



APPLICATION NUMBER: DVNG

Diving

Application for a Diving licence issued in terms of Port Rule 148. (Port Rules issued in terms of section 80(2) of the National Ports Act No. 12 of 2005).

Trading name of Applicant:		
Port in which diving activity is to be provided.	Port	Tick applicable port
	Port of Richards Bay	
	Port of Durban	
	Port of East London	
	Port of Ngqura	
	Port of Port Elizabeth	
	Port of Mossel Bay	
	Port of Cape Town	
	Port of Saldanha Bay	

Important Information:

Instructions

UNDERSTANDING THE APPLICATION FORM

1. Applicants are advised to read these Instructions, as well as the Guidelines for Agreements, Licences and Permits in terms of the National Ports Act No. 12 of 2005 ("the Guidelines") carefully before completing the **Application form**. The Guidelines are available at www.transnetnationalportsauthority.net.
2. Any queries regarding the completion of the **Application form** may be submitted to the Port Manager (or designated Port representative).

ANNEXURES

3. Certain documentation or information is required in support of a response to some questions. Applicants are instructed in the **Application form** regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected or may be refused.

Note: If answering "No" to any questions, i.e. if the documentation or information requested cannot be provided, an **explanation** for this should be given instead of the **Annexure**, to demonstrate that the Applicant is capable of performing a reliable, efficient and economical diving service.

COMPLETION OF APPLICATION FORM

4. An application for a Diving licence must be made in writing in the form specified hereinafter and must contain the information specified therein.
5. Complete all paragraphs of the **Application form** in the spaces provided. If the information necessary for completion of a paragraph is not available, the response should be "information not available". Information may not be submitted by way of annexures, except where applicants are specifically directed to do so.
6. The **Application form** must be completed and submitted together with the required supporting documents. Complete the **Application form** in black ink and in **CAPITAL LETTERS**.
7. The **declaration** must be signed and declared as true. If the declaration is not signed and declared to be true, the application will be refused.
8. The application must be punched and placed in a file, with a divider before each annexure. The annexures must be clearly marked and numbered as indicated in the **Application form**.

LODGEMENT OF APPLICATION

9. In order to finalise the **application** per port, the following documents and information are required:
 - a. Completed and signed **Application form** per port;
 - b. Provide annexures and information as indicated in the **Application form**, as needed; and
 - c. Signed standard terms and conditions of the licence.
10. **Applications** must be submitted on a per port basis, to the office of the Port Manager (or designated port representative).

11. **Applications** must be delivered between 08:30 and 16:00 during weekdays, to the office of the Port Manager (or designated port representative) for the applicable port.
12. A formal acknowledgement of receipt will be issued by the Authority's Port Manager (or designated port representative) upon receipt of the **application**. The receiving of the **application** does not imply an acknowledgment of the completeness of the **application** or the correctness of its content.
13. **Applications** may **not** be submitted by post, fax or email. An application not submitted by hand will be refused.

PAYMENT OF LICENCE FEE

14. Upon written notification of the successful outcome of an **application**, Transnet National Ports Authority requires once-off payment per port for the full duration of the term of the licence, before issuing the licence. The licence fee (as set out in the TNPA Tariff Book) is payable for each port you want to conduct your business in.

IMPROPER LODGEMENT

15. Improperly lodged **applications** will be refused. An **application** is improperly lodged if:
 - a. The **application** was lodged in a manner not in line with the Instructions.

MATERIAL DEFECTS

16. **Applications** that are materially defective will be refused. An **application** is materially defective if:
 - a. The declaration was not signed and attested to by the applicant's authorized representative; or
 - b. The applicant provided false information or documents, failed to disclose material information or attempted to improperly influence officials of Transnet National Ports Authority.

