



# South African Sailing Bulletin # 11/ 2003

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## 1. **Safety Requirements**

There have been a number of questions to SAS regarding the application of the New Regs particularly with regard to Safety Equipment requirements, because the SAMSA list published in the Regulations ignored such basics as safety harnesses. There have also been questions about the regulations not applying to "controlled events" and others about certificates of competency in the same context. This bulletin provides answers to the questions received to date.

Fundamental to the Merchant Shipping Act 1951 of which the Small Vessels Regulations 2002 are a part, are The International Rules for the Prevention of Collisions at Sea and these are referenced in the Act. Hence any reference to the Small Vessel Regulations (New Regs) assumes that the fundamentals have been complied with and explains why certain matters such as **lights on vessels** are not dealt with in the latest legislation.

## 2. **The New Regulations**

Under the New Regs, SAS has been appointed as SAMSA's authorised agency for the safety of all pleasure sailing vessels in coastal waters. This means that any incidents regarding sailing vessels coming to the notice of the maritime authority will be referred to SAS. In turn SAS has appointed Clubs as authorised agencies to be responsible for safety in their local waters as well as for the safety of their members.

SAS will provide safety guidelines in liaison with the Clubs, Classes and SAMSA, and will ensure as far as is possible that the requirements of the law are practicable.

The New Regs are not applicable to vessels operating in "controlled " events, which can be interpreted as Races or Club organised events. This leaves some latitude in interpreting the law and in the choice of safety equipment carried by vessels as well as the level of skipper competency required in such situations.

The objective is to ensure that all skippers of sailing vessels of 6 metre length and above, have a certificate of competency to allow him or her to independently operate a vessel and have the requisite safety equipment on board to preserve life, in the event of any accident. Hence, the rules are drafted around the single vessel operating independently of others or rescue craft – for example, a single dinghy or multihull sailing off a beach or a single keelboat sailing out of it's club.

SAS has compiled a safety check list for the purposes of carrying out inspections for the "Certificates of Fitness" and included in this check list is the safety equipment list published in The Regulations. The latter was compiled by SAMSA and is compulsory for the categories stipulated. In addition there is a list of equipment that SAS considers essential; this is an updated list compiled from the existing SAS requirements with inputs from a number of Yacht

Clubs. Although this latter list is not enforceable, most vessels carry such equipment already because it is considered essential by the majority of yachtsmen.

There is also a list published for sailing dinghies that is considered essential within the context of the regulations.

The lists are attached to this bulletin.

### **3. Controlled Events**

The New Regs are not applicable to controlled (organised) events. This places the responsibility on the organisers such as individual Clubs to advise their members or participants of the safety rules required by the organiser / Club for such events. These events would be typically Club races or cruises and individual Club Safety Rules should be drawn up to cover all Club events.

For SAS sanctioned events however safety rules would be published in the Notice of Race. In this regard the type of race, the availability of rescue facilities, if any, and the types of participating vessels will dictate the safety equipment requirements.

### **4. Single Vessels**

The single boat issue is the most difficult to cater for and particularly for the majority of individuals that only wish to sail locally and would seek to avoid the expense of safety equipment items seen as only applicable to those "going offshore".

For single vessels the SAMSA list will apply. However, there may be certain items of equipment that Club or Class safety committees decide could be exempted for operations within their local waters or in certain circumstances. SAMSA requires that agencies "apply their minds" to such matters and SAS is prepared to accept well considered practical reasons for exemptions. Where exemptions are given, Clubs or Classes will be responsible for ensuring that vessels operate within whatever limits, if any, may be stipulated for that exemption.

### **5. Safety at Sea**

The New Regs have caused us all to think more carefully about safety at sea and for some vessel operators the Regs have been a wake up call. Sailing has a good safety record in South Africa and the intention is to keep it that way.

SAS is attempting to facilitate the changes and member's continuing cooperation is much appreciated.

### **6. Amendments to the Colregs**

In November 2003, the International Regulations for Preventing Collisions at Sea, 1972 were updated. The amendments are attached hereto, but should you wish to have more information, you can visit the website, <http://www.navcen.uscg.gov/mwv/navrules/navrules2003.htm>

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