



South African Maritime Safety Authority

Ref. SM 6/5/2/1

Date: 11 May 2018

Marine Notice No. 16 of 2018

Vessels carrying out operational towing activities without addressing the required legislated requirements

TO PRINCIPAL OFFICERS, SAMSMA SURVEYORS, SHIP AND FISHING VESSEL OWNERS & OPERATORS AND SEAFARERS

Summary

This Marine notice addresses the practice of carrying out operational towing activities without addressing the required legislated requirements.

It has come to the attention of SAMSMA that, from time to time, vessel owners make operational arrangements to have vessels towed from one locality to another without consideration of the related legislated requirements.

There are generally two situations where vessels may need to be towed:

1. Emergencies at sea which can be classified as an uncontrolled event e.g. vessel has a breakdown and is unable to return to port without assistance.
2. Operational reasons which can be classified as a controlled event e.g. vessel needing to move from one port to another for repairs or modifications to be carried out

An example of the above occurred in April 2017, when a fishing vessel experienced main engine failure whilst at sea and needed to be towed in to Saldanha Bay harbour i.e. this was an emergency. Three weeks later, the owner decided to have this vessel towed out of a safe port i.e. Saldanha Bay to Hout Bay for repairs i.e. an operational reason; however, the owners did not make the required arrangements with SAMSMA.

Regarding these two situations, owners need to note the following when towing needs to be arranged:

1. Emergencies:
 - a) The masters of the vessels involved need to make the required decision regarding the safety of the proposed action
 - b) The master and owners of the vessels involved must ensure the appropriate maritime authorities are contacted as soon as possible regarding the proposed emergency tow i.e. MRCC, SAMSMA, local port authorities.
 - c) The SAMSMA TV5/325 Casualty / Incident report form to be completed and submitted to SAMSMA within 24 hours (Marine Notice No. 25 of 2007, Obligation to report, casualties, accidents and serious injuries)

2. Operational reasons: Factors to be considered include –
- a) Does the vessel’s approved stability book make provision for towing activities? (Safety of Navigation Regulations, 1968, Chapter II, Regulation 10)
 - b) Does the Description of Operation of the LGSC for the vessel indicate it to be a towing vessel? (Merchant Shipping Act 57 of 1951, Section 194(1)(a))
 - c) Has a towing plan been submitted to SAMSA for approval? (Marine Notice 23 of 1992, Towage requirements) An “Application for Survey or Service” to be completed and submitted to SAMSA at least 48 hours prior to service request, or Has a Warranty Surveyor been appointed by Owners / P&I Insurance?
 - d) Does the owner have written approval / Certificate of Inspection for the proposed towing plan? (Marine Notice 23 of 1992, Towage requirements)

NOTE:

- 1. It is a contravention for a vessel to carry out an operational tow if this activity is not included in the Description of Operation of the Local General Safety Certificate (LGSC) for the vessel (Merchant Shipping Act 57 of 1951, Section 200(d)).
- 2. The penalty for the offence relating to the above contravention is a fine, or imprisonment for a period not exceeding six months (Merchant Shipping Act 57 of 1951, Chapter IX, Section 313)

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