sulke vaartuie in stand gehou word en beskikbaar is.

BEDIENING VAN SKEPE

23. Volgorde waarin skepe bedien word.

Skepe moet sover doenlik bedien word in die volgorde waarin hulle aangekom het, maar dit is onderworpe aan die goeddunke van die hawebestuurder in die belang van veilige, ordelike en doeltreffende hawebedryf.

24. Daar kan geweier word om skepe te bedien.

Die hawebestuurder kan weier om toe te laat dat vrag/goedere ontskeep word tot tyd en wyl geskikte kaai-, loods- of ander ruimte vir sodanige vrag/goedere beskikbaar is, of totdat reëlins tot sy bevrediging getref is om elke gedeelte van die vrag/goedere weg te neem en op te berg sodra dit ontskeep is.

25. Manifes van skeepsvrag.

(1) (a) Die skeepseienaar of sy agent moet minstens 72 uur (Sondae en openbare vakansiedae uitgesonder) voor aankoms van die skip in die hawe aan die hawebestuurder of 'n ander gemagtigde amptenaar in sy kantoor 'n ware afskrif (in duplo) van die manifes of verslag van inkomende skeepsvrag oorhandig behalwe in die geval van kusvrag-transitobriewe, wat by aankoms van die vaartuig oorhandig moet word. [Vir skepe met ISO-houers aan boord kyk subregulasie (3) van hierdie regulasie.]

(b) Binne 72 uur (Sondae en openbare vakansiedae uitgesonder) na vertrek van 'n skip moet die eienaar of agent 'n manifes van die vrag wat in daardie skip gelaai of oorge-laai is aan die hawebestuurder oorhandig.

(c) 'n Lys van passasiers wat aan wal gaan moet by aankoms van die skip, en 'n lys van passasiers wat aan boord gaan moet voor vertrek van die skip verstrek word.

(2) Teenoor elke item wat op die manifes (inkomende of uitgaande) of in die verslag van inkomende skeepsvrag verskyn, moet die massa, en eenheidsvolume of -kapasiteit, of die getal eenhede ingevolge die vereistes van die hawetonskaal in die *Offisiële Hawetarieboek* aangetoon word.

20. Lights and signals on ships.

The lights prescribed in the Collision and Distress Signals Regulations, 1977, published under Government Notice R. 1111 of 1 July 1977 (which regulations apply and give effect to the International Regulations for Preventing Collisions at Sea, 1972), shall between sunset and sunrise be exhibited on a ship whether under way or at anchor. A ship when alongside a quay or jetty, shall display such lights as prescribed by the port captain.

21. Damage to harbour property by ships, and accidents in harbours.

The owner or master or person in charge of a ship which has been involved in any accident whatsoever within the waters of a harbour, whether damage is done to the Transport Services' property or not, shall immediately report the incident to the port captain and shall within 24 hours after the incident furnish the port captain with a full report in writing setting forth the circumstances pertaining to the incident.

22. Tug and other floating craft services.

The Transport Services will, on application or when considered necessary, and subject to the discretion of the port captain and to any conditions which he may impose in the interests of safe, orderly and efficient harbour working, undertake work and provide all towage, tug or other floating craft services at harbours under the Transport Services' jurisdiction where such craft are maintained and are available.

SHIPS-CARGO WORKING

23. Order of working ships.

Ships shall be worked as far as practicable in order of their arrival and subject to the discretion of the port manager in the interests of safe, orderly and efficient harbour working.

24. Working of ships may be refused.

The port manager may refuse to permit cargo/goods to be landed from a ship until suitable wharf, shed, quay, or other accommodation is available for such cargo/goods, or until arrangements to his satisfaction have been made for the removal and storage of the cargo/goods as the same may be landed.

25. Manifest of cargo.

(1) (a) The ship's owner or his agent shall, at least 72 hours (excluding Sundays and public holidays) before the ship's arrival in the harbour, deliver to the port manager or other authorised officer at his office, a true copy in duplicate of the manifest or report of cargo inwards except in the case of coastal cargo transit bills, which shall be delivered upon arrival of the vessel. [For ships with ISO containers on board see subregulation (3) of this regulation.]

(b) Within 72 hours (excluding Sundays and public holidays) of a ship's departure, the owner or agent shall deliver to the port manager a manifest of the cargo shipped or transhipped to such ship.

(c) A list of passengers for disembarkation shall be furnished on arrival and a list of passengers for embarkation shall be furnished before the departure of the ship.

(2) There shall be reflected next to every item appearing on the manifest (inwards or outwards), or report of cargo inwards, the mass in addition to the unit of volume or capacity or the number of units as required in terms of the scale of harbour tonnage set forth in the *Official Harbour Tariff Book*.

(3) (a) In die geval van 'n skip met ISO-houers aan boord moet die eienaar of agent of 'n ander behoorlik gemagtigde verteenwoordiger minstens 120 uur voor die aankoms van die skip in die hawe aan die hawebestuurder of 'n ander gemagtigde amptenaar in sy kantoor afsonderlike houerlyste (in duplo) oorhandig vir—

- (i) elke houereindpunt waarna die houers geadresseer is (met inbegrip van lyste vir binnelandse eindpunte);
- (ii) elke houerdepot waarna die houers geadresseer is;
- (iii) houers wat oorgeskep moet word by die ontskepingshawe vir kusroetebestemmings of bestemmings in lande buite die Republiek van Suid-Afrika; en
- (iv) leë houers.

(b) Op die houerlyste moet aangetoon word—

- (i) die houers in alfabetiese volgorde;
- (ii) die naam van die houeroperateur wat vir elke houer verantwoordelik is;
- (iii) of die houer 'n volhouervraghouer (FCL-houer) of 'n minder-as-houervraghouer (LCL-houer) is;
- (iv) of die houer verkoel is of in enige ander opsig uitsonderlik is;
- (v) die "Inter-governmental Maritime Consultative Organisation"-klassifikasie (IMCO-klassifikasie) wanneer die houer gevaarlike goedere bevat (kyk regulasie 9);
- (vi) die selposisie aan boord (slegs departementeel beplande skepe);
- (vii) die totale bruto massa van elke houer en die inhoud daarvan; en
- (viii) die ISO-simbool wat die houergrootte aandui.

(c) In gevalle waar meer as een houeroperateur in die onderneming betrokke is, moet die houeroperateurs een persoon uit hul geledere kies om die groep te verteenwoordig. Hierdie operateur is verantwoordelik om invoerhouerlyste te voorsien soos hierbo in subparagraaf (a) en (b) van hierdie regulasie uiteengesit.

(4) Die hawebestuurder of 'n ander gemagtigde amptenaar aanvaar wysigings van die houerlyste tot en met 72 uur voor die aankoms van die skip in die hawe op voorwaarde dat sulke wysigings ook op die Departement van Doeanes en Akseyns se lys aangebring is en 'n sertifikaat te dien effekte vertoon word.

(5) In die geval van 'n skip wat ISO-houers vervoer wat bestem is vir 'n land buite die Republiek van Suid-Afrika, moet die eienaar, agent of behoorlik gemagtigde verteenwoordiger minstens ses uur voor die skip se aankoms in die hawe afsonderlike houerlyste vir al die houers wat in daardie hawe ontskep moet word aan die hawebestuurder of ander gemagtigde amptenaar oorhandig. Op die lyste moet die besonderhede soos vereis in paragraaf 3 (b) van hierdie regulasie in bestemmingshawevolgorde aangetoon word vir elke skip wat die houers verder vervoer. Indien die skip wat die houers verder vervoer se naam nog nie bekend is nie, moet die houers in alfabetiese volgorde gelys word.

(6) 'n Afsonderlike houermanifes of verpakkingsverklaring ten opsigte van die vrag in elke ISO-houer moet aan die toepaslike houereindpuntorder en/of oorskepingsorder geheg word.

(7) (a) Die kaptein of agent moet die hawebestuurder of gemagtigde amptenaar so gou moontlik van wysigings in 'n manifest in kennis stel, maar nie later as 72 uur (Sondae en openbare vakansiedae uitgesonder) na die skip se vertrek nie.

(b) Die kaptein of agent moet die hawebestuurder of gemagtigde amptenaar van wysigings in 'n inkomende manifest in kennis stel so gou moontlik nadat die wysigings beskikbaar is, maar nie later as 72 uur (Sondae en openbare vakansiedae uitgesonder) nadat sodanige wysigings aangebring is nie.

(3) (a) In respect of a ship carrying ISO containers, the owner or agent or duly authorised representative shall, at least 120 hours before the ship's arrival in the harbour, deliver to the port manager or other authorised officer at his office separate container lists, in duplicate for all containers to be discharged in that port, for—

- (i) each container terminal to which the containers are consigned (including lists for inland terminals);
- (ii) each container depot to which the containers are consigned;
- (iii) containers to be transhipped at the port of discharge for coastwise destinations or destinations in countries outside the Republic of South Africa; and
- (iv) empty containers.

(b) There shall be reflected on container lists—

- (i) the containers in alpha-numerical order;
- (ii) the name of the container operator responsible for each container;
- (iii) whether the container is a full container load (FCL) or less than a container load (LCL);
- (iv) whether the container is refrigerated or special in any other respect;
- (v) the Inter-governmental Maritime Consultative Organisation (IMCO) classification when the container contains dangerous goods (see regulation 9);
- (vi) the cell position aboard (for departmentally planned ships only);
- (vii) the total gross mass of each container and its contents;
- (viii) the ISO symbol indicating the size of the container.

(c) In cases where more than one container operator is involved in the venture, the container operators shall elect one of themselves to represent the group. This operator will be responsible for the provision of import container lists as specified in subparagraph (a) and (b) of this regulation above.

(4) Amendments to container lists will be accepted by the port manager or other authorised officer up to 72 hours before arrival of the ship in the harbour provided such amendments are incorporated in the list presented to the Department of Customs and Excise and a certificate to that effect is produced.

(5) In respect of a ship carrying ISO containers destined for a country outside the Republic of South Africa, the owner or agent or duly authorised representative shall, at least six hours before arrival of the ship in the harbour, deliver to the port manager, or other authorised officer, separate container lists for all containers to be discharged in that port, reflecting the particulars called for in paragraph 3 (b) of this regulation in port of destination order for each on-carrying ship. If the on-carrying ship is not known, the containers shall be reflected in alpha-numerical order.

(6) A separate container manifest or packing declaration for the cargo packed in each ISO container shall be attached to the relevant container terminal order and/or transhipping order.

(7) (a) The master or agent shall give notification of subsequent amendments to any manifest to the port manager or authorised officer as soon as possible but such notification shall be given not later than 72 hours (excluding Sundays and public holidays) after the ship has sailed.

(b) The master or agent shall give notification of subsequent amendments to any inward manifest to the port manager or authorised officer as soon as possible after they become available but not later than 72 hours (excluding Sundays and public holidays) after such amendments have been made.

(8) Die koste soos in die *Offisiële Hawetarieboek* bepaal, word teen skeepseienaars gehef ten opsigte van alle ontskepte pakke en/of houters wat nie op die onderskeie manifeste en/of die opgawe van inkomende vrag en/of houerlyste aangetoon word nie. Bykomende manifeste of ander dokumente wat na die onderskeie spertye ingelewer word, onthef nie die skeepseienaars van aanspreeklikheid vir koste verskuldig nie.

(9) Houerlyste in alfanumerieke seevragbriefnommerorde vir FCL-houters asook manifeste vir LCL-houters moet binne sewe dae na die skip se vertrek vir houters wat verskeep is en 40 dae na vertrek van die skip vir houters wat ontskeep is, betaal word.

(10) Die bepalinge van subparagrafe (1) tot (9) van hierdie regulasie is nie van toepassing op houters wat kuslans verskeep en deur 'n kustransitobrief (houer) of kustransitobrief (leë houer) gedek is nie.

(11) Die hawebestuurder kan weier om 'n aanlêplek toe te wys voordat 'n manifest en/of alle houerlyste ontvang is.

26. Ontskip van vrag.

Geen kaptein moet toelaat dat daar begin word om sy skip se vrag te ontskeep voordat die vrag behoorlik ingeskryf is by die doeane kantoor, of voordat spesiale magtiging van die Departement van Doeane en Aksyns verkry is om die vrag te begin ontskeep nie.

27. Wanneer luike oopgemaak moet word.

Indien die hawebestuurder dit vereis en omstandighede dit toelaat, moet die kaptein van 'n skip wat op die punt staan om vrag/goedere te ontskeep of in te skeep, alle luike wat gebruik moet word vir sodanige ontskepings- of inskepingswerk laat oopmaak voor die tyd wat bepaal is om met die bedrywighede te begin.

28. Kaptein moet toesig hou oor inskepings- of ontskepingswerk.

Die kaptein of 'n ander verantwoordelike persoon wat behoorlik deur hom aangestel is, moet aan boord van sy skip bly onderwyl vrag, met inbegrip van houters, ingeskeep of ontskeep word, met die doel om toesig oor sodanige inskepings- of ontskepingswerk te hou. Indien enige vrag of skeepstuig oorboord val, moet die kaptein van die betrokke skip dit dadelik aan die hawebestuurder en hawekaptein rapporteer, en sodanige kaptein moet die voorwerpe onmiddellik uithaal as dit vir hom redelikerwyse moontlik is, of anders kan die Vervoerdienste dit op koste van die eienaar van die skip uithaal as dit doenlik is.

29. Skepe moet redelik vinnig bedien word.

As die hawebestuurder meen dat 'n skip nie sy vrag/goedere teen 'n redelike tempo inskeep of ontskeep nie, moet hy die kaptein van die skip skriftelik daarvan in kennis stel, en dan verbeur die skip sy inskepings- of ontskepingsbeurt. As die skip 'n aanlêplek beset, kan dit deur die hawekaptein op koste van die eienaar van die skip van so 'n aanlêplek verskuif word. Indien die toerusting of arbeid wat spesiaal vir die ontskeping, inskeping of oorskeping van vrag/goedere bedoel is, nie ten volle gebruik word nie weens die versuim van die kaptein of 'n gebrek van die skip, moet die eienaar van die skip die koste wat daardeur aangegaan is of die toepaslike tariefkoste betaal. In die geval van 'n ophoping van vrag/goedere op 'n kaai of hawe-hoof of in 'n ligter, of om enige ander rede wat die hawebestuurder as voldoende beskou, kan hy die kaptein van 'n skip versoek om die ontskepingswerk te staak of die vrag/goedere teen 'n stadiger tempo te ontskeep.

(8) The charges prescribed in the *Official Harbour Tariff Book* shall be levied against shipowners for all packages and/or containers landed that do not appear on the respective manifests and/or the report of cargo inwards and/or container lists. Supplementary manifests or other documents handed in after the respective deadlines will not preclude the shipowners from liability for any charges due.

(9) Container lists in alpha-numeric bill of lading number order for FCL containers as well as manifests for LCL containers shall be acquitted to the Harbour Revenue Office within seven days of the departure of the ship in respect of containers shipped and within 40 days in respect of containers landed.

(10) The requirements stipulated in subparagraphs (1) to (9) of this regulation do not apply to containers shipped coastwise which are covered by coastal transit bills (container) or coastal transit bills (empty container).

(11) The port manager may refuse to allocate a berth to a ship until a manifest and/or all container lists have been received.

26. Breaking bulk.

No master shall permit bulk to be broken until the ship's cargo has been duly entered at the custom-house or special authority has been obtained from the Department of Customs and Excise for breaking bulk.

27. When hatches to be opened.

If required to do so by the port manager, and provided circumstances permit, the master of a ship about to discharge or load cargo/goods shall cause all hatches that are to be used for such discharge or loading to be opened before the time fixed for the commencement of the operations.

28. Master to superintend loading or discharge.

The master, or some other responsible person duly appointed by him, shall remain on board his ship whilst it is loading or discharging cargo *including containers* for the purpose of superintending such loading or discharge. Any cargo or ship's gear that may be dropped overboard shall be at once reported by the master of the ship concerned to the port manager and the port captain, and shall be immediately recovered by such master if it is reasonably possible for him to do so, or failing that, and if practicable it may be recovered by the Transport Services at the expense of the owner of the ship.

29. Ships to be worked with reasonable dispatch.

If the master of a ship fails to take in or discharge cargo/goods with such dispatch as is reasonable in the opinion of the port manager the said ship shall, after written notice to that effect has been given by the port manager to the master, lose its turn to take in or discharge its cargo/goods, and if occupying a berth may be removed from such berth by the port captain at the expense of the owner of the ship. If either the plant or labour engaged for the special purpose of landing, shipping or transshipping any cargo/goods is not fully employed owing to the default of the master, or any deficiency of the ship, the expenses incurred thereby or tariff charges applicable shall be paid by the owner of such ship. If the port manager considers it necessary to do so by reason of an accumulation of cargo/goods upon the wharf, jetty or quay, or in a lighter, or for any other reason which he deems sufficient, he may require the master of a ship to suspend discharge or reduce the rate of discharge of cargo/goods.

30. Vrag buite die gewone werkure gehanteer.

(1) Oortydtarief word gehê vir werk in verband met die ontskeping, inskeping en oorskeping van vrag/goedere wat buite die gewone werkure soos in die *Offisiële Hawetariefboek* omskryf, verrig word, maar geen sodanige werk mag verrig word nie tensy daar vroegtydig by die hawebestuurder aansoek gedoen is om toestemming daartoe en hy sy toestemming verleen het.

(2) Op versoek van die hawebestuurder moet die kaptein van 'n skip reël dat sy skip sodanige oortyd werk as wat die hawebestuurder nodig ag om die hawewerk te vergemaklik, en hy moet die oortydskoste betaal wat daarvoor bepaal mag word.

31. Wanneer vrag/goedere as ontskeep beskou word.

(1) Wanneer vrag/goedere (asook materiaal genoem in regulasie 36) ontskeep word, moet dit minstens 2 m van die kant van die kaai of hawehoof, of veilig in 'n ligter, of in 'n trok of ander geskikte voertuig geplaas word; en wanneer slingers, hake, mandjies, nete, hokke of ander toestelle gebruik word, word die vrag/goedere geag aan die Vervoerdienste afgelewer te wees slegs wanneer dit uit die genoemde stroppe, hake, mandjies, nete, hokke of ander toestelle geneem is.

(2) Wanneer 'n ISO-houer deur 'n houerkaaakraan ontskeep word, word dit geag aan die Vervoerdienste afgelewer te wees van die oomblik wat die houer vry van die dek van die skip gehys is.

(3) Wanneer vrag/goedere op 'n voertuig oor 'n skeepslaaibrug ontskeep word, word dit geag aan die Vervoerdienste afgelewer te wees wanneer die wiele van die voertuig vry van die laaibrug is en die voertuig minstens 2 m van die kant van die laaibrug af verwyder is.

(4) Vir die doel van hierdie regulasie beteken "voertuig" enige padvoertuig wat ontwerp is om vrag/goedere te vervoer, en dit sluit ook vrag/goedere op eie wiele in.

32. Wanneer vrag/goedere as verskeep beskou word.

(1) Die Vervoerdienste plaas vrag/goedere vir verskeping in toestelle of ander toerusting wat deur die eienaar of kaptein van die skip verskaf word, en daarna word sodanige vrag/goedere geag behoorlik aan die kaptein van die skip afgelewer te wees.

(2) Wanneer 'n ISO-houer deur 'n houerkaaakraan verskeep word, word dit geag aan die kaptein van die skip afgelewer te wees slegs wanneer die houer aan boord geplaas en die spreier verwyder is.

(3) Wanneer vrag/goedere op 'n voertuig oor die skeepslaaibrug aangebied word vir verskeping, word dit geag behoorlik op die skip afgelewer te wees wanneer die voorwiele van die voertuig die laaibrug raak.

(4) Vir die doel van hierdie regulasie beteken "voertuig" enige padvoertuig wat ontwerp is om vrag/goedere te vervoer, en dit sluit ook vrag/goedere op eie wiele in.

33. Kwitansies vir vrag/goedere.

Die Vervoerdienste gee aan die kaptein van 'n skip 'n ontvangsbewys vir alle vrag/goedere wat ontvang is, en 'n ontvangsbewys word aan die Vervoerdienste gegee vir alle vrag/goedere wat aan die kaptein van 'n skip afgelewer is tensy die Vervoerdienste en die kaptein van 'n skip spesiaal anders ooreengekom het.

34. Krane.

(1) By hawens waar krane geïnstalleer is, moet die kaptein van 'n skip wat vrag/goedere wil ontskeep en/of inskeep die krane uitsluitend vir daardie doel teen die voorgeskrewe tarief gebruik, met dien verstande dat die hawebestuurder in die belang van veilige, ordelike en doeltreffende hawebedryf aan die kaptein toestemming kan verleen dat die skip sy eie toestelle gebruik mits die vasgestelde tarief op aanvraag betaal word.

30. Working cargo in overtime.

(1) Work in connection with the landing, shipping or transshipping of cargo/goods performed outside ordinary working hours as defined in the *Official Harbour Tariff Book*, shall be charged for as overtime, but no such work shall be performed unless timely application for permission so to work has been made to the port manager and his consent thereto obtained.

(2) Upon the request of the port manager, the master of a ship shall arrange to work such overtime as the port manager deems necessary to facilitate the working of the harbour, and shall pay such charges as may be specified.

31. When cargo/goods considered landed.

(1) Cargo/goods (as also any article mentioned in regulation 36) when landed, shall be placed at least 2 m from the edge of the wharf, jetty or quay, or shall be safely deposited in a lighter or in a truck or other suitable vehicle; and when slings, hooks, baskets, nets, cages or other appliances are used, delivery of the cargo/goods shall not be deemed to have been made to the Transport Services until the cargo/goods have been removed from the said slings, hooks, baskets, nets, cages or other appliances.

(2) When an ISO container is landed by means of a container wharf crane, delivery shall be deemed to have been made to the Transport Services from the time the container is hoisted clear of the ship's deck.

(3) Cargo/goods on a vehicle when landed over a ship's ramp shall be deemed to have been delivered to the Transport Services when the wheels of the vehicle are clear of the ramp and the vehicle is removed to a position at least 2 m from the edge of the ramp.

(4) For the purpose of this regulation a "vehicle" shall mean any road vehicle designed for the carriage of cargo/goods and shall include cargo/goods on own wheels.

32. When cargo/goods considered shipped.

(1) Cargo/goods for shipment will be placed by the Transport Services in appliances or equipment provided by the owner or master of the ship, and thereupon such cargo/goods shall be deemed to have been properly delivered to the master of the ship.

(2) When an ISO container is shipped by means of a container wharf crane, delivery shall be deemed to have been made to the master of the ship when the container is placed on board and the spreader removed.

(3) Cargo/goods on a vehicle presented for shipment over a ship's ramp shall be deemed to have been properly delivered to the master of the ship when the leading wheels of the vehicle contact the ramp.

(4) For the purpose of this regulation a "vehicle" shall mean any road vehicle designed for the carriage of cargo/goods and shall include cargo/goods on own wheels.

33. Receipts for cargo/goods.

The Transport Services shall grant a receipt to the master of a ship for all cargo/goods received, and a receipt shall be granted to the Transport Services for all cargo/goods delivered to the master of a ship, unless otherwise specially agreed between the Transport Services and the master of the ship.

34. Cranes.

(1) At harbours where cranes are installed the master of a ship desiring to discharge and/or ship cargo/goods shall use those appliances exclusively for that purpose at the prescribed tariff; provided that the port manager may, in the interests of safe, orderly and efficient harbour working, grant permission to the master to use the ship's own appliances on condition that the prescribed tariff is paid if demanded.

(2) Die gebruik van kranes is onderworpe aan die volgende voorwaardes:

(a) Die huurkoste word bereken vanaf die tyd gemeld in die rekwisisie wat die kaptein of agent van die skip inlewer (of as die skip sy eie toestelle mag gebruik, vanaf die tyd waarop die werk begin), of van die tyd wat die kraan aan die skip toegeken is, watter ook al die laaste is, totdat die huur gestaak is.

(b) Niemand wat 'n kraan huur, mag toelaat dat die draad, tou of ketting onder 'n luikhoof in skeer nie. Hy mag ook nie sodanige kraan gebruik om die skeepsvrag los te werk of uit te sleep nie.

(c) Die huurder word nie toegelaat om 'n kraan tot nadeel van 'n ander applikant te hou wanneer hy dit nie werklik gebruik nie.

(d) Die Vervoerdienste is nie aanspreeklik vir verlies of vertraging wat die huurder of 'n ander persoon mag ly of ondervind as gevolg van kragonderbreking of die onklaarmaking van 'n kraan nie.

(e) Hake mag nie aan die bande of vashouers van bale katoen, wol, kurk, goingsakke of ander soortgelyke goedere gehaak word nie.

(f) (i) 'n Applikant vir die huur van 'n kraan moet al die nodige slingers, kettings en tuig voorsien en aanspreeklikheid daarvoor aanvaar. As slingers, kettings of tuig van die Vervoerdienste gehuur of gratis deur die Vervoerdienste voorsien word, moet die huurder seker maak dat dit geskik en sterk genoeg is, alle aanspreeklikheid aanvaar wat met die gebruik daarvan gepaard gaan, en alle slingers, kettings en tuig stip en in 'n goeie toestand aan die Vervoerdienste terugbesorg.

(ii) Die huurder moet verseker dat enige vrag/goedere of stuwadoorstoerusting wat vir hysing aangebied word behoorlik vasgemaak is en dat dit gedurende die hantering na of van die skip in elke opsig 'n veilige vrag sal wees. Die huurder moet in alle gevalle van onhanteerbare vrag soos lêers, vurkhysers of soortgelyke items, leituoe voorsien, aanheg en hanteer om 'n veilige beweging na en van die skip te verseker.

(iii) Die huurder moet verseker dat geen versoek of instruksie, hetsy mondeling of deur middel van seine, aan die kraandrywer gegee word om hysoperasies of 'n kraanbeweging te verrig voordat dit veilig is om dit te doen nie.

(g) 'n Gehuurde kraan mag nie gebruik word om 'n groter massa as die gesertifiseerde maksimum hysvermoë van sodanige kraan op te hys nie. So 'n kraan mag ook nie saam met 'n ander kraan gebruik word om goedere te hys nie. Die huurder is verantwoordelik vir die behoorlike inagneming van hierdie bepalings. Die Vervoerdienste kan in buitengewone omstandighede op aanvraag toestem dat 'n kraan gebruik word om 'n groter massa as sy gesertifiseerde maksimum hysvermoë te hys mits die oorbelaasting nie 25 persent van die gesertifiseerde maksimum hysvermoë van die kraan oorskry nie. Die Vervoerdienste kan ook in buitengewone omstandighede op aanvraag toestem dat twee kranes saam gebruik word, maar die totale massa wat gehys moet word, moet nie 90 persent van dubbel die gesertifiseerde maksimum hysvermoë van die kraan met die laer hysvermoë wat in die kombinasie gebruik word, oorskry nie. As die aansoek toegestaan word, moet die huurder van die kraan of kranes die Vervoerdienste in 'n vorm wat vir laasgenoemde aanneemlik is teen verlies, skade of eise vrywaar wat uit die gebruik van die kraan of kranes mag voortspruit.

(h) Ofskoon die Vervoerdienste se werknemers die gehuurde kraan bedien, is 'n persoon wat kraan huur, aanspreeklik vir alle skade wat gedurende die huurtydperk aangerig word aan sulke kraan of hulle toebehore of aan watter eiendom ook al; billike slytasie en skade wat voortspruit uit die nalatigheid van die werknemers van die Vervoerdienste is die enigste uitsonderings op hierdie bepaling.

(2) The following conditions shall apply to the use of cranes:

(a) Hire charges shall commence from the time stated in the requisition handed in by the master or agent of the ship (or when use of the ship's own appliances is authorised, from the time work is commenced), or from the time the crane is allocated to the ship, whichever is the later, until the time the hire is terminated.

(b) No person hiring a crane shall permit any wire, rope or chain to be reeved under the coaming of any hatchway; nor shall such crane be used for the purpose of breaking or dragging out cargo.

(c) The hirer will not be permitted to have or keep a crane at his disposal, to the prejudice of another applicant, when he is not actually using it.

(d) The Transport Services shall not be responsible for any loss or delay suffered by the hirer or any other person by reason of the failure of power or breakdown of a crane.

(e) Hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods.

(f) (i) An applicant for the hire of a crane shall provide and be responsible for all necessary slings, chains and gear, and where any slings, chains or gear are hired from or supplied gratuitously by the Transport Services, the hirer shall satisfy himself as to their suitability and strength, accept all responsibility arising out of the use thereof, and promptly return all slings, chains and gear to the Transport Services in good condition.

(ii) The hirer shall ensure that any item of cargo/goods or stevedoring equipment presented for hoisting has been secured in a proper manner and that it constitutes a safe load in every respect during the operation to or from the ship. He shall in all instances where unwieldy loads such as girders, forklift trucks or items of a like nature are concerned, supply, attach and handle guide ropes to ensure a safe movement to or from the ship.

(iii) The hirer shall ensure that no request or instruction is conveyed either verbally or by means of signals to the crane driver to undertake a hoisting operation or a crane movement until it is safe to do so.

(g) No crane shall, while under hire, be used to make a lift in excess of its certified maximum lifting capacity, nor shall any such crane be used in tandem, and the hirer shall be responsible for the due observance of these conditions. The Transport Services may, in exceptional circumstances, upon application, agree to the use of a crane for making a lift in excess of its certified maximum lifting capacity, provided the overload does not exceed 25 per cent of the certified maximum capacity of the crane. The Transport Services may also, in exceptional circumstances, upon application, agree to the use of two cranes working in tandem, but the total lift shall not exceed 90 per cent of double the certified maximum lifting capacity of the crane having the lower capacity used in the combination. If the application is granted, the hirer of the crane or cranes shall indemnify and release the Transport Services in a form acceptable to it against loss, damage or claims that may arise out of the use of the crane or cranes.

(h) Notwithstanding that cranes are worked by the Transport Services' employees while under hire, the hirer will be liable for any damage done to such cranes or the gear in connection therewith or to any property whatsoever while the same are under hire, reasonable wear and tear and damage which results from negligence on the part of the Transport Services' employees excepted.

(i) Die huurder van 'n kraan moet uitvoering gee aan al die bevels of bepalings in verband met die bediening van sodanige kraan of die staking van werk daarmee wat die hawebestuurder van tyd tot tyd mag gee of opleë in die belang van veilige, ordelike en doeltreffende hawebedryf.

(j) Vir die doel van hierdie regulasie sluit die woord "kraan" enige meganiese toestel in wat vir die hantering, inskeping en/of ontskeping van skeepsvrug/goedere gebruik word, en beteken die woord "huurder" die eienaar, kaptein of agent van 'n skip, of 'n persoon in diens van sodanige skip, of gebruiker van sodanige kraan, na gelang van die geval.

35. Dryfkraane.

Die volgende bepalings is van toepassing op die gebruik en huur van 'n dryfkraan in 'n hawe:

(1) Aansoek om die gebruik van die kraan moet op die voorgeskrewe vorm aan die hawekaptein gerig word.

(2) Aansoeke om die gebruik van die kraan word volgens voorrang behandel, onderworpe aan die goeddunke van die hawekaptein in die belang van veilige, ordelike en doeltreffende hawebedryf.

(3) Die kaptein van 'n vaartuig wat die dienste van 'n dryfkraan nodig het—

(a) moet sorg dat die kant van die vaartuig vry is voor dat die dryfkraan na sodanige vaartuig vaar of daarlangs-aan geplaas word; en

(b) is daarvoor verantwoordelik dat die dryfkraan se meertoue behoorlik aan boord van sy skip vasgemaak word.

(4) Die Vervoerdienste behou te alle tye beheer oor die navigasie van die kraan en sal die kraan op 'n geskikte plek plaas volgens die vereistes van die aplikant.

(5) (a) Nieteenstaande andersluidende bepalings in hierdie regulasies word goedere of artikels wat met die kraan gehanteer word, geag aan die Vervoerdienste afgelewer te wees slegs wanneer die goedere of artikels veilig op die kaai of hawehoof of in of op 'n trok of padvoertuig tot bevrediging van die hawebestuurder of 'n ander gemagtigde werknemer van die Vervoerdienste geplaas is; met dien verstande dat die Vervoerdienste aflewering van goedere of artikels op die dek van die kraan of ander vaartuig kan aanvaar as dit regstreeks van een skip na 'n ander oorgeskeep moet word.

(b) Vrug/goedere word geag behoorlik aan die kaptein van die skip afgelewer te wees sodra dit in die toestelle of toerusting geplaas is wat deur die eienaar of kaptein voorsien is.

(6) Die voorwaardes uiteengesit in paragrafe (a) tot (i) van regulasie 34 (2) is *mutatis mutandis* van toepassing op die huur en gebruik van dryfkraane behalwe waar dit onbestaanbaar is met die bepalings van hierdie regulasie.

36. Maatreëls om te voorkom dat los materiaal in 'n hawe val.

Onderwyl 'n skip ballas, steenkool, sintels, klip of ander los materiaal laai of aflaai, moet die kaptein van so 'n skip 'n seildoek, bokseil of iets soortgelyks op sodanige wyse laat plaas dat los materiaal nie in die hawe val nie.

37. Artikels wat in 'n hawe val of gegooi word.

Artikels wat in 'n hawe val of gegooi word en wat moontlik 'n gevaar, belemmering of hindernis kan wees as dit nie uitgehaal word nie, moet onmiddellik deur die betrokke persoon uitgehaal word as dit vir hom redelikerwys moontlik is, of anders kan die Vervoerdienste dit op sodanige persoon se koste uithaal as dit doenlik is.

(i) The hirer of a crane shall comply with any order or condition in regard to the working or the discontinuance of the working of such crane which may from time to time be given or imposed by the port manager in the interests of safe, orderly and efficient harbour working.

(j) For the purposes of this regulation the word "crane" shall include any mechanical appliance used for the handling, loading and/or discharging of cargo/goods and the word "hirer" shall mean the owner, master or agent of a ship or any person employed by such ship or user of such crane, as the case may be.

35. Floating cranes.

The following conditions shall apply to the use and hire of a floating crane in a harbour:

(1) Application for the use of the crane shall be made to the port captain on the prescribed form.

(2) Applications for the use of the crane will be dealt with in order of priority, subject to the discretion of the port captain in the interests of safe, orderly and efficient harbour working.

(3) The master of a vessel requiring the services of a floating crane shall—

(a) ensure that the vessel has a "clear side" before the floating crane proceeds to or is placed alongside such vessel; and

(b) be responsible for the proper securing of the mooring lines of the floating crane aboard his vessel.

(4) The Transport Services will at all times retain control over the navigation of the crane, and will place the crane in a position suitable to meet the requirements of the applicant.

(5) (a) Notwithstanding anything to the contrary in these regulations, delivery of any goods or articles handled by the crane shall not be deemed to have been made to the Transport Services until the goods or articles have been deposited safely upon the wharf, jetty or quay, or in or upon a truck or road vehicle to the satisfaction of the port manager or other authorised employee of the Transport Services; provided that the Transport Services may accept delivery of any goods or articles on the deck of the crane or other craft for the purpose of direct transshipment from one ship to another.

(b) Cargo/goods shall be deemed to have been properly delivered to the master of the ship once such cargo/goods is/are placed in the appliances or equipment provided by the owner or master.

(6) Except in so far as they are inconsistent with the provisions of this regulation, the conditions set forth in paragraphs (a) to (i) of regulation 34 (2) shall *mutatis mutandis* apply in connection with the hiring and use of floating cranes.

36. Prevention of loose articles falling into a harbour.

The master of every ship which is loading or unloading ballast, coal, cinders, stone or any other loose articles shall cause a canvas, tarpaulin, or some other similar device to be placed in such a manner as to prevent any such loose articles from falling into the harbour.

37. Articles dropped or thrown into a harbour.

Any article dropped or thrown into a harbour which is liable to cause a danger, obstruction or nuisance if it is not recovered, shall be immediately recovered by the person concerned if it is reasonably possible for him to do so, failing which the Transport Services may, if practicable, recover such article at such person's expense.

38. Stort van vreemde stowwe, met inbegrip van olie, in 'n hawe.

(1) Niemand mag klippe, gruis, ballas, karkasse, vrag, vullis, as, bottels, mandjies, afval of aanstootlike of onwelriekende stowwe of enige ander artikel of stof van watter aard ook al in 'n hawe gooi nie en niemand mag verf in 'n hawe mors of 'n olierige of wasagtige uitvloeisel of olie van watter aard ook al, hetsy sodanige olie van minerale, dierlike of plantaardige oorsprong is of nie, in 'n hawe los of laat uitlek of toelaat dat dit daarin gelos word of uitlek nie.

