



**IMMARBE**

International Merchant Marine Registry of Belize

## Merchant Marine Notice **MMN-17-002**

### Reporting of Casualty and Incident

**TO: DEPUTY REGISTRARS, SHIPOWNERS/ISM OPERATORS, RECOGNIZED ORGANIZATIONS, SHIPPING AGENTS AND GENERAL SAFETY INSPECTORS**

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#### INTRODUCTION

The main basis for marine Casualties and Incidents investigations lies in the United Nations' Convention on the Law of the Seas (UNCLOS). Its Article 94 states that it is the responsibility of the Flag State to institute an inquiry (investigation) into accidents on the high seas.

In addition to UNCLOS, International Conventions are connected with accident investigations on certain regulations:

- International Convention for the Safety of Life at Sea (SOLAS) – Chapter I, Regulation 21.
- International Convention for the Prevention of Pollution from Ships (MARPOL) – Article 12.
- International Convention on Load Lines – Article 23.
- International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) – Chapter I, Regulation I/5.
- Maritime Labour Convention, 2006 – Title 5, Regulation 5.1.6.

The statutory obligation to investigate marine casualties can be found in all main IMO/ILO Conventions. IMO Code A.849 (20) as amended by A.884 (21) for the investigation of marine casualties and incidents is widely applied although it was only a recommendation. In 2005, an IMO Working Group was established to review the Code in order to suggest solutions for the implementation of a mandatory code and an appropriated format. The draft Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code), to replace the existing Code for the investigation of marine casualties and incidents, and the SOLAS amendments were submitted to the Maritime Safety Committee (MSC) at its 84<sup>th</sup> Session in 2008, for adoption.

The Code of the International Standards and Recommended Practices for Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code) was adopted on 16 May 2008 by Resolution MSC.255 (84).

## PURPOSE

The purpose of this Merchant Shipping Notice is to instruct Ship-owners, Operators, Deputy Registrars and Recognized Organization in the importance to notify IMMARBE when a vessel has suffered a Casualty or Incident and the importance of performing an Investigation according to the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code).

Marine Casualty and Incident Investigations do not seek to apportion blame or determine liability. Instead a Marine Casualty and Incident Investigation, as defined in the Casualty Investigation Code, is an investigation conducted with the objective of preventing marine casualties and marine incident in the future.

## CONTENT

### 1. DEFINITIONS

- 1.1. A *Very Serious Marine Casualty* means a marine casualty involving the total loss of the ship or a death or severe damage to the environment.
- 1.2. A *Severe Damage to the Environment* means damage to the environment which, as evaluated by the State(s) affected, or the Flag State, as appropriate, produce a major deleterious effect upon the environment.
- 1.3. A *Marine Casualty* means an event, or a sequence of events, that has resulted in any of the following which has occurred directly in connection with the operations of a ship:
  - 1.3.1. The death of, or serious injury (incapacitation of a person for his/her normal function for more than 72 hours) to, a person;
  - 1.3.2. The loss of a person from a ship;
  - 1.3.3. The loss, presumed loss or abandonment of a ship;
  - 1.3.4. Material damage to a ship;
  - 1.3.5. The standing or disabling of a ship, or the involvement of a ship in a collision;
  - 1.3.6. Material damage to marine infrastructure external to a ship, that could seriously endanger the safety of the ship, another ship or an individual; or
  - 1.3.7. Severe damage to the environment, or the potential for severe damage to the environment, brought about by the damage of a ship or ships.

However, a marine casualty does not include a deliberate act or omission, with the intention to cause harm to the safety of a ship, an individual or the environment.

- 1.4. A *Marine Incident* means an event, or sequence of events, other than a marine casualty, which has occurred directly in connection with the operations of a ship that endangered, or, if not corrected, would endanger the safety of the ship, its occupants or any other person or the environment.

