



DEPARTMENT OF ECONOMIC DEVELOPMENT

ACCIDENT REPORTING

The aim of this notice is to give advice on accident reporting procedures on all Manx ships.

Documents referred to in this notice:

Merchant Shipping (Accident Reporting and Investigation) Regulations 2001 (SD 815/01).

Most regulations and notices are available on the Isle of Man Government web site: www.iomshipregistry.com or by contacting marine.survey@gov.im

The regulations governing the reporting and investigation of accidents are the Merchant Shipping (Accident Reporting and Investigation) Regulations 2001 (SD 815/01) and apply to all Manx ships, including fishing vessels and pleasure yachts.

The regulations simplify the definitions of accidents and casualties and define only three categories of event, Casualties, Accidents, and Incidents;

CASUALTIES

These are occurrences where there is -

- the death of a person, or major injury to a person; or
- serious harm to the environment; or
- loss of a ship or the abandonment of a ship; or
- material damage to a ship; or
- the grounding of a ship or any collision, or a ship is disabled; or
- material damage caused by, or in connection with the operation of a ship.

An occurrence classified as a casualty is the most serious type of event. Any major injury occurring to any person automatically classifies the event as a casualty and a major injury is defined as -

- any fracture (other than to fingers or toes); or
- any loss of a limb or part of a limb; or
- dislocation of the shoulder, hip, knee or spine; or
- loss of sight (temporary or permanent); or
- penetrating eye injuries; or
- other injuries leading to hypothermia or unconsciousness, requiring resuscitation, or admission to hospital or an offshore sick bay for more than 72 hours.

Reports of casualties are required to be sent to the Isle of Man Ship Registry "as soon as is practicable by the quickest means available". In general the quickest means available will be in the form of an e-mail with any attachments or a fax transmission giving the basic facts and sent as soon as possible, followed up by the sending in of the accident report form by the quickest means available as soon as it is completed.

"Material Damage", like a major injury, automatically classifies the event as a casualty and material damage is defined as damage to the structure, equipment or fittings of the ship which -

- requires immediate repair before the ship is able to continue in service, or
- which involves a breach of the hull or cracking etc. which affects the ship's structural integrity, or
- which involves damage to machinery or other equipment which is safety equipment or which is essential to the operation of the ship and thus prevents the ship from operating as designed.

ACCIDENTS

These are defined as an event of less seriousness than a casualty and include -

- falls overboard;
- fires and explosions;
- the collapsing or bursting of any pressure vessel, pipeline or valve or the accidental ignition of anything in a pipeline;
- the collapse or failure of any lifting equipment, access equipment, hatchcover, staging or bosun's chair or any associated load-bearing parts;
- the uncontrolled release of any harmful substance or agent;

- any collapse of cargo, unintentional movement of cargo sufficient to cause a list, or loss of cargo overboard;
- snagging of fishing gear resulting in the vessel heeling to a dangerous angle.
- any contact by a person with loose asbestos fibre without wearing the appropriate protective clothing.

Any of the above are classified as accidents, however if any of these actually result in a major injury then the classification is upgraded to casualty. Similarly, while a fire is classed as an accident, if it causes material damage to the ship, then (because material damage classifies the event as a casualty) the event is upgraded to a casualty.

Thus a crew member falling overboard who is successfully recovered unharmed is an event classified as an accident. If, on the other hand, the person overboard dies, requires resuscitation, or dislocates his shoulder in falling overboard, then the event is classified as a casualty.

Accidents are required to be reported to the Isle of Man Ship Registry as soon as possible and by the quickest means available. The completed accident report has to be sent to the Isle of Man Ship Registry within 24 hours of the vessel's next arrival in port.

INCIDENTS

These are the least serious types of event and include all other events which do not classify as casualties or accidents and "incident" also includes "near misses" or events which could have led to accidents or casualties.

Incidents are required to be reported to the Isle of Man Ship Registry on the accident report form before departure from the next port.

To accompany the new legislation the Isle of Man Ship Registry has also issued a revised format of the accident report form known as Form ARF-1. The new accident report form is available in two formats, either in a printed form or on computer disc. Copies of the computer disc version are available at a small cost from the Isle of Man Ship Registry. Ships, Managers and owners may make unlimited copies of this for distribution to their fleets if required although Copyright remains with the Isle of Man Ship Registry. The computer version will work with Windows based software applications.

Users should access the drive containing the disc, double click on the file (ARF1.exe) and the accident report form will load and open. The form can be printed out as a

blank version for hand completion if required or it can be completed on screen and printed out once it is filled in. The TAB key operates to move between fields. If completing the form "on-screen" there are drop down lists to use in selecting each category. If printing out a blank form for hand completion, the appropriate box can be ticked. When the form is open on screen a context sensitive help text appears to the right. Ships which have e-mail facilities can click the "E-mail button" at the top of the first page when the form is complete. This will automatically send the contents of the form to the Isle of Man Ship Registry. At the same time the ship will be able to save the contents on their own computer for records if required.