(2) As olie van enige aard of vlambare vloeistof, 'n uitvloeisel of water uit 'n vuil olietank, visolietank, kim of ruim wat olie, vlambare vloeistof of vrag van watter aard ook al bevat het, uit 'n skip gelos of toegelaat word om daaruit in 'n hawe uit te lek, word die kaptein van sodanige skip geag hom skuldig te gemaak het aan 'n oortreding van hierdie regulasie en is hy persoonlik strafbaar daarvoor. Daarbenewens is hy aanspreeklik vir alle koste wat die Vervoerdienste mag aangaan om sodanige olie, vlambare vloeistof, olierige uitvloeisel of besmetmiddel te verwyder.

(3) Die bepalings van hierdie regulasie stel niemand vry van die nakoming van die bepalings van die Wet op die Voorkoming en Bestryding van Besoedeling van die See deur Olie, 1981, nie, welke wet van toepassing is op die waters van 'n hawe binne die jurisdiksie van die Vervoerdienste. Enige oortreding van die bepalings van genoemde wet is onderworpe aan die strawwe wat in daardie wet voorgeskryf is.

(4) As 'n daad wat 'n oortreding van hierdie regulasie uitmaak, tot gevolg het dat 'n aanleplek in die hawe versper raak, moet die eienaar of kaptein van die skip wat vir die versperring verantwoordelik is, dit onmiddellik op sy koste laat verwyder, anders kan die Vervoerdienste die versperring op koste van die eienaar of kaptein verwyder. As 'n ander skip beskadig word ten gevolge van die versperring is die genoemde eienaar of kaptein aanspreeklik vir sodanige skade.

(5) Die kaptein van elke skip wat langs 'n kaai of hawehoof vasgemeer is, moet sorg dat alle uitlaatopenings van sy skip aan die kant van die kaai of hawehoof gesluit of behoorlik bedek is om te voorkom dat water of uitvloeisel op die kaai- of hawehoofoppervlak, bolders, meerstoele, telefoonkabels, skeepskutte of slangverbindinge uitlek.

39. Ballas.

Geen ballas mag binne 'n hawe ontskeep of gelaai word nie, tensy die hawebestuurder toestemming daartoe gegee het en die voorwaardes wat hy in die belang van veilige, ordelike en doeltreffende hawebedryf mag opleë, nagekom word.

40. Inskeping of ontskeping van losmaatvrag: Ventilasië en veiligheid.

Wanneer steenkool, erts, delfstowwe of soortgelyke produkte in die bunkers, ruim of 'n toe plek op of onder die dek in 'n skip ingeskeep of daaruit ontskeep word, moet die kaptein van so 'n skip maatreëls tref vir geskikte ventilasie en die veiligheid van die tremmers.

41. Luike moet verwyder word.

Die kaptein van 'n skip wat steenkool, erts, delfstowwe of ander losmaatvragte inskeep of ontskeep, moet alle luike en luikbalke wat in die pad van die inskepings- of ontskepingstoestelle is, laat verwyder en moet sodanige luike en luikbalke op hulle plekke laat terugplaas nadat die inskepings- of ontskepingswerk voltooi is. Die kaptein van 'n skip is te alle tye verantwoordelik vir die beskerming van vragte wat aan kontaminasie blootgestel is.

38. Deposit of foreign matter, including oil, in a harbour.

(1) No person shall throw or deposit into any harbour stones, gravel, ballast, carcasses, cargo, dirt, ashes, bottles, baskets, rubbish, objectionable or malodorous matter or any other article or substance of whatsoever nature, and no person shall spill paint in any harbour or cause or allow oily or waxy effluent or oil of any description, whether or not such oil be of a mineral, animal or vegetable origin, to be discharged or to escape into a harbour.

(2) If oil of any description or flammable liquid, effluent or water from an uncleaned oil tank, fish-oil tank, bilge or hold which has contained oil, flammable liquid or cargo of any kind, is discharged or allowed to escape into a harbour from a ship, the master of such ship shall be deemed to have committed a breach of this regulation and shall be personally liable to punishment therefor and, in addition, shall be liable for any costs that may be incurred by the Transport Services in removing such oil, flammable liquid, oily effluent or contaminant.

(3) The provisions of this regulation shall not exempt any person from due observance of the provisions of the Prevention and Combating of Pollution of the Sea by Oil Act, 1981, which Act is applicable to the waters of a harbour under the jurisdiction of the Transport Services. Any contravention of the provisions of the aforementioned Act shall be subject to the penalties prescribed therein.

(4) If any act that constitutes a contravention of this regulation results in the obstruction of any berth in the harbour, the owner or master of the ship responsible for the obstruction shall forthwith cause the obstruction to be removed at his expense, failing which the Transport Services may remove the obstruction at the expense of the owner or master, and should any other ship sustain damage as a result of the obstruction, the said owner or master shall be liable for such damage.

(5) The master of every ship that is berthed alongside a quay or jetty shall cause all the discharge outlets of his ship facing the quay or jetty to be closed or to be provided with adequate covers to prevent any inadvertent discharge of water or effluent onto the quay or jetty surface, bollards, moorings, telephone cables, fenders or hose connections.

39. Ballast.

No ballast shall be landed or shipped within a harbour except by permission of the port manager and under such conditions as he may impose and in the interests of safe, orderly and efficient harbour working.

40. Loading or discharging of bulk cargo: Ventilation and safety.

The master of a ship, when loading or discharging coal, ores, minerals, or similar products into or out of bunkers, hold or any enclosed space above or below deck, shall make suitable provision for ventilation and the safety of the men engaged in trimming.

41. Hatches to be removed and replaced.

The master of a ship which is loading or unloading coal, ores, minerals or other bulk cargoes shall cause all hatches and hatch beams to be removed that are in the way of the loading or unloading appliances, and shall be responsible for the replacement of such hatches and hatch beams after loading or unloading operations are completed. The master of a ship shall at all times be responsible for the protection of cargoes sensitive to contamination.

42. Kaptein moet skip tydens inskepings-/ontskepingsproses beskerm.

Dit is die plig van die kaptein om sy skip te beskerm deur laaibome, lugkokers, skoorsteengeie, jomperstae en alle ander versperrings te verwyder wat die bediening van die hanteertoestelle belemmer. Hy moet ook die dekke, bote en alle ander toebehore beskerm wat gedurende inskepings- of ontskepingswerk beskadig kan word. Die kaptein is ook verantwoordelik vir die veiligheid en beskerming van alle persone wat gedurende sodanige inskepings- of ontskepings- bedrywighede op die skip werk.

43. Meganiese hanteertoestelle.

1. (a) 'n Skip wat steenkool, erts of minerale moet laai, moet sodanige vragte deur middel van die vervoerdienste se meganiese hanteertoestelle laai, tensy voldoende en gegronde redes waarom sodanige toestelle nie gebruik kan of moet word nie verstrekkend word tot bevrediging van die hawebestuurder, wie se beslissing finaal is.

(b) Die kaptein of agent van die skip moet die voorgeskrewe aansoekvorm vir die gebruik van die meganiese hanteertoestelle teken.

(c) Skepe moet in volgorde van aankoms by die meganiese hanteertoestelle aanlê, maar hierdie reëling is in die belang van veilige, ordelike en doeltreffende hawebedryf te alle tye onderworpe aan die goeddunke van die hawebestuurder. 'n Skip wat nie op die vasgestelde tyd gereed is nie, verbeur sy beurt.

(d) As die volle hoeveelheid vrag wat 'n skip nodig het, nie voorhande is wanneer hy vrag inneem nie, moet sodanige skip die aanlêplek verlaat sodra die voorraad uitgeput is.

(e) Elke skip wat naby of onder die meganiese hanteertoestelle aanlê, moet genoeg bemanning aan boord hê wat gereed is om die skip te eniger tyd gedurende die dag of nag te verskuif soos vereis deur die hawekaptein. As die bevel van die hawekaptein nie onmiddellik uitgevoer word nie, kan die Vervoerdienste die skip op koste van die eienaar daarvan verskuif.

2. Operateurs van private meganiese of ander vraghanteertoestelle of -installasies mag onder geen omstandighede hetsy vir herstel-, instandhoudings-, toets- of ander doeleindes toelaat dat die sperbome, stortgeute, laaibome of ander toebehore daarvan laat sak word, uitsteek of so geplaas word dat dit 'n versperring oor die water van die aangrensende aanlêplek(ke) veroorsaak nie, behalwe wanneer vrag ingeskep of ontskep word, tensy skriftelike magtiging hiervoor deur die hawekaptein, hawebestuurder of ander gemagtigde amptenaar uitgereik is en onderworpe aan sodanige voorwaardes as wat nodig geag mag word in die belang van veilige, ordelike en doeltreffende hawebedryf.

44. Brande op skepe.

As daar 'n brand op 'n skip in 'n hawe ontstaan, moet die kaptein dadelik die alarm gee deur die skeepsirene aanhoudend te laat loei, of as die skeepsirene nie gebruik kan word nie, deur die skepsklokke aanhoudend te laat lui, en hy moet onmiddellik die hawekaptein, die hawebestuurder en die plaaslike munisipale brandweer van die brand verwittig. Die personeel van sodanige skip moet dadelik alle moontlike stappe doen om die brand te blus en aangrensende eiendom te beskerm en alle verdere hulp verleen wat die hawekaptein mag vereis.

45. Sanitasiereelings in 'n hawe.

As die hawekaptein dit vereis, moet die spoelklosette en latrines van 'n skip gesluit wees gedurende die tydperk wat sodanige skip in 'n hawe lê.

42. Master to protect ship during loading/unloading.

It shall be the responsibility of the master to protect his ship by removing derrick booms, ventilators, funnel guys, jumber stays, and other obstructions which may hinder the working of the loading or unloading appliances; and also to protect decks, boats and all other fittings and appliances liable to damage during loading or unloading. The master shall also be responsible for the safety and protection of all persons working aboard his ship during such loading or unloading operations.

43. Mechanical handling appliances.

(1) (a) A ship requiring to load coal, ores or minerals shall load such cargoes by means of the Transport Services' mechanical handling appliances unless good and sufficient reasons why such appliances cannot or should not be used, are shown to the satisfaction of the port manager, whose decision shall be final.

(b) The master or agent of the ship shall sign the prescribed application form for use of the mechanical handling appliances.

(c) Ships shall be berthed at the mechanical handling appliances in the order of their arrival, subject always to the discretion of the port manager in the interests of safe, orderly and efficient harbour working. Any ship not ready at the appointed time shall forfeit its turn.

(d) If a ship's full cargo requirements are not to hand during the loading operations, such ship shall, immediately the supply becomes exhausted, vacate the berth.

(e) Every ship berthed near or under the mechanical handling appliances shall have a sufficient crew on board ready to shift the ship at any hour, day or night, as or when directed by the port captain. On failure to comply immediately with the order of the port captain the shifting may be effected by the Transport Services at the expense of the owner of the ship.

(2) Operators of privately owned mechanical or other cargo-handling appliances or installations shall not under any circumstances cause the booms, chutes, loading gantries or other appurtenances thereof to be lowered or to protrude or to be so positioned as to cause an obstruction over the water of the adjoining berth(s) whether for repair, maintenance, testing or other purpose, except when engaged in loading or discharging cargo, unless written permission to do so has been obtained from the port captain, port manager or other authorised officer and subject to such conditions as might be deemed necessary in the interests of safe, orderly and efficient harbour working.

44. Fires on ships.

In the event of a fire occurring on board a ship in a harbour, the master shall immediately give the alarm by sounding one continuous blast on the ship's siren, or in case it is not possible to use the ship's siren, by the continuous ringing of the ship's bell, and shall inform the port captain, the port manager and the local municipal fire brigade of the fire. The personnel of such ship shall immediately take all practicable steps to extinguish the fire and to protect adjoining property, and shall afford such further assistance as may be required by the port captain.

45. Sanitary arrangements in harbour.

When required by the port captain, a ship's waterclosets and latrines shall be closed during such period as the ship is in a harbour.

46. Skepe moet toeganklik wees vir inspeksie.

Onderwyl 'n skip in 'n hawe lê, kan die Vervoerdienste se amptenare te eniger tyd aan boord gaan en die skip of 'n deel daarvan inspekteer in die uitvoering van hulle pligte.

47. Loopplanke.

(a) Afgesien daarvan of 'n skip langs 'n kaai, hawehoof, anderkant 'n ander skip, aan boei of voor anker lê, moet die kaptein van die skip 'n veilige en behoorlike loopplank op sodanige wyse verskaf dat dit vry en veilige toegang tot die dek van die skip, of omgekeerd, verleen. Sodanige loopplank moet voldoende verlig wees en onder die toesig wees van 'n bevoegde oppasser wat te alle tye daar op diens moet wees. Sodra die loopplank in posisie geplaas is, moet 'n behoorlike veiligheidsnet op so 'n wyse onder die loopplank aangebring word dat dit sal voorkom dat persone wat die loopplank gebruik in die water of op die kaai val. Die genoemde persoon moet ook die aantal persone reguleer wat gelyktydig op die loopplank toegelaat kan word, wanneer hulle aan boord gaan of die skip verlaat. 'n Duidelike kennisgewing wat die maksimum getal persone aantoon wat die loopplank gelyktydig mag gebruik, moet aan beide kante van die loopplank aangebring word. 'n Reddingsboei met 'n tou daaraan moet naby elke loopplank gereed gehou word vir onmiddellike gebruik. Wanneer ligters langs 'n skip by 'n buiteankerplek bedien word, moet die kant van die skip vry van alle versperrings gehou word, en die lere moet neergelaat word net wanneer dit nodig is. Onderwyl 'n skip in 'n hawe onder die jurisdiksie van die Vervoerdienste is, moet die kaptein nie alleen die vereistes van hierdie regulasie nakom nie, maar ook enige toepaslike regulasie wat opgestel is kragtens die bepalings van die Handelskeepvaartwet, 1951.

(b) Die kaptein van die skip moet verseker dat 'n loopplank te alle tye so geplaas is dat dit nie 'n trein- of kraanspoor versper of 'n gevaar vir die veilige beweging van trokke en krane inhou nie, en niks in hierdie regulasies moet so vertolk kan word dat dit die kaptein van sodanige verantwoordelikheid onthef nie.

(c) In verhouding tot 'n plek waar die Vervoerdienste self 'n teleskopiese loopplank tussen skip en land verskaf en bedien, kan die Vervoerdienste die kaptein van 'n skip skriftelik vrystel van die verpligting om aan die bepalings van hierdie regulasie te voldoen vir sover dit die verskaffing van 'n loopplank betref.

(d) Die kaptein moet sodanige voorsorgmaatreëls tref as wat nodig is om te voorkom dat skeepsloopplanke en skeepslaaibrûe die kaaioppervlakke beskadig.

(e) Enige loopplank van die Vervoerdienste wat aan 'n skip verhuur word, moet in posisie geplaas word deur middel van 'n kaaikraan wat aan sodanige skip verhuur is, of deur middel van skeepslaaibome of krane as die hawebestuurder se toestemming om sodanige toestelle te gebruik, vooraf verkry is. Die loopplank moet voor die vertrek van die skip op soortgelyke wyse verwyder word.

(f) Die kaptein of ander verantwoordelike persoon wat behoorlik deur hom aangewys is, moet toesig hou oor die hantering van die loopplank en moet verseker dat die handeling op 'n behoorlike en veilige wyse uitgevoer word.

(g) Dit is streng verbode om 'n loopplank van die Vervoerdienste op enige ander wyse te hanteer.

(h) Vir die doel van hierdie regulasie beteken "loopplank" enige manier van toegang tussen skip en land en omgekeerd.

(i) Wanneer die spesiale aard en/of konstruksie van 'n hawehoof of kaai sodanig is dat dit vir die skip onmoontlik is om die bepalings van paragraaf (a) van hierdie regulasie na te kom, moet die kaptein enige spesiale instruksie nakom wat die hawekaptein aan hom of sy adjunk mag uitreik insake toegang tussen skip en land.

46. Ship to be open for inspection.

The Transport Services' officers may at any time while a ship is in harbour, board such ship and inspect it or any part of it in the execution of their duty.

47. Gangways.

(a) The master of every ship whether alongside a wharf, quay or jetty, or outside another ship, or lying at buoys, or at anchor, shall provide a safe and proper gangway so arranged as to admit of free and safe passage to or from the deck of the ship, and such gangway shall be sufficiently lighted and be placed under control of a competent person who shall be in attendance at all times. A proper safety net shall be rigged and secured below a gangway as soon as the gangway is in position to safeguard persons using the gangway from falling into the water or onto the wharf. The said person shall also regulate the number of persons allowed on the gangway at any one time when boarding or leaving the ship. A notice indicating the maximum number of persons to be allowed on the gangway at any one time shall be clearly displayed on each end of the gangway. A lifebuoy with a line attached thereto shall be placed near each gangway and kept ready for immediate use. When lighters are being worked alongside a ship at an outer anchorage the ship's side shall be kept clear of all obstructions, the gangway ladder being lowered only as and when required. In addition to complying with the requirements of this regulation the master of every ship whilst within a harbour under the Transport Services' jurisdiction shall comply with any applicable regulation made under the provisions of the Merchant Shipping Act, 1951.

(b) The master shall ensure that a gangway is at all times so positioned that it does not obstruct or foul rail or crane tracks or constitute a hazard to the safe movement of trucks and cranes and nothing in these regulations shall be construed as relieving the master of such responsibility.

(c) In relation to any place where the Transport Services itself provides and operates a telescopic gangway between ship and shore, the Transport Services may in writing exempt the master of a ship from the obligation to comply with the requirements of this regulation regarding the provision of a gangway.

(d) The master shall take such precautions as are necessary to prevent damage to quay surfaces by ship's gangways and ship's loading ramps.

(e) Any gangway of the Transport Services on hire to a ship shall be placed in position by means of a wharf crane on hire to such ship or by means of the ship's derricks or cranes if the prior permission of the port manager has been obtained for the use of such appliances. Prior to the departure of the ship the gangway shall be removed in a similar manner.

(f) The master or some other responsible person duly appointed by him shall superintend the handling of the gangway and shall ensure that the operations are carried out in a proper and safe manner.

(g) Any other means of handling a gangway of the Transport Services is strictly prohibited.

(h) For the purpose of this regulation—"Gangway" shall be any means of access between ship and shore and vice versa.

(i) Where the special nature and/or construction of a jetty or wharf is such that it is impossible for the ship to comply with paragraph (a) of this regulation, the master shall conform to whatever special instructions which may be given to him by the port captain or his deputy concerning ship to shore access.

48. Passasiers wat aan wal stap of skeepgaan.

Onderwyl persone aan wal stap of aan boord van 'n skip gaan wat langs 'n kaai of hawehoof lê, moet 'n lid van die skip se bemanning aan die skeepskant van elke loopplank op diens wees om te sorg vir die veiligheid van die loopplank en van die persone wat daaroor stap. Dieselfde voorwaardes geld wanneer 'n loopplank, touleer of ander soortgelyke toerusting deur 'n skip gebruik word wat voor anker lê.

49. Passasiers wat aan boord gaan of 'n skip verlaat.

Niemand mag sonder toestemming van die hawekaptein aan boord gaan of 'n skip verlaat onderwyl dit in beweging is nie, en ook mag niemand 'n skip verlaat of aan boord gaan nie behalwe deur middel van die loopplank of leer wat vir dié doel verkaf is.

50. Verwydering van skeep met aanstootlike goed aan boord.

Die hawekaptein kan gelas dat 'n skip uit 'n hawe verwyder word as dit vrag of ander goed aan boord het wat nadelig vir die gesondheid of aanstootlik of in enige opsig gevaarlik is, en daar moet oor sulke goed beskik word ooreenkomstig sy bevels en op koste van die eienaar van die skip.

51. Herstelwerk aan skeep.

(1) Geen buiteherstelwerk mag aan skeep in 'n hawe gedoen word nie, behalwe met die skriftelike toestemming van die hawekaptein, en dan slegs op die volgende voorwaardes:

(a) Voordat herstelwerk 'n aanvang neem, moet die kaptein alle voorsorgsmaatreëls tref wat die hawekaptein mag vereis om te voorkom dat vullis of ander stowwe in die hawe val.

(b) Die kaptein moet alle ander voorwaardes nakom wat die hawekaptein in die belang van veilige, ordelike en doeltreffende hawebedryf in sy skriftelike toestemming mag opleë.

(c) Indien die kaptein versuim om die bepalings van hierdie regulasie na te kom, kan die hawekaptein toestemming tot herstelwerk aan die skip terugtrek en gelas dat die werk gestaak word.

(2) Geen binneherstelwerk aan 'n skip mag in 'n hawe gedoen word nie tensy die kaptein die hawekaptein verwittig het van die aard en omvang van die voorgenome herstelwerk en toereikende voorsorgsmaatreëls getref het teen brand wat kan ontstaan deur of as gevolg van die werk. Indien die hawekaptein die voorsorgsmaatreëls as ontoereikend beskou, kan hy gelas dat die werk gestaak word totdat voorsorgsmaatreëls tot sy bevrediging getref is.

52. Beroking van skeep.

'n Kaptein mag nie toelaat dat sy skip in 'n hawe berook word nie tensy hy skriftelik toestemming van die hawekaptein verkry het, en dan slegs op die voorwaardes wat die hawekaptein in die belang van veilige, ordelike en doeltreffende hawebedryf mag opleë.

53. Vonke, dampe, roet of rook.

(1) Die kaptein van 'n skip in 'n hawe moet al die nodige voorsorgsmaatreëls tref om te voorkom dat sy skip vonke of oormatige dampe afgee.

(2) Behalwe soos in subparagraaf (3) bepaal, moet geen kaptein van 'n skip in 'n hawe, buiten vir 'n gesamentlike tydperk van hoogstens drie minute in enige deurlopende tydperk van 30 minute, toelaat dat sodanige skip roet of rook afgee of uitlaat wat, as dit vergelyk word met 'n kaart van die soort in die Eerste Bylae tot die Wet op Voorkoming van Lugbesoedeling, 1965, uiteengesit, van 'n kleur nie ligter as tint 2 op daardie kaart blyk te wees nie.

48. Persons disembarking or embarking.

While persons are disembarking from or embarking upon any ships lying alongside any wharf, jetty or quay, a member or the ship's crew shall be in attendance at the ship's end of each gangway to attend to the security of the gangway and the safety of persons passing over it. The same conditions shall apply when a gangway, an accommodation ladder or other similar equipment is used by a ship when lying at the anchorage.

49. Boarding or leaving ships.

No persons may, except by permission of the port captain, board or leave a ship while such ship is in motion, nor may any person leave or board a ship except by means of the gangway or ladder provided for the purpose.

50. Removal of ships having offensive matter on board.

The port captain may order the removal from a harbour of a ship having on board cargo or other matter injurious to health or offensive or dangerous in any respect, and such matter shall be disposed of in such manner as he may direct, all at the expense of the owner of the ship.

51. Repairs to ships.

(1) No external repairs to a ship shall be carried out in a harbour except with the written permission of the port captain, and then only upon the following conditions:

(a) That before any repairs are commenced the master shall take such precautions as the port captain may direct to prevent dirt or other matter falling into the harbour.

(b) That the master shall observe such other conditions as the port captain may impose in the interests of safe, orderly and efficient harbour working in his written permission.

(c) That should the master fail to comply with the provisions of this regulation, any permission which may have been granted to effect repairs to a ship as aforesaid may be withdrawn and the work stopped by the port captain.

(2) No internal repairs to any ship shall be carried out in a harbour unless and until the master has advised the port captain to the nature and extent of the repairs contemplated and has taken adequate precautions to guard against the risk of fire occurring through or in consequence of the carrying out of the work. If, in the opinion of the port captain, the precautions taken are not adequate, he may order the work to be stopped until precautions to his satisfaction have been taken.

52. Fumigation of ships.

No master shall cause his ship to be fumigated in a harbour except with the written permission of the port captain and upon such conditions as he may impose and in the interests of safe, orderly and efficient harbour working.

53. Sparks, fumes, soot or smoke.

(1) The master of a ship in a harbour shall take all necessary precautions to avoid the emission of sparks or excessive fumes from his ship.

(2) Save as provided for in subparagraph (3), no master of a ship shall in a harbour, except for an aggregate period not exceeding three minutes during any continuous period of 30 minutes, permit the emission or emanation from such ship of soot or smoke, which, if compared with a chart of the kind shown in the First Schedule to the Atmospheric Pollution Prevention Act, 1965, appears to be of a shade not lighter than shade 2 on that chart.

(3) Die bepalings van subparagraaf (2) is nie van toepassing op rook wat van 'n skip in sy aansittyd afkomstig is nie, of as 'n uitlating van rook redelikerwys nie voorkom kan word wanneer die toestel wat dit veroorsaak, opgeknop word nie, of gedurende 'n tydperk van onklaarraking of steuring van so 'n toestel nie.

(4) Indien vonke of oormatige dampe van 'n skip in 'n hawe afgegee word of indien rook in stryd met die bepalings van paragrafe (2) en (3) van hierdie regulasie van 'n skip in 'n hawe afgegee word, word die kaptein van sodanige skip geag hom skuldig te maak het aan 'n oortreding van hierdie regulasie en is hy persoonlik strafbaar daarvoor.

54. Enjintoetse op skepe.

'n Kaptein mag nie toelaat dat die skeepsenjins getoets word wanneer die vaartuig langs 'n kaai of hawehoof of anderkant 'n ander skip in die hawe aangelê nie, tensy hy die skriftelike toestemming van die hawekaptein verkry.

55. Laat sak van bote uit skepe.

Die kaptein van 'n skip mag nie toelaat dat bote uit sy skip in 'n hawe laat sak word sonder die toestemming van die hawekaptein nie.

56. Voorsorgmaatreëls: Vlambare vrag.

(1) Onderwyl vlambare vrag verskeep, ontskeep of van of na 'n ruim oorgeskeep word, mag niemand rook, 'n vuurhoutjie trek of andersins 'n brand of vlam veroorsaak of toelaat dat dit veroorsaak word in sodanige ruim of by 'n oop luik van 'n ruim van 'n skip of in die omgewing van so 'n oop luik soos deur die hawekaptein bepaal nie. Die hantering van vlambare vrag is onderworpe aan alle ander beperkings en voorwaardes wat die hawekaptein en/of die hawebestuurder in belang van veilige, ordelike en doeltreffende hawebedryf mag oplê.

(2) Hierdie regulasie is ook van toepassing wanneer nie-vlambare vrag op die gemelde wyse gehanteer word in 'n ruim waar daar ook vlambare vrag is.

57. Skeepstuig of -materiaal in hawegebied.

As bote, sparre, ankers, kables, skeepstuig, tenks, vate, wrakstukke, stumateriaal, perdehokke, uitrusting vir beeste en ander los materiaal sonder die skriftelike toestemming van die hawebestuurder op 'n kaai of hawehoof of elders in 'n hawe geplaas word, kan dit onverwyld op koste van die eienaar verwyder word na 'n plek wat die hawebestuurder aanwys, of as die hawebestuurder so beveel, moet die eienaar dit van die Vervoerdienste se perseel verwyder. As hy dit nie doen nie, kan dit op koste van die eienaar verwyder word.

58. Skepe mag nie gemeer en versperrings mag nie geplaas word binne die watergebied van 'n droogdok nie.

Geen skip mag binne die watergebied grensend aan 'n droogdok geanker, gemeer of geplaas word nie, en ook mag niemand 'n ketting, anker of ander versperring in sodanige gebied plaas nie.

59. Skepe wat binne 'n hawe laat strand word.

Niemand mag 'n skip vir skoonmaak-, herstel- of ander doeleindes op 'n vloedstrand, vlak plek, sandbank of 'n ander bank binne 'n hawe laat strand, laat oorhoel of oplê nie, tensy die hawekaptein vooraf skriftelik toestemming daartoe gegee het en onderworpe aan alle voorwaardes wat hy in die belang van veilige, ordelike en doeltreffende hawebedryf mag oplê.

60. Verantwoordelikheid van kaptein.

(1) Die kaptein van 'n skip binne die gebied van die Vervoerdienste se jurisdiksie is te alle tye verantwoordelik vir die veiligheid van sy skip, en geen bepalings van hierdie regulasies moet so vertolk word dat dit die kaptein van sodanige verantwoordelikheid onthef nie.

(3) The provisions of subparagraph (2) shall not apply to smoke emanating from a ship during the start-up period, or while the smoke-producing appliance is being overhauled if such emission cannot reasonably be prevented, or during the period of any breakdown or disturbance of such appliance.

(4) If sparks or excessive fumes are emitted from a ship in a harbour, or if smoke, in contravention of the terms of paragraphs (2) and (3) of this regulation, is emitted from a ship in a harbour, the master of such ship shall be deemed to have committed a breach of this regulation and shall be personally liable for punishment therefor.

54. Engine trials of ships.

No master shall allow engine trials of his ship when alongside a wharf, quay or jetty or berthed outside another ship in a harbour, without the written permission of the port captain.

55. Lowering of boats from ships.

No master shall cause any boats to be lowered from his ship in a harbour except with the permission of the port captain.

56. Precaution: Flammable cargo.

(1) No person shall smoke, ignite a match or otherwise create or allow a fire or flame in any hold or at any open hatch of any hold of any ship or within such area adjacent to such open hatch as may be decided by the port captain in the interests of safe, orderly and efficient harbour working, while flammable cargo is being shipped, discharged or transhipped into or from such hold.

(2) This regulation shall also apply when non-flammable cargo is being worked as aforesaid in any hold which contains flammable cargo.

57. Ship's material or gear in harbour area.

Boats, spars, anchors, cables, ship's gear, tanks, casks, wreckage, dunnage, horse boxes, cattle fittings and other loose material placed upon any wharf, jetty or quay, or elsewhere within a harbour without the written consent of the port manager may be removed forthwith to such place as he may indicate at the expense of the owner, or if the port manager so directs, they shall be removed by the owner from the Transport Services' premises, failing which they may be so removed at the owner's expense.

58. Ships may not be moored nor obstacles placed within the water area of a drydock.

No ship may anchor or be moored or placed within the water area adjacent to a drydock nor shall any person place any chain, anchor or other obstacle in any such area.

59. Beaching ships within a harbour.

No ship shall be beached, stranded, careened or laid upon any foreshore, shoal or sand or other bank within a harbour for purposes of cleaning, repairs, or otherwise, without the prior written permission of the port captain and subject to such conditions as he may impose in the interests of safe, orderly and efficient harbour working.

60. Responsibility of master.

(1) The master of a ship within the area of the Transport Services' jurisdiction shall at all times be responsible for the safety of his ship and nothing in these regulations shall be construed as relieving the master of such responsibility.

(2) Afgesien van beskerming soos aangedui in regulasie 42 sluit "veiligheid" vir die doel van hierdie regulasie alle verantwoordelikheid in met betrekking tot die kaptein se posisie as gesagvoerder van die vaartuig, d.w.s. om te verseker dat bevele aan sy offisiere en bemanning behoorlik uitgevoer word, en veral dat die vereistes van enige van die Vervoerdienste se loodse behoorlik nagekom word wanneer sodanige loodse pligte ingevolge regulasies 92 en 93 onderneem.

(3) Daarbenewens moet die kaptein verseker dat die Vervoerdienste se loods aan boord alle bystand verleen word in die uitvoering van sy pligte en moet hy sodanige loods in kennis stel van alle buitengewone kenmerke van die vaartuig.

61. Droogdokke.

(1) Voordat 'n skip in 'n droogdok in 'n hawe toegelaat word, moet die naam en volledige besonderhede van die skip ingeskryf word in 'n boek wat vir dié doel by die hawekantoor gehou moet word, en die eienaar, kaptein of agent van die skip moet 'n ooreenkoms onderteken waarin hy erken dat hy deur die volgende bepalinge gebind is en waarin hy onderneem om die toepaslike koste uiteengesit in die *Offisiële Hawetarieboek* te betaal.

(2) Wanneer 'n skip sy beurt kan verbeur.

As 'n skip weens versuim van die kaptein nie op 'n vasgestelde dag in 'n droogdok geplaas word nie en die droogdok vir ander skepe nodig is, verbeur sodanige skip sy beurt soos dit aangetoon is in die inskrywingsboek, en die kaptein, eienaar of agent van sodanige skip moet alle koste, as daar is, wat aangegaan is om die droogdok vir die ontvangs van die skip gereed te maak, aan die Vervoerdienste betaal.

(3) Wanneer voorkeur gegee kan word.

Nieteenstaande vorige andersluidende reëlins kan die hawekaptein voorkeur gee aan 'n skip wat beskadig is of lek, of aan 'n skip wat die droogdok hoogstens 72 uur sal beset.

(4) Geen skip het die alleenreg op die gebruik van 'n droogdok nie.

Geen skip het die alleenreg op die gebruik van 'n droogdok nie, hetsy op sy beurt of op 'n ander tyd. Die beslissing van die hawekaptein in alle geskille oor beurte is finaal.

(5) Plaas van skepe onder 1 400 bruto kubieke meter in 'n droogdok.

Die kaptein, eienaar of agent moet spesiale reëlins met die Vervoerdienste tref as skepe onder 1 400 bruto kubieke meter in 'n droogdok geplaas moet word, en sulke skepe het geen aanspraak op 'n beurt vir die gebruik van 'n droogdok saam met ander skepe van groter tonnemaat nie.

(6) Skepe moet in 'n droogdok geplaas word onder toesig van die dokmeester.

Skepe moet in 'n droogdok geplaas word soos gelas deur en onder toesig van die dokmeester en in teenwoordigheid van die kaptein wie se plig dit is om teenwoordig te wees op die tyd wat vasgestel is vir die plasing van sy skip in 'n droogdok en om daar te bly totdat die skip in die droogdok geplaas is.

(7) Wanneer daar beskou moet word dat 'n skip behoorlik op blokke of slee geplaas is.

Wanneer die dokmeester verklaar het dat 'n skip behoorlik en veilig op die blokke van 'n droogdok of op die slee van 'n skeepshelling geplaas is, moet die kaptein dadelik seker maak dat sy skip wel behoorlik en veilig geplaas is, en daarna word die skip geag behoorlik en veilig in die droogdok of op die skeepshelling geplaas te wees.

(2) For the purpose of this regulation "safety" shall apart from protection as indicated in regulation 42, include all responsibility relating to the master's position as commander of the vessel, i.e. to ensure the proper execution of orders to his officers and crew in particular the requirements of any of the Transport Services' pilots in the course of such pilots' duties undertaken under the provisions of regulations 92 and 93.

(3) In addition the master shall ensure that the Transport Services' pilot aboard shall be rendered every assistance in the execution of his duties and shall inform such pilot of all unusual characteristics of the vessel.

61. Drydocks.

(1) Before a ship is admitted to a drydock in a harbour the name and full particulars of the ship shall be entered in a book to be kept for that purpose at the port office of the harbour, and the owner, master or agent of the ship shall sign an agreement acknowledging himself to be bound by the following conditions and undertaking to pay the applicable charges specified in the *Official Harbour Tariff Book*.

(2) When ship may lose her turn.

Should a ship not be placed in a drydock on a day duly appointed for that purpose owing to the default of the master, such ship shall, if the drydock be required for other ships, lose her turn in the order shown in the entry book, and the master, owner or agent of such ship shall pay to the Transport Services the expenses, if any, which may have been incurred in preparing the drydock for the reception of such ship.

(3) When preference may be given.

Notwithstanding any previous arrangements to the contrary, the port captain may give priority to any ship in a damaged or leaky condition or to a ship that requires a drydock for a period not exceeding 72 hours.

(4) No ship to have absolute right to use drydock.

No ship shall have an absolute right to the use of a drydock either in turn or at any other time. The decision of the port captain in all cases of dispute as to turn, shall be final.

(5) Drydocking of ships under 1 400 gross cubic metres.

The drydocking of ships under 1 400 gross cubic metres shall be subject to such special arrangements as may be made by the owner, master or agent with the Transport Services and such ships shall have no claim to the use of a drydock in turn with other ships of larger tonnage.

(6) Ships to be drydocked under supervision of dockmaster.

Every ship shall be drydocked under the direction and supervision of the dockmaster and in the presence of the master, whose duty it shall be to be present at the time appointed for drydocking, and to remain there until such drydocking is completed.

(7) When ship to be considered as properly placed on blocks or cradle.

