

National Workshop to review the South African Oil Spill Contingency Plan and develop national legislation related OPRC 90

Cape Town, South Africa  
20 – 23 June 2016

Global Initiative for Western, Central and Southern Africa

Hosted by:

The South African  
Department of Transport



NOTE

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**43 Pages.**



## **Executive summary**

The national workshop on Oil Spill Contingency Planning and National Legislation related to OPRC 90 was organised in Cape Town, South Africa at Protea Hotel (Fire and Ice), from 20 to 23 June 2016. It gathered delegates from different ministries and agencies as well as representatives from the private sector.

The event was hosted by the Department of Transport within the framework of the GI WACAF Project. The workshop was supported by the International Maritime Organization (IMO) and IPIECA, the global oil and gas association for environmental and social issues.

Around 55 participants attended the workshop. A list of participants is attached as Annex 2 of this report.

The broad objectives of the workshop were to:

**1. Carry out a critical review of the existing legal and institutional frame work with a view to:**

- Identify the needs of new laws and regulations as well as of amendments to existing laws and regulations aiming at: accessing to international conventions; incorporating into the legal system the main provisions of the relevant international conventions; and clarifying and specifying the responsibilities in the field of prevention, preparedness and response.
- Prepare or/ and propose a way -forward to prepare draft texts on the bases of the identification of the needs.

**2. To review the current version of the NOSCP with a view to:**

- Identify areas within the NOSCP that may require improvement and amendment with special focus on offshore emergency response and any areas that remain to be addressed
- Prepare or/ and propose a way forward to prepare draft texts on the bases of the identification of areas which require improvement and amendment

**3. To consider cooperation between the industry and the government regarding prevention of, preparedness for and response to pollution incidents with a particular attention to offshore activities**

- Based on existing laws and regulations or on laws and regulations to be developed regarding offshore exploration and exploitation consider: the provisions to be reflected in the NOSCP and in the offshore unit oil contingency



plan; and the arrangements to strengthen the cooperation between industry and government on preparedness for and response to oil pollution

- Prepare proposal and a way forward

In order to address the objectives of the workshop the participants were guided through four days of presentations, practical sessions and discussions. For the majority of the workshop participants were divided into the following three groups:

**Group 1:** Focused upon the national legal and institutional framework drafting a new bill and making recommendations for improving

**Group 2:** Focused upon reviewing and updating the South African National Oil Spill Contingency Plan

**Group 3:** Focused upon developing the framework for a guidance document for the completion of oil industry Oil Spill Contingency Plans

The outcomes of the work undertaken by the 3 groups can be found in the following sections.

A summary of the workshops main recommendations and a road map for completing the recommendations can be found on 16 – 18.

The active participation and the expertise of all delegates as well as the organisation of the workshop with the support of the Department of Transport of South Africa were greatly appreciated and were key to the success of this workshop.

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## 1. Presentation of the GI WACAF Project

Launched in 2006, the Global Initiative for West, Central and Southern Africa (GI WACAF Project) is a partnership between the International Maritime Organization (IMO) and IPIECA, the global oil and gas industry association for environmental and social issues, to enhance the capacity of countries to prepare for and respond to marine oil spills. A key innovative feature is to emphasise the promotion of public/private partnerships for effective oil spill response.

The mission is to strengthen the national oil spill response capability in 22 West, Central and Southern African countries through the establishment of a local partnership between the oil industry and the authorities in charge of oil spill preparedness and response at national level.

The Project is jointly funded by the IMO and 10 Oil Company members (BP, Chevron, ConocoPhillips, ENI, ExxonMobil, Marathon, PERENCO, Shell, TOTAL and Woodside) through IPIECA.



The scope is to organise workshops, training courses, seminars and deployment exercises in collaboration with the national authorities in charge of oil spill response and in partnership with local business units.

The GI WACAF Project is based on an effective management system comprising of six goals of preparedness to prepare for and respond to marine oil spills. These goals cover the requirements of the OPRC 90 Convention:

**Goal 1 - Legislation:** Promote the ratification of the relevant international Conventions

**Goal 2 - Contingency plan:** Develop National Contingency Plans for all the countries of the region

**Goal 3 - Designation of authority:** Obtain clarity on roles and responsibilities of all stakeholders

**Goal 4 - Regional agreements:** Promote the exchange of information and the provision of mutual assistance for oil spill incidents

**Goal 5 - Training:** Ensure that training and exercises are delivered in the participating countries on a regular basis

**Goal 6 - National capabilities:** Support participating countries in developing their own national response system

## **2. Introduction**

Operation Phakisa is a government initiative established to unlock the economic potential of Southern Africa. Of the various tasks under the initiative, offshore oil and gas exploration and exploitation is identified as critical as the country seeks to invest in the exploration of 30 wells in the next 9 years. Government has realised that there are risks associated with offshore drilling, as a result, government task teams have been established under the Phakisa initiative to address issues associated with oil and gas development. Initiative B1 addresses concerns on potential negative impact of offshore oil and gas exploration and production, with regards to all oil spills within this industry.

In June 2015, the B1 Working Group of Operation Phakisa undertook a collaborative national workshop with GI WACAF focusing upon establishing an Incident Management System (IMS) for South Africa. The success of this event was followed by the formal acceptance of South Africa as a full participating member of GI WACAF in February 2016.

Building on these positive outcomes it was agreed that a second workshop should be organised that would critically review the South African National Contingency Plan and the existing legal and institutional frame work, and explore further processes for strengthening Government and industry cooperation. The Global Initiative for West and Central Africa (GI WACAF) was identified as appropriate for undertaking this task in South Africa.

## **3. Objectives of the workshop**

The broad objectives of the workshop were to:

**1. Carry out a critical review of the existing legal and institutional frame work with a view to:**

- Identify the needs of new laws and regulations as well as of amendments to existing laws and regulations aiming at: accessing to international conventions; incorporating into the legal system the main provisions of the relevant international conventions; and clarifying and specifying the responsibilities in the field of prevention, preparedness and response.
- Prepare or/ and propose a way -forward to prepare draft texts on the bases of the identification of the needs.

**2. To review the current version of the NOSCP with a view to:**



- Identify areas within the NOSCP that may require improvement and amendment with special focus on offshore emergency response and any areas that remain to be addressed
- Prepare or/ and propose a way forward to prepare draft texts on the bases of the identification of areas which require improvement and amendment

### **3. To consider cooperation between the industry and the government regarding prevention of, preparedness for and response to pollution incidents with a particular attention to offshore activities**

- Based on existing laws and regulations or on laws and regulations to be developed regarding offshore exploration and exploitation consider: the provisions to be reflected in the NOSCP and in the offshore unit oil contingency plan; and the arrangements to strengthen the cooperation between industry and government on preparedness for and response to oil pollution
- Prepare proposal and a way forward

In addition, the following outcomes were identified:

- An agreed process to update the national legal and institutional framework related to prevention preparedness and response to marine pollution (special focus on OPRC 90 and on offshore exploration and exploitation) together with proposed draft texts
- An agreed process by which the NOSCP will be updated together with proposed draft texts
- An agreed process by which cooperation between industry and government will be strengthened in particular regarding preparedness and response to accident involving offshore units
- Agreement on priority objectives and actions
- Agreed timeline for completion of objectives

## **3. Programme of the Workshop**

The workshop was organised during four days. The full programme is available in Annex 1.

