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STATUTORY INSTRUMENTS

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**2004 No. 2110**

**The Merchant Shipping (Vessel Traffic Monitoring  
and Reporting Requirements) Regulations 2004**

**PART 4**

**INCIDENTS AND ACCIDENTS AT SEA**

**Reporting of incidents and accidents at sea**

**12.**—(1) When a ship is involved in—

- (a) an accident;
- (b) an incident; or
- (c) a pollution event likely to result in the pollution of United Kingdom waters or the coastline of the United Kingdom,

in controlled waters, the master of that ship shall immediately send to Her Majesty's Coastguard responsible for the area in which it occurred by the quickest means possible a report containing the information specified in paragraph (3).

(2) If a slick of polluting goods or containers or packages drifting at sea are seen from a ship in controlled waters, the master of that ship shall immediately send to Her Majesty's Coastguard responsible for the area in which the sighting occurred by the quickest means possible—

- (a) details of the sighting;
- (b) the information specified in paragraph (3)(a) and (b); and
- (c) any other relevant information referred to in IMO Resolution A.851(20) adopted by the Assembly of the IMO on 27th November 1997.

(3) The information referred to in paragraph (1) shall comprise—

- (a) the identity of the ship;
- (b) the position of the ship;
- (c) the last port from which the ship departed;
- (d) the next port of call;
- (e) the number of people aboard the ship;
- (f) the date on which, and the time at which, the accident, the incident or the polluting event, as the case may be, occurred;
- (g) details of the accident, the incident or the polluting event, as the case may be;
- (h) the name of the body or person from whom information regarding any dangerous goods or polluting goods on board the ship may be obtained together with the necessary information to enable that person or body, as the case may be, to be contacted.

(4) The master shall also ensure that a report referred to in paragraph (1) shall comply as to form and content with the standard reporting requirements.

(5) When a United Kingdom ship is involved in—

- (a) an accident;
- (b) an incident; or
- (c) a pollution event,

outside controlled waters, the master of that ship shall report without delay the particulars of the accident, incident or pollution event, as the case may be, to the fullest extent possible together with the information specified in paragraph (9) in accordance with paragraph (6).

(6) A report referred to in paragraph (5)—

- (a) shall be sent,
  - (i) where the accident, incident or pollution event, as the case may be, is a threat to the coastline, or a related interest of the United Kingdom, to Her Majesty's Coastguard responsible for the area in which it occurred,
  - (ii) where the accident, incident or pollution event, as the case may be, is a threat to the coastline, or to a related interest, of another State, to the State in question; and
- (b) as to form and content, shall comply with the standard reporting requirements.

(7) When a ship is involved in a discharge, or a probable discharge, of dangerous packaged goods, the master of that ship shall report without delay the particulars of the discharge or probable discharge to the fullest extent possible together with the information specified in paragraph (9) in accordance with paragraph (8).

(8) A report referred to in paragraph (7)—

- (a) shall be sent—
  - (i) where the discharge is a threat to the coastline, or to a related interest, of the United Kingdom, to Her Majesty's Coastguard responsible for the area in which it occurred;
  - (ii) where the discharge is a threat to the coastline, or to a related interest, of another State, to the State in question; and
- (b) shall as to form and content comply with the standard reporting requirements.

(9) The information referred to in paragraphs (5) and (7) shall comprise—

- (a) the identity of the ship;
- (b) the time and location of the incident;
- (c) the quantity and type of dangerous goods involved; and
- (d) details of assistance and salvage measures.

(10) In this regulation—

- (a) “controlled waters” means the areas of sea specified by the Merchant Shipping (Prevention of Pollution) (Limits) Regulations 1996<sup>(1)</sup> as areas within which the jurisdiction and rights of the United Kingdom are exercisable in accordance with Part XII of the United Nations Convention on the Law of the Sea<sup>(2)</sup> for the protection and preservation of the marine environment;
- (b) “dangerous packaged goods” means dangerous goods in packaged form including those in freight containers, portable tanks, road and rail vehicles and shipborne barges;
- (c) “pollution event” means a discharge, or the threat of a discharge, of polluting goods into the sea; and
- (d) “the standard reporting requirements” means the requirements stated in—

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(1) S.I.1996/2128, as amended by S.I. 1997/506.

(2) Cmnd. 8941.

- (i) part 2 (Standard Reporting Format and Procedures), or
  - (ii) sections 3.1, 3.2 and 3.3 of part 3 (Guidelines for Detailed Reporting Requirements),
- of the Appendix to the Annex to Resolution A.851(20) adopted by the Assembly of the IMO on 27th November 1997.