When the dockmaster has declared a ship to have been properly and safely placed upon the blocks of a drydock or cradle of a slip, the master shall forthwith satisfy himself that his ship has been so properly and safely placed, whereupon the ship shall be deemed to have been properly and safely drydocked or slipped.

(8) *Hoe met twee of meer skepe in een droogdok gehandel moet word.*

(a) As twee of meer skepe saam van 'n droogdok gebruik maak, moet sulke skepe in die droogdok bly tot tyd en wyl almal vlot gemaak kan word. Geen skip betaal egter vir die gebruik van die droogdok vir 'n langer tydperk as wat hy dit werklik nodig het nie, mits die kaptein van sodanige skip 24 uur skriftelik kennis gegee het aan die hawekaptein dat sy skip gereed is om die droogdok te verlaat, en die hawekaptein tevrede is dat die kennisgewing in orde is.

(b) Die hawekaptein mag egter, nadat hy 24 uur skriftelik kennis gegee het, opdrag gee dat 'n skip of al die skepe wat gereed is om die droogdok te verlaat, dadelik uit die droogdok verwyder moet word, en hy kan ook 'n ander skip toelaat om die droogdok te gebruik saam met 'n skip wat reeds daarin is.

(9) *Tydbepanking vir gebruik van 'n droogdok.*

(a) Geen skip moet 'n droogdok langer as vier dae gebruik nie, behalwe op magtiging van die hawekaptein.

(b) Die kaptein van 'n skip moet reël dat sodanige oortyd aan herstelwerk gewerk word as wat die hawekaptein nodig ag.

(10) *Skepe wat in gebreke bly om 'n droogdok te verlaat.*

'n Skip wat in gebreke bly om 'n droogdok te verlaat na verstryking van die ooreengekome tydperk, kan na skriftelike kennisgewing van 24 uur op koste van die eienaar van sodanige skip verwyder word indien die droogdok vir 'n ander skip nodig is. As die skip dan nog nie vlot gemaak kan word nie, kan die hawekaptein dit op koste van die eienaar van so 'n skip geskik laat maak om vlot gemaak te word.

(11) *Die kaptein moet kennis gee as sy skip gereed is om 'n droogdok te verlaat.*

Die kaptein van 'n skip wat in 'n droogdok is, moet die hawekaptein 24 uur skriftelik kennis gee dat sy skip gereed is om die droogdok te verlaat.

(12) *Stutte moet nie sonder behoorlike magtiging verwyder word nie.*

Niemand mag die stutte waarop 'n skip rus onderwyl dit in 'n droogdok is, verwyder of verskuif nie behalwe op las van die dokmeester.

(13) *Verskuiwing van gewigte in of op 'n skip wat in 'n droogdok is.*

Niemand mag 'n gewig in, op of betrokke by 'n skip in 'n droogdok sonder skriftelike toestemming van die dokmeester verskuif of verwyder nie, en dan slegs nadat die kaptein behoorlike voorsorgsmaatreëls getref het om skade van water aard ook al wat deur so 'n verskuiwing of verwydering veroorsaak kan word, te voorkom. Alle koste in verband met sodanige verskuiwing of verwydering moet deur die eienaar van die skip gedra word.

(14) *Skepe moet betaal vir arbeid vir die verskuiwing van stutte, blokke of vir ander doeleindes.*

Die eienaar van elke skip in 'n droogdok moet betaal vir alle arbeid wat die Vervoerdienste verskaf vir die verskuiwing van stutte of blokke of vir ander doeleindes in verband met die skip nadat dit op die blokke geplaas of gestut is.

(15) *Uitlaat van uitloopwater of vullis deur 'n skip in 'n droogdok.*

Geen uitloopwater, olie of vullis mag uit 'n skip gelaat word onderwyl dit in 'n droogdok is nie, behalwe met die skriftelike toestemming van die dokmeester, en dan slegs op die voorwaardes wat hy in belang van veilige, ordelike en doeltreffende hawebedryf, mag bepaal.

(8) *How two or more ships in one drydock to be dealt with.*

(a) When two or more ships are in joint occupation of a drydock such ships shall remain in the drydock until such time as all are capable of being floated; but no ship shall be charged for the use of the drydock beyond the time she actually requires it; provided that the master of such ship has given to the port captain 24 hours notice in writing of the readiness of his ship to leave the drydock and the port captain is satisfied that the notice is correctly given.

(b) The port captain may, however, after having given 24 hours written notice, forthwith order the undocking of any or all of such ships as may be ready to leave the drydock, and may also admit any other ship to the occupation of the drydock, jointly with a ship already in occupation thereof.

(9) *Limited of time for occupation of a drydock.*

(a) No ship shall remain in occupation of a drydock for a longer period than four days, except by the authority of the port captain.

(b) The master of a ship shall arrange for such overtime to be worked in carrying out repairs as the port captain may consider necessary.

(10) *Ships failing to leave drydock.*

A ship which fails to leave a drydock on the expiration of the period agreed upon may, if the drydock be required by another ship, be removed at the expense of the owner of such ship after 24 hours written notice has been given. If the ship should not then be capable of being floated, the port captain may cause such ship to be made capable of being floated at the expense of its owner.

(11) *Master to give notice of readiness of ship to leave drydock.*

The master of a ship within a drydock shall give 24 hours notice in writing to the port captain of his ship's readiness to leave the drydock.

(12) *Supports not to be removed without proper authority.*

No person shall remove or alter the position of any of the supports upon which a ship rests whilst in a drydock, except by order of the dockmaster.

(13) *Displacement of weights in or upon a ship in drydock.*

No person shall displace or remove any weight in or upon or connected with a ship within a drydock without permission in writing from the dockmaster, and then only after proper arrangements have been made by the Master to prevent damage of any kind occurring by reason of such displacement or removal. All costs and charges connected with any such displacement or removal shall be borne by the owner of the ship.

(14) *Ships to pay for labour for shifting shores, blocks or for other purposes.*

The owner of every ship within a drydock shall pay for all labour supplied by the Transport Services in shifting shores or blocks or for other purposes in connection with the ship after she has been blocked or shored.

(15) *Discharge of effluent water or refuse by a ship in drydock.*

No effluent water, oil or refuse may be discharged from a ship while she is in a drydock except by the permission in writing of the dockmaster and then only on such conditions as he may impose in the interests of safe, orderly and efficient harbour working.

(16) *Skoonmaak van droogdokke voordat skepe weer vlot gemaak word.*

Die kaptein van 'n skip moet die droogdok laat opruim en skoonmaak voordat sy skip weer vlot gemaak word.

(17) *Artikels wat die Vervoerdienste aan skepe in droogdokke verskaf.*

(a) Die Vervoerdienste verskaf die volgende artikels kosteloos aan alle skepe wat in 'n droogdok is:

(i) 'n Stel blokke vir die lengte van die skip soos aangegee tydens inskrywing.

(ii) Horisontale stutte met kettings en toue om dit aan vas te maak.

(iii) Kimstutte met genoeg wie.

(iv) Die eerste stel dekstutte.

(v) 'n Loopplank.

(b) Die kaptein of eienaar van die skip moet alle koste dra wat die Vervoerdienste aangaan om die kielblokke wat gewoonlik kosteloos verskaf word, te verander of te vermeerder.

(c) Die kaptein van die skip moet die nodige arbeid verskaf om die horisontale stutte van die kant van die dok na die kant van die skip te vervoer en vas te maak.

(d) Die gebruik van krane is *mutatis mutandis* onderworpe aan die bepalings van regulasie 34.

(18) *Afwerking van vaartuie.*

Vaartuie moet volgens die vereistes van die dokmeester afgewerk word voordat hulle gedok word. Indien 'n vaartuig in 'n onafgewerkte toestand verskuif word na 'n droogdok, syncrolift of skeepshelling, word die koste van die verskuiving na en van die dok en alle ander koste wat aangegaan word, deur die kaptein of die eienaar van die skip gedra.

(19) *Dokmeester.*

Vir die doel van hierdie regulasie beteken—

“dokmeester” die amptenaar wat deur die Vervoerdienste aangestel is om toesig te hou en beheer uit te oefen oor die bediening van droogdokke, of die amptenaar wat tydelik vir dié doel aangestel is.

WRAKKE

62. Sekuriteit moet verskaf word voordat wrakke gesloop word.

(1) Niemand mag 'n wrak, romp of skip in 'n hawe sloop sonder die toestemming van die hawekaptein nie.

(2) Sodanige toestemming kan verleen word onderworpe aan die voorwaardes wat die hawekaptein mag goedgevind in die belang van veilige, ordelike en doeltreffende hawebedryf, maar sal in geen geval verleen word nie tensy—

(a) die applikant sekuriteit in kontant of in 'n ander vorm tot bevrediging van die Vervoerdienste verskaf het vir 'n bedrag wat nie hoër is as wat dit volgens die Vervoerdienste se raming sal kos om alle dele van die wrak, romp of skip geheel en al te verwyder nie; en

(b) dié sekuriteit verskaf word op die voorwaarde dat, as die applikant nie alle dele van die wrak, romp of skip heeltemal verwyder binne 'n tydperk wat die Vervoerdienste bepaal wanneer die sekuriteit verskaf word nie, die Vervoerdienste die reg het om sodanige gedeelte van die gedeponeerde bedrag te behou of van die gewaarborgde bedrag te eis, na gelang van die geval, as wat die Vervoerdienste mag bepaal. Die genoemde gedeelte mag egter nie meer wees as wat dit volgens die raming van die Vervoerdienste sal kos om dié gedeelte van die wrak, romp of skip te verwyder wat nie deur die applikant verwyder is nie.

(16) *Cleaning of drydocks before refloating of ships.*

The master of a ship shall, prior to the refloating of the ship, cause the drydock to be cleared and cleaned.

(17) *Articles supplied by Transport Services to ships in drydocks.*

(a) The Transport Services will supply the following articles free of charge to every ship drydocked:

(i) Set of blocks for the length of ship given at the time of booking.

(ii) Horizontal shores with chains or ropes for slinging same.

(iii) Bilge shores with sufficient wedges.

(iv) First set of capping pieces.

(v) A gangway.

(b) Any expenses incurred by the Transport Services in altering or adding to the keel blocks customarily supplied free of charge, shall be borne by the master or owner of the ship.

(c) The master of the ship shall supply the necessary labour for hauling horizontal shores from the dock's side to the ship's side and making them fast.

(d) The use of dock cranes shall *mutatis mutandis* be subject to regulation 34.

(18) *Trimming of vessels.*

Vessels should be trimmed to the dockmaster's requirements prior to docking. If a vessel is moved to a drydock, syncrolift or slipway in an untrimmed condition, the cost of moving to and from the dock and any further expense(s) shall be borne by the master or owner of the ship.

(19) *Dockmaster.*

For the purpose of this regulation—

“dockmaster” shall mean the officer appointed by the Transport Services to take charge of and control the working of drydocks, or the officer acting as such for the time being.

WRECKS

62. Security to be given before wrecks are broken up.

(1) No person shall break up a wreck, hulk or ship in a harbour without the permission of the port captain.

(2) Such permission may be granted subject to such conditions as the port captain may think fit, in the interests of safe, orderly and efficient harbour working, but shall in no case be granted unless—

(a) the applicant has provided security, either in cash or in some other form satisfactory to the Transport Services, in an amount not exceeding the cost, as estimated by the Transport Services, of completely removing every part of the wreck, hulk or ship; and

(b) it has been made a condition of the provision of such security that, in the event of the applicant's failure to effect the complete removal of every part of the wreck, hulk or ship within a period stipulated by the Transport Services, at the time when the security is provided, the Transport Services shall be entitled to retain or, as the case may be, to claim payment of such portion of the amount deposited or otherwise secured, as the Transport Services may determine, but not exceeding the cost, as estimated by the Transport Services, of removing so much of the wreck, hulk or ship as has not been removed by the applicant.

(3) Geen bepalings van en stappe ingevolge hierdie regulasie benadeel die reg van die Vervoerdienste om 'n bedrag benewens dié wat hy ingevolge hierdie regulasie ontvang, van enige persoon kragtens artikel 9 (16) van die Wet in te vorder nie, as so 'n bedrag op die genoemde persoon verhaalbaar is uit hoofde van stappe wat die Vervoerdienste kragtens daardie artikel doen.

KLEIN VAARTUIE

63. Klein vaartuie moet padgee.

Geen klein vaartuig mag sonder die toestemming van die hawekaptein geanker of gemeer word in 'n kanaal van 'n hawe waarin oseaaanskepe kan vaar nie. Klein vaartuie moet te alle tye padgee vir oseaaanskepe wat in 'n kanaal of bevaarbare gebied van 'n hawe vaar.

64. Klein vaartuie moet ligte vertoon.

Tussen sonder en sonop moet klein vaartuie die ligte vertoon wat voorgeskryf word in die Botsing- en Noodsein-regulasies, 1977, afgekondig in Goewermenskennisgewing R. 1111 van 1 Julie 1977 (welke regulasies van toepassing is op en uitvoering gee aan die Internasionale Regulasies vir die Voorkoming van Botsings ter See, 1972). Die hawekaptein mag egter enige klein vaartuig van die bepalings van hierdie regulasie vrystel onderwyl sodanige vaartuig geanker, gemeer of beveilig is op 'n plek wat hy daaraan toegewys het.

65. Meer van klein vaartuie.

(1) Geen klein vaartuig mag by 'n kaai, hawehoof, kaai-meerplek, paal, bolder of meerboei in 'n hawe gemeer word nie behalwe by sodanige aanlê- of ander plek as wat die hawekaptein van tyd tot tyd daaraan mag toewys. Die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, moet die opdragte en instruksies van die hawekaptein nakom.

(2) Geen klein vaartuig mag vasgemaak word aan 'n kanaalmerkboei, ligboei of ander navigasihulpmiddel of -merk wat vir die veiligheid van skepe aangebring is nie. Die eienaar van 'n klein vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, wat so 'n boei of navigasihulpmiddel versper of verskuif, moet die voorval onmiddellik aan die hawekaptein rapporteer en moet in elk geval binne 24 uur na die voorval 'n volledige skriftelike verslag by die hawekaptein indien, waarin die omstandighede van die voorval uiteengesit word.

(3) As 'n klein vaartuig om 'n rede buite die beheer van die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, inderdaad gemeer word by 'n aanlê- of ander plek wat nie uitdruklik deur die hawekaptein aan so 'n vaartuig toegewys is nie, moet die eienaar van sodanige vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, die hawekaptein onmiddellik in kennis stel dat die vaartuig so gemeer is, en welke geval die hawekaptein, op koste van die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, sodanige stappe kan doen as wat hy nodig ag in die belang van veilige, ordelike en doeltreffende hawebedryf.

66. Klein vaartuie wat die ingang oorsteek.

Geen klein vaartuig mag die ingang van 'n hawe oorsteek of in die hawe gebring of in die water van 'n hawe geplaas word sonder die hawekaptein se toestemming nie, wat onderworpe is aan die voorwaardes wat hy in belang van veilige, ordelike en doeltreffende hawebedryf nodig ag.

(3) Nothing in this regulation contained and nothing done pursuant to this regulation, shall prejudice the right of the Transport Services to recover from a person under section 9 (16) of the Act, an amount which may be recoverable from such person by virtue of an action taken by the Transport Services under that section, over and above any amount received by the Transport Services under this regulation.

SMALL CRAFT

63. Small craft to make way.

No small craft shall be anchored or moored in any channel of a harbour navigable by ocean-going vessels except by permission of the port captain, and such craft shall at all times be kept out of the way of ocean-going vessels under way in any channel or navigable area of a harbour.

64. Small craft to exhibit lights.

The lights prescribed in the Collisions and Distress Signals Regulations, 1977, published under Government Notice R. 1111 of 1 July 1977 (which regulations apply and give effect to the International Regulations for Preventing Collisions at Sea, 1972), shall between sunset and sunrise be exhibited on small craft; provided that the port captain may exempt any such craft from the provisions of these regulations while such craft is anchored, moored or secured in any position assigned to it by him.

65. Mooring of small craft.

(1) No small craft shall be moored at a wharf, jetty, quay, wharfmooring, post, bollard or mooring buoy in the harbour except at such berth or position as may from time to time be assigned to it by the port captain, and the owner or the person duly authorised by such owner to have charge of such craft, shall comply with the port captain's directions and instructions.

(2) No small craft shall be made fast to a channel marking buoy, light buoy or other navigational aid or mark provided for the safety of ships, and the owner of a small craft or the person duly authorised by such owner to have charge of such craft, that fouls or displaces such buoy or navigational aid, shall immediately report the occurrence to the port captain and shall in any event within 24 hours after the occurrence make to the port captain a full report in writing setting forth the circumstances attending the occurrence.

(3) If for any reason beyond the control of the owner of a small craft or the person duly authorised by such owner to have charge of such craft, such craft is in fact moored at a berth or position that has not been specifically assigned to it by the port captain, the owner of such small craft or the person duly authorised by such owner to have charge of such craft, shall immediately notify the port captain that the craft is so berthed, in which event the port captain may, at the expense of the owner or the person duly authorised by such owner to have charge of such craft, take whatever action he may deem necessary in the interests of safe, orderly and efficient harbour working.

66. Small craft crossing bar.

No small craft shall cross the entrance of a harbour, or be brought into a harbour or be placed into the waters of a harbour, without the permission of the port captain, who may grant such permission subject to such conditions as he may deem necessary in the interests of safe, orderly and efficient harbour working.

67. Klein vaartuie behalwe plesiervaartuie, moet gelisensieer word; plesiervaartuie moet geregistreer wees.

(1) Geen plesiervaartuig mag in 'n hawe lê of daarin gebruik word sonder die toestemming van die hawekaptein nie, en hy kan toestemming weier in die belang van veilige, ordelike en doeltreffende hawebedryf. Indien toestemming verleen word, moet sodanige plesiervaartuig ingevolge regulasie 75 geregistreer wees.

(2) Geen klein vaartuig, behalwe 'n plesiervaartuig, mag in 'n hawe lê of gebruik word sonder 'n lisensie, soos hierna bepaal, wat deur die hawekaptein by daardie hawe uitgereik is nie. Die bepalings van hierdie paragraaf is nie van toepassing op klein vaartuie nie wat gebruik word in die visserijbedryf binne die grense van 'n visseryhawe (binne 'n gebied wat in die Vervoerdienste se jurisdiksie lê) was as sodanig kragtens die Wet op Seevisserye, 1973, geproklameer is.

68. Aansoek om lisensie.

(1) Voordat enige klein vaartuig waarna in paragraaf (2) van regulasie 67 verwys word, in 'n hawe mag lê of gebruik word, moet die eienaar van sodanige vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, skriftelik by die hawekaptein aansoek doen om 'n lisensie, en tensy die hawekaptein besluit om die aansoek onmiddellik te weier omdat die uitreiking van die lisensie nadelig kan wees vir veilige, ordelike en doeltreffende hawebedryf, moet hy versoek dat die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, die vaartuig laat ondersoek deur een of meer van die Departement van Vervoer se skeepsonnemers wat vir die doel aangestel is.

(2) As die opnemer(s) na die ondersoek van mening is dat sodanige vaartuig in 'n geskikte toestand en behoorlik toegerus is vir die doel en werk waarvoor dit bedoel is, of dat sodanige vaartuig in 'n geskikte toestand is om in die hawe te kan lê, na gelang van die geval, reik die opnemer(s) 'n sertifikaat te dien effekte uit waarin hy/hulle aandui watter beperkings of voorwaardes, as daar is, na sy/hulle mening in die lisensie ingesluit moet wees en vir watter tydperk dit uitgereik behoort te word. Die bepalings van hierdie regulasie is *mutatis mutandis* van toepassing op die hernuwing van 'n sertifikaat wat voorheen uitgereik is.

69. Hoe 'n lisensie toegestaan word.

As die sertifikaat wat uitgereik is deur die opnemer waarna in regulasie 68 verwys word, binne 14 dae na die uitreiking daarvan by die kantoor van die hawekaptein vertoon en die voorgeskrewe lisensiegeld en ander gelde (as daar is) aan die Vervoerdienste betaal word, reik die hawekaptein 'n lisensie uit aan die houer wat hom magtig om die genoemde vaartuig in die hawe te laat lê of te gebruik of van die hawe af te gebruik, na gelang van die geval, onderworpe aan die beperkings of voorwaardes wat in die genoemde sertifikaat uiteengesit is asook aan alle voorwaardes wat die hawekaptein nodig of wenslik mag ag in die belang van veilige, ordelike en doeltreffende hawebedryf. Benewens die voornoemde beperkings of voorwaardes moet die geldigheidsduur van die lisensie daarin aangetoon word, en hierdie tydperk moet nie langer wees as die tydperk wat in die genoemde sertifikaat aangetoon is nie. Indien van toepassing moet die getal persone aangetoon word wat deur die gelisensieerde vaartuig vervoer mag word.

70. Geldigheidsduur van lisensie.

Afgesien van wat die geldigheidsduur van 'n lisensie wat ingevolge regulasie 69 uitgereik is ook al mag wees, verval so 'n lisensie op die 31ste dag van Desember van die jaar waarin dit uitgereik of hernuwe is. Die hawekaptein kan so 'n lisensie egter vir die onverstreke gedeelte van die tydperk

67. Small craft other than pleasure craft, to be licensed; pleasure craft to be registered.

(1) No pleasure craft may lie or be used in a harbour without the permission of the port captain, who may refuse such permission in the interests of safe, orderly and efficient harbour working. If such permission is granted, such pleasure craft shall be registered in terms of regulation 75.

(2) No small craft, other than pleasure craft may lie or be used in a harbour without a licence as hereinafter provided, issued by the port captain at that harbour. The provisions of this paragraph do not apply to small craft engaged in the fishing industry within the limits of a fishing harbour (within an area under the South African Transport Services jurisdiction) proclaimed as such under the provisions of the Sea Fisheries Act, 1973.

68. Application for licence.

(1) Before any small craft referred to in paragraph (2) of regulation 67 may lie or be used in a harbour the owner of such craft or the person duly authorised by such owner to have charge of such craft, shall apply in writing to the port captain for a licence, and unless the port captain decides to refuse the application forthwith on the ground that the issue of the licence will be detrimental to safe, orderly or efficient harbour working, he shall require the owner or the person duly authorised by such owner to have charge of such craft, to have such craft examined by one or more of the Department of Transport's marine surveyors appointed for the purpose.

(2) If after examination such surveyor(s) is/are of the opinion that such craft is in a suitable condition and equipped for the purpose and service for which it is intended, or that such craft is in a suitable condition to be allowed to lie in a harbour, as the case may be, the surveyor(s) shall grant a certificate to that effect. In such certificate the surveyor(s) shall state what limitations or conditions (if any) ought in his or their opinion to be included in the licence and for what period it ought to be issued. The provisions of this regulation shall *mutatis mutandis* apply with respect of the renewal of a certificate previously issued.

69. How licence granted.

Upon production of the certificate issued by the surveyor referred to in regulation 68 at the office of the port captain within a period of 14 days from the date of issue of such certificate, and upon payment to the Transport Services of the prescribed licence fees and other fees (if any), the port captain shall issue a licence to the holder authorising the said craft to lie or to be used in or operated from the harbour, as the case may be, subject to such limitations or conditions as are set forth in the said certificate and to any further conditions in the interests of safe, orderly and efficient harbour working, which the port captain may deem necessary or desirable to impose. In addition to the aforementioned limitations or conditions, there shall be set forth in the licence the period of its validity which shall not be longer than the period stated in the said certificate and, if applicable, the number of persons which may be carried in the licensed craft.

70. Duration of licence.

Whatever may be the period of validity stated in a licence issued under regulation 69, every such licence shall expire on the 31st day of December of the year in which it was issued or renewed; provided that unless the port captain is of the opinion that it would be detrimental to safe, orderly and

wat in die genoemde sertifikaat aangetoon is, hernuwe as hy van mening is dat dit nie vir veilige, ordelike of doeltreffende hawebedryf nadelig sal wees nie; of as 'n nuwe sertifikaat wat ingevolge regulasie 68 uitgereik is, of die oorspronklike sertifikaat aan hom vertoon word wat deur die Departement van Vervoer se skeepsopnemer(s) geëndosseer is, kan die hawekaptein die lisensie hernuwe vir 'n tydperk wat nie langer is nie as dié tydperk wat in die nuwe sertifikaat of in die endossement aangetoon is.

71. Hernuwing van sertifikaat.

Elke nuwe sertifikaat en elke endossement waarna in regulasie 70 verwys word, moet deur die Departement van Vervoer se skeepsopnemer(s) gedateer word, en geen lisensie word uitgereik of verleng nie as die nuwe sertifikaat of endossement gedateer is meer as 14 dae voor die dag waarop dit by die kantoor van die hawekaptein getoon word om 'n lisensie of 'n verlenging daarvan te verkry.

72. Oorplaas van gelisensieerde vaartuie.

As die eienaar van 'n gelisensieerde vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, die vaartuig na 'n ander hawe wil oorplaas, moet hy skriftelik daarom aansoek doen by die hawekaptein van die hawe waar sy vaartuig gelisensieer is, en mits die vaartuig geakkommodeer kan word by die hawe waarheen die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, dit wil oorplaas, kan die hawekaptein toestemming gee dat die vaartuig oorgeplaas word. Die bestaande lisensie moet so gou moontlik na aankoms van die vaartuig by die hawe waarheen dit oorgeplaas is aan die hawekaptein by daardie hawe getoon word, wat die voorwaardes, as daar is, betreffende die grense van die gebied waarin die vaartuig gebruik mag word, of andersins, wat hy nodig mag ag in belang van veilige, ordelike en doeltreffende hawebedryf, daarop sal endosseer of daarby sal aanheg. Daarna word geag dat sodanige lisensie, onderworpe aan die voorwaardes daarop geëndosseer of daarby aangeheg, uitgereik is ten opsigte van sodanige vaartuig by die hawe waarheen dit oorgeplaas is.

73. Wanneer die lisensiehouer die gebruik van die vaartuig moet staak.

'n Opnemer wat vir die doel aangestel is, kan 'n vaartuig wat ingevolge regulasie 69 gelisensieer is, asook die toerusting daarop, te eniger tyd gedurende die geldigheidsduur van die lisensie inspekteer en ondersoek. As die genoemde vaartuig of die toerusting volgens die mening van die opnemer ongeskik is om gebruik te word vir die doel waarvoor dit gelisensieer is, moet hy die hawekaptein daarvan in kennis stel, en laasgenoemde moet die lisensiehouer skriftelik kennis gee om die gebruik van die vaartuig te staak, tensy en totdat die defekte wat die opnemer(s) aangestip het, herstel is. As die vaartuig of die toerusting weer ondersoek is en die ondersoeker(s) daarvan oortuig is dat die vaartuig of die toerusting geskik is vir die doel waarvoor dit gebruik moet word, moet hy/hulle die hawekaptein dienooreenkomstig verwittig. Laasgenoemde moet die lisensie dienooreenkomstig endosseer en die endossement dateer, en van daardie datum af is die lisensiehouer geregtig om die vaartuig weer te gebruik vir die doel waarvoor die lisensie dit magtig.

74. Wanneer gelisensieerde vaartuie nie gebruik mag word nie.

Die lisensiehouer aan wie skriftelik kennis gegee is ingevolge regulasie 73, mag nie die vaartuig waarop die kennisgewing betrekking het gebruik, laat gebruik of toelaat dat dit gebruik word nie voordat die hawekaptein die lisensie geëndosseer het soos in die genoemde regulasie bepaal word.

efficient harbour working to do so, he may renew any such licence for the unexpired portion of the period stated in the said certificate, or if there be produced to him a new certificate issued under regulation 68, or the original certificate bearing an endorsement by the Department of Transport's marine surveyor the port captain may renew the licence for a further period not exceeding that stated in such new certificate or in such endorsement.

71. Renewal of certificate.

Every new certificate and every endorsement referred to in regulation 70 shall be dated by the Department of Transport's marine surveyor(s), and no licence shall be issued or extended if the date of such new certificate or endorsement is more than 14 days before the date of production thereof at the office of the port captain for the purpose of obtaining a licence or extension thereof.

72. Transfer of licensed craft.

If the owner of a licensed craft or the person duly authorised by such owner to have charge of such craft, desires to transfer the craft to another port he shall apply in writing to the port captain of the port at which his craft is licensed for permission to do so, and provided the craft can be accommodated at the port nominated by the owner or the person duly authorised by such owner to have charge of such craft, the port captain may grant permission for the craft to be so transferred. As soon as reasonably possible after the arrival of the craft at the port to which it is transferred the extant licence shall be produced to the port captain of that port, who shall endorse thereon or annex thereto such conditions (if any) regarding the limits of the permissible area of operations, or otherwise, as he may deem necessary in the interests of safe, orderly and efficient harbour working. Thereupon such licence shall subject to any conditions so endorsed thereon or annexed thereto, be deemed to have been issued in respect of such craft at the port to which it has been transferred.

73. When holder of licence to cease use of craft.

A surveyor appointed for the purpose may at any time during the currency of licence issued in terms of regulation 69 inspect and examine the licensed craft and its equipment, and if in the opinion of the surveyor the condition of the said craft or its equipment is such as to make the craft unsuitable for the purpose for which it was licensed to be used, he shall notify the port captain thereof who shall give written notice to the holder of the licence to cease using the craft, unless and until the defects or deficiencies noted by the surveyor(s) have been remedied. If after further examination the surveyor(s) is/are satisfied that the craft or its equipment is again in a condition suitable and fitted for the purpose for which it is to be used, he/they shall notify the port captain accordingly, and the port captain shall make an endorsement on the licence to that effect, with the date thereof, and as from such date the holder of the licence shall be entitled to continue using the craft for the purpose authorised by the licence.

74. When licensed craft not to be used.

The holder of a licence to whom written notice has been given in terms of regulation 73, shall not use or cause or allow to be used, the craft to which the notice relates until the licence has been endorsed by the port captain as provided for in the said regulation.

75. Klein vaartuie moet genommer en geregistreer word.

(1) Alle plesiervaartuie waarvoor toestemming van die hawekaptein verkry is om in 'n hawe te lê of gebruik te word, moet deur die hawekaptein geregistreer word, en die voorgeskrewe registrasiegeld moet deur die eienaar van sodanige vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuie te wees, betaal word.

(2) Sodra sodanige registrasie en betaling van die genoemde registrasiegeld plaasvind, word die hawekaptein geag toestemming te verleen het dat die betrokke vaartuig in die hawe mag lê of daarin gebruik mag word tot die eersvolgende 31ste dag van Desember, tensy sodanige toestemming vroeër ingevolge regulasie 81 ingetrek word.

(3) Dit is die plig van die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, om vir elke kalenderjaar ná die jaar waarin sodanige vaartuig die eerste keer geregistreer is, opnuut van die hawekaptein toestemming te verkry dat die betrokke vaartuig in die hawe mag lê of daarin gebruik mag word, en daar word geag dat sodanige toestemming hernuwe is slegs indien en wanneer die registrasiegeld vir die betrokke kalenderjaar betaal is. Daarna word daar geag dat toestemming verleen is dat die betrokke vaartuig gedurende die onverstreke gedeelte van daardie kalenderjaar in die hawe mag lê of daarin gebruik mag word, tensy sodanige toestemming vroeër ingevolge regulasie 81 ingetrek word; met dien verstande dat, soos in die geval van 'n eerste aansoek om toestemming ingevolge regulasie 67, die hawekaptein in die belang van veilige, ordelike en doeltreffende hawebedryf kan weier om toestemming te verleen dat die betrokke vaartuig gedurende enige jaar na die jaar waarin dit die eerste keer geregistreer is, in die hawe mag lê of daarin gebruik mag word.

(4) Wanneer 'n plesiervaartuig die eerste keer ingevolge hierdie regulasie geregistreer word en by betaling van die voorgeskrewe registrasiegeld ten opsigte van elke daaropvolgende kalenderjaar, moet die hawekaptein 'n registrasieskyf ten opsigte van die betrokke vaartuig uitreik waarop die nommer wat aan sodanige vaartuig toegeken is, asook die jaar van uitreiking, voorkom. Dié skyf, wat in 'n geskikte houer geplaas moet word om dit teen beskadiging of verwerping te beskerm, moet te alle tye op 'n opvallende plek aan boord die vaartuig waarop dit betrekking het, vertoon word. Die feit dat daar op 'n plesiervaartuig nie so 'n skyf wat ten opsigte van daardie vaartuig vir die lopende jaar uitgereik is, vertoon word nie, dien as prima facie bewys dat die registrasiegeld ten opsigte van die lopende jaar nie betaal is nie en dat die betrokke vaartuig sonder die toestemming van die hawekaptein in die hawe lê of daarin gebruik word.

(5) Elke klein vaartuig moet genommer word, en besonderhede van sodanige vaartuig tesame met die nommer wat daaraan toegeken is, asook die naam en adres van die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, moet aangeteken word in 'n boek wat die hawekaptein vir dié doel moet hou.

(6) As die eienaar van 'n klein vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, sy adres verander, moet hy die hawekaptein onmiddellik skriftelik kennis gee van sy nuwe adres, en as so 'n vaartuig van eienaar verwissel, moet die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, die hawekaptein onmiddellik skriftelik daarvan in kennis stel en die naam en adres verstrek van die nuwe eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees.

75. Small craft to be numbered and registered.

(1) All pleasure craft for which permission to lie or be used in a harbour has been obtained from the port captain shall be registered by the port captain and the prescribed registration fee shall be paid by the owner of such craft or the person duly authorised by such owner to have charge of such craft.

(2) Upon such registration and payment of the said registration fee, permission shall be deemed to have been granted by the port captain for the craft in question to lie or be used in a harbour until the 31st day of December next ensuing, unless such permission is cancelled sooner in terms of regulation 81.

(3) In respect of each calendar year following the year in which such craft was first registered, it shall be the duty of the owner or the person duly authorised by such owner to have charge of such craft, to obtain permission afresh from the port captain for the craft in question to lie or be used in the harbour, and such permission shall be deemed to have been renewed only if and when the registration fee for the calendar year in question has been paid. Thereupon, permission shall be deemed to have been granted for the craft in question to lie or be used in the harbour during the unexpired portion of that calendar year, unless such permission is cancelled sooner in terms of regulation 81; provided that, as in the case of a first application for permission in terms of regulation 67, the port captain may, in the interests of safe, orderly and efficient harbour working, refuse to grant permission for the craft in question to lie or be used in the harbour during any year subsequent to the year of first registration.

(4) Upon the first registration of a pleasure craft in terms of this regulation and upon payment of the prescribed registration fee in respect of each calendar year thereafter, the port captain shall issue in respect of the craft in question a registration disc bearing the number assigned to such craft indicating the year of issue. Such disc, which shall be encased in a suitable holder to protect it against damage or deterioration, shall at all times be displayed in a conspicuous position on the craft to which it relates. The fact that there is not displayed on a pleasure craft any such disc issued in respect of that craft for the current year, shall be prima facie evidence that the registration fee in respect of the current year has not been paid and that the craft in question is lying or being used in the harbour without the permission of the port captain.

(5) All small craft shall be numbered, and particulars of such craft together with the number assigned thereto, and the name and address of the owner or the person duly authorised by such owner to have charge of such craft, shall be recorded in a book to be kept by the port captain for the purpose.

(6) If the owner of a small craft or the person duly authorised by such owner to have charge of such craft, changes his address he shall forthwith notify the port captain in writing of his new address, and if any change occurs in the ownership of any such craft the owner or the person duly authorised by such owner to have charge of such craft, shall forthwith notify the port captain thereof in writing, giving the name and address of the new owner or the person duly authorised by such owner to have charge of such craft.

(7) Die nommer van elke vaartuig moet duidelik en tot bevrediging van die hawekaptein buite op die agterstewe en boeg aangebring word.

76. Persone in beheer van klein vaartuie, behalwe 'n plesiervaartuig, moet bevoeg wees.

Die eienaar van 'n klein vaartuig behalwe 'n plesiervaartuig, of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, mag nie sy vaartuig gebruik, laat gebruik of toelaat dat dit gebruik word nie tensy dit voldoende beman is en iemand in bevel het wat bekwaam en bedrewe genoeg is om dit behoorlik te beheer en te navigeer.

