MERCHANT SHIPPING ACT 2013

MERCHANT SHIPPING (NAVIGATIONAL EQUIPMENT) REGULATIONS, 2014

ARRANGEMENT OF REGULATIONS

MERCHANT SHIPPING (NAVIGATIONAL EQUIPMENT) REGULATIONS, 2014

IN EXERCISE of the powers conferred on the Minister under section 256 of the Merchant Shipping Act 2013, these Regulations are made.

PART I – PRELIMINARY

1. Citation

These Regulations may be cited as the Merchant Shipping (Navigational Equipment) Regulations 2014.

2. Interpretation and application

(1) In these Regulations –

"Act" means the Merchant Shipping Act 2013;

"constructed" in respect of a ship means a stage of construction where-

(a) the keel is laid, or

(b) construction identifiable with a specific ship begins, and assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material, whichever is less;

"interference" in relation to wireless telegraphy, means the prejudicing by any emission or reflection of electro-magnetic energy of the fulfillment of the purposes of the telegraphy (either generally or in part, and, without prejudice to the generality of the preceding words, as respects all, or as respects any, of the recipients or intended recipients of any message, sound or visual image intended to be conveyed by the telegraphy), and the expression "interfere" shall be construed accordingly;

"international voyage" means a voyage from a port in one country to a port in another country;

"length" has the meaning given in section 3 of the Act;

"maintenance" means any activity intended to keep an installation in satisfactory working condition and includes tests, measurements, replacements, adjustments and repair;

"Organisation" means the International Maritime Organisation;

"passenger ship" means a ship carrying more than twelve passengers;

"pleasure craft" has the meaning given in section 3 of the Act;

"radar watch" means observing displayed radar information, the frequency of observation depending upon the prevailing conditions;

"safe distance" in relation to a unit of equipment, means the minimum distance approved by the Administration and specified on that unit, at which the unit should be installed from a magnetic compass, in order to minimise deviation to the compass;

“sea” does not include sheltered waters;

"tanker" means a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of a flammable nature;

"tons" means gross tonnage; and

"voyage" includes an excursion.

(2) Reference in these Regulations to any performance standard adopted by the Organisation (referred to in regulations 11, 16, 19(1), 28, 30, 32, 37 and 41 hereof) and to any relevant performance standard shall be construed as references to the standards specified in the First Schedule which are appropriate for that equipment.

(3) These Regulations shall apply in relation to ships (except pleasure vessel and fishing vessels) which are-

(a) sea-going Gambian ships, other than passenger ships, which are 24 metres in length and of 150 tons or over;

(b) Gambian passenger ships other than those of less than 24 metres in length; and

(c) other sea-going cargo ships of 24 metres or more in length and 150 tons or over, and other sea-going passenger ships of 24 metres in length or over, while they are within Gambian or the territorial waters thereof.

(4) A rigidly connected composite unit of a pushing vessel and associated

pushed vessel, when designed as a dedicated and integrated tug and barge combination, shall be regarded as a single ship for the purpose of these Regulations.

PART II – NAVIGATIONAL EQUIPMENT

3. Provision of navigational equipment installations

(1) Every ship shall be fitted with a magnetic compass installation which shall comply with Part III of these Regulations.

(2) Every ship of 500 tons or over but less than 1600 tons constructed on or after 1 September 1984 shall-

(a) be fitted with a gyro compass installation which shall comply with Part IV of these Regulations;

(b) be fitted with a radar installation which shall comply with Part V of these Regulations and be capable of working in the 9 GHz frequency band; and

(c) be fitted with indicators showing the rudder angle, the rate of revolution and direction of thrust of each propeller and, if fitted with variable pitch propellers or lateral thrust propellers, the pitch and operational mode of such propellers. All these indicators shall be readable from the normal navigation control position.

(3) Every ship of 500 tons or over but less than 1600 tons, when engaged on an international voyage shall-

(a) if constructed on or after 25 May 1980, be fitted with an echo sounder installation which shall comply with Part VI of these Regulations;

(b) if constructed on or after 1 September 1984, be fitted with a speed and distance measuring installation which shall comply with Part VII of these Regulations.

(4) Every ship of 1600 tons or over, whenever constructed, shall-

(a) be fitted with a gyro compass installation which shall comply with Part IV, for ships constructed before 1 September 1984, only when they are engaged on international voyages;

(b) if less than 10,000 tons, be fitted with a radar installation which shall comply with Part V of these Regulation and the radar installation shall be capable of working in the 9 GHz frequency band;

(c) if of 10,000 tons or over, be fitted with two radar installations, each capable of being operated independently of the other which shall comply with Part VI of these Regulations. At least one of the radar installations shall be capable of operating in the 9 GHz frequency band; and

(d) be fitted with indicators showing the rudder angle, the rate of revolution and direction of thrust of each propeller and, if fitted with variable pitch propellers or lateral thrust propellers, the pitch and operational mode of such propellers. All these indicators shall be readable from the normal navigation control position.