- Monday 20 June 2016
  - Opening ceremony and introduction of the workshop
  - Revisit outcomes from IMS workshop: Cape Town, June 2015
  - Introduction to Contingency Planning and OPRC 90





- The South African National Oil Spill Contingency Plan and relevant National Legislation
- Offshore Emergency Response
- Tuesday 21 June 2016
  - Working Group Discussions
- Wednesday 22 June 2016
  - Working Group Discussions
- Thursday 23 June
  - Recommendations and key findings
  - Adoption of report and key findings
  - Closing ceremony

## **4. Location, dates, and participants**

The workshop was held at the Protea Hotel (Fire and Ice) Cape Town, South Africa from 20 - 23 June 2016. Approximately fifty participants from the different ministries and agencies attended the event. The oil and gas and shipping industries were also represented.

The experts invited to facilitate this workshop were Ken Church and Aaron Montgomery from OSRL, and Jean Claude Sainlos, with support from the GI WACAF Secretariat.

## **5. Activities and proceedings**

### ***a. Opening ceremony***

Mr Terrence Mabuela of the Department of Transport opened the meeting at 09h00 and welcomed everyone present. In his opening address he introduced Mr Sobantu Tilayi of SAMSA, acting Chief Executive Officer to give a brief introduction to the workshop.

Mr Tilayi highlighted the importance of Operation Phakisa which emphasises oil and gas exploration. He also talked about the oil and gas initiatives along the coast lines, the large volume of shipping traffic and the risks this posed to the Department and the country. It was further stated that the outcomes of the workshop would help to ensure the safety of South Africa's marine environment and encouraged colleagues in their deliberations.

M. Anton Rhodes, GI WACAF Project Manager, delivered the IMO / IPIECA Opening Remarks. See Annex 3.

### ***b. Proceedings of the National Workshop***

**DAY 1 Monday, 20 June 2016**

**Session 1: Introduction of the workshop and presentation of the GI WACAF Project**



*Mr Anton Rhodes, GI WACAF*

Delegates were asked to introduce themselves and the attendance register was circulated.

Mr Anton Rhodes provided an introduction to GI WACAF, outlining the projects scope, objectives, achievements and plans for the future. He then provided an overview of the workshop objectives, the intended outcomes and the programme structure.

### **Session 2: Summary of key recommendations from IMS workshop in South Africa (2015)**

*Mr Anton Rhodes, GI WACAF*

Mr Anton Rhodes provided a summary of key recommendations from the IMS workshop held between the 9<sup>th</sup> and 11<sup>th</sup> June 2015. These included:

- The IMS Unified Command Structure should be applied as the most effective system to respond to a national level offshore oil spill incident
- A draft list of organizations to be considered to lead the various functions of IMS
- Development of MoU between key stakeholders to support implementation of IMS
- Relevant organisations to identify key personnel for IMS training
- Consider how the provincial system would sit within a national IMS structure

The above recommendations were submitted to the B1 Working Group of Operation Phakisa.

### **Session 3: Summary of progress achieved and next steps (2015)**

*Captain Ravi Naicker, South African Maritime Safety Agency*

Captain Ravi Naicker provided an update on the B1 Offshore Oil and Gas Explorations Initiative. The following points were presented:

- A Multi Party Agreement for standardised IMS for the oil and gas industry in South Africa has been developed in draft format and is awaiting sign-off from the Phakisa Steering Committee. The draft document was provided to participants for information.
- An outline of the draft IMS Unified structure was presented to participants
- Key personnel for IMS training had been identified amongst the relevant South African organisations. The list is awaiting approval from the Phakisa Steering Committee.
- It is intended to undertake training of the relevant role players in IMS and Oil Spill Response commencing in 2016

- It is intended to conduct emergency exercises and drills over the next two years with the end date of 31<sup>st</sup> December 2018

#### **Session 4: International Conventions: Overview of OPRC 90**

Jean Claude Sainlos, *Consultant IMO / IPIECA*

Mr Jean Claude Sainlos provided a presentation on the relevant IMO Conventions which provide the bases for the development of national system for preparedness and response to marine pollution incident as well the framework for international cooperation. In addition to the OPRC 90 Convention, he also highlighted the importance of MARPOL, HNS convention, Bunker convention and the CLC and Fund conventions.

The importance of Regional Conventions such as Nairobi and Abidjan were also emphasised.

#### **Session 5: International best practice in national contingency planning**

Mr Aaron Montgomery, *IMO / IPIECA Consultant*

Mr Aaron Montgomery made a presentation on International best practice related to national oil spill contingency planning. He explained what are the key functions of a National Oil Spill Contingency Plan (NOSCP), its typical content, and the roles and responsibilities of key stakeholders. In addition, he gave practical examples of existing NOSCP's

#### **Session 6: Status of existing relevant National Legislation, Laws and Regulations**

Mr Terrence Mabuella, *Department of Transport*

Mr Terrence Mabuella provided a presentation on the status of existing relevant National Legislation, Laws and Regulations in South Africa. The following Acts were covered:

- The constitution of Republic of South Africa Act 1996
- Marine Pollution (Control and Civil Liability) Act 6 of 1981
- Marine Pollution Act (Prevention and pollution) Act 2 of 1986 (NEMA)
- National Environmental Management Act 107 of 1998
- South African Maritime Safety Authority Act 5 of 1998
- The Sea Shore Act 21 of 1935
- Merchant Shipping Act 57 of 1951
- The Public Finance Management Act 1 of 1999
- Dumping at Sea Control act of 73 of 1980
- Marine Pollution Act 64 of 1987
- Disaster Management Act 57 of 2002
- National Ports Act 12 of 2005

It was indicated that Working Group 1 should identify the gaps on the offshore oil and gas activities within the existing legislation.

### **Session 7: Overview of Draft South African National Oil Spill Contingency Plan**

*Captain Naicker, South African Maritime Safety Authority (SAMSA)*

Captain Naicker of SAMSA provided an overview of the draft South African National Contingency Plan. The following points were highlighted:

- The draft South African National Contingency Plan currently in use was developed in 2007.
- The 2007 version had subsequently been re-drafted by SAMSA and DEA in 2011 but has not yet been finalised
- The version to be reviewed during the GI WACAF 2016 workshop would be the re-drafted 2011 version developed by SAMSA. Hard copies of this document were circulated to members for information.

### **Session 8: Regulating the offshore industry**

*Mr Aaron Montgomery, IPIECA / IMO Consultant*

Mr Aaron Montgomery made a presentation on Regulating the Offshore Industry. He explained that the aim of the presentation was to understand the requirements for effective regulation for oil spill preparedness and response in the offshore industry.

During the presentation he focused upon reporting procedure, command and control procedures, training / exercises, and equipment.

### **Session 9: Oil Spill Contingency Planning for offshore operations**

*Mr Ken Church, IPIECA / IMO Consultant*

Mr Ken Church provided a presentation on Oil Spill Contingency Planning for offshore operations. He described the main considerations in the development of an offshore contingency plan, why there are different types of plans and how these interface with each other.

