Simon's Town Marina Company NPC

Incident Report: Flare Discharge — 14 October 2026

Incident date: 13 October 2026
Time reported: 16:20
Location: Refuse trailer adjacent to the Ocean Bounty Subsea container/workshop

Incident summary
At 16:20 on 13 October 2026, James Scott telephoned me to report that an explosion had occurred near the Ocean Bounty Subsea container/workshop. I immediately returned to the premises to investigate.

The investigation established that a flare had been found in the refuse trailer. While being handled, it was accidentally activated and then thrown onto the ground in front of the container, where it discharged. Noel, an employee of Tony, responded immediately and extinguished the flare using fire extinguisher No. 8.

Inspection and findings
The flare casing showed no ownership markings, such as a name or vessel identification. The marked expiry date was May 2028. I asked Tony whether flare sales are recorded by serial number or through any other tracking method. He confirmed that no such records are maintained and noted that the flare could have been purchased from another supplier.

With assistance from James Scott, Noel, and employees of Barry Gray and Tony, the refuse trailer was searched for additional flares. None were found, and no injuries or physical damage to property were identified.

Actions taken

- Fire extinguisher No. 8, which is under FBYC's control, was sent to The Chandlery for refilling.
- Mike Maitland, the owner of the container, was contacted immediately and informed of the incident. Although he did not attend the site, he asked to be kept updated.
- The incident was reported immediately to Paul Dennett, FBYC Club Manager. I requested that an email be circulated to all club members explaining the correct procedures for handling and disposing of flares, as well as the consequences of failing to follow the applicable standard operating procedure.
- The STMC directors were informed of the incident via WhatsApp that evening.
- The Club Safety Officer, Adrian Scholtz, was notified.
- Tony was asked to brief his staff on the relevant safety requirements and protocols, with particular emphasis on not handling unidentified pyrotechnic devices.

Conclusion
No injuries or property damage were identified. However, placing a live, unexpired flare in the refuse trailer created a serious and avoidable safety risk. Clear communication and strict compliance with approved flare-handling and disposal procedures are essential to prevent a similar incident.

The following section summarises the applicable South African laws, safety practices and guidance relating to marine flares.

Marine Distress Flares in South Africa

Use, safety, storage and lawful disposal guidance

Important: This is a practical research summary, not legal advice. Requirements depend on the vessel category, operating area, flare type and current survey conditions. Confirm your vessel's exact inventory with SAMSA or the authorised agency that issues its safety certificate and confirm a disposal handover before transporting expired flares.

1. Legal and regulatory framework

Marine flares are pyrotechnic distress signals and must be treated as explosives, not ordinary waste or recreational fireworks. The principal framework includes the Merchant Shipping Act and the Merchant Shipping (National Small Vessel Safety) Regulations, 2007, which govern safety equipment on South African small vessels. SAMSA administers this regime for commercial small vessels and pleasure vessels within the stated scope, and publishes formal interpretations and survey guidance. Merchant Shipping (National Small Vessel Safety) Regulations, 2007 SAMSA small-vessel safety overview[iiiiiiivvviviiviiiixxxixiixiiixivxvxvixviixviiixixxxxxixxiixxiiixxxivxxvxxvixxviixxviiixxxixxxxxxxixxxii]

Control of explosives is also addressed by South African explosives legislation. The Explosives Act, 2003 contains provisions dealing with keeping, storage, possession, transport, use, forfeiture and destruction of explosives, as well as endangering life or property. Because commencement and transitional legal issues may matter, users should rely on current SAPS/SAMSA instructions rather than attempting disposal themselves. Explosives Act 15 of 2003[xxxiiixxxivxxxvxxxvixxxviiixxxxixxxlxlixliixlixlivxlvxlviixlviixlviiixlixlllilliiiiitivlvtvlitvliiilixlxlxitxiiitxiiv]