(5) Every ship of 1600 tons or over when engaged on an international voyage shall-

(a) whenever constructed, be fitted with an echo sounder installation which shall comply with Part VI of these Regulations;

(b) if constructed on or after 1 September 1984 be fitted with a speed and distance measuring installation which shall comply with Part VII of these Regulations; and

(c) whenever constructed, be fitted with a direction finder installation which shall comply with Part VIII of these Regulations;

(6) Every Gambian ship having a Passenger Certificate shall-

(a) be fitted with an echo sounder installation which shall comply with Part VI of these Regulations; and

(b) be provided with-

(i) two hand lead lines, each 45 metres long with a lead weighing at least three kilograms, or

(ii) in the case of a ship of 1600 tons or over, having a

Passenger Certificate, an efficient mechanical depth sounding device.

(7) Every ship of 10,000 tons or over shall be fitted with an automatic radar plotting aid which shall comply with Part IX of these Regulations provided that this requirement shall not apply to ships, other than tankers, of less than 15,000 tons constructed before 1st September, 1984.

(8) Passenger ships irrespective of size and cargo ships of 300 tons gross tonnage and upwards when engaged on international voyages shall be fitted with a radar installation capable of operating in the 9 GHz frequency band. This radar may be one of those required by regulation 3(2)(b) or 3(4)(b).

(9) Every ship of 100,000 tons or over constructed on or after 1 September 1984 shall be fitted with a rate of turn indicator which shall comply with Part X of these Regulations.

4. Serviceability of installations

(1) Each navigational equipment installation required by these Regulations to be provided shall be in a satisfactory working condition whenever the ship goes to sea provided that, except in respect of magnetic compass, direction-finding and homing installations, this requirement shall not apply when a ship is going to sea from a place at which prompt maintenance is not available or practicable without delaying the ship.

(2) Each navigational equipment installation required by these Regulations shall be in a satisfactory working condition at all times when the ship is at sea, unless there is a defect in an installation and maintenance is being carried out or is not practicable.

(3) Each navigational equipment installation required by these Regulations shall, where practicable, be mounted in such a manner as to prevent the performance and reliability of the installation being adversely affected by vibration.

(4) Units of each navigational equipment installation required by these Regulations shall, where practicable, be sited in positions which facilitate easy access for operation and maintenance.

5. Interference with other installations

(1) At no time while the ship is at sea shall any interference or mechanical noise produced by any navigational equipment installation

required by these Regulations be such as to prevent the effective reception of radio signals.

(2) At no time while the ship is at sea shall any interference or mechanical noise produced by any equipment in the ship be sufficient to prevent the efficient operation of any navigational equipment installation required by these Regulations.

(3) Units of navigational equipment installations, where practicable, shall not be installed closer to the ship's standard and steering compasses than the appropriate compass safe distances marked on the units.

6. Provision of electrical energy

(1) There shall be provided in every ship at all times while the ship is at sea and at all reasonable times when she is in port, a supply of electrical energy suitable and sufficient for the operation of the navigational equipment installations required by these Regulations, for testing purposes and for the charging of any rechargeable batteries which are a source of electrical energy for the navigational equipment installations.

(2) The supply of electrical energy shall not exceed the limits set out below-

(a) AC supplies: variation from nominal voltage of +/-10%;
variation from nominal frequency of +/-6%;

(b) DC supplies: variation from nominal voltage-

110/220V supplies, +10%, -20%
24/32V supplies, +30%, -10%.

(3) Readily accessible means shall be provided for isolating each navigational equipment installation from its source of electrical energy without causing any interruption to, or adversely affecting, the supply of electrical energy to any other equipment.

(4) Where a ship is required to be provided with two radar installations-

(a) they shall be so installed that failure of either radar installation shall not cause the supply of electrical energy to the other radar installation to be interrupted or adversely affected; and

(b) on ships constructed on or after 25 May 1982, both radar

installations shall be capable of being operated one at a time, from the ship's emergency source of electrical energy, if provided.

7. Charging of batteries

(1) If rechargeable batteries are provided on a ship as a source of electrical energy for any part of the navigational equipment installations, adequate means shall be provided on board the ship for the charging of such batteries from the ship's main source of electrical energy.

(2) Where such battery is not in use, it shall be capable of being fully charged within a period of not more than 16 hours by the means of charging required by sub-regulation (1).