## **DAY 2 Tuesday 21 June 2016**

### **Working Group Discussions**

### **Session 10: Working Group 1 – Legal and Institutional Framework**

*Facilitated by Mr Jean Claude Sainlos, IMO / IPIECA Consultant*

Working Group 1 focused their discussion upon the following:

- Decision on which IMO Conventions South Africa should accede.
- Review of existing legal framework within South Africa
- Agreement on the type of revision to the legal framework
- Agreement on the specific legal instrument to be developed

In addition, members began developing a preliminary draft bill on oil pollution preparedness and response aiming at incorporating into the national legal system the OPRC 1990 convention to which South Africa is already party.

### **Session 11: Working Group 2: Review of the National Oil Spill Contingency Plan**

*Facilitated by Mr Aaron Montgomery, IMO / IPIECA Consultant*

Working Group 2 focused their discussion upon:

- Identifying where gaps exist in the current draft of the South African National Oil Spill Contingency Plan (NOSCP)
- Agreeing on the notification procedure in the case of a major oil spill
- Agreeing on roles and responsibilities of the relevant stakeholders
- How the respective industry and Government IMS can be effectively integrated to form a unified command structure

### **Session 12: Working Group 3: Cooperation between the industry and the government**

*Facilitated by Mr Ken Church, IMO / IPIECA Consultant*

Working Group 3 focused their discussion upon:

- Identifying key areas for Government and industry collaboration for oil spill planning and response
- Agreeing on when the national IMS should be established and how this should be integrated with the oil industry IMS
- Development of a framework for offshore Oil Spill Contingency Plans

## **DAY 3 Wednesday, 22 June 2016**

### **Working Group Discussions**

#### **Session 14: Working Group 1 – Legal and Institutional Framework**

*Facilitated by Mr Jean Claude Sainlos, IMO / IPIECA Consultant*

Working Group 1 spent Day 3 preparing text for the draft bill on oil pollution preparedness and response (See Annex 4).

### **Session 15: Working Groups 2 & 3: Review of the National Oil Spill Contingency Plan**

*Facilitated by Mr Aaron Montgomery and Mr Ken Church, IMO / IPIECA Consultants*

On Day 3, Working Groups 2 and 3 were joined together and tasked with updating text directly into the draft NOSCP.

Specifically, the groups focused upon incorporating the recommendations from Day 2 into the NOSCP and revising its structure, framework and functionality.

### **DAY 4 Thursday, 23 June 2016**

On Day 4, the separate Working Groups were brought together into a single plenary. The key findings from each working group were presented and participants were invited to comment.

### **Session 18: Working Group 1 – Key Findings**

*Mr Jean Claude Sainlos, IMO / IPIECA Consultant*

Mr Sainlos presented the draft bill on 'oil pollution preparedness and response' for comment. He emphasized the purpose of the Bill which is to incorporate into the national legal system the OPRC 1990 convention. He highlighted that the draft Bill follows the structure of the OPRC and transcribes the provisions of the convention. In particular the Bill specify the roles and responsibilities of the different parties, reporting procedures, and the bills overall scope of application.

After minor alterations, participants gave their endorsement for the draft bill.

### **Session 19: Working Groups 2 & 3 – Key Findings**

*Mr Anton Rhodes, GI WACAF Project Manager*

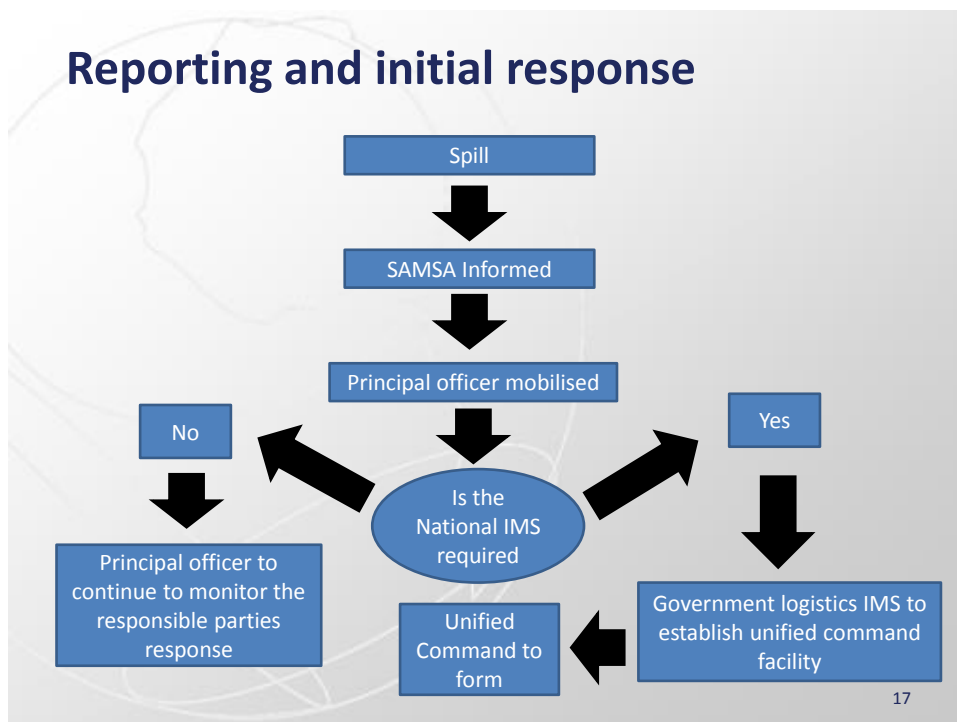
Mr Anton Rhodes summarised the key outputs from both the Working Group 2 and 3 discussions.

He explained that the groups had fulfilled their objectives by:

- Clarifying roles and responsibilities in the case of an oil spill incident
- Clarifying notification procedures in the case of an oil spill incident
- Clarifying reporting routes in the case of an oil spill incident
- Updating South Africa's draft NOSCP
- Developing the draft framework for an 'industry oil spill contingency plan guidance document'

He further explained that the following key recommendations had been incorporated directly into the draft NOSCP:

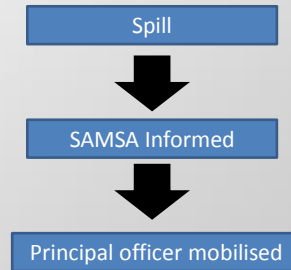
- Government to immediately undertake monitoring role after notification (Principle Officer) within Industry Command Structure (if incident does not exceed Tier I capability)
  - Activation of Government IMS if incident exceeds Tier I capability
    - o See Draft South African IMS Task Team doc (planned activation)
  - Full integration of Government and Industry IMS (unified command)
    - o Government or industry facilities to be used depending on practicalities
  - DoT / SAMSA to take ultimate responsibility in mounting a government response
- To align with the provisions outlined in the draft OPRC Bill.



*\*This diagram was revised when updated into the draft NOSCP*

## Reporting and initial response

- Principal Officer
  - Will assess the scope and scale of the incident to ensure the responsible party has initiated an effective response commensurate to the scale of the spill. If the Principal Officer deems the spill exceeds or may exceed the capabilities or capacity of the responsible party they will initiate the National IMS.

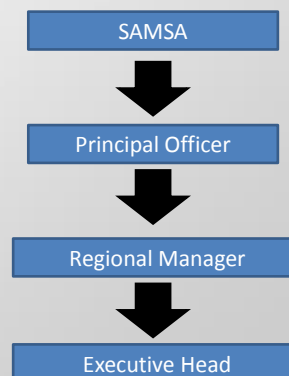


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*\*The above text and diagram was revised when updated into the draft NOSCP*

## Reporting and initial response

- Principal Officer
  - If the principal officer is unavailable or unsure as to the whether to escalate the response and initiate the National IMS he is to escalate the decision to the Regional Manager or Executive Head as indicated right.