## 2. NOTIFICATION PROCEDURES

2.1. When a very serious marine casualty, marine casualty or marine incident occurs on the high seas, or exclusive economic zone, or territorial sea of a coastal State, a notification shall be submitted to IMMARBE containing as much of the following information as is readily available:

- 2.1.1. The name of the ship;
- 2.1.2. The IMO ship identification number;
- 2.1.3. Nature of the marine casualty;
- 2.1.4. The location of the marine casualty;
- 2.1.5. Time and date of the marine casualty
- 2.1.6. The number of any seriously injured or killed person;
- 2.1.7. Consequences of the marine casualty to individuals, property and the environment; and
- 2.1.8. The identification of any other ship involved.

2.2. Notifications shall be submitted in a period of 24 hours and shall not be delayed due to the lack of complete information.

2.3. The contact details for notifications in case of any marine casualty occurs are as followed:

Telephones: 501-223-5026 (Belize), 507-6081-8786 (Panama), 34-6635-00882 (Spain)  
Telephones after Office Hours: 507-6081-8786 / 34-6635-00882  
E-mail Addresses: [immarbe@immarbe.com](mailto:immarbe@immarbe.com); [technicalofficer@immarbe.com](mailto:technicalofficer@immarbe.com);  
[technicalofficer2@immarbe.com](mailto:technicalofficer2@immarbe.com); [jrtechnicalofficer@immarbe.com](mailto:jrtechnicalofficer@immarbe.com);  
[techsupport@immarbe.com](mailto:techsupport@immarbe.com);

## 3. INVESTIGATIONS

3.1. When IMMARBE is notified of a very serious marine casualty, marine casualty or marine incident, an investigation as far as practicable will be started immediately by our Administration.

3.2. A copy of the Annex I – Casualty & Incident Report Form (F-094-CIR) along with the Annex II – IMO Casualty Report Form (MSC-MEPC 3 Circ.3) shall be submitted to IMMARBE within a period of 72 hours (three days) for the time of occurrence.

3.3. All supporting documentation required by IMMARBE shall be submitted at least in a period of one calendar week.

3.4. A General Safety Inspector may be called to assist IMMARBE Head Office in the performance of a marine casualty or marine incident investigation in case that IMMARBE's Investigator may not perform the on-scene investigation. A complete report along with supporting documentation shall be submitted to IMMARBE upon completion of the on-scene investigation.

- 3.5. When a General Safety Inspector is involved in an investigation. The GSI shall not have any direct or indirect relation with the Vessel's Recognized Organization, Shipowners or Operators/Managers that may present any type of conflict of interests.
- 3.6. All Recognized Organizations, directly or indirectly involved in a marine accident or incident, may be called by IMMARBE to render statements, and they must submit all the entries and documents which shall be required to carry out the investigation of the marine casualty or incident.
- 3.7. General Safety Inspectors and Recognized Organization/Recognized Security Organizations involved in a Marine Casualty or Marine Incident Investigation shall not have the authority to reveal any information to any other interested party regarding the vessel involved in the investigation without the due authorization of IMMARBE.

#### 4. IMPLEMENTATION OF THIS NOTICE

- 4.1. This Merchant Shipping Notice is to be implemented forthwith and shall remain in force until notified by our Administration.

#### 5. OFFENCES

- 5.1 Any shipowner and operator who disregards the provisions contained in this Merchant Shipping Notice could face disciplinary actions as contained in our Statutory Instrument No. 56 of 1999, Registration of Merchant Ships Disciplinary Regulations 1999.

IMMARBE anticipates your cooperation and assistance.

Kind regards;



Eng. Eduardo Simon  
Technical Manager  
IMMARBE HEAD OFFICE

Any queries related to this Notice should be directed to:

Eng. Eduardo Simon  
Technical Manager  
IMMARBE HEAD OFFICE

E-mail: [technicalofficer@immarbe.com](mailto:technicalofficer@immarbe.com)



Mrs. Annette Garel  
Senior Deputy Registrar  
IMMARBE HEAD OFFICE