77. Beperkings op klein vaartuie.

Die eienaar van 'n klein vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, hetsy sodanige vaartuig gelisensieer moet wees of nie, moet die beperkings nakom wat die hawekaptein mag bepaal ten opsigte van die gebruik van sodanige vaartuig in die hawe met betrekking tot spoed, gebied waarin gevaar mag word, ens. Sulke beperkings moet onder die aandag van die eienaars van sodanige vaartuie of die persone wat behoorlik deur sodanige eienaars gemagtig is om in beheer van sodanige vaartuie te wees, gebring word op 'n wyse wat die hawekaptein die gerieflikste ag. Motorgedrewe klein vaartuie mag nie in 'n hawe gebruik word nie tensy dit met doeltreffende knaldempers tot bevrediging van die hawekaptein toegerus is.

78. Daar moet nie meer as die gemagtigde getal persone vervoer word nie.

'n Gelisensieerde vaartuig mag nie meer persone vervoer as die getal wat dit gelisensieer is om te vervoer nie, en hierdie getal moet op 'n opvallende plek en tot bevrediging van die hawekaptein op so 'n vaartuig geskilder of aangebring word.

79. Vervoerkoste t.o.v. klein vaartuie moet nie die voorgeskrewe koste oorskry nie.

Die eienaars van klein vaartuie of die persone wat behoorlik deur sodanige eienaars gemagtig is om in beheer van sodanige vaartuie te wees, wat gelisensieer is om passasiers te vervoer, mag nie vervoerkoste hef wat hoër is as wat die Vervoerdienste van tyd tot tyd bepaal nie.

80. Reddings- en brandblustoerusting moet voorsien word.

Alle gelisensieerde vaartuie moet toegerus wees met sodanige reddings- en brandblustoerusting as wat vereis mag word in die regulasies opgestel kragtens die Handelskeepvaartwet, 1951. Alle plesiervaartuie moet toegerus wees met sodanige reddings- en brandblustoerusting as wat die hawekaptein nodig ag. Die toerusting in hierdie regulasie genoem, moet te alle tye aan boord van die betrokke vaartuie in so 'n toestand gehou word dat dit geskik is om onmiddellik gebruik te word.

81. Oortreding van beperkings of voorwaardes van toepassing op klein vaartuie.

Indien 'n klein vaartuig gebruik of genavigeer word op 'n wyse wat neerkom op 'n oortreding of skending van 'n regulasie of van 'n beperking deur die hawekaptein opgelê t.o.v. die gebruik of navigasie van so 'n vaartuig, of van die bepalinge van voorwaardes waarkragtens toestemming verleen is dat so 'n vaartuig in die hawe mag lê of gebruik word of van die hawe af gebruik kan word of van die voorwaardes waarkragtens 'n lisensie ingevolge hierdie regulasies aan so 'n vaartuig uitgereik is, mag die hawekaptein deur middel van 'n skriftelike kennisgewing aan die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, sodanige toestemming of lisensie onmiddellik intrek; met dien verstande dat,

(7) All small craft shall have their numbers plainly marked on the outside of their stern and bows to the satisfaction of the port captain.

76. Persons in charge of small craft, other than a pleasure craft, to be competent.

No owner of a small craft, other than a pleasure craft, or the person duly authorised by such owner to have charge of such craft, shall use or cause or permit such craft to be used unless the craft is sufficiently manned and in the charge of a person who is able to navigate and manage it with proper competence and skill.

77. Restriction of small craft.

The owner of any small craft or the person duly authorised by such owner to have charge of such craft, whether such craft is required to be licensed or not, shall obey such restrictions relating to speed, area of operations or otherwise as the port captain may impose in respect of the use of such craft in the harbour. Such restrictions shall be brought to the notice of the owner(s) of such craft or the person duly authorised by such owner to have charge of such craft, in such manner as the port captain deems most convenient. No motor-driven small craft shall be used in a harbour unless it is equipped with an efficient silencer to the satisfaction of the port captain.

78. Persons carried not to exceed authorised number.

No licensed craft shall carry a greater number of persons than it is licensed to carry, and particulars of the number of persons which a craft is licensed to carry shall be painted on or affixed to some conspicuous part of such craft to the satisfaction of the port captain.

79. Charges levied in respect of small craft not to exceed prescribed charges.

The charges to be levied by the owners of small craft or the person duly authorised by such owner to have charge of such craft licensed to carry passengers shall not exceed those which may be prescribed from time to time by the Transport Services.

80. Life-saving and fire-extinguishing equipment to be provided.

All licensed craft shall be equipped with such life-saving and fire-extinguishing equipment as may be required to be provided in terms of the regulations framed under the Merchant Shipping Act, 1951. All pleasure craft shall be equipped with such life-saving and fire-extinguishing equipment as may be considered necessary by the port captain. The equipment referred to in this regulation shall be kept aboard such craft at all times and shall be maintained in such condition as to ensure that it is fit for immediate use.

81. Contravention of restrictions or conditions affecting small craft.

Should any small craft be used or navigated in a manner which amounts to a breach or, contravention of any regulation, or of any restriction imposed by the port captain in regard to the use or navigation of such craft, or of the terms and conditions subject to which permission was granted for such craft to lie or be used in or operated from a harbour, or of the conditions subject to which a licence was issued in respect of such craft under these regulations, the port captain may, by notice in writing addressed to the owner or the person duly authorised by such owner to have charge of

in 'n geval waar die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, nie deur 'n hof skuldig bevind is op 'n aanklag wat betrekking het op die voorval nie, die hawekaptein sodanige toestemming of lisensie nie sal intrek nie sonder om die eienaar 'n redelike geleentheid te bied om skriftelik redes aan te voer waarom die toestemming of lisensie nie ingetrek moet word nie.

82. Kompas moet reggestel word: Klein vaartuie, behalwe plesiervaartuie, wat buite hawegrense gaan.

(1) Geen gelisensieerde vaartuig mag sonder spesiale toestemming van die hawekaptein tot buite die grense van 'n hawe gaan nie tensy die eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, 'n sertifikaat het wat deur 'n bevoegde persoon onderteken is en waaruit dit blyk dat so 'n persoon die vaartuig se kompas reggestel het binne die 12 maande onmiddellik voor die datum waarop die vaartuig buite die grense van die hawe gaan.

(2) So 'n sertifikaat word nie vir die doel van hierdie regulasie geldig geag nie tensy 'n afwykingskaart daarmee saamgestuur word wat uitgereik is deur die persoon wat die sertifikaat onderteken het en waarop die afwyking van die kompas aangetoon word toe dit reggestel is.

(3) As die eienaar van 'n gelisensieerde vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, wat sonder die voorgemelde spesiale toestemming van die hawekaptein tot buite die grense van 'n hawe gegaan het, versuim om 'n sertifikaat soos in hierdie regulasie genoem binne 48 uur te toon nadat hy deur of namens die hawekaptein daarom gevra is, word hy geag sonder so 'n sertifikaat te gewees het toe die betrokke vaartuig tot buite die grense van die hawe gegaan het.

83. Klein vaartuie mag nie sterk drank na die bemaning van skepe vervoer nie.

Geen eienaar van 'n klein vaartuig of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, mag bedwelmende drank vervoer na of verskaf of aflewer aan 'n lid van die bemaning of 'n ander persoon aan boord van 'n skip wat in die hawe voor anker lê of gemeer is nie. Hierdie bepaling geld nie vir sterk drank wat met die goedkeuring van die kaptein van die skip gekoop is van 'n persoon wat behoorlik gelisensieer is om dit te verkoop nie, en vir sterk drank wat ingevolge die doeane-wette uit 'n doeane- of aksynspakhuis geneem word vir uitvoer buite die grense van 'n hawe of vir skeepsvoorraad nie. Wanneer sodanige eienaar of die persoon wat behoorlik deur sodanige eienaar gemagtig is om in beheer van sodanige vaartuig te wees, skuldig bevind word aan 'n oortreding van hierdie regulasie, word die lisensie, as daar 'n lisensie is, vir 'n vaartuig wat gebruik is om sodanige oortreding te pleeg, ingetrek.

VERE

84. Veermanne moet gelisensieer wees.

Niemand mag as veerman optree nie tensy hy vir dié doel deur die Vervoerdienste gelisensieer is.

85. Aansoek om veermanlisensie.

'n Persoon wat 'n veermanlisensie wil verkry, moet skriftelik by die hawekaptein daarom aansoek doen, en moet sy naam, ouderdom en kwalifikasies asook sodanige ander toepaslike inligting wat vereis mag word om vas te stel of hy geskik is om 'n lisensie te besit, in sy aansoek verstrek. 'n Veermanlisensie kan van jaar tot jaar hernuwe word mits die lisensiehouer die hawekaptein tevrede stel dat sy kwalifikasies en geskiktheid nie wesenslik verander het sedert die oorspronklike lisensie uitgereik is nie. 'n Lisensie wat kragtens hierdie regulasie uitgereik is, kan te eniger tyd in die belang van veilige, ordelike en doeltreffende hawebedryf deur die hawekaptein opgeskort of ingetrek word.

such craft, forthwith cancel any such permission or licence, provided that, in a case where the owner or the person duly authorised by such owner to have charge of such craft, has not been convicted by a court on a charge relating to the incident, the port captain shall not cancel such permission or licence without giving the owner a reasonable opportunity of showing cause in writing why such permission or licence should not be cancelled.

82. Compasses to be adjusted: Small craft other than pleasure craft, proceeding beyond harbour limits.

(1) Except with the special permission of the port captain, no licensed craft shall proceed beyond the limits of a harbour unless the owner or the person duly authorised by such owner to have charge of such craft is in possession of a certificate signed by a competent person, from which it appears that such person has adjusted the craft's compass within the 12 months immediately preceding the date on which the craft proceeds beyond the limits of a harbour.

(2) Such certificate shall not be deemed to be valid for the purposes of this regulation unless it is accompanied by a deviation card issued by the person signing the certificate, showing the deviation of the compass found to exist on such adjustment.

(3) If the owner of a licensed craft or the person duly authorised by such owner to have charge of such craft that has proceeded beyond the limits of a harbour without the special permission of the port captain as aforementioned, fails to produce a certificate such as is referred to in this regulation within 48 hours after being called upon to do so by or on behalf of the port captain, he shall be deemed not to have been in possession of such certificate at the time when the craft concerned proceeded beyond the limits of a harbour.

83. Small craft not to convey liquor to ships' crew.

No owner of a small craft or the person duly authorised by such owner to have charge of such craft shall supply, convey or deliver any intoxicating liquor to any of the crew or to any other person on board any ship lying at anchor or moored in a harbour, except such liquors as are purchased with the consent of the master of the ship from a person duly licensed to sell the same, and such liquors as may be removed under the customs laws from a bonded or excise warehouse for exportation beyond the limits of the harbour of for ships' stores. Whenever any such owner or the person duly authorised by such owner to have charge of such craft is convicted of a contravention of this regulation, the licence, if any, in respect of any craft used in connection with the commission of such offence shall be cancelled.

FERRIES

84. Ferrymen to be licensed.

No person may act as a ferryman unless he has been licensed for the purpose by the Transport Services.

85. Application for ferryman's licence.

A person who desires to obtain a ferryman's licence shall make application therefor in writing to the port captain and shall state in his application his name, age, qualifications and provide such other relevant information as may be required to establish his suitability to be granted such licence. A ferryman's licence may be renewed from year to year provided the licensee satisfies the port captain that his qualifications and suitability have not changed materially since the original licence was granted. A licence granted in terms of this regulation may be suspended or cancelled at any time by the port captain in the interests of safe, orderly and efficient harbour working.

86. Veermanne moet onderskeidingstekens dra.

Wanneer 'n gelisensieerde veerman sy beroep uitoefen, moet hy 'n onderskeidingsteken dra waarop die nommer van sy lisensie voorkom. Die onderskeidingsteken moet so gedra word dat 'n ander persoon dit maklik kan sien.

87. Veermanne moet bevele gehoorsaam.

'n Gelisensieerde veerman moet passasiers laat op- of afklm by sodanige plek of plekke wat vir dié doel in sy lisensie bepaal is, en hy moet alle bevele gehoorsaam wat die hawekaptein van tyd tot tyd aan hom gee in verband met die gebruik van veerbote.

88. Werwing vir vere.

Geen persoon mag passasiers vir 'n veer binne 'n hawe werf nie.

89. Veermanne moet regulasies en tariewe by hulle hê.

Wanneer 'n gelisensieerde veerman sy beroep uitoefen, moet hy 'n eksemplaar van die haweregulasies en van die gemagtigde skaal van reisegeld by hom hê, en hy moet dit vertoon op versoek van 'n passasier, voornemende passasier, of amptenaar van die Vervoerdienste.

90. Voornemende passasiers vir 'n veer.

(1) Tussen sonop en sononder mag 'n gelisensieerde veerman wie se dienste nie gehuur is nie, nie weier om 'n persoon te vervoer wat die wettige reisegeld aanbied vir die reis wat hy wil onderneem nie, en daar moet nie toegelaat word dat 'n voornemende passasier langer as 15 minute wag nadat hy versoek het om vervoer te word nie.

(2) 'n Gelisensieerde veerman kan weier om 'n passasier te vervoer—

(a) as die weersomstandighede klaarblyklik gevaarlik is;

(b) as die teenwoordigheid van sodanige passasier na die billike mening van die veerman die veiligheid van ander passasiers in gevaar kan stel of hulle kan ontrief; en

(c) as die veerboot reeds die volle getal passasiers het waarvoor dit gelisensieer is.

91. Veerbote het reg op die binneaanlêplek.

'n Veerboot wat passasiers aan wal of aan boord wil laat gaan, het te alle tye saam met ander veerbote wat ingevolge hierdie regulasies gelisensieer is om die beurt reg op 'n binneaanlêplek langs die landingsplek, en vaartuie wat op passasiers of om ander redes wag, moet padgee sodat so 'n veerboot langs die landingsplek kan kom.

LOODSDIENSTE EN LOODSE**92. Loodsdienste.**

(1) Die hawens van Tafelbaai, Port Elizabeth, Oos-Londen, Saldanhaabaai, Durban, Richardsbaai, Walvisbaai, Lüderitz en Mosselbaai is hawens waar loodsdienste verpligtend is, en tensy die hawekaptein se toestemming ingevolge paragraaf (2) van hierdie regulasie verkry word, mag geen persoon 'n skip navigeer binne enigeen van die gebiede omskryf in paragraaf (4) van hierdie regulasie met betrekking tot die verskeie hawens nie, tensy hy 'n loods is wat behoorlik deur die Vervoerdienste gelisensieer is. Vir die doel van hierdie regulasie sluit die uitdrukking "navigeer" die verskuiwing van 'n skip van een aanlêplek na 'n ander in. Niks in hierdie regulasie sal egter vertolk word as 'n ontneming van die kaptein se reg om kragtens artikel 29 (3) van die Wet tussenbeide te tree indien hy van mening is dat omstandighede sodanige optrede regverdig.

86. Ferryman to wear badges.

A licensed ferryman shall, when acting as a ferryman, wear a badge bearing the number shown upon his licence. The badge shall be worn in such a position as to make it readily visible to any other person.

87. Ferryman to comply with orders.

A licensed ferryman shall use such place or places for embarking or disembarking passengers as may be designated in his licence for that purpose and shall comply with such orders regarding the use of ferryboats as may be given to him from time to time by the port captain.

88. Touting for ferries.

No person shall tout within a harbour for passengers for a ferry.

89. Ferryman to carry regulations and tariff.

A licensed ferryman, when acting as such, shall produce on demand by a passenger or intending passenger or officer of the Transport Services, a copy of the harbour regulations and the authorised tariff of fares.

90. Intending passengers for ferry.

(1) Between sunrise and sunset no licensed ferryman if disengaged shall refuse to convey any person who tenders the lawful fare for the journey he desires to make, and no intending passenger may be required to wait for a period of longer than 15 minutes after requesting to be carried.

(2) A licensed ferryman may refuse to carry a passenger—

(a) when weather conditions are obviously dangerous;

(b) when the presence of such passenger is in the reasonable opinion of the ferryman, liable to jeopardize the safety or interfere with the comfort of other passengers; and

(c) when a ferry-boat already has the full number of passengers for which she is licensed.

91. Ferry-boats to have right to inside berth.

A ferry-boat shall at all times have the right in turn with other ferry-boats licensed in terms of these regulations to an inside berth alongside the landing place for the purpose of disembarking or embarking passengers, and craft waiting for hire or otherwise shall give way to enable such ferry-boat to come alongside.

PILOTAGE AND PILOTS**92. Pilotage.**

(1) The harbours of Richards Bay, Durban, East London, Port Elizabeth, Mossel Bay, Table Bay, Saldanha Bay, Lüderitz and Walvis Bay are compulsory pilotage harbours and, except with the permission of the port captain granted in terms of paragraph (2) of this regulation, no person shall navigate a ship within the areas defined in paragraph (4) of this regulation with respect to the several harbours, unless he is a pilot duly licensed by the Transport Services. For the purposes of this regulation the expression "navigate" includes the movement of a ship from one berth to another. Nothing in this regulation shall however be interpreted as derogating from a master's right to intervene in terms of section 29 (3) of the Act should he consider circumstances justify such action.

(2) Indien die hawekaptein van 'n hawe waar loodsdiens te verpligtend is, tevrede is dat die kaptein van 'n skip bevoeg is om sodanige skip veilig binne die grense van daardie hawe te navigeer sonder die hulp van 'n loods, kan hy—

(a) aan sodanige kaptein spesiale toestemming gee om sy skip by 'n bepaalde geleentheid te navigeer soos hierbo genoem; of

(b) indien die totale lengte van die betrokke skip hoogstens 70 m is of in die geval van 'n klein vaartuig van minder as 70 ton (bruto), staande toestemming aan sodanige kaptein verleen by wyse van 'n lisensie vir vrystelling van loodsdienste of 'n lisensie as veerman of bootsman, wat ook al van toepassing is, om sy skip soos hierbo genoem, gedurende die geldigheidsduur van die lisensie te navigeer.

(3) 'n Lisensie vir vrystelling van loodsdienste kan in belang van veilige, ordelike en doeltreffende hawebedryf, te eniger tyd deur die hawekaptein opgeskort of ingetrek word.

(4) Die gebiede genoem in paragraaf (1) van hierdie regulasie is soos volg:

Richardsbaai, Durban, Tafelbaai en Saldanhabaai: Die hele dokgebied of binnehawe en die gebied binne die ingang daarvan en die toegange daartoe.

Oos-Londen: Binne die Buffelsrivier en die ingang daarvan.

Port Elizabeth: Die gebied wat ingesluit word deur die golfbreker en die Noordarm, tesame met die ingang daarvan en die toegange daartoe.

Mosselbaai:

(a) Die gebied wat ingesluit word deur die golfbreker en 'n lyn getrek vanaf die noordelike punt van die golfbreker tot by 'n plek 455 m reg wes daarvan, en dan suidwaarts tot by die vloedstrand.

(b) Die gebied wat soos volg begrens word:

Noordelike grens: Suiderbreedte 34 grade, 08 minute, 00 sekondes.

Oostelike grens: Die ankerpleklyn, bakens in lyn 174 grade, soos aangetoon op kaart 639, verleng na die noordelike grens.

Suidelike grens: 'n Lyn getrek vanaf die land deur Rob-eiland, in 'n rigting van 090 grade.

Westelike grens: Die kuslyn.

Lüderitz: Binne die hawegrense.

Walvisbaai: Die hawekom by die kaai en die gebaggerde kanaal wat van die merkboei buite die kanaalingang na die hawekom lei.

93. Lisensiering van loodse.

(a) Geen persoon mag by 'n hawe onder die jurisdiksie van die Vervoerdienste as loods optree of die beroep van 'n loods uitoefen nie, tensy hy behoorlik deur die Vervoerdienste gelisensieer is as 'n loods vir daardie hawe.

(b) Geen lisensie om as loods by 'n hawe onder die jurisdiksie van die Vervoerdienste op te tree, word aan 'n persoon uitgereik nie tensy hy geslaag het in 'n eksamen van 'n raad van eksaminatore wat deur die Vervoerdienste aangestel is.

94. Intrek of opskorting van loods se lisensie.

Die Vervoerdienste kan 'n loods se lisensie te eniger tyd in die belang van veilige, ordelike en doeltreffende hawebedryf intrek of opskort.

(2) If the port captain of a compulsory pilotage harbour is satisfied that the master of a ship is competent to navigate such ship safely within the limits of that harbour without assistance of a pilot, he may—

(a) grant special permission to such master to navigate his ship as aforesaid on a specified occasion; or

(b) if the ship in question is not more than 70 m in length overall or in the case of a small craft of under 70 tons (gross), grant to such master standing permission in the form of a pilotage exemption licence or a licence as ferryman or coxwain, whichever is applicable, to navigate his ship as aforesaid during the period of validity of the licence.

(3) A pilotage exemption licence may be suspended or cancelled at any time by the port captain in the interests of safe, orderly and efficient harbour working.

(4) The areas referred to in paragraph (1) of this regulation are the following:

Richards Bay, Durban, Table Bay and Saldanha Bay: The whole of the docks or inner harbour and within the entrance and the approaches thereto.

East London: Within the Buffalo River and the entrance thereto.

Port Elizabeth: The area enclosed by the breakwater and the North Arm, together with the entrance and approaches thereto.

Mossel Bay:

(a) The area contained within the breakwater and a line drawn due west for 455 m from its northern extremity and thence south to the forshore.

(b) The area bounded by the following:

Northern limit: Latitude 34 degrees 08 minutes 00 seconds South.

Eastern limit: The anchorage line, beacons in line 174 degrees, shown on Chart 639 extended to the northern limit.

Southern limit: A line drawn from the shore and passing through Seal Island in an 090 degrees direction.

Western limit: The coast line.

Lüderitz: Within the harbour limits.

Walvis Bay: The wharf basin and the dredged channel leading thereto from the marker buoy outside its entrance.

93. Licensing of pilots.

(a) No person may act as or exercise the employment of a pilot at a harbour under the jurisdiction of the Transport Services, unless he has been duly licensed by the Transport Services as a pilot for that harbour.

(b) No licence to act as a pilot at a harbour under the jurisdiction of the Transport Services shall be issued to any person unless he has passed an examination conducted by a board of examiners appointed by the Transport Services.

94. Cancellation or suspension of pilot's licence.

The Transport Services may in the interests of safe, orderly and efficient harbour working cancel or suspend a pilot's licence at any time.

95. Hawens waar loodsdienste nie verpligtend is nie.

Die Vervoerdienste kan by hawens onder sy jurisdiksie waar loodsdienste nie verpligtend is nie, een of meer werknemers aanstel om op te tree as loodse vir skepe wat om hulle dienste vra.

96. Loodsvlag.

Niemand behalwe 'n loods op diens mag 'n loodsvlag (boonste helfte wit, onderste helfte rooi) hys nie, en die kaptein van 'n skip mag ook nie toelaat dat sodanige vlag op sy skip vertoon word nie, behalwe deur 'n loods.

97. Loodslere en -hysers.

(1) (a) Die kaptein van 'n skip wat 'n hawe met behulp van 'n loods binnevaar of daaruit vertrek, moet 'n leer ooreenkomstig die reëls van die "Inter-governmental Maritime Consultative Organisation" en die "Internasionale Standardiseringsorganisasie" en wat toegevoeg is met behoorlike valrepe wat geskik is om die loods veilig aan boord te laat kom of van boord te laat gaan, vir die loods voorsien. Die loodslere en die betrokke toegang tot die dek moet snags doeltreffend verlig word. Elke keer as 'n loods of ander amptenaar deur middel van die loodslere aan of van boord gaan, moet 'n skeepsoffisier by die leer op diens wees.

(b) Loodshysers, indien die skip dit aanbied, moet voldoen aan die reëls van die "Inter-governmental Maritime Consultative Organisation" (IMCO), en 'n loodslere, opgerig en reg vir gebruik, moet langsaan geplaas word. Die gebruik van 'n loodshyser sal aan die oordeel van die loods gelaat word.

(2) Die kaptein wat 'n onbemande skip op sleeptou beheer, moet by aankoms by 'n hawe se toegange 'n loodslere, toegevoeg met twee valrepe oorboord van die onbemande skip beskikbaar hê om hawe- of ander amptenare wat so 'n skip in die uitvoering van hulle pligte moet betree, in staat te stel om veilig aan boord te gaan of die skip te verlaat, of hy moet reël vir 'n ander geskikte wyse om die onbemande skip te betree, bv. deur middel van 'n helikopter.

(3) Niks in hierdie regulasie moet so vertolk word dat dit die kaptein van 'n skip onthef van 'n verantwoordelikheid of verpligting wat hom opgelê is kragtens die Handelskeepvaartwet, 1951, of die regulasies wat daarkragtens opgestel is nie.

(4) Indien die voorgeskrewe bepalings van hierdie regulasie nie nagekom word nie, of indien weers- of seetoestande sodanig is dat dit vir die loods gevaarlik is om op konvensionele wyse aan boord of van 'n skip geneem te word, mag 'n helikopter vir hierdie doel gebruik word. Die beslissing t.o.v. die gebruik van helikopters berus by die hawekaptein wat eger eers die betrokke loods oor die saak sal raadpleeg voordat hy 'n besluit neem. Die agent van die skip moet onmiddellik van die hawekaptein se besluit om 'n helikopter te gebruik, verwittig word, en alle koste en uitgawe verbonde aan die gebruik van 'n helikopter is deur die eienaar van die skip betaalbaar.

HANDELSLISENSIES**98. (1) Niemand mag by 'n hawe—**

- (a) goedere/vrag ontskeep, verskeep, karwei, aflewer of stuwadoorswerk in verband daarmee verrig nie; of
- (b) water of ballas verskaf nie; of
- (c) optree as agent om goedere/vrag, bagasie of pakette te klaar of af te stuur nie; of
- (d) sake doen as verskaffer van wagte aan skepe nie; of
- (e) smous of handeldryf nie; of
- (f) optree as 'n houeroperator om ISO-houers te ontskeep, te verskeep of af te stuur nie;

95. Harbours where pilotage is not compulsory.

The Transport Services may, at harbours under its jurisdiction where pilotage is not compulsory, appoint one or more employees to act as pilots to ships that may request their services.

96. Pilot flag.

No person other than a pilot on duty shall hoist a pilot flag (upper half white, lower half red), nor shall the master of any ship allow such flag to be displayed on his ship except by such pilot.

97. Pilot ladders and hoists.

(1) (a) The master of a ship entering or leaving a harbour under pilotage shall provide a pilot ladder in accordance with Inter-governmental Maritime Consultative Organisation (IMCO) and International Organisation for Standardization (ISO) rules, equipped with proper man-ropes efficient for the purpose of enabling a pilot to embark and disembark safely from the ship. The pilot ladder and relative area of deck access shall be efficiently illuminated at night. On each occasion when a pilot or other official embarks or disembarks from the ship by means of the pilot ladder ship's officer shall be in attendance at the ladder.

(b) Pilot hoist, if offered by ship, shall comply with the Inter-governmental Maritime Consultative Organisation (IMCO) rules and a pilot ladder, rigged ready for use, shall be placed next to it. The use of a pilot hoist shall be in the discretion of the pilot.

(2) The master having charge of any unmanned ship under tow shall on arrival at the approaches to a harbour have available, overside of such ship, a pilot ladder equipped with two man-ropes to enable the safe embarkation and disembarkation of any port or other officials required to board such vessel in the course of duty, or he shall arrange any other suitable means of boarding the unmanned vessel e.g. by means of a helicopter.

(3) Nothing in this regulation shall be construed as relieving the master of a ship of any responsibility or obligation imposed upon him by the Merchant Shipping Act, 1951, or the regulations made under that Act.

(4) Should the requirements stipulated in this regulation not be complied with or should weather or sea conditions be such as to render conventional means of embarking or disembarking a pilot too hazardous, a helicopter may be used for such purpose. The authority to decide whether resort should be had to the use of a helicopter shall vest in the port captain who shall, however, consult the pilot in the matter before arriving at a decision. The ship's agent shall be informed forthwith of any decision on the part of the port captain that a helicopter shall be used and all costs and expenses attendant upon the use of the helicopter shall be for the ship's owner's account.

TRADING LICENCES**98. (1) No person shall at a harbour—**

- (a) undertake the landing, shipping, stevedoring, cartage or delivery of goods/cargo; or
- (b) supply water or ballast; or
- (c) act as agent for the clearing or forwarding of goods/cargo baggage or parcels; or
- (d) engage in the business of supplying watchmen to ships; or
- (e) engage in hawking or trading; or
- (f) act as a container operator undertaking the landing, shipping or forwarding of ISO containers;

tensy hy 'n geldige lisensie het wat deur die Vervoerdienste uitgereik is wat hom magtig om sodanige bedrywigheid te onderneem.

(2) Nieteenstaande die bepalings van paragraaf (1) van hierdie regulasie en van regulasie 139 (2) (a), is 'n lisensie of magtiging ingevolge hierdie regulasies nie nodig nie vir die ontskeping of verskeping van goedere/vrag na of van persele in die Maydonkaagebied wat grens aan die kaaiant of vir die vervoer van goedere/vrag na en van persele in die Maydonkaagebied wat grens aan en toeganklik is vanaf daardie openbare paaie wat kragtens Wet 36 van 1904 (Natal) en Wet 12 van 1927 onder die beheer van die Stadsraad van Durban ressorteer, mits sodanige vervoer nie plaasvind na of van loodse of persele wat deur die Vervoerdienste beheer word nie.

(3) Die koste betaalbaar vir 'n lisensie wat ingevolge paragraaf (1) van hierdie regulasie uitgereik of hernuwe word, is sodanig as wat die Vervoerdienste van tyd tot tyd mag bepaal en bekend maak.

(4) Lisensies wat ingevolge paragraaf (1) van hierdie regulasie uitgereik is, mag uitgereik of hernuwe word onderworpe aan die voorwaardes wat die Vervoerdienste nodig mag ag in die belang van veilige, ordelike en doeltreffende hawebedryf.

(5) Die Vervoerdienste kan in die belang van veilige, ordelike en doeltreffende hawebedryf 'n lisensie wat kragtens hierdie regulasie uitgereik is intrek of weier om sodanige lisensie te hernuwe.

ONTSKEPING, VERSKEPING EN OORSKEPING VAN GOEDERE/VRAG

99. Tonnemaat vir koste.

Die tonnemaat van goedere/vrag waarop koste aan die Vervoerdienste betaalbaar is, is dié van volume, massa, inhoud of getal, volgens die hawetonskaal wat in die *Offisiële Hawetariefboek* uiteengesit is, met uitsondering van goedere wat vervoer word in 'n ISO-houer wat onderworpe is aan die betaling van die eenheidstarief soos bepaal in die bogemelde publikasie.

100. Goedere/Vrag word nie sonder magtiging van doeaneowerheid afgelewer nie.

Geen goedere/vrag word aan 'n geadresseerde afgelewer nie tensy hy die nodige magtiging van die Departement van Doeane en Aksyns vertoon.

101. Indien van haweorders.

(1) Invoerders, verskepers of persone wat in beheer van goedere/vrag is, moet verskepings-, oorskepings- of houer-eindpuntorders of ontskepings-, aflewerings- en afsendingsorders, na gelang van die geval of, in die geval van vrag/goedere verskeep van en bestem vir 'n hawe van die Republiek van Suid-Afrika of van Suidwes-Afrika, vooruit-betaalde kusvragtransitobriewe, op die voorgeskrewe vorms by die hawe-inkomstekantore by die onderskeie hawens inlewer, tussen die ure bepaal in die *Offisiële Hawetariefboek*. Die onderskeie merke en nommers van die pakke, die getal pakke, 'n beskrywing van die pakke en die inhoud daarvan, die massa en afmetings in die geval van vaste stowwe, en die getal liter in elke pak in die geval van vloeistowwe, die waarde van die pakke (as dit vereis word), die koste betaalbaar ooreenkomstig die *Offisiële Hawetariefboek*, die naam van die skip, die verwagte aankomsdatum van die skip, en die hawe van waar die goedere afgestuur is of waarvoor dit bestem is, moet op die orders aangetoon word. Afsonderlike verskepings-, oorskepings- of houer-eindpuntorders of ontskepings-, aflewerings- en afsendingsorders of kusvragtransitobriewe, na gelang van die geval, moet ingelewer word vir elke skip en vir elke afsonderlike geadresseerde of verskeper.

unless he is in possession of a valid licence issued by the Transport Services authorising him to carry on any such activity.

(2) Notwithstanding the provisions of paragraph (1) of this regulation and regulation 139 (2) (a), no licence or authority is required in terms of these regulations for the landing or shipping of goods/cargo to or from premises in the Maydon Wharf area that abut on the quayside or for the cartage of goods/cargo to and from premises in the Maydon Wharf area that abut on and are accessible by those public roads, the control of which is vested in the Municipal Council of Durban in terms of Act 36 of 1904 (Natal) and Act 12 of 1927, provided that such cartage is not undertaken to or from sheds or premises under the control of the Transport Services.

(3) In respect of the issue or renewal of any licence referred to in paragraph (1) of this regulation, there shall be payable such fees as may be fixed and notified by the Transport Services from time to time.

(4) Licences which may be issued in terms of paragraph (1) of this regulation, may be issued or renewed subject to such conditions as in Transport Services may deem necessary to impose in the interests of safe, orderly and efficient harbour working.

(5) The Transport Services may, in the interests of safe, orderly and efficient harbour working cancel or refuse to renew any such licence issued under this regulation.

LANDING, SHIPPING AND TRANSHIPPING OF GOODS/CARGO

99. Tonnage for charges.

The tonnage of goods/cargo upon which charges are payable to the Transport Services shall be the unit of volume, mass, capacity or number, shown in the scale of harbour tonnage set forth in the *Official Harbour Tariff Book*, except for goods conveyed in an ISO container which container shall be subject to the payment of the unit rate prescribed in the aforementioned publication.

100. Goods/Cargo not to be delivered without customs authority.

No goods/cargo will be delivered to any consignee without the production by him of the necessary authority from the Department of Customs and Excise.

101. Submission of harbour orders.

(1) Importers, shippers, or persons in charge of goods/cargo shall deliver at the harbour revenue offices at the respective harbours, between the hours stipulated in the *Official Harbour Tariff Book*, shipping, transshipping or container terminal orders or landing, delivery and forwarding orders as the case may be, or, in the case of cargo/goods shipped from and destined for a harbour of the Republic of South Africa or of South West Africa, prepaid coastal cargo transit bills, on the prescribed forms, which shall specify the respective marks and numbers of the packages, their number, description and contents with mass and measurements of solids, and the number of litres of liquid contained in each package, the value thereof (when required) and the charges payable in accordance with the *Official Harbour Tariff Book*; also the name of the ship, the expected date of arrival of the ship and the port the cargo/goods are from/intended for; and there shall be separate shipping, transshipping or container terminal orders or landing, delivery and forwarding orders or coastal cargo transit bills, as the case may be, for each ship and for each separate consignee or shipper.

(2) Indien vereis, moet afsonderlike ontskeppings-, aflewings- en afsendingsorders ingelewer word vir vrag/goedere wat afgelewer moet word—

- (a) per pad;
- (b) per spoor by binnelandse stasies;
- (c) per spoor by private sylyne; en
- (d) binne die hawegebied vir opberging in pakhuis of die ope lug;

Met dien verstande dat in die geval van geadresseerdes wat oor privaatsylynfasiliteite beskik, die Vervoerdienste in sy diskresie per spoor of pad kan aflewer.

(3) In die geval van vrag/goedere wat per spoor by binnelandse stasies afgelewer moet word, moet sowel die massa as die kubieke of vloeistofmaat in elke geval op die betrokke orders aangegee word.

102. Intrek-/Wysigingsorders.

(1) Orders waardeur vorige orders ingetrek of gewysig word en wat ingedien word deur persone wat wettig beheer het oor vrag/goedere, word deur die Vervoerdienste aanvaar mits dit redelikerwys moontlik is om volgens sodanige intrek-/wysigingsorders te handel wanneer dit ontvang word. Die Vervoerdienste is geregtig om 'n koste te hef op elke order wat 'n vorige order intrek of wysig, en hierdie koste moet betaal word wanneer sodanige order aan die Vervoerdienste oorhandig word.

(2) Die Vervoerdienste aanvaar 'n intrek-/wysigingsorder slegs as die persoon wat wettig beheer het oor die vrag/goedere wat daarin gemeld word, 'n waarborg onderteken het dat hy alle bykomende koste sal betaal wat die Vervoerdienste mag aangaan met die uitvoering van sodanige order.