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*\*The above text and diagram was revised when updated into the draft NOSCP*



## Industry OSCP's

- The responsibility to approve industry OSCP's is with the Department of Transport
- SAMSA (as an executive agency of DoT) to review and approve OSCP's
- This is to be completed inline with the guidance document being outlined by WG3

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### **Session 20: Agreement of workshop recommendations and next steps**

*Mr Anton Rhodes and Jean Claude Sainlos, IPIECA / IMO*

In the final session participants were presented with a road map for progressing the key recommendations and outputs from the workshop. It was explained that the recommendations would be sent to the B1 Working Group for consideration and possible endorsement.

After minor alterations the road map was endorsed by the workshop participants. See Section 7 for workshop recommendations / road map.

#### ***c. Closing ceremony***

Closing remarks were provided by Mr Anton Rhodes (GI WACAF Project Manager). He thanked participants for their enthusiasm and commitment over the previous four days and The Department of Transport for hosting the event. It was agreed that the outcomes from the workshop would serve as a strong driver for strengthening oil spill preparedness and responsibility capability in South Africa.

## 6. Recommendations

### Recommendations to progress the existing legal and institutional framework, the National Oil Spill Contingency Plan and Government and industry cooperation

	Task	Responsible Party or parties	Due date
1a	Oil Pollution Preparedness and Response: Draft Bill 1. Finalisation of the draft 2. Submission to the Govt (Clusters) 3. Cabinet Approval 4. Presentation to Parliament 5. Adopted by Parliament 6. Signed by President and promulgated	1. DoT (in consultation) 2. Minister of Transport 3. Cabinet 4. " 5. " 6. "	31 <sup>st</sup> Dec 2016 31 <sup>st</sup> Jun 2017 March 2018 Nov 2018 July 2019 Oct 2019
1b	The workshop identified the following IMO conventions which are relevant to the preparedness and response issue to which South Africa is not party yet: 1 the Bunker convention 2001 2 the OPRC/HNS protocol 2000 3 the HNS convention 89 and its Protocol 2010 4 the Protocol to the Fund convention 2003  The Ministry of Transport is invited to initiate the process of accession to those conventions.	Department of Transport	31 <sup>st</sup> Dec 2019
2	The workshop was of the view that the present laws and regulations related to marine environment protection and to preparedness and response to marine pollution incident need to be revisited with a view to be updated and modernized. The Ministry of Transport is invited to initiate the process of reviewing that legislation to identify where there is need of amendment and revision.	Department of Transport/SAMSA/DEA	Process to be initiated in 30 <sup>th</sup> Sept 2016
3	The Mineral and Petroleum Resources Development (MPRDA) regulations in its parts related to environment and pollution control do not currently contain provisions concerning specific requirements the operator of an offshore unit shall comply with when establishing its contingency plan. The workshop (June 2016) invites the Ministry of Mineral Resources to incorporate in the mineral and petroleum regulations provisions concerning the requirements the operator of an offshore unit shall comply with when establishing its contingency plan. In establishing such requirements the guideline developed by the workshop (June 2016) should be	DoT jointly with SAMSA to initiate discussion with Ministry of Mineral Resources and PASA	31st July 2016

	taken into account and partnership between the Ministry of Transport and the Ministry of Mineral Resources should be encouraged.		
4	Department of Environmental Affairs should prioritize and accelerate efforts leading to the revocation of S52 of the SAMSA Act regarding the assignment of the combating function, as well as the institutional and financial arrangements (handover from DEA to DOT) resulting from this revocation.	DEA	6 months – 1 year
5	The workshop commenced an update of the National Oil Spill Contingency Plan it is recommended that South Africa completes the update of the National Oil Spill Contingency Plan <ol style="list-style-type: none"> <li>a. Complete the development of the contents list as started in the updated draft document (June 2016)</li> <li>b. Incorporate the details as highlighted in yellow in the draft document dated June 2016</li> </ol>	DoT to lead: SAMSA/DEA/PASA B1 Working Group	Revise NOSCP by: June 2017  Adoption by: June 2019
6	The workshop highlighted the requirement and outline framework for a guidance document for the completion of industry Oil Spill Contingency Plans (OSCP's). It is recommended that this document is produced and incorporates the following contents: <ul style="list-style-type: none"> <li>• IMS (or equivalent)             <ul style="list-style-type: none"> <li>– See extract from IMS Multi-Party Agreement</li> </ul> </li> <li>• Tier I, II, III capability (for at least an interim period)</li> <li>• Joint Command Centre</li> <li>• Relevant training and competencies For example: IMO Model Courses, IMS training</li> <li>• Exercises and drills. For example: table top, deployment, joint exercises (frequency tbc)</li> <li>• Review and update of OSCP frequency tbc</li> <li>• Standard approval and review process frequency tbc</li> <li>• Relevant stakeholders tbc</li> <li>• Reporting process aligned with NOSCP</li> <li>• Reference to national legislation</li> <li>• Modelling capability / application</li> <li>• Process for dispersant application aligned with NOSCP pre-approval</li> <li>• Oil type sampling requirements? Frequency of sample submissions tbc</li> </ul>	DoT to lead. Support from SAMSA. Input from PASA & DEA. B1 Group	30 <sup>th</sup> Dec 2017

## **7. Conclusion**

The workshop assisted participants from public and private entities to strengthen South Africa's national oil spill preparedness and response capability through:

- The development of improved national legislation
- The revision of the draft NOSCP
- The development of guidelines for the completion of industry Oil Spill Contingency Plans

The workshop also provided a broad range of practical information in order to help participants establish and manage an effective Incident Management System (IMS) for South Africa.

The success of the workshop was confirmed by the positive feedback that was received from the participants, over 95% of whom stated that, in their opinion, the objectives of the workshop were met. The questionnaire template is attached to the report as Annex 5.

## Annex 1 – Workshop Programme



THE GLOBAL OIL AND GAS  
INDUSTRY ASSOCIATION  
FOR ENVIRONMENTAL  
AND SOCIAL ISSUES

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# National Workshop on Oil Spill Contingency Planning, Incident Management System and National Legislation related to OPRC 90

Cape Town, South Africa  
20 - 23 June 2016

Global Initiative for Western, Central and Southern Africa

Organised by:

The South African  
Department of Transport



## **The Global Initiative for West, Central and Southern Africa**

Launched in 2006, the Global Initiative for West, Central and Southern Africa (GI WACAF Project) is a partnership between the International Maritime Organization (IMO) and IPIECA, the global oil and gas industry association for environmental and social issues, to enhance the capacity of countries to prepare for and respond to marine oil spills. A key innovative feature is to emphasise the promotion of public/private partnerships for effective oil spill response.

The mission is to strengthen the national oil spill response capability in 22 West, Central and Southern African countries through the establishment of a local partnership between the oil industry and the authorities in charge of oil spill preparedness and response at national level.

The Project is jointly funded by the IMO and 10 Oil Companies members (BP, Chevron, ConocoPhillips, ENI, ExxonMobil, Marathon, PERENCO, Shell, TOTAL and Woodside).



The scope is to organise workshops, training courses, seminars and deployment exercises in collaboration with the national authorities in charge of oil spill response and in partnership with local business units.