The new accident report form removes the need for the separate list of codes (ARF/1G) as each entry is printed in full on the form. It is only necessary to tick, or put an X in the appropriate boxes to complete the form.

The new regulations also allow the possibility of the Isle of Man Ship Registry accepting Company Accident reports on Company forms rather than the ship being required to complete two versions, one on the ARF-1 and one on the Company form. Companies who wish to use their own forms should submit a copy to the Isle of Man Ship Registry where it will be assessed for compatibility with the data which the Administration requires.

If it is compatible the Administration will advise the Company and thereafter they may submit a copy of any accident reports on the company form to the Administration.

To further simplify matters, the old requirement to complete and return form WRE-1 in cases of casualties is removed. From now on there will only be the single form ARF-1 for all events. In the event of a casualty, which would previously have required submission of a WRE-1 form, the correct procedure will now be to provide sufficient details on the accident report form or in a separate sheet or sheets attached to it. In particular it will be necessary to include in the report sufficient details so that the following can be identified where appropriate -

- The location, time and weather, sea and tide conditions at the time.
- The condition of the ship - draught, loading condition, cargo etc.
- Third party involvement - pilots, other ships, tugs, etc.
- Ships course, track, speed, status of navigational aids and steering.
- Main engine and auxiliary machinery status.

There is a legal requirement for the master and the ship's operator to examine the circumstances of every casualty, accident or incident. In most cases the submission of the accident report form will satisfy this requirement. In certain cases depending

on the event, the Isle of Man Ship Registry may ask for further reports on the event and the operator or the master are required to provide this further information.

All accident reports and additional reports are confidential to the Isle of Man Ship Registry and they will not, so far as it is within the power of the Department, be released to other parties. The data from accident reports are entered in the Isle of Man Ship Registry's database and used for statistical analysis of accident trends. The regulations also make it clear that reports on accidents made to the Isle of Man Ship Registry cannot be used in evidence against the maker in any proceedings.

It is for the Isle of Man Ship Registry to decide, on receipt of any casualty, accident, or incident report, whether or not to undertake a more comprehensive investigation. If a Isle of Man Ship Registry investigation is commenced it can only be for the purpose of determining the circumstances and causes and improving safety at sea, not for the purposes of apportioning blame.

A Isle of Man Ship Registry surveyor will normally be assigned to the investigation and the ship's operator and master are required to preserve as far as possible all records, documents and other items which might have a bearing on the event until such time as the assigned surveyor has finished with them.

The Department, on completion of any investigation will produce a report and will, where necessary give key persons involved an opportunity to see and comment on the final draft before it is published. During an investigation, persons involved will be asked to make statements. These remain confidential between the maker and the Isle of Man Ship Registry and the regulations make it clear that these cannot be used for any other purpose.

COMPLETING THE NEW ACCIDENT REPORT FORM

Page 1 of the new form contains basic information on the ship, the company and the date of the event. Near the top of the page is a section where the event must be classified as either a casualty, an accident, or an incident. Use either the drop down box "on-screen" to select one category, or write in the correct category if completing the form by hand.

There is a box for the number of persons injured. If one or more persons have been injured then enter the number in this box. In the case of events where more than one person is injured a separate accident report form needs to be completed for each person. The front page of each form will be identical but the other details will vary depending on the persons injured.

The first section defines the place where the event happened, either select from the drop down list or (if completing a printed blank by hand) place a tick (or an "x") in

the box which most closely describes the location of the occurrence. The sections on page 2 of the form for Activity and Accident Type are completed in the same way.

The section on accident causes, starting on page 3 of the form is divided into six "themes". This is generally the most difficult part of any accident investigation to analyse. Personnel completing an accident form should try and identify the main cause, select it, and then look to see if any other cause types are also appropriate. It is possible to select one cause type from each theme, or alternatively there may be only one applicable cause type depending on the nature of the accident. There should, however, be at least one "cause" selected.

The section on injury details is completed in the same way as the other sections. Note that if more than one person is injured, there will need to be separate report forms for each person.

On pages 5 & 6 there is space for a description of the event and for suggested safety improvements. There is also a space for the ship's safety representative to make comments. If using a printed-off blank and completing the form by hand, these sections should be signed. If submitting the form data via e-mail this is not necessary.

It may be that there is insufficient space to enter a full description or there may be a need for supporting documents, log extracts and other material to fully deal with the incident. If this is the case, these can be attached to the form or if the form is submitted electronically the narrative section should contain a note that there are supporting documents and they can be sent by ordinary mail to follow the basic report data.

Isle of Man Ship Registry

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Please note - The Isle of Man Ship Registry cannot give Legal Advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.