(3) When any such battery is float-charged whilst in use, the voltage used for charging the battery shall be within the limits set out in regulation 6(2).

(4) If any navigational installation derives electrical energy for internal circuits from non-rechargeable batteries, failure of such batteries, where practicable, shall not cause malfunction of the installation and where this is not practicable, the installation shall be provided with means to test the condition of such batteries.

8. Servicing and operating information

(1) The owner shall provide adequate information and instructions as to the use and maintenance of every navigational equipment installation required by these Regulations and shall be available at all times for use when the particular installation is being operated, tested or serviced.

(2) In Gambian ships, such information and instructions shall be in English.

9. Spares and tools

For each navigational equipment installation required by these Regulations, there shall be supplied such special tools and equipment as are necessary for shipboard maintenance and such spares as are likely to be required for the duration of the intended voyage.

10. Approval of navigational equipment

(1) Navigational equipment required by these Regulations shall be of a type which has been approved by the Administration and in the case of a

ship registered in a State party to the Safety of Life at Sea Convention 1974, this requirement shall not apply in relation to any equipment of a type approved by the Administration of that State.

(2) Any approval given by the Administration pursuant to these Regulations shall be given in writing and shall specify the conditions (if any) on which it is given.

PART III - MAGNETIC COMPASS INSTALLATION

11. Magnetic compass performance standards

Every magnetic compass installation required to be provided shall comply with the performance standards adopted by the Organisation and shall in the case of a Gambian ship, comply with the relevant performance standard.

12. The magnetic compass installation

(1) Except in the case of Gambian ships operating exclusively in Gambian waters, the magnetic compass installation shall comprise-

(a) a standard magnetic compass, fitted on the centre line of the ship and mounted on a binnacle;

(b) a steering magnetic compass, fitted on the centre line of the ship and mounted on a binnacle, unless heading information provided by the standard compass required under paragraph (a) is available to and is clearly readable by the helmsman at the main steering position;

(c) adequate means of communication between the standard compass position and the normal navigation control position; and

(d) means for taking bearings as nearly as practicable over an arc of the horizon of 360 degrees.

(2) In the case of Gambian ships operating exclusively in Gambian waters, the magnetic compass installation shall comprise one efficient magnetic compass at the steering position.

13. Adjustment of magnetic compasses

Each of the magnetic compasses referred to in regulation 12(1) shall be properly adjusted and its table or curve of residual deviations shall be

available at all times.

14. Spare magnetic compass

A spare magnetic compass, interchangeable with the standard compass, shall be carried in every ship of 150 tons and over to which these Regulations apply, unless the steering compass mentioned in regulation 12(1)(b) or a gyrocompass mentioned in regulation 16 is carried.

15. Emergency steering position

(1) Ships of 150 tons and over which are provided with emergency steering positions shall at least be provided with a telephone or other means of communication for relaying heading information to such positions.

(2) In addition, ships of 500 tons gross tonnage and upwards constructed on or after 15 February 1993 shall be provided with arrangements for supplying visual compass readings to the emergency steering position.

PART IV - GYRO COMPASS INSTALLATION

16. Gyro compass performance standards

Every gyro compass installation required to be provided shall comply with the performance standard adopted by the Organisation and shall in the case of a Gambian ship, comply with the relevant performance standard.

17. Siting of gyro compass installation

(1) The master compass shall be installed with its fore-and-aft datum line parallel to the ship's fore-and-aft datum line to within +/-0.5 degrees.

(2) The compass card of the master compass or a repeater of the heading information shall be sited so that it is clearly readable by the helmsman when steering the ship.

(3) Where provided, repeaters used for taking visual bearing shall be installed with their fore-and-aft datum lines parallel to the ship's fore-and-aft datum line to within +/-0.5 degrees.

(4) The master compass shall be sited so as to avoid, where practicable, excessive errors being caused to the gyro compass installation due to the ship rolling, pitching or yawing.

(5) Where in a gyro compass installation fitted on or after 1 September 1984, failure of one repeater could cause an error in any other repeater a readily accessible means shall be provided for isolating each repeater output from the master compass.

PART V - RADAR INSTALLATION

19. Radar performance standards and interswitching facilities

(1) Every radar installation required to be provided shall comply with the performance standard adopted by the Organization and shall in the case of a Gambian ship, comply with the relevant performance standard.

(2) Where such a radar installation includes additional radar units and facilities for interswitching, at least one arrangement of units when used together shall comply with all the requirements of this Part of these Regulations.

(3) Where two radar installations are required to be provided on a ship, they shall be so installed that each radar installation can be operated individually and both can be operated simultaneously without being dependent upon one another.