(3) Verrekeningskoste soos voorgeskryf in die *Offisiële Hawetariefboek* word afgetrek van bedrae wat terugbetaalbaar is ten opsigte van oorforderings op vrag/goedere wat ontskep, verskep of oorgeskep is, tensy die oorfordering veroorsaak is weens 'n fout deur die Vervoerdienste. Die verrekeningskoste word gehef ook in gevalle waar invoerders/uitvoerders of hulle agente gefouteer het met die verstreking van die waarde, massa, afmetings of beskrywing van die vrag/goedere wat 'n verrekening van die hawekoste tot gevolg het.

103. Seevragbriewe en doeannedokumente.

(1) Orders vir die aflewering van vrag/goedere word nie aanvaar nie tensy behoorlik voltooië en ondertekende seevragbriewe, lynboot-/seegeleibriewe, aflewingsorders of ander goedgekeurde dokumente wat deur die betrokke skeepvaartmaatskappy of skeepsagent uitgereik is asook 'n afskrif van die betrokke klaringsbrief of ander vereiste doeannedokument wat deur 'n gemagtigde amptenaar van die Departement van Doeane en Aksyns geteken is, aan die Vervoerdienste voorgelê word.

(2) Die bepalings van paragraaf (1) van hierdie regulasie is nie van toepassing nie op orders gestempel deur 'n houeroperateur wat deur die Departement van Doeane en Aksyns goedgekeur is.

104. Dokumente moet voorgelê word.

Seevragbriewe, vragnotas, fakture en ander dokumente ten opsigte van alle vrag/goedere by 'n hawe ontskep, verskep of oorgeskep moet beskikbaar wees en aan die Vervoerdienste voorgelê word wanneer dit vereis word.

105. Klarings van vrag/goedere—laat orders.

(1) Behalwe soos bepaal in paragraaf (2), van hierdie regulasie moet alle vrag/goedere geklaar en die ontskeppings-, aflewings- en afsendingsorders, oorskeppings- of pakhuisorders of 'n order vir die ontskeping en afsending van ISO-houers wat behoorlik deur die Departement van Doeane en Aksyns goedgekeur is, die plek bepaal vir die

(2) When required, separate landing, delivery and forwarding orders shall be handed in for cargo/goods ordered to be delivered—

- (a) by road;
- (b) by rail to inland stations;
- (c) by rail to private sidings; and
- (d) within the harbour area to be stored or deposited:

Provided that in the case of consignees having private siding facilities, the Transport Services may at its discretion effect delivery by rail or road.

(3) In the case of cargo/goods ordered to be delivered by rail to inland stations the mass as well as the cubic or liquid measurements shall be given in each instance on the relevant orders.

102. Cancelling/Amending orders.

(1) Orders from persons in lawful control of cargo/goods cancelling or amending previous orders will be accepted by the Transport Services provided it is reasonably possible to act upon such cancelling/amending orders at the time they are received. The Transport Services shall be entitled to make a charge in respect of each order cancelling or amending a previous order, which charge shall be payable at the time such order is delivered to the Transport Services.

(2) A cancelling/amending order will be accepted by the Transport Services only if the person in lawful control of the cargo/goods referred to therein has signed an undertaking to pay any additional charges which the carrying out of such order by the Transport Services may entail.

(3) An adjustment fee as prescribed in the *Official Harbour Tariff Book* shall be deducted from all amounts refunded in respect of overcharges on cargo/goods landed, shipped or transhipped unless the overcharge has been caused through an error of the Transport Services. The adjustment fee shall also be levied in cases where errors have been made by importers/exporters or their agents in giving the value, mass, measurements or description of the cargo/goods, necessitating an adjustment of the harbour charges.

103. Bills of lading and customs documents.

(1) Orders for the delivery of cargo/goods will not be accepted, unless properly signed and completed bills of lading, liner/sea waybills, delivery orders or other approved documents issued by the shipping company or ship's agent concerned, together with a copy of the relative bill of entry or other requisite customs document signed by an authorised officer of the Department of Customs and Excise, are produced to the Transport Services.

(2) The provisions of paragraph (1) of this regulation are not applicable to orders stamped by a container operator approved by the Department of Customs and Excise.

104. Documents to be produced.

Bills of lading, freight notes, invoices and other documents shall be available and be produced to the Transport Services, as and when required, in respect of all cargo/goods landed, shipped or transhipped at a harbour.

105. Clearing of cargo/goods—late orders.

(1) Save as is provided in paragraph (2) of this regulation all cargo/goods shall be cleared and the landing, delivery and forwarding, transshipping or warehousing orders or order for the landing and delivery of ISO containers duly passed by the Department of Customs and Excise shall be presented at the place appointed for acceptance of such

aanname van sulke orders binne 24 agtereenvolgende ure nadat kennis van die aankoms van die betrokke skip gegee en in die Vervoerdienste se kantore vertoon is, anders moet die ekstra koste vir laat orders bepaal in paragraaf (3) van hierdie regulasie aan die Vervoerdienste betaal word. Saterdag, Sondag en openbare vakansiedae moet nie by die berekening van sodanige agtereenvolgende ure ingesluit word nie.

(2) In die geval van skepe wat van buite die Republiek van Suid-Afrika regstreeks na 'n hawe kom en hulle eie verskepingsdokumente saambring wat nie op 'n ander redelike wyse vroeër by die hawe ontvang kon word nie, word die ontskepings-, aflewering- en afsendingsorders, oorskepings- of pakhuisorders of 'n order vir die ontskeping en afsending van ISO-houers sonder betaling van die laatorderkoste bepaal in paragraaf (3), aanvaar, indien dit ontvang word, binne 48 agtereenvolgende ure nadat kennis van die aankoms van die betrokke skip gegee en in die kantore van die Vervoerdienste vertoon is. Saterdag, Sondag en openbare vakansiedae moet nie by die berekening van sodanige agtereenvolgende ure ingesluit word nie.

(3) As die bepalings van paragrafe (1) en (2) van hierdie regulasie nie nagekom word nie, moet die eienaar of sy agent 'n bedrag soos voorgeskryf in die *Offisiële Hawetariefsboek* aan die Vervoerdienste betaal ten opsigte van die vrag/goedere wanneer dit geklaar word. In die geval van leë ISO-houers word die tonnemaat bereken op die kubieke inhoudsvermoë van sodanige houers.

106. Wanneer massa nie bekend is nie.

Wanneer die massa of afmetings nie bekend is nie, word die vrag/goedere deur die Vervoerdienste op koste van die eienaar of sy agent gemassameet of gemeet.

107. Massa van bepaalde pakke moet daarop aangedui word.

Die werklike massa in kilogram van alle pakke bo 1 500 kg moet duidelik aan die buitekant van die pak digby die verskepingsmerk geverf word. As daar nie aan hierdie bepaling voldoen word nie, kan die pak deur die Vervoerdienste gemassameet word, en al die koste vir massameting, ekstra hantering, vervoer na en van die massameetbrug, ens. is vir die rekening van die geadresseerde en kan onmiddellik op hom verhaal word.

108. Verkeerde massa of afmetings.

As dit lyk asof die massa of afmetings verkeerd op 'n order aangegee is, kan die Vervoerdienste dit laat toets, en as dit verkeerd is, moet die persoon wat die order indien, die massameet- en/of meetkoste betaal sonder benadeling van die Vervoerdienste se reg om 'n boete wat hom andersins opgelê kan word, van hom te vorder.

109. Merk van pakke.

(1) Die Vervoerdienste is nie aanspreeklik vir verlies, vertraging of nie-aflewering van vrag/goedere as gevolg van onvolledige of verkeerde merke nie.

(2) As vrag/goedere onvolledig of verkeerd gemerk is, kan die Vervoerdienste vereis dat die persoon wat op sulke vrag/goedere aanspraak maak, 'n spesiale vrystellingsorder inlewer wat onderteken is deur die skip se agente, of 'n vrywaring teen verlies of skade wat die Vervoerdienste mag ly as gevolg daarvan dat hy die vrag/goedere aan sodanige persoon aflewer. Hierdie dokumente kan vereis word al is al die regte en koste vir sulke vrag/goedere gedeponeer of betaal. Die opslagkoste wat in die *Offisiële Hawetariefsboek* uiteengesit is, kan gehef word op alle sodanige goedere/vrag wat op die Vervoerdienste se eiendom bly as gevolg van sodanige onvolledige of verkeerde merke.

orders, within 24 consecutive hours of notice having been given and posted in the Transport Services' offices that the ship concerned has arrived, failing which extra charges as specified in paragraph (3) of this regulation will be payable to the Transport Services for late orders. In calculating such consecutive hours, Saturdays, Sundays and public holidays shall be excluded.

(2) In the case of ships coming direct to a harbour from beyond the Republic of South Africa and bringing their own shipping documents which could not have been received at the harbour at an earlier time by any other reasonable means, the time within which the landing, delivery, and forwarding, transshipping or warehousing orders or order for the landing and delivery of ISO containers will be accepted without payment of the extra charges specified in paragraph (3) of this regulation for late orders will be 48 consecutive hours of notice having been given and posted in the Transport Services' offices that the ship concerned has arrived. In calculating such consecutive hours, Saturdays, Sundays and public holidays shall be excluded.

(3) If the requirements prescribed in paragraphs (1) and (2) of this regulation are not complied with, there shall be payable to the Transport Services by the owner or his agent in respect of the cargo/goods as they are cleared, the charge as prescribed in the *Official Harbour Tariff Book*. In the case of empty ISO containers the tonnage shall be calculated on the cubic capacity of such containers.

106. When mass not available.

When the mass or measurement is not available the cargo/goods may be mass measured or measured by the Transport Services at the expense of the owner or his agent.

107. Mass of certain packages to be marked thereon.

All packages exceeding 1 500 kg in mass, must have the actual mass thereof in kilograms legibly painted on the outside of the package in close proximity to the shipping mark. If this condition is not complied with, the package may be mass measured by the Transport Services and all expenses of mass measuring, extra handling, cartage to and from the mass measuring bridge and the like shall be charged to the consignee and may be forthwith recovered from him.

108. Incorrect mass or measurements.

Should either mass or measurements appear to be incorrectly stated on an order, the Transport Services may test the same and if found inaccurate the cost of mass measuring, or measuring, or both must be paid by the party presenting the order without prejudice to the Transport Services' right to recover from him any penalty to which he may otherwise be liable.

109. Marking of packages.

(1) The Transport Services will not be liable for any loss, delay, or non-delivery of cargo/goods occasioned by insufficient or erroneous marking.

(2) When cargo/goods are insufficiently or erroneously marked the Transport Services may, notwithstanding that all dues and charges have been deposited or paid, require from any person claiming such cargo/goods a special release order signed by the ship's agents, or an indemnification against any loss or damage the Transport Services may sustain by reason of the delivery to such person. Storage charges at the rate set forth in the *Official Harbour Tariff Book* may be levied in respect of all cargo/goods remaining on the Transport Services' premises in consequence of such insufficient or erroneous marking.

110. Koste moet vooruitbetaal of gewaarborg word.

Orders vir die aflewering, afsending, opberg in pakhuis, verskeping of oorskeping van vrag/goedere word nie uitgevoer nie tensy alle haweregte en -koste verskuldig ten opsigte van die ontskeping, opberg in pakhuis, verskeping of oorskeping van sodanige vrag/goedere betaal is, of voldoende sekuriteit vir die betaling daarvan verskaf is. Die Vervoerdienste kan belet dat vrag/goedere van die haweg gebied verwyder word tot tyd en wyl sodanige regte en koste betaal is of voldoende sekuriteit vir die betaling daarvan verskaf is.

111. Grootboekrekeninge.

Indien aansoek gedoen word op die voorgeskrewe vorm, en onderworpe aan die voorwaardes wat daarop uiteengesit word, open die Vervoerdienste 'n weeklikse of maandelikse kredietrekening (bekend as 'n "grootboekrekening") vir die betaling van alle regte, tariewe, geld of koste wat kragtens hierdie regulasies of die *Offisiële Hawetariefboek* deur die applikant betaalbaar is.

112. Aflewering van ongeklaarde vrag/goedere.

(1) As vrag/goedere afgelewer is by die staatspakhuis of by 'n ander plek wat deur die Departement van Doeane en Aksyns aangewys is, beteken dit dat sodanige vrag/goedere aan die geadresseerde afgewer is, en die Vervoerdienste is onthef van alle aanspreeklikheid vir vrag/goedere wat so afgelewer is.

(2) ISO-houers wat om enige rede nie aan 'n geadresseerde afgelewer kan word nie sal na verloop van drie dae, bereken vanaf die dag na die dag waarop die skip ontskeping van houers voltooi het, na 'n houerdepot wat deur die Departement van Doeane en Aksyns gelisensieer is, verwyder word. Sodanige verwydering word op koste van die houeroperator of die invoerder of die skeepseienaar gedoen en die Vervoerdienste is van alle aanspreeklikheid onthef ten opsigte van houers wat op dié wyse afgelewer is.

(3) Bederfbare vrag/goedere wat uit 'n skip se koelkamers ontskep word en waarvoor orders voor ontskeping nie ingedien is nie, mag na die Vervoerdienste se goeddunke vir verkoelingsdoeleindes afgelewer word aan koelkamers wat deur die Departement van Doeane en Aksyns goedgekeur en deur die skip se agent benoem is en word op die geadresseerde se onkoste gedoen.

113. Bederfbare vrag/goedere wat in slegte toestand ontskep word.

Die Vervoerdienste kan, na sy goeddunke, bederfbare vrag/goedere wat in 'n slegte toestand ontskep word, sonder ondersoek aflewer.

114. Defekte pakke wat vir ondersoek teruggehou word.

(1) As sakke, pakke of ander houers in 'n defekte toestand teruggehou word vir ondersoek, stel die Vervoerdienste die eienaar of sy agent skriftelik in kennis om op 'n bepaalde plek en tyd teenwoordig te wees om die vrag/goedere te ondersoek. Indien die eienaar of sy agent op die vasgestelde tyd teenwoordig is, kan die Vervoerdienste die sakke, pakke of ander houers in sy teenwoordigheid ondersoek. As die eienaar of sy agent nie teenwoordig is nie, of skriftelik aangedui het dat hy nie verlang dat die vrag/goedere ondersoek word nie, kan die Vervoerdienste die sakke, pakke of ander houers in sy afwesigheid ondersoek of deur 'n deskundige ondersoeker laat ondersoek as hy dit in belang van alle betrokkenes nodig ag. Alle koste wat met sodanige ondersoek aangegaan is, moet deur die eienaar of sy agent betaal word.

110. Charges to be prepaid or secured.

Orders for the delivery, forwarding, warehousing, shipping or transshipping of cargo/goods will not be acted upon unless all harbour dues and charges payable in respect of the landing, warehousing, shipping or transshipping of such cargo/goods have been paid or sufficient security has been furnished for the payment thereof, and the Transport Services may prevent the removal of the cargo/goods from the harbour area until such dues and charges are paid or sufficient security for the payment thereof has been furnished.

111. Ledger accounts.

The Transport Services will, upon application being made on the prescribed form and subject to the conditions therein set forth, open a weekly or monthly credit account (called "ledger account") against which will be debited all dues, rates, fees or charges that may become payable by the applicant under these regulations or the *Official Harbour Tariff Book*.

112. Delivery of uncleared cargo/goods.

(1) The delivery of cargo/goods to the State Warehouse or other place appointed by the Department of Customs and Excise, shall constitute delivery of such cargo/goods to the consignee, and the Transport Services shall be relieved of all liability in respect of cargo/goods that have been so delivered.

(2) ISO containers that cannot be delivered to the consignee for whatever reason will be removed to a container depot licensed by the Department of Customs and Excise after a period of three days calculated from the day following the day on which the vessel completed discharging containers. Such removal shall be undertaken at the expense of the container operator or the importer or the shipowner and the Transport Services shall be relieved of all liability in respect of containers so delivered.

(3) Perishable cargo/goods landed from a ship's cold chambers for which orders have not been received before they are landed, may, at the discretion of the Transport Services be delivered to cold stores approved by the Department of Customs and Excise and nominated by the agent for the vessel for cold storage purposes at the expense of the consignee.

113. Perishable cargo/goods landed in bad order.

Whenever perishable cargo/goods have been landed in bad order the Transport Services may, in its discretion, deliver such cargo/goods without examination.

114. Defective packages stopped for examination.

(1) If any bags, packages or other containers in a defective condition have been stopped for examination, the Transport Services shall give written notice to the owner or his agent calling upon him to attend at a specified place and time for the purpose of examining the cargo/goods. If the owner or his agent is present at the appointed time the Transport Services may examine the bags, packages, or other containers in his presence. If the owner or his agent is not present, or has signified in writing that he does not wish the cargo to be examined, the Transport Services may examine the bags, packages or other containers in his absence or may, if it considers it necessary in the interests of all concerned, cause them to be examined by an expert examiner. All costs incurred in connection with such examination shall be borne by the owner or his agent.

(2) As die eienaar of sy agent nie binne 24 uur na die tyd wat vir die ondersoek van die vrag/goedere vasgestel is in die kennisgewing genoem in paragraaf (1) van hierdie regulasie, aan die Vervoerdienste opdrag gee hoe daar oor die vrag/goedere beskik moet word nie, kan die Vervoerdienste, na sy goeddunke, die sakke, pakke of ander houters op koste van die eienaar of by die bestemming laat aflewer of daarheen laat versend, na gelang van die geval, of in 'n pakhuis laat opberg. Pakhuiskoste teen die tariewe voorgeskryf in die *Offisiële Hawetariefboek* moet betaal word ten opsigte van vrag/goedere wat so opgeberg is.

115. Pakke wat lek of defek is.

Die Vervoerdienste kan weier om vrag/goedere in sakke, pakke of ander houters wat lek of defek is in ontvangs te neem, en as sulke vrag/goedere ontskep is, moet die koste vir die herstel van skade wat die Vervoerdienste of 'n derde party mag gely het as gevolg van die ontskeping van sodanige vrag/goedere, deur die eienaars van die vrag/goedere gedra word. Die Vervoerdienste kan weier om vrag/goedere in sakke, pakke of ander houters wat lek of defek is in 'n pakhuis op te berg, tensy sulke sakke, pakke of ander houters herstel of die vrag/goedere tot bevrediging van die Vervoerdienste in ander sakke geplaas of oorgepak is. As die Vervoerdienste sulke houters herstel of die vrag/goedere in ander sakke plaas of oorpak, doen hy dit op koste van die eienaar.

116. Pak/Uitpak van vrag/goedere.

Geen vrag/goedere hoegenaamd mag binne 'n hawe uitgepak word sonder spesiale toestemming van die hawebeheerder nie, en die eienaar van sodanige vrag/goedere moet alle strooi en ander materiaal waaruit die vrag/goedere gehaal is, onverwyld verwyder, anders sal die Vervoerdienste dit op koste van sodanige eienaar doen.

117. Houters ontskep in lekkende of defekte toestand.

As houters wat sure, ghries, olie, teer, pik, bitumen, verf of ander soortgelyke stowwe bevat, lek of andersins defek is wanneer die Vervoerdienste dit ontvang, kan hy, sonder dat hy verplig is om dit te doen, die houters wat lek of andersins defek is, op koste van die eienaar herstel en alle houters waaruit die oorspronklike inhoud geleek het, weer volmaak met soortgelyke stowwe uit ander lekkende of defekte houters wat deel van dieselfde besending uitmaak. As die houters herstel of weer volgemaak word, het die geadresseerde of eienaar geen eis teen die Vervoerdienste vir verlies of skade wat na bewering daardeur gely is nie; met dien verstande, egter, dat die eienaar die Vervoerdienste tydens inlewering van sy orders in kennis kan stel dat hy wil hê dat sodanige artikels opsygesit moet word, en in daardie geval word dit na 'n buiteopslagplek geneem of op sy koste in 'n pakhuis opgeberg.

118. Die vervoerdienste kan gevaarlike vrag/goedere vernietig of op 'n ander wyse daarvoor beskik.

In noodgevalle of om die hawe of die skepe daarin beter te beveilig, kan die hawekaptein of hawebestuurder, as hy dit raadsaam ag, gevaarlike vrag/goedere binne 'n hawe vernietig of op 'n ander wyse daarvoor beskik sonder dat die Vervoerdienste enigins aanspreeklik is om die eienaar daarvoor te vergoed.

119. Aanstootlike vrag/goedere.

Die Vervoerdienste kan, met toestemming van die Departement van Doeane en Akssyns, gelas dat aanstootlike vrag/goedere of ander materiaal wat op 'n kaai, hawehoof of 'n ander plek binne 'n hawe ontskep of geplaas word, verwyder en indien nodig, vernietig word nadat hy minstens twee uur kennis daarvan gegee het aan die eienaar of 'n ander persoon wat geregtig is om sulke vrag/goedere te

(2) If the owner or his agent does not, within 24 hours after the time fixed for the examination of the cargo/goods in a notice referred to in paragraph (1) of this regulation, give the Transport Services instructions as to how the cargo/goods are to be dealt with, the Transport Services may, in its discretion, have the bags, packages or other containers delivered, or forwarded to destination, as the case may be, at the expense of the owner, or may place them in a warehouse. Warehouse charges at the rates prescribed in the *Official Harbour Tariff Book* shall be payable in respect of cargo/goods so warehoused.

115. Packages in a leaky or defective condition.

The Transport Services may refuse to accept any cargo/goods in bags, packages or other containers that are in a leaky or otherwise defective condition, and if such goods have been landed the cost of making good any damage which the Transport Service or any third party may have sustained as a result of the landing of such cargo/goods shall be borne by the owners of the cargo/goods. The Transport Services may refuse to warehouse cargo/goods in bags, packages or other containers that are in a leaky or otherwise defective condition until such bags, packages or other containers have been repaired or the cargo/goods rebagged or repacked to the satisfaction of the Transport Services. Any such repairs, rebagging or repacking, if undertaken by the Transport Services shall be at the expense of the owner.

116. Packing/Unpacking of cargo/goods.

No cargo/goods of any kind shall be packed/unpacked within a harbour without special permission from the port manager, and all straw and other material left over from such packing/unpacking shall be immediately removed by the owner of such cargo/goods, failing which the Transport Services will remove the same at the expense of such owner.

117. Containers landed in a leaky or defective condition.

When any containers containing acids, grease, oils, tar, pitch, bitumen, paints or other similar substances, come into the custody of the Transport Services in a leaky or otherwise defective condition, the Transport Services may, without being obliged to do so, repair such leaky or otherwise defective containers at the expense of the owner and may refill any containers from which the original contents have leaked with like substances from other leaky or defective containers forming part of the same consignment. If the containers are repaired or refilled the consignee or owner shall have no claim against the Transport Services for any loss or damage alleged to have been sustained thereby; provided, however, that the owner may at the time of handing in his orders notify the Transport Services that he wishes such articles to be set aside, in which case the articles will be removed to a depositing ground or placed in a warehouse at his expense.

118. The Transport Services may destroy or otherwise deal with dangerous cargo/goods.

In cases of emergency or for the purpose of securing the better safety of the harbour or shipping therein, the port captain or port manager may, whenever it may seem expedient to do so, destroy or otherwise dispose of dangerous cargo/goods within a harbour without any liability on the part of the Transport Services to compensate the owner.

119. Offensive cargo/goods.

The Transport Services may, with the consent of the Department of Customs and Excise and after giving at least two hours notice to the owner or other person entitled to receive the cargo/goods, or if the owner or person entitled to receive such cargo/goods cannot be found, then without such notice, order the removal, and, if necessary, the destruction of any cargo/goods or matter of an offensive

ontvang, of sonder so 'n kennisgewing as die eienaar of persoon wat geregtig is om die vrag/goedere te ontvang, nie gevind kan word nie. Sulke vrag/goedere word op hierdie wyse verwyder of vernietig op koste van die eienaar of ander betrokke persoon.

120. Bepaalde vrag/goedere word nie in pakhuis geplaas nie.

Wanneer die volgende vrag/goedere nie verpak of in kratte is nie, word dit nie in loodse of pakhuis geplaas of met bokseile beskerm nie maar op oop plekke opgeberg of bewaar in die diskresie van die hawebestuurder in belang van veilige, ordelike en doeltreffende hawebedryf. As die Vervoerdienste skriftelik versoek word om sulke goedere te beskerm, kan hy dit doen teen betaling van die koste bepaal in die *Offisiële Hawetariefboek* en mits die nodige fasiliteite beskikbaar is:

Asfalt.
Asse.
Bene.
Bitumen.
Blompotte (alle soorte).
Dromme.
Dwarslêers.
Ertse.
GO's (geheel ongemonteerders).
Horings.
Hout (ru).
Houtblokke.
Houtskool.
Kabels om tolle.
Klip.
Kolomme.
Kooks.
Koperstawe.
Kryt.
Lêers.
Leie.
Marmerblaai.
Masjinerie.
Metaal, afval.
Mineraalkonsentrate.
Motors op wiele of in kaste.
Omheiningsmateriaal.
Pype (erde-, yster- en staal-).
Rubber, afval.
Rubberbuitebande (tweedehandse).
Sand.
Sanitêre artikels.
Spoorwegmateriaal.
Staal (staaf-, plaat-, wapening- en bou-).
Steenkool.
Stene.
Sure.
Swael, in massa (nie blomswael nie).
Teer.
Trekke.
Vlambare vloeistowwe (in dromme).
Wiele.
Yster (hoek- of staaf-).
Yster (giet-, smee-, ru- of gietblokke).
Yster- en staalwerk.

121. Buiteopbergplekke en pakhuis.

Die opslagkoste hefbaar op vrag/goedere wat moontlik in 'n pakhuis of op 'n buiteopbergplek geplaas moet word of wat die Vervoerdienste moontlik op versoek daar moet plaas, is dié wat in die *Offisiële Hawetariefboek* voorgeskrif word, maar die feit dat sodanige koste wel voorgeskrif word, verhinder nie die Vervoerdienste om pakhuis of buiteopbergplekke teen spesiale tariewe te verhuur nie.

nature which may be landed or placed upon the wharves, jetties or quays, or any other place within a harbour. Such removal or destruction shall be at the expense of the owner or other person concerned.

120. Certain cargo/goods may not be placed in warehouses.

The following cargo/goods, when not packed or in crates, will not be placed in sheds or warehouses or protected by tarpaulins but will be stored or deposited in the open, at the discretion of the port manager in the interests of safe, orderly and efficient harbour working. Upon receipt of written application and provided the necessary facilities are available, such goods may be protected by the Transport Services at the charges prescribed in the *Official Harbour Tariff Book*:

Acids.
Asphalt.
Axles.
Bitumen.
Bones.
Bricks.
Cables on drums.
Chalk.
Charcoal.
Coal.
Coke.
Columns.
CKD'S (complete knock-downs).
Copper bars.
Drums.
Fencing material.
Flammable liquid, in drums.
Flowerpots (all types).
Girders.
Horns.
Iron (angle or bar).
Iron (cast, wrought, pig or ingot).
Iron and steelwork.
Logs.
Machinery.
Marble slabs.
Mineral concentrates.
Motor-cars on wheels or in cases.
Ores.
Pipes (earthen, iron and steel).
Railway material.
Rubber, scrap.
Rubber tyres, second-hand.
Sand.
Sanitaryware.
Scrap metal.
Slates.
Sleepers.
Steel (bars, plates, reinforcing and structural).
Stone.
Sulphur in bulk (not being flowers of sulphur).
Tar.
Timber (rough).
Tractors.
Wheels.

121. Depositing and warehousing.

The storage charges leviable on cargo/goods that it may be necessary to place in a warehouse or on a depositing ground, or which the Transport Services may be ordered so to place, are those prescribed in the *Official Harbour Tariff Book*, but the fact that the said charges are so prescribed, shall not prevent the Transport Services from letting warehouses or depositing sites at special rates.

122. Afhaal en aflewering van lewende hawe.

(1) Geen lewende hawe mag by 'n hawe gelaat word sonder dat toestemming vooraf van die hawebestuurder verkry is nie, en lewende hawe wat by 'n hawe gelaat word sonder die toestemming vooraf van die hawebestuurder, word op koste van die eienaar by 'n hawe gelaat.

(2) Die Vervoerdienste onderneem nie om lewende hawe in 'n hawe af te haal of af te lewer nie.

(3) By die toepassing van hierdie regulasie, beteken lewende hawe 'n dier of voël, hetsy lewendig of dood, en die vleis of 'n karkas van sodanige dier of voël.

123. Afleweringsure.

(1) Geadresseerdes of ontvangers van vrag/goedere moet vrag/goedere in ontvangs neem en die Vervoerdienste se voertuie aflaai as hulle by die geadresseerde of ontvanger se adres aankom tussen 07h00 en 18h00 op weekdae behalwe Saterdag en tussen 07h00 en 13h00 op Saterdag (behalwe vakansiedae).

(2) Geadresseerdes of ontvangers van ISO-houers moet houers tussen 07h00 en 18h00 op weekdae behalwe Saterdag en tussen 07h00 en 13h00 op Saterdag (behalwe vakansiedae) in ontvangs neem.

124. Voertuie moet gou afgelaai word.

(1) Die Vervoerdienste se besteldiensvoertuie moet so spoedig moontlik deur die geadresseerde, invoerder of ontvanger van die vrag/goedere afgelaai word. Selfgedrewe besteldiensvoertuie moet sonder versuim afgelaai word en in elk geval binne 30 minute na aankoms van die voertuig by die perseel van die geadresseerde, invoerder of ontvanger van die vrag/goedere. Sleepwaens, d.w.s. voertuie wat by die perseel van die geadresseerde, invoerder of ontvanger van die vrag/goedere afgehaak word om afgelaai te word, moet binne 30 minute afgelaai word as die massa van die vrag/goedere wat afgelaai moet word hoogstens 3 000 kg is, binne 60 minute as die massa van die vrag/goedere wat afgelaai moet word meer as 3 000 kg maar hoogstens 5 000 kg is; binne twee ure indien die massa van vrag/goedere wat afgelaai moet word meer as 5 000 kg is; binne drie ure as 'n 1C- of ICC-houer uitepak moet word; en binne vier ure as 'n 1A- of 1AA-houer uitepak moet word. Hierdie tydperke word bereken vanaf die tyd waarop die sleepwa tot beskikking van die geadresseerde, invoerder of ontvanger van die vrag/goedere gestel is. (Vir die doel van hierdie gedeelte van dié regulasie is 1C-, 1CC-, 1A- en 1AA-houers, ISO-houers.)

(2) As 'n voertuig nie binne die toepaslike tydperk genoem in paragraaf (1) van hierdie regulasie afgelaai is nie, word die voertuig met die vrag/goedere wat nog daarop is op koste van die persoon wat die order aangebied het, teruggeneem na die hawe of 'n ander plek waarop die Vervoerdienste besluit, en die persoon wat die order aangebied het, is aanspreeklik vir alle bykomende bestel-, hanteer- en opslagkoste wat beloop mag word as gevolg van sy versuim om aan die bepalinge van hierdie regulasie te voldoen. Anders kan die Vervoerdienste die persoon wat die order aangebied het, versoek om die koste te betaal wat in die *Offisiële Spoorwegtariefboek* of die *Offisiële Hawetariefbok*, watter een ook al van toepassing is, voorgeskryf word vir die tydperk wat die voertuig langer as die toepaslike tydperk genoem in paragraaf (1) van hierdie regulasie opgehou is.

125. Nie-aflewering waarvoor die Vervoerdienste nie verantwoordelik is nie.

Wanneer vrag/goedere nie afgelewer kan word nie, omdat die adres onvolledig is, die geadresseerde, invoerder of ontvanger van die vrag/goedere nie daar is nie of weier of nie in staat is om die vrag/goedere in ontvangs te neem nie, of om ander redes buite die beheer van die Vervoerdienste,

122. Collection and delivery of livestock.

(1) No livestock may be left at a harbour without the prior consent of the port manager and livestock left at a harbour without the prior consent of the port manager, shall be left at the harbour at the expense of the owner.

(2) The Transport Services does not undertake to collect or deliver livestock in a harbour.

(3) In the application of this regulation, livestock shall mean any animal or bird whether alive or dead, and any meat or carcase of such animal or bird.

123. Hours of delivery.

(1) Consignees or receivers of cargo/goods shall accept delivery and unload the Transport Services vehicles if they arrive at the consignee's or receiver's address between the hours of 07h00 and 18h00 on weekdays other than Saturdays and between the hours of 07h00 and 13h00 on Saturdays (public holidays excepted).

(2) Consignees or receivers of ISO containers shall accept delivery of containers between the hours of 07h00 and 18h00 on weekdays other than Saturdays and between the hours of 07h00 and 13h00 on Saturdays (public holidays excepted).

124. Despatch in unloading vehicles.

(1) The unloading of the Transport Services' cartage vehicles shall be performed by the consignee, importer or receiver of the cargo/goods with the utmost despatch. Self-propelled cartage vehicles shall be unloaded without delay and in any event within 30 minutes of the time of arrival of the vehicle at the premises of the consignee, importer or receiver of the cargo/goods. Trailers, i.e. vehicles that are detached at the premises of the consignee, importer or receiver of the cargo/goods for the purpose of being unloaded, shall be unloaded within 30 minutes when the mass of the cargo/goods to be unloaded does not exceed 3 000 kg; within 60 minutes when the mass of the cargo/goods to be unloaded exceeds 3 000 kg but does not exceed 5 000 kg; within two hours when the mass of the cargo/goods to be unloaded exceeds 5 000 kg; within three hours for unpacking a 1C or 1CC container and four hours for unpacking a 1A or 1AA container; the time being calculated from the time the trailer is placed at the disposal of the consignee, importer or receiver of the cargo/goods.

For the purpose of this part of this regulation 1C, 1CC, 1A and 1AA containers shall mean ISO containers.

(2) If a vehicle is not unloaded within the applicable period mentioned in paragraph (1) of this regulation the vehicle together with the cargo/goods remaining thereon will be taken back to the harbour or elsewhere at the Transport Services' discretion at the expense of the party who presented the order who shall be liable to the Transport Services for any additional charges in respect of any extra cartage, extra handling and storage resulting from his failure to comply with the terms of this regulation. Alternatively, the Transport Services may require the party who presented the order to pay to it in respect of the period during which the vehicle is detained in excess of the applicable period mentioned in paragraph (1) of this regulation, such charges as are prescribed in the *Official Railway Tariff Book* or the *Official Harbour Tariff Book* whichever is applicable.

125. Non-delivery not due to the Transport Services' fault.

When delivery of cargo/goods cannot be effected owing to insufficient address, absence of the consignee, importer or receiver of the cargo/goods, refusal or inability of the consignee, importer or receiver of the cargo/goods to accept delivery, or any other cause beyond the control of the

word die vrag/goedere teruggekarwei na die hawe of 'n ander gerieflike plek, na goeddunke van die Vervoerdienste, op koste van die persoon wat die order aangebied het, wat aanspreeklik is vir pakhuis-koste vir die vrag/goedere en bykomende besteldiens- en hanteerkoste, asook spoorvrag, wat aangegaan is in verband met die hantering van die vrag/goedere.

126. Waar voorwaardelike ontvangbewyse aangebied word.

Ontvangbewyse moet op die voorgeskrewe vorm gegee word vir vrag/goedere wat die Vervoerdienste aflewer. As 'n ontvanger 'n voorwaardelike ontvangbewys wil gee wat verskil van dié waarvoor op die afleweringskaartjie voorsiening gemaak word, kan die vrag/goedere vir ondersoek na die hawe teruggeneem word. As daar dan ontdek word dat die vrag/goedere in 'n defekte toestand is, word dit sonder verdere koste weer deur die Vervoerdienste afgelewer, maar as bevind word dat die vrag/goedere nie in 'n defekte toestand is nie, moet die geadresseerde reëlins tref vir die aflewering daarvan op sy eie koste.

127. Afhaal van vrag/goedere vir verskeping.

(1) Die Vervoerdienste haal vrag/goedere vir verskeping op aansoek af en vervoer dit met padvoertuie na die hawe onderworpe aan die volgende bepalings:

(a) Die verskeper moet sodanige voertuie op sy koste laai.

(b) Selfgedrewe voertuie moet so spoedig moontlik klaar gelaai word en in elk geval binne 30 minute na die aankomstyd van die voertuig by die perseel van die verskeper.

(c) (i) Sleepwaens, d.w.s. voertuie wat afgehaak en by die verskeper se perseel gelaai word, moet binne 30 minute klaar gelaai word as die massa van die vrag/goedere wat gelaai moet word, hoogstens 3 000 kg is; binne 60 minute as die massa van die vrag/goedere wat gelaai moet word meer as 3 000 kg maar hoogstens 5 000 kg is; binne twee uur as die massa van die vrag/goedere wat gelaai moet word meer as 5 000 kg is; binne drie uur as 'n 1C- of 1CC-houer gepak moet word; en binne vier uur as 'n 1A- of 1AA-houer gepak moet word. Hierdie tydperke word bereken vanaf die tyd waarop die sleepwa tot beskikking van die verskeper gestel is.