The GI WACAF Project is based on an effective management system comprising of six goals of preparedness to prepare for and respond to marine oil spills. These goals cover the requirements of the OPRC 90 Convention:

**Goal 1 - Legislation:** Promote the ratification of the relevant international Conventions

**Goal 2 - Contingency plan:** Develop National Contingency Plans for all the countries of the region

**Goal 3 - Designation of authority:** Obtain clarity on roles and responsibilities of all stakeholders

**Goal 4 - Regional agreements:** Promote the exchange of information and the provision of mutual assistance for oil spill incidents

**Goal 5 - Training:** Ensure that training and exercises are delivered in the participating countries on a regular basis

**Goal 6 - National capabilities:** Support participating countries in developing their own national response system

### **Dates and location**

This event will take place at the Protea Hotel (Fire and Ice), Cape Town, South Africa between 20 – 23 June.

### **Workshop Objectives**

**8. Carry out a critical review of the existing legal and institutional frame work with a view to:**

- Identify the needs of new laws and regulations as well as of amendments to existing laws and regulations aiming at: accessing to international conventions; incorporating into the legal system the main provisions of the relevant international conventions; and clarifying and specifying the responsibilities in the field of prevention, preparedness and response.
- Prepare or/ and propose a way -forward to prepare draft texts on the bases of the identification of the needs.

**9. To review the current version of the NOSCP with a view to:**

- Identify areas within the NOSCP that may require improvement and amendment with special focus on offshore emergency response and any areas that remain to be addressed
- Prepare or/ and propose a way forward to prepare draft texts on the bases of the identification of areas which require improvement and amendment

**3. To consider cooperation between the industry and the government regarding prevention of, preparedness for and response to pollution incidents with a particular attention to offshore activities**

- Based on existing laws and regulations or on laws and regulations to be developed regarding offshore exploration and exploitation consider: the provisions to be reflected in the NOSCP and in the offshore unit oil contingency plan; and the arrangements to strengthen the cooperation between industry and government on preparedness for and response to oil pollution
- Prepare proposal and a way forward

**The intended outcomes of the workshop can be summarised as:**

- An agreed process to update the national legal and institutional framework related to prevention preparedness and response to marine pollution (special focus on OPRC 90 and on offshore exploration and exploitation) together with proposed draft texts
- An agreed process by which the NOSCP will be updated together with proposed draft texts
- An agreed process by which cooperation between industry and government will be strengthened in particular regarding preparedness and response to accident involving offshore units
- Agreement on priority objectives and actions
- Agreed timeline for completion of objectives

**Contact**

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<b>Day 1. Monday 20 June 2016</b>	
<b>08h30</b>	<b>Arrival and Registration of the participants</b>
	<b>Opening Ceremony</b>
<b>09h00</b>	<b>Opening Ceremony:</b> -Welcome Address: Department of Transport -Statement by IMO/IPIECA Representative
	<b>Introduction</b>
<b>09h20</b>	<b>Experts and Participant's introduction</b>
<b>09h40</b>	<b>Presentation of the GI WACAF Project</b> <i>Anton Rhodes, IMO/IPIECA</i>
<b>09h50</b>	<b>Introduction of workshop objectives</b> <i>Anton Rhodes &amp; Jean Claude Sainlos, Consultant IMO / IPIECA</i>
<b>10h10</b>	<b>Coffee break</b>
	<b>Revisit outcomes from IMS workshop: Cape Town, June 2015</b>
<b>10h30</b>	<b>Summary of key recommendations from IMS workshop (2015)</b> <i>Anton Rhodes IMO / IPIECA</i>
<b>10h50</b>	<b>Summary of progress achieved and next steps (2015)</b> <i>South African Maritime Safety Authority (SAMSA)</i>
	<b>Introduction to Contingency Planning and OPRC 90</b>
<b>11h20</b>	<b>International Conventions: Overview of OPRC 90</b> <i>Jean Claude Sainlos, Consultant IMO / IPIECA</i>
<b>11h50</b>	<b>International best practice in national contingency planning</b> <i>Ken Church and Aaron Montgomery, Consultants IMO / IPIECA</i>
<b>12h30</b>	<b>Lunch</b>
	<b>The National Oil Spill Contingency Plan and relevant National Legislation</b>
<b>13h30</b>	<b>Status of existing relevant National Legislation, Laws and Regulations</b> <i>Mr Dumisani Ntuli Department of Transport</i>
<b>14h00</b>	<b>Overview of draft South African National Contingency Plan</b> <i>Captain Naicker South African Maritime Safety Authority (SAMSA)</i>
<b>14h30</b>	<b>Coffee</b>

	<b>Offshore Emergency Response</b>
15h00	<b>Regulating the offshore industry</b> <i>Ken Church and Aaron Montgomery, Consultants IMO / IPIECA</i>
15h45	<b>Oil Spill Contingency Planning for offshore operations</b> <i>Ken Church and Aaron Montgomery, Consultants IMO / IPIECA</i>
	<b>Organising the workshop</b>
16h30	<b>Establishing the 3 working groups – Designating participants into working groups</b> <i>Anton Rhodes &amp; Jean Claude Sainlos, Consultant IMO / IPIECA</i>
17h00	<b>End of the day 1</b>

<b>Day 2. Tuesday 21 June 2016</b>	
	<b>Meetings of the three Working Groups</b>
09h00	<b>Working Group discussions:</b> <ul style="list-style-type: none"> <li>• Working Group 1: Legal and institutional framework</li> <li>• Working Group 2: Review the National Oil Spill Contingency Plan</li> <li>• Working Group 3 : Cooperation between the industry and the government</li> </ul>
10h30	<b>Coffee break</b>
11h00	<b>Working Group discussion</b>
12h30	<b>Lunch break</b>
13h30	<b>Working Group discussions</b>
15h00	<b>Coffee break</b>
15h30	<b>Working Group discussions</b>
	<b>Plenary session</b>
16h30	<b>Progress updates from the Working Groups</b> <i>All participants</i>
17h00	<b>End of day 2</b>

### Day 3. Wednesday 22 June 2016

#### Meetings of the three Working Groups

09h00	<b>Working Group discussions:</b> <ul style="list-style-type: none"><li>• Working Group 1: Legal and institutional framework</li><li>• Working Group 2: Review the National Oil Spill Contingency Plan</li><li>• Working Group 3 : Cooperation between the industry and the government</li></ul> <p><i>All participants</i></p>
10h30	<b>Coffee break</b>
11h00	<b>Working Group discussions</b>
12h30	<b>Lunch break</b>
13h30	<b>Working Group discussions</b> <ul style="list-style-type: none"><li>• Each Working Group to draft a report presenting the outcome of their work</li></ul>
15h00	<b>Coffee break</b>
15h30	<b>Working Group discussions</b> <ul style="list-style-type: none"><li>• Each Working Group to draft a report presenting the outcome of their work</li></ul>
	<b>Plenary session</b>
16h30	<b>Progress updates from the Working Groups</b>
17h00	<b>End of day 3</b>

**Day 4. Thursday 23 June 2016**

**Plenary discussions**

09h00

**Plenary Discussions**

- **Working Groups to present key findings**
- **Consolidate recommendations and key findings**

*All participants*

10h30

**Coffee break**

11h00

**Plenary Discussions**

- **Working Groups to present key findings**
- **Consolidate recommendations and key findings**

*All participants*

12h30

**Lunch break**

13h30

**Plenary Discussions**

- **Adoption of report and Action Plan with key milestones and responsibilities**

*All participants*

**Closing Ceremony**

15h00

**Closing comments**

*Anton Rhodes, IPIECA / IMO*

*Department of Transport*

15h30

**End of day 4**

## **IMO / IPIECA Experts**

### **Aaron Montgomery**

After over seven years with OSRL having initially joined as an Oil Spill Responder, Aaron moved to OSRL's training department in 2013. Aaron has attended major spills in Africa, Europe, the Middle East and the 2010 Gulf of Mexico holding both Supervisory and Technical Advisor roles.

