
Marine Casualty and Marine Incident Reporting

Notice to all Owners, Operators, Masters, Skippers, Officers and Crews of Merchant Ships, Fishing Vessels, Pleasure Vessels, Harbour Authorities, VTS personnel, Marine Pilots and UK Inland Waterway Authorities.

This notice supersedes MGN 458 (M +F) published October 2012

The role of the Marine Accident Investigation Branch (MAIB) is to help prevent avoidable accidents from recurring: the Branch does not seek to apportion blame or establish liability. This MGN provides guidance on the legal obligation to report marine casualties and marine incidents, formerly known as marine accidents, as contained in the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012.

WHO MUST REPORT?

The **master¹ / skipper of a UK ship** must notify the MAIB of any marine casualty or marine incident (see what to report below).

The **master / skipper of any ship** must notify the MAIB of any marine casualty or marine incident if:

- the ship is within UK waters and carrying passengers to / from the UK, or
- the marine casualty or marine incident occurs within the jurisdiction of a UK harbour master.

The **ship's owner** should notify the MAIB of any marine casualty or marine incident, unless s/he is satisfied that the master or senior surviving officer has made the report.

In addition to the above, the following should notify the MAIB of any marine casualty or marine incident, if it occurs in their area of responsibility:

- Harbour authorities, for occurrences in or adjacent to their harbour area.
- The person, authority or body having responsibility for the inland waterway.
- An official of the Maritime and Coastguard Agency (MCA), for all occurrences in UK waters.

¹ Or senior surviving officer

The duty to report does not apply to:

- Recreational craft hired on a bareboat basis, or
- Commercial craft or boat <8m length overall that are operating in a harbour or on an inland waterway, which are not carrying passengers,

Unless the marine casualty involves an explosion, fire, or capsizing of a power driven vessel, or results in death, serious injury or severe pollution.

Note, there is no requirement for the master / skipper or owner of a pleasure vessel² to notify the MAIB of a marine casualty or marine incident, though reports are welcomed.

All reports are treated confidentially and a reporter's identity will not be released.

WHAT TO REPORT

It is a legal requirement that any **marine casualty or marine incident** should be reported to the MAIB.

A **marine casualty** is an event or sequence of events that has occurred directly by, or in connection with the operation of ship, and has resulted in:

- The death of, or serious injury³ to, a person.
- The loss of a person from a ship
- The loss, presumed loss or abandonment of a ship
- Material damage⁴ that significantly affects the structural integrity, performance or operational characteristics of the ship requiring major repair or replacement of component(s),
- The ship being unfit to proceed, or requires flag state approval or a condition of class before it may proceed.
- At sea, the ship requiring towage or shore assistance.
- The stranding or disabling of a ship, or the involvement of a ship in a collision
- Material damage² to marine infrastructure external of a ship that could seriously endanger the safety of the ship, another ship or any individual.
- Pollution, caused by damage to a ship or ships.

² See The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012, regulation 2(1) for the definition of a pleasure vessel.

³ In this context a serious injury renders the person unable to perform their usual duties for >72 hours, or requires their admittance to a hospital / medical facility for > 24 hours.

⁴In this context, material damage means the structural integrity, performance or operational characteristics of the ship or infrastructure are significantly affected, and it requires major repair or replacement of a major component or components.

Note, a marine casualty or marine incident does not include a deliberate act or omission that is intended to cause harm to the safety of a ship, an individual (e.g. assault, suicide or homicide) or the environment.

A **marine incident** means an event, or sequence of events, which occurred directly in connection with the operations of the ship, that do not meet the criteria to be classified as a marine casualty but that endangered or, if not corrected would endanger, the safety of the ship, its occupants or any other person or the environment.

Examples of marine incidents include:

- Close-quarters situations where avoiding action was required to avoid collision.
- Any event that had the potential to result in a serious injury.
- A fire that did not result in material damage.
- An unintended temporary grounding on soft mud, where there was no risk of stranding or material damage.
- A person overboard who was recovered without serious injury.
- Snagging of fishing gear resulting in a dangerous heel.

Do not Report

There is no requirement to report:

- Defects to equipment, unless they are related to a marine casualty or marine incident.
- Injuries to passengers that did not result from activities connected with the operation of the vessel. For example: a passenger suffering a fall on board a ship, where the ship's movement, design, or acts or omissions by crew were not a contributing factor.
- Damage or injuries occurring ashore, including the quayside, which do not involve the ship's equipment.
- Vessel detentions.

WHEN TO REPORT

All marine casualties and marine incidents must be reported to the MAIB as soon as practicable by the quickest means available (see 'How to Report', below).

Reporting must not be delayed until the completion of an internal company investigation.

HOW TO REPORT

The MAIB's 24 hour accident reporting line: **+44 (0)23 8023 2527**.

Information can also be submitted using the MAIB's Accident Report Form (ARF), which is available on the Branch's website: www.gov.uk/MAIB. On the home page, click '*Reporting an Accident*', then the '*Accident Report Form*' link.

Comprehensive completion of the form will avoid the need for the MAIB to make follow-up enquiries to obtain missing information.

Once completed, the form may be submitted electronically, by clicking on the button on the form, or printed and sent by post to:

MAIB, 1st Floor Spring Place
105 Commercial Road
Southampton
SO15 1GH.

For general queries about accident reporting, to follow up on a report already made and for assistance in completing the ARF:

Tel: +44 (0)23 80395500 (switchboard)
E-mail: maib@dft.gsi.gov.uk

The e-mail account is not monitored outside office hours.

EVIDENCE

Following an accident, the MAIB may require access to additional information and evidence. In this regard, all charts, log books, recorded data (hard copy or electronic) relating to the period prior to, during and after the accident, and all other documents, records and equipment which may be pertinent to the accident must be preserved.

Where a vessel is fitted with a Voyage Data Recorder, the data recorded by it must be saved immediately and steps taken to prevent the data becoming overwritten.

PENALTIES

Note, it is an offence under The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012, Regulation 19 not to report an accident or provide the information required without reasonable cause.

Published: Printers to insert month and year

© **Crown copyright 2017**