(ii) Vir die doel van hierdie gedeelte van dié regulasie is 1C-, 1CC-, 1A- en 1AA-houers, ISO-houers.

(d) As so 'n voertuig nie gelaai word binne die betrokke tydperk nie, kan die Vervoerdienste die voertuig sonder die verskeper se vrag/goedere na die hawe laat terugkeer. In al sulke gevalle is die persoon wat die order aangebied het verplig om die afhaalkoste te betaal asof die vrag/goedere werklik afgehaal was.

(e) Nieteenstaande die bepalings van paragraaf (d) kan die Vervoerdienste die verskeper toelaat om so 'n voertuig langer op te hou as die toepaslike tydperk, in welke geval die persoon wat die order aangebied het die koste wat in die *Offisiële Hawetarieboek* uiteengesit word, vir sodanige ekstra tydperk moet betaal.

128. Verskepingsorders.

Verskepingsorders vir vrag/goedere wat verskeep moet word, moet by die hawe-inkomstekantore van die onderskeie hawens aan die Vervoerdienste oorhandig word nie later nie as die tyd wat vir dié doel by die betrokke hawe bepaal is.

129. Aanname van verskepingsorders.

(1) Die inlewering van 'n verskepingsorder word deur die Vervoerdienste beskou as 'n kennisgewing dat die besendings gereed is om afgehaal te word.

Transport Services, the cargo/goods will be carted back to the harbour or to some other convenient place at the Transport Services' discretion, at the expense of the party who presented the order, who will be liable for all additional charges in respect of the warehousing of the cargo/goods and any extra cartage, railage or handling entailed in so dealing with the cargo/goods.

126. Where qualified receipts are tendered.

Receipts on the prescribed form shall be given for cargo/goods delivered by the Transport Services. Cargo/goods for which a receiver desire to give a qualified receipt other than as set out on the delivery ticket, may be returned to the harbour for the purpose of examination. Should the cargo/goods then be found to be in a defective condition they will be re-delivered by the Transport Services without further charge, but if the cargo/goods are found not to be in a defective condition, the consignee shall make arrangements for their delivery at his own expense.

127. Collection of cargo/goods for shipment.

(1) The Transport Services will, on application, collect cargo/goods for shipment and convey them by road vehicles to the harbour, subject to the following conditions:

(a) The loading of such vehicles shall be undertaken by the shipper at his expense.

(b) The loading of self-propelled vehicles shall be completed as expeditiously as possible and in any event within 30 minutes from the time the vehicle arrives at the premises of the shipper.

(c) (i) The loading of trailers i.e. vehicles which are detached and left at the premises of the shipper, shall be completed within 30 minutes when the mass of the cargo/goods to be loaded does not exceed 3 000 kg; within 60 minutes when the mass of the cargo/goods to be loaded exceeds 3 000 kg but does not exceed 5 000 kg; within two hours when the mass of the cargo/goods to be loaded exceeds 5 000 kg; within three hours for packing a 1C or 1CC container; and within four hours for packing a 1A or 1AA container; the time being calculated from the time when the trailer is placed at the disposal of the shipper.

(ii) For the purpose of this part of this regulation 1C, 1CC, 1A and 1AA containers shall mean ISO containers.

(d) If any such vehicle is not loaded within the applicable period, the Transport Services may cause the vehicle, without the shipper's cargo/goods to be returned to the harbour, and in every such case the party who presented the order shall be liable for the collection charges as if the service had actually been performed and completed.

(e) Notwithstanding the provisions of paragraph (d), the Transport Services may permit the shipper to detain such vehicle for a period in excess of the applicable period, in which event the party who presented the order shall be liable to pay, in respect of such excess period, such charges as are prescribed in the *Official Harbour Tariff Book*.

128. Shipping orders.

Shipping orders for cargo/goods intended for shipment shall be delivered to the Transport Services at the Harbour Revenue offices at the respective harbours not later than the time fixed for the purpose at the harbour in question.

129. Acceptance of shipping orders.

(1) The handling in of a shipping order will be treated by the Transport Services as a notification that the consignments are in readiness for collection.

(2) As besteldiensvoertuie wat verskaf is as gevolg van die inlewering van sodanige orders, sonder vragte terugkeer, word koste vir elke voertuig wat leeg terugkeer teen die verskepers gehê asof die goedere werklik afgehaal was.

Die Vervoerdienste verskaf nie besteldiensvoertuie vir die afhaal van vrag/goedere vir verskeping nie tensy orders op die voorgeskrewe vorm aan die Vervoerdienste oorhandig word tesame met 'n skeepsvrugruimteorder wat aantoon tot hoe laat die vrag/goedere aan boord ontvang sal word. Wakaartjies op die gemagtigde vorm moet met elke vrag saamgestuur word.

(3) Vrag/goedere vir verskeping word nie meer as 72 uur voor die vasgestelde vertrektyd van die skip deur die Vervoerdienste aangeneem nie, tensy spesiale reëlins getref is.

(4) Die Vervoerdienste kan weier om vrag/goedere wat nie verskeep is nie om redes waarvoor hy nie aanspreeklik is nie, af te lewer tot tyd en wyl alle bykomende hanteer-, besteldiens- en opslagkoste betaal is deur die persoon wat die order aangebied het. In afwagting van sodanige betaling word daar beskou dat die vrag/goedere gehou word op koste van die persoon wat die order aangebied het.

130. Ontvangsbewyse vir verskeppingsvrag/-goedere.

(1) Onderworpe aan die bepalings van paragraaf (2) van hierdie regulasie, moet die Vervoerdienste se besteldiensbestuurders die afsender 'n ontvangsbewys gee vir die getal pakke wat op 'n besteldiensvoertuig gelaai is, maar daar word nie geag dat sodanige ontvangsbewys 'n uitdruklike of stilswyende erkenning van die Vervoerdienste bevat aangaande die toestand van sodanige pakke nie.

(2) Nieteenstaande enigiets vervat in paragraaf (1) van hierdie regulasie, is die Vervoerdienste se besteldiensbestuurders nie gemagtig nie en word daar nie van hulle vereis om ontvangsbewyse te gee vir vrag/goedere wat op sleepwaens gelaai is as sulke vrag/goedere met 'n seil toegemaak is nie, of as die vrag/goedere so talryk of van so 'n aard is dat dit nie maklik getel kan word sonder om oponthoud te veroorsaak nie. Die Vervoerdienste reik ontvangsbewyse vir sulke vrag/goedere uit nadat dit by die hawe ondersoek is.

131. Aanspreeklikheid vir verskeppingsvrag/-goedere.

Die Vervoerdienste is nie aanspreeklik nie vir vertraging in verskeping of vir nie-verskeping van vrag/goedere as gevolg van die versuim van die verskepers of hulle agente om die regulasies van toepassing op die verskeping van sulke vrag/goedere by 'n hawe na te kom.

132. Klaring en aflewering van bagasie.

Die reg om bagasie te klaar en van/aan skepe in 'n hawe te verwyder/af te lewer as die passasier dit nie self doen nie, word voorbehou vir die Vervoerdienste of vir die persone wat die Vervoerdienste vir dié doel spesiaal benoem of lisensieer.

133. Versekering en bêre van bagasie in 'n pakhuis.

Die Vervoerdienste verseker of bêre bagasie in 'n pakhuis as die eienaar hom versoek om dit te doen.

ALGEMEEN

134. Duikers.

Geen duikers, behalwe dié wat in diens van die Vervoerdienste is, mag sonder die skriftelike toestemming van die hawekaptajn duikwerk in 'n hawe verrig nie.

(2) If cartage vehicles supplied pursuant to such orders should return without loads, a charge will be made against the shippers for every vehicle so returned as if the collection had been actually completed.

Cartage vehicles will not be supplied by the Transport Services for the collection of cargo/goods for shipment, unless orders on the prescribed form, and accompanied by ship's space order showing the time up to which cargo/goods will be received on board have been delivered to the Transport Services. Wagon notes on the authorised form must accompany each load.

(3) Except by special arrangements, cargo/goods for shipment will not be accepted by the Transport Services more than 72 hours prior to the appointment time of sailing of the ship.

(4) The Transport Services may withhold delivery of cargo/goods shut out from shipment through no fault on its part, until all charges in respect of extra handling, cartage and storage have been paid by the party who presented the order. Pending such payment, the cargo/goods shall be considered to be held at the expense of the party who presented the order.

130. Receipt for shipment cargo/goods.

(1) Subject to the provisions of paragraph (2) of this regulation, the Transport Services' cartage drivers shall give the consignor a receipt for the number of packages loaded onto the cartage vehicle, but such receipt shall not be deemed to contain or imply any admission by the Transport Services as to the condition of such packages.

(2) Notwithstanding anything contained in paragraph (1) of this regulation the Transport Services' cartage drivers are not authorised and shall not be required to give receipts for cargo/goods loaded onto trailers where such cargo/goods are sheeted or so numerous or of such a nature that they cannot readily be counted by the cartage driver without causing delay. Receipts for such cargo/goods shall be granted by the Transport Services after examination of the cargo/goods at the harbour.

131. Liability for shipment cargo/goods.

The Transport Services will not be liable for any delay in shipment or for non-shipment of cargo/goods due to the failure of shippers or their agents to comply with the regulations applicable to the shipment of such cargo/goods at any harbour.

132. Clearing and delivery of luggage.

The right of clearing and delivering luggage from and to ships in a harbour when not effected by a passenger personally, is reserved to the Transport Services or to such persons as the Transport Services may specially appoint or license for the purpose.

133. Insurance and warehousing of luggage.

The Transport Services will insure or warehouse luggage when requested to do so by the owner.

GENERAL

134. Divers.

No divers except those in the Transport Services' employ shall undertake diving work within a harbour without the permission in writing of the port captain.

135. Vreemde stof moet nie gestort word nie.

Niemand mag klippe, gruis, ballas, karkasse, vrag, vuilgoed, as, bottels, mandjies, aanstootlike of onwelriekende materiaal, of enige ander artikel of materiaal wat moontlik 'n versperring, gevaar, besoedeling of besommernis kan veroorsaak, in die water of op die strand of vloedstrand in 'n hawe stort of weggooi of laat stort of weggooi sonder dat die Vervoerdienste se goedkeuring vooraf verkry is nie.

136. Sluit van dele van hawe.

Wanneer die Vervoerdienste dit ook al as wenslik beskou, kan hy enige deel van enige grond of perseel onder sy beheer binne die grense van 'n hawe vir die publiek sluit of die gebruik daarvan of toegang daartoe deur die publiek, belet of beperk, behalwe op sodanige voorwaardes (met inbegrip van die vertoon van skriftelike magtiging of die vertoon van 'n persoonlike magtiging uitgereik deur of namens die Vervoerdienste, soos die geval ook al mag wees) of teen betaling van sodanige koste as wat die Vervoerdienste na goedgekenke mag bepaal in belang van veilige, ordelike en doeltreffende hawebedryf.

137. Voertuie moet nie binne die hawe gelaat word nie.

Geen voertuig mag binne 'n hawe geparkeer of gelaat word nie, behalwe met die toestemming van die hawebeheerder en onderworpe aan die voorwaardes wat hy mag bepaal in belang van veilige, ordelike en doeltreffende hawebedryf.

138. Voertuie moet verskuif word.

Die persoon in beheer van 'n voertuig binne die hawegebied moet sy voertuig verskuif wanneer 'n gemagtigde beampte van die Vervoerdienste dit vereis.

139. Voertuie te huur en voertuie wat vir sake gebruik word.

(1) Die Vervoerdienste kan op aanvraag en onderworpe aan sodanige voorwaardes as wat hy mag voorskryf, skriftelik toestemming aan die eienaar, bestuurder of persoon in beheer van 'n passasiersvoertuig gee om die hawegebied binne te gaan om teen huur te ry. Die toestaan of weiering van sodanige toestemming sal geskied in belang van veilige, ordelike en doeltreffende hawebedryf, en enige sodanige toestemming wat reeds toegestaan is, kan sonder op-gawe van redes teruggetrek word.

(2) (a) Onderworpe aan die bepalings van regulasie 98 (2) word geen voertuig wat behoort aan of bedryf word deur 'n persoon of onderneming wat in enigeen van die volgende bedrywighede betrokke is, toegelaat om 'n hawe binne te gaan nie tensy sodanige voertuig deur die Vervoerdienste gelisensieer is om binne die hawegrense gebruik te word nie:

- (i) Ontskappings-, verskeppings- of stuwadoorswerk; of
- (ii) die karwei van goedere deur gelisensieerde hawevoerders; of
- (iii) die voorsiening van steenkool of olie, voorrade, water of ballas; of
- (iv) die optrede as agente vir skeepseienaars of vir die klaring of afsending van goedere, bagasie of pakkette; of
- (v) die voorsiening van wagte aan skepe; of
- (vi) Skeepsherstelwerk en -instandhouding (met inbegrip van duikdienste); of
- (vii) was- en strykwerk of droogskoonmaakery; of
- (viii) smousery of handeldrywe; of
- (ix) die vervoer van hotelgaste, toeriste of kyklustiges; of
- (x) vragherstellers en -ondersoekers.

(b) Die voertuie wat deur staatsdepartemente, plaaslike owerhede, geneeshere wat pasiënte versorg, veeartse wat diere versorg, of welsynorganisasies gebruik word, is van die bepalings van hierdie regulasie vrygestel.

135. No foreign matter to be deposited.

No person shall, without the prior consent of the Transport Services, throw or deposit or allow to be thrown or deposited into the water or on the beach or foreshore within any harbour stones, gravel, ballast, carcasses, cargo, dirt, ashes, bottles, baskets, rubbish, objectionable or malodorous matter, or any other article or material which is liable to cause an obstruction, danger, pollution or nuisance.

136. Closing of portions of harbour.

The Transport Services may, whenever it considers it desirable to do so, close to the public any portion of any land or premises under its control within the limits of a harbour, or may prohibit or restrict the use thereof or access thereto by the public save on such conditions (including the production of written authority or display of a personal permit issued by or on behalf of the Transport Services as may be the case) or the payment of such charges as the Transport Services, in the interests of safe, orderly and efficient harbour working, may determine.

137. Vehicles not to be left within a harbour.

No vehicle may be parked or left within a harbour except with the permission of the port manager and subject to such conditions as he may impose in the interest of safe, orderly and efficient harbour working.

138. Vehicles to be moved.

The person in charge of a vehicle within the harbour area shall move his vehicle when required to do so by an authorised official of the Transport Services.

139. Vehicles for hire and vehicles used on business.

(1) The Transport Services may, on application and subject to such conditions as it may impose, grant written permission to the owner, driver or person in charge of any passenger vehicle to enter the harbour area for the purpose of plying for hire. The granting or refusal of such permission shall be in the interest of safe, orderly and efficient harbour working and any such permission already granted may be withdrawn without assignment of reason.

(2) (a) Subject to the provisions of regulation 98 (2) no vehicle belonging to or operated by a person or concern engaged in any of the following activities shall be permitted to enter a harbour unless such vehicle has been licensed by the Transport Services for use within the precincts of the harbour:

- (i) Landing, shipping or stevedoring; or
- (ii) the cartage of goods by licensed harbour carriers; or
- (iii) supplying bunkers, stores, water or ballast; or
- (iv) acting as agents for shipowners or for the clearing or forwarding of goods, baggage or parcels; or
- (v) supplying watchmen to ships; or
- (vi) ship repairs and maintenance (including diving services); or
- (vii) laundering or drycleaning; or
- (viii) hawking or trading; or
- (ix) transporting hotel guests, tourists or sightseers; or
- (x) cargo repairers and examiners.

(b) The vehicles used by Government departments, local authorities, doctors attending to patients, veterinary surgeons attending to animals, or welfare organisations are exempt from the provisions of this regulation.

(c) Wat die uitreiking of hernuwing betref van 'n lisensie in paragraaf (a) van hierdie regulasie genoem, is die gelde ooreenkomstig die *Offisiële Hawetariefboek* betaalbaar, en die nodige teken wat vir 'n voertuig uitgereik word, moet te alle tye op die voorruit van sodanige voertuig vertoon word terwyl dit binne die hawegebied is.

(d) Die Vervoerdienste kan te eniger tyd 'n lisensie intrek wat ingevolge hierdie regulasie uitgereik is, of in belang van veilige, ordelike en doeltreffende hawebedryf, weier om sodanige lisensie uit te reik of te hernuwe.

(3) (a) Geen voertuie behalwe dié in subparagraaf (2) van hierdie regulasie genoem en behalwe dié wat deur staatsdepartemente, plaaslike owerhede of welsynorganisasies gebruik word, word toegelaat om 'n hawe binne te gaan met die doel om goedere af te lewer of af te haal nie tensy die eienaar of sy gemagtigde verteenwoordiger skriftelike magtiging van die Vervoerdienste verkry het om dit te doen en in die geval van Durban- en Walvisbaaihawes, die toepaslike gelde ooreenkomstig die bepalinge van die *Offisiële Hawetariefboek* betaal het.

(b) (i) Die magtiging waarna in subparagraaf (a) van hierdie paragraaf van hierdie regulasie verwys word, kan toegestaan word na behoorlike oorweging deur die Vervoerdienste van 'n skriftelike aansoek wat aan die Afdelingsbestuurder wat die hawe beheer, of aan die Hoofbestuurder, Johannesburg, gerig is. Die aansoek moet die voornoemde amptenare nie later nie as sewe dae (Saterdag, Sondag en openbare vakansiedae uitgesonder) voor die voorgenome binnegaan van die hawe bereik.

(ii) Die applikant moet die volgende inligting verstrek:

Die naam van die uitvoerder of invoerder en van die padvervoerder;

of die vrag/goedere afgelewer of afgehaal moet word; die naam van die skip;

'n beskrywing en volle besonderhede van die massa en afmetings van die vrag/goedere;

die verwysingsnommer van die magtiging wat deur die plaaslike Padvervoerraad uitgereik is; behalwe wanneer vrygestel kragtens die Wet op Padvervoer, 1977;

die soort en registrasienommer(s) van die vervoerder se padvoertuig/tuie;

die datum van die voorgenome binnegaan van die hawe; en

volledige redes waarom die goedere nie deur middel van die Vervoerdienste se spoor- of padfasiliteite vervoer kan word nie.

140. Staanplekke—passasiersvoertuie wat te huur is.

Die eienaar, bestuurder of persoon in beheer van 'n passasiersvoertuig wat die Vervoerdienste se skriftelike toestemming ingevolge regulasie 139 verkry het om binne 'n hawegebied teen huur te ry, mag sy voertuig net op 'n staanplek parkeer wat behoorlik deur die Vervoerdienste vir dié doel aangewys is. Daar mag nie méér voertuie wees op 'n staanplek wat vir dié doel aangewys is as die getal wat die Vervoerdienste van tyd tot tyd daarvoor bepaal nie.

141. Reisgeld—passasiersvoertuie.

Geen eienaar, bestuurder of persoon in beheer van 'n padvoertuig wat passasiers en/of bagasie binne 'n hawe vervoer, mag meer vra as die reisgeld of koste wat die munisipale of ander bevoegde owerheid vasstel nie.

(c) In respect of the issue or renewal of any licence under paragraph (a) of this regulation, charges shall be payable in accordance with the *Official Harbour Tariff Book*, and the appropriate token issued in respect of a vehicle shall at all times be displayed on the windscreen of such vehicle while it is within the harbour area.

(d) The Transport Services may at any time cancel any licence issued under this regulation, or in the interest of safe, orderly and efficient harbour working refuse to issue or renew any such licence.

(3) (a) No vehicles other than those mentioned in paragraph (2) of this regulation and other than those used by Government Departments, local authorities or welfare organisations, shall be permitted to enter a harbour for the purpose of delivering or up-lifting goods, unless the owner or his authorised representative has obtained written authority from the Transport Services to do so and in the case of the harbours of Durban and Walvis Bay has paid the appropriate charge in accordance with the provisions of the *Official Harbour Tariff Book*.

(b) (i) The authority referred to in subparagraph (a) of this paragraph of this regulation may be granted after due consideration by the Transport Services on written application to the System Manager controlling the port, or to the General Manager, Johannesburg, to be received by the aforementioned officers not later than seven days (Saturdays, Sundays and public holidays excluded) prior to the proposed entry into the harbour.

(ii) The applicant shall furnish the following information:

The name of the exporter or importer and of the road carrier;

whether the cargo/goods are for delivery or collection; the name of the ship;

a description and full details of the mass and dimensions of the cargo/goods;

the reference number of the authority issued by the Local Road Transportation Board, except if exempted by the provisions of the Road Transportation Act, 1977;

the type and registration number(s) of the carrier's road vehicle(s);

the date of the proposed entry into the harbour; and

full reasons why the goods cannot be conveyed by means of the Transport Services' rail or road facilities.

140. Stands—passenger vehicles for hire.

The owner, driver or person in charge of a passenger road vehicle who has obtained the Transport Services' written permission in terms of regulation 139 to ply for hire within a harbour area shall not park his vehicle elsewhere than in a rank at any place duly allocated for the purpose by the Transport Services. The number of vehicles which may be parked at any place allocated for the purpose shall not exceed that fixed from time to time by the Transport Services.

141. Fares—passenger vehicles.

No owner, driver or person in charge of a road vehicle conveying passengers or luggage, or both, within a harbour shall demand from a person more than the fare or charge fixed by the municipal or other competent authority.

142. Werwing vir voertuie.

Niemand, hetsy toestemming aan hom verleen is om 'n hawe binne te gaan al dan nie, mag binne 'n hawegebied kliënte vir 'n voertuig werf nie, en niemand mag 'n voertuig binne 'n hawe bestuur of toelaat dat 'n voertuig daar bestuur word op soek na kliënte nie. Die eienaar, bestuurder of persoon in beheer van 'n voertuig wat skriftelike toestemming van die Vervoerdienste verkry het om teen huur te ry, moet sy voertuig op 'n plek parkeer wat behoorlik vir dié doel aangewys is en daar op kliënte wag.

143. Bevele moet gehoorsaam word.

Elke persoon in of op die perseel van 'n hawe, hetsy so 'n persoon daarin of daarop in diens is, al dan nie, moet die bevele van 'n amptenaar van die Vervoerdienste gehoorsaam en die perseel onmiddellik verlaat as sodanige amptenaar hom gelas om dit te doen. Vir die doel van hierdie regulasie beteken "perseel" 'n kaai, stapelgebied, oop stuk grond, watergebied, gebou, struktuur of toestel wat in verband met die bedryf van 'n hawe gebruik word.

144. Betreding of verlating van haweterrein.

Alle persone moet 'n hawe binnegaan of verlaat net deur die hawe-ingange of -uitgange wat vir dié doel verskaf is, en onderwyl hulle in die hawegebied is, is alle persone onderworpe aan die haweregulasies en die billike bevele van die hawebestuurder, die hawekaptein of ander beampte van die Vervoerdienste.

145. Ongewenste persone: Rondlopers.

'n Persoon wat op die Vervoerdienste se persele by 'n hawe gevind word en vir 'n lid van 'n polisiemag of 'n beampte van die Vervoerdienste wat op diens is, na 'n rondloper, leegloper of ander verdagte persoon lyk, kan gelas word om die hawegebied te verlaat, en indien hy weier of versuim om dit onmiddellik te doen, of as hy die hawe verlaat ooreenkomstig sodanige opdrag maar daarna weer op die Vervoerdienste se persele by die hawe gevind word sonder geldige rede, ten opsigte waarvan die bewyslas op hom rus, is hy skuldig aan 'n oortreding van hierdie regulasies.

146. Oortreders.

(1) Niemand mag sonder magtiging van die Vervoerdienste—

(a) 'n gedeelte van 'n hawe wat vir die publiek gesluit is, 'n plek waar daar gebou of herstelwerk gedoen word of 'n spesiaal verbode plek in 'n hawe binnegaan of daar bly nie; of

(b) op skeepsvrag, goedere, 'n gebou, kraan of ander struktuur of toestel binne 'n hawe klim nie.

147. Niemand mag sonder magtiging van die Vervoerdienste hout, bome, ander plantegroei of gewasse op grond binne 'n hawe kap of sny of daarvandaan wegneem nie, en ook mag niemand sonder magtiging van die Vervoerdienste sand, klip, ballas of spoelgruis uit die hawegebied verwyder nie.

148. Kruiers.

Die Vervoerdienste kan op aansoek en onderworpe aan sodanige voorwaardes (met inbegrip van die betaling van koste) as wat hy nodig mag ag in belang van veilige, ordelike en doeltreffende hawebedryf, hotel- en losieshuis-kruiers of ander persone lisensieer om 'n hawegebied binne te gaan om passasiers te ontmoet of te vergesel as hulle aankom of vertrek, en om sodanige passasiers met hul bagasie te help. Niemand wat nie aldus gelisensieer is nie mag sonder magtiging van die Vervoerdienste binne 'n hawegebied as kruier optree of iemand aanspreek of voorkeer om sy dienste as kruier aan te bied nie.

142. Touting for vehicles.

No person, whether or not he has been granted permission to enter a harbour, shall within any harbour area tout for custom in respect of a vehicle, and no person shall drive or permit a vehicle to be driven within a harbour in search for business. The owner, driver or person in charge of a vehicle who had obtained written permission from the Transport Services to ply for hire, shall park his vehicle at a place duly allocated for the purpose and there await business.

143. Orders to be obeyed.

Every person, when in or upon any premises at a harbour, whether employed thereon or therein or not, shall obey the orders of any official of the Transport Services and shall immediately leave such premises if ordered to do so by such official. For the purposes of this regulation "premises" means any wharf, stacking area, open land, water area, building, structure or appliance used in connection with the working of a harbour.

144. Entering or leaving harbours.

No person shall enter or leave a harbour except through the entrances or exits provided for the purpose, and while within the harbour area all persons shall be subject to the harbour regulations and the reasonable directions of the port manager, the port captain or other official of the Transport Services.

145. Undesirable persons: Vagrants.

A person found on the Transport Services' premises at a harbour who appears to a member of any police force or an official of the Transport Services on duty, to be a vagrant, idler or other suspicious person, may be ordered to leave the harbour area, and if he refuses or fails to do so immediately or if, having left the harbour in compliance with such order, he is thereafter again found on the Transport Services' premises at the harbour without lawful excuse, the proof whereof shall rest upon him, he shall be guilty of an offence under these regulations.

146. Trespassers.

(1) No person shall without the authority of the Transport Services—

(a) enter or remain upon a portion of the harbour closed to the public, where construction work is in progress or which is under repair or where a special prohibition against entry has been imposed;

(b) climb upon cargo, goods, a building, crane or any other structure or appliance within a harbour.

147. No person shall without the authority of the Transport Services cut or remove timber, trees, other vegetation or growth from land or remove sand, stone, ballast or shingle from within a harbour.

148. Porters.

The Transport Services may, upon application and subject to such conditions (including the payment of charges) as it may deem fit in the interests of safe, orderly and efficient harbour working, licence hotel and boarding-house porters or any other person to enter a harbour area for the purpose of meeting or accompanying passengers on their arrival or departure, and assisting such passengers with their luggage. No person who is not so licensed shall within a harbour area act as a porter, or solicit or intercept any person for the purpose of obtaining employment as a porter, without the authority of the Transport Services.

149. Advertensies.

Niemand mag 'n advertensie, plakkaat, kennisgewing of teken op grond of op, 'n gebou of struktuur vertoon of laat vertoon nie, of literatuur binne 'n hawegebied versprei of laat versprei sonder magtiging van die Vervoerdienste nie, en niemand mag sodanige advertensie, plakkaat, kennisgewing of teken binne 'n hawegebied ontsier of beskadig of laat ontsier of beskadig nie.

150. Vure.

Niemand mag pik, teer, hars, terpentyn, olie of ander vlambare stowwe aan wal binne 'n hawe kook of verhit, of 'n vuur aansteek op 'n kaai, stapelgebied, hawehoof of op 'n ander plek waar vure spesiaal deur middel van kennisgewingborde verbied word nie, behalwe met die skriftelike toestemming van die Vervoerdienste en dan slegs onderworpe aan die voorwaardes wat hy mag stel in belang van veilige, ordelike en doeltreffende hawebedryf.

151. Rook.

Niemand mag rook of in besit wees van 'n brandende pyp, sigaar of sigaret in 'n loods, pakhuis of magasyn of binne 1,5 m van die oop deur van 'n loods, pakhuis of magasyn, of binne 'n gebied wat deur die Vervoerdienste afgesonder is vir die hanteer, stou of opberging van goedere of skeepsvrage, of binne 'n gebied waar daar kennisgewingborde is wat rook verbied nie.

152. Hengel.

Niemand mag binne 'n hawe hengel nie tensy hy 'n hengelpermit het wat deur die Vervoerdienste uitgereik is (waarvoor koste gehef mag word), en dan slegs by sodanige plekke en onderworpe aan sodanige voorwaardes as wat in die permit uiteengesit word.

153. Baai.

Niemand mag in 'n hawe baai nie behalwe op plekke aangedui deur kennisgewingborde waar baai deur die Vervoerdienste gemagtig word, of by erkende baaistrande onder beheer van 'n plaaslike owerheid. Niemand mag op sulke gemagtigde plekke baai nie tensy hy of sy 'n baaikostuum aan het wat voldoen aan die aanvaarde vereistes van fatsoenlikheid; met dien verstande dat daar nie beskou moet word dat die bepalings van hierdie regulasie deur dra verbied van 'n baaikostuum wat voldoen aan die vereistes bepaal in die verordeninge van 'n plaaslike owerheid by die betrokke hawe, of in die geval van 'n manspersoon, van die tipe algemeen bekend as 'n baaibroek nie.

154. Begrawings.

Geen lyke of karkasse hoegenaamd mag binne 'n hawe begrawe word nie.

155. Huisdiere, wilde diere en reptiele.

Enige dier of reptiel, hetsy dit 'n huis- of wilde dier is, wat op vrye voet op die Vervoerdienste se eiendom binne 'n hawe gevind word, kan van kant gemaak word. Dié wat aan boord van 'n skip is, moet behoorlik deur die kaptein in bewaring gehou word.

156. Hindernisse en belemmerings.

Niemand mag binne 'n hawe—

(a) aan 'n werknemer van die Vervoerdienste wat op diens is 'n vals naam of adres verstrek om vervolging te ontduik nie;

(b) in 'n toestand van dronkenskap verkeer of hom op 'n geweldadige of aanstootlike wyse tot las van ander gedra nie;

(c) iets uit moedswil of nalatigheid doen waardeur persone beseer of eiendom beskadig kan word nie;

149. Advertising.

No person shall exhibit or cause to be exhibited any advertisement, placard, notice or sign on any land, building or structure or distribute or cause to be distributed any literature within a harbour area without the authority of the Transport Services and no person shall deface, damage or cause to be defaced or damaged any such advertisement, placard, notice or sign within any harbour area.

150. Fires.

No person shall boil or heat pitch, tar, resin, turpentine, oil or other flammable matter on shore within a harbour, or light any fire upon any wharf, jetty, stacking area, quay or at any other place where the lighting of such fires is specially prohibited by notice, except with the written permission of the Transport Services and then only subject to such conditions as it may impose in the interests of safe, orderly and efficient harbour working.

151. Smoking.

No person shall smoke or have in his possession any lighted pipe, cigar or cigarette in any shed, warehouse or store or within 1,5 m of the open door of any shed, warehouse or store, or within any area set apart by the Transport Services for the handling, stowage or storage of goods or cargo, or within any area where smoking is prohibited by notice.

152. Fishing.

No person shall fish within a harbour unless he is in possession of a fishing permit issued by the Transport Services (for which a charge may be made) and then only at such places and subject to such conditions as are specified in the permit.

153. Bathing.

No person shall bathe within a harbour except at places indicated by notice boards, where bathing is authorised by the Transport Services, or at recognised bathing beaches under the control of a local authority.

No person shall bathe at a place so authorised unless wearing a bathing costume which conforms to accepted standards of decency; provided that nothing in this regulation contained shall be deemed to prohibit the wearing of a bathing costume which conforms to the requirements laid down in the by-laws of any local authority at the port concerned or which, in the case of a male person is of the type commonly known as trunks.

154. Burials.

No dead bodies of any kind shall be buried within a harbour.

155. Domestic and wild animals and reptiles.

Any animal or reptile, whether domesticated, tame or wild, found at large on the Transport Services' premises in a harbour may be destroyed. Those on board any ship shall be properly secured by the master.

156. Nuisances and obstructions.

No person within a harbour shall—

(a) give a false name or address to an employee of the Transport Services on duty for the purpose of avoiding prosecution;

(b) be in a state of intoxication or behave in a violent or offensive manner to the annoyance of others;

(c) do anything wilfully or negligently which may cause injury to persons or damage to property;

(d) 'n ergerlike of onfatsoenlike daad pleeg, of godslanderlike, vuil, onbetaamlike, beledigende of onbehoorlike taal besig nie;

(e) 'n godslanderlike, vuil, onbetaamlike of beledigende woord, saak, voorstelling of afbeelding op 'n terrein of die eiendom van die Vervoerdienste skryf, teken of aanbring nie;

(f) 'n kennisgewingbord of dokument verwyder wat op las van die Vervoerdienste opgerig is of vertoon word, of die bewoording onleesbaar maak op 'n bord of 'n kennisgewing wat behoorlik vir vertoon gemagtig is nie;

(g) die vrye gebruik van 'n kaai, hawehoof of stapelgebied of vloedstrand of die toegange daartoe belemmer of iets doen wat dit moontlik kan belemmer nie;

(h) 'n werknemer van die Vervoerdienste in die uitvoering van sy pligte hinder nie.

157. Lisensies of permitte moet getoon word.

Lisensies of permitte wat deur die Vervoerdienste uitgereik is vir watter doel ook al, moet op versoek aan 'n behoorlik gemagtigde beampte van die Vervoerdienste getoon word.

158. Bepaalde regulasies is nie op bepaalde hawens van toepassing nie.

(1) Die regulasies wat betrekking het op die ontskeping, verskeping, oorskeping, aflewer of afhaal van vrug/goedere en aangeleenthede daaraan verbonde, is van toepassing slegs op dié hawens waar sodanige werk deur die vervoerdienste verrig word.

(2) Wanneer die Vervoerdienste ook al 'n ooreenkoms met 'n munisipaliteit aangegaan het waarkragtens sodanige munisipaliteit onderneem om brandbeveiligings- en brandbestrydingsdienste te lewer ten opsigte van eiendom by 'n hawe wat binne die regsgebied van die Vervoerdienste geleë is, is sodanige munisipaliteit en 'n persoon wat 'n amp-tenaar of lid van 'n brandweer is wat deur sodanige munisipaliteit in stand gehou word, vrygestel sowel van strafgedinge as van siviele gedinge wat mag voortspruit uit 'n oortreding van die bepalings van enige van hierdie regulasies deur sodanige persoon, indien die wederregtelike daad gepleeg is in die redelike en behoorlike uitvoering van daardie persoon se pligte onderwyl sodanige brandweer gebruik word in of besig is met die uitvoering van sodanige munisipaliteit se verpligtings ingevolge sodanige ooreenkoms.

159. Hanteer van vlambare vloeistowwe.

DEEL A—MASSA

(1) Benewens ander betreklike regulasies, is die volgende bepalings by die hawens van toepassing op tenkskepe wat vlambare vloeistowwe in massa vervoer, ontskep of verskep of gedurende bunkerwerk:

(2) Vir die doel van hierdie deel van hierdie regulasie beteken—

(i) "vragdek" die dek van die tenkskip waarop daar openinge na die olietenks is;

(ii) "gesertifiseerde skeikundige" 'n houer van 'n B.Sc.-graad in skeikunde of die Nasionale Diploma vir Tegnici (Analitiese Skeikunde) wat, in albei gevalle, minstens twee jaar laboratoriumondervinding en gespesialiseerde opleiding in die toetsing van die atmosfeer in skepe het;

(iii) "vlamskerm" 'n skerm van koper- of geelkoper-gaasdraad en met 'n nominale openinggrootte van hoogstens 0,5 mm;

(d) commit any nuisance or act of indecency of use profane, obscene, indecent, abusive or improper language;

(e) write, draw or affix any profane, obscene, indecent or abusive word, matter, representation or character upon any premises or property of the Transport Services;

(f) remove or deface the writing on a notice board or document set up or posted by order of the Transport Services or deface the writing on a board or a notice duly authorised to be so exhibited;

(g) obstruct or do anything likely to obstruct the free use of a wharf, jetty, quay, stacking area, foreshore or the approaches thereto;

(h) interfere with or hinder an employee of the Transport Services in the execution of his duty.

