

Commission Regulation (EU) No 1286/2011 of 9 December 2011
adopting a common methodology for investigating marine casualties and
incidents developed pursuant to Article 5(4) of Directive 2009/18/EC of
the European Parliament and of the Council (Text with EEA relevance)

- Article 1 The common methodology for investigating marine casualties
 and incidents as...
- Article 2 This Regulation shall enter into force on the twentieth day...
- Signature

ANNEX

COMMON METHODOLOGY FOR INVESTIGATING
MARINE CASUALTIES AND INCIDENTS

A. PURPOSE, SCOPE AND APPLICATION

B. CONTENT

1. Operational readiness
 - 1.1. Each investigative body shall plan in advance in order to...
 - 1.2. Arrangements shall be put in place to ensure prompt receipt...
2. Initial assessment and response
 - 2.1. On being notified, the investigative bodies shall assess the situation...
 - 2.2. This assessment shall include, as far as possible, an understanding...
 - 2.3. After a decision is taken to investigate a serious casualty...
3. Strategy and evidence collection
 - 3.1. The investigative body of the lead investigating Member State, in...
 - 3.2. The investigative body shall keep the plan under review during...
 - 3.3. The scope of a safety investigation and the procedure to...
 - 3.4. Investigative bodies of substantially interested Member States shall provide support...
 - 3.5. The lead investigative body shall nominate an investigator to carry...
 - 3.6. During the initial stage of every investigation, investigators shall collect...
 - 3.7. In addition to that gained during the initial notification stage,...
 - 3.8. Where appropriate, the investigative body shall query databases, including that...
 - 3.9. In principle, investigators shall, if feasible visit the casualty and/or...
 - 3.10. Where a VDR is fitted, the investigators shall make every...
 - 3.11. Interviews shall be conducted with all available witnesses considered by...
 - 3.12. Information shall be verified whenever possible. Statements made by different...
 - 3.13. Human factors form an integral part of most investigations, and...
 - 3.14. If need be, the investigative body will have to secure...
 - 3.15. If they appear to be relevant to the occurrence as...

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU)
No 1286/2011. Any changes that have already been made to the legislation appear in the content
and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 3.16. While gathering evidence, the investigative bodies shall try to identify...
- 4. Analysis
 - 4.1. Having collected evidence and related additional data, the investigative body...
 - 4.2. Proper identification of causal factors requires timely and methodical investigation,...
 - 4.3. If a gap of information cannot be resolved and is...
- 5. Safety recommendations
 - 5.1. Any safety recommendations shall be based on the analysis. They...
 - 5.2. They may be based on safety investigations, or on research...
 - 5.3. Where a causal or contributing factor is considered so serious...
 - 5.4. To facilitate as much as possible acceptance and implementation by...
- 6. Reports
 - 6.1. The investigative body of the lead investigating Member State shall...
 - 6.2. Where practicable, the draft report, or appropriate parts thereof, shall...
- 7. Follow-up

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 1286/2011. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (1) [OJ L 131, 28.05.2009, p. 114.](#)
- (2) [OJ L 324, 29.11.2002, p. 1.](#)

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Changes and effects yet to be applied to :

- art. 1 words omitted by [S.I. 2018/1400 reg. 26\(2\)](#)
- art. 2 omitted by [S.I. 2018/1400 reg. 26\(3\)](#)
- art. 2 words omitted by [S.I. 2018/1400 reg. 26\(4\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Annex Pt. A words omitted by [S.I. 2018/1400 reg. 26\(5\)\(a\)\(i\)](#)
- Annex Pt. A words omitted by [S.I. 2018/1400 reg. 26\(5\)\(a\)\(ii\)](#)
- Annex Pt. A words omitted by [S.I. 2018/1400 reg. 26\(5\)\(b\)](#)
- Annex Pt. B para. 3.4 omitted by [S.I. 2018/1400 reg. 26\(6\)\(c\)](#)
- Annex Pt. B para. 3.8 words omitted by [S.I. 2018/1400 reg. 26\(6\)\(d\)](#)
- Annex Pt. B para. 2.2 words substituted by [S.I. 2018/1400 reg. 26\(6\)\(a\)](#)
- Annex Pt. B para. 3.1 words substituted by [S.I. 2018/1400 reg. 26\(6\)\(b\)](#)
- Annex Pt. B para. 4.1 words substituted by [S.I. 2018/1400 reg. 26\(6\)\(e\)](#)
- Annex Pt. B para. 6.1 words substituted by [S.I. 2018/1400 reg. 26\(6\)\(f\)](#)