Prior to joining OSRL, Aaron worked for several years in the Merchant Navy and hold's a Master's Degree in Maritime Law.



### **Jean Claude Sainlos**

Jean Claude Sainlos has a legal and political science background, specialized in public law, international law, law of the sea and maritime law.

He was an officer at the Inter-ministerial Mission for the sea, a coordinating body for the sea and maritime affairs attached to the office of the French Prime Minister ( 1978- 1986). In 1986 he moved to UNEP in Nairobi as program officer at the regional seas program. In 1988 he was appointed Director of REMPEC in Malta (the IMO/UNEP regional Marine Pollution Emergency Response Centre for the Mediterranean Sea). In 1998 he joined IMO headquarters in London as Senior Deputy Director of the Sub-Division for pollution response and coordination of technical cooperation within the Marine Environment Division. In 2003, he was appointed Director of the Marine Environment Division and retired in 2007.

Since his retirement Mr Sainlos occasionally delivered lectures and provided advisory services in the framework of IMO, UNEP and EU projects.



## **Ken Church**

Since becoming a member of the oil spill response industry Ken has acquired valuable operational experience responding to a diverse range of oil spills on a global basis. This included the Deepwater Horizon incident where Ken acted as a Technical Advisor ensuring the management processes were being followed. This experience was then utilised in the training department at Oil Spill Response delivering training at a variety of international locations at both operational and management level. During his time in the training department Ken delivered Oil Spill Response and ICS training at a variety of locations around the world.

After spending a year as a Technical Advisor within the Consultancy Department, Ken has been promoted and taken up a role as a Team Supervisor & Duty Manager.

Ken holds a degree in Mechanical Engineering. Prior to joining the oil spill response industry Ken completed a full career in the British military leaving with the rank of Warrant Officer. At the pinnacle of his military career Ken was responsible for the training of all current and future Marine Engineers within the British army.



## Annex 2 – List of participants

ORGANISATION	TITLE	NAME	FAMILY NAME	POSITION	EMAIL
AUK Marine and Mining	Capt.	Sundras	Govender	Project Manager/Consultant	Sundras.govender@iinet.net.au
AUK Marine and Mining	Capt.	Ashwani	Phathak	Consultant	ashwani_pathak@hotmail.com
BP	Ms.	Analicia	Govender		Analicia.govender@gmail.com
Chevron	Capt.	Nicholas	Howard	Marine Advisor (SHEQ Manager)	NHBD@chevron.com
Chevron	Mr.	Eugene	Le Grange		eugl@chevron.com
Chevron	Ms.	NA	Nomangola		nano@chevron.com
DEA: Department of Environmental Affairs	Ms.	Feroza	Albertus	Offshore Sources of Marine Pollution CEO	Feroza@environment.gov.za
DEA: Department of Environmental Affairs	Mr.	Mawonga	Mandleni	Oil Spill Response EO	mmandleni@environment.gov.za
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DEA: Department of Environmental Affairs	Mr.	Sinakho	Baliso		sbaliso@environment.gov.za
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DEA: Department of Environmental Affairs	Ms.	Nikki	Dekock		Ndekock@environment.gov.za
DEA: Department of Environmental Affairs	Mr.	JM	Phephiya		Jphephiya@environment.gov.za
DOT: Department of Transport	Mr.	Cassius	Selala	Deputy Director: Intergovernmental Relations	selalal@dot.gov.za
DOT: Department of Transport	Mr.	Tlou	Matlala	Assistant Director	matlalatm@dot.gov.za

*National workshop on Oil Spill Contingency Planning, Incident Management System and National Legislation  
related to OPRC  
Cape Town, South Africa, 20 - 23 June 2016*

DOT: Department of Transport	Mr.	Terrence	Mabuela	Deputy Director: Maritime Environment Protection	mabuelat@dot.gov.za
DOT: Department of Transport	Mr.	Aluwani	Mudau		mudaua@dot.gov.za
DOT: Department of Transport	Ms.	Salome	Maodi	Senior Committee Officer: Secretariat	maodis@dot.gov.za
DOT: Department of Transport	Ms.	Thobile	Makhubu	Intern: Maritime Environment	makhubut@dot.gov.za
DOT: Department of Transport	Mr.	Lucky	Mphahlele	Senior Committee Officer :Secretariat	mphahlel@dot.gov.za
ExxonMobil	Mr.	Dan S	Jackofsky		Dan.s.jackofsky@exxonmobil.com
Maritime Affairs	Mr.	Sipho	Mbatha	Minister: Maritime Affairs	mbatha@dirco.gov.za
IMO	Mr.	Jean Claude	Sainlos	Retired	
IPIECA/ IMO	Mr.	Anton	Rhodes		Anton.rhodes@ipieca.org
IPIECA/IMO/O SRL	Mr.	Aaron	Montgome ry		aaronmontgomery@oilspillrespons e.com
IPIECA/IMO/O SRL	Mr.	Ken	Church		kenchurch@oilspillresponse.com
OPASA: Offshore Petroleum Association of South Africa	Mr.	Eduard	Groenewal d	HSE & Project Services Manager: Total E&P South Africa	Eduard.Groenewald@total.com
OSRL: Oil Spill Response Limited	Mr.	Deene	Collopy	Base Manager South Africa	deenecollopy@oilspillresponse.co m
PASA: Petroleum Agency South Africa	Mr.	Ngwako	Mnguni	Senior Technical Compliance Officer	mngunin@petroleumagencysa.com
PASA: Petroleum Agency South Africa	Mr.	Stet	Mushwana	Environmental coordinator	Mushwanas@petroleumagencysa.c om
PASA: Petroleum Agency South Africa	Ms.	Nonkulule ko	Khumalo		khumalon@petroleumagencysa.co m
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P & I Associates (Pty) Ltd	Mr.	Michael	Heads	Managing Director	headm@pandi.co.za



*National workshop on Oil Spill Contingency Planning, Incident Management System and National Legislation  
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SAMSA: South African Maritime Safety Authority	Mr.	James	Collocott	Senior Manager; ATON: CSWR	jcolloctt@samsa.org.za
SAMSA: South African Maritime Safety Authority	Capt.	Ravi	Naicker	National Operations Manager: CSWR	rnaicker@samsa.org.za
SAMSA: South African Maritime Safety Authority	Mr.	Sobantu	Tilayi	Chief Operation Officer	stilayi@samsa.org.za
SAMSA: South African Maritime Safety Authority	Ms.	Bongi	Stofile		bstofile@samsa.org.za
SAMSA: South African Maritime Safety Authority	Mr.	NT	Campbell		ncampbell@samsa.org.za
SANCCOB: Southern African Foundation for the Conservation of Coastal Birds	Ms.	Mariette	Hopley	Board Chairperson	mariettehopley@aol.com
SANCCOB: Southern African Foundation for the Conservation of Coastal Birds	Dr.	Stephen	Van Der Spuy	Executive Director	Stephen@sanccob.co.za

