

Government Notice No. 139 of 2017

THE MERCHANT SHIPPING ACT

Regulations made by the Minister under section 228 of the Merchant Shipping Act

1. Short title

These regulations may be cited as the Merchant Shipping (National Maritime Search and Rescue Organisation) Regulations 2017.

2. Interpretation In these regulations –

“Act” means the Merchant Shipping Act;

“National Maritime Search and Rescue Organisation” means the organisation (SAR Organisation) established under regulation 3;

“National Maritime Search and Rescue plan” means the plan (SAR plan) developed under regulation 5;

“provisional maritime search and rescue region of Mauritius” means such region as may be specified in the SAR plan;

“rescue” means to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.

3. Establishment of SAR Organisation

(1) There is established for the purposes of these regulations a National Maritime Search and Rescue Organisation.

(2) The SAR Organisation shall consist of such persons as the Minister may determine.

(3) The Director shall be responsible for the proper administration of the SAR Organisation.

4. Objects of SAR Organisation The SAR Organisation shall ensure –

- (a) a co-ordinated and effective maritime and aeronautical search and rescue service within the provisional maritime search and rescue region of Mauritius; and
- (b) that the International Convention on Maritime Search and Rescue 1979, as amended, to which Mauritius is a party is abided to.

5. Functions of SAR Organisation

- (1) The Search and Rescue Organisation shall –
 - (a) within its means and capabilities, co-ordinate its resources to search, assist and, where appropriate, effect a rescue operation for –
 - (i) survivors of aircraft crashes or forced landings;
 - (ii) the crew and passengers of vessels in distress; and
 - (iii) survivors of maritime accidents or incidents;
 - (b) facilitate emergency response, recovery, relief and rehabilitation in the event of any rescue operation;
 - (c) develop, maintain and implement an National Maritime Search and Rescue plan for the co-ordination of search and rescue operations

within the provisional maritime search and rescue region of Mauritius; and

(d) perform such other functions as are conducive to its objects.

(2) The functions set out under subsection (1) shall not include salvage operations or the saving of property, except where that action is indivisible from that of safeguarding life.

(3) Subject to these regulations, any search and rescue operation shall be undertaken in accordance with the National Maritime Search and Rescue plan.

6. Reporting of aircraft or vessel in distress

Any person who knows that an aircraft or vessel is or might be in distress shall report such occurrence at the nearest police station or at such other office as may specified in the National Maritime Search and Rescue plan.

7. International Agreements

The SAR Organisation shall be responsible for negotiating the terms of any international agreement with the Search and Rescue organisation of neighbouring States.

8. These regulations shall come into operation on 1 July 2017.

Made by the Minister on 19 June 2017.