2. Carriage and compliance

- Carry the flare types and quantities required for the vessel's category and operational limits, as reflected in the applicable regulations, SAMSA survey checklist and certificate of fitness or local safety certificate.[lxvlxvilxviilxviiilxixlxxlxxilxxiilxxiiilxxivlxxvlxxvilxxviilxxviiilxxxiixxixlxxxlxxxilxxxiilxxxiiilxxxivlxxxvlxxxvilxxxviilxxxviiilxxxixxcxcixciixciiixciivxcvxcvi]
- Keep required flares within their marked service life. Replace them on or before expiry; an expired flare should not be counted as compliant safety equipment.
- At inspection, equipment must be in good condition and the owner, skipper and crew remain responsible for ongoing compliance, not only compliance on survey day. SAMSA's survey guidance expressly places that responsibility on the owner and, in relevant cases, the master. SAMSA Category B survey checklist
- Do not mix expired "spares" with the current emergency set. Mark and isolate them for authorised surrender.

3. Lawful use

- **Use red distress flares only for grave and imminent danger requiring immediate assistance.** A sighting triggers costly search-and-rescue action; NSRI specifically asks the public not to discharge red distress flares except in an emergency. NSRI warning on non-emergency flare deployment[xcviixcviixcixcciciiciiicivcvcvicviicviiicixcxcxicxiicxiiicxivcxcvcxvicxviicxviiicxixcxxcxxicxxiicxxiiicxxivcxxvcxxvicxxviicxxviii]
- Follow the manufacturer's instructions printed on the device. Select the appropriate signal for the circumstances: red hand flare, rocket/parachute flare, or orange smoke signal.
- Where safe, alert rescue services by radio or telephone first, give the vessel's identity and position, and state that a flare will be fired.
- Use signals deliberately. NSRI advises setting off red flares at intervals and retaining the final flare until rescuers are approaching and can identify the casualty. NSRI flare-use safety appeal
- Never use marine flares for celebration, testing, training or disposal unless the activity is formally authorised and supervised by the competent authority.

4. Safety protocol for storage and handling

- Keep flares in their original packaging or a dedicated dry, robust, readily accessible emergency container.
- Protect them from heat, flame, sparks, impact, crushing, moisture and unauthorised access.
- Store them away from fuel, batteries and ignition sources, but where the skipper can reach them quickly in an emergency.
- Inspect the set before departure: check expiry dates, corrosion, swelling, cracking, water damage, missing caps or unreadable instructions. Do not handle a damaged or leaking unit more than necessary.

- Brief competent crew on the location and manufacturer's operating method. Do not point a flare at a person, vessel, structure, sail or flammable material.
- When deploying, account for wind, maintain a stable stance, keep the device outside the vessel where instructed, and keep hands clear of the discharge end. Wear gloves and eye protection if immediately available, but do not delay a genuine distress signal.
- If a flare misfires, keep it pointed in a safe direction, do not peer into it, do not dismantle it, and follow the manufacturer's misfire instructions. Treat it as live and arrange expert disposal.

5. Disposal of expired, unwanted or damaged flares

1. **Do not** place flares in household refuse, recycling, skips or landfill; do not bury, burn, soak, cut open or discharge them to "use them up".cxxixcxxxcxxxicxxxiicxxxiicxxxivcxxxvcxxxvicxxxviicxxxviiicxxxixcxlcxlicxliicxliiicxlivcxlvcxlvicxlviicxlviiicxlixclclicliiicliivclvclviclviiclviiiclixclx
2. Telephone a marine retailer that is licensed to handle flares, or SAPS, and ask where and when the items may be surrendered. NSRI's published South African guidance identifies these as the appropriate routes. NSRI disposal guidance
3. Confirm acceptance before travelling. Not every police station or retailer is equipped or authorised to receive explosives, and local arrangements may change.
4. Describe the flare type, quantity, expiry status and any damage. Follow the receiving authority's packaging, transport and appointment instructions exactly.
5. Until handover, keep the items secured in a cool, dry place away from ignition sources and public access. Do not leave unattended flares at a station, retailer, harbour office or rescue base.
6. Businesses, clubs and marinas accumulating multiple flares should not create an informal collection point. Arrange a documented collection and disposal service with a properly authorised explosives handler and check applicable storage and transport permissions.