*National workshop on Oil Spill Contingency Planning, Incident Management System and National Legislation  
related to OPRC  
Cape Town, South Africa, 20 - 23 June 2016*

SANHO: South African Navy Hydrographic Office	Capt.	Abri	Kampfer	Hydrographer	hydrosan@iafrica.com
SAOGA: South African Oil and Gas Alliance	Mr.	Mthozami	Xiphu	Executive Chairman	mxiphu@saoga.org.za
SAPIA: South African Petroleum Industry Association	Ms.	Fatima	Shaik	Head: Health, Safety, Security and Environment	Fatima@sapia.co.za
SAPS: NAT JOC (visible policing)	Colonel	Thumba	Govender	Section Commander: Disaster Management	GovenderT@saps.gov.za
SAPS: Western Cape Provincial Disaster Management	W/O	Amien	Witbooi	Disaster co-ordinator	wcopm@saps.gov.za ; amienwitbooi007@gmail.com
SAPS: Western Cape Provincial Disaster Management	Mr.	Jacob	Moloi		moloij@saps.gov.za
SAPS: Western Cape Provincial Disaster Management	Ms.	Vangile	Kgongwana		kgongwanavangile@saps.gov.za
TNPA: Transnet National Ports Authority	Mr.	Andre	Jonas		Andre.jonas@transnet.net
TNPA: Transnet National Ports Authority	Mr.	Ntokozo	Hlatshwayo	Deputy Harbour Master, Port of Cape Town	Ntokozo.hlatshwayo@transnet.net
TNPA:	Capt.	Vernal	Jones		Vernal.jones@transnet.net

Transnet National Ports Authority					
WCDMC: Western Cape Disaster Management Centre	Ms.	Sonja	Chinnian		Sonja.chinnian@westerncape.gov.za
WCDMC: Western Cape Disaster Management Centre	Ms.	Nomhle	Arosi		Nomhle.arosi@westerncape.gov.za

### **Annex 3 – Opening remarks from the IMO/IPIECA representative**

#### **Anton Rhodes – GI WACAF Project Manager**

Ladies and Gentlemen, distinguished delegates

Good Morning,

It is both a pleasure and an honour for me to give this opening address in my role as the Project Manager of the GI WACAF, and also as representative of the International Maritime Organisation (IMO), and IPIECA, the Global Oil and Gas Association for environmental and social issues.

Before focusing on the tasks at hand, I would like to offer my thanks to the Government of South Africa, in particular the Department of Transport, for organising this important event and for inviting IPIECA and IMO to participate.

## **Industry and government share the responsibility to prepare for oil spills**

In order to ensure that a response will be managed effectively, preparation for a spill is a responsibility that is shared by both Government and industry. It is our role here to explore together the continued development of effective oil spill response in South Africa. The importance of cooperation with respect to oil spill preparedness and response should not be underestimated. In the event of a spill, to achieve the highest level of response effectiveness, all involved parties should act cooperatively and with a high degree of coordination. Building on the successful outcomes of the IMS workshop that was held here in Cape Town last year, our goal now is to maintain that positive momentum and help to further strengthen Government and Industry cooperation.

### **NOSCP**

We are also tasked with the development of the South African National Oil Spill Contingency Plan, which will serve as the corner stone of a fast, efficient and well-coordinated response to oil spill events. A key objective of this workshop is to review the National Plan and to create a road map by which this can be updated and improved.

### **OPRC 90**

Focusing now on the International Convention on Oil Pollution Preparedness, Response and Co-operation, or OPRC 90. This Convention provides a global framework to facilitate international co-operation and mutual assistance in preparing for and responding to major oil pollutions. Its effective implementation is the major focus area for the GI WACAF project and is also a key objective for this workshop. Over the next 4 days we will carry out a critical review of the existing legal and institutional frame work with a view to incorporating into the South African legal system the main provisions of OPRC 90.

I would like to encourage delegates during the workshop to participate actively, and to support the successful outcomes which have been identified.  
Thank you for your time and attention.

## Annex 4: Draft Bill - Oil pollution Preparedness and Response

Department of Transport

Oil pollution Preparedness and Response

Draft Bill

Preamble

Reference to relevant legislation and regulation

Reason for the Bill

### 1. Definitions/Interpretation

- 1.1 *OPRC Convention* means the International Convention on Oil Pollution Preparedness, Response and Cooperation adopted the 30 November 1990.
- 1.2 *MARPOL convention* means the International Convention for the Prevention of Pollution from Ships 1973/1978 as amended
- 1.3 Nairobi Convention
- 1.4 Abidjan Convention
- 1.5 Emergency Protocol to Nairobi Convention
- 1.6 Emergency Protocol to Abidjan Convention
- 1.7 *Oil* means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products.
- 1.8 *Oil pollution incident* means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment, or to the coastline or related interests of South Africa, and which requires emergency action or other immediate response.
- 1.9 *Ship* means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, air-cushion vehicles, submersibles, and floating craft of any type.
- 1.10 *Offshore Unit* means any fixed or floating offshore installation or structure engaged in gas or oil exploration, exploitation or production activities, or loading or unloading of oil.
- 1.11 *Sea ports and oil handling facilities* means those facilities which present a risk of an oil pollution incident and includes, *inter alia*, sea ports, oil terminals, pipelines and other oil handling facilities.
- 1.12 *Minister* means Minister of Transport
- 1.13 *Authority* means South African Maritime Safety Authority established in terms of Section 2 of the South African Maritime Safety Authority Act (1998)
- 1.14 *Oil and gas industry* means (MRX)
- 1.15 *Prescribe* means

- 1.16 *Regional organisation* means the organizations established within the framework of the Abidjan Convention and the Nairobi Convention
- 1.17 *Department* means the Department of Transport
- 1.18 *Incident Management system*
- 1.19 *Parties* means the States party to an International global convention or a regional convention
- 1.20 *IMO* means the International maritime organization

## **2. Scope of Application**

2.1 The geographical scope of the bill is the areas of sovereignty and jurisdiction of South Africa – territorial waters, EEZ and continental shelf, Prince Edward Islands, Gough Island

2.2 The scope of the bill is the reduction and control of the pollution of the marine environment by oil from ships, offshore unit, and sea ports and oil handling facilities.

2.3 The bill does not apply to warship, naval auxiliary vessel or State owned ships operated for non- commercial services.

## **3. Oil Pollution Emergency Plans**

3.1 Ships flying the South African flag and foreign ships calling in South African ports shall have on board a shipboard oil pollution emergency plan as required by regulation 37 of MARPOL annex I.

3.2 Operators of offshore units under South Africa jurisdiction shall have an oil pollution emergency plan approved by the Department which shall be coordinated with the national preparedness and response system.

3.3 The port authorities and/or operators in charge of sea ports and oil handling facilities shall have oil pollution emergency plans to be approved by the Department and which shall be coordinated with the national preparedness and response system.

## **4. Oil Pollution Reporting Procedures**

4.1 Masters of ships sailing on territorial waters and sea under South Africa jurisdiction, operators of offshore units under South African jurisdiction and operators of sea ports and oil handling facilities shall report without delay any event on their ships, offshore units and handling facilities involving a discharge of oil or probable threat of discharge of oil.