157. Licences or permits to be produced.

Licences or permits issued by the Transport Services for any purpose shall be produced on demand to a duly authorised official of the Transport Services.

158. Certain regulations not to apply at certain harbours.

(1) The regulations relating to the landing, shipping, transshipping, delivery and collection of cargo/goods and matters incidental thereto, shall apply only at those harbours where such work is performed by the Transport Services.

(2) Whenever the Transport Services has entered into an agreement with a municipality whereby such municipality undertaking to render fire protection and fire fighting services to or in respect of property situated within the area of the Transport Services' jurisdiction at a harbour, such municipality and a person who is an officer or member of a fire brigade maintained by it, shall be exempt from proceedings, whether criminal or civil on account of a contravention of the provisions of any of these regulations by any such person, if the act constituting the contravention is done in reasonable and proper discharge of such person's duties while such fire brigade is employed in or in connection with the carrying out of such municipality's obligations under such agreement.

159. Handling of flammable liquids.

PART A—BULK

(1) In addition to any other regulations which may be applicable, the following provisions shall apply at the harbours to tankers conveying, discharging or shipping flammable liquids in bulk or during bunkering operations:

(2) For the purpose of this part of this regulation—

(i) "cargo deck" shall mean the deck of the tanker on which openings to oil tanks are situated;

(ii) "certified chemist" shall mean a holder of a B.Sc. degree in chemistry or the National Diploma for Technicians (Analytical Chemistry) who, in either case, shall have had at least two years laboratory experience and specialised training in the testing of atmospheres in ships;

(iii) "flame screen" shall mean a screen constructed of copper or brass wire and having a nominal aperture size not exceeding 0,5 mm;

(iv) "vlambare vloeistof" 'n vloeistof of 'n mengsel van vloeistowwe of 'n vloeistof wat vaste stowwe in oplossing of in suspensie bevat (behalwe stowwe wat anders geklassifiseer is vanweë hulle gevaarlike eienskappe) met 'n flitspunt van hoogstens 61 grade Celsius en 'n absolute Reid dampdruk van hoogstens 100 kPa by 38 grade Celsius;

(v) "vlambare vloeistof in massa" 'n vlambare vloeistof wat anders as in houeers vervoer word;

(vi) "flitspunt" die laagste temperatuur van die vloeistof waarby sy damp 'n vlambare mengsel met lug by 100 kPa vorm wanneer dit volgens die toebakkiemetode getoets word;

(vii) "gasvrysertifikaat" 'n sertifikaat uitgereik deur 'n gesertifiseerde skeikundige, waarin hy sertifiseer dat hy 'n toereikende en geskikte toets uitgevoer het ten opsigte van 'n tenk, pypleiding, afdeling of ruimte, of ander deel van 'n skip waarin olie of ander vlambare vloeistof of vrag vervoer is en dat—

(a) die gasinhoud van die atmosfeer 0,1 persent of minder is per volume bereken as pentaan; en

(b) die residu volgens die mening van die gesertifiseerde skeikundige, nie gevaarlike gasse onder atmosferiese toestande of in die aanwesigheid van vuur kan voortbring nie;

(viii) "olietenk" 'n ruim, tenk, afdeling, pypleiding (hetsy op land of drywend) of ruimte van 'n skip, wat vlambare vloeistof in massa, of slik, neerslag of residu daarvan bevat of bevat het;

(ix) "eienaar" die kaptein van die tenkskip of sy gemagtigde verteenwoordiger of die eienaar van die vlambare vloeistof, na gelang van die geval;

(x) "verbode gebied" 'n gebied in die omgewing van 'n tenkskip, wat as verbode gebied afgegrens is deur middel van 'n heining, versperring of kennisgewingsborde, en sluit alle wateroppervlaktes binne 30 m van die tenkskip in;

(xi) "tenkskip" 'n skip wat vlambare vloeistof in massa vervoer of vervoer het;

(xii) "dampdruk" die dampdruk by 38 grade Celsius soos bepaal volgens die Reidmetode; en

(xiii) "oop dekke" alle dekke wat aan die weer blootgestel is, met inbegrip van die vragdek, brug, voorkasteel en bodekke.

(3) Elke tenkskip moet 'n geldige opnemersertifikaat hê wat deur 'n staat of 'n erkende klassifikasievereniging uitgereik is, om vlambare vloeistowwe met 'n flitspunt van hoogstens 61 grade Celsius te mag vervoer. Die Vervoerdienste kan weier om 'n skip wat nie so 'n sertifikaat het nie, toe te laat om vlambare vloeistowwe in 'n hawe in die Republiek of Suidwes-Afrika te hanteer.

(4) Die agent van 'n skip wat vlambare vloeistowwe in massa of in houeers aan boord het, moet minstens 72 uur (Sondae en openbare vakansiedae uitgesonder) voordat die skip by 'n hawe in die Republiek of Suidwes-Afrika aankom, skriftelik besonderhede van sodanige vlambare vloeistof, met inbegrip van hoeveelhede, flitspunt en (waar van toepassing) dampdruk, asook die maksimum diepgang van die skip by aankoms, aan die hawekaptein en die hawebezuurder verstrek. In die geval van 'n skip wat vlambare vloeistowwe in massa na 'n ander hawe op dieselfde vaart vervoer het, moet die kaptein van die skip die hawekaptein minstens 72 uur (Sondae en openbare vakansiedae uitgesonder) voor aankoms van die skip verwittig of die betrokke leë en/of ballasge vulde tenk(s) vry van gas is.

(iv) "flammable liquid" shall mean a liquid, or a mixture of liquids, or a liquid containing solids in solution or suspension (except substances otherwise classified on account of their dangerous characteristics) having a flash point not exceeding 61 degrees Celsius and a Reid vapour pressure not exceeding 100 kPa absolute at 38 degrees Celsius;

(v) "flammable liquid in bulk" shall mean any flammable liquid conveyed otherwise than in containers;

(vi) "flash point" shall mean the lowest temperature of the liquid at which its vapour forms an ignitable mixture with air at 100 kPa under the closed-cup conditions of testing;

(vii) "gas-free certificate" shall mean a certificate given by a certified chemist, in respect of any tank, pipeline, compartment or space, or other part of a ship which has been carrying oil or other flammable liquid or cargo, certifying that he has carried out a test in an adequate and suitable manner, and that—

(a) the gas of the atmosphere is 0,1 per cent or less by volume calculated as pentane; and

(b) the residues, in the judgement of the certified chemist, are not capable of producing dangerous gases under atmospheric conditions or in the presence of fire;

(viii) "oil tank" shall mean any hold, tank, compartment, pipeline (whether ashore or afloat), or space of any ship, which contains or has contained any flammable liquid in bulk, or any sludge, deposit or residue therefrom;

(ix) "owner" shall mean the master of the tanker or his accredited representative or the owner of the flammable liquid, as the case may require;

(x) "prohibited area" shall mean any area adjacent to a tanker demarcated as a prohibited area by means of a fence or barricade or notice boards, and shall include all the water surfaces within 30 m of the tanker;

(xi) "tanker" shall mean a ship which is conveying or has conveyed flammable liquid in bulk;

(xii) "vapour pressure" shall mean the vapour pressure at 38 degrees Celsius as determined by the Reid method; and

(xiii) "weather decks" shall mean all decks exposed to the weather, including the cargo deck, bridge, fore-castle and upper decks.

(3) Every tanker shall be in possession of a valid survey certificate issued by a Government, or by a recognised classification society, for the carriage of any flammable liquid with a flash point not exceeding 61 degrees Celsius. The Transport Services may refuse to allow any ship which is not in possession of such a certificate to handle flammable liquid in any harbour in the Republic or South West Africa.

(4) The agent of a ship having on board any flammable liquid in bulk or in containers shall at least 72 hours (excluding Sundays and public holidays) before arrival of the ship at a harbour within the Republic or South West Africa, give written particulars of such flammable liquid, including quantities, flash-point and (where applicable) vapour pressure, as well as the maximum arrival draught of the ship, to the port captain and to the port manager. In the case of a ship which has conveyed flammable liquids in bulk, to any other harbour on the same voyage, the master of the vessel shall advise the port captain at least 72 hours (excluding Sundays and public holidays) before the arrival of the ship whether the empty and/or ballasted tank(s) concerned is/are gas free.

(5) Onderwyl sodanige skip binne die grense van die hawe is, moet die kaptein van die skip bedags 'n rooi swaeltstervlag (internasionale kodevlag "B") of anders 'n rooi vierkantige vlag met 'n wit sirkel in die middel duidelik vertoon. Snags moet hy, benewens die navigasieligte wat volgens die betrokke reëls of regulasies vereis word, 'n rooi lig minster 6 m bokant die dek aan die mastop, of op 'n ander plek waar dit duidelik sigbaar is, vertoon.

(6) (a) Voordat 'n tenkskip 'n hawe binnevaar, moet al sy olietanks stewig en veilig toegemaak wees, en al sodanige tenks moet veilig en stewig toegemaak bly onderwyl die skip in die hawe is, behalwe waar daar anders in hierdie regulasie bepaal word, of waar daar vasgestel is dat die tenk(s) vry van gas is. [Kyk subparagraaf (27) van hierdie regulasie.]

(b) Uitsitruimteproppe kan verwyder of kykpoorte oopgemaak word sodat die diepte van die vloeistof, uitsitruimtes of temperatuur gemeet of monsters geneem kan word. Waar dit nodig is, kan hierdie proppe verwyder en die poorte oopgemaak word vir waarneming onderwyl vrag gehanteer of ballas ingeneem word. Sulke openings moet stewig toegemaak word onmiddellik nadat die bogenoemde oogmerk gedien is. Die uitsitruimteproppe en kykpoorte van die besondere olietanks waaruit vrag ontskep word, kan egter oopgelaat word mits hulle behoorlik met vlamskerms beskerm is. Wanneer vrag ingeskep of ballas ingeneem word, moet gas wat verplaas word, sover moontlik deur die mas uitgelaat word, of waar die uiterste eindpunt van die gasleiding ook al geleë is.

(7) (a) Niemand mag oop ligte, lonte, vuurhoutjies of enigets anders wat ontbranding kan veroorsaak, binne 'n verbode gebied gebruik of dra nie.

(b) Die kaptein moet toereikende stappe doen om te verseker dat niemand onder sy beheer aan boord van 'n tenkskip rook onderwyl vrag ontskep, ingeskep of ballas ingeneem word nie, of op oop dekke rook onderwyl 'n tenkskip in die hawe is nie, en dat niemand op 'n tenkskip oop ligte, longe, vuurhoutjies of enigets anders wat ontbranding kan veroorsaak, gebruik of dra nie, behalwe by sodanige plekke waar rook ingevolge hierdie regulasie toegelaat word. [Kyk paragraaf (16) (b) van hierdie regulasie.] Die hawekaptein of sy gemagtigde moet insgelyks sorg dat die bepalings van hierdie regulasie binne die verbode gebied altyd nagekom word.

(8) Die kaptein is aanspreeklik vir die koste van sodanige brandpatrollies, veiligheidsmaatreëls en toesig wat ingevolge hierdie regulasies of op bevel van die hawekaptein of hawebestuurder, of albei, voorsien, getref of uitgeoefen moet word.

(9) (a) Onderwyl 'n tenkskip in 'n hawe is, moet die kaptein seker maak dat 'n bevoegde offisier op die dek en in die masjienkamer waghoe en dat daar voldoende bemanning aan boord is om die skip te beheer as 'n noodgeval sou ontstaan.

(b) Die kaptein van elk tenkskip in 'n hawe moet, voordat daar met pompwerk begin word, 'n intrinsiek veilige telefoon wat regstreeks met die hoofsentrale verbind is, op sy skip laat installeer sodat daar in geval van nood onmiddellik met die hawekaptein, die hawebestuurder en die munisipale brandweer en/of die Vervoerdienste se brandweer in aanraking gekom kan word.

(10) Wanneer ook al die hawekaptein dit in belang van veilige, ordelike en doeltreffende hawebedryf nodig ag, kan hy beveel dat 'n tenkskip met vlambare vloeistowwe aan boord weggeneem word van die plek waar dit aanlê, en die kaptein is aanspreeklik vir die koste wat in verband daarmee beloop word.

(5) The master of every such ship shall, while the ship is within the limits of the harbour, conspicuously display by day a red burgee (International code flag "B") or, alternatively, a red square flag with a white circle in the centre, and by night a red light at the masthead or at some other point where it can best be seen, but not less than 6 m above the deck, in addition to any navigation lights required in terms of the applicable rules or regulations.

(6) (a) Before a tanker shall enter a harbour, all her oil tanks shall be securely and safely closed, and all such oil tanks shall remain safely and securely closed during such time as the ship is in the harbour except where otherwise provided in this regulation, or where it has been established that the tank(s) is/are gas free. [See subparagraph (27) of this regulation.]

(b) Ullage hole plugs may be removed or sighting ports opened for the purpose of taking dips, ullages, samples or temperatures, and where necessary for sighting during cargo handling or ballasting. Such openings shall be securely closed immediately the above-mentioned purpose has been served, except that the ullage hole plugs or sighting ports of the particular oil tanks from which cargo is being discharged may be left open provided they are adequately protected by flame screens. During loading or ballasting operations the gases displaced shall as far as possible be vented up the mast or wherever the extremity of the gasline is placed.

(7) (a) No person shall use or carry naked lights, fuses, matches or any other means of producing ignition within a prohibited area.

(b) The master shall take adequate steps to prevent any person under his control from smoking on board a tanker whilst discharging, loading or ballasting or from smoking on the weather decks whilst a tanker is in the harbour and to prevent the use or carrying of naked lights, fuses, matches or any other means of producing ignition by any person on a tanker, except in those places set aside for smoking under this regulation. [See paragraph (16) (b) of this regulation.] The port captain or his deputy shall similarly ensure that the provisions of this regulation are observed within the prohibited area at all times.

(8) The master shall be responsible for the cost of such fire patrols, safety measures and supervision as may be provided, taken or exercised pursuant to these regulations or by direction of the port captain or the port manager or both.

(9) (a) The master of every tanker shall ensure that, whilst in a harbour, he has a competent watchkeeping officer on duty on deck and in the engine room and sufficient crew on board to handle the vessel should an emergency arise.

(b) The master of every tanker in a harbour shall, prior to the commencement of pumping, cause an intrinsically safe telephone connected direct to the central exchange to be provided on his ship so as to permit immediate communication with the port captain, the port manager and the municipal fire brigade and/or the Transport Services' fire brigade in the event of an emergency.

(10) Whenever the port captain considers it necessary or in the interests of safe, orderly and efficient harbour working, he may order the removal of a tanker with flammable liquids on board, from the berth at which she is lying, and the master shall be responsible for the charges incurred in connection with such removal.

(11) Vlambare vloeistowwe in massa moet net op die plekke gehanteer word wat spesiaal vir dié doel by die verskeie hawens voorsien is, soos aangewys deur die hawebestuurder na oorlegpleging met die hawekaptein.

(12) Elke olietank moet stewig toegemaak word onmiddellik nadat alle vlambare vloeistowwe daaruit verwyder is. [Kyk paragraaf (27) van hierdie regulasie.]

(13) Geen vlambare vloeistof hoegenaamd, en water wat met olie of vlambare vloeistof besoedel is, mag in 'n hawe uitgelaat word of toegelaat word om daarin uit te loop nie. As vlambare vloeistof of besoedelde water uit 'n tenkskip, pypleiding, massaopbergruimte of ander installasie in 'n hawe uitgelaat word of toegelaat word om daarin uit te loop, is die eienaar aanspreeklik vir alle koste wat die Vervoerdienste mag aangaan om sodanige olie of water te verwyder. Die kaptein van 'n skip mag nie sonder die toestemming van die hawekaptein skoon ballaswater voor teruglading in die hawe stort nie. Toestemming word nie toegestaan nie, tensy 'n geldige sertifikaat deur 'n gesertifiseerde skeikundige verstrek word waarin gesertifiseer word dat die ballaswater vry van olie of ander stowwe is.

(14) Geen vlambare vloeistof mag tussen sonder en sonop sonder die toestemming van die hawekaptein ontskep word nie.

(15) (a) Nadat met die ontskeping van vlambare vloeistowwe begin is, moet sodanige ontskeping met die nodige spoed voortgesit word. As die vlambare vloeistowwe nie voor sonder op een dag klaar ontskep kan word nie, en die toestemming ingevolge paragraaf (14) van hierdie regulasie nie verkry is om na sonder te ontskep nie, moet alle olietanks stewig toegemaak word sodra die ontskeping gestaak word, en alle voorsorgmaatreëls wat nodig sou gewees het as die ontskeping nie begin het nie, moet daarna in werking gestel word.

(b) As daar gedurende die ontskeping na sonder iets gebeur as gevolg waarvan herstelwerk aan die toerusting, pype of verbindings gedoen moet word of die ononderbroke ontskeping van die vlambare vloeistowwe op enige wyse gesteur word, moet die ontskeping tot na sonop gestaak word, tensy verligting gelykstaande met 'n minimum van 55 lux tot bevrediging van die hawekaptein voorsien word.

(16) Vanaf die tyd dat die olietanks van 'n tenkskip vir die eerste keer oopgemaak word om vlambare vloeistowwe te hanteer wanneer vrag ontskep, ingeskep of binne die skip verskuif word of wanneer ballas ingeneem word, en vir een uur nadat al die tanks na voltooiing van die bogenoemde werk stewig toegemaak en verseël is, is die volgende bepalings van toepassing:

(a) As die skip met 'n mastopontlugpyp of ander gasleidingsontlugpyp toegerus is, moet die luggat oop wees.

(b) Daar mag nie gerook word nie behalwe in die woongedeeltes en dan slegs na goeddunke en op verantwoordelike van die kaptein.

(c) Skeepskombuise mag gebruik word, maar dan mag daar nie vonke uit die skoorsteen of ander uitlaat ontsnap nie.

(d) Die skip se elektriese installasies mag nie gebruik word nie, tensy dit ten volle aan die vereistes van 'n klassifikasievereniging voldoen.

(e) Niemand aan boord van die skip mag vuurhoutjies of 'n sigaretaansteker by hom hê op 'n ander plek as dié waar rook kragtens subparagraaf (b) van hierdie paragraaf toegelaat is nie.

(17) (a) Skeepsvoorraad en toerusting moet klaar gehanteer word voordat 'n olietank op 'n tenkskip oopgemaak word vir watter doel ook al: Met dien verstande dat voorraad vir gebruik op die seereis ingeskep kan word onderwyl die vrag/goedere gehanteer word mits dit op die agterkompanjedek weg van die ontskep- en inskeepspruitstukke geplaas word.

(11) Flammable liquids in bulk shall be handled only at the places specially provided for that purpose at the several harbours, as directed by the port manager after consultation with the port captain.

(12) Immediately after all flammable liquids have been removed from each oil tank, such oil tank shall be securely closed. [See paragraph (27) of this regulation.]

(13) No flammable liquid of any description and no water which is contaminated with oil or flammable liquid, shall be discharged or allowed to escape into a harbour. If flammable liquid or contaminated water is discharged or allowed to escape into a harbour from a tanker, pipeline, bulk storage or other installation, the owner shall be liable for any costs which may be incurred by the Transport Services in removing such liquid or water. The master of a vessel shall not discharge clean ballast water into the harbour prior to "back loading" without the permission of the port captain. Permission shall not be granted unless a current certificate is produced by a certified chemist certifying that the ballast water is free of oil or other matter.

(14) No flammable liquid shall be discharged between the hours of sunset and sunrise without the permission of the port captain.

(15) (a) When once the discharge of flammable liquids has commenced, such discharge shall be continued with due diligence. Should it be impracticable to complete the discharge of the flammable liquids before sunset on any day, and permission to discharge after sunset has not been obtained in terms of paragraph (14) of this regulation, all oil tanks shall be securely closed immediately the discharge is discontinued and all the precautionary measures that would have had to be taken if discharge had not commenced, shall thereupon be put into effect.

(b) If, during discharge after sunset, anything occurs which necessitates the carrying out of repairs to the plant, pipes or connections, or which interferes in any way with the uninterrupted discharge of the flammable liquids, discharge shall be discontinued until after sunrise, unless lighting equal to a minimum of 55 lux is provided to the satisfaction of the port captain.

(16) From the time when the oil tanks of any tanker are first opened for the purpose of handling flammable liquids in the process of discharging, shipping, ballasting or transfer of cargo within the ship, and during one hour after all the tanks are securely closed and sealed after completion of the above-mentioned operations, the following provisions shall apply:

(a) If the ship is fitted with masthead venting or other gasline venting, the vent shall be open.

(b) Smoking shall not be permitted except in the accommodation and then only at the discretion and on the responsibility of the master.

(c) Galleys may be used, but if they are used, no sparks shall be permitted to escape from the funnel or other outlet.

(d) Ship's electrical installations shall not be used unless they comply fully with classification society's rules.

(e) No person on board the ship shall be in possession of matches or a cigarette lighter in any place other than one where smoking is permitted in accordance with subparagraph (b) of this paragraph.

(17) (a) The handling of ship's stores and equipment shall be completed before any oil tank on the tanker is opened for any purpose whatsoever; provided that consumable stores for consumption on the voyage may be shipped during cargo/goods handling operations on condition that they are placed aboard on the after deck away from the discharge and loading manifolds.

(b) Skeepsvrug in pakke mag nie gehanteer word nie tensy die ontskeping van vlambare vloeistof in massa gestaak is, alle tenkopenings toegemaak is en daar gesertifiseer is dat die ruim waarin of waaruit sodanige vrug gelaai moet word, vry van gas is.

(c) Wanneer verbruiksvoorraad of skeepsvrug in pakke wat in metaalhouers is, gehanteer word, moet alle voorsorgsmaatreëls getref word om te voorkom dat vonke veroorsaak word deur sodanige houers aan boord op seile of ander isoleermateriaal te plaas.

(18) Geen werk hoegenaamd wat 'n brand kan veroorsaak mag op 'n tenkskip of binne die verbode gebied verrig word nie, behalwe met die skriftelike toestemming van die hawekaptein.

(19) (1) Alle buigsame slange wat gebruik word vir die hanteer van skeepsvrug en vir bunkerwerk, behalwe soos in subparagraaf (30) (1) (c) bepaal, moet van die elektriese geleitipe wees, en alle metaalpantering moet deurloopend en behoorlik aan die flense van elke gedeelte verbind wees. Hierdie buigsame slange moet aangebring word soos in paragraaf (30) (1) hiervan aangedui is. Die buigsame slange moet soos volg getoets word:

(a) Voordat nuwe buigsame slange in gebruik gestel word, moet 'n toets vir maksimum werkdruk daarmee uitgevoer word. Die presiese lengte van die slang moet voor, gedurende en na die toets gemeet en enige blywende en tydelike uitrekking daarvan aangeteken word. Onderwyl die slange in gebruik is moet die lengte daarvan jaarliks gemeet word om seker te maak dat die blywende uitrekking nie meer as 7 persent van die oorspronklike lengte is nie, en geen slang waarvan die blywende uitrekking meer as 7 persent is, moet in gebruik gehou word nie. Die slange moet gemerk word met die datum waarop dit in diens geplaas is en die datum waarop dit laas getoets is.

(b) As die Vervoerdienste dit wenslik ag, kan hy vereis dat 'n slang 'n halfuur lank getoets word by 'n druk van 25 persent hoër is as die normale werkdruk, of 850 kPa, watter ook al die grootste is.

(c) Wanneer slange die eerste keer aangebring word, en jaarliks daarna, moet hulle deur die gebruiker getoets word om seker te maak dat hulle van die elektriese geleitipe is. Die Vervoerdienste kan te eniger tyd vereis dat elektriese kontinuïteitstoetse onderneem word om te bevestig dat die buigsame slange elektries geleidend is.

(2) Voldoende buigsame slange moet gebruik word om voorsiening te maak vir die moontlike beweging van die skip onderwyl dit gemeer is. Alle verbindings moet deeglik gemaak word en dig wees, met oliedigte pakstukke en elke boutgat in die flense stewig vasgemaak; as 'n gedeelte van 'n slang tekens van bulte of deursypeling toon, moet daardie gedeelte onmiddellik vervang word; die buigsame slang moet met 'n laaiboom gestut en met behulp van wie of ander geskikte middels tot bokant die dek of kaaihoogte gelig word, en alle voorsorgsmaatreëls moet getref word om skawing te voorkom; drupbakke moet waar doenlik onder elke las geplaas word, en die slange en drupbakke moet gedurig onder toesig wees onderwyl die pompwerk aan die gang is.

(20) 'n Tenkskip moet nie nader as 30 m aan 'n ander skip lê nie, behalwe op die uitdruklike bevel van die hawekaptein. Met dien verstande dat daar op skriftelike magtiging van die hawekaptein in die geval van oorskeping afgewyk mag word van die bepaling van hierdie paragraaf as dit nie moontlik is om verskillende aanlêplekke aan die tenkskepe toe te wys nie.

(b) The handling of package cargo shall not be permitted unless bulk discharging operations of flammable liquids have been suspended, all tank openings closed and a gas-free certificate issued in respect of the hold from which such cargo is to be removed or into which it is to be loaded.

(c) When consumable stores or package cargo contained in metal containers are being handled, every precaution shall be taken to prevent the creation of sparks by landing such containers on board ship on canvas or other insulating material.

(18) No work of any description that may cause a fire shall be performed on a tanker or within the prohibited area except with the written permission of the port captain.

(19) (1) All flexible hoses used in cargo handling and bunkering operations, except as provided for in subparagraph (30) (1) (c), shall be of the electrically conducting type and shall have all metallic armouring continuous and securely bonded to the flanges of each section. These flexible hoses shall be installed as indicated in paragraph (30) (1) hereof. The flexible hoses shall be tested as follows:

(a) New flexible hose, before being placed into use, shall be subjected to a maximum working pressure test, and the exact length of the hose before, during and after the test shall be measured and any set or stretch thereof recorded. Whilst in service the length of the hoses shall be checked annually to ensure that the permanent set does not exceed 7 per cent of the original lengths, and no hose of which the permanent set exceeds this limit shall be retained in use. All hoses shall be marked with the date placed in service and the date last tested.

(b) The Transport Services may, whenever it considers it desirable, require any flexible hose to be subjected to a test of half-hour duration at a pressure 25 per cent in excess of the normal working pressure or 850 kPa, whichever is the greater.

(c) On first installation, and annually thereafter, the hoses shall be tested by the user to ensure that they are of the electrically conducting type. The Transport Services may at any time require that electrical continuity tests be undertaken to confirm that the flexible hose are electrically conducting.

(2) Sufficient flexible hose shall be used to provide for all possible movement of the ship whilst moored. All connections shall be properly and tightly made, with oil-tight gaskets and every bolt hole in the flange securely fastened; in the event of any section of flexible hose showing signs of bulging or of percolation, the section in question shall be replaced immediately; the flexible hose shall be supported by a derrick and raised above deck or wharf level by means of chocks or other suitable means with all due provision made to prevent chafing; drip pans shall be placed under each joint where practicable, and the flexible hose and drip pans shall be kept under constant supervision at all times while pumping is in progress.

(20) A tanker shall not lie within 30 m of any other ship except by express direction of the port captain; provided that in the case of transshipment this paragraph may be departed from on the written authority of the port captain if it is impracticable to place the tankers at separate berths.

(21) (a) (i) 'n Skip wat vlambare vloeistowwe vervoer of vervoer het, mag nie 'n droogdok binnegaan nie en daar mag ook geen groot herstelwerk aan so 'n skip gedoen word onderwyl dit in 'n hawe is nie, tensy 'n gasvrysertifikaat ten opsigte van die skip uitgereik is, en dan slegs nadat toestemming van die hawekaptein verkry is en onderworpe aan sodanige voorwaardes as wat hy in belang van veilige, ordelike en doeltreffende hawebedryf mag voorskryf.

(ii) Die hawekaptein kan beveel dat 'n nuwe gasvrysertifikaat wat deur 'n gesertifiseerde skeikundige uitgereik is, daaglik verkry word voordat die werk 'n aanvang neem, en as daar in die loop van die werk gevaar ontstaan dat daar vlambare damp aanwesig kan wees, moet die werk gestaak word totdag nog 'n gasvrysertifikaat verkry is.

(iii) Die hawekaptein kan daarop aandring dat 'n gasvrysertifikaat getoon word in alle omstandighede waar hy dit nodig ag.

(b) Klein herstelwerk kan na goeddunke van die hawekaptein in belang van veilige, ordelike en doeltreffende hawebedryf aan boord van 'n tenkskip gedoen word, onderworpe aan die volgende voorwaardes:

(i) 'n Gasvrysertifikaat moet daaglik verkry word ten opsigte van die betrokke tenk, afdeling of ruim en vir elke aangrensende tenk, afdeling of ruim.

(ii) 'n Beeldskrifteken wat die toestand van 'n tenk aantoon, d.i. "Gevaarlik" of "Vry van gas", na gelang van die geval, moet op 'n opvallende plek op elke tenkluik op die vragdek vertoon word. Soortgelyke beeldskriftekens moet by die ingang van alle betrokke ruime of afdelings vertoon word. Sulke beeldskriftekens moet nie kleiner as 61 cm by 38 cm wees nie en die grootte van elke letter moet minstens 15 cm by 8 cm wees. Beeldskriftekens "Gevaarlik" moet 'n rooi agtergrond hê met wit letters daarop en beeldskriftekens "Vry van gas" 'n wit agtergrond met swart letters daarop.

(iii) Indien die hawekaptein dit beveel, moet alle elektriese toerusting wat vir herstelwerk nodig is, deur 'n tegniese beampte van die Vervoerdienste ondersoek en goedgekeur word voordat dit gebruik word.

(iv) Niks wat in die voorgaande bepalinge van hierdie paragraaf vervat is, moet beskou word as dat dit die uitvoering van herstelwerk in die masjienkamer belet nie, mits die hawekaptein se toestemming vooraf verkry is.

(c) 'n Tenkskip mag in 'n hawe buite werking gestel word sodat herstelwerk onderneem kan word mits die skriftelike toestemming van die hawekaptein vooraf verkry is. Elke versoek vir buitewerkingstelling moet vergesel wees van 'n "Sertifikaat van Noodsaaklikheid", uitgereik deur 'n erkende opnemer, waarin die rede(s) vir en die moontlike duur van die buitewerkingstelling kortliks uiteengesit is, tesame met 'n gasvrysertifikaat ten opsigte van die masjienkamer. Indien die skip nie vry van gas is nie, word die buitewerkingstelling toegelaat slegs na goeddunke van die hawekaptein en wel by 'n aanleplek buite die veiligheidsgebied deur hom aangewys, en dan slegs voordat die vrag ontskep word of na voltooiing van die ontskeping en/of die inneem van ballas, mits alle openinge behalwe die gasleidingsontluggyp toe is.

(22) Tot tyd en wyl daar gesertifiseer is dat 'n olietenk, afdeling of ruim vry van gas is, mag niemand—

(a) 'n oop lig, vuur, warm klinknael of enigets wat ontbranding kan veroorsaak in so 'n olietenk, afdeling of ruim neem nie, of so 'n voornoemde voorwerp of ding so naby aan 'n olietenk, afdeling of ruim bring dat dit gevaarlik kan wees nie;

(21) (a) (i) A ship which is conveying or has conveyed flammable liquids shall not enter a drydock nor shall any major repairs be carried out on such a ship while it is in a harbour unless a gas-free certificate for the ship has been issued, and then only after permission has been obtained from the port captain in the interests of safe, orderly and efficient harbour working and under such conditions as he may prescribe.

(ii) The port captain may direct that a fresh gas-free certificate issued by a certified chemist shall be obtained daily before work is commenced, and if during the course of the work any risk of flammable vapour arises, work shall be suspended until a further gas-free certificate has been obtained.

(iii) The port captain may insist upon the production of a gas-free certificate in any circumstances in which he deems such a certificate to be necessary.

(b) Minor repairs may be carried out on board a tanker at the discretion of the port captain, subject to the following conditions in the interests of safe, orderly and efficient harbour working:

(i) A gas-free certificate shall be obtained daily in respect of the tank, compartment or hold concerned and for each adjoining tank, compartment or hold.

(ii) A pictograph shall be prominently displayed on each tank hatch on the cargo deck indicating the condition of the tank, i.e. "Danger" or "Gas Free" as case may be. Similar pictographs shall be displayed at the entrance to any hold or compartment affected. Such pictographs shall not be of smaller dimensions than 61 cm by 38 cm and the size of each letter shall not be less than 15 cm by 8 cm. "Danger" pictographs shall have white letters on a red background and "Gas Free" pictographs shall have black letters on a white background.

(iii) If the port captain so directs, any electrical equipment required to carry out repairs shall be examined and approved by a technical officer of the Transport Services before it is used.

(iv) Nothing in the foregoing provisions of this paragraph contained shall be deemed to prohibit the carrying out of repairs in the engine room, subject to the prior approval of the port captain.

(c) With the prior approval in writing of the port captain, a tanker may be immobilised in a harbour in order to enable repairs to be effected. Every request for immobilisation shall be accompanied by a "Certificate of Essentiality", issued by a recognised surveyor, stating briefly the reason(s) for and probable duration of the immobilisation, together with a gas-free certificate in respect of the engine room. If the ship is not gas free, immobilisation will be permitted only at the discretion of the port captain and at a berth outside the security area allocated by him, and then only before breaking cargo or after completion of discharging and/or ballasting, provided all openings except the gas-line vent are closed.

(22) Until any oil tank, compartment or hold has been certified gas free, no person shall—

(a) take into any such oil tank, compartment or hold, any naked light, fire, hot rivet or anything that could cause ignition or bring any such object or thing as aforementioned within such close proximity to any such oil tank, compartment or hold as to constitute a hazard;

(b) sodanige olietank, afdeling of ruim binnegaan nie, tensy hy toegerus is met 'n geskikte asemtoestel bestaande uit 'n helm of gesigstuk met die nodige verbindinge waardeur hy buitelig kan inneem, of met 'n goedgekeurde selfonderhoudende asemtoestel, en tensy hy 'n veiligheidsgordel aan het wat aan 'n reddingstou vas is; dié reddingstou moet op dekhoogte deur twee man opgepas word.

(23) (a) Geen handlamp, behalwe 'n selfonderhoudende batterylamp van die soort wat goedgekeur is deur 'n erkende toetsgesag vir gebruik in ontplofbare petroleumdampkringe, of 'n gaskliklamp wat insgelyks goedgekeur is, mag binne 'n verbode gebied of op 'n vragdek of in 'n olietank, ruim of afdeling naasaan en onderkant die bopunt van die olietanks in 'n tenkskip gebruik word nie.

(b) Geen draagbare radiotoerusting wat nie deur 'n erkende toetsgesag as op sigself veilig gesertifiseer is nie, mag in 'n verbode gebied gebruik word nie.

(24) Stewels of skoene wat met yster beslaan of versterk is, mag nie in 'n verbode gebied of op yster- of staaloppervlaktes aan boord van 'n skip wat vlambare vrag vervoer nie, gedra word nie.

(25) 'n Persoon mag 'n verbode gebied by 'n tenkskip-aanlêplek binnegaan, daarin vertoef of dit verlaat slegs as hy 'n permit toon wat deur die Vervoerdienste uitgereik is en mits die Vervoerdienste se uniformpersoneel op diens dit goedvind.

(26) Wanneer vrag gehanteer of ballas aan boord geneem word, moet alle vragdekdeure en patryspoorte asook bodekdeure teenoor die vragdek toegehou word, en hierdie deure mag oopgemaak word om in of uit te gaan slegs as die skeepswerk dit noodsaaklik maak.

(27) (a) 'n Tenkskip mag gas in 'n hawe vrylaat mits die hawekaptein se toestemming skriftelik vooraf verkry is en onderworpe aan sodanige voorwaardes as wat hy in belang van veilige, ordelike en doeltreffende hawebedryf mag bepaal. Elke aansoek aan die hawekaptein vir toestemming om gas in 'n hawe vry te laat, moet vergesel wees van 'n verklaring, onderteken deur die kaptein van die skip, dat geskikte en doeltreffende meganiese toerusting vir die vrylating van gas aan boord die skip is. Indien druk in 'n tenk opgebou word deur middel van druklug of 'n ander metode voordat gas vrygelaat word, moet die kaptein daarbenewens sertifiseer dat al die gasleidingsontlugkleppe in 'n werkende toestand is.

