

**AN ACT TO REGULATE THE SURVEYS AND CERTIFICATION
OF MOZAMBICAN SHIPS BY INCORPORATING THE RELEVANT
PROVISIONS OF THE 1974 INTERNATIONAL CONVENTION
FOR THE SAFETY OF LIFE AT SEA AND ITS PROTOCOLS OF
1978 AND 1988**

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- Certificate
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BE IT ENACTED by the Legislative Assembly of the Republic of

Mozambique in Parliament assembled as follows: _

PART I

PRELIMINARY

Article 1

Short title application and commencement

This Act may be cited as the Surveys and Certification of Mozambican ships Act and shall come into force on a date to be appointed by order of the Head of State, acting on the advice of the Cabinet by notice published in the Official Gazette.

Article 2

Purpose of the Act

The purpose of this Act is to establish an adequate, comprehensive and functional new legal regime dealing the surveys and certification of Mozambican ships by incorporating the relevant provisions of the 1974 International Convention for the Safety of Life at Sea and its Protocols of 1978 and 1988.

Article 3

Interpretation

In this Act, unless specifically provided otherwise: _

" Cargo ship " means any ship which is not a passenger ship.

" Certificate " means a certificate issued in accordance with the Safety Convention as defined therein.

" Collision Regulations " means the International Regulations for Prevention of Collisions at Sea, 1972.

" Court of survey " means the court constituted under regulations in

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" Existing ship " means a ship which is not a new ship.

" International voyage " means a voyage from a port in one country to a port in another country.

" Mozambican ship " means a ship registered in Mozambique.

" Loadline Convention " means the International Convention on Loadlines, 1966 and its Protocol of 1988, together with such Amendments thereof or replacements therefor as the Minister may by notice in the Official Gazette, declare to be in effect with respect to Mozambique.

" Minister " means the Minister for Transport and Communications.

" New ship " means a ship the keel of which is laid or which is at a similar stage of construction on or after the coming into force of this Act.

" Passenger ship " means a ship carrying or capable of carrying more than twelve passengers.

" Port " means a place, whether proclaimed a harbour or not, and whether natural or artificial, to which ships may resort for shelter or to ship or unship goods or passengers.

" Safety Convention " means the International Convention for the Safety of Life at Sea, 1974 and its Protocols of 1978 and 1988, together with such Amendments thereof or replacements therefor as the Minister may by notice in the Official Gazette, declare to be in effect in respect to Mozambique.

" Safety Convention Certificate " means a certificate that is required to be issued to a Safety Convention ship that complies with the relevant provisions of the Safety Convention, and any such certificate that is limited, modified or restricted by an exemption certificate.

" Safety Convention Ship " means a ship to which the Safety Convention applies.

" Short International Voyage " means an international voyage: _

(a) in the course of which a ship is not more than 200

nautical miles from port or place in which the passengers and crew could be placed in safety; and

(b) which does not exceed 600 nautical miles length between the last port of call in the country where the voyage begins and the final destination, no account being taken of any deviation by a ship from its intended voyage due solely to stress of weather or any other circumstances that neither the master nor the owner nor the charterer, if any, of the ship could have reasonably prevented or forestalled.

" Surveyor " includes any person or organisation, duly authorised by the Minister to act as surveyor for the purpose of surveying ships.

PART II

SURVEYS AND CERTIFICATION

Article 4

Application of Safety Convention Regulations

The Regulations annexed to the Safety Convention or any Regulations annexed to any other Convention which may be substituted for the Safety Convention and which have been accepted on behalf of Mozambique shall, unless exempted by or under this Act, apply to Mozambican ships and other ships while they are within the waters of Mozambique.

Article 5

Regulations to enforce the Safety Convention

The Minister may in relation to any ship to which the Safety Convention applies, make regulations in order to give full effect to the Safety Convention and such regulations may, include matters for which there are no express provisions in the Convention.

Article 6

Breach of Safety Regulations

Where there is a contravention of the regulations made by the