DIVING LICENCE – APPLICATION FORM

Paragraph 1 – Applicant details

- 1.1. Registered name of applicant:
- 1.2. Trading name of applicant:
- 1.3. Registration number:
- 1.4. Income tax reference number:
- 1.5. VAT registration number:
- 1.6. Compensation Fund (COID) Certificate Number:.....
- 1.7. Principal place of business: Number and street:
- Suburb:
- Town/City:
- Postal code:
- 1.8. Postal address: Number and street/ PO Box
- Suburb:
- Town/City:
- Postal code:
- 1.9. Telephone number: (.....)
- 1.10. Fax number: (.....)
- 1.11. Authorised representative's first name and surname:
- a. Identity number:
- b. Position held / relationship to applicant
- c. Cellular number:
- d. Email address:
- 1.12. Provide, as **Annexure 1A**, a brief profile of the applicant, including a brief history of the applicant organisation, information about the services it provides and an organogram.
- 1.13. Provide, as **Annexure 1B**, a copy of a valid company or close corporation registration certificate.
- 1.14. Provide, as **Annexure 1C**, a copy of a resolution authorising the person listed in paragraph 1.11 to be the authorised representative.

Paragraph 2 – Formal requirements

- 2.1. Does the applicant have a valid tax clearance certificate? Yes No
- 2.1.1. If "Yes", provide, as **Annexure 2A**, a copy of a valid SARS tax clearance certificate.
- 2.2. Does the applicant have a valid "COID" certificate? Yes No

- 2.2.1 If **"Yes"**, provide, as **Annexure 2B**, a copy of valid certificate issued by the Compensation Commissioner, i.e. a "Letter of Good Standing" in terms of the Compensation for Occupational Injuries and Diseases Act 1993.

Paragraph 3 – Equipment and personal protective clothing

- 3.1 Does the applicant maintain an equipment register with test certificates for each piece of equipment to be used in diving activities? Yes No
- 3.1.1 If **"Yes"**, provide, as **Annexure 3A**, a copy of an equipment register with test certificates for each piece of equipment to be used in diving activities.
- 3.2 Has the applicant compiled safe working procedures for the diving activities applied for? Yes No
- 3.2.1 If **"Yes"**, provide, as **Annexure 3B**, written confirmation that safe working procedures are compiled for the diving activities applied for.
- 3.3 Does the applicant provide protective clothing and equipment for all employees? Yes No
- 3.3.1 If **"Yes"**, provide, as **Annexure 3C**, a list of all personal protective clothing and equipment to be used in diving activities.
- 3.3 Does the applicant's equipment include two-way radio sets to monitor vessel traffic and receive communication from Port Control? Yes No
- 3.3.1 If **"Yes"**, provide, as **Annexure 3D**, written confirmation that the applicant's equipment includes two-way radio sets to monitor vessel traffic and receive communication from Port Control

The applicant will on request be required to provide the relevant details, for example a list of the appropriate equipment, compiled safe working procedures, prior to the Authority's on-site audit.

The applicant's authorised representative will be contacted for the arrangement of a date on which the Authority will conduct an audit and/or inspection.

Paragraph 4 – Health and Safety

- 4.1 Does the applicant currently comply with the health and safety obligations contemplated in the Diving Licence? Yes No
- 4.1.1 If **"No"**, an explanation is needed, as **Annexure 4A**.
- 4.2 Has the applicant appointed safety, health and environment representatives to Safety, Health and Environment Committees, as required by the Occupational Health and Safety Act No. 85 of 1993 or the Maritime Occupational Safety Regulations of the Merchant Shipping Act 57 of 1951, whichever is applicable? Yes No
- 4.2.1 If **"Yes"**, provide, as **Annexure 4B**, the names and qualifications of representatives appointed to Safety, Health and Environmental Committees.
- 4.3 Are all the applicant's employees provided with occupational health and safety training? Yes No
- 4.3.1 If **"Yes"**, provide, as **Annexure 4C**, copies of occupational health and safety training records for all employees.

The applicant's authorised representative will be contacted for the arrangement of a date on which the Authority will conduct an audit and/or inspection.

Paragraph 5 – Labour, personnel qualifications and competencies

5.1 Does the applicant currently comply with the labour and personnel obligations contemplated in the Diving licence? Yes No

5.1.1 If “No” an explanation is needed; as **Annexure 5A**.

5.2 Is the applicant, or are the applicant’s employees, registered with the Department of Labour? Yes No

5.2.1 If “Yes”, provide, as **Annexure 5B**, proof of registration with Department of Labour.

5.3 Are all the applicant’s supervisors and divers duly qualified? Yes No

The names, qualifications certificates, experience and training records for the supervisors and divers shall be available on request prior to the Authority’s on-site audit, and verified during the audit.