(b) Die deksel(s) van enige tenk(s) mag oopgemaak word slegs nadat daar vasgestel is dat sodanige tenk(s) vry van gas is.

(c) In gevalle waar die vrylating van gas toegelaat word voor teruglading, moet alle tenks stewig toegemaak word voordat die teruglading begin.

(28) Die hoofmasjiene of hoofmotore, na gelang van die geval, stuurmasjiene of dekmassinerie van 'n tenkskip mag net met die toestemming van die hawekaptein buite werking gestel word.

(29) (a) Die meertuig van 'n tenkskip moet geskik wees om in 'n noodgeval dadelik deurgesny of geglip te word sowel van die skip as van die land af. Draadsleepkinkels moet aan betings vasgemaak en deur die boeg- en agterstewe aan die seekant, gerieflik vir sleepbote, gevoer word, en hierdie drade moet altyd opgetakel wees onderwyl 'n tenkskip in 'n hawe is.

(b) As daar isolasie tussen die skip en pypleidinge is, moet alle meertoue vir minstens 2 m met veselsterke geïsoleer word. Dié veselsterke moet minstens 25 persent sterker wees as die draadtoue waaraan dit geheg is.

(b) enter such oil tank, compartment or hold unless he is provided with a suitable breathing apparatus consisting of a helmet or facepiece with necessary connections by means of which he can breathe outside air or with an approved self-contained breathing apparatus and unless he is wearing a safety belt connected to a life line, which life line shall be tended at deck level by two men.

(23) (a) No portable lamp other than a self-contained battery-fed lamp of a type approved by a recognised testing authority for use in explosive petroleum atmospheres or a gas-detecting lamp similarly approved, shall be used within any prohibited area or on a cargo deck or in any oil tank, hold or compartment immediately adjacent to and below the top of the oil tanks in any tanker.

(b) No portable radio equipment which has not been certified as intrinsically safe by a recognised testing authority shall be used in any prohibited area.

(24) Boots or shoes shod or strengthened with iron shall not be worn in the prohibited area or on iron or steel surfaces on board a vessel carrying flammable cargo.

(25) The right of any person to enter, remain in, or leave a prohibited area at a tanker berth shall be subject to the production of a permit issued by the Transport Services and in the direction of the Transport Services' uniformed personnel on duty.

(26) When cargo is being handled or ballast taken on board, all cargo deck doors and ports as well as all upper-deck doors facing the cargo deck shall be kept closed, and such doors may only be opened for purpose of entry and exit where this is essential to the working of the ship.

(27) (a) With the prior permission in writing of the port captain and subject to such conditions as he may impose in the interests of safe, orderly and efficient harbour working, a tanker may discharge gas in a harbour. Any application to the port captain for permission to discharge gas in a harbour shall be accompanied by a statement signed by the master of the vessel to the effect that suitable and efficient mechanical equipment for discharging gas is on board the vessel. Furthermore, when pressure is built up in any tank by compressed air or other means, prior to discharging gas, the master shall certify that all gasline vent valves are in working order.

(b) The lid(s) of any tank(s) may be opened only after it has been established that such tank(s) is/are gas free.

(c) In instances where discharging gas is permitted prior to back loading, all tanks shall be securely closed before back loading is commenced.

(28) Except with the port captain's permission, the main engines, steering engine or deck machinery of a tanker shall not be immobilised.

(29) (a) All moorings of a tanker shall be capable of being readily cut or slipped in an emergency from both ship and shore. Wire towing pendants shall be made fast to bitts and ranged out through bow and stern on a tanker's offshore side, convenient to tugs, and these wires shall be rigged at all times while a tanker is in a harbour.

(b) When insulation exists between the ship and pipelines, all moorings shall be insulated with fibre tails for a distance of at least 2 m. The fibre tails shall be at least 25 per cent stronger than the wire ropes to which they are attached.

(30) (1) Ten einde teen die gevare van elektriese swerf-strome gedurende vraghantering en bunkerwerk te waak, moet op 'n doeltreffende wyse te werk gegaan word om die vloei van sulke strome in ontskeppelypleidings te voorkom deur een van die volgende vier vorms van isolasie toe te pas:

(a) Twee geïsoleerde lasse in elke aaneenlopende stuk vaste pypwerk. Dié lasse moet minstens 2 m van mekaar wees.

(b) Een geïsoleerde las in elke aaneenlopende stuk pypwerk. Dié (enkele) geïsoleerde las moet voldoende beskerm wees en aan die buitekant vir 'n lengte van minstens 2 m geïsoleer wees om onopsetlike oorbrugging van die las se flense deur metaalkontak te voorkom.

(c) 'n Enkele stuk elektriese buigsame nie-geleislang van minstens 2 m in lengte en sonder enige tussenmetaalfense, moet in die buigsame slang van die skip na die wal ingevoeg word. Dié gedeelte van die nie-geleislang moet jaarliks deur die gebruiker getoets word om die isoleereienskappe daarvan te bevestig. Dit moet wit geverf en nougeset so gehou word om verwarring met die elektriese geleitipe gedeeltes van die buigsame slang te voorkom.

(d) 'n Statiese aardkabel moet by elke tenkskipaanlêplek voorsien word om die skip se standpyp elektries met die standpyp en aard op die land te verbind. 'n Geskikte vlam-digte skakelaar moet aan die landkant geïnstalleer word en 'n kennisgewingbord moet langs aan die skakelaar voorsien word wat die werkmethode in die volgende woorde moet beskryf:

(I) Wanneer vraggeleislange gekoppel word—

- (i) sorg dat die skakelaar oop is;
- (ii) verbind die statiese aardkabel met die skip, en sorg dat goeie kontak gemaak word;
- (iii) maak skakelaar toe; en
- (iv) verbind vraggeleislang.

(II) Wanneer vraggeleislange ontkoppel word—

- (i) ontkoppel en verwyder vraggeleislang van die skip;
- (ii) maak skakelaar oop; en
- (iii) verwyder die statiese aardkabel van die skip.

(2) Die isolasie moet een keer per jaar getoets word. Weerstand van die isolasie moet minstens 20 kilo-ohm wees, getoets met 'n 500 volt kontinuïteitstoets (megger). 'n Logstaat met besonderhede van sodanige toetse moet gehou word en moet beskikbaar wees wanneer dit ook al deur die Vervoerdienste se verteenwoordigers verlang word.

(31) (a) Die skip se spruitkleppe en die kuspypleiding-kleppe moet toegehou word tot tyd en wyl—

- (i) 'n slang gekoppel is;
- (ii) die skip se vragkleppe gestel en die uitlaatkleppe nagegaan is;
- (iii) alle veiligheidsmaatreëls nagekom is; en
- (iv) die toestemming van die hawebestuurder se verteenwoordiger verkry is om met die pompwerk te begin.

(b) Sodra die pompwerk begin het en weer wanneer die volle druk bereik is, moet die skeepsoffisier op diens seker maak dat geen olie of ballas in die see gestort word nie.

(c) As enige vlambare vloeistof stort, afgesien van geringe druplekassie, of as enigiets gebeur wat herstelwerk aan die installasie, pype, pompe of koppelings noodsaak, of wat die skip of die kaai in gevaar stel, moet die hawekaptein en/of hawebestuurder se verteenwoordiger onmiddellik—

- (i) beveel dat die pompwerk gestaak word, in welke geval die pompwerk nie hervat moet word sonder die toestemming van die hawekaptein en/of die hawebestuurder nie;

(30) (1) To guard against the dangers of stray electric currents during cargo handling and bunkering operations, effective means of preventing the flow of such currents in discharge pipelines shall be provided by means of one of the following four forms of insulation:

(a) Two insulated joints in each continuous length of fixed pipework. These insulated joints shall be separated by not less than 2 m of pipe.

(b) One insulated joint in each continuous length of pipe-work. This (single) insulated joint shall be adequately protected and insulated externally for a length of not less than 2 m, to prevent inadvertent metallic contact across the flanges of the joint.

(c) A single length of electrically non-conducting flexible hose, not less than 2 m in length and without any intermediate metallic flanges inserted in the ship-to-shore flexible hose. This section of non-conducting hose shall be tested annually, by the user, to confirm its insulating properties. It shall be painted white, which colour shall be maintained carefully, to avoid confusion with the electrically conducting type section of the flexible hose.

(d) A static earth cable shall be provided at each tanker berth for connecting ship's standpipe electrically to the shore standpipe and earth. A suitable flame proof switch shall be installed at the shore end, and a notice board shall be provided adjacent to the switch describing the method of operation in the following words:

(I) When connecting cargo hoses—

- (i) see that switch is open;
- (ii) connect static earth cable to ship ensuring good contact;
- (iii) close switch;
- (iv) connect cargo hose.

(II) When disconnecting cargo hose—

- (i) disconnect and remove cargo hose from ship;
- (ii) open switch;
- (iii) remove static earth cable from ship.

(2) The insulation shall be tested once per annum. Resistance of the insulation to be at least 20 kilo-ohm tested with a 500 volt continuity tester (megger). A logsheet with details of such tests shall be kept and made available to the Transport Services' representatives whenever required.

(31) (a) Ship's manifold valves and shore pipeline valves shall be kept closed until—

- (i) hose connection has been made;
- (ii) ship's cargo valves have been set and outlet valves checked;
- (iii) all safety precautions have been complied with; and
- (iv) the permission of the port manager's representative to commence pumping has been obtained.

(b) As soon as pumping has commenced, and again when full pressure has been reached, the ship's officer on duty shall ensure that no oil or ballast is being discharged into the sea.

(c) Should there be any spillage of flammable liquid apart from minor drip leakage or should anything occur which necessitates repair to the plant, pipes, pumps or connections or which might endanger the ship or wharf, the port captain and/or the port manager's representative shall immediately—

- (i) order pumping to be stopped in which event pumping shall not be resumed without the permission of the port captain and/or the port manager;

(ii) die hawekaptein en die hawebestuurder in kennis stel; en

(iii) verseker dat alle moontlike veiligheidsmaatreëls getref is.

(d) Die pomp van vlambare vloeistowwe en die inneem van ballas moet gestaak word op bevel van die hawekaptein en/of die hawebestuurder se verteenwoordiger, wat die hawekaptein in kennis moet stel van enige stappe wat ingevolge hierdie subparagraaf geneem is—

(i) wanneer sodanige bevel ingevolge enige ander bepaling van hierdie regulasie gegee word;

(ii) as die ligte op die vragdek of die kaai doodgaan;

(iii) as 'n elektriese storm nader en tot tyd en wyl alle gevaar verby is;

(iv) as daar 'n oormaat damp in die akkommodasie, masjienkamer of pompkamer ontdek word; en

(v) as 'n toestand bemerk word wat volgens die mening van die genoemde verteenwoordiger nie bevorderlik vir veilige skeepswerk is nie.

(e) Onmiddellik nadat die pompwerk in 'n olietank gestaak is, moet so 'n tank stewig toegemaak word.

(32) Voordat daar begin word om vrag te hanteer, moet die kaptein seker maak dat al die seekleppe en boorduitlaatpype in die pompkamers en kofferdamme stewig toegemaak is, behalwe die seekleppe wat oopgemaak moet word om kuspypleidings met water uit te spoel. Sodanige kleppe en uitlaatpype moet vasgebind bly onderwyl vrag ontskeep of ingeskeep word. Daarbenewens moet alle spuigate behoorlik toegestop word. Ten einde die gevaar van storting tot die minimum te beperk, moet die druk gedurende pompwerk geleidelik vermeerder word, en alle buigsame pypverbindinge moet tydens hierdie proses noukeurig ondersoek word.

(33) Die hawekaptein moet seker maak dat die polisie en brandbestrydingspersoneel altyd aanwesig is wanneer 'n tenkskip gelaai met vlambare vloeistof wat 'n flitspunt het van hoogstens 61 grade Celsius of wat ballas in het maar nie vry van gas is nie, in 'n hawe vasgemeer is.

(34) Vir die doel van 'n bepaling in hierdie deel waarvolgens 'n gasvrysertifikaat verkry moet word, word sodanige sertifikaat geag nie uitgereik te wees nie tot tyd en wyl die kaptein en die hawekaptein in besit is van duplikaat-oorspronklikes wat onderteken is deur die gesertifiseerde skeikundige. Elke gasvrysertifikaat moet so gou moontlik aan boord van die skip vertoon word op 'n plek waar alle betrokkenes dit maklik kan lees.

(35) Die kaptein moet die hawekaptein of die hawebestuurder of hulle verteenwoordigers volle geleentheid gee om vas te stel of hierdie regulasies en enige spesiale instruksies behoorlik nagekom word.

DEEL B—HOERS

(36) Benewens enige ander betreklike regulasies, is die volgende bepalings by die hawens van toepassing op skepe wat vlambare vloeistowwe in hoers in hoeveelhede van meer as 10 kℓ per besending vervoer of ontskeep.

(37) Vir die doel van hierdie deel van die regulasie beteken—

(i) "gesertifiseerde skeikundige" 'n hoer van 'n B.Sc.-graad in skeikunde of die Nasionale Diploma vir Tegnici (Analitiese Skeikunde) wat, in albei gevalle, minstens twee jaar laboratoriumondervinding en gespesialiseerde opleiding in die toetsing van die atmosfeer in skepe het;

(ii) "leë hoer" 'n hoer wat vlambare vloeistof met 'n flitspunt van hoogstens 61 grade Celsius bevat het;

(ii) notify the port captain and the port manager; and

(iii) ensure that all possible safety precautions are taken.

(d) Pumping of flammable liquids and ballasting shall cease upon the order of the port captain and/or the port manager's representative who shall inform the port captain of any action taken in terms of this subparagraph—

(i) when such order is given in terms of any other provision of this regulation;

(ii) during the failure of lighting either on the cargo deck or on the wharf;

(iii) at the close approach of an electric storm and until all danger has passed;

(iv) in the event of any undue concentration of vapour being detected in the accommodation or the engine room or pump room; and

(v) in the event of any condition being observed which in the opinion of the said representative is not conducive to the safe working of the ship.

(e) Immediately upon cessation of pumping in any oil tank, such tank shall be securely closed.

(32) Prior to the commencement of cargo handling operations, the master shall ensure that all sea valves and overboard discharges in the pump rooms and cofferdams are securely closed, except for such sea valves as it may become necessary to open for the purpose of flushing shore lines with water, and all such valves and discharges shall remain lashed closed during discharging or shipping operations. In addition, all scuppers shall be effectively plugged. In order to minimise the risk of spills, the pressure during pumping shall be increased gradually and all flexible pipe joints shall be carefully examined during this period.

(33) The port captain shall ensure that police and fire-fighting personnel are in attendance at all times when a tanker loaded with flammable liquid having a flash point not exceeding 61 degrees Celsius or in ballast but not gas free is berthed in a harbour.

(34) For the purpose of any provision of this part which requires a gas-free certificate to be obtained, such certificate shall be deemed not to have been issued until both the master and the port captain are in possession of duplicate originals signed by the certified chemist. Every gas-free certificate shall be posted as soon as possible in a conspicuous place on board the ship where it can easily be read by all persons concerned.

(35) The master shall afford every facility to the port captain or the port manager or their representatives to enable such officials to ascertain whether these regulations and any special instructions are duly observed.

PART B—CONTAINERS

(36) In addition to any other regulations which may be applicable, the following provisions shall apply at the harbours to ships conveying or discharging flammable liquids in containers in quantities exceeding 10 kℓ per shipment:

(37) For the purpose of this part of this regulation—

(i) "certified chemist" shall mean a holder of a B.Sc. degree in chemistry or the National Diploma for Technicians (Analytical Chemistry) who, in either case, shall have had at least two years' laboratory experience and specialised training in the testing of atmospheres in ships;

(ii) "empty container" shall mean a container which has contained flammable liquid having a flash point not exceeding 61 degrees Celsius;

(iii) "vlambare vloeistof" 'n vloeistof of 'n mengsel van vloeistowwe of 'n vloeistof wat vaste stowwe in oplossing of in suspensie bevat (behalwe stowwe wat anders geklassifiseer is vanweë hulle gevaarlike eienskappe) met 'n flitspunt van hoogstens 61 grade Celsius en 'n absolute Reiddampdruk van hoogstens 100 kPa by 38 grade Celsius;

(iv) "flitspunt" die laagste temperatuur van die vloeistof waarby sy damp 'n vlambare mengsel met lug by 100 kPa vorm wanneer dit volgens die toebakkiemete getoets word;

(v) "Gasvrysertifikaat" 'n sertifikaat uitgereik deur 'n gesertifiseerde skeikundige, waarin hy sertifiseer dat hy 'n toereikende en geskikte toets uitgevoer het ten opsigte van elke tenk, pypleiding, afdeling of ruimte, of ander deel van 'n skip waarin olie of ander vlambare vloeistof as vrag vervoer is en dat—

(a) die gasinhoud van die atmosfeer 0,1 persent of minder is per volume bereken as pentaan, en

(b) die residu volgens die mening van die gesertifiseerde skeikundige, nie gevaarlike gasse onder atmosferiese toestande of in die aanwesigheid van vuur kan voortbring nie.

(vi) "verbode gebied" daardie gebied op die kaai in die omgewing van 'n skip wat vlambare vloeistowwe in houters vervoer, ontskep of inskep, wat as 'n verbode gebied afgegrens is deur middel van 'n heining, verspering, toue of kennisgewingborde, en sluit die voertuie van die Vervoerdienste in waarin of waaruit die skeeps-vrag gelaai word.

(38) Gedurende inskeping en ontskeping van houters wat vlambare vloeistowwe bevat of bevat het, moet die kaaigebied afgegrens word as die hawekaptein of hawebestuurder dit nodig mag ag, en een of meer kennisgewingborde met die woorde "MOENIE ROOK NIE" en een of meer kennisgewingborde met die woorde "VERBODE GEBIED" moet op 'n opvallende plek vertoon word.

(39) Vlambare vloeistowwe en leë houters moet regstreeks in trokke of op leunwaens van die Vervoerdienste of daarvandaan af in die skip gelaai word. Waar dit na die mening van die hawebestuurder nie doenlik is nie, moet sodanige vloeistowwe of houters op 'n oop plek gestapel en met boksele toegemaak word, en alle beskermingsmaatreëls wat voorgeskryf is in verband met die laai en aflaai moet *mutatis mutandis* nagekom word. In die besonder mag die grense van die verbode gebied op geen plek minder as 15m van die buitekant van die stapel af wees nie.

(40) 'n Vlambaregasintensiteitspeurder moet voorsien en deur die brandweerman genoem in regulasie 9 (4), gehou word, wat voordat skeeps-vrag gehanteer word en elke halfuur onderwyl dit gehanteer word, toetse in die ruim van die skip moet uitvoer om vas te stel of daar 'n gevaarlike konsentrasie van gas bestaan. Ingeval 'n gevaarlike konsentrasie van gas bespeur word, moet alle werk gestaak en die ruim geventileer word. Gewone werk mag nie sonder magtiging van die hawekaptein of die hawebestuurder her- vat word nie.

(41) Vlambare vloeistowwe en leë houters mag nie tussen sononder en sonop gehanteer word nie, behalwe met die toestemming van die hawebestuurder en hawekaptein en onderworpe daaraan dat voldoende verligting tot hulle bevrediging beskikbaar is.

(42) Die hanteer van vlambare vloeistowwe en leë houters gedurende elektriese storms is verbode.

(iii) "flammable liquid" shall mean a liquid, or a mixture of liquids, or a liquid containing solids in solution or suspension (except substances otherwise classified on account of their dangerous characteristics) having a flash point not exceeding 61 degrees Celsius and a Reid vapour pressure not exceeding 100 kPa absolute at 38 degrees Celsius;

(iv) "flash point" shall mean the lowest temperature of the liquid at which its vapour forms an ignitable mixture with air at 100 kPa under the closed-cup conditions of testing;

(v) "gas-free certificate" shall mean a certificate given by a certified chemist, in respect of any tank, pipeline, compartment or space, or other part of a ship which has been carrying oil or other flammable liquid as cargo, certifying that he has carried out a test in an adequate and suitable manner, and that—

(a) the gas content of the atmosphere is 0,1 per cent or less by volume calculated as pentane, and

(b) the residues, in the judgement of the certified chemist, are not capable of producing dangerous gases under atmospheric conditions or in the presence of fire.

(vi) "prohibited area" shall mean that area on the wharf adjacent to a ship conveying, discharging or shipping flammable liquids in containers, demarcated as a prohibited area by means of a fence or barricade or ropes or notice boards, and shall include the vehicles of the Transport Services into or out of which the cargo is being loaded.

(38) During shipping and discharging operations of containers carrying or having carried flammable liquids, the wharf area shall, if the port captain or port manager deems it advisable, be barricaded off and one or more notice boards bearing the words "NO SMOKING" and one or more notice boards bearing the words "PROHIBITED AREA" will be displayed conspicuously.

(39) Flammable liquids and empty containers shall be loaded direct into trucks or semi-trailers of the Transport Services or loaded therefrom into the ship. Where, in the opinion of the port manager, this is not practicable, such liquids or containers, shall be stacked in an open space and sheeted and all protective measures prescribed in connection with loading and unloading shall *mutatis mutandis* be observed. In particular the boundaries of the prohibited area shall at no point be less than 15 m from the outside of the stack.

(40) A flammable gas intensity detector shall be provided and retained in the custody of the fireman, referred to in regulation 9 (4), who shall, prior to the handling of cargo and at half-hourly intervals during handling, conduct tests in the hold of the ship to establish whether any dangerous concentration of gas exists. In the event of a dangerous concentration of gas being detected, all operations shall cease and the hold shall be ventilated. Normal operations may not be recommenced without the authority of the port captain or the port manager.

(41) Flammable liquids and empty containers shall not be handled between the hours of sunset and sunrise except by permission of the port manager and port captain and subject to adequate lighting to their satisfaction being available.

(42) The handling of flammable liquids and empty containers during electrical storms is prohibited.

(43) Vlambare vloeistowwe in houters mag nie ontskep of ingeskep word nie tensy sodanige houters stewig en lekvry is en so vervaardig is dat dit nie sal breek of lek nie, behalwe as gevolg van growwe nalatigheid of buitengewone ongelukke; met dien verstande dat beskadigde houters ontskep mag word met die goedkeuring van die hawebestuurder en onderworpe aan sodanige voorwaardes as wat hy mag bepaal in die belang van veilige, ordelike en doeltreffende hawebedryf.

(44) Daar mag nie meer as 25 kℓ vlambare vloeistowwe in 'n hawe gestapel word nie, behalwe met die toestemming van die hawebestuurder en onderworpe aan sodanige voorwaardes as wat hy mag bepaal in die belang van veilige, ordelike en doeltreffende hawebedryf.

(45) Geen herstelwerk moet in die ruim of op aangrensende dekke of in aangrensende afdelings gedoen word nie, behalwe met die skriftelike toestemming van die hawekaptein en onderworpe aan sodanige voorwaardes as wat hy mag bepaal in die belang van veilige, ordelike en doeltreffende hawebedryf.

(46) (a) Wanneer vlambare vloeistowwe vervoer word in 'n ruim wat nie oopgemaak word nie, of op dek gestou word, moet sodanige voorsorgsmaatreëls getref word as wat die hawekaptein mag vereis in belang van veilige, ordelike en doeltreffende hawebedryf.

(b) As vlambare vloeistowwe vervoer word in 'n ruim waarin ander skeepsvrag gehanteer word, mag niemand in sodanige ruim rook of herstelwerk doen nie, en 'n brandweerman met 'n vlambaregasintensiteitspeurder moet teenwoordig wees onderwyl die skeepsvrag in die ruim gehanteer word.

(c) Skepe wat vlambare vloeistowwe vervoer, word nie toegelaat om tussen sononder en sonop te werk nie, tensy voldoende verligting tot bevrediging van die hawebestuurder beskikbaar is.

DEEL C—VOORSORGSMAATREËLS

(47) Ondanks enigiets vervat in dele A en B van hierdie regulasie, mag die hawekaptein instruksies uitreik of verdere voorsorgs- en noodmaatreëls tref wat hy nodig mag ag vir die veiligheid van die hawe en die skepe daarin en vir die behoud van lewens en eiendom, asook vir die verwydering van 'n skip wat aan die brand is uit die bemoëienis van die kusbrandbestrydingsorganisasie, of vir die verwydering van 'n skip na die see.

(48) Enige persoon wat 'n bepaling van hierdie regulasie oortree wat op hom betrekking het, of wat 'n wettige bevel, opdrag of vereiste wat aan hom kragtens 'n bepaling van hierdie regulasie gegee of gestel word deur die hawekaptein of die hawebestuurder of die gemagtigde verteenwoordiger van enigeen van hierdie amptenare, verontagsaam of nie daaraan voldoen nie, is skuldig aan 'n oortreding en kan by skuldigbevinding die boetes opgelê word wat hierna bepaal word. Die kaptein van die skip is middellik aanspreeklik vir sodanige oortreding, verontagsaming of nie-voldoening deur enige persoon oor wie hy beheer uitoefen.

160. Visseryhawe—Tafelbaaidokke.

Benewens ander toepaslike regulasies het die volgende bepalinge betrekking op die visseryhawe, Tafelbaaidokke:

(a) In hierdie regulasie beteken "visseryhawe" daardie gedeelte van Tafelbaai hawe wat bekend staan as die Alfreddok, tesame met die viskaai tussen die kloktoring en die steenkoolhawehoof en ander gedeeltes van die Victoriadok waar kaai aan die visbedryf toegeken is, die aangrensende watergebiede en, op die landkant, die gebied wat deur kennisgewingborde afgegrens is.

(43) Flammable liquids in containers shall not be discharged or shipped unless such containers are staunch and free from leakage and of such strength and construction as not to be liable to be broken or to leak, except in consequence of gross carelessness or extraordinary accidents; provided that any damaged containers may be discharged with the approval of the port manager and subject to such conditions as he may impose in the interests of safe, orderly and efficient harbour working.

(44) No quantity of flammable liquids in excess of 25 kℓ shall be stacked within the harbour except with the permission of the port manager and subject to such conditions as he may impose in the interest of safe, orderly and efficient harbour working.

(45) No repair work within the hold, or on adjacent decks, or within adjacent compartments, shall be carried out except with the written permission of the port captain and subject to such conditions as he may impose in the interests of safe, orderly and efficient harbour working.

(46) (a) When flammable liquids in transit are stowed in a hold which is not opened, or stowed on deck, such precautionary measures shall be taken as may be required by the port captain in the interests of safe, orderly and efficient harbour working.

(b) If flammable liquids in transit are stowed in a hold which is being worked for other cargo, no person shall smoke or carry out any repair work in such hold, and a fireman, equipped with a flammable gas-intensity gas detector, shall be in attendance while the hold is being worked.

(c) The working of ships carrying flammable liquids in transit shall not be permitted between the hours of sunset and sunrise unless adequate lighting to the satisfaction of the port manager is available.

PART C—ADDITIONAL PRECAUTIONS

(47) Notwithstanding anything contained in Parts A and B of this regulation, the port captain may issue any instructions or order such further precautions and take such emergency measures as he may deem necessary for the safety of the harbour and of the ships therein and for the preservation of life and property, including the removal of a ship on fire from the aid of the shore fire-fighting organisation or the removal of a ship to sea.

(48) Any person who contravenes any provision of this regulation which affects him, or who disobeys or fails to comply with any order or direction or requirement lawfully given or addressed to him or imposed in terms of any provision of this regulation by the port captain or the port manager or the authorised representative of either of those officers, shall be guilty of an offence and liable on conviction to the penalties hereinafter prescribed. The master of the ship shall be responsible vicariously for any such contravention, disobedience or failure to comply on the part of any person over whom he has control.

160. Fishing harbour—Table Bay Docks.

In addition to any other regulations which may be applicable, the following provisions shall apply at the fishing harbour, Table Bay Docks:

(a) In this regulation the term "fishing harbour" shall mean that portion of Table Bay Harbour known as the Alfred Basin, together with the fish quay between the Clock Tower and the Collier Jetty and other parts of the Victoria Basin where quays and wharves have been allocated to the fishing industry, the adjacent water areas and on the landward side such area as is demarcated by notice boards.

(b) Die eienaar of 'n persoon in beheer van enige klein vaartuig, behalwe dié wat kragtens hierdie regulasies by Tafelbaaihawegeliseniseer is, wat van die visseryhawegebruik maak, moet die hawekaptein so gou moontlik na aankoms skriftelik daarvan kennis gee en sodanige nader inligting aan daardie amptenaar verstrek as wat hy mag vereis.

(c) Geen klein vaartuig mag passasiers na of van die visseryhawevervoer nie tensy die toestemming van die hawekaptein vooraf verkry is.

(d) Die verkoop van vis of ander artikels wat in die visseryhaweingebbring word moet geskied in belang van veilige, ordelike en doeltreffende hawebedryf en is onderworpe aan die betaling van die koste wat die Vervoerdienste van tyd tot tyd mag bepaal.

(e) Die skoonmaak van vis en die uithaal van die ingewande daarvan asook die afsny van die sterte van en die uithaal van wurms uit krewes in ooreenstemming met hierdie regulasie moet onderneem word net in die gebou of geboue wat vir dié doel opgerig is. 'n Persoon wat hierdie gebou(e) gebruik, moet die koste betaal wat die Vervoerdienste van tyd tot tyd mag bepaal.

(f) Alle viskoppe, -lewes, -derms, kreeftliggame en ander soortgelyke visafval, asook alle ander afval of vullis, moet in die bakke gegooi word wat vir dié doel verskaf is en moet nie sonder die toestemming van die hawebestuurder of ander behoorlik gemagtigde beambte van die Vervoerdienste uit die skoonmaakloods verwyder word nie.

(g) Die Vervoerdienste kan die koste vir die verwydering of vernietiging van alle vis of ander artikels wat wettig deur 'n bevoegde gesag in beslag geneem of gelas is om vernietig te word, op die eienaar verhaal, en die Vervoerdienste is nie aanspreeklik vir verlies wat die eienaar van sulke artikels as gevolg van sodanige verwydering of vernietiging mag ly nie.

(h) Alle vis of ander artikels moet in skoon en geskikte voertuie van die kaaie of hawehoofde verwyder word, en die koste wat die Vervoerdienste van tyd tot tyd vir sodanige verwydering mag bepaal, moet betaal word.

(i) Toegangsgelde wat die Vervoerdienste van tyd tot tyd mag bepaal, moet betaal word ten opsigte van alle voertuie wat vis en ander artikels na en van die visseryhawevervoer.

(j) Niemand mag sonder toestemming van die Vervoerdienste in die visseryhawehandel dryf nie.

(k) Geen vis wat in die visseryhawegekoop is, mag uit die hawe verwyder word nie tensy dit skoongemaak en die ingewande daarvan uitgehaal is in die gebou of geboue wat vir dié doel opgerig is en die bepaalde koste vir die gebruik van sodanige fasiliteite aan die Vervoerdienste betaal is.

(l) 'n Persoon kan toegang tot die visseryhawegeweier word as sy teenwoordigheid daar volgens die redelike mening van 'n lid van die Suid-Afrikaanse Spoorwegpolisie of ander verantwoordelike werknemer, 'n nadelike uitwerking sal hê op die gesondheid of veiligheid van persone wat daar werk, of op die handhawing van goeie orde daarin.

(m) Niemand mag vis skoonmaak en die ingewande daarvan uithaal, die sterte van krewes afsny en wurms uithaal, vis verpak of insout of 'n ander handeling verrig wat met die hanteer van vis gepaard gaan nie, tensy sodanige persoon skoon is en, as dit 'n vrou is, 'n skoon wit jas of jurk en 'n mus dra, of as dit 'n man is, 'n skoon oorpak dra. Die Vervoerdienste kan weier om 'n persoon in die visseryhawete laat werk, as sô 'n persoon nie volgens die vereistes van hierdie paragraaf geklee is nie.

(b) The owner or other person in charge of any small craft, other than those licensed at Table Bay Harbour in terms of these regulations, making use of the fishing harbour, shall give the port captain notice in writing of arrival as soon as possible thereafter, and shall furnish that officer with such further information as he may require.

(c) No small craft shall be used for the conveyance of passengers to and from the fishing harbour unless prior permission has been obtained from the port captain.

(d) The sale of fish or other articles brought into the fishing harbour shall be conducted in the interests of safe, orderly and efficient harbour working and shall be subject to the payment of such charges as may be fixed from time to time by the Transport Services.

(e) The cleaning and gutting of fish and the tailing and worming of crayfish in accordance with this regulation shall be carried out only in the building or buildings provided for that purpose. Any person using such building(s) shall pay such charges as may be fixed from time to time by the Transport Services.

(f) All fish heads, livers, intestines, crayfish bodies and other fish offal of a like nature, as also any waste matter or other refuse, shall be deposited in the receptacles provided for that purpose and shall not be removed from the cleaning shed without permission of the port manager or other duly authorised official of the Transport Services.

(g) The Transport Services may recover from the owner the cost of removing or destroying any fish or other article lawfully seized or ordered for destruction by any competent authority, and the Transport Services shall not be liable for any loss which the owner of any such article may sustain as a result of such removal or destruction.

(h) All fish or other articles shall be removed from the quays or jetties in clean and suitable vehicles and such fees as may be fixed from time to time by the Transport Services, shall be payable for such removal.

(i) Admission charges as may be fixed by the Transport Services from time to time shall be paid in respect of all vehicles transporting fish and other articles to and from the fishing harbour.

(j) No person shall trade within the fishing harbour without the permission of the Transport Services.

(k) No fish purchased within the fishing harbour shall be removed from the harbour until cleaned and gutted in the building or buildings provided for such purpose and the charges fixed in respect of the use of such facilities have been paid to the Transport Services.

(l) A person may be refused admission to the fishing harbour if, in the reasonable opinion of a member of the South African Railways Police or other responsible employee, his presence there would be detrimental to the health or safety of persons employed there or to the maintenance of good order therein.

(m) No person shall engage in the cleaning and gutting of fish, the tailing and worming of crayfish, the packing or salting of fish or in any other activity which involves the handling of fish unless such person is clean and if a female, is wearing a clean white coat or gown and a cap or, if a male, is wearing a clean overall. The Transport Services may refuse to permit any person to be employed within the fishing harbour if such person is not clad in the manner required by this paragraph.

(n) Geen huurder of ander persoon mag gifstowwe van enige aard, ontplofbare stowwe, petrol, paraffien, kragparaffien, dieselolie of ander ontlambare materiaal in 'n gebou, pakhuis of terrein binne die visseryhawwe hou of opberg nie; met dien verstande dat hierdie paragraaf nie van toepassing is op 'n gebou of pakhuis wat spesiaal vir sodanige doel deur die Vervoerdienste opgerig is nie.

161. Straf vir die oortreding van regulasies.

Enige persoon wat enigeen van hierdie regulasies oortree of nie nakom nie, is by veroordeling (behalwe waar 'n ander straf uitdruklik neergelê is) strafbaar met 'n boete van hoogstens R800 of, by wanbetaling, met tronkstraf vir 'n tydperk van hoogstens twee jaar of met beide sodanige boete en tronkstraf.

162. Bestaande lisensies bly van krag.

'n Lisensie wat uitgereik, magtiging of toestemming wat verleen, 'n bevel of opdrag wat gegee of 'n ander stap wat wettig gedoen is ingevolge 'n regulasie wat hierby herroep word, word geag uitgereik verleen, gegee of gedoen te gewees het ingevolge die ooreenstemmende bepalings van hierdie regulasies.

(n) No tenant or other person shall keep or store poisons of any nature whatsoever, explosives, petrol, paraffin, power paraffin, diesel oil or any other material of a flammable nature in any building, store or yard within the fishing harbour; provided that this paragraph shall not apply to any building or store which has been specially erected for such purpose by the Transport Services.

161. Penalty for breach of regulations.

Any person who contravenes or fails to comply with any of these regulations shall be liable on conviction (save where some other penalty is expressly prescribed) to a fine not exceeding R800 or in default of payment to imprisonment for a period not exceeding two years or to both such fine and imprisonment.

162. Continuation of existing licences.

A licence issued, authority or permission granted, order or direction given, or other action lawfully taken under a regulation hereby repealed shall be deemed to have been issued, granted, given or taken under the corresponding provisions of these regulations.

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