4.2 Ships shall make report in accordance with article 8 of the Protocol I of the MARPOL Convention following the guidelines and general principles adopted by the IMO by Resolution A.851(20). To the extent possible operators of offshore units and ports and oil handling facilities shall follow the guidelines and general principles for pollution reporting adopted by IMO.

4.3 Pollution report (initial/immediate notification) shall be sent to the Authority.

## **5. Action on receiving an oil pollution report**

5.1 Upon receipt of a pollution report the Authority shall assess the nature, extent and possible consequences of the oil pollution incident. The Authority shall make recommendation to the Department on action to be taken.

5.2 Based on the initial assessment and recommendation the Department will:

a) decide on actions to be taken to reduce and control the pollution or the threat of pollution;

b) inform States whose interests are likely to be affected; and,

c) inform, in case of a significant oil pollution incident, the regional organisations and IMO.

5.3 Following a detail evaluation of the situation and recommendation by the Authority, the Department may decide to activate the response contingency plan and if the severity of the incident so justify international assistance may be requested.

## **6. National system for preparedness and response**

6.1 The Minister must establish and maintain a national system for preparedness and response to oil pollution incident which will include:

- A National Oil Spill Contingency Plan
- Specific Oil Spill Response Contingency Plans for combating at sea and onshore as necessary.
- Incident Management System
- Any other mechanism as prescribed by the Minister

6.2 The Minister will establish a national Committee for preparedness and response. The function of the Committee is to develop and maintain operational the national system for preparedness and response. It provides oversight and assess level of preparedness. The Committee is chaired by the Department which shall convene meetings of the Committee twice a year. The ministries, agencies and interested entities listed in the schedule will be members of the Committee.

6.3 The Department has the responsibility of the response operations to an oil pollution incident.

6.4 To ensure an efficient command of the response operations the incident management system shall be implemented

6.5 The shipping and the oil and gas industry shall establish a minimum level of oil spill combating equipment as prescribed.

6.6 Exercises shall be regularly organized jointly with the shipping and oil industry.

6.7 The national system for preparedness and response to marine pollution incidents shall be made public for information purposes.

## **7. International Co-operation in pollution response**



7.1 South Africa will cooperate with other Parties in combating oil pollution in case of emergency as agreed to in OPRC Convention and other bilateral and regional agreements.

7.2 South Africa within the limit of its own capabilities and subject to the availability of its resources will do its best endeavour to provide assistance to the requesting country.

7.3 Necessary measures shall be taken to facilitate:

a) The arrival and utilization in and departure from South Africa of ships, aircraft and other modes of transport engaged in responding to an oil pollution incident or transporting personnel, cargoes, materials and equipment required to deal with such an incident; and

b) The expeditious movement into, through, and out of South Africa of personnel, cargoes, materials and equipment.

c) Reimbursement of costs of assistance  
Unless otherwise agreed the requesting country shall reimburse to the assisting Party the cost of its action.

7.4 The Parties to the Abidjan and Nairobi Convention will be informed on the national system.

7.5 South Africa being a Party to The Nairobi and Abidjan Conventions and to their Emergency Protocol, the Department shall be the national focal point for those two Protocols.

7.6 The Department may consider the establishment in South Africa of a Regional marine pollution coordination centre within the context of the two Emergency Protocols.

## **8. Bilateral and multilateral cooperation in preparedness and response**

8.1 The Department will promote bilateral or multilateral cooperation agreements with neighbouring countries

8.2 Copies of such agreements shall be communicated to the IMO which should make them available on request to IMO Member States

## **9 Regulations**

9.1 The Minister may make regulations regarding the application of this Act

## **10 Offences and Penalties**

## **11 Schedule**

## Annex 5 – Evaluation questionnaire

### EVALUATION QUESTIONNAIRE

National workshop on Incident Management System

Cape Town, South Africa, 20 - 23 June 2016

#### Arrangements prior to the activity

- |   |  |                              |                             |     |
|---|--|------------------------------|-----------------------------|-----|
| 1 | Was the invitation received in good time?  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |     |
| 2 | Did you receive the information listed below about the event before your participation |                              |                             |     |
|   | • on its objective and scope   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |     |
|   | • subject areas and programme  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |     |
| 3 | Were the instructions on the following clear and easy to understand?                   |                              |                             |     |
|   | • profile required of participant  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |     |
|   | • completion and submission of the nomination form                                     | Yes <input type="checkbox"/> | No <input type="checkbox"/> |     |
| 4 | Did you receive logistical information on  |                              |                             |     |
|   | • venue  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |     |
|   | • travel arrangements  | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A |
|   | • DSA payments   | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A |
|   | • accommodation  | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A |
| 5 | If you were given any pre-event assignment, was it useful?                             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A |

#### During the activity

- 6 To cover the topics fully, was the event (*please check the appropriate box*)  
(1) too long  (2) just right  (3) too short
- 7 How do you rate the event with regard to the following? (*tick one box in each case*)
- |            | excellent                | good                     | satisfactory             | poor                     |
|------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Venue      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Facilities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Equipment  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- 8 How do you rate the following aspects of the materials? (*tick one box in each case*)
- |                   | excellent                | good                     | satisfactory             | poor                     |
|-------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Presentation      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Clarity           | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Technical content | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comprehensiveness | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Quantity          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

9 How would you rate the following aspects of the presentations? *(tick one box in each case)*

	excellent	good	satisfactory	poor
Design and structure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Technical contents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comprehensiveness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10 How would you rate the use of the following? *(tick one box in each case)*

	excellent	good	satisfactory	poor	
Course materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
IMO reference materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other resource materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Group and practical activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A <input type="checkbox"/>
Field trips	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A <input type="checkbox"/>

**At the end of the activity**

11 Please rate each lecturer with regard to the following *(check one box in each case)*

Name of lecturer (to be inserted)	excellent	good	satisfactory	poor
.1 _____				
content of lecture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
delivery of presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ability to transfer knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
effectiveness in:				
• answering questions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• suggesting solutions to issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Name of lecturer (to be inserted)	excellent	good	satisfactory	poor
.2 _____				
content of lecture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
delivery of presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ability to transfer knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
effectiveness in:				
• answering questions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• suggesting solutions to issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Name of lecturer (to be inserted)	excellent	good	satisfactory	poor
.3 _____				
content of lecture	?	?	?	?
delivery of presentation	?	?	?	?
ability to transfer knowledge	?	?	?	?
effectiveness in:				
• answering questions	?	?	?	?
• suggesting solutions to issues	?	?	?	?

**(Please use additional sheets if the number of lecturers exceeds 3).**

12 What topics were of most interest and relevance to you?  
\_\_\_\_\_  
\_\_\_\_\_

13 Are there any topics which should be added? Yes ? No ?  
If yes, please list them:  
\_\_\_\_\_  
\_\_\_\_\_

14 Do you consider that the objective of the event was met? Yes ? No ?

15 Are you likely to use the information you gained on the course when you return to work? Yes ? No ?

16 Will you have the opportunity to transfer the knowledge gained to your colleagues at work? Yes ? No ?

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

We greatly appreciate your time in completing this evaluation questionnaire. It contains important information that will assist IMO in determining the success and impact of the activity. Thank you.

## Annex 6 – Pictures