20. Provision of plotting facilities

(1) Facilities for plotting radar readings shall be provided on the navigating bridge of every ship required to be fitted with a radar installation.

(2) In ships of 1600 tons gross tonnage and upwards constructed on or after 1 September 1984, the plotting facilities shall be at least as effective as a reflection plotter.

21.Radar watch

While a Gambian ship which is required to be fitted with a radar installation is at sea and a radar watch is being kept, the radar installation shall be under the control of a qualified radar observer who may be assisted by unqualified personnel.

22. Performance of radar installations

The performance of the radar installation shall be checked before the ship proceeds to sea and at least once every four hours whilst the ship is at sea and radar watch is being maintained.

23. Qualifications of radar observers

For the purposes of these Regulations, a person is a "qualified radar observer" if he or she holds-

(a) a valid Radar Observer's Certificate granted by the Administration;

(b) a valid certificate of attendance granted at the conclusion of a radar simulator course which has been approved by the Administration;

(c) a valid Electronic Navigation Systems Certificate granted by the Administration;

(d) a valid Navigation Control Certificate granted by the Administration; or

(e) a certificate recognised by the Administration as being equivalent to any of the certificates mentioned in (a), (b), (c) or (d).

24. Siting of radar installation

(1) The antenna unit of the radar installation shall be sited so that satisfactory overall performance is achieved in relation to-

(a) the avoidance of shadow sectors;

(b) the avoidance of false echoes caused by reflections from the ship's structure; and

(c) the effect of antenna height on the amplitude and extent of sea-clutter.

(2) The radar display shall be sited on the bridge from which the ship is normally navigated and the siting of one of the displays shall be such that-

(a) an observer, when viewing the display, faces forward and is readily able to maintain visual lookout; and

(b) there is sufficient space for two observers to view the display simultaneously.

25. Alignment of heading marker

(1) The radar heading marker (and stern marker where fitted) shall be aligned to within one degree of the ship's fore-and-aft line as soon as practicable after the radar installation has been installed in the ship.

(2) Where inter-switching facilities are provided, the heading marker shall be aligned with all arrangements of units.

(3) The marker shall be re-aligned as soon as practicable whenever it is found to be substantially inaccurate.

26. Measurement of shadow sectors

(1) The angular width and bearing of any shadow sectors displayed by the radar installation shall be determined and recorded.

(2) The record shall be shown on a diagram adjacent to the radar display and be kept up to date following any change likely to affect shadow sectors.

27. Display sizes

A radar installation required to be provided which is or was installed onboard a ship on or after 1 September 1984 shall provide a relative plan display having an effective diameter, without external magnification, of not less than-

(a) 180 millimetres on ships of 500 tons or over but less than 1600 tons;

(b) 250 millimetres (1) on ships of 1600 tons or over but less than 10,000 tons; and

(c) 340 millimetres (1) in the case of one radar installation and 250 millimetres in the case of the other on ships of 10,000 tons or over.

PART VI - ECHO SOUNDER INSTALLATION

28. Echo sounder performance standards

Every echo sounder installation required to be provided shall comply with the performance standard adopted by the Organization and shall in the case of a Gambian ship, comply with the relevant performance standard.

29. Siting of echo sounder installation

(1) The transducer unit or units of such echo sounder installation shall be sited so as to avoid, where practicable, the vicinity of all underwater openings in, or projections from, the hull, such as plugs, anodes or other transducers, so that satisfactory overall performance is achieved.

(2) The echo sounder graphical display shall where practicable, be sited on the bridge in a position to facilitate easy access and viewing, and where the effect of any lighting necessary for the equipment does not interfere with the keeping of an effective look-out.

PART VII - SPEED AND DISTANCE MEASURING INSTALLATION

30. Speed and distance measuring equipment performance standards

Every speed and distance measuring installation required to be provided shall comply with the performance standard adopted by the Organization and shall, in the case of a Gambian ship, comply with the relevant performance standard.

31. Siting of speed and distance measuring installation

(1) Where applicable, the transducer unit of the speed and distance measuring installation shall be sited so as to avoid, where practicable, the vicinity of all underwater openings in, or projections from, the hull, such as plugs, anodes or other transducers, so that satisfactory overall performance is achieved.

(2) Where a towed log is fitted, the position of the log register shall be selected so that the log line and its rotor when steamed are as clear as is practicable from disturbed water in the close vicinity of the ship so that the rotation of the log line is not impeded by any part of the ship or its equipment.

(3) The display shall where practicable, be sited on the bridge in a position that facilitates easy access and viewing and where the effect of any lighting necessary for the equipment does not interfere with the keeping of an effective look-out.