6. Emergency contacts and reporting

- At sea, use the recognised maritime distress procedure on VHF radio where available and contact the Maritime Rescue Coordination Centre or NSRI through current published channels.clxiclxiiclxiiiclxivclxvclxviclxviiclxviiiclxixclxxclxxiclxxiiclxxiiiclxxivclxxvclxxviclxxviiclxxviiiclxxixclxxxclxxxiclxxxiiclxxxiiiclxxxivclxxxvclxxxviclxxxviiclxxxviiiclxxxixcxccxcicxcii
- SAMSA publishes a maritime emergency number of **021 938 3300**. SAMSA Marine Notices page
- If a flare is seen, report it promptly with the time, direction, colour, number of signals, estimated bearing and observer location. Do not assume it is a false alarm.
- For disposal, contact the local SAPS station first and request referral to the appropriate explosives unit or authorised receiving point.

7. Owner or club compliance checklist

- Record flare type, quantity, manufacturer, batch or serial details where available, and expiry date.
- Review the inventory before every voyage and at least monthly for managed vessels.
- Replace flares early enough to avoid a compliance gap.
- Post a simple emergency-use instruction beside the flare container.
- Maintain a disposal log showing the date, quantity and authorised recipient.
- Review the vessel's current SAMSA or authorised-agency checklist whenever its operating category or area changes.

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[ii] Sea Rescue asks people not to use Sky Lanterns. - NSRI
[iii] NSRI SafeTrx

[iv] PORT ALFRED – Red distress flare deployment remains a mystery - NSRI
[v] NSRI are appealing to the public not to set off Sky Lanterns:
[vi] NSRI Richards Bay Responds to Distress Flares and Assists... | NSRI
[vii] Marine distress flares - SafeWork SA
[viii] Where to with old flares? - Netwerk24
[ix] How to Dispose of Marine Flares | 7 Easy Steps (2026)
[x] Topics explained – Aquaculture – Marine distress flares
[xi] Explosives Act [No. 15 of 2003] - South African Government
[xii] South African Police Service Explosives Unit - SA Government Information
[xiii] Explosives Act 15 of 2003 - South African Government
[xiv] EXPLOSIVES ACT 15 OF 2003 - SAPS
[xv] Regulation Gazette, No. 7458 - Department of Employment and Labour
[xvi] Resource Centre | Acts | SAPS (South African Police Service)
[xvii] Occupational Health and Safety Act: Regulations: Explosives
[xviii] legislation - samsa.org.za
[xix] legislation - samsa.org.za
[xx] List of valid Marine Notices issued in new format
[xxi] SAMSA -
[xxii] List of valid Marine Information Notices - samsa.org.za
[xxiii] Services - samsa.org.za
[xxiv] South African Maritime Safety Authority - samsa.org.za
[xxv] Regulation Gazette No. 8728, Government Notice No. 705
[xxvi] FINAL SMALL VESSELLS REGULATIONS TO BE PUBLISHED AS LAW
[xxvii] Merchant Shipping Act: Regulations: National small vessel safety
[xxviii] 2007R705E_NSVSR_cons20080714 - portowenyc.co.za
[xxix] 1-30151 8-8 Trans - BOATING SOUTH AFRICA
[xxx] I,), herewith makes the regulations - South African Government
[xxxi] SOUTH AFRICAN MARITIME SAFETY AUTHORITY
[xxxii] SUR-701-02-01 Safety Survey Category A
[xxxiii] Safety appeal and Incidents responded to - NSRI
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[lvii] Regulation Gazette No. 8728, Government Notice No. 705
[lviii] FINAL SMALL VESSELLS REGULATIONS TO BE PUBLISHED AS LAW
[lix] Merchant Shipping Act: Regulations: National small vessel safety
[lx] 2007R705E_NSVSR_cons20080714 - portowenyc.co.za

[lxi] 1-30151 8-8 Trans - BOATING SOUTH AFRICA
[lxii] I,), herewith makes the regulations - South African Government
[lxiii] SOUTH AFRICAN MARITIME SAFETY AUTHORITY
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[xcii] 2007R705E_NSVSR_cons20080714 - portowenyc.co.za
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[clxxv] Regulation Gazette, No. 7458 - Department of Employment and Labour
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[clxxix] legislation - samsa.org.za
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[clxxxiii] Services - samsa.org.za
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