
STATUTORY INSTRUMENTS

2018 No. 1400

The Merchant Shipping (Accident Reporting and Investigation) and the Railways (Accident Investigation and Reporting) (Amendment) (EU Exit) Regulations 2018

PART 2

Amendment of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012

Insertion of Schedule 2 (safety investigation report content)

14. After Schedule 1 (as so renumbered), insert—

“SCHEDULE 2

Regulation 14

Information to be included, where relevant, in reports in relation to an accident

Summary

1. An outline of the basic facts of the marine casualty or incident, including what happened, when, where and how it happened.
2. Summary information about any deaths or injuries, or any damage to the ship, cargo, third parties or environment that occurred.

Factual information

3. Particulars about the vessel concerned, including details of its—
 - (a) flag and register;
 - (b) identification;
 - (c) main characteristics;
 - (d) ownership and management;
 - (e) construction;
 - (f) minimum safe manning;
 - (g) authorised cargo.
4. Particulars about the voyage, including—
 - (a) ports of call;
 - (b) the type of voyage;
 - (c) cargo information;
 - (d) manning.

5. Marine casualty or incident information, including—
 - (a) the type of marine casualty or incident;
 - (b) the date and time of casualty or incident;
 - (c) the position and location of the marine casualty or incident;
 - (d) information about the external and internal environment;
 - (e) information about the vessel’s operation and voyage segment;
 - (f) the place on board the ship where the casualty or incident occurred;
 - (g) human factors data;
 - (h) information about its consequences (for people, any ship, cargo, the environment or other).
6. Information about shore authority involvement and emergency response, including—
 - (a) who was involved in the response;
 - (b) the means used to respond to the casualty or incident;
 - (c) the speed of response;
 - (d) actions taken;
 - (e) results achieved.

Narrative details

7. A description or reconstruction of the marine casualty or incident setting out, in chronological order, the sequence of events leading up to, during and following the marine casualty or incident and the involvement of relevant actors or factors (persons, material, environment, equipment or external agents).

8. Relevant details of the safety investigation conducted, including the results of any examinations or tests.

Analysis

9. Analysis and comment, as necessary, to enable the report to reach logical conclusions, establishing all of the contributing factors, including those with risks for which existing defences aimed at preventing an accidental event, and those aimed at eliminating or reducing its consequences, are assessed to be either inadequate or missing, including—

- (a) an analysis of each accidental event, with comments relating to the results of any relevant examinations or test conducted during the course of the safety investigation and to any safety action that might have been taken to prevent marine casualties in relation to the incident;
- (b) the context of, and the environment in relation to, the accident or incident;
- (c) human errors and omissions;
- (d) events involving hazardous material;
- (e) environmental effects of the accident or incident;
- (f) equipment failures;
- (g) external influences or factors;
- (h) contributing factors involving person-related functions, shipboard operations, shore management or regulatory influence.

Conclusions

10. The main conclusions, including conclusions as to the established contributing factors and missing or inadequate defences (material, functional, symbolic or procedural) for which safety actions should be developed to prevent marine casualties.

Safety Recommendations

11. Any safety recommendations derived from the analysis and conclusions and related to particular subject areas, such as legislation, design, procedures, inspection, management, health and safety at work, training, repair work, maintenance, shore assistance and emergency response.

12. Safety recommendations must be addressed to those that are best placed to implement them, such as ship owners, managers, recognised organisations, maritime authorities, vessel traffic services, emergency bodies and international maritime organisations with the aim of preventing marine casualties and incidents.

13. Any interim safety recommendations that may have been made, or any safety actions taken, during the course of the safety investigation.

Appendices

14. If appropriate, the following non-exhaustive list of information may be attached to the report (in paper or electronic form)—

- (a) photographs, moving images, audio recordings, charts, drawings;
- (b) applicable standards;
- (c) technical terms and abbreviations used;
- (d) special safety studies;
- (e) miscellaneous information.”.