PART VIII - AUTOMATIC IDENTIFICATION SYSTEM

32. Automatic Identification System

A Gambian ship of 300 gross tonnage and upwards engaged in international voyage and a Gambian cargo ship of 500 gross tonnage and above not engaged on an international voyage and a Gambian passenger ship irrespective of size shall be fitted with automatic identification system (AIS) as follows-

(a) a Gambian ship constructed on or after 1 July, 2002;

(b) a Gambian ship engaged on international voyage constructed before 1st July, 2002;

(c) with regard to a Gambian passenger ship not constructed not later than 1 July, 2003;

(d) in case of a Gambian tanker not later than first survey for safety equipment on or before 1 July, 2003;

(e) with regard to Gambian ships other than a passenger ship and a tanker of 50,000 gross tonnage not later than the first safety equipment survey after 1 July, 2004 or by 31 December, 2004 which occurs first; and

(f) a Gambian ship not engaged on an international voyage constructed before 1 July, 2002 not later than 1 July, 2008.

33. Exemption by Administration

The Administration may exempt a ship from the requirement of regulation 32 where such a ship is taken permanently out of service within two years after the implementation of regulation 32 (b) above.

34. Functions of Automatic Identification System

(1) The Automatic Identification System shall -

(a) provide automatically to appropriately equipped shore status, other ships and aircraft information, including the ship's identity, type, position, course speed navigational status and other safety related information;

(b) receive automatically, such information from similarly fitted ships;

(c) monitor and track ships; and

(d) exchange data with shore based facilities.

35. Operation of Automatic Identification System

(1) An Automatic Identification System shall be operated taking into account the guidelines adopted by the Organization.

(2) A Gambian ship fitted with automatic Identification System shall maintain it in operation at all times, except in circumstances where international agreements, rules or standards provide for the protection of navigational information.

PART IX - LONG-RANGE IDENTIFICATION AND TRACKING OF SHIPS

36. Interpretation

For the purpose of this Part:

"Sea area A1" means an area within the radiotelephone coverage of at least one VHF coast station in which continuous DSC alerting is available;

"Sea area A2" means the area, excluding sea area A1, within the radiotelephone coverage of at least one MF coast station in which continuous DSC alerting is available;

"Sea area A3" means an area, excluding Sea area A1 and A2, within the radiotelephone coverage of an Inmarsat geostationary satellite in which continuous alerting is available; and

"Sea area A4" means an area outside sea areas A1, A2 and A3.

37. Application of this part

This Part shall apply to the following Gambian ships engaged on international voyages-

(a) a Gambian passenger ship including high-speed craft;

(b) a Gambian cargo ship including high-speed craft of 300 gross tonnage and over; and

(c) a Gambian mobile offshore drilling unit

38. Date for fixing LRIT

(1) A Gambian ship shall be fitted with a system to automatically transmit the information specified in regulation ….as follows-

(a) a Gambian ship constructed on or after 31 December 2008;

(b) a Gambian ship constructed before 31 December 2008 and certified for operations-

(i) in sea areas A1 and 2 as defined in Regulation 1 and sub-regulation (1), or

(ii) in sea areas A1, A2 and A3 as defined in sub-regulation (1) not,

later than the first survey of the radio installation after 31 December 2008;

(c) a Gambian ship constructed before 31 December 2008 and certified for operations in sea areas A1, A2, A3 and A4 as defined in sub-regulation (1) not later than the first survey of the radio installations after 1 July 2009; and

(d) a Gambian ship irrespective of the date of construction fitted with an Automatic Identification System (AIS) as defined in this Part and operated exclusively within sea area A1 shall not be required by the Administration to comply with the provisions of this Part.

39. Long Range Identification and Tracking Information

A Gambian ship shall automatically transmit the following Long Range Identification and Tracking Information-

(a) the identity of the ship;

(b) the position of the ship (latitude and longitude); and

(c) the date and time of the position provided.

40. Approval of the Administration

(1) Any system and equipment used to meet the requirements of this Part shall conform to performance standards and functional requirements not inferior to those adopted by the Organisation.

(2) Any shipboard equipment shall be of the type approved by the Administration.

41. Switch off of System and Equipment

Any system and equipment used to meet the requirements of this Part shall be capable of being switched off onboard or be capable of ceasing the distribution of long-range identification and tracking information-

(a) where an international agreement, rule and standard provide for the protection of navigational information;

(b) in exceptional circumstances and for the shortest duration possible, where the operation is considered by the master to compromise the safety or security of the ship. In such a case, the master shall inform the Administration without undue delay and make an entry in the ship's office; and

(c) al log book setting out the reasons for the decision and indicating the period during which the system or equipment was switched off.