The applicant’s authorised representative will be contacted for the arrangement of a date on which the Authority will conduct an audit and/or inspection.

Paragraph 6 – Security

6.1 Does the applicant currently comply with the security obligations contemplated in the Diving licence? Yes No

6.1.1 If “No”, an explanation is needed; as **Annexure 6A**.

6.2 The applicant undertakes to comply with the provisions of the International Maritime Organisation Convention of Safety and Security at Sea, the ISPS Code and the Maritime Security Regulations 2004, adopted under the Merchant Shipping Act No 57 of 1951, contemplated in the Diving licence? Yes

Paragraph 7 – Environmental protection

7.1 Does the applicant currently comply with the environmental obligations contemplated in the Diving licence? Yes No

7.1.1 If “No”, an explanation is needed; as **Annexure 7A**.

7.1.2 If “Yes”, provide as **Annexure 7B**, a copy of the environmental management plan.

The applicant’s authorised representative will be contacted for the arrangement of a date on which the Authority will conduct an audit and/or inspection.

Paragraph 8 – Insurance and risk

8.1 Does the applicant have public liability insurance? Yes No

8.1.1 If “Yes”, provide, as **Annexure 8A**, a copy of the relevant insurance policy, encircling the part dealing with public liability.

8.2 If the applicant is a new operator, does the applicant qualify for public liability insurance? Yes No

8.2.1 If “Yes”, provide, as **Annexure 8B**, a letter from an insurance company confirming that the applicant qualifies for public liability insurance.

8.3 Has the applicant compiled a risk assessment report dealing with safety, health and the environment? Yes No

8.3.1 If “Yes”, provide, as **Annexure 8C**, a copy of the diving risk assessment report.

- 8.4 The applicant undertakes to comply with the Harbour Master Diving Permit System, which requires that prior to any diving operation taking place within port limits, a permit must be obtained from Port Control. Yes

Paragraph 9 – Broad-based black economic empowerment

- 9.1 Does the applicant qualify as an exempted micro-enterprise in terms of the Broad-Based Black Economic Empowerment Codes of Good Practice? Yes No

9.1.1 If “Yes”, provide, as **Annexure 9A**, a valid confirmation that the applicant qualifies as an exempted micro-enterprise.

- 9.2 What is the applicant’s current BBBEE Status? **Level [] Contributor**

9.2.1 Provide, as **Annexure 9B**, a copy of the valid certificate from an accredited verification agency reflecting the applicant’s current BBBEE status.

9.2.2 If the applicant’s BBBEE level status is from level 5 to 9, provide a written undertaking, as **Annexure 9C** that the Applicant will reach at least level 4 BBBEE status, within eighteen months from the date of Diving licence being issued.

Paragraph 10 – Application declaration

I, the undersigned, do hereby declare that:

- a) I have read the instructions set out on the instructions page of this application form.
- b) The information submitted with and in this application is true, correct and complete.
- c) I accept that if any information in this application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the application being refused, or to the withdrawal, suspension or cancellation of any licence granted on the strength of this application.
- d) In order to allow for the proper verification of information submitted, I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Transnet National Ports Authority.
- e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises and documents. The applicant accepts that a failure to co-operate may constitute an independent ground for refusing an application.
- f) The applicant accepts that any attempt to influence the decision of Transnet National Ports Authority on the allocation of a licence in any manner other than provided for in the Guidelines or in this application form, may result in the application being refused.

<p>Signed at</p> <p>This day of 20</p> <p>Signature of Authorised Representative:</p> <p>Representative’s full name:</p> <p>The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.</p> <p>Full name:</p>

Designation:
Physical address:
.....

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF
ACKNOWLEDGEMENT OF RECEIPT ONLY**

Registered name of applicant:

Received by:
(Name) (Signature)

Date of receipt: 20.....

Time of receipt: :

Receipting venue:

Application number:

Transnet National
Ports Authority

Stamp:

Disclaimer: The receiving of this **application** does not imply an acknowledgment of the completeness of the application or the correctness of its content.

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