42. Communication of Information to the Organization

(1) The Administration shall specify and communicate to the Organisation, relevant details taking into account the performance, standards and functional requirements adopted by the Organisation to enable long range identification and tracking information to be made available pursuant to the provisions of regulation 42.

(2) The Administration may at any time thereafter, amend or withdraw such information.

(3) The Organisation shall notify other Safety Convention countries upon receipt of such communication, together with the particulars thereof.

(4) Notwithstanding the provision of regulation 43 (c), because of security or other concerns, the Administration is entitled at any time to decide that long-range identification and tracking information about

ships registered in The Gambia shall not be provided to other Safety Convention countries.

(5) The Administration may at any time thereafter, amend, suspend or annul such decisions.

(6) Any decision taken by the Administration pursuant to sub-regulation (4) shall be communicated to the Organisation which shall, on the receipt of such information, inform all Safety Convention countries together with the particulars thereof.

43.Receipt of Long Range Identification & Tracking Information

The Administration shall be able to receive long-range identification and tracking information about ships for security and other purposes as agreed by the Organization, as follows-

(a) the Administration shall be entitled to receive information about Gambian ships irrespective of where such ship may be located;

(b) the Administration shall be entitled to receive such information about a ship which have indicated its intention to enter the Port of Banjul or Gambian waters irrespective of where such ship may be located provided that such ship is not located within the internal waters of another Safety Convention country,

(c) the Administration shall be entitled to receive such information about ships registered in other Safety Convention country, not intending to enter the Port of Banjul or Gambia waters navigating within a distance not exceeding 1,000 nautical miles off the coast of The Gambia provided such a ship is not located within the internal waters of a Safety Convention country; or

(d) the Administration shall not be entitled to receive, pursuant to paragraph (c) above, such information about a ship registered in a Safety Convention country located within its own territorial sea.

44. Duties of the Administration

The Administration shall at all times –

(a) recognise the importance of long range identification and tracking information;

(b) recognise and respect the commercial confidentiality and sensitivity of any long-range identification and tracking information it may receive;

(c) protect the information it may receive from unauthorised access or disclosure; and

(d) use the information it may receive in a manner consistent with international law.

45. Administration to bear costs in certain cases

(1) The Administration shall bear all costs associated with any long-range identification and tracking information it requests and receives.

(2) Notwithstanding the provisions of sub-regulation (3), the Administration shall not impose any charges on ships in relation to the long-range identification and tracking information they may seek to receive.

(3) Unless determined otherwise by the Administration, ships registered in The Gambia shall incur such charges for transmitting long-range identification and tracking information.

(4) Notwithstanding regulation 43, in respect of search and rescue services, the Administration shall not impose any charges on Safety Convention countries for long-range identification and tracking information in relation to the search and rescue of persons in distress at sea.

PART IX - VOYAGE DATA RECORDERS FOR PASSENGER SHIPS

46. Voyage Data Recorders for Passenger Ships

To assist the Administration in casualty investigation, a passenger ship registered in The Gambia when engaged on an international voyage subject to paragraph (d) below, shall be fitted with a voyage data recorder (VDR) as follows:-

(a) a passenger ship constructed on or after 1 July 2002;

(b) a ro-ro passenger ship constructed before 1 July 2002;

(c) a passenger ship, other than a ro-ro passenger ship constructed before 1 July 2002, not later 1 January 2004;

(d) a ship other than a passenger ship of 3,000 gross tonnage and upwards constructed on or after 1 July 2002.

47. Voyage Recorder for Cargo Ships

To assist the Administration in casualty investigation, cargo ships when engaged on an international voyage shall be fitted with a VDR which may be a simplified data recorder (S-VDR) as follows-

(a) in the case of a cargo ship of 20,000 gross tonnage and upwards constructed before 1 July 2002, at the first scheduled dry-docking after 1 July 2006 but not later than 1 July 2000; and

(b) in the case of cargo ships of 3,000 gross tonnage and above but less than 20,000 gross tonnage constructed before 1 July 2002, at the first scheduled dry-docking after 1 July 200 but not later than 1 July 2010.

48. Exemption by the Administration

(1) The Administration may exempt a cargo ship from the requirement of regulation 47 above when such ship is taken permanently out of service within two years after the implementation date specified in regulation 47 above.

(2) The Administration may also exempt a ship other than ro-ro passenger ship constructed before 1 July 2002 from being fitted with a VDR where it can be demonstrated that interfacing a VDR with the existing equipment on the ship is unreasonable and impracticable.

PART X - AUTOMATIC RADAR PLOTTING AID INSTALLATION

49. Automatic radar plotting aid performance standards

Every automatic radar plotting aid installation required to be provided shall comply with the performance standard adopted by the Organisation and shall in the case of a Gambian ship, comply with the relevant performance standard.

50. Siting and other requirements of automatic radar plotting aid installations

(1) Where the automatic radar plotting aid installation is provided as an additional unit to a radar installation, it shall be sited as close as is practicable to the display of the radar with which it is associated.

(2) Where the automatic radar plotting aid installation forms an integral part of a complete radar system, that radar system shall be regarded as one of the radar installations required by regulation 3(4)(b) and accordingly shall comply with the relevant requirements of Part V.

(3) The automatic radar plotting aid installation shall be interconnected with such other installations as is necessary to provide heading and speed information to the automatic radar plotting aid.

51. Use of an automatic radar plotting aid to assist in the radar watch

When at any time on or after the coming into force of these Regulations, a Gambian ship required to be fitted with an automatic radar plotting aid is at sea and a radar watch is being kept on the automatic radar plotting aid, the installation shall be under the control of a person qualified in the operational use of automatic radar plotting aids, who may be assisted by unqualified personnel.

52. Qualifications of observers using an automatic radar plotting aid to assist in keeping a radar watch

For the purpose of regulation 34, a person shall be qualified in the operational use of automatic radar plotting aids if he or she holds-

(a) a valid Electronic Navigation Systems Certificate granted by the Administration;

(b) a valid Navigation Control Certificate granted by the Administration;

(c) a valid Automatic Radar Plotting Aids Certificate granted by the Administration; and

(d) a certificate recognised by the Administration as being equivalent to any of the certificates mentioned in (a), (b) or (c).

PART XI - INSTALLATION OF A RATE OF TURN INDICATOR

53. Rate of turn indicator performance standards

Every rate of turn indicator installation required to be provided shall comply with the performance standard adopted by the Organisation and shall in the case of a Gambian ship, comply with the relevant performance standard.

54. Siting of the rate of turn indicator installation

The display shall where practicable, be sited on the bridge in a position to facilitate easy access and viewing, and where the effect of any lighting necessary for the equipment does not interfere with the keeping of an effective look-out.

PART XII - SUPPLEMENTARY

55. Penalties

(1) If a ship proceeds or attempts to sea without carrying a navigational equipment installation which it is required by these Regulations to be provided, or if such installation does not comply in all respects with the requirements of these Regulations relevant to such installation, the owner and master of the ship each commit an offence and are liable on conviction to a fine not exceeding two million Dalasis, or on conviction or indictment, to imprisonment for a term not exceeding 2 years and a fine.

(2) If any of the requirements of regulations 6 or 7 are contravened, the owner and the master each commit an offence and are liable on conviction to a fine not exceeding two million Dalasis.

(3) If the information and instructions required to be provided by regulation 8 are not provided, the owner commits an offence and is liable on conviction to a fine not exceeding one million Dalasis, and if such information and instructions are not available as required by that regulation, the owner and master each commit an offence and are liable on summary conviction to a fine not exceeding two million Dalasis.

(4) If a ship proceeds or attempts to proceed to sea without carrying a qualified radar observer which it is required to carry under regulation 21, the owner and master of the ship each commit an offence and are liable on conviction to a fine not exceeding two million Dalasis.

(5) Where a ship is at sea and a radar watch is being kept -

(a) the radar installation is not under the control of a qualified radar observer; and

(b) an automatic radar plotting aid is being used and such aid is not under the control of a person qualified in the use of such aids in accordance with regulation 52, the owner and master of the ship each commit an offence and are liable on conviction to a fine not exceeding two million Dalasis.

(6) If the master of any ship fails to ensure that in respect of that ship all the requirements of regulations ……. and ……. are complied with, he or she commits an offence and is liable on summary conviction to a fine not exceeding ……. Dalasis.

(7) It shall be a defence in proceedings for an offence under this regulation to prove that the person charged took all reasonable steps to avoid commission of the offence.

56. Exemption

(1) The Administration may exempt any ship or description of ships from all or any of the provisions of these Regulation (as may be specified on the exemption) on such terms, if any, as it may specify subject to giving reasonable notice, alter or cancel any such exemption.

(2) When considering the grant of any exemption to an individual ship, due regard shall be given to the effect that an exemption may have the safety of all other ships.

57. Enforcement of detention

Where a ship does not comply with the requirements of these Regulations, the ship shall be liable to be detained and section ……. of the Merchant Shipping Act, which relates to the detention of a ship, shall have effect in relation to the ship, subject to the modification that as if for the words "this Act" wherever they appear, there were substituted "the Merchant Shipping (Navigational Equipment) Regulations 2014."

FIRST SCHEDULE

(Regulations 2(2),11, 16, 19(1),28,30,32,37 and 41)

International Maritime Organization performance standards for navigational equipment

In this Schedule references to 'A.xxx(yy)' mean the 'xxx' Resolution of the IMO Assembly adopted at its 'yy' session, and any amendment thereto or replacement thereof.

PART I

Navigational equipment installed before 1 January 1997 shall meet the standards specified in the table below-

Fitted on or after	*1 April 1976*	*25 May 1980*	*1 September 1984 (see Note 1)*	*I February 1993 (see Note 2)*
MAGNETIC COMPASS		A.382(X)	A.382(X)	A.382(X)
GYRO COMPASS			A.424(XI)	A.424(XI).
RADAR	A.222(VII)	A.222(VII)	A.278(VII),A.477(XII)	A.424(XI), A.477(XII)
ECHO SOUNDER		A.224(VII)	A.224(VII)	A.224(VII)
SPEED AND DISTANCE MEASURING EQUIPMENT			A.478(XII)	A.478(XII).
DIRECTION FINDER		A.223(VII)	A.223(VII).	A.665(16)
AUTOMATIC RADAR PLOTTING AID (ARPA)			A.422(XII)	A.422(XII)
RATE OF TURN INDICATOR			A.526(13)	A.526(13)

Notes:

1. Equipment fitted on or after 1 September 1984 must also meet the general requirements specified in A.574(14).

2. Equipment fitted on or after 1 February 1993 must also meet the general requirements specified in A.694(17).

PART II

Navigational equipment installed on or after 1 January 1997 shall meet the standards specified in the table below:

EQUIPMENT	IMO RESOLUTION
MAGNETIC COMPASS	A.382(X)
GYRO COMPASS	A.424(XI)
RADAR	A.477(XII) and A.278(VIII)
ECHO SOUNDER	A.224(VII)
SPEED AND DISTANCE MEASURING EQUIPMENT	A.824(19)
DIRECTION FINDER	A.665(16)
AUTOMATIC RADAR PLOTTING AID (ARPA)	A.823(19)
RATE OF TURN INDICATOR	A.526(13)

PART III

The standards for navigational equipment not the subject of a carriage requirement are specified in the table below-

EQUIPMENT	*IMO RESOLUTION*
DECCA NAVIGATOR	A.816(19)
ELECTRONIC CHART DISPLAY AND INFORMATION SYSTEMS (ECDIS)	A.817(19)
LORAN-C AND CHAYKA RECEIVERS	A.818(19)
GLOBAL POSITIONING SYSTEM (GPS) RECEIVER SYSTEM	A.819(19)

Notes: All equipment should also meet the general requirements specified in Resolution A.694(17). Note also the general requirements for electromagnetic compatibility specified in Resolution A.813(19).

SECOND SCHEDULE

*regulation 35(2)(*c)

Certificate of Calibration of Direction-Finder

We, the undersigned, hereby certify that we have today-

(a) calibrated, in accordance with Part VIII of the Model Shipping (Navigational Equipment) Regulations 2001, the direction-finder installed in the

s.s.
- .....
m.v.

(b) handed to the master of that ship tables of calibration corrections;

(c) adjusted the said direction-finder so that the readings taken thereby, when corrected with such tables, differ from the correct bearings by no more than plus or minus two degrees.

We hereby further certify that the master of the said ship has been furnished with a list or diagram indicating the position, at the time of such calibration, of the antennas and of all moveable structures on board the ship which might affect the accuracy of the direction-finder.

.....Radio Observer
.....Visual Observer
.....Date

THIRD SCHEDULE

regulation 36(d)

RECORD OF CHECK-BEARINGS TAKEN BY MEANS OF THE DIRECTION-FINDER

1	Ship's Approximate Position	
2	Direction-Finder Bearing of (Name and frequency)	
3	Serial Number of Bearings	
4	Date	
5	Times (GMT(UTC) and ship's)	
6	Latitude – Ship’s approximate position	
7	Longitude– Ship’s approximate position	
8	Distance from Transmitter	
9	Direction-Finder Relative Bearing Correct for QE	
10	Ship's Head by	

	Compass 0/360°	
11	Total Compass Error	
12	½ Convergency Applied	
13	Ship's Head Corrected (True)	
14	True Bearing by Direction-Finder [Row (8) and Row (12)]	
15	Correction required to make Row (13) equal Row (14) (indicating whether -- or +)	

Signature of Observer or Observers
(1)
(2)
(3)
(4)
(5)